



# Planning Commission | Agenda

Thursday, September 25, 2025 – 4:30 PM

*City Hall – Council Chambers*  
2309 15<sup>th</sup> Street, Gulfport

- A. Prayer
- B. Pledge of Allegiance
- C. Call to Order
- D. Determination of a Quorum
- E. Confirmation of Agenda
- F. Adoption of Minutes

## **F1. Planning Commission Meeting - 08-28-2025**

### **G. Announcements**

#### **G1. If you are aggrieved by a vote of the Planning Commission, see below.**

DECISION ITEMS: Except as noted below, items listed on this agenda as “Decision Items” may be appealed to the Gulfport City Council as follows: Any person or any officer, department or agency of the City aggrieved by a decision of the Planning Commission may, within fifteen (15) days thereafter, appeal therefore to the Gulfport City Council by submitting to the Planning Commission (Department of Urban Development – Planning Division) a written notice of appeal specifying the decision from which the appeal is taken. In the case of such appeal, the Planning Commission shall cause a transcript of the proceedings in the case to be certified to the 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.

Exception: The disapproval of a general subdivision plan may be appealed by the subdivider by submitting to the Planning Commission and the Mayor and City Council a written notice of appeal. Upon receipt of notice of appeal, the planning commission shall transmit to the City Council a certified copy of the proceedings upon which the appeal is taken. The City Council may overrule such disapproval by a recorded vote of not less than 2/3 of its entire membership. No other right of appeal exists as to action taken by the Planning Commission on a general subdivision plan. The City Council hearing is not limited to the record created before the Planning Commission.

RECOMMENDATION ITEMS: As to items listed on this agenda as “Recommendation Items”, the recommendation of the Planning Commission, whether to approve (with or without condition) or disapprove, will automatically be submitted to the City Council by the Department of Urban

Development – Planning Division, and the item (except recommendations on Final Plats which are not so limited) will be considered by the City Council on the record created before the Planning Commission. It is not necessary to file anything with the Planning Commission in order to have the matter heard by the City Council.

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

Please provide the completed card at the time you speak to the Planning Commission. 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.

**H. Hearing of Cases**

**H1. Planning Commission Decision**

**1. Planning Commission Approval 2509PC104:**

Planning Commission Approval 2509PC104, by owner Arlin Lang, seeking approval for a home occupation for an administrative office for consulting services, Tax Parcel 0811F-05-024.000, 2018 24th Ave, Zoned T4L (General Urban Zone "Limited"), Ward 3

**2. Planning Commission Approval 2509PC107:**

Planning Commission Approval 2509PC107, by agent Carter James Properties, LLC, seeking approval for a reducing salon use, Tax Parcel 0909G-01-001.023, Seaway Road, Zoned I-2 (Heavy industry), Ward 4

**3. Architectural Review Committee Appeal 2510PC120:**

Consider appeal from the decision of the Architectural Review Committee (Case 2508ARC014) denying the application of agent, Frank Wilem, seeking approval for metal siding for a proposed commercial structure, Tax Parcel 1010N-01-087.000, Cowan Road, Zoned T5 (Urban Center Zone), Ward 2

**H2. Planning Commission Recommendation**

**1. Zoning Map Amendment 2509PC105:**

Zoning Map Amendment 2509PC105, by owner Gregory Smith, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcel 1011D-01-055.000, 127 Laurel Drive, Zoned T6 (Urban Core Zone), Ward 2

**2. Zoning Map Amendment 2509PC108:**

Zoning Map Amendment 2509PC108, by agent Eddie Hartwell, requesting to rezone to B-2 (General-business), Tax Parcels 0810F-02-050.000, 0810K-01-001.002, 0810K-01-001.004, 0810K-01-001.009, John Hill Blvd, Zoned B-2 (General-business), I-1 (Light industry), Ward 3

**I. Reports**

**J. Unfinished Business**

**K. Other Business**

**L. Adjournment**

**MINUTES**  
**GULFPORT CITY PLANNING COMMISSION**  
**Thursday, August 28, 2025, 4:30 P.M.**  
**City Hall Council Chambers**

- A. **Prayer**: The Planning Commission led a prayer.
- B. **Pledge of Allegiance**: The Pledge of Allegiance was recited.
- C. **Call to Order**: The meeting of the Planning Commission was called to order at **4:30 p.m.**
- D. **Determination of a Quorum**: A roll call was performed and a quorum was determined.

**BOARD MEMBERS PRESENT:**

WM. PRINCE JONES  
CHARLIE HEWES  
KEITH WILLIAMS  
HAROLD SPANN  
DOUG HANCOCK  
VIRGINIA ADOLPH  
BILL WILLIAMS  
DANIEL KEATING  
TIM DAIGLE JR  
CHRIS ROMANO

**BOARD MEMBERS ABSENT:**

BRYAN JACOBS

**STAFF MEMBERS PRESENT:**

GREG HOLMES  
SU-LIN FEATHERSTON  
BRYCE CLUGH  
WILLIAM DICKINSON

**COURT REPORTER:**

NORMA JEAN SOROE

E. **Confirmation of Agenda**:

F. **Adoption of Minutes**:

Motion by **Harold Spann** and seconded by **Tim Daigle** to approve Minutes of the **July 24, 2025** Planning Commission meetings was carried unanimously.

G. **Hearing of Cases**:

**G1.** The PUBLIC DECLARATION OF APPEAL PROCESS was read by the Chairperson: Any person or any officer, department or agency of the City aggrieved by any decision of the Planning Commission may within fifteen (15) days thereafter appeal there from to the mayor and City Council by filing with the Planning Commission a written notice of appeal specifying the decision from which the appeal is taken. In case of such appeal, the Planning Commission 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.** The Chairperson asked for anyone speaking at the meeting to complete a Speaker’s Card.

**G3. Routine Agenda**

**H1. Planning Commission Decisions**

**1. Special Exception 2506SE077:**

Special Exception 2506SE077, by agent Charfonya Boose, seeking approval for a liquor store use, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

**Speaking for the Petition: Charfonya Boose**

**Speaking against the Petition: Michael Mensi**

**Motion: William Prince Jones – To approve applicant’s request.**

**Second: Harold Spann**

KEITH WILLIAMS	– Chairman
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Nay
DANIEL KEATING	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Yea
BRYAN JACOBS	– Absent
TIM DAIGLE JR	– Yea
CHRIS ROMANO	– Yea
HAROLD SPANN	– Yea
BILL WILLIAMS	– Yea

**Action:** Motion carried 8 to 1.

**2. Special Exception 2508SE094:**

Special Exception 2508SE094, by agent Debra Fox, seeking approval for an assisted living facility, Tax Parcel 0910J-01-049.000, 803 Courthouse Road, Zoned R-1-7.5 (Single-family), Ward 4

**Speaking for the Petition: None**

**Speaking against the Petition: None**

**Motion: Charlie Hewes – To deny the request due to applicant’s failure to appear.**

**Second: Daniel Keating**

KEITH WILLIAMS	– Chairman
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Yea
DANIEL KEATING	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Yea
BRYAN JACOBS	– Absent
TIM DAIGLE JR	– Yea
CHRIS ROMANO	– Yea
HAROLD SPANN	– Yea
BILL WILLIAMS	– Yea

**Action:** Motion carried unanimously.

**3. Special Exception 2508SE095:**

Special Exception 2508SE095, by agent James Fox, seeking approval for an assisted living facility, Tax Parcel 0910J-01-050.000, 1 39th Street A, Zoned R-1-7.5 (Single-family), Ward 4

**Speaking for the Petition: None**

**Speaking against the Petition: None**

**Motion: Charlie Hewes – To deny the request due to applicant’s failure to appear.**

**Second: Harold Spann**

- KEITH WILLIAMS – **Chairman**
- VIRGINIA ADOLPH – Yea
- CHARLIE HEWES – Yea
- DANIEL KEATING – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- BRYAN JACOBS – Absent
- TIM DAIGLE JR – Yea
- CHRIS ROMANO – Yea
- HAROLD SPANN – Yea
- BILL WILLIAMS – Yea

**Action:** Motion carried unanimously.

**H2. Planning Commission Recommendation**

**4. Zoning Map Amendment 2508PC101:**

Zoning Map Amendment 2508PC101, by owner Contracting 24-7 LLC, requesting to rezone to R-B (Residence-business), Tax Parcels 0911D-03-032.001, 0911D-03-032.000, 0911D-03-055.000, 2213 Hewes Ave, 23rd Street, E Railroad Street, Zoned B-2 (General Business), Ward 3

**Speaking for the Petition: Jeanette Ladner**

**Speaking against the Petition: None**

**Motion: Doug Hancock – To approve applicant’s request.**

**Second: Harold Spann**

- KEITH WILLIAMS – **Chairman**
- VIRGINIA ADOLPH – Yea
- CHARLIE HEWES – Yea
- DANIEL KEATING – Yea
- WM. PRINCE JONES – Yea
- DOUG HANCOCK – Yea
- BRYAN JACOBS – Absent
- TIM DAIGLE JR – Yea
- CHRIS ROMANO – Yea
- HAROLD SPANN – Yea
- BILL WILLIAMS – Yea

**Action:** Motion carried unanimously.

**I. Adjournment**

There being no further business , a Motion was made by Virginia Adolph to adjourn, seconded by Charlie Hewes and carried unanimously. The meeting adjourned at 5:03 p.m.

\_\_\_\_\_  
William Prince Jones, Secretary

Date: \_\_\_\_\_



URBAN DEVELOPMENT  
PLANNING & ZONING  
PO BOX 1780 | GULFPORT, MS | 1410 24<sup>TH</sup> AVENUE  
228.868.5710 | [PLANNERS@GULFPORT-MS.GOV](mailto:PLANNERS@GULFPORT-MS.GOV)

## PLANNING COMMISSION

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**Hearing Date: Thursday, September 25, 2025**

**Planning Commission Decision**



URBAN DEVELOPMENT  
PLANNING & ZONING  
PO BOX 1780 | GULFPORT, MS | 1410 24<sup>TH</sup> AVENUE  
228.868.5710 | [PLANNERS@GULFPORT-MS.GOV](mailto:PLANNERS@GULFPORT-MS.GOV)

## PLANNING COMMISSION

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**Hearing Date: Thursday, September 25, 2025**

**Planning Commission Approval 2509PC104: Planning Commission Approval 2509PC104, by owner Arlin Lang, seeking approval for a home occupation for an administrative office for consulting services, Tax Parcel 0811F-05-024.000, 2018 24th Ave, Zoned T4L (General Urban Zone "Limited"), Ward 3**

# **Technical Report**

## *PLANNING COMMISSION APPROVAL*

### ***GENERAL INFORMATION***

Case File Number: 2509PC104

Hearing Date: September 25, 2025

Current Zoning/Use: T4L / Single Family Home

Legal: Planning Commission Approval 2509PC104, by owner Arlin Lang, seeking approval for a home occupation for an administrative office for consulting services, Tax Parcel 0811F-05-024.000, 2018 24th Ave, Zoned T4L (General Urban Zone "Limited"), Ward 3

### ***TECHNICAL DETAILS***

The applicant is seeking approval for a home occupation for an administrative office for consulting services. The applicant has stated in their application that no customers would be visiting the location, and the consulting services would be by phone or telecommunication, such as zoom, and would be by appointment only. Staff conducted a site visit and noted unpermitted commercial signage for consulting services on the subject site. Upon research into the Harrison County Land Records, while land records show the subject site being owned by the applicant it also shows the applicant tied to another location in Pass Christian via a homestead exemption. The applicant has claimed to Planning Division staff that they reside at the subject site at 2018 24th Avenue and would be able to provide documentation of residency. Other departments have included conditions, if approved, in addition to conditions of the Planning Division listed below.

### ***EXECUTIVE SUMMARY***

The applicant is seeking approval for a home occupation for an administrative office for consulting services. In order to prevent traffic to the site, the applicant has stated in their application that no customers would be visiting the location. The applicant also noted that the consulting services would be done by phone or telecommunication, such as zoom, and would be by appointment only. Staff conducted a site visit and noted unpermitted commercial signage for consulting services on the subject site. Upon research into the Harrison County Land Records, while land records show the subject site being owned by the applicant it also shows the applicant tied to another location in Pass Christian via a homestead exemption. The applicant has claimed to Planning Division staff that they reside at the subject site and would be able to provide documentation of residency. Other departments have included conditions, if approved, in addition to conditions of the Planning Division listed below.

Any approval should consider these conditions:

1. Existing commercial signage will need to be removed.
2. Proof of residency will need to be provided by the applicant.
3. Customers must not enter premises.

**Technical Report**  
*PLANNING COMMISSION APPROVAL*

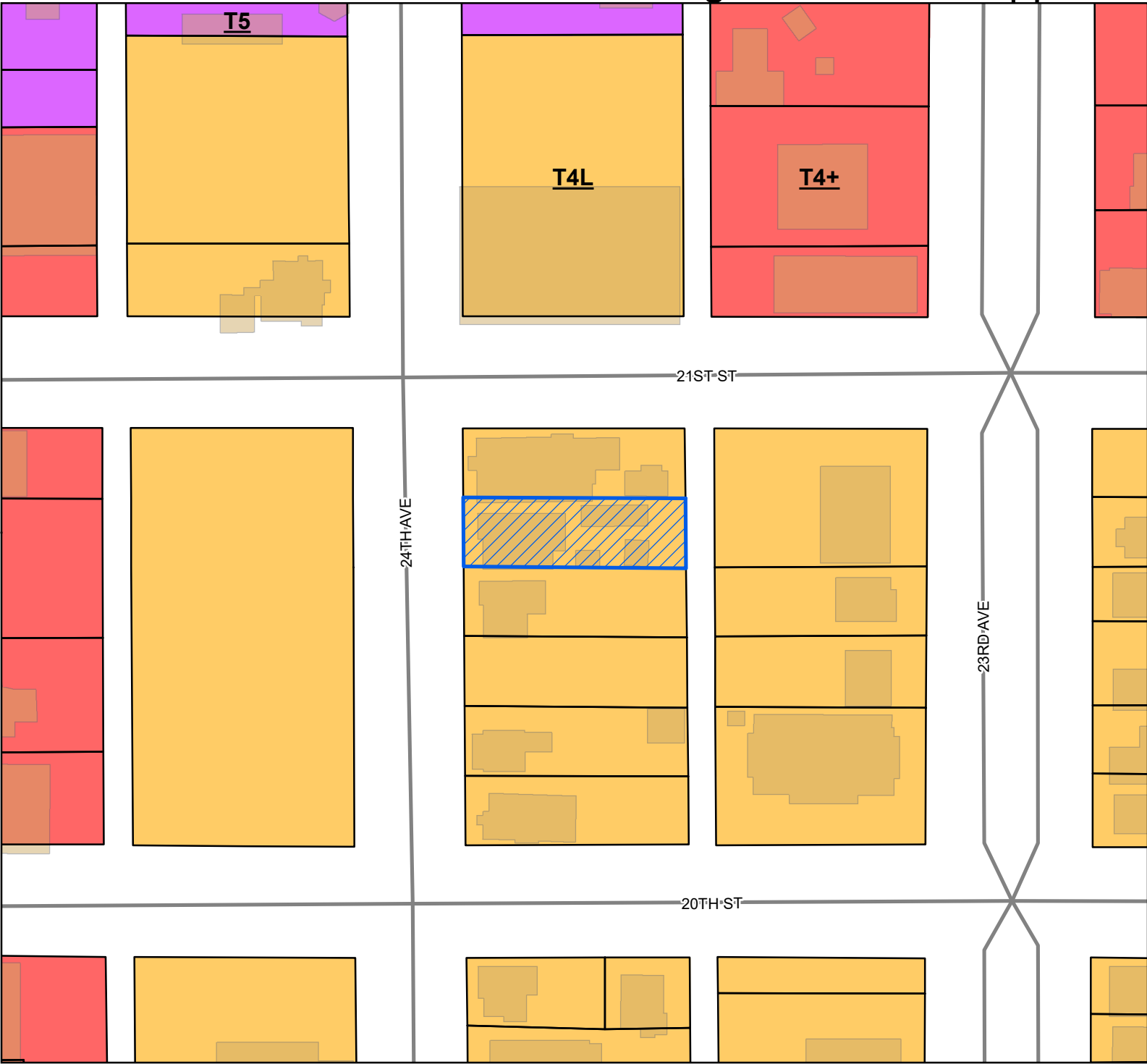
***DEPARTMENTAL CONDITIONS***

- Engineering:** No conditions. Memo dated 9/4/25.
- Public Works:** No comments as of 9/12/25.
- Traffic and Safety:** No conditions. Memo dated 9/5/25.
- Building Code Services:** Customers must not enter premises. Memo dated 9/3/25.
- GIS:** No conditions. Memo dated 9/11/25.
- Police Department:** No comments as of 9/12/25.
- Fire Department:** No conditions. Memo dated 9/4/25.
- City Arborist:** No conditions. Memo dated 9/4/25.
- Landscape Manager:** No conditions. Memo dated 9/9/25.

***DIRECTOR APPROVAL***

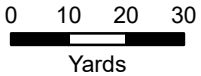
This report has been reviewed and approved by:

  
\_\_\_\_\_  
Greg Holmes  
Director of Urban Development Department



- Site
- Street
- Parcels
- Buildings
- City Limit
- Smart Code**
- T5
- T4+
- T4L

**Site Information**  
 0811F-05-024.000  
 Zoning: T4L (General Urban Zone "Limited")  
 Size: 7984.36 sqft  
 Flood: X



1 inch = 100 feet



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

For Staff Use Only

Case Number: 2509 PC 104  
Date Received: 7/27/2025  
Receipt Number: 13402328  
Received By: [Signature]  
Zoning: T4L  
Ward: 3 Flood: X  
Size: 7984 sqft

### APPLICATION FOR PLANNING COMMISSION APPROVAL FOR A HOME OCCUPATION

#### Property Information

TAX PARCEL # 

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					-			-				.			
					-			-				.			

(If necessary, use separate sheet of paper)

Address of Property Involved: 2018 24th Ave. Gpt. MS 39501  
Lot(s) 21-22, Block(s) 101, Subdivision Original GPT  
General Location: \_\_\_\_\_

#### GENERAL DESCRIPTION OF REQUEST:

Home office - Consulting Business

#### 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.*

OWNER  
Arkin Lang  
Printed Name of Owner  
2018 24th Ave.  
Mailing Address  
Gulfport, MS 39501  
City State Zip code  
(601) 862-0524  
Home Phone Work/Cell Phone  
ArkinLang@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

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

**SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.**

### CHECKLIST FOR HOME OCCUPATIONS

Owner's Name: Arlin Lang

Address: 2018 24th Ave Gulfport, MS 39501

Phone: (Home) (601) 862-0526 (Work/Cell) (228) 254 6931

If rented, then the name of owner or manager is required, along with a letter of approval from same: N/A

Name of business or service to be used as home occupation: \_\_\_\_\_

Nature of business: Home Office. Consulting Business

Please fill in all the appropriate blanks:

Hours of operation: 8:00 a.m. until 5:00 p.m. 9:00 - 5:00 PM

Earlier than 8:00 a.m. \_\_\_\_\_

Give hours: \_\_\_\_\_

Later than 5:00 p.m.: \_\_\_\_\_

Give hours: \_\_\_\_\_

Method of conducting business:

Telephone: X \_\_\_\_\_

Mail order: \_\_\_\_\_

Personal computer: X \_\_\_\_\_

Appointment: X \_\_\_\_\_

Traffic generation:

Is there any delivery of goods or products to the residence? NO

If so, specify the number and frequency of deliveries: N/A

Describe size of vehicle making deliveries: N/A

Is service by appointment only or are there drop-by visits by customers or clientele? \_\_\_\_\_

Appt. Only - by phone by Tele-ZOOM

Specify number and frequency of visits by clients and customers: By Appt. Only <sup>VIA</sup> TELE

Is everything made, manufactured, or provided on site? Nothing Manufactured on site.

Is special equipment required in production? NO

If so, described it, giving size of motor, etc. N/A

Are sales made from the premises? NO

If sales are made from other places, indicate on what basis:

Local stores on consignment: N/A

Arts and crafts or flea markets: N/A

Trade shows: N/A

Other: \_\_\_\_\_

Is there a Protective Covenant that exists that prohibits a home occupation at the proposed located?

Yes \_\_\_\_\_ No

I certify the above to be true and accurate as it pertains to this application. I recognize that failure to comply with the assurances made in this application may result in the denial or removal of the permit after due notice and public hearing thereon.

Printed Name: Arden Lang

Signature: [Handwritten Signature]

Date: 7/22/25

7/22/2025

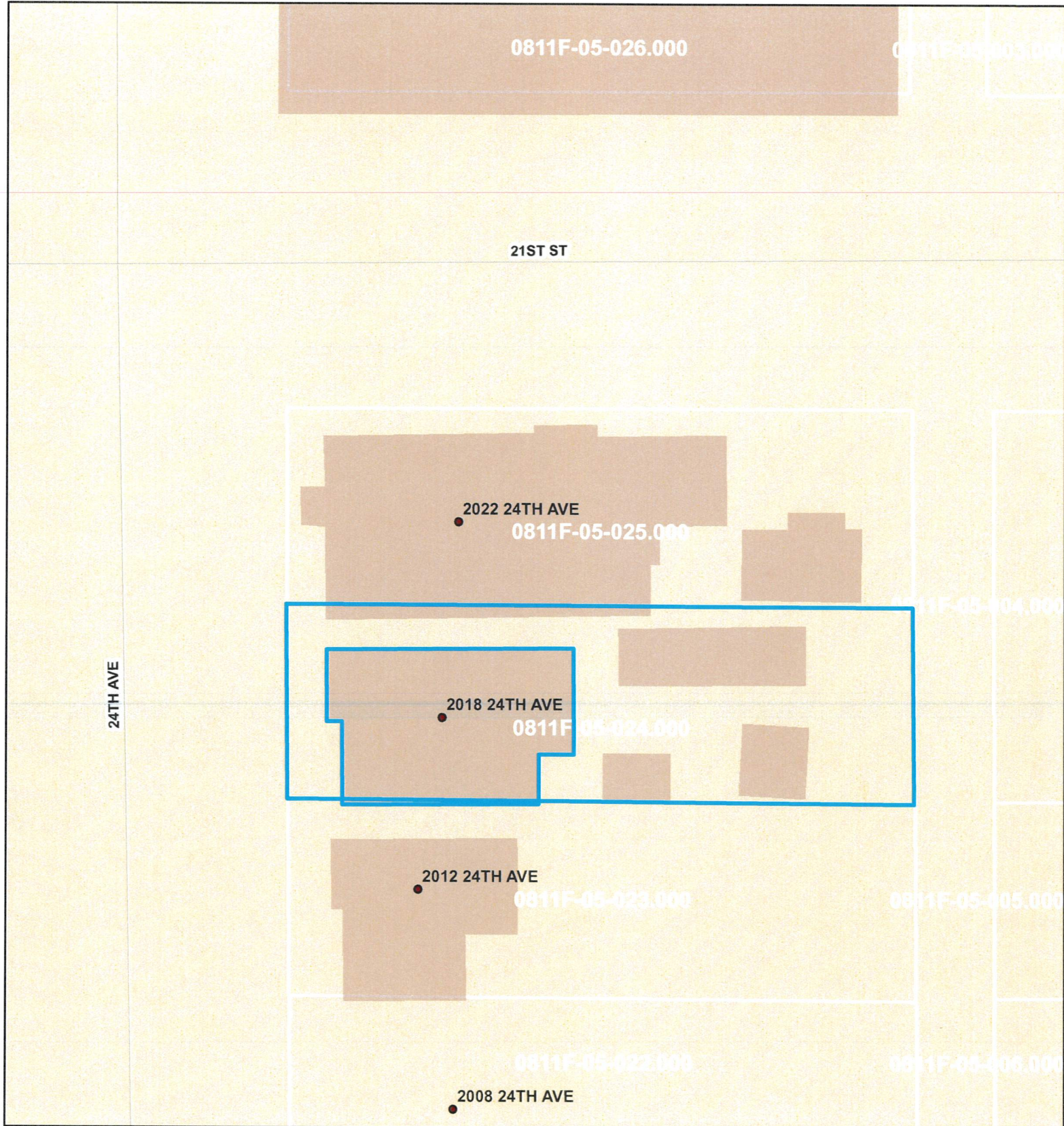
Section F

✓

- No Ingress - Egress will be affected by my occupation
- City of Gulfport - Provided by
- City of Gulfport
- City of Gulfport
- Other public facilities will not be affected by my occupation.
- Clients are not coming to my home - Telecommunication by App only
- IS in harmony - Property is T4L - "Mixed use District"

My occupation is Licensed Professional Counselor - Supervisor

- I provide consultation to new Clinicians - I supervise Masters level hours for licensure with the MS state Board for licensed clinicians.
- Clinicians/Supervisees are in several sites.



1 inch = 33 feet



**DATA DISCLAIMER:**

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# Area Map

Parcels

Printed 7/22/2025





*Angela Hines* 1st JUDICIAL DISTRICT  
Instrument 2024-0024493-D-J1  
Filed/Recorded 12/11/2024 9:32:01 AM  
Total Fees 26.00  
2 Pages Recorded

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

Grantor:  
**Sherman Joseph Rushing Sr.**  
10166 Woodlands Drive  
Biloxi, MS 39532  
(228) 861-6405

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

Grantee:  
**Arlin Lang**  
149 Holiday Avenue  
Pass Christian, MS 39571  
(601) 862-0526

File No. Z-24-400

INDEXING INSTRUCTIONS: Lots 21 & 22, Blk. 101, Original Gulfport, 1st JD, Harrison County, MS

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

#### WARRANTY DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, I, **Sherman Joseph Rushing, Sr.**, do hereby sell, convey and warrant unto **Arlin Lang**, 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:

**Lots 21 & 22, Block 101, Original Gulfport, 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, MS in Plat Book 11, at Page 9.**

This being the same property as that conveyed to Sherman Joseph Rushing, Sr. by warranty deed from I-10 Properties, LLC, a Mississippi Limited Liability Company dated September 7, 2023 and recorded with Harrison County Chancery Clerk on September 8, 2023 as Instrument #2023-18051-D-J1.

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

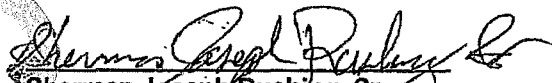
Grantor(s) quitclaim any and all oil, gas, and other minerals owned, if any, to Grantee(s). No mineral search was requested or performed by preparer.

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

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

This conveyance is not part of the Grantor(s) homestead.


WITNESS MY SIGNATURE, on this the 2nd day of December, 2024.

  
Sherman Joseph Rushing, Sr.

**ACKNOWLEDGMENT**

STATE OF MISSISSIPPI  
COUNTY OF JACKSON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 2nd day of December, 2024, within my jurisdiction, the within named Sherman Joseph Rushing, Sr., who acknowledged that he executed the above and foregoing instrument.

  
Notary Public



(AFFIX SEAL)





My commission expires: 1/27/27

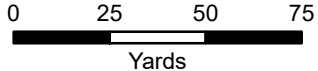
Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0811F-05-024.000	ARLIN LANG (OWNER)	2018 24TH AVE	GULFPORT	MS	39501
			<b>Adjacent Property Owners (2509PC104)</b>				
	19592	0811F-05-021.000	HOLLEMAN LAW FIRM PLLC	2004 24TH AVE	GULFPORT	MS	39501
	19415	0811F-05-030.000	KINSEY LEWIS E & DARLA J	2101 24TH AVE	GULFPORT	MS	39501
	19408	0811F-05-003.000	EASTERLING ROBERT C	2608 EVERGREEN LANE	BILOXI	MS	39531
	90803	0811F-05-002.000	FOWLER LAVELL	2107 23RD AVE UNIT A	GULFPORT	MS	39501
	19410	0811F-05-026.000	ARBAN MICHAEL S	15520 DANIEL BLVD STE E	GULFPORT	MS	39503
	19609	0811F-01-089.000	HALEY JOSHUA	2018 23RD AVE	GULFPORT	MS	39501
	19610	0811F-01-090.000	OAK PLACE LLC	1124 2ND STREET	GULFPORT	MS	39501
	19588	0811F-05-005.000	DOWDLE WAYNE JR	13616 TARA HILLS CIR	GULFPORT	MS	39503
	19590	0811F-05-007.000	CULUMBER ROBERT L ETAL	2300 20TH ST	GULFPORT	MS	39501
	19578	0811F-05-031.000	ROB-LANDS LLC	111 LUNDGREN LANE	GULFPORT	MS	39507
	19587	0811F-05-004.000	NICHOLSON REAL ESTATE III LLC	P O BOX 584	GULFPORT	MS	39502
	19589	0811F-05-006.000	PALMS LLC	16164 ORANGE GROVE RD	GULFPORT	MS	39503
	19593	0811F-05-022.000	SOMEWHERE IN TIME LLC	922 PORTER AVE	OCEAN SPRINGS	MS	39564
	19591	0811F-05-020.000	PURA VIDA LLC	2000 24TH AVE	GULFPORT	MS	39501
	19596	0811F-05-025.000	JAC HOLDINGS LLC	19157 CHAMPION CIRCLE	GULFPORT	MS	39503
	19594	0811F-05-023.000	GUTHRIE DEBRA G	13510 WHITE TAIL DR	TYLER	TX	75707
	19595	0811F-05-024.000	RUSHING SHERMAN JOSEPH SR	10166 WOODLANDS DR	BILOXI	MS	39532
	19608	0811F-01-088.000	MCKEE INVESTMENTS INC	1235 22ND ST	GULFPORT	MS	39501
	19414	0811F-05-029.000	GULF COAST COMM FED CREDIT UNION	12364 HWY 49	GULFPORT	MS	39503

# Planning Commission Approval



### Legend

-  Site
-  US or State Highway
-  Street
-  Buildings



1 inch = 150 feet



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

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

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

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

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
51445	IPL0269753	Legal Ad - IPL0269753		1.0	73.0L

ATTENTION: GULFPORT URBAN DEVELOPMENT IP  
 PO BOX 1780  
 GULFPORT, MS 39502  
 accountspayable@gulfport-ms.gov;sasmith@gulfport-ms.gov

STATE OF MISSISSIPPI  
 COUNTY OF HARRISON  
 Before me, the undersigned Notary personally appeared the under-  
 signed, who, being by me first duly sworn, did depose and say that he/  
 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:

1.0 insertion(s) published on:  
 09/10/25 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

*Mary Castro*

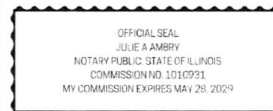


Mary Castro

*Julie A Ambry*



Sworn to and subscribed before  
 me on Sep 10, 2025, 10:10 AM EDT



Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNiX®

### 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 Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 PM., Thursday, September 25, 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 the first floor of the William H. Hardy Building, 1410 24th Avenue.

