

AGENDA
ZONING BOARD OF ADJUSTMENT AND APPEALS
CITY HALL COUNCIL CHAMBERS
THURSDAY, NOVEMBER 21, 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 - October 17, 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 2411ZB168:

Variance 2411ZB168, by owner Elliot Land Developments LLC, seeking approval for fence height of 10 feet and 6 inches where four feet is the height limit, Tax Parcel 0811G-02-016.000, 1505 2nd Street, 1507 2nd Street, 1509 2nd Street, 1511 2nd Street, 1513 2nd Street, 1517 2nd Street, 1519 2nd Street, 1521 2nd Street, 1523 2nd Street, 1525 2nd Street, 1527 2nd Street, 1529 2nd Street, Zoned R-2 (Single-Family) & R-B (Residence Business), Ward 2

2. Variance 2411ZB173:

Variance 2411ZB173, by agent Monica Smith, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

3. Variance 2411ZB174:

Variance 2411ZB174, by agent Monica Smith. seeking approval for three regular parking spaces where five are required, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

4. Variance 2411ZB176:

Variance 2411ZB176, by owner Landry Trace LLC, seeking approval for subdivision wall height of 6 feet where 4 feet is the height limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

5. Variance 2411ZB177:

Variance 2411ZB177, by owner Landry Trace LLC, seeking approval for subdivision sign height of 15 feet where 6 feet is the size limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

6. Variance 2411ZB178:

Variance 2411ZB178, by owner Jimmy Watts, seeking approval for lot size of 6,970 square feet where 7,500 square feet is required, Tax Parcels 0711P-01-003.000, 0711P-01-004.000, 8th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 2

7. Special Exception 2411SE179:

Special Exception 2411ZB179, by owner Brenda Thai, seeking approval for a liquor store use, Tax Parcel 0811E-04-096.000, 2005 30th Ave, Zoned B-1 (Neighborhood Business), Ward 1

8. Variance 2411ZB180:

Variance 2411ZB180, by owner Conquering Word Ministries, seeking approval for one regular parking space where nine are required, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

9. Variance 2411ZB181:

Variance 2411ZB181, by owner Conquering Word Ministries, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

10. Variance 2411ZB183:

Variance 2411ZB183, by owner Mickey Anderson, seeking approval for a 5 foot and 2 inch side yard setback for a proposed detached carport where 14 feet is required, Tax Parcel 1010D-01-005.007, 8758 Sundown Lane, Zoned R-2 (Single-family), Ward 4

11. Variance 2411ZB184:

Variance 2411ZB184, by owner Thaddeus Grage, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-022.001, 2600 Pass Road, Zoned T5 (Urban Center Zone), Ward 3

H. Adjournment

MINUTES

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING

Thursday, October 17, 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

HAL KAIGLER

MARY ANN WIGINTON

BOARD MEMBERS ABSENT:

NICHOLAS HAHN

MICHAEL DANIELS

NATHAN BODDIE

STAFF MEMBERS PRESENT:

MATILDA WELCH

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. Pharr** to approve Minutes of the **September 19, 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 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

Speaking for the Petition: Ian Nuschke

Speaking against the Petition: None

Motion: Mrs. Wiginton – to approve the applicant’s request for parking to pull out into city right of way on the side abutting C Avenue with an ADA compliant handicap space.

Second: Mr. Kaigler

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

Action: Motion carried unanimously

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

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:

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

Speaking for the Petition: Martin Jones

Speaking against the Petition: None

Other: Wayne Aronson

Motion: Mr. Kaigler – to approve the applicant’s request with the condition that the handicap space is ADA compliant.

Second: Mrs. Wiginton

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

Action: Motion Carried Unanimously

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

Speaking for the Petition: Jeanette Ladner

Speaking against the Petition: None

Motion: Mr. Pharr - to approve the applicant’s request.

Second: Mrs. Wiginton

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

Action: Motion Carried 3-1

Adjournment:

Motion by **Mrs. Wiginton** to adjourn the meeting was seconded by **Mr. Kaigler** and carried unanimously. The meeting adjourned **3:48 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 # 2025-31

Hearing Date: Thursday, November 21, 2024

Variance 2411ZB168: Variance 2411ZB168, by owner Elliot Land Developments LLC, seeking approval for fence height of 10 feet and 6 inches where four feet is the height limit, Tax Parcel 0811G-02-016.000, 1505 2nd Street, 1507 2nd Street, 1509 2nd Street, 1511 2nd Street, 1513 2nd Street, 1517 2nd Street, 1519 2nd Street, 1521 2nd Street, 1523 2nd Street, 1525 2nd Street, 1527 2nd Street, 1529 2nd Street, Zoned R-2 (Single-Family) & R-B (Residence Business), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2411ZB168

Hearing Date: November 21, 2024

Current Zoning/Use: R-2 / Multi-Family

Legal: Variance 2411ZB168, by owner Elliot Land Developments LLC, seeking approval for fence height of 10 feet and 6 inches where four feet is the height limit, Tax Parcel 0811G-02-016.000, 1505 2nd Street, 1507 2nd Street, 1509 2nd Street, 1511 2nd Street, 1513 2nd Street, 1517 2nd Street, 1519 2nd Street, 1521 2nd Street, 1523 2nd Street, 1525 2nd Street, 1527 2nd Street, 1529 2nd Street, Zoned R-2 (Single-Family) & R-B (Residence 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 is requesting a fence height variance for the entrance monument for 2nd Street Commons development. The main fence is black aluminum with a height of 6ft, however, the decorative columns are 7ft. and the entrance gate with arbor is 10ft.-6 inches. The City's fence ordinance allows residential fences to be 6 feet tall with 2 feet of a decorative design that is at least 50% transparent.

Of important note, that a site visit was conducted by staff on October 22nd, and found that, this fence was built without permit and before the Zoning Board meeting. It is also important to note that the builder was aware that a permit is needed to be submitted to the city before any work is to be done.

- (a) Applicant does not address the question about the property's special conditions. However, the applicant wanted a decorative fence to surround their attached multi-family homes to make it more appealing, which results in causing their hardship.
- (b) Applicant does not address the question regarding whether the special conditions result from the applicant. Upon staff review, the applicant has caused their own hardship by wanting to construct a fence higher than the 4-foot height limit, and has already completed construction of said fence.
- (c) The applicant does not address the question regarding how the hardship is created by the physical character of the property. Upon staff review, the hardship is created by the applicant wishing to build a fence that exceeds the 4-foot fence height.
- (d) The applicant does not address the question regarding the literal interpretations of the ordinance. There are no visible fences or walls in the surrounding area that matches the scope of this building structure.
- (e) The applicant does not address the question about special privileges that is denied by this ordinance.
- (f) This property is zoned R-B and a subdivision fence is allowed by right.

EXECUTIVE SUMMARY

Applicant is seeking approval for 10-foot and 6-inch tall brick columns for a subdivision fence where 6 feet is the height limit. The City of Gulfport Fence Ordinance states that "fences, walls, and hedges between the primary and continuous front façade line and the front property line must not be higher than four (4) feet above grade". The applicant does not address any hardships that result from the physical characteristics of the property, and is causing their own hardship by seeking to build brick columns for a subdivision fence that exceeds the height limit. Upon a site visit conducted on October 22nd, staff was able to confirm that the fence was completed in its entirety without a building permit and the approval of the Zoning Board. The applicant's request would not be in harmony with the surrounding neighborhood.

Any approval should consider these conditions:

1. Must meet all current building codes and City of Gulfport Ordinances.

Technical Report

VARIANCE

2. No gate can swing into the right-of-way.
3. Approval of a variance that allows the decorative columns that are 7ft. and the entrance gate with arbor is 10ft.-6 inches in height.
4. The developer needs to dedicate a sewer easement to the City of Gulfport.
5. The sewer line under the central common area and under the entry to arbor, also serves abutting lots to the south that face Beach Blvd.
6. A Licensed Professional Engineer will need to certify the structure for 160 mph wind ultimate.
7. Double Permit Fee will be required.

DEPARTMENTAL CONDITIONS

Engineering:

Conditions. The developer needs to dedicate a sewer easement to the City of Gulfport. The sewer line under the central common area and under the entry to arbor, also serves abutting lots to the south that face Beach Blvd. 11/6/2024.

Public Works:

No comment as of 11/6/2024.

Traffic and Safety:

No conditions. Memo dated 11/6/2024.

Building Code Services:

Fence has already been built with brick columns and walls. No inspections were done. A Licensed Professional Engineer will need to certify the structure for 160 mph wind ultimate. Double Permit Fee will be required. No permits were obtained. Conditions. Memo dated 10/30/2024.

GIS:

No conditions. Memo dated 11/6/2024.

Police Department:

No comment as of 11/6/2024.

Fire Department:

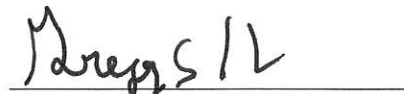
No conditions. Memo dated 10/31/2024.

City Arborist:

No conditions. Memo dated 10/31/2024.

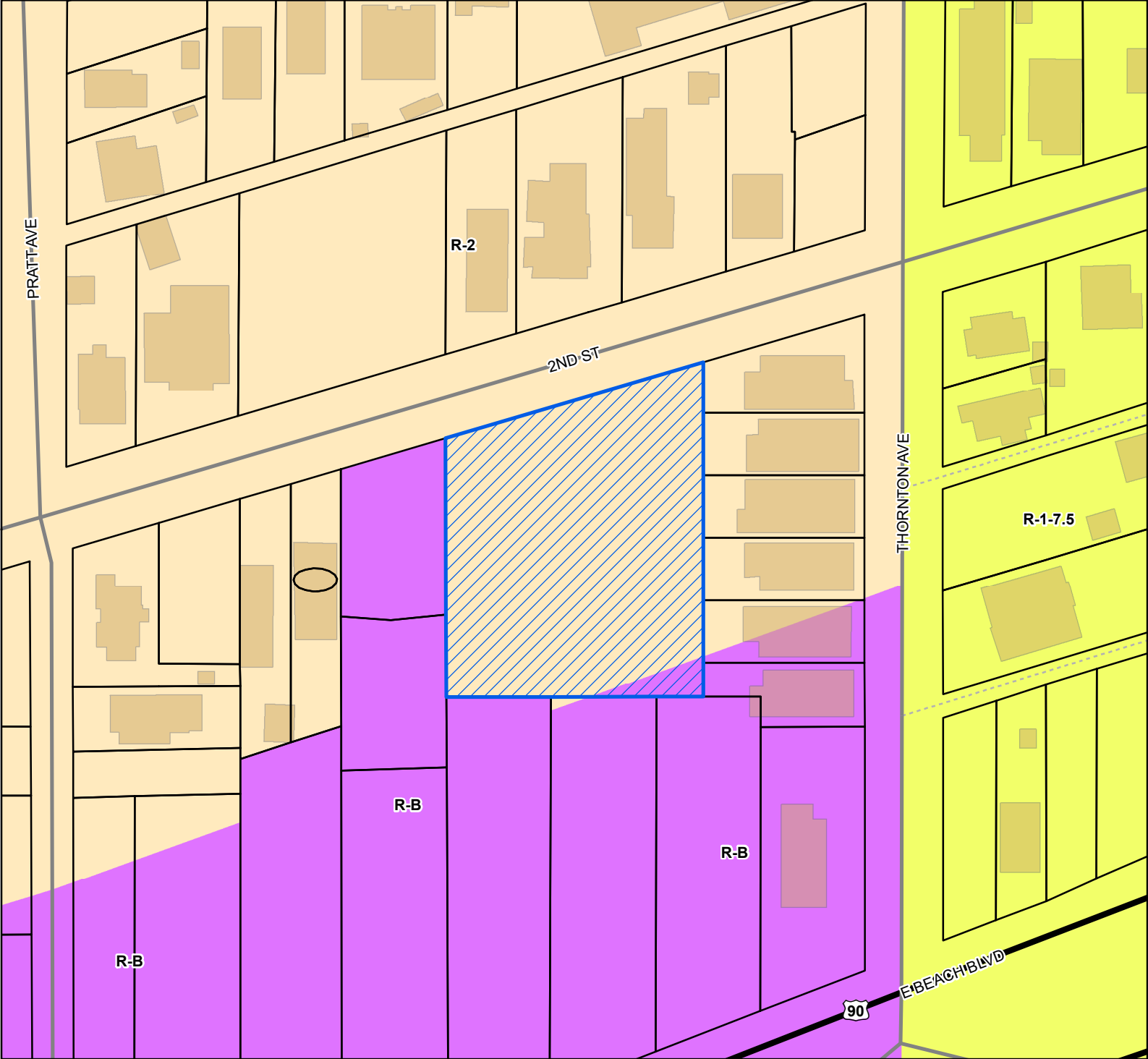
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department



Legend

- Site
- US or State Highway
- Street
- Alley
- Parcels
- Buildings

Zoning

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

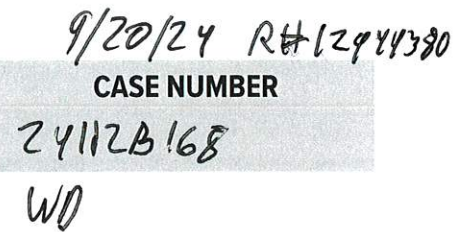
Site Information

0811G-02-016.000
Zoning: R-2 (Single Family)
R-B (Residence Business)
Size: 39654.65 sqft
Flood: X, AE

0 10 20 30
Yards

1 inch = 100 feet

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



OWNER:ELLIOTT Land Developments, LLC

Printed Name of Owner

1402 Pass Road

Mailing Address

Gulfport MS 39501

City

State

Zip Code

228-217-0783

Home Phone

Work/Cell Phone

acrose@myelliotthome.com

Email

ACROSE

Signature of Owner

AGENT:

Printed Name of Agent

Mailing Address

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Agent

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

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

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

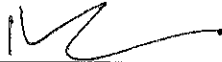
**MINUTES OF SPECIAL MEETING OF ELLIOTT LAND DEVELOPMENTS, LLC, A
MISSISSIPPI
LIMITED LIABILITY COMPANY**

Be it resolved that **ELLIOTT LAND DEVELOPMENTS, LLC**, a Mississippi limited liability company, had a meeting of all of its members on the 15th day of January 2024, in Gulfport, Mississippi, and after discussion and a unanimous vote the following resolution was adopted.

THAT **AMANDA CROSE** IS APPOINTED AS AGENT OF THE COMPANY AND IS HEREBY EMPOWERED TO ACT ON BEHALF OF THE COMPANY TO SIGN ANY AND ALL NECESSARY DOCUMENTS FOR THE COMPANY IN CONNECTION WITH THE EXECUTION OF REAL ESTATE CONTRACTS FOR THE PURCHASE AND SALE OF REAL PROPERTY AND TO SIGN ANY AND ALL NECESSARY DOCUMENTS FOR THE COMPANY IN CONNECTION WITH OBTAINING CONSTRUCTION DRAWS, INCLUDING BUT NOT LIMITED TO DRAW SHEETS AND AFFIDAVITS.

Resolved this the 15th day of January 2024.

**ELLIOTT LAND DEVELOPMENTS, LLC, A MISSISSIPPI LIMITED LIABILITY
COMPANY**



BY: BRANDON ELLIOTT, SOLE MEMBER/MANAGING MEMBER



COVENANT AFFIDAVIT

I, Amanda Crose being property owner or agent of the property 0 2nd Street, AC
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.

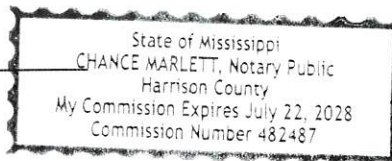
Amanda Crose
SIGNATURE

9.19.24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Chance Marlett
NOTARY PUBLIC



July 22, 2028
COMMISSION EXPIRATION

Fence Variance Application Supplemental Information for:

0811G-02-016.000 (2nd Street Commons)

We are requesting a fence height variance for the entrance monumentation for our 2nd Street Commons development. The main fence is black aluminum with a height of 6' however, the decorative columns are 7' and the entrance gate with arbor is 10'-6".

1. Safety in regard to the subject property, adjacent properties, ingress and egress, streets, alleyways, and water bodies.

The placement of the fence is located along our property line and will not affect adjoining/adjacent properties, ingress and egress, streets, alleyways, or water bodies.

2. Visual impact on adjacent properties, streets, alleyways, and water bodies.

Our entrance monument and fencing will not cause a visual impact on adjacent properties, streets, alleyways, and water bodies.

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

Our design of the entrance monument and fence style compliments the surrounding neighborhood and is very aesthetically pleasing. It brings value to the community and will not cause a negative impact.

4. Impact on ingress and egress; if applicable.

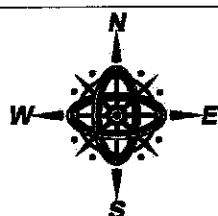
Our fence will not impact ingress or egress. It is located along our property line.

5. Screening, buffering or separation of any nuisance or hazardous feature.

Our fence and entrance monument will not be screening, buffering or separating any nuisance or hazardous feature.

6. Compatibility with adjacent properties.

Our fence and entrance monument is compatible with the surrounding properties and brings beauty to the area. We take great pride in providing a very nice entrance monument into our communities.



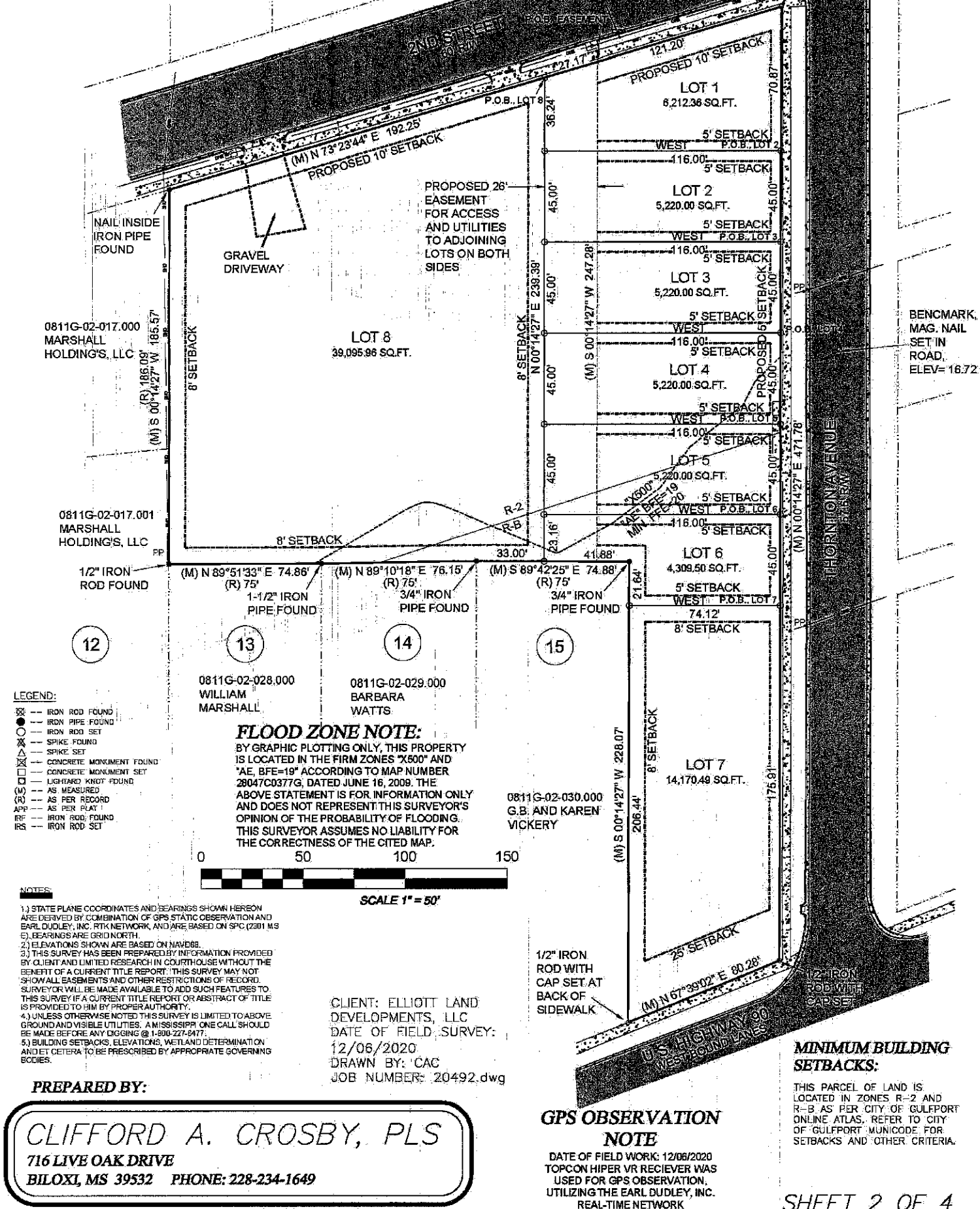
**A RESUBDIVISION OF A 1.944 ACRE PARCEL,
CITY OF GULFPORT, FIRST JUDICIAL DISTRICT
OF HARRISON COUNTY, MISSISSIPPI, INTO
LOTS "1", "2", "3", "4", "5", "6", "7" AND "8". SAID
PARCEL BEING REFERRED TO AS TAX PARCEL
NO. 0811G-02-016.000, ADDRESS-
1525 THORNTON AVENUE**

NOTE:
PROPERTY IS
SERVICED BY CITY
OF GULFPORT
WATER AND SEWER
AT THIS TIME.

REFERENCE: GRID NORTH
BY GPS OBSERVATION
(DATUM=NAD 83)

REFERENCE MATERIAL:
1.) GULFPORT ONLINE ATLAS
2.) RECORDED PLAT OF SORIA
CITY SUBDIVISION
3.) HARRISON COUNTY GIS
WEBSITE
4.) INST. NO. 2021-1733-D-J1

POINT OF BEGINNING FOR
LOT 1 AND POINT OF
COMMENCEMENT FOR ALL
OTHER LOTS, 1/2" IRON
ROD WITH CAP SET AT THE
NE CORNER OF LOT 16



SHEET 2 OF 4

DESCRIPTION:
SURVEY

CO-2

SHEET NUMBER

SEAL

**SECOND STREET
COMMONS
SECOND STREET**

GULFPORT, HARRISON COUNTY, MS 39501



Pickering

Pickering Firm, Inc.
Transportation • Environmental • Water Resources
Civil • Facilities
126 Rue Magnolia
Bloom, MS 39530
228 432 5926

CHECKED BY	
------------	--

[illegible]

DESIGNER.

DRAWN BY:

DATE: _____

PROJECT #:

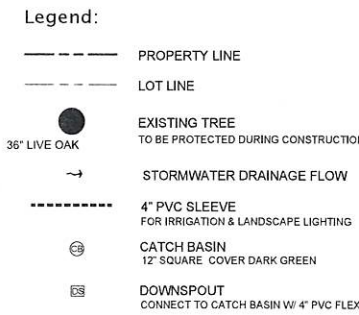
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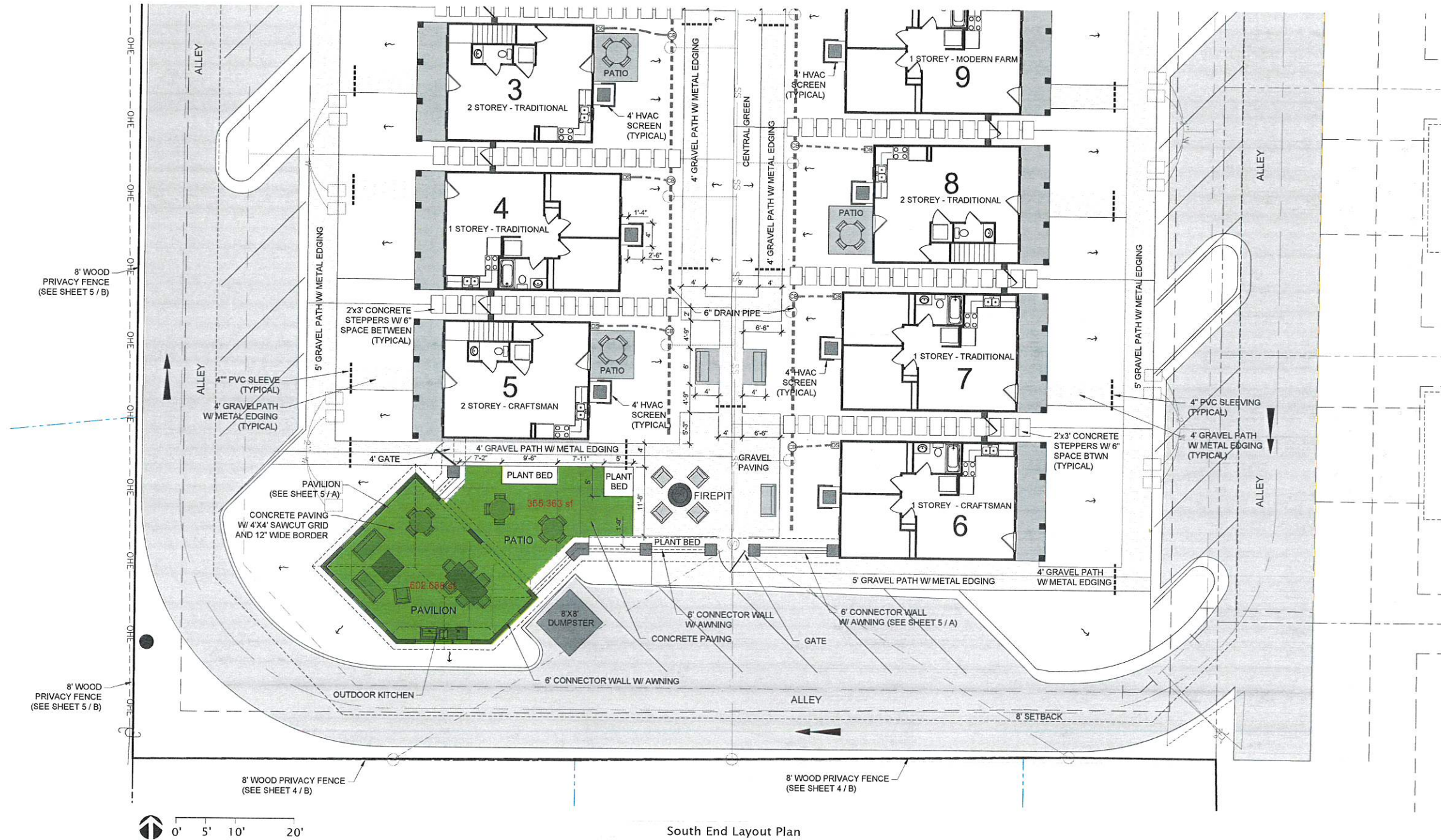
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REVISIONS:

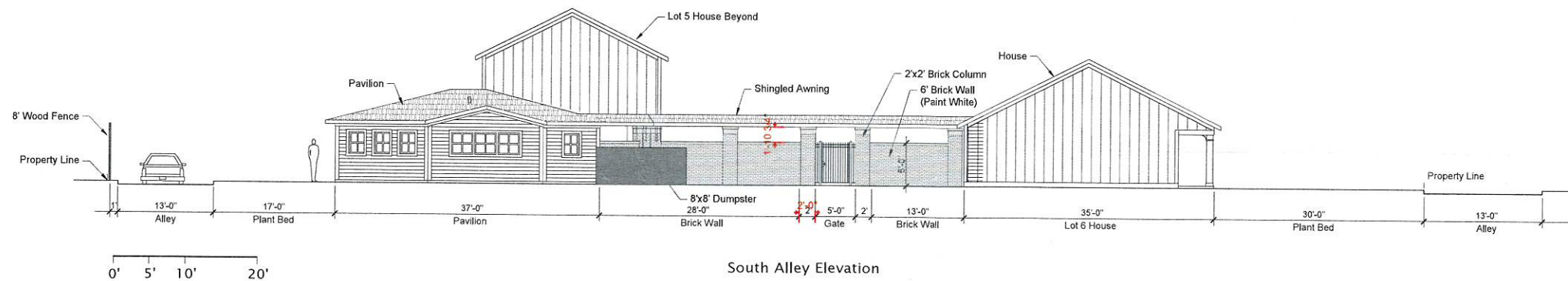
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South End Layout Plan



South Alley Elevation

Legend:

- PROPERTY LINE
- LOT LINE
- EXISTING TREE
36" LIVE OAK
- TO BE PROTECTED DURING CONSTRUCTION
- STORMWATER DRAINAGE FLOW
- 4" PVC SLEEVE
FOR IRRIGATION & LANDSCAPE LIGHTING
- CATCH BASIN
12" SQUARE COVER DARK GREEN
- DOWNSPOUT
CONNECT TO CATCH BASIN W/ 4" PVC FLEX



surroundingz
LANDSCAPE ARCHITECTURE

228.382.4090
3126 Eagle Point Drive
Ocean Springs, MS
surroundingz.com

LANDSCAPE LAYOUT PLANS
FINAL PLANS - JULY 10, 2023
- FOR CONSTRUCTION -

SECOND STREET COMMONS
GULFPORT, MS

Landscape Architect's Seal



Revisions:

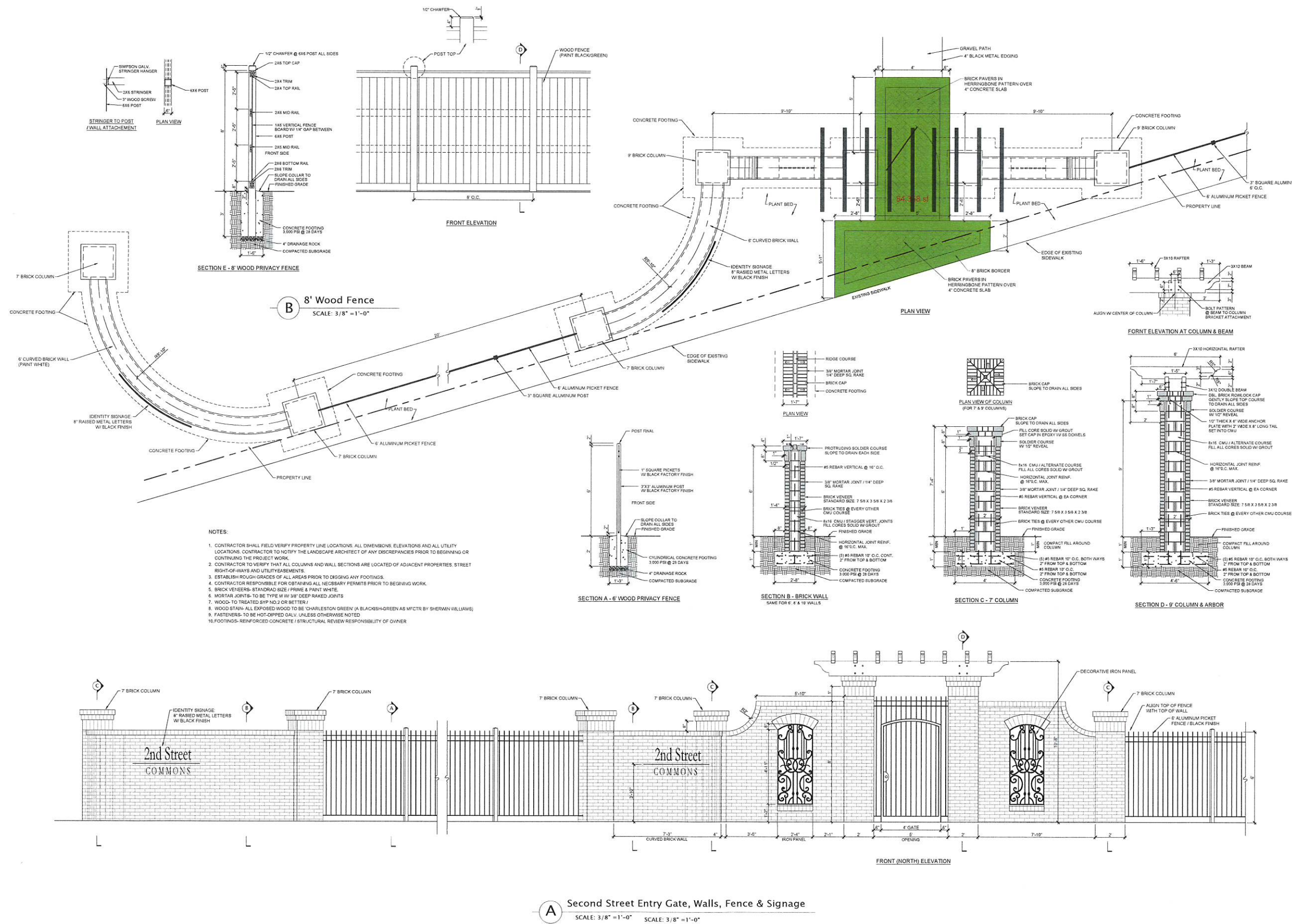
No.	Date	Comments

Date: JULY 10, 2023
Job No: 23025
Drawn for: E.L.D.
Drawn by: RES
Checked by: RES

Sheet Title:
South End
Layout Plan

Sheet Number:

Disclaimer: Drawings and Specifications are property of Surroundingz, PLLC and are not to be used or reproduced without permission



A Second Street Entry Gate, Walls, Fence & Signage
SCALE: 3/8" = 1'-0" SCALE: 3/8" = 1'-0"



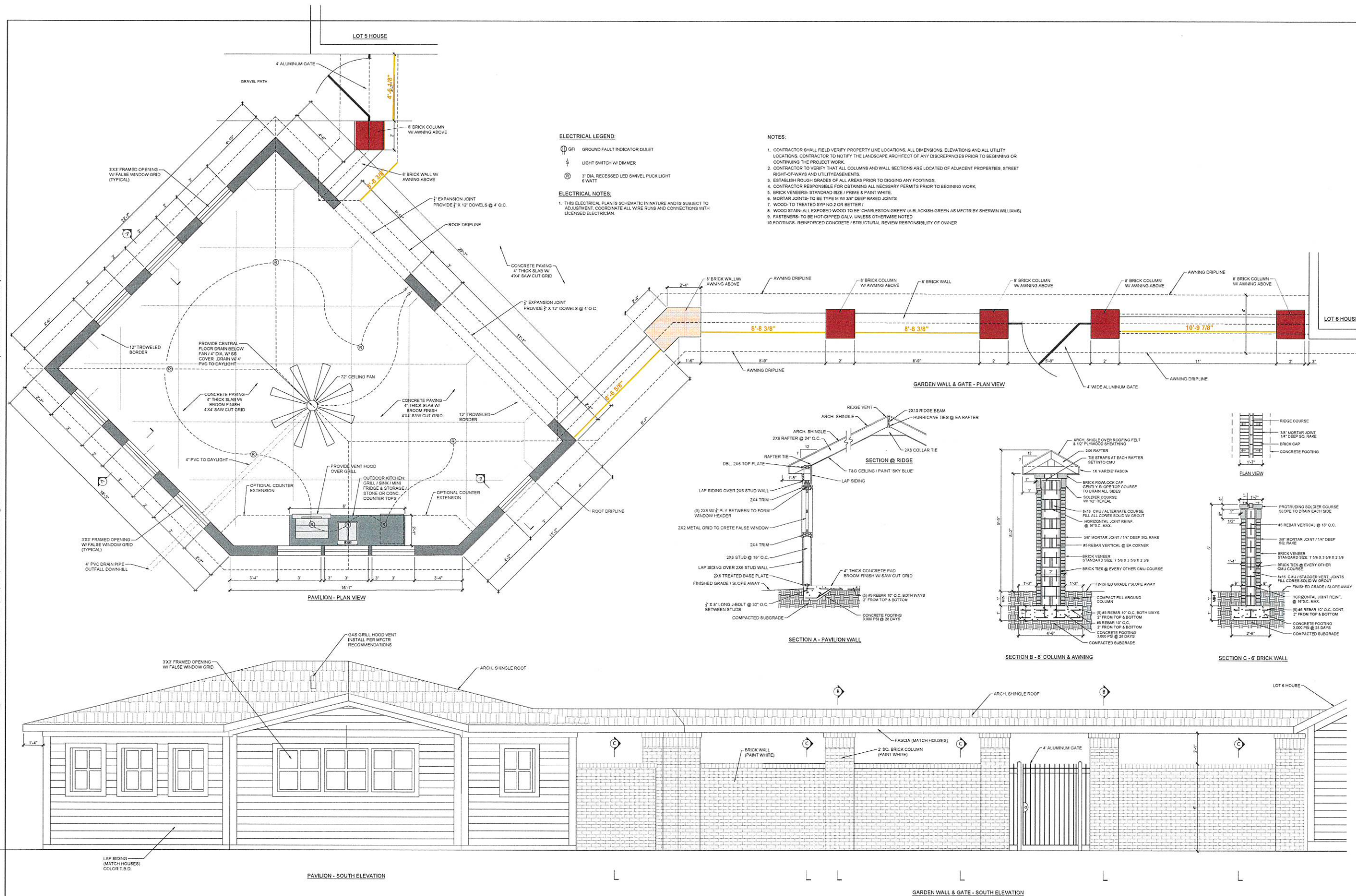
Revisions:		
No.	Date	Comments

Date: JULY 10, 2023
Job No: 23025
Drawn for: E.L.D.
Drawn by: RES
Checked by: RES

Sheet Title:
Details

Sheet Number:

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A Pavilion & South Courtyard Entry & Garden Wall
SCALE: 3/8" = 1'-0"



Revisions:		
No.	Date	Comments

Date: JULY 10, 2023
Job No: 23025
Drawn for: E.L.D.
Drawn by: RES
Checked by: RES

Sheet Title:
Details

Sheet Number:



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Elliott Land Developments LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1005415
Status:	Good Standing
Effective Date:	07/20/2012
State of Incorporation:	Mississippi
Principal Office Address:	1402 Pass Road Gulfport, MS 39501

Registered Agent

Name
Elliott, Brandon
1520 29th Ave
Gulfport, MS 39501

Officers & Directors

Name	Title
Brandon Elliott	
1402 Pass Road	
Gulfport, MS 39501	Member

Prepared by & return to:
Schwartz, Orgler & Jordan, PLLC
12206 Highway 49
Gulfport, MS. 39503
228-832-8550
Our File: 210078

Indexing: The N ½ of Lot 13 &
14 & 15 and all of Lot 16, in
Block 5 of Soria City Addition
Gulfport East Ward School

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WARRANTY DEED

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

**Gulfport Municipal Separate School District
2001 Pass Road
Gulfport, MS 39501**

do hereby sell, convey and warrant unto

**Elliott Land Developments, LLC
A Mississippi Limited Liability Company
1402 Pass Road
Gulfport, MS 39501
(228) 257-9914**

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

**That certain property formerly known as Gulfport East Ward School and being
described as follows, to-wit: The North Half of Lot 13, the North Half of Lot 14, the
North Half of Lot 15, and all of Lot 16, in Block 5 of Soria City Addition as shown by
map or plat thereof on file and of record in the office of the Chancery Clerk of
Harrison County, Mississippi**

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

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

IN WITNESS WHEREOF, Gulfport Municipal Separate School District has caused this conveyance to be executed by its duly authorized officer, having first been duly authorized to do so, on this the 15th day of ~~January~~, 2021.

February

Gulfport Municipal Separate School District

BY: *[Signature]*
Steven Warren, President

BY: *[Signature]*
Gerald Norris, Secretary

STATE OF MISSISSIPPI

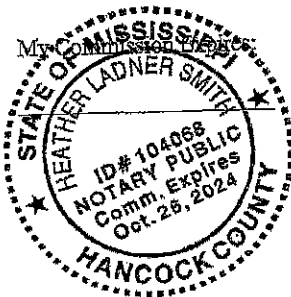
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Steven Warren, who acknowledge that he is the President of Gulfport Municipal Separate School District, and Gerald Norris, who acknowledge that he is the Secretary of Gulfport Municipal Separate School District and both as its act and deed, signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned after having been first duly authorized to do so.

My Commission Expires
February
~~January~~, 2021.

