



Zoning Board | Agenda

Thursday, September 17, 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 - August 20, 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 2609ZB126:

Variance 2609ZB126, by owner Ancillary Capital LLC, seeking approval for a 4 foot side yard setback where 6 feet is required as well as a 2 foot secondary frontage setback where 6 feet is

required, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

2. Variance 2609ZB129:

Variance 2609ZB129, by owner Ancillary Capital LLC, seeking approval for a 4000 square foot lot where 10,222 square feet is required for a 3-Unit Multiple-Family Dwelling, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

3. Variance 2609ZB130:

Variance 2609ZB130, by owner John K. Rester, seeking approval for a 7-foot 6-inch back and side yard fence where 6 feet is the height limit, Tax Parcel 1010C-01-001.045, 10889 Channelside Drive, Zoned R-2 (Single Family), Ward 5

4. Variance 2609ZB131:

Variance 2609ZB131, by agent Addison Sweebe, seeking approval for a 5,000 square foot lot where 8000 square feet is required for a Duplex use, Tax Parcel 0811L-03-029.000, 3212 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

5. Variance 2610ZB134

Variance 2610ZB134, by owner B&B Forrest, Inc., seeking approval for a 4.42 foot east side yard setback where 6 feet is required for side yard setback, Tax Parcel 1010E-02-025.001, 1293 Spring Street, Zoned T3 (Sub-Urban Zone), Ward 4

H. Adjournment

MINUTES
ZONING BOARD OF ADJUSTMENT AND APPEALS
MEETING

Thursday, August 20, 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 **3:02 P.M.**
- D. Determination of a Quorum:**

BOARD MEMBERS PRESENT:

MACK MCCREE
NATHAN BODDIE
MICHAEL DANIELS
MARY ANN WIGINTON
ROBERT PHARR

BOARD MEMBERS ABSENT:

HAL KAIGLER

STAFF MEMBERS PRESENT:

MATILDA WELCH
SAMUEL SWEETING
WILLIAM DICKINSON

COURT REPORTER:

E. Confirmation of Agenda:

F. Approval of Minutes:

Motion by **Mr. Pharr** and seconded by **Mrs. Wiginton** to approve Minutes of **July 16, 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 2608ZB107:

Variance 2608ZB107, by agent Wayne O'Neal, seeking approval for 6 normal parking spaces where 18 are required, Tax Parcel 0811C-04-047.000, 2714 25th Avenue, Zoned B-2 (General Business), Ward 3

Speaking for the Petition: Wayne O'Neal

Speaking against the Petition: None

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

Second: Mr. McCree

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

Action: Motion carried unanimously.

2. Variance 2608ZB108:

Variance 2608ZB108, by agent Wayne O'Neal, seeking approval for parking that backs out into city right of way, Tax Parcel 0811C-04-047.000, 2714 25th Avenue, Zoned B-2 (General Business), Ward 3

Speaking for the Petition: Wayne O'Neal

Speaking against the Petition: None

Motion: Mr. McCree – to approve the applicant's request.

Second: Mrs. Wiginton

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

Action: Motion carried unanimously.

3. Variance 2608ZB109:

Variance 2608ZB109, by agent Wayne O'Neal, seeking approval for a 0-foot front yard setback where 25 feet is required, Tax Parcel 0811C-04-047.000, 2714 25th Avenue, Zoned B-2 (General Business), Ward 3

Speaking for the Petition: Wayne O'Neal

Speaking against the Petition: None

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

Second: Mr. McCree

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

Action: Motion carried unanimously.

4. Variance 2608ZB112:

Variance 2608ZB112, by owner Grant Curtis Bell, seeking approval for a 5-foot 2-inch side-yard setback where 15 feet is required, Tax Parcel 0708B-02-037.001, 12299 Brittany Blvd, Zoned R-1-15 (Single Family), Ward 7

Speaking for the Petition: Grant Curtis Bell

Speaking against the Petition: None

Motion: Mr. McCree – to approve the applicant's request.

Second: Mr. Pharr

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

Action: Motion carried unanimously.

5. Variance 2608ZB116:

Variance 2608ZB116, by agent Calvin Stevenson, seeking approval for a lot size of 4150 square feet where 7500 square feet is required as well as seeking approval for a lot width of 41.5 feet where 60 feet is required, Tax Parcel 0810N-03-042.000, 2822 23rd Avenue, Zoned R-2 (General Business), Ward 3

Speaking for the Petition: Calvin Stevenson

Speaking against the Petition: None

Other: Malcolm Jones

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

Second: Mr. McCree

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

Action: Motion carried unanimously.

6. Variance 2608ZB117:

Variance 2608ZB117, by owner Randy Lampley, seeking approval for 2441 total accessory structure square footage where 2000 square feet is allowed, Tax Parcel 0808B-02-001.000, 12310 Cold Springs Rd, Zoned R-1-10 (Single Family), Ward 6

Speaking for the Petition: Randy Lampley

Speaking against the Petition: None

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

Second: Mr. Daniels

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

Action: Motion carried unanimously.

7. Variance 2608ZB118:

Variance 2608ZB118, by owner Randy Lampley, seeking approval for a third accessory structure where 2 are allowed, Tax Parcel 0808B-02-001.000, 12310 Cold Springs Rd, Zoned R-1-10 (Single Family), Ward 6

Speaking for the Petition: Randy Lampley

Speaking against the Petition: None

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

Second: Mr. McCree

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

Action: Motion carried unanimously.

8. Variance 2608ZB120:

Variance 2608ZB120, by agent Gene Peters, seeking approval for a 9-foot high front yard fence where 4 feet is the maximum height, Tax Parcel 1009O-02-002.007, 10741 Bayou Plantation Ln, Zoned R-2 (Single Family), Ward 5

Speaking for the Petition: None

Speaking against the Petition: None

Motion: Mr. Boddie – to deny the request due to lack of applicant appearance.

Second: Mr. McCree

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

Action: Motion carried unanimously.

9. Variance 2608ZB121:

Variance 2608ZB121, by agent Denise Cherry, seeking approval for 0 regular parking spaces where 7 are required, Tax parcel 0910I-01-073.000, 600 East Pass Rd, Zoned T4+ (General Urban Zone "Plus"), Ward 4

Speaking for the Petition: Denise Cherry

Speaking against the Petition: None

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

Second: Mr. McCree

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

Action: Motion carried unanimously.

10. Variance 2608ZB122:

Variance 2608ZB122, by agent M. Brant Pettis, seeking approval for a 6-foot high front yard fence where 4 feet is the height limit as well as seeking approval for an 8-foot side and backyard fence where 6 feet is the height limit, Tax Parcel 1010N-03-019.000, 176 Allan Dr, Zoned T3 (Sub-Urban Zone), Ward 2

Speaking for the Petition: Brant Pettis, Neil McIntyre, Raeline McIntyre

Speaking against the Petition: None

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

Second: Mrs. Wiginton

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

Action: Motion carried unanimously.

11. Variance 2609ZB128:

Variance 2609ZB128, by owner Hage Properties LLC, seeking approval for 0 regular parking spaces where 7 are required, Tax Parcel 0910N-07-007.000, 406 Pass Road, Zoned B-2 (General Business), Ward 4

Speaking for the Petition: Laurence Hage

Speaking against the Petition: None

Other: Malcolm Jones

Motion: Mr. Pharr – to approve the applicant’s requests with all conditions stated in the technical report.

Second: Mrs. Wiginton

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

Action: Motion carried unanimously.

Adjournment:

Motion by **Mrs. Wiginton** to adjourn the meeting was seconded by **Mr. Pharr** and carried unanimously. The meeting adjourned **4:05 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
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ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, September 17, 2026

Public Declaration of Appeal Process of Chairman



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ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, September 17, 2026

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



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ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, September 17, 2026

Routine Agenda



URBAN DEVELOPMENT
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ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, September 17, 2026

Variance 2609ZB126: Variance 2609ZB126, by owner Ancillary Capital LLC, seeking approval for a 4 foot side yard setback where 6 feet is required as well as a 2 foot secondary frontage setback where 6 feet is required, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2609ZB126

Hearing Date: September 17, 2026

Current Zoning/Use: T4+ / Vacant Property

Legal: Variance 2609ZB126, by owner Ancillary Capital LLC, seeking approval for a 4 foot side yard setback where 6 feet is required as well as a 2 foot secondary frontage setback where 6 feet is required, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2.

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant is requesting a variance for a side yard setback of 4 feet where 6 feet is required as well as a secondary frontage setback of 2 feet where 6 feet is required. It should be noted that the applicant is also requesting a lot size variance due to the proposed multi-family development. The granting of this variance may be in harmony with the area.

- (a) The applicant states that two large protected trees exist on the property which create a special condition which the property faces. It is clear to staff that protected trees can constitute a hardship. It may need to be decided if maximizing the building space without interfering with the protected trees would be considered reasonable development. The applicant also makes note about the pre-existing street scape and how this type of development is common in the area prior to the ordinance.
- (b) The applicant states that they are not responsible for the protected trees on site. It is clear to staff that this is true. However, if it is determined that maximizing the buildable area does not constitute reasonable development then the applicant would be creating their own hardship.
- (c) The applicant states that the location of the two existing mature live oaks limits the buildable area and creates unnecessary hardship.
- (d) The applicant claims that the literal interpretation of the ordinance would prevent this property from being developed in a similar way to the surrounding area. It is clear that many properties in the area are developed in a manner similar to the proposed development.
- (e) The applicant has attached many examples of buildings built with similar setbacks to the proposed development in the surrounding area. It is clear that the granting of this variance would be in harmony with the surrounding area and would not grant a special privilege.
- (f) This property is zoned T4+, and a Dwelling, Multi-Family is allowed by right.

EXECUTIVE SUMMARY

The applicant is requesting a variance for a side yard setback of 4 feet where 6 feet is required as well as a secondary frontage setback of 2 feet where 6 feet is required. It should be noted that the applicant is also requesting a lot size of 4000 square feet where 10,222 is required due to the proposed multi-family development. The applicant claims that the two mature live oaks on the property are the reason for their hardship. The applicant also notes that the proposed development would be similar to the existing structures in the area. The City of Gulfport Tree Advisor disapproves due to proposed footprint of the structure being in the trees' critical root zone

Any approval should consider these conditions:

1. Approval would allow for a side setback of 4 feet and a secondary frontage setback of 2 feet.
2. Must comply with all current Building Codes and City of Gulfport Ordinances.\
3. Denied - due to proposed footprint being in the trees critical root zone. Such would require a tree permit but would not meet the criteria for issuance of permit Chapter 8 section 8-7.

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	No conditions. Memo dated 8-31-26.
<u>Public Works:</u>	No comment as of 9-4-26.
<u>Traffic and Safety:</u>	No conditions. Memo dated 8/26/26.
<u>Building Code Services:</u>	Must comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 8/27/26.
<u>GIS:</u>	No conditions. Memo dated 9-4-26.
<u>Police Department:</u>	No comment as of 9-4-26.
<u>Fire Department:</u>	No conditions. Memo dated 8-28-26.
<u>City Arborist:</u>	Disapprove. Denied due to proposed footprint being in the trees critical root zone. Such would require a tree permit but would not meet the criteria for issuance of permit Chapter 8 section 8-7. Memo dated 9-1-26.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



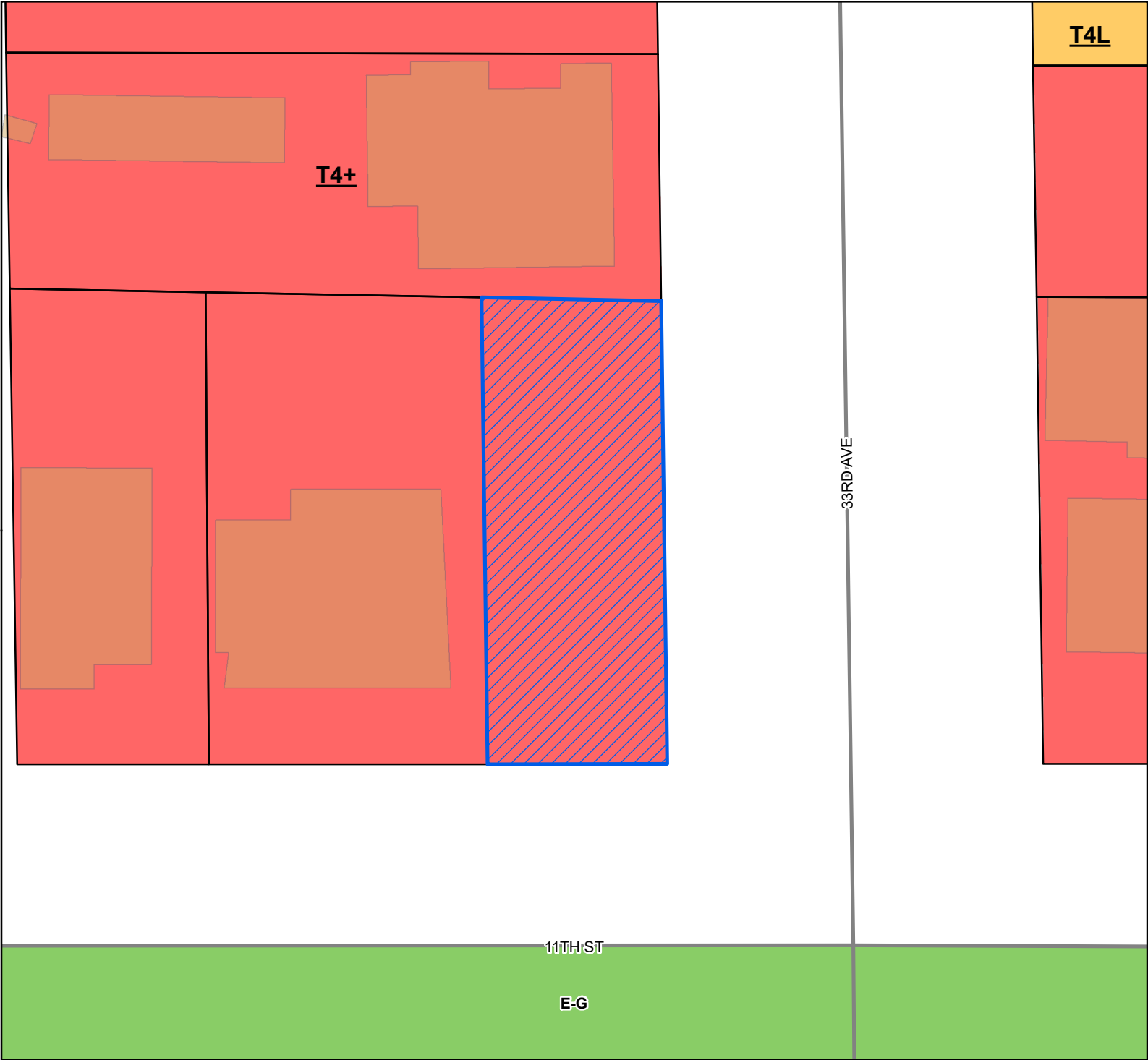
Greg Holmes
Director of Urban Development Department





2609ZB126

Variance



 Site

 Street

 Parcels

 Buildings

 City Limit

Smart Code

 T4+

 T4L

Zoning

 E-G - Entertainment - Gaming District

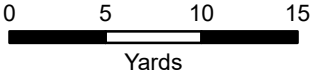
Site Information

0811L-03-036.000

Zoning: T4+ (General Urban Zone "Plus")

Size: 3898.08 sqft

Flood: X



1 inch = 30 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, Colin Bourgoin & Auxiliary Capital, being owner or agent of the property 3300 11th St. Gulfport, MS
PRINT NAME PRIMARY ADDRESS OR PARCEL

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


Signature

07/21/2026
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 21st day of July, 2026


Notary Public

Commission Expiration



Variance Request for 3300 11th St., Collin Bourgeois

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building.

Special conditions and circumstances exist that are unique to this property and are not generally applicable to other properties within the same zoning district.

The property contains two exceptional mature live oak trees located near the north and south ends of the parcel. One tree is estimated to be more than 120 years old. Their extensive root systems, critical root zones, and canopies significantly limit where the building can reasonably be located without risking permanent damage to these irreplaceable trees.

Rather than designing around the maximum buildable area, I carefully positioned the building between the two live oaks to preserve them and minimize disturbance to their root systems. As shown on the attached site plan, this placement requires the west side of the building to be located four (4) feet from the west property line instead of the required six (6) feet. On the east side, the building will be located five (5) feet from the property line, while only the traditional porch stoops extend to two (2) feet from the east property line.

The property is also located within Original Gulfport, which was developed in the early 1900s as a compact, walkable neighborhood. The attached photographs show that adjacent buildings, buildings across the street, and many others throughout the neighborhood commonly have narrow side yards, shallow front setbacks, and porch-oriented architecture that define the established streetscape.

I am requesting only the minimum setback relief necessary to preserve these remarkable trees while allowing the building to continue the established development pattern of Original Gulfport.

2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant.

The conditions requiring these variances were not created by me.

I did not create the location, size, age, or root systems of the two mature live oak trees. Both trees have been part of this property for generations and long predate my ownership.

Likewise, I did not create the dimensions of the lot or the original lot and block system of Original Gulfport. This neighborhood was established in the early 1900s as a compact, walkable downtown neighborhood. Many of the existing buildings were constructed with side yard setbacks much smaller than those required today, and those buildings continue to define the physical character of the neighborhood.

Instead of removing the trees to maximize the building footprint, I designed the building around them while respecting the long-established pattern of development that already exists along this street.

Variance Request for 3300 11th St., Collin Bourgeois

The need for these variances results from the property's existing natural features and historic urban context, not from any action of mine.

3. Demonstrate that an unnecessary hardship is created by the physical character of the property.

The physical characteristics of this property create an unnecessary hardship if the current side yard setbacks are applied without adjustment.

The location of the two mature live oak trees significantly limits the available building area. Requiring the full six-foot side yard setbacks would force the building closer to the trees, increasing disturbance within their critical root zones and creating an unnecessary risk to trees that have existed for well over a century.

The requested setbacks are the minimum necessary to preserve these significant trees while allowing reasonable development of the property. They also allow the building to fit naturally within the established development pattern of Original Gulfport instead of requiring a placement that would be noticeably different from the surrounding neighborhood.

This hardship is unique to this property because it results from the combined presence of two exceptional live oak trees and the property's location within one of Gulfport's oldest neighborhoods.

4. Demonstrate how literal interpretation of the ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district.

Applying the current side yard setbacks without adjustment would prevent this property from being developed in a manner that is consistent with the surrounding neighborhood.

The attached photographs demonstrate the established development pattern along this street and throughout Original Gulfport. Adjacent buildings, buildings across the street, and many others have side yard setbacks substantially smaller than those requested here. Narrow side yards, shallow front setbacks, and porch-oriented buildings are defining characteristics of this neighborhood.

Without these variances, I would be forced to move the building closer to the live oaks or place it in a way that is less consistent with the surrounding neighborhood.

Granting these variances simply allows this property to be developed in a manner similar to many nearby properties while preserving two significant live oak trees.

5. Demonstrate that granting the variance will not confer a special privilege.

Granting these variances will not confer a special privilege that is denied to other properties in the same district.

I am requesting only a west building setback of four (4) feet, an east building setback of five (5) feet, and traditional porch stoops extending to two (2) feet from the east property line.

Variance Request for 3300 11th St., Collin Bourgeois

The attached photographs show that many nearby buildings already have setbacks equal to or smaller than those requested here. My request simply allows this property to respond to its unique conditions while remaining compatible with the surrounding neighborhood.

I am not asking for special treatment. I am simply asking for the minimum flexibility necessary to preserve two exceptional live oak trees while allowing the building to fit naturally within the established development pattern of Original Gulfport.

6. State whether the proposed use is permissible.

The proposed use is permitted by right under the applicable zoning regulations.

This request is strictly for dimensional variances related to the east and west side yard setbacks. No use variance or special exception is requested.

Approving these limited setback variances will allow the building to preserve two significant mature live oak trees, continue the established development pattern of Original Gulfport, and remain fully consistent with the permitted use of the property.

Conclusion

From the beginning, my goal has been simple: preserve two remarkable live oak trees and construct a building that feels like it has always belonged in Original Gulfport.

I designed the building around the trees instead of designing around the maximum building footprint. The requested setbacks are the minimum necessary to protect these significant natural features while maintaining the compact, walkable development pattern that has defined this neighborhood for more than a century.

This request does not change the permitted use of the property, does not adversely affect neighboring properties, and does not seek any special privilege. Instead, it preserves important natural resources, respects the existing neighborhood, and supports continued thoughtful investment in Original Gulfport.

For these reasons, I respectfully request approval of the requested dimensional variances.

Variance Application Exhibits

Exhibit A – Site Plan Showing Building Placement and Live Oaks

The site plan demonstrates that the building has been intentionally positioned between two mature live oak trees to preserve their critical root zones and canopies. The requested west and east side yard variances represent the minimum dimensional relief necessary to preserve these significant trees while maintaining a building placement that fits the established development pattern of Original Gulfport.

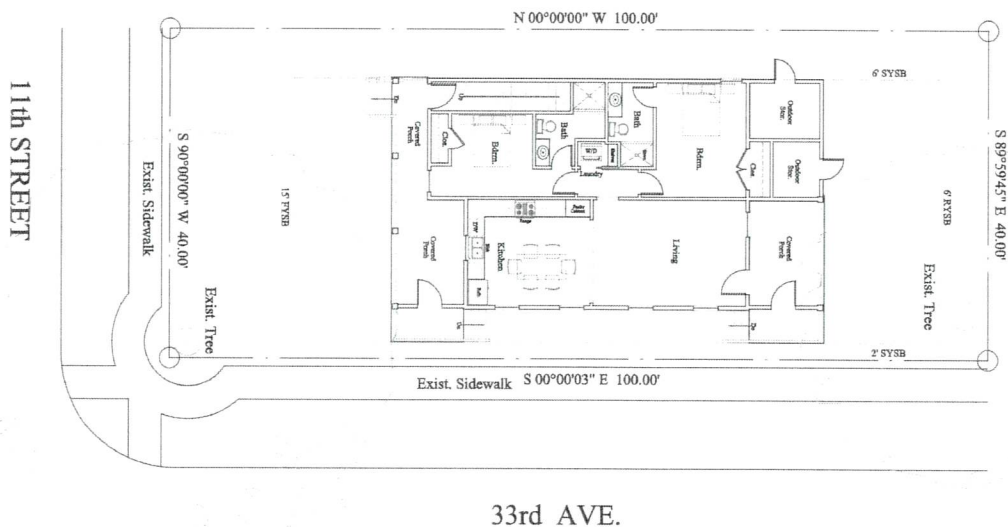


Figure A-1. Site plan showing the building centered between two mature live oak trees. The west building setback is 4 feet, the east building setback is 5 feet, and only the traditional porch stoops extend to 2 feet on the east side.

Exhibit B – Existing Development Pattern in Original Gulfport

The following photographs document the established development pattern along 33rd Avenue and throughout Original Gulfport. Together they show the compact, walkable neighborhood form characterized by shallow front setbacks, narrow side yards, porch-oriented buildings, and a consistent relationship between buildings and the street.



