

AGENDA
ZONING BOARD OF ADJUSTMENT AND APPEALS
CITY HALL COUNCIL CHAMBERS
THURSDAY, FEBRUARY 20, 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 - January 16, 2025

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 2412ZB197:(Deferred to February Agenda by applicant)**

Variance 2412ZB197, by owners R. Solloum Investments Inc. and J. Salloum Properties Inc., seeking approval for building height of 59 feet where 45 feet is the height limit, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

2. Variance 2412ZB198;(Deferred to February Agenda by applicant)

Variance 2412ZB198, by owners R. Solloum Investments Inc. and J. Salloum Properties Inc., seeking approval for 146 regular parking spaces where 208 spaces are required, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

3. Variance 2412ZB199;(Deferred to February Agenda by applicant)

Variance 2412ZB199, by owners R. Solloum Investments Inc. and J. Salloum Properties Inc., seeking approval for one additional wall sign where two wall signs are allowed, Tax Parcel 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

4. Variance 2502ZB011:

Variance 2502ZB011, by agent Richard J. Drive, seeking approval for an eight-foot-tall fence where six feet is the height limit, Tax Parcel 1010C-01-001-002, 10988 Channelside Drive, Zoned R-2 (Single-family), Ward 5

5. Variance 2502ZB013;

Variance 2502ZB013, by owners Timothy Daigle Jr. and Jeneé Daigle, seeking approval for a six-foot-tall fence where the height limit is 4 feet, Tax Parcels 0807E-01-001.001, 0807E-01-001.000, 15361 S Swan Road, Zoned R-1-15 (Single-Family), I-2 (Heavy Industry), Ward 7

6. Variance 2502ZB018;

Variance 2502ZB018, by agent Morgan Speranzo Hoda, seeking approval for a front yard setback of 21.5 feet where 25 is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, 11048 Georgian Way, Zoned R-2, Ward 5

7. Variance 2502ZB019;

Variance 2502ZB019, by owners Timothy Levens and Theresa Levens, seeking approval to exceed the allowable square footage for accessory structure by 544 square feet for property over an acre, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

8. Variance 2502ZB020;

Variance 2502ZB020, by owners Timothy Levens and Theresa Levens, seeking approval for a third accessory structure where two are allowed, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

9. Variance 2502ZB021:

Variance 2502ZB021, by owner FHC, INC, seeking approval for lot sizes smaller than an acre for a proposed 7 lot subdivision, Tax Parcels 1007O-01-028.000, 1007O-01-028.008, 1007O-01-028.012, 1007O-01-028.014, 10550 O'Neil Road, Zoned R-E (Residence-Estate), Ward 6

10. Variance 2502ZB024:

Variance 2502ZB024, by agent David John Hunter, seeking approval for an 8 foot setback where 25 feet is required for a secondary frontage, Tax Parcel 0911F-01-035.000, 500 East Beach Blvd, Zoned R-1-7.5 (Single-Family), Ward 2

H. Adjournment



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 # 2025-311

Hearing Date: Thursday, February 20, 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 # 2025-312

Hearing Date: Thursday, February 20, 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 # 2025-313

Hearing Date: Thursday, February 20, 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 # 2025-222

Hearing Date: Thursday, February 20, 2025

Variance 2412ZB197:(Deferred to February Agenda by applicant) Variance 2412ZB197, by owners R. Solloum Investments Inc. and J. Salloum Properties Inc., seeking approval for building height of 59 feet where 45 feet is the height limit, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2412ZB197

Hearing Date: February 20, 2025

Current Zoning/Use: R-B/Vacant Lot

Legal: Variance 2412ZB197, by owners R. Solloum Investments Inc. and J. Salloum Properties Inc., seeking approval for building height of 59 feet where 45 feet is the height limit, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance to allow for building a structure at 59 feet tall where 45 feet is the maximum height. This is being done to achieve a hotel with 112 beds to match the Holiday Inn Brand.

- (a) The applicant states that the hotel will be a full-service hotel with 112 beds to match the Holiday Inn brand. The applicant's answer does not sufficiently answer the question as it does not answer if there is anything unique to the property that would not apply to areas surrounding that property. Having to meet corporate standards would not be considered a suitable hardship.
- (b) The applicant states that the limited footprint available would not allow the targeted 112 rooms to be achieved with the 45-foot height limit. This answer shows that the hardship is caused by the applicant as they are doing so to meet corporate standards.
- (c) Applicant does not answer this question. The physical characteristic of the property is not inherently unusual and it could be considered that if the applicant didn't have to uphold corporate standards, the applicant could meet the requirements for height.
- (d) Applicant states that there is a property west of the subject site that is "over 14 stories high." Upon staff review, the property in question does exceed the 45 foot tall maximum.
- (e) Applicant believes that granting this variance would not confer special rights upon them. Upon staff review, there is a nearby property that exceeds the 45 foot tall maximum. Granting this variance would not confer special rights upon the applicant.
- (f) This property is zoned R-B, and a Hotel is allowed by right.

EXECUTIVE SUMMARY

The applicant is requesting this variance due to desiring to meet the corporate standards of the Holiday Inn brand. While the applicant does not display a genuine hardship, in the surrounding area there are a pair of structures, known as The Legacy Condos, that exceed the 45 foot tall maximum. Granting the variance would be in line with what is present in the area.

Any approval should consider these conditions:

- 1. Must comply with all zoning rules and regulations.
- 2. Approval allows for a building height of 59 feet where 45 feet is the maximum.
- 3. A 30% reduction in parking could likely be an issue during larger hotel events if there is not enough parking for hotel guests plus hotel event attendees not staying at the hotel. The developer should have an overflow parking plan to accommodate larger hotel events.

DEPARTMENTAL CONDITIONS

Engineering:

A 30% reduction in parking could likely be an issue during larger hotel events if there is not enough parking for hotel guests plus hotel event attendees not staying at the hotel. The developer should have an overflow parking plan to accommodate larger hotel events. Memo dated 2/7/2025.

Technical Report

VARIANCE

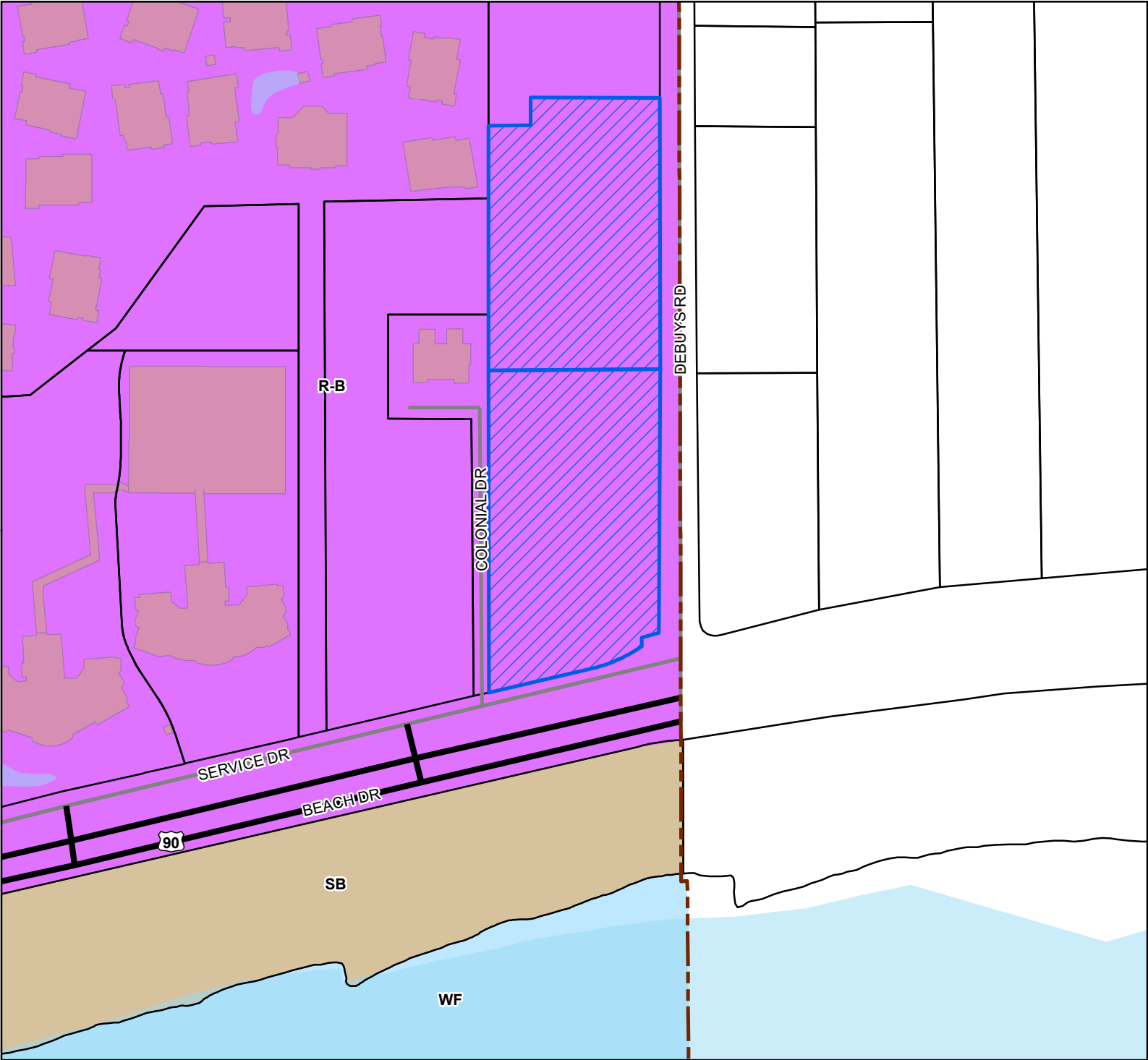
<u>Public Works:</u>	No conditions. Memo dated 2/7/2025.
<u>Traffic and Safety:</u>	No conditions. Memo dated 2/7/2025.
<u>Building Code Services:</u>	Must comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 2/7/2025.
<u>GIS:</u>	No conditions. Memo dated 2/7/2025.
<u>Police Department:</u>	No comment as of 2/7/2025.
<u>Fire Department:</u>	No conditions. Memo dated 2/7/2025.
<u>City Arborist:</u>	No conditions. Memo dated 2/7/2025.
<u>Landscape Manager:</u>	No conditions. Memo dated 01/29/2025.

DIRECTOR APPROVAL

This report has been reviewed and approved by:

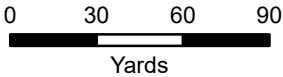


Greg Holmes
Director of Urban Development Department



- Site
- US or State Highway
- Street
- Parcels
- Buildings
- Water Features
- City Limit
- Zoning**
 - R-B - Residence-Business District
 - SB - Sand Beach
 - WF - Water Front

Site Information
1010P-01-003.000
1010P-01-002.000
Zoning: R-B (Residence-Business)
Size: 4.7 acres
Flood: X, AE



1 inch = 200 feet



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

OWNER: R Salloun INVESTMENTS INC +
5 Salloun Properties 7/6/0
Coast Host, LLC

Printed Name of Owner
10071 Lorraine Road
Mailing Address
Gulfport MS 39503
City State Zip Code
601-613-1188
Home Phone Work/Cell Phone
rps@frslaw.com
Email
Signature of Owner

AGENT:

Richard P Salloun
Printed Name of Agent
P.O. Box 460
Mailing Address
Gulfport, MS 39502
City State Zip Code
228-846-5421 228-324-7292
Home Phone Work/Cell Phone
R P Salloun Law, PC
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) R Salloun INVESTMENTS INC
Address (Street, City, State, Zip Code) P.O. Box 460 Gulfport, MS 39502
Phone (Home) 228-846-5421 (Work) 228-848-7070 (Cell) 228-324-7292
Tax Parcel Number(s) Owned: 10101-01-003-000
Signature: [Signature]

Name of Owner (PRINT) J Salloun Properties, Inc
Address (Street, City, State, Zip Code) P.O. Box 1176 Gulfport, MS 39502
Phone (Home) 228-861-7071 (Work) 228-861-7071 (Cell) 228-861-7071
Tax Parcel Number(s) Owned: 10101-01-003-000
Signature: [Signature]

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

IMPORTANT NOTICE:

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

Submission Requirements:

Page one of this application, completed and signed.

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

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

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

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

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

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

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

I the owner/agent acknowledge this is a complete application



COVENANT AFFIDAVIT

I, Richard Salloway & Joe Salloway being property owner or agent of the property 2400 Beach Drive Gulfport, MS 39507
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

and Joe Salloway

11/22/24

DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

NOTARY PUBLIC

Melissa Cravero



COMMISSION EXPIRATION



January 6, 2025

Zoning Board of Adjustments
Urban Development - Planning Division | Gulfport MS
1410 24th Avenue
Gulfport, MS 39501

Project Name: Holiday Inn Gulfport
Project Number: 23-036
RE: excessive building height

To whom it may concern:

The property in question is being considered for re-development by the property Owner for a full-service hotel (112 beds - Holiday Inn brand). The proposed structure will be closely modeled after the Holiday Inn brand prototypical design.

On behalf of the Owner, we hereby request a variance to the maximum building height allowed. City ordinance limits building heights on this site to a maximum of 45 feet above grade plane. The development proposed by the site owners will yield a building height of 59 feet above grade plane.

The size of this site cannot accommodate the Owner's program in a building with a maximum height of 45 feet. The target guest room count of 112 cannot be achieved due to the limited available footprint for vertical construction on this site. As a result, the owner is proposing a 5 story structure to accommodate the need. If the current limitation of 45 feet is upheld for this property, the guest room count would be significantly impacted and the development will no longer be economically viable to the owner.

Adjacent properties near this location have developments which greatly exceed this 45 foot height limitation. One property near the West side of this site is over 14 stories in height (approx. 145 feet above grade plane). This is over twice the height of the building we are proposing. This appears to be a development where a previous variance to this maximum height was granted. The owner respectfully asks that they be allowed this same privilege.

The proposed use of the property is permissible by right, with planning approval.

Sincerely:

M. Wade Thompson, AIA NCARB
Partner

Encl: zoning application
Cc: file 23-036



Wade Thompson <wthompson@wbaarchitecture.com>

Airport Authority Approval

Casey Lyons <CLyons@flygpt.com>

Fri, Nov 15, 2024 at 12:12 PM

To: "wthompson@wbaarchitecture.com" <wthompson@wbaarchitecture.com>

Cc: Operations Group <Operations@flygpt.com>, Shelby Fox <SFox@flygpt.com>

Walt,

Good morning. I have reviewed the information which you have provided Shelby, and your construction between Debuys Road and Colonial Drive in Gulfport does not have any adverse impacts on GPT. We do not object to your construction and/or use of the crane as described in this email and its attachments.

Please let me know if you have any further questions.

Sincerely,

Casey Lyons
Assistant Director
Gulfport-Biloxi International Airport
14035-L Airport Rd. | Gulfport, MS 39503
(228) 863-5951 (o) | (228) 863-5953 (f)
www.FLYGPT.com

We Make Flying Easier.



From: Shelby Fox <SFox@flygpt.com>

Sent: Thursday, November 14, 2024 4:45 PM

To: Casey Lyons <CLyons@flygpt.com>

Subject: Fw: Airport Authority Approval

Shelby Fox

Director of Planning and Development
Gulfport-Biloxi International Airport
14035-L Airport Rd. | Gulfport, MS 39503
(228) 863-5951 (o) | (228) 248-3011 (d) | (228) 327-6888 (c)

www.FLYGPT.com

We Make Flying Easier.



[Quoted text hidden]

Casey Lyons

Assistant Director

Gulfport-Biloxi International Airport

14035-L Airport Rd. | Gulfport, MS 39503

(228) 863-5951 (o) | (228) 863-5953 (f)

[Quoted text hidden]

2 attachments



2024-11-14 FAA notice criteria tool_MOBILE CRANE.pdf

158K



2024-11-14 FAA notice criteria tool_BLDG.pdf

159K



Notice Criteria Tool

Notice Criteria Tool - Desk Reference Guide V_2018.2.0

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference [CFR Title 14 Part 77.9](#).

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
- your structure will be in proximity to an airport and will exceed the slope ratio
- your structure involves construction of a traverseway (i.e. highway, railroad, waterway etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- your structure will emit frequencies, and does not meet the conditions of the [FAA Co-location Policy](#)
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

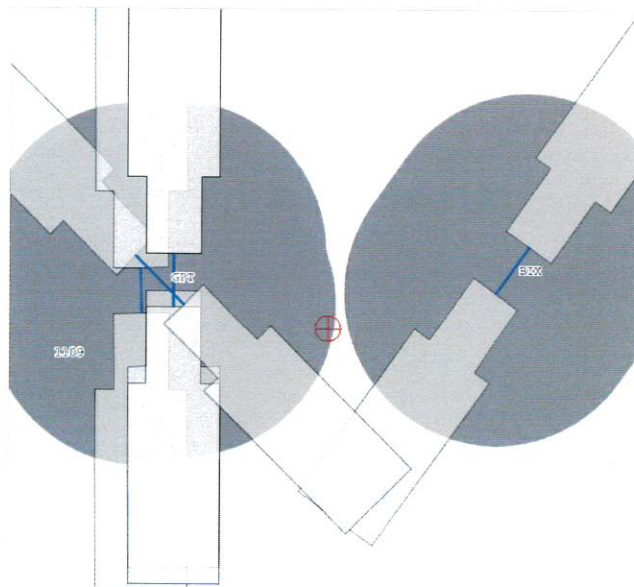
If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the [Air Traffic Areas of Responsibility map](#) for Off Airport construction, or contact the [FAA Airports Region / District Office](#) for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

* Structure Type:	BUILDING Commercial Use Building
Please select structure type and complete location point information.	
Latitude:	30 Deg 23 M 19.6 S N
Longitude:	89 Deg 00 M 6.4 S W
Horizontal Datum:	NAD83
Site Elevation (SE):	19 (nearest foot)
Structure Height :	70 (nearest foot)
Is structure on airport:	☒ No ☐ Yes

Results

You do not exceed Notice Criteria.





Notice Criteria Tool

Notice Criteria Tool - Desk Reference Guide V_2018.2.0

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference [CFR Title 14 Part 77.9](#).

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
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- your structure involves construction of a traverseway (i.e. highway, railroad, waterway etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- your structure will emit frequencies, and does not meet the conditions of the [FAA Co-location Policy](#)
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

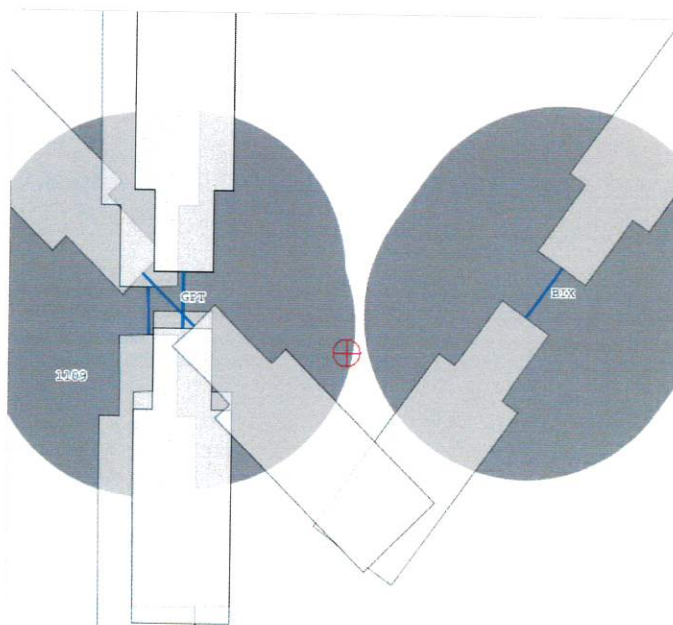
If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the [Air Traffic Areas of Responsibility map](#) for Off Airport construction, or contact the [FAA Airports Region / District Office](#) for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

* Structure Type:	CRANE Mobile Crane
Please select structure type and complete location point information.	
Latitude:	30 Deg 23 M 19.6 S N
Longitude:	89 Deg 00 M 6.4 S W
Horizontal Datum:	NAD83
Site Elevation (SE):	19 (nearest foot)
Structure Height :	150 (nearest foot)
Is structure on airport:	☒ No ☐ Yes

Results

You do not exceed Notice Criteria.





Holiday Inn
Beach Dr. Gulfport

November 21, 2024

FIRE DEPARTMENT

P.O. Box 1780
Gulfport, MS 39502
Phone: 228-868-5950
Fax: 228-868-5808

Central Station
1515 23rd Avenue
Gulfport, MS 39501

Internationally Accredited Gulfport Fire Department (GFD) is a full-spectrum life safety agency protecting a population of more than 72,000 citizens and a metro-population of greater than 416,000 people who live, work and play in Mississippi's second largest city. Gulfport Fire Department is one of only two Mississippi agencies that has an ISO Fire Suppression Rating of 2 out of 10 (with 1 being the highest rating). A total of 164 plus uniformed fire personnel protect life, property and the environment through their direct involvement in fire prevention, firefighting, emergency medical care, technical rescue, hazardous materials mitigation, disaster response, public education and community service. An equally committed non-sworn cadre of professional support personnel provide technical and administrative expertise in their corresponding pursuit of the department's mission. The expansive capabilities of the department include high-angle rescue, special operations response and all-hazards mitigation to include multi-story (High Rise) occupancies. In consideration of the department's capabilities as applied to the proposed hotel development on Debuys Rd, the Gulfport Fire Department Fire Chief approves of this general plan and the height variance to be granted. Compliance with applicable codes and standards assumed.

Sincerely,


Billy Kelley
Fire Chief City of Gulfport



HOLIDAY INN BEACH DRIVE - GULFPORT

COAST HOST, LLC

2400 BEACH DR.
GULFPORT, MS 39507

01.24.25

ZONING VARIANCE

WBA # 23-036

REVISIONS

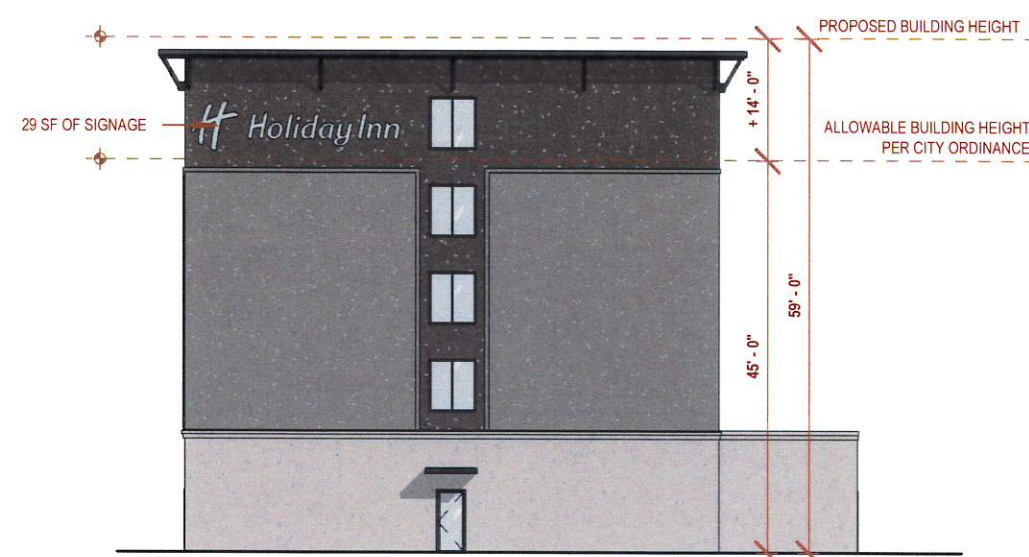
NO.	DESCRIPTION	DATE
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Z201

EXTERIOR
ELEVATIONS



4 SOUTH ELEVATION
3/64" = 1'-0"



3 NORTH ELEVATION
3/64" = 1'-0"



2 EAST ELEVATION
3/64" = 1'-0"



1 WEST ELEVATION
3/64" = 1'-0"

NOTE:
PROPOSED BUILDING HEIGHT IS THE
AVERAGE HEIGHT BETWEEN FLAT ROOFS



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
R. SALLOUM INVESTMENTS, INC.	Legal

Business Information

Business Type:	Profit Corporation
Business ID:	596298
Status:	Good Standing
Effective Date:	04/02/1993
State of Incorporation:	Mississippi
Principal Office Address:	10071 Lorraine Road GULFPORT, MS 39503

Registered Agent

Name
RICHARD P SALLOUM
2605 FOURTEENTH ST
GULFPORT, MS 39502

Officers & Directors

Name	Title
Richard P Salloum 2605 Fourteenth St Gulfport, MS 39502	Incorporator
Richard P Salloum PO Drawer 460 Gulfport, MS 39502	Director, President



SCANNED



J. Salloum 1st Judicial District
Instrument 2021 7970 D - J1
Filed/Recorded 6/ 9/2021 02:58 P
Total Fees \$ 26.00
6 Pages Recorded



J. Salloum 1st Judicial District
Instrument 2021 7684 D - J1
Filed/Recorded 6/ 4/2021 02:46 P
Total Fees \$ 26.00
6 Pages Recorded

Prepared by:

Name: Lyndon E. Carter
Address: 1000 Darden Center Drive
Address: Orlando, FL
Telephone: 407-245-4403

Return To:

Name: R. Salloum Investments, Inc.
Address: 10071 Lorraine Road
Address: Gulfport, MS 39503
Telephone: 228-324-7292

Indexing Instructions: The property described herein is located in the SE ¼ of Section 32, Township 7 South, Range 10 West, First Judicial District of Harrison County, Mississippi

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

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 and sufficiency of which are hereby acknowledged,

GMRI, Inc., a Florida Corporation
Formerly known as General Mills Restaurants, Inc.
1000 Darden Center Drive
Orlando, FL 32837
Phone: 407-245-4033

does hereby grant, bargain, sell, convey and specially warrant unto R. Salloum Investments, Inc., a Mississippi corporation, Attention: Richard Salloum, 10071 Lorraine Road, Gulfport, MS 39503, (228) 324-7292, as to an undivided fifty (50.00%) percent interest, and J. Salloum Properties, Inc., a Mississippi corporation, Attention: Joe Salloum, P.O. Box 1176, Gulfport, MS 39502, Telephone (228) 861-7071, as to an undivided fifty (50.00%) percent interest, as tenants-in-common.

2

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

SEE EXHIBIT A ATTACHED HERETO

The Property is conveyed subject to, and there is excepted from the special warranty of this conveyance, those certain matters set forth on **EXHIBIT B ATTACHED HERETO**.

This conveyance and the warranty hereof is also subject to the Prohibited Uses as set forth on **EXHIBIT C ATTACHED HERETO** for a period of five (5) years from the date hereof.

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

WITNESS THE SIGNATURE of the Grantor on this, the 21st day of May A.D., 2021.

[Signature Page Follows]

GRANTOR:

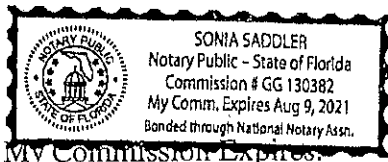
GMRI, INC.,
a Florida corporation

LC
5/21/21 By: [Signature]
Name: Laureen Sustacheck
Title: VP, Facilities & Asset Management

STATE OF FLORIDA

COUNTY OF ORANGE

Personally appeared before me, the undersigned authority in and for the said county and state, on this 21st day of May, 2021, within my jurisdiction, the within named Laureen Sustacheck, who is personally known to me to be the person whose name is subscribed in the above and foregoing instrument and acknowledged that she executed the same in her representative capacity, and that by her signature on the instrument, and as the act and deed of the person or entity upon behalf of which she/ acted, executed the above and foregoing instrument, after first having been duly authorized so to do.



[Signature]
(NOTARY PUBLIC)

[AFFIX NOTARIAL SEAL]

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land situated and being located in the Southeast 1/4 of Section 32, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, and being more particularly described as: Commencing at the northeast corner of the said Southeast 1/4 of Section 32; thence run North 89 degrees 28 minutes West 295.9 feet along the north line of the said Southeast 1/4 to the northwest corner of the property formerly of Myers and the northeast corner of the property now or formerly of Colonial Cottages, Inc.; thence run South along the west line formerly of Myers a distance of 791.5 feet to the southwest corner of Brittany Apartments Inc. and the northwest corner of Kolmon Berger (Deed Book 983, page 261) for the Point of Beginning of the parcel herein described; thence run from said Point of Beginning, South 465.5 feet along the east line of Sea & Oaks Condominiums (Plat Book 33, page 16) and the west line of Berger to the northerly margin of the Old Spanish Trail or Service Drive; thence run North 76 degrees 18 minutes East 267.0 feet along the northerly margin of the Old Spanish Trail or Service Drive to the west margin of DeBuys Road; thence run North 00 degrees 05 minutes West 400.0 feet along the west margin of DeBuys Road to the southeast corner of Brittany Apartments Inc. and the northeast corner of Berger; thence run North 89 degrees 30 minutes West 257.4 feet, more or less, along the south line of Brittany Apartments Inc. and the north line of Berger to the Point of Beginning.

6

EXHIBIT B

Permitted Exceptions

1. Taxes for the year 2021 and subsequent years, not yet due and payable.
2. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the public records.
3. Roadway Easement in favor of Harrison County, Mississippi dated August 23, 1988, and recorded in Book 1112 at Pages 611-612 in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

6

EXHIBIT C

PROHIBITED USES

1. The property described on Exhibit A shall not be used for the operation of a restaurant having more than ten (10) co-branded locations in operation within a three hundred (300) mile radius of the Property and with a menu featuring Italian-themed food items, such as, for example purposes only (and not as a limitation), BRIO Tuscan Grille, Buca di Beppo, Carrabba's, Johnny Carina's, Maggiano's Little Italy, Romano's Macaroni Grille, or Vinnie Testa's. The term "featuring" as used in the foregoing sentence shall mean that Italian-themed food items constitute (or will constitute) twenty-five percent (25%) or more of the total number of appetizers or entrees listed on the menu (including any limited time offers and/or so called "specials") at the subject restaurant.
2. The property described on Exhibit A shall not be used for the operation of a restaurant having more than ten (10) co-branded locations in operation within a three hundred (300) mile radius of the Property and with a menu featuring steaks, such as, for example purposes only (and not as a limitation), chop House, Golden Corral, Logan's Roadhouse, Lone Star Steakhouse, Original Roadhouse, Outback, Ryan's, Sagebrush, Saltgrass Steakhouse, Ted's Montana Grill, Texas Land & Cattle, Texas Roadhouse, Trail Dust, or Tumbleweed. The term "featuring" as used in the foregoing sentence shall mean that steaks constitute (or will constitute) twenty-five percent (25%) or more of the total number of appetizers or entrees listed on the menu (including any limited time offers and/or so called "specials") at the subject restaurant.



SCANNED



John D. ... 1st Judicial District
Instrument 2020 16290 D -J1
Filed/Recorded 12/29/2020 03:38 P
Total Fees \$ 26.00
4 Pages Recorded

Indexing: Parcel in NE ¼ of SE ¼ of S 32-7-10
Harrison County, MS

STATE OF MISSISSIPPI

COUNTY OF HARRISON

FIRST JUDICIAL DISTRICT

Prepared by and return to:
David B. Estes
MS Bar No. 101404
Integrity Land Title, LLC
1806 23rd Avenue
Gulfport, MS 39501
(228)896-8962
File#3297

WARRANTY DEED

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

GORDON MATTHEWS and wife, MEREDITH APRIL MATTHEWS
102 Las Vegas Rd.
Orinda, CA 94563
(925) 788-4675

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

J. SALLOUM PROPERTIES, INC. (50%) and
R. SALLOUM INVESTMENTS, INC. (50%)
10071 Lorraine Rd.
Gulfport, MS 39503
(228)868-7090

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

SEE ATTACHED EXHIBIT "A"

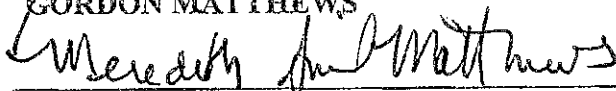
THIS CONVEYANCE is subject to any and all easements, restrictive or protective covenants, rights-of-way, zoning ordinances and reservations affecting said property of record.

TAXES for the year 2020 are hereby prorated and the same are hereby assumed by the Grantee herein. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS my signature on this the 23rd day of DECEMBER, 2020.



GORDON MATTHEWS



MEREDITH APRIL MATTHEWS

STATE OF Mississippi

COUNTY OF Harrison

Personally appeared before me, the undersigned authority in and for the said county and state on this 23 day of December, 2020, within my jurisdiction, the within named GORDON MATTHEWS AND MEREDITH APRIL MATTHEWS, who acknowledged that they executed the above and foregoing instrument.



NOTARY PUBLIC

(SEAL)

My Commission Expires:



4

LEGAL DESCRIPTION BY RECORD:

The following described property lying and being situated in the City of Gulfport, First Judicial District of Harrison County, Mississippi:

Commencing at a point on the West margin of DeBays Road, which point is 38.5 feet West of the NE corner of SE 1/4 of Section 32, Township 7 South, Range 10 West, and run thence South along the West margin of DeBays Road a distance of 400 feet to the point of beginning; run thence West a distance of 197.4 feet to an iron stake; thence South 40 feet to an iron stake; thence West a distance of 50 feet to the East boundary line of the Colonial Cottages, Inc., property; run thence South along said East boundary line and on a line parallel with DeBays Road a distance of 351.5 feet to an iron stake; run thence East a distance of 257.4 feet to the West margin of DeBays Road; thence North along the West margin of DeBays Road a distance of 381.5 feet to the point of beginning.

LEGAL DESCRIPTION BY SURVEY:

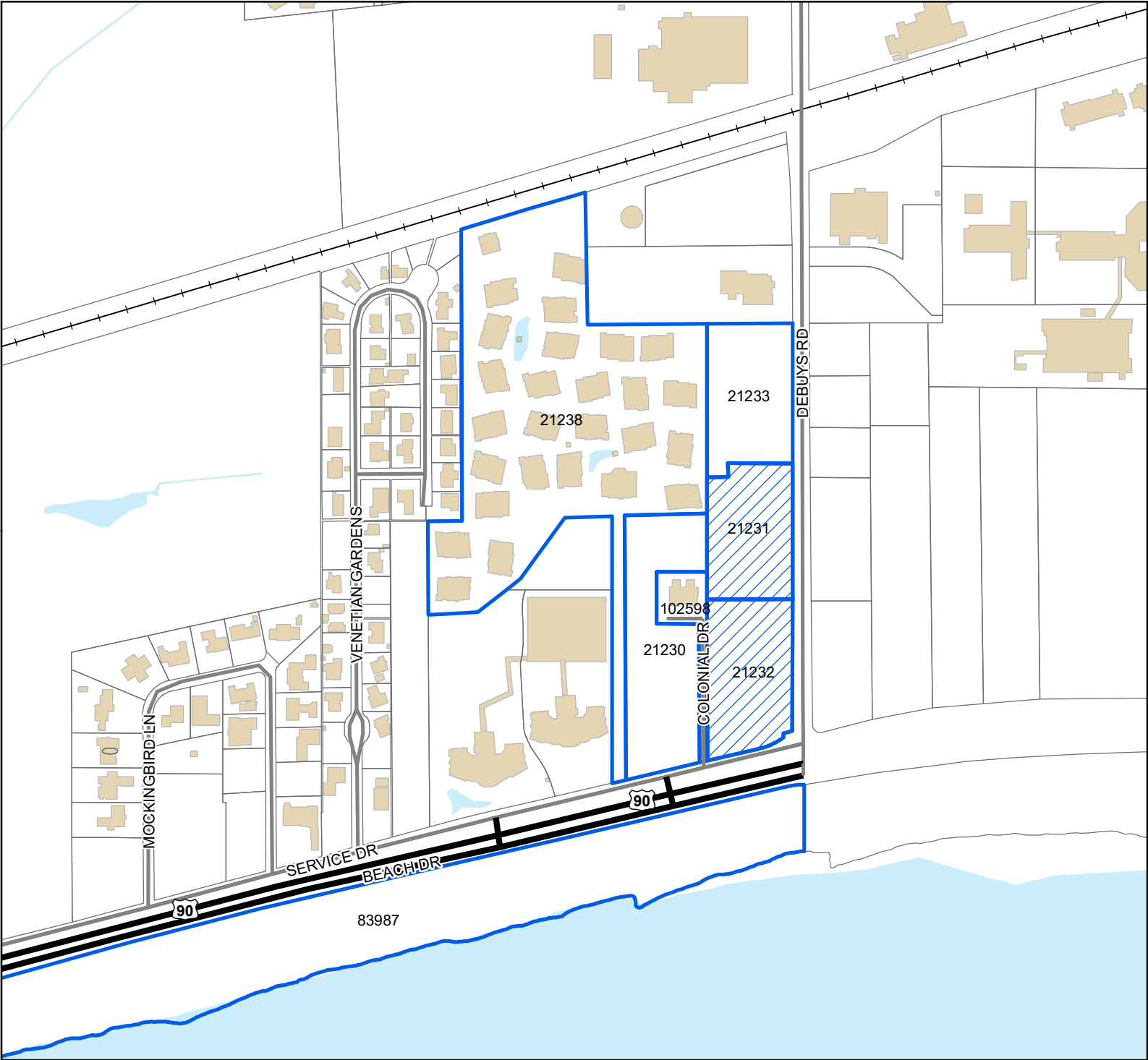
A parcel of land situated and being located in the Northeast 1/4 of the Southeast 1/4 of Section 32, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, to-wit:

Commencing at the Northeast corner of the Southeast 1/4 of Section 32, Township 7 South, Range 10 West; thence run North 89 degrees 34 minutes 04 seconds West 46.13 feet along the north line of the said Southeast 1/4 to the westerly right-of-way of DeBays Road; thence run South 00 degrees 09 minutes 15 seconds East 398.43 feet along the westerly right-of-way of DeBays Road to the Point of Beginning of the parcel herein described; thence run from said Point of Beginning, North 89 degrees 34 minutes 04 seconds West 190.85 feet; thence run South 00 degrees 00 minutes 00 seconds West 40.00 feet; thence run North 89 degrees 34 minutes 04 seconds West 50.00 feet; thence run South 00 degrees 03 minutes 55 seconds East 352.15 feet; thence run South 89 degrees 44 minutes 33 seconds East 251.09 feet to the westerly right-of-way of DeBays Road; thence run North 00 degrees 05 minutes 43 seconds West 391.39 feet along the westerly right-of-way of DeBays Road to the Point of Beginning. This description is intended to describe all that property described in the title commitment identified as the Security Title Guarantee Corporation of Baltimore, Commitment No. 818279 dated February 25, 2005 and all that property as described in Deed Book 593 at Page 173, less that part now lying within the existing right-of-way of DeBays Road.

To: The Security Title Guarantee Corporation of Baltimore, Evbank, Gordon Mathews, Raymond Higgins / CB Richard Ellis and Roy Perilleux

This is to certify that this map or plot and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 1989, and includes items 1, 2, 3, 4, 6, 7(c), 7(b)(1), 8, 9, 10, 11(b), 13 and 17 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS and ACSM and in effect on the date of this certification, undersigned further certifies that proper field procedures, instrumentation and adequate survey personnel were employed in order to achieve results comparable to those outlined in the "Minimum Angle, Distance and Closure Requirements for Survey Measurements Which Control Land Boundaries" for ALTA/ACSM Land Title Surveys."

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1010P-01-003.000	R SALLOUM PROPERTIES INC (OWNER)	10071 LORRAINE ROAD	GULFPORT	MS	39503
		1010P-01-002.000	J SALLOUM PROPERTIES INC (OWNER)	P.O. BOX 1176	GULFPORT	MS	39502
			RICHARD SALLOUM (OWNER)	P.O. DRAWER 460	GULFPORT	MS	39502
			Adjacent Property Owners (2412ZB197)				
	21230	1010P-01-004.000	J & R PROPERTIES & SALLOUM PROPERTI	P O BOX 1176	GULFPORT	MS	39502
N	83987	1010P-02-001.000	GULFPORT CITY OF -BEACHES-	234 VENETIAN GARDENS	GULFPORT	MS	39501
N	21231	1010P-01-002.000	J SALLOUM PROPERTIES INC -ETAL-	10071 LORRAINE RD	GULFPORT	MS	39503
N	21232	1010P-01-003.000	R SALLOUM INVESTMENTS INC -ETAL-	ATTN: RICHARD SALLOUM	GULFPORT	MS	39503
	102598	1010P-01-004.001	A & H CORP	1714 PASS RD	BILOXI	MS	39531
	21233	1010P-01-001.000	J & R PROPERTIES	PO BOX 1176	GULFPORT	MS	39502
	21238	1010P-01-007.000	GULF CONDOS LLC	5075 LEESWAY TERRACE	PENSACOLA	FL	32504



Legend

- Site
- US or State Highway
- Street
- Railroad
- Buildings
- Water Features

0 60 120 180
Yards

1 inch = 400 feet



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



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	631240	Print Legal Ad-IPL02143670 - IPL0214367	ZB notice	\$107.48	2	63 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, February 20, 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 2412ZB197, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for building height of 59 feet where 45 feet is the height limit, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB198, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for 146 regular parking spaces where 208 spaces are required, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB199, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for one additional wall sign where two wall signs are allowed, Tax Parcel 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2502ZB011, by agent Richard J. Drive, Zoned, seeking approval for an eight-foot-tall fence where six feet is the height limit, Tax Parcel 1010C-01-001-002, 10988 Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2502ZB013, by owners Timothy Daigle Jr. and Jenée Daigle, seeking approval for a six-foot-tall fence where the height limit is 4 feet, Tax Parcels 0807E-01-001.001, 0807E-01-001.000, 15361 S Swan Road, Zoned R-1-15 (Single-Family), I-2 (Heavy Industry), Ward 7

Variance 2502ZB018, by agent Morgan Speranzo Hoda, seeking approval for a front yard setback of 21.5 feet where 25 is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, 11048 Georgian Way, Zoned R-2, Ward 5

Variance 2502ZB019, by owners Timothy Levens and Theresa Levens, seeking approval to exceed the allowable square footage for accessory structure by 544 square feet for property over an acre, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB020, by owners Timothy Levens and Theresa Levens, seeking approval for a third accessory structure where two are allowed, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB021, by owner FHC, INC, seeking approval for lot sizes smaller than an acre for a proposed 7 lot subdivision, Tax Parcels 1007O-01-028.000, 1007O-01-028.008, 1007O-01-028.012, 1007O-01-028.014, 10550 O'Neil Road, Zoned R-E (Residence-Estate), Ward 6

Variance 2502ZB024, by agent David John Hunter, seeking approval for an 8 foot setback where 25 feet is required for a secondary frontage, Tax Parcel 0911F-01-035.000, 500 East Beach Blvd, Zoned R-1-7.5 (Single-Family), Ward 2

This the 29th day of January 2025
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0214367
Jan 29 2025

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Beaufort County, South Carolina 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:
01/29/25

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

Mary Castro

Sworn to and subscribed before me this 5th day of February in the year of 2025

Amy Robbins

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.



AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

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 # 2025-223

Hearing Date: Thursday, February 20, 2025

Variance 2412ZB198;(Deferred to February Agenda by applicant) Variance 2412ZB198, by owners R. Solloum Investments Inc. and J. Salloum Properties Inc., seeking approval for 146 regular parking spaces where 208 spaces are required, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2412ZB198

Hearing Date: February 20, 2025

Current Zoning/Use: R-B/Vacant Lot

Legal: Variance 2412ZB198, by owners R. Solloum Investments Inc. and J. Salloum Properties Inc., seeking approval for 146 regular parking spaces where 208 spaces are required, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a parking variance of 146 parking spaces where 208 is required. 168 is required for the hotel use and 40 spaces are required for the customer service use. They will be supplying 112 for the hotel use and 34 spaces for the customer service use.

- (a) The applicant states that because of the owner's experience managing this size of building, the amount of parking exceed what they would normally require. The applicant's answer does not sufficiently answer the question as it does not answer if there is anything unique to the property that would not apply to areas surrounding that property. Stating that operation would require less parking that required by ordinance does not indicate hardship.
- (b) The applicant states that the amount of parking required by ordinance exceeds the Holiday Inn brand standards. This does not sufficiently answer the question. The applicant's hardship comes from the intended size of the structure causing the need for more parking.
- (c) Applicant states that the size of the property is the reason why the variance is required. It should be noted that the desire to match corporate standards is the ultimate cause for the amount of parking required for the lot.
- (d) Applicant states that along E. Beach Drive that hotels are a common use there. While that statement is true, the majority of these hotel uses are located within Biloxi and thus do not apply to this petition. There are no noteworthy locations in the surrounding Gulfport area that match the scope of this request.
- (e) Applicant believes that granting this variance would not confer special rights upon them. Upon staff review, there are no nearby Gulfport locations that match this request and thus granting the variance would establish precedence in this area.
- (f) This property is zoned R-B, and a Hotel is allowed by right.