**Planning Commission Approval 2509PC104**, by owner Arlin Lang, seeking approval for a home occupation for an administrative office for consulting services, Tax Parcel 0811F-05-024.000, 2018 24th Ave, Zoned T4L (General Urban Zone "Limited"), Ward 3

**Planning Commission Approval 2509PC107**, by agent Carter James Properties, LLC, seeking approval for a reducing salon use, Tax Parcel 0909G-01-001.023, Seaway Road, Zoned I-2 (Heavy industry), Ward 4

**Zoning Map Amendment 2509PC105**, by owner Gregory Smith, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcel 1011D-01-055.000, 127 Laurel Drive, Zoned T6 (Urban Core Zone), Ward 2

**Zoning Map Amendment 2509PC108**, by agent Eddie Hartwell, requesting to rezone to B-2 (General-business), Tax Parcels 0810F-02-050.000, 0810K-01-001.002, 0810K-01-001.004, 0810K-01-001.009, John Hill Blvd, Zoned B-2 (General-business), I-1 (Light industry), Ward 3

**Architectural Review Committee Appeal 2510PC120**. Consider appeal from the decision of the Architectural Review Committee (Case 2508ARC014) denying the application of agent, Frank Wilem, seeking approval for metal siding for a proposed commercial structure, Tax Parcel 1010N-01-087.000, Cowan Road, Zoned T5 (Urban Center Zone), Ward 2

This the 3rd day of September 2025  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0269753  
 Sep 10 2025



URBAN DEVELOPMENT  
PLANNING & ZONING  
PO BOX 1780 | GULFPORT, MS | 1410 24<sup>TH</sup> AVENUE  
228.868.5710 | [PLANNERS@GULFPORT-MS.GOV](mailto:PLANNERS@GULFPORT-MS.GOV)

## PLANNING COMMISSION

---

**Hearing Date: Thursday, September 25, 2025**

**Planning Commission Approval 2509PC107: Planning Commission Approval 2509PC107, by agent Carter James Properties, LLC, seeking approval for a reducing salon use, Tax Parcel 0909G-01-001.023, Seaway Road, Zoned I-2 (Heavy industry), Ward 4**

# **Technical Report**

## *PLANNING COMMISSION APPROVAL*

### ***GENERAL INFORMATION***

Case File Number: 2509PC107

Hearing Date: September 25, 2025

Current Zoning/Use: I-2 / Vacant Lot

Legal: Planning Commission Approval 2509PC107, by agent Carter James Properties, LLC, seeking approval for a reducing salon use, Tax Parcel 0909G-01-001.023, Seaway Road, Zoned I-2 (Heavy industry), Ward 4

### ***TECHNICAL DETAILS***

The applicant is seeking Planning Commission approval for the use of reducing salon (i.e. gym, fitness facility) in an I-2 Zone (Heavy Industry District), located on a vacant lot on Seaway Road, next to 12561 Seaway Road. While conducting staff research, City Council approved Zoning Text Amendment 2301PC007, Ordinance Number 3246. Ordinance 3246 is an ordinance amending the official text of the comprehensive zoning ordinance of the City of Gulfport, Mississippi adopted the 29<sup>th</sup> day of June 1979, section III District Regulations, (K) Chart of Permitted Uses, (2) schedule of uses, services, which thereby allows the use of “reducing salon” in an “I-2”(Heavy Industry District) zoning district with planning commission approval. Located at 13334 Seaway Road is Gulf Coast Elite Training Facility, Planning Commission approved case number 2304PC039, that was seeking approval for a reducing salon in a multi-tenant commercial building. Gulf Coast Elite Training Facility is approximately 3700 feet away from this proposed reducing salon use. According to the applicant, this reducing salon use is a batting cage/gym. The applicant’s site plan shows the proposed building to be about 12,000 square feet. The off-street parking requirements will be 1 space per 300 square feet of gross floor area, and the applicant has provided forty (40) parking spaces and two (2) handicapped van accessible parking spaces according to their site plan.

### ***EXECUTIVE SUMMARY***

By ordinance, the planning commission may “establish conditions and limitations with respect to the site plan.” The proposed site plan shows the commercial building to be approximately 12,000 square feet with a proper parking lot of 40 parking spaces and 2 handicapped van accessible parking spaces. The proposed reducing salon use is in an I-2 zoning district, which is allowed with Planning Commission approval.

Any approval should consider these conditions:

1. Approval allows for a reducing salon use.
2. Must comply with all Building Codes and City of Gulfport Ordinances.
3. The driveway for Parcel A2 (as labeled in the application) must align with the existing median crossover on Seaway Road. If Parcel A2 is split in the future, the driveway

**Technical Report**  
*PLANNING COMMISSION APPROVAL*

constructed for this project must be shared with the split parcel. The developer shall construct a westbound left turn lane in the median on Seaway Road at the proposed driveway at the median crossover.

***DEPARTMENTAL CONDITIONS***

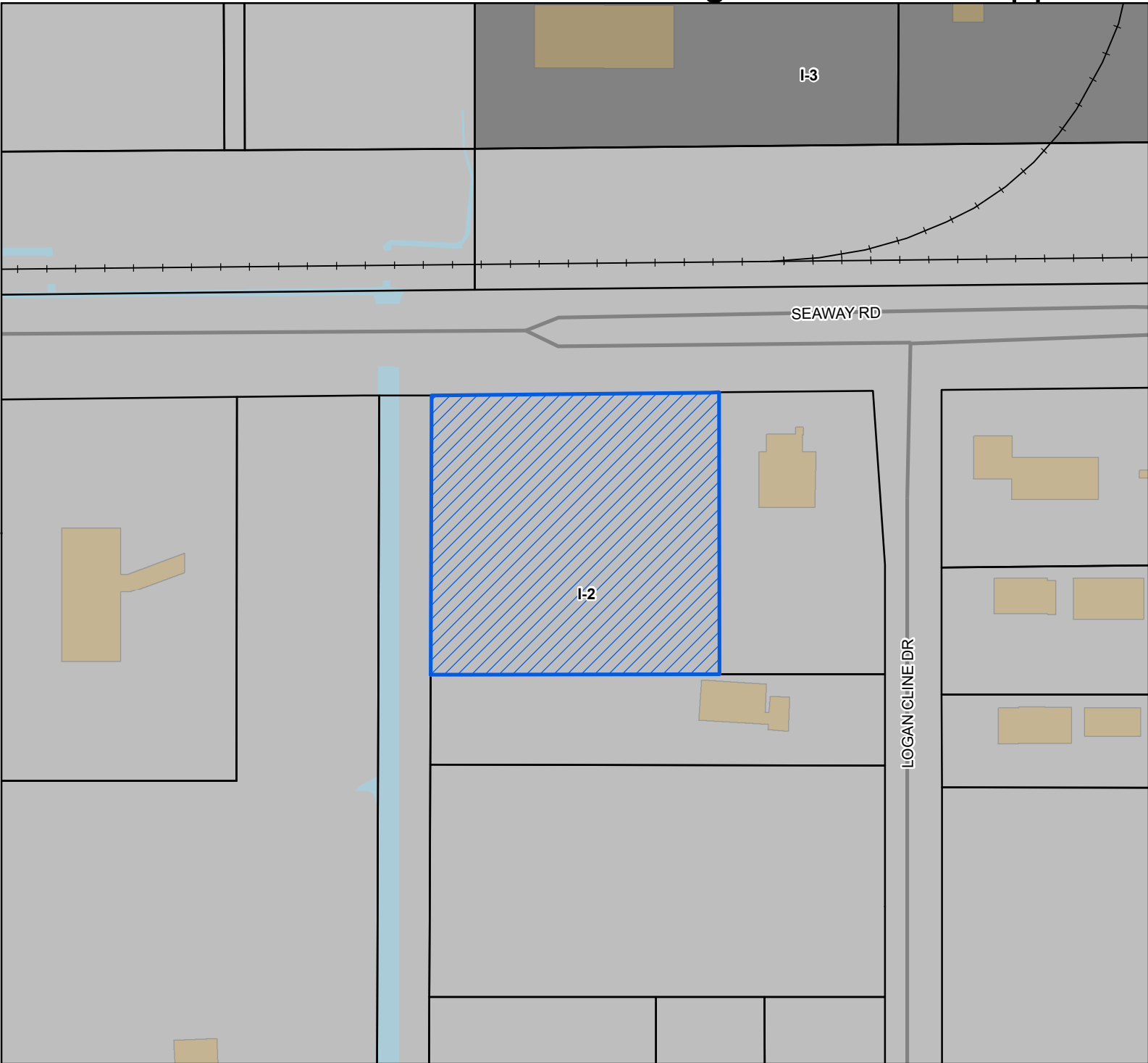
- Engineering:** The driveway for Parcel A2 (as labeled in the application) must align with the existing median crossover on Seaway Road. If Parcel A2 is split in the future, the driveway constructed for this project must be shared with the split parcel. The developer shall construct a westbound left turn lane in the median on Seaway Road at the proposed driveway at the median crossover. Memo dated 9/4/2025.
- Public Works:** No comment as of 9/12/2025.
- Traffic and Safety:** See the transmittal from the Engineering Department. Memo dated 9/5/25.
- Building Code Services:** Must comply with all Building Codes and City of Gulfport Ordinances. Memo dated 9/3/2025.
- GIS:** No conditions. Memo dated 9/11/2025.
- Police Department:** No comment as of 9/12/2025.
- Fire Department:** No conditions. Memo dated 5/12/16.
- City Arborist:** No conditions. Memo dated 9/4/2025.

***DIRECTOR APPROVAL***

This report has been reviewed and approved by:



\_\_\_\_\_  
Greg Holmes  
Director of Urban Development Department

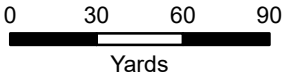


- Site
- Street
- Railroad
- Parcels
- Buildings
- Water Features
- City Limit

**Zoning**

- I-2 - Heavy Industry District
- I-3 - Planned Industrial District

**Site Information**  
 0909G-01-001.023  
 Zoning: I-2 (Heavy Industry)  
 Size: 4 Acres  
 Flood: AE



1 inch = 200 feet



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

For Staff Use Only

Case Number: 2509PC107  
Date Received: 8/4/25  
Receipt Number: 13415641  
Received By: [Signature]  
Zoning: I-2  
Ward: 4 Flood: AE  
Size: 4 Acres

### APPLICATION FOR PLANNING COMMISSION APPROVAL

#### Property Information

TAX PARCEL #

0	9	0	9	6	-	0	1	-	0	0	1	•	0	2	3
					-			-				•			
					-			-				•			

(If necessary, use separate sheet of paper)

Address of Property Involved: \_\_\_\_\_

Lot(s) 7 and 8, Block(s) \_\_\_\_\_, Subdivision 2

General Location: Bernard Bayou Industrial District, Gulfport MS

#### GENERAL DESCRIPTION OF REQUEST:

Buidy a 12K Building for D-bits gun

#### 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.

OWNER

AGENT

Bill Lavers, Harrison County Dev. Comm.

Carle James LH

Printed Name of Owner

Printed Name of Agent

PO Box 6278

12561 Seawg Rd

Mailing Address

Mailing Address

Gulfport MS 39506

Gulfport MS 39501

City State Zip code

City State Zip code

228.896.5020

228 383 2043

Home Phone

Work/Cell Phone

Home Phone

Work/Cell Phone

BLavers@mscoast.org

GUSO Powers Gulfport.com

Email

Email

[Signature]

[Signature]

Signature of Owner

Signature of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

**SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.**



**DESIGNATION OF AGENT**

Bill Lavers, Executive Director of the Harrison County Development Commission on behalf of the Harrison County MS Board of Supervisors, being the property owner of Tax Parcel No. 0909G-01-001.023, which is the subject of this application, in his representative capacity hereby authorizes Gustavo Gambino of Carter James Properties, LLC, the leaseholder of such property, to act as the representative for such application with the City of Gulfport's Planning Commission, and/or City Council, and/or for permitting and licensing, as required by the City.

Such representation shall be for the purposes of submitting the attached application for zoning approval for the aforementioned parcel of land. This designation authorizes this representative to make verbal or written representations and/or declarations in support of such application and I understand the owner shall be legally bound by said verbal or written representations and/or declarations relating to this application.

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

HARRISON COUNTY DEVELOPMENT COMMISSION

by: [Signature]

Bill Lavers, Executive Director

**STATE OF MISSISSIPPI - COUNTY OF HARRISON**

Given under my hand and seal of office this the 24 day of July, 2025.

[Signature]  
NOTARY PUBLIC

3/9/2029  
COMMISSION EXPIRATION



Transportation and access- The site plan has plenty of room for transportation and access to the new project.

Water supply- The water supply will be provided by Harrison County

Waste Disposal- We have Waste pro servicing our area already so there is no problem with the disposal.

Fire and police protection has been provided by the city of Gulfport

The proposal will not cause undue traffic or congestion, nor will it create a traffic hazard. The land has plenty of room to navigate.

We are building a new facility that will fit in harmony with the surrounding areas. *We are a small scale gym version at 13334 Seamy rd .*



**PAC SERVICES LLC**  
11759 Sleeping Deer Lane  
Saucier, Mississippi 39574  
228.861.6165

December 21, 2020

Mr. Bill Lavers  
Harrison County Development Commission  
12281 Intraplex Parkway  
Gulfport, Mississippi 39503

RE: Preliminary Wetland Determination  
Parcel 0909G-01-001.007 (A-1, A-2) Harrison County Dev Comm (~6 ac)

Dear Mr. Lavers:

PAC Services, LLC (PAC) has conducted a wetland investigation in accordance with appropriate U.S. Army Corps of Engineers (COE) Section 404 wetlands delineation procedures. The following report presents the findings of the investigation. The US Army Corps has jurisdiction over wetland habitats as authorized in Section 404 of the Clean Water Act. The Corps defines wetlands based on positive evidence of three parameters: hydric soil, hydric vegetation, and wetland hydrology.

This wetland investigation is based on research materials and a site visit made December 21, 2020. The investigation recorded the following information and observations:

- The ~6 ac parcel is partially wooded and historically disturbed;
- The parcel is located in Section 13, T7S-R11W, Harrison County, Mississippi on the south side of Seaway Rd and west of Logan Cline Road in the Bernard Bayou Industrial Park;
- The parcel elevation ranges from 6' to 12' msl,
- The parcel contains a 20-ft wide drainage ditch in the southwest corner which is directly connected to a larger ditch which empties into the Industrial Seaway

### **SOILS**

The NRCS has mapped the parcel as containing the Sulfaquepts series which consists of poorly drained soils with high to very high-water movement in the most restrictive layer (USDA/NRCS, 2008). These soils are also known to be the result of hydraulic dredging which would have occurred during the development of the Industrial Seaway. The dredged material was sidecast and spread to create the area known as the Bernard Bayou Industrial Park.

### **VEGETATION**

The vegetation is best described as a wet pine flatwoods. The mixed age pines are combined with a titi and heather understory. Due to the wetland character on the western half of the property, several wetland herbaceous species exist.

**HYDROLOGY**

Evidence of wetland hydrology is relative to the tract's situation in the larger landscape. The only connection to navigable waters is through manmade drainage ditches serving the entire Industrial Park. These ditches are very deep and wide and serve to move stormwater to the Industrial Seaway. The drainage pattern within the parcel is confined to the southwestern corner.

**CONCLUSION:**

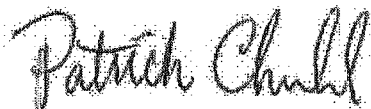
Based on the findings of this investigation, it is my opinion that 0.14 acres of the parcel would be considered jurisdictional wetlands by the regulatory agencies. Any proposed impacts, including the installation of culverts or hardening the ditch would require a permit from the US Army Corps of Engineers, Mobile District.

**ADDITIONAL NOTES:**

- Even though my investigation determined 0.14 acre of jurisdictional wetlands, it should be noted that non-jurisdictional habitat was observed. This should be considered for construction/site preparation analysis. The existing soils below the 10-ft elevation contour will exhibit wetland character.
- There were several discrepancies in the total acreage of the tract between the provided survey, the Harrison County Tax map, and stakes found in the field. The exact location of the drainage feature may not even be within the identified A-2 tract.

If you have additional questions regarding this report, please do not hesitate to contact me directly at 228.861.6165.

Respectfully,

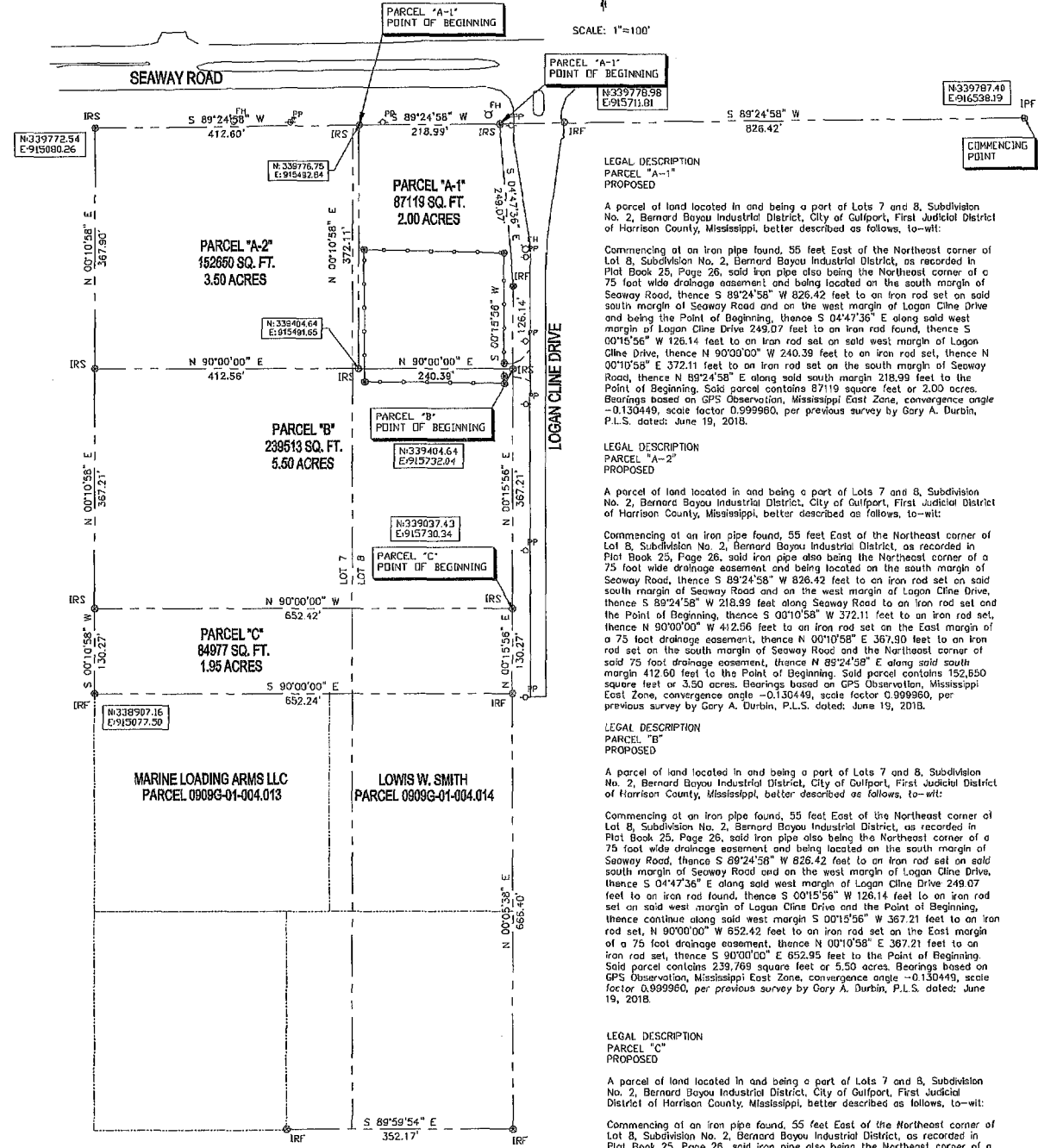
A handwritten signature in cursive script that reads "Patrick Chubb". The ink is dark and the signature is written in a fluid, connected style.

Patrick Chubb  
Owner/Biologist

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 J. MARK  
 OTTO, P.L.S.  
 2007-7127-D-II

LOGAN CLINE DRIVE  
 PART OF LOT 7, SUBDIVISION NO. 2, BERNARD BAYOU  
 GULFPORT, MISSISSIPPI  
 PARCEL #0909G-01-001.007



LEGAL DESCRIPTION  
 PARCEL "A-1"  
 PROPOSED

A parcel of land located in and being a part of Lots 7 and 8, Subdivision No. 2, Bernard Bayou Industrial District, City of Gulfport, First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

Commencing at an iron pipe found, 55 feet East of the Northeast corner of Lot 8, Subdivision No. 2, Bernard Bayou Industrial District, as recorded in Plat Book 25, Page 26, said iron pipe also being the Northeast corner of a 75 foot wide drainage easement and being located on the south margin of Seaway Road, thence S 89°24'58" W 826.42 feet to an iron rod set on said south margin of Seaway Road and on the west margin of Logan Cline Drive and being the Point of Beginning, thence S 04°47'36" E along said west margin of Logan Cline Drive 249.07 feet to an iron rod found, thence S 00°15'56" W 126.14 feet to an iron rod set on said west margin of Logan Cline Drive, thence N 00°10'58" W 240.39 feet to an iron rod set, thence N 00°10'58" E 372.11 feet to an iron rod set on the south margin of Seaway Road, thence N 89°24'58" E along said south margin 218.99 feet to an iron rod set on the south margin of Seaway Road and on the west margin of Logan Cline Drive, thence S 04°47'36" E along said west margin of Logan Cline Drive 249.07 feet to an iron rod found, thence S 00°15'56" W 126.14 feet to an iron rod set on said west margin of Logan Cline Drive and the Point of Beginning. Said parcel contains 87,119 square feet or 2.00 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130449, scale factor 0.999960, per previous survey by Gary A. Durbin, P.L.S. dated: June 19, 2018.

LEGAL DESCRIPTION  
 PARCEL "A-2"  
 PROPOSED

A parcel of land located in and being a part of Lots 7 and 8, Subdivision No. 2, Bernard Bayou Industrial District, City of Gulfport, First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

Commencing at an iron pipe found, 55 feet East of the Northeast corner of Lot 8, Subdivision No. 2, Bernard Bayou Industrial District, as recorded in Plat Book 25, Page 26, said iron pipe also being the Northeast corner of a 75 foot wide drainage easement and being located on the south margin of Seaway Road, thence S 89°24'58" W 826.42 feet to an iron rod set on said south margin of Seaway Road and on the west margin of Logan Cline Drive, thence S 89°24'58" W 218.99 feet along Seaway Road to an iron rod set and the Point of Beginning, thence S 00°10'58" W 372.11 feet to an iron rod set, thence N 90°00'00" W 412.56 feet to an iron rod set on the East margin of a 75 foot drainage easement, thence N 00°10'58" E 367.90 feet to an iron rod set on the south margin of Seaway Road and the Northeast corner of said 75 foot drainage easement, thence N 89°24'58" E along said south margin 412.60 feet to the Point of Beginning. Said parcel contains 152,660 square feet or 3.50 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130449, scale factor 0.999960, per previous survey by Gary A. Durbin, P.L.S. dated: June 19, 2018.

LEGAL DESCRIPTION  
 PARCEL "B"  
 PROPOSED

A parcel of land located in and being a part of Lots 7 and 8, Subdivision No. 2, Bernard Bayou Industrial District, City of Gulfport, First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

Commencing at an iron pipe found, 55 feet East of the Northeast corner of Lot 8, Subdivision No. 2, Bernard Bayou Industrial District, as recorded in Plat Book 25, Page 26, said iron pipe also being the Northeast corner of a 75 foot wide drainage easement and being located on the south margin of Seaway Road, thence S 89°24'58" W 826.42 feet to an iron rod set on said south margin of Seaway Road and on the west margin of Logan Cline Drive, thence S 04°47'36" E along said west margin of Logan Cline Drive 249.07 feet to an iron rod found, thence S 00°15'56" W 126.14 feet to an iron rod set on said west margin of Logan Cline Drive and the Point of Beginning, thence continue along said west margin S 00°15'56" W 367.21 feet to an iron rod set, N 90°00'00" W 652.42 feet to an iron rod set on the East margin of a 75 foot drainage easement, thence N 00°10'58" E 372.11 feet to an iron rod set on the south margin of Seaway Road and the Northeast corner of said 75 foot drainage easement, thence N 89°24'58" E along said south margin 412.60 feet to the Point of Beginning. Said parcel contains 239,513 square feet or 5.50 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130449, scale factor 0.999960, per previous survey by Gary A. Durbin, P.L.S. dated: June 19, 2018.

LEGAL DESCRIPTION  
 PARCEL "C"  
 PROPOSED

A parcel of land located in and being a part of Lots 7 and 8, Subdivision No. 2, Bernard Bayou Industrial District, City of Gulfport, First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

Commencing at an iron pipe found, 55 feet East of the Northeast corner of Lot 8, Subdivision No. 2, Bernard Bayou Industrial District, as recorded in Plat Book 25, Page 26, said iron pipe also being the Northeast corner of a 75 foot wide drainage easement and being located on the south margin of Seaway Road, thence S 89°24'58" W 826.42 feet to an iron rod set on said south margin of Seaway Road and on the west margin of Logan Cline Drive, thence S 04°47'36" E along said west margin of Logan Cline Drive 249.07 feet to an iron rod found, thence S 00°15'56" W 126.14 feet to an iron rod set on said west margin of Logan Cline Drive, thence continue along said west margin S 00°15'56" W 367.21 feet to an iron rod set and the Point of Beginning, thence continue along said west margin S 00°15'56" W 130.27 feet to an iron rod found, thence N 90°00'00" W 652.24 feet to an iron rod found on the East margin of a 75 foot drainage easement, thence N 00°10'58" E 130.27 feet to an iron rod set, thence S 90°00'00" E 652.42 feet to the Point of Beginning. Said parcel contains 84,977 square feet or 1.95 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130449, scale factor 0.999960, per previous survey by Gary A. Durbin, P.L.S. dated: June 19, 2018.

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 Minimum Standards for the State of Mississippi".

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

This property is situated in Zone "AE-15" per FEMA Flood Insurance Rate Map, City of Gulfport, Harrison County, Mississippi, Community Panel Number 28047C-0266-C, Revised: 6/16/09.

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

Gary A. Durbin, P.L.S. 2401  
 June 19, 2018  
 Revised: August 7, 2020



10640  
**GARY A. DURBIN, P.L.S.**  
 PROFESSIONAL LAND SURVEYOR  
 2081 TRAILWOOD DRIVE, BLOOM, MS. 39532  
 PH. (228) 366-3632

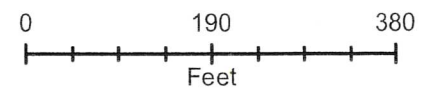
## A1 & A2 Tracts



## HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: December 21, 2020





**DESIGNATION OF AGENT**

Bill Lavers, Executive Director of the Harrison County Development Commission on behalf of the Harrison County MS Board of Supervisors, being the property owner of Tax Parcel No. 0909G-01-001.023, which is the subject of this application, in his representative capacity hereby authorizes Gustavo Gambino of Carter James Properties, LLC, the leaseholder of such property, to act as the representative for such application with the City of Gulfport's Planning Commission, and/or City Council, and/or for permitting and licensing, as required by the City.

Such representation shall be for the purposes of submitting the attached application for zoning approval for the aforementioned parcel of land. This designation authorizes this representative to make verbal or written representations and/or declarations in support of such application and I understand the owner shall be legally bound by said verbal or written representations and/or declarations relating to this application. The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial of said application.

HARRISON COUNTY DEVELOPMENT COMMISSION

by: [Signature]

Bill Lavers, Executive Director

**STATE OF MISSISSIPPI - COUNTY OF HARRISON**

Given under my hand and seal of office this the 24 day of July, 2025.

[Signature]  
NOTARY PUBLIC

3/9/2029  
COMMISSION EXPIRATION



Transportation and access- The site plan has plenty of room for transportation and access to the new project.