Figure B-1. Adjacent buildings illustrating the traditional streetscape and narrow building spacing.

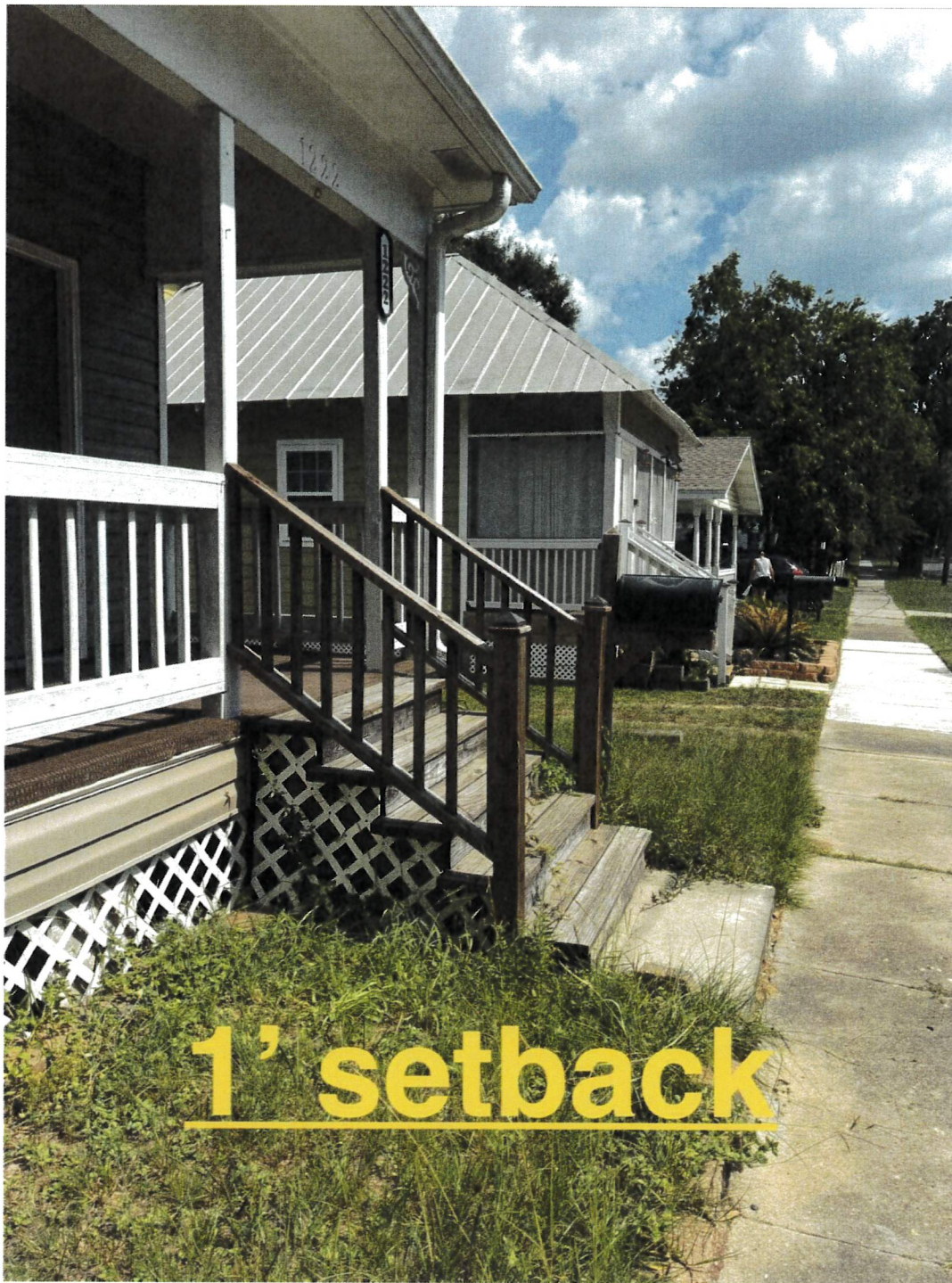


Figure B-2. Nearby building with an approximately 1-foot side setback.

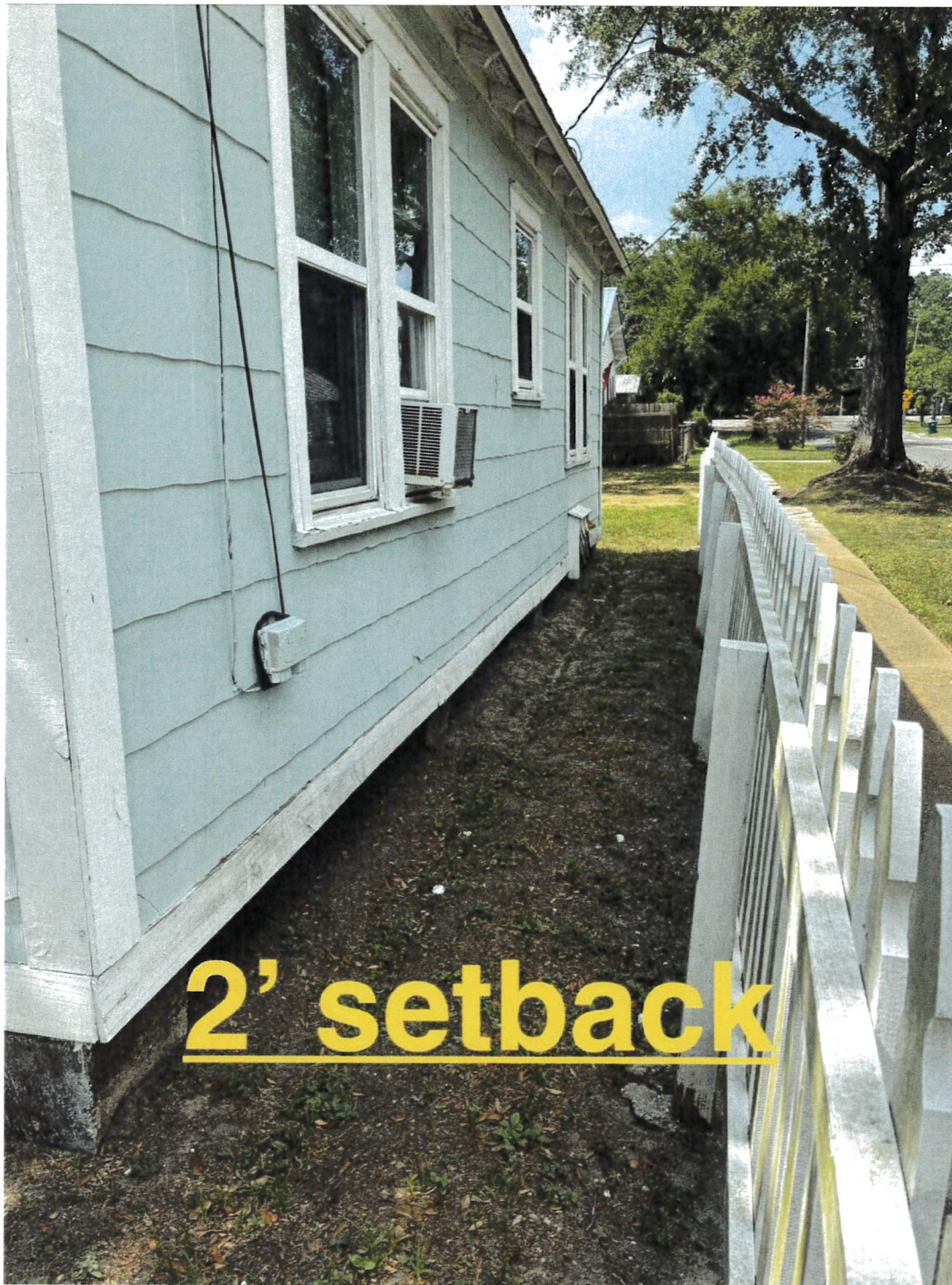


Figure B-3. Nearby building with an approximately 2-foot side setback.

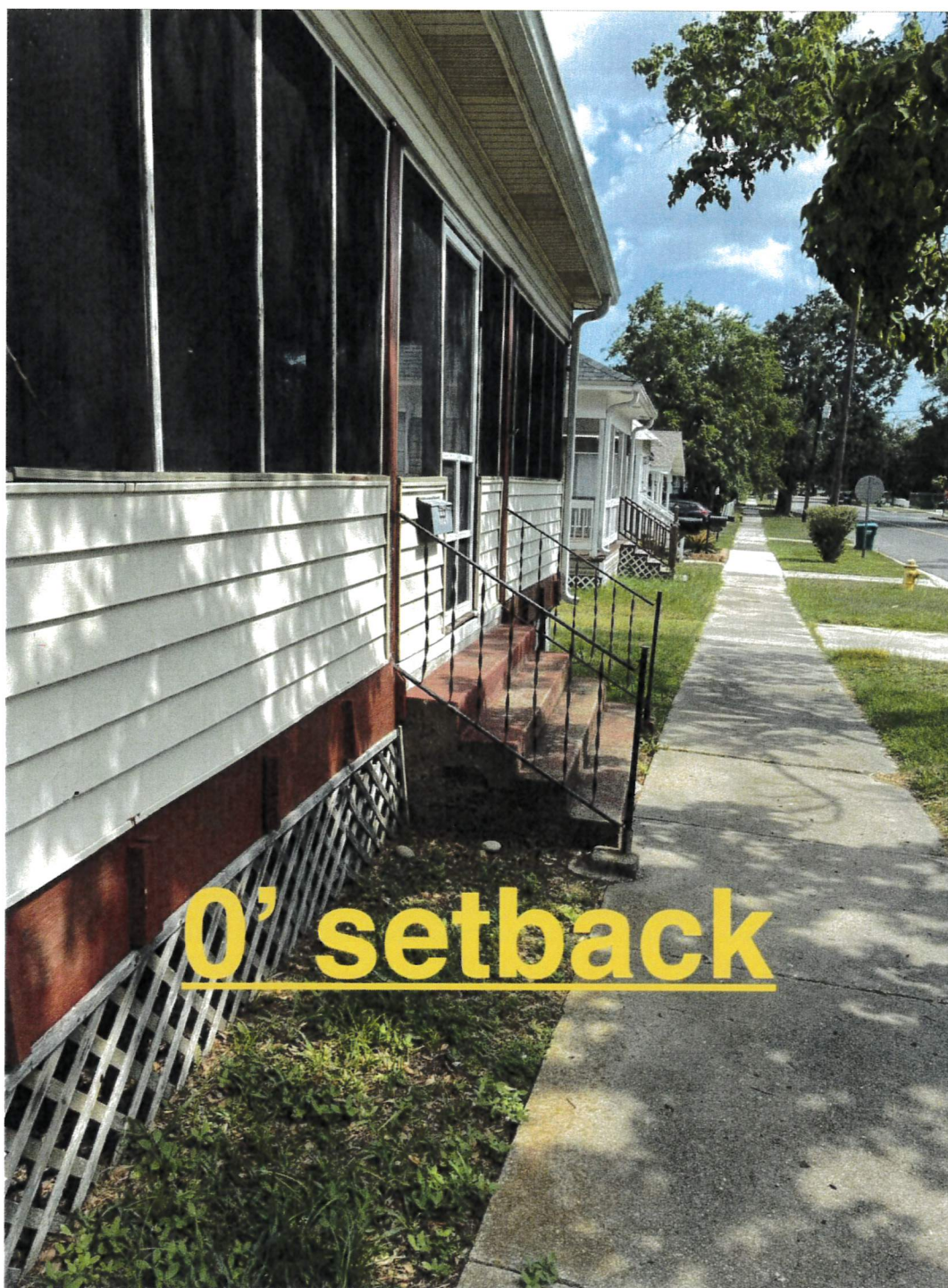
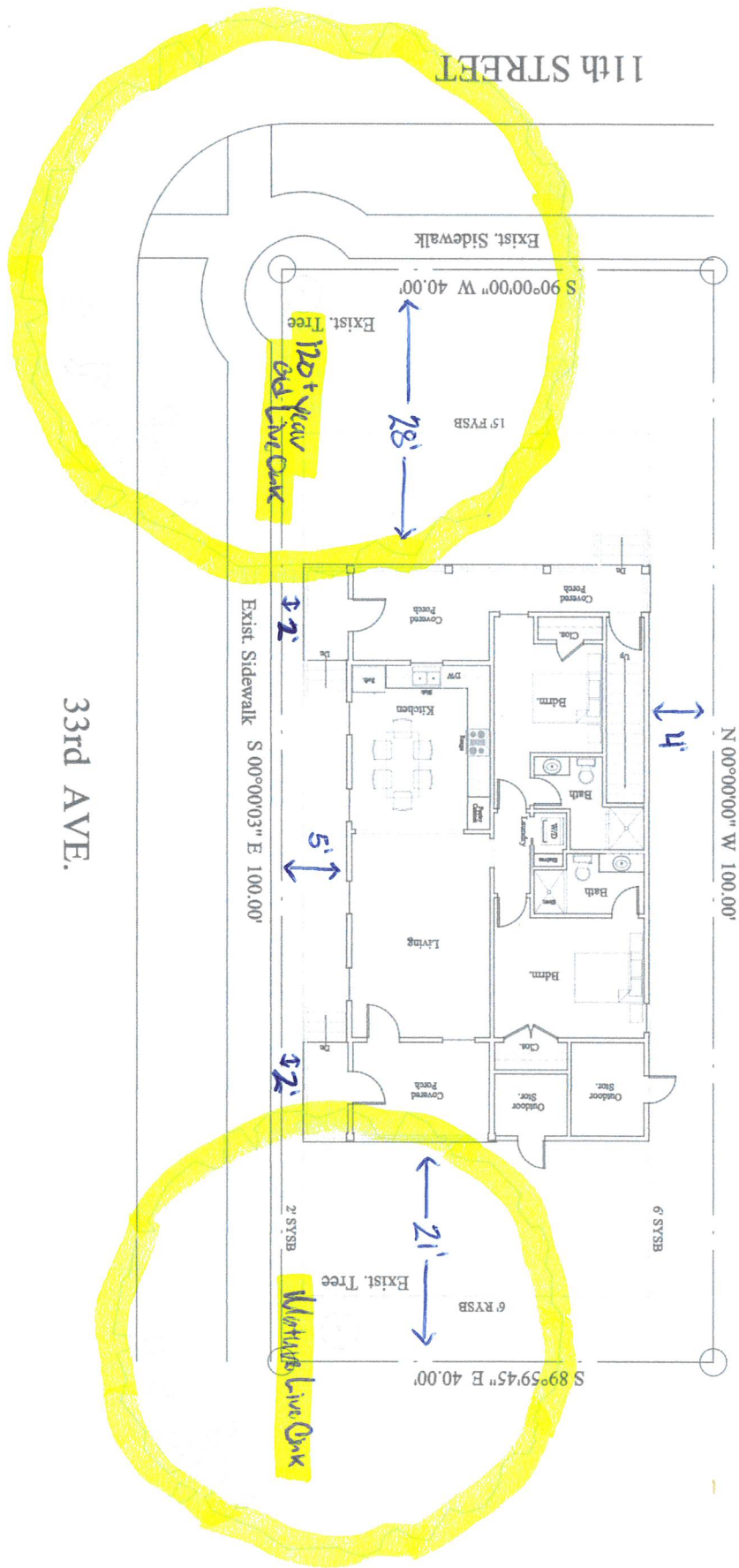


Figure B-4. Historic building at or near the property line, illustrating the long-established development pattern.

Exhibit C – Summary of Supporting Findings

- The requested variances preserve two exceptional mature live oak trees, including one estimated to be more than 120 years old.
- The building has been positioned to minimize impacts to the trees' root systems.
- The requested setbacks closely reflect the established development pattern of Original Gulfport.
- The requested relief is the minimum necessary to preserve the trees while allowing compatible development.
- The requested use is permitted by right; only dimensional variances are requested.





Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Ancillary Capital, LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1074451
Status:	Good Standing
Effective Date:	08/27/2015
State of Incorporation:	Mississippi
Principal Office Address:	384 Park Place Ocean Springs, MS 39564

Registered Agent

Name
E. Foley Ranson 912 Robinson St. Ocean Springs, MS 39564

Officers & Directors

Name	Title
Ancillary Capital, LLC 384 Park Place Ocean Springs, MS 39564	Manager



Aurora Hunter 1st JUDICIAL DISTRICT
Instrument 2024-0009265-D-11
Filed/Recorded 05/20/2024 10:14:01 AM
Total Fees 26.00
3 Pages Recorded

Prepared by & Return to:
E. Foley Ranson, P. A.
Post Office Box 848
Ocean Springs, MS 39566
Telephone: 228-875-8770
MS Bar No. 4629
Our File No. 24-R6171

Indexing Instructions:
E 40 Feet of Lots 9-12, Inc., Blk 197
Original Gulfport SD

Grantors:
Justin H. & Crystal F. Walton
4554 Audubon Trail
Biloxi, MS 39532
Telephone: 228-282-2164

Grantee:
Ancillary Capital, LLC
384 Park Place
Ocean Springs, MS 39564
Telephone: 228-334-2370

Marcia R. Reeves
643 Apelehamma Road
Diamondhead, MS 39525
Telephone: 228-217-4758

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 consideration, the receipt of which is hereby acknowledged, we, **JUSTIN H. WALTON, CRYSTAL F. WALTON and MARCIA R. REEVES**, do hereby sell, convey and warrant to **ANCILLARY CAPITAL, LLC**, a Mississippi Limited Liability Company, the following described property:

The East 40 feet of Lots Nine, Ten Eleven and Twelve (9-12 Inclusive), Block 197, Original Gulfport, a subdivision according to a map or plat thereof which is on file of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 11, at Page 9 (Copy Book FA, at Page 368), reference to which is hereby made in aid of and as a part of this description.

Subject property being the same as that described in Warranty Deed dated October 7, 2022 and recorded as Instrument No. 2022-25968-D-J1 in the Land Records of the First Judicial District of Harrison County, Mississippi.

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

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

WITNESS THE SIGNATURE of the undersigned this the 16 day of

May, 2024.

Justin H. Walton
JUSTIN H. WALTON

Crystal F. Walton
CRYSTAL F. WALTON

Marcia R. Reeves
MARCIA R. REEVES

STATE OF MISSISSIPPI
COUNTY OF JACKSON

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the aforesaid jurisdiction, the within named **JUSTIN H. WALTON and CRYSTAL F. WALTON**, who acknowledged that they signed and delivered the foregoing instrument on the day and year therein mentioned as their own free and voluntary act and deed.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 16 day of May, 2024.

My Commission Expires:

6/11/26

STATE OF MISSISSIPPI
COUNTY OF JACKSON



Janice Daams
NOTARY PUBLIC

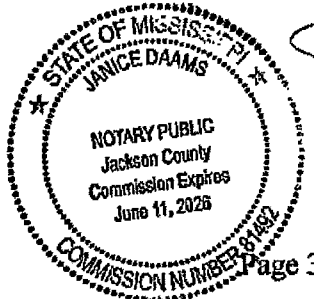
PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the aforesaid jurisdiction, the within named **MARCIA R. REEVES**, who acknowledged that she signed and delivered the foregoing instrument on the day and year therein mentioned as her own free and voluntary act and deed.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 16 day of May, 2024.

My Commission Expires:

6/11/26

STATE OF MISSISSIPPI
COUNTY OF JACKSON



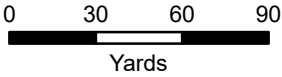
Janice Daams
NOTARY PUBLIC

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			ANCILLARY CAPITAL LLC (OWNER)	1114 33RD AVENUE A	GULFPORT	MS	39501
			Adjacent Property Owners (2609ZB126)				
	90100	0811L-03-030.000	LVS & LCCC GP PROPERTIES LLC	11503 MAGNOLIA ESTATE LANE	GULFPORT	MS	39503
	90089	0811L-03-040.000	LARSEN ALLISON	1035 TREME ST	NEW ORLEANS	LA	70116
	115141	0811L-03-030.001	ANCILLARY CAPITAL LLC	384 PARK PLACE	OCEAN SPRINGS	MS	39564
	20469	0811L-03-026.001	HARRELL LARRY E & BARBARA W	8022 BRANDON DRIVE	BATON ROUGE	LA	70809
	20464	0811L-03-036.000	WALTON JUSTIN H & CRYSTAL F ETAL	14118 WOODLAND HILLS DR	BILOXI	MS	39532
	20480	0811L-03-032.000	WOOD MARY M W & WILLIAM T JR-TRUSTE	P O BOX 7024	GULFPORT	MS	39506
	20479	0811L-03-031.000	ANCILLARY CAPITAL LLC	630-D WASHINGTON AVE STE 3	OCEAN SPRINGS	MS	39564
	26311	0711I-02-086.000	GULFSIDE CASINO PARTNERSHIP	POST OFFICE BOX 1600	GULFPORT	MS	39502
	90097	0811L-03-026.002	OFFERHOUSE LLC	1103 HICKORY DR	LONG BEACH	MS	39560
	20468	0811L-03-026.000	COLA GORDON WAYNE	1123 32ND AVE	GULFPORT	MS	39501
	20460	0811L-03-034.000	HA LOC V & NHUNG T TRAN	3102 DONNIE BROOK LANE	MOSS POINT	MS	39562
	20462	0811L-03-038.000	BLP MANAGEMENT LLC	7420 KILN PICAYUNE RD	KILN	MS	39556
	20463	0811L-03-037.000	FLORA M ONE LLC	PO BOX 445	BILOXI	MS	39533
	20477	0811L-03-029.000	ANCILLARY CAPITAL LLC	384 PARK PLACE	OCEAN SPRINGS	MS	39564
	90099	0811L-03-028.000	ANCILLARY CAPITAL LLC	630-D WASHINGTON AVE, STE 3	OCEAN SPRINGS	MS	39564
	20461	0811L-03-035.000	D S LADNER HOLDINGS LLC	P O BOX 6546	GULFPORT	MS	39506
	121529	0811L-03-027.001	RIVER ROAD ACQUISITIONS LLC	8729 25TH ST	METAIRIE	LA	70003
	20470	0811L-03-027.000	RIVER ROAD ACQUISITIONS LLC	8729 25TH STREET	METAIRIE	LA	70003
	20539	0811L-03-063.000	GULFSIDE CASINO PARTNERSHIP	PO BOX 1600	GULFPORT	MS	39502
	90087	0811L-03-039.000	GULFSIDE CASINO PARTNERSHIP	P O BOX 1600	GULFPORT	MS	39502
	91052	0711I-02-074.000	GULFSIDE CASINO PARTNERSHIP	POST OFFICE BOX 1600	GULFPORT	MS	39502
	20459	0811L-03-033.000	HA LOC V & NHUNG T TRAN	3102 DONNIE BROOK LANE	MOSS POINT	MS	39562



Legend

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



1 inch = 200 feet



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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
51445	IPL0369234	Legal Ad - IPL0369234	September Zoning Board	1.0	69.0L

ATTENTION: GULFPORT URBAN DEVELOPMENT IP
PO BOX 1780
GULFPORT, MS 39502
accountspayable@gulfport-ms.gov;sasmith@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, September 17th, 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 2609ZB126, by owner Ancillary Capital LLC, seeking approval for a 4 foot side yard setback where 6 feet is required as well as a 2 foot secondary frontage setback where 6 feet is required, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2609ZB129, by owner Ancillary Capital LLC, seeking approval for a 4000 square foot lot where 10,222 square feet is required for a 3-Unit Multiple-Family Dwelling, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2609ZB130, by owner John K. Rester, seeking approval for a 7-foot 6-inch back and side yard fence where 6 feet is the height limit, Tax Parcel 1010C-01-001.045, 10889 Channelside Drive, Zoned R-2 (Single Family), Ward 5

Variance 2609ZB131, by agent Addison Sweebe, seeking approval for a 5,000 square foot lot where 8000 square feet is required for a Duplex use, Tax Parcel 0811L-03-029.000, 3212 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2610ZB134, by owner B&B Forrest, Inc., seeking approval for a 4.42 foot east side yard setback where 6 feet is required for side yard setback, Tax Parcel 1010E-02-025.001, 1293 Spring Street, Zoned T3 (Sub-Urban Zone), Ward 4

This the 26th day of August 2026
Nathan Boddie, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0369234
Sep 2 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:
09/02/26 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Julie Ambry



Julie Ambry

Amanda Rodela



Sworn to and subscribed before
me on

Sep 2, 2026, 9:51 AM EDT



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



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

ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, September 17, 2026

Variance 2609ZB129: Variance 2609ZB129, by owner Ancillary Capital LLC, seeking approval for a 4000 square foot lot where 10,222 square feet is required for a 3-Unit Multiple-Family Dwelling, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2609ZB129

Hearing Date: September 17, 2026

Current Zoning/Use: T4+ / Vacant Lot

Legal: Variance 2609ZB129, by owner Ancillary Capital LLC, seeking approval for a 4000 square foot lot where 10,222 square feet is required for a 3-Unit Multiple-Family Dwelling, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant is seeking approval to build a multi-family dwelling on a 4,000 square foot lot which is less than the required 10,222 square feet lot size for T4+ (General Urban Zone “Plus”) in Appendix A.

