

AGENDA
ZONING BOARD OF ADJUSTMENT AND APPEALS
CITY HALL COUNCIL CHAMBERS
THURSDAY, JANUARY 16, 2025 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 - 12-19-24

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 2501ZB002:

Variance 2501ZB002, by agent William E Kneasal Jr., seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-004.000, 1227 Pass Road & 1229 Pass Road, Zoned B-2 (General Business), Ward 2

2. Special Exception 2501SE003:

Special Exception 2501SE003, by agent William E. Kneasal Jr., seeking approval for a liquor store use, Tax Parcel 0811A-05-004.000, 1229 Pass Road, Zoned B-2 (General Business), Ward 2

3. Variance 2501ZB004:

Variance 2501ZB004, by agent Micheal Ray Burks, seeking approval for a 3-foot side yard setback where 8 feet is required, Tax Parcel 0808F-05-061.000, 15251 Cindy Cove, Zoned R-1-10 (Single-family), Ward 7

4. Variance 2501ZB005:

Variance 2501ZB005, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

5. Variance 2501ZB006:

Variance 2501ZB006, by owner Hage Properties LLC, seeking approval for 3 regular parking spaces where 14 parking spaces are required, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

6. Variance 2501ZB008:

Variance 2501ZB008, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

7. Variance 2501ZB009:

Variance 2501ZB009, by owner Hage Properties LLC, seeking approval for 0 regular parking spaces where 7 are required, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

8. Special Exception 2501SE010:

Special Exception 2501SE010, by owners Ria Propertiez AZ, LLC and Prosper Properties LLC, seeking approval for a bar and lounge use, Tax Parcel 1010H-02-031.000, 2093 E Pass Road Suites A & C, Zoned B-1 (Neighborhood Business), Ward 2

H. Adjournment

MINUTES

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING

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

GULFPORT CITY COUNCIL CHAMBERS

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

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

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

D. **Determination of a Quorum**:

BOARD MEMBERS PRESENT:

ROBERT PHARR
HAL KAIGLER
NATHAN BODDIE
LESLIE NORTH
MICHAEL DANIELS

BOARD MEMBERS ABSENT:

MARY ANN WIGINTON
NICHOLAS HAHN

STAFF MEMBERS PRESENT:

SU-LIN FEATHERSTON
MATILDA WELCH
SAMUEL SWEETING
WILLIAM DICKINSON

COURT REPORTER:

NORMA SOROE

E. **Confirmation of Agenda:**

F. **Approval of Minutes:**

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

G. **Hearing of cases:**

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

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

G3. Routine Agenda:

1. Variance 2412ZB187:

Variance 2412ZB187, by agent John Mozingo III, seeking approval for 7 regular parking spaces where 17 spaces are required , Tax Parcel 0910I-03-001.000, 549 E Pass Road, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Speaking for the Petition: John Mozingo III

Speaking against the Petition: None

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

Second: Mr. Kaigler

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

Action: Motion carried unanimously

2. Variance 2412ZB188:

Variance 2412ZB188, by agent John Mozingo III, seeking approval for parking that backs out into city right of way, Tax Parcel 0910I-03-001.000, 549 E. Pass Road, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Speaking for the Petition: John Mozingo III

Speaking against the Petition: None

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

Second: Mr. Pharr

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

Action: Motion carried unanimously

3. Variance 2412ZB190:

Variance 2412ZB190, by owners John and Judy Cotten, seeking approval for a zero-foot setback where 25 feet is required for a second frontage, Tax Parcel 0811H-04-020.000, 1340 2nd Street, Zoned R-1-7.5 (Single-Family), Ward 2

Speaking for the Petition: John ‘Steve’ Cotten

Speaking against the Petition: None

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

Second: Mr. Boddie

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

Action: Motion carried unanimously

4. Variance 2412ZB191:

Variance 2412ZB191, by owners David Snyder Jr and Candace Snyder, seeking approval for an 8-foot tall fence where six feet is the height limit, Tax Parcel 1010J-2-006.000, 2315 Demaret Drive, Zoned R-1-7.5 (Single-Family), Ward 2

Speaking for the Petition: David Snyder, Tiffany “Ann” Rigdon

Speaking against the Petition: None

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

Second: Mr. Boddie

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

Action: Motion carried unanimously

5. Variance 2412ZB192:

Variance 2412ZB192, by agent Heinrich & Associates, seeking approval for parking that backs out into city right of way, Tax Parcel 1009M-03-010.012, Old Lorraine Road, Zoned B-1 (Neighborhood Business), Ward 5

Speaking for the Petition: Derek Bullock, Sharron L Myers

Speaking against the Petition: Robert Lee

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

Second: Mr. Pharr

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

Action: Motion carried 3-1

6. Variance 2412ZB194:

Variance 2412ZB194, by agent Robert K Riemann, seeking approval for limestone parking surface material where asphalt or concrete is required, Tax Parcel 0707H-01-002.000, 14220 Hwy 49, Zoned I-2 (Heavy Industry), Ward 7

Speaking for the Petition: Jamie Holder

Speaking against the Petition: None

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

Second: Mr. Kaigler

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

Action: Motion carried unanimously

**7. Variance 2412ZB195:
(Withdrawn by applicant)**

Variance 2412ZB195, by agent Wayne O'Neal, seeking approval for parking that backs out into city right of way, Tax Parcel 0711J-07-021.000, 4410 West Railroad Street, Zoned T4+ (General Urban Zone "Plus"), Ward 1

Speaking for the Petition:

Speaking against the Petition:

Motion:

Second:

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

Action:

**8. Variance 2412ZB197:
(Deferred by applicant)**

Variance 2412ZB197, by owner R. Solloum Investments Inc., seeking approval for building height of 69 feet where 45 feet is the height limit, Tax Parcel 1010P-01-003.000, 2400 Beach Drive, Zoned R-B (Residence Business), Ward 2

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:

**9. Variance 2412ZB198:
(Deferred by applicant)**

Variance 2412ZB198, by owner R. Solloum Investments Inc., seeking approval for 142 regular parking spaces where 205 spaces are required, Tax Parcel 1010P-01-003.000, 2400 Beach Drive, Zoned R-B (Residence Business), Ward 2

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:

**10. Variance 2412ZB199:
(Deferred by applicant)**

Variance 2412ZB199, by owner R. Solloum Investments Inc., seeking approval for one additional wall sign where two wall signs are allowed, Tax Parcel 1010P-01-003.000, 2400 Beach Drive, Zoned R-B (Residence Business), Ward 2

Speaking for the Petition:

Speaking against the Petition:

Motion:

Second:

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

Action:

Adjournment:

Motion by **Mr. Boddie** to adjourn the meeting was seconded by **Mr. Pharr** and carried unanimously. The meeting adjourned **3:51 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 # 2025-284

Hearing Date: Thursday, January 16, 2025

Public Declaration of Appeal Process of Chairman



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 # 2025-285

Hearing Date: Thursday, January 16, 2025

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



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 # 2025-286

Hearing Date: Thursday, January 16, 2025

Routine Agenda



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 # 2025-287

Hearing Date: Thursday, January 16, 2025

Variance 2501ZB002: Variance 2501ZB002, by agent William E Kneasal Jr., seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-004.000, 1227 Pass Road & 1229 Pass Road, Zoned B-2 (General Business), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2501ZB002

Hearing Date: January 16, 2025

Current Zoning/Use: B-2/ Commercial Structure

Legal: Variance 2501ZB002, by agent William E Kneasal Jr., seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-004.000, 1227 Pass Road & 1229 Pass Road, Zoned B-2 (General Business), Ward 2

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance in order to back out into the city right of way. The City of Gulfport parking requirements for thirty-degree parking call for a 12-foot aisle width, and forty-five-degree parking call for a 14-foot aisle width that begins at the end of the 9'x18' parking space.

- (a) The applicant states that the building has existed for many years, was built too close to the Pass Road Right-of-Way for the now required backing distance per the city's parking requirements. It should be noted that the parking shown on the parking plan is exclusively backing out into Pass Road.
- (b) The applicant states that parking requirements existed even when the building was purchased by the applicant.
- (c) The applicant states that without a variance there would be no parking along the front of the building, which is not feasible for a retail business. The applicant also states that the required number of parking spaces would not be able to be provided and creates a hardship. Staff notes that this application is for backing out into city right of way only, and that based on the site plan, the applicant meets the required number of parking spaces required.
- (d) The applicant states that the literal interpretation of the City of Gulfport's parking requirements causes the hardship as stated above and renders the property not feasible for retail business, while numerous other properties along Pass Road have parking which backs into the City Right-of-Way. However, it is clear to staff that the literal interpretation of the ordinance would deprive this property of parking that is common along Pass Road due to the expansion of Pass Road.
- (e) The applicant states that property contains separate spaces for the two retail establishments, and the proposed use of one of the establishments is a liquor store for which a special exception application is being submitted concurrently with the variance application.
- (f) This property is zoned B-2, a liquor store is allowed by special exception, and a retail business is allowed by right.

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 thirty-degree parking call for a 12-foot aisle width, and a forty-five-degree parking calls for a 14-foot aisle that begins at the end of the 9'x18' parking space. It is clear that, due to the expansion of Pass Road as well as the pre-existing nature of the building, the applicant faces a real hardship. The granting of this variance would be in harmony with the area.

Any approval should consider these conditions:

1. Approval would allow for backing out into the city right of way.
2. All new striping shall meet the City of Gulfport's standard construction details.

Technical Report

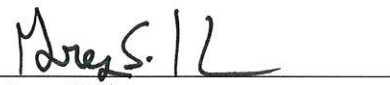
VARIANCE

DEPARTMENTAL CONDITIONS

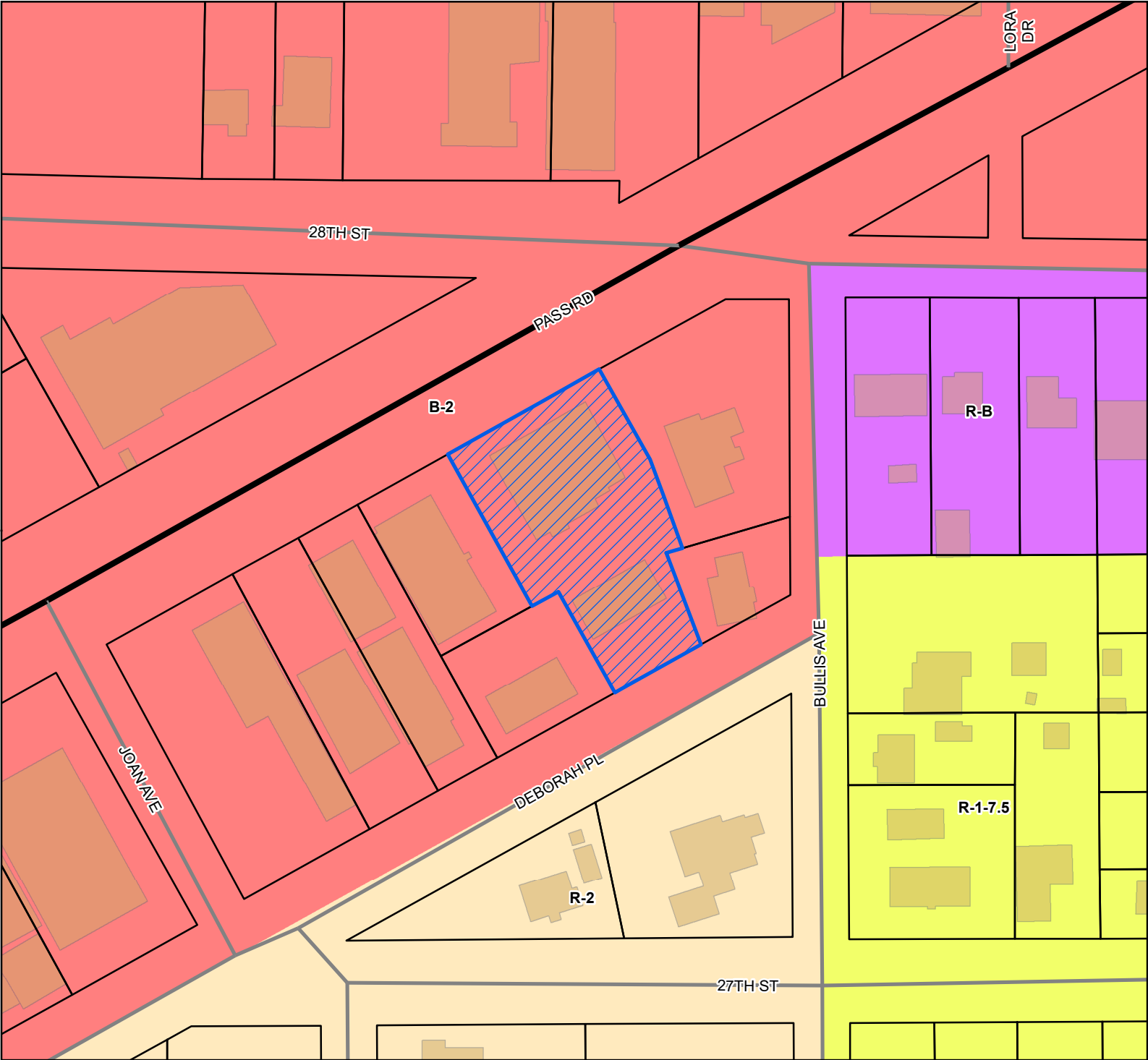
<u>Engineering:</u>	The van accessible parking space will need to be moved to space #6 so that the access aisle is on the passenger side of the handicap parking. In a memo dated 1/3/2025.
<u>Public Works:</u>	The van accessible parking space to be moved to space #6. In a memo dated 1/3/2025.
<u>Traffic and Safety:</u>	No conditions. In a memo dated 12/30/2024.
<u>Building Code Services:</u>	No conditions. In a memo dated 1/2/2025.
<u>GIS:</u>	No conditions. In a memo dated 1/3/2025.
<u>Police Department:</u>	No comment as of 1/3/2025.
<u>Fire Department:</u>	No conditions. In a memo dated 12/17/2024.
<u>Landscape Manager:</u>	No conditions. In a memo dated 12/29/24.
<u>City Arborist:</u>	No conditions. In a memo dated of 12/18/2024.

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

R-1-7.5 - Single Family Residence District (Low Density)

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

R-B - Residence-Business District

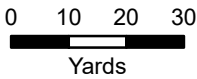
Site Information

0811A-05-004.000

Zoning: B-2 (General Business)

Size: 22137.01 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.

BC 12/02/2024

CASE NUMBER

256178002

R# 13051944

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

0811A-05-004.000	

Property Address:

1227 & 1229 Pass Road, Gulfport, MS-39501
Lot(s) 34,5 Block(s) 7 Subdivision Broad Acres

General Description of Request: SEEKING APPROVAL FOR BACKING
OUT INTO THE CITY RIGHT-OF-WAY.

OWNERSHIP AND CERTIFICATION:

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

OWNER:SADGURU SAI LLC

Printed Name of Owner

Damodara Kunche

Mailing Address

3210 Wynnfield Dr W

City

Mobile

State

AL

Zip Code

36695

Home Phone

Work/Cell Phone

251-751-1846

Email

dkunche@yahoo.com

Signature of Owner

Damodara**AGENT:**WILLIAM E. KNESAL, JR.

Printed Name of Agent

980 COURTHOUSE RD., Apt 901

Mailing Address

GULFPORT, MS 39507

City

State

Zip Code

228-547-4339

Home Phone

Work/Cell Phone

bill.knesal@knesalengineering.com

Email

William E. Knesal, Jr.

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) SRIDHAR SANAKAAddress (Street, City, State, Zip Code) 8530 Rosebud Dr N, Mobile, AL 36695Phone (Home) _____ (Work) _____ (Cell) 251-635-2337Tax Parcel Number(s) Owned: 0811A-05-004.000Signature: Sridhar SName of Owner (PRINT) Damodara KuncheAddress (Street, City, State, Zip Code) 3210 Wynnfield Dr W, Mobile, AL-36695Phone (Home) _____ (Work) _____ (Cell) 251-751-1846Tax Parcel Number(s) Owned: 0811A-05-004.000Signature: Damodara

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____



DESIGNATION OF AGENT

I, Damodara Kunche being property owner of 1227 & 1229 Pass Road, Gulfport
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize William E. Knesal, Jr to act as
PRINT NAME
my representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

Damodara Kunche
SIGNATURE

12/2/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Tamye Sekul
NOTARY PUBLIC





COVENANT AFFIDAVIT

I, Dannadara Kunchu being property owner or agent of the property 1227 & 1229 Pass Road, Gulfport
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application, hereby state that this variance request is not in violation of any
restrictive or protective covenants.

Dannadara Kunchu
SIGNATURE

12/2/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Ammye Sekul
NOTARY PUBLIC



1. THE BUILDING, AS EXISTING FOR MANY YEARS, WAS BUILT TOO CLOSE TO THE PASS RD. R/W FOR THE NOW-REQ'D BACKING DISTANCE TO BE PROVIDED, AS IS THE CASE FOR NUMEROUS OTHER BUILDINGS ON PASS RD.
2. THIS CONDITION EXISTED WHEN THE APPLICANT PURCHASED THE BUILDING.
3. THE HARDSHIP WHICH WOULD BE CREATED ~~8~~ WITHOUT THIS VARIANCE WOULD BE THAT NO PARKING WOULD BE ALONG THE FRONT OF THE BUILDING, WHICH WOULD NOT BE FEASIBLE FOR A RETAIL BUSINESS. ALSO, THE REQUIRED NUMBER OF PARKING SPACES WOULD NOT BE ABLE TO BE PROVIDED.
4. LITERAL INTERPRETATION OF THE ORDINANCE WOULD RESULT IN THE HARDSHIPS PER 3. (ABOVE), RENDERING THE PROPERTY NOT FEASIBLE FOR RETAIL BUSINESS, WHILE NUMEROUS OTHER PROPERTIES ALONG PASS ROAD HAVE PARKING WHICH BACKS INTO THE R/W.
5. SINCE MANY OTHER PASS RD. PROPERTIES HAVE PARKING WHICH BACKS INTO THE R/W, GRANTING OF THIS VARIANCE WILL NOT CONFER ANY SPECIAL PRIVILEGE WHICH IS DENIED TO OTHER LIKE PROPERTIES.
6. THE BUILDING CONTAINS SEPARATE SPACES FOR TWO RETAIL ESTABLISHMENTS. THE PROPOSED USE OF ONE OF THE ESTABLISHMENTS IS A LIQUOR STORE, FOR WHICH A SPECIAL EXCEPTION APPLICATION IS BEING SUBMITTED CONCURRENTLY WITH THIS VARIANCE APPLICATION.

PASS ROAD

CENTERLINE EAST BOUND LANE

40.30+/-
DIST. FROM
STRIPE TO BLDG

18.00
(TYP. THIS ROW)

12.27
DIST. FROM
R/W TO BLDG

12.66
AISLE WIDTH



NORTH
SCALE: 1" = 20'

9

9.00

10

11

12.20

8

7

6

5

H/C

4

9.00
(TYP.)

10.98

42'

WHITE STRIPE

12.00
AISLE WIDTH

POWER POLE

40.09+/-
DIST. FROM STRIPE TO BLDG

12.31
DIST. FROM R/W TO BLDG

4,460 SF/300 = 14.9
=> 15 SPACES REQ'D,
18 SPACES PROVIDED,
INCLUDING 1 H/C

3

2

1

24.00
(TYP. THIS ROW)

9.00

12

13

18.00

18.00

14

15

16

17

18

18.00

WHITE DETAIL
STRIPING (NOT
H/C STRIPING)

ASPHALT PAVEMENT

ASPHALT PAVEMENT

ASPHALT PAVEMENT

CONCRETE AND
GRAVEL

PARCEL ID
0811A-05-004.000

VARIANCE APPLICATION FOR BACKING INTO THE R/W
1229 PASS ROAD GULFPORT, MS
APPLICANT SADGURU SAI, LLC
DECEMBER 3, 2024



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
SADGURU SAI LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1444186
Status:	Good Standing
Effective Date:	05/29/2024
State of Incorporation:	Mississippi
Principal Office Address:	NO PRINCIPAL OFFICE ADDRESS FOUND

Registered Agent

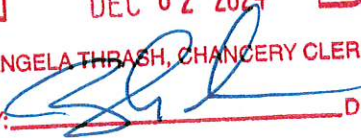
Name
DAMODARA KUNCHE 405 PASS ROAD GULFPORT, MS 39507

Officers & Directors

Name	Title
SRIDHAR SANAKA 8530 ROSEBUD DR N MOBILE, AL 36695	Member
DAMODARA KUNCHE 3210 WYNNFIELD DR W MOBILE, AL 36695	Member

FILED
DEC 02 2024

ANGELA THRASH, CHANCERY CLERK

BY:  D.C.



 1st JUDICIAL DISTRICT
Instrument 2024-0023847-D-J1
Filed/Recorded 12/02/2024 11:27:01 AM
Total Fees 26.00
3 Pages Recorded

PREPARED BY and RETURN TO:
David A. Wheeler, Esquire
Wheeler & Wheeler, PLLC
P.O. Box 264
Biloxi, MS 39533
(228) 374-6720
MSB 7126

INDEXING: EXEMPT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, C & S RENTALS, INC., a Mississippi corporation, 3207 Magnolia Street, Suite 100, Pascagoula, MS 39567 (228) 934-1808, GRANTOR, does hereby GRANT, SELL, BARGAIN, CONVEY and WARRANT to **SADGURU SAI LLC, a Mississippi limited liability company**, 3210 Wynnfield Dr. W, Mobile, AL 36695 (251) 751-1846, GRANTEE, all right, title and interest in and to the following described real property, together with all improvements situated thereon, lying and being situated in the First Judicial District of Harrison County, Mississippi, more particularly described as follows, to-wit:

A parcel of land located in and being a part of Lots 3, 4 and 5, Block 7, of BROADACRES SUBDIVISION, Gulfport, Harrison County, Mississippi, being more particularly described as:

Commence at a railroad spike located the Northeast corner of Lot 3, Block 7,

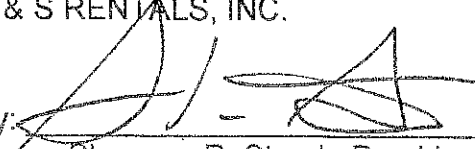
Broadacres Subdivision, thence South 58 degrees 51' 28" West along the South margin of Pass Christian Road 125.00 feet to a railroad spike; thence South 31 degrees 11' 36" East 125.43 feet to an iron rod; thence North 58 degrees 54' 32" East 20.05 feet to an iron rod; thence South 31 degrees 11' 36" East 84.50 feet to an iron rod on the North margin of Deborah Place; thence North 59 degrees 00' 15" East along said North margin 70.75 feet to an iron pipe; thence North 22 degrees 31' 17" West 72.10 feet to an iron rod; thence North 71 degrees 45' 44" East 12.20 feet to an iron rod; thence North 21 degrees 42' 16" West 68.20 feet to a railroad spike; thence North 31 degrees 02' 52" West 74.29 feet to the point of beginning. Being the same lands as shown on the survey of Timothy L. Glass, P.L.S., Glass Land Surveying, Inc. dated March 21, 2013.

The Grantor herein intends, and by its execution of this instrument does, transfer unto Grantee all right, title and interest it presently has in and to the above described property, subject to all restrictions, easements and rights of way 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, and when said taxes are actually determined, if the proration as of this date is incorrect, the Grantor agrees to pay said Grantee or its assigns any deficit on actual proration. This conveyance and Grantor's warranty of title is subject to: (a) all restrictions of record, (b) all easements and rights of way of record; (c) prior reservations of oil, gas and mineral rights; (d) current year taxes, if any; and (e) all matters which would be revealed by an accurate inspection and/or survey of the subject property.

WITNESS MY SIGNATURE, this the 29th day of August, 2024.

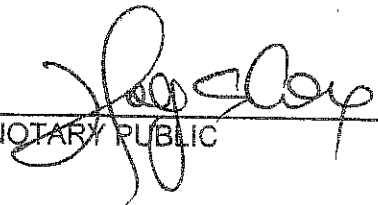
C & S RENTALS, INC.

