

AGENDA
ZONING BOARD OF ADJUSTMENT AND APPEALS
CITY HALL COUNCIL CHAMBERS
THURSDAY, OCTOBER 17, 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 - September 19, 2024

G. Hearing of Cases

G1. Public Declaration of Appeal Process of Chairman

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

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

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

G3. Routine Agenda

1. Variance 2409ZB139: (Postponed by Planning Staff to October meeting)

Variance 2409ZB139, by agent Ian Nushke, seeking approval for parking that pulls out into city right of way, Tax Parcel 0910N-07-006.000, 3320 C Ave, Zoned B-2 (General-Business), Ward 4

2. Variance 2410ZB161;(Withdrawn by Planning Staff)

Variance 2410ZB161, by agent Mark Lishen, seeking approval for zero regular parking spaces where eight is required, Tax Parcel 0809P-02-001.000, 14035 Airport Road, Zoned I-1 (Light Industry), Ward 3

3. Variance 2410ZB164;

Variance 2410ZB164, by agent Martin Jones, seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-006.000, 1235 Pass Rd, Zoned B-2 (General-business), Ward 2

4. Variance 2410ZB165:

Variance 2410ZB165, by agent Jeanette Ladner, seeking approval for parking that backs out into city right of way, Tax Parcel 0711O-05-003.000, 4540 W Railroad Street, Zoned B-1 (Neighborhood Business), Ward 1

H. Adjournment

MINUTES

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING

Thursday, September 19, 2024 3:00 P.M.

GULFPORT CITY COUNCIL CHAMBERS

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

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

C. **Call to Order**: The meeting of the Planning Commission was called to order at **3:01 P.M.**

D. **Determination of a Quorum**:

BOARD MEMBERS PRESENT:

ROBERT PHARR
LESLIE NORTH
NATHAN BODDIE
HAL KAIGLER
MARY ANN WIGINTON

BOARD MEMBERS ABSENT:

NICHOLAS HAHN
MICHAEL DANIELS

STAFF MEMBERS PRESENT:

SU-LIN FEATHERSTON
GREG HOLMES
SAMUEL SWEETING
BRYCE CLUGH

COURT REPORTER:

NORMA SOROE

E. **Confirmation of Agenda**:

F. **Approval of Minutes**:

Motion by **Mr. Kaigler** and seconded by **Mr. Boddie** to approve Minutes of the **August 15, 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 2408ZB113:

(Tabled to September meeting due to applicant's absence)

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

Speaking for the Petition: Shakiea LeBlanc

Speaking against the Petition: None

Motion: Mr. Pharr – to approve the applicant's request.

Second: Mrs. Wiginton

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

Action: Motion carries 3 to 1.

2. Variance 2408ZB114:

(Tabled to September meeting due to applicant's absence)

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

Speaking for the Petition: Shakiea LeBlanc

Speaking against the Petition: None

Motion: Mr. Pharr – to approve the applicant's request with conditions that a new parking plan be submitted and approved by the Planning Department prior to privilege license being granted.

Second: Mrs. Wiginton

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

Action: Motion carries 3 to 1.

3. Variance 2409ZB127:

Variance 2409ZB127, by owner Ancillary Capital LLC, seeking approval for a seven-foot front yard setback where 15 feet is required, Tax Parcel 0811L-03-030.001, 33rd Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Speaking for the Petition: Chris Nettles

Speaking against the Petition: None

Motion: Mr. Boddie – to approve on the condition that the oak trees are not to be removed.

Second: Mr. Kaigler

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

Action: Motion carries unanimously.

4. Variance 2409ZB137:

Variance 2409ZB137, by owner Gregory LeBaugh, seeking approval for an accessory structure of 840 square feet in addition to an existing 540 square-foot accessory structure on a property less than an acre, Tax Parcels 0807M-03-030.000, 0807M-03-031.000, 15408 Woody Drive, Zoned R-1-10 (Single-family), Ward 7

Speaking for the Petition: Gregory LeBaugh

Speaking against the Petition: None

Motion: Mr. Boddie- to approve the applicant's request.

Second: Mr. Kaigler

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

Action: Motion carries unanimously.

5. Variance 2409ZB138:

Variance 2409ZB138, by agent All Sign Inc, seeking approval for an additional wall sign on the northern elevation, Tax Parcel 1010E-01-021.001, 1201 Washington Ave, Zoned T3 (Sub-Urban Zone), Ward 4

Speaking for the Petition: Michael Hage

Speaking against the Petition: None

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

Second: Mrs. Wiginton

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

Action: Motion carries unanimously

**6. Variance 2409ZB139:
(Postponed by Planning Staff to October meeting)**

Variance 2409ZB139, by agent Ian Nushke, seeking approval for parking that pulls out into city right of way, Tax Parcel 0910N-7-006.000, 3320 C Ave, Zoned B-2 (General-Business), Ward 4

Speaking for the Petition:

Speaking against the Petition:

Motion:

Second:

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

Action:

7. Special Exception 2409SE140:

Special Exception 2409SE140, by agent Johnathan Tate Jr., seeking approval for a daycare use, Tax Parcel 0810N-04-001.000, 2301 31st Street, Zoned B-2 (General-Business), Ward 3

Speaking for the Petition: Johnathan Tate Jr.

Speaking against the Petition: None

Motion: Mr. Boddie - to approve the applicant's request.

Second: Mr. Pharr

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

Action: Motion carries unanimously.

8. Variance 2409ZB141:

Variance 2409ZB141, by agent J.R. Walsh, seeking approval for 16-foot-tall accessory structure that exceeds the primary structure height, Tax Parcel 1009L-02-009.000, 11172 Creel Circle, Zoned R-1-7.5 (Single-family), Ward 5

Speaking for the Petition: J.R. Walsh

Speaking against the Petition: None

Motion: Mr. Pharr – to approve the applicant's request.

Second: Mrs. Wiginton

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

Action: Motion carries unanimously.

9. Variance 2409ZB142:

Variance 2409ZB142, by agent J.R. Walsh, seeking approval of a 1600 square-foot accessory structure in addition to an existing 980 square foot structure on a property that is less than an acre, Tax Parcel 1009L-02-009.000, Zoned R-1-7.5 (Single-family) Ward 5

Speaking for the Petition: J.R. Walsh

Speaking against the Petition: None

Motion: Mr. Pharr – to approve with the condition that the existing garage must be demolished.

Second: Mr. Boddie

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

Action: Motion carries unanimously.

10. Variance 2409ZB143:

Variance 2409ZB143, by owner Jose Santamaria, seeking approval for a 2-foot side yard setback where 6 feet is required, Tax Parcel 1010E-02-023.000, 1200 College St, Zoned T3 (Sub-Urban Zone), Ward 4

Speaking for the Petition: Jose Santamaria

Speaking against the Petition: None

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

Second: Mr. Kaigler

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

Action: Motion carries unanimously.

11. Variance 2409ZB147:

Variance 2409ZB147, by owner Queen E. Graves, seeking approval for a 6-foot second frontage setback where 15 feet is required, Tax Parcel 0810F-03-072.000, Alabama Ave, Zoned R-1-5 (Single-Family), Ward 3

Speaking for the Petition: Queen Graves

Speaking against the Petition: None

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

Second: Mr. Pharr

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

Action: Motion carries unanimously.

12. Variance 2409ZB148:

Variance 2409ZB148, by owner Jose Santamaria, seeking approval for a 196 square foot accessory structure in addition to existing 985 square foot structure on a parcel less than an acre, Tax Parcel 1010E-02-023.000, 1200 College St, Zoned T3 (Sub-Urban Zone), Ward 4

Speaking for the Petition: Jose Santamaria

Speaking against the Petition: None

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

Second: Mr. Kaigler

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

Action: Motion carries unanimously.

13. Variance 2409ZB149:

Variance 2409ZB149, by owner Jeanette Ladner, seeking approval for a second frontage setback of 15.5 feet where 25 feet is required, Tax Parcel 0811B-04-069.000, 2300 18th Ave, Zoned R-2 (Single-Family), Ward 3

Speaking for the Petition: Jeanette Ladner

Speaking against the Petition: None

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

Second: Mr. Boddie

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

Action: Motion carries unanimously.

Adjournment:

Motion by **Mr. Boddie** to adjourn the meeting was seconded by **Mr. Kaigler** and carried unanimously. The meeting adjourned **4:01 P.M.**

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 # 2024-739

Hearing Date: Thursday, October 17, 2024

Variance 2409ZB139: (Postponed by Planning Staff to October meeting) Variance 2409ZB139, by agent Ian Nushke, seeking approval for parking that pulls out into city right of way, Tax Parcel 0910N-07-006.000, 3320 C Ave, Zoned B-2 (General-Business), Ward 4

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2409ZB139

Hearing Date: October 17, 2024

Current Zoning/Use: B-2 / Commercial Structures

Legal: Variance 2409ZB139, by agent Ian Nushke, seeking approval for parking that pulls out into city right of way, Tax Parcel 0910N-07-006.000, 3320 C Ave, 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 in order to pull out into the city right of way. Per the ordinance, the City of Gulfport requires 25 feet of isle width for perpendicular parking starting from the end of the 9 feet by 18 feet required parking dimensions. As it stands, the site has a total of 6 and a half feet of isle, per their site plan which was done with a survey. The site in question is adjacent to pass road where many of these variances have been required and granted by the City of Gulfport.

- (a) The applicant notes that the property and pre-existing building only has 24.5 feet of room in order to fit the required parking. Upon staff review, while this issue is not special to the property, it does affect many of the properties in the surrounding area and presents a genuine hardship.
- (b) The applicant states that the building and its setbacks are pre-existing. While the applicant does not fully answer the question, many of these buildings have been grandfathered in and are now having to be brought up to code. It is clear that the applicant's actions did not cause the need for the variance.
- (c) In regards to an unnecessary hardship created by the physical character of the property the applicant states "pre-existing setbacks won't allow for current parking requirements to be met". The applicant does not mention if amending the zoning ordinance offers a reasonable solution. It is clear that the applicant faces a genuine hardship because of this pre-existing condition, an issue that is faced by many in the surrounding area.
- (d) The applicant notes that without variance approval they will face a hardship in regards to their business sales. Upon staff review of the site, it is clear that many in the area currently pull out into the city right of way and that the literal interpretation of the ordinance would deprive them of being able to operate in the way that many in the surrounding area do.
- (e) The applicant states "we won't be receiving any special privilege that others cannot receive". While the applicant notes that they will be receiving a special privilege, it is clear to the staff that granting this variance will in no way grant any special privilege to this site. The granting of this variance would allow for reasonable development of the property and they would be in harmony with the surrounding area.
- (f) This property is zoned B-2 and boat sales are allowed by right.

EXECUTIVE SUMMARY

The applicant requests a variance for pulling out into the city right of way. Upon site review, it is clear that many in the area currently pull out into the city right of way either by way of variance or because they are operating in a "grand-fathered" in status. Granting this variance will in no way grant a special privilege to the applicant and will only allow for reasonable development of the property that is in harmony with the surrounding area. The applicant faces a genuine hardship in regards to parking and will be bringing the site up to code. Per Traffic and Safety, the existing striping will need to be upgraded to city's construction standards. It should be noted that engineering conditionally approves of the parking on the C ave side of the building stating that the ADA required handicap parking space, access aisle, and accessible route to the building be brought up to current standards. Engineering has also disapproved of the back out parking shown on the site plan on the 34th street side. It should be noted, if the 34th street side parking is denied, the site would no longer meet the amount of parking required for the intended use of boat sales

Technical Report

VARIANCE

going into the building. The intended use would require 19 parking spots including the handicap and the denial of the 34th street side parking would leave them with 8 including the handicap. A variance for the amount of parking would then need to be given for the intended use of the site to be permissible.

Any approval should consider these conditions:

1. Approval would allow for backing out into the city right of way.
2. The existing striping will need to be upgraded to the city's construction standards
3. Site only has pre-existing parking on the C ave side that backs out into the right-of-way. Engineering recommends approval of that portion of the application with the condition that the ADA required handicap parking space access aisle, and accessible route to the building be brought up to current standards.
4. Back out parking as shown on the application on the 34th St side does not currently exist. Engineering recommends disapproval of that portion of the application.

DEPARTMENTAL CONDITIONS

Engineering:

Site only has pre-existing parking on the C ave side that backs out into the right-of-way. Engineering recommends approval of that portion of the application with the condition that the ADA required handicap parking space access aisle, and accessible route to the building be brought up to current standards. Back out parking as shown on the application on the 34th St side does not currently exist. Engineering recommends disapproval of that portion of the application. Memo dated 9/6/2024.

Public Works:

No conditions. Memo dated 9/6/2024.

Traffic and Safety:

The existing striping will need to be upgraded to the city's construction standards. Memo dated 9/5/2024.

Building Code Services:

No conditions. Memo dated 9/5/2024.

GIS:

No conditions. Memo dated 8/29/2024.

Police Department:

No comment as of 9/6/2024.

Fire Department:

No conditions. Memo dated 8/29/2024.

City Arborist:

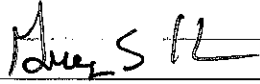
No conditions. Memo dated 9/3/2024.

Technical Report

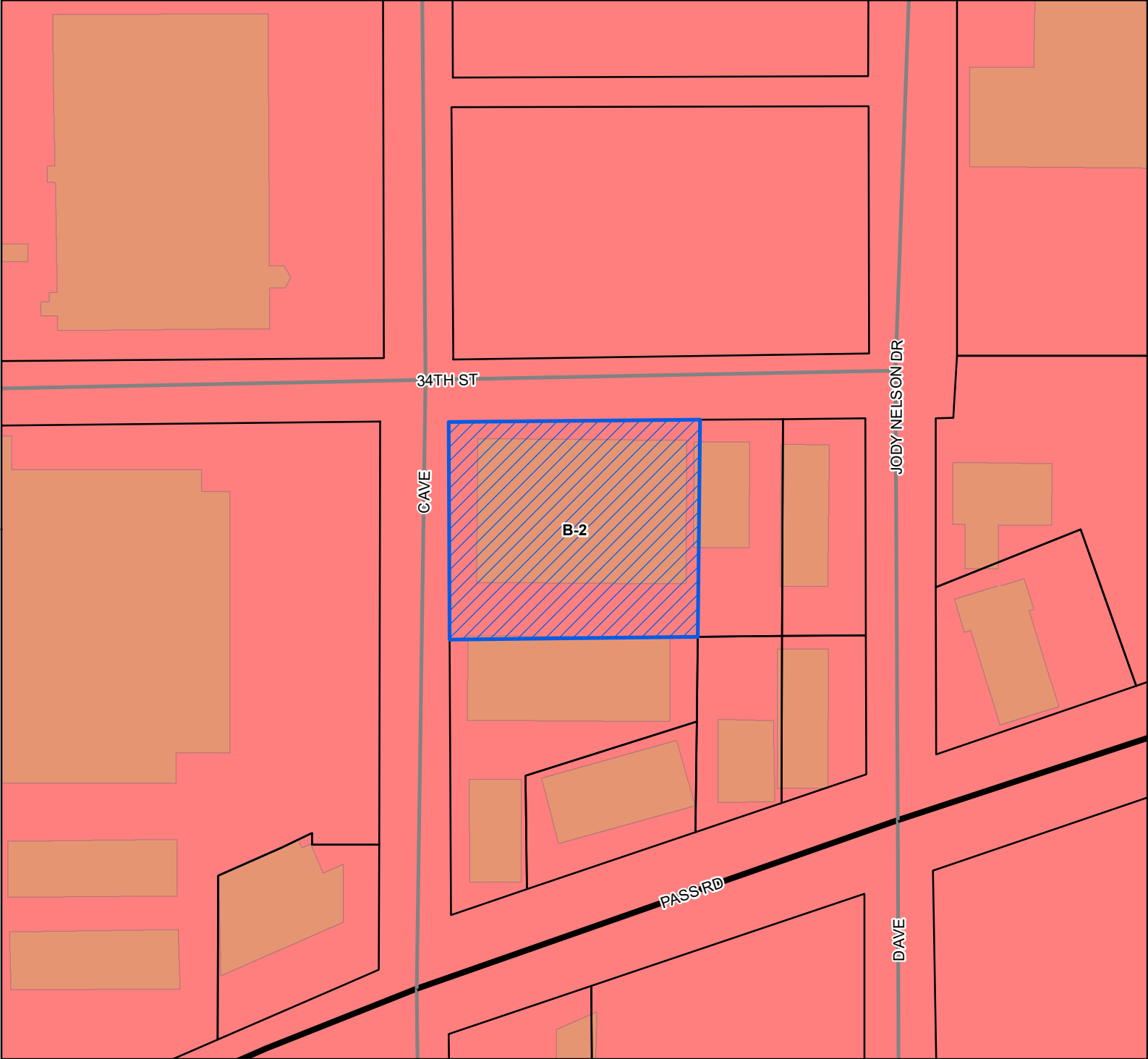
VARIANCE

DIRECTOR APPROVAL

This report has been reviewed and approved by:

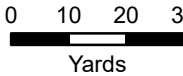


Greg Holmes
Director of Urban Development Department



- Site
- US or State Highway
- Street
- Parcels
- Buildings
- City Limit
- Zoning**
 - B-2 - General Business District

Site Information
0910N-07-006.000
Zoning: B-2 (General business)
Size: 28112.82 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
2409 ZB138
08/06/2024
Recpt # 12873700

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

0910N	-	07	-	006	.	000											

Property Address:

3220 C. Ave Gulfport

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

General Description of Request:

Backing 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:

Duke Middleton
 Printed Name of Owner
846 3410 A Ave
 Mailing Address
Gulfport MS 39507
 City State Zip Code
228-864-2300 228-323-1512
 Home Phone Work/Cell Phone
duke@jetblastms.com
 Email
[Signature]
 Signature of Owner

AGENT:

ICA Mischke
 Printed Name of Agent
24080 Anno Savoir Rd
 Mailing Address
Gulfport MS 39507
 City State Zip Code
Gulfport 228-236-7717
 Home Phone Work/Cell Phone
advancedcontractingservices@yahoo.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: _____

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:

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

IAW **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.

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

IAW 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**.

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

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

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



DESIGNATION OF AGENT

I, Duke Middleton being property owner of 3320 C Ave Gulfport
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Ian Nuschke 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] 8/6/24
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

[Signature] 05/22/2027
NOTARY PUBLIC COMMISSION EXPIRATION





COVENANT AFFIDAVIT

I, Duke Middleton being property owner or agent of the property 3320 C Ave
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application, hereby state that this variance request is not in violation of any
restrictive or protective covenants.

[Signature]
SIGNATURE

8/6/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

[Signature]
NOTARY PUBLIC

05/22/2027
COMMISSION EXPIRATION



1. - Pre existing building with 24.5' pre-existing setbacks

2. Pre existing building and set back

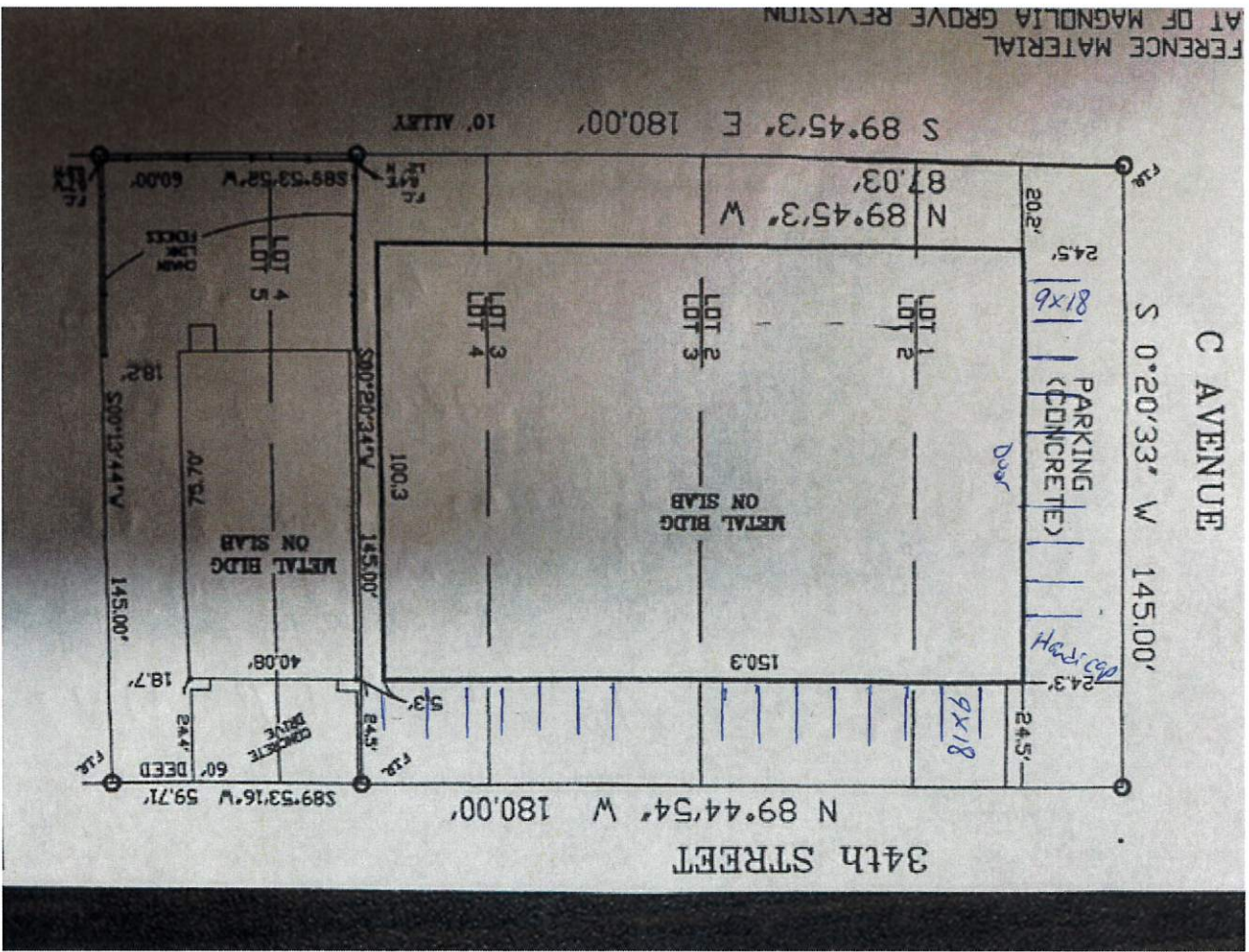
3. Pre existing setbacks won't allow for current parking requirements to be met

4. Without variance approval a hardship to business sales will be affected

5. We won't be receiving any special privilege that others cannot receive

6. Boat Sales are allowed by right in B2

REFERENCE MATERIAL
AT DE MAGNOLIA GROVE REVISION



SCANNED



J. Henderson 1st Judicial District
Instrument 2019 9415 D -J1
Filed/Recorded 10/31/2019 02:55 P
Total Fees \$ 15.00
2 Pages Recorded

Prepared By & Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
Our File: 191830

Index As:

REVIEWED

STATE OF MISSISSIPPI

COUNTY OF HARRISON

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,

**The James M Oberlies Revocable Trust dated July 23, 2008,
1611 24th Avenue, suite B
Gulfport, MS 39501
228-863-6727**

does hereby sell, convey and specially warrant unto

**DUKE MIDDLETON
3410 A. AVENUE,
GULFPORT, MS 39507
228-323-1512**

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

Lots One (1), Two (2), and Three (3), and West 30 feet of Lot Four (W 30' of Lot 4) Block 4, REVISION OF MAGNOLIA GROVE, according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi.

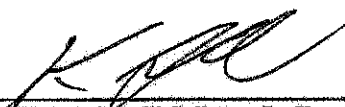
THE ABOVE described property is no part the homestead of the Grantor herein.

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

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

IN WITNESS WHEREOF, The James M Oberlies Revocable Trust dated July 23, 2008 has caused this conveyance to be executed by its duly authorized Trustee, he having first been duly authorized to do so, on this the 30th day of October, 2019.

**The James M Oberlies Revocable Trust
dated July 23, 2008**


By: Kaleel "Teal" Salloum Jr, Trustee

STATE OF MISSISSIPPI
COUNTY OF HARRISON

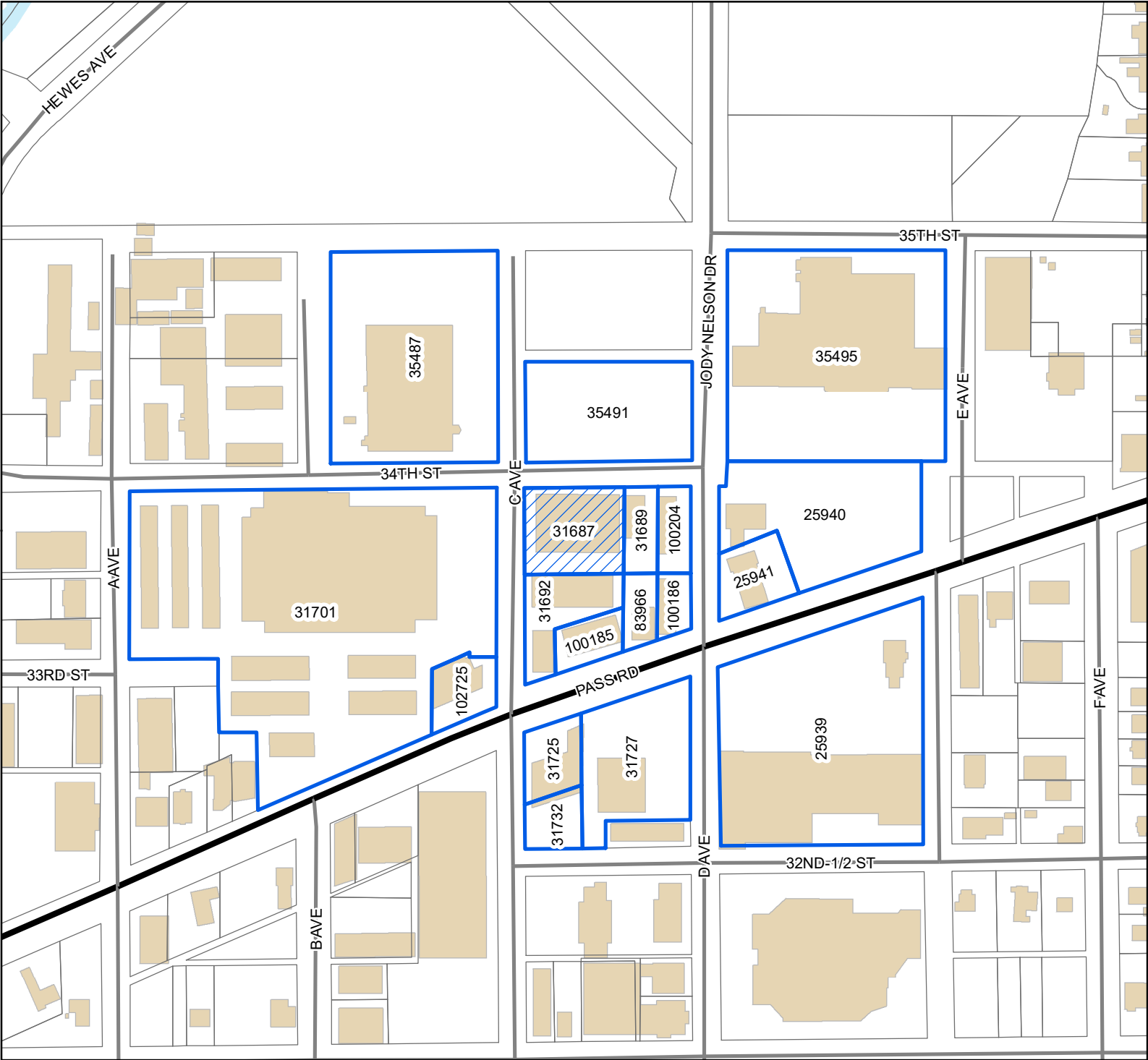
THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Kaleel "Teal" Salloum Jr, who acknowledge that he is the Trustee of The James M Oberlies Revocable Trust dated July 23, 2008, and as its act and deed, he signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned, for and on behalf of said entity, having been first duly authorized to do so.