- (a) The applicant notes that special conditions exist because this is an original 40-foot by 100-foot urban corner lot within an established downtown block. The applicant does not address any special conditions or circumstances particular to the land that is not applicable to other lands. The subject site is a vacant lot of land that has been vacant since 2007 according to available imagery.
- (b) In the application, the applicant cites that these conditions were not created by me. Though the applicant did not create the special conditions and circumstances that do not result from the actions of the applicant, the applicant is creating a hardship by wanting to build a multi-family dwelling on a 4,000 square foot lot that does not meet the minimum lot size for multi-family dwelling in T4+ zoning district.
- (c) The applicant references the hardship is straightforward, this original 4,000 square foot lot cannot meet Appendix A’s minimum building site area for three dwelling units. The lot is considered a “Lot of Record”, and a single-family dwelling can be built on this lot and will just be required to meet setback requirements. The applicant is creating unnecessary hardship by wanting to put multi-family on a lot that does not meet the minimum site area for multi-family, which is 10,222 square feet for T4+ zoning district.
- (d) The applicant claims that the applicable district permits multifamily residential development. The T4+ zoning district does allow for multi-family out right, however there are properties that appear to have existed when this district was under Appendix D (Smartcode), which allowed for smaller lot sizes. Since that time this area has rescinded its Smartcode Community Plan and reverted to Appendix A transect zones, which requires 10,222 square feet for lot sizes for multi-family dwellings.
- (e) The applicant claims that granting the variance will not confer a special privilege. While there are other properties that have multi-family homes that are smaller than the 10,222 square feet required by current district regulations, these properties were developed when the area was under Appendix D (Smartcode) regulations which allowed for smaller lot sizes. Since that time, the area has rescinded their Smartcode Community Plan and reverted to Appendix A transect zones, which requires 10,222 square feet for lot sizes for multi-family homes. Granting the variance would set a precedent in the area regarding current district regulations.
- (f) This property is zoned T4+, and a multi-family dwelling is allowed by right.

EXECUTIVE SUMMARY

The applicant is seeking approval to build a multi-family dwelling on a parcel smaller than the 10,222 square feet required by Appendix A, T4+ District Regulations. The six hardship criteria have not been met, and the hardship noted does not meet merit. While there are other properties that have multi-family homes that are smaller than the 10,222 square feet required by current district regulations, these properties were developed when the area was under Appendix D (Smartcode) regulations which allowed for smaller lot sizes. Since that time, the area has rescinded their Smartcode Community Plan and reverted to Appendix A transect zones, which requires 10,222 square feet for lot sizes for multi-family homes. In section VI – off-street

Technical Report

VARIANCE

parking, parcels that front on the north side of 11th Street between the center line of 31st Avenue to the center line of 36th Avenue are exempt from these off-street parking requirements.

Although the applicant would not be required to have on-site parking, they will be required to have one handicapped accessible parking space. The City of Gulfport Tree Advisor disapproves due to proposed footprint of the structure being in the trees' critical root zone. Granting the variance would set a precedent in the area regarding current district regulations.

Any approval should consider these conditions:

1. Must comply with all current Building Codes and City of Gulfport Ordinances.
2. Denied due to proposed footprint being in the trees critical root zone. Such would require a tree permit but would not meet the criteria for issuance of permit Chapter 8 section 8-7.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 8/31/2026.

Public Works: No comment as of 9/4/2026.

Traffic and Safety: No conditions. Memo dated 8/26/2026.

Building Code Services: Condition. Must comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 8/26/2026.

GIS: No conditions. Memo dated 9/4/2026.

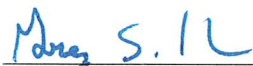
Police Department: No comment as of 9/4/2026.

Fire Department: No conditions. Memo dated 8/28/2026.

City Arborist: Disapprove. Denied due to proposed footprint being in the trees critical root zone. Such would require a tree permit but would not meet the criteria for issuance of permit Chapter 8 section 8-7. Memo dated 9/1/2026.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes

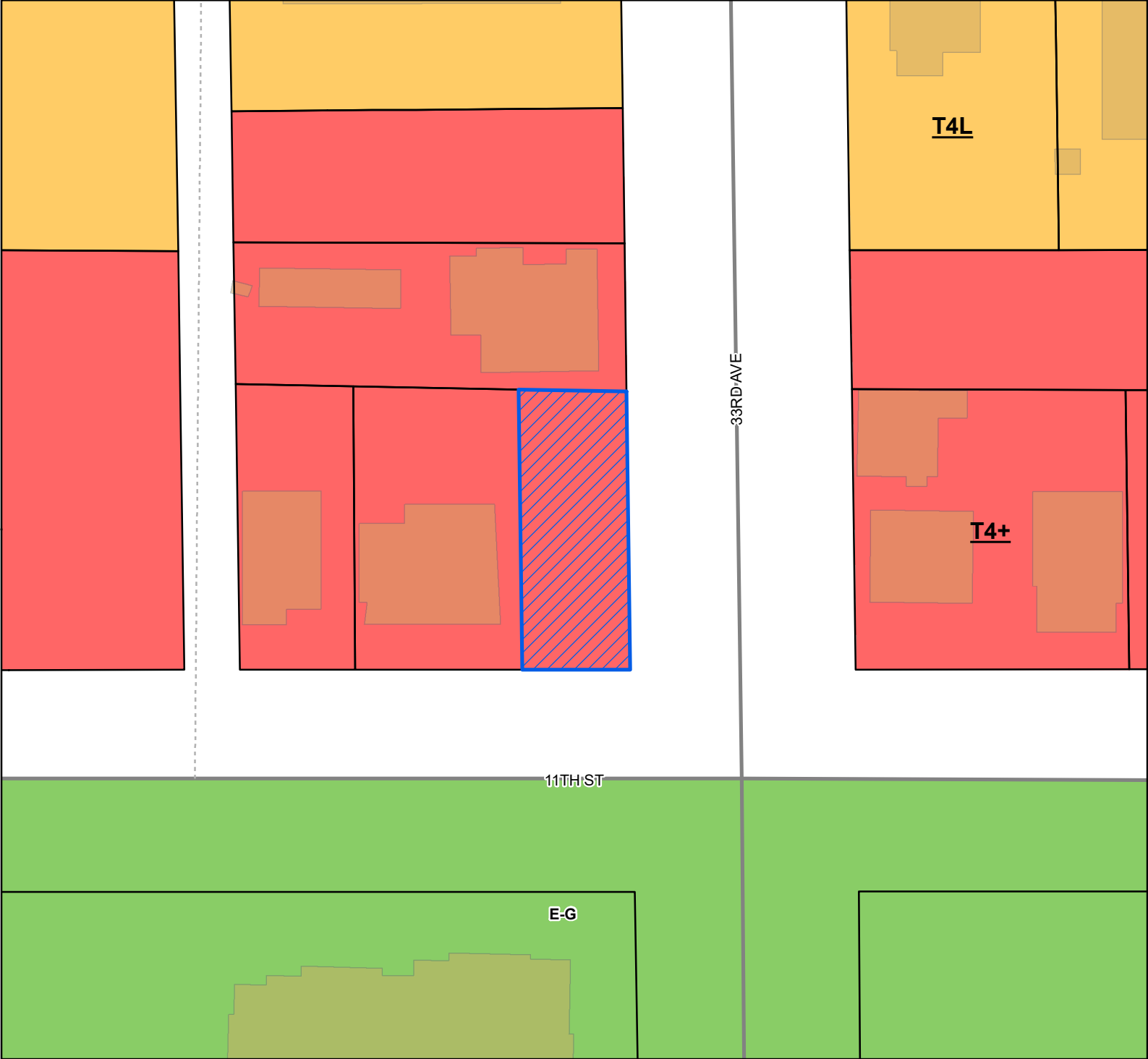
Director of Urban Development Department





2609ZB129

Variance



Site

Street

Alley

Parcels

Buildings

City Limit

Smart Code

T4+

T4L

Zoning

E-G - Entertainment - Gaming District

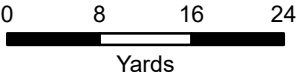
Site Information

0811L-03-036.000

Zoning: T4+ (General Urban Zone "Plus")

Size: 3898.08

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.



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

CASE NUMBER

260928129

SDS 7-30-26

Receipt # 13965461

ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

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

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

TAX PARCEL NUMBERS

08112-03-036.000	

Property Address:

3300 11th St. Gulfport, MS 39501

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

General Description of Request: Relief from the minimum lot size over required
for three dwelling units.

OWNERSHIP AND CERTIFICATION:

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



Covenant Affidavit

I, Colin Bourgeois of Auxiliary Capital, being owner or agent of the property 3300 11th St.
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] 07/30/2026
Signature Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 30th day of July, 2026

[Signature]
Notary Public

Commission Expiration



Answers for Variance Request

Parcel Number	0811L-03-036.000
Existing Lot	40 feet by 100 feet; 4,000 square feet
Proposed Use	Three dwelling units
Variance Requested	Relief from the minimum building site area required for three dwelling units

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building.

Special conditions exist because this is an original 40-foot by 100-foot urban corner lot within an established downtown block.

The property is within the Downtown Main Street District, directly across 11th Street from the Island View Casino complex, and near the Central Business District. The surrounding area includes two-, three-, four-, and six-unit residences together with substantial commercial, medical, office, banking, and entertainment uses.

The most direct residential comparison is the amount of lot area provided for each dwelling unit:

Lot Area per Dwelling Unit	Property	Residential Use
1,225 SF per unit	1113 33rd Avenue	6 existing units
1,333 SF per unit	3300 11th Street	3 proposed units
1,875 SF per unit	1106 32nd Avenue	4 existing units
2,333 SF per unit	3305 12th Street	6 existing units

The proposed three-unit development provides 1,333 square feet of lot area per dwelling unit, more than the direct neighbor at 1113 33rd Ave. which has 1,225 square feet per unit.

Appendix D previously governed this area and would permit three dwelling units by right. It still governs properties on 30th Avenue, only three streets farther west, even though this property is closer to the Central Business District and surrounded by greater residential and commercial intensity.

The original 4,000-square-foot urban lot, downtown mixed-use setting, established multifamily pattern, and regulatory boundary are conditions particular to this property and support the requested relief.

2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant.

These conditions were not created by me. The lot was established at 40 feet by 100 feet long before the current minimum building site area requirement. I did not subdivide it, reduce its area, or otherwise create the condition for which relief is requested.

The surrounding development pattern and the boundary between Appendix A and Appendix D also predate my ownership. My purchase of an existing lot did not create those conditions. I am asking for limited relief to develop the lot in a way that fits its established urban setting.

3. Demonstrate that an unnecessary hardship is created by the physical character of the property.

The hardship is straightforward: this original 4,000-square-foot lot cannot meet Appendix A's minimum building site area for three dwelling units.

That formula blocks three dwelling units based on lot area alone, even though the proposal provides 1,333 square feet of lot area per unit, more than the direct neighbor to the north at 1113 33rd Avenue.

Three dwelling units are modest for this downtown, mixed-use location and would be permitted by right under Appendix D in the nearby area it still governs.

Requiring fewer units would not correct an incompatibility with the surrounding area. It would only impose a lower residential intensity than this urban setting supports. This request addresses only the minimum building site area; a separate request addresses the setbacks, and all other applicable requirements remain in place except any relief specifically approved by the Board.

4. Demonstrate how literal interpretation of the ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district.

The applicable district permits multifamily residential development. Literal application of the minimum building site area formula would make three dwelling units unavailable on this original 40-foot lot.

Three dwelling units are a modest form of that permitted use, provide 1,333 square feet of lot area per unit, and fit the established urban residential pattern of the area.

Granting the variance would allow the property to use the multifamily residential opportunity the district provides while limiting approval to three dwelling units. It would not authorize a different use or a broader development right.

5. Demonstrate that granting the variance will not confer a special privilege.

Granting the variance will not confer a special privilege.

Three dwelling units are consistent with the residential and commercial intensity and diversity of the surrounding area and with the City's goal for a walkable, vibrant downtown within the Downtown Main Street District.

The proposed density is not unusual or excessive. It provides more lot area per dwelling unit than an established six-unit property nearby, and the same three-unit use would be permitted by right under Appendix D only three streets away.

The project will return vacant land to productive use and continue the long-term improvement of this block through quality construction, permanent maintenance, and place-appropriate architecture. I intend to own and operate the property for the long term beside my home and office.

The request is limited to this original lot and three dwelling units. It does not authorize a prohibited use or give the property an advantage unrelated to its particular conditions.

6. State whether the proposed use is permissible.

The proposed multifamily residential use is permissible. This application concerns only Appendix A's minimum building site area for three dwelling units.

The same three-unit use is permitted by right under Appendix D, which previously governed this area and still governs properties on 30th Avenue and only three streets west.

Approval would authorize no more than three dwelling units and would leave all other zoning, building, fire, life-safety, parking, utility, stormwater, and permitting requirements in place except any separate relief specifically approved by the Board.

CONCLUSION

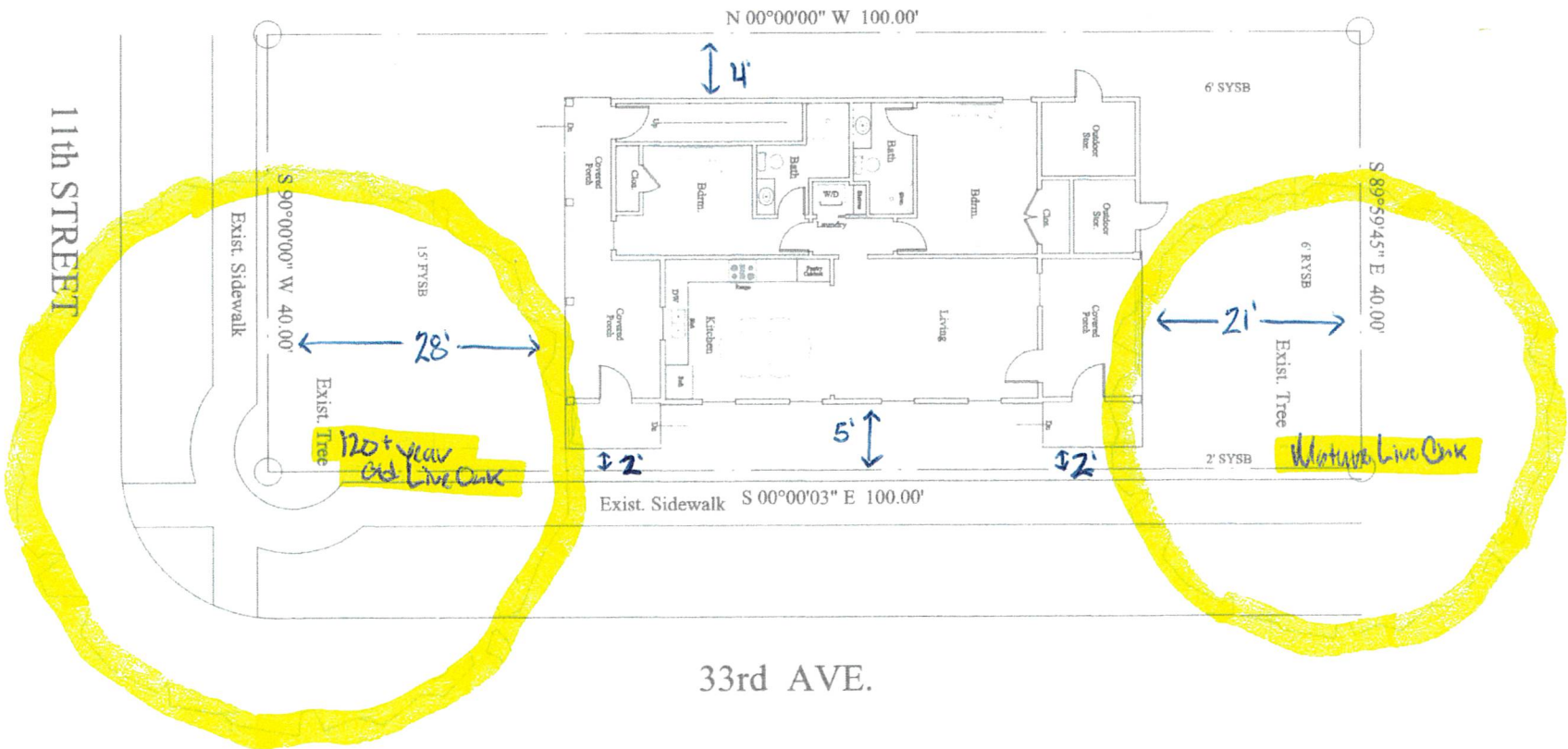
This is an original 4,000-square-foot urban lot within the Downtown Main Street District. It is directly across from the Island View Casino complex, adjacent to the Central Business District, and surrounded by a diverse mix of residential, commercial, medical, office, banking, and entertainment uses.

Three dwelling units are modest and appropriate in this location. The proposal provides 1,333 square feet of lot area per dwelling unit, more than the 1,225 square feet per unit at an existing six-unit property directly next door. The same three-unit use would also be permitted by right under Appendix D only three streets away.

The project will return vacant land to productive use and continue the careful, long-term improvement of this block. It will add permanent residents who support nearby businesses, daily street life, and the City's goal of a walkable and vibrant downtown.

The request is limited to the minimum building site area required for three dwelling units. It does not seek a rezoning, introduce an incompatible use, waive unrelated requirements, or confer a special privilege.

For these reasons, I respectfully request approval of the dimensional variance from the minimum building site area required for three dwelling units.



A.P.R. = AS PER RECORD
A.P.S. = AS PER SURVEY
A.P.C. = AS PER CALCULATION
A.P.T. = AS PER TAX MAP
A.P.P.S. = AS PER PREVIOUS SURVEY

C.N.S. = COULD NOT SET
A.P.D. = AS PER DEED
A.P.P. = AS PER PLAT

LEGEND:
• = FOUND IRON PIN (F.I.P.)
• = SET CAPPED IRON PIN (S.I.P.)
• = SECTION CORNER
• = CONCRETE MONUMENT

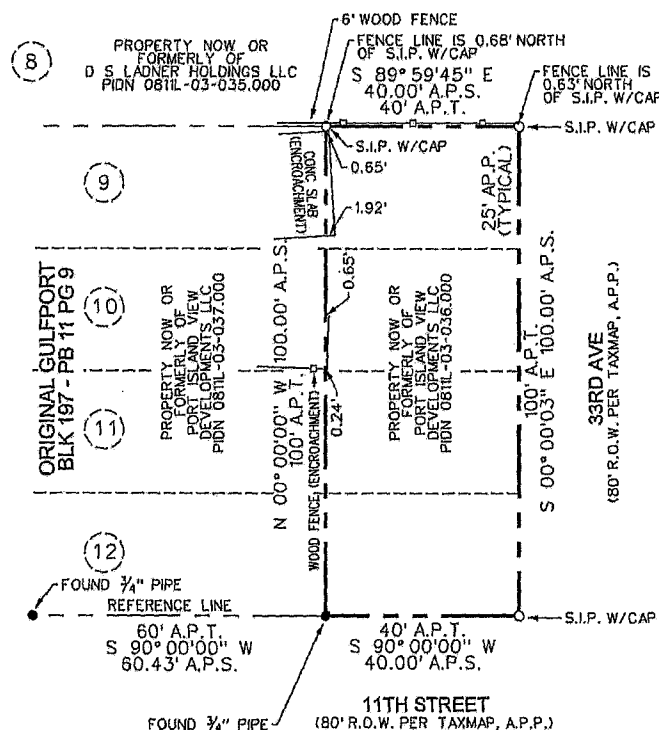
NOTES:

THIS SURVEY WAS PERFORMED FROM INFORMATION PROVIDED BY CLIENT WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT, AND INFORMATION DISCOVERED BY THE SURVEYOR IN THE NORMAL COURSE OF WORK AND MAY NOT SHOW ALL EASEMENTS, SERVITUDES AND ENCUMBERMENTS ASSOCIATED WITH THE PROPERTY. A TITLE REPORT IS RECOMMENDED FOR FULL DISCOVERY.

ONLY VISIBLE, ABOVE GROUND IMPROVEMENTS WERE LOCATED AS A PART OF THIS SURVEY

NO SETBACKS OR EASEMENTS SHOWN ON RECORD PLAT

BEARING FOR REFERENCE LINE IS ASSUMED AS DUE EAST

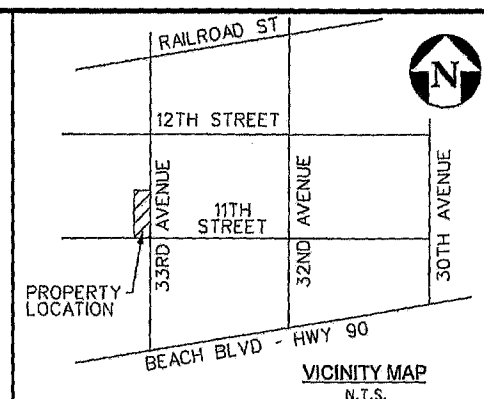


REFERENCE MATERIAL:

-HARRISON COUNTY WEB MAPPING
-RECORD PLAT OF ORIGINAL GULFPORT
PB 11 PG 9
-WARRANTY DEED 2022-0025968-D-J1



SCALE: 1" = 30'
CLASS "B" SURVEY



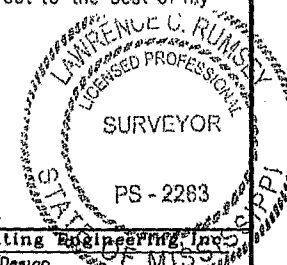
LEGAL DESCRIPTION: (WARRANTY DEED)

The East 40 feet of Lots Nine, Ten, Eleven and Twelve (9-12 Inclusive), Block 197, Original Gulfport, a subdivision according to a map or plat thereof which is on file of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 11, at Page 9 (Copy Book 4A, at Page 368), reference to which is hereby made in aid of and as a part of this description.