By: 

Shannon R. Strunk, President

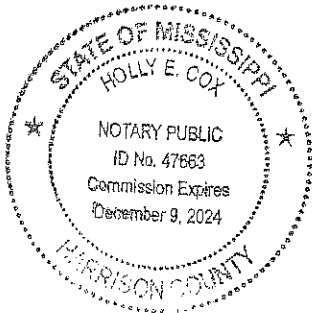
STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for said county and state, on this the 29th day of AUGUST, 2024, within my jurisdiction, the within named Shannon R. Strunk, who acknowledged to me that he is President of C & S RENTALS, INC., a Mississippi corporation, and that for and on behalf of said corporation and as the act and deed of said corporation, he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

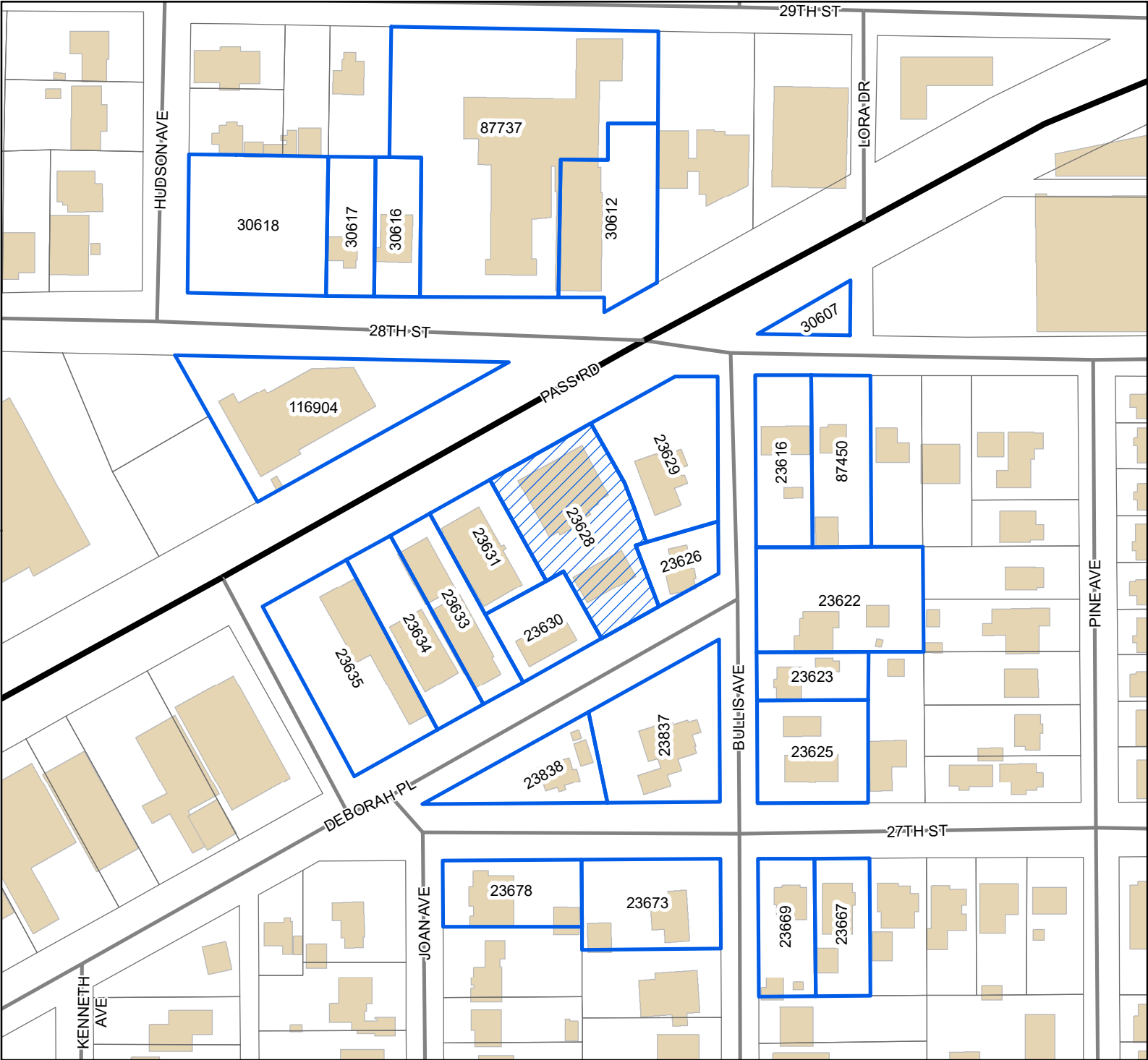


NOTARY PUBLIC

My Commission Expires:

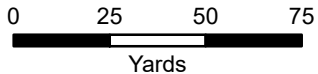


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0811A-05-004.000	SADGURU SAI LLC	3210 WYNNFIELD DR W	MOBILE	AL	36695
			WILLIAM E. KNESAL JR	980 COURTHOUSE RD APT 901	GULFPORT	MS	39507
			Adjacent Property Owners (2501ZB002)				
	23625	0811A-04-063.000	RUSSELL JENNIFER D	1220 27TH ST	GULFPORT	MS	39501
N	30617	0810P-02-054.000	GILL J FAYE ETAL	1246 28TH ST	GULFPORT	MS	39501
	30607	0810P-03-010.000	BLACKWELL ANDY & CAROL MARGARET	1261 NORTH MCGREGOR DR	WIGGINS	MS	39574
	87450	0811A-04-068.000	JEFFERSON ALICIA ANN	2599 AUDUBON PLACE	BILOXI	MS	39531
	23623	0811A-04-065.000	YELLOWDOG PROPERTIES LLC	363 COURTHOUSE RD # 7346	GULFPORT	MS	39506
	23678	0811A-04-095.000	H & H LLC	896 WINDING TRAIL	LAWRENCEVILLE	GA	30046
	30612	0810P-02-050.000	GC SHOCKERS PROPERTIES LLC	1077 TOMMY MUNRO DR	BILOXI	MS	39532
	23669	0811A-04-062.000	ADLER MICHAEL & LISA	4813 GLENDALE ST	METAIRIE	LA	70006
N	23673	0811A-04-071.000	GOSDIN CORAL ELIZABETH	CONSERVATOR OF TAMMY E COTTON	GULFPORT	MS	39501
	23631	0811A-05-006.000	SPRABERY DONALD LEE & PEGGY	7433 MENGE AVE	PASS CHRISTIAN	MS	39571
	23838	0811A-04-096.000	ARONSON WAYNE A	1234 27TH STREET	GULFPORT	MS	39501
	23837	0811A-04-070.000	MARTINEZ LUIS PABLO	2703 BULLIS AVE	GULFPORT	MS	39501
	23634	0811A-05-009.000	UNITED ASSN OF PLBS	1237 PASS RD	GULFPORT	MS	39501
	116904	0811A-05-056.001	MNH LLC	11502 STANTON CIRCLE	GULFPORT	MS	39503
	23635	0811A-05-010.000	AMIN KARIM	925 HANDSBORO PLACE	GULFPORT	MS	39507
	30616	0810P-02-053.000	GILL JOHNNIE FAYE ETAL	1246 28TH ST	GULFPORT	MS	39501
	87737	0810P-02-049.000	O'NEAL COMPANY	P O BOX 118	MCHENRY	MS	39561
	23616	0811A-04-069.000	MILES CLAIBORNE E	15010 SWAN LAKE BLVD	GULFPORT	MS	39503
	23667	0811A-04-061.000	SLAY SAVANNAH JANE	1219 27TH ST	GULFPORT	MS	39501
	23622	0811A-04-066.000	KRESSIN AMANDA	2706 BULLIS AVE	GULFPORT	MS	39501
	23633	0811A-05-008.000	PLUMBERS & STEAMFITTERS UNION	1237 PASS RD	GULFPORT	MS	39501
N	30618	0810P-02-055.000	MCCONNELL WILLIAM F ETAL	C/O DONNA THOMSON	WADDELL	AZ	85355
	23626	0811A-05-002.000	GESUALDI CHRISTIAN	6 HEATHER RD	GEORGETOWN	MA	1833
	23629	0811A-05-001.000	3970 OLD MILTON LLC	10945 STATE BRIDGE RD #401-460	ALPHARETTA	GA	30022
	23630	0811A-05-007.000	HIVE PROPERTIES LLC	20464 MYERS LANE	LONG BEACH	MS	39560
	23628	0811A-05-004.000	C & S RENTALS INC	3436 MAIN STREET	MOSS POINT	MS	39583



Legend

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



1 inch = 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.



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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
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
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The Sacramento Bee
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Tacoma | The News Tribune
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AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	622152	Print Legal Ad-IPL02095150 - IPL0209515		\$83.20	1	75 L

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

accounts payable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, January 16, 2025 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 2501ZB002, by agent William E. Kneasal Jr., seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-004.000, 1227 Pass Road & 1229 Pass Road, Zoned B-2 (General Business), Ward 2 Special Exception 2501SE003, by agent William E. Kneasal Jr., seeking approval for a liquor store use, Tax Parcel 0811A-05-004.000, 1229 Pass Road, Zoned B-2 (General Business), Ward 2

Variance 2501ZB004, by agent Michael Ray Burks, seeking approval for a 3-foot side yard setback where 8 feet is required, Tax Parcel 0808F-05-061.000, 15251 Cindy Cove, Zoned R-1-10 (Single-family), Ward 7

Variance 2501ZB005, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB006, by owner Hage Properties LLC, seeking approval for 3 regular parking spaces where 14 parking spaces are required, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB008, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB009, by owner Hage Properties LLC, seeking approval for 0 regular parking spaces where 7 are required, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Special Exception 2501SE010, by owners Ria Propertiez AZ, LLC and Prosper Properties LLC, seeking approval for a bar and lounge use, Tax Parcel 1010H-02-031.000, 2093 E Pass Road Suites A & C, Zoned B-1 (Neighborhood Business), Ward 2

This the 23rd day of December 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0209515
Dec 31 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
12/31/24

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

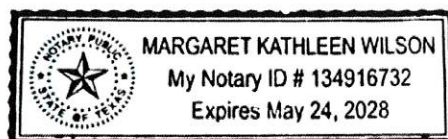
Mary Castro

Sworn to and subscribed before me this 7th day of January in the year of 2025

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 # 2025-288

Hearing Date: Thursday, January 16, 2025

Special Exception 2501SE003: Special Exception 2501SE003, by agent William E. Kneasal Jr., seeking approval for a liquor store use, Tax Parcel 0811A-05-004.000, 1229 Pass Road, Zoned B-2 (General Business), Ward 2

Technical Report

SPECIAL EXCEPTION

GENERAL INFORMATION

Case File Number: 2501SE003

Hearing Date: Zoning Board January 16, 2025
Planning Commission January 23, 2025

Current Zoning/Use: B-2 / Commercial Structure

Legal: Special Exception 2501SE003, by agent William E. Kneasal Jr., seeking approval for a liquor store use, Tax Parcel 0811A-05-004.000, 1229 Pass Road, Zoned B-2 (General Business), Ward 2

TECHNICAL DETAILS

The applicant is seeking approval for a liquor store use. In regards to Ingress and Egress, the applicant states that they will provide designated entry and exit points that prioritize safety and convenience as well as minimize potential bottlenecks. The applicant states they will provide sufficient off-street parking and claims that unloading and loading will be done in a secluded area to not impact customer ingress and egress. The City of Gulfport's off-street parking ordinances require 1 parking space per 300 square feet of gross floor area. The building requires 15 parking spaces and 1 handicap for a liquor store use. The applicant states that no significant alterations or disruptions to current utilities are anticipated. In regards to screening and buffering, the applicant states that they plan to include measures such as shrubs, trees, and fencing to provide attractive barriers to adjacent properties. In regards to signs and exterior lighting, required yards and open space, and compatibility with adjacent properties, the applicant plans to adhere to all zoning regulation with the intent of making the property as appealing as possible. It is clear to staff that many uses of similar commercial intensity are along Pass Road and the liquor store would be harmonious with the area. The surrounding uses include auto sales, gas station (filling station), as well as many types of retail. However, it should be noted that the property is adjacent to residential zoning to the south.

EXECUTIVE SUMMARY

The applicant is seeking approval for a liquor store use. The applicant states they will provide sufficient off-street parking and claims that unloading and loading will be done in a secluded area on site to not impact customer ingress and egress. The City of Gulfport's off-street parking ordinances require 1 parking space per 300 square feet of gross floor area. The building requires 15 parking spaces and 1 handicap for a liquor store use. The provided site plan includes the necessary parking to adhere to the City of Gulfport's parking regulation. It is clear to staff that many uses of similar commercial intensity are along Pass Road and the liquor store would be harmonious with the area. The surrounding uses include auto sales, gas station (filling station), as well as many types of retail. The applicant intends on using the current city utilities and services that the site provides. It is clear to staff that a liquor store use would be in harmony with the area.

Technical Report

SPECIAL EXCEPTION

Any approval should consider these conditions:

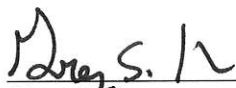
1. Approval would allow for a liquor store use contingent on approval from the Planning Commission.
2. Must comply with all current Building Codes and City of Gulfport Ordinances.

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	No conditions. Memo dated 01/01/2025.
<u>Public Works:</u>	No conditions. Memo dated 01/03/2025.
<u>Traffic and Safety:</u>	No conditions. Memo dated 12/30/2024.
<u>Building Code Services:</u>	Must comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 01/02/2025.
<u>GIS:</u>	No conditions. Memo dated 01/03/2025.
<u>Police Department:</u>	No comment as of 1/3/2025.
<u>Fire Department:</u>	No conditions. Memo dated 12/17/2024.
<u>City Arborist:</u>	No conditions. Memo dated 12/18/2024.

DIRECTOR APPROVAL

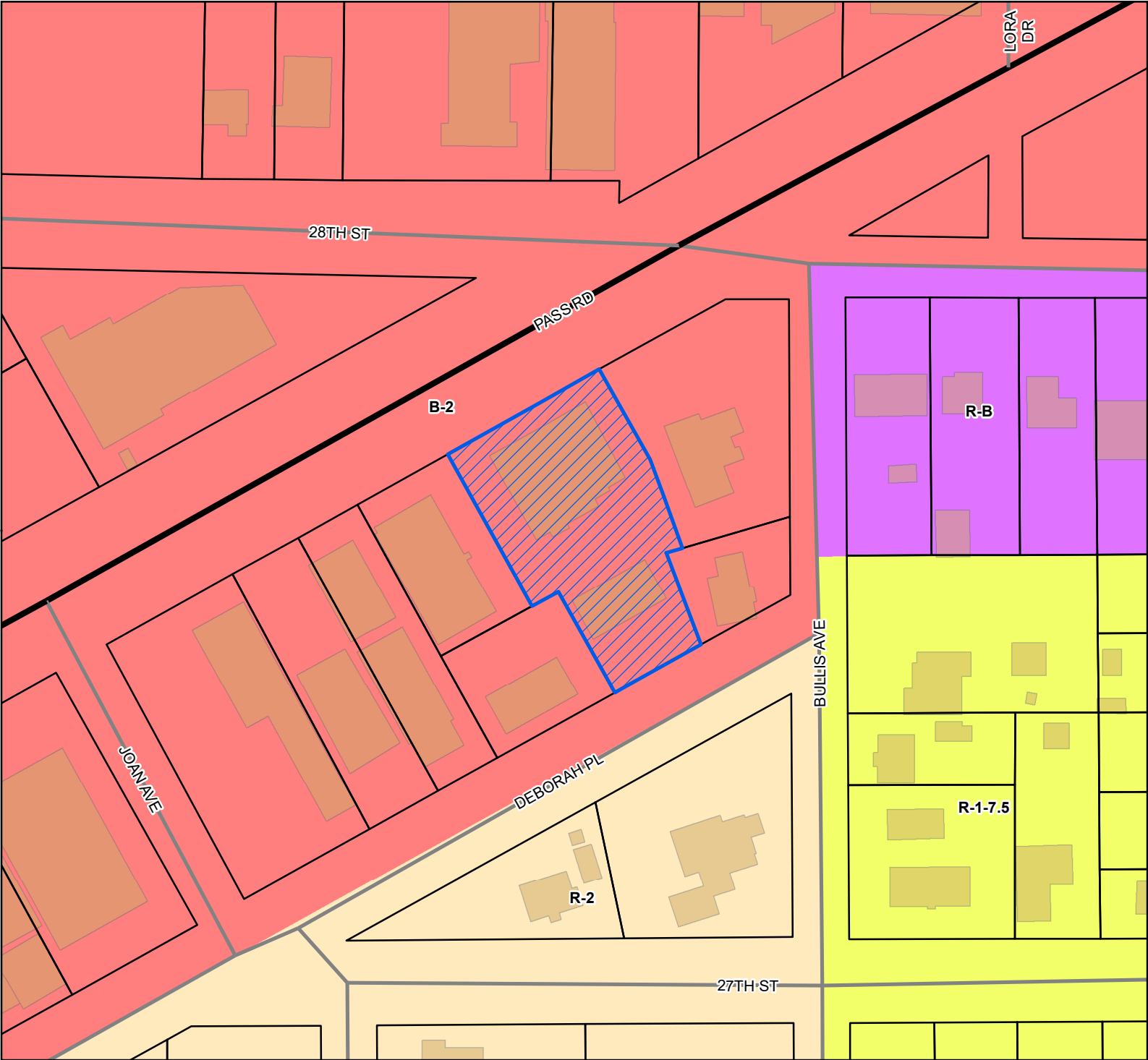
This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department





Site

US or State Highway

Street

Parcels

Buildings

City Limit

Zoning

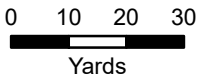
B-2 - General Business District

R-1-7.5 - Single Family Residence District (Low Density)

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

R-B - Residence-Business District

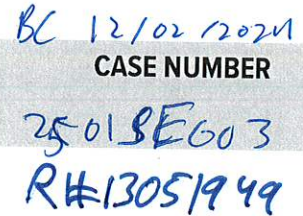
Site Information
0811A-05-004.000
Zoning: B-2 (General Business)
Size: 22137.01 sqft
Flood: X



1 inch = 100 feet



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OWNER:

SADGURU SAI LLC
 Printed Name of Owner
Damodara kunche.
 Mailing Address
Mobile AL 36695
 City State Zip Code
 Home Phone _____ Work/Cell Phone 251-751-1846
 Email dkunche@yahoo.com
 Signature of Owner Damodara

AGENT:

WILLIAM E. KNESAL, JR
 Printed Name of Agent
980 COURTHOUSE RD, APT 901
 Mailing Address
GULFPORT MS 39507
 City State Zip Code
228-547-4339
 Home Phone _____ Work/Cell Phone bill.knesal@knesalengineering.com
 Email William E Knesal
 Signature of Agent William E Knesal

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) SRIDHAR SANAKA
 Address (Street, City, State, Zip Code) 8530 Rosebud Dr N, Mobile, AL 36695
 Phone (Home) _____ (Work) _____ (Cell) 251-635-2337
 Tax Parcel Number(s) Owned: 0811A-05-004-000
 Signature: Sridhar S

Name of Owner (PRINT) Damodara kunche
 Address (Street, City, State, Zip Code) 3210 Wynnfield Dr W, Mobile, AL-36695
 Phone (Home) _____ (Work) _____ (Cell) 251-751-1846
 Tax Parcel Number(s) Owned: 0811A-05-004-000
 Signature: Damodara

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



DESIGNATION OF AGENT

I, Damodara Lunche being property owner of 1227 & 1229 Pass Road, Gulfport
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize William E. Knesal, Jr to act as
PRINT NAME
my representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning
Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

Damodara Lunche
SIGNATURE

12/2/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Tamye Sekul
NOTARY PUBLIC





COVENANT AFFIDAVIT

I, Damodara Kunchu being property owner or agent of the property 12278 1229 Pass Road, Gulfport,
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application, hereby state that this variance request is not in violation of any
restrictive or protective covenants.

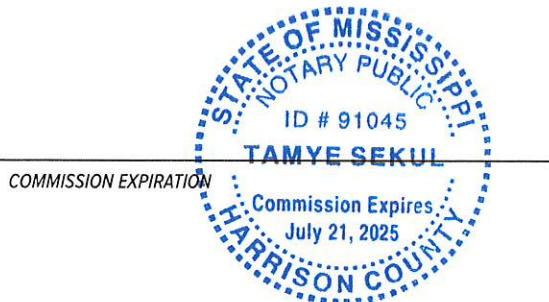
Damodara Kunchu
SIGNATURE

12/2/24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Tamye Sekul
NOTARY PUBLIC



Written Statement to Zoning Board of Adjustment and Appeals for Proposed Liquor Store

We respectfully submit this statement for your consideration regarding our request to open a new liquor store. We believe this establishment will contribute positively to the community, and we are committed to adhering to the zoning standards and addressing all requirements to ensure harmony and compatibility with the neighborhood. Below is a detailed overview of how we plan to address each of the considerations requested.

1. Ingress and Egress

Our design plans for ingress and egress prioritize the safety and convenience of both automotive and pedestrian traffic. We will provide designated entry and exit points for vehicles that align with local traffic flow patterns, ensuring smooth movement and minimizing any potential bottlenecks. Pedestrian access will be well-marked, with sidewalks and crosswalks leading to the main entrance to enhance pedestrian safety. Emergency access for fire and other catastrophic events has been planned, with clear routes for emergency vehicles to enter and exit the property efficiently.

2. Off-Street Parking and Loading Areas

We will provide sufficient off-street parking to meet local regulations and accommodate expected customer traffic, thereby reducing any overflow parking on nearby streets. Loading and unloading will be conducted in designated areas that are secluded from customer parking to avoid interference with customer ingress and egress. Our aim is to minimize any adverse effects on adjoining properties, including economic impact, noise, glare, and odor. Loading areas will operate only during business hours and in a manner that does not disturb neighboring properties.

3. Refuse and Service Areas

Refuse and service areas will be carefully situated and enclosed to prevent any visual disturbance and contain any odors. These areas will be located away from customer access points and adjoining properties, ensuring minimal disruption to neighbors. Regular waste collection schedules will help maintain cleanliness, and these areas will be well-maintained to prevent any attraction of pests or rodents.

4. Utilities

All utility connections, including water, electricity, and waste management, will be strategically planned for accessibility, compatibility, and minimal disruption. Our building design aligns with the location of existing utilities, and no significant alteration or disruption to existing utility services in the area is anticipated. Any necessary upgrades will comply with local regulations and ensure compatibility with neighboring systems.

5. Screening and Buffering

To maintain privacy and enhance aesthetics, we plan to include landscaped screening and buffering measures. Shrubs, trees, and fencing will provide natural and attractive barriers between the property and adjacent properties, especially residential areas. This screening will help reduce noise, prevent visual intrusion, and enhance the overall appeal of the property, ensuring it complements the surrounding environment.

6. Signs and Exterior Lighting

Signage will be minimal, tasteful, and designed to blend seamlessly with the architectural style of the building. Any signage will meet local requirements for size, placement, and lighting to prevent excessive glare or distractions for nearby drivers. Exterior lighting will be directed downward to minimize light pollution and ensure the safety of our customers and pedestrians, while avoiding any adverse impact on neighboring properties.

7. Required Yards and Open Space

Our proposal includes ample open space that aligns with the zoning requirements for the area. These open areas will provide additional buffer zones between the store and adjacent properties, contributing to the overall visual and environmental quality of the site. Landscaping and open spaces will be maintained regularly to keep the premises attractive and inviting.

8. Compatibility with Adjacent Properties and District

We have carefully planned the store to blend with the existing character of the neighborhood. The exterior will feature colors and materials compatible with surrounding architecture, ensuring visual harmony. By adhering to local architectural styles and incorporating design elements that complement neighboring properties, we aim to create an aesthetically pleasing addition to the district.

9. Harmony with Zoning Ordinance Intent

We are confident that this proposed liquor store will align with the general purpose and intent of the zoning ordinance. Our plans prioritize safety, accessibility, aesthetic appeal, and minimal impact on neighboring properties. By ensuring responsible use of the property and maintaining a community-centered approach, we believe this store will be a valuable asset that serves the local area's needs while upholding the values of the zoning ordinance.

In summary, we are committed to operating in a manner that is safe, respectful, and compatible with the neighborhood. We appreciate the board's consideration and look forward to contributing positively to our community through this new establishment.

Written Statement for Opening a New Liquor Store

To the Planning Commission,

I am writing to provide information regarding the proposed establishment of a new liquor store and to address key considerations as requested by the Commission. We understand the importance of ensuring that the business integrates smoothly into the community, supporting the area's development and the well-being of residents.

1. Transportation and Access

The proposed location for the liquor store has been carefully selected to ensure convenient and safe access for customers while minimizing any impact on traffic flow in the area. The store will be situated on a primary road that already accommodates a moderate level of traffic, which ensures ease of entry and exit. Additionally, we will provide ample on-site parking for customers to reduce the likelihood of roadside parking. This measure will help prevent congestion on surrounding streets and promote a smooth flow of traffic around the establishment.

2. Water Supply and Waste Disposal

The premises will be connected to the municipal water supply, ensuring a consistent and safe water source for store operations. Additionally, we will work closely with local waste disposal services to manage waste generated by the store responsibly. Waste disposal practices will comply with city guidelines, and we plan to implement recycling measures to minimize our environmental footprint. By aligning with these sustainable practices, we hope to reduce our impact on the local ecosystem.

3. Fire, Police Protection, and Other Public Facilities

Safety and security are top priorities. The building will comply with all fire safety regulations, including the installation of fire alarms, extinguishers, and clear exit routes. Our team will coordinate with the local fire department to ensure readiness in case of an emergency.

For security, we plan to work with the police department, implementing surveillance systems and lighting around the premises to deter potential issues. We believe that these measures will contribute positively to the neighborhood, helping the store to blend in seamlessly with its surroundings.

4. Traffic Management and Community Harmony

We have taken traffic considerations into account to prevent congestion and traffic hazards. The store's location has been chosen to ensure it integrates smoothly into the area's established traffic patterns, and its entrance/exit points will be carefully managed to avoid unnecessary disruptions. Our business is committed to following the guidelines that govern the orderly development of this district. We believe this liquor store can be a positive addition, offering a responsibly managed, convenient option for residents without negatively impacting the community's quality of life.

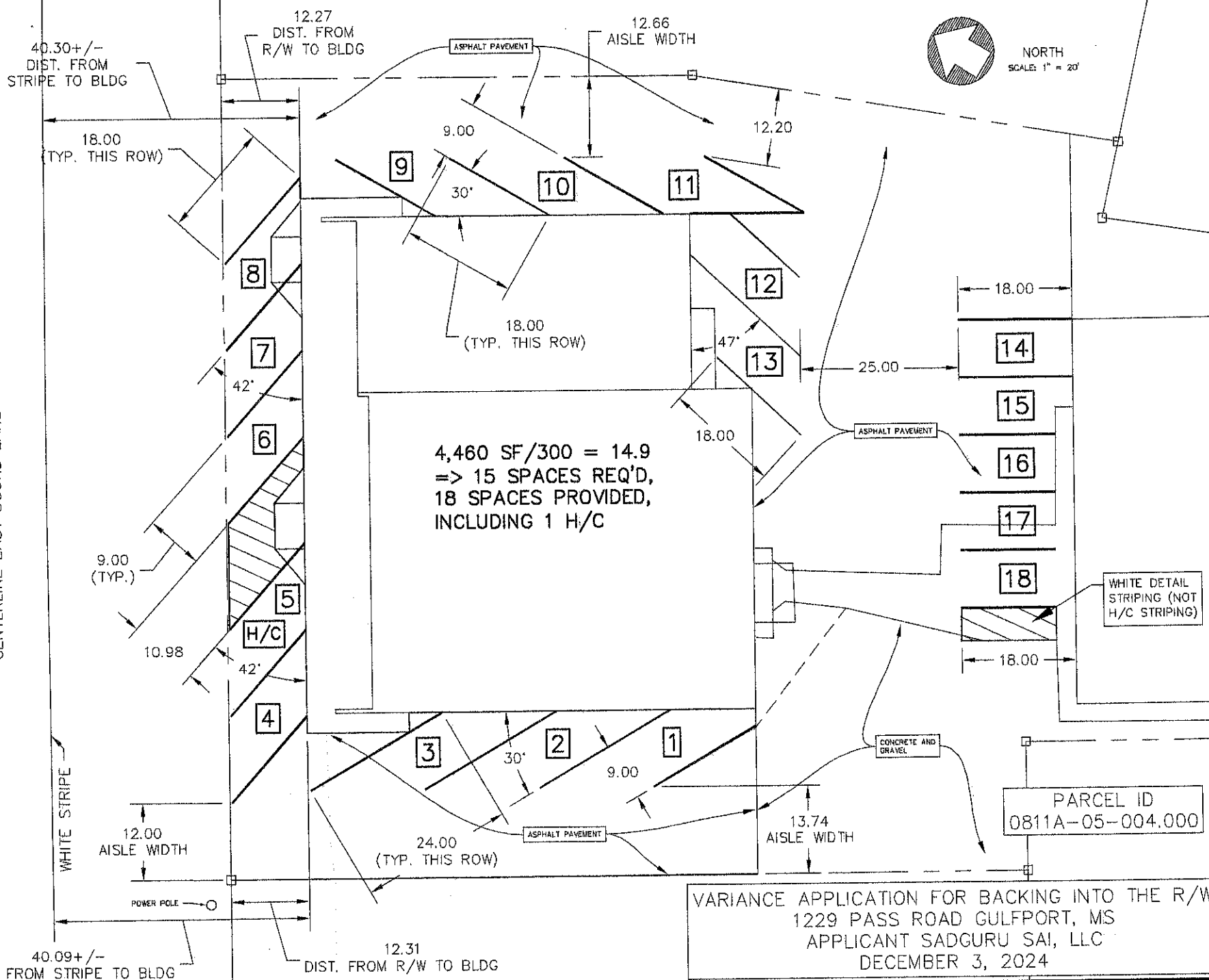
In conclusion, we are committed to operating a store that aligns with community values, offers responsible service, and adds to the local economy. Thank you for considering our application.