EXECUTIVE SUMMARY

The applicant is requesting this variance for the required parking in this location. For the hotel use the required parking they need for their scope of work is 168 parking spaces. They are accommodating 112 parking spaces. They also are required 40 parking spaces for the customer service use. They are accommodating 34 parking spaces for that use. The applicant has no suitable hardship for this petition. No locations in the surrounding Gulfport area appear to match the scope of this work, and thus, granting a variance would establish precedence in this area.

Any approval should consider these conditions:

- 1. Must comply with all zoning rules and regulations.
- 2. Approval allows for 146 parking spaces where 208 are required.
- 3. Must comply with all current Building Codes and City of Gulfport Ordinances

DEPARTMENTAL CONDITIONS

Engineering:

No conditions. Memo dated 2/7/2025.

Technical Report

VARIANCE

<u>Public Works:</u>	No conditions. Memo dated 2/7/2025.
<u>Traffic and Safety:</u>	No conditions. Memo dated 2/7/2025.
<u>Building Code Services:</u>	Must comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 2/7/2025.
<u>GIS:</u>	No conditions. Memo dated 2/7/2025.
<u>Police Department:</u>	No comment as of 2/7/2025.
<u>Fire Department:</u>	No conditions. Memo dated 2/7/2025.
<u>City Arborist:</u>	No conditions. Memo dated 2/7/2025.
<u>Landscape Manager:</u>	No conditions. Memo dated 01/29/2025.

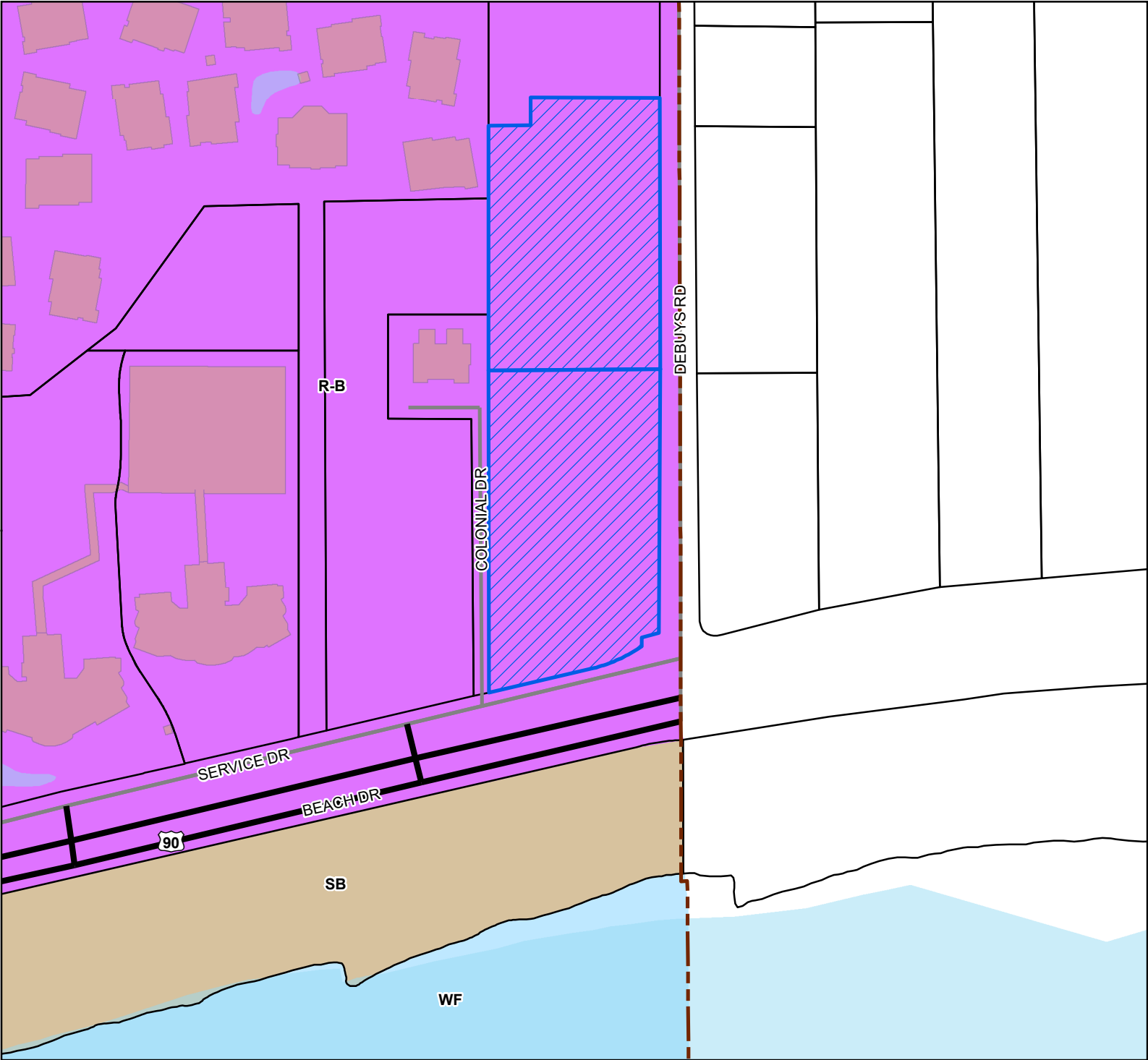
DIRECTOR APPROVAL

This report has been reviewed and approved by:



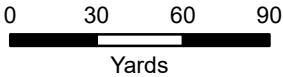
Greg Holmes

Director of Urban Development Department



- Site
 - US or State Highway
 - Street
 - Parcels
 - Buildings
 - Water Features
 - City Limit
- Zoning**
- R-B - Residence-Business District
 - SB - Sand Beach
 - WF - Water Front

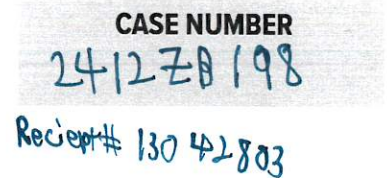
Site Information
 1010P-01-003.000
 1010P-01-002.000
 Zoning: R-B (Residence-Business)
 Size: 4.7 acres
 Flood: X, AE



1 inch = 200 feet



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



RSALLOW INVESTMENTS INC
+ J Sallow Properties Inc
OWNER: *F/B/O*
Coast Host, LLC

Printed Name of Owner
10071 Lorraine Road

Mailing Address
Gulfport MS 39503

City State Zip Code
601-613-1188

Home Phone Work/Cell Phone
rps@frslaw.com

Email *(Signature)*

Signature of Owner

AGENT:

Richard P Sallow
Printed Name of Agent
P.O. Box 440

Mailing Address
Gulfport MS 39502

City State Zip Code
228-896-5421

Home Phone Work/Cell Phone
228-896-5421 228-324-7292

Email *RPS@FRSLAW.COM*

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) *RSallow Investments Inc*

Address (Street, City, State, Zip Code) *P.O. Box 440 Gulfport, MS 39502*

Phone (Home) *228-896-5421* (Work) *228-848-7070* (Cell) *228-324-7292*

Tax Parcel Number(s) Owned: *1010 P-01-003-000*

Signature: *(Signature)*

Name of Owner (PRINT) *J. Sallow Properties, Inc*

Address (Street, City, State, Zip Code) *P.O. Box 1176, Gulfport, MS 39502*

Phone (Home) *228-861-7071* (Work) *228-861-7071* (Cell) *228-861-7071*

Tax Parcel Number(s) Owned: *1010 P-01-003-000*

Signature: *(Signature)*

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

IMPORTANT NOTICE:

1. Please be advised that failure to submit a complete application, with all supporting documents, could **delay your hearing date**. The Zoning Board will not consider a request until all information is submitted and accurate.
2. Please be advised that the application deadline dates posted are designed to allow the staff time to review the application and receive required comments from coordinating agencies. The application is not considered complete until all required information from the applicant is available for review by the staff and coordinating agencies.
3. **The following supplement pages are required per application type. Select one of the following:**

☐ Appeal of Planning Administrator (see page 4)
☐ Excessive Height (see page 5)
☐ Fence Variance (see page 6)
☐ Special Exception (see page 7)
☒ Variance (See page 8)
4. All _____ will need to be **initialed by applicant** with required documentation before application can be accepted.

Submission Requirements:

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

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

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

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

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

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

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

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

 ☒ I the owner/agent acknowledge this is a complete application.



COVENANT AFFIDAVIT

I, Richard Salazar Jr Salazar being property owner or agent of the property 2400 Beach Drive Gulfport, MS 39507
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. 22, 2024
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Melissa Cravero
NOTARY PUBLIC



VARIANCE SUBMISSIONS

 X

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

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



January 6, 2025

Zoning Board of Adjustments
Urban Development - Planning Division | Gulfport MS
1410 24th Avenue
Gulfport, MS 39501

Project Name: Holiday Inn Gulfport
Project Number: 23-036
RE: Variance request for required off-street parking

To whom it may concern:

The property in question is being considered for re-development by the property Owner for a full-service hotel (112 beds - Holiday Inn brand). The proposed structure will be closely modeled after the Holiday Inn brand prototypical design.

On behalf of the Owner, we hereby request a variance to the required number of off-street parking spaces provided by this Project.

The number of off-street parking spaces required by the Ordinance calculations is 208 (1.5 spaces per guest room). Based on the Owner's experience with managing/operating this type/size of building, this greatly exceeds what is typically needed for this size/type of facility.

The Owner is proposing to provide a total of 146 off-street parking spaces. This will provide 1 space per each hotel guest room plus an additional 34 spaces for other "customer service" areas included in the design. This exceeds the Holiday Inn brand standards and, in the Owner's experience, this is adequate for parking for this proposed facility.

The property does not allow for the number of off-street spaces required by the Ordinance for this development. The size of the property is a contributing factor.

The proposed use (hotel) is common for many properties along E. Beach Drive. If a literal interpretation of the off-street parking provisions of the zoning ordinance is made for this property, it will be impossible for this intended use (hotel) to meet this requirement. As a result, it will prevent the Owner from developing the site for this use and will deprive the Owner from developing this property for this purpose within this district.

The granting of this variance will not confer on the applicant any special privileges. This variance will allow the applicant to use the property in a manner as nearly equivalent to uses generally permitted in the district considering the circumstances involved.

The proposed use of the property is permissible by right, with planning approval.

Sincerely:

M. Wade Thompson, AIA NCARB
Partner

Encl: zoning application
Cc: file 23-036

DEBUYS ROAD

FRONTAGE ROAD

SCALE: 1"=50'

SITE DATA

TAX PARCEL ID NUMBER	1010P-01-003.000
ZONING	R-B
FLOOD ZONE	ZONE X-SHADED, ZONE AE (EL 18), & ZONE AE (EL 19)
TOTAL AREA	±2.53 AC.
TOTAL BUILDING FOOTPRINT	±15,757 SF.
PARKING REQUIRED ROOMS	112 GUEST ROOMS AT 1.5 SPACES PER ROOM
PARKING REQUIRED SERVICE	2,000 SF OF CUSTOMER SERVICE AT 1 SPACE PER 50 SF
TOTAL PARKING REQUIRED	208
ADA PARKING PROVIDED	5
NON ADA PARKING PROVIDED	141
TOTAL PARKING PROVIDED	146

SITE PLAN LEGEND

- NEW BUILDING
- HEAVY-DUTY ASPHALT PAVEMENT (DRIVE AISLES)
- STANDARD-DUTY ASPHALT PAVEMENT (PARKING SPACES)
- CONCRETE PAVEMENT
- PAVER AREA

NOTES

- ALL CURB SHALL BE FREESTANDING UNLESS OTHERWISE NOTED.
- ALL CURB RADII ARE 5' TO FACE OF CURB, UNLESS OTHERWISE NOTED.
- FLOOD BOUNDARIES PER FIRM MAP NO. 28047C0269G EFFECTIVE DATE: 6/16/2009.



SITE DATA		
TAX PARCEL ID NUMBER	1010P-01-003.000	
ZONING	R-B	
FLOOD ZONE	ZONE X-SHADED, ZONE AE (EL 18), & ZONE AE (EL 19)	
TOTAL AREA	±2.53 AC.	
TOTAL BUILDING FOOTPRINT	±15,757 SF.	
PARKING REQUIRED ROOMS	168	
112 GUEST ROOMS AT 1.5 SPACES PER ROOM		
PARKING REQUIRED SERVICE	40	
2,000 SF OF CUSTOMER SERVICE AT 1 SPACE PER 50 SF		
TOTAL PARKING REQUIRED	208	
ADA PARKING PROVIDED	5	
NON ADA PARKING PROVIDED	141	
TOTAL PARKING PROVIDED	146	

SITE PLAN LEGEND	
	NEW BUILDING
	HEAVY-DUTY ASPHALT PAVEMENT (DRIVE AISLES)
	STANDARD-DUTY ASPHALT PAVEMENT (PARKING SPACES)
	CONCRETE PAVEMENT
	PAVER AREA

- NOTES
1. ALL CURB SHALL BE FREESTANDING UNLESS OTHERWISE NOTED.
 2. ALL CURB RADII ARE 5' TO FACE OF CURB, UNLESS OTHERWISE NOTED.
 3. FLOOD BOUNDARIES PER FIRM MAP NO. 28047C0269G EFFECTIVE DATE: 6/16/2009.

401 Cowan Road,
Suite A,
Gulfport, MS 39507
(228)864-7612

131 Rue Magnolia
Biloxi, MS 39530
(228)436-7612

3221 Market Street
Pascagoula, MS 39595
(228)864-7612

**BROWN, MITCHELL
& ALEXANDER, INC.**
CONSULTING ENGINEERS
www.bmaengineers.com



SEAL

PRELIMINARY

REV DATE BY

HOLIDAY INN
COAST HOST, LLC
GULFPORT, MISSISSIPPI

SITE EXHIBIT

CAD NLC
ENG DBA
DATE 01/02/2011
SCALE 1"=50'
BMA# 3866
FILE 3866 Planset.dwg

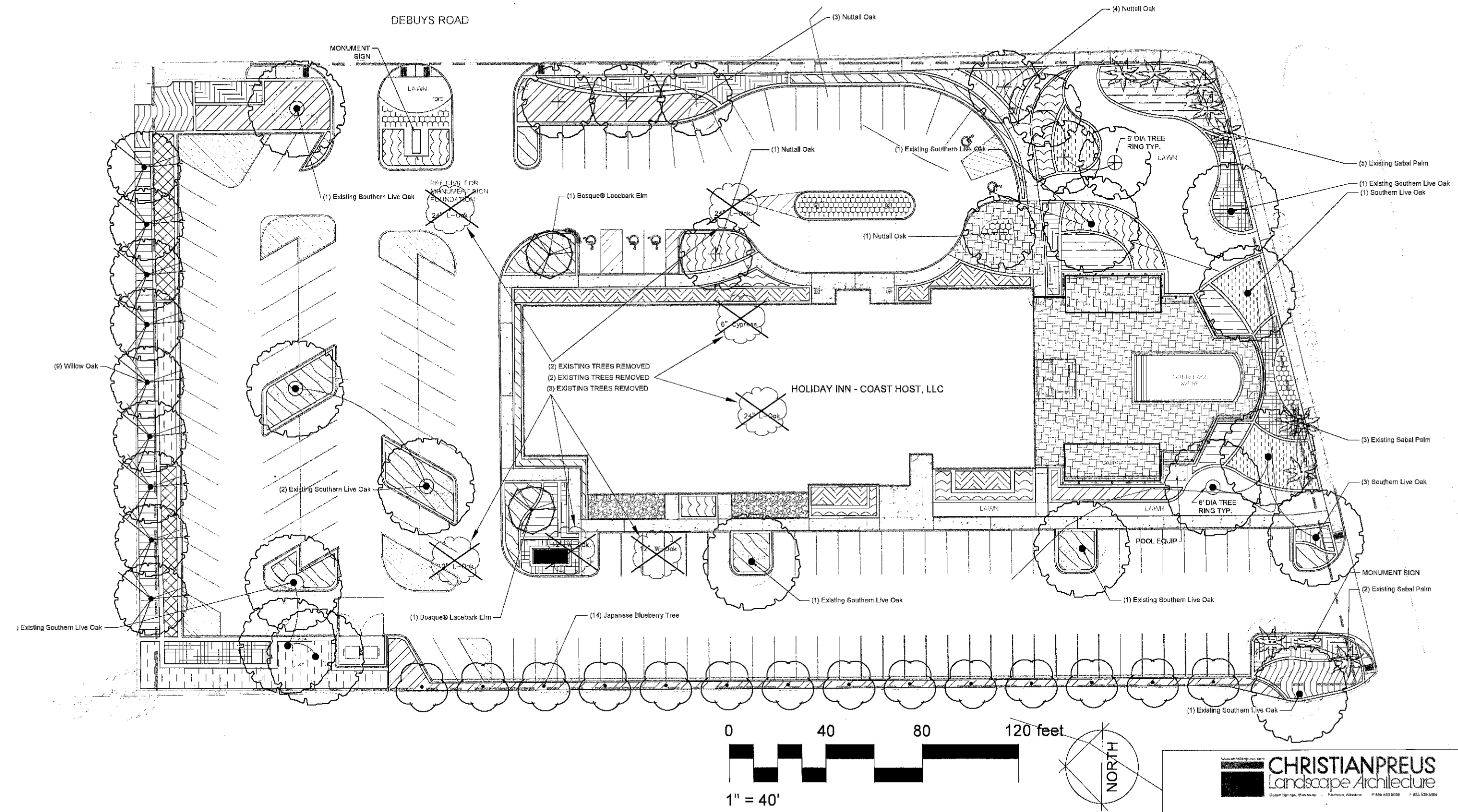
SHEET
EXH2

QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	TRUNK TYPE	REMARKS
DECIDUOUS TREES						
9	QUERCUS NUTTALLI / NUTTALL OAK	BALL & BURLAP	3"	14'-16" H X 9'-10" W	SINGLE TRUNK	
8	QUERCUS PHELLOS / WILLOW OAK	BALL & BURLAP	3"	14'-16" H X 9'-10" W	SINGLE TRUNK	
2	ULMUS PARVIFOLIA 'UPMTF' / BOSQUE@ LACEBARK ELM	B & B	3"	14'-16" H X 9'-10" W	SINGLE TRUNK	
EVERGREEN TREES						
14	ELAEOCARPUS DECIPENS / JAPANESE BLUEBERRY TREE	46 GAL.	1.5"	7'-8" H X 4'-5" W	6" CLEAR TRUNK	
4	QUERCUS VIRGINIANA / SOUTHERN LIVE OAK	BALL & BURLAP	3"	14'-16" H X 9'-10" W	SINGLE TRUNK	
EXISTING SITE TREE						
11	QUERCUS VIRGINIANA / EXISTING SOUTHERN LIVE OAK	EXISTING TREE	25+		SINGLE TRUCK	
10	SABAL PALMETTO / EXISTING SABAL PALM	EXISTING TREE	16+		SINGLE TRUCK	

	EXISTING		REMOVED		PRESERVED		NEW		TOTALS	
TREE TYPE	NUMBER	CALIPER	NUMBER	CALIPER	NUMBER	CALIPER	NUMBER	CALIPER	NUMBER	CALIPER
PALMS	16	N/A	6	N/A	10	N/A	0	N/A	10	N/A
LIVE OAK	15	396	4	84	11	312	4	12	15	324
WATER OAK	2	24	2	24	0	0	0	0	0	0
CYPRESS	1	6	1	6	0	0	0	0	0	0
WILLOW OAK							9	27	9	27
NUTALL OAK							9	27	9	27
BOSQUE ELM							2	6	2	6
JAPANESE BLUEBERRY							14	21	14	21
TOTALS	34	426 INCHES	13	114 INCHES	21	312 INCHES	38	93 INCHES	59	405 INCHES

S1.0

PRELIMINARY SITE
PLAN





Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name

R. SALLOUM INVESTMENTS, INC.

Name Type

Legal

Business Information

Business Type:	Profit Corporation
Business ID:	596298
Status:	Good Standing
Effective Date:	04/02/1993
State of Incorporation:	Mississippi
Principal Office Address:	10071 Lorraine Road GULFPORT, MS 39503

Registered Agent

Name

RICHARD P SALLOUM
2605 FOURTEENTH ST
GULFPORT, MS 39502

Officers & Directors

Name

Richard P Salloum
2605 Fourteenth St
Gulfport, MS 39502

Title

Incorporator

Richard P Salloum
PO Drawer 460
Gulfport, MS 39502

Director, President



SCANNED



J. Salloum 1st Judicial District
Instrument 2021 7970 D - J1
Filed/Recorded 6/ 9/2021 02:58 P
Total Fees \$ 26.00
6 Pages Recorded



J. Salloum 1st Judicial District
Instrument 2021 7684 D - J1
Filed/Recorded 6/ 4/2021 02:46 P
Total Fees \$ 26.00
6 Pages Recorded

<u>Prepared by:</u>	<u>Return To:</u>
Name: Lyndon E. Carter	Name: R. Salloum Investments, Inc.
Address: 1000 Darden Center Drive	Address: 10071 Lorraine Road
Address: Orlando, FL	Address: Gulfport, MS 39503
Telephone: 407-245-4403	Telephone: 228-324-7292

Indexing Instructions: The property described herein is located in the SE ¼ of Section 32, Township 7 South, Range 10 West, First Judicial District of Harrison County, Mississippi

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

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 and sufficiency of which are hereby acknowledged,

GMRI, Inc., a Florida Corporation
Formerly known as General Mills Restaurants, Inc.
1000 Darden Center Drive
Orlando, FL 32837
Phone: 407-245-4033

does hereby grant, bargain, sell, convey and specially warrant unto R. Salloum Investments, Inc., a Mississippi corporation, Attention: Richard Salloum, 10071 Lorraine Road, Gulfport, MS 39503, (228) 324-7292, as to an undivided fifty (50.00%) percent interest, and J. Salloum Properties, Inc., a Mississippi corporation, Attention: Joe Salloum, P.O. Box 1176, Gulfport, MS 39502, Telephone (228) 861-7071, as to an undivided fifty (50.00%) percent interest, as tenants-in-common.

2

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

SEE EXHIBIT A ATTACHED HERETO

The Property is conveyed subject to, and there is excepted from the special warranty of this conveyance, those certain matters set forth on **EXHIBIT B ATTACHED HERETO**.

This conveyance and the warranty hereof is also subject to the Prohibited Uses as set forth on **EXHIBIT C ATTACHED HERETO** for a period of five (5) years from the date hereof.

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

WITNESS THE SIGNATURE of the Grantor on this, the 21st day of May A.D., 2021.

[Signature Page Follows]

GRANTOR:

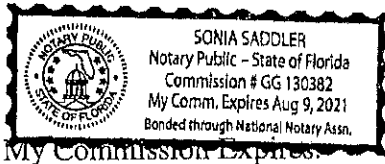
GMRI, INC.,
a Florida corporation

LC
5/21/21 By: Laureen Sustachek
Name: Laureen Sustachek
Title: VP, Facilities & Asset Management

STATE OF FLORIDA

COUNTY OF ORANGE

Personally appeared before me, the undersigned authority in and for the said county and state, on this 21st day of May, 2021, within my jurisdiction, the within named Laureen Sustachek, who is personally known to me to be the person whose name is subscribed in the above and foregoing instrument and acknowledged that she executed the same in her representative capacity, and that by her signature on the instrument, and as the act and deed of the person or entity upon behalf of which she/ acted, executed the above and foregoing instrument, after first having been duly authorized so to do.



Sonia Saddle
(NOTARY PUBLIC)

[AFFIX NOTARIAL SEAL]

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land situated and being located in the Southeast 1/4 of Section 32, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, and being more particularly described as: Commencing at the northeast corner of the said Southeast 1/4 of Section 32; thence run North 89 degrees 28 minutes West 295.9 feet along the north line of the said Southeast 1/4 to the northwest corner of the property formerly of Myers and the northeast corner of the property now or formerly of Colonial Cottages, Inc.; thence run South along the west line formerly of Myers a distance of 791.5 feet to the southwest corner of Brittany Apartments Inc. and the northwest corner of Kolmon Berger (Deed Book 983, page 261) for the Point of Beginning of the parcel herein described; thence run from said Point of Beginning, South 465.5 feet along the east line of Sea & Oaks Condominiums (Plat Book 33, page 16) and the west line of Berger to the northerly margin of the Old Spanish Trail or Service Drive; thence run North 76 degrees 18 minutes East 267.0 feet along the northerly margin of the Old Spanish Trail or Service Drive to the west margin of DeBuys Road; thence run North 00 degrees 05 minutes West 400.0 feet along the west margin of DeBuys Road to the southeast corner of Brittany Apartments Inc. and the northeast corner of Berger; thence run North 89 degrees 30 minutes West 257.4 feet, more or less, along the south line of Brittany Apartments Inc. and the north line of Berger to the Point of Beginning.

5

EXHIBIT B

Permitted Exceptions

1. Taxes for the year 2021 and subsequent years, not yet due and payable.
2. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the public records.
3. Roadway Easement in favor of Harrison County, Mississippi dated August 23, 1988, and recorded in Book 1112 at Pages 611-612 in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

6.

EXHIBIT C

PROHIBITED USES

1. The property described on Exhibit A shall not be used for the operation of a restaurant having more than ten (10) co-branded locations in operation within a three hundred (300) mile radius of the Property and with a menu featuring Italian-themed food items, such as, for example purposes only (and not as a limitation), BRIO Tuscan Grille, Buca di Beppo, Carrabba's, Johnny Carina's, Maggiano's Little Italy, Romano's Macaroni Grille, or Vinnie Testa's. The term "featuring" as used in the foregoing sentence shall mean that Italian-themed food items constitute (or will constitute) twenty-five percent (25%) or more of the total number of appetizers or entrees listed on the menu (including any limited time offers and/or so called "specials") at the subject restaurant.
2. The property described on Exhibit A shall not be used for the operation of a restaurant having more than ten (10) co-branded locations in operation within a three hundred (300) mile radius of the Property and with a menu featuring steaks, such as, for example purposes only (and not as a limitation), chop House, Golden Corral, Logan's Roadhouse, Lone Star Steakhouse, Original Roadhouse, Outback, Ryan's, Sagebrush, Saltgrass Steakhouse, Ted's Montana Grill, Texas Land & Cattle, Texas Roadhouse, Trail Dust, or Tumbleweed. The term "featuring" as used in the foregoing sentence shall mean that steaks constitute (or will constitute) twenty-five percent (25%) or more of the total number of appetizers or entrees listed on the menu (including any limited time offers and/or so called "specials") at the subject restaurant.



SCANNED



John 1st Judicial District
Instrument 2020 16290 D - J1
Filed/Recorded 12/29/2020 03:38 P
Total Fees \$ 26.00
4 Pages Recorded

Indexing: Parcel in NE ¼ of SE ¼ of S 32-7-10
Harrison County, MS

STATE OF MISSISSIPPI

COUNTY OF HARRISON

FIRST JUDICIAL DISTRICT

Prepared by and return to:
David B. Estes
MS Bar No. 101404
Integrity Land Title, LLC
1806 23rd Avenue
Gulfport, MS 39501
(228)896-8962
File#3297

WARRANTY DEED

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

GORDON MATTHEWS and wife, MEREDITH APRIL MATTHEWS
102 Las Vegas Rd.
Orinda, CA 94563
(925) 788-4675

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

J. SALLOUM PROPERTIES, INC. (50%) and
R. SALLOUM INVESTMENTS, INC. (50%)
10071 Lorraine Rd.
Gulfport, MS 39503
(228)868-7090

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

SEE ATTACHED EXHIBIT "A"

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

TAXES for the year 2020 are hereby prorated and the same are hereby assumed by the Grantee herein. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS my signature on this the 23rd day of DECEMBER, 2020.



GORDON MATTHEWS

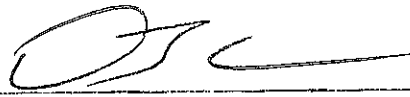


MEREDITH APRIL MATTHEWS

STATE OF Mississippi

COUNTY OF Harrison

Personally appeared before me, the undersigned authority in and for the said county and state on this 23 day of December, 2020, within my jurisdiction, the within named GORDON MATTHEWS AND MEREDITH APRIL MATTHEWS, who acknowledged that they executed the above and foregoing instrument.



NOTARY PUBLIC

(SEAL)

My Commission Expires



LEGAL DESCRIPTION BY RECORD:

The following described property lying and being situated in the City of Gulfport, First Judicial District of Harrison County, Mississippi:

Commencing at a point on the West margin of DeBuys Road, which point is 38.5 feet West of the NE corner of SE 1/4 of Section 32, Township 7 South, Range 10 West, and run thence South along the West margin of DeBuys Road a distance of 400 feet to the point of beginning; run thence West a distance of 197.4 feet to an iron stake; thence South 40 feet to an iron stake; thence West a distance of 60 feet to the East boundary line of the Colonial Cottages, Inc., property; run thence South along said East boundary line and on a line parallel with DeBuys Road a distance of 351.5 feet to an iron stake; run thence East a distance of 257.4 feet to the West margin of DeBuys Road; thence North along the West margin of DeBuys Road a distance of 391.5 feet to the point of beginning.

LEGAL DESCRIPTION BY SURVEY:

A parcel of land situated and being located in the Northeast 1/4 of the Southeast 1/4 of Section 32, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, to-wit:

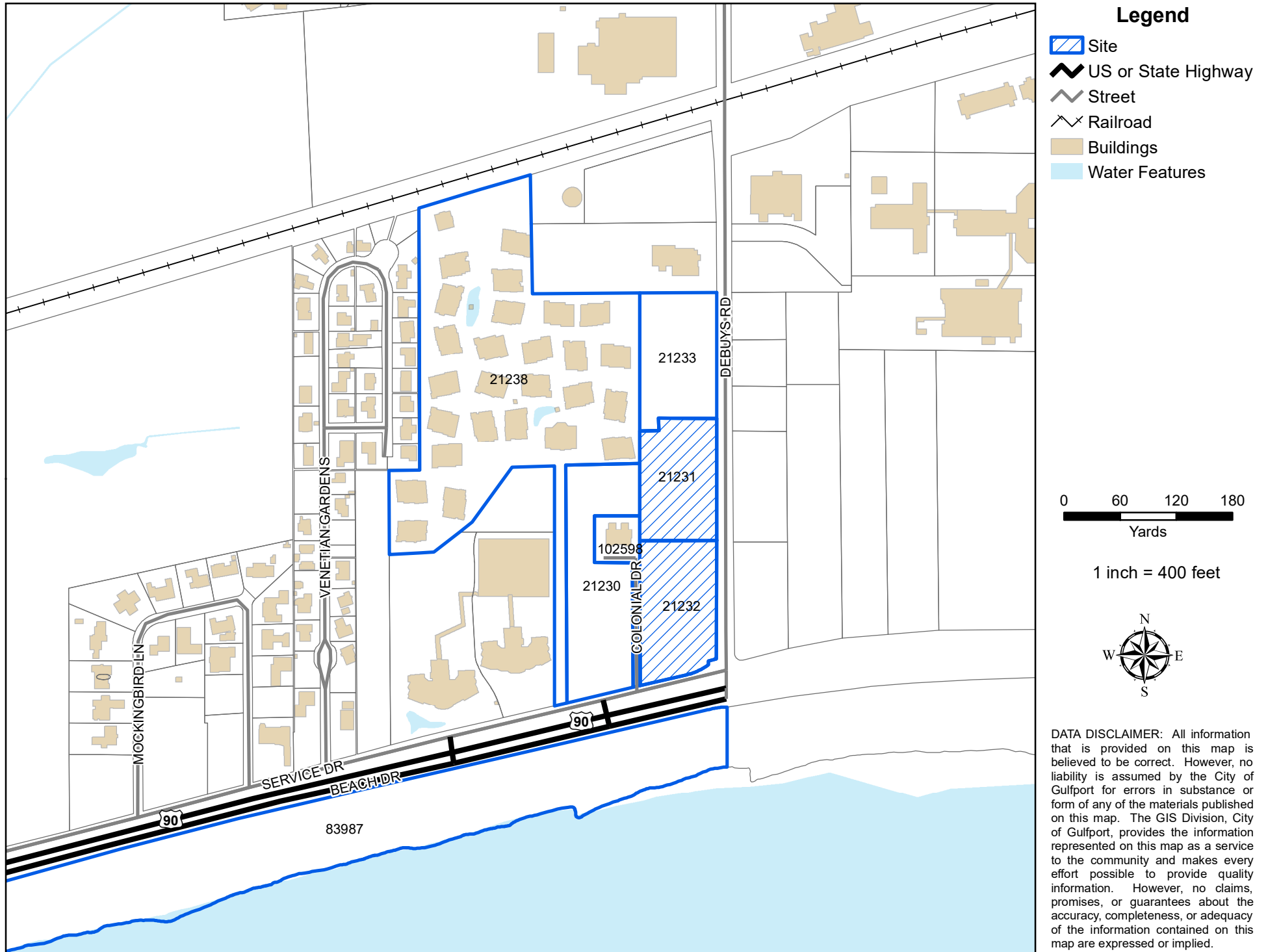
Commencing at the Northeast corner of the Southeast 1/4 of Section 32, Township 7 South, Range 10 West; thence run North 89 degrees 34 minutes 04 seconds West 46.13 feet along the north line of the said Southeast 1/4 to the westerly right-of-way of DeBuys Road; thence run South 00 degrees 09 minutes 15 seconds East 399.43 feet along the westerly right-of-way of DeBuys Road to the Point of Beginning of the parcel herein described; thence run from said Point of Beginning, North 89 degrees 34 minutes 04 seconds West 190.85 feet; thence run South 00 degrees 00 minutes 00 seconds West 40.00 feet; thence run North 89 degrees 34 minutes 04 seconds West 50.00 feet; thence run South 00 degrees 03 minutes 55 seconds East 352.15 feet; thence run South 89 degrees 44 minutes 23 seconds East 391.39 feet along the westerly right-of-way of DeBuys Road; thence run North 00 degrees 05 minutes 43 seconds West 391.39 feet along the westerly right-of-way of DeBuys Road to the Point of Beginning. This description is intended to describe all that property described in the title commitment identified as the Security Title Guarantee Corporation of Baltimore, Commitment No. 819279 dated February 25, 2005 and all that property as described in Deed Book 593 of Page 173, less that part now lying within the existing right-of-way of DeBuys Road.

To: The Security Title Guarantee Corporation of Baltimore, Evdbank, Gordon Mathews, Raymond Higgins / CB Richard Ellis and Roy Perilleux

This is to certify that this map or plot and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 1989, and includes Items 1, 2, 3, 4, 6, 7(b)(1), 8, 9, 10, 11(b), 13 and 17 of Table A thereof. Pursuant to the Accuracy Standards as adapted by ALTA, NSPS and ACSM and in effect on the date of this certification, undersigned further certifies that proper field procedures, instrumentation and adequate survey personnel were employed in order to achieve results comparable to those outlined in the "Minimum Angle, Distance and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys."

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1010P-01-003.000	R SALLOUM PROPERTIES INC (OWNER)	10071 LORRAINE ROAD	GULFPORT	MS	39503
		1010P-01-002.000	J SALLOUM PROPERTIES INC (OWNER)	P.O. BOX 1176	GULFPORT	MS	39502
			RICHARD SALLOUM (OWNER)	P.O. DRAWER 460	GULFPORT	MS	39502
			Adjacent Property Owners (2412ZB198)				
	21230	1010P-01-004.000	J & R PROPERTIES & SALLOUM PROPERTI	P O BOX 1176	GULFPORT	MS	39502
N	83987	1010P-02-001.000	GULFPORT CITY OF -BEACHES-	234 VENETIAN GARDENS	GULFPORT	MS	39501
N	21231	1010P-01-002.000	J SALLOUM PROPERTIES INC -ETAL-	10071 LORRAINE RD	GULFPORT	MS	39503
N	21232	1010P-01-003.000	R SALLOUM INVESTMENTS INC -ETAL-	ATTN: RICHARD SALLOUM	GULFPORT	MS	39503
	102598	1010P-01-004.001	A & H CORP	1714 PASS RD	BILOXI	MS	39531
	21233	1010P-01-001.000	J & R PROPERTIES	PO BOX 1176	GULFPORT	MS	39502
	21238	1010P-01-007.000	GULF CONDOS LLC	5075 LEESWAY TERRACE	PENSACOLA	FL	32504

Variance





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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	631240	Print Legal Ad-IPL02143670 - IPL0214367	ZB notice	\$107.48	2	63 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, February 20, 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 2412ZB197, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for building height of 59 feet where 45 feet is the height limit, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB198, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for 146 regular parking spaces where 208 spaces are required, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB199, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for one additional wall sign where two wall signs are allowed, Tax Parcel 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2502ZB011, by agent Richard J. Drive, Zoned, seeking approval for an eight-foot-tall fence where six feet is the height limit, Tax Parcel 1010C-01-001-002, 10988 Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2502ZB013, by owners Timothy Daigle Jr. and Jenée Daigle, seeking approval for a six-foot-tall fence where the height limit is 4 feet, Tax Parcels 0807E-01-001.001, 0807E-01-001.000, 15361 S Swan Road, Zoned R-1-15 (Single-Family), I-2 (Heavy Industry), Ward 7

Variance 2502ZB018, by agent Morgan Speranzo Hoda, seeking approval for a front yard setback of 21.5 feet where 25 is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, 11048 Georgian Way, Zoned R-2, Ward 5

Variance 2502ZB019, by owners Timothy Levens and Theresa Levens, seeking approval to exceed the allowable square footage for accessory structure by 544 square feet for property over an acre, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB020, by owners Timothy Levens and Theresa Levens, seeking approval for a third accessory structure where two are allowed, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB021, by owner FHC, INC, seeking approval for lot sizes smaller than an acre for a proposed 7 lot subdivision, Tax Parcels 1007O-01-028.000, 1007O-01-028.008, 1007O-01-028.012, 1007O-01-028.014, 10550 O'Neil Road, Zoned R-E (Residence-Estate), Ward 6

Variance 2502ZB024, by agent David John Hunter, seeking approval for an 8 foot setback where 25 feet is required for a secondary frontage, Tax Parcel 0911F-01-035.000, 500 East Beach Blvd, Zoned R-1-7.5 (Single-Family), Ward 2

This the 29th day of January 2025
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0214367
Jan 29 2025

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Beaufort County, South Carolina 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:
01/29/25

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

Mary Castro

Sworn to and subscribed before me this 5th day of February in the year of 2025

Amy Robbins

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.



AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

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 # 2025-224

Hearing Date: Thursday, February 20, 2025

Variance 2412ZB199:(Deferred to February Agenda by applicant) Variance 2412ZB199, by owners R. Solloum Investments Inc. and J. Salloum Properties Inc., seeking approval for one additional wall sign where two wall signs are allowed, Tax Parcel 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2412ZB199

Hearing Date: February 20, 2025

Current Zoning/Use: R-B/Vacant Lot

Legal: Variance 2412ZB199, by owners R. Solloum Investments Inc. and J. Salloum Properties Inc., seeking approval for one additional wall sign where two wall signs are allowed, Tax Parcel 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance of one additional sign where two is the maximum. Due to this property being located on a corner lot, they are allowed by right two wall signs. The applicant is requesting a third wall sign in addition to that.

- (a) The applicant states that they require 3 signs to match the Holiday Inn brand. The applicant's answer does not sufficiently answer the question as it does not answer if there is anything unique to the property that would not apply to areas surrounding that property. Having to meet corporate standards would not be considered a suitable hardship.
- (b) The applicant does not answer the question. The applicant's hardship comes from the desire to match corporate standards.
- (c) The applicant does not answer the question. The property itself does not cause any inherent hardship related to this specific application.
- (d) Applicant does not answer this question. The surrounding area does not have any properties that match the scope of this project.
- (e) Applicant believes that granting this variance would not confer special rights upon them. Upon staff review, there are no nearby Gulfport locations that match this request and thus granting the variance would establish precedence in this area.
- (f) This property is zoned R-B, and a Hotel is allowed by right.

EXECUTIVE SUMMARY

The applicant does not exhibit any hardship for this request. The main cause for this petition is the desire to match with corporate standards. In the surrounding area, there appears to be no property that exceeds the allowed number of signs. Approval of this variance would establish precedence in this area.

Any approval should consider these conditions:

- 1. Must comply with all zoning rules and regulations.
- 2. Approval allows for three wall signs where only two are allowed for occupancy on a corner.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 2/7/2025.

Public Works: No conditions. Memo dated 2/7/2025.

Traffic and Safety: No conditions. Memo dated 2/7/2025.

Building Code Services: No conditions. Memo dated 2/7/2025.

Technical Report

VARIANCE

GIS: No conditions. Memo dated 2/7/2025.

Police Department: No comment as of 2/7/2025.

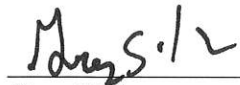
Fire Department: No conditions. Memo dated 2/7/2025.

City Arborist: No conditions. Memo dated 2/7/2025.

Landscape Manager: No conditions. Memo dated 01/29/2025.

DIRECTOR APPROVAL

This report has been reviewed and approved by:

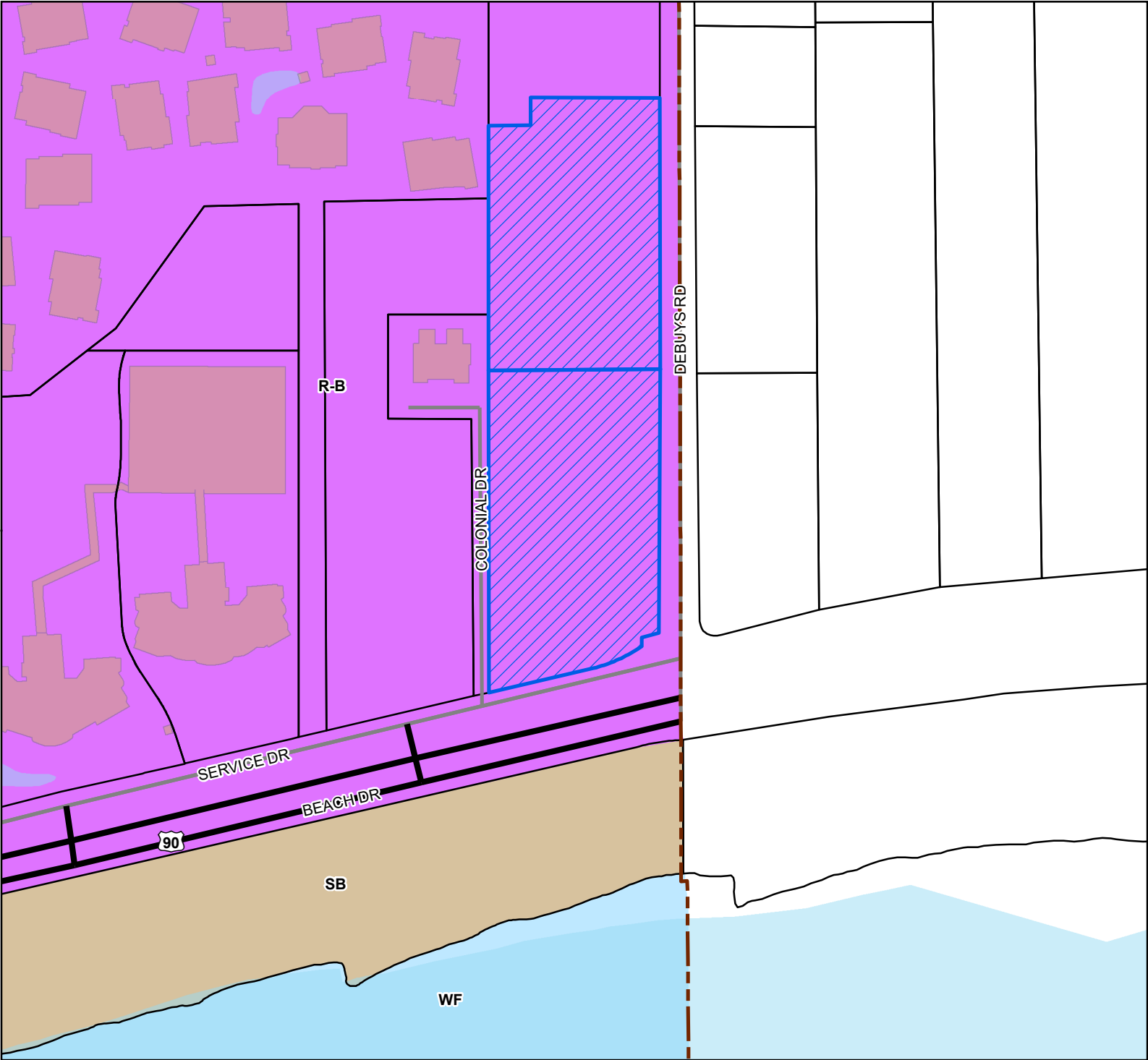


Greg Holmes
Director of Urban Development Department



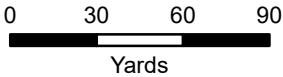
2412ZB199

Variance



- Site
- US or State Highway
- Street
- Parcels
- Buildings
- Water Features
- City Limit
- Zoning**
 - R-B - Residence-Business District
 - SB - Sand Beach
 - WF - Water Front

Site Information
1010P-01-003.000
1010P-01-002.000
Zoning: R-B (Residence-Business)
Size: 4.7 acres
Flood: X, AE



1 inch = 200 feet



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

IMPORTANT NOTICE:

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

Submission Requirements:

JS PS
x JS PS
Page one of this application, completed and signed.