30th GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the -day of October, 2019.


NOTARY PUBLIC

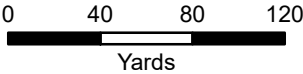


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0910N-07-006.000	DUKE MIDDLETON (OWNER)	3410 A AVE	GULFPORT	MS	39507
			IAN NUSCHKE (AGENT)	24080 ANNO SAUCIER RD	GULFPORT	MS	39503
			Adjacent Property Owners (2409ZB139)				
35491	0910K-02-018.000		GPT-BILOXI REGIONAL AIRPORT AUTH	14035-L AIRPORT RD	GULFPORT	MS	39503
25940	0910N-07-003.000		PRIME CAPITAL INVESTMENTS LLC	7421 PLACID LAKE DR APT 207	MASON	OH	45040
35487	0910K-02-011.000		LIGHTHOUSE FOR THE BLIND -LESSEE-	CITY OF GULFPORT -LESSOR-	GULFPORT	MS	39507
100185	0910N-07-007.002		HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
100204	0910N-07-007.004		HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
102725	0910N-07-008.001		ANEDEE HOLDING LLC	P O BOX 1925	GULFPORT	MS	39502
35495	0910K-02-008.000		PRIME CAPITAL INVESTMENTS LLC	4445 SKYLARK LN	CUMMING	GA	30041
31727	0910N-06-001.000		SAGAN DISTRIBUTORS LLC	3210 WYNNFIELD DR W	MOBILE	AL	36695
25941	0910N-07-004.000		CLARK PROPERTIES LLC	720 STATION ST	WAYNESBORO	MS	39363
31732	0910N-06-004.000		MARBY HOLDINGS LLC	PO BOX 6212	GULFPORT	MS	39506
83966	0910N-07-007.000		HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
31692	0910N-07-007.001		HAGE LIMITED PARTNERSHIP	400 PASS ROAD	GULFPORT	MS	39507
25939	0910N-01-024.000		MS GULF COAST YOUTH FOR CHRIST INC	111 PASS RD	GULFPORT	MS	39507
31689	0910N-07-005.000		MIDDLETON SHANNON DUKE	3410 A AVE	GULFPORT	MS	39507
31687	0910N-07-006.000		MIDDLETON DUKE	3410 A AVE	GULFPORT	MS	39507
100186	0910N-07-007.003		HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
31725	0910N-06-003.000		MARBY HOLDINGS LLC	PO BOX 6212	GULFPORT	MS	39506
31701	0910N-07-009.000		3K'S LLC ETAL	150 GOVERNMENT ST	MOBILE	AL	36602



Legend

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



1 inch = 250 feet



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



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	596519	Print Legal Ad-IPL01962660 - IPL0196266	October ZB	\$58.30	1	43 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 PM., Thursday, October 17, 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 2409ZB139, by agent Ian Nushke, seeking approval for parking that pulls out into city right of way, Tax Parcel 0910N-07-006.000, 3320 C Ave, Zoned B-2 (General-Business), Ward 4

Variance 2410ZB164, by agent Martin Jones, seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-006.000, 1235 Pass Rd, Zoned B-2 (General-business), Ward 2

Variance 2410ZB165, by agent Jeanette Ladner, seeking approval for parking that backs out into city right of way, Tax Parcel 0711O-05-003.000, 4540 W Railroad Street, Zoned B-1 (Neighborhood Business), Ward 1

This the 25th day of September 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0196266
Oct 2 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:
10/02/24

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

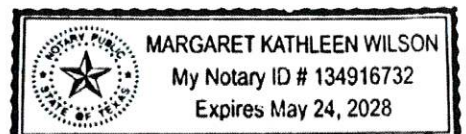
Mary Castro

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

Margaret K. Wilson

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!



URBAN DEVELOPMENT DEPARTMENT | PLANNING & ZONING

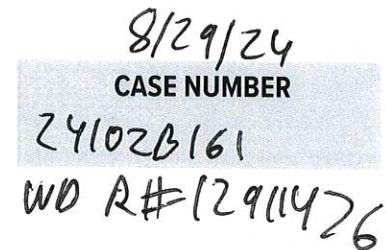
PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE

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

ZONING BOARD OF ADJUSTMENT AND APPEALS CASE # 2024-858

Hearing Date: Thursday, October 17, 2024

Variance 2410ZB161;(Withdrawn by Planning Staff) Variance 2410ZB161, by agent Mark Lishen, seeking approval for zero regular parking spaces where eight is required, Tax Parcel 0809P-02-001.000, 14035 Airport Road, Zoned I-1 (Light Industry), Ward 3



OWNER:

Gulfport Biloxi Regional Airport Authority

Printed Name of Owner

14035-L Airport Road

Mailing Address

Gulfport MS 39503

City

State

Zip Code

N/A

228-863-5951 - work

Home Phone

Work/Cell Phone

cwilliams@flygpt.com

Email

Signature of Owner

Clay Williams - Executive Director

AGENT:

Mark Lishen, AIA - Architect EGH Architects, PA

Printed Name of Agent

1091 Tommy Munro Drive

Mailing Address

Biloxi MS 39532

City

State

Zip Code

N/A

228-594-2323 - work

228-341-0916 - cell

Home Phone

Work/Cell Phone

mlishen@egh.ms

Email

Signature of Agent

Mark Lishen, AIA - Architect

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

Clay Williams - Exec. Director
I, Gulfport Biloxi Airport Authority being property owner of 14035-L Airport Road
Gulfport, MS 39503
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Mark Lishen, AIA - Architect 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

Clay Williams - Executive Director

8/20/2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Samantha Lynn Fresh
NOTARY PUBLIC

09/24/27
COMMISSION EXPIRATION





COVENANT AFFIDAVIT

I, Mark Lishen, AIA - Architect being property owner or agent of the property 14035-L Airport Road
Gulfport, MS 39503
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
Mark Lishen, AIA - Architect
Eley Guild Hardy Architects, PA

8-21-24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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


NOTARY PUBLIC

6/24/28
COMMISSION EXPIRATION



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 variance will need to be **initialed by applicant** with required documentation before application can be accepted.

Submission Requirements:

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

ms **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.

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

ms 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**.

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

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

ms **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.

SEE ATTACHED LETTER.



August 28, 2024

Mr. Greg Holmes
Director of Urban Development
1410 24th Avenue
Gulfport, MS 359502

**RE: Gulfport Biloxi International Airport
Fleet Maintenance Facility
14035-L Airport Road
Gulfport, MS 39503
Tax Parcel #: 0809P-02-001.000**

Dear Mr. Holmes:

The purpose of this letter is to address a specific issue raised by the Planning/Zoning Department during the Building Code Plan Review and to provide supplemental information for your use in granting the Gulfport Biloxi Airport Authority's (Owner) request to construct a new 11,997 square foot Fleet Maintenance Facility adjacent to the existing maintenance buildings located on the north end of airport property. This new building and adjacent existing maintenance buildings are located approximately 450-feet off of Airport Road in an I-1 Light Industry District.

As a condition of granting the Owner a building permit for construction, one issue raised during the Building Code Plan Review was as follows:

1. Show Parking Spaces on Site Plan

Per the requirement of the Zoning Board of Adjustments and Appeals Application (page 8 of 10), we are providing responses below to the six questions on page 8:

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?)**

BILOXI OFFICE

329 Tommy Munro Drive
Biloxi, MS 39532
228 594.2323 P

JACKSON OFFICE

329 East Capitol Street
Jackson, MS 39201
601 354.2572 P

www.egh.ms

Response: As stated above, a contingent requirement for approval of the building permit was to "show parking spaces on the site plan." The site plan for the new Fleet Maintenance Facility includes a new asphalt laydown yard for airport equipment waiting for repairs or returning to service. Additional staff parking in this area is unnecessary and would reduce space for airport equipment. There is existing employee parking just north of the new building, adjacent to other maintenance buildings. The staff assigned to the new facility are current airport staff who will continue to park in the existing lot. Additional staff parking is also available south of the parking garage and east of the rental car parking area.

Refer to Appendix J – Airport Aerial View – Existing Parking: for location of all parking areas; and Appendix D – GBIA Fleet Maintenance Site Satellite Image.

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.)**

Response: The nature of the project created the need for the variance. This facility is designed to provide maintenance for Airport fleet vehicles. Given that there is existing parking directly adjacent to this facility, there is no need to duplicate parking for existing employees.

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?)**

Response: The new asphalt lay-down yard is on the "secure" side of the airport security fences. All existing parking for airport employees (whether maintenance staff or other essential airport employees) is located on the non-secure side of the airport security fences. Specifically for the Fleet Maintenance Facility, the existing parking lot on the non-secure side of the security fences allows airport

maintenance staff to park in an unsecure parking area. Once parked, the employee will use his/her security badge to gain access to the existing maintenance buildings. Employee parking on the secure side of the airport's security fences is just not allowed. The airport itself is a unique facility unlike other properties in Gulfport. Providing additional employee parking spaces at the new asphalt lay-down yard would violate the existing security parking protocol as well as reduce the available for repair of fleet vehicles.

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.)**

Response: The literal interpretation of the zoning ordinance is to provide new parking for new buildings. There does not appear to be a "case-by-case" exception whereby additions to existing facilities are allowed to use existing parking areas for parking. Essentially, the new Fleet Maintenance Facility is an "addition" to the existing maintenance buildings complex.

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?)**

Response: The variance would not provide the applicant with a benefit or privilege that others in the same district do not have. We are only asking that you take into consideration that there is existing parking that can be utilized for this new facility.

Also, the variance would permit the applicant to use their property in a way that is as close as possible to the uses that are already allowed in an I-1 Light Industry District. This variance is only intended to help the applicant overcome specific and perhaps unusual security requirements dictated by the FAA – no parking of personal vehicles inside a security zone.

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.**

Response: Based on the CHART OF PERMITTED USES (Contains Publication Corrections and Additional Ordinance Amendments No. 2264, 2753, & 2903), Automobile and Truck Fleet Maintenance Shops and Garages are "Allowed by Right" in an I-1 Light Industry District.

Summary

1. Providing additional parking spaces in the new laydown area is unnecessary and would reduce valuable space needed for servicing airport fleet vehicles. We request a waiver from the Zoning Board of Adjustments and Appeals to not show additional parking spaces on the site plan in the laydown yard.

Thank you for considering our requests. We look forward to your positive response and are available to provide any further information you may need.

Sincerely,

EGH ARCHITECTS, PA



Mark Lishen, AIA, LEED AP
Principal Architect

LETTER OF TRANSMITTAL

Date: August 28, 2024

To: Mr. Greg Holmes
Director of Urban Development
1410 24th Avenue
Gulfport, MS 39503

From: Mark Lishen, AIA
1091 Tommy Munro Drive
Biloxi, MS 39532

Project: Zoning Board of Adjustments and Appeals Application
Fleet Maintenance Facility
Gulfport Biloxi International Airport
Gulfport, Mississippi

We are sending you the following item(s):

<u>Copies</u>	<u>Description</u>
1	Zoning Board of Adjustments and Appeals Application and Supporting Documents

These are transmitted as checked below:

☐ No Exceptions	☒ For your use
☐ Exceptions as Noted	☒ As requested
☐ Revise & Resubmit	☒ For your review

Remarks: Greg. Please find enclosed herewith the Zoning Board of Adjustments and Appeals Application Form and all supporting documents. Please let me know if you need additional documentation.
Thanks,

Mark Lishen, AIA



BILOXI OFFICE
1091 Tommy Munro Drive
Biloxi, MS 39532
228.594.2323 P

JACKSON OFFICE
329 East Capitol Street
Jackson, MS 39201
601.354.2572 P

**RE: Zoning Board of Adjustments and Appeals Application
Required Attachments
Gulfport Biloxi International Airport
Fleet Maintenance Facility
14035-L Airport Road
Gulfport, MS 39503
Tax Parcel #: 0809P-02-001.000**

The following supplemental documents are required to complete the Zoning Board of Adjustments and Appeals Application:

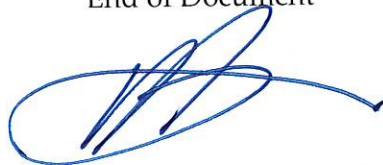
- **The property lines and dimensions have been provided on the drawing.**
 - This project is a bit unusual in that the site for the Fleet Maintenance Facility is located within the 1600-acre Airport property. Refer to:
 - Appendix A – GBIA Area Map
 - Appendix B – GBIA Satellite Image
 - Appendix C – C002: Overall Area Plan
- **All buildings and structures located on the property have been identified.**
 - The area in the immediate vicinity of the Fleet Maintenance Facility has been identified. Refer to:
 - Appendix D – GBIA Fleet Maintenance Facility Site Satellite Image
 - Appendix E – A001: Architectural Site Plan
- **All dimensions of buildings and structures have been noted on the site plan.**
 - The dimensions of the Fleet Maintenance Facility can be found on the floor plan. Refer to:
 - Appendix E – A001: Architectural Site Plan
 - Appendix F – A100: Floor Plan
 - Appendix G – C121: Civil Site Plan - Actual dimensions relative to building corners are given in coordinates instead of actual dimensions. This is current common practice.

BILOXI OFFICE
1091 Tommy Munro Drive
Biloxi, MS 39532
228.594.2323 P

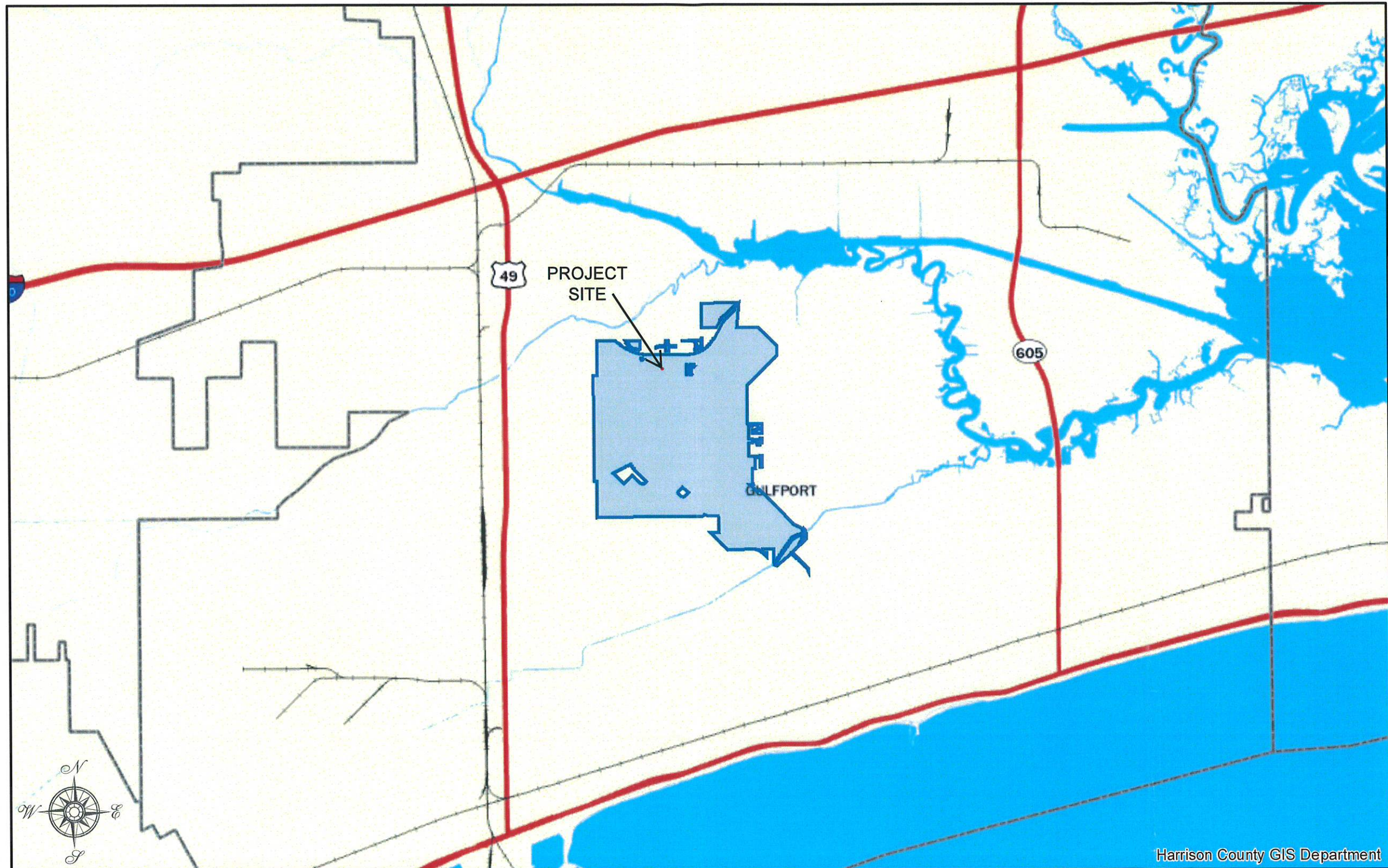
JACKSON OFFICE
329 East Capitol Street
Jackson, MS 39201
601.354.2572 P

- **All distances from the property lines to all the buildings and structures have been identified and noted on the site plan.**
 - The distance to Airport Road and the distance to existing buildings has been included. Refer to:
 - Appendix H – C151: Civil Site Plan
 - Appendix D– GBIA Fleet Maintenance Facility Site Satellite Image
 - Appendix E – A001: Architectural Site Plan
- **Street names have been provided which abut the property.**
 - Street names have been provided. The only one which abuts the property anywhere close to the Fleet Maintenance Facility is Airport Road. Refer to:
 - Appendix I– GBIA Enlarged Satellite Image
- **Traffic flow, parking and driveways have been identified.**
 - We have provided all of the existing employee parking, rental car parking and travelers parking areas. Refer to:
 - Appendix J – Airport Aerial View / Existing Parking
 - Appendix D – GBIA Fleet Maintenance Facility Site Satellite Image
- **If required buffer strips have been identified**
 - No buffer strips are required. As stated, the Fleet Maintenance Facility is 450-feet from Airport Road sitting on 1600 acres.
 - On August 8, 2024 the Architectural Review Committee waived the requirement for landscaping.
- **Proof of Ownership**
 - Appendix K – GBRAA Title Documents

End of Document

A handwritten signature in blue ink, consisting of stylized, overlapping loops and a long horizontal stroke extending to the right.

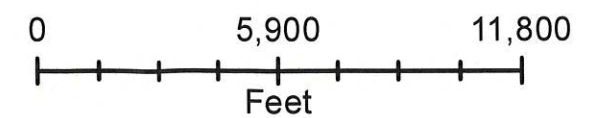
APPENDIX A Gulfport Biloxi International Airport Area Map



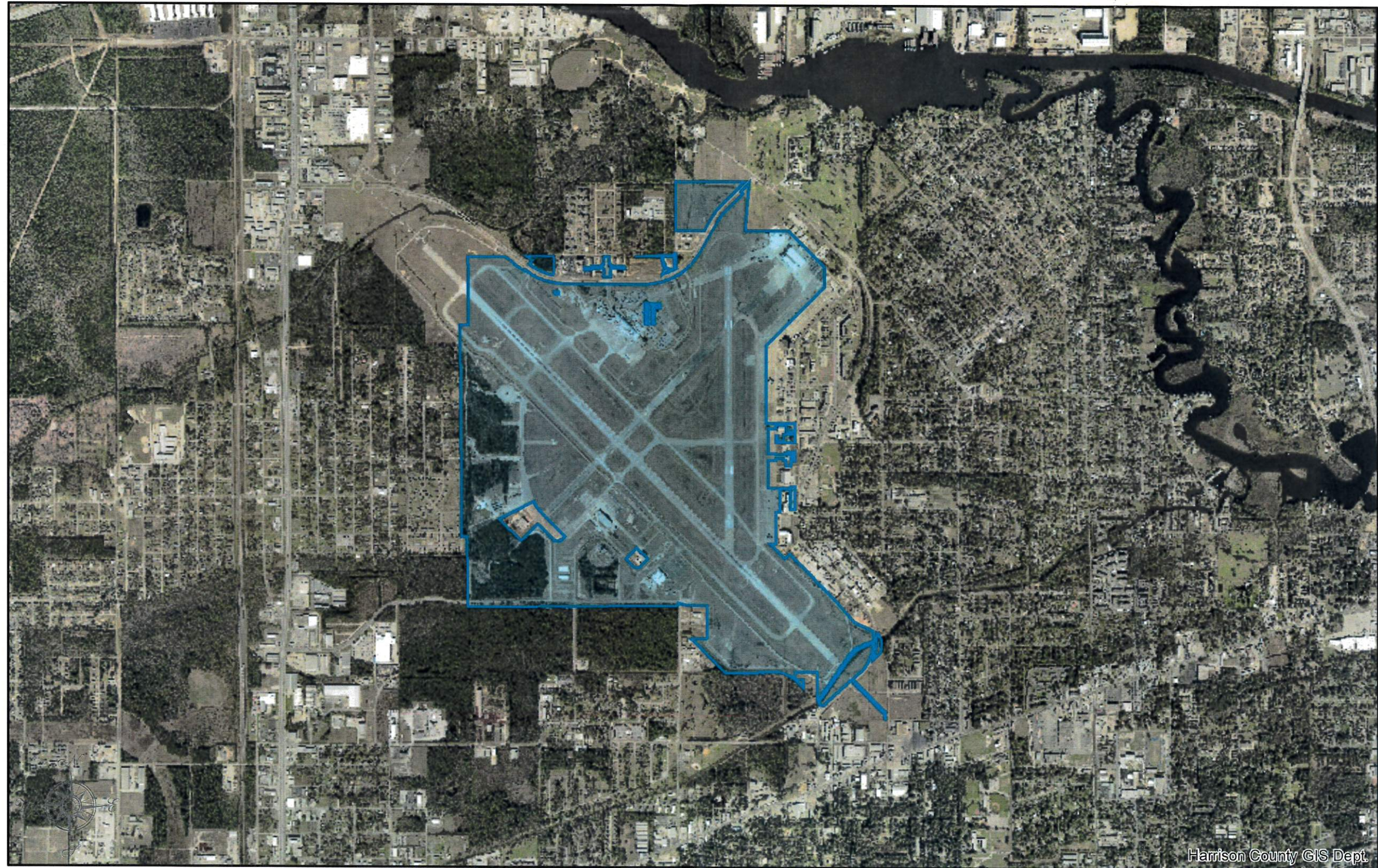
HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: July 25, 2024



APPENDIX B Gulfport Biloxi International Airport Satellite Image



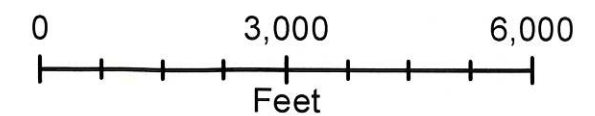
Harrison County GIS Dept



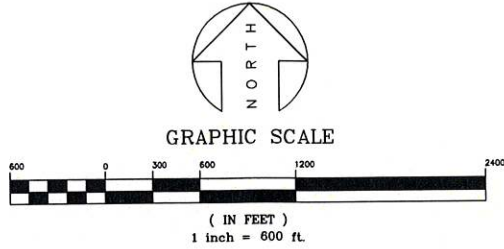
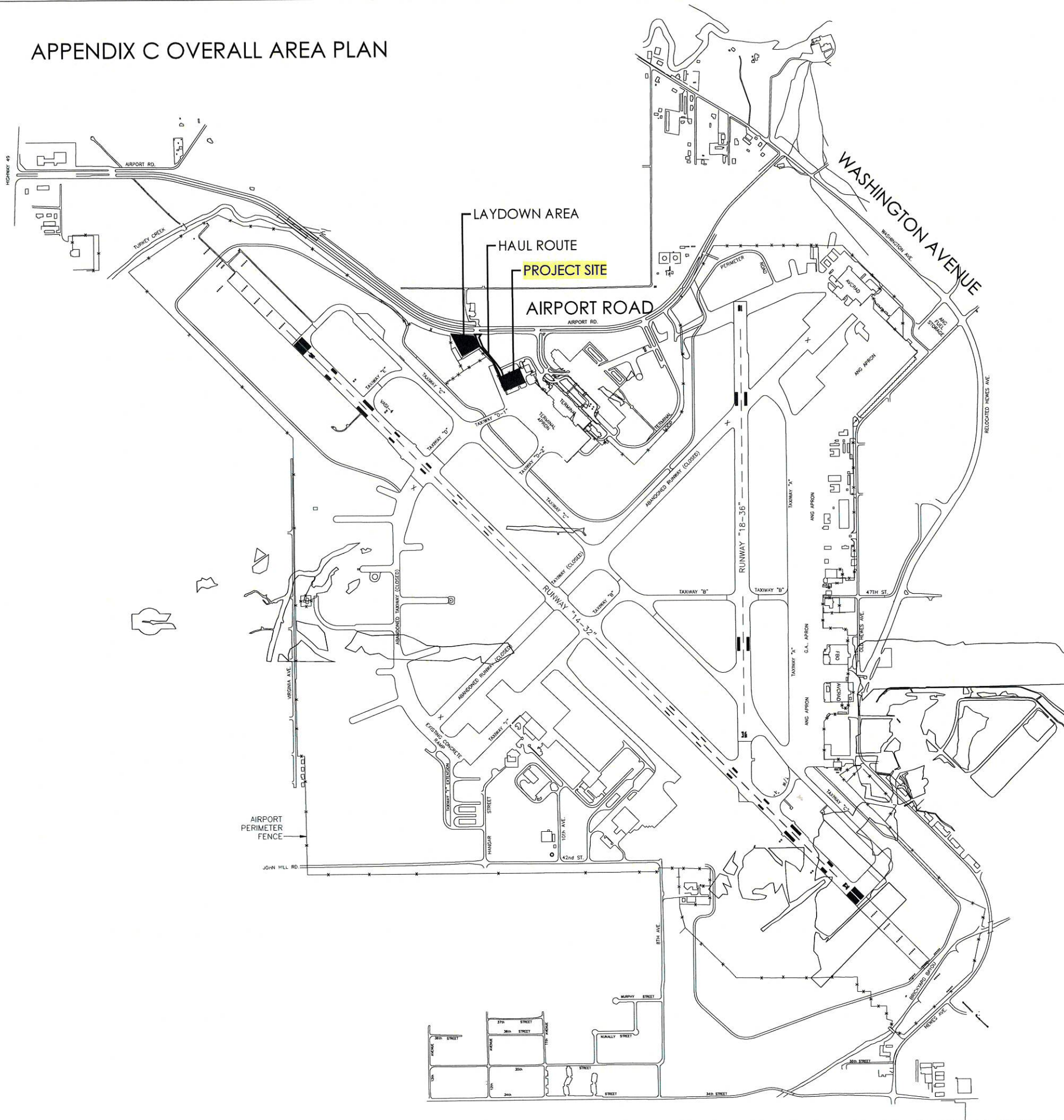
HARRISON COUNTY, MISSISSIPPI