Sincerely,

[Your Name]

PASS ROAD

CENTERLINE EAST BOUND LANE



VARIANCE APPLICATION FOR BACKING INTO THE R/W
1229 PASS ROAD GULFPORT, MS
APPLICANT SADGURU SAI, LLC
DECEMBER 3, 2024



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
SADGURU SAI LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1444186
Status:	Good Standing
Effective Date:	05/29/2024
State of Incorporation:	Mississippi
Principal Office Address:	NO PRINCIPAL OFFICE ADDRESS FOUND

Registered Agent

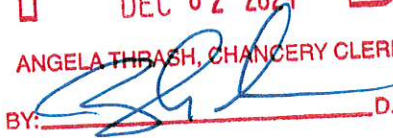
Name
DAMODARA KUNCHE
405 PASS ROAD
GULFPORT, MS 39507

Officers & Directors

Name	Title
SRIDHAR SANAKA 8530 ROSEBUD DR N MOBILE, AL 36695	Member
DAMODARA KUNCHE 3210 WYNNFIELD DR W MOBILE, AL 36695	Member

FILED
DEC 02 2024

ANGELA THRASH, CHANCERY CLERK

BY:  D.C.



 1st JUDICIAL DISTRICT

Instrument 2024-0023847-D-J1

Filed/Recorded 12/02/2024 11:27:01 AM

Total Fees 26.00

3 Pages Recorded

PREPARED BY and RETURN TO:

David A. Wheeler, Esquire

Wheeler & Wheeler, PLLC

P.O. Box 264

Biloxi, MS 39533

(228) 374-6720

MSB 7126

INDEXING: EXEMPT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, C & S RENTALS, INC., a Mississippi corporation, 3207 Magnolia Street, Suite 100, Pascagoula, MS 39567 (228) 934-1808, **GRANTOR**, does hereby GRANT, SELL, BARGAIN, CONVEY and WARRANT to **SADGURU SAI LLC, a Mississippi limited liability company**, 3210 Wynnfield Dr. W, Mobile, AL 36695 (251) 751-1846, **GRANTEE**, all right, title and interest in and to the following described real property, together with all improvements situated thereon, lying and being situated in the First Judicial District of Harrison County, Mississippi, more particularly described as follows, to-wit:

A parcel of land located in and being a part of Lots 3, 4 and 5, Block 7, of BROADACRES SUBDIVISION, Gulfport, Harrison County, Mississippi, being more particularly described as:

Commence at a railroad spike located the Northeast corner of Lot 3, Block 7,

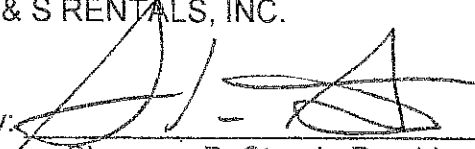
Broadacres Subdivision, thence South 58 degrees 51' 28" West along the South margin of Pass Christian Road 125.00 feet to a railroad spike; thence South 31 degrees 11' 36" East 125.43 feet to an iron rod; thence North 58 degrees 54' 32" East 20.05 feet to an iron rod; thence South 31 degrees 11' 36" East 84.50 feet to an iron rod on the North margin of Deborah Place; thence North 59 degrees 00' 15" East along said North margin 70.75 feet to an iron pipe; thence North 22 degrees 31' 17" West 72.10 feet to an iron rod; thence North 71 degrees 45' 44" East 12.20 feet to an iron rod; thence North 21 degrees 42' 16" West 68.20 feet to a railroad spike; thence North 31 degrees 02' 52" West 74.29 feet to the point of beginning. Being the same lands as shown on the survey of Timothy L. Glass, P.L.S., Glass Land Surveying, Inc. dated March 21, 2013.

The Grantor herein intends, and by its execution of this instrument does, transfer unto Grantee all right, title and interest it presently has in and to the above described property, subject to all restrictions, easements and rights of way 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, and when said taxes are actually determined, if the proration as of this date is incorrect, the Grantor agrees to pay said Grantee or its assigns any deficit on actual proration. This conveyance and Grantor's warranty of title is subject to: (a) all restrictions of record, (b) all easements and rights of way of record; (c) prior reservations of oil, gas and mineral rights; (d) current year taxes, if any; and (e) all matters which would be revealed by an accurate inspection and/or survey of the subject property.

WITNESS MY SIGNATURE, this the 29th day of August, 2024.

C & S RENTALS, INC.

By: 

Shannon R. Strunk, President

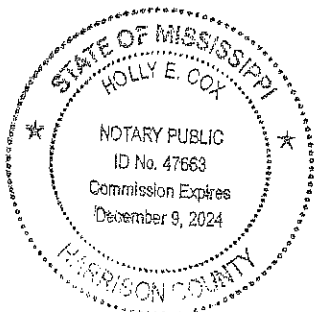
STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for said county and state, on this the 29th day of AUGUST, 2024, within my jurisdiction, the within named Shannon R. Strunk, who acknowledged to me that he is President of C & S RENTALS, INC., a Mississippi corporation, and that for and on behalf of said corporation and as the act and deed of said corporation, he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

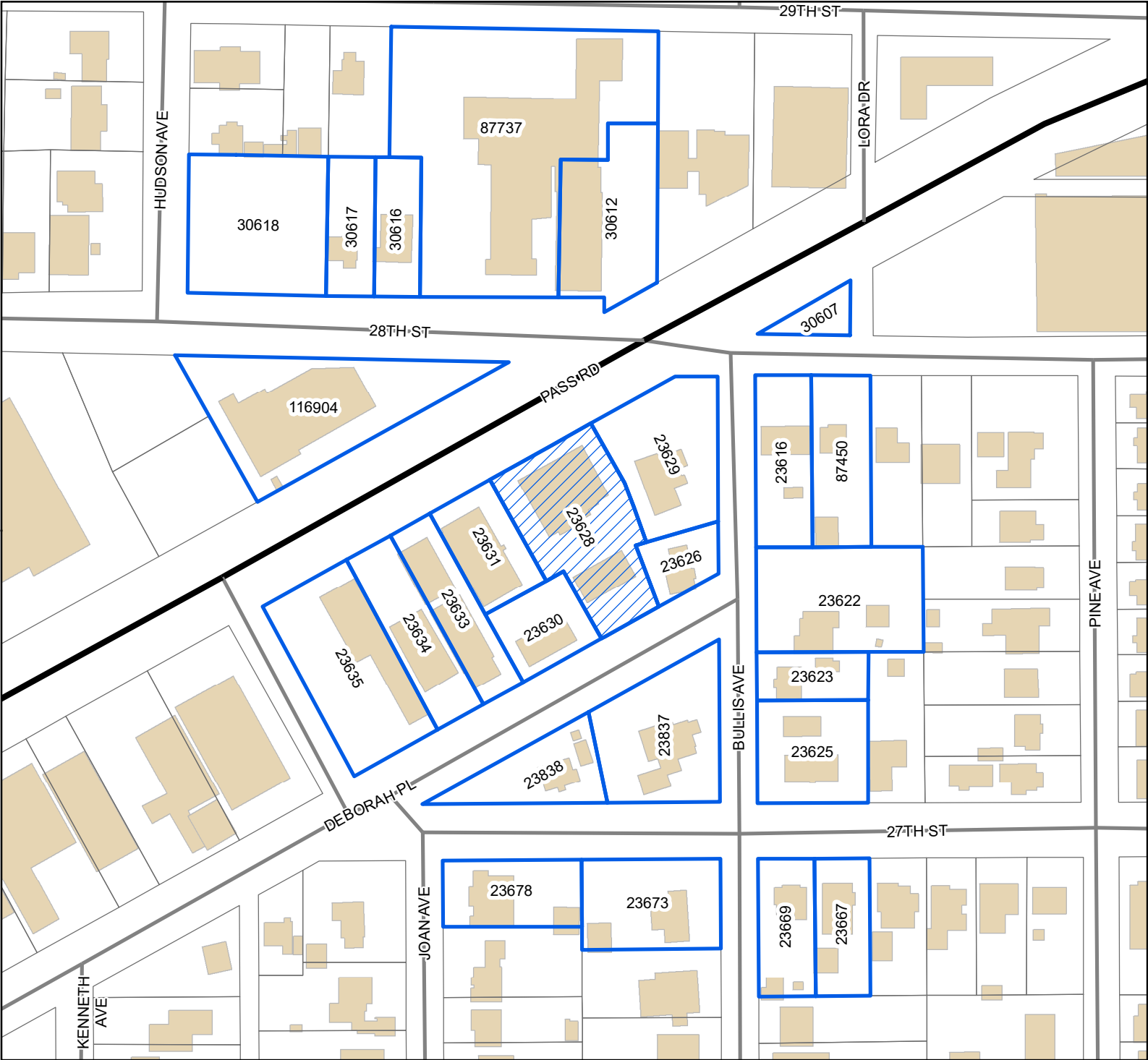


NOTARY PUBLIC

My Commission Expires:

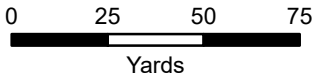


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0811A-05-004.000	SADGURU SAI LLC	3210 WYNNFIELD DR W	MOBILE	AL	36695
			WILLIAM E. KNESAL JR	980 COURTHOUSE RD APT 901	GULFPORT	MS	39507
			Adjacent Property Owners (2501SE003)				
	23625	0811A-04-063.000	RUSSELL JENNIFER D	1220 27TH ST	GULFPORT	MS	39501
N	30617	0810P-02-054.000	GILL J FAYE ETAL	1246 28TH ST	GULFPORT	MS	39501
	30607	0810P-03-010.000	BLACKWELL ANDY & CAROL MARGARET	1261 NORTH MCGREGOR DR	WIGGINS	MS	39574
	87450	0811A-04-068.000	JEFFERSON ALICIA ANN	2599 AUDUBON PLACE	BILOXI	MS	39531
	23623	0811A-04-065.000	YELLOWDOG PROPERTIES LLC	363 COURTHOUSE RD # 7346	GULFPORT	MS	39506
	23678	0811A-04-095.000	H & H LLC	896 WINDING TRAIL	LAWRENCEVILLE	GA	30046
	30612	0810P-02-050.000	GC SHOCKERS PROPERTIES LLC	1077 TOMMY MUNRO DR	BILOXI	MS	39532
	23669	0811A-04-062.000	ADLER MICHAEL & LISA	4813 GLENDALE ST	METAIRIE	LA	70006
N	23673	0811A-04-071.000	GOSDIN CORAL ELIZABETH	CONSERVATOR OF TAMMY E COTTON	GULFPORT	MS	39501
	23631	0811A-05-006.000	SPRABERY DONALD LEE & PEGGY	7433 MENGE AVE	PASS CHRISTIAN	MS	39571
	23838	0811A-04-096.000	ARONSON WAYNE A	1234 27TH STREET	GULFPORT	MS	39501
	23837	0811A-04-070.000	MARTINEZ LUIS PABLO	2703 BULLIS AVE	GULFPORT	MS	39501
	23634	0811A-05-009.000	UNITED ASSN OF PLBS	1237 PASS RD	GULFPORT	MS	39501
	116904	0811A-05-056.001	MNH LLC	11502 STANTON CIRCLE	GULFPORT	MS	39503
	23635	0811A-05-010.000	AMIN KARIM	925 HANDSBORO PLACE	GULFPORT	MS	39507
	30616	0810P-02-053.000	GILL JOHNNIE FAYE ETAL	1246 28TH ST	GULFPORT	MS	39501
	87737	0810P-02-049.000	O'NEAL COMPANY	P O BOX 118	MCHENRY	MS	39561
	23616	0811A-04-069.000	MILES CLAIBORNE E	15010 SWAN LAKE BLVD	GULFPORT	MS	39503
	23667	0811A-04-061.000	SLAY SAVANNAH JANE	1219 27TH ST	GULFPORT	MS	39501
	23622	0811A-04-066.000	KRESSIN AMANDA	2706 BULLIS AVE	GULFPORT	MS	39501
	23633	0811A-05-008.000	PLUMBERS & STEAMFITTERS UNION	1237 PASS RD	GULFPORT	MS	39501
N	30618	0810P-02-055.000	MCCONNELL WILLIAM F ETAL	C/O DONNA THOMSON	WADDELL	AZ	85355
	23626	0811A-05-002.000	GESUALDI CHRISTIAN	6 HEATHER RD	GEORGETOWN	MA	1833
	23629	0811A-05-001.000	3970 OLD MILTON LLC	10945 STATE BRIDGE RD #401-460	ALPHARETTA	GA	30022
	23630	0811A-05-007.000	HIVE PROPERTIES LLC	20464 MYERS LANE	LONG BEACH	MS	39560
	23628	0811A-05-004.000	C & S RENTALS INC	3436 MAIN STREET	MOSS POINT	MS	39583



Legend

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



1 inch = 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
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AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	622152	Print Legal Ad-IPL02095150 - IPL0209515		\$83.20	1	75 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, January 16, 2025 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 2501ZB002, by agent William E. Kneasal Jr., seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-004.000, 1227 Pass Road & 1229 Pass Road, Zoned B-2 (General Business), Ward 2
Special Exception 2501SE003, by agent William E. Kneasal Jr., seeking approval for a liquor store use, Tax Parcel 0811A-05-004.000, 1229 Pass Road, Zoned B-2 (General Business), Ward 2

Variance 2501ZB004, by agent Michael Ray Burks, seeking approval for a 3-foot side yard setback where 8 feet is required, Tax Parcel 0808F-05-061.000, 15251 Cindy Cove, Zoned R-1-10 (Single-family), Ward 7

Variance 2501ZB005, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB006, by owner Hage Properties LLC, seeking approval for 3 regular parking spaces where 14 parking spaces are required, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB008, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB009, by owner Hage Properties LLC, seeking approval for 0 regular parking spaces where 7 are required, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Special Exception 2501SE010, by owners Ria Propertiez AZ, LLC and Prosper Properties LLC, seeking approval for a bar and lounge use, Tax Parcel 1010H-02-031.000, 2093 E Pass Road Suites A & C, Zoned B-1 (Neighborhood Business), Ward 2

This the 23rd day of December 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0209515
Dec 31 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
12/31/24

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

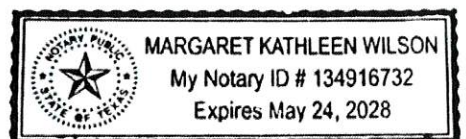
Mary Castro

Sworn to and subscribed before me this 7th day of January in the year of 2025

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 # 2025-289

Hearing Date: Thursday, January 16, 2025

Variance 2501ZB004: Variance 2501ZB004, by agent Micheal Ray Burks, seeking approval for a 3-foot side yard setback where 8 feet is required, Tax Parcel 0808F-05-061.000, 15251 Cindy Cove, Zoned R-1-10 (Single-family), Ward 7

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2501ZB004

Hearing Date: January 16, 2025

Current Zoning/Use: R-1-10 / Single-family home

Legal: Variance 2501ZB004, by agent Micheal Ray Burks, seeking approval for a 3-foot side yard setback where 8 feet is required, Tax Parcel 0808F-05-061.000, 15251 Cindy Cove, Zoned R-1-10 (Single-family), Ward 7

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant is seeking approval for a side yard setback variance to place a proposed 12-foot by 16-foot (192 square foot) accessory structure three feet from the side property line where district regulations for R-1-10 requires the accessory structure to be eight feet from the side property line.

- (a) The applicant claims that the special conditions particular to the land is due to the lot size being small. While the property is zoned R-1-10, and is approximately 8,666 square feet according to the survey provided, their site plan notes at least 12 feet between the house and the proposed structure. Current accessory structure ordinance requires five feet of separation between accessory structures and the primary structure for properties under acre in size. The applicant could move the proposed structure to be eight feet away from the side property line to meet the side setback requirements and would still have seven feet of separation between the primary structure and the proposed shed.
- (b) The applicant states in their application that the hardship results from their lot being small. While the lot is smaller than what current ordinance would require for R-1-10 zoning, the applicant further notes in their application that the reason they wish to place shed so close to the property line is that they do not wish to have the shed within the middle of the backyard. This combined with the noted distance of 12 feet between the house and proposed shed show that the applicant could meet the required setbacks despite the lot size being smaller than what would be required by current district regulation ordinance. Therefore, the applicant is causing their own hardship.
- (c) While the applicant claims the hardship results from the small lot size, as noted in the statements above the applicant could meet the required setbacks despite the lot size. The hardship results from the applicant wishing to place the proposed shed closer to the side property line than current district regulations allow by right.
- (d) The applicant does not address this question, instead explaining that the proposed shed is for storage for converting their garage for more living space. Aside from a text amendment altering the district regulations to allow for reduced setbacks, an approved variance would allow the applicant to place the proposed structure within setbacks while remaining site specific.
- (e) The applicant claims that granting the variance would not confer special privileges as other houses nearby have sheds. Upon a site visit, staff noticed other homes that had sheds on their properties that are built within their required setbacks, such as the house directly to the east have existing accessory structures that are built into the required setbacks. However, these noted accessory structures appear to be pre-existing non-conforming as according to available imagery they appear to exist as early as 2007 and would have been constructed before being annexed from Harrison County.
- (f) This property is zoned R-1-10, and an accessory structure with a primary structure is allowed by right.

EXECUTIVE SUMMARY

The applicant is seeking approval for a side yard setback of three feet where district regulations require 8 feet for R-1-10 zoned properties. The applicant claims in their application that their hardships is a result of their lot being small. According to their provided survey, the property is approximately 8,666 square feet in size which is smaller than what is typical for properties zoned

Technical Report

VARIANCE

R-1-10 under current district regulations. However, the applicant further notes in their application that they are wishing to place the shed closer to the property line in order to keep the shed from being in the center of the backyard. According to the same site plan provided the applicant notes a separation of twelve feet between the proposed shed and the existing house. As current accessory structure ordinance requires only five feet of separation between the accessory structure and the primary structure for properties under an acre in size, the applicant could move their proposed shed to be eight feet from the side property line and have seven feet of separation between the shed and the house. As a result of these factors the applicant is causing their own hardship. The applicant notes that there are other properties nearby with similar structures. Upon a staff visit to the area, staff noted other nearby properties that were placed within the required setback, such as the neighboring property to the east. Upon review of the past available imagery such structures appear to be pre-existing nonconforming and were constructed before the area was annexed into Gulfport's city limits.

Any approval should consider these conditions:

1. Must comply with all current Building Codes and City of Gulfport Ordinances.
2. Approval allows for the proposed 12-foot by 16-foot (192 square foot) accessory structure to be placed three feet from the side property line, where current district regulations require a setback of eight feet.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 1/3/25.

Public Works: No conditions. Memo dated 1/3/25.

Traffic and Safety: No conditions. Memo dated 12/30/24.

Building Code Services: Must comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 1/2/25.

GIS: No conditions. Memo dated 1/3/25.

Police Department: No comment as of 1/3/25.

Fire Department: No conditions. Memo dated 12/17/24.

City Arborist: No conditions. Memo dated 12/18/24.

Leisure Services: No conditions. Memo dated 12/29/24.

Technical Report

VARIANCE

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department

2501ZB004

Variance



Site

Street

Parcels

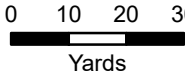
Buildings

City Limit

Zoning

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

Site Information
0808F-05-061.000
Zoning: R-1-10 (Single-Family)
Size: 8771.74 sqft
Flood: X



1 inch = 100 feet



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



BC 12/03/2024
CASE NUMBER
256120004
R#13054591

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

0808F	-	05	-	061	.	000											

Property Address:

15251 CINDY COVE

Lot(s) 65, 66 Block(s) Subdivision NORTHWOOD HILLS CENTRAL

(SIDE) AMMS

General Description of Request: REQUESTING A 3 FOOT SETBACK

WHERE 8 FEET IS REQUIRED FOR A SHED AMMS

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:Gregory D O'Neal

Printed Name of Owner

15251 Cindy Cove

Mailing Address

Gulfport MS 39503

City

State

Zip Code

(228) 547-1954

Home Phone

Work/Cell Phone

gdoneal@bellsouth.net

Email

[Signature]

Signature of Owner

AGENT:MICHAEL RAY BURLIS

Printed Name of Agent

15251 CINDY COVE

Mailing Address

GULFPORT MS 39503

City

State

Zip Code

505-363-1484MS

Home Phone

Work/Cell Phone

MICHAEL.BURLIS1975@HOTMAIL.COM

Email

[Signature]

Signature of Agent

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

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

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____



DESIGNATION OF AGENT

I, Gregory O'Neal being property owner of 15251 Cindy Cove
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize MICHAEL RAY BURLS to act as
PRINT NAME
my representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning
Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

[Signature]
SIGNATURE

Nov 25 2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

[Signature]
NOTARY PUBLIC



5/22/27
COMMISSION EXPIRATION



COVENANT AFFIDAVIT

I, Gregory D'Neal being property owner or agent of the property 15251 Cindy Cove
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

Nov 25 2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

[Signature]
NOTARY PUBLIC



5/22/27
COMMISSION EXPIRATION

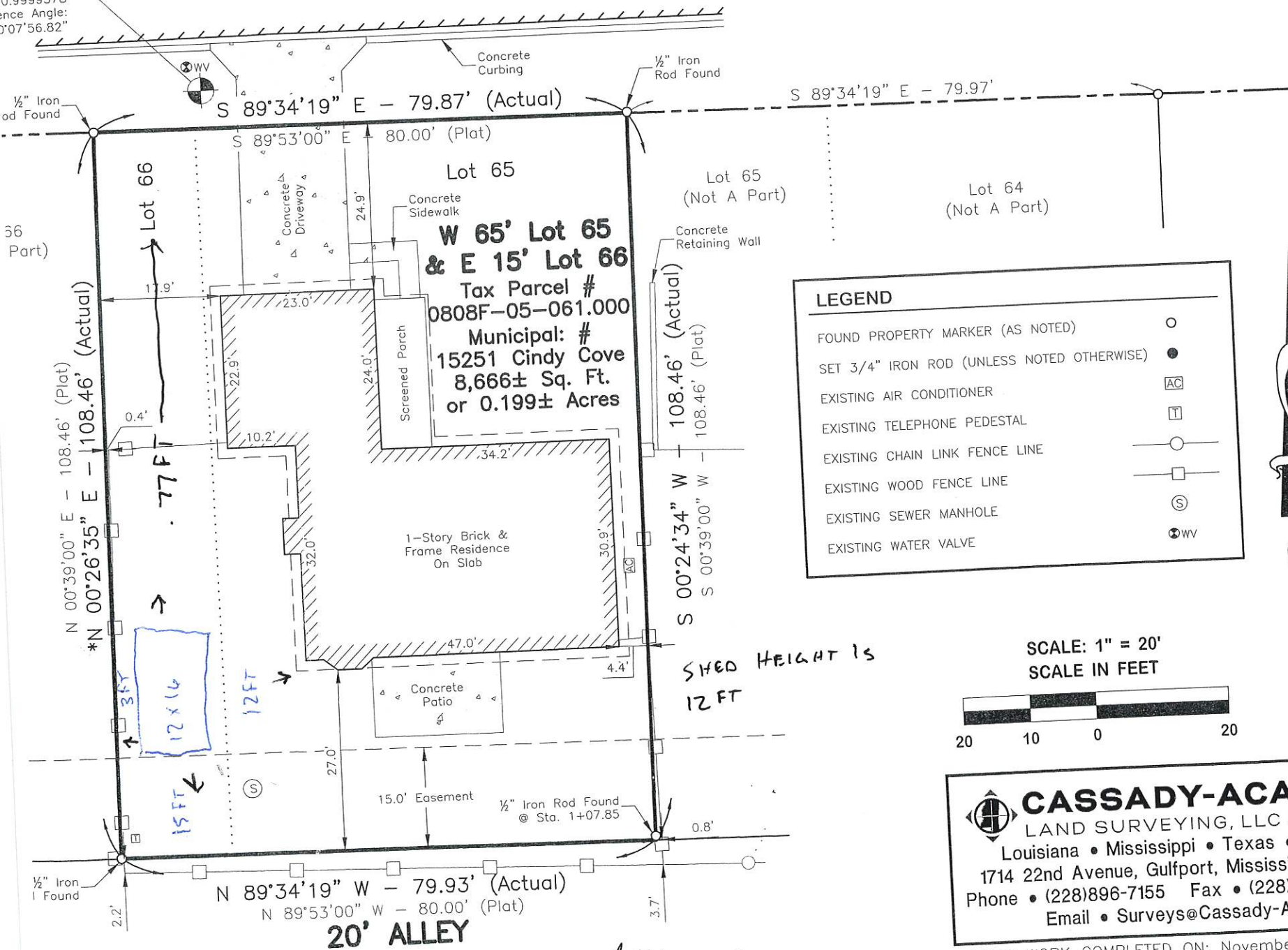
VARIANCE SUBMISSIONS FOR SHED AT 15251 CINDY COVE GULFPORT MS

1. WE ARE LOOKING TO GET A VARIANCE ~~DUE TO NOT~~^{AND} ABOUT 3 FT FROM THE FENCE, INSTEAD OF 8 FT, BECAUSE THE AREA THE SHED IS GOING WILL BE RIGHT IN THE MIDDLE OF THE SIDE YARD.
2. THE AREA IS OPEN, JUST THE YARD IS SMALL DUE TO ~~HOUSE~~^{THE} LOT BEING SMALL
3. IF WE DO THE STANDARD 8 FT THE SHED MAY SIT IN THE CENTER OF THE BACKYARD ON THE SIDE OF THE HOUSE DUE TO LIMITED SPACE ALONG WITH THE EASEMENT FOR CITY LINKS
4. WE ARE WANTING THE SITES FOR STORAGE TO CONVERT THE GARAGE (EVENTUALLY) DUE TO MULTIPLE FAMILIES LIVING IN THE HOUSE DUE TO MEDICAL REASONS
5. IT WILL NOT, SEVERAL HOUSES HAVE SHEDS AND IT WILL NOT INTERFERE WITH ANY OTHER PROPERTY
6. IT SHOULD BE PERMISSABLE DUE TO NOT INTERFERING WITH THE EASEMENT ~~AND ANY OTHER PROPERTY~~ FOR CITY LINKS WHERE WE WANTED THE SHED TO BE PLACED ORIGINALLY

Iron Nail Set
349493.29
901932.77
0.9999578
Bearing Angle:
0°07'56.82"

50' PUBLIC R.O.W. / ASPHALT ROADWAY

FIRST JUDICIAL DISTRICT OF
HARRISON COUNTY, MISSISSIPPI



CASSADY-ACADIA
LAND SURVEYING, LLC Since 1947
Louisiana • Mississippi • Texas • Alabama
1714 22nd Avenue, Gulfport, Mississippi 39501
Phone • (228)896-7155 Fax • (228)896-8405
Email • Surveys@Cassady-Acadia.com

FIELD WORK COMPLETED ON: November 14, 2024

FILING
DATE 03/21/2018

STATE FILE NUMBER 123-2018-003785

STATE OF MISSISSIPPI

NUMBER

[illegible]

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL FILED IN THE OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF TEXAS.

8/28/2018

**DEPARTMENT OF
STATE REGISTRATION**

WARNING

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VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

THE FACT OF THE DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER THIS IS WATERMARKED PAPER. DO NOT ACCEPT WITHOUT FIRST HOLDING TO LIGHT TO VERIFY WATERMARK.

