

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

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

**F1. Zoning Board Meeting - June 20, 2024**

**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 2406ZB085:(Tabled to July meeting due to applicant not being present.)**

Variance 2406ZB085, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 12146 Dedeaux Road, Zoned R-1-10 (Single-Family), Ward 6

**2. Special Exception 2407SE096:**

Special Exception 2407SE096, by agent John Pritchard, seeking approval for a to-go Daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Rd, Zoned B-1 (Neighborhood Business), Ward 5

**3. Variance 2407ZB098:**

Variance 2407ZB098, by owner Vernon Floyd, seeking approval for a 6-foot tall fence where 4 feet is the height limit, Tax Parcel 0911D-03-060.000, 621 3rd Street, Zoned R-1-7.5 (Single-Family), Ward 2

**4. Variance 2407ZB101:**

Variance 2407ZB101, by owners Gary & Mary McCabe, seeking approval for an 8-foot fence where 6 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**5. Variance 2407ZB102:**

Variance 2407ZB102, by owners Gary & Mary McCabe, seeking approval for a 5-foot tall fence with 6-foot brick columns where 4 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**6. Variance 2407ZB105:**

Variance 2407ZB105, by owner Ashford Holdings LLC, seeking approval for a 15-foot front yard setback where 25 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**7. Variance 2407ZB106:**

Variance 2407ZB106, by owner Ashford Holdings LLC, seeking approval for a 6-foot side yard setback where 8 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**8. Variance 2407ZB107:**

Variance 2407ZB107, by owner Ashford Holdings LLC, seeking approval for a 10-foot front yard setback where 25 feet is required for a second frontage, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**9. Variance 2407ZB109:**

Variance 2407ZB109, by owner LaBella's Salon LLC, seeking approval for parking that backs out into the city right of way, Tax Parcel 0808N-01-012.000, 15095 Dedeaux Road, Zoned B-2 (General Business), Ward 5

**H. Adjournment**



## MINUTES

### ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING

Thursday, June 20, 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 **3:01 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:

MATILDA WELCH  
SU-LIN FEATHERSTON  
LESLIE ERVIN  
BRYCE CLUGH

#### COURT REPORTER:

NORMA SOROE

E. **Confirmation of Agenda**:

F. **Approval of Minutes**:

Motion by Robert Pharr and seconded by Mary Ann Wiginton to approve Minutes of the **May 16, 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 2406ZB085:  
(Tabled to July)**

Variance 2406ZB085, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 12146 Dedeaux Road, Zoned R-1-10 (Single-Family), Ward 6

**Speaking for the Petition: None**

**Speaking against the Petition: None**

**Motion: Michael Daniels – To table case to next month due to applicant not being present at meeting.**

**Second: Hal Kaigler**

|                   |                   |
|-------------------|-------------------|
| Leslie North      | - <b>Chairman</b> |
| Mary Ann Wiginton | - Yea             |
| Michael Daniels   | - Yea             |
| Robert Pharr      | - Yea             |
| Nathan Boddie     | - Yea             |
| Nicholas Hahn     | - Absent          |
| Hal Kaigler       | - Yea             |

**Action: Motion carries unanimously.**

**2. Variance 2406ZB087:  
(Withdrawn by Applicant)**

Variance 2406ZB087, by agent Charlotte Distefano, seeking approval for 16 square foot retail sign that exceeds the size limit, Tax Parcel 0710P-03-028.000, 4002 28th Street, Zoned B-1 (Neighborhood Business), Ward 1

**Speaking for the Petition:**

**Speaking against the Petition:**

**Motion:**

**Second:**

|                   |                   |
|-------------------|-------------------|
| Leslie North      | - <b>Chairman</b> |
| Mary Ann Wiginton | -                 |
| Michael Daniels   | -                 |
| Robert Pharr      | -                 |
| Nathan Boddie     | -                 |
| Nicholas Hahn     | -                 |
| Hal Kaigler       | -                 |

**Action:**

**3. Variance 2406ZB088:**

Variance 2406ZB088, by agent Bruce Mathes Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0707I-01-002.000, 16048 Duckworth Road, Zoned R-1-15 (Single-family), Ward 7

**Speaking for the Petition: Bruce Mathes Jr.**

**Speaking against the Petition: None**

**Motion: Nathan Boddie- To approve applicant's request**

**Second: Robert Pharr**

|                   |                   |
|-------------------|-------------------|
| Leslie North      | - <b>Chairman</b> |
| Mary Ann Wiginton | - Yea             |
| Michael Daniels   | - Yea             |
| Robert Pharr      | - Yea             |
| Nathan Boddie     | - Yea             |
| Nicholas Hahn     | - Absent          |
| Hal Kaigler       | - Yea             |

**Action: Motion carries unanimously.**

**H. Other Business**

**1. Variance 2403ZB043:**

Discussion regarding Variance case# 2403ZB043, regarding the applicant withdrawing their case before the appeal was heard at the June 4th City Council meeting.

**Speaking for the Petition:**

**Speaking against the Petition:**

**Motion:**

**Second:**

|                   |                   |
|-------------------|-------------------|
| Leslie North      | - <b>Chairman</b> |
| Mary Ann Wiginton | -                 |
| Michael Daniels   | -                 |
| Robert Pharr      | -                 |
| Nathan Boddie     | -                 |
| Nicholas Hahn     | -                 |
| Hal Kaigler       | -                 |

**Action:**

**Adjournment:**

Motion by **Nathan Boddie** to adjourn the meeting was seconded by **Mary Ann Wiginton** and carried unanimously. The meeting adjourned **3:10 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:** July 18, 2024

**Re:** Public Declaration of Appeal Process of Chairman

# MEMORANDUM

**To:** City of Gulfport Zoning Board of Adjustment and Appeals

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

**Date of Hearing:** July 18, 2024

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

# MEMORANDUM

**To:** City of Gulfport Zoning Board of Adjustment and Appeals

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

**Date of Hearing:** July 18, 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:** July 18, 2024

**Re:** Variance 2406ZB085:(Tabled to July meeting due to applicant not being present.)

Variance 2406ZB085, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 12146 Dedeaux Road, Zoned R-1-10 (Single-Family), Ward 6

# Technical Report

## VARIANCE

### GENERAL INFORMATION

Case File Number: 2406ZB085

Hearing Date: July 18, 2024

Current Zoning/Use: R-1-10/ Single Family

Legal: Variance 2406ZB085, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 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 400 square feet for an accessory structure size of 2400 square feet where 2000 square feet is the maximum, for lots greater than or equal to one acre.

- (a) Applicant states the structure will be used “to store [their] equipment.” They also state that the overall size of the property is 11.5 acres and as such, it will be able to accommodate the size of the structure. This does not adequately address the question of whether or not if there are special conditions or circumstances unique to the property in that area.
- (b) The applicant states that [they] “didn’t make the size limit, however it should be noted that the size of the structure itself is caused by what the property owners propose to store in the accessory structure, therefore causing the unnecessary hardship.
- (c) There is no definable hardship on this property in relation to the size of this structure. The applicant states that [they] “need additional space to store equipment. This further demonstrates that there is no hardship related to the property.
- (d) The applicant notes that [they] are “sure there are larger barns in the area.” This does not adequately address how the ordinances would deprive the applicant of rights enjoyed by other properties.
- (e) Applicant states that granting this variance for their property would not allow any special privileges that aren’t allowed to any other properties. Upon staff review, there were no visible structures in surrounding area that had accessory structures near the requested square footage of this proposed structure. The area is generally mixed-use with a mix between neighborhood businesses and residential subdivisions and most of these properties are much small than the proposed site. Upon further research, there were no properties in the surrounding area that have filed a prior variance for a structure exceeding the allowable square footage and as such, this case would establish precedence for this area.
- (f) This property is zoned R-1-10 Single-family, and an accessory structure is allowed by right.

## EXECUTIVE SUMMARY

No legitimate hardships were provided by the applicant in the written request. There are no preexisting non-conforming structures that exist that are over the allowed square footage nor have there been any prior variances requested for a structure exceeding the allowable square footage. As such, this would mean that approval would establish precedence. If approved, the applicant would be able to place the structure in accordance to the setbacks required in the R-1-10 zoning.

Any approval should consider these conditions:

- 1. Must meet all current building Codes and City of Gulfport Ordinances.
- 2. The site plan only shows the placement and dimensions of the barn, without color elevations. Approval from the ARC may be required for building material(s).
- 3. Approval allows for a variance of 400 square feet for an accessory structure size of 2400 square feet where 2000 square feet is the maximum, for lots greater than or equal to one acre.

# Technical Report

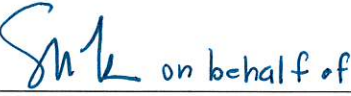
## VARIANCE

### ***DEPARTMENTAL CONDITIONS***

|                                       |                                                                                           |
|---------------------------------------|-------------------------------------------------------------------------------------------|
| <b><u>Engineering:</u></b>            | No conditions. Memo dated 5/31/24.                                                        |
| <b><u>Public Works:</u></b>           | No conditions. Memo dated 6/6/24.                                                         |
| <b><u>Traffic and Safety:</u></b>     | No conditions. Memo dated 6/3/24.                                                         |
| <b><u>Building Code Services:</u></b> | Must meet all current building Codes and City of Gulfport Ordinances. Memo dated 5/28/24. |
| <b><u>GIS:</u></b>                    | No conditions. Memo dated 5/28/24.                                                        |
| <b><u>Police Department:</u></b>      | No comment as of 6/7/24.                                                                  |
| <b><u>Fire Department:</u></b>        | No conditions. Memo dated 5/29/24.                                                        |
| <b><u>City Arborist:</u></b>          | No conditions. Memo dated 5/28/24.                                                        |

### ***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

 on behalf of

Greg Holmes  
Director of Urban Development Department



# Technical Report

## VARIANCE

### GENERAL INFORMATION

Case File Number: 2406ZB085

Hearing Date: June 20, 2024

Current Zoning/Use: R-1-10/ Single Family

Legal: Variance 2406ZB085, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 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

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- (f) This property is zoned R-1-10 Single-family, and an accessory structure is allowed by right.

### **EXECUTIVE SUMMARY**

No legitimate hardships were provided by the applicant in the written request. There are no preexisting non-conforming structures that exist that are over the allowed square footage nor have there been any prior variances requested for a structure exceeding the allowable square footage. As such, this would mean that approval would establish precedence. If approved, the applicant would be able to place the structure in accordance to the setbacks required in the R-1-10 zoning.

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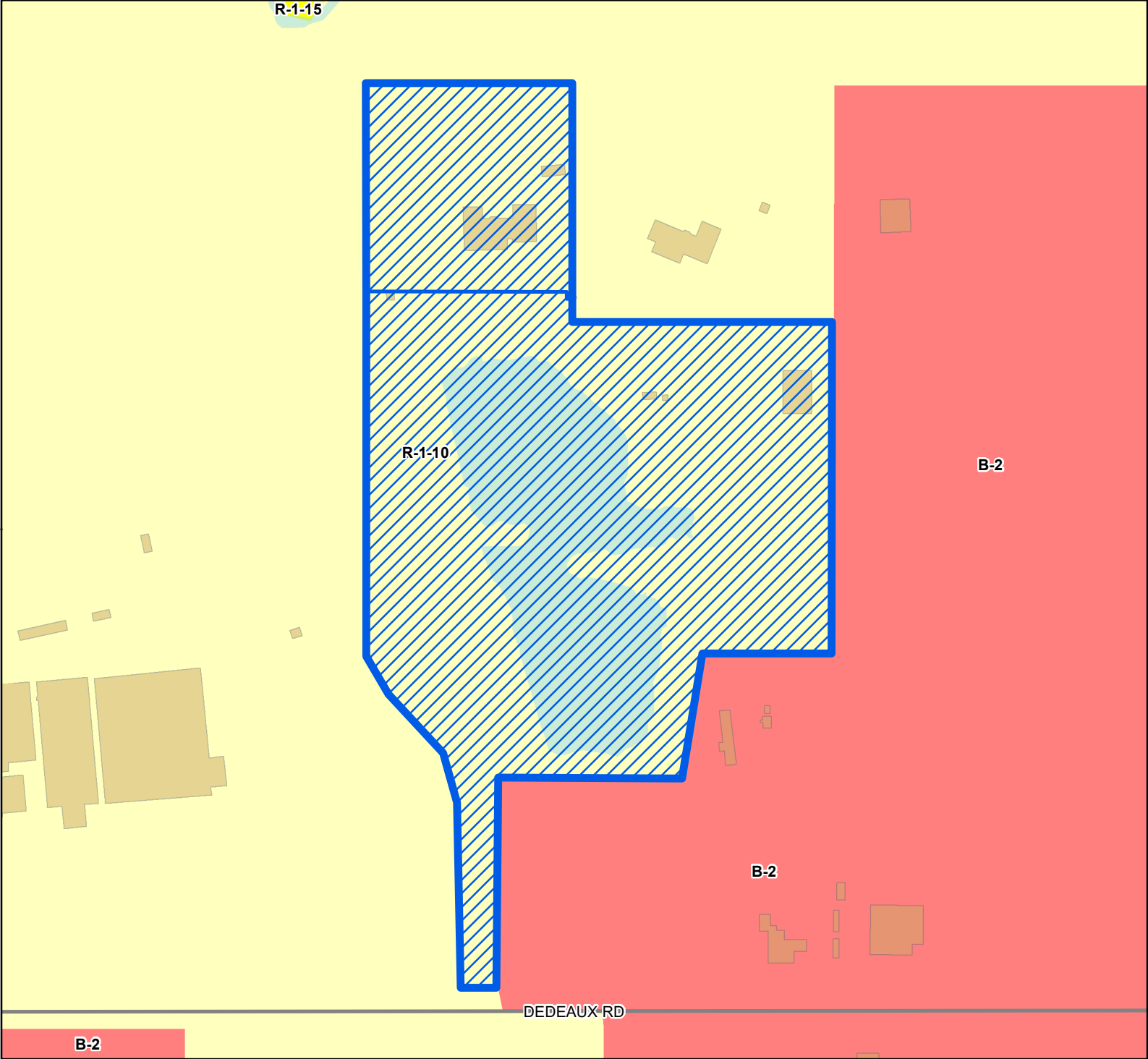
### ***DIRECTOR APPROVAL***

This report has been reviewed and approved by:



\_\_\_\_\_  
Greg Holmes  
Director of Urban Development Department





 Site

 Street

 Buildings

 Water Features

 City Limit

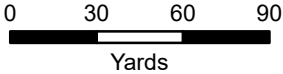
**Zoning**

 B-2 - General Business District

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

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

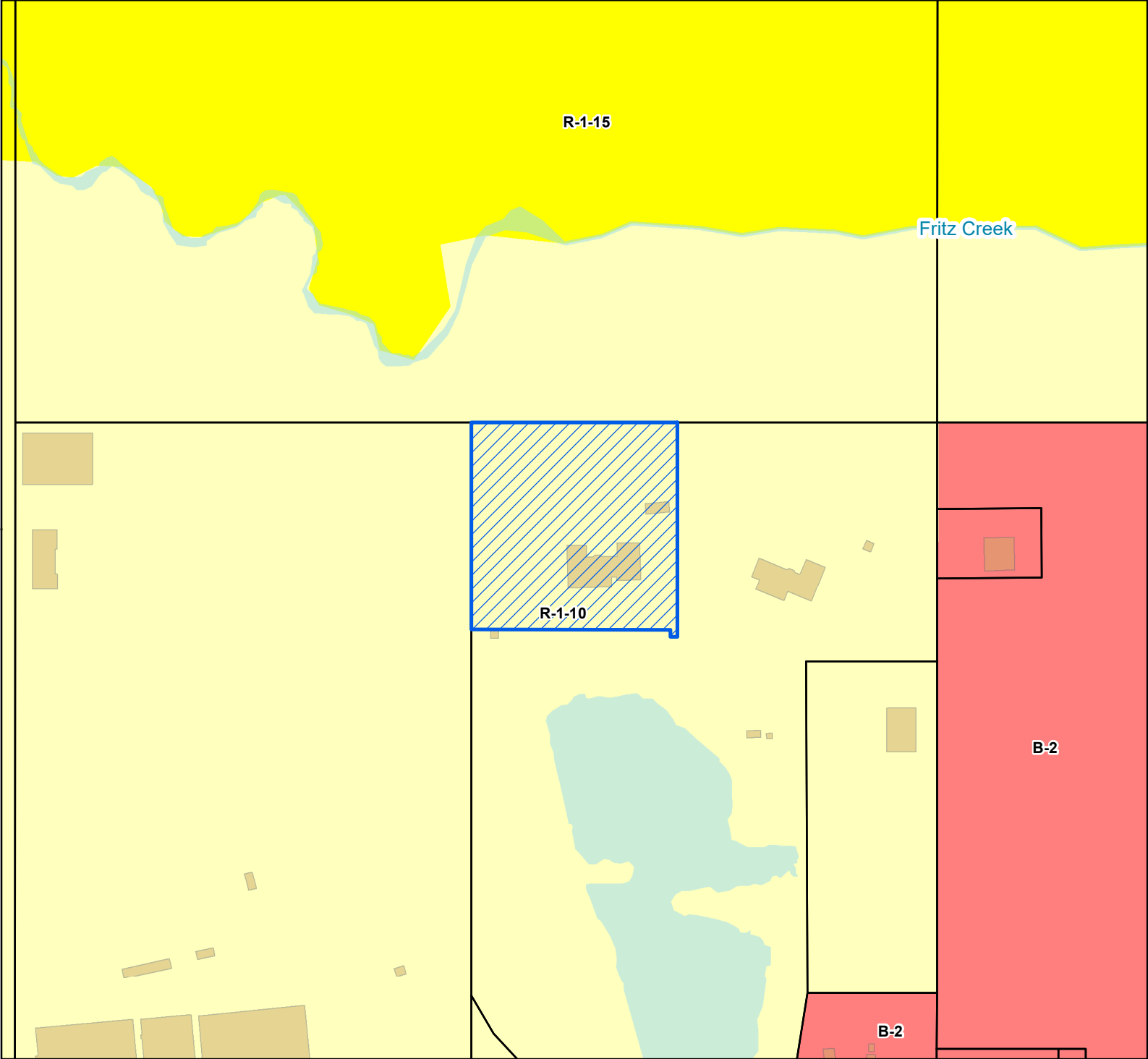
**Site Information**  
0908I-01-002.001  
Zoning: R-1-10 (Single-family)  
Size: 11.8 acres  
Flood: X



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.



Site

Parcels

Buildings

Water Features

City Limit

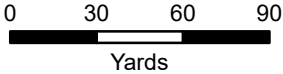
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B-2 - General Business District

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

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

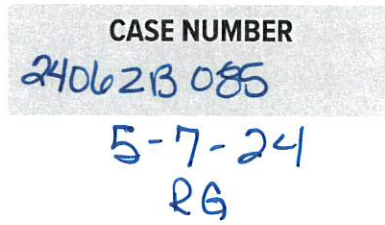
**Site Information**  
0908I-01-002.001  
Zoning:R-1-10 (Single-family)  
Size: 2 acres  
Flood: X



1 inch = 200 feet



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**OWNER:**David Johnston

Printed Name of Owner

12146 Dedeaux Rd.

Mailing Address

same

City

GULFPORT

State

MS

Zip Code

39503

Home Phone

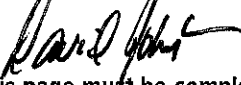
Work/Cell Phone

228 669 6234

Email

david.johnstonjr@gmail.com

Signature of Owner

**AGENT:**David Johnston Jr.

Printed Name of Agent

12146 Dedeaux Rd.

Mailing Address

GulfportMS39503

City

State

Zip Code

228 284 9442

Home Phone

Work/Cell Phone

davidjohnstonjr@gmail.com

Email



Signature of Agent

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

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

/ Name of Owner (PRINT) Leslie R. Johnston

Address (Street, City, State, Zip Code)

12146 Dedeaux Rd.

Phone (Home)

(Work)

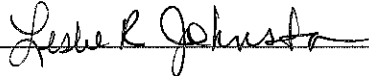
(Cell)

228 669 6235

Tax Parcel Number(s) Owned:

09081-01-002.001

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

I, David Johnston being property owner of 12146 Dedaux Rd.  
PRINT NAME PRIMARY ADDRESS OR PARCEL  
which is the subject of this application hereby authorize David Johnston Jr. 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.

David Johnston  
SIGNATURE

4/18/24  
DATE

## STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Samuel Sweeting  
NOTARY PUBLIC



2027  
COMMISSION EXPIRATION



## COVENANT AFFIDAVIT

I, David Johnston being property owner or agent of the property 12146 Dedeaux Rd.  
PRINT NAME PRIMARY ADDRESS OR PARCEL  
which is the subject of this application, hereby state that this variance request is not in violation of any  
restrictive or protective covenants.

David Johnston  
SIGNATURE

4/18/24  
DATE

### STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Samuel Sweeting  
NOTARY PUBLIC

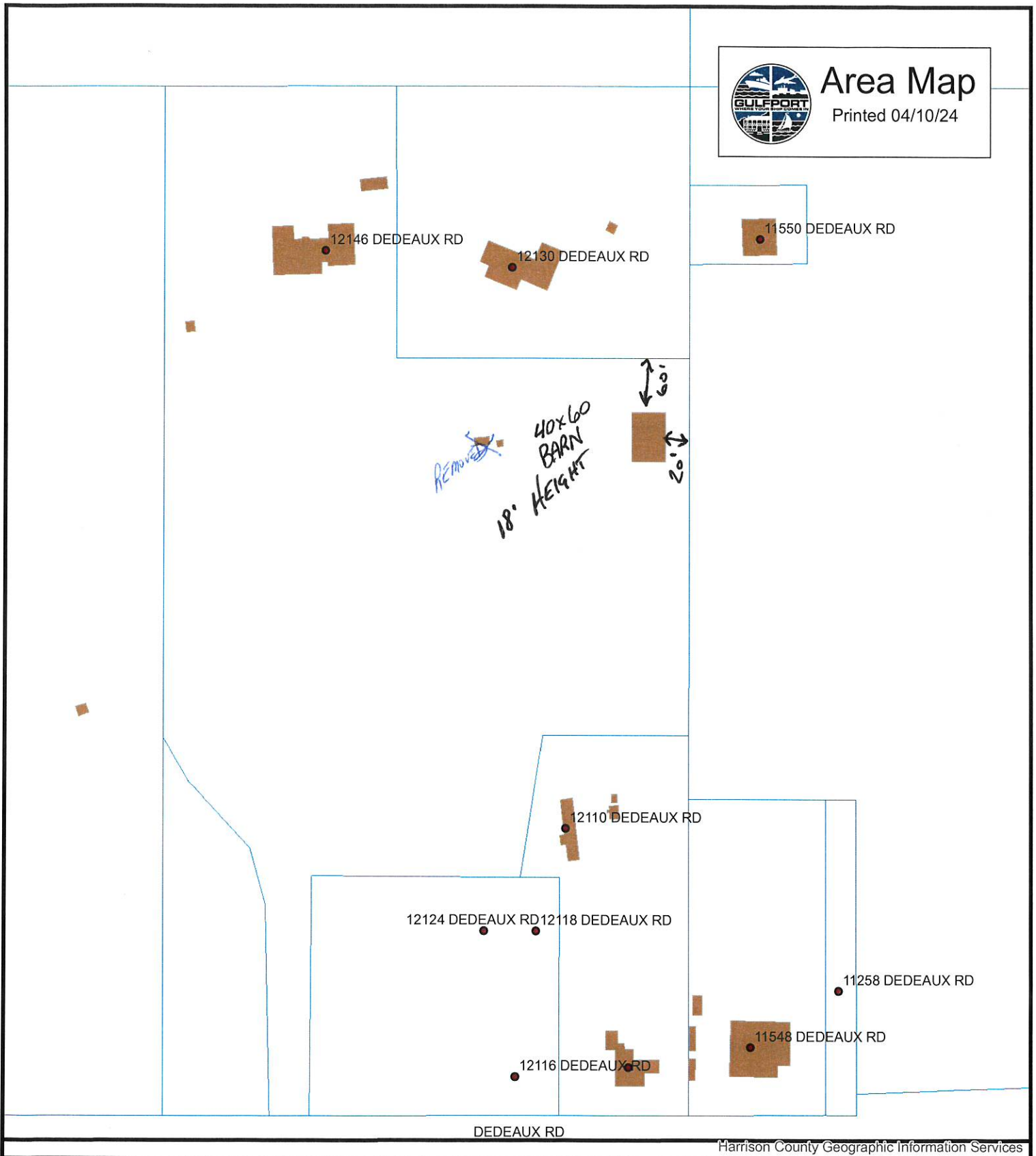
05/22/2027  
COMMISSION EXPIRATION





# Area Map

Printed 04/10/24



DEDEAUX RD

Harrison County Geographic Information Services

● Addresspoints

□ parcel

Initial and date here:

Planner: Samuel Dominguez 4/18/24

Owner: David [Signature] 4/18/24

Contractor: \_\_\_\_\_



1 inch = 160 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.

# 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?)

*I need to be able to store my equipment. It is on 1 1/2 acres and not visible from road.*

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.)  
*I didn't make the side limit*

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?)

*I need additional space to store equipment*

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.)

- I'm sure there are larger barns in the area*
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?)

*I will not receive special benefit that others 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.

*Allowed by right. Only needing variance for building size*



*J. L. L.* 1st JUDICIAL DISTRICT  
Instrument 2023-0025195-D-11  
Filed/Recorded 12/15/2023 9:25:01 AM  
Total Fees 42.00  
11 Pages Recorded

Prepared by:  
**MATTHEWS & MATTHEWS**  
Attorneys at Law  
125 W. College Avenue  
Wiggins, MS 39577  
601/928-9997

Return to:  
**MATTHEWS & MATTHEWS**  
Attorneys at Law  
125 W. College Avenue  
Wiggins, MS 39577

**INDEX AS FOLLOWS:** In the SE1/4 of the NE1/4 of Section 12, Township 7 South, Range 11 West, Harrison County, Mississippi.

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

**WARRANTY DEED**

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

**CLIFTON H. JOHNSTON, JR.**  
5410 River Landing Drive  
Mobile, AL 36619  
Telephone Number: 251-751-2479

And

**PATTY L. MOHOLLAND**  
112 Hollis Chapel Road  
Fredericksburg, VA 22406  
Telephone Number: 207-624-2807

And

**JERRY A. JOHNSTON**  
And  
**REBECCA J. JOHNSTON**  
Husband and Wife  
12130 Dedeaux Road  
Gulfport, MS 39503  
Telephone Number: 228-860-8639

And  
**THERESA JOHNSTON MORGAN**  
815 Crawley Gin Road  
Shelby, NC 28150  
Telephone Number: 704-477-4051

And  
**DAVID N. JOHNSTON**  
And  
**LESLIE R. JOHNSTON**  
Husband and Wife  
12146 Dedeaux Road  
Gulfport, MS 39503  
Telephone Number: 228-669-6234

do hereby grant, bargain, sell, convey and warrant, subject to the exceptions hereinafter set out unto

**DAVID N. JOHNSTON**  
And  
**LESLIE R. JOHNSTON**  
Husband and Wife  
12146 Dedeaux Road  
Gulfport, MS 39503  
Telephone Number: 228-669-6234

Not as tenants in common, but as tenants by the entirety with full rights of survivorship, certain real property, together with all improvements, located thereon, located in Harrison County, Mississippi, more particularly described as follows, to-wit:

**SEE ATTACHED EXHIBIT "A"**

Subject to any and all prior reservations and/or conveyances of any or all oil, gas and other minerals in, on and under the above described property.

The attached described property does not constitute any part of the homestead of the Grantors.

At present, a petition to establish the heirships of Clifton H. Johnston and Rosa L. Johnston is being filed contemporaneously herewith. The Grantors herein constitute the sole and only heirs at law of Clifton H. Johnston and Rosa L. Johnston.

IN WITNESS WHEREOF, We set and subscribe our signatures on the separate dates as set out below:

Clifton H. Johnston, Jr. 8-9-23  
CLIFTON H. JOHNSTON, JR. DATE:

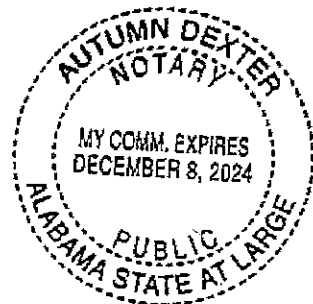
STATE OF ALABAMA

COUNTY OF Mobile

BEFORE ME, the undersigned authority in and for the aforesaid State and County, personally appeared CLIFTON H. JOHNSTON, JR., who acknowledged that he executed, sealed and delivered the above and foregoing Warranty Deed on the day and year therein written as his own free and voluntary act and deed.

GIVEN under my hand and official seal of office on this the 9 day of  
August, 2023.

Autumn Dexter  
NOTARY PUBLIC





Patty L. Moholland Aug 11, 2023  
PATTY L. MOHOLLAND DATE:

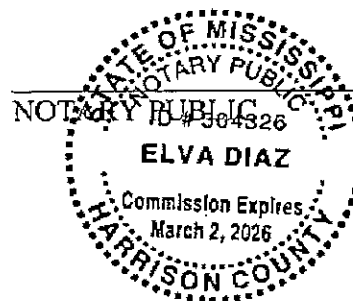
State of Mississippi  
~~COMMONWEALTH OF VIRGINIA~~

COUNTY OF Harrison

BEFORE ME, the undersigned authority in and for the aforesaid State and County, personally appeared PATTY L. MOHOLLAND, who acknowledged that she executed, sealed and delivered the above and foregoing Warranty Deed on the day and year therein written as her own free and voluntary act and deed.

GIVEN under my hand and official seal of office on this the 11 day of

Aug, 2023.



Jerry A. Johnston July 13, 2023  
JERRY A. JOHNSTON DATE:

Rebecca J. Johnston July 13, 2023  
REBECCA J. JOHNSTON DATE:

STATE OF MISSISSIPPI

COUNTY OF Stone

BEFORE ME, the undersigned authority in and for the aforesaid State and County, personally appeared JERRY A. JOHNSTON and REBECCA J. JOHNSTON, who acknowledged that they executed, sealed and delivered the above and foregoing Warranty Deed on the day and year therein written as their own free and voluntary act and deed.

GIVEN under my hand and official seal of office on this the 13<sup>th</sup> day of  
July, 2023.

[Signature]  
NOTARY PUBLIC



David N. Johnston July 13, 2023  
DAVID N. JOHNSTON DATE:

Leslie R. Johnston July 13, 2023  
LESLIE R. JOHNSTON DATE:

STATE OF MISSISSIPPI

COUNTY OF Stone

BEFORE ME, the undersigned authority in and for the aforesaid State and County, personally appeared DAVID N. JOHNSTON and LESLIE R. JOHNSTON, who acknowledged that they executed, sealed and delivered the above and foregoing Warranty Deed on the day and year therein written as their own free and voluntary act and deed.

GIVEN under my hand and official seal of office on this the 13<sup>th</sup> day of  
July, 2023.

[Signature]  
NOTARY PUBLIC



Theresa Johnston Morgan 8/11/23  
THERESA JOHNSTON MORGAN DATE:

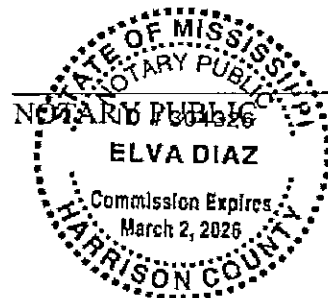
State of Mississippi  
~~STATE OF NORTH CAROLINA~~

COUNTY OF Harrison

BEFORE ME, the undersigned authority in and for the aforesaid State and County, personally appeared THERESA JOHNSTON MORGAN, who acknowledged that she executed, sealed and delivered the above and foregoing Warranty Deed on the day and year therein written as her own free and voluntary act and deed.

GIVEN under my hand and official seal of office on this the 11 day of

Aug., 2023.



[Signature]

## **EXHIBIT "A"**

**INDEX AS FOLLOWS: In the SE1/4 of the NE1/4 of Section 12, Township 7 South, Range 11 West, Harrison County, Mississippi.**

Commence at the Northeast corner of the Southeast Quarter of Northeast Quarter of Section 12, Township 7 South, Range 11 West, Harrison County, Mississippi; thence run South 89 degrees 58 minutes 33 seconds West 371.91 feet, along and with the north line of said forty, to the Point of Beginning; thence run South 00 degrees 10 minutes 00 seconds East for a distance of 344.23 feet to a point; thence run North 89 degrees 58 minutes 52 seconds East for a distance of 371.91 feet to an iron rod found on the East line of said forty; thence run South 00 degrees 14 minutes 54 seconds East 477.61 feet to an iron rod found; thence run South 89 degrees 55 minutes 49 seconds West for a distance of 188.76 feet to an iron rod found; thence run South 09 degrees 44 minutes 04 seconds West 178.39 feet to an iron rod found; thence run South 89 degrees 58 minutes 31 seconds West for a distance of 264.88 feet to an iron rod found; thence run South 00 degrees 10 minutes 00 seconds East for a distance of 300.00 feet to an iron rod found on the north right-of-way line of Dedeaux Road; thence run South 89 degrees 58 minutes 31 seconds West for a distance of 50.00 feet to a found iron pin; thence run North 01 degrees 11 minutes 03 seconds West for a distance of 266.93 feet to a found iron pin; thence run North 15 degrees 34 minutes 45 seconds West for a distance of 73.90 feet to a found iron pin; thence run North 42 degrees 47 minutes 24 seconds West for a distance of 115.93 feet to a found iron pin; thence run North 31 degrees 18 minutes 34 seconds West for a distance of 63.57 feet to a found iron pin; thence run North 00 degrees 10 minutes 00 seconds West 820.86 feet, more or less, to a found iron pin on the north line of said forty; thence run South 89 degrees 58 minutes 33 seconds East, along and with the north line of said forty, for a distance of 297.00 feet, more or less, to the Point of Beginning.

**FILED**  
DEC 15 2023

By [Signature] D.C.

**IN THE CHANCERY COURT OF THE FIRST JUDICIAL DISTRICT OF  
HARRISON COUNTY, MISSISSIPPI**

**IN THE MATTER OF THE ADJUDICATION  
OF HEIRSHIP OF CLIFTON H. JOHNSTON and  
ROSA L. JOHNSTON, DECEASED**

**CAUSE NO. 24CH1: 2023-01812 MA**

**BY: PATTY L. MOHOLLAND,  
JERRY A. JOHNSTON,  
THERESA JOHNSTON MORGAN,  
DAVID N. JOHNSTON and  
CLIFTON H. JOHNSTON, JR., PETITIONERS**

**ORDER**

AFTER all unknown heirs at law of the decedent having been called three times in open court without response the matter having come on to be heard on Petition to Establish Heirs at Law and all necessary and proper parties being before the court and Proof of Publication to any and all heirs at law, known, absent or unknown, of CLIFTON H. JOHNSTON and ROSA L. JOHNSTON, being on file in this cause and the court having considered all of same FINDS that it has jurisdiction of the subject matter and of the parties and FURTHER FINDS, ORDERS AND ADJUDGES as follows, to-wit:

I.

That CLIFTON H. JOHNSTON departed this life on June 7, 2017 and was at the time an adult resident citizen of The First Judicial District of Harrison County, Mississippi. That the sole and only heirs at law of the decedent are as follows:

1. Rosa L. Johnston, his wife, whom survived him but who departed this life on  
~~October 17, 2022.~~

2. Clifton H. Johnston, Jr., his son  
5410 River Landing Drive  
Mobile, AL 36619

3. Patty L. Moholland, his daughter  
112 Hollis Chapel Road  
Fredericksburg, VA 22406

4. Jerry A. Johnston, his son  
12130 Dedeaux Road  
Gulfport, MS 39503

5. Theresa Johnston Morgan, his daughter  
815 Crawley Gin Road  
Shelby, NC 28150

6. David N. Johnston, his son  
12146 Dedeaux Road  
Gulfport, MS 39503

11.

That ROSA L. JOHNSTON departed this life intestate on October 17, 2022 and was at that time an adult resident citizen of The First Judicial District of Harrison County, Mississippi. That the sole and only heirs at law of the decedent are as follows:

1. Clifton H. Johnston, Jr., her son  
5410 River Landing Drive  
Mobile, AL 36619

2. Patty L. Moholland, her daughter  
112 Hollis Chapel Road  
Fredericksburg, VA 22406

3. Jerry A. Johnston, her son  
12130 Dedeaux Road  
Gulfport, MS 39503

- 4. - Theresa Johnston Morgan, her daughter  
815 Crawley Gin Road  
Shelby, NC 28150
5. David N. Johnston, her son  
12146 Dedeaux Road  
Gulfport, MS 39503

Any unknown heirs were called in open Court three times and there was no response.

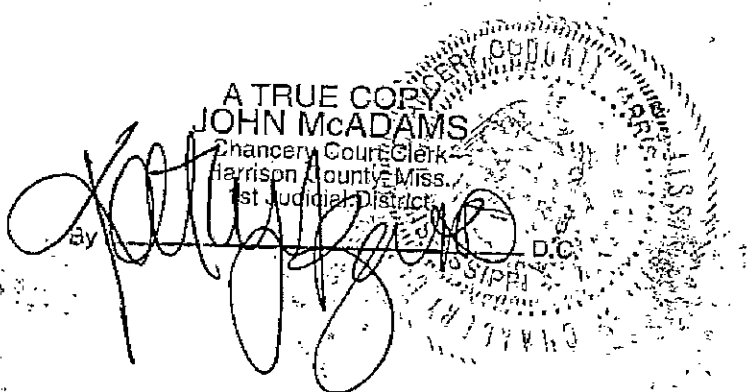
That the summons and petition in this cause of action contained language to the effect that the petitioners made diligent search and inquiry into the names, identities, physical addresses, street addresses, post office addresses, locations, e-mail addresses and telephone numbers of any other persons claiming to be heirs at law, having found no others.

That pursuant to Section 91-1-29, et seq. of the Mississippi Code of 1972, the above-listed persons are established as the sole and only heirs at law of the decedents, CLIFTON H. JOHNSTON and ROSA L. JOHNSTON.

THUS ORDERED AND DONE on this, the 15 day of Dec., 2023.

Margaret Alfonso  
CHANCELLOR

Presented to the Court by:  
**THOMAS M. MATTHEWS, III**  
Attorney at Law - Bar No. 100769  
125 W. College Avenue  
Wiggins, MS 39577  
Phone: 601/928-9997  
Fax: 601/928-6132







*J. L. L.* 1st JUDICIAL DISTRICT  
Instrument 2023-0025195-D-J1  
Filed/Recorded 12/15/2023 9:25:01 AM  
Total Fees 42.00  
11 Pages Recorded

Prepared by:  
**MATTHEWS & MATTHEWS**  
Attorneys at Law  
125 W. College Avenue  
Wiggins, MS 39577  
601/928-9997

Return to:  
**MATTHEWS & MATTHEWS**  
Attorneys at Law  
125 W. College Avenue  
Wiggins, MS 39577

**INDEX AS FOLLOWS: In the SE1/4 of the NE1/4 of Section 12, Township 7 South, Range 11 West, Harrison County, Mississippi.**

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

**WARRANTY DEED**

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

**CLIFTON H. JOHNSTON, JR.**  
5410 River Landing Drive  
Mobile, AL 36619  
Telephone Number: 251-751-2479

And

**PATTY L. MOHOLLAND**  
112 Hollis Chapel Road  
Fredericksburg, VA 22406  
Telephone Number: 207-624-2807

And

**JERRY A. JOHNSTON**  
And  
**REBECCA J. JOHNSTON**  
Husband and Wife  
12130 Dedeaux Road  
Gulfport, MS 39503  
Telephone Number: 228-860-8639

And  
**THERESA JOHNSTON MORGAN**  
815 Crawley Gin Road  
Shelby, NC 28150  
Telephone Number: 704-477-4051

And  
**DAVID N. JOHNSTON**  
And  
**LESLIE R. JOHNSTON**  
Husband and Wife  
12146 Dedeaux Road  
Gulfport, MS 39503  
Telephone Number: 228-669-6234

do hereby grant, bargain, sell, convey and warrant, subject to the exceptions hereinafter set out unto

**DAVID N. JOHNSTON**  
And  
**LESLIE R. JOHNSTON**  
Husband and Wife  
12146 Dedeaux Road  
Gulfport, MS 39503  
Telephone Number: 228-669-6234

Not as tenants in common, but as tenants by the entirety with full rights of survivorship, certain real property, together with all improvements, located thereon, located in Harrison County, Mississippi, more particularly described as follows, to-wit:

**SEE ATTACHED EXHIBIT "A"**

Subject to any and all prior reservations and/or conveyances of any or all oil, gas and other minerals in, on and under the above described property.

The attached described property does not constitute any part of the homestead of the Grantors.

At present, a petition to establish the heirships of Clifton H. Johnston and Rosa L. Johnston is being filed contemporaneously herewith. The Grantors herein constitute the sole and only heirs at law of Clifton H. Johnston and Rosa L. Johnston.

IN WITNESS WHEREOF, We set and subscribe our signatures on the separate dates as set out below:

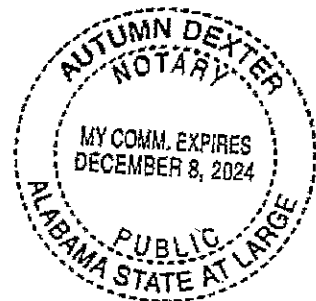
Clifton H. Johnston, Jr. 8-9-23  
CLIFTON H. JOHNSTON, JR. DATE:

STATE OF ALABAMA  
COUNTY OF Mobile

BEFORE ME, the undersigned authority in and for the aforesaid State and County, personally appeared CLIFTON H. JOHNSTON, JR., who acknowledged that he executed, sealed and delivered the above and foregoing Warranty Deed on the day and year therein written as his own free and voluntary act and deed.

GIVEN under my hand and official seal of office on this the 9 day of  
August, 2023.

Autumn Dexter  
NOTARY PUBLIC



Patty L. Moholland Aug 11, 2023  
PATTY L. MOHOLLAND DATE:

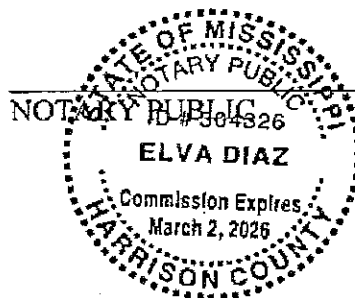
State of Mississippi  
~~COMMONWEALTH OF VIRGINIA~~

COUNTY OF Harrison

BEFORE ME, the undersigned authority in and for the aforesaid State and County, personally appeared PATTY L. MOHOLLAND, who acknowledged that she executed, sealed and delivered the above and foregoing Warranty Deed on the day and year therein written as her own free and voluntary act and deed.

GIVEN under my hand and official seal of office on this the 11 day of

Aug, 2023.



Jerry A. Johnston July 13, 2023  
JERRY A. JOHNSTON DATE:

Rebecca J. Johnston July 13, 2023  
REBECCA J. JOHNSTON DATE:

STATE OF MISSISSIPPI

COUNTY OF Stone

BEFORE ME, the undersigned authority in and for the aforesaid State and County, personally appeared JERRY A. JOHNSTON and REBECCA J. JOHNSTON, who acknowledged that they executed, sealed and delivered the above and foregoing Warranty Deed on the day and year therein written as their own free and voluntary act and deed.

GIVEN under my hand and official seal of office on this the 13<sup>th</sup> day of

July, 2023.

[Signature]  
NOTARY PUBLIC



David N. Johnston July 13, 2023  
DAVID N. JOHNSTON DATE:

Leslie R. Johnston July 13, 2023  
LESLIE R. JOHNSTON DATE:

STATE OF MISSISSIPPI

COUNTY OF Stone

BEFORE ME, the undersigned authority in and for the aforesaid State and County, personally appeared DAVID N. JOHNSTON and LESLIE R. JOHNSTON, who acknowledged that they executed, sealed and delivered the above and foregoing Warranty Deed on the day and year therein written as their own free and voluntary act and deed.

GIVEN under my hand and official seal of office on this the 13<sup>th</sup> day of  
July, 2023.

[Signature]  
NOTARY PUBLIC



Theresa Johnston Morgan 8/11/23  
THERESA JOHNSTON MORGAN DATE:

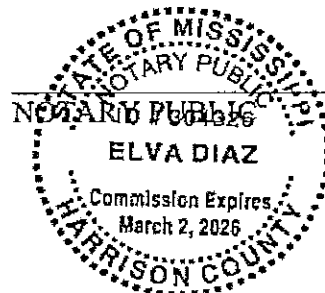
State of Mississippi  
~~STATE OF NORTH CAROLINA~~

COUNTY OF Harrison

BEFORE ME, the undersigned authority in and for the aforesaid State and County, personally appeared THERESA JOHNSTON MORGAN, who acknowledged that she executed, sealed and delivered the above and foregoing Warranty Deed on the day and year therein written as her own free and voluntary act and deed.

GIVEN under my hand and official seal of office on this the 11 day of

Aug., 2023.



[Signature]

## EXHIBIT "A"

**INDEX AS FOLLOWS:** In the SE1/4 of the NE1/4 of Section 12, Township 7 South, Range 11 West, Harrison County, Mississippi.

Commence at the Northeast corner of the Southeast Quarter of Northeast Quarter of Section 12, Township 7 South, Range 11 West, Harrison County, Mississippi; thence run South 89 degrees 58 minutes 33 seconds West 371.91 feet, along and with the north line of said forty, to the Point of Beginning; thence run South 00 degrees 10 minutes 00 seconds East for a distance of 344.23 feet to a point; thence run North 89 degrees 58 minutes 52 seconds East for a distance of 371.91 feet to an iron rod found on the East line of said forty; thence run South 00 degrees 14 minutes 54 seconds East 477.61 feet to an iron rod found; thence run South 89 degrees 55 minutes 49 seconds West for a distance of 188.76 feet to an iron rod found; thence run South 09 degrees 44 minutes 04 seconds West 178.39 feet to an iron rod found; thence run South 89 degrees 58 minutes 31 seconds West for a distance of 264.88 feet to an iron rod found; thence run South 00 degrees 10 minutes 00 seconds East for a distance of 300.00 feet to an iron rod found on the north right-of-way line of Dedeaux Road; thence run South 89 degrees 58 minutes 31 seconds West for a distance of 50.00 feet to a found iron pin; thence run North 01 degrees 11 minutes 03 seconds West for a distance of 266.93 feet to a found iron pin; thence run North 15 degrees 34 minutes 45 seconds West for a distance of 73.90 feet to a found iron pin; thence run North 42 degrees 47 minutes 24 seconds West for a distance of 115.93 feet to a found iron pin; thence run North 31 degrees 18 minutes 34 seconds West for a distance of 63.57 feet to a found iron pin; thence run North 00 degrees 10 minutes 00 seconds West 820.86 feet, more or less, to a found iron pin on the north line of said forty; thence run South 89 degrees 58 minutes 33 seconds East, along and with the north line of said forty, for a distance of 297.00 feet, more or less, to the Point of Beginning.



FILED  
DEC 15 2023  
J. M. Adams, Chancery Clerk  
By [Signature] D.C.

IN THE CHANCERY COURT OF THE FIRST JUDICIAL DISTRICT OF  
HARRISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE ADJUDICATION  
OF HEIRSHIP OF CLIFTON H. JOHNSTON and  
ROSA L. JOHNSTON, DECEASED

CAUSE NO. 24CH1: 2023-01812 MA

BY: PATTY L. MOHOLLAND,  
JERRY A. JOHNSTON,  
THERESA JOHNSTON MORGAN,  
DAVID N. JOHNSTON and  
CLIFTON H. JOHNSTON, JR., PETITIONERS

ORDER

AFTER all unknown heirs at law of the decedent having been called three times in open court without response the matter having come on to be heard on Petition to Establish Heirs at Law and all necessary and proper parties being before the court and Proof of Publication to any and all heirs at law, known, absent or unknown, of CLIFTON H. JOHNSTON and ROSA L. JOHNSTON, being on file in this cause and the court having considered all of same FINDS that it has jurisdiction of the subject matter and of the parties and FURTHER FINDS, ORDERS AND ADJUDGES as follows, to-wit:

I.

That CLIFTON H. JOHNSTON departed this life on June 7, 2017 and was at the time an adult resident citizen of The First Judicial District of Harrison County, Mississippi. That the sole and only heirs at law of the decedent are as follows:

1. Rosa L. Johnston, his wife, whom survived him but who departed this life on  
~~October-17, 2022.~~

2. Clifton H. Johnston, Jr., his son  
5410 River Landing Drive  
Mobile, AL 36619

3. Patty L. Moholland, his daughter  
112 Hollis Chapel Road  
Fredericksburg, VA 22406

4. Jerry A. Johnston, his son  
12130 Dedeaux Road  
Gulfport, MS 39503

5. Theresa Johnston Morgan, his daughter  
815 Crawley Gin Road  
Shelby, NC 28150

6. David N. Johnston, his son  
12146 Dedeaux Road  
Gulfport, MS 39503

11.

That ROSA L. JOHNSTON departed this life intestate on October 17, 2022 and was at that time an adult resident citizen of The First Judicial District of Harrison County, Mississippi. That the sole and only heirs at law of the decedent are as follows:

1. Clifton H. Johnston, Jr., her son  
5410 River Landing Drive  
Mobile, AL 36619

2. Patty L. Moholland, her daughter  
112 Hollis Chapel Road  
Fredericksburg, VA 22406

3. Jerry A. Johnston, her son  
12130 Dedeaux Road  
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- 4. - Theresa Johnston Morgan, her daughter  
815 Crawley Gin Road  
Shelby, NC 28150
5. David N. Johnston, her son  
12146 Dedeaux Road  
Gulfport, MS 39503

Any unknown heirs were called in open Court three times and there was no response.

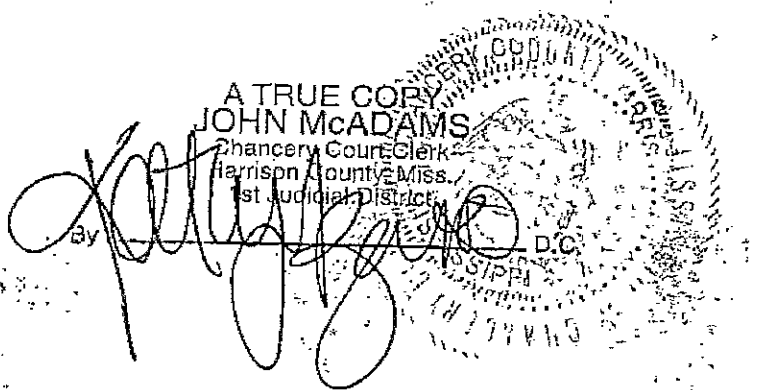
That the summons and petition in this cause of action contained language to the effect that the petitioners made diligent search and inquiry into the names, identities, physical addresses, street addresses, post office addresses, locations, e-mail addresses and telephone numbers of any other persons claiming to be heirs at law, having found no others.

That pursuant to Section 91-1-29, et seq. of the Mississippi Code of 1972, the above-listed persons are established as the sole and only heirs at law of the decedents, CLIFTON H. JOHNSTON and ROSA L. JOHNSTON.

