



Zoning Board | Agenda

Thursday, July 16, 2026 – 3:00 PM

City Hall – Council Chambers
2309 15th 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. Zoning Board Meeting - June 18, 2026

G. Hearing of Cases

G1. Public Declaration of Appeal Process of Chairman

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

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

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

G3. Routine Agenda

1. Variance 2607ZB092: (Tabled to July Meeting)

Variance 2607ZB092, by agent Terry Moran, seeking approval for 50-foot wide lots where lot width is required to be 60 feet for a proposed subdivision, Tax Parcels 0908M-01-009.000, 0908M-01-014.000, Dedeaux Road, Zoned B-1 (Neighborhood Business), Ward 6

2. Variance 2607ZB088:

Variance 2607ZB088, by agent Jon Storonskyj, seeking approval for a 0-foot front setback where 10 feet is required for a new freestanding ground sign, Tax Parcel 0808E-02-030.049, 12178 Highway 49, Zoned B-4 (Highway Business), Ward 7

3. Variance 2607ZB089:

Variance 2607ZB089, by owner Brian McMullen, seeking approval for a 16-foot secondary frontage setback where 25 feet is required for an accessory structure, Tax Parcel 0808L-01-019.000, 11540 Carondelet St, Zoned R-1-10 (Single Family), Ward 7

4. Variance 2607ZB096: (Withdrawn by Planning Staff)

Variance 2607ZB096, by owner J&D Property LLC, seeking approval for a 1400 square foot accessory structure where 1000 square feet in total is allowed, Tax Parcel 0910I-01-064.000, 730 E Pass Rd, Zoned T4+ (General Urban Zone "Plus"), Ward 4

5. Variance 2607ZB101:

Variance 2607ZB101, by agent Benjamin Bentz, seeking approval for 3 regular parking spaces where 17 spaces are required, Tax Parcel 0910M-01-027.000, 820 Pass Rd, Zoned B-2 (General Business), Ward 3

6. Variance 2608ZB104:

Variance 2608ZB104, by agent Mitch Byars, seeking approval for an 18-foot front yard setback and a 13-foot secondary frontage setback where 25 feet is required, Tax Parcel 1008J-02-001.000, 12070 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

7. Variance 2608ZB105:

Variance 2608ZB105, by agent Mitch Byars, seeking approval for a 5-foot side yard setback where 8 feet is required, Tax Parcel 1008G-02-130.000, 12095 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

H. Adjournment

MINUTES
ZONING BOARD OF ADJUSTMENT AND APPEALS
MEETING

Thursday, June 18, 2026, 3:00 P.M.

GULFPORT CITY COUNCIL CHAMBERS

- A. Prayer:** The Zoning Board led a prayer.
- B. Pledge of Allegiance:** The Pledge of Allegiance was recited.
- C. Call to Order:** The meeting of the Zoning Board was called to order at **3:03 P.M.**
- D. Determination of a Quorum:**

BOARD MEMBERS PRESENT:

ROBERT PHARR
MACK MCCREE
NATHAN BODDIE
HAL KAIGLER
MICHAEL DANIELS

BOARD MEMBERS ABSENT:

MARY ANN WIGINTON

STAFF MEMBERS PRESENT:

SAMUEL SWEETING
SAMUEL SMITH
JACOB WILKINSON

COURT REPORTER:

E. Confirmation of Agenda:

F. Approval of Minutes:

Motion by **Robert Pharr** and seconded by **Mack McCree** to approve Minutes of **May 21, 2026**, Zoning Board meetings was carried unanimously.

G. Hearing of cases:

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

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

G3. Routine Agenda:

1. Variance 2606ZB078:

Variance 2606ZB078, by owners Sidney & Judy Smith, seeking approval for a garage that is in front of the front facade where ordinance requires them to be flush with the front facade in transect zones, Tax Parcel 0910P-05-006.000, 12 Woodglen Drive, Zoned T3 (Sub-Urban Zone), Ward 2

Speaking for the Petition: Sidney Smith

Speaking against the Petition: None

Motion: Mack McCree – to approve applicant’s request.

Second: Robert Pharr

Nathan Boddie	- Chairman
Mary Ann Wiginton	- Absent
Michael Daniels	- Yea
Robert Pharr	- Yea
Mack McCree	- Yea
Hal Kaigler	- Yea

Action: Motion carried unanimously.

2. Variance 2606ZB085:

Variance 2606ZB085, by agent Corey Creel, seeking approval for a 2,400 square-foot accessory structure where the size limit is 2,000 square feet, Tax Parcel 0711F-02-028.000, 1526 Mills Avenue, Zoned R-2 (Single-family), Ward 1

Speaking for the Petition: Jack Whittmann, Malcolm Jones

Speaking against the Petition: None

Motion: Robert Pharr – to approve applicant’s request.

Second: Hal Kaigler

Nathan Boddie	- Chairman
Mary Ann Wiginton	- Absent
Michael Daniels	- Yea
Robert Pharr	- Yea
Mack McCree	- Yea
Hal Kaigler	- Yea

Action: Motion carried unanimously.

3. Variance 2606ZB087:

Variance 2606ZB087, by agent Gulf South Signs, seeking approval for a 5-foot street frontage setback for a new freestanding ground sign where 10 feet is required, Tax Parcels 1008M-01-016.000 & 1008M-01-014.000, 11401 Helen Richards Road, Zoned B-2 (General Business), Ward 5

Speaking for the Petition: Kimberly Gremillion, Malcom Jones

Speaking against the Petition: None

Motion: Robert Pharr – to approve applicant’s request.

Second: Mack Mcree

Nathan Boddie	- Chairman
Mary Ann Wiginton	- Absent
Michael Daniels	- Yea
Robert Pharr	- Yea
Mack McCree	- Yea
Hal Kaigler	- Yea

Action: Motion carried unanimously.

4. Variance 2607ZB092:

Variance 2607ZB092, by agent Terry Moran, seeking approval for 50-foot wide lots where lot width is required to be 60 feet for a proposed subdivision, Tax Parcels 0908M-01-009.000, 0908M-01-014.000, Dedeaux Road, Zoned B-1 (Neighborhood Business), Ward 6

Speaking for the Petition: None

Speaking against the Petition: None

Motion: Hal Kaigler – to table case to the next months meeting date.

Second: Mack McCree

Nathan Boddie	- Chairman
Mary Ann Wiginton	- Absent
Michael Daniels	- Yea
Robert Pharr	- Yea
Mack McCree	- Yea
Hal Kaigler	- Yea

Action: Motion carried unanimously.

Adjournment:

Motion by **Robert Pharr** to adjourn the meeting was seconded by **Mack McCree** and carried unanimously. The meeting adjourned **3:28 P.M.**

THESE MINUTES WERE APPROVED BY A VOTE OF THE ZONING BOARD OF ADJUSTMENT AND APPEALS.

Hal Kaigler, Secretary

Date: _____



URBAN DEVELOPMENT
PLANNING & ZONING
PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE
228.868.5710 | PLANNERS@GULFORT-MS.GOV

ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, July 16, 2026

Public Declaration of Appeal Process of Chairman



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



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ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, July 16, 2026

Routine Agenda



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ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, July 16, 2026

Variance 2607ZB092: (Tabled to July Meeting) Variance 2607ZB092, by agent Terry Moran, seeking approval for 50-foot wide lots where lot width is required to be 60 feet for a proposed subdivision, Tax Parcels 0908M-01-009.000, 0908M-01-014.000, Dedeaux Road, Zoned B-1 (Neighborhood Business), Ward 6

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2607ZB092

Hearing Date: July 16, 2026

Current Zoning/Use: B-1 / Vacant Lots

Legal: Variance 2607ZB092, by agent Terry Moran, seeking approval for 50-foot wide lots where lot width is required to be 60 feet for a proposed subdivision, Tax Parcels 0908M-01-009.000, 0908M-01-014.000, Dedeaux Road, Zoned B-1 (Neighborhood Business), Ward 6

TECHNICAL DETAILS

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

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

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

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The applicant is seeking approval for 50-foot wide lots where the lot width is required by the subdivision regulations for single-family home lots, per Chapter 9, Article III (D)(2)&(a): "Lots for residential use shall be at least sixty (60) feet wide at the building setback line except for the R-1-5 (residential) zoning district which may be fifty (50) feet wide at the building setback line and shall contain at least the following: (a) Where served by the municipal or an approved private water supply system and sanitary sewerage system: 7,500 square feet except for R-1-5 (residential) zoned property where the square feet may be reduced to five thousand (5,000) square feet.". The applicant has also applied for a Zoning Map Amendment to rezone the two parcels to R-1-7.5. One of the conditions for this variance and the additional General Plan is for the proposed rezoning to be approved by City Council.

- (a) The applicant claims that the hardship arises from site corner and multi-frontage physical configuration, claiming that the existing street frontages of Dedeaux Road and Dede Drive create additional frontages for several of the proposed lots. The applicant argues that the required 25-foot frontage setbacks for the proposed R-1-7.5 zoning district reduces the building envelope on the affected lots while making it larger. The applicant claims that the requested 50-foot lot width would allow the properties adjacent to the corner lots to be subdivided into single-family lots that maintain the required 7,500 square feet of lot area while providing a practical building envelope. The applicant's claims are arguably paradoxical in nature, such as claiming that multiple frontage setbacks reduce the building envelope on the mentioned affected lots while simultaneously making them larger. While additional frontages can make a potential buildable envelope smaller further, reducing the lot width of the proposed lots from the required 60-foot width to be 50-foot wide would only exasperate these issues. Taking the setbacks for the proposed R-1-7.5 zoning district as an example; the lot width of 60 feet would allow a building envelope width of 27 feet, while the lot width of 50 feet would result in a building envelope width of 17 feet. The request for the reduced lot sizes is to allow the developer to place more lots in the proposed subdivision than what the current subdivision regulations would allow. For example, for the stretch of affected lots numbered 39 through 48 on the south side of Dedeaux Road, the proposed 50-foot lot width would allow the developer to place 10 lots along that section. The total length of said section is approximately 518 feet, which would only allow for 8 total lots under the current subdivision regulations requirement of 60 feet. When dividing the total length of each row of lots and dividing them into 60-foot divisions, a total of 40 lots are able to be placed in the proposed subdivision under the lot width requirement of current subdivision regulations. The applicant's request is to allow for eight more lots for the proposed single-family home development.
- (b) The applicant claims that the need for the variance does not result from the actions of the applicant, but from the property's proximity to Dedeaux Road and Dede Drive and the setbacks of the proposed R-1-7.5 zoning. The applicant claims that the lot width is similar to lots of nearby subdivisions. The closest existing subdivision to the subject property is Forest North which was platted as a zero-lot line subdivision. The current supplementary regulations allows zero-lot line developments to have a lot width of 28 feet. While the subdivision to the north of Dedeaux Road, Wingate, was platted for single-family homes none of the platted lots has a width less than 60 feet. As stated in the section above, while additional frontage setbacks can reduce the amount of buildable

Technical Report

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space; further reducing the width of the lots only exasperates this issue. The applicant has caused the hardship for the lot size by wishing to place more lots in their proposed subdivision that current ordinance would allow.

- (c) The applicant claims that the unnecessary hardship results from the 25-foot frontage setback from the proposed rezoning, stating that “these overlapping front-yard setback requirements significantly reduce the usable building envelope compared to a normal interior lot.” The applicant further states the hardship is a “dimensional hardship caused by the physical character of this particular site and the way required front setbacks apply to multiple street frontage lots.” As stated prior, the applicant’s proposed reduction of the lot width only exasperates the issue of the frontage setback requirements for the proposed R-1-7.5 rezoning.
- (d) The applicant claims that the ordinances requirement for 25-foot frontage setbacks on the buildable lot width required by current subdivision ordinance would deprive the applicant the opportunity to develop single-family housing commonly enjoyed by other R-1-7.5 properties. Per Chapter 9, Article III (D)(2)&(a): “Lots for residential use shall be at least sixty (60) feet wide at the building setback line except for the R-1-5 (residential) zoning district which may be fifty (50) feet wide at the building setback line and shall contain at least the following: (a) Where served by the municipal or an approved private water supply system and sanitary sewerage system: 7,500 square feet except for R-1-5 (residential) zoned property where the square feet may be reduced to five thousand (5,000) square feet.” Under the current subdivision regulations, single-family dwelling subdivisions in any zoning that allows for the use, except R-1-5 as stated above, are required to have at lot width of 60 feet. As stated prior the subdivisions near the subject site include Forest North, which was platted as a zero-lot line subdivision which the current supplementary regulations allows zero-lot line developments to have a lot width of 28 feet, and Wingate, which was platted for single-family homes in which none of the platted lots has a width less than 60 feet. As noted in prior observation, the reduction of the lot width from 60 feet to 50 feet would decrease the building envelope width from 27 feet to 17 feet with the R-1-7.5 zoning setback requirements. This reduction would only exasperate the issue the applicant is claiming to be their hardship. The request for reduced lot width would allow the developer to place more lots for single-family homes than what ordinance allows.
- (e) The applicant claims that granting the variance will not confer any special privilege denied to other properties in the same district. The applicant claims that granting the variance would allow the property to be used in a “manner substantially equivalent to other single-family properties in the district.” As stated prior the subdivisions near the subject site include Forest North, which was platted as a zero-lot line subdivision which the current supplementary regulations allows zero-lot line developments to have a lot width of 28 feet, and Wingate, which was platted for single-family homes in which none of the platted lots has a width less than 60 feet. Granting the variance request would set a precedent in this area. Per the current subdivision regulations (Chapter 9, Article III (D)(2)&(a)), the minimum lot width of any single-family home development in zoning districts that allow for the use, except for R-1-5 zoning districts, is required to be 60 feet. The applicant’s claimed hardship for the variance request would be applicable for secondary frontage setbacks for the lots that have multiple frontages as the applicant’s request would only add to their stated hardship rather than provide a solution.

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- (f) This property is zoned B-1, and single-family homes are not an allowable use in the current zoning district. The properties would need to be rezoned to the proposed R-1-7.5 before any permits for construction or infrastructure for a single-family development can be issued.

EXECUTIVE SUMMARY

The applicant claims that the hardship arises from site corner and multi-frontage physical configuration, claiming that the existing street frontages of Dedeaux Road and Dede Drive create additional frontages for several of the proposed lots. The applicant argues that the required 25-foot frontage setbacks for the proposed R-1-7.5 zoning district reduces the building envelope on the affected lots while making it larger. The applicant claims that the requested 50-foot lot width would allow the properties adjacent to the corner lots to be subdivided into single-family lots that maintain the required 7,500 square feet of lot area while providing a practical building envelope. The applicant's claims are arguably paradoxical in nature, such as claiming that multiple frontage setbacks reduce the building envelope on the mentioned affected lots while simultaneously making them larger. While additional frontages can make a potential buildable envelope smaller further, reducing the lot width of the proposed lots from the required 60-foot width to be 50-foot wide would only exasperate these issues. Taking the setbacks for the proposed R-1-7.5 zoning district as an example; the lot width of 60 feet would allow a building envelope width of 27 feet, while the lot width of 50 feet would result in a building envelope width of 17 feet. The request of the reduced lot sizes is to allow the developer to place more lots in the proposed subdivision than what the current subdivision regulations would allow. For example, for the stretch of affected lots numbered 39 through 48 on the south side of Dedeaux Road, the proposed 50-foot lot width would allow the developer to place 10 lots along that section. The total length of said section is approximately 518 feet, which would only allow for 8 total lots under the current subdivision regulations requirement of 60 feet. When dividing the total length of each row of lots and dividing them into 60-foot divisions, a total of 40 lots are able to be placed in the proposed subdivision under the lot width requirement of current subdivision regulations. The applicant's request is to allow for eight more lots for the proposed single-family home development. The applicant claims that the need for the variance does not result from the actions of the applicant, but from the property's proximity to Dedeaux Road and Dede Drive and the setbacks of the proposed R-1-7.5 zoning. The applicant claims that the lot width is similar to lots of nearby subdivisions. The closest existing subdivision to the subject property is Forest North which was platted as a zero-lot line subdivision. The current supplementary regulations allow zero-lot line developments to have a lot width of 28 feet. While the subdivision to the north of Dedeaux Road, Wingate, was platted for single-family homes none of the lots has a width less than 60 feet. The applicant claims that the ordinances requirement for 25-foot frontage setbacks on the buildable lot width required by current subdivision ordinance would deprive the applicant the opportunity to develop single-family housing commonly enjoyed by other R-1-7.5 properties. Per Chapter 9, Article III (D)(2)&(a): "Lots for residential use shall be at least sixty (60) feet wide at the building setback line except for the R-1-5 (residential) zoning district which may be fifty (50) feet wide at the building setback line and shall contain at least the following: (a) Where served by the municipal or an approved private water supply system and sanitary sewerage system: 7,500 square feet except for R-1-5 (residential) zoned property where the square feet may be reduced to five thousand (5,000)

Technical Report

VARIANCE

square feet.” Under the current subdivision regulations, single-family dwelling subdivisions in any zoning that allows for the use, except R-1-5 as stated above, are required to have at lot width of 60 feet. The applicant claims that granting the variance will not confer any special privilege denied to other properties in the same district. The applicant claims that granting the variance would allow the property to be used in a “manner substantially equivalent to other single-family properties in the district.” As stated prior the subdivisions near the subject site include Forest North, which was platted as a zero-lot line subdivision which the current supplementary regulations allows zero-lot line developments to have a lot width of 28 feet, and Wingate, which was platted for single-family homes in which none of the platted lots has a width less than 60 feet. Granting the variance request would set a precedent in this area. As the properties are currently zoned B-1, one of the listed conditions includes the requirement that the properties be rezoned to R-1-7.5 via a Zoning Map Amendment.

Any approval should consider these conditions:

1. Properties to be rezoned from B-1 to R-1-7.5 via a Zoning Map Amendment.
2. Approval allows for the lot width for the proposed subdivision to be reduced from 60 feet to 50 feet.
3. Must comply with all current Building Codes and City of Gulfport ordinances

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 6/5/26.

Public Works: No comment as of 6/8/26.

Traffic and Safety: No comment as of 6/8/26.

Building Code Services: Must comply with all current Building Codes and City of Gulfport ordinances. Memo dated 6/24/26.

GIS: No conditions. Memo dated 7/6/26.

Police Department: No comment as of 7/7/26.

Fire Department: No conditions. Memo dated 6/26/26.

City Arborist: No comment as of 6/30/26.

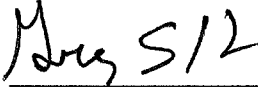
Landscape Manager: No conditions. Memo dated 6/29/26.

Technical Report

VARIANCE

DIRECTOR APPROVAL

This report has been reviewed and approved by:

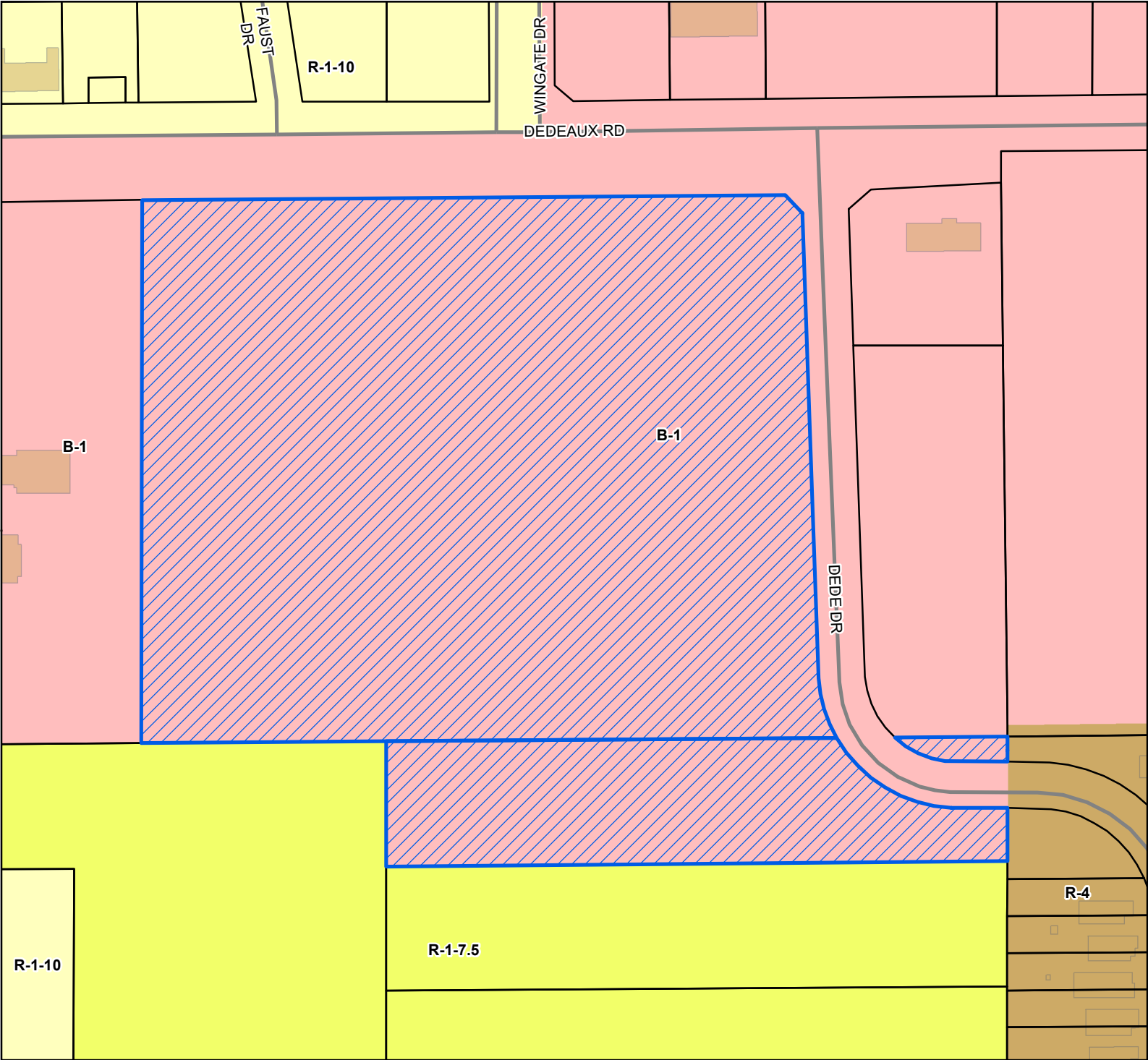


Greg Holmes

Director of Urban Development Department

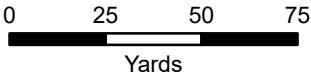
2607ZB092

Variance



- Site
- Street
- Parcels
- Buildings
- City Limit
- Zoning**
 - B-1 - Neighborhood Business District
 - R-1-10 - Single Family Residence (Low Density)
 - R-1-7.5 - Single Family Residence District (Low Density)
 - R-4 - General Residence (High Density)

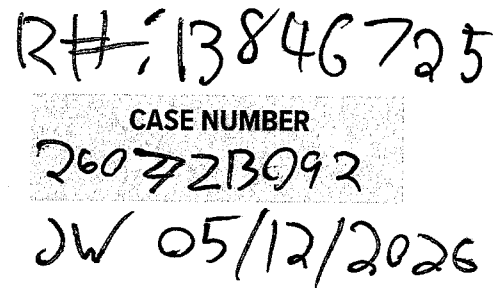
Site Information
0908M-01-009.000
0908M-01-014.000
Zoning: B-1 (Neighborhood Business)
Size: 11.63 Acres
Flood: X



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.





Dedeaux Properties 1, LP
By the shareholders of its
managing partner, W.A. Dedeaux
Builders, Inc

Betsy Dedeaux Martin

PRINT NAME

Patricia Ann Lehmann

PRINT NAME

Paula Sue Sweet

PRINT NAME

I, Warren H. Dedeaux

PRINT NAME

being property owner of

0908M-01-009.000

0908M-01-014.000

PRIMARY ADDRESS OR PARCEL

which is the subject of this application hereby authorize Terry Moran and Associates, PLLC to act as

PRINT NAME

my representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

Betsy D. Martin

SIGNATURE

5-12-2026

DATE

Patricia Ann Lehmann

SIGNATURE

5-12-2026

DATE

Paula Sue Sweet

SIGNATURE

5-12-2026

DATE

Paula Sue Sweet

SIGNATURE

5-12-2026

DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 12th day of May, 20 26

Melissa L. Lloyd

NOTARY PUBLIC

November 13, 2028

COMMISSION EXPIRATION



DEDEAUX PROPERTIES I, LP
BY THE SHAREHOLDERS
OF ITS MANAGING
PARTNER, W.A. DEDEAUX
BUILDERS, INC



WARREN HUDSON DEDEAUX

Betsy Dedeaux Martin

Patricia Ann Lehmann

Paula Sue Sweet

I, _____, being owner or agent of the property

PRINT NAME

Covenant Affidavit

0908M-01-009.000
0908M-01-014.000

PRIMARY ADDRESS OR PARCEL

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

Betsy D. Martin

Signature

Patricia A. Lehmann

Signature

Paula Sue Sweet

Signature

Paula Sue Sweet

Signature

5-12-2026

Date

5-12-2026

Date

5-12-2026

Date

5-12-2026

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 12th day of May, 2026

November 13, 2028

Commission Expiration

Melissa L. Lloyd

Notary Public



Separate Attachment

Variance Justification for 50-foot Minimum Lot Width

Property:	Corner of Dedeaux Road and Dede
Current Zoning:	B-1
Requested Zoning:	R-1-7.5 Single-Family Residential
Variance Requested:	Minimum lot width of 50'-0" for a single-family subdivision
Important Note:	The variance is dimensional only. Each proposed lot is intended to meet the R-1-7.5 minimum lot area of 7,500 square feet.

Purpose of Request. The applicant requests a lot-width variance to allow 50-foot-wide single-family lots within the requested R-1-7.5 zoning district. The request does not seek smaller lots, additional density, or a more intense use. The proposed subdivision is composed of 60-foot ROW, 7500 square foot minimum drives, and has access to utilities along Dedeaux and Dede Drive. The basis for the variance is the physical character of the site: several lots have two street frontages, and in a few cases street frontage on three sides, resulting in required 25-foot front setbacks on more than one side of the lot. This creates a buildable-area hardship that is not typical of standard interior residential lots.

1. Special conditions and circumstances peculiar to the property.

The special condition is the site's corner and multi-frontage physical configuration. In the proposed single-family subdivision, several lots are affected by more than one street frontage. These existing streets are Dedeaux road and the other Dede Drive. The intent is to not have any driveways pulling directly out onto either existing road. The lots must maintain a 25-foot front setback along each road frontage, and in a couple of locations the lot is constrained by 25-foot setbacks on three sides. This is different from a typical interior R-1-7.5 lot, which generally has one 25-foot front setback, with lesser side and rear yard setbacks.

Because of these multiple front-yard setback lines, the usable building envelope on the affected lots is reduced and larger, even though the lot area remains compliant. The requested 50-foot lot width allows the properties adjacent to these corner lots to be subdivided into single-family lots that maintain the required 7,500 square feet of lot area while providing a practical building envelope for homes, driveways, utilities, drainage, access, and are comparable in width to subdivision near this proposed subdivision. The condition is tied to this tract's location and street-frontage pattern and is not generally applicable to ordinary interior lots in the same district.

2. Special conditions do not result from the applicant's actions.

The need for the variance does not result from any action by the applicant. The property's location at the road intersection, its existing street frontages, and the relationship of the tract to Dedeaux Road and Dede existed before this request. The hardship is created when the zoning setback standards are applied to lots that have multiple road frontages, and is commensurate to lot widths of nearby subdivisions.

The applicant is not requesting relief in order to increase density, reduce the minimum lot area, or create a more intense use. The applicant is requesting single-family residential zoning and a dimensional lot-width variance so the site can be developed in a lower-density residential form. The variance is a response to the existing physical character of the site and the resulting front-setback burden, not a hardship created by the applicant's purchase price, design preference, or desire for a more intensive use.

3. Unnecessary hardship created by the physical character of the property.

A literal application of the standard lot-width requirement would create an unnecessary hardship because several lots must absorb 25-foot front setbacks on two street frontages, and in a few cases on three sides. These overlapping front-setback requirements significantly reduce the usable building envelope compared with a normal interior residential lot. It is a dimensional hardship caused by the physical character of this particular site and the way required front setbacks apply to multiple street-frontage lots.

The property can meet the R-1-7.5 minimum lot area of 7,500 square feet per lot. However, requiring the full standard lot width in addition to multiple 25-foot front setbacks would restrict the ability to create a practical single-family subdivision layout. The requested 50-foot lot width is a narrow and site-specific solution because it preserves the required lot area and single-family character while allowing reasonable building envelopes on lots affected by unusual street-frontage conditions. A general amendment to the zoning ordinance would not be a reasonable solution because the hardship is limited to this property's particular configuration and setback impacts.

4. Literal interpretation would deprive rights commonly enjoyed in the district.

Single-family residential development is the normal and expected use of the R-1-7.5 district. Other properties in the district commonly enjoy the ability to create buildable single-family lots with one 25-foot front setback and lesser side and rear setbacks. Strictly applying the standard lot-width requirement here, while also imposing 25-foot front setbacks on multiple sides of several lots, would deprive the applicant of a reasonable opportunity to develop the property for the same single-family use commonly enjoyed by other R-1-7.5 properties.

The requested variance allows a reasonable residential subdivision and a reasonable economic return comparable to what is generally expected for single-family property in the district. It is not based on the price paid for the property and does not seek a special commercial or higher-density use. The lots will continue to meet the minimum 7,500-square-foot lot area, and the variance only addresses the lot-width dimension needed to accommodate the site's unusual setback burden.

5. The variance will not confer a special privilege.

Granting the variance will not confer a special privilege denied to other properties in the same district. The applicant is not requesting relief from the minimum 7,500-square-foot lot area and not requesting a use that is inconsistent with the R-1-7.5 district. The variance would only allow a 50-foot minimum lot width.

The variance would allow the property to be used in a manner substantially equivalent to other single-family properties in the district, while accounting for the site-specific multi-frontage condition. It would not alter the essential residential character of the area, increase the intensity of the proposed use, or give the applicant a development right that others could not request if they were subject to the same unusual physical conditions.

6. Permissibility of the proposed use.

The proposed use is a detached single-family residential subdivision. Upon approval of the requested rezoning from B-1 to R-1-7.5, one-family dwellings are a use permitted by right in the R-1-7.5 district. The requested variance relates only to minimum lot width and does not request approval of a use that is otherwise prohibited. Subdivision plat approval and any required planning or engineering approvals would remain separate requirements.