Prepared by and return to:
Stewart Title of the Gulf Coast
Thad Henley, Esq.
Post office Box 6296
Gulfport, MS 39506
(228) 896-5000



STATE OF MISSISSIPPI

COUNTY OF HARRISON

WARRANTY DEED

For and in consideration of the sum of \$10.00 cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, we, JAMES ALAN GRAY and BETTY SUE GRAY, do hereby sell, warrant and convey unto GREGORY D. O'NEAL and ELIZABETH A. O'NEAL, Grantees, as joint tenants with full rights of survivorship and not as tenants in common, all of our right, title and interest in and to the following described property situated in the First Judicial District of Harrison County, Mississippi, to-wit:

The West 65.0 feet of Lot Sixty-Five (65) and the East 15.0 feet of Lot Sixty-six (66), NORTHWOOD HILLS CENTRAL SUBDIVISION, a subdivision in the First Judicial District of the County of Harrison, State of Mississippi, as per the official Map or Plat thereof on file and of record in the Office of the Chancery Clerk thereof, Plat Book 29 at page 17.

Parcel No.: 0808F-05-061.000
For Identification Purposes Only

Together with all and singular rights, privileges, improvements and appurtenances to the same belonging or in any way appertaining.

Handwritten initials

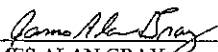
✓

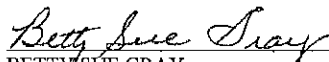
BOOK 1449 PAGE 182

This conveyance is made subject to any and all reservations, restrictions, easements, exceptions, covenants and conditions of record, including any mineral, oil, or gas reservations and any covenants or restrictions of record.

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

WITNESS OUR SIGNATURES, this the 16th day of April, 1999.


JAMES ALAN GRAY


BETTY SUE GRAY

STATE OF MISSISSIPPI
COUNTY OF HARRISON

BOOK 1449 PAGE 183

Personally came and appeared before me, the undersigned authority, in and for the aforesaid County and State on this the 16th day of April, 1999, JAMES ALAN GRAY and BETTY SUE GRAY, who acknowledged that they signed and delivered the foregoing instrument of writing on the day and year therein mentioned.

Witness my signature and official seal of office on this the 16th day of April, 1999.

Ruby E. Stever
NOTARY PUBLIC

My commission expires:

2-2-2002

GRANTORS:

C/O Robert and Oake
315 Pigeon Point Road
New Castle, Delaware 19720
888-887-9454

GRANTEES:

15251 Cindy Cove
Gulfport, Mississippi 39503
2228-539-2323

This space for recording information only.

JS
LSH

3

Instrument No. 2932

STATEMENT OF FEES

Recording Fee \$5.00
Records Management Fee \$1.00
Abstracting Fee \$1.00
Marginal Entry \$1.00
Other \$8.00
TOTAL FEES COLLECTED \$16.00

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

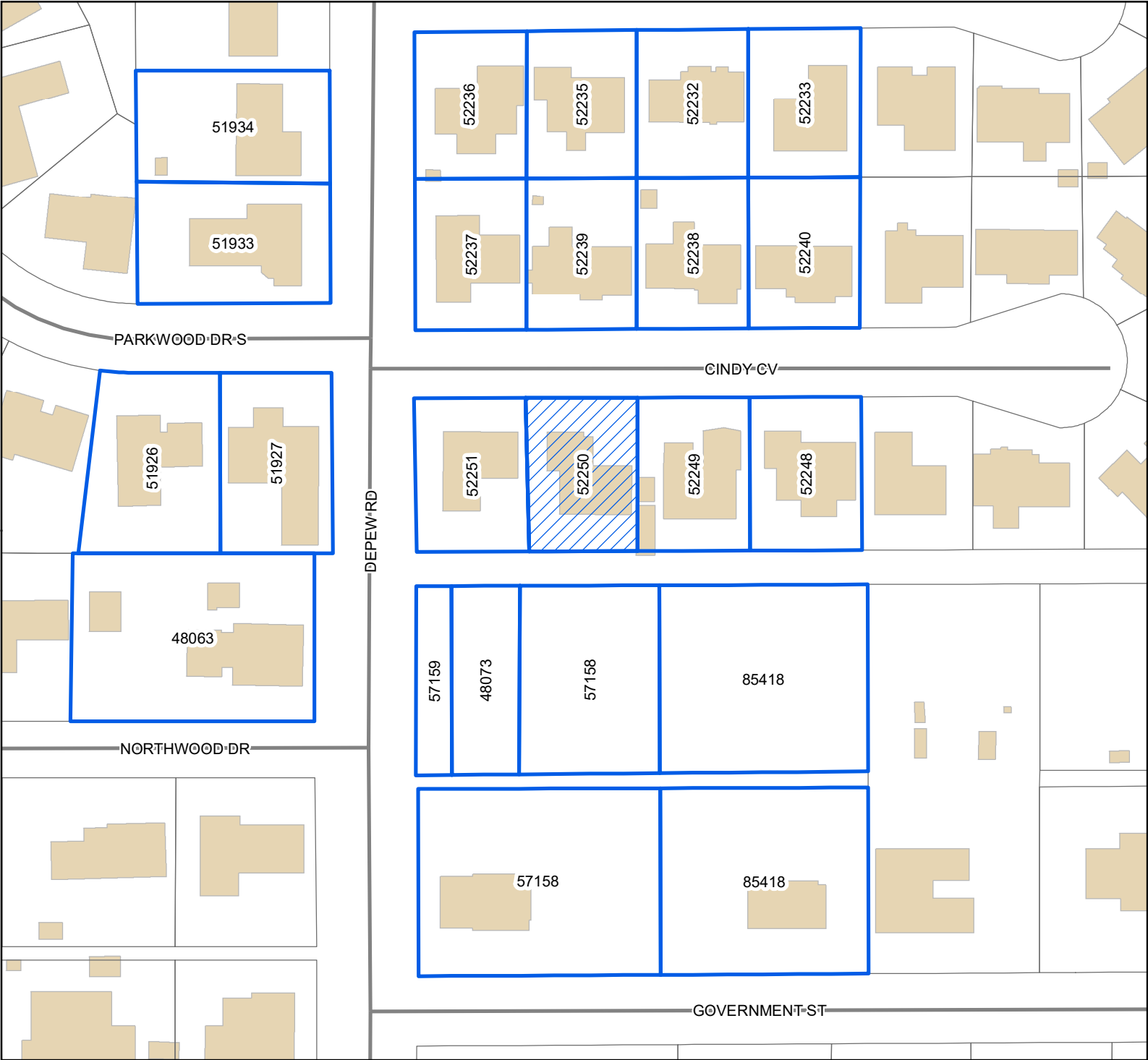
I hereby certify that this instrument was received and filed for record at 11 o'clock and 10 minutes PM on April day of April, A.D. 19 99 and recorded April 21 1999 in Records of Deeds Book 1449 Pages 181-183

JOHN McADAMS, Chancery Clerk

By *John McAdams*, D.C.

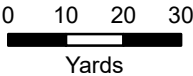
LAWRENCE-GREENWOOD 02685

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0808F-05-061.000	GREGORY D O'NEAL (OWNER)	15251 CINDY COVE	GULFPORT	MS	39503
			MICHAEL RAY BURKS (AGENT)	15251 CINDY COVE	GULFPORT	MS	39503
			Adjacent Property Owners (2501ZB004)				
	52235	0808F-05-046.000	NISSEN CURTIS A	15251 GINGER CV	GULFPORT	MS	39503
	52236	0808F-05-045.000	TORRES JESSICA R	18074 CARSON CT	SAUCIER	MS	39574
	52240	0808F-05-056.000	JFK INVESTMENTS LLC	11397 PALM VALLEY COVE	GULFPORT	MS	39503
	52238	0808F-05-057.000	BARTELS JEFFRY LYNN & BERNADITH	15244 CINDY CV	GULFPORT	MS	39503
	52239	0808F-05-058.000	DAVIS Q'VONDRA SANTRICE & MALCOLM J	15250 CINDY COVE	GULFPORT	MS	39503
	48063	0808E-02-042.000	FRETENBOROUGH SAMUEL J & TAMMY	15274 NORTHWOOD DR	GULFPORT	MS	39503
	52232	0808F-05-047.000	HARBIN CARLA	15245 GINGER COVE	GULFPORT	MS	39503
	51927	0808E-02-001.000	PARKS KATRINA	15834 PARKWOOD DR S	GULFPORT	MS	39503
	52251	0808F-05-060.000	ENTRUST GROUP INC THE	555 12TH ST, STE 900	OAKLAND	CA	94607
	52248	0808F-05-063.000	HANSHEW RALPH P III & HEATHER S	15235 CINDY COVE	GULFPORT	MS	39503
	52249	0808F-05-062.000	NEIDOFFER JOHN RAYMOND	15245 CINDY CV	GULFPORT	MS	39503
	48073	0808F-05-073.000	NECAISE ALBERT & LOIS ANN	P O BOX 717	GULFPORT	MS	39502
	57159	0808F-05-074.000	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
	52237	0808F-05-059.000	REED EDWARD & CLAYTON KENNY	15260 CINDY COVE	GULFPORT	MS	39503
	51933	0808E-01-030.000	CAIN ANGELA	15833 S PARKWOOD DR	GULFPORT	MS	39503
	51926	0808E-02-002.000	MCDANIEL KEVIN M & KIMBERLY J	14619 JOHN CLARK RD	GULFPORT	MS	39503
N	52250	0808F-05-061.000	ONEAL GREGORY D	15251 CINDY CV	GULFPORT	MS	39503
	52233	0808F-05-048.000	SIMON JARED SCOTT & COURTNEY NICOLE	15235 GINGER COVE	GULFPORT	MS	39503
	57158	0808F-05-072.000	NECAISE ALBERT L & LOIS A	17081 ROBINSON RD	GULFPORT	MS	39503
	85418	0808F-05-071.000	NELSON HOLLIS M & TERESA G	15238 GOVERNMENT ST	GULFPORT	MS	39503
	51934	0808E-01-029.000	LINSCOMB ROLAND HOMER & CYNTHIA RIC	12161 DEPEW RD	GULFPORT	MS	39503



Legend

- Site
- Adjacent Properties
- Street
- Buildings



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.



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	622152	Print Legal Ad-IPL02095150 - IPL0209515		\$83.20	1	75 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, January 16, 2025 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 2501ZB002, by agent William E. Kneasal Jr., seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-004.000, 1227 Pass Road & 1229 Pass Road, Zoned B-2 (General Business), Ward 2 Special Exception 2501SE003, by agent William E. Kneasal Jr., seeking approval for a liquor store use, Tax Parcel 0811A-05-004.000, 1229 Pass Road, Zoned B-2 (General Business), Ward 2

Variance 2501ZB004, by agent Michael Ray Burks, seeking approval for a 3-foot side yard setback where 8 feet is required, Tax Parcel 0808F-05-061.000, 15251 Cindy Cove, Zoned R-1-10 (Single-family), Ward 7

Variance 2501ZB005, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB006, by owner Hage Properties LLC, seeking approval for 3 regular parking spaces where 14 parking spaces are required, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB008, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB009, by owner Hage Properties LLC, seeking approval for 0 regular parking spaces where 7 are required, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Special Exception 2501SE010, by owners Ria Propertiez AZ, LLC and Prosper Properties LLC, seeking approval for a bar and lounge use, Tax Parcel 1010H-02-031.000, 2093 E Pass Road Suites A & C, Zoned B-1 (Neighborhood Business), Ward 2

This the 23rd day of December 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0209515
Dec 31 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
12/31/24

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

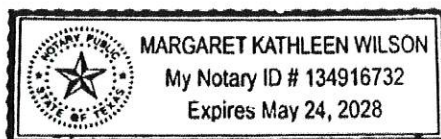
Mary Castro

Sworn to and subscribed before me this 7th day of January in the year of 2025

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 # 2025-290

Hearing Date: Thursday, January 16, 2025

Variance 2501ZB005: Variance 2501ZB005, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2501ZB005

Hearing Date: January 16, 2025

Current Zoning/Use: B-2/ Commercial Building

Legal: Variance 2501ZB005, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance to allow for parking that backs out into city right-of-way for a commercial use. The required parking must be 9' by 18' and any commercial use is to provide a 25-foot aisle width for perpendicular parking. The site in question cannot provide the required aisle width, as that would require major renovations to the footprint of the existing building in order to comply with the current ordinance without a variance. There are several properties in the area have come before the board a similar request such as in case 2405ZB060 and 2410ZB164.

- (a) The applicant states that this is a building from 1973 and that the front of the building is the only parking area available. Due to the preexisting building, the lot does not have the suitable turnaround in order to avoid backing out into city right-of-way, a trait common to the area along Pass Road.
- (b) The applicant states that the special condition is a result of previous building codes and the widening of Pass Road. The hardship has been directly caused by these factors as well as the building being considered pre-existing.
- (c) Applicant states that there is a hardship in that the building is adjacent to an alley. This is not a sufficient answer. The hardship is ultimately caused by the size of the preexisting building in conjunction with the lack of available space to back out into city right-of-way.
- (d) The applicant states that the current ordinance is causing the need for this variance since it is physically impossible to conform this property to it. Upon staff review, the surrounding area has several properties that back out into city right-of-way. Furthermore, many of these properties have gone before the board for variances to do so. Denial of this application would be depriving the applicant of rights that these properties enjoy.
- (e) Applicant believes that granting this variance would not confer special rights upon them. Upon staff review, there are several properties that have been approved for variances for similar requests. An approval of this request would be in line with that area, and therefore, would not be conferring any special rights upon the applicant.
- (f) This property is zoned B-2, and certain commercial uses are allowed by right.

EXECUTIVE SUMMARY

The applicant does display a genuine hardship at this property. The property presently does not have the suitable space to have proper on site turnaround to avoid backing out into city right-of-way. The building has existed since 1973 and thus the applicant is not the cause of this hardship. Furthermore, the area along Pass Road has several properties that do not have suitable turnaround. Several of these properties have obtained similar variances to allow for backing out into city right-of-way and as such, an approval of this petition would be in line with the area.

Any approval should consider these conditions:

1. Must comply with all zoning rules and regulations.
2. Approval would allow for parking that backs out into the city right of way.

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

Engineering: No Conditions. Memo dated 1/03/2025.

Public Works: No Conditions. Memo dated 1/03/2025.

Traffic and Safety: No Conditions. Memo dated 12/30/2024.

Building Code Services: No conditions. Memo dated 1/02/2025

GIS: No conditions. Memo dated 1/03/2025

Police Department: No comment as of 1/03/2025.

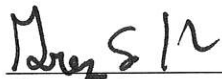
Fire Department: No Conditions. Memo dated 12/17/2024.

City Arborist: No Conditions. Memo dated 12/17/2024.

Leisure Services: No Conditions. Memo dated 12/29/2024.

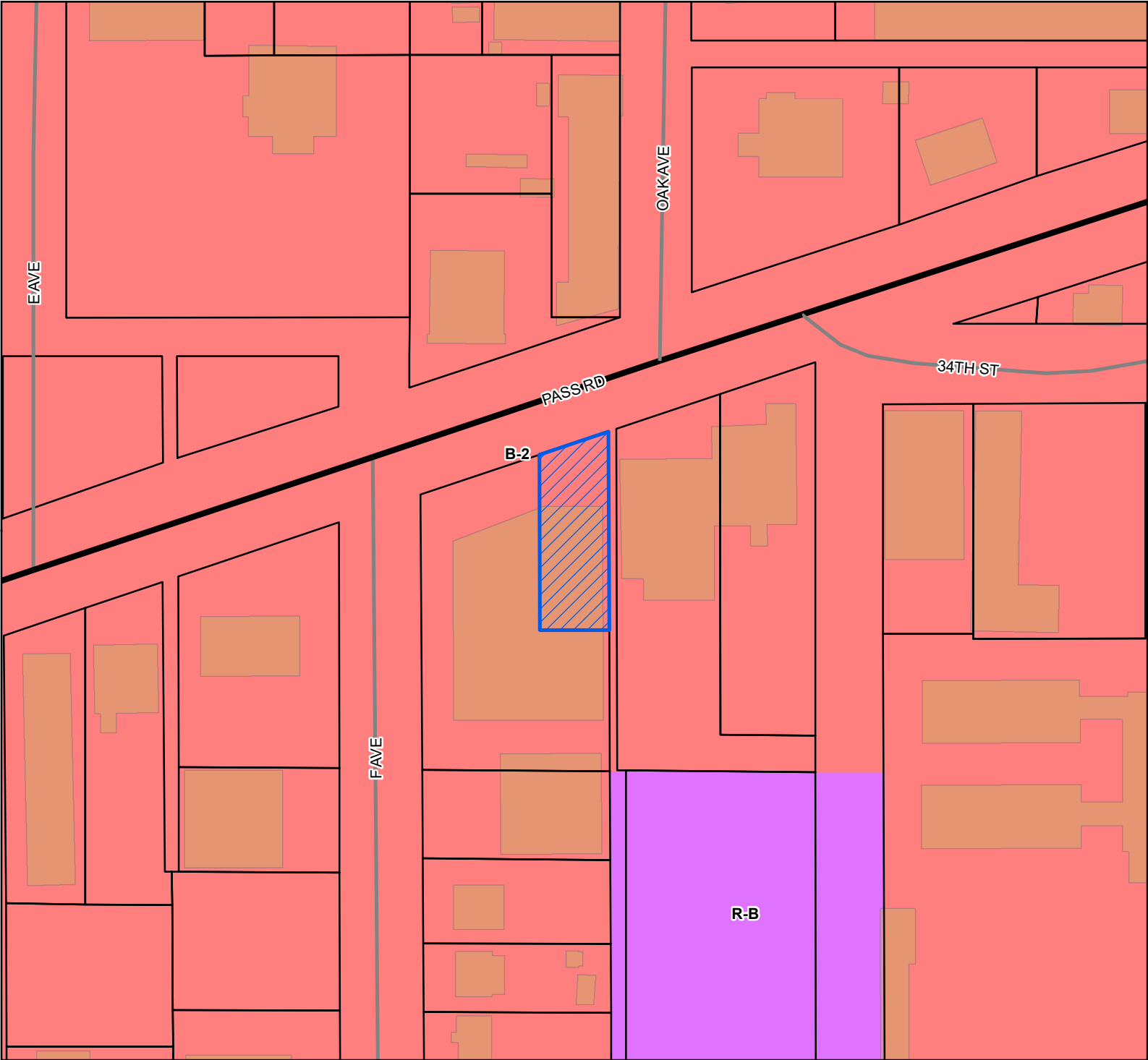
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department



Site

US or State Highway

Street

Parcels

Buildings

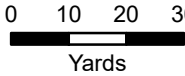
City Limit

Zoning

B-2 - General Business District

R-B - Residence-Business District

Site Information
0910N-01-010.001
Zoning: B-2 (General Business)
Size: 6700.06 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.



BC 12/03/24
CASE NUMBER
2501 ZB005
R#13054684

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

0910W-01-010.001	

Property Address:

213 Pass Road, Gulfport, MS 39507
Lot(s) 1-6 Block(s) B Subdivision Jordan and McGuire.

General Description of Request: To allow vehicle to back into right of way to exit parking 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: Hage Properties, LLC
Hage Limited Partnership, LLC

Printed Name of Owner

400 Pass Road

Mailing Address

Gulfport, MS 39507

City

State

Zip Code

228-731-0714

Home Phone

Work/Cell Phone

lhage@BellSouth.net

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)

Laurence Hage

Address (Street, City, State, Zip Code)

400 Pass Road, Gulfport MS 39507

Phone (Home)

(Work)

(Cell)

228-731-0714

Tax Parcel Number(s) Owned:

0910W-01-010.001

Signature:

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home)

(Work)

(Cell)

Tax Parcel Number(s) Owned:

Signature:

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home)

(Work)

(Cell)

Tax Parcel Number(s) Owned:

Signature:



COVENANT AFFIDAVIT

I, Laurence Hays being property owner or agent of the property 213 Pass Road, Gulfport
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application, hereby state that this variance request is not in violation of any
restrictive or protective covenants.

[Signature]
SIGNATURE

12-3-24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

[Signature]
NOTARY PUBLIC

05/22/2027
COMMISSION EXPIRATION



Hage Properties, LLC.
400 Pass Road, Suite A
Gulfport, MS 39507
(228) 864-5437

1. This building was built in 1973 when the existing requirements did not exist. The front of the building is the only parking area and it is not set back enough from Pass Road to meet the current requirements to turn around and exit the parking lot.
2. The special condition is a result of previous building codes and widening of Pass Road.
3. There is a hardship in that the building is adjacent to an alley and it is elevated from the alley therefore using the alley is not an option. Also it is adjacent to a build with their parking which also has the same setback.
4. Based on the current ordinance the parking lot from right of way to the building would have to be increased and that is not physically possible.
5. This will only allow us to use the building and parking as the adjacent business's have also been required to obtain variances.
6. The retail business will meet all current zoning.



Area Map

Printed 12/2/2024

PASS RD

46

(52)

1

47

27'

18'

TYP

2

TYP

HC

TYP

44'

0910N-01-010.001

0910N-01-008.000

0910N-01-010.000

215 PASS RD A

215 PASS RD B

(245)

42

41

● Addresspoints

□ Parcels

Initial and date here:

Planner: _____

Owner: _____

Contractor: _____



1 inch = 25 feet

DATA DISCLAIMER:

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Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Hage Properties, LLC	Legal
HAGE LIMITED PARTNERSHIP	Previous Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	664946
Status:	Good Standing
Effective Date:	12/23/1998
State of Incorporation:	Mississippi
Principal Office Address:	400 PASS RD, 400 PASS RD, Suite A GULFPORT, MS 39507

Registered Agent

Name
Hage, Laurence M
400 Pass Road
Gulfport, MS 39507

Officers & Directors

Name	Title
Laurence M. Hage, D.D.S. 11500 Stanton Circle Gulfport, MS 39503	Member

BOOK 1436 PAGE 424

STATE OF MISSISSIPPI

COUNTY OF HARRISON/FIRST JUDICIAL DISTRICT

WARRANTY DEED

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

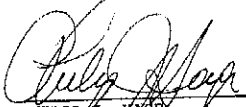
PHILIP J. HAGE, and wife, SADIE S. HAGE
do(es) hereby sell, convey and warrant unto,

HAGE LIMITED PARTNERSHIP, a Mississippi Limited Partnership
the property situated and being in Harrison County, State of Mississippi,
described as follows, to-wit:

DESCRIPTION PER THE ATTACHED EXHIBIT A, WHICH IS
ENCOMPASSED WITHIN FOR ALL INTENTS AND PURPOSES
AS IF WRITTEN.

THIS CONVEYANCE is subject to all restrictions, easements and
reservations affecting said property of record in the office
of the Chancery Clerk of Harrison County, Mississippi.

WITNESS the signature(s) of the undersigned on this the 30 day
of Dec, 1998.


PHILIP J. HAGE

TITLE NOT EXAMINED


SADIE S. HAGE

INDEXING INSTS: LOTS 1 THROUGH 10 OF BLK. B OF JORDON & MCGUIRE S/D,
FIRST JD. HARRISON COUNTY, MS

STATE OF

Ms

BOOK 1436 PAGE 425

COUNTY/PARISH OF

Harrison

Personally appeared before me, the undersigned authority, in and for the above named jurisdiction, the within named

PHILIP J. HAGE and wife, SADIE S. HAGE

acknowledged that they signed and delivered the above and foregoing instrument on the day and date therein mentioned.

GIVEN under my hand and seal of office on this the 30 day of

Dec, 1998

C. Thomas Anderson
NOTARY PUBLIC

My Commission Expires:

8/24/99

GRANTORS ADDRESS: 400 PASS ROAD, GULFPORT, MS 39507

GRANTORS TELEPHONE: 228-864-5437

GRANTEES ADDRESS: 400 PASS ROAD, GULFPORT, MS 39507

GRANTEES TELEPHONE: 228-864-543

Prepared by:

C. Thomas Anderson

918 Washington, Ave

Ocean Springs, MS 39564

875-0176

EXHIBIT "A"

The following described land situated and being in the City of Gulfport, in the First Judicial District of Harrison County, Mississippi, to-wit:

Lots 1 through 10 of Block B of Jordan & McGuire Subdivision, said Subdivision being a replat of Blocks 1, 2 and 3 of East Magnolia Grove Subdivision in the City of Gulfport, Harrison County, Mississippi, according to the official map or plat thereof on file in the Office of the Clerk of the Chancery Court of Harrison County, Mississippi, in Records of Plats, Book 10, Page 1, and which land is located in the SE 1/4 of Section 35, Township 7 South, Range 11 West, Harrison County, Mississippi.

LESS AND EXCEPT any portion thereof conveyed for Pass Road or for the widening of Pass Road.

Instrument No. 9819

STATEMENT OF FEES

Recording Fee \$6.00
 Records Map Return Fee \$1.00
 Abstract of Sale \$1.00
 Marginal Entry \$1.00
 Other \$0.00
 TOTAL FEES COLLECTED \$8.00



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

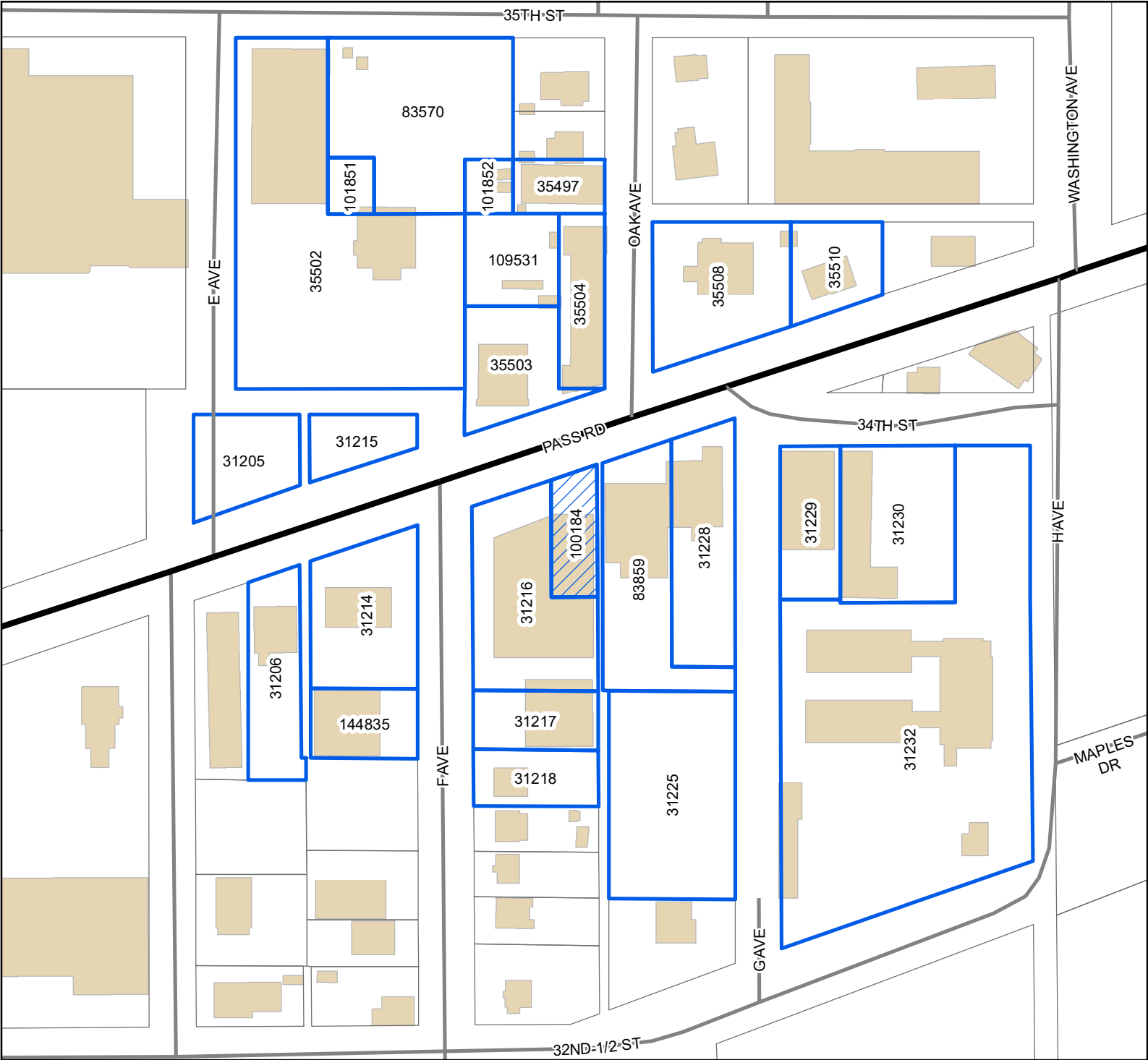
I hereby certify that this instrument was received and filed for record at 10 o'clock and 49 minutes A. M. on 31 day of Dec, A.D. 19 98 and recorded Jan 4 19 99 in Records of Deeds Book 1436 Pages 424-426

JOHN McADAMS, Chancery Clerk

John McAdams, D.C.