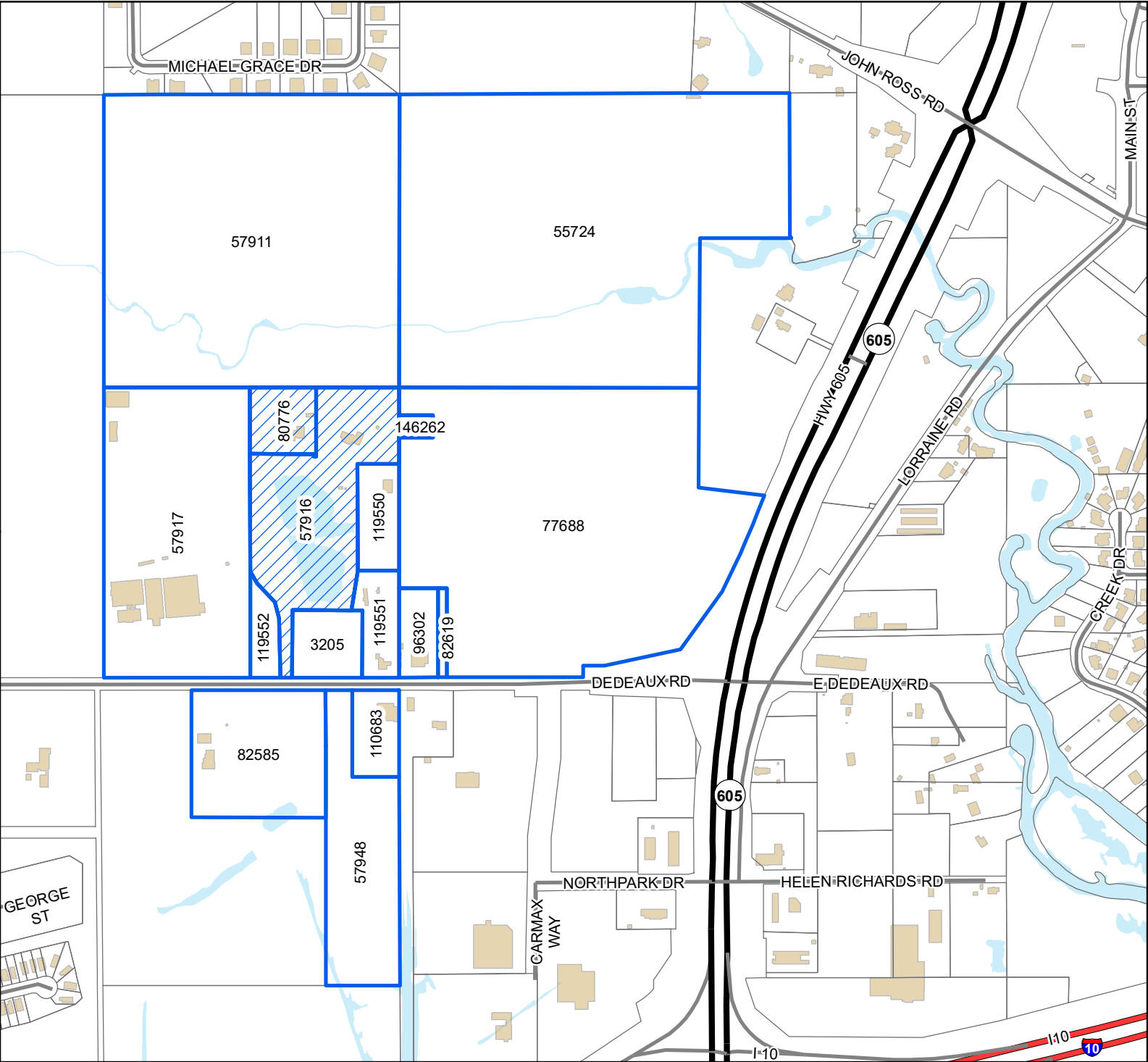
THUS ORDERED AND DONE on this, the 15 day of Dec., 2023.

  
\_\_\_\_\_  
CHANCELLOR

Presented to the Court by:  
**THOMAS M. MATTHEWS, III**  
Attorney at Law - Bar No. 100769  
125 W. College Avenue  
Wiggins, MS 39577  
Phone: 601/928-9997  
Fax: 601/928-6132

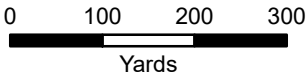


| Mail | PPIN   | Parcel ID        | Name                                        | Address               | City       | State | ZIP   |
|------|--------|------------------|---------------------------------------------|-----------------------|------------|-------|-------|
| Y    | 80776  | 0908I-01-002.001 | JOHNSTON DAVID N & LESLIE R-TRUSTEE         | 12146 DEDEAUX RD      | GULFPORT   | MS    | 39503 |
| Y    | 77688  | 1008L-01-002.000 | JOHNSTON DAVID N & LESLIE R                 | 12130 DEDEAUX RD      | GULFPORT   | MS    | 39503 |
| N    | 119550 | 0908I-01-002.003 | JOHNSTON DAVID N & LESLIE R-TRUSTEE         | 12130 DEDEAUX RD      | GULFPORT   | MS    | 39503 |
| N    |        |                  | <b>Adjacent Property Owners (2406ZB085)</b> |                       |            |       |       |
|      | 57917  | 0908I-01-005.000 | BIBLE BAPTIST CHURCH OF BILOXI              | 12200 DEDEAUX RD      | GULFPORT   | MS    | 39503 |
|      | 57911  | 0908I-01-001.000 | MURDOCK RUTH T -TRUSTEE-                    | 11816 LORRAINE RD     | GULFPORT   | MS    | 39503 |
|      | 119552 | 0908I-01-002.005 | BIBLE BAPTIST CHURCH OF BILOXI              | 12200 DEDEAUX RD      | GULFPORT   | MS    | 39503 |
|      | 96302  | 1008L-01-003.001 | BOYETTE PROPERTIES LLC                      | 11548 DEDEAUX RD      | GULFPORT   | MS    | 39503 |
| N    | 82619  | 1008L-01-003.000 | BOYETTE PROPERTIES LLC                      | 11548 DEDEAUX RD      | GULFPORT   | MS    | 39503 |
|      | 3205   | 0908I-01-003.000 | MARSHALL ANTHONY L                          | 825 DIVISION ST       | BILOXI     | MS    | 39530 |
|      | 55724  | 1008L-01-001.000 | MURDOCK RUTH T -TRUSTEE-                    | 11816 LORRAINE RD     | GULFPORT   | MS    | 39503 |
|      | 82585  | 0908P-01-002.001 | RODKEY WARREN G & DOROTHY-TRUSTEES-         | 12085 DEDEAUX RD      | GULFPORT   | MS    | 39503 |
|      | 57916  | 0908I-01-002.000 | JOHNSTON CLIFTON H JR -TRUSTEE-             | 5410 RIVER LANDING DR | GULFPORT   | MS    | 39503 |
|      | 119551 | 0908I-01-002.004 | JOHNSTON JERRY A & REBECCA J                | 12110 DEDEAUX RD      | GULFPORT   | MS    | 39503 |
|      | 57948  | 0908P-01-001.000 | SMITH D C                                   | 29400 DESMAL SMITH RD | PERKINSTON | MS    | 39573 |
| N    | 110683 | 0908P-01-001.001 | GULFPORT CITY OF                            | 2309 15TH ST          | GULFPORT   | MS    | 39502 |
| N    | 146262 | 1008L-01-002.003 | GULFPORT CITY OF                            | P O BOX 1780          | GULFPORT   | MS    | 39502 |



Legend

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



1 inch = 625 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 2406ZB085, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 12146 Dedeaux 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, June 20, 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, June 20, 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](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> Avenue.

**RE: Variance 2406ZB085, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 12146 Dedeaux Road, Zoned R-1-10 (Single-Family), Ward 6**

To Applicants and Adjacent Property Owners:

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For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, July 18, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email [planners@gulfport-ms.gov](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> 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     | 557185       | Print Legal Ad-IPL01752940 - IPL0175294 |          | \$54.70 | 1    | 42 L  |

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

accountspayable@gulfport-ms.gov

### LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 PM., Thursday, June 20, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

**Variance 2406ZB085**, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 09081-01-002.001, 12146 Dedeaux Road, Zoned R-1-10 (Single-Family), Ward 6

**Variance 2406ZB088**, by agent Bruce Mathes Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 07071-01-002.000, 16048 Duckworth Road, Zoned R-1-15 (Single-family), Ward 7

This the 24th day of May 2024  
A. Leslie North, Chairman  
City of Gulfport Zoning Board of Adjustment and Appeals  
IPL0175294  
Jun 5 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:  
06/05/24

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.

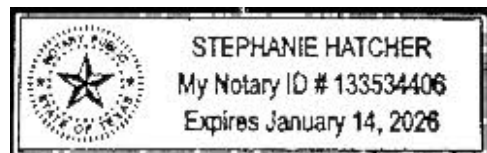
*Mary Castro*

Sworn to and subscribed before me this 5th day of June in the year of 2024

*Stephanie Hatcher*

Notary Public

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



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





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

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

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

## AFFIDAVIT OF PUBLICATION

| Account # | Order Number | Identification                          | Order PO | Amount  | Cols | Depth |
|-----------|--------------|-----------------------------------------|----------|---------|------|-------|
| 33468     | 568455       | Print Legal Ad-IPL01809120 - IPL0180912 |          | \$88.75 | 2    | 54 L  |

Attention: Jessica Versiga

GULFPORT CITY HALL  
1410 24 TH AVENUE  
GULFPORT, MS 39501

jversiga@gulfport-ms.gov

### LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, July 18, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

**Variance 2406ZB085**, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 12146 Dedeaux Road, Zoned R-1-10 (Single-Family), Ward 6

**Special Exception 2407SE096**, by agent John Pritchard, seeking approval for a to-go Daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Rd, Zoned B-1 (Neighborhood Business), Ward 5

**Variance 2407ZB098**, by owner Vernon Floyd, seeking approval for a 6-foot tall fence where 4 feet is the height limit, Tax Parcel 0911D-03-060.000, 621 3rd Street, Zoned R-1-7.5 (Single-Family), Ward 2

**Variance 2407ZB101**, by owners Gary & Mary McCabe, seeking approval for an 8-foot fence where 6 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB102**, by owners Gary & Mary McCabe, seeking approval for a 5-foot tall fence with 6-foot brick columns where 4 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB105**, by owner Ashford Holdings LLC, seeking approval for a 15-foot front yard setback where 25 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB106**, by owner Ashford Holdings LLC, seeking approval for a 6-foot side yard setback where 8 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB107**, by owner Ashford Holdings LLC, seeking approval for a 10-foot front yard setback where 25 feet is required for a second frontage, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB109**, by owner LaBella's Salon LLC, seeking approval for parking that backs out into the city right of way, Tax Parcel 0808N-01-012.000, 15095 Dedeaux Road, Zoned B-2 (General Business), Ward 5

This the 25th day of June 2024

A. Leslie North, Chairman  
City of Gulfport Zoning Board of Adjustment and Appeals  
IPL0180912  
Jul 3 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:  
07/03/24

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

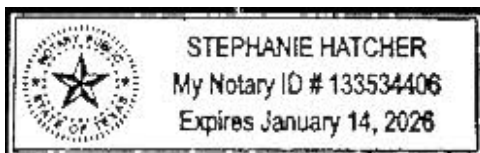
*Mary Castro*

Sworn to and subscribed before me this 3rd day of July  
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:** July 18, 2024

**Re:** Special Exception 2407SE096:

Special Exception 2407SE096, by agent John Pritchard, seeking approval for a to-go Daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Rd, Zoned B-1 (Neighborhood Business), Ward 5

# **Technical Report**

## ***SPECIAL EXCEPTION***

### ***GENERAL INFORMATION***

Case File Number: 2407SE096

Hearing Date: Zoning Board July 18, 2024  
Planning Commission July 25, 2024

Current Zoning/Use: B-1 / Commercial Structure

Legal: Variance 2407SE096, by agent John M. Pritchard, seeking approval for a to-go Daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Rd, Zoned B-1 (Neighborhood Business), Ward 5

### ***TECHNICAL DETAILS***

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

### ***EXECUTIVE SUMMARY***

The applicant would like to open a daiquiri shop at the above-mentioned location. This location is located in Dedeaux Plaza on Dedeaux Rd. The plaza currently houses a liquor store (Davis Liquor and Wine), a restaurant (Mama's Seafood), a market (Tienda Los Amigos), and a laundry mat (Supersudz). The parking appears sufficient. There is sufficient room for proper ingress and egress to safely operate this type of business at this location. It does not appear that this use will adversely impact the adjacent properties. As of June 4, 2024, Ordinance 3395 passed, allowing Dedeaux Rd to be an open cup district.

Any approval should consider these conditions:

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

### ***DEPARTMENTAL CONDITIONS***

**Engineering:** No conditions. Memo dated 07/02/2024.

**Public Works:** No comment as of 07/08/2024

**Traffic and Safety:** No conditions. Memo dated 06/29/2024.

# Technical Report

## *SPECIAL EXCEPTION*

**Building Code Services:** Must meet all current building codes and City of Gulfport Ordinances. Memo dated 06/25/2024.

**GIS:** No conditions. Memo dated 07/03/2024.

**Police Department:** No comment as of 07/08/2024.

**Fire Department:** No conditions. Memo dated 06/25/2024.

**City Arborist:** No conditions. Memo dated 06/26/2024.

### ***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

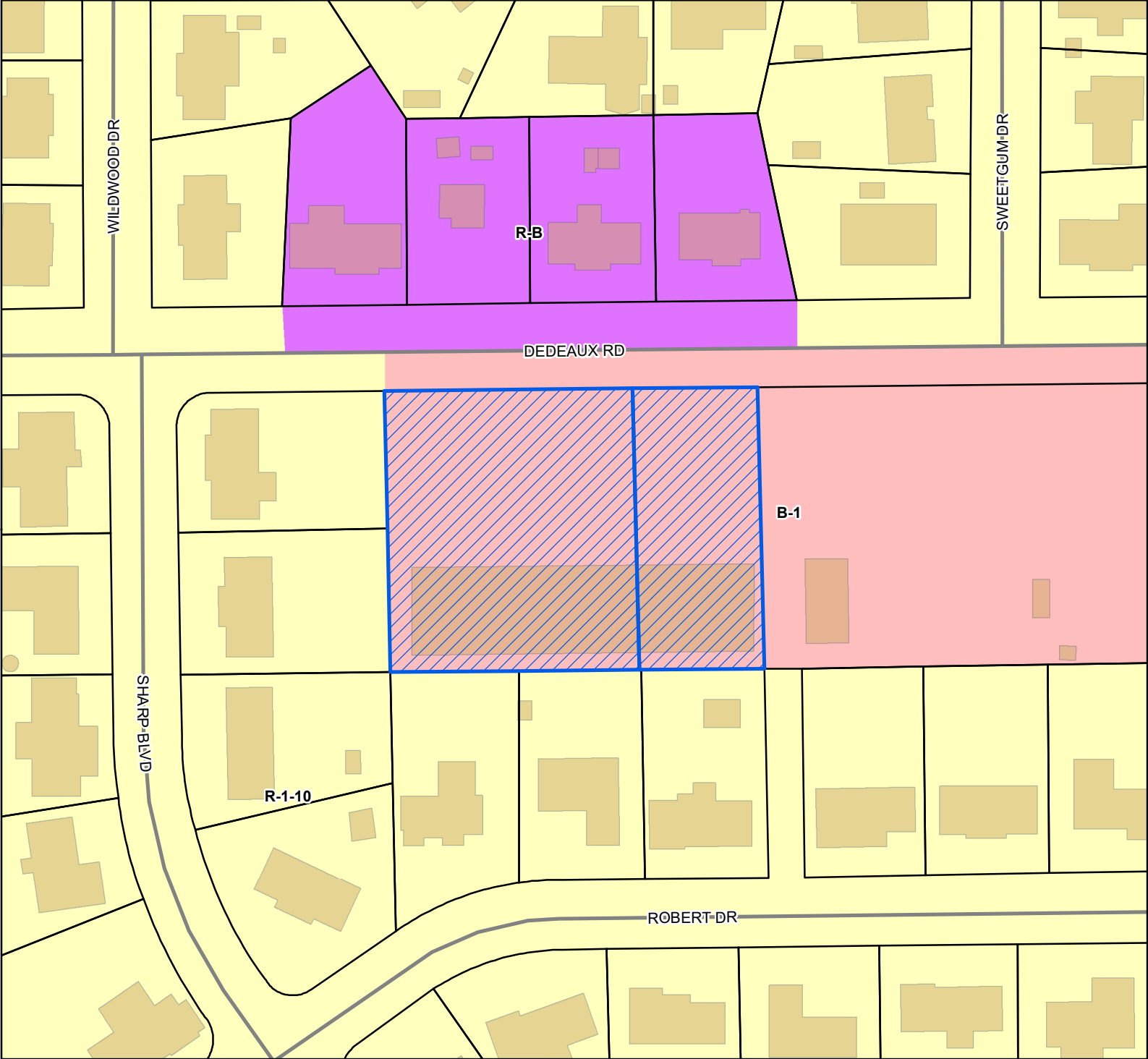
 on behalf of

Greg Holmes

Director of Urban Development Department

2407SE096

Special Exception



Site

Street

Parcels

Buildings

City Limit

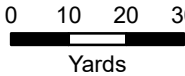
**Zoning**

B-1 - Neighborhood Business District

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

R-B - Residence-Business District

**Site Information**  
0908N-04-004.001  
0908N-04-004.000  
Zoning: B-1 (Neighborhood Business)  
Size: 1.25 acres  
Flood: X



1 inch = 100 feet



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CASE NUMBER

2407SE096  
05/23/2024  
BC RECPT#: 12770177

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

|   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |  |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
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|   |   |   |   |   | - |   |   | - |   |   |   | . |   |   |   |  |   |   |   |   |   | - |   |   | - |   |   |   | . |   |   |   |
|   |   |   |   |   | - |   |   | - |   |   |   | . |   |   |   |  |   |   |   |   |   | - |   |   | - |   |   |   | . |   |   |   |

Property Address:

13211 Dedeaux Rd. Gulfport, MS. 39503 Suite 4

Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Subdivision \_\_\_\_\_

General Description of Request: Daquiri shop - Daquiris to go / liquor store

### OWNERSHIP AND CERTIFICATION:

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

**OWNER:**

DE NGUYEN  
 Printed Name of Owner  
10223 FLITTER RD.  
 Mailing Address  
GILFORD MS 39503  
 City State Zip Code  
812-216-0284  
 Home Phone Work/Cell Phone  
Sethitran@yahoo.com  
 Email  
Nguyen D  
 Signature of Owner

**AGENT:**

John M. Pritchard  
 Printed Name of Agent  
16206 Three Rivers Rd  
 Mailing Address  
Box MS 39532  
 City State Zip Code  
228-860-2246  
 Home Phone Work/Cell Phone  
mikepritch8@bellsouth.net  
 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.

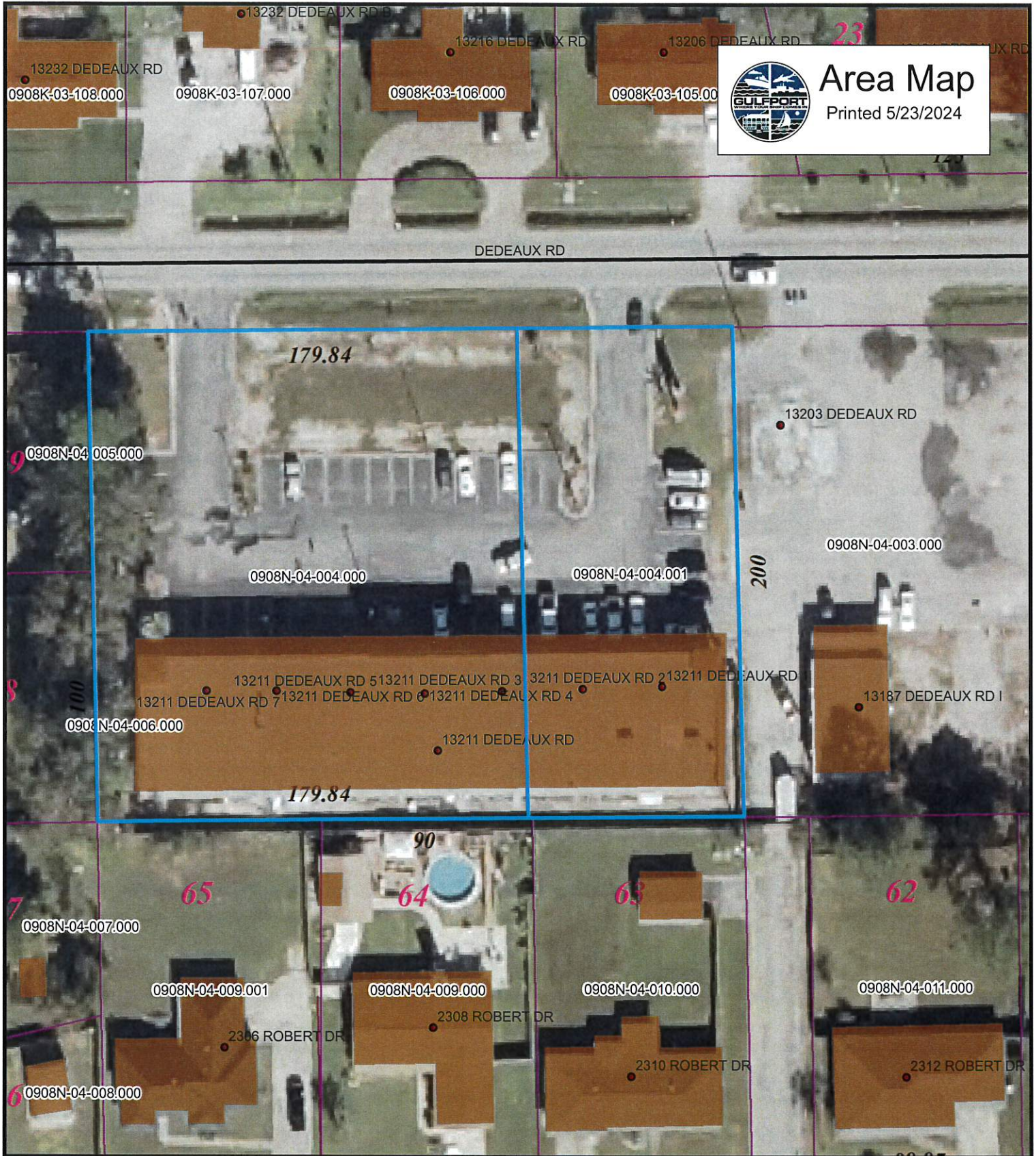
*I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request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

Name of Owner (PRINT) HOANG TRAN  
 Address (Street, City, State, Zip Code) 15068 Lowndess Dr.  
 Phone (Home) 228-265-4239 (Work) \_\_\_\_\_ (Cell) \_\_\_\_\_  
 Tax Parcel Number(s) Owned: \_\_\_\_\_  
 Signature: [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: \_\_\_\_\_





- Addresspoints
- Parcels

Initial and date here:

Planner: \_\_\_\_\_

Owner: 5/23/2024

Contractor: \_\_\_\_\_

#### DATA DISCLAIMER:

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## 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:

JMP  
JMP X **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.

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

JMP 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**.

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

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

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

## Special Exception Submissions

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

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



The following, where applicable must be addressed:

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

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

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



The following, where applicable must be addressed:

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

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

Southern Diquis does certify they are  
meeting the stated distance requirements at  
the location proposed within the City of  
Gulfport at 13211 Dedaux Rd. Gulfport, MS  
39503

John M. Pritchard

22 May 2024

Personally appeared before me, the undersigned authority in  
and for the above said County and State, the within named,  
~~John M. Pritchard~~  
~~Tyler M. Hickman~~ who acknowledged that he/they/she,  
executed and delivered the above and foregoing instrument.  
Given under my hand and seal of office, this the <sup>22nd</sup> ~~12th~~ day  
of ~~March~~ May 2024.

Samuel Sweeting







## DESIGNATION OF AGENT

I, DE NGUYEN being property owner of 13211 DEDEALIX RD.  
PRINT NAME PRIMARY ADDRESS OR PARCEL  
which is the subject of this application hereby authorize John M. Pritchard 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.

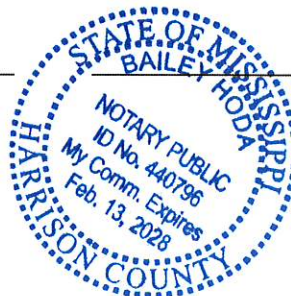
The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial or said petition.

[Signature] 5/23/24  
SIGNATURE DATE

## STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 23rd day of May, 20 24

[Signature] Feb. 13, 2028  
NOTARY PUBLIC COMMISSION EXPIRATION





## COVENANT AFFIDAVIT

I, John M. Pritchard being property owner or agent of the property 13211 Dedaux 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]  
SIGNATURE

22 May 2024  
DATE

### STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Samuel Sweeting  
NOTARY PUBLIC

5/22/27  
5/22/24 JS  
COMMISSION EXPIRATION



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

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT



1st Judicial District  
Instrument 2006 1784 D -J1  
Filed/Recorded 3 2 2006 10 A  
Total Fees 12.00  
2 Pages Recorded

WARRANTY DEED

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

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

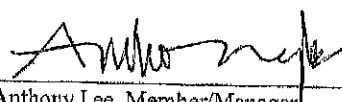
This conveyance is made subject to the lien for ad valorem taxes for the current year, as well as such restrictions, reservations, easements and other matters affecting the title thereto (with the exception of printed exclusions from the coverage of any title insurance commitment or policy) as are revealed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

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

Witness my signature, this 10<sup>th</sup> day of February, 2006.

Lee Brothers, LLC

BY:

  
Anthony Lee, Member/Manager

STATE OF CALIFORNIA

COUNTY OF ORANGE

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



(SEAL)

  
NOTARY PUBLIC

My commission expires:

4/20/2007

Grantor(s) address:

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

Telephone No. 714-371-6280

Grantee(s) address:

De V. Nguyen and Hoang V. Tran  
15068 Lovelace Drive  
Gulfport, MS 39503

Telephone No. 812-525-8378

Prepared by:

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



There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the 4<sup>th</sup> day of June, 2024, the following Ordinance:

**ORDINANCE NO. 3395**

**AN ORDINANCE TO ESTABLISH A LEISURE AND RECREATION DISTRICT WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF GULFPORT, MISSISSIPPI, AND DESIGNATE THE GEOGRAPHIC AREAS INCLUDED WITHIN AND BOUNDARIES OF SAID DISTRICT; AND FOR RELATED PURPOSES**

**WHEREAS**, the City of Gulfport, Mississippi, is a duly organized and incorporated municipality pursuant to Section 21-8-1, et seq., of the Mississippi Code of 1972 (as amended); and

**WHEREAS**, during the 2016 Legislative Session, the Legislature of the State of Mississippi enacted House Bill 1223 which permits and authorizes certain municipalities in the State of Mississippi to establish "Leisure and Recreation Districts" and to designate the geographic areas included within and the boundaries of said districts; and

**WHEREAS**, the Governor signed House Bill 1223 into law, and the same was effective on and after July 1, 2016 and was codified at *Mississippi Code Annotated* Section 67-1-101; and

**WHEREAS**, *Mississippi Code Annotated* Section 67-1-101 requires that an Ordinance which establishes a "Leisure and Recreation District" shall "include a detailed description of the area or areas within the district, the boundaries of the district and a georeferenced map of the district" as well as a description of the "manner in which the municipality will provide for adequate law enforcement and other public safety measures and services within the district" and

**WHEREAS**, municipalities which create "Leisure and Recreation Districts" authorize business entities that hold alcoholic beverage permits issued by the Department of Revenue and that are located within the boundaries of the "Leisure and Recreation District" to allow patrons to leave the licensed premises with an open container of alcohol and allow those patrons to carry and consume alcoholic beverages within a designated "Leisure and Recreation District"; and

**WHEREAS**, the governing authority of the City of Gulfport, Mississippi, has determined and hereby finds that the City of Gulfport, Mississippi, would benefit from the establishment of a "Leisure and Recreation District" within the City of Gulfport, located generally at or near 13211 Dedeaux Road, by enhancing pedestrian-oriented areas; and

**WHEREAS**, the governing authority of the City of Gulfport, Mississippi, has further determined that establishment of a "Leisure and Recreation District" in the area of the intersection of Courthouse Road and Pass Road would be in the best interests of the City of Gulfport; and

**WHEREAS**, nothing herein is intended to confer any rights or entitlement as the sale of alcohol within an area designated as a "Leisure and Recreation District" is a privilege and not a right and is subject at all times to reasonable regulation; and

**WHEREAS**, subject to the terms and limitations of *Mississippi Code Annotated* Section 67-1-101 and this Ordinance, the City of Gulfport hereby establishes a "Leisure and Recreation District" in the area of 13211 Dedeaux Road as more fully set forth herein.

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS:**

**SECTION 1.** *Creation and establishment of district.* Under the authority granted in Section 1 of House Bill 1223 (2016 Legislative Session), there is hereby established a "Leisure and Recreation District" in the City of Gulfport within the geographic areas and within such boundaries as represented on the geo-referenced Map which is attached hereto as Exhibit "1" and fully incorporated herein.

**SECTION 2.** *Name and boundaries of district.* The "Leisure and Recreation District" established herein shall be known as the "Dedeaux Road Social District" (hereinafter "the District") and shall have the following as its boundaries:

BEGINNING at the northeast corner of the Tax Parcel No. 0908N-04-001.000; thence west along the south right of way line for Dedeaux Road to the northwest corner of Tax Parcel No. 0908N-04-004.000; thence south along the west boundary of and to the southwest corner of Tax Parcel No. 0908N-04-004.000; thence west along the south boundaries of Tax Parcels 0908N-04-004.000, 0908N-04-004.001; 0908N-04-003.000 and 0908N-04-002.000 and an extension of that line across Lynn Avenue to a point on the west boundary of Tax Parcel No. 0908N-04-001.000; thence south, east and north along the boundaries of Tax Parcel No. 0908N-04-001.000 to the point of BEGINNING.

**SECTION 3.** *Outside Consumption of Alcoholic Beverages Permitted; Conditions.* Any on premise retail alcoholic beverage permittee (hereinafter, "permittee") located within the District shall comply with all laws, rules and regulations which govern its license type, except that a patron, guest or member of that licensee may remove an open container of alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage and/or wine outside of the licensed premises anywhere within the boundaries of the District subject to the following regulations:

- A. A person may not enter a licensed premise with an alcoholic beverage, whether acquired at that licensed premises or elsewhere.
- B. A permittee located in the District may allow alcoholic beverages to be removed from the licensed premises only in an open paper or plastic cup or jug, not larger than one (1) gallon in size, and no such alcoholic beverages shall be removed from the licensed premises in a can, bottle, glass container or other container, except as otherwise allowed by law.
- C. No permittee shall allow a patron, guest or member to exit its licensed premises with more than one open container of alcoholic beverages, and it shall be unlawful for any person to exit such licensed premises with more than one such open container.
- D. Permittees located in the District shall post, at all points of egress from the licensed premises, a map of the boundaries of the District in which it is located. The map shall be provided, either in electronic or paper form, to those permittees by the City upon request of the permittees.
- E. Nothing in this ordinance shall be construed to require a permittee located in the District to allow its patrons to remove alcoholic beverages and/or wine, in open containers, from the licensed premises.

**SECTION 4.** *Light wine and beer.* Within the boundaries of the District, the removal of light wine and beer in glass containers or bottles from the licensed premises of a permittee is strictly prohibited. However, a permittee may allow light wine and beer to be removed from the licensed premises in an open paper or plastic cup, not larger than 16 fluid ounces in size.

**SECTION 5.** *Public safety measures.* Enforcement of the boundaries of the District shall be the responsibility of the Police Department. In addition, the Police and Fire Departments shall provide public safety services within the District in the same manner it provides those services in the remainder of the City.

**SECTION 6.** *Definition of alcoholic beverages.* For the purposes of this Ordinance, the term "alcoholic beverages" shall mean any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines.

**SECTION 7.** The City reserves the right to modify or repeal this Ordinance, and any district designation created hereunder, at any time, with or without notice.

**SECTION 8.** All ordinances or parts thereof in conflict with this ordinance are hereby declared to be inapplicable within the geographic boundaries of the "Leisure and Recreation District" created herein.

**SECTION 9.** Upon receiving unanimous vote of the members of the City Council, this ordinance shall be in full force and effect immediately, because it serves the public peace, health and safety of the citizens of Gulfport and will immediately encourage enhancement of the tourism industry in the City of Gulfport, which has been damaged by Hurricane Katrina, the Deepwater Horizon Oil Spill and the COVID pandemic. It shall be published according to law, spread on the minutes of the Gulfport City Council, and the Council Clerk shall provide a certified copy of this Ordinance and other required documents to the Mississippi Department of Revenue upon its enactment.

The above and foregoing Ordinance, after having been first reduced to writing and read by the Clerk, was introduced by Councilmember Flowers, seconded by Councilmember Casey, and was adopted by the following roll call vote:

|                     |                     |                       |
|---------------------|---------------------|-----------------------|
| <b><u>YEAS:</u></b> | <b><u>NAYS:</u></b> | <b><u>ABSENT:</u></b> |
| Casey               | None                | Sharp                 |
| Roland              |                     |                       |
| Holmes-Hines        |                     |                       |
| Walker              |                     |                       |
| Flowers             |                     |                       |
| Kosloski            |                     |                       |

WHEREUPON the President declared the motion carried and the Ordinance adopted, this the 4<sup>th</sup> day of June, 2024.



**ATTEST:**

*/s/ Brittany Rodgers*

\_\_\_\_\_  
**Brittany Rodgers, Clerk of Council**

**ADOPTED:**

*/s/ Rusty Walker*

\_\_\_\_\_  
**F.B. “Rusty” Walker, IV, President**

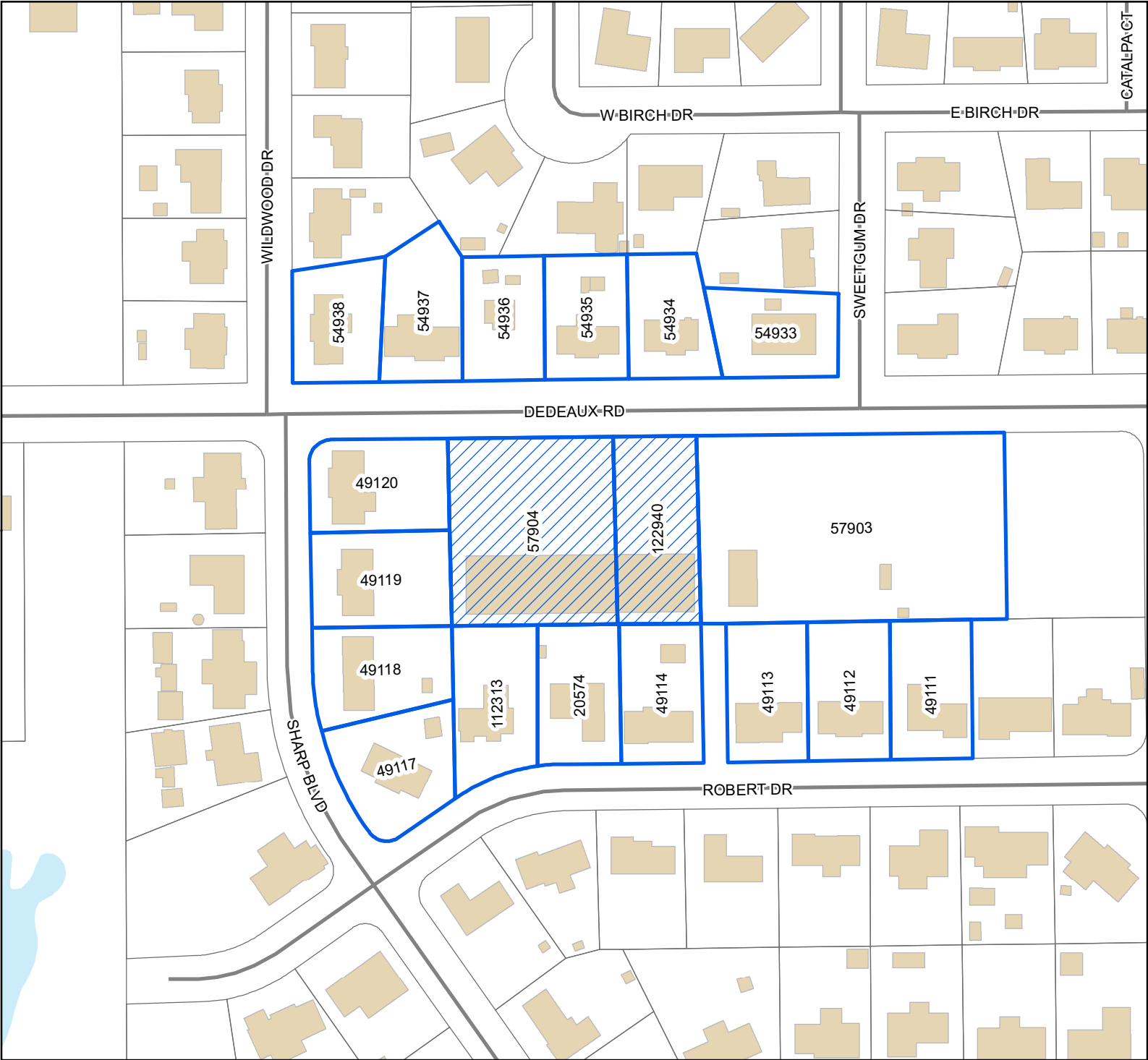
The above and foregoing Ordinance having been submitted to and approved by the Mayor, this the 5<sup>th</sup> day of June, 2024.

**APPROVED:**

*/s/ Billy Hewes*

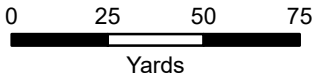
\_\_\_\_\_  
**Billy Hewes, Mayor**

| Mail   | PPIN | Parcel ID        | Name                                        | Address              | City        | State | ZIP   |
|--------|------|------------------|---------------------------------------------|----------------------|-------------|-------|-------|
| Y      |      | 0908N-04-004.000 | DE NGUYEN (OWNER)                           | 10233 HUTTER RD      | GULFPORT    | MS    | 39503 |
|        |      |                  | TYLER HICKMAN (AGENT)                       | 21431 PETE HICKMAN   | SAUCIER     | MS    | 39574 |
|        |      |                  | <b>Adjacent Property Owners (2403SE096)</b> |                      |             |       |       |
| 54936  |      | 0908K-03-107.000 | THOMAS WALTER JR & VERA L                   | 13232 DEDEAUX RD     | GULFPORT    | MS    | 39503 |
| 54933  |      | 0908K-03-104.000 | MOEINI MOHAMMAD -ESTATE-                    | P O BOX 8833         | GULFPORT    | MS    | 39506 |
| 57903  |      | 0908N-04-003.000 | NGUYEN DE VAN & JOE T                       | 10233 HUTTER RD      | GULFPORT    | MS    | 39503 |
| 49120  |      | 0908N-04-005.000 | BH INVESTMENTS LLC                          | 13084 OLD HWY 49     | GULFPORT    | MS    | 39503 |
| 54934  |      | 0908K-03-105.000 | EICHENBERG RICHARD L & SARAH N              | 24406 LINDA LN       | GULFPORT    | MS    | 39503 |
| 49117  |      | 0908N-04-008.000 | RICHARDSON CARL & PEARLIE                   | 507 SHARP BLVD       | GULFPORT    | MS    | 39503 |
| 54935  |      | 0908K-03-106.000 | LOUVIERE DYLAN & STRAHAN KELLY              | 13216 DEDEAUX RD     | GULFPORT    | MS    | 39503 |
| 49112  |      | 0908N-04-012.000 | DELAHUNT ROBERT & VANESSA D                 | 2314 ROBERT DR       | GULFPORT    | MS    | 39503 |
| 49111  |      | 0908N-04-013.000 | TRAN JOHN                                   | 13688 HIDDEN OAKS DR | GULFPORT    | MS    | 39503 |
| 49114  |      | 0908N-04-010.000 | DIVYNE PROPERTY LLC                         | 2308 ROBERT DR       | GULFPORT    | MS    | 39503 |
| 112313 |      | 0908N-04-009.001 | LEVY TIFFANY                                | 2041 SHADY LANE RD   | PICKENS     | MS    | 39146 |
| 49118  |      | 0908N-04-007.000 | WENG QICAI                                  | 4282 TUX RIVER CIR   | D'IBERVILLE | MS    | 39540 |
| 54938  |      | 0908K-03-071.000 | COBLENTZ ALEXIS DENISE                      | 800 WILDWOOD DR      | GULFPORT    | MS    | 39503 |
| 49119  |      | 0908N-04-006.000 | DEDEAUX JOSHUA & BRITTANY L                 | 503 SHARP BLVD       | GULFPORT    | MS    | 39503 |
| 49113  |      | 0908N-04-011.000 | JEFFRIES PATRICIA ANN                       | 2312 ROBERTS DR      | GULFPORT    | MS    | 39503 |
| 20574  |      | 0908N-04-009.000 | BALL ALVANETTA & DEWITT                     | 2308 ROBERT DRIVE    | GULFPORT    | MS    | 39501 |
| 122940 |      | 0908N-04-004.001 | NGUYEN DE V & TRAN HOANG V                  | 15068 LOVELESS DR    | GULFPORT    | MS    | 39503 |



Legend

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



1 inch = 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.

**RE: Special Exception 2407SE096, by agent John Pritchard, seeking approval for a to-go Daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Rd, Zoned B-1 (Neighborhood Business), 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, July 18, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, July 18, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email [planners@gulfport-ms.gov](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> 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 |
|-----------|--------------|-----------------------------------------|----------|---------|------|-------|
| 33468     | 568455       | Print Legal Ad-IPL01809120 - IPL0180912 |          | \$88.75 | 2    | 54 L  |

Attention: Jessica Versiga

GULFPORT CITY HALL  
1410 24 TH AVENUE  
GULFPORT, MS 39501

jversiga@gulfport-ms.gov

### LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, July 18, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

**Variance 2406ZB085**, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 12146 Dedeaux Road, Zoned R-1-10 (Single-Family), Ward 6

**Special Exception 2407SE096**, by agent John Pritchard, seeking approval for a to-go Daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Rd, Zoned B-1 (Neighborhood Business), Ward 5

**Variance 2407ZB098**, by owner Vernon Floyd, seeking approval for a 6-foot tall fence where 4 feet is the height limit, Tax Parcel 0911D-03-060.000, 621 3rd Street, Zoned R-1-7.5 (Single-Family), Ward 2

**Variance 2407ZB101**, by owners Gary & Mary McCabe, seeking approval for an 8-foot fence where 6 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB102**, by owners Gary & Mary McCabe, seeking approval for a 5-foot tall fence with 6-foot brick columns where 4 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB105**, by owner Ashford Holdings LLC, seeking approval for a 15-foot front yard setback where 25 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB106**, by owner Ashford Holdings LLC, seeking approval for a 6-foot side yard setback where 8 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB107**, by owner Ashford Holdings LLC, seeking approval for a 10-foot front yard setback where 25 feet is required for a second frontage, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB109**, by owner LaBella's Salon LLC, seeking approval for parking that backs out into the city right of way, Tax Parcel 0808N-01-012.000, 15095 Dedeaux Road, Zoned B-2 (General Business), Ward 5

This the 25th day of June 2024

A. Leslie North, Chairman  
City of Gulfport Zoning Board of Adjustment and Appeals  
IPL0180912  
Jul 3 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:  
07/03/24

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

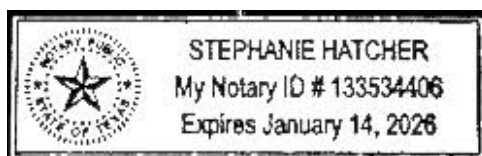
Mary Castro

Sworn to and subscribed before me this 3rd day of July 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:** July 18, 2024

**Re:** Variance 2407ZB098:

Variance 2407ZB098, by owner Vernon Floyd, seeking approval for a 6-foot tall fence where 4 feet is the height limit, Tax Parcel 0911D-03-060.000, 621 3rd Street, Zoned R-1-7.5 (Single-Family), Ward 2

# Technical Report

## VARIANCE

### GENERAL INFORMATION

Case File Number: 2407ZB098

Hearing Date: July 18, 2024

Current Zoning/Use: R-1-7.5 / Single-family residence

Legal: Variance 2407ZB098, by owner Vernon Floyd, seeking approval for a 6-foot tall fence where 4 feet is the height limit, Tax Parcel 0911D-03-060.000, 621 3rd Street, Zoned R-1-7.5 (Single-Family), Ward 2

### TECHNICAL DETAILS

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

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

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

# Technical Report

## *VARIANCE*

Applicant is seeking approval for a 6-foot wooden fence in front of the front continuous façade line where the height limit is 4 feet.

- (a) The applicant notes, that the “height variance will allow them to further secure the property for privacy. The neighbor to the east has a 6-foot privacy fence for security and they would like to do the same.” Upon review of the subject site, the fence to the east is on the sides and rear of the property, which is allowed by right. 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 6-foot wooden fence would match the adjacent property to the east and would have no known impact on other properties. The physical characteristic of the property does result in a hardship.
- (c) The variance is requested in order to allow the applicant to deviate from the 4 feet height limit for a 6-foot wooden fence in the front façade on the property. The applicant purchased the property without a fence. Further, the applicant could build a 4 feet wood fence to comply with the City of Gulfport’s Ordinance.
- (d) The applicant does not address whether or not the fence will have an impact on ingress and egress.
- (e) The applicant does not address whether or not they will not be receiving any special privileges that others cannot receive. Applicant states that “the property is next to the railroad crossing at Hewes and a 6-foot wooden fence would offer some degree of sound buffering.”
- (f) This property is zoned R-1-7.5, and a single-family residence use is allowed by right.

### ***EXECUTIVE SUMMARY***

No legitimate hardships were provided by the applicant in the written request. Applicant is seeking approval for a 6-foot wooden fence in front of the front continuous façade line where the height limit is 4 feet. Applicant has recently construct a new home on the property. Upon staff review of the surrounding properties, neighboring properties appear to meet the fence requirements. Approval of this variance would confer the applicant special privileges that is denied by the City Ordinances to other lands or structures in the same district.

Any approval should consider these conditions:

- 1. Allows for a 6-foot wooden fence to be built in the continuous front façade where 4 feet is the height limit.
- 2. Must meet all current building Codes and City of Gulfport Ordinances.
- 3. Mailbox will be required to be placed on 3<sup>rd</sup> Street.

### ***DEPARTMENTAL CONDITIONS***

**Engineering:** No conditions. Memo dated 7/2/2024.

**Public Works:** No comment as of 7/5/2024.

**Traffic and Safety:** No conditions. Memo dated 6/29/2024.

# Technical Report

## VARIANCE

**Building Code Services:** No conditions. Memo dated 6/25/24.

**GIS:** No conditions. Memo dated 6/25/2024.

**Police Department:** No comment as of 7/5/2024.

**Fire Department:** No conditions. Memo dated 6/25/24.

**City Arborist:** No conditions. Memo dated 6/26/24.

### ***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

 on behalf of

Greg Holmes

Director of Urban Development Department



**PLOT PLAN**  
OF  
**LOTS 29, 30 & EAST 1/2 OF LOT 31**  
BLOCK 5, HEWES ADDITION  
(PLAT BOOK 3, PAGE 10)  
CITY OF GULFPORT,  
FIRST JUDICIAL DISTRICT OF  
HARRISON COUNTY, MISSISSIPPI

**REFERENCE ELEVATIONS:**

The elevations shown hereon are based on the "North American Vertical Datum of 1988 - NAVD 88" (Geoid 12b) using GPS GCGC-RTN System accessed on December 21, 2021.

**SITE T.B.M.'s (Temporary Bench Marks):**

#1 - 60D nail set in utility pole on north side of 17th Street (or 3rd Street).  
Elevation = 20.26 feet N.A.V.D.88

**NOTES:**

- 1.) No attempt has been made by Cassidy-Acadia Land Surveying, L.L.C. to verify title, actual legal ownership, deed restrictions, servitudes, easements, alleys, right-of-ways or other burdens on the property, other than that furnished by the client or his representative. There is no representation that all applicable servitudes and restrictions are shown hereon. The surveyor has made no title search or public record search in compiling the data for this survey.
- 2.) The words "Certify," "Certifies" or "Certification" as used herein is understood to be an expression of professional opinion by the surveyor, based upon his best knowledge, information, and belief, as such, it does not constitute a guarantee nor a warranty, expressed or implied.
- 3.) Zoning: R-1-7.5  
Setback lines shall be verified by the owner, developer and or contractor prior to any construction, as an abstract has not been performed by the surveyor. Zoning and setbacks are subject to change and should be verified with the local authority's Zoning Department before any design or construction

**CERTIFICATION:**

This is to certify to VERNON FLOYD that this survey was done by me or under my direct supervision and control, that the survey was done on the ground and was done in accordance with the most recent Minimum Standards of Practice for Land Surveyors as set forth by the State of Mississippi, Board of Licensure for Professional Engineers and Surveyors and that the accuracy specification and positional tolerances are in accordance with Class "C" surveys indicated in the above standards. I also certify there are no visible encroachments across any property lines except as shown.

Wayne M. Vice, Jr., PS,

**SURVEYOR**  
3/10/2023  
PS-32711

Reg. No. 32711

This survey plat is not valid without the raised or colored seal and signature of the Registered Land Surveyor.

**REFERENCE MAPS:**

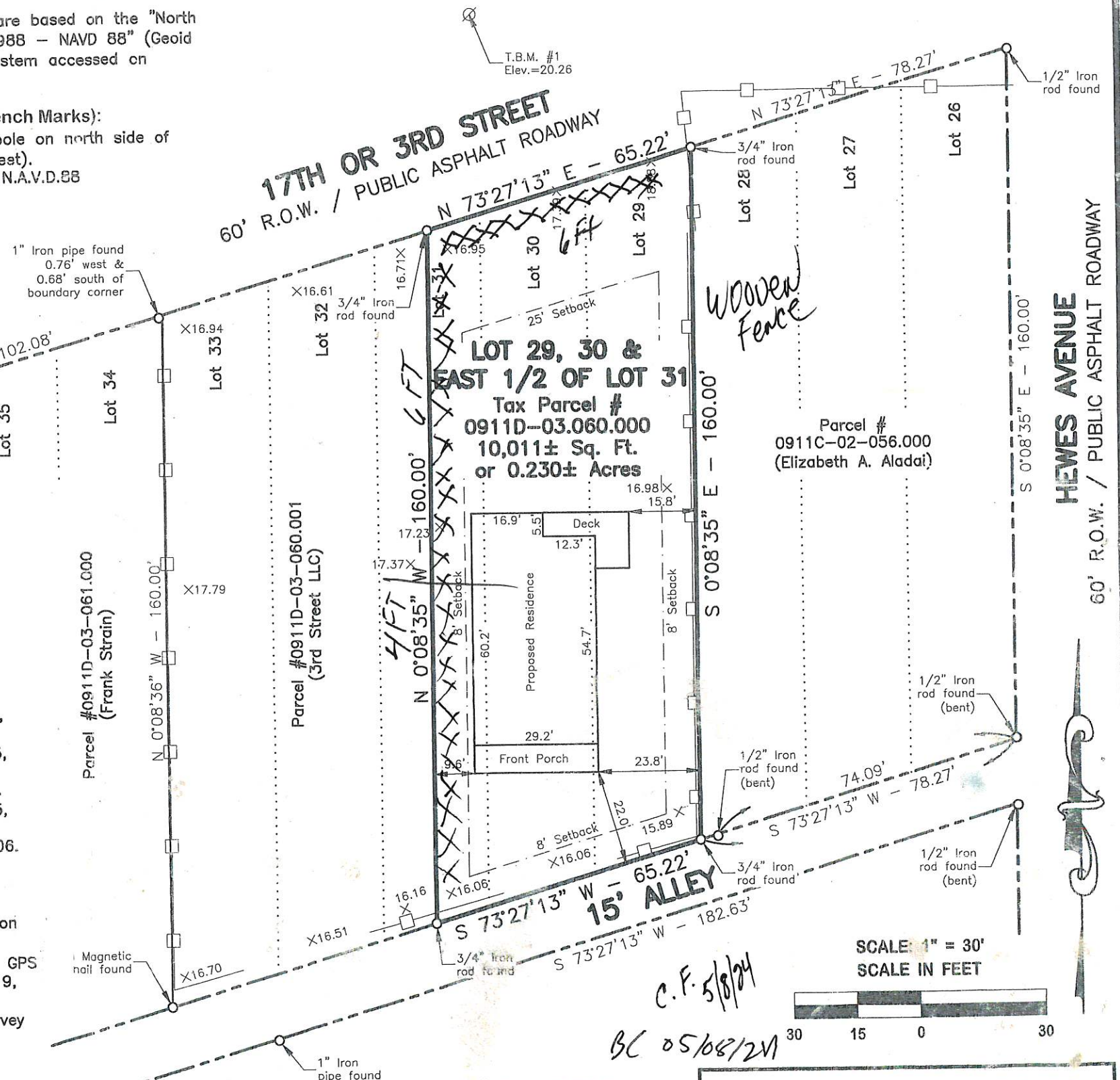
- 1) Survey of Lots 26-28, Block 5, HEWES ADDITION prepared by J. Michael Cassidy on November 21, 1995.
- 2) Survey of Lots 36 & 37, Block 5, HEWES ADDITION prepared by J. Michael Cassidy on July 2, 1990.
- 3) Survey of Lots 11 & 12, Block 5, HEWES ADDITION prepared by J. Michael Cassidy on June 20, 2006.