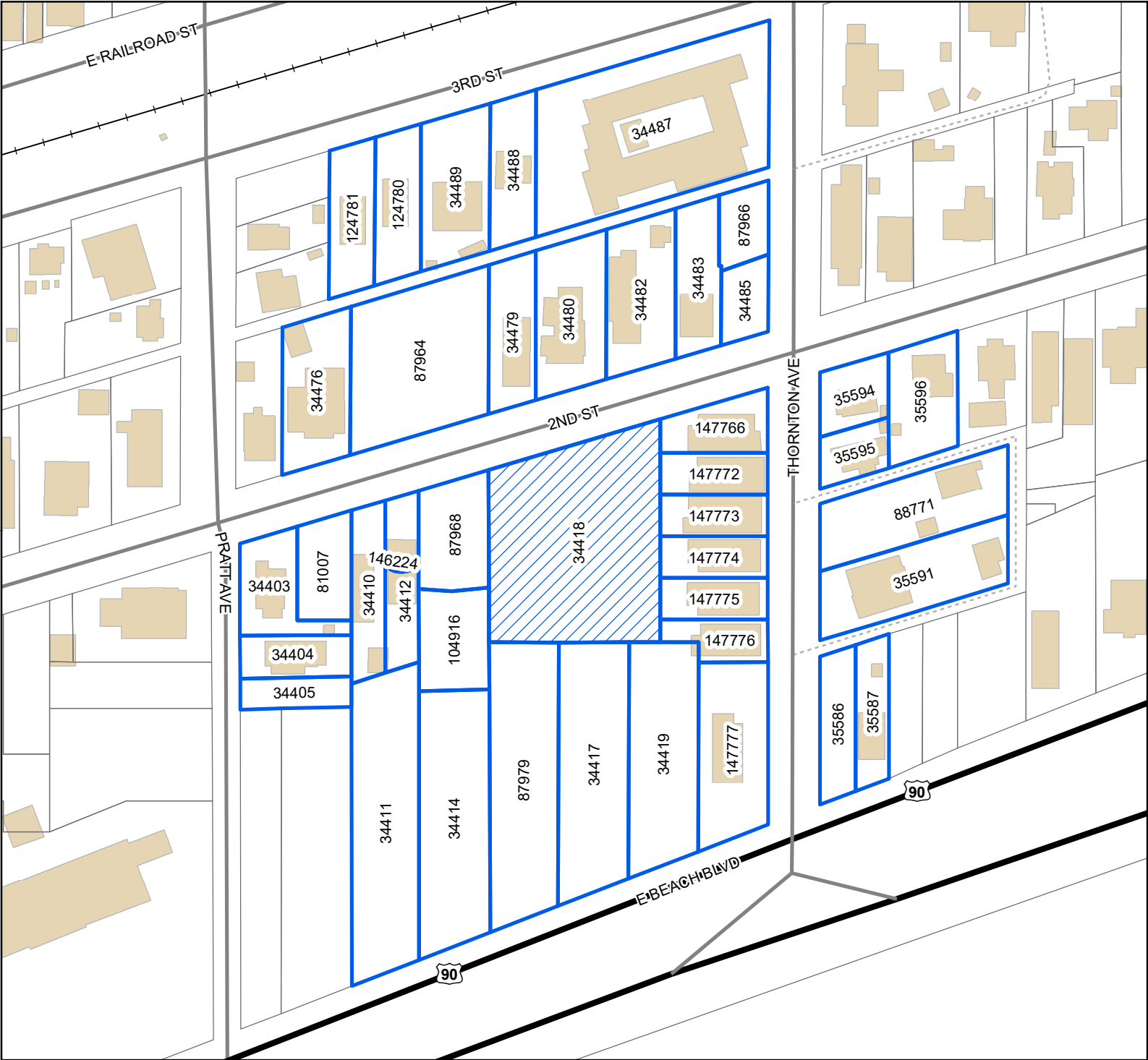
GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 15th day of

[Signature]
NOTARY PUBLIC



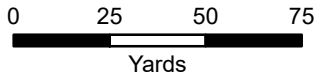
Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0811G-02-016.000	ELLIOTT LAND DEVELOPMENTS LLC (OWNER)	1402 PASS ROAD	GULFPORT	MS	39501
			Adjacent Property Owners (2411ZB168)				
	34414	0811G-02-027.000	VICMAR PROPERTIES INC	2350 TWIN BAY VIEW	FORT WALTON BCH	FL	32547
	34483	0811G-02-014.000	KRIMSON INVESTMENTS LLC	8218 RIDGEWOOD DR	KILN	MS	39556
	34482	0811G-02-013.000	MENARD ROBERT S & LYNN L TRUST	1512 2ND ST	GULFPORT	MS	39501
	87966	0811G-02-015.000	KS INVESTMENTS LLC	13440 WOODLAND DR	GULFPORT	MS	39503
	35587	0811G-02-032.000	PARKER DAVID E & JUDY E	1440 E BEACH BLVD	GULFPORT	MS	39501
	34488	0811G-02-002.000	DAVIDSON ROBERTA O & JOE L JR	809 JOSEPH AVENUE	GULFPORT	MS	39501
N	34485	0811G-02-015.001	KS INVESTMENTS LLC	13440 WOODLAND DR	GULFPORT	MS	39503
	87964	0811G-02-009.000	FINLEY ROSEMARY B	20111 LOVERS LN	LONG BEACH	MS	39560
N	34476	0811G-02-008.000	KS INVESTMENTS LLC	13440 WOODLAND DR	GULFPORT	MS	39503
	35596	0811H-04-046.000	PETTY CATHERINE C	1423- 2ND STREET	GULFPORT	MS	39501
	35594	0811G-02-033.000	SMITH MICHAEL B & DEROSIER ROXAN	400 PRIVATE RD 31150	PARIS	TX	75460
N	34411	0811G-02-026.000	VICMAR PROPERTIES INC	2350 TWIN BAY VIEW	FORT WALTON BCH	FL	32547
	34405	0811G-02-023.000	WILLIS RICHARD C	6610 HALE CT	DIAMONDHEAD	MS	39525
	81007	0811G-02-020.000	CREWS WILLIAM R & KAREN M -TRUSTEES	1540 PRATT AVE	GULFPORT	MS	39501
	88771	0811H-04-048.000	NATIONS KELLY M	1510 THORNTON AVE	GULFPORT	MS	39501
	34480	0811G-02-011.000	BOX ADAM C & KRISTEN MERRITT	1520 2ND ST	GULFPORT	MS	39501
N	35591	0811H-04-049.000	NATIONS KELLY M	1510 THORNTON AVE	GULFPORT	MS	39501
	87979	0811G-02-028.000	MARSHALL WILLIAM R	2350 TWIN BAY DR	FORT WALTON BCH	FL	32547
N	87968	0811G-02-017.000	MARSHALL HOLDING'S LLC	2350 TWIN BAY VIEW	FT WALTON BEACH	FL	32547
	34410	0811G-02-019.000	HERRINGTON KIMBERLY B	1535 2ND ST	GULFPORT	MS	39501
	34404	0811G-02-022.000	RIEMANN CATHERINE	1530 PRATT AVE	GULFPORT	MS	39501
	35586	0811G-02-031.000	HERCHENHAHN JERRY T & CHERIE	167 BALMORAL AVE	BILOXI	MS	39531
	34479	0811G-02-010.000	FITE GREGORY J & SHANDRA H	1524 2ND STREET	GULFPORT	MS	39501
	34487	0811G-02-001.000	HICKORY GULFPORT LLC	1712 ARABIAN DR	LOXAHATCHEE	FL	33470
	35595	0811G-02-033.001	NEW SEAN J & CYNTHIA J	1532 THORNTON AVE	GULFPORT	MS	39501
	34412	0811G-02-018.000	BEACH TOWN REALTY LLC	9744 RAVINE AVE	LAS VEGAS	NV	89117
N	104916	0811G-02-017.001	MARSHALL HOLDING'S LLC	2350 TWIN BAY VIEW	FT WALTON BEACH	FL	32547
	34417	0811G-02-029.000	WATTS BARBARA F	9355 COUNTY FARM RD	GULFPORT	MS	39503
	124781	0811G-02-003.002	MAUREPAS HOLDINGS LLC	11519 OAKLAWN RD	BILOXI	MS	39532
	124780	0811G-02-003.001	FOWLER LAVELL	2107 23RD AVE UNIT A	GULFPORT	MS	39501
	34489	0811G-02-003.000	1519 3RD STREET LLC	39 PALMETTO	KENNER	LA	70065
N	34403	0811G-02-021.000	CREWS WILLIAM R & KAREN M -TRUSTEES	1540 PRATT AVE	GULFPORT	MS	39501
N	146224	0811G-02-018.001	BEACH TOWN REALTY LLC	9744 RAVINE AVE	LAS VEGAS	NV	89117

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	34419	0811G-02-030.000	VICKERY G B & KAREN P	7 E 52ND ST	GULFPORT	MS	39507
N	147777	0811G-02-016.007	ELLIOTT LAND DEVELOPMENTS LLC	1402 PASS RD	GULFPORT	MS	39501
	147775	0811G-02-016.005	VONTOURE MORGAN J & JEVON	1519 THORTON AVE	GULFPORT	MS	39501
	147766	0811G-02-016.001	KIOSEFF DONA & WILLIAM HUGHES	1535 THORNTON AVE	GULFPORT	MS	39501
	147772	0811G-02-016.002	RSGG INVESTMENT HOLDINGS GROUP LLC	13928 PUERTO DR	OCEAN SPRINGS	MS	39564
	147773	0811G-02-016.003	BENDIGANAVAL AKSHATA K ETAL	4847 JUNIPER PARK DR	BATON ROUGE	LA	70816
	147774	0811G-02-016.004	MIDDLETON VALERIE	1520 GREYSTONE PARC CIRCLE	BIRMINGHAM	AL	35242
N	147776	0811G-02-016.006	ELLIOTT LAND DEVELOPMENTS LLC	1402 PASS RD	GULFPORT	MS	39501
N	34418	0811G-02-016.000	ELLIOTT LAND DEVELOPMENTS LLC	1402 PASS RD	GULFPORT	MS	39501



Legend

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



1 inch = 150 feet



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



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

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
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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	607604	Print Legal Ad-IPL02020460 - IPL0202046		\$104.20	2	53 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, November 21, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2411ZB168, by owner Elliot Land Developments LLC, seeking approval for fence height of 10 feet and 6 inches where four feet is the height limit, Tax Parcel 0811G-02-016.000, 1505 2nd Street, 1507 2nd Street, 1509 2nd Street, 1511 2nd Street, 1513 2nd Street, 1517 2nd Street, 1519 2nd Street, 1521 2nd Street, 1523 2nd Street, 1525 2nd Street, 1527 2nd Street, 1529 2nd Street, Zoned R-2 (Single-Family) & R-B (Residence Business), Ward 2

Variance 2411ZB173, by agent Monica Smith, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB174, by agent Monica Smith, seeking approval for three regular parking spaces where five are required, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB176, by owner Landry Trace LLC, seeking approval for subdivision wall height of 6 feet where 4 feet is the height limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB177, by owner Landry Trace LLC, seeking approval for subdivision sign height of 15 feet where 6 feet is the size limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB178, by owner Jimmy Watts, seeking approval for lot size of 6,970 square feet where 7,500 square feet is required, Tax Parcels 0711P-01-003.000, 0711P-01-004.000, 8th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Special Exception 2411SE179, by owner Brenda Thai, seeking approval for a liquor store use, Tax Parcel 0811E-04-096.000, 2005 30th Ave, Zoned B-1 (Neighborhood Business), Ward 1

Variance 2411ZB180, by owner Conquering Word Ministries, seeking approval for one regular parking space where nine are required, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB181, by owner Conquering Word Ministries, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB183, by owner Mickey Anderson, seeking approval for a 5 foot and 2 inch side yard setback for a proposed detached carport where 14 feet is required, Tax Parcel 1010D-01-005.007, 8758 Sundown Lane, Zoned R-2 (Single-family), Ward 4

Variance 2411ZB184, by owner Thaddeus Grage, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-022.001, 2600 Pass Road, Zoned T5 (Urban Center Zone), Ward 3

This the 30th day of October 2024

A. Leslie North, Chairman

City of Gulfport Zoning Board of Adjustment and Appeals

IPL0202046

Nov 6 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:

11/06/24

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.

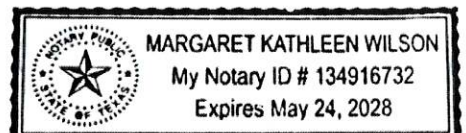
Mary Castro

Sworn to and subscribed before me this 7th day of November 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 # 2025-32

Hearing Date: Thursday, November 21, 2024

Variance 2411ZB173: Variance 2411ZB173, by agent Monica Smith, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2411ZB173

Hearing Date: November 21, 2024

Current Zoning/Use: B-2 / Commercial Structure

Legal: Variance 2411ZB173, by agent Monica Smith, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance in order to back out into the city right of way. The City of Gulfport parking requirements for perpendicular parking call for a 25-foot aisle width that begins at the end of the 9'x18' parking space. Currently, the site cannot fit the required aisle width. In order to bring the site up to code, the site would require at least partial demolition or a change in the ordinance in order to fit their desired parking without variance.

- (a) The applicant does not note any special conditions or circumstances in their reply. However, it is clear to staff that the widening of Pass Road created this circumstance for many businesses on Pass Road. The pre-existing nature of the parking creates the need for variance.
- (b) The applicant states that the parking is pre-existing. It is clear to staff that the issue was created when Pass Road was expanded and this issue was not created due to the actions of the applicant.
- (c) The applicant does not address any unusual hardship that is created by the physical character of the property in their answer to this question. However, it is clear to staff that an unusual hardship was created when Pass Road was expanded and many on Pass Road face this same parking issue. In addition, the board have approved several variances for backing out into the city right of way in the surrounding area.
- (d) The applicant states "businesses around me have to back into the city roads". Upon staff visit of the site, it is clear that this statement is true. It should be noted that the parcel just east of this site, 512 Pass Road, was approved for a variance that allows for backing out into the city right of way. It is clear that many businesses on Pass Road currently back out into the city right of way.
- (e) The applicant states that their answer is "no" in regards to the granting of this variance conferring special privilege onto them. Upon staff review, it is clear that many in the area either have been approved for a variance or operate in a "grandfathered" status. The applicant has a genuine hardship and the granting of this variance would be in harmony with the area.
- (f) This property is zoned B-2 and the intended use requires planning commission approval.

EXECUTIVE SUMMARY

The applicant requests a variance in order to back out into the city right of way. The City of Gulfport parking requirements for perpendicular parking call for a 25-foot aisle width that begins at the end of the 9'x18' parking space. It is clear to staff that the hardship was created with the widening of Pass Road and that many in the area face the same issue. It should be noted that the parcel just east of the property, 512 Pass Road, was granted a variance for backing out into the city right of way. In order to bring the site up to code, the site would require at least partial demolition or a change in the ordinance in order to fit their desired parking without variance. It is clear that the applicant has a real hardship and the granting of this variance would be in harmony with the area.

Any approval should consider these conditions:

1. Approval would allow for parking that backs out into the city right of way.

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 11/8/2024.

Public Works: No comments as of 11/8/2024.

Traffic and Safety: No conditions. Memo dated 11/6/24.

Building Code Services: No conditions. Memo dated 10/30/2024.

GIS: No conditions. Memo dated 11/6/2024.

Police Department: No comment as of 11/8/2024.

Fire Department: No conditions. Memo dated 10/31/2024.

City Arborist: No conditions. Memo dated 10/31/2024.

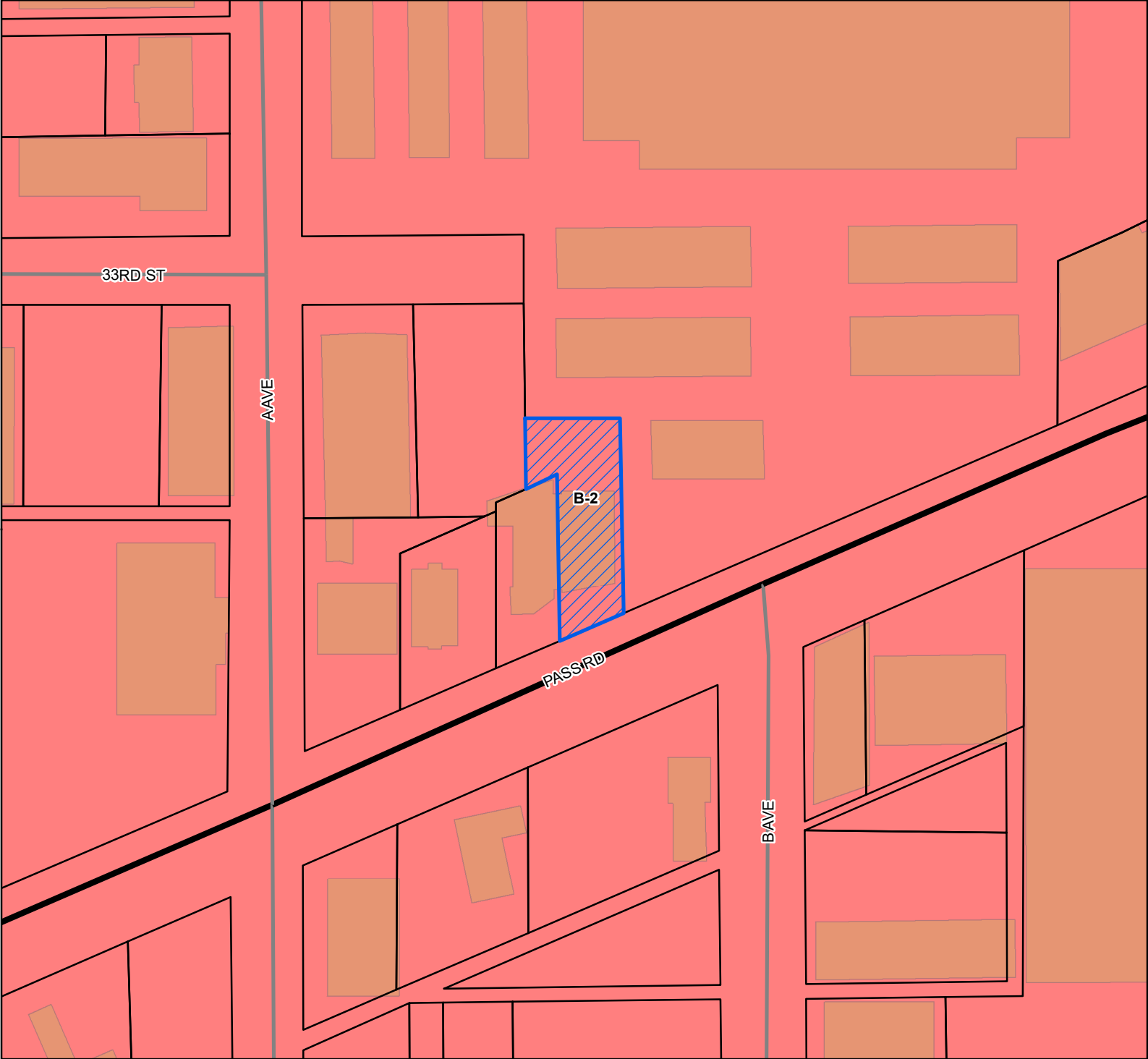
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department





Site

US or State Highway

Street

Parcels

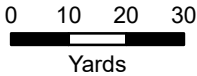
Buildings

City Limit

Zoning

B-2 - General Business District

Site Information
0910N-07-010.000
Zoning: B-2 (General business)
Size: 7938.83 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.



10/7/24 WD

CASE NUMBER

241120173

R#12972016

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-07-010.000	

Property Address:

504 Pass Road Gulfport MS
Lot(s) 11,12 Block(s) 6 Subdivision Magnolia Grove

General Description of Request: to back out into
city right away.

OWNERSHIP AND CERTIFICATION:

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

OWNER:Yani Hernandez

Printed Name of Owner

2411 Demaret Dr.

Mailing Address

Gulfport MS 39507

City

State

Zip Code

228-213-2456

Home Phone

Work/Cell Phone

Yaniexitomol@gmail.com

Email

Yani H

Signature of Owner

AGENT:Monica Smith

Printed Name of Agent

21553 W. Edgewood Dr.

Mailing Address

Saucier, MS 39574

City

State

Zip Code

228-860-5427

Home Phone

Work/Cell Phone

monika74@aol.com

Email

Monica

Signature of Agent

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

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

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____



DESIGNATION OF AGENT

I, Yani Hernandez being property owner of 504 Pass Road Gulfport
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Monica Smith 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.

Yani H 10-07-24
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 7th day of October, 20 24
Katilin Jacobs 5/22/27
NOTARY PUBLIC COMMISSION EXPIRATION





COVENANT AFFIDAVIT

I, Jani Hernandez being property owner or agent of the property 504 Pass Road
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

Jani H 10-07-24
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 7th day of October, 20 24

Katilin Jacobs
NOTARY PUBLIC

5/22/27
COMMISSION EXPIRATION



VARIANCE SUBMISSIONS ANSWERS

1. I need approval to back into the city street if necessary for a longer vehicle such as a truck or van. *Due to not meeting isle length requirements*
2. Building and parking were pre-existing. Was once the kids train station.
3. The building parking meets the city's requirements. We have redesigned our parking spaces to 9x18 as per city code.
4. Businesses around me have to back into the city roads.
5. My answer is no.
6. Yes, a Hispanic, Latin grocery store.

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:

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

JH **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.

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

VLF 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**.

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

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

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



Area Map

Printed 10/7/2024

0910N-07-011.000

4

21.9

9

8

10

11

12

13

14

15

0910N-07-012.001

0910N-07-010.000

0910N-07-009.000

504 PASS RD

510 PASS RD

0910N-07-013.000

0910N-07-014.000

(120)

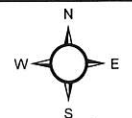
81x6
81x6
81x6
Handicap
9x18

49

Yam'it
10-07-24

PASS RD

0910N-06-020.000



1 inch = 23 feet

- Addresspoints
- Principal Arterial
- WaterFeatures
- Parcels

DATA DISCLAIMER:

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Angela Hunt 1st JUDICIAL DISTRICT
Instrument 2024-0000042-D-J1
Filed/Recorded 01/02/2024 11:27:02 AM
Total Fees 26.00
3 Pages Recorded

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

Grantor:
North Station Properties, LLC,
a Mississippi Limited Liability Company
720 Parkwood Dr.
Long Beach, MS 39560
(231) 675-3189

Return To:
Pilger Title Co.
1406 Bienville Blvd.
Ocean Springs, MS 39564
(228) 215-0011

Grantee:
Yani Floridalma Xitumul Hernandez
2411 Demaret Dr.
Gulfport, MS 39507
(228) 213-2458

File No. Z233111F

INDEXING INSTRUCTIONS: Lots 13 and 14, Blk. 6, Revision of Magnolia Grove, 1st JD, Harrison County, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, **North Station Properties, LLC**, a Mississippi Limited Liability Company, does hereby sell, convey and warrant unto **Yani Floridalma Xitumul Hernandez**, all of that certain tract, piece or parcel of land situated in Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

Legal Description attached hereto as Exhibit "A"

This being the same property as that conveyed to North Station Properties, LLC, by Warranty Deed recorded in Instrument No. 2023-9844-D-J1, Land Deed Records of Harrison County, Mississippi.

If this property is bounded by water, this conveyance includes any natural accretion, and is subject to any erosion due to the action of the elements. Such riparian and littoral rights as exist are conveyed herewith but without warranty as to their nature or extent. If any portion of the property is below the mean high tide watermark, or is coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act it is conveyed by quitclaim only.

Grantor(s) quitclaim any and all oil, gas, and other minerals owned, if any, to Grantee(s). No mineral search was requested or performed by preparer.

This conveyance is subject to any and all covenants, rights of way, easements, restrictions and reservations of record in the office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi.

It is agreed and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to make all necessary adjustments on the basis of an actual proration.

WITNESS MY SIGNATURE, on this the 20 day of December, 2023.

North Station Properties, LLC,
a Mississippi Limited Liability Company

Richard Mueller, Jr.
By: Richard Mueller, Jr.,
Sole Member and Manager

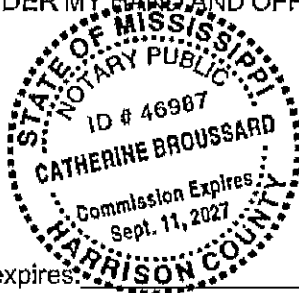
C O R P O R A T E A C K N O W L E D G M E N T

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named Richard Mueller, Jr., the Sole Member and Manager of North Station Properties, LLC, a Mississippi Limited Liability Company, who acknowledged before me that he signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned, for and on behalf of the aforesaid entity, after first having been duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 20th day of December, 2023.

(AFFIX SEAL)



My commission expires: _____

Catherine Broussard
NOTARY PUBLIC

DEED ACCEPTED BY:

Yani Floridalma Xitumul Hernandez
Yani Floridalma Xitumul Hernandez

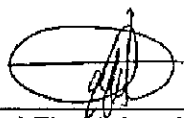
Exhibit "A"

Legal Description

Lots 13 and 14, Block 6, Revision of Magnolia Grove, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 3, at Page 36 (Copy Book 1A, at Page 83).

AND ALSO:

The South 1/2 of 10-foot alley North of and adjacent to the herein described property.



Yani Florida Xitumul Hernandez

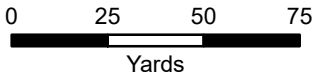
12/20/23
Date

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0910N-07-010.000	YANI HERNADEZ (OWNER)	2411 DEMARET DRIVE	GULFPORT	MS	39507
			MONICA SMITH (AGENT)	21553 W. EDGEWOOD DR.	SAUCIER	MS	39574
			Adjacent Property Owners (2411ZB173)				
	103379	0910N-07-012.001	MUELLER RICHARD P JR	15384 5TH STREET	GULFPORT	MS	39503
	31704	0910N-07-014.000	HOLDEN JOHN W JR	P O BOX 1055	CLEVELAND	TN	37364
	83969	0910N-07-012.000	CARR CHARLES D -TRUSTEE-	19400 NORTH POINT COVE	GULFPORT	MS	39503
	31709	0910N-06-022.000	HLR PROPERTIES LLC	1115 PASS ROAD	GULFPORT	MS	39501
	31723	0910N-06-015.000	BEATTIES JACK	3206 B AVE	GULFPORT	MS	39501
	31717	0910N-06-019.000	VINTAGE PROPERTIES LLC	19 KIMBELL DR	GULFPORT	MS	39507
N	31702	0910N-07-010.000	MUELLER RICHARD P JR	15384 5TH ST	GULFPORT	MS	39503
	31712	0910N-06-020.000	AUTO CASH INC	521 CEDAR AVE	CRESTVIEW	FL	32539
	102725	0910N-07-008.001	ANEDEE HOLDING LLC	P O BOX 1925	GULFPORT	MS	39502
N	31724	0910N-06-016.000	VINTAGE PROPERTIES LLC	19 KIMBALL DRIVE	GULFPORT	MS	39507
	107783	0910N-06-026.001	QUIN SHERYL V	24178 LEEWARD DR	GULFPORT	MS	39503
	31714	0910N-06-024.000	BREWER INGLE C JR & LEE MICHEAL	7360 RUSHING ROBINSON RD	BILOXI	MS	39532
N	31711	0910N-06-021.000	HLR PROPERTIES LLC	1115 PASS RD	GULFPORT	MS	39501
N	31713	0910N-06-023.000	VINTAGE PROPERTIES LLC	19 KIMBELL DR	GULFPORT	MS	39507
N	31700	0910N-07-011.000	MUELLER RICHARD P JR	15384 5TH STREET	GULFPORT	MS	39503
N	31703	0910N-07-013.000	MUELLER RICHARD P JR	15384 5TH STREET	GULFPORT	MS	39503
	31715	0910N-06-025.000	QUIN EDWARD E JR	529 32ND ST	GULFPORT	MS	39501
N	31716	0910N-06-026.000	QUIN SHERYL V	12478 LEEWARD DR	GULFPORT	MS	39503
N	83963	0910N-06-018.000	VINTAGE PROPERTIES LLC	19 KIMBALL DRIVE	GULFPORT	MS	39507
	31701	0910N-07-009.000	3K'S LLC ETAL	150 GOVERNMENT ST	MOBILE	AL	36602



Legend

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



1 inch = 150 feet



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



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	607604	Print Legal Ad-IPL02020460 - IPL0202046		\$104.20	2	53 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, November 21, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2411ZB168, by owner Elliot Land Developments LLC, seeking approval for fence height of 10 feet and 6 inches where four feet is the height limit, Tax Parcel 0811G-02-016.000, 1505 2nd Street, 1507 2nd Street, 1509 2nd Street, 1511 2nd Street, 1513 2nd Street, 1517 2nd Street, 1519 2nd Street, 1521 2nd Street, 1523 2nd Street, 1525 2nd Street, 1527 2nd Street, 1529 2nd Street, Zoned R-2 (Single-Family) & R-B (Residence Business), Ward 2

Variance 2411ZB173, by agent Monica Smith, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB174, by agent Monica Smith, seeking approval for three regular parking spaces where five are required, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB176, by owner Landry Trace LLC, seeking approval for subdivision wall height of 6 feet where 4 feet is the height limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB177, by owner Landry Trace LLC, seeking approval for subdivision sign height of 15 feet where 6 feet is the size limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB178, by owner Jimmy Watts, seeking approval for lot size of 6,970 square feet where 7,500 square feet is required, Tax Parcels 0711P-01-003.000, 0711P-01-004.000, 8th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Special Exception 2411SE179, by owner Brenda Thai, seeking approval for a liquor store use, Tax Parcel 0811E-04-096.000, 2005 30th Ave, Zoned B-1 (Neighborhood Business), Ward 1

Variance 2411ZB180, by owner Conquering Word Ministries, seeking approval for one regular parking space where nine are required, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB181, by owner Conquering Word Ministries, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB183, by owner Mickey Anderson, seeking approval for a 5 foot and 2 inch side yard setback for a proposed detached carport where 14 feet is required, Tax Parcel 1010D-01-005.007, 8758 Sundown Lane, Zoned R-2 (Single-family), Ward 4

Variance 2411ZB184, by owner Thaddeus Grage, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-022.001, 2600 Pass Road, Zoned T5 (Urban Center Zone), Ward 3

This the 30th day of October 2024

A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0202046
Nov 6 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:

11/06/24

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.

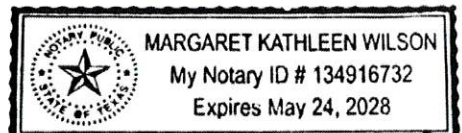
Mary Castro

Sworn to and subscribed before me this 7th day of November 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 # 2025-33

Hearing Date: Thursday, November 21, 2024

Variance 2411ZB174: Variance 2411ZB174, by agent Monica Smith, seeking approval for three regular parking spaces where five are required, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2411ZB174

Hearing Date: November 21, 2024

Current Zoning/Use: B-2 / Commercial Structure

Legal: Variance 2411ZB174, by agent Monica Smith. seeking approval for three regular parking spaces where five are required, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant is seeking approval of a variance that would allow for 3 parking spaces where 5 is required. The City of Gulfport ordinance requires 1 parking space per 300 square feet of gross floor area for a retail use as well as 1 handicap space per 25 parking spaces. The parking at this site will also require a backing out into the city right of way variance for their current parking plan. It should be noted that an updated site plan showing appropriate handicap parking will need to be given before any permits or applications are approved due to Engineering's conditions mentioned.

- (a) The applicant does not note any special conditions or circumstances regarding the site in question. However, it is clear that a hardship is present due to the expansion of Pass Road which removed room for parking. This hardship is faced by many along Pass Road. It should be noted that the property at 512 Pass Road just east of this parcel was granted approval for 4 parking spaces where 7 is required.
- (b) The applicant states, "Building and parking were pre-existing. Was once the kids train station." It is clear to staff that the applicant did not cause the need for the variance as the hardship was pre-existing.
- (c) The applicant does not comment on any undue hardship created by the character of the property in their response. However, it is clear to staff that the expansion of Pass Road created a hardship for many businesses regarding parking requirements.
- (d) The applicant does not consider the literal interpretation of the ordinance in their response and states that other businesses have parking that back out into the city right of way. However, it is clear to staff that the literal interpretation of the ordinance would require a full or partial demolition of the site in order to fit required parking or an amendment to the parking ordinance. Also, a parking agreement between 504 Pass Road and 500 Pass Road is a potential option considering, upon site visit by staff, there are people who intuitively park on the east side of the building.
- (e) The applicant states "My answer is no" in regard to any special privilege being granted to them by the approval of this variance. It is clear to staff that many along Pass Road have this hardship due to the expansion of Pass Road. The property at 512 Pass Road just east of this parcel was granted approval for 4 parking spaces where 7 is required. The granting of this variance would be in harmony with the area.
- (f) This property is zoned B-2, and convenience store requires planning commission approval.

EXECUTIVE SUMMARY

The applicant is seeking approval of a variance that would allow for 3 parking spaces where 5 is required. The City of Gulfport ordinance requires 1 parking space per 300 square feet of gross floor area for a retail use as well as 1 handicap space per 25 parking spaces. It should be noted that the property at 512 Pass Road, just east of this parcel, was approved for 4 parking spaces where 7 is required. The current parking plan will also require a variance for backing out into the city right of way. It should also be noted that Engineering has commented that the van accessible space must be on the left of the access aisle and be lined up with the front door. Therefore, an updated site plan with these requirements will need to be shown before any permits or applications are approved. It is clear that due to the expansion of Pass Road this site as well as many others face a legitimate hardship in regards to parking.

Technical Report

VARIANCE

Any approval should consider these conditions:

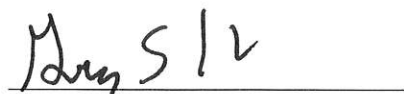
1. Approval would allow for 3 parking spaces where 5 are required.
2. The handicap parking space shown must be van accessible. The 11 ft wide van accessible space must be on the left side of the access aisle. The access aisle must be lined up with the front door

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	The handicap parking space shown must be van accessible. The 11 ft wide van accessible space must be on the left side of the access aisle. The access aisle must be lined up with the front door. Memo dated 11/6/2024.
<u>Public Works:</u>	No comments as of 11/8/2024.
<u>Traffic and Safety:</u>	No conditions. Memo dated 11/6/2024.
<u>Building Code Services:</u>	No conditions. Memo dated 10/30/2024.
<u>GIS:</u>	No conditions. Memo dated 11/6/2024.
<u>Police Department:</u>	No comment as of 11/8/2024.
<u>Fire Department:</u>	No conditions. Memo dated 10/31/2024.
<u>City Arborist:</u>	No conditions. Memo dated 10/31/2024.

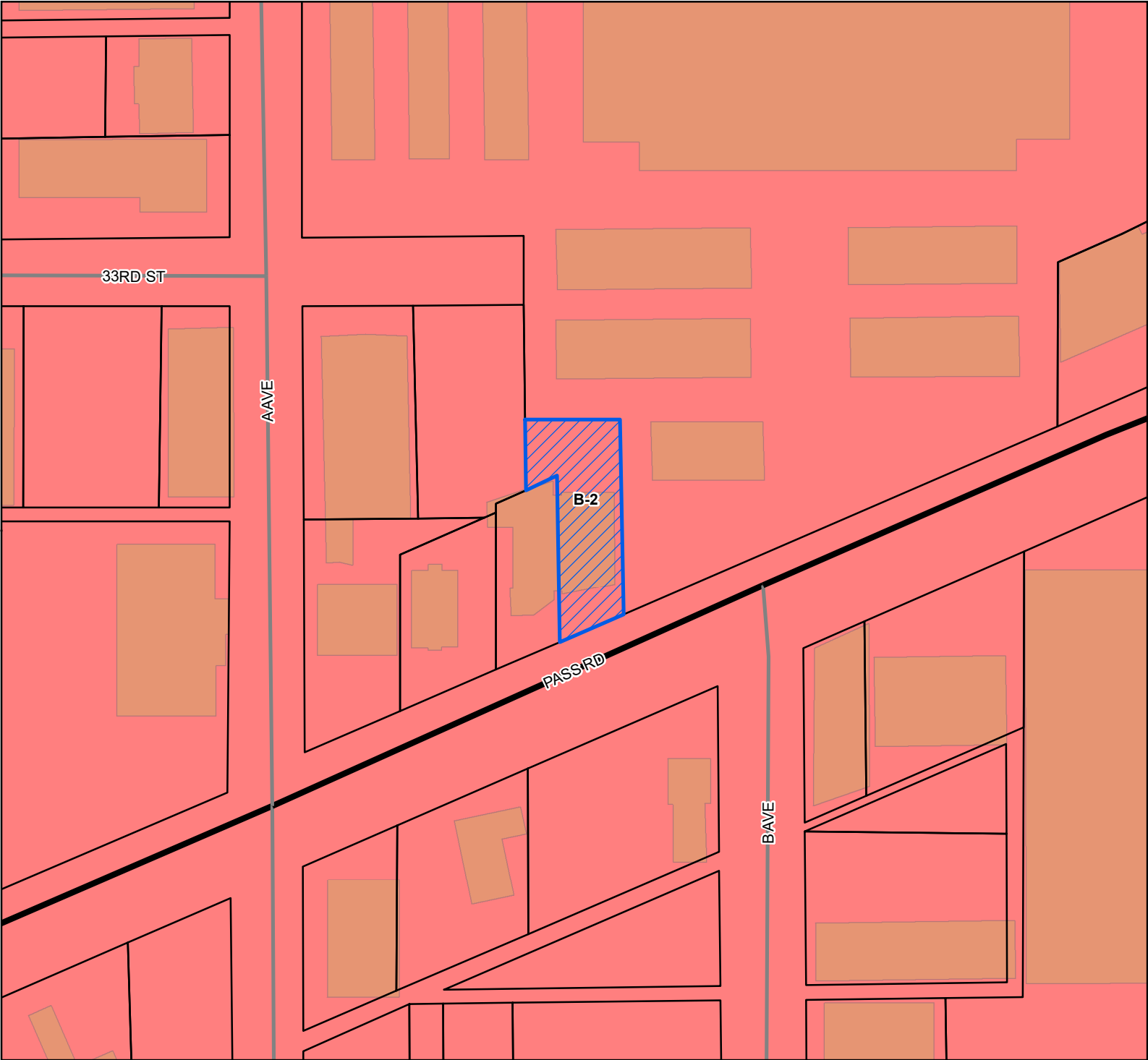
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department



Site

US or State Highway

Street

Parcels

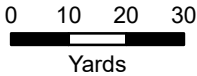
Buildings

City Limit

Zoning

B-2 - General Business District

Site Information
0910N-07-010.000
Zoning: B-2 (General business)
Size: 7938.83 sqft
Flood: X



1 inch = 100 feet



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10/7/24 WD

CASE NUMBER

241123174

R#12972019

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-07-010.000	

Property Address:

504 Pass Road Gulfport MS

Lot(s) 11,12 Block(s) 6 Subdivision Magnolia Grove

General Description of Request: to allow 3 (9x18) parking spots and 1 handicap (9x18) when five is required by code.

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:

Yani Hernandez
 Printed Name of Owner
2411 Demaret Dr.
 Mailing Address
Gulfport MS 39507
 City State Zip Code
228-213-2458
 Home Phone Work/Cell Phone
Yani Hernandez@gmail.com
 Email
Yani H.
 Signature of Owner

AGENT:

Monica Smith
 Printed Name of Agent
21553 W. Edgewood Dr.
 Mailing Address
Saucier, MS 39574
 City State Zip Code
228-860-5427
 Home Phone Work/Cell Phone
Monika 740 901101
 Email
Monica S
 Signature of Agent

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

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

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

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

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



DESIGNATION OF AGENT

I, Yani Hernandez being property owner of 504 Pass Road Gulfport
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Monica Smith 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.

Yani H 10-08-24
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 7th day of October, 2024

Katlin Jacobs 5/22/27
NOTARY PUBLIC COMMISSION EXPIRATION





COVENANT AFFIDAVIT

I, Yani Hernandez being property owner or agent of the property 504 Pass Road
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

Yani H 10-07-24
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 7th day of October, 20 24

Katlin Jacobs
NOTARY PUBLIC

5/22/27
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:

YH

Page one of this application, completed and signed.

YH

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.

YH

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

YH

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**.

YH

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

YH

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

YH

I the owner/agent acknowledge this is a complete application

VARIANCE SUBMISSIONS ANSWERS

- for 4 parking wher 5 and
1. I need approval to back into the city street if necessary for a *handicapp* longer vehicle such as a truck or van.
 2. Building and parking were pre-existing. Was once the kids train station.
 3. The building parking meets the city's requirements. We have redesigned our parking spaces to 9x18 as per city code.
 4. Buinesses around me have to back into the city roads.
 5. My answer is no.
 6. Yes, a Hispanic, Latin grocery store.