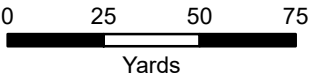
LAWRENCE GREENWOOD 00886

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0910N-01-010.001	HAGE PROPERTIES LLC / HAGE LIMITED PARTNERSHIP, LLC (OWNER)	400 PASS RD	GULFPORT	MS	39507
			Adjacent Property Owners (2501ZB005)				
N	83859	0910N-01-008.000	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
N	100184	0910N-01-010.001	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
N	31232	0910N-01-004.000	BELLSOUTH TELECOMMUNICATIONS LLC	D/B/A AT & T MISSISSIPPI	BIRMINGHAM	AL	35201
	35503	0910K-02-022.000	GULFPORT VETERINARY HOSPITAL HOLDIN	204 PASS ROAD	GULFPORT	MS	39507
	101852	0910K-02-006.001	PASS ROAD BAPTIST CHURCH	208 PASS RD	GULFPORT	MS	39507
	35502	0910K-02-007.000	PASS ROAD BAPTIST CHURCH	1319 2ND ST	GULFPORT	MS	39501
N	83570	0910K-02-006.000	PASS ROAD BAPTIST CHURCH	208 PASS RD	GULFPORT	MS	39507
N	109531	0910K-02-022.001	PASS ROAD BAPTIST CHURCH	208 PASS RD	GULFPORT	MS	39507
	35504	0910K-02-023.000	VU HONG NHUNG THI & MYLAN THI VU	347 RODENBERG AVE	BILOXI	MS	39531
N	31205	0910N-07-002.000	PASS ROAD BAPTIST CHURCH	208 PASS RD	GULFPORT	MS	39501
N	31217	0910N-01-011.000	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
	31225	0910N-01-007.000	SIMMONS KENNETH RAY JR & SHERRY ANN	2492 TANDY DR	GULFPORT	MS	39503
	31229	0910N-01-003.000	MISS GULF COAST YOUTH FOR CHRIST	111 EAST 34TH STREET	GULFPORT	MS	39507
N	31216	0910N-01-010.000	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
N	101851	0910K-02-006.002	PASS ROAD BAPTIST CHURCH	208 PASS RD	GULFPORT	MS	39507
N	31214	0910N-01-019.000	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
	35497	0910K-02-005.000	SAHIN HARUN	42-17 167TH ST	FLUSHING	NY	11358
	31230	0910N-01-002.000	LHZ LLC	5804 OPORTO MADRID BLVD S	BIRMINGHAM	AL	35210
N	31215	0910N-07-001.000	PASS ROAD BAPTIST CHURCH	208 PASS ROAD	GULFPORT	MS	39507
	31228	0910N-01-009.000	GATES NEVILLE JR	19 51ST STREET	GULFPORT	MS	39507
	31218	0910N-01-012.000	LADNER WALLACE & JEANETTE	P O BOX 6496	GULFPORT	MS	39506
N	35508	0910K-02-024.000	HARVEY THOMAS CLEMENTS III	CAJUNS FABULOUS FRIED CHICKEN	GULFPORT	MS	39507
N	144835	0910N-01-019.001	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
	35510	0910K-02-025.000	JAMES NELSON PROPERTIES INC	111 31ST ST	GULFPORT	MS	39507
	31206	0910N-01-020.000	DUNNIGAN GARY L	311 PASS RD	GULFPORT	MS	39507



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	622152	Print Legal Ad-IPL02095150 - IPL0209515		\$83.20	1	75 L

Attention: Matilda Welch

GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, January 16, 2025 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 2501ZB002, by agent William E. Kneasal Jr., seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-004.000, 1227 Pass Road & 1229 Pass Road, Zoned B-2 (General Business), Ward 2 Special Exception 2501SE003, by agent William E. Kneasal Jr., seeking approval for a liquor store use, Tax Parcel 0811A-05-004.000, 1229 Pass Road, Zoned B-2 (General Business), Ward 2

Variance 2501ZB004, by agent Michael Ray Burks, seeking approval for a 3-foot side yard setback where 8 feet is required, Tax Parcel 0808F-05-061.000, 15251 Cindy Cove, Zoned R-1-10 (Single-family), Ward 7

Variance 2501ZB005, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB006, by owner Hage Properties LLC, seeking approval for 3 regular parking spaces where 14 parking spaces are required, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB008, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB009, by owner Hage Properties LLC, seeking approval for 0 regular parking spaces where 7 are required, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Special Exception 2501SE010, by owners Ria Propertiez AZ, LLC and Prosper Properties LLC, seeking approval for a bar and lounge use, Tax Parcel 1010H-02-031.000, 2093 E Pass Road Suites A & C, Zoned B-1 (Neighborhood Business), Ward 2

This the 23rd day of December 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0209515
Dec 31 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
12/31/24

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

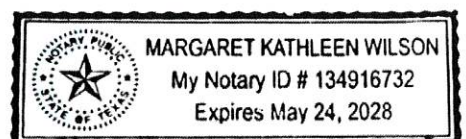
Mary Castro

Sworn to and subscribed before me this 7th day of January in the year of 2025

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 # 2025-291

Hearing Date: Thursday, January 16, 2025

Variance 2501ZB006: Variance 2501ZB006, by owner Hage Properties LLC, seeking approval for 3 regular parking spaces where 14 parking spaces are required, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2501ZB006

Hearing Date: January 16th, 2025

Current Zoning/Use: B-2 / Commercial Structures

Legal: Variance 2501ZB006, by owner Hage Properties LLC, seeking approval for 3 regular parking spaces where 14 parking spaces are required, Tax Parcel 0910N-01-010.001, 213 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 for a variance for 3 regular parking spaces where 14 spaces are required by current parking ordinance for a retail use, which requires 1 regular parking space for every 300 square feet of gross floor area.

- (a) The applicant states in their application that the building was built in the early 1970's when the existing parking requirements did not exist, and that the available existing space in front of the building can only accommodate for four total parking spots. According to online records from the Tax Assessor's Office, the primary building was built in 1973, which predates the current parking ordinance. The site plan provided does note the dimensions of the parking spaces being 9 feet by 18 feet, and indicates that one space is designated for handicap parking.
- (b) The applicant claims the special conditions is the result of previous building codes and that the site was built to then current codes. As was noted above, the building was constructed in the early 1970's which would have had different codes and ordinances to follow. The applicant notes in their application that a retail business would be using the site. Per the current parking ordinance, a retail use would require 1 regular parking space per every 300 square feet of gross floor area. The applicant has noted on their site plan the suite's dimensions to be 98 feet by 40 feet, totaling to 3,920 square feet. This square footage would require approximately 14 regular parking spaces and 1 handicap parking space. Upon review of the subject site, it would not be able to reasonably accommodate this parking requirement due to the size of the existing parking area onsite, not from the applicant's actions.
- (c) The applicant states in their application "there is a hardship in that there is an alley next to the building and the build is 5 feet from the alley." Upon review of the subject site, while there is an alley next to the building the hardship is created by the little amount of existing parking space is available onsite.
- (d) The applicants noted that the current parking ordinance would require approximately 14 parking spots and that the site cannot physically accommodate this requirement due to the amount of exist parking area available of site. Aside from a text amendment to the current parking ordinance, which would not be site specific, an approved variance would allow the applicant to enjoy the rights commonly enjoyed by others in this same district.
- (e) The applicant states in their application, "this will only allow us to use the building as the adjacent businesses have also been required to obtain variances." Upon a staff review of the immediate surrounding area, while the adjacent businesses do not have variances on file for parking space number requirements, should the businesses there change, variances for the number of parking spaces may be required. In addition, while there have been other properties along Pass Road that have had to obtain variances for parking requirements for similar hardships earlier this past year, such as for 504 Pass Road under case# 2411ZB174 and 512 Pass Road under case# 2408ZB114. The applicant's request would be in harmony with the surrounding area.
- (f) This property is zoned B-2, and some retail uses are allowed by right.

EXECUTIVE SUMMARY

The applicant is seeking approval for 3 regular parking spaces where 14 is required under current parking ordinance, due to the subject property not having enough space to accommodate for this

Technical Report

VARIANCE

parking requirement. The building was constructed in the 1970's according to both the applicant and publicly available records with the Tax Assessor's office, thus would have been constructed to the building codes and ordinances at the time. The applicant's hardship results from the characteristics of the property and not the result of the applicant, and is a hardship that has been seen before this board earlier this past year for other properties along Pass Road, such as 504 Pass Road under Case#2411ZB174 and 512 Pass Road under Case#2408ZB114. The applicant's request would be in harmony with the surrounding area.

Any approval should consider these conditions:

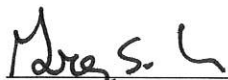
1. Approval allows for 3 regular parking spaces where 14 is required by current parking ordinance.
2. Must comply with all current Building Codes and City of Gulfport Ordinances.

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	No conditions. Memo dated 1/3/25.
<u>Public Works:</u>	No conditions. Memo dated 1/3/25.
<u>Traffic and Safety:</u>	No conditions. Memo dated 3/5/25.
<u>Building Code Services:</u>	Must comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 1/2/25.
<u>GIS:</u>	No conditions. Memo dated 1/3/25.
<u>Police Department:</u>	No comment as of 1/3/25.
<u>Fire Department:</u>	No conditions. Memo dated 12/17/24.
<u>City Arborist:</u>	No conditions. Memo dated 12/18/24.
<u>Leisure Services:</u>	No conditions. Memo dated 12/29/24.

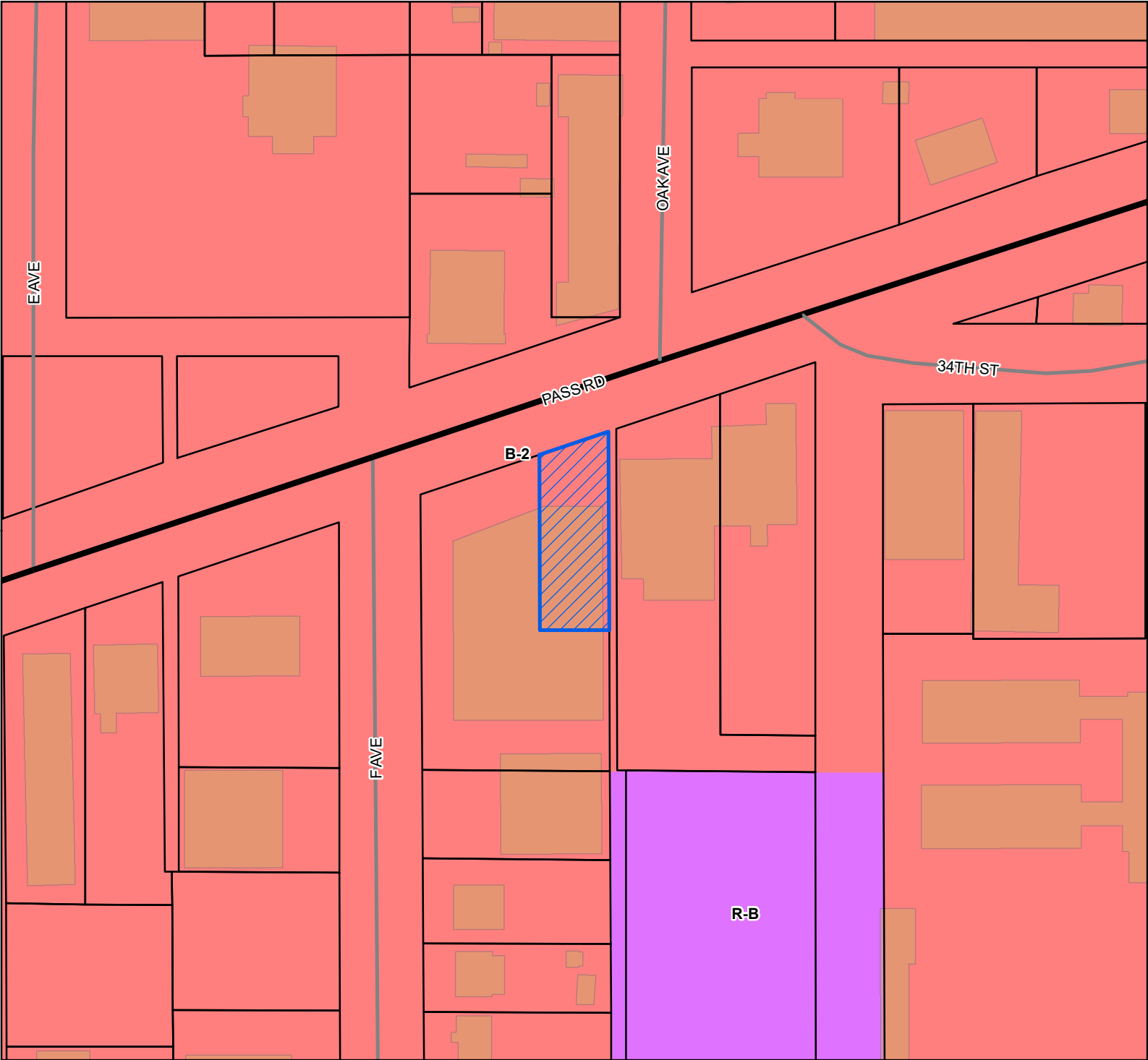
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department



Site

US or State Highway

Street

Parcels

Buildings

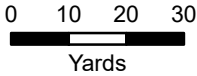
City Limit

Zoning

B-2 - General Business District

R-B - Residence-Business District

Site Information
0910N-01-010.001
Zoning: B-2 (General Business)
Size: 6700.06 sqft
Flood: X



1 inch = 100 feet



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

BC 12/03/24

CASE NUMBER

2501 ZB00C

R# 13054685

ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

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

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

TAX PARCEL NUMBERS

0910M-01-010.001	

Property Address:

213 Pass Road, Gulfport, MS, 39507

Lot(s) 1-6 Block(s) B Subdivision Jordan and McGuire

General Description of Request:

To allow (3) Reg. Parking spots with (1) addition of 1 Handicap where 14 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: Hage Properties, LLC
Hage Limited Partnership LLC

AGENT:

Printed Name of Owner

400 Pass Road

Mailing Address

Gulfport MS 39507

City

State

Zip Code

228-731-0714

Home Phone

Work/Cell Phone

lmhage@Bellsouth.net

Email

Signature of Owner

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) Laurence Hage

Address (Street, City, State, Zip Code) 400 Pass Road, Gulfport MS 39507

Phone (Home) _____ (Work) _____ (Cell) 228-731-0714

Tax Parcel Number(s) Owned: 0910N-01-010.001

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____



COVENANT AFFIDAVIT

I, Lawrence Hoge being property owner or agent of the property 213 Pass Rd Gulfport
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

[Signature]
SIGNATURE

12-3-20
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

[Signature]
NOTARY PUBLIC

05/22/2027
COMMISSION EXPIRATION



Hage Properties, LLC.
400 Pass Road, Suite A
Gulfport, MS 39507
(228) 864-5437

1. This building was built in 1973 when the existing requirements did not exist. The front of the building is the only area for parking. The space in front of the build will only accommodate (4) four parking spots total. Therefore we need a variance.
2. This special condition is a result of previous building codes and was built to then current codes.
3. There is a hardship in that there is an alley next to the building and the build is 5 feet from the alley. There is an connecting building to the West and South.
4. Based on current ordinance we would need approximately 14 parking spots and this not physically possible due to the existing parking area available and lack of adjacent space.
5. This will only allow us to use the building as the adjacent business's have also been required to obtain variances.
6. The retail business will meet all current zoning.



Area Map

Printed 12/2/2024

PASS RD

46

(52)

1

47

27'

18'
TYP

TYP

2

HC

TYP

44'

0910N-01-010.001

0910N-01-008.000

0910N-01-010.000

215 PASS RD A

215 PASS RD B

(245)

42

41

● 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
Hage Properties, LLC	Legal
HAGE LIMITED PARTNERSHIP	Previous Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	664946
Status:	Good Standing
Effective Date:	12/23/1998
State of Incorporation:	Mississippi
Principal Office Address:	400 PASS RD, 400 PASS RD, Suite A GULFPORT, MS 39507

Registered Agent

Name
Hage, Laurence M
400 Pass Road
Gulfport, MS 39507

Officers & Directors

Name	Title
Laurence M. Hage, D.D.S. 11500 Stanton Circle Gulfport, MS 39503	Member

STATE OF MISSISSIPPI

COUNTY OF HARRISON/FIRST JUDICIAL DISTRICT

WARRANTY DEED

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

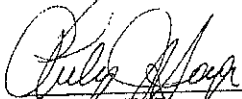
PHILIP J. HAGE, and wife, SADIE S. HAGE
do(es) hereby sell, convey and warrant unto,

HAGE LIMITED PARTNERSHIP, a Mississippi Limited Partnership
the property situated and being in Harrison County, State of Mississippi,
described as follows, to-wit:

DESCRIPTION PER THE ATTACHED EXHIBIT A, WHICH IS
ENCOMPASSED WITHIN FOR ALL INTENTS AND PURPOSES
AS IF WRITTEN.

THIS CONVEYANCE is subject to all restrictions, easements and
reservations affecting said property of record in the office
of the Chancery Clerk of Harrison County, Mississippi.

WITNESS the signature(s) of the undersigned on this the 30 day
of Dec, 1998.


PHILIP J. HAGE

TITLE NOT EXAMINED


SADIE S. HAGE

INDEXING INSTS: LOTS 1 THROUGH 10 OF BLK. B OF JORDON & MCGUIRE S/D,
FIRST JD. HARRISON COUNTY, MS

STATE OF

MS

BOOK 1436 PAGE 425

COUNTY/PARISH OF

HARRISON

Personally appeared before me, the undersigned authority, in and for the above named jurisdiction, the within named

PHILIP J. HAGE and wife, SADIE S. HAGE

acknowledged that they signed and delivered the above and foregoing instrument on the day and date therein mentioned.

GIVEN under my hand and seal of office on this the 30 day of

Dec, 1998.

C. Thomas Anderson
NOTARY PUBLIC

My Commission Expires:

8/24/98

GRANTORS ADDRESS: 400 PASS ROAD, GULFPORT, MS 39507

GRANTORS TELEPHONE: 228-864-5437

GRANTEES ADDRESS: 400 PASS ROAD, GULFPORT, MS 39507

GRANTEES TELEPHONE: 228-864-543

Prepared by:

C. Thomas Anderson

918 Washington, Ave

Ocean Springs, MS 39564

875-0176

EXHIBIT "A"

The following described land situated and being in the City of Gulfport, in the First Judicial District of Harrison County, Mississippi, to-wit:

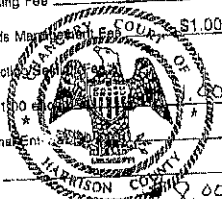
Lots 1 through 10 of Block B of Jordon & McGuire Subdivision, said Subdivision being a replat of Blocks 1, 2 and 3 of East Magnolia Grove Subdivision in the City of Gulfport, Harrison County, Mississippi, according to the official map or plat thereof on file in the Office of the Clerk of the Chancery Court of Harrison County, Mississippi, in Records of Plats, Book 10, Page 1, and which land is located in the SE $\frac{1}{4}$ of Section 35, Township 7 South, Range 11 West, Harrison County, Mississippi.

LESS AND EXCEPT any portion thereof conveyed for Pass Road or for the widening of Pass Road.

Instrument No. 9819

STATEMENT OF FEES

Recording Fee \$6.00
 Records Maintenance Fee \$1.00
 Abstract \$0.00
 Marginal Ent. \$0.00
 Other \$0.00
 TOTAL FEES COLLECTED \$7.00



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

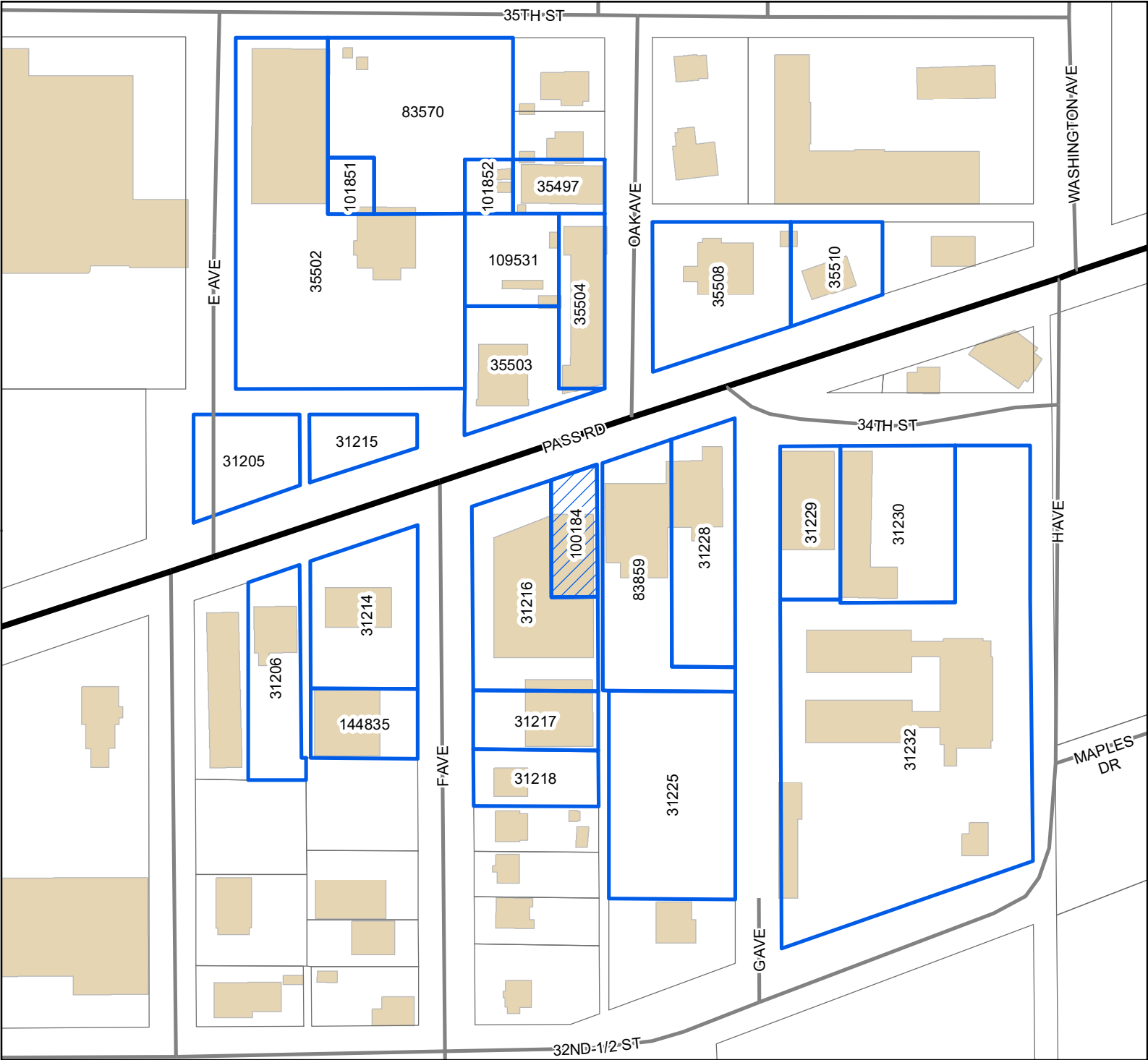
I hereby certify that this instrument was received and filed for record at 10 o'clock
 and 49 minutes A. M. on 31 day of Dec, A.D. 19 98
 and recorded Jan 4 19 99 in Records of Deeds
 Book 1436 Pages 424-426

JOHN McADAMS, Chancery Clerk

By William B. Brulle, D.C.