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MAP DATE: July 25, 2024



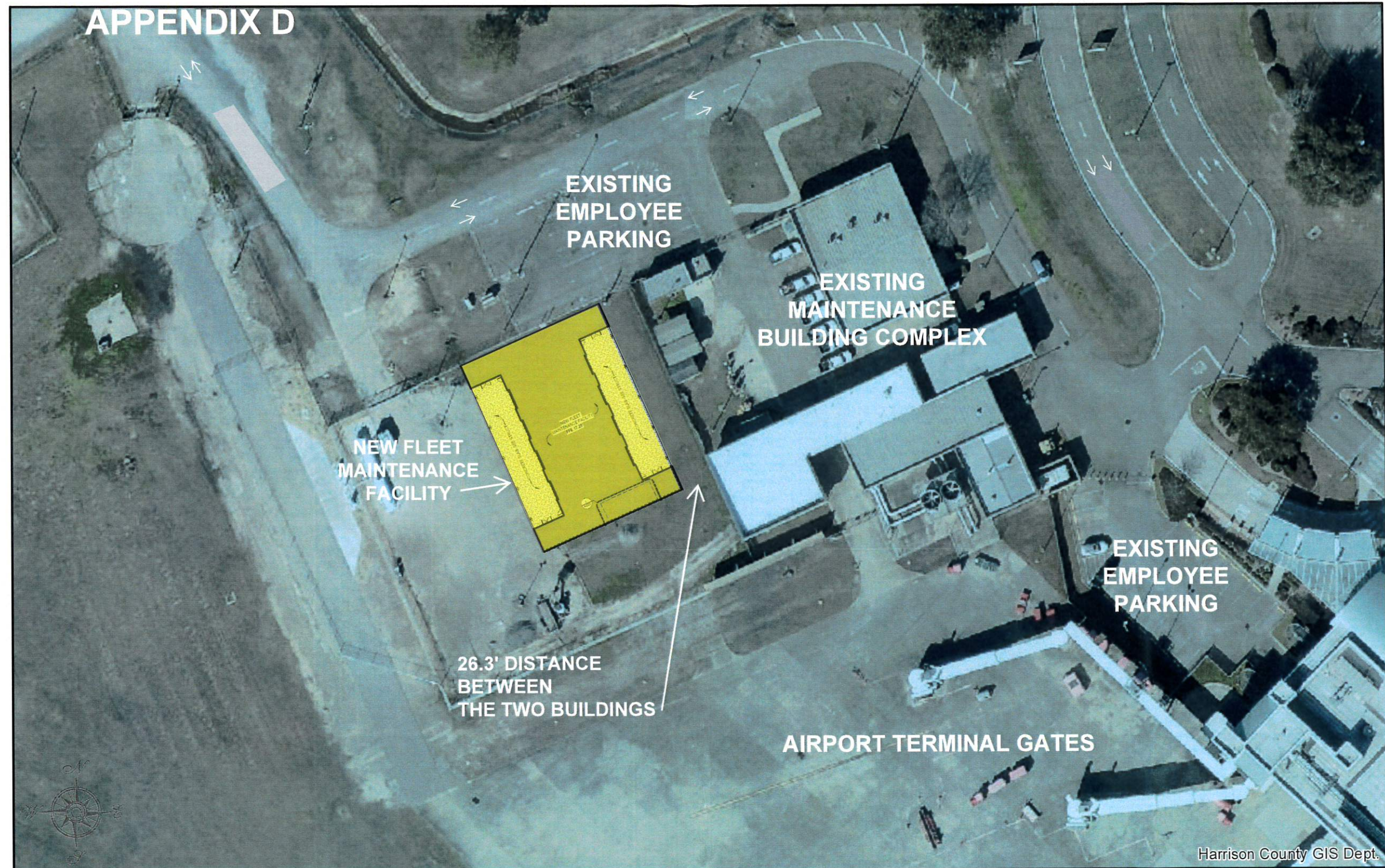
APPENDIX C OVERALL AREA PLAN



GENERAL NOTES

1. OPERATIONAL TAXIWAYS, TAXILANES, RAMP / APRON AREAS AND THE TERMINAL LOOP MUST BE CLEANED AND MAINTAINED IN THE EVENT OF INCIDENTAL CONTAMINATION AS DIRECTED BY GULFPORT-BILOXI REGIONAL AIRPORT AUTHORITY (G.B.R.A.A.) OR THE ENGINEER.
2. THE CONTRACTOR WILL OBTAIN, HAVE KNOWLEDGE OF, AND INCORPORATE THE FOLLOWING SAFETY PROVISIONS INTO THE CONSTRUCTION PROJECT:
 - * OPERATIONAL SAFETY ON AIRPORTS DURING CONSTRUCTION - AC 150/5370-2D.
 - * AIRPORT SAFETY SELF-INSPECTION - AC 150/5200-18B.
 - * FAR, PART 139.
 - * PAINTING, MARKING, AND LIGHTING OF VEHICLES USED ON AN AIRPORT - AC 150/5210-5B.
3. FOR OTHER CONDITIONS RELATING TO SAFETY, SEE GENERAL REQUIREMENTS, SECTION 01030, CONSTRUCTION SAFETY PROGRAM.
4. NOTICE TO AIR MISSIONS (NOTAMS) - THE CONTRACTOR SHALL FURNISH THE AIRPORT (OWNER) WITH THE NECESSARY INFORMATION ON CONSTRUCTION CONDITIONS (PAVEMENT CLOSURES, TIE-INS, ETC.) SO THAT AIRPORT CAN ADVISE THE FLIGHT SERVICE STATION TO ISSUE A NOTAM IN ACCORDANCE WITH ESTABLISHED CRITERIA.
5. THE CONTRACTOR SHALL PROVIDE SECURITY WITHIN THE CONSTRUCTION AREA AND WILL KEEP ALL UNAUTHORIZED PERSONNEL OUT.
6. THE CONTRACTOR WILL NOT BE ALLOWED TO USE ANY OF THE EXISTING RUNWAYS OR TAXIWAYS AS PART OF THE HAUL ROAD.
7. ALL CONSTRUCTION TRAFFIC SHALL ENTER AND EXIT THE PROJECT AREA THROUGH THE PROJECT ACCESS GATES SHOWN ON THIS PLAN. CONTRACTOR WILL BE RESPONSIBLE FOR SECURITY OF ALL GATES DURING CONSTRUCTION IN ACCORDANCE WITH THE AIRPORT'S APPROVED SECURITY PROGRAM.
8. HAUL ROUTE - ALL EXISTING ROADS (ON OR OFF AIRPORT PROPERTY) THAT WILL BE USED AS PART OF THE HAUL ROAD WILL BE RESTORED TO THEIR PRE-CONSTRUCTION CONDITION AFTER COMPLETION OF THE PROJECT. THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL CLEAN UP OPERATIONS OF DEBRIS THAT MAY BE ON THE HAUL ROAD ON A DAILY BASIS OR AS DIRECTED BY THE ENGINEER. DEBRIS IN THE AOA SHALL BE CLEANED UP IMMEDIATELY TO ASSURE SAFE AIRCRAFT OPERATIONS. THERE WILL BE NO SEPARATE PAY ITEM FOR THIS WORK.
9. ALL EQUIPMENT & VEHICLES USED ON THE AIRFIELD AND AOA SHALL MEET AIRPORT REQUIREMENT FOR MARKING & LIGHTING. ALL EQUIPMENT MUST BE RETURNED TO THE STAGING AREA AT THE END OF EACH WORK DAY UNLESS APPROVED OTHERWISE BY THE AIRPORT OPERATIONS MANAGER.
10. CONTRACTOR SHALL PROVIDE AND MAINTAIN ALL AIRFIELD SAFETY DEVICES SUCH AS STAKED LIMITS LINES ALONG TAXIWAY RESTRICTED AREAS FOR THE DURATION OF THE PROJECT AS REQUIRED. DAMAGED STAKES OR FLAGGING SHALL BE REPLACED. STAKES WITH FLAGS SHALL BE PLACED ON 200' CENTERS ALONG RESTRICTED AREAS.
11. THE ACTUAL SIZE AND LOCATION OF THE CONTRACTOR'S STAGING AREA WILL BE DETERMINED AT THE PRE-CONSTRUCTION CONFERENCE.
12. BURNING OF DEBRIS WILL NOT BE ALLOWED ON AIRPORT PROPERTY.
13. MAINTENANCE OF BARRICADES IS CONTRACTOR'S RESPONSIBILITY AND SHOULD BE CHECKED DAILY TO ENSURE PROPER WORKING CONDITION. NUMBER AND POSITION OF BARRICADES SHALL BE AS REQUIRED BY ENGINEER. REMOVE AND RELOCATE BARRICADES AS DIRECTED DURING CONSTRUCTION. REFER TO THE CONSTRUCTIONS SAFETY AND PHASING PLAN INCLUDED IN THE SPECIFICATIONS FOR TYPE I BARRICADE LOCATION.
14. ALL WORK SHALL BE IN ACCORDANCE WITH THE G.B.R.A.A. CURRENT AND APPROVED SECURITY PROGRAM. WORK IN ALL AREAS INSIDE OF THE AIRPORT PERIMETER FENCE MUST BE SUPERVISED BY A CONTRACTOR EMPLOYEE WITH A MINIMUM OF A G.B.R.A.A. NON-S.I.D.A. SECURITY BADGE AT ALL TIMES. THE EMPLOYEES WITH THE SECURITY BADGES MUST STAY WITHIN VISION DISTANCE OF ALL UNLOCKED GATES AND EMPLOYEES WITHOUT SECURITY BADGES. THE INGRESS/EGRESS TO ANY GATE WILL REQUIRE A DESIGNATED EMPLOYEE WITH A G.B.R.A.A. NON S.I.D.A. SECURITY BADGE TO OPEN THE GATE AND ESCORT ANY NON-S.I.D.A. BADGED PERSONNEL THROUGH THE NON S.I.D.A. AREA. CONTRACTOR WILL PROVIDE SUFFICIENT NUMBER OF BADGED ESCORTS AT ALL TIMES.
15. CONTRACTOR SHALL CONTROL DUST AT AN ACCEPTABLE LEVEL. PROJECT ENGINEER OR ARCHITECT RESERVES THE AUTHORITY TO DETERMINE ACCEPTABLE DUST LEVELS. THE CONTRACTOR SHALL PROVIDE A WATER TRUCK OR OTHER ACCEPTABLE METHOD TO CONTROL DUST, WHICH SHALL BE READILY AVAILABLE AT ALL TIME DURING CONSTRUCTION.
16. CONTRACTOR SHALL SWEEP ALL PAVED AREAS DAILY OR AS OTHERWISE DIRECTED BY THE AIRPORT.

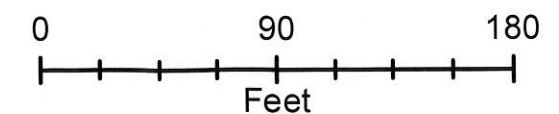
Gulfport Biloxi International Airport Fleet Maintenance Facility Site Satellite Image



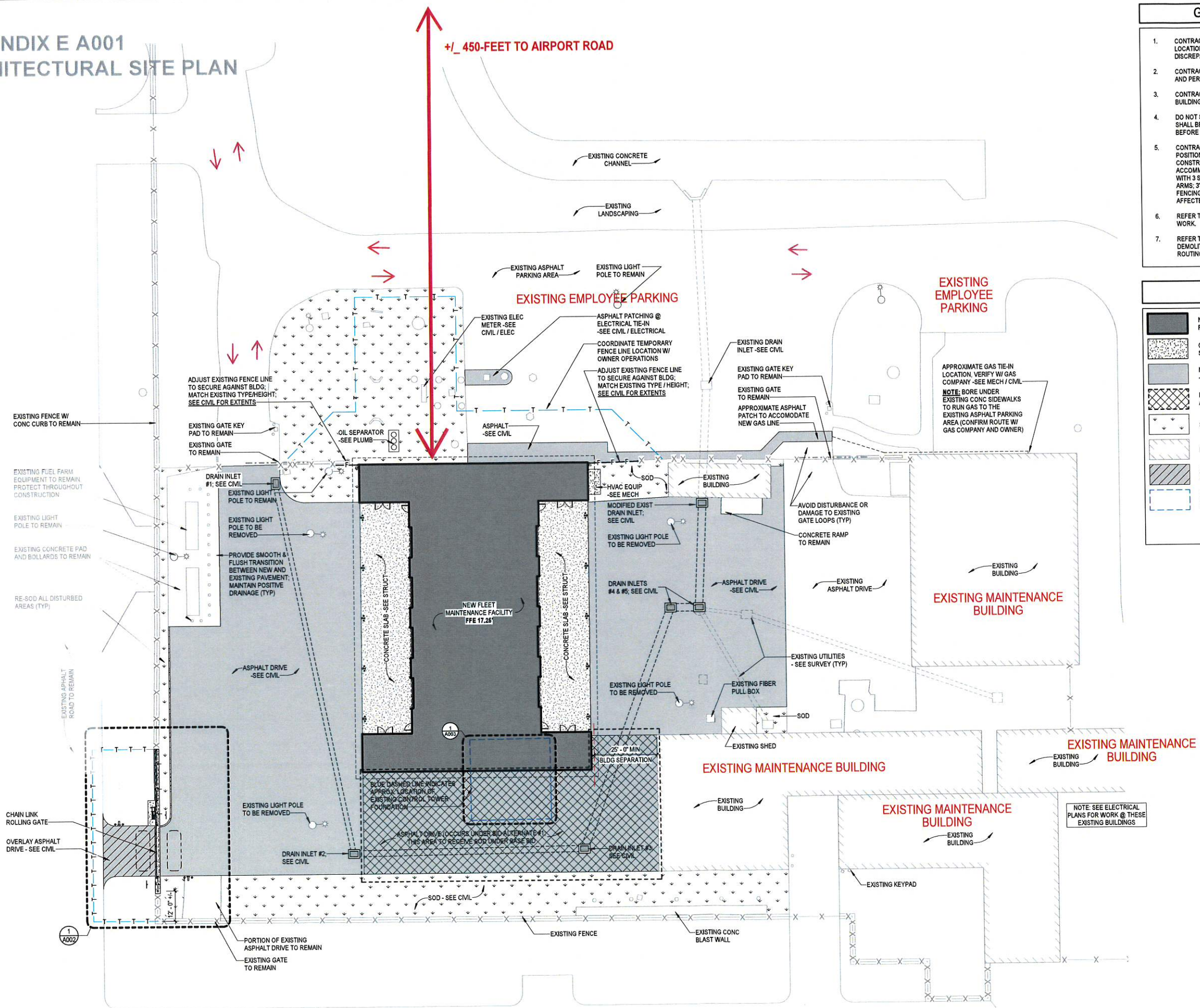
HARRISON COUNTY, MISSISSIPPI

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MAP DATE: July 25, 2024



APPENDIX E A001 ARCHITECTURAL SITE PLAN



GENERAL NOTES - SITE PLAN

1. CONTRACTOR SHALL VERIFY, ON SITE, ALL DIMENSIONS AND EQUIPMENT LOCATIONS, AND NOTIFY THE ARCHITECT PROMPTLY IN WRITING OF ANY DISCREPANCIES.
2. CONTRACTOR SHALL BE RESPONSIBLE TO DETERMINE THE ONSITE CONDITIONS AND PERFORM ALL NECESSARY WORK TO COMPLETE THE PROJECT.
3. CONTRACTOR SHALL MAINTAIN SAFE METHODS OF EGRESS FOR OCCUPIED BUILDINGS AND SURROUNDING SITE AREA DURING CONSTRUCTION.
4. DO NOT SCALE DRAWINGS. IF DIMENSIONS ARE IN QUESTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING CLARIFICATION FROM THE ARCHITECT BEFORE CONTINUING WITH CONSTRUCTION.
5. CONTRACTOR SHALL ERECT AND MAINTAIN TEMPORARY CHAIN LINK FENCING POSITIONED TO ENSURE CONTINUOUS PERIMETER SECURITY DURING CONSTRUCTION PHASE. OFFSET TEMP FENCE LINE AS REQ'D TO ACCOMMODATE NEW CONSTRUCTION. FENCING FABRIC SHALL BE 7' HIGH MIN. WITH 3 STRANDS OF BARB WIRE (1 FOOT MIN) AT TOP SUPPORTED BY BARB ARMS. 3" DIA. LINE POLES & TOP RAIL. 4" DIA. @ CORNERS. REMOVE TEMP FENCING AFTER NEW SECURE FENCING IS IN PLACE. PATCH / REPAIR ALL AFFECTED PAVED SURFACES AND LANDSCAPING.
6. REFER TO CIVIL & ELECTRICAL SHEETS FOR SITE DEMOLITION SCOPES OF WORK.
7. REFER TO CIVIL & ELECTRICAL SHEETS FOR ROUTING, PROXIMITY AND DEMOLITION OF EXISTING SUBSURFACE UTILITIES, AND FOR LOCATIONS AND ROUTING OF NEW UTILITIES.

SITE PLAN LEGEND

	NEW BUILDING FOOTPRINT		EXISTING LIGHT POLE
	CONCRETE PAVEMENT OR SLAB - SEE STRUCT / CIVIL		EXISTING FENCE
	NEW ASPHALT DRIVE -SEE CIVIL		EXISTING FENCE W/ CONC MOW CURB
	EXTENTS OF BID ALTERNATE #3		NEW FENCING W/ CONC MOW STRIP
	SOD		EXISTING FENCE W/ CONC MOW CURB
	EXISTING BUILDING		TEMPORARY FENCING
	ASPHALT OVERLAY -SEE CIVIL		APPROXIMATE GRADE OR FIN. FLOOR ELEV -SEE CIVIL
	EXISTING TOWER FOUNDATION APPROXIMATE OUTLINE -SEE 1 / A003		



EGH
ARCHITECTS

SITE PLAN



100

LEEI CIVIL ENGINEERING ARCHITECTS

228.594.2323 www.egh.ms

AIRPORT FIFTEEN MAINTENANCE FACILITY

NUMBER: 22-027b
DATE: JAN 17, 2024
RAWN: TA, JC
CHECKED: ML

A001

4260-66

ROOM FINISH SCHEDULE													
ROOM NO.	ROOM NAME	FLOOR FINISH	BASE	WALL				MILLWORK		CEILING		REMARKS	ROOM NO.
				NORTH	SOUTH	EAST	WEST	TOP MATERIAL	BASE MATERIAL	MATERIAL	FINISH		
100	MAINTENANCE BAYS	STC-1	1X4 TRTD WD	EXP	EXP	EXP	PT-1	---	---	EXP	PT-3	1	100
101	STORAGE	STC-1	1X4 TRTD WD	PT-1	PT-1	PT-1	PT-1	---	---	GYP	PT-4	2	101
102	WOMEN	PORC-1	---	WT-1.2	WT-1.2	WT-1.2	WT-1.2	---	---	GYP	PT-4	3.9	102
103	SHOWER	PORC-1	---	PT-1	PT-1	PT-1	PT-1 / WT-1	---	---	GYP	PT-4	3.8	103
104	MEN	PORC-1	---	WT-1.2	WT-1.2	WT-1.2	WT-1.2	---	---	GYP	PT-4	3.9	104
105	OFFICE	VCT-1	RB-1	PT-1	PT-1	PT-1	PT-1	---	---	GYP	PT-4	4	105
106	PARTS STORAGE	STC-1	1X4 TRTD WD	PT-1	PT-1	PT-1	PT-1	---	---	GYP	PT-4	2	106
107	EXTERIOR STORAGE	STC-1	1X4 TRTD WD	PT-1	PT-1	PT-1	PT-1	---	---	GYP	PT-4	2.6	107
108	WELDING EQUIPMENT	STC-1	1X4 TRTD WD	EXP	FENCE	EXP	EXP	---	---	EXP	EXP	5	108
109	STORAGE	STC-1	1X4 TRTD WD	FENCE	EXP	EXP	EXP	---	---	EXP	EXP	5	109
200	MEZZANINE	---	---	PT-1 / EXP	OPEN	EXP	EXP	---	---	EXP	EXP	5.7	200
201	SECURE STORAGE	---	1X4 TRTD WD	PT-1	EXP	PT-1	EXP	---	---	EXP	EXP	2.6	201

LEGEND - FLOOR PLAN	
	WALL GIRTS PER MTL BUILDING MFG
	MTL STUDS (LOAD BEARING), SIZE VARY - SEE PARTITION TYPES
	6"x48" BOLLARD (PAINT COLOR TBD)
	6'-0" HIGH CHAIN LINK FENCE
	MAINTAIN 2 HOUR FIRE RATING SEPARATION
	FIRE EXTINGUISHER AND WALL MOUNT BRACKET (PROVIDE BLOCKING AS REQUIRED)

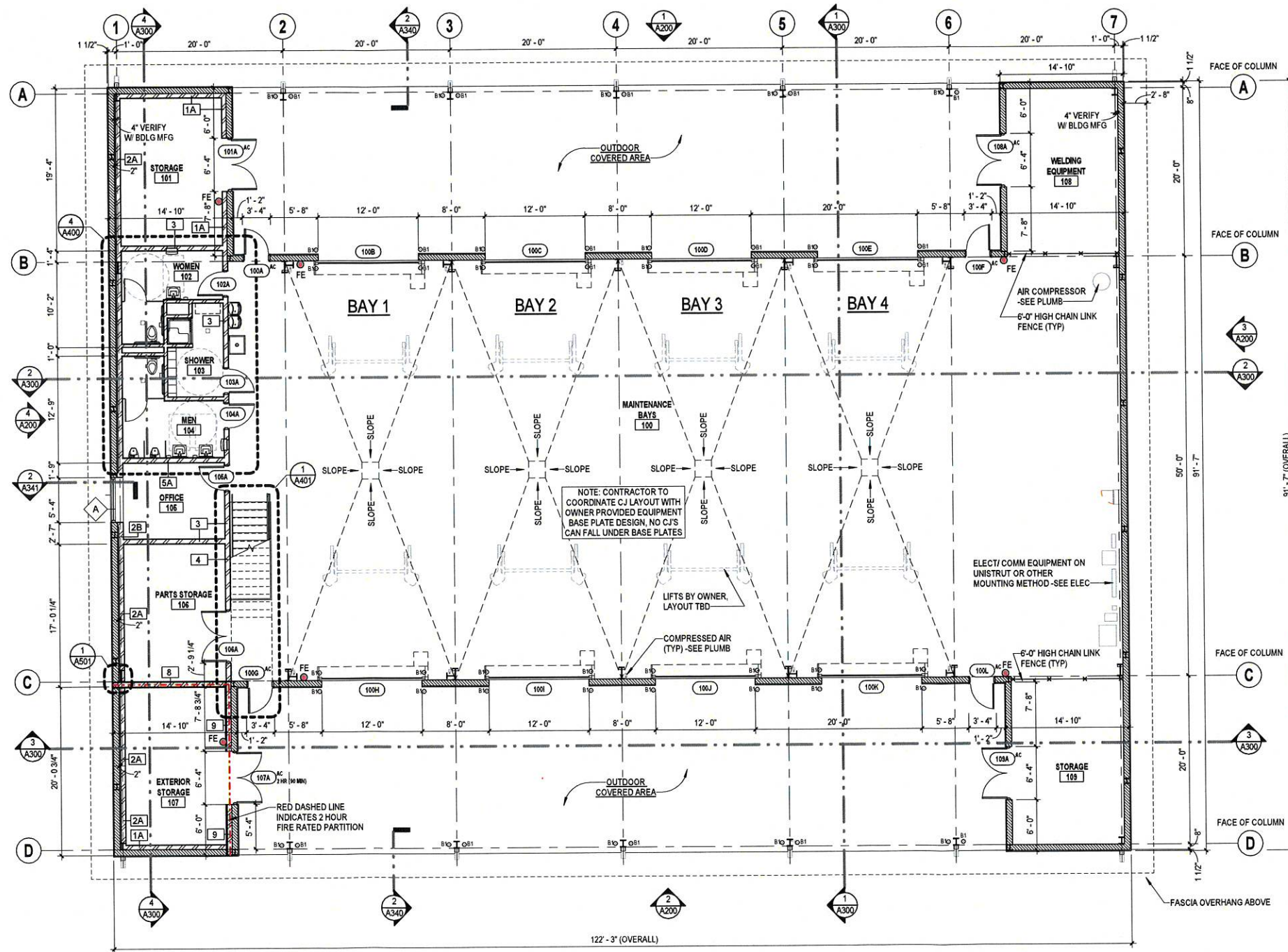
GENERAL NOTES - FLOOR PLAN	
1. CONTRACTOR SHALL CONTACT ARCHITECT, IN WRITING, UPON DISCOVERY OF DISCREPANCIES BETWEEN FIRE RATINGS SHOWN ON LIFE SAFETY PLANS AND OTHER DRAWINGS, SUCH AS, BUT NOT LIMITED TO PARTITION TYPES, AND OPENING SCHEDULE.	
2. IF DIMENSIONS APPEAR TO BE AMBIGUOUS OR ARE NOT PROVIDED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING CLARIFICATION FROM THE ARCHITECT PRIOR TO PROCEEDING WITH THE AFFECTED PORTIONS OF THE WORK IN QUESTION.	
3. TOILET ACCESSORIES, PLUMBING FIXTURES AND TRIM MAY BE SHOWN IN APPROXIMATE LOCATIONS. CONTRACTOR IS TO VERIFY THAT THERE ARE NO CONFLICTS IN LOCATIONS THAT MIGHT INHIBIT PROPER FUNCTION AND COMPLIANCE WITH ADA AND ANSI REQUIRED CLEARANCES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROMPTLY OBTAIN CLARIFICATION FROM THE ARCHITECT SHOULD ANY DISCREPANCY OR CONFLICT BE DISCOVERED.	
4. FOR PARTITION TYPE INFORMATION SEE G002	
5. SEAL ALL SLAB CONTROL, CONTS, EXP JOINTS W/ SEALANT.	

FINISH KEY					
MATERIAL CODE	MATERIAL TYPE	MANUFACTURER	DESCRIPTION	SIZE	REMARKS
FLOORING					
PORC-1	PORCELAIN TILE	AMERICAN OLEAN	COLOR STORY FLOOR - MATTE STORM GRAY 0017	12" X 12"	
STC-1	STAINED CONCRETE	H&C CONCRETE - SHERWIN WILLIAMS	DARK GREY		
VCT-1	VINYL COMPOSITE TILE	TARKETT	VCT II - 572 CLOUDY		C
WALL BASE					
RB-1	RUBBER BASE	ROPPE	123 CHARCOAL	4" H	
TB-1	WALL TILE	AMERICAN OLEAN	0025 ICE WHITE	4" X 16"	A,B,F
PAINTS & STAINS					
PT-1	PAINT - FEILD	SHERWIN WILLIAMS	WHITE - TBD		
PT-2	PAINT - ACCENT, DOOR FRAMES, & WINDOWS	SHERWIN WILLIAMS	SW 7069 IRON ORE		
PT-3	PAINT - EXPOSED STRUCTURE	SHERWIN WILLIAMS	OWNER TO SELECT COLOR		
PT-4	PAINT - CEILING	SHERWIN WILLIAMS	CEILING WHITE		
WALL TILE					
WT-1	WALL TILE (FIELD)	AMERICAN OLEAN	0025 ICE WHITE	4" X 16"	B
WT-2	WALL TILE (ACCENT)	AMERICAN OLEAN	0084 PEACOCK BLUE	4" X 16"	B
MISCELLANEOUS					
B	SIGNAGE	TAKEFORM			
GT-1	MINI BLINDS	---	1" ALUMINUM MINI BLINDS, FINISH TBD		E
GT-1	GROUT	LATICRETE	TBD		
SSM-1	SOLID SURFACE	CORIAN	WHITE		D

GENERAL NOTES - INTERIORS	
-SEE SHEET A400 FOR INTERIOR RESTROOM ELEVATIONS.	
-ALL EXPOSED STRUCTURE TO BE PAINTED PT-3.	
-ALL EXTERIOR MTL DOORS AND FRAMES TO BE PAINTED TO MATCH ADJACENT WALL SURFACE (SUBMIT COLOR MATCH OPTIONS)	
-ALL INTERIOR MTL DOORS AND FRAMES TO BE PAINTED PT-2.	
-ALL ROOMS W/ PLYWOOD WALLS RECEIVE TRTD 1X4 WOOD BASE, PAINT TO MATCH WALL COLOR.	

REMARKS - FINISH KEY	
A. USE WALL TILE BASE AT WALLS IN RESTROOM WITH "SCHLUTER-DILEX-AH" OR EQUAL AT BASE TO FLOOR TRANSITION	
B. USE GT-1 WITH ALL WALL TILE AND WALL TILE BASE.	
C. CENTER TILE PATTERN IN ROOM.	
D. USE SOLID SURFACE WINDOW SILLS @ EXTERIOR WINDOW IN OFFICE 105.	
E. MINI BLINDS IN OFFICE 105.	
F. PROVIDE BULLNOSE BASE TILE @ WALLS THAT DON'T RECEIVE TILE.	