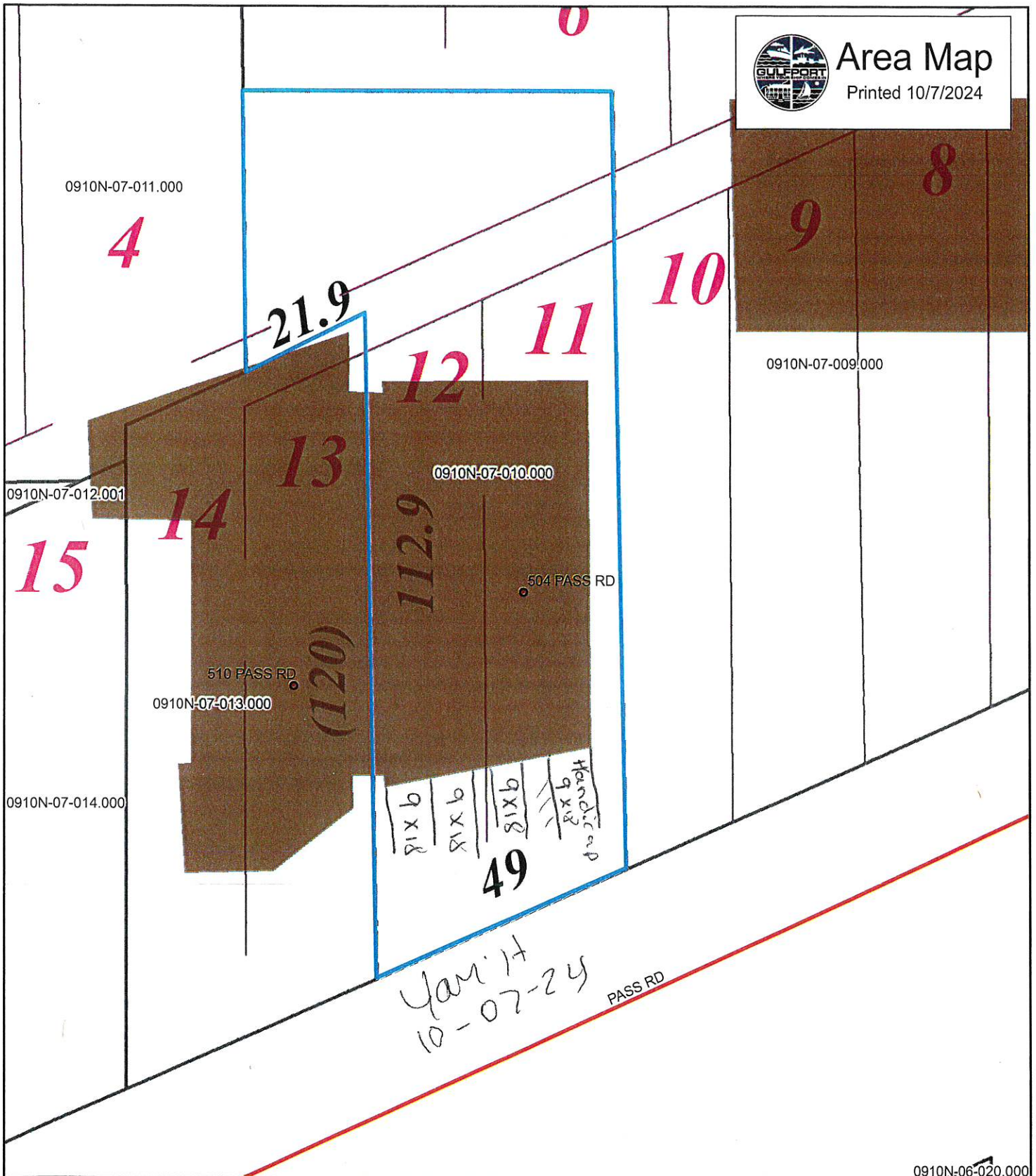
#1 - I need approval for 3 parking spaces
9x18 each and 1 handicap parking also
a 9x18.

YaniH.

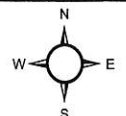


Area Map

Printed 10/7/2024



- Addresspoints
- ~ Principal Arterial
- WaterFeatures
- Parcels



1 inch = 23 feet

DATA DISCLAIMER:
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Angela Hulse 1st JUDICIAL DISTRICT
Instrument 2024-0000042-D-J1
Filed/Recorded 01/02/2024 11:27:02 AM
Total Fees 26.00
3 Pages Recorded

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

Return To:
Pilger Title Co.
1406 Bienville Blvd.
Ocean Springs, MS 39564
(228) 215-0011

Grantor:
North Station Properties, LLC,
a Mississippi Limited Liability Company
720 Parkwood Dr.
Long Beach, MS 39560
(231) 675-3189

Grantee:
Yani Floridalma Xitumul Hernandez
2411 Demaret Dr.
Gulfport, MS 39507
(228) 213-2458

File No. Z233111F

INDEXING INSTRUCTIONS: Lots 13 and 14, Blk. 6, Revision of Magnolia Grove, 1st JD, Harrison County, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, **North Station Properties, LLC**, a Mississippi Limited Liability Company, does hereby sell, convey and warrant unto **Yani Floridalma Xitumul Hernandez**, all of that certain tract, piece or parcel of land situated in Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

Legal Description attached hereto as Exhibit "A"

This being the same property as that conveyed to North Station Properties, LLC, by Warranty Deed recorded in Instrument No. 2023-9844-D-J1, Land Deed Records of Harrison County, Mississippi.

If this property is bounded by water, this conveyance includes any natural accretion, and is subject to any erosion due to the action of the elements. Such riparian and littoral rights as exist are conveyed herewith but without warranty as to their nature or extent. If any portion of the property is below the mean high tide watermark, or is coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act it is conveyed by quitclaim only.

Grantor(s) quitclaim any and all oil, gas, and other minerals owned, if any, to Grantee(s). No mineral search was requested or performed by preparer.

This conveyance is subject to any and all covenants, rights of way, easements, restrictions and reservations of record in the office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi.

It is agreed and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to make all necessary adjustments on the basis of an actual proration.

WITNESS MY SIGNATURE, on this the 20 day of December, 2023.

North Station Properties, LLC,
a Mississippi Limited Liability Company

Richard Mueller Jr.
By: Richard Mueller, Jr.,
Sole Member and Manager

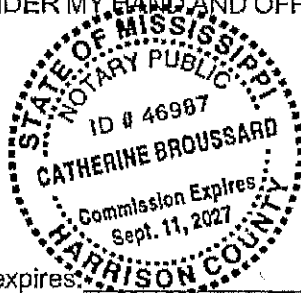
C O R P O R A T E A C K N O W L E D G M E N T

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named Richard Mueller, Jr., the Sole Member and Manager of North Station Properties, LLC, a Mississippi Limited Liability Company, who acknowledged before me that he signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned, for and on behalf of the aforesaid entity, after first having been duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL on this the 20th day of December, 2023.

(AFFIX SEAL)



My commission expires _____

Catherine Broussard
NOTARY PUBLIC

DEED ACCEPTED BY:

Yani Floridalma Xitumul Hernandez
Yani Floridalma Xitumul Hernandez

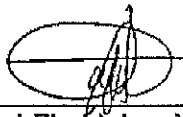
Exhibit "A"

Legal Description

Lots 13 and 14, Block 6, Revision of Magnolia Grove, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 3, at Page 36 (Copy Book 1A, at Page 83).

AND ALSO:

The South 1/2 of 10-foot alley North of and adjacent to the herein described property.



Yani Floridalma Xitumul Hernandez

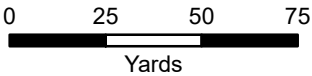
12/20/23
Date

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0910N-07-010.000	YANI HERNADEZ (OWNER)	2411 DEMARET DRIVE	GULFPORT	MS	39507
			MONICA SMITH (AGENT)	21553 W. EDGEWOOD DR.	SAUCIER	MS	39574
			Adjacent Property Owners (2411ZB174)				
	103379	0910N-07-012.001	MUELLER RICHARD P JR	15384 5TH STREET	GULFPORT	MS	39503
	31704	0910N-07-014.000	HOLDEN JOHN W JR	P O BOX 1055	CLEVELAND	TN	37364
	83969	0910N-07-012.000	CARR CHARLES D -TRUSTEE-	19400 NORTH POINT COVE	GULFPORT	MS	39503
	31709	0910N-06-022.000	HLR PROPERTIES LLC	1115 PASS ROAD	GULFPORT	MS	39501
	31723	0910N-06-015.000	BEATTIES JACK	3206 B AVE	GULFPORT	MS	39501
	31717	0910N-06-019.000	VINTAGE PROPERTIES LLC	19 KIMBELL DR	GULFPORT	MS	39507
N	31702	0910N-07-010.000	MUELLER RICHARD P JR	15384 5TH ST	GULFPORT	MS	39503
	31712	0910N-06-020.000	AUTO CASH INC	521 CEDAR AVE	CRESTVIEW	FL	32539
	102725	0910N-07-008.001	ANEDEE HOLDING LLC	P O BOX 1925	GULFPORT	MS	39502
N	31724	0910N-06-016.000	VINTAGE PROPERTIES LLC	19 KIMBALL DRIVE	GULFPORT	MS	39507
	107783	0910N-06-026.001	QUIN SHERYL V	24178 LEEWARD DR	GULFPORT	MS	39503
	31714	0910N-06-024.000	BREWER INGLE C JR & LEE MICHEAL	7360 RUSHING ROBINSON RD	BILOXI	MS	39532
N	31711	0910N-06-021.000	HLR PROPERTIES LLC	1115 PASS RD	GULFPORT	MS	39501
N	31713	0910N-06-023.000	VINTAGE PROPERTIES LLC	19 KIMBELL DR	GULFPORT	MS	39507
N	31700	0910N-07-011.000	MUELLER RICHARD P JR	15384 5TH STREET	GULFPORT	MS	39503
N	31703	0910N-07-013.000	MUELLER RICHARD P JR	15384 5TH STREET	GULFPORT	MS	39503
	31715	0910N-06-025.000	QUIN EDWARD E JR	529 32ND ST	GULFPORT	MS	39501
N	31716	0910N-06-026.000	QUIN SHERYL V	12478 LEEWARD DR	GULFPORT	MS	39503
N	83963	0910N-06-018.000	VINTAGE PROPERTIES LLC	19 KIMBALL DRIVE	GULFPORT	MS	39507
	31701	0910N-07-009.000	3K'S LLC ETAL	150 GOVERNMENT ST	MOBILE	AL	36602



Legend

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



1 inch = 150 feet



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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	607604	Print Legal Ad-IPL02020460 - IPL0202046		\$104.20	2	53 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, November 21, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2411ZB168, by owner Elliot Land Developments LLC, seeking approval for fence height of 10 feet and 6 inches where four feet is the height limit, Tax Parcel 0811G-02-016.000, 1505 2nd Street, 1507 2nd Street, 1509 2nd Street, 1511 2nd Street, 1513 2nd Street, 1517 2nd Street, 1519 2nd Street, 1521 2nd Street, 1523 2nd Street, 1525 2nd Street, 1527 2nd Street, 1529 2nd Street, Zoned R-2 (Single-Family) & R-B (Residence Business), Ward 2

Variance 2411ZB173, by agent Monica Smith, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB174, by agent Monica Smith, seeking approval for three regular parking spaces where five are required, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB176, by owner Landry Trace LLC, seeking approval for subdivision wall height of 6 feet where 4 feet is the height limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB177, by owner Landry Trace LLC, seeking approval for subdivision sign height of 15 feet where 6 feet is the size limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB178, by owner Jimmy Watts, seeking approval for lot size of 6,970 square feet where 7,500 square feet is required, Tax Parcels 0711P-01-003.000, 0711P-01-004.000, 8th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Special Exception 2411SE179, by owner Brenda Thai, seeking approval for a liquor store use, Tax Parcel 0811E-04-096.000, 2005 30th Ave, Zoned B-1 (Neighborhood Business), Ward 1

Variance 2411ZB180, by owner Conquering Word Ministries, seeking approval for one regular parking space where nine are required, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB181, by owner Conquering Word Ministries, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB183, by owner Mickey Anderson, seeking approval for a 5 foot and 2 inch side yard setback for a proposed detached carport where 14 feet is required, Tax Parcel 1010D-01-005.007, 8758 Sundown Lane, Zoned R-2 (Single-family), Ward 4

Variance 2411ZB184, by owner Thaddeus Grage, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-022.001, 2600 Pass Road, Zoned T5 (Urban Center Zone), Ward 3

This the 30th day of October 2024

A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0202046
Nov 6 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:

11/06/24

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.

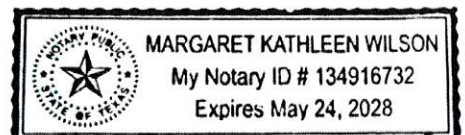
Mary Castro

Sworn to and subscribed before me this 7th day of November 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 # 2025-34

Hearing Date: Thursday, November 21, 2024

Variance 2411ZB176: Variance 2411ZB176, by owner Landry Trace LLC, seeking approval for subdivision wall height of 6 feet where 4 feet is the height limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2411ZB176

Hearing Date: November 21, 2024

Current Zoning/Use: R-2/Vacant Lot

Legal: Variance 2411ZB176, by owner Landry Trace LLC, seeking approval for subdivision wall height of 6 feet where 4 feet is the height limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance to allow for building a 6 foot wall where 4 feet is the maximum.

- (a) The applicant states that the wall is being installed at the entrance to the subdivision on the common area and will not affect adjacent properties, ingress or egress, or safety. This does not sufficiently answer the question. There are no unique circumstances to the property in question that would require a 6 foot wall over the allowed 4 feet.
- (b) The applicant states the wall will be perpendicular to the road and will not cause any visual impairments to drivers. Regardless, the applicant is the cause of their own hardship, as it is their own desire for a 6 foot fence that is causing the need for this variance.
- (c) Applicant states that this is a separate subdivision from adjacent properties. It is removed from the road and not visible except for residents entering or leaving the subdivision. This does not sufficiently answer the question.
- (d) Applicant states that there is no impact on ingress and egress. Observing the fences and walls in the nearby area, there are several properties that do have a similar height as proposed by this application.
- (e) Applicant believes that granting this variance would not confer special rights upon them. Upon staff review, there are several fences and walls that have a similar height as the proposed wall. These fences were made prior to the writing of the current fence ordinance and thus, they were permitted correctly at the time.
- (f) This property is zoned R-2, and a fence/wall is allowed by right.

EXECUTIVE SUMMARY

While the applicant does not display a genuine hardship, the surrounding area does have several fences of a similar scope to the proposed wall. These fences were properly permitted and approved prior to the current fence ordinance. Approval of this application would not be establishing any precedent in this area. Furthermore, the proposed wall would not cause any sight or safety issues.

Any approval should consider these conditions:

- 1. Must comply with all zoning rules and regulations.
- 2. Approval allows for building of a 6 foot wall where 4 feet is the +-maximum.
- 3. Building Permit is required.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 11/06/2024.

Public Works: No comment as of 11/13/2024.

Traffic and Safety: No Conditions. Memo dated 11/06/2024.

Technical Report

VARIANCE

Building Code Services: Building Permit is required. Memo dated 10/30/2024.

GIS: No conditions. Memo dated 11/06/2024.

Police Department: No comment as of 11/13/2024.

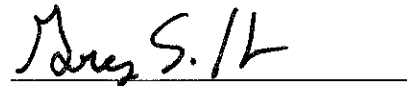
Fire Department: No conditions. Memo dated 10/31/2024.

City Arborist: No conditions. Memo dated 10/31/2024.

Leisure Services: No conditions. Memo dated 10/31/2024.

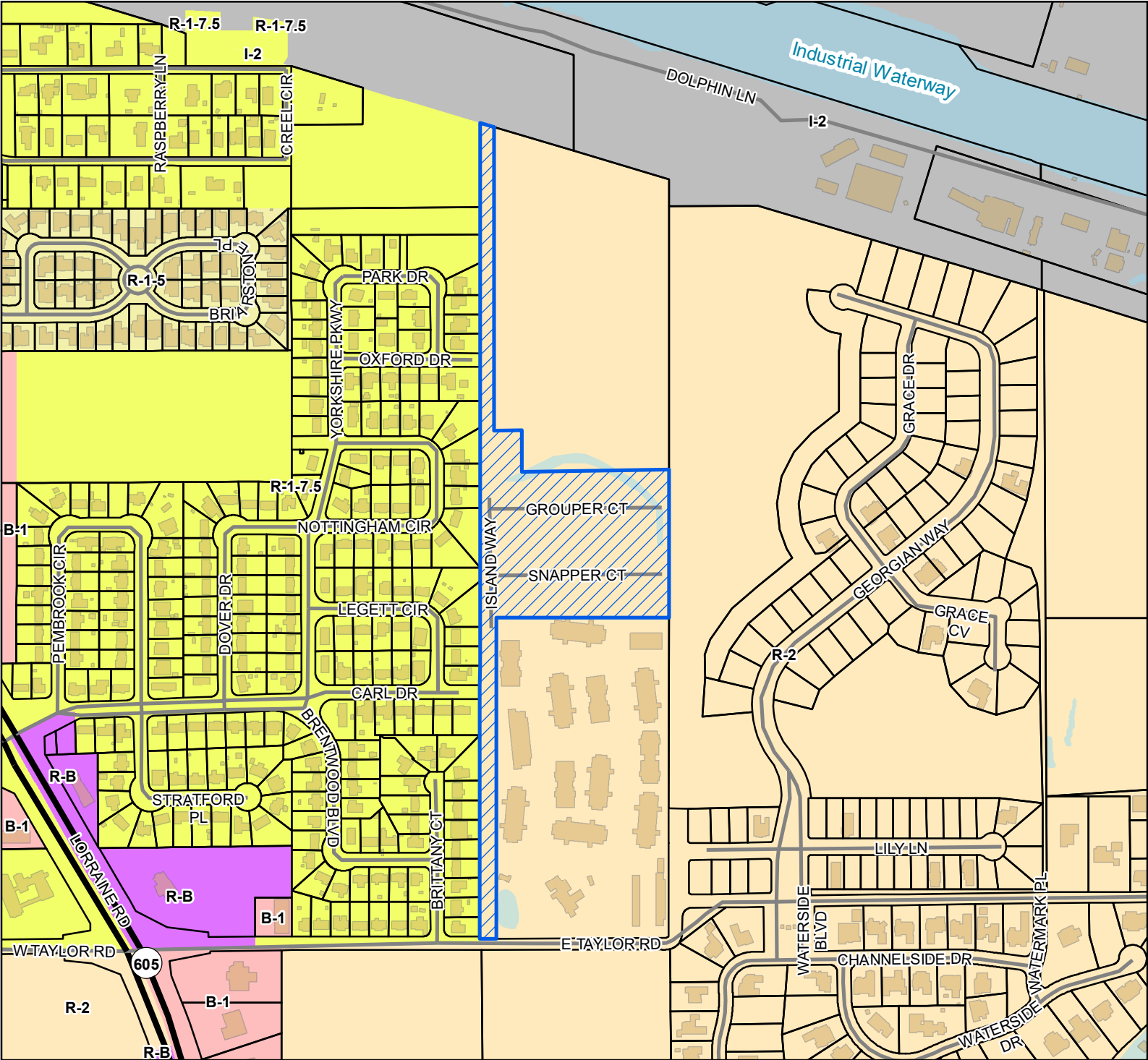
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department



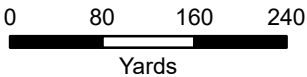
Legend

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

Zoning

- B-1 - Neighborhood Business District
- I-2 - Heavy Industry District
- R-1-5 - Single Family Residence District (Medium Density)
- R-1-7.5 - Single Family Residence District (Low Density)
- R-2 - Single Family Residence District (Medium Density)
- R-O - Residence-Office District
- R-B - Residence-Business District

Site Information
1009N-01-004.000
Zoning: R-2 (Single-Family)
Size: 11 acres
Flood: X



1 inch = 500 feet



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OWNER:

Landry Tracc, LLC - Kenneth Jones
Printed Name of Owner
919 2nd St.
Mailing Address
Gulfport MS 39501
City State Zip Code
228-596-4471
Home Phone Work/Cell Phone
1Kenneth@gcddevelopmentdesign.com
Email

Signature of Owner

AGENT:

Printed Name of Agent

Mailing Address

City State Zip Code

Home Phone Work/Cell Phone

Email

Signature of Agent

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

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

Name of Owner (PRINT) _____
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: _____



COVENANT AFFIDAVIT

I, Landry Trece, LLC Parcel # 1009N-01-004.000
Kenneth Jones, Member being property owner or agent of the property O. E. Taylor Rd.
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application, hereby state that this variance request is not in violation of any
restrictive or protective covenants.

SIGNATURE

DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

NOTARY PUBLIC

COMMISSION EXPIRATION



Resolution of Landry Trace, LLC

Effective October 1, 2024

The undersigned constituting the members of Landry Trace, LLC, a Mississippi Limited Liability Company (the "Company"), do hereby adopt the following resolutions at a duly called meeting of the Members of the Company:

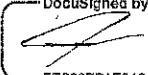
WHEREAS, the Members are developing the property known as Island Townhomes located in Gulfport, Mississippi; and

WHEREAS, the Members desire to finalize the development by adding entrance monuments and preparing documents for Final Plat with the City of Gulfport;

NOW, THEREFORE, BE IT RESOLVED, that the Members agree to allow Kenneth Jones of KLJ CRE, Corp, as Member, of the Company is hereby authorized and directed to represent the Company in any actions related to variances needed for entrance monument and execution of any documents required for Final Plat with the City of Gulfport.

FURTHERMORE, this Resolution shall remain in effect until expressly terminated in writing by the Company's members.

IN WITNESS WHEREOF, below are signatures of the members of the Company effective as of the date set forth above.

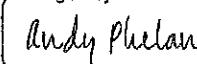
DocuSigned by:

FE036FF1E319479...
10/7/2024

KLJ CRE, Corp Date

DocuSigned by:

7C3A9130989C4E5
10/7/2024

Gulf Contracting, LLC Date

Signed by:

79F076C1400A41B
10/7/2024

Phelan Engineering, LLC Date

Certificate Of Completion

Envelope Id: 24BBC42EBCE84027A8DC531352A44B22
Subject: Complete with DocuSign: Corporate Resolution - sign and plat.pdf
Source Envelope:
Document Pages: 1
Certificate Pages: 5
AutoNav: Enabled
Enveloped Stamping: Enabled
Time Zone: (UTC-06:00) Central Time (US & Canada)

Status: Completed

Envelope Originator:
Kenneth Jones
P.O. Box 442
Ocean Springs, 39566
kjonescbc@gmail.com
IP Address: 24.116.41.160

Record Tracking

Status: Original
10/7/2024 2:01:55 PM

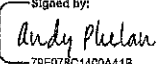
Holder: Kenneth Jones
kjonescbc@gmail.com

Location: DocuSign

Signer Events

Andy Phelan
andy@gcddevelopmentdesign.com
Security Level: Email, Account Authentication
(None)

Signature

Signed by:

79F078C1400A41B...

Signature Adoption: Pre-selected Style
Using IP Address: 162.232.6.24

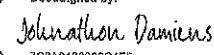
Timestamp

Sent: 10/7/2024 2:04:14 PM
Viewed: 10/7/2024 2:06:14 PM
Signed: 10/7/2024 2:06:22 PM

Electronic Record and Signature Disclosure:

Accepted: 10/7/2024 2:06:14 PM
ID: d0fd2a11-9e5d-4c62-9de1-fd3588553e13

Johnathon Damiens
jdamiens@jlb-co.com
Security Level: Email, Account Authentication
(None)

DocuSigned by:

7C3A9130989C4F5...

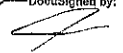
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Signed: 10/7/2024 2:05:38 PM

Electronic Record and Signature Disclosure:

Accepted: 10/7/2024 2:05:06 PM
ID: b1c32d9a-a1b8-41f6-adfe-ba28c7d6bcdb

Kenneth Jones
kjonescbc@gmail.com
Member
Gulf Coast Development & Design, LLC
Security Level: Email, Account Authentication
(None)

DocuSigned by:

FE638FF1E319475...

Signature Adoption: Drawn on Device
Using IP Address: 24.116.41.160

Sent: 10/7/2024 2:04:14 PM
Viewed: 10/7/2024 2:05:07 PM
Signed: 10/7/2024 2:05:10 PM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp**

Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	10/7/2024 2:04:15 PM
Certified Delivered	Security Checked	10/7/2024 2:05:07 PM
Signing Complete	Security Checked	10/7/2024 2:05:10 PM
Completed	Security Checked	10/7/2024 2:06:22 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

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:

KJ

Page one of this application, completed and signed.

KJ

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.

KJ

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

KJ

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**.

KJ

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

KJ

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

KJ

I the owner/agent acknowledge this is a complete application

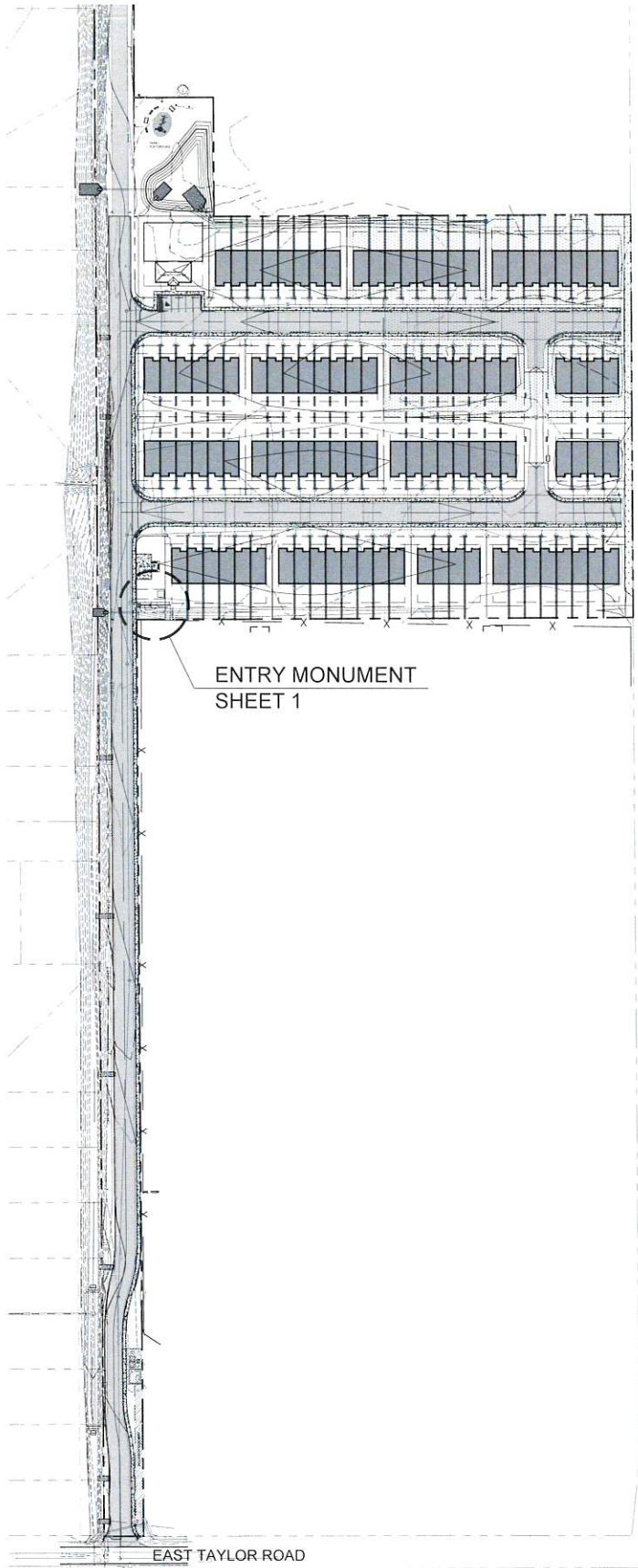
Subdivision Identification Sign

Fence Variance Submission

Landry Trace, LLC is requesting a subdivision identification sign variance for the Island Townhomes Subdivision located on parcel 1009N-01-004.000 for sign height in excess of 4 ft. (proposing 6 ft)

1. The wall/fence is being installed at the entrance to the subdivision on Common Area and will not affect adjacent properties, ingress or egress, or safety.
2. Wall/fence will be a nice entrance to the subdivision. The wall/fence will be perpendicular to the road and will not cause any visual impairments to drivers.
3. This is a separate subdivision from adjacent properties. It is removed from the road and not visible except for residents entering or leaving the subdivision. This wall/fence will be brick and wood. One adjacent property has chain link.
4. There is no impact on ingress and egress
5. There will be landscaping around the monument.
6. The proposed wall/fence is compatible with adjacent properties.

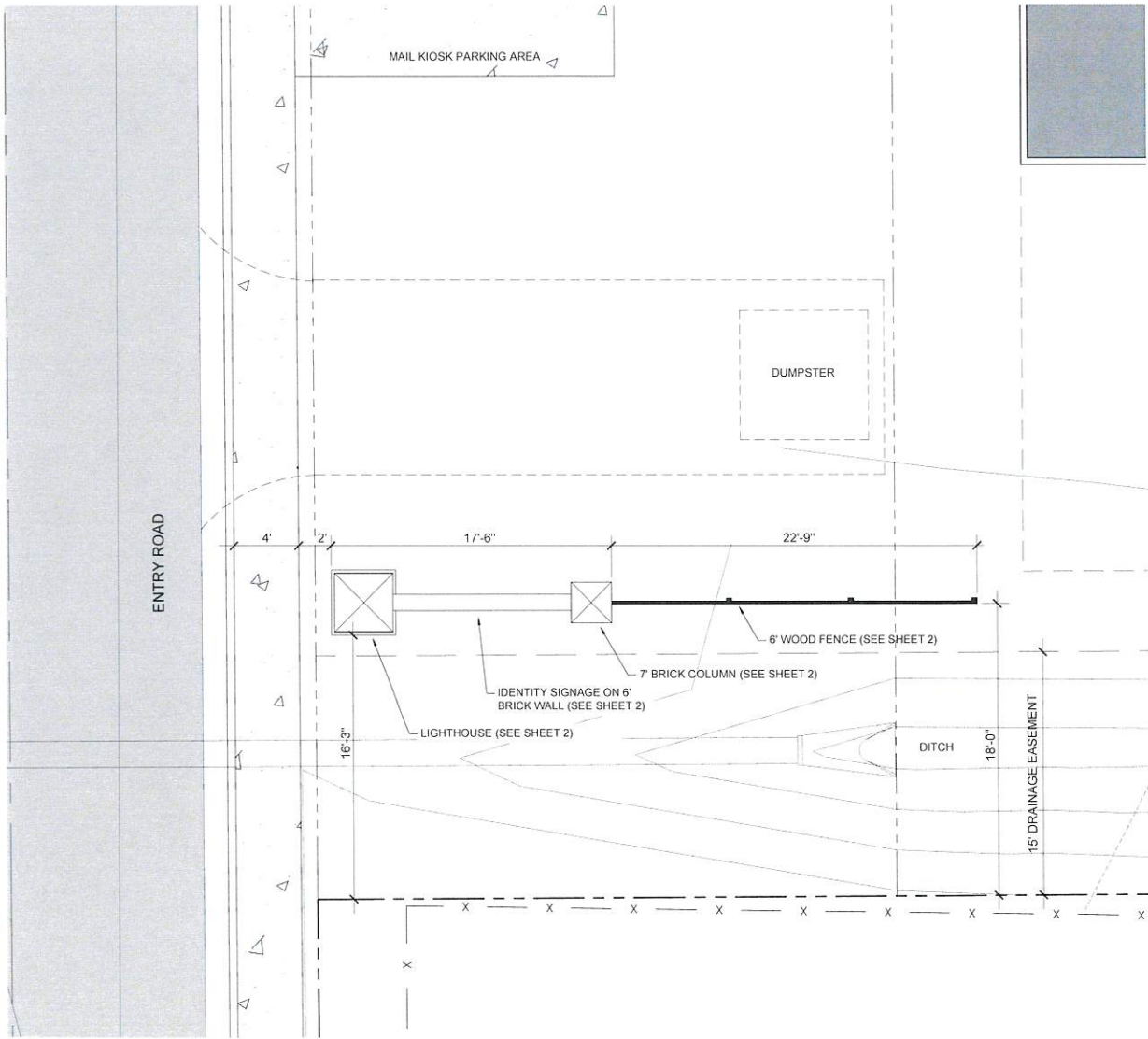
Disclaimer: Drawings and Specifications are property of Surroundingz, PLLC and are not to be used or reproduced without permission



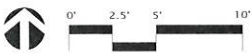
OVERALL SITE PLAN



ENTRY MONUMENT ELEVATION

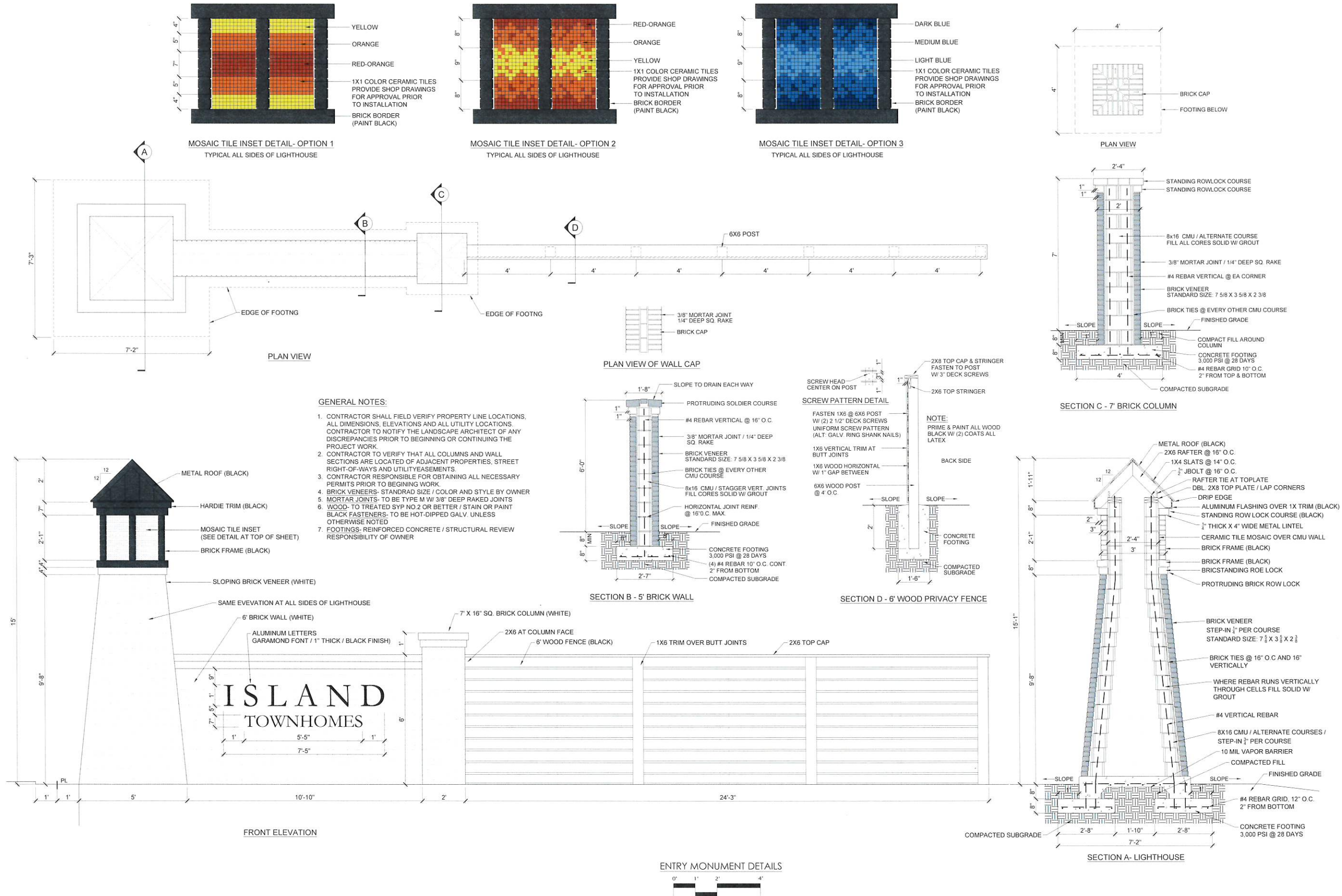


ENTRY MONUMENT AREA PLAN



No.	Date	Comments

Disclaimer: Drawings and Specifications are property of Surroundingz, PLLC and are not to be used or reproduced without permission



surroundingz
LANDSCAPE ARCHITECTURE
LANDSCAPE CONSULTING

228.382.4090
3126 Eagle Point Drive
Ocean Springs, MS
surroundingz.com

ENTRY MONUMENT

FFPERMIT SET
OCTOBER 7, 2024

ISLAND
TOWNHOMES

EAST TAYLOR ROAD | GULFPORT, MS

Landscape Architect's Seal

Revisions:

No.	Date	Comments

Date: OCTOBER 7, 2024
Job No. 24023
Drawn for: Elliott Land Development
Drawn by: RES
Checked by: RES
Sheet Title: ENTRY MONUMENT DETAILS

Sheet Number:

2

F0008
Fee: \$ 25



Michael Watson
SECRETARY OF STATE

2024329610

Business ID: 1126089
Filed: 05/15/2024 06:05 PM
Michael Watson
Secretary of State

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

2024 Corporate Annual Report

Business Information

Business ID: 1126089

Business Name: KLJ CRE Corp

State of Incorporation: MS

Business Email: kjonescbc@gmail.com

Phone: (***)***-****

FEIN: **-*****

Principal Address: 919 2nd Street, 919 2nd Street
Gulfport, MS 39501

Registered Agent

Name: Kenneth Jones II

Address: 919 2nd Street
Gulfport, MS 39501

Officers

Title/Name:

Address:

Director:

President: Kenneth Jones II

919 2nd Street
Gulfport, MS 39501



Vice President:



Secretary:



Treasurer:



Stocks

Class:

Authorized:

Series:

Issued:

Common

100

100

NAICS Code/Nature of Business

531210 - Offices of Real Estate Agents and Brokers

237210 - Land Subdivision

Signature

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day ***05/15/2024***.

Name:

Kenneth Jones II
President

Address:

919 2nd Street
Gulfport, MS 39501

F0108

Fee: \$



Michael Watson
SECRETARY OF STATE

2024228180

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

Business ID: 1269573
Filed: 04/02/2024 06:32 PM
Michael Watson
Secretary of State

2024 LLC Annual Report

Business Information

Business ID: 1269573

Business Name: Phelan Engineering, LLC

State of Incorporation: MS

Business Email: atphelan1@yahoo.com

Phone: (***)***-****

FEIN: **-*****

Principal Address: 2515 Havard Rd
Ocean Springs, MS 39564

Registered Agent

Name: Andrew Phelan

Address: 2515 Havard Rd
Ocean Springs, MS 39564

Managers and Members

Managers

Name:

Andrew Tate Phelan
Manager

Address:

2515 Havard Rd
Ocean Springs, MS 39564

Officers

Title/Name:

Address:

Director:

President:

☐

Vice President:

☐

Secretary:

☐

Treasurer:

☐

☒ This LLC has a written Operating Agreement.

NAICS Code/Nature of Business

541330 - Engineering Services

Signature

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day **04/02/2024**.

Name:

Andrew Phelan

Other

Address:

2515 Havard road

Ocean Springs, MS 39564

F0108

Fee: \$



Michael Watson
SECRETARY OF STATE

2024020311

Business ID: 1013453
Filed: 01/15/2024 04:41 PM
Michael Watson
Secretary of State

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

2024 LLC Annual Report

Business Information

Business ID: 1013453

Business Name: Gulf Contracting LLC

State of Incorporation: MS

Business Email: sboulet@jlb-co.com

Phone: (***)***-****

FEIN: **-*****

Principal Address: 21294 Johnson Road
Long Beach, MS 39560

Registered Agent

Name: Damiens, Johnathon

Address: 6 Canal Place
Long Beach, MS 39560

Managers and Members

Managers

Name:

Johnathon D Damiens
Manager, Member

Address:

6 Canal Place
Long Beach, MS 39560

Kyle J Cassagne
Manager, Member

7010 Crawford Dr
Long Beach, MS 39560

Members

Name:

Johnathon D Damiens
Manager, Member

Address:

6 Canal Place
Long Beach, MS 39560

Kyle J Cassagne
Manager, Member

7010 Crawford Dr
Long Beach, MS 39560

Officers

Title/Name:

Address:

Director:

President:

☐

Vice President:

☐

Secretary:

☐

Treasurer:

☐

☒ This LLC has a written Operating Agreement.

NAICS Code/Nature of Business

237110 - Water and Sewer Line and Related Structures Construction

238110 - Poured Concrete Foundation and Structure Contractors

561730 - Landscaping Services

Signature

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day ***01/15/2024***.

Name:

Johnathon D Damiens

Manager

Address:

6 Canal Place

Long Beach, MS 39560

F0108

Fee: \$



Michael Watson
SECRETARY OF STATE

2024244192

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

Business ID: 1318361
Filed: 04/08/2024 10:08 AM
Michael Watson
Secretary of State

2024 LLC Annual Report

Business Information

Business ID: 1318361

Business Name: Landry Trace, LLC

State of Incorporation: MS

Business Email: kjonescbc@gmail.com

Phone: (***)***_****

FEIN: **_*****

Principal Address: 919 2nd Street
Gulfport, MS 39501

Registered Agent

Name: Kenneth Jones II

Address: 919 2nd Street
Gulfport, MS 39501

Managers and Members

Managers

Name:
Gulf Contracting LLC
Manager

Address:
6 Canal Place
Long Beach, MS 39560

Members

Name:
KLJ CRE Corp
Member

Address:
919 2nd Street
Gulfport, MS 39501

Phelan Engineering, LLC
Member

2515 Havard Rd
Ocean Springs, MS 39564

Officers

Title/Name:

Address:

Director:

President:

☐

Vice President:

☐

Secretary:

☐

Treasurer:

☐

☒ This LLC has a written Operating Agreement.

NAICS Code/Nature of Business

237210 - Land Subdivision

Signature

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day **04/08/2024**.

Name:

Kenneth Jones II

Member

Address:

919 2nd Street

Gulfport, MS 39501

Officers List

Name:

KLJ CRE Corp

Member

Phelan Engineering, LLC

Member

Gulf Contracting LLC

Manager

Address:

919 2nd Street

Gulfport, MS 39501

2515 Havard Rd

Ocean Springs, MS 39564

6 Canal Place

Long Beach, MS 39560



1st JUDICIAL DISTRICT
Instrument 2023-0005216-D-11
Filed/Recorded 03/28/2023 2:47:01 PM
Total Fees 25.00
5 Pages Recorded

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

File# 221639

Indexing Instructions: SW 1/4 of the
SW 1/4 of Section 6, Township 7,
Range 11 W, Harrison County, MS

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

WARRANTY DEED

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

**Charlie W Tingle Jr, James C Tingle, Virginia C Trussell and Martha Knight,
401 Willow Springs Drive
Coppell, TX 75019
469 585 8887**

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

**Landry Trace, LLC,
A Mississippi Limited Liability Company
919 2nd Street
Gulfport, MS 39501
228-596-4471**

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

SEE ATTACHED EXHIBIT " A "

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

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

computation of the true amount due, based on a 365 day year.