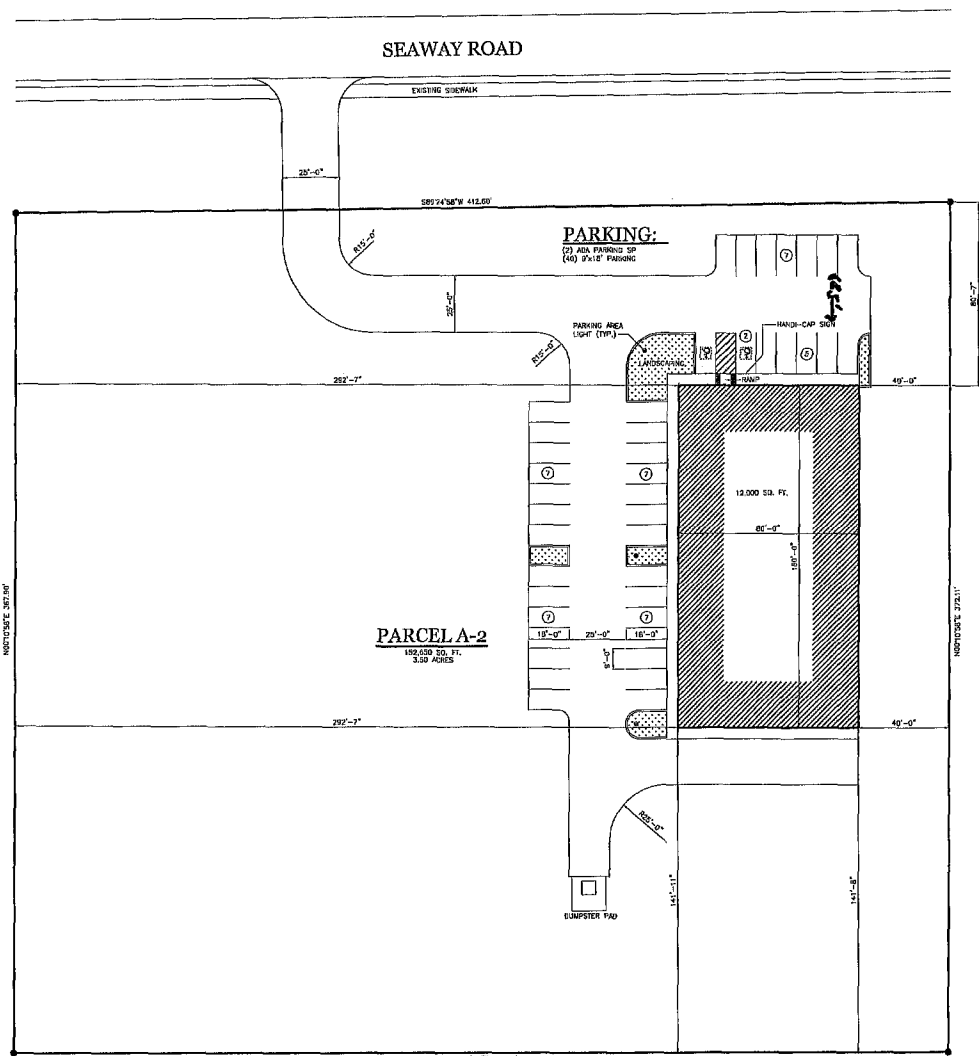
Water supply- The water supply will be provided by Harrison County

Waste Disposal- We have Waste pro servicing our area already so there is no problem with the disposal.

Fire and police protection has been provided by the city of Gulfport

The proposal will not cause undue traffic or congestion, nor will it create a traffic hazard. The land has plenty of room to navigate.

We are building a new facility that will fit in harmony with the surrounding areas. *We are a small scale gym version at 13334 Seaway Rd.*

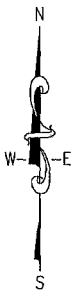


SEAWAY ROAD

PARCEL A-2  
142,250 SQ. FT.  
3.28 ACRES

PARKING:  
(2) ADA PARKING SP  
(8) 9'x18' PARKING

PRELIMINARY SITE PLAN  
SCALE: 1"=25'



D-Bats  
PARCEL A2  
SEAWAY ROAD  
GULFPORT, MISSISSIPPI



251-233-5687  
brian.hpgc@gmail.com  
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HOUSE PLANS ONLY. THESE PLANS ARE NOT TO BE CONSIDERED AS A CONTRACT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CLIENT IS RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED TO THE ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR OMISSIONS. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CHANGES TO THE PLANS MADE BY ANY OTHER PARTY WITHOUT THE ARCHITECT'S WRITTEN CONSENT. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE USE OF THESE PLANS. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY VIOLATION OF ANY APPLICABLE LAWS, REGULATIONS, ORDINANCES, OR CODES. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CONSTRUCTION WITH THESE PLANS.

DATE: 06-30-25

SCALE: AS NOTED

DRAWN: BD

SHEET: 1

REVISED 7-15-2025

**PAC SERVICES LLC**  
11759 Sleeping Deer Lane  
Saucier, Mississippi 39574  
228.861.6165

December 21, 2020

Mr. Bill Lavers  
Harrison County Development Commission  
12281 Intraplex Parkway  
Gulfport, Mississippi 39503

RE: Preliminary Wetland Determination  
Parcel 0909G-01-001.007 (A-1, A-2) Harrison County Dev Comm (~6 ac)

Dear Mr. Lavers:

PAC Services, LLC (PAC) has conducted a wetland investigation in accordance with appropriate U.S. Army Corps of Engineers (COE) Section 404 wetlands delineation procedures. The following report presents the findings of the investigation. The US Army Corps has jurisdiction over wetland habitats as authorized in Section 404 of the Clean Water Act. The Corps defines wetlands based on positive evidence of three parameters: hydric soil, hydric vegetation, and wetland hydrology.

This wetland investigation is based on research materials and a site visit made December 21, 2020. The investigation recorded the following information and observations:

- The ~6 ac parcel is partially wooded and historically disturbed;
- The parcel is located in Section 13, T7S-R11W, Harrison County, Mississippi on the south side of Seaway Rd and west of Logan Cline Road in the Bernard Bayou Industrial Park;
- The parcel elevation ranges from 6' to 12' msl,
- The parcel contains a 20-ft wide drainage ditch in the southwest corner which is directly connected to a larger ditch which empties into the Industrial Seaway

**SOILS**

The NRCS has mapped the parcel as containing the Sulfaquepts series which consists of poorly drained soils with high to very high-water movement in the most restrictive layer (USDA/NRCS, 2008). These soils are also known to be the result of hydraulic dredging which would have occurred during the development of the Industrial Seaway. The dredged material was sidecast and spread to create the area known as the Bernard Bayou Industrial Park.

**VEGETATION**

The vegetation is best described as a wet pine flatwoods. The mixed age pines are combined with a tifi and heather understory. Due to the wetland character on the western half of the property, several wetland herbaceous species exist.

**HYDROLOGY**

Evidence of wetland hydrology is relative to the tract's situation in the larger landscape. The only connection to navigable waters is through manmade drainage ditches serving the entire Industrial Park. These ditches are very deep and wide and serve to move stormwater to the Industrial Seaway. The drainage pattern within the parcel is confined to the southwestern corner.

**CONCLUSION:**

Based on the findings of this investigation, it is my opinion that 0.14 acres of the parcel would be considered jurisdictional wetlands by the regulatory agencies. Any proposed impacts, including the installation of culverts or hardening the ditch would require a permit from the US Army Corps of Engineers, Mobile District.

**ADDITIONAL NOTES:**

- Even though my investigation determined 0.14 acre of jurisdictional wetlands, it should be noted that non-jurisdictional habitat was observed. This should be considered for construction/site preparation analysis. The existing soils below the 10-ft elevation contour will exhibit wetland character.
- There were several discrepancies in the total acreage of the tract between the provided survey, the Harrison County Tax map, and stakes found in the field. The exact location of the drainage feature may not even be within the identified A-2 tract.

If you have additional questions regarding this report, please do not hesitate to contact me directly at 228.861.6165.

Respectfully,



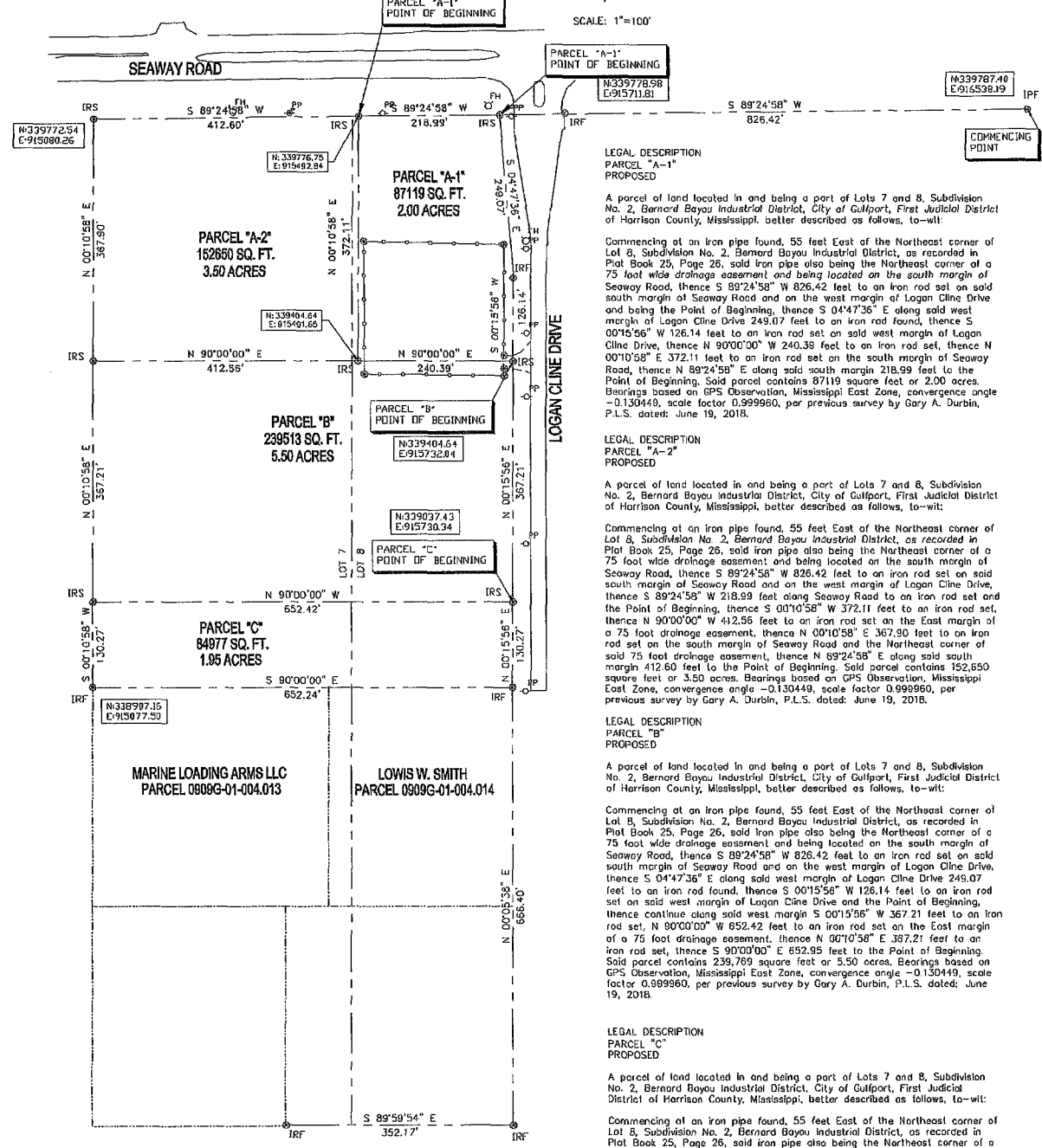
Patrick Chubb  
Owner/Biologist

IRF 1/2" IRON ROD FOUND  
 IPF 3/4" IRON PIPE FOUND  
 IRS 1/2" IRON ROD SET  
 P=PLAT OF RECORD  
 N=MEASURED  
 D=DEED

REFERENCE:  
 SURVEY BY J. MARK  
 OTTO, P.L.S.  
 2007-7127-D-JI

**LOGAN CLINE DRIVE  
 PART OF LOT 7, SUBDIVISION NO 2, BERNARD BAYOU  
 GULFPORT, MISSISSIPPI  
 PARCEL #0809G-01-001.007**

SCALE: 1"=100'



LEGAL DESCRIPTION  
 PARCEL "A-1"  
 PROPOSED

A parcel of land located in and being a part of Lots 7 and 8, Subdivision No. 2, Bernard Bayou Industrial District, City of Gulfport, First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

Commencing at an iron pipe found, 55 feet East of the Northeast corner of Lot 8, Subdivision No. 2, Bernard Bayou Industrial District, as recorded in Plat Book 25, Page 26, said iron pipe also being the Northeast corner of a 75 foot wide drainage easement and being located on the south margin of Seaway Road, thence S 89°24'58" W 826.42 feet to an iron rod set on said south margin of Seaway Road and on the west margin of Logan Cline Drive and being the Point of Beginning, thence S 04°47'36" E along said west margin of Logan Cline Drive 249.07 feet to an iron rod set, thence S 00°15'56" W 126.14 feet to an iron rod set on said west margin of Logan Cline Drive, thence N 90°00'00" W 240.39 feet to an iron rod set, thence N 00°10'58" E 372.11 feet to an iron rod set on the south margin of Seaway Road, thence N 89°24'58" E along said south margin 218.99 feet to the Point of Beginning. Said parcel contains 87119 square feet or 2.00 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130449, scale factor 0.999960, per previous survey by Gary A. Durbin, P.L.S. dated: June 19, 2018.

LEGAL DESCRIPTION  
 PARCEL "A-2"  
 PROPOSED

A parcel of land located in and being a part of Lots 7 and 8, Subdivision No. 2, Bernard Bayou Industrial District, City of Gulfport, First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

Commencing at an iron pipe found, 55 feet East of the Northeast corner of Lot 8, Subdivision No. 2, Bernard Bayou Industrial District, as recorded in Plat Book 25, Page 26, said iron pipe also being the Northeast corner of a 75 foot wide drainage easement and being located on the south margin of Seaway Road, thence S 89°24'58" W 826.42 feet to an iron rod set on said south margin of Seaway Road and on the west margin of Logan Cline Drive, thence S 89°24'58" W 218.99 feet along Seaway Road to an iron rod set and the Point of Beginning, thence S 00°10'58" E 367.90 feet to an iron rod set on the south margin of Seaway Road and the Northeast corner of said 75 foot drainage easement, thence N 89°24'58" E along said south margin 412.60 feet to the Point of Beginning. Said parcel contains 162,650 square feet or 3.50 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130449, scale factor 0.999960, per previous survey by Gary A. Durbin, P.L.S. dated: June 19, 2018.

LEGAL DESCRIPTION  
 PARCEL "B"  
 PROPOSED

A parcel of land located in and being a part of Lots 7 and 8, Subdivision No. 2, Bernard Bayou Industrial District, City of Gulfport, First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

Commencing at an iron pipe found, 55 feet East of the Northeast corner of Lot 8, Subdivision No. 2, Bernard Bayou Industrial District, as recorded in Plat Book 25, Page 26, said iron pipe also being the Northeast corner of a 75 foot wide drainage easement and being located on the south margin of Seaway Road, thence S 89°24'58" W 826.42 feet to an iron rod set on said south margin of Seaway Road and on the west margin of Logan Cline Drive, thence S 04°47'36" E along said west margin of Logan Cline Drive 249.07 feet to an iron rod found, thence S 00°15'56" W 126.14 feet to an iron rod set on said west margin of Logan Cline Drive and the Point of Beginning, thence continue along said west margin S 00°15'56" W 367.21 feet to an iron rod set, N 90°00'00" W 652.42 feet to an iron rod set on the East margin of a 75 foot drainage easement, thence N 00°10'58" E 367.21 feet to an iron rod set, thence S 00°10'58" E 130.27 feet to an iron rod set, thence N 00°10'58" E 367.21 feet to an iron rod set on the East margin of a 75 foot drainage easement, thence N 89°24'58" E 412.60 feet to the Point of Beginning. Said parcel contains 239,513 square feet or 5.50 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130449, scale factor 0.999960, per previous survey by Gary A. Durbin, P.L.S. dated: June 19, 2018.

LEGAL DESCRIPTION  
 PARCEL "C"  
 PROPOSED

A parcel of land located in and being a part of Lots 7 and 8, Subdivision No. 2, Bernard Bayou Industrial District, City of Gulfport, First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

Commencing at an iron pipe found, 55 feet East of the Northeast corner of Lot 8, Subdivision No. 2, Bernard Bayou Industrial District, as recorded in Plat Book 25, Page 26, said iron pipe also being the Northeast corner of a 75 foot wide drainage easement and being located on the south margin of Seaway Road, thence S 89°24'58" W 826.42 feet to an iron rod set on said south margin of Seaway Road and on the west margin of Logan Cline Drive, thence S 04°47'36" E along said west margin of Logan Cline Drive 249.07 feet to an iron rod found, thence S 00°15'56" W 126.14 feet to an iron rod set on said west margin of Logan Cline Drive and the Point of Beginning, thence continue along said west margin S 00°15'56" W 367.21 feet to an iron rod set and the Point of Beginning, thence continue along said west margin S 00°15'56" W 130.27 feet to an iron rod found, thence N 90°00'00" W 652.24 feet to an iron rod found on the East margin of a 75 foot drainage easement, thence N 00°10'58" E 130.27 feet to an iron rod set, thence S 90°00'00" E 652.42 feet to the Point of Beginning. Said parcel contains 84,977 square feet or 1.95 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130449, scale factor 0.999960, per previous survey by Gary A. Durbin, P.L.S. dated: June 19, 2018.

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 "D" survey per "The Minimum Standards for the State of Mississippi".

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

This property is situated in Zone "AE-15" per FEMA Flood Insurance Rate Map, City of Gulfport, Harrison County, Mississippi, Community Panel Number 28047C-0266-G, Revised: 6/16/09.

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

Gary A. Durbin, P.L.S. 2401  
 June 19, 2018  
 Revised: August 7, 2020



GARY A. DURBIN, P.L.S.  
 PROFESSIONAL LAND SURVEYOR  
 2081 TRAILWOOD DRIVE, BLOOMINGVILLE, MS 38632  
 PH: (228) 365-3637

10640

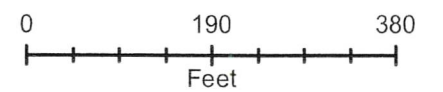
## A1 & A2 Tracts



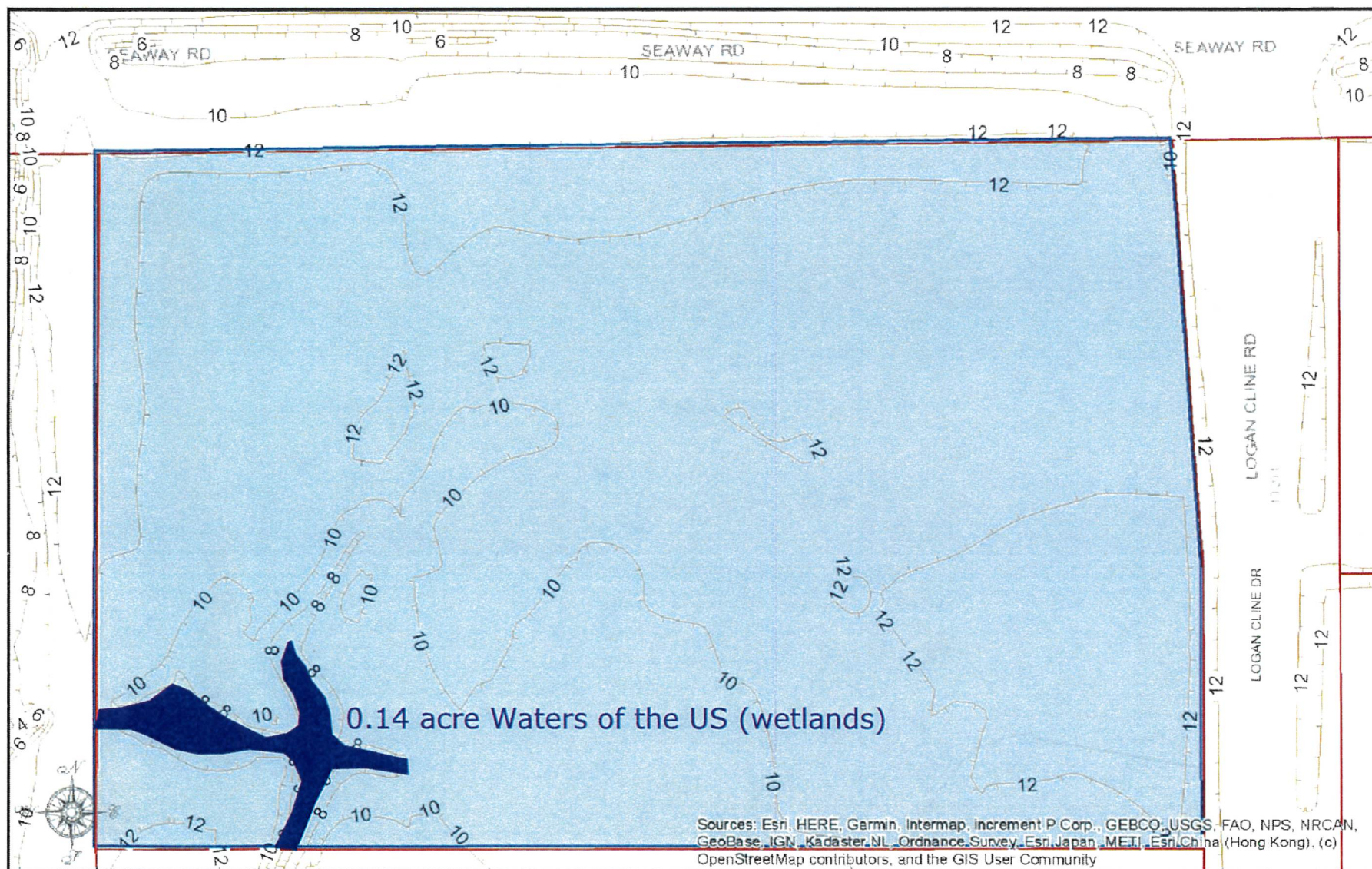
### HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: December 21, 2020



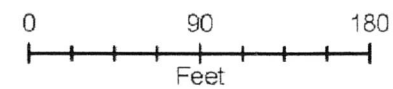
## A1 & A2 Tracts Contours



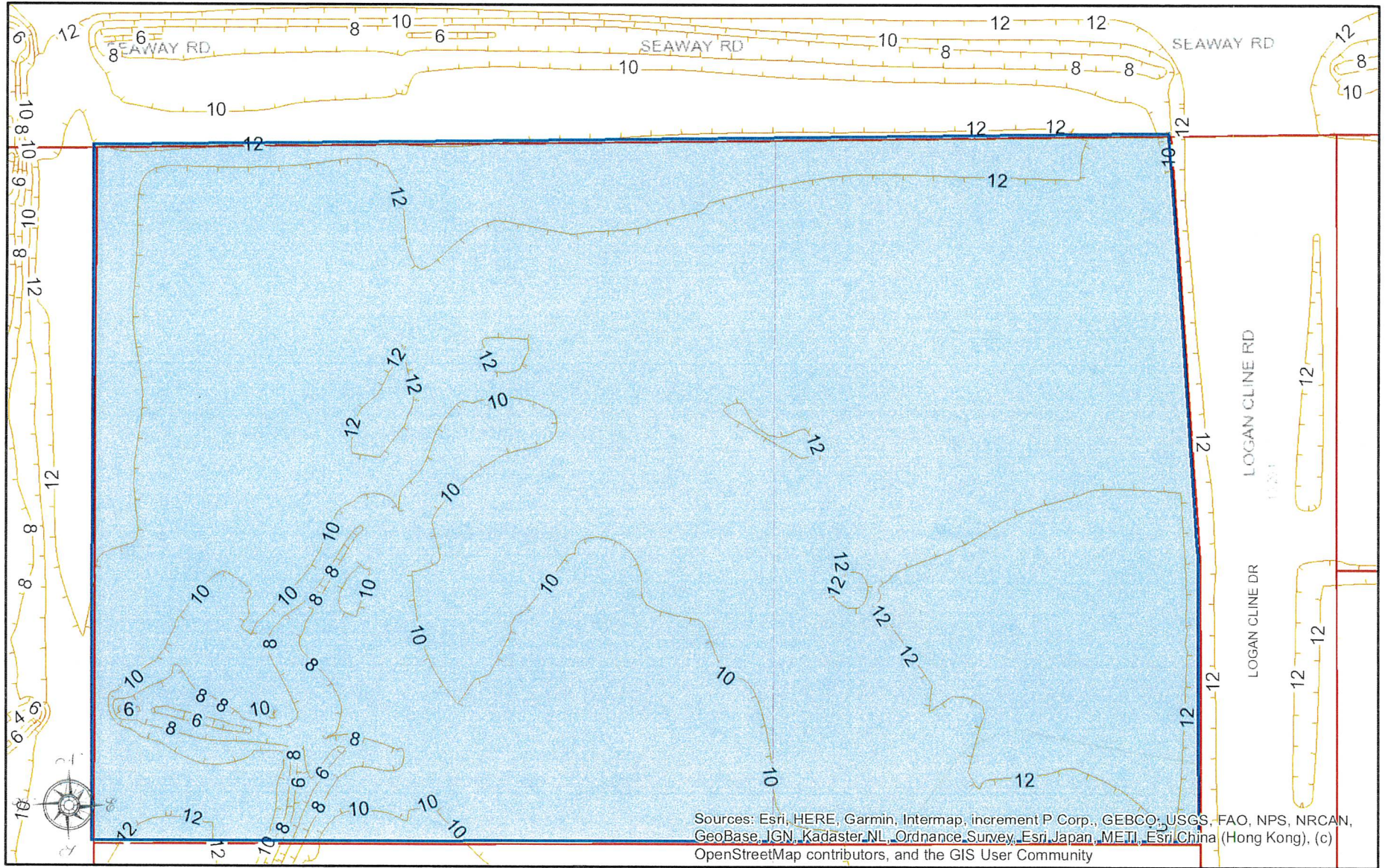
### HARRISON COUNTY, MISSISSIPPI

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TAL FLURRY, TAX ASSESSOR

MAP DATE: December 21, 2020



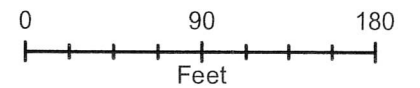
## A1 & A2 Tracts Contours



### HARRISON COUNTY, MISSISSIPPI

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MAP DATE: December 21, 2020





# Michael Watson

## SECRETARY OF STATE

This is not an official certificate of good standing.

### Name History

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Name	Name Type
Carter James Properties LLC	Legal

### Business Information

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<b>Business Type:</b>	Limited Liability Company
<b>Business ID:</b>	1127111
<b>Status:</b>	Good Standing
<b>Effective Date:</b>	09/04/2017
<b>State of Incorporation:</b>	Mississippi
<b>Principal Office Address:</b>	615 Pass Rd Suite D Gulfport, MS 39501

### Registered Agent

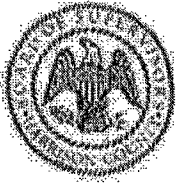
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**Name**  
Gustavo Gamboa  
615 Pass Road Suite D  
Gulfport, MS 39501

### Officers & Directors

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Name	Title
Gustavo Gamboa PO Box 7377 Gulfport, MS 39506	Member



## Harrison County, MS

Certified Copy

Order: 20-1505

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File Number: 20-1505

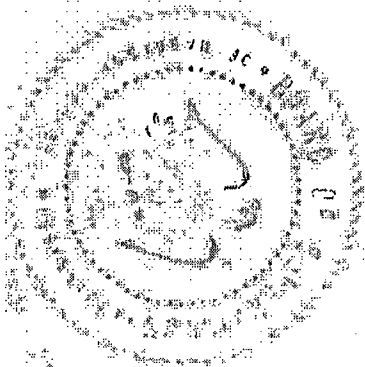
**ORDER** concurring in the Resolution of the Harrison County Development Commission authorizing and approving the Lease Agreement with option to purchase of approximately 3.5 acres of real property to Carter James Properties, LLC for the purpose of parking, storage and other uses associated with its use of adjacent lands as a retail flooring store and warehouse, and authorizing the Board Vice-President to execute all necessary documents in connection with said Lease Agreement.

I, John McAdams, Chancery Clerk and Ex Officio Clerk of the Board of Supervisors of Harrison County, Mississippi, certify that this is a true copy of Order No. 20-1505, passed by the Board of Supervisors on 9/8/2020.

THIS 9th day of August 2020,

JOHN McADAMS, Chancery Clerk and  
Clerk of the Board of Supervisors

By:   
Deputy Clerk



STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

**LEASE AGREEMENT WITH OPTION TO PURCHASE**

THIS LEASE AGREEMENT WITH OPTION TO PURCHASE ("Lease Agreement"), is hereby agreed to be effective as of the first day of the first month commencing after execution hereof by the Harrison County Board of Supervisors (the "Effective Date"), by and between the Harrison County Development Commission ("HCDC"), acting for and on behalf of the Harrison County Board of Supervisors (together with HCDC, the "Lessors"), and Carter James Properties LLC, a Mississippi limited liability company ("Lessee"). (Lessors and Lessee, collectively, the "Parties" or individually, a "Party").

**WITNESSETH:**

WHEREAS, Lessors are the owners in fee simple of, and have good and marketable title to, that tract or parcel of land lying and being situated in the First Judicial District of Harrison County, Mississippi comprising 3.5 acres, more or less (the "Property"), as more particularly described in **Exhibit "A"** attached hereto and incorporated herein by reference; and

WHEREAS, Lessee is desirous of leasing the subject Property under the terms enumerated and incorporated in this Lease Agreement.

NOW, THEREFORE, in consideration of mutual covenants and stipulations herein contained, the parties mutually agree and intend to be legally bound as follows:

**ARTICLE I  
LEASED PREMISES**

From and after the Effective Date, the Lessors do hereby agree to lease to Lessee and Lessee does hereby agree to lease and rent from Lessors the Property (hereinafter sometimes referred to as the "Leased Premises") upon the terms and conditions and subject to the limitations and covenants contained in this Lease Agreement.

**ARTICLE II  
ACCEPTANCE**

Lessee acknowledges that it has examined the Leased Premises and finds the same to be in good and safe condition and accepts the Leased Premises in their "as is" condition.

**ARTICLE III  
USE AND IMPROVEMENTS**

Without prior written approval of the Harrison County Development Commission Lessee shall not place any permanent improvements on the Leased Premises, nor create or allow any easements or otherwise substantially change the condition of the Leased Premises. Lessee's use of the property shall be limited to parking, storage and other uses associated with its use of adjacent lands owned by it and as allowed under applicable zoning and permit applications.