REMARKS - ROOM FINISH SCHEDULE	
1. PAINTED PLYWOOD AND BASE ON WEST WALL, ALL EXPOSED STEEL TO BE PAINTED PT-3.	
2. ALL SIDES PAINTED, FIRE TREATED PLWD.	
3. ALL SIDES TILE OR PAINTED GYP.	
4. ALL SIDES PAINTED GYP.	
5. ALL EXPOSED STEEL TO BE PAINTED.	
6. ROOM REQUIRES A 2 HOUR RATING AT WALLS.	
7. PAINT ALL HANDRAILS AND GUARDRAILS PT-3.	
8. PROVIDE BULLNOSE BASE TILE @ WALLS THAT DON'T RECEIVE TILE.	
9. PAINT FURDOWN PT-1	



1 FLOOR PLAN - GROUND LEVEL
1/8" = 1'-0"
NORTH
SCALE: 1/8"=1'-0"

APPENDIX G CIVIL SITE PLAN



SITE LAYOUT PLAN

AIRPORT FLEET MAINTENANCE FACILITY



REV. DATE / DESCRIPTION

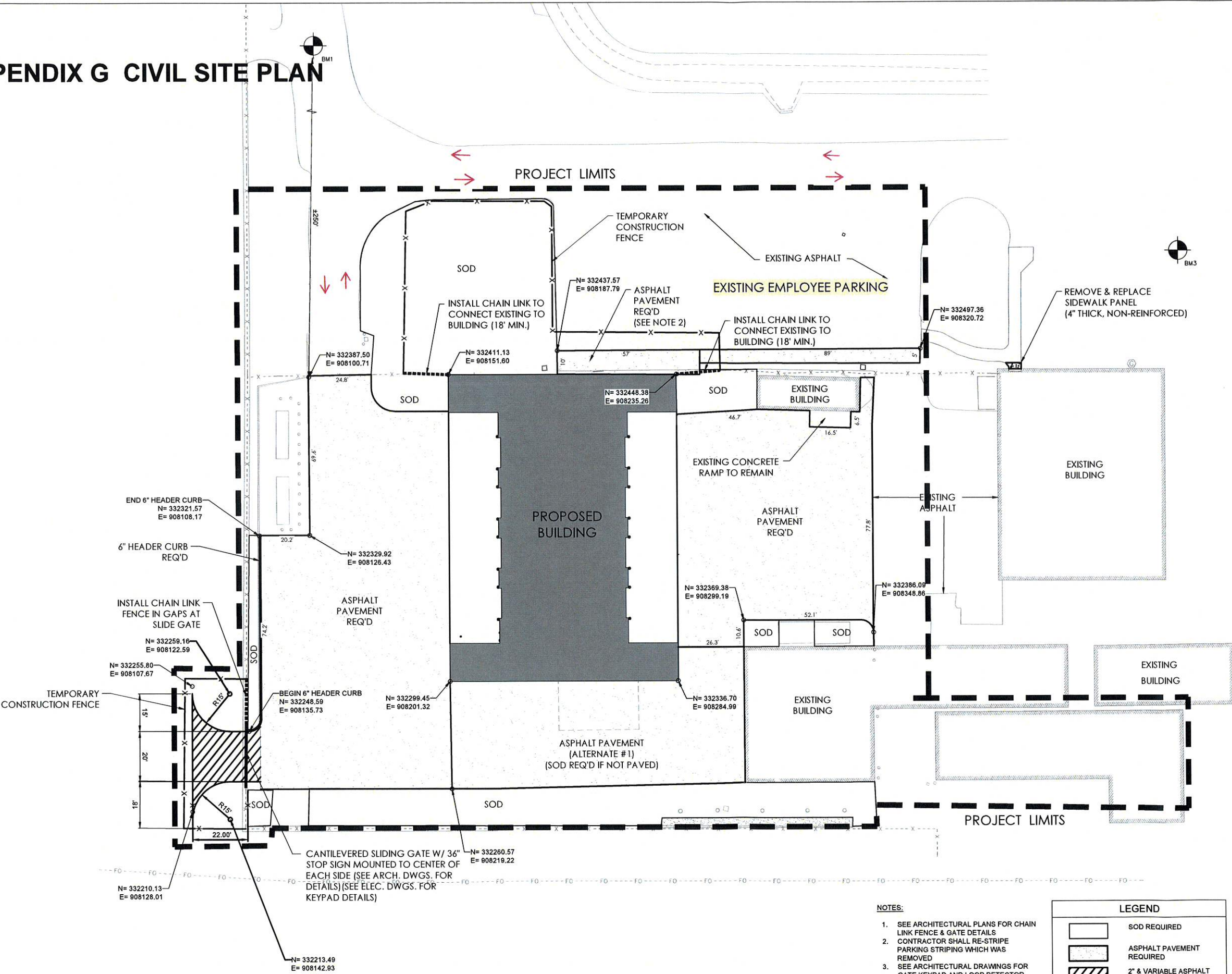
ARCHITECTS

ELEY GUILD HARDY

1091 TOMMY MUNRO DRIVE, BILOXI, MS 39532
228.694.2323
www.egh.ms

NUMBER: 22-0276
DATE: 01/17/2024
DRAWN: KED
CHECKED: BAF

C-121



SCALE: 1"=20'

BEARINGS, DISTANCES, AND COORDINATE VALUES ARE BASED ON THE MISSISSIPPI STATE PLANE GRID COORDINATE SYSTEM, NAD '83, EAST ZONE (2301), U.S. SURVEY FEET, AND WERE DERIVED USING A TOPCON HIPER VR SERIES GPS RECEIVER UTILIZING THE REAL TIME NETWORK ADMINISTERED BY EARL DUDLEY, INC. ELEVATIONS ARE NAVD '88, (EPOCH 2009.55), GEOID 18.

NOTES:

- 1. SEE ARCHITECTURAL PLANS FOR CHAIN LINK FENCE & GATE DETAILS.
- 2. CONTRACTOR SHALL RE-STRIPE PARKING STRIPING WHICH WAS REMOVED.
- 3. SEE ARCHITECTURAL DRAWINGS FOR GATE KEYPAD AND LOOP DETECTOR LOCATIONS AND DETAILS.

LEGEND

	SOD REQUIRED
	ASPHALT PAVEMENT REQUIRED
	2" & VARIABLE ASPHALT PAVEMENT OVERLAY

SITE CONTROL / BENCH MARK TABLE

BM1	1/2" REBAR WITH BLUE CAP N= 332626.8312 E= 908018.7070 ELEV= 14.0624
BM3	1/2" REBAR WITH BLUE CAP N= 332575.0013 E= 908400.0953 ELEV= 15.9761



BROWN, MITCHELL & ALEXANDER, INC.

CONSULTING ENGINEERS
401 Canton Road, Suite A, Ocean Springs, AL 36567 (205)864-7412
131 Rue Magnolia, Mobile, AL 36688 (205)436-7412
3221 Market Street, P.O. Box 31527, Birmingham, AL 35202 (205)864-7412

APPENDIX H CIVIL SITE PLAN DISTANCE TO AIRPORT ROAD



UTILITY PLAN

AIRPORT FLEET MAINTENANCE FACILITY

DAY B. ALEXANDER
REGISTERED PROFESSIONAL
FARMER
14208
MISSISSIPPI
1/17/24

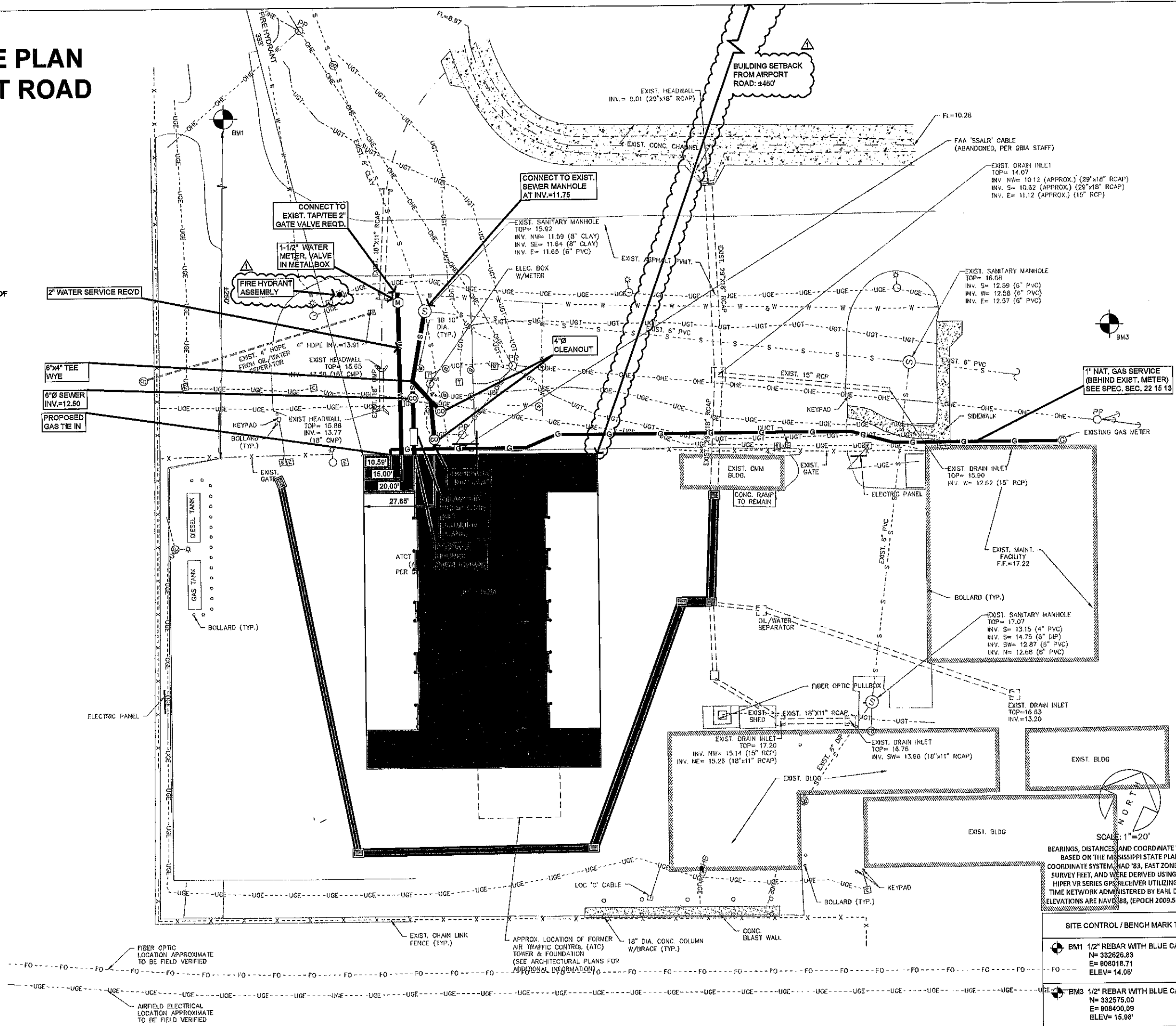
7/3/2024 / WCPR 01

WILEY GUILD HARDY

228.594.2323 www.egh.ms

NUMBER: 22-027b
DATE: 01/17/202
AWN: KED
CHECKED: BAF

C-151



BEARINGS, DISTANCES, AND COORDINATE VALUES ARE
BASED ON THE MISSISSIPPI STATE PLANE GRID
COORDINATE SYSTEM, NAD '83, EAST ZONE (2301), U.S.
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TIME NETWORK ADMINISTERED BY EARL DUDLEY, INC.
ELEVATIONS ARE NAVD 88, (EPOCH 2009.55), GEOID 18.

SITE CONTROL / BENCH MARK TABLE

	BM1 1/2" REBAR WITH BLUE CAP
	N= 332626.83
	E= 908018.71
	ELEV= 14.08'
	BM3 1/2" REBAR WITH BLUE CAP
	N= 332575.00
	E= 908400.09
	ELEV= 15.98'

**BROWN, MITCHELL
& ALEXANDER, INC.**
CONSULTING ENGINEERS

401 Cowden Road,
Suite A,
Chapel Hill, NC 27514
(704)661-7412

131 Riverview
Road, MS 39530
(201)366-1712

3221 Major Steel
Paseo, MS 3
(202)864-7412

www.bmaengineers.com

 **bma**

**BROWN, MITCHELL
& ALEXANDER, INC.**
CONSULTING ENGINEERS

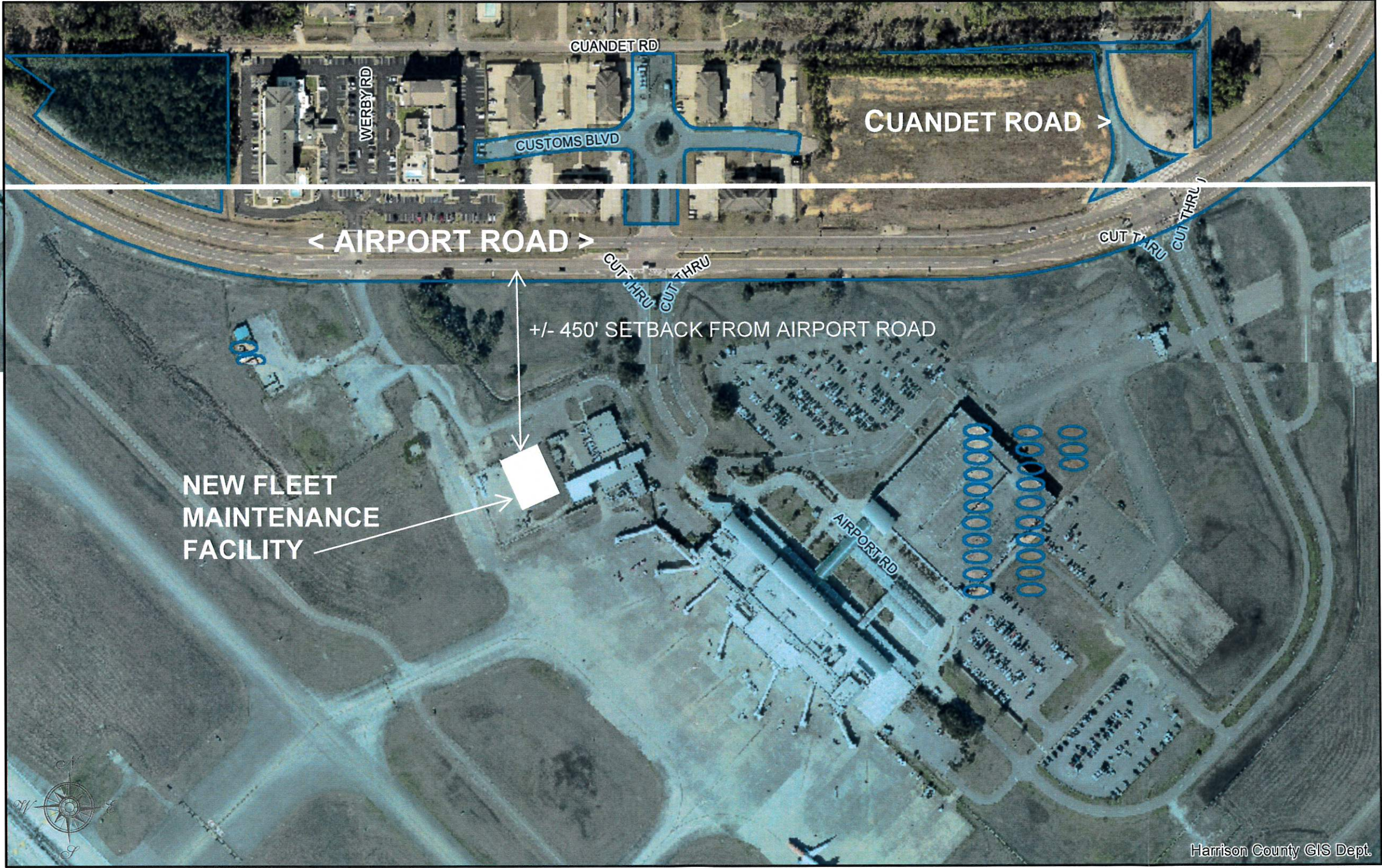
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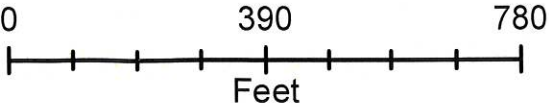
APPENDIX I Gulfport Biloxi International Airport Enlarged Satellite Image



HARRISON COUNTY, MISSISSIPPI

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MAP DATE: July 25, 2024



Airport Aerial View

Existing Parking Locations

APPENDIX J

EXISTING EMPLOYEE PARKING

FLEET MAINTENANCE FACILITY

EXISTING EMPLOYEE PARKING

SURFACE PARKING

PARKING GARAGE

EXISTING EMPLOYEE PARKING

RENTAL CAR PARKING

EXISTING EMPLOYEE PARKING

Legend

 Gulfport-Biloxi International Airport

< AIRPORT ROAD > Airport Rd

Gulfport-Biloxi International Airport

1st Car, SUV & VAN Rental Gulfport-Biloxi

Avis Car Rental

Mississippi Department of Public Safety Driver



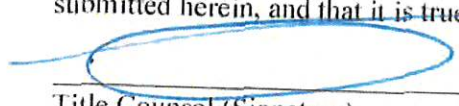
APPENDIX K - TITLE DOCUMENTS**Title Counsel**

As Title Counsel representing the Gulfport-Biloxi Regional Airport Authority, I certify that, regarding the above referenced Project (as further described in the sub-award and federal grant agreements):

1. I have investigated and ascertained the location(s) of, and am familiar with the legal description(s) of the site(s) (including any appurtenant easements and rights-of-way) required for all elements of the Project, including, but not limited to, the long-term acquisition of conservation easements or fee simple purchases including the maintenance and restoration of such properties.
2. I have examined the land deed records of the county or counties for a period of at least fifty (50) years in which the Project is to be located and in my legal opinion, the Sub-Recipient has a legal and valid fee simple title or such other estate or interest in the site(s) sufficient to assure undisturbed use and possession throughout the estimated life of the Project.
3. I have confirmed that the Sub-Recipient has acquired good and merchantable title free of all mortgages, foreclosable liens, or encumbrances, to all land, rights of way and easements necessary for completion of the above referenced Project.
4. All deeds and/or other documents required to protect the title and the interest of the Sub-Recipient have been duly recorded and filed for record.

I understand that I shall immediately provide written notice to MDEQ if at any time I learn that this Certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, and that it is true, accurate and complete.


Title Counsel (Signature)

Bobby R. Long
Printed Name

12/05/23
Date

General Counsel
Title of Signatory

LAW OFFICES OF
DUKES, DUKES, KEATING & FANCA, P.A.

Walter W. Dukes
Hugh D. Keating
W. Edward Hatten, Jr.
Trace D. McRaney
Bobby R. Long
J. Neil B. Blum*
Haley E. Schultz
G. Martin Warren, Jr.**

13334 Seaway Road, Suite 203
Gulfport, Mississippi 39503
Telephone: 228-868-1111
Facsimile: 228-863-2886
www.ddkf.com

WILLIAM F. DUKES
(1927 - 2003)

PHILLIP W. JARRELL
(1959 - 2014)

CYRIL T. FANCA, JR.
(RETIRED)

Gulfport Mailing Address:
Post Office Drawer W
Gulfport, Mississippi 39502

*also licensed in CA
**also licensed in LA

December 5, 2023

Clay Williams
Executive Director
Gulfport-Biloxi Regional Airport Authority
14035-L Airport Road
Gulfport, MS 39503

RE: Gulfport-Biloxi Regional Airport Authority
Property Address: Fleet Maintenance Facility
Gulfport-Biloxi International Airport
Our File No.: 4270.2613

TITLE CERTIFICATE

Dear Clay:

This letter is to certify that I have examined the deraignment of record title in and to the property identified in the Project Site Drawings prepared by Brown, Mitchell and Alexander, Inc., Engineers, a copy of which is attached hereto as **Exhibit "1"**.

Based on said examination, in my opinion, merchantable fee simple title in and to the above described property is vested in The Gulfport-Biloxi Regional Airport Authority by virtue of a Conveyance Deed dated December 13, 1977, and recorded in Deed Book 818 at Page 142, in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi and identified in **Exhibit "2"** attached hereto and, all subject, however, to the following defects, liens, encumbrances, exceptions, reservations and restrictions as set forth herein below, to-wit:

STANDARD EXCEPTIONS

1. I do not certify as to any oil, gas or mineral rights, interests in and to the surface or sub-surface estate in the lands herein above described.
2. I do not certify as to whether this property is located in a flood hazard boundary or hazardous waste boundary.

Clay William
Executive Director
Gulfport-Biloxi Regional Airport Authority
December 5, 2023
Page Two

3. Rights or claims of parties in possession not shown by the public records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land and not shown by the public records.
5. Easements, or claims of easements, not shown by the public records.
6. Any lien, or right to a lien, for services, labor or materials in connection with improvements, repairs, or renovations heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public record.
8. Any law, ordinance or governmental regulation (including, but not limited to, building and zoning laws, ordinances or regulations) restricting, prohibiting or relating to, (i) the occupancy, use or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; or (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part.
9. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, limestone, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the public records.
10. Condition and/or quality of access, if any, for purposes of ingress and egress in, on, over, across and to the subject property.
11. All regulations and/or claims of governmental authorities, state and federal, in and to any portion of the premises now or formerly subject to the ebb and flow of tidal waters and/or navigable rivers, lakes and streams.

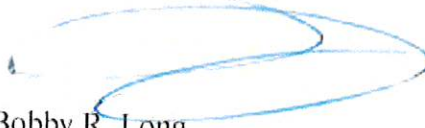
Clay William
Executive Director
Gulfport-Biloxi Regional Airport Authority
December 5, 2023
Page Three

12. Any lien, or right to a lien, for services, labor materials heretofore or hereafter furnished and imposed by law and not shown by the public records.
13. Taxes or special assessments which are not shown as existing by the public records.
14. Limitations or restrictions on the use of subject property as a result of any local, municipal, state or federal ordinance, statute, regulation or rule which may be applicable to said property.
15. Condition and/or quality of access, if any, for purposes of ingress and egress in, on, over, across and to the subject property.
16. All regulations and/or claims of governmental authorities, state and federal, in and to any portion of the premises now or formerly subject to the ebb and flow of tidal waters and/or navigable rivers, lakes and streams.
17. Rules and regulations of the U.S. Army Corps of Engineers and any other local, state or federal agency from whom any permit or approval may be required as a condition precedent to development of wetlands.

WITNESS MY SIGNATURE, this the 5th day of December, 2023.

Respectfully submitted,

DUKES, DUKES, KEATING & FANCA, P.A.


Bobby R. Long

BRL/sas
Attachments:
EXHIBIT "1" - Project Site Drawing
EXHIBIT "2" - Conveyance Deed

Site Access / Laydown

Legend

 Gulfport-Biloxi International Airport

CONTRACTOR SITE
ACCESS/HAUL ROUTE

EXISTING VEHICULAR
ACCESS GATE TO SITE

CONTRACTOR
STAGING/
PARKING AREA

GENERAL LIMITS
OF WORK/
STAGING AREA

AIRPORT TYPE 1
BARRICADES

Google Earth

500 ft

Gulfport-Biloxi International Airport



STATE OF MISSISSIPPI

COUNTY OF HARRISON

C O N V E Y A N C E

WHEREAS, the City of Gulfport, Mississippi, is a municipal corporation, organized and existing under the laws of the State of Mississippi, and owns or has possession of certain real property in Harrison County, Mississippi, on which is located an airport; and

WHEREAS, The Gulfport-Biloxi Regional Airport Authority is a public body, corporate and politic, organized and existing under the laws of the State of Mississippi, pursuant to a Certificate of Incorporation issued by the Secretary of State of the Mississippi on August 25, 1977; and

WHEREAS, the City of Gulfport, Mississippi, is a municipality for which The Gulfport-Biloxi Regional Airport Authority was created; and

WHEREAS, the Mayor and Board of Commissioners of the City of Gulfport, Mississippi, on August 2, 1977, passed a Resolution, as recited in the Minutes of the City of Gulfport, authorizing the creation of a Regional Airport Authority to be known as The Gulfport-Biloxi Regional Airport Authority, a copy of said Resolution being attached hereto and incorporated herein; and

WHEREAS, the Mayor and Board of Commissioners of the City of Gulfport, Mississippi, on December 13, 1977, passed a Resolution, as recited in the Minutes of said City, entitled, "A Resolution of the Mayor and Board of Commissioners of the City of Gulfport, Mississippi, Authorizing the Mayor of the City of Gulfport to Execute, Sign and Deliver for and on Behalf of said City an Agreement for the Conveyance of Gulfport Municipal Airport Property to The Gulfport-Biloxi Regional Airport Authority and a Conveyance of Real Property to The Gulfport-Biloxi Regional Airport Authority", a copy

EXHIBIT

2

of said Resolution being attached hereto and incorporated herein,
and

WHEREAS, this Conveyance is expressly subject to the provisions of Section 61-3-1 through 61-3-83 of the Mississippi Code of 1972 and the attached Agreement for the Conveyance of Gulfport Municipal Airport Property to The Gulfport-Biloxi Regional Airport Authority of December 13, 1977, and to all the terms, conditions, covenants and reverter clauses of said Agreement, a copy of said Agreement being attached hereto and incorporated herein.

NOW, THEREFORE, in consideration of the aforementioned Agreement between the City of Gulfport, Mississippi, and The Gulfport-Biloxi Regional Airport Authority, including the covenants, terms, conditions and reverter clauses contained therein and incorporated in this Conveyance, the CITY OF GULFPORT, MISSISSIPPI, does hereby convey to THE GULFPORT-BILOXI REGIONAL AIRPORT AUTHORITY the following described real property, together with the improvements thereon situated, located in the First Judicial District of Harrison County, Mississippi, and more particularly described as follows:

A parcel of land located in a part of Sections 21, 22, 23, 26, 27, and 35, Township 7 South, Range 11 West St. Stephens Meridian, Harrison County, Mississippi, more particularly described as follows: BEGINNING at a concrete monument which marks the Section corner common to said Sections 27, 26, 34, and 35; thence

South 89 degrees 42 minutes West	a distance of 3978.49 feet; thence
North 00 degrees 34 minutes 41 seconds West	a distance of 1319.01 feet; thence
South 89 degrees 27 minutes 11 seconds West	a distance of 84.23 feet; thence
North 01 degrees 02 minutes 34 seconds West	a distance of 872.33 feet; thence
North 86 degrees 36 minutes 42 seconds East	a distance of 7.43 feet; thence
North 00 degrees 33 minutes 24 seconds West	a distance of 2721.55 feet; thence
North 44 degrees 56 minutes 28 seconds West	a distance of 2284.25 feet; thence
North 37 degrees 17 minutes 26 seconds West	a distance of 337.93 feet; thence
North 55 degrees 34 minutes 53 seconds East	a distance of 718.13 feet; thence
North 63 degrees 28 minutes 05 seconds East	a distance of 434.38 feet; thence
South 66 degrees 21 minutes 17 seconds East	a distance of 314.40 feet; thence
South 89 degrees 43 minutes 53 seconds East	a distance of 155.67 feet; thence
South 82 degrees 31 minutes 10 seconds East	a distance of 305.58 feet; thence
South 80 degrees 23 minutes 23 seconds East	a distance of 324.81 feet; thence
South 40 degrees 02 minutes 21 seconds East	a distance of 316.72 feet; thence
North 89 degrees 55 minutes 21 seconds East	a distance of 435.91 feet; thence
North 00 degrees 08 minutes 08 seconds East	a distance of 3573.54 feet; thence
South 89 degrees 56 minutes 55 seconds East	a distance of 487.06 feet; thence
South 45 degrees 11 minutes 32 seconds East	a distance of 2148.04 feet; thence
South 00 degrees 14 minutes 14 seconds East	a distance of 954.23 feet; thence
South 45 degrees 33 minutes 47 seconds East	a distance of 368.51 feet; thence
North 44 degrees 26 minutes 13 seconds East	a distance of 50.4 feet; thence
South 45 degrees 33 minutes 47 seconds East	a distance of 30.2 feet; thence
South 44 degrees 26 minutes 13 seconds West	a distance of 60.2 feet; thence
South 45 degrees 33 minutes 47 seconds East	a distance of 30.2 feet; thence
South 44 degrees 43 minutes 24 seconds West	a distance of 121.25 feet; thence
	a distance of 1046.60 feet; thence

South 00 degrees 07 minutes 30 seconds East a distance of 3329.46 feet; thence
 South 89 degrees 51 minutes 34 seconds West a distance of 285.65 feet; thence
 South 42 degrees 21 minutes 42 seconds West a distance of 109.94 feet; thence
 South 00 degrees 10 minutes 19 seconds East a distance of 427.91 feet; thence
 North 89 degrees 59 minutes 26 seconds East a distance of 327.23 feet; thence
 South 03 degrees 31 minutes 15 seconds East a distance of 74.89 feet; thence
 North 88 degrees 06 minutes 24 seconds East a distance of 100.02 feet; thence
 South 44 degrees 52 minutes 09 seconds West a distance of 261.66 feet; thence
 South 43 degrees 59 minutes 37 seconds East a distance of 1780.55 feet; thence
 South 65 degrees 04 minutes 09 seconds East a distance of 412.45 feet; thence
 South 29 degrees 06 minutes 34 seconds East a distance of 138.20 feet; thence
 South 09 degrees 17 minutes 30 seconds East a distance of 62.01 feet; thence
 South 05 degrees 02 minutes 29 seconds West a distance of 166.98 feet; thence
 South 45 degrees 06 minutes 57 seconds West a distance of 1477.39 feet; thence
 North 68 degrees 45 minutes 20 seconds West a distance of 110.45 feet; thence
 North 44 degrees 26 minutes 28 seconds West a distance of 856.33 feet; thence
 South 89 degrees 34 minutes 13 seconds West a distance of 1168.28 feet; thence
 North 46 degrees 12 minutes 25 seconds West a distance of 846.19 feet; thence
 North 16 degrees 49 minutes 17 seconds West a distance of 220.97 feet; thence
 North 01 degrees 04 minutes 17 seconds East a distance of 428.59 feet; thence
 North 79 degrees 33 minutes 15 seconds West a distance of 213.14 feet; thence
 South 09 degrees 45 minutes 03 seconds West a distance of 49.63 feet to the
 point of beginning.
 Parcel containing 1155.88 acres, more or less.