CERTIFICATION:

This is to certify that I have surveyed the property hereon described and delineated and that the measurements and other data indicated are true and correct to the best of my knowledge and belief.

Lawrence C. Rumsey, P.L.S.
Lawrence C. Rumsey, P.L.S.
MS Reg. No. 2283
May 16, 2024



DATE OF FIELD SURVEY 04-26-24

Rumsey Consulting Engineering, Inc.
Planning, Surveying, Design
910 Howard Avenue
Biloxi, Mississippi 39530
(228) 432-8344

F0100

2015378443

Fee: \$ 50



DELBERT HOSEMANN
Secretary of State

P.O. BOX 136
JACKSON, MS 39205-0136

TELEPHONE: (601) 359-1633

Business ID: 1074451
Filed: 08/27/2015 06:32 PM
C. Delbert Hosemann, Jr.
Secretary of State

Mississippi Limited Liability Company Certificate of Formation

Business Information

Business Type: Limited Liability Company
Business Name: Ancillary Capital, LLC
Business Email: ancillary.capital@gmail.com
Period of Duration: Perpetual

NAICS Code/Nature of Business

551114 - Corporate, Subsidiary, and Regional Managing Offices
523910 - Miscellaneous Intermediation
541611 - Administrative Management and General Management Consulting Services

Registered Agent

Name: Collin David Bourgeois
Address: 1107 Halstead Bayou Drive
Ocean Springs, MS 39564

Signature

The undersigned certifies that:

- 1) he/she has notified the above-named registered agent of this appointment;
- 2) he/she has provided the agent an address for the company, and;
- 3) the agent has agreed to serve as registered agent for this company

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day **08/27/2015**.

Name:
Collin David Bourgeois
Manager

Address:
1107 Halstead Bayou Drive
Ocean Springs, MS 39564



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Ancillary Capital, LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1074451
Status:	Good Standing
Effective Date:	08/27/2015
State of Incorporation:	Mississippi
Principal Office Address:	384 Park Place Ocean Springs, MS 39564

Registered Agent

Name
E. Foley Ranson 912 Robinson St. Ocean Springs, MS 39564

Officers & Directors

Name	Title
Ancillary Capital, LLC 384 Park Place Ocean Springs, MS 39564	Manager



Angela Hunter 1st JUDICIAL DISTRICT
Instrument 2024-0009265-D-J1
Filed/Recorded 05/20/2024 10:14:01 AM
Total Fees 26.00
3 Pages Recorded

Prepared by & Return to:
E. Foley Ranson, P. A.
Post Office Box 848
Ocean Springs, MS 39566
Telephone: 228-875-8770
MS Bar No. 4629
Our File No. 24-R6171

Indexing Instructions:
E 40 Feet of Lots 9-12, Inc., Blk 197
Original Gulfport SD

Grantors:
Justin H. & Crystal F. Walton
4554 Audubon Trail
Biloxi, MS 39532
Telephone: 228-282-2164

Grantee:
Ancillary Capital, LLC
384 Park Place
Ocean Springs, MS 39564
Telephone: 228-334-2370

Marcia R. Reeves
643 Apelehama Road
Diamondhead, MS 39525
Telephone: 228-217-4758

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 consideration, the receipt of which is hereby acknowledged, we, **JUSTIN H. WALTON, CRYSTAL F. WALTON and MARCIA R. REEVES**, do hereby sell, convey and warrant to **ANCILLARY CAPITAL, LLC**, a Mississippi Limited Liability Company, the following described property:

The East 40 feet of Lots Nine, Ten Eleven and Twelve (9-12 Inclusive), Block 197, Original Gulfport, a subdivision according to a map or plat thereof which is on file of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 11, at Page 9 (Copy Book FA, at Page 368), reference to which is hereby made in aid of and as a part of this description.

Subject property being the same as that described in Warranty Deed dated October 7, 2022 and recorded as Instrument No. 2022-25968-D-J1 in the Land Records of the First Judicial District of Harrison County, Mississippi.

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

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

WITNESS THE SIGNATURE of the undersigned this the 16 day of May, 2024.

Justin H. Walton
JUSTIN H. WALTON

Crystal F. Walton
CRYSTAL F. WALTON

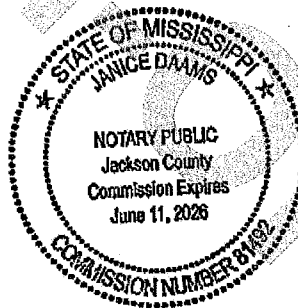
Marcia R. Reeves
MARCIA R. REEVES

STATE OF MISSISSIPPI
COUNTY OF JACKSON

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the aforesaid jurisdiction, the within named **JUSTIN H. WALTON and CRYSTAL F. WALTON**, who acknowledged that they signed and delivered the foregoing instrument on the day and year therein mentioned as their own free and voluntary act and deed.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 16 day of May, 2024.

My Commission Expires:
6/11/26
STATE OF MISSISSIPPI
COUNTY OF JACKSON

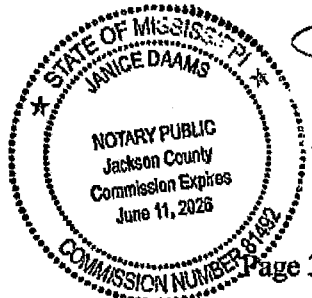


Janice Daams
NOTARY PUBLIC

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the aforesaid jurisdiction, the within named **MARCIA R. REEVES**, who acknowledged that she signed and delivered the foregoing instrument on the day and year therein mentioned as her own free and voluntary act and deed.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 16 day of May, 2024.

My Commission Expires:
6/11/26



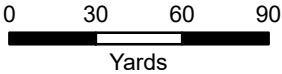
Janice Daams
NOTARY PUBLIC

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			ANCILLARY CAPITAL LLC (OWNER)	1114 33RD AVENUE	GULFPORT	MS	39501
			Adjacent Property Owners (2609ZB129)				
	90100	0811L-03-030.000	LVS & LCCC GP PROPERTIES LLC	11503 MAGNOLIA ESTATE LANE	GULFPORT	MS	39503
	90089	0811L-03-040.000	LARSEN ALLISON	1035 TREME ST	NEW ORLEANS	LA	70116
	115141	0811L-03-030.001	ANCILLARY CAPITAL LLC	384 PARK PLACE	OCEAN SPRINGS	MS	39564
	20469	0811L-03-026.001	HARRELL LARRY E & BARBARA W	8022 BRANDON DRIVE	BATON ROUGE	LA	70809
	20464	0811L-03-036.000	WALTON JUSTIN H & CRYSTAL F ETAL	14118 WOODLAND HILLS DR	BILOXI	MS	39532
	20480	0811L-03-032.000	WOOD MARY M W & WILLIAM T JR-TRUSTE	P O BOX 7024	GULFPORT	MS	39506
	20479	0811L-03-031.000	ANCILLARY CAPITAL LLC	630-D WASHINGTON AVE STE 3	OCEAN SPRINGS	MS	39564
	26311	0711L-02-086.000	GULFSIDE CASINO PARTNERSHIP	POST OFFICE BOX 1600	GULFPORT	MS	39502
	90097	0811L-03-026.002	OFFERHOUSE LLC	1103 HICKORY DR	LONG BEACH	MS	39560
	20468	0811L-03-026.000	COLA GORDON WAYNE	1123 32ND AVE	GULFPORT	MS	39501
	20460	0811L-03-034.000	HA LOC V & NHUNG T TRAN	3102 DONNIE BROOK LANE	MOSS POINT	MS	39562
	20462	0811L-03-038.000	BLP MANAGEMENT LLC	7420 KILN PICAYUNE RD	KILN	MS	39556
	20463	0811L-03-037.000	FLORA M ONE LLC	PO BOX 445	BILOXI	MS	39533
N	20477	0811L-03-029.000	ANCILLARY CAPITAL LLC	384 PARK PLACE	OCEAN SPRINGS	MS	39564
N	90099	0811L-03-028.000	ANCILLARY CAPITAL LLC	630-D WASHINGTON AVE, STE 3	OCEAN SPRINGS	MS	39564
	20461	0811L-03-035.000	D S LADNER HOLDINGS LLC	P O BOX 6546	GULFPORT	MS	39506
	121529	0811L-03-027.001	RIVER ROAD ACQUISITIONS LLC	8729 25TH ST	METAIRIE	LA	70003
N	20470	0811L-03-027.000	RIVER ROAD ACQUISITIONS LLC	8729 25TH STREET	METAIRIE	LA	70003
N	20539	0811L-03-063.000	GULFSIDE CASINO PARTNERSHIP	PO BOX 1600	GULFPORT	MS	39502
N	90087	0811L-03-039.000	GULFSIDE CASINO PARTNERSHIP	P O BOX 1600	GULFPORT	MS	39502
N	91052	0711L-02-074.000	GULFSIDE CASINO PARTNERSHIP	POST OFFICE BOX 1600	GULFPORT	MS	39502
N	20459	0811L-03-033.000	HA LOC V & NHUNG T TRAN	3102 DONNIE BROOK LANE	MOSS POINT	MS	39562



Legend

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



1 inch = 200 feet



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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
51445	IPL0369234	Legal Ad - IPL0369234	September Zoning Board	1.0	69.0L

ATTENTION: GULFPORT URBAN DEVELOPMENT IP
PO BOX 1780
GULFPORT, MS 39502
accountspayable@gulfport-ms.gov;sasmith@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, September 17th, 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 2609ZB126, by owner Ancillary Capital LLC, seeking approval for a 4 foot side yard setback where 6 feet is required as well as a 2 foot secondary frontage setback where 6 feet is required, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2609ZB129, by owner Ancillary Capital LLC, seeking approval for a 4000 square foot lot where 10,222 square feet is required for a 3-Unit Multiple-Family Dwelling, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2609ZB130, by owner John K. Rester, seeking approval for a 7-foot 6-inch back and side yard fence where 6 feet is the height limit, Tax Parcel 1010C-01-001.045, 10889 Channelside Drive, Zoned R-2 (Single Family), Ward 5

Variance 2609ZB131, by agent Addison Sweebe, seeking approval for a 5,000 square foot lot where 8000 square feet is required for a Duplex use, Tax Parcel 0811L-03-029.000, 3212 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2610ZB134, by owner B&B Forrest, Inc., seeking approval for a 4.42 foot east side yard setback where 6 feet is required for side yard setback, Tax Parcel 1010E-02-025.001, 1293 Spring Street, Zoned T3 (Sub-Urban Zone), Ward 4

This the 26th day of August 2026
Nathan Boddie, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0369234
Sep 2 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:
09/02/26 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Julie Ambry



Julie Ambry

Amanda Rodela



Sworn to and subscribed before
me on

Sep 2, 2026, 9:51 AM EDT



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



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

ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, September 17, 2026

Variance 2609ZB130: Variance 2609ZB130, by owner John K. Rester, seeking approval for a 7-foot 6-inch back and side yard fence where 6 feet is the height limit, Tax Parcel 1010C-01-001.045, 10889 Channelside Drive, Zoned R-2 (Single Family), Ward 5

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2609ZB130

Hearing Date: September 24, 2026

Current Zoning/Use: R-2 / Single Family

Legal: Variance 2609ZB130, by owner John K. Rester, seeking approval for a 7-foot 6-inch back and side yard fence where 6 feet is the height limit, Tax Parcel 1010C-01-001.045, 10889 Channelside Drive, Zoned R-2 (Single Family), Ward 5

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant requests a variance for a fence height of 7 feet 6 inches where 6 feet is the maximum. While there is no hardship shown, it should be noted that many houses in this neighborhood have fences above 6 feet, some of which were done with zoning board approval.

- (a) The applicant does not address his section and instead addresses the fence variance submission question of safety regarding the subject property. The applicant states that this fence will have no effect on the safety of the subject property, adjacent properties, or ingress and egress.
- (b) The applicant does not address this section and instead addresses the fence variance submission question of visual impact on adjacent properties. The applicant states that this will have no visual impact on the surrounding area due to the fence being the same height as other surrounding fences.
- (c) The applicant does not address the hardship for the variance, or how the physical character of the property would result in a hardship requiring the need for a variance. The applicant answers the fence variance question regarding the design in relation to other surrounding structures, and states that it will be compatible with existing fences in the surrounding area.
- (d) The applicant does not address this section, instead stating that the fence would have no impact on ingress and egress. The surrounding area of the property contains properties that have fences of similar height, some of which were approved by the zoning board such as 2402ZB016 at 10879 Channelside Dr., 2407ZB101 at 10785 East Taylor Rd. and 2502ZB011 at 10988 Channelside Dr.. Denial would deprive the applicant of what has been commonly enjoyed by the surrounding properties.
- (e) The applicant does not address this section and instead states that there is no screening, buffering, or separation of nuisances. Upon staff review, this fence would exist in harmony with the surrounding area as there are several fences that are of a similar height
- (f) This property is zoned R-2, and a fence is allowed by right. The applicant states that the fence will be compatible with adjacent properties.

EXECUTIVE SUMMARY

The applicant is requesting a variance to place a 7-foot 6-inch fence in the rear yard where a 6-foot height maximum is allowed. The six criteria for hardship have not been met by the applicant. The applicant did not address the hardship aspect of this variance of than that the fence will be compatible with the surrounding properties. It is clear to staff, upon site visit, the fence would be in harmony with the surrounding area.

Any approval should consider these conditions:

1. Approval would allow for 7 feet 6-inch fence where 6 feet is the maximum.
2. Requires a building permit.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 8/31/2026.

Public Works: No comment as of 9/8/26.

Technical Report

VARIANCE

Traffic and Safety: No conditions. Memo dated 8/26/2026.

Building Code Services: Conditions. Requires a building permit. Memo dated 8/26/2026.

GIS: No conditions. Memo dated 9/4/2026.

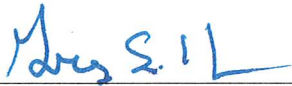
Police Department: No comment as of 9/8/2026.

Fire Department: No conditions. Memo dated 8/28/2026.

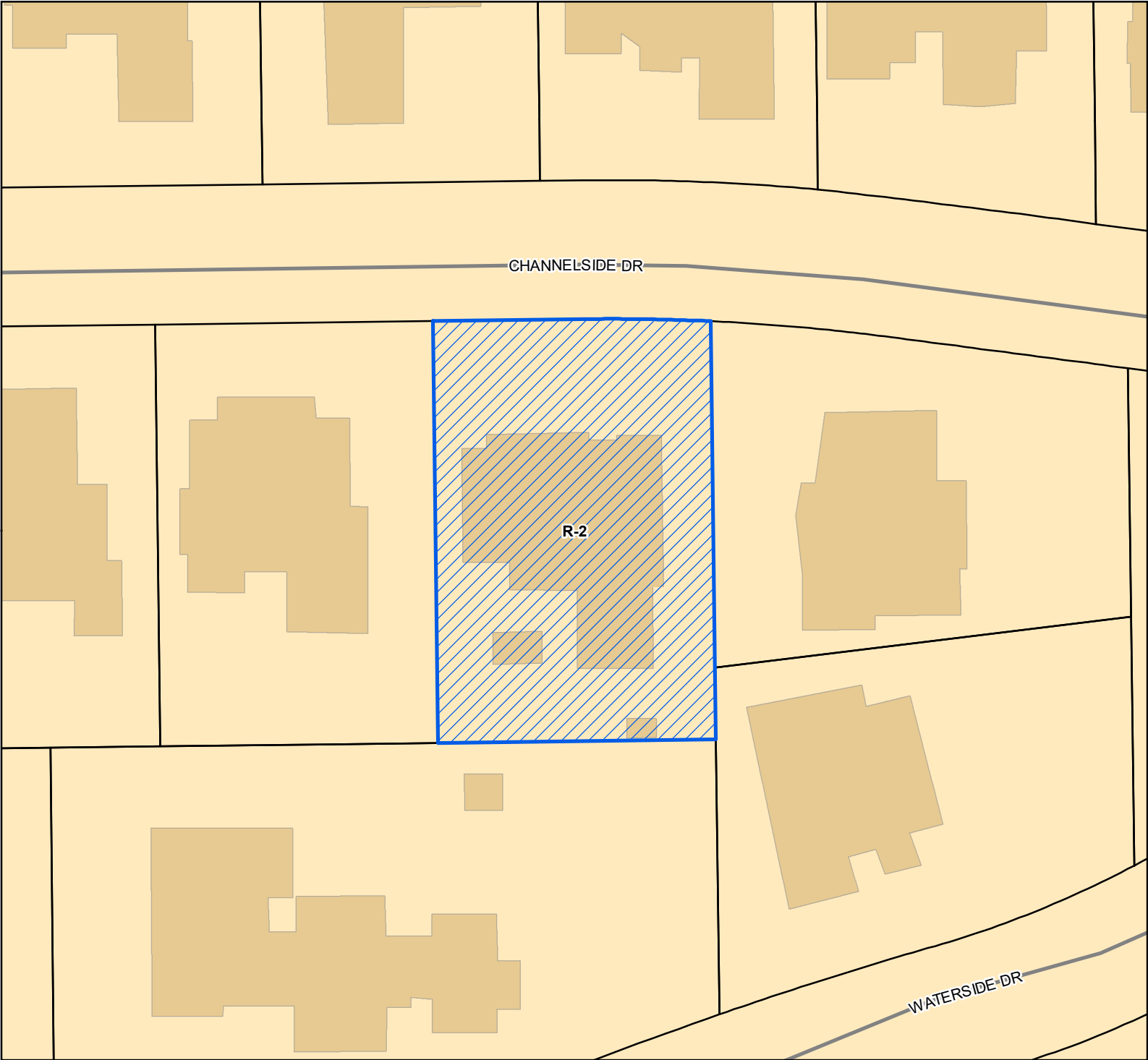
City Arborist: No comment as of 9/8/2026.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



 Site

 Street

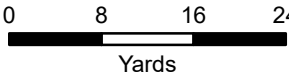
 Parcels

 Buildings

Zoning

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

Site Information
1010C-01-001.045
Zoning: R-2 (Single-Family)
Size: 15178.77 sqft.
Flood: AE



1 inch = 50 feet



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OWNER:*Relocable*
John K. Rester Trust

Printed Name of Owner

P.O. Box 1662

Mailing Address

Gulbport Ms 39502

City

State

Zip Code

228-365-7611

Home Phone

Work/Cell Phone

John Rester 9 Aol. Com

Email

Signature of Owner

AGENT:

Printed Name of Agent

Mailing Address

City

State

Zip Code

Home Phone

Work/Cell Phone

Email

Signature of Agent

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

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

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____

Name of Owner (PRINT) _____

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

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

Tax Parcel Number(s) Owned: _____

Signature: _____



Covenant Affidavit

I, John Restek, being owner or agent of the property 10889 Channelside Dr.
PRINT NAME PRIMARY ADDRESS OR PARCEL
Gulfport, MS 39507

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


Signature

7/31/2026
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

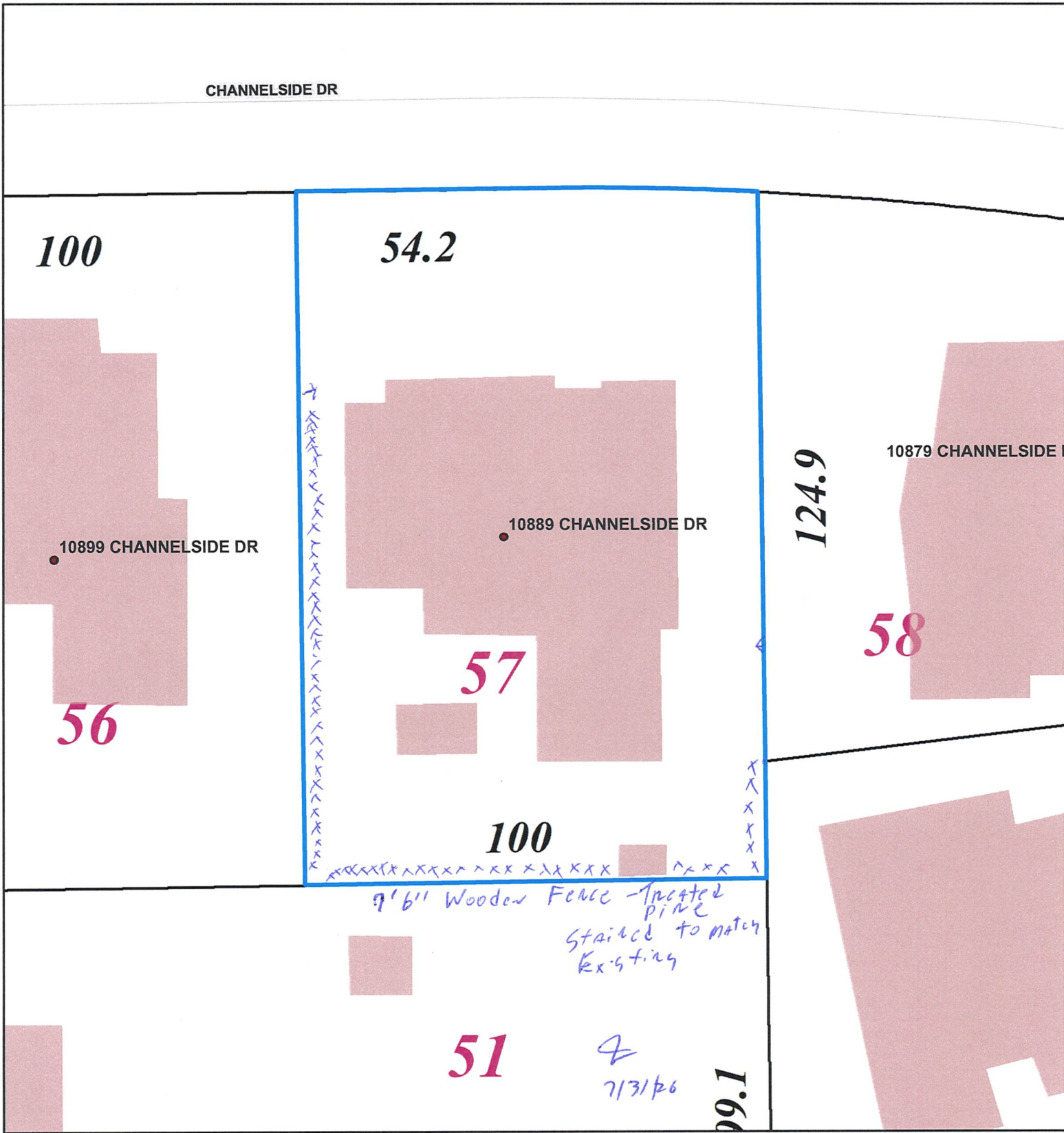
Given under my hand and seal of office this the 31 day of July, 2026


Notary Public

05/22/2027
Commission Expiration



- 1- No effect on safety to subject or Adjacent property,
No effect on ingress or egress
2. No visual impact
3. Compatible with Existing fences
4. No impact
5. None
6. Yes



1 inch = 29 feet



DATA DISCLAIMER:

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Area Map

 Parcels

Printed 7/31/202



PREPARED BY & RETURN TO:
Schwartz, Orgler & Jordan, PLLC
PO BOX 4682
BILOXI MS 39535
228-388-7441
File #B060045

STATE OF MISSISSIPPI
COUNTY OF Harrison



1st Judicial District
Instrument 2006 1297 D -J1
Filed/Recorded 2 16 2006 2 30 P
Total Fees 12.00
2 Pages Recorded

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, RICHARD J. COPPONEX and wife, SUSAN B. COPPONEX, Post Office Box 50369, Gulfport, MS 39507, 228-297-8611, do hereby sell, convey and warrant unto JOHN K. RESTER, Trustee of the JOHN K. RESTER REVOCABLE TRUST Post Office Box 1662, Gulfport, MS 39502, (228)388-8880, the following described land and property being located in Harrison County, Mississippi, being more particularly described as follows, to-wit:

Lot Fifty-seven (57), WATERSIDE, PHASE I, a subdivision according to the official map or plat thereof; on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi in Plat Book 46 at Page 1 thereof; reference to which is hereby made in aid of and as a part of this description.