**REFERENCE BEARINGS:**

The bearings shown hereon are based on the "Mississippi State Plane Coordinate System - East Zone - NAD 83" using GPS GCGC-RTN System accessed on March 9, 2023. (\*) Represents the Basis of Bearings. Distances shown are U.S. Survey feet.

**FEMA FLOOD ZONE AND HAZARDS:**

This lot is located in Flood Zone "X500" Area of/per FEMA Map Community Panel Number 28047C 0268 G for Harrison County, Mississippi dated December 21, 2017. Base Flood Elevation is subject to change and should be verified with the local authority's Flood Plain Administrator before any design or construction.





## APPLICATION PROFILE

## GENERAL APPLICATION

|                  |                                                                                  |                                  |            |
|------------------|----------------------------------------------------------------------------------|----------------------------------|------------|
| Application ref  | 202300626                                                                        | Fee Effective Dt                 | 03/10/2023 |
| Department       | BUILDING CODE SERVICES                                                           |                                  |            |
| Location         | 621 3RD ST                                                                       |                                  |            |
| Parcel           | 0911D-03-060.000                                                                 |                                  |            |
| Cross streets    |                                                                                  |                                  |            |
| Add'l loc desc   |                                                                                  |                                  |            |
| Municipality     | GULFPORT                                                                         |                                  |            |
| Subdivision      |                                                                                  | Lot                              |            |
| Existing use     |                                                                                  |                                  |            |
| memo             |                                                                                  |                                  |            |
| Current Zoning   | SINGLE FAMILY RESIDENCE                                                          |                                  |            |
| Flood zone       | MINIMAL FLOOD HAZARD                                                             |                                  |            |
| Applicant        | HOME OWNER                                                                       |                                  |            |
| Proj/Activity    | NEW SINGLE FAMILY DETACHED                                                       |                                  |            |
| Class of work    |                                                                                  |                                  |            |
| Description      | NSFH/VERNON FLOYD 678-438-4897/LOT 29, 30, 31/621 3RD ST<br>*****621 3RD ST***** |                                  |            |
| Proposed use     |                                                                                  |                                  |            |
| memo             |                                                                                  |                                  |            |
| Proposed zoning  | SINGLE FAMILY RESIDENCE                                                          |                                  |            |
| Flood zone       | OTHER - POSSIBLE FLOOD ZONE                                                      |                                  |            |
| Non-conforming   | N                                                                                |                                  |            |
| Applic received  | 03/10/23                                                                         |                                  |            |
| Estimated cost   | 284,771                                                                          |                                  |            |
| Estim start/end  |                                                                                  |                                  |            |
| Actual start/end |                                                                                  |                                  |            |
| Impervious Surf  | 0.00                                                                             |                                  |            |
| Semi-Pervious    | 0.00                                                                             |                                  |            |
| Assigned to      |                                                                                  |                                  |            |
| Status           | ACTIVE                                                                           |                                  |            |
| Status code desc | NEW APPLICATION                                                                  | Multiple submissions             | N          |
| Next action      |                                                                                  | Government owned                 | N          |
| memo             |                                                                                  |                                  |            |
| Ordinance ref    |                                                                                  |                                  |            |
| Reason for app   |                                                                                  |                                  |            |
| Parent app       |                                                                                  | Point in time fee effective date |            |
|                  |                                                                                  | Fee expiration date              |            |

## PROGRESS

|                              |       |    |
|------------------------------|-------|----|
| Prerequisites Approved       | 0 of  | 0  |
| Restrictions/Hazards Cleared | 2 of  | 2  |
| Plan Reviews                 | 2 of  | 2  |
| Department/Board Reviews     | 0 of  | 0  |
| Permits Issued/Completed     | 6 of  | 7  |
| Inspections                  | 20 of | 31 |
| Permit Fees Paid             | 3 of  | 3  |
| Miscellaneous Charges Paid   | 0 of  | 0  |
| Work Orders Paid             | 0 of  | 0  |

## APPLICATION PROFILE

Application ref: 202300626 (continued)

## ROLES/NAMES

|              |                               |
|--------------|-------------------------------|
| Role         | Name/Address                  |
| HOME OWNER   | 3RD STREET OR 17TH STREET LLC |
| CID : 140676 | 0911D-03-060.000              |
|              | GULFPORT, MS 39501            |

|                    |                               |
|--------------------|-------------------------------|
| GENERAL CONTRACTOR | 3RD STREET OR 17TH STREET LLC |
| CID : 140676       | 0911D-03-060.000              |
|                    | GULFPORT, MS 39501            |

|                       |                    |
|-----------------------|--------------------|
| ELECTRICAL CONTRACTOR | PATTON JOE W       |
| CID : 39342           | 9455 CREOSOTE ROAD |
| Phone: 601-988-8305   | GULFPORT, MS 39501 |

|                |          |                |       |       |         |
|----------------|----------|----------------|-------|-------|---------|
| Tradesman Name | Lic Type | License number | Class | NAICS | Expires |
| JOE WILLIE     |          |                |       |       |         |
| WAYNE MILLER   |          |                |       |       |         |

|                     |                         |
|---------------------|-------------------------|
| PLUMBING CONTRACTOR | BATTLE FRANK THOMAS     |
| CID : 152919        | 3239 NOTTINGHAM RD      |
| Phone: 228-875-5228 | OCEAN SPRINGS, MS 39564 |

|                |          |                |       |       |         |
|----------------|----------|----------------|-------|-------|---------|
| Tradesman Name | Lic Type | License number | Class | NAICS | Expires |
| FRANK BATTLE   |          |                |       |       |         |

|                       |                        |
|-----------------------|------------------------|
| MECHANICAL CONTRACTOR | LEFLORE MARCO JAMESTRO |
| CID : 117515          | 1800 25TH AVE SUITE C  |
| Phone: 228-263-1112   | GULFPORT, MS 39503     |

|                |          |                |       |       |         |
|----------------|----------|----------------|-------|-------|---------|
| Tradesman Name | Lic Type | License number | Class | NAICS | Expires |
| CARLOS BELL    |          |                |       |       |         |
| MARCO LEFLORE  |          |                |       |       |         |

## BUILDING CONSTRUCTION

No Building Construction detail was found.

## PLAN REVIEWS

|           |           |              |             |
|-----------|-----------|--------------|-------------|
| Plan Type | Completed | ePlan Status | ePlan Start |
|           | 2 of 2    | MANUAL       |             |

|           |                     |        |            |          |          |          |          |       |
|-----------|---------------------|--------|------------|----------|----------|----------|----------|-------|
| Plan Type | Dept                | Review | Status     | Recv Dt  | Due Dt   | Retn Dt  | Compl Dt | Time  |
|           | 613                 | 1      | CONDITIONS | 03/13/23 | 03/20/23 | 03/13/23 | 03/13/23 | 00.00 |
| Reviewer: | GEOFFREY A. HITTNER |        |            |          |          |          |          |       |
|           | 612                 | 1      | NO CONDITI | 03/13/23 | 03/20/23 | 04/11/23 | 04/11/23 | 00.00 |
| Reviewer: | RHONDA GADDIS       |        |            |          |          |          |          |       |

## APPLICATION PROFILE

Application ref: 202300626 (continued)

## PERMITS

| Type       | Permit Number | Status | Issued   | Fee      | Unpaid Amt |
|------------|---------------|--------|----------|----------|------------|
| BLDG PRM R | 76805         | ISSUED | 04/14/23 | 610.00   | .00        |
| BLDG 2ND\$ | 76806         | ISSUED | 04/14/23 | 580.00   | .00        |
| ELECTRICAL | 78580         | ISSUED | 08/02/23 | 30.00    | .00        |
| ELECTRICAL | 80637         | ISSUED | 11/29/23 | 179.25   | .00        |
| ELECT BASE |               | FEE    |          | 30.00    | .00        |
| MECH BASE  |               | FEE    |          | 30.00    | .00        |
| MECH PERM  | 80903         | ISSUED | 12/14/23 | 32.00    | .00        |
| PLBG BASE  |               | FEE    |          | 30.00    | .00        |
| PLBG FIX   | 80107         | ISSUED | 10/30/23 | 105.00   | .00        |
| CO         |               | REVIEW |          | .00      | .00        |
| TOTAL:     |               |        |          | 1,626.25 | .00        |

## PERMIT ITEMS

| Type-Fee       | Item/Fxt   | Loc/Floor | New Qty | Rate  | Fee Amount |
|----------------|------------|-----------|---------|-------|------------|
| ELECTRICA-E000 | SERVICE EN |           | .0      | .00   | .00        |
| ELECTRICA-E000 | 100 AMP OR |           | .0      | 10.00 | .00        |
| ELECTRICA-E000 | 125-200 AM |           | .0      | 20.00 | .00        |
| ELECTRICA-E000 | 225-400 AM |           | .0      | 30.00 | .00        |
| ELECTRICA-E000 | 450-600 AM |           | .0      | 40.00 | .00        |
| ELECTRICA-E000 | 700-800 AM |           | .0      | 50.00 | .00        |
| ELECTRICA-E000 | 1000 AMP   |           | .0      | 50.00 | .00        |
| ELECTRICA-E000 | 1200 AMP   |           | .0      | 52.00 | .00        |
| ELECTRICA-E000 | 1500 AMP   |           | .0      | 54.00 | .00        |
| ELECTRICA-E000 | 2000 AMP   |           | .0      | 56.00 | .00        |
| ELECTRICA-E000 | 2500 AMP   |           | .0      | 58.00 | .00        |
| ELECTRICA-E000 | 3000 AMP   |           | .0      | 60.00 | .00        |
| ELECTRICA-E000 | 4000 AMP   |           | .0      | 62.00 | .00        |
| ELECTRICA-E000 | 5000 AMP   |           | .0      | 64.00 | .00        |
| ELECTRICA-E000 | FEEDER CIR |           | .0      | .00   | .00        |
| ELECTRICA-E000 | 60 AMP OR  |           | .0      | 6.00  | .00        |
| ELECTRICA-E000 | 70-100 AMP |           | .0      | 8.00  | .00        |
| ELECTRICA-E000 | 125-200 AM |           | .0      | 15.00 | .00        |
| ELECTRICA-E000 | 225-400 AM |           | .0      | 20.00 | .00        |
| ELECTRICA-E000 | 450-600 AM |           | .0      | 25.00 | .00        |
| ELECTRICA-E000 | 700-800 AM |           | .0      | 30.00 | .00        |
| ELECTRICA-E000 | 800-1000 A |           | .0      | 35.00 | .00        |
| ELECTRICA-E000 | DISTRIBUTI |           | .0      | .00   | .00        |
| ELECTRICA-E000 | AMPS       |           | .0      | .25   | .00        |
| ELECTRICA-E000 | AMPS       |           | .0      | .25   | .00        |
| ELECTRICA-E000 | AMPS       |           | .0      | .25   | .00        |
| ELECTRICA-E000 | BRANCH CIR |           | .0      | .00   | .00        |
| ELECTRICA-E000 | QUANTITY   |           | .0      | 6.00  | .00        |
| ELECTRICA-E000 | MAJOR APPL |           | .0      | .00   | .00        |
| ELECTRICA-E000 | REFIGERATO |           | .0      | 10.00 | .00        |
| ELECTRICA-E000 | FREEZER    |           | .0      | 10.00 | .00        |
| ELECTRICA-E000 | RANGE TOP  |           | .0      | 6.00  | .00        |
| ELECTRICA-E000 | WALL OVEN  |           | .0      | 6.00  | .00        |
| ELECTRICA-E000 | ELECTRIC O |           | .0      | 6.00  | .00        |
| ELECTRICA-E000 | RANGE      |           | .0      | 6.00  | .00        |
| ELECTRICA-E000 | CLOTHS     |           | .0      | 10.00 | .00        |



## APPLICATION PROFILE

Application ref: 202300626 (continued)

|                |            |     |       |       |
|----------------|------------|-----|-------|-------|
| ELECTRICA-E000 | ELEC WAT H | .0  | 6.00  | .00   |
| ELECTRICA-E000 | CLOTHES DR | .0  | 6.00  | .00   |
| ELECTRICA-E000 | DISHWASHER | .0  | 6.00  | .00   |
| ELECTRICA-E000 | DISPOSAL   | .0  | 10.00 | .00   |
| ELECTRICA-E000 | COMPACTOR  | .0  | 10.00 | .00   |
| ELECTRICA-E000 | VACUUM PUM | .0  | 10.00 | .00   |
| ELECTRICA-E000 | ATTIC FAN  | .0  | 10.00 | .00   |
| ELECTRICA-E000 | WINDOW A/C | .0  | 12.00 | .00   |
| ELECTRICA-E000 | BATHROOM   | .0  | 6.00  | .00   |
| ELECTRICA-E000 | SP. HEATER | .0  | 6.00  | .00   |
| ELECTRICA-E000 | MOTORINSTA | .0  | .00   | .00   |
| ELECTRICA-E000 | FRACTION T | .0  | 5.00  | .00   |
| ELECTRICA-E000 | 1.5-3 HP   | .0  | 7.00  | .00   |
| ELECTRICA-E000 | 3.5-5 HP   | .0  | 9.00  | .00   |
| ELECTRICA-E000 | 7.5-10     | .0  | 11.00 | .00   |
| ELECTRICA-E000 | 15-25 HP   | .0  | 15.00 | .00   |
| ELECTRICA-E000 | 30-100 HP  | .0  | 20.00 | .00   |
| ELECTRICA-E000 | 125-200 HP | .0  | 25.00 | .00   |
| ELECTRICA-E000 | 200 HP AND | .0  | 3.00  | .00   |
| ELECTRICA-E000 | COMMERCIAL | .0  | .00   | .00   |
| ELECTRICA-E000 | SELF CONT. | .0  | 10.00 | .00   |
| ELECTRICA-E000 | SELF CONT  | .0  | 10.00 | .00   |
| ELECTRICA-E000 | SELF COOL  | .0  | 10.00 | .00   |
| ELECTRICA-E000 | ELECTRIC W | .0  | 10.00 | .00   |
| ELECTRICA-E000 | DRINK DISP | .0  | 10.00 | .00   |
| ELECTRICA-E000 | ELETRIC GR | .0  | 10.00 | .00   |
| ELECTRICA-E000 | ELECTRIC F | .0  | 10.00 | .00   |
| ELECTRICA-E000 | ELECTRIC W | .0  | 10.00 | .00   |
| ELECTRICA-E000 | COMP. GAS. | .0  | 10.00 | .00   |
| ELECTRICA-E000 | GASOLINE D | .0  | 8.00  | .00   |
| ELECTRICA-E000 | SIGNS & OU | .0  | .00   | .00   |
| ELECTRICA-E000 | FIRST 10 L | .0  | 10.00 | .00   |
| ELECTRICA-E000 | ADDITIONAL | .0  | 10.00 | .00   |
| ELECTRICA-E000 | TRANSFORME | .0  | 10.00 | .00   |
| ELECTRICA-E000 | T-POLE     | 1.0 | 30.00 | 30.00 |
| ELECTRICA-E000 | CORRECT WI | .0  | 30.00 | .00   |
| ELECTRICA-E000 | XRAY EQUIP | .0  | 30.00 | .00   |
| ELECTRICA-E000 | WELDER     | .0  | 30.00 | .00   |
| ELECTRICA-E000 | GEN, TRANS | .0  | .00   | .00   |
| ELECTRICA-E000 | LESS THAN  | .0  | 5.00  | .00   |
| ELECTRICA-E000 | 1.5-2KW    | .0  | 8.00  | .00   |
| ELECTRICA-E000 | 5-10 KW    | .0  | 11.00 | .00   |
| ELECTRICA-E000 | 10-25 KW   | .0  | 15.00 | .00   |
| ELECTRICA-E000 | 100-200 KW | .0  | 30.00 | .00   |
| ELECTRICA-E000 | 200 KW+    | .0  | 33.00 | .00   |
| TOTAL :        |            |     |       | 30.00 |
| PLBG FIX-P002  | WTR CLOSET | .0  | 5.00  | .00   |
| PLBG FIX-P002  | SINK       | 3.0 | 5.00  | 15.00 |
| PLBG FIX-P002  | BATH TUB   | 2.0 | 5.00  | 10.00 |
| PLBG FIX-P002  | LAVATORY   | 2.0 | 5.00  | 10.00 |
| PLBG FIX-P002  | GREAS TRAP | .0  | 7.00  | .00   |
| PLBG FIX-P002  | URINAL     | .0  | 5.00  | .00   |
| PLBG FIX-P002  | LAUNDRYTUB | .0  | 5.00  | .00   |
| PLBG FIX-P002  | FLR DRAIN  | .0  | 5.00  | .00   |

## APPLICATION PROFILE

Application ref: 202300626 (continued)

|                |            |       |       |        |
|----------------|------------|-------|-------|--------|
| PLBG FIX-P002  | FL DR W/TP | .0    | 7.00  | .00    |
| PLBG FIX-P002  | SEWER CONN | 1.0   | 10.00 | 10.00  |
| PLBG FIX-P002  | SHOWER     | 2.0   | 5.00  | 10.00  |
| PLBG FIX-P002  | WTR FOUNT  | .0    | 5.00  | .00    |
| PLBG FIX-P002  | DISHWASHER | 1.0   | 5.00  | 5.00   |
| PLBG FIX-P002  | DISPOSAL   | 1.0   | 5.00  | 5.00   |
| PLBG FIX-P002  | WASH MACH  | 1.0   | 5.00  | 5.00   |
| PLBG FIX-P002  | WTR CONN   | 1.0   | 5.00  | 5.00   |
| PLBG FIX-P002  | SWIM POOL  | .0    | 50.00 | .00    |
| PLBG FIX-P002  | KIT RANGE  | 1.0   | 5.00  | 5.00   |
| PLBG FIX-P002  | HOT PLATE  | .0    | 5.00  | .00    |
| PLBG FIX-P002  | REFRIGATOR | 1.0   | 5.00  | 5.00   |
| PLBG FIX-P002  | WT HT AUTO | 1.0   | 10.00 | 10.00  |
| PLBG FIX-P002  | W HTR INST | .0    | 10.00 | .00    |
| PLBG FIX-P002  | RAD HTR    | .0    | 10.00 | .00    |
| PLBG FIX-P002  | FLR FURN   | .0    | 10.00 | .00    |
| PLBG FIX-P002  | FRN HT AIR | .0    | 10.00 | .00    |
| PLBG FIX-P002  | RADIATOR   | .0    | 10.00 | .00    |
| PLBG FIX-P002  | RAD NOVENT | .0    | 10.00 | .00    |
| PLBG FIX-P002  | CIRCUL HTR | .0    | 10.00 | .00    |
| PLBG FIX-P002  | GAS SRV LN | 1.0   | 10.00 | 10.00  |
| PLBG FIX-P002  | OTHER FIX  | .0    | 5.00  | .00    |
| PLBG FIX-P002  | BOILERS    | .0    | 25.00 | .00    |
| PLBG FIX-P002  | OTHER CONN | .0    | 5.00  | .00    |
| PLBG FIX-P002  | PIPING     | .0    | 10.00 | .00    |
| TOTAL:         |            |       |       | 105.00 |
|                |            |       |       |        |
| ELECTRICA-E000 | SERVICE EN | .0    | .00   | .00    |
| ELECTRICA-E000 | 100 AMP OR | .0    | 10.00 | .00    |
| ELECTRICA-E000 | 125-200 AM | 1.0   | 20.00 | 20.00  |
| ELECTRICA-E000 | 225-400 AM | .0    | 30.00 | .00    |
| ELECTRICA-E000 | 450-600 AM | .0    | 40.00 | .00    |
| ELECTRICA-E000 | 700-800 AM | .0    | 50.00 | .00    |
| ELECTRICA-E000 | 1000 AMP   | .0    | 50.00 | .00    |
| ELECTRICA-E000 | 1200 AMP   | .0    | 52.00 | .00    |
| ELECTRICA-E000 | 1500 AMP   | .0    | 54.00 | .00    |
| ELECTRICA-E000 | 2000 AMP   | .0    | 56.00 | .00    |
| ELECTRICA-E000 | 2500 AMP   | .0    | 58.00 | .00    |
| ELECTRICA-E000 | 3000 AMP   | .0    | 60.00 | .00    |
| ELECTRICA-E000 | 4000 AMP   | .0    | 62.00 | .00    |
| ELECTRICA-E000 | 5000 AMP   | .0    | 64.00 | .00    |
| ELECTRICA-E000 | FEEDER CIR | .0    | .00   | .00    |
| ELECTRICA-E000 | 60 AMP OR  | .0    | 6.00  | .00    |
| ELECTRICA-E000 | 70-100 AMP | .0    | 8.00  | .00    |
| ELECTRICA-E000 | 125-200 AM | .0    | 15.00 | .00    |
| ELECTRICA-E000 | 225-400 AM | .0    | 20.00 | .00    |
| ELECTRICA-E000 | 450-600 AM | .0    | 25.00 | .00    |
| ELECTRICA-E000 | 700-800 AM | .0    | 30.00 | .00    |
| ELECTRICA-E000 | 800-1000 A | .0    | 35.00 | .00    |
| ELECTRICA-E000 | DISTRIBUTI | .0    | .00   | .00    |
| ELECTRICA-E000 | AMPS       | 125.0 | .25   | 31.25  |
| ELECTRICA-E000 | AMPS       | .0    | .25   | .00    |
| ELECTRICA-E000 | AMPS       | .0    | .25   | .00    |
| ELECTRICA-E000 | BRANCH CIR | .0    | .00   | .00    |
| ELECTRICA-E000 | QUANTITY   | 15.0  | 6.00  | 90.00  |



## APPLICATION PROFILE

Application ref: 202300626 (continued)

|                            |     |       |        |
|----------------------------|-----|-------|--------|
| ELECTRICA-E000 MAJOR APPL  | .0  | .00   | .00    |
| ELECTRICA-E000 REFRIGERATO | 1.0 | 10.00 | 10.00  |
| ELECTRICA-E000 FREEZER     | .0  | 10.00 | .00    |
| ELECTRICA-E000 RANGE TOP   | .0  | 6.00  | .00    |
| ELECTRICA-E000 WALL OVEN   | .0  | 6.00  | .00    |
| ELECTRICA-E000 ELECTRIC O  | .0  | 6.00  | .00    |
| ELECTRICA-E000 RANGE       | 1.0 | 6.00  | 6.00   |
| ELECTRICA-E000 CLOTHS      | 1.0 | 10.00 | 10.00  |
| ELECTRICA-E000 ELEC WAT H  | .0  | 6.00  | .00    |
| ELECTRICA-E000 CLOTHES DR  | 1.0 | 6.00  | 6.00   |
| ELECTRICA-E000 DISHWASHER  | 1.0 | 6.00  | 6.00   |
| ELECTRICA-E000 DISPOSAL    | .0  | 10.00 | .00    |
| ELECTRICA-E000 COMPACTOR   | .0  | 10.00 | .00    |
| ELECTRICA-E000 VACUUM PUM  | .0  | 10.00 | .00    |
| ELECTRICA-E000 ATTIC FAN   | .0  | 10.00 | .00    |
| ELECTRICA-E000 WINDOW A/C  | .0  | 12.00 | .00    |
| ELECTRICA-E000 BATHROOM    | .0  | 6.00  | .00    |
| ELECTRICA-E000 SP. HEATER  | .0  | 6.00  | .00    |
| ELECTRICA-E000 MOTORINSTA  | .0  | .00   | .00    |
| ELECTRICA-E000 FRACTION T  | .0  | 5.00  | .00    |
| ELECTRICA-E000 1.5-3 HP    | .0  | 7.00  | .00    |
| ELECTRICA-E000 3.5-5 HP    | .0  | 9.00  | .00    |
| ELECTRICA-E000 7.5-10      | .0  | 11.00 | .00    |
| ELECTRICA-E000 15-25 HP    | .0  | 15.00 | .00    |
| ELECTRICA-E000 30-100 HP   | .0  | 20.00 | .00    |
| ELECTRICA-E000 125-200 HP  | .0  | 25.00 | .00    |
| ELECTRICA-E000 200 HP AND  | .0  | 3.00  | .00    |
| ELECTRICA-E000 COMMERCIAL  | .0  | .00   | .00    |
| ELECTRICA-E000 SELF CONT.  | .0  | 10.00 | .00    |
| ELECTRICA-E000 SELF CONT   | .0  | 10.00 | .00    |
| ELECTRICA-E000 SELF COOL   | .0  | 10.00 | .00    |
| ELECTRICA-E000 ELECTRIC W  | .0  | 10.00 | .00    |
| ELECTRICA-E000 DRINK DISP  | .0  | 10.00 | .00    |
| ELECTRICA-E000 ELETRIC GR  | .0  | 10.00 | .00    |
| ELECTRICA-E000 ELECTRIC F  | .0  | 10.00 | .00    |
| ELECTRICA-E000 ELECTRIC W  | .0  | 10.00 | .00    |
| ELECTRICA-E000 COMP. GAS.  | .0  | 10.00 | .00    |
| ELECTRICA-E000 GASOLINE D  | .0  | 8.00  | .00    |
| ELECTRICA-E000 SIGNS & OU  | .0  | .00   | .00    |
| ELECTRICA-E000 FIRST 10 L  | .0  | 10.00 | .00    |
| ELECTRICA-E000 ADDITIONAL  | .0  | 10.00 | .00    |
| ELECTRICA-E000 TRANSFORME  | .0  | 10.00 | .00    |
| ELECTRICA-E000 T-POLE      | .0  | 30.00 | .00    |
| ELECTRICA-E000 CORRECT WI  | .0  | 30.00 | .00    |
| ELECTRICA-E000 XRAY EQUIP  | .0  | 30.00 | .00    |
| ELECTRICA-E000 WELDER      | .0  | 30.00 | .00    |
| ELECTRICA-E000 GEN, TRANS  | .0  | .00   | .00    |
| ELECTRICA-E000 LESS THAN   | .0  | 5.00  | .00    |
| ELECTRICA-E000 1.5-2KW     | .0  | 8.00  | .00    |
| ELECTRICA-E000 5-10 KW     | .0  | 11.00 | .00    |
| ELECTRICA-E000 10-25 KW    | .0  | 15.00 | .00    |
| ELECTRICA-E000 100-200 KW  | .0  | 30.00 | .00    |
| ELECTRICA-E000 200 KW+     | .0  | 33.00 | .00    |
| TOTAL:                     |     |       | 179.25 |

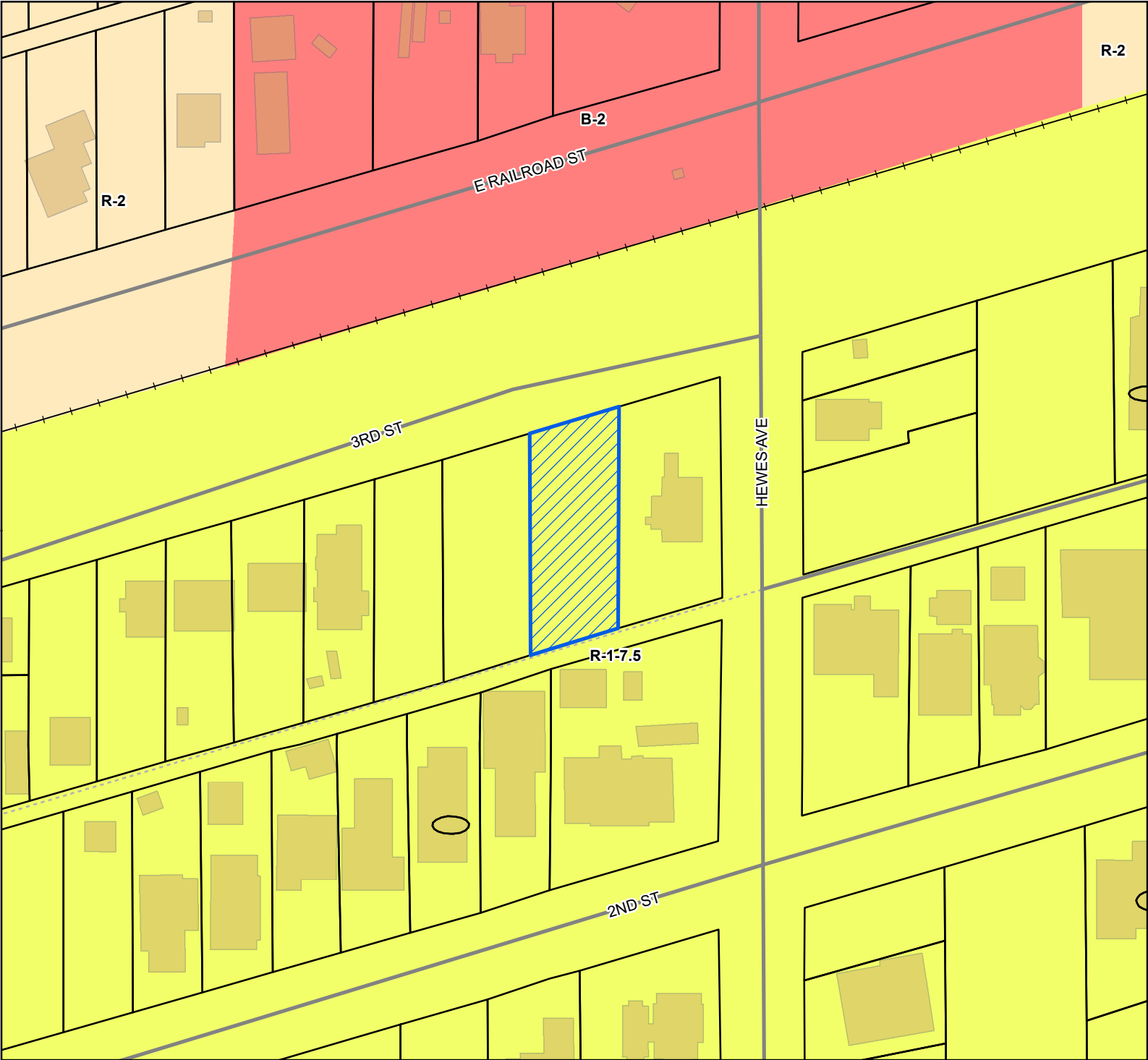
## APPLICATION PROFILE

Application ref: 202300626 (continued)

**INSPECTIONS**

| Type       | Requested | Scheduled   | Insptr | Performed | Results | Bal | Due |
|------------|-----------|-------------|--------|-----------|---------|-----|-----|
| STRM WTR   | 12/19/23  | 12/19/23 PM | RAS    | 12/19/23  | PASS    |     | .00 |
| STRM WTR   | 02/06/24  | 02/07/24 PM | RAS    | 02/07/24  | PASS    |     | .00 |
| FTG-MOSLAB | 10/03/23  | 10/04/23 AM | RAS    | 10/04/23  | FAIL    |     | .00 |
| REIN FTG-M | 10/10/23  | 10/10/23 AM | RAS    | 10/10/23  | PASS    |     | .00 |
| SPRD FOOT  |           |             |        |           |         |     | .00 |
| FND/NONMON |           |             |        |           |         |     | .00 |
| REIN FOUND | 10/31/23  | 10/31/23 PM | RAS    | 10/31/23  | PASS    |     | .00 |
| SLAB-NMONO |           |             |        |           |         |     | .00 |
| SHEATHING  | 11/21/23  | 11/21/23 PM | RAS    | 11/21/23  | PASS    |     | .00 |
| BRICK TIE  |           |             |        |           |         |     | .00 |
| FRAMING    | 12/14/23  | 12/19/23 PM | RAS    | 12/19/23  | FAIL    |     | .00 |
| REIN FRAMI | 02/05/24  | 02/07/24 PM | RAS    | 02/07/24  | PASS    |     | .00 |
| FLN INSP B |           |             |        |           |         |     | .00 |
| RI-MECH    | 12/14/23  | 12/19/23 PM | RAS    | 12/19/23  | FAIL    |     | .00 |
| RE RI MECH | 02/07/24  | 02/07/24 PM | RAS    | 02/07/24  | PASS    |     | .00 |
| FNL INSP M |           |             |        |           |         |     | .00 |
| UGRND PLBG | 10/30/23  | 10/30/23 PM | RAS    | 10/30/23  | PASS    |     | .00 |
| RI-PLBG    | 12/19/23  | 12/19/23 PM | RAS    | 12/19/23  | FAIL    |     | .00 |
| RE RI PLBG | 02/05/24  | 02/07/24 PM | RAS    | 02/07/24  | PASS    |     | .00 |
| WATER SERV | 12/19/23  | 12/19/23 PM | RAS    | 12/19/23  | FAIL    |     | .00 |
| REIN WATER | 02/12/24  | 02/13/24 AM | RAS    | 02/13/24  | PASS    |     | .00 |
| BLDG SEWER | 12/19/23  | 12/19/23 PM | RAS    | 12/19/23  | PASS    |     | .00 |
| FNL NSP PL |           |             |        |           |         |     | .00 |
| RI-GAS     | 02/07/24  | 02/07/24 PM | RAS    | 02/07/24  | PASS    |     | .00 |
| FNL INSP G |           |             |        |           |         |     | .00 |
| T-POLE     | 08/02/23  | 08/02/23 PM | RAS    | 08/02/23  | PASS    |     | .00 |
| RI-ELEC    | 12/11/23  | 12/19/23 PM | RAS    | 12/19/23  | PASS    |     | .00 |
| ETM        |           |             |        |           |         |     | .00 |
| FNL INSP E |           |             |        |           |         |     | .00 |
| SITE INSP  |           |             |        |           |         |     | .00 |
| COURT OCC  | 07/25/23  | 07/26/23 AM | RAS    | 07/26/23  | PASS    |     | .00 |
|            |           |             |        | TOTAL:    |         |     | .00 |

\*\* END OF REPORT - Generated by Mike Edwards \*\*



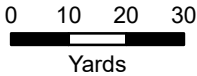
**Legend**

- Site
- Street
- Alley
- Railroad
- Parcels
- Buildings
- City Limit

**Zoning**

- B-2 - General Business District
- R-1-7.5 - Single Family Residence District (Low Density)
- R-2 - Single Family Residence District (Medium Density)

**Site Information**  
0911D-03-060.000  
Zoning: R-1-7.5 (Single Family)  
Size: 10170.11 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.





Receipt #12774155  
CASE NUMBER  
240723098  
RG 5/29/24

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

|       |   |    |   |     |   |     |  |  |  |  |  |  |  |  |  |  |  |  |  |
|-------|---|----|---|-----|---|-----|--|--|--|--|--|--|--|--|--|--|--|--|--|
| 09110 | - | 03 | - | 060 | . | 000 |  |  |  |  |  |  |  |  |  |  |  |  |  |
|       |   |    |   |     |   |     |  |  |  |  |  |  |  |  |  |  |  |  |  |
|       |   |    |   |     |   |     |  |  |  |  |  |  |  |  |  |  |  |  |  |

Property Address:

621 3<sup>rd</sup> Street

Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Subdivision \_\_\_\_\_

General Description of Request:

change 4' to 6' wooden privacy fence  
to complete fencing and match neighbors 6' wooden privacy fence  
Seeking permission to erect a 6' wooden privacy fence

### 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:**

VERNON FLOYD  
 Printed Name of Owner  
6125 Stagecoach Rd  
 Mailing Address  
Rey GA 30273  
 City State Zip Code  
678) 438-4897  
 Home Phone Work/Cell Phone  
Z Floyd@bellsouth.net  
 Email  
[Signature]  
 Signature of Owner

**AGENT:**

CASSANDRA FLOYD  
 Printed Name of Agent  
6125 Stagecoach Rd  
 Mailing Address  
Rey GA 30273  
 City State Zip Code  
678) 438-4171  
 Home Phone Work/Cell Phone  
Z Floyd@bellsouth.net  
 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) CASSANDRA CROUCH FLOYD  
 Address (Street, City, State, Zip Code) 6125 Stagecoach Rd Rey GA 30273  
 Phone (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Cell) 678) 438-4171  
 Tax Parcel Number(s) Owned: 0911 D - 0610 . 000  
 Signature: [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: \_\_\_\_\_



## COVENANT AFFIDAVIT

I, Vernon Floyd being property owner or agent of the property 0911D-03.060.000  
PRINT NAME PRIMARY ADDRESS OR PARCEL  
which is the subject of this application, hereby state that this variance request is not in violation of any  
restrictive or protective covenants.

SIGNATURE

DATE

### STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 29 day of May, 20 24

NOTARY PUBLIC

COMMISSION EXPIRATION





# Fence Variance Submissions

11X VF

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;

We are requesting a change in variance from a 4foot fence to a 6foot fence.

1. This request for a height variance will allow us to further secure the property for privacy. The neighbor to the east has a 6foot wooden privacy fence for security and we would like to do the same.
2. The 6foot wooden fence we are requesting would match the adjacent property to the east and would have no known impact on other properties.
3. A 6foot wooden privacy fence would match the neighbor to the east. This fence would complete the fence plan already built on the property.
4. N/A
5. The property is next to the railroad crossing at Hewes. A wooden fence would offer some degree of sound buffering.
6. A 6foot wooden privacy fence is common on homes facing the ally, and not so common on homes facing 3<sup>rd</sup> Street and absolutely compatible with the neighborhood. We are facing the ally.



**PLOT PLAN**  
OF  
**LOTS 29, 30 & EAST 1/2 OF LOT 31**  
BLOCK 5, HEWES ADDITION  
(PLAT BOOK 3, PAGE 10)  
CITY OF GULFPORT,  
FIRST JUDICIAL DISTRICT OF  
HARRISON COUNTY, MISSISSIPPI

**REFERENCE ELEVATIONS:**

The elevations shown hereon are based on the "North American Vertical Datum of 1988 - NAVD 88" (Geoid 12b) using GPS GCGC-RTN System accessed on December 21, 2021.

**SITE T.B.M.'s (Temporary Bench Marks):**

#1 - 60D nail set in utility pole on north side of 17th Street (or 3rd Street).  
Elevation = 20.26 feet N.A.V.D.88

**NOTES:**

- 1.) No attempt has been made by Cassidy-Acadia Land Surveying, L.L.C. to verify title, actual legal ownership, deed restrictions servitudes, easements, alleys, right-of-ways or other burdens on the property, other than that furnished by the client or his representative. There is no representation that all applicable servitudes and restrictions are shown hereon. The surveyor has made no title search or public record search in compiling the data for this survey.
- 2.) The words "Certify," "Certifies" or "Certification" as used herein is understood to be an expression of professional opinion by the surveyor, based upon his best knowledge, information, and belief, as such, it does not constitute a guarantee nor a warranty, expressed or implied.
- 3.) Zoning: R-1-7.5  
Setback lines shall be verified by the owner, developer and or contractor prior to any construction, as an abstract has not been performed by the surveyor. Zoning and setbacks are subject to change and should be verified with the local authority's Zoning Department before any design or construction

**CERTIFICATION:**

This is to certify to VERNON FLOYD that this survey was done by me or under my direct supervision and control, that the survey was done on the ground and was done in accordance with the most recent Minimum Standards of Practice for Land Surveyors as set forth by the State of Mississippi, Board of Licensure for Professional Engineers and Surveyors and that the accuracy specification and positional tolerances are in accordance with Class "C" surveys indicated in the above standards. I also certify there are no visible encroachments across any property lines except as shown.

Wayne M. Vice, Jr., PS,

Reg. No. 32711

This survey plat is not valid without the raised or colored seal and signature of the Registered Land Surveyor.

**REFERENCE MAPS:**

- 1) Survey of Lots 26-28, Block 5, HEWES ADDITION prepared by J. Michael Cassidy on November 21, 1995.
- 2) Survey of Lots 36 & 37, Block 5, HEWES ADDITION prepared by J. Michael Cassidy on July 2, 1990.
- 3) Survey of Lots 11 & 12, Block 5, HEWES ADDITION prepared by J. Michael Cassidy on June 20, 2006.

**REFERENCE BEARINGS:**

The bearings shown hereon are based on the "Mississippi State Plane Coordinate System - East Zone - NAD 83" using GPS GCGC-RTN System accessed on March 9, 2023. (\*) Represents the Basis of Bearings. Distances shown are U.S. Survey feet.

**FEMA FLOOD ZONE AND HAZARDS:**

This lot is located in Flood Zone "X500" Area of/per FEMA Map Community Panel Number 28047C 0268 G for Harrison County, Mississippi dated December 21, 2017. Base Flood Elevation is subject to change and should be verified with the local authority's Flood Plain Administrator before any design or construction.

**LEGEND**

|                                            |         |
|--------------------------------------------|---------|
| FOUND PROPERTY CORNER (AS NOTED)           | ○       |
| SET 3/4" IRON ROD (UNLESS NOTED OTHERWISE) | ●       |
| EXISTING WOOD FENCE LINE                   | —       |
| EXISTING SPOT ELEVATION                    | X 10.63 |

**CASSADY-ACADIA**  
LAND SURVEYING, LLC Since 1947

Louisiana • Mississippi • Texas  
1714 22nd Avenue, Gulfport, Mississippi 39501  
Phone • (228)896-7155 Fax • (228)896-8405  
Email • Surveys@Cassady-Acadia.com

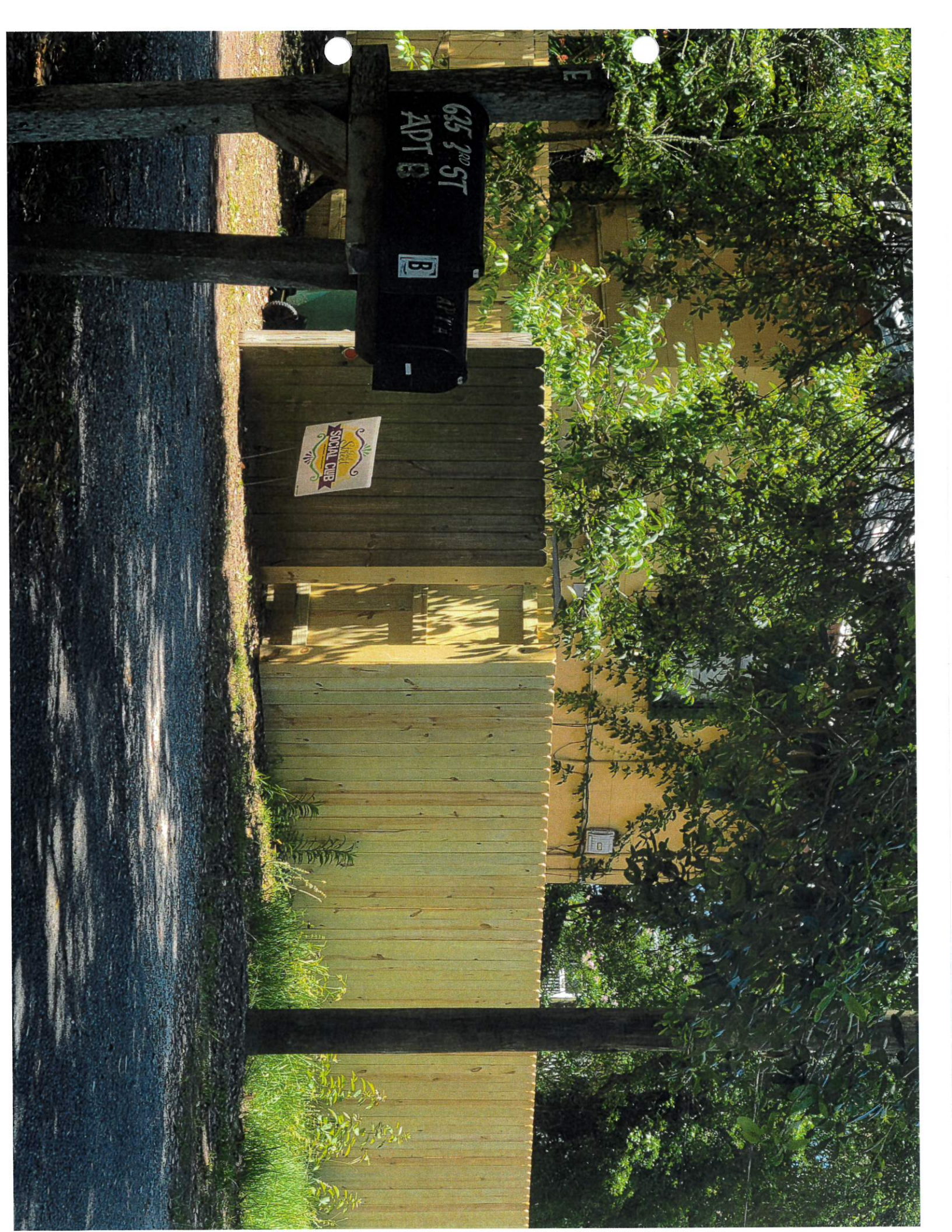
FIELD WORK COMPLETED ON: MARCH 9, 2023

CALS FILE: 21-02-550 Plot Plan.dwg FIELD BOOK: 3, PG. 9













*[Signature]* 1st Judicial District  
Instrument 2021 12728 D -J1  
Filed/Recorded 8/26/2021 12:25 N  
Total Fees \$ 26.00  
2 Pages Recorded

PREPARED BY AND RETURN TO:  
David W. Jones, Attorney, PLLC  
1605 Twenty-third Avenue  
Gulfport, MS 39501  
(228) 864-8965  
File #219086

INDEXING INSTRUCTIONS:  
Lots 29-33, Block 5,  
Hewes Addition

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, **Kirk Edrington and wife, Louise Edrington, 1614 Bullis Avenue, Gulfport, MS 39501, (228) 861-3040**, do hereby sell, convey and warrant unto, **3rd Street or 17th Street, LLC, a Georgia limited liability company, 6125 Stagecoach Road, Rex, GA 30273, (678) 438-4897**, 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 Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32) and Thirty-three (33), Block Five (5), HEWES ADDITION, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 3 at Page 10 (Copy Book 5A at Page 476B) thereof, reference to which is hereby made in aid of and as a part of this description.

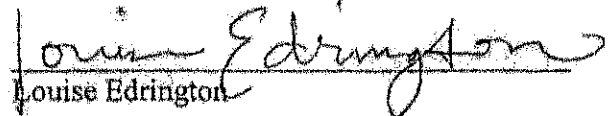
2

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

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

WITNESS OUR SIGNATURES, on August 23, 2021.

  
Kirk Edrington

  
Louise Edrington

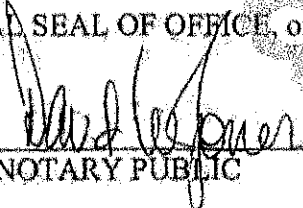
STATE OF MISSISSIPPI  
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Kirk Edrington and wife, Louise Edrington, 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.

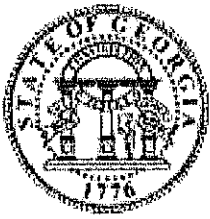
GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, on August 23, 2021.

My Commission Expires:  
January 8, 2025



  
NOTARY PUBLIC





GEORGIA  
CORPORATIONS  
DIVISION

GEORGIA SECRETARY OF  
STATE  
BRAD  
RAFFENSPERGER

[HOME \(/\)](#)

## BUSINESS SEARCH

### BUSINESS INFORMATION

|                              |                                                            |                                              |                                                                   |
|------------------------------|------------------------------------------------------------|----------------------------------------------|-------------------------------------------------------------------|
| Business Name:               | <b>3rd Street or<br/>17th Street, LLC</b>                  | Control Number:                              | <b>21225886</b>                                                   |
| Business Type:               | <b>Domestic Limited<br/>Liability<br/>Company</b>          | Business Status:                             | <b>Active/Owes<br/>Current Year AR</b>                            |
| NAICS Code:                  | <b>Real Estate and<br/>Rental and<br/>Leasing</b>          | NAICS Sub Code:                              | <b>Lessors of<br/>Residential<br/>Buildings and<br/>Dwellings</b> |
| Principal Office<br>Address: | <b>6125<br/>STAGECOACH<br/>RD, REX, GA,<br/>30273, USA</b> | Date of Formation<br>/ Registration<br>Date: | <b>8/17/2021</b>                                                  |
| State of<br>Formation:       | <b>Georgia</b>                                             | Last Annual<br>Registration Year:            | <b>2023</b>                                                       |

### REGISTERED AGENT INFORMATION

Registered Agent  
Name: **Cassandra Floyd**

Physical Address: **6125 STAGECOACH RD, REX, GA, 30273, USA**

County: **Clayton**

Office of the Georgia Secretary of State Attn: 2 MLK, Jr. Dr. Suite 313, Floyd West Tower  
Atlanta, GA 30334-1530, Phone: (404) 656-2817 Toll-free: (844) 753-7825, WEBSITE:

<https://sos.ga.gov/>

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Atlanta, GA 30334-1530, Phone: (404) 656-2817 Toll-free: (844) 753-7825, WEBSITE:

<https://sos.ga.gov/>

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**ARTICLES OF ORGANIZATION**

\*Electronically Filed\*

Secretary of State

Filing Date: 8/17/2021 8:56:17 PM

**BUSINESS INFORMATION**

**CONTROL NUMBER** 21225886  
**BUSINESS NAME** 3rd Street or 17th Street, LLC  
**BUSINESS TYPE** Domestic Limited Liability Company  
**EFFECTIVE DATE** 08/17/2021

**PRINCIPAL OFFICE ADDRESS**

**ADDRESS** 6125 STAGECOACH RD, REX, GA, 30273, USA

**REGISTERED AGENT**

| NAME            | ADDRESS                                 | COUNTY  |
|-----------------|-----------------------------------------|---------|
| Cassandra Floyd | 6125 STAGECOACH RD, REX, GA, 30273, USA | Clayton |

**ORGANIZER(S)**

| NAME            | TITLE     | ADDRESS                                 |
|-----------------|-----------|-----------------------------------------|
| Cassandra Floyd | ORGANIZER | 6125 STAGECOACH RD, REX, GA, 30273, USA |
| Vernon floyd    | ORGANIZER | 6125 STAGECOACH RD, REX, GA, 30273, USA |

**OPTIONAL PROVISIONS**

N/A

**AUTHORIZER INFORMATION**

**AUTHORIZER SIGNATURE** Cassandra Floyd, MD  
**AUTHORIZER TITLE** Member

# STATE OF GEORGIA

## Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

### CERTIFICATE OF ORGANIZATION

I, **Brad Raffensperger**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

**3rd Street or 17th Street, LLC**  
a Domestic Limited Liability Company

has been duly organized under the laws of the State of Georgia on **08/17/2021** by the filing of articles of organization in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta  
and the State of Georgia on **08/23/2021**.



