

AGENDA
ZONING BOARD OF ADJUSTMENT AND APPEALS
CITY HALL COUNCIL CHAMBERS
THURSDAY, AUGUST 15, 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 - July 18, 2024 Minutes

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 2408ZB113:

Owner, Land Lady Investments, LLC, seeking approval for parking that backs out into city right-of-way, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

2. Variance 2408ZB114:

Owner, Land Lady Investments, LLC, seeking approval to have 4 regular parking spaces where 7 is required, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

3. Variance 2408ZB116:

Agent, Patricia Tomasello, seeking approval for an 18-foot front yard setback where 25 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

4. Variance 2408ZB117:

Agent, Patricia Tomasello, seeking approval for a side yard setback of 5-feet and 11 inches where 8 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

5. Variance 2408ZB120:

Agent, Timothy Gobble, seeking approval for a 7-foot tall chain-link fence where 6-feet is the height limit, Tax Parcel 0811F-02-040.000, 2201 17th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

6. Variance 2408ZB122:

Agent, Jon Storonskyj, seeking approval for an additional wall sign on the west elevation, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7

7. Variance 2408ZB124:

Agent, Matt Largen, seeking approval for a front yard setback for a freestanding ground sign of 1-foot where 10 feet is required, Tax Parcel 1008M-01-008.000, 11252 Lorraine Road, Zoned B-2 (General-business), Ward 6

8. Variance 2408ZB126:

Agent, Cross Development CC Gulfport, LLC, seeking approval for 10 regular parking spaces where 18 is required, Tax Parcel 1008L-01-002.000, Dedeaux Road, Zoned B-2 (General-business), Ward 6

9. Variance 2409ZB128:

Agent, Robert Thomas, seeking approval for a 4-foot front yard setback where 25 feet is required, Tax Parcel 0711H-02-023.000, 3521 19th Street, Zoned R-2 (Single-family) & (Sub-Urban zone), Ward 1

H. Adjournment

MINUTES

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING

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

GULFPORT CITY COUNCIL CHAMBERS

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

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

C. **Call to Order**: The meeting of the Planning Commission was called to order at **3:00 pm**.

D. **Determination of a Quorum**:

BOARD MEMBERS PRESENT:

ROBERT PHARR
NATHAN BODDIE
HAL KAIGLER
LESLIE NORTH

BOARD MEMBERS ABSENT:

MARY ANN WIGINTON
NICHOLAS HAHN
MICHAEL DANIELS

STAFF MEMBERS PRESENT:

SU-LIN FEATHERSTON
GREG HOLMES
SAMUEL SWEETING
LESLIE ERVIN

COURT REPORTER:

NORMA SOROE

E. **Confirmation of Agenda**:

F. **Approval of Minutes**:

Motion by Nathan Boddie and seconded by Robert Pharr to approve Minutes of the **June 20, 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: David Johnston, Jr.

Speaking against the Petition: None

Motion: Nathan Boddie - To approve applicant's request

Second: Hal Kaigler

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

Action: Motion carries unanimously.

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

Speaking for the Petition: John Pritchard

Speaking against the Petition: None

Motion: Hal Kaigler - To approve applicant's request

Second: Robert Pharr

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

Action: Motion carries 3-1.

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

Speaking for the Petition: Vernon Floyd

Speaking against the Petition: None

Motion: Nathan Boddie - To approve applicant's request

Second: Hal Kaigler

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

Action: Motion carries unanimously.

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

Speaking for the Petition: Gary McCabe

Speaking against the Petition: Norris Hopkins, Rainna Bahadur

Motion: Nathan Boddie - To approve applicant's request with conditions of 8 feet fence to existing wall and transition into 6 feet fence on down into the bayou

Second: Hal Kaigler

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

Action: Motion carries unanimously.

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

Speaking for the Petition: Gary McCabe

Speaking against the Petition: None

Motion: Nathan Boddie - To approve applicant's request

Second: Robert Pharr

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

Action: Motion carries unanimously.

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

Speaking for the Petition: John Ruble

Speaking against the Petition: None

Motion: Hal Kaigler - To approve applicant's request

Second: Robert Pharr

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

Action: Motion carries unanimously.

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

Speaking for the Petition: John Ruble

Speaking against the Petition: None

Motion: Robert Pharr - To approve applicant's request

Second: Hal Kaigler

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

Action: Motion carries unanimously.

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

Speaking for the Petition: John Ruble

Speaking against the Petition: None

Motion: Nathan Boddie - To approve applicant's request

Second: Robert Pharr

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

Action: Motion carries unanimously.

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

Speaking for the Petition: Julia Green

Speaking against the Petition: None

Motion: Nathan Boddie - To approve applicant's request

Second: Hal Kaigler

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

Action: Motion carries unanimously.

Adjournment:

Motion by **Robert Pharr** to adjourn the meeting was seconded by **Nathan Boddie** and carried unanimously. The meeting adjourned **4:05 pm**.

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

Michael Daniels, Secretary

Date: _____



URBAN DEVELOPMENT DEPARTMENT | PLANNING & ZONING

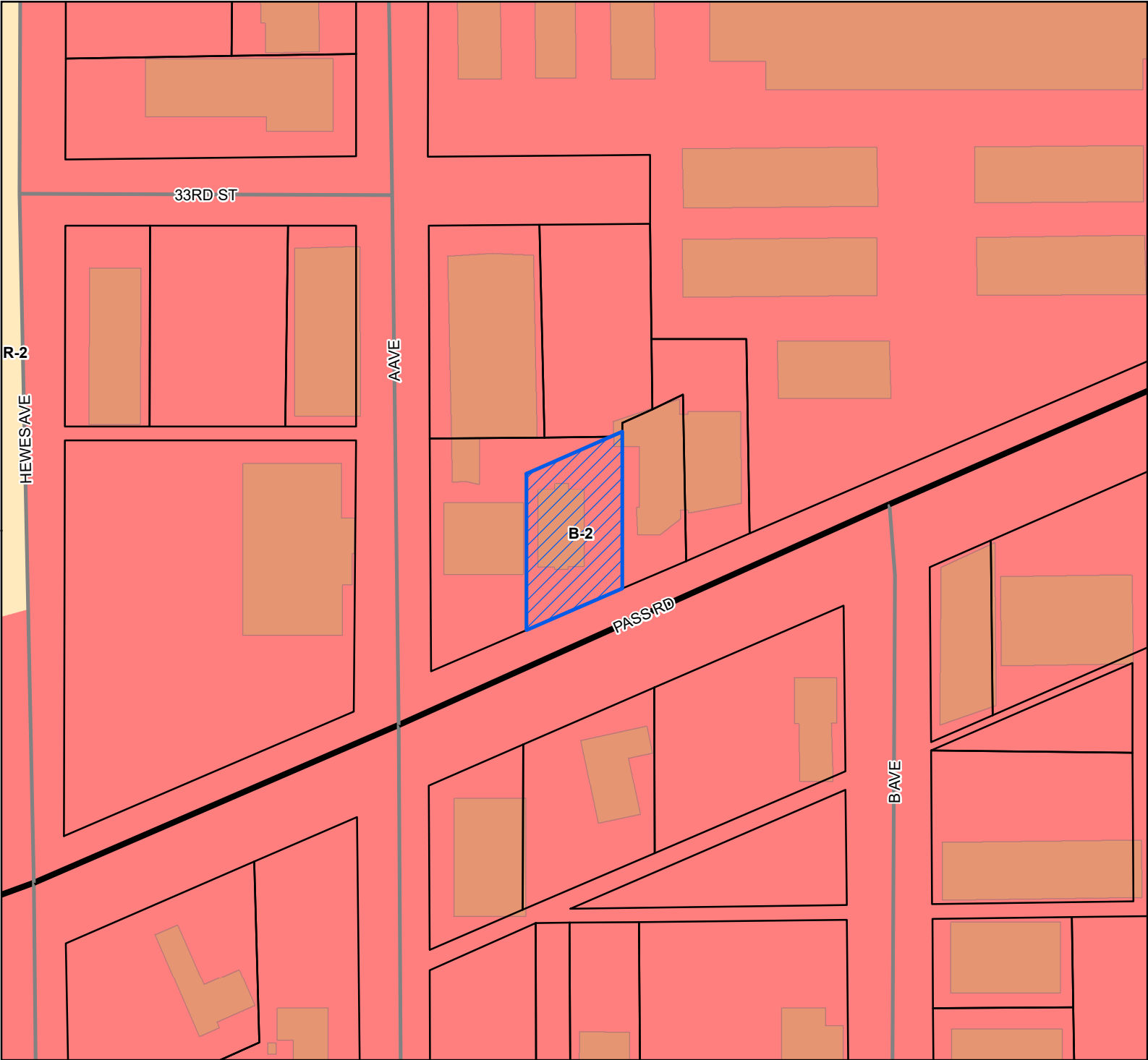
PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE

P: 228.868.5710 | F: 228.868.5708 | PLANNERS@GULFPORT-MS.GOV

ZONING BOARD OF ADJUSTMENT AND APPEALS CASE # 2408ZB113

Hearing Date: Thursday, August 15, 2024

Variance 2408ZB113: Owner, Land Lady Investments, LLC, seeking approval for parking that backs out into city right-of-way, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4



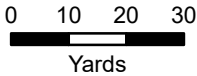
Legend

- Site
- US or State Highway
- Street
- Parcels
- Buildings
- City Limit

Zoning

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

Site Information
0910N-07-014.000
Zoning: B-2 (General Business)
Size: 7775.81 sqft
Flood: X



1 inch = 100 feet



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



CASE NUMBER
2408ZB113
BC 06/06/2024
ACCP#: 12787239

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

0910M-07-014.000	

Property Address:

572 Pass Rd
Lot(s) _____ Block(s) _____ Subdivision _____

General Description of Request: to back out into city
right of way

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:

Shakiera LeBlanc
 Printed Name of Owner
115 Thornhill Dr Suite A
 Mailing Address
Hattiesburg MS 39402
 City State Zip Code
601-549-8080
 Home Phone Work/Cell Phone
johnson.shakiera@yahoo
 Email
K LeBlanc
 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) Shakiera LeBlanc
 Address (Street, City, State, Zip Code) 115 Thornhill Dr Suite A
 Phone (Home) _____ (Work) 601-336-5260 (Cell) 601-549-8080
 Tax Parcel Number(s) Owned: 09104-07-014.000
 Signature: K LeBlanc

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, Shakien LeBlanc being property owner or agent of the property 512 Pass Rd GTP
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.

K. LeBlanc
SIGNATURE

June 6th 2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 6th day of June, 20 24

Samuel Sweeting
NOTARY PUBLIC

5/22/2027
COMMISSION EXPIRATION



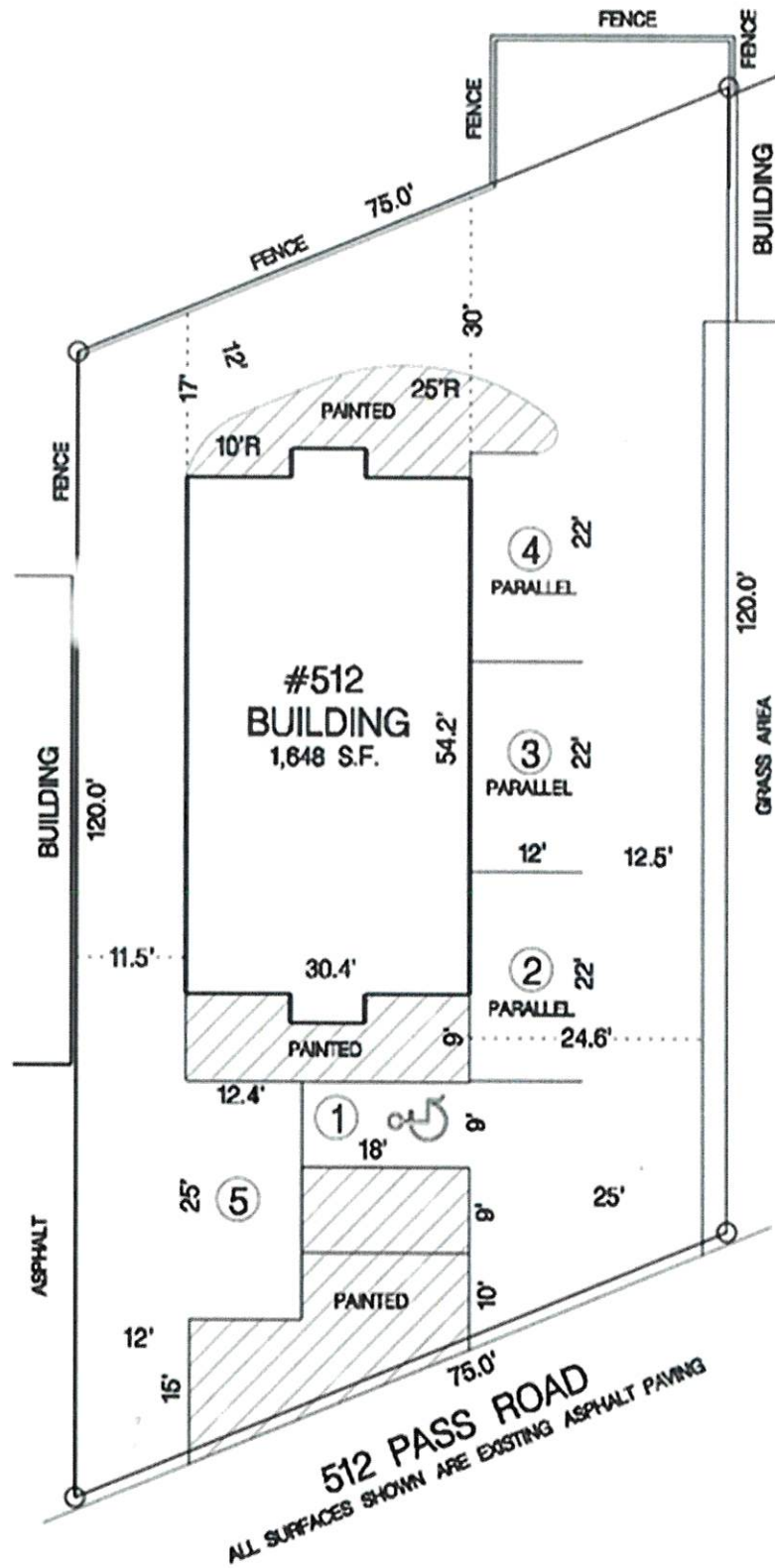
VARIANCE SUBMISSIONS

✓ 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?) *I need approval to back into the city street*
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.) *Building was pre existing*
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?) *Building does not meet requirements to back out. need permission to use city street*
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.) *Businesses next to me has to back out into city right way*
5. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and hardship. (i.e., Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?) *no*
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. *yes Admin office for Health care*



512 PASS ROAD SITE - 2.pdf



PROPOSED PLAN-2





Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
LANDLADY INVESTMENTS LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1192101
Status:	Good Standing
Effective Date:	10/25/2019
State of Incorporation:	Mississippi
Principal Office Address:	115 THORNHILL DR, SUITE A HATTIESBURG, MS 39402

Registered Agent

Name
SHAKIEA LEBLANC 115 THORNHILL DR, SUITE A HATTIESBURG, MS 39402

Officers & Directors

Name	Title
SHAKIEA LEBLANC 1318 w pine st HATTIESBURG, MS 39401	Manager, President



SCANNED



Angela Hulse 1st JUDICIAL DISTRICT
Instrument 2024-0006393-D-J1
Filed/Recorded 04/08/2024 9:40:01 AM
Total Fees 26.00
2 Pages Recorded

Prepared by and return to:
Luckett Land Title, Inc.
Joseph M. Gianola, Jr. (MSB No. 101972)
63 98 Place Boulevard
Hattiesburg, Mississippi 39402
(601)450-0065
File No. 24-0458H

INDEXING INSTRUCTIONS: Lot 15, 16, and 17, Block 6, Revision of Magnolia Grove Addition to the City of Gulfport, First Judicial District, Harrison County, Mississippi

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

WARRANTY DEED

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, adequacy and sufficiency of all of which is hereby irrevocably acknowledged and confessed, the Grantor,

JOHN W. HOLDEN, JR.
P.O Box 1055
Cleveland, TN 37364
(423)667-1672

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

LAND LADY INVESTMENTS, LLC,
a Mississippi limited liability company
115 Thornhill Dr. Ste A
Hattiesburg, MS 39402
(601)549-8080

the following described real property lying and being situated in First Judicial District, Harrison County, Mississippi, and being more particularly described as follows, to-wit:

Lots 15, 16 and 17, Block 6, REVISION OF MAGNOLIA GROVE ADDITION TO THE CITY OF GULFPORT, according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of First Judicial District, Harrison County, Mississippi in Plat Book 3 at page 36.

This conveyance and the warranty hereof is subject to the Final Decree Vacating Part of Plat filed in Book 574 at Page 172 in the office of the Chancery Clerk of Harrison County, Mississippi.

This conveyance and the warranty hereof is subject to any and all prior and outstanding leases, exceptions, reservations and/or conveyances of oil, gas and/or other minerals and any geothermal energy resources lying in, on and under the above described real property.

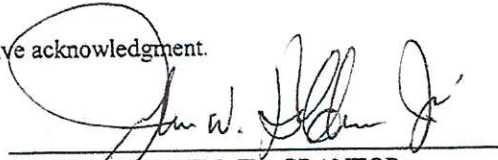
This conveyance and the warranty hereof is subject to any environmental condition existing upon the subject property which would cause said property to be in violation of any State and/or Federal Environmental Protection Act.

This conveyance and the warranty hereof is subject to any and all other easements and rights-of-way, whether of record or of use, which affect the real property hereby conveyed.

This conveyance and the warranty hereof is subject to any and all Covenants and Restrictions of record.

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

WITNESS MY SIGNATURE on the date of my respective acknowledgment.


JOHN W. HOLDEN, JR., GRANTOR

STATE OF 2m

COUNTY OF Bradley

THIS DAY personally came and appeared before me, the undersigned authority in and for the jurisdiction above stated, John W. Holden, Jr., who stated and acknowledged to me that he did execute, sign and deliver the above and foregoing instrument on the date and for the purposes therein stated.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 3rd of April, 2024.


NOTARY PUBLIC

My Commission Expires: 10/6/27

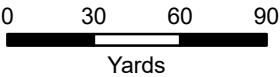


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0910N-07-014.000	LAND LADY INVESTMENTS LLC (OWNER) Adjacent Property Owners (2408ZB113)	115 THORNHILL DR	HATTISBURG	MS	39402
	103379	0910N-07-012.001	MUELLER RICHARD P JR	15384 5TH STREET	GULFPORT	MS	39503
	83972	0910N-07-015.000	DIBS CHEMICAL & SUPPLY CO INC	542 PASS RD	GULFPORT	MS	39501
	31704	0910N-07-014.000	HOLDEN JOHN W JR	P O BOX 1055	CLEVELAND	TN	37364
	83969	0910N-07-012.000	CARR CHARLES D -TRUSTEE-	19400 NORTH POINT COVE	GULFPORT	MS	39503
	31693	0910N-07-018.000	HUNTOON PHILIP C	2471 SOUTH SHORE DRIVE	BILOXI	MS	39532
	31694	0910N-07-017.000	GATES NEVILLE JR	19 51ST ST	GULFPORT	MS	39507
	31709	0910N-06-022.000	HLR PROPERTIES LLC	1115 PASS ROAD	GULFPORT	MS	39501
	31695	0910N-07-016.000	ACE RADIATOR ALIGNMENT & AIR LLC	3221 A AVE	GULFPORT	MS	39507
	31723	0910N-06-015.000	BEATTIES JACK	3206 B AVE	GULFPORT	MS	39501
	31717	0910N-06-019.000	VINTAGE PROPERTIES LLC	19 KIMBELL DR	GULFPORT	MS	39507
	31702	0910N-07-010.000	MUELLER RICHARD P JR	15384 5TH ST	GULFPORT	MS	39503
	31712	0910N-06-020.000	AUTO CASH INC	521 CEDAR AVE	CRESTVIEW	FL	32539
	31724	0910N-06-016.000	VINTAGE PROPERTIES LLC	19 KIMBALL DRIVE	GULFPORT	MS	39507
	107783	0910N-06-026.001	QUIN SHERYL V	24178 LEEWARD DR	GULFPORT	MS	39503
	31714	0910N-06-024.000	BREWER INGLE C JR & LEE MICHEAL	7360 RUSHING ROBINSON RD	BILOXI	MS	39532
	31711	0910N-06-021.000	HLR PROPERTIES LLC	1115 PASS RD	GULFPORT	MS	39501
N	31713	0910N-06-023.000	VINTAGE PROPERTIES LLC	19 KIMBELL DR	GULFPORT	MS	39507
	31706	0910N-06-028.000	QUIN EDWARD E JR ETAL	15701 PARKWOOD DR SOUTH	GULFPORT	MS	39503
N	31700	0910N-07-011.000	MUELLER RICHARD P JR	15384 5TH STREET	GULFPORT	MS	39503
N	31703	0910N-07-013.000	MUELLER RICHARD P JR	15384 5TH STREET	GULFPORT	MS	39503
N	31708	0910N-06-027.000	QUIN SHERYL V	24178 LEEWARD DR	GULFPORT	MS	39503
	31715	0910N-06-025.000	QUIN EDWARD E JR	529 32ND ST	GULFPORT	MS	39501
	31716	0910N-06-026.000	QUIN SHERYL V	12478 LEEWARD DR	GULFPORT	MS	39503
N	83963	0910N-06-018.000	VINTAGE PROPERTIES LLC	19 KIMBALL DRIVE	GULFPORT	MS	39507
	31701	0910N-07-009.000	3K'S LLC ETAL	150 GOVERNMENT ST	MOBILE	AL	36602
		0910N-07-014.000	SHAKIEA LEBLANC	115 THORNHILL DR	HATTISBURG	MS	39402



Legend

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



1 inch = 200 feet



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

RE: Variance 2408ZB113, by owner Land Lady Investments, LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, August 15, 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, August 15, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	577293	Print Legal Ad-IPL01856440 - IPL0185644		\$88.90	2	55 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2408ZB113, by owner Land Lady Investments, LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB114, by owner Land Lady Investments, LLC, seeking approval to have 4 regular parking spaces where 7 is required, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB116, by agent Patricia Tomasello, seeking approval for an 18-foot front yard setback where 25 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB117, by agent Patricia Tomasello, seeking approval for a side yard setback of 5-feet and 11 inches where 8 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB120, by agent Timothy Gobble, seeking approval for a 7-foot tall chain link fence where 6-feet is the height limit, Tax Parcel 0811F-02-040.000, 2201 17th Street, Zoned T4+ (General Urban Zone & "Plus"), Ward 3

Variance 2408ZB122, by agent Jon Storonskyj, seeking approval for an additional wall sign on the west elevation, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7

Variance 2408ZB124, by agent Matt Largen, seeking approval for a front yard setback for a freestanding ground sign of 1-foot where 10 feet is required, Tax Parcel 1008M-01-008.000, 11252 Lorraine Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB126, by agent Cross Development CC Gulfport, LLC, seeking approval for 10 regular parking spaces where 18 is required, Tax Parcel 1008L-01-002.000, Dedeaux Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB128, by agent Robert Thomas, seeking approval for a 4-foot front yard setback where 25 feet is required, Tax Parcel 0711H-02-023.000, 3521 19th Street, Zoned R-2 (Single-family) & (Sub-Urban zone), Ward 1

This the 24th day of July 2024

A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0185644
Jul 31 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:
07/31/24

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.

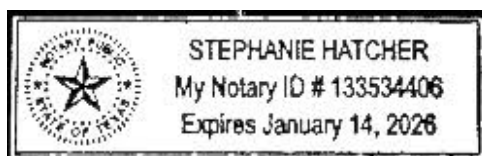
Mary Castro

Sworn to and subscribed before me this 31st 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!

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2408ZB113

Hearing Date: August 15, 2024

Current Zoning/Use: B-2 / Commercial Structure

Legal: Variance 2408ZB113, by owner Land Lady Investments, LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance to allow backing out into city right of way for a commercial use.

- (a) The applicant states that they need approval to back into the city street. The applicant does not properly address the special conditions and circumstances exist which are peculiar to the land. Upon staff review of the property, the available space would not allow for suitable on-site turnaround to prevent backing out into city right of way.
- (b) The applicant claims that the building was preexisting. Upon staff review of archived imagery, the structure has existed on that property since 2006. Since the structure existed prior to the applicant obtaining the property, it is not a hardship that they caused.
- (c) The applicant roughly states that they can't comply with the on-site turnaround required for the property and because of that they need the variance. The property in question does not have a feasible way of extending the allotted space in order to meet the requirements for having enough on site turnaround and therefore this variance is required.
- (d) The applicant states that the properties near them do not have the required on site turnaround. Upon staff review, there are several properties along Pass Road that do not have enough on site turnaround and have to back out into city right of way.
- (e) The applicant claims that they will not be receiving any special benefit conferred upon them if this request is granted. There are several properties along Pass Road that have gone for variances for backing out into city right of way, such as cases 1903ZB032, 2404ZB069, and 2405ZB060. Granting this variance would be in line with the area.
- (f) This property is zoned B-2, and some commercial uses are allowed by right.

EXECUTIVE SUMMARY

The applicant requests a parking variance to allow for backing out of city right of way. Upon staff review, due to the existing structure, the property does not have enough space to accommodate proper on site turnaround. Furthermore, the area has a history of properties being granted variances for backing out into city right of way, such as cases 1903ZB032, 2404ZB069, and 2405ZB060, and thus granting the variance would be in harmony for the area.

Any approval should consider these conditions:

- 1. Approval allows for backing out into the city right-of-way.
- 2. Must adhere to all rules and regulations
- 3. The parking area in front of the building was painted at some point in the past year as shown on the parking plan included in the application, but none of the parking spaces as shown on the plan and as striped back out into Pass Rd. Additionally, the proposed one way routing around the rear of the building is not wide enough to allow for a pickup truck to make the turn at the northwest corner of the building.
- 4. The angle backing out into Pass Road at this location is at an approximate 30 degree angle and creates a hazard to both lanes traveling west. There appears to be enough room on the east side of the building to place several parking places at a 30 degree angle and drive one way around to the west side of the building driving forward onto Pass Road.
- 5. Parking Lot is already striped. See 2408ZB114.

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

Engineering:

The parking area in front of the building was painted at some point in the past year as shown on the parking plan included in the application, but none of the parking spaces as shown on the plan and as striped back out into Pass Rd. Additionally, the proposed one way routing around the rear of the building is not wide enough to allow for a pickup truck to make the turn at the northwest corner of the building. Memo dated 7/31/2024.

Public Works:

No comment as of 8/05/2024.

Traffic and Safety:

Parking Lot is already striped. See 2408ZB114. Memo dated 8/02/2024.

Building Code Services:

The angle backing out into Pass Road at this location is at an approximate 30 degree angle and creates a hazard to both lanes traveling west. There appears to be enough room on the east side of the building to place several parking places at a 30 degree angle and drive one way around to the west side of the building driving forward onto Pass Road. Memo dated 7/24/2024.

GIS:

No conditions. Memo dated 7/29/2024.

Police Department:

No comment as of 8/05/2024.

Fire Department:

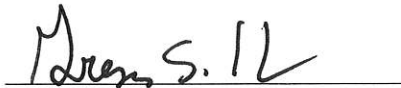
No conditions. Memo dated 7/24/2024.

City Arborist:

No conditions. Memo dated 7/25/2024.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department



URBAN DEVELOPMENT DEPARTMENT | PLANNING & ZONING

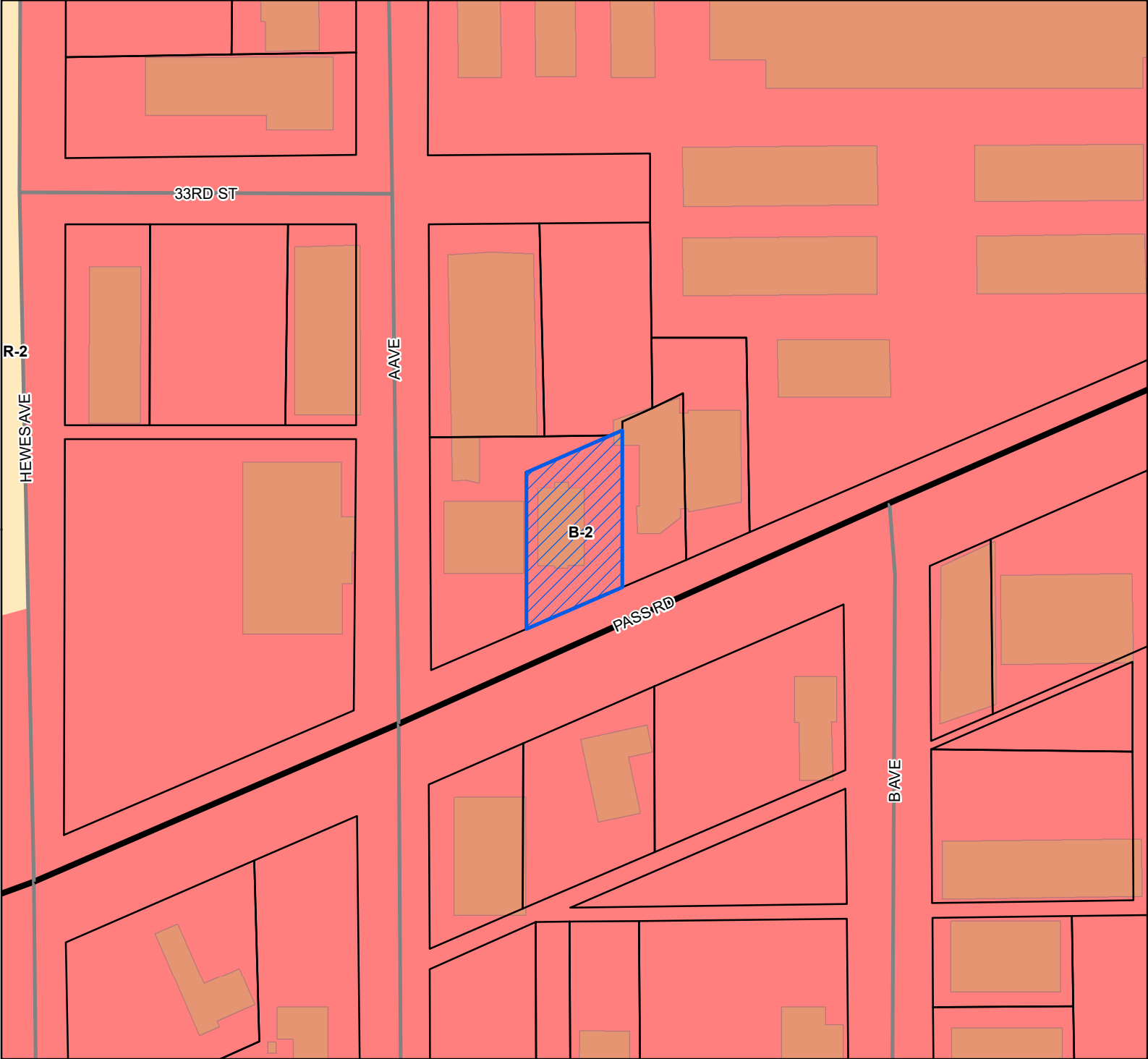
PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE

P: 228.868.5710 | F: 228.868.5708 | PLANNERS@GULFPORT-MS.GOV

ZONING BOARD OF ADJUSTMENT AND APPEALS CASE # 2408ZB114

Hearing Date: Thursday, August 15, 2024

Variance 2408ZB114: Owner, Land Lady Investments, LLC, seeking approval to have 4 regular parking spaces where 7 is required, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4



 Site

 US or State Highway

 Street

 Parcels

 Buildings

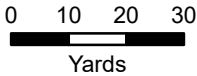
 City Limit

Zoning

 B-2 - General Business District

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

Site Information
0910N-07-014.000
Zoning: B-2 (General Business)
Size: 7775.81 sqft
Flood: X



1 inch = 100 feet



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OWNER:Shakiea LeBlanc

Printed Name of Owner

115 Thornhill Dr Suite A

Mailing Address

Hattiesburg MS 39402

City

State

Zip Code

Home Phone

Work/Cell Phone

johnson.shakiea@yahoo.com

Email

K LeBlanc

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) Shakiea LeBlancAddress (Street, City, State, Zip Code) 115 Thornhill Dr Suite APhone (Home) _____ (Work) 601-336-5266 (Cell) 601-549-8080Tax Parcel Number(s) Owned: 091011-07-014.000Signature: K LeBlanc

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, Shakira Lyles being property owner or agent of the property 512 Pass Rd GPT
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.

K. Lyles
SIGNATURE

June 6th 2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 6th day of June, 20 24

Samuel Sweeting
NOTARY PUBLIC

05/22/2027
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?) *Building was pre existing and parking is unable to be obtained*
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.) *Building was pre existing*
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?) *Building doesn't comply b/c of the amount of parking spaces.*
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.) *Businesses next to mine has less than required parking spaces*
5. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and hardship. (i.e., Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?) *NO.*
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. *Yes Admin office for Health Care (Home Health)*





Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
LANDLADY INVESTMENTS LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1192101
Status:	Good Standing
Effective Date:	10/25/2019
State of Incorporation:	Mississippi
Principal Office Address:	115 THORNHILL DR, SUITE A HATTIESBURG, MS 39402

Registered Agent

Name
SHAKIEA LEBLANC 115 THORNHILL DR, SUITE A HATTIESBURG, MS 39402

Officers & Directors

Name	Title
SHAKIEA LEBLANC 1318 w pine st HATTIESBURG, MS 39401	Manager, President



SCANNED



Angela J. Hulse 1st JUDICIAL DISTRICT
Instrument 2024-0006393-D-J1
Filed/Recorded 04/08/2024 9:40:01 AM
Total Fees 26.00
2 Pages Recorded

Prepared by and return to:
Lockett Land Title, Inc.
Joseph M. Gianola, Jr. (MSB No. 101972)
63 98 Place Boulevard
Hattiesburg, Mississippi 39402
(601)450-0065
File No. 24-0458H

INDEXING INSTRUCTIONS: Lot 15, 16, and 17, Block 6, Revision of Magnolia Grove Addition to the City of Gulfport, First Judicial District, Harrison County, Mississippi

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

WARRANTY DEED

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, adequacy and sufficiency of all of which is hereby irrevocably acknowledged and confessed, the Grantor,

JOHN W. HOLDEN, JR.
P.O Box 1055
Cleveland, TN 37364
(423)667-1672

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

LAND LADY INVESTMENTS, LLC,
a Mississippi limited liability company
115 Thornhill Dr. Ste A
Hattiesburg, MS 39402
(601)549-8080

the following described real property lying and being situated in First Judicial District, Harrison County, Mississippi, and being more particularly described as follows, to-wit:

Lots 15, 16 and 17, Block 6, REVISION OF MAGNOLIA GROVE ADDITION TO THE CITY OF GULFPORT, according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of First Judicial District, Harrison County, Mississippi in Plat Book 3 at page 36.

This conveyance and the warranty hereof is subject to the Final Decree Vacating Part of Plat filed in Boook 574 at Page 172 in the office of the Chancery Clerk of Harrison County, Mississippi.

This conveyance and the warranty hereof is subject to any and all prior and outstanding leases, exceptions, reservations and/or conveyances of oil, gas and/or other minerals and any geothermal energy resources lying in, on and under the above described real property.

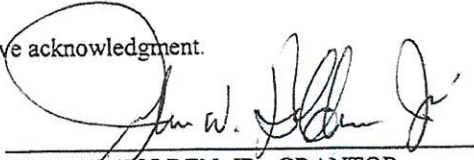
This conveyance and the warranty hereof is subject to any environmental condition existing upon the subject property which would cause said property to be in violation of any State and/or Federal Environmental Protection Act.

This conveyance and the warranty hereof is subject to any and all other easements and rights-of-way, whether of record or of use, which affect the real property hereby conveyed.

This conveyance and the warranty hereof is subject to any and all Covenants and Restrictions of record.

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

WITNESS MY SIGNATURE on the date of my respective acknowledgment.


JOHN W. HOLDEN, JR., GRANTOR

STATE OF 2m

COUNTY OF Bradley

THIS DAY personally came and appeared before me, the undersigned authority in and for the jurisdiction above stated, John W. Holden, Jr., who stated and acknowledged to me that he did execute, sign and deliver the above and foregoing instrument on the date and for the purposes therein stated.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 3rd of April, 2024.


NOTARY PUBLIC

My Commission Expires: 10/6/27

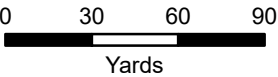


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0910N-07-014.000	LAND LADY INVESTMENTS LLC (OWNER) Adjacent Property Owners (2408ZB114)	115 THORNHILL DR	HATTISBURG	MS	39402
	103379	0910N-07-012.001	MUELLER RICHARD P JR	15384 5TH STREET	GULFPORT	MS	39503
	83972	0910N-07-015.000	DIBS CHEMICAL & SUPPLY CO INC	542 PASS RD	GULFPORT	MS	39501
	31704	0910N-07-014.000	HOLDEN JOHN W JR	P O BOX 1055	CLEVELAND	TN	37364
	83969	0910N-07-012.000	CARR CHARLES D -TRUSTEE-	19400 NORTH POINT COVE	GULFPORT	MS	39503
	31693	0910N-07-018.000	HUNTOON PHILIP C	2471 SOUTH SHORE DRIVE	BILOXI	MS	39532
	31694	0910N-07-017.000	GATES NEVILLE JR	19 51ST ST	GULFPORT	MS	39507
	31709	0910N-06-022.000	HLR PROPERTIES LLC	1115 PASS ROAD	GULFPORT	MS	39501
	31695	0910N-07-016.000	ACE RADIATOR ALIGNMENT & AIR LLC	3221 A AVE	GULFPORT	MS	39507
	31723	0910N-06-015.000	BEATTIES JACK	3206 B AVE	GULFPORT	MS	39501
	31717	0910N-06-019.000	VINTAGE PROPERTIES LLC	19 KIMBELL DR	GULFPORT	MS	39507
	31702	0910N-07-010.000	MUELLER RICHARD P JR	15384 5TH ST	GULFPORT	MS	39503
	31712	0910N-06-020.000	AUTO CASH INC	521 CEDAR AVE	CRESTVIEW	FL	32539
	31724	0910N-06-016.000	VINTAGE PROPERTIES LLC	19 KIMBALL DRIVE	GULFPORT	MS	39507
	107783	0910N-06-026.001	QUIN SHERYL V	24178 LEEWARD DR	GULFPORT	MS	39503
	31714	0910N-06-024.000	BREWER INGLE C JR & LEE MICHEAL	7360 RUSHING ROBINSON RD	BILOXI	MS	39532
	31711	0910N-06-021.000	HLR PROPERTIES LLC	1115 PASS RD	GULFPORT	MS	39501
N	31713	0910N-06-023.000	VINTAGE PROPERTIES LLC	19 KIMBELL DR	GULFPORT	MS	39507
	31706	0910N-06-028.000	QUIN EDWARD E JR ETAL	15701 PARKWOOD DR SOUTH	GULFPORT	MS	39503
N	31700	0910N-07-011.000	MUELLER RICHARD P JR	15384 5TH STREET	GULFPORT	MS	39503
N	31703	0910N-07-013.000	MUELLER RICHARD P JR	15384 5TH STREET	GULFPORT	MS	39503
N	31708	0910N-06-027.000	QUIN SHERYL V	24178 LEEWARD DR	GULFPORT	MS	39503
	31715	0910N-06-025.000	QUIN EDWARD E JR	529 32ND ST	GULFPORT	MS	39501
	31716	0910N-06-026.000	QUIN SHERYL V	12478 LEEWARD DR	GULFPORT	MS	39503
N	83963	0910N-06-018.000	VINTAGE PROPERTIES LLC	19 KIMBALL DRIVE	GULFPORT	MS	39507
	31701	0910N-07-009.000	3K'S LLC ETAL	150 GOVERNMENT ST	MOBILE	AL	36602
		0910N-07-014.000	SHAKIEA LEBLANC	115 THORNHILL DR	HATTISBURG	MS	39402



Legend

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



1 inch = 200 feet



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RE: Variance 2408ZB114, by owner Land Lady Investments, LLC, seeking approval to have 4 regular parking spaces where 7 is required, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, August 15, 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, August 15, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	577293	Print Legal Ad-IPL01856440 - IPL0185644		\$88.90	2	55 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2408ZB113, by owner Land Lady Investments, LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB114, by owner Land Lady Investments, LLC, seeking approval to have 4 regular parking spaces where 7 is required, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB116, by agent Patricia Tomasello, seeking approval for an 18-foot front yard setback where 25 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB117, by agent Patricia Tomasello, seeking approval for a side yard setback of 5-feet and 11 inches where 8 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB120, by agent Timothy Gobble, seeking approval for a 7-foot tall chain link fence where 6-feet is the height limit, Tax Parcel 0811F-02-040.000, 2201 17th Street, Zoned T4+ (General Urban Zone & "Plus"), Ward 3

Variance 2408ZB122, by agent Jon Storonskyj, seeking approval for an additional wall sign on the west elevation, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7

Variance 2408ZB124, by agent Matt Largen, seeking approval for a front yard setback for a freestanding ground sign of 1-foot where 10 feet is required, Tax Parcel 1008M-01-008.000, 11252 Lorraine Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB126, by agent Cross Development CC Gulfport, LLC, seeking approval for 10 regular parking spaces where 18 is required, Tax Parcel 1008L-01-002.000, Dedeaux Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB128, by agent Robert Thomas, seeking approval for a 4-foot front yard setback where 25 feet is required, Tax Parcel 0711H-02-023.000, 3521 19th Street, Zoned R-2 (Single-family) & (Sub-Urban zone), Ward 1

This the 24th day of July 2024

A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0185644
Jul 31 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:
07/31/24

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.

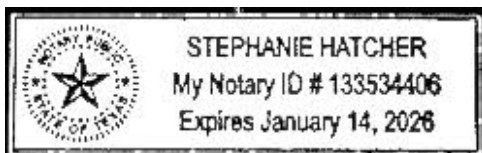
Mary Castro

Sworn to and subscribed before me this 31st 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!

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2408ZB114

Hearing Date: August 15, 2024

Current Zoning/Use: B-2 / Commercial Structure

Legal: Variance 2408ZB114, by owner Land Lady Investments, LLC, seeking approval to have 4 regular parking spaces where 7 is required, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance to allow for 4 parking spaces and 1 handicap space instead of the required 7 parking spaces and 1 handicap space for this property.

- (a) The applicant states that, "Parking is unable to be obtained." The applicant does not properly address the special conditions and circumstances exist which are peculiar to the land. Upon staff review of the property, the available space would not allow for suitable parking on the property.
- (b) The applicant claims that building is preexisting. Upon staff review of archived imagery, the structure has existed on that property since 2006. Since the structure existed prior to the applicant obtaining the property, it is not a hardship that they caused.
- (c) The applicant roughly states that the building does not comply because of the amount of parking spaces. The proposed parking plan only seems to be capable of accommodating 4 parking spaces and a required handicap space.
- (d) The applicant claims that the properties around them have less than the required parking spaces. Upon staff review, there are several properties along Pass Road that do not meet the required parking spaces.
- (e) The applicant claims that they will not be receiving any special benefit conferred upon them if this request is granted. There are several properties along Pass Road that have gone for variances for the amount of allowed parking, such as cases 1903ZB032, 1912ZB164, and 2104ZB069. Thus granting this variance would be in line with the area.
- (f) This property is zoned B-2, and some commercial uses are allowed by right.

EXECUTIVE SUMMARY

The applicant requests a parking variance to allow for backing out of city right of way. Upon staff review, due to the existing structure, the proposed parking plan is only capable of 4 parking spaces and a required handicap space. Furthermore, the area has a history of properties being granted variances for backing out into city right of way, and thus granting the variance would be in harmony for the area.

Any approval should consider these conditions:

- 1. Approval allows for 4 parking spaces and 1 handicap space where 7 parking spaces and 1 handicap space is required.
- 2. Must adhere to all rules and regulations
- 3. The parking area in the front of the building was painted at some point in the past year as shown on the parking plan included in the application, but there are 5 spaces (4 regular spaces plus 1 non-van accessible ADA space) provided. The proposed one way routing around the rear of the building is not wide enough to allow for a pickup truck to make the turn at the northwest corner of the building.
- 4. You may be able to provide 3 30 degree parking spaces on the east side of the building and 2 90 degree parking spaces in the front. 1 handicap van parking space must be provided. 5 total parking spaces
- 5. Parking Lot is already striped before variance is approved. Alleyway between buildings isn't wide enough.

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

Engineering:

The parking area in the front of the building was painted at some point in the past year as shown on the parking plan included in the application, but there are 5 spaces (4 regular spaces plus 1 non-van accessible ADA space) provided. The proposed one way routing around the rear of the building is not wide enough to allow for a pickup truck to make the turn at the northwest corner of the building. Memo dated 7/31/2024.

Public Works:

No comment as of 8/05/2024.

Traffic and Safety:

Parking Lot is already striped before variance is approved. Alleyway between buildings isn't wide enough. Memo dated 8/02/2024.

Building Code Services:

You may be able to provide 3 30 degree parking spaces on the east side of the building and 2 90 degree parking spaces in the front. 1 handicap van parking space must be provided. 5 total parking spaces. Memo dated 7/24/2024.

GIS:

No conditions. Memo dated 7/29/2024.

Police Department:

No comment as of 8/05/2024.

Fire Department:

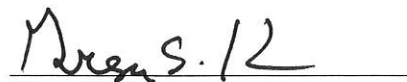
No conditions. Memo dated 7/24/2024.