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

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

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

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

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

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

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

JS PS
x JS PS
I the owner/agent acknowledge this is a complete application

R. Salloun Investments Inc
OWNER: *J Salloun Properties Inc*
Coast Host, LLC *A/B/O*

Printed Name of Owner
10071 Lorraine Road
Mailing Address
Gulfport MS 39503
City State Zip Code
601-613-1188
Home Phone Work/Cell Phone
rps@frslaw.com

Email

Signature of Owner

AGENT:

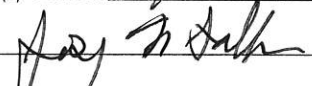
L. Maria P Salloun
Printed Name of Agent
P.O. Box 440
Mailing Address
Gulfport, MS 39502
City State Zip Code
228-846-5421 228-324-7292
Home Phone Work/Cell Phone
RPS @ Frslaw. com
Email

Signature of Agent

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

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

Name of Owner (PRINT) *R Salloun Investments Inc*
Address (Street, City, State, Zip Code) *P.O. Box 440 Gulfport MS 39502*
Phone (Home) *228-846-5421* (Work) *228-848-2220* (Cell) *228-324-7292*
Tax Parcel Number(s) Owned: *72121-01-003-000*
Signature: 

Name of Owner (PRINT) *J. SALLOUN PROPERTIES, INC*
Address (Street, City, State, Zip Code) *P.O. Box 1176, GULFPORT, MS. 39502*
Phone (Home) *228-861-7071* (Work) *228-861-7071* (Cell) *228-861-7071*
Tax Parcel Number(s) Owned: *1010 P- 01-003-000*
Signature: 

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



COVENANT AFFIDAVIT

I, David Spalden & Susan Hall being property owner or agent of the property 2400 Beach Drive Gulfport, MS 39507
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

David Spalden Nov. 22, 2024
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Melissa Cravero
NOTARY PUBLIC



VARIANCE SUBMISSIONS

 X

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

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



January 6, 2025

Zoning Board of Adjustments
Urban Development - Planning Division | Gulfport MS
1410 24th Avenue
Gulfport, MS 39501

Project Name: Holiday Inn Gulfport
Project Number: 23-036
RE: variance request for number of wall signs

To whom it may concern:

The property in question is being considered for re-development by the property Owner for a full-service hotel (112 beds - Holiday Inn brand). The proposed structure will be closely modeled after the Holiday Inn brand prototypical design.

The typical Holiday Inn prototype design typically includes (3) signs directly mounted to the building. The current ordinance allows for a maximum of 2 wall signs. On behalf of the Owner, we hereby request a variance to the number of allowable building signage provided by this Project.

The copy areas of all combined signage shall not exceed what is currently allowable under other provisions of the Ordinance. The total combined area of all proposed wall signs does not exceed the area allowed by calculating linear frontage.

The proposed use of the property is permissible by right, with planning approval.

Sincerely:

M. Wade Thompson, AIA NCARB
Partner

Encl: zoning application
Cc: file 23-036



HOLIDAY
INN BEACH
DRIVE -
GULFPORT

COAST HOST, LLC

2400 BEACH DR.
GULFPORT, MS 39507

01.24.25

ZONING VARIANCE

WBA # 23-036

REVISIONS

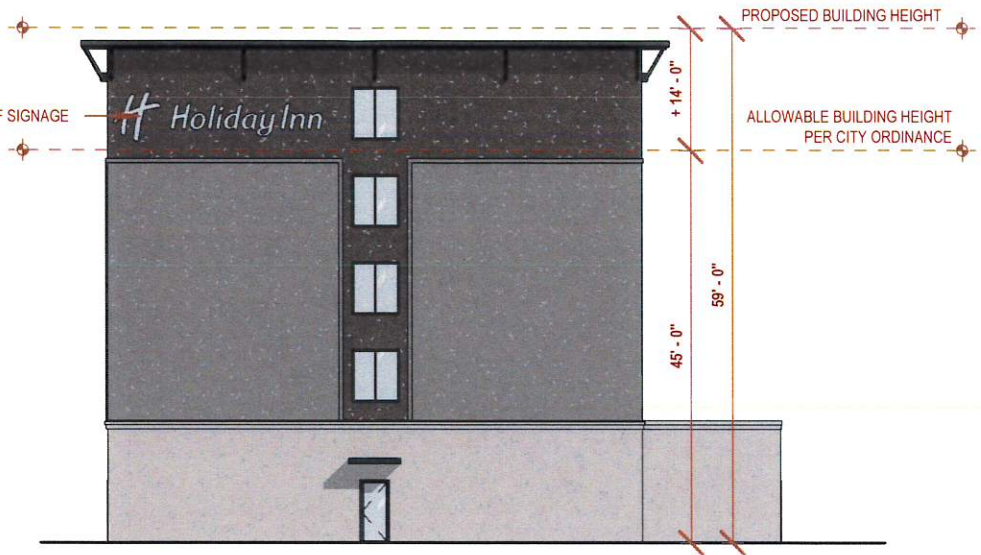
NO.	DESCRIPTION	DATE
-----	-------------	------

Z201

EXTERIOR
ELEVATIONS



4 SOUTH ELEVATION
3/64" = 1'-0"



3 NORTH ELEVATION
3/64" = 1'-0"



2 EAST ELEVATION
3/64" = 1'-0"



1 WEST ELEVATION
3/64" = 1'-0"



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name

R. SALLOUM INVESTMENTS, INC.

Name Type

Legal

Business Information

Business Type:	Profit Corporation
Business ID:	596298
Status:	Good Standing
Effective Date:	04/02/1993
State of Incorporation:	Mississippi
Principal Office Address:	10071 Lorraine Road GULFPORT, MS 39503

Registered Agent

Name

RICHARD P SALLOUM
2605 FOURTEENTH ST
GULFPORT, MS 39502

Officers & Directors

Name

Richard P Salloum
2605 Fourteenth St
Gulfport, MS 39502

Title

Incorporator

Richard P Salloum
PO Drawer 460
Gulfport, MS 39502

Director, President



SCANNED



J. Salloum 1st Judicial District
Instrument 2021 7970 D - J1
Filed/Recorded 6/ 9/2021 02:58 P
Total Fees \$ 26.00
6 Pages Recorded



J. Salloum 1st Judicial District
Instrument 2021 7684 D - J1
Filed/Recorded 6/ 4/2021 02:46 P
Total Fees \$ 26.00
6 Pages Recorded

Prepared by:

Name: Lyndon E. Carter
Address: 1000 Darden Center Drive
Address: Orlando, FL
Telephone: 407-245-4403

Return To:

Name: R. Salloum Investments, Inc.
Address: 10071 Lorraine Road
Address: Gulfport, MS 39503
Telephone: 228-324-7292

Indexing Instructions: The property described herein is located in the SE ¼ of Section 32,
Township 7 South, Range 10 West, First Judicial District of Harrison County, Mississippi

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

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 and sufficiency of which are
hereby acknowledged,

GMRI, Inc., a Florida Corporation
Formerly known as General Mills Restaurants, Inc.
1000 Darden Center Drive
Orlando, FL 32837
Phone: 407-245-4033

does hereby grant, bargain, sell, convey and specially warrant unto R. Salloum Investments, Inc.,
a Mississippi corporation, Attention: Richard Salloum, 10071 Lorraine Road, Gulfport, MS
39503, (228) 324-7292, as to an undivided fifty (50.00%) percent interest, and J. Salloum
Properties, Inc., a Mississippi corporation, Attention: Joe Salloum, P.O. Box 1176, Gulfport, MS
39502, Telephone (228) 861-7071, as to an undivided fifty (50.00%) percent interest, as tenants-in-
common.

2

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

SEE EXHIBIT A ATTACHED HERETO

The Property is conveyed subject to, and there is excepted from the special warranty of this conveyance, those certain matters set forth on **EXHIBIT B ATTACHED HERETO**.

This conveyance and the warranty hereof is also subject to the Prohibited Uses as set forth on **EXHIBIT C ATTACHED HERETO** for a period of five (5) years from the date hereof.

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

WITNESS THE SIGNATURE of the Grantor on this, the 21st day of May A.D., 2021.

[Signature Page Follows]

GRANTOR:

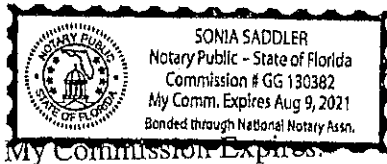
GMRI, INC.,
a Florida corporation

LC
5/21/21 By: [Signature]
Name: Laureen Sustacheck
Title: VP, Facilities & Asset Management

STATE OF FLORIDA

COUNTY OF ORANGE

Personally appeared before me, the undersigned authority in and for the said county and state, on this 21st day of May, 2021, within my jurisdiction, the within named Laureen Sustacheck, who is personally known to me to be the person whose name is subscribed in the above and foregoing instrument and acknowledged that she executed the same in her representative capacity, and that by her signature on the instrument, and as the act and deed of the person or entity upon behalf of which she/ acted, executed the above and foregoing instrument, after first having been duly authorized so to do.



[Signature]
(NOTARY PUBLIC)

[AFFIX NOTARIAL SEAL]

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land situated and being located in the Southeast 1/4 of Section 32, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, and being more particularly described as: Commencing at the northeast corner of the said Southeast 1/4 of Section 32; thence run North 89 degrees 28 minutes West 295.9 feet along the north line of the said Southeast 1/4 to the northwest corner of the property formerly of Myers and the northeast corner of the property now or formerly of Colonial Cottages, Inc.; thence run South along the west line formerly of Myers a distance of 791.5 feet to the southwest corner of Brittany Apartments Inc. and the northwest corner of Kolmon Berger (Deed Book 983, page 261) for the Point of Beginning of the parcel herein described; thence run from said Point of Beginning, South 465.5 feet along the east line of Sea & Oaks Condominiums (Plat Book 33, page 16) and the west line of Berger to the northerly margin of the Old Spanish Trail or Service Drive; thence run North 76 degrees 18 minutes East 267.0 feet along the northerly margin of the Old Spanish Trail or Service Drive to the west margin of DeBuys Road; thence run North 00 degrees 05 minutes West 400.0 feet along the west margin of DeBuys Road to the southeast corner of Brittany Apartments Inc. and the northeast corner of Berger; thence run North 89 degrees 30 minutes West 257.4 feet, more or less, along the south line of Brittany Apartments Inc. and the north line of Berger to the Point of Beginning.

6

EXHIBIT B

Permitted Exceptions

1. Taxes for the year 2021 and subsequent years, not yet due and payable.
2. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the public records.
3. Roadway Easement in favor of Harrison County, Mississippi dated August 23, 1988, and recorded in Book 1112 at Pages 611-612 in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

u

EXHIBIT C

PROHIBITED USES

1. The property described on Exhibit A shall not be used for the operation of a restaurant having more than ten (10) co-branded locations in operation within a three hundred (300) mile radius of the Property and with a menu featuring Italian-themed food items, such as, for example purposes only (and not as a limitation), BRIO Tuscan Grille, Buca di Beppo, Carrabba's, Johnny Carina's, Maggiano's Little Italy, Romano's Macaroni Grille, or Vinnie Testa's. The term "featuring" as used in the foregoing sentence shall mean that Italian-themed food items constitute (or will constitute) twenty-five percent (25%) or more of the total number of appetizers or entrees listed on the menu (including any limited time offers and/or so called "specials") at the subject restaurant.
2. The property described on Exhibit A shall not be used for the operation of a restaurant having more than ten (10) co-branded locations in operation within a three hundred (300) mile radius of the Property and with a menu featuring steaks, such as, for example purposes only (and not as a limitation), chop House, Golden Corral, Logan's Roadhouse, Lone Star Steakhouse, Original Roadhouse, Outback, Ryan's, Sagebrush, Saltgrass Steakhouse, Ted's Montana Grill, Texas Land & Cattle, Texas Roadhouse, Trail Dust, or Tumbleweed. The term "featuring" as used in the foregoing sentence shall mean that steaks constitute (or will constitute) twenty-five percent (25%) or more of the total number of appetizers or entrees listed on the menu (including any limited time offers and/or so called "specials") at the subject restaurant.



SCANNED



John 1st Judicial District
Instrument 2020 16290 D -J1
Filed/Recorded 12/29/2020 03:38 P
Total Fees \$ 26.00
4 Pages Recorded

Indexing: Parcel in NE ¼ of SE ¼ of S 32-7-10
Harrison County, MS

STATE OF MISSISSIPPI

COUNTY OF HARRISON

FIRST JUDICIAL DISTRICT

Prepared by and return to:
David B. Estes
MS Bar No. 101404
Integrity Land Title, LLC
1806 23rd Avenue
Gulfport, MS 39501
(228)896-8962
File#3297

WARRANTY DEED

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

GORDON MATTHEWS and wife, MEREDITH APRIL MATTHEWS
102 Las Vegas Rd.
Orinda, CA 94563
(925) 788-4675

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

J. SALLOUM PROPERTIES, INC. (50%) and
R. SALLOUM INVESTMENTS, INC. (50%)
10071 Lorraine Rd.
Gulfport, MS 39503
(228)868-7090

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

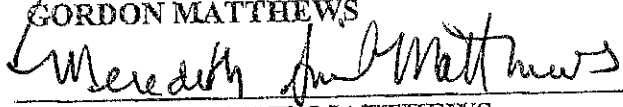
SEE ATTACHED EXHIBIT "A"

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

TAXES for the year 2020 are hereby prorated and the same are hereby assumed by the Grantee herein. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years' taxes are specifically assumed by Grantee herein.

WITNESS my signature on this the 23rd day of DECEMBER, 2020.



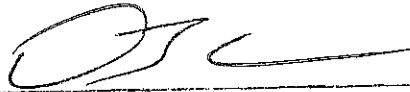
GORDON MATTHEWS


MEREDITH APRIL MATTHEWS

STATE OF Mississippi

COUNTY OF Harrison

Personally appeared before me, the undersigned authority in and for the said county and state on this 23 day of December, 2020, within my jurisdiction, the within named GORDON MATTHEWS AND MEREDITH APRIL MATTHEWS, who acknowledged that they executed the above and foregoing instrument.


NOTARY PUBLIC

(SEAL)

My Commission Expires



LEGAL DESCRIPTION BY RECORD:

The following described property lying and being situated in the City of Gulfport, First Judicial District of Harrison County, Mississippi:

Commencing at a point on the West margin of DeBays Road, which point is 38.5 feet West of the NE corner of SE 1/4 of Section 32, Township 7 South, Range 10 West, and run thence South along the West margin of DeBays Road a distance of 400 feet to the point of beginning; run thence West a distance of 197.4 feet to an iron stake; thence South 40 feet to an iron stake; thence West a distance of 60 feet to the East boundary line of the Colonial Cottages, Inc., property; run thence South along said East boundary line and on a line parallel with DeBays Road a distance of 351.5 feet to an iron stake; run thence East a distance of 257.4 feet to the West margin of DeBays Road; thence North along the West margin of DeBays Road a distance of 391.5 feet to the point of beginning.

LEGAL DESCRIPTION BY SURVEY:

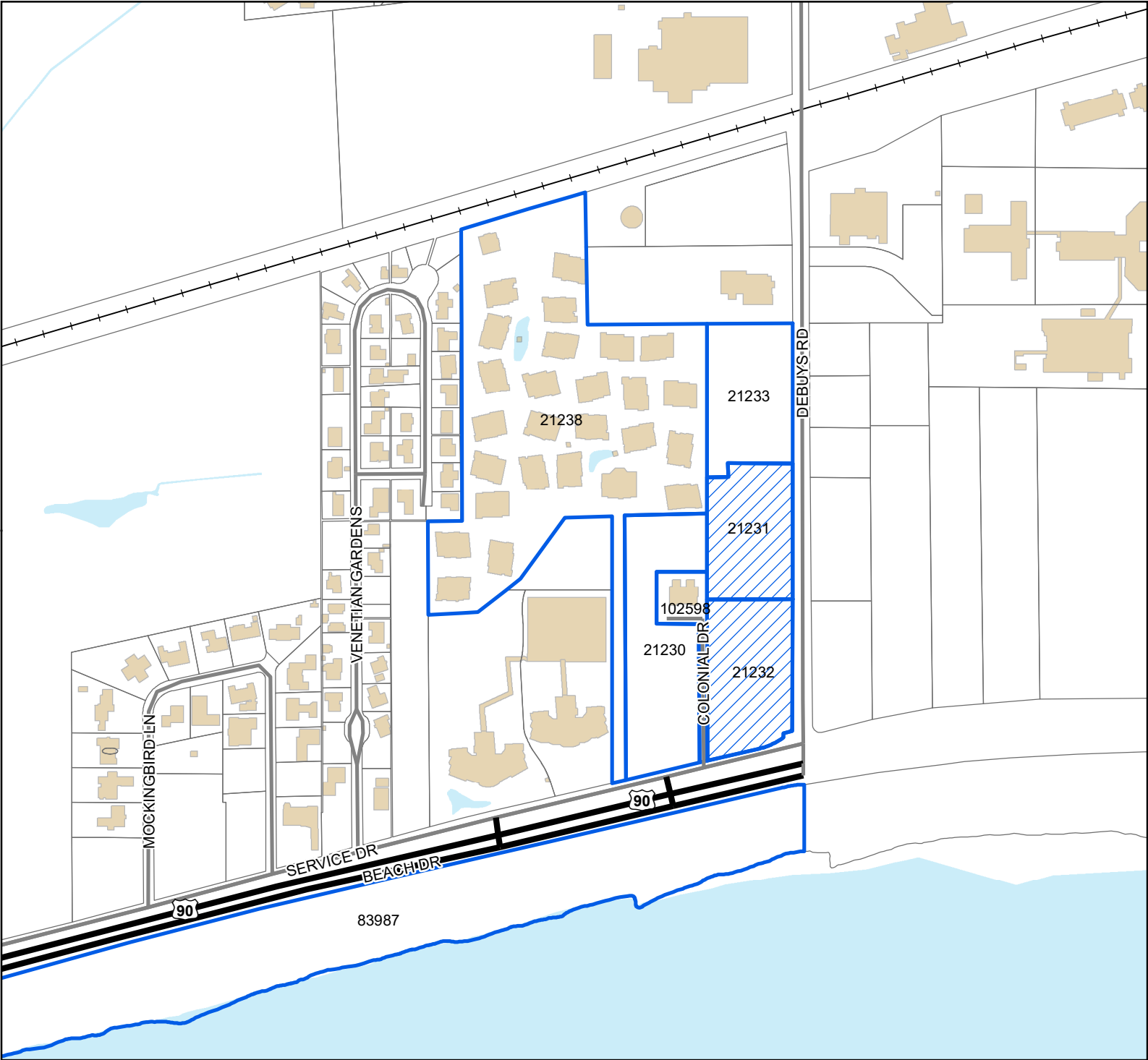
A parcel of land situated and being located in the Northeast 1/4 of the Southeast 1/4 of Section 32, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, to-wit:

Commencing at the Northeast corner of the Southeast 1/4 of Section 32, Township 7 South, Range 10 West; thence run North 89 degrees 34 minutes 04 seconds West 46.13 feet along the north line of the said Southeast 1/4 to the westerly right-of-way of DeBays Road; thence run South 00 degrees 09 minutes 15 seconds East 398.43 feet along the westerly right-of-way of DeBays Road to the Point of Beginning; of the parcel herein described; thence run from said Point of Beginning, North 89 degrees 34 minutes 04 seconds West 190.25 feet; thence run South 00 degrees 00 minutes 00 seconds West 40.00 feet; thence run North 89 degrees 34 minutes 04 seconds West 50.00 feet; thence run South 00 degrees 00 minutes 00 seconds East 352.15 feet; thence run South 89 degrees 44 minutes 33 seconds East 351.09 feet to the westerly right-of-way of DeBays Road; thence run North 00 degrees 05 minutes 43 seconds West 391.39 feet along the westerly right-of-way of DeBays Road to the Point of Beginning. This description is intended to describe all that property described in the title commitment identified as the Security Title Guarantee Corporation of Baltimore, Commitment No. 818279 dated February 28, 2005 and all that property as described in Deed Book 593 at Page 173, less that part now lying within the existing right-of-way of DeBays Road.

To: The Security Title Guarantee Corporation of Baltimore, Evbank, Gordon Mathews, Raymond Higgins / CB Richard Ellis and Roy Perilloux

This is to certify that this map or plot and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 1989, and includes Items 1, 2, 3, 4, 6, 7(c), 7(b)(1), 8, 9, 10, 11(b), 13 and 17 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS and ACSM and in effect on the date of this certification, undersigned further certifies that proper field procedures, instrumentation and adequate survey personnel were employed in order to achieve results comparable to those outlined in the "Minimum Angle, Distance and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys."

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1010P-01-003.000	R SALLOUM PROPERTIES INC (OWNER)	10071 LORRAINE ROAD	GULFPORT	MS	39503
		1010P-01-002.000	J SALLOUM PROPERTIES INC (OWNER)	P.O. BOX 1176	GULFPORT	MS	39502
			RICHARD SALLOUM (OWNER)	P.O. DRAWER 460	GULFPORT	MS	39502
			Adjacent Property Owners (2412ZB199)				
	21230	1010P-01-004.000	J & R PROPERTIES & SALLOUM PROPERTI	P O BOX 1176	GULFPORT	MS	39502
N	83987	1010P-02-001.000	GULFPORT CITY OF -BEACHES-	234 VENETIAN GARDENS	GULFPORT	MS	39501
N	21231	1010P-01-002.000	J SALLOUM PROPERTIES INC -ETAL-	10071 LORRAINE RD	GULFPORT	MS	39503
N	21232	1010P-01-003.000	R SALLOUM INVESTMENTS INC -ETAL-	ATTN: RICHARD SALLOUM	GULFPORT	MS	39503
	102598	1010P-01-004.001	A & H CORP	1714 PASS RD	BILOXI	MS	39531
	21233	1010P-01-001.000	J & R PROPERTIES	PO BOX 1176	GULFPORT	MS	39502
	21238	1010P-01-007.000	GULF CONDOS LLC	5075 LEESWAY TERRACE	PENSACOLA	FL	32504



Legend

- Site
- US or State Highway
- Street
- Railroad
- Buildings
- Water Features

0 60 120 180
Yards

1 inch = 400 feet



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



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	631240	Print Legal Ad-IPL02143670 - IPL0214367	ZB notice	\$107.48	2	63 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, February 20, 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 2412ZB197, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for building height of 59 feet where 45 feet is the height limit, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB198, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for 146 regular parking spaces where 208 spaces are required, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB199, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for one additional wall sign where two wall signs are allowed, Tax Parcel 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2502ZB011, by agent Richard J. Drive, Zoned, seeking approval for an eight-foot-tall fence where six feet is the height limit, Tax Parcel 1010C-01-001-002, 10988 Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2502ZB013, by owners Timothy Daigle Jr. and Jenee Daigle, seeking approval for a six-foot-tall fence where the height limit is 4 feet, Tax Parcels 0807E-01-001.001, 0807E-01-001.000, 15361 S Swan Road, Zoned R-1-15 (Single-Family), I-2 (Heavy Industry), Ward 7

Variance 2502ZB018, by agent Morgan Speranzo Hoda, seeking approval for a front yard setback of 21.5 feet where 25 is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, 11048 Georgian Way, Zoned R-2, Ward 5

Variance 2502ZB019, by owners Timothy Levens and Theresa Levens, seeking approval to exceed the allowable square footage for accessory structure by 544 square feet for property over an acre, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB020, by owners Timothy Levens and Theresa Levens, seeking approval for a third accessory structure where two are allowed, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB021, by owner FHC, INC, seeking approval for lot sizes smaller than an acre for a proposed 7 lot subdivision, Tax Parcels 1007O-01-028.000, 1007O-01-028.008, 1007O-01-028.012, 1007O-01-028.014, 10550 O'Neil Road, Zoned R-E (Residence-Estate), Ward 6

Variance 2502ZB024, by agent David John Hunter, seeking approval for an 8 foot setback where 25 feet is required for a secondary frontage, Tax Parcel 0911F-01-035.000, 500 East Beach Blvd, Zoned R-1-7.5 (Single-Family), Ward 2

This the 29th day of January 2025
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0214367
Jan 29 2025

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Beaufort County, South Carolina 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:
01/29/25

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

Mary Castro

Sworn to and subscribed before me this 5th day of February in the year of 2025

Amy Robbins

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.



AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

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 # 2025-407

Hearing Date: Thursday, February 20, 2025

Variance 2502ZB011: Variance 2502ZB011, by agent Richard J. Drive, seeking approval for an eight-foot-tall fence where six feet is the height limit, Tax Parcel 1010C-01-001-002, 10988 Channelside Drive, Zoned R-2 (Single-family), Ward 5

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2502ZB011

Hearing Date: February 20, 2025

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

Legal: Variance 2502ZB011, by agent Richard J. Drive, seeking approval for an eight-foot-tall fence where six feet is the height limit, Tax Parcel 1010C-01-001-002, 10988 Channelside Drive, Zoned R-2 (Single-family), Ward 5

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

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

- (a) The applicant notes that the proposed fence will have no impact on safety, ingress or egress. The applicant also says that the variance request is necessary because the neighbors' fence is 8' and it is in disrepair. This in no way answers the question of whether or not the property has special conditions that are not applicable to other properties in the area.
- (b) In the application, the applicant cites that the neighbors' fence was in place when our property was acquired and we did not create the nuisance. The applicant does not answer this question. The applicant is directly responsible for causing the special conditions, as they are requesting an 8 foot fence where 6 foot is the maximum.
- (c) There is no definable hardship on this property.
- (d) The current surrounding area of the property contains a few properties that have 8-foot-high fences that were approved, such as 2402ZB016, 10879 Channelside Dr. and 2407ZB101, 10785 East Taylor Rd., and as such, a denial would deprive the applicant of what has been commonly enjoyed by the surrounding properties.
- (e) Applicant did not answer this question. Upon staff review, this fence would exist in harmony with the surrounding area as there are several fences in that area that go to 8 feet.
- (f) This property is zoned R-2, and a fence is allowed by right.

EXECUTIVE SUMMARY

No legitimate hardships were provided by the applicant in the written request. While a six-foot fence with a two-foot decorative top will provide the applicant with the desired height, there are several properties in the surrounding area that were approved for 8 foot fences prior. As such, what the applicant is seeking would exist in harmony with the established neighborhood.

Any approval should consider these conditions:

- 1. Must not obstruct view of traffic
- 2. Approval allows for 8 foot fence when 6 feet is the height limit.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 2/7/2025.

Public Works: No conditions. Memo dated 2/7/2025.

Traffic and Safety: No conditions. Memo dated 2/7/2025.

Building Code Services: No conditions. Memo dated 2/7/2025.

GIS: No conditions. Memo dated 2/7/2025.

Police Department: No conditions. Memo dated 2/7/2025.

Technical Report

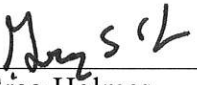
VARIANCE

Fire Department: No conditions. Memo dated 2/7/2025.

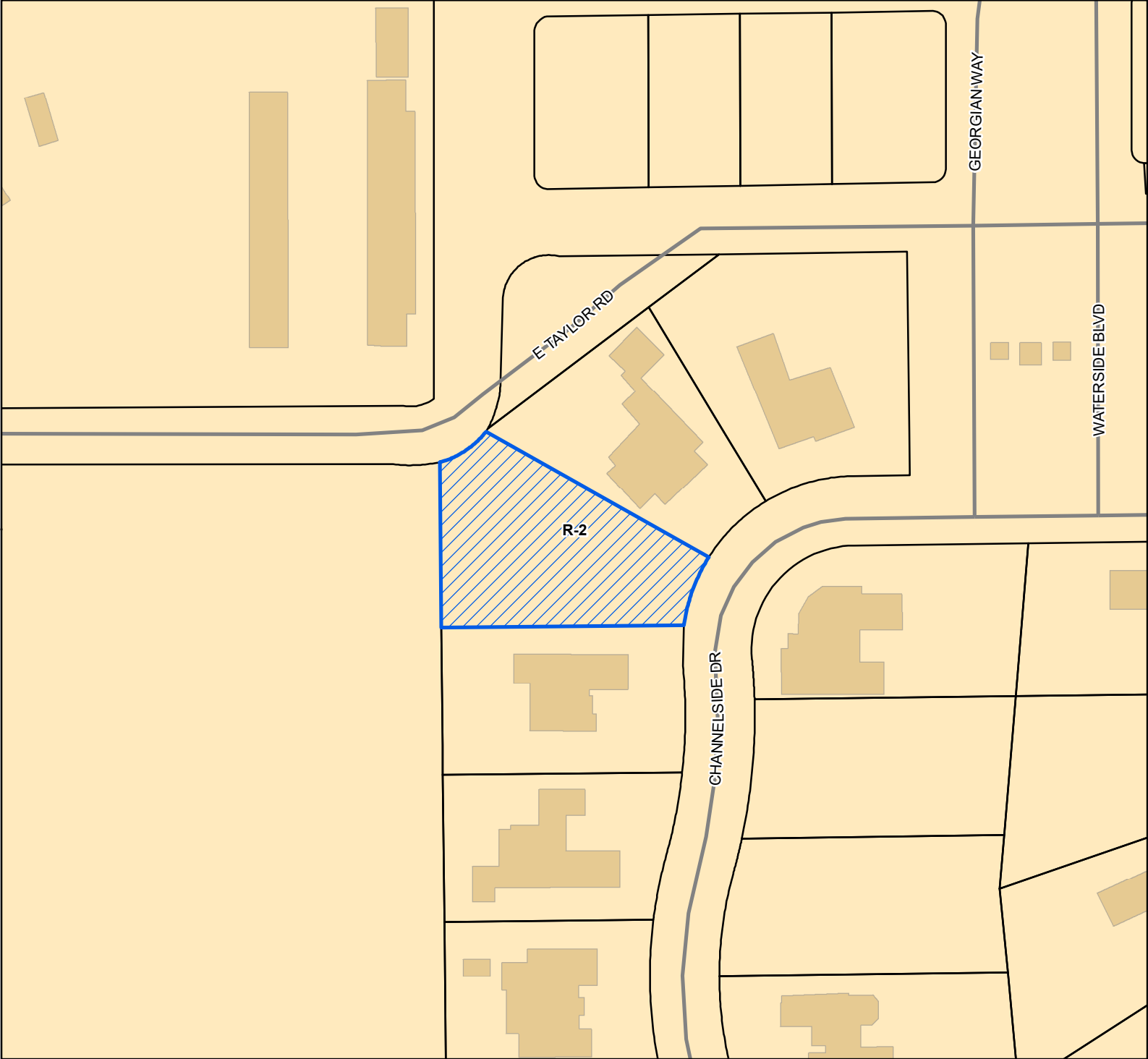
City Arborist: No conditions. Memo dated 2/7/2025.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



Site

Street

Parcels

Buildings

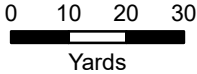
City Limit

Zoning

R-2 - Single Family

Residence District (Medium Density)

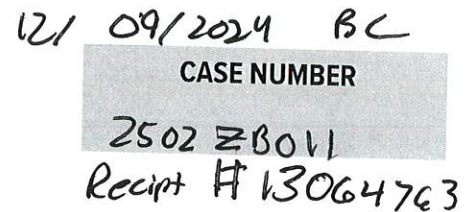
Site Information
1010C-01-001.002
Zoning: R-2 (Single-Family)
Size: 18838.51 sqft
Flood: X



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.



OWNER:

KEVIN VERRETT
 Printed Name of Owner
1708 E. Pass Rd
 Mailing Address
Gulfport MS 39507
 City State Zip Code
228.822.2190 228.669.1702
 Home Phone Work/Cell Phone
KDVERRETT@GMAIL.COM
 Email
Kevin Verrett
 Signature of Owner

AGENT:

RICHARD J. COPPONE
 Printed Name of Agent
P.O. Box 7005
 Mailing Address
Gulfport, MS 39506
 City State Zip Code
228.297.8611
 Home Phone Work/Cell Phone
RJ COPPONE@GMAIL.COM
 Email
[Signature]
 Signature of Agent

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

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

Name of Owner (PRINT) SUSAN GLEN VERRETT
 Address (Street, City, State, Zip Code) 1708 E. Pass Rd G't, MS 39507
 Phone (Home) _____ (Work) _____ (Cell) 850.714.3361
 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, KEVIN VERBETT being property owner of 10988 CHANNELSIDE DR
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize RICHARD J. COPPONEK 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.

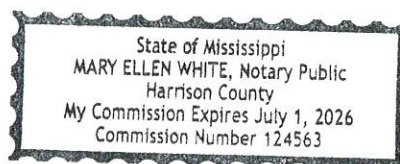
The petitioner understands and acknowledges that the City will rely upon the agent's representations in
approval or denial of said petition.

[Signature] 12-3-24
SIGNATURE DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

[Signature] 07/01/2026
NOTARY PUBLIC COMMISSION EXPIRATION





COVENANT AFFIDAVIT

I, KEVIN VERRETT being property owner or agent of the property 10988 CHANNELSIDE DR.
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.

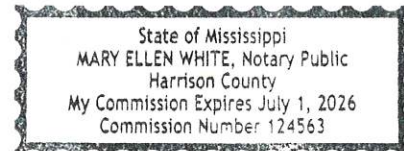
Kevin Verrett
SIGNATURE

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

Mary Ellen White
NOTARY PUBLIC



07/01/2026
COMMISSION EXPIRATION

FENCE VARIANCE SUBMISSION

- 1) The proposed fence will have no impact on safety, ingress or egress.
- 2) The portion of the fence under this variance request will not be seen from the street or by the neighbors.
- 3) The reason for the variance request is to block the neighbors existing 8' fence, which is in disrepair.
- 4) There will be no impact on ingress or egress.
- 5) The reason for the variance request is to block the neighbors existing 8' fence that is in disrepair.
- 6) The 8' portion of the new fence will not be seen by the neighbors.

ADDITIONAL VARIANCE QUESTIONS

- 1) The variance request is necessary because the neighbors fence is 8' and it is in disrepair. Our variance request is necessary to keep the neighbors fence from having a negative impact on our property.
- 2) The neighbors fence was in place when our property was acquired and we did not create the nuisance.
- 3) Our property enjoyment is negatively impacted by the neighbors fence and the best solution is to build a fence to screen the neighbors fence.
- 4) It is unreasonable and will negatively impact our property enjoyment to be forced to look at the neighbor's fence.
- 5) No special privilege will be granted to allow us to block the neighbors fence, we are actually incurring a burden by having to spend additional dollars to build the fence higher in this area.
- 6) The neighborhood covenants allow for an 8 foot fence to be built. Apparently, the City ordinance supersedes this covenant.

EAST TAYLOR ROAD
PUBLIC R.O.W

WATERSIDE SUBDIVISION,
CITY OF GULFPORT, HARRISON
COUNTY, MISSISSIPPI

DEED DESCRIPTION

(DEED INSTRUMENT #100-001-002)
(1) THREE (3) WATERSIDE SUBDIVISION, PHASE ONE (1) A
SUBDIVISION ACCORDING TO THE CITY OF GULFPORT, MISSISSIPPI
ON FILE AND OF RECORD IN THE OFFICE OF THE CLERK OF THE
COURT, HARRISON COUNTY, MISSISSIPPI, IN PLAT BOOK 44, PAGE 1,
IN PLAT BOOK 44, PAGE 1, THEREBY, REFERENCE TO WHICH IS
HEREBY MADE IN AND AS A PART OF THIS DESCRIPTION.

FLOOD ZONE NOTE:

BY HAVING LISTED ONE, THE PROPERTY IS LOCATED IN FLOOD
ZONE 10. THE ANNUAL FLOOD HEIGHT, ACCORDING TO FEMA
FLOOD INSURANCE RATE MAP 17-2005, WHICH
SHOWS THE ANNUAL FLOOD HEIGHT, IS 10.0 FEET. ANY
CONSTRUCTION OF A BUILDING OR OTHER STRUCTURE
ON THE PROPERTY MUST BE IN ACCORDANCE WITH THE
FLOOD ZONE REQUIREMENTS OF THE FEDERAL EMERGENCY
MANAGEMENT AGENCY (FEMA).

GATE

* ALL GATES SWING
WITHIN PROPERTY
BOUNDARY

6' FENCE

7' FENCE

8' FENCE



13.41
3.4
10.01

10987

BOUNDARY NOTE:

BOUNDARY SURVEYS ARE BASED UPON THE RECORDED SUBDIVISION
PLAT IN CASES OF REGULAR SUBDIVISIONS. BOUNDARY SURVEYS
OF PROPERTIES NOT A PART OF A REGULAR SUBDIVISION ARE BASED
UPON TITLE INFORMATION PROVIDED BY THE PARTY REQUESTING THE
SURVEY. BOUNDARY SURVEYS PROVIDE THE BEST INFORMATION
AVAILABLE AT THE TIME OF THE SURVEY. THE SURVEYOR IS NOT
RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY
THE PARTY REQUESTING THE SURVEY. THE SURVEYOR IS NOT
RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY
THE PARTY REQUESTING THE SURVEY. THE SURVEYOR IS NOT
RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY
THE PARTY REQUESTING THE SURVEY.

THIS IS TO CERTIFY THAT I HAVE MADE A SURVEY OF THE
PROPERTY SHOWN HEREON AND THAT ALL DIMENSIONS AND
OTHER DATA SHOWN ARE TRUE AND CORRECT TO THE BEST
OF MY KNOWLEDGE AND BELIEF.

PATRICK M. MARTINO

DATE OF FIELD SURVEY



1 SITE PLAN
A0.1 1:10

NO.	REVISION / DESCRIPTION	DATE

DENMARK DESIGN
ARCHITECTURE
11495 HOLLY BLUFF CIRCLE • BILBO, MS 39232 • 228.314.2988

PROJECT TITLE
VERRETT RESIDENCE
10988 CHANNELSIDE DR.

DATE
SEPTEMBER 1, 2013
DRAWN BY
GEORGE DENMARK
A0.1



J1 - GULFPORT DISTRICT
Instrument 2022-0008321-D-J1
Filed/Recorded 04/11/2022 3:42:01 PM
Total Fees 25.00
2 Pages Recorded

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

File#220776

Indexing Instructions:
Lot 3, Waterside S/D, Phase 1
Harrison County, 1st JD, MS

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

WARRANTY DEED

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

**AARON D. SAFLEY and wife, JESSICA L. SAFLEY
9137 HONEYSUCKLE LANE
GULFPORT, MS 39503
(601) 540-4725**

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

**KEVIN VERRETT and wife, CAROLYN SUSAN GLENN
as tenants by the entirety with full rights of survivorship and not as tenants in common
1708 E. PASS ROAD
GULFPORT, MS 39507
(228) 669-1702**

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

Lot Three (3), WATERSIDE SUBDIVISION, PHASE ONE (1), a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 46 at Page 1 thereof, reference to which is hereby made in aid of and as a part of this description.

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

Estimated county ad valorem taxes have been prorated between the parties as a part of the

consideration for this conveyance. In the event the estimates upon which such proration is based prove to be inaccurate for any reason, the Grantee agrees to refund any excess, and the Grantor agrees to pay any deficiency, upon receipt of a copy of the tax statement for the current year and a computation of the true amount due, based on a 365 day year.

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

WITNESS THE SIGNATURES of the Grantors on this the 8th day of April, 2022.


AARON D. SAFLEY


JESSICA L. SAFLEY

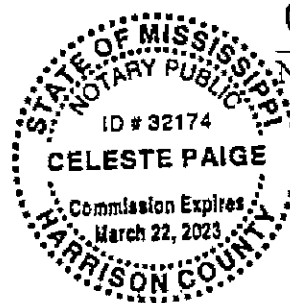
STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, AARON D. SAFLEY and JESSICA L. SAFLEY, who acknowledged that they signed, executed and delivered the above and foregoing instrument as their voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 8th day of April, 2022.