TERRY MORAN



INFLUENCE OF MONTHS ON THE

LAYOUT NOTES

1. ALL PROPOSED ROW, MET OR METERS, TO BE SHOWN AND TYPED TO BE
2. SQUARED BY THE POWER
3. SQUARED BY THE POWER
4. ALL CIRCLED ARE FOR PHOTOS

SITE DATA INFORMATION

SETBACKS

FRONT YARD SETBACK - 35'-0"

REAR YARD SETBACK - 8'-0"

SIDE YARD SETBACK - 8'-0"

PROPOSED ZONING: R-1-7.5 (SINGLE FAMILY RESIDENTIAL)

OFFICER: D. ZIMING

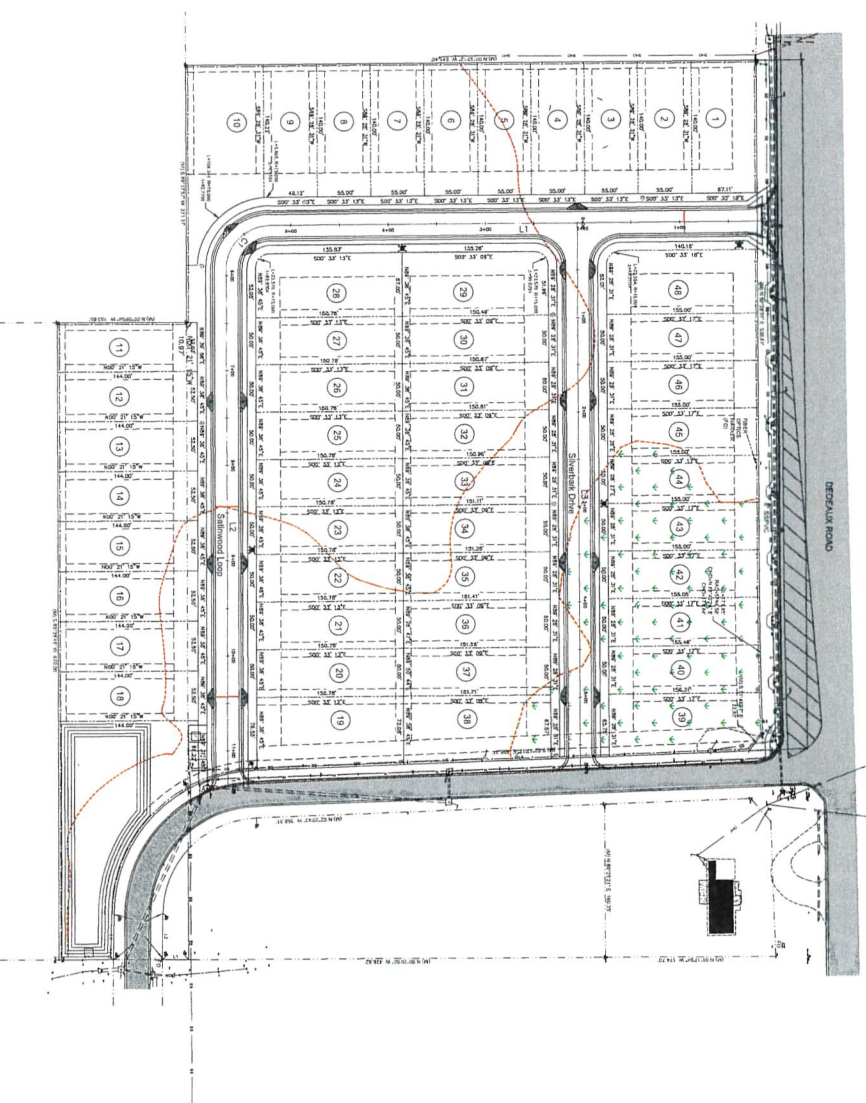
CHARGE: D-101-000 - CARRYING: B-2

SHIRT: LIGHT COLORED AND TIES: TO BE DISCLOSED AND

SUITED BY US POWER

LOT SCHEDULE		
Lot	Area (S ²)	Acres
1	9,387.7	0.2155
2	7,700.0	0.1768
3	7,700.0	0.1768
4	7,700.0	0.1768
5	7,700.0	0.1768
6	7,700.0	0.1768
7	7,700.0	0.1768
8	7,700.0	0.1768
9	7,650.5	0.1756
10	11,190.5	0.2569
11	7,523.9	0.1728
12	7,560.0	0.1726
13	7,560.0	0.1726
14	7,560.0	0.1726
15	7,560.0	0.1726
16	7,560.0	0.1726
17	7,560.0	0.1726
18	7,560.0	0.1726
19	10,982.0	0.2521
20	7,539.0	0.1731
21	7,539.0	0.1731
22	7,539.0	0.1731
23	7,539.0	0.1731
24	7,539.0	0.1731
25	7,539.0	0.1731
26	7,539.0	0.1731
27	7,539.0	0.1731
28	9,853.1	0.2262
29	9,825.7	0.2256
30	7,528.2	0.1728
31	7,537.0	0.1730
32	7,544.2	0.1732
33	7,551.8	0.1734
34	7,558.2	0.1735
35	7,566.7	0.1737
36	7,574.3	0.1739
37	7,581.8	0.1741
38	10,388.6	0.2385
39	10,195.0	0.2340
40	7,795.0	0.1789
41	7,762.8	0.1782
42	7,751.2	0.1779
43	7,750.0	0.1779
44	7,750.0	0.1779
45	7,750.0	0.1779
46	7,750.0	0.1779
47	7,750.0	0.1779
48	10,737.0	0.2465

⑤ CONTROL POINT ELEV = XXX.X" N = XXX.X" E = XXX.X"	BOUNDARY AND TOPOGRAPHIC INFORMATION BASED ON SURVEY PROVIDED BY CLIFF CROSBY
--	--



OVERALL SUBDIVISION PLAN

Subdivision Design for:
Sleekwood Subdivision

OVERALL SUBDIVISION LAYOUT

[illegible]

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT



1st Judicial District
Instrument 2007 4888 D -J1
Filed/Recorded 5 11 2007 4 18 P
Total Fees 12.00
6 Pages Recorded

WARRANTY DEED

For and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good, legal, and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned, W.A. DEDEAUX BUILDERS, INC., does hereby sell, convey, and warrant unto DEDEAUX PROPERTIES I, L.P., a Mississippi limited partnership, the following described interests in the land and property lying and being situated in Harrison County, State of Mississippi, being more particularly described as follows, to-wit:

PARCEL 1

A parcel of land situated in the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi, and being more fully described as follows:

Commencing at the Southwest corner of the Southwest $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi; thence N00°02'31"W 1330.05' to a point; thence N89°32'02"E 683.25' to a point; thence N00°18'40"W 532.75' to the point of beginning and an iron rod; thence N00°20'14"W 133.19' to an iron rod; thence N89°27'25"E 670.00' to an iron rod on the East line of said Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence S00°26'27"W along said East line 76.77' to an iron rod; thence S00°11'52"E 56.65' to an iron rod; thence S89°28'35"W 670.00' to the point of beginning, containing 2.05 acres, more or less.

Less and Except

That portion of a 50' wide road right-of-way (Dede Drive) being more fully described as follows:

Commencing at the Southwest corner of the Southwest $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi; thence N00°02'31"W 1330.05' to a point; thence N89°32'02"E 683.25' to a point; thence N00°18'40"W 532.75' to an iron rod; thence N00°20'14"W 133.19' to an iron rod;

thence N89°27'25"E 491.27' to an iron rod and the point of beginning; thence N89°27'25"E 62.93' to an iron rod; thence along a curve concave to the Northeast, having a radius of 100', and a length of 72.42' to an iron rod; thence N89°27'25"E 48.37' to an iron rod on the East line of the Northwest ¼ of the Southwest ¼ of Section 11-7-11; thence S00°26'27"W along said East line 50.00' to an iron rod; thence N89°43'47"E 47.42' to an iron rod; thence along a curve concave to the Northeast, having a radius of 150.00', and a length of 159.23' to the point of beginning, containing 0.19 acres, more or less.

PARCEL 3

A parcel of land situated in the Northwest ¼ of the Southwest ¼ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi, and being more fully described as follows:

Commencing at the Southwest corner of the Southwest ¼ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi; thence N00°02'31"W 1330.05' to a point; thence N89°32'02"E 683.25' to a point; thence N00°18'40"W 532.75' to an iron rod; thence N89°28'35"E 670.00' to a point; thence N00°11'52"W 56.65' to an iron rod; thence N00°26'27"W 50.00' to a point; thence N02°26'27"W 455.53' to the point of beginning [*sic*] and an iron rod; thence N00°26'27"W 208.70' to an iron rod on the South margin of Dedeaux Road; thence S89°14'34"W along said South margin 167.83' to an iron rod; thence S00°26'27"E 208.70' to an iron rod; thence N89°14'34"E 160.53' to the point of beginning, containing 0.79 acres, more or less.

A SURVEY OF SAID PARCELS OF LAND IS ATTACHED HEREWITH AS "EXHIBIT A."

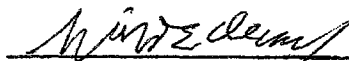
This conveyance is made subject to any and all recorded liens, building restrictions, zoning ordinances, rights of way, easements, or mineral reservations applicable to the above described property.

3

Ad valorem taxes for the year 2007 are to be assumed by the Grantee herein as of the date of this conveyance.

WITNESS THE SIGNATURE of the Grantor, this the 11 day of May, 2007.

W.A. DEDEAUX BUILDERS, INC.



W.A. Dedeaux, Its President

4

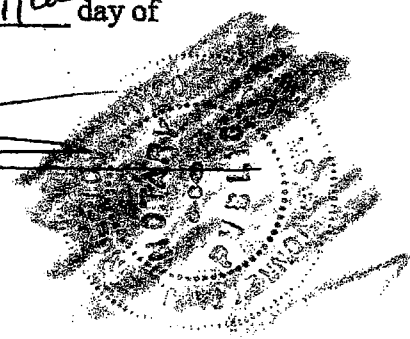
STATE OF MISSISSIPPI

COUNTY OF ^{DB} ~~HARRISON~~ ~~HANCOCK~~

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named W.A. DEDEAUX, President of W.A. DEDEAUX BUILDERS, INC., who acknowledged that he signed and delivered the above and foregoing instrument on the day and year therein written.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the 11th day of May, 2007.

Vonetta D.
Notary Public



My Commission Expires: My Commission Expires: Dec 3, 2008

Grantors' Address:

W.A. Dedeaux Builders, Inc.

13407 Dedeaux Rd

Gulfport, MS 39503

(228) 539-3570

Grantee's Address:

Dedeaux Properties I, L.P.

13407 Dedeaux Road

Gulfport, Mississippi 39503

(228) 539-3570

Prepared by and Return original

Warranty Deed to:

Harris H. Barnes, III (MSB # 2018)

BARNES, BROOM, AND McLEOD, P.A.

5 River Bend Place, Suite A

Flowood, Mississippi 39232-7618

(601) 981-6336

ATTORNEY

Indexing Instructions: Northwest ¼ of the Southwest ¼ of Section 11, Township 7 South,
Range 11 West, Harrison County, Mississippi.

6

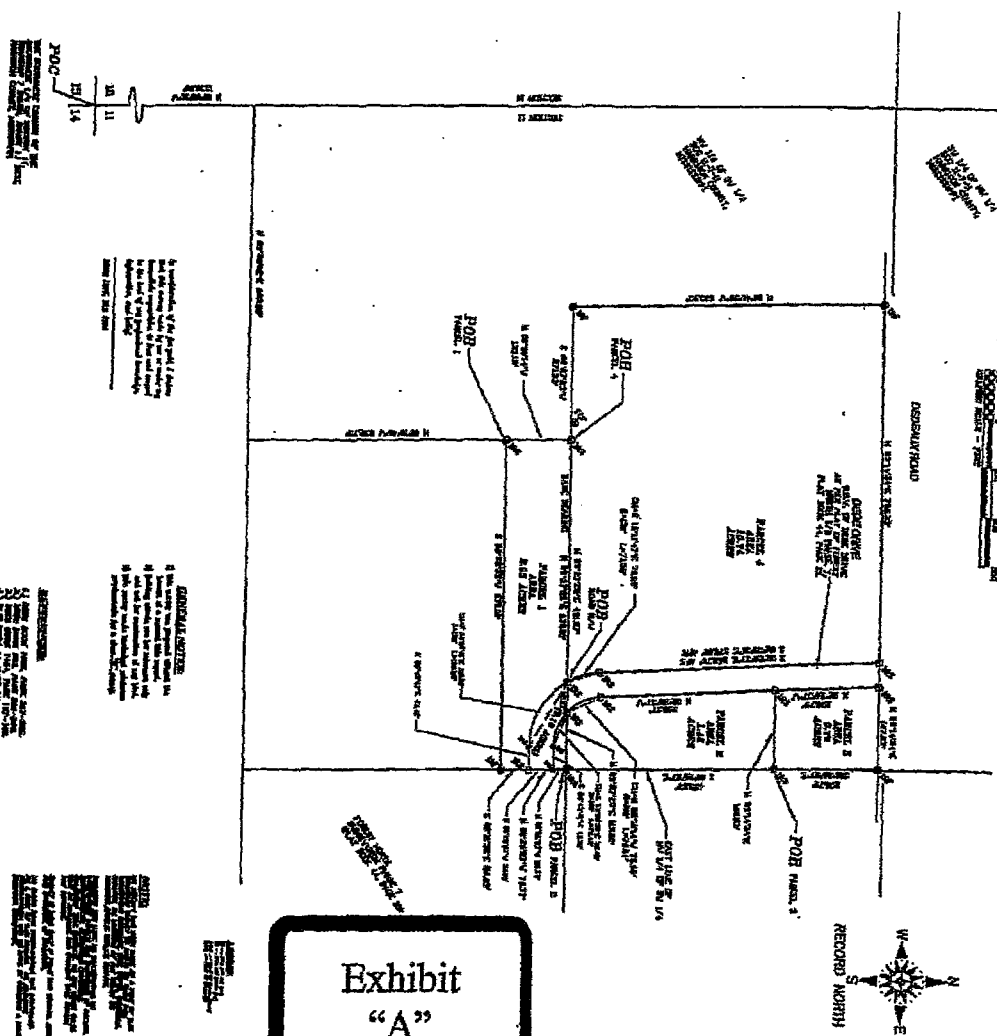
[illegible][illegible][illegible][illegible]

Exhibit
"A"

ON TYPE FOR 1/4 OF THE NEW 1/4
OF SPECIFIC 11-11-11
FALLING IN THE CHAIRS. 11-11-11



STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT



John A. ...
1st Judicial District
Instrument 2007 4887 D -J1
Filed/Recorded 5 11 2007 4 17 P
Total Fees 12.00

5 Pages Recorded

WARRANTY DEED

For and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good, legal, and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned, W.A. DEDEAUX, does hereby sell, convey, and warrant unto DEDEAUX PROPERTIES I, L.P., a Mississippi limited partnership, the following described interests in the land and property lying and being situated in Harrison County, State of Mississippi, being more particularly described as follows, to-wit:

PARCEL 2

A parcel of land situated in the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi being more fully described as follows:

Commencing at the Southwest corner of the Southwest $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi; thence N00°02'31"W 1330.05' to a point; thence N89°32'02"E 683.25' to a point; thence N00°18'40"W 532.75' to an iron rod; thence N89°28'35"E 670.00'; thence N00°11'52"W 56.65' to an iron rod; thence N00°26'27"W 76.77' to the point of beginning; thence S89°27'25"W 115.80' to an iron rod; thence along a curve having a chord of N25°10'14"W, a length of 76.99', a radius of 100' and length of 79.04' to an iron rod; thence N02°26'37"W 358.37' to an iron rod; thence N89°14'34"E 160.53' to an iron rod; thence S00°26'27"E 455.53' to the point of beginning, containing 1.48 acres, more or less.

PARCEL 4

A parcel of land situated in the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi being more fully described as follows:

2

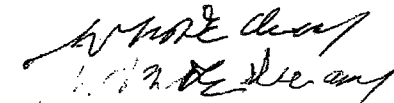
Commencing at the Southwest corner of the Southwest ¼ of Section 11, Township 7 South, Range 11 West, Harrison County, Mississippi; thence N00°02'31"W 1330.05' to a point; thence N89°32'02"E 683.25' to a point; thence N00°18'40"W 532.75' to an iron rod; thence N00°20'14"W 133.19' to the point of beginning and an iron rod; thence S89°27'25"W 271.33' to an iron rod; thence N00°41'59"W 633.93' to an iron rod on the south margin of Dedeaux Road; thence N89°14'34"E along said south margin 726.35' to an iron rod; thence S02°26'37"E 568.70' to an iron rod; thence along a curve having a chord of S16°11'47"E, a length of 70.89', a radius of 150 and length of 71.56' to an iron rod; thence thence [sic] S89°27'25"W 491.27' to the point of beginning, containing 10.74 acres, more or less.

A SURVEY OF SAID PARCELS OF LAND IS ATTACHED HEREWITH AS "EXHIBIT A."

This conveyance is made subject to any and all recorded liens, building restrictions, zoning ordinances, rights of way, easements, or mineral reservations applicable to the above described property.

Ad valorem taxes for the year 2007 are to be assumed by the Grantee herein as of the date of this conveyance.

WITNESS THE SIGNATURE of the Grantor, this the 11 day of May, 2007.



W.A. Dedeaux

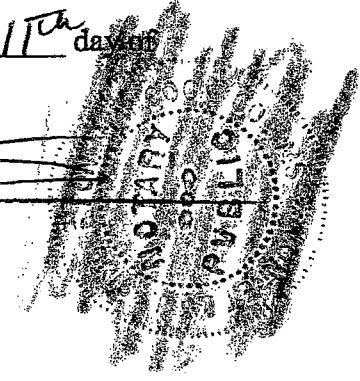
STATE OF MISSISSIPPI

COUNTY OF ^{vs} ~~HARRISON~~ Hancock

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named W.A. DEDEAUX, who acknowledged that he signed and delivered the above and foregoing instrument on the day and year therein written.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the 17th day of May, 2007.

Vonetta J. [Signature]
Notary Public



My Commission Expires: My Commission Expires: Dec 3, 2008

4

Grantors' Address:

W.A. Dedeaux
13407 Dedeaux Rd
Gulfport, MS 39503
(228) 539-3570

Grantee's Address:

Dedeaux Properties I, L.P.
13407 Dedeaux Road
Gulfport, Mississippi 39503
(228) 539-3570

Prepared by and Return original

Warranty Deed to:

Harris H. Barnes, III (MSB # 2018)
BARNES, BROOM, AND McLEOD, P.A.
5 River Bend Place, Suite A
Flowood, Mississippi 39232-7618
(601) 981-6336

ATTORNEY

Indexing Instructions: Northwest ¼ of the Southwest ¼ of Section 11, Township 7 South,
Range 11, West, Harrison County, Mississippi.



1st Judicial District
Instrument 2013 5939 D - J1
Filed/Recorded 8/23/2013 01:40 P
Total Fees \$ 12.00
3 Pages Recorded

This Instrument prepared by and to be returned to:

Chelsea H. Brannon, MS Bar #102805
City of Gulfport
Post Office Box 1780
Gulfport, Mississippi 39502-1780
(228) 868-5811

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of SIXTY-NINE THOUSAND, THREE HUNDRED DOLLARS and NO/100 (\$69,300.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, **Grantor,**

DEDEAUX PROPERTIES I, LP
13407 Dedeaux Road
Gulfport, Mississippi 39503
Telephone (228) 864-8965

does hereby sell, convey and warrant unto **Grantee,**

CITY OF GULFPORT, MISSISSIPPI
A Mississippi Municipal Corporation
Post Office Box 1780
Gulfport, Mississippi 39502-1780
Telephone (228) 868-5811

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

See Exhibit "A" attached.

INDEXING INSTRUCTIONS:

The NW ¼ of the SW ¼ of Section 11
Township 7 South, Range 11 West
City of Gulfport, First Judicial District
Harrison County, Mississippi

It is understood that this property is being conveyed for the purpose of improving an existing public right-of-way identified as Dedeaux Road. Grantor shall continue to have ingress and egress over the property identified in Exhibit "A" until such time as the improvements are completed.

Grantor, for the same consideration, hereby quitclaims and releases any and all rights and remaining interests in and to the land adjacent to the above described conveyance, presently containing a public right-of-way identified as Dedeaux Road, including, but not limited to property previously granted by easement, identified on page 96 of Deed Book 398 of the Land Records of Harrison County, Mississippi.

This conveyance is less and except any and all recorded oil, gas or other mineral rights granted, reserved or excepted by former owners, and is subject to any and all recorded restrictions or covenants and any and all presently existing or recorded easements or rights-of-way affecting said property.

Grantor shall be responsible for ad valorem taxes for the current year and prior years, and Grantee shall assume tax responsibility of the identified portion of the property as a tax exempt municipal government owner for all future years.

WITNESS MY SIGNATURE on this the 21st day of August, 2013.

Dedeaux Properties I, LP

By: W.A. Dedeaux Builders, Inc., General Partner

By: Christine L. Dedeaux
Christine L. Dedeaux, President

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this the 21st day of August, 2013, within my jurisdiction, the within named Christine L. Dedeaux, who acknowledged that she is President of W.A. Dedeaux Builders, Inc., the General Partner of Dedeaux Properties I, LP, and that for and on behalf of the said corporation, and as its act, she executed and delivered the above and foregoing instrument, after having been duly authorized by said corporation so to do.

David W. Jones
NOTARY PUBLIC

My Commission Expires
January 8, 2017



Exhibit "A"

A parcel of land situated and being located in a portion of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Township 7 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, to-wit:

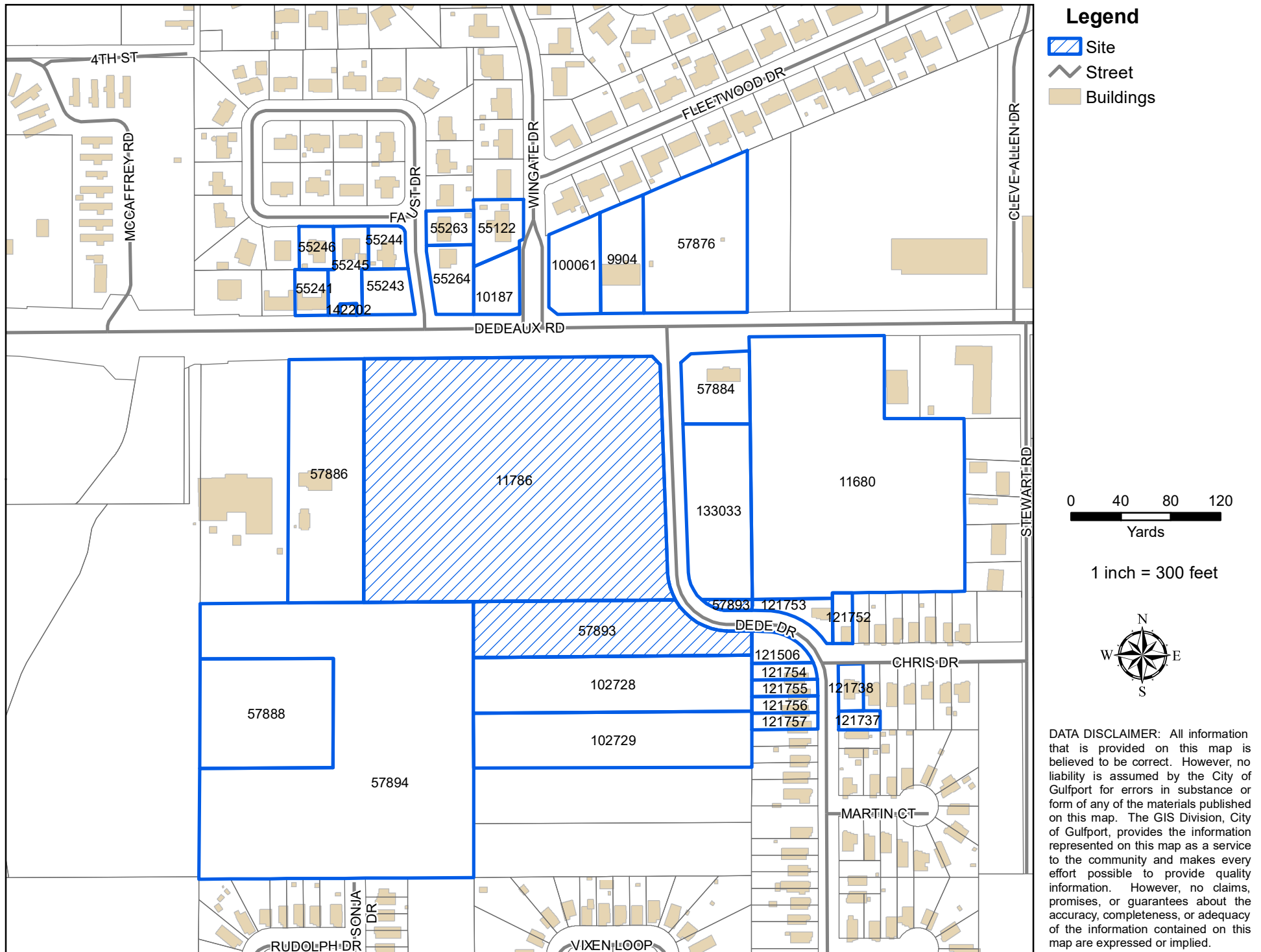
FOR THE POINT OF BEGINNING, commence at the northwest corner of property now or formerly to Dedeaux Properties I, L.P. (Harrison County Instrument #2007-4887-D-J1, Parcel 4), said point being located on the existing south right-of-way of Dedeaux Road (as surveyed in January, 2013), said Point Of Beginning having grid coordinates N. 345,361.09 and E. 910,195.71 based on the Mississippi State Plane Coordinate System, East Zone, NAD 83 (in feet), coordinates and courses herein are grid values based on said coordinate system using a combined factor of (scale) 0.999956283 with a convergence angle of -00°07'09" (at the P.O.B.); thence N 89°22'50" E 726.33 feet along said existing south right-of-way of Dedeaux Road to the northeast corner of said property now or formerly to Dedeaux Properties I, L.P., said point also being the intersection of said existing south right-of-way of Dedeaux Road with the existing west right-of-way of Dede Drive;

THENCE S 02°19'21" E 60.26 feet along the east boundary of said property now or formerly to Dedeaux Properties I, L.P., also being along said existing west right-of-way of Dede Drive; thence N 51°25'16" W 22.95 feet; thence westerly 171.69 feet along a curve, said curve being concave to the north, having a central angle of 01°42'02" with a radius of 5,784.58 feet, also having a chord bearing and distance of S 88°37'02" W 171.69 feet to the end of said curve; thence S 89°28'03" W 538.71 feet to a point located on the west boundary of said property now or formerly to Dedeaux Properties I, L.P.; thence N 00°33'18" W 47.20 feet along said west boundary of property now or formerly to Dedeaux Properties I, L.P. to the said Point Of Beginning.

The property herein described, is a total of 34,652 square feet or 0.796 acre, more or less, being a portion of the same property conveyed to Dedeaux Properties I, LP from W.A. Dedeaux (Instrument 2007-4887-D-J1) dated May 11, 2007, as said Instrument was filed for recorded May 11, 2007, in the Land Records of Harrison County, Mississippi.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0908M-01-009.000	DEDEAUX PROPERTIES 1, LP (OWNER)	P.O. BOX 926	GULFPORT	MS	39502
			TERRY MORAN (AGENT)	1806 23RD AVE STE B	GULFPORT	MS	39501
			Adjacent Property Owners (2607ZB092)				
	55244	0908L-02-015.019	CONLEY JENNIE	144 FAUST DR	GULFPORT	MS	39503
	102729	0908M-01-014.002	SCHAFHIRT CYNTHIA JO	13185 JOHN RD	GULFPORT	MS	39503
	57876	0908L-01-003.000	COAST ELECTRIC POWER ASSN	P O BOX 359	KILN	MS	39556
	55122	0908L-02-012.000	SULLENS DELBERT LEON & TRISHA DIANN	2 WINGATE DR	GULFPORT	MS	39503
	55264	0908L-02-015.000	CHANDLER JUSTIN	106 FAUST DR	GULFPORT	MS	39503
	55246	0908L-02-015.017	HARPER GLORIA J	140 FAUST DR	GULFPORT	MS	39503
	55241	0908L-02-015.030	LOTT ROBERT C	13506 DEDEAUX RD	GULFPORT	MS	39503
	55263	0908L-02-015.001	ALEJANDRO ARMANDO E & JOSEFINA I	108 FAUST DR	GULFPORT	MS	39503
N	55243	0908L-02-015.028	CONLEY JENNIE	144 FAUST DR	GULFPORT	MS	39503
N	10187	0908L-02-013.000	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
	9904	0908L-01-004.000	WB PROPERTY LLC	13430 DEDEAUX RD	GULFPORT	MS	39503
	102728	0908M-01-014.001	LADNER DICKIE JOE & JENNIFER A	24040 TIM BRADLEY RD	SAUCIER	MS	39574
	121738	0908M-01-017.069	MCGILL PROPERTIES INC	P O BOX 2163	GULFPORT	MS	39505
	121737	0908M-01-017.068	CASIANO DAMARIS	11170 DEDE DRIVE	GULFPORT	MS	39503
N	121506	0908M-01-017.001	GULFPORT CITY OF				0
	121754	0908M-01-017.085	COMEAU JENNIFER	11181 DEDE DR	GULFPORT	MS	39503
	121755	0908M-01-017.086	MACH VI HOLDING LLC	6001 OLDE OAKVIEW	OCEAN SPRINGS	MS	39564
	121752	0908M-01-017.083	HERRITT TIFFANY N	13380 CHRIS DR	GULFPORT	MS	39503
N	121756	0908M-01-017.087	SUMELONG SAMUEL KWEWE	C/O 8917 LORRAINE RD	GULFPORT	MS	39503
	121753	0908M-01-017.084	MIXON MARTIN F	11190 DEDE DR	GULFPORT	MS	39503
	121757	0908M-01-017.088	TOLAR TERRY & EILERMANN JANET	2620 RUE PALAFOX	BILOXI	MS	39531
	55245	0908L-02-015.018	MANALO RICHARD	142 FAUST DR	GULFPORT	MS	39503
	133033	0908M-01-009.001	DEDEAUX PROPERTIES I LP	13407 DEDEAUX RD	GULFPORT	MS	39503
N	57884	0908M-01-008.000	DEDEAUX PROPERTIES I LP	13407 DEDEAUX RD	GULFPORT	MS	39503
N	100061	0908L-01-004.001	WB PROPERTY LLC	13430 DEDEAUX RD	GULFPORT	MS	39503
N	11786	0908M-01-009.000	DEDEAUX PROPERTIES I LP	13407 DEDEAUX RD	GULFPORT	MS	39503
	57888	0908M-01-012.000	HEINZ CHAS MRS	1604 BELMONT PL	METAIRIE	LA	70001
N	57894	0908M-01-013.000	LADNER DICKIE JOE & JENNIFER A	24040 TIM BRADLEY RD	SAUCIER	MS	39574
	57886	0908M-01-010.000	HALLER REAL ESTATE LLC	14 KIMBALL DRIVE	GULFPORT	MS	39507
	11680	0908M-01-007.000	ALLEN BEVERAGES INC	P O BOX 2037	GULFPORT	MS	39505
N	57893	0908M-01-014.000	DEDEAUX PROPERTIES I LP	13407 DEDEAUX RD	GULFPORT	MS	39503
N	142202	0908L-02-015.033	GULFPORT CITY OF	PO BOX 1780	GULFPORT	MS	4E+08

Variance



AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
49732	IPL0352563	Legal Ad - IPL0352563		1.0	75.0L

ATTENTION: GULFPORT CITY HALL IP
1410 24 TH AVENUE
GULFPORT, MS 39501
jversiga@gulfport-ms.gov;planners@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, July 16th, 2026 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2607ZB092, by agent Terry Moran, seeking approval for 50-foot wide lots where lot width is required to be 60 feet for a proposed subdivision, Tax Parcels 0908M-01-009.000, 0908M-01-014.000, De-deaux Road, Zoned B-1 (Neighborhood Business), Ward 6

Variance 2607ZB088, by agent Jon Storonsky, seeking approval for a 0-foot front setback where 10 feet is required for a new freestanding ground sign, Tax Parcel 0808E-02-030.049, 12178 Highway 49, Zoned B-4 (Highway Business), Ward 7

Variance 2607ZB089, by owner Brian McMullen, seeking approval for a 16-foot secondary frontage setback where 25 feet is required for an accessory structure, Tax Parcel 0808L-01-019.000, 11540 Carondelet St, Zoned R-1-10 (Single Family), Ward 7

Variance 2607ZB101, by agent Benjamin Bentz, seeking approval for 3 regular parking spaces where 17 spaces are required, Tax Parcel 0910M-01-027.000, 820 Pass Rd, Zoned B-2 (General Business), Ward 3

Variance 2608ZB104, by agent Mitch Byars, seeking approval for an 18-foot front yard setback and a 13-foot secondary frontage setback where 25 feet is required, Tax Parcel 1008J-02-001.000, 12070 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

Variance 2608ZB105, by agent Mitch Byars, seeking approval for a 5-foot side yard setback where 8 feet is required, Tax Parcel 1008G-02-130.000, 12095 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

This the 24th day of June 2026
Nathan Boddie, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0352563
Jul 1 2026

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:
07/01/26 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Julie Ambry



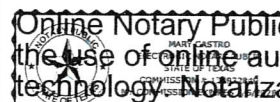
Julie Ambry

Mary Castro



Sworn to and subscribed before
me on Jul 1, 2026, 10:44 AM EDT

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





URBAN DEVELOPMENT
PLANNING & ZONING
PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE
228.868.5710 | PLANNERS@GULFPORT-MS.GOV

ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, July 16, 2026

Variance 2607ZB088: Variance 2607ZB088, by agent Jon Storonskyj, seeking approval for a 0-foot front setback where 10 feet is required for a new freestanding ground sign, Tax Parcel 0808E-02-030.049, 12178 Highway 49, Zoned B-4 (Highway Business), Ward 7

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2708ZB088

Hearing Date: July 16, 2026

Current Zoning/Use: B-4 / Commercial Building

Legal: Variance 2607ZB088, by agent Jon Storonskyj, seeking approval for a 0-foot front setback where 10 feet is required for a new freestanding ground sign, Tax Parcel 0808E-02-030.049, 12178 Highway 49, Zoned B-4 (Highway Business), Ward 7

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant is seeking approval of a zero-foot frontage setback variance for a proposed freestanding ground sign where 10 feet is required. The proposed ground sign is to replace an existing ground sign in the same location. As the sign structure is being altered in the replacement, ordinance considers the replacement as a new sign and requires the new sign to meet current regulations.