City Arborist:

No conditions. Memo dated 07/25/2024.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department



URBAN DEVELOPMENT DEPARTMENT | PLANNING & ZONING

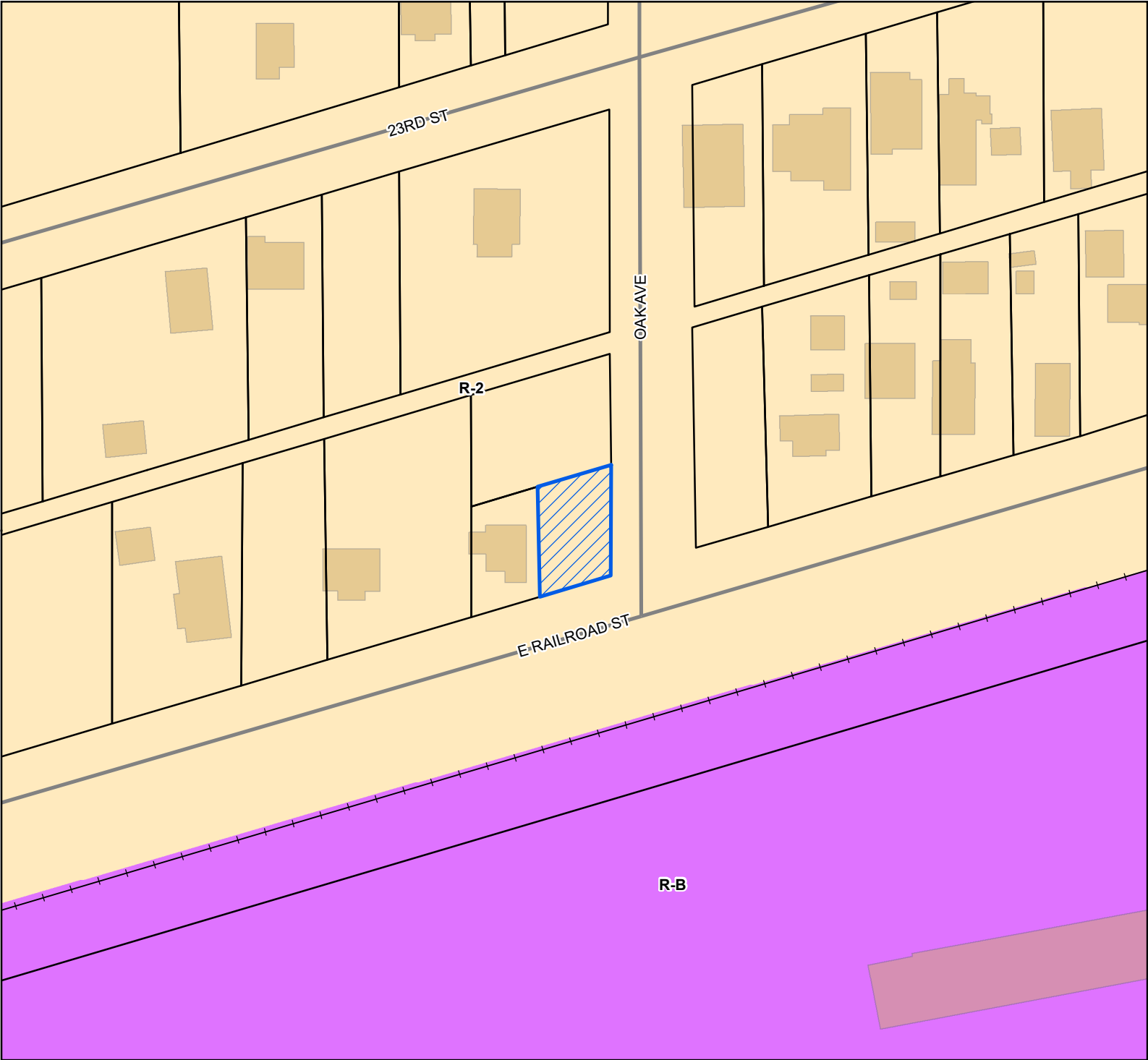
PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE

P: 228.868.5710 | F: 228.868.5708 | PLANNERS@GULFPORT-MS.GOV

ZONING BOARD OF ADJUSTMENT AND APPEALS CASE # 2408ZB116

Hearing Date: Thursday, August 15, 2024

Variance 2408ZB116: Agent, Patricia Tomasello, seeking approval for an 18-foot front yard setback where 25 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3



Site

Street

Railroad

Parcels

Buildings

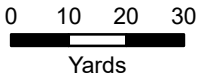
City Limit

Zoning

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

R-B - Residence-Business District

Site Information
0911C-01-199.000
Zoning: R-2 (Single-Family)
Size: 4125.70 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.



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

CASE NUMBER

2408 ZB 116

 Jd 6/13/24
 recpt # 12800000

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

09	11	C	-	01	-	199	.	000											

Property Address:

200 E. Railroad Street, Gulfport

Lot(s) 15 & 16

Block(s) 3

Subdivision Live Oak Addition

General Description of Request:

Requesting ^{front yard} ~~lot~~ setback ^{variance} adjustment to front (southside) lot line from 25 feet to 18 feet to allow for single family home to be built.

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:Signature Home Solutions LLC

Printed Name of Owner

1715 21st Avenue

Mailing Address

Gulfport MS 39501

City

State

Zip Code

662-317-0243

Home Phone

Work/Cell Phone

greg.mihalovich@signaturegulf

Email

coast.com

Signature of Owner

AGENT:Patricia Tomasello

Printed Name of Agent

1487 City Bridge Road

Mailing Address

Wiggins MS 39577

City

State

Zip Code

757-675-6226

Home Phone

Work/Cell Phone

easter.tom64@gmail.com

Email

Patricia Tomasello

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)

Greg Mihalovich

Address (Street, City, State, Zip Code)

1715 21st Ave.Gulfport MS39501

Phone (Home)

(Work)

223-202-1056

(Cell)

662-317-0243

Tax Parcel Number(s) Owned:

0911 C-01-199.000

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:

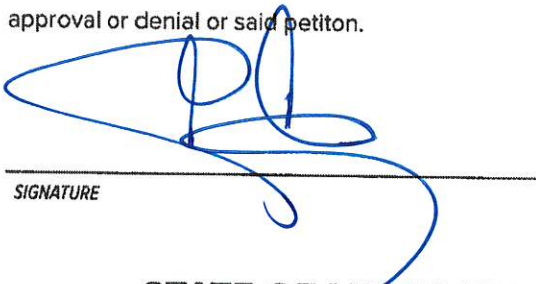


DESIGNATION OF AGENT

I, Greg Mihalovich PRINT NAME being property owner of 0911C-01-199.000 PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Patricia Tomasello PRINT NAME to act as
my representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning
Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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



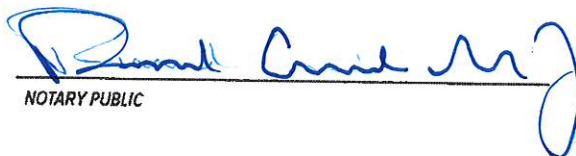
SIGNATURE

June 3, 2024

DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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



NOTARY PUBLIC





COVENANT AFFIDAVIT

I, Greg Mihalovich being property owner or agent of the property 0911C-01-199.000
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

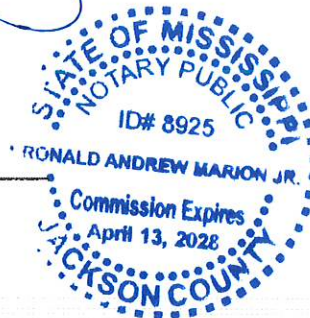
June 3, 2024

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 3 day of June, 20 24

NOTARY PUBLIC

COMMISSION EXPIRATION



Variance Submissions

200 Railroad Street, Gulfport, MS

Lots 15 and 16, Block 3, Live Oak Addition

Parcel# 0911C-01-199.000

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., what is special about your property that you need to request a variance?) **The existing lot shape and size, which are narrow and not rectangular, limit the buildable area within the standard setbacks. (Existing setback: 25 feet at front, south side lot line).**
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.) **The existing lot is the original plat and limits the buildable area.**
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?) **Changing the setbacks on the ~~left, west side~~ ^{front, south side} lot line from 25 feet to 18 feet would allow for new construction of an affordable, single family dwelling/home.**
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.) **Changing the setbacks will allow for the construction of a new, affordable, single-family dwelling for home ownership resulting in property value commensurate with the property values in the 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?) **Applicant is requesting to have the current lot setbacks adjusted in order to build a new construction, affordable, single-family dwelling/home.**
6. State whether the use proposed is permissible by right, with planning approval or by special exception with respect to uses of land or structures. **The proposed use of this property as a new construction, affordable, single family dwelling/home as permissible, with planning approval, with respect to uses of the land.**

200 RAILROAD STREET
LOTS 15-16, BLOCK 3, LIVE OAK ADDITION
GULFPORT, MISSISSIPPI
PARCEL #0911C-01-199.000

Survey of the South 80 feet of Lots 15 and 16, Block 3, Live Oak Addition, City of Gulfport, First Judicial District of Harrison County, Mississippi, as recorded in Plat Copy Book 2A, Page 151 of the records of the First Judicial District. Said parcel contains 3996 square feet or 0.09 acres.

This survey does not reflect a title search by Gary A. Durbin, P.L.S., nor should it be considered as such. This survey therefore does not depict all easements and encumbrances that could affect this property.

This is a Class "B" survey per "The Standards of Practice for Land Surveying in the State of Mississippi".

Bearings based on GPS Observation of the west margin of Oak Avenue, NAD 83, MS East Zone, convergence angle -0.130449, scale factor 0.999960.

This property is situated in Zone "X" (0.2%) per FEMA Flood Insurance Rate Map, City of Gulfport, Harrison County, Mississippi, Community Panel Number 28047C-0268-G, Revised: 6/16/09. This does not warranty that this property will not or could not flood

This is to CERTIFY that this plat or map and the survey on which it is based were made in accordance with "The Standards of Practice for Land Surveying in the State of Mississippi".

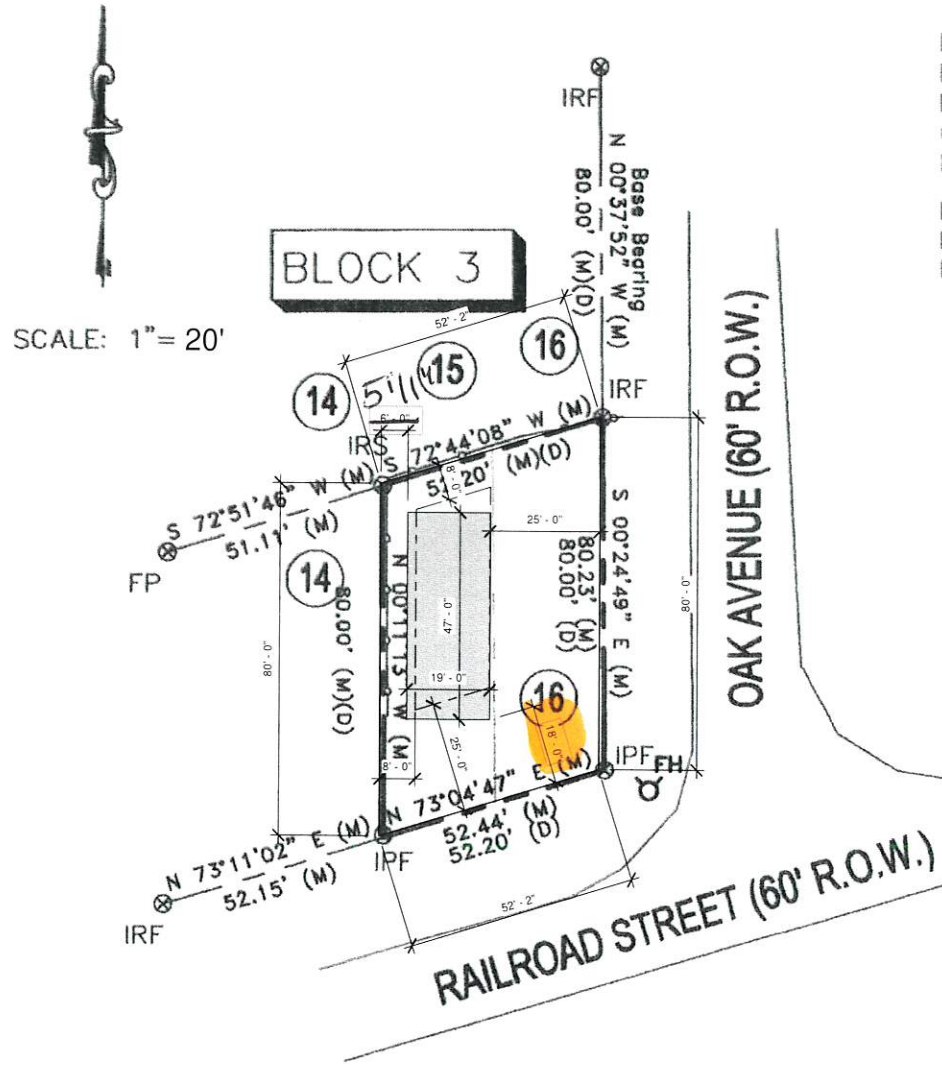
Gary A. Durbin, P.L.S. 2401
December 19, 2023

JOB 11257

GARY A. DURBIN, P.L.S.
PROFESSIONAL LAND SURVEYOR
13048 RIVERWALK CIRCLE, DIBERVILLE, MS. 39540
PH. (228) 365-3632 Teelokgd@aol.com

IRF 1/2" IRON ROD FOUND
IPF 3/4" IRON PIPE FOUND
IRS 1/2" IRON ROD SET
CMF CONCRETE MONUMENT
PKS PK NAIL SET

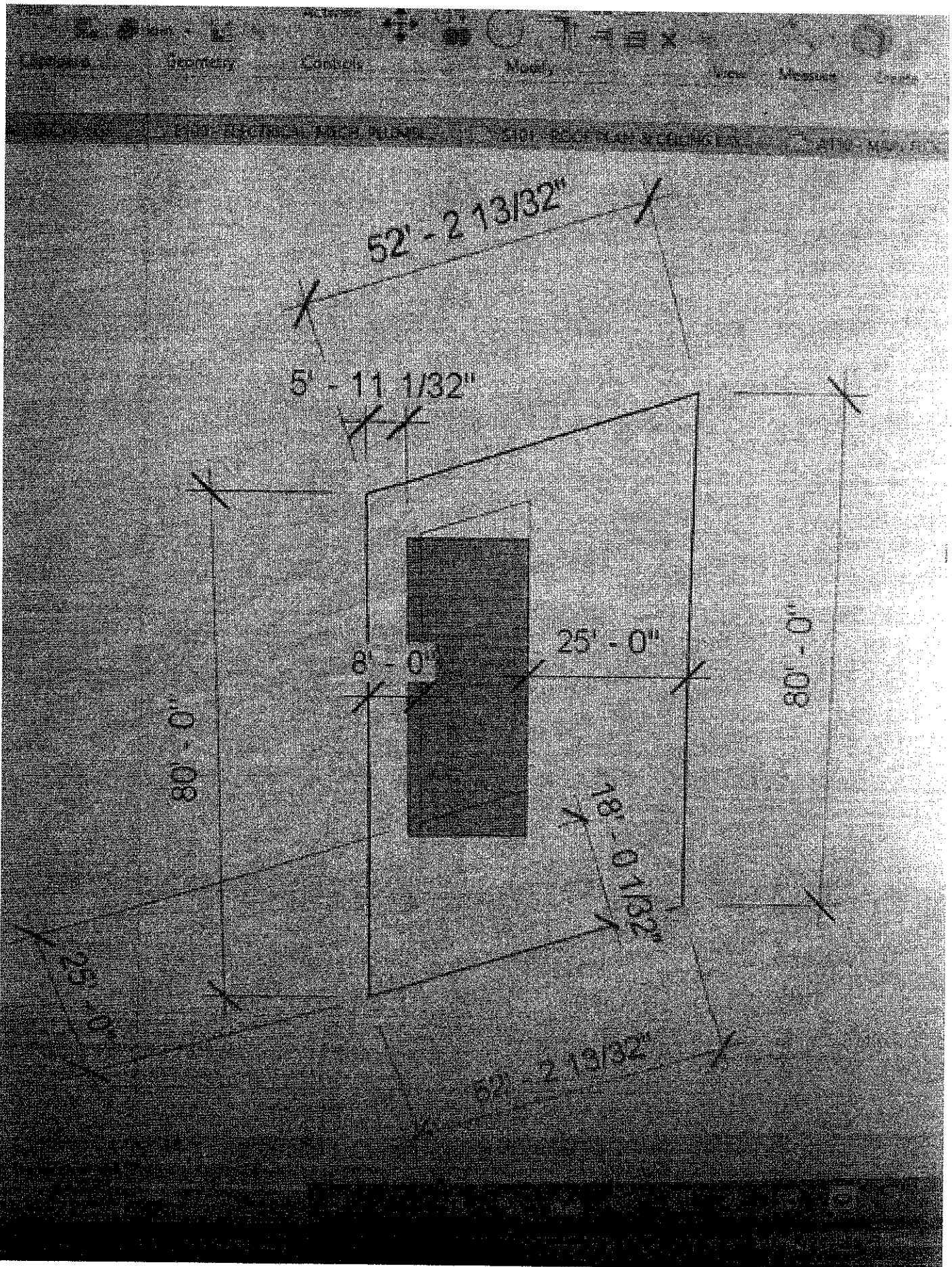
P=PLAT OF RECORD
M=MEASURED
D=DEED



REFERENCE:
SURVEY BY GARY A.
DURBIN, P.L.S.
DATED 12/12/16



② SITE LAYOUT
1" = 20'-0"



SIGNATURE HOME SOLUTIONS

200 RAILROAD ST., GULFPORT, MS

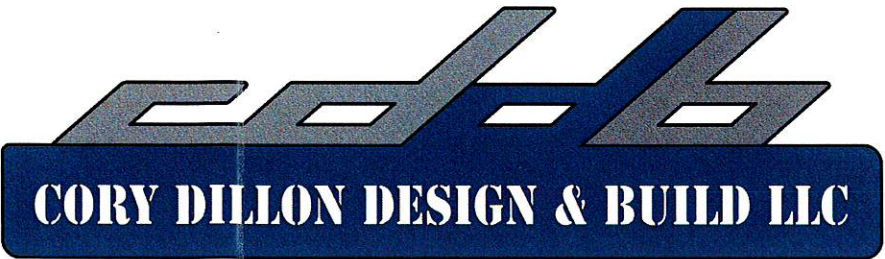
PROJECT # 24-008

CONSTRUCTION DOCUMENTS
5/30/2024

DESIGNER MAKES NO REPRESENTATIONS CONCERNING ACCURACY OF THESE DOCUMENTS AND THEIR COMPLETENESS. CONTRACTOR SHALL BE RESPONSIBLE FOR INSURING ALL CODE, ORDINANCE, AND SAFETY REQUIREMENTS ARE MET AND CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS AND EXPENSES ASSOCIATED THEREWITH.

OWNER SHALL INDEMNIFY AND HOLD DESIGNER HARMLESS FROM AND AGAINST ANY AND ALL LIABILITIES, CLAIMS AND COSTS (INCLUDING ATTORNEYS FEES, PENALTIES AND FINES) FOR DEATH, INJURY OR DAMAGES TO PERSONS OR PROPERTY ARISING FROM (A) ANY DEFAULT BY DESIGNER IN THE PERFORMANCE OF ITS OBLIGATIONS UNDER THESE DOCUMENTS, OR (B) ANY ACTS, OMISSIONS, OR NEGLIGENCE OF DESIGNER OR ITS AGENT AND EMPLOYEES.

IF ANY ACTION IS BROUGHT AGAINST DESIGNER UPON ANY SUCH CLAIM, OWNER SHALL CAUSE SUCH ACTION BE DEFENDED AT ITS EXPENSE BY COUNSEL REASONABLY SATISFACTORY TO DESIGNER. ANY AND ALL CLAIMS AND DISPUTES AND OTHER MATTERS IN QUESTION ARISING OUT OF RELATING TO THESE DOCUMENTS, SHALL BE REFERRED TO ARBITRATION BY AN ARBITRATOR MUTUALLY AGREEABLE TO DESIGNER AND OWNER.

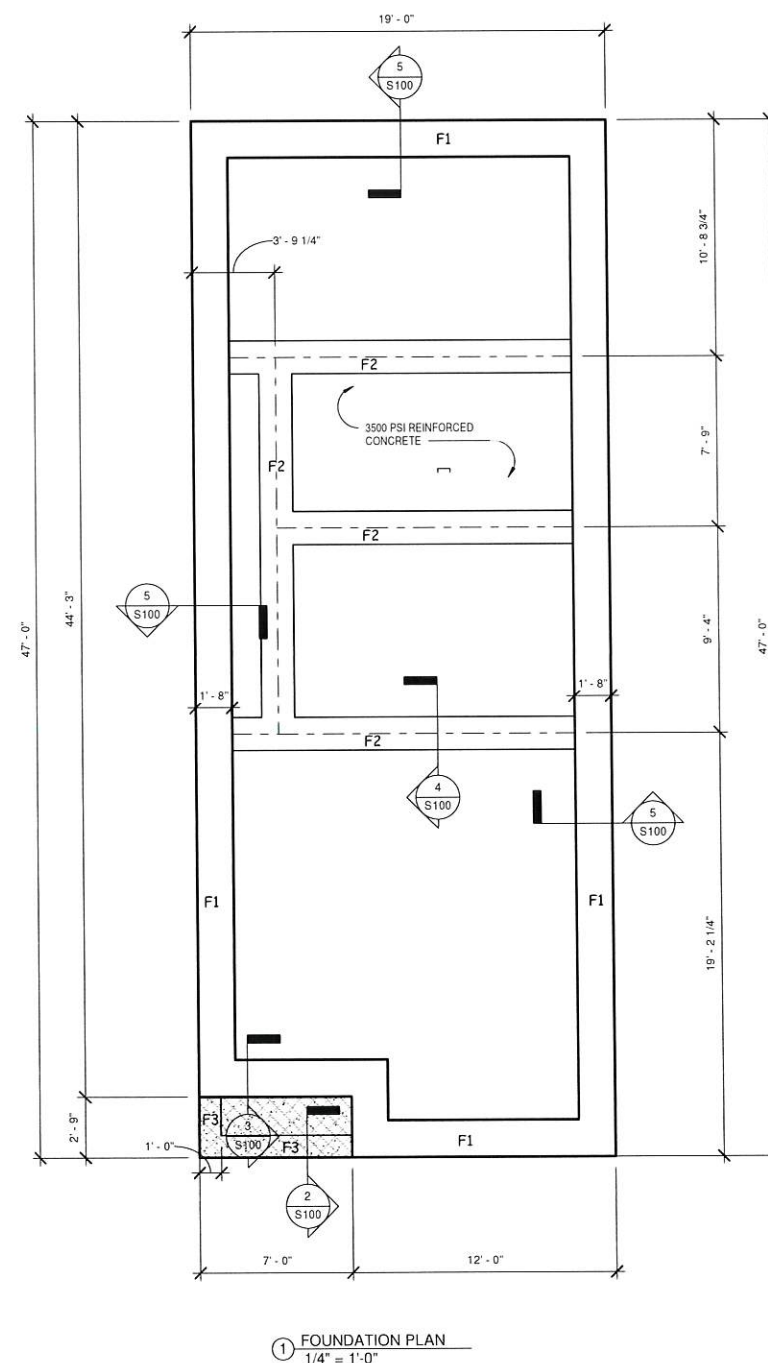
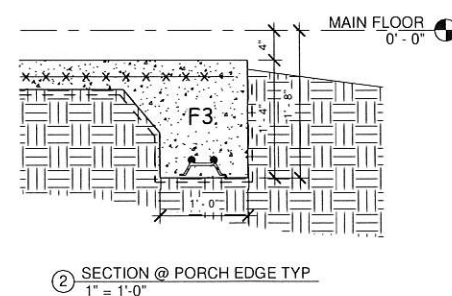
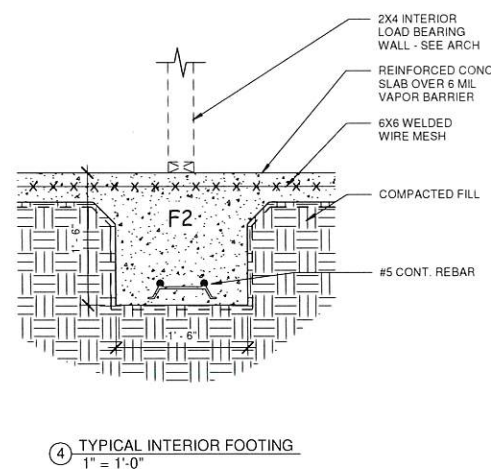
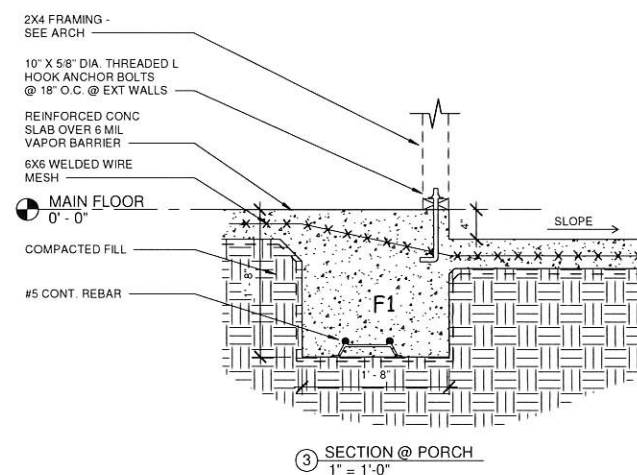


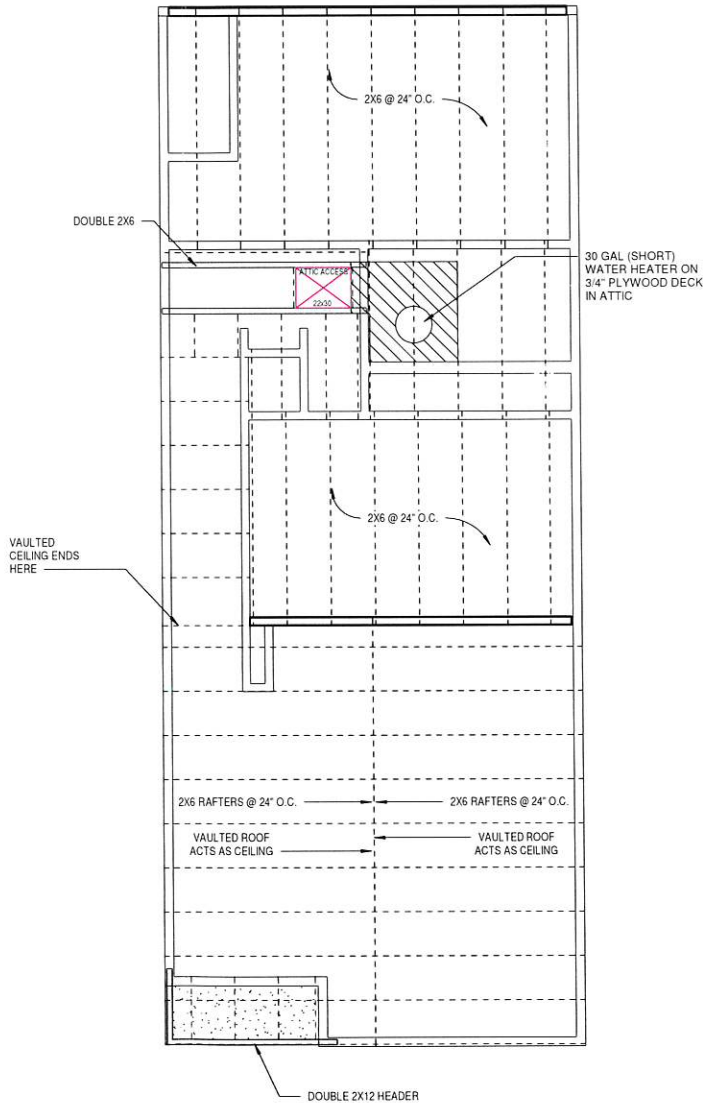
438 GOOSE POINTE BLVD., BILOXI, MS 39531

DESIGNER MAKES NO REPRESENTATIONS CONCERNING ACCURACY OF THESE DOCUMENTS AND THEIR COMPLETENESS. CONTRACTOR SHALL BE RESPONSIBLE FOR INSURING ALL CODE, ORDINANCE, AND SAFETY REQUIREMENTS ARE MET AND CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS AND EXPENSES ASSOCIATED THEREWITH.

OWNER SHALL INDEMNIFY AND HOLD DESIGNER HARMLESS FROM AND AGAINST ANY AND ALL LIABILITIES, CLAIMS AND COSTS (INCLUDING ATTORNEYS' FEES, PENALTIES AND FINES) FOR DEATH, INJURY OR DAMAGES TO PERSONS OR PROPERTY ARISING FROM OR RESULTING FROM NEGLIGENCE BY DESIGNER IN THE PERFORMANCE OF ITS OBLIGATIONS UNDER THESE DOCUMENTS, OR (B) ANY ACTS, OMISSIONS, OR NEGLIGENCE OF DESIGNER OR ITS AGENT AND EMPLOYEES.

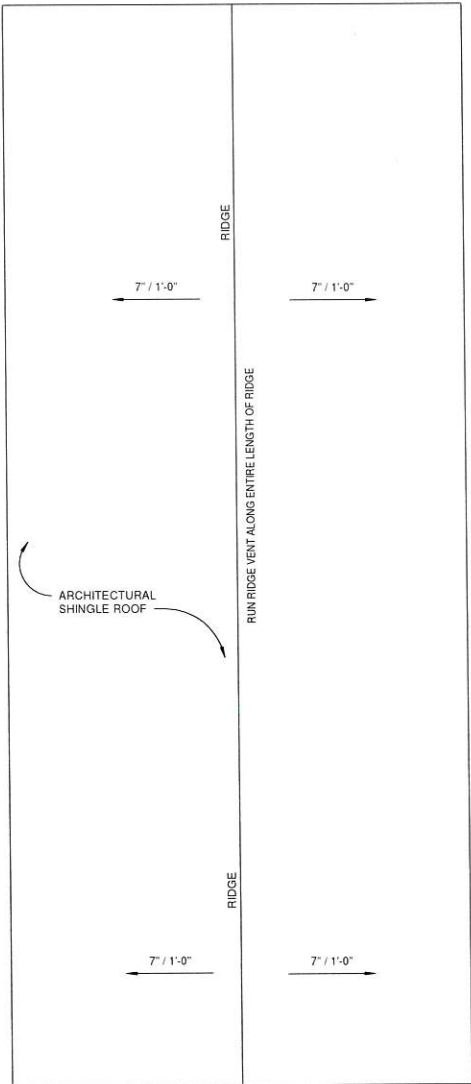
IF ANY ACTION IS BROUGHT AGAINST DESIGNER UPON ANY SUCH CLAIM, OWNER SHALL CAUSE SUCH ACTION TO BE DEFENDED AT ITS EXPENSE BY COUNSEL REASONABLY SATISFACTORY TO DESIGNER. ANY AND ALL CLAIMS AND DISPUTES AND OTHER MATTERS IN QUESTION ARISING OUT OF RELATING TO THESE DOCUMENTS, SHALL BE REFERRED TO ARBITRATION BY AN ARBITRATOR MUTUALLY AGREEABLE TO DESIGNER AND OWNER.





NOTE: ALL CEILING HEIGHTS ARE 8' EXCEPT FOR THE VAULTED AREA IN THE LIVING ROOM / KITCHEN

2 CEILING LAYOUT
1/4" = 1'-0"



1 ROOF PLAN
1/4" = 1'-0"

DESIGNER MAKES NO REPRESENTATIONS CONCERNING ACCURACY OF THESE DOCUMENTS AND THEIR COMPLETENESS. CONTRACTOR SHALL BE RESPONSIBLE FOR INSURING ALL CODE, ORDINANCE, AND SAFETY REQUIREMENTS ARE MET AND CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS AND EXPENSES ASSOCIATED THEREWITH.

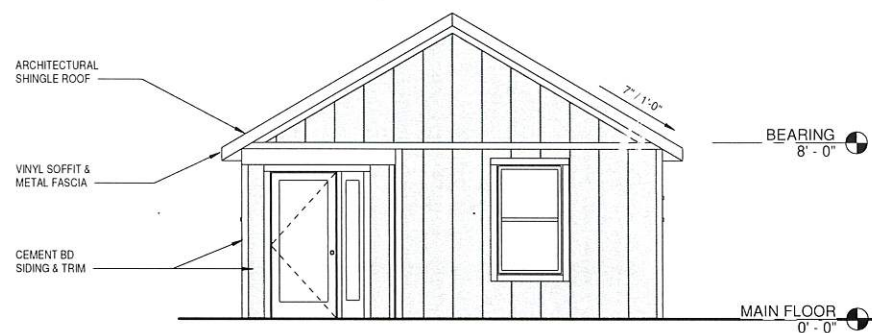
OWNER SHALL INDEMNIFY AND HOLD DESIGNER HARMLESS FROM AND AGAINST ANY AND ALL LIABILITIES, CLAIMS AND COSTS (INCLUDING ATTORNEY'S FEES, PENALTIES AND FINES) FOR DEATH, INJURY OR DAMAGES TO PERSONS OR PROPERTY ARISING FROM (A) ANY DEFAULT BY DESIGNER IN THE PERFORMANCE OF ITS OBLIGATIONS UNDER THESE DOCUMENTS, OR (B) ANY ACTS, OMISSIONS, OR NEGLIGENCE OF DESIGNER OR ITS AGENT AND EMPLOYEES.

IF ANY ACTION IS BROUGHT AGAINST DESIGNER UPON ANY SUCH CLAIM, OWNER SHALL CAUSE SUCH ACTION BE DEFENDED, AT ITS EXPENSE, BY COUNSEL REASONABLY SATISFACTORY TO DESIGNER. ANY AND ALL CLAIMS AND DISPUTES AND OTHER MATTERS IN QUESTION ARISING OUT OF RELATING TO THESE DOCUMENTS, SHALL BE REFERRED TO ARBITRATION BY AN ARBITRATOR MUTUALLY AGREEABLE TO DESIGNER AND OWNER.

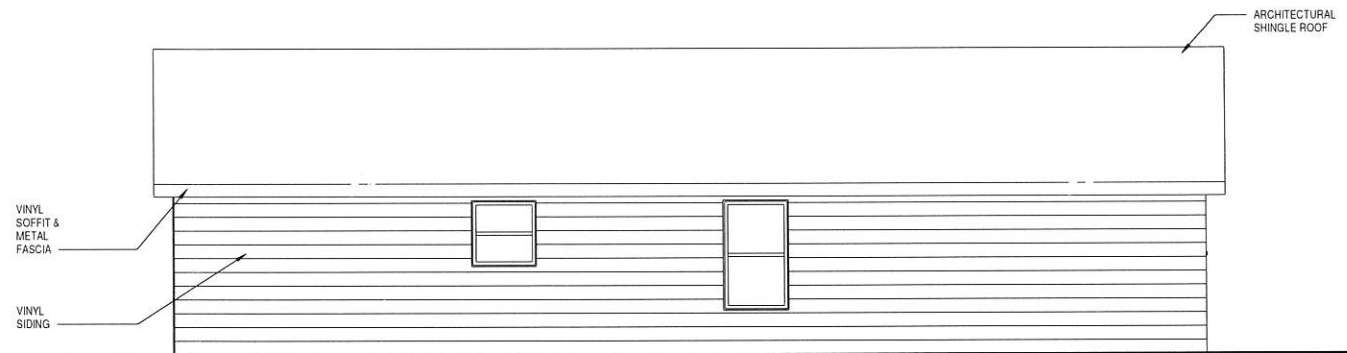
1 MAIN FLOOR
1/4" = 1' - 0"

A110

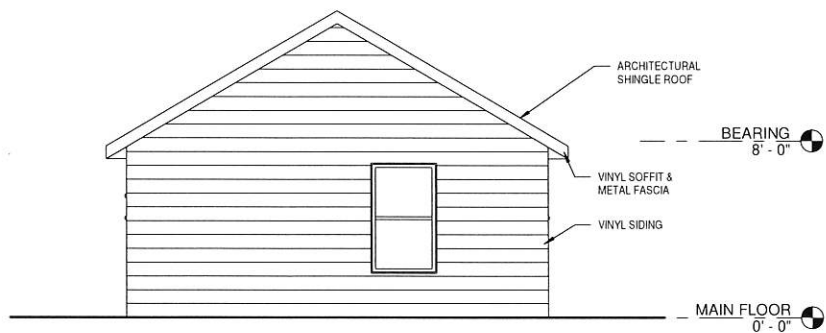
NUMBER 24-008
DATE 5/30/202
DRAWN CDV



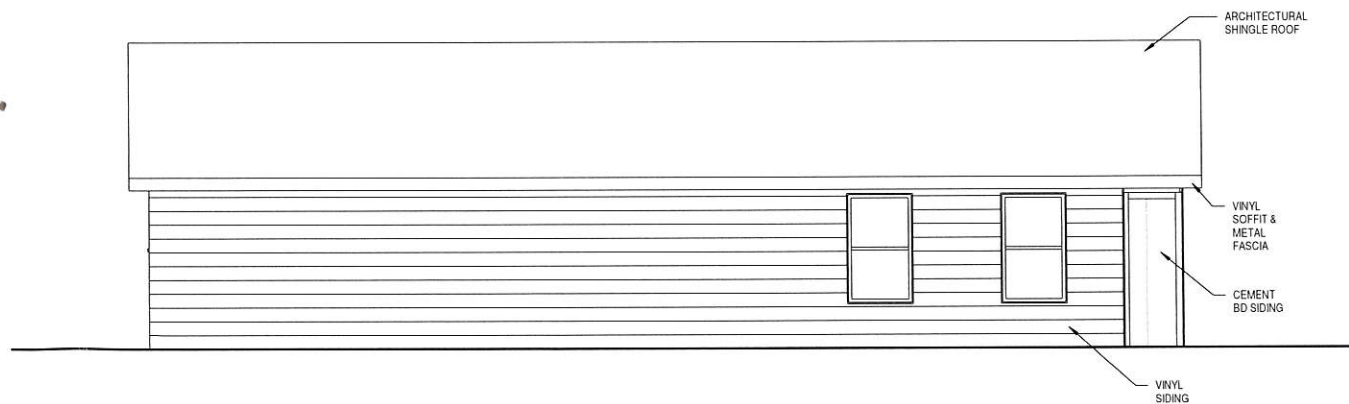
④ FRONT ELEVATION
1/4" = 1'-0"



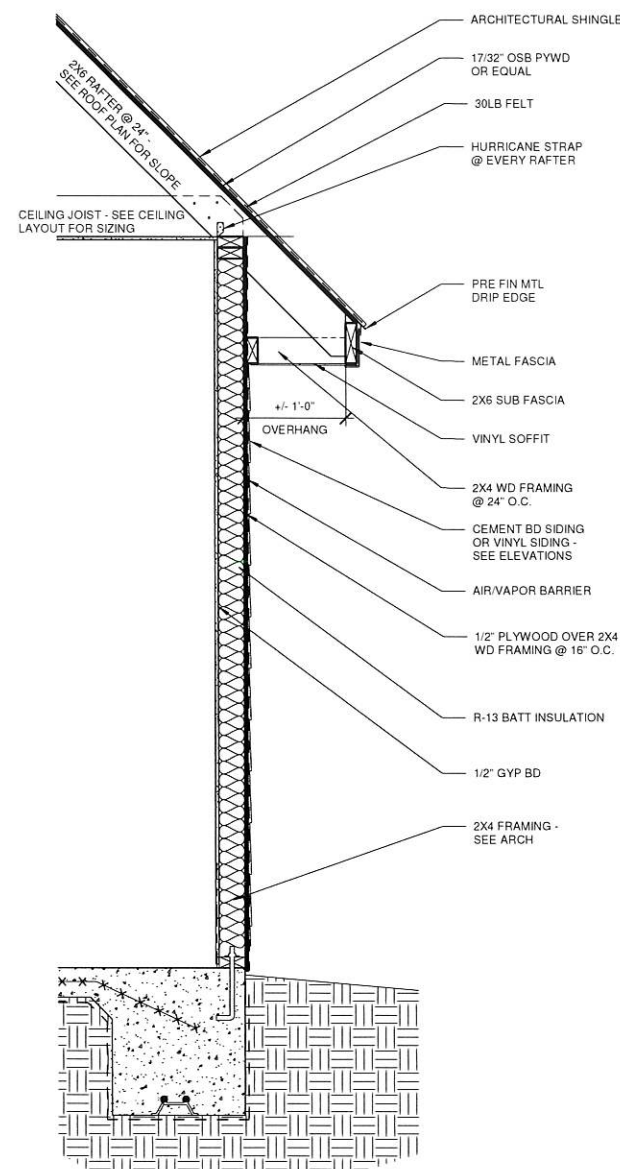
③ SIDE 1 ELEVATION
1/4" = 1'-0"



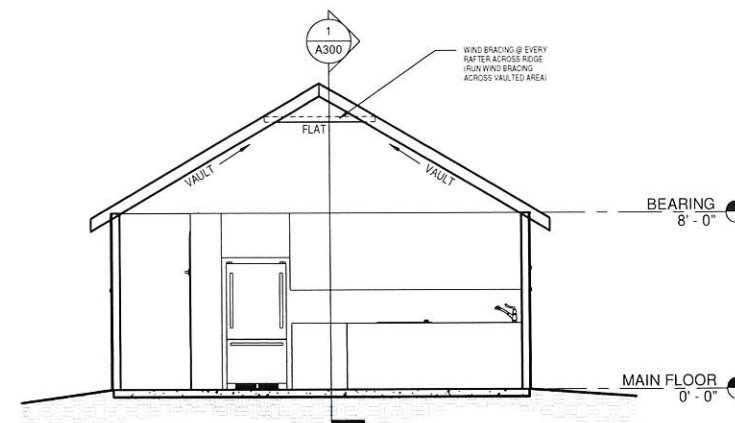
② REAR ELEVATION
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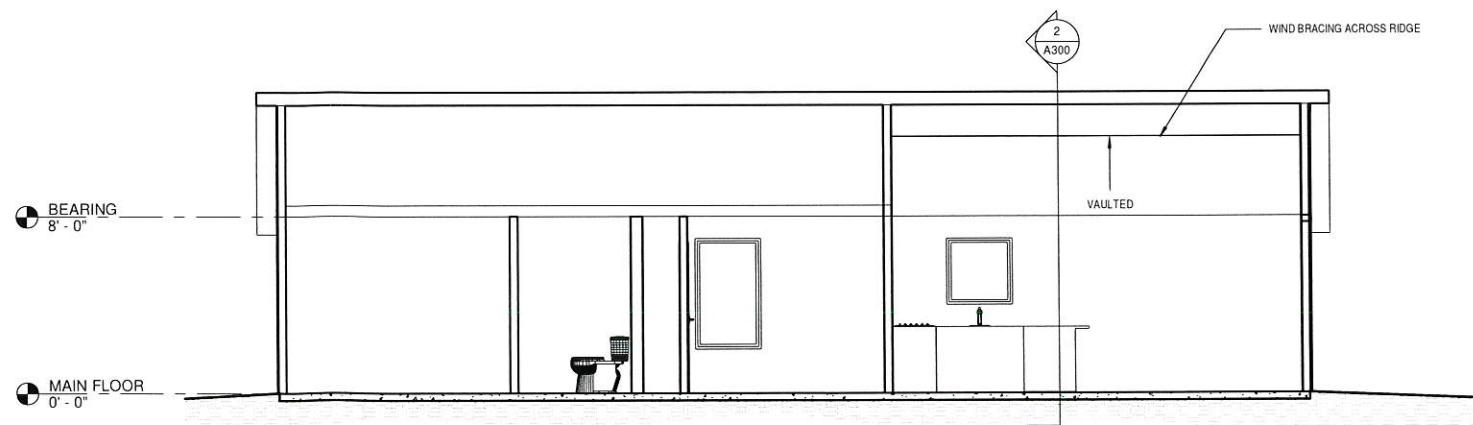
① SIDE 2 ELEVATION
1/4" = 1'-0"



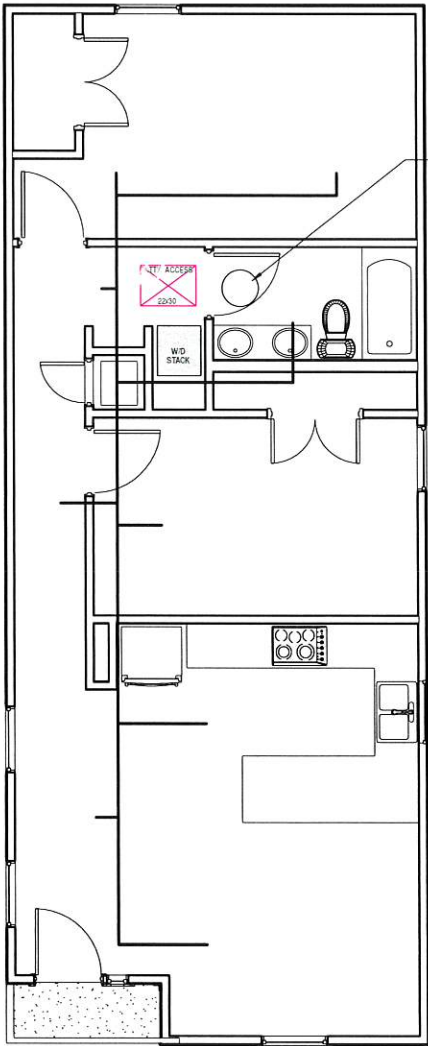
③ TYPICAL WALL SECTION
1" = 1'-0"



② BLDG SECTION 2
1/4" = 1'-0"

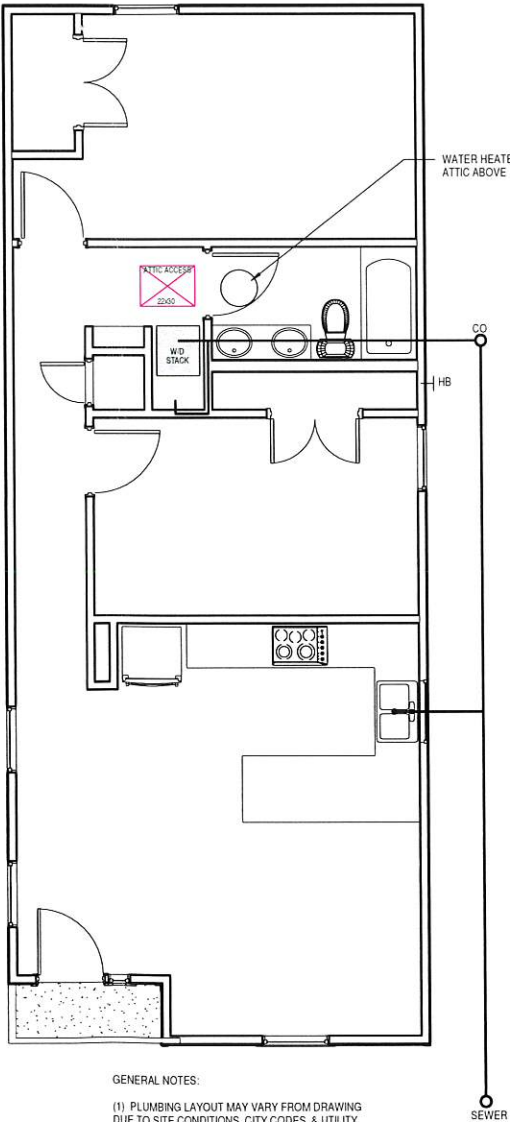


① BLDG SECTION 3
1/4" = 1'-0"



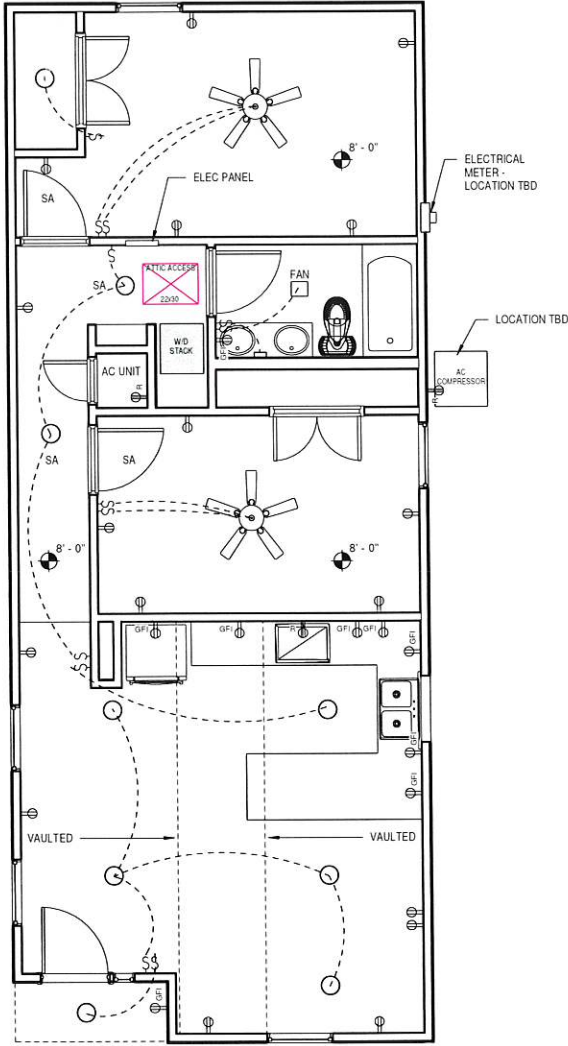
GENERAL NOTES:
(1) MECHANICAL LAYOUT IS ONLY A RECOMMENDED DIAGRAM. ACTUAL LAYOUT MAY VARY FROM DRAWING DUE TO PREFERENCE OF HVAC SUBCONTRACTOR. CONTRACTOR TO WORK WITH HVAC SUB FOR PREFERRED LAYOUT OF VENTS.