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

AD VALOREM TAXES for the current year have been pro-rated and are hereby assumed by the Grantee herein.

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT



John K. Rester

1st Judicial District

Instrument 2006 1300 D -J1
Filed/Recorded 2 16 2006 2 31 P
Total Fees 12.00

3 Pages Recorded

1.

CERTIFICATE OF TRUST AGREEMENT
JOHN K. RESTER REVOCABLE TRUST



Pursuant to the provisions of §91-9-7 of the Mississippi Code of 1972 (as amended), the Grantors and Trustee of the following named trust hereby execute this Certificate of Trust Agreement containing the following:

1. The name of the Trust is:

The John K. Rester Revocable Trust, which was created on November 26, 1996.

2. The name and mailing address of the initial Trustee is:

John K. Rester
P.O. Box 1662
Gulfport, MS 39502-1662

3. The name and mailing address of the Grantor is:

John K. Rester
P.O. Box 1662
Gulfport, MS 39502-1662

4. The name and street and mailing address of the successor trustee (who will serve following the death, resignation or incapacity of the current trustee) is as follows:

BancorpSouth Bank
P.O. Box 1605
Jackson, MS 39215

5. The description of real property owned by or conveyed to the Trust in Harrison County, First Judicial District, Mississippi:

See Attached Exhibit "A".

6. The anticipated date of termination of the Trust is after the death of the grantor and the life beneficiaries followed by a term of years that depends upon the ages of the remainder beneficiaries.

2.

7. The general powers granted to the Trustee are:

All powers contained in the Mississippi Uniform Trustees' Powers Law (§91-9-101 through §91-9-119) of the Mississippi Code of 1972, as amended), including but not limited to the right to buy and sell real property at private sale without court order, the right to borrow money thereon and to pledge assets owned by the Trust.

In witness whereof, the Grantor and Trustee has executed this Certificate on this 15 day of February, 2006.

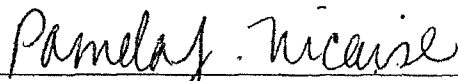


JOHN K. RESTER, Trustee/Grantor

STATE OF MISSISSIPPI
COUNTY OF HARRISON

This day, personally appeared before me, the undersigned authority in and for the aforesaid county and state, within my jurisdiction, the within named JOHN K. RESTER, who acknowledged, in his capacity as Trustee and Grantor of The John K. Rester Trust, that he executed the above and foregoing document, being a Certificate of Trust, on the day and year therein mentioned.

Given under my hand and official seal of office on the 15th day of February, 2006.



NOTARY PUBLIC

(SEAL)

My Commission Expires: _____

Prepared By & Return To:
Robert T. Schwartz, Esq.
Schwartz, Orgler & Jordan, PLLC
2355-B Pass Road
Biloxi, MS 39531
(228)388-7441

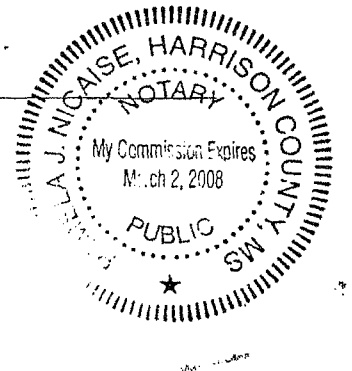
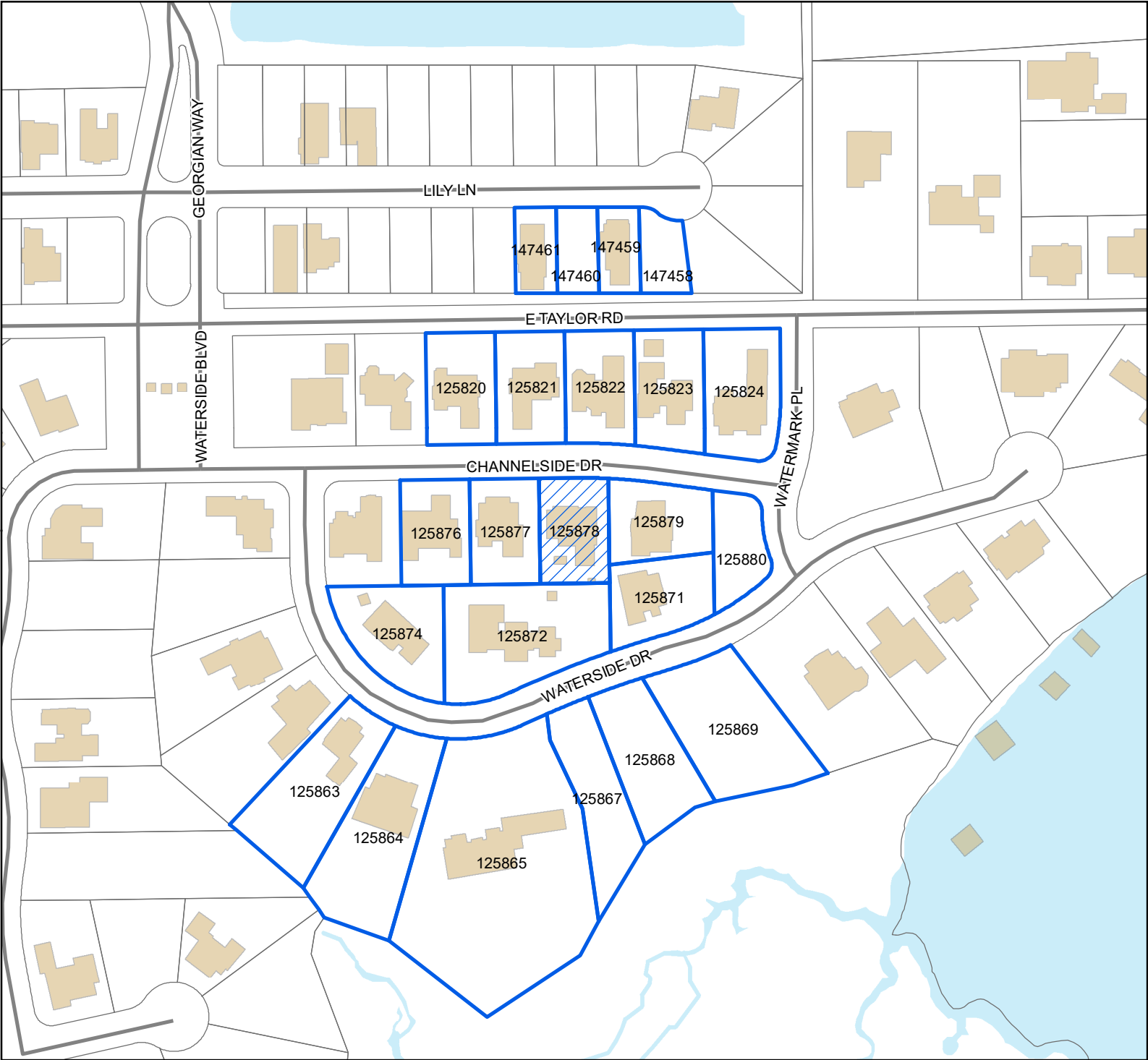


EXHIBIT A
LEGAL DESCRIPTION

Lot Fifty-seven (57), WATERSIDE, Phase I, a subdivision according to the official map or plat thereof; on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi in Plat Book 46 at Page 1 thereof; reference to which is hereby made in aid of and as a part of this description.

Tax Parcel Number: 1010C-01-001.045

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1010C-01-001.045	JOHN K RESTER (OWNER)	P O BOX 1662	GULFPORT	MS	39502
			Adjacent Property Owners (2609ZB130)				
	125879	1010C-01-001.046	PRINGLE JOSEPH RIVES & MICHELE B	10879 CHANNELSIDE DR	GULFPORT	MS	39503
	125877	1010C-01-001.044	MCCABE GARY A & MARY S	10899 CHANNELSIDE DR	GULFPORT	MS	39503
	125878	1010C-01-001.045	RESTER JOHN K -TRUSTEE-	P O BOX 1662	GULFPORT	MS	39502
	125863	1010C-01-001.030	WARREN G MARTIN JR & ANNE S	10927 WATERSIDE DR	GULFPORT	MS	39503
	125864	1010C-01-001.031	ULKU JASON C & LEENA PANDE	11029 CHANNELSIDE DR	GULFPORT	MS	39503
	125821	1009N-01-003.005	COURTENAY DANIEL & LAURA	10898 CHANNELSIDE DR	GULFPORT	MS	39503
	125880	1010C-01-001.047	RWB SR LLC	P O BOX 6252	GULFPORT	MS	39506
	125824	1009N-01-003.008	FORE PAT H III	10868 CHANNELSIDE DR	GULFPORT	MS	39503
	125823	1009N-01-003.007	LEWAKOWSKI THOMAS J & MELINDA D	10878 CHANNELSIDE DR	GULFPORT	MS	39503
	125874	1010C-01-001.041	THOMPSON JOHN KEITH & ALLYSON	10916 WATERSIDE DR	GULFPORT	MS	39503
	125820	1009N-01-003.004	SYMMES COWLES E & MARY E	10908 CHANNELSIDE DRIVE	GULFPORT	MS	39503
	125876	1010C-01-001.043	HAGE MICHAEL G & ASHLEY H	10909 CHANNELSIDE DRIVE	GULFPORT	MS	39503
	125871	1010C-01-001.038	ANDERSON BRANDON C & CAMERON	10866 WATERSIDE DR	GULFPORT	MS	39503
	125822	1009N-01-003.006	HARPER OSWAGO Y & TAMARA WALKER	10888 CHANNELSIDE DR	GULFPORT	MS	39503
	125872	1010C-01-001.039	HYDE ERIC L & BRANDY M	10886 WATERSIDE DR	GULFPORT	MS	39503
	125869	1010C-01-001.036	TPC HOLDINGS LLC	1611 24TH AVE STE B	GULFPORT	MS	39531
N	125868	1010C-01-001.035	TPC HOLDINGS LLC	1611 24TH AVE STE B	GULFPORT	MS	39501
N	125867	1010C-01-001.034	TPC HOLDINGS LLC	1611 24TH AVE SUITE B	GULFPORT	MS	39501
	125865	1010C-01-001.032	WARREN STEVEN M & JAMIE	10907 WATERSIDE DR	GULFPORT	MS	39503
	147458	1009N-01-002.024	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147459	1009N-01-002.025	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
N	147460	1009N-01-002.026	CLARK BUILDERS INC	186 DOGWOOD LANE	FLORENCE	MS	39073
	147461	1009N-01-002.027	MCCREIGHT HUNTER & KELLI	10833 LILY LANE	GULFPORT	MS	39503



Legend

- Site
- Street
- Buildings
- Water Features

0 30 60 90
Yards

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.

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
51445	IPL0369234	Legal Ad - IPL0369234	September Zoning Board	1.0	69.0L

ATTENTION: GULFPORT URBAN DEVELOPMENT IP
PO BOX 1780
GULFPORT, MS 39502
accountspayable@gulfport-ms.gov;sasmith@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, September 17th, 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 2609ZB126, by owner Ancillary Capital LLC, seeking approval for a 4 foot side yard setback where 6 feet is required as well as a 2 foot secondary frontage setback where 6 feet is required, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2609ZB129, by owner Ancillary Capital LLC, seeking approval for a 4000 square foot lot where 10,222 square feet is required for a 3-Unit Multiple-Family Dwelling, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2609ZB130, by owner John K. Rester, seeking approval for a 7-foot 6-inch back and side yard fence where 6 feet is the height limit, Tax Parcel 1010C-01-001.045, 10889 Channelside Drive, Zoned R-2 (Single Family), Ward 5

Variance 2609ZB131, by agent Addison Sweebe, seeking approval for a 5,000 square foot lot where 8000 square feet is required for a Duplex use, Tax Parcel 0811L-03-029.000, 3212 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2610ZB134, by owner B&B Forrest, Inc., seeking approval for a 4.42 foot east side yard setback where 6 feet is required for side yard setback, Tax Parcel 1010E-02-025.001, 1293 Spring Street, Zoned T3 (Sub-Urban Zone), Ward 4

This the 26th day of August 2026
Nathan Boddie, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0369234
Sep 2 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:
09/02/26 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Julie Ambry



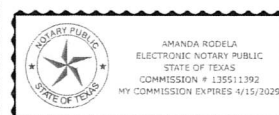
Julie Ambry

Amanda Rodela



Sworn to and subscribed before
me on

Sep 2, 2026, 9:51 AM EDT



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



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

ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, September 17, 2026

Variance 2609ZB131: Variance 2609ZB131, by agent Addison Sweebe, seeking approval for a 5,000 square foot lot where 8000 square feet is required for a Duplex use, Tax Parcel 0811L-03-029.000, 3212 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2609ZB131

Hearing Date: September 17, 2026

Current Zoning/Use: T4+ / Vacant Lot

Legal: Variance 2609ZB131, by agent Addison Sweebe, seeking approval for a 5,000 square foot lot where 8000 square feet is required for a Duplex use, Tax Parcel 0811L-03-029.000, 3212 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant is seeking approval to build a duplex on a 5,000 square foot lot which is less than the required 8,000 square feet lot size for T4+ (General Urban Zone "Plus") in Appendix A.

- (a) The applicant notes that special conditions exist because this is an original 50-foot by 100-foot urban corner lot within an established downtown block. The applicant does not address any special conditions or circumstances particular to the land that is not applicable to other lands. The subject site is a vacant lot of land that has been vacant since 2007 according to available imagery.
- (b) In the application, the applicant cites that these conditions were not created by them. Though the applicant did not create the special conditions and circumstances that do not result from the actions of the applicant, the applicant is creating a hardship by wanting to build a duplex on a 5,000 square foot lot that does not meet the minimum lot size for multi-family dwelling in T4+ zoning district.
- (c) The applicant states that this original 5,000 square foot lot cannot meet Appendix A's minimum building site area for a duplex use. The lot is considered a "Lot of Record", and a single-family dwelling can be built on this lot and will just be required to meet setback requirements. The applicant is creating unnecessary hardship by wanting to put a duplex on a lot that does not meet the minimum site area for a duplex use, which is 8,000 square feet for T4+ zoning district.
- (d) The applicant claims that the applicable district permits multifamily residential development. The T4+ zoning district does allow for multi-family out right, however there are properties that appear to have existed when this district was under Appendix D (Smartcode), which allowed for smaller lot sizes. Since that time this area has rescinded its Smartcode Community Plan and reverted to Appendix A transect zones, which requires 8,000 square feet for lot sizes for a duplex use.
- (e) The applicant claims that granting the variance will not confer a special privilege. While there are other properties that have duplexes that are smaller than the 8,000 square feet required by current district regulations, these properties were developed when the area was under Appendix D (Smartcode) regulations which allowed for smaller lot sizes. Since that time, the area has rescinded their Smartcode Community Plan and reverted to Appendix A transect zones, which require 8,000 square feet for lot sizes for duplexes. Granting the variance would set a precedent in the area regarding current district regulations.
- (f) This property is zoned T4+, and a duplex use is allowed by right.

EXECUTIVE SUMMARY

The applicant is seeking approval to build a duplex on a parcel smaller than the 8,000 square feet required by Appendix A, T4+ District Regulations. The six hardship criteria have not been met, and the hardship noted does not meet merit. While there are other properties that have duplexes that are smaller than the 8,000 square feet required by current district regulations, these properties were developed when the area was under Appendix D (Smartcode) regulations which allowed for smaller lot sizes. Since that time, the area has rescinded their Smartcode Community Plan and reverted to Appendix A transect zones, which require 8,000 square feet for lot sizes for duplexes. Granting the variance would set a precedent in the area regarding current district regulations.

Technical Report

VARIANCE

Any approval should consider these conditions:

1. Must comply with all current Building Codes and City of Gulfport Ordinances.
2. Allows for a duplex use on a property of 5,000 square feet where 8,000 square feet is required.

DEPARTMENTAL CONDITIONS

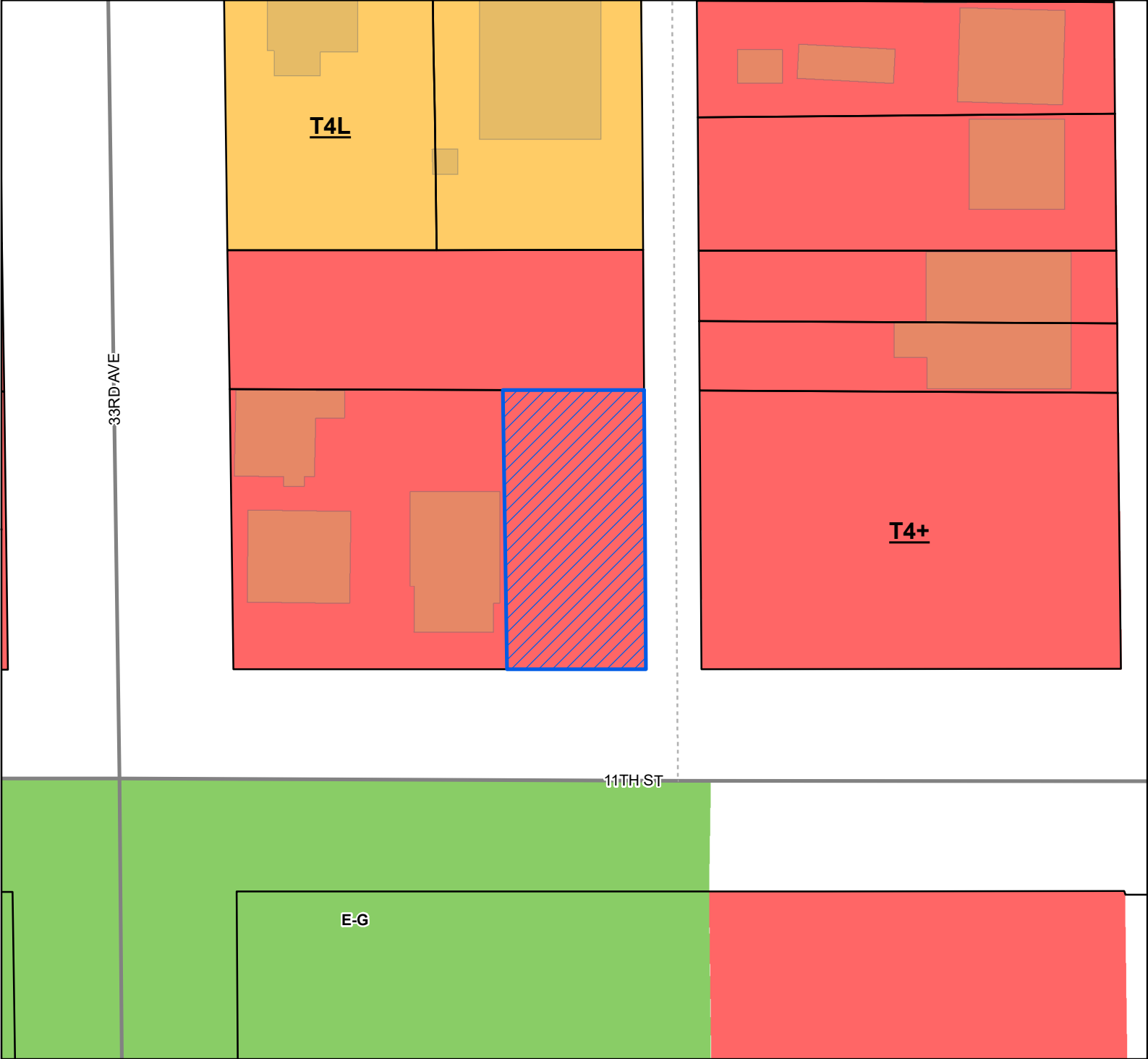
<u>Engineering:</u>	No conditions. Memo dated 8/31/2026.
<u>Public Works:</u>	No comment as of 9/8/2026.
<u>Traffic and Safety:</u>	No conditions. Memo dated 8/26/2026.
<u>Building Code Services:</u>	Condition. Must comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 8/26/2026.
<u>GIS:</u>	No conditions. Memo dated 9/4/2026.
<u>Police Department:</u>	No comment as of 9/8/2026.
<u>Fire Department:</u>	No conditions. Memo dated 8/28/2026.
<u>City Arborist:</u>	No comment as of 9/8/2026.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department



 Site

 Street

 Alley

 Parcels

 Buildings

Smart Code

 T4+

 T4L

Zoning

 E-G - Entertainment - Gaming District

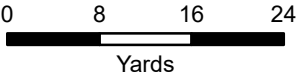
Site Information

0811L-03-029.000

Zoning: T4+ (General Urban Zone "Plus")

Size: 5063.26 sqft

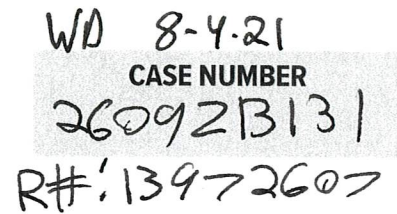
Flood: X



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.



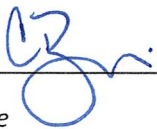


Designation of Agent

I, Collin Bourgeois of Ancillary Capital, being property owner of 3212 11th St. Gulfport, MS 39501
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Addison + Chris Swenke 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

08/04/2026
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

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


Notary Public



8-10-26
Commission Expiration



Covenant Affidavit

I, Addison Sweedee, being owner or agent of the property 3212 11th St
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.