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

WITNESS THE SIGNATURE of the Grantors on this the 28th day of March, 2023.

Martha Knight
Martha Knight

James C Tingle
James C Tingle

STATE OF MS
COUNTY OF Harrison

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Martha Knight and James C Tingle, who acknowledged that they signed, executed and delivered the above and foregoing instrument as a voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 28th day of March, 2023.

Ashley Zimmerman
NOTARY PUBLIC

(SEAL)

My Commission Expires:



WITNESS THE SIGNATURE of the Grantors on this the 28th day of March, 2023.

Virginia C. Trussell
Virginia C Trussell

STATE OF MS
COUNTY OF Harrison

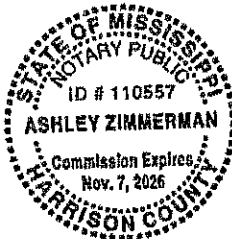
THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Virginia C Trussell, who acknowledged that she signed, executed and delivered the above and foregoing instrument as a voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 28th day of March, 2023.

Ashley Zimmerman
NOTARY PUBLIC

(SEAL)

My Commission Expires:



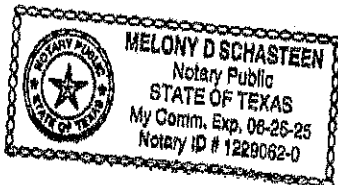
WITNESS THE SIGNATURE of the Grantors on this the 28th day of March, 2023.

Charlie W. Tingle Jr.
Charlie W Tingle Jr

STATE OF Texas
COUNTY OF Dallas

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

GIVEN under my hand and official seal on this the 28th day of March, 2023.



(SEAL)

Melony D Schasteen
NOTARY PUBLIC

My Commission Expires:

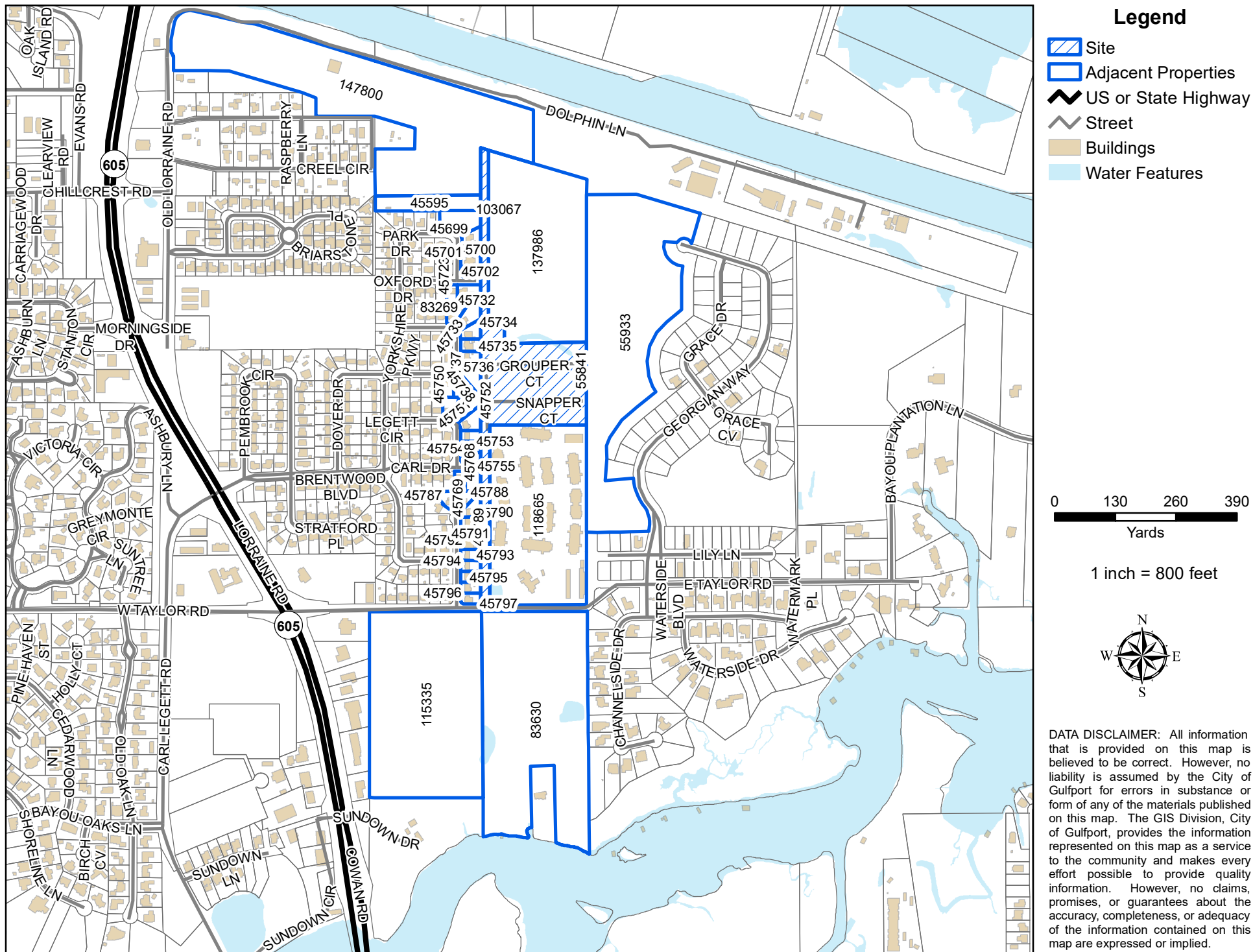
EXHIBIT " A "

The Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Six (6), Township Seven (7) South, Range Eleven (11) West, Harrison County, Mississippi, First Judicial District, less and except a strip of land 420 feet in width off of the South side of said 40 acre tract hereinabove described, which said strip of land will be 420 feet wide, more or less, by 1320 feet, more or less, in length. Being also known as county tax parcel no. 0708E-01-024.000.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1009N-01-004.000	LANDRY TRACE, LLC (OWNER)	919 2ND ST	GULFPORT	MS	39501
			Adjacent Property Owners (2411ZB176)				
	45733	1009N-02-032.000	BLESSING LLC THE	2003 SOUTH STREET	GULFPORT	MS	39507
N	103067	1009N-02-006.001	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
	45754	1009N-02-071.000	MOREHEAD BEN T	20 LEGGETT CIR	GULFPORT	MS	39503
	45732	1009N-02-033.000	LABBERTON SALLY A	10 NOTTINGHAM CIR	GULFPORT	MS	39507
N	45595	1009N-02-001.000	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
	45735	1009N-02-053.000	HILL KORTEIA & COREY	16 NOTTINGHAM CIR	GULFPORT	MS	39503
	45699	1009N-02-005.000	CRAFT MICHAEL W & ADRIENNE D	14 PARK DR RT 5	GULFPORT	MS	39501
	45736	1009N-02-054.000	SCIPIONE NANCY WILLIAMS	1447 EAST PASS RD	GULFPORT	MS	39507
	45769	1009N-02-086.000	SPINNER REAL ESTATE HOLDINGS LLC	440 GREEN TEAL CT	BILOXI	MS	39531
	45723	1009N-02-029.000	TUCKER PAULETTE -EST-	9 OXFORD DRIVE	GULFPORT	MS	39503
	45700	1009N-02-004.000	BROOKS M DENNIS & BECKY M	525 GLEN VALLEY WAY	GULFPORT	MS	39507
	45702	1009N-02-002.000	SUIT ANNA H -L/E-	20 PARK DR	GULFPORT	MS	39503
N	45750	1009N-02-067.000	RODRIGUEZ VICTOR MANUEL PENA &	MARGARA FERNANDEZ NIEVES	GULFPORT	MS	39503
	45751	1009N-02-068.000	FAIRLEY DONNIE R & SANDRA MCNEAL	14 LEGGETT CIRCLE	GULFPORT	MS	39503
	45753	1009N-02-070.000	HASSAN SAIDUL & ROSEMARIE Q	18 LEGGETT CIR	GULFPORT	MS	39503
	45790	1009N-02-107.000	LANDRESS DEBORAH D	162 BURNA VISTA ST	WINDEY	GA	30680
N	118665	1009N-01-004.001	MMP2-HARBIN LLC	C/O LEGACY PROPERTY MANAGEMEN	NASHVILLE	TN	37212
	45792	1009N-02-109.000	NECAISE BRENDA C	26 BRITTANY CT	GULFPORT	MS	39503
	83269	1009N-02-030.000	BERG STEPHEN & PATRICIA A	11 OXFORD DR	GULFPORT	MS	39503
	45737	1009N-02-055.000	NEKOOEI BAHMAN & KHANI NAYYEREH	11201 LAMBERT WAY	STANTON	CA	90680
	45738	1009N-02-056.000	PENTON TAMMY L	22 NOTTINGHAM CIR	GULFPORT	MS	39503
	45755	1009N-02-072.000	WINGERTER TAMARA L	13584 WINDROSE CIRCLE	GULFPORT	MS	39503
	45788	1009N-02-105.000	SUNFLOWER PROPERTIES LLC	8 BAYOU PL	GULFPORT	MS	39503
	45796	1009N-02-113.000	PIERCE JAMES M	34 BRITTANY CT	GULFPORT	MS	39507
	45787	1009N-02-104.000	WOLFE DANIEL L	16 BRITTANY CT	GULFPORT	MS	39503
	45794	1009N-02-111.000	ROSH ROBERT A	304 CABELL DRIVE	BILOXI	MS	39531
	45795	1009N-02-112.000	CHIVERS KAITLIN	32 BRITTANY COURT	GULFPORT	MS	39503
	83630	1010C-01-002.000	CARTER JONATHAN R & GRAMMAR JENNIE	11029 E TAYLOR RD	GULFPORT	MS	39503
	45734	1009N-02-052.000	CLARK FRANCES	14 NOTTINGHAM CIR	GULFPORT	MS	39503
	45752	1009N-02-069.000	WHITE JANIS M	16 LEGETT CIR	GULFPORT	MS	39507
N	45789	1009N-02-106.000	SUNFLOWER PROPERTIES LLC	8 BAYOU PLACE	GULFPORT	MS	39503
	45701	1009N-02-003.000	KERR SHAWN A & JANINA	7 PARK DRIVE	GULFPORT	MS	39503
	45768	1009N-02-085.000	PERRY DANIEL	13 CARL DR	GULFPORT	MS	39503
N	45793	1009N-02-110.000	SUNFLOWER PROPERTIES LLC	#8 BAYOU PLACE	GULFPORT	MS	39503

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
45797	1009N-02-114.000	SIMS JUDY F		36 BRITTANY CT	GULFPORT	MS	39507
137986	1009N-01-004.002	LAND TRUST FOR MISS COASTAL PLAIN		PO BOX 2457	PURVIS	MS	39475
55841	1009N-01-004.000	GRAHAM ROBERT JASON		P O BOX 1207	PURVIS	MS	39475
55933	1009N-01-002.000	BROOKSTONE GULF COAST LLC		111 LUNDGREEN LN	GULFPORT	MS	39503
115335	1010C-01-003.001	BOND LIMITED PARTNERSHIP		11272 SUNDOWN DR	GULFPORT	MS	39503
147800	1009K-03-001.001	BALD EAGLE DEVELOPMENTS LLC		6010 VISTA CIRCLE	GULFPORT	MS	39503
45791	1009N-02-108.000	LB RENTALS LLC		117 41ST STREET	GULFPORT	MS	39507

Variance





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	607604	Print Legal Ad-IPL02020460 - IPL0202046		\$104.20	2	53 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, November 21, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2411ZB168, by owner Elliot Land Developments LLC, seeking approval for fence height of 10 feet and 6 inches where four feet is the height limit, Tax Parcel 0811G-02-016.000, 1505 2nd Street, 1507 2nd Street, 1509 2nd Street, 1511 2nd Street, 1513 2nd Street, 1517 2nd Street, 1519 2nd Street, 1521 2nd Street, 1523 2nd Street, 1525 2nd Street, 1527 2nd Street, 1529 2nd Street, Zoned R-2 (Single-Family) & R-B (Residence Business), Ward 2

Variance 2411ZB173, by agent Monica Smith, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB174, by agent Monica Smith, seeking approval for three regular parking spaces where five are required, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB176, by owner Landry Trace LLC, seeking approval for subdivision wall height of 6 feet where 4 feet is the height limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB177, by owner Landry Trace LLC, seeking approval for subdivision sign height of 15 feet where 6 feet is the size limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB178, by owner Jimmy Watts, seeking approval for lot size of 6,970 square feet where 7,500 square feet is required, Tax Parcels 0711P-01-003.000, 0711P-01-004.000, 8th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Special Exception 2411SE179, by owner Brenda Thai, seeking approval for a liquor store use, Tax Parcel 0811E-04-096.000, 2005 30th Ave, Zoned B-1 (Neighborhood Business), Ward 1

Variance 2411ZB180, by owner Conquering Word Ministries, seeking approval for one regular parking space where nine are required, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB181, by owner Conquering Word Ministries, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB183, by owner Mickey Anderson, seeking approval for a 5 foot and 2 inch side yard setback for a proposed detached carport where 14 feet is required, Tax Parcel 1010D-01-005.007, 8758 Sundown Lane, Zoned R-2 (Single-family), Ward 4

Variance 2411ZB184, by owner Thaddeus Grage, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-022.001, 2600 Pass Road, Zoned T5 (Urban Center Zone), Ward 3

This the 30th day of October 2024

A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0202046
Nov 6 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:

11/06/24

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.

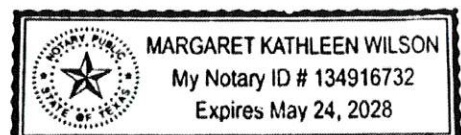
Mary Castro

Sworn to and subscribed before me this 7th day of November 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 # 2025-35

Hearing Date: Thursday, November 21, 2024

Variance 2411ZB177: Variance 2411ZB177, by owner Landry Trace LLC, seeking approval for subdivision sign height of 15 feet where 6 feet is the size limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2411ZB177

Hearing Date: November 21, 2024

Current Zoning/Use: R-2/Vacant Lot

Legal: Variance 2411ZB177, by owner Landry Trace LLC, seeking approval for subdivision sign height of 15 feet where 6 feet is the size limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance to allow for building a subdivision sign at the height of 15 feet where 6 feet is the size limit.

- (a) The applicant states that special conditions exist because the sign to be placed will not be visible to passing traffic. This is not a sufficient answer to the question. The visibility of a subdivision sign is not a suitable hardship to exceed the maximum height allowed by 9 feet.
- (b) The applicant claims that approval of the variance will increase the aesthetic appeal of the entrance. This is not a suitable answer to the question as this does not show whether or not the applicant is directly causing their hardship. The applicant's desire for a 15 foot tall subdivision sign is the direct cause of the hardship.
- (c) Applicant states that the property is unusual because it is set off on any major road and will not be seen by any traffic other than residents or visitors. This is not a sufficient hardship that would have been caused by the physical character of the property.
- (d) Applicant states the entrance sign proposed would give the neighborhood identity and "large entrance monuments have been show to help increase property value." Value is not a sufficient hardship for a variance. There are no observable subdivision signs in this area that matches the scope of this request.
- (e) Applicant believes that granting this variance would not confer special rights upon them. Upon staff review, there are no subdivision signs in this area that matches the scope of this request. Approval would set precedent in this area.
- (f) This property is zoned R-2, and a subdivision sign is allowed by Architectural Review Committee Approval.

EXECUTIVE SUMMARY

The applicant does not display a genuine hardship. The desire for a 15 foot tall sign is ultimately the cause of the hardship, and that is a direct result of the applicant. Furthermore, upon staff review, there are no observable subdivision signs that match the scope of this request in that area. Approval of this request would establish a precedent in this area.

Any approval should consider these conditions:

- 1. Must comply with all zoning rules and regulations.
- 2. Must be approved by Architectural Review Committee.
- 3. Approval allows for a subdivision sign of 15 feet in height.
- 4. Sign Permit is required.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 11/06/2024.

Public Works: No comment as of 11/13/2024.

Traffic and Safety: No Conditions. Memo dated 11/06/2024.

Technical Report

VARIANCE

Building Code Services: Sign Permit is required. Memo dated 10/30/2024.

GIS: No conditions. Memo dated 11/06/2024.

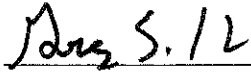
Police Department: No comment as of 11/13/2024.

Fire Department: No conditions. Memo dated 10/31/2024.

City Arborist: No conditions. Memo dated 10/31/2024.

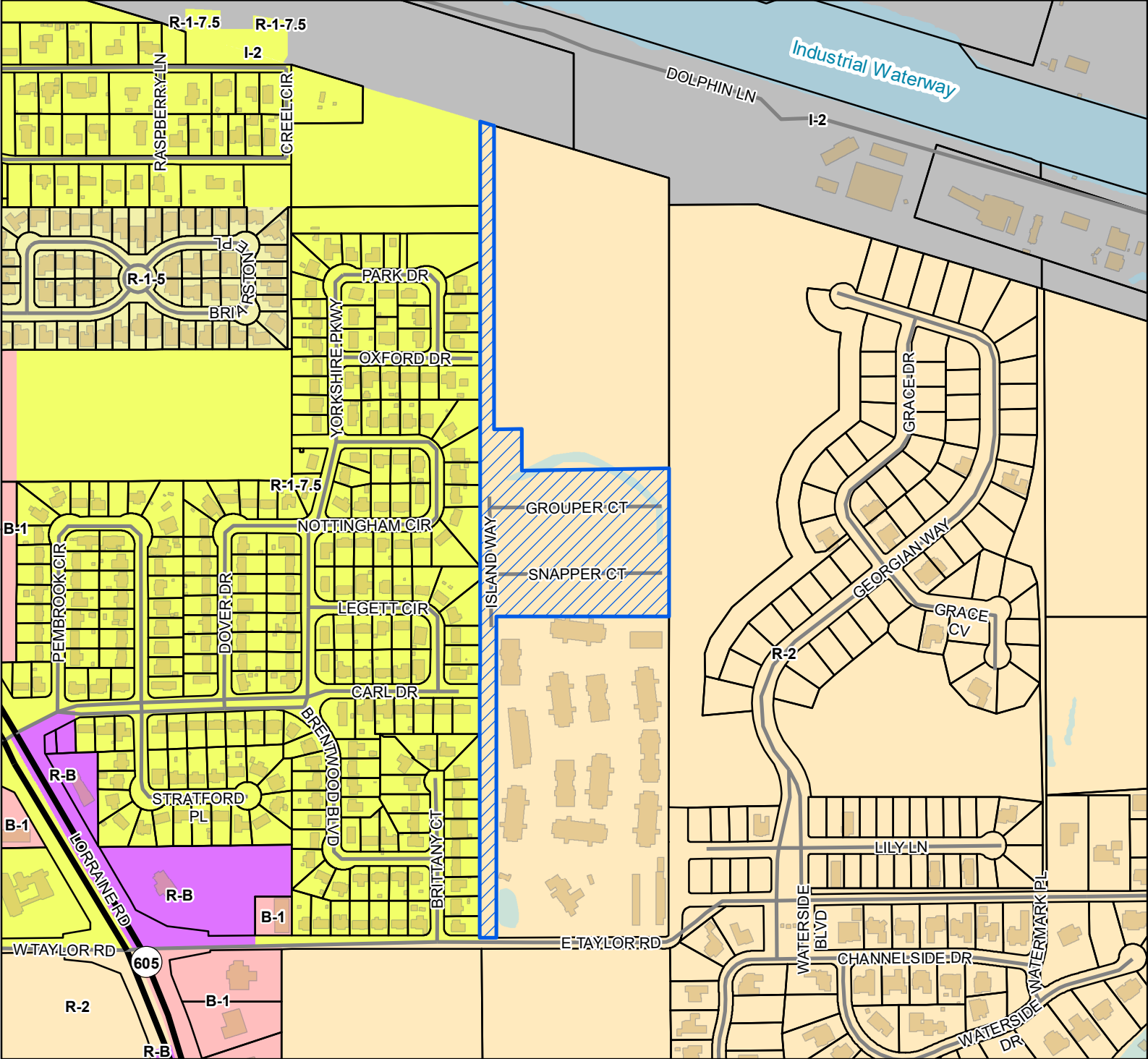
DIRECTOR APPROVAL

This report has been reviewed and approved by:



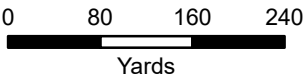
Greg Holmes

Director of Urban Development Department



- Site
 - US or State Highway
 - Street
 - Parcels
 - Buildings
 - Water Features
 - City Limit
- Zoning**
- B-1 - Neighborhood Business District
 - I-2 - Heavy Industry District
 - R-1-5 - Single Family Residence District (Medium Density)
 - R-1-7.5 - Single Family Residence District (Low Density)
 - R-2 - Single Family Residence District (Medium Density)
 - R-O - Residence-Office District
 - R-B - Residence-Business District

Site Information
 1009N-01-004.000
 Zoning: R-2 (Single-Family)
 Size: 11 acres
 Flood: X



1 inch = 500 feet



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

OWNER:Landry Trace, LLC - Kenneth Jones

Printed Name of Owner

919 2nd St.

Mailing Address

GulfportMS39501

City

State

Zip Code

228-596-4471

Home Phone

Work/Cell Phone

Kenneth@gcdevelopmentdesign.com

Email

Signature of Owner

AGENT:

Printed Name of Agent

Mailing Address

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Agent

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

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

Name of Owner (PRINT) _____

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: _____



COVENANT AFFIDAVIT

I, Kenneth Jones, Member of Lendry Trace, LLC being property owner or agent of the property Parcel # 1009N-01-004.000
O. E. Taylor Rd.
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

SIGNATURE

DATE

10/8/24

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

NOTARY PUBLIC

05/22/2027

COMMISSION EXPIRATION



Resolution of Landry Trace, LLC

Effective October 1, 2024

The undersigned constituting the members of Landry Trace, LLC, a Mississippi Limited Liability Company (the "Company"), do hereby adopt the following resolutions at a duly called meeting of the Members of the Company:

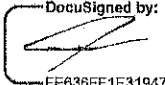
WHEREAS, the Members are developing the property known as Island Townhomes located in Gulfport, Mississippi; and

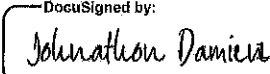
WHEREAS, the Members desire to finalize the development by adding entrance monuments and preparing documents for Final Plat with the City of Gulfport;

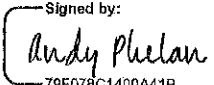
NOW, THEREFORE, BE IT RESOLVED, that the Members agree to allow Kenneth Jones of KLJ CRE, Corp, as Member, of the Company is hereby authorized and directed to represent the Company in any actions related to variances needed for entrance monument and execution of any documents required for Final Plat with the City of Gulfport.

FURTHERMORE, this Resolution shall remain in effect until expressly terminated in writing by the Company's members.

IN WITNESS WHEREOF, below are signatures of the members of the Company effective as of the date set forth above.

DocuSigned by:

FE636FF1E319479...
10/7/2024
KLJ CRE, Corp Date

DocuSigned by:

7C3A81308B9C4E5
10/7/2024
Gulf Contracting, LLC Date

Signed by:

79F078C1400A41B
10/7/2024
Phelan Engineering, LLC Date

Certificate Of Completion

Envelope Id: 24BBC42EBCE84027A8DC531352A44B22

Subject: Complete with DocuSign: Corporate Resolution - sign and plat.pdf

Source Envelope:

Document Pages: 1

Certificate Pages: 5

AutoNav: Enabled

EnvelopeId Stamping: Enabled

Time Zone: (UTC-06:00) Central Time (US & Canada)

Status: Completed

Envelope Originator:

Kenneth Jones

P.O. Box 442

Ocean Springs, 39566

kjonescbc@gmail.com

IP Address: 24.116.41.160

Record Tracking

Status: Original

10/7/2024 2:01:55 PM

Holder: Kenneth Jones

kjonescbc@gmail.com

Location: DocuSign

Signer Events

Andy Phelan

andy@gcdevelopmentdesign.com

Security Level: Email, Account Authentication
(None)**Signature**

Signed by:


79FD78C14D0A41B...

Signature Adoption: Pre-selected Style

Using IP Address: 162.232.6.24

Timestamp

Sent: 10/7/2024 2:04:14 PM

Viewed: 10/7/2024 2:06:14 PM

Signed: 10/7/2024 2:06:22 PM

Electronic Record and Signature Disclosure:

Accepted: 10/7/2024 2:06:14 PM

ID: d0fd2a11-9e5d-4c62-9de1-fd3588553e13

Johnathon Damiens

jdamiens@jlb-co.com

Security Level: Email, Account Authentication
(None)

DocuSigned by:


7C3A9130989C4F5...

Signature Adoption: Pre-selected Style

Using IP Address: 184.155.252.70

Sent: 10/7/2024 2:04:15 PM

Viewed: 10/7/2024 2:05:06 PM

Signed: 10/7/2024 2:05:38 PM

Electronic Record and Signature Disclosure:

Accepted: 10/7/2024 2:05:06 PM

ID: b1c32d9a-a1b8-41f6-adfe-ba28c7d6bcd8

Kenneth Jones

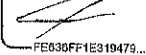
kjonescbc@gmail.com

Member

Gulf Coast Development & Design, LLC

Security Level: Email, Account Authentication
(None)

DocuSigned by:


FE830FF1E319479...

Signature Adoption: Drawn on Device

Using IP Address: 24.116.41.160

Sent: 10/7/2024 2:04:14 PM

Viewed: 10/7/2024 2:05:07 PM

Signed: 10/7/2024 2:05:10 PM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp**

Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	10/7/2024 2:04:15 PM
Certified Delivered	Security Checked	10/7/2024 2:05:07 PM
Signing Complete	Security Checked	10/7/2024 2:05:10 PM
Completed	Security Checked	10/7/2024 2:06:22 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

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:

- KJ **Page one of this application**, completed and signed.
- KJ **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.
- KJ **Proof of ownership** (Copy of deed i.e., Warranty Deed or Quitclaim Deed)
- KJ 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**.
- KJ An **affidavit** stating the request is not in violation of restrictive or protective covenants. (See page 10)
- KJ **Cash or check** payable to the City of Gulfport in the amount of **\$75.00**
- KJ **I the owner/agent acknowledge this is a complete application**

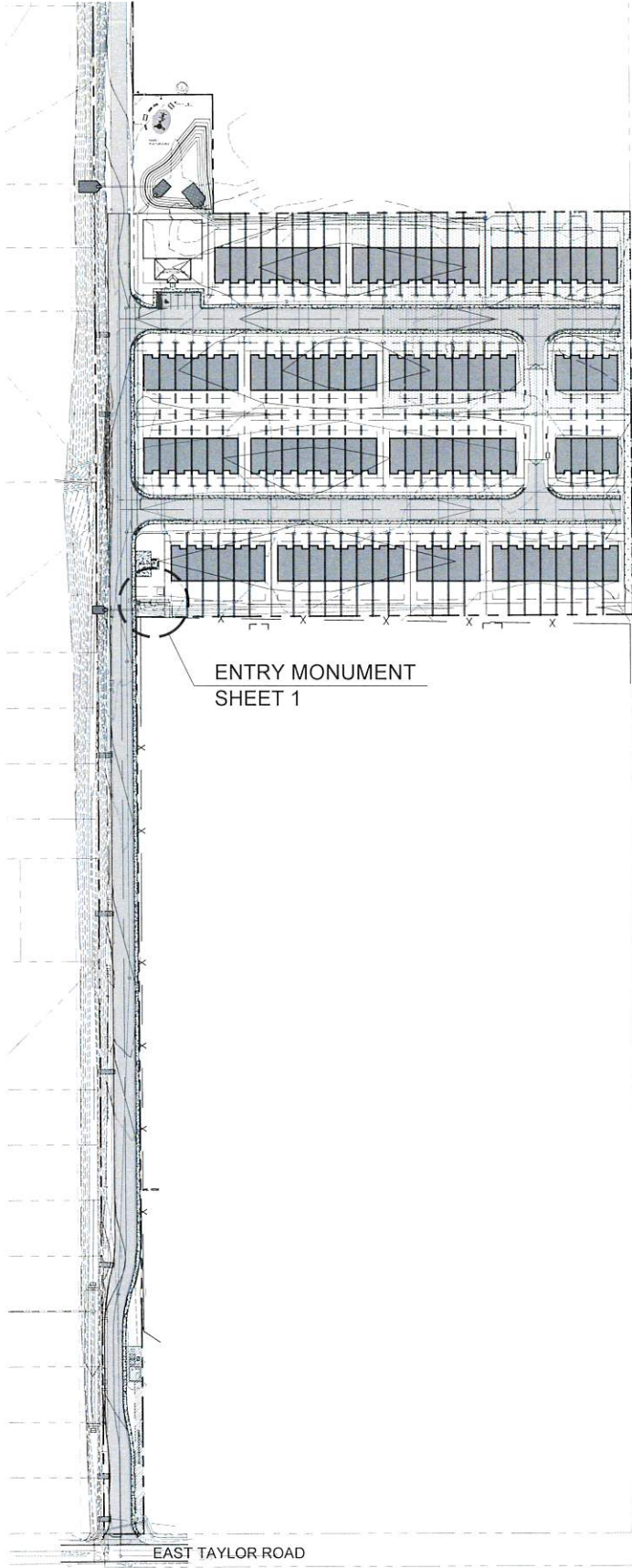
Subdivision Identification Sign

Variance Submission

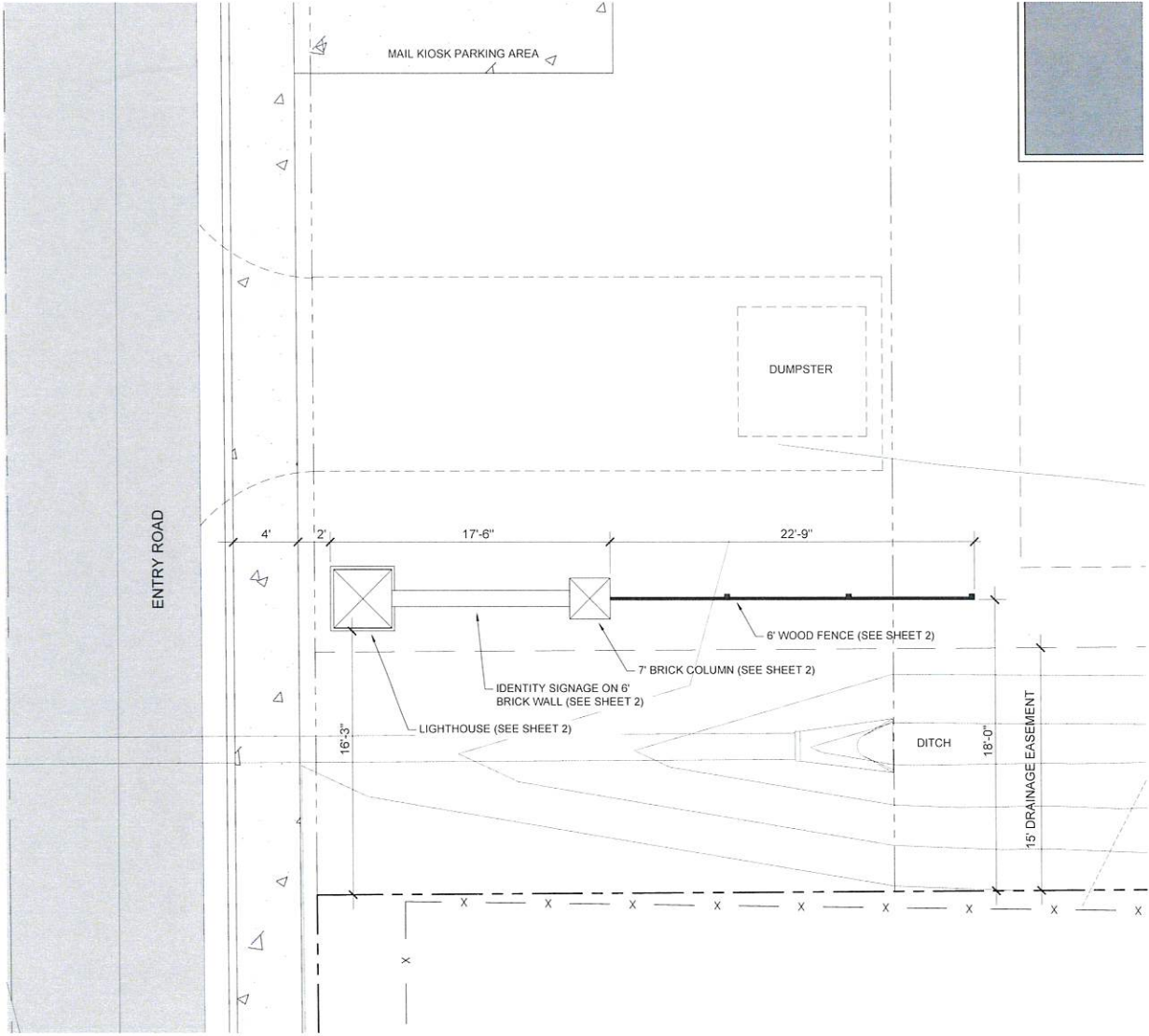
Landry Trace, LLC is requesting a subdivision identification sign variance for the Island Townhomes Subdivision located on parcel 1009N-01-004.000 for sign height in excess of 6 ft. (proposing 15 ft)

1. Special conditions exist the property where the sign will be placed will not be visible to any passing traffic. Because of the location of the property, the entrance monument will only be visible to people that are residents or visitors of the Island Townhomes Subdivision. Having this entrance monument will create a more "grand entrance" and will be placed at the entrance of the subdivision.
2. Although we are requesting for the installation of this sign, we believe that the variance is warranted to bring additional investment to the subdivision which will increase the aesthetic appeal of the entrance. It will also not adversely affect neighboring property owners.
3. This property is unusual because it is set off of any major road and will not be seen by any traffic other than residents or visitors.
4. Not allowing this variance would prohibit additional investment by a developer wishing to increase the amenities and value of the subdivision by creating a nice entrance. These entrances not only give the neighborhood identity but large entrance monuments have been shown to help increase property values.
5. There is no special privilege associated with this variance request because this property is separated from any major roadways. Although the roads inside the subdivision will eventually become public, there will be no traffic passing this sign that is not expressly going into the subdivision as a resident or visitor. Therefore, granting this variance will not set a precedent for other variances to be granted.
6. The fence/wall is allowed by right. The variance is only for the height of the wall/fence.

Disclaimer: Drawings and Specifications are property of Surroundingz. PLLC and are not to be used or reproduced without permission



OVERALL SITE PLAN



ENTRY MONUMENT AREA PLAN



ENTRY MONUMENT ELEVATION



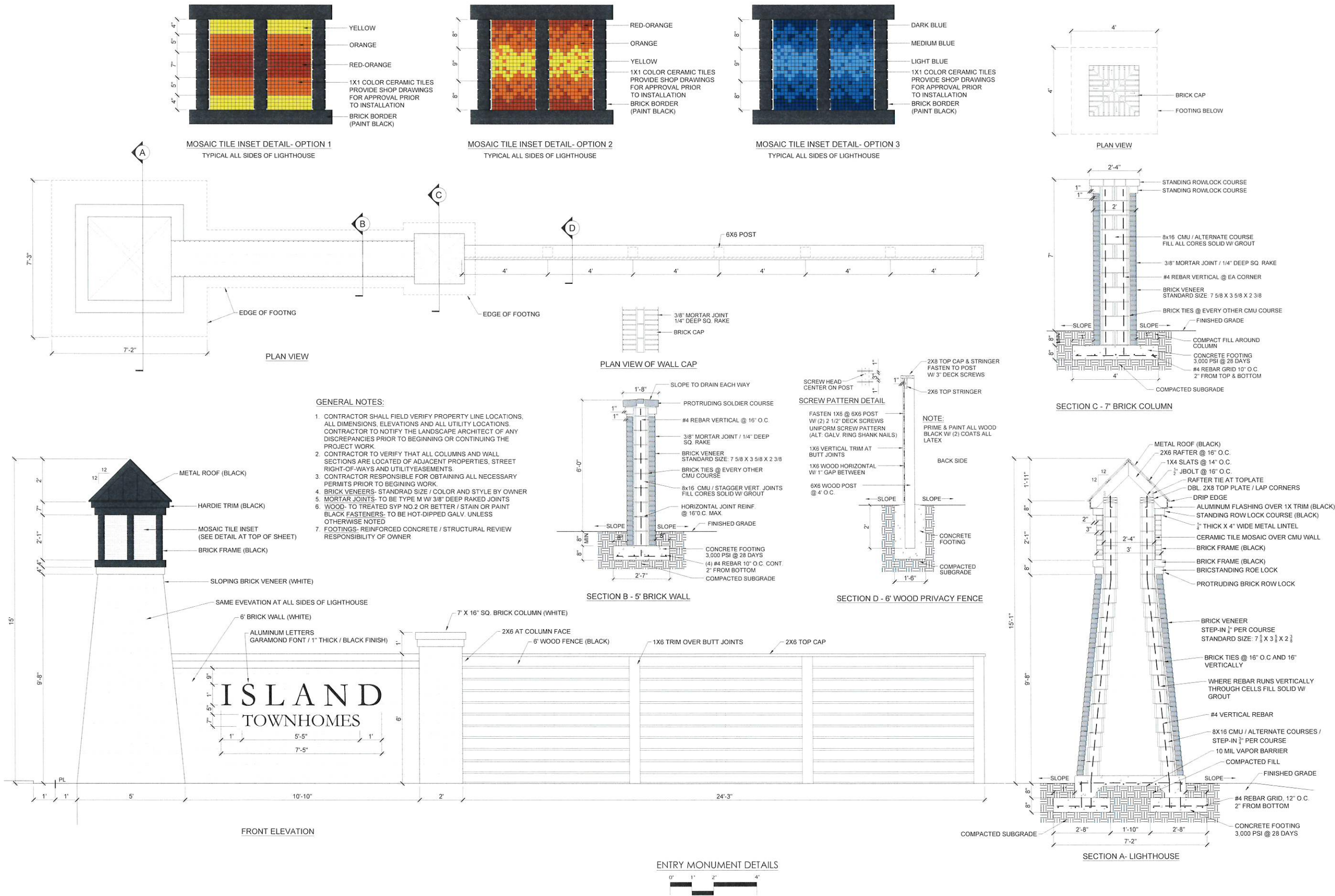
Revisions:		
No.	Date	Comments

Date: OCTOBER 7, 2024
Job No: 24023
Drawn for: Elliott Land Development
Drawn by: RES
Checked by: RES

Sheet Title:
ENTRY MONUMENT
LAYOUT PLAN

Sheet Number:

Disclaimer: Drawings and Specifications are property of Surroundingz, PLLC and are not to be used or reproduced without permission



ENTRY MONUMENT

FFERMIT SET
OCTOBER 7, 2024

ISLAND
TOWNHOMES

EAST TAYLOR ROAD | GULFPORT, MS

Landscape Architect's Seal



Revisions:

No.	Date	Comments

Date: OCTOBER 7, 2024
Job No: 24023
Drawn for: Elliott Land Development
Drawn by: RES
Checked by: RES

Sheet Title:
ENTRY MONUMENT DETAILS

Sheet Number:

F0008
Fee: \$ 25



Michael Watson
SECRETARY OF STATE

2024329610

Business ID: 1126089
Filed: 05/15/2024 06:05 PM
Michael Watson
Secretary of State

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

2024 Corporate Annual Report

Business Information

Business ID: 1126089 **Business Name:** KLJ CRE Corp
State of Incorporation: MS **Business Email:** kjonescbc@gmail.com
Phone: (***)***-****
FEIN: **-*****

Principal Address: 919 2nd Street, 919 2nd Street
Gulfport, MS 39501

Registered Agent

Name: Kenneth Jones II
Address: 919 2nd Street
Gulfport , MS 39501

Officers

Title/Name:	Address:	Director:
President: Kenneth Jones II	919 2nd Street Gulfport, MS 39501	☐
Vice President:		☐
Secretary:		☐
Treasurer:		☐

Stocks

Class:	Authorized:	Series:	Issued:
Common	100		100

NAICS Code/Nature of Business

531210 - Offices of Real Estate Agents and Brokers
237210 - Land Subdivision

Signature

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day ***05/15/2024***.