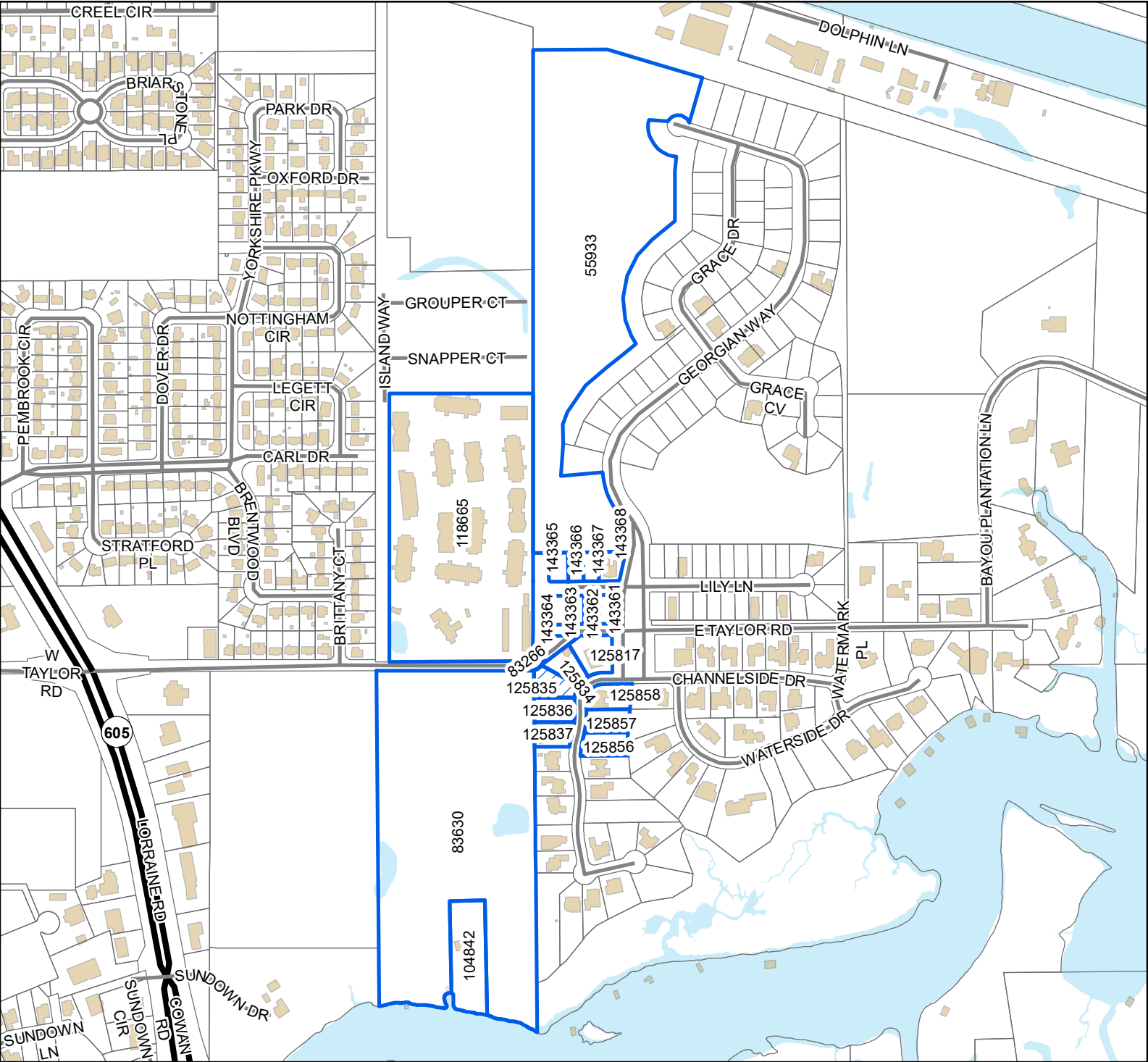
(SEAL)

My Commission Expires:



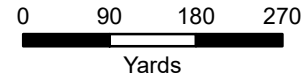

NOTARY PUBLIC

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1010C-01-001.002	KEVIN & SUSAN VERRETT (OWNERS)	1708 E PASS RD	GULFPORT	MS	39507
			RICHARD COPPONEX (AGENT)	P O BOX 7005	GULFPORT	MS	39506
			Adjacent Property Owners (2502ZB011)				
N	118665	1009N-01-004.001	MMP2-HARBIN LLC	C/O LEGACY PROPERTY MANAGEMEN	NASHVILLE	TN	37212
	83630	1010C-01-002.000	CARTER JONATHAN R & GRAMMAR JENNIE	11029 E TAYLOR RD	GULFPORT	MS	39503
N	104842	1010C-01-002.001	CARTER JONATHAN R & GRAMMER JENNIE	11029 EAST TAYLOR RD	GULFPORT	MS	39503
	125856	1010C-01-001.023	BENNETT KIM	14025 URSULINE DR	GULFPORT	MS	39503
	125837	1010C-01-001.004	HALL BRUCE & MARIA	11008 CHANNELSIDE DR	GULFPORT	MS	39503
	83266	1009N-01-003.000	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
	125836	1010C-01-001.003	SANFORD TIMOTHY HERBERT & TRACY S	10998 CHANNELSIDE DR	GULFPORT	MS	39503
	125857	1010C-01-001.024	SHETH SHAILAV	832 JOLIET CT	BILOXI	MS	39532
	125817	1009N-01-003.001	SELLERS BENNIE JAMES JR & KATHRYN L	10968 CHANNELSIDE DRIVE	GULFPORT	MS	39503
	125834	1010C-01-001.001	SHARP MYLES ETHAN & DARIA OCCHI	10978 CHANNELSIDE DR	GULFPORT	MS	39503
	125835	1010C-01-001.002	VERRETT KEVIN & GLENN CAROLYN SUSAN	1708 E PASS RD	GULFPORT	MS	39507
	125858	1010C-01-001.025	KILLEBREW JOHN A JR & LISA S	10989 CHANNELSIDE DR	GULFPORT	MS	39503
	55933	1009N-01-002.000	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
	143362	1009N-01-002.002	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143364	1009N-01-002.004	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143363	1009N-01-002.003	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143361	1009N-01-002.001	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143368	1009N-01-002.008	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143366	1009N-01-002.006	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143367	1009N-01-002.007	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	143365	1009N-01-002.005	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073



Legend

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



1 inch = 600 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	631240	Print Legal Ad-IPL02143670 - IPL0214367	ZB notice	\$107.48	2	63 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, February 20, 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 2412ZB197, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for building height of 59 feet where 45 feet is the height limit, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB198, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for 146 regular parking spaces where 208 spaces are required, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB199, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for one additional wall sign where two wall signs are allowed, Tax Parcel 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2502ZB011, by agent Richard J. Drive, Zoned, seeking approval for an eight-foot-tall fence where six feet is the height limit, Tax Parcel 1010C-01-001-002, 10988 Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2502ZB013, by owners Timothy Daigle Jr. and Jeneé Daigle, seeking approval for a six-foot-tall fence where the height limit is 4 feet, Tax Parcels 0807E-01-001.001, 0807E-01-001.000, 15361 S Swan Road, Zoned R-1-15 (Single-Family), I-2 (Heavy Industry), Ward 7

Variance 2502ZB018, by agent Morgan Speranzo Hoda, seeking approval for a front yard setback of 21.5 feet where 25 is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, 11048 Georgian Way, Zoned R-2, Ward 5

Variance 2502ZB019, by owners Timothy Levens and Theresa Levens, seeking approval to exceed the allowable square footage for accessory structure by 544 square feet for property over an acre, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB020, by owners Timothy Levens and Theresa Levens, seeking approval for a third accessory structure where two are allowed, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB021, by owner FHC, INC, seeking approval for lot sizes smaller than an acre for a proposed 7 lot subdivision, Tax Parcels 1007O-01-028.000, 1007O-01-028.008, 1007O-01-028.012, 1007O-01-028.014, 10550 O'Neil Road, Zoned R-E (Residence-Estate), Ward 6

Variance 2502ZB024, by agent David John Hunter, seeking approval for an 8 foot setback where 25 feet is required for a secondary frontage, Tax Parcel 0911F-01-035.000, 500 East Beach Blvd, Zoned R-1-7.5 (Single-Family), Ward 2

This the 29th day of January 2025
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0214367
Jan 29 2025

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Beaufort County, South Carolina 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:
01/29/25

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

Mary Castro

Sworn to and subscribed before me this 5th day of February in the year of 2025

Amy Robbins

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.



AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

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 # 2025-408

Hearing Date: Thursday, February 20, 2025

Variance 2502ZB013; Variance 2502ZB013, by owners Timothy Daigle Jr. and Jeneé Daigle, seeking approval for a six-foot-tall fence where the height limit is 4 feet, Tax Parcels 0807E-01-001.001, 0807E-01-001.000, 15361 S Swan Road, Zoned R-1-15 (Single-Family), I-2 (Heavy Industry), Ward 7

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2502ZB013

Hearing Date: February 20, 2025

Current Zoning/Use: R-1-15 / Single-family Home
I-2 / Commercial Building

Legal: Variance 2502ZB013, by owners Timothy Daigle Jr. and Jenee Daigle, seeking approval for a six foot tall fence where the height limit is 4 feet, Tax Parcels 0807E-01-001.001, 0807E-01-001.000, 15361 S Swan Road, Zoned R-1-15 (Single-Family), I-2 (Heavy Industry), 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 six-foot-tall fence between the front property line and front façade line of the primary structure, where the height limit is four feet.

- (a) The applicant only addressed the fence variance question regarding safety and ingress and egress, stating that there will be no adverse issues to safety or ingress and egress. The applicant does not state any special conditions or circumstances that are peculiar to the land.
- (b) The applicant does not address the question regarding the cause of a hardship, or whether a hardship was the result of the applicant's actions. The applicant is seeking approval for a six-foot-tall fence where ordinance requires the height limit to be 4 feet, and staff has noted from a site visit, the construction of said fence has already started. The special conditions result from the actions of the applicant.
- (c) The applicant does not address the question regarding how an unnecessary hardship has resulted from the physical character of the property, instead noting how the design will be similar to the house. As noted from the site visit conducted by staff, the applicant has already begun construction of the proposed fence.
- (d) The applicant does not address the question regarding the literal interpretation of the ordinance. From the staff visit to the nearby area, staff noted other fences between the front façade line of the primary structure and front property line that were greater than four feet in height. From staff's research, staff noted that some fences were permitted, while most were existing prior to the current fence ordinance, and the annexation of the nearby area. The literal interpretations of the current fence ordinance would deprive the applicant of rights commonly enjoyed in this same district.
- (e) The applicant does address the question regarding any special privileges that may be conferred should the variance be granted. As noted from the prior statement staff noted that within the nearby area, there are fences that exceed the four-foot height limit between the front property line and the front façade line of the primary structure. While some of these fences were permitted, most existed prior to both the current fence ordinance and annexation of the nearby area. Granting the variance would not confer any special privileges.
- (f) These properties are zoned R-1-15 and I-2, and a fence is allowed by right.

EXECUTIVE SUMMARY

The applicant is seeking approval for a six-foot-tall fence between the front façade line of the primary structure and the front property line, where the height limit is four feet. The applicant does not address how any hardship resulting from the character of the land is preventing them from meeting the requirements of the current fence ordinance. From a staff visit to the subject site, staff noted that construction of the proposed fence had already begun. Staff also noted other fences east of the subject site with fences within the front of the primary structure that exceeded the four-foot height limit. From staff's research, staff noted that some of these fences had permits that predated the current fence ordinance, while others were existing prior to the nearby area being annexed into the City of Gulfport. While the applicant has caused their own hardship, granting of the variance would not confer any special privileges that other properties in the same district do not enjoy.

Technical Report

VARIANCE

Any approval should consider these conditions:

1. Approval allows for a six-foot-tall fence between the front property line and the front faced line of the primary structure, where the height limit is four feet.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 2/7/2025.

Public Works: No conditions. Memo dated 2/7/2025.

Traffic and Safety: No conditions. Memo dated 2/7/2025.

Building Code Services: No conditions. Memo dated 2/7/2025.

GIS: No conditions. Memo dated 2/7/2025.

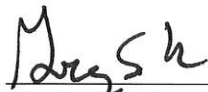
Police Department: No conditions. Memo dated 2/7/2025.

Fire Department: No conditions. Memo dated 2/7/2025.

City Arborist: No conditions. Memo dated 2/7/2025.

DIRECTOR APPROVAL

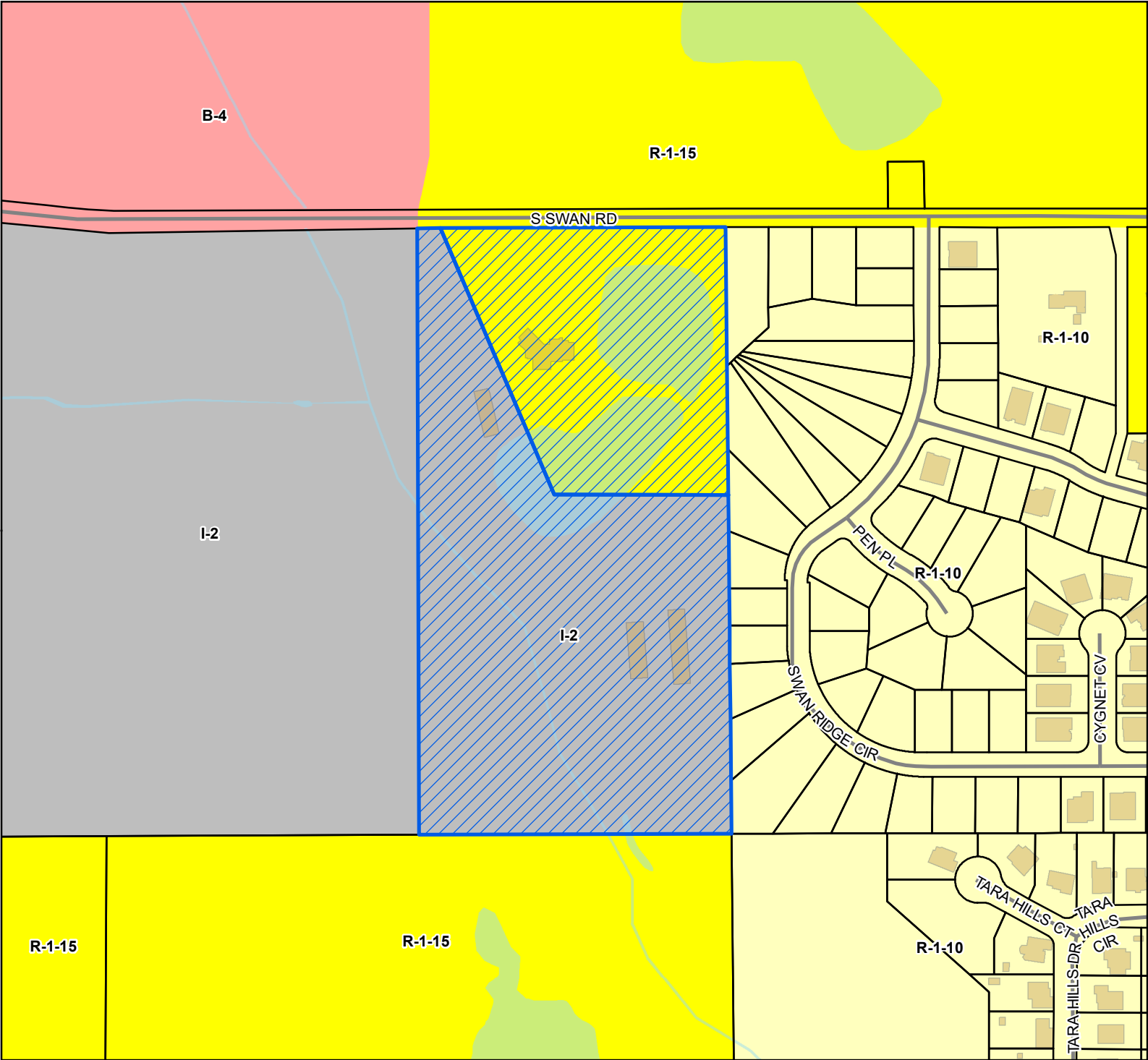
This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department





Site

Street

Parcels

Buildings

Water Features

City Limit

Zoning

- B-4 - Highway Business District
- I-2 - Heavy Industry District
- R-1-10 - Single Family Residence (Low Density)
- R-1-15 - Single Family Residence District (Low Density)

Site Information

0807E-01-001.000

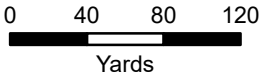
0807E-01-001.001

Zoning: R-1-15 (Single Family)

I-2 (Heavy Industry)

Size: 21 acres

Flood: X



1 inch = 300 feet



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R#13082703

CASE NUMBER

2582 ZBOR

AA 12/20/24

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

ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

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

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

TAX PARCEL NUMBERS

0807E-01-001.000	
0807E-01-001.001	

Property Address:

15361 S. Swan Rd, Gulfport, MS 39503

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

General Description of Request: Install 6'6" fence across front of property. It will be brick columns with metal railing fence between columns. Will also have an arch at entrance with metal gate.

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:

Timothy J. Daigle
 Printed Name of Owner
15361 S. Swan Rd.
 Mailing Address
Gulfport MS 39503
 City State Zip Code
228-216-8075
 Home Phone Work/Cell Phone
timdaigle@yahoo.com
 Email
Timothy Daigle
 Signature of Owner

AGENT:

Self
 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) Jenee Daigle (wife)
 Address (Street, City, State, Zip Code) 15361 S. Swan Rd., Gulfport, MS 39503
 Phone (Home) _____ (Work) _____ (Cell) 228-216-8075
 Tax Parcel Number(s) Owned: Same
 Signature: Jenee Daigle

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, Timothy Daigle being property owner or agent of the property 15361 S. Swan Rd Gulfport, ms
PRINT NAME PRIMARY ADDRESS OR PARCEL 39503
which is the subject of this application, hereby state that this variance request is not in violation of any
restrictive or protective covenants.

Timothy Daigle
SIGNATURE

12/20/25
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

Samuel Sweeting
NOTARY PUBLIC

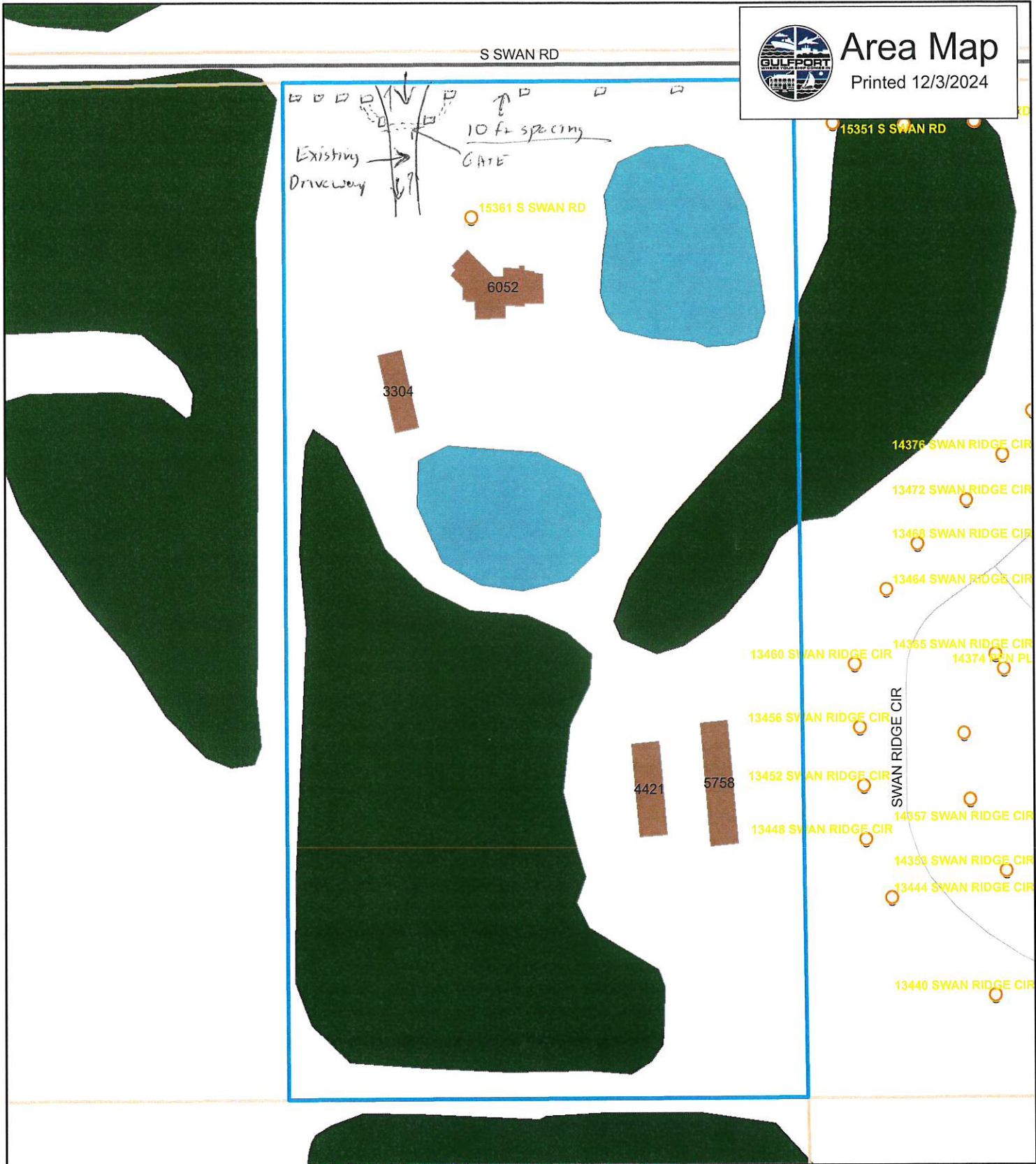
05/24/2027
COMMISSION EXPIRATION



Fence Variance Submissions

____ Please explain the nature of the project that requires the variance(s). When determining a variance to fence, wall, and hedge requirements, the zoning board shall consider the following, which must also be addressed by the applicant on a separate sheet of paper:

1. Safety in regard to the subject property, adjacent properties, ingress and egress, streets, alleyways, and water bodies; *No adverse issues. Entryway will be wider than current opening.*
2. Visual impact on adjacent properties, streets, alleyways, and water bodies; *- Only covers my property & will look nicer.*
3. Design in relation to other structures on the same lot, adjacent properties, and the neighborhood; *Same brick as house. Fence is black, red iron.*
4. Impact on ingress and egress, if applicable; *NO*
5. Screening, buffering or separation of any nuisance or hazardous feature: *NO*
6. Compatibility with adjacent properties; *Adjacent property is undeveloped.*



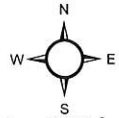
Initial and date here:

Planner: _____

Owner: *[Signature]*

Contractor: _____

12/20/25



1 inch = 167 feet

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Addresspoints **Edits addresspoints**

STRUCT_CLASS

- Residential
- Collector
- Minor/Residential
- Parcels

**CERTIFICATE OF RESUBDIVISION
RESUBDIVISION OF PARCEL
#0807E-01-001.000
SECTION 28, TOWNSHIP 6 SOUTH, RANGE 11 WEST**

OVERALL LEGAL DESCRIPTION PRIOR TO RESUBDIVISION
(DR 2016-5179-D-J1)

The East 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 28,
Township 6 South, Range 11 West, City of Gulfport, First Judicial District of
Harrison County, Mississippi.

LESS AND EXCEPT

That part lying within South Swan Road.

This survey does not reflect a title search by Gary A. Durbin, P.L.S., nor should it
be considered as such.

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

Bearings based on GPS Observation of the south margin of South Swan Road, NAD
83, MS East Zone, convergence angle -0.130449, scale factor 0.9999960.

This property is situated in Zone "X" per FEMA Flood Insurance Rate Map, City of
Gulfport, Harrison County, Mississippi, Community Panel Number 28047C-0255-H,
Revised: 6/16/09.

This is to CERTIFY that this plot or map and the
survey on which it is based were made by myself in
accordance with "The Standards of Practice for
Land Surveying in the State of Mississippi", and
that monuments shown exist as located and that
the dimensional and other data are correct to the
best of my knowledge and belief. This survey meets
the closure requirements as prescribed by law.

Gary A. Durbin, P.L.S. 2401
Class "B" Survey
February 8, 2022
Revised: June 17, 2022



1st JUDICIAL DISTRICT
Instrument 2023-0000762-D-J1
Filed/Recorded 01/13/2023 3:29:01 PM
Total Fees 26.00
4 Pages Recorded

SHEET 1 OF 3 10925A

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

SCALE: 1"=200'
IRF 1/2" IRON ROD FOUND
IPF 3/4" IRON PIPE FOUND
IRS 1/2" IRON ROD SET

P=PLAT OF RECORD
M=MEASURED
D=DEED

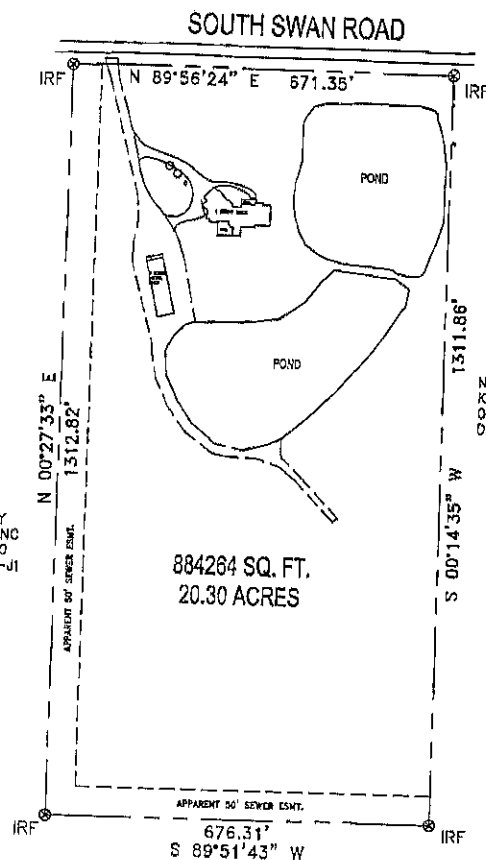
REFERENCE:
SURVEY BY ERIC
MENHENNETT, P.L.S.
DATED 9/24/09

BUILDING
SETBACKS

FRONT 25'
SIDE 15'
REAR 15'

NOW OR FORMERLY
CBH PROPERTIES INC
0807E-01-002.000
DR 2013-2793-D-J1

NOW OR FORMERLY
KIRK LADNER
0807E-01-004.000
DR 2005-11344-D-J1



884264 SQ. FT.
20.30 ACRES

NOW OR FORMERLY
ROBERT GILCHRIST
0807E-01-011.000
DR 2017-324-D-J1

Building setbacks, required elevations, wetlands
determination, et cetera, to be prescribed by
appropriate governing bodies.

Re-subdivision of parcel subject to current subdivision
and zoning regulations. Consult appropriate planning and
zoning officials for complete information.

LEGAL DESCRIPTION CREATED BY RESUBDIVISION
PARCEL "A" (PER SURVEY)

Beginning at an iron rod located at the Southeast corner of the East 1/2 of the NE 1/4 of the SW 1/4 of said Section 28, thence N 00°14'35" E 733.20 feet to an iron rod, thence N 89°45'25" W 370.80 feet to a point in the pond, thence N 23°17'51" W 627.50 feet to an iron rod on the South margin of South Swan Road, thence S 89°58'24" W 50.00 feet to an iron rod, thence S 00°27'33" W 1312.82 feet to an iron rod, thence N 89°51'43" E 676.31 feet to the Point of Beginning. Said parcel contains 597787 square feet or 13.72 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130449, scale factor 0.999960 per survey by Gary A. Durbin, P.L.S. dated February 8, 2022.

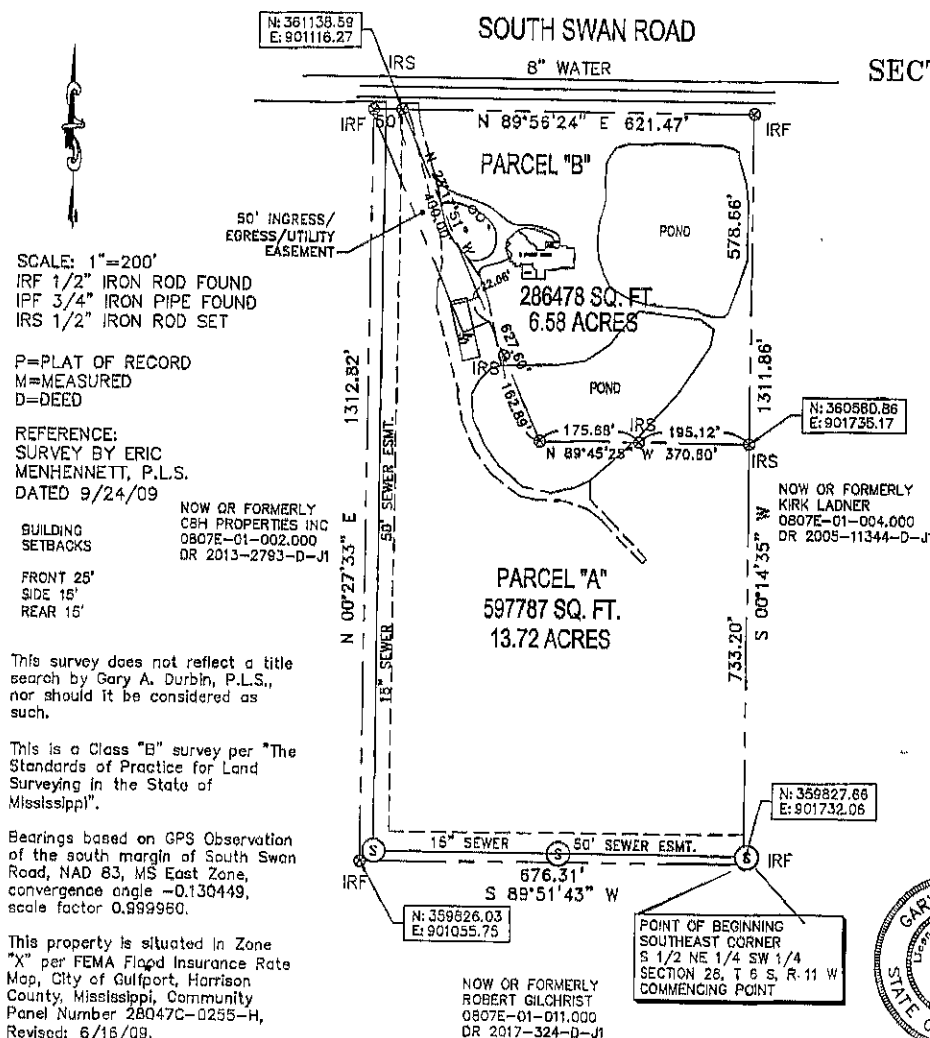
LEGAL DESCRIPTION CREATED BY RESUBDIVISION
PARCEL "B" (PER SURVEY)

Commencing at an Iron rod located at the Southeast corner of the East 1/2 of the NE 1/4 of the SW 1/4 of said Section 28, thence N 00°14'35" E 733.20 feet to an Iron rod and the Point of Beginning, thence N 89°45'25" W 370.80 feet to a point in the pond, thence N 23°17'51" W 627.60 feet to an iron rod on the South margin of South Swan Road, thence N 89°56'24" E 621.35 feet to an iron rod, thence S 00°14'35" W 578.66 feet to the Point of Beginning. Said parcel contains 286478 square feet or 6.58 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130449, scale factor 0.999980 per survey by Gary A. Durbin, P.L.S. dated February 8, 2022.

Gary A. Durbin, P.L.S. 2401
Class "B" Survey
February 8, 2022
Revised: June 17, 2022

18
SHEET 2 OF 3 10925B

GARY A. DURBIN, P.L.S.
PROFESSIONAL LAND SURVEYOR
1304B RIVERWALK CIRCLE, DIBERVILLE, MS. 39540
PH. (228) 365-3632 Teelokgd@aol.com



CERTIFICATE OF RESUBDIVISION
RESUBDIVISION OF PARCEL
#0807E-01-001.000
SECTION 28, TOWNSHIP 6 SOUTH, RANGE 11 WEST

In accordance with Section 9-4B of the Code of Ordinance (Subdivision Regulations) of the City of Gulfport as amended, It is hereby certified that the Gulfport City Planning Commission Chairman and Gulfport City Council have reviewed and approved this Final Plat for the Resubdivision of Parcel #0807E-01-001.000 of land in Section 28, Township 6 South, Range 11 West in the City of Gulfport into Parcels A and B, City of Gulfport, First Judicial District of Harrison County, Mississippi. The subject property is generally described as being located at the South margin of South Swan Road. The ad valorem tax parcel number of the subject property is 0807E-01-001.000. The case file number is 1211K208

LEGAL DESCRIPTIONS OF
PARCEL PRIOR TO
RESUBDIVISION

SEE SHEET 1 OF 3

LEGAL DESCRIPTIONS OF
PARCEL CREATED BY THIS
RESUBDIVISION

SEE SHEET 2 OF 3

The applicant hereby covenants and agrees to indemnify and hold harmless the City of Gulfport, its agents, servants, and or employees against any and all claims, demands, or causes of action of whatever nature which may arise as a result of the action of the Planning Commission, its agents, and or employees concerning the petition for resubdivision of the real property described herein.

Ratified and Approved by:

Timothy James Daigle, Jr.
TIMOTHY JAMES DAIGLE, JR. - OWNER

Jenee Michelle Daigle
JENEE MICHELLE DAIGLE - OWNER

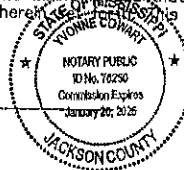
This 4th day of Oct, 2022.

ACKNOWLEDGE

Before me, the undersigned, authorized in and for the State of Mississippi, County of Harrison, personally appeared the aforementioned TIMOTHY JAMES DAIGLE AND JENEE MICHELLE DAIGLE, who acknowledged that they accepted this plat and executed the foregoing certificate and dedication for the purpose therein stated, this 4th day of October, 2022.

Yvonne Court
Notary Public

My Commission Expires: _____



PLANNING COMMISSION

Submitted to and approved by the Gulfport City Planning Commission on the 17th day of November, 2022.

Keith Williams
Keith Williams, Chairman
Gulfport City Planning Commission

Gregory S. Holmes
Gregory Holmes
Planning Division Administrator

APPROVAL

Submitted to and approved by the City of Gulfport, City Council, at the regular meeting of said Council held on the 20 day of December, 2022.

ATTEST: Brittany Rodgers
Brittany Rodgers, Clerk of Council

ADOPT: F.B. "Rusty" Walker, IV
F.B. "Rusty" Walker, IV, President
MYLES SMITH

Clerk of Council

President

This resubdivision plat and certificate of Resubdivision, having been submitted and approved by the Mayor, this 21 day of December, 2022.

Billy Hewes
Billy Hewes, Mayor



SHEET 3 OF 3 10925C

GARY A. DURBIN, P.L.S.
PROFESSIONAL LAND SURVEYOR
13045 RIVERWALK CIRCLE, OBERVILLE, MS. 39540
PH. (228) 355-3532 T9a0rkyd@aol.com



Acknowledgement

I, TIMOTHY J. DAIGLE JR. being property owner of 15361 S SWAN RD.
PRINT NAME PRIMARY ADDRESS OR PARCEL

acknowledge the pre-existing detached accessory building with become non-conforming and will need to be renovated or removed within 6 months if no building permit has been approved.

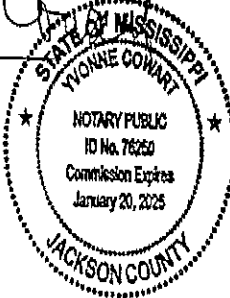
[Signature]
Signature

1-13-23
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this 13th day of JANUARY, 2023

[Signature]
Notary Public



01/20/25
Commission Expiration



J. Huber 1st Judicial District
Instrument 2016 5179 D - J1
Filed/Recorded 7/27/2016 09:36 A
Total Fees \$ 12.00
2 Pages Recorded

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

INDEX: Parcel in the E1/2 of the NE1/4 of the
SW1/4 of Sec. 28-6-11

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WARRANTY DEED

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

Suzanne M. Huber,

1 Povenir Place, Gulfport, MS 39507, (228) 861-0992

does hereby sell, convey and warrant unto

Timothy James Daigle, Jr. and wife, Jeneé Michelle Daigle,

15605 S. Swan Road, Gulfport, MS 39503, (830) 734-2115,

as joint tenants with full rights of survivorship and not as tenants in common the following described
land and property being located in the First Judicial District of Harrison County, Mississippi, being
more particularly described as follows, to-wit:

2

The East One-Half (1/2) of the Northeast One-Fourth of the Southwest One-Fourth (NE1/4 of the SW1/4) of Section 28, Township 6 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi. LESS AND EXCEPT that part now lying within South Swan Road.

Being the same property conveyed by Deed of Executor recorded as Instrument Number 2009 5275-D-J1, in the office of the Chancery Clerk of Harrison County, MS.

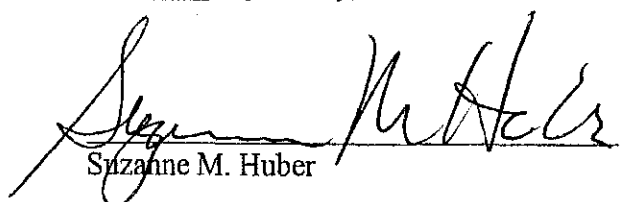
THE ABOVE DESCRIBED property is no part of the homestead of the grantor herein.

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

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

WITNESS MY SIGNATURE, on this the 21ST day of July, 2016.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

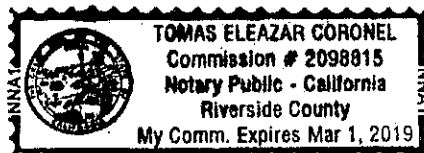

Suzanne M. Huber

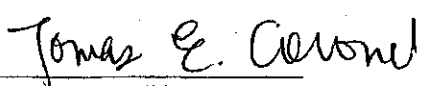
STATE OF CA
COUNTY OF RIVERSIDE

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Suzanne M. Huber, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantor on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 21ST day of July, 2016.

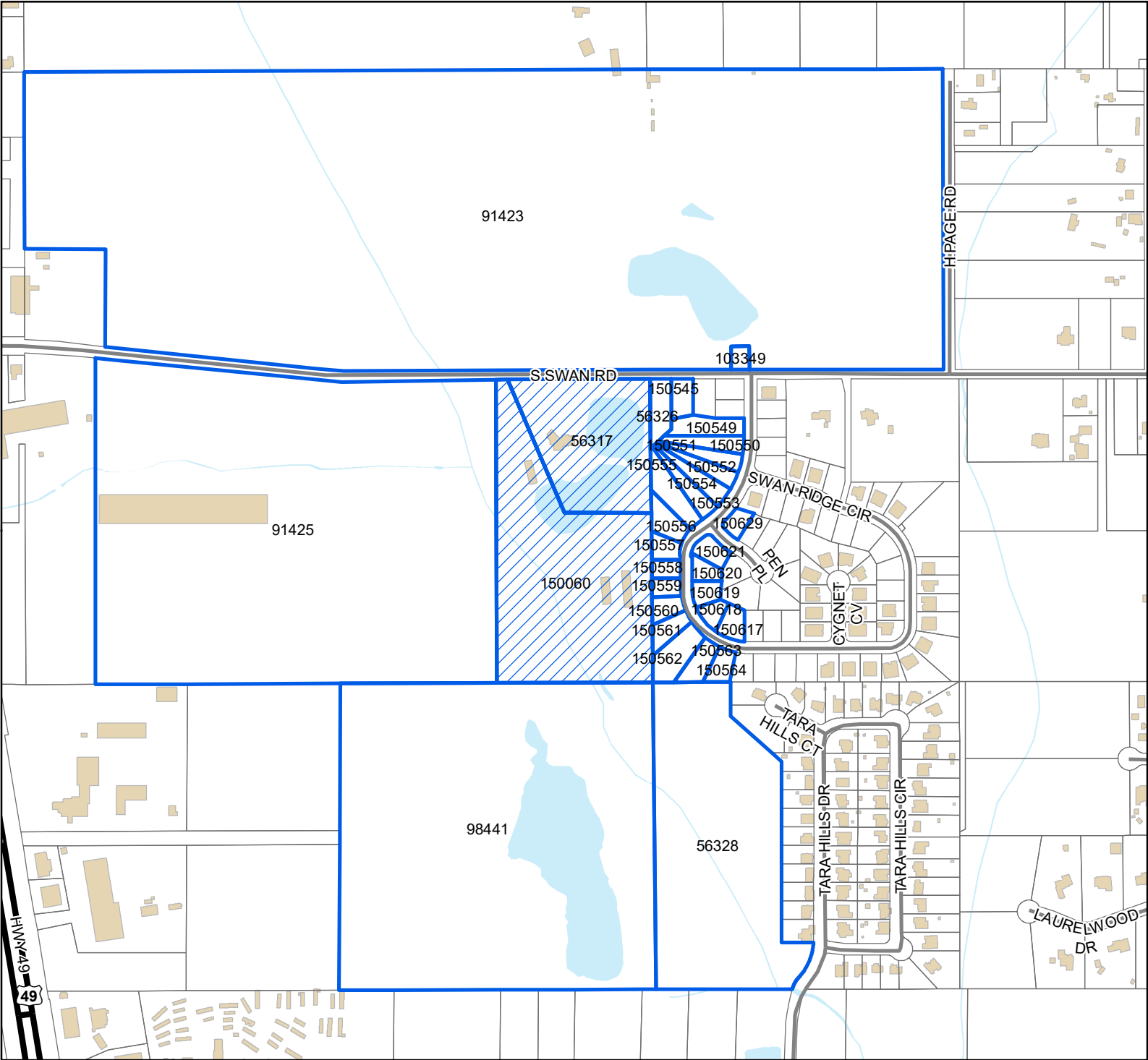
My Commission Expires: MARCH 1, 2019




NOTARY PUBLIC
State of California
County of Riverside } SS.

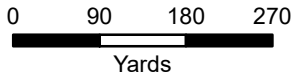
On 7/21 2016, before me, Tomas E. Coronel (Notary Public) personally appeared SUZANNE M. HUBER who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in the authorized capacity and that he executed the instrument on the date and in the presence of the person or persons whose names are subscribed to the foregoing paragraph. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.
Tomas E. Coronel - Notary Public

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0807E-01-001.000	DAIGLE TIMOTHY JAMES JR & JENEE MICHELLE DAIGLE (OWNERS)	15361 S SWAN RD	GULFPORT	MS	39503
			Adjacent Property Owners (2502ZB013)				
N	150060	0807E-01-001.001	DAIGLE TIMOTHY JAMES JR & JENEE MIC	15361 S SWAN RD	GULFPORT	MS	39503
N	98441	0807E-01-011.000	GILCHRIST ROBERT A ETAL	C/O T L JAMES & CO INC	RUSTON	LA	712731260
N	91425	0807E-01-002.000	CBH PROPERTIES LLC	C/O KEITH HUBER CORP	GULFPORT	MS	39505
N	103349	0807C-01-009.000	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
	91423	0807D-01-001.000	DAY DRUG CO INC	20 HANCOCK PLACE	GULFPORT	MS	39507
	56328	0807F-01-005.000	BENEFIELD JONATHAN BLAKE	11080 BAYOU BERNARD	GULFPORT	MS	39503
	56317	0807E-01-001.000	DAIGLE TIMOTHY JAMES JR & JENEE MIC	15361 S SWAN RD	GULFPORT	MS	39503
	56326	0807F-01-004.000	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150545	0807F-01-004.001	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150549	0807F-01-004.005	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150556	0807F-01-004.012	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150550	0807F-01-004.006	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150551	0807F-01-004.007	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150552	0807F-01-004.008	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150553	0807F-01-004.009	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150554	0807F-01-004.010	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150555	0807F-01-004.011	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150557	0807F-01-004.013	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150564	0807F-01-004.020	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150558	0807F-01-004.014	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150559	0807F-01-004.015	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150560	0807F-01-004.016	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150561	0807F-01-004.017	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150562	0807F-01-004.018	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150563	0807F-01-004.019	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150619	0807F-01-004.075	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150617	0807F-01-004.073	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150618	0807F-01-004.074	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150620						0
N	150621	0807F-01-004.077	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503
N	150629	0807F-01-004.085	LADNER KIRK L	18226 HIGHWAY 53	GULFPORT	MS	39503



Legend

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



1 inch = 600 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	631240	Print Legal Ad-IPL02143670 - IPL0214367	ZB notice	\$107.48	2	63 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, February 20, 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 2412ZB197, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for building height of 59 feet where 45 feet is the height limit, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB198, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for 146 regular parking spaces where 208 spaces are required, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB199, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for one additional wall sign where two wall signs are allowed, Tax Parcel 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2502ZB011, by agent Richard J. Drive, Zoned, seeking approval for an eight-foot-tall fence where six feet is the height limit, Tax Parcel 1010C-01-001-002, 10988 Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2502ZB013, by owners Timothy Daigle Jr. and Jeneé Daigle, seeking approval for a six-foot-tall fence where the height limit is 4 feet, Tax Parcels 0807E-01-001.001, 0807E-01-001.000, 15361 S Swan Road, Zoned R-1-15 (Single-Family), I-2 (Heavy Industry), Ward 7

Variance 2502ZB018, by agent Morgan Speranzo Hoda, seeking approval for a front yard setback of 21.5 feet where 25 is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, 11048 Georgian Way, Zoned R-2, Ward 5

Variance 2502ZB019, by owners Timothy Levens and Theresa Levens, seeking approval to exceed the allowable square footage for accessory structure by 544 square feet for property over an acre, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB020, by owners Timothy Levens and Theresa Levens, seeking approval for a third accessory structure where two are allowed, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB021, by owner FHC, INC, seeking approval for lot sizes smaller than an acre for a proposed 7 lot subdivision, Tax Parcels 1007O-01-028.000, 1007O-01-028.008, 1007O-01-028.012, 1007O-01-028.014, 10550 O'Neil Road, Zoned R-E (Residence-Estate), Ward 6

Variance 2502ZB024, by agent David John Hunter, seeking approval for an 8 foot setback where 25 feet is required for a secondary frontage, Tax Parcel 0911F-01-035.000, 500 East Beach Blvd, Zoned R-1-7.5 (Single-Family), Ward 2

This the 29th day of January 2025
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0214367
Jan 29 2025

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Beaufort County, South Carolina 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:
01/29/25

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

Mary Castro

Sworn to and subscribed before me this 5th day of February in the year of 2025

Amy Robbins

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.



AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

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 # 2025-409

Hearing Date: Thursday, February 20, 2025

Variance 2502ZB018; Variance 2502ZB018, by agent Morgan Speranzo Hoda, seeking approval for a front yard setback of 21.5 feet where 25 is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, 11048 Georgian Way, Zoned R-2, Ward 5

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2502ZB018

Hearing Date: February 20, 2025

Current Zoning/Use: R-2 / Single-Family Home

Legal: Variance 2502ZB018, by agent Morgan Speranzo Hoda, seeking approval for a front yard setback of 21.5 feet where 25 is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, 11048 Georgian Way, Zoned R-2, Ward 5

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance for a home to have a front setback of 21.5 feet where 25 feet is required. It should be noted that this house previously went for a similar request in case 2405ZB064, where they were approved 22 feet and 1 inch. The home was built and later measured to be 21.5 feet instead. This application was submitted to rectify that issue.