- (a) The applicant states the existing monument sign predates the widening of Highway 49, which resulted in the existing monument being closer to the property line. The applicant further elaborates that should the new sign be moved back to meet current setback requirements the sign would be located within the active traffic aisle. While staff could not find note of when Highway 49 was widened, staff did find that the existing sign was established in its current location prior to 2007 based on publicly available imagery. Based upon the survey provided of the property, should the proposed sign be located at the required 10-foot setback it would fall within the existing drive aisle.
- (b) Applicant claims the special conditions are not created by the applicant but caused by the widening of Highway 49 pushing the property line closer to the location of the existing sign. While staff could not find when Highway 49 was widened, the existing sign was established prior to 2007. Placement of the proposed sign in the required 10-foot setback would place the sign in the existing drive aisle. The hardship does not appear to result from the applicant's actions.
- (c) The applicant claims that the unnecessary hardship results from the existing physical character, or layout, of the property. The applicant claims that the enforcement of the required 10-foot setback would cause a safety hazard by placing the sign in an existing vehicular circulation area. As noted prior, staff has found from earliest available public imagery that the existing sign was established prior to 2007 with the existing property layout. According to the provided survey the enforcement of required setback would result in the sign encroaching into the traffic aisles. Other than a renovation to the overall site, or an amendment to the sign ordinance reducing the required frontage setback, an approval of the variance would offer a reasonable site-specific solution.
- (d) The applicant claims that relocation of the sign's location would reduce visibility and impair safe identification from Highway 49. From staff's review, the required 10-foot setback from the current frontage property line would push the sign further back than existing ground signs on neighboring commercial properties such as Popeyes, Norwood Village, and Wendys which enjoy a frontage setback closer than what current ordinance requires. In addition, these listed signs were established prior to 2007, similar to the subject sign's location.
- (e) The applicant claims that no special privileges would be conferred and that they are only maintaining the existing footprint while improving the sign structure. From staff's review of the surrounding area, there are other pre-existing ground signs that have setbacks that appear to encroach into the required 10-foot frontage setback. These signs could have initially been placed meeting the required setback initially before the highway had been widened. Approval of the variance would not confer special privileges and would be in harmony with other existing ground signs in this area.
- (f) This property is zoned B-4, and commercial signage is permitted.

Technical Report

VARIANCE

EXECUTIVE SUMMARY

The applicant is seeking approval of a zero-foot frontage setback variance for a proposed freestanding ground sign where 10 feet is required. The proposed ground sign is to replace an existing ground sign in the same location. As the sign structure is being altered in the replacement, ordinance considers the replacement as a new sign and requires the new sign to meet current regulations. The applicant states the existing monument sign predates the widening of Highway 49, which resulted in the existing monument being closer to the property line. The applicant further elaborates that should the new sign be moved back to meet current setback requirements the sign would be located within the active traffic aisle. While staff could not find note of when Highway 49 was widened, staff did find that the existing sign was established in its current location prior to 2007 based on publicly available imagery. Based upon the survey provided of the property, should the proposed sign be located at the required 10-foot setback it would fall within the existing drive aisle. The applicant claims that relocation of the sign's location would reduce visibility and impair safe identification from Highway 49. From staff's review, the required 10-foot setback from the current frontage property line would push the sign further back than existing ground signs on neighboring commercial properties such as Popeyes, Norwood Village, and Wendys which enjoy a frontage setback closer than what current ordinance requires. In addition, these listed signs were established prior to 2007, similar to the subject sign's location. A renovation to the overall site, or an amendment to the sign ordinance reducing the required frontage setback would not provide a reasonable site-specific solution, but an approval of the variance would offer a reasonable site-specific solution.

Any approval should consider these conditions:

1. Approval allows for a frontage setback of zero-feet where ordinance requires 10 feet.
2. The existing sign's eastern pole currently sits in the drive aisle unprotected from motor vehicles. Extend the existing curbed landscaped island around the sign to provide proper protection while maintaining sufficient clearance for one lane of traffic to the east of the sign.
3. Must not interfere with line of site to traffic.

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	The existing sign's eastern pole currently sits in the drive aisle unprotected from motor vehicles. Extend the existing curbed landscaped island around the sign to provide proper protection while maintaining sufficient clearance for one lane of traffic to the east of the sign. Memo dated 7/2/26.
<u>Public Works:</u>	No comment as of 7/7/26.
<u>Traffic and Safety:</u>	No comment as of 7/7/26.
<u>Building Code Services:</u>	Must not interfere with line of site to traffic. Memo dated 6/24/26.
<u>GIS:</u>	No conditions. Memo dated 7/6/26.

Technical Report

VARIANCE

Police Department: No comment as of 7/7/26.

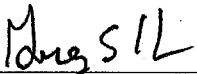
Fire Department: No conditions. Memo dated 6/26/26.

City Arborist: No conditions. Memo dated 6/30/26.

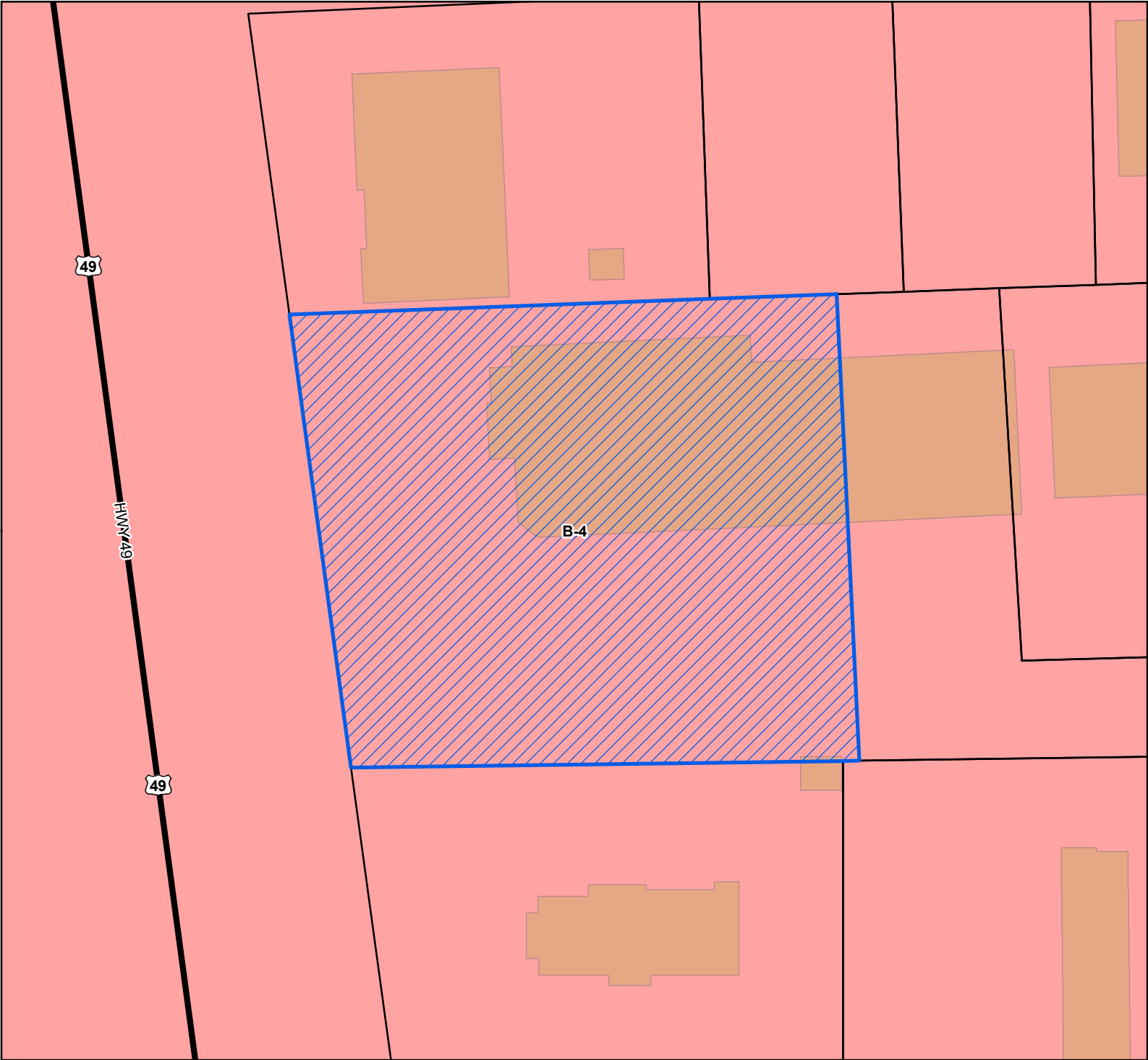
Landscape Manager: No conditions. Memo dated 6/29/26.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



Site

US or State Highway

Parcels

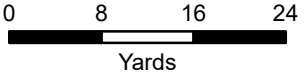
Buildings

City Limit

Zoning

B-4 - Highway Business District

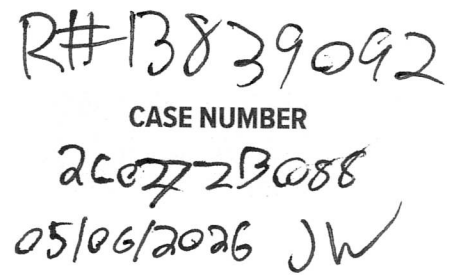
Site Information
0808E-02-030.049
Zoning: B-4 (Highway Business)
Size: 31535.6 sqft
Flood: X



1 inch = 50 feet



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



ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

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

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12178 Highway 49 Gulfport MS 39503

Lot(s) 28 Block(s) _____ Subdivision Northwood

General Description of Request: Refurbishing of existing monument/pylon sign. The sign sits at the property line and sign code requires a 10' set back.

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

Sign Variance Justification – Raybourn Plaza

12178 Highway 49, Gulfport, MS

1. Existing monument sign predates roadway improvements. Highway 49 widening reduced setback, placing sign at property line. Relocating 10' back would place sign in active drive aisle due to shallow site depth.
2. Condition not created by applicant; it is a legacy installation impacted by public roadway expansion.
3. Enforcing setback would create safety hazard by placing sign in vehicular circulation area.
4. Relocation would reduce visibility and impair safe identification from Highway 49.
5. No special privilege requested; only maintaining existing footprint while improving structure.
6. Commercial use permitted; request applies only to sign location.

Highway 49 (Widened)	→	Property Line	→	Parking Drive Aisle
		Existing Sign Location		■ Conflict if moved 10' back

Callout: Sign originally installed decades ago prior to highway widening. Current setback condition is the result of public infrastructure changes. Relocation to meet code would place the sign within active traffic circulation, creating a safety concern.



Designation of Agent

I, Raybourn Robert W, being property owner of 0808 E-02-030.049 / 12178 Hwy 49
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Jon Storch to act as my
PRINT NAME
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.

Robert W Raybourn 5/6/26
Signature Da

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 6 day of MAY, 20 2026

[Signature]
Notary Public



July 15, 2020
Commission Expiration



Covenant Affidavit

I, Robert W. Raybourn, being owner or agent of the property 0808E-02-030,049 / 1Q178 Hwy 49 GP.
PRINT NAME PRIMARY ADDRESS

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

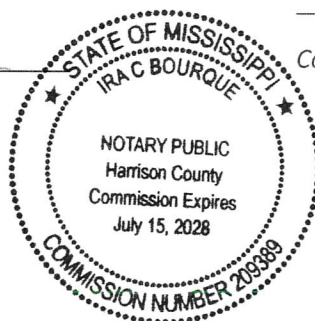
Robert W. Raybourn
Signature

5/5/24
Date

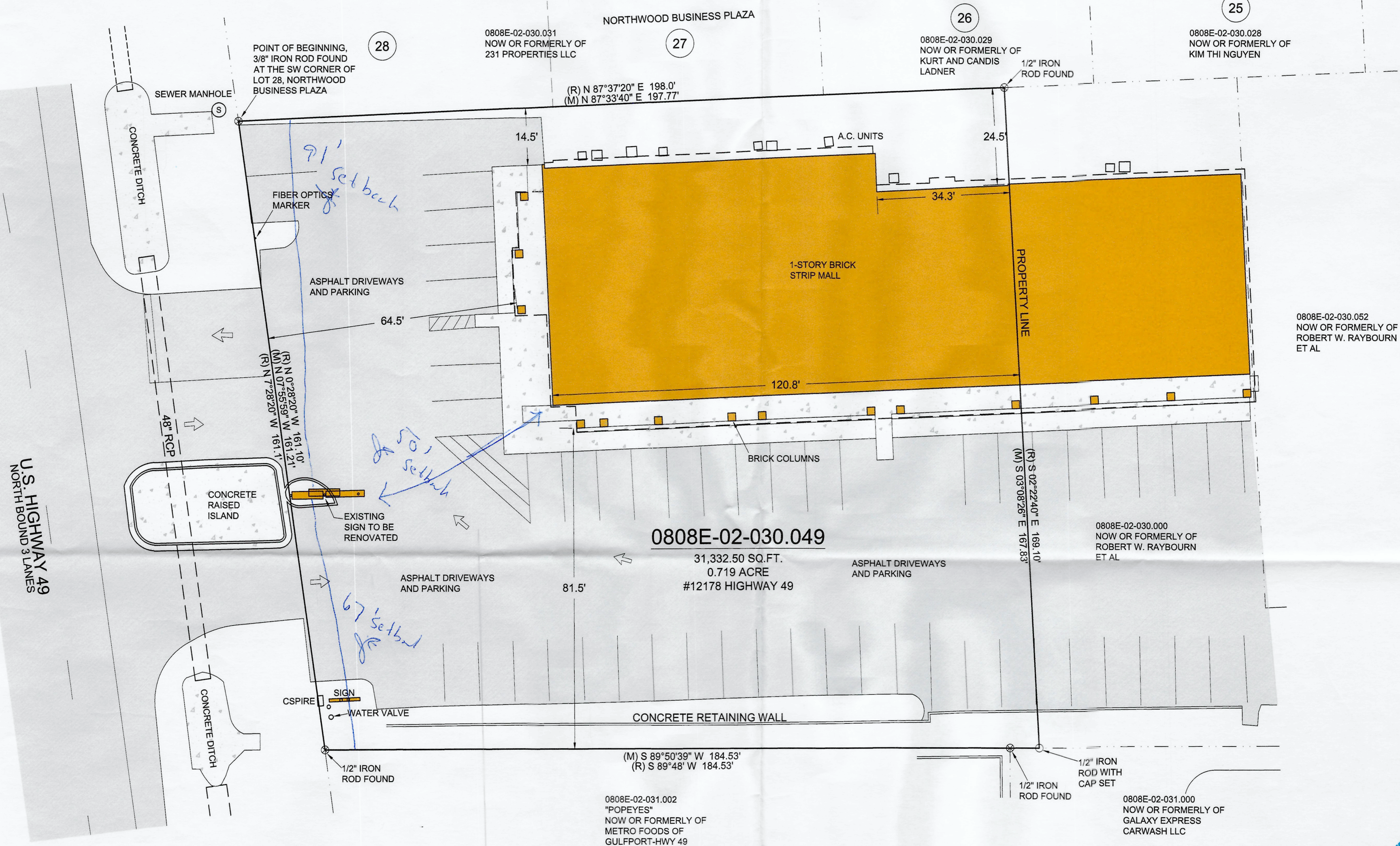
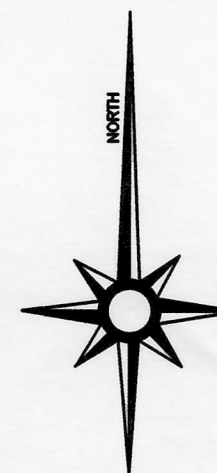
STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 5 day of May, 20 20

[Signature]
Notary Public



July 15, 2028
Commission Expiration



LEGEND:

- IRON ROD FOUND
- IRON PIPE FOUND
- IRON ROD SET
- △ SPIKE FOUND
- △ SPIKE SET
- ⊠ CONCRETE MONUMENT FOUND
- ⊠ CONCRETE MONUMENT SET
- ⊠ LIGHTARD KNOT FOUND
- (M) AS MEASURED
- (R) AS PER RECORD
- APP AS PER PLAT
- IRF IRON ROD FOUND
- IRS IRON ROD SET

REFERENCE MATERIALS:

- 1.) HARRISON COUNTY TAX MAPS AND GEOPORTAL
- 2.) GULFPORT ONLINE ATLAS
- 3.) QUITCLAIM DEED 2021-13699-D-J1

NOTES:

- 1.) FIELD SURVEY PERFORMED WITH A COMBINATION OF TOPCON GR3 GPS RECIEVER AND TOPCON GPT- 9005A ROBOTIC TOTAL STATION.
- 2.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE DERIVED BY COMBINATION OF GPS STATIC OBSERVATION AND EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPC (2301 MS E).
- 3.) ELEVATIONS SHOWN ARE BASED ON NAVD88, GEIOD 2009.
- 4.) THIS SURVEY HAS BEEN PREPARED BY INFORMATION PROVIDED BY CLIENT AND LIMITED RESEARCH IN COURTHOUSE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THIS SURVEY MAY NOT SHOW ALL EASEMENTS AND OTHER RESTRICTIONS OF RECORD. SURVEYOR WILL BE MADE AVAILABLE TO ADD SUCH FEATURES TO THIS SURVEY IF A CURRENT TITLE REPORT OR ABSTRACT OF TITLE IS PROVIDED TO HIM BY PROPER AUTHORITY.
- 5.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-227-6477.
- 6.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.

SURVEY DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 11 WEST, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BASED ON STATE PLANE GRID NORTH (MS EAST ZONE):
BEGINNING AT A 3/8" IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 28, NORTHWOOD BUSINESS PLAZA SUBDIVISION, SAID POINT LYING ON THE EAST MARGIN OF U.S. HIGHWAY 49; THENCE ALONG THE SOUTH LINE OF SAID SUBDIVISION, N87°33'40"E 197.77' TO A 1/2" IRON ROD FOUND; THENCE S03°08'28"E 167.83' TO A 1/2" IRON ROD WITH CAP SET; THENCE S89°50'39"W 184.53' TO A 1/2" IRON ROD FOUND ON THE EAST MARGIN OF U.S. HIGHWAY 49; THENCE ALONG SAID EAST MARGIN, N07°55'59"W 161.21' TO THE POINT OF BEGINNING, CONTAINING 31,332.50 SQUARE FEET OR 0.719 ACRE. HEREIN DESCRIBED PROPERTY BEING DESIGNATED AS COUNTY PARCEL NUMBER 0808E-02-030.049.

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

CLIFFORD A. CROSBY, P.L.S.

APRIL 15, 2026

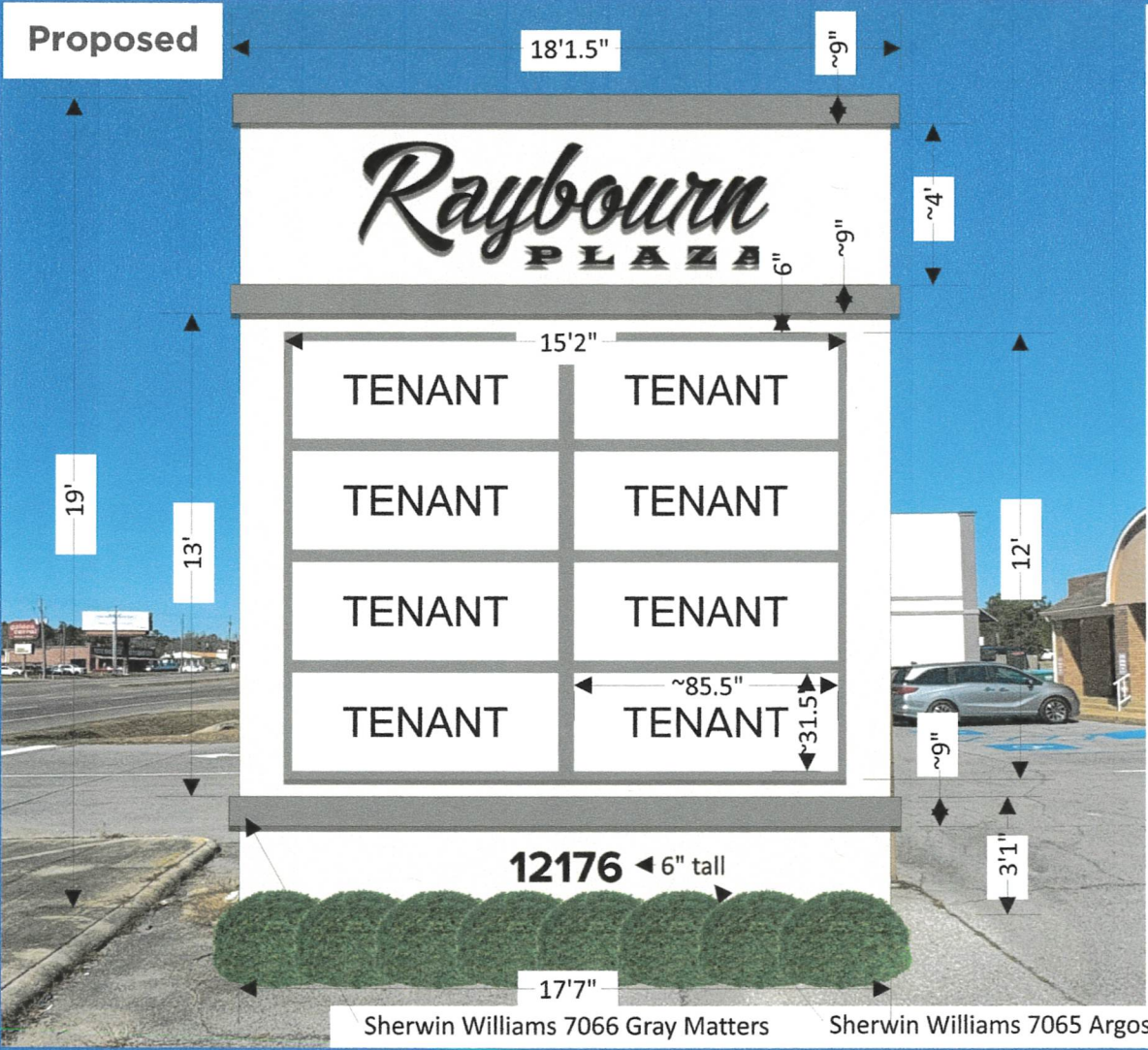
DATE



THIS PROPERTY IS LOCATED IN F.I.R.M. ZONE "X" ACCORDING TO MAP NUMBER 28047C0255G DATED JUNE 16, 2009

SURVEY CLASS - "B"	FOR: ROBERT RAYBOURN	BEARINGS SHOWN HEREON ARE DERIVED BY: GPS OBSERVATION, STATE PLANE COORDINATES
SCALE: 1" = 20'		
CROSBY SURVEYING PROFESSIONAL LAND SURVEYING 716 LIVE OAK DRIVE BILOXI, MISSISSIPPI 39532 PHONE: 228-234-1649 EMAIL: cliffordcrosby@gmail.com		DATE OF FIELD WORK: 4/13/2026 PARTY CHIEF: CG INSTRUMENT MAN: CG RODMAN: CG DRAWN BY: CAC DRAWING NUMBER: 14361 RAYBOURN REVISED:

CLIENT	Raybourn Plaza 12178 Hwy 49 Gulfport, MS 39503	DATE	3.2.26	JOB	City Proof	VINYL COLOR	-	LED COLOR	-
		VERSION	v.1	MEDIA	-	FACE COLOR	-	MOUNTING	-
		PAGE	1	SUBSTRATE	-	JEWELITE COLOR	-	RACEWAY COLOR	-
		STORE #	-	SIZE	19' x 18'1.5"	RETURN COLOR	-		
				SQ FT	342 sqft				



CLIENT | Raybourn Plaza

DATE
VERSION
PAGE
STORE #

v.1
1
-

JOB
MEDIA
SUBSTRATE
SIZE
SQ FT

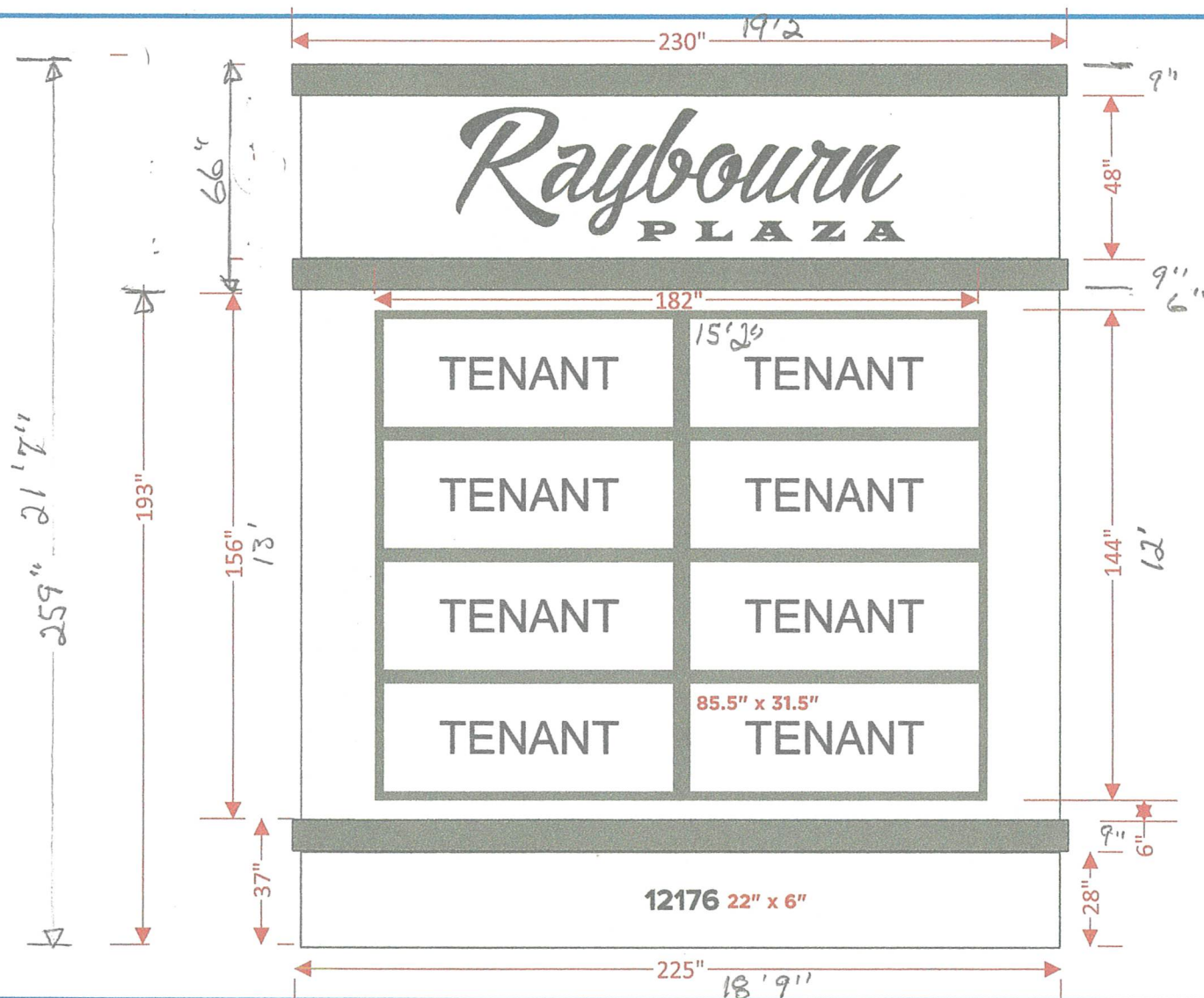
-
-

VINYL COLOR
FACE COLOR
JEWELITE COLOR
RETURN COLOR

-
-
-
-

LED COLOR
MOUNTING
RACEWAY COLOR

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-
-



signs plus

graphics • manufacturing • installation • service

15132 Dedeaux Rd, Gulfport, MS 39503
signsplusinc.us | 228.832.4634



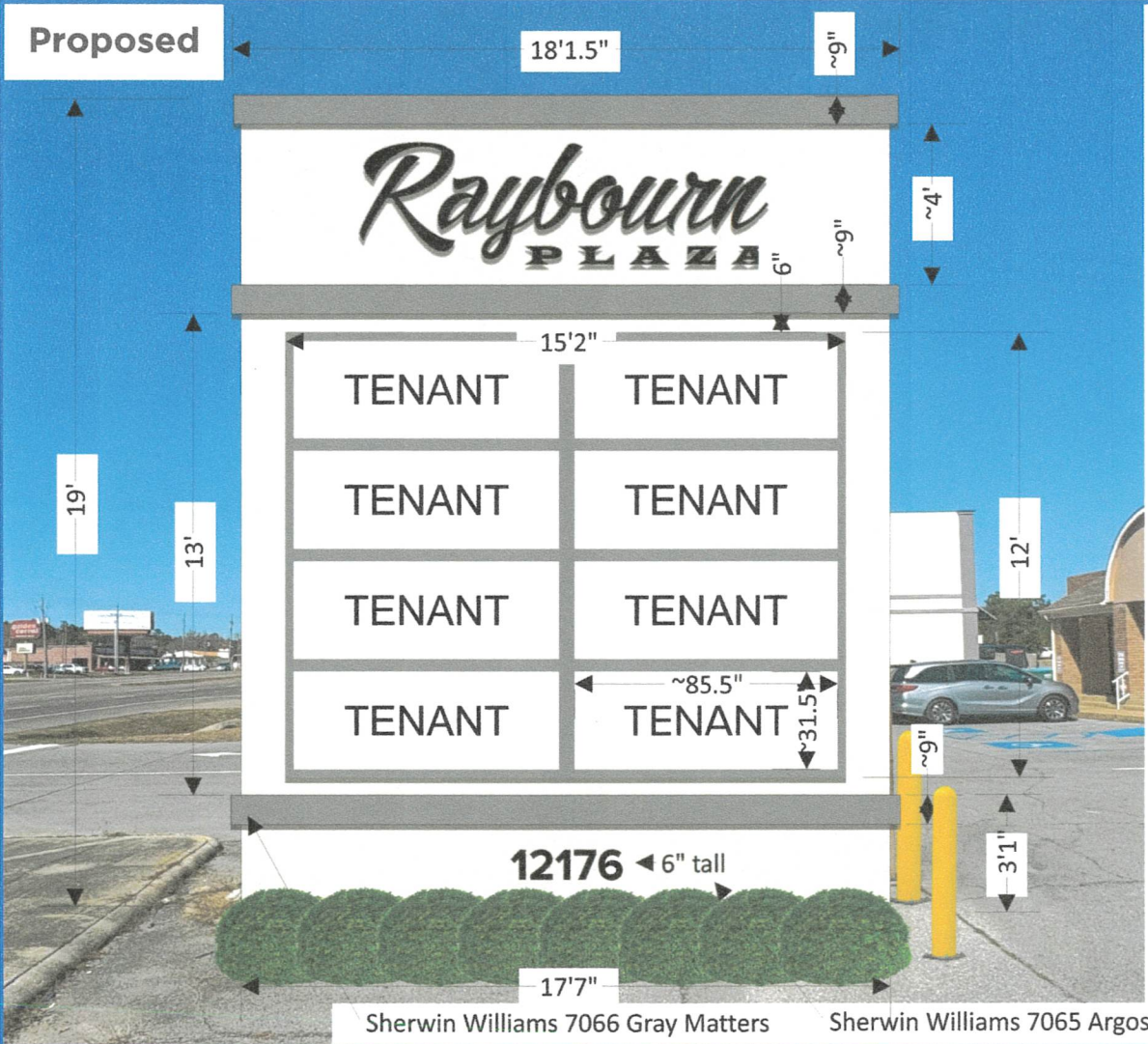
This design proof was created by and is the exclusive property of Sign Plus, Inc. It is not to be copied in part or in whole without the written consent of Sign Plus Inc. under penalty of law.