Name:

Kenneth Jones II

President

Address:

919 2nd Street

Gulfport, MS 39501

F0108

Fee: \$



Michael Watson
SECRETARY OF STATE

2024020311

Business ID: 1013453
Filed: 01/15/2024 04:41 PM
Michael Watson
Secretary of State

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

2024 LLC Annual Report

Business Information

Business ID: 1013453

Business Name: Gulf Contracting LLC

State of Incorporation: MS

Business Email: sboulet@jlb-co.com

Phone: (***)***-****

FEIN: **-*****

Principal Address: 21294 Johnson Road
Long Beach, MS 39560

Registered Agent

Name: Damiens, Johnathon

Address: 6 Canal Place
Long Beach, MS 39560

Managers and Members

Managers

Name:

Johnathon D Damiens
Manager, Member

Address:

6 Canal Place
Long Beach, MS 39560

Kyle J Cassagne
Manager, Member

7010 Crawford Dr
Long Beach, MS 39560

Members

Name:

Johnathon D Damiens
Manager, Member

Address:

6 Canal Place
Long Beach, MS 39560

Kyle J Cassagne
Manager, Member

7010 Crawford Dr
Long Beach, MS 39560

Officers***Title/Name:******Address:******Director:*****President:**☐**Vice President:**☐**Secretary:**☐**Treasurer:**☐☒ This LLC has a written Operating Agreement.**NAICS Code/Nature of Business**

237110 - Water and Sewer Line and Related Structures Construction

238110 - Poured Concrete Foundation and Structure Contractors

561730 - Landscaping Services

Signature

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day ***01/15/2024***.

Name:***Address:***

Johnathon D Damiens

6 Canal Place

Manager

Long Beach, MS 39560

F0108

Fee: \$



Michael Watson
SECRETARY OF STATE

2024244192

Business ID: 1318361
Filed: 04/08/2024 10:08 AM
Michael Watson
Secretary of State

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

2024 LLC Annual Report

Business Information

Business ID: 1318361

Business Name: Landry Trace, LLC

State of Incorporation: MS

Business Email: kjonescbc@gmail.com

Phone: (***)***_****

FEIN: **_*****

Principal Address: 919 2nd Street
Gulfport, MS 39501

Registered Agent

Name: Kenneth Jones II

Address: 919 2nd Street
Gulfport, MS 39501

Managers and Members

Managers

Name:

Gulf Contracting LLC
Manager

Address:

6 Canal Place
Long Beach, MS 39560

Members

Name:

KLJ CRE Corp
Member

Address:

919 2nd Street
Gulfport, MS 39501

Phelan Engineering, LLC
Member

2515 Havard Rd
Ocean Springs, MS 39564

Officers***Title/Name:******Address:******Director:*****President:**☐**Vice President:**☐**Secretary:**☐**Treasurer:**☐☒ This LLC has a written Operating Agreement.**NAICS Code/Nature of Business**

237210 - Land Subdivision

Signature

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day ***04/08/2024***.

Name:***Address:***

Kenneth Jones II

919 2nd Street

Member

Gulfport, MS 39501

Officers List

Name:

KLJ CRE Corp

Member

Phelan Engineering, LLC

Member

Gulf Contracting LLC

Manager

Address:

919 2nd Street

Gulfport, MS 39501

2515 Havard Rd

Ocean Springs, MS 39564

6 Canal Place

Long Beach, MS 39560

F0108

Fee: \$



Michael Watson
SECRETARY OF STATE

2024228180

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

Business ID: 1269573
Filed: 04/02/2024 06:32 PM
Michael Watson
Secretary of State

2024 LLC Annual Report

Business Information

Business ID: 1269573

Business Name: Phelan Engineering, LLC

State of Incorporation: MS

Business Email: atphelan1@yahoo.com

Phone: (***)***-****

FEIN: **-*****

Principal Address: 2515 Havard Rd
Ocean Springs, MS 39564

Registered Agent

Name: Andrew Phelan

Address: 2515 Havard Rd
Ocean Springs, MS 39564

Managers and Members

Managers

Name:

Andrew Tate Phelan
Manager

Address:

2515 Havard Rd
Ocean Springs, MS 39564

Officers

Title/Name:

Address:

Director:

President:

☐

Vice President:

☐

Secretary:

☐

Treasurer:

☐

☒ This LLC has a written Operating Agreement.

NAICS Code/Nature of Business

541330 - Engineering Services

Signature

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day *04/02/2024*.

Name:

Andrew Phelan

Other

Address:

2515 Havard road

Ocean Springs, MS 39564



1st JUDICIAL DISTRICT
Instrument 2023-0005216-D-11
Filed/Recorded 03/28/2023 2:47:01 PM
Total Fees 26.00
5 Pages Recorded

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

File# 221639

Indexing Instructions: SW 1/4 of the
SW 1/4 of Section 6, Township 7,
Range 11 W, Harrison County, MS

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

WARRANTY DEED

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

**Charlie W Tingle Jr, James C Tingle, Virginia C Trussell and Martha Knight,
401 Willow Springs Drive
Coppell, TX 75019
469 585 8887**

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

**Landry Trace, LLC,
A Mississippi Limited Liability Company
919 2nd Street
Gulfport, MS 39501
228-596-4471**

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

SEE ATTACHED EXHIBIT " A "

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

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

computation of the true amount due, based on a 365 day year.

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

WITNESS THE SIGNATURE of the Grantors on this the 28th day of March, 2023.

Martha Knight
Martha Knight

James C Tingle
James C Tingle

STATE OF MS
COUNTY OF Harrison

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Martha Knight and James C Tingle, who acknowledged that they signed, executed and delivered the above and foregoing instrument as a voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 28th day of March, 2023.

Ashley Zimmerman
NOTARY PUBLIC

(SEAL)

My Commission Expires:



WITNESS THE SIGNATURE of the Grantors on this the 28th day of March, 2023.

Virginia C. Trussell
Virginia C Trussell

STATE OF MS
COUNTY OF Harrison

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

GIVEN under my hand and official seal on this the 28th day of March, 2023.

Ashley Zimmerman
NOTARY PUBLIC

(SEAL)

My Commission Expires:



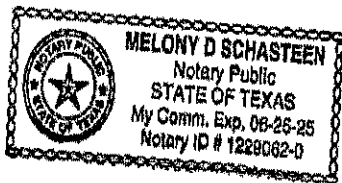
WITNESS THE SIGNATURE of the Grantors on this the 28th day of March, 2023.

Charlie W. Tingle Jr.
Charlie W Tingle Jr

STATE OF Texas
COUNTY OF Dallas

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

GIVEN under my hand and official seal on this the 28th day of March, 2023.



Melony D Schasteen
NOTARY PUBLIC

(SEAL)

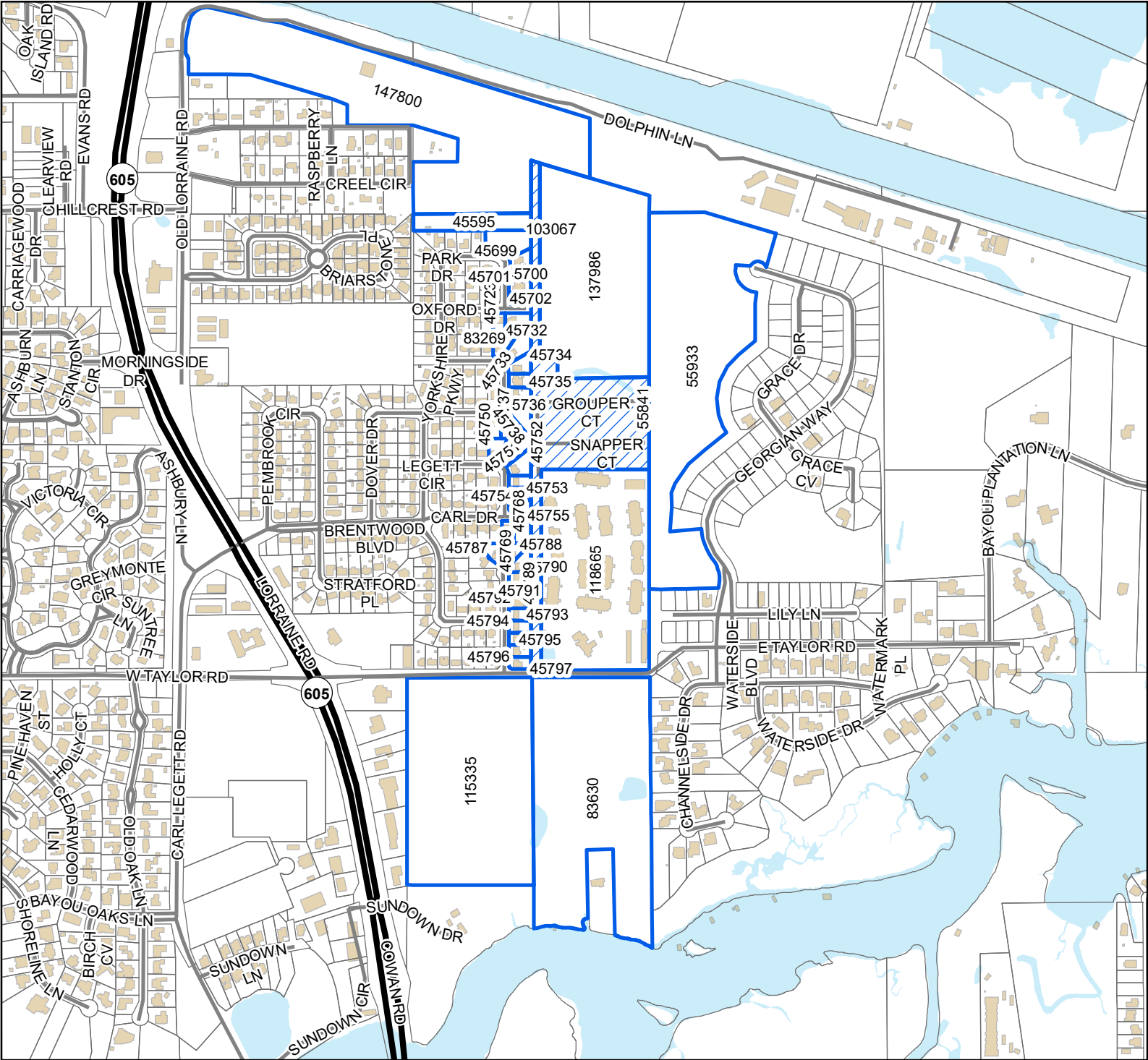
My Commission Expires:

EXHIBIT " A "

The Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Six (6), Township Seven (7) South, Range Eleven (11) West, Harrison County, Mississippi, First Judicial District, less and except a strip of land 420 feet in width off of the South side of said 40 acre tract hereinabove described, which said strip of land will be 420 feet wide, more or less, by 1320 feet, more or less, in length. Being also known as county tax parcel no. 0708E-01-024.000.

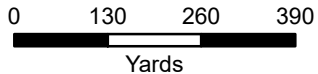
Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1009N-01-004.000	LANDRY TRACE, LLC (OWNER)	919 2ND ST	GULFPORT	MS	39501
			Adjacent Property Owners (2411ZB177)				
	45733	1009N-02-032.000	BLESSING LLC THE	2003 SOUTH STREET	GULFPORT	MS	39507
N	103067	1009N-02-006.001	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
	45754	1009N-02-071.000	MOREHEAD BEN T	20 LEGGETT CIR	GULFPORT	MS	39503
	45732	1009N-02-033.000	LABBERTON SALLY A	10 NOTTINGHAM CIR	GULFPORT	MS	39507
N	45595	1009N-02-001.000	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
	45735	1009N-02-053.000	HILL KORTEIA & COREY	16 NOTTINGHAM CIR	GULFPORT	MS	39503
	45699	1009N-02-005.000	CRAFT MICHAEL W & ADRIENNE D	14 PARK DR RT 5	GULFPORT	MS	39501
	45736	1009N-02-054.000	SCIPIONE NANCY WILLIAMS	1447 EAST PASS RD	GULFPORT	MS	39507
	45769	1009N-02-086.000	SPINNER REAL ESTATE HOLDINGS LLC	440 GREEN TEAL CT	BILOXI	MS	39531
	45723	1009N-02-029.000	TUCKER PAULETTE -EST-	9 OXFORD DRIVE	GULFPORT	MS	39503
	45700	1009N-02-004.000	BROOKS M DENNIS & BECKY M	525 GLEN VALLEY WAY	GULFPORT	MS	39507
	45702	1009N-02-002.000	SUIT ANNA H -L/E-	20 PARK DR	GULFPORT	MS	39503
N	45750	1009N-02-067.000	RODRIGUEZ VICTOR MANUEL PENA &	MARGARA FERNANDEZ NIEVES	GULFPORT	MS	39503
	45751	1009N-02-068.000	FAIRLEY DONNIE R & SANDRA MCNEAL	14 LEGGETT CIRCLE	GULFPORT	MS	39503
	45753	1009N-02-070.000	HASSAN SAIDUL & ROSEMARIE Q	18 LEGGETT CIR	GULFPORT	MS	39503
	45790	1009N-02-107.000	LANDRESS DEBORAH D	162 BURNA VISTA ST	WINDEY	GA	30680
N	118665	1009N-01-004.001	MMP2-HARBIN LLC	C/O LEGACY PROPERTY MANAGEMEN	NASHVILLE	TN	37212
	45792	1009N-02-109.000	NECAISE BRENDA C	26 BRITTANY CT	GULFPORT	MS	39503
	83269	1009N-02-030.000	BERG STEPHEN & PATRICIA A	11 OXFORD DR	GULFPORT	MS	39503
	45737	1009N-02-055.000	NEKOOEI BAHMAN & KHANI NAYYEREH	11201 LAMBERT WAY	STANTON	CA	90680
	45738	1009N-02-056.000	PENTON TAMMY L	22 NOTTINGHAM CIR	GULFPORT	MS	39503
	45755	1009N-02-072.000	WINGERTER TAMARA L	13584 WINDROSE CIRCLE	GULFPORT	MS	39503
	45788	1009N-02-105.000	SUNFLOWER PROPERTIES LLC	8 BAYOU PL	GULFPORT	MS	39503
	45796	1009N-02-113.000	PIERCE JAMES M	34 BRITTANY CT	GULFPORT	MS	39507
	45787	1009N-02-104.000	WOLFE DANIEL L	16 BRITTANY CT	GULFPORT	MS	39503
	45794	1009N-02-111.000	ROSH ROBERT A	304 CABELL DRIVE	BILOXI	MS	39531
	45795	1009N-02-112.000	CHAVERS KAITLIN	32 BRITTANY COURT	GULFPORT	MS	39503
	83630	1010C-01-002.000	CARTER JONATHAN R & GRAMMAR JENNIE	11029 E TAYLOR RD	GULFPORT	MS	39503
	45734	1009N-02-052.000	CLARK FRANCES	14 NOTTINGHAM CIR	GULFPORT	MS	39503
	45752	1009N-02-069.000	WHITE JANIS M	16 LEGETT CIR	GULFPORT	MS	39507
N	45789	1009N-02-106.000	SUNFLOWER PROPERTIES LLC	8 BAYOU PLACE	GULFPORT	MS	39503
	45701	1009N-02-003.000	KERR SHAWN A & JANINA	7 PARK DRIVE	GULFPORT	MS	39503
	45768	1009N-02-085.000	PERRY DANIEL	13 CARL DR	GULFPORT	MS	39503
N	45793	1009N-02-110.000	SUNFLOWER PROPERTIES LLC	#8 BAYOU PLACE	GULFPORT	MS	39503

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
45797	1009N-02-114.000	SIMS JUDY F		36 BRITTANY CT	GULFPORT	MS	39507
137986	1009N-01-004.002	LAND TRUST FOR MISS COASTAL PLAIN		PO BOX 2457	PURVIS	MS	39475
55841	1009N-01-004.000	GRAHAM ROBERT JASON		P O BOX 1207	PURVIS	MS	39475
55933	1009N-01-002.000	BROOKSTONE GULF COAST LLC		111 LUNDGREEN LN	GULFPORT	MS	39503
115335	1010C-01-003.001	BOND LIMITED PARTNERSHIP		11272 SUNDOWN DR	GULFPORT	MS	39503
147800	1009K-03-001.001	BALD EAGLE DEVELOPMENTS LLC		6010 VISTA CIRCLE	GULFPORT	MS	39503
45791	1009N-02-108.000	LB RENTALS LLC		117 41ST STREET	GULFPORT	MS	39507



Legend

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



1 inch = 800 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	607604	Print Legal Ad-IPL02020460 - IPL0202046		\$104.20	2	53 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, November 21, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2411ZB168, by owner Elliot Land Developments LLC, seeking approval for fence height of 10 feet and 6 inches where four feet is the height limit, Tax Parcel 0811G-02-016.000, 1505 2nd Street, 1507 2nd Street, 1509 2nd Street, 1511 2nd Street, 1513 2nd Street, 1517 2nd Street, 1519 2nd Street, 1521 2nd Street, 1523 2nd Street, 1525 2nd Street, 1527 2nd Street, 1529 2nd Street, Zoned R-2 (Single-Family) & R-B (Residence Business), Ward 2

Variance 2411ZB173, by agent Monica Smith, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB174, by agent Monica Smith, seeking approval for three regular parking spaces where five are required, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB176, by owner Landry Trace LLC, seeking approval for subdivision wall height of 6 feet where 4 feet is the height limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB177, by owner Landry Trace LLC, seeking approval for subdivision sign height of 15 feet where 6 feet is the size limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB178, by owner Jimmy Watts, seeking approval for lot size of 6,970 square feet where 7,500 square feet is required, Tax Parcels 0711P-01-003.000, 0711P-01-004.000, 8th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Special Exception 2411SE179, by owner Brenda Thai, seeking approval for a liquor store use, Tax Parcel 0811E-04-096.000, 2005 30th Ave, Zoned B-1 (Neighborhood Business), Ward 1

Variance 2411ZB180, by owner Conquering Word Ministries, seeking approval for one regular parking space where nine are required, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB181, by owner Conquering Word Ministries, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB183, by owner Mickey Anderson, seeking approval for a 5 foot and 2 inch side yard setback for a proposed detached carport where 14 feet is required, Tax Parcel 1010D-01-005.007, 8758 Sundown Lane, Zoned R-2 (Single-family), Ward 4

Variance 2411ZB184, by owner Thaddeus Grage, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-022.001, 2600 Pass Road, Zoned T5 (Urban Center Zone), Ward 3

This the 30th day of October 2024

A. Leslie North, Chairman

City of Gulfport Zoning Board of Adjustment and Appeals

IPL0202046

Nov 6 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:

11/06/24

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.

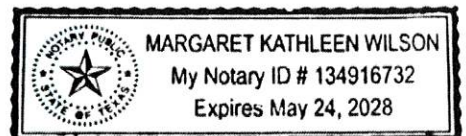
Mary Castro

Sworn to and subscribed before me this 7th day of November 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 # 2025-36

Hearing Date: Thursday, November 21, 2024

Variance 2411ZB178: Variance 2411ZB178, by owner Jimmy Watts, seeking approval for lot size of 6,970 square feet where 7,500 square feet is required, Tax Parcels 0711P-01-003.000, 0711P-01-004.000, 8th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2411ZB178

Hearing Date: November 21, 2024

Current Zoning/Use: T4+/- Vacant Lot

Legal: Variance 2411ZB178, by owner Jimmy Watts, seeking approval for lot size of 6,970 square feet where 7,500 square feet is required, Tax Parcels 0711P-01-003.000, 0711P-01-004.000, 8th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 2

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance to allow for building a single-family home on a lot measured at 6968 sqft where 7500 sqft is required.

- (a) The applicant states that they are asking for a variance to build on a lot less than 7500 sqft. While the applicant's answer is not sufficient for the question, it should be noted that these lots were previously separate. As such they would have been considered lots of record, and a home would have been able to have been built. However, variances would have still been required due to having to meet the district regulations for setbacks. By being combined, the applicant's site plan shows that they are able to achieve a more conforming structure that meets the rest of the required district regulations.
- (b) The applicant claims that the ordinance was different in the past. Several years ago, this area was a part of the Smartcode ordinance and as such, the requirements for square footage would have been a lesser requirement, as a T4+ in Smartcode requires a minimum lot size of 2420 sqft. In this case, the hardship is not caused by the applicant, but rather the lots in question being divided prior with Smartcode in mind.
- (c) Applicant states that the lot would be invaluable without being able to build on the lot. While value is not a suitable hardship for a request, it should be noted that without the approved variance, this combined lot would not allow for any structure to be built according to the district regulations.
- (d) As stated prior, this area used to be under the Smartcode ordinance. Due to that, there are several properties in this area that were designed to adhere to those rules and regulations. If this request were to be denied, the applicant would be deprived of rights that the residents in this area had previously enjoyed.
- (e) Applicant believes that granting this variance would not confer special rights upon them. Upon staff review, several properties in the area do not adhere to the square footage requirements for a residential use.
- (f) This property is zoned T4+, and a single-family home is allowed by right.

EXECUTIVE SUMMARY

The applicant displays a genuine hardship. While the original two lots were lots of records, a variance would have been required regardless due to not meeting district regulations for setbacks. The combination of the lots has ultimately allowed the applicant to create a structure that is more conforming to the district regulations. It should be noted that this area had previously been under the smartcode ordinance, and under that ordinance, the square footage requirement would have been 2420 sqft instead of the required 7500 sqft.

Any approval should consider these conditions:

- 1. Must comply with all zoning rules and regulations.
- 2. Approval allows for the construction of a single-family home on a 6968 sqft lot where 7500 sqft is required.
- 3. Protected trees on property shall be preserved and protected, per Chapter 8 ordinance.
- 4. Must meet all current Building Codes and City of Gulfport ordinances.

Technical Report

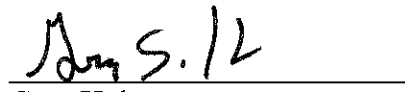
VARIANCE

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	No conditions. Memo dated 11/06/2024.
<u>Public Works:</u>	No comment as of 11/13/2024.
<u>Traffic and Safety:</u>	No Conditions. Memo dated 11/06/2024.
<u>Building Code Services:</u>	Must meet all current Building Codes and City of Gulfport ordinances. Memo dated 10/30/2024.
<u>GIS:</u>	No conditions. Memo dated 11/06/2024.
<u>Police Department:</u>	No comment as of 11/13/2024.
<u>Fire Department:</u>	No conditions. Memo dated 10/31/2024.
<u>City Arborist:</u>	Protected trees on property shall be preserved and protected, per Chapter 8 ordinance. Memo dated 10/31/2024.
<u>Leisure Services:</u>	No conditions. Memo dated 10/31/2024

DIRECTOR APPROVAL

This report has been reviewed and approved by:

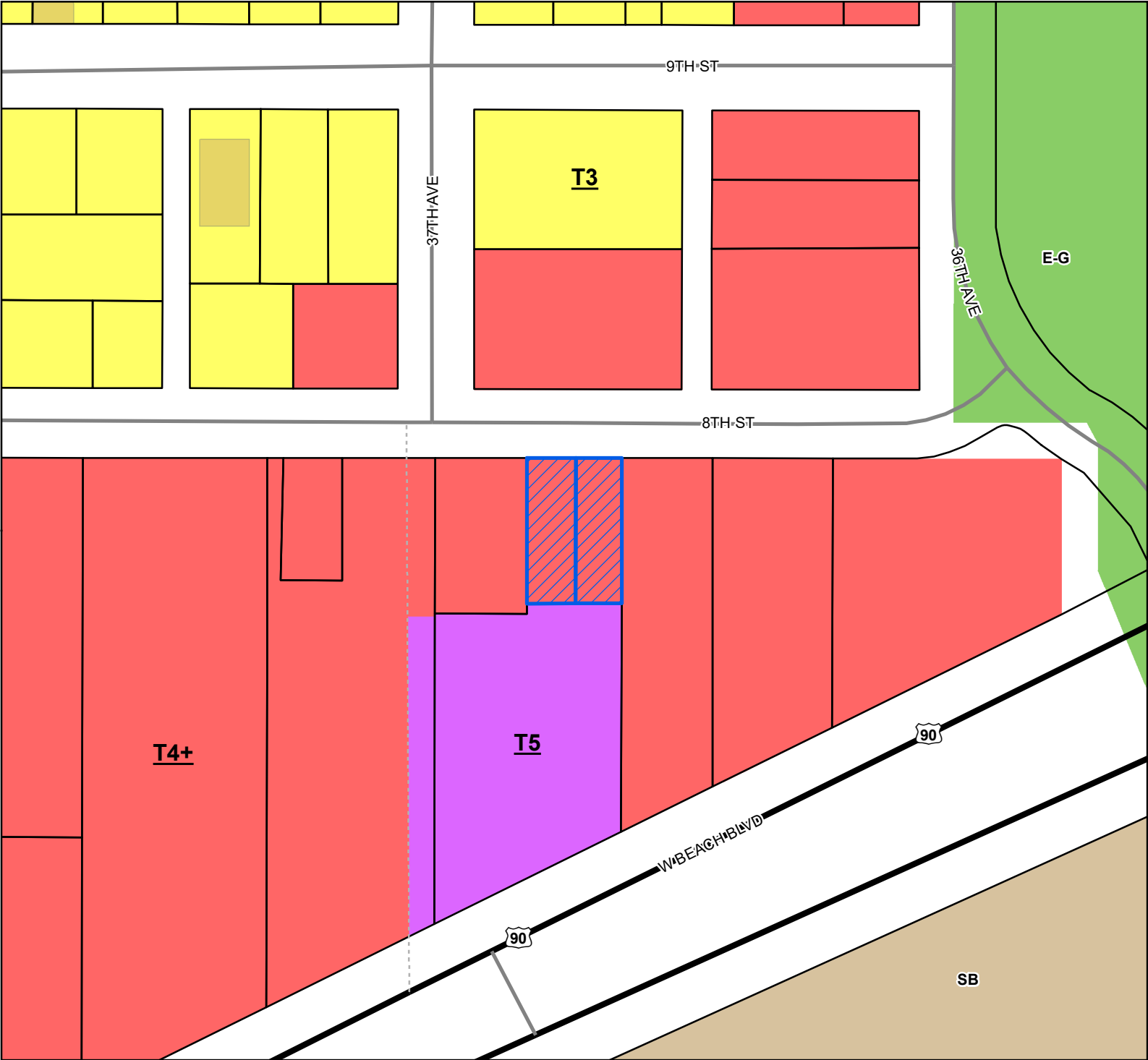


Greg Holmes

Director of Urban Development Department

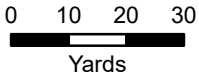
2411ZB178

Variance



- Site
- US or State Highway
- Street
- Alley
- Parcels
- Buildings
- City Limit
- Smart Code**
 - T5
 - T4+
 - T3
- Zoning**
 - E-G - Entertainment - Gaming District
 - SB - Sand Beach

Site Information
0711P-01-003.000
0711P-01-004.000
Zoning: T4+ (General Urban Zone "Plus")
Size: 6970 sqft
Flood: AE



1 inch = 100 feet



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



CASE NUMBER

2411 ZB178

dt 10/8/24

R# 12973178

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

0711P-01-003.000

0711P-01-004.000

Property Address:

8th St

Lot(s) _____ Block(s) _____ Subdivision Miss. City CO. Survey

General Description of Request: NEED VARIANCE TO BUILD
DEVELOPMENT ON LOT. SQFT OF LOT BELOW 7500
ON NEW CITY REQUIREMENTS 6968 SQFT LOT

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:JIMMY WATTS

Printed Name of Owner

35 WATTS RD

Mailing Address

PICAJUNE MS 39466

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Owner

JWATTS@MSAC-INC.COM**AGENT:**

Printed Name of Agent

Mailing Address

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Agent

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

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

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home)

(Work)

(Cell)

Tax Parcel Number(s) Owned:

Signature:

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home)

(Work)

(Cell)

Tax Parcel Number(s) Owned:

Signature:

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home)

(Work)

(Cell)

Tax Parcel Number(s) Owned:

Signature:



COVENANT AFFIDAVIT

I, Jimmy Watts being property owner or agent of the property 0711P-01-004.000
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

[Signature]
SIGNATURE

10/8/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Samuel Sweeting
NOTARY PUBLIC

05/22/2027
COMMISSION EXPIRATION



- ① ASKING FOR VARIANCE TO BUILD ON LOT LESS THAN 7500 SQFT
- 2 ORDINANCE CHANGED FROM DAS,
- 3 THE LOT WILL BE INVALUABLE WITHOUT BUILDING ON LOT
- 4 WOULD HELP WITH GROWTH IN AGRA
- 5 NO SPECIAL BENEFIT
- 6 USE FOR SINGLES FAMILY HOME

per deed
2024-8265 *includes both parcels*

HARRISON COUNTY TAX ASSESSOR

1801 23RD AVENUE · P.O. BOX 462 · GULFPORT, MS 39502
(228) 865-4043 · (228) 865-4077 · FAX (228) 865-4076



LAND ROLL CHANGE REQUEST FORM TAX YEAR 2025

A Deed describing split/combine or the respective city/county approval or lot line re-arrangement describing split/combine should be filed with Chancery Land Records to be made of record.

Owner: Jimmy Watts Date: Oct. 7 2024

Address: 103 Hayden Ave
PASS Christian MS. 39571

Phone #: 601-273-0408 Email: jwatts@msacinc.com Deputy: Bruce

The following must be checked by a deputy clerk and signed by the property owner.

PARCEL NUMBERS INVOLVED: 0711P-01-003.000 + 0711P-01-004.000

- ☐ SPLIT ☒ COMBINE: Parcel # to keep _____
- ☐ Are Parcels **CONTIGUOUS** (Touching) YES ☒ NO ☐
- ☐ Are Parcels titled in **SAME NAME(s)** & NOT MIXED TITLE YES ☒ NO ☐
- ☐ Are **IMPROVEMENTS**(buildings) INVOLVED YES ☐ NO ☒
If YES, which Parcel(s) has the IMPROVEMENTS: _____
- ☐ Is there **HOMESTEAD** involved YES ☐ NO ☒
If YES, which Parcel has the **Primary Home**: _____
- ☐ Are Parcels in the same **Tax District**: G YES ☒ NO ☐
- ☐ If this is a Split for a **MOBILE HOME**, has it been approved by **ZONING**:
N/A ☒ YES ☐ NO ☐
- ☐ Are all applicable **supporting documents** attached: YES ☐ NO ☐
Document Type: ☐ DEED# _____ ☐ SURVEY ☒ CITY/COUNTY
Has above document been **RECORDED**: YES ☐ NO ☒ WILL DO ☐
- ☐ Have Taxes been **PAID***: YES ☒ NO ☐ WILL DO ☐

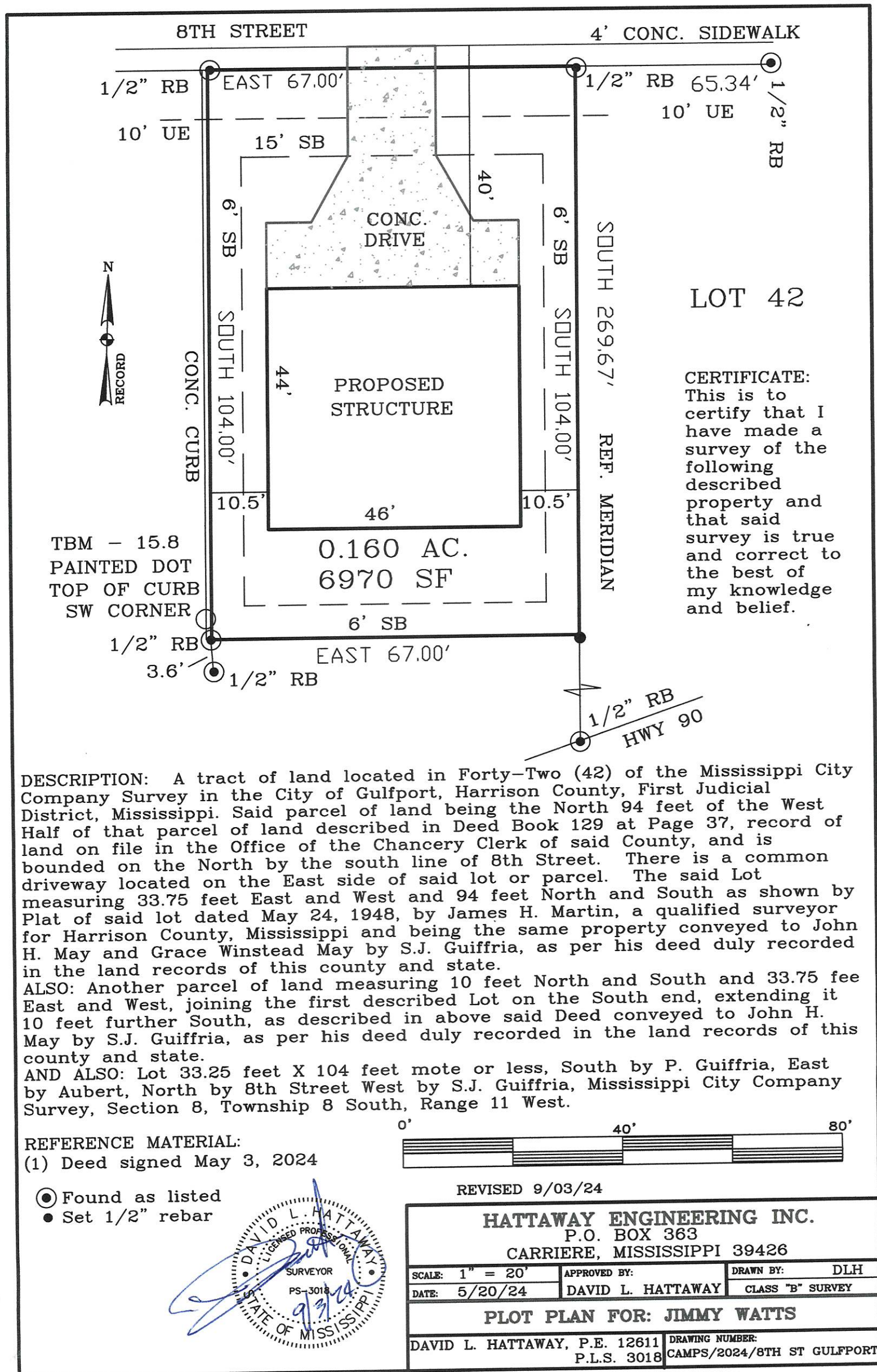
*taxes for parcels being combined still need to be paid until parcel is deleted off land roll

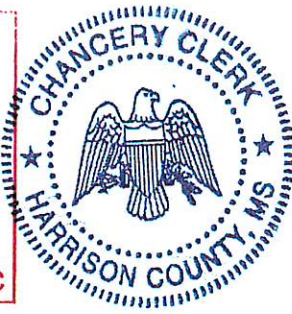
PROPERTY OWNER

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

Signature of Property Owner: [Signature]

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





Angela Thrash 1st JUDICIAL DISTRICT
Instrument 2024-0008265-D-J1
Filed/Recorded 05/06/2024 3:08:01 PM
Total Fees 26.00
3 Pages Recorded

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

File#240631

Indexing Instructions:
Pt of Lot 42, Mississippi City Company
Survey, Harrison County, 1st JD, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

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

LARRY C. HORTON and wife, RITA M. HORTON
10 MOCKINGBIRD LANE
GULFPORT, MS 39507
(228) 860-1235

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

JIMMY WATTS
103 HAYDEN AVENUE
PASS CHRISTIAN, MS 39571
(601) 273-0408

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

ATTACHED HERETO AS EXHIBIT "A"

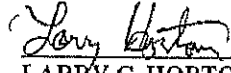
THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and any prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners of subject property.

Estimated county ad valorem taxes have been prorated between the parties as a part of the consideration for this conveyance. In the event the estimates upon which such proration is based prove to be inaccurate for any reason, the Grantee agrees to refund any excess, and the Grantor agrees to pay any

2
deficiency, upon receipt of a copy of the tax statement for the current year and a computation of the true amount due, based on a 365 day year.

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

WITNESS THE SIGNATURES of the Grantors on this the 3rd day of May, 2024.


LARRY C. HORTON


RITA M. HORTON

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, LARRY C. HORTON and RITA M. HORTON, who acknowledged that they signed, executed and delivered the above and foregoing instrument as their voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 3rd day of May, 2024.

My Commission Expires:

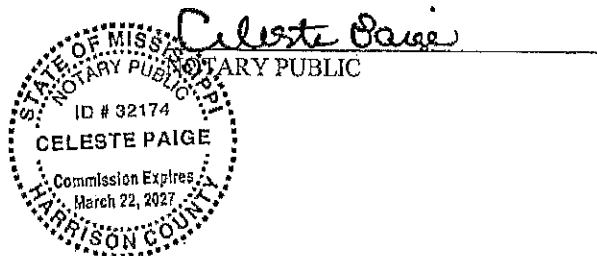


EXHIBIT "A"
LEGAL DESCRIPTION

Parcel 1:

A tract of land located in Lot Forty-Two (42) of the Mississippi City Company Survey in the City of Gulfport, Harrison County, First Judicial District, Mississippi. Said parcel of land being the North 94 feet of the West Half of that parcel of land described in Deed Book 129 at Page 37, record of land on file in the Office of the Chancery Clerk of said County, and is bounded on the North by the South Line of 8th Street. There is a common driveway located on the East side of said lot or parcel. The said Lot measuring 33.75 feet East and West and 94 feet North and South as shown by Plat of said lot dated May 24, 1948, by James H. Martin, a qualified surveyor for Harrison County, Mississippi and being the same property conveyed to John H. May and Grace Winstead May by S. J. Guiffria, as per his deed duly recorded in the land records of this county and state.

ALSO

Another parcel of land measuring 10 feet North and South and 33.75 feet East and West, joining the first described Lot on the South end, extending it 10 feet further South, as described in above said Deed conveyed to John H. May and Grace Winstead May by S. J. Guiffria, as per his deed duly recorded in the land records of this county and state.

ALSO

All of the rights, easements thereon belonging or in anywise appertaining hereunto.

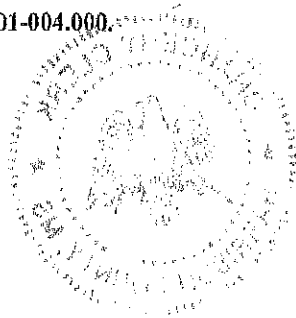
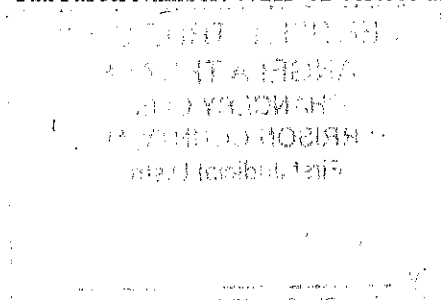
Being the same property as shown in survey dated November 11, 1982, by J. Michael Casady RLS.

AND ALSO

Parcel 2:

Lot 33 x 1/4 x 104 feet more or less, South by P. Guiffria, East by Aubert, North by 8th Street, West by S. J. Guiffria, Mississippi City Company Survey, Section 8, Township 8 South, Range 11 West.

Tax Parcel Number: 0711P-01-003.000 and 0711P-01-004.000.



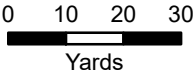
Prepared By and Return to:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0711P-01-003.000	JIMMY WATTS (OWNER)	35 WATTS RD	PICAYUNE	MS	39466
			Adjacent Property Owners (2411ZB178)				
	26352	0711I-02-110.000	GIN INVESTMENTS LLC	51 EMERALD CV	GULFPORT	MS	39503
	32170	0711P-01-005.000	PRIMO MAGGIO LLC & OATES CREEK LLC	P O BOX 54310	LEXINGTON	KY	40555
	32167	0711P-01-003.000	HORTON LARRY C & RITA M	P O BOX 6330	GULFPORT	MS	39506
N	32169	0711P-01-004.000	HORTON LARRY C & RITA M	P O BOX 6330	GULFPORT	MS	39506
	90823	0711P-01-007.000	BIEGEL MICHELE D & MCRAE CHARLES R	405 TOMBIGBEE ST	JACKSON	MS	39201
N	26353	0711I-02-111.000	GIN INVESTMENTS LLC	51 EMERALD CV	GULFPORT	MS	39503
	26354	0711I-02-112.000	HUCKE BRYAN & DANG ANNY	1022 SOUTH SHEPHERD DR	HOUSTON	TX	77019
	32166	0711P-01-002.000	LADNER WALLACE S III & JEANETTE	P O BOX 6496	GULFPORT	MS	39506
	106434	0711P-01-001.001	BERTUCCI GREGORY E MD	2330 ATKINSON RD	BILOXI	MS	39531
	26346	0711I-02-116.000	SPIERS INVESTMENTS LLC	31 53RD ST	GULFPORT	MS	39507
	90822	0711P-01-006.000	HUT MOBILE LLC	225 BUSH ST STE 1800	SAN FRANCISCO	CA	94104
	26355	0711I-02-113.000	GIBSON MELVIN D & JOANNE	22509 RD 331	PASS CHRISTIAN	MS	39571
	26343	0711I-02-117.000	ANDERSON JOAN C	921 PORTER AVE APT 1015	OCEAN SPRINGS	MS	39564
N	26345	0711I-02-115.000	SPIERS INVESTMENTS LLC	31 53RD STREET	GULFPORT	MS	39507
	32174	0711P-01-008.000	PERLEY CLAUDIA E DBA	504 BRANDI LN	GULFPORT	MS	39507
	26344	0711I-02-114.000	THOMPSON JOHN & MICHELLE GARRIGA	4 MOCKINGBIRD ROAD	COVINGTON	LA	70433
N	32163	0711P-01-001.000	BERTUCCI GREGORY E MD	2330 ATKINSON RD	BILOXI	MS	39531



Legend

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



1 inch = 100 feet



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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	607604	Print Legal Ad-IPL02020460 - IPL0202046		\$104.20	2	53 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, November 21, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2411ZB168, by owner Elliot Land Developments LLC, seeking approval for fence height of 10 feet and 6 inches where four feet is the height limit, Tax Parcel 0811G-02-016.000, 1505 2nd Street, 1507 2nd Street, 1509 2nd Street, 1511 2nd Street, 1513 2nd Street, 1517 2nd Street, 1519 2nd Street, 1521 2nd Street, 1523 2nd Street, 1525 2nd Street, 1527 2nd Street, 1529 2nd Street, Zoned R-2 (Single-Family) & R-B (Residence Business), Ward 2

Variance 2411ZB173, by agent Monica Smith, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB174, by agent Monica Smith, seeking approval for three regular parking spaces where five are required, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB176, by owner Landry Trace LLC, seeking approval for subdivision wall height of 6 feet where 4 feet is the height limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB177, by owner Landry Trace LLC, seeking approval for subdivision sign height of 15 feet where 6 feet is the size limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB178, by owner Jimmy Watts, seeking approval for lot size of 6,970 square feet where 7,500 square feet is required, Tax Parcels 0711P-01-003.000, 0711P-01-004.000, 8th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Special Exception 2411SE179, by owner Brenda Thai, seeking approval for a liquor store use, Tax Parcel 0811E-04-096.000, 2005 30th Ave, Zoned B-1 (Neighborhood Business), Ward 1

Variance 2411ZB180, by owner Conquering Word Ministries, seeking approval for one regular parking space where nine are required, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB181, by owner Conquering Word Ministries, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB183, by owner Mickey Anderson, seeking approval for a 5 foot and 2 inch side yard setback for a proposed detached carport where 14 feet is required, Tax Parcel 1010D-01-005.007, 8758 Sundown Lane, Zoned R-2 (Single-family), Ward 4

Variance 2411ZB184, by owner Thaddeus Grage, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-022.001, 2600 Pass Road, Zoned T5 (Urban Center Zone), Ward 3

This the 30th day of October 2024

A. Leslie North, Chairman

City of Gulfport Zoning Board of Adjustment and Appeals

IPL0202046

Nov 6 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:

11/06/24

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.