③ MECHANICAL PLAN
1/4" = 1'-0"



GENERAL NOTES:
(1) PLUMBING LAYOUT MAY VARY FROM DRAWING DUE TO SITE CONDITIONS, CITY CODES, & UTILITY LOCATIONS

② PLUMBING PLAN
1/4" = 1'-0"



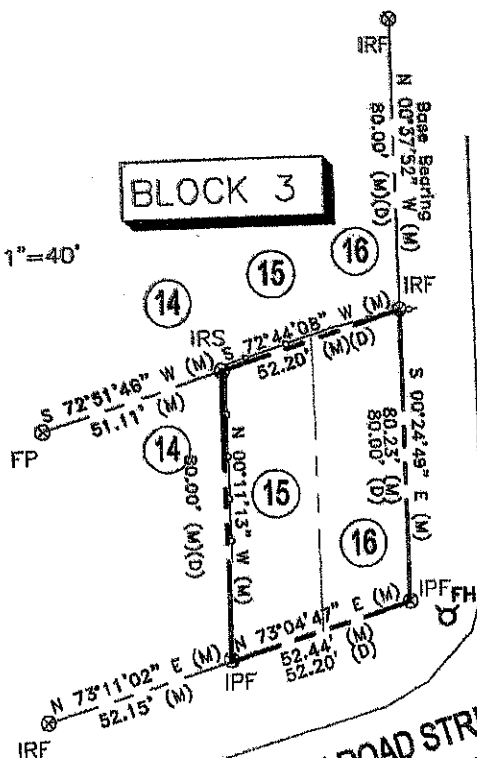
GENERAL NOTES:
(1) CONTRACTOR TO VERIFY WITH OWNER NUMBER OF OUTLETS AND THEIR PLACEMENT
(2) CEILING HEIGHT IS 8'-0" UNLESS NOTED OTHERWISE
(3) SA = SMOKE ALARM
(4) HOME IS ALL ELECTRIC

① ELECTRICAL PLAN
1/4" = 1'-0"



SCALE: 1"=40'

BLOCK 3



OAK AVENUE (60' R.O.W.)

RAILROAD STREET (60' R.O.W.)

IRF 1/2" IRON ROD FOUND
IPF 3/4" IRON PIPE FOUND
IRS 1/2" IRON ROD SET
CMF CONCRETE MONUMENT
PKS PK NAIL SET

P=PLAT OF RECORD
M=MEASURED
D=DEED

**200 RAILROAD STREET
LOTS 15-16, BLOCK 3, LIVE OAK ADDITION
GULFPORT, MISSISSIPPI
PARCEL #0911C-01-199.000**

Survey of the South 80 feet of Lots 15 and 16, Block 3, Live Oak Addition, City of Gulfport, First Judicial District of Harrison County, Mississippi, as recorded in Plat Copy Book 2A, Page 151 of the records of the First Judicial District. Said parcel contains 3996 square feet or 0.09 acres.

This survey does not reflect a title search by Gary A. Durbin, P.L.S., nor should it be considered as such. This survey therefore does not depict all easements and encumbrances that could affect this property.

This is a Class "B" survey per "The Standards of Practice for Land Surveying in the State of Mississippi".

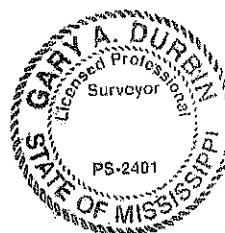
Bearings based on GPS Observation of the west margin of Oak Avenue, NAD 83, MS East Zone, convergence angle -0.130449, scale factor 0.999960.

This property is situated in Zone "X" (0.2%) per FEMA Flood Insurance Rate Map, City of Gulfport, Harrison County, Mississippi, Community Panel Number 28047C-0268-G, Revised: 6/16/09. This does not warranty that this property will not or could not flood

This is to CERTIFY that this plat or map and the survey on which it is based were made in accordance with "The Standards of Practice for Land Surveying in the State of Mississippi".

Gary A. Durbin, P.L.S. 2401
December 19, 2023

JOB 11257



REFERENCE:
SURVEY BY GARY A
DURBIN, P.L.S.
DATED 12/12/16

**GARY A. DURBIN, P.L.S.
PROFESSIONAL LAND SURVEYOR**
13048 RIVERWALK CIRCLE, DIERVILLE, MS. 39540
PH. (228) 365-3632 Telokgd@aol.com



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
SIGNATURE HOME SOLUTIONS, LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1004700
Status:	Good Standing
Effective Date:	07/06/2012
State of Incorporation:	Mississippi
Principal Office Address:	1715 21st Avenue Gulfport, MS 39501

Registered Agent

Name
Mihalovich, Greg A 1715 21st Avenue Gulfport, MS 39501-2942

Officers & Directors

Name	Title
Greg A Mihalovich 1715 21st Avenue Gulfport, MS 39501-2942	Member

Prepared by:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)-865-9047
MS Bar # 1866

Return to:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)-865-9047
File # 22-097

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

QUITCLAIM DEED

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

**Susan B. Easter
1487 City Bridge Road
Wiggins, MS 39577
228-918-0072**

do hereby sell, convey and quitclaim unto

**Signature Home Solutions, LLC
1715 21ST Avenue
Gulfport, MS 39501
(662)-317-0243**

that certain tract, piece or parcel of land situated and being located in First Judicial District of Harrison County, State of Mississippi, more particularly described as follows, to-wit:

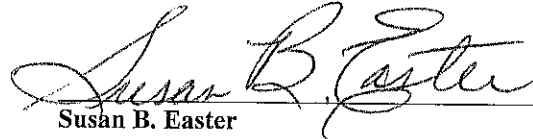
(See Exhibit A attached, Page 3)

INDEXING INSTRUCTIONS: Exempt

TITLE NOT EXAMINED

THIS CONVEYANCE is subject to any prior reservation or conveyance of oil, gas or other mineral rights and subject to all easement restrictions, reservations and covenants of record.

WITNESS MY SIGNATURE, this the 16th day of June, 2022.


Susan B. Easter

STATE OF MISSISSIPPI

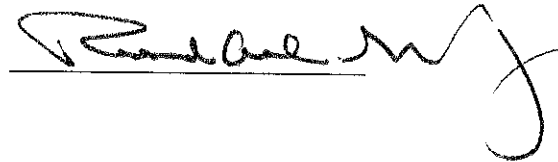
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the above stated jurisdiction, the within named **Susan B. Easter** who acknowledged that **she** signed and delivered the 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 on this the 16th day of June, 2022.

MY COMMISSION EXPIRES:

NOTARY PUBLIC



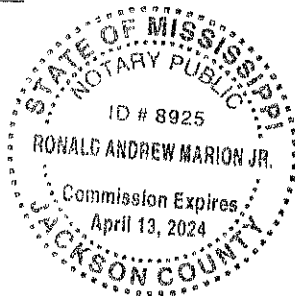


Exhibit "A"

South 80 feet of Lots Fifteen (15) and Sixteen(16) in Block 3, Live Oak Addition, in the City of Gulfport, Mississippi, as per the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi.

This being the same property conveyed to Michael T. Carrubba by instrument number 2016-2384-D-J1.

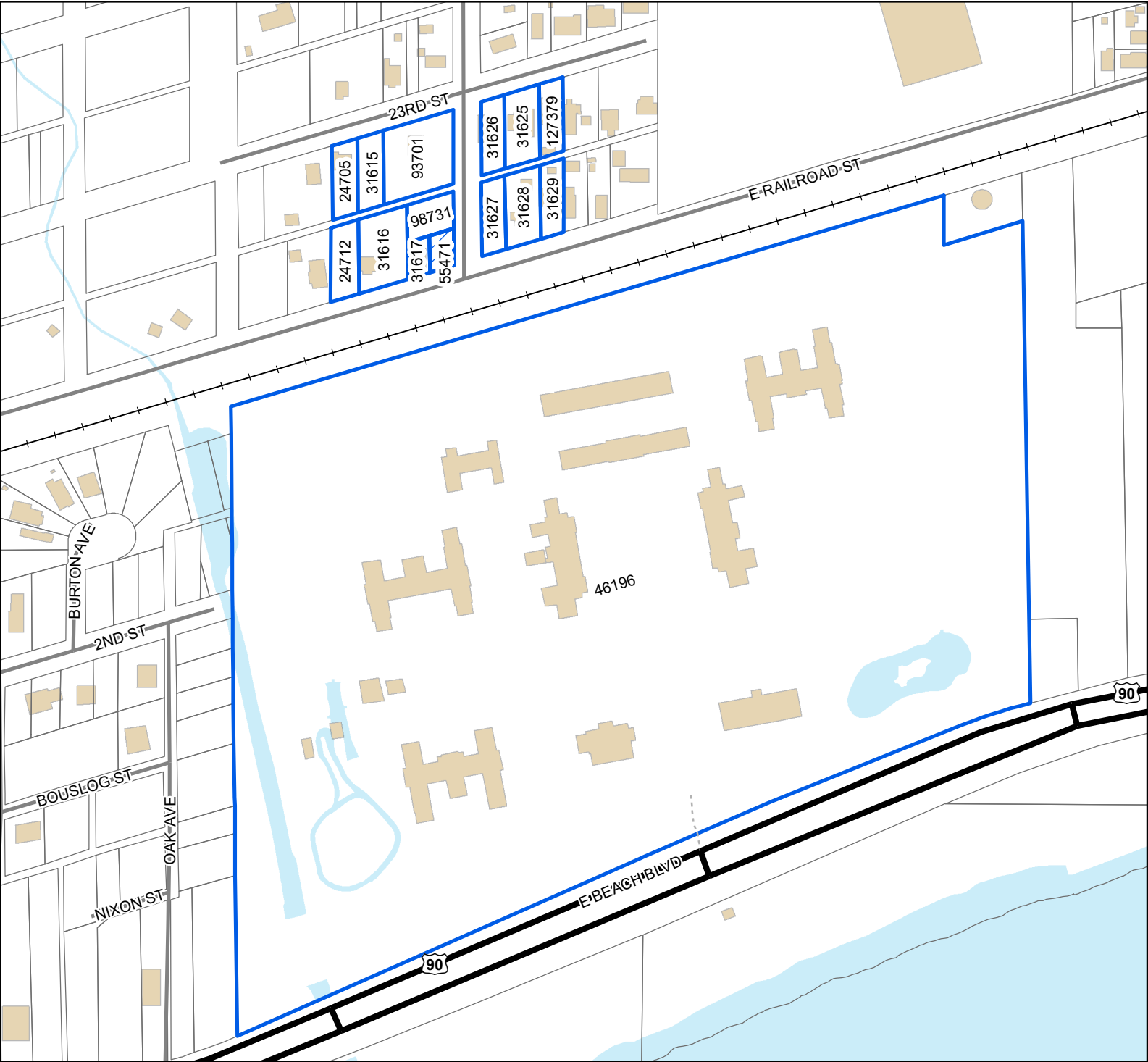
Parcel #0911C-01-199.000

Also:

Lots 4 and 5, Block 10, Soria City

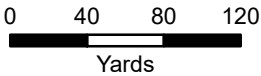
Parcel #0811H-05-049.000

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0911C-01-199.000	SIGNATURE HOME SOLUTIONS LLC (OWNER)	1715 21ST AVENUE	GULFPORT	MS	39501
			PATRICIA TOMASELLO (AGENT)	1487 CITY BRIDGE ROAD	WIGGINS	MS	39577
			Adjacent Property Owners (2408ZB116)				
	31628	0911C-01-201.000	LIVE OAK HOLDINGS LLC	13841 FAIRWAY DR	OCEAN SPRINGS	MS	39566
	93701	0911C-01-157.000	BARLOW LARRY B & JUANITA M PATT	205 23RD ST	GULFPORT	MS	39501
	31617	0911C-01-198.000	LABAT MYRON JR & CHERIE	8218 RIDGEWOOD DR	KILN	MS	39556
	55471	0911C-01-199.000	SIGNATURE HOME SOLUTIONS LLC	1715 21ST AVE	WIGGINS	MS	39577
	127379	0911C-01-155.001	PARIONA PROPERTIES LLC	2596 BIENVILLE BLVD	OCEAN SPRINGS	MS	39564
	31626	0911C-01-156.000	HILL TRACHELLE & DARIEN	129 23RD ST	GULFPORT	MS	39507
	31615	0911C-01-159.000	SALVADOR CLAUDIA M	224 SHADY LANE AVENUE	LONG BEACH	MS	39560
	31629	0911C-01-202.000	LIZANA LISE	114 E RAILROAD ST	GULFPORT	MS	39507
	31627	0911C-01-200.000	CARLISLE PEGGY ANN -L/E-	212 24TH ST	GULFPORT	MS	39507
	31625	0911C-01-155.000	SIGNATURE GULF COAST PROPERTIES LLC	1715 21ST AVENUE	PONTE VEDRA	FL	32031
	98731	0911C-01-199.001	ANTHONY CHRISTOPHER U & GLASS JULIE	2118 LAUREN DR	BILOXI	MS	39532
	31616	0911C-01-197.000	WSMBD LLC	P O BOX 320073	FLOWOOD	MS	39232
	24705	0911C-01-160.000	MARROQUIN MARIA OLGA	217- 23RD STREET	GULFPORT	MS	39507
	24712	0911C-01-196.000	BABIN TODD J	617 CARMADELLE ST	MARRERO	LA	70072
N	46196	0911B-02-055.000	CENTENNIAL PLAZA LLC -LESSEE-	C/O GPT REDEVELOPMENT COMM -L	BATON ROUGE	LA	70816



Legend

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



1 inch = 300 feet



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

RE: Variance 2408ZB116, by agent Patricia Tomasello, seeking approval for an 18-foot front yard setback where 25 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, August 15, 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, August 15, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.





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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	577293	Print Legal Ad-IPL01856440 - IPL0185644		\$88.90	2	55 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2408ZB113, by owner Land Lady Investments, LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB114, by owner Land Lady Investments, LLC, seeking approval to have 4 regular parking spaces where 7 is required, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB116, by agent Patricia Tomasello, seeking approval for an 18-foot front yard setback where 25 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB117, by agent Patricia Tomasello, seeking approval for a side yard setback of 5-feet and 11 inches where 8 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB120, by agent Timothy Gobble, seeking approval for a 7-foot tall chain link fence where 6-feet is the height limit, Tax Parcel 0811F-02-040.000, 2201 17th Street, Zoned T4+ (General Urban Zone & "Plus"), Ward 3

Variance 2408ZB122, by agent Jon Storonskyj, seeking approval for an additional wall sign on the west elevation, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7

Variance 2408ZB124, by agent Matt Largen, seeking approval for a front yard setback for a freestanding ground sign of 1-foot where 10 feet is required, Tax Parcel 1008M-01-008.000, 11252 Lorraine Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB126, by agent Cross Development CC Gulfport, LLC, seeking approval for 10 regular parking spaces where 18 is required, Tax Parcel 1008L-01-002.000, Dedeaux Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB128, by agent Robert Thomas, seeking approval for a 4-foot front yard setback where 25 feet is required, Tax Parcel 0711H-02-023.000, 3521 19th Street, Zoned R-2 (Single-family) & (Sub-Urban zone), Ward 1

This the 24th day of July 2024

A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0185644
Jul 31 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:
07/31/24

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.

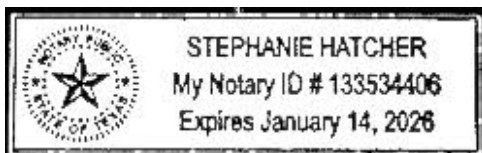
Mary Castro

Sworn to and subscribed before me this 31st 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!

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2408ZB116

Hearing Date: August 15, 2024

Current Zoning/Use: R-2/ Vacant Lot

Legal: Variance 2408ZB116, by agent Patricia Tomasello, seeking approval for an 18-foot front yard setback where 25 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance to allow for a front yard setback of 18 feet where 25 feet is required. The applicant addresses the hardship questions below.

- (a) The applicant states that property is a corner lot. "The existing lot shape and size, which are narrow and not rectangular, limits the buildable area within the standard setbacks." The front yard setback requirement would be considered a hardship, as the overall size of the lot is 4125.70 sqft. The setback requirement would significantly reduce the allowed buildable space.
- (b) The applicant states that, "the existing lot is the original plat and limits the buildable area. This statement does not pertain to the question of whether or not the hardship is the direct cause of the applicant, it is a hardship that they caused.
- (c) Applicant states that, "changing the setbacks on the front south-side lot line from 25 feet to 18 feet would allow for new construction of an affordable, single family dwelling/home." 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, "changing the setbacks will allow for the construction of a new, affordable, single-family dwelling for home ownership resulting in property value commensurate with the property values in the district." 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 on East Railroad 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 are "requesting to have the current lot setbacks adjusted in order to build a new construction, affordable, single-family dwelling/home." Upon staff review, there were several properties on the nearby East Railroad Street that have pre-existing nonconforming front yard setbacks.
- (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 East Railroad 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 front yard setback of 18 feet where 25 feet is allowed.
- 3. Provide a site plan of the home site showing where the driveway would be located if both requested variances (2408ZB116 and 2408ZB117) are granted. The proposed driveway cannot be too close to the corner of E Railroad St and Oak Ave.

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	Provide a site plan of the home site showing where the driveway would be located if both requested variances (2408ZB116 and 2408ZB117) are granted. The proposed driveway cannot be too close to the corner of E Railroad St and Oak Ave. Memo dated 7/31/24.
<u>Public Works:</u>	No comment as of 8/2/24.
<u>Traffic and Safety:</u>	No conditions. Memo dated 8/2/24.
<u>Building Code Services:</u>	Must meet all current building codes and City of Gulfport Ordinances. Memo dated 7/24/24.
<u>GIS:</u>	No conditions. Memo dated 7/29/24.
<u>Police Department:</u>	No comment as of 8/2/2024.
<u>Fire Department:</u>	No conditions. Memo dated 7/24/24.
<u>City Arborist:</u>	No conditions. Memo dated 7/25/24.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department



URBAN DEVELOPMENT DEPARTMENT | PLANNING & ZONING

PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE

P: 228.868.5710 | F: 228.868.5708 | PLANNERS@GULFPORT-MS.GOV

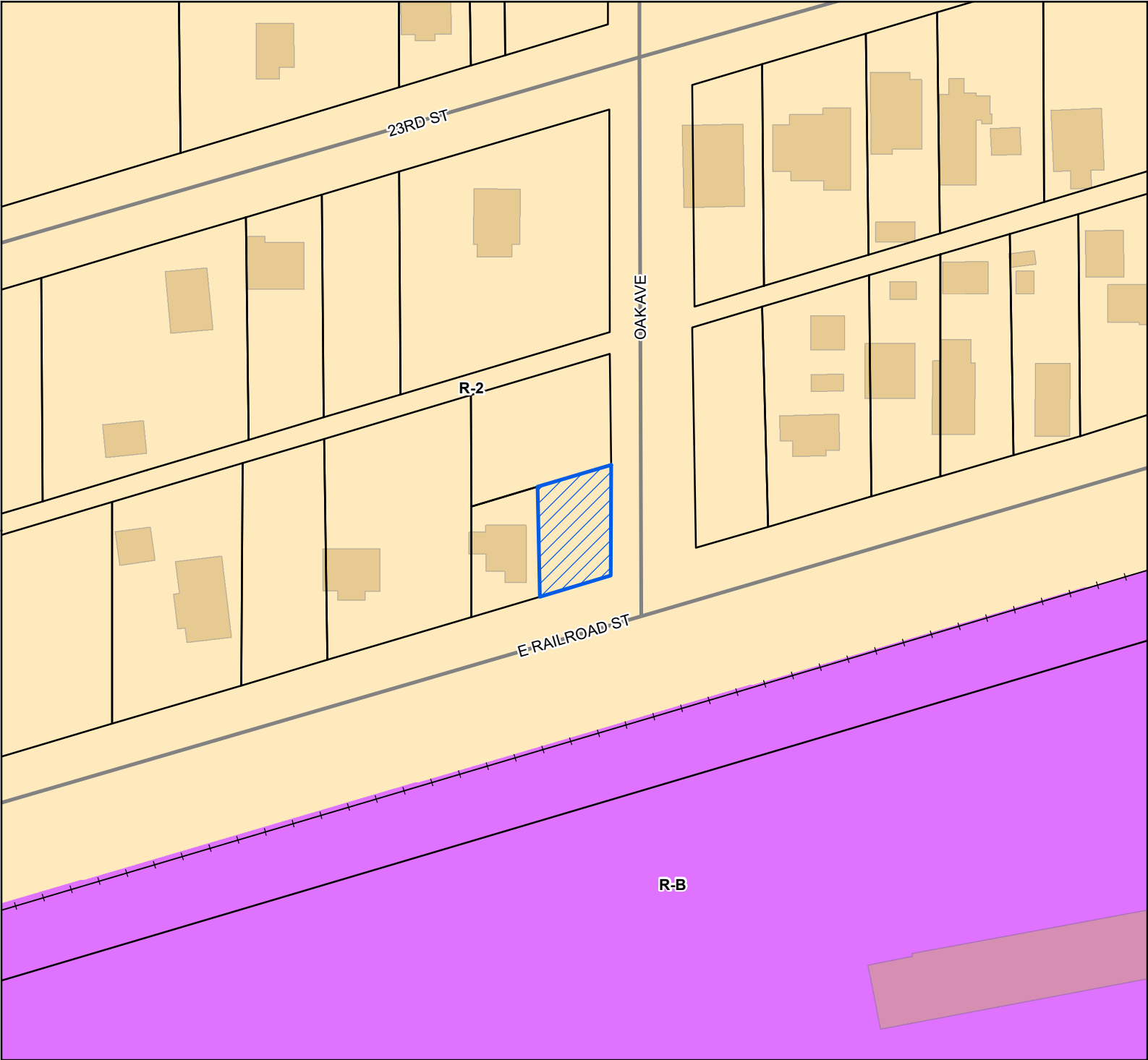
ZONING BOARD OF ADJUSTMENT AND APPEALS CASE # 2024ZB117

Hearing Date: Thursday, August 15, 2024

Variance 2408ZB117: Agent, Patricia Tomasello, seeking approval for a side yard setback of 5-feet and 11 inches where 8 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

2408ZB117

Variance



Site

Street

Railroad

Parcels

Buildings

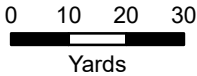
City Limit

Zoning

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

R-B - Residence-Business District

Site Information
0911C-01-199.000
Zoning: R-2 (Single-Family)
Size: 4125.70 sqft
Flood: X



1 inch = 100 feet



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

CASE NUMBER

2408 ZB117

dt 6/13/24

recpt # 12800002

ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

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

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

TAX PARCEL NUMBERS

0	9	1	1	2	-	0	1	-	1	9	9	-	0	0	0															

Property Address:

200 E. Railroad Street, Gulfport

Lot(s) 15 & 16

Block(s) 3

Subdivision

Live Oak Addition

General Description of Request: ^{side yard} Requesting ^{Variance} ~~tot~~ setback adjustment to left (West side) lot line from 8 feet to 5 feet 11 inches to allow for single family home to be built.

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**.



cddbuid@gmail.com

3

SIGNATURE HOME SOLUTIONS - 200 Railroad St

CORY DILLON DESIGN & BUILD LLC
138 GOOSE POINTE BLVD, BILOXI, MS 39531

SIGNATURE HOME SOLUTIONS - 200 Railroad St

24-008

NUMBER 24-008
DATE 5/30/20
DRAWN CDV

A001

200 RAILROAD STREET
LOTS 15-16, BLOCK 3, LIVE OAK ADDITION
GULFPORT, MISSISSIPPI
PARCEL #0911C-01-199.000

Survey of the South 80 feet of Lots 15 and 16, Block 3, Live Oak Addition, City of Gulfport, First Judicial District of Harrison County, Mississippi, as recorded in Plat Copy Book 2A, Page 151 of the records of the First Judicial District. Said parcel contains 3996 square feet or 0.09 acres.

This survey does not reflect a title search by Gary A. Durbin, P.L.S., nor should it be considered as such. This survey therefore does not depict all easements and encumbrances that could affect this property.

This is a Class "B" survey per "The Standards of Practice for Land Surveying in the State of Mississippi".

Bearings based on GPS Observation of the west margin of Oak Avenue, NAD 83, MS East Zone, convergence angle -0.130449 , scale factor 0.999960 .

This property is situated in Zone "X" (0.2%) per FEMA Flood Insurance Rate Map, City of Gulfport, Harrison County, Mississippi, Community Panel Number 28047C-0268-G, Revised: 6/16/09. This does not warranty that this property will not or could not flood

This is to CERTIFY that this plat or map and the survey on which it is based were made in accordance with "the Standards of Practice for Land Surveying in the State of Mississippi".

Gary A. Durbin, P.L.S. 2401
December 19, 2023

JOB 11257

GARY A. DURBIN, P.L.S.
PROFESSIONAL LAND SURVEYOR
 13048 RIVERWALK CIRCLE, DIBERVILLE, MS. 39540
 PH (228) 365-3632 Teelokgd@aol.com

IRF 1/2" IRON ROD FOUND
IPF 3/4" IRON PIPE FOUND
IRS 1/2" IRON ROD SET
CMF CONCRETE MONUMENT
PKS PK NAIL SET

P=PLAT OF RECORD
M=MEASURED
D=DEED

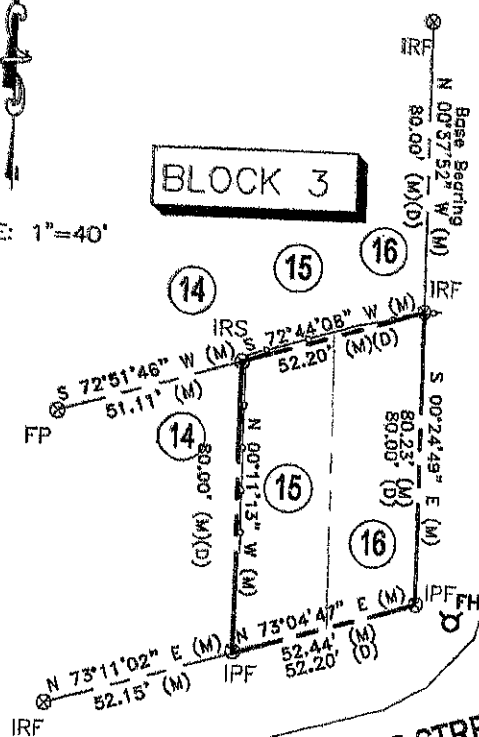
SCALE: 1" = 20'

REFERENCE:
SURVEY BY GARY A
DURBIN, P.L.S.
DATED 12/12/16

② SITE LAYOUT
1" = 20'-0"

A circular professional seal for Gary A. Durbin, a Licensed Professional Surveyor in the State of Mississippi. The seal features a rope-like border. Inside the border, the name "GARY A. DURBIN" is at the top, "Licensed Professional Surveyor" is in the middle, and "STATE OF MISSISSIPPI" is at the bottom. The license number "PS-2401" is centered at the bottom.

SCALE: 1"=40'



REFERENCE:
SURVEY BY GARY A
DURBIN, P.L.S.
DATED 12/12/16

IRF 1/2" IRON ROD FOUND
IPF 3/4" IRON PIPE FOUND
IRS 1/2" IRON ROD SET
CMF CONCRETE MONUMENT
PKS PK NAIL SET

P=PLAT OF RECORD
M=MEASURED
D=DEED

OAK AVENUE (60' R.O.W.)

RAILROAD STREET (60' R.O.W.)

200 RAILROAD STREET
LOTS 15-16, BLOCK 3, LIVE OAK ADDITION
GULFPORT, MISSISSIPPI
PARCEL #0911C-01-199.000

Survey of the South 80 feet of Lots 15 and 16, Block 3, Live Oak Addition, City of Gulfport, First Judicial District of Harrison County, Mississippi, as recorded in Plat Copy Book 2A, Page 151 of the records of the First Judicial District. Said parcel contains 3996 square feet or 0.09 acres.

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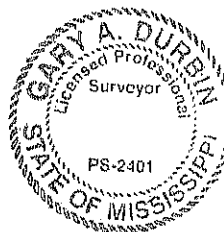
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Gary A. Durbin, P.L.S. 2401
December 19, 2023

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PROFESSIONAL LAND SURVEYOR
13048 RIVERWALK CIRCLE, DIBERVILLE, MS. 39540
PH. (228) 365-3632 Teslakge@aol.com



SIGNATURE HOME SOLUTIONS

200 RAILROAD ST., GULFPORT, MS

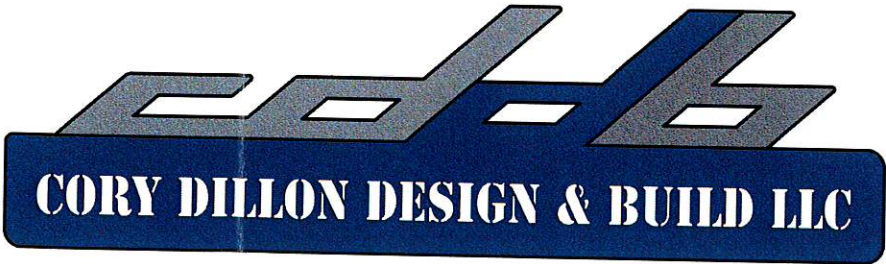
PROJECT # 24-008

CONSTRUCTION DOCUMENTS
5/30/2024

DESIGNER MAKES NO REPRESENTATIONS CONCERNING ACCURACY OF THESE DOCUMENTS AND THEIR COMPLETENESS. CONTRACTOR SHALL BE RESPONSIBLE FOR INSURING ALL CODE, ORDINANCE, AND SAFETY REQUIREMENTS ARE MET AND CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS AND EXPENSES ASSOCIATED THEREWITH.

OWNER SHALL INDEMNIFY AND HOLD DESIGNER HARMLESS FROM AND AGAINST ANY AND ALL LIABILITIES, CLAIMS AND COSTS INCLUDING ATTORNEYS FEES, PENALTIES AND FINES) FOR DEATH, INJURY OR DAMAGES TO PERSONS OR PROPERTY ARISING FROM (A) ANY DEFAULT BY DESIGNER IN THE PERFORMANCE OF ITS OBLIGATIONS UNDER THESE DOCUMENTS, OR (B) ANY ACTS, OMISSIONS, OR NEGLIGENCE OF DESIGNER OR ITS AGENT AND EMPLOYEES.

IF ANY ACTION IS BROUGHT AGAINST DESIGNER UPON ANY SUCH CLAIM, OWNER SHALL CAUSE SUCH ACTION BE DEFENDED, AT ITS EXPENSE, BY COUNSEL REASONABLY SATISFACTORY TO DESIGNER. ANY AND ALL CLAIMS AND DISPUTES AND OTHER MATTERS IN QUESTION ARISING OUT OF RELATING TO THESE DOCUMENTS, SHALL BE REFERRED TO ARBITRATION BY AN ARBITRATOR MUTUALLY AGREEABLE TO DESIGNER AND OWNER.

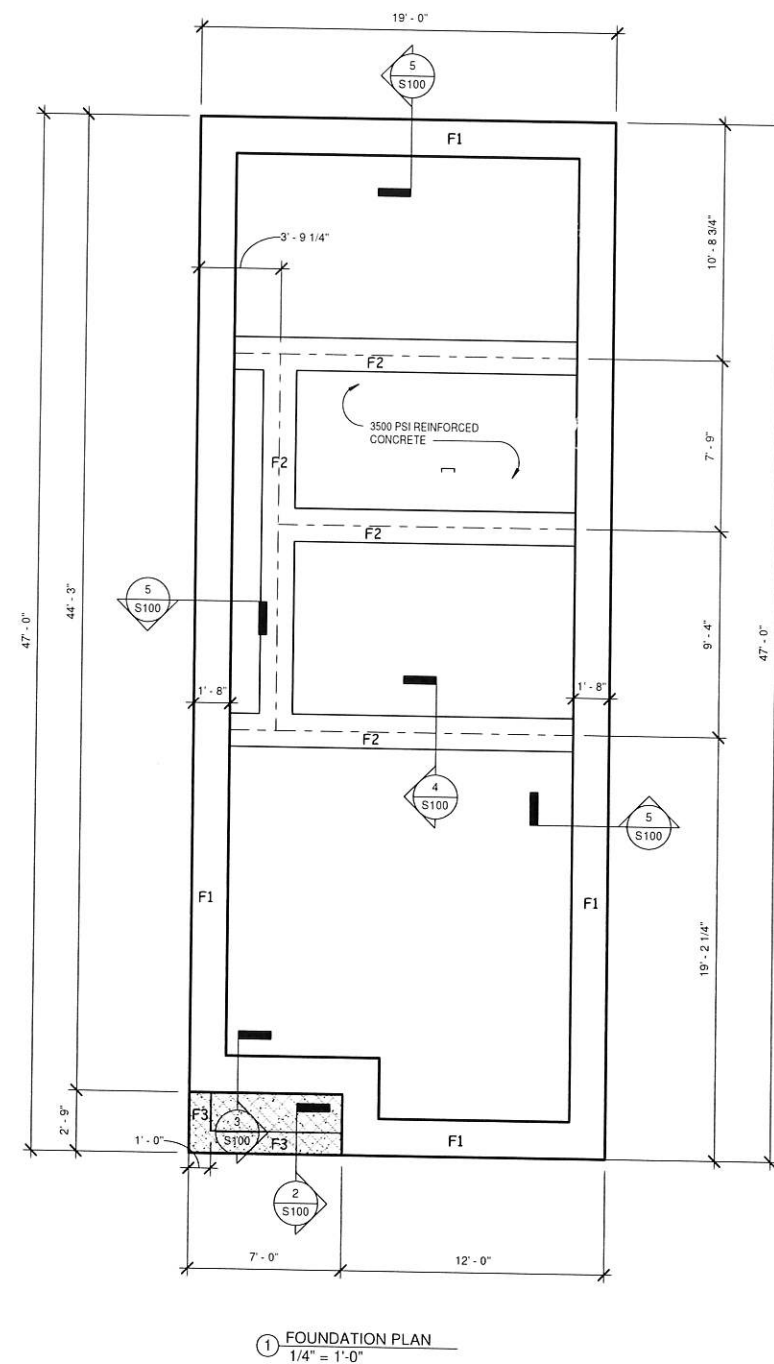
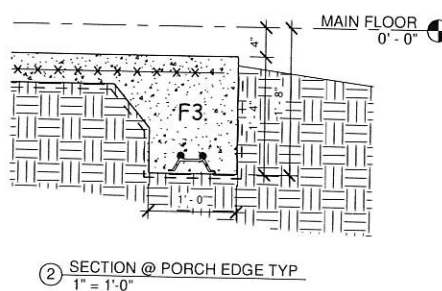
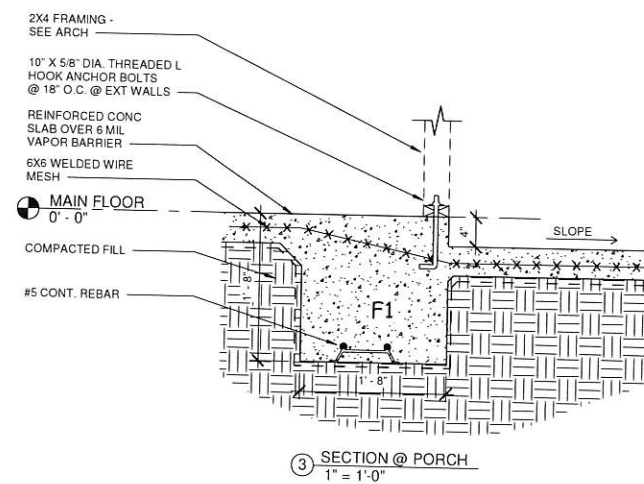
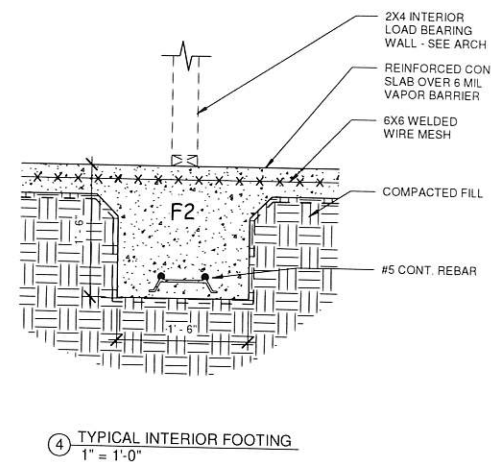
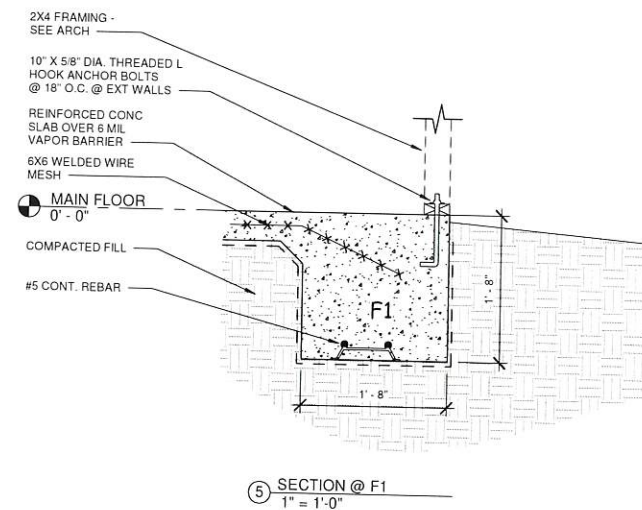


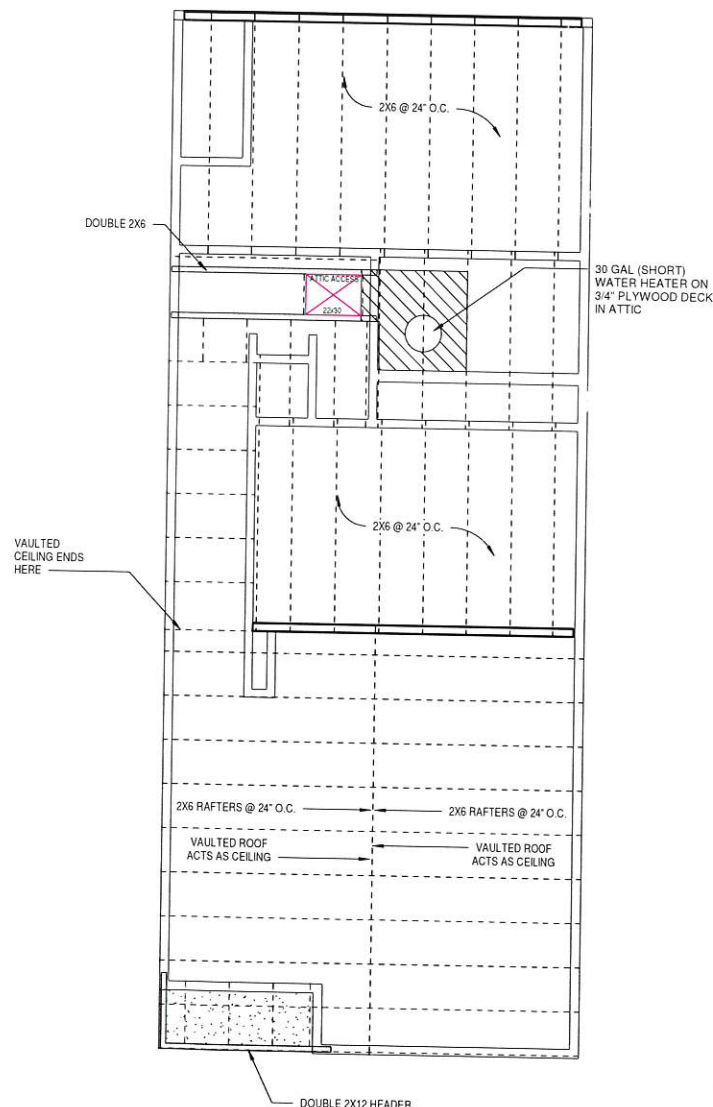
438 GOOSE POINTE BLVD., BILOXI, MS 39531

DESIGNER MAKES NO REPRESENTATIONS CONCERNING ACCURACY OF THESE DOCUMENTS AND THEIR COMPLETENESS. CONTRACTOR SHALL BE RESPONSIBLE FOR INSURING ALL CODE, ORDINANCE, AND SAFETY REQUIREMENTS ARE MET AND CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS AND EXPENSES ASSOCIATED THEREWITH.