**ARTICLE IV  
TERM**

Unless sooner terminated in accordance with the provisions of this Lease Agreement, the term of this Lease Agreement shall begin on the Effective Date and shall continue for a period of sixty (60) months (the "Term"). The commencement of Lessee's obligation to pay rent and other charges shall commence on the Effective Date, upon which the Lessors shall tender possession of the Leased Premises to the Lessee. Tender of possession of the Leased Premises by Lessors to Lessee shall be evidenced by the execution of this Lease Agreement.

**ARTICLE V  
RENTAL**

Throughout the Term, Lessee shall pay to the Lessors the amount of ONE THOUSAND SIX HUNDRED FIFTY EIGHT AND 39/100ths DOLLARS (\$1,658.39) per month as rent. Payment shall be due on the first (1<sup>st</sup>) day of each calendar month. If such first (1<sup>st</sup>) day of the month is not a business day, then payment shall be due on the next succeeding business day. In the event that said rent is not paid by the 15th day of each month, then the amount of the rent due to the commission shall be increased by an amount equal to 10% of the total amount of past-due rent per each thirty (30) days. Acceptance of any late fee or late payment shall not constitute a waiver of

Lessee's default with respect to the overdue amount, nor prevent the Commission from exercising any other rights and remedies available to the Commission hereunder.

In addition, as security for the faithful payments of rents hereunder, the Lessor, upon execution by all parties and before taking possession of the leased premises, shall pay Lessor the sum of THREE THOUSAND THREE HUNDRED DOLLARS (\$3,300.00). Upon exercise of the option rights granted herein, said security deposit shall be applied against the purchase price. Otherwise, such deposit shall be returned to Lessee upon satisfactory termination hereof.

#### **ARTICLE VI TAXES**

Lessee shall be responsible for all taxes of whatever kind assessed to the leased premises or any property located thereon.

#### **ARTICLE VII INDEMNITY**

Lessee shall not allow any liens, charges or encumbrances to be placed against the property, and will be solely and fully responsible for, and shall indemnify the Commission from and against, and completely save the Commission harmless for any and all claims, causes of action, damages, costs or expenses of litigation including attorney's fees, or any other disputes arising from or in any way related to any use of the leased premises by Lessee or by persons on behalf of Lessee.

#### **ARTICLE VIII ENVIRONMENTAL INDEMNITY**

- A. Lessee is prohibited from disposing, depositing or utilizing hazardous substances in any manner whatsoever on the Leased Premises.
- B. The terms "hazardous substances" and "hazardous materials" shall include "hazardous waste" and shall mean any substance or material defined or designated as hazardous to toxic waste, hazardous to toxic material, a hazardous, toxic or radioactive substance, petroleum, including crude oil or any fraction thereof, flammable explosives, asbestos, any material containing polychlorinated biphenyls, and any of the substances defined as "hazardous substances" or "toxic

substances" in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. Section 9601, et seq., Hazardous Materials Transportation Act, 49 U.S.C. Section 6901, et seq., and the Toxic Substance Control Act of 1976, as amended, 15 U.S.C. Section 2601, et seq., or any other federal state, local or other governmental legislation, statute, law, code, rule, regulation or ordinance identified by its terms as pertaining to the disposal, storage, generation or presence of hazardous substances or waste.

C. Lessors shall be responsible for and to the extent allowed by law, but fully reserving any and all rights, privileges, immunities and defenses to the HCDC as a state agency, does hereby indemnify and hold harmless the Lessee, its successors and assigns, from and against any and all damages or liabilities to the extent they arise from:

- (i) Pre-closing Condition as defined below related to:
  - (a) any release, threatened release, or disposal of any hazardous substances and/or Hazardous materials at the Leased Premises.
  - (b) the operation or violation of any environmental law at the Leased Premises; or,

(ii) For the purpose of this Lease Agreement, the term "Pre-closing Condition" shall mean an environmental condition occurring prior to the commencement of the Term.

#### **ARTICLE IX SECURITY**

The Commission makes no warranty with regard to security of the Leased Premises. Lessee agrees that the Commission has no duty whatsoever to provide security to Leased Premises and otherwise agrees that Lessee shall be responsible for the safety and general security concerns of its employees, agents, and for any and all property owned by Lessee. In furtherance of such safety and security, Lessee shall have the right to erect such fences and guard houses and take such other actions and precautions that it reasonably deems necessary or appropriate.

#### **ARTICLE X ACCESS OF LESSORS**

Lessors and its agents and assigns shall be allowed reasonable access to the Leased Premises during the term of this Lease.

**ARTICLE XI**

**DEFAULT OF AGREEMENT**

If any party fails to perform any of its obligations under this Lease Agreement, or materially breaches any provision or condition of this Lease Agreement, and such breach continues for thirty (30) days after the non-defaulting party gives to the other party a written notice thereof, the non-defaulting party may thereafter, and notwithstanding any waiver of any prior breach or condition, without further notice or demand, declare this Lease Agreement and all rights of the defaulting party terminated; provided, however, that if such defaulting party has commenced the curing of a breach or any provision or condition of this Lease Agreement (other than in connection with the payment of money by Lessee), but cannot, by the exercise of due diligence, complete the curing of same within the specified thirty (30) day period, the defaulting party shall be allowed such additional time as is reasonably necessary, not to exceed an additional thirty (30) day period, to complete the curing of said breach, during which additional time the non-faulting party shall refrain from exercising any of the remedies hereunder in regard to such breach.

**ARTICLE XII**

**TERMINATION OF AGREEMENT**

A. Lessors retain the right to terminate this Agreement with Lessee "for cause" upon not less than one hundred twenty (120) days written notice. "For cause" shall be defined as any default hereunder by the Lessee, or the taking by the U.S. Army Corps of Engineers or other state or federal government entity of the Leased Premises. In the event of such termination by Lessor, all rents due from Lessee from and after the date of such termination shall be waived. All costs associated with the removal and relocation of Lessee's improvements, equipment and materials shall be the responsibility of the Lessee.

B. Lessee shall have the right to terminate this Agreement for any reason upon 180 days written notice.

**ARTICLE XIII**

**PURPOSE**

The subject property mentioned above is to be leased by the Lessee for uses associated with its use of adjacent lands owned by it as a retail flooring store and warehouse. Lessee's use of the property

shall be limited to parking, storage and other uses associated with its adjacent retail flooring store and warehouse and as allowed under applicable zoning and permit applications.

#### **ARTICLE XIV**

##### **PROVISIONS FOR OPTION TO PURCHASE AND FIRST RIGHT OF REFUSAL**

Provided Lessee is not in default of this agreement after giving effect to applicable notice and cure periods, Lessee shall have the option to purchase said Property at any time during the term of this Lease. The total purchase price for the Property shall be \$227,500.00. If Lessee exercises this option, Lessee shall be credited, at closing, the sum of the amounts identified as paid on the attached Exhibit B for each lease payment previously made by Lessee.

#### **ARTICLE XV**

##### **LESSORS' WARRANTIES**

A. Lessors covenant with Lessee that they are lawfully seized in fee simple of the Leased Premises; that the leased premises are free from all encumbrances; that they will not mortgage or otherwise encumber the Leased Premises during the term of the lease Agreement; that they have good right to lease the aforesaid Leased Premises; and that they will specially warrant and defend the same unto Lessee against all claims of all persons claiming title under Lessors' actions, and will keep Lessee in quiet possession of the Leased premises during the term of this lease Agreement.

#### **ARTICLE XVI**

##### **ASSIGNMENT**

The provisions of this Lease Agreement shall be binding upon and inure to the benefit of both parties and their respective successors and assigns. However, any and all assignments must be approved by the Harrison County Development Commission, in its sole and absolute discretion, prior to becoming binding upon the Lessor. No assignment shall become effective, and right shall inure to the benefit of any assignee of Lessee unless the assignment to such assignee shall have been preceded by written notice thereof to Lessors given not less than thirty (30) days prior to such assignment and subsequent written approval thereof by the Harrison County Development Commission.

**ARTICLE XVII**

**SURRENDER UPON TERMINATION**

At the expiration of the Term or upon the earlier termination of this Lease Agreement, the Lessee shall surrender the Leased Premises in good condition, reasonable wear excluded. Lessee shall have caused to be removed all improvements, equipment and materials of whatever kind or sort placed or located upon the Leased Premises by the termination date. All costs associated with the removal and relocation of Lessee's improvements, equipment and any materials to be removed shall be the sole responsibility of the Lessee.

**ARTICLE XVIII**

**COMPLIANCE WITH APPLICABLE LAWS**

Lessee shall promptly comply with all federal, state and municipal laws, orders and regulations, and with all lawful directives of public officers which impose any duty upon it with respect to the Leased Premises.

**ARTICLE XIX**

**SEVERABILITY**

If any provision of the Lease Agreement or any application thereof shall be invalid or unenforceable, the remainder of this Lease Agreement and the application of such remaining provision(s) shall not be affected thereby.

**ARTICLE XX**

**CAPTIONS AND INTERPRETATIONS**

The captions, section numbers and article numbers appearing in this Lease Agreement in no way define, limit, construe or describe the scope of the intent of such section or article of this Lease Agreement. The language in all parts of the Lease Agreement shall, in all cases, be construed as part of the whole according to its fair meaning and not strictly for or against either Lessors or Lessee.

**ARTICLE XXI  
COUNTERPARTS**

This Lease Agreement may be simultaneously executed in two or more counterparts, each of which shall be deemed a fully enforceable original but all of which together shall constitute one and the same instrument.

**ARTICLE XXII  
NO PARTNERSHIP**

Lessors or Lessee shall not be considered or deemed to be joint ventures or partners, and neither shall have the power to bind or obligate the other except as set forth herein.

**ARTICLE XXIII  
NOTICES**

Any notice required to be given under this lease Agreement shall be deemed given when deposited in the United State mail, postage prepaid, certified mail, to the parties at the address below:

Harrison County Development Commission  
Attention: Mr. Bill Lavers  
12281 Intraplex Parkway  
Gulfport, Mississippi 39503  
blavers@mscoast.org

Carter James Properties LLC  
PO Box 7377  
Gulfport, MS 39506  
Email: [gus@floorcogulfport.com](mailto:gus@floorcogulfport.com)  
Phone: 228-669-4428

**ARTICLE XXIV  
NON-WAIVER**

No delay or failure by either party to exercise any right under this Lease Agreement, and partial or single exercise of this right, shall constitute a waiver of that or any other right, unless otherwise expressly provided herein.

**ARTICLE XXV  
GOVERNING LAW**

This Lease Agreement shall be construed in accordance with and governed by the laws of the State of Mississippi.

**IN WITNESS WHEREOF** the parties hereto have executed this Lease Agreement with Option to Purchase on this the 25 day of August 2020.

**HARRISON COUNTY DEVELOPMENT COMMISSION, Lessor**

By: Frank Castiglia, Jr.  
Frank Castiglia, Jr., President  
Frank W. Bordeaux  
Frank Bordeaux, Secretary



**CARTER JAMES PROPERTIES LLC, Lessee**

By: Gustavo Gamboa 8/5/2020  
Gustavo Gamboa, Member

**APPROVED BY:**

**HARRISON COUNTY BOARD OF SUPERVISORS**

By: John McAdams  
John McAdams, Chancery Clerk

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY came and appeared before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2020, the undersigned authority in and for the County and State aforesaid, the within named \_\_\_\_\_ who is the \_\_\_\_\_ of \_\_\_\_\_ and who acknowledges that he signed and delivered the above and foregoing instrument on the day and year therein set out as the act and deed of \_\_\_\_\_, having full authority to do so.

WITNESS my hand and official seal of office on this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

NOTARY PUBLIC

My Commission Expires:

\_\_\_\_\_

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY came and appeared before me on this the 25 day of August, 2020, the undersigned authority in and for the County and State aforesaid, the within named Frankie Castiglia, President, and Frank Bordeaux, Secretary of the Harrison County Development Commission, a public entity of the State of Mississippi, and who acknowledged that they signed and delivered the above and forgoing instrument on the day and year therein set out as the act and deed of the Harrison County Development Commission, having full authority to do so.

WITNESS my hand and official seal of office on this the 25 day of August, 2020.

Michelle McGraw  
NOTARY PUBLIC



My Commission Expires:

8-19-2023

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

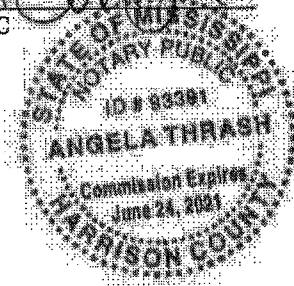
PERSONALLY came and appeared before me on this the 8<sup>th</sup> day of Sept, 2020, the undersigned authority in and for the County and State aforesaid, the within named Beverly Martin, Vice President and John McAdams, Chancery Clerk, Clerk of the Harrison County Board of Supervisors, and who acknowledged that they signed and delivered the above and forgoing instrument on the day and year therein set out as the act and deed of the Harrison County Board of Supervisors having full authority to do so.

WITNESS my hand and official seal of office on this the 8<sup>th</sup> day of Sept, 2020.

  
NOTARY PUBLIC

My Commission Expires:

6.24.2021



**Exhibit "A"**  
**Legal description of Leased Premises**

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**LEGAL DESCRIPTION**  
**PARCEL "A-2"**

A parcel of land located in and being a part of Lots 7 and 8, Subdivision No. 2, Bernard Bayou Industrial District, City of Gulfport, First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

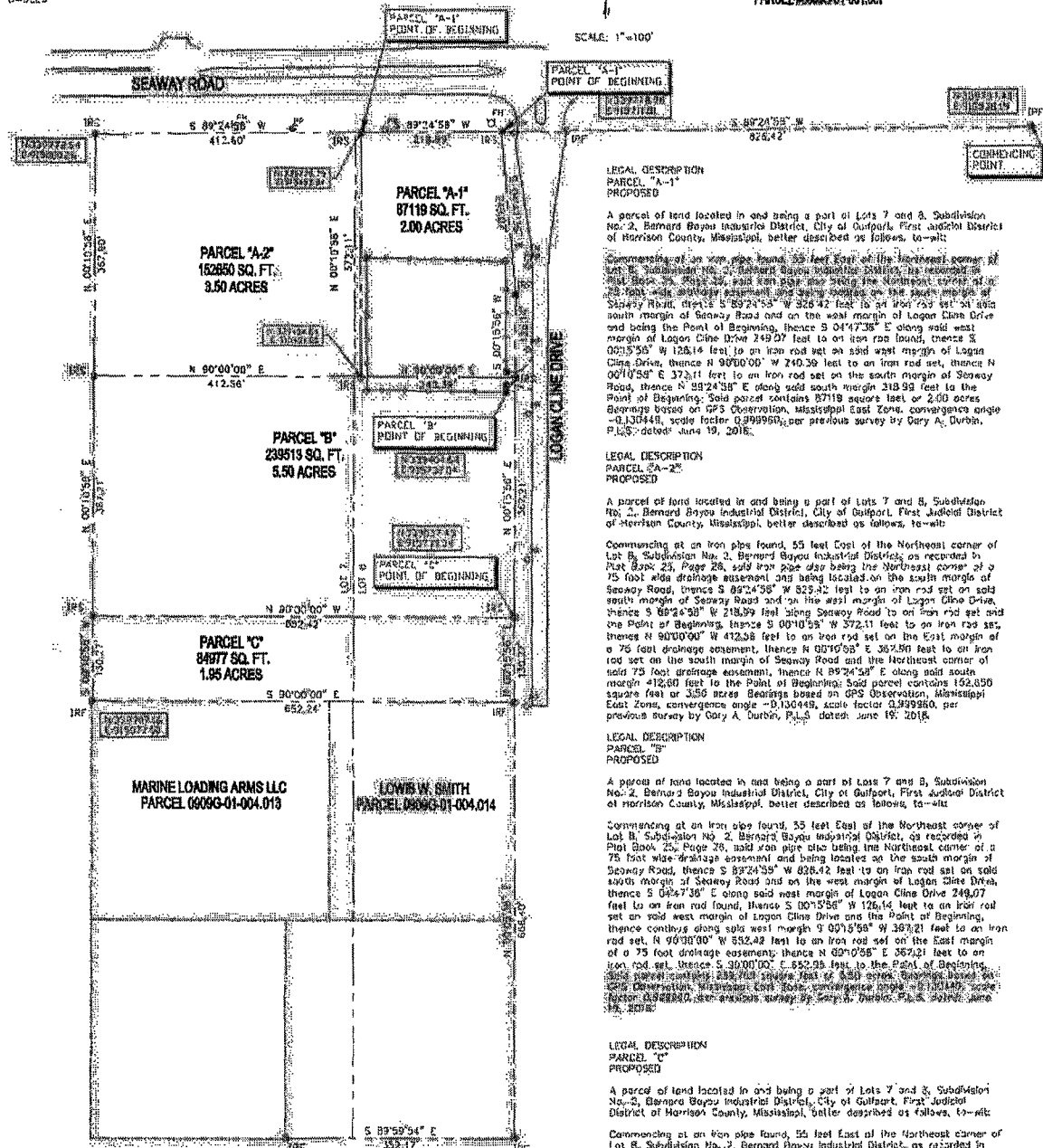
Commencing at an iron pipe found, 55 feet East of the Northeast corner of Lot 8, Subdivision No. 2, Bernard Bayou Industrial District, as recorded in Plat Book 25, Page 26, said iron pipe also being the Northeast corner of a 75 foot wide drainage easement and being located on the south margin of Seaway Road, thence S 89°24'58" W 826.42 feet to an iron rod set on said south margin of Seaway Road and on the west margin of Logan Cline Drive, thence S 89°24'58" W 218.99 feet along Seaway Road to an iron rod set and the Point of Beginning, thence S 00°10'58" W 372.11 feet to an iron rod set, thence N 90°00'00" W 412.56 feet to an iron rod set on the East margin of a 75 foot drainage easement, thence N 00°10'58" E 367.90 feet to an iron rod set on the south margin of Seaway Road and the Northeast corner of said 75 foot drainage easement, thence N 89°24'58" E along said south margin 412.60 feet to the Point of Beginning. Said parcel contains 152,650 square feet or 3.50 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130449, scale factor 0.999960, per previous survey by Gary A. Durbin, P.L.S. dated: June 19, 2018.

REF 1/2" IRON ROD FOUND  
W/ 5/8" IRON PIPE FOUND  
R/S 1/2" IRON ROD SET  
P=PLAT OF RECORD  
M=MEASURED  
D=DEED

REFERENCE  
SURVEY BY J. MARK  
DUBIN, P.L.S.  
2007-7127-0-1

LOGAN CLINE DRIVE  
PART OF LOT 7, SUBDIVISION NO 2, BERNARD BAYOU  
GULFPORT, MISSISSIPPI  
PARCEL NUMBER 01-004.014

SCALE: 1"=100'



LEGAL DESCRIPTION  
PARCEL "A-1"  
PROPOSED

A parcel of land located in and being a part of Lots 7 and 8, Subdivision No. 2, Bernard Bayou Industrial District, City of Gulfport, First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

Commencing at an iron pipe found, 55 feet East of the Northeast corner of Lot 8, Subdivision No. 2, Bernard Bayou Industrial District, as recorded in Plat Book 25, Page 26, said iron pipe also being the Northeast corner of a 75 foot wide drainage easement and being located on the south margin of Seaway Road, thence S 89°24'58" W 318.99 feet to an iron rod set on the south margin of Seaway Road and on the west margin of Logan Cline Drive and being the Point of Beginning, thence S 04°47'38" E along said west margin of Logan Cline Drive 249.07 feet to an iron rod set on said west margin of Logan Cline Drive, thence N 90°00'00" W 240.30 feet to an iron rod set, thence N 00°10'58" E 372.21 feet to an iron rod set on the south margin of Seaway Road, thence N 89°24'58" E along said south margin 318.99 feet to the Point of Beginning. Said parcel contains 87119 square feet or 2.00 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130448, scale factor 0.999998, per previous survey by Gary A. Durbin, P.L.S., dated June 19, 2016.

LEGAL DESCRIPTION  
PARCEL "A-2"  
PROPOSED

A parcel of land located in and being a part of Lots 7 and 8, Subdivision No. 2, Bernard Bayou Industrial District, City of Gulfport, First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

Commencing at an iron pipe found, 55 feet East of the Northeast corner of Lot 8, Subdivision No. 2, Bernard Bayou Industrial District, as recorded in Plat Book 25, Page 26, said iron pipe also being the Northeast corner of a 75 foot wide drainage easement and being located on the south margin of Seaway Road, thence S 89°24'58" W 525.42 feet to an iron rod set on said south margin of Seaway Road and on the east margin of Logan Cline Drive, thence S 89°24'58" W 248.99 feet along Seaway Road to an iron rod set and the Point of Beginning, thence S 00°10'58" E 372.21 feet to an iron rod set, thence N 90°00'00" W 412.58 feet to an iron rod set on the East margin of a 75 foot drainage easement, thence N 00°10'58" E 367.80 feet to an iron rod set on the south margin of Seaway Road and the Northeast corner of said 75 foot drainage easement, thence N 89°24'58" E along said south margin 412.58 feet to the Point of Beginning. Said parcel contains 162,850 square feet or 3.50 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130448, scale factor 0.999998, per previous survey by Gary A. Durbin, P.L.S., dated June 19, 2016.

LEGAL DESCRIPTION  
PARCEL "B"  
PROPOSED

A parcel of land located in and being a part of Lots 7 and 8, Subdivision No. 2, Bernard Bayou Industrial District, City of Gulfport, First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

Commencing at an iron pipe found, 55 feet East of the Northeast corner of Lot 8, Subdivision No. 2, Bernard Bayou Industrial District, as recorded in Plat Book 25, Page 26, said iron pipe also being the Northeast corner of a 75 foot wide drainage easement and being located on the south margin of Seaway Road, thence S 89°24'58" W 626.42 feet to an iron rod set on said south margin of Seaway Road and on the west margin of Logan Cline Drive, thence S 04°47'38" E along said west margin of Logan Cline Drive 249.07 feet to an iron rod set, thence S 00°10'58" E 372.21 feet to an iron rod set on said west margin of Logan Cline Drive and the Point of Beginning, thence continuing along said west margin S 00°10'58" W 352.21 feet to an iron rod set, thence N 90°00'00" W 552.42 feet to an iron rod set on the East margin of a 75 foot drainage easement, thence N 00°10'58" E 367.80 feet to an iron rod set, thence S 30°00'00" E 552.21 feet to the Point of Beginning. Said parcel contains 239,513 square feet or 5.50 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130448, scale factor 0.999998, per previous survey by Gary A. Durbin, P.L.S., dated June 19, 2016.

LEGAL DESCRIPTION  
PARCEL "C"  
PROPOSED

A parcel of land located in and being a part of Lots 7 and 8, Subdivision No. 2, Bernard Bayou Industrial District, City of Gulfport, First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

Commencing at an iron pipe found, 55 feet East of the Northeast corner of Lot 8, Subdivision No. 2, Bernard Bayou Industrial District, as recorded in Plat Book 25, Page 26, said iron pipe also being the Northeast corner of a 75 foot wide drainage easement and being located on the south margin of Seaway Road, thence S 89°24'58" W 538.42 feet to an iron rod set on said south margin of Seaway Road and on the west margin of Logan Cline Drive, thence S 04°47'38" E along said west margin of Logan Cline Drive 249.07 feet to an iron rod set, thence S 00°10'58" E 372.21 feet to an iron rod set on said south margin of Seaway Road and the Point of Beginning, thence continuing along said west margin S 00°10'58" W 130.27 feet to an iron rod set, thence N 90°00'00" W 552.21 feet to an iron rod set on the East margin of a 75 foot drainage easement, thence N 00°10'58" E 367.80 feet to an iron rod set, thence S 30°00'00" E 552.21 feet to the Point of Beginning. Said parcel contains 84,977 square feet or 1.95 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130448, scale factor 0.999998, per previous survey by Gary A. Durbin, P.L.S., dated June 19, 2016.

This survey does not reflect a title search by Gary A. Durbin, P.L.S., nor shows if the town/city or such.  
This is a Class "B" survey per "The Minimum Standards for the State of Mississippi"  
Bearings based on GPS Observation of the east margin of Rion Avenue, NAD 83, MS East Zone, convergence angle -0.130448, scale factor 0.999998.

This property is situated in Zone "AC-15" per FEMA Flood Insurance Rate Map, City of Gulfport, Harrison County, Mississippi, Community Flood Hazard Insurance Study, Report No. 15-0003, dated 07/15/2009.  
This is a Class "B" survey per "The Minimum Standards for the State of Mississippi"  
Bearing based on GPS Observation of the east margin of Rion Avenue, NAD 83, MS East Zone, convergence angle -0.130448, scale factor 0.999998.  
Surveyed August 7, 2020



GARY A. DURBIN, P.L.S.  
PROFESSIONAL LAND SURVEYOR  
2001 WALKWOOD DRIVE, BLOOMINGVILLE, MS 38922  
PH: (662) 363-2012

There next came on for consideration the request of Harrison County Development Commission asking the Board of Supervisors to concur in a Resolution of the Harrison County Development Commission approving the lease agreement with option to purchase of approximately 3.5 acres of real property to CARTER JAMES PROPERTIES, LLC, and after a full discussion of the subject, Supervisor **REBECCA POWERS** offered adoption of the following Order:

AN ORDER CONCURRING IN THE RESOLUTION OF THE HARRISON COUNTY DEVELOPMENT COMMISSION AUTHORIZING AND APPROVING THE LEASE AGREEMENT WITH OPTION TO PURCHASE OF APPROXIMATELY 3.5 ACRES OF REAL PROPERTY TO CARTER JAMES PROPERTIES, LLC FOR THE PURPOSE OF PARKING, STORAGE AND OTHER USES ASSOCIATED WITH ITS USE OF ADJACENT LANDS AS A RETAIL FLOORING STORE AND WAREHOUSE AND AUTHORIZING THE BOARD VICE-PRESIDENT TO EXECUTE ALL NECESSARY DOCUMENTS IN CONNECTION WITH SAID CONTRACT.

WHEREAS, it is hereby acknowledged that this Board has received a Resolution of the Harrison County Development Commission attached hereto as Exhibit 1, requesting the Harrison County Board of Supervisors concur and join in the lease with option to purchase agreement of certain real property to CARTER JAMES PROPERTIES, LLC for purposes limited to parking, storage and other uses associated with its use of adjacent lands operating as a retail flooring store and warehouse in accordance with the Lease Agreement with Option to Purchase attached as Exhibit B to said Resolution, having a monthly rental amount of One Thousand Six Hundred Fifty-Eight and 39/100ths Dollars (\$1,658.39) and total purchase price for the property of Two Hundred Twenty-Seven Thousand Five Hundred Dollars (\$227,500.00); and

WHEREAS, this Board does concur in said Resolution and adopts the findings contained therein.

IT IS HEREBY ORDERED that the Harrison County Board of Supervisors does hereby concur in the Resolution of the Harrison County Development Commission authorizing the lease

with option to purchase agreement of certain real property as described therein to CARTER JAMES PROPERTIES, LLC for purposes limited to parking, storage and other uses associated with its use of adjacent lands operating as a retail flooring store and warehouse in accordance with the Lease Agreement with Option to Purchase attached hereto as Exhibit B to said Resolution, having a monthly rental amount of One Thousand Six Hundred Fifty-Eight and 39/100ths Dollars (\$1,658.39) and total purchase price for the property of Two Hundred Twenty-Seven Thousand Five Hundred Dollars (\$227,500.00) and authorizing the execution of a Lease Agreement with Option to Purchase in substantial conformity to the document attached as Exhibit B to said Resolution, and does hereby authorize the Board Vice-President to execute any necessary documents in connection with said contract.

Supervisor **KENT JONES** seconded the motion, and on a roll call vote, the result was as follows:

Supervisor Beverly Martin - District 1	Voted	AYE
Supervisor Rebecca Powers - District 2	Voted	AYE
Supervisor Marlin Ladner - District 3	Voted	AYE
Supervisor Kent Jones - District 4	Voted	AYE
Supervisor Connie M. Rockco - District 5	Voted	(ABSENT & EXCUSED)

A majority of the Supervisors present and voting in the affirmative, the motion was declared carried and the Order adopted on the 8<sup>th</sup> day of September 2020.

## EXHIBIT 1

There next came on for discussion the conveyance of certain real property located in the Bernard Bayou Industrial District in Harrison County, Mississippi By Lease Agreement With Option To Purchase to CARTER JAMES PROPERTIES, LLC and after a general discussion of the subject Commissioner Jimmy Levens offered the following Resolution for adoption:

### RESOLUTION

A RESOLUTION OF THE HARRISON COUNTY DEVELOPMENT COMMISSION AUTHORIZING AND APPROVING THE LEASE AGREEMENT WITH OPTION TO PURCHASE OF APPROXIMATELY 3.5 ACRES OF REAL PROPERTY TO CARTER JAMES PROPERTIES, LLC FOR THE PURPOSE OF PARKING, STORAGE AND OTHER USES ASSOCIATED WITH ITS USE OF ADJACENT LANDS AS A RETAIL FLOORING STORE AND WAREHOUSE IN ACCORDANCE WITH THE LEASE AGREEMENT WITH OPTION TO PURCHASE ATTACHED HERETO AS EXHIBIT "B" AND HAVING A MONTHLY RENTAL AMOUNT OF ONE THOUSAND SIX HUNDRED FIFTY EIGHT AND 39/100THS DOLLARS (\$1,658.39) AND TOTAL PURCHASE PRICE FOR THE PROPERTY OF TWO HUNDRED TWENTY SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$227,500.00); AND REQUESTING THE HARRISON COUNTY BOARD OF SUPERVISORS TO CONCUR IN THIS RESOLUTION AND TO JOIN IN THE CONVEYANCE OF SAID REAL PROPERTY.