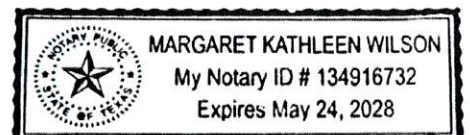
Mary Castro

Sworn to and subscribed before me this 7th day of November 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 # 2025-37

Hearing Date: Thursday, November 21, 2024

Special Exception 2411SE179: Special Exception 2411ZB179, by owner Brenda Thai, seeking approval for a liquor store use, Tax Parcel 0811E-04-096.000, 2005 30th Ave, Zoned B-1 (Neighborhood Business), Ward 1

Technical Report

SPECIAL EXCEPTION

GENERAL INFORMATION

Case File Number: 2411SE179

Hearing Date: Zoning Board November 21, 2024
Planning Commission November 21, 2024

Current Zoning/Use: B-2/ Commercial Structure

Legal: Special Exception 2411ZB179, by owner Brenda Thai, seeking approval for a liquor store use, Tax Parcel 0811E-04-096.000, 2005 30th Ave, Zoned B-1 (Neighborhood Business), Ward 1

TECHNICAL DETAILS

The applicant is seeking approval for a liquor store use. The applicant states that there will be no change to ingress or egress to the property, and that off street parking is sufficient. According to the current parking ordinance the proposed use would require one space per 300 square feet of gross floor area. As the building is approximately 4532 square feet, the maximum number of spaces needed is 15 regular parking spaces and one handicap space. According to the site plan provided by the applicant, they meet the required number of parking spaces. The applicant also notes that the business has been operating for several years, and has provided a statement claiming that they meet the state's distance requirements for liquor store on commercial property. The closest church, Mt. Bethel Baptist Church, being approximately 280 feet away from the subject site. The applicant claims that the business is compatible with the adjacent properties. Upon staff review of the surrounding area, while there is a majority of residential uses nearby there are some existing commercial locations. Commercial businesses that are active nearby include the Gulfport Express convenience store that is in the neighboring suite, the Taylor Harris Drug Store, and the Jazz Quarters Café.

EXECUTIVE SUMMARY

The applicant is seeking approval for a liquor store in a B-1 zoning district. The applicant claims that there will be no change to the ingress or egress to the property, and that the current off-street parking is sufficient. According to Gulfport's current parking ordinance, the proposed use would require 15 regular parking spaces and 1 handicap space. Upon review of the provided parking plan in the application, the site meets the number of required parking spaces. The applicant claims in their application that the business has been operating for several years and is compatible with the adjacent properties. Upon a staff visit, staff noted that while there is a majority of residential uses nearby there also are commercial uses of similar intensity nearby, such as the Gulfport Express convenience store, the Taylor Harris Drug Store, and the Jazz Quarters Café lounge. While the business may have been operating for several years as claimed, it has been doing so without a business license. Even though the use may be in harmony with the nearby businesses, the current zoning district would require approval from both the Zoning Board and Planning Commission before a business license could be issued.

Technical Report

SPECIAL EXCEPTION

Any approval should consider these conditions:

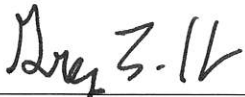
1. Approval allows for a liquor store use.
2. Must meet all current Building Codes and City of Gulfport ordinances.

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	No conditions. Memo dated 11/06/24.
<u>Public Works:</u>	No conditions. Memo dated 11/2/2017.
<u>Traffic and Safety:</u>	No conditions. Memo dated 11/06/24.
<u>Building Code Services:</u>	Must meet all current Building Codes and City of Gulfport ordinances. Memo dated 10/30/2024.
<u>GIS:</u>	No conditions. Memo dated 11/06/24.
<u>Police Department:</u>	No comment as of 11/07/2017.
<u>Fire Department:</u>	No conditions. Memo dated 10/31/24.
<u>City Arborist:</u>	No conditions. Memo dated 11/1/24.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department

2411SE179

Special Exception



Legend

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

Smart Code

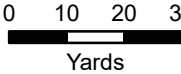
- T5
- T4+

Zoning

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

Site Information

0811E-04-096.000
Zoning: B-1 (Neighborhood business)
Size: 11261.43 sqft
Flood: X



1 inch = 100 feet



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

10/8/24 WD
CASE NUMBER
24115E179
R#12973574

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

0811E-04-096.000	

Property Address:

2005 30th Ave Unit B Gulfport, MS 39501

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

General Description of Request:

NON CONFORMING PRE-EXISTING SPECIAL EXCEPTION
REQUIRED LIQUOR STORE USE

OWNERSHIP AND CERTIFICATION:

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

OWNER:

Brenda Thai
 Printed Name of Owner
2005 30th Ave. Unit B
 Mailing Address
Gulfport MS 39501
 City State Zip Code
(228) 437-0688
 Home Phone Work/Cell Phone
brendaaythai@gmail.com
 Email
Brendaaythai
 Signature of Owner

AGENT:

N/A
 Printed Name of Agent
 Mailing Address
 City State Zip Code
 Home Phone Work/Cell Phone
 Email
 Signature of Agent

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

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

Name of Owner (PRINT) Brenda Thai
 Address (Street, City, State, Zip Code) 2005 30th Ave. Unit B, Gulfport, MS 39501
 Phone (Home) _____ (Work) _____ (Cell) (228) 437-0688
 Tax Parcel Number(s) Owned: 0811E-04-096.000
 ✓ Signature: _____

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

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



COVENANT AFFIDAVIT

I, Brenda Thai being property owner or agent of the property 3005 30th Ave Unit B
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

x Brenda Thai
SIGNATURE

x 9-25-2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

x Given under my hand and seal of office this the 25th day of September, 20 24

[Signature]
NOTARY PUBLIC

9-28-2027

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 about the property.
 - Traffic flow, parking and driveways have been identified.
 - If required buffer strips have been identified
 - Other pertinent information as needed to pictorially demonstrate the proposed development/use.
- ✓ **Proof of ownership** (Copy of deed i.e., Warranty Deed or Quitclaim Deed)
- NH 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**.

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

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

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

October 28, 2024

To whom it may concern:

I, Brenda Thai, am the sole owner of the property and the business of S&K Liquor Store located at the following address:

2005 30th Ave. Unit B

Gulfport, MS 39501

Please note that the location of S&K Liquor Store meets the State of Mississippi distance requirements for the commercial property.

Thank you,

A handwritten signature in cursive script, appearing to read "Brenda Thai".

Brenda Thai

October 28, 2024



To whom it may concern:

Regarding Special exception:

Ingress and egress to property and is acceptable and will not change

Off street parking and loading areas are sufficient and will not change

Refuse and service areas are acceptable and will not change

Utilities are compatible and available in service as is

Screening and buffering is sufficient and no changes are planned

Signs are acceptable with no plans for change

Required open space is acceptable and will not change

The business is compatible with adjacent properties and will continue to be with other properties in the area

The business has operated with no issues for several years and plans to continue as is; special exception is requested for pre-existing liquor store

The business location provides adequate transportation and access.

The water and waste disposal is operating and functioning in an acceptable manner

Fire, police and other public facilities have adequate access to the business with no issues

The business has not experienced or caused any traffic congestion or hazards and will continue to operate appropriately within the district.

0811E-04-082.000

0811E-04-099.000

0811E-04-098.000

0811E-04-086.000

6910

763

0811E-04-097.000

2011 30TH AVE

1732

0811E-04-090.000

2005 30TH AVE 0811E-04-096.000

4533

9x18 parking
30 Ft

over
60 ft

0811E-04-091.000

0811E-04-093.000

0811E-04-094.000

3002 20TH ST

835

0811E-04-095.000

PARADISE AVE

30TH AVE

Brown Nathan
10-7-2024
20TH ST



Area Map

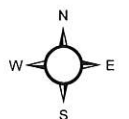
Printed 10/7/2024

Initial and date here:

Planner: _____

Owner: _____

Contractor: _____



1 inch = 33 feet

- Addresspoints Edits addresspoints
- STRUCT_CLASS
- Commercial
 - Residential
 - Principal Arterial
 - Minor/Residential
 - Parcels

DATA DISCLAIMER:

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Johnathan 1st Judicial District
Instrument 2010 3028 D -J1
Filed/Recorded 5/11/2010 03:27 P
Total Fees \$ 14.00
2 Pages Recorded

Prepared by and after recording return to:
Michael B. McDermott, MS Bar No. 2379
Page, Mannino, Peresich & McDermott, P.L.L.C.
759 Vieux Marche' Mall
Biloxi, MS 39530
(228) 374-2100

STATE OF MISSISSIPPI

COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

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

SENG T. THAI
345 Reynoir Street
Biloxi, MS 39530
(228)313-0824

does hereby sell, convey and warrant unto

BRENDA AY THAI
1524-A 44th Avenue
Gulfport, MS 39501
Phone: 228-214-0282

the following described real property, together with all improvements thereon, located in the First Judicial District of Harrison County, Mississippi, more particularly and certainly described as follows:

Lots 8, 9 and 10, Block 95 of the Original Gulfport Subdivision, as per official map or plat thereof on file and of record in the Office of the Chancery Clerk of Harrison County, Mississippi, First Judicial District.

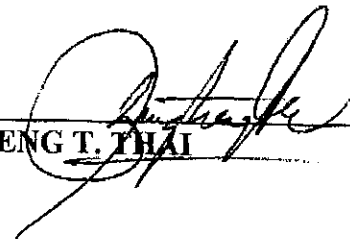
INDEXING INSTRUCTIONS: Lots 8, 9 and 10, Block 95 of the Original Gulfport Subdivision

2

This conveyance is subject to all restrictions, reservations and easements affecting said property on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

Ad valorem taxes for the year 2010 have been prorated between the parties hereto and the obligation to pay same is assumed by the Grantee herein, who will pay same when due.

WITNESS my signature on this the 10th day of May, 2010.

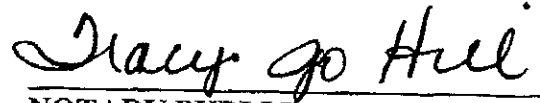


SENG T. THAI

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority, a notary public in and for the aforesaid jurisdiction, the within named SENG T. THAI, who acknowledged that he signed and delivered the above and foregoing instrument on the day and year therein set forth and mentioned.

GIVEN UNDER MY HAND, and official seal of office, this 10th day of May, 2010.

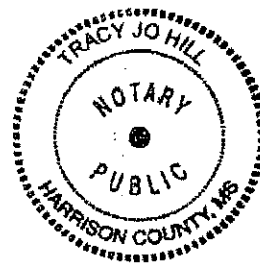


NOTARY PUBLIC

My Commission Expires:

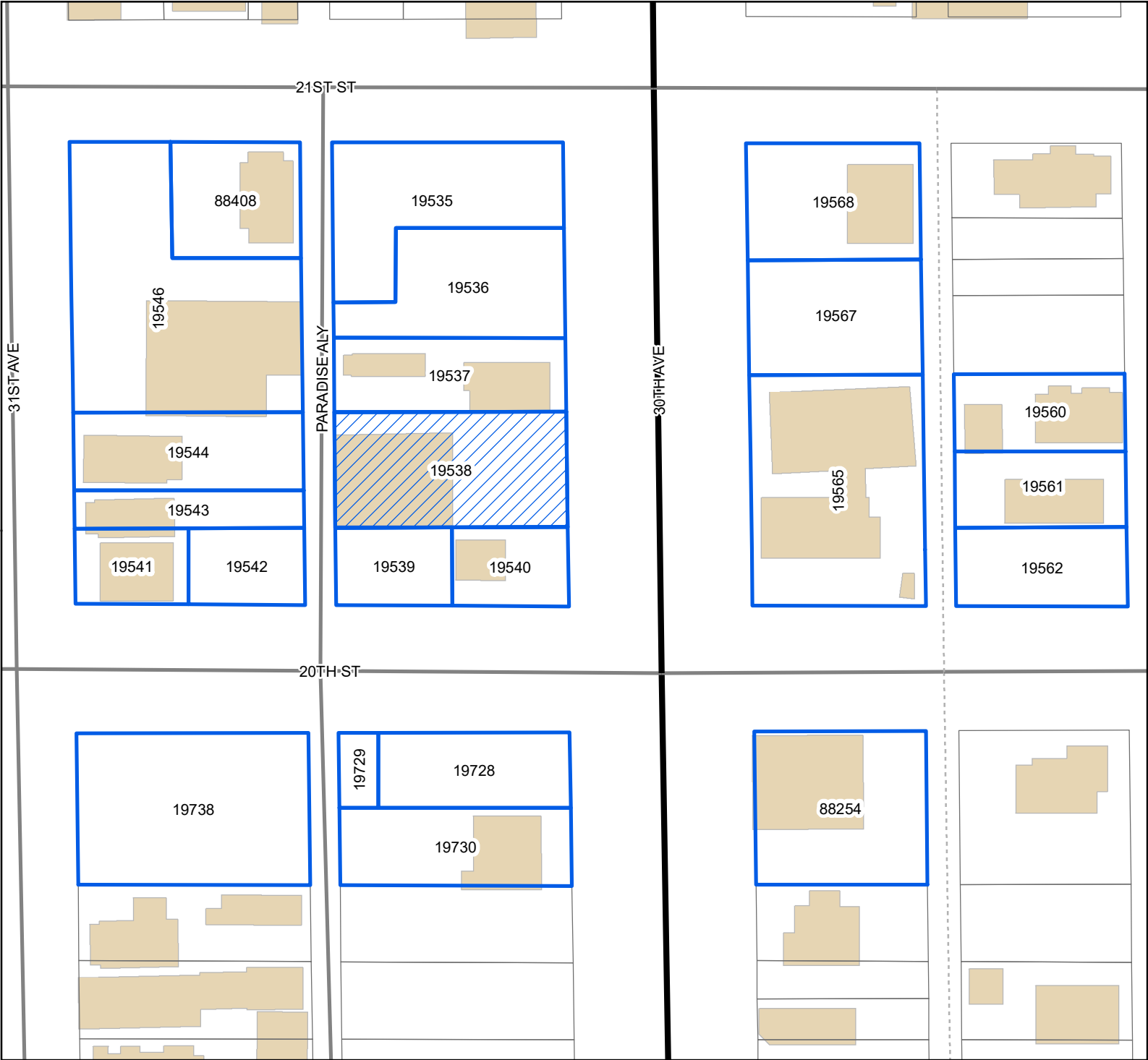
(SEAL)

40996/TH



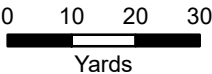
Commission Expires: June 11, 2010

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0811E-04-096.000	BRENDA THAI (OWNER)	2005 30TH AVE UNIT B	GULFPORT	MS	39501
			Adjacent Property Owners (2411SE179)				
	19544	0811E-04-090.000	WILLIAMS TERRY M	2008 31ST AVE	GULFPORT	MS	39501
	19541	0811E-04-092.000	PARKER LATANYA R & BARNES TANYA E	4905 OLD PASS RD	GULFPORT	MS	39501
	19567	0811E-01-024.000	BOOSE ROKELLE	315 31ST ST	GULFPORT	MS	39507
	19568	0811E-01-023.000	MT BETHEL BAPTIST CHURCH	310 E CHURCH ST	JACKSON	MS	39212
	19560	0811E-01-011.000	PARKMAN HELEN	2009 29TH AVE	GULFPORT	MS	39501
N	19539	0811E-04-094.000	THAI BRENDA	2005 30TH AVE	GULFPORT	MS	39501
	19542	0811E-04-093.000	JONES HERMAN JR & ABENNA L -TRUST-	610 29TH STREET	GULFPORT	MS	39507
	88254	0811E-01-028.000	WTBSVS LLC	1924 30TH AVE	GULFPORT	MS	39501
	19729	0811E-04-103.000	WALTON WILLIE L & CASSANDRA	2231 33RD ST	GULFPORT	MS	39501
N	19540	0811E-04-095.000	THAI BRENDA	2005 30TH AVE	GULFPORT	MS	39501
N	19535	0811E-04-099.000	THAI BRENDA	2005 30TH AVE	GULFPORT	MS	39501
	19536	0811E-04-098.000	FLOYD HENRY E	4214 KENTUCKY AVE	GULFPORT	MS	39501
N	19538	0811E-04-096.000	THAI BRENDA AY	2005 30TH AVE	GULFPORT	MS	39501
	19562	0811E-01-009.000	MCNAIR BRIENA & ASHYRA	1923 29TH AVE	GULFPORT	MS	39501
	19728	0811E-04-102.000	HARPER ERICA E & WALTON CASSAN	2231 33RD ST	GULFPORT	MS	39501
	19738	0811E-04-112.000	VONTOURE JEVON C	1219 - 36TH AVENUE	GULFPORT	MS	39501
N	19537	0811E-04-097.000	FLOYD HENRY	4214 KENTUCKY AVE	GULFPORT	MS	39501
	19730	0811E-04-104.000	PARKER LATANYA ET AL	18844 SABAL ST	ORLANDO	FL	32833
	19561	0811E-01-010.000	JONES CAROLYN A	2005 29TH AVE	GULFPORT	MS	39501
	19543	0811E-04-091.000	LAMBRIGHT DEBRA A	18814 REYNOLDS PARKWAY	ORLANDO	FL	32833
	88408	0811E-04-082.000	WARD DANZY -EST-	3013 21ST ST	GULFPORT	MS	39501
	19546	0811E-04-086.000	LOCKETT-WILLIAMS MORTUARY INC	P O BOX 444	GULFPORT	MS	39502
	19565	0811E-01-026.000	INTERNATIONAL LONGSHOREMANS ASSOC	ILA LOCAL 1303-TRUSTEES	GULFPORT	MS	39501



Legend

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



1 inch = 90 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	607604	Print Legal Ad-IPL02020460 - IPL0202046		\$104.20	2	53 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, November 21, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2411ZB168, by owner Elliot Land Developments LLC, seeking approval for fence height of 10 feet and 6 inches where four feet is the height limit, Tax Parcel 0811G-02-016.000, 1505 2nd Street, 1507 2nd Street, 1509 2nd Street, 1511 2nd Street, 1513 2nd Street, 1517 2nd Street, 1519 2nd Street, 1521 2nd Street, 1523 2nd Street, 1525 2nd Street, 1527 2nd Street, 1529 2nd Street, Zoned R-2 (Single-Family) & R-B (Residence Business), Ward 2

Variance 2411ZB173, by agent Monica Smith, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB174, by agent Monica Smith, seeking approval for three regular parking spaces where five are required, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB176, by owner Landry Trace LLC, seeking approval for subdivision wall height of 6 feet where 4 feet is the height limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB177, by owner Landry Trace LLC, seeking approval for subdivision sign height of 15 feet where 6 feet is the size limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB178, by owner Jimmy Watts, seeking approval for lot size of 6,970 square feet where 7,500 square feet is required, Tax Parcels 0711P-01-003.000, 0711P-01-004.000, 8th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Special Exception 2411SE179, by owner Brenda Thal, seeking approval for a liquor store use, Tax Parcel 0811E-04-096.000, 2005 30th Ave, Zoned B-1 (Neighborhood Business), Ward 1

Variance 2411ZB180, by owner Conquering Word Ministries, seeking approval for one regular parking space where nine are required, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB181, by owner Conquering Word Ministries, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB183, by owner Mickey Anderson, seeking approval for a 5 foot and 2 inch side yard setback for a proposed detached carport where 14 feet is required, Tax Parcel 1010D-01-005.007, 8758 Sundown Lane, Zoned R-2 (Single-family), Ward 4

Variance 2411ZB184, by owner Thaddeus Grage, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-022.001, 2600 Pass Road, Zoned T5 (Urban Center Zone), Ward 3

This the 30th day of October 2024

A. Leslie North, Chairman

City of Gulfport Zoning Board of Adjustment and Appeals

IPL0202046

Nov 6 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:

11/06/24

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.

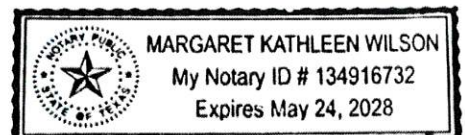
Mary Castro

Sworn to and subscribed before me this 7th day of November 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 # 2025-38

Hearing Date: Thursday, November 21, 2024

Variance 2411ZB180: Variance 2411ZB180, by owner Conquering Word Ministries, seeking approval for one regular parking space where nine are required, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2411ZB180

Hearing Date: November 21, 2024

Current Zoning/Use: T4+ / Commercial Structure

Legal: Variance 2411ZB180 by Caroylyn Treaudo, owner of CWM, property owner, seeking approval for 1 parking space, where 9 parking spaces are required. Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3.

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance for 1 parking space, where 9 regular parking spaces are required for a proposed general office use.

- (a) The applicant notes that the property is uniquely situated at the rear of the lot, making access to parking spaces more challenging compared to other properties in the district. Additionally, the fact that the end of the driveway is owned by the city, limits the applicant's ability to expand or modify parking configurations without proper permissions.
- (b) In the application, the applicant cites that the need for this variance is not a result of any actions taken by the applicant. The property was developed under existing conditions, and the city's ownership of the driveway end restricts the applicants' options for standard parking layouts. Thus, the constraints are inherently tied to the property's situation, not any choices made by the applicant.
- (c) This variance is requested in order to allow the applicant to comply with the zoning ordinance regarding parking space dimensions and the requirement for a handicapped-accessible space. This creates an unnecessary hardship that is not commonly found in other properties within the district, where access to public roadways is not similarly constrained.
- (d) If the applicant adheres strictly to the zoning ordinance, the applicant would be deprived of the ability to provide adequate parking, which is a right commonly enjoyed by other properties in the district. Without the variance, the applicant's ability to general office use could be significantly hindered, restricting their potential economic return.
- (e) The granting of this variance would grant the applicant special privileges and they would have a larger City Right-of-Way. Approval simply allows the applicant to make the property functional and accessible, similar to how other properties operate under the same zoning regulations. The goal is to meet the needs of the community without exceeding what is typically allowed in the district.
- (f) This property is zoned T4+, and a general office use is a permitted use.

EXECUTIVE SUMMARY

The applicant is seeking approval of 1 parking space where 9 parking spaces are required for a proposed general office use. The current parking ordinance requires 1 space per 300 square feet of gross floor area for office use. As the proposed commercial is 5,103 square feet, the proposed general office use would need 9 regular parking spaces and one ADA compliant handicap parking space. The applicant claims that their hardship for why they cannot meet the parking requirements as due to the property location

Any approval should consider these conditions:

1. One space must meet ADA Van parking space requirement.
2. Approval allows for 1 regular parking space where 9 regular parking spaces are required.

DEPARTMENTAL CONDITIONS

Engineering:

The applicant may be better served by placing the parking spaces on the 23rd Street side of the building where there are parking

Technical Report

VARIANCE

blocks indicating parking spaces that previously backed out into 23rd Street. Memo dated 11/06/2024.

Public Works:

No comment as of 11/07/2024.

Traffic and Safety:

Applicant to use parking on 23rd Street. Memo dated 11/06/2024.

Building Code Services:

No conditions. Memo dated 10/30/2024.

GIS:

No conditions. Memo dated 11/07/2024.

Police Department:

No comment as of 11/07/2024.

Fire Department:

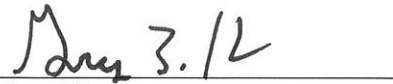
No conditions. Memo dated 10/31/2024.

City Arborist:

No conditions. Memo dated 10/31/2024.

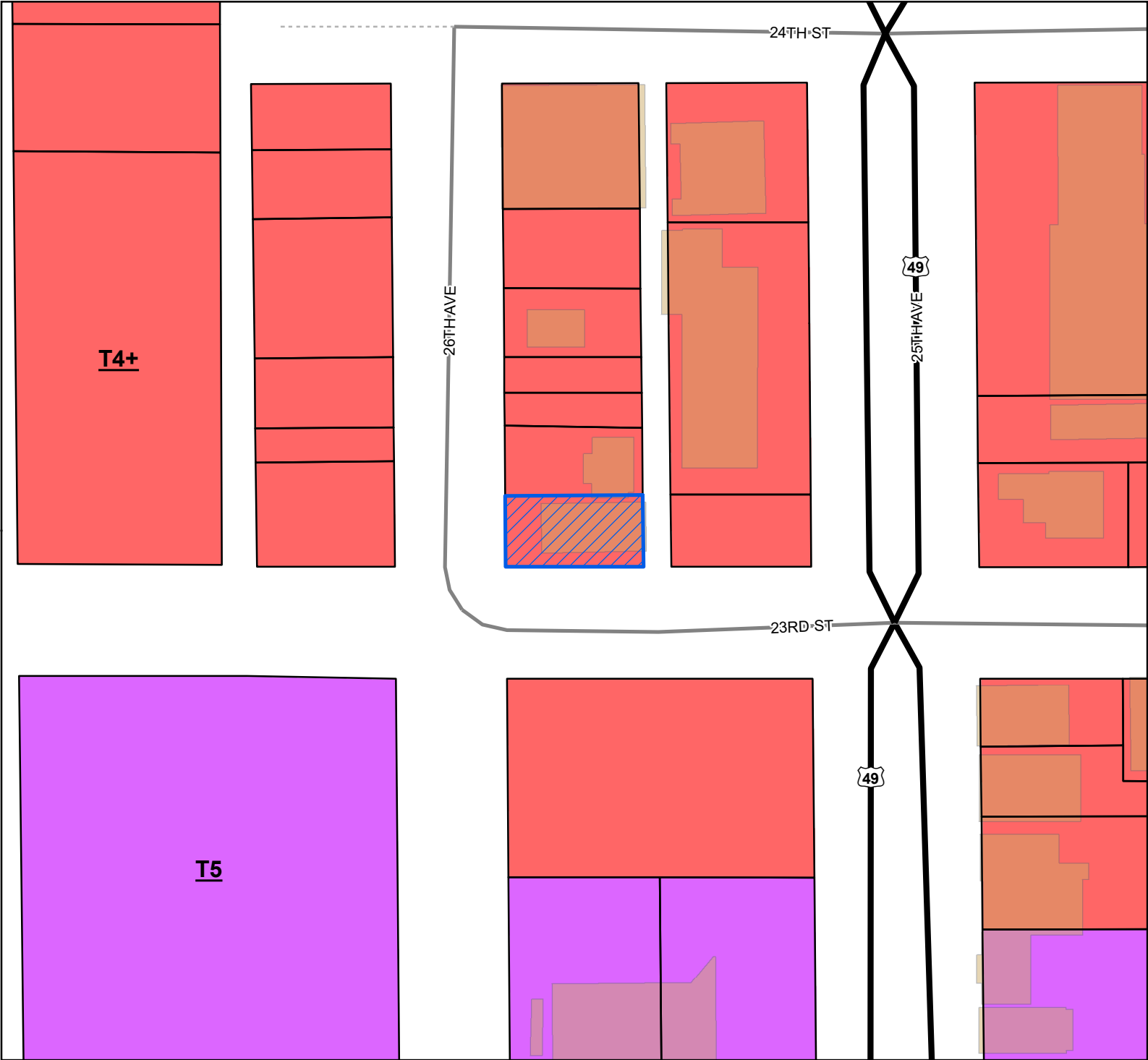
DIRECTOR APPROVAL

This report has been reviewed and approved by:



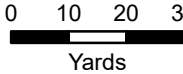
Greg Holmes

Director of Urban Development Department



- Site
- US or State Highway
- Street
- Alley
- Parcels
- Buildings
- City Limit
- Smart Code
 - T5
 - T4+

Site Information
0811C-05-030.000
Zoning: T4+ (General Urban Zone "Plus")
Size: 5103.97 sqft
Flood: X



1 inch = 100 feet



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CASE NUMBER

2411ZB180

Date Received: 10-8-2024

DL Receipt #: 12973691

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

0811C-25-030.000	

Property Address:

2540 23rd St Gulfport, MS 39501

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

General Description of Request:

Variance for parking
1 parking space Req. 9 spaces is Required

OWNERSHIP AND CERTIFICATION:

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

OWNER:

CWM/Carolyn R Treando
 Printed Name of Owner
817 Ave F

Marrero LA 70672
 Mailing Address
 City State Zip Code
504-228-3328

Conqueringword@hotmail.com
 Home Phone Work/Cell Phone
Carolyn R Treando
 Email
 Signature of Owner

AGENT:

Printed Name of Agent

Mailing Address

City State Zip Code

Home Phone Work/Cell Phone

Email

Signature of Agent

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

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

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____



COVENANT AFFIDAVIT

I, Carolyn Rowe being property owner or agent of the property 72 Longwood St
PRINT NAME PRIMARY ADDRESS OR PARCEL Morris LA 70678
which is the subject of this application, hereby state that this variance request is not in violation of any
restrictive or protective covenants.

Carolyn Rowe
SIGNATURE

10-8-2021
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Katlin Jacobs
NOTARY PUBLIC

5/22/27
COMMISSION EXPIRATION



Conquering Word Ministries



812 Ave F Marrero, LA 70072

&

2540 23th St. Gulf port, MS 39501

Phone: 504-328-2273

At a meeting of the Board of Directors of CONQUERING WORD MINISTRIES, a corporation domiciled in the State of Mississippi, and organized under the laws of the State of Mississippi, said meeting having been held at the said corporation's domicile on the 1st day of October, 2024, full directorate being present, the following resolution was unanimously adopted, to-wit:

BE IT RESOLVED, that CAROLYN ROWE-TREAUDO, President, Director, is hereby authorized, empowered, instructed and directed to act for and on behalf of this corporation in the purchase, sell, transfer, lease, assignment, mortgage and hypothecation of any property, real, personal and mixed, on such terms and conditions as she may, in her discretion, deem fit and proper, involving cash or credit, and to enter into and bind and obligate this corporation on any contract of any nature if kind whatsoever.

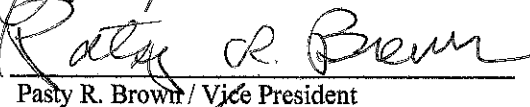
BE IT FURTHER RESOLVED, that the said officer, pursuant to the power and authority granted above, shall have the power and authority to sign and execute, on behalf of this corporation, any and all promissory notes, mortgage notes, and vendor's lien notes, and further, to sign and execute, on behalf of this corporation, an acts of sale, purchase, mortgage, vendor's lien, pledge, lease and contracts of any kind and nature whatsoever.

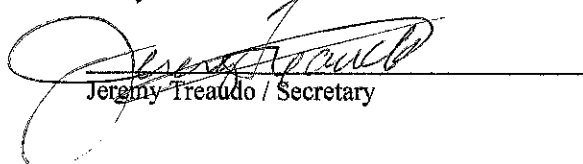
BE IT FURTHER RESOLVED, that the said officer is hereby authorized, empowered, instructed and directed to borrow money, loan money on behalf of this corporation, on any terms and conditions that he may in his discretion deem fit and proper, and to cause this corporation to furnish any security for said loan, in any amount, without limit, by the mortgage, pledge and hypothecation of any property, real, personal or mixed, belonging to this corporation; and to buy and sell for any discount or for par, any and all promissory notes of this corporation, whether executed by it or by any one else, and on terms and conditions that the said officer may, in his discretion deem fit and proper.

There being no further business, on motion duly made and seconded this meeting is adjourned.

ATTEST:


Carolyn Rowe-Treaudó / President/Director


Pasty R. Brown / Vice President


Jeremy Treaudó / Secretary



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.

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:

CPT

Page one of this application, completed and signed.

CPT

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.

CPT

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

CPT

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**.

CPT

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

CPT

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

CPT

I the owner/agent acknowledge this is a complete application

Variance Submissions ~~Handicapped Parking~~

1. Special Conditions and Circumstances

The property is uniquely situated at the rear of the lot, making access to parking spaces more challenging compared to other properties in the district. Additionally, the fact that the end of our driveway is owned by the city limits our ability to expand or modify parking configurations without proper permissions.

2. Actions of the Applicant

The need for this variance is not a result of any actions taken by the applicant. The property was developed under existing conditions, and the city's ownership of the driveway end restricts our options for standard parking layouts. Thus, the constraints are inherently tied to the property's situation, not to any choices made by us.

-3. Unnecessary Hardship

Due to the property's configuration and the city's ownership of the adjacent driveway, it is difficult to comply with the zoning ordinance regarding parking space dimensions and the requirement for a handicapped-accessible space. This creates an unnecessary hardship that is not commonly found in other properties within the district, where access to public roadways is not similarly constrained.

4. Rights Commonly Enjoyed

If we adhere strictly to the zoning ordinance, we would be deprived of the ability to provide adequate parking, which is a right commonly enjoyed by other properties in the district. Without the variance, our ability to general office use could be significantly hindered, restricting our potential economic return.

5. No Special Privilege

Granting this variance would not grant any special privileges to the applicant. It simply allows us to make the property functional and accessible, similar to how other properties operate under the same zoning regulations. The goal is to meet the needs of the community without exceeding what is typically allowed in the district.

6. Proposed Use

The proposed use, including the necessary parking configurations and the addition of a handicapped space, is permissible by right with planning approval. This approach is consistent with the intent of zoning regulations to ensure safety and accessibility for all users.

2310 26TH AVE 0811C-05-033.000



Area Map

Printed 10/7/2024

0811C-05-032.000

0811C-05-027.000

26TH AVE

2304 26TH AVE A

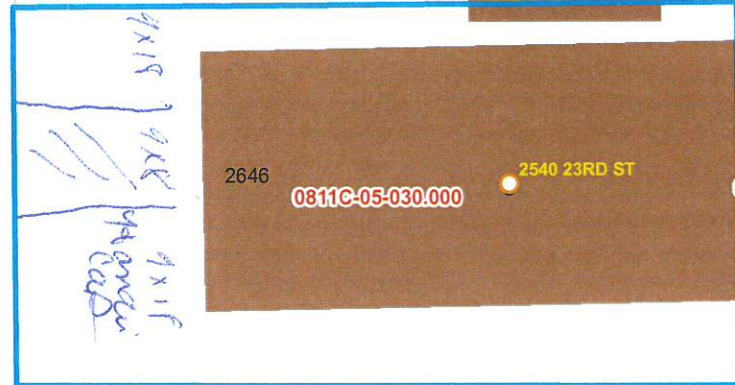
0811C-05-031.000

2304 26TH AVE

1452

2304 26TH AVE B

*Pauly land - the well
10-7-24*



2646

2540 23RD ST

0811C-05-030.000

0811C-05-029.000

23RD ST

0811C-05-043.000

0811C-05-045.000

Initial and date here:

Planner: _____

Owner: _____

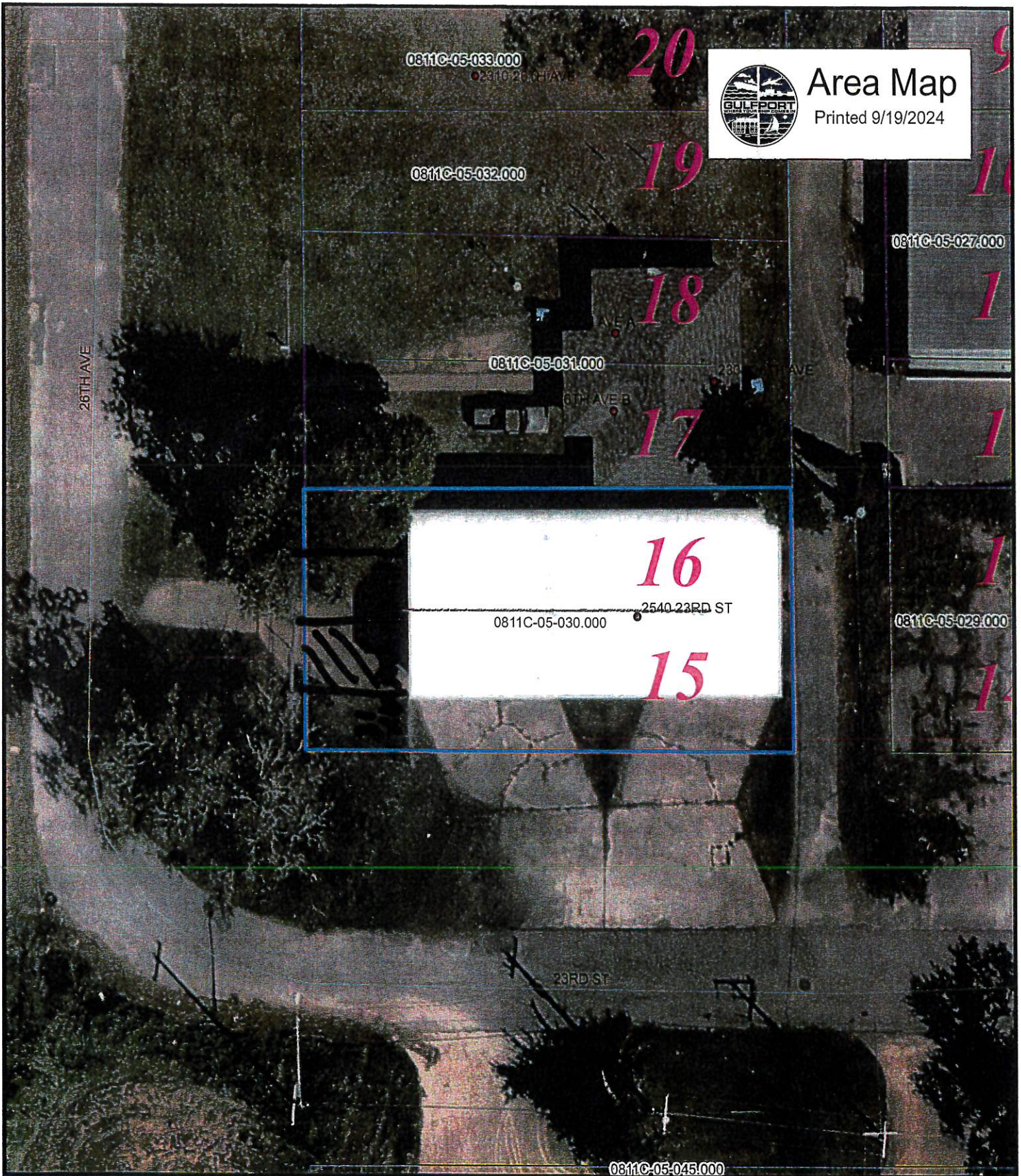
Contractor: _____



1 inch = 25 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.



- Addresspoints
- ▭ Parcels

Initial and date here:

Planner: _____

Owner: _____

Contractor: _____



1 inch = 25 feet

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Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Conquering Word Ministries	Legal

Business Information

Business Type:	Non Profit Corporation
Business ID:	1329226
Status:	Good Standing
Effective Date:	03/10/2022
State of Incorporation:	Mississippi
Principal Office Address:	NO PRINCIPAL OFFICE ADDRESS FOUND

Registered Agent

Name
Carolyn Rowe-Treudo
242 Basswood Dr.
Pass Christian, MS 39571

Officers & Directors

Name	Title
Carolyn Rowe-Treudo 242 Basswood Pass Christian, MS 39571	Incorporator



1st JUDICIAL DISTRICT
INSTRUMENT 2023-0010822-D-J1
FILED/RECORDED 6/12/2023 9:05:01 AM
TOTAL FEES \$26.00
2 PAGES RECORDED

INDEXING INSTRUCTIONS: Lots 15 and 16, Block 58, Original Gulfport

Prepared By:
Andy J. Alfonso, III
Attorney at Law
2112 Bienville Blvd., Suite H1
Ocean Springs, MS 39564
(228) 818-5552

Return to:
Andy J. Alfonso, III
Attorney at Law
2112 Bienville Blvd., Suite H1
Ocean Springs, MS 39564
(228) 818-5552

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WARRANTY DEED

FOR AND CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid and other good, legal and valuable considerations, the receipt of all of which is hereby acknowledged, the undersigned

Truax Investments, LLC
P.O. Box, Gulfport, MS 39502
c/o (228) 818-5552

does hereby sell, convey and warrant unto

Conquering Word Ministries, a Mississippi Non-Profit Corporation
2540 23rd St., Gulfport, MS 39501
c/o (228) 818-5552

the land and property situated in the County of Harrison, State of Mississippi, described as follows, to-wit:

Lots 15 and 16, Block 58, Original Gulfport, as per map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison

County, Mississippi in Plat Book 11, Page 9.