Notes

Not for fabrication until client gives approval.

© 2025

CLIENT	Raybourn Plaza 12178 Hwy 49 Gulfport, MS 39503	DATE VERSION PAGE STORE #	4-13-26 2 1 -	JOB MEDIA SUBSTRATE SIZE SQ FT	City Proof - 19' x 18'1.5" 342 sqft	VINYL COLOR FACE COLOR JEWELITE COLOR RETURN COLOR	- - - -	LED COLOR MOUNTING RACEWAY COLOR	- - -
--------	--	------------------------------------	------------------------	--	--	---	------------------	--	-------------



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15132 Dedeaux Rd, Gulfport, MS 39503
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Notes

Not for fabrication until client gives approval.

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CLIENT	Raybourn Plaza 12178 Hwy 49 Gulfport, MS 39503	DATE VERSION PAGE STORE #	3.2.26 v.1 1 -	JOB MEDIA SUBSTRATE SIZE SQ FT	Site Plan - - - - -	VINYL COLOR FACE COLOR JEWELITE COLOR RETURN COLOR	- - - -	LED COLOR MOUNTING RACEWAY COLOR	- - -
--------	--	------------------------------------	-------------------------	--	------------------------------------	---	------------------	--	-------------



Site Plan - Sign 1: Monument Sign

GRANTOR: Cindar Corporation
Rt 11, 12700 Raybourn Plaza
Gulfport, MS 39503
601-832-8233

ENTER

BOOK 1086 PAGE 523

GRANTEE: Robert W. Raybourn
Pamela J. Raybourn
Rt 11, 12700 Raybourn Plaza
Gulfport, MS 39503
601-832-8233

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

W A R R A N T Y D E E D

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned CINDAR CORPORATION, a Mississippi Corporation, does hereby sell, convey and warrant unto ROBERT W. RAYBOURN and wife, PAMELA J. RAYBOURN, as joint tenants with full rights of survivorship and not as tenants in common, 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:

A parcel of land located and being situated in Section 4, Township 7 South, Range 11 West, First Judicial District of Harrison County, Mississippi and being more particularly described as: Beginning at the SW corner of Lot 28, Northwood Business Plaza, Harrison County, Mississippi; thence run North 87 degrees 37 minutes 20 seconds East a distance of 198.0 feet to a point; thence run South 02 degrees 22 minutes 40 seconds East a distance of 169.10 feet to a point; thence run South 89 degrees 48 minutes West a distance of 184.53 feet to a point on the east margin of US Highway 49; thence run North 0 degrees 28 minutes 20 seconds West along the east margin of US Highway 49 a distance of 161.10 feet to the Point of Beginning.

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.

TAXES for the current year are prorated as of this date and

EXECUTED this the 3rd day of November, 1987.

CINDAR CORPORATION

BOOK 1086 PAGE 524

BY: Robert W. Raybourn
Robert W. Raybourn

STATE OF MISSISSIPPI

COUNTY OF HARRISON

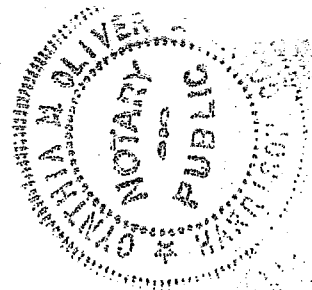
PERSONALLY came and appeared before me, the undersigned authority in and for the aforesaid jurisdiction, the within named Robert W. Raybourn, who as President of the above named corporation, acknowledged to and before me that he signed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned as the act and deed of the above named corporation after thereunto first being duly authorized so to do.

GIVEN under my hand and official seal of office, this the 3rd day of November, 1987.

Cynthia M. Oliver
Notary Public

My Commission Expires:

1/12/90



EXECUTED this the 3rd day of November, 1987.

CINDAR CORPORATION

BOOK 1086 PAGE 524

BY: Robert W. Raybourn
Robert W. Raybourn

STATE OF MISSISSIPPI

COUNTY OF HARRISON

PERSONALLY came and appeared before me, the undersigned authority in and for the aforesaid jurisdiction, the within named Robert W. Raybourn, who as President of the above named corporation, acknowledged to and before me that he signed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned as the act and deed of the above named corporation after thereunto first being duly authorized so to do.

GIVEN under my hand and official seal of office, this the 3rd day of November, 1987.

Cynthia M. Oliver

Notary Public

My Commission Expires:

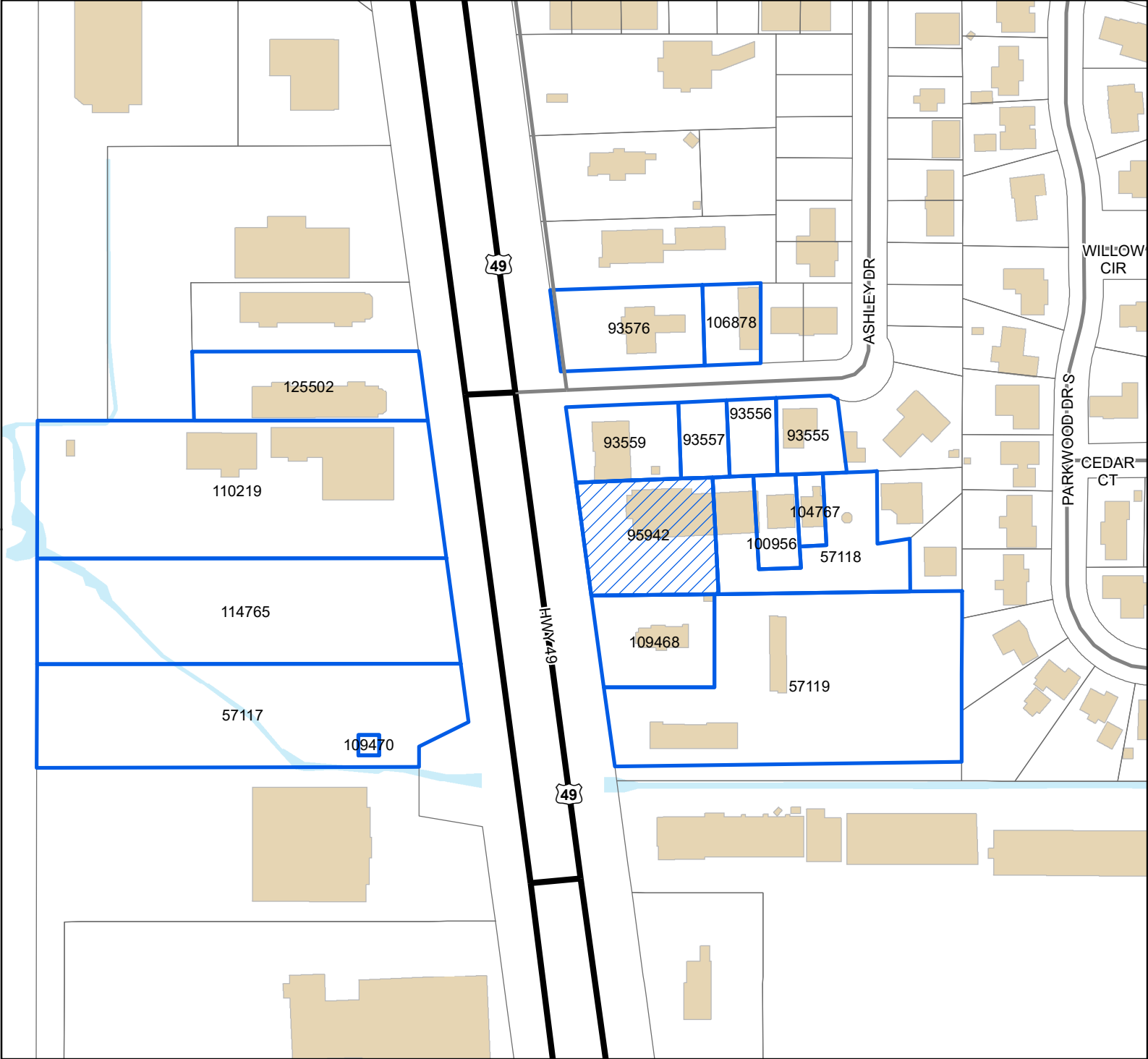
1/12/90



ms

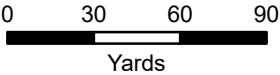
COURT

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0808E-02-030.049	ROBERT W RAYBOURN (OWNER)	15058 WHISPERWOOD DRIVE	GULFPORT	MS	39503
			JON STORONKSYJ (AGENT)	15132 DEDEAUX RD	GULFPORT	MS	39503
			Adjacent Property Owners (2607ZB088)				
	93576	0808E-02-030.048	SOUTHERN AGCREDIT FLCA	306 COMMERCE CENTER DR	RIDGELAND	MS	39157
	93557	0808E-02-030.029	LADNER KURT & CANDIS	17324 BELL CREEK RD	PASS CHRISTIAN	MS	39571
	93559	0808E-02-030.031	231 PROPERTIES LLC	P O BOX 18860	HATTIESBURG	MS	39404
	57119	0808E-02-031.000	GALAXY EXPRESS CARWASH LLC	1903 PASS ROAD STE A	BILOXI	MS	39531
	109468	0808E-02-031.002	METRO FOODS OF GULRPORT-HWY 49 LLC	C/O RODNEY SALVAGGIO	METAIRIE	LA	70005
	110219	0808E-04-004.002	DANIEL KENNEDY PROPERTIES LLC	3049 S SHERWOOD FOREST BLVD	BATON ROUGE	LA	70816
N	100956	0808E-02-030.052	RAYBOURN ROBERT W -ETAL-	15058 WHISPERWOOD DR	GULFPORT	MS	39503
	93556	0808E-02-030.028	NGUYEN KIM THI	1014 CASTINE POINTE BLVD	LONG BEACH	MS	39560
	104767	0808E-02-030.056	ALLISON KAREN PARKER REVOC TRUST	4832 KENDALL AVE	GULFPORT	MS	39507
	93555	0808E-02-030.027	RICHARDSON HOWARD W & MARY S	12230 ASHLEY DRIVE	GULFPORT	MS	39503
N	95942	0808E-02-030.049	RAYBOURN ROBERT W -ETAL-	15058 WHISPERWOOD DR	GULFPORT	MS	39503
	106878	0808E-02-030.057	BLACK BEAR & PUPPIES LLC	12206 HWY 49	GULFPORT	MS	39503
N	57118	0808E-02-030.000	RAYBOURN ROBERT W -ETAL-	15058 WHISPERWOOD DR	GULFPORT	MS	39503
	125502	0808E-04-003.001	E&B ENTERPRISES LLC	12207 HWY 49	GULFPORT	MS	39503
	109470	0808E-04-004.001	HARRISON CO WASTEWATER MGMT	14108 AIRPORT RD	GULFPORT	MS	39507
	114765	0808E-04-004.003	24 HOUR STORAGE ORANGE GROVE L	13334 SEAWAY RD STE 201	GULFPORT	MS	39503
	57117	0808E-04-004.000	24 HOUR STORAGE ORANGE GROVE LLC	13334 SEAWAY RD STE 2012	GULFLPORT	MS	39503



Legend

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



1 inch = 200 feet



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AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
49732	IPL0352563	Legal Ad - IPL0352563		1.0	75.0L

ATTENTION: GULFPORT CITY HALL IP
1410 24 TH AVENUE
GULFPORT, MS 39501
jversiga@gulfport-ms.gov;planners@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, July 16th, 2026 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2607ZB092, by agent Terry Moran, seeking approval for 50-foot wide lots where lot width is required to be 60 feet for a proposed subdivision, Tax Parcels 0908M-01-009.000, 0908M-01-014.000, De-deaux Road, Zoned B-1 (Neighborhood Business), Ward 6

Variance 2607ZB088, by agent Jon Storonsky, seeking approval for a 0-foot front setback where 10 feet is required for a new freestanding ground sign, Tax Parcel 0808E-02-030.049, 12178 Highway 49, Zoned B-4 (Highway Business), Ward 7

Variance 2607ZB089, by owner Brian McMullen, seeking approval for a 16-foot secondary frontage setback where 25 feet is required for an accessory structure, Tax Parcel 0808L-01-019.000, 11540 Carondelet St, Zoned R-1-10 (Single Family), Ward 7

Variance 2607ZB101, by agent Benjamin Bentz, seeking approval for 3 regular parking spaces where 17 spaces are required, Tax Parcel 0910M-01-027.000, 820 Pass Rd, Zoned B-2 (General Business), Ward 3

Variance 2608ZB104, by agent Mitch Byars, seeking approval for an 18-foot front yard setback and a 13-foot secondary frontage setback where 25 feet is required, Tax Parcel 1008J-02-001.000, 12070 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

Variance 2608ZB105, by agent Mitch Byars, seeking approval for a 5-foot side yard setback where 8 feet is required, Tax Parcel 1008G-02-130.000, 12095 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

This the 24th day of June 2026
Nathan Boddie, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0352563
Jul 1 2026

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:
07/01/26 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Julie Ambry



Julie Ambry

Mary Castro



Sworn to and subscribed before
me on

Jul 1, 2026, 10:44 AM EDT

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



URBAN DEVELOPMENT
PLANNING & ZONING
PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE
228.868.5710 | PLANNERS@GULFORT-MS.GOV

ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, July 16, 2026

Variance 2607ZB089: Variance 2607ZB089, by owner Brian McMullen, seeking approval for a 16-foot secondary frontage setback where 25 feet is required for an accessory structure, Tax Parcel 0808L-01-019.000, 11540 Carondelet St, Zoned R-1-10 (Single Family), Ward 7

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2607ZB089

Hearing Date: July 16, 2026

Current Zoning/Use: R-1-10 / Single-Family Residence

Legal: Variance 2607ZB089, by owner Brian McMullen, seeking approval for a 16-foot secondary frontage setback where 25 feet is required for an accessory structure, Tax Parcel 0808L-01-019.000, 11540 Carondelet St, Zoned R-1-10 (Single Family), Ward 7

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant is seeking approval for a 16-foot second frontage setback where 25 feet is required for an accessory structure. The property as it exists could reasonably accommodate the 25-foot second frontage requirement by moving the structure south 9 feet.

- (a) The applicant states that they poured the slab before they knew about the code. This is not a sufficient answer to this question, as this shows that the hardship was caused by the applicant.
- (b) The applicant states that the hardship was directly caused by their actions.
- (c) The applicant does not sufficiently address the question. While making an amendment to the ordinance that would potentially offer a reasonable solution to this hardship, it should be noted that this would not be site specific.
- (d) The applicant states in their application that if they were denied this petition, they would be unable to use their poured slab. Upon staff review, there are many existing structures in the surrounding area that do not meet the required second frontage setback. It should be noted however that these structures were either pre-existing non-conforming or done without permits. While the placement of this structure would be in line with the area, approval of this petition would establish precedence in the area.
- (e) The applicant claims in their application that granting the variance should not grant any special privileges that would be denied to others in the same district. As stated prior, , there are many existing structures in the surrounding area that do not meet the required second frontage setback. It should be noted however that these structures were either pre-existing non-conforming or done without permits. While the placement of this structure would be in line with the area, approval of this petition would establish precedence in the area.
- (f) The property is zoned R-1-10 and an accessory structure is allowed by right.

EXECUTIVE SUMMARY

Criteria for hardship have not been met. The applicant is seeking approval for a 16-foot second frontage setback where 25 feet is required for an accessory structure. The applicant admits that the hardship has been caused by their own actions. As the property exists, the applicant could reasonably meet the 25-foot second frontage setback requirement by moving the accessory structure south by 9 feet. Upon staff review, there are many existing structures in the surrounding area that do not meet the required second frontage setback. It should be noted however that these structures were either pre-existing non-conforming or done without permits. While the placement of this structure would be in line with the area, approval of this petition would establish precedence in the area.

Any approval should consider these conditions:

1. Approval allows for a 16-foot second frontage setback where 25 feet is required.
2. Must comply with all current Building Codes and City of Gulfport Ordinances.

DEPARTMENTAL CONDITIONS

Engineering:

No conditions Memo dated 7/2/26.

Technical Report

VARIANCE

Public Works: No comment as of 7/6/2026.

Traffic and Safety: No comment as of 7/6/2026.

Building Code Services: Must comply with all current Building Codes and City of Gulfport Ordinances.. Memo dated 6/24/26.

GIS: No comment as of 7/6/2026.

Police Department: No comment as of 7/6/2026.

Fire Department: No conditions. Memo dated 6/24/26.

City Arborist: No conditions. Memo dated 6/30/26.

Landscape Manager: No conditions. Memo dated 6/29/26.

DIRECTOR APPROVAL

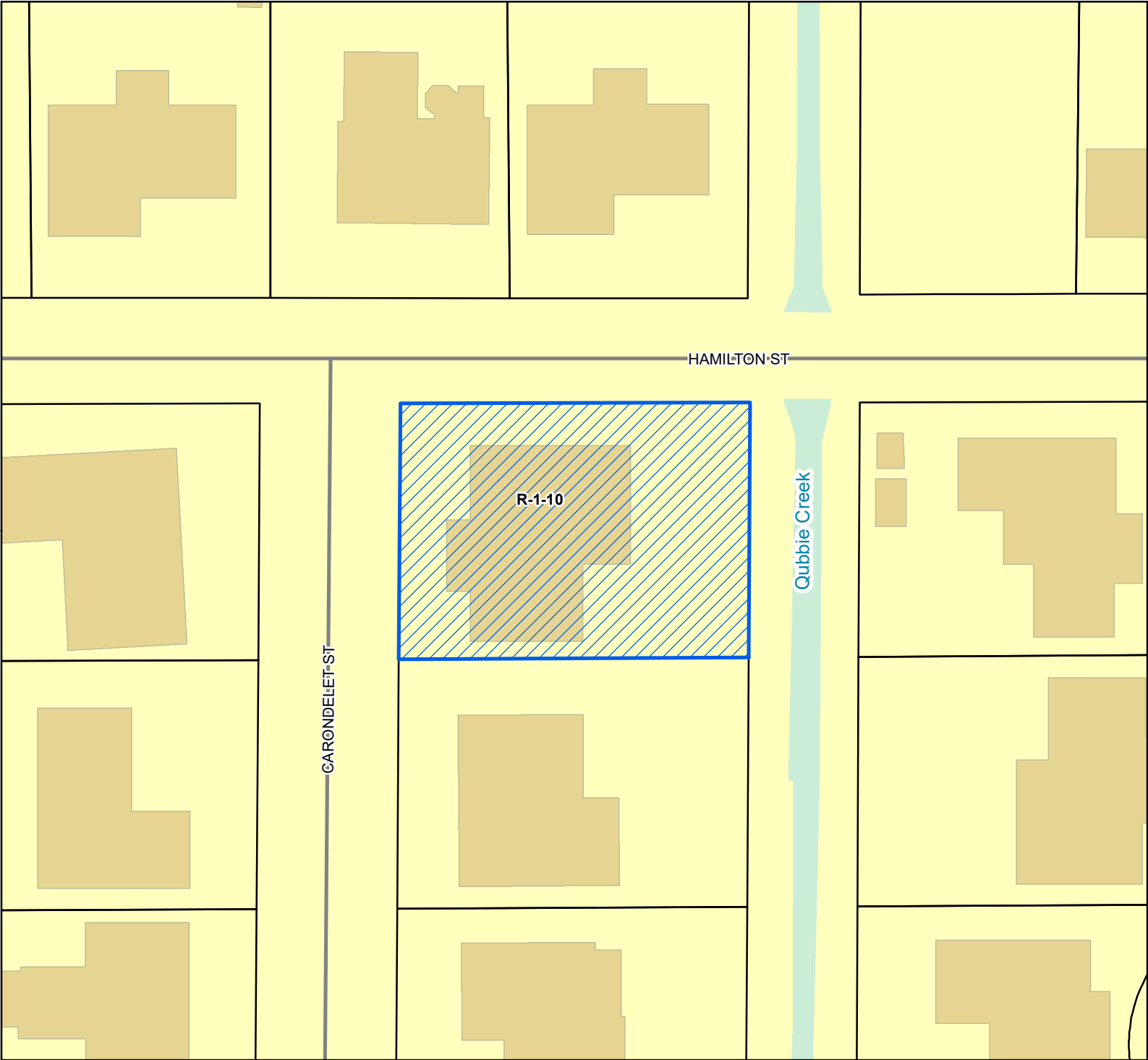
This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department

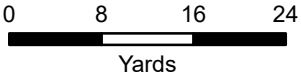
2607ZB089

Variance



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

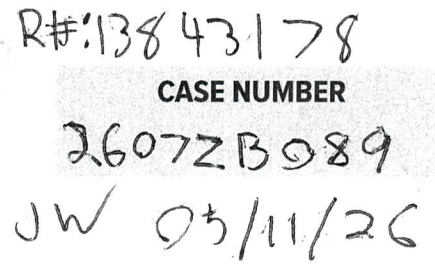
Site Information
0808L-01-019.000
Zoning: R-1-10 (Single Family)
Size: 11582.2 sqft
Flood: X



1 inch = 50 feet



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Covenant Affidavit

I, Bryan McMillen, being owner or agent of the property 08080 L-01-019² 600
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

[Signature]
Signature

5/11/26
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 11th day of May, 2026

[Signature]
Notary Public

Commission Expiration



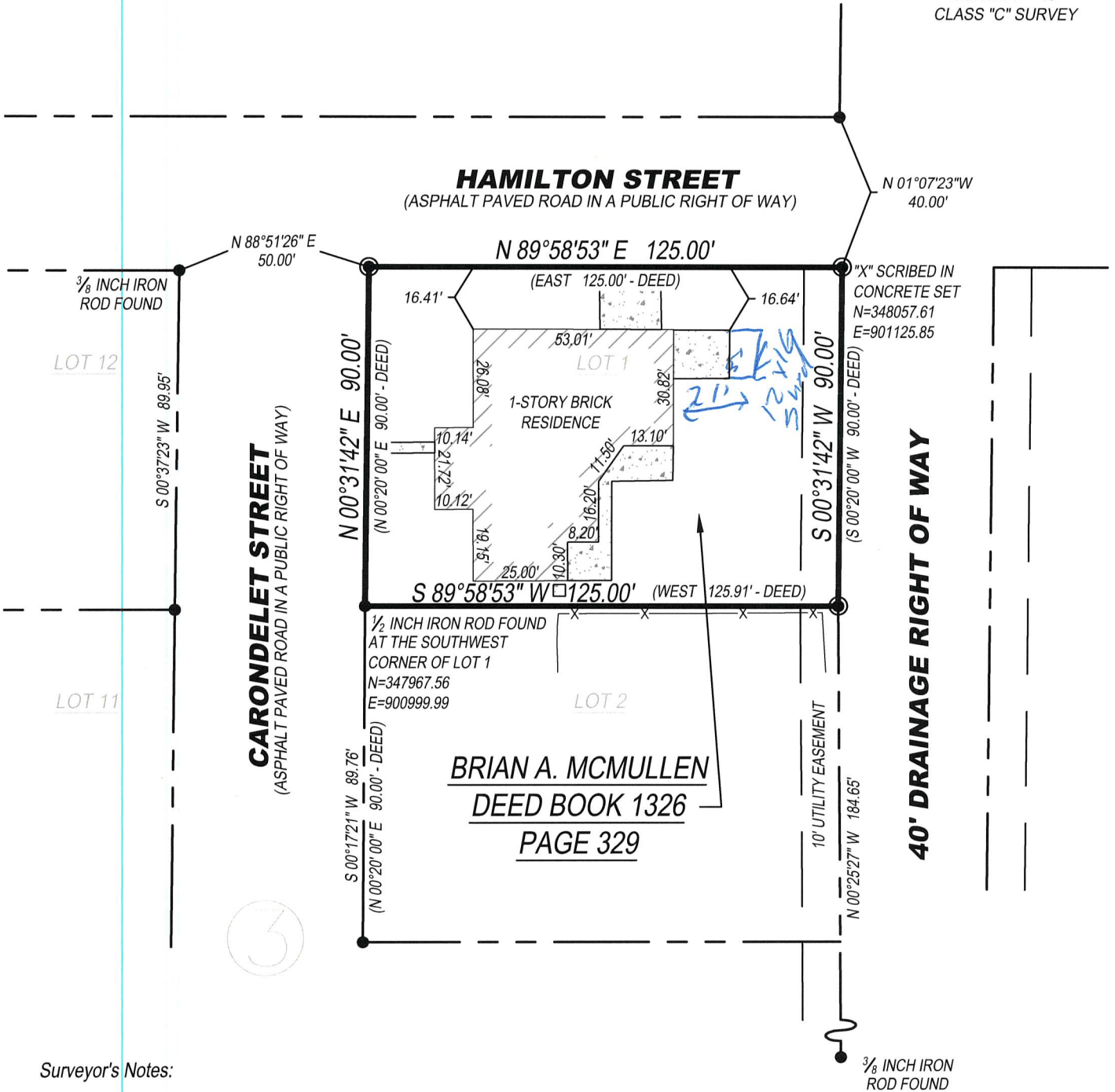
- ① - poured slab without knowledge of set back in code
- ② they are the result of my actions
- ③ Allowance will offer a reasonable solution.
- ④ without variance, can not make use of poured slab
- ⑤ This is solely to place a shed on the poured slab.
- ⑥ Solid structure is permissible by right.

BOUNDARY DESCRIPTION PER DEED BOOK 1326, PAGE 329:

Lot 1, Block 3, NORTHWOOD HILLS SUBDIVISION, PHASE IV, a subdivision according to the map or plat on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 29, Page 9 thereof.



GRID NORTH PER GPS
OBSERVATION
SCALE: 1" = 40'
CLASS "C" SURVEY



Surveyor's Notes:

- This survey has been performed without the benefit of a title report and may not show all rights-of-way, easements, and restrictions. Such features can be added if a current title report is performed and certified by an attorney, and is provided to the surveyor.
- Copies of this survey without an original signature and seal in blue ink are not valid. Any alteration of this survey, in whole or part, without prior written permission of Tice Engineering, Inc. is prohibited.
- No flood zone information is shown hereon.
- No wetland information is shown hereon.
- = 1/2 Inch Iron Rod Found unless otherwise noted.
- ⊙ = 1/2 inch Iron Rod Set with Cap unless otherwise noted.
- Parcel Indexing Instructions: Northwood Hills Subdivision Phase 4, Lot 1, Block 3, Harrison County, Mississippi
- All ownership information shown hereon are "now or formally".
- If shown, the aerial image in the background is for geographic reference only, and is provided by MARIS.
- This survey is referenced to the Mississippi State Plane East Zone (2301) with NAD (83) Datum.
Scale Factor at the Southwest Corner of Lot 1, Block 3: 0.999957940
Convergence Angle at the Southwest Corner of Lot 1, Block 3: -00° 09' 27.86"
All distances and coordinates shown hereon are in U.S. survey feet. (3.2808 per meter)



Matthew L. Jones, P.S.
Field Surveyed August 30, 2023

TEI**TICE**
ENGINEERING, INC.
ENGINEERS / SURVEYORS
Trusted Engineers. Experienced Surveyors. Innovative Results

510 S. VARDAMAN ST.
VIGGINS, MS 39577
PHONE: 601.928.4121
EMAIL: info@ticeeng.com

PROJECT NUMBER : 1731-23

0808E-03-035.000

0808E-03-036.000

HAMILTON ST

CARONDELET ST

0808L-01-029.000

11540 CARONDELET ST
0808L-01-019.000

0808L-01-028.000

0808L-01-019.001

11530 CARONDELET ST

1 inch = 28 feet

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Area Map

Parcels

Printed 5/11/2026



STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, we, **HAROLD L. BIKSEY** and wife, **FRANCES ANNETTE BIKSEY** as Grantors, do hereby sell, convey, and warrant unto **BRIAN A. MCMULLEN**, as Grantee, the following described property situated in Harrison County, Mississippi, to-wit:

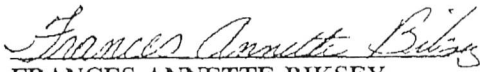
Lot 1, Block 3, NORTHWOOD HILLS SUBDIVISION, PHASE IV, a subdivision according to the map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 29, Page 9 thereof.