*Brad Raffensperger*

Brad Raffensperger  
Secretary of State

# STATE OF GEORGIA

## Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

### ANNUAL REGISTRATION

\*Electronically Filed\*

Secretary of State

Filing Date: 3/21/2022 3:41:08 PM

#### BUSINESS INFORMATION

**CONTROL NUMBER** 21225886  
**BUSINESS NAME** 3rd Street or 17th Street, LLC  
**BUSINESS TYPE** Domestic Limited Liability Company  
**EFFECTIVE DATE** 03/21/2022  
**ANNUAL REGISTRATION PERIOD** 2022

#### PRINCIPAL OFFICE ADDRESS

**ADDRESS** 6125 STAGECOACH RD, REX, GA, 30273, USA

#### REGISTERED AGENT

| NAME            | ADDRESS                                 | COUNTY  |
|-----------------|-----------------------------------------|---------|
| Cassandra Floyd | 6125 STAGECOACH RD, REX, GA, 30273, USA | Clayton |

#### AUTHORIZER INFORMATION

**AUTHORIZER SIGNATURE** Vernon Floyd  
**AUTHORIZER TITLE** Authorized Person





GEORGIA  
CORPORATIONS DIVISION

GEORGIA SECRETARY OF STATE  
BRAD RAFFENSPERGER

[HOME \(/\)](#)

**BUSINESS SEARCH**

**BUSINESS INFORMATION**

|                           |                                                |                                        |                                                       |
|---------------------------|------------------------------------------------|----------------------------------------|-------------------------------------------------------|
| Business Name:            | <b>3rd Street or 17th Street, LLC</b>          | Control Number:                        | <b>21225886</b>                                       |
| Business Type:            | <b>Domestic Limited Liability Company</b>      | Business Status:                       | <b>Active/Owes Current Year AR</b>                    |
| NAICS Code:               | <b>Real Estate and Rental and Leasing</b>      | NAICS Sub Code:                        | <b>Lessors of Residential Buildings and Dwellings</b> |
| Principal Office Address: | <b>6125 STAGECOACH RD, REX, GA, 30273, USA</b> | Date of Formation / Registration Date: | <b>8/17/2021</b>                                      |
| State of Formation:       | <b>Georgia</b>                                 | Last Annual Registration Year:         | <b>2023</b>                                           |

**REGISTERED AGENT INFORMATION**

Registered Agent Name: **Cassandra Floyd**  
Physical Address: **6125 STAGECOACH RD, REX, GA, 30273, USA**  
County: **Clayton**

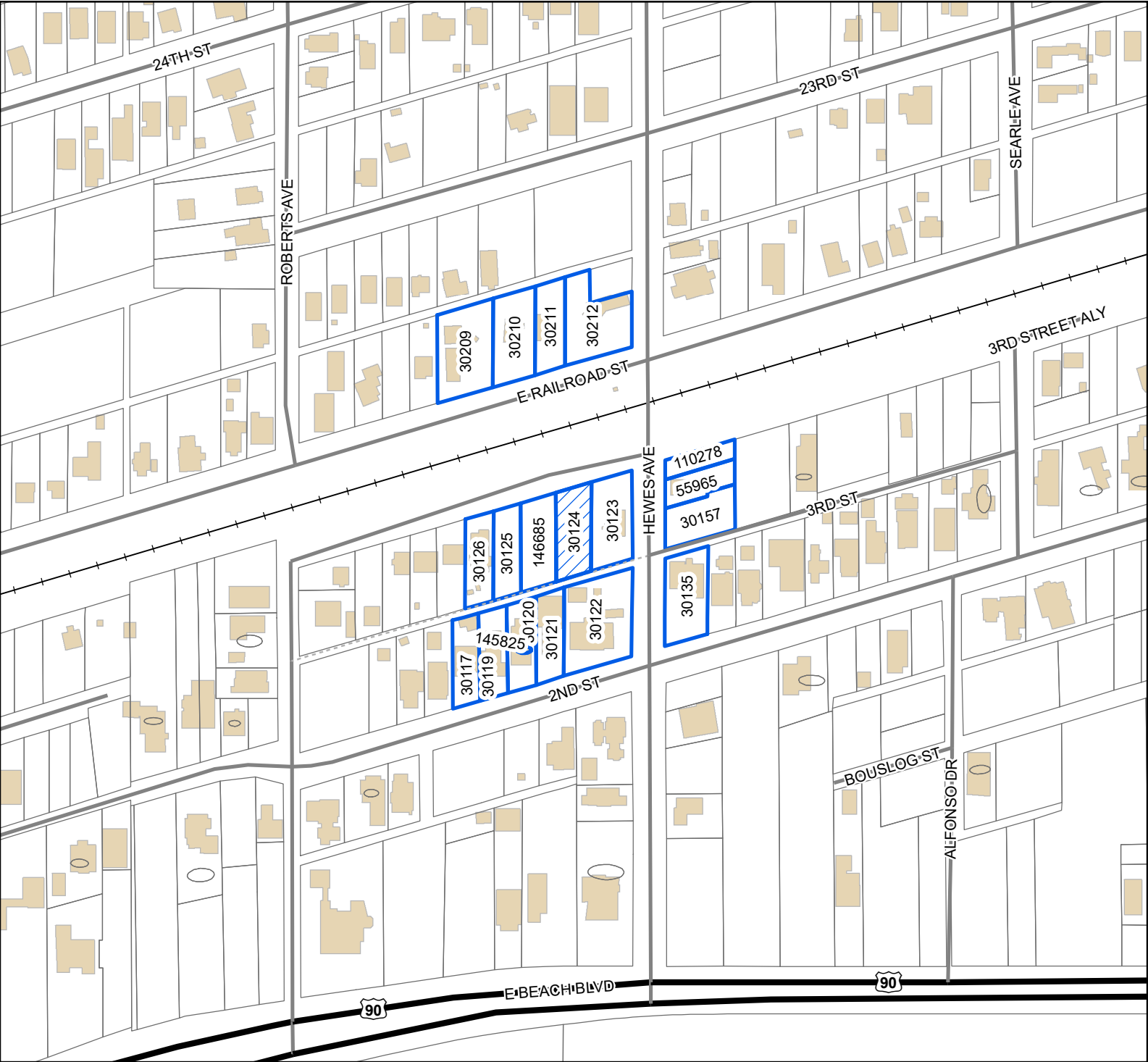
[Back](#)

[Filing History](#)

[Name History](#)

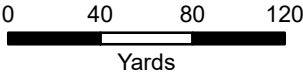
[Return to Business Search](#)

| Mail | PPIN   | Parcel ID        | Name                                       | Address              | City          | State | ZIP   |
|------|--------|------------------|--------------------------------------------|----------------------|---------------|-------|-------|
| Y    |        |                  | VERNON FLOYD                               | 6125 STAGECOACH ROAD | REX           | GA    | 30273 |
|      |        |                  | <b>Adjacent Property Owners(2407ZB098)</b> |                      |               |       |       |
|      | 30212  | 0911C-01-208.000 | CONTRACTING 24-7 LLC                       | 1390 29TH AVE STE A  | GULFPORT      | MS    | 39501 |
|      | 30210  | 0911D-03-055.000 | CONTRACTING 24-7 LLC                       | P O BOX 6496         | GULFPORT      | MS    | 39506 |
|      | 30211  | 0911D-03-056.000 | FAGAN RANDOLPH F & JOEDNA R                | 9108 W SIMMONS BAYOU | OCEAN SPRINGS | MS    | 39564 |
|      | 110278 | 0911C-02-020.001 | BRITTON CYNTHIE A                          | 2319 6TH AVENUE      | GULFPORT      | MS    | 39501 |
|      | 30135  | 0911C-02-022.000 | PILGRIM DORIS & MICHAEL                    | 2103 20TH AVE        | GULFPORT      | MS    | 39507 |
|      | 30122  | 0911F-01-018.000 | MOORE S GEORGE & JUDITH K                  | 606 2ND ST           | GULFPORT      | MS    | 39501 |
|      | 30119  | 0911E-01-003.000 | STRAIN FRANCIS & PATRICIA A                | 620 2ND ST           | GULFPORT      | MS    | 39501 |
|      | 30157  | 0911C-02-021.000 | DIX MERRI JO                               | 540 2ND ST           | GULFPORT      | MS    | 39507 |
| N    | 55965  | 0911C-02-020.000 | BRITTON CYNTHIE A                          | 2319 6TH AVENUE      | GULFPORT      | MS    | 39501 |
|      | 30125  | 0911D-03-061.000 | STRAIN FRANK                               | 620 2ND ST           | GULFPORT      | MS    | 39501 |
|      | 30126  | 0911D-03-062.000 | BETHEA JACK                                | 622 2ND STREET       | GULFPORT      | MS    | 39507 |
|      | 30121  | 0911E-01-001.000 | HASSIN PATRICIA & KELEAL -TRUSTEES         | 614 2ND ST           | GULFPORT      | MS    | 39501 |
|      | 30120  | 0911E-01-002.000 | MILLER DENNIS W & CHERYL S                 | 348 SAINT IVES DR    | MADISON       | MS    | 39110 |
|      | 30117  | 0911E-01-005.000 | BETHEA BEATRICE M -EST-                    | 622 2ND ST           | GULFPORT      | MS    | 39501 |
|      | 30209  | 0911D-03-054.000 | JOHNSON KAREN R                            | 2601 KELLY AVE       | GULFPORT      | MS    | 39501 |
|      | 30123  | 0911C-02-056.000 | ALADAI ELIZABETH A                         | 1823 HEWES AVE       | GULFPORT      | MS    | 39501 |
| N    | 30124  | 0911D-03-060.000 | 3RD STREET OR 17TH STREET LLC              | 6125 STAGECOACH ROAD | REX           | GA    | 30273 |
| N    | 145825 | 0911E-01-002.001 | MILLER DENNIS W & CHERYL S                 | 348 SAINT IVES DR    | MADISON       | MS    | 39110 |
| N    | 146685 | 0911D-03-060.001 | 3RD STREET OR 17TH STREET LLC              | 6125 STAGECOACH ROAD | REX           | GA    | 30273 |



Legend

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



1 inch = 250 feet



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

**RE: Variance 2407ZB098, by owner Vernon Floyd, seeking approval for a 6-foot tall fence where 4 feet is the height limit, Tax Parcel 0911D-03-060.000, 621 3rd Street, Zoned R-1-7.5 (Single-Family), Ward 2**

To Applicants and Adjacent Property Owners:

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

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, July 18, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email [planners@gulfport-ms.gov](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> 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 |
|-----------|--------------|-----------------------------------------|----------|---------|------|-------|
| 33468     | 568455       | Print Legal Ad-IPL01809120 - IPL0180912 |          | \$88.75 | 2    | 54 L  |

Attention: Jessica Versiga

GULFPORT CITY HALL  
1410 24 TH AVENUE  
GULFPORT, MS 39501

jversiga@gulfport-ms.gov

### LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, July 18, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

**Variance 2406ZB085**, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 12146 Dedeaux Road, Zoned R-1-10 (Single-Family), Ward 6

**Special Exception 2407SE096**, by agent John Pritchard, seeking approval for a to-go Daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Rd, Zoned B-1 (Neighborhood Business), Ward 5

**Variance 2407ZB098**, by owner Vernon Floyd, seeking approval for a 6-foot tall fence where 4 feet is the height limit, Tax Parcel 0911D-03-060.000, 621 3rd Street, Zoned R-1-7.5 (Single-Family), Ward 2

**Variance 2407ZB101**, by owners Gary & Mary McCabe, seeking approval for an 8-foot fence where 6 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB102**, by owners Gary & Mary McCabe, seeking approval for a 5-foot tall fence with 6-foot brick columns where 4 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB105**, by owner Ashford Holdings LLC, seeking approval for a 15-foot front yard setback where 25 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB106**, by owner Ashford Holdings LLC, seeking approval for a 6-foot side yard setback where 8 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB107**, by owner Ashford Holdings LLC, seeking approval for a 10-foot front yard setback where 25 feet is required for a second frontage, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB109**, by owner LaBella's Salon LLC, seeking approval for parking that backs out into the city right of way, Tax Parcel 0808N-01-012.000, 15095 Dedeaux Road, Zoned B-2 (General Business), Ward 5

This the 25th day of June 2024

A. Leslie North, Chairman  
City of Gulfport Zoning Board of Adjustment and Appeals  
IPL0180912  
Jul 3 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:  
07/03/24

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

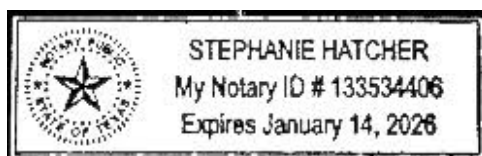
Mary Castro

Sworn to and subscribed before me this 3rd day of July 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:** July 18, 2024

**Re:** Variance 2407ZB101:

Variance 2407ZB101, by owners Gary & Mary McCabe, seeking approval for an 8-foot fence where 6 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2



# Technical Report

## VARIANCE

### GENERAL INFORMATION

Case File Number: 2407ZB101

Hearing Date: July 18, 2024

Current Zoning/Use: R-2/ Single Family

Legal: Variance 2407ZB101, by owners Gary & Mary McCabe, seeking approval for an 8-foot fence where 6 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

### TECHNICAL DETAILS

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

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

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

# Technical Report

## VARIANCE

The applicant requests a height variance for a wooden fence of 8 feet where 6 feet is the maximum in the side and rear. The applicant addresses the hardship questions below.

- (a) The applicant states that the property is located in a flood zone and because of this, the primary structure was built above grade. They further clarify that because of this, a 6 foot fence would not achieve adequate screening. The applicant also states that the fence's intended keep trespassers out. All of these statements do not indicate a genuine hardship caused by the property.
- (b) The applicant states that "No one has created these circumstances. It is an effort to abide by the City of Gulfport Building Height Requirements." While that applies to the primary structure built on the property, this statement has no bearing in regards to the fence height. The applicant is directly causing the hardship by requesting the fence to be 8 feet, when a similar effect could be achieved with a 6 foot fence with 2 feet of lattice.
- (c) Applicant states that the property is unique due to being located near the water. They claim that due to this, they receive an inordinate amount of trespassers on the property. While that may be true, this does not necessarily indicate that the property itself is causing the hardship. Furthermore, a 6 foot fence with 2 feet of lattice would more than likely achieve the desired effect of keeping trespassers out.
- (d) The applicant states that their neighboring properties have fences and walls above the 6 foot height limit. Upon staff review, these fences and walls were approved prior to the fence ordinance as it exists currently. If the applicant were to be approved, they would be in harmony with the existing properties in that area.
- (e) Applicant states that granting the variance would allow for consistency among the neighborhood. As stated prior, the area had fences approved prior to the fence ordinance as it is currently. Approval would not confer any special privileges that the neighborhood doesn't already partake in.
- (f) This property is zoned R-2, and a fence is allowed by right.

### **EXECUTIVE SUMMARY**

While the applicant displays no genuine hardship for the property in question, the request for an 8 foot fence where 6 feet is required would be in line with the existing neighborhood. All the fences above 6 feet were approved prior to the current fence ordinance and approval of this fence would be in harmony with the neighborhood.

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 in the side and rear yard.



# Technical Report

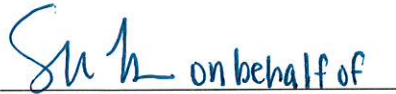
## VARIANCE

### ***DEPARTMENTAL CONDITIONS***

|                                       |                                                                                              |
|---------------------------------------|----------------------------------------------------------------------------------------------|
| <b><u>Engineering:</u></b>            | No conditions. Memo dated 07/02/2024.                                                        |
| <b><u>Public Works:</u></b>           | No comment as of 07/08/2024                                                                  |
| <b><u>Traffic and Safety:</u></b>     | No conditions. Memo dated 06/29/2024.                                                        |
| <b><u>Building Code Services:</u></b> | Must meet all current building codes and City of Gulfport Ordinances. Memo dated 06/25/2024. |
| <b><u>GIS:</u></b>                    | No conditions. Memo dated 07/01/2024.                                                        |
| <b><u>Police Department:</u></b>      | No comment as of 07/08/2024.                                                                 |
| <b><u>Fire Department:</u></b>        | No conditions. Memo dated 06/25/2024.                                                        |
| <b><u>City Arborist:</u></b>          | No conditions. Memo dated 06/26/2024.                                                        |

### ***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

 on behalf of

Greg Holmes  
Director of Urban Development Department

**CITY OF GULFPORT, MS**

**Building Code Services  
1410 24th Avenue  
Gulfport, MS 39501  
Customer Service (228)868-5715  
Fax (228)868-5716  
24 Hour Inspection Line (228) 868-5717**

**CONSTRUCTION TRADES PERMIT**

Issue Date: 08/28/2023

Application Number: 202302155

Issued By: ZA

Activity: NSFH/PRESTIGE PROPERTIES 228-669-4076

Street Address: 10785 EAST TAYLOR RD

Ad Valorem Tax Parcel Number: 1009O-02-003.003

Contractor: MCCABE GARY  
PO BOX 6816  
GULFPORT, MS 39503  
669-4076

Owner: MCCABE LAND MANAGEMENT LLC  
10767 E TAYLOR RD  
GULFPORT, MS 39503

Permit Fee: 2,146.00

Amount Paid:

Comments:

The holder of this permit understands that any failure to provide complete and/or accurate information on the permit application shall be grounds for the revocation of this permit. This permit may be revoked if it is issued prior to any aspect of this project being revealed as a danger to public health, safety, or welfare regardless of which party is responsible for the failure. It is further agreed upon that the contractor/owner in every respect shall comply with the terms of the application therefor, on file with BCS and comply with all applicable codes, ordinances and laws of the State of Mississippi.

8/28/23

Date



Signature

# CITY OF GULFPORT BUILDING PERMIT

BUILDING  
CODE SERVICES

PERMIT NO. 202302155

24-Hour Inspection Line  
228-868-5717  
Customer Service  
228-868-5715

Owner: \_\_\_\_\_ Date Issued: 8/28/23

Contractor: Prestige Properties

Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Job Location Address: 10785 E. Taylor Rd.

This permit conveys no right to occupy any street, alley or sidewalk, or any part thereof, either temporarily or permanently except that specifically provided for in the building laws. The issuance of this permit does not release the applicant from the conditions of any applicable zoning restrictions.

**\*New Single Family (Detached) \***

## MINIMUM OF FOUR CALLED INSPECTION REQUIRED FOR ALL CONSTRUCTION WORK.

1. Footing or Foundation
2. Sheathing & Fasteners (Wall/Roof)
3. Framing-Prior to Covering Structural Members
4. Final Inspection for Compliance Prior to Occupancy.

Approved plans MUST be retained on job and this card KEPT POSTED until final inspection has been made. Such building SHALL NOT BE OCCUPIED until FINAL INSPECTION has been made and approved.

**POST THIS CARD**

**Separate Permits  
Required For  
Mechanical,  
Plumbing, Gas &  
Electrical & Fire  
Systems Installations**

## BUILDING INSPECTION APPROVALS

### 1. FOOTING OR FOUNDATIONS

FOOTING-Monolithic Slab

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

FOUNDATION-Non-Monolithic

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

### 2. SHEATHING & FASTENERS (Wall/Roof)

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

### 3. BRICK TIE

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

### 4. FRAMING-PRIOR TO SHEETROCK OR LATH

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

### 5. FINAL INSPECTION

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

## MECHANICAL INSPECTION APPROVALS

### 1. ROUGH-IN

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

### 2. FINAL INSPECTION

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

## PLUMBING INSPECTION APPROVALS

### 1. UNDERGROUND

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

### 2. ROUGH-IN (Slack Out)

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

### 3. WATER SERVICE

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

## PLUMBING INSP. APPROVALS

### 4. BUILDING SEWER

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

### 5. FINAL INSPECTION

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

## GAS INSPECTION APPROVALS

### 1. ROUGH-IN

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

### 2. FINAL INSPECTION

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

## ELECTRICAL INSPECTION APPROVALS

### 1. ROUGH-IN

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

### 2. ETM-ELECTRICAL TEMPORARY METER

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

### 3. FINAL INSPECTION

DATE \_\_\_\_\_

INSP. \_\_\_\_\_

## FIRE ALARM INSPECTION APPROVALS

### 1. ROUGH-IN FIRE ALARM

DATE \_\_\_\_\_

BLDG. INSP. \_\_\_\_\_

### 2. FINAL INSPECTION-FIRE ALARM

DATE \_\_\_\_\_

FIRE INSP. \_\_\_\_\_

DATE \_\_\_\_\_

BLDG. INSP. \_\_\_\_\_

**WORK SHALL NOT PROCEED  
UNTIL EACH DIVISION HAS  
APPROVED THE VARIOUS  
STAGES OF CONSTRUCTION.**

## AUTO SPRINKLER INSPECTION APPROVALS

### 1. FIRE MAIN/HYDRANT INSTALLATION & HYDROSTATIC TEST

DATE \_\_\_\_\_

BLDG. INSP. \_\_\_\_\_

### 2. ROUGH-IN & HYDROSTATIC TEST

DATE \_\_\_\_\_

BLDG. INSP. \_\_\_\_\_

### 3. FINAL INSPECTION

DATE \_\_\_\_\_

FIRE INSP. \_\_\_\_\_

DATE \_\_\_\_\_

BLDG. INSP. \_\_\_\_\_

## RESTAURANT HOOD & DUCT/SUPPRESSION INSPECTION APPROVALS

### 1. ROUGH-IN HOOD & DUCT

DATE \_\_\_\_\_

BLDG. INSP. \_\_\_\_\_

### 2. FINAL INSPECTION HOOD & DUCT

DATE \_\_\_\_\_

BLDG. INSP. \_\_\_\_\_

### 3. FINAL INSPECTION SUPPRESSION

DATE \_\_\_\_\_

BLDG. INSP. \_\_\_\_\_

## OTHER OPERATIONAL PERMITS

YES \_\_\_\_\_

NO \_\_\_\_\_

## SITE INSPECTION APPROVALS

### 1. RESIDENTIAL

DATE \_\_\_\_\_

BLDG. INSP. \_\_\_\_\_

### 2. COMMERCIAL

DATE \_\_\_\_\_

FIRE INSP. \_\_\_\_\_

DATE \_\_\_\_\_

ENG. INSP. \_\_\_\_\_

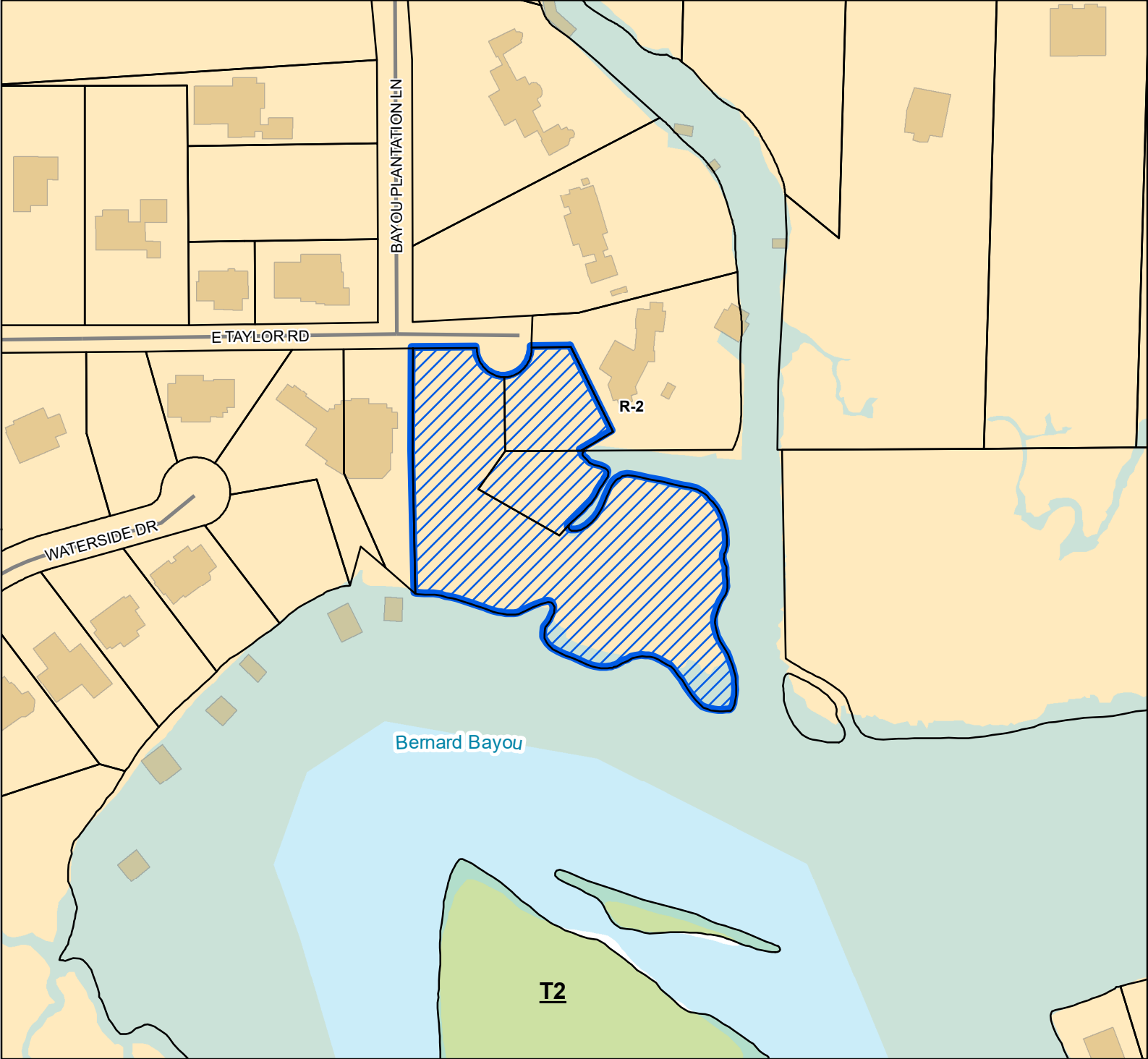
## COMMENTS

**UNLAWFUL TO REMOVE OR DEFACE THIS CARD  
UNTIL CONSTRUCTION IS COMPLETE**



2407ZB101

Variance



Street

Parcels

Buildings

Water Features

City Limit

**Smart Code**

T2

**Zoning**

R-2 - Single Family

Residence District (Medium Density)

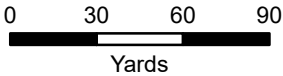
**Site Information**

1009O-02-003.003

Zoning: R-2 (Single Family)

Size: 3.4 acres

Flood: AE



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

24072B101

LZ 5/31/2024

RB

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 | 0 | - | 0 | 2 | - | 0 | 0 | 3 | . | 0 | 0 | 3 |
|   |   |   |   |   | - |   |   | - |   |   |   | . |   |   |   |
|   |   |   |   |   | - |   |   | - |   |   |   | . |   |   |   |
|   |   |   |   |   | - |   |   | - |   |   |   | . |   |   |   |

Property Address:

10785 EAST TAYLOR RD

Lot(s) N/A 3.4 Acre Parcel Block(s) \_\_\_\_\_ Subdivision \_\_\_\_\_

General Description of Request: Height Variance on wood Privacy Fence on west side of home & Height Variance on Front lot for wrought iron fence. All Houses on West side HAS 8-9' concrete wall on East side of their House

### 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:**

GARY McCabe  
 Printed Name of Owner  
PO Box 6816  
 Mailing Address  
Gulfport, MS 39506  
 City State Zip Code  
228 669 4076  
 Home Phone Work/Cell Phone  
666bro@aol.com  
 Email  
[Signature]  
 Signature of Owner

**AGENT:**

SAME N/A  
 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) MARY McCabe  
 Address (Street, City, State, Zip Code) PO Box 6816, Gulfport, MS 39506  
 Phone (Home) 228-669 1960 (Work) \_\_\_\_\_ (Cell) \_\_\_\_\_  
 Tax Parcel Number(s) Owned: \_\_\_\_\_  
 Signature: Mary McCabe Mary McCabe

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: \_\_\_\_\_



## COVENANT AFFIDAVIT

I, GARY McCABE being property owner or agent of the property Parcel # 10090-02-003.003  
PRINT NAME PRIMARY ADDRESS OR PARCEL  
10785 Taylor Rd.

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

[Signature]  
SIGNATURE

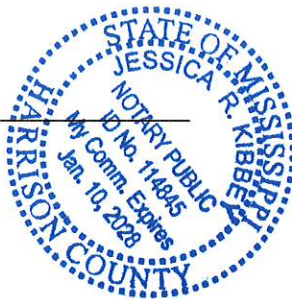
5/31/24  
DATE

### STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 31<sup>st</sup> day of May, 20 2024

Jessica R. Kibbey  
NOTARY PUBLIC

Jan. 10, 2028  
COMMISSION EXPIRATION



# Fence Variance Submissions

My

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;

Gary and Mary McCabe  
10785 East Taylor Road  
Gulfport, Ms. 39503

Question 1

This property is not located in a platted subdivision. The property is located in a flood zone which requires building heights above grade. Most residential properties don't have this requirement. A 6 foot fence on most properties will easily provide screen where the same height fence in an elevated situation (like we have) does not achieve this. Adjacent properties on all sides of the property have 8 foot walls/fences. We are located at a dead end of a street and have had several instances where we have had trespassers and in some instances intruders and stolen property. We lived in the home next door from 1998 to 2022 and know all too well how people walk on to our property for the view and or to fish from our bank and boathouse. It is also a safety factor to keep young adults and children from walking down to our water.

Question 2

No one has created these circumstances. It is in an effort to abide by the City of Gulfport Building Height Requirements, that we ask your consideration.

Question 3

The property is unique in that it is located on the water on an estate size piece of property. It is a very beautiful site with many old oak tree's from which we have a swing located. Countless times we have come to our property and found total strangers sitting in our swing enjoying our view. The fence if it was approved to the 8 foot variance request would help us achieve keeping people off the property not only for their safety but for our liability reason's. Someone could easily fall into the water and drown. Safety should absolutely be put above all issues you may have with our request.

Question 4

Due to the elevated height requirements I have to conform to with my property being located in a flood zone, a 6 foot fence does not achieve the same privacy/safety factors that it does for a home that is not required to be elevated to the height I am. My mechanical equipment is above your height allowance for my fence at 6 feet and is of no benefit to screen it from my neighbor or the street. Thus I ask for your approval for the variance on my fence not just for my privacy but in consideration of my neighbor. He has an 8 foot wall on the side and partial front along with his fence. Blending the property fence heights makes more sense than high/low. The surrounding properties all have higher than 4 foot fences in their property fronts, most with gates for safety. Police records will reflect the calls that have taken place at the entrance to Plantation Lane right across from our property.

Question 5

Granting of the variance would allow us to be more consistent with all the properties around us. Each home all the way down East Taylor has a higher fence. We actually will be out of place with a low fence.



Question 6

I am not sure what this question means other than meeting the requirements you have set forth in this application. The variance is not only a request to make the property similar to surrounding properties, but actually a safety request to keep people from harm's way. We also have a pet (Lab) that we are required to have in a fenced yard when not on a leash. A taller fence just like all of our neighbors will also allow us to keep our family pet safe and abide by the laws set forth for animals.

We appreciate your time and consideration and would appreciate a speedy decision so we can achieve this safety and aesthetic factor as soon as possible.

  
May McCall



Parcel # 10090-02-003.003

10785 E. Taylor Rd

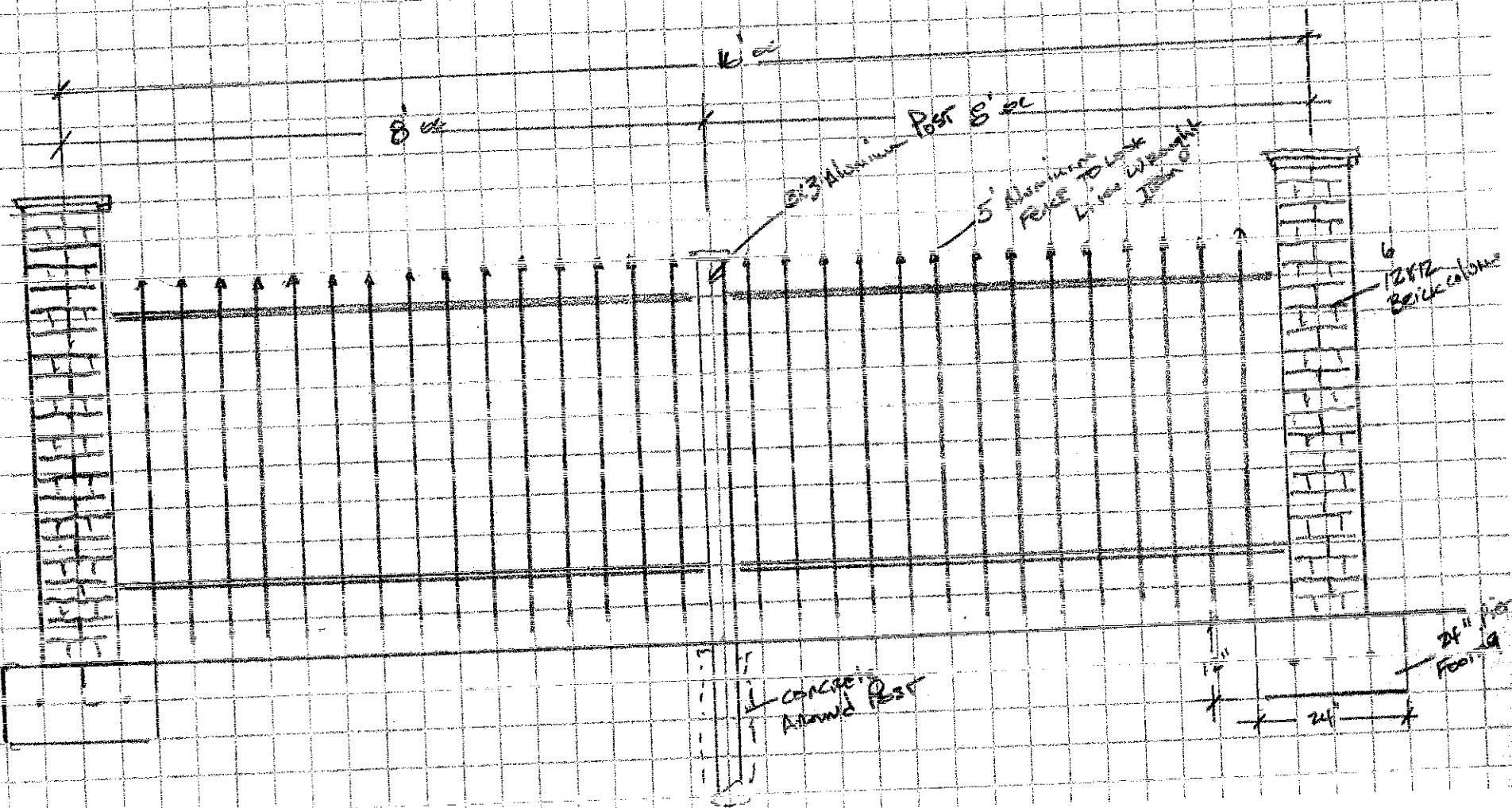
|           |                               |
|-----------|-------------------------------|
| DATE      | 10/20/20                      |
| BY        | CHRY 23                       |
| PROJECT   | M <sup>2</sup> CABE RESIDENCE |
| SITE PLAN |                               |



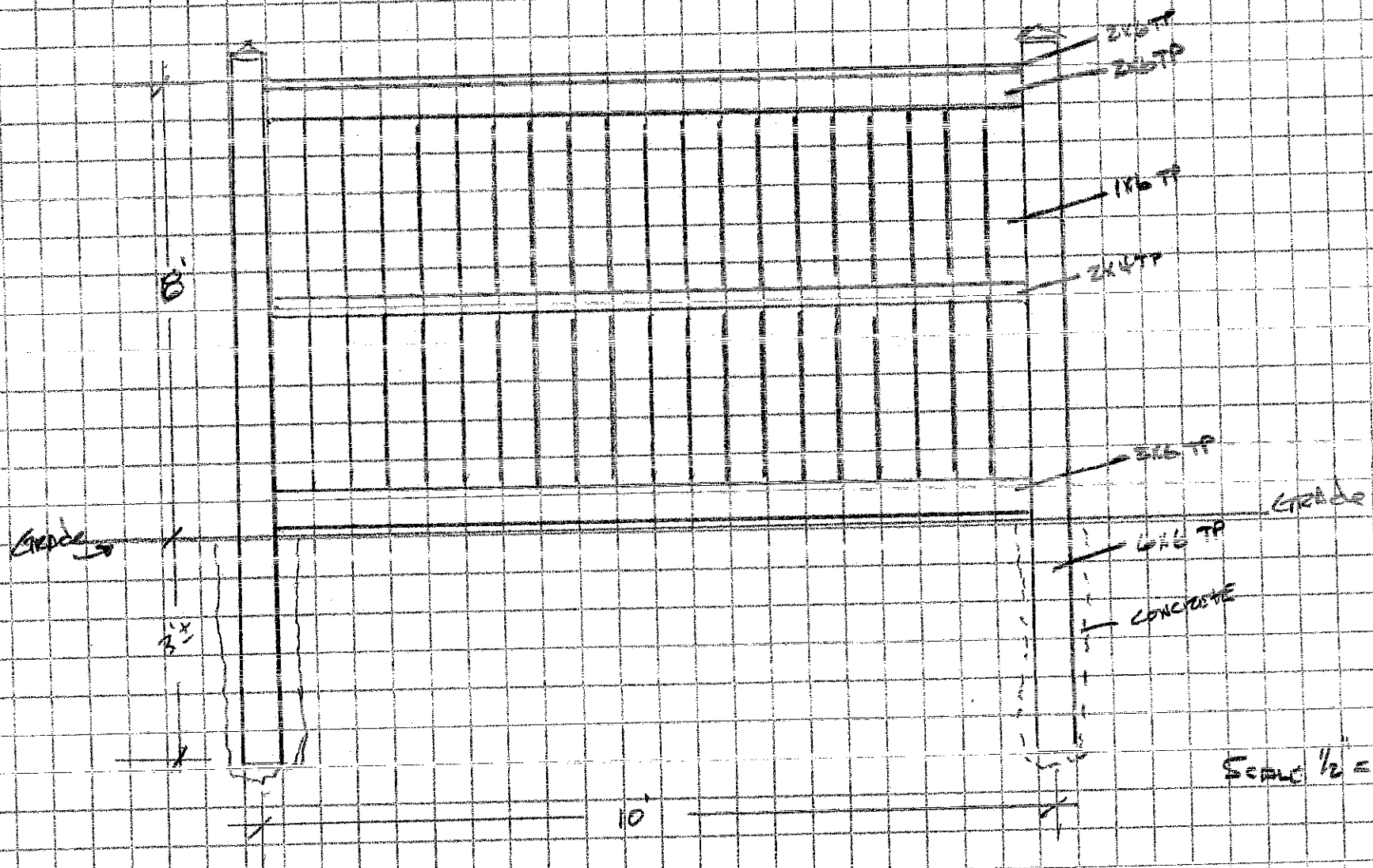
240'±  
Wood Privacy Fence 8'

400'±  
Brick Columns 16' oc 6' Brick Column  
Aluminum Railing Fence 5' wright iron  
Between

# BRICK & ALUMINUM FENCE



6' Double Sided Wood Privacy Fence  
6x6 treated Post Set  $\pm 3'$  in concrete with decorative cap







Looking South From Front where  
Side of Property Proper 8' Fence would  
Cover Equip. Menr From Street







TAX YEAR 2024



## 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: GARY & Mary McCabe Date: 7/19/23

Address: 10899 Channelside Drive  
GOLFPORT, MS 39503

Phone # 228 669 4076 Request taken by: UWENS

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

10090 - 02 - 003 .003

10108 - 04 - 001 .000  
2023 - 9599 - D - 31

10090 - 02 - 003 .001  
2023 - 9177 - D - 31

- ☐ SPLIT
- ☒ COMBINATION (PARCEL # TO KEEP) \_\_\_\_\_
- |                                                                     |     |                                     |    |                                     |
|---------------------------------------------------------------------|-----|-------------------------------------|----|-------------------------------------|
| <input checked="" type="checkbox"/> ARE PARCELS CONTIGUOUS          | YES | <input checked="" type="checkbox"/> | NO | <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> ARE PARCELS MIXED TITLE         | YES | <input type="checkbox"/>            | NO | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> ARE THERE IMPROVEMENTS INVOLVED | YES | <input type="checkbox"/>            | NO | <input checked="" type="checkbox"/> |
- ☐ IF THERE ARE IMPROVEMENTS, WHICH PARCEL OR PARCELS ARE THE IMPROVEMENTS LOCATED ON \_\_\_\_\_

- ☒ IS THERE A HOMESTEAD INVOLVED YES ☐ NO ☒
- ☐ IF THERE IS A HOMESTEAD INVOLVED, WHICH PARCEL HAS THE PRIMARY HOME ON IT \_\_\_\_\_
- ☒ ARE PARCELS IN SAME TAXING DIST 50 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.



Received By:

## Parcel Request

Circle One: Combine

I, the undersigned, request that the following Parcel numbers be combined into a single Parcel. A copy of the Deed(s) is(are) attached:

Site address:

10785 Taylor Rd.

Gulfport MS 39503

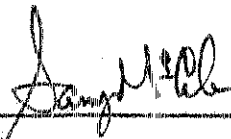
Parcel Numbers:

1009-02-003.003, 10090-02-003.001, 1010B-04-000

I certify that I am the legal owner (or authorized agent) of the Parcels listed above. I understand that I am responsible to complete the combination of the listed Parcels with the Tax Assessor for this change to be complete. A copy of the documents that the Tax Assessors office provides will be required for any permits.

7/10/23

Date



Signature

GARY MC CABE

Owner's/Agent's Name (Please Print)

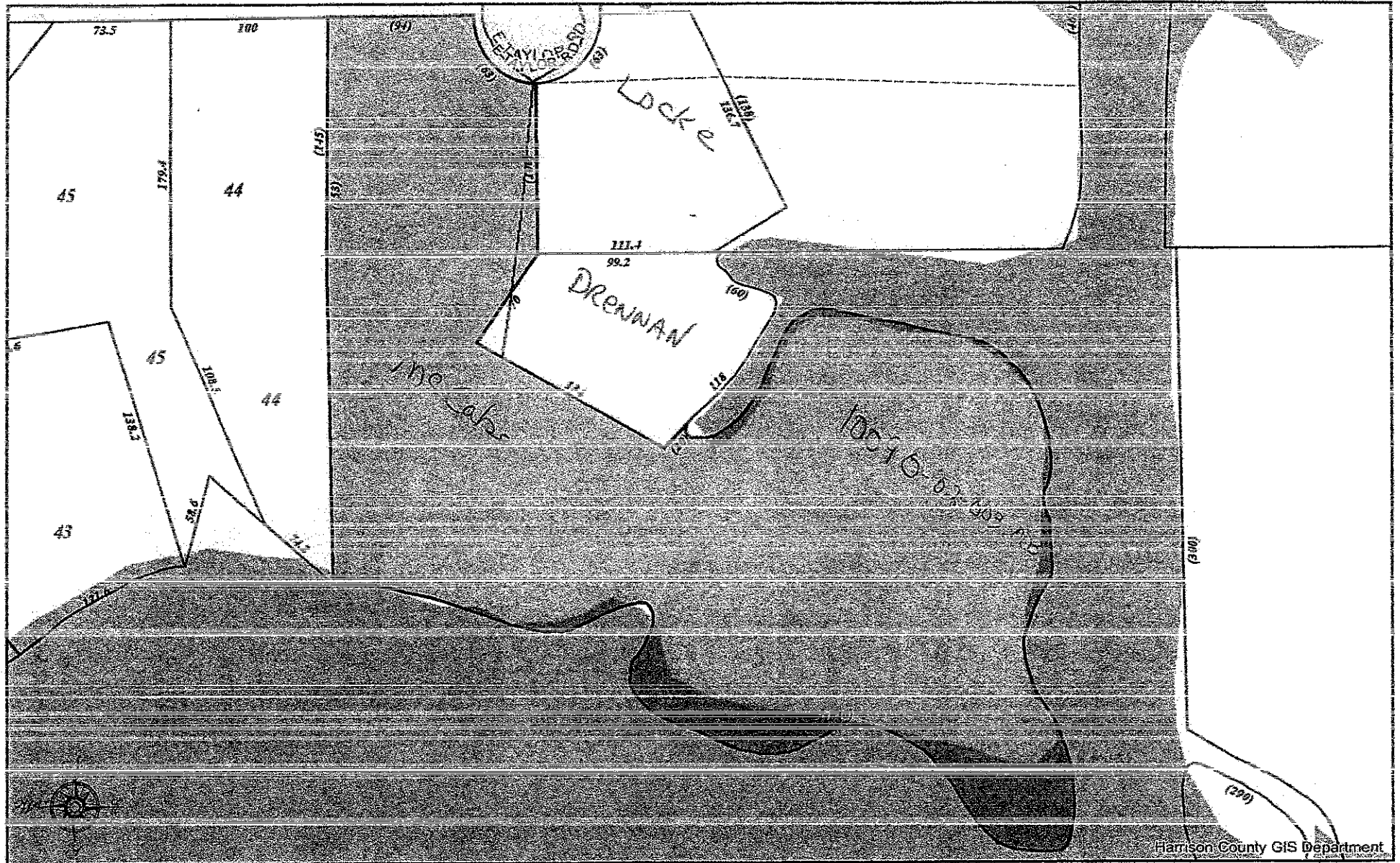
228 664 4076

Contact Phone Number

bl.d.bro@aol.com

Contact Email

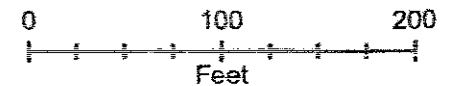
# My Map



## HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: July 5, 2023





# Michael Watson

## SECRETARY OF STATE

This is not an official certificate of good standing.

### Name History

---

| Name                       | Name Type |
|----------------------------|-----------|
| McCabe Land Management LLC | Legal     |

### Business Information

---

|                                  |                                              |
|----------------------------------|----------------------------------------------|
| <b>Business Type:</b>            | Limited Liability Company                    |
| <b>Business ID:</b>              | 1063977                                      |
| <b>Status:</b>                   | Good Standing                                |
| <b>Effective Date:</b>           | 03/26/2015                                   |
| <b>State of Incorporation:</b>   | Mississippi                                  |
| <b>Principal Office Address:</b> | 10767 East Taylor Toad<br>Gulfport, MS 39503 |

### Registered Agent

---

**Name**  
Mary McCabe  
10767 East Taylor Road  
Gulfport, MS 39503

### Officers & Directors

---

| Name                                                        | Title  |
|-------------------------------------------------------------|--------|
| Mary McCabe<br>10767 East Taylor Road<br>Gulfport, MS 39503 | Member |
| Gary McCabe<br>10767 East Taylor Road<br>Gulfport, MS 39503 | Member |

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

Indexing Instructions:  
SW 1/4 of SW 1/4 of Sec. 20-6-10  
Harrison County, MS

File#180985

**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,

**SUSAN B. LOCKE**  
**12 Lafayette Place**  
**Gulfport, MS 39507**  
**228-596-5891**

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

**MCCABE LAND MANAGEMENT LLC,**  
**a Mississippi limited liability company**  
**10767 E Taylor Rd**  
**Gulfport, MS 39503**  
**228-669-1960**

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:

**SEE EXHIBIT "A" ATTACHED HERETO**

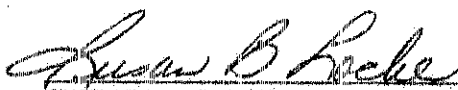
THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and any prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners of subject property.

The property described in the attached Exhibit "A" is not a part of the Homestead of the grantor herein.

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

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

WITNESS THE SIGNATURE of the Grantor on this the 25th day of June, 2018.

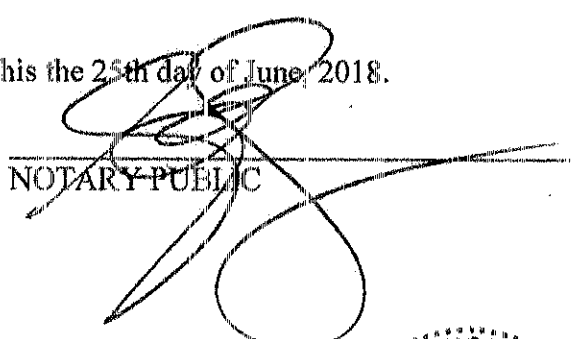
  
SUSAN B. LOCKE

STATE OF MISSISSIPPI

COUNTY OF HARRISON

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, SUSAN B. LOCKE, who acknowledged that she 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 25th day of June, 2018.

  
NOTARY PUBLIC

(SEAL)

My Commission Expires:





**EXHIBIT A**  
**LEGAL DESCRIPTION**

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20 AND THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED WITH THE FOLLOWING BEARINGS DERIVED BY RECORDED WATERSIDE SUBDIVISION PLAT AS PER THIS SURVEY BY GENE PAUL STENUM, DATED JUNE 14, 2018, AS FOLLOWS:

COMMENCING AT AN IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI; THENCE ALONG THE WEST LINE OF SAID SECTION 20, N00°22'00"W 181.94' TO AN IRON ROD FOUND ON THE EXISTING NORTH MARGIN OF TAYLOR ROAD; THENCE ALONG SAID NORTH MARGIN, N89°33'34"E 622.68' TO AN IRON ROD FOUND AT THE INTERSECTION OF SAID NORTH MARGIN AND THE EAST MARGIN OF BAYOU PLANTATIONS LANE; THENCE S02°46'47"W 39.95' TO AN IRON ROD FOUND AT THE NORTHEAST CORNER OF WATERSIDE SUBDIVISION, LYING ON THE SOUTH MARGIN OF EAST TAYLOR ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID SOUTH MARGIN, S89°01'52"E 93.60' TO A SPIKE SET; THENCE FURTHER ALONG SOUTH MARGIN, ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 40.00' AND AN ARC LENGTH OF 70.59', HAVING A CHORD OF S44°31'15"E 61.78' TO A P.K. NAIL FOUND AT THE NORTHWEST CORNER OF THE PROPERTY NOW OR FORMERLY OF ROBERT AND SUSAN LOCKE, DESCRIBED IN DEED BOOK 1106, PAGE 590; THENCE ALONG THE WEST LINE OF SAID LOCKE PROPERTY, S00°20'34"E 101.22' TO A SPIKE SET AT THE SOUTHWEST CORNER OF SAID LOCKE PROPERTY; THENCE ALONG THE SOUTH LINE OF SAID PROPERTY, S90°00'00"E 12.20' TO AN IRON ROD FOUND IN CONCRETE AT THE NORTHWEST CORNER OF THE PROPERTY NOW OR FORMERLY OF FRANK AND MICHAEL DRENNAN, DESCRIBED IN DEED BOOK 1323, PAGE 345; THENCE ALONG THE WEST LINE OF SAID DRENNAN PROPERTY, S23°24'29"W 67.69' TO AN IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SAID PROPERTY; THENCE ALONG THE SOUTHWESTERN PROPERTY LINE OF SAID DRENNAN PROPERTY, S60°41'23"E 134.00' TO A 1/2" GALVANIZED PIPE FOUND; THENCE ALONG THE EASTERN PROPERTY LINE OF SAID PROPERTY, N36°20'19"E 20.00' TO A POINT AT THE EDGE OF AN EXISTING CHANNEL; THENCE EASTERLY, SOUTHERLY AND WESTERLY ALONG THE EXISTING EDGE OF MARSH 355'+/-, TO THE INTERSECTION OF THE EDGE OF MARSH AND THE EAST LINE OF WATERSIDE SUBDIVISION, BEING S00°11'00"E 5.00', MORE OR LESS, FROM A 1" GALVANIZED PIPE AS A WITNESS CORNER; THENCE FROM SAID WITNESS CORNER, ALONG THE EAST LINE OF WATERSIDE SUBDIVISION, N00°11'00"W 327.73' TO THE POINT OF BEGINNING, CONTAINING 1.3 ACRES, MORE OR LESS, SAID PROPERTY BEING SUBJECT TO A PROPOSED INGRESS AND EGRESS EASEMENT ALONG THE EAST PROPERTY LINE DESCRIBED AND SHOWN HEREON.

**Indexing: SW ¼ of SW ¼ of 20-7-10**

**STATE OF MISSISSIPPI**

**COUNTY OF HARRISON**

**FIRST JUDICIAL DISTRICT**

**Prepared by and return to:  
David B. Estes  
MS Bar No. 101404  
Integrity Land Title, LLC  
1806 23rd Avenue Suite A  
Gulfport, MS 39501  
(228)896-8962  
File# 4594**

**WARRANTY DEED**

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned,

**ROBERT STEWART LOCKE AND WIFE, SUSAN BURGESS LOCKE  
12 LAFAYETTE PLACE  
GULFPORT, MS 39507  
(228) 596-5891**

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

**GARY A. MCCABE AND WIFE, MARY S. MCCABE  
AS TENANTS BY THE ENTIRETY WITH FULL RIGHTS OF SURVIVORSHIP  
10899 CHANNELSIDE DRIVE  
GULFPORT, MS 39507  
(228) 669-1960**

the following described land together with all improvements thereon located in the First Judicial

District of Harrison County, Mississippi, more particularly described as follows, to-wit:

**SEE ATTACHED EXHIBIT "A"**

**THIS CONVEYANCE** is subject to any and all easements, restrictive or protective covenants, rights-of-way, zoning ordinances and reservations affecting said property of record.

TAXES for the year 2023 are hereby prorated and the same are hereby assumed by the Grantee herein. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS our signatures on this the 18 day of May, 2023.

*Robert Stewart Locke*

Robert Stewart Locke

*Susan Burgess Locke*

Susan Burgess Locke

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally, appeared before me, the undersigned authority in and for the said county and state on this 18 day of May, 2023, within my jurisdiction, the within named Robert Stewart Locke and wife, Susan Burgess Locke, acknowledged that they executed and delivered the above and foregoing instrument.