BE IT RESOLVED by the Harrison County Development Commission that:

WHEREAS, at a special called meeting of August 25, 2020, this Commission considered the offer of CARTER JAMES PROPERTIES, LLC to lease with option to purchase approximately 3.5 acres of real property situated in Harrison County, Mississippi, which is more particularly described in Exhibit "A", for purposes limited to parking, storage and other uses associated with its use of adjacent lands operating as a retail flooring store and warehouse in accordance with the LEASE AGREEMENT WITH OPTION TO PURCHASE attached hereto as Exhibit "B" and having a monthly rental amount of One Thousand Six Hundred Fifty Eight And 39/100ths Dollars (\$1,658.39) and total purchase price for the property of Two Hundred Twenty Seven Thousand Five Hundred Dollars (\$227,500.00); and

WHEREAS this Commission does find and adjudicate that it would be in the public's interest to lease with option to purchase said parcel of real property to CARTER JAMES PROPERTIES, LLC for purposes limited to parking, storage and other uses associated with its use

of adjacent lands operating as a retail flooring store and warehouse in accordance with the Lease Agreement With Option To Purchase attached hereto as Exhibit "B" and having a monthly rental amount of One Thousand Six Hundred Fifty Eight And 39/100ths Dollars (\$1,658.39) and total purchase price for the property of Two Hundred Twenty Seven Thousand Five Hundred Dollars (\$227,500.00); and

WHEREAS, the Harrison County Development Commission does find and adjudicate the transaction is a fair and reasonable price for said property, and that the terms of the said Lease with option to purchase are fair and reasonable and ensure that the conveyance contemplated therein shall be in furtherance of the goals and purposes of the Harrison County Development Commission as articulated in Mississippi Code Annotated § 59-9-1, et seq.; and

WHEREAS, the Harrison County Board of Supervisors should be requested to concur herein and to join in the Lease with option to purchase of said real property and the execution of a LEASE WITH OPTION TO PURCHASE AGREEMENT in substantial conformity to the document attached hereto as Exhibit "B".

NOW THEREFORE, BE IT RESOLVED, that the Harrison County Development Commission does find and adjudicate that it would be in the public's interest to lease with option to purchase approximately 3.5 acres of real property situated in Harrison County, Mississippi, which is more particularly described in Exhibit "A", for purposes limited to parking, storage and other uses associated with its use of adjacent lands operating as a retail flooring store and warehouse in accordance with the LEASE AGREEMENT WITH OPTION TO PURCHASE attached hereto as Exhibit "B" and having a monthly rental amount of One Thousand Six Hundred Fifty Eight And 39/100ths Dollars (\$1,658.39) and total purchase price for the property of Two Hundred Twenty Seven Thousand Five Hundred Dollars (\$227,500.00);

RESOLVED FURTHER, the President and Secretary of the Harrison County Development Commission are hereby authorized and directed to execute a LEASE AGREEMENT WITH OPTION TO PURCHASE in substantial conformity to the Special Warranty Deed attached to this Resolution as Exhibit "B".

RESOLVED FURTHER, that the Harrison County Board of Supervisors is hereby requested to concur in this Resolution and to join in the conveyance and execution of the LEASE AGREEMENT WITH OPTION TO PURCHASE attached as Exhibit "B".

COMMISSIONER Brian Gollott seconded the motion, and on a roll call vote, the result was as follows:

Commissioner Frank Bordeaux	Voted: YEA
Commissioner Jennifer Burke	Voted: YEA
Commissioner Frank Castiglia, Jr.	Voted: YEA
Commissioner Warren Conway	Voted: ABSENT
Commissioner Rip Daniels	Voted: ABSENT
Commissioner Brian Gollott	Voted: YEA
Commissioner Mike Leonard	Voted: YEA
Commissioner Windy Swetman	Voted: YEA
Commissioner Jimmy Levens	Voted: YEA
Commissioner Sharon Bentz Mustered	Voted: ABSENT
Commissioner Mark Schloegel	Voted: YEA
Commissioner John "Shorty" Sneed	Voted: YEA

A majority of the Members present and at least nine members having voted in the affirmative, the President declared the motion carried and the resolution adopted on the 25<sup>th</sup> day of August 2020.

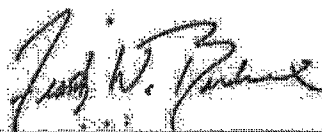


Frank Castiglia, Jr., President

**CERTIFICATE**

I, Frank Bordeaux, Secretary of the Harrison County Development Commission, hereby certify that the foregoing Resolution dated August 25, 2020 is a true and correct copy of such Resolution adopted on such date.

WITNESS MY SIGNATURE, this the 25 day of August 2020.

A handwritten signature in cursive script, appearing to read "Frank W. Bordeaux", written over a horizontal line.

Frank Bordeaux, Secretary

**Exhibit "A"**  
**Legal description of Leased Premises**

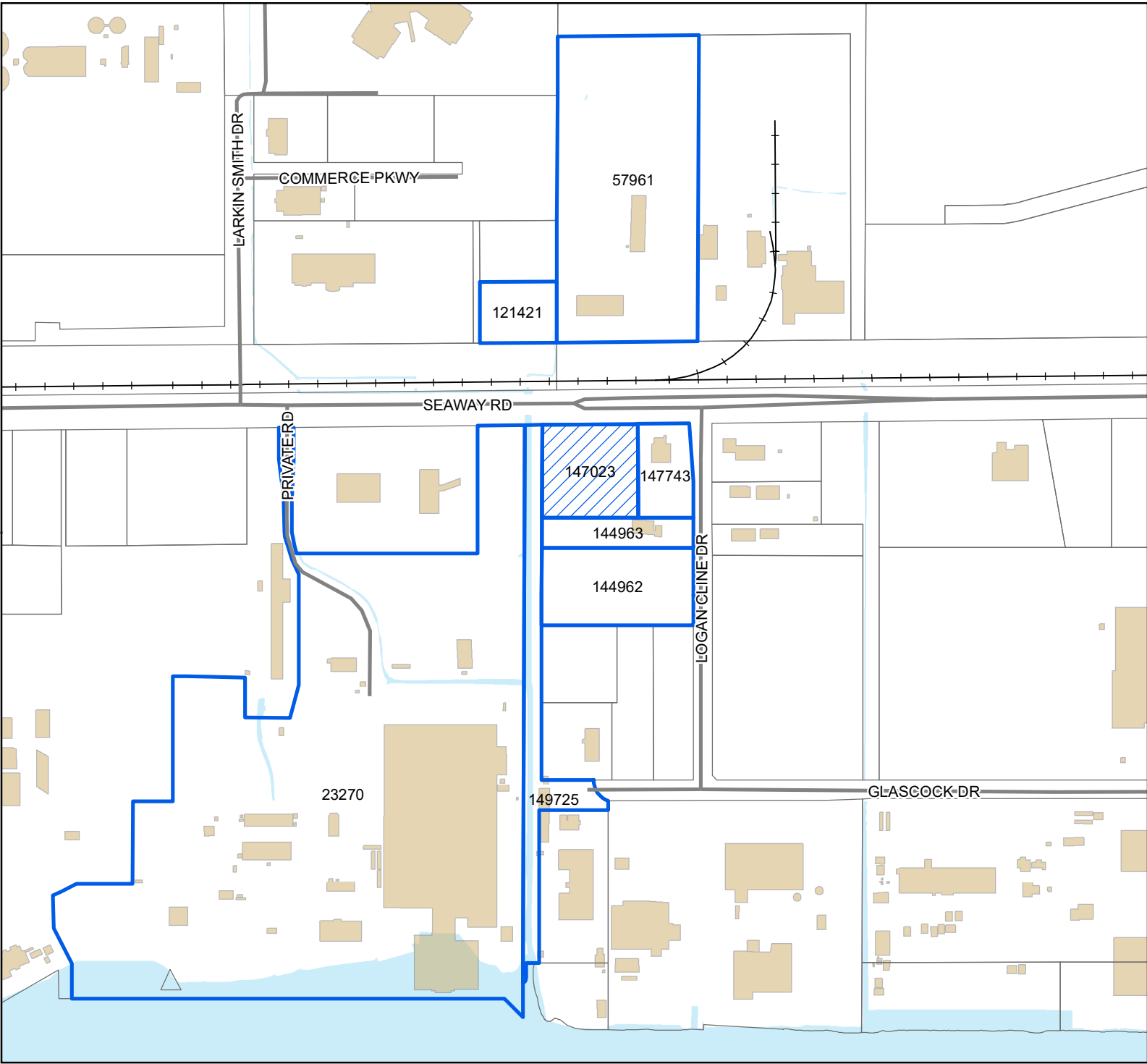
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**LEGAL DESCRIPTION**  
**PARCEL "A-2"**

A parcel of land located in and being a part of Lots 7 and 8, Subdivision No. 2, Bernard Bayou Industrial District, City of Gulfport, First Judicial District of Harrison County, Mississippi, better described as follows, to-wit:

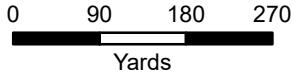
Commencing at an iron pipe found, 55 feet East of the Northeast corner of Lot 8, Subdivision No. 2, Bernard Bayou Industrial District, as recorded in Plat Book 25, Page 26, said iron pipe also being the Northeast corner of a 75 foot wide drainage easement and being located on the south margin of Seaway Road, thence S 89°24'58" W 826.42 feet to an iron rod set on said south margin of Seaway Road and on the west margin of Logan Cline Drive, thence S 89°24'58" W 218.99 feet along Seaway Road to an iron rod set and the Point of Beginning, thence S 00°10'58" W 372.11 feet to an iron rod set, thence N 90°00'00" W 412.56 feet to an iron rod set on the East margin of a 75 foot drainage easement, thence N 00°10'58" E 367.90 feet to an iron rod set on the south margin of Seaway Road and the Northeast corner of said 75 foot drainage easement, thence N 89°24'58" E along said south margin 412.60 feet to the Point of Beginning. Said parcel contains 152,650 square feet or 3.50 acres. Bearings based on GPS Observation, Mississippi East Zone, convergence angle -0.130449, scale factor 0.999960, per previous survey by Gary A. Durbin, P.L.S. dated: June 19, 2018.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0909G-01-001.023	HARRISON COUNTY DEVELOPMENT COMMISSION (OWNER) CARTE SAMS LLC (AGENT)	P O BOX 6278 12561 SEAWAY ROAD	GULFPORT GULFPORT	MS MS	39506 39501
			<b>Adjacent Property Owners (2509PC107)</b>				
	57961	0909B-02-004.000	SEAWAY DEVELOPMENT COMPANY LLC	14231 SEAWAY ROAD SUITE 7001	GULFPORT	MS	39503
	121421	0909C-02-004.001	CAMDAV LLC	2082 BEACH DR	GULFPORT	MS	39507
N	23270	0909F-01-001.002	BOLLINGER GULFPORT SHIPBUILDING LLC	C/O BOLLINGER SHIPYARDS LOCKPORT	LOCKPORT	LA	70374
	144962	0909G-01-001.019	HARRISON CO DEV COMM	P O BOX 1870	GULFPORT	MS	39502
N	147023	0909G-01-001.023	CARTER JAMES PROPERTIES LLC -LESSEE	C/O HARRISON CO DEV COMM -LESSOR-	GULFPORT	MS	39506
	147743	0909G-01-001.024	CARTER JAMES PROPERTIES LLC	615 PASS RD STE D	GULFPORT	MS	39501
N	149725	0909G-01-001.026	HARRISON CO DEV COMM	12292 INTRAPLEX PARKWAY	GULFPORT	MS	39503
	144963	0909G-01-001.020	RITAKE PROPERTIES LLC	7361 MAGNOLIA DR	PASS CHRISTIAN	MS	39571



**Legend**

-  Site
-  Street
-  Railroad
-  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.

# McClatchy

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	Cols	Depth
51445	IPL0269753	Legal Ad - IPL0269753		1.0	73.0L

ATTENTION: GULFPORT URBAN DEVELOPMENT IP  
 PO BOX 1780  
 GULFPORT, MS 39502  
 accountspayable@gulfport-ms.gov;sasmith@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 Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 PM., Thursday, September 25, 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 the first floor of the William H. Hardy Building, 1410 24th Avenue.

**Planning Commission Approval 2509PC104**, by owner Arlin Lang, seeking approval for a home occupation for an administrative office for consulting services, Tax Parcel 0811F-05-024.000, 2018 24th Ave, Zoned T4L (General Urban Zone "Limited"), Ward 3

**Planning Commission Approval 2509PC107**, by agent Carter James Properties, LLC, seeking approval for a reducing salon use, Tax Parcel 0909G-01-001.023, Seaway Road, Zoned I-2 (Heavy industry), Ward 4

**Zoning Map Amendment 2509PC105**, by owner Gregory Smith, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcel 1011D-01-055.000, 127 Laurel Drive, Zoned T6 (Urban Core Zone), Ward 2

**Zoning Map Amendment 2509PC108**, by agent Eddie Hartwell, requesting to rezone to B-2 (General-business), Tax Parcels 0810F-02-050.000, 0810K-01-001.002, 0810K-01-001.004, 0810K-01-001.009, John Hill Blvd, Zoned B-2 (General-business), I-1 (Light industry), Ward 3

**Architectural Review Committee Appeal 2510PC120**, Consider appeal from the decision of the Architectural Review Committee (Case 2508ARC014) denying the application of agent, Frank Wilem, seeking approval for metal siding for a proposed commercial structure, Tax Parcel 1010N-01-087.000, Cowan Road, Zoned T5 (Urban Center Zone), Ward 2

This the 3rd day of September 2025  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0269753  
 Sep 10 2025

STATE OF MISSISSIPPI  
 COUNTY OF HARRISON

Before me, the undersigned Notary personally appeared the undersigned, who, being by me first duly sworn, did depose and say that he/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:

1.0 insertion(s) published on:  
 09/10/25 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

*Mary Castro*



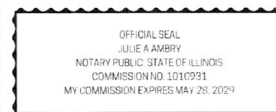
Mary Castro

*Julie A Ambry*



Sworn to and subscribed before me on

Sep 10, 2025, 10:10 AM EDT



Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNIX®



URBAN DEVELOPMENT  
PLANNING & ZONING  
PO BOX 1780 | GULFPORT, MS | 1410 24<sup>TH</sup> AVENUE  
228.868.5710 | [PLANNERS@GULFPORT-MS.GOV](mailto:PLANNERS@GULFPORT-MS.GOV)

## PLANNING COMMISSION

---

**Hearing Date: Thursday, September 25, 2025**

**Architectural Review Committee Appeal 2510PC120: Consider appeal from the decision of the Architectural Review Committee (Case 2508ARC014) denying the application of agent, Frank Wilem, seeking approval for metal siding for a proposed commercial structure, Tax Parcel 1010N-01-087.000, Cowan Road, Zoned T5 (Urban Center Zone), Ward 2**



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

For Staff Use Only

Case File #: 25100000  
Date Received: 8/28/2025  
Receipt #: 13452638  
Received By: [Signature]  
Zoning: 15  
Ward: 2 Flood: X  
Size: 0.4 Acres

### APPLICATION FOR APPEALS

#### Property Information

TAX PARCEL # 

1	0	1	0	N	-	0	1	-	0	8	1	PT	0	0	0
					-			-							
					-			-							

(If necessary, use separate sheet of paper)

Address of Property Involved: Cowan Rd between St James Blvd + Collins Blvd.  
Lot(s) 10, 11, Block(s) 8, Subdivision Cowan Road Homes Annex  
General Location: Cowan Rd 1/4 mile north of Hwy 90

#### GENERAL DESCRIPTION OF APPEAL:

We are looking at some cladding options and plan to have another drawing by the time of the meeting.  
Appealing ARC decision for case # 2508 ARCO14

#### 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.

OWNER

AGENT

Rock Solid Property  
Printed Name Of Owner  
PO Box 18860  
Mailing Address  
Hattiesburg MS 39404  
City State Zip code  
601-447-6226  
Home Phone Work/Cell Phone  
231 concepts @comcast.net  
Email  
Anna Tadiell  
Signature Of Owner

\_\_\_\_\_  
Printed Name Of Agent  
\_\_\_\_\_  
Mailing Address  
\_\_\_\_\_  
City State Zip code  
\_\_\_\_\_  
Home Phone Work/Cell Phone  
\_\_\_\_\_  
Email  
\_\_\_\_\_  
Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

SECTIONS A. THROUGH H. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

Case # 2508 ARCO14

I am appealing the ~~ARO~~ decision on August 14, 2025.

This decision puts this project in jeopardy due to cost reasons.



OWNER:

Donna Tindall / Rock Solid Property

Printed Name of Owner

PO Box 18860

Mailing Address

Hattiesburg

MS

39404

City

State

Zip Code

Signature:

Donna Tindall

AGENT:

Printed Name of Agent

Mailing Address

City

State

Zip Code

Signature: \_\_\_\_\_

Name of Owner (PRINT)

Donna Tindall

Address (Street, City, State, Zip Code)

88 Morrell Cir Hattiesburg MS 39402

Phone (Home)

601-447-6226

(Work)

same

(Cell)

same

Tax Parcel Number(s) Owned:

1010N-01-078.000

Signature:

Donna Tindall

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 Architectural Review Committee 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. All boxes will need to be initialed by applicant with required documentation before application can be accepted.

## Submission Requirements:

Page one of this application, completed and signed.

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

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

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

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

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.

State hardship of why design standards cannot be met individually and throughly as a separate attachment

I the owner/agent acknowledge this is a complete application

August 3, 2025

RE: Parcel # 1010N-01-078.000

Thank you for your consideration of this project.

This letter serves as a detailed description of the architectural approach and material considerations for the development associated with the above parcel. In seeking to combine durability, versatility, and environmental consciousness, we have explored alternatives to conventional construction. One solution stands out for its innovation and practicality: the adaptive reuse of shipping containers as primary structural components.

This building would be built from 3 40' shipping containers and topped with 1 20' container. There are 2 reasons why this project would use shipping containers and have the metal exterior. The first is the proximity to the Gulf. The building would be rated to handle 160 mph winds. The second reason is cost. The building cost of a "built on site" building would prohibit us from being able to move forward with this project.

Utilizing shipping containers not only addresses practical concerns but also aligns with contemporary sustainable building practices, repurposing durable materials that might otherwise go unused. Furthermore, the metal exterior offers additional resilience against the elements.

Incorporating these features, the proposed structure is designed to be both functional and cost-effective, ensuring that resources are used judiciously while meeting the rigorous demands of the environment. We believe this approach represents a thoughtful balance between innovation, safety, and economic feasibility, which is essential for the long-term success of the project.

In addition to its structural and economic advantages, the design embraces an aesthetic that honors the industrial roots of the containers while allowing for thoughtful customization. High-performance insulation will be integrated to mitigate heat transfer through the metal walls, resulting in energy efficiency and occupant comfort throughout the year.

Landscaping is envisioned not only as a means of beautifying the site but also as a practical measure for stormwater management and further mitigating the impact of coastal weather. Native plantings and shaded outdoor areas will contribute to the building's sustainability and enhance the experience of those who use the space.

The proposed building will feature brick on the front and south sides, and both the north and south sides will be framed by large live oak trees and landscaping.

With this approach, we aim to set a precedent for forward-thinking development in the region, demonstrating that practical needs, environmental responsibility, and architectural creativity can be harmoniously combined. We look forward to the opportunity to bring this project to fruition.



# Michael Watson

## SECRETARY OF STATE

This is not an official certificate of good standing.

### Name History

---

Name	Name Type
Rock Solid Property LLC	Legal

### Business Information

---

<b>Business Type:</b>	Limited Liability Company
<b>Business ID:</b>	1409844
<b>Status:</b>	Good Standing
<b>Effective Date:</b>	09/20/2023
<b>State of Incorporation:</b>	Mississippi
<b>Principal Office Address:</b>	88 Morrell Cir Hattiesburg MS 39402 Hattiesburg, MS 39402

### Registered Agent

---

**Name**  
 Donna Tindall  
 88 Morrell Cir  
 Hattiesburg, MS 39402

### Officers & Directors

---

Name	Title
Donna J Tindall 88 Morrell Cir Hattiesburg, MS 39402	Manager



**Covenant Affidavit**

I, Donna Tindall, being owner or agent of the property Cowan Rd @ St James

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

Donna Tindall

Signature

8/28/25

Date

**STATE OF MISSISSIPPI | COUNTY OF HARRISON**

Given under my hand and seal of office this the 28th day of August, 2025

Samuel Sweeting

Notary Public

05/22/2027

Commission Expiration



## CORPORATE RESOLUTION

In a duly called meeting of all of the members of the below named company, it was unanimously approved by all of the members that **Eugene McNally**, has complete authority to sell NHN Cowan Rd., Gulfport, MS 39507, also described as follows:

**A part of Lots 8 and 9, Block 8, Cowan Road Homes Annex Subdivision, Unit 4, City of Gulfport, First Judicial District, Harrison County, Mississippi, being more particularly described as follows, to wit:**

From the Point of Beginning, commence at a point on the North margin of Collins Boulevard, said point being the Southeast corner of Lot 8, Block 8, Cowan Road Homes Annex Subdivision, Unit 4, as recorded and on file in the office of the Chancery Clerk, First Judicial District, Harrison County, Mississippi, in Plat Book 21, Page 9; thence run South 86°13'00" West, for a distance of 28.10 feet to a point; thence run South 73°30'12" West, for a distance of 49.15 feet to a point; thence run North 53°16'12" West, for a distance of 30.29 feet to a point; thence run North 0°35'04" West, for a distance of 123.69 feet to a point on the North line of said Lot 8; thence run North 77°53'34" East, along said North line, for a distance of 61.73 feet to the Northeast corner of said Lot 8; thence run South 16°11'23" East, along the East line of said Lot 8, for a distance of 144.67 feet to the Point of Beginning, containing 11,322 square feet, or 0.26 acre, approximately.

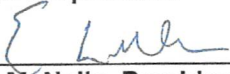
**AND ALSO:**

**A part of Lots 10 and 11, Block 8, Cowan Road Homes Annex Subdivision, Unit 4, City of Gulfport, First Judicial District, Harrison County, Mississippi, being more particularly described as follows, to wit:**

Commence at a point on the South margin of St. James Boulevard, said point being the Northeast corner of Lot 11, Block 8, Cowan Road Homes Annex Subdivision, Unit 4, as recorded and on file in the office of the Chancery Clerk, First Judicial District, Harrison County, Mississippi, in Plat Book 21, Page 9; thence run South 09°40'00" East, along the East line of said Lot 11, for a distance of 9.53 feet to the Point of Beginning; thence continue South 09°40'00" East, along said East line, for a distance of 137.49 feet to the Southeast corner of said Lot 11; thence run South 77°53'34" West, along the South line of Lots 11 and 10, for a distance of 135.63 feet to a point; thence run North 0°35'04" West, for a distance of 122.55 feet to a point; thence run North 38°36'16" East, for a distance of 28.07 feet to a point; thence run North 78°10'48" East, for a distance of 94.97 feet to the Point of Beginning, containing 16,960 square feet, or 0.39 acre, approximately.

So, approved and acknowledged this, the 15<sup>th</sup> day of December, 2023.

United Coastal Properties, Inc.,  
a Mississippi Corporation

  
By: Eugene McNally, President and Sole Shareholder

**CORPORATE ACKNOWLEDGMENT**

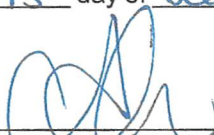
STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named **Eugene McNally**, the **President and Sole Shareholder** of **United Coastal Properties, Inc., a Mississippi Corporation**, who acknowledged before me that he signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned, for and on behalf of the aforesaid entity, after first having been duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 15<sup>th</sup> day of December, 2023.

(AFFIX SEAL)



  
\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_

# PROPOSED EXTERIOR ELEVATIONS



PROPOSED FRONT ELEVATION

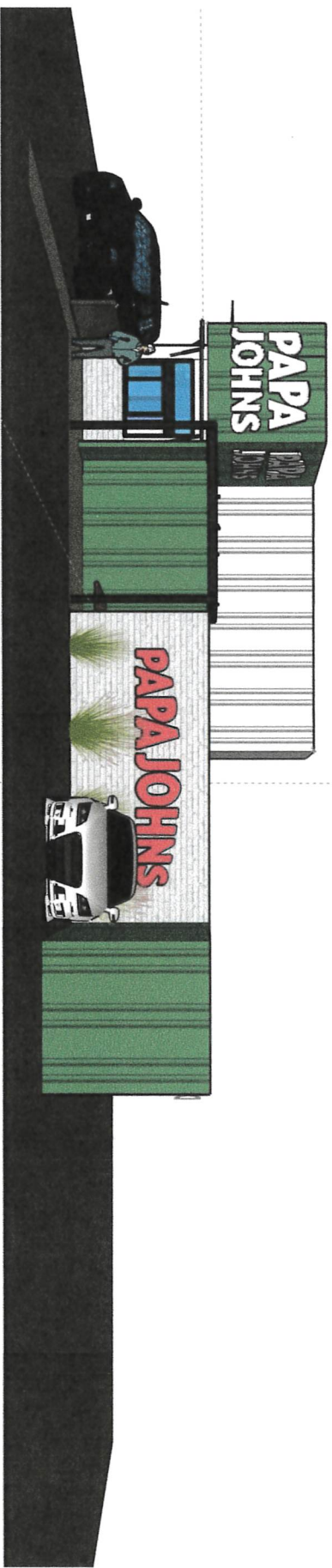


South

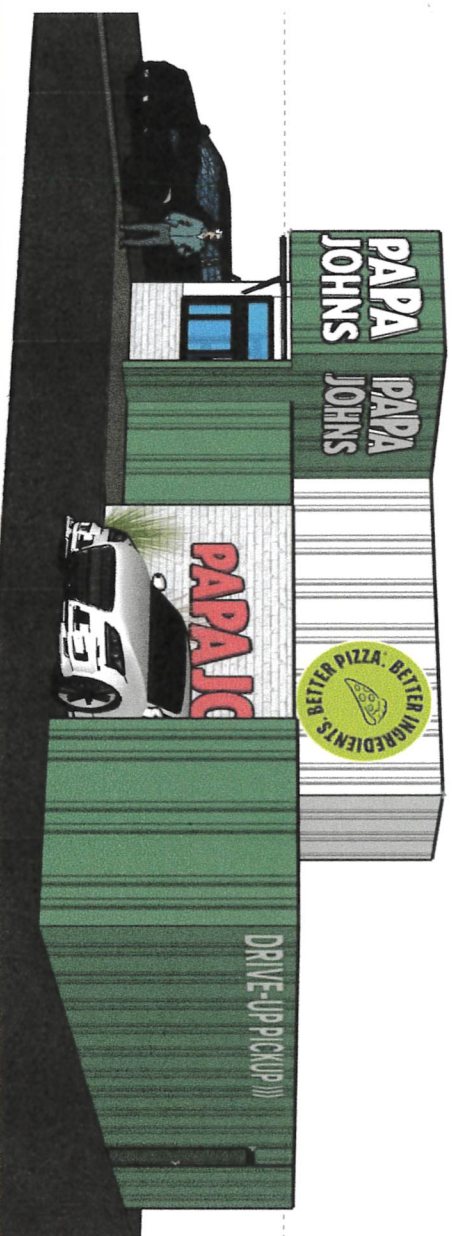
©2025 PAPA JOHN'S INTERNATIONAL, INC. ALL RIGHTS RESERVED.