Ad Valorem taxes for the current year are prorated and assumed by the Grantee.

This conveyance is subject to all recorded protective covenants, easements, and prior oil, gas or mineral reservations.

Witness our signatures on this the 2nd day of February, 1996.


HAROLD L. BIKSEY


FRANCES ANNETTE BIKSEY

STATE OF MISSISSIPPI

COUNTY OF HARRISON

PERSONALLY came and appeared before me, the undersigned authority in and for the county and state aforesaid, the within named **HAROLD L. BIKSEY** and wife, **FRANCES ANNETTE BIKSEY**, who acknowledged that they signed and delivered the above and foregoing Warranty Deed on the day and year therein set out.

WITNESS my hand and official seal of office on this the 2nd day of February, 1996.



My Commission Expires:

10-26-98

K. Williams
NOTARY PUBLIC

GRANTORS:
HAROLD L. BIKSEY
FRANCES ANNETTE BIKSEY
15017 N. SWAN RD.
GULFPORT, MS 39503
Phone No. (601) 832-3334

GRANTEES:
BRIAN A. MCMULLEN
11540 CARONDELET ST.
GULFPORT, MS 39503

Phone No. (601) 868-5510

Prepared By and Return To:
AULTMAN, TYNER, MCNEESE, RUFFIN & LAIRD, LTD.
1201 25TH AVENUE 3RD FLOOR
POST OFFICE BOX 160
GULFPORT, MISSISSIPPI 39502
(601)863-2612

STATEMENT OF FEES

Recording Fee \$6.00
Abstracting/Section Fee at \$1.00 each 100
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 11 o'clock and 50 minutes P.M. on 17 day of Feb., A.D. 1996 and recorded FEB 8, 1996 in Records of Deeds Book 1326 Pages 329-330

By *Cindy Wadford* John McAdams, Chancery Clerk, D.C.

786

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0808L-01-019.000	BRIAN MCMULLEN (OWNER)	11540 CARONDELET ST	GULFPORT	MS	39503
			Adjacent Property Owners (2607ZB089)				
N	57128	0808E-03-019.000	SOUTHERN PINES 15 LLC	C/O DENIS LEMIRE	CHEYENNE	WY	82001
	52161	0808L-01-010.000	WIYGUL SHIRLEY B	11540 LAFITTE PL	GULFPORT	MS	39503
	48006	0808E-03-037.000	MITCHELL KEVIN A	12353 HERRING RD	GULFPORT	MS	39503
	52139	0808L-01-032.000	THORNBURGH JOSEPH B & PHYLLIS A	11524 BARRONE ST	GULFPORT	MS	39503
	52134	0808E-03-034.000	JENKINS BILLY R & MARGARET	15356 HAMILTON ST	GULFPORT	MS	39503
	52135	0808E-03-035.000	BROADNAX WILFORD III	15348 HAMILTON ST	GULFPORT	MS	39503
	52136	0808E-03-036.000	MENDEZ-MALAVE TAMARALIZ	15340 HAMILTON ST	GULFPORT	MS	39503
	52133	0808E-03-033.000	MARTIN RODERICK	15364 HAMILTON ST	GULFPORT	MS	39503
	52137	0808L-01-030.000	MANUEL MICHAEL G	11540 BARRONE ST	GULFPORT	MS	39503
	52138	0808L-01-031.000	JONES CARLOS S & LUCY M -TRUSTEES-	12525 HADDON AVE	SYLMAR	CA	91342
	52168	0808L-01-018.000	KING KODA R	11541 LAFITTE PL	GULFPORT	MS	39503
	52149	0808L-01-019.000	MCMULLEN BRIAN A	10540 CARONDELET PL	GULFPORT	MS	39503
	52160	0808L-01-029.000	LINDSAY SHIRLEY A	11541 CARONDELET PL	GULFPORT	MS	39503
	52167	0808L-01-017.000	GOREE JAMES OTIS & REMEDOIS KIRBY	11533 LAFETTE PLACE	GULFPORT	MS	39503
	52159	0808L-01-028.000	GARCIA WANDA I ACOSTA	11531 CARONDELET ST	GULFPORT	MS	39503
	52151	0808L-01-020.000	GLASSER MARK W & SANDRA D	11520 CARONDOLET ST	GULFPORT	MS	39503
	52166	0808L-01-016.000	RAY ANNA D	11523 LAFITTE PL	GULFPORT	MS	4E+08
	48007	0808E-03-038.000	COOPER META M	15318 HAMILTON ST	GULFPORT	MS	39503
	52150	0808L-01-019.001	DENSFORD JOHN P JR & DONNA D	11530 CARONDELET ST	GULFPORT	MS	39503
	52163	0808L-01-012.000	LEE EASTER B	11522 LAFITTE PL	GULFPORT	MS	39503
	52158	0808L-01-027.000	MCKENNA APRIL H	11523 CARONDELET ST	GULFPORT	MS	39503
	52162	0808L-01-011.000	SCHLEY RICHARD L & BETTY L	11532 LAFITTE PL	GULFPORT	MS	39503



Legend

- Site
- Street
- Buildings
- Water Features

0 25 50 75
Yards

1 inch = 150 feet

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AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
49732	IPL0352563	Legal Ad - IPL0352563		1.0	75.0L

ATTENTION: GULFPORT CITY HALL IP

1410 24 TH AVENUE

GULFPORT, MS 39501

jversiga@gulfport-ms.gov;planners@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, July 16th, 2026 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2607ZB092, by agent Terry Moran, seeking approval for 50-foot wide lots where lot width is required to be 60 feet for a proposed subdivision, Tax Parcels 0908M-01-009.000, 0908M-01-014.000, De-deaux Road, Zoned B-1 (Neighborhood Business), Ward 6

Variance 2607ZB088, by agent Jon Storonskyj, seeking approval for a 0-foot front setback where 10 feet is required for a new freestanding ground sign, Tax Parcel 0808E-02-030.049, 12178 Highway 49, Zoned B-4 (Highway Business), Ward 7

Variance 2607ZB089, by owner Brian McMullen, seeking approval for a 16-foot secondary frontage setback where 25 feet is required for an accessory structure, Tax Parcel 0808L-01-019.000, 11540 Carondelet St, Zoned R-1-10 (Single Family), Ward 7

Variance 2607ZB101, by agent Benjamin Bentz, seeking approval for 3 regular parking spaces where 17 spaces are required, Tax Parcel 0910M-01-027.000, 820 Pass Rd, Zoned B-2 (General Business), Ward 3

Variance 2608ZB104, by agent Mitch Byars, seeking approval for an 18-foot front yard setback and a 13-foot secondary frontage setback where 25 feet is required, Tax Parcel 1008J-02-001.000, 12070 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

Variance 2608ZB105, by agent Mitch Byars, seeking approval for a 5-foot side yard setback where 8 feet is required, Tax Parcel 1008G-02-130.000, 12095 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

This the 24th day of June 2026
Nathan Boddie, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0352563
Jul 1 2026

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:

07/01/26 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Julie Ambry



Julie Ambry

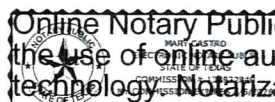
Mary Castro



Sworn to and subscribed before
me on

Jul 1, 2026, 10:44 AM EDT

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



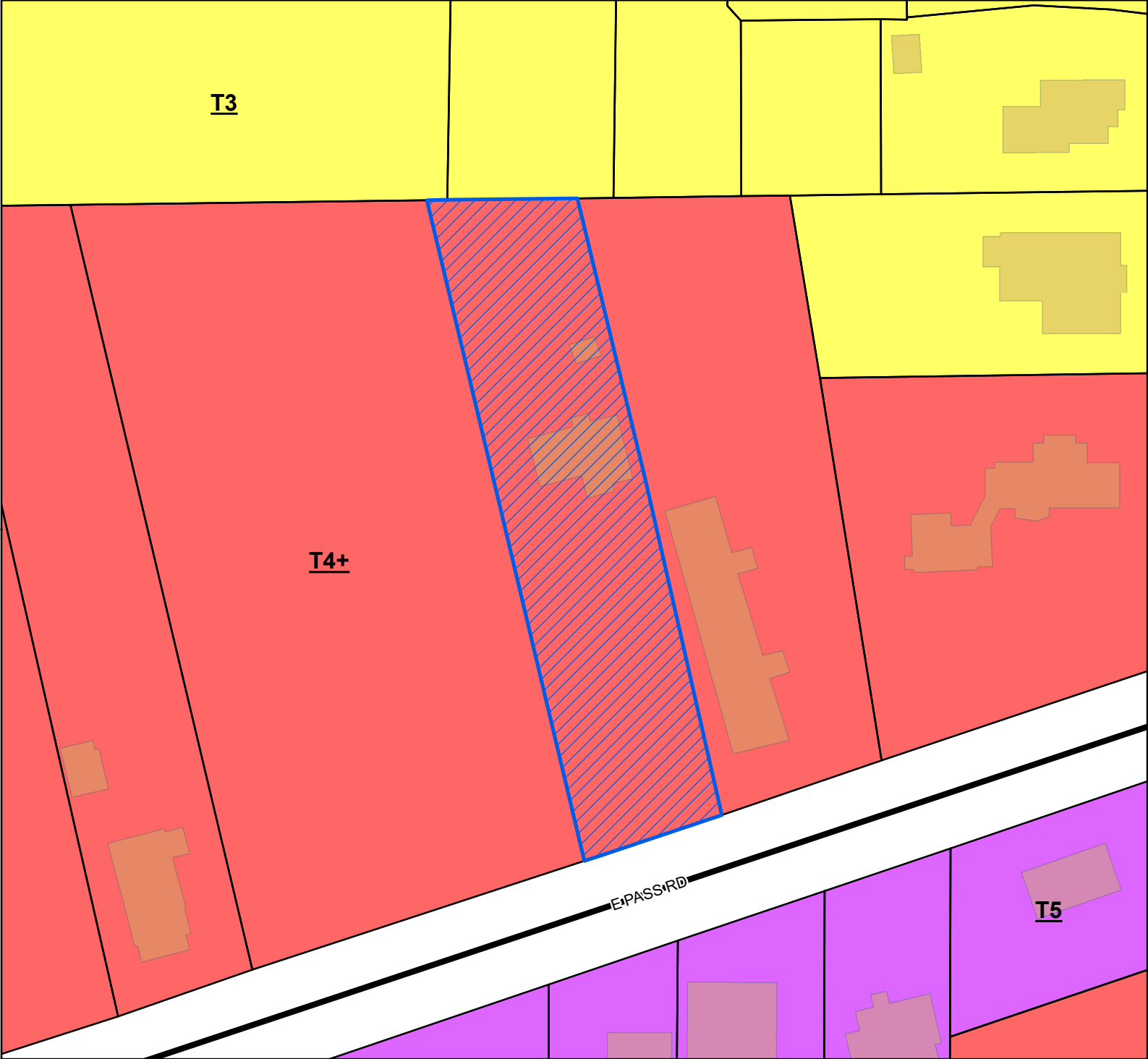


URBAN DEVELOPMENT
PLANNING & ZONING
PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE
228.868.5710 | PLANNERS@GULFPORT-MS.GOV

ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, July 16, 2026

Variance 2607ZB096: (Withdrawn by Planning Staff) Variance 2607ZB096, by owner J&D Property LLC, seeking approval for a 1400 square foot accessory structure where 1000 square feet in total is allowed, Tax Parcel 0910I-01-064.000, 730 E Pass Rd, Zoned T4+ (General Urban Zone "Plus"), Ward 4



Site

US or State Highway

Parcels

Buildings

City Limit

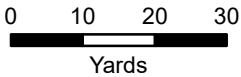
Smart Code

T5

T4+

T3

Site Information
0910I-01-064.000
Zoning: T4+ (General Urban Zone Plus)
Size: 31994.1 sqft
Flood: X



1 inch = 80 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.



Covenant Affidavit

I, Jashua Smith, being owner or agent of the property 09101-01-064.000
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

[Signature]
Signature

5/20/26
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 20th day of May, 2026

[Signature]
Notary Public

8-10-29
Commission Expiration



VARIANCE SUBMISSIONS



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

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

Our property is under 1 acre, and standard limits restrict it to 1,000 sf due to the lot size.

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

Our property size and existing building existed prior to purchase.

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

The property size does not comply with the requested 1,400 sf accessory building. Without the variance, this would limit the amount of space we need to help accommodate our daily business obligations.

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

After researching neighboring properties, it appears that there are multiple properties located within the area that are under 1 acre and appear to have additional structures over 1,000 sf. We have plenty of land that will support our request for the 1,400-sf accessory building. However, without the approval it will be difficult to make any reasonable use of the land we have available.

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

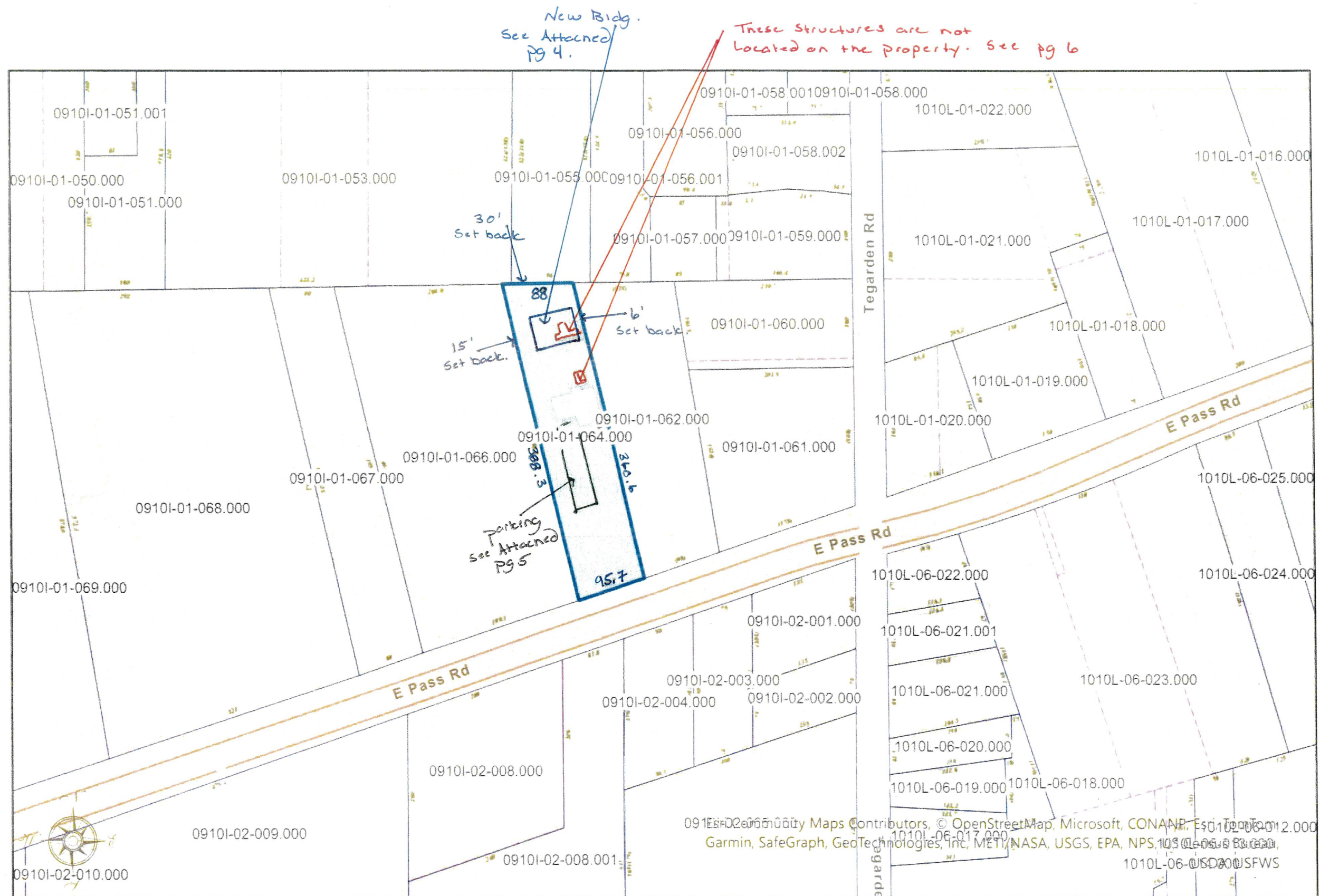
No. This lot is exceptionally small compared to the standard lots in the area. The strict ordinance makes it difficult to build a functional accessory building to accommodate out daily business obligations. This variance is requested only to grant this property an additional 400sf above the standard 1,000 sf ordinance.

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

The accessory building is permitted by right as the primary structure is already established.

Thanks,

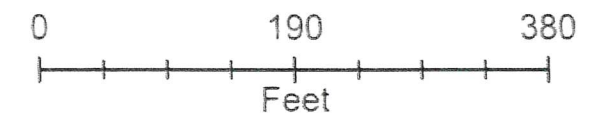
Joshua Smith



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. PAULA LADNER, TAX ASSESSOR

MAP DATE: May 19, 2026





Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
J&D Property LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1508969
Status:	Good Standing
Effective Date:	09/19/2025
State of Incorporation:	Mississippi
Principal Office Address:	16933 W Landon Green Dr Gulfport, MS 39503

Registered Agent

Name
Joshua Colan Smith 16933 W Landon Green Dr Gulfport, MS 39503

Officers & Directors

Name	Title
Joshua Colan Smith 16933 W Landon Green Dr Gulfport, MS 39503	Manager



Angela Smith 1st JUDICIAL DISTRICT
Instrument 2025-0024524-D-J1
Filed/Recorded 11/10/2025 3:44:01 PM
Total Fees 26.00
3 Pages Recorded

Prepared by & return to:
Schwartz, Orgler & Jordan, PLLC
12206 Highway 49
Gulfport, MS. 39503
228-832-8550
Our File: 251547

Indexing Instructions: Part of NE 1/4 of
NE 1/4; 36-7-11, 1st JD, Harrison County,
MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WARRANTY DEED

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

OCCX Real Estate LLC, a Florida limited liability company
1614 Beach Wood Drive
Gulf Breeze, FL 32563
704-719-0378

does hereby sell, convey and warrant unto

J&D Property LLC, a Mississippi limited liability company
16933 W. Landon Green Drive
Gulfport, MS 39503
228-298-6655
228-861-9173

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

Two (2) adjacent and contiguous, along common boundaries, parcels of land described herein
pursuant to a survey dated October 6, 2004 by Kenny Lenaz Alston, a copy being attached
hereto for reference, located in the Northeast One-fourth of the Northeast One-fourth (NE 1/4
of NE 1/4) of Section 36, Township 7 South, Range 11 West, City of Gulfport, First Judicial
District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

PARCEL I: A parcel of land situated and being located in the Northeast One-fourth of the
Northeast One-fourth (NE 1/4 of NE 1/4) of Section 36, Township 7 South, Range 11 West,
City of Gulfport, First Judicial District of Harrison County, Mississippi, being more
particularly described as follows, to-wit:

Commencing at the Northeast (NE) corner of Section 36, Township 7 South, Range 11 West,

and thence run South 00 degrees 08 minutes 44 seconds East along the centerline of Teagarden Road a distance of 742.31 feet, more or less, to a point; thence run South 71 degrees 04 minutes 00 seconds West along the present North margin of Pass Christian Road (sometimes called Pass Road) a distance of 283.20 feet, more or less, to an iron rod set at the Southwest (SW) corner of a tract of land formerly owned by the United States Government and formerly used as a U.S. Post Office for the POINT OF BEGINNING; thence from said Point of Beginning, run North 15 degrees 11 minutes 29 seconds West a distance of 193.88 feet to an iron pipe found; thence run South 71 degrees 41 minutes 16 seconds West a distance of 80.26 feet to an iron pipe found; thence run South 13 degrees 52 minutes 21 seconds East a distance of 195.10 feet to an iron rod found on the present North margin of Pass Christian Road; thence run North 71 degrees 04 minutes 00 seconds East along said present North margin a distance of 84.81 feet to the Point of Beginning.

PARCEL 2:

A parcel of land situated and being located in the Northeast One-fourth of the Northeast One-fourth (NE 1/4 of NE 1/4) of Section 36, Township 7 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit: Commencing at the Northeast (NE) corner of Section 36, Township 7 South, Range 11 West, and thence run South 00 degrees 08 minutes 44 seconds East along the centerline of Teagarden Road a distance of 742.31 feet, more or less, to a point; thence run South 71 degrees 04 minutes 00 seconds West along the present North margin of Pass Christian Road (sometimes called Pass Road) a distance of 368.01 feet, more or less, to an iron rod found and being the POINT OF BEGINNING; thence from said Point of Beginning, run North 13 degrees 52 minutes 21 seconds West a distance of 195.10 feet to an iron pipe found; thence run North 71 degrees 41 minutes 16 seconds East a distance of 80.26 feet to an iron pipe found; thence run North 15 degrees 07 minutes 53 seconds West a distance of 164.88 feet to an iron pipe found; thence run South 89 degrees 50 minutes 19 seconds West a distance of 88.08 feet to an iron rod found; thence run South 13 degrees 39 minutes 24 seconds East a distance of 388.04 feet to an iron rod found on the present North margin of the Pass Christian Road, being the Southeast (SE) corner of property formerly of Mrs. Fred G. Walker; thence run North 70 degrees 42 minutes 47 seconds East along the present North margin of Pass Christian Road a distance of 10.68 feet to the Point of Beginning.

The above described parcels are the same as the lands originally conveyed to Sherry Cathleen King by Warranty Deed dated May 12, 2003, filed for record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Deed Book 1628 at Pages 14-15 thereof; and by Warranty Deed dated October 25, 2004, filed of record as Instrument Number 2004-9131-D-JI thereof. It being the intent of the Grantors to convey all of and the same property as acquired.

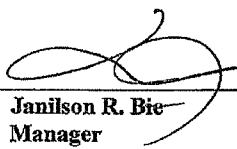
As an aid and reference only, the above described parcels were combined as a single tax parcel in 2006, and currently bear Tax Parcel No. 09101-01-064.000. The unimproved (Parcel 1) portion being designated "730 Pass Road, Gulfport, MS"; and the improved (Parcel 2) portion being designated "730 1-2 E. Pass Road, Gulfport, MS".

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

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

IN WITNESS WHEREOF, OCCX Real Estate LLC has caused this conveyance to be executed by its duly authorized officer, having first been duly authorized to do so, on this the 7th day of November, 2025.

OCCX Real Estate LLC

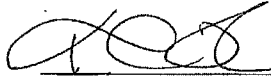

By: Janilson R. Bie
Its: Manager

STATE OF GEORGIA

COUNTY OF DeKalb

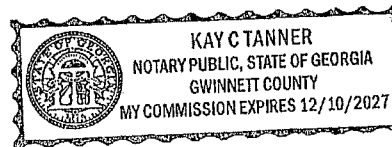
THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Janilson R. Bie, who acknowledge that he is the Manager of OCCX Real Estate LLC, and as its act and deed, signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned after having been first duly authorized to do so.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 7th day of November, 2025.

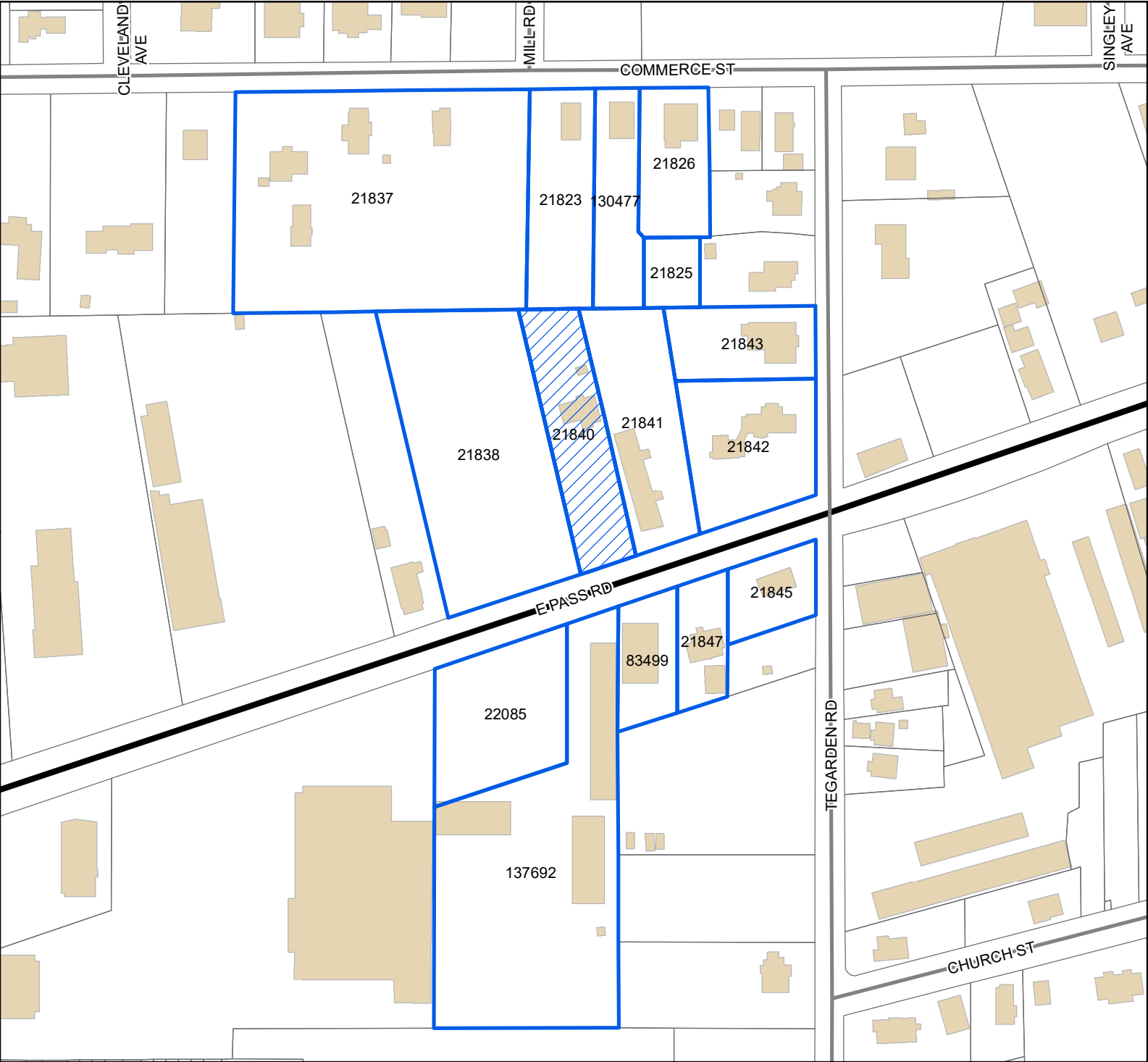

NOTARY PUBLIC

My Commission Expires:

12/10/2027

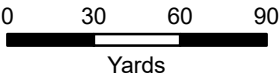


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0910I-01-064.000	JOSHUA SMITH (OWNER)	16933 W LANDON GREEN DR	GULFPORT	MS	39503
			Adjacent Property Owners (2607ZB096)				
	21845	0910I-02-001.000	W W GIEGER PROPERTY LLC	319 JAMAICA DR	OCEAN SPRINGS	MS	39564
	21837	0910I-01-053.000	FANT RICHARD W	P O BOX 7444	GULFPORT	MS	39506
	21840	0910I-01-064.000	OCCX REAL ESTATE LLC	1614 BEECHWOOD DR	GULF BREEZE	FL	32563
	21842	0910I-01-061.000	ARDE WARREN A & JENNIFER	PO BOX 8575	GULFPORT	MS	39506
N	83499	0910I-02-004.000	W W GIEGER PROPERTY LLC	319 JAMAICA DR	OCEAN SPRINGS	MS	39564
	21838	0910I-01-066.000	FULLHOUSE VENTURE CO LP	P O BOX 1139	GULFPORT	MS	39502
N	21847	0910I-02-003.000	W W GIEGER PROPERTY LLC	319 JAMAICA DR	OCEAN SPRINGS	MS	39564
	21843	0910I-01-060.000	LINDSEY JOSEPHINE WILLIAMS	23918 BRECKRIDGE FORREST DR	SPRING	TX	77373
	137692	0910I-02-008.001	JKA PROPERTIES LLC	1200 COLLEGE ST	GULFPORT	MS	39507
N	22085	0910I-02-008.000	JKA PROPERTIES LLC	1200 COLLEGE ST	GULFPORT	MS	39507
	21826	0910I-01-056.000	ADAMS LAWRENCE R	711 COMMERCE STREET	GULFPORT	MS	39507
	21823	0910I-01-055.000	HOWZE THOMAS J	701 COMMERCE STREET	GULFPORT	MS	39507
	21825	0910I-01-057.000	ADAMS LARRY	711 COMMERCE ST	GULFPORT	MS	39507
	130477	0910I-01-056.001	GALLOWAY JOHN W	111 BAYOU CIRCLE	GULFPORT	MS	39507
	21841	0910I-01-062.000	STAFFORD PROPERTIES LLC	8775 SUNDANCE LN	GULFPORT	MS	39503



Legend

- Site
- US or State Highway
- Street
- Buildings



1 inch = 200 feet



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URBAN DEVELOPMENT
PLANNING & ZONING
PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE
228.868.5710 | PLANNERS@GULFPORT-MS.GOV

ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, July 16, 2026

Variance 2607ZB101: Variance 2607ZB101, by agent Benjamin Bentz, seeking approval for 3 regular parking spaces where 17 spaces are required, Tax Parcel 0910M-01-027.000, 820 Pass Rd, Zoned B-2 (General Business), Ward 3

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2607ZB101

Hearing Date: July 16, 2026

Current Zoning/Use: B-2 / Commercial Structure

Legal: Variance 2607ZB101, by agent Benjamin Bentz, seeking approval for 3 regular parking spaces where 17 spaces are required, Tax Parcel 0910M-01-027.000, 820 Pass Rd, Zoned B-2 (General Business), Ward 3

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant is seeking approval for 3 parking spaces where 17 is required for a retail sales use.

- (a) The applicant states that the parking cannot be met unless the existing structure were to be altered. It should be noted that this property exists on Pass Road, and many properties lost usable space when the road was widened.
- (b) The applicant states that they did not cause this hardship. Staff notes that the structure has existed in this state for a long period of time, and that the current owner did not cause this hardship.
- (c) The applicant does not address this question. While making an amendment to the ordinance that would potentially offer a reasonable solution to this hardship, it should be noted that this would not be site specific.
- (d) The applicant states in their application that if they were denied this petition, they would be deprived of rights commonly enjoyed in this area. Upon staff review, there are many existing structures along Pass Road that have had issues with existing parking, either due to being built prior to current building codes or as a direct result of the widening of Pass Road. Approval of this petition would not establish precedence.
- (e) The applicant claims in their application that granting the variance should not grant any special privileges that would be denied to others in the same district. As stated prior, there are many existing structures along Pass Road that have had issues with existing parking, either due to being built prior to current building codes or as a direct result of the widening of Pass Road. Approval of this petition would not establish precedence.
- (f) The property is zoned B-2 and retail sales uses are allowed by right in this zoning.