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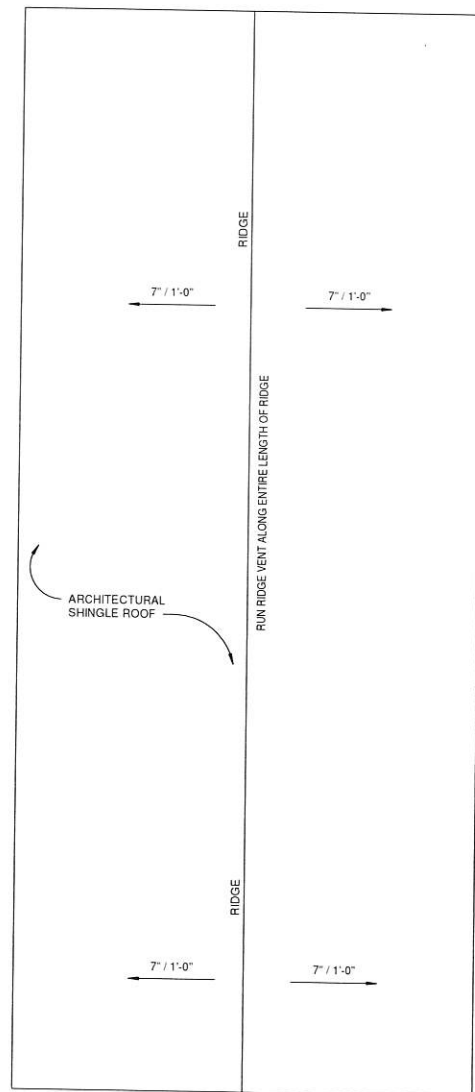
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NOTE: ALL CEILING HEIGHTS ARE 8' EXCEPT FOR THE VAULTED AREA IN THE LIVING ROOM / KITCHEN

② CEILING LAYOUT
1/4" = 1'-0"



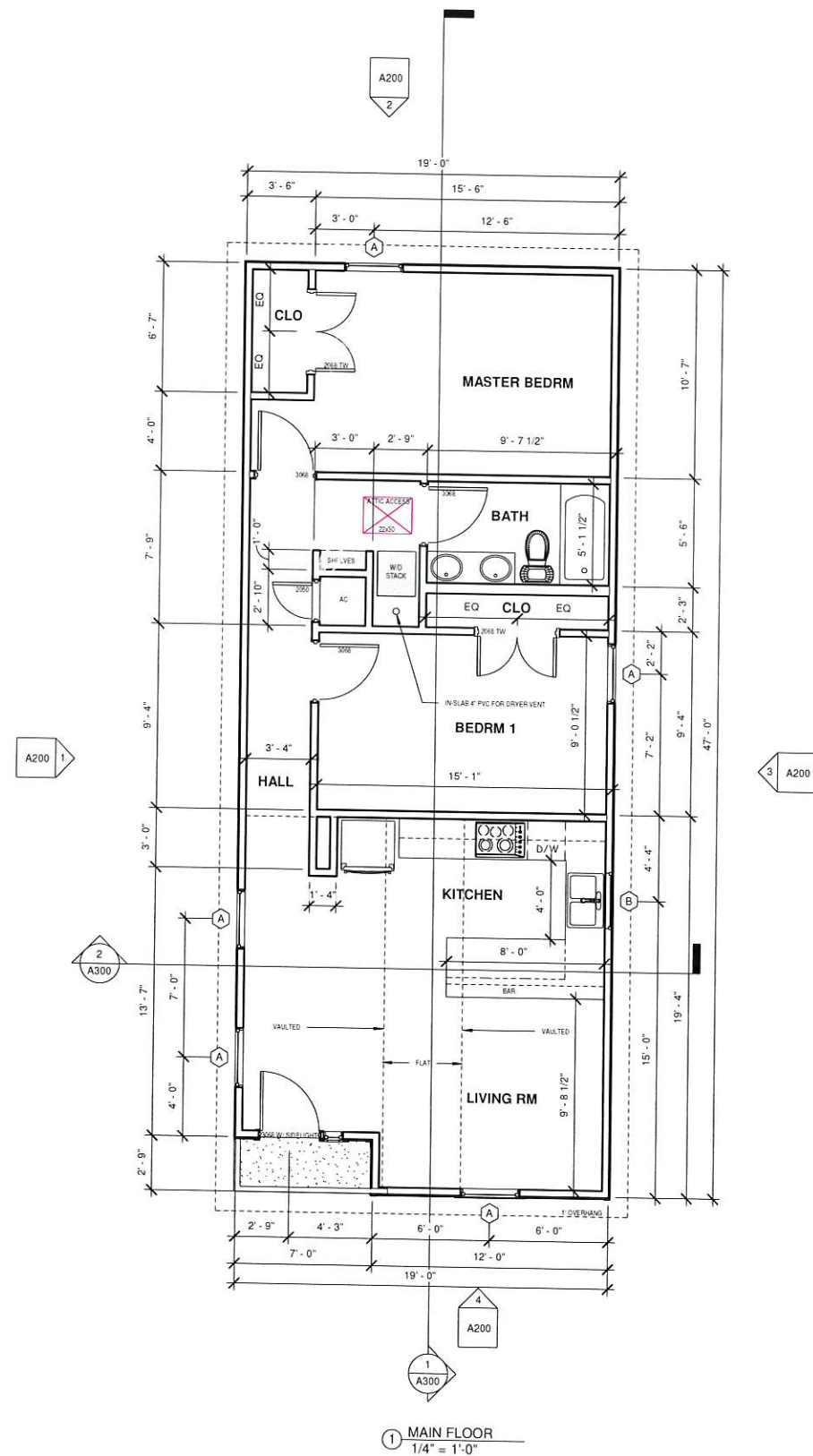
① ROOF PLAN
1/4" = 1'-0"

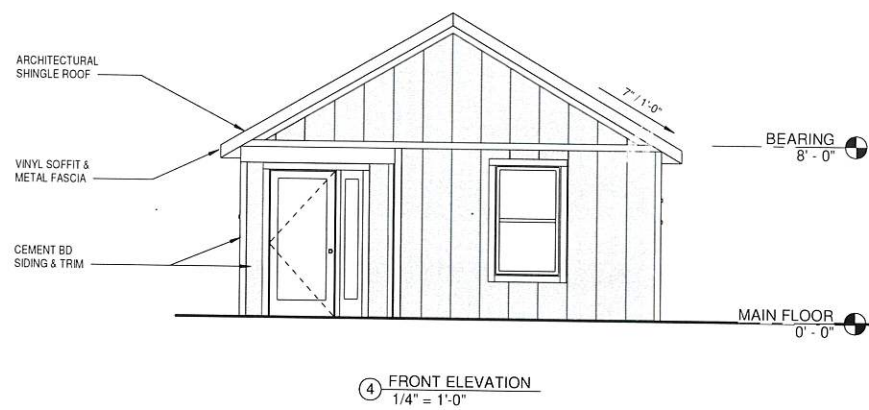
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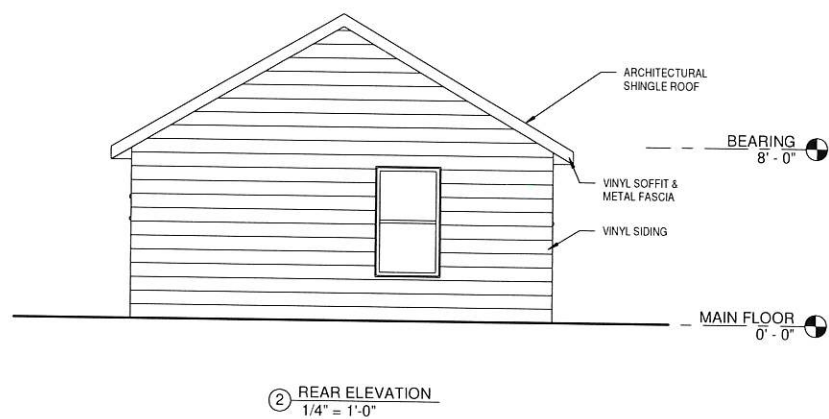
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TOTAL OVERALL SF: 893 SF





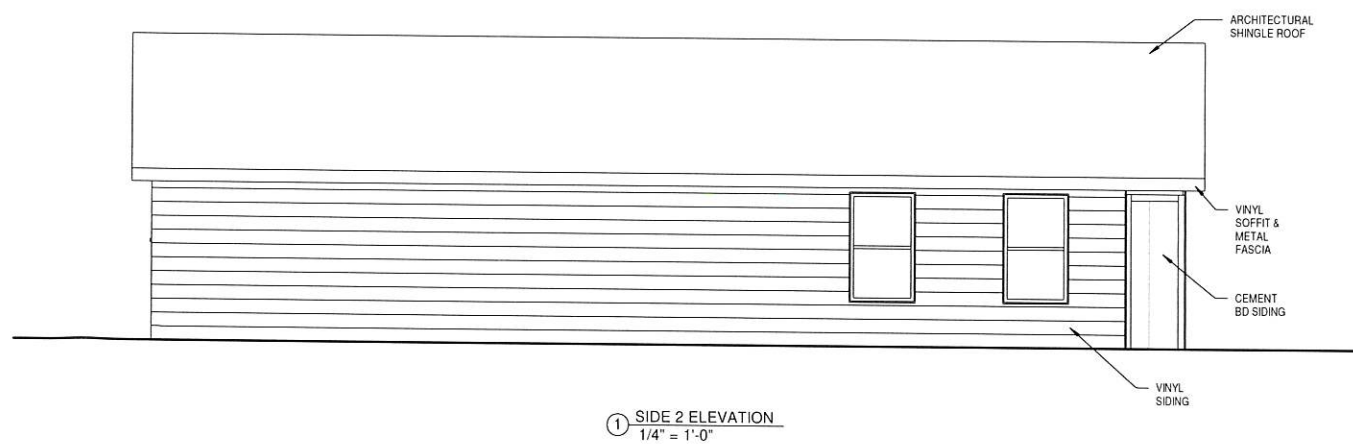
④ FRONT ELEVATION
1/4" = 1'-0"



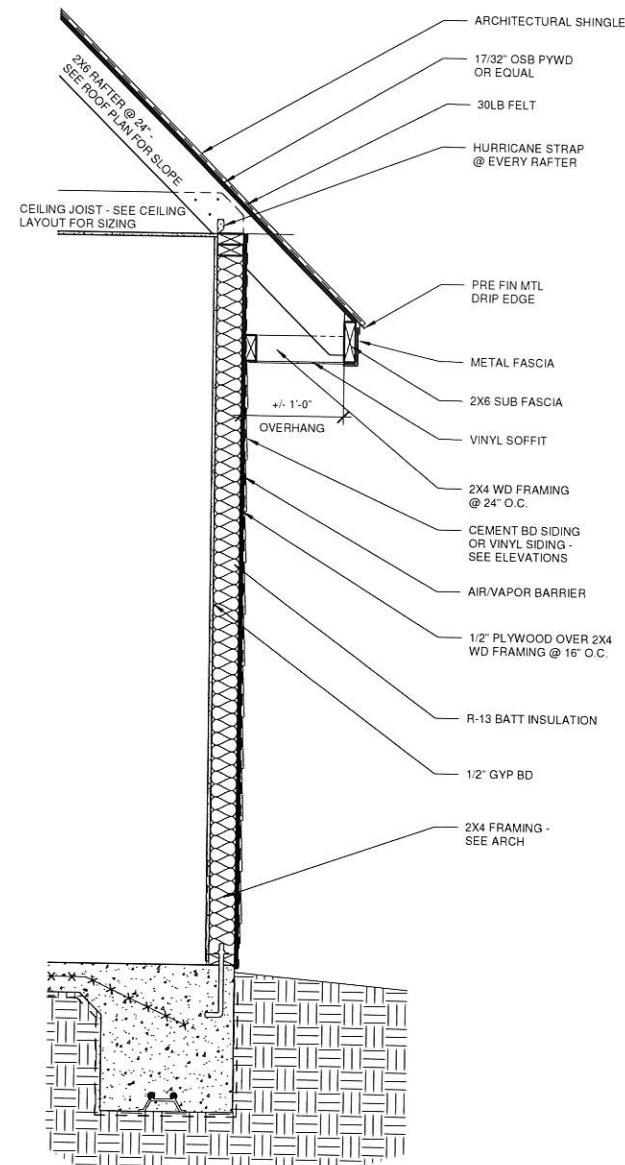
② REAR ELEVATION
1/4" = 1'-0"



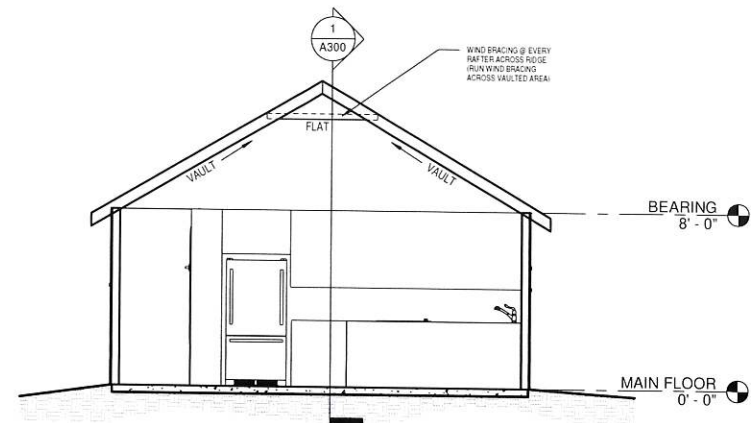
③ SIDE 1 ELEVATION
1/4" = 1'-0"



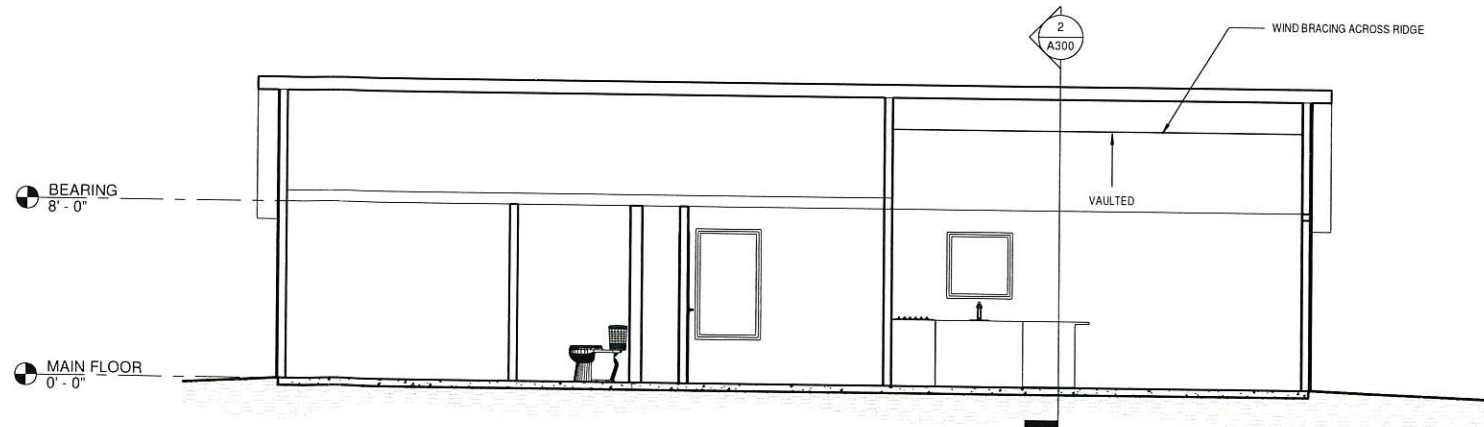
① SIDE 2 ELEVATION
1/4" = 1'-0"



③ TYPICAL WALL SECTION
1" = 1'-0"



② BLDG SECTION 2
1/4" = 1'-0"



① BLDG SECTION 3
1/4" = 1'-0"



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name

SIGNATURE HOME SOLUTIONS, LLC

Name Type

Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1004700
Status:	Good Standing
Effective Date:	07/06/2012
State of Incorporation:	Mississippi
Principal Office Address:	1715 21st Avenue Gulfport, MS 39501

Registered Agent

Name

Mihalovich, Greg A
1715 21st Avenue
Gulfport, MS 39501-2942

Officers & Directors

Name

Title

Greg A Mihalovich
1715 21st Avenue
Gulfport, MS 39501-2942

Member

Prepared by:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)-865-9047
MS Bar # 1866

Return to:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)-865-9047
File # 22-097

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

QUITCLAIM DEED

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

**Susan B. Easter
1487 City Bridge Road
Wiggins, MS 39577
228-918-0072**

do hereby sell, convey and quitclaim unto

**Signature Home Solutions, LLC
1715 21ST Avenue
Gulfport, MS 39501
(662)-317-0243**

that certain tract, piece or parcel of land situated and being located in First Judicial District of Harrison County, State of Mississippi, more particularly described as follows, to-wit:

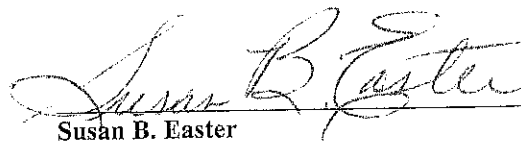
(See Exhibit A attached, Page 3)

INDEXING INSTRUCTIONS: Exempt

TITLE NOT EXAMINED

THIS CONVEYANCE is subject to any prior reservation or conveyance of oil, gas or other mineral rights and subject to all easement restrictions, reservations and covenants of record.

WITNESS MY SIGNATURE, this the 16th day of June, 2022.


Susan B. Easter

STATE OF MISSISSIPPI

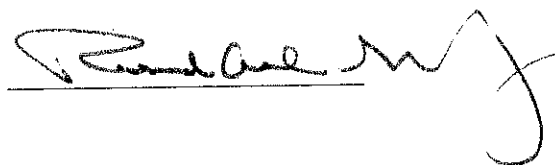
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the above stated jurisdiction, the within named **Susan B. Easter** who acknowledged that she signed and delivered the 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 on this the 16th day of June, 2022.

MY COMMISSION EXPIRES:

NOTARY PUBLIC



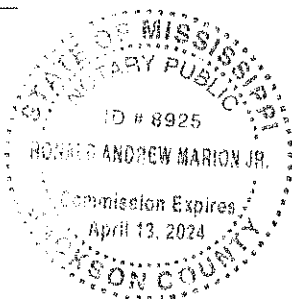


Exhibit "A"

South 80 feet of Lots Fifteen (15) and Sixteen(16) in Block 3, Live Oak Addition, in the City of Gulfport, Mississippi, as per the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi.

This being the same property conveyed to Michael T. Carrubba by instrument number 2016-2384-D-J1.

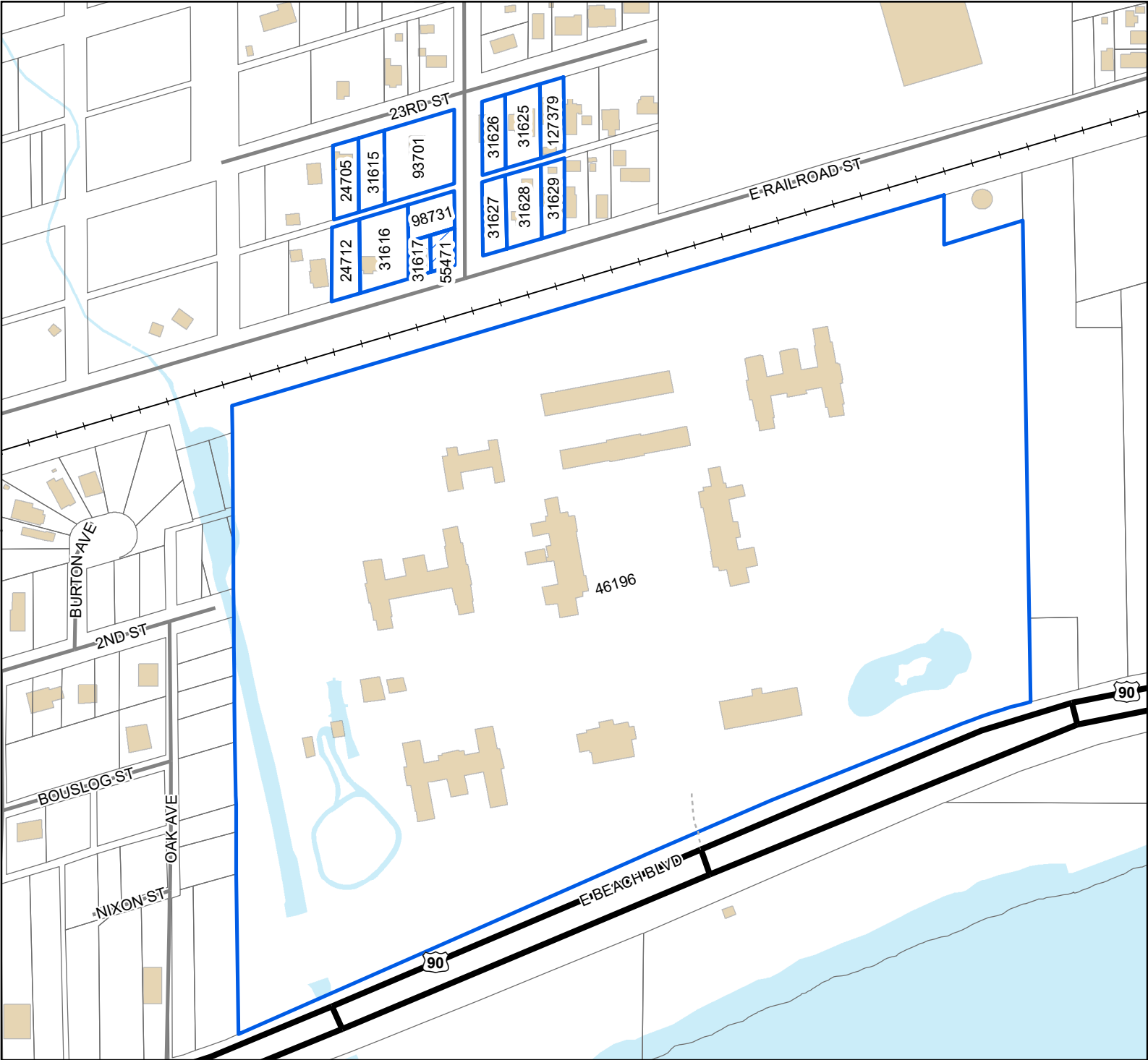
Parcel #0911C-01-199.000

Also:

Lots 4 and 5, Block 10, Soria City

Parcel #0811H-05-049.000

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0911C-01-199.000	SIGNATURE HOME SOLUTIONS LLC (OWNER)	1715 21ST AVENUE	GULFPORT	MS	39501
			PATRICIA TOMASELLO (AGENT)	1487 CITY BRIDGE ROAD	WIGGINS	MS	39577
			Adjacent Property Owners (2408ZB117)				
	31628	0911C-01-201.000	LIVE OAK HOLDINGS LLC	13841 FAIRWAY DR	OCEAN SPRINGS	MS	39566
	93701	0911C-01-157.000	BARLOW LARRY B & JUANITA M PATT	205 23RD ST	GULFPORT	MS	39501
	31617	0911C-01-198.000	LABAT MYRON JR & CHERIE	8218 RIDGEWOOD DR	KILN	MS	39556
	55471	0911C-01-199.000	SIGNATURE HOME SOLUTIONS LLC	1715 21ST AVE	WIGGINS	MS	39577
	127379	0911C-01-155.001	PARIONA PROPERTIES LLC	2596 BIENVILLE BLVD	OCEAN SPRINGS	MS	39564
	31626	0911C-01-156.000	HILL TRACHELLE & DARIEN	129 23RD ST	GULFPORT	MS	39507
	31615	0911C-01-159.000	SALVADOR CLAUDIA M	224 SHADY LANE AVENUE	LONG BEACH	MS	39560
	31629	0911C-01-202.000	LIZANA LISE	114 E RAILROAD ST	GULFPORT	MS	39507
	31627	0911C-01-200.000	CARLISLE PEGGY ANN -L/E-	212 24TH ST	GULFPORT	MS	39507
	31625	0911C-01-155.000	SIGNATURE GULF COAST PROPERTIES LLC	1715 21ST AVENUE	PONTE VEDRA	FL	32031
	98731	0911C-01-199.001	ANTHONY CHRISTOPHER U & GLASS JULIE	2118 LAUREN DR	BILOXI	MS	39532
	31616	0911C-01-197.000	WSMBD LLC	P O BOX 320073	FLOWOOD	MS	39232
	24705	0911C-01-160.000	MARROQUIN MARIA OLGA	217- 23RD STREET	GULFPORT	MS	39507
	24712	0911C-01-196.000	BABIN TODD J	617 CARMADELLE ST	MARRERO	LA	70072
N	46196	0911B-02-055.000	CENTENNIAL PLAZA LLC -LESSEE-	C/O GPT REDEVELOPMENT COMM -L	BATON ROUGE	LA	70816



Legend

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

0 40 80 120
Yards

1 inch = 300 feet



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

RE: Variance 2408ZB117, by agent Patricia Tomasello, seeking approval for a side yard setback of 5-feet and 11 inches where 8 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, August 15, 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, August 15, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.





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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	577293	Print Legal Ad-IPL01856440 - IPL0185644		\$88.90	2	55 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2408ZB113, by owner Land Lady Investments, LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB114, by owner Land Lady Investments, LLC, seeking approval to have 4 regular parking spaces where 7 is required, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB116, by agent Patricia Tomasello, seeking approval for an 18-foot front yard setback where 25 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB117, by agent Patricia Tomasello, seeking approval for a side yard setback of 5-feet and 11 inches where 8 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB120, by agent Timothy Gobble, seeking approval for a 7-foot tall chain link fence where 6-feet is the height limit, Tax Parcel 0811F-02-040.000, 2201 17th Street, Zoned T4+ (General Urban Zone & "Plus"), Ward 3

Variance 2408ZB122, by agent Jon Storonskyj, seeking approval for an additional wall sign on the west elevation, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7

Variance 2408ZB124, by agent Matt Largen, seeking approval for a front yard setback for a freestanding ground sign of 1-foot where 10 feet is required, Tax Parcel 1008M-01-008.000, 11252 Lorraine Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB126, by agent Cross Development CC Gulfport, LLC, seeking approval for 10 regular parking spaces where 18 is required, Tax Parcel 1008L-01-002.000, Dedeaux Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB128, by agent Robert Thomas, seeking approval for a 4-foot front yard setback where 25 feet is required, Tax Parcel 0711H-02-023.000, 3521 19th Street, Zoned R-2 (Single-family) & (Sub-Urban zone), Ward 1

This the 24th day of July 2024

A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0185644
Jul 31 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:
07/31/24

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.

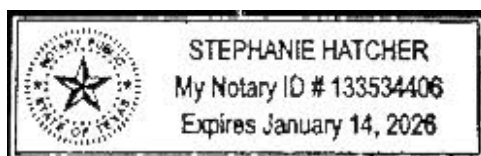
Mary Castro

Sworn to and subscribed before me this 31st 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!

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2408ZB117

Hearing Date: August 15, 2024

Current Zoning/Use: R-2 / Vacant Lot

Legal: Variance 2408ZB117, by agent Patricia Tomasello, seeking approval for a side yard setback of 5-feet and 11 inches where 8 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant is seeking approval for a variance to allow for 5-foot 11 inches west side yard setback where 8 feet is required for the construction of a new single-family home at 200 E. Railroad Street. In review of the site plan submitted by the applicant, the rear and second frontage setback will be met as required by city ordinance.

- (a) The applicant notes, that “the existing lot shape and size, which are narrow and not rectangular, limits the buildable area within the standard setbacks.” The applicant provides no comments that reflect on the hardship of the property or the structures.
- (b) The applicant states that, “the existing lot is the original plat and limits the buildable area.” This statement does not pertain to the question of whether or not the hardship is the direct cause of the applicant, it is not a hardship that they caused.
- (c) Applicant states that, “changing the setbacks on the front south-side lot line from 25 feet to 18 feet would allow for new construction of an affordable, single family dwelling/home.” 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, by building a smaller home.
- (d) The applicant states, “changing the setbacks will allow for the construction of a new, affordable, single-family dwelling for home ownership resulting in property value commensurate with the property values in the district.” 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 5-foot 11 inches west side yard setback where 8 feet is required.
- 3. Provide a site plan of the home site showing where the driveway would be located if both requested variances (2408ZB116 and 2408ZB117) are granted. The proposed driveway cannot be too close to the corner of E Railroad St and Oak Ave.

DEPARTMENTAL CONDITIONS

Engineering:

Provide a site plan of the home site showing where the driveway would be located if both requested variances (2408ZB116 and 2408ZB117) are granted. The proposed driveway cannot be too

Technical Report

VARIANCE

close to the corner of E Railroad St and Oak Ave. Memo dated 7/31/24.

Public Works:

No comment as of 8/2/24.

Traffic and Safety:

No conditions. Memo dated 8/2/24.

Building Code Services:

Must meet all current building Codes and City of Gulfport Ordinances. Memo dated 7/24/24.

GIS:

No conditions. Memo dated 7/29/24.

Police Department:

No comment as of 8/2/24.

Fire Department:

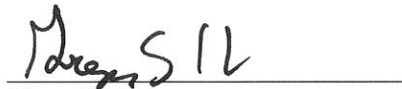
No conditions. Memo dated 7/24/24.

City Arborist:

No conditions. Memo dated 7/25/24.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department





URBAN DEVELOPMENT DEPARTMENT | PLANNING & ZONING

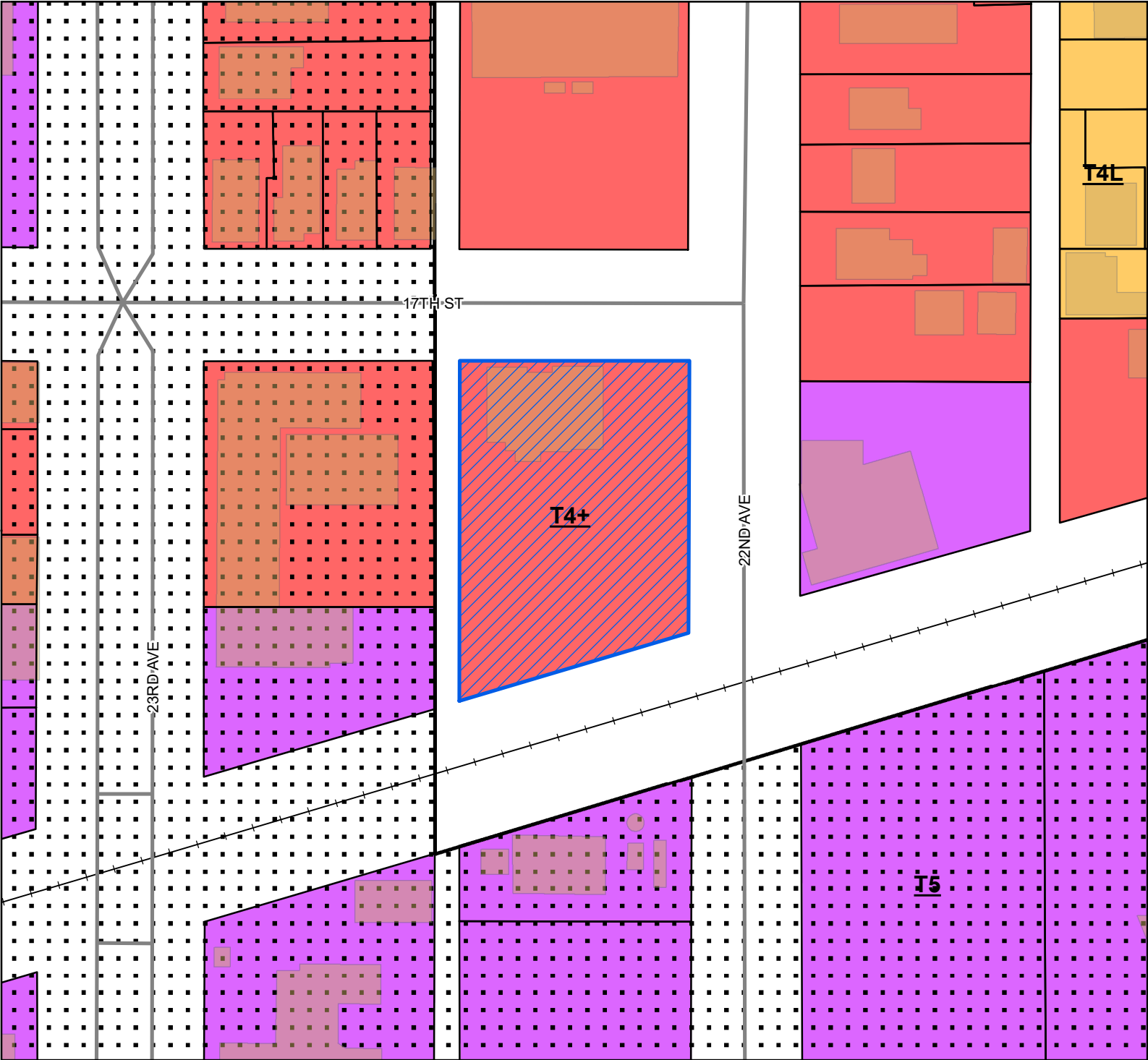
PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE

P: 228.868.5710 | F: 228.868.5708 | PLANNERS@GULFPORT-MS.GOV

ZONING BOARD OF ADJUSTMENT AND APPEALS CASE # 2408ZB120

Hearing Date: Thursday, August 15, 2024

Variance 2408ZB120: Agent, Timothy Gobble, seeking approval for a 7-foot tall chain-link fence where 6-feet is the height limit, Tax Parcel 0811F-02-040.000, 2201 17th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3



Site

Street

Railroad

Parcels

Buildings

City Limit

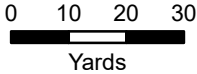
Smart Code

T5

T4+

T4L

Site Information
0811F-02-040.000
Zoning: T4+ (General Urban Zone "Plus")
Size: 36463.03 sqft
Flood: X



1 inch = 100 feet



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CASE NUMBER

2408 ZB120

JL BC 06/27/2024

Rec'd #12819331

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

0811F	-	62	-	040	.	000													

Property Address:

2201 17th St. Gulfport, MS 39501

Lot(s) 1-6

Block(s) 154

Subdivision Original Gulfport

General Description of Request: Mississippi Power Alt. Control Center - We need to add a taller security fence to our site, similar to what was installed previously. Approx financing is for employee safety and to protect company assets including control of the electric power grid.

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:

Fe Z. Strickland
 Printed Name of Owner
2992 WEST BEACH BLVD
 Mailing Address
Gulfport MS 39501
 City State Zip Code
228-865-5024 228-250-9157
 Home Phone Work/Cell Phone
fzwells@SOUTHERNCO.COM
 Email
[Signature]
 Signature of Owner

AGENT:

Timothy Goldie
 Printed Name of Agent
2992 W. Beach Blvd.
 Mailing Address
Gulfport MS 39501
 City State Zip Code
228-865-5024 228-230-5259
 Home Phone Work/Cell Phone
tagoldie@southernco.com
 Email
[Signature]
 Signature of Agent

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

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

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____



DESIGNATION OF AGENT

I, Fe Z. Strickland being property owner of 2201 17th Street, Gulfport MS 39501 Tax Parcel # 08117-02-040.000
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Timothy A. Gobbie to act as
PRINT NAME

my representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

[Signature] June 19, 2024
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 19th day of June, 20 24

Leah Welter
NOTARY PUBLIC





COVENANT AFFIDAVIT

I, Fe Z. Strickland being property owner or agent of the property Tax Parcel # 0811 F. 02-040.000
2201 17th Street Gulfport, MS
39501
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

[Signature]
SIGNATURE

June 19, 2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 19th day of June, 2024

Leah Welter
NOTARY PUBLIC



Fence Variance
Submissions (Q&A)

1. Safety in regard to the subject property, adjacent properties, ingress and egress, streets, alleyways, and water bodies:
 - a. We are making this request about the safety of our employees and to protect the power grid from possible threats. This fencing will allow our employees to enter the property through a motorized gate, park behind a fence and enter through a secure entrance on the west side of the property.
 - b. The addition of this fence will not hinder or affect the safety or access of any adjacent properties' ingress / egress to, streets, alleyways, or waterways.

2. Visual impact of adjacent properties, streets, alleyways, and water bodies:
 - a. The visual impacts of the fence will be very similar to the surrounding properties to the north, east and west of this site.
 - i. AT&T's site to the north of our property is enclosed by a similar style chain-link fence.
 - ii. The property to the east of us, formerly Allen Plumbing, has a similar chain-link fence, however, it also includes strands of barbed wire along the top.
 - iii. The businesses to the west of our site also have chain-link fence along the east side of their property and along the southside bordering the railroad right-of-way.

3. Design in relation to other structures on the same lot, adjacent properties, and the neighborhood.

- a. The design of the fencing request and variance by Mississippi Power closely mimics the neighborhood and neighboring properties in this area of Gulfport. Also, Mississippi Power did have most of this property fenced in with a similar style fence when this site included a substation. The substation we demolished just a few years ago.

4. Impact on ingress and egress, if applicable:

- a. The impact of this project does not have any major impact to ingress and egress. There is still an emergency exit to the north of the building that exits directly out to the sidewalk along 17th Street. Employees also have the newly designated main entry / exit point along the west side of the property. This exit is equipped with an accessible ramp that exits to the side access drive on the west side of the property.

5. Screening, buffering or separation of any nuisance or hazardous features:

- a. None

6. Compatibility with adjacent properties:

- a. See pictures attached showing similar construction of surrounding properties. Our request is similar and compatible with bordering properties.



Chain-Link Fence
(Appears to be 6")

AT&T SITE - NORTH OF MPC SITE



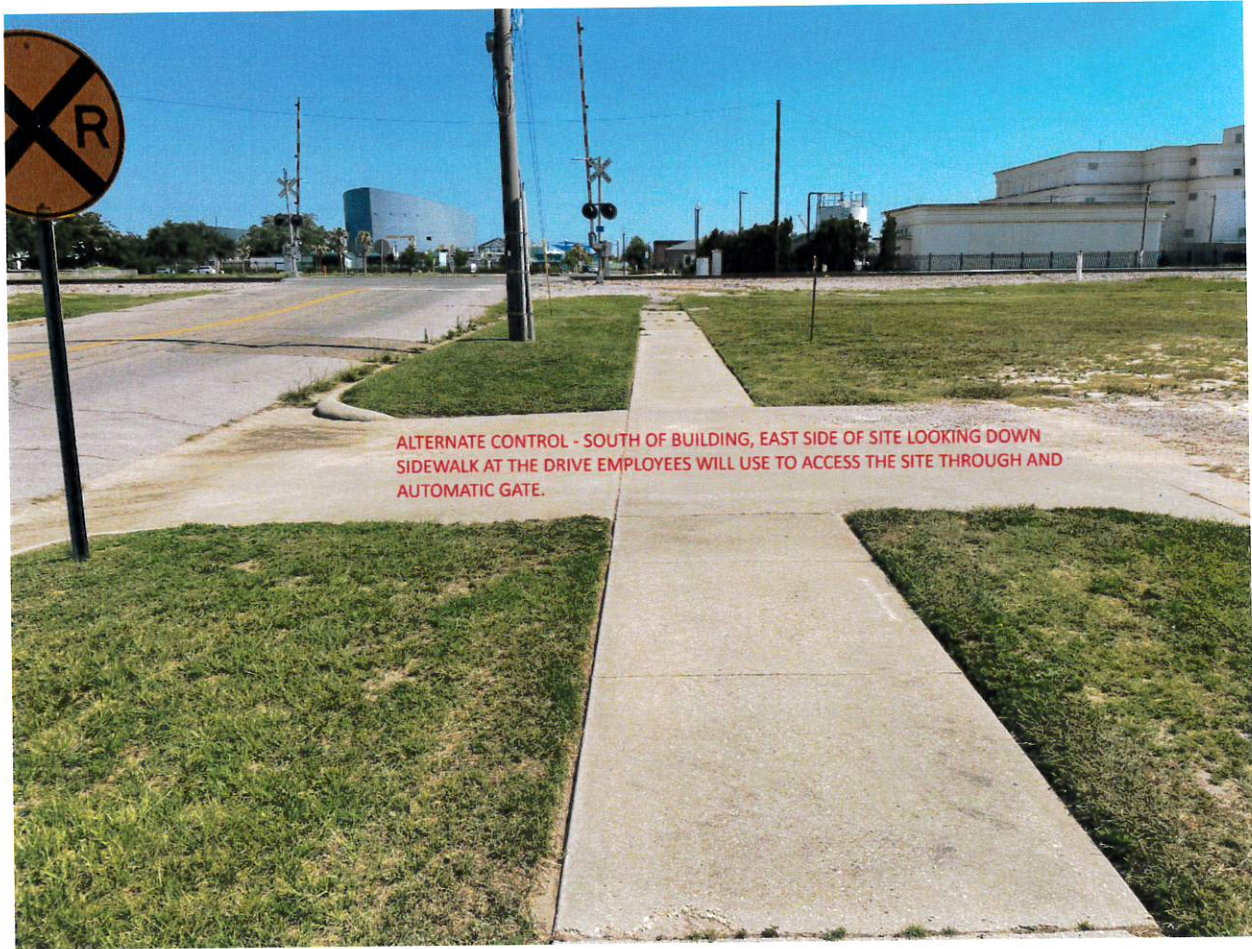




MPC AET CONTROL SITE - SOUTHEAST CORNER LOOKING NORTHWEST
SHOWS CHAIN-LINK FENCE BORDERING OUR SITE AT THE WEST. ALSO
SHOWS THE CHAIN-LINK WITH BARBED-WIRE LEFT IN PLACE AFTER THE
SUBSTATION WAS DEMO'D. THIS SAME HEIGHT FENCING WAS INSTALLED
AROUND THE SUBSTATION BEFORE BEING DEMO'D A FEW YEARS AGO.



MPC Alt. Control Center Site - (Looking West)



ALTERNATE CONTROL - SOUTH OF BUILDING, EAST SIDE OF SITE LOOKING DOWN
SIDEWALK AT THE DRIVE EMPLOYEES WILL USE TO ACCESS THE SITE THROUGH AND
AUTOMATIC GATE.

0811F-02-042.000

0811F-02-039.000



Area Map

Printed 6/27/2024

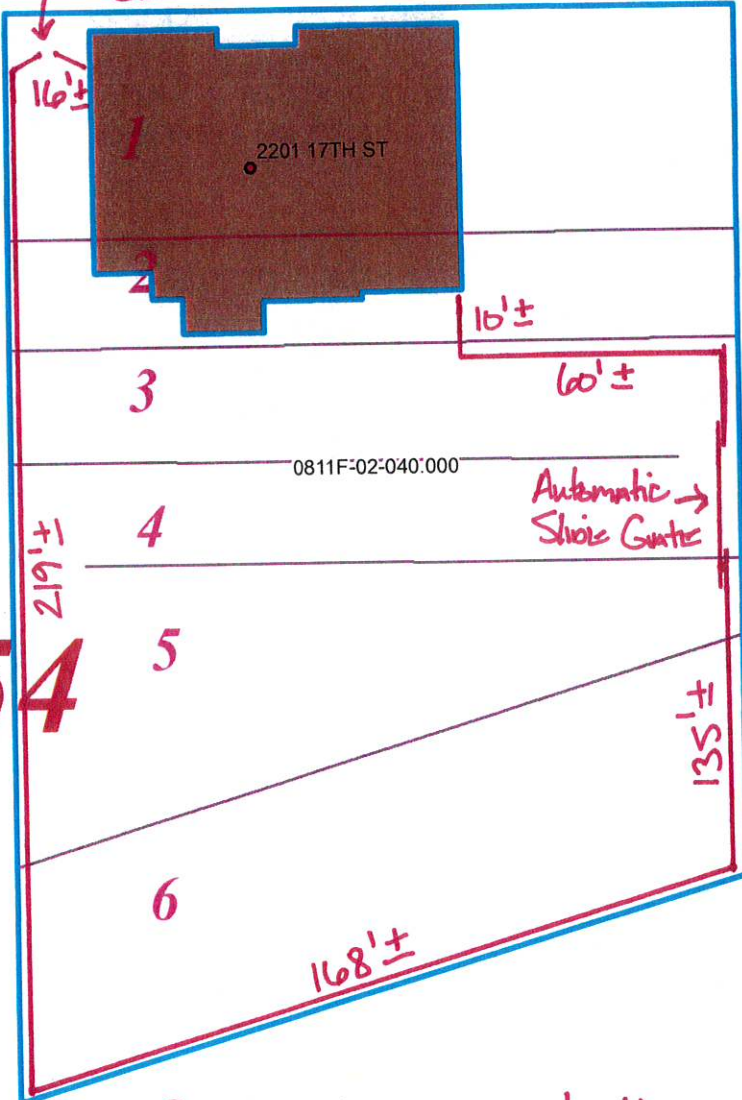
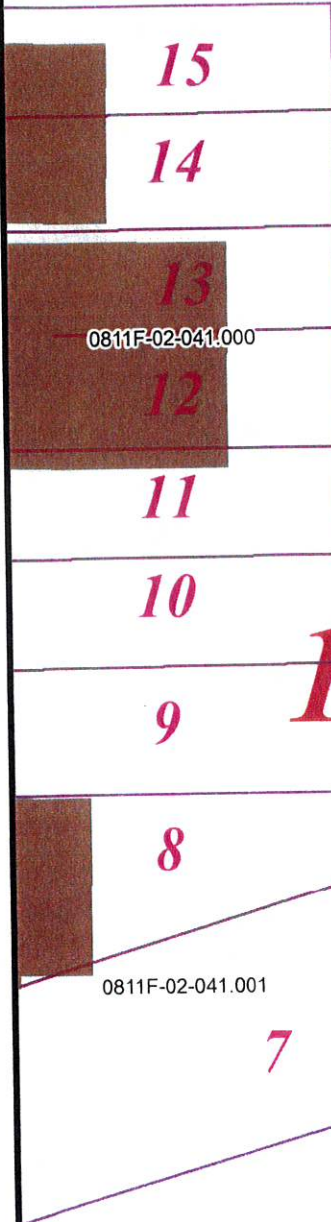
17TH ST

0811F-02-025.000

Manual Swing Gate

gate swings onto property

[Handwritten signature]



0811F-02-040.000

0811F-02-024.000

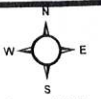
22ND AVE

* Red line inside property line indicates location of 7'-0" chainlink fence to be installed.

0811F-03-008.000

- Addresspoints
- Parcels

[Handwritten signature] 6/27/24



1 inch = 42 feet

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Key:

- Proposed 7'-0" chainlink fence
- Automatic Slide Gate - 7'-0" chainlink.
- 7'-0" + 1'-0" Barbed Wire Chainlink Fence (Demo)
- Overall Building Dimensions
- Building exterior to property line dimensions

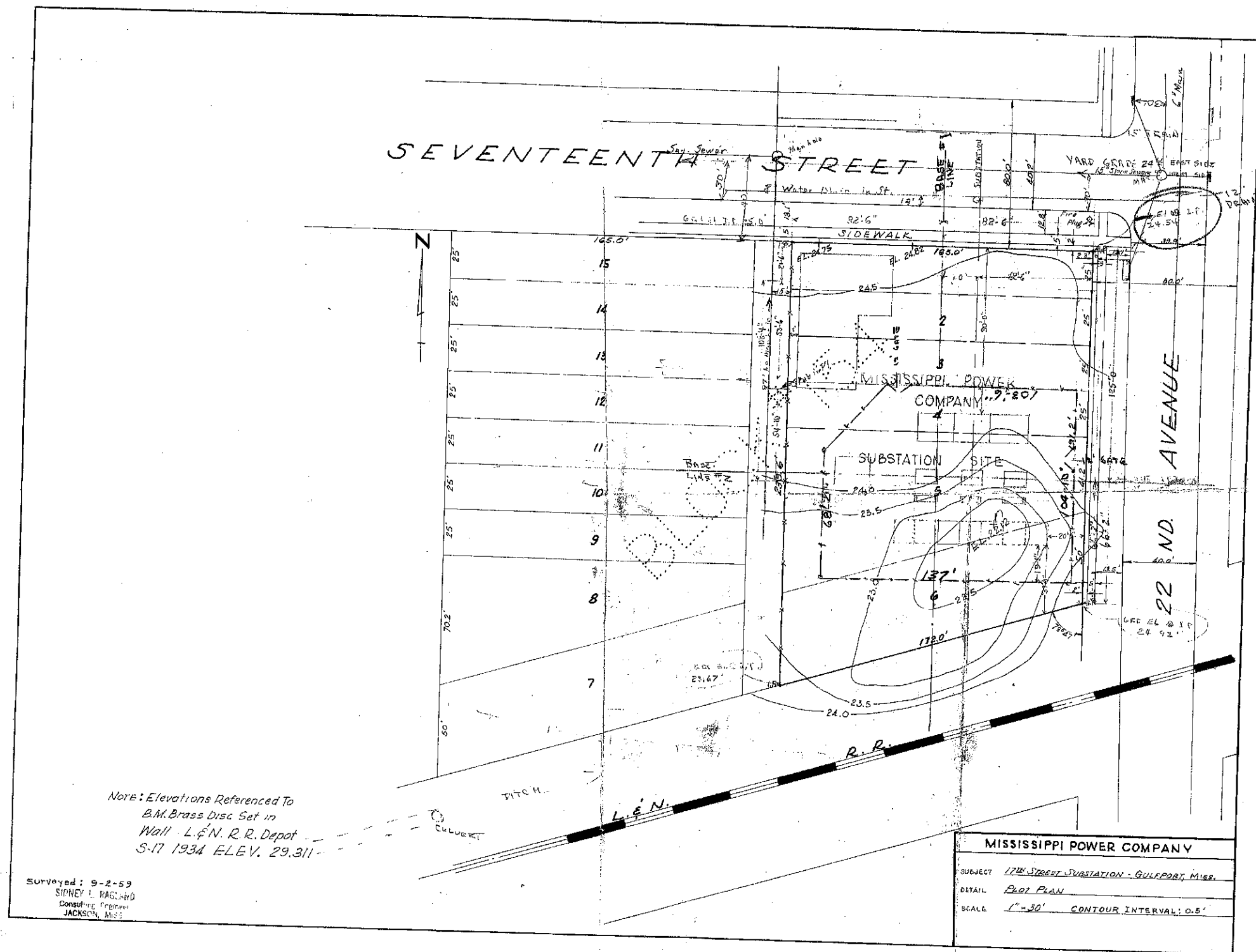
Site: Mississippi Power
Alternate Control Center

Project: Security Fence for Site
Operations.

Address: 2201 - 17th St. Gulfport, MS

Notes:

- ① All fencing will be set inside property boundaries of MPC.
 - ② Demo existing fence w/ barbed-wire indicated on site plan above in "yellow".
 - ③ Add 7'-0" chainlink fence around property indicated in "Red".
 - ④ Add (x1) automatic slide gate 7'-0" chainlink exterior indicated in "green". (Main ingress/egress - fence area)
 - ⑤ Add (x1) dual manual swing gate (Northwest corner of site.) (This will serve as a secondary ingress/egress - fence area)
- * This site had a chainlink fence around the majority of the site when a Substation was located here just a few years ago. That fencing was 7'-0" + 1'-0" of barbed-wire. All the old fencing with barbed-wire has been removed except the sections indicated in "yellow" on the site plan above. Substation fence with barbed-wire was 8'-0" overall height.





Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
MISSISSIPPI POWER COMPANY	Legal

Business Information

Business Type:	Profit Corporation
Business ID:	104297
Status:	Good Standing
Effective Date:	07/12/1972
State of Incorporation:	Mississippi
Principal Office Address:	2992 West Beach Blvd Gulfport, MS 39501

Registered Agent

Name
Fe Z Strickland
2992 W Beach Blvd
Gulfport, MS 39501-1805

Officers & Directors

Name	Title
H Ed Blakeslee 2992 West Beach Gulfport, MS	Incorporator
J C Gewin 2992 West Beach Gulfport, MS	Incorporator
Anthony L Wilson 2992 West Beach Blvd Gulfport, MS 39501	President, Chairman, Chief Executive Officer
Gifford W. Ormes 2992 West Beach Blvd Gulfport, MS 39501	Vice President
Melvin J. Roland III 2992 West Beach Blvd	Vice President

Gulfport, MS 39501

Matthew P. Grice
2992 West Beach Boulevard
Gulfport, MS 39501

Treasurer, Vice President, Chief Financial Officer

Michael W. Smith
2992 W Beach Blvd
Gulfport, MS 39501

Vice President

Shawn S. Shurden
2992 W Beach Blvd
Gulfport, MS 39501

Secretary, Vice President

Brady A. Powers
2992 West Beach Blvd.
Gulfport, MS 39501

Vice President

Mark E Keenum
PO Box 6018
Mississippi State, MS 39762

Director

Anthony L Wilson
2992 West Beach Blvd
Gulfport, MS 39501

Director

Pascal B Gill
2992 West Beach Boulevard
Gulfport, MS 39501

Fe Z Strickland
2992 West Beach Boulevard
Gulfport, MS 39501

Assistant Secretary

Thomas M Duff
800 Hwy 98
Columbia, MS 39429

Director

Camille S. Young
200 North Congress Street, Suite
201
Jackson, MS 39201

Director

Melissa K. Caen
2992 West Beach Boulevard
Gulfport, MS 39501

Assistant Secretary, Assistant Treasurer

Ann Barrett B Ladner
2992 West Beach Blvd.
Gulfport, MS 39501

Assistant Treasurer

Mary S Graham
Harrison Hall - 51 Main Street, P.
O. Box 609
Perkinston, MS 39573

Director

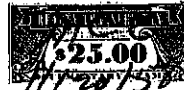
Augustus Leon Collins
5220 Keele Street
Jackson, MS 39206

Director

Kari R Wilkinson
P. O. Box 149
Pascagoula, MS 39568

Director

WARRANTY DEED



KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable considerations, to it in hand paid by the grantee hereinafter named, Monsanto Chemical Company, a Delaware corporation, does, subject to the condition hereinafter set out, hereby sell, convey and warrant unto Mississippi Power Company, a Maine Corporation, with offices at Gulfport, Mississippi, and unto its successors and assigns forever, the following described property situated in the City of Gulfport, County of Harrison, and State of Mississippi, to-wit:

Lots 1, 2, 3, 4, 5 and 6 in Block 154, of Original Gulfport,, an addition to the City of Gulfport, Harrison County, Mississippi, as shown by an official map or plat of said addition on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi.

Grantor, by this deed, does not convey any portion of the alley lying immediately West of the above described property.

TO HAVE AND TO HOLD unto the said Mississippi Power Company, its successors and assigns forever.

IN WITNESS WHEREOF, this instrument is executed on this the 14th day of October, 1958.

ATTEST:

MONSANTO CHEMICAL COMPANY

J. H. Lewis
Assistant Secretary

By H. N. Bible
Vice President



STATE OF ARKANSAS
COUNTY OF UNION

Personally appeared before me, the undersigned authority in and for said County and State, the within named H. H. BIRLE and Jeff Davis, to me personally known to be the Vice President and Assistant Secretary of Monsanto Chemical Company, a corporation, who acknowledged that they signed and delivered the above and foregoing instrument on the day and year therein mentioned, for and on behalf of Monsanto Chemical Company and attach thereto its corporate seal, being first authorized to do so.

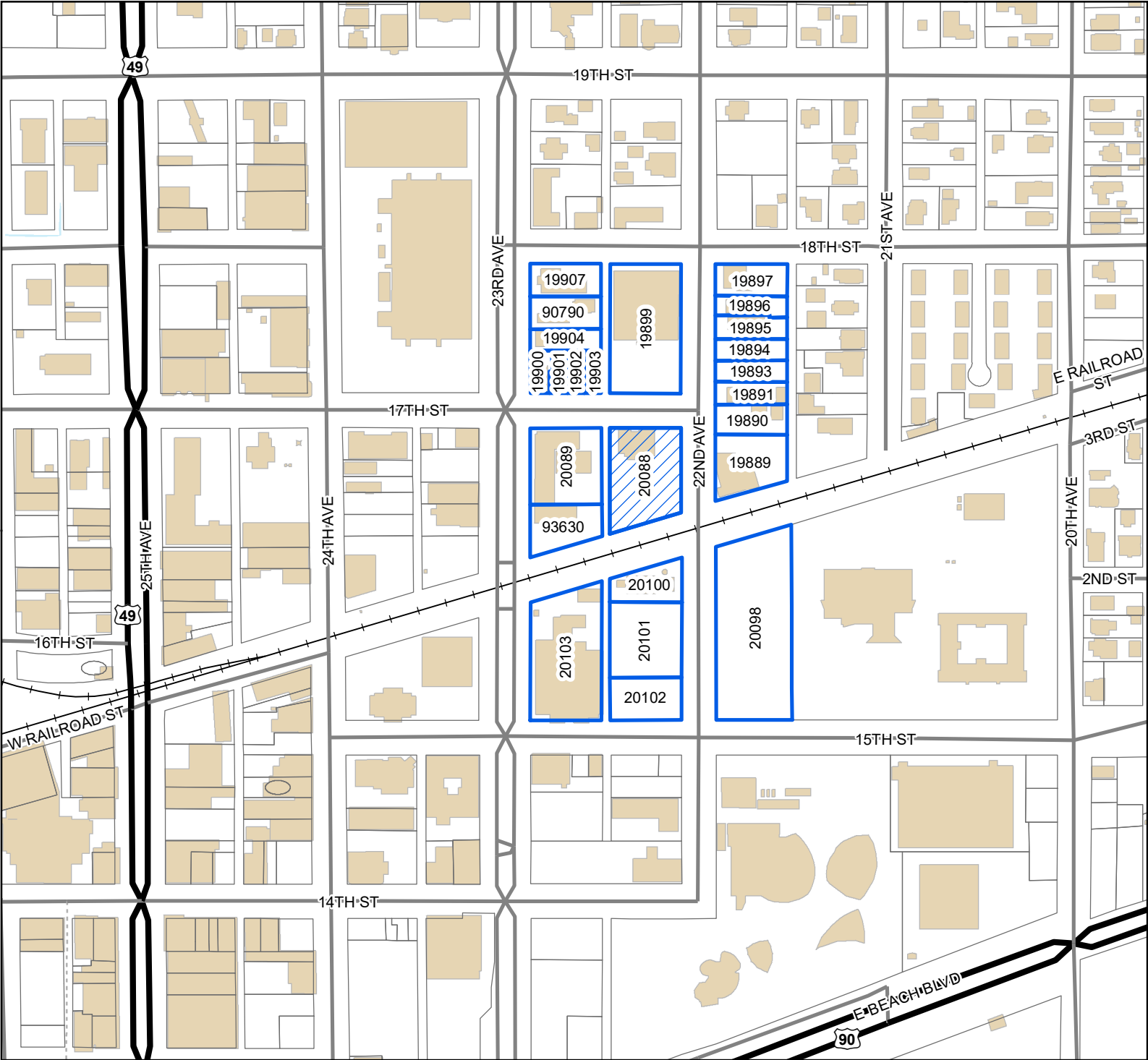
Given under my hand and official seal, this the 14th day of October, 1958.

Margaret B. Crumpton
Notary Public

My commission expires

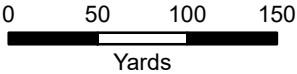
Oct 27-1962

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	20088	0811F-02-040.000	MISS POWER COMPANY (OWNER)	2292 WEST BEACH BLVD	GULFPORT	MS	39501
			TIMOTHY GOBBLE (AGENT)	2292 WEST BEACH BLVD	GULFPORT	MS	39501
			Adjacent Property Owners (2408ZB120)				
	19900	0811F-02-045.000	2224 17TH ST LLC	15202 AUTUMN CT	GULFPORT	MS	39503
	19894	0811F-02-028.000	ASHTON LAND COMPANY LLC	1706 22ND AVE	GULFPORT	MS	39501
	19896	0811F-02-030.000	BLANCHARD LANDCO LLC	206 EAST 2ND ST	THIBODAUX	LA	70301
	19891	0811F-02-026.000	EAGLE DAWG PROPERTIES LLC	P O BOX 2408	GULFPORT	MS	39505
N	19890	0811F-02-025.000	EAGLE DAWG PROPERTIES LLC	P.O.BOX 2408	GULFPORT	MS	39505
N	20103	0811F-03-012.000	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
N	20102	0811F-03-011.000	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
N	20101	0811F-03-010.000	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
N	20100	0811F-03-009.000	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
	19902	0811F-02-043.000	HOLCOMB & RUSSELL PLLC	2218 17TH ST	GULFPORT	MS	39501
	19893	0811F-02-027.000	J & L DUFFY PROPERTIES LLC	8002 FOUNTAIN AVE	WEST HOLLYWOOD	CA	90046
	20098	0811F-03-008.000	JAY-JAY HOLDINGS LLC	32 GREENBRIAR DR	GULFPORT	MS	39507
	19903	0811F-02-042.000	KARNES WALTER A & LISA	11162 ELLIS DRIVE	GULFPORT	MS	39503
	20089	0811F-02-041.000	LOWRY DEVELOPMENT LLC	1620 23RD AVE	GULFPORT	MS	39501
	93630	0811F-02-041.001	M C I COMMUNICATIONS	1133 19TH ST NW	WASHINGTON	DC	20036
	19889	0811F-02-024.000	NELSON GREGORY F & DEBRA J	1857 WOODDALE BLVD	BATON ROUGE	LA	70806
	19904	0811F-02-046.000	PRESTIA MICHAEL G	P O BOX 1928	GULFPORT	MS	39502
	90790	0811F-02-047.000	PYRAMID INDUSTRIES INC	1720 23RD AVE	GULFPORT	MS	39501
N	19907	0811F-02-048.000	PYRAMID INDUSTRIES INC	1720 23RD AVE	GULFPORT	MS	39501
	19897	0811F-02-031.000	SMITH & HOLDER PROPERTIES LLC	2209 23RD AVE	GULFPORT	MS	39501
	19899	0811F-02-039.000	SOUTHERN BELL TEL & TEL CO	1155 PEACHTREE ST NE 6000	ATLANTA	GA	30367
	19895	0811F-02-029.000	STELLY HERBERT J SR	21305 JOHNSON RD	LONG BEACH	MS	39560
	19901	0811F-02-044.000	WHITMAN PROPERTIES LLC	PO BOX 10254	GULFPORT	MS	39505



Legend

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



1 inch = 322 feet



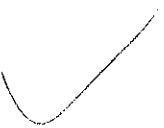
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RE: Variance 2408ZB120, by agent Timothy Gobble, seeking approval for a 7-foot tall chain link fence where 6-feet is the height limit, Tax Parcel 0811F-02-040.000, 2201 17th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, August 15, 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, August 15, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.





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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	577293	Print Legal Ad-IPL01856440 - IPL0185644		\$88.90	2	55 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2408ZB113, by owner Land Lady Investments, LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB114, by owner Land Lady Investments, LLC, seeking approval to have 4 regular parking spaces where 7 is required, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB116, by agent Patricia Tomasello, seeking approval for an 18-foot front yard setback where 25 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB117, by agent Patricia Tomasello, seeking approval for a side yard setback of 5-feet and 11 inches where 8 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB120, by agent Timothy Gobble, seeking approval for a 7-foot tall chain link fence where 6-feet is the height limit, Tax Parcel 0811F-02-040.000, 2201 17th Street, Zoned T4+ (General Urban Zone & "Plus"), Ward 3

Variance 2408ZB122, by agent Jon Storonskyj, seeking approval for an additional wall sign on the west elevation, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7

Variance 2408ZB124, by agent Matt Largen, seeking approval for a front yard setback for a freestanding ground sign of 1-foot where 10 feet is required, Tax Parcel 1008M-01-008.000, 11252 Lorraine Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB126, by agent Cross Development CC Gulfport, LLC, seeking approval for 10 regular parking spaces where 18 is required, Tax Parcel 1008L-01-002.000, Dedeaux Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB128, by agent Robert Thomas, seeking approval for a 4-foot front yard setback where 25 feet is required, Tax Parcel 0711H-02-023.000, 3521 19th Street, Zoned R-2 (Single-family) & (Sub-Urban zone), Ward 1

This the 24th day of July 2024

A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0185644
Jul 31 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:
07/31/24

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.

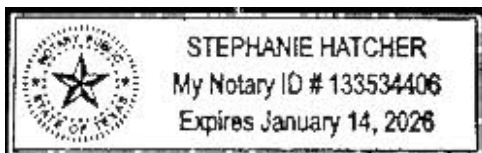
Mary Castro

Sworn to and subscribed before me this 31st 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!

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2408ZB120

Hearing Date: August 15, 2024

Current Zoning/Use: T4+ / Commercial Structure

Legal: Variance 2408ZB120, by agent Timothy Gobble, seeking approval for a 7-foot tall chain link fence where 6-feet is the height limit, Tax Parcel 0811F-02-040.000, 2201 17th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance for a seven-foot tall chain-link where the height limit is six feet.

- (a) Applicant did not address this section. Applicant instead addressed the fence variance submission questions, stating that they “are making this request about the safety of our employees and to protect the power grid from possible threats.” Applicant also claims that the proposed fence will not affect the safety or access to adjacent properties. Upon staff review from a site visit, the fence as proposed will not present a site visibility issue.
- (b) Applicant did not address this section. The applicant instead addresses the visual impact question from the fence variance submission questions. Applicant claims that the visual impacts will similar to the adjacent properties. Applicant claims the properties to the north, west, and east have similar style of fences. However, they note that the property to the east of the subject site has barbed wire on top of on top of its fence. Upon staff review of the properties in question via a site visit, these properties do have fences similar in design to the proposed fence. However; these fences are approximately six feet in height and pre-existing. In addition, regarding the outlining fence with the barbed wire is on a property zoned T4+ (General Urban Zone “Plus”), which current fence ordinance explicitly does not allow. Upon review of past imagery, the mentioned fence was existing as long ago as 2007, meaning it is pre-existing nonconforming.
- (c) The applicant does not address the hardship for the variance, or how the physical character of the property would result in a hardship requiring the need for a variance. Applicant instead states “the design of the fencing request and variance by Mississippi Power closely mimics the neighborhood and neighboring properties in this area of Gulfport.” Applicant also states that the subject site used to house a substation that was fenced with a similar style fence, but was demolished a few years ago. Upon staff review of the past imagery of the subject site, imagery of the subject dated for 2019 shows a chain link fence around what would have been the stated substation. If the proposed fence height were to be six feet tall instead of the proposed seven feet a variance would not be required, thus the applicant has caused their own hardship. In addition, based upon a site visit to the area, the neighboring properties to the north, west, and east have similar style fences to what is proposed. However, as stated prior these mentioned fences are pre-existing, with the fence to the east of the subject site being non-conforming.
- (d) The applicant does not address the literal interpretations of the ordinance in the statements. Upon staff review of the proposed fence, the placement of the proposed fence would not cause sight or safety issues regarding visibility and would be permissible without the need for a variance at six feet in height.
- (e) The applicant does not address this section. The applicant does note of other properties the immediate area that they claim has similar styles of fences to what is proposed, and provided photographs of the fences in question.
- (f) This property is zoned T4+, and a chain-link fence would be permissible should it meet current fence ordinance.

EXECUTIVE SUMMARY

The applicant is seeking approval for a seven-foot tall chain link fence where six feet is the height limit. While applicant did not address any hardship that is caused by the physical

Technical Report

VARIANCE

character of the property, and do not meet merit for the six hardship criteria, they do claim that their proposed fence will be in harmony with the fences on the neighboring properties. Additionally, the applicant states that the proposed fence is for the safety of their employees. Engineering Department has noted in their comments that the proposed fence appears to be part of a proposed parking lot. While a seven-foot tall chain link fence may provide security for the site, a six-foot tall fence would be allowable without the need for a variance. Upon staff review of the mentioned fences, staff noted that the fence were chain link fences similar to what was proposed. However, each of these fences were placed before the current fence ordinance and are approximately six in height. In addition, the fence on the property to the east of the subject site has barbed wire on top and is on a property zoned T4+, which per the current fence ordinance is prohibited, and would mean this fence would be pre-existing nonconforming.

Any approval should consider these conditions:

1. The request for a taller fence appears to be part of a proposed parking lot for the former substation site. A new parking lot will need to meet City Engineering standards.
2. Fence permit is required.
3. If fence is to go around future parking, a permit for paved parking with a parking plan showing striped parking will be required.
4. Approval allows for a seven-foot tall chain link fence were six feet is the height limit.

DEPARTMENTAL CONDITIONS

Engineering:

The request for a taller fence appears to be part of a proposed parking lot for the former substation site. A new parking lot will need to meet City Engineering standards. Memo dated 8/2/24.

Public Works:

No comment as of 8/2/24.

Traffic and Safety:

Fence height isn't a problem. If the fenced in yard will be used as a parking lot we need drawings. Memo dated 3/5/2018.

Building Code Services:

Fence permit is required. Memo dated 7/24/24.

GIS:

No conditions. Memo dated 7/31/24.

Police Department:

No comment as of 3/8/24.

Fire Department:

No conditions. Memo dated 4/24/24.

City Arborist:

No conditions. Memo dated 7/25/24.

Technical Report

VARIANCE

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department





URBAN DEVELOPMENT DEPARTMENT | PLANNING & ZONING

PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE

P: 228.868.5710 | F: 228.868.5708 | PLANNERS@GULFPORT-MS.GOV

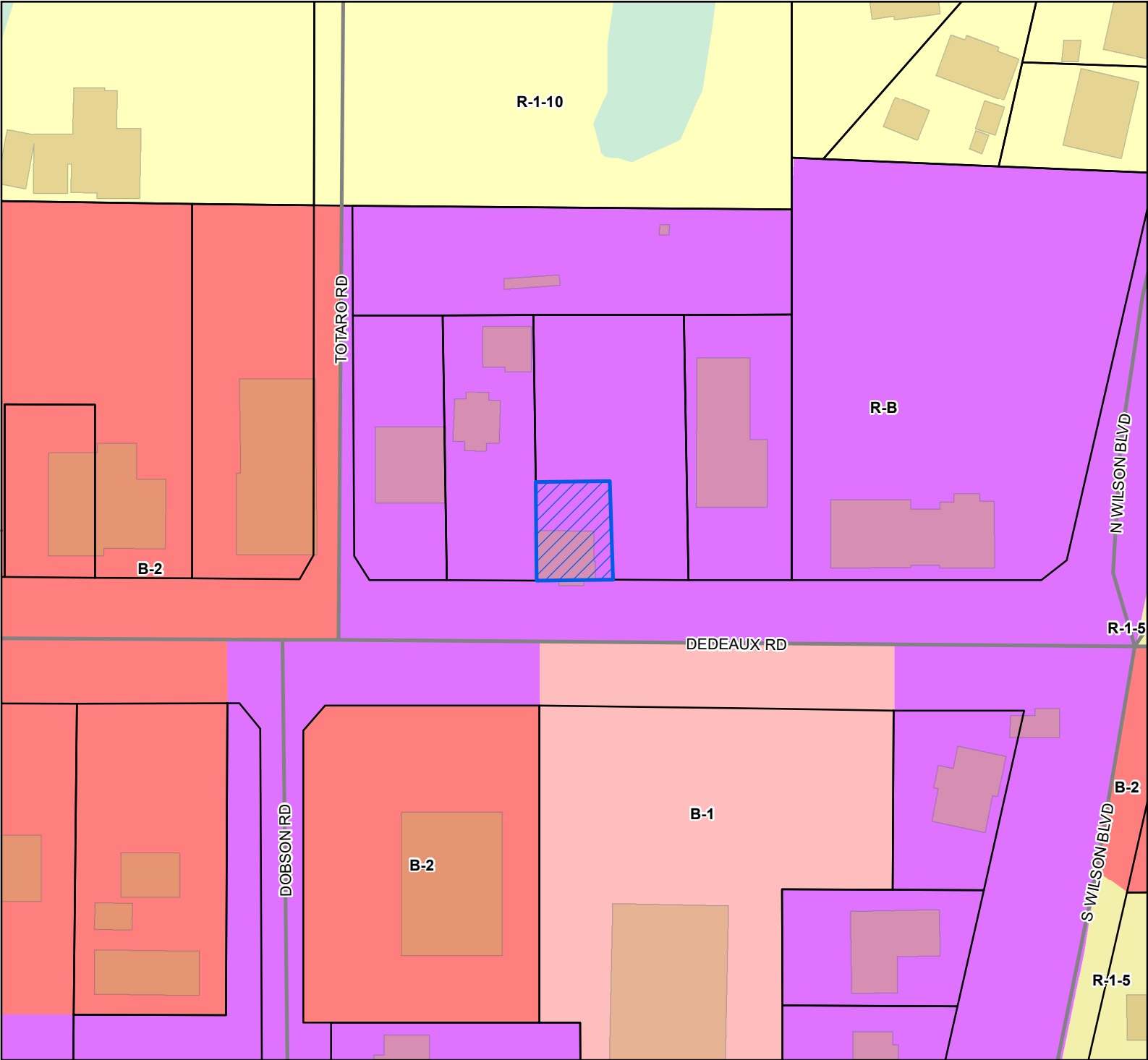
ZONING BOARD OF ADJUSTMENT AND APPEALS CASE # 2408ZB122

Hearing Date: Thursday, August 15, 2024

Variance 2408ZB122: Agent, Jon Storonskyj, seeking approval for an additional wall sign on the west elevation, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7

2408ZB122

Variance



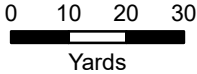
Legend

- Site
- Street
- Parcels
- Buildings
- Water Features
- City Limit

Zoning

- B-1 - Neighborhood Business District
- B-2 - General Business District
- R-1-10 - Single Family Residence (Low Density)
- R-1-5 - Single Family Residence District (Medium Density)
- R-B - Residence-Business District

Site Information
0808K-03-113.001
Zoning: R-B (Residence-business)
Size: 3856.66 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.



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

CASE NUMBER

240878122

07/02/24
12825916

ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

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

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

TAX PARCEL NUMBERS

0808K	-	03	-	113	.	001													

Property Address:

15142 Dedaux Rd. Gulfport MS 39503

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

General Description of Request: Request Variance to install (1) additional wall sign/channel letters to the west elevation of the building. The sign is 36" X 143" = 35.8' sqft. Requesting hardship for position of building on property and code does not allow roof signs, parapet signs, or a sign on the front of building.

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:Charles Bourque

Printed Name of Owner

15132 Dedeaux Rd.

Mailing Address

Gulfport ms 39503

City

228-323-2774

State

Zip Code

228-832-4634

Home Phone

Work/Cell Phone

C.bourque1970@gmail.com

Email

Signature of Owner

AGENT:Jon Storonskyj

Printed Name of Agent

988 Kaimu Street

Mailing Address

Diamondhead ms 39525

City

228-342-0968

State

Zip Code

Home Phone

Work/Cell Phone

Sales@signsplusinc.ms

Email

Signature of Agent

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

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

Name of Owner (PRINT) _____

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

Phone (Home) _____

(Work) _____

(Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

Phone (Home) _____

(Work) _____

(Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

Phone (Home) _____

(Work) _____

(Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____



DESIGNATION OF AGENT

I, Charles Bourque being property owner of 15142 Dodeaux Rd. Gulfport MS 39503
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Jon Stornoskyj to act as
PRINT NAME
my representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

SIGNATURE

DATE

7/1/24

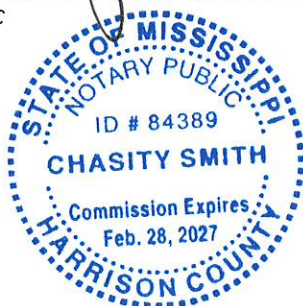
STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

NOTARY PUBLIC

2/28/27

COMMISSION EXPIRATION





COVENANT AFFIDAVIT

I, Jon D. Stornskyj being property owner or agent of the property 15142 Dedmore Pl. Gulfport 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]
SIGNATURE

7/2/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

[Signature]
NOTARY PUBLIC

05/22/2027
COMMISSION EXPIRATION



ZB

1. The property is zoned to not have the availability to place a sign on the roof or parapit and is only allowed (1) wall sign. Where the property is located, a sign is not allowed on the front of building as well.
2. Does not result from any of our actions, how the property sits on and zoned.
3. Same as (1.) where the property sits does not allow signage on the front / roof / parapit.
4. Same as (3.)
5. This request does not allow any special benefit and will maintain appeal for the community, Harmony
6. Yes. Previous business had license to operate.



Area Map

Printed 6/26/2024

1205

0808K-03-114.000

0808K-03-113.002

Wall Sign 1
36" X 143"
= 35.8' sq ft.

0808K-03-113.001

1532

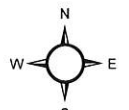
DEDEAUX RD

Initial and date here:

Planner: _____

Owner: _____

Contractor: _____



1 inch = 21 feet



DATA DISCLAIMER:

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

PRINT NAME: _____

APPROVAL DATE: _____

signs plus

graphics • manufacturing • installation • service

CLIENT	DATE
In & Out Tobacco	6/14/24
Gulfport, MS	PAGE 2/2



SPECS:

SIZE: 143" x 36"
SIZE:
SQ. FT.: 35.8'
OAH: 36"
FONT: X
LETTER DEPTH: X

FACE SIZE: X
JEWELITE COLOR: X
RETURN COLOR: X
LED COLOR: X
VOLTAGE: X
MOUNTING: X

RACEWAY COLOR: X
VINYL COLOR: X

NOTES:

Lit Channel Letter -
City Proof - v.2

[Not for Fabrication]



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
South MS Holding, LLC	Legal

Business Information

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

Registered Agent

Name
Ira Charles Bourque 15132 Dedeaux Road Gulfport, MS 39503

Officers & Directors

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



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

PREPARED BY:

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

Return To:

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

STATE OF MISSISSIPPI

COUNTY OF HARRISON

WARRANTY DEED

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

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

does hereby sell, convey and warrant unto

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

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

(See Exhibit A attached)

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

Property is no part of the homestead of the Grantor.

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

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

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

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

Gilbert C. Weaver
Gilbert C. Weaver

STATE OF MISSISSIPPI

COUNTY OF HARRISON

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

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

Candace M. Dye
NOTARY PUBLIC

My Commission Expires:



EXHIBIT A

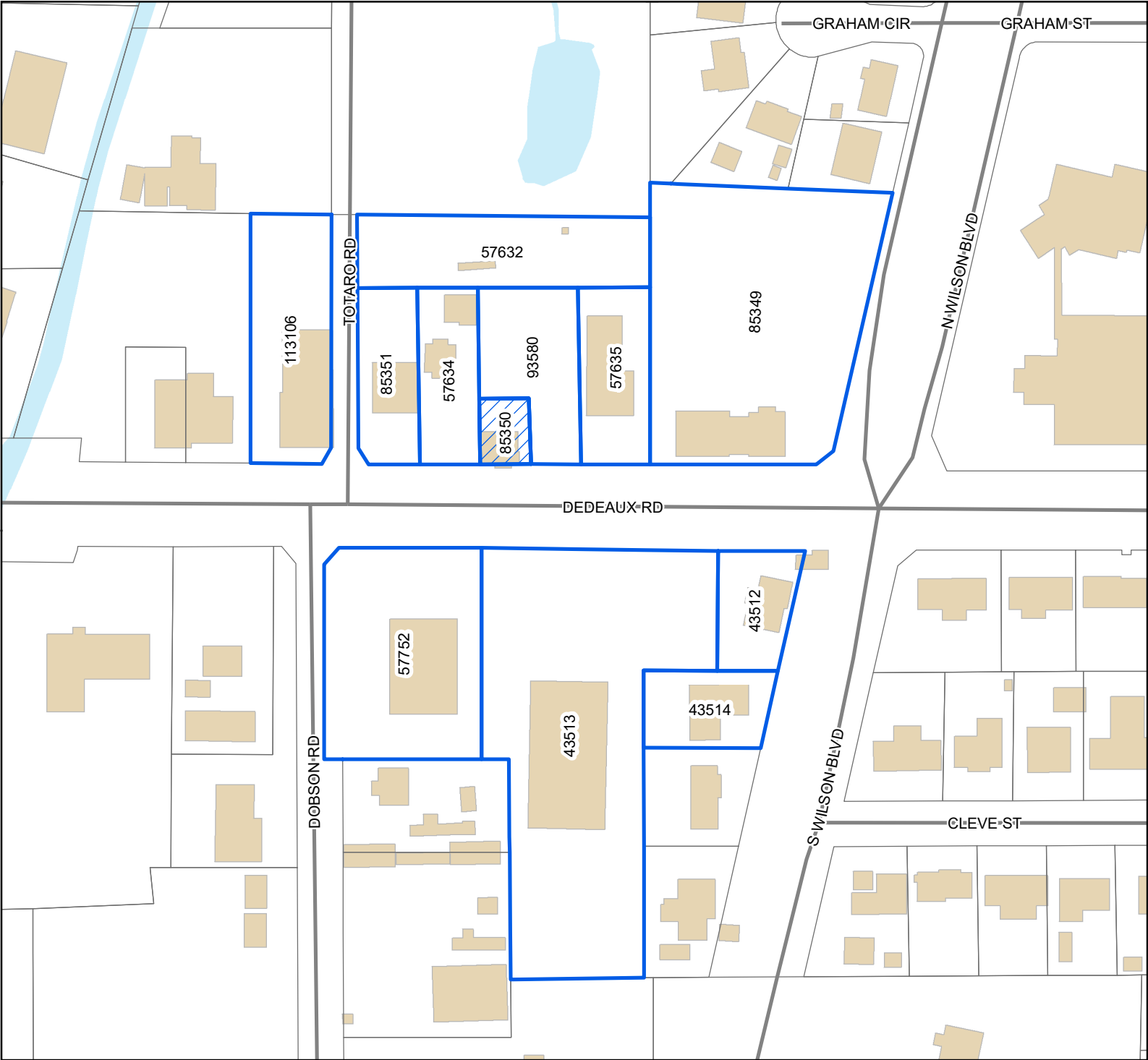
LEGAL DESCRIPTION

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

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

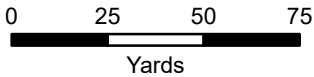
ACW

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	85350	0808K-03-113.001	SOUTH MS HOLDING LLC (OWNER)	15132 DEDEAUX RD	GULFPORT	MS	39503
			Adjacent Property Owners (2408ZB122)				
	43514	0808N-04-003.000	CAMPBELL JEFFERY SCOTT	18068 PECAN CT	SAUCIER	MS	39574
N	43512	0808N-04-001.000	CAMPBELL JEFFREY SCOTT	18068 PECAN CT	SAUCIER	MS	39574
	57634	0808K-03-114.000	COBB TERRY & MARGARET	21313 MITCHELL RD	SAUCIER	MS	39574
N	43513	0808N-04-002.000	DEKOVNER BETTY -TRUSTEE-	RHODES FAMILY TRUST THE	IRVINE	CA	92614
	85351	0808K-03-115.000	JEFFERSON TAMIKA	15154 DEDEAUX ROAD	GULFPORT	MS	39503
	57752	0808N-04-031.000	O'REILLY AUTOMOTIVE INC	C/O THOMAS REUTERS PTS P O BOX 01	CHICAGO	IL	60606
	113106	0808K-03-116.001	PING YU LLC	15164 DEDEAUX RD	GULFPORT	MS	39503
	85349	0808K-03-111.000	POPPS FERRY INVESTMENT GROUP LLC	2330 ATKINSON RD	BILOXI	MS	39531
N	57632	0808K-03-113.000	SOUTH MS HOLDING LLC	15132 DEDEAUX RD	GULFPORT	MS	39503
N	93580	0808K-03-113.002	SOUTH MS HOLDING LLC	15132 DEDEAUX RD	GULFPORT	MS	39503
N	57635	0808K-03-112.000	SOUTH MS HOLDING LLC	15132 DEDEAUX RD	GULFPORT	MS	39503



Legend

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



1 inch = 150 feet



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RE: Variance 2408ZB122, by agent Jon Storonskyj, seeking approval for an additional wall sign on the west elevation, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, August 15, 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, August 15, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	577293	Print Legal Ad-IPL01856440 - IPL0185644		\$88.90	2	55 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2408ZB113, by owner Land Lady Investments, LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB114, by owner Land Lady Investments, LLC, seeking approval to have 4 regular parking spaces where 7 is required, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB116, by agent Patricia Tomasello, seeking approval for an 18-foot front yard setback where 25 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB117, by agent Patricia Tomasello, seeking approval for a side yard setback of 5-feet and 11 inches where 8 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB120, by agent Timothy Gobble, seeking approval for a 7-foot tall chain link fence where 6-feet is the height limit, Tax Parcel 0811F-02-040.000, 2201 17th Street, Zoned T4+ (General Urban Zone & "Plus"), Ward 3

Variance 2408ZB122, by agent Jon Storonskyj, seeking approval for an additional wall sign on the west elevation, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7

Variance 2408ZB124, by agent Matt Largen, seeking approval for a front yard setback for a freestanding ground sign of 1-foot where 10 feet is required, Tax Parcel 1008M-01-008.000, 11252 Lorraine Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB126, by agent Cross Development CC Gulfport, LLC, seeking approval for 10 regular parking spaces where 18 is required, Tax Parcel 1008L-01-002.000, Dedeaux Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB128, by agent Robert Thomas, seeking approval for a 4-foot front yard setback where 25 feet is required, Tax Parcel 0711H-02-023.000, 3521 19th Street, Zoned R-2 (Single-family) & (Sub-Urban zone), Ward 1

This the 24th day of July 2024

A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0185644
Jul 31 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:
07/31/24

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.

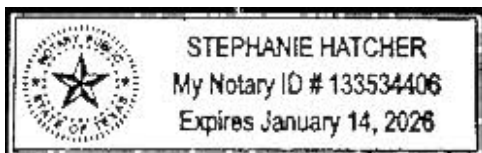
Mary Castro

Sworn to and subscribed before me this 31st 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!

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2408ZB122

Hearing Date: August 15, 2024

Current Zoning/Use: R-B / Commercial Structure

Legal: Variance 2408ZB122, by agent Jon Storonskyj, seeking approval for an additional wall sign on the west elevation, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance to place an additional wall sign in an effort to be seen from both directions of Dedeaux Rd. Sign Ordinance only allows for one wall sign per occupancy within a developed parcel.

- (a) The applicant addressed this question by stating “they do not have permission to place a sign on the roof or parapet nor can they place a sign on the front of the building and they are only allowed (1) wall sign.” The answer supplied by the applicant does not adequately address the question. The location of the building could be considered as having created a special condition; therefore, the applicant created the hardship.
- (b) The applicant states, the special conditions and circumstances “does not result from any of their actions.” As such, the applicant was aware of the building’s location, impediments, and ordinance regarding signs on the rear of buildings; therefore, the applicant created the hardship.
- (c) Applicant addressed the hardship question in this way. “Where the property sits it does not allow signage on the front, roof, nor parapet.” Upon review, the building’s west side frontage is obstructed from traffic view not allowing potential patrons to view the business. There is some consideration for hardship concerning the buildings location and frontage. However, ordinance change is necessary to accommodate for a wall sign on the rear wall of the business.
- (d) The applicant states, that “where the property sits it does not allow signage on the front, roof, nor parapet.” The applicant does not address this question directly. The lot being on a hill near the road does not create a visibility issue to the building. Therefore, creating a hardship with a need for a second wall sign. Upon staff review, nearby properties have multiple signs, some that predate the ordinance and some that have approved variances for multiple signs.
- (e) Applicant claims that granting the variance will not grant any special privileges over other businesses nearby. Upon staff review, nearby properties have multiple signs, some that predate the ordinance and some that have approved variances for multiple signs.
- (f) This property is zoned R-B, a business and signage are permitted uses.

EXECUTIVE SUMMARY

The applicant requests a variance to place wall signs on the west elevation of their structure. A true hardship has not been shown in the answers provided by the applicant. The applicant believes placing signs on the west elevations will allow oncoming traffic to locate their business in both directions. The front of the business faces Dedeaux Road. Approval of the variance to add an additional wall sign would not disrupt the harmony of the other structures in the surrounding area. A survey will be required to show the building does not cross property lines before a sign permit can be issued, if approved.

Any approval should consider these conditions:

- 1. Approval allows for an additional wall sign on the west elevation, where only one sign is allowed.
- 2. A survey will be required to show the building does not cross property lines before a sign permit can be issued.

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 7/31/24.

Public Works: No comment as of 8/2/24.

Traffic and Safety: No conditions. Memo dated 8/2/24.

Building Code Services: No conditions. Memo dated 7/24/24.

GIS: No conditions. Memo dated 7/29/24.

Police Department: No comment as of 8/2/24.

Fire Department: No conditions. Memo dated 1/24/24.

City Arborist: No conditions. Memo dated 7/25/24.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



URBAN DEVELOPMENT DEPARTMENT | PLANNING & ZONING

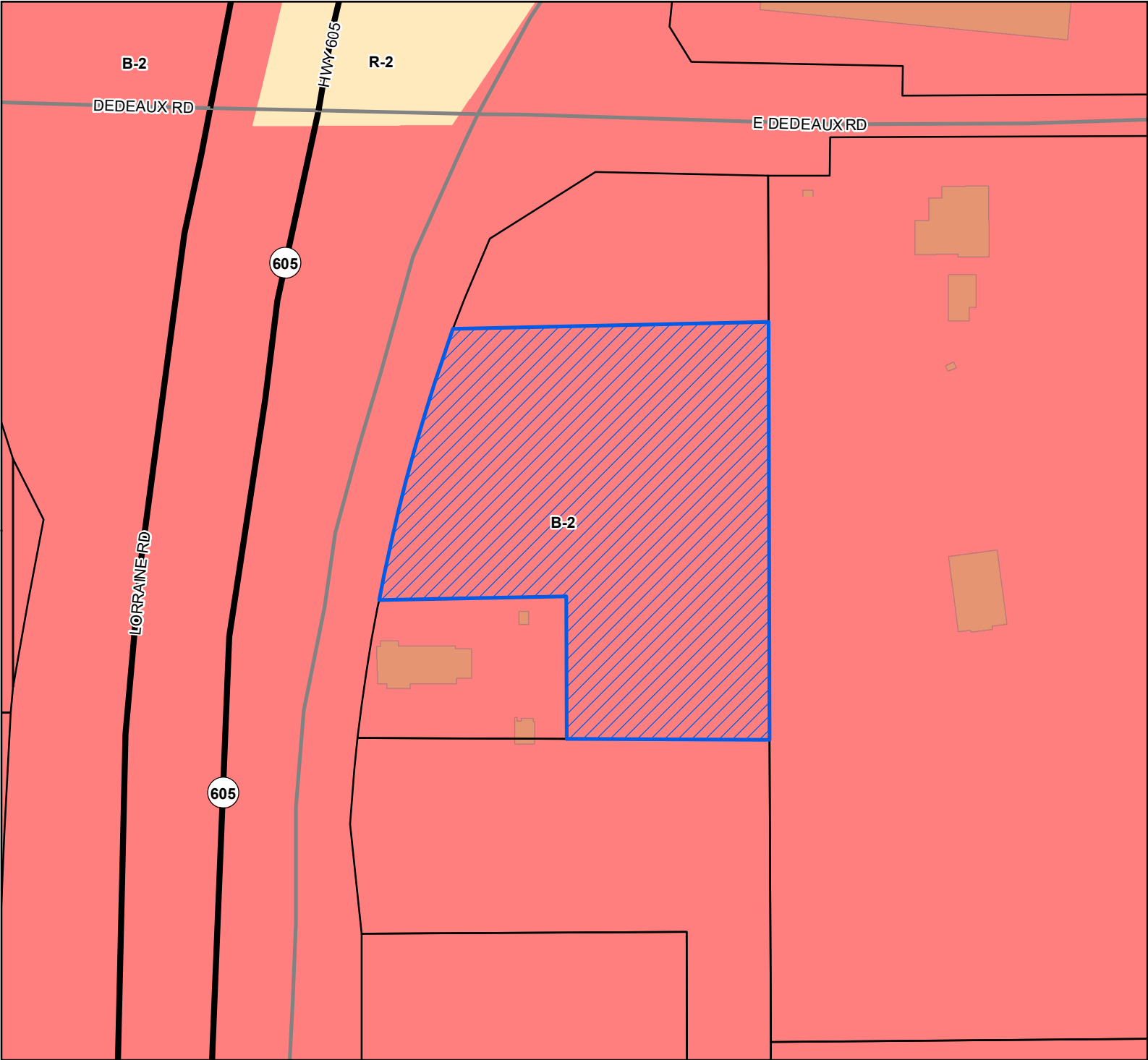
PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE

P: 228.868.5710 | F: 228.868.5708 | PLANNERS@GULFPORT-MS.GOV

ZONING BOARD OF ADJUSTMENT AND APPEALS CASE # 2408ZB124

Hearing Date: Thursday, August 15, 2024

Variance 2408ZB124: Agent, Matt Largen, seeking approval for a front yard setback for a freestanding ground sign of 1-foot where 10 feet is required, Tax Parcel 1008M-01-008.000, 11252 Lorraine Road, Zoned B-2 (General-business), Ward 6



Site

US or State Highway

Street

Parcels

Buildings

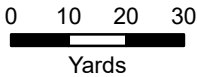
City Limit

Zoning

B-2 - General Business District

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

Site Information
1008M-01-008.000
Zoning: B-2 (General business)
Size: 1.5 acres
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.

OWNER:

Prasant Patel
 Printed Name of Owner
15326 Dedeaux Rd
 Mailing Address
Gulfport MS 39503
 City State Zip Code
228-257-9135
 Home Phone Work/Cell Phone
 Email [Signature]
 Signature of Owner

AGENT:

Matt Largent - Headrick Sign Co.
 Printed Name of Agent
One Freedom Square
 Mailing Address
Laurel MS 39446
 City State Zip Code
(601) 679-1977 * (601) 323-0175
 Home Phone Work/Cell Phone
 Email matt@headricks.com
 Email [Signature]
 Signature of Agent

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

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

Name of Owner (PRINT) Prasant Patel
 Address (Street, City, State, Zip Code) 11252 Lorraine Rd.
 Phone (Home) _____ (Work) _____ (Cell) (228) 257-9135
 Tax Parcel Number(s) Owned: 1008M-01-008-000
 Signature: [Signature]

Name of Owner (PRINT) Rupal Patel
 Address (Street, City, State, Zip Code) 11252 Lorraine Rd.
 Phone (Home) _____ (Work) _____ (Cell) (228) 257-9135
 Tax Parcel Number(s) Owned: 1008M-01-008-000
 Signature: [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, Prasant Patel being property owner of 11252 Lorraine Rd.
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Math Largent 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

7/2/24

DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

NOTARY PUBLIC



COMMISSION EXPIRATION

06/20/2025



COVENANT AFFIDAVIT

I, Prasant Patel being property owner or agent of the property 11252 Lorraine 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

7/2/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

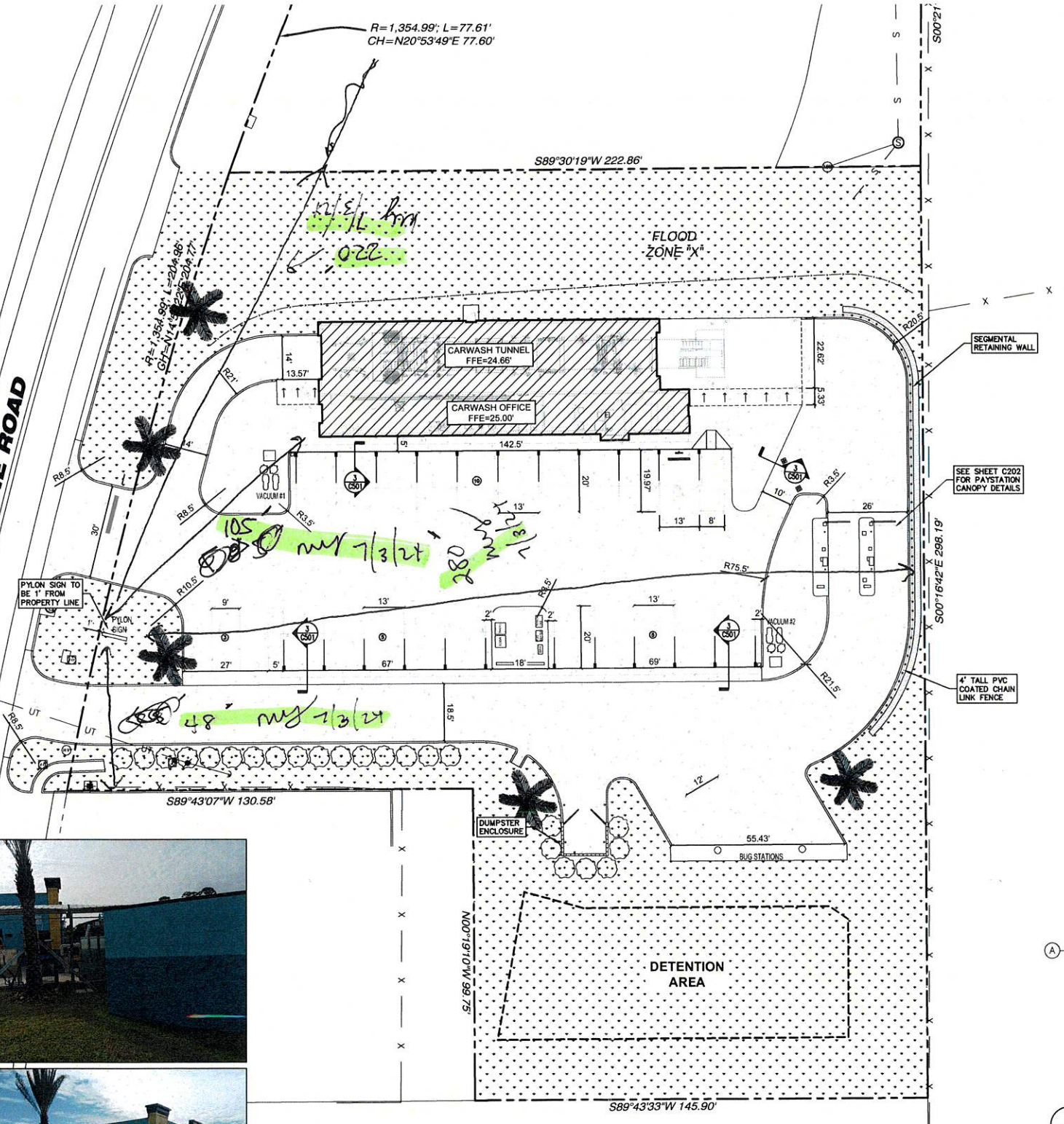
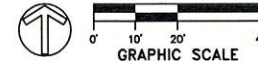
[Signature]
NOTARY PUBLIC



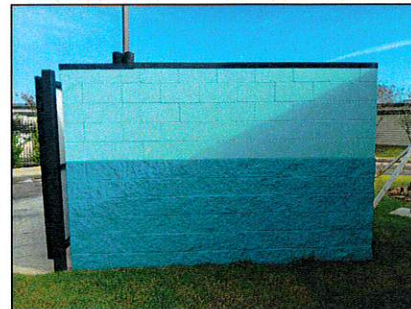
06/20/2025
COMMISSION EXPIRATION

(AKA COWAN-LORRAINE ROAD)
MS HIGHWAY 605

LORRAINE ROAD



1 CIVIL SITE PLAN
SCALE: 1" = 20'



4 TYPICAL ENCLOSURE ELEVATION
SCALE: NTS

CIVIL SITE LEGEND

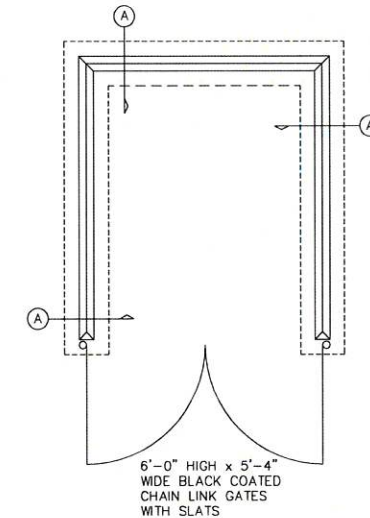
	DENOTES 6" THICK CONCRETE PAVEMENT (SEE PAVEMENT DETAILS)
	DENOTES 4" CONCRETE SIDEWALK PAVEMENT (SEE PAVEMENT DETAILS)
	DENOTES SOD/HYDRO-SEED

SITE NOTES

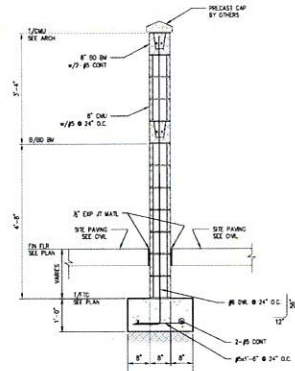
- CONTRACTOR SHALL INSTALL HANDICAP PARKING STALLS, SYMBOLS AND CURB RAMPS PER A.D.A. REQUIREMENTS.
- CONTRACTOR SHALL STRIPE ALL HANDICAP PARKING SPACES BLUE. ALL OTHER STRIPING SHALL BE WHITE.
- NO ACCESSIBLE PARKING STALLS OR ADJACENT ACCESS AISLES SHALL EXCEED 2% SLOPE IN ANY DIRECTIONS. CONTRACTOR SHALL NOTIFY ENGINEER PRIOR TO CONSTRUCTION IF CONDITIONS CANNOT BE MET ON SITE.
- NO SIDEWALK CROSS SLOPE SHALL EXCEED 2%. CONTRACTOR SHALL NOTIFY ENGINEER PRIOR TO CONSTRUCTION IF CONDITIONS CANNOT BE MET ON SITE.
- STANDARD PARKING STALLS SHALL BE 9'x20'. VACUUM STALLS SHALL BE 13'x20'.
- CONSULT AND VERIFY SITE LIGHTING LOCATIONS WITH ELECTRICAL PLANS.
- SOD OR HYDRO-SEED ALL DISTURBED AREAS.