IN WITNESS WHEREOF, the City of Gulfport, Mississippi, has
 executed, signed and delivered this Conveyance on this, the 13
 day of December, 1977.

CITY OF GULFPORT, MISSISSIPPI
 A Municipal Corporation-Grantor
 BY: JACK BARNETT
 JACK BARNETT, MAYOR



ACKNOWLEDGEMENT

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in
 and for the County and State aforesaid, JACK BARNETT, Mayor, of
 the City of Gulfport, a municipal corporation, organized and
 existing under the laws of the State of Mississippi, who acknow-
 ledged that he signed, sealed and delivered the above and foregoing
 instrument on the day and year therein mentioned for and on behalf
 of the City of Gulfport, Mississippi, having been duly authorized
 to do so.

BOOK 1292 PAGE 396

BOOK 818 PAGE 145

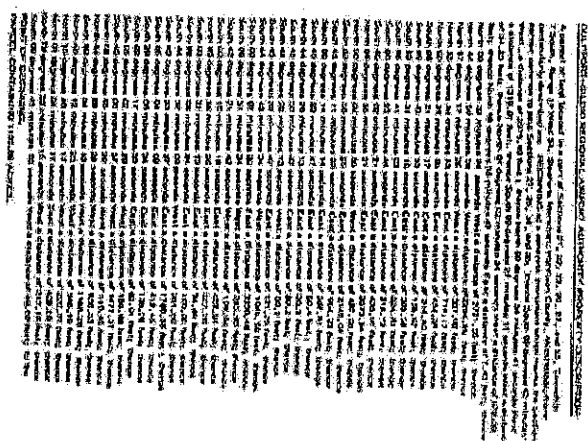
GIVEN under my hand and official seal, this the 12th
day of December, 1977.

Sandra M. Baylar
NOTARY PUBLIC

My Commission Expires:

8/15/80





1. Regulatory Institute for Land Development and
Improvement, various regulations

2023 Landroll Information				
GPT-BILOXI REGIONAL AIRPORT AUTH 14035-L AIRPORT RD GULFPORT, MS 39503 Physical Street Address: 14055 AIRPORT RD				
Parcel #:	PPIN	Tax District	Homestead Exp.	Judicial Dist.
0809P-02-001.000	92104	4G		1
Supervisor District:		Subdivision:		
4				
Exemption Code				
Section	Township	Range		
22	07	11		
Instrument Number(s)				
2014-0001615-D-J1, 2010-0008324-D-J1, 2008-0010689-D-J1, 1650/0374, 1645/0108, 1597/0013, 1292/0377, 0818/0176, 0818/0172, 0818/0170, 0818/0146, 0818/0142				
Acres	Land Value	Improvements	Total Value	Assessed Value
0	0	0	0	0 / 0
Legal Description				
-AIRPORT- 1053.7 AC(C) THAT PART BELONGING TO THE GPT-BILOXI REGIONAL AIRPORT AUTH FOR THE AIRPORT & AIR STRIPS LYING WITHIN SECS 22, 23, 26, 27, 34, & 35-7-11 LESS & EXCEPT THOSE PART LEASED				

There are 0 building description records attached to this parcel.



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 # 2024-859

Hearing Date: Thursday, October 17, 2024

Variance 2410ZB164; Variance 2410ZB164, by agent Martin Jones, seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-006.000, 1235 Pass Rd, Zoned B-2 (General-business), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2410ZB164

Hearing Date: October 17, 2024

Current Zoning/Use: B-2 / Commercial Structure

Legal: Variance 2410ZB164, by agent Martin Jones, seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-006.000, 1235 Pass Rd, Zoned B-2 (General-business), Ward 2

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance in order to pull out into the city right of way. It should be noted that this site will ultimately need a parking related variance no matter which decision is made unless the building is partially or fully demolished in order to fit required parking. The parking for the subject site is pre-existing non-conforming and similar to many sites along Pass Road. A new parking plan will ultimately be needed regardless as Engineering has shown that the proposed handicap parking does not meet the required size for an access aisle.

- (a) The applicant states that the building is 47 feet from the edge of the pavement of Pass Road and continues to say that there is sufficient right of way for a vehicle to turn parallel to Pass Road without being on Pass Road. Upon staff review, it is true that, while they would need to pull out into the city right of way, they would not be directly backing out into Pass Road. This type of issue is faced by many on Pass Road and the expansion of Pass road created the special condition that this site faces.
- (b) The applicant states that the building was constructed in the 1950's before the widening of Pass Road. He claims there was no issue before Pass Road was expanded. It is clear to staff that this issue was not caused by the applicant.
- (c) The applicant states "the location of the building and the lay of the land creates a hardship if parking is not allowed in front of the building. There is not enough excess space to create parking that would allow a vehicle to exit the property without backing into the right of way and using approximately 2.25 feet of right of way for each parking space." It is clear that the expansion of Pass Road created a real hardship for existing buildings with regard to backing out into the city right of way.
- (d) The applicant states "without this variance the property would not be able to be used for its intended purpose". It is clear that many in the area are operating with variances or in a "grandfathered" status with regards to parking. Upon site visit by staff, it is apparent that both the property to the left and right currently use parking that pulls out into the city right of way, neither of which have variance applications on file. The literal interpretation of the ordinance would require the building be demolished in order to fit required parking or change to the ordinance regarding parking aisle width.
- (e) The applicant states "with the parking issue being originally caused by the widening of Pass Road, there is no special benefit to the owner for the granting of this requested variance. All the other owners have the same right to use their property as allow under the same zoning ordinance." It is clear to staff that many in the area currently has parking that pulls out into the city right of way and thus the granting of this variance would be harmonious with the area.
- (f) This property is zoned B-2 and the proposed use is allowed by right.

EXECUTIVE SUMMARY

The applicant is requesting a variance in order to pull out into the city right of way. Upon staff review, it is clear that this site has a real hardship due to the expansion of Pass Road. The parking at this site as well as many others along Pass Road require variances in order to come up to code. The granting of this variance would be in harmony with the area. It should be noted that, while engineering has recommended approval of the back out parking, they have shown that the ADA standards have not been met in regards to the back out aisle for a handicap parking space. The appropriate ADA parking space is required and thus a parking plan will need to be supplied

Technical Report

VARIANCE

to resolve this issue. Also, while Traffic and Safety had no conditions, they did note that they approve of the parking as it was pre-existing. Additionally, the parking lining can be done up to the property line but may not extend past the property line into the city right of way.

Any approval should consider these conditions:

1. Approval would allow for parking that backs out into the city right of way.
2. This business has existing back out parking spaces that pre-dates current City standards. Other businesses in this part of Pass Rd have similar pre-existing parking. Engineering recommends approval of back out parking in this situation. The Handicap parking space as shown does not meet ADA standards due to lack of an accessible aisle next to the space. Depending on the type and value of proposed improvements to the building, the ADA access aisle may need to be added which would result in one less parking space that could be provided.
3. The striped parking may go up to the property line but not go into city right of way.

DEPARTMENTAL CONDITIONS

Engineering:

This business has existing back out parking spaces that pre-dates current City standards. Other businesses in this part of Pass Rd have similar pre-existing parking. Engineering recommends approval of back out parking in this situation.

The Handicap parking space as shown does not meet ADA standards due to lack of an accessible aisle next to the space. Depending on the type and value of proposed improvements to the building, the ADA access aisle may need to be added which would result in one less parking space that could be provided. Memo dated 10/3/2024.

Public Works:

No comment as of 10/4/24.

Traffic and Safety:

No conditions. Memo dated 10/2/2024.

Building Code Services:

No conditions. Memo dated 9/30/2024.

GIS:

No conditions. Memo dated 10/3/2024.

Police Department:

No comment as of 10/4/2024.

Fire Department:

No conditions. Memo dated 9/30/2024.

City Arborist:

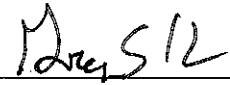
No conditions. Memo dated 9/27/2024.

Technical Report

VARIANCE

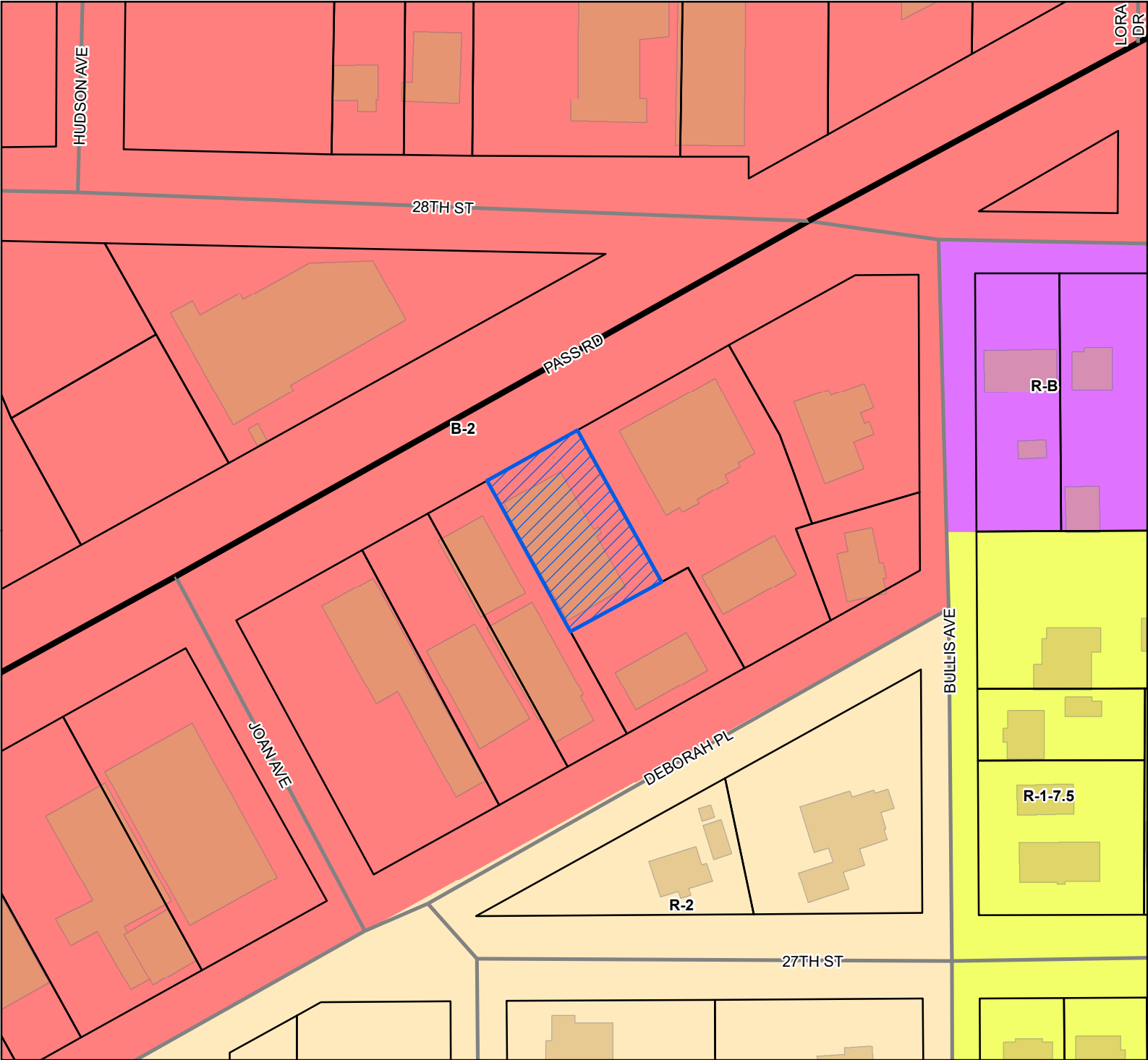
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department



Legend

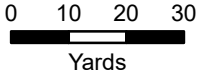
- Site
- US or State Highway
- Street
- Parcels
- Buildings
- City Limit

Zoning

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

Site Information

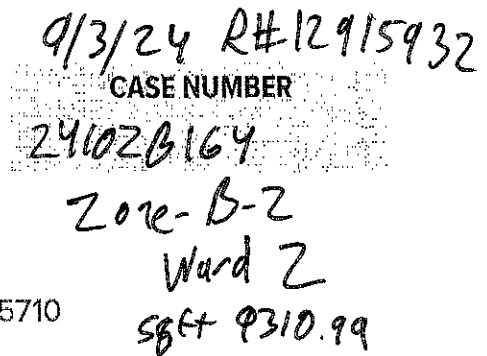
0811A-05-006.000
Zoning: B-2 (General business)
Size: 9310.99 sqft
Flood: X



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.



ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

☐ Appeal of Planning Administrator

☐ Excessive Height

☐ Fence Variance

☐ Special Exception

☒ Variance

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					-			-				.			
					-			-				.			
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1235 Pass Road, Gulfport, MS 39501
 Lot(s) Part of 5+6 Block(s) 7 Subdivision Broadacres

General Description of Request: To allow vehicles to use city right of way to back out of parking spaces and to use 2.25 feet of right of way for parking

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:Donald Lee Sprabery

Printed Name of Owner

7433 Menge Avenue

Mailing Address

Poss Christian, MS 39571

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Owner

AGENT:Martin Jones

Printed Name of Agent

9153 Lorraine Road

Mailing Address

Gulfport MS 39503

City

State

Zip Code

228 341-2022

Home Phone

Work/Cell Phone

mjonescbcc@yahoo.com

Email

Signature of Agent

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

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

Name of Owner (PRINT)

Peggy Sprabery

Address (Street, City, State, Zip Code)

7433 Menge Avenue

Phone (Home)

(Work)

(Cell)

228-342-1138

Tax Parcel Number(s) Owned:

X Signature:

Peggy Sprabery

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, Peggy Sprabery PRINT NAME being property owner of 1235 1st Road, Gulfport, MS PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Martin Jones 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.

X Peggy Sprabery 8-26-2024
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 26th day of August, 2024

Monica Hewes Feb. 12, 2028
NOTARY PUBLIC COMMISSION EXPIRATION





DESIGNATION OF AGENT

I, Donald Lee Sprabury being property owner of 1235 Res Road Gulfport, MS
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Martin Jones 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.

X [Signature] 8-26-2004
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this 26th day of August, 2024

[Signature]
NOTARY PUBLIC



Feb. 12, 2028
COMMISSION EXPIRATION



COVENANT AFFIDAVIT

I, Peggy Sprabery being property owner or agent of the property 1235 Pers Road, Gulfport, MS
PRINT NAME PRIMARY ADDRESS OR PARCEL

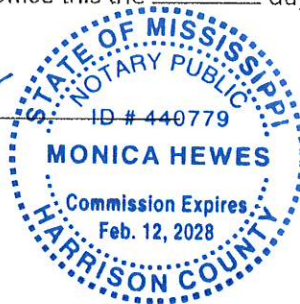
which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

X Peggy Sprabery 8-26-2024
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Monica Hewes
NOTARY PUBLIC



Feb. 12, 2028
COMMISSION EXPIRATION



COVENANT AFFIDAVIT

I, Donzle Lee Sprebery being property owner or agent of the property 1235 Pess Road 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.

x Donzle Lee Sprebery
SIGNATURE

8-26-2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Monica Hewes
NOTARY PUBLIC



Feb. 12, 2028
COMMISSION EXPIRATION

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

Answers to Variance Submission questions

1. The front of the building is 47 feet from the edge of the pavement on Pass Road. This does not allow a vehicle to back out of the parking area without entering the city owned right of way. There is sufficient right of way for a vehicle to turn parallel to Pass Road without being on Pass Road. Some buildings along this area of Pass Road have more of a setback and some have less.
2. The building was constructed in 1950 before the widening of Pass Road from two lanes to four lanes. There were no parking issues prior to the widening of Pass Road.
3. The location of the building and the lay of the land creates a hardship if parking is not allowed in front of the building. There is not enough excess space to create parking that would allow a vehicle to exit the property without backing into the right of way and using approximately 2.25 feet of right of way for each parking space. There are other properties along Pass Road where the location of the building and area of the land parcel allow a parking lot to exist. With the building taking up 60% of the land parcel it is not possible to adequately park other than in front of the building.
4. With the parking area in front of the building being 43 feet from Pass Road edge, there is sufficient space for a vehicle to maneuver without the danger of backing into Pass Road traffic. Without this variance the property would not be able to be used for its intended purpose. For many years it was used as a uniform shop and most recently as a medical supply rental establishment. Proposed use is for Event Rental, LLC, a party supply rental company with two full time employees. Other uses with diminished parking requirements would generate less economic return and possibly lead to a vacated building with zero economic return.

5. With the parking issue being originally caused by the widening of Pass Road, there is no special benefit to the owner for the granting of this requested variance. All the other owners have the same right to use their property as allowed under the same Zoning Ordinance.
6. The proposed use is allowed by right.

Pass Rd

Parking extends 2.25' into right of way

19' Driveway

15.75'

9 x 18 Parking Space
9 x 18 Parking Space
9 x 18 Parking Space
9 x 18 Parking Space
10 x 18 Handicap Parking Space

Sidewalk

47'

2'

1235 Pass

SPRABERY DONALD LEE & PEGGY

90'3"

60'3"

3.5'

30'

43.5'

15'

5.5'

PLUMBERS & STEAMFITTERS UNION

Weather

pass rd

74'

125'

125'

75'

1232

unbr pl

1237



STATE OF MISSISSIPPI

BOOK 1317 PAGE 195

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 of which is hereby acknowledged, we, HOWARD S. SINGLETERRY AND SUSAN BARBER VALENTI, Administratrix of the Estate of Daniel Lee Barber, Grantors, do hereby GRANT, SELL, BARGAIN, CONVEY and WARRANT unto DONALD LEE SPRABERY AND PEGGY SPRABERY, Grantees, as joint tenants with the right of survivorship and not as tenants in common, as authorized by the Chancery Court of Jackson County County, Mississippi, as evidenced by the Order entered in Cause No. 950364, a copy of which is attached hereto, the following described property lying and being situated in Jackson County, Mississippi, more particularly described as follows, to-wit:

North 125.5 feet of Lot 6 and the North 125.5 feet of the West 1/2 of Lot 5, Block 7, BROADACRES SUBDIVISION, City of Gulfport, Harrison County, Mississippi, as per map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi.

The Grantors herein intend by this instrument to transfer unto Grantees all rights, titles and interests they presently have or may hereafter acquire in and to the above described property.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Grantors agree to pay to said Grantees or their assigns any deficit on an actual proration.

WITNESS OUR SIGNATURE, this the 19th day of October, 1995.

Howard S. Singleterry
HOWARD S. SINGLETERRY

Susan Barber Valenti
SUSAN BARBER VALENTI, Administratrix of
the Estate of Daniel Lee Barber, Deceased

STATE OF MISSISSIPPI

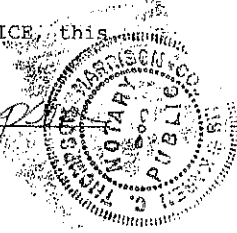
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named, HOWARD S. SINGLETERRY, who acknowledged that he signed, sealed and delivered the above and foregoing Warranty Deed on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 19th day of October, 1995.

Doreen C. Thompson
NOTARY PUBLIC

MY COMMISSION EXPIRES:
NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: Oct. 12, 1998.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.



STATE OF MISSISSIPPI
COUNTY OF HARRISON

BOOK 1317 PAGE 197

PERSONALLY appeared before me, the undersigned authority
in and for the jurisdiction aforesaid, the within named,
SUSAN BARBER VALENTI, Administratrix of the Estate of Daniel
Lee Barber, Deceased, who acknowledged that he signed, sealed
and delivered the above and foregoing Warranty Deed on the
day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this
the 14th day of OCTOBER, 1995.

MY COMMISSION EXPIRES:

GRANTOR'S ADDRESS
AND PHONE NUMBER:
315 Caillavet Street
Biloxi, MS 39530
(601) 374-3298

Harold C. Thompson
NOTARY PUBLIC

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE.
MY COMMISSION EXPIRES: Oct. 12, 1998.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

GRANTEE'S ADDRESS
AND PHONE NUMBER:
1234 Pass Road
Gulfport, MS 39501
(601) 452-7416

PREPARED BY:
WHEELER & WHEELER
P.O. BOX 264
BILOXI, MS 39533
(601) 374-6720

BOOK 1317 PAGE 198

IN THE CHANCERY COURT OF JACKSON COUNTY, MISSISSIPPI
FILED

IN THE MATTER OF THE ESTATE OF DANIEL LEE BARBER, DECEASED OCT 17 1995

LYNN PRESLEY, CLERK
BY

SUSAN BARBER VALENTI, ADMINISTRATRIX CAUSE NO. 950374

ORDER

THIS CAUSE, having come on to be heard upon the Petition of Susan Barber Valenti, the duly appointed Administratrix of the Estate of Daniel Lee Barber, deceased, for Authority to Sell Real Property and the Court having heard and considered same, is of the opinion that the relief requested therein ought to be granted. The Court therefore finds as follows:

I.

That the Petitioner, Susan Barber Valenti, is the Administratrix of the Estate of Daniel Lee Barber, Deceased, being so appointed by Order of this Court dated February 21, 1995. Further, that on April 17, 1995 a Decree Establishing Heirs was entered in this matter establishing Petitioner, Susan Barber Valenti and the two minor children of Petitioner and the deceased, Danielle Barber and Stephanie Barber, as the sole and only heirs at law of Daniel Lee Barber.

II.

That the decedant owned an undivided one-half interest in the following described property located at 1234 Pass Road, Gulfport, Mississippi:

North 125.5 feet of Lot 6 and the North 125.5 feet of

the West 1/2 of Lot 5, Block 7, BROADACRES SUBDIVISION, City of Gulfport, Harrison County, Mississippi, as per map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi.

III.

That the Administratrix and the other co-owner of the property have received an offer to purchase the real estate described above located in the County of Harrison, Mississippi, from Donald Lee and Peggy Sprabery for the sum of One Hundred Twenty-five Thousand Dollars (\$125,000.00).

IV.

That the offer on said property is a good and valid purchase offer and reflects current fair market value of said real property and that it would be in the best interest of the Estate that the Administratrix be authorized to execute any and all documents necessary to consummate said sale.

V.

That the Administratrix has posted a bond in the amount of Ten Thousand Dollars (\$10,000.00) as previously ordered by this Court and it is necessary that she post an additional bond in the amount of the sales proceeds of One Hundred Twenty-five Thousand Dollars (\$125,000.00). It is therefore,

ORDERED, ADJUDGED AND DECREED that Susan Barber Valenti, Administratrix of the estate of Daniel Lee Barber be and she is hereby authorized to execute any and all documents necessary to consummate the sale of the decedant's interest in the real property described hereinabove under the terms and conditions contained in the Contract for Purchase and

Sale attached to the petition filed in connection herewith,
and to receive the estate's share of the sales proceeds,
after payment of any expenses and fees incidental to the
sale, and to deposit same into an estate account pending
completion of the probate of this estate. It is further,

ORDERED, ADJUDGED AND DECREED that an additional bond in
the amount of One Hundred Twenty-five Thousand Dollars
(\$125,000.00) representing the sales proceeds should be
ordered posted by the Administratrix in connection with the
sale of the real property.

SO ORDERED, ADJUDGED AND DECREED this the 17th day of
October, 1995.

[Signature]
CHANCELLOR

ATTEST:

To be a true copy of original Order
filed Oct 17, 1995
Lynn Presley, Chancery Clerk

Jackson County, Mississippi
[Signature] D.C.