EXECUTIVE SUMMARY

Criteria for hardship have been met. The applicant requests approval for 3 parking spaces where 17 is required. It should be noted that there are many existing structures along Pass Road that have had issues with existing parking, either due to being built prior to current building codes or as a direct result of the widening of Pass Road. Approval of this petition would not establish precedence.

Any approval should consider these conditions:

- 1. Approval allows for 3 regular parking spaces where 17 spaces are required.
- 2. Must comply with all current Planning and Zoning rules and regulations.
- 3. Cannot park on other properties.
- 4. The existing ADA van accessible parking space appears to be at least partially if not fully on the 5th Ave right-of-way. The ADA space and access aisle must be moved fully onto the applicant's property, and the dimensions of the space and required access aisle must be brought up to current ADA standards. This adjustment may necessitate a change in the number of spaces for which the applicant seeks a variance.

Technical Report

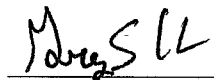
VARIANCE

DEPARTMENTAL CONDITIONS

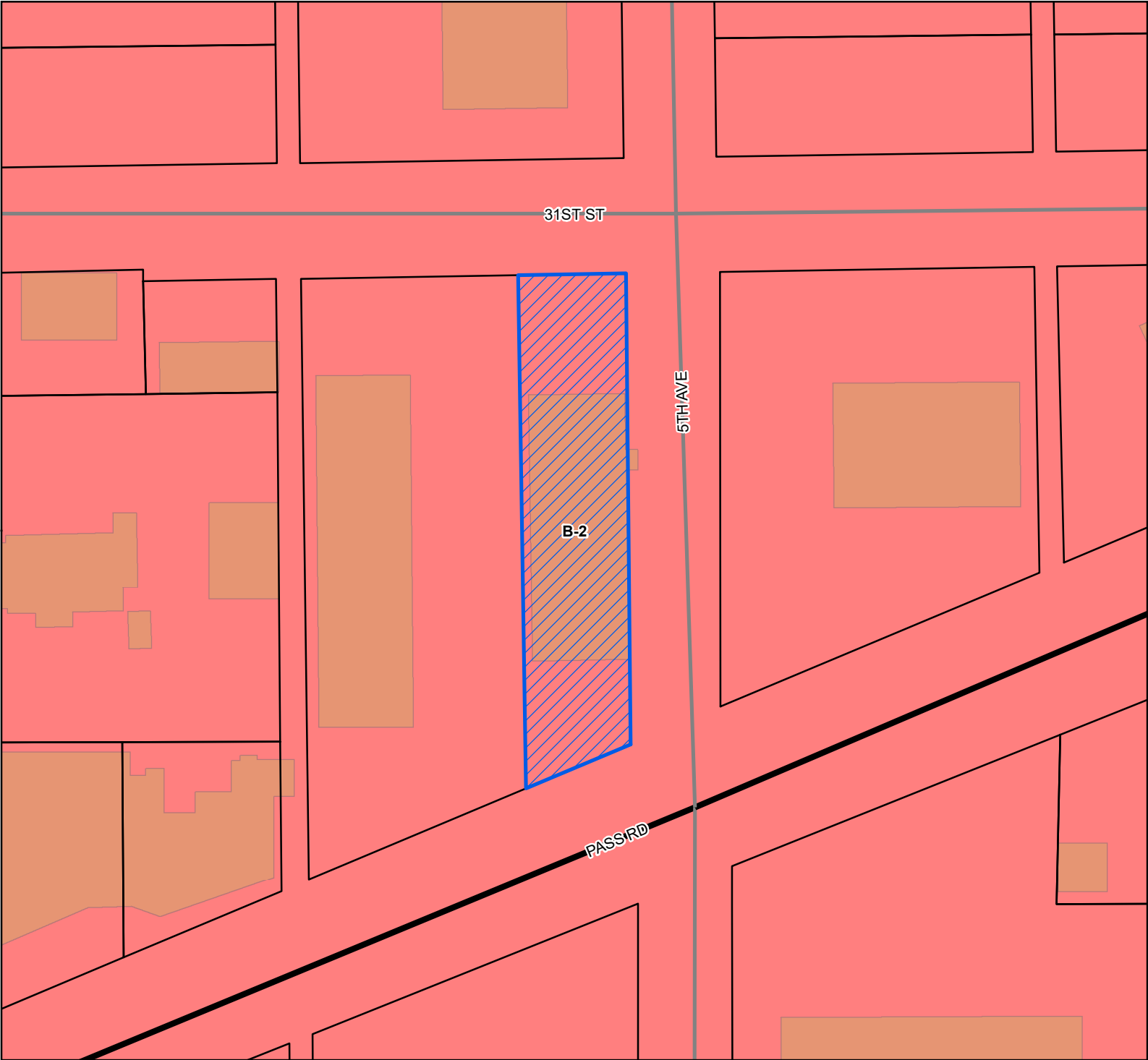
<u>Engineering:</u>	The existing ADA van accessible parking space appears to be at least partially if not fully on the 5th Ave right-of-way. The ADA space and access aisle must be moved fully onto the applicant's property, and the dimensions of the space and required access aisle must be brought up to current ADA standards. This adjustment may necessitate a change in the number of spaces for which the applicant seeks a variance. Memo dated 7/2/26.
<u>Public Works:</u>	No comment as of 7/6/2026.
<u>Traffic and Safety:</u>	No comment as of 7/6/2026.
<u>Building Code Services:</u>	Cannot park on other properties. Memo dated 6/24/26.
<u>GIS:</u>	No comment as of 7/6/2026.
<u>Police Department:</u>	No comment as of 7/6/2026.
<u>Fire Department:</u>	No conditions. Memo dated 6/24/26.
<u>City Arborist:</u>	No conditions. Memo dated 6/30/26.
<u>Landscape Manager:</u>	No conditions. Memo dated 6/29/26.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



Site

US or State Highway

Street

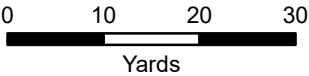
Parcels

Buildings

Zoning

B-2 - General Business District

Site Information
0910M-01-027.000
Zoning: B-2 (General Business)
Size: 9807.84 sqft
Flood: X



1 inch = 60 feet



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Designation of Agent

I, Robert Wolfe, being property owner of 820 Pass Road which is the subject of this application hereby authorize Benjamin Bentz to act as my representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

Signature

5/18/2026

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 18 day of May, 20 26

Notary Public

May 9, 2028

Commission Expires





Covenant Affidavit

I, Robert Wolfe being owner or agent of the property 820 Pass Road

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

Signature

5/18/2021

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 18 day of May, 2026

Notary Public

May 9, 2028

Commission Expiration



Variance Application Statement of Intent

Date: May 26, 2026

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Benjamin Bentz / Gulf Coast Liquidations

Property Address: 820 Pass Rd, Gulfport, MS 39501

Structure Details: 6,200 Gross Sq. Ft. Commercial Building (Originally Constructed: 1974)

Parcel Dimensions: 50' Wide × 220' Long

Structure Dimensions: Interior - 37' Wide × 141' Long (5,217 Sq. Ft.)

Zoning District: B-2 General Business

RE: Formal Application for a Dimensional Variance from Appendix A Zoning Regulations – Off-Street Retail Parking Requirements

1. Statement of Intent & Requested Relief

I am formally submitting this application to request a dimensional variance from the strict off-street parking minimums mandated for retail uses under Appendix A of the City of Gulfport Code of Ordinances. The literal application of the code requires 17 off-street parking spaces for a commercial retail establishment of this scale. Due to severe, unalterable physical and structural constraints inherent to this specific parcel, the applicant respectfully requests a variance to reduce the required off-street parking allocation to 5.

2. Demonstration of Hardship and Non-Compliance

Special conditions and circumstances exist which are peculiar to the land, structure, and building involved under Appendix A. These unique physical limitations do not apply generally to other properties within the same district:

- **The Side Yard Structural Constraint:** The permanent commercial building measures 37 feet wide on a narrow 50-foot wide parcel. This configuration leaves a combined total of only 13 feet of open side yard clearance across the entire length of the property (an average setback of 6.5 feet on either side). Because standard, safe commercial drive aisles require a minimum width of 20 to 24 feet for two-way vehicular transit, it is physically impossible to route a vehicle past the building to access the rear of the lot for parking.
- **The Frontage Bottleneck:** The building's width consumes 74% of the entire lot frontage. This footprint systematically prevents the layout of standard 9' × 18' off-street parking spaces along the front or sides of the property without illegally encroaching into the public pedestrian right-of-way or entirely blocking mandatory ADA-accessible pathways.

3. Demonstration of Non-Applicant Action (No Self-Created Hardship)

The special conditions, structural bottlenecks, and dimensional constraints defining this property do not result from any past or present actions of the applicant:

- **Inherited Footprint:** The rigid, elongated building footprint (37' × 141') and the tight lot boundaries (50' × 220') are historical, fixed realities of the site. The applicant purchased/leased the property with these exact structural parameters already established. No structural expansions or lot splits have been executed by the applicant to reduce the available surface area.
- **Pre-Codification Construction:** The permanent 6,200 sq. ft. commercial building structure situated at 820 Pass Rd was constructed in 1974, five years prior to the June 29, 1979 adoption of Gulfport's Comprehensive Zoning Ordinance (Ordinance No. 1501). The structural conflict between the building's deep footprint and the narrow 50-foot lot lines has existed passively for over half a century. It is an unalterable, historical characteristic of the site that was entirely in place before modern off-street parking metrics were codified by the municipality.
- **Compliance with Fixed Boundaries:** The applicant has not constructed fences, barriers, or accessory structures that block vehicular access. The inability to fit a standard drive aisle is entirely due to the original placement of the building's foundation walls.

4. Uniqueness to the District

This structural limitation is an isolated issue that is not commonly found on other commercial properties in the same zoning district:

- **Abnormal Lot-to-Building Ratio:** Most parcels in this district holding a building size of 6,200 square feet occupy a much larger land mass. This specific property suffers from an uncommonly tight, historical lot-to-building ratio that forces a large retail footprint onto a restrictive, narrow lot layout.
- **Modern Development Adjustments:** Newer commercial developments in this district were built *after* the 1979 zoning code on wider, consolidated modern tracts explicitly planned to balance parking fields with floor areas. This property remains uniquely penalized by its historical geometry.

5. Preservation of Reasonable Economic Return and Development Rights

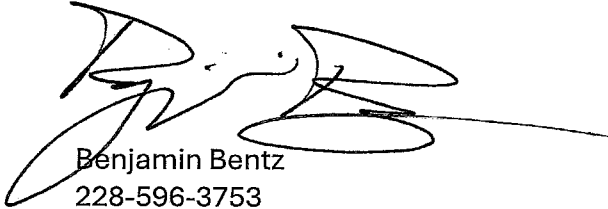
Granting the requested variance is essential to preserve the basic right of reasonable economic return and the right to reasonable development of the property, as generally expected within this district:

- **Restoration of Competitive Parity:** Neighboring retail properties in this district enjoy full operational use of their structural square footage. Forcing this specific property to comply with modern off-street parking rules would require demolishing a massive portion of the historical building simply to clear land for parking stalls. This would permanently cripple the property's earning potential and strip the owner of basic development rights shared by adjacent businesses.
- **No Special Privilege Conferred:** Granting this variance does not grant an unfair business advantage over neighbors. Instead, it merely restores the property to a level playing field, allowing the owner to reasonably develop and lease the pre-existing structure similarly to every other established merchant in the district.

6. Permissible by Right

The proposed retail use itself is permissible within this commercial zoning district. No planning approval or special exception is required to operate the business category. Therefore, this request is strictly limited to a dimensional variance regarding the physical configuration of parking stalls.

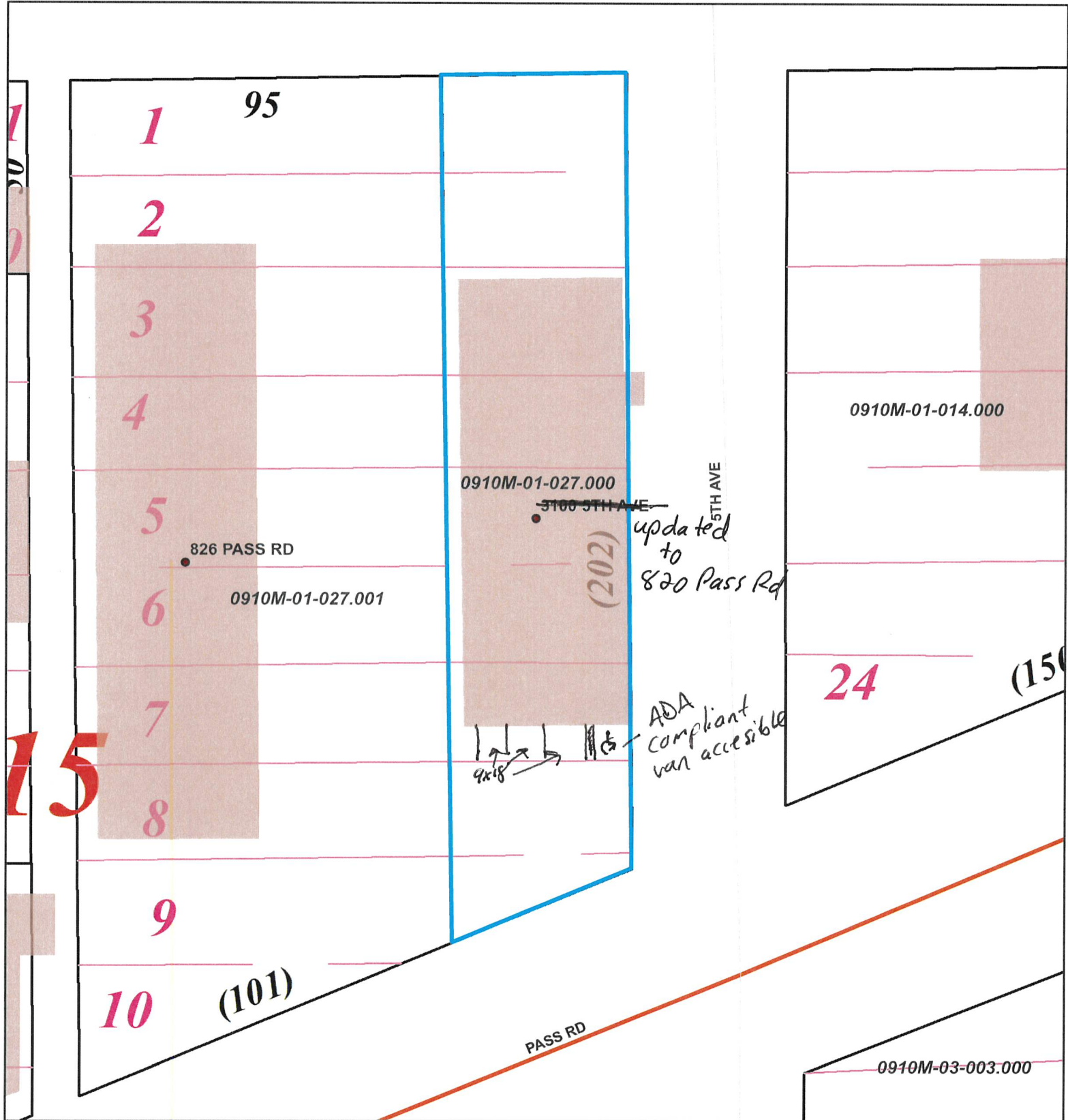
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. Bentz', with a long horizontal flourish extending to the right.

Benjamin Bentz

228-596-3753

gulfcoastliquidations@gmail.com



1 inch = 33 feet



DATA DISCLAIMER:

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Area Map

 Parcels

Printed 5/8/2026



State of
Louisiana
Secretary of
State



COMMERCIAL DIVISION
225.925.4704

Fax Numbers
225.932.5317 (Admin. Services)
225.932.5314 (Corporations)
225.932.5318 (UCC)

Name	Type	City	Status
REDSTONE PROPERTIES LLC	Limited Liability Company	GRETNA	Active

Previous Names

Business: REDSTONE PROPERTIES LLC
Charter Number: 35240140K
Registration Date: 3/26/2002
Domicile Address

143 LAPALCO BLVD
GRETNA, LA 70056

Mailing Address

143 LAPALCO BLVD
GRETNA, LA 70056

Status

Status: Active
Annual Report Status: In Good Standing
File Date: 3/26/2002
Last Report Filed: 5/5/2026
Type: Limited Liability Company

Registered Agent(s)

Agent:	ROBERT WOLFE
Address 1:	732 CHURCHPOINTE DR.
City, State, Zip:	BELLE CHASSE, LA 70037
Appointment Date:	3/26/2002

Officer(s)

Additional Officers: No

Officer:	ROBERT WOLFE
Title:	Member
Address 1:	732 CHURCHPOINTE DR.
City, State, Zip:	BELLE CHASSE, LA 70037

Amendments on File

No Amendments on file

Print

SCANNED



J.H.H. 1st JUDICIAL DISTRICT
Instrument 2023-0015018-D-J1
Filed/Recorded 08/01/2023 9:50:01 AM
Total Fees 26.00
2 Pages Recorded

Prepared by:
Gene J. Hoffman IV
Attorney at Law
311 East Second St.
Pass Christian, MS 39571
(228) 452-9408
Mississippi Bar Number: 104994

Return to:
Gene J. Hoffman IV
Attorney at Law
311 East Second St.
Pass Christian, MS 39571
(228) 452-9408

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

For and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, **CHAD McKEY and BRAD BALL**, of 238 Freeman Lane, Lucedale, MS 39452, (228) 284-8961, do hereby sell, convey and warrant unto **REDSTONE PROPERTIES LLC**, a Louisiana limited liability company, of 143 Lapalco Blvd., Gretna, LA 70056, (504) 393-2445, the following described real property situated in the City of Gulfport, Harrison County, First Judicial District, State of Mississippi, described as:

The East 45 feet of Lots 1 to 10, inclusive, Block 15 of MYRTLE RE-SURVEY to the City of Gulfport, in accordance with the official map or plat of said subdivision on file and of record in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi; together with all improvements thereon and all appurtenances in any wise appertaining thereto,

INDEX AS FOLLOWS: E 45' of Lots 1 to 10, inclusive, Blk 15, MYRTLE RE-SURVEY, City of Gulfport, Harrison Co., MS

The above described property is conveyed subject to restrictions, reservations and easements of record.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is

incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent year taxes are specifically assumed by the Grantee.

The above described property forms no part of the homestead of the Grantors herein.

Witness the signatures of the Grantors this 31st day of July, 2023.


CHAD McKEY

BRAD BALL

STATE OF MISSISSIPPI

COUNTY OF HARRISON

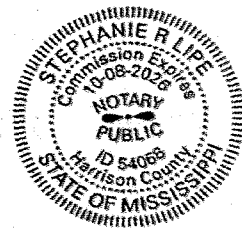
Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named **CHAD McKEY** and **BRAD BALL**, who acknowledged that they executed the above and foregoing instrument on the day and in the year therein written.

Given under my hand and official seal of office this 31st day of July, 2023.

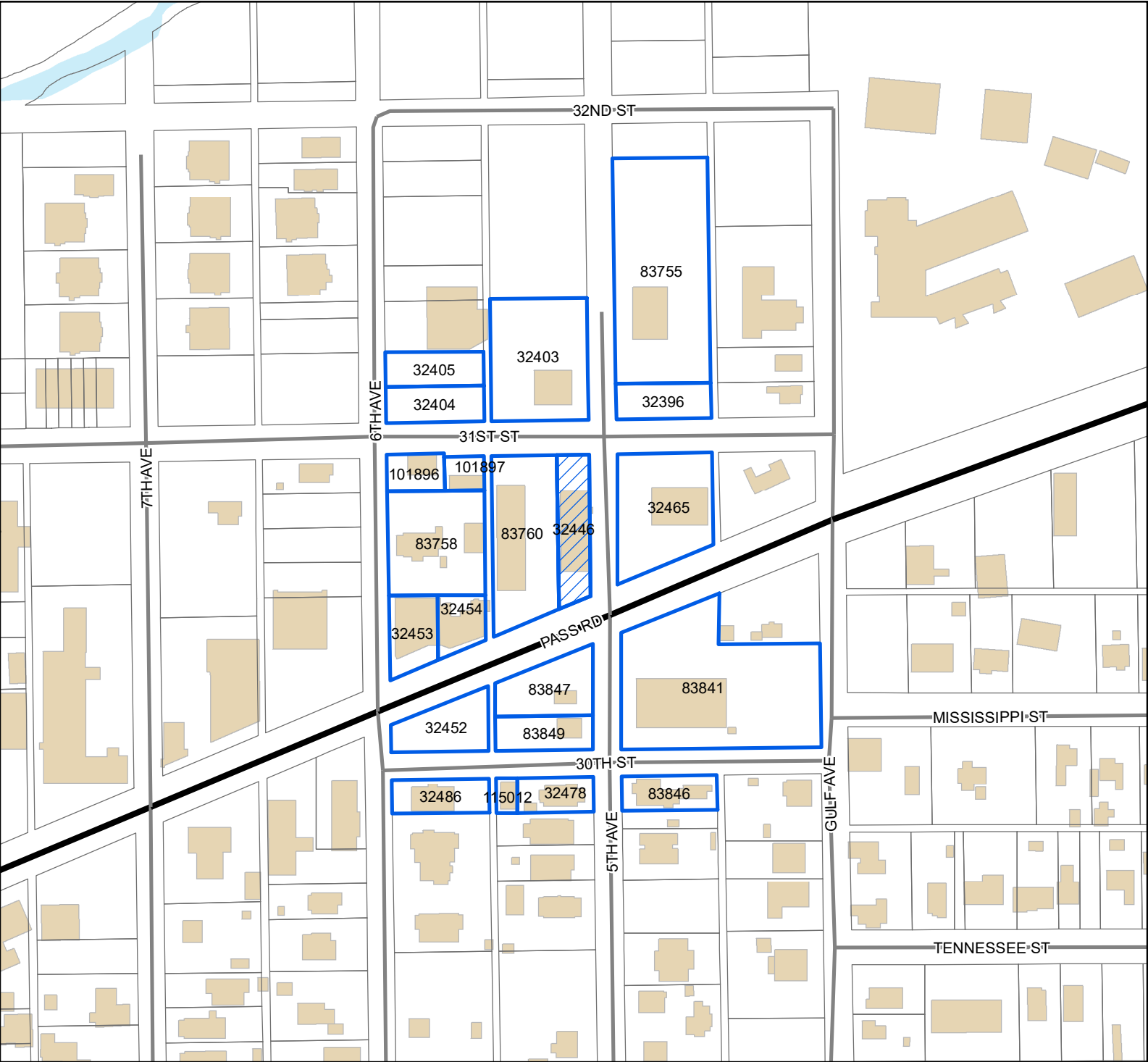

NOTARY PUBLIC

My Commission Expires: 10/08/2026

AFFIX SEAL

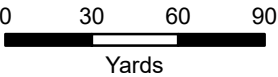


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0910M-01-027.000	REDSTONE PROPERTIES LLC (OWNER)	143 LAPALCO BLVD	GRETNA	LA	70056
			BENJAMIN BENTZ	11116 KARLI LANE	BILOXI	MS	39532
			Adjacent Property Owners (2607ZB101)				
	83758	0910M-01-030.000	EDEN CENTER LLC	3412 DIJON AVE	OCEAN SPRINGS	MS	39564
	32405	0910M-01-034.000	ESPLANADE LAND & TITLE CO LLC	1914 24TH AVE	GULFPORT	MS	39501
	32465	0910M-01-014.000	SLADE JEANNYE Z & LARRY	810 PASS RD	GULFPORT	MS	39501
	32478	0910M-03-026.000	2 STORIE PROPERTIES LLC	2526 SILENT SHORE CT	RICHMOND	TX	77406
	32396	0910M-01-015.000	D R WALKER INC	3108 5TH AVE	GULFPORT	MS	39501
	115012	0910M-03-026.002	LEWIS JEAN WATFORD	833 30TH ST	GULFPORT	MS	39501
N	83755	0910M-01-016.000	D R WALKER INC	3108 5TH AVE	GULFPORT	MS	39501
	32454	0910M-01-028.000	K&M INVESTMENT GROUP LLC	3412 DIJON AVE	OCEAN SPRINGS	MS	39564
	101896	0910M-01-031.001	LMN GULF PROPERTIES LLC	9366 STONE RD	GULFPORT	MS	39503
	101897	0910M-01-032.001	ALFONSO DONALD J & SHERRY D	429 2ND STREET	GULFPORT	MS	4E+08
	83847	0910M-03-024.000	SMITH RAYMOND TRENT & THERESA	12392 SALISBURY RD	GULFPORT	MS	39503
N	83849	0910M-03-025.000	SMITH RAYMOND TRENT & THERESA	12392 SALISBURY RD	GULFPORT	MS	39503
N	32404	0910M-01-033.000	ESPLANADE LAND & TITLE CO LLC	1914 24TH AVE	GULFPORT	MS	39501
	32453	0910M-01-029.000	MIDDLETON DUKE	3410 A AVE	GULFPORT	MS	39507
	32486	0910M-03-042.000	SWETMAN PROPERTIES LLC	1987 BAYSIDE DR	BILOXI	MS	39532
	32452	0910M-03-043.000	11T MS LLC	13575 LYNAM DR	OMAHA	NE	68138
	83846	0910M-03-023.000	ALDERMAN CHARLES L -ESTATE-	2932 5TH AVE	GULFPORT	MS	39501
	32403	0910M-01-026.000	LINDSAY ARTHUR R & EDNA L	3103 5TH AVE	GULFPORT	MS	39501
	32446	0910M-01-027.000	REDSTONE PROPERTIES LLC	143 LAPALCO BLVD	GRETNA	LA	70056
	83760	0910M-01-027.001	MAGEE DONALD R & JULIE P	24 LOVEGRASS WAY			32459
	83841	0910M-03-003.000	STICE-HILL HOLDING LC	7650 OLD HAMMOND HWY	BATON ROUGE	LA	70809



Legend

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



1 inch = 200 feet



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AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
49732	IPL0352563	Legal Ad - IPL0352563		1.0	75.0L

ATTENTION: GULFPORT CITY HALL IP

1410 24 TH AVENUE

GULFPORT, MS 39501

jversiga@gulfport-ms.gov;planners@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 PM., Thursday, July 16th, 2026 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2607ZB092, by agent Terry Moran, seeking approval for 50-foot wide lots where lot width is required to be 60 feet for a proposed subdivision, Tax Parcels 0908M-01-009.000, 0908M-01-014.000, De-deaux Road, Zoned B-1 (Neighborhood Business), Ward 6

Variance 2607ZB088, by agent Jon Storonkyj, seeking approval for a 0-foot front setback where 10 feet is required for a new freestanding ground sign, Tax Parcel 0808E-02-030.049, 12178 Highway 49, Zoned B-4 (Highway Business), Ward 7

Variance 2607ZB089, by owner Brian McMullen, seeking approval for a 16-foot secondary frontage setback where 25 feet is required for an accessory structure, Tax Parcel 0808L-01-019.000, 11540 Carondelet St, Zoned R-1-10 (Single Family), Ward 7

Variance 2607ZB101, by agent Benjamin Bentz, seeking approval for 3 regular parking spaces where 17 spaces are required, Tax Parcel 0910M-01-027.000, 820 Pass Rd, Zoned B-2 (General Business), Ward 3

Variance 2608ZB104, by agent Mitch Byars, seeking approval for an 18-foot front yard setback and a 13-foot secondary frontage setback where 25 feet is required, Tax Parcel 1008J-02-001.000, 12070 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

Variance 2608ZB105, by agent Mitch Byars, seeking approval for a 5-foot side yard setback where 8 feet is required, Tax Parcel 1008G-02-130.000, 12095 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

This the 24th day of June 2026
Nathan Boddie, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0352563
Jul 1 2026

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:

07/01/26 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Julie Ambry



Julie Ambry

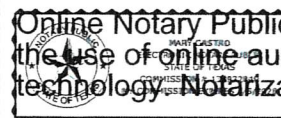
Mary Castro



Sworn to and subscribed before
me on

Jul 1, 2026, 10:44 AM EDT

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





URBAN DEVELOPMENT
PLANNING & ZONING
PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE
228.868.5710 | PLANNERS@GULFPORT-MS.GOV

ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, July 16, 2026

Variance 2608ZB104: Variance 2608ZB104, by agent Mitch Byars, seeking approval for an 18-foot front yard setback and a 13-foot secondary frontage setback where 25 feet is required, Tax Parcel 1008J-02-001.000, 12070 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2608ZB104

Hearing Date: July 16, 2026

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

Legal: Variance 2608ZB104, by agent Mitch Byars, seeking approval for an 18-foot front yard setback and a 13-foot secondary frontage setback where 25 feet is required, Tax Parcel 1008J-02-001.000, 12070 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests relief from requirements for front-yard setbacks to protect a live oak from the construction of a proposed home on the corner of Parc Aux Chenes and Parc Cudeau. The applicant is seeking a variance for an 18-foot front yard setback on Parc Aux Chenes and a 13-foot secondary frontage setback on Parc Cudeau, where 25 feet is required. Specifically, the property is approximately 137.54 feet by 98.44 feet or 13,797 square feet, and the home will be 27 feet high, 74 feet wide, and 46.6 feet deep at the home's greatest extent. Moreover, the home will be approximately 3,488 square feet.

- (a) The applicant notes that "to comply to the City of Gulfport Tree Ordinance for Live Oak Tree overhangs". Staff notes, according to the plot plan of the proposed site where the home is going to be place, the developer is trying not to intrude over the allotted amount of the drip line to protect the Live Oak Tree.
- (b) In the application, the applicant cites "the tree is located inside a platted lot to be used for single-family construction. The staff review of the application found that an alternative home design may be able to meet ordinance and meet the 25-foot front yard and secondary frontage setback; as a smaller building envelope would retain ordained setbacks and the recommended tree protection zone.
- (c) The applicant has stated, "Live Oak Trees that are in building area, which requires a smaller side yard setback to comply to ordinance". A change in the ordinance may offer a reasonable solution. Staff did find that the applicant did apply for a tree permit (2605TP050) to remove Live Oak Tree but was denied by the Arborist to protect the 41" Live Oak tree, which is the reason the applicant has applied for the variance.
- (d) Where requested to stated how the applicant would be deprived the rights commonly enjoyed in the district if required to meet the literal interpretation of the ordinance, the applicant states that "the trees would prevent the building of home on approved lot, in accordance with tree ordinance". This home may set the trend for future development of the immediate area and its relative harmony to protect other Live Oak trees in the area.
- (e) Concerning potential special privilege granted the applicant if approved for the variance, the applicant stated "no, this is a lot specific request to comply within tree ordinance and save live oak trees". The staff finds there are several live oaks and other trees in the immediate area that have existed but due to development some trees have been removed without proper tree permits or tree affidavits.
- (f) This property is zoned R-1-10, and a single-family home is allowed by-right in this district.