THIS CONVEYANCE is made subject to all applicable building restrictions, restrictive covenants, easements and mineral reservations of record.

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

WITNESS THE SIGNATURE of the Grantor, this the 2nd day of June, 2023.

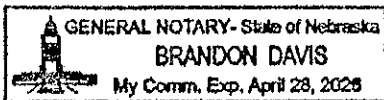
Truax Investments, LLC

William F. Truax, member
William F. Truax, member

STATE OF ~~MISSISSIPPI~~ Nebraska
COUNTY OF ~~HARRISON~~ Buffalo

PERSONALLY appeared before me, the undersigned authority in and for the said County and State, on this ~~2nd~~^{5th} day of June, 2023, within my jurisdiction, the within named, William F. Truax, who acknowledged to me that he is member of the within named, Truax Investments, LLC, and that for and on behalf of the said entity, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said entity so to do.

GIVEN under my hand and the official seal of my office.



[Signature]
NOTARY PUBLIC

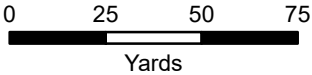
File #230183

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0811C-05-030.000	CAROLYN R TREAUDO (OWNER)	817 AVE F	MARRERO	LA	70072
			Adjacent Property Owners (2411ZB180)				
	88018	0811C-05-038.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845
N	19180	0811C-05-035.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845
N	19304	0811C-05-043.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DRIVE	KEARNEY	NE	68845
	88016	0811C-05-027.000	CHANDLEE COREY & REBEKAH	830 ELLINGTON DR	BILOXI	MS	39532
	19179	0811C-05-034.000	CARTER DOROTHY	2312 26TH AVE	GULFPORT	MS	39501
	87981	0811C-03-096.000	JOSEF ESTATE HOLDINGS LLC	5503 KENDALL AVE	GULFPORT	MS	39507
	87982	0811C-03-097.000	2314 25TH AVENUE LLC	2432 BIENVILLE ST	NEW ORLEANS	LA	70119
N	19186	0811C-05-039.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845
	19187	0811C-05-040.000	MILLER GLENN	1600 25TH AVE	GULFPORT	MS	39501
N	19175	0811C-05-030.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845
	19309	0811C-05-045.000	AUTOZONE INC	#0259	MEMPHIS	TN	38101
N	19176	0811C-05-031.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845
N	19164	0811C-03-094.000	JOSEF ESTATE HOLDING LLC	5503 KENDALL AVE	GULFPORT	MS	39507
	19163	0811C-03-095.000	WOOD MARY WILLIAMS -TRUSTEE-	P O BOX 7024	GULFPORT	MS	39506
N	19177	0811C-05-032.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845
N	19178	0811C-05-033.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845
N	19188	0811C-05-041.000	MILLER GLENN	1600 25TH AVE	GULFPORT	MS	39501
	87980	0811C-03-092.000	WOOD MARY WILLIAMS -TRUSTEE-	985 E SECOND ST	PASS CHRISTIAN	MS	39571
N	107918	0811C-03-092.001	WOOD MARY WILLIAMS -TRUSTEE-	985 E SECOND ST	PASS CHRISTIAN	MS	39571
	19307	0811C-05-047.000	NGUYEN HUYEN	24650 OAK ISLAND DRIVE	PASS CHRISTIAN	MS	39571
	19323	0811C-03-093.000	RANDALL HOLDINGS LLC	2 PINE HAVEN ST	GULFPORT	MS	39503
	19308	0811C-05-044.000	AUTOZONE INC #259	P O BOX 2198	MEMPHIS	TN	38101
	19174	0811C-05-029.000	LIND MICHAEL P	P O BOX 1011	KILN	MS	39556
N	19305	0811C-05-046.000	AUTOZONE INC	#0259	MEMPHIS	TN	38101
N	88022	0811D-02-029.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DRIVE	KEARNEY	NE	68845



Legend

- Site
- Adjacent Properties
- US or State Highway
- 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
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	607604	Print Legal Ad-IPL02020460 - IPL0202046		\$104.20	2	53 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, November 21, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2411ZB168, by owner Elliot Land Developments LLC, seeking approval for fence height of 10 feet and 6 inches where four feet is the height limit, Tax Parcel 0811G-02-016.000, 1505 2nd Street, 1507 2nd Street, 1509 2nd Street, 1511 2nd Street, 1513 2nd Street, 1517 2nd Street, 1519 2nd Street, 1521 2nd Street, 1523 2nd Street, 1525 2nd Street, 1527 2nd Street, 1529 2nd Street, Zoned R-2 (Single-Family) & R-B (Residence Business), Ward 2

Variance 2411ZB173, by agent Monica Smith, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB174, by agent Monica Smith, seeking approval for three regular parking spaces where five are required, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB176, by owner Landry Trace LLC, seeking approval for subdivision wall height of 6 feet where 4 feet is the height limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB177, by owner Landry Trace LLC, seeking approval for subdivision sign height of 15 feet where 6 feet is the size limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB178, by owner Jimmy Watts, seeking approval for lot size of 6,970 square feet where 7,500 square feet is required, Tax Parcels 0711P-01-003.000, 0711P-01-004.000, 8th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Special Exception 2411SE179, by owner Brenda Thai, seeking approval for a liquor store use, Tax Parcel 0811E-04-096.000, 2005 30th Ave, Zoned B-1 (Neighborhood Business), Ward 1

Variance 2411ZB180, by owner Conquering Word Ministries, seeking approval for one regular parking space where nine are required, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB181, by owner Conquering Word Ministries, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB183, by owner Mickey Anderson, seeking approval for a 5 foot and 2 inch side yard setback for a proposed detached carport where 14 feet is required, Tax Parcel 1010D-01-005.007, 8758 Sundown Lane, Zoned R-2 (Single-family), Ward 4

Variance 2411ZB184, by owner Thaddeus Grage, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-022.001, 2600 Pass Road, Zoned T5 (Urban Center Zone), Ward 3

This the 30th day of October 2024

A. Leslie North, Chairman

City of Gulfport Zoning Board of Adjustment and Appeals

IPL0202046

Nov 6 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:

11/06/24

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.

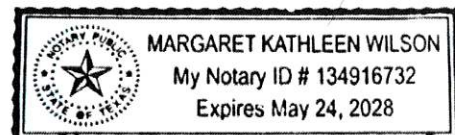
Mary Castro

Sworn to and subscribed before me this 7th day of November 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 # 2025-39

Hearing Date: Thursday, November 21, 2024

Variance 2411ZB181: Variance 2411ZB181, by owner Conquering Word Ministries, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2411ZB181

Hearing Date: November 21, 2024

Current Zoning/Use: T4+ / Commercial Structure

Legal: Variance 2411ZB181 by Caroylyn Treado, owner of CWM, property owner, seeking approval for parking that backs onto city right of way, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3.

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance for parking that backs onto 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 notes that the property is uniquely situated such that the end of the driveway is owned by the city, which prevents them from being able to back out safely onto the street. This limitation is not applicable to other properties in the district, as they typically have full control over their driveways and access points. This peculiar situation creates a necessity for a variance to allow for the required parking spaces without violating city regulations.
- (b) In the application, the applicant cites the special circumstances of the property are not a result of any actions taken by them as property owners. The city's ownership of the end of the driveway and the associated regulations regarding safe access were in place prior to the applicant's acquisition of the property. The applicant cite that they have made efforts to comply with existing regulations and have not caused this unique situation.
- (c) These variances are requested in order to allow the applicant to deviate from parking requirements. Without a variance, the applicant cannot provide the required 6 parking spaces without violating safety guidelines regarding backing out into the street. This hardship is not commonly found on other properties in the district, as they do not face the same restrictions regarding driveway access.
- (d) The strict interpretation of the zoning ordinance would deprive the applicant of the ability to operate their business effectively, limiting their economic return and development potential. Other properties in the district enjoy reasonable access and parking arrangements, while the applicant is constrained by the city's regulations. The applicants request for a variance seeks to restore their right to utilize the property similarly to others in the district, allowing for reasonable economic activity.
- (e) The granting of this variance would confer special privileges to the applicant and they would have a larger City Right-of-Way. Instead, it would enable the applicant to use the property in a manner consistent with the typical uses allowed in the area, considering the unique access limitations they face. The applicants request aims to align their situation more closely with the operational capacity of other businesses in the district.
- (f) This property is zoned T4+, and a general office 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 as this site being a corner lot.

Any approval should consider these conditions:

1. Approval would allow for parking that backs out into the city right of way.

DEPARTMENTAL CONDITIONS

Engineering:

The applicant may be better served by placing the parking spaces on the 23rd Street side of the building where there are parking

Technical Report

VARIANCE

blocks indicating parking spaces that previously backed out into 23rd Street. Memo dated 11/06/2024.

Public Works:

No comment as of 11/12/2024.

Traffic and Safety:

Applicant to use the existing parking on 23rd Street that will allow them to back out on City Right-of-Way. Memo dated 11/06/2024.

Building Code Services:

No conditions. Memo dated 10/30/2024.

GIS:

No conditions. Memo dated 11/07/2024.

Police Department:

No comment as of 11/12/2024.

Fire Department:

No conditions. Memo dated 10/31/2024.

City Arborist:

No conditions. Memo dated 10/31/2024.

DIRECTOR APPROVAL

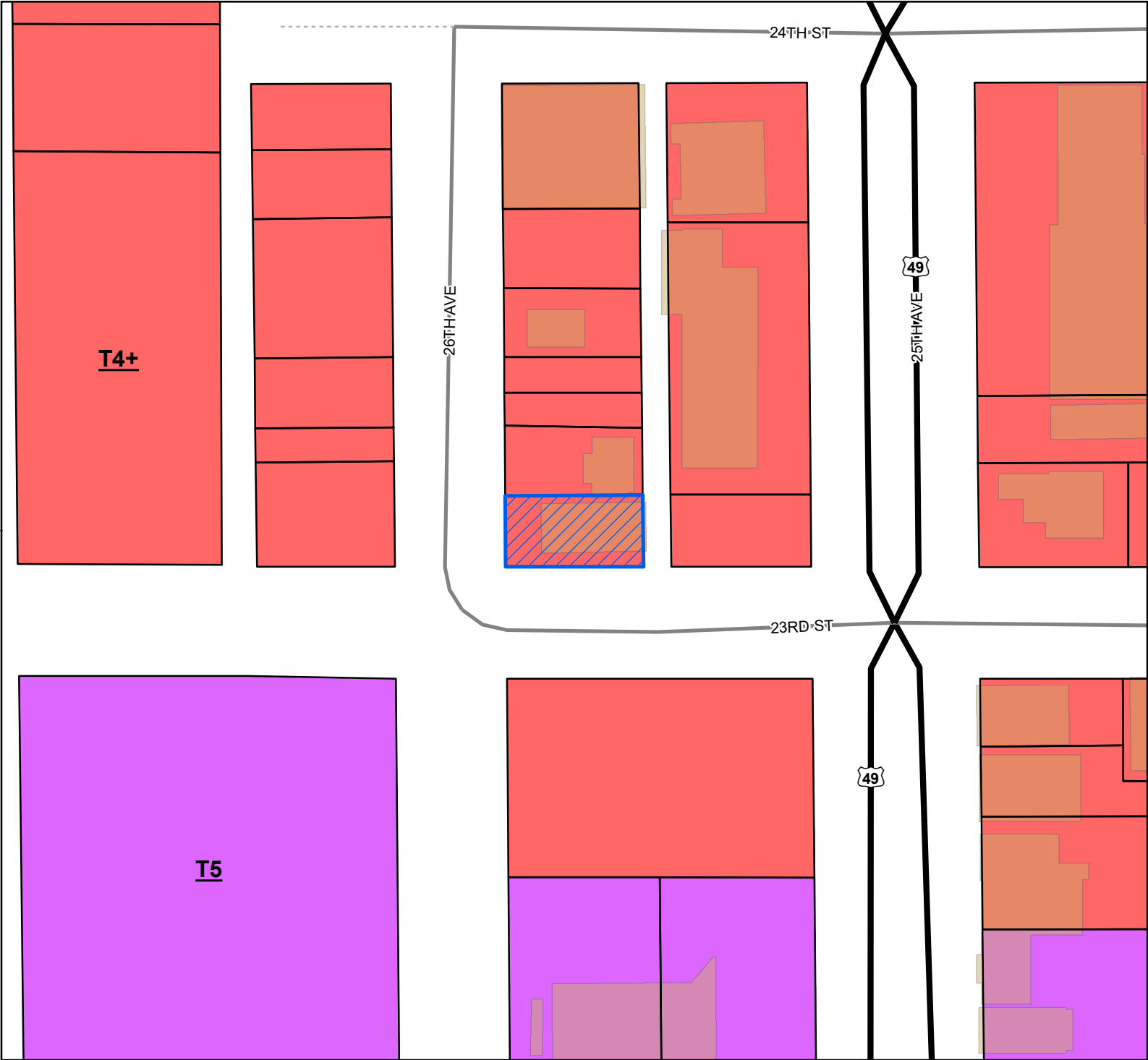
This report has been reviewed and approved by:



Greg Holmes

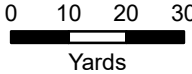
Director of Urban Development Department





- Site
- US or State Highway
- Street
- Alley
- Parcels
- Buildings
- City Limit
- Smart Code**
 - T5
 - T4+

Site Information
0811C-05-030.000
Zoning: T4+ (General Urban Zone "Plus")
Size: 5103.97 sqft
Flood: X



1 inch = 100 feet



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CASE NUMBER

2411 ZB181

Date Received: 10/08/2024

Rec'd # 12973693

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

0811C-05-030.000	

Property Address:

2540 23rd St. Gulfport, MS 39501

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

General Description of Request:

Variance for backing up
on city property.

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:CWM / CARDLYN R Treando

Printed Name of Owner

817 Ave F

Mailing Address

Marrero LA 70072

City

State

Zip Code

504 228-3328

Home Phone

Work/Cell Phone

Conqueringword@hotmail.com

Email

CARDLYN R. Treando

Signature of Owner

AGENT:

Printed Name of Agent

Mailing Address

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Agent

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

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

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____



COVENANT AFFIDAVIT

I, Carolyn Rowe being property owner or agent of the property 72 Longwood of Murrells
PRINT NAME PRIMARY ADDRESS OR PARCEL CA 20072

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

Carolyn A Rowe
SIGNATURE

10-08-2021
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Katlin Jacobs
NOTARY PUBLIC

5/22/27
COMMISSION EXPIRATION



Conquering Word Ministries



812 Ave F Marrero, LA 70072

&

2540 23th St. Gulfport, MS 39501

Phone: 504-328-2273

At a meeting of the Board of Directors of CONQUERING WORD MINISTRIES, a corporation domiciled in the State of Mississippi, and organized under the laws of the State of Mississippi, said meeting having been held at the said corporation's domicile on the 1st day of October, 2024, full directorate being present, the following resolution was unanimously adopted, to-wit:

BE IT RESOLVED, that CAROLYN ROWE-TREAUDO, President, Director, is hereby authorized, empowered, instructed and directed to act for and on behalf of this corporation in the purchase, sell, transfer, lease, assignment, mortgage and hypothecation of any property, real, personal and mixed, on such terms and conditions as she may, in her discretion, deem fit and proper, involving cash or credit, and to enter into and bind and obligate this corporation on any contract of any nature if kind whatsoever.

BE IT FURTHER RESOLVED, that the said officer, pursuant to the power and authority granted above, shall have the power and authority to sign and execute, on behalf of this corporation, any and all promissory notes, mortgage notes, and vendor's lien notes, and further, to sign and execute, on behalf of this corporation, an acts of sale, purchase, mortgage, vendor's lien, pledge, lease and contracts of any kind and nature whatsoever.

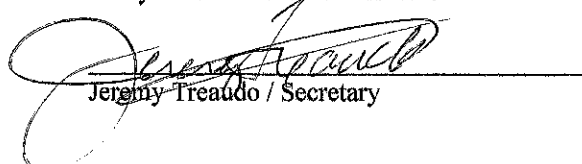
BE IT FURTHER RESOLVED, that the said officer is hereby authorized, empowered, instructed and directed to borrow money, loan money on behalf of this corporation, on any terms and conditions that he may in his discretion deem fit and proper, and to cause this corporation to furnish any security for said loan, in any amount, without limit, by the mortgage, pledge and hypothecation of any property, real, personal or mixed, belonging to this corporation; and to buy and sell for any discount or for par, any and all promissory notes of this corporation, whether executed by it or by any one else, and on terms and conditions that the said officer may, in his discretion deem fit and proper.

There being no further business, on motion duly made and seconded this meeting is adjourned.

ATTEST:


Carolyn Rowe-Treaudó / President/Director


Pasty R. Brown / Vice President


Jeremy Treaudó / Secretary

IMPORTANT NOTICE:

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

Submission Requirements:

 Page one of this application, completed and signed.

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

- The property lines and dimensions have been provided on the drawing.
- All buildings and structures located on the property have been identified.
- All dimensions of buildings and structures have been noted on the site plan.
- All distances from the property lines to all the buildings and structures have been identified and noted on the site plan.
- Street names have been provided which about the property.
- Traffic flow, parking and driveways have been identified.
- If required buffer strips have been identified
- Other pertinent information as needed to pictorially demonstrate the proposed development/use.

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

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

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

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

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

 I the owner/agent acknowledge this is a complete application



VARIANCE SUBMISSIONS

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

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

Variance Submissions Answers

1. Special Conditions and Circumstances

Our property is uniquely situated such that the end of our driveway is owned by the city, which prevents us from being able to back out safely onto the street. This limitation is not applicable to other properties in the district, as they typically have full control over their driveways and access points. This peculiar situation creates a necessity for a variance to allow for the required parking spaces without violating city regulations.

2. Actions of the Applicant

The special circumstances of our property are not a result of any actions taken by us as property owners. The city's ownership of the end of our driveway and the associated regulations regarding safe access were in place prior to our acquisition of the property. We have made efforts to comply with existing regulations and have not caused this unique situation.

3. Unnecessary Hardship

The physical configuration of our property, coupled with the city's restrictions, creates an unnecessary hardship in meeting the parking requirements. Without a variance, we cannot provide the required six parking spaces without violating safety guidelines regarding backing out into the street. This hardship is not commonly found on other properties in the district, as they do not face the same restrictions regarding driveway access.

4. Deprivation of Rights

A strict interpretation of the zoning ordinance would deprive us of the ability to operate our business effectively, limiting our economic return and development potential. Other properties in the district enjoy reasonable access and parking arrangements, while we are constrained by the city's regulations. Our request for a variance seeks to restore our right to utilize the property similarly to others in the district, allowing for reasonable economic activity.

5. No Special Privilege

Granting this variance would not confer any special privilege to us that is denied to other properties in the district. Instead, it would enable us to use our property in a manner consistent with the typical uses allowed in the area, considering the unique access limitations we face. Our request aims to align our situation more closely with the operational capacity of other businesses in the district.

6. Proposed Use

The proposed use of our property is permissible by right under the zoning ordinance. However, due to the specific circumstances surrounding our driveway and access limitations, we are unable to fully comply with the parking requirements without obtaining a variance. We are committed to ensuring that our use adheres to all planning and safety regulations while addressing the unique constraints we face.

2310 26TH AVE 0811C-05-033.000



Area Map

Printed 10/7/2024

0811C-05-032.000

0811C-05-027.000

26TH AVE

0811C-05-031.000

2304 26TH AVE A

2304 26TH AVE

1452

2304 26TH AVE B

2646

0811C-05-030.000

2540 23RD ST

0811C-05-029.000

23RD ST

0811C-05-043.000

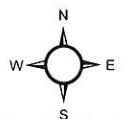
0811C-05-045.000

Initial and date here:

Planner: _____

Owner: _____

Contractor: _____



1 inch = 25 feet

Addresspoints **Edits addresspoints**

STRUCT_CLASS

- Commercial
- Primary
- Residential
- Unclassified
- Minor/Residential
- Parcels

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0811C-05-033.000
2310 26TH AVE



Area Map

Printed 9/19/2024

0811C-05-032.000

0811C-05-027.000

0811C-05-031.000

230 26TH AVE

6TH AVE B

0811C-05-030.000

2540 23RD ST

0811C-05-029.000

23RD ST

0811C-05-045.000

● Addresspoints

▭ Parcels

Initial and date here:

Planner: _____

Owner: _____

Contractor: _____



1 inch = 25 feet

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Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Conquering Word Ministries	Legal

Business Information

Business Type:	Non Profit Corporation
Business ID:	1329226
Status:	Good Standing
Effective Date:	03/10/2022
State of Incorporation:	Mississippi
Principal Office Address:	NO PRINCIPAL OFFICE ADDRESS FOUND

Registered Agent

Name
Carolyn Rowe-Treudo 242 Basswood Dr. Pass Christian, MS 39571

Officers & Directors

Name	Title
Carolyn Rowe-Treudo 242 Basswood Pass Christian, MS 39571	Incorporator



1st JUDICIAL DISTRICT
INSTRUMENT 2023-0010822-D-J1
FILED/RECORDED 6/12/2023 9:05:01 AM
TOTAL FEES \$26.00
2 PAGES RECORDED

INDEXING INSTRUCTIONS: Lots 15 and 16, Block 58, Original Gulfport

Prepared By:
Andy J. Alfonso, III
Attorney at Law
2112 Bienville Blvd., Suite H1
Ocean Springs, MS 39564
(228) 818-5552

Return to:
Andy J. Alfonso, III
Attorney at Law
2112 Bienville Blvd., Suite H1
Ocean Springs, MS 39564
(228) 818-5552

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WARRANTY DEED

FOR AND CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid and other good, legal and valuable considerations, the receipt of all of which is hereby acknowledged, the undersigned

Truax Investments, LLC
P.O. Box, Gulfport, MS 39502
c/o (228) 818-5552

does hereby sell, convey and warrant unto

Conquering Word Ministries, a Mississippi Non-Profit Corporation
2540 23rd St., Gulfport, MS 39501
c/o (228) 818-5552

the land and property situated in the County of Harrison, State of Mississippi, described as follows, to-wit:

Lots 15 and 16, Block 58, Original Gulfport, as per map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison

County, Mississippi in Plat Book 11, Page 9.

THIS CONVEYANCE is made subject to all applicable building restrictions, restrictive covenants, easements and mineral reservations of record.

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

WITNESS THE SIGNATURE of the Grantor, this the 2nd day of June, 2023.

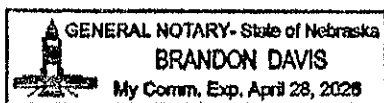
Truax Investments, LLC

William F. Truax
William F. Truax, member

STATE OF ~~MISSISSIPPI~~ *Nebraska*
COUNTY OF ~~HARRISON~~ *Buffalo*

PERSONALLY appeared before me, the undersigned authority in and for the said County and State, on this ~~2nd~~^{5th} day of June, 2023, within my jurisdiction, the within named, William F. Truax, who acknowledged to me that he is member of the within named, Truax Investments, LLC, and that for and on behalf of the said entity, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said entity so to do.

GIVEN under my hand and the official seal of my office.



[Signature]
NOTARY PUBLIC

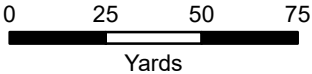
File #230183

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0811C-05-030.000	CAROLYN R TREAUDO (OWNER)	817 AVE F	MARRERO	LA	70072
			Adjacent Property Owners (2411ZB181)				
	88018	0811C-05-038.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845
N	19180	0811C-05-035.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845
N	19304	0811C-05-043.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DRIVE	KEARNEY	NE	68845
	88016	0811C-05-027.000	CHANDLEE COREY & REBEKAH	830 ELLINGTON DR	BILOXI	MS	39532
	19179	0811C-05-034.000	CARTER DOROTHY	2312 26TH AVE	GULFPORT	MS	39501
	87981	0811C-03-096.000	JOSEF ESTATE HOLDINGS LLC	5503 KENDALL AVE	GULFPORT	MS	39507
	87982	0811C-03-097.000	2314 25TH AVENUE LLC	2432 BIENVILLE ST	NEW ORLEANS	LA	70119
N	19186	0811C-05-039.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845
	19187	0811C-05-040.000	MILLER GLENN	1600 25TH AVE	GULFPORT	MS	39501
N	19175	0811C-05-030.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845
	19309	0811C-05-045.000	AUTOZONE INC	#0259	MEMPHIS	TN	38101
N	19176	0811C-05-031.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845
N	19164	0811C-03-094.000	JOSEF ESTATE HOLDING LLC	5503 KENDALL AVE	GULFPORT	MS	39507
	19163	0811C-03-095.000	WOOD MARY WILLIAMS -TRUSTEE-	P O BOX 7024	GULFPORT	MS	39506
N	19177	0811C-05-032.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845
N	19178	0811C-05-033.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845
N	19188	0811C-05-041.000	MILLER GLENN	1600 25TH AVE	GULFPORT	MS	39501
	87980	0811C-03-092.000	WOOD MARY WILLIAMS -TRUSTEE-	985 E SECOND ST	PASS CHRISTIAN	MS	39571
N	107918	0811C-03-092.001	WOOD MARY WILLIAMS -TRUSTEE-	985 E SECOND ST	PASS CHRISTIAN	MS	39571
	19307	0811C-05-047.000	NGUYEN HUYEN	24650 OAK ISLAND DRIVE	PASS CHRISTIAN	MS	39571
	19323	0811C-03-093.000	RANDALL HOLDINGS LLC	2 PINE HAVEN ST	GULFPORT	MS	39503
	19308	0811C-05-044.000	AUTOZONE INC #259	P O BOX 2198	MEMPHIS	TN	38101
	19174	0811C-05-029.000	LIND MICHAEL P	P O BOX 1011	KILN	MS	39556
N	19305	0811C-05-046.000	AUTOZONE INC	#0259	MEMPHIS	TN	38101
N	88022	0811D-02-029.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DRIVE	KEARNEY	NE	68845



Legend

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



1 inch = 150 feet



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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	607604	Print Legal Ad-IPL02020460 - IPL0202046		\$104.20	2	53 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, November 21, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2411ZB168, by owner Elliot Land Developments LLC, seeking approval for fence height of 10 feet and 6 inches where four feet is the height limit, Tax Parcel 0811G-02-016.000, 1505 2nd Street, 1507 2nd Street, 1509 2nd Street, 1511 2nd Street, 1513 2nd Street, 1517 2nd Street, 1519 2nd Street, 1521 2nd Street, 1523 2nd Street, 1525 2nd Street, 1527 2nd Street, 1529 2nd Street, Zoned R-2 (Single-Family) & R-B (Residence Business), Ward 2

Variance 2411ZB173, by agent Monica Smith, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB174, by agent Monica Smith, seeking approval for three regular parking spaces where five are required, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB176, by owner Landry Trace LLC, seeking approval for subdivision wall height of 6 feet where 4 feet is the height limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB177, by owner Landry Trace LLC, seeking approval for subdivision sign height of 15 feet where 6 feet is the size limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB178, by owner Jimmy Watts, seeking approval for lot size of 6,970 square feet where 7,500 square feet is required, Tax Parcels 0711P-01-003.000, 0711P-01-004.000, 8th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Special Exception 2411SE179, by owner Brenda Thai, seeking approval for a liquor store use, Tax Parcel 0811E-04-096.000, 2005 30th Ave, Zoned B-1 (Neighborhood Business), Ward 1

Variance 2411ZB180, by owner Conquering Word Ministries, seeking approval for one regular parking space where nine are required, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB181, by owner Conquering Word Ministries, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB183, by owner Mickey Anderson, seeking approval for a 5 foot and 2 inch side yard setback for a proposed detached carport where 14 feet is required, Tax Parcel 1010D-01-005.007, 8758 Sundown Lane, Zoned R-2 (Single-family), Ward 4

Variance 2411ZB184, by owner Thaddeus Grage, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-022.001, 2600 Pass Road, Zoned T5 (Urban Center Zone), Ward 3

This the 30th day of October 2024

A. Leslie North, Chairman

City of Gulfport Zoning Board of Adjustment and Appeals

IPL0202046

Nov 6 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:

11/06/24

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.

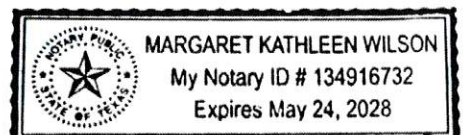
Mary Castro

Sworn to and subscribed before me this 7th day of November 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 # 2025-40

Hearing Date: Thursday, November 21, 2024

Variance 2411ZB183: Variance 2411ZB183, by owner Mickey Anderson, seeking approval for a 5 foot and 2 inch side yard setback for a proposed detached carport where 14 feet is required, Tax Parcel 1010D-01-005.007, 8758 Sundown Lane, Zoned R-2 (Single-family), Ward 4

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2411ZB183

Hearing Date: November 21, 2024

Current Zoning/Use: R-2 / Vacant Lot

Legal: Variance 2411ZB183, by owner Mickey Anderson, seeking approval for a 5 foot and 2 inch side yard setback for a proposed detached carport where 14 feet is required, Tax Parcel 1010D-01-005.007, 8758 Sundown Lane, Zoned R-2 (Single-family), Ward 4

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant is requesting a variance for a 5 foot and 2-inch side yard setback for their proposed detached garage, or carport, where 14 feet is required within a zero-lot line subdivision.

- (a) The applicant claims that the lot is too narrow for the garage to be placed in the back of the home. As noted from the site plan, the lot at its narrowest point is 67 feet wide. Current subdivision regulations require lots for residential use to be a minimum of 60 feet wide. As stated in Chapter 9, Article III, Sec 9-50 (D)(2) with subsection (e): "Lots for residential use shall be at least sixty (60) feet wide at the building setback line except for the R-1-5 (residential) zoning district which may be fifty (50) feet wide at the building setback line and shall contain at least the following: (e) Zero lot line and town home subdivision developments shall be served by the municipal or an approved private water supply system and sanitary sewerage system. Individual lot widths for these type of developments is allowed at less than thirty-five (35) feet, therefore, when an individual zero lot line lot or town home lot is less than thirty-five (35) feet in width, then the minimum requirement for such a lot to abut a dedicated right-of-way is reduced to width of the lot." The lot meets size requirements for ordinance and has enough space to accommodate for the proposed detached garage, while meeting the required setbacks for a zero-lot line subdivision.
- (b) The applicant states in their application: "no improvements to the property have been made." This answer does not address whether the special conditions and circumstances are caused by the applicant or not. Upon staff review of the provided site plan, the proposed garage could be shifted to be more behind the proposed home and still meet the required setbacks. The applicant is causing their own hardship by seeking to place the proposed garage within the setbacks.
- (c) The applicant states in their application: "Then home is designed with the garage in rear with rear parking, this will allow vehicles to not be parked on the street." This answer does not address how any unnecessary hardship is created by the physical character of the property. Upon staff review, the hardship results from the applicant seeking to place their proposed garage within the setbacks when the structure could be moved further behind the house in order to meet setbacks.
- (d) The applicant states in their application: "The house plan is more aesthetically pleasing without the garage in front and will add more value." This answer is not appropriate as it does not address how the literal interpretation of the ordinance would deprive the applicant of rights enjoyed by other properties. Upon staff review, the liter interpretations of the ordinance.
- (e) The applicant claims that they will not be receiving any special privileges as other houses have rear garages. Upon a site visit, staff noted the majority of the homes existing either had their garage attached to the front of their houses or attached to the rear of the house. None of the existing homes where noted to have detached garages behind the house, or were encroaching within the setbacks. The request is not in harmony with the surrounding area.
- (f) This property is zoned R-B, and a detached garage with a Single-family home is allowed by right.

Technical Report

VARIANCE

EXECUTIVE SUMMARY

The applicant is seeking approval for a 5 foot and 2-inch side yard setback for a detached garage, or carport, where 14 feet is required within a zero-lot line subdivision. The six hardship criteria has not been met, and the provided hardship does not meet merit. The applicant could move their proposed detached garage further behind the house and meet the required setbacks, forgoing the need for the variance. The applicant has caused their own hardship by placing the proposed garage within the required 14-foot setback. In addition, despite the applicant's claims that other houses having detached rear garages, staff noted from their site visit other nearby homes had their garage attached to the front of their homes or attached to the rear of their homes. No home on the nearby properties contains detached rear garages, or encroach within the required setbacks. Based on the staff's findings, the applicant's request would not be in harmony with surrounding properties.

Any approval should consider these conditions:

1. Approval allows for the proposed accessory structure to be placed 5 feet and 2-inches from the side property line where a setback of 14 feet is required.
2. If located in flood zone, must be built out of flood resistant materials.

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	No conditions. Memo dated 11/01/24.
<u>Public Works:</u>	No conditions. Memo dated 11/06/24.
<u>Traffic and Safety:</u>	No conditions. Memo dated 11/06/24.
<u>Building Code Services:</u>	If located in flood zone, must be built out of flood resistant materials. Memo dated 10/31/24.
<u>GIS:</u>	No conditions. Memo dated 11/06/24.
<u>Police Department:</u>	No comment as of 11/12/24.
<u>Fire Department:</u>	No conditions. Memo dated 10/31/24.
<u>City Arborist:</u>	No conditions. Memo dated 11/1/24.

Technical Report

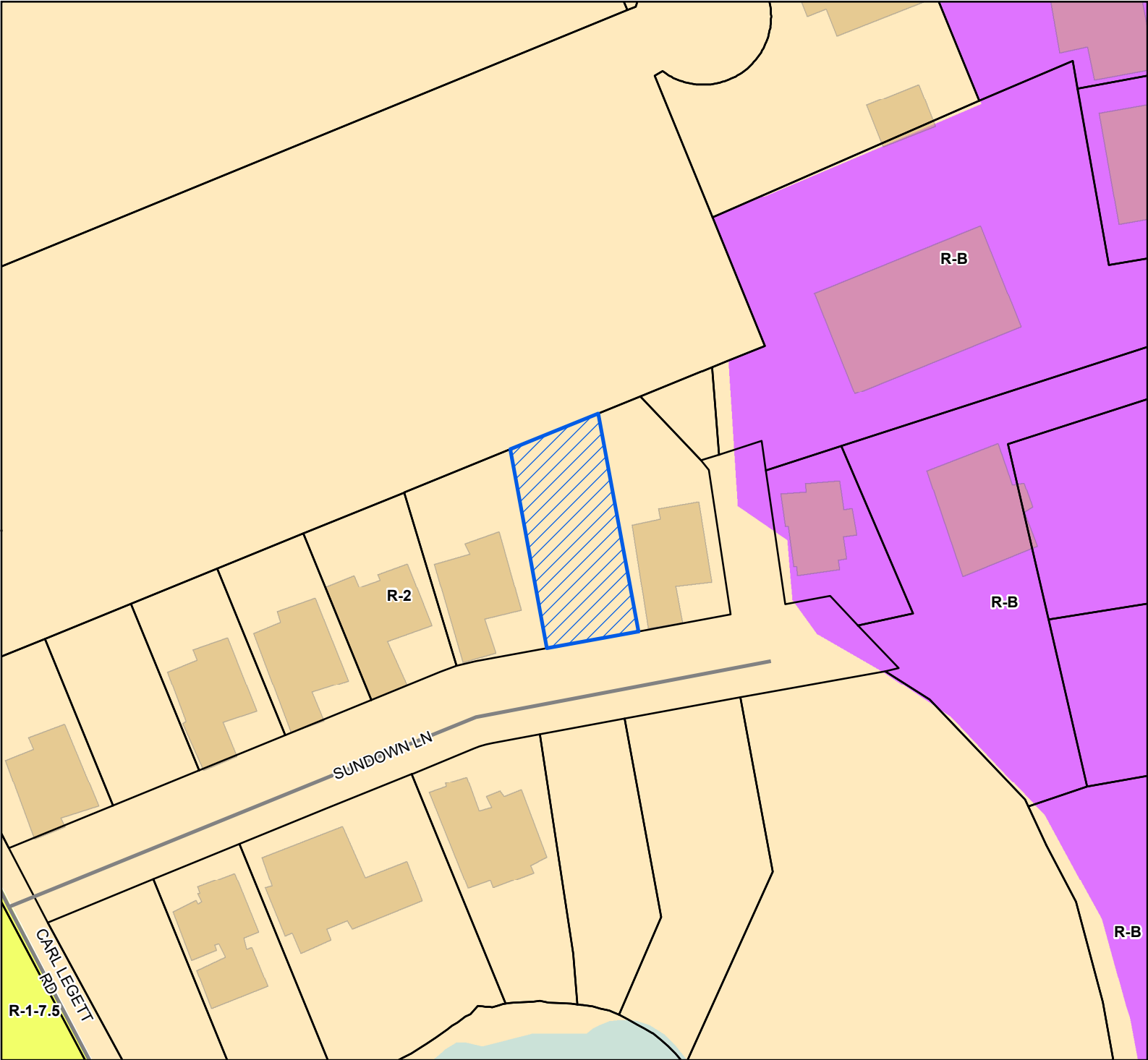
VARIANCE

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



Site

Street

Parcels

Buildings

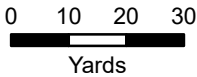
Water Features

City Limit

Zoning

- 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
1010D-01-005.007
Zoning: R-2 (Single-Family)
Size: 10226.63 sqft
Flood: X, AE



1 inch = 100 feet



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

OWNER:

MICKEY ANDERSON
 Printed Name of Owner
404 CARIBE PL N
 Mailing Address
GULFPORT MS 39507
 City State Zip Code
228-547-7177
 Home Phone Work/Cell Phone
MANDERSON@DRACECORP.COM
 Email
Mickey Anderson
 Signature of Owner

AGENT:

 Printed Name of Agent

 Mailing Address

 City State Zip Code

 Home Phone Work/Cell Phone

 Email

 Signature of Agent

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

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

Name of Owner (PRINT) MICKEY ANDERSON
 Address (Street, City, State, Zip Code) 404 CARIBE PL N
 Phone (Home) _____ (Work) 228-244-0100 (Cell) 228-547-7177
 Tax Parcel Number(s) Owned: 1010D-01-005,007
 Signature: _____

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

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



COVENANT AFFIDAVIT

I, MICKEY ANDERSON being property owner or agent of the property 1010D-01-005-007
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.

Mickey Anderson
SIGNATURE

10/8/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Bernadette L. Migues
NOTARY PUBLIC

01-17-2027
COMMISSION EXPIRATION



VARIANCE SUBMISSIONS

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

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., What is special about your property that you need to request a variance?) *The lot is too narrow for the garage to be placed in the back of the home.*
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.) *No improvements to the property have been made.*
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?) *The home is designed with the garage in rear with rear parking. This will allow vehicles to not be parked on the street.*
4. Demonstrate how the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of the zoning ordinance. (i.e., Explain how the request meets the right of reasonable economic return and/or the right to reasonable development of your property which might generally be expected in your district.) *The houseplan is more aesthetically pleasing without the garage in front and will add more value.*
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?) *All lots have been built out with the exception of one. This houseplan will add value to the street and does not give us any special privilege as some houses have rear garages.*
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.

It is deemed compatible with other properties in the neighborhood and therefore is permissible by right.

See attachment for additional information.

We are requesting a variance from the 14-foot setback requirement on a zero-lot line development. We would like to construct a freestanding carport on the east side of the property which currently requires a 14-foot side setback.

We are proposing to construct the structure approximately five and a half feet off the property line on the northeast corner of the property. The proposed five- and half-foot setback will be out of the easement.

The intent of the of the 14-foot setback on the east side of the property is to allow room for maintenance. The adjacent property to the east has been built on and does not have any structure on the northwest corner of that property that would cause any interference and will allow for ample access to all sides of each property.

We believe that deviation from this requirement will not adversely affect the health, safety and welfare of the public and therefor respectfully request a variance.

We have attached a copy of the proposed site plan which shows the proposed structure along with a copy of the survey of the neighborhood which shows all existing structures.

We thank you for your consideration in this request and look forward to moving forward with construction.

Respectfully,



Mickey Anderson

1. PLOT PLAN DOES NOT CONSTITUTE AS SURVEY.
2. CORNERS SHALL BE VERIFIED BY A LICENSED SURVEYOR PRIOR TO CONSTRUCTION.
3. CONTRACTOR SHALL VERIFY ALL YARD SETBACKS AND POSITIONING OF RESIDENCE WITHIN THE SETBACKS.
4. CONTRACTOR SHALL LOCATE AND VERIFY ALL EXISTING UTILITIES.
5. CONTRACTOR SHALL VERIFY THE FINISH FLOOR ELEV. WITH BUILDING DEPARTMENT.
6. CONTRACTOR SHALL GRADE LOT AROUND RESIDENCE TO ENSURE POSITIVE DRAINAGE.
7. CONTRACTOR TO REMOVE EXISTING WOODED AREA LOCATED ON PLOT PLAN AND REPLACE BACK OF PROPERTY SIMILAR TO THE ADJACENT PROPERTY, TO IMPROVE CURRENT MAINTENANCE ISSUES.