# PROPOSED EXTERIOR ELEVATIONS



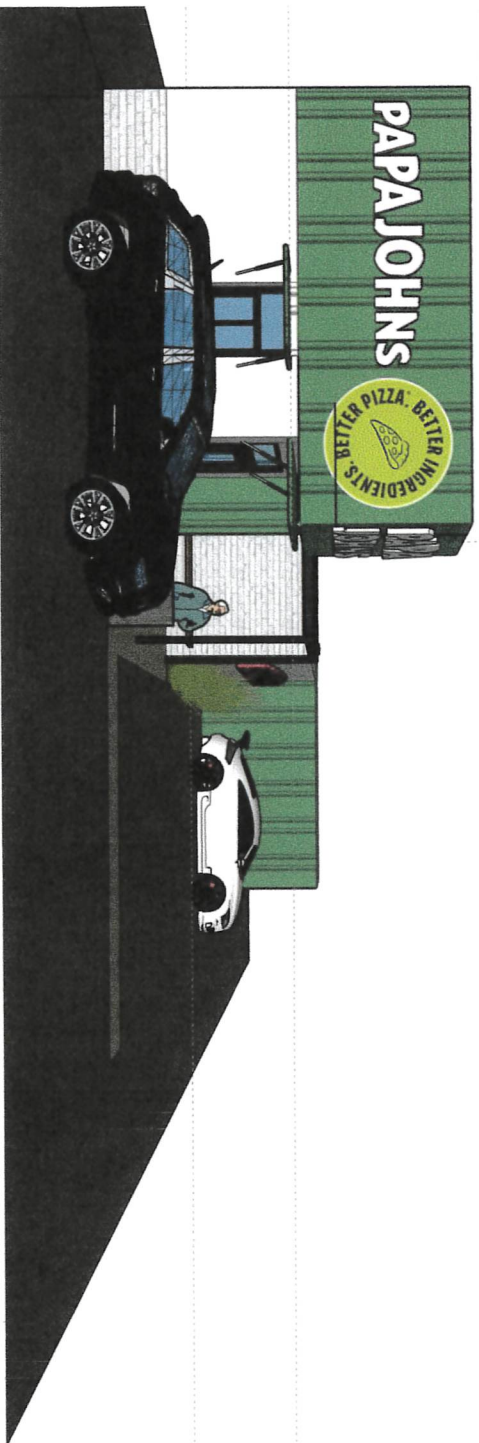
PROPOSED RIGHT ELEVATION



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**PAPA  
JOHNS**<sup>®</sup>

# PROPOSED EXTERIOR ELEVATIONS



Front

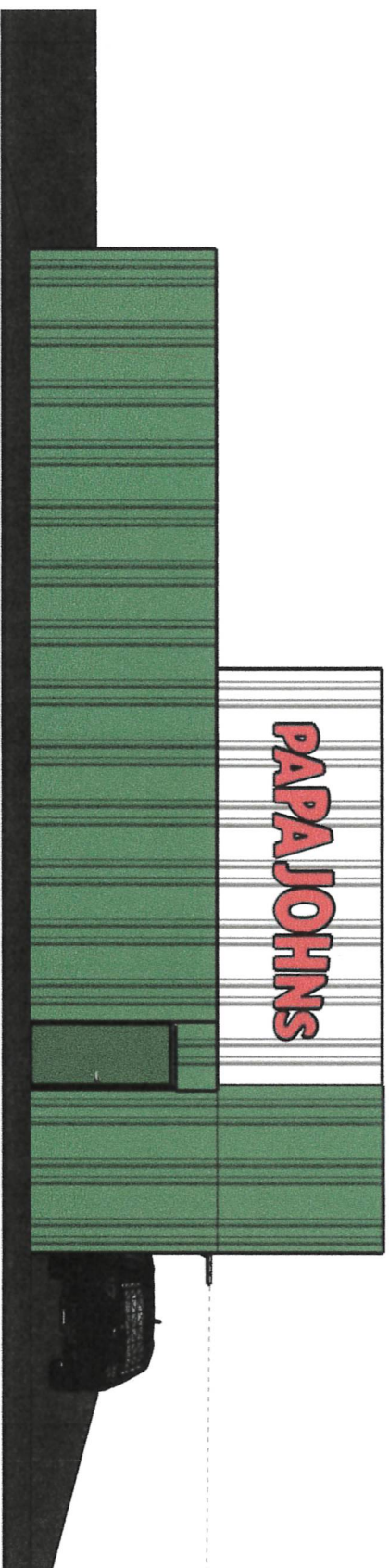


## PROPOSED DT/PICKUP ELEVATION

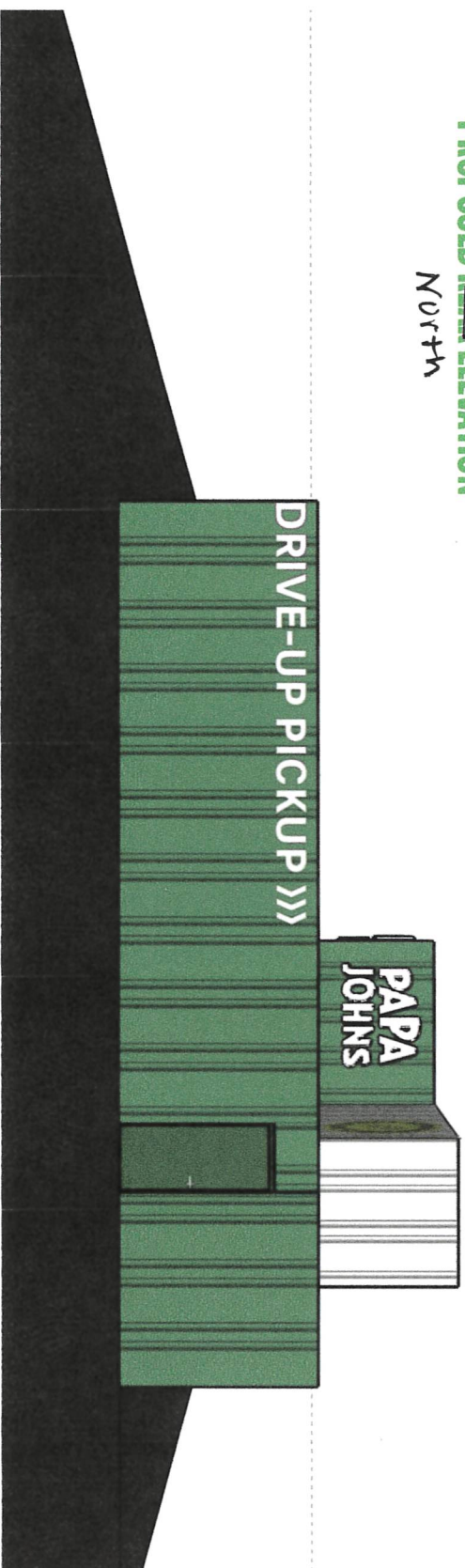
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# PAPA JOHNS®

# PROPOSED EXTERIOR ELEVATIONS



PROPOSED ~~FRONT~~ ELEVATION  
North



PROPOSED ~~RIGHT SIDE~~ ELEVATION

Rear

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**PAPA  
JOHNS®**

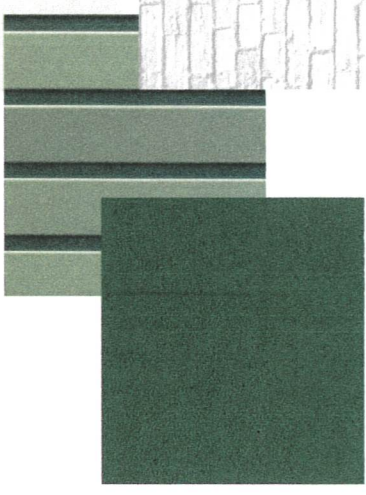
# PROPOSED EXTERIOR MATERIALS & ARTWORKS



WHITE THIN BRICK



6454 SHAMROCK, SEMI-GLOSS



SW 7005, PURE WHITE, SEMI-GLOSS



**ATLANTA**  
-BETTER INGREDIENTS. BETTER PIZZA.  
MEDALLION

**PAIRS WELL WITH PIZZA**

5.125"

CITY / PAIRS WELLS WITH PIZZA SIGN

**PAPA JOHN'S**





**URBAN DEVELOPMENT  
PLANNING DIVISION**

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

Wm. H. Hardy Building  
1410 24<sup>th</sup> Avenue  
Gulfport, MS 39501

August 15, 2025

Rock Solid Property (Owner)  
P.O. Box 18860  
Hattiesburg, MS 39404

**Architectural Review Committee 2508ARC014, by agent Frank Wilem, seeking approval for metal siding for a proposed commercial structure, Tax Parcel 1010N-01-087.000, Cowan Road, Zoned T5 (Urban Center Zone), Ward 2**

To Whom It May Concern:

This letter will officially notify you that at the Public Hearing on **Thursday, August 14, 2025** the Gulfport City Architectural Review Committee **denied** the request.

Any interested party that may feel aggrieved by this approval of the Architectural Review Committee decision may confirm by filing a written notice of appeal on or before fifteen (15) calendar days after the date of the Architectural Review Committee hearing. The notice of appeal and reasons for objecting to the decision should be stated in writing and filed with the Department of Urban Development-Planning Division. This Architectural Review Committee notice of appeal shall be forwarded as part of the record with the record and decision from the Planning Commission to the Mayor and City Council. The City Council shall make a final decision based upon the record as submitted. No new evidence may be presented at the meeting. A filing fee for an appeal will apply. Please contact this office for further details on the appeal process.

If you have any questions, please contact this office.

Sincerely,  
City of Gulfport Planning Division

REVIEWED  
SCANNED



*[Signature]* 1st JUDICIAL DISTRICT  
Instrument 2023-0025678-D-11  
Filed/Recorded 12/22/2023 11:47:01 AM  
Total Fees 26.00  
5 Pages Recorded

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

Grantor:  
**United Coastal Properties, Inc.,**  
**a Mississippi Corporation**  
2020 Bayou LaPorte Dr.  
Biloxi, MS 39531  
(228) 365-9396

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

Grantee:  
**Rock Solid Property LLC,**  
**a Mississippi Limited Liability Company**  
83 Morrell Cir.  
Hattiesburg, MS 39402  
(601) 447-6226

File No. Z233028S

**INDEXING INSTRUCTIONS:** Pt. of Lots 8, 9, 10, and 11, Blk. 8, Cowan Road Homes Annex S/D, Unit 4, 1<sup>st</sup> JD, Harrison County, MS

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

**WARRANTY DEED**

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

**Legal Description attached hereto as Exhibit "A"**

This being the same property as that conveyed to United Coastal Properties, Inc., a Mississippi Corporation, by Warranty Deed recorded in Instrument No. 2015-9217-D-J1, and Warranty Deed recorded in Deed Book 1475, at Page 78, Land Deed Records of Harrison County, Mississippi.

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

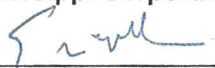
Grantor(s) quitclaim any and all oil, gas, and other minerals owned, if any, to Grantee(s). No mineral search was requested or performed by preparer.

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

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

WITNESS MY SIGNATURE, on this the 15<sup>th</sup> day of December, 2023.

**United Coastal Properties, Inc.,  
a Mississippi Corporation**

  
By: Eugene McNally,  
President and Sole Shareholder

**CORPORATE ACKNOWLEDGMENT**

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named **Eugene McNally**, the **President and Sole Shareholder** of **United Coastal Properties, Inc., a Mississippi Corporation**, who acknowledged before me that he signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned, for and on behalf of the aforesaid entity, after first having been duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 15<sup>th</sup> day of December, 2023.

(AFFIX SEAL)



  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_

**DEED ACCEPTED BY:**

  
Rock Solid Property LLC, a Mississippi Limited Liability Company  
By: Donna J. Tindall, Managing Member

**Exhibit "A"**

**Legal Description**

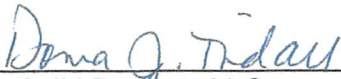
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**AND ALSO:**

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Rock Solid Property LLC,  
a Mississippi Limited Liability Company  
By: Donna J. Tindall, Managing Member

  
Date

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
51445	IPL0269753	Legal Ad - IPL0269753		1.0	73.0L

ATTENTION: GULFPORT URBAN DEVELOPMENT IP  
 PO BOX 1780  
 GULFPORT, MS 39502  
 accountspayable@gulfport-ms.gov;sasmith@gulfport-ms.gov

STATE OF MISSISSIPPI  
 COUNTY OF HARRISON  
 Before me, the undersigned Notary personally appeared the under-  
 signed, who, being by me first duly sworn, did depose and say that he/  
 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:

1.0 insertion(s) published on:  
 09/10/25 Print

**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 Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, September 25, 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 the first floor of the William H. Hardy Building, 1410 24th Avenue.

**Planning Commission Approval 2509PC104**, by owner Arlin Lang, seeking approval for a home occupation for an administrative office for consulting services, Tax Parcel 0811F-05-024.000, 2018 24th Ave, Zoned T4L (General Urban Zone "Limited"), Ward 3

**Planning Commission Approval 2509PC107**, by agent Carter James Properties, LLC, seeking approval for a reducing salon use, Tax Parcel 0909G-01-001.023, Seaway Road, Zoned I-2 (Heavy industry), Ward 4

**Zoning Map Amendment 2509PC105**, by owner Gregory Smith, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcel 1011D-01-055.000, 127 Laurel Drive, Zoned T6 (Urban Core Zone), Ward 2

**Zoning Map Amendment 2509PC108**, by agent Eddie Hartwell, requesting to rezone to B-2 (General-business), Tax Parcels 0810F-02-050.000, 0810K-01-001.002, 0810K-01-001.004, 0810K-01-001.009, John Hill Blvd, Zoned B-2 (General-business), I-1 (Light industry), Ward 3

**Architectural Review Committee Appeal 2510PC120**. Consider appeal from the decision of the Architectural Review Committee (Case 2508ARCO14) denying the application of agent, Frank Wilem, seeking approval for metal siding for a proposed commercial structure, Tax Parcel 1010N-01-087.000, Cowan Road, Zoned T5 (Urban Center Zone), Ward 2

This the 3rd day of September 2025  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0269753  
 Sep 10 2025

[Print Tearsheet Link](#)

[Marketplace Link](#)

*Mary Castro*

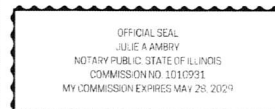


Mary Castro

*Julie A Ambrey*



Sworn to and subscribed before me on Sep 10, 2025, 10:10 AM EDT



Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNiX



URBAN DEVELOPMENT  
PLANNING & ZONING  
PO BOX 1780 | GULFPORT, MS | 1410 24<sup>TH</sup> AVENUE  
228.868.5710 | [PLANNERS@GULFPORT-MS.GOV](mailto:PLANNERS@GULFPORT-MS.GOV)

## PLANNING COMMISSION

---

**Hearing Date: Thursday, September 25, 2025**

**Planning Commission Recommendation**



URBAN DEVELOPMENT  
PLANNING & ZONING  
PO BOX 1780 | GULFPORT, MS | 1410 24<sup>TH</sup> AVENUE  
228.868.5710 | [PLANNERS@GULFPORT-MS.GOV](mailto:PLANNERS@GULFPORT-MS.GOV)

## PLANNING COMMISSION

---

**Hearing Date: Thursday, September 25, 2025**

**Zoning Map Amendment 2509PC105: Zoning Map Amendment 2509PC105, by owner Gregory Smith, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcel 1011D-01-055.000, 127 Laurel Drive, Zoned T6 (Urban Core Zone), Ward 2**

# Technical Report

## Zoning Map Amendment

### GENERAL INFORMATION

Case File Number: 2509PC105

Hearing Date: September 25, 2025

Current Zoning/Use: T5 / Vacant Lot

Legal: Zoning Map Amendment 2509PC105, by owner Gregory Smith, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcel 1011D-01-055.000, 127 Laurel Drive, Zoned T6 (Urban Core Zone), Ward 2

### TECHNICAL DETAILS

Amendment of the Zoning Ordinance, including the zoning map, is intended to carry out the objective of a sound, stable, and desirable environment. Casual amendment of the ordinance would be detrimental to the achievement of that objective. Therefore, the ordinance dictates that a property should be considered for rezoning only when one or more of the following conditions prevail according to the Mississippi case law:

According to the Mississippi case law:

When requesting rezoning of real property, **an applicant must prove, by clear and convincing evidence**, one of the following:

1. That there was a mistake in the original zoning, or
2. That the character of the neighborhood has changed to such an extent as to justify reclassification, **and** that there was a public need for rezoning.

The applicant is requesting to rezone approximately 6600 square feet of property from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"). As presented, the applicant states that the surrounding area has many single-family homes. The applicant also states there are plans for construction of a single-family home within 6 months of the zoning change. The intended completion is within 12 months after that. The Planning Commission can only offer recommendations; the City Council will have final decision for the rezoning before building can begin. The surrounding consistency of the neighborhood are areas containing one-family dwellings.

The applicant has chosen that the character of the neighborhood has changed as justification for the change of the current zoning.

1. The applicant states that there was no error in zoning.
2. The applicant addresses Character of the Neighborhood changing by stating that a zoning change would help preserve the character of the area, which is mostly single family homes.

# Technical Report

## Zoning Map Amendment

### **EXECUTIVE SUMMARY**

The applicant wishes to rezone the subject site from T6 (Urban Core Zone) to T4+ (General Urban Zone “Plus”) to allow for the construction of a single family home.

The applicant has not proven with clear and convincing evidence for a zoning change as required by the state, however, the staff notes that there are more single-family homes in the surrounding neighborhood than commercial uses, and rezoning to T4+ would be in harmony with the existing neighborhood. It should also be noted that this area has had several approved zoning map amendments such as with the cases 2301PC001 which rezoned from T6 to T4+; 2102PC024, which rezoned from T6 to T4+; 2410PC163, which rezoned from T6 to T4+; and 2507PC091, which rezoned from T5 to T4+.

Any approval should consider these conditions:

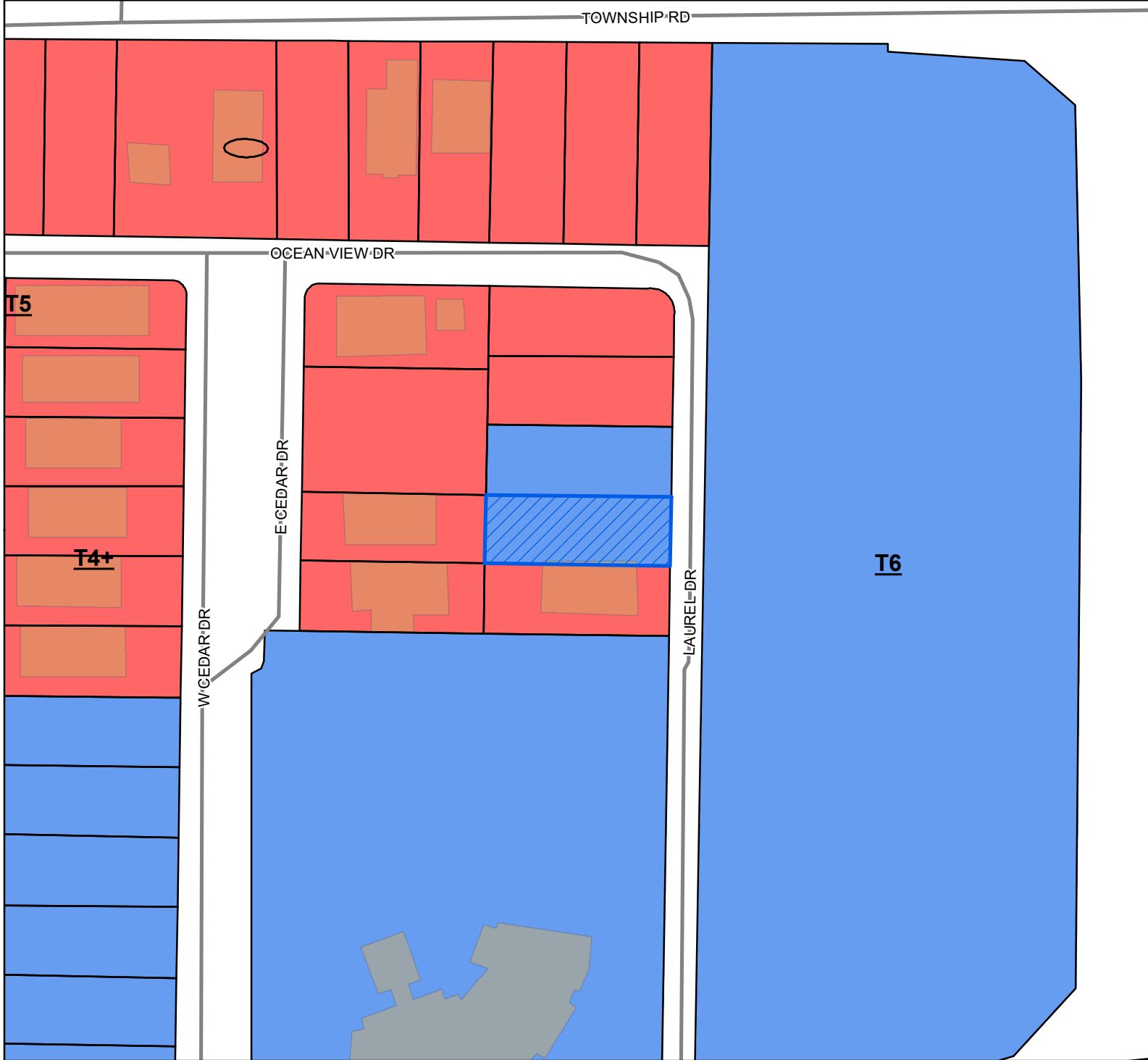
1. Approval would grant applicant to rezone property from T6 (Urban Core Zone) to T4+ (General Urban Zone “Plus”) zoning district. The Planning Commission can only offer recommendations; the City Council will have final decision for the rezoning.










### **DIRECTOR APPROVAL**

This report has been reviewed and approved by:

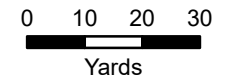


\_\_\_\_\_  
Greg Holmes  
Director of Urban Development Department



-  Site
-  US or State Highway
-  Street
-  Parcels
-  Buildings
-  City Limit
- Smart Code**
-  T6
-  T5
-  T4+

**Site Information**  
 1011D-01-055.000  
 Zoning: T6 (Urban Core Zone)  
 Size: 6603.08 sqft  
 Flood: AE



1 inch = 100 feet



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

For Staff Use Only

**APPLICATION FOR ZONING MAP  
AMENDMENT/LAND USE  
RECLASSIFICATION (SMARTCODE)**

Property Information

Case File #: 2509PC105  
Date Received: 7/30/2025  
Receipt #: 13409203  
Received By: BC  
Zoning: TG  
Ward: 2 Flood: AB

TAX PARCEL # 

1	0	1	1	D	-	0	1	-	0	5	5	.	0	0	0
					-			-				.			
					-			-				.			

(If necessary, use separate sheet of paper)

Address of Property Involved: 127 Laurel Drive

Lot(s) 11, Block(s) \_\_\_\_\_, Subdivision Lakeland Subdivision

General Location: West of Cowan Lorraine Road, North of Beach Blvd.

**GENERAL DESCRIPTION OF REQUEST:**

Change zoning from T6 to T4+

**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.*

OWNER

AGENT

Gregory T. Smith  
Printed Name of Owner

NA  
Printed Name of Agent

PO Box 7704  
Mailing Address

Mailing Address

Gulfport Ms 39506  
City State Zip code

City State Zip code

Home Phone Work/Cell Phone

Home Phone Work/Cell Phone

gtsmith1225@gmail.com  
Email

Email

[Signature]  
Signature of Owner

[Signature]  
Signature of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

**SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.**

## **E. REASON FOR REZONING REQUEST**

The Character of the neighborhood has changed.

This area was rezoned in 2007 to the Smart Code T6, and no development has occurred except on the properties that were rezoned to T4+ adjacent to and north of this property.

In 2009 Mississippi City, Handsboro, Downtown, and some of the West side of Gulfport changed back to residential zoning and development has occurred. The present zoning is penalizing the property owners because they cannot build a single-family home. Business development along Cowan-Lorraine Road has been north of the railroad tracks.

In the immediate area there have been 25 properties rezoned to T4+ and homes have been built on all of them. I will do the same on this property if rezoning is allowed.

## **F. INTEREST**

1. The property is owned by Gregory Smith PO Box 7704 Gulfport, MS. Deeds have been provided.

## **2. DEVELOPMENT SCHEDULE**

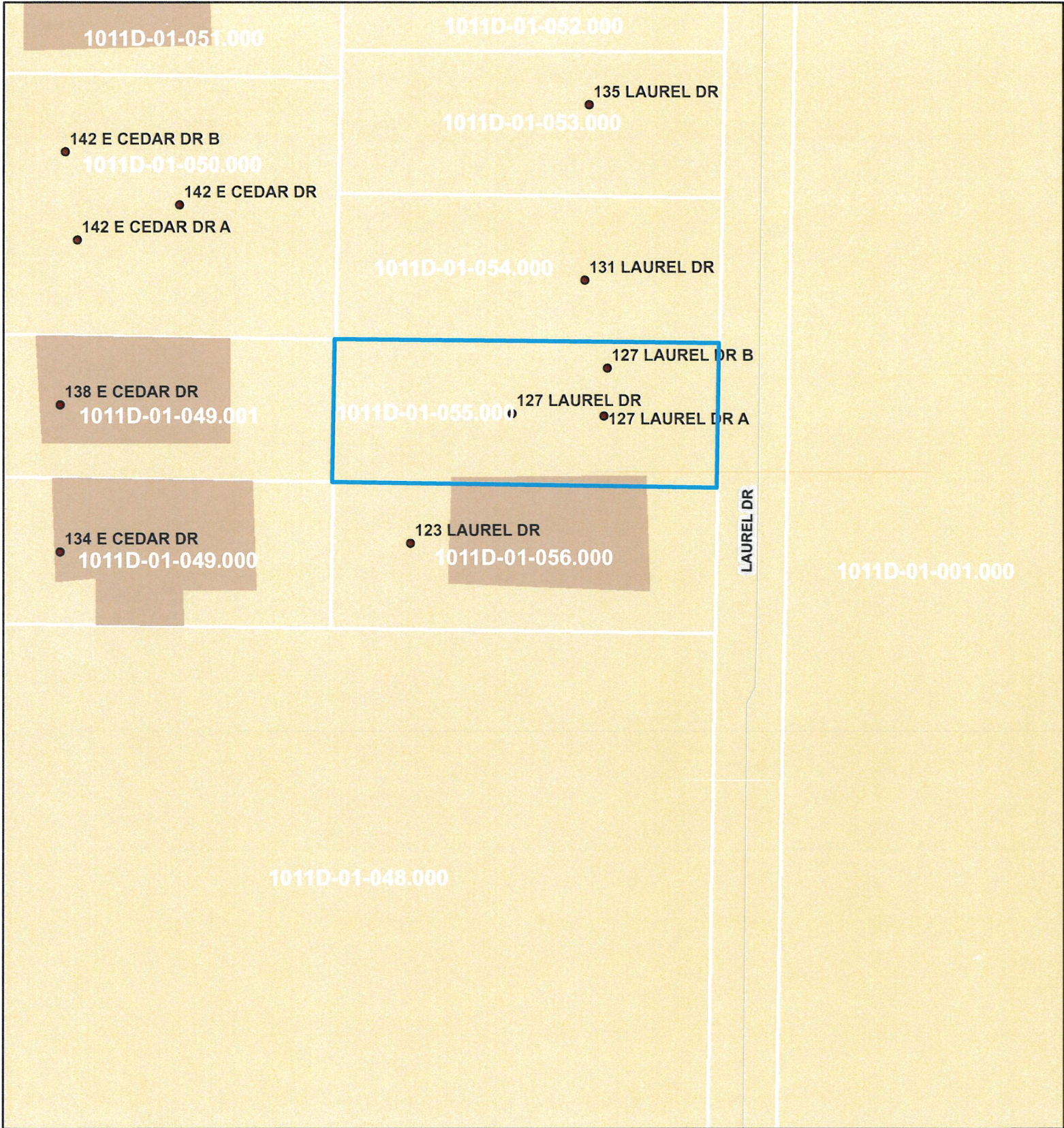
Development of this property will begin within 6 months of the zoning change and should be completed 12 months later.

## **3. EFFECT OF AMENDMENT**

This change in zoning should not affect the surrounding land uses. Many other homes have been constructed using T4+ zoning in this area on East Cedar Drive, West Cedar Drive, Oleander Drive, Markham Drive, and Tegarden Rd.

## **4. ERROR**

This area has been improperly zoned for commercial use. A change to T4+ would correct this error.



1 inch = 45 feet

# Area Map

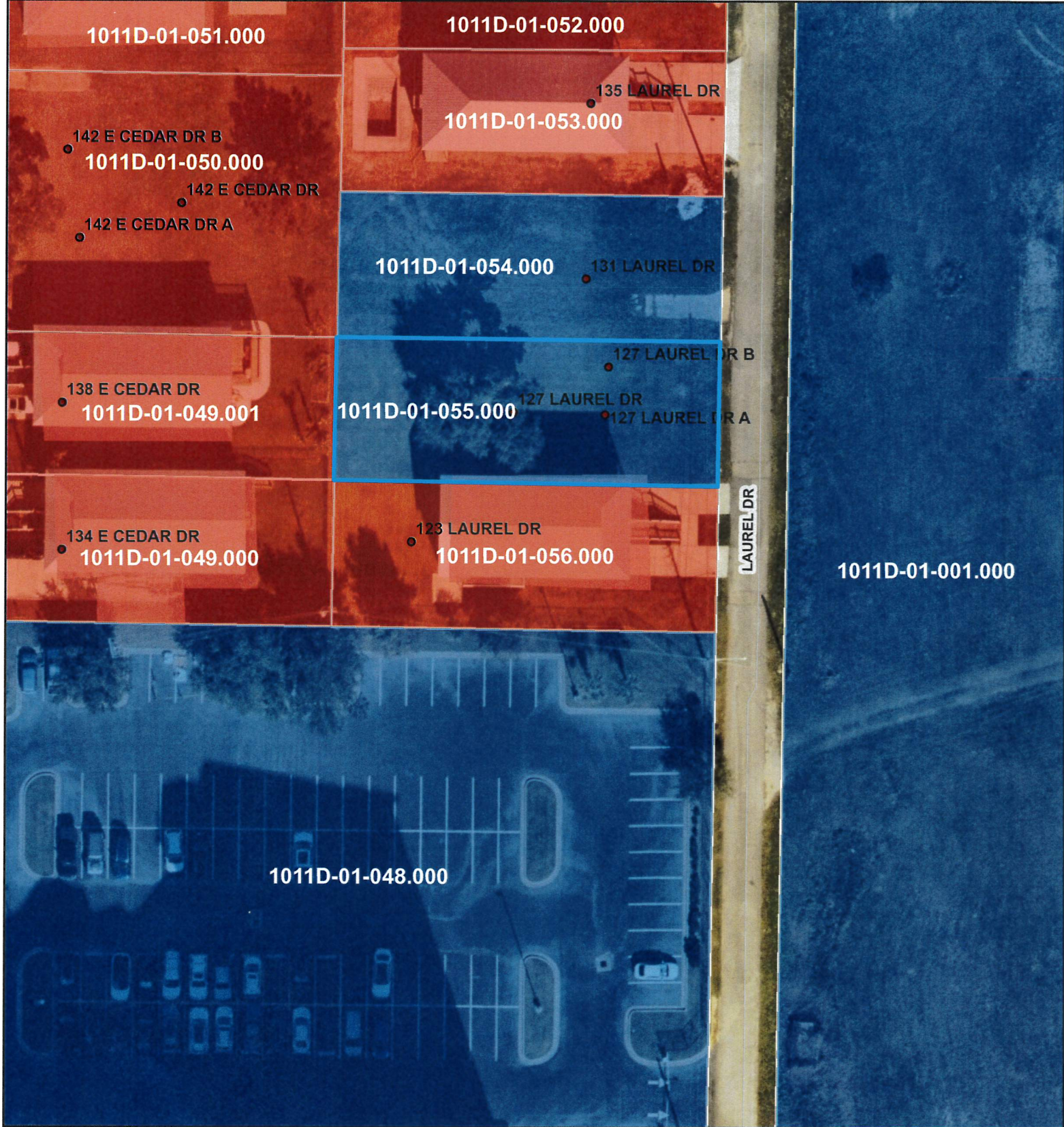
Parcels

Printed 7/30/2025

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1 inch = 45 feet



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# Area Map

Parcels

Printed 7/30/2025



Return To and Prepared By:  
James C. Simpson, Jr.  
Wise Carter Child & Caraway, P.A.  
2510 14<sup>th</sup> Street, Suite 1125  
Gulfport, MS 39501  
(228) 867-7141



*Angela Hunt* 1st JUDICIAL DISTRICT  
Instrument 2025-0015348-D-J1  
Filed/Recorded 07/18/2025 4:30:01 PM  
Total Fees 26.00  
4 Pages Recorded

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

INDEX: Lot 11, Lakeland Subdivision, First Judicial District, Harrison County, MS

**WARRANTY DEED**

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

**HOWARD T. HARVEY, a widower and unmarried man**  
**328 W. CLINTON ST.**  
**JACKSON, AL 36545**  
**(251) 246-4005**

do hereby sell, convey and warrant unto:

**GREGORY T. SMITH**  
**PO BOX 7704**  
**GULFPORT, MS 39506**  
**(228) 263-3456**

the following described land, together with all improvements situated thereon and all appurtenances and hereditaments thereunto appertaining or in anywise belonging, which are situated and located in Harrison County, Mississippi, more particularly described as follows, to-wit:

Lot Eleven (11), Lakeland 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 10 at Page 29 (Copy Book 4A at Page 326) thereof, reference to which is hereby made in aid of and as a part of this description.