EXECUTIVE SUMMARY

The applicant is requesting to allow for a variance for an 18-foot front yard setback on Parc Aux Chenes and a 13-foot secondary frontage setback on Parc Cudeau, where 25 feet is required. Per the ordinance, the front yard setback for R-1-10 is 25 feet. If a secondary frontage setback is not specifically listed for the zone, the secondary frontage must meet the same measurement as the front yard setback of 25 feet. As the home is on a corner lot, the property requires a 25-foot setback for each of the two frontages thereby putting the available building envelope in contention with the desired size of the proposed construction, size of the property, recommended tree protection zone, and additional setbacks. Therefore, to meet the zoning regulations for

Technical Report

VARIANCE

setbacks, the proposed home would be required to be setback into the recommended tree protection zone.

Any approval should consider these conditions:

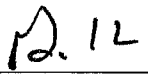
1. Variance approval grants an 18-foot front yard setback fronting Parc Aux Chenes and a 13-foot secondary frontage setback fronting Parc Cudeau.

DEPARTMENTAL CONDITIONS

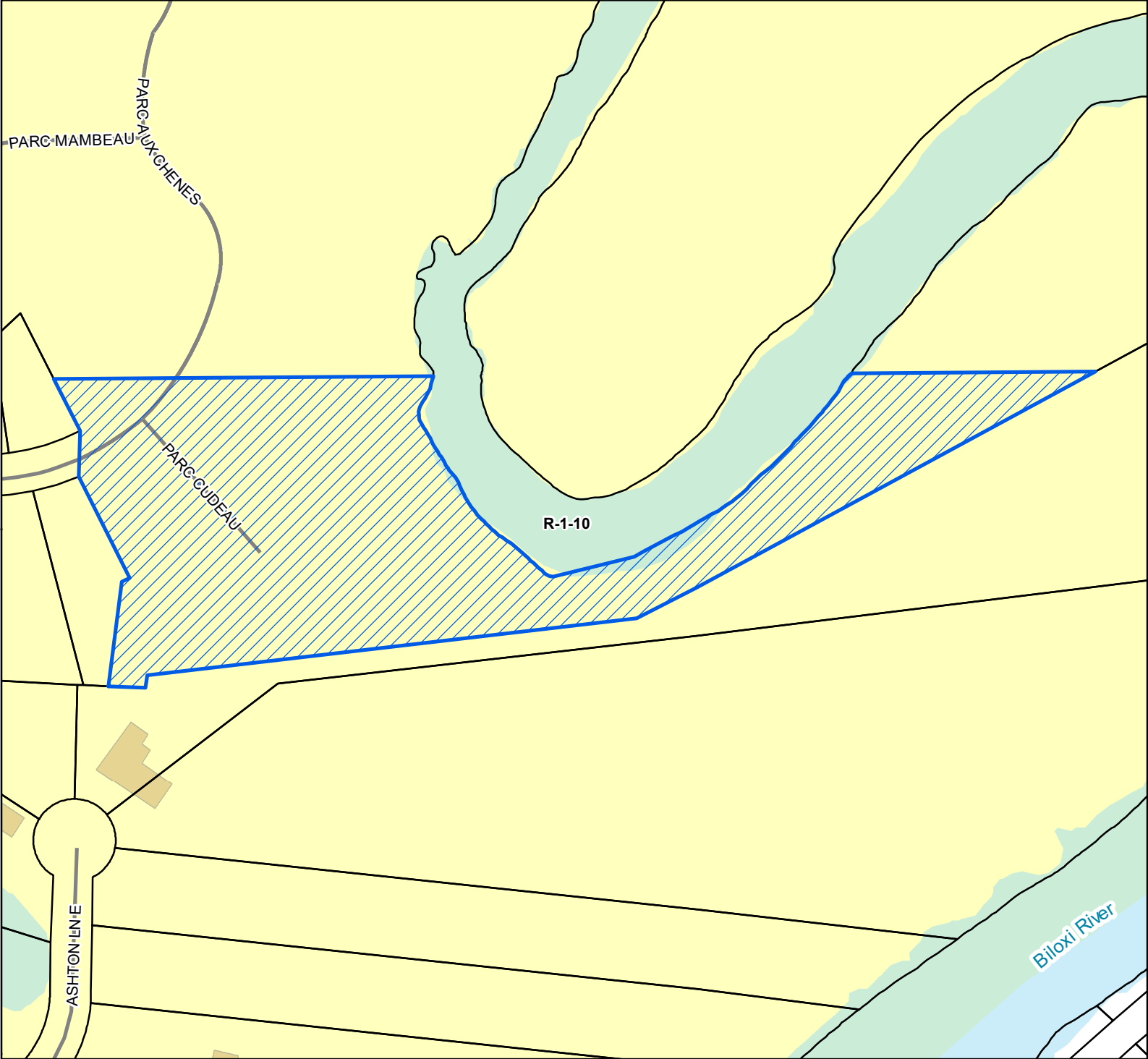
<u>Engineering:</u>	No conditions. Memo dated 7/2/2026.
<u>Public Works:</u>	No comment as of 7/6/2026.
<u>Traffic and Safety:</u>	No comment as of 7/6/2026.
<u>Building Code Services:</u>	No conditions. Memo dated 6/24/2026.
<u>GIS:</u>	No conditions. Memo dated 7/6/2026.
<u>Police Department:</u>	No comment as of 7/6/2026.
<u>Fire Department:</u>	No conditions. Memo dated 6/26/2026.
<u>City Arborist:</u>	No conditions. Memo dated 6/30/2026.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



Site

Street

Parcels

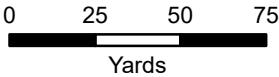
Buildings

Water Features

Zoning

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

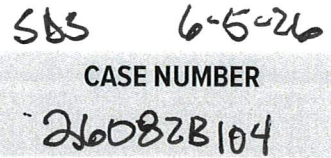
Site Information
1008J-02-001.000
Zoning: R-1-10 (Single Family)
Size: 4.96 Acres
Flood: X, AE



1 inch = 169 feet



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Designation of Agent

I, DSLD Homes Gulf Coast, LLC, being property owner of 12095 Parc Aux Chenes
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Mitch Byars to act as my
PRINT NAME
representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning
Commission, and/or City Council, and/or permitting and licensing, as required by the City.

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

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

[Signature]
Signature

6/4/26
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 4th day of June, 2026

[Signature]
Notary Public



04.17.2028
Commission Expiration



Covenant Affidavit

I, DSLH Homes Gulf Coast, LLC, being owner or agent of the property 12095 Parc Aux Chenes
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

[Signature] 6/4/26
Signature Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 4th day of June, 2026

[Signature]
Notary Public

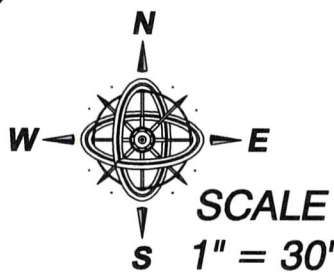


04/17/2028
Commission Expiration

VARIANCE SUBMISSIONS

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

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., What is special about your property that you need to request a variance?) **To comply to the City of Gulfport Tree Ordinance for Live Oak Tree overhangs.**
2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant. (i.e., Show that you did not cause the need for the variance.) **The tree is located in a platted lot to be used for single family construction.**
3. Demonstrate that an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution. (i.e., Explain what your hardship is and why the property cannot comply with the zoning ordinance. Further, explain why this hardship is not commonly found on other properties?) **Live Oak trees that are in building area, which requires a smaller side yard setback to comply to ordinance.**
4. Demonstrate how the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of the zoning ordinance. (i.e., Explain how the request meets the right of reasonable economic return and/or the right to reasonable development of your property which might generally be expected in your district.) **The trees would prevent the building of home on approved lot, in accordance with tree ordinance.**
5. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and hardship. (i.e., Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?) **No, this is a lot specific request to comply within tree ordinance and save live oak trees.**
6. State whether the use proposed is permissible by right, with planning approval or by special exception with respect to uses of land or structures.
The variance will allow the home to be built and keep the live oak trees.



REFERENCE MATERIALS:

- 1.) HARRISON COUNTY TAX MAPS, CURRENT EDITION.
- 2.) RECORDED PLAT OF OAK LANDING SUBDIVISION, PHASE 2, PLAT BOOK 65 AT PAGES 23-24.

ABBREVIATION LEGEND:

- P = PLATTED DIMENSION
R = RADIUS
L = ARC LENGTH
CH = CHORD
PROP. = PROPOSED
F.Y.S. = FRONT YARD SETBACK
S.Y.S. = SIDE YARD SETBACK
R.Y.S. = REAR YARD SETBACK

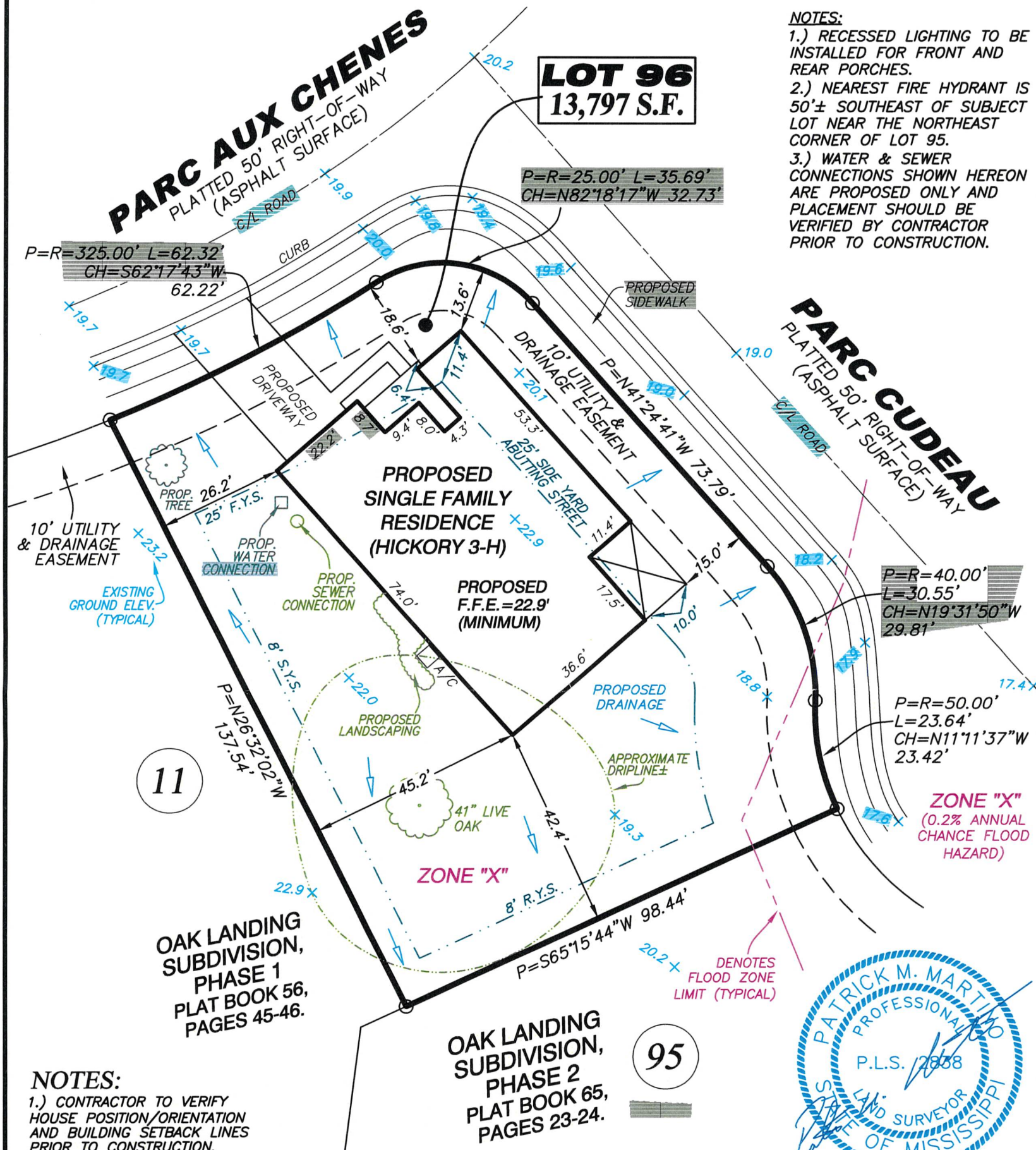
BEARINGS ARE BASED ON RECORDED SUBDIVISION PLAT

BASIS OF ELEVATION:

ELEVATIONS SHOWN HEREON ARE BASED ON OBSERVATIONS ON CONTROL POINTS USING MISSISSIPPI USM REAL TIME NETWORK. (GEOID18)

NOTES:

- 1.) RECESSED LIGHTING TO BE INSTALLED FOR FRONT AND REAR PORCHES.
- 2.) NEAREST FIRE HYDRANT IS 50'± SOUTHEAST OF SUBJECT LOT NEAR THE NORTHEAST CORNER OF LOT 95.
- 3.) WATER & SEWER CONNECTIONS SHOWN HEREON ARE PROPOSED ONLY AND PLACEMENT SHOULD BE VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION.



NOTES:

- 1.) CONTRACTOR TO VERIFY HOUSE POSITION/ORIENTATION AND BUILDING SETBACK LINES PRIOR TO CONSTRUCTION.
- 2.) SKETCH ONLY, NOT A BOUNDARY SURVEY.
- 3.) WHEN SETBACKS OVERLAP UTILITY AND/OR DRAINAGE EASEMENTS, SETBACKS ARE TO BE SET ON EASEMENT LINE.

A PLOT PLAN OF LOT 96, OAK LANDING SUBDIVISION, PHASE 2, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI.

CLIENT:

DSL D HOMES, LLC

DRAWN BY: JAG

DRAWING #: P26625

DATE: 5/29/2026



PATRICK M. MARTINO, PLS

13010 KAYLEIGH COVE
BILOXI, MISSISSIPPI 39532
PHONE: 228-396-2283

EMAIL: PATRICK@MARTINOSURVEYING.COM
PROFESSIONAL LAND SURVEYOR

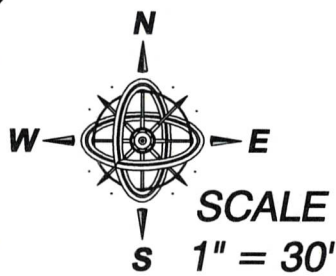
INFORMATION FOR DSLD:

CONCRETE REQUIRED FOR 16' WIDE DRIVEWAY
AND SIDEWALKS = 20 CU.YDS.±
CONCRETE SURFACE = 1,570 SQ.FT.±

SOD REQUIRED = 1,410 SQ.YDS.± (47 ROLLS±)

FLOODZONE NOTE:

THIS PROPERTY IS LOCATED IN
F.I.R.M. ZONE "AS SHOWN
HEREON" ACCORDING TO MAP
NUMBER 28047C0260H, DATED
DECEMBER 21, 2017.



REFERENCE MATERIALS:

- 1.) HARRISON COUNTY TAX MAPS, CURRENT EDITION.
- 2.) RECORDED PLAT OF OAK LANDING SUBDIVISION, PHASE 2, PLAT BOOK 65 AT PAGES 23-24.

ABBREVIATION LEGEND:

- P = PLATTED DIMENSION
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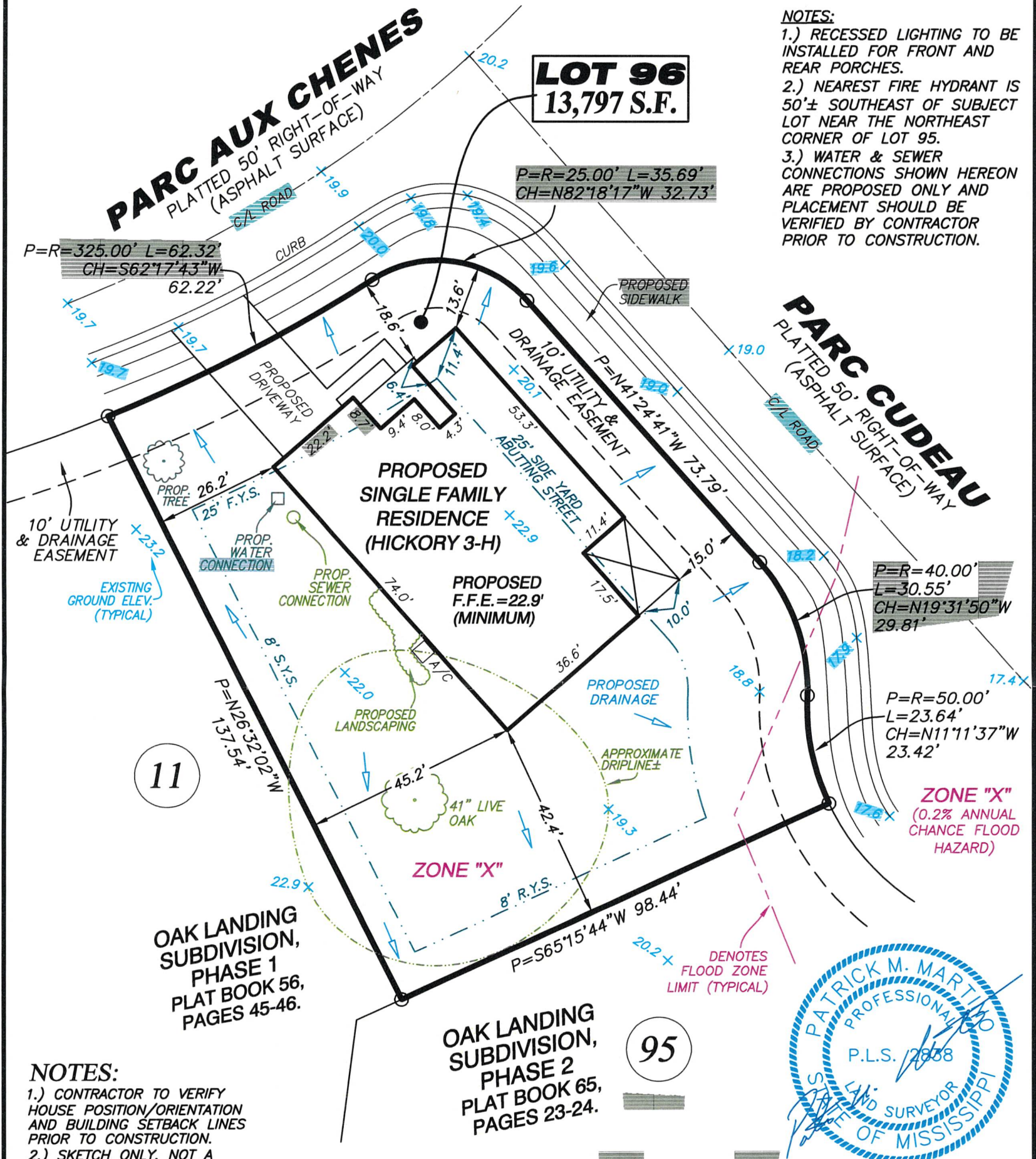
BEARINGS ARE BASED ON RECORDED SUBDIVISION PLAT

BASIS OF ELEVATION:

ELEVATIONS SHOWN HEREON ARE BASED ON OBSERVATIONS ON CONTROL POINTS USING MISSISSIPPI USM REAL TIME NETWORK. (GEOID18)

NOTES:

- 1.) RECESSED LIGHTING TO BE INSTALLED FOR FRONT AND REAR PORCHES.
- 2.) NEAREST FIRE HYDRANT IS 50'± SOUTHEAST OF SUBJECT LOT NEAR THE NORTHEAST CORNER OF LOT 95.
- 3.) WATER & SEWER CONNECTIONS SHOWN HEREON ARE PROPOSED ONLY AND PLACEMENT SHOULD BE VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION.



NOTES:

- 1.) CONTRACTOR TO VERIFY HOUSE POSITION/ORIENTATION AND BUILDING SETBACK LINES PRIOR TO CONSTRUCTION.
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A PLOT PLAN OF LOT 96, OAK LANDING SUBDIVISION, PHASE 2, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI.

CLIENT:

DSL D HOMES, LLC

DRAWN BY: JAG

DRAWING #: P26625

DATE: 5/29/2026



PATRICK M. MARTINO, PLS

13010 KAYLEIGH COVE
BILOXI, MISSISSIPPI 39532
PHONE: 228-396-2283

EMAIL: PATRICK@MARTINOSURVEYING.COM
PROFESSIONAL LAND SURVEYOR

INFORMATION FOR DSLD:

CONCRETE REQUIRED FOR 16' WIDE DRIVEWAY
AND SIDEWALKS = 20 CU.YDS.±
CONCRETE SURFACE = 1,570 SQ.FT.±

SOD REQUIRED = 1,410 SQ.YDS.± (47 ROLLS±)

FLOODZONE NOTE:

THIS PROPERTY IS LOCATED IN
F.I.R.M. ZONE "AS SHOWN
HEREON" ACCORDING TO MAP
NUMBER 28047C0260H, DATED
DECEMBER 21, 2017.



1st JUDICIAL DISTRICT
INSTRUMENT 2026-0000015-D-J1
FILED/RECORDED 1/5/2026 9:13:02 AM
TOTAL FEES \$26.00
3 PAGES RECORDED

PREPARED BY:

Law Offices of
LAURA F. PAULK, PLLC
16127 Orange Grove Road
Gulfport, MS 39503
228-831-1818
LFP File No.: 2508470
MS Bar No.:10733

Return To:

Law Offices of
LAURA F. PAULK, PLLC
16127 Orange Grove Road
Gulfport, MS 39503
228-831-1818
LFP File No.: 2508470

STATE OF MISSISSIPPI

COUNTY OF HARRISON

WARRANTY DEED

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

Oak Landing, LLC, a Mississippi Limited Liability, Grantor
1460 Beach Blvd
Biloxi, MS 39530
228-218-0040

does hereby sell, convey and warrant unto

DSLH Homes (Gulf Coast), LLC, a Delaware Limited Liability Company, Grantee
7660 Pecue Lane, Ste 100
Baton Rouge, LA 70809
225-369-6395,

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

(See Exhibit A attached)

INDEXING INSTRUCTIONS:

Lots 56-77, 78-85, 94-96, Oak Landing S/D, Phase 2, Harrison Co., MS

It is agreed and understood that the taxes for the current year have not been prorated as of this date and are assumed by the Grantor.

This conveyance is made expressly subject to any and all restrictive covenants, rights-of-way, easements, and mineral reservations and any other rights now of

record which effect the above described property.

WITNESS MY SIGNATURE, this the 2nd day of January, 2026.

Oak Landing, LLC


By: Richard D. Baudry, Manager

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally appeared before me, the undersigned Notary Public in and for the above named jurisdiction, the within named, Richard D. Baudry who acknowledged that he is the Manager of Oak Landing, LLC, a Mississippi limited liability company and acknowledged that in said representative capacity and as its act and deed, he signed, executed and delivered the above and foregoing instrument on the day and year therein stated, after first having been duly authorized so to do.

Given under my hand and seal, this the 2nd day of January, 2026.


NOTARY PUBLIC

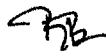
My Commission Expires:



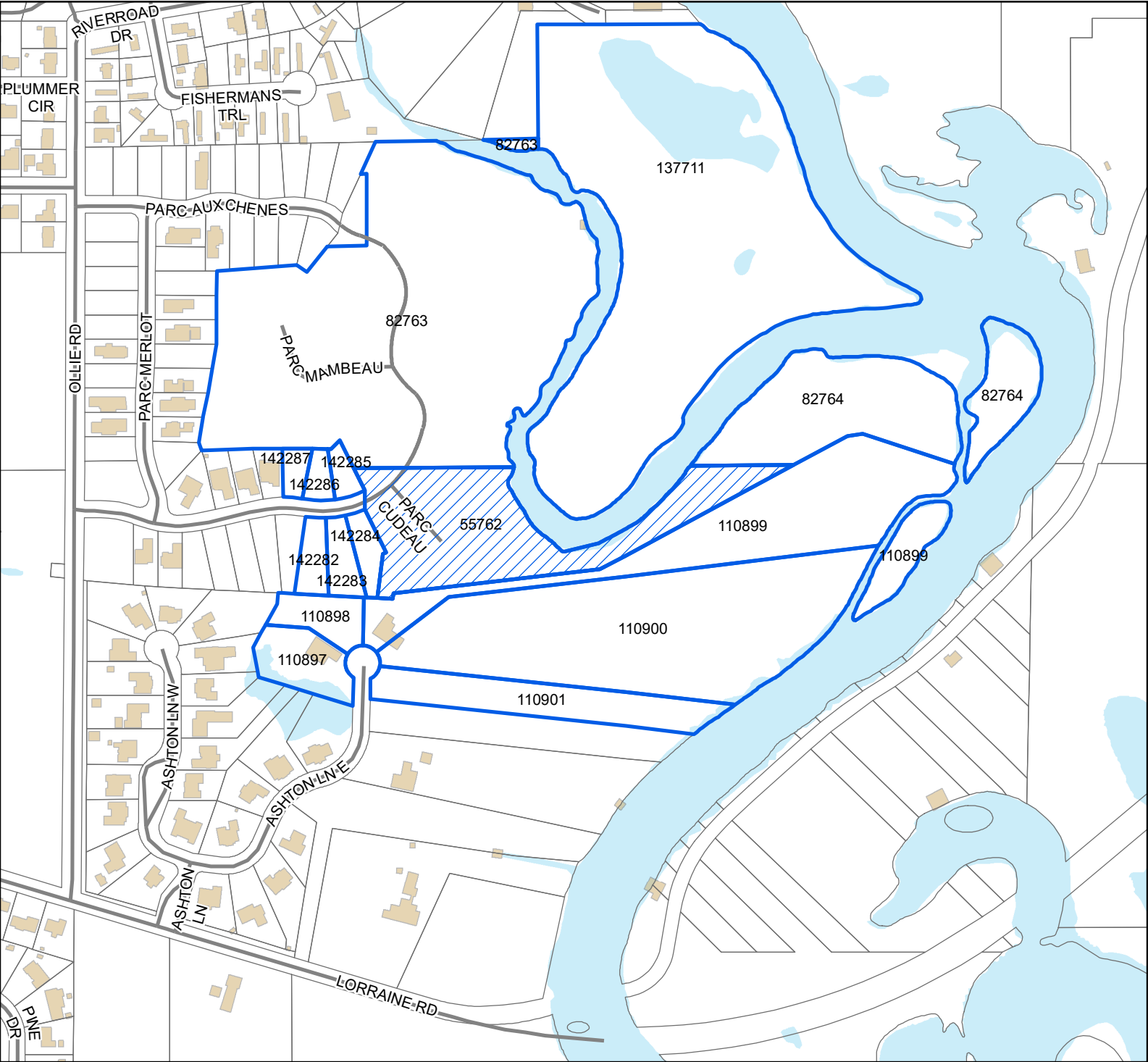
EXHIBIT A

LEGAL DESCRIPTION

Lots Fifty-six (56), Fifty-seven (57), Fifty-eight (58), Fifty-nine (59), Sixty (60), Sixty-one (61), Sixty-two (62), Sixty-three (63), Sixty-four (64), Sixty-five (65), Sixty-six (66), Sixty-seven (67), Sixty-eight (68), Sixty-nine (69), Seventy (70), Seventy-one (71), Seventy-two (72), Seventy-three (73), Seventy-four (74), Seventy-five (75), Seventy-six (76), Seventy-seven (77), Seventy-eight (78), Seventy-nine (79), Eighty (80), Eighty-one (81), Eighty-two (82), Eighty-three (83), Eighty-four (84), Eighty-five (85), Ninety-four (94), Ninety-five (95), and Ninety-six (96), Oak Landing S/D, Phase 2, a subdivision according to a map or plat thereof which is on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, in Plat Book 65 at Page 23, reference to which is hereby made in aid of and as a part of this description.



Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1008J-02-001.000	DLSD HOMES GULF COAST, LLC (OWNER)	12341 SEAWAY RD STE 2001	GULFPORT	MS	39503
			MITCH BRYARS (AGENT)	2409 REGENCY DR	BILOXI	MS	39532
			Adjacent Property Owners (2608ZB104)				
	110897	1008J-02-002.030	SPEAR KATHRYN DENNIS & CHRISTOPHER	11469 ASHTON LANE E	GULFPORT	MS	39503
	110901	1008J-02-002.034	MILLER JOSEPH & MAEGAN	6319 BROWN RD	OCEAN SPRINGS	MS	39564
	110900	1008J-02-002.033	WAITE CODY & DANIELLE	708 SARAZEN DR	GULFPORT	MS	39507
N	110898	1008J-02-002.031	SPEAR KATHRYN DENNIS & CHRISTOPHER	11469 ASHTON LANE E	GULFPORT	MS	39503
	82764	1008G-02-142.000	FORBESS DORRIE & NICOLOSI DONNA	445 E 2ND ST	PASS CHRISTIAN	MS	39571
	137711	1008G-02-130.002	STATE OF MISSISSIPPI	P O BOX 136	JACKSON	MS	39502
N	82763	1008G-02-130.000	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	55762	1008J-02-001.000	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142286	1008J-02-001.013	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142287	1008J-02-001.014	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142285	1008J-02-001.012	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142284	1008J-02-001.011	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142283	1008J-02-001.010	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142282	1008J-02-001.009	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	110899	1008J-02-002.032	WAITE CODY & DANIELLE	708 SARAZEN DR	GULFPORT	MS	39507



Legend

- Site
- Street
- Buildings
- Water Features

0 60 120 180
Yards

1 inch = 400 feet

N
W E
S

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
49732	IPL0352563	Legal Ad - IPL0352563		1.0	75.0L

ATTENTION: GULFPORT CITY HALL IP

1410 24 TH AVENUE

GULFPORT, MS 39501

jversiga@gulfport-ms.gov;planners@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 PM, Thursday, July 16th, 2026 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2607ZB092, by agent Terry Moran, seeking approval for 50-foot wide lots where lot width is required to be 60 feet for a proposed subdivision, Tax Parcels 0908M-01-009.000, 0908M-01-014.000, De-deaux Road, Zoned B-1 (Neighborhood Business), Ward 6

Variance 2607ZB088, by agent Jon Storonskyj, seeking approval for a 0-foot front setback where 10 feet is required for a new freestanding ground sign, Tax Parcel 0808E-02-030.049, 12178 Highway 49, Zoned B-4 (Highway Business), Ward 7

Variance 2607ZB089, by owner Brian McMullen, seeking approval for a 16-foot secondary frontage setback where 25 feet is required for an accessory structure, Tax Parcel 0808L-01-019.000, 11540 Carondelet St, Zoned R-1-10 (Single Family), Ward 7

Variance 2607ZB101, by agent Benjamin Bentz, seeking approval for 3 regular parking spaces where 17 spaces are required, Tax Parcel 0910M-01-027.000, 820 Pass Rd, Zoned B-2 (General Business), Ward 3

Variance 2608ZB104, by agent Mitch Byars, seeking approval for an 18-foot front yard setback and a 13-foot secondary frontage setback where 25 feet is required, Tax Parcel 1008J-02-001.000, 12070 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

Variance 2608ZB105, by agent Mitch Byars, seeking approval for a 5-foot side yard setback where 8 feet is required, Tax Parcel 1008G-02-130.000, 12095 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

This the 24th day of June 2026
Nathan Boddie, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0352563
Jul 1 2026

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:

07/01/26 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Julie Ambry



Julie Ambry

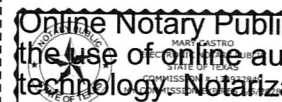
Mary Castro



Sworn to and subscribed before
me on

Jul 1, 2026, 10:44 AM EDT

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





URBAN DEVELOPMENT
PLANNING & ZONING
PO BOX 1780 | GULFPORT, MS | 1410 24TH AVENUE
228.868.5710 | PLANNERS@GULFPORT-MS.GOV

ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, July 16, 2026

Variance 2608ZB105: Variance 2608ZB105, by agent Mitch Byars, seeking approval for a 5-foot side yard setback where 8 feet is required, Tax Parcel 1008G-02-130.000, 12095 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2608ZB105

Hearing Date: July 16, 2026

Current Zoning/Use: R-1-10 / Vacant property

Legal: Variance 2608ZB105, by agent Mitch Byars, seeking approval for a 5-foot side yard setback where 8 feet is required, Tax Parcel 1008G-02-130.000, 12095 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant is requesting a variance in order to construct a single-family home with a 5-foot side yard setback where 8 feet is required. The proposed structure will meet the required setbacks on all other sides. The property in question is 10014 square feet with an allowed lot coverage of 45 percent. The reason for the request is to develop the property without having to remove any protected trees and adhere to the City of Gulfport's Tree Ordinance as best as possible.