- (a) The applicant states that the cost to adjust the home over to the previously approved 22 feet and 1 inch would be very costly. If the builder had adhered to the original approved variance, there would be no current hardship.
- (b) The applicant states that the building was placed by the surveyor and built to covenants. Regardless, the building was built outside of the scope of what was approved, and thus means that the hardship was directly caused by the applicant.
- (c) The applicant states the cost to correct the placement would be too great. It should be noted that cost is not a suitable hardship for a variance and thus should not be considered.
- (d) The applicant states that multiple variances in that area have been approved. Upon staff review, the area has two variances that were approved related to front setbacks. Case 2106ZB098 was a blanket approval of several lots to have setbacks adjusted, and case 2405ZB064 was a variance for the same property in this application for front setbacks to be adjusted.
- (e) The applicant states that this would be in line with other properties in that area. As stated prior, this property had gone before this board for approval of a similar variance for front setbacks in case 2405ZB064 and thus approval of this variance would be in line with that prior approval.
- (f) This property is zoned R-2, and a single-family residence use is allowed by right.

EXECUTIVE SUMMARY

The applicant seeks a front setback variance of 21.5 feet where 25 feet is required. This is being done to rectify an issue where even though this property had gone for a variance in case 2405ZB064 for a similar variance, that case was approved for 22 feet and 1 inch. The scope of work had changed between the approval and the construction of the house. Upon staff review, there was a blanket variance for several lots to have their setbacks adjusted in case 2106ZB098. This case along with the previously approved variance shows that approval of this variance would confer no special rights upon the applicant.

Any approval should consider these conditions:

1. Approval allows for a front setback of 21.5 feet where 25 feet is required.
2. Must comply with all zoning rules and regulations.
3. Must meet comply with all current Building Codes and City of Gulfport Ordinances
4. No AC units, generators, or similar mechanical units servicing the home can be placed in the 15' rear yard drainage and utility easement

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

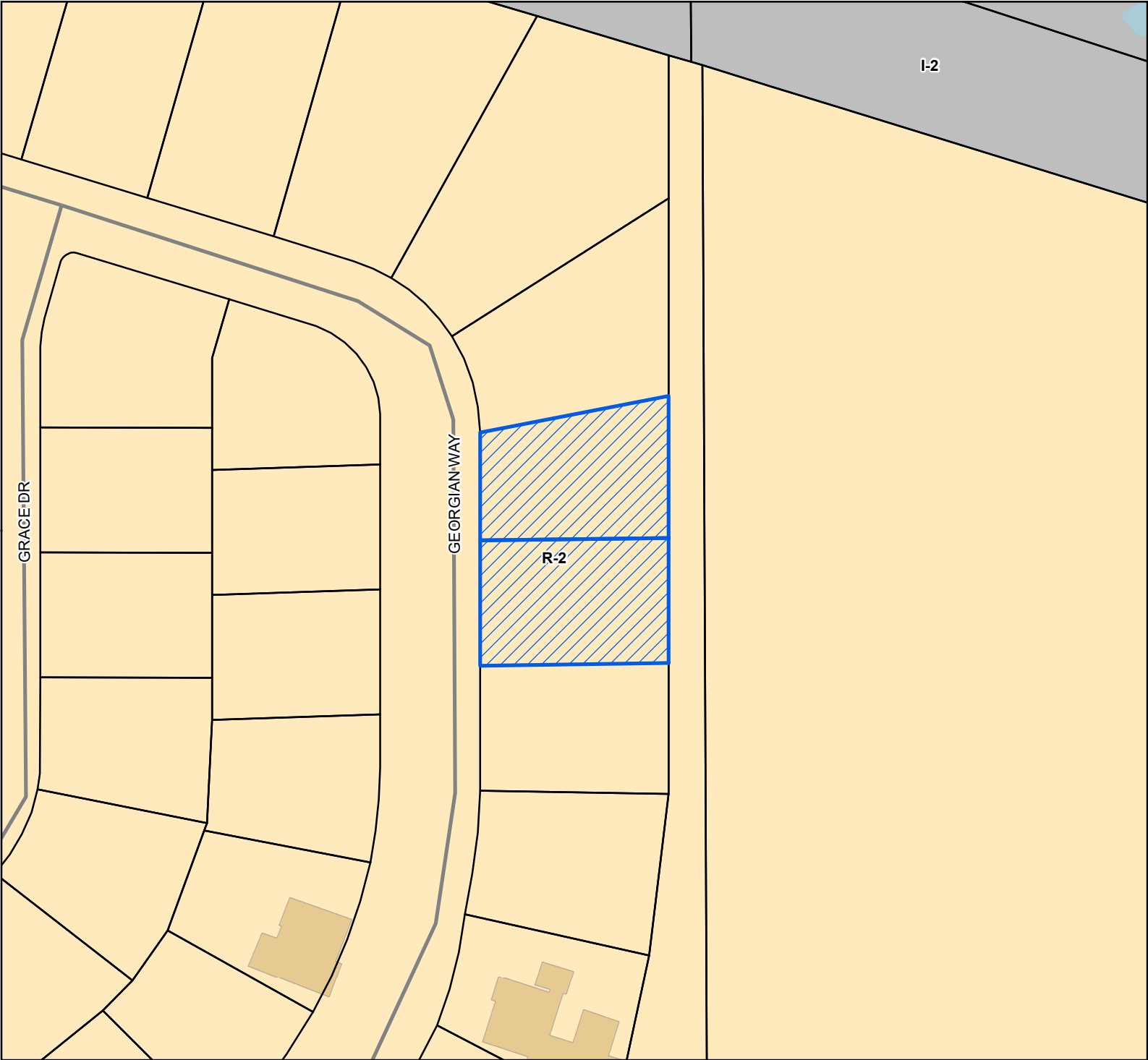
<u>Engineering:</u>	No AC units, generators, or similar mechanical units servicing the home can be placed in the 15' rear yard drainage and utility easement. Memo dated 02/07/2025.
<u>Public Works:</u>	No conditions. Memo dated 2/7/2025.
<u>Traffic and Safety:</u>	No conditions. Memo dated 2/7/2025.
<u>Building Code Services:</u>	Must meet comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 01/31/2025.
<u>GIS:</u>	No conditions. Memo dated 2/7/2025.
<u>Police Department:</u>	No comment as of 02/7/2025.
<u>Fire Department:</u>	No conditions. Memo dated 01/28/2025.
<u>City Arborist:</u>	No conditions. Memo dated 01/24/2025.
<u>Landscape Manager:</u>	No conditions. Memo dated 01/29/2025.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



Site

Street

Parcels

Buildings

Water Features

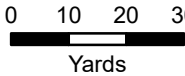
City Limit

Zoning

I-2 - Heavy Industry District

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

Site Information
1009N-01-002.061
1009N-01-002.062
Zoning: R-2 (Single Family)
Size: 24496.62 sqft
Flood: X



1 inch = 100 feet



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



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

SS
CASE NUMBER
250QZB018

1-6-25
R# 13100887

ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

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

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

TAX PARCEL NUMBERS

1	0	0	9	4	-	0	1	-	0	0	2	.	0	6	1
					-			-				.			
					-			-				.			

1	0	0	9	4	-	0	1	-	0	0	2	.	0	6	2
					-			-				.			
					-			-				.			

Property Address:

11048 Georgian Way
Lot(s) 61 & 62 Block(s) _____ Subdivision Brookestone

General Description of Request: front setback variance 21.5

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:Ramy Ramazani

Printed Name of Owner

11048 Georgian Way

Mailing Address

Gulfport MS 39503

City

State

Zip Code

Home Phone

Work/Cell Phone

228-239-0323

Email

R. Ramazani 70 @ yahoo.com

Signature of Owner

**AGENT:**Morgan Speranzo Hodce

Printed Name of Agent

14244 Longwood Circle

Mailing Address

Diberville MS 39540

City

State

Zip Code

850-255-5173

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)

Regina Ramazan

Address (Street, City, State, Zip Code)

11048 Georgian Way

Phone (Home)

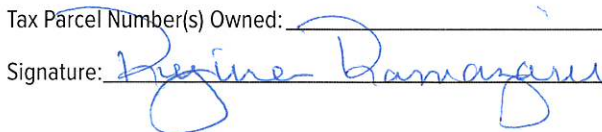
(Work)

(Cell)

228-547-8259

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, Ramazan Ramazan, being owner of the property 11048 Georgian Way
which is the subject of this application hereby authorize Morgan Hoda to act as my
representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning
Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

[Signature]
Signature

1/15/25
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 15th day of January, 20 25

Samuel Sweeting
Notary Public

05/22/2027
Commission Expiration





COVENANT AFFIDAVIT

I, Morgan Soprano-Hale being property owner or agent of the property 11048 Georgian
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

1/6/25
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 6th day of January, 20 25

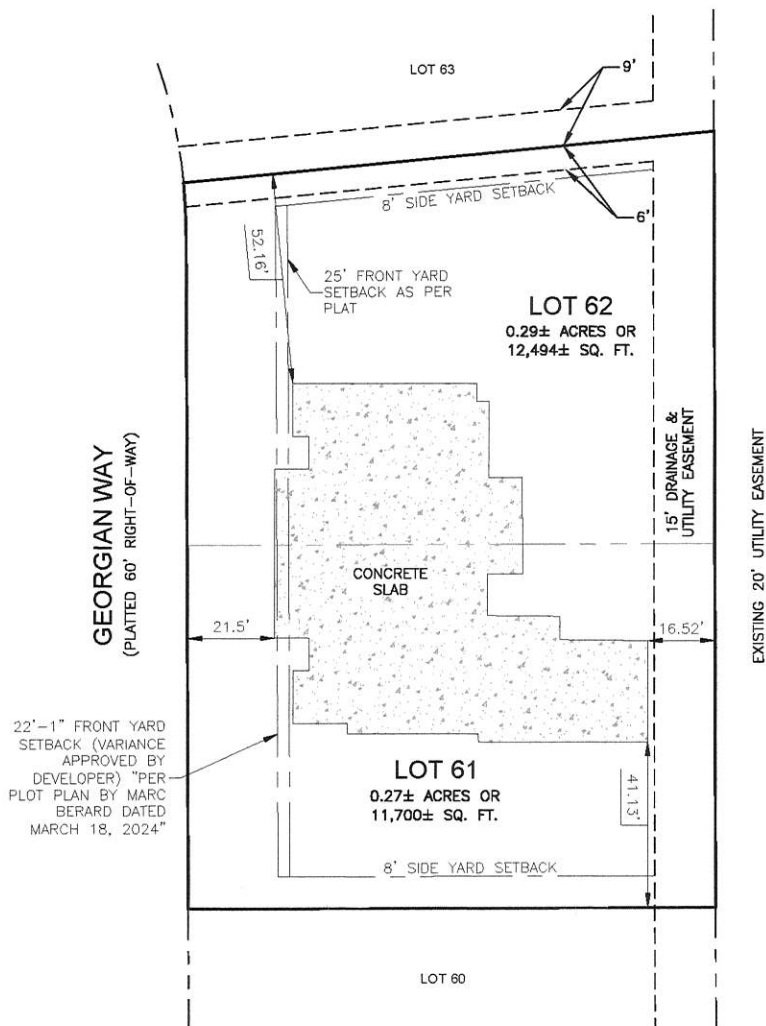
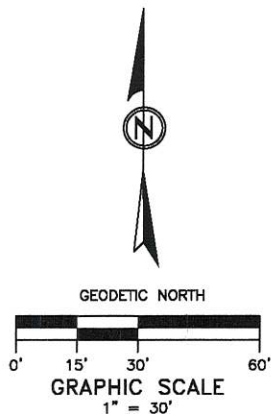
[Signature]
NOTARY PUBLIC

05/22/2027
COMMISSION EXPIRATION



We had been approved for a front setback variance of 22.1
& the Building is in need of a variance of 21.5

1. The Plans are special to the Homeowner & would create great cost to change
2. The Building was placed by the surveyor & built off of the corners
3. The Handling Expense to change would be a great cost
4. Multiple Properties have been granted front setback variances
5. This will be inline with other properties in Brookstone
6. Yet the Building Dept is aware



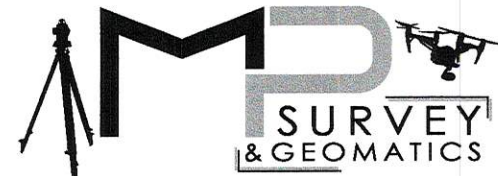
FLOOD ZONE INFORMATION

THIS PROPERTY IS LOCATED IN ZONE "X500", AS PUBLISHED BY THE FEDERAL INSURANCE ADMINISTRATION, OFFICIAL FLOOD HAZARD MAP, PANEL NUMBER 28047C0267G, REVISED 06/16/2009.

REFERENCE MATERIAL

HARRISON COUNTY GIS WEBSITE
PLAT OF BROOKESTONE SUBDIVISION

THIS IS A FOUNDATION AS-BUILT CERTIFIED TO THE FIRST BANK.



MP DESIGN GROUP

918 Howard Ave Suite F Biloxi MS 39530 | 228.388.1950 | www.mpdesigngroup.us

**FOUNDATION AS-BUILT
LOTS 61 & 62
BROOKESTONE SUBDIVISION
CITY OF GULFPORT,
HARRISON COUNTY,
MISSISSIPPI**

SCALE	SHOWN
PROJECT NO.	0077.23.080
DATE	11/11/2024
DRAWN BY	JBR
CHECKED BY	GCT
SHEET NO.	
FA	
SHEET	1 OF 1





DEPARTMENT OF
URBAN DEVELOPMENT
PLANNING DIVISION

May 17, 2024

Brookstone Gulf Coast, LLC (Owner)
111 Lundgreen Ln
Gulfport, MS 39503

P.O. Box 1780
Gulfport, MS 39502
Phone: 228-868-5710
Fax: 228-868-5708

Wm. H. Hardy Building
1410 24th Avenue
Gulfport, MS 39501

RE: Variance 2405ZB064, by agent Morgan Speranzo Hado, seeking approval for a 22-foot and one-inch front yard setback where 25 feet is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, Georgian Way, Zoned R-2 (Single-family), Ward 5

To Whom It May Concern:

At their public hearing on **Thursday, May 16, 2024**, the Gulfport Zoning Board of Adjustment and Appeals **approved** your variance request with the following conditions:

1. Approval grants variances of 22-foot and one-inch front yard setback where 25 feet is required.
2. Must meet all current building Codes and City of Gulfport Ordinances.
3. The generator and AC unit serving the home cannot be placed in the drainage and utility servitude/easement in the rear of the parcel.
4. Generator & AC unit cannot be placed in the drainage & utility easement. Memo dated 5/2/2024.

All variances, unless otherwise specified by the Board of Adjustment and Appeals, shall be void if the project has not commenced within one year of approval. Commencement shall include securing and maintaining a building permit, certificate of occupancy, or privilege license for the use in the application and shall generally conform to the site plan as approved. The applicant should keep a copy of this letter with their property records for future reference.

Any person may appeal this decision to the Gulfport City Council within fifteen (15) calendar days of the public hearing. 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 why you are aggrieved.

If you have any questions or comments, please contact this office.

Sincerely,
City of Gulfport Planning Division

c. Agent, Building Code Services, Adjacent Property Owners



1st JUDICIAL DISTRICT
Instrument 2023-0013499-D-J1
Filed/Recorded 09/14/2023 2:59:01 PM
Total Fees 26.00
2 Pages Recorded

Prepared By & Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
Our File: 231408

Index As:

STATE OF MISSISSIPPI

COUNTY OF HARRISON

WARRANTY DEED

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

BROOKESTONE GULF COAST, LLC
a Mississippi limited liability company
111 LUNDGREN LANE
BILOXI, MS 39532
228-669-9102

does hereby sell, convey and warrant unto

RAMAZAN RAMAZANI and wife REGINA RAMAZANI
as tenants by the entirety with full rights
of survivorship and not as tenants in common
4907 HOGBACK RIDGE ROAD
MORRISON, CO 80465
228-239-0323

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

Lot Sixty One (61) BROOKESTONE SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 60, at Page 19, thereof, reference to which is hereby made in aid of and as a part of this description.

and also:

Lot Sixty Two (62) BROOKESTONE SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 60, at Page 19, thereof, reference to which is hereby

made in aid of and as a part of this description.

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

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

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

IN WITNESS WHEREOF, BROOKESTONE GULF COAST, LLC, a Mississippi limited liability company has caused this conveyance to be executed by its duly authorized officer, he having first been duly authorized to do so, on this the 13th day of September, 2023.

BROOKESTONE GULF COAST, LLC
A Mississippi limited liability company

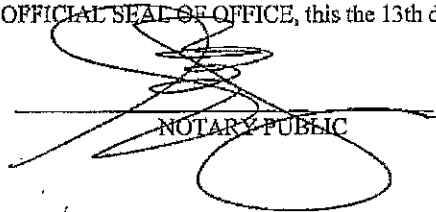

By: ROBERT JOSEPH KNESAL, MANAGER

STATE OF MISSISSIPPI

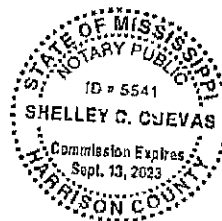
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, ROBERT JOSEPH KNESAL, who acknowledge that he is MANAGER of BROOKESTONE GULF COAST, LLC, a Mississippi limited liability company and as its act and deed, he signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned, for and on behalf of said entity, he having been first duly authorized to do so.

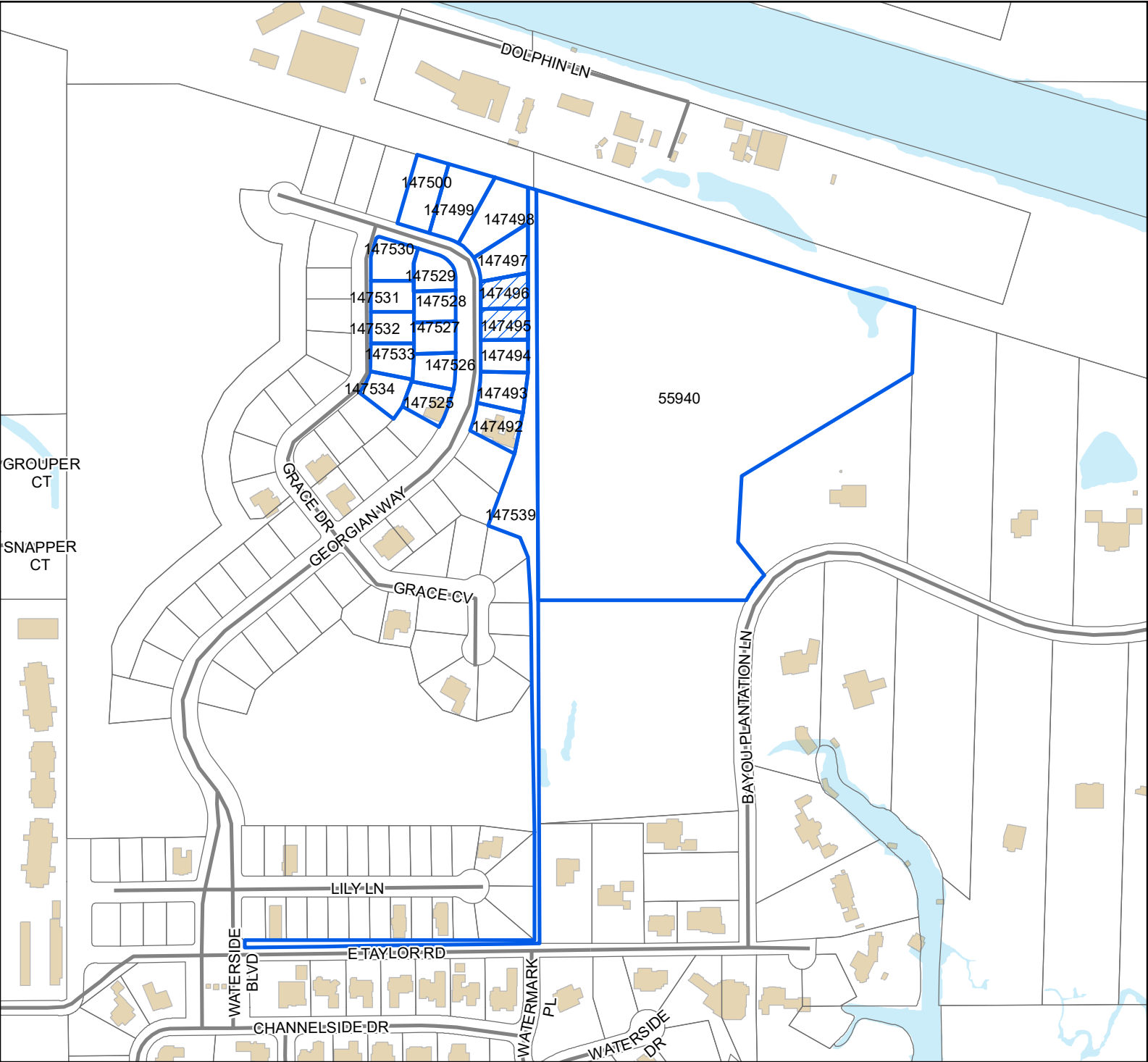
GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 13th day of September, 2023.


NOTARY PUBLIC

My Commission Expires:

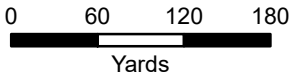


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1009N-01-002.061	RAMAZAN & REGINA RAMAZANI (OWNER)	11048 GEORGIAN WAY	GULFPORT	MS	39503
			MORGAN SPERANZO HADO (AGENT)	14244 LONGWOOD CIRCLE	D'IBERVILLE	MS	39540
			Adjacent Property Owners (2502ZB018)				
	55940	1009O-02-002.000	NATURES PATH LLC	525 NORTH MAIN ST	HATTIESBURG	MS	39401
	147494	1009N-01-002.060	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147500	1009N-01-002.066	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147499	1009N-01-002.065	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147498	1009N-01-002.064	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147497	1009N-01-002.063	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147496	1009N-01-002.062	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147495	1009N-01-002.061	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147493	1009N-01-002.059	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147492	1009N-01-002.058	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147530	1009N-01-002.096	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147531	1009N-01-002.097	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
	147529	1009N-01-002.095	BROWN SIDNEY J SR & RHEANNE	12353 WHITE OAK DR	GULFPORT	MS	39503
N	147528	1009N-01-002.094	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147532	1009N-01-002.098	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147527	1009N-01-002.093	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147526	1009N-01-002.092	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147533	1009N-01-002.099	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
N	147534	1009N-01-002.100	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503
	147525	1009N-01-002.091	RASKETT GARRETT FRANCIS & SARAH	805 DUDLEY ST	GULFPORT	MS	39507
N	147539	1009N-01-002.105	BROOKSTONE GULF COAST LLC	111 LUNDGREEN LN	GULFPORT	MS	39503



Legend

- Site
- Street
- Buildings
- Water Features



1 inch = 400 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	631240	Print Legal Ad-IPL02143670 - IPL0214367	ZB notice	\$107.48	2	63 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, February 20, 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 2412ZB197, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for building height of 59 feet where 45 feet is the height limit, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB198, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for 146 regular parking spaces where 208 spaces are required, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB199, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for one additional wall sign where two wall signs are allowed, Tax Parcel 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2502ZB011, by agent Richard J. Drive, Zoned, seeking approval for an eight-foot-tall fence where six feet is the height limit, Tax Parcel 1010C-01-001-002, 10988 Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2502ZB013, by owners Timothy Daigle Jr. and Jenee Daigle, seeking approval for a six-foot-tall fence where the height limit is 4 feet, Tax Parcels 0807E-01-001.001, 0807E-01-001.000, 15361 S Swan Road, Zoned R-1-15 (Single-Family), I-2 (Heavy Industry), Ward 7

Variance 2502ZB018, by agent Morgan Speranzo Hoda, seeking approval for a front yard setback of 21.5 feet where 25 is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, 11048 Georgian Way, Zoned R-2, Ward 5

Variance 2502ZB019, by owners Timothy Levens and Theresa Levens, seeking approval to exceed the allowable square footage for accessory structure by 544 square feet for property over an acre, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB020, by owners Timothy Levens and Theresa Levens, seeking approval for a third accessory structure where two are allowed, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB021, by owner FHC, INC, seeking approval for lot sizes smaller than an acre for a proposed 7 lot subdivision, Tax Parcels 1007O-01-028.000, 1007O-01-028.008, 1007O-01-028.012, 1007O-01-028.014, 10550 O'Neil Road, Zoned R-E (Residence-Estate), Ward 6

Variance 2502ZB024, by agent David John Hunter, seeking approval for an 8 foot setback where 25 feet is required for a secondary frontage, Tax Parcel 0911F-01-035.000, 500 East Beach Blvd, Zoned R-1-7.5 (Single-Family), Ward 2

This the 29th day of January 2025
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0214367
Jan 29 2025

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Beaufort County, South Carolina 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:
01/29/25

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

Mary Castro

Sworn to and subscribed before me this 5th day of February in the year of 2025

Amy Robbins

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.



AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

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 # 2025-410

Hearing Date: Thursday, February 20, 2025

Variance 2502ZB019; Variance 2502ZB019, by owners Timothy Levens and Theresa Levens, seeking approval to exceed the allowable square footage for accessory structure by 544 square feet for property over an acre, Tax Parcel 09070-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2502ZB019

Hearing Date: February 20, 2025

Current Zoning/Use: R-1-15/ Single-Family Home

Legal: Variance 2502ZB019, by owners Timothy Levens and Theresa Levens, seeking approval to exceed the allowable square footage for accessory structure by 544 square feet for property over an acre, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance to allow 2,764 square feet where 2,000 square feet is allowed. This exceeds the 2,000 square feet maximum allowed on property greater than or equal to 1 acre by 764 square feet. The total square footage of all the accessory structures is 2,764 square feet which exceeds the 2,000 square feet maximum allowed on property greater than or equal to an acre. The applicant meets the setback requirements for the accessory structure on the property along with all other city codes and regulations.

- (a) The applicant does not sufficiently answer this question. The hardship is caused by exceeding the 2,000 square feet allowed on the property that is 1 acre or more. There are no special conditions applicable that cause the need for this accessory structure.
- (b) The applicant states that they want to keep the property appealing and not have clutter. The need for this variance is caused by the applicant and does not constitute hardship, as the applicant exceeds the 2,000 square footage requirements for property over 1 acre or more. This is not a hardship as the applicant is causing the hardship.
- (c) There is no hardship because of the physical character of the property as the applicant is exceeding the 2,000 square footage requirement of the property that is over 1 acre. The ordinance was recently changed to accommodate larger properties to have 2 accessory structures up to 2,000 square feet. The ordinance was changed to accommodate larger properties, and further change to the ordinance could be considered extreme.
- (d) The applicant does not sufficiently answer this question. The current ordinance does not deprive the applicant of the rights commonly enjoyed by properties in the surrounding area. Approval of the request would be in harmony with the surrounding area.
- (e) The applicant feels that the granting of this variance would not grant them special rights. Upon staff review of the site, there are properties in the area that have over the limit of allowed accessory structures that were either pulled without permits or more likely are pre-existing non-conforming. Approval of the request would be in harmony with the surrounding area.
- (f) This property is zoned R-1-15, and two accessory structures are allowed by right.

EXECUTIVE SUMMARY

The applicant wants the property to be in harmony with the surrounding properties and is seeking a variance to allow 2,764 square feet where 2,000 square feet is allowed. This exceeds the 2000 square feet maximum allowed on property greater than or equal to 1 acre by 764 square feet. While having two accessory structures are allowed by right, this property does meet the required size to allow for those structures to exceed 2000 square feet. Staff visit to the site noted that there are properties in the area that have over the limit of allowed accessory structures that were either done without permit or more likely are pre-existing non-conforming and is clear to staff that there is no hardship endured by the applicant that would be alleviated by the granting of this variance. The reason for this request is caused by the applicant's actions. If this variance is approved, the property would be in harmony with the surrounding properties.

Any approval should consider these conditions:

1. Must comply with all zoning rules and regulations.
2. Approval would allow for an additional accessory structure of 764 square feet that exceeds the 2000 square feet maximum of property greater than or equal to 1 acre.

Technical Report

VARIANCE

3. Must comply with all current Building Codes and City of Gulfport Ordinances.

DEPARTMENTAL CONDITIONS

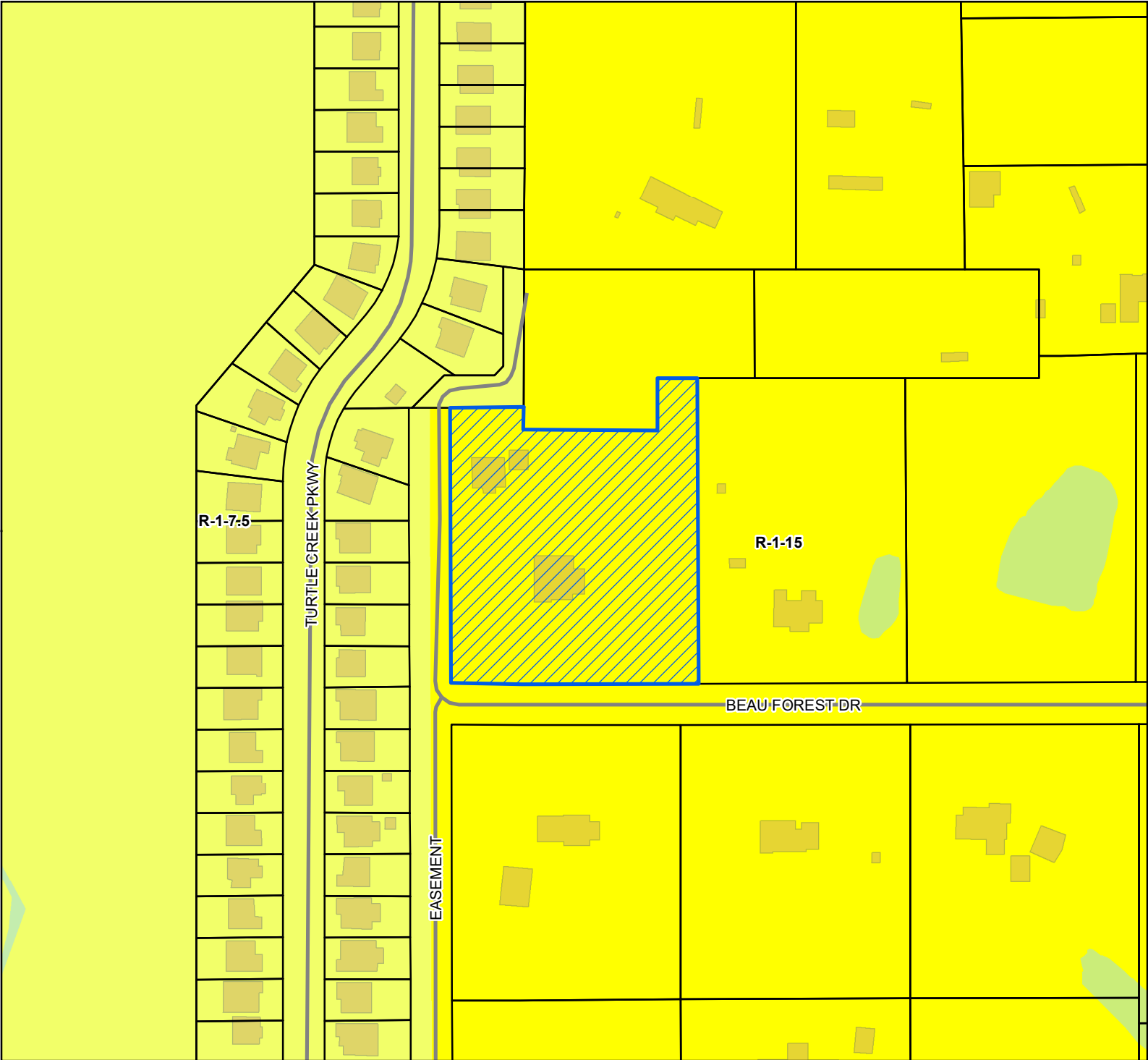
<u>Engineering:</u>	No conditions. Memo dated 02/07/2025.
<u>Public Works:</u>	No conditions. Memo dated 02/07/2025.
<u>Traffic and Safety:</u>	No conditions. Memo dated 02/10/2025.
<u>Building Code Services:</u>	Must comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 01/31/2025.
<u>GIS:</u>	No conditions. Memo dated 02/07/2025.
<u>Landscape Manager:</u>	No conditions. Memo dated 01/29/2025.
<u>Police Department:</u>	No comment as of 02/07/2025.
<u>Fire Department:</u>	No conditions. Memo dated 01/28/2025.
<u>City Arborist:</u>	No conditions. Memo dated 01/27/2025.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



Site

Street

Parcels

Buildings

Water Features

City Limit

Zoning

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

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

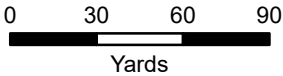
Site Information

09070-01-023.015

Zoning: R-1-15 (Single Family)

Size: 3.4 acres

Flood: X



1 inch = 200 feet



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



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

SS
CASE NUMBER
2502 ZB 019

1-6-25
R#13103551

ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

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

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

TAX PARCEL NUMBERS

0	9	0	7	0	-	0	1	-	0	2	3	.	0	1	5														
					-			-				.																	
					-			-				.																	

Property Address:

12596 BEAU FOREST DR.
Lot(s) 1 Block(s) _____ Subdivision BEAU FOREST SUBD.

General Description of Request: ADDING PAVILION 18'x18' AND 12'x10'

ENCLOSURE UNDER PAVILION FOR EQUIP. (POOL), STORAGE AND
CHANGE ROOM, LOCATED AT THE NORTH END OF POOL THAT HAS JUST BEEN INSTALLED
SUBMITTING THIS VARIANCE OVER 50FT ALOD BY ORDINANCE

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:

TIMOTHY W. LEVENS
 Printed Name of Owner
12596 BEAU FOREST DR.
 Mailing Address
GULFPORT MS 39503
 City State Zip Code
228 363 2300
 Home Phone Work/Cell Phone
TIMOTHYLEVENS@GMAIL.COM
 Email
[Signature]
 Signature of Owner

AGENT:

 Printed Name of Agent

 Mailing Address

 City State Zip Code

 Home Phone Work/Cell Phone

 Email

 Signature of Agent

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

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

Name of Owner (PRINT) THERESA REA LEVENS
 Address (Street, City, State, Zip Code) 12596 BEAU FOREST DR, GULFPORT, MS 39503
 Phone (Home) _____ (Work) _____ (Cell) 228-797-0022
 Tax Parcel Number(s) Owned: 09070-01-023, 015
 Signature: [Signature]

Name of Owner (PRINT) TIMOTHY WYANNE LEVENS
 Address (Street, City, State, Zip Code) 12596 BEAU FOREST DR, GULFPORT, MS 39503
 Phone (Home) _____ (Work) _____ (Cell) 228-363-2300
 Tax Parcel Number(s) Owned: 09070-01-023, 015
 Signature: [Signature]

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



COVENANT AFFIDAVIT

I, TIMOTHY W. LEVENS being property owner or agent of the property 12596 BENT FOREST DR GULFPORT, MS
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

[Signature]
SIGNATURE

01/03/2025
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 6th day of January, 2029

[Signature]
NOTARY PUBLIC

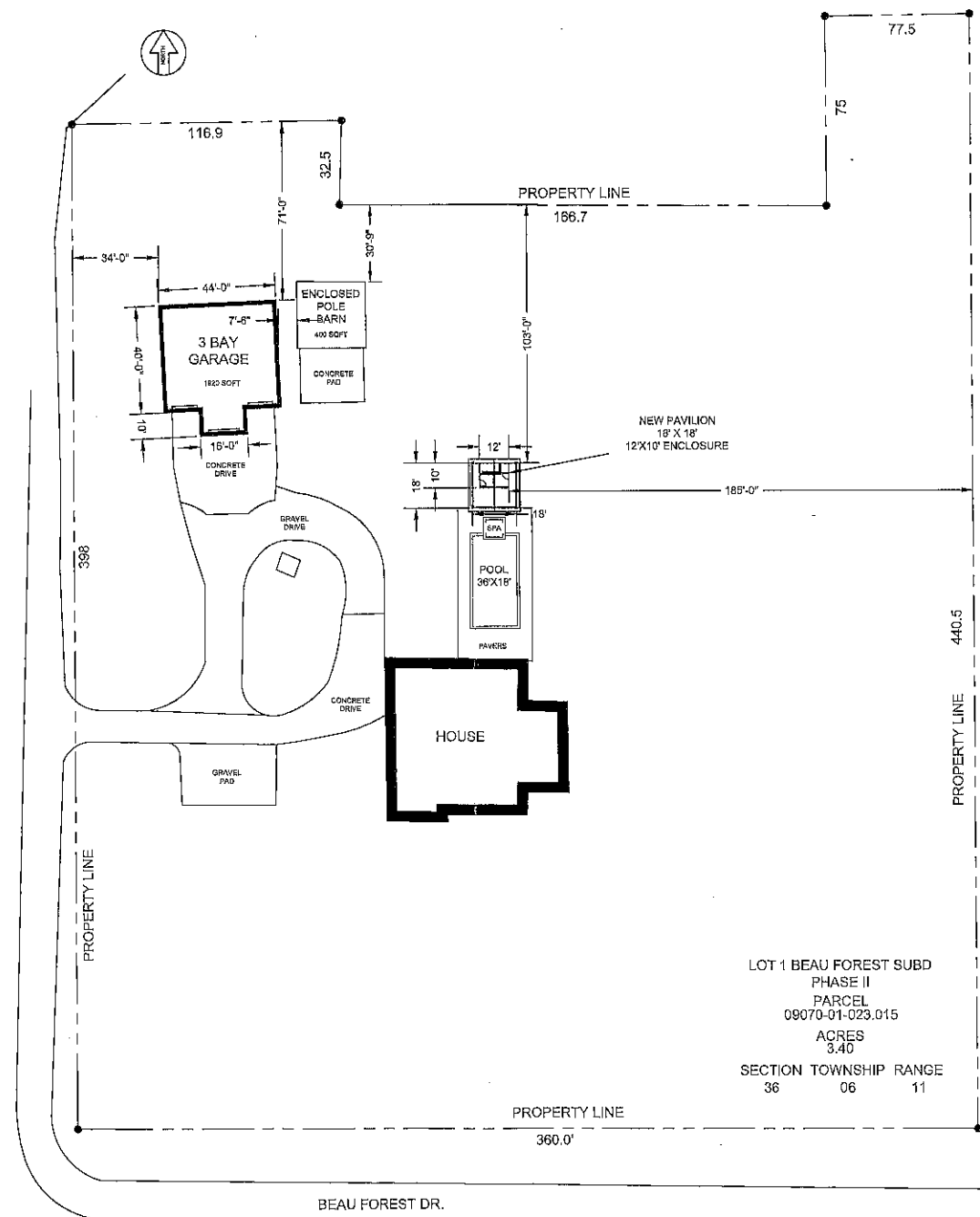
05/22/2027
COMMISSION EXPIRATION



Variance Submissions
(EXCEEDED TOTAL SQFT OF ADDED STRUCTURES)

ATTACHMENT

1. Due to the location of the newly built inground pool 38' x 18' w/ spa 7' x 7', located north of the existing House (pool permit no. 202402254). Location of the equipment supporting the pool is located north of the pool/spa, we are requesting to add 18' x 18' pavilion 324 sqft under roof which will include enclosure 12'x 10', 120 sqft, the enclosure needed to house equipment, storage and change room. This pavilion is to match the existing house style and other structures on the property. Existing Structures are too far away from the pool area to add the needed pool equipment.
2. To keep the property appealing and not having clutter(lawn equipment, tools, vehicles, etc..) out in the open, existing outbuilding (400 sqft) was renovated and garage (1920 sqft, built 11/30/2016, permit 201602760) was built to protect from elements and theft. These buildings were renovated/built in the style and look of existing structures. By trying to do the same with Pool equipment / maintenance items used for the upkeep of the pool, adding pavilion 18'x 18', 324 sqft, would help keep this idea going.
3. The ordinance has limited our property from adding another structure by exceeding the total 2000 sqft for added structures. By adding the pool/spa, a need was created to protect and conceal pool equipment and aesthetically make it tie in with the house and other structures and giving it a 3d-dimensional look to the area around the pool. Mostly all the properties in and around the area have 2 to 3 structures and we feel like has exceed the max total sqft, and most do not adhere to style and look of their existing structures.
4. Living on a big area of property, added value by adding pool/spa, the requesting structure would complement the added value and look.
5. Most of the properties in the area having pools also have some type of structure to complement the added amenities. Only requesting this variance to add to other structure and landscape around the newly added pool/spa.
6. The use proposed we feel like is a special exception to add style / value and workable structure to support the added pool / spa.



Plan
SCALE: $\frac{1}{32}" = 1'-0"$



J. Levens J1 - GULFPORT DISTRICT
Instrument 2021-0027426-D-J1
Filed/Recorded 09/24/2021 11:58:01 AM
Total Fees 26.00
2 Pages Recorded

Prepared by:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantor:
Theresa Rea Levens
12596 Beau Forest Dr.
Gulfport, MS 39503
(228) 297-0022

Return To:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantees:
Theresa Rea Levens
Timothy W. Levens
12596 Beau Forest Dr.
Gulfport, MS 39503
(228) 297-0022

File #Z210364X

INDEXING INSTRUCTIONS: Lot 1, Beau Forest S/D, Ph II, 1st JD, Harrison County, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

QUITCLAIM DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, I, **Theresa Rea Levens f/k/a Theresa Rea**, do hereby sell, convey and quitclaim unto **Theresa Rea Levens and Timothy W. Levens**, as joint tenants with right of survivorship and not as tenants in common, all of that certain tract, piece or parcel of land situated in Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

Lot 1, Beau Forest Subdivision, Phase II, a subdivision according to a map or plat thereof which is on file of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 34, at Page 19, reference to which is hereby made in aid of and as a part of this description.

This being the same property as that conveyed to Theresa Rea, by Warranty Deed recorded as Instrument No. 2003-3454-DJ1, in the office of the Chancery Clerk of Harrison County, Mississippi.

No title exam was performed and no title examination was requested. The description used on this deed was provided by the Client. No search was made of public records to determine the accuracy of said description and said attorney, in preparing this deed, has relied, at the request of the Client, on the representation of the Grantor that the description provided is proper and accurate.

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

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

The Grantee assumes all property taxes for the prior and current years.

WITNESS MY SIGNATURE, on this the 23rd day of September, 2021.

Theresa Rea Levens
Theresa Rea Levens

ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **Theresa Rea Levens**, who acknowledged before me that she signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 23rd day of September, 2021.