(SEAL)



My Commission Expires:

*[Signature]*  
NOTARY PUBLIC

# EXHIBIT "A"

A parcel of land situated in Section 20, Township 7 South, Range 10 West, First Judicial District of Harrison County, Mississippi and more particularly described as follows, to-wit:

Commencing at the SW corner of said Section 20 and running thence run East a distance of 757 feet to the POINT OF BEGINNING; thence run North a distance of 141.1 feet; thence run East a distance of 100 feet; thence run South 24 degrees 49 minutes East a distance of 136.7 feet; thence run South 69 degrees 41 minutes West a distance of 49 feet; thence run West a distance of 111.4 feet to the POINT OF BEGINNING.

## LESS AND EXCEPT:

A parcel of land situated in Section 20, Township 7 South, Range 10 West, First Judicial District of Harrison County, Mississippi, parcel is described as commencing at the SW corner of Section 20 and running thence North along the west line of said Section 20 a distance of 175 feet, more or less, to the north margin of East Taylor Road and the south line of the property now or formerly owned by Kenneth L. Jones; run thence North 89 degrees 33 minutes East along the north margin of said East Taylor Road or projection thereof and south line of Jones property a distance of 757 feet; run thence South a distance of 45.82 feet to the NW corner of the property now or formerly owned by Robert S. and Susan B. Locke and the POINT OF BEGINNING. From said Point of Beginning run thence East a distance of 40 feet; run thence in a southwesterly direction along an arc with a radius of 40 feet a distance of 62.83 feet to the west line of Locke property; run thence North a distance of 40 feet to the POINT OF BEGINNING. Parcel contains 1,256.6 square feet or 0.288 acres.

Being the same property as conveyed in that certain Warranty Deed from Robert S. Locke and Susan B. Locke to the City of Gulfport, dated 8/15/89 and recorded in Deed Book 1138 at Page 229.

**Indexing: Parcel in NW1/4 of NW 1/4 of Sec. 29-7-10**

**STATE OF MISSISSIPPI**

**COUNTY OF HARRISON**

**FIRST JUDICIAL DISTRICT**

**Prepared by and return to:**

**David B. Estes**

**MS Bar No. 101404**

**Integrity Land Title, LLC**

**1806 23rd Avenue, Suite A**

**Gulfport, MS 39501**

**(228)896-8962**

**File#4587**

**WARRANTY DEED**

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid,  
and other good and valuable considerations, the receipt and sufficiency of all of which is hereby  
acknowledged, the undersigned,

**MICHAEL W. DRENNAN AND CATHERINE L. DRENNAN**  
**355 LAKEVIEW DRIVE**  
**BRANDON, MS 39047**  
**(601)906-1631**

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

**GARY A. MCCABE AND WIFE, MARY S. MCCABE**  
**AS JOINT TENANTS WITH FULL RIGHTS OF SURVIVORSHIP AND NOT AS**  
**TENANTS IN COMMON**  
**10899 CHANNELSIDE DRIVE**  
**GULFPORT, MS 39507**  
**(228)669-1960**



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

**SEE EXHIBIT "A"**

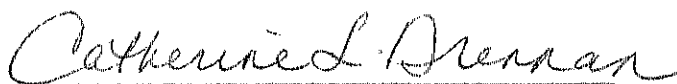
THE ABOVE described property is no part of the homestead of the Grantors nor any part thereof.

THIS CONVEYANCE is subject to any and all easements, restrictive or protective covenants, rights-of-way, zoning ordinances and reservations affecting said property of record.

TAXES for the year 2023 are hereby prorated and the same are hereby assumed by the Grantee herein. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS our signatures this the 25 day of May, 2023.

  
MICHAEL W. DRENNAN

  
CATHERINE L. DRENNAN

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state on this the 25 day of May, 2023, within my jurisdiction, the within named **MICHAEL W. DRENNAN AND CATHERINE L. DRENNAN**, who acknowledged that he/she/they executed the above and foregoing instrument.

(SEAL)



My Commission Expires:

  
NOTARY PUBLIC

## EXHIBIT "A"

A parcel of land situated in a part of Section 29, Township 7 South, Range 10 West, First Judicial District of Harrison County, Mississippi and more particularly described as follows, to-wit:

Commencing at the NW corner of said Section 29 and run thence run East a distance of 769.2 feet to the POINT OF BEGINNING; thence run East a distance of 99.2 feet to the edge of a channel; thence following the edge of a channel to a point South 63 degrees 15 minutes East a distance of 69.2 feet; thence run South 33 degrees 42 minutes West a distance 118 feet; thence run North 61 degrees 27 minutes West a distance of 134 feet; thence run North 19 degrees East a distance of 70 feet to the POINT OF BEGINNING.

Said land being the same land as that described in that certain Warranty Deed recorded in Book 1152 at Pages 66-67 of the Land Deed Records maintained in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

TOGETHER WITH a non-exclusive perpetual easement and right of way for ingress and egress being described as follows:

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20 AND THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED WITH THE FOLLOWING BEARINGS DERIVED BY RECORDED WATERSIDE SUBDIVISION PLAT AS PER THIS SURVEY BY GENE PAUL STENUM, DATED JUNE 14, 2018, AS FOLLOWS:

COMMENCING AT AN IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI; THENCE ALONG THE WEST LINE OF SAID SECTION 20, N00°22'00"W 181.84' TO AN IRON ROD FOUND ON THE EXISTING NORTH MARGIN OF TAYLOR ROAD; THENCE ALONG SAID NORTH MARGIN, N89°33'34"E 832.68' TO AN IRON ROD FOUND AT THE INTERSECTION OF SAID NORTH MARGIN AND THE EAST MARGIN OF BAYOU PLANTATIONS LANE; THENCE S02°48'47"W 88.86' TO AN IRON ROD FOUND AT THE NORTHEAST CORNER OF WATERSIDE SUBDIVISION, LYING ON THE SOUTH MARGIN OF EAST TAYLOR ROAD; THENCE ALONG SAID SOUTH MARGIN, S89°01'52"E 09.80' TO A SPIKE FOUND; THENCE FURTHER ALONG SAID SOUTH MARGIN, ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 40.00' AND AN ARC LENGTH OF 55.71', HAVING A CHORD OF S93°51'45"E 61.32' TO A P.K. NAIL FOUND AT THE INTERSECTION OF SAID SOUTH MARGIN AND THE EDGE OF AN EXISTING ASPHALT DRIVEWAY, SAID POINT BEING THE POINT OF BEGINNING; THENCE FURTHER ALONG SAID SOUTH MARGIN, ALONG A CURVE TO THE LEFT WITH A RADIUS OF 40.00' AND AN ARC LENGTH OF 21.39', HAVING A CHORD OF S88°13'17"E 21.14' TO A NAIL FOUND AT THE THE EAST EDGE OF AN EXISTING ASPHALT DRIVEWAY; THENCE ALONG SAID EAST EDGE OF ASPHALT DRIVEWAY, S03°21'00"W 102.01' TO A COTTON SPIKE FOUND AT THE SOUTHWEST CORNER OF THE PROPERTY NOW OR FORMERLY OF ROBERT AND SUSAN LOCKE, DESCRIBED IN DEED BOOK 1106, PAGE 590; THENCE ALONG THE SOUTH LINE OF SAID LOCKE PROPERTY, S90°00'00"E 12.20' TO AN IRON ROD FOUND AT THE NORTHWEST CORNER OF THE PROPERTY NOW OR FORMERLY OF FRANK AND MICHAEL DRENNAN, DESCRIBED IN DEED BOOK 1323, PAGE 345; THENCE ALONG THE WEST LINE OF SAID DRENNAN PROPERTY, S23°24'29"W 67.69' TO AN IRON PIPE FOUND; THENCE N00°13'22"W 164.77' TO THE POINT OF BEGINNING, CONTAINING 2,651 SQUARE FEET, SAID PROPERTY BEING A PORTION OF THE PROPERTY NOW OR FORMERLY OF ROBERT AND SUSAN LOCKE, DESCRIBED IN DEED BOOK 1106, PAGE 590 AND ALSO A PORTION OF THE PROPERTY NOW OR FORMERLY OF SUSAN LOCKE, DESCRIBED IN INSTRUMENT #2007-0006324-D-J1.

**Indexing: SW ¼ of the SW ¼ & the NW ¼ of the NW ¼ of  
20/29-6-10**

**STATE OF MISSISSIPPI**

**COUNTY OF HARRISON**

**FIRST JUDICIAL DISTRICT**

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

**TITLE NOT EXAMINED**

**QUITCLAIM DEED**

**FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid,  
and other good and valuable considerations, the receipt and sufficiency of all of which is hereby  
acknowledged, the undersigned,**

**GARY A. MCCABE AND WIFE, MARY S. MCCABE  
AND  
MCCABE LAND MANAGEMENT, LLC  
A MISSISSIPPI LIMITED LIABILITY COMPANY  
10899 CHANNELSIDE DRIVE  
GULFPORT, MS 39507  
(228) 669-1960**

**do hereby SELL, CONVEY and QUITCLAIM unto**

**GARY A. MCCABE AND WIFE, MARY S. MCCABE  
AS TENANTS BY THE ENTIRETY WITH FULL RIGHTS OF SURVIVORSHIP  
10899 CHANNELSIDE DRIVE  
GULFPORT, MS 39507  
(228) 669-1960**

covenants, rights-of-way, zoning ordinances and reservations affecting said property of record.

WITNESS our signatures on this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Gary A. McCabe

\_\_\_\_\_  
Mary S. McCabe

MCCABE LAND MANAGEMENT, LLC

BY: \_\_\_\_\_  
Gary A. McCabe, Member

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally, appeared before me, the undersigned authority in and for the said county and state on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, within my jurisdiction, the within named Gary A. McCabe and wife, Mary S. McCabe, acknowledged that they executed and delivered the above and foregoing instrument.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally, appeared before me, the undersigned authority in and for the said county and state on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, within my jurisdiction, the within named Gary A. McCabe, who is a Member of McCabe Land Management, LLC, a Mississippi Limited Liability Company, and that for and on behalf of said limited liability company, and as its act and deed, acknowledged that he executed and delivered the above and foregoing instrument after first having been duly authorized by said limited liability company so to do..

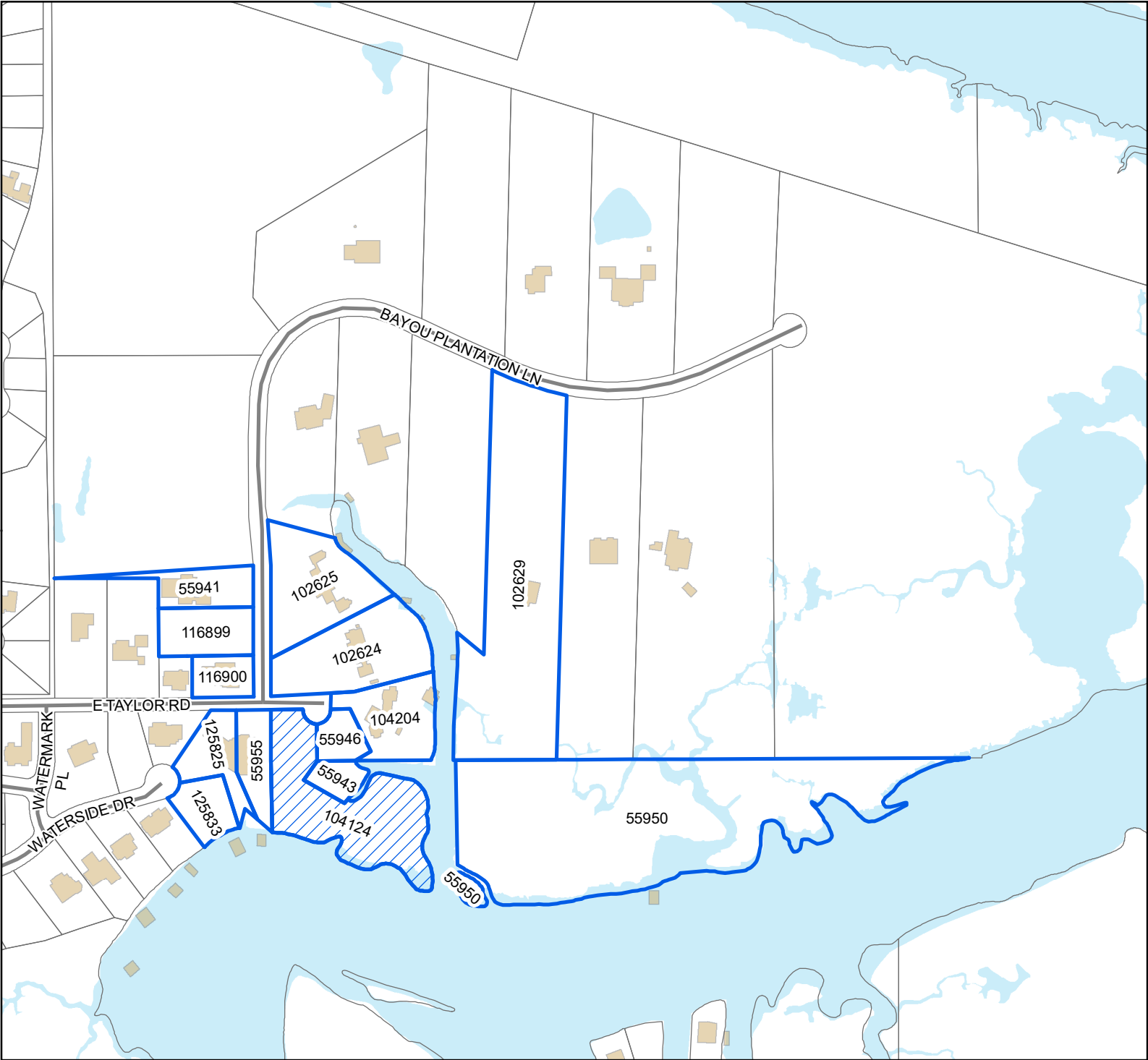


# EXHIBIT A LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20 AND THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED WITH THE FOLLOWING BEARINGS DERIVED BY RECORDED WATERSIDE SUBDIVISION PLAT AS PER THIS SURVEY BY CENE PAUL STINUM, DATED JUNE 14, 2018, AS FOLLOWS:

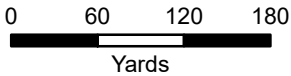
COMMENCING AT AN IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI; THENCE ALONG THE WEST LINE OF SAID SECTION 20, N60°22'00"W 181.54' TO AN IRON ROD FOUND ON THE EXISTING NORTH MARGIN OF TAYLOR ROAD; THENCE ALONG SAID NORTH MARGIN, N85°33'34"E 622.61' TO AN IRON ROD FOUND AT THE INTERSECTION OF SAID NORTH MARGIN AND THE EAST MARGIN OF BAYOU PLANTATIONS LANE; THENCE S02°46'47"W 39.95' TO AN IRON ROD FOUND AT THE NORTHEAST CORNER OF WATERSIDE SUBDIVISION, LYING ON THE SOUTH MARGIN OF EAST TAYLOR ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID SOUTH MARGIN, S89°01'42"E 93.60' TO A SPIKE SET; THENCE FURTHER ALONG SOUTH MARGIN, ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 40.00' AND AN ARC LENGTH OF 70.59', HAVING A CHORD OF 144°31'15"E 61.78' TO A P.K. NAIL FOUND AT THE NORTHWEST CORNER OF THE PROPERTY NOW OR FORMERLY OF ROBERT AND SUSAN LOCKE, DESCRIBED IN DEED BOOK 1108, PAGE 104; THENCE ALONG THE WEST LINE OF SAID LOCKE PROPERTY, S00°20'34"E 101.22' TO A SPIKE SET AT THE SOUTHWEST CORNER OF SAID LOCKE PROPERTY; THENCE ALONG THE SOUTH LINE OF SAID PROPERTY, S90°00'00"E 12.20' TO AN IRON ROD FOUND IN CONCRETE AT THE NORTHWEST CORNER OF THE PROPERTY NOW OR FORMERLY OF FRANK AND MICHAEL DRENNAN, DESCRIBED IN DEED BOOK 1123, PAGE 345; THENCE ALONG THE WEST LINE OF SAID DRENNAN PROPERTY, S23°24'29"W 67.69' TO AN IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SAID PROPERTY; THENCE ALONG THE SOUTHWESTERN PROPERTY LINE OF SAID DRENNAN PROPERTY, S60°41'23"E 134.00' TO A 1/2" GALVANIZED PIPE FOUND; THENCE ALONG THE EASTERN PROPERTY LINE OF SAID PROPERTY, N36°20'10"E 20.00' TO A POINT AT THE EDGE OF AN EXISTING CHANNEL; THENCE EASTERLY, SOUTHERLY AND WESTERLY ALONG THE EXISTING EDGE OF MARSH 3554-, TO THE INTERSECTION OF THE EDGE OF MARSH AND THE EAST LINE OF WATERSIDE SUBDIVISION, BEING S00°11'00"E 5.00', MORE OR LESS, FROM A 1" GALVANIZED PIPE AS A WITNESS CORNER; THENCE FROM SAID WITNESS CORNER, ALONG THE EAST LINE OF WATERSIDE SUBDIVISION, N00°11'00"W 327.73' TO THE POINT OF BEGINNING, CONTAINING 1.3 ACRES, MORE OR LESS, SAID PROPERTY BEING SUBJECT TO A PROPOSED INGRESS AND EGRESS EASEMENT ALONG THE EAST PROPERTY LINE DESCRIBED AND SHOWN HERON.

| Mail     | PPIN | Parcel ID                                   | Name                               | Address                   | City     | State | ZIP   |
|----------|------|---------------------------------------------|------------------------------------|---------------------------|----------|-------|-------|
|          |      | 1009O-02-003.003                            | GARY MCCABE (OWNER)                | P.O. BOX 6816             | GULFPORT | MS    | 39506 |
|          |      | 1009O-02-003.003                            | MARY MCCABE (OWNER)                | P.O. BOX 6816             | GULFPORT | MS    | 39506 |
|          |      | <b>Adjacent Property Owners (2407ZB101)</b> |                                    |                           |          |       |       |
| 116899   |      | 1009O-02-004.003                            | BURRELL ANDREW CHARLES & ASHLEY    | 10753 PLANTATION LANE     | GULFPORT | MS    | 39503 |
| 104124   |      | 1009O-02-003.003                            | MCCABE LAND MANAGEMENT LLC         | 10767 E TAYLOR RD         | GULFPORT | MS    | 39503 |
| 55943    |      | 1010B-04-001.000                            | DRENNAN MICHAEL W & CATHERINE L    | 355 LAKEWAY DR            | BRANDON  | MS    | 39047 |
| 104204   |      | 1009O-02-003.000                            | MCCABE TYLER & MAEGEN              | 10767 E TAYLOR RD         | GULFPORT | MS    | 39503 |
| 102629   |      | 1009O-02-002.006                            | STEGALL CHARLES R & TRUDY          | 10745 PLANTATION LANE     | GULFPORT | MS    | 39503 |
| 102625   |      | 1009O-02-002.002                            | ROMANO LEO J & MARIE S             | 10761 PLANTATION LANE     | GULFPORT | MS    | 39503 |
| 55941    |      | 1009O-02-004.000                            | BURRELL ANDREW & ASHLEY            | 12562 LAKE VILLAGE DR     | GULFPORT | MS    | 39503 |
| 102624   |      | 1009O-02-002.001                            | TIPTON RAYMOND E JR                | 10765 PLANTATION LANE     | GULFPORT | MS    | 39503 |
| 55946    |      | 1009O-02-003.001                            | LOCKE ROBERT S & SUSAN B           | 12 LAFAYETTE PLACE        | GULFPORT | MS    | 39507 |
| 116900   |      | 1009O-02-004.004                            | RATHER MARGARET H                  | 10764 BAYOU PLANTATION LN | GULFPORT | MS    | 39503 |
| 55950    |      | 1010B-01-001.000                            | ORANGE GROVE UTILITIES INC         | 110 S WILSON BLVD         | GULFPORT | MS    | 39503 |
| 55955    |      | 1009O-02-005.000                            | BEAMON VERNON F & BAHADUR RAINNA P | 10800 WATERSIDE DR        | GULFPORT | MS    | 39503 |
| 125833   |      | 1010B-04-003.005                            | MCCABE LAND LLC                    | 10899 CHANNELSIDE DR      | GULFPORT | MS    | 39503 |
| N 125825 |      | 1009O-02-005.001                            | BEAMON VERNON F & BAHADUR RAINNA P | 10800 WATERSIDE DR        | GULFPORT | MS    | 39503 |



Legend

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



1 inch = 400 feet



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

**RE: Variance 2407ZB101, by owners Gary & Mary McCabe, seeking approval for an 8-foot fence where 6 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2**

To Applicants and Adjacent Property Owners:

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

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, July 18, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email [planners@gulfport-ms.gov](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> 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 |
|-----------|--------------|-----------------------------------------|----------|---------|------|-------|
| 33468     | 568455       | Print Legal Ad-IPL01809120 - IPL0180912 |          | \$88.75 | 2    | 54 L  |

Attention: Jessica Versiga

GULFPORT CITY HALL  
1410 24 TH AVENUE  
GULFPORT, MS 39501

jversiga@gulfport-ms.gov

### LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, July 18, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

**Variance 2406ZB085**, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 12146 Dedeaux Road, Zoned R-1-10 (Single-Family), Ward 6

**Special Exception 2407SE096**, by agent John Pritchard, seeking approval for a to-go Daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Rd, Zoned B-1 (Neighborhood Business), Ward 5

**Variance 2407ZB098**, by owner Vernon Floyd, seeking approval for a 6-foot tall fence where 4 feet is the height limit, Tax Parcel 0911D-03-060.000, 621 3rd Street, Zoned R-1-7.5 (Single-Family), Ward 2

**Variance 2407ZB101**, by owners Gary & Mary McCabe, seeking approval for an 8-foot fence where 6 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB102**, by owners Gary & Mary McCabe, seeking approval for a 5-foot tall fence with 6-foot brick columns where 4 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB105**, by owner Ashford Holdings LLC, seeking approval for a 15-foot front yard setback where 25 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB106**, by owner Ashford Holdings LLC, seeking approval for a 6-foot side yard setback where 8 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB107**, by owner Ashford Holdings LLC, seeking approval for a 10-foot front yard setback where 25 feet is required for a second frontage, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB109**, by owner LaBella's Salon LLC, seeking approval for parking that backs out into the city right of way, Tax Parcel 0808N-01-012.000, 15095 Dedeaux Road, Zoned B-2 (General Business), Ward 5

This the 25th day of June 2024

A. Leslie North, Chairman  
City of Gulfport Zoning Board of Adjustment and Appeals  
IPL0180912  
Jul 3 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:  
07/03/24

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

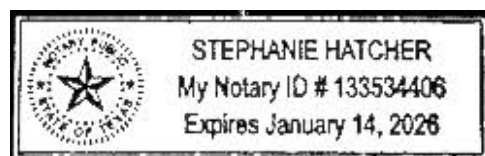
*Mary Castro*

Sworn to and subscribed before me this 3rd day of July 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:** July 18, 2024

**Re:** Variance 2407ZB102:

Variance 2407ZB102, by owners Gary & Mary McCabe, seeking approval for a 5-foot tall fence with 6-foot brick columns where 4 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

# **Technical Report**

## *VARIANCE*

### ***GENERAL INFORMATION***

Case File Number: 2407ZB102

Hearing Date: July 18, 2024

Current Zoning/Use: R-2/ Single Family

Legal: Variance 2407ZB102, by owners Gary & Mary McCabe, seeking approval for a 5-foot tall fence with 6-foot brick columns where 4 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

### ***TECHNICAL DETAILS***

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

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

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

# Technical Report

## *VARIANCE*

The applicant requests a height variance for a 5-foot tall wrought iron fence with 6-foot brick columns where 4 feet is the height limit in the front continuous façade. The applicant addresses the hardship questions below.

- (a) The applicant states that the property is located in a flood zone and because of this, the primary structure was built above grade. They further clarify that because of this, a 6 foot fence would not achieve adequate screening. The applicant also states that the fence's intended keep trespassers out. These statements do not pertain to this case as neither statement pertains to the proposed fence along the front of the property. The applicant states no genuine hardship.
- (b) The applicant states that "No one has created these circumstances. It is an effort to abide by the City of Gulfport Building Height Requirements." While that applies to the primary structure built on the property, this statement has no bearing in regards to the fence height. The applicant's desire for a 6 foot tall fence is what is creating the hardship.
- (c) Applicant states that the property is unique due to being located near the water. They claim that due to this, they receive an inordinate amount of trespassers on the property. While that may be true, this does not necessarily indicate that the property itself is causing the hardship. The applicant does not adequately address this statement.
- (d) The applicant states that their neighboring properties have fences higher than 4 feet in the front of the property. Upon staff review, the fences in that neighborhood along the front property do sit at 6 feet. These fences appear to have been approved prior to the current fence ordinance. Approval of the applicant's request would be in harmony with the existing neighborhood.
- (e) Applicant states that granting the variance would allow for consistency among the neighborhood. As stated prior, the area had fences approved prior to the fence ordinance as it is currently. Approval would not confer any special privileges that the neighborhood doesn't already partake in.
- (f) This property is zoned R-2, and a fence is allowed by right.

## ***EXECUTIVE SUMMARY***

While the applicant displays no genuine hardship for the property in question, the request for an 6 foot fence where 4 feet is required would be in line with the existing neighborhood. All the fences above 4 feet were approved prior to the current fence ordinance and approval of this fence would be in harmony with the neighborhood.

Any approval should consider these conditions:

- 1. Must comply with all rules and regulations.
- 2. Approval would allow for building a fence at 6 feet in the continuous front façade.

# Technical Report

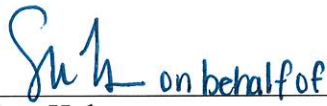
## VARIANCE

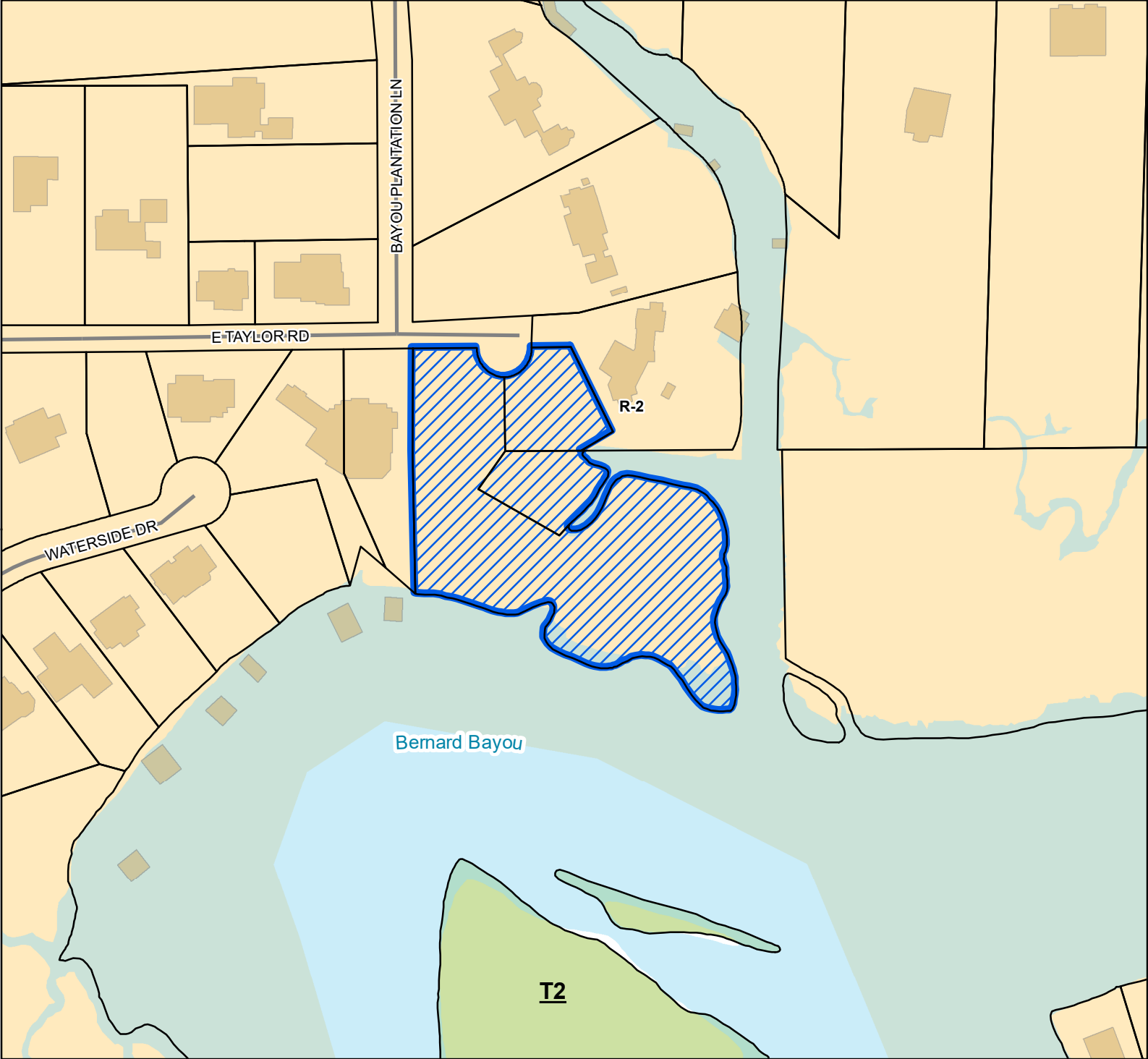
### ***DEPARTMENTAL CONDITIONS***

|                                       |                                                                                              |
|---------------------------------------|----------------------------------------------------------------------------------------------|
| <b><u>Engineering:</u></b>            | No conditions. Memo dated 07/02/2024.                                                        |
| <b><u>Public Works:</u></b>           | No comment as of 07/08/2024                                                                  |
| <b><u>Traffic and Safety:</u></b>     | No conditions. Memo dated 06/29/2024.                                                        |
| <b><u>Building Code Services:</u></b> | Must meet all current building codes and City of Gulfport Ordinances. Memo dated 06/25/2024. |
| <b><u>GIS:</u></b>                    | No conditions. Memo dated 07/01/2024.                                                        |
| <b><u>Police Department:</u></b>      | No comment as of 07/08/2024.                                                                 |
| <b><u>Fire Department:</u></b>        | No conditions. Memo dated 06/25/2024.                                                        |
| <b><u>City Arborist:</u></b>          | No conditions. Memo dated 06/26/2024.                                                        |

### ***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

  
\_\_\_\_\_  
Greg Holmes  
Director of Urban Development Department



Street

Parcels

Buildings

Water Features

City Limit

**Smart Code**

T2

**Zoning**

R-2 - Single Family

Residence District (Medium Density)

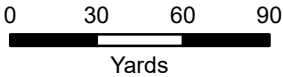
**Site Information**

1009O-02-003.003

Zoning: R-2 (Single Family)

Size: 3.4 acres

Flood: AE



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.





**OWNER:**

GARY McCole  
 Printed Name of Owner  
PO Box 6816  
 Mailing Address  
Gulfport, MS 39506  
 City State Zip Code  
228 669 4076  
 Home Phone Work/Cell Phone  
 Email  
blbbr@AOL.com  
 Signature of Owner

**AGENT:**

N/A  
 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) MARY McCole  
 Address (Street, City, State, Zip Code) PO Box 6816, Gulfport, MS 39506  
 Phone (Home) 228 669 1960 (Work) \_\_\_\_\_ (Cell) \_\_\_\_\_  
 Tax Parcel Number(s) Owned: \_\_\_\_\_  
 Signature: Mary McCole Mary McCole

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: \_\_\_\_\_



## COVENANT AFFIDAVIT

I, GARY M<sup>C</sup>CABE being property owner or agent of the property Parcel # 10090-02-003.003  
10785 E Taylor Rd  
which is the subject of this application, hereby state that this variance request is not in violation of any  
restrictive or protective covenants.

[Signature]  
SIGNATURE

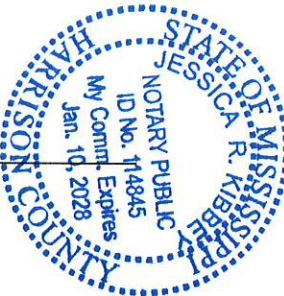
5/31/24  
DATE

### STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 31st day of May, 20 2024

Jessica P. Kibbey  
NOTARY PUBLIC

Jan. 10, 2028  
COMMISSION EXPIRATION



# 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;

Gary and Mary McCabe  
10785 East Taylor Road  
Gulfport, Ms. 39503

Question 1

This property is not located in a platted subdivision. The property is located in a flood zone which requires building heights above grade. Most residential properties don't have this requirement. A 6 foot fence on most properties will easily provide screen where the same height fence in an elevated situation (like we have) does not achieve this. Adjacent properties on all sides of the property have 8 foot walls/fences. We are located at a dead end of a street and have had several instances where we have had trespassers and in some instances intruders and stolen property. We lived in the home next door from 1998 to 2022 and know all too well how people walk on to our property for the view and or to fish from our bank and boathouse. It is also a safety factor to keep young adults and children from walking down to our water.

Question 2

No one has created these circumstances. It is in an effort to abide by the City of Gulfport Building Height Requirements, that we ask your consideration.

Question 3

The property is unique in that it is located on the water on an estate size piece of property. It is a very beautiful site with many old oak tree's from which we have a swing located. Countless times we have come to our property and found total strangers sitting in our swing enjoying our view. The fence if it was approved to the 8 foot variance request would help us achieve keeping people off the property not only for their safety but for our liability reason's. Someone could easily fall into the water and drown. Safety should absolutely be put above all issues you may have with our request.

Question 4

Due to the elevated height requirements I have to conform to with my property being located in a flood zone, a 6 foot fence does not achieve the same privacy/safety factors that it does for a home that is not required to be elevated to the height I am. My mechanical equipment is above your height allowance for my fence at 6 feet and is of no benefit to screen it from my neighbor or the street. Thus I ask for your approval for the variance on my fence not just for my privacy but in consideration of my neighbor. He has an 8 foot wall on the side and partial front along with his fence. Blending the property fence heights makes more sense than high/low. The surrounding properties all have higher than 4 foot fences in their property fronts, most with gates for safety. Police records will reflect the calls that have taken place at the entrance to Plantation Lane right across from our property.

Question 5

Granting of the variance would allow us to be more consistent with all the properties around us. Each home all the way down East Taylor has a higher fence. We actually will be out of place with a low fence.



Question 6

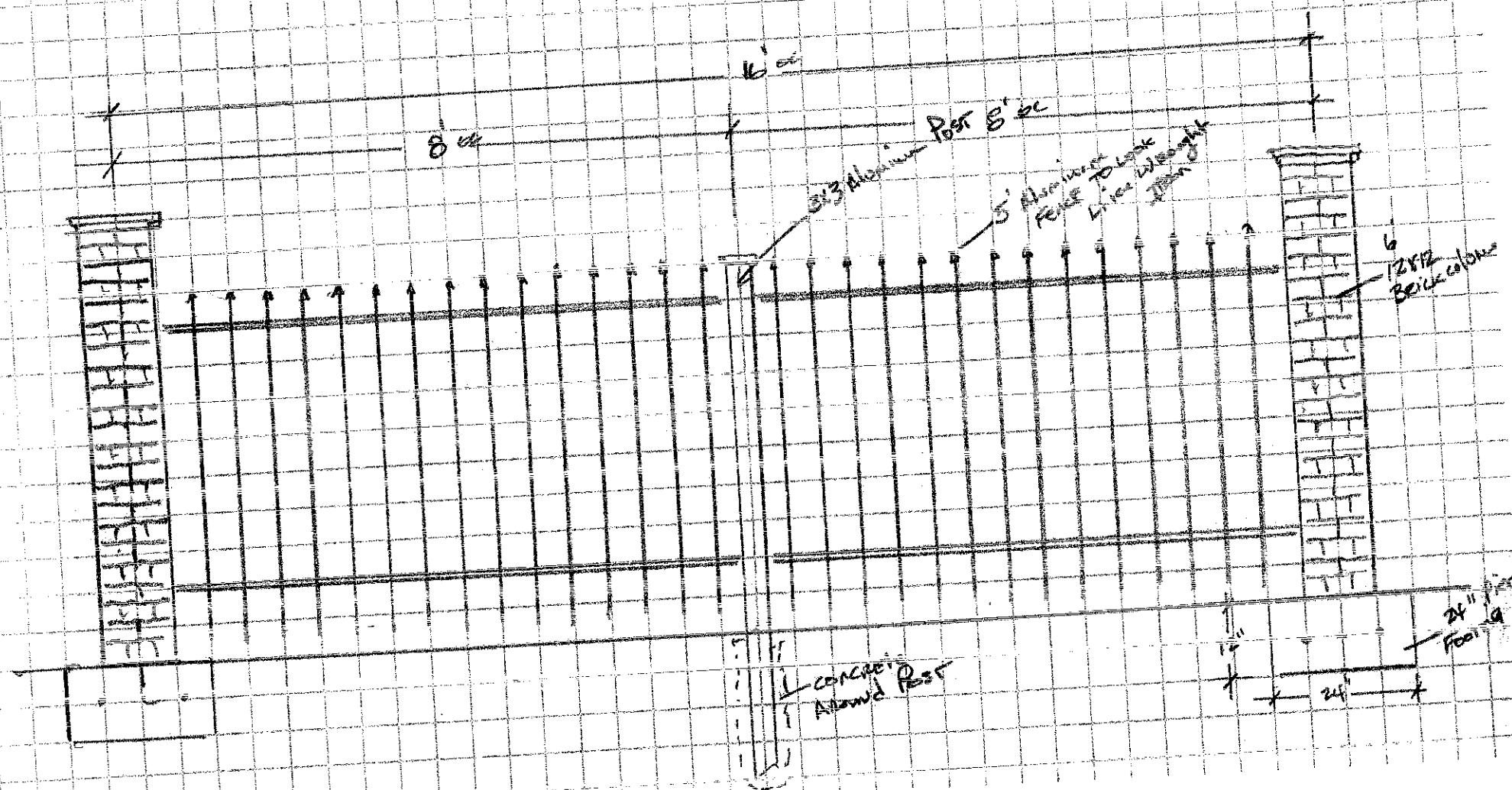
I am not sure what this question means other than meeting the requirements you have set forth in this application. The variance is not only a request to make the property similar to surrounding properties, but actually a safety request to keep people from harm's way. We also have a pet (Lab) that we are required to have in a fenced yard when not on a leash. A taller fence just like all of our neighbors will also allow us to keep our family pet safe and abide by the laws set forth for animals.

We appreciate your time and consideration and would appreciate a speedy decision so we can achieve this safety and aesthetic factor as soon as possible.

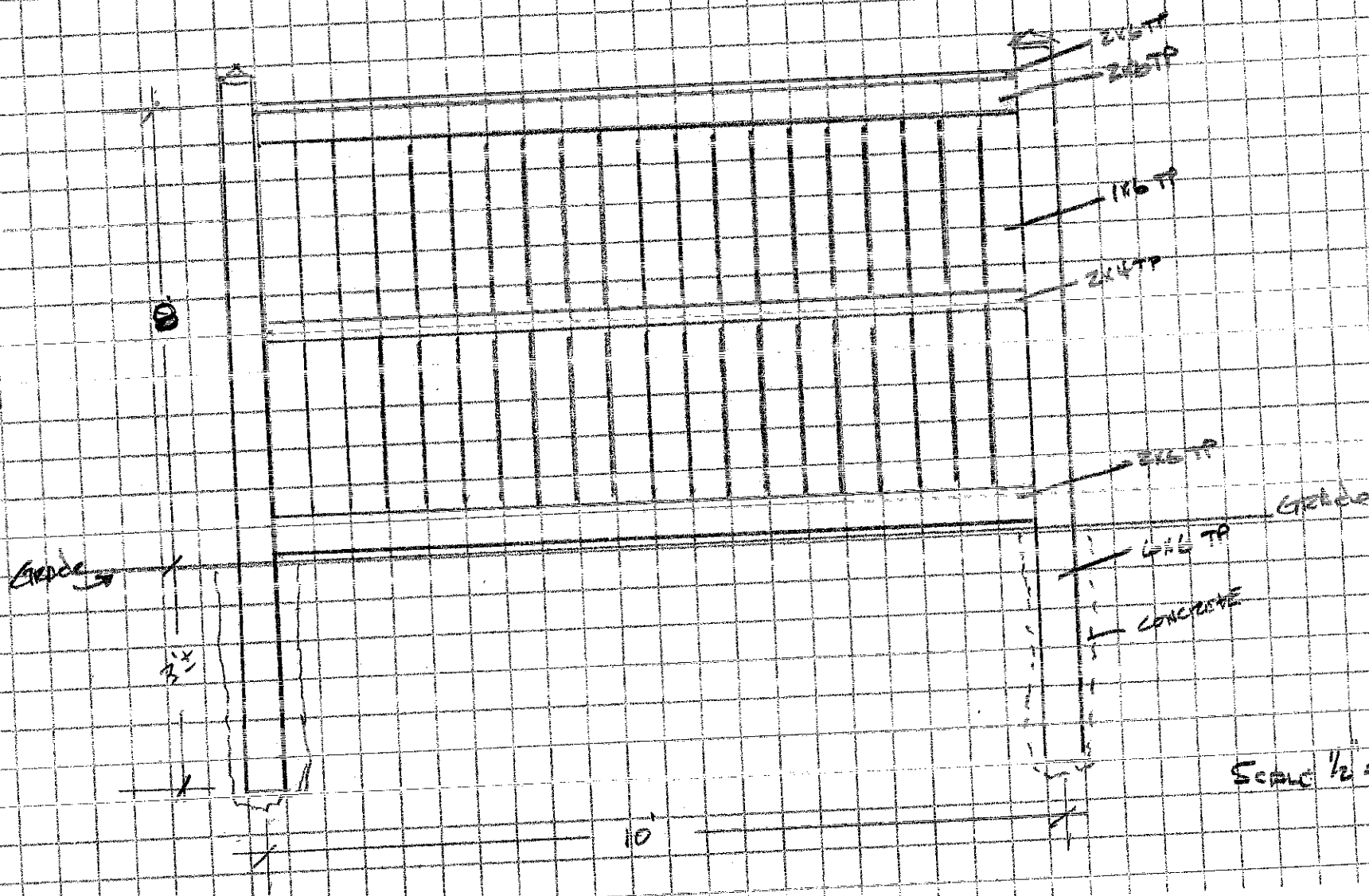
  
Mary McCal



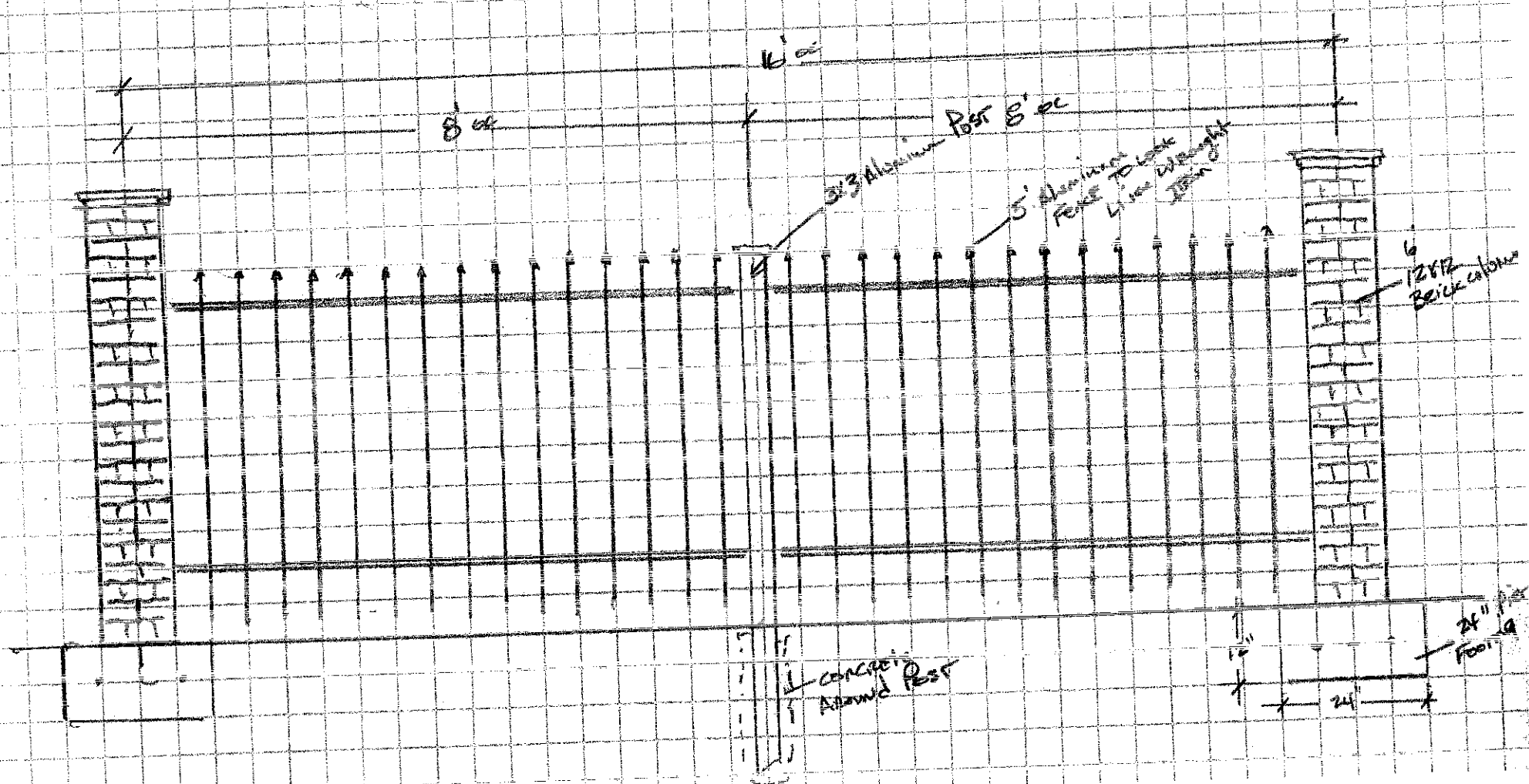
# BRICK & ALUMINUM FENCE



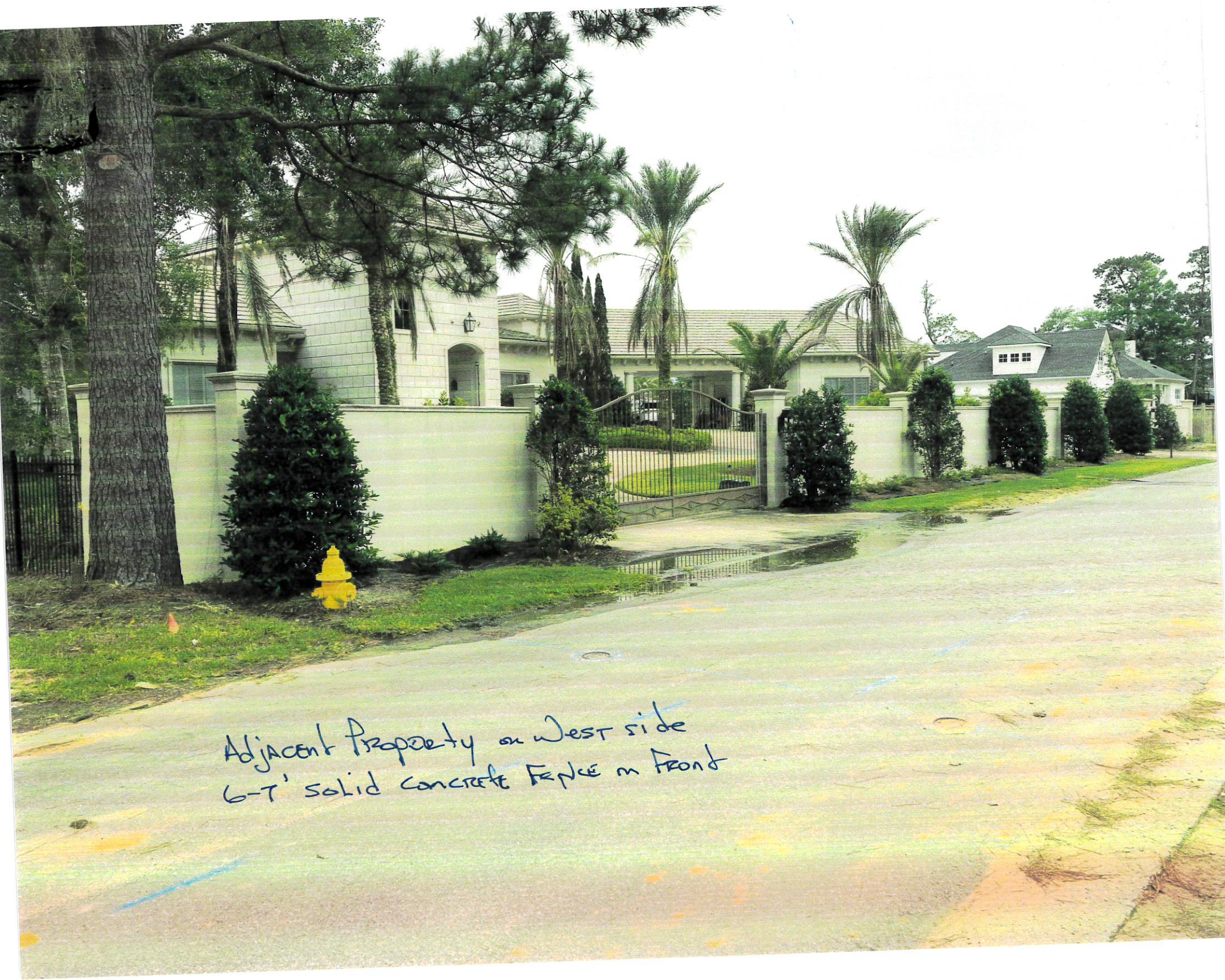
6' Double Sided Wood Privacy Fence  
 6x6 treated Post Set 3' in concrete with decorative cap



# Brick & Aluminum Fence







Adjacent Property on West side  
6-T' solid concrete Fence in front





Property on my EAST side 6-8' BRICK Fence At end of  
Taylor Rd





Property across street to NW







TAX YEAR 2024



## 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: Gary & Mary McCabe Date: 7/19/23

Address: 10899 Channelside Drive  
Gulfport, MS 39503

Phone # 228 669 4076 Request taken by: UWENS

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

10090 - 02 - 003 .003

10108 - 04 - 001 .000  
2023 - 9599 - D - 31

10090 - 02 - 003 .001  
2023 - 9177 - D - 81

- ☐ 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 \_\_\_\_\_

- ☒ IS THERE A HOMESTEAD INVOLVED YES ☐ NO ☒
- ☐ IF THERE IS A HOMESTEAD INVOLVED, WHICH PARCEL HAS THE PRIMARY HOME ON IT \_\_\_\_\_
- ☒ ARE PARCELS IN SAME TAXING DIST 50 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.



# Parcel Request

Circle One: Combine

I, the undersigned, request that the following Parcel numbers be combined into a single Parcel. A copy of the Deed(s) is(are) attached:

Site address:

10785 Taylor Rd.

Gulfport MS 39503

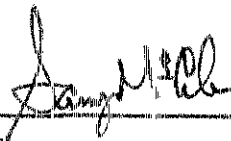
Parcel Numbers:

1009-02-003.003, 10090-02-003.001, 1010B-04-000

I certify that I am the legal owner (or authorized agent) of the Parcels listed above. I understand that I am responsible to complete the combination of the listed Parcels with the Tax Assessor for this change to be complete. A copy of the documents that the Tax Assessors office provides will be required for any permits.

7/10/23

Date



Signature

GARY M. CABE

Owner's/Agent's Name (Please Print)

228 669 4076

Contact Phone Number

blabro@aol.com

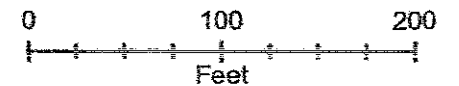
Contact Email

This is a land survey map from Harrison County, Texas. It depicts several land parcels with their respective dimensions and bearings. The central parcel is owned by Drennan and measures 111.4 units on one side, 99.2 units on another, and 118 units on a third. Adjacent to it to the north is the Locke parcel. To the west, there are parcels numbered 45 and 44. A road, E. Taylor Rd., runs along the northern boundary of some of these parcels. Other features include a shaded area labeled 'Mo Labz', a curved boundary labeled '100.10-0.03-0.03-0.03', and various other numerical annotations like '(60)', '(3100)', and '(290)'.