SITE LAYOUT NOTES

- CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AS SHOWN ON THIS PLAN. ANY DISCREPANCIES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE ENGINEER.
- CONTRACTOR SHALL CONSULT AND VERIFY ALL BUILDING DIMENSIONS WITH THE BUILDING PLANS AND THE FOUNDATION PLANS. IF ANY DISCREPANCIES ARISE, THE BUILDING PLANS AND/OR THE FOUNDATION PLAN OVERRIDE ANY DIMENSIONS ON THIS PLAN. CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ENGINEER IF ANY SAID DISCREPANCIES MAY AFFECT THE LAYOUT OF THE SITE PLAN.



2 DUMPSTER ENCLOSURE PLAN
SCALE: NTS



3 SECTION A
SCALE: NTS



BLACK
CORLEY
OWENS +
HUGHES
ARCHITECTS
219 W SOUTH ST
BENTON, AR 72015
501 315 7666 PH
501 315 0487 FX
MICHAEL LEO HUGHES,
ARCHITECT

A New Facility for:
Cheeky Monkey Carwash
Gulfport, Mississippi

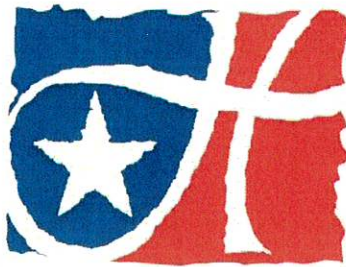
Revisions:



Sheet Title:
CIVIL SITE PLAN

Date: 07.02.2024
Sheet:

C200R



HEADRICK

SIGNS & GRAPHICS

INCORPORATED

One Freedom Square Laurel, MS 39440-3367
Phone (601) 649-1977 / Fax (601) 425-4732 www.headricks.com

July 2, 2024

City of Gulfport- Zoning Board of Adjustment and Appeals

RE: Variance Request for Cheeky Monkey Car Wash at 11252 Lorraine Road- Pylon Signage Setback

Please consider the letter as a request to install a pylon sign with a setback of 1' from the leading edge of the sign to the owner's property line vs. the official allotment of 10' provided in the sign ordinance.

Please see below for the individual responses to variance review criteria set forth in the zoning board variance application:

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

The Cheeky Monkey Car Wash pylon sign will sit back from Lorraine Road behind the adjacent Domino's Pizza building, blocking view from the driving public until the driver is nearly past the building before being able to read their sign on the northbound approach. The curvature of the service drive and location of adjacent buildings is unique in many ways from other businesses in the surrounding area.

- B. "Demonstrate that the special conditions and circumstances do not result from the actions of the applicant."

This hardship is not based on applicant's actions, but strictly on geography and property layout.

- C. "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."

Given the location of the traffic island where the pylon sign must be located and the curvature of the northbound approach on Lorraine Road Service Road, as well as the close proximity of the adjacent Domino's Pizza building, the visibility to the Cheeky Monkey Car Wash pylon sign is blocked until the oncoming traffic is almost past the car wash building. The zoning ordinance does not offer a solution to this problem, as it clearly states that the leading edge of the sign must be 10' setback from the owner's property line. We consider this a hardship that requires a variance to allow the sign to be closer to the road, which is the only solution to increased visibility to northbound traffic.

- D. "Demonstrate that 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 this zoning ordinance."

We do feel that Cheeky Monkey Car Wash needs to have adequate signage positioning for accurate viewing from Lorraine Road and the service road for northbound traffic. Without this, Cheeky Monkey car wash will not be able to properly advertise their business, potentially limiting their exposure to drive-by traffic. Businesses close to the road enjoy better visibility due to their property layout and location of adjacent buildings.

- E. "Demonstrate that 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."

We do not feel that this request would deny others the ability to request this same consideration from the Board of Adjustments that is being requested in this case. If other businesses have the same issue of signage readability and are struggling with adequate sign positioning, we feel that those businesses should be able to have improved positions on their property, provided they are within the owner's property footprint.

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

We feel that the request for allowing the pylon sign to be installed closer to the owner's property line is reasonable for the building size and distance from the highway and is the minimum needed to be seen clearly.

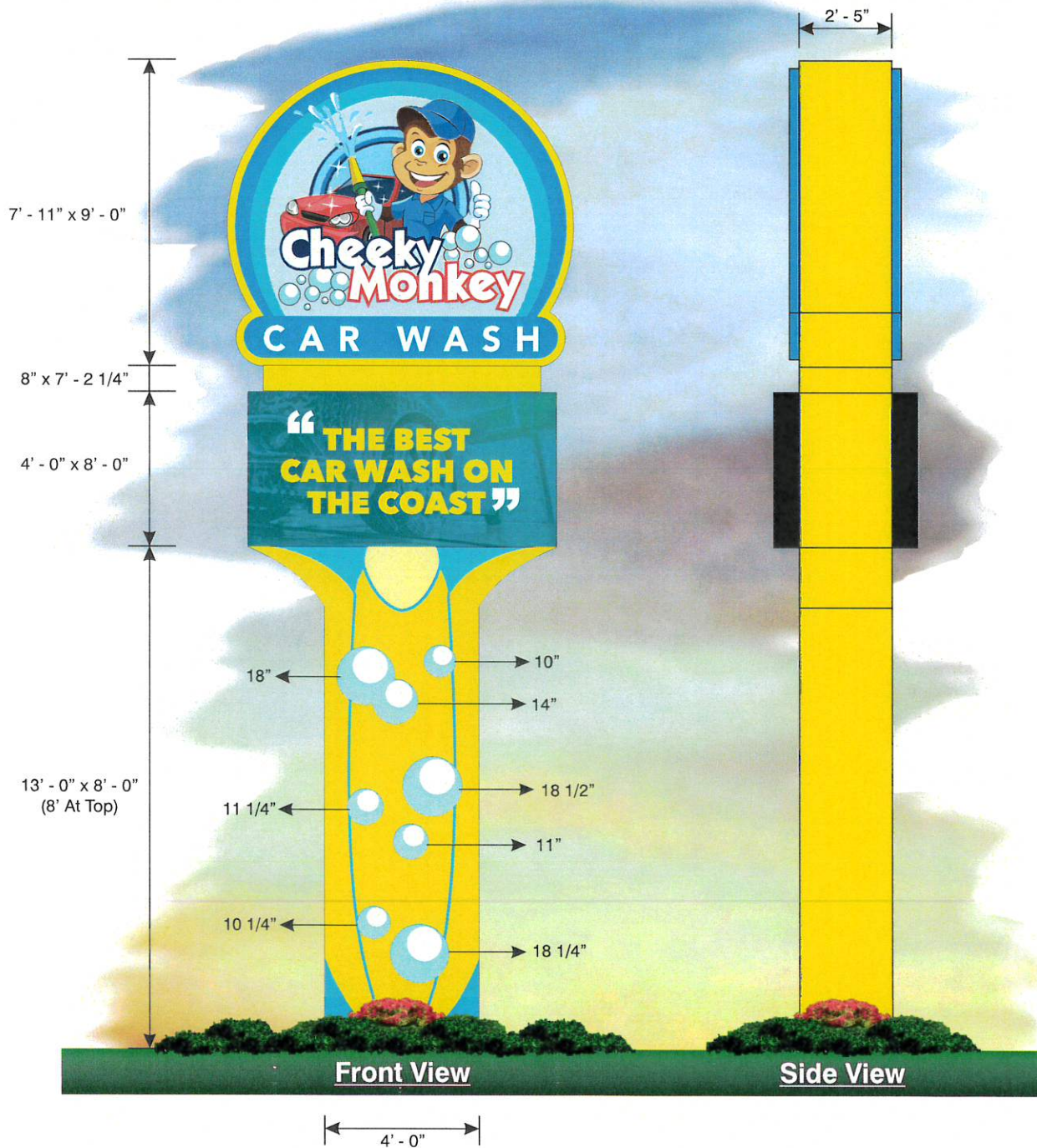
We are also would like to submit these additional points for requesting this variance:

1. Traffic Safety: The distance of the setback for the pylon sign is such that traffic will be nearly past the business before proper identification can be made. Based on this issue, the signage needs to be read clearly with enough time for the driver to safely make a turn into the parking lot. If the signage is set back too far, then it will not be clearly readable, creating a traffic safety hazard for passing traffic if drivers must brake suddenly to turn. Clearly readable signage allows for drivers to quickly identify the name of the business and keep their focus on the road.
2. Economic Success of the Cheeky Monkey Car Wash Location: Clear and distinct branding and signage of a business is key to the success of the store. Cheeky Monkey Car Wash is making a huge investment in Gulfport and will be an asset to the community for years to come. One of the key factors in building their brand recognition is their sign, which will get their logo and name out to the community. Without adequate signage to identify their business, the success of the Cheeky Monkey Car Wash is made more difficult. Cheeky Monkey Car Wash would like to contribute to the success of the City of Gulfport commercial properties.
3. Economic Benefit for Neighboring Businesses: This variance to allow the pylon sign closer proximity to Lorraine Road will not negatively impact any adjacent businesses or properties. In fact, properly placed signage for Cheeky Monkey Car Wash will result in increased traffic to the area and increase drive-by and overflow traffic into businesses close to the Cheeky Monkey Car Wash location.

Sincerely,



Matt Largen
Account Executive
Headrick Sign Company
(601) 649-0361 office
(601) 323-0175 cell
(601) 425-4732 fax
www.headricks.com
matt@headricks.com

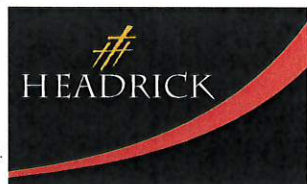


- * (1) D/F ID Cabinet with Pan-Formed Lexan Faces, Internally Illuminated
- * (1) Fabricated Aluminum Reveal
- * (1) D/F 10mm Full Color LED Message Center
- * D/F Fabricated Aluminum Pylon Cover, Bubbles To Be Routed Backed with Plex, Internally Illuminated
- * **Landscaping By Owner**

NOTE: Construction restrictions may cause dimensions to vary slightly

THIS LOGO/ART IS THE PROPERTY OF THE HEADRICK SIGNS & GRAPHICS AND IS NOT TO BE DUPLICATED OR COPIED

IT WAS CREATED FOR THE SOLE PURPOSE OF VIEWING BY RECIPIENT. IT IS NOT TO BE RELEASED TO OUTSIDE PARTIES. IF NO CONTRACT IS INITIATED WITH THE HEADRICK SIGNS & GRAPHICS, THE ART IS TO BE RETURNED IN FULL. ANY DUPLICATION AND OR COPYING OF THIS ART, IN PART OR WHOLE IS PROHIBITED. ANY VIOLATION OF THESE TERMS WILL RESULT IN PENALTIES AND PROSECUTION UNDER COPYRIGHT LAWS. SHOULD YOU NOT PURCHASE YOUR SIGN FROM US, YET YOU DESIRE TO PURCHASE THIS LOGO/ART AND USE IT AT YOUR DISCRETION, THE COST WILL BE \$ 250.00



ONE FREEDOM SQUARE LAUREL, MS 39440-3367 PHONE 601-649-1977 / FAX 601-425-2411 / E-MAIL: hsc@headricks.com

CUSTOMER :		Biloxi, MS	
Cheeky Monkey Carwash			
SCALE	1/4" = 1' - 0"	APPROVED BY	
DATE	3/20/24	PAGE	1
REVISION DATE		SKETCH NO	DRAWN BY
		ML - 4402 - 03 - 24	ALT



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Riaan LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1043282
Status:	Good Standing
Effective Date:	06/13/2014
State of Incorporation:	Mississippi
Principal Office Address:	15326 Dedeaux Rd Gulfport, MS 39503

Registered Agent

Name
Prasant Patel 1000 Highway 90 Bay St Louis, MS 39520

Officers & Directors

Name	Title
Rupal Patel 15326 Dedeaux Rd Gulfport, MS 39503	Member



1st JUDICIAL DISTRICT
INSTRUMENT 2023-0013922-D-J1
FILED/RECORDED 7/18/2023 11:18:05 AM
TOTAL FEES \$28.00
7 PAGES RECORDED

Our File: B230333
Prepared by & Return To: Schwartz, Orgler & Jordan, PLLC
PO Box 4682 Biloxi MS 39535, 228-388-7441

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Index in Sec 7-7-10

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,

Gary Albert Richard, individually; and

Gary Albert Richard, Larry Warner Richard and Jerry Wayne Richard, in their capacity as Co-Trustees of the **Clyde Warner Richard Family Trust**, 11019 Shorecrest Rd, Biloxi MS 39532, 228-392-7059,

do hereby sell, convey and warrant unto

Riaan LLC, 1000 Hwy 90, Bay St Louis, MS 39520, 228-257-9135

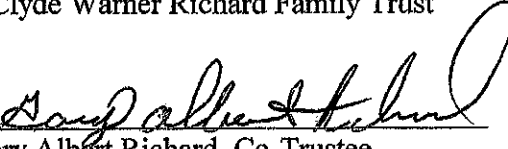
the following described land and property being located in Harrison County, Mississippi, being more particularly described as follows in the attached Exhibit "A".

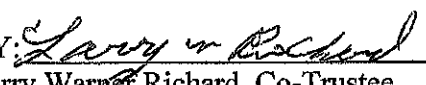
THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

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

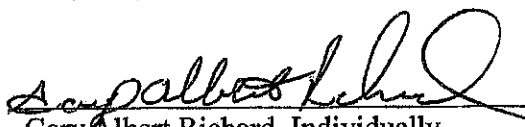
IN WITNESS WHEREOF, the undersigned has caused this conveyance to be executed after having first been duly authorized to do so, on this the 14th day of July, 2023.

the Clyde Warner Richard Family Trust

BY: 
Gary Albert Richard, Co-Trustee

BY: 
Larry Warner Richard, Co-Trustee

BY: 
Jerry Wayne Richard, Co-Trustee


Gary Albert Richard, Individually

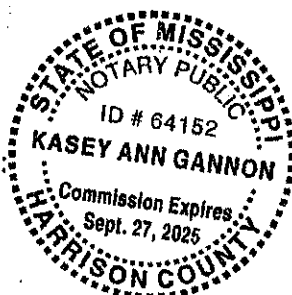
STATE OF MISSISSIPPI

COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Gary Albert Richard, Larry Warner Richard and Jerry Wayne Richard, who acknowledged that they are the Co-Trustees of Clyde Warner Richard Family Trust, and as its act and deed, they signed, sealed and delivered, the above and foregoing instrument of writing on the day and in the year therein mentioned, for and on behalf of said entity after having been first duly authorized to do so.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 14th day of July, 2023.

My Commission Expires:




NOTARY PUBLIC

STATE OF MISSISSIPPI

COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Gary Albert Richard, who acknowledged that he signed, sealed and delivered, the above and foregoing instrument of writing on the day and in the year therein mentioned, as his free and voluntary act.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 14th day of July, 2023.

My Commission Expires:



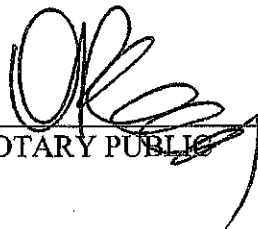

NOTARY PUBLIC

EXHIBIT A
LEGAL DESCRIPTION

SURVEY DESCRIPTION FOR PARCEL "B"

A PARCEL OF LAND SITUATED IN LOT NO. 5 OF THE PARTITION OF JESSE RICHARD PROPERTY AS PER DEED BOOK 180 ON PAGES 472-474, SAID PROPERTY BEING LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BASED ON STATE PLANE GRID NORTH: BEGINNING AT A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT NO. 5; THENCE ALONG THE SOUTH LINE OF SAID LOT NO. 5, S89°59'29"W 146.11' TO A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF PROPERTY OF THE CAROL WHITWORTH FAMILY TRUST; THENCE ALONG THE EAST LINE OF SAID PROPERTY, N00°22'26"W 100.00' TO A 1/2" IRON ROD SET AT THE NORTHEAST CORNER OF SAID PROPERTY; THENCE ALONG THE NORTH LINE OF SAID PROPERTY, S89°37'34"W 134.72' TO A 1/2" IRON ROD SET ON THE EAST MARGIN OF HIGHWAY 605 RIGHT OF WAY; THENCE ALONG A CURVE OF SAID EAST MARGIN TO THE RIGHT, HAVING A RADIUS OF 1354.98', AN ARC LENGTH OF 206.65' AND A CHORD BEARING AND DISTANCE OF N14°51'51"E 206.45' TO A 1/2" IRON ROD SET; THENCE N89°59'29"E 226.66' TO A 1/2" IRON ROD FOUND ON THE EAST LINE OF SAID LOT NO. 5; THENCE ALONG SAID EAST LINE, S00°22'35"E 286.66' TO THE POINT OF BEGINNING, CONTAINING 85,689.27 SQUARE FEET OR 1.506 ACRES. HEREIN DESCRIBED PROPERTY BEING DESIGNATED AS COUNTY PARCEL NUMBER 1009M-01-008,000.

Being the same property described by deeds recorded in Book 1530 at Page 560 and in Book 862 at Page 221, less and except the property conveyed to others in Book 1520 at Page 397, Book 1520 at Page 402, Instrument Number 2010-4831DJ1 and Instrument Number 2010-4832DJ1.

Prepared by and return to:
Schwartz, Orgler & Jordan, PLLC
2137 E Pass Rd, Gulfport MS 39507
(228) 388-7441
File # B230333

STATE OF MISSISSIPPI
COUNTY OF HARRISON

TRUST AFFIDAVIT AND MEMORANDUM

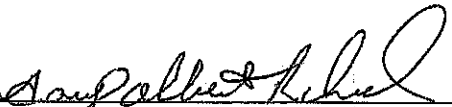
Personally appeared before me the undersigned authority, the within named Gary Albert Richard, Larry Warner Richard and Jerry Wayne Richard, in their capacity as Co-Trustees of the **Clyde Warner Richard Family Trust**, and who after being duly sworn and being advised of the penalties of perjury stated and affirmed the following under oath:

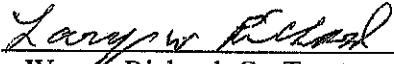
1. The name of the trust is the Clyde Warner Richard Family Trust ("Trust"). Said Trust is currently a valid and existing testamentary trust under the laws of the State of Mississippi, which was created under the last will and testament of Clyde Warner Richard, whose estate was probated in Chancery Court Cause Number 10-cv-00524-JS. The Grantor and creator of the trust was Clyde Warner Richard, who is now deceased.
2. The names and addresses of the Co-Trustees for the Clyde Warner Richard Family Trust are Gary Albert Richard, Larry Warner Richard and Jerry Wayne Richard, 11019 Shorecrest Road, Biloxi, MS 39532.
3. The trust owns an interest in the real property more particularly described in the attached Exhibit "A"
4. The general powers granted to the Co-Trustees include all powers set forth under the Uniform Trustees' Power Act as set forth in M.C.A. Section 91-9-101, et. seq., as the same has been amended including, but not limited to:

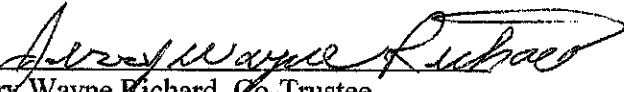
The power to own, lease, pledge, mortgage and sell real and personal property without the necessity of court order or decree at the sole and absolute discretion of the Co-Trustees, without the consent of any beneficiaries.

In witness whereof, the Co-Trustees have executed this Certificate on this 14th day of July, 2023.

the Clyde Warner Richard Family Trust

BY: 
Gary Albert Richard, Co-Trustee

BY: 
Larry Warner Richard, Co-Trustee

BY: 
Jerry Wayne Richard, Co-Trustee

STATE OF MISSISSIPPI

COUNTY OF HARRISON

This day, personally appeared before me, the undersigned authority in and for the aforesaid county and state, within my jurisdiction, the within named Gary Albert Richard, Larry Warner Richard and Jerry Wayne Richard, who acknowledged that they are the Co-Trustees of the Clyde Warner Richard Family Trust that in said representative capacities they executed the above and foregoing document, being an Affidavit, on the day and year therein mentioned.

Given under my hand and official seal of office on the 14th day of July, 2023.

(SEAL)



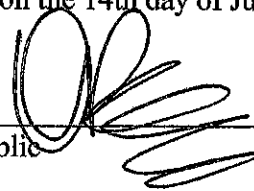

Commission Expires: _____

EXHIBIT A
LEGAL DESCRIPTION

SURVEY DESCRIPTION FOR PARCEL "B"

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Being the same property described by deeds recorded in Book 1530 at Page 560 and in Book 862 at Page 221, less and except the property conveyed to others in Book 1520 at Page 397, Book 1520 at Page 402, Instrument Number 2010-4831DJ1 and Instrument Number 2010-4832DJ1.



1st JUDICIAL DISTRICT
INSTRUMENT 2023-0013923-D-J1
FILED/RECORDED 7/18/2023 11:18:06 AM
TOTAL FEES \$26.00
4 PAGES RECORDED

Our File: B230333

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

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Index in Sec 7-7-10

SPECIAL 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,

Gary Albert Richard, Larry Warner Richard, Jerry Wayne Richard, Jacqueline Patricia Richard and

Kathleen Rebecca Richard Prine, 11019 Shorecrest Rd, Biloxi MS 39532, 228-392-7059,

do hereby sell, convey and specially warrant unto

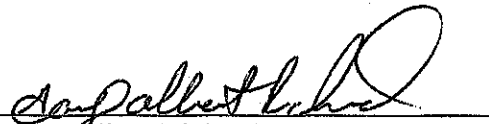
Riaan LLC, 1000 Hwy 90, Bay St Louis, MS 39520, 228-257-9135

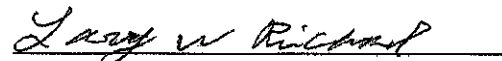
the following described land and property being located in Harrison County, Mississippi, being more particularly described as follows in the attached Exhibit "A".

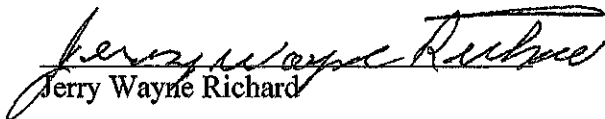
THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

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

IN WITNESS WHEREOF, the undersigned has caused this conveyance to be executed on this the 14th day of July, 2023.


Gary Albert Richard


Larry Warner Richard


Jerry Wayne Richard


Jacqueline Patricia Richard

STATE OF MISSISSIPPI

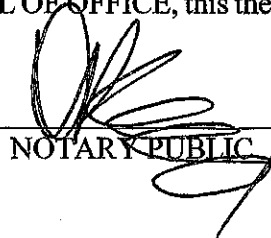
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Gary Albert Richard, Larry Warner Richard, Jerry Wayne Richard, Jacqueline Patricia Richard, who acknowledged that they signed, sealed and delivered, the above and foregoing instrument of writing on the day and in the year therein mentioned, as their free and voluntary act.

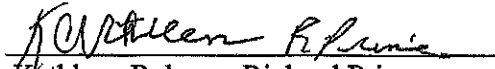
GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 14th day of July, 2023.

My Commission Expires:




NOTARY PUBLIC

IN WITNESS WHEREOF, the undersigned has caused this conveyance to be executed on this the 14th day of July, 2023.


Kathleen Rebecca Richard Prine

STATE OF MISSISSIPPI

COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Kathleen Rebecca Richard Prine, who acknowledged that she signed, sealed and delivered, the above and foregoing instrument of writing on the day and in the year therein mentioned, as her free and voluntary act.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 14th day of July, 2023.


NOTARY PUBLIC

My Commission Expires: 12-26-23



EXHIBIT A
LEGAL DESCRIPTION

SURVEY DESCRIPTION FOR PARCEL "B"

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BEGINNING AT A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT NO. 5; THENCE ALONG THE SOUTH LINE OF SAID LOT NO. 5, S89°59'29"W 146.11' TO A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF PROPERTY OF THE CAROL WHITWORTH FAMILY TRUST; THENCE ALONG THE EAST LINE OF SAID PROPERTY, N00°22'26"W 100.00' TO A 1/2" IRON ROD SET AT THE NORTHEAST CORNER OF SAID PROPERTY; THENCE ALONG THE NORTH LINE OF SAID PROPERTY, S89°37'34"W 134.72' TO A 1/2" IRON ROD SET ON THE EAST MARGIN OF HIGHWAY 606 RIGHT OF WAY; THENCE ALONG A CURVE OF SAID EAST MARGIN TO THE RIGHT, HAVING A RADIUS OF 1354.98', AN ARC LENGTH OF 206.85' AND A CHORD BEARING AND DISTANCE OF N14°51'31"E 206.45' TO A 1/2" IRON ROD SET; THENCE N89°59'29"E 226.68' TO A 1/2" IRON ROD FOUND ON THE EAST LINE OF SAID LOT NO. 5; THENCE ALONG SAID EAST LINE, S00°22'35"E 298.68' TO THE POINT OF BEGINNING, CONTAINING 85,588.27 SQUARE FEET OR 1.508 ACRES. HEREIN DESCRIBED PROPERTY BEING DESIGNATED AS COUNTY PARCEL NUMBER 1008M-01-008.000.

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1st JUDICIAL DISTRICT
INSTRUMENT 2023-0013919-D-J1
FILED/RECORDED 7/18/2023 11:18:02 AM
TOTAL FEES \$26.00
4 PAGES RECORDED

Our File: B230333
Prepared by & Return To: Schwartz, Orgler & Jordan, PLLC
PO Box 4682 Biloxi MS 39535, 228-388-7441

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Index in Sec 7-7-10

SPECIAL 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,

Gary Albert Richard, Larry Warner Richard, Jerry Wayne Richard, Jacqueline Patricia Richard and

Kathleen Rebecca Richard Prine, 11019 Shorecrest Rd, Biloxi MS 39532, 228-392-7059,

do hereby sell, convey and specially warrant unto

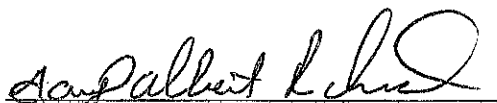
Prasant Patel, 1000 Hwy 90, Bay St Louis, MS 39520, 228-257-9135

the following described land and property being located in Harrison County, Mississippi, being more particularly described as follows in the attached Exhibit "A".

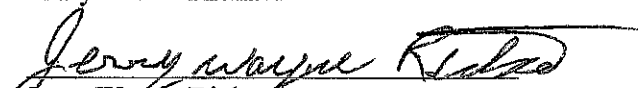
THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

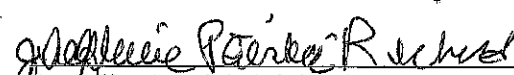
TAXES for the current year have been pro-rated as of this date and are hereby assumed by the Grantee herein.

IN WITNESS WHEREOF, the undersigned has caused this conveyance to be executed on this the 14th day of July, 2023.


Gary Albert Richard


Larry Warner Richard


Jerry Wayne Richard


Jacqueline Patricia Richard

STATE OF MISSISSIPPI

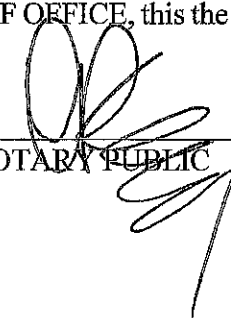
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Gary Albert Richard, Larry Warner Richard, Jerry Wayne Richard, Jacqueline Patricia Richard, who acknowledged that they signed, sealed and delivered, the above and foregoing instrument of writing on the day and in the year therein mentioned, as their free and voluntary act.

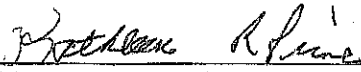
GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 14th day of July, 2023.

My Commission Expires:




NOTARY PUBLIC

IN WITNESS WHEREOF, the undersigned has caused this conveyance to be executed on this the 14th day of July, 2023.


Kathleen Rebecca Richard Prine

STATE OF MISSISSIPPI

COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Kathleen Rebecca Richard Prine, who acknowledged that she signed, sealed and delivered, the above and foregoing instrument of writing on the day and in the year therein mentioned, as her free and voluntary act.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 14th day of July, 2023.


NOTARY PUBLIC

My Commission Expires: 12-26-23

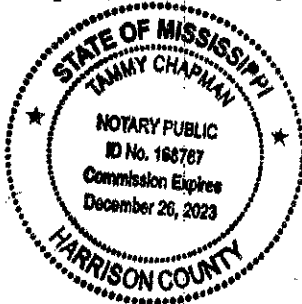


Exhibit "A"

SURVEY DESCRIPTION FOR PARCEL "A"

A PARCEL OF LAND SITUATED IN LOT NO. 5 OF THE PARTITION OF JESSE RICHARD PROPERTY AS PER DEED BOOK 180 ON PAGES 472-474, SAID PROPERTY BEING LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BASED ON STATE PLANE GRID NORTH:

COMMENCING AT A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT NO. 5; THENCE ALONG THE EAST LINE OF SAID LOT NO. 5, N00°22'35"W 298.88' TO A 1/2" IRON ROD FOUND AT THE POINT OF BEGINNING; THENCE S89°59'29"W 228.56' TO A 1/2" IRON ROD SET ON THE EAST MARGIN OF HIGHWAY 605; THENCE ALONG A CURVE OF SAID EAST MARGIN OF HIGHWAY 605 TO THE RIGHT, HAVING A RADIUS OF 1354.98', AN ARC LENGTH OF 77.45' AND A CHORD BEARING AND DISTANCE OF N20°52'15"E 77.45' TO A 1/2" IRON ROD SET; THENCE FURTHER ALONG SAID EAST MARGIN OF HIGHWAY 605, N60°19'21"E 88.31' TO A 1/2" IRON ROD SET ON THE SOUTH MARGIN OF EAST DEDEAUX ROAD; THENCE ALONG SAID SOUTH MARGIN OF EAST DEDEAUX ROAD, S89°41'41"E 121.45' TO A 1/2" IRON ROD SET ON THE EAST LINE OF AFORESAID LOT NO. 5; THENCE ALONG SAID EAST LINE, S00°22'35"E 115.41' TO THE POINT OF BEGINNING, CONTAINING 22,360.34 SQUARE FEET OR 0.513 ACRE. HEREIN DESCRIBED PROPERTY BEING DESIGNATED AS COUNTY PARCEL NUMBER 1008M-01-007.000.

Being the same property described by deed recorded as Instrument Number 2011-2781DJ1 and less and except the property conveyed to others by deeds recorded in Book 1520 at Page 465 and Book 1645 at Page 288.

Our File: B230333A

Prepared by & return to: Schwartz, Orgler & Jordan, PLLC
PO Box 4682 Biloxi MS 39535, 228-388-7441



1st JUDICIAL DISTRICT
INSTRUMENT 2023-0013918-D-J1
FILED/RECORDED 7/18/2023 11:18:01 AM
TOTAL FEES \$27.00
6 PAGES RECORDED

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WARRANTY DEED

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

Gary Albert Richard, Larry Warner Richard and Jerry Wayne Richard, in their capacity as Co-Trustees of the **Clyde Warner Richard Family Trust**, 11019 Shorecrest Rd, Biloxi MS 39532, 228-392-7059,

does hereby sell, convey and warrant unto

Prasant Patel,

1000 Hwy 90, Bay St Louis, MS 39520, 228-257-9135

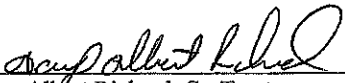
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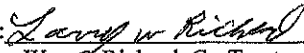
THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

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

IN WITNESS WHEREOF, the undersigned has caused this conveyance to be executed after having first been duly authorized to do so, on this the 14th day of July, 2023.

the Clyde Warner Richard Family Trust

BY: 
Gary Albert Richard, Co-Trustee

BY: 
Larry Warner Richard, Co-Trustee

BY: 
Jerry Wayne Richard, Co-Trustee

STATE OF MISSISSIPPI

COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Gary Albert Richard, Larry Warner Richard and Jerry Wayne Richard, who acknowledged that they are the Co-Trustees of the Clyde Warner Richard Family Trust, and as its act and deed, they signed, sealed and delivered, the above and foregoing instrument of writing on the day and in the year therein mentioned, for and on behalf of said entity after having been first duly authorized to do so.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 14th day of July, 2023.


NOTARY PUBLIC

My Commission Expires:

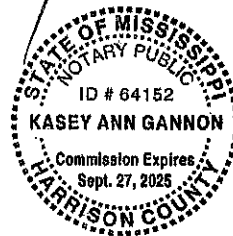


EXHIBIT A
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Being the same property described by deed recorded as Instrument Number 2011-2781DJ1 and less and except the property conveyed to others by deeds recorded in Book 1520 at Page 465 and Book 1645 at Page 288.

Prepared by and return to:
Schwartz, Orgler & Jordan, PLLC
2137 E Pass Rd, Gulfport MS 39507
(228) 388-7441
File # B230333A

STATE OF MISSISSIPPI
COUNTY OF HARRISON

TRUST AFFIDAVIT AND MEMORANDUM

Personally appeared before me the undersigned authority, the within named Gary Albert Richard, Larry Warner Richard and Jerry Wayne Richard, in their capacity as Co-Trustees of the **Clyde Warner Richard Family Trust**, and who after being duly sworn and being advised of the penalties of perjury stated and affirmed the following under oath:

1. The name of the trust is the Clyde Warner Richard Family Trust ("Trust"). Said Trust is currently a valid and existing testamentary trust under the laws of the State of Mississippi, which was created under the last will and testament of Clyde Warner Richard, whose estate was probated in Chancery Court Cause Number 10-cv-00524-JS. The Grantor and creator of the trust was Clyde Warner Richard, who is now deceased.
2. The names and addresses of the Co-Trustees for the Clyde Warner Richard Family Trust are Gary Albert Richard, Larry Warner Richard and Jerry Wayne Richard, 11019 Shorecrest Road, Biloxi, MS 39532.
3. The trust owns the real property more particularly described in the attached Exhibit "A"
4. The general powers granted to the Co-Trustees include all powers set forth under the Uniform Trustees' Power Act as set forth in M.C.A. Section 91-9-101, et. seq., as the same has been amended including, but not limited to:

The power to own, lease, pledge, mortgage and sell real and personal property without the necessity of court order or decree at the sole and absolute discretion of the Co-Trustees, without the consent of any beneficiaries.

In witness whereof, the Co-Trustees have executed this Certificate on this 14th day of July, 2023.

the Clyde Warner Richard Family Trust

BY: *Gary Albert Richard*
Gary Albert Richard, Co-Trustee

BY: *Larry Warner Richard*
Larry Warner Richard, Co-Trustee

BY: *Jerry Wayne Richard*
Jerry Wayne Richard, Co-Trustee

STATE OF MISSISSIPPI

COUNTY OF HARRISON

This day, personally appeared before me, the undersigned authority in and for the aforesaid county and state, within my jurisdiction, the within named Gary Albert Richard, Larry Warner Richard and Jerry Wayne Richard, who acknowledged that they are the Co-Trustees of the Clyde Warner Richard Family Trust that in said representative capacities they executed the above and foregoing document, being an Affidavit, on the day and year therein mentioned.

Given under my hand and official seal of office on the 14th day of July, 2023.

(SEAL)



[Signature]
Commission Expires: _____

Exhibit "A"

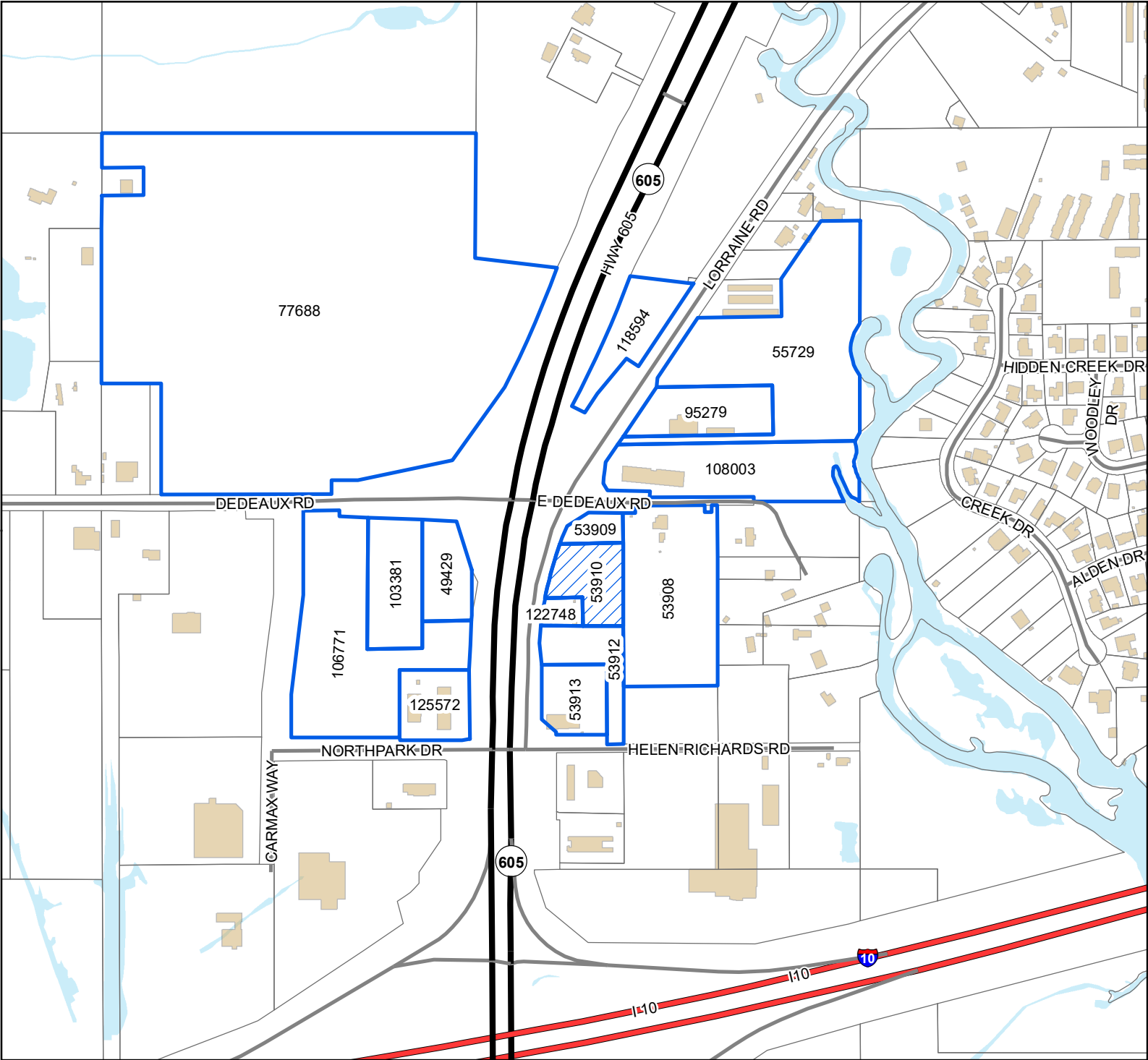
SURVEY DESCRIPTION FOR PARCEL "A"

A PARCEL OF LAND SITUATED IN LOT NO. 5 OF THE PARTITION OF JESSE RICHARD PROPERTY AS PER DEED BOOK 180 ON PAGES 472-474, SAID PROPERTY BEING LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BASED ON STATE PLANE GRID NORTH:

COMMENCING AT A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT NO. 5; THENCE ALONG THE EAST LINE OF SAID LOT NO. 5, N00°22'35"W 208.68' TO A 1/2" IRON ROD FOUND AT THE POINT OF BEGINNING; THENCE S89°59'29"W 228.58' TO A 1/2" IRON ROD SET ON THE EAST MARGIN OF HIGHWAY 605; THENCE ALONG A CURVE OF SAID EAST MARGIN OF HIGHWAY 605 TO THE RIGHT, HAVING A RADIUS OF 1354.98', AN ARC LENGTH OF 77.45' AND A CHORD BEARING AND DISTANCE OF N20°52'15"E 77.45' TO A 1/2" IRON ROD SET; THENCE FURTHER ALONG SAID EAST MARGIN OF HIGHWAY 605, N60°19'21"E 88.31' TO A 1/2" IRON ROD SET ON THE SOUTH MARGIN OF EAST DEDEAUX ROAD; THENCE ALONG SAID SOUTH MARGIN OF EAST DEDEAUX ROAD, S89°41'41"E 121.46' TO A 1/2" IRON ROD SET ON THE EAST LINE OF AFORESAID LOT NO. 5; THENCE ALONG SAID EAST LINE, S00°22'35"E 115.41' TO THE POINT OF BEGINNING, CONTAINING 22,360.54 SQUARE FEET OR 0.513 ACRE. HEREIN DESCRIBED PROPERTY BEING DESIGNATED AS COUNTY PARCEL NUMBER 1008M-01-007.000.

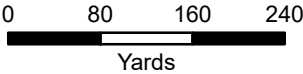
Being the same property described by deed recorded as Instrument Number 2011-2781DJ1 and less and except the property conveyed to others by deeds recorded in Book 1520 at Page 465 and Book 1645 at Page 288.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1008M-01-008.000	PRASANT PATEL (OWNER)	1526 DEDEAUX RD	GULFPORT	MS	37503
			MATT LARGER (AGENT)	ONE FREEDOM SQUARE	LAUREL	MS	39440
			Adjacent Property Owners (2408ZB124)				
	103381	1008M-04-003.001	STOCK LLC	14014 MADISON CIR	OMAHA	NE	68137
	77688	1008L-01-002.000	NORTHPARK HOLDINGS LLC	964 EMILY DR	BILOXI	MS	39532
	55729	1008L-02-005.000	PLAINSMAN TRADING COMPANY LLC	P O BOX 6181	GULFPORT	MS	39506
N	118594	1008L-01-002.001	STOCK LLC	C/O MERWYN PEARSON	OMAHA	NB	68137
N	95279	1008L-02-005.001	PLAINSMAN TRADING COMPANY LLC	P O BOX 6181	GULFPORT	MS	39506
	108003	1008L-02-005.002	HOOD CYNTHIA ANN WILLIAMS ETAL	12506 LORRAINE RD	BILOXI	MS	39532
	53909	1008M-01-007.000	RICHARD CLYDE WARNER FAMILY TRUST	11019 SHORECREST ROAD	BILOXI	MS	39532
	53913	1008M-01-010.000	CLARK OIL COMPANY INC	720 STATION ST	WAYNESBORO	MS	39367
	53908	1008M-01-006.000	MISS REGIONAL HOUSING AUTH # VIII	10430 THREE RIVERS RD	GULFPORT	MS	39503
	106771	1008M-04-003.002	MBH GPT REAL ESTATE LLC	328 NORTH COLUMBIA ST	COVINGTON	LA	70433
	122748	1008M-01-008.001	WHITWORTH CAROL -TRUSTEE- ETAL	C/O WHITWORTH SCHOOL	PORTLAND	OR	97220
	53912	1008M-01-009.000	HIGHWAY DEVELOPMENT CO INC	4450 OLD CANTON RD STE 203	JACKSON	MS	39211
N	49429	1008M-04-002.000	STOCK LLC	C/O MERWYN PEARSON	OMAHA	NB	68137
	125572	1008M-04-006.002	11207 LORRAINE ROAD LLC	431 PORT TERMINAL CIRCLE	VICKSBURG	MS	39183



Legend

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



1 inch = 500 feet



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

RE: Variance 2408ZB124, by agent Matt Largen, seeking approval for a front yard setback for a freestanding ground sign of 1-foot where 10 feet is required, Tax Parcel 1008M-01-008.000, 11252 Lorraine Road, Zoned B-2 (General-business), 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, August 15, 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, August 15, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	577293	Print Legal Ad-IPL01856440 - IPL0185644		\$88.90	2	55 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2408ZB113, by owner Land Lady Investments, LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB114, by owner Land Lady Investments, LLC, seeking approval to have 4 regular parking spaces where 7 is required, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB116, by agent Patricia Tomasello, seeking approval for an 18-foot front yard setback where 25 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB117, by agent Patricia Tomasello, seeking approval for a side yard setback of 5-feet and 11 inches where 8 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB120, by agent Timothy Gobble, seeking approval for a 7-foot tall chain link fence where 6-feet is the height limit, Tax Parcel 0811F-02-040.000, 2201 17th Street, Zoned T4+ (General Urban Zone & "Plus"), Ward 3

Variance 2408ZB122, by agent Jon Storonskyj, seeking approval for an additional wall sign on the west elevation, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7

Variance 2408ZB124, by agent Matt Largen, seeking approval for a front yard setback for a freestanding ground sign of 1-foot where 10 feet is required, Tax Parcel 1008M-01-008.000, 11252 Lorraine Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB126, by agent Cross Development CC Gulfport, LLC, seeking approval for 10 regular parking spaces where 18 is required, Tax Parcel 1008L-01-002.000, Dedeaux Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB128, by agent Robert Thomas, seeking approval for a 4-foot front yard setback where 25 feet is required, Tax Parcel 0711H-02-023.000, 3521 19th Street, Zoned R-2 (Single-family) & (Sub-Urban zone), Ward 1

This the 24th day of July 2024

A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0185644
Jul 31 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:
07/31/24

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.