STATEMENT OF FEES

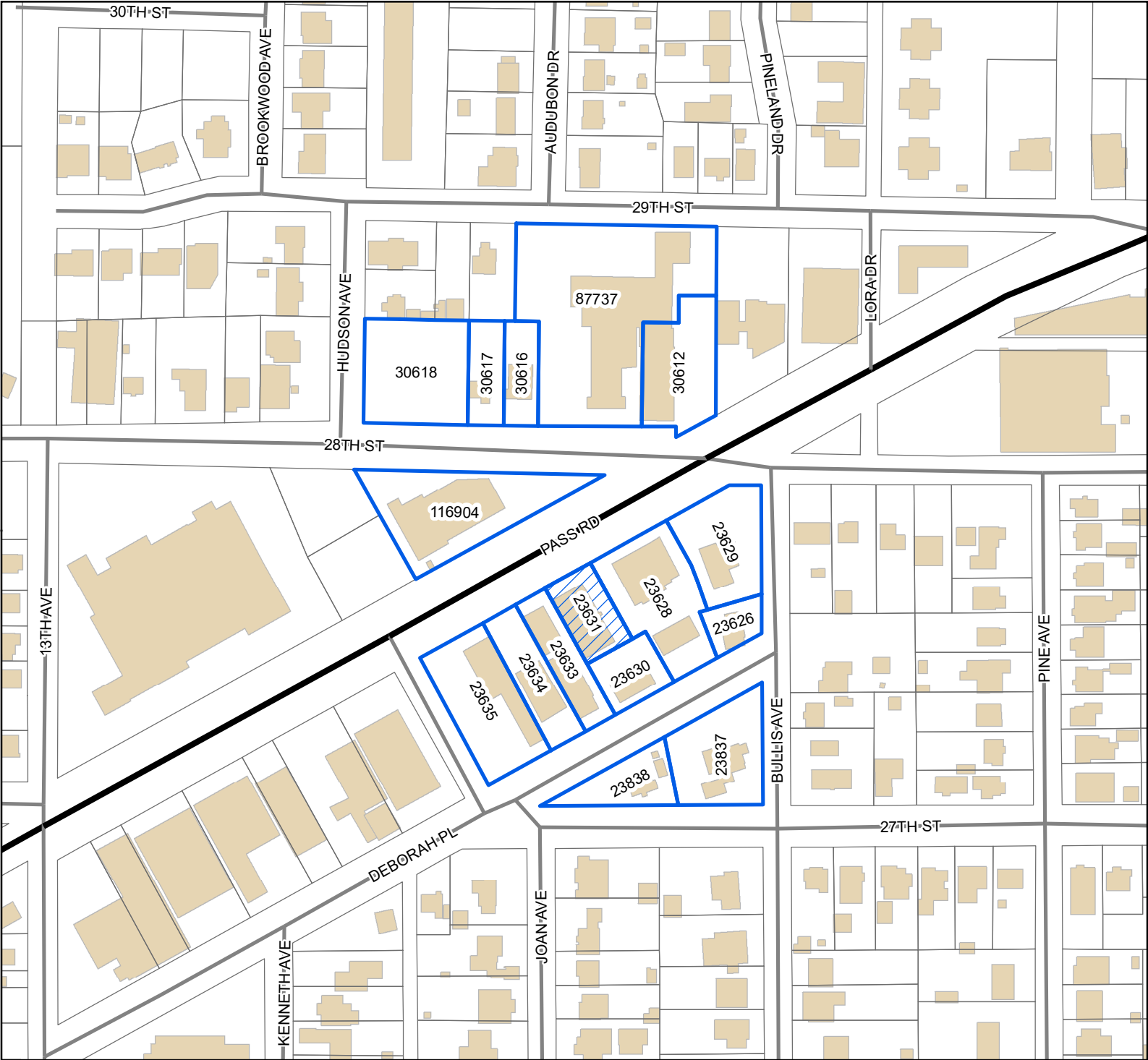
Recording Fee \$6.00
Abstracting/Section Fee at 1.00
\$1.00 each
Marginal Entry at .50 each
Other
TOTAL FEES COLLECTED 7.00

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

I hereby certify that this instrument was received and filed for record at 12 o'clock
and 01 minutes P. M. on 23rd day of Oct, A.D. 19 95
and recorded Oct 24, 19 95 In Records of Deeds
Book 1317 Pages 195-200

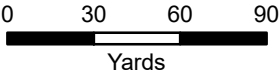
60219
By [Signature] G. N. CREEL, Chancery Clerk
D.C.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0811A-05-006.000	DONALD LEE SPRABERY (OWNER)	7433 MENGE AVE	PASS CHRISTIAN	MS	39571
			PEGGY SPRABERRY (OWNER)	7433 MENGE AVE	PASS CHRISTIAN	MS	39571
			MARTIN JONES (AGENT)	9153 LORRAINE ROAD	GULFPORT	MS	39503
			Adjacent Property Owners (2410PC164)				
	30617	0810P-02-054.000	GILL J FAYE ETAL	1246 28TH ST	GULFPORT	MS	39501
	30612	0810P-02-050.000	GC SHOCKERS PROPERTIES LLC	1077 TOMMY MUNRO DR	BILOXI	MS	39532
	23631	0811A-05-006.000	SPRABERY DONALD LEE & PEGGY	7433 MENGE AVE	PASS CHRISTIAN	MS	39571
	23838	0811A-04-096.000	ARONSON WAYNE A	1234 27TH STREET	GULFPORT	MS	39501
	23837	0811A-04-070.000	MARTINEZ LUIS PABLO	2703 BULLIS AVE	GULFPORT	MS	39501
	23634	0811A-05-009.000	UNITED ASSN OF PLBS	1237 PASS RD	GULFPORT	MS	39501
	116904	0811A-05-056.001	MNH LLC	11502 STANTON CIRCLE	GULFPORT	MS	39503
	23635	0811A-05-010.000	AMIN KARIM	925 HANDSBORO PLACE	GULFPORT	MS	39507
	30616	0810P-02-053.000	GILL JOHNNIE FAYE ETAL	1246 28TH ST	GULFPORT	MS	39501
	87737	0810P-02-049.000	O'NEAL COMPANY	P O BOX 118	MCHENRY	MS	39561
	23633	0811A-05-008.000	PLUMBERS & STEAMFITTERS UNION	1237 PASS RD	GULFPORT	MS	39501
	30618	0810P-02-055.000	MCCONNELL WILLIAM F ETAL	C/O DONNA THOMSON	WADDELL	AZ	85355
	23626	0811A-05-002.000	GESUALDI CHRISTIAN	6 HEATHER RD	GEORGETOWN	MA	1833
	23629	0811A-05-001.000	3970 OLD MILTON LLC	10945 STATE BRIDGE RD #401-460	ALPHARETTA	GA	30022
	23630	0811A-05-007.000	HIVE PROPERTIES LLC	20464 MYERS LANE	LONG BEACH	MS	39560
	23628	0811A-05-004.000	C & S RENTALS INC	3436 MAIN STREET	MOSS POINT	MS	39583



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.



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	596519	Print Legal Ad-IPL01962660 - IPL0196266	October ZB	\$58.30	1	43 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 PM., Thursday, October 17, 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 2409ZB139, by agent Ian Nushke, seeking approval for parking that pulls out into city right of way, Tax Parcel 0910N-07-006.000, 3320 C Ave, Zoned B-2 (General-Business), Ward 4

Variance 2410ZB164, by agent Martin Jones, seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-006.000, 1235 Pass Rd, Zoned B-2 (General-business), Ward 2

Variance 2410ZB165, by agent Jeanette Ladner, seeking approval for parking that backs out into city right of way, Tax Parcel 0711O-05-003.000, 4540 W Railroad Street, Zoned B-1 (Neighborhood Business), Ward 1

This the 25th day of September 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0196266
Oct 2 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:

10/02/24

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

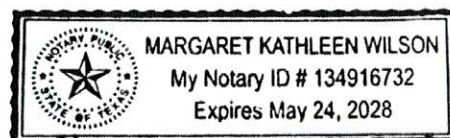
Mary Castro

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

Margaret K. Wilson

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!



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 # 2024-876

Hearing Date: Thursday, October 17, 2024

Variance 2410ZB165: Variance 2410ZB165, by agent Jeanette Ladner, seeking approval for parking that backs out into city right of way, Tax Parcel 0711O-05-003.000, 4540 W Railroad Street, Zoned B-1 (Neighborhood Business), Ward 1

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2410ZB165

Hearing Date: October 17, 2024

Current Zoning/Use: B-1/ Medical Clinic

Legal: Variance 2410ZB165, by agent Jeanette Ladner, seeking approval for parking that backs out into city right of way, Tax Parcel 0711O-05-003.000, 4540 W Railroad Street, Zoned B-1 (Neighborhood Business), 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 requests a variance to allow for parking that backs out into city right-of-way for a commercial use. The required parking must be 9' by 18' and any commercial use is to provide sufficient on-site turnaround.

- (a) The applicant states that this is a medical facility that needs extra parking and it is not in the district where parking can back out into a right-of-way. The building's current parking is already compliant with the requirements for this use. The applicant's desire for the expanded parking in the northwest section of the property is ultimately what is creating the hardship for this property.
- (b) The applicant states that the practice has grown and they are in need of more parking spots to avoid having to move. Regardless of the expansion of practice, the desire for the expanded parking is what is causing the need of this variance. This shows that the applicant is the direct cause of this hardship.
- (c) Applicant states that they would like to add these parking spots on the west side of the building where there is an existing parking area. The original parking in that location was already compliant to the property. The physical characteristic of this property is not the cause of this hardship but rather the desires of the applicant.
- (d) The applicant states that the "proposed parking section will exit the property at Mills Ave, which is not a busy street so this will not impact traffic as there is already parking in that area." This not sufficiently address the question. Upon staff review, there are not any surrounding properties with applicable variances that would be in line with this request. Approval of this application would establish a precedence for that area.
- (e) Applicant believes that granting this variance would not confer special rights upon them. Upon staff review, there are commercial properties along West Railroad Street that do appear to have parking that backs out into city right-of-way. However, there were no applicable variances in that area that would establish precedence prior to approval of this application. All properties that appear to be doing this either appear to be pre-existing non-conforming or doing so illicitly.
- (f) This property is zoned B-1, and a medical clinic use is allowed by right.

EXECUTIVE SUMMARY

The applicant does not display a genuine hardship at this property. The property prior to this application had parking that was compliant. The change to the parking in the northwest location of the property is ultimately what is causing the need to back out into city right-of-way. Furthermore, both Engineering and Traffic & Safety disapprove this request due to this property not requiring backing out it city right-of way prior. It should also be noted that the property in question has been operating without an active business license, and regardless of approval or denial of the request, the applicant must apply for the proper privilege license. Approval of this request will establish precedence in this area.

Technical Report

VARIANCE

Any approval should consider these conditions:

1. Must comply with all zoning rules and regulations.
2. A privilege license for the location must be applied for prior to any permits being pulled for this location.
3. Approval would allow for parking that backs out into city right-of-way.
4. Engineering does not recommend approval of new back out parking spaces at business where back out parking did not previously exist.
5. Traffic doesn't allow backing out on city right-of-way if it didn't previously exist.

DEPARTMENTAL CONDITIONS

Engineering:

Disapprove: Engineering does not recommend approval of new back out parking spaces at business where back out parking did not previously exist. Memo dated 10/04/2024.

Public Works:

No comment as of 10/07/2024.

Traffic and Safety:

Disapprove: Traffic doesn't allow backing out on city right-of-way if it didn't previously exist. Memo dated 10/04/2024.

Building Code Services:

No conditions. Memo dated 09/30/2024.

GIS:

No comment as of 10/07/2024.

Police Department:

No comment as of 10/07/2024.

Fire Department:

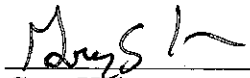
No conditions. Memo dated 09/30/2024.

City Arborist:

No conditions. Memo dated 09/27/2024.

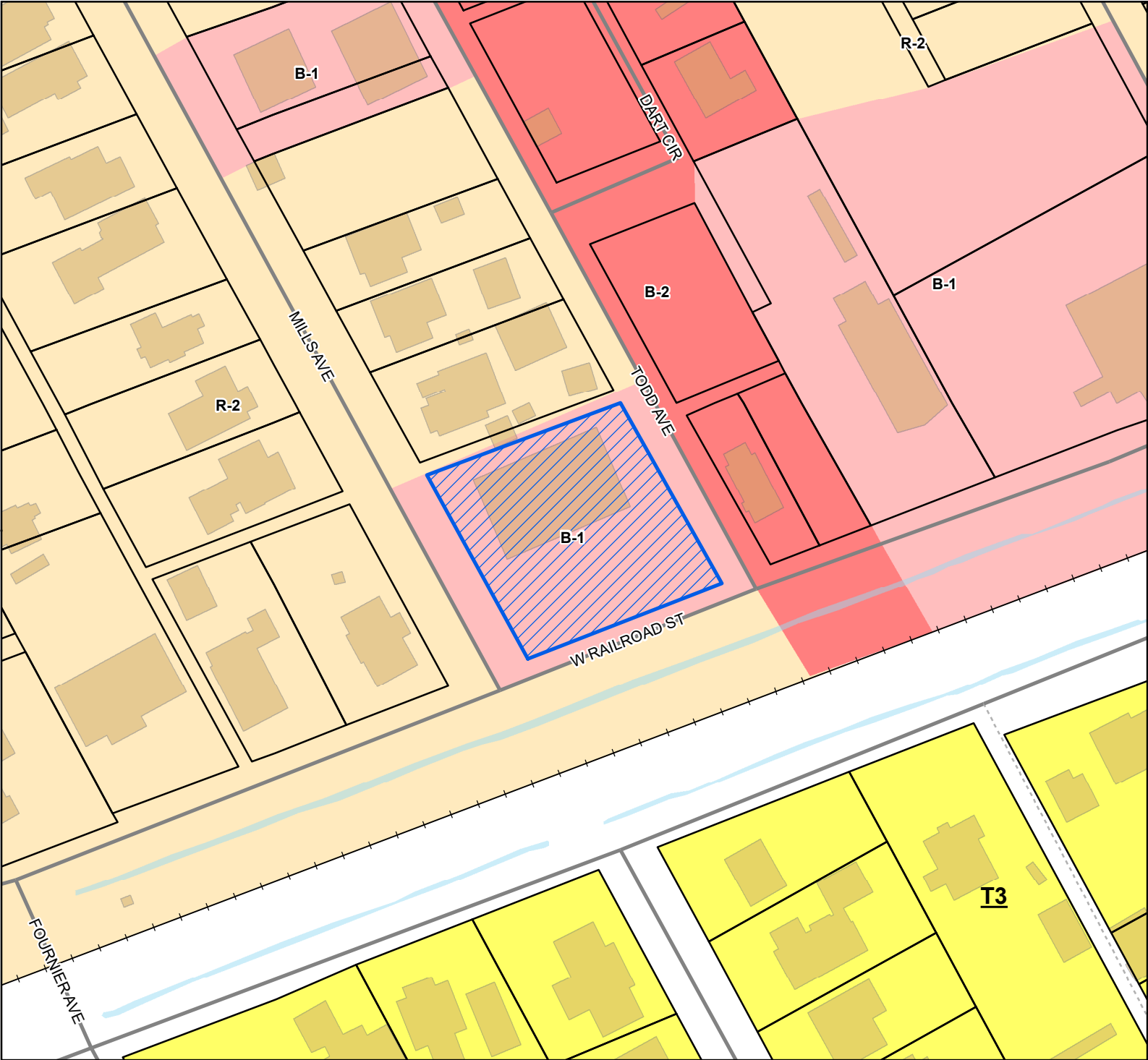
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department



Legend

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

Smart Code

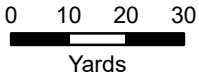
- T3

Zoning

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

Site Information

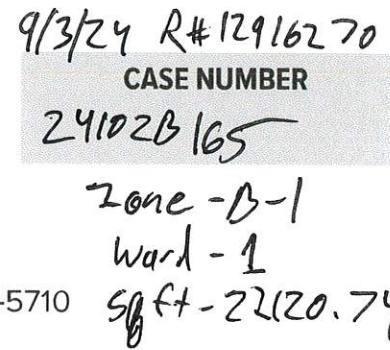
07110-05-003.000
Zoning: B-1 (Neighborhood business)
Size: 22120.74 sqft
Flood: X



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.



ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

☐ **Appeal of Planning Administrator**

☐ **Excessive Height**

☐ **Fence Variance**

☐ **Special Exception**

☒ **Variance**

0	7		1	0	-	0	5	-	0	0	3	.	0	0	0
					-			-				.			
					-			-				.			
					-			-				.			

Property Address: 4540 West Railroad St. Gulfport, MS 39501

General Description of Request: Property owner requests to add additional parking to existing parking lot. Needs a variance for 5 of the proposed new parking spots to back into the roadway.

Page 1 of 10

OWNER:

BEVERLY G. LANSDEN
 Printed Name of Owner
1316 TIBURON DR
 Mailing Address
BATAVIA OH 45103
 City State Zip Code
228-229-0205 STATE
 Home Phone Work/Cell Phone
rtHageman@yahoo.com
 Email
Beverly G. Lansden
 Signature of Owner

AGENT:

Jeanette Hadner
 Printed Name of Agent
PO Box 6496
 Mailing Address
Gulfport, MS 39506
 City State Zip Code
228-861-3279
 Home Phone Work/Cell Phone
contracting247llc@gmail.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) RALPH T. HAGEMAN
 Address (Street, City, State, Zip Code) 1316 TIBURON DR
 Phone (Home) N/A (Work) N/A (Cell) 228-229-0205
 Tax Parcel Number(s) Owned: 07110-05-003.000
 Signature: Ralph T. Hageman

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: _____

OWNER:

BEVERLY G. LANSDEN
 Printed Name of Owner
1316 TIBURON DR.
 Mailing Address
BATAVIA OH 45103
 City State Zip Code
228-229-0205 SAME
 Home Phone Work/Cell Phone
rthageman@yahoo.com
 Email
 Signature of Owner

AGENT:

Jeanette Hadner
 Printed Name of Agent
PO BOX 6496
 Mailing Address
Gulfport, MS 39506
 City State Zip Code
228-861-3279
 Home Phone Work/Cell Phone
contracting247llc@gmail.com
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 Signature of Agent

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Name of Owner (PRINT) RALPH T. HAGEMAN
 Address (Street, City, State, Zip Code) 1316 TIBURON DR. BATAVIA, OH 45103
 Phone (Home) N/A (Work) N/A (Cell) 228-229-0205
 Tax Parcel Number(s) Owned: _____
 Signature: Ralph Thageman

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, BEVERLY G. LANSDEN being property owner of 4540 W. RAILROAD ST
PRINT NAME GULFPORT, MS 39501 PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize JEANETTE LADNER 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.

Beverly G. Lansden
SIGNATURE

8/6/24
DATE

OHIO HB Clermont
STATE OF MISSISSIPPI | COUNTY OF HARRISON HB

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

Hailey Bullock
NOTARY PUBLIC

11-01-2027
COMMISSION EXPIRATION



HALEY BULLOCK
Notary Public, State of Ohio
My Commission Expires
November 1, 2027



DESIGNATION OF AGENT

I, RALPH T. HAGEMAN being property owner of 4540 W. RAILROAD ST
PRINT NAME GULFPORT, MS 39501 PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize JEANETTE LAONER 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.

Ralph T. Hageman
SIGNATURE

August 6 2024
DATE

OHIO ^{H3} Clermont ^{H3}
STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Haley Bullock
NOTARY PUBLIC

11-01-2027
COMMISSION EXPIRATION



HALEY BULLOCK
Notary Public, State of Ohio
My Commission Expires
November 1, 2027



COVENANT AFFIDAVIT

I, BEVERLY G. LANSDEN being property owner or agent of the property 4540 W. RAILROAD ST
PRINT NAME GULFPORT, MS 39501
PRIMARY ADDRESS OR PARCEL
which is the subject of this application, hereby state that this variance request is not in violation of any
restrictive or protective covenants.

Beverly G. Lansden
SIGNATURE

8/6/24

DATE

OHIO ^{HB}
STATE OF MISSISSIPPI | COUNTY OF Clermont ^{HB}

Given under my hand and seal of office this the 6 day of Aug., 20 24

Hailey Bullock
NOTARY PUBLIC



HALEY BULLOCK
Notary Public, State of Ohio
My Commission Expires
November 1, 2027

11-01-2027
COMMISSION EXPIRATION



COVENANT AFFIDAVIT

I, BEVERLY G. VANDEN being property owner or agent of the property 4540 W. RAINBOW ST
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.

Ralph Staggman
SIGNATURE

August 6 2024
DATE

OHIO HB Clermont HB
STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Hailey Bullock
NOTARY PUBLIC

11-01-2027
COMMISSION EXPIRATION



HALEY BULLOCK
Notary Public, State of Ohio
My Commission Expires
November 1, 2027

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:

SL

Page one of this application, completed and signed.

SL

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.

SL

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

SL

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**.

SL

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

SL

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

SL

I the owner/agent acknowledge this is a complete application

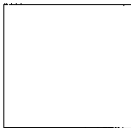
Variance Submission

1. This is a medical facility that needs extra parking and it is not in the district where parking can back out into a right of way.
2. The practice has grown and are in need of a few more parking spots to avoid having to move, they have never expanded the parking.
3. The owner would like to add these needed parking spots on the west side of the building where there is an existing parking area, but not very functional and limited.
4. The proposed parking section will exit the property at Mills Ave. which is not a busy street so this will not impact traffic as there is already parking in that area.
5. The granting of this variance will not give the applicant any special privilege as there are other parking lots with similar restrictions that have the same parking arrangements.
6. The use is permissible by right.

CONSTRUCTION PLANS FOR

MEMORIAL HOSPITAL CLINIC
NEW ADDITIONAL PARKING SPACES
4540 WEST RAILROAD STREET
GULFPORT, MISSISSIPPI 39501

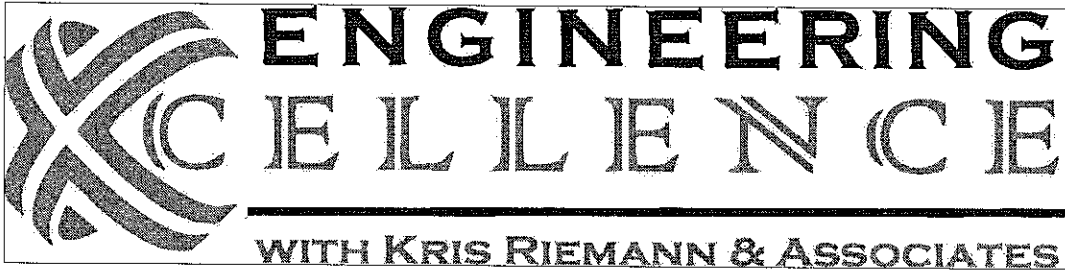
CITY OF GULFPORT
HARRISON COUNTY, MISSISSIPPI
PROJECT NO. 04-2024-46



Robert K. Riemann, P.E.

3103 5th Avenue, Suite B
Gulfport, MS 39501
(228) 518-2980

kris@engineeringxcellence.com



OWNER

TOM HAGEMAN

ENGINEERING STAGE

20% Review	05-21-2024
60% Review	05-31-2024
Final Approval	06-05-2024
Ready for Construction	

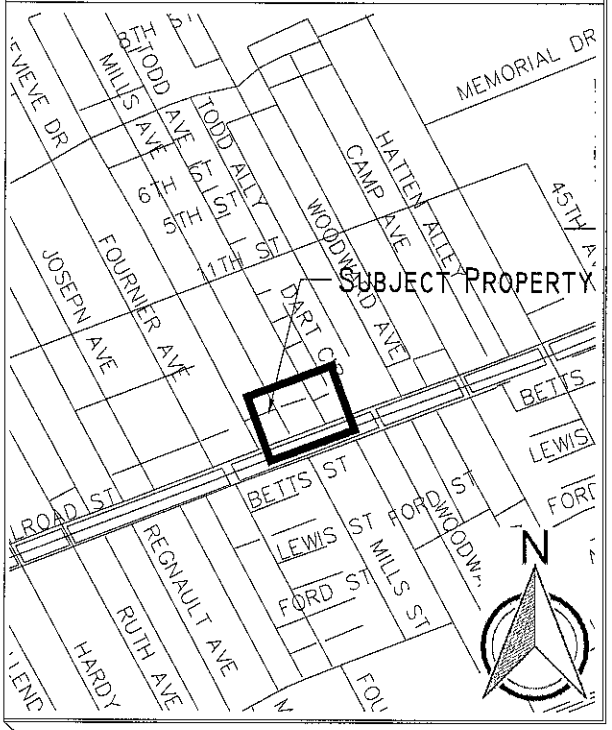
PERMITS

Wetlands	
MDEQ Sewer	
MSDH Water	
MDOT	
MDEQ Swppp	

UTILITIES

City of Gulfport - Water, Sewer, and Drainage - 228-868-5740
Harrison County Development Commission - 896-5020
Harrison County Utility Authority - Sewer - 228-868-8752
Coast Electric Power Association - Power - 228-832-1761
AT & T - Telephone - 1-877-737-2478
Mississippi Power - Power - 1-800-532-1502
C-Spire - Fiber - 1-855-277-4732
Cable One - Cable - 228-374-5900

LOCATION



SHEET INDEX

DESCRIPTION	SHEET NO.
TITLE/INDEX	T-1
GENERAL NOTES	C-2
EXISTING SITE PLAN	C-3
MODIFIED SITE PLAN	C-4
CIVIL DETAILS	C-5
SWPP DETAILS	C-6

GENERAL NOTES

UTILITIES

1. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN ON THE PLANS BASED UPON THE BEST INFORMATION AVAILABLE TO THE ENGINEER, AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR HIS REPRESENTATIVE. THE ENGINEER CANNOT AND DOES NOT WARRANT THAT THE INFORMATION IS COMPLETE OR ACCURATE. THE CONTRACTOR SHALL PERFORM A PRELIMINARY INVESTIGATION TO DETERMINE EXACT LOCATION OF UTILITY LINES BEFORE EXCAVATION OPERATION AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES, WHICH MIGHT BE OCCASIONED BY THE CONTRACTORS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
2. BEFORE UNDERTAKING EACH PART OF THE WORK, THE CONTRACTOR SHALL CAREFULLY STUDY AND COMPARE THE PLANS AND SPECIFICATIONS AND CHECK AND VERIFY PERTINENT FIGURES SHOWN THEREON AND ALL APPLICABLE FIELD MEASUREMENTS. IF ANY CONFLICTS, ERRORS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED EITHER ON THE CONSTRUCTION DOCUMENTS OR IN THE FIELD CONDITIONS, THE CONTRACTOR SHALL PROMPTLY REPORT IN WRITING TO THE ENGINEER OR HIS AUTHORIZED REPRESENTATIVE, AND SHALL OBTAIN A WRITTEN INTERPRETATION OR CLARIFICATION FROM THE ENGINEER OR HIS AUTHORIZED REPRESENTATIVE BEFORE PROCEEDING WITH ANY WORK AFFECTED THEREBY.
3. NEW WATER METERS WILL NOT BE INSTALLED AS PART OF THE PROJECT. THE CONTRACTOR IS TO INSTALL A NEW WATER SERVICE AND CURB STOP AND METER BOX AS PART OF THIS PROJECT. ALL EXISTING CITY WATER SAMPLING STATIONS MUST BE RECONNECTED TO THE NEW WATER MAIN WITH NEW WATER SERVICE TUBING THAT HAS BEEN CHLORINATED/TESTED. A NEW CURB STOP AND METER BOX SHALL ALSO BE PROVIDED NEAR THE CONNECTION TO THE SAMPLING STATION.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR IMMEDIATELY REPLACING OR REPAIRING AT HIS OWN EXPENSE ANY DAMAGED SANITARY SEWER LINES AND APPURTENANCES; STORM DRAIN LINES AND APPURTENANCES; WATER MAIN AND APPURTENANCES; DRAINAGE STRUCTURES; OR ANY OTHER EXISTING STRUCTURES, SERVICES OR OBSTRUCTIONS WHICH, IN THE OPINION OF THE CITY OR THE ENGINEER, WAS DAMAGED BY THE CONTRACTOR. THE CONTRACTOR SHALL HAVE ON HAND AT ALL TIMES THE NECESSARY FITTINGS AND ACCESSORIES NEEDED TO PERFORM AN EMERGENCY REPAIR ON ANY EXISTING SANITARY SEWER LINE, WATER MAIN, STORM DRAIN, FORCE MAIN, SERVICE, ETC. SHOULD THE MAIN(S) OR SERVICES(S) BE DAMAGED DURING THE CONSTRUCTION OF THIS PROJECT.
5. CONTRACTOR MUST KEEP THE WATER, SEWER, AND DRAINAGE SYSTEMS FUNCTIONAL AND ALL HOUSES IN SERVICE AT ALL TIMES UNLESS MINIMAL UTILITY OUTAGES ARE APPROVED BY THE CITY OR THE ENGINEER WITH A MINIMUM OF THREE (3) CITY WORKING DAYS NOTICE. NO SERVICE SHALL BE LEFT OFF TO ANY PROPERTY OVERNIGHT.