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: July 5, 2023





# Michael Watson

## SECRETARY OF STATE

This is not an official certificate of good standing.

### Name History

| Name                       | Name Type |
|----------------------------|-----------|
| McCabe Land Management LLC | Legal     |

### Business Information

|                                  |                                              |
|----------------------------------|----------------------------------------------|
| <b>Business Type:</b>            | Limited Liability Company                    |
| <b>Business ID:</b>              | 1063977                                      |
| <b>Status:</b>                   | Good Standing                                |
| <b>Effective Date:</b>           | 03/26/2015                                   |
| <b>State of Incorporation:</b>   | Mississippi                                  |
| <b>Principal Office Address:</b> | 10767 East Taylor Road<br>Gulfport, MS 39503 |

### Registered Agent

| Name                                                        |
|-------------------------------------------------------------|
| Mary McCabe<br>10767 East Taylor Road<br>Gulfport, MS 39503 |

### Officers & Directors

| Name                                                        | Title  |
|-------------------------------------------------------------|--------|
| Mary McCabe<br>10767 East Taylor Road<br>Gulfport, MS 39503 | Member |
| Gary McCabe<br>10767 East Taylor Road<br>Gulfport, MS 39503 | Member |

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

Indexing Instructions:  
SW 1/4 of SW 1/4 of Sec. 20-6-10  
Harrison County, MS

File#180985

**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,

**SUSAN B. LOCKE**  
12 Lafayette Place  
Gulfport, MS 39507  
228-596-5891

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

**MCCABE LAND MANAGEMENT LLC,**  
a Mississippi limited liability company  
10767 E Taylor Rd  
Gulfport, MS 39503  
228-669-1960

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:

**SEE EXHIBIT "A" ATTACHED HERETO**

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.

The property described in the attached Exhibit "A" is not a part of the Homestead of the grantor herein.

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

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

WITNESS THE SIGNATURE of the Grantor on this the 25th day of June, 2018.

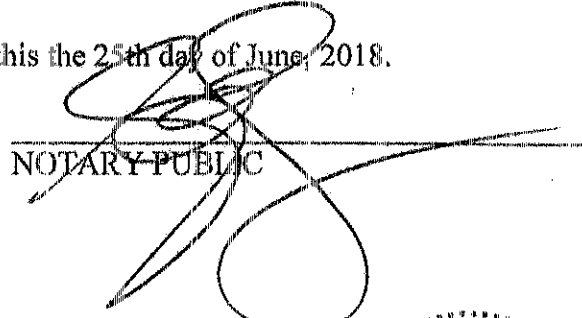
  
SUSAN B. LOCKE

STATE OF MISSISSIPPI

COUNTY OF HARRISON

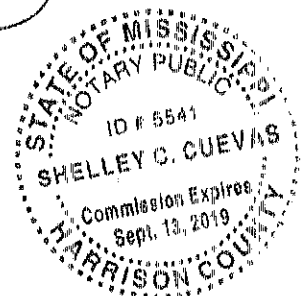
THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, SUSAN B. LOCKE, who acknowledged that she signed, executed and delivered the above and foregoing instrument as a voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 25th day of June, 2018.

  
NOTARY PUBLIC

(SEAL)

My Commission Expires:





**EXHIBIT A**  
**LEGAL DESCRIPTION**

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20 AND THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED WITH THE FOLLOWING BEARINGS DERIVED BY RECORDED WATERSIDE SUBDIVISION PLAT AS PER THIS SURVEY BY GENE PAUL STENUM, DATED JUNE 14, 2018, AS FOLLOWS:

COMMENCING AT AN IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI; THENCE ALONG THE WEST LINE OF SAID SECTION 20, N00°22'00"W 181.94' TO AN IRON ROD FOUND ON THE EXISTING NORTH MARGIN OF TAYLOR ROAD; THENCE ALONG SAID NORTH MARGIN, N89°33'34"E 622.68' TO AN IRON ROD FOUND AT THE INTERSECTION OF SAID NORTH MARGIN AND THE EAST MARGIN OF BAYOU PLANTATIONS LANE; THENCE S02°46'47"W 39.95' TO AN IRON ROD FOUND AT THE NORTHEAST CORNER OF WATERSIDE SUBDIVISION, LYING ON THE SOUTH MARGIN OF EAST TAYLOR ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID SOUTH MARGIN, S89°01'52"E 93.60' TO A SPIKE SET; THENCE FURTHER ALONG SOUTH MARGIN, ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 40.00' AND AN ARC LENGTH OF 70.59', HAVING A CHORD OF S44°31'15"E 61.78' TO A P.K. NAIL FOUND AT THE NORTHWEST CORNER OF THE PROPERTY NOW OR FORMERLY OF ROBERT AND SUSAN LOCKE, DESCRIBED IN DEED BOOK 1106, PAGE 590; THENCE ALONG THE WEST LINE OF SAID LOCKE PROPERTY, S00°20'34"E 101.22' TO A SPIKE SET AT THE SOUTHWEST CORNER OF SAID LOCKE PROPERTY; THENCE ALONG THE SOUTH LINE OF SAID PROPERTY, S90°00'00"E 12.20' TO AN IRON ROD FOUND IN CONCRETE AT THE NORTHWEST CORNER OF THE PROPERTY NOW OR FORMERLY OF FRANK AND MICHAEL DRENNAN, DESCRIBED IN DEED BOOK 1323, PAGE 345; THENCE ALONG THE WEST LINE OF SAID DRENNAN PROPERTY, S23°24'29"W 67.69' TO AN IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SAID PROPERTY; THENCE ALONG THE SOUTHWESTERN PROPERTY LINE OF SAID DRENNAN PROPERTY, S60°41'23"E 134.00' TO A 1/2" GALVANIZED PIPE FOUND; THENCE ALONG THE EASTERN PROPERTY LINE OF SAID PROPERTY, N36°20'19"E 20.00' TO A POINT AT THE EDGE OF AN EXISTING CHANNEL; THENCE EASTERLY, SOUTHERLY AND WESTERLY ALONG THE EXISTING EDGE OF MARSH 355+/-, TO THE INTERSECTION OF THE EDGE OF MARSH AND THE EAST LINE OF WATERSIDE SUBDIVISION, BEING S00°11'00"E 5.00', MORE OR LESS, FROM A 1" GALVANIZED PIPE AS A WITNESS CORNER; THENCE FROM SAID WITNESS CORNER, ALONG THE EAST LINE OF WATERSIDE SUBDIVISION, N00°11'00"W 327.73' TO THE POINT OF BEGINNING, CONTAINING 1.3 ACRES, MORE OR LESS, SAID PROPERTY BEING SUBJECT TO A PROPOSED INGRESS AND EGRESS EASEMENT ALONG THE EAST PROPERTY LINE DESCRIBED AND SHOWN HEREON.

**Indexing: SW ¼ of SW ¼ of 20-7-10**

**STATE OF MISSISSIPPI**

**COUNTY OF HARRISON**

**FIRST JUDICIAL DISTRICT**

**Prepared by and return to:  
David B. Estes  
MS Bar No. 101404  
Integrity Land Title, LLC  
1806 23rd Avenue Suite A  
Gulfport, MS 39501  
(228)896-8962  
File# 4594**

**WARRANTY DEED**

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned,

**ROBERT STEWART LOCKE AND WIFE, SUSAN BURGESS LOCKE  
12 LAFAYETTE PLACE  
GULFPORT, MS 39507  
(228) 596-5891**

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

**GARY A. MCCABE AND WIFE, MARY S. MCCABE  
AS TENANTS BY THE ENTIRETY WITH FULL RIGHTS OF SURVIVORSHIP  
10899 CHANNELSIDE DRIVE  
GULFPORT, MS 39507  
(228) 669-1960**

the following described land together with all improvements thereon located in the First Judicial

District of Harrison County, Mississippi, more particularly described as follows, to-wit:

**SEE ATTACHED EXHIBIT "A"**

THIS CONVEYANCE is subject to any and all easements, restrictive or protective covenants, rights-of-way, zoning ordinances and reservations affecting said property of record.

TAXES for the year 2023 are hereby prorated and the same are hereby assumed by the Grantee herein. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS our signatures on this the 18 day of May, 2023.

*Robert Stewart Locke*

Robert Stewart Locke

*Susan Burgess Locke*

Susan Burgess Locke

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally, appeared before me, the undersigned authority in and for the said county and state on this 18 day of May, 2023, within my jurisdiction, the within named Robert Stewart Locke and wife, Susan Burgess Locke, acknowledged that they executed and delivered the above and foregoing instrument.



(SEAL)

*[Signature]*  
NOTARY PUBLIC

My Commission Expires:

## EXHIBIT "A"

A parcel of land situated in Section 20, Township 7 South, Range 10 West, First Judicial District of Harrison County, Mississippi and more particularly described as follows, to-wit:

Commencing at the SW corner of said Section 20 and running thence run East a distance of 757 feet to the POINT OF BEGINNING; thence run North a distance of 141.1 feet; thence run East a distance of 100 feet; thence run South 24 degrees 49 minutes East a distance of 136.7 feet; thence run South 69 degrees 41 minutes West a distance of 49 feet; thence run West a distance of 111.4 feet to the POINT OF BEGINNING.

### LESS AND EXCEPT:

A parcel of land situated in Section 20, Township 7 South, Range 10 West, First Judicial District of Harrison County, Mississippi, parcel is described as commencing at the SW corner of Section 20 and running thence North along the west line of said Section 20 a distance of 175 feet, more or less, to the north margin of East Taylor Road and the south line of the property now or formerly owned by Kenneth L. Jones; run thence North 89 degrees 33 minutes East along the north margin of said East Taylor Road or projection thereof and south line of Jones property a distance of 757 feet; run thence South a distance of 45.82 feet to the NW corner of the property now or formerly owned by Robert S. and Susan B. Locke and the POINT OF BEGINNING. From said Point of Beginning run thence East a distance of 40 feet; run thence in a southwesterly direction along an arc with a radius of 40 feet a distance of 62.83 feet to the west line of Locke property; run thence North a distance of 40 feet to the POINT OF BEGINNING. Parcel contains 1,256.6 square feet or 0.288 acres.

Being the same property as conveyed in that certain Warranty Deed from Robert S. Locke and Susan B. Locke to the City of Gulfport, dated 8/15/89 and recorded in Deed Book 1138 at Page 229.

**Indexing: Parcel in NW1/4 of NW 1/4 of Sec. 29-7-10**

**STATE OF MISSISSIPPI**

**COUNTY OF HARRISON**

**FIRST JUDICIAL DISTRICT**

**Prepared by and return to:**

**David B. Estes**

**MS Bar No. 101404**

**Integrity Land Title, LLC**

**1806 23rd Avenue, Suite A**

**Gulfport, MS 39501**

**(228)896-8962**

**File#4587**

**WARRANTY DEED**

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid,  
and other good and valuable considerations, the receipt and sufficiency of all of which is hereby  
acknowledged, the undersigned,

**MICHAEL W. DRENNAN AND CATHERINE L. DRENNAN**  
**355 LAKEVIEW DRIVE**  
**BRANDON, MS 39047**  
**(601)906-1631**

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

**GARY A. MCCABE AND WIFE, MARY S. MCCABE**  
**AS JOINT TENANTS WITH FULL RIGHTS OF SURVIVORSHIP AND NOT AS**  
**TENANTS IN COMMON**  
**10899 CHANNELSIDE DRIVE**  
**GULFPORT, MS 39507**  
**(228)669-1960**



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

**SEE EXHIBIT "A"**

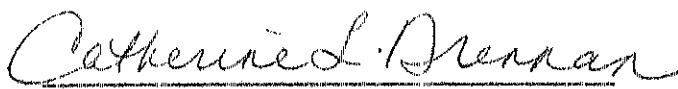
THE ABOVE described property is no part of the homestead of the Grantors nor any part thereof.

THIS CONVEYANCE is subject to any and all easements, restrictive or protective covenants, rights-of-way, zoning ordinances and reservations affecting said property of record.

TAXES for the year 2023 are hereby prorated and the same are hereby assumed by the Grantee herein. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS our signatures this the 25 day of May, 2023.

  
MICHAEL W. DRENNAN

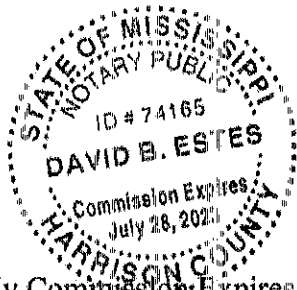
  
CATHERINE L. DRENNAN

STATE OF MISSISSIPPI

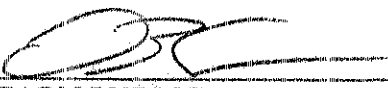
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state on this the 25 day of May, 2023, within my jurisdiction, the within named **MICHAEL W. DRENNAN AND CATHERINE L. DRENNAN**, who acknowledged that he/she/they executed the above and foregoing instrument.

(SEAL)



My Commission Expires:

  
NOTARY PUBLIC

## EXHIBIT "A"

A parcel of land situated in a part of Section 29, Township 7 South, Range 10 West, First Judicial District of Harrison County, Mississippi and more particularly described as follows, to-wit:

Commencing at the NW corner of said Section 29 and run thence run East a distance of 769.2 feet to the POINT OF BEGINNING; thence run East a distance of 99.2 feet to the edge of a channel; thence following the edge of a channel to a point South 63 degrees 15 minutes East a distance of 69.2 feet; thence run South 33 degrees 42 minutes West a distance 118 feet; thence run North 61 degrees 27 minutes West a distance of 134 feet; thence run North 19 degrees East a distance of 70 feet to the POINT OF BEGINNING.

Said land being the same land as that described in that certain Warranty Deed recorded in Book 1152 at Pages 66-67 of the Land Deed Records maintained in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

TOGETHER WITH a non-exclusive perpetual easement and right of way for ingress and egress being described as follows:

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20 AND THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED WITH THE FOLLOWING BEARINGS DERIVED BY RECORDED WATERSIDE SUBDIVISION PLAT AS PER THIS SURVEY BY GENE PAUL STENUM, DATED JUNE 14, 2018, AS FOLLOWS:

COMMENCING AT AN IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI; THENCE ALONG THE WEST LINE OF SAID SECTION 20, N00°22'00"W 181.94' TO AN IRON ROD FOUND ON THE EXISTING NORTH MARGIN OF TAYLOR ROAD; THENCE ALONG SAID NORTH MARGIN, N89°33'34"E 622.68' TO AN IRON ROD FOUND AT THE INTERSECTION OF SAID NORTH MARGIN AND THE EAST MARGIN OF BAYOU PLANTATIONS LANE; THENCE S02°48'47"W 39.85' TO AN IRON ROD FOUND AT THE NORTHEAST CORNER OF WATERSIDE SUBDIVISION, LYING ON THE SOUTH MARGIN OF EAST TAYLOR ROAD; THENCE ALONG SAID SOUTH MARGIN, S88°01'52"E 03.60' TO A SPIKE FOUND; THENCE FURTHER ALONG SAID SOUTH MARGIN, ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 40.00' AND AN ARC LENGTH OF 55.71', HAVING A CHORD OF S33°51'45"E 51.32' TO A P.I.K. NAIL FOUND AT THE INTERSECTION OF SAID SOUTH MARGIN AND THE EDGE OF AN EXISTING ASPHALT DRIVEWAY, SAID POINT BEING THE POINT OF BEGINNING; THENCE FURTHER ALONG SAID SOUTH MARGIN, ALONG A CURVE TO THE LEFT WITH A RADIUS OF 40.00' AND AN ARC LENGTH OF 21.88', HAVING A CHORD OF S68°13'17"E 21.14' TO A NAIL FOUND AT THE THE EAST EDGE OF AN EXISTING ASPHALT DRIVEWAY; THENCE ALONG SAID EAST EDGE OF ASPHALT DRIVEWAY, S03°2'00"W 102.01' TO A COTTON SPIKE FOUND AT THE SOUTHWEST CORNER OF THE PROPERTY NOW OR FORMERLY OF ROBERT AND SUSAN LOCKE, DESCRIBED IN DEED BOOK 1106, PAGE 590; THENCE ALONG THE SOUTH LINE OF SAID LOCKE PROPERTY, S90°00'00"E 12.20' TO AN IRON ROD FOUND AT THE NORTHWEST CORNER OF THE PROPERTY NOW OR FORMERLY OF FRANK AND MICHAEL DRENNAN, DESCRIBED IN DEED BOOK 1323, PAGE 345; THENCE ALONG THE WEST LINE OF SAID DRENNAN PROPERTY, S23°24'29"W 67.69' TO AN IRON PIPE FOUND; THENCE N00°13'22"W 164.77' TO THE POINT OF BEGINNING, CONTAINING 2,652 SQUARE FEET, SAID PROPERTY BEING A PORTION OF THE PROPERTY NOW OR FORMERLY OF ROBERT AND SUSAN LOCKE, DESCRIBED IN DEED BOOK 1106, PAGE 590 AND ALSO A PORTION OF THE PROPERTY NOW OR FORMERLY OF SUSAN LOCKE, DESCRIBED IN INSTRUMENT #2007-0006324-DJ1.

**Indexing: SW ¼ of the SW ¼ & the NW ¼ of the NW ¼ of  
20/29-6-10**

**STATE OF MISSISSIPPI**

**COUNTY OF HARRISON**

**FIRST JUDICIAL DISTRICT**

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

**TITLE NOT EXAMINED**

**QUITCLAIM DEED**

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid,  
and other good and valuable considerations, the receipt and sufficiency of all of which is hereby  
acknowledged, the undersigned,

**GARY A. MCCABE AND WIFE, MARY S. MCCABE  
AND  
MCCABE LAND MANAGEMENT, LLC  
A MISSISSIPPI LIMITED LIABILITY COMPANY  
10899 CHANNELSIDE DRIVE  
GULFPORT, MS 39507  
(228) 669-1960**

do hereby **SELL, CONVEY and QUITCLAIM** unto

**GARY A. MCCABE AND WIFE, MARY S. MCCABE  
AS TENANTS BY THE ENTIRETY WITH FULL RIGHTS OF SURVIVORSHIP  
10899 CHANNELSIDE DRIVE  
GULFPORT, MS 39507  
(228) 669-1960**

covenants, rights-of-way, zoning ordinances and reservations affecting said property of record.

WITNESS our signatures on this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Gary A. McCabe

\_\_\_\_\_  
Mary S. McCabe

MCCABE LAND MANAGEMENT, LLC

BY: \_\_\_\_\_  
Gary A. McCabe, Member

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally, appeared before me, the undersigned authority in and for the said county and state on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, within my jurisdiction, the within named Gary A. McCabe and wife, Mary S. McCabe, acknowledged that they executed and delivered the above and foregoing instrument.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally, appeared before me, the undersigned authority in and for the said county and state on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, within my jurisdiction, the within named Gary A. McCabe, who is a Member of McCabe Land Management, LLC, a Mississippi Limited Liability Company, and that for and on behalf of said limited liability company, and as its act and deed, acknowledged that he executed and delivered the above and foregoing instrument after first having been duly authorized by said limited liability company so to do..

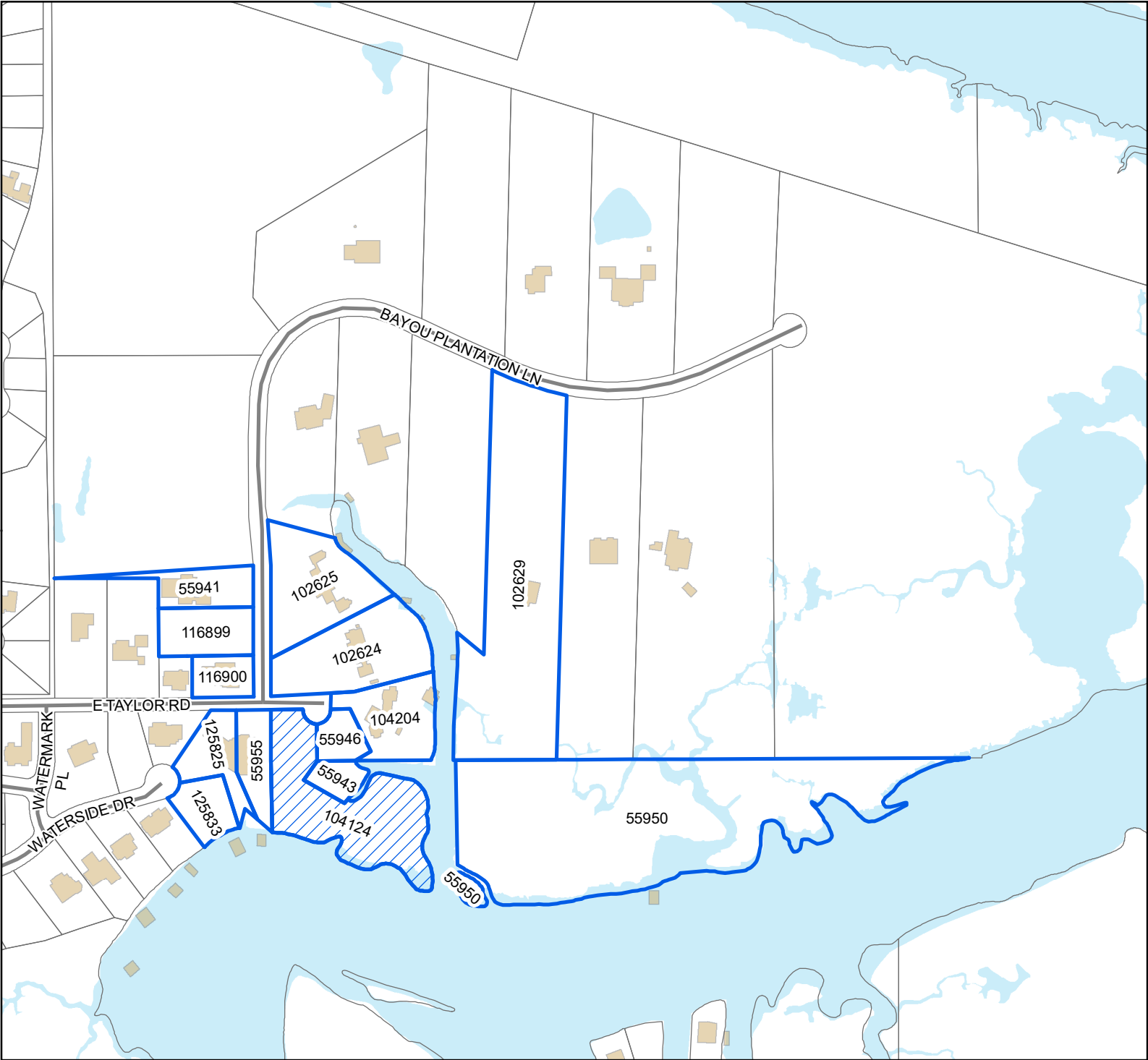


**EXHIBIT A**  
**LEGAL DESCRIPTION**

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20 AND THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED WITH THE FOLLOWING BEARINGS DERIVED BY RECORDED WATERSIDE SUBDIVISION PLAT AS PER THIS SURVEY BY GENE PAUL STENUM, DATED JUNE 14, 2018, AS FOLLOWS:

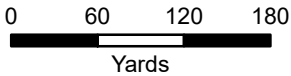
COMMENCING AT AN IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI; THENCE ALONG THE WEST LINE OF SAID SECTION 20, N00°22'00"W 181.94' TO AN IRON ROD FOUND ON THE EXISTING NORTH MARGIN OF TAYLOR ROAD; THENCE ALONG SAID NORTH MARGIN, N89°33'34"E 622.68' TO AN IRON ROD FOUND AT THE INTERSECTION OF SAID NORTH MARGIN AND THE EAST MARGIN OF BAYOU PLANTATIONS LANE; THENCE S00°46'47"W 39.95' TO AN IRON ROD FOUND AT THE NORTHEAST CORNER OF WATERSIDE SUBDIVISION, LYING ON THE SOUTH MARGIN OF EAST TAYLOR ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID SOUTH MARGIN, S89°01'52"E 93.60' TO A SPIKE SET; THENCE FURTHER ALONG SOUTH MARGIN, ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 40.00' AND AN ARC LENGTH OF 70.59', HAVING A CHORD OF S44°31'15"E 61.78' TO A P.K. NAIL FOUND AT THE NORTHWEST CORNER OF THE PROPERTY NOW OR FORMERLY OF ROBERT AND SUSAN LOCKE, DESCRIBED IN DEED BOOK 1406, PAGE 30; THENCE ALONG THE WEST LINE OF SAID LOCKE PROPERTY, S00°20'34"E 101.22' TO A SPIKE SET AT THE SOUTHWEST CORNER OF SAID LOCKE PROPERTY; THENCE ALONG THE SOUTH LINE OF SAID PROPERTY, S90°00'00"E 12.20' TO AN IRON ROD FOUND IN CONCRETE AT THE NORTHWEST CORNER OF THE PROPERTY NOW OR FORMERLY OF FRANK AND MICHAEL DRENNAN, DESCRIBED IN DEED BOOK 1323, PAGE 345; THENCE ALONG THE WEST LINE OF SAID DRENNAN PROPERTY, S23°24'29"W 67.69' TO AN IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SAID PROPERTY; THENCE ALONG THE SOUTHWESTERN PROPERTY LINE OF SAID DRENNAN PROPERTY, S60°41'23"E 134.00' TO A 1/2" GALVANIZED PIPE FOUND; THENCE ALONG THE EASTERN PROPERTY LINE OF SAID PROPERTY, N36°20'19"E 20.00' TO A POINT AT THE EDGE OF AN EXISTING CHANNEL; THENCE EASTERLY, SOUTHERLY AND WESTERLY ALONG THE EXISTING EDGE OF MARSH 355+/-, TO THE INTERSECTION OF THE EDGE OF MARSH AND THE EAST LINE OF WATERSIDE SUBDIVISION, BEING S00°11'00"E 5.00', MORE OR LESS, FROM A 1" GALVANIZED PIPE AS A WITNESS CORNER; THENCE FROM SAID WITNESS CORNER, ALONG THE EAST LINE OF WATERSIDE SUBDIVISION, N00°11'00"W 327.73' TO THE POINT OF BEGINNING, CONTAINING 1.3 ACRES, MORE OR LESS, SAID PROPERTY BEING SUBJECT TO A PROPOSED INGRESS AND EGRESS EASEMENT ALONG THE EAST PROPERTY LINE DESCRIBED AND SHOWN HEREON.

| Mail     | PPIN | Parcel ID                                   | Name                               | Address                   | City     | State | ZIP   |
|----------|------|---------------------------------------------|------------------------------------|---------------------------|----------|-------|-------|
|          |      | 1009O-02-003.003                            | GARY MCCABE (OWNER)                | P.O. BOX 6816             | GULFPORT | MS    | 39506 |
|          |      | 1009O-02-003.003                            | MARY MCCABE (OWNER)                | P.O. BOX 6816             | GULFPORT | MS    | 39506 |
|          |      | <b>Adjacent Property Owners (2407ZB102)</b> |                                    |                           |          |       |       |
| 116899   |      | 1009O-02-004.003                            | BURRELL ANDREW CHARLES & ASHLEY    | 10753 PLANTATION LANE     | GULFPORT | MS    | 39503 |
| 104124   |      | 1009O-02-003.003                            | MCCABE LAND MANAGEMENT LLC         | 10767 E TAYLOR RD         | GULFPORT | MS    | 39503 |
| 55943    |      | 1010B-04-001.000                            | DRENNAN MICHAEL W & CATHERINE L    | 355 LAKEWAY DR            | BRANDON  | MS    | 39047 |
| 104204   |      | 1009O-02-003.000                            | MCCABE TYLER & MAEGEN              | 10767 E TAYLOR RD         | GULFPORT | MS    | 39503 |
| 102629   |      | 1009O-02-002.006                            | STEGALL CHARLES R & TRUDY          | 10745 PLANTATION LANE     | GULFPORT | MS    | 39503 |
| 102625   |      | 1009O-02-002.002                            | ROMANO LEO J & MARIE S             | 10761 PLANTATION LANE     | GULFPORT | MS    | 39503 |
| 55941    |      | 1009O-02-004.000                            | BURRELL ANDREW & ASHLEY            | 12562 LAKE VILLAGE DR     | GULFPORT | MS    | 39503 |
| 102624   |      | 1009O-02-002.001                            | TIPTON RAYMOND E JR                | 10765 PLANTATION LANE     | GULFPORT | MS    | 39503 |
| 55946    |      | 1009O-02-003.001                            | LOCKE ROBERT S & SUSAN B           | 12 LAFAYETTE PLACE        | GULFPORT | MS    | 39507 |
| 116900   |      | 1009O-02-004.004                            | RATHER MARGARET H                  | 10764 BAYOU PLANTATION LN | GULFPORT | MS    | 39503 |
| 55950    |      | 1010B-01-001.000                            | ORANGE GROVE UTILITIES INC         | 110 S WILSON BLVD         | GULFPORT | MS    | 39503 |
| 55955    |      | 1009O-02-005.000                            | BEAMON VERNON F & BAHADUR RAINNA P | 10800 WATERSIDE DR        | GULFPORT | MS    | 39503 |
| 125833   |      | 1010B-04-003.005                            | MCCABE LAND LLC                    | 10899 CHANNELSIDE DR      | GULFPORT | MS    | 39503 |
| N 125825 |      | 1009O-02-005.001                            | BEAMON VERNON F & BAHADUR RAINNA P | 10800 WATERSIDE DR        | GULFPORT | MS    | 39503 |



Legend

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



1 inch = 400 feet



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

**RE: Variance 2407ZB102, by owners Gary & Mary McCabe, seeking approval for a 5-foot tall fence with 6-foot brick columns where 4 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2**

To Applicants and Adjacent Property Owners:

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

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, July 18, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email [planners@gulfport-ms.gov](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> 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 |
|-----------|--------------|-----------------------------------------|----------|---------|------|-------|
| 33468     | 568455       | Print Legal Ad-IPL01809120 - IPL0180912 |          | \$88.75 | 2    | 54 L  |

Attention: Jessica Versiga

GULFPORT CITY HALL  
1410 24 TH AVENUE  
GULFPORT, MS 39501

jversiga@gulfport-ms.gov

### LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, July 18, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

**Variance 2406ZB085**, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 12146 Dedeaux Road, Zoned R-1-10 (Single-Family), Ward 6

**Special Exception 2407SE096**, by agent John Pritchard, seeking approval for a to-go Daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Rd, Zoned B-1 (Neighborhood Business), Ward 5

**Variance 2407ZB098**, by owner Vernon Floyd, seeking approval for a 6-foot tall fence where 4 feet is the height limit, Tax Parcel 0911D-03-060.000, 621 3rd Street, Zoned R-1-7.5 (Single-Family), Ward 2

**Variance 2407ZB101**, by owners Gary & Mary McCabe, seeking approval for an 8-foot fence where 6 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB102**, by owners Gary & Mary McCabe, seeking approval for a 5-foot tall fence with 6-foot brick columns where 4 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB105**, by owner Ashford Holdings LLC, seeking approval for a 15-foot front yard setback where 25 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB106**, by owner Ashford Holdings LLC, seeking approval for a 6-foot side yard setback where 8 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB107**, by owner Ashford Holdings LLC, seeking approval for a 10-foot front yard setback where 25 feet is required for a second frontage, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB109**, by owner LaBella's Salon LLC, seeking approval for parking that backs out into the city right of way, Tax Parcel 0808N-01-012.000, 15095 Dedeaux Road, Zoned B-2 (General Business), Ward 5

This the 25th day of June 2024  
A. Leslie North, Chairman  
City of Gulfport Zoning Board of Adjustment and Appeals  
IPL0180912  
Jul 3 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:  
07/03/24

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

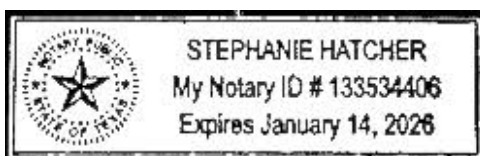
Mary Castro

Sworn to and subscribed before me this 3rd day of July 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:** July 18, 2024

**Re:** Variance 2407ZB105:

Variance 2407ZB105, by owner Ashford Holdings LLC, seeking approval for a 15-foot front yard setback where 25 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

# Technical Report

## VARIANCE

### GENERAL INFORMATION

Case File Number: 2407ZB105

Hearing Date: July 18, 2024

Current Zoning/Use: R-2 / Vacant Lot

Legal: Variance 2407ZB105, by owner Ashford Holdings LLC, seeking approval for a 15-foot front yard setback where 25 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

### TECHNICAL DETAILS

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

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

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

# Technical Report

## VARIANCE

The applicant is seeking approval for a variance to allow for 15-foot front yard setback where 25 feet is required for the construction of a new single-family home at 1610 Pratt Ave. In review of the site plan submitted by the applicant, the rear setback will be met as required by city ordinance.

- (a) The applicant notes, that the “property is a corner lot and the required setbacks would cause the property to lose 50’ of production, posing a challenge, given the dimensions of the home they intend to build. As per zoning regulations, the setbacks for the property mandate 25’ at the front, 25’ on the second frontage (requesting 10’ at the second frontage) (Case #: 2407ZB107), 8’ on the side (requesting 6’ at the side) (Case #: 2407ZB106), and 8’ at the rear. 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 “lot has been vacant since 2005 on August 29th.” The physical characteristic of the property does result in a hardship.
- (c) This variance is requested in order to allow the applicant to deviate from the 25 feet front setback for a 15-foot front setback on the front 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, “Looking at other homes immediately surrounding 1610 Pratt Ave, it appears all of them have applied for variances or built while Smart Code ordinances was in place after Hurricane Katrina.” Neighboring properties are not compliant with the correct setbacks for 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 existing properties that appear not to meet the front setback in the surrounding area.
- (f) This property is zoned R-2, and a single-family residence use is allowed by right.

### **EXECUTIVE SUMMARY**

The applicant displays a genuine hardship due to the overall size of the property coupled with the fact that it is a corner lot. Without this variance, the buildable size on this property would be dramatically reduced. Furthermore, there are several properties on the nearby 2nd Street that were approved for similar frontage setback variances.

Any approval should consider these conditions:

1. Must meet all current building Codes and City of Gulfport Ordinances
2. Approval grants a variance of a 15-foot front yard setback where 25 feet is required.

# Technical Report

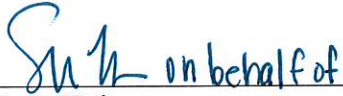
## VARIANCE

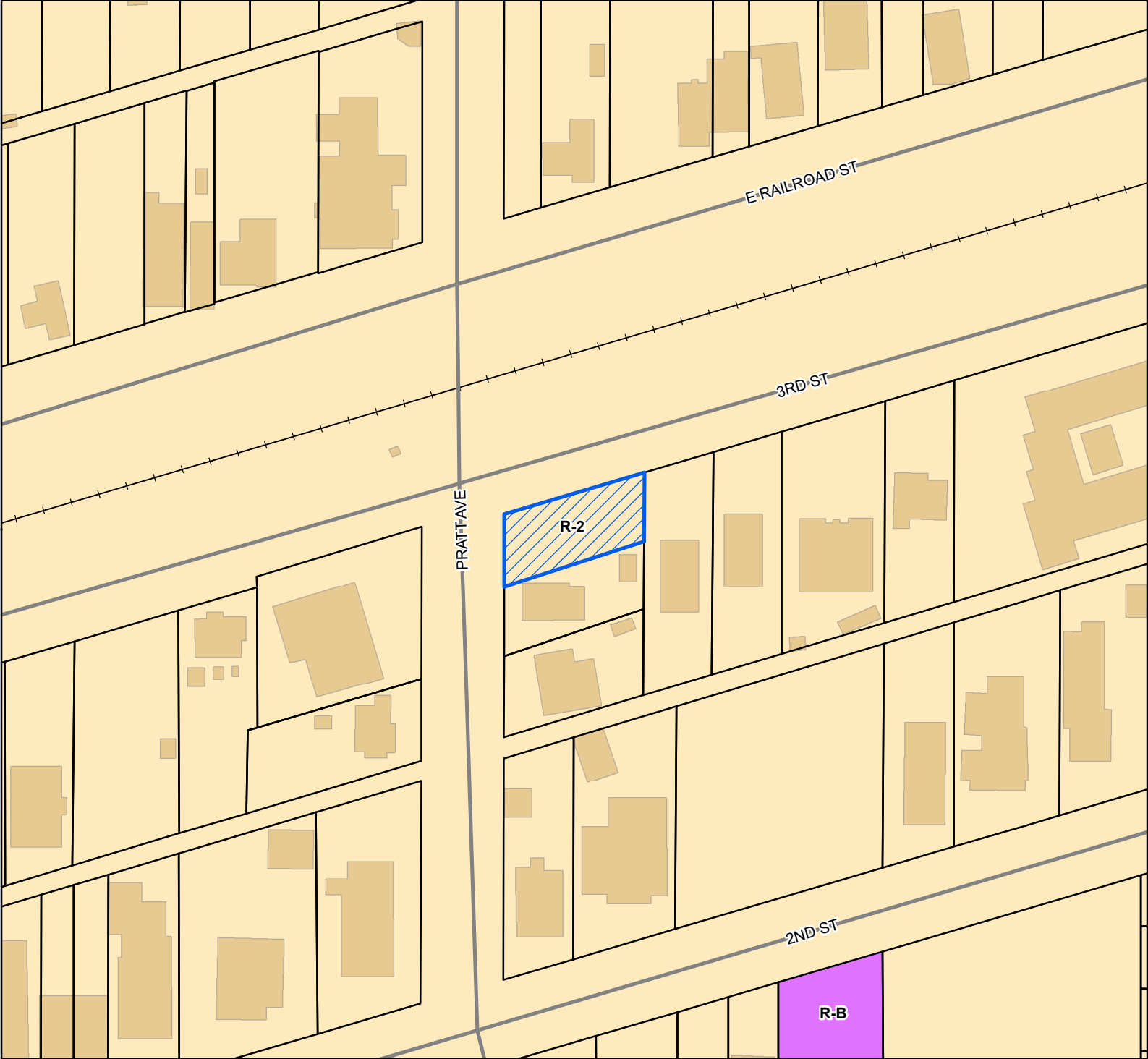
### ***DEPARTMENTAL CONDITIONS***

|                                       |                                                                                           |
|---------------------------------------|-------------------------------------------------------------------------------------------|
| <b><u>Engineering:</u></b>            | No conditions. Memo dated 7/2/2024.                                                       |
| <b><u>Public Works:</u></b>           | No comment as of 7/5/2024.                                                                |
| <b><u>Traffic and Safety:</u></b>     | No conditions. Memo dated 6/28/2024.                                                      |
| <b><u>Building Code Services:</u></b> | Must meet all current building Codes and City of Gulfport Ordinances. Memo dated 6/25/24. |
| <b><u>GIS:</u></b>                    | No conditions. Memo dated 6/25/2024.                                                      |
| <b><u>Police Department:</u></b>      | No comment as of 7/5/2024.                                                                |
| <b><u>Fire Department:</u></b>        | No conditions. Memo dated 6/25/24.                                                        |
| <b><u>City Arborist:</u></b>          | No conditions. Memo dated 6/26/24.                                                        |

### ***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

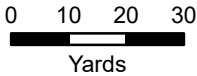
  
\_\_\_\_\_  
Greg Holmes  
Director of Urban Development Department



- Site
- Street
- Railroad
- Parcels
- Buildings
- City Limit

- Zoning**
- R-2 - Single Family
  - Residence District (Medium Density)
  - R-B - Residence-Business District

**Site Information**  
0811G-02-004.000  
Zoning: R-2 (Single-family)  
Size: 5135.03 sqft  
Flood: X



1 inch = 100 feet



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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

|                          |  |
|--------------------------|--|
| 08 / 16 - 02 - 004 . 000 |  |
|                          |  |
|                          |  |
|                          |  |

**Property Address:**

#1610 Pratt Ave., Gulfport, MS 39501

Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Subdivision \_\_\_\_\_

General Description of Request: 15' SET BACK from the property line  
from 25' to 15' because it's a corner lot -25 from the  
West & -25 from the North eat up the entire lot.

### WEST ELEVATION

**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:**

Ashtero Holdings, LLC  
Printed Name of Owner  
24 Poplar Creek  
Mailing Address  
Gps ms 39507  
City State Zip Code  
228 297 9524  
Home Phone Work/Cell Phone  
johnhubble61@gmail.com  
Email  
[Signature]  
Signature of Owner

**AGENT:**

w/a  
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) Same as Above

Address (Street, City, State, Zip Code) \_\_\_\_\_

Phone (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Cell) \_\_\_\_\_

Tax Parcel Number(s) Owned: \_\_\_\_\_

Signature: [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.

\* SEE ATTACHED

Request going from 25' to 15' to  
accommodate new residence!



Variance on 1610 Pratt Ave.

- #1) Property is a corner lot. Under current setbacks the property per question would lose 50' of production to setbacks. From the West Elevation (Pratt Ave) to North Elevation to 3rd Street. Lot is 62' across so  $50 - 8 + 25 = 33'$
- #2 Lot has been vacant since 2005 on August 29th.
- #3 Because it is a corner property you loose a significant portion of house size, based on current setbacks.
- #4 Looking at all the homes immediately surrounding 1610 Pratt Ave, it appears all of them have applied for variances or built while the Smart Code<sup>®</sup> ordinance was in place after Hurricane Katrina.
- #5 I have applied for other variances in the area that resulted in some lovely homes that have won some awards. #1732 2nd St. is one.
- #6 The house immediately to the South has a 15' setback from the Right-of-Way!

John H. Ruble

John H. Ruble

## Variance Submissions

By being a corner Lot & having 25' setbacks from the front or West Elevation & the side or North Elevation would eat up 50 ft from the North & West.

In addition, w/ a frontage of 52' on Pratt Ave, current set backs are 25' from North & 8' on the South. Here's the math.  $52' - 25' = 27' - 8' = 19'$   
You cant build a home in the area off 2nd Street w/ 19' width on the house.  
You would never sell it!

John





## COVENANT AFFIDAVIT

I, John H Ruble being property owner or agent of the property 24 # Poplar Creek Cor ms  
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] 6-24-24  
SIGNATURE DATE

### STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 3rd day of June, 2024

[Signature]  
NOTARY PUBLIC

1-13-2028  
COMMISSION EXPIRATION

★ STATE OF MISSISSIPPI ★  
TARA M PEASE, NOTARY PUBLIC  
HARRISON COUNTY  
MY COMMISSION EXPIRES JANUARY 13, 2028  
COMMISSION NUMBER 34711

#1610 Pratt Avenue  
Gulfport, ms 39507  
(228) 297-9528

Total House Under Beam: 2880 ft<sup>2</sup>

Total Front Porch: 360 ft<sup>2</sup>

Total Rear Porch: 144 ft<sup>2</sup>

Total Garage: 576 ft<sup>2</sup>

Total House, Hatched & Gabled: 1800 ft<sup>2</sup>

Gratt

(Z)

52'

WEST

*for*

36'  
15' setback

10

Front porch

6' setback

TH CON TH

*for*

2x24 garage

2,880 sq ft under beam  
REAR PORCH

10' setback

105'

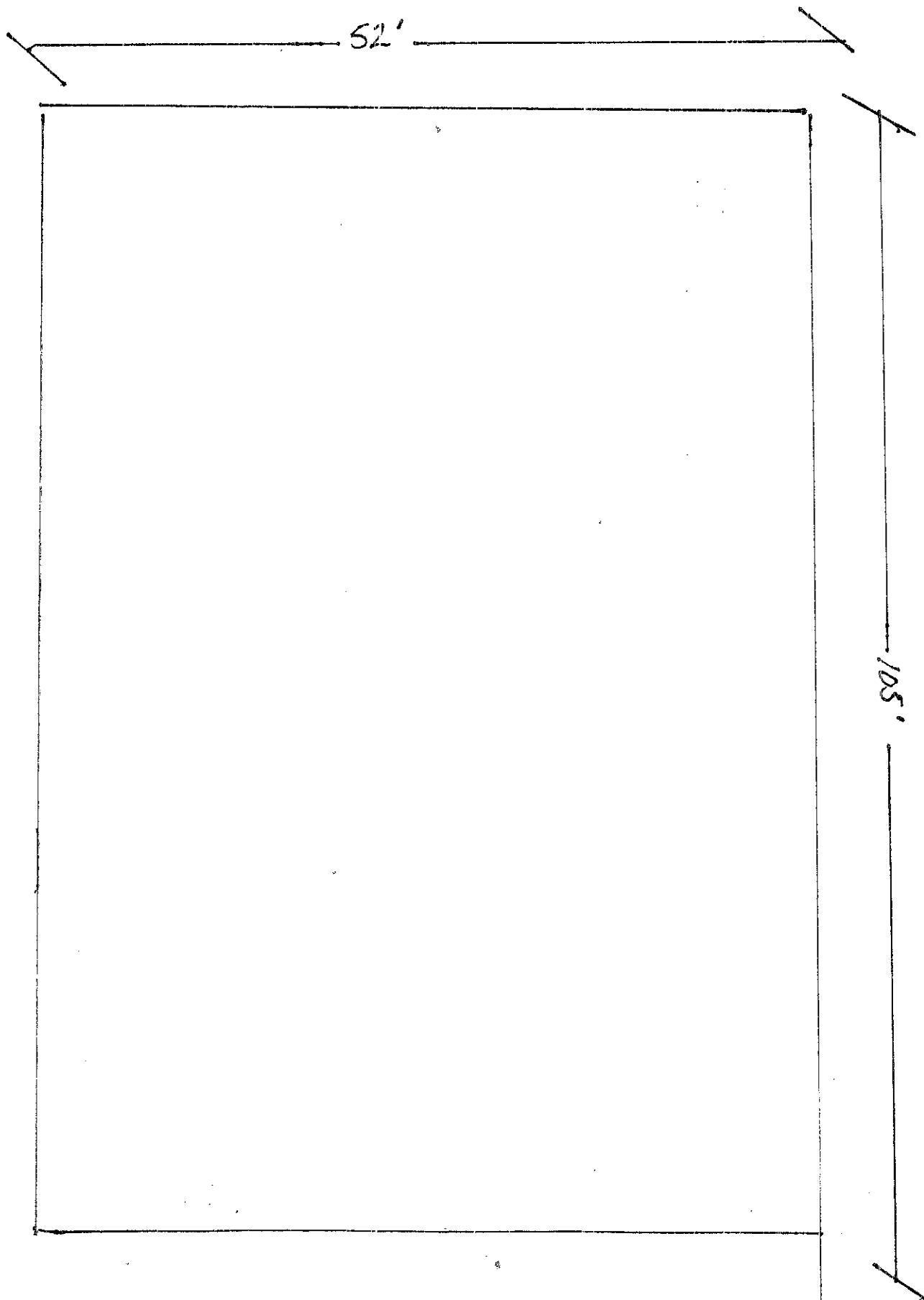
3rd St

*for*  
NORTH

10' setback

EAST

*for*



E RAILROAD ST



# Area Map

Printed 6/3/2024

3RD ST

40

0811G-02-004.000

1610 PRATT AVE

1525 3RD ST A 1525 3RD ST B

0811G-02-003.000

0811G-02-003.001

0811G-02-003.002

1531 3RD ST

0811G-02-005.000

1620 PRATT AVE

0811G-03-001.000

1625 PRATT AVE

4092

PRATT AVE

1187

138

0811G-02-006.000

1740

1618 PRATT AVE

112

1070

0811G-03-002.000

0811G-02-009.000

0811G-02-007.000

785

0811G-02-008.000

1540 2ND ST

0811G-03-039.000

403

1532 2ND ST

Initial and date here:

Planner: \_\_\_\_\_

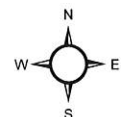
Owner: \_\_\_\_\_

Contractor: \_\_\_\_\_

Addresspoints Edits addresspoints

STRUCT\_CLASS

- Primary
- Residential
- Unclassified
- Collector
- Minor/Residential
- Parcels



1 inch = 42 feet

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1st JUDICIAL DISTRICT  
INSTRUMENT 2023-0019005-D-J1  
FILED/RECORDED 9/21/2023 11:25:01 AM  
TOTAL FEES \$26.00  
3 PAGES RECORDED

**INDEXING INSTRUCTIONS:** Lots 43, 44, 45, and 46, Block 7, SORIA CITY, Harrison County, MS

**This instrument prepared by and return to:**

Joel Blackledge, MSB 10606  
Blackledge Law Firm  
PO Box 8155  
Gulfport, MS 39506  
(228) 669-6254  
File No.: 634.1338

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,

Kendra Breeland and Danny Cuevas

*Kendra Breeland*  
*7391 Smithfield Rd*  
*Mobile, AL 36695*  
*251-564-5412*

do(es) hereby sell, convey and warrant unto

Ashford Holding Co., LLC  
24 Poplar Cir  
Gulfport, MS 39507  
228-297-9520

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

**SEE EXHIBIT "A" ATTACHED HERETO**

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

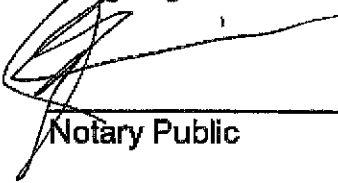
TAXES for the 2023 year have been pro-rated between the parties

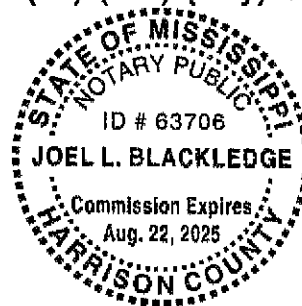
WITNESS MY SIGNATURE, on this the 21st day of September, 2023.

  
Kendra Breeland  
  
Danny Cuevas

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

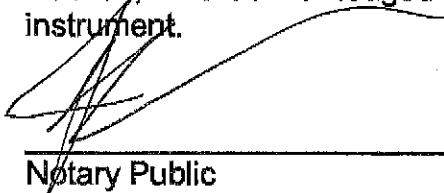
Personally appeared before me, the undersigned authority in and for the said county and state, on this 21st day of September, 2023, within my jurisdiction, the within named Kendra Breeland, who acknowledged that (he) (she) (they) executed the above and foregoing instrument.

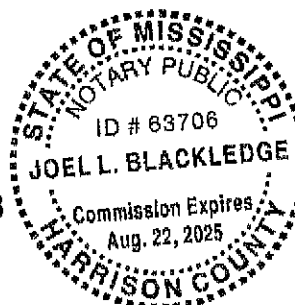
  
Notary Public



STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 21st day of September, 2023, within my jurisdiction, the within Danny Cuevas, who acknowledged that (he) (she) (they) executed the above and foregoing instrument.

  
Notary Public



**EXHIBIT "A"**

**The North 50 feet of Lots 43, 44, 45, and 46, Block 7, SORIA CITY, 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, together with all improvements situated thereon.**



# Michael Watson

## SECRETARY OF STATE

This is not an official certificate of good standing.