- (a) The applicant states that the special condition is the Live Oak trees that overhang the building pad for the residence. It is clear that pre-existing protected trees can be considered a hardship when developing a property.
- (b) The applicant states that the special condition is the location of the trees and it is clear the applicant did not cause the need for this request.
- (c) The applicant claims that the unnecessary hardship is the location of the protected trees in the building site area. It is clear that amending the zoning ordinance would not be a reasonable solution to the hardship.
- (d) The applicant states that the literal interpretation of the ordinance would prevent them from being able to develop the lot due to the location of the trees in combination with required setbacks. It is clear that the applicant would be deprived of the ability to reasonably develop the property given the protected trees on site. The literal interpretation would require the applicant to construct a smaller sized house than what was originally planned for the subdivision.
- (e) The applicant notes that the granting of this variance would not confer any special privilege onto them and that the request is specific to this lot. It is clear to staff that, due to the location of protected trees on-site, the applicant faces a real hardship and that no special privilege would be granted to the applicant.
- (f) This property is zoned R-1-10 and a single-family home is allowed by right.

EXECUTIVE SUMMARY

The applicant has met the six criteria for a variance. The applicant has requested a variance to construct a single family home with a 5-foot side yard setback where 8 feet is required. The proposed home will meet all additional setback requirements. The reason for the request is due to multiple protected trees on the site. The applicant is requesting a 5-foot side yard setback variance in order to adhere to the City of Gulfport's Tree Ordinance. The Tree Ordinance states that no person shall pave with concrete, asphalt, or other impervious surfaces within 5 feet inside the diameter of any protected tree dripline. The granting of this variance would allow the applicant to construct the home further away from the protected trees and would not grant any special privilege.

Any approval should consider these conditions:

1. Approval would allow for the construction of a single family home with a 5-foot side setback where 8 feet is required.
2. Must comply with all current Building Codes and City of Gulfport Ordinances.

Technical Report

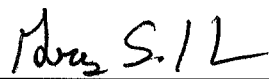
VARIANCE

DEPARTMENTAL CONDITIONS

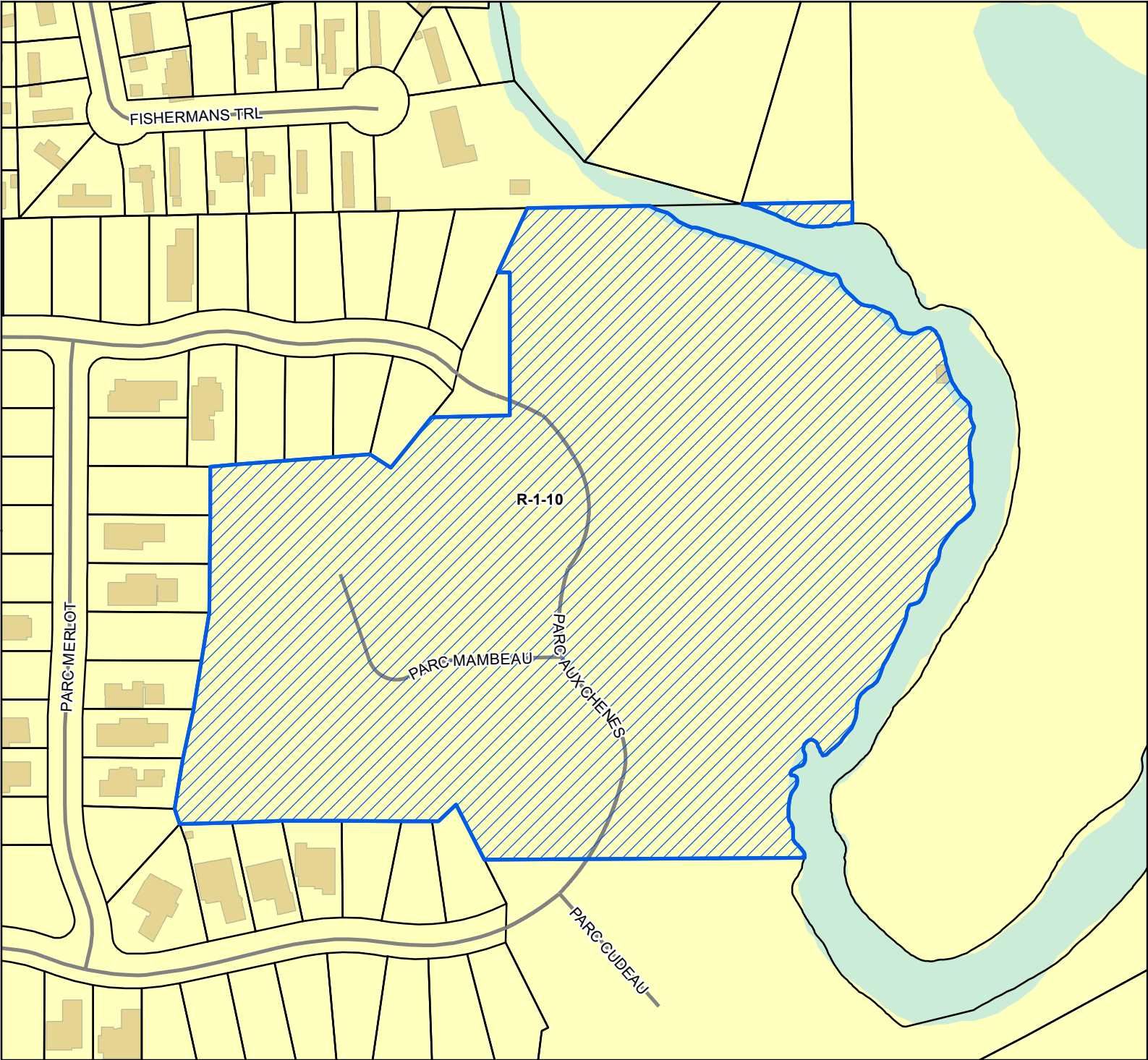
<u>Engineering:</u>	No conditions. Memo dated 7/2/2026.
<u>Public Works:</u>	No comment as of 7/6/2026.
<u>Traffic and Safety:</u>	No comment as of 7/6/2026.
<u>Building Code Services:</u>	Must comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 6/24/2026.
<u>GIS:</u>	No conditions. Memo dated 7/6/2026.
<u>Police Department:</u>	No comment as of 7/6/2026.
<u>Fire Department:</u>	No conditions. Memo dated 6/26/2026.
<u>City Arborist:</u>	No conditions. Memo dated 6/30/2026.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



Site

Street

Parcels

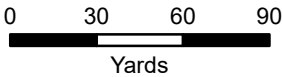
Buildings

Water Features

Zoning

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

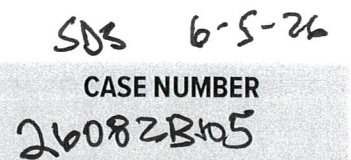
Site Information
1008G-02-130.000
Zoning: R-1-10 (Single Family)
Size: 17.17 Acres
Flood: X, AE



1 inch = 200 feet



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



VARIANCE SUBMISSIONS

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

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., What is special about your property that you need to request a variance?) **Live Oak trees where the overhang enters the building pad for residence.**
2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant. (i.e., Show that you did not cause the need for the variance.) **The trees are located in a platted lot to be used for single family construction.**
3. Demonstrate that an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution. (i.e., Explain what your hardship is and why the property cannot comply with the zoning ordinance. Further, explain why this hardship is not commonly found on other properties?) **Live Oak trees that are in building area, which requires a smaller side yard setback to comply to ordinance.**
4. Demonstrate how the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of the zoning ordinance. (i.e., Explain how the request meets the right of reasonable economic return and/or the right to reasonable development of your property which might generally be expected in your district.) **The trees would prevent the building of home on approved lot, in accordance with tree ordinance.**
5. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and hardship. (i.e., Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?) **No, this is a lot specific request to comply within tree ordinance and save live oak trees.**
6. State whether the use proposed is permissible by right, with planning approval or by special exception with respect to uses of land or structures.
The variance will allow the home to be built and keep the live oak trees.



Designation of Agent

I, DSLD Homes Gulf Coast, LLC, being property owner of 12095 Parc Aux Chenes
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Mitch Byars 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.

[Signature]
Signature

6/4/26
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 4th day of June, 20 26

[Signature]
Notary Public



04.17.2028
Commission Expiration



Covenant Affidavit

I, DSLD Homes Gulf Coast, LLC, being owner or agent of the property 12095 Parc Aux Chenes
PRINT NAME PRIMARY ADDRESS OR PARCEL

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

[Signature]
Signature

6/4/26
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 4th day of June, 2026

[Signature]
Notary Public

04.17.2028
Commission Expiration



FLOODZONE NOTE:

THIS PROPERTY IS LOCATED IN
F.I.R.M. ZONE "X" ACCORDING TO
MAP NUMBER 28047C0260H,
DATED DECEMBER 21, 2017.

ABBREVIATION LEGEND:

P = PLATTED DIMENSION
R = RADIUS
L = ARC LENGTH
CH = CHORD
PROP. = PROPOSED
F.Y.S. = FRONT YARD SETBACK
S.Y.S. = SIDE YARD SETBACK
R.Y.S. = REAR YARD SETBACK

BASIS OF ELEVATION:

ELEVATIONS SHOWN
HEREON ARE BASED ON
OBSERVATIONS ON
CONTROL POINTS USING
MISSISSIPPI USM REAL
TIME NETWORK. (GEOID18)

NOTES:

- 1.) CONTRACTOR TO VERIFY HOUSE
POSITION/ORIENTATION AND BUILDING
SETBACK LINES PRIOR TO CONSTRUCTION.
- 2.) SKETCH ONLY, NOT A BOUNDARY SURVEY.
- 3.) WHEN SETBACKS OVERLAP UTILITY
AND/OR DRAINAGE EASEMENTS, SETBACKS
ARE TO BE SET ON EASEMENT LINE.

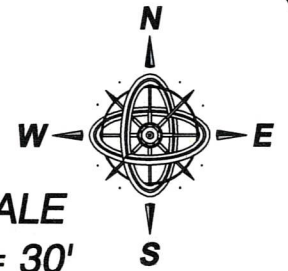
A PLOT PLAN OF LOT 58, OAK LANDING SUBDIVISION, PHASE 2, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI.

INFORMATION FOR DSLD:

CONCRETE REQUIRED FOR 16' WIDE DRIVEWAY
AND SIDEWALKS = 16 CU.YDS.±
CONCRETE SURFACE = 1,300 SQ.FT.±
SOD REQUIRED = 870 SQ.YDS.± (29 ROLLS±)



BEARINGS ARE BASED ON
RECORDED SUBDIVISION PLAT



REFERENCE MATERIALS:

- 1.) HARRISON COUNTY TAX
MAPS, CURRENT EDITION.
- 2.) RECORDED PLAT OF
OAK LANDING SUBDIVISION,
PHASE 2, PLAT BOOK 65
AT PAGES 23-24.

NOTES:

- 1.) RECESSED LIGHTING TO
BE INSTALLED FOR FRONT
AND REAR PORCHES.
- 2.) NEAREST FIRE HYDRANT IS
160'± NORTH OF SUBJECT
LOT NEAR THE SOUTHEAST
CORNER OF LOT 72.
- 3.) WATER & SEWER
CONNECTIONS SHOWN HEREON
ARE PROPOSED ONLY AND
PLACEMENT SHOULD BE
VERIFIED BY CONTRACTOR
PRIOR TO CONSTRUCTION.



CLIENT:
DSLD HOMES, LLC
DRAWN BY: JAG
DRAWING #: P26652
DATE: 6/1/2026



PATRICK M. MARTINO, PLS
13010 KAYLEIGH COVE
BILOXI, MISSISSIPPI 39532
PHONE: 228-396-2283
EMAIL: PATRICK@MARTINOSURVEYING.COM
PROFESSIONAL LAND SURVEYOR

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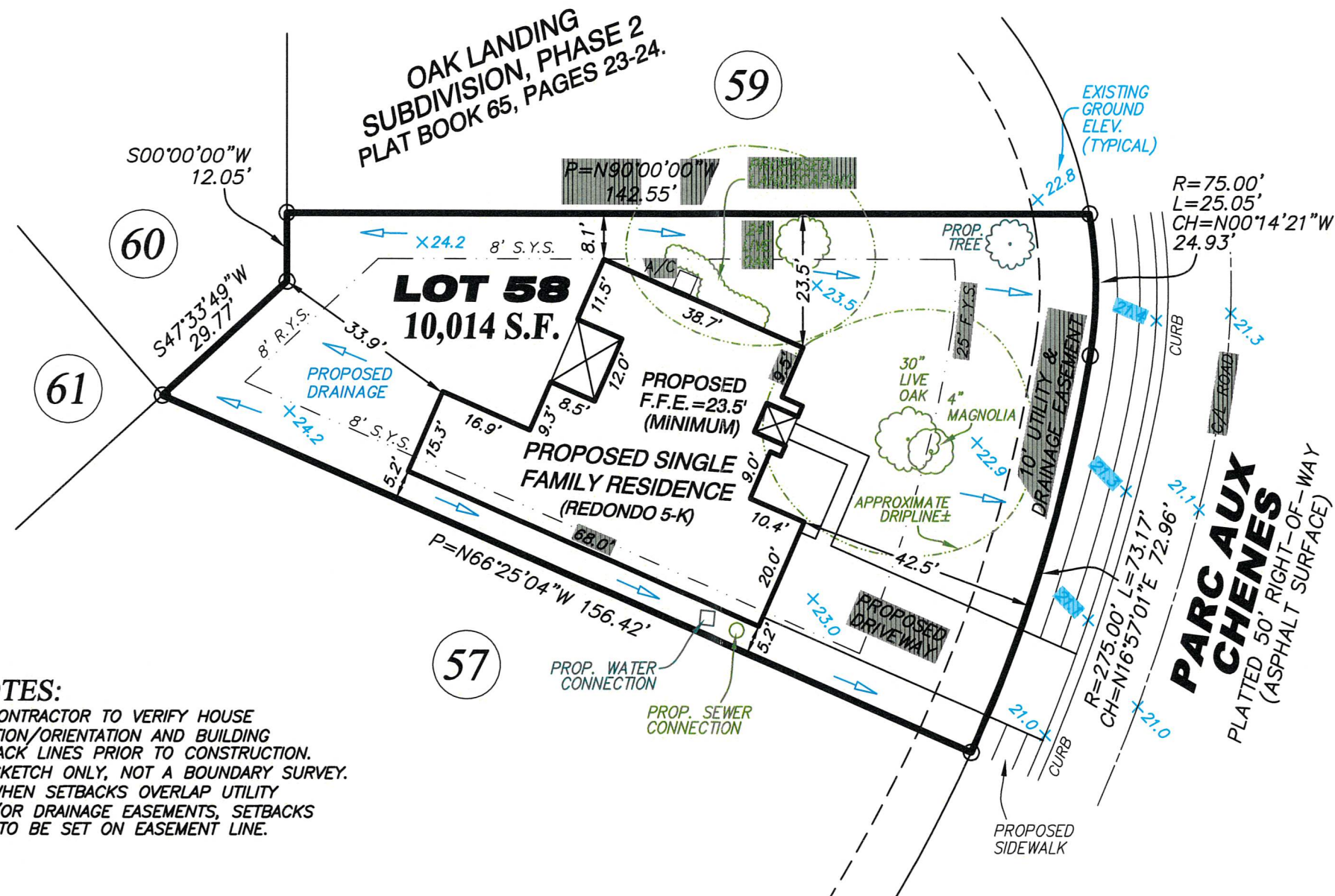


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DSLH HOMES, LLC
DRAWN BY: JAG
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A PLOT PLAN OF LOT 58, OAK LANDING SUBDIVISION, PHASE 2, CITY OF GULFPORT, HARRISON COUNTY, MISSISSIPPI.

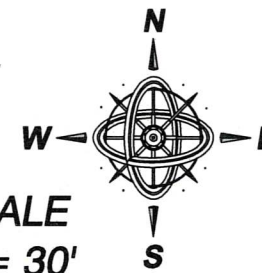


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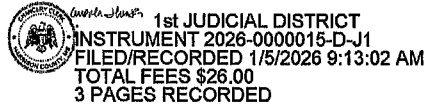
- 1.) HARRISON COUNTY TAX MAPS, CURRENT EDITION.
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NOTES:

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- 3.) WATER & SEWER CONNECTIONS SHOWN HEREON ARE PROPOSED ONLY AND PLACEMENT SHOULD BE VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION.



PATRICK M. MARTINO, PLS
13010 KAYLEIGH COVE
BILOXI, MISSISSIPPI 39532
PHONE: 228-396-2283
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PROFESSIONAL LAND SURVEYOR



1st JUDICIAL DISTRICT
INSTRUMENT 2026-0000015-D-J1
FILED/RECORDED 1/5/2026 9:13:02 AM
TOTAL FEES \$26.00
3 PAGES RECORDED

PREPARED BY:

Law Offices of
LAURA F. PAULK, PLLC
16127 Orange Grove Road
Gulfport, MS 39503
228-831-1818
LFP File No.: 2508470
MS Bar No.: 10733

Return To:

Law Offices of
LAURA F. PAULK, PLLC
16127 Orange Grove Road
Gulfport, MS 39503
228-831-1818
LFP File No.: 2508470

STATE OF MISSISSIPPI

COUNTY OF HARRISON

WARRANTY DEED

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

Oak Landing, LLC, a Mississippi Limited Liability, Grantor
1460 Beach Blvd
Biloxi, MS 39530
228-218-0040

does hereby sell, convey and warrant unto

DSLH Homes (Gulf Coast), LLC, a Delaware Limited Liability Company, Grantee
7660 Pecue Lane, Ste 100
Baton Rouge, LA 70809
225-369-6395,

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

(See Exhibit A attached)

INDEXING INSTRUCTIONS:

Lots 56-77, 78-85, 94-96, Oak Landing S/D, Phase 2, Harrison Co., MS

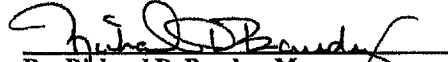
It is agreed and understood that the taxes for the current year have not been prorated as of this date and are assumed by the Grantor.

This conveyance is made expressly subject to any and all restrictive covenants, rights-of-way, easements, and mineral reservations and any other rights now of

record which effect the above described property.

WITNESS MY SIGNATURE, this the 2nd day of January, 2026.

Oak Landing, LLC


By: Richard D. Baudry, Manager

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally appeared before me, the undersigned Notary Public in and for the above named jurisdiction, the within named, Richard D. Baudry who acknowledged that he is the Manager of Oak Landing, LLC, a Mississippi limited liability company and acknowledged that in said representative capacity and as its act and deed, he signed, executed and delivered the above and foregoing instrument on the day and year therein stated, after first having been duly authorized so to do.

Given under my hand and seal, this the 2nd day of January, 2026.


NOTARY PUBLIC

My Commission Expires:



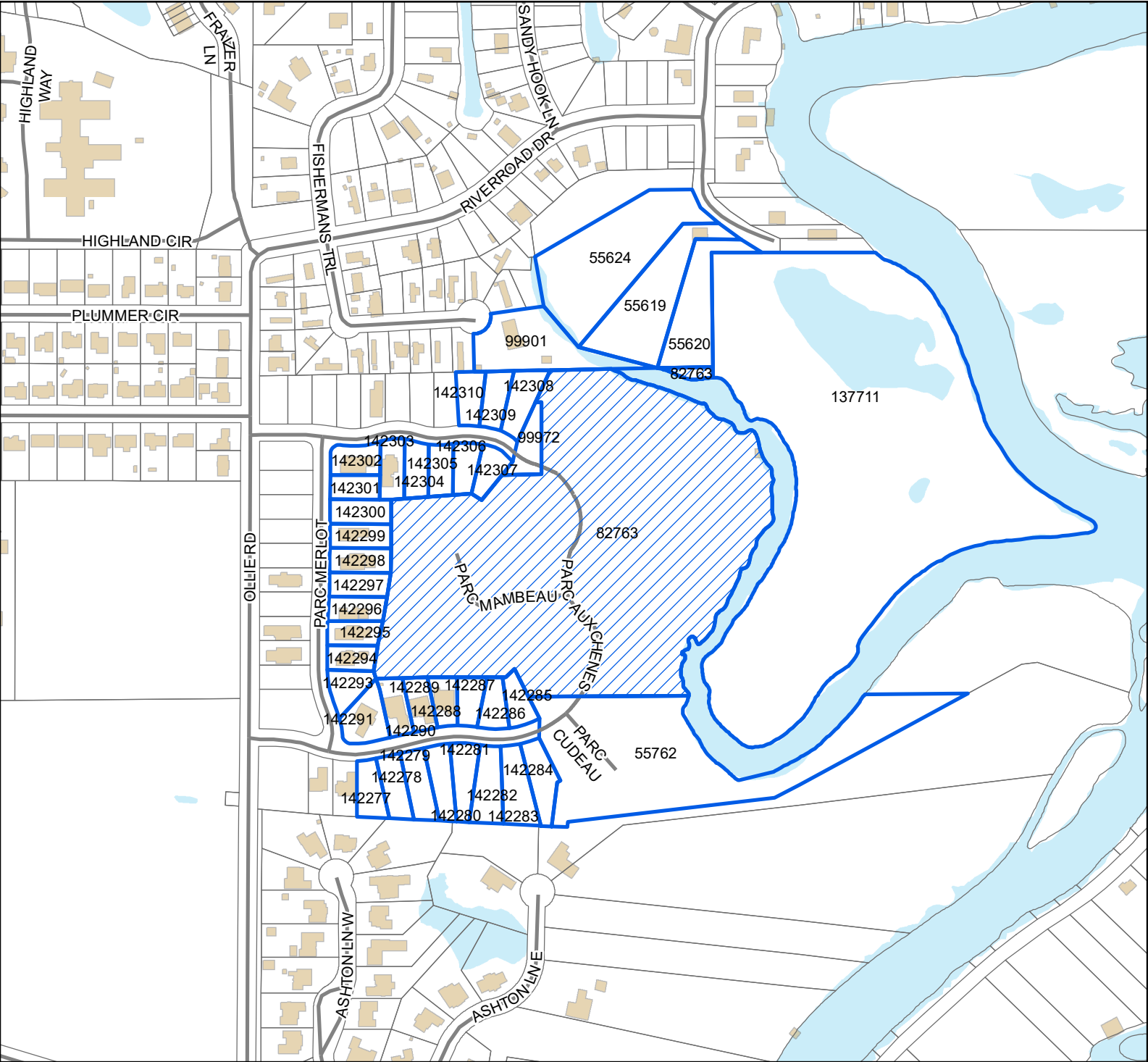
EXHIBIT A
LEGAL DESCRIPTION

Lots Fifty-six (56), Fifty-seven (57), Fifty-eight (58), Fifty-nine (59), Sixty (60), Sixty-one (61), Sixty-two (62), Sixty-three (63), Sixty-four (64), Sixty-five (65), Sixty-six (66), Sixty-seven (67), Sixty-eight (68), Sixty-nine (69), Seventy (70), Seventy-one (71), Seventy-two (72), Seventy-three (73), Seventy-four (74), Seventy-five (75), Seventy-six (76), Seventy-seven (77), Seventy-eight (78), Seventy-nine (79), Eighty (80), Eighty-one (81), Eighty-two (82), Eighty-three (83), Eighty-four (84), Eighty-five (85), Ninety-four (94), Ninety-five (95), and Ninety-six (96), Oak Landing S/D, Phase 2, a subdivision according to a map or plat thereof which is on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, in Plat Book 65 at Page 23, reference to which is hereby made in aid of and as a part of this description.

FB

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1008G-02-130.000	DLSD HOMES GULF COAST, LLC (OWNER)	12341 SEAWAY RD STE 2001	GULFPORT	MS	39503
			MITCH BRYARS (AGENT)	2409 REGENCY DR	BILOXI	MS	39532
			Adjacent Property Owners (2608ZB105)				
	55620	1008G-02-131.001	CHILDERS IVA D	2469 PASS ROAD	BILOXI	MS	39531
	142308	1008G-02-130.018	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
	55624	1008G-02-132.000	SANBURN LYNN T & BEHLING PENNY L	10418 RIVERROAD DR	GULFPORT	MS	39503
N	55619	1008G-02-131.000	SANBURN LYNN T & BEHLING PENNY L	10418 RIVERROAD DR	GULFPORT	MS	39503
	99901	1008G-02-127.017	CONWAY FRANCIS EDWARD	12107 FISHERMAN'S TRAIL	GULFPORT	MS	39503
	137711	1008G-02-130.002	STATE OF MISSISSIPPI	P O BOX 136	JACKSON	MS	39502
N	82763	1008G-02-130.000	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	99972	1008G-02-130.001	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	55762	1008J-02-001.000	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142286	1008J-02-001.013	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142310	1008G-02-130.020	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142309	1008G-02-130.019	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142307	1008G-02-130.017	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142306	1008G-02-130.016	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142305	1008G-02-130.015	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142304	1008G-02-130.014	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
	142303	1008G-02-130.013	PRICHARD AUBREY N & I'LAN M	12147 PARC AUX CHENES	GULFPORT	MS	39503
	142302	1008G-02-130.012	MCGEHEE TRACEY C & MICHAEL E	2230 BEACH DR, APT 1302	GULFPORT	MS	39507
N	142301	1008G-02-130.011	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
	142300	1008G-02-130.010	ACADIAN HOMES LLC	1460 BEACH BLVD	BILOXI	MS	39530
	142299	1008G-02-130.009	RYDINSKY TITO P & KIMBERLY M	12034 PARC MERLOT	GULFPORT	MS	39503
	142298	1008G-02-130.008	BOOMGARDEN MATTHEW KENT & RANAE L	12028 PARC MERLOT	GULFPORT	MS	39503
N	142297	1008G-02-130.007	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
	142296	1008G-02-130.006	HANESANA NAKAIO DAYLYNN	12018 PARC MERLOT	GULFPORT	MS	39503
N	142295	1008G-02-130.005	ACADIAN HOMES LLC	10600 DERRY LANE	OCEAN SPRINGS	MS	39564
N	142294	1008G-02-130.004	JONES MARGARET LEIGH	12008 PARC MERLOT	GULFPORT	MS	39503
	142293	1008G-02-130.003	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
	142291	1008J-02-001.018	SEIGLER RICHARD ANDREW	12017 PARC AUX CHENES	GULFPORT	MS	39503
	142290	1008J-02-001.017	WILLIAMS ORESSIE HENRY & WILLIE A	12023 PARC AUX CHENES	GULFPORT	MS	39503
	142289	1008J-02-001.016	SAMPONG EBENEZER ISRAEL & CLAUDIA M	12027 PARC AUX CHENES	GULFPORT	MS	39503
	142288	1008J-02-001.015	BOUTIQUE HOMES LLC	P O BOX 268	BILOXI	MS	39533
N	142287	1008J-02-001.014	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142285	1008J-02-001.012	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	142284	1008J-02-001.011	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142283	1008J-02-001.010	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142282	1008J-02-001.009	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142281	1008J-02-001.008	ACADIAN HOMES LLC	1460 BEACH BLVD	BILOXI	MS	39530
N	142280	1008J-02-001.007	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142279	1008J-02-001.006	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142278	1008J-02-001.005	OAK LANDING LLC	P O BOX 268	BILOXI	MS	39533
N	142277	1008J-02-001.004	OAK LANDING LLC	PO BOX 268	BILOXI	MS	39533



Legend

- Site
- Street
- Buildings
- Water Features

0 60 120 180
Yards

1 inch = 400 feet

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
49732	IPL0352563	Legal Ad - IPL0352563		1.0	75.0L

ATTENTION: GULFPORT CITY HALL IP
1410 24 TH AVENUE
GULFPORT, MS 39501
jversiga@gulfport-ms.gov;planners@gulfport-ms.gov

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, July 16th, 2026 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2607ZB092, by agent Terry Moran, seeking approval for 50-foot wide lots where lot width is required to be 60 feet for a proposed subdivision, Tax Parcels 0908M-01-009.000, 0908M-01-014.000, De-deaux Road, Zoned B-1 (Neighborhood Business), Ward 6

Variance 2607ZB088, by agent Jon Storonskyj, seeking approval for a 0-foot front setback where 10 feet is required for a new freestanding ground sign, Tax Parcel 0808E-02-030.049, 12178 Highway 49, Zoned B-4 (Highway Business), Ward 7

Variance 2607ZB089, by owner Brian McMullen, seeking approval for a 16-foot secondary frontage setback where 25 feet is required for an accessory structure, Tax Parcel 0808L-01-019.000, 11540 Carondelet St, Zoned R-1-10 (Single Family), Ward 7

Variance 2607ZB101, by agent Benjamin Bentz, seeking approval for 3 regular parking spaces where 17 spaces are required, Tax Parcel 0910M-01-027.000, 820 Pass Rd, Zoned B-2 (General Business), Ward 3

Variance 2608ZB104, by agent Mitch Byars, seeking approval for an 18-foot front yard setback and a 13-foot secondary frontage setback where 25 feet is required, Tax Parcel 1008J-02-001.000, 12070 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

Variance 2608ZB105, by agent Mitch Byars, seeking approval for a 5-foot side yard setback where 8 feet is required, Tax Parcel 1008G-02-130.000, 12095 Parc Aux Chenes, Zoned R-1-10 (Single Family), Ward 5

This the 24th day of June 2026
Nathan Boddie, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0352563
Jul 1 2026

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:
07/01/26 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Julie Ambry



Julie Ambry

Mary Castro



Sworn to and subscribed before
me on

Jul 1, 2026, 10:44 AM EDT

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