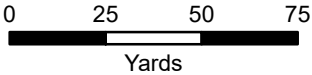
LAWRENCE-GREENWOOD 00865

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0910N-01-010.001	HAGE PROPERTIES LLC / HAGE LIMITED PARTNERSHIP, LLC (OWNER)	400 PASS RD	GULFPORT	MS	39507
			Adjacent Property Owners (2501ZB006)				
N	83859	0910N-01-008.000	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
N	100184	0910N-01-010.001	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
N	31232	0910N-01-004.000	BELLSOUTH TELECOMMUNICATIONS LLC	D/B/A AT & T MISSISSIPPI	BIRMINGHAM	AL	35201
	35503	0910K-02-022.000	GULFPORT VETERINARY HOSPITAL HOLDIN	204 PASS ROAD	GULFPORT	MS	39507
	101852	0910K-02-006.001	PASS ROAD BAPTIST CHURCH	208 PASS RD	GULFPORT	MS	39507
	35502	0910K-02-007.000	PASS ROAD BAPTIST CHURCH	1319 2ND ST	GULFPORT	MS	39501
N	83570	0910K-02-006.000	PASS ROAD BAPTIST CHURCH	208 PASS RD	GULFPORT	MS	39507
N	109531	0910K-02-022.001	PASS ROAD BAPTIST CHURCH	208 PASS RD	GULFPORT	MS	39507
	35504	0910K-02-023.000	VU HONG NHUNG THI & MYLAN THI VU	347 RODENBERG AVE	BILOXI	MS	39531
N	31205	0910N-07-002.000	PASS ROAD BAPTIST CHURCH	208 PASS RD	GULFPORT	MS	39501
N	31217	0910N-01-011.000	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
	31225	0910N-01-007.000	SIMMONS KENNETH RAY JR & SHERRY ANN	2492 TANDY DR	GULFPORT	MS	39503
	31229	0910N-01-003.000	MISS GULF COAST YOUTH FOR CHRIST	111 EAST 34TH STREET	GULFPORT	MS	39507
N	31216	0910N-01-010.000	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
N	101851	0910K-02-006.002	PASS ROAD BAPTIST CHURCH	208 PASS RD	GULFPORT	MS	39507
N	31214	0910N-01-019.000	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
	35497	0910K-02-005.000	SAHIN HARUN	42-17 167TH ST	FLUSHING	NY	11358
	31230	0910N-01-002.000	LHZ LLC	5804 OPORTO MADRID BLVD S	BIRMINGHAM	AL	35210
N	31215	0910N-07-001.000	PASS ROAD BAPTIST CHURCH	208 PASS ROAD	GULFPORT	MS	39507
	31228	0910N-01-009.000	GATES NEVILLE JR	19 51ST STREET	GULFPORT	MS	39507
	31218	0910N-01-012.000	LADNER WALLACE & JEANETTE	P O BOX 6496	GULFPORT	MS	39506
N	35508	0910K-02-024.000	HARVEY THOMAS CLEMENTS III	CAJUNS FABULOUS FRIED CHICKEN	GULFPORT	MS	39507
N	144835	0910N-01-019.001	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
	35510	0910K-02-025.000	JAMES NELSON PROPERTIES INC	111 31ST ST	GULFPORT	MS	39507
	31206	0910N-01-020.000	DUNNIGAN GARY L	311 PASS RD	GULFPORT	MS	39507



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	622152	Print Legal Ad-IPL02095150 - IPL0209515		\$83.20	1	75 L

Attention: Matilda Welch

GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, January 16, 2025 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 2501ZB002, by agent William E. Kneasal Jr., seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-004.000, 1227 Pass Road & 1229 Pass Road, Zoned B-2 (General Business), Ward 2

Special Exception 2501SE003, by agent William E. Kneasal Jr., seeking approval for a liquor store use, Tax Parcel 0811A-05-004.000, 1229 Pass Road, Zoned B-2 (General Business), Ward 2

Variance 2501ZB004, by agent Michael Ray Burks, seeking approval for a 3-foot side yard setback where 8 feet is required, Tax Parcel 0808F-05-061.000, 15251 Cindy Cove, Zoned R-1-10 (Single-family), Ward 7

Variance 2501ZB005, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB006, by owner Hage Properties LLC, seeking approval for 3 regular parking spaces where 14 parking spaces are required, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB008, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB009, by owner Hage Properties LLC, seeking approval for 0 regular parking spaces where 7 are required, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Special Exception 2501SE010, by owners Ria Propertiez AZ, LLC and Prosper Properties LLC, seeking approval for a bar and lounge use, Tax Parcel 1010H-02-031.000, 2093 E Pass Road Suites A & C, Zoned B-1 (Neighborhood Business), Ward 2

This the 23rd day of December 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0209515
Dec 31 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
12/31/24

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

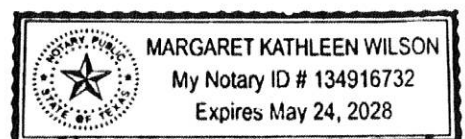
Mary Castro

Sworn to and subscribed before me this 7th day of January in the year of 2025

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 # 2025-292

Hearing Date: Thursday, January 16, 2025

Variance 2501ZB008: Variance 2501ZB008, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2501PC008

Hearing Date: January 16, 2025

Current Zoning/Use: B-2 / Commercial Structure

Legal: Variance 2501ZB008, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-007.000, 406 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. It should be noted, upon staff visit of the site, every building in the immediate area has parking that backs out into the city right of way. The immediate area consisting of the buildings east of C Avenue, south of 34th street, west of Jody Nelson Drive, and north of Pass Road. It should be noted that the property just north west of this site was approved for parking that backs out into the city right of way with case 2409ZB139 at 3320 C Avenue.

- (a) The applicant states that the building was built in 1944 when the existing requirements did not exist. It is clear to staff that the pre-existing nature of the building along with the expansion of Pass Road presents a special circumstance that results in a hardship.
- (b) The applicant notes that the special conditions are the result of previous building codes and the widening of Pass Road. It is clear to staff that these conditions were not caused by the applicant.
- (c) The applicant states that there is a hardship due to the building being adjacent to an alley. It must be noted that being adjacent to an alley does not constitute a hardship, however, they do have a legitimate hardship due to the pre-existing nature of the building and the expansion of Pass Road.
- (d) The applicant states that based on the current ordinance the parking lot in the front of the building would have to be increased and that is physically impossible. It is clear to staff that the literal interpretation of the ordinance would require either a zoning text amendment or partial demolition of the building in order for parking to fit without variance.
- (e) The applicant notes that the granting of this variance will not allow any special privileges and would allow them to have parking that is in harmony with the surrounding businesses. It is clear to staff that many along Pass Road and the immediate area have parking that backs out into city right of way. For example, the property just north west of this site was approved for parking that backs out into the city right of way with case 2409ZB139 at 3320 C Avenue.
- (f) The property is zoned B-2 and some retail uses are allowed by right.

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 should be noted, upon staff visit of the site, every building in the immediate area has parking that backs out into the city right of way. The immediate area consisting of the buildings east of C Avenue, south of 34th street, west of Jody Nelson Drive, and north of Pass Road. It should be noted that the property just north west of this site was approved for parking that backs out into the city right of way with case 2409ZB139 at 3320 C Avenue. The approval of this variance would be in harmony with the area and no special privileges would be granted to the applicant.

Technical Report

VARIANCE

Any approval should consider these conditions:

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

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 01/03/2025.

Public Works: No conditions. Memo dated 01/03/2025.

Traffic and Safety: No conditions. Memo dated 12/30/2024.

Building Code Services: No conditions. Memo dated 01/02/2025.

GIS: No conditions. Memo dated 01/03/2025.

Police Department: No conditions. Memo dated 12/29/2024.

Fire Department: No conditions. Memo dated 12/17/2024.

City Arborist: No conditions. Memo dated 12/18/2024.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



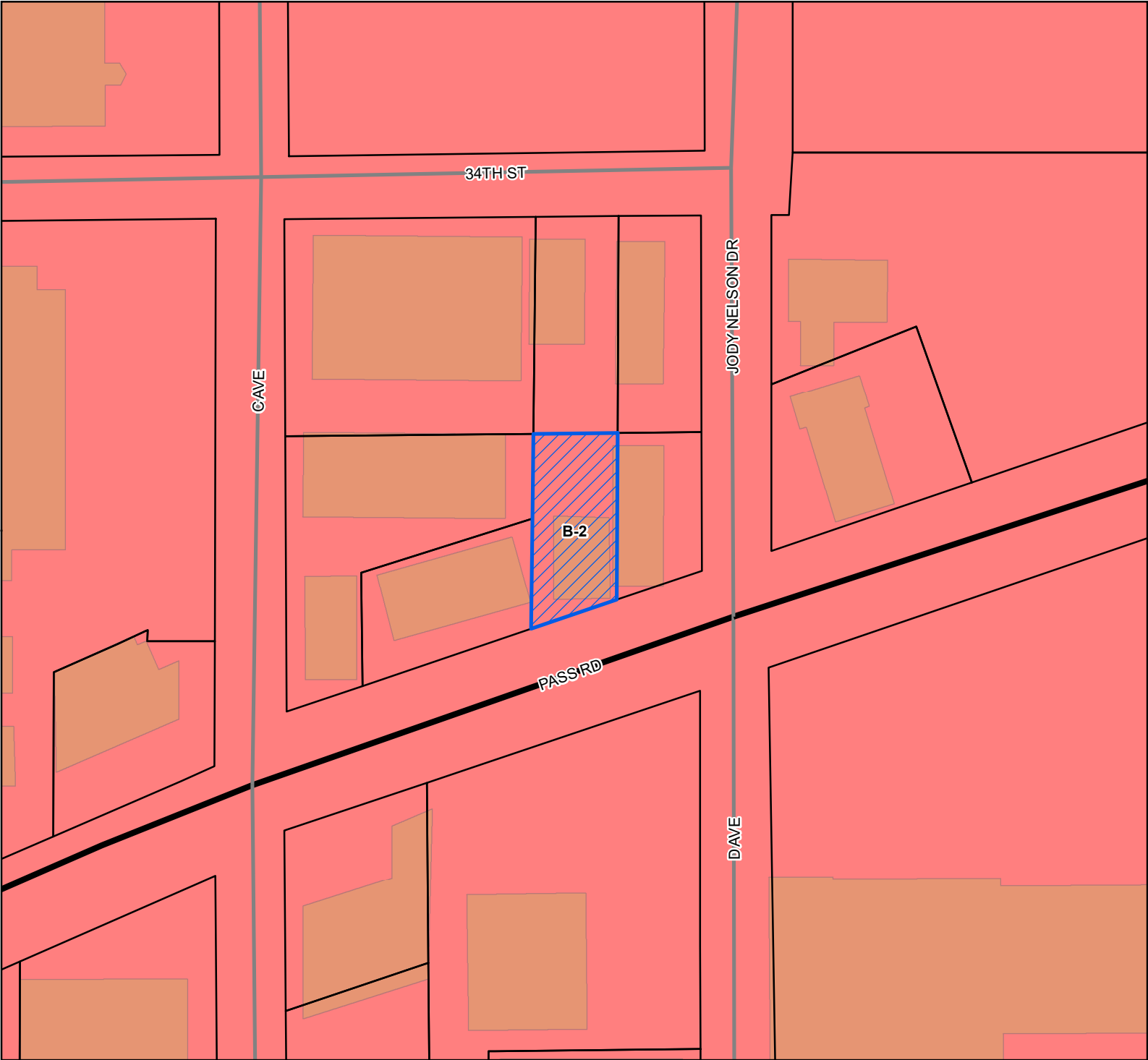
Greg Holmes

Director of Urban Development Department



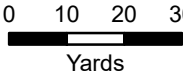
2501ZB008

Variance



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

Site Information
0910N-07-007.000
Zoning: B-2 (General Business)
Size: 7974.74 sqft
Flood: X



1 inch = 100 feet



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WD 12/03/24

CASE NUMBER

250121008

A#13055596

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

09	10	N	-	07	-	007	.	000											

Property Address:

406 Pass Road, Gpt, MS 39507
Lot(s) 15, 16 part of 17 Block(s) 4 Subdivision Magnetic Grove

General Description of Request: Variance to allow backing into
right of way for exit parking 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: Hage Properties, LLC **AGENT:**

Hage Limited Partnership

Printed Name of Owner

400 Pass Road

Mailing Address

Gulfport MS 39507

City

State

Zip Code

228-731-0714

Home Phone

Work/Cell Phone

lmhage@BellSouth.net

Email

[Signature]

Signature of Owner

Printed Name of Agent

Mailing Address

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

[Signature]

Signature of Agent

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

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

Name of Owner (PRINT) Laurence Hage

Address (Street, City, State, Zip Code) 400 Pass Road Gulfport 39507

Phone (Home) (Work) (Cell) 228-731-0714

Tax Parcel Number(s) Owned: 0910N-07-002.000

Signature: [Signature]

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home) (Work) (Cell)

Tax Parcel Number(s) Owned:

Signature:

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home) (Work) (Cell)

Tax Parcel Number(s) Owned:

Signature:



COVENANT AFFIDAVIT

I, Laurence Hays being property owner or agent of the property 406 Pass Road, GPT
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application, hereby state that this variance request is not in violation of any
restrictive or protective covenants.

[Signature]
SIGNATURE

12-3-24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

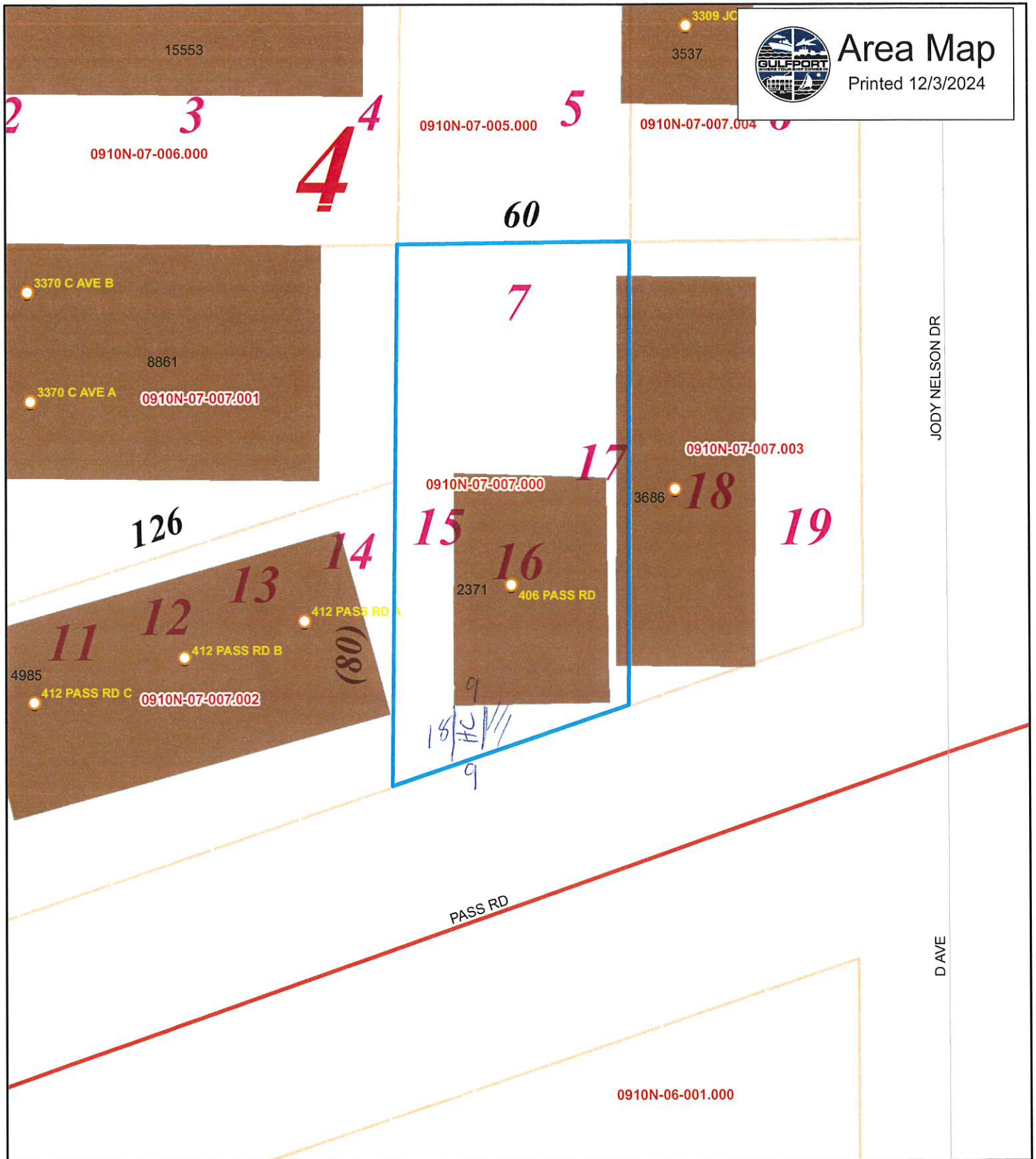
[Signature]
NOTARY PUBLIC

05/22/2027
COMMISSION EXPIRATION



Hage Properties, LLC.
400 Pass Road, Suite A
Gulfport, MS 39507
(228) 864-5437

1. This building was built in 1944 when the existing requirements did not exist. The front of the building is the only parking area and it is not set back enough from Pass Road to meet the current requirements to turn around and exit the parking lot.
2. The special condition is a result of previous building codes and widening of Pass Road.
3. There is a hardship in that the building is adjacent to an alley.
4. Based on the current ordinance the parking lot from right of way to the building would have to be increased and that is not physically possible.
5. This will only allow us to use the building and parking as the adjacent business's have also been required to obtain variances.
6. The retail business will meet all current zoning.



Initial and date here:

Planner: _____

Owner: _____

Contractor: _____

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Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name

Hage Properties, LLC

HAGE LIMITED PARTNERSHIP

Name Type

Legal

Previous Legal

Business Information

Business Type:

Limited Liability Company

Business ID:

664946

Status:

Good Standing

Effective Date:

12/23/1998

State of Incorporation:

Mississippi

Principal Office Address:

400 PASS RD, 400 PASS RD, Suite A
GULFPORT, MS 39507

Registered Agent

Name

Hage, Laurence M

400 Pass Road

Gulfport, MS 39507

Officers & Directors

Name**Title**

Laurence M. Hage, D.D.S.

11500 Stanton Circle

Gulfport, MS 39503

Member

STATE OF MISSISSIPPI

COUNTY OF HARRISON/FIRST JUDICIAL DISTRICT

WARRANTY DEED

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

PHILIP J. HAGE and wife, SADIE S. HAGE

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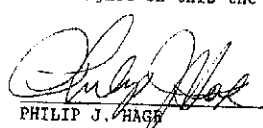
HAGE LIMITED PARTNERSHIP, a Mississippi Limited Partnership

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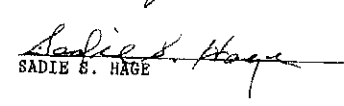
DESCRIPTION PER THE ATTACHED EXHIBIT A, WHICH IS ENCOMPASSED WITHIN FOR ALL INTENTS AND PURPOSES AS IF WRITTEN.

THIS CONVEYANCE is subject to all restrictions, easements and reservations affecting said property of record in the office of the Chancery Clerk of Harrison County, Mississippi.

WITNESS the signature(s) of the undersigned on this the 20 day of Dec, 1998.


PHILIP J. HAGE

TITLE NOT EXAMINED


SADIE S. HAGE

INDEXING INSTS: LOT 5, BLK. 4, REVISION OF MAGNOLIA GROVE ADD. S/D, FIRST JD. HARRISON COUNTY, MS.

STATE OF

MS

COUNTY/PARISH OF

HARRISON

Personally appeared before me, the undersigned authority, in and for the above named jurisdiction, the within named

PHILIP J. HAGE and wife, SADIE S. HAGE

acknowledged that they signed and delivered the above and foregoing instrument on the day and date therein mentioned.

GIVEN under my hand and seal of office on this the 30 day of

Dec, 1998.

C. Thomas Anderson
NOTARY PUBLIC

My Commission Expires:

8/24/99

GRANTORS ADDRESS: 400 PASS ROAD, GULFPORT, MS 39507

GRANTORS TELEPHONE: 228-864-5437

GRANTEES ADDRESS: 400 PASS ROAD, GULFPORT, MS 39507

GRANTEES TELEPHONE: 228-864-5437

Prepared by:

C. Thomas Anderson

918 Washington Ave.

Ocean Springs, MS 39564

875-0176

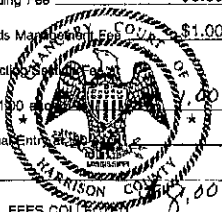
EXHIBIT "A"

Beginning at the Southeast corner of Lot 5, Block 4, REVISION OF MAGNOLIA GROVE ADDITION, go Westerly along the South line of said Lot 5, 10 feet; thence go Southerly across an open alley to the North line of Lot 7 of said subdivision to the point of beginning; thence from said point of beginning continue Southerly 142.5 feet along what would be an extension of the East line forming the West 40 feet of Lot 5 of said subdivision to Pass Road; thence Southwesterly along Pass Road 63.3 feet; thence Northerly 162.7 feet to the aforementioned alley; thence Easterly along said alley 60 feet to the point of beginning. Being a portion of the property shown on a survey prepared by E. Patrick Cassady, Surveyor, dated May 14th, 1974.

Instrument No. 9815

STATEMENT OF FEES

Recording Fee \$6.00
 Records Maintenance Fee \$1.00
 Abstract Fee \$1.00
 Marginal Entry Fee \$1.00
 Other \$0.00
 TOTAL FEES COLLECTED \$9.00

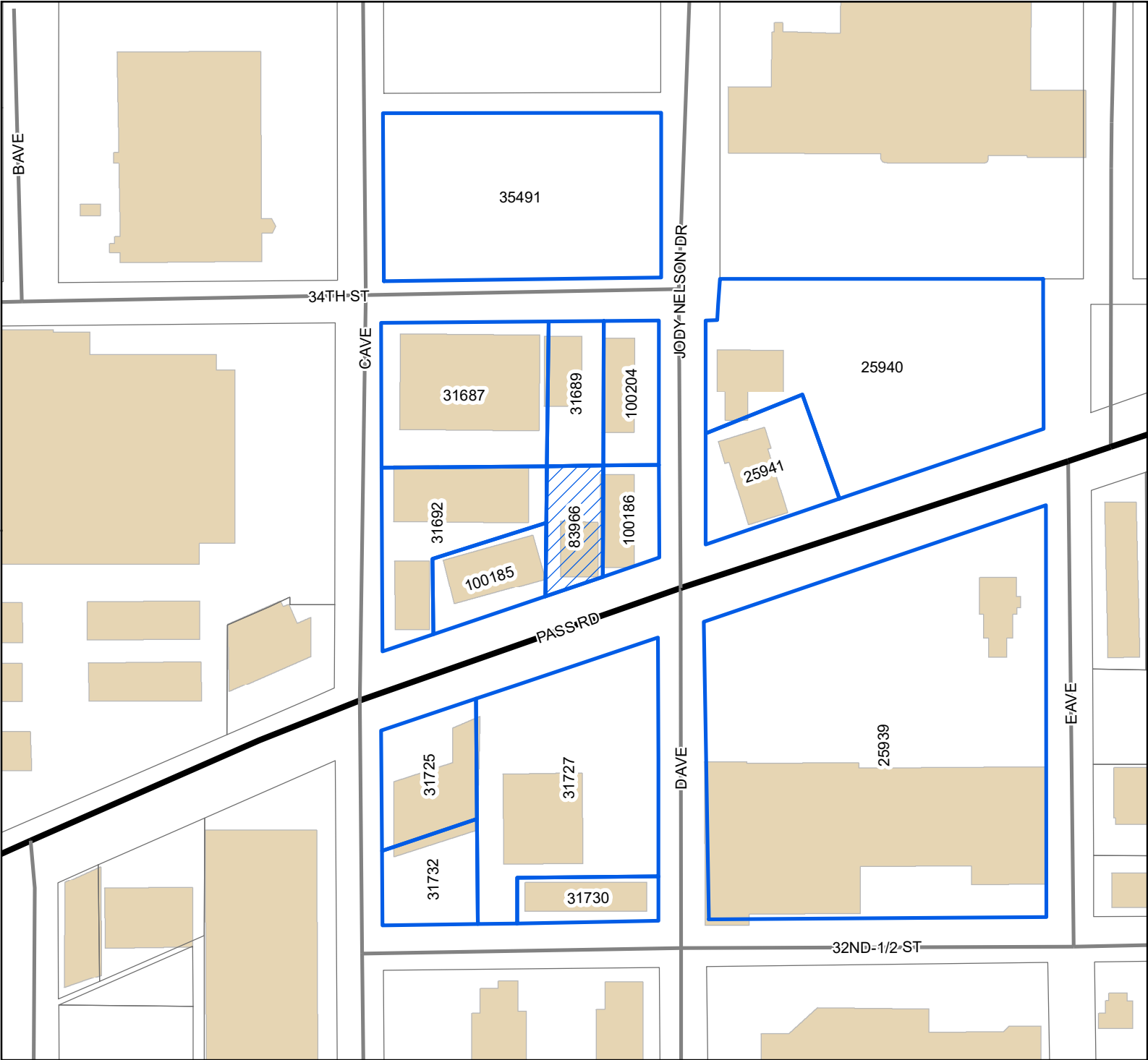


STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:

I hereby certify that this instrument was received and filed for record at 10 o'clock and 45 minutes A. M. on 31 day of Dec, A.D. 19 98 and recorded Jan 4, 19 99 in Records of Deeds Book 1436 Pages 412-414

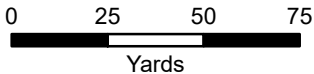
JOHN McADAMS, Chancery Clerk
John McAdams, D.C.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0910N-07-007.000	HAGE PROPERTIES, LLC / HAGE LIMITED PARTNERSHIP (OWNER)	406 PASS RD	GULFPORT	MS	39507
			Adjacent Property Owners (2501ZB008)				
	31730	0910N-06-008.000	UELTSCHHEY REGINA A -TRUSTEE-	13187 N CYPRESS DR	GULFPORT	MS	39503
	35491	0910K-02-018.000	GPT-BILOXI REGIONAL AIRPORT AUTH	14035-L AIRPORT RD	GULFPORT	MS	39503
	25940	0910N-07-003.000	PRIME CAPITAL INVESTMENTS LLC	7421 PLACID LAKE DR APT 207	MASON	OH	45040
N	100185	0910N-07-007.002	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
N	100204	0910N-07-007.004	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
	31727	0910N-06-001.000	SAGAN DISTRIBUTORS LLC	3210 WYNNFIELD DR W	MOBILE	AL	36695
	25941	0910N-07-004.000	CLARK PROPERTIES LLC	720 STATION ST	WAYNESBORO	MS	39363
	31732	0910N-06-004.000	MARBY HOLDINGS LLC	PO BOX 6212	GULFPORT	MS	39506
N	83966	0910N-07-007.000	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
N	31692	0910N-07-007.001	HAGE LIMITED PARTNERSHIP	400 PASS ROAD	GULFPORT	MS	39507
	25939	0910N-01-024.000	MS GULF COAST YOUTH FOR CHRIST INC	111 PASS RD	GULFPORT	MS	39507
	31689	0910N-07-005.000	MIDDLETON SHANNON DUKE	3410 A AVE	GULFPORT	MS	39507
N	31687	0910N-07-006.000	MIDDLETON DUKE	3410 A AVE	GULFPORT	MS	39507
N	100186	0910N-07-007.003	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
N	31725	0910N-06-003.000	MARBY HOLDINGS LLC	PO BOX 6212	GULFPORT	MS	39506



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	622152	Print Legal Ad-IPL02095150 - IPL0209515		\$83.20	1	75 L

Attention: Matilda Welch

GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, January 16, 2025 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 2501ZB002, by agent William E. Kneasal Jr., seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-004.000, 1227 Pass Road & 1229 Pass Road, Zoned B-2 (General Business), Ward 2 Special Exception 2501SE003, by agent William E. Kneasal Jr., seeking approval for a liquor store use, Tax Parcel 0811A-05-004.000, 1229 Pass Road, Zoned B-2 (General Business), Ward 2

Variance 2501ZB004, by agent Michael Ray Burks, seeking approval for a 3-foot side yard setback where 8 feet is required, Tax Parcel 0808F-05-061.000, 15251 Cindy Cove, Zoned R-1-10 (Single-family), Ward 7

Variance 2501ZB005, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB006, by owner Hage Properties LLC, seeking approval for 3 regular parking spaces where 14 parking spaces are required, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB008, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB009, by owner Hage Properties LLC, seeking approval for 0 regular parking spaces where 7 are required, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Special Exception 2501SE010, by owners Ria Propertiez AZ, LLC and Prosper Properties LLC, seeking approval for a bar and lounge use, Tax Parcel 1010H-02-031.000, 2093 E Pass Road Suites A & C, Zoned B-1 (Neighborhood Business), Ward 2

This the 23rd day of December 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0209515
Dec 31 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
12/31/24

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

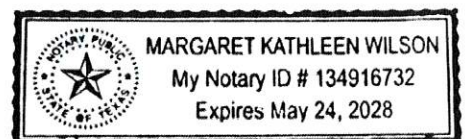
Mary Castro

Sworn to and subscribed before me this 7th day of January in the year of 2025

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 # 2025-293

Hearing Date: Thursday, January 16, 2025

Variance 2501ZB009: Variance 2501ZB009, by owner Hage Properties LLC, seeking approval for 0 regular parking spaces where 7 are required, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2501ZB009

Hearing Date: January 16, 2025

Current Zoning/Use: B-2 / Commercial Structure

Legal: Variance 2501ZB009, by owner Hage Properties LLC, seeking approval for 0 regular parking spaces where 7 are required, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance to allow zero (0) regular parking spaces where seven (7) parking spaces are required. The applicant addresses the hardship questions below.