The above-described property is no part of the Grantor's homestead.

This conveyance is subject to any and all recorded rights-of-way, covenants, easements and prior reservations of any oil, gas, minerals and other rights.

Taxes for the year 2025 are prorated between the Grantor and the Grantee with the Grantee paying same when due.

WITNESS THE SIGNATURE of the Grantor, this the 18<sup>th</sup> day of July 2025.

  
HOWARD T. HARVEY

STATE OF MISSISSIPPI

COUNTY OF HARRISON

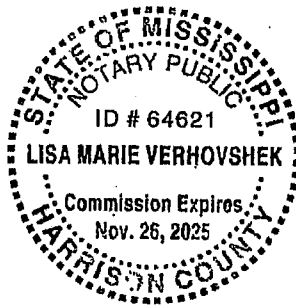
This day personally came and appeared before me, the undersigned authority in and for the aforesaid state and county, the within named **HOWARD T. HARVEY**, who acknowledged that he signed and delivered the foregoing instrument of writing, being a deed of conveyance to certain real property, on the day and year therein written of their own free and voluntary act and deed.

WITNESS my hand and official seal of office on this the 18<sup>th</sup> day of July 2025.

Lisa Marie Verhovshek  
NOTARY PUBLIC

My Commission Expires:

Nov 26, 2025  
(Seal)



**ALABAMA**  
**Center for Health Statistics**  
**ALABAMA CERTIFICATE OF DEATH**

State  
File  
Number

**101 2024-01054**

1. DECEASED LEGAL NAME Mary Julia Harvey				2. DATE AND TIME OF DEATH Jan 6, 2024 1607			
3. ALIAS NAME (IF ANY) None Given				4. DATE AND TIME PRONOUNCED DEAD			
5. COUNTY OF DEATH Clarke		6. CITY, TOWN OR LOCATION OF DEATH AND ZIP CODE Jackson, 36545		7. PLACE OF DEATH 328 North Clinton Street			
8. SEX Female		9. LAST NAME PRIOR TO FIRST MARRIAGE Ryser		10. SERVED IN ARMED FORCES No			
11. AGE 78	UNDER 1 YEAR MONTHS	UNDER 1 DAY DAYS	HRS	MINS	12. DATE OF BIRTH Jul 22, 1945		13. BIRTHPLACE (State or Foreign Country) Alabama
15. MARITAL STATUS Married		16. SURVIVING SPOUSE NAME PRIOR TO FIRST MARRIAGE Howard Trent Harvey		17. RESIDENCE STATE Alabama			
18. RESIDENCE COUNTY Clarke		19. CITY, TOWN OR LOCATION AND ZIP CODE Jackson, 36545		20. STREET ADDRESS 328 North Clinton Street			
21. INFORMANT NAME, RELATIONSHIP AND ADDRESS Howard Trent Harvey, Husband, 328 North Clinton Street, Jackson, AL 36545							
22. FATHER/PARENT NAME PRIOR TO FIRST MARRIAGE Pete Ryser				23. MOTHER/PARENT NAME PRIOR TO FIRST MARRIAGE Florence Pace			
24. DISPOSITION OF BODY Burial		25. CEMETERY OR CREMATORY John L White Cemetery		26. LOCATION West Bend, Alabama			
27. DATE OF DISPOSITION Jan 11, 2024		28. FUNERAL DIRECTOR OR OTHER AGENT Brandon Gouling,		29. LICENSE NUMBER 06474		30. DATE SIGNED Jan 17, 2024	
31. FUNERAL HOME NAME AND ADDRESS Lathan Funeral Home Jackson and Grove Hill, 1867 Highway 43, Jackson, AL 36545						32. LICENSE NUMBER	
33. MEDICAL CERTIFICATION: Certifying Physician							
34. NAME Sidney Crosby MD				35. LICENSE NUMBER 10439		36. DATE SIGNED Jan 15, 2024	
37. ADDRESS OF PERSON WHO COMPLETED CAUSE OF DEATH 227 Hospital Dr, Jackson, Alabama 36545							
38. REGISTRAR Nicole Henderson Rushing						39. DATE FILED Jan 17, 2024	
<b>CAUSE OF DEATH</b>							
40. PART I. DISEASES, INJURIES OR COMPLICATIONS THAT CAUSED DEATH						INTERVAL	
IMMEDIATE CAUSE	A. lung cancer					1 year	
UNDERLYING CAUSE	B. DUE TO (OR AS A CONSEQUENCE OF):						
	C. DUE TO (OR AS A CONSEQUENCE OF):						
	D. DUE TO (OR AS A CONSEQUENCE OF):						
	D.						
41. PART II. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH							
42. MANNER OF DEATH Natural Causes		43. PREGNANT (IF FEMALE)		44. AUTOPSY No	45. FINDINGS CONSIDERED	46. TOXICOLOGY No	47. FINDINGS CONSIDERED
							48. TOBACCO USE CONTRIBUTED TO DEATH Unknown
49. HOW INJURY OCCURRED							
50. DATE AND TIME OF INJURY				51. INJURY AT WORK		52. IF TRANSPORTATION INJURY, SPECIFY	
53. PLACE OF INJURY				54. LOCATION OF INJURY			

ADPH HS E2/REV 01-21

This is an official certified copy of the original record filed in the Center of Health Statistics, Alabama Department of Public Health, Montgomery, Alabama. 2024-118-783-0





January 18, 2024

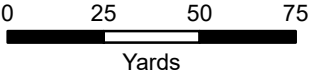
*Nicole Henderson Rushing*  
 Nicole Henderson Rushing  
 State Registrar of Vital Statistics

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP	
Y		1011D-01-055.000	GREGORY T. SMITH (OWNER)	P O BOX 7704	GULFPORT	MS	39506	
			<b>Adjacent Property Owners (2509PC105)</b>					
	84098	1011D-01-048.000	CHATWORTH INVESTMENTS LLC	3908 TENNESSEE AVE	CHATTANOOGA	TN	37409	
	31486	1011D-01-055.000	HARVEY HOWARD T & MARY R	328 W CLINTON ST	JACKSON	AL	36545	
	31484	1011D-01-056.000	SIMS ROY & PEGGY	1200 PINECREST DR	KOSCIUSKO	MS	39090	
	31485	1011D-01-049.000	DREWES JASON E & WAGNER CARA B	134 E CEDAR DR	GULFPORT	MS	39507	
	31488	1011D-01-050.000	BROOKS M DENNIS & BECKY M	525 GLEN VALLEY WAY	GULFPORT	MS	39507	
	31489	1011D-01-053.000	SMITH GREGORY T	P O BOX 7704	GULFPORT	MS	39506	
	31491	1011D-01-051.000	JIVE TURKEY INVESTMENT GROUP LLC	2959 BIDDLE AVE, STE 201	WYANDOTTE	MI	48192	
	31490	1011D-01-052.000	CASTIGLIA FRANK A	706 KLONDYKE ROAD	LONG BEACH	MS	39560	
	31487	1011D-01-054.000	JAMISON MARTHA TOTTEN	131 LAUREL DR	GULFPORT	MS	39507	
	21333	1011D-01-001.000	DHAC REAL ESTATE LLC	853 E VALLEY BLVD	SAN GABRIEL	CA	91776	
	146202	1011D-01-049.001	DAVIS PIPER	138 E CEDAR DR	GULFPORT	MS	39507	
	31502	1011D-01-040.000	KOGANTI PREMCHAND & PATURI SUNITA	102 RAPPORT DR	CARY	NC	27519	
	146647	1011D-01-040.002	HILL BILL	306 WINDY CITY RD	JACKSON	TN	38305	
N	146648	1011D-01-040.003	KOGANTI PREMCHAND & SUNITA PATURI	102 RAPPORT DR	CARY	NC	27519	



**Legend**

-  Site
-  US or State Highway
-  Street
-  Buildings



1 inch = 150 feet



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# McClatchy

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	Cols	Depth
51445	IPL0269753	Legal Ad - IPL0269753		1.0	73.0L

ATTENTION: GULFPORT URBAN DEVELOPMENT IP  
 PO BOX 1780  
 GULFPORT, MS 39502  
 accountspayable@gulfport-ms.gov;sasmith@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 Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 PM., Thursday, September 25, 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 the first floor of the William H. Hardy Building, 1410 24th Avenue.

**Planning Commission Approval 2509PC104**, by owner Arlin Lang, seeking approval for a home occupation for an administrative office for consulting services, Tax Parcel 0811F-05-024.000, 2018 24th Ave, Zoned T4L (General Urban Zone "Limited"), Ward 3

**Planning Commission Approval 2509PC107**, by agent Carter James Properties, LLC, seeking approval for a reducing salon use, Tax Parcel 0909G-01-001.023, Seaway Road, Zoned I-2 (Heavy industry), Ward 4

**Zoning Map Amendment 2509PC105**, by owner Gregory Smith, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcel 1011D-01-055.000, 127 Laurel Drive, Zoned T6 (Urban Core Zone), Ward 2

**Zoning Map Amendment 2509PC108**, by agent Eddie Hartwell, requesting to rezone to B-2 (General-business), Tax Parcels 0810F-02-050.000, 0810K-01-001.002, 0810K-01-001.004, 0810K-01-001.009, John Hill Blvd, Zoned B-2 (General-business), I-1 (Light industry), Ward 3

**Architectural Review Committee Appeal 2510PC120**, Consider appeal from the decision of the Architectural Review Committee (Case 2508ARC014) denying the application of agent, Frank Wilem, seeking approval for metal siding for a proposed commercial structure, Tax Parcel 1010N-01-087.000, Cowan Road, Zoned T5 (Urban Center Zone), Ward 2

This the 3rd day of September 2025  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0269753  
 Sep 10 2025

STATE OF MISSISSIPPI  
 COUNTY OF HARRISON

Before me, the undersigned Notary personally appeared the undersigned, who, being by me first duly sworn, did depose and say that he/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:

1.0 insertion(s) published on:  
 09/10/25 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

*Mary Castro*



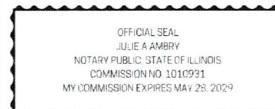
Mary Castro

*Julie A Ambry*



Sworn to and subscribed before me on

Sep 10, 2025, 10:10 AM ED



Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNiX



URBAN DEVELOPMENT  
PLANNING & ZONING  
PO BOX 1780 | GULFPORT, MS | 1410 24<sup>TH</sup> AVENUE  
228.868.5710 | [PLANNERS@GULFPORT-MS.GOV](mailto:PLANNERS@GULFPORT-MS.GOV)

## PLANNING COMMISSION

---

**Hearing Date: Thursday, September 25, 2025**

**Zoning Map Amendment 2509PC108: Zoning Map Amendment 2509PC108, by agent Eddie Hartwell, requesting to rezone to B-2 (General-business), Tax Parcels 0810F-02-050.000, 0810K-01-001.002, 0810K-01-001.004, 0810K-01-001.009, John Hill Blvd, Zoned B-2 (General-business), I-1 (Light industry), Ward 3**

# Technical Report

## Zoning Map Amendment

### GENERAL INFORMATION

Case File Number: 2509PC108

Hearing Date: September 25, 2025

Current Zoning/Use: I-1, B-2 / Vacant Land

Legal: Zoning Map Amendment 2509PC108, by agent Eddie Hartwell, requesting to rezone to B-2 (General-business), Tax Parcels 0810F-02-050.000, 0810K-01-001.002, 0810K-01-001.004, 0810K-01-001.009, John Hill Blvd, Zoned B-2 (General-business), I-1 (Light industry), Ward 3

### TECHNICAL DETAILS

Amendment of the Zoning Ordinance, including the zoning map, is intended to carry out the objective of a sound, stable, and desirable environment. Casual amendment of the ordinance would be detrimental to the achievement of that objective. Therefore, the ordinance dictates that a property should be considered for rezoning only when one or more of the following conditions prevail according to the Mississippi case law:

According to the Mississippi case law:

When requesting rezoning of real property, **an applicant must prove, by clear and convincing evidence**, one of the following:

1. That there was a mistake in the original zoning, or
2. That the character of the neighborhood has changed to such an extent as to justify reclassification, **and** that there was a public need for rezoning.

The applicants are requesting to rezone approximately 25.8 acres of land zoned I-1 (Light Industry) and B-2 (General Business) to B-2 (General Business) on John Hill Boulevard. The applicant claims that there was a mistake in the original zoning due to the property being unproductive since the original zoning of the property. The applicant is seeking rezoning because “the public needs more employment and shopping opportunities.” The applicant also claims “all the most recent additions to businesses along John Hill Blvd have been retail/office related as opposed to industrial.” The applicant then explains that retail uses are “attractive” here due to the light at Highway 49 and John Hill Blvd which creates ideal traffic for potential business. The Planning Commission can only offer recommendations; the City Council will have final decision for the rezoning before building can begin. The surrounding area is zoned B-2 and I-1 along John Hill Boulevard.

The applicant states that there was a mistake in the original zoning of the property due to the property being “unproductive for the community.”

# Technical Report

## Zoning Map Amendment

The applicant lists the owner of the properties involved regarding the interest. The applicant does not directly address any development schedule; however, they mention they plan to sell the property to a developer who will “likely build” a multi-tenant office or retail center. The applicant notes, in regard to the effect of the amendment, “the proposed zoning change from I-1 to B-2 will make the property zoning more compatible with our neighboring properties.”

### **EXECUTIVE SUMMARY**

The applicants are requesting to rezone approximately 25.8 acres of land zoned I-1 (Light Industry) and B-2 (General Business) to B-2 (General Business) on John Hill Boulevard. The applicant states that there was an error in the original zoning due to the land being “unproductive” for the city since the original zoning. The proposed map amendment would continue the B-2 zoning on the parcel north of Lowes that is currently split zoned I-1 and B-2 across John Hill Boulevard to the East and North of this parcel. The surrounding businesses include Lowes, 84 Lumber, Waffle House, and Singer H&R. The properties to the East of the proposed map amendment include vacant properties and the Gulfport/Biloxi Airport and are zoned I-1.

Any approval should consider these conditions:

1. Approval would grant the applicant to rezone property from I-1 (Light Industry) and B-2 (General Business) to B-2 (General Business). The Planning Commission can only offer recommendations; the City Council will have final decision for the rezoning.

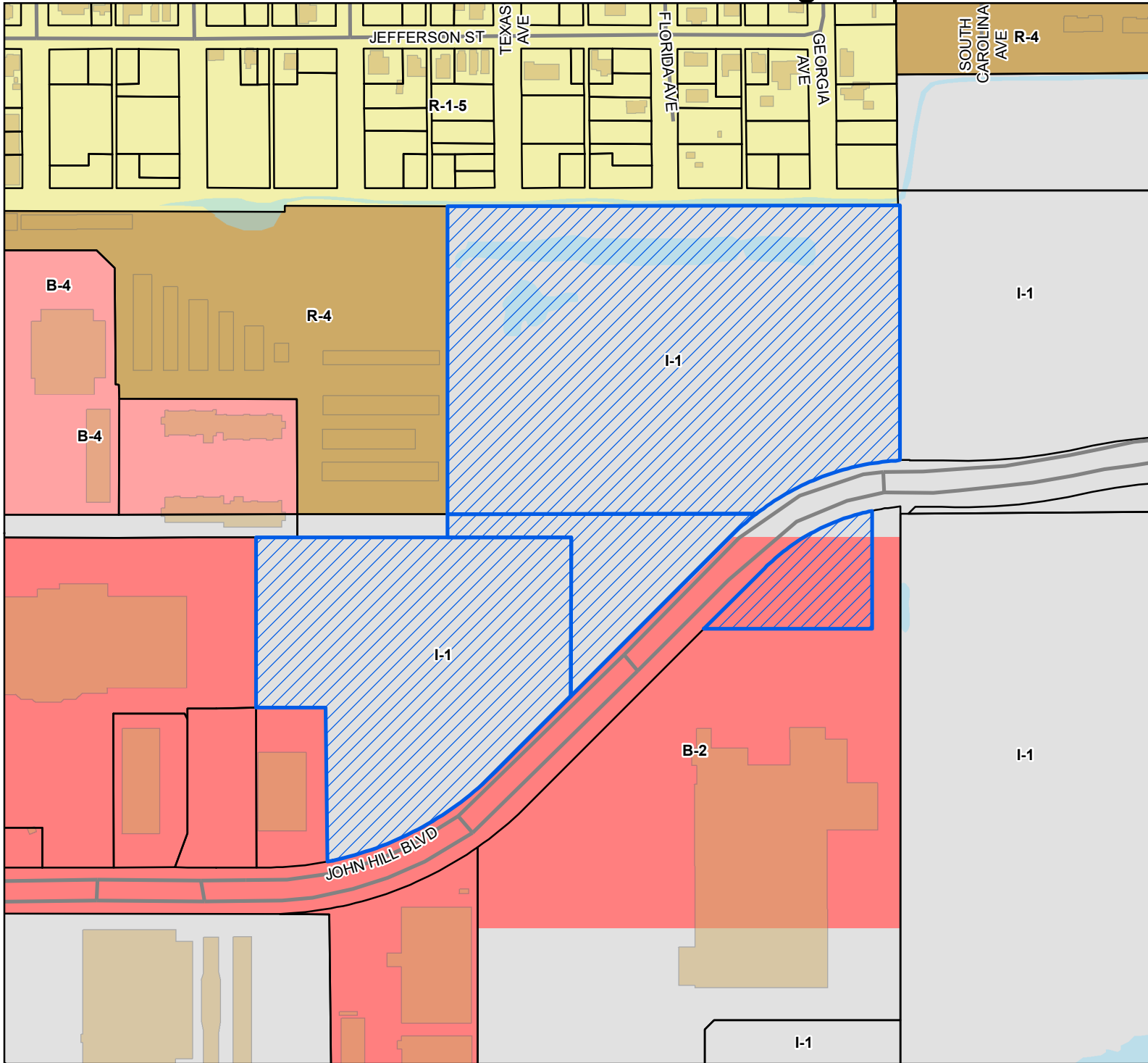
### **DIRECTOR APPROVAL**

This report has been reviewed and approved by:



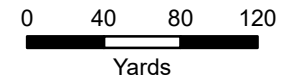
Greg Holmes

Director of Urban Development Department



- Site
  - Street
  - Parcels
  - Buildings
  - Water Features
  - City Limit
- Zoning**
- B-2 - General Business District
  - B-4 - Highway Business District
  - I-1 - Light Industry District
  - R-1-5 - Single Family Residence District (Medium Density)
  - R-4 - General Residence (High Density)

**Site Information**  
 0810F-02-050.000  
 0810K-01-001.009  
 0810K-01-001.002  
 0810K-01-001.004  
 Zoning: I-1 (Light Industry)  
 B-2 (General Business)  
 Size: 25.8 Acres  
 Flood: X,A



1 inch = 300 feet



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



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

For Staff Use Only

Case File #: 2509PC108  
Date Received: 8/16/25  
Receipt #: 13417398  
Received By: SS  
Zoning: F-1, B-2  
Ward: 3 Flood: X, A

**APPLICATION FOR ZONING MAP  
AMENDMENT/LAND USE  
RECLASSIFICATION (SMARTCODE)**

**Property Information**

TAX PARCEL # 

0	8	1	0	F	-	0	2	-	0	5	0	•	0	0	0
0	8	1	0	K	-	0	1	-	0	0	1	•	0	0	9
0	8	1	0	K	-	0	1	-	0	0	1	•	0	0	2

(If necessary, use separate sheet of paper)

Address of Property Involved: John Hill Blvd.

Lot(s) \_\_\_\_\_, Block(s) \_\_\_\_\_, Subdivision \_\_\_\_\_

General Location: Across the street From Lowes

**GENERAL DESCRIPTION OF REQUEST:**

Rezone parcels to B-2 (Like lower and surrounding businesses)

**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.

OWNER  
William H. Durham  
Printed Name Of Owner  
131 Pivettills Drive  
Mailing Address  
Hattiesburg MS 39402  
City State Zip code  
601-270-0560  
Home Phone Work/Cell Phone  
Email  
williamhdurhamd@gmail.com  
Signature Of Owner  
William H. Durham

AGENT  
Pastor Eddie Hartwell  
Printed Name Of Agent  
120 Gahan Drive  
Mailing Address  
Gulfport MS 39503  
City State Zip code  
228-547-9493  
Home Phone Work/Cell Phone  
PASTOREddieHartwell@gmail.com  
Email  
[Signature]  
Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

**SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.**



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

For Staff Use Only

**APPLICATION FOR ZONING MAP  
AMENDMENT/LAND USE  
RECLASSIFICATION (SMARTCODE)**

Property Information

Case File #: \_\_\_\_\_  
Date Received: \_\_\_\_\_  
Receipt #: \_\_\_\_\_  
Received By: \_\_\_\_\_  
Zoning: \_\_\_\_\_  
Ward: \_\_\_\_\_ Flood: \_\_\_\_\_

TAX PARCEL # 

0	8	1	0	K	-	0	1	-	0	0	1	•	0	0	4
					-			-				•			
					-			-				•			

(If necessary, use separate sheet of paper)

Address of Property Involved: \_\_\_\_\_

Lot(s) \_\_\_\_\_, Block(s) \_\_\_\_\_, Subdivision \_\_\_\_\_

General Location: \_\_\_\_\_

**GENERAL DESCRIPTION OF REQUEST:**

\_\_\_\_\_  
\_\_\_\_\_

**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.*

OWNER

AGENT

Printed Name Of Owner \_\_\_\_\_

Printed Name Of Agent \_\_\_\_\_

Mailing Address \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_

Home Phone \_\_\_\_\_ Work/Cell Phone \_\_\_\_\_

Home Phone \_\_\_\_\_ Work/Cell Phone \_\_\_\_\_

Email \_\_\_\_\_

Email \_\_\_\_\_

Signature Of Owner

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

**SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.**

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.

*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) William H. Durham

ADDRESS (STREET, CITY, STATE, ZIP CODE) 131 Pinehills Drive Hattiesburg, MS. 39402

PHONE # (H) — (W) 601-270-0560

TAX PARCEL NUMBER(S) OWNED 0810F-02-050.000 0810K-01-001.002  
0810K-01-001.009 0810K-01-001.004

SIGNATURE William H. Durham

NAME OF OWNER (PRINT) \_\_\_\_\_

ADDRESS (STREET, CITY, STATE, ZIP CODE) \_\_\_\_\_

PHONE # (H) \_\_\_\_\_ (W) \_\_\_\_\_

TAX PARCEL NUMBER(S) OWNED \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

NAME OF OWNER (PRINT) \_\_\_\_\_

ADDRESS (STREET, CITY, STATE, ZIP CODE) \_\_\_\_\_

PHONE # (H) \_\_\_\_\_ (W) \_\_\_\_\_

TAX PARCEL NUMBER(S) OWNED \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

(Use additional forms as needed)

(I am the sole owner 100%) WHD

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES

PERSON/AGENT FOR YOU: Pastor Eddie Hartwell



**Designation of Agent**

I, William H. Durham PRINT NAME being property owner of Subject Properties PRIMARY ADDRESS OR PARCEL which is the subject of this application hereby authorize Pastor Eddie Hartwehl PRINT NAME to act as my representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

William H. Durham

7-30-2025

Signature

Da

**STATE OF MISSISSIPPI | COUNTY OF HARRISON**

Given under my hand and seal of office this the 30<sup>th</sup> day of July, 20 25

Tiffany McGilvery

Notary Public



May 5, 2028

Commission Expiration

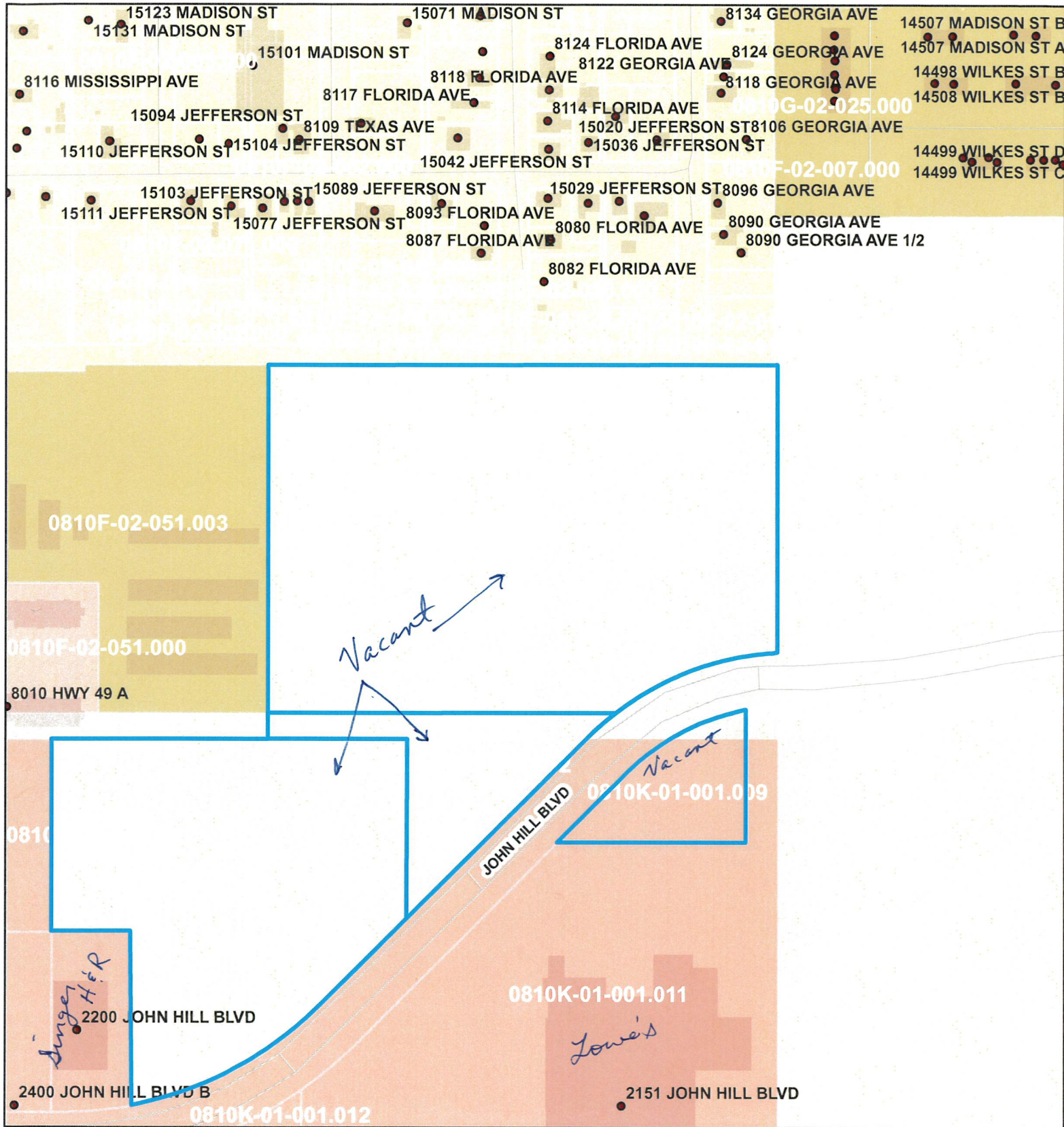
## **Introduction:**

Mr. Durham has owned the subject properties since 1995. Almost 30 years. Three of the four parcels on the northwest side of John Hill Blvd. are all zoned I-1 Light Industry and are all vacant. The smallest parcel on the southeast side of John Hill Blvd is split zoned I-1 and B-2 General Commercial and is the zoning classification we are requesting for all the subject properties. The smallest parcel is adjacent to Lowe's Garden Center and is also vacant.

Our real estate advisors have suggested down zoning our property from I-1 to B-2. All our neighboring properties that front on John Hill Blvd. are zoned B-2 and I-1, 84 Lumber is the parcel zoned Light Industry and like Lowe's could be zoned B-2. We anticipate selling the property to a developer that will likely build a multi-tenant office or retail center. If that doesn't happen, the developer will be limited to "land uses" permitted in the B-2 District. We believe it was a **mistake** to have the Property zoned I-1 30 years ago. The property has been unproductive for the community since then. The proposed zoning change from I-1 to B-2 will make the property zoning more compatible with our neighboring properties. The public needs more employment and shopping opportunities and the public and the City of Gulfport will benefit from increased Ad Valorem property and sales tax revenue.