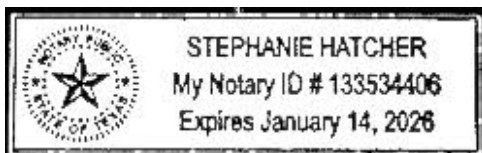
Mary Castro

Sworn to and subscribed before me this 31st 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!

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2408ZB124

Hearing Date: August 15, 2024

Current Zoning/Use: B-2/ Vacant Lot

Legal: Variance 2408ZB124, by agent Matt Largen, seeking approval for a front yard setback for a freestanding ground sign of 1-foot where 10 feet is required, Tax Parcel 1008M-01-008.000, 11252 Lorraine Road, Zoned B-2 (General-business), 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 in order to place the proposed freestanding ground sign at one foot from the front property line where a ten-foot setback is required.

- (a) The applicant states that the “pylon sign will sit back from Lorraine Road behind the adjacent Domino’s Pizza building, block view from the driving public until the driver is nearly past the building before being able to read the sign on the northbound approach. Upon staff review of the mentioned Domino’s Pizza building, it was built before the City of Gulfport’s current district regulations which would have required a 25-foot front yard setback for B-2 zoning districts. With the pre-existing commercial building being this close to the front property line, it is foreseeable that it would block the view of the proposed sign. Earliest imagery off the commercial building shows it was existing and established in 2007.
- (b) Applicant claims that the hardship was based on geography and site layout. Applicant’s statement is not clear in stating what the beforementioned “geography and site layout” is referring to.
- (c) Applicant claims that the location for the traffic island where the sign will be placed, and its proximity to the neighboring Domino’s Pizza building, the visibility of the proposed pylon sign would be blocked from northbound traffic on Lorraine Road. Upon a staff visit, staff noted that the mentioned Domino’s Pizza building would be within the potential line-of-sight for visibility of the proposed freestanding ground sign.
- (d) While the applicant does not directly address the effect of the literal interpretations of the ordinance, the applicant claims that the proposed location for the ground sign would provide adequate signage for the proposed car wash. Applicant also claims that “businesses close to the road enjoy better visibility due to their property layouts and location of adjacent buildings.” Upon staff review of the nearby area, majority of the existing businesses close to the interstate were built prior to the ordinance, or are directly abutting two or more public right-of-ways which allow for greater visibility.
- (e) Applicant do not properly address this question. Upon staff review of the subject site, and the neighboring areas, there are other businesses along Lorraine Road that have signage that appear to be within the 10 front yard setback required for freestanding ground signs. However, according to the earliest available imagery, dated for 2007, these signs were existing before the current sign ordinance.
- (f) This property is zoned B-2, and a freestanding ground sign is permissible in a B-2 zoning district. Proposed ground sign was approved by Architectural Review Committee under case number 2405ARC031.

EXECUTIVE SUMMARY

The applicant is seeking approval for a one-foot front yard setback for a freestanding ground sign where ordinance requires 10 feet. Applicant claims that their hardship is due to the Domino’s Pizza building adjacent to their property obstructs the proposed sign’s visibility. Based on a site visit by staff, the mentioned commercial would obstruct visibility of the proposed sign, as the commercial building is placed heavily within its front yard setbacks. Upon staff review of the Domino’s location the existing building was built before the current district regulations, meaning the site is pre-existing nonconforming. While the mentioned hardship was not caused by the applicant, Engineering Department has noted as disapproving the proposed location for the

Technical Report

VARIANCE

ground sign, stating “the proposed sign location would be too close to the City’s water line that is in the edge of the MDOT ROW for Lorraine Rd (Hwy 605 Frontage Rd).” Upon review of the other existing businesses along Lorraine Road, these businesses do have signs that appear to be within the 10 front yard setback. However, according to the earliest available imagery, dated for 2007, these signs have existed before the current sign ordinance.

Any approval should consider these conditions:

1. Disapprove: The proposed sign location would be too close to the City’s water line that is in the edge of the MDOT ROW for Lorraine Rd (Hwy 605 Frontage Rd)
2. Must not impede line of site for traffic.
3. Approval grants variance of 9 feet to allow for a 1-foot front yard setback, where 10 is required.

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	Disapprove: The proposed sign location would be too close to the City’s water line that is in the edge of the MDOT ROW for Lorraine Rd (Hwy 605 Frontage Rd). Memo dated 7/31/24.
<u>Public Works:</u>	No comments as of 8/5/24.
<u>Traffic and Safety:</u>	No conditions. Memo dated 8/5/24.
<u>Building Code Services:</u>	Must not impede line of site for traffic. Memo dated 7/24/24.
<u>GIS:</u>	No conditions. Memo dated 7/29/24.
<u>Police Department:</u>	No comment as of 8/5/24.
<u>Fire Department:</u>	No conditions. Memo dated 7/24/24.
<u>City Arborist:</u>	No conditions. Memo dated 7/25/24.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department



URBAN DEVELOPMENT DEPARTMENT | PLANNING & ZONING

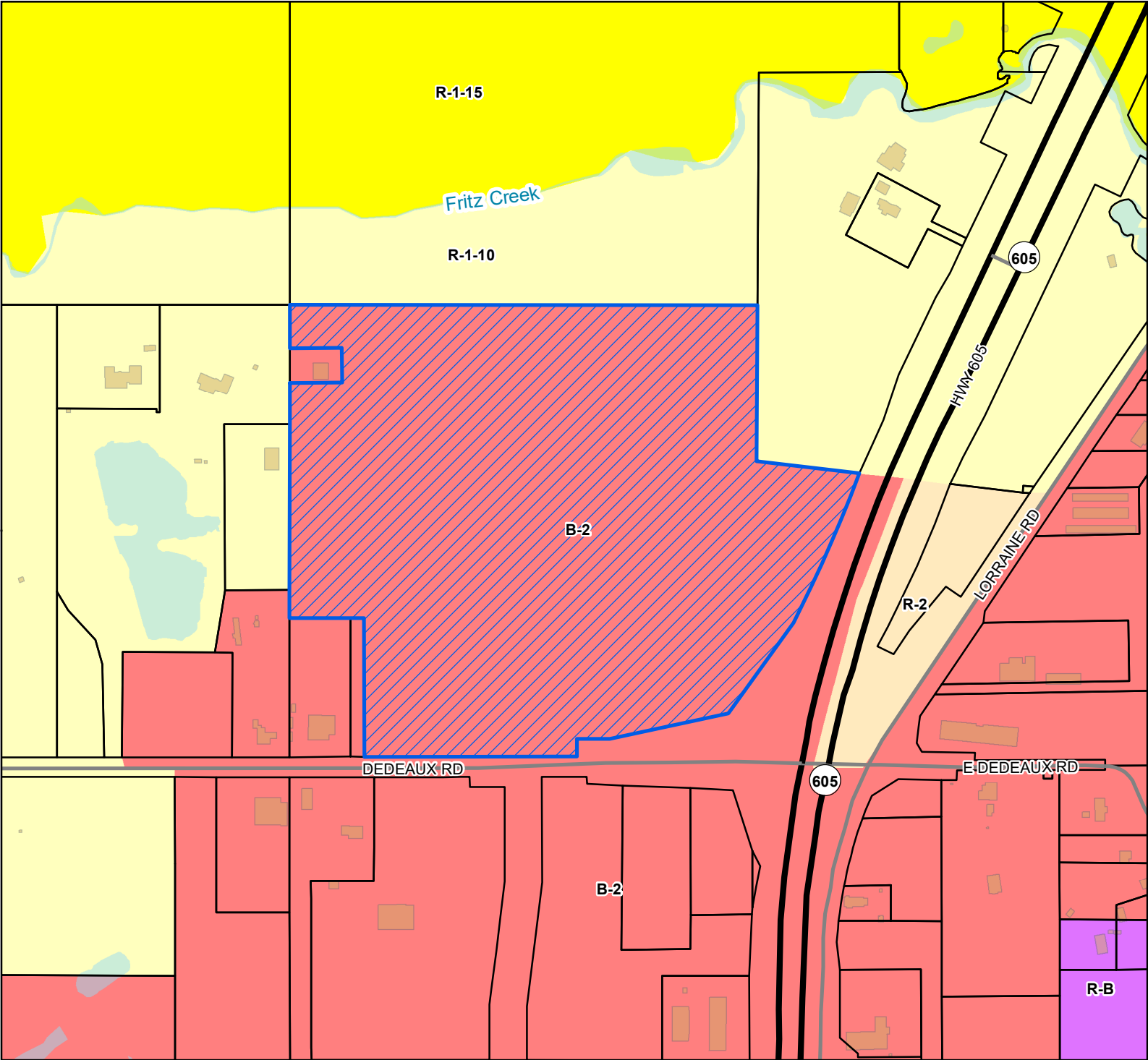
PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE

P: 228.868.5710 | F: 228.868.5708 | PLANNERS@GULFPORT-MS.GOV

ZONING BOARD OF ADJUSTMENT AND APPEALS CASE # 2408ZB126

Hearing Date: Thursday, August 15, 2024

Variance 2408ZB126: Agent, Cross Development CC Gulfport, LLC, seeking approval for 10 regular parking spaces where 18 is required, Tax Parcel 1008L-01-002.000, Dedeaux Road, Zoned B-2 (General-business), Ward 6



Legend

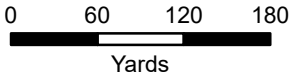
- Site
- US or State Highway
- Street
- Parcels
- Buildings
- Water Features
- City Limit

Zoning

- B-2 - General Business District
- R-1-10 - Single Family Residence (Low Density)
- R-1-15 - Single Family Residence District (Low Density)
- R-2 - Single Family Residence District (Medium Density)
- R-B - Residence-Business District

Site Information

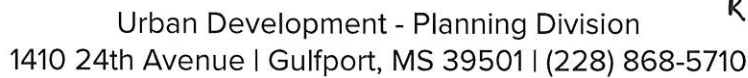
1008L-01-002.000
Zoning: B-2 (General business)
Size: 38.5 acres
Flood: X, AE



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.



2408 ZB 126
07/08/24 B-2
Report # 12835231

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

10084-01-002.000	

Property Address: NWC of Dedeaux Rd + Hwy 605
 Lot(s) _____ Block(s) _____ Subdivision None

General Description of Request: Variance request for parking space requirements for a proposed autobody collision repair shop.
Requesting ten (10) regular parking spaces where eighteen (18) is required.

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:Northpark Holdings, LLC

Printed Name of Owner

2310 19th ST

Mailing Address

Gulfport MS 39501

City

State

Zip Code

(228) 806 7418 - Scott DeLANE

Home Phone

Work/Cell Phone

sdelane@southeastCRE.com

Email



Signature of Owner

AGENT:Cross Development CC Gulfport, LLC

Printed Name of Agent

4317 Marsh Ridge Road

Mailing Address

Carrollton, TX 75010

City

State

Zip Code

352-871-8953

Home Phone

Work/Cell Phone

meagan@crossdevelopment.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) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

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:

SD
SD

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.

SD

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

SD

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**.

SD

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

SD

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

SD

I the owner/agent acknowledge this is a complete application



COVENANT AFFIDAVIT

I, Northpark Holdings, LLC
Scott DeLano being property owner or agent of the property 1008L-01-002.000
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] July 8, 2024
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 8th day of July, 20 24

[Signature]
NOTARY PUBLIC

05/22/2027
COMMISSION EXPIRATION





DESIGNATION OF AGENT

I, North Park Holdings, LLC
Scott DeLano being property owner of 1008L-01-002-000
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Cross Development of Gulfport, LLC to act as
PRINT NAME
my representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning
Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

[Signature]
SIGNATURE

Monday July 8, 2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 8th day of July, 20 24

Samuel Sweeting
NOTARY PUBLIC

05/22/2027
COMMISSION EXPIRATION



COMPANY SIGNATURE AUTHORIZATION LETTER

July 3, 2024

Su-Lin Featherson
Planning Administrator
City of Gulfport Planning Department

RE: NORTHPARK HOLDINGS, LLC SIGNATURE AUTHORIZATION

Ms. Featherson,

Scott DeLano is authorized to sign for all matters relating to the City of Gulfport Planning Department as deemed necessary for compliance city ordinances.

Northpark Holdings, LLC
11515 Northpark Drive
Gulfport, MS 39503

Date: July 1, 2024

Name: John Boothby

Signature: _____

Title: Member

Name: Scott DeLano

Signature: _____

Title: Member

The person signing above does hereby certify that he or she is fully authorized and empowered to execute this instrument and to bind the undersigned hereto and does hereby in fact so execute this instrument.

I, Talor Nowell, a Notary Public, do hereby certify that John Boothby & Scott DeLano, appeared before me this day in person and acknowledged that he/she signed said document. Given under my hand and notarial seal, this 1st day of July, 2024.

Notary Public: _____

Printed Name: Talor Nowell

My commission expires: March 10, 2026



July 8, 2024

Su-Lin Featherston
Planning Administrator
City of Gulfport Planning Department

RE: Variance Application Narrative

Ms. Featherston,

Enclosed with this letter is a Variance Application for Parcel Number 1008L-01-002.000 in the City of Gulfport, Mississippi. The parcel is located at the northwest corner of MS Highway-605 and Dedeaux Road and is zoned B-2 (General Business). The parcel will require a subdivision, and the proposed development is shown in relation to the overall parcel on the attached Master Development Concept Plan.

Per the City of Gulfport's code requirements, 18 parking spaces and 1 ADA parking space is required outside the fence for the proposed development. We are requesting a variance for the parking to be reduced to 10 parking spaces and 2 ADA parking spaces. We do not anticipate any negative impacts by reducing the parking spaces for the proposed development. This variance requires City of Gulfport Zoning Board of Adjustments and Appeals approval. As a part of the application packet, the City requires the applicant to answer six questions regarding the variance request:

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

The subject property has angled side property lines, which limit the parking layout from being laid out as an efficient square. Additionally, the development is an autobody repair shop, which does not see frequent customer traffic. However, the use does require a large storage parking lot area for vehicles that are on-site being repaired.

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.)

The end user (Caliber Collision) has hundreds of stores across the country and has determined that 10 standard customer spaces and 2 ADA stalls are sufficient for the needs they experience.

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?)

As stated above the subject property has angled side property lines. Additionally, the end user (Caliber Collision) has hundreds of stores across the country and has determined that 10 standard customer spaces and 2 ADA stalls are sufficient for the needs they experience.

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.)

If the developer were to be required to build the parking number required by the city, it would either reduce the amount of storage parking area available for the development, or require and underground detention system to manage the stormwater runoff for the site. Both of these scenarios would limit the site's viability for a successful development of this nature.

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?)

If granted, the variance would simply allow the developer to build the amount of customer spaces actually needed, rather than building extra spaces that won't be used. The additional spaces will increase the amount of impervious surface on site, which impacts stormwater management and water quality.

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

The proposed use is permissible with planning approval (submitted under a separate application).

This application and its attachments, outlined below, are to be considered for approval at the Zoning Board of Adjustment and Appeals meeting on August 15, 2024.

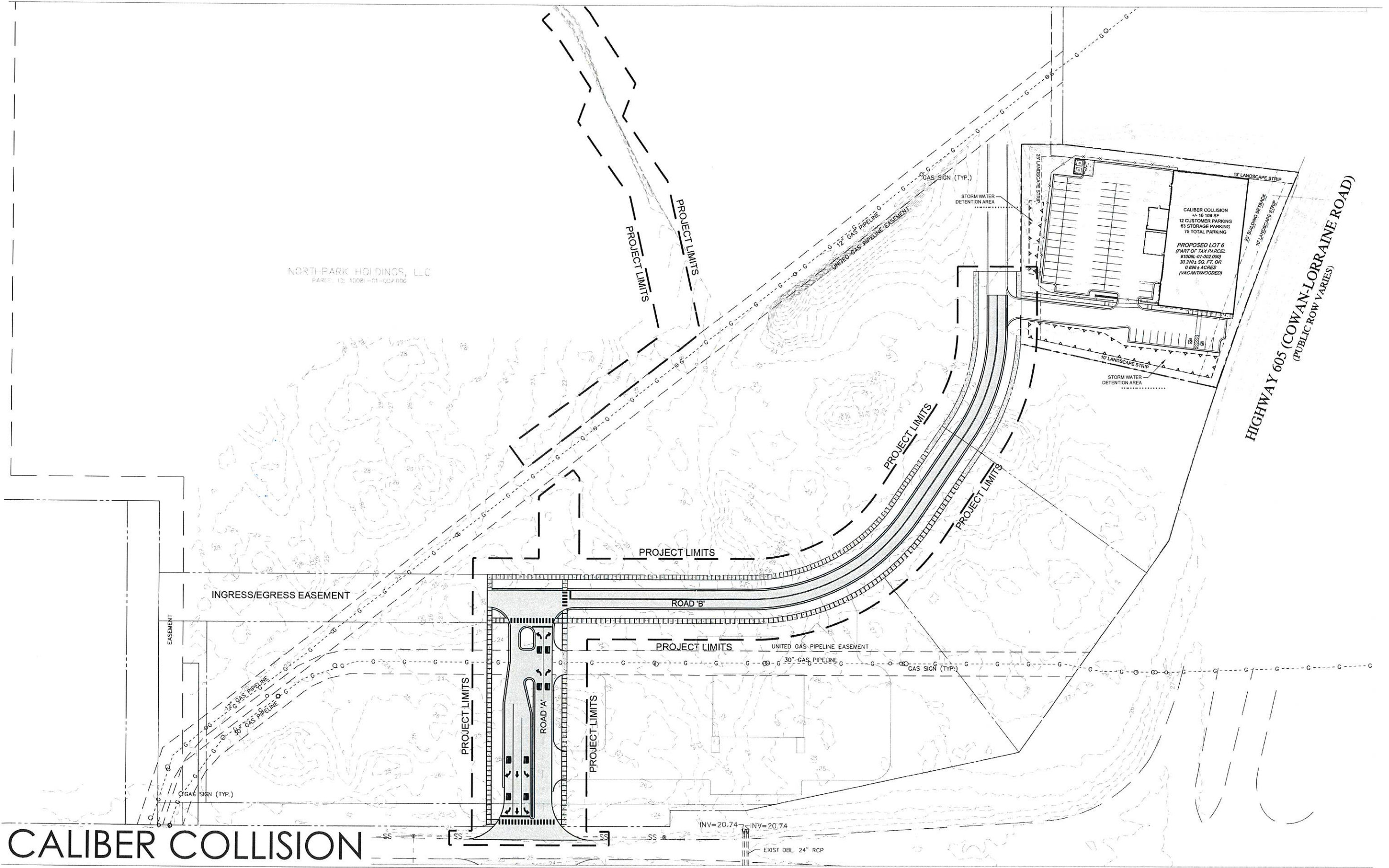
- Application
- Site Plan (included with Variance Application)
- Proof of Ownership (Deed)
- Affidavit stating that the request is not in violation of restrictive or protective covenants

Thank you for your consideration of this application. If there are any questions or if you need additional information upon review of this submittal, please reach out to Nathan Spence with Foresite Group (nspence@fg-inc.net, (205) 397-0370).

Sincerely,



Nathan Spence, PE
Land Development Division Director



CALIBER COLLISION

NWC OF MS HIGHWAY 605 AND DEDEAUX RD, GULFPORT, HARRISON COUNTY, MISSISSIPPI 78589
MASTER DEVELOPMENT EXHIBIT

- 1) ALL PROPOSED DIMENSIONS USED TO SHOW THE GEOMETRIC LAYOUT OF THE PROPOSED PARKING LOT ARE SHOWN AT THE FACE OF CURB. ALL PROPOSED DIMENSIONS USED TO SHOW THE GEOMETRIC LAYOUT OF THE PROPOSED BUILDING LOCATION ARE GIVEN AT THE OUTSIDE FACE OF THE BUILDING CORNERS. ALL CURB RADII ARE GIVEN AT THE FACE OF CURB.
- 2) CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES BETWEEN THE EXISTING CONDITIONS IN THE FIELD AND THE SURVEY SHOWN ON THE PLANS BEFORE PROCEEDING WITH ANY NEW CONSTRUCTION.
- 3) CONTRACTOR IS RESPONSIBLE FOR CORRECT HORIZONTAL AND VERTICAL ALIGNMENT OF ALL TIES BETWEEN PROPOSED AND EXISTING PAVEMENTS, CURB AND GUTTER, SIDEWALKS, WALLS, AND UTILITIES.

- 1) TRACT IS ZONED: B-2 (GENERAL BUSINESS)
- 2) SEE ARCHITECTURAL PLANS FOR BUILDING FLOOR PLAN DIMENSIONS, DOOR LOCATIONS, SITE LIGHTING PLAN, AND OTHER ARCHITECTURAL DETAILS.
- 3) NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED ON THE SITE.
- 4) HIGH INTENSITY LIGHTING FACILITIES SHALL BE SO ARRANGED THAT THE SOURCE OF ANY LIGHT IS CONCEALED FROM THE PUBLIC VIEW AND DOES NOT INTERFERE WITH TRAFFIC (SEE PHOTOMETRICS PLAN IN ARCH. PLANS).
- 5) ALL BUFFERS, TREE SAVE AREAS, AND UNDISTURBED AREAS SHALL BE CLEARLY IDENTIFIED BY FLAGGING AND/OR FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
- 6) NO OUTSIDE STORAGE IS PROPOSED. THIS INCLUDES SUPPLIES, VEHICLE, EQUIPMENT, PRODUCTS, ETC.
- 7) SIGNS (LOCATION, NUMBER, AND SIZE) ARE NOT APPROVED UNDER THIS DEVELOPMENT PERMIT. A SEPARATE PERMIT IS REQUIRED FOR ON-SITE SIGNAGE.
- 8) ALL CONSTRUCTION RELATED PERMITS DURING THE CONSTRUCTION PHASE OF THIS PROJECT ARE THE RESPONSIBILITY OF THE OWNER. HOWEVER A CONTRACTOR/DEVELOPER CAN DO PERMITTING WITH AGENT AUTHORIZATION.
- 9) CONSTRUCTION TRAILERS ARE TO BE PERMITTED THROUGH THE ENGINEERING DEPARTMENT.
- 10) ALL EROSION, SEDIMENT CONTROL, AND TREE PROTECTION MEASURES SHALL BE INSTALLED PRIOR TO ANY GRADING.
- 11) ALL PAVEMENT MARKING WITHIN MOOT RIGHT-OF-WAY SHALL BE THERMOPLASTIC AND ACCORDING TO MOOT SPECIFICATIONS.
- 12) MAXIMUM CUT OR FILL SLOPE - 2H:1V
- 13) 24 HOUR CONTACT: NATHAN SPENCE, PE. (205) 397-0370

	STANDARD DUTY ASPHALT PAVING
	CONCRETE SIDEWALK PAVING
	HEAVY DUTY CONCRETE PAVING
	PROPERTY LINE
	PARKING COUNT
	TRAFFIC SIGN

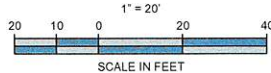
PROJECT:	AUTO-BODY SHOP WITH ASSOCIATED INFRASTRUCTURE	
ZONING:	B-2 (GENERAL BUSINESS)	
ADJACENT ZONING:	R-1-10 (SINGLE FAMILY RESIDENTIAL) R-2 (SINGLE FAMILY RESIDENTIAL) B-2 (GENERAL BUSINESS)	
PARCEL IDENTIFICATION NUMBER:	1008.01-002.000	
LOCATION:	SECTION 7, TOWNSHIP 7 S, RANGE 10 W	
TOTAL SITE AREA:		1.81 AC
PROJECT SITE AREA:		1.81 AC
DISTURBED AREA:		1.81 AC
PERVIOUS SURFACE AREA PROPOSED (%):		0.66 AC (36.3%)
IMPERVIOUS SURFACE AREA PROPOSED (%):		1.15 AC (63.7%)
LANDSCAPE BUFFER - FRONT:		25 FT
SIDE (SOUTH):		10 FT
SIDE (NORTH):		15 FT
REAR:		10 FT
BUILDING SETBACK - FRONT:		N/A FT
SIDE:		N/A FT
REAR:		N/A FT
BUILDING FLOOR AREA:	TOTAL GROUND:	16,195 S.F.
	RETAIL:	2,731 S.F.
	SERVICE & STORAGE:	13,378 S.F.
BUILDING HEIGHT:		25'-10"
PARKING RATIO REQUIRED -		1 SPACE / 900 S.F.
PARKING REQUIRED:		18 SPACES
PARKING PROVIDED:		75 SPACES
ACCESSIBLE PARKING REQUIRED:		2 SPACES
ACCESSIBLE PARKING PROVIDED:		2 SPACES
LOADING SPACES REQUIRED:		0 SPACES
LOADING SPACES PROVIDED:		0 SPACES
MINIMUM PARKING STALL:		9'X18'
PROPOSED PARKING STALL:		9'X18'

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING & DISTANCE
C1	3°51'58"	260.00'	17.54'	N 2°07'54"E - 17.54'

CONTROL POINT #3000
3/4" IRON ROD SET
N: 346021.12
E: 922003.97
ELEVATION: 24.29
SCALE FACTOR: 0.99999544
CONVERGENCE ANGLE: -0°06'00.42"



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FORESITE
group

Foresite Group, LLC
2101 Magnolia Ave. South
Suite 100
Birmingham, AL 35205

o | 205.397.0370
f | 844.272.0997
w | www.foresitegroup.net



CROSS DEVELOPMENT
4336 MARSH RIDGE
CARROLLTON, TX 75010
(214) 614-8252

CONTACT: MEAGAN VIEREN

CALIBER COLLISION™

RESTORING THE RHYTHM OF YOUR LIFE®

NW 605 HIGHWAY 605 AND DEDEAUX RD
GULFPORT, HARRISON COUNTY, MISSISSIPPI 39503
SECTION 7, TOWNSHIP 7 S, RANGE 10 W

DRAWING BY: _____

DATE: 2024

SCALE: 1

SITE & PAVING PL

C-

COMMENTS: <NOT RELEASED FOR CONSTRUCTION

JOB/FILE NUMBER: 4C41 0

JOB/FILE NUMBER: 1641.0



1st Judicial District
Instrument 2019-10360-D-J1
Filed/Recorded 12/13/2019 11:20 AM
Total Fees \$15.00
8 Pages Recorded

Space Above Line For Official Use Only

Instrument Prepared By and Return to: Robyn Minter Smyers, Esq. Thompson Hine LLP 3900 Key Tower 127 Public Square Cleveland, Ohio 44114 Telephone: (216) 566-5830 Reviewed for Compliance with MS Recording Requirements: Robert T. Schwartz, Esq. MS Bar Number 10482 Schwartz, Orgler & Jordan, PLLC 2355 Pass Road Biloxi, Mississippi 39531 Telephone: (228) 697-7441	Grantor's Name and Address: DDR Gulfport Promenade LLC c/o SITE Centers 3300 Enterprise Parkway Beachwood, Ohio 44122 Telephone: (216) 755-5751	Grantee's Name and Address: Northpark Holdings, LLC c/o Scott Delano 964 Emily Drive Biloxi, Mississippi 39532 Telephone: (228) 806-7418
To the Chancery Clerk of Harrison County, Mississippi: The real property described herein is located in the South ½ of NW ¼ of Section 7, Township 7 South, Range 10 West, First Judicial District of Harrison County, Mississippi, and Lots 1, 2, and 3, Gulfport Promenade Subdivision.		

SPECIAL 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 which is hereby acknowledged, **DDR GULFPORT PROMENADE LLC**, a Delaware limited liability company (the "Grantor"), does hereby sell, convey and warrant specially unto **NORTHPARK HOLDINGS, LLC**, a Mississippi limited liability company, (the "Grantee"), the land and property, together with all of Grantor's right, title and interest in adjacent streets, roads and alleys, and all appurtenant rights-of way and easements benefiting the land, described on Exhibit A attached hereto, situated in Harrison County, Mississippi (the "Property"), to-wit:

The Property is conveyed subject to, and there is excepted from the special warranty of this conveyance, those certain liens, encumbrances and other matters set forth on Exhibit B attached hereto.

For the same consideration, the Grantor conveys and quitclaims to Grantee all of Grantor's right, title and interest, including any after-acquired interest, in any land or rights in land adjacent or contiguous to the land specifically described above, including any strips or gores.

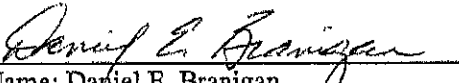
Grantee, on behalf of itself and all future owners and occupants of the Property, hereby waives and releases (to the extent allowed by law) Grantor from any claims arising out of the environmental condition of the Property and all claims under any applicable federal, state or local environmental laws, which shall include, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 et seq. and the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq., as amended from time to time; and any similar federal, state and local laws and ordinances and the regulations and rules implementing such statutes, laws and ordinances.

It is agreed and understood that ad valorem taxes for the current year shall be paid by Grantee.

[NO FURTHER TEXT ON THIS PAGE]

WITNESS THE SIGNATURE OF THE GRANTOR on the date of the acknowledgment set forth below, to be effective as of the 13th day of December, 2019.

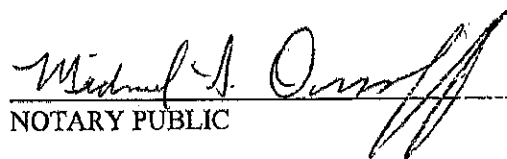
DDR GULFPORT PROMENADE LLC,
a Delaware limited liability company

By: 
Name: Daniel E. Branigan
Title: Vice President of Transactions

STATE OF OHIO

COUNTY OF CUYAHOGA

PERSONALLY appeared before me, the undersigned authority in and for the said County and State, on this 2nd day of December 2019, within my jurisdiction, the within named Daniel E. Branigan, the Vice President of Transactions of DDR Gulfport Promenade LLC, a Delaware limited liability company, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed in the above and foregoing instrument and acknowledged that he executed the same in his representative capacity, and that by his signature on the instrument, and as the act and deed of the person or entity upon behalf of which he acted, executed the above and foregoing instrument, after first having been duly authorized so to do. No oath or affirmation was administered.


NOTARY PUBLIC

My commission expires:

MICHAEL S. OWENDOFF, Atty.
NOTARY PUBLIC • STATE OF OHIO
My commission has no expiration date
Section 147.03 O.R.C.

Exhibit A

Legal Description of the Property

The Land referred to herein below is situated in the County of Harrison, State of Mississippi, and is described as follows:

PARCEL 1

A PARCEL OF LAND LOCATED IN THE SOUTH 1/2 OF THE NORTHWEST 1/4, SECTION 7, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT AN IRON PIPE LOCATED AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7, TOWNSHIP 7 SOUTH, RANGE 10 WEST (SAID POINT BEING THE POINT OF BEGINNING); FROM SAID POINT OF BEGINNING SOUTH 00°06'15" WEST 453.80 FEET ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 TO AN IRON ROD LOCATED AT THE NORTHEAST CORNER OF A PARCEL OF LAND FORMERLY TO SANDRA GUNTER (W.D. BOOK 972, PAGE 230); THENCE SOUTH 83°34'27" EAST 297.27 FEET ALONG THE NORTH LINE OF SAID PARCEL OF LAND FORMERLY TO SANDRA GUNTER TO AN IRON PIPE LOCATED ON A CURVE OF THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 605 (W.D. BOOK 1481, PAGE 235), ALSO REFERRED TO AS THE NEW COWAN-LORRAINE ROAD EXTENSION; THENCE SOUTHERLY 484.67 FEET ALONG A CURVE OF THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 605, SAID CURVE BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 4058.39 FEET WITH A CENTRAL ANGLE OF 6°50'33", ALSO HAVING A CHORD BEARING AND DISTANCE OF SOUTH 19°30'57" WEST 484.39 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT; THENCE SOUTH 35°29'29" WEST 322.32 FEET ALONG THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 605 TO AN IRON ROD LOCATED ON THE NEW NORTH RIGHT-OF-WAY FOR THE RELOCATION OF DEDEAUX ROAD; THENCE WESTERLY AND SOUTHERLY ALONG SAID NEW NORTH RIGHT-OF-WAY FOR THE RELOCATION OF DEDEAUX ROAD AND/OR THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 605 THE FOLLOWING THREE COURSES, SOUTH 77°54'40" WEST 348.63 FEET, NORTH 89°58'39" WEST 95.33 FEET, SOUTH 00°15'21" WEST 20.06 FEET TO THE EXISTING NORTH MARGIN OF DEDEAUX ROAD; THENCE SOUTH 89°54'39" WEST 637.95 FEET ALONG SAID EXISTING NORTH MARGIN OF DEDEAUX ROAD TO AN IRON ROD AT THE SOUTHEAST CORNER OF PROPERTY NOW OR FORMERLY TO SHARBEAR L.P. (W.D. BOOK 1599, PAGE 648); THENCE NORTH 00°05'44" WEST 400.26 FEET ALONG THE EAST LINE OF SAID SHARBEAR L.P. PROPERTY TO AN IRON ROD AT THE NORTHEAST CORNER OF SAID PROPERTY NOW OR FORMERLY TO SHARBEAR L.P.; THENCE NORTH 89°57'19" WEST 215.00 FEET ALONG THE NORTH LINE OF SAID SHARBEAR L.P. PROPERTY (W.D. BOOK 1599, PAGE 648) AND W.D. BOOK 1606, PAGE 139) TO AN IRON PIPE LOCATED ON THE WEST LINE OF THE

SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7 (AS PER W.D. BOOK 1606, PAGE 139); THENCE NORTH 00° 11' 07" WEST 672.73 FEET ALONG SAID WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 TO AN IRON ROD LOCATED AT THE SOUTHWEST CORNER OF PROPERTY NOW OR FORMERLY TO THE CITY OF GULFPORT (W.D. BOOK 1653, PAGE 585); THENCE NORTH 89° 59' 59" EAST 149.99 FEET TO AN IRON ROD LOCATED AT THE SOUTHEAST CORNER OF SAID CITY OF GULFPORT PROPERTY; THENCE NORTH 00° 15' 12" WEST 100.06 FEET TO AN IRON ROD LOCATED AT THE NORTHEAST CORNER OF SAID CITY OF GULFPORT PROPERTY; THENCE SOUTH 89° 54' 33" WEST 150.00 FEET TO THE NORTHWEST CORNER OF SAID CITY OF GULFPORT PROPERTY, SAID CORNER ALSO BEING LOCATED ON THE WEST LINE OF SAID SOUTH WEST 1/4 OF THE NORTHWEST 1/4; THENCE NORTH 00° 11' 29" WEST 125.00 FEET ALONG SAID WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 TO THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7; THENCE NORTH 89° 54' 37" EAST 1347.35 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 TO THE SAID POINT OF BEGINNING. BEING THE SAME PROPERTY DESCRIBED BY DEED RECORDED AS INSTRUMENT NUMBER 2007-1526DJ1.

PARCELS 2-3

Lots 1, 2 and 3, Gulfport Promenade, a subdivision as per 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 59 at Page 25, reference to which is hereby made in aid of and part of this description.

Exhibit B

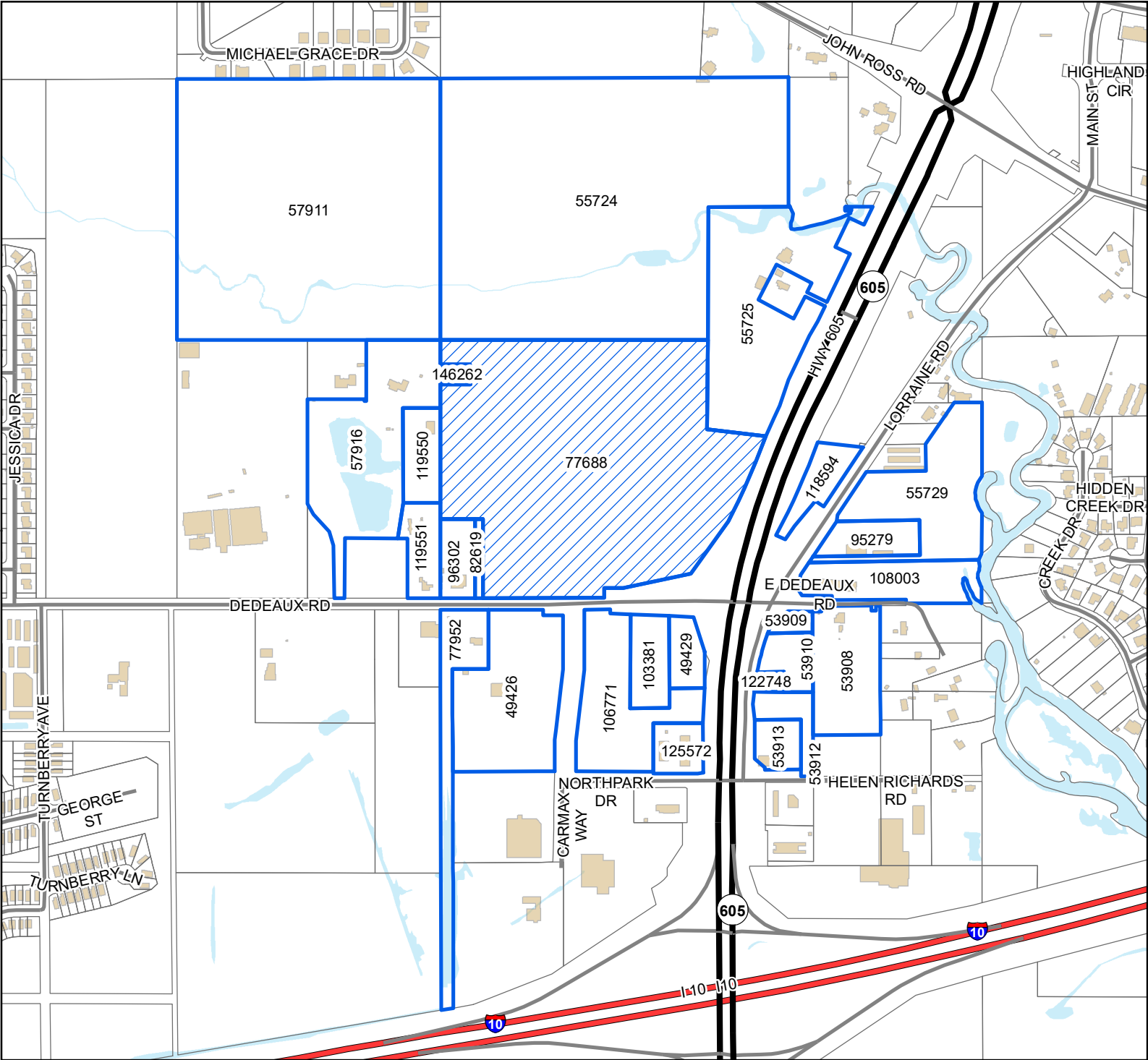
1. All real estate taxes and assessments, both general and special, not yet due and payable.
2. Zoning and building ordinances.
3. All legal highways and rights of way.
4. Easement to United Gas Pipe Line Company, recorded in Book 244 at Page 552.
5. Easement to United Gas Pipe Line Company, recorded in Book 440 at Page 289.
6. Communication Systems Right of Way to Sea Breeze Communication Company, recorded in Book 1446 at Page 316.
7. Memorandum of Transfer and Contribution of Telecommunication Rights between Sea Breeze Communication Company and Koch Gateway Pipeline Company, recorded in Book 1524 at Page 415.
8. Warranty Deed, Permanent Utility Easements and Access Easement, and Temporary Construction Easement to City of Gulfport, Mississippi, recorded in Book 1653 at Page 585.
9. Permanent Utility and Access Easement to City of Gulfport, Mississippi, recorded as Instrument 2004-9732D-J1.
10. Disclaimer recorded in Book 664, Page 310.
11. Terms and conditions as stated in Warranty Deed to Mississippi Transportation Commission recorded in Book 1481 at Page 235.
12. Plat recorded in Book 395 at Page 481.
13. Plat recorded as Instrument 2009-486D-J1, Instrument 2015-2288D-J1 and as Instrument 2017-5004D-J1.
14. Restrictive Covenants recorded as Instrument 2002-9196D in Book 1607 at Page 638.
15. Declaration of Use Restrictions recorded as Instrument 2008-4129D-J1.
16. Certificate of Resubdivision recorded as Instrument 2008-5012D-J1 in Book 1605 at Page 74.
17. Declaration of Covenants, Restrictions and Easements recorded as Instrument 2015-4170D-J1.
18. Declaration of Covenants and Easements recorded as Instrument 2017-6303D-J1.

19. Covenants as per Warranty Deeds recorded in Book 1482 at Page 641, Book 1508 at Page 617, Book 1508 at Page 636, Book 1508 at Page 643 and Book 1509 at Page 12 and recorded as Instrument 2005-16132D-J1.
20. Right of Way to United Gas Pipe Line Company recorded in Book 244 at Page 427.
21. Right of Way to Mississippi Power Company recorded in Book 394 at Page 305.
22. Easement to Harrison County, Mississippi recorded in Book 402 at Page 151.
23. Quitclaim Deed to Marie Phalen Flanagan, recorded in Book 418 at Page 376.
24. Easement to Dedeaux Utility Company recorded in Book 1234 at Page 485.
25. Easement to Dedeaux Utility Company recorded in Book 1335 at Page 535.
26. Judgment No. 2401-2000-1306 to Mississippi Transportation Commission recorded as Instrument 2001-253 ID in Book 1536 at Page 430.
27. Temporary Easement to City of Gulfport, Mississippi recorded as Instrument 2003-280D in Book 1613 at Page 128.
28. Perpetual Easement to City of Gulfport, Mississippi recorded as Instrument 2003-282D in Book 1613 at Page 130.
29. Perpetual Easement to City of Gulfport, Mississippi recorded as Instrument 2003-283D in Book 1613 at Page 132.
30. Perpetual Easement to City of Gulfport, Mississippi recorded as Instrument 2003-285D in Book 1613 at Page 134.
31. Easement Agreement by and between Waring and Windham, a Mississippi general partnership and McDonald's Corporation, a Delaware corporation, recorded as Instrument 2002-9199D in Book 1608 at Page 1.
32. Easement for Ingress and Egress to City of Gulfport, Mississippi, recorded as Instrument 2008-7102D-J1.
33. Final Decree No. 76713, recorded in Book 885 at Page 199.
34. Ordinance No. 2254 recorded in Book 1523 at Page 199.
35. Agreement recorded as Instrument 2007-10073D-J1.
36. Warranty Deed to City of Gulfport, Mississippi, recorded as Instrument 2019-10242D-J1.

37. Plat recorded in Book 59 at Page 25

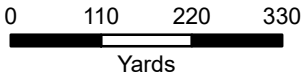
38. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS survey made by Jeffrey C. Collins, MS, P.S. No. 2742, on behalf of Brown, Mitchell & Alexander, Inc. on December 9, 2019, last revised December 11, 2019, designated Job No. 3637_DDR_ALTA:
- a. Lack of access to Highway 605
 - b. Ditches for any purpose located on the subject premises
 - c. Chain link fence of others encroaches onto the subject premises +/- 1.0' Southeast
 - d. 8' Chain link fence of others encroaches onto the subject premises/is located on the Northwest boundary line
 - e. 100' x 100' "STAGING AREA TEMPORARY EASEMENT"
 - f. Utilities located on the subject premises without the benefit of recorded easements
 - g. 1-Story Metal Building and adjoining improvements are located on, and encroach over the boundary lines of Lots 1 and 2 of Parcels 2-3, and is situated within the 100' unimproved Northpark Drive.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1008L-01-002.000	NORTHPARK HOLDINGS, LLC (OWNER)	2310 19TH ST	GULFPORT	MS	39501
			CROSS DEVELOPMENT CC GULFPORT, LLC (AGENT)	4317 MARSH RIDGE ROAD	CARROLLTON	TX	75010
			Adjacent Property Owners (2408ZB126)				
	103381	1008M-04-003.001	STOCK LLC	14014 MADISON CIR	OMAHA	NE	68137
	57911	0908I-01-001.000	MURDOCK RUTH T -TRUSTEE-	11816 LORRAINE 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
	77952	1008M-04-004.000	GULF SOUTH PIPELINE COMPANY LP	ATTN: PROPERTY TAX DEPT	HOUSTON	TX	77046
	77688	1008L-01-002.000	NORTHPARK HOLDINGS LLC	964 EMILY DR	BILOXI	MS	39532
	119550	0908I-01-002.003	JOHNSTON DAVID N & LESLIE R-TRUSTEE	12130 DEDEAUX RD	GULFPORT	MS	39503
	55729	1008L-02-005.000	PLAINSMAN TRADING COMPANY LLC	P O BOX 6181	GULFPORT	MS	39506
N	118594	1008L-01-002.001	STOCK LLC	C/O MERWYN PEARSON	OMAHA	NB	68137
N	95279	1008L-02-005.001	PLAINSMAN TRADING COMPANY LLC	P O BOX 6181	GULFPORT	MS	39506
N	55724	1008L-01-001.000	MURDOCK RUTH T -TRUSTEE-	11816 LORRAINE RD	GULFPORT	MS	39503
	57916	0908I-01-002.000	JOHNSTON CLIFTON H JR -TRUSTEE-	5410 RIVER LANDING DR	MOBILE	AL	36619
	119551	0908I-01-002.004	JOHNSTON JERRY A & REBECCA J	12110 DEDEAUX RD	GULFPORT	MS	39503
	108003	1008L-02-005.002	HOOD CYNTHIA ANN WILLIAMS ETAL	12506 LORRAINE RD	BILOXI	MS	39532
	53909	1008M-01-007.000	RICHARD CLYDE WARNER FAMILY TRUST	11019 SHORECREST ROAD	BILOXI	MS	39532
	53913	1008M-01-010.000	CLARK OIL COMPANY INC	720 STATION ST	WAYNESBORO	MS	39367
	53908	1008M-01-006.000	MISS REGIONAL HOUSING AUTH # VIII	10430 THREE RIVERS RD	GULFPORT	MS	39503
	106771	1008M-04-003.002	MBH GPT REAL ESTATE LLC	328 NORTH COLUMBIA ST	COVINGTON	LA	70433
	55725	1008L-01-004.000	FULTON YVONNE T -ESTATE-	11439 LORRAINE RD	GULFPORT	MS	39503
	53910	1008M-01-008.000	RICHARD GARY	11036 SHORECREST RD	BILOXI	MS	39532
	122748	1008M-01-008.001	WHITWORTH CAROL -TRUSTEE- ETAL	C/O WHITWORTH SCHOOL	PORTLAND	OR	97220
	53912	1008M-01-009.000	HIGHWAY DEVELOPMENT CO INC	4450 OLD CANTON RD STE 203	JACKSON	MS	39211
N	49429	1008M-04-002.000	STOCK LLC	C/O MERWYN PEARSON	OMAHA	NB	68137
	125572	1008M-04-006.002	11207 LORRAINE ROAD LLC	431 PORT TERMINAL CIRCLE	VICKSBURG	MS	39183
N	49426	1008M-04-006.000	NORTHPARK HOLDINGS LLC	964 EMILY DR	BILOXI	MS	39532
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 = 700 feet



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

RE: Variance 2408ZB126, by agent Cross Development CC Gulfport, LLC, seeking approval for 10 regular parking spaces where 18 is required, Tax Parcel 1008L-01-002.000, Dedeaux Road, Zoned B-2 (General-business), 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, August 15, 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, August 15, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.