May 10/8/24

PRELIMINARY NOT FOR CONSTRUCTION

3. ALL LEADS

DATE	DESCRIPTION	AMOUNT	BALANCE
1997-01-01	Opening Balance		100.00
1997-01-15	Deposit	50.00	150.00
1997-02-01	Withdrawal	25.00	125.00
1997-02-15	Deposit	75.00	200.00
1997-03-01	Withdrawal	100.00	100.00
1997-03-15	Deposit	50.00	150.00
1997-04-01	Withdrawal	75.00	75.00
1997-04-15	Deposit	25.00	100.00
1997-05-01	Withdrawal	50.00	50.00
1997-05-15	Deposit	25.00	75.00
1997-06-01	Withdrawal	25.00	50.00
1997-06-15	Deposit	25.00	75.00
1997-07-01	Withdrawal	25.00	50.00
1997-07-15	Deposit	25.00	75.00
1997-08-01	Withdrawal	25.00	50.00
1997-08-15	Deposit	25.00	75.00
1997-09-01	Withdrawal	25.00	50.00
1997-09-15	Deposit	25.00	75.00
1997-10-01	Withdrawal	25.00	50.00
1997-10-15	Deposit	25.00	75.00
1997-11-01	Withdrawal	25.00	50.00
1997-11-15	Deposit	25.00	75.00
1997-12-01	Withdrawal	25.00	50.00
1997-12-15	Deposit	25.00	75.00
1998-01-01	Opening Balance		75.00

REVISION DATE

DRAWN BY

CHECK BY _____

11

C

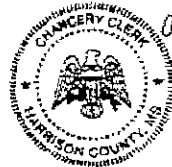
**A New Residence for:
Mickey and Cecilia Anderson
Sundown Lane Lot 7
Gulfport, MS 39503**

P D M

PARKER DESIGN & MANAGEMENT
— DESIGN, CAD DRAWING, ESTIMATING, —
8195C WOOLMARKET ROAD
BIL OXLEY, 39532
OFFICE: FAX: 39532

[illegible]

MENT RETAINED BY CITY



Angela Hunt 1st JUDICIAL DISTRICT
Instrument 2024-0003539-D-J1
Filed/Recorded 02/23/2024 3:10:01 PM
Total Fees 26.00
3 Pages Recorded

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

File#240226

Indexing Instructions:
Lot 7, Bridgewater Bay S/D, Harrison
County, 1st JD, MS

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

WARRANTY DEED

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

**BROOKE N. BROADUS and CHARLES J. BROADUS
206 MARKHAM DRIVE
GULFPORT, MS 39507
(228) 546-1723**

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

**MICKEY H. ANDERSON, JR.
404 CARIBE PLACE LANE
GULFPORT, MS 39507
(228) 547-7177**

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

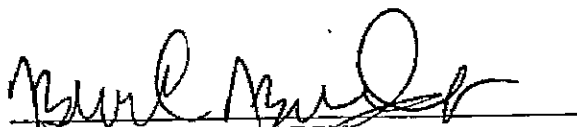
Lot Seven (7), BRIDGEWATER BAY SUBDIVISION, City of Gulfport, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 57 at Page 49 thereof, reference to which is hereby made in aid of and as a part of this description.

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

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

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

WITNESS THE SIGNATURES of the Grantors on this the 22nd day of February, 2024.


BROOKE N. BROADUS


CHARLES J. BROADUS

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, **BROOKE N. BROADUS** and **CHARLES J. BROADUS**, who acknowledged that they signed, executed and delivered the above and foregoing instrument as their voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 22nd day of February, 2024.

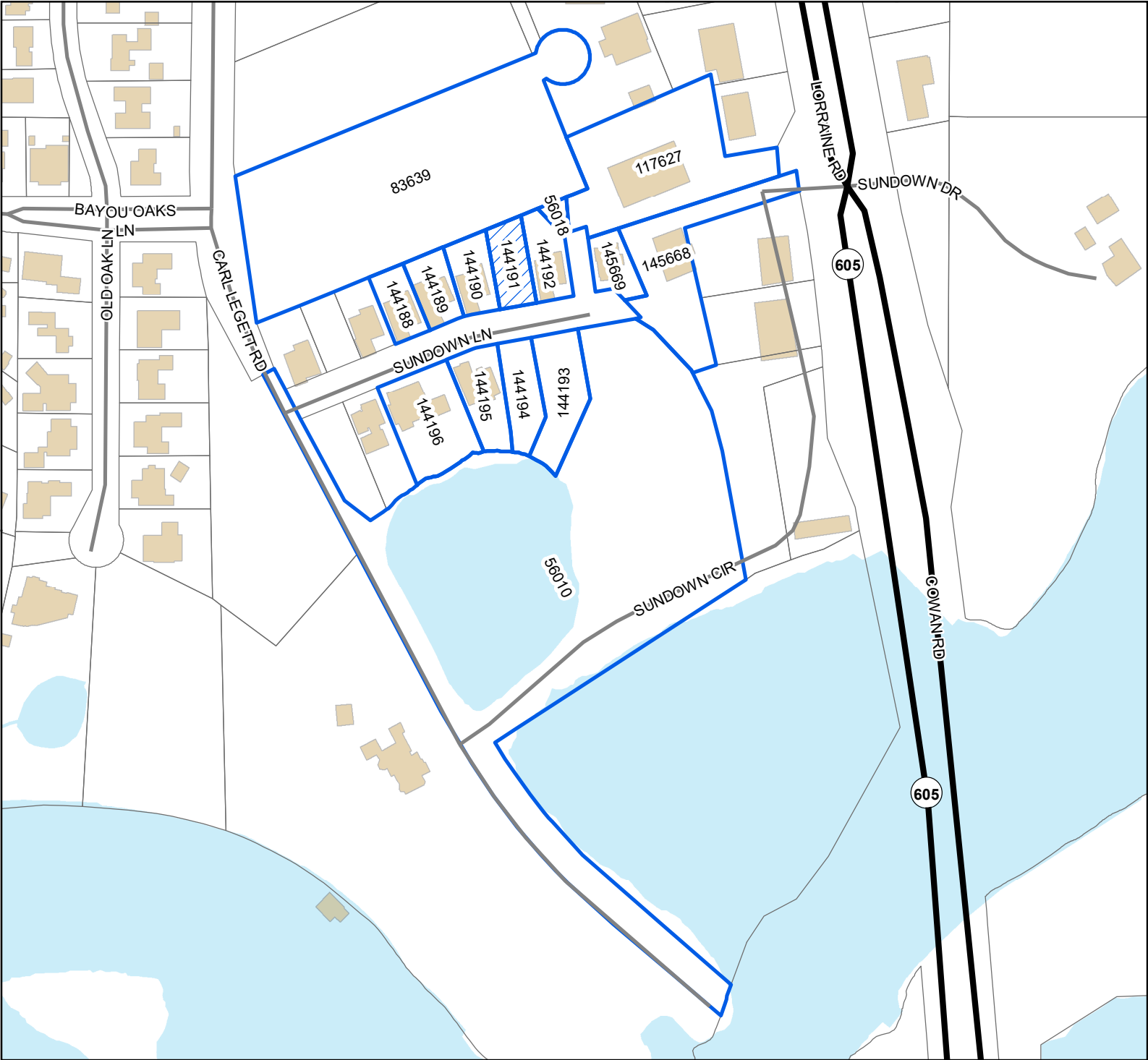
Celeste Paige
NOTARY PUBLIC

(SEAL)

My Commission Expires:

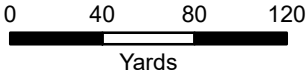


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1010D-01-005.007	MICKEY ANDERSON (OWNER)	404 CARIBE PL N	GULFPORT	MS	39507
			Adjacent Property Owners (2411ZB183)				
	83639	1010D-01-004.000	5P EXEQUY HOLDING LLC	8927 LORRAINE RD STE #204-A	GULFPORT	MS	39503
	56010	1010D-01-007.000	9P HOLDING LLC	8927 LORRAINE RD SUITE 204-A	GULFPORT	MS	39503
N	144191	1010D-01-005.007	9P HOLDING LLC	8927 LORRAINE RD SUTIE 204-A	GULFPORT	MS	39503
	144193	1010D-01-005.009	RILEY J KEVIN	3125 25TH AVE	GULFPORT	MS	39501
	144188	1010D-01-005.004	LEACH ROBERT & GERARDINE J FRANS	8776 SUNDOWN LANE	GULFPORT	MS	39503
	144189	1010D-01-005.005	ROBERTSON RONALD WADE JR & AIMEE	8770 SUNDOWN LANE	GULFPORT	MS	39503
	144190	1010D-01-005.006	BLAKENEY STEVEN P	8764 SUNDOWN LN	GULFPORT	MS	39503
	144192	1010D-01-005.008	TEXAS BEACH GPT LLC	310 FOOTHILL RD	ABILENE	TX	79602
	144196	1010D-01-005.012	STAFFORD DONALD & DEE ANN	8775 SUNDOWN LN	GULFPORT	MS	39503
	144195	1010D-01-005.011	GADDY IRA E III & SONJA D	8769 SUNDOWN LN	GULFPORT	MS	39507
N	144194	1010D-01-005.010	RILEY J KEVIN	3125 25TH AVE	GULFPORT	MS	39501
	117627	1010D-01-009.004	RENAISSANCE INVESTMENTS LLC	8917 LORRAINE RD	GULFPORT	MS	39503
N	56018	1010D-01-005.000	9P HOLDING LLC	8927 LORRAINE RD SUITE 204-A	GULFPORT	MS	39503
N	145668	1010D-01-008.003	9P HOLDING LLC	8927 LORRAINE DR SUITE 204-A	GULFPORT	MS	39503
	145669	1010D-01-008.005	PUCHEU JACQUES H SR & CARA L	8927 LORRAINE RD, STE 204-A	GULFPORT	MS	39503



Legend

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



1 inch = 250 feet



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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	607604	Print Legal Ad-IPL02020460 - IPL0202046		\$104.20	2	53 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, November 21, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2411ZB168, by owner Elliot Land Developments LLC, seeking approval for fence height of 10 feet and 6 inches where four feet is the height limit, Tax Parcel 0811G-02-016.000, 1505 2nd Street, 1507 2nd Street, 1509 2nd Street, 1511 2nd Street, 1513 2nd Street, 1517 2nd Street, 1519 2nd Street, 1521 2nd Street, 1523 2nd Street, 1525 2nd Street, 1527 2nd Street, 1529 2nd Street, Zoned R-2 (Single-Family) & R-B (Residence Business), Ward 2

Variance 2411ZB173, by agent Monica Smith, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB174, by agent Monica Smith, seeking approval for three regular parking spaces where five are required, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB176, by owner Landry Trace LLC, seeking approval for subdivision wall height of 6 feet where 4 feet is the height limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB177, by owner Landry Trace LLC, seeking approval for subdivision sign height of 15 feet where 6 feet is the size limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB178, by owner Jimmy Watts, seeking approval for lot size of 6,970 square feet where 7,500 square feet is required, Tax Parcels 0711P-01-003.000, 0711P-01-004.000, 8th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Special Exception 2411SE179, by owner Brenda Thai, seeking approval for a liquor store use, Tax Parcel 0811E-04-096.000, 2005 30th Ave, Zoned B-1 (Neighborhood Business), Ward 1

Variance 2411ZB180, by owner Conquering Word Ministries, seeking approval for one regular parking space where nine are required, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB181, by owner Conquering Word Ministries, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB183, by owner Mickey Anderson, seeking approval for a 5 foot and 2 inch side yard setback for a proposed detached carport where 14 feet is required, Tax Parcel 1010D-01-005.007, 8758 Sundown Lane, Zoned R-2 (Single-family), Ward 4

Variance 2411ZB184, by owner Thaddeus Grage, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-022.001, 2600 Pass Road, Zoned T5 (Urban Center Zone), Ward 3

This the 30th day of October 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0202046
Nov 6 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:
11/06/24

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.

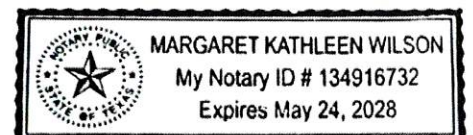
Mary Castro

Sworn to and subscribed before me this 7th day of November 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 # 2025-41

Hearing Date: Thursday, November 21, 2024

Variance 2411ZB184: Variance 2411ZB184, by owner Thaddeus Grage, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-022.001, 2600 Pass Road, Zoned T5 (Urban Center Zone), Ward 3

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2411ZB184

Hearing Date: November 21, 2024

Current Zoning/Use: T5 / Commercial Building

Legal: Variance 2411ZB184, by owner Thaddeus Grage, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-022.001, 2600 Pass Road, Zoned T5 (Urban Center Zone), Ward 3

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance to allow backing out into city right-of-way for a commercial use. The applicant addresses the hardship questions below.

- (a) The applicant states that the property has six parking spaces and one van accessible handicap parking space that backs into the city right-of-way. The parking spaces are located along Pass Road and are separated by a public sidewalk and foliage. Also, the parking spaces are not maintained within the right-of-way; however, the right-of-way is crossed when a customer backs out the parking space.
- (b) The applicant cites that the parcel and building was purchased on August 22, 2024, as is, to include the parking spaces that the previous business entity utilized for customer parking and direct access into the main entrance of the building. Upon staff review of archived imagery, the structure has existed on that property since 1982. Since the structure existed prior to the applicant obtaining the property, it is not a hardship that they caused.
- (c) The applicant states that the hardship imposed would be losing seven consumer parking spaces that would allow direct access into the main entrance of the business. Meeting submission of the zoning ordinance would mean demolishing the current establishment, reduce the current size of the structure for the parking spaces to be moved to not cross into the right-of-way upon exiting.
- (d) The applicant does not address the question regarding the literal interpretations of the ordinance. However, the ordinance change is needed as it would be more appropriate in this circumstance. Upon staff review, there are several properties along Pass Road that do not have enough on site turnaround and have to back out into city right of way.
- (e) The applicant claims that they will not be receiving any special benefit conferred upon them if this request is granted. Upon staff review, there are several properties along Pass Road that have gone for variances for backing out into city right of way, such as cases 1903ZB032, 2404ZB069, and 2405ZB060. Granting this variance would be in line with the area.
- (f) This property is zoned T5 and the proposed use is permissible by right.

EXECUTIVE SUMMARY

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

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.

Technical Report

VARIANCE

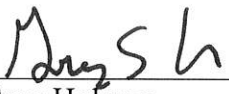
3. Approval would allow for parking that backs out into city right-of-way.
4. Parking Lot needs to be re-stripped.

DEPARTMENTAL CONDITIONS

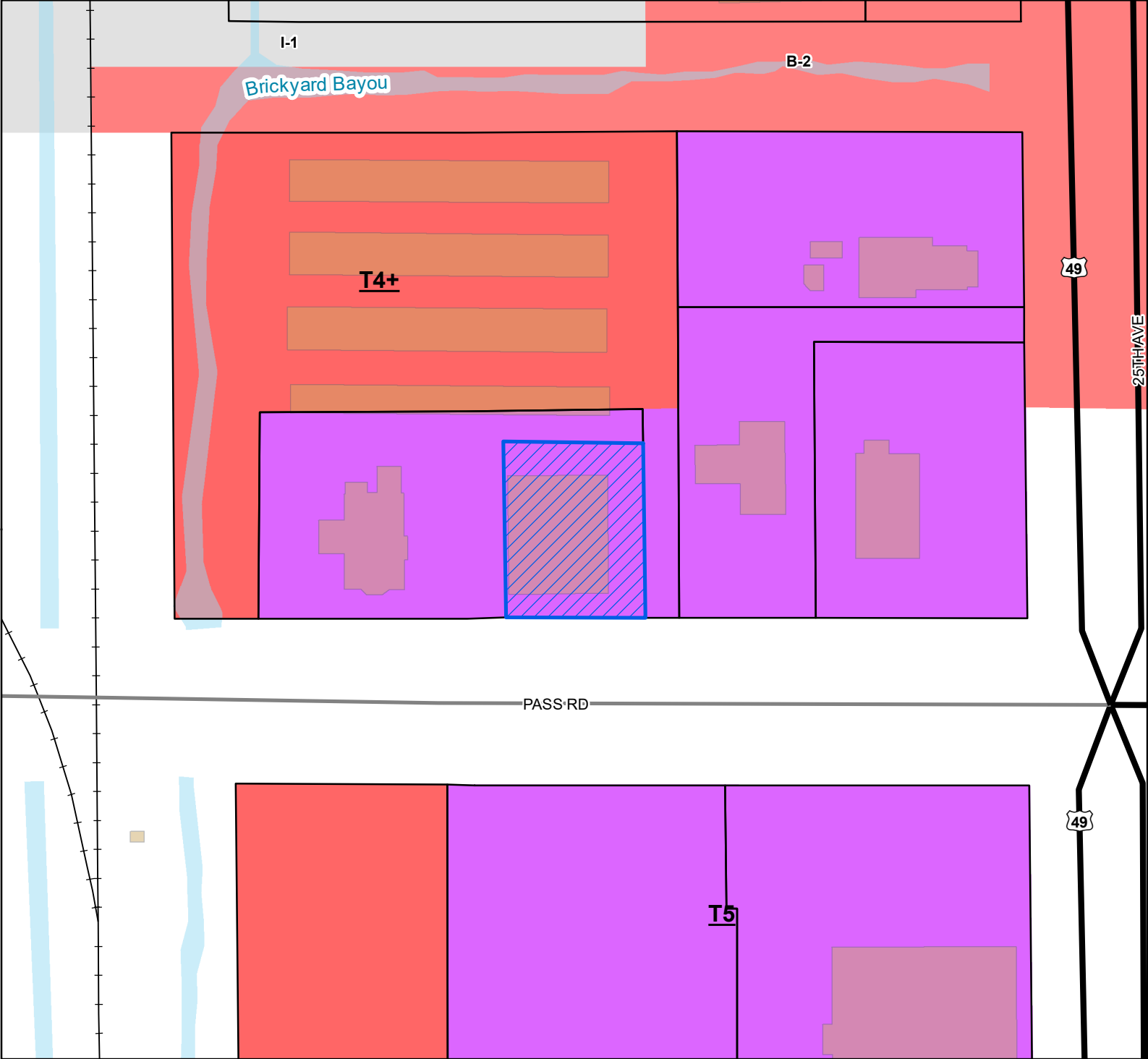
<u>Engineering:</u>	No conditions. Memo dated 11/6/2024.
<u>Public Works:</u>	No comment as of 11/6/2024.
<u>Traffic and Safety:</u>	No conditions. Memo dated 11/6/2024.
<u>Building Code Services:</u>	No conditions. Memo dated 10/30/2024.
<u>GIS:</u>	No conditions. Memo dated 11/6/2024.
<u>Police Department:</u>	No comment as of 11/6/2024.
<u>Fire Department:</u>	No conditions. Memo dated 10/31/2024.
<u>City Arborist:</u>	No conditions. Memo dated 10/31/2024.

DIRECTOR APPROVAL

This report has been reviewed and approved by:

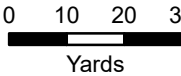


Greg Holmes
Director of Urban Development Department



- Site
- US or State Highway
- Street
- Railroad
- Parcels
- Buildings
- Water Features
- City Limit
- Smart Code
 - T5
 - T4+
- Zoning
 - B-2 - General Business District
 - I-1 - Light Industry District

Site Information
0811C-05-022.001
Zoning: T5 (Urban Center Zone)
Size: 12695.34 sqft
Flood: AE



1 inch = 100 feet



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



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

CASE NUMBER

2411 ZB184

Date Received: 10/08/24

Reel # : 12974103

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

0811C-05-022.001	

Property Address:

2600 Pass Road, Gulfport, MS 39501

Lot(s) _____ Block(s) 33 Subdivision Gulfport City

General Description of Request: I have 6 parking spaces, plus
1 van accessible handicapped parking space that back
into the city right-of-way when exiting the spaces.

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:Thaddaus Grage

Printed Name of Owner

3239 B Holloway Drive

Mailing Address

Gulfport, MS 39501

City

State

Zip Code

317-989-5127

Home Phone

Work/Cell Phone

thaddaus.grage@fintworld.com

Email

Thaddaus Grage

Signature of Owner

AGENT:

Printed Name of Agent

Mailing Address

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Agent

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

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

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____



COVENANT AFFIDAVIT

I, Thaddeus Grage being property owner or agent of the property 2600 Pass Rd, 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.

Thaddeus Grage
SIGNATURE

October 8, 2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 8 day of October, 2024

V Hardy
NOTARY PUBLIC

8/21/27
COMMISSION EXPIRATION



RESOLUTION BY MEMBERS
of
DONNAUD AND SIDER, LLC
a Louisiana Limited Liability Company

PURSUANT TO, and in accordance with that *Operating Agreement* effective April 8, 2022, now in effect, or any amendments thereto, and/or by agreement and consent of the Members of DONNAUD AND SIDER, LLC, a Limited Liability Company, organized and existing under the laws of the State of Louisiana, a meeting of the Members of said Company was held, during which meeting the following was RESOLVED as follows:

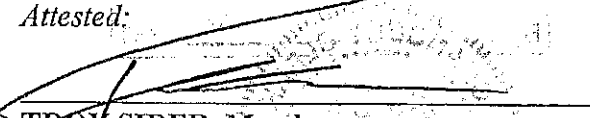
That the sale and transfer of the real property located at 2600 Pass Road, Gulfport, MS 39501, to THADDEUS GRAGE, be and hereby is approved and accepted. And, that BRANDI DONNAUD and TROY SIDER, as Members, whether jointly or individually, are authorized and directed to undertake all acts and execute all documents as necessary to consummate said sale, including, without limitation, deeds, settlement statements, affidavits, agreements, checks, drafts, or other authorizations.

By this document, the undersigned hereby certify that the above and foregoing is a true and correct copy of the resolution of the Members of said Company, adopted at a meeting held at which a quorum was present and voting, and the same has not been revoked or rescinded.

SO CERTIFIED AS RESOLVED, this the 21st day of AUGUST, 2024.


BRANDI DONNAUD, Member

Attested:


TROY SIDER, Member

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:

THG

Page one of this application, completed and signed.

THG

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.

THG

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

N/A THG

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**.

THG

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

THG

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

THG

I the owner/agent acknowledge this is a complete application

VARIANCE SUBMISSIONS

THG

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

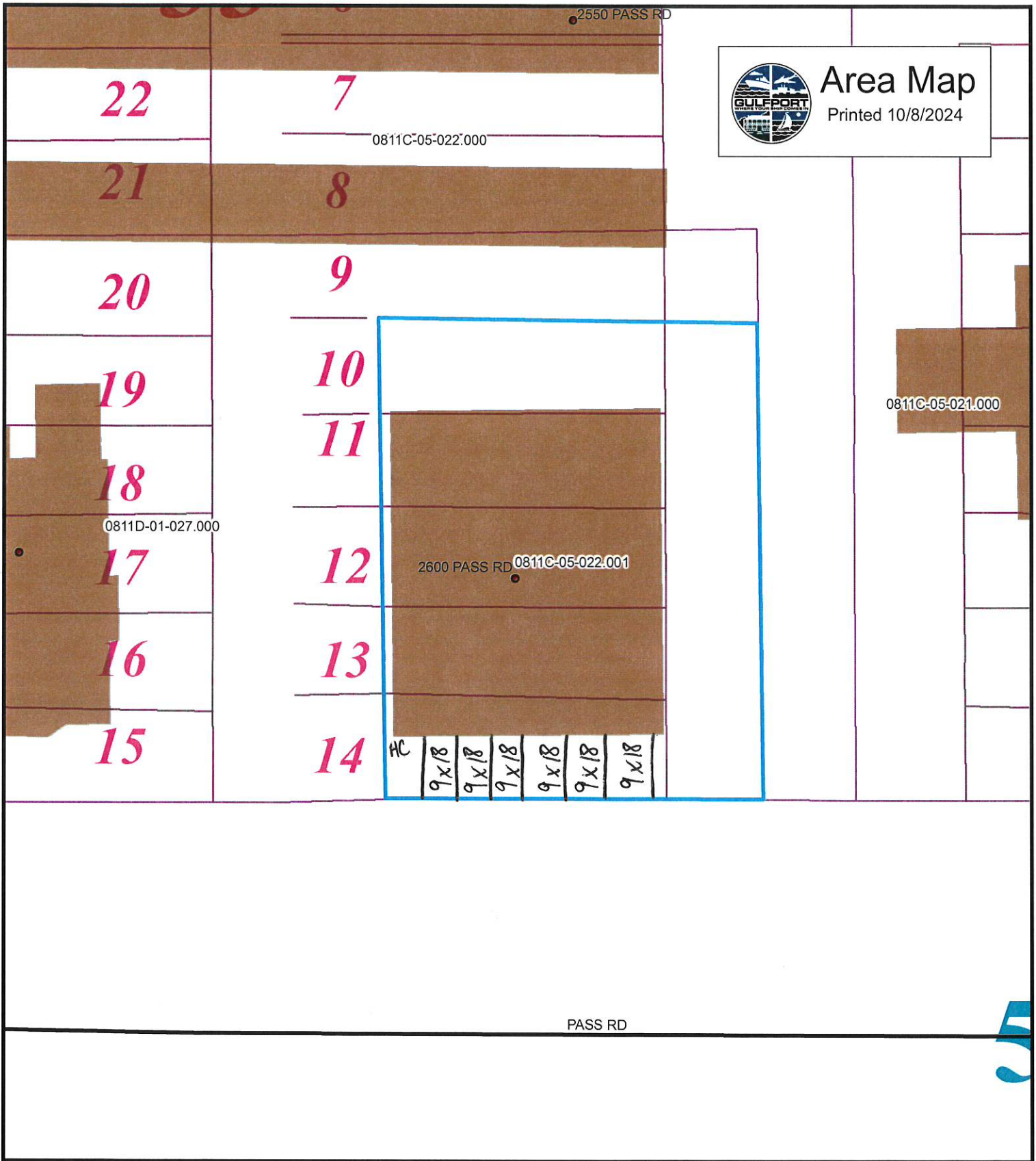
1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., What is special about your property that you need to request a variance?)
2.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

Variance Submission Questionnaire

2600 Pass Road, Gulfport, MS 39501

Parcel: 0811C-05-022.001

- 1.) I am requesting a variance as I have six parking spaces, plus one van accessible handicap space that back into the city right-of-way, when exiting said spaces. The spaces are located along Pass Road and are separated from Pass Road by a public sidewalk, foliage, as well as additional parking blocks. This building was constructed in 1982, and it has been confirmed that for the past thirty-five years, the aforementioned spaces, which lead into the main entrance of the business building, have been a part of the site. Note, the spaces are not maintained within the right-of-way; however, it is crossed when a consumer exits the space with their vehicle.
- 2.) The parcel and building was purchased on August 22, 2024, as is, to include the parking spaces that the previous business entity, Barney's Police Supply, utilized for customer parking and direct access to the main entrance of the business. *There are three full time employees,*
- 3.) The hardship imposed would be losing seven consumer parking spaces that would allow direct access as well as unincumbered handicap access, into the main entrance of the business. Meeting compliance of the zoning ordinance would mean demolishing the current establishment, rebuilding with a reduced size structure to allow for the parking spaces to be moved northward as to not cross into the right-of-way upon exiting. Completing the aforementioned actions, to gain compliance without a variance would not be fiscally responsible and create an unjust burden.
- 4.) This request has historically proven to meet reasonable economic return with the longevity of its placement and use across the life of the building, as is. For an attested thirty-five years from a neighboring business owner, the parking spaces requiring a variance have been in place leading to the main customer entry. The spaces aforementioned also include a handicap van accessible parking space to which the sidewalk leading into the entry has been built to accommodate the handicap accessibility. Not granting the variance would remove half of the current available parking spaces, which would leave two to three spaces, day dependent, for customer parking outside of the spots occupied by staff which would have a detrimental economic return.
- 5.) There will be no receiving of any special benefit with accepting the variance for a momentary crossing into the right-of-way, upon a vehicles exit from a space that is entirely outside of the right-of-way. While the vehicle is stationary and parked at the business premise, the vehicle is outside of the right-of-way. There are permanent structures near-by, such as an outdoor seating area, that are granted within the city right-of-way; therefore, alleviating any special benefit of my request to temporarily cross into the right-of-way for a vehicle to exit the premises.
- 6.) The use proposed is permissible by right with respect to uses of land or structures.



Area Map

Printed 10/8/2024

- Addresspoints
- Parcels



1 inch = 33 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.



Angela Thrash
1st JUDICIAL DISTRICT
Instrument 2024-0016602-D-J1
Filed/Recorded 08/23/2024 11:57:01 AM
Total Fees 26.00
5 Pages Recorded

Prepared by & return to:
Preston J. Mauffray (MSB #101131)
Landmark Title & Escrow Co., Inc.
521 Ulman Avenue, Bay St. Louis, MS 39520
Telephone: (228) 467-4675
File No.: 1166-29224

Indexing Instructions:
1st: Pt. Lots 10-14, Blk. 33, Original Gulfport, 1st J.D., Harrison County, MS;
2nd: Pt. 26th Ave., now vacated, Original Gulfport, 1st J.D., Harrison County, MS

**STATE OF MISSISSIPPI
COUNTY OF HARRISON
1ST JUDICIAL DISTRICT**

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration not necessary to be mentioned herein, the receipt and sufficiency of all of which is hereby acknowledged,

DONNAUD AND SIDER, LLC, a Louisiana limited liability company, Grantor
by and through the undersigned duly authorized Members
100 Zinnia Dr., Covington, LA 70433
(504) 610-3099

does hereby sell, convey and warrant unto

THADDEUS H. GRAGE, Grantee
2600 Pass Rd., Gulfport, MS 39501
(317) 989-5127

the following described land and property situated in the 1st Judicial District of Harrison County, Mississippi, to wit:

See Legal Description attached hereto as EXHIBIT "A".

Together with all and singular the rights, privileges, improvements and appurtenances to the same belonging or in any wise appertaining.

This conveyance is made subject to any and all prior reservations, restrictions, easements, exceptions, covenants and conditions of record, including any mineral, oil or gas reservations and any covenants or restrictions which appear of record.

If bounded by water, the warranty granted herein shall not extend to any part of the above-described property which is tideland or coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act and this conveyance includes any natural accretion and is subject to any erosion due to the action of the elements.

The Grantor herein certifies that the property hereinabove conveyed forms no part of the homestead of said Grantor.

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

IN WITNESS WHEREOF, the Grantor has signed and delivered this deed on the date of the acknowledgment below.

DONNAUD AND SIDER, LLC, Grantor

By: Brandi Donnaud
BRANDI DONNAUD, Member

By: Troy Sider
TROY SIDER, Member

STATE OF Louisiana
COUNTY/
PARISH OF St. Tammany

PERSONALLY APPEARED before me, the undersigned authority in and for the said county and state, on this 21st day of AUGUST, 2024, within my jurisdiction, the within named BRANDI DONNAUD and TROY SIDER, who acknowledged that they all of the Members of **DONNAUD AND SIDER, LLC**, a Louisiana limited liability company, and that for and on behalf of the said company, and as its act and deed they executed and delivered the above and foregoing instrument, after first having been duly authorized by said company so to do

Michelle Fowler #138830
NOTARY PUBLIC

My commission expires:

for life

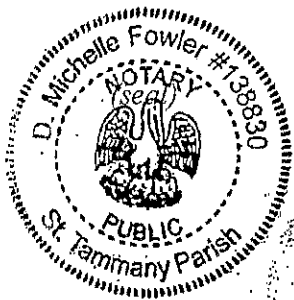


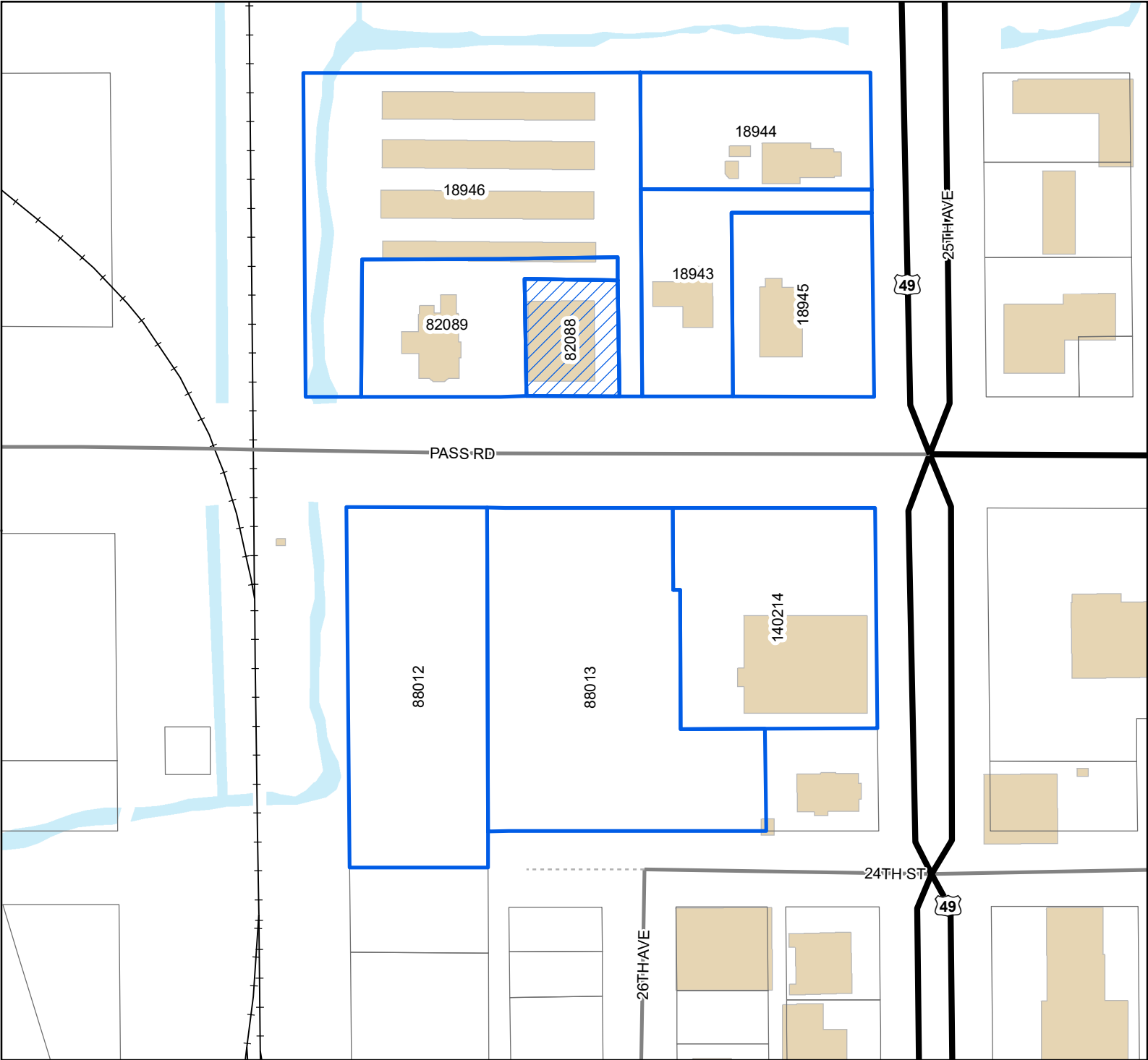
EXHIBIT "A"
(File No.: 1166-29224)
Legal Description

A parcel of land situated in Block 33, of Original Gulfport, First Judicial District, Harrison County, Mississippi, described as commencing at the Northeast corner of Block 32, Original Gulfport, running thence South a distance of 350 feet to a point; running thence West a distance of 275 feet to a point, which point is the Point of Beginning; running thence North a distance of 125 feet to a point; running thence West a distance of 100 feet to a point; running thence South a distance of 125 feet to a point; running thence East a distance of 100 feet to the Point of Beginning. Being part of Lots 10, 11, 12, 13 and 14, Block 33, Original Gulfport, and part of 26th Avenue, now vacated, Original Gulfport, First Judicial, District, Harrison County, Mississippi.

AND ALSO:

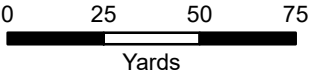
A non-exclusive right-of-way Easement for ingress and egress (Deed Book 952, Page 61), over the following described property: A parcel of land situated in Blocks 32 and 33, of Original Gulfport, First Judicial District, Harrison County, Mississippi, described as commencing at the Northeast corner of Block 32, running thence South a distance of 350 feet to a point; running thence West a distance of 250 feet to a point; which point is the Point of Beginning; running thence North a distance of 180 feet to a point; running thence West a distance of 25 feet to a point; running thence South a distance of 180 feet to a point; running thence East a distance of 25 feet to the Point of Beginning.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0811C-05-022.001	THADDEUS GRAGE (OWNER)	3239 B HOLLOWAY DRIVE	GULFPORT	MS	39501
			Adjacent Property Owners (2411ZB184)				
	18946	0811C-05-022.000	WALROTH FRANCES T	P O BOX 8077	MOSS POINT	MS	39562
	18944	0811C-05-019.000	AR & ZY LLC	201 SOUTHWOOD DR	GRETN A	LA	70056
	18943	0811C-05-021.000	YORK GALE -TRUSTEE-	889 MANOO COURT	DIAMONDHEAD	MS	39525
N	18945	0811C-05-020.000	BURGER KING CORP	ATTN: PROP TAX ACCT	MIAMI	FL	33102
	82088	0811C-05-022.001	DONNAUD & SIDER LLC	909 WASHINGTON ST	FRANKLINTON	LA	70438
	82089	0811D-01-027.000	SEVEN MOORE INC	2610 PASS RD	GULFPORT	MS	39501
	140214	0811C-05-025.002	TRUAX INVESTMENTS II LLC	P O BOX 901	DEERFIELD	IL	60015
	88012	0811D-02-030.000	TRUAX INVESTMENTS II LLC	49 LAKESIDE DR	KEARNEY	NE	68845
	88013	0811C-05-025.000	TRUAX INVESTMENTS LLC	49 LAKESIDE DR	KEARNEY	NE	68845



Legend

- Site
- Adjacent Properties
- US or State Highway
- 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
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The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
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Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	607604	Print Legal Ad-IPL02020460 - IPL0202046		\$104.20	2	53 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, November 21, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2411ZB168, by owner Elliot Land Developments LLC, seeking approval for fence height of 10 feet and 6 inches where four feet is the height limit, Tax Parcel 0811G-02-016.000, 1505 2nd Street, 1507 2nd Street, 1509 2nd Street, 1511 2nd Street, 1513 2nd Street, 1517 2nd Street, 1519 2nd Street, 1521 2nd Street, 1523 2nd Street, 1525 2nd Street, 1527 2nd Street, 1529 2nd Street, Zoned R-2 (Single-Family) & R-B (Residence Business), Ward 2

Variance 2411ZB173, by agent Monica Smith, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB174, by agent Monica Smith, seeking approval for three regular parking spaces where five are required, Tax Parcel 0910N-07-010.000, 504 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2411ZB176, by owner Landry Trace LLC, seeking approval for subdivision wall height of 6 feet where 4 feet is the height limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB177, by owner Landry Trace LLC, seeking approval for subdivision sign height of 15 feet where 6 feet is the size limit, Tax Parcel 1009N-01-004.000, East Taylor Road, Zoned R-2 (Single-family), Ward 5

Variance 2411ZB178, by owner Jimmy Watts, seeking approval for lot size of 6,970 square feet where 7,500 square feet is required, Tax Parcels 0711P-01-003.000, 0711P-01-004.000, 8th Street, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Special Exception 2411SE179, by owner Brenda Thai, seeking approval for a liquor store use, Tax Parcel 0811E-04-096.000, 2005 30th Ave, Zoned B-1 (Neighborhood Business), Ward 1

Variance 2411ZB180, by owner Conquering Word Ministries, seeking approval for one regular parking space where nine are required, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB181, by owner Conquering Word Ministries, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-030.000, 2540 23rd Street, Zoned T4+ (General Urban Zone "Plus"), Ward 3

Variance 2411ZB183, by owner Mickey Anderson, seeking approval for a 5 foot and 2 inch side yard setback for a proposed detached carport where 14 feet is required, Tax Parcel 1010D-01-005.007, 8758 Sundown Lane, Zoned R-2 (Single-family), Ward 4

Variance 2411ZB184, by owner Thaddeus Grage, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-05-022.001, 2600 Pass Road, Zoned T5 (Urban Center Zone), Ward 3

This the 30th day of October 2024

A. Leslie North, Chairman

City of Gulfport Zoning Board of Adjustment and Appeals

IPL0202046

Nov 6 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:

11/06/24

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.

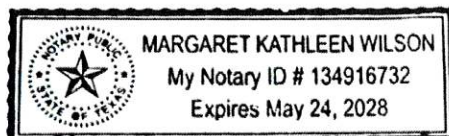
Mary Castro

Sworn to and subscribed before me this 7th day of November 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!