### Name History

| Name                  | Name Type |
|-----------------------|-----------|
| ASHFORD HOLDINGS, LLC | Legal     |

### Business Information

|                                  |                                        |
|----------------------------------|----------------------------------------|
| <b>Business Type:</b>            | Limited Liability Company              |
| <b>Business ID:</b>              | 1312297                                |
| <b>Status:</b>                   | Good Standing                          |
| <b>Effective Date:</b>           | 11/18/2021                             |
| <b>State of Incorporation:</b>   | Mississippi                            |
| <b>Principal Office Address:</b> | 24 Poplar Circle<br>Gulfport, MS 39507 |

### Registered Agent

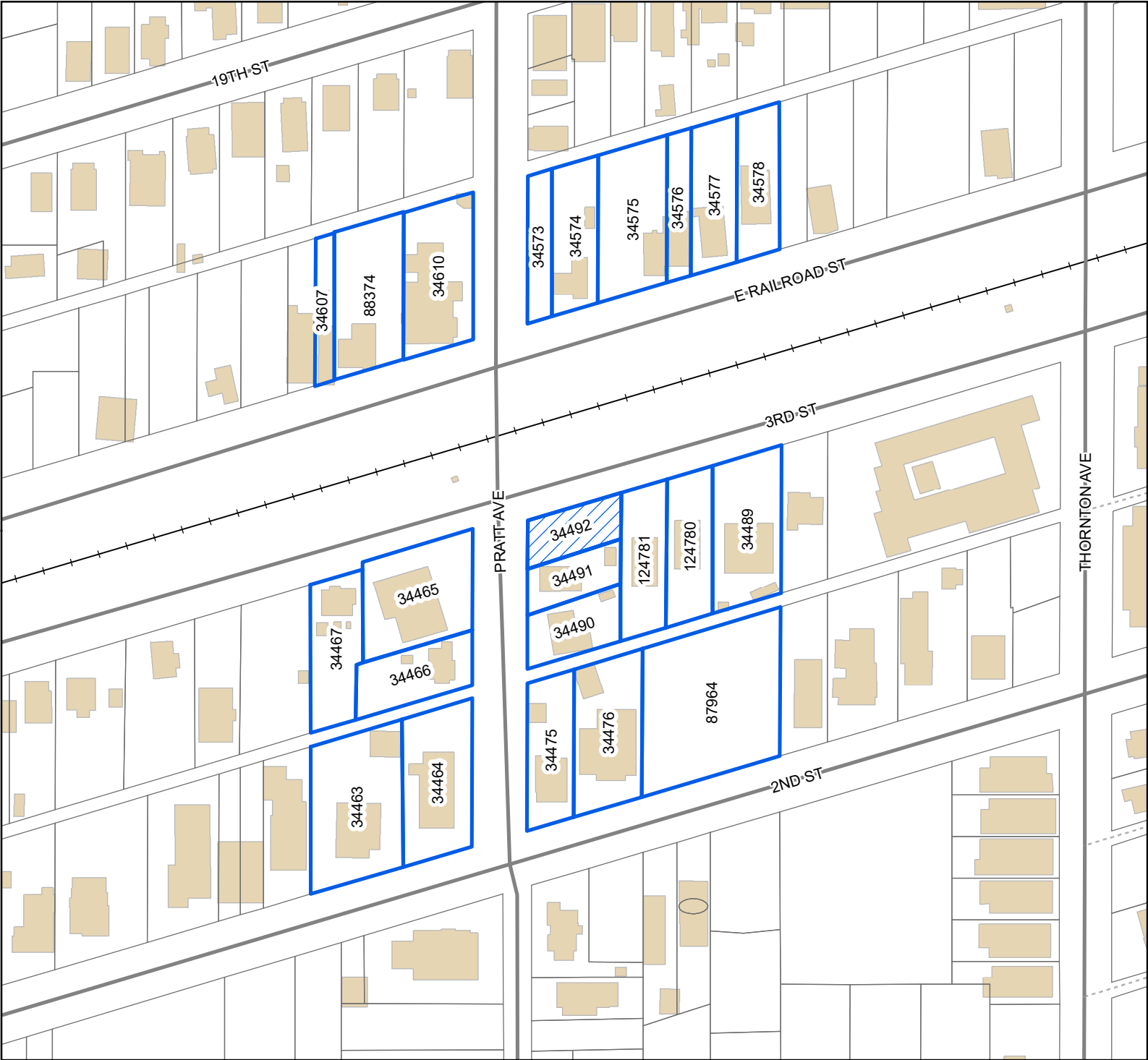
| Name                                                         |
|--------------------------------------------------------------|
| J William Williams<br>2409 14th Street<br>Gulfport, MS 39501 |

### Officers & Directors

| Name                                                         | Title     |
|--------------------------------------------------------------|-----------|
| J William Williams<br>2409 14th Street<br>Gulfport, MS 39501 | Organizer |
| John H Ruble<br>24 Poplar Circle<br>Gulfport, MS 39507       | Manager   |

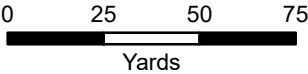
| Mail   | PPIN             | Parcel ID        | Name                                        | Address                | City       | State | ZIP   |
|--------|------------------|------------------|---------------------------------------------|------------------------|------------|-------|-------|
|        |                  | 0811G-02-004.000 | ASHFORD HOLDINGS, LLC (OWNER)               | 24 POPLAR CIRCLE       | GULFPORT   | MS    | 39507 |
|        |                  |                  | <b>Adjacent Property Owners (2407ZB105)</b> |                        |            |       |       |
| 34467  | 0811G-03-003.000 |                  | MEYER ROSE MARIE                            | 1615 3RD ST            | GULFPORT   | MS    | 39501 |
| 34607  | 0811G-04-062.000 |                  | WILLIAMS BERNADETTE                         | P O BOX 8792           | GULFPORT   | MS    | 39506 |
| 34578  | 0811G-01-064.000 |                  | JOHNSONHILL INVESTMENTS LLC                 | 6 STONESTHROW DR       | LAUREL     | MS    | 39440 |
| 34573  | 0811G-01-069.000 |                  | SMITH CLAUD W                               | 1540 EAST RAILROAD ST  | GULFPORT   | MS    | 39501 |
| 34465  | 0811G-03-001.000 |                  | KS CONTRACTING LLC                          | 13440 WOODLAND DR      | GULFPORT   | MS    | 39503 |
| 87964  | 0811G-02-009.000 |                  | FINLEY ROSEMARY B                           | 20111 LOVERS LN        | LONG BEACH | MS    | 39560 |
| 34466  | 0811G-03-002.000 |                  | WHITE JAMES NORMAN                          | 4115 FRANKLIN AVE      | GULFPORT   | MS    | 39501 |
| 34576  | 0811G-01-066.000 |                  | HAWTHORNE MATTIE & FLINTALL EMMA            | 1435 22ND ST           | GULFPORT   | MS    | 39501 |
| 34476  | 0811G-02-008.000 |                  | KS INVESTMENTS LLC                          | 13440 WOODLAND DR      | GULFPORT   | MS    | 39503 |
| 34475  | 0811G-02-007.000 |                  | BLACKWELL FRED D & TAMI L                   | 1544 2ND ST            | GULFPORT   | MS    | 39501 |
| 34492  | 0811G-02-004.000 |                  | BREELAND KENDRA C & DANNY CUEVAS            | 7393 SMITHFIELD RD     | MOBILE     | AL    | 36695 |
| 34491  | 0811G-02-005.000 |                  | GRAAFMEYER DEBRA L & COSCIA GERARD          | 1620 PRATT AVE         | GULFPORT   | MS    | 39501 |
| 34463  | 0811G-03-038.000 |                  | HESTER DOUGLAS J & JANET M                  | 2 GLEN EAGLES DR       | JACKSON    | MS    | 39211 |
| 34574  | 0811G-01-068.000 |                  | SMITH CLAUD                                 | 1540 E RAILROAD ST     | GULFPORT   | MS    | 39501 |
| 34490  | 0811G-02-006.000 |                  | GUARDIA LORI ADCOCK                         | 1618 PRATT AVE         | GULFPORT   | MS    | 39501 |
| 34577  | 0811G-01-065.000 |                  | CLAY ROBERT K                               | 1530 E RAILROAD ST     | GULFPORT   | MS    | 39501 |
| 34575  | 0811G-01-067.000 |                  | QUINCE MITCHELL E                           | 1102- 35TH STREET      | GULFPORT   | MS    | 39501 |
| 34464  | 0811G-03-039.000 |                  | BOSARGE JOHN STEPHEN REVOC TRUST            | 1600 2ND ST            | GULFPORT   | MS    | 39501 |
| 34610  | 0811G-04-060.000 |                  | MCCLENDON PERCY & PAULA                     | 1602 E RAILROAD ST     | GULFPORT   | MS    | 39501 |
| 124781 | 0811G-02-003.002 |                  | MAUREPAS HOLDINGS LLC                       | 11519 OAKLAWN RD       | BILOXI     | MS    | 39532 |
| 124780 | 0811G-02-003.001 |                  | FOWLER LAVELL                               | 2107 23RD AVE UNIT A   | GULFPORT   | MS    | 39501 |
| 34489  | 0811G-02-003.000 |                  | 1519 3RD STREET LLC                         | 39 PALMETTO            | KENNER     | LA    | 70065 |
| 88374  | 0811G-04-061.000 |                  | LUCKETT CONNIE R & CLEOTHA                  | 14525 S COUNTRYWOOD DR | GULFPORT   | MS    | 39503 |
|        |                  |                  | JOHN H RUBLE                                | 24 POPLAR CIRCLE       | GULFPORT   | MS    | 39507 |





Legend

- Site
- Adjacent Properties
- Street
- Alley
- Railroad
- Buildings



1 inch = 150 feet



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**RE: Variance 2407ZB105, by owner Ashford Holdings LLC, seeking approval for a 15-foot front yard setback where 25 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2**

To Applicants and Adjacent Property Owners:

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

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, July 18, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email [planners@gulfport-ms.gov](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> 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 |
|-----------|--------------|-----------------------------------------|----------|---------|------|-------|
| 33468     | 568455       | Print Legal Ad-IPL01809120 - IPL0180912 |          | \$88.75 | 2    | 54 L  |

Attention: Jessica Versiga

GULFPORT CITY HALL  
1410 24 TH AVENUE  
GULFPORT, MS 39501

jversiga@gulfport-ms.gov

### LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, July 18, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

**Variance 2406ZB085**, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 12146 Dedeaux Road, Zoned R-1-10 (Single-Family), Ward 6

**Special Exception 2407SE096**, by agent John Pritchard, seeking approval for a to-go Daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Rd, Zoned B-1 (Neighborhood Business), Ward 5

**Variance 2407ZB098**, by owner Vernon Floyd, seeking approval for a 6-foot tall fence where 4 feet is the height limit, Tax Parcel 0911D-03-060.000, 621 3rd Street, Zoned R-1-7.5 (Single-Family), Ward 2

**Variance 2407ZB101**, by owners Gary & Mary McCabe, seeking approval for an 8-foot fence where 6 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB102**, by owners Gary & Mary McCabe, seeking approval for a 5-foot tall fence with 6-foot brick columns where 4 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB105**, by owner Ashford Holdings LLC, seeking approval for a 15-foot front yard setback where 25 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB106**, by owner Ashford Holdings LLC, seeking approval for a 6-foot side yard setback where 8 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB107**, by owner Ashford Holdings LLC, seeking approval for a 10-foot front yard setback where 25 feet is required for a second frontage, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB109**, by owner LaBella's Salon LLC, seeking approval for parking that backs out into the city right of way, Tax Parcel 0808N-01-012.000, 15095 Dedeaux Road, Zoned B-2 (General Business), Ward 5

This the 25th day of June 2024  
A. Leslie North, Chairman  
City of Gulfport Zoning Board of Adjustment and Appeals  
IPL0180912  
Jul 3 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:  
07/03/24

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

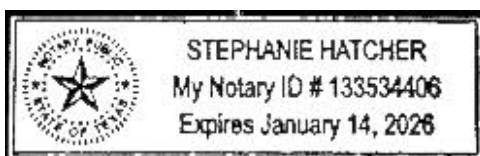
Mary Castro

Sworn to and subscribed before me this 3rd day of July  
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:** July 18, 2024

**Re:** Variance 2407ZB106:

Variance 2407ZB106, by owner Ashford Holdings LLC, seeking approval for a 6-foot side yard setback where 8 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

# Technical Report

## VARIANCE

### GENERAL INFORMATION

Case File Number: 2407ZB106

Hearing Date: July 18, 2024

Current Zoning/Use: R-2 / Vacant Lot

Legal: Variance 2407ZB106, by owner Ashford Holdings LLC, seeking approval for a 6-foot side yard setback where 8 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

### TECHNICAL DETAILS

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

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

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



# Technical Report

## VARIANCE

The applicant is seeking approval for a variance to allow for 6-foot south side yard setback where 8 feet is required for the construction of a new single-family home at 1610 Pratt Ave. In review of the site plan submitted by the applicant, the rear setback will be met as required by city ordinance.

- (a) The applicant notes, that the “property is a corner lot and the required setbacks would cause the property to lose 50’ of production, posing a challenge, given the dimensions of the home they intend to build. As per zoning regulations, the setbacks for the property mandate 25’ at the front (requesting 15’ at the front) (Case #: 2407ZB105), 25’ on the second frontage (requesting 10’ at the second frontage) (Case #: 2407ZB107), 8’ on the side, and 8’ at the rear. 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 “lot has been vacant since 2005 on August 29th.” The physical characteristic of the property does result in a hardship.
- (c) This variance is requested in order to allow the applicant to deviate from the 8 feet side setback for a 6-foot south side setback on the 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, “Looking at other homes immediately surrounding 1610 Pratt Ave, it appears all of them have applied for variances or built while Smart Code ordinances was in place after Hurricane Katrina.” Neighboring properties are not compliant with the correct setbacks for 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 existing properties that appear not to meet the side yard setback in the surrounding area.
- (f) This property is zoned R-2, and a single-family residence use is allowed by right.

### ***EXECUTIVE SUMMARY***

The applicant displays a genuine hardship due to the overall size of the property coupled with the fact that it is a corner lot. Without this variance, the buildable size on this property would be dramatically reduced. Furthermore, there are existing properties that appear not to meet the side yard setback in the surrounding area.

Any approval should consider these conditions:

1. Must meet all current building Codes and City of Gulfport Ordinances
2. Approval grants a variance of 6-foot south side yard setback where 8 feet is required.

# Technical Report

## VARIANCE

### ***DEPARTMENTAL CONDITIONS***

|                                       |                                                                                           |
|---------------------------------------|-------------------------------------------------------------------------------------------|
| <b><u>Engineering:</u></b>            | No conditions. Memo dated 7/2/2024.                                                       |
| <b><u>Public Works:</u></b>           | No comment as of 7/5/2024.                                                                |
| <b><u>Traffic and Safety:</u></b>     | No conditions. Memo dated 6/29/2024.                                                      |
| <b><u>Building Code Services:</u></b> | Must meet all current building Codes and City of Gulfport Ordinances. Memo dated 6/25/24. |
| <b><u>GIS:</u></b>                    | No conditions. Memo dated 6/25/2024.                                                      |
| <b><u>Police Department:</u></b>      | No comment as of 7/5/2024.                                                                |
| <b><u>Fire Department:</u></b>        | No conditions. Memo dated 6/25/24.                                                        |
| <b><u>City Arborist:</u></b>          | No conditions. Memo dated 6/26/24.                                                        |

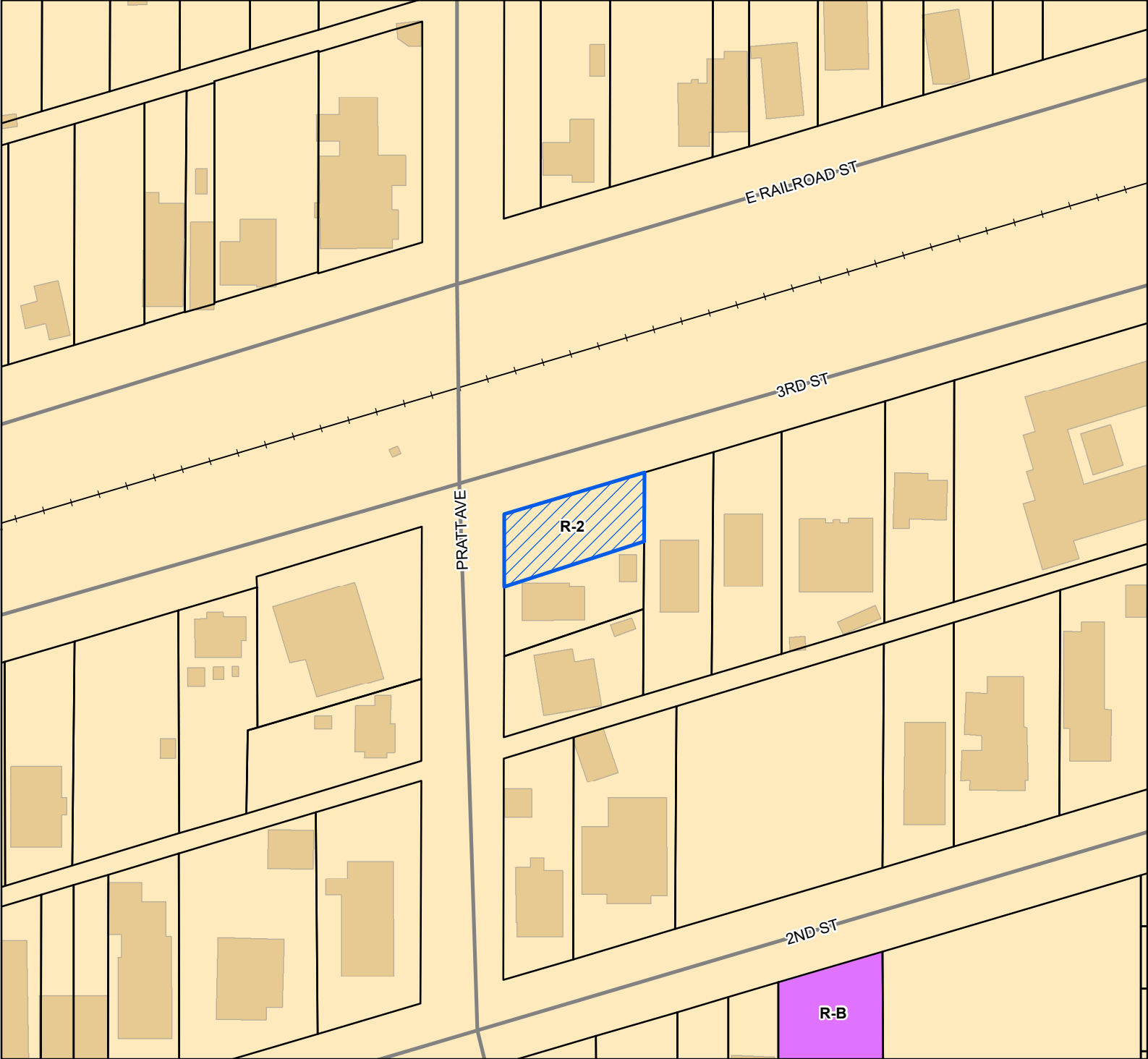
### ***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

 on behalf of \_\_\_\_\_

Greg Holmes

Director of Urban Development Department



Site

Street

Railroad

Parcels

Buildings

City Limit

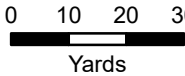
**Zoning**

R-2 - Single Family

Residence District (Medium Density)

R-B - Residence-Business District

**Site Information**  
0811G-02-004.000  
Zoning: R-2 (Single-family)  
Size: 5135.03 sqft  
Flood: X



1 inch = 100 feet



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L35 JJ

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

|                  |  |
|------------------|--|
| 08116-02-004.000 |  |
|                  |  |
|                  |  |
|                  |  |

**Property Address:**

# 1610 Pratt Ave., Gulfport, MS 39501

Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Subdivision \_\_\_\_\_

### General Description of Request:

General Description of Request: <sup>Southside</sup> from 8' to 6' to Allow A bigger footprint of still be able to have passage of a HVAC Unit Compressor.

**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:**

Ashford Holdings, LLC  
 Printed Name of Owner  
24 Poplar Circle  
 Mailing Address  
Gpr ms 39507  
 City 228 State 297 Zip Code 9529  
 Home Phone \_\_\_\_\_ Work/Cell Phone \_\_\_\_\_  
johnhubble61@gmail.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) Ashford Holdings, LLC  
 Address (Street, City, State, Zip Code) 24 Poplar Circle, Gulfport, MS 39507  
 Phone (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Cell) \_\_\_\_\_  
 Tax Parcel Number(s) Owned: 0811G-02-004.000  
 Signature: [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

*bjm*  
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.

*\* SEE ATTACHED*

*move setback from 8' to 6' setbacks  
to accommodate a new home.*

Variance on 1610 Pratt Ave.

- #1) Property is a corner lot. Under current setbacks the property per question would lose 50' of production to setbacks. From the West Elevation (Pratt Ave) to North Elevation to 3rd Street. Lot is 62' across so  $50 - 8 + 25 = 33'$
- #2 Lot has been vacant since 2005 on August 29th.
- #3 Because it is a corner property you lose a significant portion of house size, based on current setbacks.
- #4 Looking at all the homes immediately surrounding 1610 Pratt Ave, it appears all of them have applied for variances or built while the Smart Code<sup>®</sup> ordinance was in place after Hurricane Katrina.
- #5 I have applied for other variances in the area that resulted in some lovely homes that have won some awards. #1732 2nd St. is one.
- #6 The house immediately to the South has a 15' setback from the Right-of-Way!

fluffy

T. J. Ruble

## Variance Submissions

By being a corner Lot & having 25' setbacks from the front or West Elevation & the side or North Elevation would eat up 50 ft from the North & West.

In addition, w/ a frontage of 52' on Pratt Ave, current set backs are 25' from North & 8' on the South. Here's the math.  $\text{Total} = 52' - 25' = 27' - 8' = 19'$

You can't build a home in the area off 2nd Street w/ 19' width on the house  
You would never sell it!

John



## COVENANT AFFIDAVIT

I, Thasiah being property owner or agent of the property 2469 Pine Lane  
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] 6-3-24  
SIGNATURE DATE

### STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 3<sup>rd</sup> day of June, 2024

[Signature]  
NOTARY PUBLIC

1-13-2028  
COMMISSION EXPIRATION

★ STATE OF MISSISSIPPI ★  
TARA M PEASE, NOTARY PUBLIC  
HARRISON COUNTY  
MY COMMISSION EXPIRES JANUARY 13, 2028  
COMMISSION NUMBER 34711

#1610 Pratt Avenue  
Gulfport, ms 39507  
(228) 297-9526

Total House Under Beam: 2880 ft<sup>2</sup>

Total Front Porch: 360 ft<sup>2</sup>

Total REAR Porch: 144 ft<sup>2</sup>

Total GARAGE: 576 ft<sup>2</sup>

Total House / Hentel & Covered: 1800 ft<sup>2</sup>

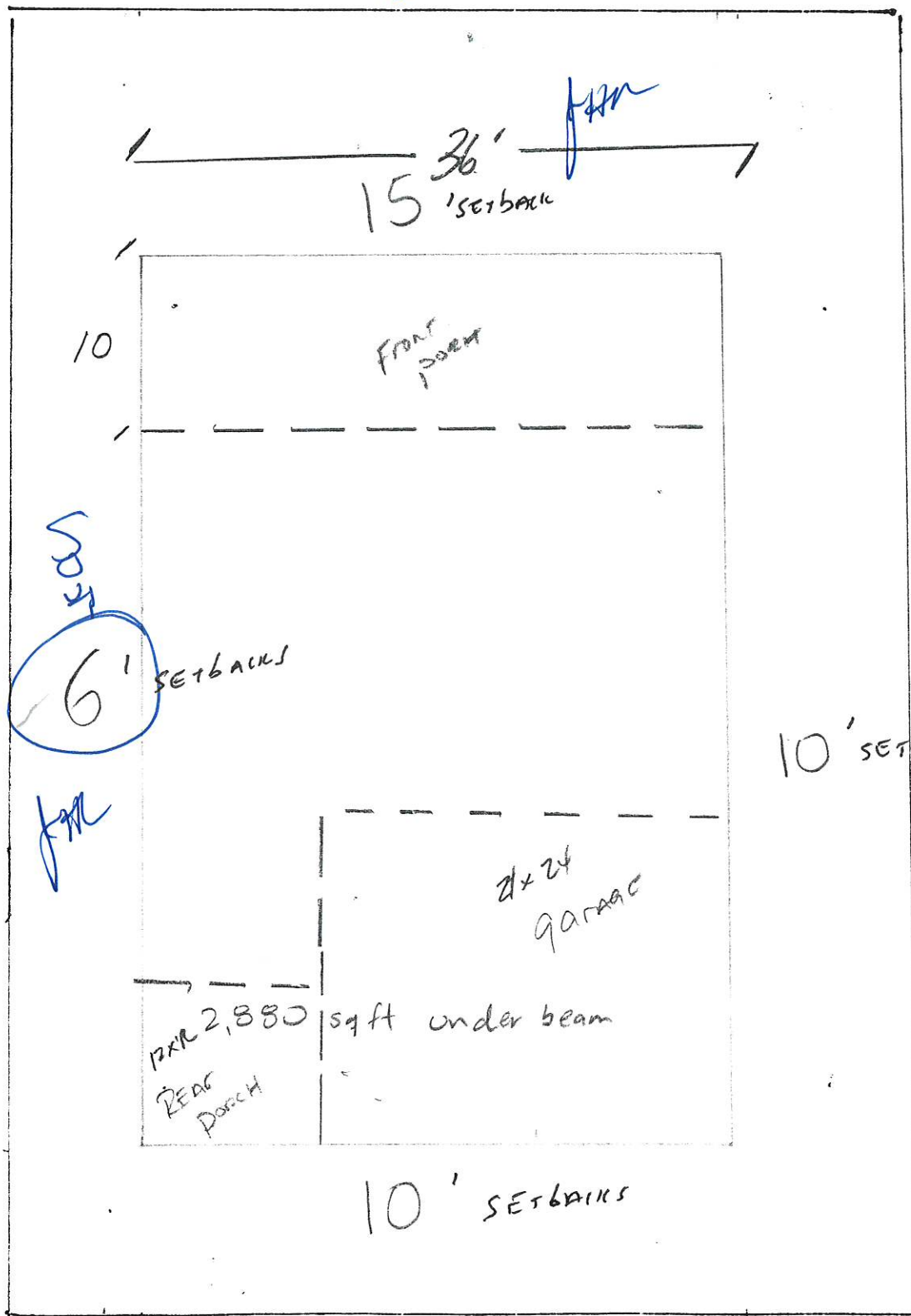


Pratt

(Z)

52'

W 655

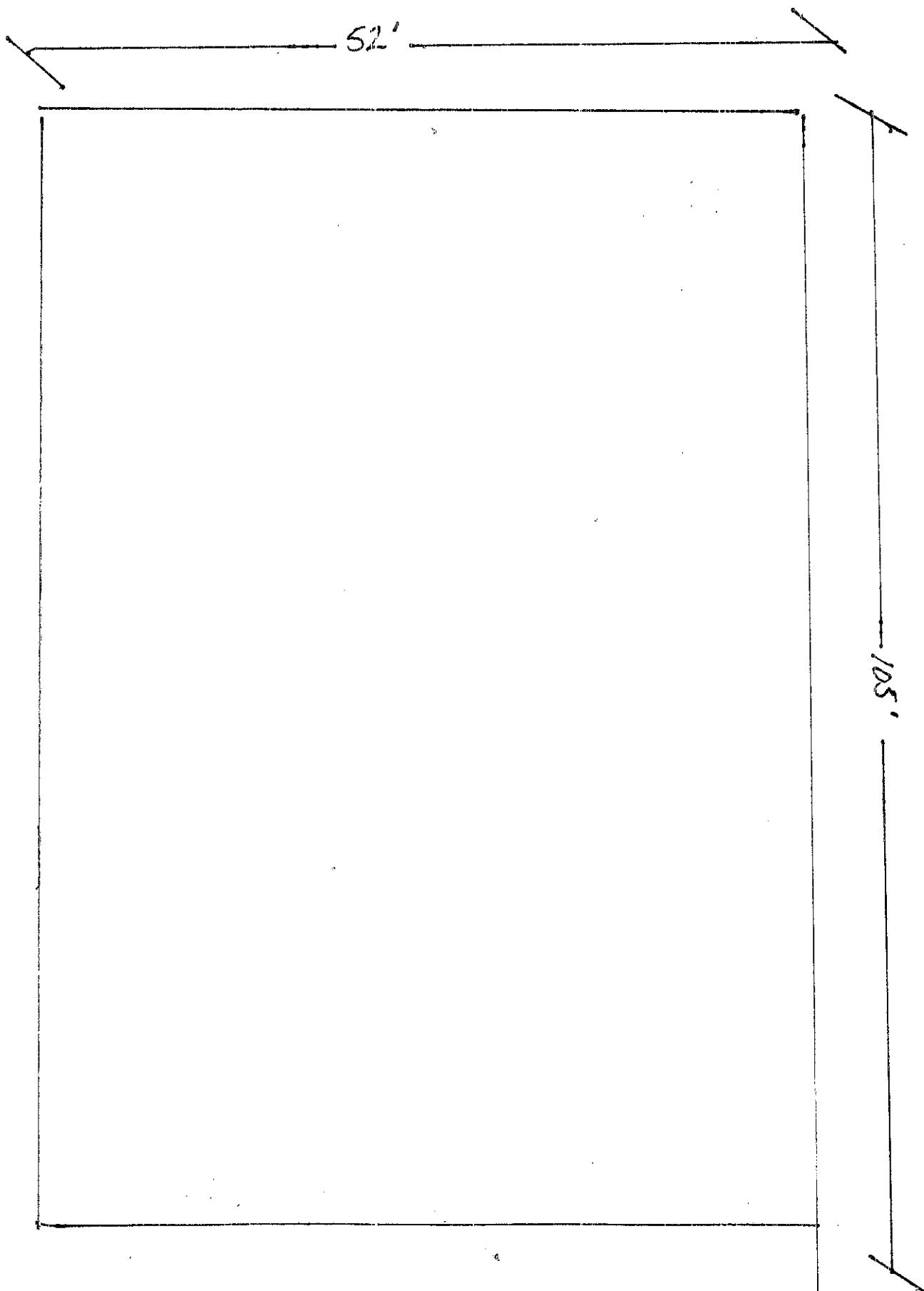


South

3rd St

North

East



E RAILROAD ST



# Area Map

Printed 6/3/2024

3RD ST

40

0811G-02-004.000

1610 PRATT AVE

1525 3RD ST A 1525 3RD ST B

0811G-02-003.000

0811G-02-003.001

2755

1531 3RD ST A 1531 3RD ST B

1434

0811G-02-003.002

1439

1525 3RD ST

1531 3RD ST

1187

0811G-02-005.000

1620 PRATT AVE

138

0811G-02-006.000

1740

1618 PRATT AVE

112

PRATT AVE

1625 PRATT AVE

0811G-03-001.000

4092

1070

0811G-03-002.000

0811G-02-009.000

0811G-02-007.000

785

0811G-02-008.000

1540 2ND ST

403

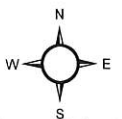
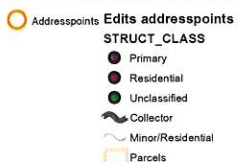
1532 2ND ST

Initial and date here:

Planner: \_\_\_\_\_

Owner: \_\_\_\_\_

Contractor: \_\_\_\_\_



1 inch = 42 feet

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1st JUDICIAL DISTRICT  
INSTRUMENT 2023-0019005-D-J1  
FILED/RECORDED 9/21/2023 11:25:01 AM  
TOTAL FEES \$26.00  
3 PAGES RECORDED

**INDEXING INSTRUCTIONS:** Lots 43, 44, 45, and 46, Block 7, SORIA CITY, Harrison County, MS

**This Instrument prepared by and return to:**

Joel Blackledge, MSB 10606  
Blackledge Law Firm  
PO Box 8155  
Gulfport, MS 39506  
(228) 669-6254  
File No.: 634.1338

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,

Kendra Breeland and Danny Cuevas

*Kendra Breeland*  
*7391 Smithfield Rd*  
*Mobile, AL 36695*  
*251-564-5412*

do(es) hereby sell, convey and warrant unto

Ashford Holding Co., LLC  
24 Poplar Cir  
Gulfport, MS 39507  
228-297-9520

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

**SEE EXHIBIT "A" ATTACHED HERETO**

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

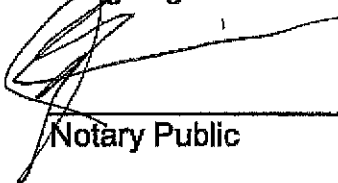
TAXES for the 2023 year have been pro-rated between the parties

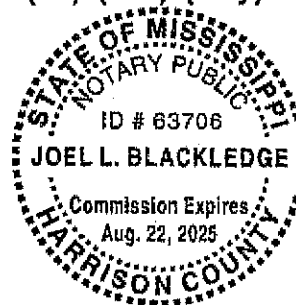
WITNESS MY SIGNATURE, on this the 21st day of September, 2023.

  
Kendra Breeland  
  
Danny Cuevas

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

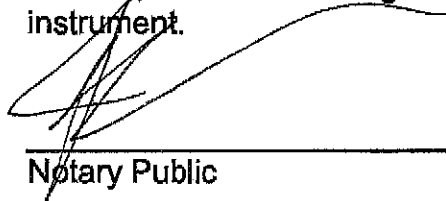
Personally appeared before me, the undersigned authority in and for the said county and state, on this 21st day of September, 2023, within my jurisdiction, the within named Kendra Breeland, who acknowledged that (he) (she) (they) executed the above and foregoing instrument.

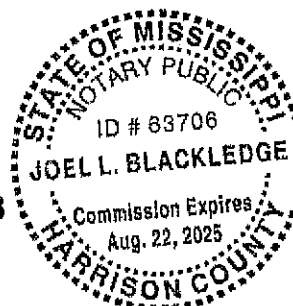
  
Notary Public



STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 21st day of September, 2023, within my jurisdiction, the within Danny Cuevas, who acknowledged that (he) (she) (they) executed the above and foregoing instrument.

  
Notary Public





**EXHIBIT "A"**

**The North 50 feet of Lots 43, 44, 45, and 46, Block 7, SORIA CITY, 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, together with all improvements situated thereon.**



# Michael Watson

## SECRETARY OF STATE

This is not an official certificate of good standing.

### Name History

---

| Name                  | Name Type |
|-----------------------|-----------|
| ASHFORD HOLDINGS, LLC | Legal     |

### Business Information

---

|                                  |                                        |
|----------------------------------|----------------------------------------|
| <b>Business Type:</b>            | Limited Liability Company              |
| <b>Business ID:</b>              | 1312297                                |
| <b>Status:</b>                   | Good Standing                          |
| <b>Effective Date:</b>           | 11/18/2021                             |
| <b>State of Incorporation:</b>   | Mississippi                            |
| <b>Principal Office Address:</b> | 24 Poplar Circle<br>Gulfport, MS 39507 |

### Registered Agent

---

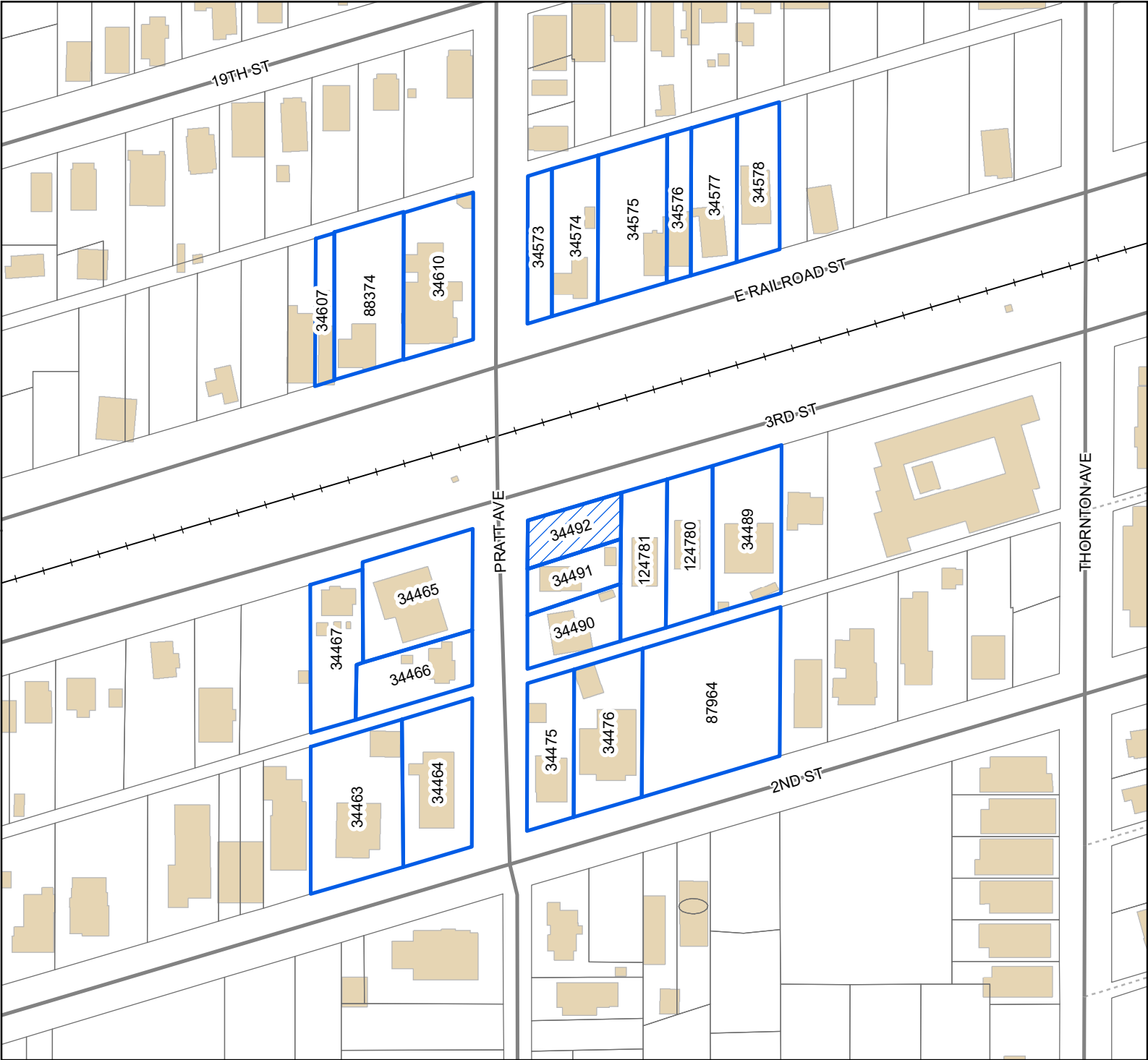
**Name**  
J William Williams  
2409 14th Street  
Gulfport, MS 39501

### Officers & Directors

---

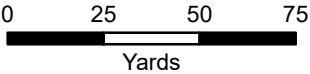
| Name                                                         | Title     |
|--------------------------------------------------------------|-----------|
| J William Williams<br>2409 14th Street<br>Gulfport, MS 39501 | Organizer |
| John H Ruble<br>24 Poplar Circle<br>Gulfport, MS 39507       | Manager   |

| Mail   | PPIN             | Parcel ID        | Name                                        | Address                | City       | State | ZIP   |
|--------|------------------|------------------|---------------------------------------------|------------------------|------------|-------|-------|
|        |                  | 0811G-02-004.000 | ASHFORD HOLDINGS, LLC (OWNER)               | 24 POPLAR CIRCLE       | GULFPORT   | MS    | 39507 |
|        |                  |                  | <b>Adjacent Property Owners (2407ZB106)</b> |                        |            |       |       |
| 34467  | 0811G-03-003.000 |                  | MEYER ROSE MARIE                            | 1615 3RD ST            | GULFPORT   | MS    | 39501 |
| 34607  | 0811G-04-062.000 |                  | WILLIAMS BERNADETTE                         | P O BOX 8792           | GULFPORT   | MS    | 39506 |
| 34578  | 0811G-01-064.000 |                  | JOHNSONHILL INVESTMENTS LLC                 | 6 STONESTHROW DR       | LAUREL     | MS    | 39440 |
| 34573  | 0811G-01-069.000 |                  | SMITH CLAUD W                               | 1540 EAST RAILROAD ST  | GULFPORT   | MS    | 39501 |
| 34465  | 0811G-03-001.000 |                  | KS CONTRACTING LLC                          | 13440 WOODLAND DR      | GULFPORT   | MS    | 39503 |
| 87964  | 0811G-02-009.000 |                  | FINLEY ROSEMARY B                           | 20111 LOVERS LN        | LONG BEACH | MS    | 39560 |
| 34466  | 0811G-03-002.000 |                  | WHITE JAMES NORMAN                          | 4115 FRANKLIN AVE      | GULFPORT   | MS    | 39501 |
| 34576  | 0811G-01-066.000 |                  | HAWTHORNE MATTIE & FLINTALL EMMA            | 1435 22ND ST           | GULFPORT   | MS    | 39501 |
| 34476  | 0811G-02-008.000 |                  | KS INVESTMENTS LLC                          | 13440 WOODLAND DR      | GULFPORT   | MS    | 39503 |
| 34475  | 0811G-02-007.000 |                  | BLACKWELL FRED D & TAMI L                   | 1544 2ND ST            | GULFPORT   | MS    | 39501 |
| 34492  | 0811G-02-004.000 |                  | BREELAND KENDRA C & DANNY CUEVAS            | 7393 SMITHFIELD RD     | MOBILE     | AL    | 36695 |
| 34491  | 0811G-02-005.000 |                  | GRAAFMEYER DEBRA L & COSCIA GERARD          | 1620 PRATT AVE         | GULFPORT   | MS    | 39501 |
| 34463  | 0811G-03-038.000 |                  | HESTER DOUGLAS J & JANET M                  | 2 GLEN EAGLES DR       | JACKSON    | MS    | 39211 |
| 34574  | 0811G-01-068.000 |                  | SMITH CLAUD                                 | 1540 E RAILROAD ST     | GULFPORT   | MS    | 39501 |
| 34490  | 0811G-02-006.000 |                  | GUARDIA LORI ADCOCK                         | 1618 PRATT AVE         | GULFPORT   | MS    | 39501 |
| 34577  | 0811G-01-065.000 |                  | CLAY ROBERT K                               | 1530 E RAILROAD ST     | GULFPORT   | MS    | 39501 |
| 34575  | 0811G-01-067.000 |                  | QUINCE MITCHELL E                           | 1102- 35TH STREET      | GULFPORT   | MS    | 39501 |
| 34464  | 0811G-03-039.000 |                  | BOSARGE JOHN STEPHEN REVOC TRUST            | 1600 2ND ST            | GULFPORT   | MS    | 39501 |
| 34610  | 0811G-04-060.000 |                  | MCCLENDON PERCY & PAULA                     | 1602 E RAILROAD ST     | GULFPORT   | MS    | 39501 |
| 124781 | 0811G-02-003.002 |                  | MAUREPAS HOLDINGS LLC                       | 11519 OAKLAWN RD       | BILOXI     | MS    | 39532 |
| 124780 | 0811G-02-003.001 |                  | FOWLER LAVELL                               | 2107 23RD AVE UNIT A   | GULFPORT   | MS    | 39501 |
| 34489  | 0811G-02-003.000 |                  | 1519 3RD STREET LLC                         | 39 PALMETTO            | KENNER     | LA    | 70065 |
| 88374  | 0811G-04-061.000 |                  | LUCKETT CONNIE R & CLEOTHA                  | 14525 S COUNTRYWOOD DR | GULFPORT   | MS    | 39503 |
|        |                  |                  | JOHN H RUBLE                                | 24 POPLAR CIRCLE       | GULFPORT   | MS    | 39507 |



Legend

- Site
- Adjacent Properties
- Street
- Alley
- Railroad
- Buildings



1 inch = 150 feet



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**RE: Variance 2407ZB106, by owner Ashford Holdings LLC, seeking approval for a 6-foot side yard setback where 8 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2**

To Applicants and Adjacent Property Owners:

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

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, July 18, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email [planners@gulfport-ms.gov](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> 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 |
|-----------|--------------|-----------------------------------------|----------|---------|------|-------|
| 33468     | 568455       | Print Legal Ad-IPL01809120 - IPL0180912 |          | \$88.75 | 2    | 54 L  |

Attention: Jessica Versiga

GULFPORT CITY HALL  
1410 24 TH AVENUE  
GULFPORT, MS 39501

jversiga@gulfport-ms.gov

### LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, July 18, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

**Variance 2406ZB085**, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 12146 Dedeaux Road, Zoned R-1-10 (Single-Family), Ward 6

**Special Exception 2407SE096**, by agent John Pritchard, seeking approval for a to-go Daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Rd, Zoned B-1 (Neighborhood Business), Ward 5

**Variance 2407ZB098**, by owner Vernon Floyd, seeking approval for a 6-foot tall fence where 4 feet is the height limit, Tax Parcel 0911D-03-060.000, 621 3rd Street, Zoned R-1-7.5 (Single-Family), Ward 2

**Variance 2407ZB101**, by owners Gary & Mary McCabe, seeking approval for an 8-foot fence where 6 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB102**, by owners Gary & Mary McCabe, seeking approval for a 5-foot tall fence with 6-foot brick columns where 4 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB105**, by owner Ashford Holdings LLC, seeking approval for a 15-foot front yard setback where 25 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB106**, by owner Ashford Holdings LLC, seeking approval for a 6-foot side yard setback where 8 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB107**, by owner Ashford Holdings LLC, seeking approval for a 10-foot front yard setback where 25 feet is required for a second frontage, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB109**, by owner LaBella's Salon LLC, seeking approval for parking that backs out into the city right of way, Tax Parcel 0808N-01-012.000, 15095 Dedeaux Road, Zoned B-2 (General Business), Ward 5

This the 25th day of June 2024

A. Leslie North, Chairman  
City of Gulfport Zoning Board of Adjustment and Appeals  
IPL0180912  
Jul 3 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:  
07/03/24

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

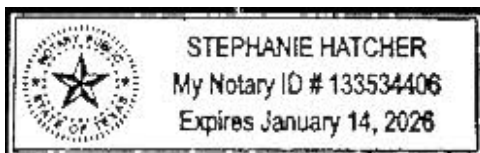
*Mary Castro*

Sworn to and subscribed before me this 3rd day of July 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:** July 18, 2024

**Re:** Variance 2407ZB107:

Variance 2407ZB107, by owner Ashford Holdings LLC, seeking approval for a 10-foot front yard setback where 25 feet is required for a second frontage, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

# **Technical Report**

## ***VARIANCE***

### ***GENERAL INFORMATION***

Case File Number: 2407ZB107

Hearing Date: July 18, 2024

Current Zoning/Use: R-2/ Vacant Lot

Legal: Variance 2407ZB107, by owner Ashford Holdings LLC, seeking approval for a 10-foot front yard setback where 25 feet is required for a second frontage, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

### ***TECHNICAL DETAILS***

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

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

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

# Technical Report

## VARIANCE

The applicant requests a variance to allow for a second frontage setback of 10 feet where 25 feet is required. The applicant addresses the hardship questions below.

- (a) The applicant states that property is a corner lot. "Under current setbacks, the property in question would lose 50 feet." The second frontage setback requirement would be considered a hardship, as the overall size of the lot is 5135 sqft. The setback requirement would significantly reduce the allowed buildable space.
- (b) The applicant states that the lot has been vacant since 2005. This statement does not pertain to the question of whether or not the hardship is the direct cause of the applicant.
- (c) Applicant states that the hardship results from the property being a corner lot. Because this property fronts two public right of ways, this results in the applicant having to adhere to the front setback of 25 feet which does reduce the overall buildable space. The physical characteristic of the property does result in a hardship
- (d) The applicant states that homes immediately surrounding the property appeared to have applied for variances. Upon staff review, the immediate surrounding properties did not have variances applied for and were either done prior to the ordinance or done without permission. However, this property is located close to 2<sup>nd</sup> Street which has had several properties that went for variances pertaining to frontage setbacks. Approval of this application would be in harmony with the neighboring areas.
- (e) Applicant states that they have applied for variances before in that area. Upon staff review, there were several properties in the nearby 2<sup>nd</sup> Street that went before the board and were approved for the frontage setbacks, notably case #1905ZB062, #2103ZB048, and #2112ZB183.
- (f) This property is zoned R-2, and a single family home is allowed by right.

### ***EXECUTIVE SUMMARY***

The applicant displays a genuine hardship due to the overall size of the property coupled with the fact that it is a corner lot. Without this variance, the buildable size on this property would be dramatically reduced. Furthermore, there are several properties on the nearby 2<sup>nd</sup> Street that were approved for similar frontage setback variances.

Any approval should consider these conditions:

- 1. Must comply with all rules and regulations.
- 2. Approval would allow for a second frontage setback of 10 feet where 25 feet is allowed.

### ***DEPARTMENTAL CONDITIONS***

**Engineering:** No conditions. Memo dated 07/02/2024.

**Public Works:** No comment as of 07/08/2024

**Traffic and Safety:** No conditions. Memo dated 06/29/2024.

# Technical Report

## VARIANCE

**Building Code Services:** Must meet all current building codes and City of Gulfport Ordinances. Memo dated 06/25/2024.

**GIS:** No conditions. Memo dated 06/25/2024.

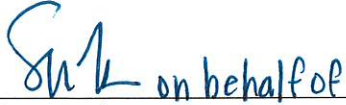
**Police Department:** No comment as of 07/08/2024.

**Fire Department:** No conditions. Memo dated 06/25/2024.

**City Arborist:** No conditions. Memo dated 06/26/2024.

### ***DIRECTOR APPROVAL***

This report has been reviewed and approved by:

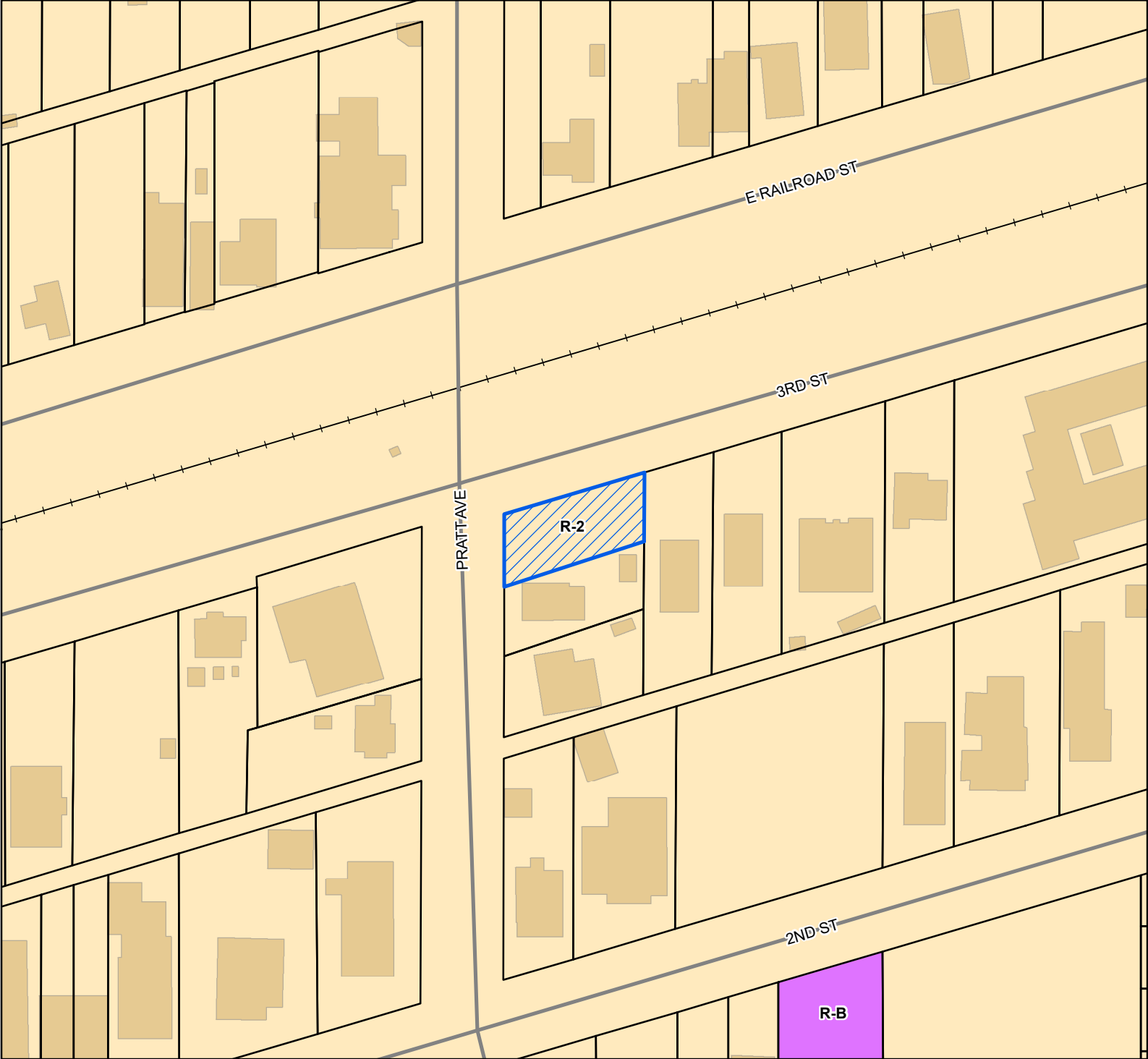
 on behalf of

Greg Holmes

Director of Urban Development Department







 Site

 Street

 Railroad

 Parcels

 Buildings

 City Limit

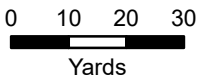
**Zoning**

 R-2 - Single Family

 Residence District (Medium Density)

 R-B - Residence-Business District

**Site Information**  
0811G-02-004.000  
Zoning: R-2 (Single-family)  
Size: 5135.03 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.