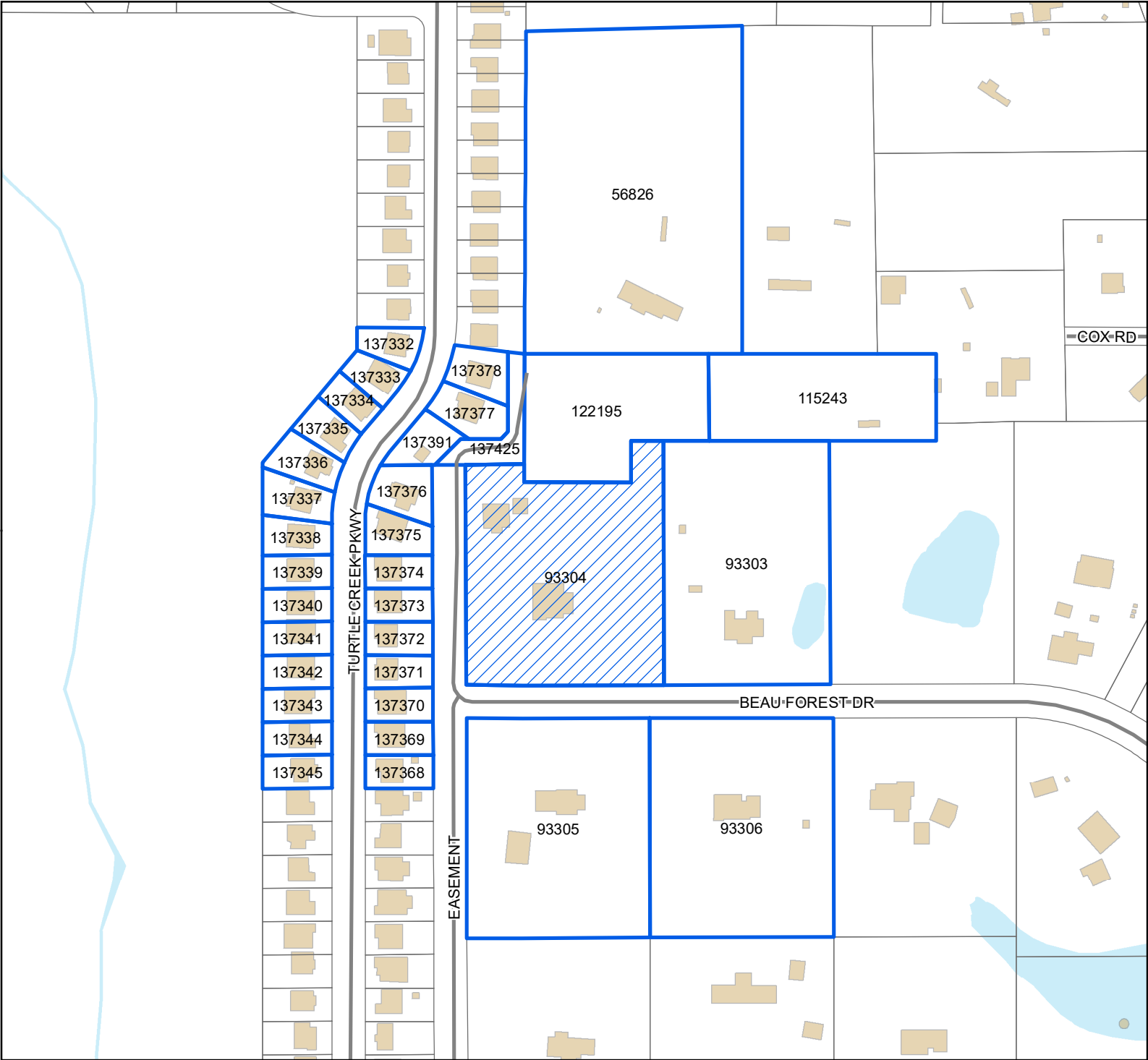
(AFFIX SEAL)

My commission expires



Kristen Chapman
NOTARY PUBLIC

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		09070-01-023.015	TIMOTHY & THERESA LEVENS (OWNERS)	12596 BEAU FOREST DR	GULFPORT	MS	39503
			Adjacent Property Owners (2502ZB019)				
	93305	09070-01-023.016	MADDOX CHARLES R & RHONDA K	12597 BEAU FOREST DR	GULFPORT	MS	39503
	115243	09070-01-007.002	KOVAC DRAGOMIR & CLAIR R	12582 BEAU FOREST DR	GULFPORT	MS	39503
	93306	09070-01-023.017	SANDERS KENNETH D JR & DEBORAH JC	12561 BEAU FOREST DR	GULFPORT	MS	39503
	93303	09070-01-023.014	LEWIS MUNA	12560 BEAU FOREST DR	GULFPORT	MS	39503
N	122195	09070-01-007.003	KOVAC DRAGOMIR & CLAIR R	12582 BEAU FOREST DR	GULFPORT	MS	39503
	137332	0907N-01-001.035	KEARNEY RICHARD JR & KIMMI	15-864 PARADISE ALA KAI DR	KEAAU	HI	96749
	137333	0907N-01-001.036	ROWE JOSHUA & LENE	1580 NORTH & 1200 EAST	LOGAN	UT	84341
	137345	0907N-01-001.048	CHAVIS MAXEY WAYNE	13069 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137369	0907N-01-001.072	PEREZ GREGORIO & MARICRUZ	13074 TURTLE CREEK PARKWAY	GULFPORT	MS	39503
	137344	0907N-01-001.047	BLOOM DENESE A	13075 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137343	0907N-01-001.046	BOYCE LAURIE LEA	13081 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137341	0907N-01-001.044	CRAYCROFT TIMOTHY & MARTHA	13139 HANOVER DR	OCEAN SPRINGS	MS	39564
	137373	0907N-01-001.076	VERDIN NICHOLE & DUSTY	13096 TURTLE CREEK PKWY	GULFPORT	MS	39503
N	137340	0907N-01-001.043	CRAYCROFT TIMOTHY & MARTHA	13139 HANOVER DR	OCEAN SPRINGS	MS	39564
	137376	0907N-01-001.079	ZACHARY WANDA L	P O BOX 3706	GULFPORT	MS	39505
	137391	0907N-01-001.094	TURTLE CREEK HOME OWNERS ASSOC	181 MAIN STREET	BILOXI	MS	39532
	137335	0907N-01-001.038	DAVILMAN GENEVIEVE R	13127 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137338	0907N-01-001.041	HALL BRADLEY MICHAEL	13109 TURTLE CREEK PKWY	GULFPORT	MS	39503
N	137425	0907N-01-001.095	GULFPORT CITY OF				0
	137368	0907N-01-001.071	MARCELL CHRISTOPHER FRANK & JENA C	13068 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137370	0907N-01-001.073	ATCHISON LAUREN NICOLE	13080 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137371	0907N-01-001.074	FEKETE JOSEPH M & RACHEL K BLISS	13086 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137342	0907N-01-001.045	BULLOCK JOHNNY	13087 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137372	0907N-01-001.075	KEARNEY RICHARD F JR & KIMMI S	15-864 PARADISE ALA KAI DR	KEAAU	HI	96749
	137339	0907N-01-001.042	COOPER ADAM HEWES	13103 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137375	0907N-01-001.078	CAMPBELL CAROL A	13110 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137334	0907N-01-001.037	THAYN DERRICK & KARA	13133 TURTLE CREEK PKWY	GULFPORT	MS	39503
	56826	09070-01-007.000	KOVAC CLAIRE R & DRAGOMIR	12582 BEAU FOREST DR	GULFPORT	MS	39503
	137374	0907N-01-001.077	LEE CANDICE FAY	13102 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137377	0907N-01-001.080	HOLLON KIMBERLY ANNETTE	13138 TURTLE CREEK PARKWAY	GULFPORT	MS	39503
	137337	0907N-01-001.040	DEVEREAUX ARCHIE C JR & KAREN D	13115 TURTLE CREEK PARKWAY	GULFPORT	MS	39503
	137336	0907N-01-001.039	SAMPSON KEENEN D & DAMARIS M	13121 TURTLE CREEK PARKWAY	GULFPORT	MS	39503
N	137378	0907N-01-001.081	CRAYCROFT TIMOTHY & MARTHA	13139 HANOVER DR	OCEAN SPRINGS	MS	39564



Legend

- Site
- Street
- Buildings
- Water Features

0 40 80 120
Yards

1 inch = 250 feet

N
W E
S

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	631240	Print Legal Ad-IPL02143670 - IPL0214367	ZB notice	\$107.48	2	63 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, February 20, 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 2412ZB197, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for building height of 59 feet where 45 feet is the height limit, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB198, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for 146 regular parking spaces where 208 spaces are required, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB199, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for one additional wall sign where two wall signs are allowed, Tax Parcel 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2502ZB011, by agent Richard J. Drive, Zoned, seeking approval for an eight-foot-tall fence where six feet is the height limit, Tax Parcel 1010C-01-001-002, 10988 Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2502ZB013, by owners Timothy Daigle Jr. and Jenee Daigle, seeking approval for a six-foot-tall fence where the height limit is 4 feet, Tax Parcels 0807E-01-001.001, 0807E-01-001.000, 15361 S Swan Road, Zoned R-1-15 (Single-Family), I-2 (Heavy Industry), Ward 7

Variance 2502ZB018, by agent Morgan Speranzo Hoda, seeking approval for a front yard setback of 21.5 feet where 25 is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, 11048 Georgian Way, Zoned R-2, Ward 5

Variance 2502ZB019, by owners Timothy Levens and Theresa Levens, seeking approval to exceed the allowable square footage for accessory structure by 544 square feet for property over an acre, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB020, by owners Timothy Levens and Theresa Levens, seeking approval for a third accessory structure where two are allowed, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB021, by owner FHC, INC, seeking approval for lot sizes smaller than an acre for a proposed 7 lot subdivision, Tax Parcels 1007O-01-028.000, 1007O-01-028.008, 1007O-01-028.012, 1007O-01-028.014, 10550 O'Neil Road, Zoned R-E (Residence-Estate), Ward 6

Variance 2502ZB024, by agent David John Hunter, seeking approval for an 8 foot setback where 25 feet is required for a secondary frontage, Tax Parcel 0911F-01-035.000, 500 East Beach Blvd, Zoned R-1-7.5 (Single-Family), Ward 2

This the 29th day of January 2025
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0214367
Jan 29 2025

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Beaufort County, South Carolina 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:
01/29/25

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

Mary Castro

Sworn to and subscribed before me this 5th day of February in the year of 2025

Amy Robbins

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.



AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

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 # 2025-411

Hearing Date: Thursday, February 20, 2025

Variance 2502ZB020; Variance 2502ZB020, by owners Timothy Levens and Theresa Levens, seeking approval for a third accessory structure where two are allowed, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2502ZB020

Hearing Date: February 20, 2025

Current Zoning/Use: R-1-15 / Single Family Home

Legal: Variance 2502ZB020, by owners Timothy Levens and Theresa Levens, seeking approval for a third accessory structure where two are allowed are allowed, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance in order to exceed the amount of accessory structures allowed. The City of Gulfport accessory structure ordinance allows for two accessory structures on site with a single-family home. Currently, there are two accessory structures on site and the granting of this variance would allow for a third structure. The structures currently on the site are a 1920 square foot garage and a 400 square foot pole barn. The new addition would be a 120 square foot storage structure. The proposed structure does meet the required setbacks for an R-1-15 zone. In the immediate area, there are multiple properties with more than the allowed amount of accessory structures, however, no permits were found for their construction. It should be noted that, upon site visit, the accessory structure in question has been partially constructed without a permit.

- (a) The applicant does not address the question and states that due to the location of the newly built inground pool they would like this accessory structure to store equipment and use as a changing room. This does not constitute a hardship and there are no special conditions applicable that cause the need for this accessory structure.
- (b) The applicant does not answer the question. The need for this variance is caused by the applicant.
- (c) The applicant does not directly answer the question and states that the ordinance has limited their property from adding another structure and claims most properties in the area have 2-3 structures. There is no hardship as a result of the physical character of the property.
- (d) The applicant does not address the question and states that the proposed structure would add value and looks. It should be noted that there are properties in the area with more than the allowed amount of accessory structures.
- (e) The applicant states that most of the properties in the area have pools and some type of structure to complement the added amenities. While it is true that some properties have over the two allowed accessory structures, it is not the majority of properties in the area. The granting of this variance would grant a special privilege that is denied by the ordinance. The granting of this variance would set a precedence for the area.
- (f) This property is zoned R-1-15, and accessory structures are allowed by right.

EXECUTIVE SUMMARY

The applicant requests a variance in order to exceed the amount of accessory structures allowed. The City of Gulfport accessory structure ordinance allows for two accessory structures on site with a single-family home. Currently, there are two accessory structures on site and the granting of this variance would allow for a third structure. The structures currently on the site are a 1920 square foot garage and a 400 square foot pole barn. The new addition would be a 120 square foot storage structure. The proposed structure does meet the required setbacks for an R-1-15 zone. It is clear to staff that there is no hardship endured by the applicant that would be alleviated by the granting of this variance. The reason for this request is caused by the applicant's actions. However, it should be noted that there are properties in the area that have over the limit of allowed accessory structures that were either done without permit or more likely pre-existing non-conforming. The construction of the accessory structure in question was started prior to this variance request and getting a permit.

Technical Report

VARIANCE

Any approval should consider these conditions:

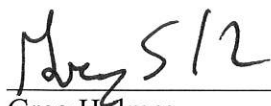
1. Approval would allow for 1 additional accessory structure where two is the limit for a property one acre or more.
2. Must comply with all current Building Codes and City of Gulfport Ordinances.

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	No conditions. Memo dated 2/7/2025.
<u>Public Works:</u>	No conditions. Memo dated 2/7/2025.
<u>Traffic and Safety:</u>	No conditions. Memo dated 1/28/2025.
<u>Building Code Services:</u>	Must comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 1/32/2025.
<u>GIS:</u>	No conditions. Memo dated 2/7/2025.
<u>Police Department:</u>	No comment as of 2/7/2025.
<u>Fire Department:</u>	No conditions. Memo dated 1/28/2025.
<u>City Arborist:</u>	No conditions. Memo dated 1/27/2025.

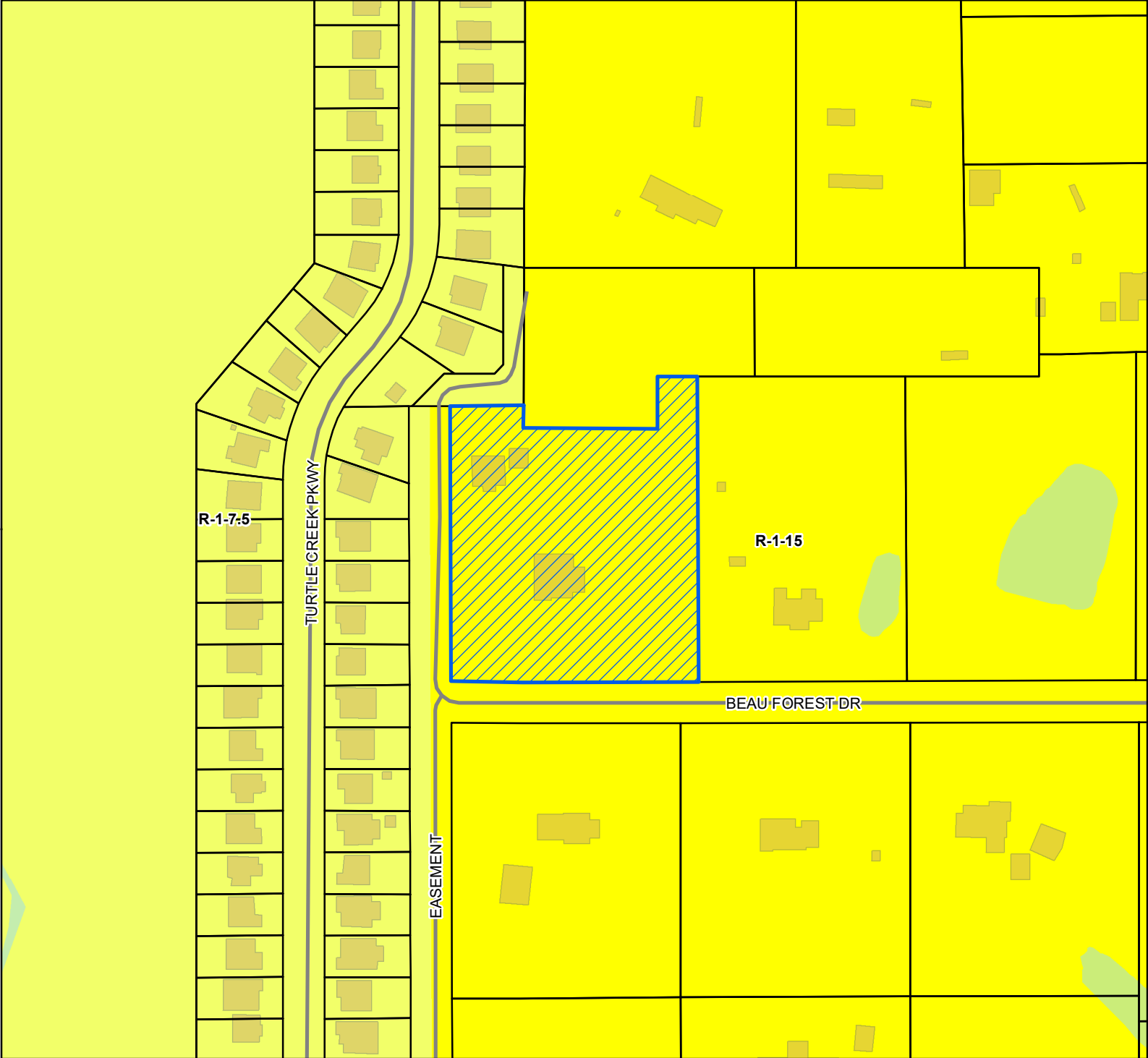
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

Director of Urban Development Department



Site

Street

Parcels

Buildings

Water Features

City Limit

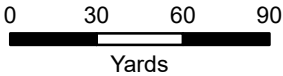
Zoning

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

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

Site Information

09070-01-023.015
Zoning: R-1-15 (Single Family)
Size: 3.4 acres
Flood: X



1 inch = 200 feet



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



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

SS
CASE NUMBER
250276020
1-6-25
R#13103554

ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

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

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

TAX PARCEL NUMBERS

0	9	0	7	0	-	0	1	-	0	2	3	.	0	1	5														
					-			-				.																	
					-			-				.																	

Property Address:

12596 BEAU FOREST DR.

Lot(s) 1 Block(s) _____ Subdivision BEAU FOREST SUBD

General Description of Request: ADDING PAVILION 18'x18' AND 12'x10'
ENCLOSURE UNDER PAVILION FOR EQUIP. (POOL), STORAGE AND
CHANGING AREA. LOCATED AT THE ^{NORTH} END OF POOL THAT'S HAS JUST BEEN INSTALLED
SUBMITTING THIS VARIANCE BECAUSE EXCEEDED NUMBER STRUCTURES

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:

TIMOTHY W. LEVENS
 Printed Name of Owner
12596 BEAU FOREST DR
 Mailing Address
GULFPORT, MS 39503
 City State Zip Code
228-363-2300
 Home Phone Work/Cell Phone
TIMOTHYLEVENS@GMAIL.COM
 Email
[Signature]
 Signature of Owner

AGENT:

 Printed Name of Agent

 Mailing Address

 City State Zip Code

 Home Phone Work/Cell Phone

 Email

 Signature of Agent

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

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

Name of Owner (PRINT) THERESA REA LEVENS
 Address (Street, City, State, Zip Code) 12596 BEAU FOREST DR, GULFPORT, MS 39503
 Phone (Home) _____ (Work) _____ (Cell) 228-297-0022
 Tax Parcel Number(s) Owned: 09070-01-023.015
 Signature: [Signature]

Name of Owner (PRINT) TIMOTHY WAYNE LEVENS
 Address (Street, City, State, Zip Code) 12596 BEAU FOREST DR, GULFPORT, MS 39503
 Phone (Home) _____ (Work) _____ (Cell) 228-363-2300
 Tax Parcel Number(s) Owned: 09070-01-023.015
 Signature: [Signature]

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



COVENANT AFFIDAVIT

I, TIMOTHY M. LEVENS being property owner or agent of the property 09070-01-023.015
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

01/03/2025
DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 8th day of January, 20 25

[Signature]
NOTARY PUBLIC

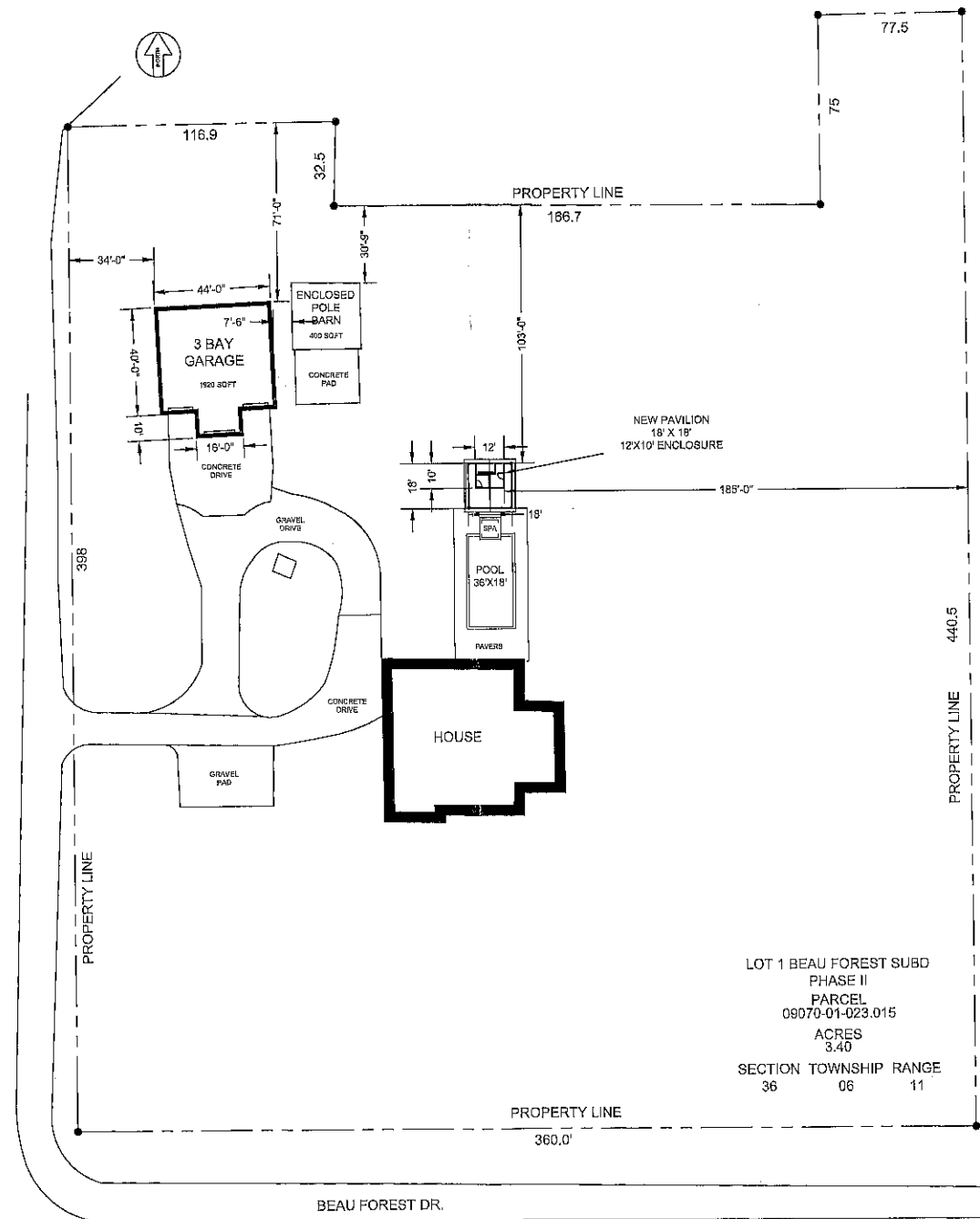
05/22/2027
COMMISSION EXPIRATION



Variance Submissions
(Limitation of number of Structures)

ATTACHMENT

1. Due to the location of the newly built inground pool 38' x 18' w/ spa 7' x 7', located north of the existing House (permit no. 202402254). Location of the equipment supporting the pool is located north of the pool/spa, we are requesting to add 18' x 18' pavilion w/ enclosure 12'x 10' to house equipment, storage and change room. This pavilion is to match the existing house style and other structures on the property. Existing Structures are too far away from the pool area to add the needed pool equipment.
2. To keep the property appealing and not having clutter(lawn equipment, tools, vehicles, etc..) out in the open, existing outbuilding (400 sqft) was renovated and garage (1920 sqft, built 11/30/2016, permit 201602760) was built to protect from elements and theft. These buildings were renovated/built in the style and look of existing structures. By trying to do the same with Pool equipment / maintenance items used for the upkeep of the pool, adding pavilion (18'x 18') with storage (12'x 10') would help keep this idea going.
3. The ordinance has limited our property from adding another structure. By adding the pool/spa, a need was created to protect and conceal pool equipment and aesthetically make it tie in with the house and other structures and giving it a 3d-dimensional look to the area around the pool. Mostly all the properties in and around the area have 2 to 3 structures that are as big as the one we have, but most do not adhere to style and look of their existing structures.
4. Living on a big area of property, added value by adding pool/spa, the requesting structure would complement the added value and look.
5. Most of the properties in the area having pools also have some type of structure to complement the added amenities. Only requesting this variance to add to other structure and landscape around the newly added pool/spa.
6. The use proposed we feel like is a special exception to add style / value and workable structure to support the added pool / spa.



Plan
SCALE: $\frac{1}{8}$ " = 1'-0"



J. Levens J1 - GULFPORT DISTRICT
Instrument 2021-0027426-D-J1
Filed/Recorded 09/24/2021 11:58:01 AM
Total Fees 26.00
2 Pages Recorded

Prepared by:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantor:
Theresa Rea Levens
12596 Beau Forest Dr.
Gulfport, MS 39503
(228) 297-0022

Return To:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantees:
Theresa Rea Levens
Timothy W. Levens
12596 Beau Forest Dr.
Gulfport, MS 39503
(228) 297-0022

File #Z210364X

INDEXING INSTRUCTIONS: Lot 1, Beau Forest S/D, Ph II, 1st JD, Harrison County, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

QUITCLAIM DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, I, **Theresa Rea Levens f/k/a Theresa Rea**, do hereby sell, convey and quitclaim unto **Theresa Rea Levens and Timothy W. Levens**, as joint tenants with right of survivorship and not as tenants in common, all of that certain tract, piece or parcel of land situated in Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

Lot 1, Beau Forest Subdivision, Phase II, a subdivision according to a map or plat thereof which is on file of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 34, at Page 19, reference to which is hereby made in aid of and as a part of this description.

This being the same property as that conveyed to Theresa Rea, by Warranty Deed recorded as Instrument No. 2003-3454-DJ1, in the office of the Chancery Clerk of Harrison County, Mississippi.

No title exam was performed and no title examination was requested. The description used on this deed was provided by the Client. No search was made of public records to determine the accuracy of said description and said attorney, in preparing this deed, has relied, at the request of the Client, on the representation of the Grantor that the description provided is proper and accurate.

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

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

The Grantee assumes all property taxes for the prior and current years.

WITNESS MY SIGNATURE, on this the 23rd day of September, 2021.

Theresa Rea Levens
Theresa Rea Levens

ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **Theresa Rea Levens**, who acknowledged before me that she signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 23rd day of September, 2021.

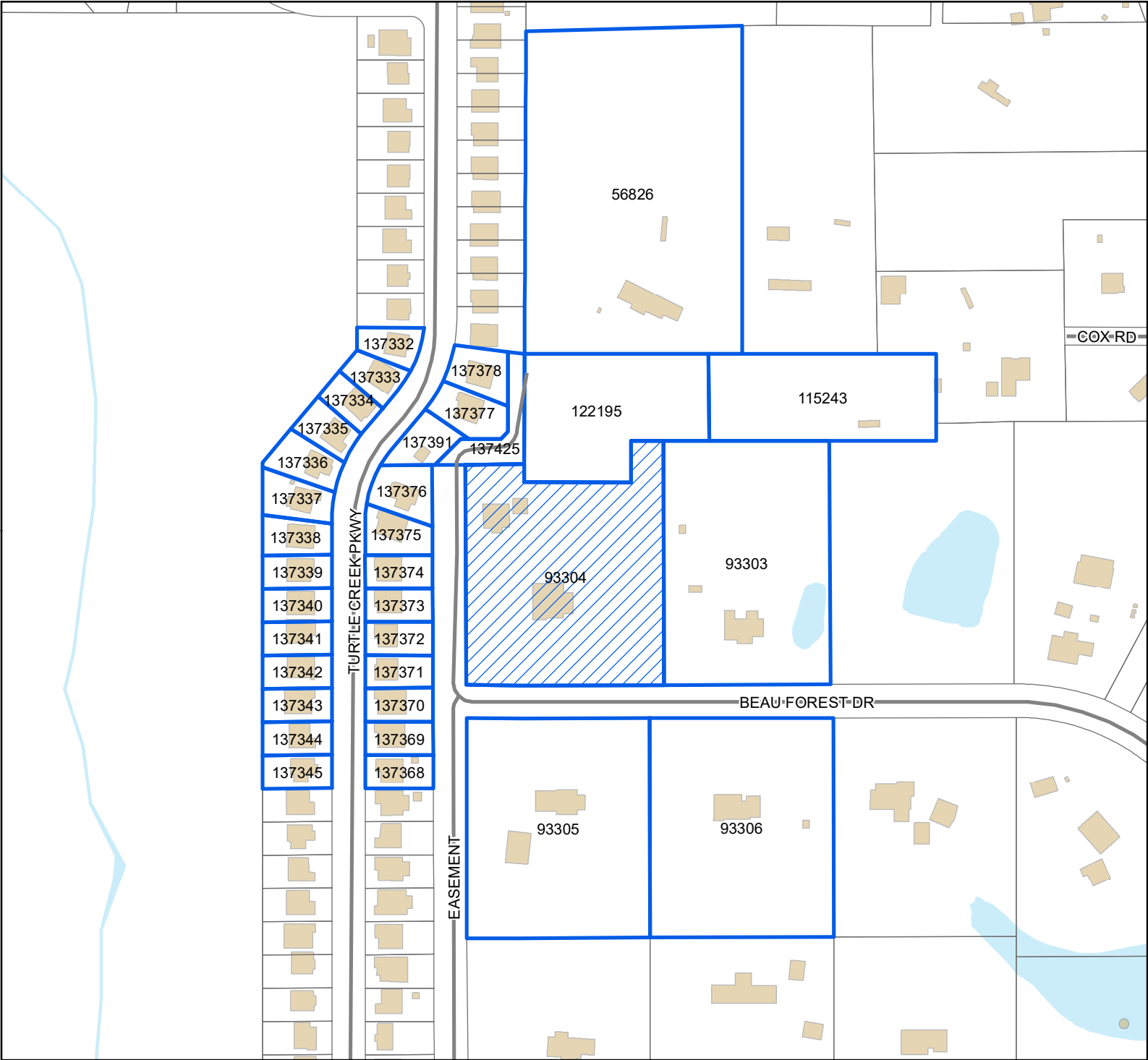
(AFFIX SEAL)

My commission expires



Kristen Chapman
NOTARY PUBLIC

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		09070-01-023.015	TIMOTHY & THERESA LEVENS (OWNERS)	12596 BEAU FOREST DR	GULFPORT	MS	39503
			Adjacent Property Owners (2502ZB020)				
	93305	09070-01-023.016	MADDOX CHARLES R & RHONDA K	12597 BEAU FOREST DR	GULFPORT	MS	39503
	115243	09070-01-007.002	KOVAC DRAGOMIR & CLAIR R	12582 BEAU FOREST DR	GULFPORT	MS	39503
	93306	09070-01-023.017	SANDERS KENNETH D JR & DEBORAH JC	12561 BEAU FOREST DR	GULFPORT	MS	39503
	93303	09070-01-023.014	LEWIS MUNA	12560 BEAU FOREST DR	GULFPORT	MS	39503
N	122195	09070-01-007.003	KOVAC DRAGOMIR & CLAIR R	12582 BEAU FOREST DR	GULFPORT	MS	39503
	137332	0907N-01-001.035	KEARNEY RICHARD JR & KIMMI	15-864 PARADISE ALA KAI DR	KEAAU	HI	96749
	137333	0907N-01-001.036	ROWE JOSHUA & LENEE	1580 NORTH & 1200 EAST	LOGAN	UT	84341
	137345	0907N-01-001.048	CHAVIS MAXEY WAYNE	13069 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137369	0907N-01-001.072	PEREZ GREGORIO & MARICRUZ	13074 TURTLE CREEK PARKWAY	GULFPORT	MS	39503
	137344	0907N-01-001.047	BLOOM DENESE A	13075 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137343	0907N-01-001.046	BOYCE LAURIE LEA	13081 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137341	0907N-01-001.044	CRAYCROFT TIMOTHY & MARTHA	13139 HANOVER DR	OCEAN SPRINGS	MS	39564
	137373	0907N-01-001.076	VERDIN NICHOLE & DUSTY	13096 TURTLE CREEK PKWY	GULFPORT	MS	39503
N	137340	0907N-01-001.043	CRAYCROFT TIMOTHY & MARTHA	13139 HANOVER DR	OCEAN SPRINGS	MS	39564
	137376	0907N-01-001.079	ZACHARY WANDA L	P O BOX 3706	GULFPORT	MS	39505
	137391	0907N-01-001.094	TURTLE CREEK HOME OWNERS ASSOC	181 MAIN STREET	BILOXI	MS	39532
	137335	0907N-01-001.038	DAVILMAN GENEVIEVE R	13127 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137338	0907N-01-001.041	HALL BRADLEY MICHAEL	13109 TURTLE CREEK PKWY	GULFPORT	MS	39503
N	137425	0907N-01-001.095	GULFPORT CITY OF				0
	137368	0907N-01-001.071	MARCELL CHRISTOPHER FRANK & JENA C	13068 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137370	0907N-01-001.073	ATCHISON LAUREN NICOLE	13080 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137371	0907N-01-001.074	FEKETE JOSEPH M & RACHEL K BLISS	13086 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137342	0907N-01-001.045	BULLOCK JOHNNY	13087 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137372	0907N-01-001.075	KEARNEY RICHARD F JR & KIMMI S	15-864 PARADISE ALA KAI DR	KEAAU	HI	96749
	137339	0907N-01-001.042	COOPER ADAM HEWES	13103 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137375	0907N-01-001.078	CAMPBELL CAROL A	13110 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137334	0907N-01-001.037	THAYN DERRICK & KARA	13133 TURTLE CREEK PKWY	GULFPORT	MS	39503
	56826	09070-01-007.000	KOVAC CLAIRE R & DRAGOMIR	12582 BEAU FOREST DR	GULFPORT	MS	39503
	137374	0907N-01-001.077	LEE CANDICE FAY	13102 TURTLE CREEK PKWY	GULFPORT	MS	39503
	137377	0907N-01-001.080	HOLLON KIMBERLY ANNETTE	13138 TURTLE CREEK PARKWAY	GULFPORT	MS	39503
	137337	0907N-01-001.040	DEVEREAUX ARCHIE C JR & KAREN D	13115 TURTLE CREEK PARKWAY	GULFPORT	MS	39503
	137336	0907N-01-001.039	SAMPSON KEENEN D & DAMARIS M	13121 TURTLE CREEK PARKWAY	GULFPORT	MS	39503
N	137378	0907N-01-001.081	CRAYCROFT TIMOTHY & MARTHA	13139 HANOVER DR	OCEAN SPRINGS	MS	39564



Legend

- Site
- Street
- Buildings
- Water Features

0 40 80 120

Yards

1 inch = 250 feet

N

W E

S

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	631240	Print Legal Ad-IPL02143670 - IPL0214367	ZB notice	\$107.48	2	63 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, February 20, 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 2412ZB197, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for building height of 59 feet where 45 feet is the height limit, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB198, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for 146 regular parking spaces where 208 spaces are required, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB199, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for one additional wall sign where two wall signs are allowed, Tax Parcel 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2502ZB011, by agent Richard J. Drive, Zoned, seeking approval for an eight-foot-tall fence where six feet is the height limit, Tax Parcel 1010C-01-001-002, 10988 Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2502ZB013, by owners Timothy Daigle Jr. and Jenée Daigle, seeking approval for a six-foot-tall fence where the height limit is 4 feet, Tax Parcels 0807E-01-001.001, 0807E-01-001.000, 15361 S Swan Road, Zoned R-1-15 (Single-Family), I-2 (Heavy Industry), Ward 7

Variance 2502ZB018, by agent Morgan Speranzo Hoda, seeking approval for a front yard setback of 21.5 feet where 25 is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, 11048 Georgian Way, Zoned R-2, Ward 5

Variance 2502ZB019, by owners Timothy Levens and Theresa Levens, seeking approval to exceed the allowable square footage for accessory structure by 544 square feet for property over an acre, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB020, by owners Timothy Levens and Theresa Levens, seeking approval for a third accessory structure where two are allowed, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB021, by owner FHC, INC, seeking approval for lot sizes smaller than an acre for a proposed 7 lot subdivision, Tax Parcels 1007O-01-028.000, 1007O-01-028.008, 1007O-01-028.012, 1007O-01-028.014, 10550 O'Neil Road, Zoned R-E (Residence-Estate), Ward 6

Variance 2502ZB024, by agent David John Hunter, seeking approval for an 8 foot setback where 25 feet is required for a secondary frontage, Tax Parcel 0911F-01-035.000, 500 East Beach Blvd, Zoned R-1-7.5 (Single-Family), Ward 2

This the 29th day of January 2025
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0214367
Jan 29 2025

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Beaufort County, South Carolina 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:
01/29/25

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

Mary Castro

Sworn to and subscribed before me this 5th day of February in the year of 2025

Amy Robbins

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.



AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

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 # 2025-412

Hearing Date: Thursday, February 20, 2025

Variance 2502ZB021: Variance 2502ZB021, by owner FHC, INC, seeking approval for lot sizes smaller than an acre for a proposed 7 lot subdivision, Tax Parcels 1007O-01-028.000, 1007O-01-028.008, 1007O-01-028.012, 1007O-01-028.014, 10550 O'Neil Road, Zoned R-E (Residence-Estate), Ward 6

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2502ZB021

Hearing Date: February 20, 2025

Current Zoning/Use: R-E / Vacant Lots

Legal: Variance 2502ZB021, by owner FHC, INC, seeking approval for lot sizes smaller than an acre for a proposed 7 lot subdivision, Tax Parcels 1007O-01-028.000, 1007O-01-028.008, 1007O-01-028.012, 1007O-01-028.014, 10550 O'Neil Road, Zoned R-E (Residence-Estate), Ward 6

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant is seeking approval for lot sizes to be less than an acre for a proposed seven lot single-family home subdivision, where district regulations require a minimum of one acre for each buildable lot.

- (a) The applicant states that this property went through the General Plan process in May of 2023, and was approved with minor conditions. However, the applicant further explains that the legal description for the property was inaccurate, stating “the previously approved Legal Description used the centerline of the Biloxi River as a property boundary. The applicant notes that the correct recorded legal description used the bank of the Biloxi River as the boundary rather than the centerline of the river, resulting in the estimated square footage for five of the proposed lots to fall below one acre in size. Upon staff review, the proposed subdivision went through the General Plan process in May of 2023 under case# 2305PC049 and received an extension on April 25, 2024. The site plan for General Plan does show larger lot sizes and a greater property length than the “corrected” description provided in the variance application.
- (b) The applicant states “FHC, INC. is the owner of the subject property, but was neither the owner nor the applicant during the previously approved General Plan Application and Plat Map Applications. FHC INC, assumed ownership and attempted to record the Plat Map after the General Plan Application and Plat Map Applications were approved.” Upon review, the previous General Plan application noted a River Pointe Estates LLC on the recorded Warranty Deed as the property owner at the time of the application, where the current land deed of trust shows that the property had transferred to FHC, INC. As noted, the applicants did not cause their hardship but acquired a subdivision plan from the prior owners that contained inaccurate information.
- (c) The applicant claims in their application that the unnecessary hardship results from the change in the noted legal description that reduced the property area from approximately 7.7 acres to approximately 6.66 acres. As a result, the amount of square footage to be recorded on at least five of the seven lots was reduced to less than an acre. Upon staff review, an alternative that would allow the subdivision to be able to conform with the current district regulations would be to reduce the number of buildable lots to allow each buildable lot to contain one acre of land.
- (d) The applicant notes the district requirements for R-E (Residence Estates) requiring one acre for lot size, and how the previously approved General Plan was approved with compliant lots. The applicant also notes that even though the previous legal description was incorrect the usable land area for each lot did not change. In addition, the applicant states there are several residential lots along the Biloxi River that have their boundaries extending to the centerline of the river, according to the City of Gulfport’s GIS site. While the previous General Plan was approved, as noted by the applicant, it was approved with incorrect property information. Should the General Plan had similar lot sizes as proposed, a variance to deviate from the lot size would have been required. In regards to the City of Gulfport GIS site, City of Gulfport’s GIS maps are not survey grade.
- (e) The applicant claims that granting the requested variance would not confer any special privileges that would be denied by this ordinance due to the lot sizes being consistent with other lots in this district. Upon staff review of the surrounding area, staff could only

Technical Report

VARIANCE

find one existing parcel less than an acre nearby the proposed subdivision's location, and within city limits.

(f) This property is zoned R-E, and a subdivision of single-family homes is allowed by right.

EXECUTIVE SUMMARY

The applicant is seeking approval for lot sizes of less than an acre for five lots of their proposed seven lot subdivision, where R-E (Residence Estates) zoning requires a minimum of one acre for each buildable lot. The applicant explains that the hardship is a result of the previous General Plan (Case# 2305PC049 for the proposed subdivision utilizing an inaccurate legal description that was corrected, resulting in reducing the property area from approximately 7.7 acres to roughly 6.66 acres. The applicant explains that the approved General Plan with the inaccurate legal description was submitted by the prior owners, who they purchased the development from, and when turning in copies of their Final Plat for review that the discrepancy was discovered. While the hardship is not a result of the applicant's actions, it would not be in harmony with the properties in the nearby area, that are within city limits. Other departments have stated conditions below regarding the variance.

Any approval should consider these conditions:

1. Protected trees to remain. Protected trees will be protected during the construction process per Chapter 8 ordinance.
2. The proposed project is located in a floodway. This will require "NO RISE CERTIFICATION FROM A Licensed Professional Engineer for the development of the proposed subdivision and "NO RISE CERTIFICATION for each proposed single-family dwelling. All Single-Family Dwellings must meet all current Building Codes and City of Gulfport Ordinances.
3. Approval allows for five of the seven proposed buildable lots to be less than an acre.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 2/7/2025.

Public Works: No conditions. Memo dated 2/7/2025.

Traffic and Safety: No conditions. Memo dated 2/7/2025.

Building Code Services: The proposed project is located in a floodway. This will require "NO RISE CERTIFICATION FROM A Licensed Professional Engineer for the development of the proposed subdivision and "NO RISE CERTIFICATION for each proposed single-family dwelling. All Single-Family Dwellings must meet all current Building Codes and City of Gulfport Ordinances. Memo dated 1/31/25.

GIS: No conditions. Memo dated 2/7/2025.

Technical Report

VARIANCE

Police Department:

No conditions. Memo dated 2/7/2025.

Fire Department:

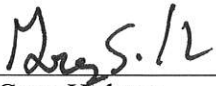
No conditions. Memo dated 2/7/2025.

City Arborist:

Protected trees to remain. Protected trees will be protected during the construction process per Chapter 8 ordinance. Memo dated 1/27/25.