- 1) Our properties are very close to Hwy 49, and all have frontage on John Hill Blvd. Our nearest neighbors are Lowe's and Singer H&R, a hotel and restaurant supply company. To our east, past Lowe's is the commercial aviation section of the Gulfport/Biloxi Airport. In this area is a new Industrial Park which is also vacant. To our west past Singer H&R is Coburn's Supply, Hood's Home Center and Waffle House. Across the street from Waffle House is 84 Lumber and the John Hill Blvd. Business Center. On the west side of Hwy 49, across from John Hill Blvd. is a row of older buildings that offer flea market style retail spaces. (See recent Google Earth map Exhibit)

- 2) Development in our neighborhood (between Hwy 49 and the Airport property along John Hill Blvd.) are retail/office commercial oriented businesses. Growth has been slow but steady. The Harrison County Development Commission has been aggressive in the last several years promoting their industrial park properties along the coast which has diminished demand for independent industrial zoned properties. This is why we are seeking to down zone our properties from I-1 to B-2. (see Google Earth maps showing the neighborhood over time)
  
- 3) All the most recent additions to businesses along John Hill Blvd. have been retail/office related as opposed to Industrial. What makes retail attractive here is the red light at Hwy 49 and John Hill Blvd. Traffic is light and makes for easy ingress and egress from businesses along John Hill Blvd. Hwy 49 is the main North-South State Hwy in Mississippi and has terrific daily traffic counts for retail. In 2023, Gulf Regional Planning Commission published an AADT (Annual Average Daily Traffic) count of 42,000 vehicles passing John Hill Blvd. Hwy 49 starts at Hwy 90 in Gulfport and runs to Memphis, Tennessee.
  
- 4) (See Map from the City of Gulfport Planning Office, there have been no recent zoning changes)
  
- 5) The most significant recent change has been the extension of John Hill Blvd. into the Airport property. (See exhibits #2 & 3)
  
- 6) (See photographs of buildings in the neighborhood, exhibits 5-11)



1 inch = 250 feet

# Area Map

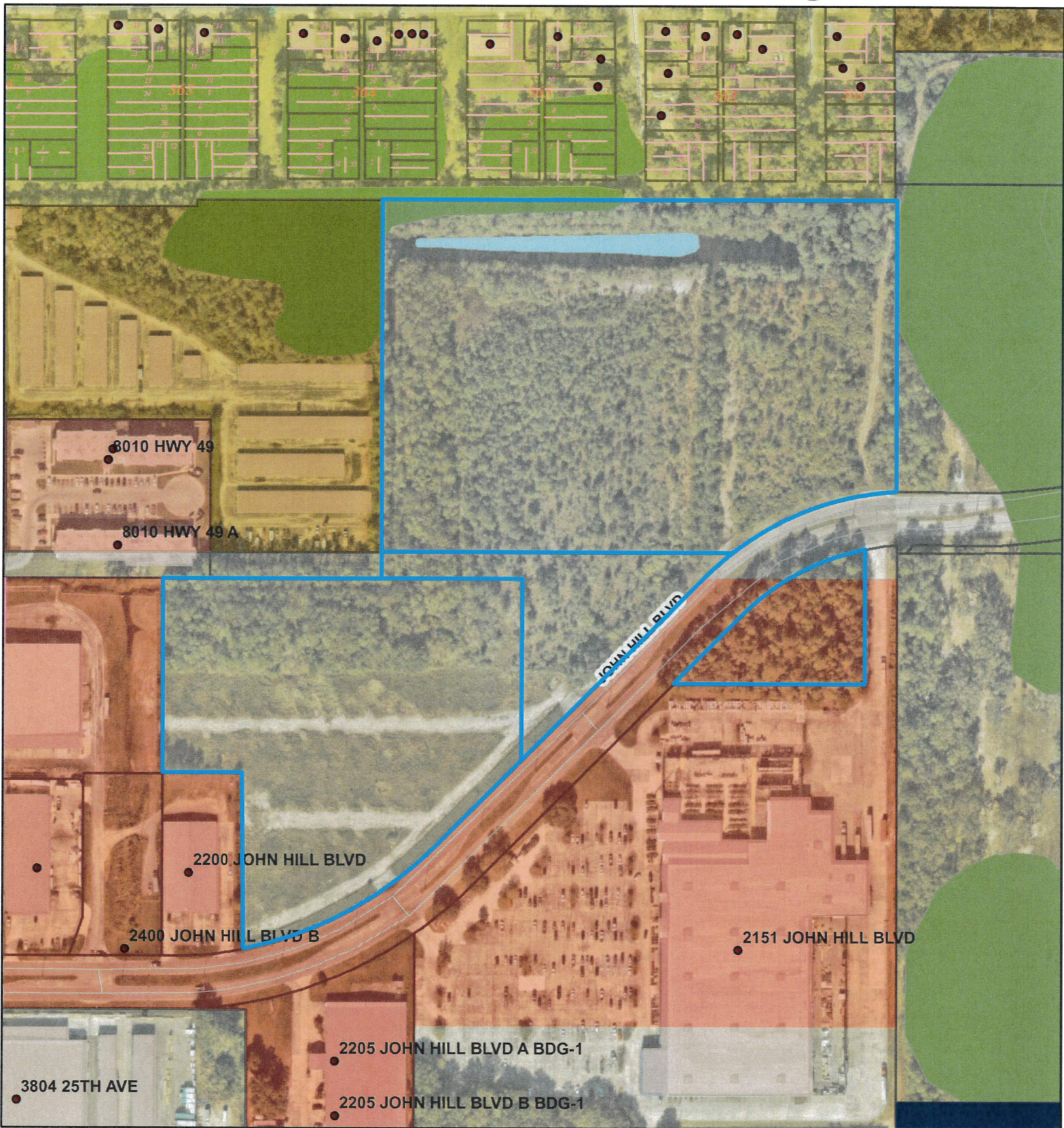
Parcels

Printed 7/25/2025

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1 inch = 247 feet

# Area Map

 Parcels

Printed 7/29/2025

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Image Date 3/1996 Google Earth

exhibit 1

Blvd.  
fter property purchase. Google Earth Map

Legend  
● Re-Threa



Image date 9/2020 Google Earth (Before airport connection) #2

Blvd.

John Hill Blvd into Airport property. Google Earth Map

Legend

● Re-Threa



Current Google Earth Image

exhibit 3



Exhibit 5



Exhibit 6



Exhibit 7



Exhibit 8



Exhibit 9



Exhibit 10



Airport property Industrial Park John Hill Blvd Extension

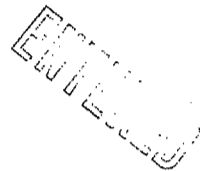
Exhibit 11



Prepared By:  
Kim Street  
20087 Daugherty Road  
Long Beach, MS 39560  
(601) 863-4601

GRANTOR: Gulfport Regional Mall, Inc.  
3450 Giles Road  
Gulfport, MS 39501  
(601) 864-5947

GRANTEE: William H. Durham  
300 Marion Avenue-Suite C  
McComb, MS 38648  
(601) 684-6649



STATE OF MISSISSIPPI  
COUNTY OF HARRISON

WARRANTY DEED

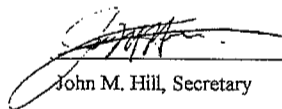
FOR AND IN CONSIDERATION of the sum of Ten (\$10.00) cash in hand paid and other and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned GULFPORT REGIONAL MALL, INC., a Mississippi Corporation, does hereby sell, convey, and warrant unto WILLIAM H. DURHAM, the following described land and property located and being situated in the County of Harrison, First Judicial District, State of Mississippi and being more particularly described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights of way, easements, and the prior reservation of any oil, gas and other minerals.

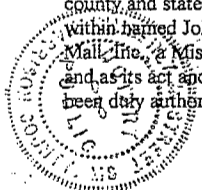
EXECUTED, this the 30<sup>th</sup> day of December, 1995.

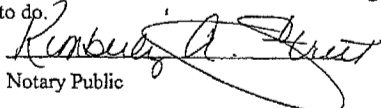
GULFPORT REGIONAL MALL, INC.

  
John M. Hill, Secretary

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this the 30<sup>th</sup> day of December, 1995, within my jurisdiction, the within named John M. Hill, who acknowledged that he is Secretary of Gulfport Regional Mall, Inc., a Mississippi Corporation, and that for and on behalf of the said corporation, and as its act and deed, he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.



  
Notary Public

MY COMMISSION EXPIRES  
May 4, 1998

Parcel B-2

BOOK 1332 PAGE 67

A parcel of land situated in the Northeast 1/4 of Section 33, Township 7 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, more particularly described as:

Commencing at the section corner common to Sections 27, 28, 33, and 34, Township 7 South, Range 11 West; thence North 89° 59' 55" West along the Section line common to Sections 28 and 33 a distance of 1,212.47 feet; thence South 00° 15' 24" West a distance of 881.41 feet to a point, said point being the Northeast corner of West Building Materials and the Point of Beginning; thence North 89° 59' 55" West a distance of 145.77 feet to a point on the South right-of-way of John Hill Boulevard; thence along the said South right-of-way along a curve to the left having a Delta Angle of 34° 48' 45", a radius of 800.0 feet, and an arc length of 486.07 feet to a point which is North 72° 35' 42" East a distance of 478.63 feet from the last described point, said point also being the most Northwesterly property corner of Lowe's; thence South 00° 00' 05" West a distance of 143.18 feet; thence North 89° 59' 55" West 310.95 feet to the Point of Beginning.

Said parcel contains 20,952.4 square feet or 0.481 acres and is subject to various easements, restrictions, and covenants.

"EXHIBIT A"

Parcel D-2

BOOK 1332 PAGE 68

A parcel of land situated in the Northeast 1/4 of Section 33, Township 7 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, more particularly described as:

Commencing at the section corner common to Sections 27, 28, 33, and 34, Township 7 South, Range 11 West; thence North 89° 59' 55" West along the Section line common to Sections 28 and 33 a distance of 1,212.47 feet; thence South 00° 15' 24" West a distance of 1,300.07 feet to the Southeast corner of West Building Materials, said corner being on the North right-of-way of a 35.0 foot railroad easement and the Point of Beginning; thence North 89° 53' 52" East along said North right-of-way of a 35.0 foot railroad easement a distance of 312.90 feet to the Southwest corner of Lowe's Home Center, Inc.; thence North 00° 00' 05" East along the West property line of said Lowe's a distance of 438.09 feet; thence North 89° 59' 55" West a distance of 310.95 feet to the Northeast property corner of said West Building Materials; thence South 00° 15' 24" West along the East property line of said West Building Materials a distance of 438.66 feet to the Point of Beginning.

Said parcel contains 136,737.9 square feet or 3.139 acres and is subject to various easements, restrictions, and covenants.

Parcel D-3

BOOK 1332 PAGE 69

A parcel of land situated in the Northeast 1/4 of Section 33 and the Southeast 1/4 of Section 28, Township 7 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, more particularly described as:

Commencing at the section corner common to Sections 27, 28, 33, and 34, Township 7 South, Range 11 West; thence North 89° 59' 55" West along the Section line common to Sections 28 and 33 a distance of 965.87 feet to the East property line of Stockade Storage; thence South 00° 21' 37" East along said East property line a distance of 50.0 feet to the Southeast property corner of said Stockade Storage and the Point of Beginning; thence North 00° 21' 37" West along said East property line a distance of 714.86 feet; thence South 89° 59' 55" East a distance of 980.86 feet; thence South 00° 00' 05" West a distance of 549.21 feet to the North right-of-way of John Hill Boulevard; thence along said North right-of-way along a curve to the left having a delta angle of 42° 46' 58", a radius of 550.0 feet, and an arc length of 410.69 feet to a point which is South 66° 23' 34" West a distance of 401.21 feet from the last described point; thence continue along said North right-of-way South 45° 00' 05" West a distance of 487.33 feet; thence North 00° 00' 05" East a distance of 339.64 feet; thence North 89° 59' 55" West a distance of 264.13 feet to the Point of Beginning.

Said parcel contains 715,655.0 square feet or 16.429 acres, including 4.89 acres, more or less in detention pond easement as recorded in Deed Book 1273, Pages 11-18 on May 16, 1994.

STATEMENT OF FEES

Recording Fee	CHANCE	\$6.00
Abstracting/Section Fee at \$1.00 each	2-00	
Marginal Entry at .50 each		
Other		
TOTAL FEES COLLECTED	8.00	

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

I hereby certify that this instrument was received and filed for record at 10 o'clock and 53 minutes A. M. on 10<sup>th</sup> day of April, A.D. 1996 and recorded April 11, 1996 in Records of Deeds Book 1332 Pages 166-169

By 2692 Cindy Wendley John McAdams, Chancery Clerk D.C.

Prepared By:  
Kim Street  
20037 Daugherty Road  
Long Beach, MS 39560  
(601) 863-4601

GRANTORS: William H. Durham  
300 Marion Avenue-Suite C  
McComb, MS 39648  
(601) 684-6649

Harold Dewayne Williams  
4738 Ocean Street  
Mayport, FL 32233  
No Phone

BOOK 1332 PAGE 70

GRANTEE: William H. Durham  
300 Marion Avenue-Suite C  
McComb, MS 39648  
(601) 684-6649

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

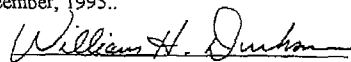
WARRANTY DEED

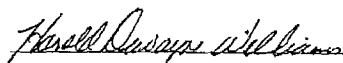
FOR AND IN CONSIDERATION of the sum of Ten (\$10.00) cash in hand paid and other and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned WILLIAM H. DURHAM and HAROLD DEWAYNE WILLIAMS do hereby sell, convey and warrant unto WILLIAM H. DURHAM, the following described land and property located and being situated in the County of Harrison, First Judicial District, State of Mississippi and being more particularly described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

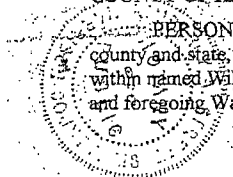
THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights of way, easements, and the prior reservation of any oil, gas and other minerals.

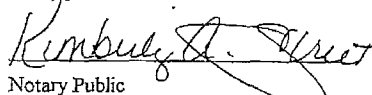
EXECUTED, this the 30 day of December, 1995..

  
William H. Durham

  
Harold Dewayne Williams

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

 I PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this the 30th day of December, 1995, within my jurisdiction, the within named William H. Durham and Harold Dewayne Williams both executed the above and foregoing Warranty Deed.

  
Notary Public

MY COMMISSION EXPIRES:

May 4, 1998

Parcel B-1

BOOK 1332 PAGE 71

A parcel of land situated in the Northeast 1/4 of Section 33, Township 7 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, more particularly described as:

Commencing at the section corner common to Sections 27, 28, 33, and 34, Township 7 South, Range 11 West; thence North 89° 59' 55" West along the Section line common to Sections 28 and 33 a distance of 965.87 feet to the East property line of Stockade Storage; thence South 00° 21' 37" East along said East property line a distance of 50.0 feet to the Southeast corner of said Stockade Storage and the Point of Beginning; thence North 89° 59' 55" West a distance of 414.02 feet; thence South 00° 00' 05" West a distance of 710.95 feet to the North right-of-way of John Hill Boulevard; thence South 89° 59' 55" East along said North right-of-way a distance of 16.89 feet; thence continue along said North right-of-way along a curve to the left having a delta angle of 45° 00' 00", a radius of 700.0 feet, and an arc length of 549.78 feet to a point which is North 67° 30' 05" East a distance of 535.76 feet from the last described point; thence continue along said North right-of-way North 45° 00' 05" East a distance of 235.16 feet; thence North 00° 00' 05" East a distance of 339.64 feet; thence North 89° 59' 55" West a distance of 264.13 feet to the Point of Beginning.

Said parcel contains 402,651.6 square feet or 9.244 acres and is subject to various easements, restrictions, and covenants.

"EXHIBIT A"

PARCEL D-1

BOOK 1332 PAGE 72

A parcel of land situated in the Northeast 1/4 of Section 33 and the Southeast 1/4 of Section 28, Township 7 South, Range 11 West, City of Gulfport, Harrison County, Mississippi, more particularly described as:

Commencing at the Section corner common to Sections 27, 28, 33, and 34, Township 7 South, Range 11 West; thence North 89° 59' 55" West along the Section line common to Sections 28 and 33 a distance of 1,212.47 feet; thence South 00° 15' 24" West a distance of 1,300.07 feet to a point, said point being the Southeast corner of West Building Material said point also being on the North right-of-way of a 35 foot railroad easement; thence North 89° 53' 52" East along said North right-of-way of railroad easement a distance of 312.9 feet to the Southwest corner of Lowe's; thence North 00° 00' 05" East along the West property line of said Lowe's a distance of 581.20 feet to a point on the South right-of-way of John Hill Blvd.; thence along said South right-of-way along a curve to the left having a delta angle of 10° 11' 14", a radius of 800 feet, an arc length of 142.24 feet, and chord bearing North 50° 05' 42" East a distance of 142.05 feet to a point; thence North 45° 00' 05" East along said South right-of-way a distance of 537.71 feet to the point of beginning; thence continue North 45° 00' 05" East along said South right-of-way a distance of 184.78 feet; thence continue along said South right-of-way along a curve to the right having a delta angle of 33° 56' 47", a radius of 450 feet, an arc length of 266.61 feet, and a chord bearing North 61° 58' 29" East a distance of 262.73 feet to the West property line of said Lowe's; thence South 00° 00' 05" West a distance of 254.12 feet; thence North 89° 59' 55" West a distance of 362.58 feet to the Point of Beginning.

Said parcel contains 56,602.7 square feet or 1.30 acres.

STATEMENT OF FEES

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

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

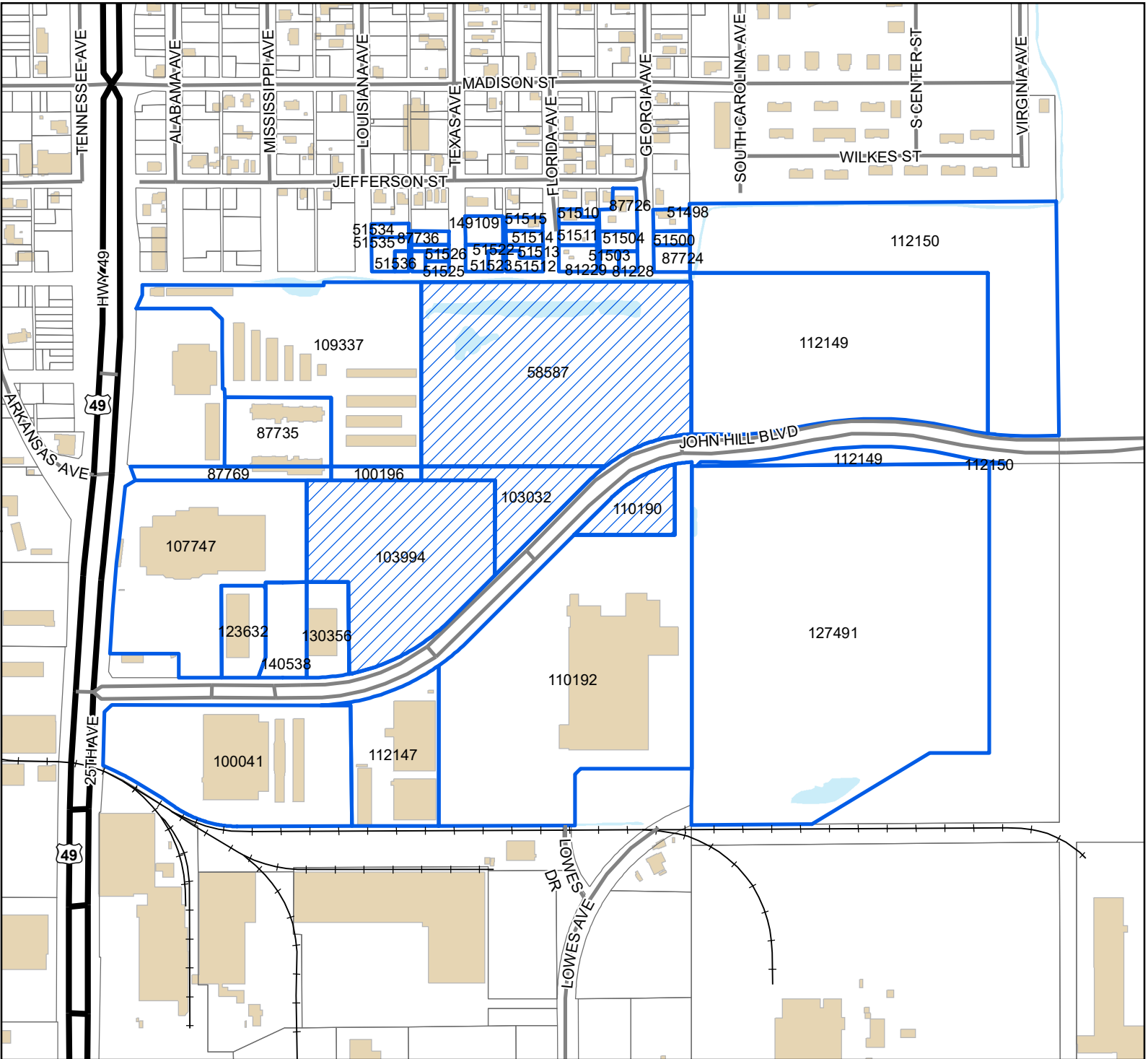
I hereby certify that this instrument was received and filed for record at 10 o'clock and 54 minutes A. M. on 10th day of April, A.D. 1996 and recorded April 11, 1996 in Records of Deeds

Book 1332 Pages 70-72







By [Signature] John McAdams, Chancery Clerk  
Cindy Wray, D.C.

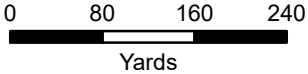
Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0810F-02-050.000	WILLIAM H. DURHAM (OWNER)	131 PINEHILLS DRIVE	HATTIESBURG	MS	39402
			PASTOR EDDIE HARTWELL (AGENT)	120 GAHAN DRIVE	GULFPORT	MS	39503
			<b>Adjacent Property Owners (2509PC108)</b>				
	51500	0810F-02-010.000	BREWER WILLIE C	1113 HWY 29	WIGGINS	MS	39577
	127491	0810J-01-005.000	GPT-BILOXI REGIONAL AIRPORT AUTH	14035-L AIRPORT RD	GULFPORT	MS	39503
	51514	0810F-02-029.000	JONES RUBY NELL	4045 HILL STATION CT	SUGAR HILL	GA	30518
	87736	0810F-02-057.000	STATE OF MISS 5/24/2018	P O BOX 136	JACKSON	MS	39205
	51535	0810F-02-073.000	COOPER FELICIA	PO BOX 816	GULFPORT	MS	39502
	51525	0810F-02-054.000	PRUITT FRANKIE T	15191 JEFFERSON ST	GULFPORT	MS	39501
	100196	0810K-01-002.001	REGENCY OF MISSISSIPPI INC	40-NORTH 4TH STREET	CARBONDALE	CO	81623
N	103032	0810K-01-001.002	DURHAM WILLIAM H	131 PINE HILLS DR	HATTIESBURG	MS	39402
	51511	0810F-02-026.000	TAYLOR ANN MARIE	8345 GEORGIA AVE	GULFPORT	MS	39501
	51515	0810F-02-030.000	DEDEAUX DRENDA & SMITH CHERYL E	12404 BRIARWOOD DR E	GULFPORT	MS	39503
	51523	0810F-02-049.000	PITTMAN GREGORY	3601 MEADOWLARK DR	GULFPORT	MS	39501
	51526	0810F-02-055.000	KEYES MELISSA & CHRIS L	105 PINE MEADOWS LANE	BRANDON	MS	39042
	51498	0810F-02-008.000	WILLIAMS AVERY K -ESTATE-	8090 GEORGIA AVE	GULFPORT	MS	39501
	51534	0810F-02-072.000	ARAUJO-LAMATTINA FLAVIA ROCHA	345 W 30TH STREET, APT 24	NEW YORK	NY	10001
	87735	0810F-02-051.000	SARALAND MANOR INC	8010 HWY 49	GULFPORT	MS	39501
N	58587	0810F-02-050.000	DURHAM WILLIAM H	131 PINE HILL DR	HATTIESBURG	MS	39402
	87724	0810F-02-011.000	DAVIS SHERLENA	P O BOX 2392	HARVEY	LA	70059
N	51503	0810F-02-012.001	TAYLOR ANN MARIE	8345 GEORGIA AVE	GULFPORT	MS	39501
	51512	0810F-02-027.000	BOOSE ROGER SR	14536 MADISON ST	GULFPORT	MS	39501
	51527	0810F-02-056.000	DESHAMP BARRY K ETAL	P O BOX 7516	GULFPORT	MS	4E+08
	51513	0810F-02-028.000	ALMEIDA MILDRED X	409 S SPRING ST	SEARCY	AR	72143
	51522	0810F-02-048.000	TRACEY DEXTER M SR	9480 SUNRISE LAKES BLVD APT 303	SUNRISE	FL	33322
N	87769	0810K-01-002.000	SARALAND MANOR INC	8010 HWY 49	GULFPORT	MS	39501
N	51536	0810F-02-052.000	STATE OF MISS 5/24/2018	P O BOX 136	JACKSON	MS	39205
	51524	0810F-02-053.000	MORRIS JAMES E & RUTH E	23330 HWY 53	GULFPORT	MS	39503
N	81228	0810F-02-012.000	STATE OF MISS 5/24/2018	P O BOX 136	JACKSON	MS	39205
N	112149	0810G-02-026.000	GPT-BILOXI REGIONAL AIRPORT AUTH	14035-L AIRPORT RD	GULFPORT	MS	39503
N	110190	0810K-01-001.009	DURHAM WILLIAM H	131 PINE HILLS DR	HATTIESBURG	MS	39402
	87726	0810F-02-014.000	MOFFETT RUTH C	15023 JEFFERSON ST	GULFPORT	MS	39501
	109337	0810F-02-051.003	ACQUIPORT/AMSDELL I LTD PTRSP	PTA -USI # 489	CARBONDALE	CO	81623
N	81229	0810F-02-026.001	TAYLOR ANN MARIE	8345 GEORGIA AVE	GULFPORT	MS	39501
	123632	0810K-01-001.013	COBURN SUPPLY COMPANY INC	1030 LAFAYETTE STREET	LAFAYETTE	LA	70501
	110192	0810K-01-001.011	LOWE'S HOME CENTERS INC	1000 LOWES BLVD	MOORESVILLE	NC	28117

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	100041	0810K-01-001.001	PIERCE HARDY LIMITED PARTNERSHIP	1019 ROUTE 519	EIGHTY FOUR	PA	15330
	112147	0810K-01-001.012	GOLD SEAL LLC	2205 JOHN HILL BLVD	GULFPORT	MS	39501
N	112150	0810G-02-030.000	GPT-BILOXI REGIONAL AIRPORT AUTH	14035-L AIRPORT RD	GULFPORT	MS	39503
N	103994	0810K-01-001.004	DURHAM WILLIAM H	131 PINE HILLS DR	HATTIESBURG	MS	39402
	130356	0810K-01-001.015	OASIS REAL ESTATE INVESTMENTS INC	2205 JOHN HILL BLVD	GULFPORT	MS	39501
N	140538	0810K-01-001.021	OASIS REAL ESTATE INVESTMENTS INC	2205 JOHN HILL BLVD	GULFPORT	MS	39501
	107747	0810K-01-001.005	MOBAMA LLC	1918 N MCKENZIE ST	FOLEY	AL	36535
	149109	0810F-02-047.001	CRAWFORD NOENA & POWELL RODENA	3603 LAVENDAR ST	GULFPORT	MS	39501
	51510	0810F-02-025.000	GALEANO IRMA YOLANDA OXLAJ	1891 POPPS FERRY RD, LOT 131	BILOXI	MS	39532



**Legend**

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



1 inch = 500 feet



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

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
51445	IPL0269753	Legal Ad - IPL0269753		1.0	73.0L

ATTENTION: GULFPORT URBAN DEVELOPMENT IP  
 PO BOX 1780  
 GULFPORT, MS 39502  
 accountspayable@gulfport-ms.gov;sasmith@gulfport-ms.gov

STATE OF MISSISSIPPI  
 COUNTY OF HARRISON  
 Before me, the undersigned Notary personally appeared the under-  
 signed, who, being by me first duly sworn, did depose and say that he/  
 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:

1.0 insertion(s) published on:  
 09/10/25 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

*Mary Castro*



Mary Castro

*Julie A Ambry*



Sworn to and subscribed before  
 me on Sep 10, 2025, 10:10 AM EDT



Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNIX

**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 Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, September 25, 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 the first floor of the William H. Hardy Building, 1410 24th Avenue.

**Planning Commission Approval 2509PC104**, by owner Arlin Lang, seeking approval for a home occupation for an administrative office for consulting services, Tax Parcel 0811F-05-024.000, 2018 24th Ave, Zoned T4L (General Urban Zone "Limited"), Ward 3

**Planning Commission Approval 2509PC107**, by agent Carter James Properties, LLC, seeking approval for a reducing salon use, Tax Parcel 0909G-01-001.023, Seaway Road, Zoned I-2 (Heavy industry), Ward 4

**Zoning Map Amendment 2509PC105**, by owner Gregory Smith, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcel 1011D-01-055.000, 127 Laurel Drive, Zoned T6 (Urban Core Zone), Ward 2

**Zoning Map Amendment 2509PC108**, by agent Eddie Hartwell, requesting to rezone to B-2 (General-business), Tax Parcels 0810F-02-050.000, 0810K-01-001.002, 0810K-01-001.004, 0810K-01-001.009, John Hill Blvd, Zoned B-2 (General-business), I-1 (Light industry), Ward 3

**Architectural Review Committee Appeal 2510PC120**. Consider appeal from the decision of the Architectural Review Committee (Case 2508ARC014) denying the application of agent, Frank Wilem, seeking approval for metal siding for a proposed commercial structure, Tax Parcel 1010N-01-087.000, Cowan Road, Zoned T5 (Urban Center Zone), Ward 2

This the 3rd day of September 2025  
 Keith Williams, Chairman  
 City of Gulfport Planning Commission  
 IPL0269753  
 Sep 10 2025