Addison Sweedee 08/04/2026
Signature Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 4th day of August, 2026
8-10-29
Will A. Dickinson Commission Expiration

Notary Public



Variance Application Answers

Parcel Number	0811L-03-029.000
Applicants / Future Residents	Chris and Addison Sweebe
Existing Lot	50 feet by 100 feet; 5,000 square feet
Proposed Use	~~Three~~ ^{Two} dwelling units: one principal residence and two independent family suites
Variance Requested	Relief from the ~~10,222~~ ^{8,000} -square-foot minimum building site area required for ~~three~~ ^{two} dwelling units

General Description of Request

Variance to permit ~~three~~ ^{two} dwelling units on the original, pre-existing 5,000 square foot lot where the suburban Appendix A now requires ~~10,222~~ ^{8,000} square feet.

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building.

Special conditions exist because this is an original, pre-existing 50' by 100' urban lot within a downtown block in the Downtown Main Street District. Due to a recent change to Appendix A for this sliver of an area, it does not meet the building site requirements and this requirement does not reflect the actual development pattern of the neighborhood.

The property is within the Downtown Main Street District and directly adjacent to 1,000 +/- Island View Casino. The seven-story Mississippi Power headquarters is visible down 11th Street, and Peoples Bank, medical offices, multifamily residences, and other commercial activity are directly nearby. This is a historic, walkable, mixed-use setting near downtown, the beach, Jones Park, etc.

Multifamily housing is already established throughout the surrounding neighborhood. The clearest comparison is the amount of lot area provided for each dwelling unit:

Lot Area per Dwelling Unit	Property	Residential Use
1,225 SF per unit	1113 33rd Avenue	6 existing units
~~1,667 SF per unit~~ ^{2,500 SF per unit}	3212 11th Street	~~3~~ ² proposed units
1,875 SF per unit	1106 32nd Avenue	4 existing units
2,333 SF per unit	3305 12th Street	6 existing units

The proposed primary residence with two guest suites for aging parents provides ~~1,667~~ ^{2,500} square feet of lot area per dwelling unit. That is more lot area per unit than the existing six-unit property at 1113 33rd Avenue and is consistent with established multifamily development nearby. Two additional six-unit buildings are located across the street.

A modern four-unit residential building at 1106 32nd Avenue, on the same block, was approved by right and constructed while Appendix D governed this area. Appendix D still applies three streets west and would permit the proposed three-unit use by right. Two streets east, the Central Business District begins, where no minimum building site area applies.

The original lot dimensions, downtown mixed-use setting, established multifamily pattern, and location within this narrow regulatory transition are conditions particular to this property and support the requested relief.

2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant.

These conditions existed before our involvement with the property.

The property was already an original 50-foot by 100-foot lot of record. We did not subdivide it, reduce its area, or reconfigure it to create the need for relief. We also did not create the surrounding development pattern or the boundaries between Appendix A, Appendix D, and the Central Business District.

We are responding to those existing conditions with a primary residence containing two additional guest units that fit the urban setting and returns a long-vacant property to productive use.

3. Demonstrate that an unnecessary hardship is created by the physical character of the property.

Appendix A requires ^{8,000}~~10,222~~ square feet for three dwelling units. This original lot contains 5,000 square feet, so the site-area formula alone makes ^{two separate}~~three~~ units unavailable regardless of the project's actual scale or fit within the neighborhood.

^{Two}~~Three~~ units would provide ^{2,500}~~1,667~~ square feet of lot area per dwelling unit, a modest residential intensity in this downtown, mixed-use location. The same three-unit use would be permitted by right under Appendix D, which previously governed this property, while the Central Business District two streets east has no minimum building site area.

Applying the formula literally creates an unnecessary hardship by imposing a land-area requirement that does not fit this original urban lot or its actual context. The hardship is the mismatch between the fixed lot and the current formula, not an incompatibility created by the proposed residential use.

4. Demonstrate how literal interpretation of the ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district.

The T4+ district permits multifamily residential development. Literal application of the minimum building site area formula would prevent this original 50-foot lot from accommodating a modest ^{Two}~~three~~-unit form of that permitted use.

^{Two}~~Three~~ dwelling units are consistent with the district's urban residential purpose and with the established pattern of two-, three-, four-, and six-unit residences in the surrounding area.

Granting the variance would not create a new use or a broader development right. It would allow this property to exercise the multifamily residential opportunity already provided by the district in a reasonable manner, limited to three dwelling units.

5. Demonstrate that granting the variance will not confer a special privilege.

Granting the variance will not confer a special privilege.

Three dwelling units are consistent with the residential and commercial intensity and diversity of the surrounding area and with the City's goal for a walkable, active, and vibrant downtown within the Downtown Main Street District.

This will be our primary residence. The principal unit will be our home, and the ~~two~~ ^{two} smaller independent units ~~are~~ ^{is} intended for our parents, one for each side of the family. This arrangement will allow both sets of parents to live near us while maintaining privacy and independence.

The project will return property that has remained vacant since Hurricane Katrina in 2005 to a productive, permanently occupied, and tax-contributing use. It will add quality, place-appropriate architecture and long-term family stewardship to the block.

The request is limited to the dimensional relief necessary for ~~three~~ ^{two} dwelling units. It does not seek a prohibited use or an advantage unrelated to the property's particular conditions.

6. State whether the proposed use is permissible.

The proposed multifamily residential use is permitted by right in the T4+ district. This application seeks only dimensional relief from Appendix A's minimum building site area required for ~~three~~ ^{two} dwelling units.

The same ~~three~~ ^{two}-unit use would also be permitted by right under Appendix D, which previously governed this property and still governs nearby properties to the west.

CONCLUSION

We want to build our primary residence with one separate independent suite for ~~each set of~~ ^{our} parents so our families can live close together while maintaining appropriate privacy and independence as everyone gets older.

This is an appropriate place for that arrangement. The property is an original urban lot within the Downtown Main Street District, directly adjacent to ~ 1,000 room Island View Casino and surrounded by a diverse mix of residential and commercial uses. ~~Three~~ ^{two} units would provide ~~1,667~~ ^{2,500} square feet of lot area per dwelling unit and are consistent with the established multifamily development in the neighborhood.

The property has remained vacant since Hurricane Katrina in 2005. This project will return it to productive use with quality, place-appropriate architecture, permanent residents, and long-term stewardship. We will support nearby businesses, daily street life, and the continued growth of a walkable and vibrant downtown.

The request is limited to the minimum building site area required for ~~three~~ ^{two} dwelling units. It does not seek a rezoning, introduce an incompatible use, waive unrelated requirements, or confer a special privilege.

For these reasons, we respectfully request approval of the dimensional variance from the minimum building site area required for ~~three~~ ^{two} dwelling units.

Exhibit - Neighborhood Character and Architectural Compatibility

3212 11th Street, Gulfport, Mississippi



Existing Neighborhood Character - Corner Home



Existing Neighborhood Character - Corner Home

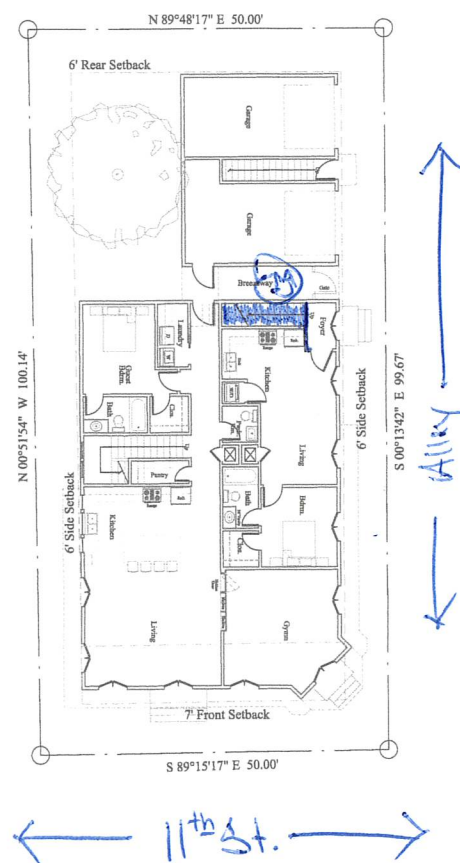


Proposed Front Elevation

Key Character Elements Maintained

- Two-story massing consistent with the block
- Raised foundation and front-oriented entry
- Full-width porches and upper-level balcony
- Vertical window proportions and traditional rhythm
- Historic Gulf Coast residential character

The proposed building reflects the scale, porch-oriented form, and traditional architectural character already established within the block.



1
A1

NEW SITE PLAN

1" = 10'-0"



COWART ARCHITECTS, PC

206 ASHLEY PLACE
OCEAN SPRINGS, MS 39564
(228) 872-1801
COWARTARCHITECTS@GMAIL.COM

REVISIONS:

New Residence For
SWEEBE'S
11th ST. Gulfport, MS

DATE:
07/30/2026
PROJ. NO.
02548-10
DRAWN:
JL.P/DKC
CHECKED:
DKC

SHEET NO.

A1

A.P.R. = AS PER RECORD
A.P.S. = AS PER SURVEY
A.P.C. = AS PER CALCULATION
A.P.T. = AS PER TAX MAP
A.P.P.S. = AS PER PREVIOUS SURVEY

C.N.S. = COULD NOT SET
A.P.D. = AS PER DEED
A.P.P. = AS PER PLAT

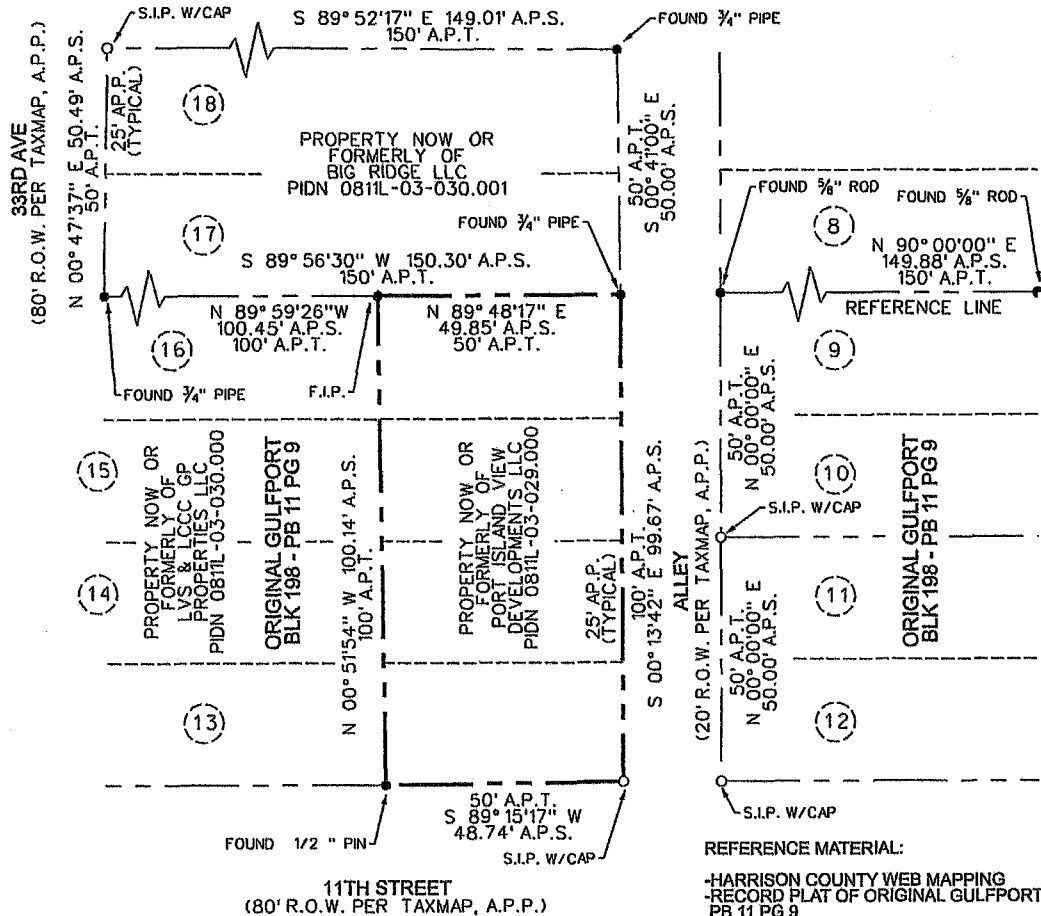
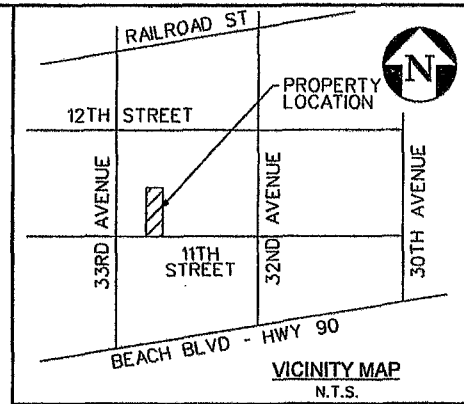
NOTES:

THIS SURVEY WAS PERFORMED FROM INFORMATION PROVIDED BY CLIENT WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT, AND INFORMATION DISCOVERED BY THE SURVEYOR IN THE NORMAL COURSE OF WORK AND MAY NOT SHOW ALL EASEMENTS, SERVITUDES AND ENCUMBERMENTS ASSOCIATED WITH THE PROPERTY. A TITLE REPORT IS RECOMMENDED FOR FULL DISCOVERY.

ONLY VISIBLE, ABOVE GROUND IMPROVEMENTS WERE LOCATED AS A PART OF THIS SURVEY

NO SETBACKS OR EASEMENTS SHOWN ON RECORD PLAT

BEARING FOR REFERENCE LINE IS ASSUMED AS DUE EAST



LEGAL DESCRIPTION: (WARRANTY DEED)

The East Fifty (50) feet of Lots Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16) in Block One Hundred Ninety-Eight (198), of Original Gulfport, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 11 at Page 9 (Copy Book 4A at Page 368), thereof, reference to which is hereby made in aid of and as a part of this description.

Being the same property conveyed by Quitclaim Deed recorded in the office of the Chancery Clerk of Harrison County, Mississippi, as Instrument Number 2007 10391-D-J1.

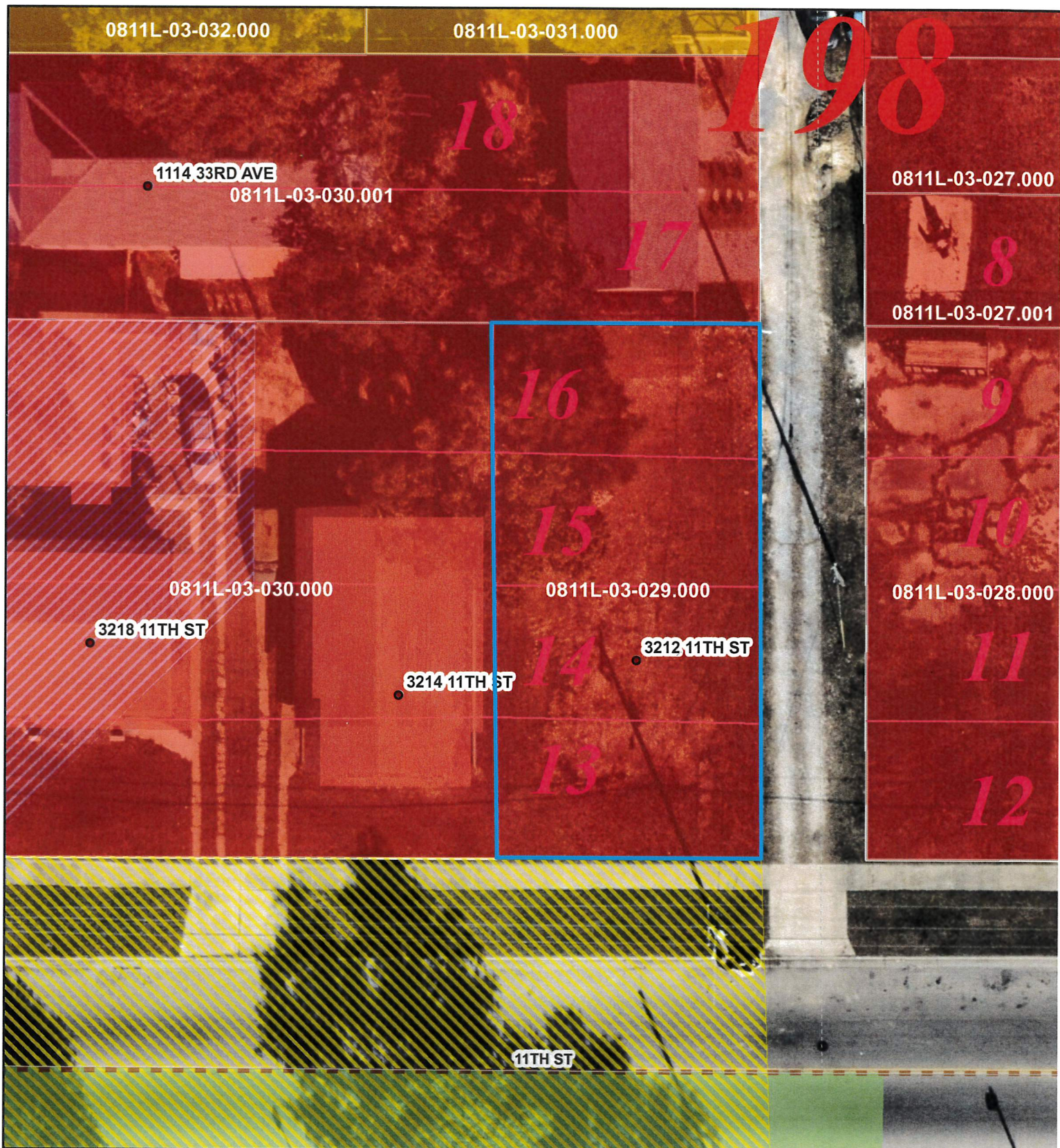
CERTIFICATION:

This is to certify that I have surveyed the property hereon described and delineated and that the measurements and other data indicated are true and correct to the best of my knowledge and belief.

Lawrence C. Rumsey, P.L.S.
MS Reg. No. 2283
May 16, 2024



Rumsey Consulting Engineering, Inc.
Planning, Surveying, Design
910 Howard Avenue
Biloxi, Mississippi 39530
(228) 432-9344



DATA DISCLAIMER:

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1 inch = 25 feet

Area Map

Parcels

Printed 8/4/2026



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Ancillary Capital, LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1074451
Status:	Good Standing
Effective Date:	08/27/2015
State of Incorporation:	Mississippi
Principal Office Address:	384 Park Place Ocean Springs, MS 39564

Registered Agent

Name
E. Foley Ranson 912 Robinson St. Ocean Springs, MS 39564

Officers & Directors

Name	Title
Ancillary Capital, LLC 384 Park Place Ocean Springs, MS 39564	Manager



John 1st JUDICIAL DISTRICT
Instrument 2023-0023969-D-J1
Filed/Recorded 11/22/2023 9:38:01 AM
Total Fees 28.00
7 Pages Recorded

Prepared By and Return To:
E. FOLEY RANSON, P.A.
Post Office Box 848
Ocean Springs, MS 39566-0848
Tel: 228-875-8770
Fax: 228-875-9989
MS Bar No. 4629
Our File No. 23-R6023

Indexing Instructions:
E 50' of Lts 13, 14, 15 and 16, Block 198
Original Gulfport SD

Grantor:
Port Island View Development, LLC
481- 32nd Street
Gulfport, MS 39507
Telephone: 228-596-3155

Grantee:
Ancillary Capital, LLC
384 Park Place
Ocean Springs, MS 39564
Telephone: 228-334-2370

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

For and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged,

PORT ISLAND VIEW DEVELOPMENT, LLC, AKA PORT ISLAND VIEW

DEVELOPMENTS, LLC, a MISSISSIPPI LIMITED LIABILITY COMPANY, does

hereby sell, convey and warrant unto ANCILLARY CAPITAL, LLC, a MISSISSIPPI

LIMITED LIABILITY COMPANY, the following described real property:

The East Fifty (50) feet of Lots Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16), in Block One Hundred Ninety-Eight (198), of Original Gulfport, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 11 at Page 9 (Copy Book 4A at Page 368) thereof, reference to which is hereby made in aid of and as a part of this description.

Being the same property conveyed by Quitclaim Deed recorded in the office of the Chancery Clerk of Harrison county, Mississippi, as Instrument Number 2007 10391-D-J1.

Subject property being the same as that described in Warranty Deed dated April 23, 2014 executed by Pamela Serrato and Amy Green to Port Island View Developments, LLC, a Mississippi Limited Liability Company and recorded as Instrument No. 2014-2796-D-J1, in the Land Deed Records of the First Judicial District of Harrison County, Mississippi.

A copy of the 2023 Mississippi Secretary of State Annual Report for Port Island View Development, LLC is attached for name clarification.

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

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

WITNESS THE SIGNATURES of the undersigned on this the 20th day of November, 2023.

**PORT ISLAND VIEW DEVELOPMENT, LLC
AKA PORT ISLAND VIEW DEVELOPMENTS, LLC,
A MISSISSIPPI LIMITED LIABILITY COMPANY**

By: [Signature]
RICHMOND LEE, MANAGING MEMBER

By: [Signature]
BARNEY CREEL, MANAGING MEMBER

STATE OF MISSISSIPPI

COUNTY OF Jackson

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the aforesaid jurisdiction, the within named **RICHMOND LEE, MANAGING MEMBER of PORT ISLAND VIEW DEVELOPMENT, LLC, AKA PORT ISLAND VIEW DEVELOPMENTS, LLC**, a **MISSISSIPPI LIMITED LIABILITY COMPANY**, who acknowledged that he signed and delivered the foregoing instrument on the day and year therein mentioned, for and on behalf of said limited liability company, in his capacity as Managing Member, after first being duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 20th day of November, 2023.