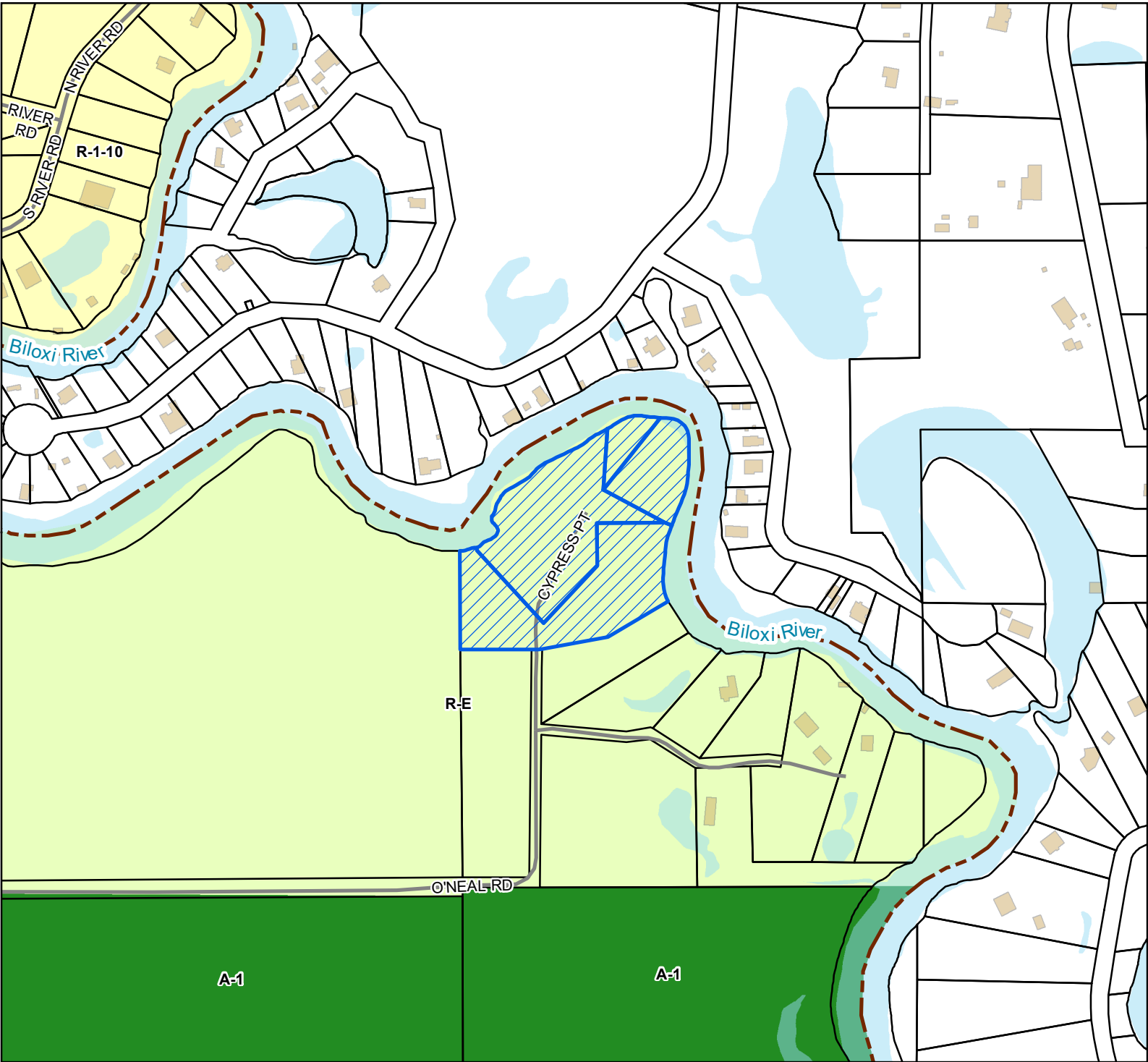
DIRECTOR APPROVAL

This report has been reviewed and approved by:



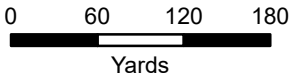
Greg Holmes

Director of Urban Development Department



- Site
- Street
- Parcels
- Buildings
- Water Features
- City Limit
- Zoning**
 - A-1 - Agricultural District
 - R-1-10 - Single Family Residence (Low Density)
 - R-E - Residence-Estate

Site Information
10070-01-028.000
10070-01-028.008
10070-01-028.012
10070-01-028.014
Zoning: R-E (Residence Estate)
Size: 7.24 acres



1 inch = 400 feet



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



1/6/25 WD

CASE NUMBER

25022B021

R# 13103994

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

ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

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

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

TAX PARCEL NUMBERS

1	0	0	7	0	-	0	1	-	0	2	8	.	0	0	0	1	0	0	7	0	-	0	1	-	0	2	8	.	0	1	4	
1	0	0	7	0	-	0	1	-	0	2	8	.	0	0	8																	
1	0	0	7	0	-	0	1	-	0	2	8	.	0	1	2																	

Property Address:

10550 Oneal Road, Gulfport, MS 39503

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

General Description of Request: Request a Variance to allow for lots smaller than one acre on a 7 lot subdivision. The subdivision
previously approved with conditions on May 25, 2023 with an incorrect Legal Description.

The Variance would apply to five of the seven future lots.

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:

FHC, INC.

Printed Name of Owner

6306 W. Coast Hwy.

Mailing Address

Newport Beach, CA 92663

City

949-566-9155

State

Zip Code

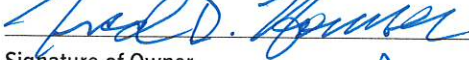
949-290-4686

Home Phone

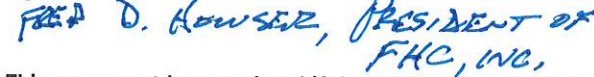
Work/Cell Phone

bush.matthewwalker@gmail.com

Email



Signature of Owner

**AGENT:**

Printed Name of Agent

Mailing Address

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Agent

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

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

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____



COVENANT AFFIDAVIT

I, FRED D. HOWSER being property owner or agent of the property 10550 ONEAL ROAD
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

Fred D. Howser
SIGNATURE

12/31/24
DATE

FRED D. HOWSER, PRESIDENT OF FHC, INC.

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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

NOTARY PUBLIC

COMMISSION EXPIRATION

SEE ATTACHED
DATED 12/31/2024 CA certification

SEE ATTACHED
DATED

Covenant Affidavit
12/31/2024

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of ORANGE

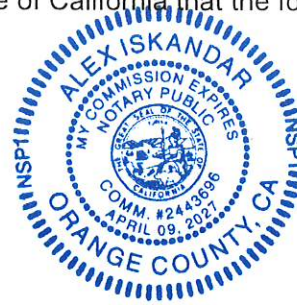
On 12/31/2024 before me, ALEX ISKANDAR, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared Fred Darryl Howser
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



CONSENT TO ACTION TAKEN WITHOUT MEETING
BY THE SOLE DIRECTOR OF FHC, INC.,
A California corporation

The undersigned, being the sole duly qualified and acting director of FHC, INC., a California corporation, hereby consents in writing to the adoption of the following resolutions, pursuant to all applicable California laws permitting such action to be so taken:

Plat Maps/ Variances/ Contracts/ City Documents/ City Filings

RESOLVED, that the President (Fred Darryl Howser) of this corporation is hereby authorized and directed to singularly execute plat maps, variances, contracts, city documents and city filings as he, in his discretion, shall determine are necessary to conduct business.

FURTHER RESOLVED, that the officers of this corporation are hereby authorized and directed to singularly execute those documents, including plat maps, variances, contracts, city documents, city filings and other agreements, which may be required to fulfill the obligations of such agreements and otherwise.

IN WITNESS WHEREOF, the undersigned has executed this Consent To Action By The Sole Director as of the 6th day of January 2025.


Fred Darryl Howser
(aka Fritz Howser)

December 30, 2024

River Pointe Estates
Variance Application Letter

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

This property underwent a Plat Map Application and General Plan application, both of which were approved with minor conditions last year (Plat Map 6/22/23; General Plan 5/25/23). The Plat Map and General Plan were both approved with conditions under a Legal Description that was inaccurate. The previously approved Legal Description used the centerline of the Biloxi River as a property boundary.

On 10/30/24, under new ownership, the Final Plat Map was circulated to the City of Gulfport Engineering Department for plan check prior to submittal of mylars for signature and recordation. On 11/4/24, City of Gulfport City Engineer, Mr. George Mooney informed FHC, INC., that the previously approved Legal Description was inaccurate and that the correct recorded Legal Description used the bank of the Biloxi River as the boundary (rather than the centerline of the Biloxi River). FHC, INC. was instructed to adjust the legal description and the lot sizes prior to submittal of mylars. The corrected Plat Map was sent back to Mr. Mooney who made another minor correction on 11/15/24.

On 11/22/24, Applicant's Surveyor attempted to submit the Final Plat Map to Ms. Su-Lin Featherston, who discovered that five of the seven adjusted lot sizes were now smaller than one acre and no longer complied with the previously approved General Plan. After several discussions regarding procedure, on 12/20/24 Ms. Su-Lin Featherston stated the best way to proceed at this point is through the Variance process.

2. *2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant. (i.e., Show that you did not cause the need for the variance.)*

FHC, INC. (Applicant), is the Owner of the subject property, but was neither the owner, nor the applicant during the previously approved General Plan Application and Plat Map Applications. FHC, INC. assumed Ownership and attempted to record the Plat Map after the General Plan Application and Plat Map Applications were approved.

3. *3. Demonstrate that an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution. (i.e., Explain what your hardship is and why the property cannot comply with the zoning ordinance. Further, explain why this hardship is not commonly found on other properties?)*

The unnecessary hardship in this subject case is that the General Plan and Plat Map were previously approved with a Legal Description that had the property boundaries at the centerline of the Biloxi River rather than at the bank of the Biloxi River. In this case, the resulting property area is reduced to 6.66 acres from 7.7 acres.

4. *4. Demonstrate how the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of the zoning ordinance. (i.e., Explain how the request meets the right of reasonable economic return and/or the right to reasonable development of your property which might generally be expected in your district.)*

The Residential Estates District requires a minimum lot size of one acre. The previously approved General Plan and Plat Map Applications had the lots in compliance with that requirement, however Legal Description used in the previously approved applications was inaccurate in that it used the centerline of the Biloxi River instead of the bank of the Biloxi River.

In reviewing the City of Gulfport's GIS site, it appears that there are several residential lots along the Biloxi River that have their boundaries extending to the centerline of the river. Further, the usable land area for each lot has not changed as the banks of the Biloxi River have and will always define the boundaries of the usable land. There is no net change in the above waterline area of each lot in question.

5. *Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and hardship. (i.e., Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?)*

Granting the requested variance will not confer any special privilege that is otherwise denied by this ordinance as the usable lot size is consistent with other lots in the district. Furthermore, as explained in an answer to question 4 above, the usable lot size will be the same as what was previously approved in the General Plan and Plat Map. The only reduction in lot size is accounted for by the property that extends from the bank of the Biloxi River to the centerline of the Biloxi River (so only the property that is in the Biloxi River).

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

The proposed use is permissible by right and was previously approved with conditions by the City of Gulfport. Applicant is simply trying to record the previously approved Plat Map with a revision to reflect the correct legal description of the property.

FINAL PLAT OF
RIVER POINTE ESTATES
SUBDIVISION

A SUBDIVISION OF A PARCEL OF LAND LOCATED IN
SECTION 32, TOWNSHIP 6 SOUTH, RANGE 10 WEST
HARRISON COUNTY, MISSISSIPPI
A 6.66 ACRE DEVELOPMENT DIVIDED INTO A 7 LOT SUBDIVISION

CITY OF GULFPORT ZONING REQUIREMENTS:

ZONED USE: RE, SINGLE FAMILY RESIDENCE

LOT SIZE: 5,000 SQ. FT. MINIMUM

BUILDING SETBACKS

FRONT YARD; 45 FEET

SIDE YARD; 25 FEET

REAR YARD; 25 FEET

SCALE: 1"=60'

CLASS "B" SURVEY

Base Bearing by:

RTK GPS NETWORK

MS E 2301 (NAD 88)

NOTE

1. THERE IS A 10' UTILITY EASEMENT ALONG THE FRONTS OF ALL LOTS UNLESS OTHERWISE SHOWN HEREON
2. ALL EASEMENTS ARE TO BE FOR DRAINAGE OR UTILITIES (AS IDENTIFIED).
3. DATE OF FIELD SURVEY 03/05/2023

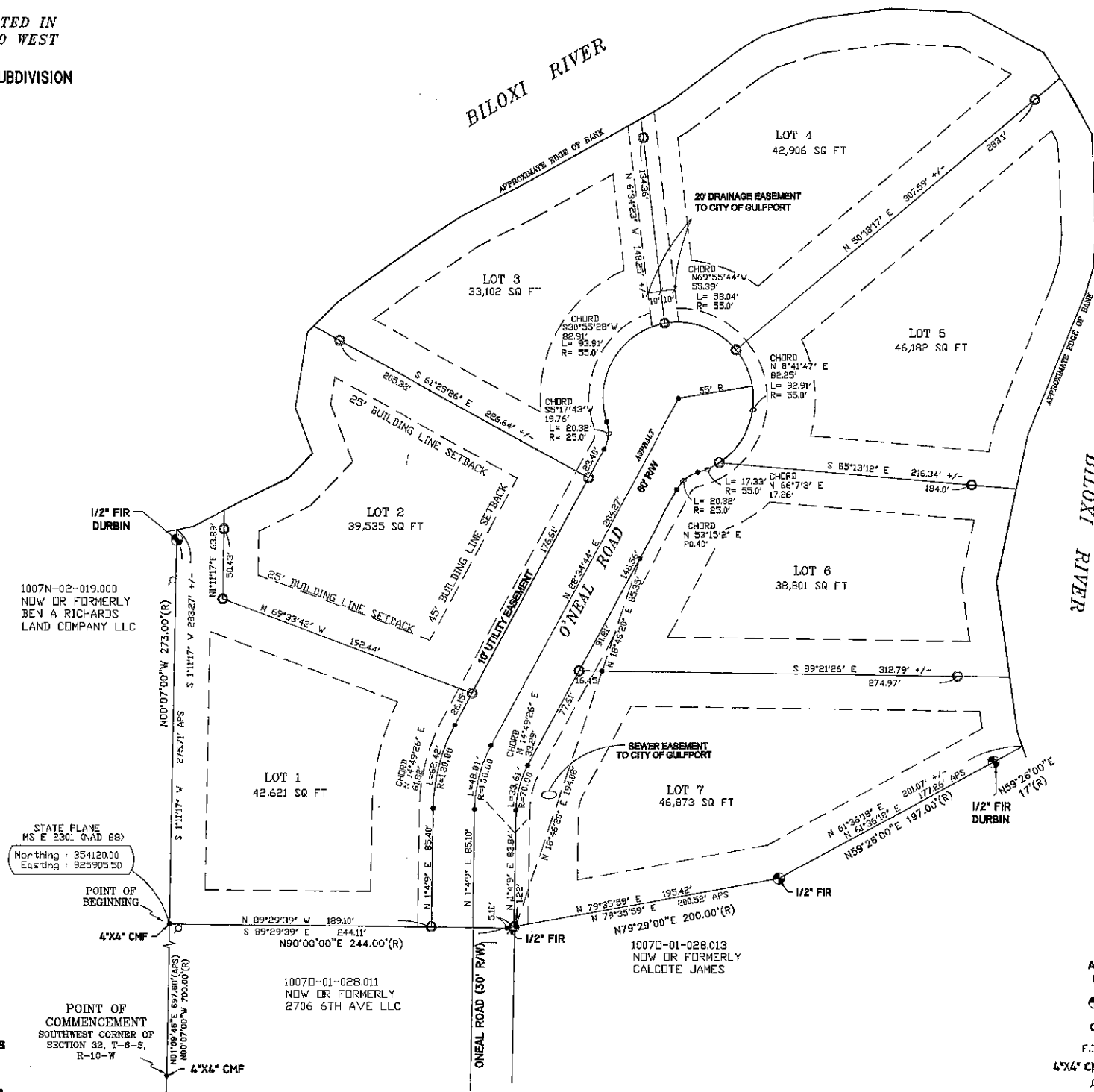
LEGAL DESCRIPTION

BASED ON FIELD SURVEY

A PARCEL OF LAND SITUATED AND BEING LOCATED IN THE SOUTHWEST ONE-FOURTH OF THE SOUTHWEST ONE-FOURTH (SW 1/4 OF THE SW 1/4) OF SECTION 32, TOWNSHIP 6 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 32, TOWNSHIP 6 SOUTH, RANGE 10 WEST, THENCE RUN NORTH 01 DEGREES 09 MINUTES 46 SECONDS EAST ALONG THE WEST LINE OF SAID SECTION 32 FOR A DISTANCE OF 697.60 FEET TO A CONCRETE MONUMENT AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE RUN SOUTH 89 DEGREES 29 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 244.11 FEET TO AN IRON ROD; THENCE RUN NORTH 79 DEGREES 35 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 200.52 FEET TO AN IRON ROD; THENCE RUN NORTH 61 DEGREES 36 MINUTES 18 SECONDS EAST FOR A DISTANCE OF 201.07 FEET, MORE OR LESS TO A POINT ON THE WEST BANK OF THE BILOXI RIVER; THENCE RUN NORTHWESTERLY, NORTHEASTERLY, NORTHWESTERLY AND SOUTHWESTERLY ALONG SAID WEST BANK OF THE BILOXI RIVER TO A POINT ON THE WEST LINE OF SECTION 32 AND WHICH IS NORTH 01 DEGREES 11 MINUTES 17 SECONDS EAST A DISTANCE OF 283.27 FEET FROM THE POINT OF BEGINNING, THENCE RUN SOUTH 01 DEGREES 11 MINUTES 17 SECONDS WEST FOR A DISTANCE OF 283.27 FEET TO THE POINT OF BEGINNING.

RECORDED PROPERTY DESCRIPTION: INSTRUMENT #2015 2357-D-J1



SURVEYOR'S NOTE:
EACH LOT BOUNDED BY THE
BANK OF THE BILOXI RIVER

LEGEND

- APS AS PER SURVEY
- (R) DEED CALL
- FOUND 1/2" IRON ROD
- SET 1/2" IRON ROD W/ CAP
- F.I.P. FOUND IRON PIPE
- 4"x4" CMF 4" CONCRETE MONUMENT
- ⚡ POWER POLE

FLOOD ZONE NOTICE:

THE PROPERTY CONTAINED WITHIN THIS SUBDIVISION DOES LIE IN A FLOODWAY OR FLOOD PRONE AREA AS DETERMINED BY THE FEDERAL EMERGENCY AGENCY'S FEDERAL INSURANCE RATE MAP PANEL NO. 28047C0260H, EFFECTIVE DATE 12/21/2017, IN ZONE AE. PURCHASES OF PROPERTY WITHIN THIS SUBDIVISION ARE ADVISED THAT THE CONSTRUCTION OF IMPROVEMENTS MAY BE SUBJECT TO ADDITIONAL INSURANCE REQUIREMENTS AND BUILDING REGULATIONS

LS LARRY SMITH
LAND SURVEYING
105 N. KERN DRIVE
GULFPORT MS. 39503
PHONE: 228.669.0419
SHEET: 1 OF 2



BA20241816690



STATE OF CALIFORNIA
Office of the Secretary of State
STATEMENT OF INFORMATION
CORPORATION

California Secretary of State
1500 11th Street
Sacramento, California 95814
(916) 657-5448

For Office Use Only

-FILED-

File No.: BA20241816690

Date Filed: 10/13/2024

B3112-2848 10/13/2024 4:36 PM Received by California Secretary of State

Entity Details			
Corporation Name		FHC, INC.	
Entity No.		2013040	
Formed In		CALIFORNIA	
Street Address of Principal Office of Corporation			
Principal Address		6306 W COAST HWY NEWPORT BEACH, CA 92663	
Mailing Address of Corporation			
Mailing Address		6306 W COAST HWY NEWPORT BEACH, CA 92663	
Attention			
Street Address of California Office of Corporation			
Street Address of California Office		6306 W COAST HWY NEWPORT BEACH, CA 92663	
Officers			
Officer Name	Officer Address	Position(s)	
Fritz Howser	6306 W COAST HWY NEWPORT BEACH, CA 92663	Chief Executive Officer, Chief Financial Officer, Secretary	
Additional Officers			
Officer Name	Officer Address	Position	Stated Position
None Entered			
Directors			
Director Name		Director Address	
Fritz Howser		6306 W COAST HWY NEWPORT BEACH, CA 92663	
The number of vacancies on Board of Directors is: 0			
Agent for Service of Process			
Agent Name		FRITZ HOWSER	
Agent Address		6306 W COAST HWY NEWPORT BEACH, CA 92663	
Type of Business			
Type of Business		FHC INC	
Email Notifications			
Opt-in Email Notifications		Yes, I opt-in to receive entity notifications via email.	
Labor Judgment			
No Officer or Director of this Corporation has an outstanding final judgment issued by the Division of Labor Standards Enforcement or a court of law, for which no appeal therefrom is pending, for the violation of any wage order or provision of the Labor Code.			

Electronic Signature

☒ By signing, I affirm that the information herein is true and correct and that I am authorized by California law to sign.

Fritz Howser

Signature

10/13/2024

Date

THIS INSTRUMENT PREPARED BY/RETURN TO:
TRISTAN RUSSELL ARMER (MSB#99883)
HEIDELBERG, STEINBERGER,
BURROW & ARMER, P.A.
711 DELMAS AVE.
PASCAGOULA, MS 39567
PHONE (228) 762-8021



[Signature] 1st JUDICIAL DISTRICT
Instrument 2023-0008880-T-J1
Filed/Recorded 05/15/2023 3:56:01 PM
Total Fees 37.00
3 Pages Recorded

Beneficiary: FHC, Inc.
6306 W. Coast Highway
Newport Beach, CA 92663
Phone: (949) 566-9155

Trustee: Tristan Russell Armer
711 Delmas Ave.
Pascagoula, MS 39567
Phone: (228) 762-8021

Indexing Instructions: SW ¼ of the SW 1/4, Section 32, Township 6 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

SUBSTITUTION OF TRUSTEE

WHEREAS, on August 17, 2021, a Land Deed of Trust was executed by River Pointe Estates, LLC, to Beneficiary, FHC, Inc., and recorded on August 24, 2021, instrument number 10753T-J1, in the office of the Chancery Clerk of Harrison County, Mississippi; and,

WHEREAS, under the terms and conditions of said Land Deed of Trust, the Beneficiary or any assignee is authorized to appoint a trustee in the place and stead of the original trustee or any successor trustee in said Deed of Trust; and

WHEREAS, the undersigned is the present holder and beneficiary of the Deed of Trust described above, and desires to appoint a substitute trustee; and,

NOW, THEREFORE, by virtue of the authority, terms and conditions of the aforesaid Land Deed of Trust, the undersigned, FHC, Inc., does hereby appoint Tristan Russell Armer as Substitute Trustee in the place of and as successor to the original Trustee in the aforesaid Land Deed of Trust, subject to the same duties, obligations and restrictions and vested with the same title, rights and powers as have heretofore appertained to the said original Trustee.

WITNESS MY SIGNATURE, this the 3 day of April, 2023.

FHC, Inc.

By:


FRED D. HOWSER
Its, President

STATE OF _____

COUNTY OF _____

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the aforesaid State and County, the within named FRED D. HOWSER, as President of FHC, Inc., who acknowledged to me that he signed and delivered the foregoing instrument as the act of said corporation, with all due authority given to him to bind the corporation to the same, on the day and year therein mentioned after first being authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, on this the _____ day of _____, 2023.

NOTARY PUBLIC

SEE ATTACHED
DOCUMENT

All-purpose Acknowledgment California

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

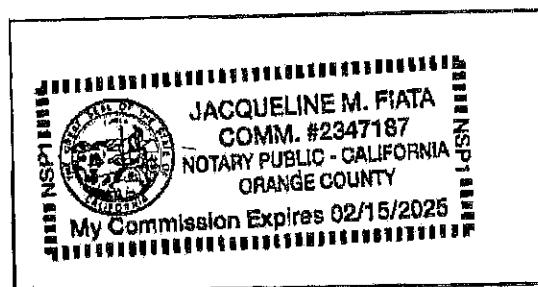
County of ORANGE

On 04/03/2023 before me, JACQUELINE M FIATA, NOTARY (here insert name and title of the officer),

personally appeared FRED D. HOWSER

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



Notary Seal

WITNESS my hand
and official seal.

Signature

A handwritten signature in cursive script, appearing to read 'Jacqueline M. Fiata', written over a horizontal line.

For Bank Purposes Only

Description of Attached Document

Type or Title of Document SUBSTITUTION OF TRUSTEE

Document Date 04/03/2023 Number of Pages 1

Signer(s) Other Than Named Above

Account Number (if applicable)



F001-000DSG5350CA-01



J. Sheehan 1st Judicial District
Instrument 2021 12397 D - J1
Filed/Recorded 8/24/2021 10:35 A
Total Fees \$ 26.00
3 Pages Recorded

_____[Space Above This Line For Recording Data]_____

Prepared by and Return to:
Patrick A. Sheehan
Sheehan & Ramsey, PLLC
429 Porter Avenue
Ocean Springs, MS 39564
(228) 875-0572

Grantor:
Coast Acquisitions, LLC
2112 Bienville Blvd. Ste. B1
Ocean Springs, MS 39564
(228) 365-1243

Grantee:
River Pointe Estates, LLC
2112 Bienville Blvd. Ste. B1
Ocean Springs, MS 39564
(228) 365-1243

INDEXING INSTRUCTIONS: T6S-R10W, Section 32, SW $\frac{1}{4}$ of SW $\frac{1}{4}$

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

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100's (\$10.00) DOLLARS, cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, **COAST ACQUISITIONS, LLC a Mississippi limited liability company (Grantor)**, does hereby sell, convey, bargain and warrant to **RIVER POINTE ESTATES, LLC a Mississippi limited liability company (Grantee)** the following described real property situated and located in Harrison County, First Judicial District, Mississippi, more particularly and certainly described as follows:

A parcel of land situated and being located in the Southwest One-Fourth of the Southwest One-Fourth (SW ¼ of the SW ¼) of Section 32, Township 6 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit:

Commence at the Southwest corner of said Section 32, Township 6 South, Range 10 West, thence run North 00 degrees 07 minutes 00 seconds West along the West line of said Section 32 for a distance of 700 feet to a concrete monument and the Point of Beginning of the parcel herein described; thence run East for a distance of 244.0 feet to an iron pipe; thence run North 79 degrees 29 minutes 00 seconds East for a distance of 200.0 feet to an iron pipe; thence run North 59 degrees 26 minutes 00 seconds East for a distance of 197.0 feet to an iron pipe; thence continue North 59 degrees 26 minutes 00 seconds East for a distance of 17 feet, more or less, to a point on the West Bank of the Biloxi River; thence run Northwesterly, Northeasterly, Northwesterly and Southwesterly along said West Bank of the Biloxi River to a point on the West line of Section 32, and which is North 00 degrees 07 minutes 00 seconds West a distance of 273.0 feet from the Point of Beginning, thence run South 00 degrees 07 minutes 00 seconds East for a distance of 273.0 feet to the Point of Beginning

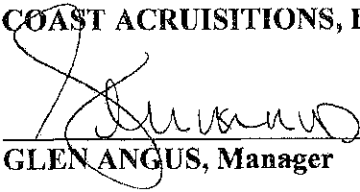
Grantee assumes taxes for the current year.

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

WITNESS this my signature this the ^{17th} 9th day of August, 2021.

COAST ACQUISITIONS, LLC

BY:


GLEN ANGUS, Manager

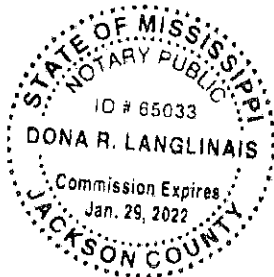
**STATE OF MISSISSIPPI
COUNTY OF JACKSON**

Personally appeared before me, the undersigned authority in and for the said County and State, on this ~~9th~~ ^{17th} day of August, 2021, within my jurisdiction, the within named **GLEN ANGUS**, who acknowledged to me that he is the Manager of Coast Acquisitions, LLC, a Mississippi limited liability company, and that for and on behalf of said company as manager, and as the act and deed of said company as manager of said limited liability company, he executed the above and foregoing instrument, after first having been duly authorized by said company so to do, this the 9th day of August, 2021.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the ~~9th~~ ^{17th} day of August, A.D., 2021.

Dona R. Langlais
Notary Public

11/27/22
My Commission Expires:





John 1st Judicial District
Instrument 2021 10753 T - J1
Filed/Recorded 8/24/2021 10:39 A
Total Fees \$ 29.00
8 Pages Recorded

Prepared by and Return to:

Patrick A. Sheehan
SHEEHAN & RAMSEY, PLLC
429 Porter Avenue
Ocean Springs, MS 39564
(228) 875-0572 (Phone)
(228) 875-0895 (Facsimile)
MS BAR #6747

Indexing Instructions: T6S-R10W, Section 32, SW ¼ of SW ¼

LAND DEED OF TRUST

THIS INDENTURE, made and entered into this day by and between

RIVER POINTE ESTATES, LLC, a Mississippi Limited Liability Company, whose address is 2112 Bienville Blvd., Suite B1, Ocean Springs, Mississippi 39564 (228) 365-1243, as Grantor (herein designated as "**Debtor**"), and

Patrick A. Sheehan, 429 Porter Avenue, Ocean Springs, Mississippi 39564 (228) 875-0572 as Trustee, and

FHC, INC. a California corporation, whose address is 6306 W. Coast Highway, Newport Beach, California 92663 (949) 566-9155 as Beneficiary (herein designated as "**Secured Party**"),
WITNESSETH:

WHEREAS, Debtor is indebted to Secured Party in the full sum of Two Hundred Fifty Thousand & 00/100 Dollars (\$250,000.00) evidenced by a promissory note of even date herewith in favor of Secured Party, bearing interest from date at the rate specified in the note, providing for payment of attorney's fees for collection if not paid according to the terms thereof and being due and payable as set forth below:

One payment in the amount of the full amount of the principal, plus all accrued but unpaid interest, plus any other charge to which Secured Party is entitled under the terms of this indenture; but less any amounts not disbursed to Debtor and any amounts pre-paid by Debtor.

WHEREAS, Debtor desires to secure prompt payment of (a) the indebtedness described above according to its terms and any extensions thereof, (b) any additional and future advances with interest thereon which Secured Party may make to Debtor as provided in Paragraph 1 below, (c) any other indebtedness which Debtor may now or hereafter owe to Secured Party as provided in Paragraph 2 below, and (d) any advances with interest which Secured Party may make to protect the property herein conveyed as provided in Paragraphs 3, 4, 5 and 6 below (all being herein referred to as the ("**Indebtedness**").

NOW THEREFORE, In consideration of the existing and future Indebtedness herein recited, Debtor hereby conveys and warrants unto Trustee the land described below situated in the First Judicial District of Harrison County, Mississippi:

A parcel of land situated and being located in the Southwest One-Fourth of the Southwest One-Fourth (SW $\frac{1}{4}$ of the SW $\frac{1}{4}$) of Section 32, Township 6 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit:

Commence at the Southwest corner of said Section 32, Township 6 South, Range 10 West, thence run North 00 degrees 07 minutes 00 seconds West along the West line of said Section 32 for a distance of 700 feet to a concrete monument and the Point of Beginning of the parcel herein described; thence run East for a distance of 244.0 feet to an iron pipe; thence run North 79 degrees 29 minutes 00 seconds East for a distance of 200.0 feet to an iron pipe; thence run North 59 degrees 26 minutes 00 seconds East for a distance of 197.0 feet to an iron pipe; thence continue North 59 degrees 26 minutes 00 seconds East for a distance of 17 feet, more or less, to a point on the West Bank of the Biloxi River; thence run Northwesterly, Northeasterly, Northwesterly and Southwesterly along said West Bank of the Biloxi River to a point on the West line of Section 32, and which is North 00 degrees 07 minutes 00 seconds West a distance of 273.0 feet from the Point of Beginning, thence run South 00 degrees 07 minutes 00 seconds East for a distance of 273.0 feet to the Point of Beginning.

together with all improvements and appurtenances now or hereafter erected on, and all fixtures of any and every description now or hereafter attached to, said land (all being herein referred to as the "**Property**"). Notwithstanding any provision in this agreement or in any other agreement with Secured Party, the Secured Party shall not have a nonpossessory security interest in, and the Property shall not include, any household goods (as defined in Federal Reserve Board Regulation AA, Subpart B), unless the household goods are identified in a security agreement and are acquired as a result of a purchase money obligation. Such household goods shall only secure said purchase money obligation (including any refinancing thereof).

THIS CONVEYANCE, HOWEVER, IS IN TRUST to secure prompt payment of all existing and future Indebtedness due by Debtor to Secured Party under the provisions of this Deed of Trust. If Debtor shall pay said Indebtedness promptly when due and shall perform all covenants made by Debtor, then this conveyance shall be void and of no effect. If Debtor shall be in default as provided in Paragraph 9, then, in that event, the entire Indebtedness, together with all interest accrued thereon, shall, at the option of Secured Party, be and become at once due and payable without notice to Debtor, and Trustee shall, at the request of Secured Party, sell the Property conveyed, or a sufficiency thereof, to satisfy the Indebtedness at public outcry to the highest bidder for cash. Sale of the property shall be advertised for three consecutive weeks preceding the sale in a newspaper published in the county where the Property is situated, or if none is so published, then in some newspaper having a general circulation therein, and by posting a notice for the same time at the courthouse of the same county. The notice and advertisement shall disclose the names of the original debtors in this Deed of Trust. Debtors waive the provisions of Section 89-1-55 of the Mississippi code of 1972 as amended, if any, as far as this section restricts the right of Trustee to offer at sale more than 160 acres at a time, and Trustee may offer the property herein conveyed as a whole, regardless of how it is described.

If the Property is situated in two or more counties, or in two judicial districts of the same county, Trustee shall have full power to select in which county, or judicial district, the sale of the property is to be made, newspaper advertisement published and notice of sale posted, and Trustee's selection shall be binding upon Debtor and Secured Party. Should Secured Party be a corporation or an unincorporated association, then any officer thereof may declare Debtor to be in default as provided in Paragraph 9 and request Trustee to sell the Property. Secured Party shall have the same right to purchase the property at the foreclosure sale as would a purchaser who is not a party to this Deed of Trust.

From the proceeds of the sale Trustee shall first pay all costs of the sale including reasonable compensation to Trustee; then the Indebtedness due Secured Party by Debtor, including accrued interest and attorney's fees due for collection of the debt; and then, lastly, any balance remaining to Debtor.

IT IS AGREED that this conveyance is made subject to the covenants, stipulations and conditions set forth below which shall be binding upon all parties hereto.

1. This Deed of Trust shall also secure all future and additional advances which Secured Party may make to Debtor from time to time upon the security herein conveyed. Such advances shall be optional with Secured Party and shall be on such terms as to amount, maturity and rate of interest as may be mutually agreeable to both Debtor and Secured Party. Any such advance may be made to any one of the Debtors should there be more than one, and if so made, shall be secured by this Deed of Trust to the same extent as if made to all Debtors.

2. This Deed of Trust shall also secure any and all other Indebtedness of Debtor due to Secured Party with interest thereon as specified, or of any one of the Debtors should there be more than one, whether direct or contingent, primary or secondary, sole, joint or several, now existing or

hereafter arising at any time before cancellation of this Deed of Trust. Such Indebtedness may be evidenced by note, open account, overdraft, endorsement, guaranty or otherwise.

3. Debtor shall keep all improvements on the land herein conveyed insured against fire, all hazards included within the term "extended coverage", flood in areas designated by the U. S. Department of Housing and Urban Development as being subject to overflow and such other hazards as Secured Party may reasonably require in such amounts as Debtor may determine but for not less than the Indebtedness secured by this Deed of Trust. All policies shall be written by reliable insurance companies acceptable to Secured Party, shall include standard loss payable clauses in favor of Secured Party and shall be delivered to Secured Party. Debtor shall promptly pay when due all premiums charged for such insurance, and shall furnish Secured Party the premium receipts for inspection. Upon Debtor's failure to pay the premiums, Secured Party shall have the right, but not the obligation, to pay such premiums. In the event of a loss covered by the insurance in force, Debtor shall promptly notify Secured Party who may make proof of loss if timely proof is not made by Debtor. All loss payments shall be made directly to Secured Party as loss payee who may either apply the proceeds to the repair or restoration of the damaged improvements or to the Indebtedness of Debtor, or release such proceeds in whole or in part to Debtor.

4. Debtor shall pay all taxes and assessments, general or special, levied against the Property or upon the interest of Trustee or Secured Party therein, during the term of this Deed of Trust before such taxes or assessments become delinquent, and shall furnish Secured Party the tax receipts for inspection. Should Debtor fail to pay all taxes and assessments when due, Secured Party shall have the right, but not the obligation, to make these payments.

5. Debtor shall keep the Property in good repair and shall not permit or commit waste, impairment or deterioration thereof. Debtor shall use the Property for lawful purposes only. Secured Party may make or arrange to be made entries upon and inspections of the Property after first giving Debtor notice prior to any inspection specifying a just cause related to Secured Party's interest in the Property. Secured Party shall have the right, but not the obligation, to cause needed repairs to be made to the Property after first affording Debtor a reasonable opportunity to make the repairs.

Should the purpose of the primary Indebtedness for which this Deed of Trust is given as Security be for construction of improvements on the land herein conveyed, Secured Party shall have the right to make or arrange to be made entries upon the Property and inspections of the construction in progress. Should Secured Party determine that Debtor is failing to perform such construction in a timely and satisfactory manner, Secured Party shall have the right, but not the obligation, to take charge of and proceed with the construction at the expense of Debtor after first affording Debtor a reasonable opportunity to continue the construction in a manner agreeable to Secured Party.

6. Any sums advanced by Secured Party for insurance, taxes, repairs or construction as provided in Paragraphs 3, 4 and 5 shall be secured by this Deed of Trust as advances made to protect the Property and shall be payable by Debtor to Secured Party, with interest at the rate specified in the note representing the primary Indebtedness, within thirty days following written demand for payment sent by Secured Party to Debtor by certified mail. Receipts for insurance premiums, taxes and repair or construction costs for which Secured Party has made payment shall serve as conclusive evidence thereof.

7. As additional security Debtor hereby assigns to Secured Party all rents accruing on the Property. Debtor shall have the right to collect and retain the rents as long as Debtor is not in default as provided in Paragraph 9. In the event of default, Secured Party in person, by an agent or by a judicially appointed receiver shall be entitled to enter upon, take possession of and manage the Property and collect the rents. All rents so collected shall be applied first to the costs of managing the Property and collecting the rents, including fees for a receiver and an attorney, commissions to rental agents, repairs and other necessary related expenses and then to payments on the Indebtedness.

8. If all or any part of the Property, or an interest therein, is sold or transferred by Debtor, excluding (a) the creation of a lien subordinate to this Deed of Trust, (b) a transfer by devise, by descent or by operation of law upon the death of a joint owner or (c) the grant of a leasehold interest of three years or less not containing an option to purchase, Secured Party may declare all the Indebtedness to be immediately due and payable. Secured Party shall be deemed to have waived such option to accelerate if, prior or subsequent to the sale or transfer, Secured Party and Debtor's successor in interest reach agreement in writing that the credit of such successor in interest is satisfactory to Secured Party and that the successor in interest will assume the Indebtedness so as to become personally liable for the payment thereof. Upon Debtor's successor in interest executing a written assumption agreement accepted in writing by Secured Party, Secured Party shall release Debtor from all obligations under the Deed of Trust and the Indebtedness.

If the conditions resulting in a waiver of the option to accelerate are not satisfied, and if Secured Party elects not to exercise such option, then any extension or modification of the terms of repayment from time to time by Secured Party shall not operate to release Debtor or Debtor's successor in interest from any liability imposed by this Deed of Trust or by the Indebtedness.

If Secured Party elects to exercise the option to accelerate, Secured Party shall send Debtor notice of acceleration by certified mail. Such notice shall provide a period of thirty days from the date of mailing within which Debtor may pay the Indebtedness in full. If Debtor fails to pay such Indebtedness prior to the expiration of thirty days, Secured Party may, without further notice to Debtor, invoke any remedies set forth in this Deed of Trust.

9. Debtor shall be in default under the provisions of this Deed of Trust if Debtor (a) shall fail to comply with any of Debtor's covenants or obligations contained herein, (b) shall fail to pay any of the Indebtedness secured hereby, or any installment thereof or interest thereon, as such Indebtedness, installment or interest shall be due by contractual agreement or by acceleration, (c) shall become bankrupt or insolvent or be placed in receivership, (d) shall, if a corporation, a partnership or an unincorporated association, be dissolved voluntarily or involuntarily, or (e) if Secured Party in good faith deems itself insecure and its prospect of repayment seriously impaired.

10. (a) In the event of a default under this Deed of Trust by Debtor, Secured Party may then or thereafter execute or cause the Trustee to execute a written notice of such default and of its election to have the Property sold to satisfy the obligations secured by this Deed of Trust in compliance with applicable law. Such notice shall be recorded in the office of the Recorder of the County where the Property is located.

(b) When the minimum period of time required by law following recordation of such notice of default has elapsed, and notice of sale having been given as then required by law, the Trustee, without demand upon Debtor, shall sell the Property at the time and place of sale fixed by it in the notice of sale, either as a whole or in separate parcels, and in such order as Secured Party may determine, at public auction to the highest bidder for cash or a cash equivalent acceptable to Trustee, in lawful money of the United States, payable at time of sale. Secured Party shall have the right, at its option, to offset Secured Party's bid(s) to the extent of the total amount due Secured Party, including but not limited to all Trustee's fees, costs, expenses (including, without limitation, premiums for guarantees or other evidence of title), and other amounts secured by this Deed of Trust. The Trustee may postpone the sale of all or any portion of the Property by public notice at such time and place of sale, and from time to time thereafter may postpone such sale by public announcement at the time fixed by the preceding postponement. Additionally, Secured Party, from time to time before any Trustee's sale, may rescind or cause to be rescinded any notice of default and election to sell or notice of sale by executing and delivering to Trustee a written notice of such rescission, which notice, when recorded, shall also constitute a cancellation of any prior declaration of default and demand for sale. The exercise by Secured Party of such right of rescission shall not constitute a waiver of any breach or default then existing or subsequently occurring, or impair the right of Secured Party to execute and deliver to Trustee, as above provided, other declarations or notices of default and demand for sale of the Property to satisfy the obligations hereof, nor otherwise affect any provision, covenant or condition of the Note or any of the rights, obligations or remedies of Trustee to Secured Party.

(c) The Trustee shall deliver to the purchaser at such sale its deed conveying the Property so sold, but without any covenant or warranty, express or implied. The recitals in such deed of any matters or facts shall be conclusive proof of the truthfulness thereof. (d) Any person, including Debtor, Secured Party or Trustee may purchase at such sale. After deducting all costs, fees and expenses of the Trustee and of this Deed of Trust, including, without limitation, cost of evidence of title and reasonable attorneys' fees in connection with the sale, the Trustee shall apply the proceeds of the sale to the payment of: first, all sums expended under the terms of this Deed of Trust not then repaid, with interest at the applicable rate of interest set forth in the Note; second, the payment of all other sums then secured by this Deed of Trust; and third, the remainder, if any, to the person or persons legally entitled to such proceeds.

11. (a) All of the remedies of Secured Party and Trustee set forth in this Deed of Trust are intended to be in addition to and not in substitution for any other remedies available to Secured Party or Trustee at law or in equity. It is expressly understood and agreed that Secured Party or Trustee, or both, may bring suit in any court of competent jurisdiction to foreclose this Deed of Trust by judicial action or to obtain specific performance of the assignment of rents contained in this Deed of Trust. In connection with any such action, Secured Party or Trustee may apply to the court for the appointment of a receiver to take possession of the Property, operate the business of Debtor being conducted on the Property, utilize and enforce all agreements of Debtor in respect of the operation of such business, the utilization of any such agreement being at the election of Secured Party or the receiver, to be exercised at any time after declaration of a default hereunder, receive the rents of the Property and apply the same to the obligations of Debtor under this Deed of Trust and

under the Note and any other obligations secured by this Deed of Trust.

(b) Neither the acceptance of this Deed of Trust nor its enforcement in any manner shall prejudice the right of Secured Party or Trustee to realize upon or enforce any other security now or later held by Secured Party or Trustee. Debtor promises and agrees that the rights of Secured Party and Trustee under this Deed of Trust, and with respect to any other security now or later held by Secured Party, may be enforced in such order and manner as Secured Party and Trustee, or either of them, may determine in their sole and absolute discretion.

12. By accepting payment of any sum secured by this Deed of Trust after its due date, or by accepting late performance of any obligation secured by this Deed of Trust, or by making any payment or performing any act on behalf of Debtor that Debtor was obligated to make or perform under this Deed of Trust but failed to make or perform, or by adding any payment so made by Secured Party to the Note secured by this Deed of Trust, Secured Party does not waive its right either to require prompt payment when due of all other sums so secured or to declare default for failure to make any such prompt payment or to perform any such act. No failure or delay on the part of Secured Party, Trustee, or any holder of the Note or this Deed of Trust in the exercise of any power, right or privilege hereunder shall operate as a waiver thereof. No single or partial exercise of any such power, right or privilege shall preclude other or further exercise thereof or of any other right, power or privilege. No exercise of any right or remedy of Secured Party or Trustee under this Deed of Trust shall constitute a waiver of any other right or remedy contained in this Deed of Trust or provided by law. All rights and remedies existing under this Deed of Trust are cumulative to, and not exclusive of, any rights or remedies otherwise available.

13. Secured Party may at any time, without giving formal notice to the original or any successor Trustee, or to Debtor, and without regard to the willingness or inability of any such Trustee to execute this trust, appoint another person or succession of persons to act as Trustee, and such appointee in the execution of this trust shall have all the powers vested in and obligations imposed upon Trustee. Should Secured Party be a corporation or an unincorporated association, then any officer thereof may make such appointment.

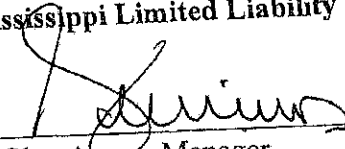
14. Each privilege, option or remedy provided in this Deed of Trust to Secured Party is distinct from every other privilege, option or remedy contained herein or afforded by law or equity, and may be exercised independently, concurrently, cumulatively or successively by Secured Party or by any other owner or holder of the Indebtedness. Forbearance by Secured Party in exercising any privilege, option or remedy after the right to do so has accrued shall not constitute a waiver of Secured Party's right to exercise such privilege, option or remedy in event of any subsequent accrual.