- (a) The applicant notes that the building was built in 1944, when the existing requirements did not exist. The applicant does not properly address the special conditions and circumstances exist which are peculiar to the land. Upon staff review of the property, the available space would not allow for suitable parking in front of the property.
- (b) In the application, the applicant cites this special condition is a result of previous building codes and was built to then current codes. The applicant has already stated that the building has existed on that property since 1944. Since the structure existed prior to the widening of Pass Road, it is not a hardship that they caused.
- (c) The applicant roughly states there is a hardship in that there is an alley next to the building and the building is five (5) feet from the alley. Meeting submission of the zoning ordinance would mean demolishing the current establishment.
- (d) The applicant states that based on current ordinance we would need approximately seven (7) parking spots and this is not physically possible due to the existing parking area available and lack of adjacent space. 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.
- (e) The applicant says this will only allow us to use the building as adjacent businesses have also been required to obtain variances. Upon staff review the granting of the variance will not deliberate on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
- (f) This property is zoned B-2, and some retail uses are allowed by right.

EXECUTIVE SUMMARY

In review of this application and documents submitted by the applicant, the requested variance to allow for zero parking requirements, is a reasonable request. Also, the applicant is still required to have ADA parking on site. Upon visiting the site, staff confirmed that the current location of the parking cannot be altered or improved upon in any way. And the only parking available is in the city right of way. Therefore, since no on site parking is attainable, the request is reasonable. If this variance is approved, a privilege will be required and must meet all rules and zoning regulations in the B-2 zone.

Any approval should consider these conditions:

- 1. Approval allows for zero required parking spaces.
- 2. Must apply for a privilege license.
- 3. Must comply with all rules and regulations.

DEPARTMENTAL CONDITIONS

Engineering:

No conditions. Memo dated 1/3/25.

Technical Report

VARIANCE

Public Works: No conditions. Memo dated 1/3/25.

Traffic and Safety: No conditions. Memo dated 12/30/24.

Building Code Services: No conditions. Memo dated 1/2/24.

GIS: No conditions. Memo dated 1/3/25.

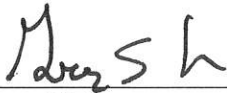
Police Department: No comment as of 1/3/25.

Fire Department: No conditions. Memo dated 12/12/24.

City Arborist: No conditions. Memo dated 12/18/24.

DIRECTOR APPROVAL

This report has been reviewed and approved by:

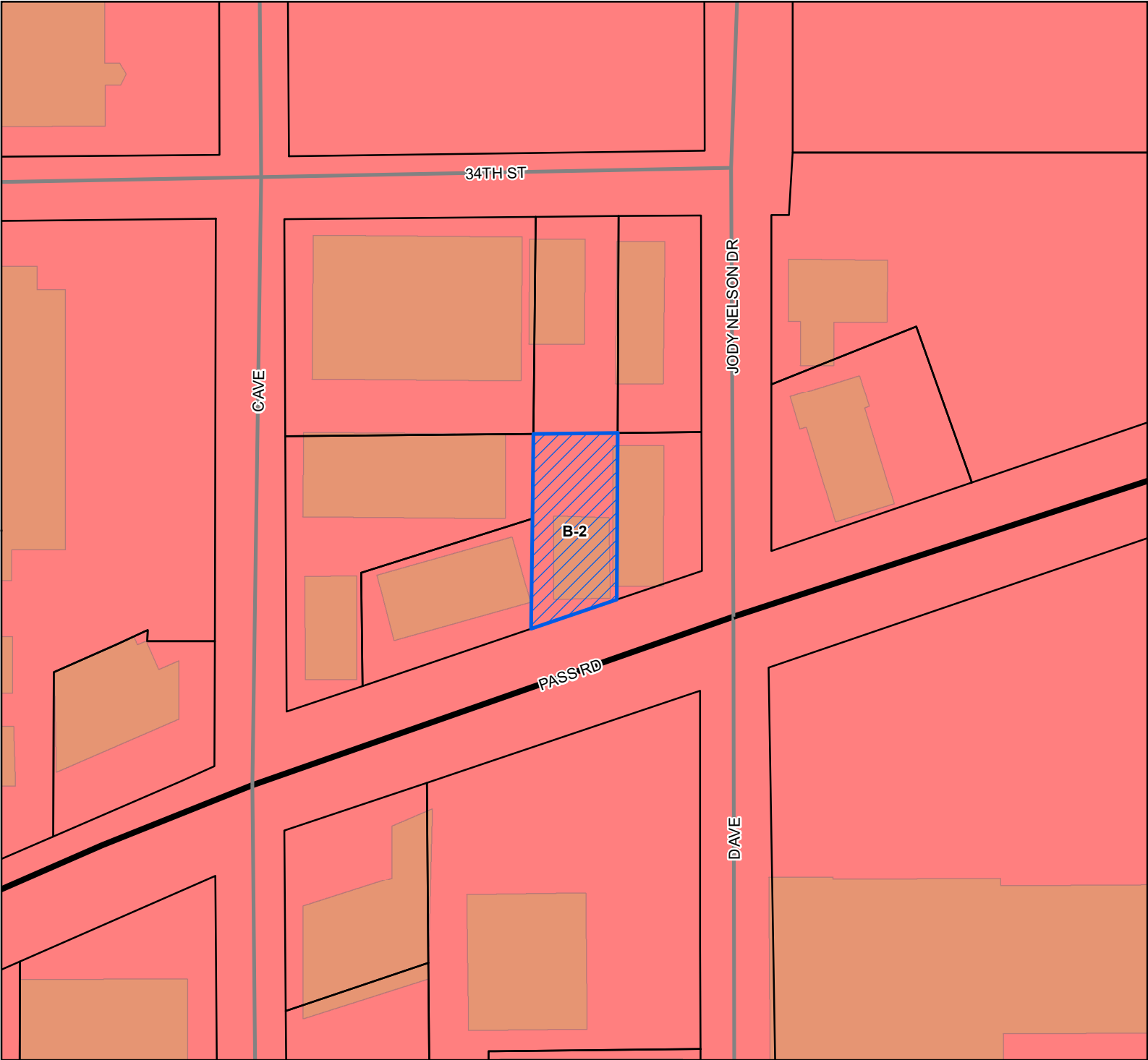


Greg Holmes
Director of Urban Development Department



2501ZB009

Variance



Site

US or State Highway

Street

Parcels

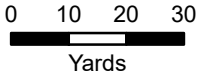
Buildings

City Limit

Zoning

B-2 - General Business District

Site Information
0910N-07-007.000
Zoning: B-2 (General Business)
Size: 7974.74 sqft
Flood: X



1 inch = 100 feet



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WD 12/03/29
CASE NUMBER
250138009
R#13055599

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-07-007-000	

Property Address:

406 Pass Road, Gpt, MS 39507
Lot(s) 15, 16, part of 17 Block(s) 4 Subdivision Magnolia Grove

General Description of Request:

Variance to allow 05 regular parking spots and 1 handicapped spot instead of required 7

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:Haga Properties, LLC**AGENT:**

Printed Name of Owner

Haga Limited Partnership

Printed Name of Agent

Mailing Address

400 Pass Road

Mailing Address

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Owner

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)

Laurence Haga

Address (Street, City, State, Zip Code)

400 Pass Road, Gulfport 39507

Phone (Home)

(Work)

(Cell)

228-731-0714

Tax Parcel Number(s) Owned:

0910N-07-007.000

Signature:

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home)

(Work)

(Cell)

Tax Parcel Number(s) Owned:

Signature:

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home)

(Work)

(Cell)

Tax Parcel Number(s) Owned:

Signature:



COVENANT AFFIDAVIT

I, Laurence Hoge being property owner or agent of the property 406 Pess Road Gulfport
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application, hereby state that this variance request is not in violation of any
restrictive or protective covenants.

[Signature]
SIGNATURE

12-3-24
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

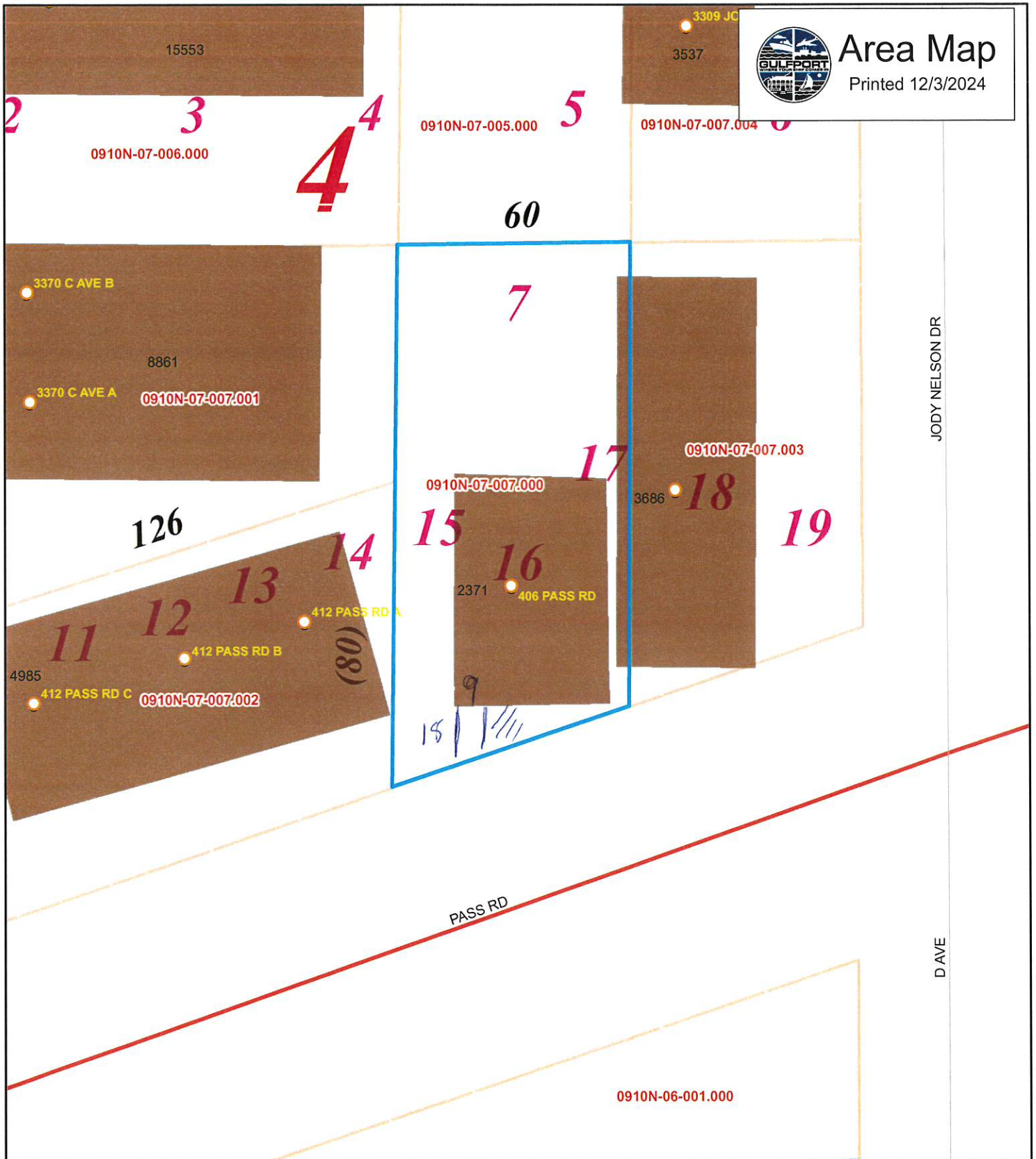
Samuel Sweeting
NOTARY PUBLIC

05/22/2027
COMMISSION EXPIRATION



Hage Properties, LLC.
400 Pass Road, Suite A
Gulfport, MS 39507
(228) 864-5437

1. This building was built in 1944 when the existing requirements did not exist. The front of the building is the only area for parking. The space in front of the build will only accommodate (4) ~~four~~ ^{handicaps} parking spots total. Therefore we need a variance. *CH*
2. This special condition is a result of previous building codes and was built to then current codes.
3. There is a hardship in that there is an alley next to the building and the build is 5 feet from the alley.
4. Based on current ordinance we would need approximately 7 parking spots and this not physically possible due to the existing parking area available and lack of adjacent space.
5. This will only allow us to use the building as the adjacent business's have also been required to obtain variances.
6. The retail business will meet all current zoning.



Initial and date here:

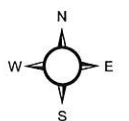
Planner: _____

Owner: _____

Contractor: _____

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1 inch = 33 feet



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name

Hage Properties, LLC
HAGE LIMITED PARTNERSHIP

Name Type

Legal
Previous Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	664946
Status:	Good Standing
Effective Date:	12/23/1998
State of Incorporation:	Mississippi
Principal Office Address:	400 PASS RD, 400 PASS RD, Suite A GULFPORT, MS 39507

Registered Agent

Name

Hage, Laurence M
400 Pass Road
Gulfport, MS 39507

Officers & Directors

Name

Laurence M. Hage, D.D.S.
11500 Stanton Circle
Gulfport, MS 39503

Title

Member

STATE OF MISSISSIPPI

COUNTY OF HARRISON/FIRST JUDICIAL DISTRICT

WARRANTY DEED

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

PHILIP J. HAGE and wife, SADIE S. HAGE

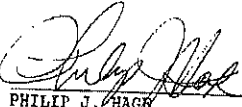
do(es) hereby sell, convey and warrant unto,

HAGE LIMITED PARTNERSHIP, a Mississippi Limited Partnership
the property situated and being in Harrison County, State of Mississippi,
described as follows, to-wit:

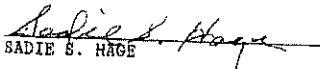
DESCRIPTION PER THE ATTACHED EXHIBIT A, WHICH IS
ENCOMPASSED WITHIN FOR ALL INTENTS AND PURPOSES
AS IF WRITTEN.

THIS CONVEYANCE is subject to all restrictions, easements and reservations affecting said property of record in the office of the Chancery Clerk of Harrison County, Mississippi.

WITNESS the signature(s) of the undersigned on this the 30 day
of Dec, 1998.


PHILIP J. HAGE

TITLE NOT EXAMINED


SADIE S. HAGE

INDEXING INSTS: LOT 5, BLK. 4, REVISION OF MAGNOLIA GROVE ADD. S/D, FIRST
JD. HARRISON COUNTY, MS.

STATE OF

MS

COUNTY/PARISH OF

Harrison

Personally appeared before me, the undersigned authority, in and for the above named jurisdiction, the within named

PHILIP J. HAGE and wife, SADIE S. HAGE

acknowledged that they signed and delivered the above and foregoing instrument on the day and date therein mentioned.

GIVEN under my hand and seal of office on this the 30 day of

Dec, 1998.

C. Thomas Anderson
NOTARY PUBLIC

My Commission Expires:

8/24/99

GRANTORS ADDRESS: 400 PASS ROAD, GULFPORT, MS 39507

GRANTORS TELEPHONE: 228-864-5437

GRANTEES ADDRESS: 400 PASS ROAD, GULFPORT, MS 39507

GRANTEES TELEPHONE: 228-864-5437

Prepared by:

C. Thomas Anderson

918 Washington Ave.

Ocean Springs, MS 39564

895-0176

EXHIBIT "A"

Beginning at the Southeast corner of Lot 5, Block 4, REVISION OF MAGNOLIA GROVE ADDITION, go Westerly along the South line of said Lot 5, 10 feet; thence go Southerly across an open alley to the North line of Lot 7 of said subdivision to the point of beginning; thence from said point of beginning continue Southerly 142.5 feet along what would be an extension of the East line forming the West 40 feet of Lot 5 of said subdivision to Pass Road; thence Southwesterly along Pass Road 63.3 feet; thence Northerly 162.7 feet to the aforementioned alley; thence Easterly along said alley 60 feet to the point of beginning. Being a portion of the property shown on a survey prepared by E. Patrick Cassady, Surveyor, dated May 14th, 1974.

Instrument No. 9815

STATEMENT OF FEES

Recording Fee \$6.00
 Records Maintenance Fee \$1.00
 Abstracts \$1.00
 Marginal Entry \$1.00
 Other \$1.00
 TOTAL FEES COLLECTED \$10.00

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

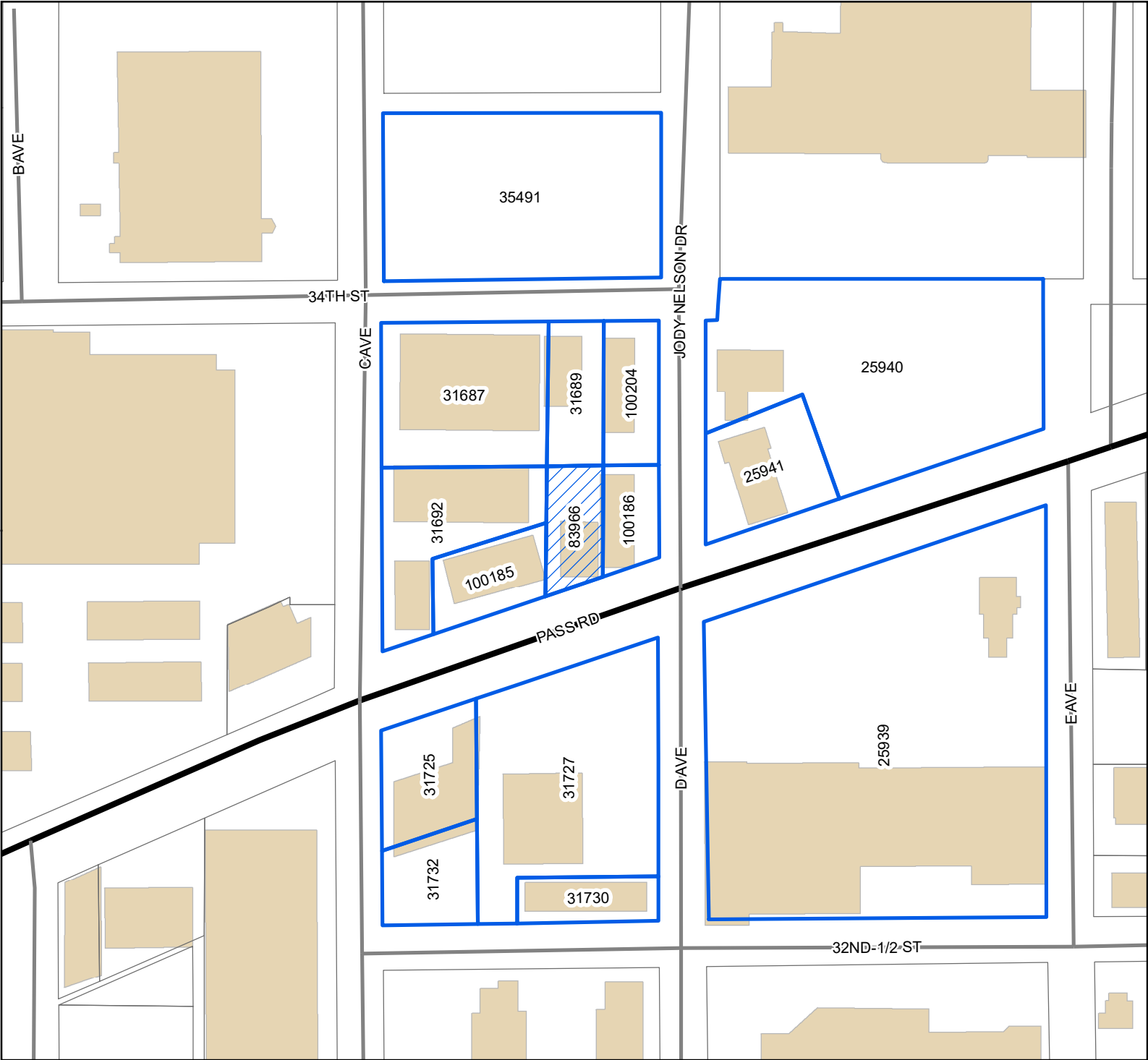
I hereby certify that this instrument was received and filed for record at 10 o'clock and 45 minutes A. M. on 31 day of Dec, A.D. 19 98 and recorded Jan 4, 19 99 in Records of Deeds Book 1436 Pages 412-414

JOHN McADAMS, Chancery Clerk

John McAdams
 JOHN McADAMS, Chancery Clerk, D.C.

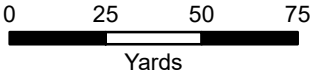
LAWRENCE-GREENWOOD 00085

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0910N-07-007.000	HAGE PROPERTIES, LLC / HAGE LIMITED PARTNERSHIP (OWNER)	406 PASS RD	GULFPORT	MS	39507
			Adjacent Property Owners (2501ZB009)				
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	35491	0910K-02-018.000	GPT-BILOXI REGIONAL AIRPORT AUTH	14035-L AIRPORT RD	GULFPORT	MS	39503
	25940	0910N-07-003.000	PRIME CAPITAL INVESTMENTS LLC	7421 PLACID LAKE DR APT 207	MASON	OH	45040
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N	100204	0910N-07-007.004	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
	31727	0910N-06-001.000	SAGAN DISTRIBUTORS LLC	3210 WYNNFIELD DR W	MOBILE	AL	36695
	25941	0910N-07-004.000	CLARK PROPERTIES LLC	720 STATION ST	WAYNESBORO	MS	39363
	31732	0910N-06-004.000	MARBY HOLDINGS LLC	PO BOX 6212	GULFPORT	MS	39506
N	83966	0910N-07-007.000	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
N	31692	0910N-07-007.001	HAGE LIMITED PARTNERSHIP	400 PASS ROAD	GULFPORT	MS	39507
	25939	0910N-01-024.000	MS GULF COAST YOUTH FOR CHRIST INC	111 PASS RD	GULFPORT	MS	39507
	31689	0910N-07-005.000	MIDDLETON SHANNON DUKE	3410 A AVE	GULFPORT	MS	39507
N	31687	0910N-07-006.000	MIDDLETON DUKE	3410 A AVE	GULFPORT	MS	39507
N	100186	0910N-07-007.003	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
N	31725	0910N-06-003.000	MARBY HOLDINGS LLC	PO BOX 6212	GULFPORT	MS	39506



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	622152	Print Legal Ad-IPL02095150 - IPL0209515		\$83.20	1	75 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, January 16, 2025 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 2501ZB002, by agent William E. Kneasal Jr., seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-004.000, 1227 Pass Road & 1229 Pass Road, Zoned B-2 (General Business), Ward 2 Special Exception 2501SE003, by agent William E. Kneasal Jr., seeking approval for a liquor store use, Tax Parcel 0811A-05-004.000, 1229 Pass Road, Zoned B-2 (General Business), Ward 2

Variance 2501ZB004, by agent Michael Ray Burks, seeking approval for a 3-foot side yard setback where 8 feet is required, Tax Parcel 0808F-05-061.000, 15251 Cindy Cove, Zoned R-1-10 (Single-family), Ward 7

Variance 2501ZB005, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB006, by owner Hage Properties LLC, seeking approval for 3 regular parking spaces where 14 parking spaces are required, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB008, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB009, by owner Hage Properties LLC, seeking approval for 0 regular parking spaces where 7 are required, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Special Exception 2501SE010, by owners Ria Propertiez AZ, LLC and Prosper Properties LLC, seeking approval for a bar and lounge use, Tax Parcel 1010H-02-031.000, 2093 E Pass Road Suites A & C, Zoned B-1 (Neighborhood Business), Ward 2

This the 23rd day of December 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0209515
Dec 31 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
12/31/24

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

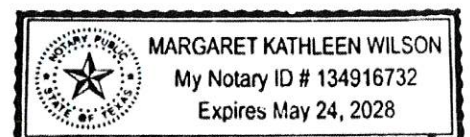
Mary Castro

Sworn to and subscribed before me this 7th day of January in the year of 2025

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 # 2025-294

Hearing Date: Thursday, January 16, 2025

Special Exception 2501SE010: Special Exception 2501SE010, by owners Ria Propertiez AZ, LLC and Prosper Properties LLC, seeking approval for a bar and lounge use, Tax Parcel 1010H-02-031.000, 2093 E Pass Road Suites A & C, Zoned B-1 (Neighborhood Business), Ward 2

Technical Report

SPECIAL EXCEPTION

GENERAL INFORMATION

Case File Number: 2501SE010

Hearing Date: Zoning Board January 16, 2025
Planning Commission January 23, 2025

Current Zoning/Use: B-1 / Commercial Structure

Legal: Special Exception 2501SE010, by owners Ria Propertiez AZ, LLC and Prosper Properties LLC, seeking approval for a bar and lounge use, Tax Parcel 1010H-02-031.000, 2093 E Pass Road Suites A & C, Zoned B-1 (Neighborhood Business), Ward 2

TECHNICAL DETAILS

The applicant is requesting a Special Exception to be granted to open a bar/lounge use at 2093 E Pass Road Suite A and Suite C. The property in this application is zoned B-1, so the zoning requires for special exception of this use. The applicant states that their property has several ingress and egress from both main roads of East Pass Road and Red Oak Drive, also parking, sidewalks, and traffic flow are current. The applicant notes that the property has a large parking lot at the rear of the building to load or accommodate more parking if needed, without disrupting traffic flow or affecting off-street parking. 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 7500 square feet, the maximum number of parking spaces needed is 25 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 claims that the business is compatible with the adjacent properties. Upon staff review of the surrounding area, there is Gulf Coast Exotic Auto, Bonfire Restaurant Bar & Grill, Forever Young Health Clinic, and Wells Fargo Advisors. Also zoned in this area, Kork'D Wine & Liquor (2102SE026), located at 2079 East Pass Road Suite C, has previously gone through the Special Exception and was approved.

EXECUTIVE SUMMARY

The zoning ordinance requires that liquor stores or freestanding lounges obtain special exception prior to licensing and are only permitted as such in the following zoning districts: B-1, B-2, B-4, T5, and T6. In review of this application and documents submitted by the applicant, the requested Zoning Board of Adjustments and Appeals approval for the use of a bar/lounge is consistent with the requirements in the City of Gulfport's Chart of Permitted Uses.

Any approval should consider these conditions:

1. Approval allows for a bar/lounge use, contingent on approval by Planning Commission.
2. Must meet all current Building Codes and City of Gulfport ordinances.