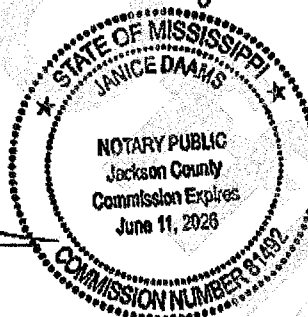
Janice Daams
NOTARY PUBLIC

My Commission Expires:

6/11/26

STATE OF MISSISSIPPI

COUNTY OF Jackson



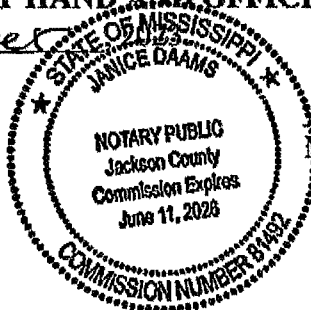
PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the aforesaid jurisdiction, the within named **BARNEY CREEL, MANAGING MEMBER of PORT ISLAND VIEW DEVELOPMENT, LLC, AKA PORT ISLAND VIEW DEVELOPMENTS, LLC**, a **MISSISSIPPI LIMITED LIABILITY COMPANY**, who acknowledged that he signed and delivered the foregoing instrument on the day and year therein mentioned, for and on behalf of said limited liability company, in his capacity as Managing Member, after first being duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 20 day of November

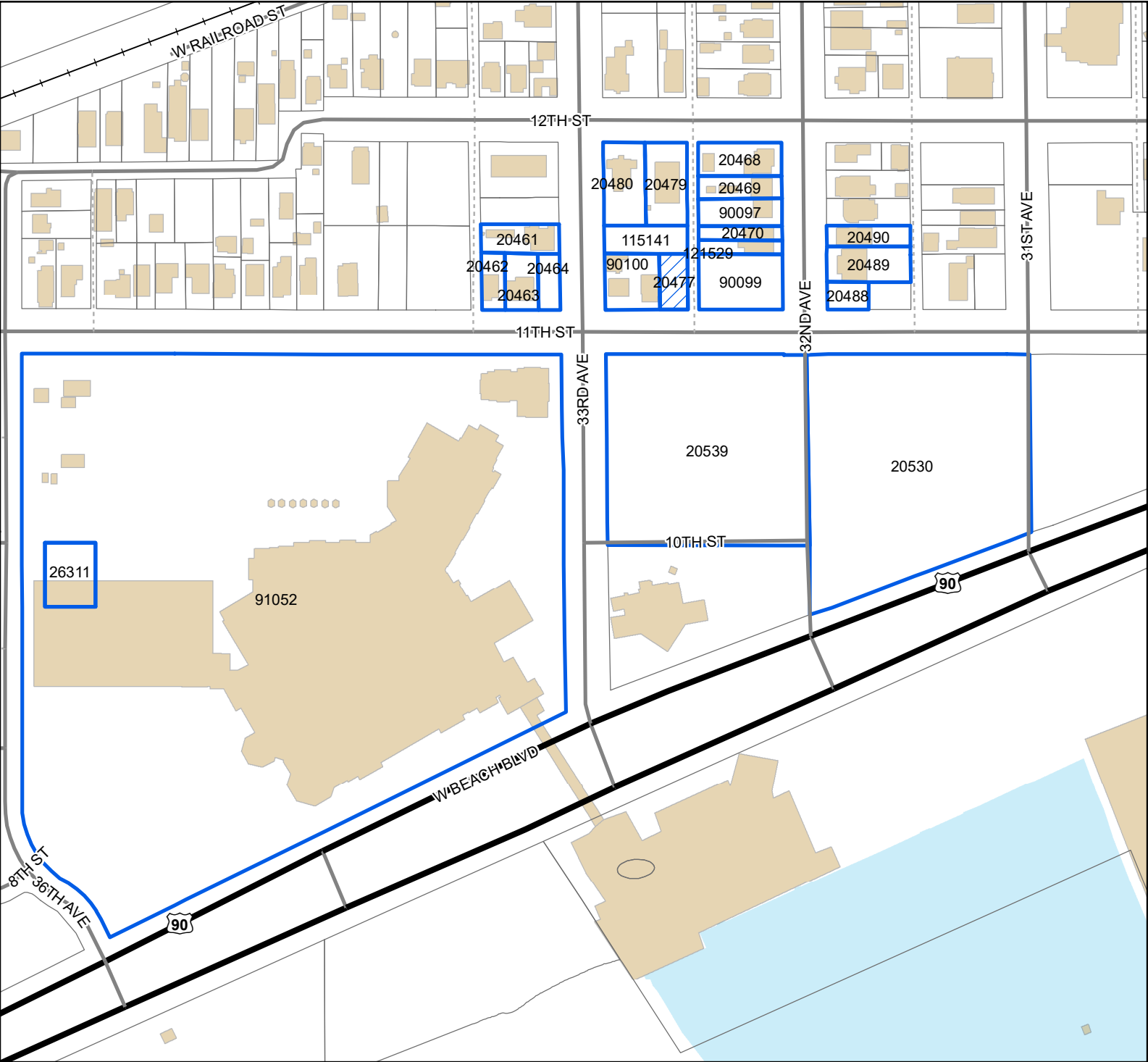
Janice Daams
NOTARY PUBLIC

My Commission Expires:

6/11/26

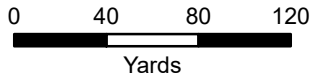


Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0811L-03-029.000	ANCILLARY CAPITAL, LLC (OWNER)	1114 33RD AVE	GULFPORT	MS	39501
			ADDISON SWEEBE (AGENT)	3213 12TH ST, UNIT C	GULFPORT	MS	39503
			Adjacent Property Owners (2609ZB131)				
	90100	0811L-03-030.000	LVS & LCCC GP PROPERTIES LLC	11503 MAGNOLIA ESTATE LANE	GULFPORT	MS	39503
	115141	0811L-03-030.001	ANCILLARY CAPITAL LLC	384 PARK PLACE	OCEAN SPRINGS	MS	39564
	20469	0811L-03-026.001	HARRELL LARRY E & BARBARA W	8022 BRANDON DRIVE	BATON ROUGE	LA	70809
	20464	0811L-03-036.000	WALTON JUSTIN H & CRYSTAL F ETAL	14118 WOODLAND HILLS DR	BILOXI	MS	39532
	20480	0811L-03-032.000	WOOD MARY M W & WILLIAM T JR-TRUSTE	P O BOX 7024	GULFPORT	MS	39506
N	20479	0811L-03-031.000	ANCILLARLY CAPITAL LLC	630-D WASHINGTON AVE STE 3	OCEAN SPRINGS	MS	39564
	26311	0711I-02-086.000	GULFSIDE CASINO PARTNERSHIP	POST OFFICE BOX 1600	GULFPORT	MS	39502
	90097	0811L-03-026.002	OFFERHOUSE LLC	1103 HICKORY DR	LONG BEACH	MS	39560
	20468	0811L-03-026.000	COLA GORDON WAYNE	1123 32ND AVE	GULFPORT	MS	39501
	20462	0811L-03-038.000	BLP MANAGEMENT LLC	7420 KILN PICAYUNE RD	KILN	MS	39556
	20463	0811L-03-037.000	FLORA M ONE LLC	PO BOX 445	BILOXI	MS	39533
	20477	0811L-03-029.000	ANCILLARY CAPITAL LLC	384 PARK PLACE	OCEAN SPRINGS	MS	39564
	90099	0811L-03-028.000	ANCILLARY CAPITAL LLC	630-D WASHINGTON AVE, STE 3	OCEAN SPRINGS	MS	39564
	20461	0811L-03-035.000	D S LADNER HOLDINGS LLC	P O BOX 6546	GULFPORT	MS	39506
	121529	0811L-03-027.001	RIVER ROAD ACQUISITIONS LLC	8729 25TH ST	METAIRIE	LA	70003
N	20470	0811L-03-027.000	RIVER ROAD ACQUISITIONS LLC	8729 25TH STREET	METAIRIE	LA	70003
N	20530	0811L-03-070.000	GULFSIDE CASINO PARTNERSHIP	PO BOX 1600	GULFPORT	MS	39502
N	20539	0811L-03-063.000	GULFSIDE CASINO PARTNERSHIP	PO BOX 1600	GULFPORT	MS	39502
N	91052	0711I-02-074.000	GULFSIDE CASINO PARTNERSHIP	POST OFFICE BOX 1600	GULFPORT	MS	39502
	20490	0811L-03-022.000	GULF COAST RENTAL PROPERTIES LLC	164 BALMORAL AVE	BILOXI	MS	39531
	20488	0811L-03-020.000	ST JAMES CATHOLIC ELEMENTARY SCHOOL	603 WEST AVE	GULFPORT	MS	39507
	20489	0811L-03-021.000	KINAL ADAM & JO	1106 32ND AVE	GULFPORT	MS	39501



Legend

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



1 inch = 250 feet



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AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
51445	IPL0369234	Legal Ad - IPL0369234	September Zoning Board	1.0	69.0L

ATTENTION: GULFPORT URBAN DEVELOPMENT IP
PO BOX 1780

GULFPORT, MS 39502

accountspayable@gulfport-ms.gov;sasmith@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, September 17th, 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 2609ZB126, by owner Ancillary Capital LLC, seeking approval for a 4 foot side yard setback where 6 feet is required as well as a 2 foot secondary frontage setback where 6 feet is required, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2609ZB129, by owner Ancillary Capital LLC, seeking approval for a 4000 square foot lot where 10,222 square feet is required for a 3-Unit Multiple-Family Dwelling, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2609ZB130, by owner John K. Rester, seeking approval for a 7-foot 6-inch back and side yard fence where 6 feet is the height limit, Tax Parcel 1010C-01-001.045, 10889 Channelside Drive, Zoned R-2 (Single Family), Ward 5

Variance 2609ZB131, by agent Addison-Sweetie, seeking approval for a 5,000 square foot lot where 8000 square feet is required for a Duplex use, Tax Parcel 0811L-03-029.000, 3212 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2610ZB134, by owner B&B Forrest, Inc., seeking approval for a 4.42 foot east side yard setback where 6 feet is required for side yard setback, Tax Parcel 1010E-02-025.001, 1293 Spring Street, Zoned T3 (Sub-Urban Zone), Ward 4

This the 26th day of August 2026
Nathan Boddie, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0369234
Sep 2 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:
09/02/26 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Julie Ambry



Julie Ambry

Amanda Rodela



Sworn to and subscribed before
me on

Sep 2, 2026, 9:51 AM EDT



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



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

ZONING BOARD OF ADJUSTMENT AND APPEALS

Hearing Date: Thursday, September 17, 2026

Variance 2610ZB134 Variance 2610ZB134, by owner B&B Forrest, Inc., seeking approval for a 4.42 foot east side yard setback where 6 feet is required for side yard setback, Tax Parcel 1010E-02-025.001, 1293 Spring Street, Zoned T3 (Sub-Urban Zone), Ward 4

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2610ZB134

Hearing Date: September 17, 2026

Current Zoning/Use: T3 / Vacant Lot

Legal: Variance 2610ZB134, by owner B&B Forrest, Inc., seeking approval for a 4.42 foot east side yard setback where 6 feet is required for side yard setback, Tax Parcel 1010E-02-025.001, 1293 Spring Street, Zoned T3 (Sub-Urban Zone), Ward 4

TECHNICAL DETAILS

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

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

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

Technical Report

VARIANCE

The applicant is seeking approval of a variance of 1.58 feet to allow for a 4.42 feet setback where 6 feet is required for a side yard setback. The applicant is seeking to place the proposed house closer to the side property line in order to protect two protected trees that are near the western property line.

- (a) The applicant claims in their application that the house's footprint would require cutting down an existing Live Oak tree and Magnolia tree should it be placed within the required setbacks. Upon research into the property, staff noted that a tree permit (2605TP052) was applied for to remove the mentioned trees along the western property line. The beforementioned tree permit was denied, causing the proposed house's location to be shifted eastward into the setbacks. From staff's review, the tree's location is bordering between the property line between the subject site (Parcel C) and the neighboring divided parcel. (Parcel D) As the trees could not be approved for removal, the applicant would need to shift the structure outside of the drip line of the trees to not negatively impact them.
- (b) The applicant states in their application that the trees were pre-existing in response to the question about whether the special conditions were the result of the applicant. While the property appears to have been recently divided into the individual parcels shown in the provided survey, the division for the subject lot of parcel "C" is compliant to the ordinance. The trees in question existed on the property prior to the lot division, meaning that the special conditions causing the applicant's hardship did not result from the actions of the applicant.
- (c) The applicant notes that they shifted the footprint of the house in order to protect the trees on the property. The applicant's hardship is a result of the location of the protected trees on the property. The applicant did go through the process of seeking approval for removal of the trees via a tree permit as was denied due to the request not meeting the criteria for issuance of the tree permit. As a result the applicant had to shift the proposed footprint outside the dripline of the protected trees causing the encroachment into the required setbacks. While an amendment to the setback requirements could offer a solution to the matter at hand, such an amendment would not be site-specific and would not be a reasonable request.
- (d) The applicant does not address how the literal interpretation of the ordinance would deprive them the right commonly enjoyed by properties in the same district. Due to the location of the protected trees on the property, should they meet the required setbacks for the zoning district the proposed footprint would encroach into the dripline of the trees and potentially cause the trees to go into decline. Such would result in a tree permit being needed for removal of the trees. As the applicant has applied for a tree permit and been denied for removal of the trees, the only reasonable alternative available for the applicant is the variance request.
- (e) The applicant claims that granting the variance would not confer any special privileges that others in the same district would be denied. The hardship presented is similar to two other variances that came before this board, cases 2608ZB104 & 2608ZB105. For those two cases the applicant was seeking approval for deviation from the setback requirements in order to place a single-family home on a property that the zoning allowed for the use. In both those cases, and the one presented here, the applicant did their due diligence to seek approval for removal of the trees in accordance with the ordinance. However, due to

Technical Report

VARIANCE

the applicant's request not meeting the criteria for issuance stated within the tree ordinance their permits were denied, resulting in the footprint of the homes being shifted outside of the tree's driplines and into the required setbacks. As this hardship results from the physical character of the property, is peculiar to the land, and is preventing the applicant from constructing a use that is allowed by right within the T3 zoning district, granting the variance would not confer any special privileges onto the applicant.

(f) This property is zoned T3, and a single-family dwelling is allowed by right.

EXECUTIVE SUMMARY

The applicant is seeking approval of a variance of 1.58 feet to allow for a 4.42 foot setback where 6 feet is required for a side yard setback. The applicant is seeking to place the proposed house closer to the side property line in order to protect two protected trees that are near the western property line. The applicant claims in their application that the house's footprint would require cutting down an existing Live Oak tree and Magnolia tree should it be placed within the required setbacks. Upon research into the property, staff noted that a tree permit (2605TP052) was applied for to remove the mentioned trees along the western property line. The beforementioned tree permit was denied, causing the proposed house's location to be shifted eastward into the setbacks. From staff's review, the tree's location is bordering between the property line between the subject site (Parcel C) and the neighboring divided parcel. (Parcel D) As the trees could not be approved for removal, the applicant would need to shift the structure outside of the drip line of the trees to not negatively impact them. While the property appears to have been recently divided into the individual parcels shown in the provided survey, the division for the subject lot of parcel "C" is compliant to the ordinance. The trees in question existed on the property prior to the lot division, meaning that the special conditions causing the applicant's hardship did not result from the actions of the applicant. The hardship presented is similar to two other variances that came before this board, cases 2608ZB104 & 2608ZB105. For those two cases the applicant was seeking approval for deviation from the setback requirements in order to place a single-family home on a property that the zoning allowed for the use. In both those cases, and the one presented here, the applicant did their due diligence to seek approval for removal of the trees in accordance with the ordinance. However, due to the applicant's request not meeting the criteria for issuance stated within the tree ordinance their permits were denied, resulting in the footprint of the homes being shifted outside of the tree's driplines and into the required setbacks. As this hardship results from the physical character of the property, is peculiar to the land, and is preventing the applicant from constructing a use that is allowed by right within the T3 zoning district, granting the variance would not confer any special privileges onto the applicant. There are some departmental conditions listed below that will need to be considered for any potential approval of the variance.

Any approval should consider these conditions:

1. Approval allows for a side yard setback of 4.42 feet where 6 feet is required.
2. The portion of the driveway on City right-of-way must be hard paved with concrete or asphalt.
3. Must comply with all current Building Codes and City of Gulfport Ordinances.

Technical Report

VARIANCE

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	The portion of the driveway on City right-of-way must be hard paved with concrete or asphalt. Memo dated 8/31/26.
<u>Public Works:</u>	No comment as of 9/8/26.
<u>Traffic and Safety:</u>	No conditions. Memo dated 8/26/26.
<u>Building Code Services:</u>	Must comply with all current Building Codes and City of Gulfport Ordinances. Memo dated 8/26/26.
<u>GIS:</u>	No conditions. Memo dated 9/4/26.
<u>Police Department:</u>	No comment as of 9/8/26.
<u>Fire Department:</u>	No conditions. Memo dated 8/23/26.
<u>City Arborist:</u>	No comment as of 9/8/26.

DIRECTOR APPROVAL

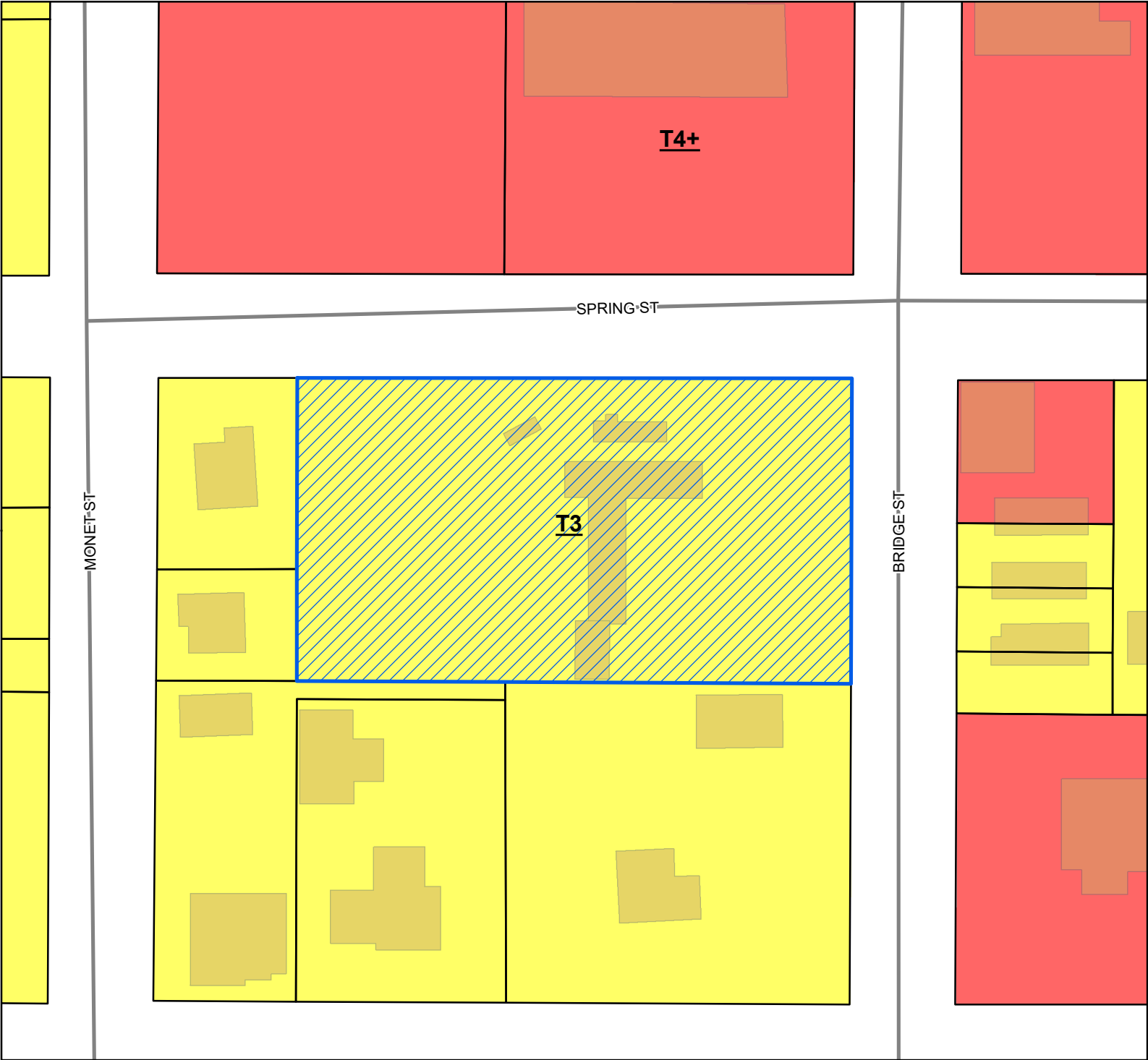
This report has been reviewed and approved by:



Greg Holmes
Director of Urban Development Department

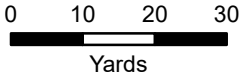
2610ZB134

Variance



- Site
- Street
- Parcels
- Buildings
- Smart Code
- T4+
- T3

Site Information
1010E-02-025.001
Zoning: T3 (Sub-Urban Zone)
Size: 1.3 Acres
Flood: X



1 inch = 80 feet



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Covenant Affidavit

I, Bruce Forner, being owner or agent of the property 1010 E - 02 - 025.001
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.

Bruce Forner 8-14-2026
Signature Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 14th day of August, 2026

Sl Lth, Jr.
Notary Public

Commission Expiration



1. in lieu of cutting protected trees (live oak, & magnolia)
2. trees were pre-existing
3. in order to save the trees we shifted foot print of the house.
4. while trying to protect the trees in the district.
5. NO
6. zoned T3, single family dwellings are Allowed by Right.

DEMOLITION:

DEMOLITION:

5. CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ANY AND ALL EXISTING STRUCTURES DESIGNED TO BE REMOVED WITHIN THE PROPERTY LINES INCLUDING BUT NOT LIMITED TO STRUCTURES, WALLS, FENCES, FOUNDATION, PAVEMENTS AND DRIVEWAYS, EXISTING UTILITIES AND ERECTIONS.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGES THAT MIGHT OCCUR DURING THE REMOVAL OF THE EXISTING STRUCTURES.
7. CONTRACTOR SHALL REMOVE ALL DEBRIS FROM THE SITE THAT IS DEEMED TO EXIST PRIOR TO HIS WORK OR THAT IS GENERATED AS A RESULT OF HIS WORK. DEBRIS SHALL BE REMOVED FROM THE SITE IMMEDIATELY AFTER THE WORK IS COMPLETED. ALL DEBRIS SHALL BE AT THE CONTRACTORS EXPENSE.
8. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS, OR RELINQUISHING ANY EXISTING ABOVE OR BELOW GROUND TELEPHONE OR POWER (LINES) BUT SHALL BE RESPONSIBLE FOR COORDINATING HIS WORK WITH ALL LOCAL UTILITY COMPANIES.
9. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS. THE WORK CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING UTILITIES NOT DESIGNATED TO BE REMOVED. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING EXISTING UTILITIES NOT DESIGNATED TO BE REMOVED. REMOVED, OR DAMAGES THAT RESULT FROM CONTRACTORS WORK, REMOVAL OF ANY POWER LINES.
10. ALL UTILITIES OF CLEARING AND GRUBBING SHALL BE WITHIN PROPERTY LINES. UTILITIES OF CLEARING AND GRUBBING SHALL BE WITHIN PROPERTY LINES.
11. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS REQUIRED TO ACCOMPLISH THE WORK SPECIFIED ABOVE.