22

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

**OWNER:**Ashford Holdings, LLC

Printed Name of Owner

24 Poplar Circle

Mailing Address

Gulfport, MS 39507

City

State

Zip Code

228-297-9520

Home Phone

Work/Cell Phone

Email

johnhubble6@gmail.com

Signature of Owner

**AGENT:**W/a

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) Ashford Holdings, LLCAddress (Street, City, State, Zip Code) 24 Poplar Circle, Gulfport, MS 39507Phone (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Cell) 228-297-9520Tax Parcel Number(s) Owned: 0811G-02-004.000Signature: [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.

\* SEE ATTACHED  
NORTH - REQUEST SET BACK FROM 25' to  
10' to Accomodate home on Part of 2<sup>nd</sup>  
ST.

Variance on 1610 Pratt Ave.

- #1) Property is a corner lot. Under current setbacks the property on question would lose 50' of production to setbacks. From the West Elevation (Pratt Ave) to North Elevation to 3rd Street. Lot is 62' across so  $50 - 8 + 25 = 33'$
- #2 Lot has been vacant since 2005 on August 29th.
- #3 Because it is a corner property you lose a significant portion of house size, based on current setbacks.
- #4 Looking at all the homes immediately surrounding 1610 Pratt Ave, it appears all of them have applied for variances or built while the Smart Code<sup>®</sup> ordinance was in place after Hurricane Katrina.
- #5 I have applied for other variances in the area that resulted in some lovely homes that have won some awards. #1732 2nd St. is one.
- #6 The house immediately to the South has a 15' setback from the Right-of-Way!

ph

T. J. Ruble



## Variance Submissions

By being a corner Lot & having 25' setbacks from the front or West Elevation & the side or North Elevation would eat up 50 ft from the North & West.

In addition, w/ a frontage of 52' on Pratt Ave, current set backs are 25' from North & 8' on the South. Here's the math.  $\text{Total} = 52' - 25' = 27' - 8' = 19'$

You can't build a home in the area off 2<sup>nd</sup> Street w/ 19' width on the house  
You would never sell it!

John



## COVENANT AFFIDAVIT

I, John H. Hill being property owner or agent of the property 24 Poplar Creek Sp-110  
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] 6-3-24  
SIGNATURE DATE

### STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 3rd day of June, 20 24

[Signature]  
NOTARY PUBLIC

1-13-2028  
COMMISSION EXPIRATION

★ STATE OF MISSISSIPPI ★  
TARA M PEASE, NOTARY PUBLIC  
HARRISON COUNTY  
MY COMMISSION EXPIRES JANUARY 13, 2028  
COMMISSION NUMBER 34711

#1610 Pratt Avenue  
Gulfport, MS 39507  
(228) 297-9528

Total House Under Beam: 2880 ft<sup>2</sup>

Total Front Porch: 360 ft<sup>2</sup>

Total Rear Porch: 144 ft<sup>2</sup>

Total Garage: 576 ft<sup>2</sup>

Total House, Hatched & Capped: 1800 ft<sup>2</sup>

Pratt

(Z)

52'

WEST *JA*

15' <sup>36"</sup> setback

10

FRONT PORCH

6' setback

80'

10' setback

105'

3rd St

NORTH

SOUTH

*JA*

2x24 GARAGE

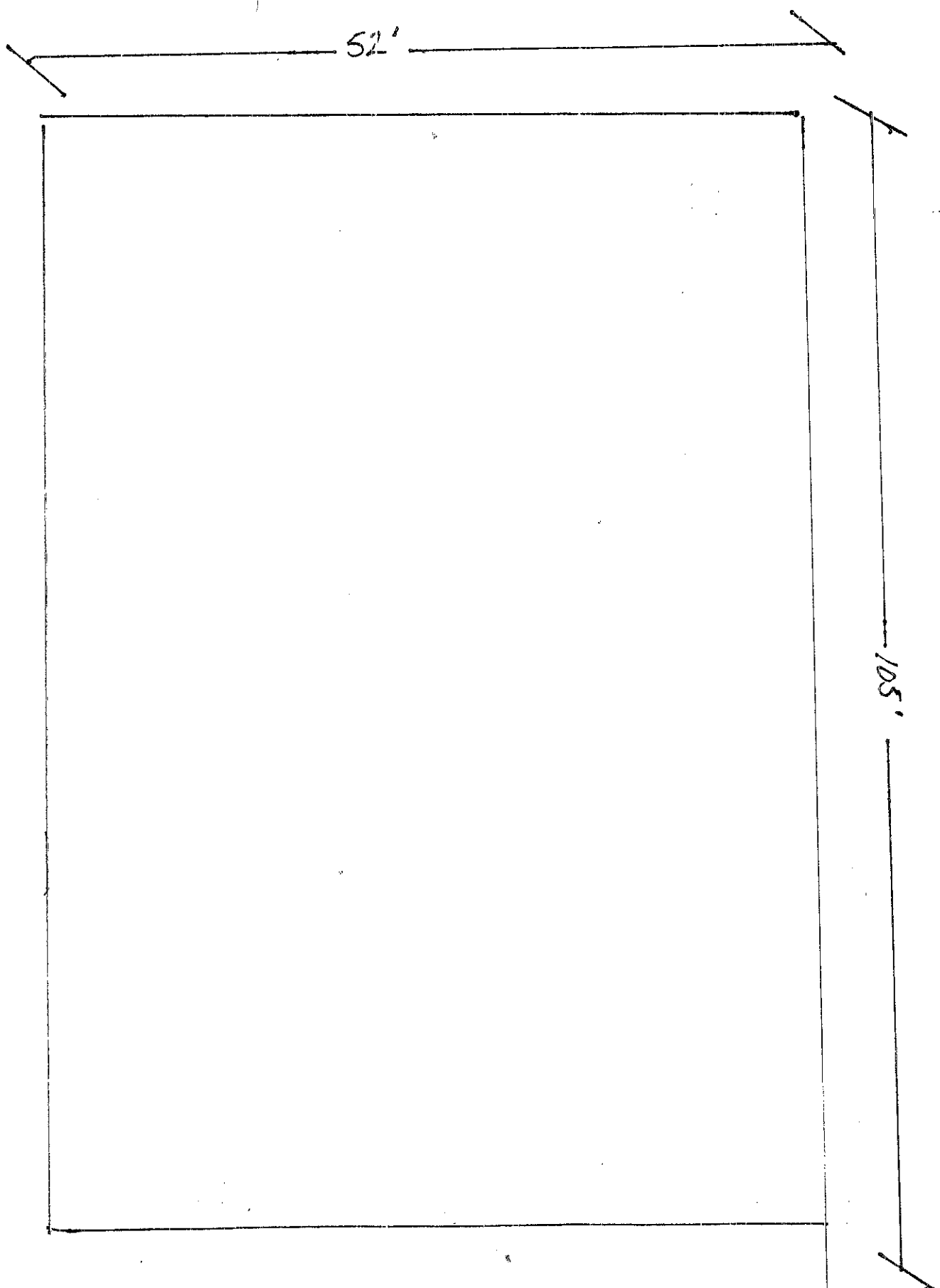
PRR 2,880

REAR PORCH

sq ft under beam

10' setback

EAST *JA*





E RAILROAD ST



# Area Map

Printed 6/3/2024

3RD ST

40

0811G-02-004.000

1610 PRATT AVE

1525 3RD ST A 1525 3RD ST B

0811G-02-003.000

0811G-02-003.001

2755

1531 3RD ST A 1531 3RD ST B

0811G-02-003.002

1439

1531 3RD ST

1525 3RD ST

1187

0811G-02-005.000

1620 PRATT AVE

138

0811G-02-006.000

1740

1618 PRATT AVE

112

PRATT AVE

1625 PRATT AVE

0811G-03-001.000

4092

1070

0811G-03-002.000

0811G-02-007.000

403

785

0811G-02-008.000

1540 2ND ST

0811G-02-009.000

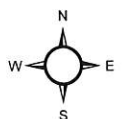
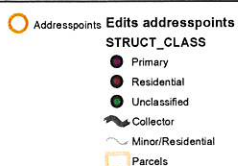
1532 2ND ST

Initial and date here:

Planner: \_\_\_\_\_

Owner: \_\_\_\_\_

Contractor: \_\_\_\_\_



1 inch = 42 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.



1st JUDICIAL DISTRICT  
INSTRUMENT 2023-0019005-D-J1  
FILED/RECORDED 9/21/2023 11:25:01 AM  
TOTAL FEES \$26.00  
3 PAGES RECORDED

**INDEXING INSTRUCTIONS:** Lots 43, 44, 45, and 46, Block 7, SORIA CITY, Harrison County, MS

**This instrument prepared by and return to:**

Joel Blackledge, MSB 10606  
Blackledge Law Firm  
PO Box 8155  
Gulfport, MS 39506  
(228) 669-6254  
File No.: 634.1338

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,

Kendra Breeland and Danny Cuevas

*Kendra Breeland*  
*7391 Smithfield Rd*  
*Mobile, AL 36695*  
*251-564-5412*

do(es) hereby sell, convey and warrant unto

Ashford Holding Co., LLC  
24 Poplar Cir  
Gulfport, MS 39507  
228-297-9520

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

**SEE EXHIBIT "A" ATTACHED HERETO**

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

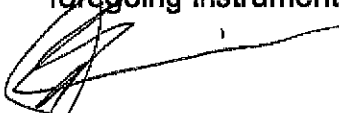
TAXES for the 2023 year have been pro-rated between the parties

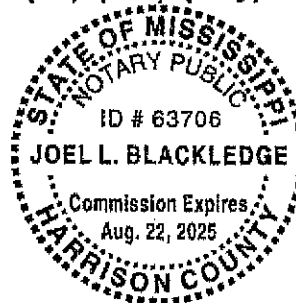
WITNESS MY SIGNATURE, on this the 21st day of September, 2023.

  
Kendra Breeland  
  
Danny Cuevas

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

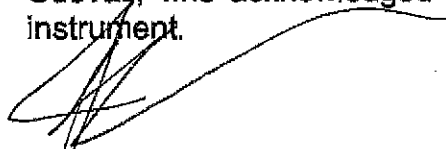
Personally appeared before me, the undersigned authority in and for the said county and state, on this 21st day of September, 2023, within my jurisdiction, the within named Kendra Breeland, who acknowledged that (he) (she) (they) executed the above and foregoing instrument.

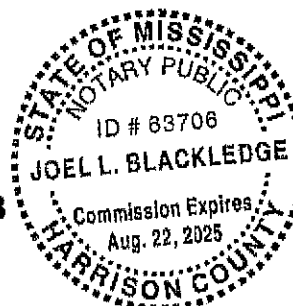
  
\_\_\_\_\_  
Notary Public



STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 21st day of September, 2023, within my jurisdiction, the within Danny Cuevas, who acknowledged that (he) (she) (they) executed the above and foregoing instrument.

  
\_\_\_\_\_  
Notary Public



**EXHIBIT "A"**

**The North 50 feet of Lots 43, 44, 45, and 46, Block 7, SORIA CITY, 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, together with all improvements situated thereon.**



# Michael Watson

## SECRETARY OF STATE

This is not an official certificate of good standing.

### Name History

| Name                  | Name Type |
|-----------------------|-----------|
| ASHFORD HOLDINGS, LLC | Legal     |

### Business Information

|                                  |                                        |
|----------------------------------|----------------------------------------|
| <b>Business Type:</b>            | Limited Liability Company              |
| <b>Business ID:</b>              | 1312297                                |
| <b>Status:</b>                   | Good Standing                          |
| <b>Effective Date:</b>           | 11/18/2021                             |
| <b>State of Incorporation:</b>   | Mississippi                            |
| <b>Principal Office Address:</b> | 24 Poplar Circle<br>Gulfport, MS 39507 |

### Registered Agent

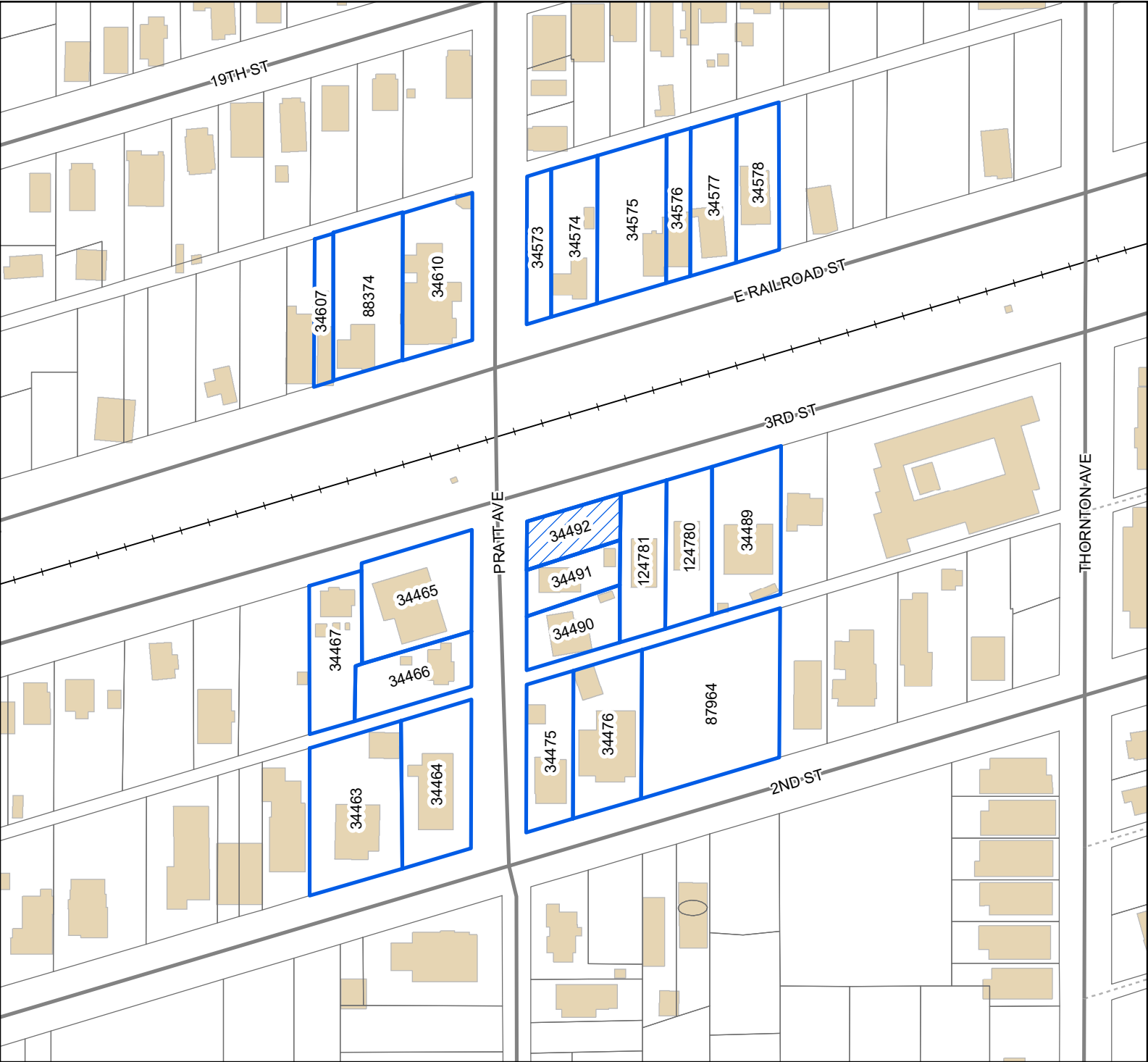
| Name                                                         |
|--------------------------------------------------------------|
| J William Williams<br>2409 14th Street<br>Gulfport, MS 39501 |

### Officers & Directors

| Name                                                         | Title     |
|--------------------------------------------------------------|-----------|
| J William Williams<br>2409 14th Street<br>Gulfport, MS 39501 | Organizer |
| John H Ruble<br>24 Poplar Circle<br>Gulfport, MS 39507       | Manager   |

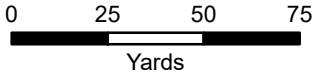


| Mail   | PPIN             | Parcel ID        | Name                                        | Address                | City       | State | ZIP   |
|--------|------------------|------------------|---------------------------------------------|------------------------|------------|-------|-------|
|        |                  | 0811G-02-004.000 | ASHFORD HOLDINGS, LLC (OWNER)               | 24 POPLAR CIRCLE       | GULFPORT   | MS    | 39507 |
|        |                  |                  | <b>Adjacent Property Owners (2407ZB107)</b> |                        |            |       |       |
| 34467  | 0811G-03-003.000 |                  | MEYER ROSE MARIE                            | 1615 3RD ST            | GULFPORT   | MS    | 39501 |
| 34607  | 0811G-04-062.000 |                  | WILLIAMS BERNADETTE                         | P O BOX 8792           | GULFPORT   | MS    | 39506 |
| 34578  | 0811G-01-064.000 |                  | JOHNSONHILL INVESTMENTS LLC                 | 6 STONESTHROW DR       | LAUREL     | MS    | 39440 |
| 34573  | 0811G-01-069.000 |                  | SMITH CLAUD W                               | 1540 EAST RAILROAD ST  | GULFPORT   | MS    | 39501 |
| 34465  | 0811G-03-001.000 |                  | KS CONTRACTING LLC                          | 13440 WOODLAND DR      | GULFPORT   | MS    | 39503 |
| 87964  | 0811G-02-009.000 |                  | FINLEY ROSEMARY B                           | 20111 LOVERS LN        | LONG BEACH | MS    | 39560 |
| 34466  | 0811G-03-002.000 |                  | WHITE JAMES NORMAN                          | 4115 FRANKLIN AVE      | GULFPORT   | MS    | 39501 |
| 34576  | 0811G-01-066.000 |                  | HAWTHORNE MATTIE & FLINTALL EMMA            | 1435 22ND ST           | GULFPORT   | MS    | 39501 |
| 34476  | 0811G-02-008.000 |                  | KS INVESTMENTS LLC                          | 13440 WOODLAND DR      | GULFPORT   | MS    | 39503 |
| 34475  | 0811G-02-007.000 |                  | BLACKWELL FRED D & TAMI L                   | 1544 2ND ST            | GULFPORT   | MS    | 39501 |
| 34492  | 0811G-02-004.000 |                  | BREELAND KENDRA C & DANNY CUEVAS            | 7393 SMITHFIELD RD     | MOBILE     | AL    | 36695 |
| 34491  | 0811G-02-005.000 |                  | GRAAFMEYER DEBRA L & COSCIA GERARD          | 1620 PRATT AVE         | GULFPORT   | MS    | 39501 |
| 34463  | 0811G-03-038.000 |                  | HESTER DOUGLAS J & JANET M                  | 2 GLEN EAGLES DR       | JACKSON    | MS    | 39211 |
| 34574  | 0811G-01-068.000 |                  | SMITH CLAUD                                 | 1540 E RAILROAD ST     | GULFPORT   | MS    | 39501 |
| 34490  | 0811G-02-006.000 |                  | GUARDIA LORI ADCOCK                         | 1618 PRATT AVE         | GULFPORT   | MS    | 39501 |
| 34577  | 0811G-01-065.000 |                  | CLAY ROBERT K                               | 1530 E RAILROAD ST     | GULFPORT   | MS    | 39501 |
| 34575  | 0811G-01-067.000 |                  | QUINCE MITCHELL E                           | 1102- 35TH STREET      | GULFPORT   | MS    | 39501 |
| 34464  | 0811G-03-039.000 |                  | BOSARGE JOHN STEPHEN REVOC TRUST            | 1600 2ND ST            | GULFPORT   | MS    | 39501 |
| 34610  | 0811G-04-060.000 |                  | MCCLENDON PERCY & PAULA                     | 1602 E RAILROAD ST     | GULFPORT   | MS    | 39501 |
| 124781 | 0811G-02-003.002 |                  | MAUREPAS HOLDINGS LLC                       | 11519 OAKLAWN RD       | BILOXI     | MS    | 39532 |
| 124780 | 0811G-02-003.001 |                  | FOWLER LAVELL                               | 2107 23RD AVE UNIT A   | GULFPORT   | MS    | 39501 |
| 34489  | 0811G-02-003.000 |                  | 1519 3RD STREET LLC                         | 39 PALMETTO            | KENNER     | LA    | 70065 |
| 88374  | 0811G-04-061.000 |                  | LUCKETT CONNIE R & CLEOTHA                  | 14525 S COUNTRYWOOD DR | GULFPORT   | MS    | 39503 |
|        |                  |                  | JOHN H RUBLE                                | 24 POPLAR CIRCLE       | GULFPORT   | MS    | 39507 |



Legend

- Site
- Adjacent Properties
- Street
- Alley
- Railroad
- Buildings



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.

**RE: Variance 2407ZB107, by owner Ashford Holdings LLC, seeking approval for a 10-foot front yard setback where 25 feet is required for a second frontage, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2**

To Applicants and Adjacent Property Owners:

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

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, July 18, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email [planners@gulfport-ms.gov](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> 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 |
|-----------|--------------|-----------------------------------------|----------|---------|------|-------|
| 33468     | 568455       | Print Legal Ad-IPL01809120 - IPL0180912 |          | \$88.75 | 2    | 54 L  |

Attention: Jessica Versiga

GULFPORT CITY HALL  
1410 24 TH AVENUE  
GULFPORT, MS 39501

jversiga@gulfport-ms.gov

### LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, July 18, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

**Variance 2406ZB085**, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 12146 Dedeaux Road, Zoned R-1-10 (Single-Family), Ward 6

**Special Exception 2407SE096**, by agent John Pritchard, seeking approval for a to-go Daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Rd, Zoned B-1 (Neighborhood Business), Ward 5

**Variance 2407ZB098**, by owner Vernon Floyd, seeking approval for a 6-foot tall fence where 4 feet is the height limit, Tax Parcel 0911D-03-060.000, 621 3rd Street, Zoned R-1-7.5 (Single-Family), Ward 2

**Variance 2407ZB101**, by owners Gary & Mary McCabe, seeking approval for an 8-foot fence where 6 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB102**, by owners Gary & Mary McCabe, seeking approval for a 5-foot tall fence with 6-foot brick columns where 4 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB105**, by owner Ashford Holdings LLC, seeking approval for a 15-foot front yard setback where 25 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB106**, by owner Ashford Holdings LLC, seeking approval for a 6-foot side yard setback where 8 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB107**, by owner Ashford Holdings LLC, seeking approval for a 10-foot front yard setback where 25 feet is required for a second frontage, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB109**, by owner LaBella's Salon LLC, seeking approval for parking that backs out into the city right of way, Tax Parcel 0808N-01-012.000, 15095 Dedeaux Road, Zoned B-2 (General Business), Ward 5

This the 25th day of June 2024

A. Leslie North, Chairman  
City of Gulfport Zoning Board of Adjustment and Appeals  
IPL0180912  
Jul 3 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:  
07/03/24

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

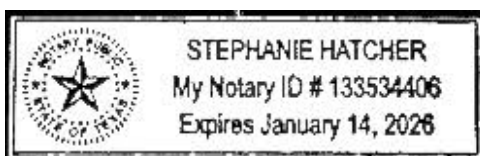
*Mary Castro*

Sworn to and subscribed before me this 3rd day of July 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:** July 18, 2024

**Re:** Variance 2407ZB109:

Variance 2407ZB109, by owner LaBella's Salon LLC, seeking approval for parking that backs out into the city right of way, Tax Parcel 0808N-01-012.000, 15095 Dedeaux Road, Zoned B-2 (General Business), Ward 5



# **Technical Report**

## *VARIANCE*

### ***GENERAL INFORMATION***

Case File Number: 2407ZB109

Hearing Date: July 18, 2024

Current Zoning/Use: B-2 / Barbershop

Legal: Variance 2407ZB109, by owner LaBella's Salon LLC, seeking approval for parking that backs out into the city right of way, Tax Parcel 0808N-01-012.000, 15095 Dedeaux Road, Zoned B-2 (General Business), 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*

Applicant is seeking approval for a variance allowing parking on a commercial location to back out into city right of way.

- (a) Applicant claims that the current parking is pre-existing. Upon staff review of the subject site, the parking lot surrounding the business location was in place before the parking ordinances. Looking through past imagery, the earliest being in 2007, the building and the parking lot were already established.
- (b) Applicant claims that the building was present before purchasing the property in 2019. Upon staff review the building and the parking lot surrounding was existing, and established, before the parking ordinances.
- (c) Applicant states that their hardship to be caused by the pre-existing parking pulling out into city right of way. Upon staff review of the location, the building had been constructed before the parking ordinance and due to the unusual character of the subject site, an ordinance change is needed as it would be more appropriate in this circumstance.
- (d) Applicant states that the current parking does not meet the requirements to open a new business. Due to the parking that pulls out into city right of way, any new business, or use, that differs from what was already existing would require to bring the site up to current ordinance. As it would not be possible to bring the site into conformity, with regards to backing into the city right of way, by commercial renovations, a variance would be required in order to bring the site into conformity.
- (e) The applicant claims that there are other businesses that have similar parking issues, and approval would not grant special benefits or privileges. Upon staff review of the surrounding area, there are other existing businesses on Dedeaux Road that have parking that back out into city right of way.
- (f) This property is zoned B-2, and a Trade School use is allowed per Planning Commission Approval.

### ***EXECUTIVE SUMMARY***

The applicant is seeking approval for parking that that backs out into city right of way. The parking lot for the site is pre-existing, non-conforming. Upon reviewing the nearby area, there are other existing businesses along Dedeaux Road that have similar issues regarding parking that pulls out into city right of way. With this in mind the applicant's request would be in harmony with the surrounding area. Applicant has expressed that they are adding a Trade School use to the site, which would require Planning Commission Approval. As this is a new use going into the location the site would have to be brought up to current ordinances. As it would be infeasible to bring the site into conformity regarding providing a 25-foot back out aisle, a variance, or a change to the parking ordinance, would be necessary. Engineering and Traffic and Safety have provided comments addressing the current parking. Said comments are reflected with the listed conditions below.

Any approval should consider these conditions:

1. The back-out parking onto Dedeaux Rd is a pre-existing condition and is acceptable for the current building as is. There are two parking spaces in the corner of the parking lot by

# Technical Report

## VARIANCE

the stop sign that are boxed in by other parking spaces and would not meet Engineering standards.

2. What changes are being made to the existing parking lot? I will need to see plans for any changes.
3. Must meet all current building Codes and City of Gulfport Ordinances
4. Approval allows for parking that pulls out into city right of way.

### DEPARTMENTAL CONDITIONS

**Engineering:**

The back-out parking onto Dedeaux Rd is a pre-existing condition and is acceptable for the current building as is. There are two parking spaces in the corner of the parking lot by the stop sign that are boxed in by other parking spaces and would not meet Engineering standards. Memo dated 7/2/24.

**Public Works:**

No conditions. Memo dated 7/8/24

**Traffic and Safety:**

What changes are being made to the existing parking lot? I will need to see plans for any changes. Memo dated 6/29/24.

**Building Code Services:**

Must meet all current building Codes and City of Gulfport Ordinances. Memo dated 6/25/24.

**GIS:**

No conditions. Memo dated 6/25/24.

**Police Department:**

No comment as of 7/9/24.

**Fire Department:**

No conditions. Memo dated 6/25/24.

**City Arborist:**

No conditions. Memo dated 6/26/24.

### DIRECTOR APPROVAL

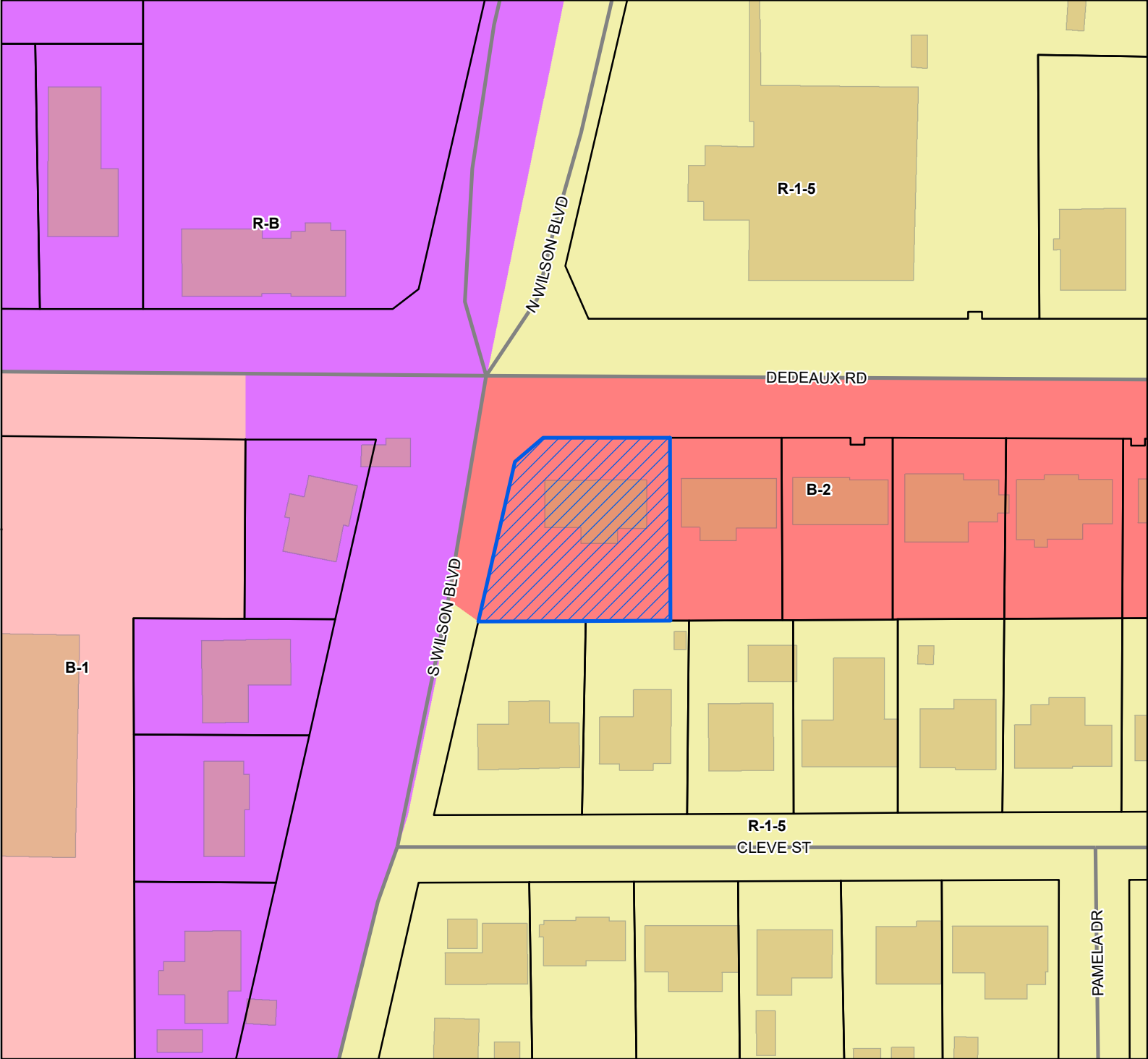
This report has been reviewed and approved by:

 on behalf of

Greg Holmes

Director of Urban Development Department





Site

Street

Parcels

Buildings

City Limit

**Zoning**

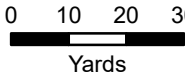
B-1 - Neighborhood Business District

B-2 - General Business District

R-1-5 - Single Family Residence District (Medium Density)

R-B - Residence-Business District

**Site Information**  
0808N-01-012.000  
Zoning: B-2 (General Business)  
Size: 16097.02 sqft  
Flood: X



1 inch = 100 feet



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CASE NUMBER

2407ZB109

8/1/BC 08/04/2024

12781496

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

|                  |  |
|------------------|--|
| 0808N-01-012-000 |  |
|                  |  |
|                  |  |
|                  |  |

Property Address:

15095 Dedeaux Rd

Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Subdivision \_\_\_\_\_

General Description of Request:

Requesting to have out  
info right away

### 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:**Julia Green

Printed Name of Owner

15045 Deddamp Rd

Mailing Address

Gpt ms 34533

City

State

Zip Code

2285471054

Home Phone

Work/Cell Phone

jgreen1472@icloud.com

Email

Julia Green

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)

Julia Green

Address (Street, City, State, Zip Code)

15045 Deddamp Rd

Phone (Home)

2285471054

(Work)

(Cell)

Tax Parcel Number(s) Owned:

Signature:

Julia Green

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:



## COVENANT AFFIDAVIT

I, Julia Green being property owner or agent of the property 15095 Dedeaux Rd  
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

Julia Green  
SIGNATURE

6/4/2024  
DATE

### STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 4 day of June, 20 24

Samuel Sweeting  
NOTARY PUBLIC

5/22/2027  
COMMISSION EXPIRATION



# VARIANCE SUBMISSIONS

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

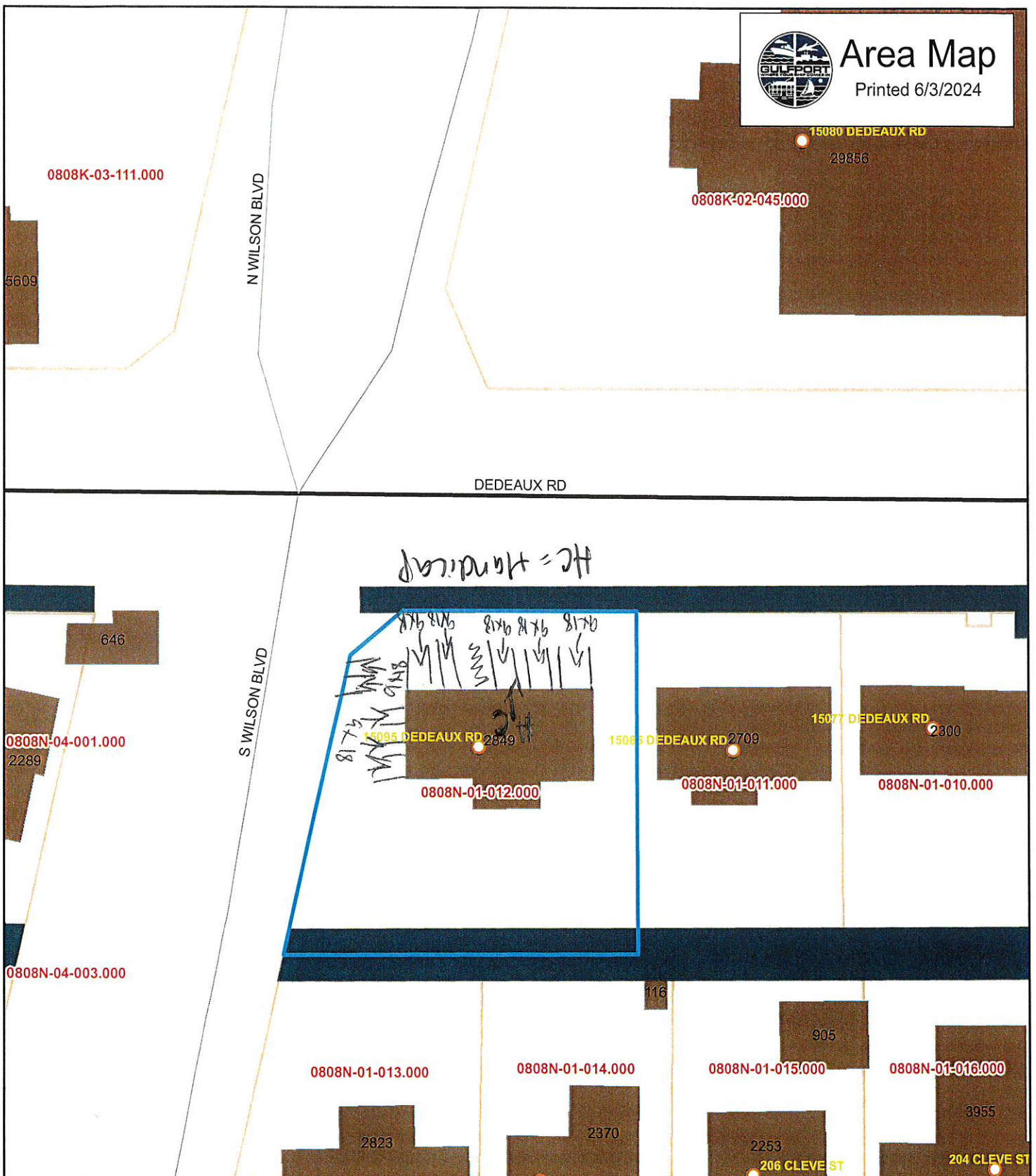
1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., What is special about your property that you need to request a variance?)
2. 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 parking is preexisting
- ② Building was present before purchase in 2019.
- ③ Preexisting parking pulls out onto city right away.
- ④ Current parking not meeting requirements to open new business.
- ⑤ Other businesses have similar parking issues that had to go before the board. Therefore not requesting any special benefits.
- ⑥ Proposed use ~~of~~ for Trade School requires planning commission approval.



# Area Map

Printed 6/3/2024

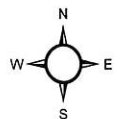


Initial and date here:

Planner: \_\_\_\_\_

Owner: Julia Green

Contractor: \_\_\_\_\_



1 inch = 50 feet

#### DATA DISCLAIMER:

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**Addresspoints** Edits addresspoints

**STRUCT\_CLASS**

- Commercial
- Residential
- ~ Minor Arterial
- ~ Minor/Residential
- Parcels





# Michael Watson

## SECRETARY OF STATE

This is not an official certificate of good standing.

### Name History

| Name                | Name Type |
|---------------------|-----------|
| LaBella's Salon LLC | Legal     |

### Business Information

|                                  |                                         |
|----------------------------------|-----------------------------------------|
| <b>Business Type:</b>            | Limited Liability Company               |
| <b>Business ID:</b>              | 1178111                                 |
| <b>Status:</b>                   | Good Standing                           |
| <b>Effective Date:</b>           | 05/14/2019                              |
| <b>State of Incorporation:</b>   | Mississippi                             |
| <b>Principal Office Address:</b> | 14021 FOX HILL DR<br>GULFPORT, MS 39503 |

### Registered Agent

|                                                             |
|-------------------------------------------------------------|
| <b>Name</b>                                                 |
| Julia S Green<br>14021 FOX HILL DRIVE<br>GULFPORT, MS 39503 |

### Officers & Directors

| Name                                                        | Title   |
|-------------------------------------------------------------|---------|
| JULIA S GREEN<br>14021 FOX HILL DRIVE<br>GULFPORT, MS 39503 | Manager |

COPY

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

File#232114

Indexing Instructions:  
Lots 4-6, Less Pt of Lot 6, S of  
Landon Road, Blk 4, Landon Grove  
S/D, Harrison County, 1<sup>st</sup> JD, MS

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

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,

JOHN M. PRITCHARD, a married man  
16206 THREE RIVERS ROAD  
BILOXI, MS 39532  
(228) 860-2246

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

LaBELLA'S SALON, LLC  
A MS Limited Liability Company  
15095 DEDEAUX ROAD  
GULFPORT, MS 39503  
(228) 547-1054

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 Four (4), Five (5) and Six (6), Block Four (4), LANDON GROVE  
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 7 at Page 1 (Copy Book  
3 at Plat 216) thereof, reference to which is hereby made in aid of and as a part  
of this description.

LESS AND EXCEPT:

That part of Lot Six (6) lying South of Landon Road, Block Four (4), LANDON  
GROVE SUBDIVISION, in Section 17, Township 7 South, Range 11 West, First  
Judicial District of Harrison County, Mississippi,

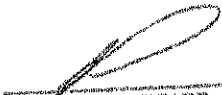
The Grantor hereby covenants that the property described herein does not  
constitute as a part of his homestead, nor is it contiguous thereto.

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

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

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

WITNESS THE SIGNATURE of the Grantor on this the 12th day of December, 2023.

  
JOHN M. PRITCHARD

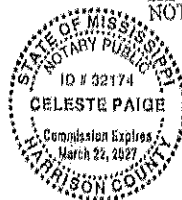
STATE OF MISSISSIPPI  
COUNTY OF HARRISON

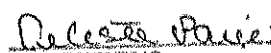
THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, JOHN M. PRITCHARD, who acknowledged that he signed, executed and delivered the above and foregoing instrument as his voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 12th day of December, 2023.

(SEAL)

My Commission Expires:



  
NOTARY PUBLIC

4. The fourth part of the document discusses the implications of the findings. It suggests that the results have significant implications for the field of study and may lead to further research in this area.

5. The fifth part of the document concludes the study. It summarizes the key findings and provides a final statement on the importance of the research.

THE INFORMATION IS NOT TO BE USED FOR OTHER THAN THE PURPOSES FOR WHICH IT WAS OBTAINED.

*[The following text is extremely faint and largely illegible due to poor scan quality. It appears to be a continuation of a letter or document.]*

# JOHN WILKINSON

CONFIDENTIAL

~~THIS COPY CONTAINS INFORMATION THAT IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE BY THE FOLLOWING FOOTNOTES:~~

$\frac{d}{dt} \left( \frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$

新學雜誌

~~SECRET~~



Robert M. ...  
...

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

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

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

WITNESS THE SIGNATURE of the Grantor on this the 12th day of December, 2023.

  
JOHN M. PRITCHARD

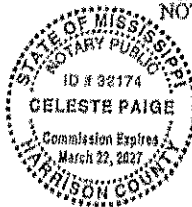
STATE OF MISSISSIPPI  
COUNTY OF HARRISON

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

GIVEN under my hand and official seal on this the 12th day of December, 2023.

(SEAL)

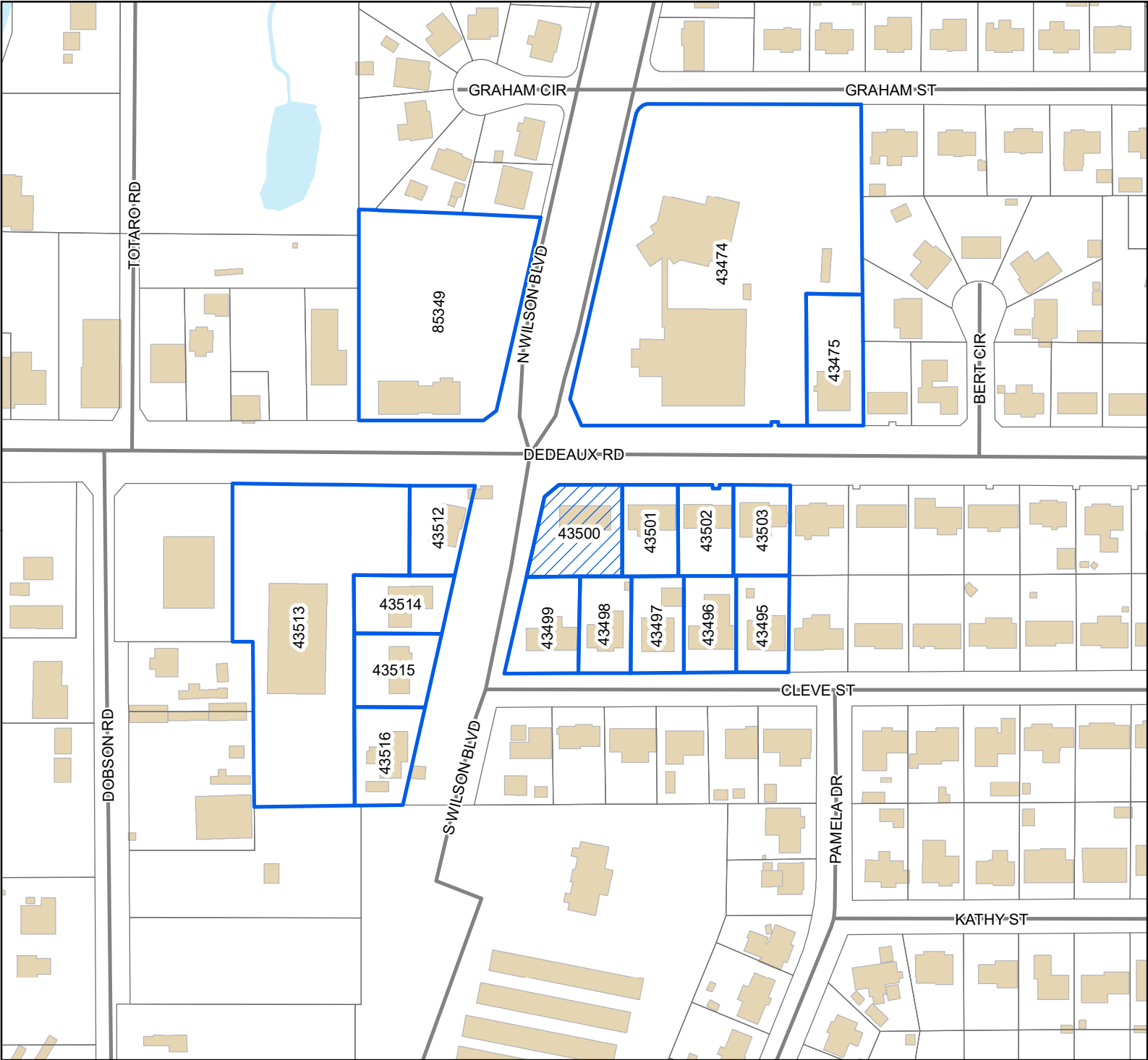
My Commission Expires:



  
NOTARY PUBLIC

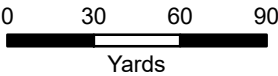


| Mail | PPIN  | Parcel ID        | Name                                        | Address                  | City      | State | ZIP   |
|------|-------|------------------|---------------------------------------------|--------------------------|-----------|-------|-------|
|      |       | 0808N-01-012.000 | ABELLA'S SALON LLC (OWNER)                  | 14021 FOX HILL DRIVE     | GULFPORT  | MS    | 39503 |
|      |       |                  | <b>Adjacent Property Owners (2407ZB109)</b> |                          |           |       |       |
|      | 43497 | 0808N-01-015.000 | MOORE RUFUS J JR & CHERYL                   | 206 CLEVE ST RT 4        | GULFPORT  | MS    | 39501 |
|      | 43475 | 0808K-02-046.000 | SOUTHERN FARM BUREAU CASUALTY INSUR         | 1800 EAST COUNTY LINE RD | RIDGELAND | MS    | 39157 |
|      | 43514 | 0808N-04-003.000 | CAMPBELL JEFFERY SCOTT                      | 18068 PECAN CT           | SAUCIER   | MS    | 39574 |
|      | 43499 | 0808N-01-013.000 | TD ENTERPRISES LLC                          | 15361 SOUTH SWAN RD      | GULFPORT  | MS    | 39503 |
|      | 43495 | 0808N-01-017.000 | WALLACE ANTHONY L                           | 202 CLEVE ST             | GULFPORT  | MS    | 39503 |
|      | 43496 | 0808N-01-016.000 | WILLIAMS ANTHONY J                          | 204 CLEVE ST             | GULFPORT  | MS    | 39503 |
| N    | 43500 | 0808N-01-012.000 | GREEN JULIA                                 | 15273 ELMWOOD COURT      | GULFPORT  | MS    | 39503 |
|      | 43501 | 0808N-01-011.000 | CROLEY SUSAN J                              | 19251 PINECREST RD       | SAUCIER   | MS    | 39574 |
|      | 43502 | 0808N-01-010.000 | ANDERSON SHEILA                             | 2207 MOORES MILL RD      | ROUGEMONT | NC    | 27572 |
|      | 43503 | 0808N-01-009.000 | SMILEY KEVIN & LETICIA DAY                  | 11334 FAIRFIELD LN       | GULFPORT  | MS    | 39503 |
|      | 85349 | 0808K-03-111.000 | POPPS FERRY INVESTMENT GROUP LLC            | 2330 ATKINSON RD         | BILOXI    | MS    | 39531 |
| N    | 43512 | 0808N-04-001.000 | CAMPBELL JEFFREY SCOTT                      | 18068 PECAN CT           | SAUCIER   | MS    | 39574 |
|      | 43516 | 0808N-04-005.000 | NOLAN PAUL J & SUSAN L                      | 107 S WILSON             | GULFPORT  | MS    | 39503 |
|      | 43515 | 0808N-04-004.000 | COBB TERRY L                                | PO BOX 831               | SAUCIER   | MS    | 39574 |
|      | 43474 | 0808K-02-045.000 | BEL AIRE BAPTIST CHURCH                     | 15080 DEDEAUX RD         | GULFPORT  | MS    | 39503 |
|      | 43498 | 0808N-01-014.000 | BRACKNELL JARVIS J & JEANETTE R             | 208 CLEVE ST             | GULFPORT  | MS    | 39503 |
|      | 43513 | 0808N-04-002.000 | DEKOVNER BETTY -TRUSTEE-                    | RHODES FAMILY TRUST THE  | IRVINE    | CA    | 92614 |
|      |       |                  | JULIA GREEN                                 | 15273 ELMWOOD COURT      | GULFPORT  | MS    | 39503 |



Legend

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



1 inch = 200 feet



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

**RE: Variance 2407ZB109, by owner LaBella's Salon LLC, seeking approval for parking that backs out into the city right of way, Tax Parcel 0808N-01-012.000, 15095 Dedeaux Road, Zoned B-2 (General Business), 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, July 18, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, July 18, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email [planners@gulfport-ms.gov](mailto:planners@gulfport-ms.gov). The application is available for viewing in the Planning Division office at 1410 24<sup>th</sup> 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

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|-----------|--------------|-----------------------------------------|----------|---------|------|-------|
| 33468     | 568455       | Print Legal Ad-IPL01809120 - IPL0180912 |          | \$88.75 | 2    | 54 L  |

Attention: Jessica Versiga

GULFPORT CITY HALL  
1410 24 TH AVENUE  
GULFPORT, MS 39501

jversiga@gulfport-ms.gov

### LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, July 18, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

**Variance 2406ZB085**, by agent David Johnston Jr., seeking approval for a 2400 square-foot accessory structure where 2000 square feet is the size limit, Tax Parcel 0908I-01-002.001, 12146 Dedeaux Road, Zoned R-1-10 (Single-Family), Ward 6

**Special Exception 2407SE096**, by agent John Pritchard, seeking approval for a to-go Daiquiri shop, Tax Parcels 0908N-04-004.000, 0908N-04-004.001, 13211 Dedeaux Rd, Zoned B-1 (Neighborhood Business), Ward 5

**Variance 2407ZB098**, by owner Vernon Floyd, seeking approval for a 6-foot tall fence where 4 feet is the height limit, Tax Parcel 0911D-03-060.000, 621 3rd Street, Zoned R-1-7.5 (Single-Family), Ward 2

**Variance 2407ZB101**, by owners Gary & Mary McCabe, seeking approval for an 8-foot fence where 6 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB102**, by owners Gary & Mary McCabe, seeking approval for a 5-foot tall fence with 6-foot brick columns where 4 feet is the height limit, Tax Parcel 1009O-02-003.003, 10785 East Taylor Road, Zoned R-2 (Single-Family), Ward 2

**Variance 2407ZB105**, by owner Ashford Holdings LLC, seeking approval for a 15-foot front yard setback where 25 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB106**, by owner Ashford Holdings LLC, seeking approval for a 6-foot side yard setback where 8 feet is required, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB107**, by owner Ashford Holdings LLC, seeking approval for a 10-foot front yard setback where 25 feet is required for a second frontage, Tax Parcel 0811G-02-004.000, 1610 Pratt Ave, Zoned R-2 (Single-family), Ward 2

**Variance 2407ZB109**, by owner LaBella's Salon LLC, seeking approval for parking that backs out into the city right of way, Tax Parcel 0808N-01-012.000, 15095 Dedeaux Road, Zoned B-2 (General Business), Ward 5

This the 25th day of June 2024

A. Leslie North, Chairman  
City of Gulfport Zoning Board of Adjustment and Appeals  
IPL0180912  
Jul 3 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:  
07/03/24

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

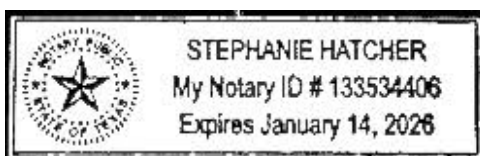
*Mary Castro*

Sworn to and subscribed before me this 3rd day of July  
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!