Technical Report

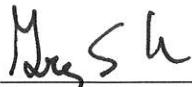
SPECIAL EXCEPTION

DEPARTMENTAL CONDITIONS

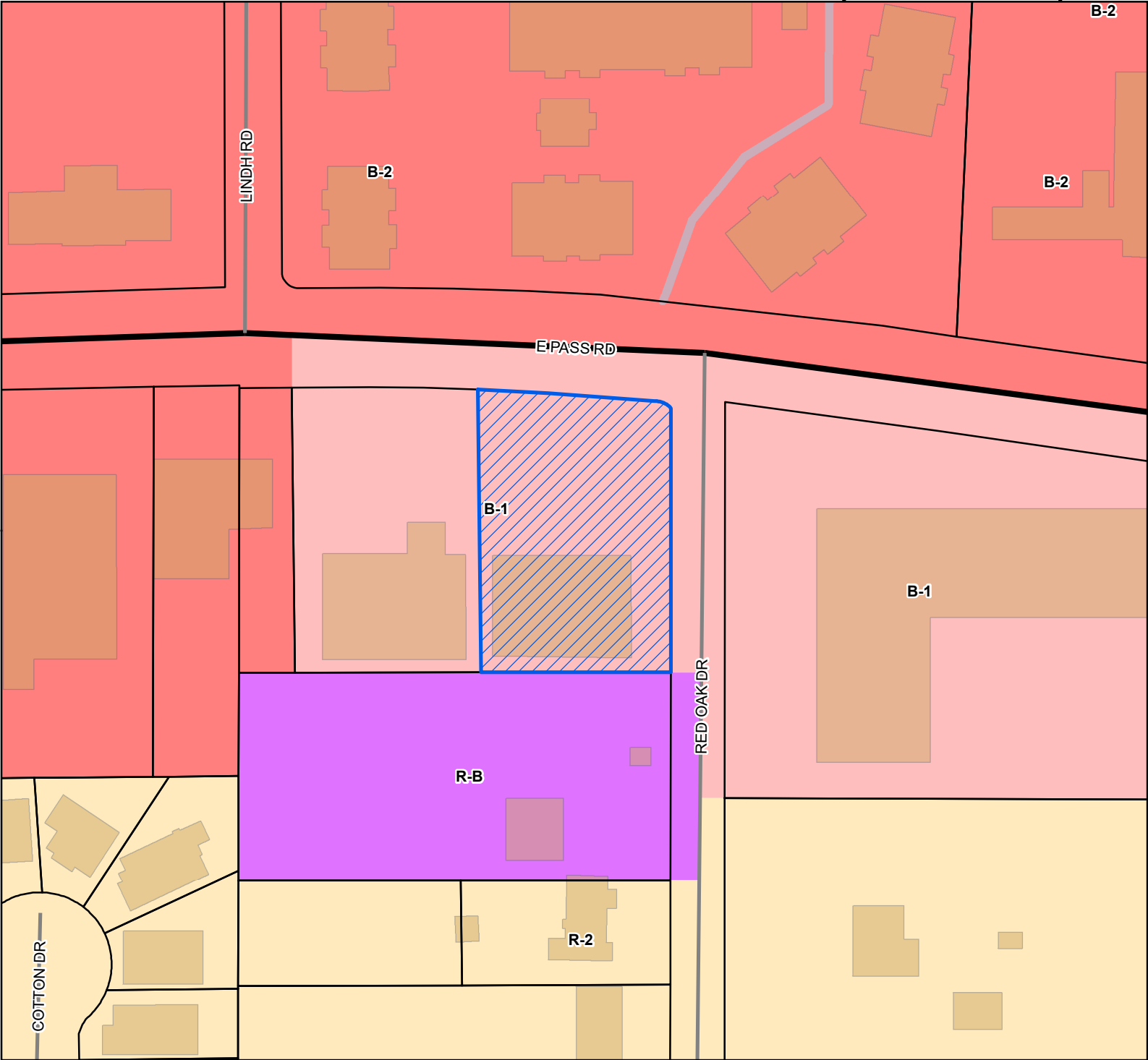
<u>Engineering:</u>	No conditions. Memo dated 1/3/25.
<u>Public Works:</u>	No conditions. Memo dated 1/3/25.
<u>Traffic and Safety:</u>	No conditions. Memo dated 12/30/24.
<u>Building Code Services:</u>	Must comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 1/2/25.
<u>GIS:</u>	No conditions. Memo dated 1/3/25.
<u>Police Department:</u>	No comment as of 1/3/25.
<u>Fire Department:</u>	No conditions. Memo dated 12/12/24.
<u>City Arborist:</u>	No conditions. Memo dated 12/18/24.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



Legend

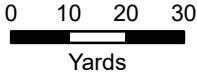
- Site
- US or State Highway
- Street
- Parcels
- Buildings
- Water Features
- City Limit

Zoning

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

Site Information

1010H-02-031.000
Zoning: B-1 (Neighborhood Business)
Size: 27495.12 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.

BC 12/04/24

CASE NUMBER

2501LE010

R# 13056066

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

[illegible]**Property Address:**

2093 E. PASS RD (SUITE A & SUITE C) GULFPORT, MS 39507

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

General Description of Request

with BAR & LOUNGE 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:

Ramiro Rodriguez
 Printed Name of Owner
80 MARAIS RIDGE
 Mailing Address
6001 PORT HATTIESBURG MS 39402
 City State Zip Code
(928) 210-2085
 Home Phone Work/Cell Phone
ramiro_rodriguez@hotmail.com
 Email
Ramiro Rodriguez
 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) Ramiro Rodriguez (RIA PROPERTIES AZ LLC) MANAGER
 Address (Street, City, State, Zip Code) 80 MARAIS RIDGE HATTIESBURG, MS 39402
 Phone (Home) _____ (Work) _____ (Cell) 928-210-2085
 Tax Parcel Number(s) Owned: 1010H-02-031.000 & 1010H-02-031.001
 Signature: Ramiro Rodriguez

Name of Owner (PRINT) Gloria Keller (Prosper Properties, LLC) MANAGER
 Address (Street, City, State, Zip Code) 6421 108th NE Kirkland WA 98033
 Phone (Home) _____ (Work) _____ (Cell) 425.880.0000
 Tax Parcel Number(s) Owned: 1010H-02-031.000 & 1010H-02-031.001
 Signature: Gloria Keller

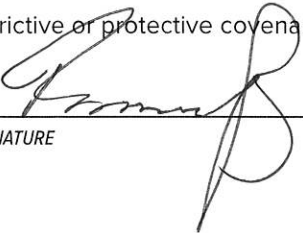
Name of Owner (PRINT) Beau Keller
 Address (Street, City, State, Zip Code) 6421 108th NE Kirkland WA 98033
 Phone (Home) _____ (Work) _____ (Cell) (425) 760-2704
 Tax Parcel Number(s) Owned: 1010H-02-031.000, 1010H-02-031.001
 Signature: Beau Keller



COVENANT AFFIDAVIT

I, Ramiro RODRIGUEZ being property owner or agent of the property 1010H-02-031.000
PRINT NAME PRIMARY ADDRESS OR PARCEL

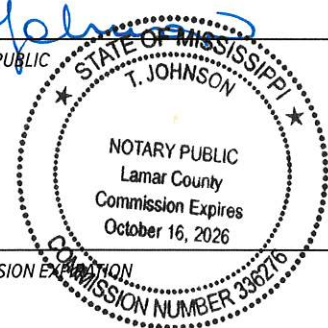
which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.


SIGNATURE

11/25/2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 25 day of November, 20 24


NOTARY PUBLIC

COMMISSION EXPIRATION



Covenant Affidavit

I, Gloria Keller

PRINT NAME

, being owner or agent of the property

10104-02-031-000

10104-02-031.002

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.

GK

Signature

11.21.2024

Date

WASHINGTON

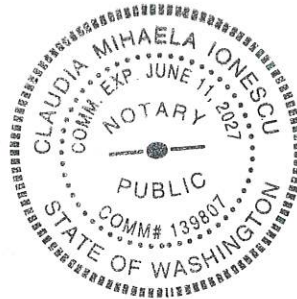
KING

STATE OF ~~MISSISSIPPI~~ | COUNTY OF ~~HARRISON~~

Given under my hand and seal of office this the 21st day of November, 2024

[Signature]

Notary Public



June 11, 2027

Commission Expiration

Ramiro Rodriguez

80 Marais Ridge
Hattiesburg, MS 39402
(928)210-2085

City of Gulfport (Planning & Zoning Commission)
1410 24th Ave #206,
Gulfport, MS 39501

November 25, 2024

To Whom it May Concern,

My name is Ramiro Rodriguez. I am respectfully seeking your approval for a "Special Exception" to allow a Bar/Lounge use in one of our properties located at 2093 E Pass Rd. Gulfport, MS (Parcel: 1010H-02-031.000, 1010H-02-031.001).

We recently had some vacancies in two of our units, and the proposed businesses that have approached us are seeking to open a restaurant with a high upscale bar/lounge. Property is currently zoned for commercial use, and a restaurant is already permitted. Our property has several easy Ingress and egress from both main roads (E Pass Rd and Red Oak Drive). Parking, sidewalks and good traffic flow are currently available on our property (See attached Site Plan).

Our property also has a large parking lot at the back to load or accommodate more parking if needed without disrupting any traffic flow or affecting off-street parking. Our building is roughly 7,500 SQFT, fairly new, built in 2021, and currently in line with no negative impact on our community. On the contrary, we are excited to bring more business to our beautiful Gulfport area while meeting all the city status and regulations.

Utilities (trash, water, sewer, electric) are already present at the property and we are currently working with our local natural gas company to add a new gas connection in the next eight to ten weeks. E Pass Rd provides excellent transportation and access to customers, fire, police protection and other public facilities.

The proposed businesses have both expressed that their main use will be restaurants but are interested in having the approval for a bar/lounge use to provide a place to enjoy live music or small events with friends and family.

We are committed to continuing meeting general compatibility with adjacent properties with no additional exterior lighting affecting glare, traffic, safety, and/or causing a negative effect whatsoever in our community.

We are excited for your consideration of our special exception approval. The special exception for the additional bar/lounge use will be in harmony with the general purpose of the zoning ordinance by providing restaurants businesses with an additional way to entertain our community.

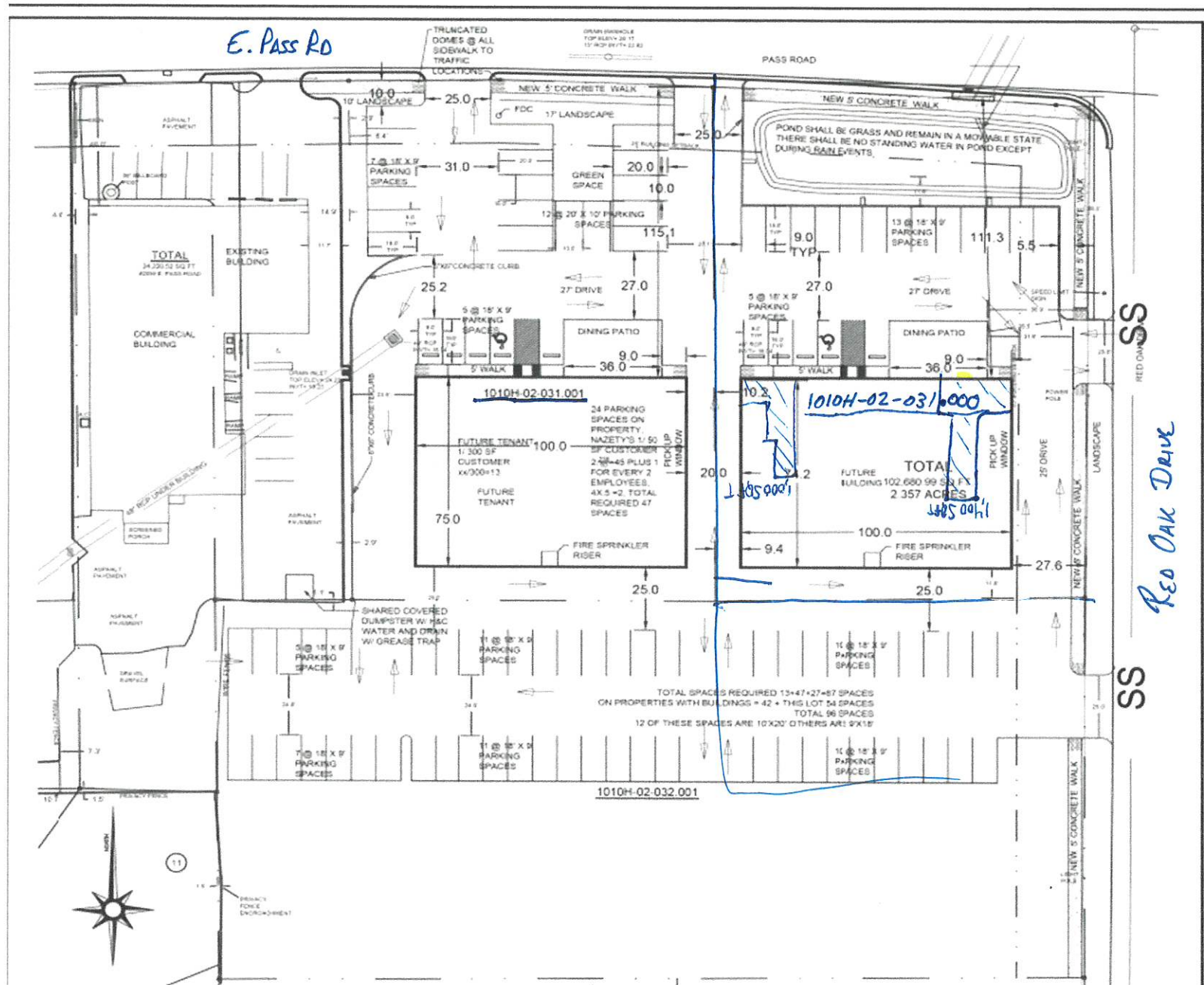
Thank you for your consideration!

Ramiro Rodriguez

President

RIA Propertiez AZ LLC

Site Plan





Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
RIA Propertiez AZ LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1409025
Status:	Good Standing
Effective Date:	08/30/2023
State of Incorporation:	AZ
Principal Office Address:	614 CRESCENT LN Madera, CA 93636

Registered Agent

Name
Ramiro Rodriguez
116 Acacia Ave
Biloxi, MS 39530

Officers & Directors

Name	Title
Ramiro Rodriguez 614 CRESCENT LN MADERA, CA 93636	Member



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
PROSPER PROPERTIES LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1429253
Status:	Good Standing
Effective Date:	02/12/2024
State of Incorporation:	AZ
Principal Office Address:	6421 108th Ave NE Kirkland, WA 98033

Registered Agent

Name
United States Corporation Agents, Inc.
4780 1-55 N , Suite 100
Jackson, MS 39211

Officers & Directors

Name	Title
Beau J Keller 6421 108th Ave NE Kirkland, WA 98033	Member
Gloria Keller 6421 108th Ave NE Kirkland, WA 98033	Member



SCANNED



Angela Hines 1st JUDICIAL DISTRICT
Instrument 2024-0013331-D-J1
Filed/Recorded 07/16/2024 12:50:01 PM
Total Fees 26.00
4 Pages Recorded

PREPARED BY and RETURN TO:
David A. Wheeler, Esquire
Wheeler & Wheeler, PLLC
P.O. Box 264
Biloxi, MS 39533
(228) 374-6720
MSB 7126

INDEXING: SW 1/4 of SE 1/4 Section 29
T7S-R10W, Harrison County, 1st Jud. Dist., MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, JSP, LLC, a Mississippi limited liability company, P.O. Box 2965, Gulfport, MS 39503 (228) 374-2366, **GRANTOR**, does hereby GRANT, SELL, BARGAIN, CONVEY and SPECIALLY WARRANT to **RIA PROPERTIEZ AZ, LLC**, an Arizona limited liability company, 614 Crescent Lane, Madera, CA 93636 (559) 660-2873 and **PROSPER PROPERTIES, LLC**, an Arizona limited liability company, 6421 108th Ave. NE, Kirkland, WA 98033 (425) 880-0000, **GRANTEES**, as tenants in common, all right, title and interest in and to the following described real property lying and being situated in the First Judicial District of Harrison County, Mississippi, more particularly described as follows, to-wit:

SURVEY DESCRIPTION FOR PARCEL "A":
A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF THE SOUTHEAST

1/4 OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BEING BASED ON STATE PLANE GRID NORTH (MS EAST ZONE): COMMENCING AT A 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF LOT 11, COTTONWOOD SUBDIVISION; THENCE N00°33'59"E 1.00' TO A 1/2" IRON ROD SET AT THE POINT OF BEGINNING; THENCE CONTINUE N00°33'59"W 74.84' TO A MAG. NAIL SET IN ASPHALT; THENCE N89°21'12"E 50.00' TO A X-MARK PAINTED ON CONCRETE; THENCE N00°29'18"W 205.35' TO A X-MARK PAINTED ON CONCRETE ON THE SOUTH MARGIN OF E. PASS ROAD; THENCE ALONG SAID SOUTH MARGIN, N89°22'51"E 56.17' TO A X-MARK PAINTED ON CONCRETE; THENCE ALONG A CURVE OF SAID SOUTH MARGIN TO THE RIGHT HAVING A RADIUS OF 2913.76', AN ARC LENGTH OF 78.01' AND A CHORD BEARING AND DISTANCE OF S88°09'54"E 78.01' TO A X-MARK PAINTED ON CONCRETE; THENCE S00°22'15"E 276.20' TO A 1/2" IRON ROD SET; THENCE S89°39'28"W 75.80' TO A 1/2" IRON ROD SET; THENCE S88°49'43"W 107.65' TO THE POINT OF BEGINNING, CONTAINING 41,002.77 SQUARE FEET OR 0.941 ACRE,

AND ALSO:

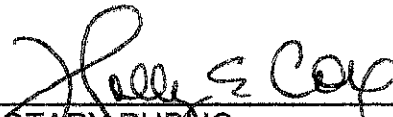
AN INGRESS AND EGRESS EASEMENT ACROSS ALL DRIVEWAYS AND PARKING AREAS LYING ON THE ADJOINING PARCEL TO THE EAST, AND BEING SUBJECT TO AN INGRESS AND EGRESS EASEMENT ACROSS ALL DRIVEWAYS AND PARKING AREAS LYING ON THIS SUBJECT PROPERTY FOR USE BY THE ADJOINING PROPERTY TO THE EAST THEREOF.

SURVEY DESCRIPTION FOR PARCEL "B":

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BEING BASED ON STATE PLANE GRID NORTH (MS EAST ZONE): COMMENCING AT A 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF LOT 11, COTTONWOOD SUBDIVISION; THENCE N00°33'59"E 1.00' TO A 1/2" IRON ROD SET; THENCE N88°49'43"E 107.65' TO A 1/2" IRON ROD SET; THENCE N89°39'28"E 75.80' TO A 1/2" IRON ROD SET AT THE POINT OF BEGINNING; THENCE CONTINUE N89°39'28"E 135.68' TO A 1/2" IRON ROD SET ON THE WEST MARGIN OF RED OAK DRIVE; THENCE ALONG SAID WEST MARGIN, N00°03'22"E 73.90' TO A X-MARK PAINTED ON CONCRETE; THENCE FURTHER ALONG SAID WEST MARGIN, N00°27'30"E 190.13' TO A X-MARK PAINTED ON CONCRETE ON THE SOUTH MARGIN OF E. PASS ROAD; THENCE ALONG A CURVE OF SAID SOUTH MARGIN TO THE LEFT HAVING A RADIUS OF 15.00', AN ARC LENGTH OF 13.69' AND A CHORD BEARING AND DISTANCE OF N68°59'36"W 13.22' TO A 1/2" IRON ROD FOUND; THENCE ALONG ANOTHER CURVE OF SAID SOUTH MARGIN TO THE LEFT HAVING A RADIUS OF 2913.76', AN ARC LENGTH OF 126.91' AND A CHORD BEARING AND DISTANCE OF N87°00'23"W 126.90' TO A X-MARK PAINTED ON CONCRETE; THENCE S00°22'15"E 276.20' TO THE POINT OF

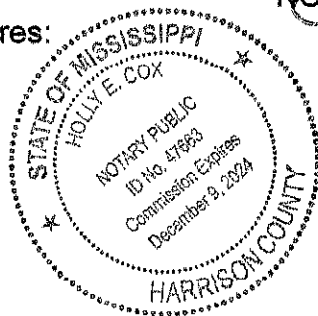
STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for said county and state, on this the 15th day of July, 2024, within my jurisdiction, the within named GARLON A. PEMBERTON, JR., who acknowledged to me that he is a Member of JSP, LLC, a Mississippi limited liability company, and that for and on behalf of said company and as the act and deed of said company, he executed the above and foregoing instrument, after first having been duly authorized by said limited liability company so to do.

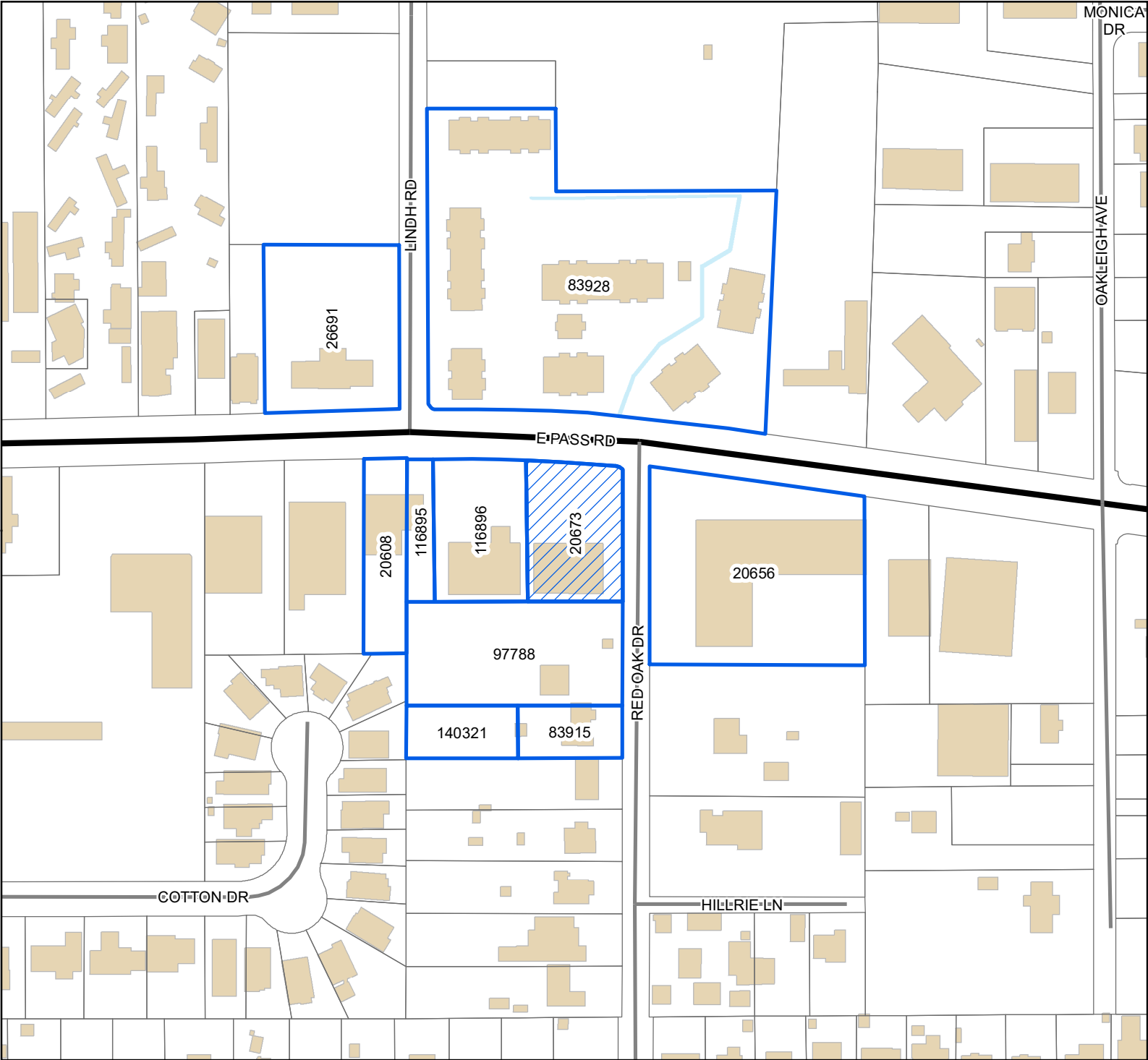


NOTARY PUBLIC

My Commission Expires:

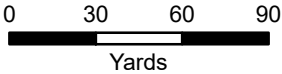


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1010H-02-031.000	RIA PROPERTIEZ AZ, LLC (OWNER)	80 MARRIS RIDGE	HATTIESBURG	MS	39402
			PROSPER PROPERTIES LLC (OWNER)	6421 108TH NE	KIRKLAND	WA	98033
			Adjacent Property Owners (2501SE010)				
	20670	1010H-02-029.000	STEELE VINCE R & BRIMAGE CHERYL	628 RED OAK DR	GULFPORT	MS	39507
	116896	1010H-02-031.001	JSP LLC	P O BOX 2965	GULFPORT	MS	39505
N	20673	1010H-02-031.000	JSP LLC	P O BOX 2965	GULFPORT	MS	39505
	20608	1010G-03-001.000	SPINDOCTOR PROPERTIES LLC	440 GREEN TEAL COURT	BILOXI	MS	39531
N	83928	1010H-03-013.000	GULF POINTE CH LLC	C/O READ PROPERTY GROUP LLC	BROOKLYN	NY	11204
N	116895	1010H-02-031.002	SPINDOCTOR PROPERTIES LLC	440 GREEN TEAL COURT	BILOXI	MS	39531
	140321	1010H-02-032.002	SMITH DIANE ETAL	P O BOX 151	HENRYVILLE	IN	47126
	83915	1010H-02-032.000	LEWIS DARRIN	15 BLUE MILL RD	KEARNEY	NE	68847
N	97788	1010H-02-032.001	JSP LLC	P O BOX 2965	GULFPORT	MS	39505
	20656	1010H-02-030.000	REDAUTO PROPERTIES LLC	22355 PASS RD SUITE B	BILOXI	MS	39531
	26691	1010G-02-016.000	NGUYEN MINH ETAL	2090 E PASS ROAD	GULFPORT	MS	39507



Legend

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



1 inch = 200 feet



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



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Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	622152	Print Legal Ad-IPL02095150 - IPL0209515		\$83.20	1	75 L

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

accountspayable@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, January 16, 2025 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 2501ZB002, by agent William E. Kneasal Jr., seeking approval for parking that backs out into city right of way, Tax Parcel 0811A-05-004.000, 1227 Pass Road & 1229 Pass Road, Zoned B-2 (General Business), Ward 2

Special Exception 2501SE003, by agent William E. Kneasal Jr., seeking approval for a liquor store use, Tax Parcel 0811A-05-004.000, 1229 Pass Road, Zoned B-2 (General Business), Ward 2

Variance 2501ZB004, by agent Michael Ray Burks, seeking approval for a 3-foot side yard setback where 8 feet is required, Tax Parcel 0808F-05-061.000, 15251 Cindy Cove, Zoned R-1-10 (Single-family), Ward 7

Variance 2501ZB005, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB006, by owner Hage Properties LLC, seeking approval for 3 regular parking spaces where 14 parking spaces are required, Tax Parcel 0910N-01-010.001, 213 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB008, by owner Hage Properties LLC, seeking approval for parking that backs out into city right of way, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Variance 2501ZB009, by owner Hage Properties LLC, seeking approval for 0 regular parking spaces where 7 are required, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Special Exception 2501SE010, by owners Ria Proptietz AZ, LLC and Prosper Properties LLC, seeking approval for a bar and lounge use, Tax Parcel 1010H-02-031.000, 2093 E Pass Road Suites A & C, Zoned B-1 (Neighborhood Business), Ward 2

This the 23rd day of December 2024
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0209515
Dec 31 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
12/31/24

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

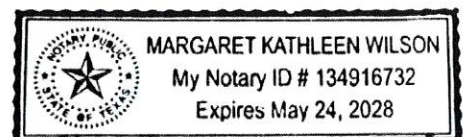
Mary Castro

Sworn to and subscribed before me this 7th day of January in the year of 2025

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!