EROSION CONTROL

1. THE CONTRACTOR SHALL BE REQUIRED TO FURNISH ALL MATERIALS AND PERFORM ALL WORK FOR THE PROPER INSTALLATION, MAINTENANCE AND REMOVAL OF ANY TEMPORARY EROSION CONTROL MEASURE(S) NECESSARY TO CONTROL SILTATION.
2. CONTRACTOR SHALL INSTALL AND MAINTAIN SILT FENCES AROUND THE PERIMETER OF ALL VEGETATED AREAS WHICH ARE DISTURBED AND SHALL PREVENT SILTATION OF ADJACENT DRAINAGE SYSTEMS AND CHANNELS WITH SILT FENCING. THE USE OF HAY BALES IS PROHIBITED. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING EROSION CONTROLS DURING THE ENTIRE COURSE OF THIS PROJECT PER ACCEPTABLE/APPROVED STORMWATER BEST MANAGEMENT PRACTICES. THE PLACEMENT OF EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES (BPMs) SHALL BE IN ACCORDANCE WITH THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY'S *PLANNING AND DESIGN MANUAL FOR THE CONTROL OF EROSION, SEDIMENT AND STORMWATER*.
3. SILT FENCES SHALL BE INSTALLED AND PROPERLY MAINTAINED AROUND ALL STOCKPILED MATERIALS.
4. EXISTING VEGETATION SHALL BE MAINTAINED AND PROTECTED WHEREVER POSSIBLE.
5. WHERE APPLICABLE, ALL CONSTRUCTION TRAFFIC SHALL ENTER/EXIT THE SITE THROUGH THE CONSTRUCTION ENTRANCE. A CONSTRUCTION ENTRANCE IS REQUIRED AT ALL ACCESS POINTS ON THE SITE.
6. TEMPORARY OR PERMANENT VEGETATIVE PRACTICES SHALL BE IMPLEMENTED WITHIN SEVEN CALENDAR DAYS WHEN A DISTURBED AREA WILL BE LEFT UNDISTURBED FOR THIRTY CALENDAR DAYS OR MORE.
7. TEMPORARY EROSION AND SEDIMENT CONTROLS SHALL NOT BE REMOVED UNTIL PERMANENT EROSION CONTROLS ARE ESTABLISHED ON ALL DISTURBED AREAS. FINAL APPROVAL ON THE PROJECT WILL NOT BE MADE UNTIL ALL TEMPORARY EROSION CONTROLS ARE REMOVED AND PERMANENT EROSION CONTROLS ARE EFFECTIVELY ESTABLISHED.
8. ALL EQUIPMENT REPAIR AND MAINTENANCE SHALL BE DONE OFFSITE.
9. RECEPTACLES SHALL BE PROVIDED TO PROPERLY DISPOSE OF ALL TRASH AND WASTE. ALL CONSTRUCTION DEBRIS SHALL BE PICKED UP AT THE END OF EACH DAY AND SHALL BE REMOVED COMPLETELY FROM THE SITE AT THE END OF THE PROJECT.
10. SANITARY FACILITIES SHALL BE PROVIDED ON-SITE FOR ALL EMPLOYEES.
11. TEMPORARY EROSION AND SEDIMENT CONTROLS SHALL BE INSTALLED PRIOR TO THE START OF ANY WORK IF IT WILL BE REQUIRED TO REMOVE THEM TEMPORARILY DUE TO CONSTRUCTION ACTIVITIES. ONCE THOSE ACTIVITIES ARE COMPLETED OR AT THE END OF THE WORK DAY, THE TEMPORARY CONTROLS SHALL BE REINSTALLED IMMEDIATELY.

12. ALL EROSIONS CONTROLS SHALL BE INSTALLED IN ACCORDANCE WITH THE DETAILS.
13. ADDITIONAL EROSION AND SEDIMENT CONTROLS MAY BE DEEMED NECESSARY IF THE CONTROLS FOUND IN THE STORMWATER MANAGEMENT PLAN ARE FOUND TO BE INEFFECTIVE.
14. ACCUMULATED SEDIMENT SHALL BE REMOVED FROM CONTROLS WHEN IT REACHES ONE-HALF (½) THE HEIGHT OF THE CONTROL. THE SEDIMENT SHALL BE PROPERLY DISPOSED OF SO AS NOT TO CAUSE SEDIMENTATION IN ANOTHER LOCATION.
15. EROSION AND SEDIMENT CONTROLS SHALL BE INSPECTED WEEKLY AND FOLLOWING ANY RAIN EVENT. NON-FUNCTIONING, INEFFECTIVE OR DAMAGED CONTROLS SHALL BE REPAIRED, REPLACED OR SUPPLEMENTED WITH FUNCTIONAL CONTROLS WITHIN 24 HOURS OF DISCOVERY.
16. THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL OF ANY SEDIMENT THAT MIGRATES INTO THE STORM DRAIN SYSTEM.
17. THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL OF ANY SEDIMENT OR CONSTRUCTION DEBRIS THAT IS TRACKED ONTO ADJACENT PAVES AREAS. ADJACENT STREETS SHALL BE KEPT CLEAN THROUGHOUT CONSTRUCTION AND SHALL BE CLEANED WITH A STREET SWEEPER OR SIMILAR TECHNIQUE IMMEDIATELY UPON DISCOVERY OF SEDIMENT. WASHING DOWN OF THE STREET OR ANY PAVES AREAS IS NOT ALLOWED.
18. ANY SEDIMENT THAT HAS MIGRATED OFFSITE WHETHER ONTO PUBLIC OR PRIVATE PROPERTY SHALL BE REMOVED IMMEDIATELY UPON DISCOVERY.

TRAFFIC/SIGNS

1. MAINTENANCE OF TRAFFIC SHALL INCLUDE ALL SIGNS, BARRICADES, PAVEMENT MARKINGS, WARNING LIGHTS, PERSONNEL, TRAFFIC CONTROL DEVICES, SUPERVISION AND OTHER ITEMS CONCERNING TRAFFIC CONTROL. THERE SHALL BE NO OTHER PAYMENTS MADE FOR THIS WORK. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS (MUTCD) AND THE ATTACHED TRAFFIC CONTROL PLAN.
2. CONTRACTOR SHALL INVENTORY ALL EXISTING SIGNS AND LOCATION WITHIN THE PROJECT LIMITS. CONTRACTOR SHALL REMOVE, SAFELY STORE TO PREVENT DAMAGE AND REINSTALL ANY STREET SIGNS IMPACTED BY THE PROJECT. ONLY SIGNS DISTURBED DURING CONSTRUCTION SHALL BE REMOVED. ANY SIGNS DAMAGED BY THE CONTRACTOR SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE. ALL SIGNS REPLACED MUST CONFORM TO CITY SPECIFICATIONS. NO SEPARATE PAYMENT SHALL BE MADE FOR THE REMOVAL AND INSTALLATION OF EXISTING SIGNS.
3. IF CONTRACTOR FAILS TO MAINTAIN TRAFFIC CONTROL AS PRESCRIBED FOR TYPE OF CONSTRUCTION, THE OWNER MAY WITHHOLD PAYMENT OF ALL OR ANY RECENT PAY REQUESTS UNTIL TRAFFIC CONTROL IS IN COMPLIANCE WITH PLANS.
4. ALL CONSTRUCTION SIGNS SHALL BE IN PLACE BEFORE THE START OF ANY CONSTRUCTION AND SHALL BE PROPERLY MAINTAINED AND REMAIN IN PLACE FOR THE LIFE OF THE PROJECT.

5. REPLACEMENT OF LOST OR DAMAGED CONSTRUCTION SIGNS OR DEVICES SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR. LOST OR DAMAGED SIGNS SHALL BE REPLACED IMMEDIATELY. NO PAYMENT SHALL BE MADE FOR SUCH REPLACEMENT OR REPAIR.

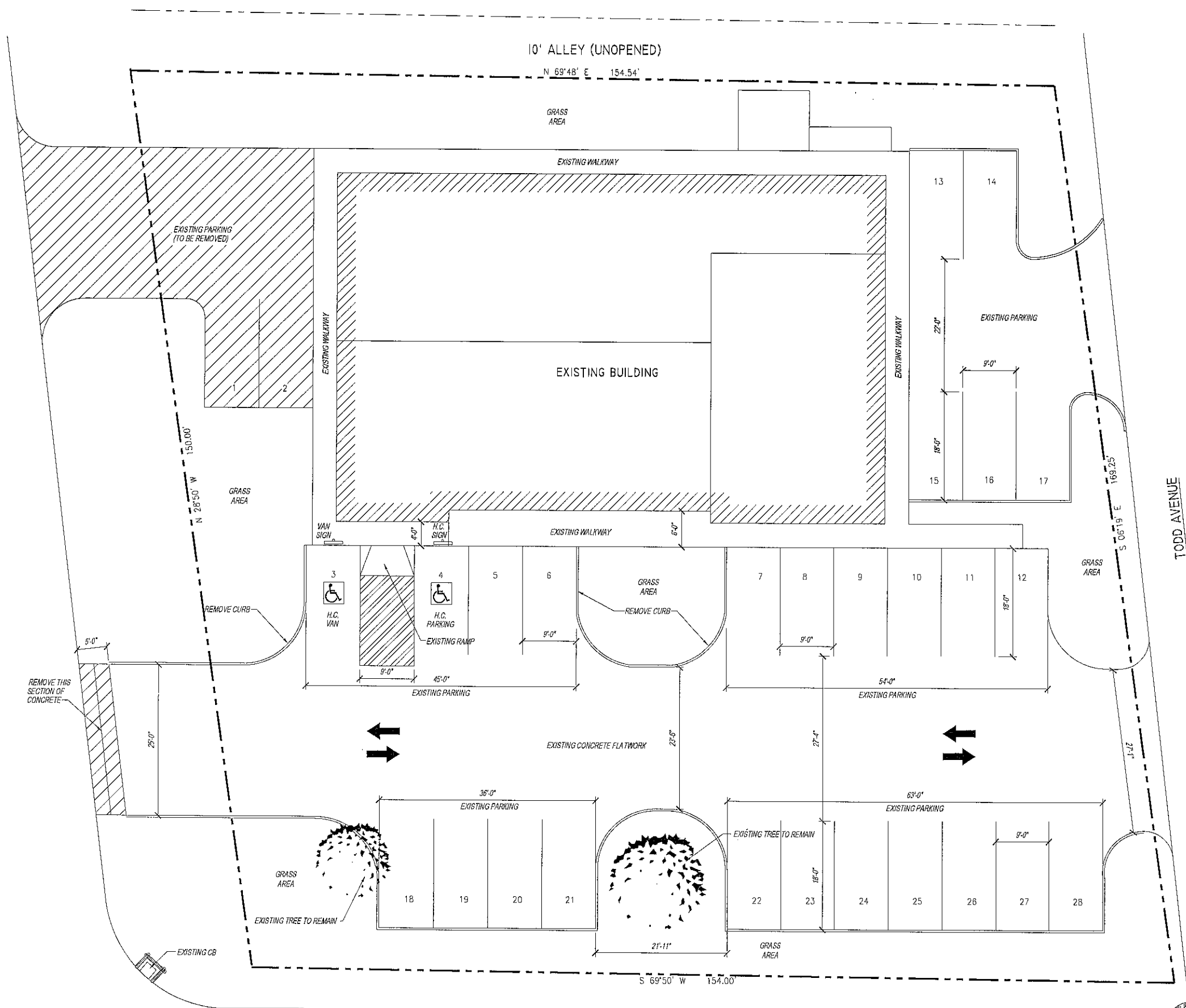
MISCELLANEOUS

1. CONTRACTOR SHALL DISPOSE OFF-SITE ALL MISCELLANEOUS TRASH, DEBRIS, AND DAMAGED VEGETATION FROM ALL AREAS WITHIN THE LIMITS OF WORK. ALL SUCH WORK SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL REQUIREMENTS.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING OR REPAIRING AT HIS OWN EXPENSE ANY DAMAGES DONE TO PUBLIC RIGHT-OF-WAYS OR PRIVATE PROPERTY, WHICH WAS DAMAGED, IN THE OPINION OF THE CITY OR THE ENGINEER DUE TO THE NEGLIGENCE OF THE CONTRACTOR.
3. THE OWNER AND THE ENGINEER SHALL BE CONTACTED A MINIMUM OF 72 HOURS IN ADVANCE OF ANY WORK WITHIN THE CITY'S RIGHT-OF-WAY. ONE LANE OF TRAFFIC WITHIN CITY RIGHT-OF-WAY SHALL REMAIN OPEN AT ALL TIMES FOR EMERGENCY VEHICLES.
4. DRAINAGE DITCHES DISTURBED DURING CONSTRUCTION ACTIVITY SHALL BE RESTORE TO EXISTING CONDITIONS, COST ABSORBED.

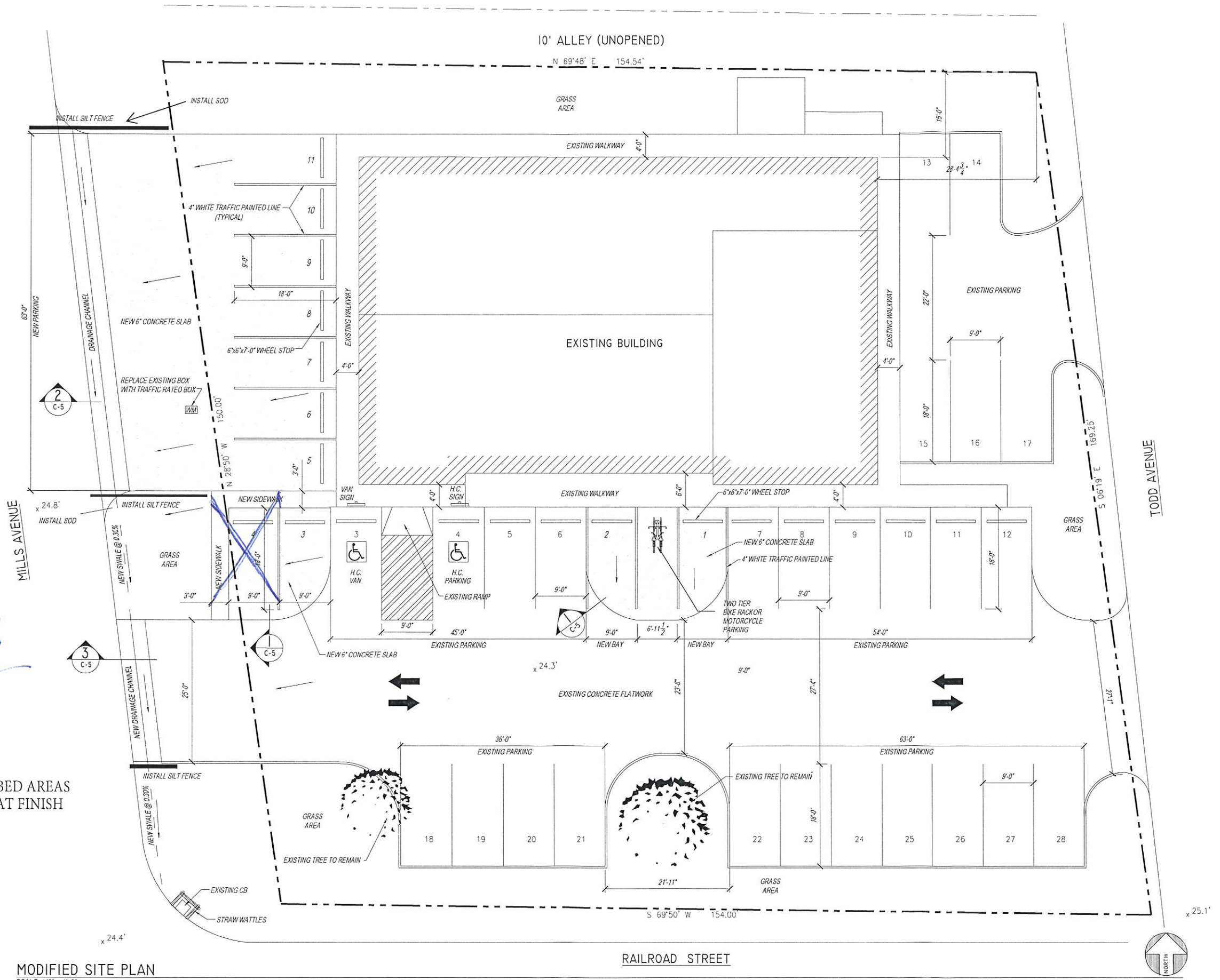
Project: MEMORIAL HOSPITAL CLINIC NEW ADDITIONAL PARKING SPACES		CIVIL PLANS		4540 WEST RAILROAD STREET GULFPORT, MISSISSIPPI 39501		Sheet Title: GENERAL NOTES	
228-518-2980 kris@engineeringalliance.com 3103 5th Avenue, Suite B Gulfport, MS 39501		ENGINEERING ALLIANCE WITH KRIS RIEMANN & ASSOCIATES		228-518-2980 kris@engineeringalliance.com 3103 5th Avenue, Suite B Gulfport, MS 39501		228-518-2980 kris@engineeringalliance.com 3103 5th Avenue, Suite B Gulfport, MS 39501	
PROJECT NO.: 01-2024-16		FILE NAME: DBB		DRAWN BY: RKR		CHECKED BY: RKR	
DRAWING INFO:		DATE: 01-2024-16		NO.:		BY:	
DESCRIPTION:		DATE:		NO.:		BY:	
DRAWING NUMBER		C-2		C-2		C-2	

MILLS AVENUE

EXISTING SITE AND DEMOLITION PLAN
SCALE: 1/8" = 1'-0"



DRAWING INFO.		REVISIONS		DRAWING NUMBER
PROJECT NO.	FILE NAME	NO.	DESCRIPTION	
04-2024-46				C-3
PROJECT: MEMORIAL HOSPITAL CLINIC NEW ADDITIONAL PARKING SPACES				
CIVIL PLANS				
4540 WEST RAILROAD STREET				
GULFPORT, MISSISSIPPI 39501				
Sheet Title: EXISTING SITE PLAN				
228-518-2980 Kris@engineeringexcellence.com 3103 5th Avenue, Suite 8 Gulfport, MS 39501				
ENGINEERING EXCELLENCE				
WITH KRIS RIEMANN & ASSOCIATES				



omit x parking
and sidewalk
11/10/24

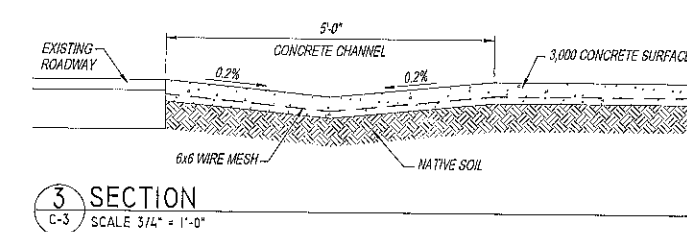
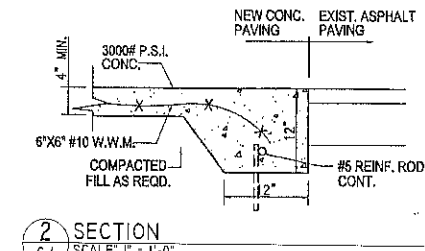
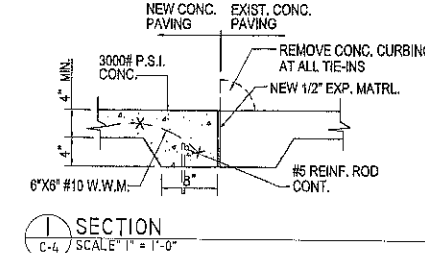
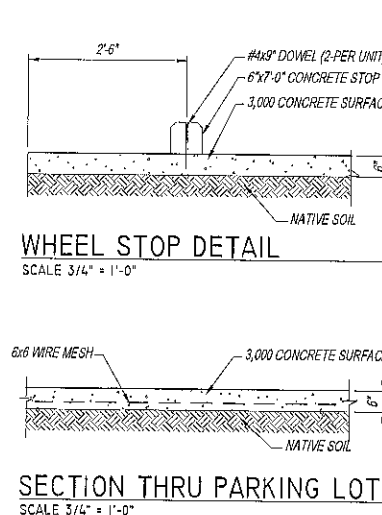
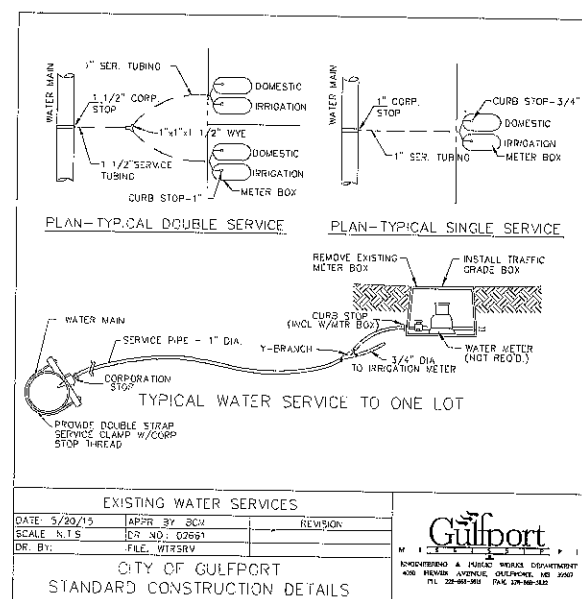
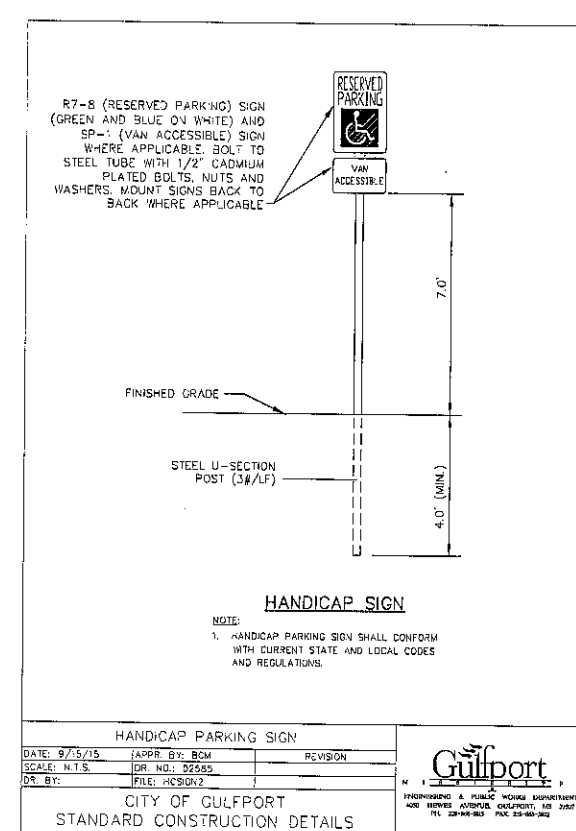
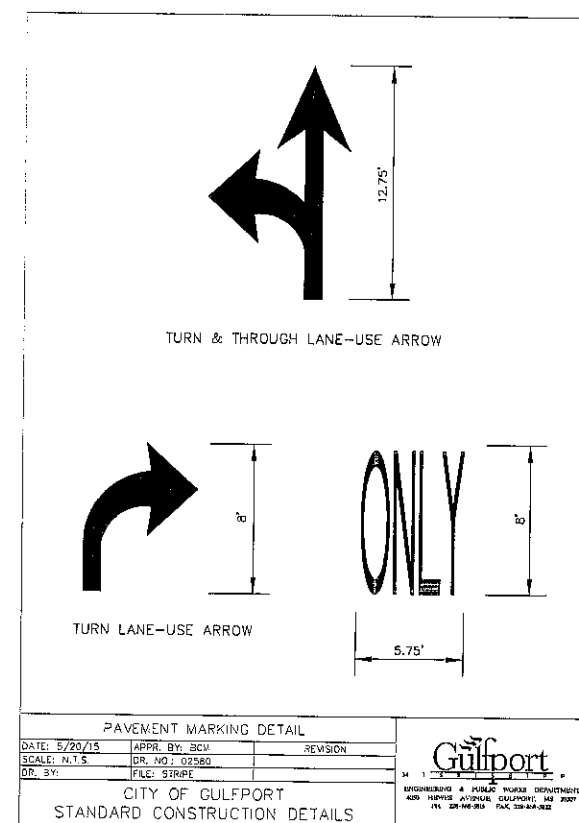
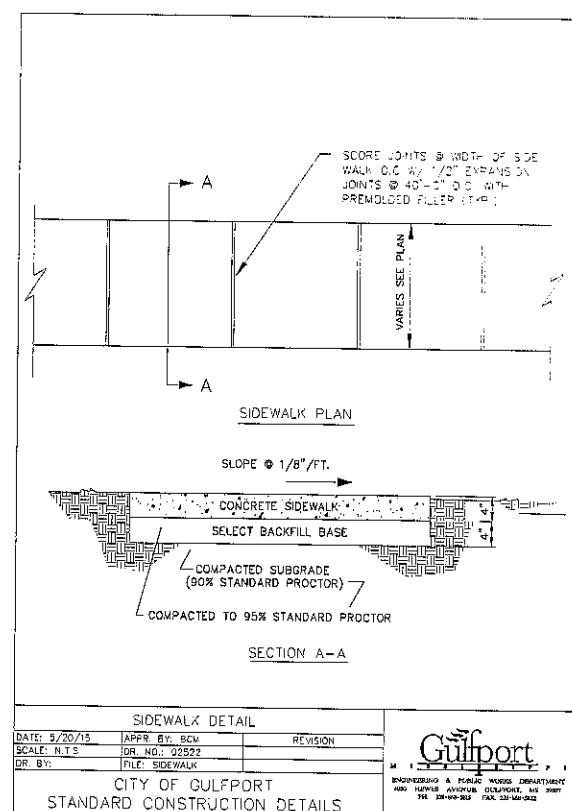
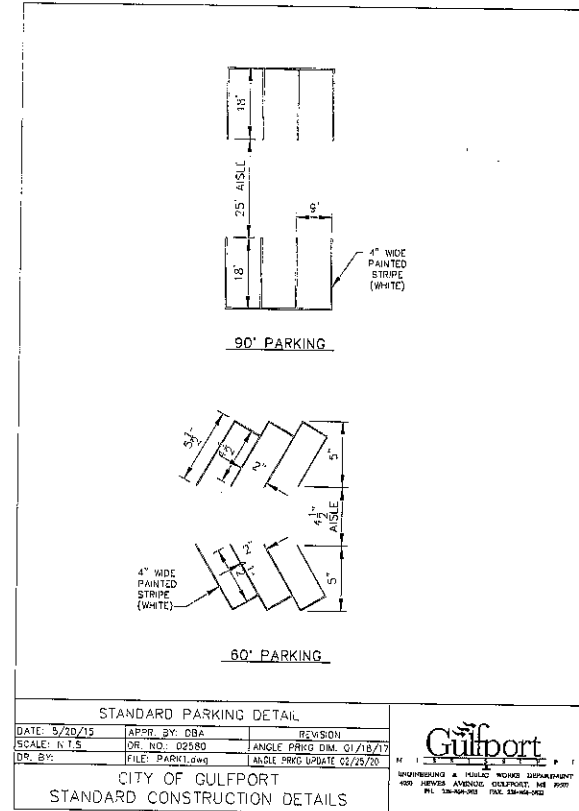
NOTE: ALL DISTURBED AREAS
SHALL BE SODDED AT FINISH

MODIFIED SITE PLAN
SCALE: 1/8" = 1'-0"

DRAWING NO. 04-2024-46		PROJECT NO. 04-2024-46		PROJECT NAME: CIVIL PLANS	
DATE: 04-2024-46		FILE NAME: 04-2024-46		PROJECT: MEMORIAL HOSPITAL CLINIC NEW ADDITIONAL PARKING SPACES	
BY: DRB		DRAWN BY: RKR		SHEET TITLE: MODIFIED SITE PLAN	
CHECKED BY: RKR		DATE: 04-2024-46		DRAWING NUMBER: C-4	

228-518-2980
Kris@engineeringexcellence.com
3103 5th Avenue, Suite 9
Gulfport, MS 39501