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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	577293	Print Legal Ad-IPL01856440 - IPL0185644		\$88.90	2	55 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2408ZB113, by owner Land Lady Investments, LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB114, by owner Land Lady Investments, LLC, seeking approval to have 4 regular parking spaces where 7 is required, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB116, by agent Patricia Tomasello, seeking approval for an 18-foot front yard setback where 25 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB117, by agent Patricia Tomasello, seeking approval for a side yard setback of 5-feet and 11 inches where 8 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB120, by agent Timothy Gobble, seeking approval for a 7-foot tall chain link fence where 6-feet is the height limit, Tax Parcel 0811F-02-040.000, 2201 17th Street, Zoned T4+ (General Urban Zone & "Plus"), Ward 3

Variance 2408ZB122, by agent Jon Storonskyj, seeking approval for an additional wall sign on the west elevation, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7

Variance 2408ZB124, by agent Matt Largen, seeking approval for a front yard setback for a freestanding ground sign of 1-foot where 10 feet is required, Tax Parcel 1008M-01-008.000, 11252 Lorraine Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB126, by agent Cross Development CC Gulfport, LLC, seeking approval for 10 regular parking spaces where 18 is required, Tax Parcel 1008L-01-002.000, Dedeaux Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB128, by agent Robert Thomas, seeking approval for a 4-foot front yard setback where 25 feet is required, Tax Parcel 0711H-02-023.000, 3521 19th Street, Zoned R-2 (Single-family) & (Sub-Urban zone), Ward 1

This the 24th day of July 2024

A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0185644
Jul 31 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:
07/31/24

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.

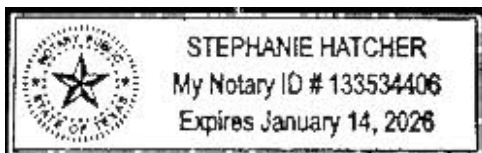
Mary Castro

Sworn to and subscribed before me this 31st 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!

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2408ZB126

Hearing Date: August 15, 2024

Current Zoning/Use: T4+ / Vacant Lot

Legal: Variance 2408ZB126, by agent Cross Development CC Gulfport, LLC, seeking approval for 10 regular parking spaces where 18 is required, Tax Parcel 1008L-01-002.000, Dedeaux Road, Zoned B-2 (General-business), 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 is seeking approval for 10 regular parking spaces where 18 regular parking spaces is required for a proposed automobile and truck body repair use.

- (a) Applicant claims their hardship to be caused by the angled property lines, preventing the parking layout from being laid out as efficient as a square. Applicant also states “the development is an autobody repair shop, which does not see frequent customer traffic. However, the use does require a large storage parking area for vehicles that are on-site being repaired. While the applicant’s proposed parking layout does show the property lines to be angled, the proposed parking layout also indicates a section of the parking to be closed off behind a security fence, intended to be used for storage parking. A portion of this storage parking could have been reallocated for customer parking, and have the applicant meet the ordinances parking requirements.
- (b) The applicant claims that the business, Caliber Collision, has “other stores across the country and determined that 10 standard customer spaces and 2 ADA stalls are sufficient for the needs they experience.” While this department cannot speak to requirements of other Planning departments for other municipalities, Gulfport’s current parking ordinance requires 1 regular parking space for every 900 square feet of gross floor area. As the building square footage is 16,109 square feet, per ordinance 18 regular parking spaces plus one ADA compliant handicap space is required. As the applicant could reconfigure their parking to reallocate a portion of the storage area to accommodate customer parking, the applicant is causing their own hardship.
- (c) The applicant restates that their hardship is caused by the angled side property lines, and about how the proposed business, Caliber Collision, determined that “10 standard customer spaces and 2 ADA stalls are sufficient for the needs they experience.” As stated in the prior response, the applicant could reconfigure their parking to reallocate a portion of the storage area to accommodate customer parking, and meet the parking requirements.
- (d) The applicant claims that if the developer were to build the parking by the ordinance that it would reduce the amount of storage parking area, or require an underground detention system to manage the stormwater runoff. Matters regarding stormwater runoff management would not fall under the jurisdiction of this department, such would fall under the jurisdiction of the Engineering Department.
- (e) The applicant does not address if granting the variance will confer any special privileges. As the other existing businesses in the nearby area either meet the required parking requirements, or were established before the current parking ordinance, and the applicant is causing their own hardship, approval of this variance would grant the site special privileges.
- (f) This property is zoned B-2, and an automobile and truck body repair shop use is permissible per Planning Commission Approval. The applicant currently has applied for approval from the Planning Commission.

EXECUTIVE SUMMARY

The applicant is seeking approval for 10 regular parking spaces where 18 regular parking spaces is required for a proposed automobile and truck body repair use. The current parking ordinance requires one regular parking space per every 900 square feet of gross floor area for

Technical Report

VARIANCE

automotive services use. As the proposed commercial is 16,109 square feet, the proposed automobile and truck body repair use would need 18 regular parking spaces and one ADA compliant handicap parking space. Applicant claims that their hardship for why they cannot meet the parking requirements as due to the property having angled side property lines, and the incoming business, Caliber Collisions, determining that 10 regular parking spaces with two ADA handicap spaces being sufficient for their customer's needs. The mentioned hardships do not meet merit, and do not meet the six hardship criteria. Upon review of the applicant's proposed parking plan, a portion of the storage parking area could be reallocated to be customer parking in order to meet the parking requirements. As a result of the applicant's own design, they have created their own hardship.

Any approval should consider these conditions:

1. One space must meet ADA Van parking space requirement.
2. Approval allows for 10 regular parking spaces where 18 regular parking spaces are required.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 7/31/24.

Public Works: No comments as of 8/5/24.

Traffic and Safety: No conditions. Memo dated 8/5/24.

Building Code Services: One space must meet ADA Van parking space requirement. Memo dated 7/24/24.

GIS: No conditions. Memo dated 7/29/24.

Police Department: No comment as of 8/5/24.

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

City Arborist: No conditions. Memo dated 7/25/24.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department



URBAN DEVELOPMENT DEPARTMENT | PLANNING & ZONING

PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE

P: 228.868.5710 | F: 228.868.5708 | PLANNERS@GULFPORT-MS.GOV

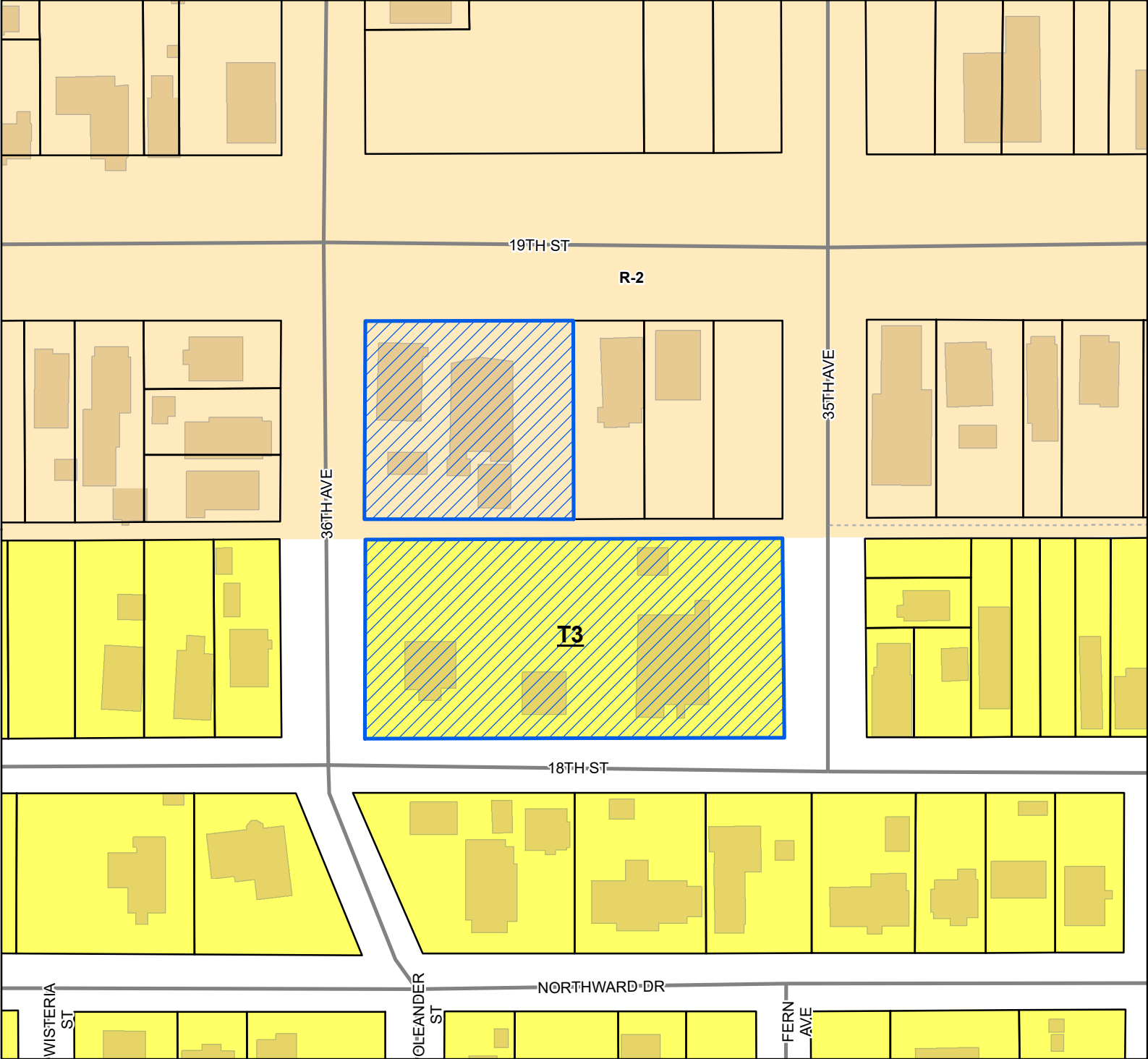
ZONING BOARD OF ADJUSTMENT AND APPEALS CASE # 2409ZB128

Hearing Date: Thursday, August 15, 2024

Variance 2409ZB128: Agent, Robert Thomas, seeking approval for a 4-foot front yard setback where 25 feet is required, Tax Parcel 0711H-02-023.000, 3521 19th Street, Zoned R-2 (Single-family) & (Sub-Urban zone), Ward 1

2409ZB128

Variance



Legend

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

Smart Code

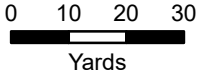
- T3

Zoning

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

Site Information

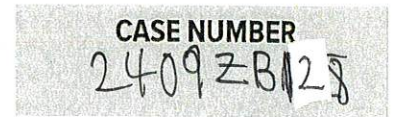
0711H-02-023.000
Zoning: R-2 (Single-Family)
T3 (Sub-Urban zone)
Size: 1.5 acres
Flood: X



1 inch = 100 feet



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7/12/24
#12840894

OWNER:Catholic Diocese of Biloxi

Printed Name of Owner

1790 Popps Ferry Road

Mailing Address

Biloxi MS 39532

City

State

Zip Code

228-702-2100, 202-212-9071

Home Phone

Work/Cell Phone

Sttheresegulfport@gmail.com

Email

Rev. Hyginus L. Boboh, SSS

Signature of Owner

AGENT:Robert Thomas

Printed Name of Agent

833 Guinn Street

Mailing Address

Gulfport MS 39507

City

State

Zip Code

228-327-7992

Home Phone

Work/Cell Phone

rftl@hotmail.com

Email

Robert Thomas

Signature of Agent

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

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

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

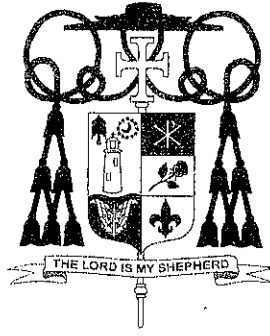
Address (Street, City, State, Zip Code) _____

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

Tax Parcel Number(s) Owned: _____

Signature: _____

MOST REVEREND
LOUIS F. KIHNEMAN, III
BISHOP OF BILOXI



OFFICE OF THE BISHOP
1790 POPPS FERRY ROAD
BILOXI, MS 39532-2118
228-702-2111
FAX: 228-702-2139

July 22, 2021

Reverend Hyginus L. Boboh, SSJ
St. James Major Catholic Church
714 N. College Street
Prichard, AL 36610-4330

Dear Father Hyginus:

With the recommendation of Bishop John Ricard, Superior General of the Society of St. Joseph of the Sacred Heart, I am pleased to appoint you as pastor of St. Therese of Lisieux Parish, Gulfport, Mississippi. The term of this appointment is six years effective August 7, 2021. In accordance with canon 515, I entrust to you the pastoral care of God's holy people of St. Therese of Lisieux Parish. You also have the care of the temporal goods and affairs of the parish. I hereby grant you the faculties/permissions of the Diocese of Biloxi. A copy of the Diocesan Pagella is enclosed. These faculties remain effective for the duration of your assignment in the Diocese of Biloxi.

Please make certain that a Mass for the people is celebrated every Sunday and Holyday of Obligation observed in the diocese. (Canon 534) I ask that you take a personal and special interest in praying for the faithful to answer the Lord's call to live a life of service in the Church as Priests, Deacons, Consecrated men and women, Dedicated married couples, and Committed single persons. I also ask that you foster the following of the Great Commission of Jesus to make disciples, baptize all nations, teach what he commanded us, and to trust that he is with us always, to the end of the age. (Matthew 19-20)

Please contact my office so we may schedule the date for your installation as pastor and contact Mrs. Tammy DiLorenzo to schedule an appointment with her to discuss your new parish's finances.

I am remembering you and the faithful of St. Therese of Lisieux Parish in my prayers and Masses I offer daily.

Sincerely yours in Christ,

Most Reverend Louis F. Kihneman, III
Bishop of Biloxi

Enclosure

"A welcoming family of God seeking to live faithfully, love generously, and share the good news of Jesus Christ"

IMPORTANT NOTICE:

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

Submission Requirements:

- _____ **Page one of this application**, completed and signed.
- _____ **Site plan**. Please note that approval of your request, in part, is based on your **11" by 17"** site plan.
 - The property lines and dimensions have been provided on the drawing.
 - All buildings and structures located on the property have been identified.
 - All dimensions of buildings and structures have been noted on the site plan.
 - All distances from the property lines to all the buildings and structures have been identified and noted on the site plan.
 - Street names have been provided which abut the property.
 - Traffic flow, parking and driveways have been identified.
 - If required buffer strips have been identified
 - Other pertinent information as needed to pictorially demonstrate the proposed development/use.
- _____ **Proof of ownership** (Copy of deed i.e., Warranty Deed or Quitclaim Deed)
- _____ If applicable, notarized proof of **authority to act as agent** for owner (board resolution, etc.) (see page 9)

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

VARIANCE SUBMISSIONS

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

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

1. On this property there is a catholic church that has been in existence for over 90 years. In front of the church on 19th street there is a parking area for the church. It has always been assumed that this area is part of the church property and was within the front setback required by the city zoning. The church is planning an addition in the front of the church. Part of this process required that a survey be done to ensure that front setback is maintained during construction. The survey revealed that the parking area and front curbing is within the city easement.

2,3,4. The literal interpretation of the provisions of the zoning ordinance would prevent the addition of the front of the church. The intent of the addition is to install a foyer with bathrooms for the congregation. Presently, the bathrooms are on the back exterior of the church and creates an inconvenience, and a safety hazard in the present location.

5. The church will not receive any special benefit other than the right to expand the front of the church in an area that is presently maintained by the church while meeting the appropriate front setback.
6. The proposed use of the property is permissible by right. It was determined after a property survey that the parking area of the church and front setback is in the easement of the city of Gulfport.



Covenant Affidavit

I, Rev. Hyginus Boboh, SS being owner or agent of the property 3521 19th Street
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

Rev. Hyginus L. Boboh, SS July 12, 2024
Signature Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 12 day of July, 20 24

Samuel Sweeting

Notary Public



05/22/2027

Commission Expiration



Designation of Agent

I, Rev. Hyginus Bobch, SS, being property owner of 3521 19th Street
PRINT NAME PRIMARY ADDRESS OR PARCEL
 which is the subject of this application hereby authorize Robert Thomas to act as my
PRINT NAME
 representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

Rev. Hyginus L. Bobch, SS

Signature

July 12, 2024

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 12th day of July, 2024

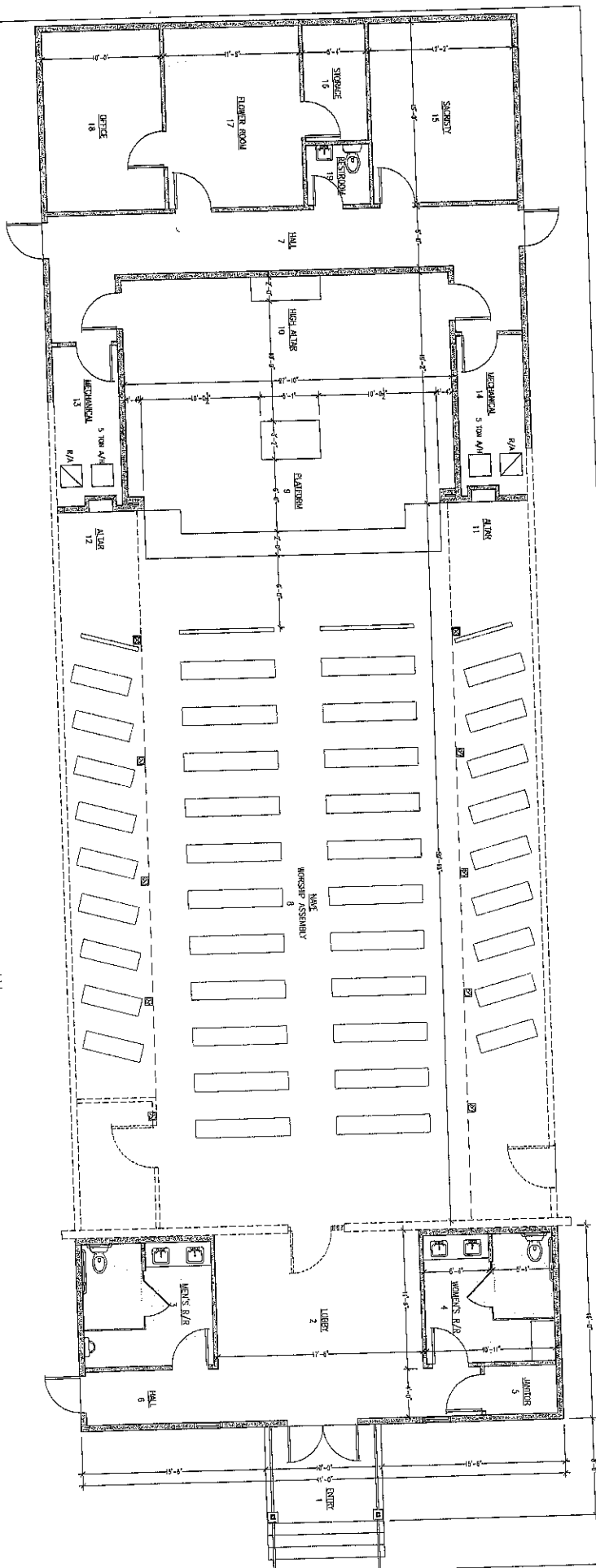
Samuel Sweeting

Notary Public

05/22/27

Commission Expiration





NEW FLOOR PLAN

SCALE: 1/4"=1'-0"

AREA CALCULATIONS

A. OCCUPANCY	
EXISTING AREA	3,205 SF
REAR ADDITION	660 SF
REAR ADDITIONAL	4,700 SF
TOTAL SF	8,565 SF
FRONT ENTRY	80 SF

NEW WORK LEGEND

EXISTING WALLS	---
NEW WORK - WALLS	---
NEW WORK - ROOFING	---
NEW WORK - FLOORS	---
NEW WORK - MECHANICAL	---
NEW WORK - ELECTRICAL	---
NEW WORK - PLUMBING	---
NEW WORK - HVAC	---
NEW WORK - OTHER	---

NOTE: THE ARCHITECT OR ARCHITECTS ARE PROVIDING WITH THE USE OF THESE PLANS NO GUARANTEE, WARRANTY, OR REPRESENTATION AS TO THE ACCURACY, COMPLETENESS, OR SUFFICIENCY OF THE INFORMATION, DATA, OR MATERIALS PROVIDED BY THE CLIENT OR ANY OTHER SOURCE. THE ARCHITECT OR ARCHITECTS SHALL NOT BE RESPONSIBLE FOR ANY ERRORS, OMISSIONS, OR INADEQUACIES IN THE PLANS OR FOR ANY CONSEQUENCES ARISING FROM THE USE OF THESE PLANS. THE ARCHITECT OR ARCHITECTS SHALL NOT BE RESPONSIBLE FOR ANY CONSEQUENCES ARISING FROM THE USE OF THESE PLANS. THE ARCHITECT OR ARCHITECTS SHALL NOT BE RESPONSIBLE FOR ANY CONSEQUENCES ARISING FROM THE USE OF THESE PLANS.

Sheet
B3
Project No
23-138

Date
11-27-23
Drawn By
A.S.
Check By
R.B.H.
REV

Sheet Title
NEW FLOOR PLAN

Project Title
St. Therese of Lulworth Catholic Church
1111 N. 1st St.
GULFPORT, MS

HEINRICH & ASSOCIATES
RESIDENTIAL & COMMERCIAL DESIGN
1605 23rd Ave. Suite B - Gulfport, MS 39501
Ph (228) 998-6763

TME
TERRY MORAN
ENGINEERING & SURVEYING

TERRY MORAN, P.E., P.L.S.
P.O. Box 4075
Biloxi, MS 39535
Ph (228) 896-4733



Area Map

Printed 7/9/2024

19TH ST

0711H-02-024.000

0711H-02-025.000

0711H-02-026.000

0711H-02-027.000

0711H-02-046.000

0711H-02-023.000

0711H-02-022.000

0711H-02-021.001

0711H-02-021.000

0711H-02-023.000

0711H-02-047.000

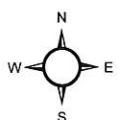
0711H-02-048.000

0711H-02-049.000

36TH AVE

18TH ST

○ Addresspoints	Edits addresspoints Harrison_NAIP_2021.sid
●	STRUCT_CLASS
●	Commercial
●	Residential
●	Minor/Residential
□	Parcels
RGB	
Red: Band_1	
Green: Band_2	
Blue: Band_3	



1 inch = 50 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.

STATE OF MISSISSIPPI



Johnston 1st Judicial District
Instrument 2017 2973 D -J1
Filed/Recorded 5/11/2017 03:00 P
Total Fees \$ 22.00
6 Pages Recorded

COUNTIES OF WAYNE,
JONES, COVINGTON,
JEFFERSON DAVIS,
LAWRENCE, WALTHALL,
MARION, LAMAR, FOREST,
PERRY, GREENE, STONE,
GEORGE, PEARL RIVER,
HANCOCK, HARRISON
and JACKSON

INDEX: In a separate part of the sectional index or in an
index of indefinite records or in an index of
blanket conveyances in addition to the general
index, pursuant to M.C.A. §89-5-33 (3) (c)

GENERAL WARRANTY DEED

WHEREAS, the Catholic Diocese of Biloxi was legitimately erected and
established as a juridic entity of the Roman Catholic Church in the year of Our Lord
1977, by authority of His Holiness, Pope Paul VI, and was entrusted to the care and
control of its Diocesan Bishop (cc. 376, 381); and,

WHEREAS, individual Parishes and other entities are legitimately erected,
separate juridic entities under the Law of the Roman Catholic Church, apart from the
Diocese of Biloxi, and each has a Pastor or other Administrator who is primarily
responsible for administering the Sacraments, the propagation of the faith and the
salvation of souls which have been entrusted to his pastoral care (cc. 515); and

WHEREAS, the Bishop of the Catholic Diocese of Biloxi, in his pastoral role as a
Diocesan Bishop, is chief shepherd entrusted with the care of all those souls residing and

coming within the territory comprising the Diocese of Biloxi, including, but not limited to, the souls who attend or at any given time are parishioners/members of various Parishes located within the geographical boundaries of the Catholic Diocese of Biloxi (cc. 383); and,

WHEREAS, in fulfilling its spiritual, charitable and religious role, it is necessary for the Roman Catholic Church within the Catholic Diocese of Biloxi, including but not limited to the various Parishes, and other juridic entities, to hold title to real property for their respective spiritual use and benefit; and,

WHEREAS, the Roman Catholic Church within the Catholic Diocese of Biloxi, including but not limited to Parishes, and other entities, constitute tax exempt charitable religious institutions pursuant to Section 501(c)(3) of the United States Internal Revenue Code, so that no part of the assets or earnings may ever go, or inure to, the benefit of any individual person or persons; and,

WHEREAS, in recognizing his role as shepherd on behalf of those souls which are his pastoral responsibility, the Bishop of Biloxi has, since the creation of the Diocese of Biloxi, consistent with the Canon Law of the Roman Catholic Church which always binds him, held title to real property, not for his own benefit or for the benefit of any particular or identifiable individuals, but for the glory of God and for the charitable and religious purpose of the spiritual use and benefit and moral betterment of the collective, perpetual, ever-changing, and indefinite membership of various individual Parishes, being synonymous with the juridic entity of the respective Parish itself, and other juridic entities, which, together with the Blessed throughout the decades, centuries and millennia, constitute the One Holy, Catholic and Apostolic Church ; and

WHEREAS, mindful of this role as shepherd of souls, and that the property was never his own individual property or that of any identifiable individuals, and that membership in various Parishes/Congregations is not static, but is ever-changing, Most Reverend Joseph Lawson Howze, Most Reverend Thomas J. Rodi and Most Reverend Roger P. Morin, successive Bishops of the Catholic Diocese of Biloxi, obtained title to various property as trustee for the spiritual use and benefit of various Catholic Parishes/Congregations located in certain Counties of the State of Mississippi which comprise the Catholic Diocese of Biloxi, namely Wayne, Jones, Covington, Jefferson Davis, Lawrence, Walthall, Marion, Lamar, Forest, Perry, Greene, Stone, George, Pearl River, Hancock, Harrison and Jackson; and

WHEREAS, each such deed provides that the Grantee was one of the above named Bishops of the Catholic Diocese of Biloxi and his successors in office forever, trustee; and

WHEREAS, upon the retirement of Most Reverend Joseph Lawson Howze, His Holiness, Pope John Paul II, installed Most Reverend Thomas J. Rodi Bishop of the Catholic Diocese of Biloxi, as successor to Most Reverend Joseph Lawson Howze, in accordance with the Canon Law of the Roman Catholic Church, and Most Reverend Joseph Lawson Howze transferred title to all real property belonging to the Roman Catholic Church within the aforesaid seventeen (17) counties unto Most Reverend Thomas J. Rodi, trustee, upon the latter's installation as Bishop of Biloxi; and,

WHEREAS, His Holiness, Pope Benedict XVI, on April 2, 2008, elevated Most Reverend Thomas J. Rodi to the office of Archbishop of Mobile and, also appointed him

as Apostolic Administrator of the Catholic Diocese of Biloxi, to serve in the latter capacity until a successor Bishop of the Catholic Diocese of Biloxi was appointed; and

WHEREAS, His Holiness, Pope Benedict XVI, appointed Most Reverend Roger P. Morin, Bishop of the Catholic Diocese of Biloxi, as successor to Most Reverend Thomas J. Rodi, in accordance with the Canon Law of the Roman Catholic Church, and the latter conveyed all property to the former upon his installation on April 27, 2009; and

WHEREAS, His Holiness, Pope Francis, has appointed Most Reverend Louis Kihneman, III, Bishop of the Catholic Diocese of Biloxi, as successor to Most Reverend Roger P. Morin, in accordance with the Canon Law of the Roman Catholic Church, and appointed Most Reverend Roger P. Morin to serve as Apostolic Administrator of the Catholic Diocese of Biloxi in the interim, and Most Reverend Louis Kihneman, III is being installed as Bishop of the Catholic Diocese of Biloxi on April 28, 2017;

NOW, THEREFORE, in order to confirm and record the succession of Most Reverend Louis Kihneman, III, to the solemn spiritual obligation and trust for which he was selected and which he has voluntarily assumed, and to perfect record title thereto in him as a sacred obligation, I, MOST REVEREND ROGER P. MORIN, Apostolic Administrator and formerly Bishop of the Catholic Diocese of Biloxi, Trustee for the spiritual use and benefit of the ever-changing, indefinite and collective members of the individual Catholic Parishes/Congregations, being synonymous with the juridic entities that are the Parishes themselves, and other Church institutions situated in the seventeen Counties named below, in accordance with the Canon Law of the Roman Catholic Church, do hereby set over, assign, transfer, sell, convey and warrant all my right, title and interest in and to the following described property unto MOST REVEREND LOUIS

KIHNEMAN, III, Bishop of the Catholic Diocese of Biloxi, and his successors in office forever, Trustee for the spiritual use and benefit of the ever-changing, indefinite and collective members of the individual Catholic Parishes/Congregations, being synonymous with the juridic entities that are the Parishes themselves, and other Church institutions in the seventeen Counties named below, in accordance with the Code of Canon Law of the Roman Catholic Church, said property being described as follows, to-wit:

All property, real, personal or mixed, which I hold as trustee for any Parish/ Congregation or Church institution located in the Counties of Wayne, Jones, Covington, Jefferson Davis, Lawrence, Walthall, Marion, Lamar, Forest, Perry, Greene, Stone, George, Pearl River, Hancock, Harrison and Jackson, State of Mississippi.

Should at any time any such Catholic Parish/Congregation or Church institution legitimately pass or be placed into another Catholic Diocese in succession thereto, in accordance with Canon Law, then the Bishop of such new Catholic Diocese and his or their successors in office forever shall, without further action, succeed to said sacred trust. Should at any time another person legitimately succeed according to Canon Law to the active administration of the Catholic Diocese in which said property is located, whether under the title of Bishop of the Diocese, Apostolic Administrator, Administrator or any other title, that person shall likewise succeed to this sacred trust.

It is the intention hereof, consistent with the longstanding law of charitable trusts in Mississippi, as reaffirmed in In re Halls Estate, that for any trust created hereby, none of the beneficial interest is being given to or vested in any individual beneficiaries. This is in accord with the Canon Law of the Roman Catholic Church, which has been binding upon every Catholic Bishop since before the formation of the Catholic Diocese of Biloxi,

6

and remains so, and to which previous deeds made reference, said Canon Law, including but not limited to procedures for resolution of disputes, being specifically incorporated by reference and made a part hereof as though fully set forth. Instead of individuals having a beneficial interest in any trust created hereby, each individual parcel of property conveyed hereunder is devoted to the religious and charitable purposes of each, separate, respective juridic Parish/Congregation or other Church institution for its individual spiritual and charitable ministry, as a constituent part of the Roman Catholic Church.

WITNESS my signature, as such Trustee, this 28 day of April, 2017.


MOST REVEREND ROGER P. MORIN, Apostolic
Administrator of the Catholic Diocese of Biloxi, Trustee

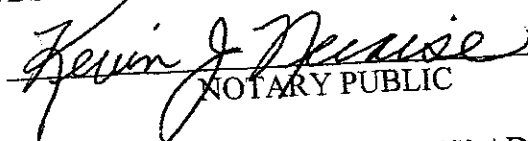
STATE OF MISSISSIPPI

COUNTY OF HARRISON

PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named MOST REVEREND ROGER P. MORIN, Apostolic Administrator of the Catholic Diocese of Biloxi, Trustee, who acknowledged that he signed and delivered the above and foregoing instrument in writing on the date therein mentioned, as Trustee, he being first fully authorized to do so.

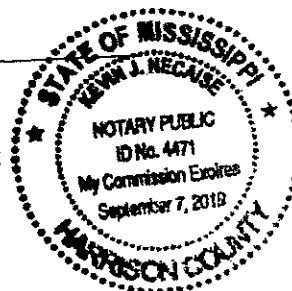
SWORN TO AND SUBSCRIBED before me this 28 day of April, 2017.

Commission Expires:
9-7-2019


NOTARY PUBLIC

GRANTOR'S ADDRESS:
1790 Popps Ferry Road
Biloxi, MS 39532
(228) 702-2111

GRANTEES' ADDRESS:
1790 Popps Ferry Road
Biloxi, MS 39532
(228) 702-2111



DEED PREPARED/TITLE NOT CHECKED BY: Kevin J. Necaise, Esq., P. O. Box 636,
Gulfport, MS 39502, (228) 586-0933.

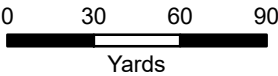
Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0711H-02-023.000	CATHOLIC DIOCESE OF BILOXI (OWNER)	1790 POPPS FERRY ROAD	BILOXI	MS	39532
			ROBERT THOMAS (AGENT)	833 GUINN ST	GULFPORT	MS	39507
			Adjacent Property Owners (2409ZB128)				
	34021	0711H-02-019.000	MIHALOVICH GREG A	1715 21ST AVE	GULFPORT	MS	39501
	28059	0711H-02-049.000	DELGADO CARLOS	3500 NORTHWARD DR	GULFPORT	MS	39501
	33957	0711H-01-080.000	DAVIS JAMES D JR	3400 WILLIAM AVE	MIAMI	FL	33133
	33973	0711H-01-090.000	MONROE MICHAEL & LILLIE	503 MAGNOLIA LANE	GULFPORT	MS	39507
	33961	0711H-01-084.000	MARTIN MARSHA	1910 36TH AVE	GULFPORT	MS	39501
	34006	0711H-02-027.000	EVANS GAYLA C EVANS	P O BOX 902	GULFPORT	MS	39502
N	100205	0711H-01-079.001	LEWIS BOBBY & KWAN	3917 RENOSA DR	GULFPORT	MS	39501
	33950	0711H-01-076.000	BROWN SHARON	3418 19TH ST	GULFPORT	MS	39501
	34020	0711H-02-018.000	EASTER SUSAN B	1487 CITY BRIDGE RD	WIGGINS	MS	39577
	34023	0711H-02-016.000	GATES ANGIE	3703 19TH ST	GULFPORT	MS	39501
N	34019	0711H-02-017.000	GATES ANGIE	3703 19TH ST	GULFPORT	MS	39501
	28066	0711H-02-060.000	CHRYSALIS HOLDINGS CORP	3414 PARK BLVD	GULFPORT	MS	39501
	28108	0711H-02-070.000	QUIGLEY TODD A	1710 OLEANDER	GULFPORT	MS	39501
N	33960	0711H-01-083.000	CATHOLIC DIOCESE OF BILOXI	1790 POPPS FERRY ROAD	BILOXI	MS	39532
	34004	0711H-02-029.000	CLARK LAURA -L/E-	13472 REGALE DR	VANCLEAVE	MS	39565
N	34018	0711H-02-020.000	CHURCH OF GOD				0
	34017	0711H-02-013.000	MCGEE VERA (LEVERIA) -ESTATE-	3417 19TH ST	GULFPORT	MS	39501
	28111	0711H-02-045.000	CUEVAS SONJA B LADNER	26421 WOLF CREEK RD	KILN	MS	39556
	34009	0711H-02-022.000	ST THERESE'S CATHOLIC CHURCH	3521 19TH ST	GULFPORT	MS	39501
	33995	0711H-02-026.000	BROOKS CANDACE EUGENA	1815 36TH AVE	GULFPORT	MS	39501
	33951	0711H-01-073.000	MRC HOMES CORP	4747 RESEARCH FOREST DR #180	THE WOODLANDS TX		77381
	28057	0711H-02-051.000	KNIGHT DARYL	3404 NORTHWARD DR	GULFPORT	MS	39507
	28110	0711H-02-046.000	JONES MARTHA JANE	3600 NORTHWARD DR	GULFPORT	MS	39501
	34007	0711H-02-021.000	BARNES SONYA WILLIAMS	2317 SEARLE AVE	GULFPORT	MS	39507
	33975	0711H-01-085.000	TINZY CORNELIUS & VERLEAN	3600 19TH ST	GULFPORT	MS	39501
	28122	0711H-02-079.000	SULLIVAN HAROLD J JR & JANICE M	13R SLEEPY HOLLOW ROAD	GLOUCESTER	MA	1930
	28120	0711H-02-071.000	FERRILL PRENTICE MAURICE ET AL	3607 NORTHWARD DR	GULFPORT	MS	39501
	91015	0711H-02-047.000	WILLIAMS MARY C	3520 NORTHWOOD DR	GULFPORT	MS	39501
	28060	0711H-02-048.000	PURCHNER RONALD LIN & TERESA	2211 22ND AVE	GULFPORT	MS	39501
	33994	0711H-02-025.000	DAS HOLDINGS LLC	9366 STONE RD	GULFPORT	MS	39503
	28107	0711H-02-068.000	SHUDS & YABUTZ LLC	30365 ASHLEY DRIVE	LACOMBE	LA	70445
	28106	0711H-02-066.000	SHEPARD GEORGE W	3505 NORTHWARD DR	GULFPORT	MS	39501

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	34003	0711H-02-032.000	FORD JOSEPH	2536 OLD BAY ROAD	BILOXI	MS	39531
	28055	0711H-02-053.000	BULL RICHARD & JENNIFER	21902 MARJORAM CT	SANTA CLARITA	CA	91350
	33996	0711H-02-030.000	PHILLIPS JAMES -L/E-	3605 19TH ST	GULFPORT	MS	39501
	34005	0711H-02-028.000	THOMAS MICHAEL FITZGERALD	3604 18TH ST	GULFPORT	MS	39501
	33962	0711H-01-081.000	GRAHAM FRANK A & WILLA	1801 STONEY BROOK DR	HIGH POINT	NC	27265
	34022	0711H-02-015.000	EASTER SUSAN B	1491 CITY BRIDGE RD	WIGGINS	MS	39577
	28058	0711H-02-050.000	JONES IRENE CECILIA & STEPHEN	3406 NORTHWARD DR	GULFPORT	MS	39501
	28056	0711H-02-052.000	PANTER MARY M	3402 NORTHWARD DR	GULFPORT	MS	39501
	33993	0711H-02-024.000	GOLD JOHN TERRY JR	1821 36TH AVE	GULFPORT	MS	39501
	34008	0711H-02-021.001	PASSEN JUDITH C -ESTATE-	3505 19TH ST	GULFPORT	MS	39501
	28121	0711H-02-078.000	LIVE OAK HOLDINGS LLC	13841 FAIRWAY DR	OCEAN SPRINGS	MS	39566
	33963	0711H-01-079.000	LEWIS BOBBY & KWAN	3617 REYNOSA DR	GULFPORT	MS	39501
	33974	0711H-01-088.000	COVINGTON DOROTHY ETAL	3604 19TH ST	GULFPORT	MS	39501
	33949	0711H-01-078.000	THOMPSON LASHAN RENE A	2950 49TH AVE	GULFPORT	MS	39501
	91019	0711H-02-061.000	CLEMENTS LEWIS G	3420 17TH ST	GULFPORT	MS	39501
	28063	0711H-02-062.000	TAPPAN GREGORY S & JO ELLEN MORGAN	3428 PARK BLVD	GULFPORT	MS	39501
	28105	0711H-02-064.000	BPJB RENTALS LLC	20020 TOURNAMENT DR	GULFPORT	MS	39503
N	34010	0711H-02-023.000	CATHOLIC DIOCESE OF BILOXI	1790 POPPS FERRY ROAD	BILOXI	MS	39532
	122696	0711H-01-082.001	KELLER DORNETTA	3717 22ND ST	GULFPORT	MS	39501
N	91002	0711H-01-082.000	LEWIS BOBBY & KWAN	3617 REYNOSA DR	GULFPORT	MS	39501



Legend

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



1 inch = 200 feet



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RE: Variance 2409ZB128, by agent Robert Thomas, seeking approval for a 4-foot front yard setback where 25 feet is required, Tax Parcel 0711H-02-023.000, 3521 19th Street, Zoned R-2 (Single-family) & (Sub-Urban zone), Ward 1

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, August 15, 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, August 15, 2024**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.





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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	577293	Print Legal Ad-IPL01856440 - IPL0185644		\$88.90	2	55 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

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

Variance 2408ZB113, by owner Land Lady Investments, LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB114, by owner Land Lady Investments, LLC, seeking approval to have 4 regular parking spaces where 7 is required, Tax Parcel 0910N-07-014.000, 512 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2408ZB116, by agent Patricia Tomasello, seeking approval for an 18-foot front yard setback where 25 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB117, by agent Patricia Tomasello, seeking approval for a side yard setback of 5-feet and 11 inches where 8 feet is required, Tax Parcel 0911C-01-199.000, 200 E Railroad Street, Zoned R-2 (Single-family), Ward 3

Variance 2408ZB120, by agent Timothy Gobble, seeking approval for a 7-foot tall chain link fence where 6-feet is the height limit, Tax Parcel 0811F-02-040.000, 2201 17th Street, Zoned T4+ (General Urban Zone & "Plus"), Ward 3

Variance 2408ZB122, by agent Jon Storonskyj, seeking approval for an additional wall sign on the west elevation, Tax Parcel 0808K-03-113.001, 15142 Dedeaux Road, Zoned R-B (Residence-business), Ward 7

Variance 2408ZB124, by agent Matt Largen, seeking approval for a front yard setback for a freestanding ground sign of 1-foot where 10 feet is required, Tax Parcel 1008M-01-008.000, 11252 Lorraine Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB126, by agent Cross Development CC Gulfport, LLC, seeking approval for 10 regular parking spaces where 18 is required, Tax Parcel 1008L-01-002.000, Dedeaux Road, Zoned B-2 (General-business), Ward 6

Variance 2408ZB128, by agent Robert Thomas, seeking approval for a 4-foot front yard setback where 25 feet is required, Tax Parcel 0711H-02-023.000, 3521 19th Street, Zoned R-2 (Single-family) & (Sub-Urban zone), Ward 1

This the 24th day of July 2024

A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0185644
Jul 31 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:
07/31/24

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.

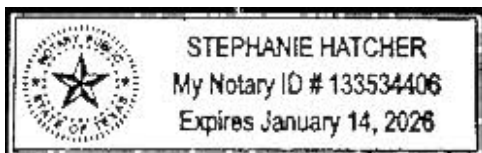
Mary Castro

Sworn to and subscribed before me this 31st 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!

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2409ZB128

Hearing Date: August 15, 2024

Current Zoning/Use: R-2, T3 / Church

Legal: Variance 2409ZB128, by agent Robert Thomas, seeking approval for a 4-foot front yard setback where 25 feet is required, Tax Parcel 0711H-02-023.000, 3521 19th Street, Zoned R-2 (Single-family) & (Sub-Urban zone), Ward 1

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 a 4-foot front yard setback where 25 feet is required. The applicant has proposed building an extension to the front of the church at 3521 19th street in order to build a foyer that will contain bathrooms for the congregation. Presently, the bathrooms are external which presents a hardship for the applicant and his congregation.

- (a) The applicant notes that the property has been in existence for over 90 years and that “It has always been assumed that this area is part of the church property and was within the front setback required by the city zoning”. The church was planning on building a front addition to the church and in the process discovered their parking area and front curbing was within city right of way. This presents a genuine hardship because of the lack of interior bathrooms due to the age of the building and its original construction.
- (b) The applicant does not address this question directly in the application, however, it is clear that the applicant has inherited the church in its current state from when it was built approximately 90 years ago.
- (c) This variance is requested in order to allow for a 4-foot front setback where a 25-foot front setback is required by the ordinance. The applicant states, “Presently, the bathrooms are on the back exterior of the church and creates an inconvenience and a safety hazing in the present location”. Because of the age of the building, the site lacks modern features like having bathrooms in the interior of the church itself. The applicant presents a genuine hardship due to the age of the building and its construction regarding having to exit the building to go to the bathroom.
- (d) The applicant states that the bathrooms are currently on the exterior of the church and that presents an inconvenience and safety hazard. The applicant states that the literal interpretation of the zoning ordinance would prevent the building of this new addition to the church. This addition would constitute a reasonable development of the property considering its age and current state.
- (e) The applicant states that the church will not receive any special benefit “other than the right to expand the front of the church in an area that is presently maintained by the church while meeting appropriate front setback”. Upon looking at the site and surrounding area it is clear that many of the buildings are within the 25-foot required setback. The proposed extension of the church would be in harmony with the rest of the neighborhood.
- (f) This property is zoned R-2 as well as T3. The use would need planning commission approval however the church is pre-existing.

EXECUTIVE SUMMARY

The applicant displays a genuine hardship due to the age of the building and the lack of room for appropriate access to restrooms. Without this variance, the congregation would have to exit the building and enter exterior bathrooms. Upon staff review of the surrounding area, it is clear that many buildings in the surrounding area are built within the required 25-foot front setback. The proposed addition would be in harmony with the surrounding area.

Any approval should consider these conditions:

1. Must meet all current building codes and City of Gulfport ordinances.

Technical Report

VARIANCE

2. Approval grants a variance for a 4-foot front setback where 25 feet is required.
3. Add dimensions on the site plan showing the distance from the front of the proposed addition to the ROW line.

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	Add dimensions on the site plan showing the distance from the front of the proposed addition to the ROW line. Memo dated 7/31/24.
<u>Public Works:</u>	No comment as of 8/2/24.
<u>Traffic and Safety:</u>	No conditions. Memo dated 8/2/24.
<u>Building Code Services:</u>	Must meet all current building codes and City of Gulfport ordinances. Memo dated 7/24/2024.
<u>GIS:</u>	No conditions. Memo dated 07/29/24.
<u>Police Department:</u>	No comment as of 8/2/2024.
<u>Fire Department:</u>	No conditions. Memo dated 7/24/2024.
<u>City Arborist:</u>	No conditions. Memo dated 07/25/2024.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department