15. The words "Debtor" or "Secured Party" shall each embrace one individual, two or more individuals, a corporation, a partnership or an unincorporated association, depending on the recital herein of the parties to this Deed of Trust. The covenants herein contained shall bind, and the benefits herein provided shall inure to, the respective legal or personal representatives, successors or assigns of the parties hereto subject to the provisions of Paragraph 8. If there be more than one Debtor, then Debtor's obligations shall be joint and several. Whenever in this Deed of Trust the context so requires, the singular shall include the plural and the plural the singular. Notices required

herein from Secured Party to Debtor shall be sent to the address of Debtor shown in this Deed of Trust.

IN WITNESS WHEREOF, Debtor has executed this Deed of Trust on the 17th day of August, 2021.

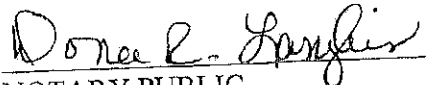
RIVER POINTE ESTATES, LLC
A Mississippi Limited Liability Company


BY: Glen Angus, Manager

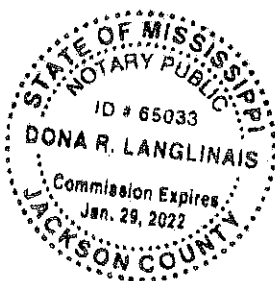
STATE OF MISSISSIPPI
COUNTY OF JACKSON

This day personally appeared before me, the undersigned authority in and for the State and County aforesaid GLEN ANGUS, Manager of the above named RIVER POINTE ESTATES, LLC, a Mississippi Limited Liability Company, who acknowledged that for and on its behalf, he signed, sealed and delivered the foregoing Deed of Trust on the day and year therein mentioned as its act and deed, being first duly authorized so to do.

Given under my hand and official seal of office, this the 17th day of August, 2021.

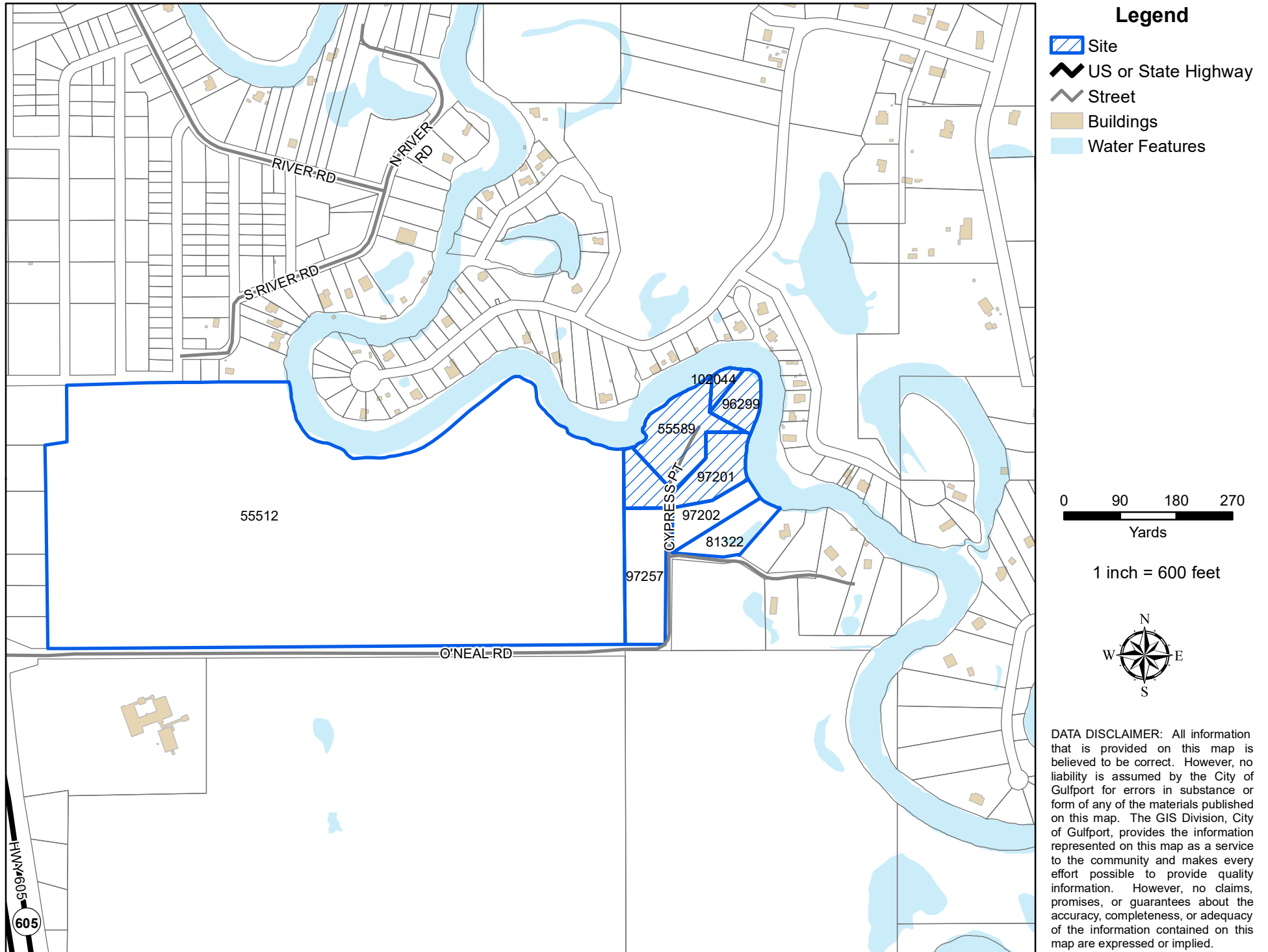

NOTARY PUBLIC

1/29/22
MY COMMISSION EXPIRES:



Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1007O-01-028.000	FHC, INC (OWNER)	6306 W. COAST HWY	NEWPORT BEACH	CA	92663
Adjacent Property Owners (2502ZB021)							
	97201	1007O-01-028.012	RIVER POINTE ESTATES LLC	2112 BIENVILLE BLVD, STE B1	OCEAN SPRINGS	MS	39564
N	96299	1007O-01-028.008	RIVER POINTE ESTATES LLC	2112 BIENVILLE BLVD, STE B1	OCEAN SPRINGS	MS	39564
	97202	1007O-01-028.013	CALCOTE JAMES	1706 MCGILL AVE	MOBILE	AL	36604
	55512	1007N-02-019.000	BEN A RICHARDS LAND COMPANY LLC	P O BOX 6073	GULFPORT	MS	39506
	97257	1007O-01-028.011	2706 6TH AVE LLC	3225 MCLEOD DR, STE 100	LAS VEGAS	NV	89121
N	102044	1007O-01-028.014	RIVER POINTE ESTATES LLC	2112 BIENVILLE BLVD, STE B1	OCEAN SPRINGS	MS	39564
N	55589	1007O-01-028.000	RIVER POINTE ESTATES LLC	2112 BIENVILLE BLVD, STE B1	OCEAN SPRINGS	MS	39564
N	81322	1007O-01-028.001	CALCOTE JAMES	1706 MCGILL AVE	MOBILE	AL	36604

Variance





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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	631240	Print Legal Ad-IPL02143670 - IPL0214367	ZB notice	\$107.48	2	63 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, February 20, 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 2412ZB197, by owners R. Sollum Investments Inc. and J. Sollum Properties Inc., seeking approval for building height of 59 feet where 45 feet is the height limit, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB198, by owners R. Sollum Investments Inc. and J. Sollum Properties Inc., seeking approval for 146 regular parking spaces where 208 spaces are required, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB199, by owners R. Sollum Investments Inc. and J. Sollum Properties Inc., seeking approval for one additional wall sign where two wall signs are allowed, Tax Parcel 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2502ZB011, by agent Richard J. Drive, Zoned, seeking approval for an eight-foot-tall fence where six feet is the height limit, Tax Parcel 1010C-01-001-002, 10988 Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2502ZB013, by owners Timothy Daigle Jr. and Jenée Daigle, seeking approval for a six-foot-tall fence where the height limit is 4 feet, Tax Parcels 0807E-01-001.001, 0807E-01-001.000, 15361 S Swan Road, Zoned R-1-15 (Single-Family), I-2 (Heavy Industry), Ward 7

Variance 2502ZB018, by agent Morgan Speranzo Hoda, seeking approval for a front yard setback of 21.5 feet where 25 is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, 11048 Georgian Way, Zoned R-2, Ward 5

Variance 2502ZB019, by owners Timothy Levens and Theresa Levens, seeking approval to exceed the allowable square footage for accessory structure by 544 square feet for property over an acre, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB020, by owners Timothy Levens and Theresa Levens, seeking approval for a third accessory structure where two are allowed, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB021, by owner FHC, INC, seeking approval for lot sizes smaller than an acre for a proposed 7 lot subdivision, Tax Parcels 1007O-01-028.000, 1007O-01-028.008, 1007O-01-028.012, 1007O-01-028.014, 10550 O'Neil Road, Zoned R-E (Residence-Estate), Ward 6

Variance 2502ZB024, by agent David John Hunter, seeking approval for an 8 foot setback where 25 feet is required for a secondary frontage, Tax Parcel 0911F-01-035.000, 500 East Beach Blvd, Zoned R-1-7.5 (Single-Family), Ward 2

This the 29th day of January 2025
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0214367
Jan 29 2025

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Beaufort County, South Carolina 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:
01/29/25

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

Mary Castro

Sworn to and subscribed before me this 5th day of February in the year of 2025

Amy Robbins

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.



AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

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 # 2025-425

Hearing Date: Thursday, February 20, 2025

Variance 2502ZB024: Variance 2502ZB024, by agent David John Hunter, seeking approval for an 8 foot setback where 25 feet is required for a secondary frontage, Tax Parcel 0911F-01-035.000, 500 East Beach Blvd, Zoned R-1-7.5 (Single-Family), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2502ZB024

Hearing Date: February 20, 2025

Current Zoning/Use: R-1-7.5 / Vacant Lot

Legal: Variance 2502ZB024, by agent David John Hunter, seeking approval for an 8 foot setback where 25 feet is required for a secondary frontage, Tax Parcel 0911F-01-035.000, 500 East Beach Blvd, Zoned R-1-7.5 (Single-Family), Ward 2

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance to have an 8-foot second frontage setback where 25 feet is required. The R-1-7.5 zone does not call out a second frontage setback, however, the second frontage must also meet the front setback outlined in the ordinance. Due to the size and shape of the parcel, it would not be possible to build a single-family home that would meet both the secondary frontage set back and the side yard setback on Lot 4 of this parcel.

- (a) The applicant notes that the property is unique because Alfonso Drive, along the east side of this lot narrows from more than 20 feet wide to 10 feet wide and requiring a 25 foot second frontage setback on this 50 feet wide lot, rather than an 8 foot second frontage setback, would cause a hardship by reducing the buildable site by 50% from 34 feet to 17 feet. Upon site visit, it is clear that not many homes in the area are built within the secondary frontage setback, however, this being a lot of record and the size and shape of the parcel presents a real hardship if intending to front East Beach Blvd.
- (b) In the application, the applicant cites that the 10 foot width of Alfonso Drive along the east side of this lot has been in existence for decades based on discussions with current and prior property owners and neighbors. The special conditions and circumstances does not result from the actions of the applicant, it is caused by the property and the unusual shape of Alphonso Drive.
- (c) The applicant states the unnecessary hardship is created by Alphonso Drive being unusual and peculiar by only being 10 feet wide along the east side of this 50 feet wide lot. Because this property fronts two public right of ways, this results in the applicant having to adhere to the front setback of 25 feet.
- (d) The applicant notes there are many property owners which build homes 32 feet wide on 50 feet lots in the district, as such, it is common for homeowners to expect 8 feet side lot setbacks in the area. Because of the size and shape of the parcel, the literal interpretation of the ordinance would prevent reasonable development on Lot 4.
- (e) The applicant states "I will not receive any special benefit that others who follow the Zoning Ordinance cannot receive as my realtor states many property owners benefit from 8 feet wide side lot setbacks." Because of the size and shape of the property, the granting of this variance will not give any special privilege to the applicant. It is clear that the parcel has a particular shape and size that other parcels in the area do not thus creating the need for the variance.
- (f) This property is zoned R-1-7.5, and a single-family home is allowed by right.

EXECUTIVE SUMMARY

The applicant is requesting a variance for a secondary frontage setback of 8 feet where 25 feet is required. Per the ordinance, if a secondary frontage setback is not specifically listed for the zone, the secondary frontage must meet the same measurement as the front yard setback. The required front yard setback for an R-1-7.5 zone is 25 feet thus requiring the secondary frontage setback to be 25 feet. Because of the size and shape of the parcel, a real hardship is faced when developing on Lot 4 where the proposed single-family home would be. The shape and size of the parcel presents a unique hardship that ultimately will need an approval for a variance to build a livable structure onto Lot 4.

Technical Report

VARIANCE

Any approval should consider these conditions:

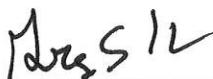
1. Must comply with all rules and regulations.
2. Approval would allow 8 feet for a second frontage setback where 25 feet is required.
3. Must comply with all current Building Codes and City of Gulfport Ordinances.
4. All protected trees will be preserved and protected. Protected trees will be protected during the construction process per Chapter 8 Ordinance.

DEPARTMENTAL CONDITIONS

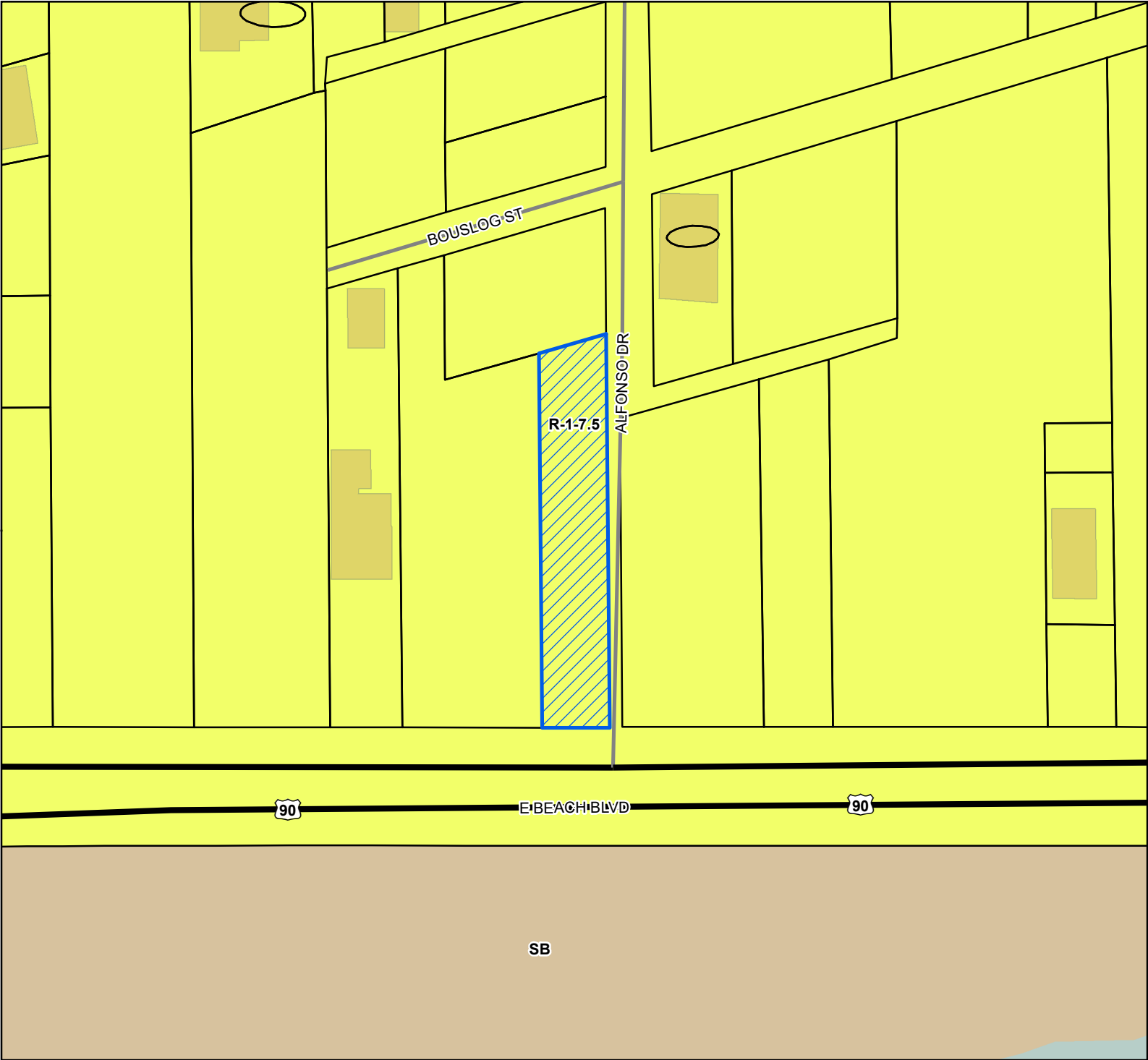
<u>Engineering:</u>	No conditions. Memo dated 2/7/2025.
<u>Public Works:</u>	No conditions. Memo dated 2/7/2025.
<u>Traffic and Safety:</u>	No conditions. Memo dated 2/7/2025.
<u>Building Code Services:</u>	Must comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 1/31/2025.
<u>GIS:</u>	No conditions. Memo dated 2/7/2025.
<u>Police Department:</u>	No conditions. Memo dated 2/7/2025.
<u>Fire Department:</u>	No conditions. Memo dated 2/7/2025.
<u>City Arborist:</u>	All protected trees will be preserved and protected. Protected trees will be protected during the construction process per Chapter 8 Ordinance. Memo dated 1/27/2025.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



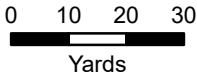
Greg Holmes
Director of Urban Development Department



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

- Zoning**
- R-1-7.5 - Single Family
 - Residence District (Low Density)
 - SB - Sand Beach

Site Information
0911F-01-035.000
Zoning: R-1-7.5 (Single Family)
Size: 13433.99 sqft
Flood: AE, VE



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.



2502ZB024

1-8-25

R# 13108019

ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

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

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500 EAST BEACH BLVD, Gulfport, MS 39507
Lot(s) 4 Block(s) 4 Subdivision Miss L & A Co.

General Description of Request: Request 8' Set Back from Side Lot on EAST Side by Alphonso Dr. in order to prevent hardship from reducing building width on 50' wide lot

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:Jerry Don + Catherine EdwardsPrinted Name of Owner Jerry D Edwards Catherine M Edwards

Mailing Address:

5060 Live Oak Dr
St Francisville, La 70775

Home Phone

Work/Cell Phone

jerryedwards2020@gmail.com

Email

Jerry D Edwards01/06/25

Signature of Owner

Catherine M. Edwards01/06/25

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.

Jerry D Edwards

Name of Owner (PRINT)

5060 Live Oak Dr St. Francisville, La 70775

Address (Street, City, State, Zip Code)

Phone (Home)

(Work)

(Cell)

225-235-2537

Tax Parcel Number(s) Owned

0911F-01-035.000

Signature:

Jerry D Edwards01/06/25Catherine M Edwards

Name of Owner (PRINT)

5060 Live Oak Dr St. Francisville, La 70775

Address (Street, City, State, Zip Code)

Phone (Home)

(Work)

(Cell)

225-936-9087

Tax Parcel Number(s) Owned

0911F-01-035.000

Signature:

Catherine M. Edwards01/06/25

Name of Owner (PRINT)

Address (Street, City, State, Zip Code)

Phone (Home)

(Work)

(Cell)

Tax Parcel Number(s) Owned

Signature:

Certificate ID: 48ADF2A1-85CC-EF11-88CF-002248299057

Signing Information:

Signing Name: 500 East Beach Blvd - 500 East beach variance form

ID: 48ADF2A1-85CC-EF11-88CF-002248299057

Start Date: Jan 06, 2025 05:26:26 PM CST

End Date: Jan 06, 2025 05:37:45 PM CST

Signers: 2

Reviewers: 0

CC: 0

Creator: Martha Boutwell

Email: THEBOUTWELLTEAM@GMAIL.COM

Document Information:

Document Name: 500 East beach variance form

ID: 4EADF2A1-85CC-EF11-88CF-002248299057

Pages: 2

Signature Blocks: 4

Initial Blocks: 0

Participant Activity:

Name: Jerry Edwards

Type: Email:

Email: jerryedwards2020@gmail.com

TOS/STAESP/CCD: Accepted: Jan 06, 2025 05:37:14 PM CST [12.75.41.4]

EULA/TOS Version: https://secure.authentisign.com/assets/files/Authentisign_TOS_202106.pdf

STAESP Version: https://secure.authentisign.com/assets/files/Authentisign_STAESP_202106.pdf

CCD Version: https://secure.authentisign.com/assets/files/Authentisign_CCD_202106.pdf

Document: Signed And Accepted: Jan 06, 2025 05:37:39 PM CST [12.75.41.4]

Name: Catherine Edwards

Type: Email:

Email: Teecat3354@hotmail.com

TOS/STAESP/CCD: Accepted: Jan 06, 2025 05:36:47 PM CST [107.116.165.139]

EULA/TOS Version: https://secure.authentisign.com/assets/files/Authentisign_TOS_202106.pdf

STAESP Version: https://secure.authentisign.com/assets/files/Authentisign_STAESP_202106.pdf

CCD Version: https://secure.authentisign.com/assets/files/Authentisign_CCD_202106.pdf

Document: Signed And Accepted: Jan 06, 2025 05:37:21 PM CST [107.116.165.139]

Signature / Initials:

Certificate ID: 48ADF2A1-85CC-EF11-88CF-002248299057

Signature:

Authentisign
Jerry D Edwards

Initials:

Authentisign
J.E.

Authentisign
Catherine H. Edwards

Authentisign
CE

Certificate ID: 48ADF2A1-85CC-EF11-88CF-002248299057
--

Consumer Consent Disclosure

By proceeding and selecting the "I Agree" button corresponding to the Consumer Consent Disclosure section on the Authentisign Terms of Service window you are agreeing that you have reviewed the following consumer consent disclosure information and consent to transacting business electronically, to receive notices and disclosures electronically, and to utilize electronic signatures instead of using paper documents. This electronic signature service ("Authentisign") is provided on behalf of our client ("Sender") who is listed with their contact information at the bottom of the Authentisign Signing Participant email ("Invitation") you received. The Sender will be sending electronic documents, notices, disclosures to you or requesting electronic signatures from you.

You are not required to receive disclosures, notices or sign documents electronically. If you prefer not to do so, you can make a request to receive paper copies and withdraw your consent to conduct business electronically at any time as described below.

Scope of Consent

You agree to receive electronic notices, disclosures, and electronic signature documents with all related and identified documents and disclosures provided over the course of your relationship with the Sender. You may at any point withdraw your consent by following the procedures described below.

Hardware and Software Requirements

To receive the above information electronically, you will need all of the following:

- a computer or tablet device with internet access
- a working individual email address
- a supported operating system and browser from list table below

Operating System	Apple Safari	Mozilla® Firefox	Edge	Chrome
Windows 7/8/10	N/A	60 or higher	84 or higher	80 or higher
Mac OS X 10.9 or higher	13.1 or higher	60 or higher	N/A	80 or higher
Android 7.0 or higher	N/A	N/A	N/A	80 or higher
Apple - iOS 10.0 or higher	13.5 or higher	N/A	N/A	80 or higher

JavaScript and Cookies must be enabled in the browser.

Certificate ID: 48ADF2A1-85CC-EF11-88CF-002248299057
--

Requesting Paper Copies

You have the ability to download and print or download any disclosures, notices or signed documents made available to you through **Authentisign** using the document print options located within the service. **Authentisign** can also email you a copy of all documents you sign electronically. You are not required to receive disclosures, notices or sign documents electronically and may request paper copies of documents or disclosures if you prefer. If you do not wish to work with electronic documents and instead wish to receive paper copies you can contact the **Sender** through the **Authentisign** document signing interface or request paper copies by following the procedures described below. There could be fees associated to printing and delivering the paper documents.

Withdrawal of Consent to Conduct Business Electronically

Consent to receive electronic documents, notices or disclosures can be withdrawn at any time. In order to withdraw consent you must notify the **Sender**. You may withdraw consent to receive electronic notices and disclosures and optionally electronically signatures by following the procedures described below.

Requesting paper documents, withdrawing consent, and/or updating contact information

To request paper copies of documents, withdraw consent to conduct business electronically and receive documents, notices, or disclosures electronically or sign documents electronically please contact the **Sender** by sending an email to **Sender's** email address located at the bottom of the **Invitation** requesting your desired action. Use one of the following email subject lines and insert the associated text into the body of the email:

- Email Subject line: "Request for Paper Documents"
Include your full name, email address, telephone number, postal address and the signing name found in the **Invitation** in the body of the email.
*Note: There could be per page and delivery fees required by the **Sender** to send the paper documents.*
- Email Subject line: "Withdraw Consent to Conduct Business Electronically"
Include your full name, email address, telephone number, postal address and the signing name found in the **Invitation** in the body of the email.
- Email Subject line: "Update Contact Information"
Include your full name, email address, telephone number, postal address and the signing name found in the **Invitation** in the body of the email, along with the requested change(s) to your contact information



DESIGNATION OF AGENT

Jerry D Edwards
Catherine M Edwards

PRINT NAME

being property owner of

500 East Beach Blvd, Gulfport, MS

PRIMARY ADDRESS OR PARCEL

which is the subject of this application hereby authorize

David John Hunter

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.

Jerry D Edwards
Catherine M Edwards

SIGNATURE

1-8-25

DATE

Louisiana
STATE OF ~~MISSISSIPPI~~ | COUNTY OF ~~HARRISON~~
Pointe Coupee

Given under my hand and seal of office this the *8* day of *Jan*, 20 *25*

NOTARY PUBLIC

Mary Nolen
State of Louisiana
Parish of Pointe Coupee

#56593

at date

COMMISSION EXPIRATION



COVENANT AFFIDAVIT

I, David John Hunter being property owner or agent of the property 0911F-01-035.000
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

SIGNATURE

DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 7th day of January, 20 25

Robyn E. Reiter

NOTARY PUBLIC

March 10, 2025
COMMISSION EXPIRATION



Handwritten signature and text: "Signed by owner"

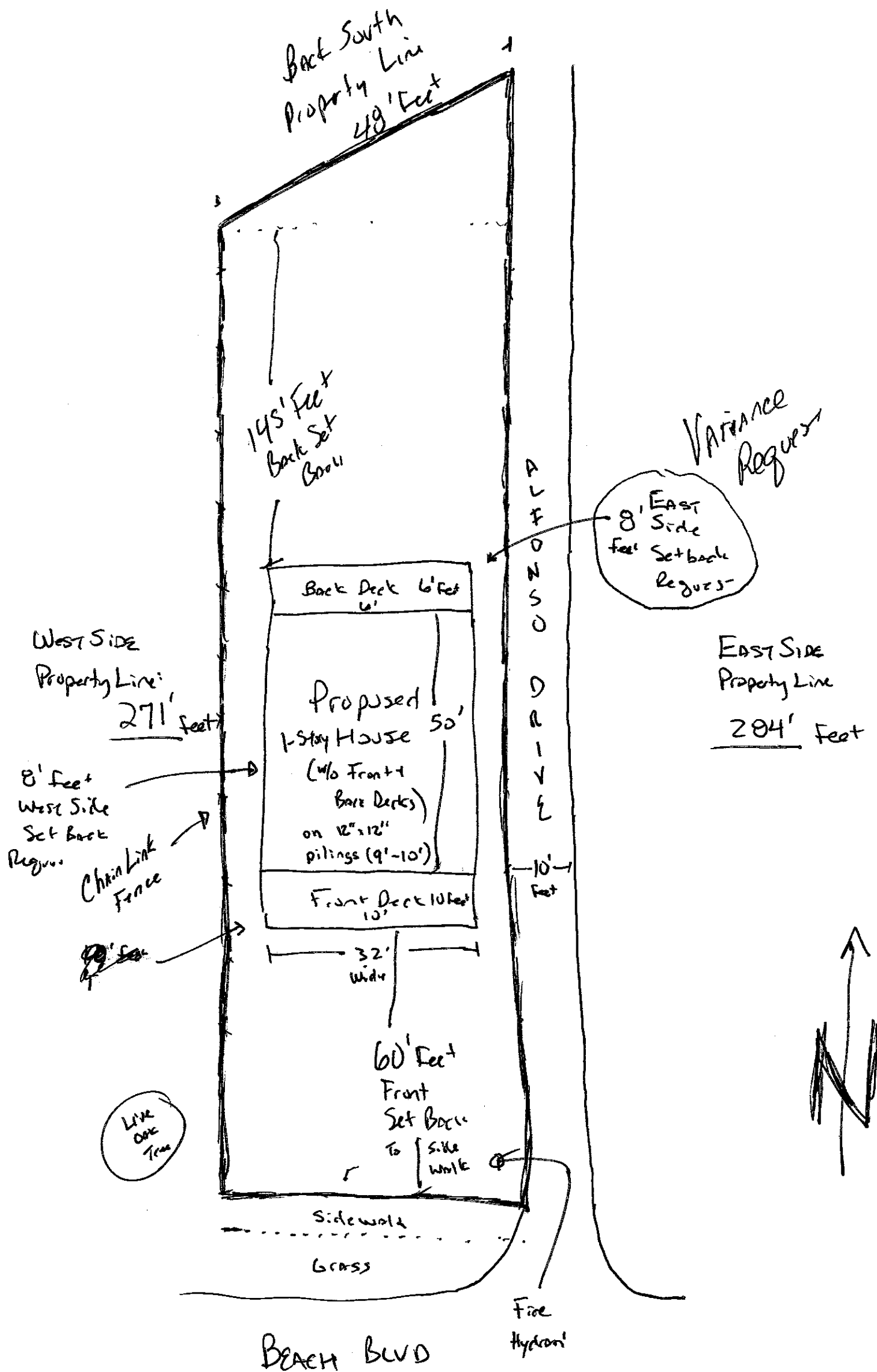
VARIANCE SUBMISSION
500 East Beach Blvd, Gulfport, MS 39507

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

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., What is special about your property that you need to request a variance?)
Response: *This lot is peculiar and unique in this district because Alfonso Drive along the east side of this lot narrows from more than 20 feet wide to only 10 feet wide and requiring a 25 feet setback on this 50 feet wide lot, rather than 8 feet, would cause hardship by reducing the buildable width by 50% from 34 feet to 17 feet (e.g. 50 feet minus 16 feet for two 8 feet side lot setbacks = 34 feet, versus 50 feet minus an 8 foot west side lot setback and 25 feet east side lot setback = 17 feet). A minimum 25-foot-front lot setback for 500 East Beach Blvd will be maintained to preserve two large live oak trees. Board approval of this variance request will also enable us to preserve other large live oak trees by safely building in an open space between the front and back of the lot.*
2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant. (i.e., Show that you did not cause the need for the variance.) **Response:** *The 10 feet width of Alfonso Drive along the east side of this lot has been in existence for decades based on discussions with current and prior property owners and neighbors.*
3. Demonstrate that unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution. (i.e., Explain what your hardship is and why the property cannot comply with the zoning ordinance. Further, explain why this hardship is not commonly found on other properties?) **Response:** *This unnecessary hardship is created by Alfonso Drive being unusual and peculiar by only being 10 feet wide along the east side of this 50 feet wide lot. This hardship is not commonly found as it is unusual for roads to narrow from more than 20 feet to barely 10 feet. Alfonso Drive is also marked with a "Not a Pass Thru" sign at the 2nd Street corner.*
4. Demonstrate how the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of the zoning ordinance. (i.e., Explain how the request meets the right of reasonable economic return and/or right to reasonable development of your property which might be generally expected in your district.) **Response:** *There are many property owners which build homes 32 feet wide on 50 feet lots in the district. As such, it is common for homeowners to expect 8 feet side lot setbacks in the area.*
5. Demonstrate that the granting of the variance will not confer 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 the property in a manner as nearly as equivalent to uses generally permitted in the district considering the conditions and circumstances involved and hardship. (i.e., Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?)
Response: *I will not receive any special benefit that others who follow the Zoning Ordinance cannot receive as my realtor states many property owners benefit from 8 feet wide side lot setbacks.*
6. State whether the use proposed is permissible by right, with planning approval or by special exception with respect to uses of land or structures. **Response:** *I understand the use proposed is permissible by right with planning approval of this variance exception.*

SITE PLAN

500 EAST Beach Blvd.
Gulfport MS 39507



Front South
Property Line
50' Feet

Project Address:

500 East Beach Blvd Gulfport,
MS 39507

Zoning: R17.5

Parcel Number:

0911F-01-035.0



1st JUDICIAL DISTRICT
Instrument 2023-0018091-D-11
Filed/Recorded 09/08/2023 2:36:01 PM
Total Fees 26.00
5 Pages Recorded

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

File#231444

Indexing Instructions:
Lot 4, Blk 4 & Lot 4, Blk 5, Mississippi
Land and Abstract Company's S/D of
a part of Hewes Addition, Harrison
County, 1st JD, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

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

MARGARET R. HENSON
23164 FREDDIE FRANK ROAD
PASS CHRISTIAN, MS 39571
(228) 216-6231

and

KATHLEEN R. BUTLER
13434 JOHN CLARK ROAD
GULFPORT, MS 39503
(228) 216-6231

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

JERRY DON EDWARDS and wife, CATHERINE MARIE EDWARDS
as tenants by the entirety with full rights of survivorship and not as tenants in common
500 EAST BEACH BLVD.
GULFPORT, MS 39507
(225) 235-2537

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

ATTACHED HERETO AS EXHIBIT "A"

The Grantor hereby covenants that the property described herein does not constitute as a part of his homestead, nor is it contiguous thereto.

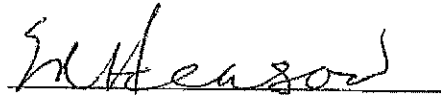
THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and

easements applicable to subject property, and any prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners of subject property.

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

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

WITNESS THE SIGNATURES of the Grantors on this the 8th day of September, 2023.

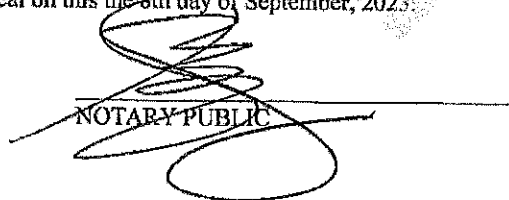

MARGARET R. HENSON


KATHLEEN R. BUTLER

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, **MARGARET R. HENSON** and **KATHLEEN R. BUTLER**, who acknowledged that they signed, executed and delivered the above and foregoing instrument as their voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 8th day of September, 2023.


NOTARY PUBLIC

(SEAL)

My Commission Expires:



EXHIBIT "A"
LEGAL DESCRIPTION

Lot Four (4) in Block Four (4) and Lot Four (4) in Block Five (5) of MISSISSIPPI LAND AND ABSTRACT COMPANY'S SUBDIVISION of a part of HEWES ADDITION to the City of Gulfport, Mississippi, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Book 54 at Page 498 thereof, reference to which is hereby made in aid of and as a part of this description. Said lots or parcels of land being located with and a part of Lot Six (6) of the Mississippi City Company's Survey in Section 2, Township 8 South, Range 11 West in Harrison County, Mississippi. Together with all improvements thereon, all riparian and littoral rights thereunto belonging and all appurtenances thereunto appertaining.

Tax Parcel Number: 0911 F-01-035,000.

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

STATE OF MISSISSIPPI
COUNTY OF HARRISON

AFFIDAVIT OF TITLE

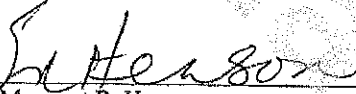
PERSONALLY APPEARED BEFORE ME, the undersigned authority, on this day personally appeared Margaret R. Henson and Kathleen R. Butler ("Affiant"), who, being first duly sworn, upon their oath states:

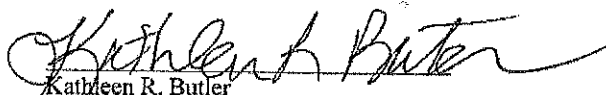
1. We are the owners of Harrison County, Mississippi Ad Valorem Tax Parcel Number 0911F-01-035.000 and all improvements thereon. Said property being legally described on Exhibit "A" attached hereto.
2. We further certify that the subject property is vested this date in the following: Margaret R. Henson and Kathleen R. Butler by virtue of Quitclaim Deed dated November 24, 2021 and recorded March 22, 2022 as described in Deed Instrument Number 2022 6478 D J1.
3. We survived our mother, Helen B. Roberson ("Grantor"), who passed away on February 19, 2022. We have been in possession of subject Warranty Deed from the date of its execution to the date of its recording due to my lack of knowledge that said Deed required recording with the Chancery Clerk of Harrison County, Mississippi to be validated.
4. We are aware of the penalties of perjury under Federal Law, which includes the execution of a false affidavit, pursuant to 18 U.S.C.S. § 1621 wherein it is provided that anyone found guilty shall not be fined more than \$2,000 or imprisoned not more than 5 years or both. We are also aware that filing of a false affidavit is perjury and punishable under Miss. Code Ann. § 97-9-19. Finally, We are also aware that under Miss. Code Ann. § 97-19-39, if a person with the intent to cheat or defraud another uses a false token or any other false pretense to obtain a signature of a person on a writing, or obtain money, personal property, or value, the person is guilty of a crime and will be punished by a fine of not more than three times the amount of the thing obtained and imprisonment in the penitentiary for not more than three years or in a jail for not more than one year.

The undersigned certifies under penalty of perjury that the foregoing is true and correct.

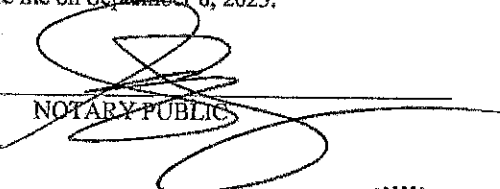
Further affiant sayeth not.

WITNESS OUR SIGNATURES, this September 8, 2023.


Margaret R. Henson


Kathleen R. Butler

Sworn to and subscribed before me on September 8, 2023.


NOTARY PUBLIC

My commission expires:

(SEAL)

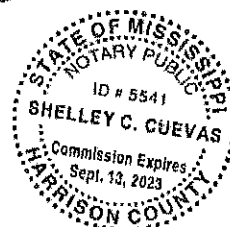


EXHIBIT "A"
LEGAL DESCRIPTION

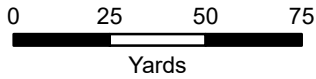
Lot Four (4) in Block Four (4) and Lot Four (4) in Block Five (5) of MISSISSIPPI LAND AND ABSTRACT COMPANY'S SUBDIVISION of a part of HEWES ADDITION to the City of Gulfport, Mississippi, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Book 54 at Page 498 thereof, reference to which is hereby made in aid of and as a part of this description. Said lots or parcels of land being located with and a part of Lot Six (6) of the Mississippi City Company's Survey in Section 2, Township 8 South, Range 11 West in Harrison County, Mississippi. Together with all improvements thereon, all riparian and littoral rights thereunto belonging and all appurtenances thereunto appertaining.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0911F-01-035.000	JERRY & CATHERINE EDWARDS (OWNERS)	5060 LIVE OAK DR	ST FRANCISVILLE	LA	70775
			DAVID JOHN HUNTER (AGENT)	85009 DIAMONDHEAD LAKES BLVD	DIAMONDHEAD	MS	39525
			Adjacent Property Owners (2502ZB024)				
	50504	0911F-01-035.000	ROBERSON HELEN B	23164 FREDDIE FRANK ROAD	PASS CHRISTIAN	MS	39571
	32228	0911F-01-030.000	ALFONSO TOMMYE CARLENE & MARGARET	9153 LORRAINE RD	GULFPORT	MS	39503
	32247	0911F-01-009.000	WHITE COTTEN HOLDINGS LLC	29815 HAYDEN DR	ORANGE BEACH	AL	36561
	32229	0911F-01-031.000	ALFONSO CARLENE & MARGARET	P O BOX 1446	GULFPORT	MS	39502
	32235	0911F-01-029.000	BRYANT H LEE & DOLORES G	508 E BEACH BLVD	GULFPORT	MS	39507
N	30107	0911F-01-028.000	BRYANT H LEE & DOLORES G	508 E BEACH BLVD	GULFPORT	MS	39507
N	32230	0911F-01-032.000	ALFONSO CARLENE & MARGARET	5352 RED CREEK RD	LONG BEACH	MS	39560
	32245	0911F-01-037.000	BERTUCCI DUANE	1500 ALFONSO DR	GULFPORT	MS	39507
N	32243	0911F-01-038.000	ALFONSO MARGARET	P O BOX 1446	GULFPORT	MS	39502
N	50680	0911F-01-036.000	ALFONSO MARGARET	P O BOX 1446	GULFPORT	MS	39502
	50503	0911F-01-033.000	ALFONSO AUGIE	710A GARDENDALE AVE	LONG BEACH	MS	39560
	32236	0911F-01-034.000	DANIEL JOHN & DANESE	P O BOX 6976	GULFPORT	MS	39506
N	146226	0911F-01-037.001	BERTUCCI DUANE	1500 ALFONSO DR	GULFPORT	MS	39507
N	147759	0911F-01-008.005	BERTUCCI DUANE	1500 ALFONSO DR	GULFPORT	MS	39507
	49624	0911F-01-008.001	ALFONSO CARLENE & MARGARET ALFONSO	5352 RED CREEK RD	LONG BEACH	MS	39560



Legend

- Site
- US or State Highway
- Street
- Alley
- Buildings
- Water Features



1 inch = 150 feet



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



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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	631240	Print Legal Ad-IPL02143670 - IPL0214367	ZB notice	\$107.48	2	63 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, February 20, 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 2412ZB197, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for building height of 59 feet where 45 feet is the height limit, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB198, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for 146 regular parking spaces where 208 spaces are required, Tax Parcels 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2412ZB199, by owners R. Solloum Investments Inc. and J. Solloum Properties Inc., seeking approval for one additional wall sign where two wall signs are allowed, Tax Parcel 1010P-01-003.000, 1010P-01-002.000, 2400 Beach Drive, 121 Debuys Road, Zoned R-B (Residence Business), Ward 2

Variance 2502ZB011, by agent Richard J. Drive, Zoned, seeking approval for an eight-foot-tall fence where six feet is the height limit, Tax Parcel 1010C-01-001-002, 10988 Channelside Drive, Zoned R-2 (Single-family), Ward 5

Variance 2502ZB013, by owners Timothy Daigle Jr. and Jenee Daigle, seeking approval for a six-foot-tall fence where the height limit is 4 feet, Tax Parcels 0807E-01-001.001, 0807E-01-001.000, 15361 S Swan Road, Zoned R-1-15 (Single-Family), I-2 (Heavy Industry), Ward 7

Variance 2502ZB018, by agent Morgan Speranzo Hoda, seeking approval for a front yard setback of 21.5 feet where 25 is required, Tax Parcels 1009N-01-002.061, 1009N-01-002.062, 11048 Georgian Way, Zoned R-2, Ward 5

Variance 2502ZB019, by owners Timothy Levens and Theresa Levens, seeking approval to exceed the allowable square footage for accessory structure by 544 square feet for property over an acre, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB020, by owners Timothy Levens and Theresa Levens, seeking approval for a third accessory structure where two are allowed, Tax Parcel 0907O-01-023.015, 12596 Beau Forest Drive, Zoned R-1-15 (Single-Family), Ward 6

Variance 2502ZB021, by owner FHC, INC, seeking approval for lot sizes smaller than an acre for a proposed 7 lot subdivision, Tax Parcels 1007O-01-028.000, 1007O-01-028.008, 1007O-01-028.012, 1007O-01-028.014, 10550 O'Neil Road, Zoned R-E (Residence-Estate), Ward 6

Variance 2502ZB024, by agent David John Hunter, seeking approval for an 8 foot setback where 25 feet is required for a secondary frontage, Tax Parcel 0911F-01-035.000, 500 East Beach Blvd, Zoned R-1-7.5 (Single-Family), Ward 2

This the 29th day of January 2025
A. Leslie North, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0214367
Jan 29 2025

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Beaufort County, South Carolina 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:
01/29/25

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

Mary Castro

Sworn to and subscribed before me this 5th day of
February in the year of 2025

Amy Robbins

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.



AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

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