WITH KRIS RIEMANN & ASSOCIATES



Project: MEMORIAL HOSPITAL CLINIC NEW ADDITIONAL PARKING SPACES

CIVIL PLANS
 4540 WEST RAILROAD STREET
 GULFPORT, MISSISSIPPI 39501

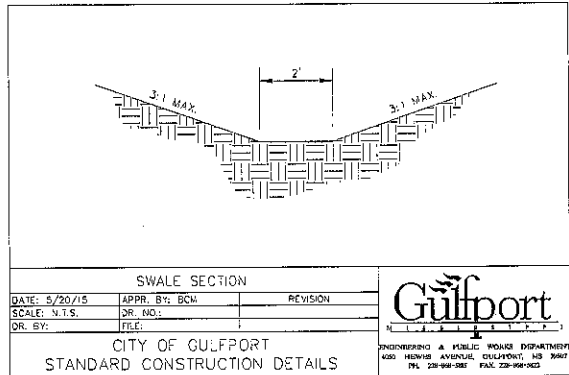
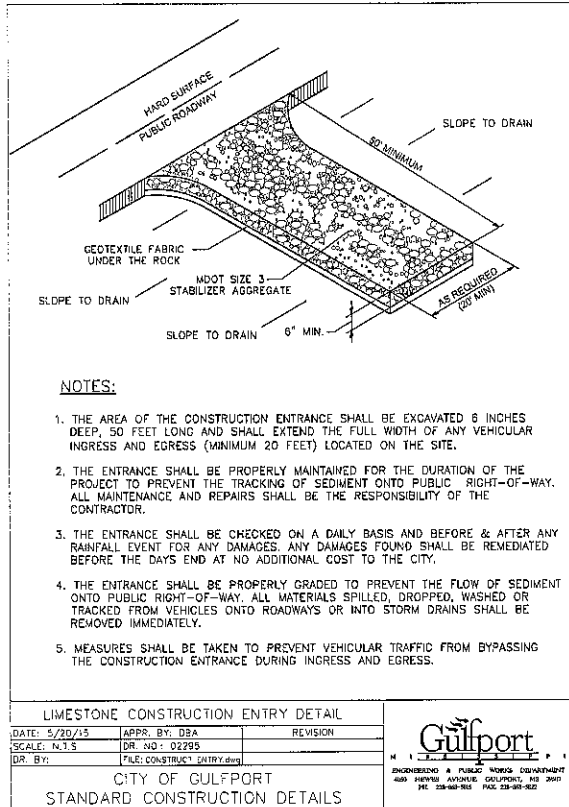
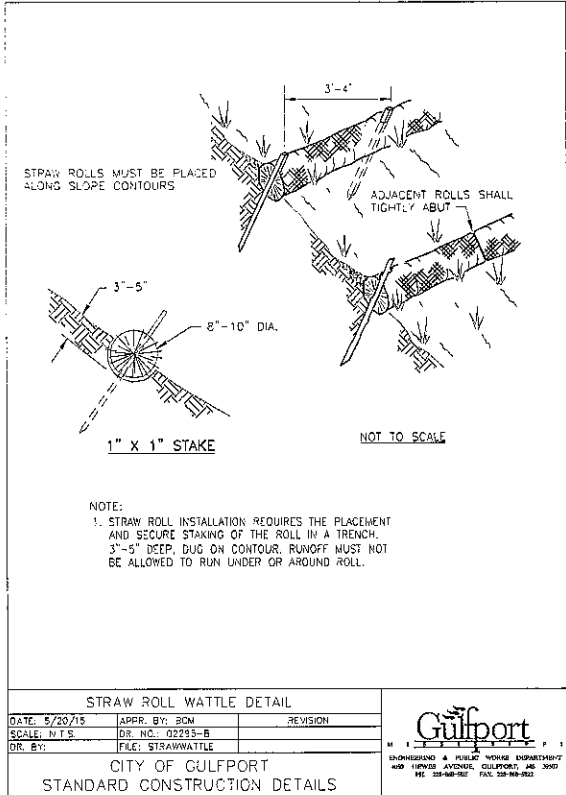
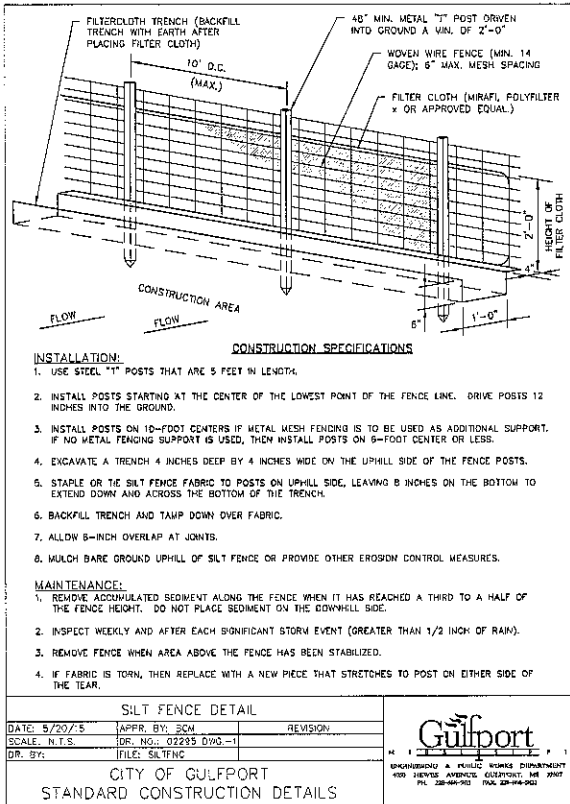
Sheet Title: CIVIL DETAILS

ENGINEERING
CIE ILIEN CIE
 WITH KRIS RIEMANN & ASSOCIATES

228-518-2980
 kris@engineeringciece.com
 3103 5th Avenue, Suite B
 Gulfport, MS 39501

REVISIONS		DRAWING INFO.		PROJECT NO.		DESCRIPTION	
NO.	DATE	BY	DATE	NO.	DATE	BY	DESCRIPTION
1	04-2024-16	DBB		1	04-2024-16	DBB	
2		RWR		2		RWR	
3		OK/OC		3		OK/OC	

DRAWING NUMBER: C-5



STORM WATER POLLUTION PREVENTION PLAN

MAINTENANCE PLAN:

- Vegetative buffer zones shall be maintained between land disturbing activities and perennial water bodies or planted vegetative areas. Buffer zones shall provide a minimum 150-ft buffer and shall be no less than 15 feet in width.
- Vegetative controls shall be initiated later than the next work day following any clearing, grading, excavating land disturbing activities which have temporarily or permanently ceased on any portion of the site and not resume for a period of fourteen (14) days or more. Vegetative controls shall consist of Bermuda grass or other suitable ground cover grasses which will blend with the native vegetation and provide the desired stabilization and erosion protection. Solid sod may be used in areas prone to erosion due to isolated concentrations of surface drainage.
- Structural controls shall consist of silt fencing, straw bales, rip-rap and/or erosion matting some combination thereof at all points of discharge into existing drainage systems. The controls are to be left in place and maintained for the duration of the project. Upon satisfactory stabilization of site structural controls shall be removed along with any and all silt build-up. Structural controls are to eliminate tracking of sediment in order to prevent any damage to the downstream tributaries or water ways and/or associated wetland areas. Best management practices (BMPs) will be utilized throughout the duration of the construction of the project. Stone-stabilized construction entrances (6" thick and 50' long) will be used to prevent sediment from being tracked onto public roads with tires being washed on an as-needed basis.
- Check all disturbed areas, erosion and sediment controls after each significant rainfall but not less than once per week. Make needed repairs within 24 hours. Remove sediment from basin area(s), inlet protection devices and silt fences when accumulated sediment has reached 50 percent capacity. Replace non-functional silt fence. Maintain all vegetated areas to provide proper ground cover, re-grass, fertilize, and mulch as needed.
- Topsoil shall be stockpiled and reapplied to disturbed areas at a depth of 2 inches on 3:1 slopes and 4 inches on flatter slopes with an admixture of commercial grade 13-13-13 fertilizer.
- Heavy equipment use shall be avoided in re-grassed areas. If compaction cannot be avoided, the top 4 inches of the soil bed shall be tilled/scarified before re-vegetation. Any necessary fertilizer or other soil amendments shall be added during the tilling process.
- Steep slopes that cannot be avoided shall have silt fences for all down slope boundaries (and for those side slope boundaries deemed appropriate by individual site conditions) with the exception of those areas incorporating sediment basins with a calculated volume of run-off from a 2-yr, 24-hr storm or 3,600 cubic feet of storage per acre drained as per the Erosion Control & Drainage Plan. Silt fencing shall be installed at the downstream boundaries of the proposed project to protect areas that are to remain undisturbed.
- Storm drain inlets that could potentially receive storm water from construction activities shall be protected by surrounding with silt fence until final stabilization has been achieved. Additionally, the lower orifice in the outfall structure shall be temporarily plugged until the completion of the construction of the project.

SEQUENCE OF CONSTRUCTION ACTIVITIES:

- Construct construction entrance/exit(s).
- Construct sedimentation/detention basin(s) with appropriate grassing and/or rip-rap.
- Rough grade site, construct diversions and drainage ways, stockpile topsoil and install silt fence around stockpile, install utilities, culverts and inlets with associated silt fencing.
- Install vegetative controls.
- Construct roadways, drives, parking and buildings.
- perform final grading, grassing and landscaping operations.
- After site is stabilized, remove all temporary measures and any excess sedimentation from basins.

HOUSEKEEPING PRACTICES: All equipment maintenance and repair shall be done off-site. The site is to be cleaned of trash and construction debris on a weekly basis so as to prevent the spreading of such onto adjacent properties, paints, solvents fertilizers, and any other potentially toxic materials shall not be stored on site. Portable sanitary facilities will be provided for construction workers. A designated pit area is required near construction entrance(s) for concrete truck wash-out. Site shall be inspected weekly for spills and leaks. Any spills or leaks detected will be immediately cleaned with a dry absorbent material and absorbent oil socks shall be placed around any adjacent drainage inlets. Upon completion of construction, excessive sedimentation and/or pollutants shall be removed from sedimentation basin. Emergency spill kit and telephone shall be available for use for site. Any spills danger of migrating off-site shall be immediately reported to the National Response Center at (800) 424-8802.

POST CONSTRUCTION/STORM WATER MANAGEMENT MEASURES: The individual lot/site protection plan consists of the installation of sedimentation/detention basin(s), silt fencing, hay bales and/or other erosion/siltation control measures in a continuous band across the downhill side of all disturbed areas including areas adjacent to streets. Under no circumstances will silt laden run-off be allowed to escape the site. Additionally, these requirements are to be an integral part of any sales contracts and recorded covenants for the development. Sedimentation/detention basin(s) are to be thoroughly cleaned of excess sediment after construction. Grassing and/or rip-rap will be placed at concentrated storm water discharge points to prevent erosion from high run-off velocities.

REVISIONS		DRAWING INFO.		PROJECT NO.		FILE NAME		DRAWN BY		CHECKED BY		DATE		DRAWING NUMBER	
NO.	DATE	BY	DESCRIPTION	PROJECT NO.	FILE NAME	DRAWN BY	CHECKED BY	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE
				01-2024-16											C-6

Project: MEMORIAL HOSPITAL CLINIC NEW ADDITIONAL PARKING SPACES

CIVIL PLANS

4540 WEST RAILROAD STREET
GULFPORT, MISSISSIPPI 39501

Sheet Title: SWPP DETAILS

ENGINEERING
CELILIENCE
WITH KRIS RIEMANN & ASSOCIATES

228-518-2580
Kris@engineeringcelience.com
3103 3rd Avenue, Suite E
Gulfport, MS 39501

Professional Engineer
15554
1985

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



228 1st JUDICIAL DISTRICT
INSTRUMENT 2023-0025791-D-J1
FILED/RECORDED 12/27/2023 10:40:01 AM
TOTAL FEES \$28.00
7 PAGES RECORDED

QUITCLAIM DEED WITH MEMORANDUM OF TRUST

GRANTOR:

**BEVERLY G. LANSDEN, M.D.
1316 Tiburon Drive
Batavia, OH 45103
Telephone: (228) 229-0205**

GRANTEE:

**RALPH T. HAGEMAN and
BEVERLY G. LANSDEN, as the TRUSTEE OF THE
RALPH HAGEMAN AND BEVERLY LANSDEN
LIVING TRUST DATED SEPTEMBER 20, 2023
1316 Tiburon Drive
Batavia, OH 45103
Telephone: (228) 229-0205**

INDEXING INSTRUCTIONS:

**Lots 31–36, inclusive, Block 8,
Gulf and Natchez Subdivision
First Judicial District, Harrison County, MS**

**INSTRUMENT PREPARED
BY AND RETURN TO:**

**CODY M. AUSTIN
MS STATE BAR #106450
BALCH & BINGHAM LLP
1310 25th Avenue
Gulfport, MS 39501
Telephone: (228) 864-9900**

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

QUITCLAIM DEED WITH MEMORANDUM OF TRUST

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 of which is hereby acknowledged, **BEVERLY G. LANSDEN, M.D. ("Grantor")**, does hereby convey and quitclaim unto **RALPH T. HAGEMAN and BEVERLY G. LANSDEN, collectively, as the Trustee of the RALPH HAGEMAN AND BEVERLY LANSDEN LIVING TRUST DATED SEPTEMBER 20, 2023** (collectively, "**Grantee**"), all of Grantor's right, title, and interest in and to that certain land described below, situated and being located in the First Judicial District of Harrison County, State of Mississippi, together with all the timber and improvements thereon and any land lying in the bed of any highway, street, road, opened or proposed, in front of or abutting or adjoining such tract of land and all rights, licenses, privileges and any easements and appurtenances thereunto belonging, which land being more particularly described as follows, to-wit:

Lots 31 thru 36, inclusive, Block 8, GULF AND NATCHEZ SUBDIVISION to the City of Gulfport, as per official map or plat thereof on file and of record in the office of the Chancery Clerk, Harrison County, First Judicial District.

Being one and the same property conveyed to Beverly G. Lansden, M.D. pursuant to that certain Warranty Deed dated August 2, 1993 and recorded on August 3, 1993 in Deed Book 1248 at Page 432 in the official land records of the First Judicial District of Harrison County, Mississippi.

Taxes for the year 2023 have been assumed by Grantee.

The above-described property is no part of the Grantor's homestead nor is it contiguous thereto.

THIS DEED WAS PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION OR SURVEY.

A Memorandum of Trust executed in accordance with Miss. CODE ANN. § 91-8-407 to evidence the Grantee's authority to act as Trustee pursuant to the terms and conditions of the **RALPH HAGEMAN AND BEVERLY LANSDEN LIVING TRUST DATED SEPTEMBER 20, 2023** is attached hereto as Exhibit A and fully incorporated herein by this reference.

[The remainder of this page is intentionally blank. Signature page(s) to follow.]

Unofficial

IN WITNESS WHEREOF, the Grantor has executed this Quitclaim Deed with Memorandum of Trust as of the 18th day of December, 2023.

GRANTOR

Beverly G. Lansden, M.D.
BEVERLY G. LANSDEN, M.D.

STATE OF OHIO
COUNTY OF CLERMONT

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 18th day of December, 2023, within my jurisdiction, the within named **BEVERLY G. LANSDEN, M.D.**, who acknowledged that she executed above and foregoing instrument.

Shawn K. Gupta
NOTARY PUBLIC

Printed Name: SHAWN GUPTA

My Commission Expires: N/A

[AFFIX SEAL]



SHAWN K. GUPTA, Attorney at Law
Notary Public, State of Ohio
My Comm. has no expiration date
Section 147.03 O.R.C.

EXHIBIT A

MEMORANDUM OF TRUST

(Miss. Code Ann. § 91-8-407)

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the undersigned ☒ trustee, or ☐ successor trustee, who, being by me first duly sworn, states on oath the following:

1. The name of the trust is the **RALPH HAGEMAN AND BEVERLY LANSDEN LIVING TRUST DATED SEPTEMBER 20, 2023** (the "Trust").

2. The name, street mailing address, and telephone number of the Trustee empowered to act under the Trust are:

RALPH T. HAGEMAN
1316 Tiburon Drive
Batavia, OH 45103
Telephone: (228) 229-0205

BEVERLY G. LANSDEN
1316 Tiburon Drive
Batavia, OH 45103
Telephone: (228) 229-0205

3. The name, street mailing address, and telephone number of the Settlers of the Trust are:

RALPH T. HAGEMAN
1316 Tiburon Drive
Batavia, OH 45103
Telephone: (228) 229-0205

BEVERLY G. LANSDEN
1316 Tiburon Drive
Batavia, OH 45103
Telephone: (228) 229-0205

4. The legal description of all interests in real property owned by or conveyed to the Trust in Harrison County, Mississippi is:

Lots 31 thru 36, inclusive, Block 8, GULF AND NATCHEZ SUBDIVISION to the City of Gulfport, as per official map or plat thereof on file and of record in the office of the Chancery Clerk, Harrison County, First Judicial District.

Being one and the same property conveyed to Beverly G. Lansden, M.D. pursuant to that certain Warranty Deed dated August 2, 1993 and recorded on August 3, 1993

in Deed Book 1248 at Page 432 in the official land records of the First Judicial District of Harrison County, Mississippi.

5. The anticipated date of termination of the Trust or the event upon which the Trust will be terminated is the date upon which all of the trust property has been distributed to the beneficiaries in accordance with the terms and conditions of the Trust.

6. There has been no amendment, modification, or revocation, whether in whole or part, to the Trust which would adversely impact the authority of the Trustee to act for and on behalf thereof, and no successor trustee has been appointed to act as trustee of the Trust.

7. The powers granted to the Trustee under the Trust include, without limitation: (a) the power to sell at public or private sale, convey, purchase, exchange, lease for any period, mortgage, manage, alter, improve, and in general deal in and with real property in the manner and on the terms and conditions as the Trustee deems appropriate; (b) the power to invest in any type of investment that the Trustee determines is consistent with the investment goals of the Trust; (c) the power to execute and deliver any written instruments that the Trustee considers necessary to carry out any powers granted in the Trust; and (d) the powers set forth in the Ohio Trust Code. The Trustee must exercise all rights, powers, duties, and liabilities in accordance with the terms and provisions of the Ohio Trust Code, as it now exists or may hereafter be amended and in accordance with specific provisions of the Trust agreement.

8. Any person may rely upon this Memorandum of Trust as proof of the existence of the Trust and is relieved of any obligation or duty to verify that any transaction entered into by the Trustee is consistent with the terms and conditions of the Trust.

The statements contained in this Memorandum of Trust are true and correct as of the date specified below.

[The remainder of this page is intentionally blank. Signature page(s) to follow.]

18th IN WITNESS WHEREOF, the Trustee has executed this Memorandum of Trust as of the
day of December, 2023.

TRUSTEE

Ralph T. Hageman
RALPH T. HAGEMAN

Beverly G. Lansden
BEVERLY G. LANSDEN

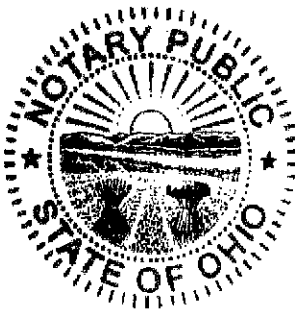
STATE OF OHIO
COUNTY OF CLERMONT

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 18th day of December, 2023, within my jurisdiction, the within named **RALPH T. HAGEMAN** and **BEVERLY G. LANSDEN**, who acknowledged that, collectively, they are the duly appointed Trustee of the **RALPH HAGEMAN AND BEVERLY LANSDEN LIVING TRUST DATED SEPTEMBER 20, 2023**, and that they executed the above and foregoing instrument in said representative capacity, after first having been duly authorized so to do.

Shawn K. Gupta
NOTARY PUBLIC
Printed Name: SHAWN GUPTA

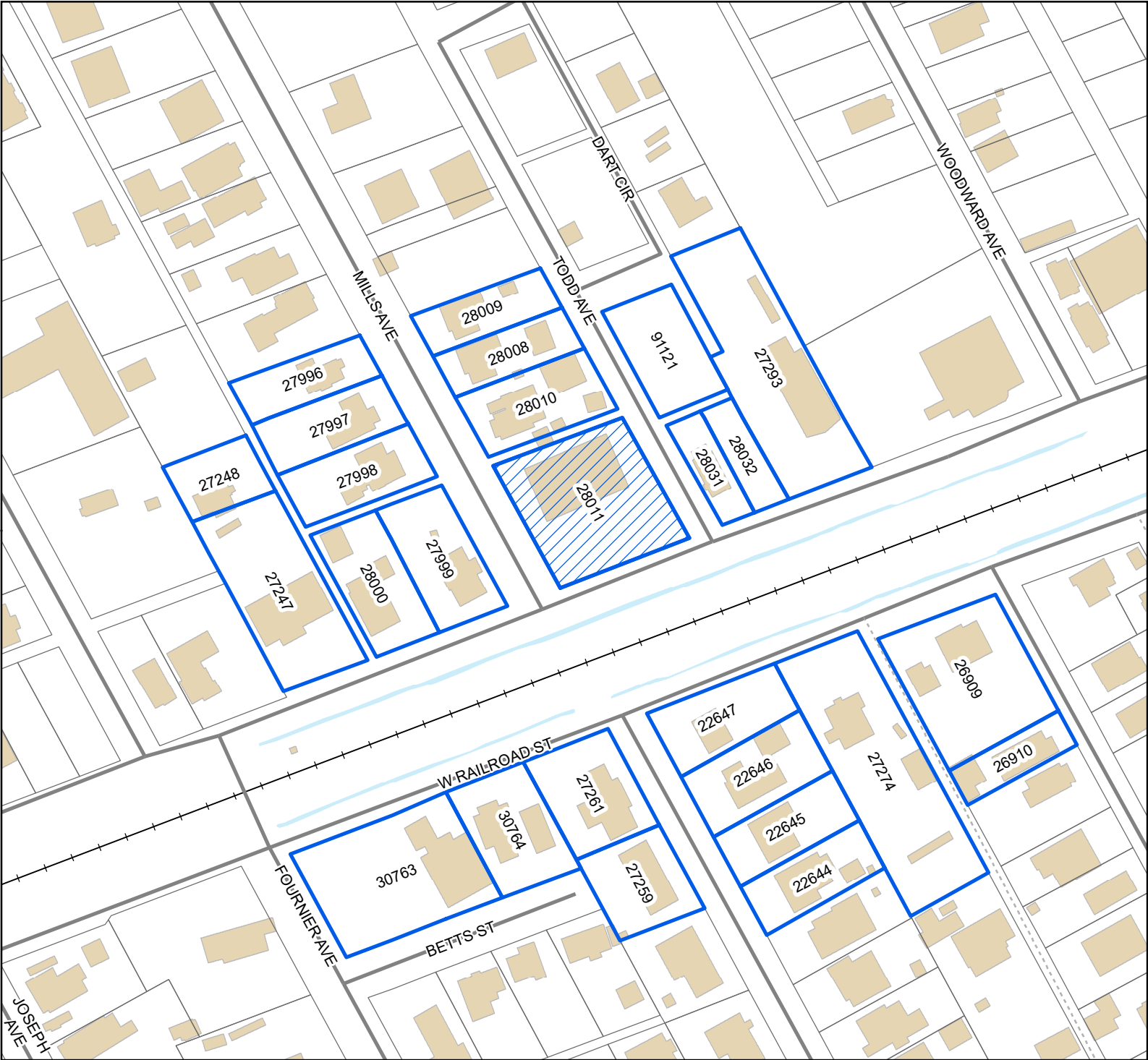
My Commission Expires: N/A

[AFFIX SEAL]



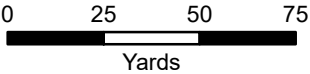
SHAWN K. GUPTA, Attorney at Law
Notary Public, State of Ohio
My Comm. has no expiration date
Section 147.03 O.R.C.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		07110-05-003.000	BEVERLY G. LANSDEN (OWNER)	1316 TIBURON DR	BATAVIA	OH	45103
		07110-05-003.000	RALPH T. HAGEMAN (OWNER)	1316 TIBURON DR	BATAVIA	OH	45103
			JEANETTE LADNER (AGENT)	P.O. BOX 6496	GULFPORT	MS	39506
			Adjacent Property Owners (2410ZB165)				
	27293	0711J-07-069.000	MCKENNA EDWARD F JR	4516 W RAILROAD ST	GULFPORT	MS	39501
	22647	0711O-04-047.000	EHLERS LORI ANNETTE	900 MILLS AVE	GULFPORT	MS	39501
	27997	0711K-02-084.000	TOMOHAWK PROPERTIES LLC	7247 LIVE OAK WAY	PASS CHRISTIAN	MS	39571
N	28032	0711O-05-002.000	MCKENNA EDWARD F JR	4516 W RAILROAD ST	GULFPORT	MS	39501
	28009	0711J-07-074.000	DAY MARY ANN	1024 MILLS AVE	GULFPORT	MS	39501
	28031	0711O-05-001.000	SMITH CHRISTINE	1020 MILLS AVE	GULFPORT	MS	39501
	28010	0711J-07-076.000	CASEY KENNETH L	1014 MILLS AVE	GULFPORT	MS	39501
	22645	0711O-04-049.000	MYERS JERRY A & JOAN G	7706 HANNUM	MAYVILLE	NY	14757
	28000	0711N-01-003.000	LEWIS SHIRLEY A	4604 W RAILROAD ST	GULFPORT	MS	39501
	27274	0711O-04-046.000	PUERTO REVOCABLE LIVING TRUST	4513 W RAILROAD ST	GULFPORT	MS	39501
	22644	0711O-04-050.000	BAUER LINDA CARLENE	804 MILLS AVE	GULFPORT	MS	39501
	91121	0711J-07-070.000	MCKENNA EDWARD F	4516 W RAILROAD ST	GULFPORT	MS	39501
	27248	0711N-01-004.000	JOHNSON THELMA -EST-	4612 W RAILROAD ST	GULFPORT	MS	39501
	22646	0711O-04-048.000	MASZTAL CARL & ALICIA	808 MILLS AVE	GULFPORT	MS	39501
	28011	0711O-05-003.000	LANSDEN BEVERLY G	1316 TIBURON DR	BATAVIA	OH	45103
	27247	0711N-01-005.000	SPINNER REAL ESTATE HOLDINGS LLC	ETAL	BILOXI	MS	39531
	27998	0711N-01-001.000	RODRIGUEZ ELVIA J	2724 S BIRCHFIELD DR	HARVEY	LA	70088
	27999	0711N-01-002.000	ABRAMS LAURA ELIZABETH	2218 SILVERADO DR	DALLAS	TX	75253
	30764	0711O-04-072.000	SCHOENBERG KASEY	4601 W RAILROAD ST	GULFPORT	MS	39501
	28008	0711J-07-075.000	SMITH CHRISTINE	1020 MILLS AVE	GULFPORT	MS	39501
	27996	0711K-02-083.000	DANIELS NATASHA S & DAVIS DAWN	1023 MILLS AVE	GULFPORT	MS	39501
	26910	0711O-04-002.000	COWLING WILLIAM DEAN	827 WOODWARD AVE	GULFPORT	MS	39501
N	27261	0711O-04-071.000	NELSON ZEBULON MATTHEW	901 MILLS AVE	GULFPORT	MS	39501
	26909	0711O-04-001.000	FAIRLEY GERALD & NIYA	835 WOODWARD AVE	GULFPORT	MS	39501
	27259	0711O-04-070.000	SHADE RYAN NELSON & LINDA KAY	807 MILLS AVE	GULFPORT	MS	39501
	30763	0711O-04-073.000	LANDRUM STEVEN S & LAURA A	4608 BETTS ST	GULFPORT	MS	39501



Legend

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



1 inch = 150 feet



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



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenon 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
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The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	596519	Print Legal Ad-IPL01962660 - IPL0196266	October ZB	\$58.30	1	43 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII. of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 PM., Thursday, October 17, 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 2409ZB139, by agent Ian Nushke, seeking approval for parking that pulls out into city right of way, Tax Parcel 0910N-07-006.000, 3320 C Ave, Zoned B-2 (General-Business), Ward 4

Variance 2410ZB164, by agent Martin Jones, seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-006.000, 1235 Pass Rd, Zoned B-2 (General-business), Ward 2

Variance 2410ZB165, by agent Jeanette Ladner, seeking approval for parking that backs out into city right of way, Tax Parcel 0711O-05-003.000, 4540 W Railroad Street, Zoned B-1 (Neighborhood Business), Ward 1

This the 25th day of September 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0196266
Oct 2 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:
10/02/24

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

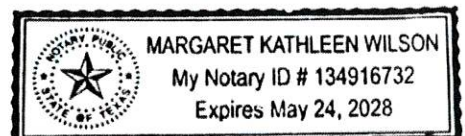
Mary Castro

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

Margaret K. Wilson

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!