STORM WATER POLLUTION PREVENTION NOTES:

2. CONTRACTOR SHALL OBTAIN TOPSOIL FOR USE IN LANDSCAPING.
CONTRACTOR SHALL LINE ALL PROPOSED SLOPES AND DETENTION POND SLOPES WITH EROSION AND SEDIMENT CONTROL BARRIERS AS SHOWN.
CONTRACTOR SHALL NOTIFY THE CITY OF LOS ANGELES IMMEDIATELY UPON SLOPING.
CONTRACTOR SHALL BE RESPONSIBLE FOR SEEDING WITH TEMPORARY SEED ANY DISTURBED AREAS THAT ARE NOT BE LONG-TERMSOED FOR FOURTEEN OR MORE DAYS (SEE DEP. JG. OF TEMPORARY SEED TYPES).
CONTRACTOR SHALL BE RESPONSIBLE FOR SEEDING WITH PERMANENT SEED ANY DISTURBED AREAS THAT ARE NOT BE LONG-TERMSOED FOR FOURTEEN OR MORE DAYS (SEE DEP. JG. OF PERMANENT SEED TYPES).
ALL EQUIPMENT MAINTENANCE AND REPAIRS SHALL BE DONE OFFSITE.
EQUIPMENT REPAIRS SHALL BE PLACED AT CONVENIENT LOCATIONS THROUGHOUT THE SITE.
ALL TRUCKS, TRAILERS, COLLECTOR TRUCKS, AND OTHER EQUIPMENT SHALL BE LOCATED IN THE CORNER OF THE CONSTRUCTION ENTRANCE. CONTRACTOR SHALL COORDINATE PICKUP WITH THE CITY OFFICE OF PUBLIC WORKS, PROVIDE AND MARK AREAS, EROSION AND SEDIMENT CONTROL DEVICES, AND TRUCKS WITHIN 24 HOURS.
CONTRACTOR SHALL CHECK RAINFALL EVENT BUT NOT LESS THAN ONCE PER WEEK AND MAKE ANY NEEDED REPAIRS WITHIN 24 HOURS.
3. CONTRACTOR SHALL PROVIDE SEDIMENT FROM SILT FENCE, CHECK POINTS, AND SILT PROTECTION DEVICES WHENEVER SEDIMENT HAS ACCUMULATED TO 50 PERCENT CAPACITY. CONTRACTOR SHALL MAINTAIN ALL VEGATED AREAS TO PROVIDE PROPER GROUND COVER BY MAINTAINING VEGETATION.
4. A SCHEDULED OFFICE (IF REQUIRED) AND PORTABLE TOILET SHALL BE LOCATED AT OR NEAR THE PROJECT LATERAL ENTRY FACILITY SHALL BE MAINTAINED ON A REGULAR SCHEDULE BY A LICENSED DISPOSAL COMPANY.

SITE WORK:

1. IN PAVED STREET CUL-OTS SHALL BE SMOOTH AND VERTICAL WITH THE AREA BEING GENERAL RECTANGULAR. NATURAL MATERIAL MAY BE USED AS BACKFILL IF APPROVED BY THE CITY ENGINEER AND MUST BE COVERED WITH A MINIMUM OF 4" OF ASPHALT. IF BACKFILL IS USED, IT MUST BE WELL DRAINED, DAMPED WITH WYBRON COARSE SAND AND LIGHTLY SET. IT NECESSARY, THE CUL-OT SHALL BE COVERED WITH A MINIMUM OF 4" OF ASPHALT.
2. PAVEMENT CUL-OTS TO BE DETENTION IN THE STREET BY TOWN SIGNPOST.
3. ALL EXCESS FILLS SHALL BE HAULED OFF SITE TO AN APPROVED SITE AT CONTRACTORS' EXPENSE.
4. NO IMPROVEMENTS SHALL OBSTRUCT OR DIVERT RUNOFF TO THE DETRIMENT OF AN ADJACENT PROPERTY.
5. A SANTARY TRENCH LATERAL CUL-OT SHALL BE INSTALLED AT THE PROPERTY LINE, IF THE PROPERTY HAS A LATERAL TO THE STREET.
6. ANY TRENCHING WITHIN THE DWP LINE OF ALL TREES SHALL BE DONE BY HAND.
7. CONTRACTOR SHALL INSTALL ALL UTILITY SERVICES, INCLUDING CABLES, ELECTRIC, GAS, WATER, AND COMMUNICATIONS, IN ACCORDANCE WITH THE CITY ENGINEER'S DESIGN. THE ADJACENT PUBLIC RIGHT OF WAY SHALL BE KEPT CLEAR OF ALL JOB DEBRIS AS THE WORK LAYS OUT. THE LACK OF PROPERLY MAINTAINED WORK AREAS SHALL BE THE SIGHTING SIGN SYSTEM.
8. ALL CIVIL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE TO THE LATEST ADAPTED CITY STANDARD DRAWINGS AND SPECIFICATIONS. ALL WORK SHALL CONFORM TO THE APPLICABLE CITY ORDINANCES.
9. THE STORING OF GOODS AND MATERIALS ON THE SIDEWALK AND/OR THE STREET SHALL NOT BE ALLOWED UNLESS A SPECIAL PERMIT IS ISSUED.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE JOB SITE DURING ALL WORKING HOURS.
11. FAILURE TO MAINTAIN THE PUBLIC RIGHT OF WAY MAY RESULT IN THE CITY/STATE PERFORMING THE REQUIRED WORK/MAINTENANCE AT THE CONTRACTORS' EXPENSE.

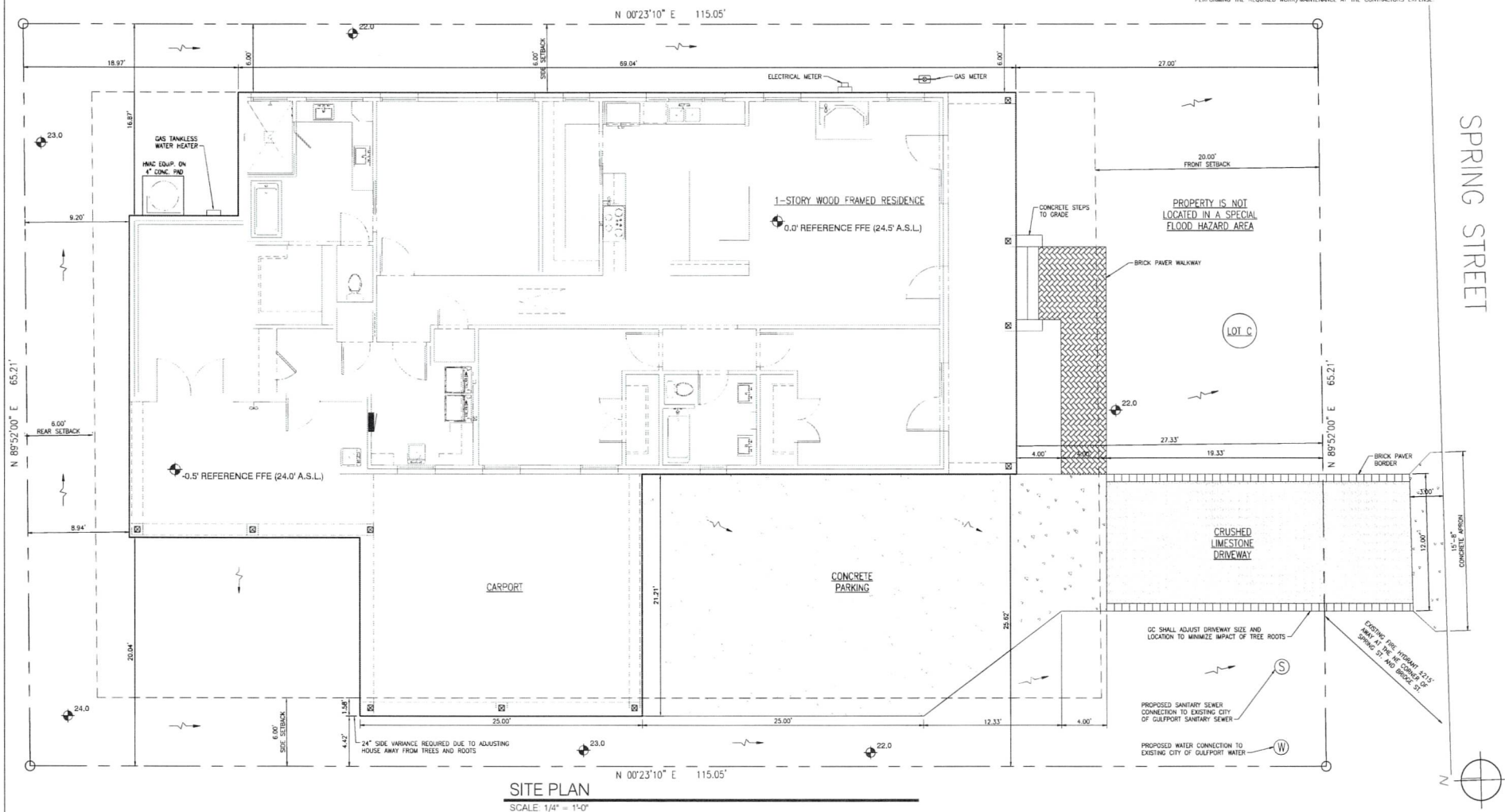


PLATE NORTH VENTURES LLC
100 COLUMBIA AVE.
UNIT 400
CALIFORNIA, MD 20617
(202) 991-2211
www.plateventures.com

SPEC HOUSE
1293 SPRING STREET
GULFPORT, MS

PROJECT TITLE

SITE PLAN

SHEET TITLE

REVIEWS

1

1

1

1,2026

DATE _____
JANUARY 19____

(

NOTE:
Land Surveys do not transfer title or ownership. No part of this map should be interpreted as an instrument conveying ownership or any other rights between parties. Further more this map does not create an easement. Easements shown do not exist unless or until recordation of a properly prepared instrument.

REFERENCE:
SURVEY BY GARY
DURBIN, P.L.S.
DATED 10/15/24

BRIDGE STREET / SPRING STREET
PARCEL "C", SQUARE 5, MONET'S SURVEY
GULFPORT, MISSISSIPPI
PARCEL #1010E-02-025.001

LEGAL DESCRIPTION PARCEL "C"
(PER SURVEY)

A part of Square 5 of Monet's Survey, a plat of record of which is on file in the office of the Chancery Clerk of Harrison County, Mississippi, better described as follows, to-wit:

Commencing at the Northeast corner of said Square 5, said point being the intersection of the South margin of Spring Street and the West margin of Bridge Street thence run S 89°52'00" W 168.62 feet to an iron rod and the Point of Beginning, thence S 00°23'19" W 115.01 feet to an iron rod, thence S 89°52'10" W 85.21 feet to an iron rod, thence N 00°23'01" E 115.00 feet to an iron rod on the South margin of Spring Street, thence N 89°52'00" E 85.22 feet to the Point of Beginning. Said parcel contains 7500 square feet or 0.17 acres. Bearings based on GPS Observation, per survey by Gary Durbin, Dated 10/11/24.

This survey does not reflect a title search by Gary A. Durbin, P.L.S., nor should it be considered as such. This survey therefore does not depict of easements and encumbrances that could affect this property.

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

Bearings based on GPS Observation of the south margin of Spring Street, NAD 83, MS East Zone, convergence angle -0.130448, scale factor 0.999980.

This property is situated in Zone "A" per FEMA Flood Insurance Rate Map, City of Gulfport, Harrison County, Mississippi, Community Panel Number 28047C-0259-G, Revised: 6/16/09. This does not warranty that this property will not or could not flood.

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

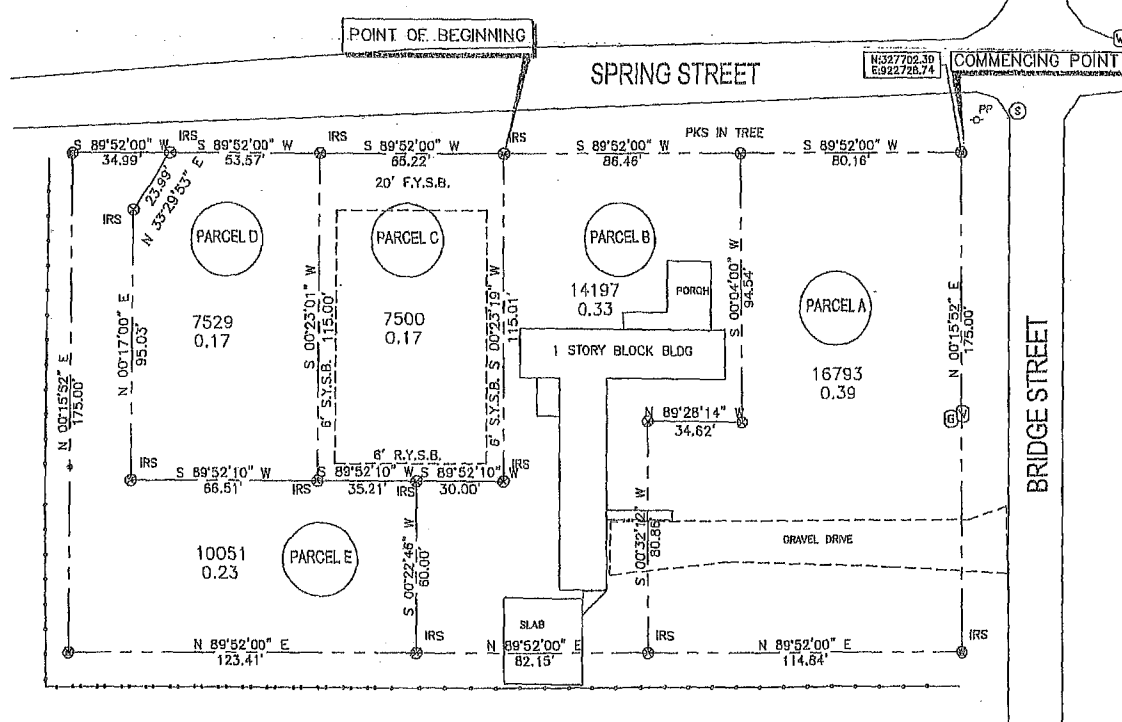
Gary A. Durbin, P.L.S. 2401
March 25, 2025



JOB 11431C

GARY A. DURBIN, P.L.S.
PROFESSIONAL LAND SURVEYOR
13048 RIVERWALK CIRCLE, DIBERVILLE, MS, 39540
PH. (228) 366-3632 Telexgdl@aol.com

SCALE: 1"=40'



IRF 1/2" IRON ROD FOUND
IPF 3/4" IRON PIPE FOUND
IRS 1/2" IRON ROD SET
CMF CONCRETE MONUMENT
PKS PK NAIL SET

P=PLAT OF RECORD
M=MEASURED
D=DEED

Square 5



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
B & B FORREST INC	Legal

Business Information

Business Type:	Profit Corporation
Business ID:	1415335
Status:	Good Standing
Effective Date:	10/17/2023
State of Incorporation:	Mississippi
Principal Office Address:	11503 TREELAWN ST GULFPORT, MS 39503

Registered Agent

Name
BRADLEY D FORREST 11503 TREELAWN ST GULFPORT, MS 39503

Officers & Directors

Name	Title
BRANDY R FORREST 11503 TREELAWN ST GULFPORT, MS 39503	Incorporator
BRADLEY D FORREST 11503 TREELAWN ST GULFPORT, MS 39503	Incorporator
BRADLEY D FORREST 11503 TREELAWN ST GULFPORT, MS 39503	President
BRANDY FORREST 11503 TREELAWN ST GULFPORT, MS 39503	Vice President



SCANNED



Angela Hvas 1st JUDICIAL DISTRICT
Instrument 2025-0011521-D-J1
Filed/Recorded 06/12/2025 12:05:03 PM
Total Fees 26.00
4 Pages Recorded

Index: Bridge Street/Spring Street Parcel "C",
Square 5, Monet's Survey Gulfport, MS

Prepared by and return to:
Prepared by and return to:
David B. Estes
MS Bar No. 101404
Integrity Land Title, LLC
2200 25th Avenue
Gulfport, MS 39501
(228) 896-8962
File #5376

STATE OF MISSISSIPPI

COUNTY OF HARRISON

FIRST JUDICIAL DISTRICT

****Title Not Examined****

QUITCLAIM DEED

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

B & B FORREST INC.
a Mississippi corporation
11503 TREELAWN STREET
GULFPORT, MS 39506
(228) 346-0870

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

B & B FORREST INC.
a Mississippi corporation
11503 TREELAWN STREET
GULFPORT, MS 39506
(228) 346-0870

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

SEE ATTACHED EXHIBIT "A"

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

WITNESS our signatures on this the 10th day of June, 2025.

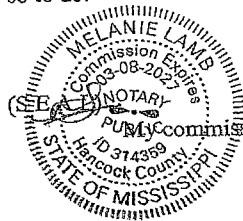
B & B FORREST INC.

BY: Bradley D. Forrest

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 10th day of June 2025, within my jurisdiction, the within named BRADLEY D. FORREST, who acknowledged that he is President of B & B Forrest, Inc., a Mississippi corporation, and that for and on behalf of the said company, and as its act and deed he executed the above foregoing instrument, after first having been duly authorized by said company so to do.



Melanie Lamb
NOTARY PUBLIC

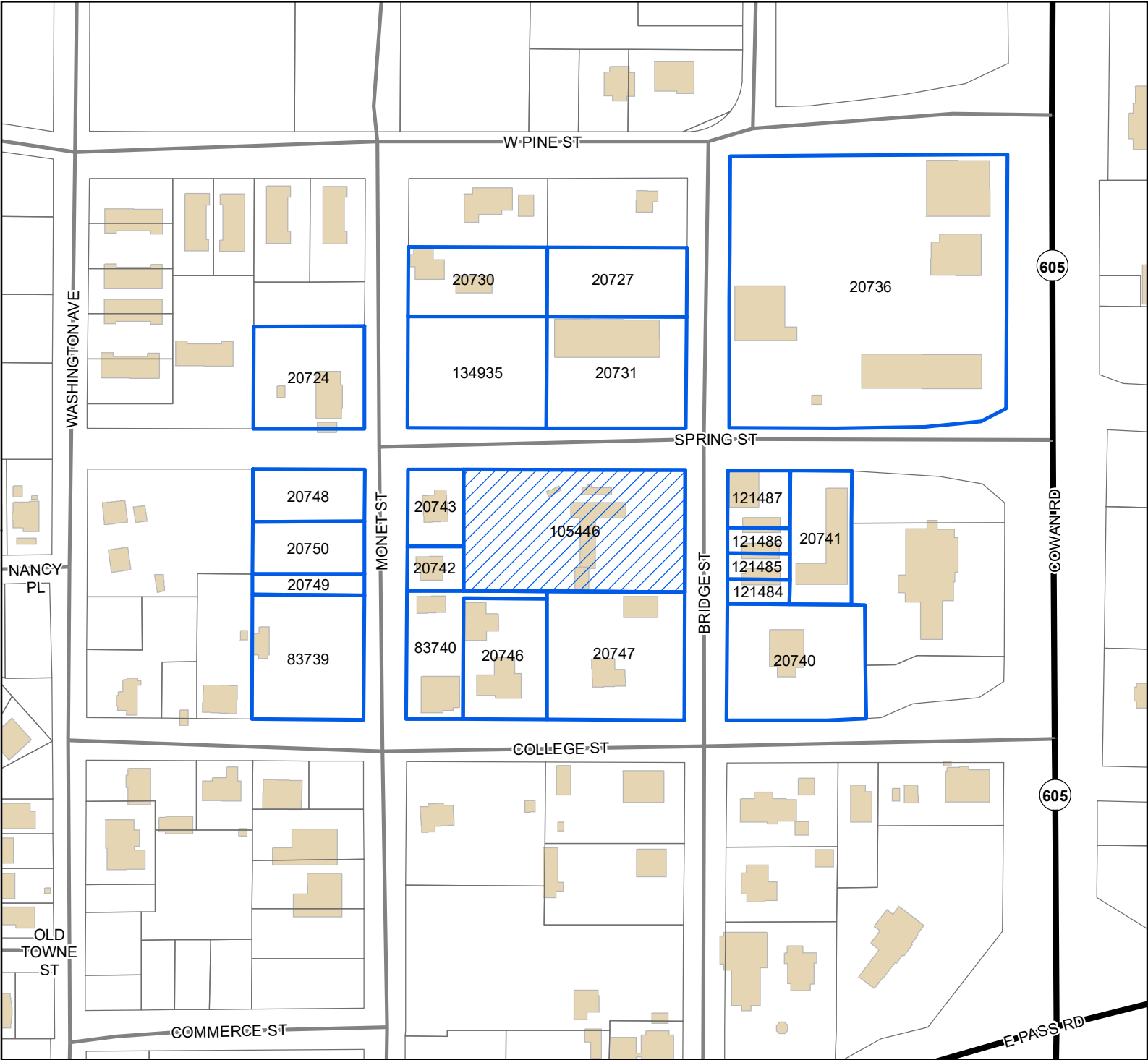
My commission expires: 03-08-2027

EXHIBIT "A"

Parcel C

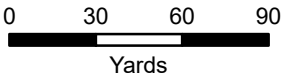
A part of Square 5 of Monet's Survey, a plat or map of which is of record in the office of the Chancery Clerk of Harrison County, Mississippi. Better described as follows, to-wit: Commencing at the Northeast corner of said Square 5, said point being the intersection of the South margin of Spring Street and the West margin of Bridge Street thence run S 89°52'00" W 166.62 feet to an iron rod and the Point of Beginning, thence S 00°23'19" W 115.01 feet to an iron rod, thence S 89°52'10" W 65.21 feet to an iron rod, thence N 00°23'01" E 115.00 feet to an iron rod on the South margin of Spring Street, thence N 89°52'00" E 65.22 feet to the Point of Beginning. Said parcel contains 7500 square feet or 0.17 acres. Bearings based on GPS Observation, per survey by Gary Durbin, Dated 10/11/24.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1010E-02-025.001	B & B FORREST, INC (ONWER)	1019 BRIDGE ST	GULFPORT	MS	39507
			Adjacent Property Owners (2610ZB134)				
	20727	1010E-02-007.000	CHILDERS BEN W	22 GREENBRIAR	GULFPORT	MS	39507
	20730	1010E-02-009.000	PASSMAN BRUCE A	1114 MONET ST	GULFPORT	MS	39507
	20747	1010E-02-024.000	TYSON ROBERT C & KIMBERLY A	1005 BRIDGE ST	GULFPORT	MS	39507
	83739	1010E-02-018.000	CONNER BESSIE ETAL	1114 COLLEGE HB STA	GULFPORT	MS	39501
	20746	1010E-02-023.001	PIERCE MILDRED L -L/E-	1208 COLLEGE STREET	GULFPORT	MS	39507
	20740	1010E-02-027.000	WALKER JOSEPH HARVEY -TRUSTEE-	11582 BLUFF LANE	GULFPORT	MS	39503
	20750	1010E-02-020.000	LIZANA OREN KEITH	2290 WESTWIND WAY	SIGNAL HILL	CA	90755
	83740	1010E-02-023.000	SANTAMARIA JOSE	1200 COLLEGE ST	GULFPORT	MS	39507
	20743	1010E-02-022.000	SEMETIS RICK A	1201 SPRING ST	GULFPORT	MS	39507
	20748	1010E-02-021.000	MCBRIDE CHRISTINE D	109 SOUTH KERNS DR	GULFPORT	MS	39503
N	20749	1010E-02-019.000	SANTAMARIA JOSE	1200 COLLEGE ST	GULFPORT	MS	39507
	20724	1010E-02-013.000	LIZANA ANGELYN K M & OREN -TRUSTEES	2290 WESTWIND WAY	SIGNAL HILL	CA	90755
	105446	1010E-02-025.001	WILLIAMS EARL	4436 WARES FERRY ROAD	MONTGOMERY	AL	36109
	20742	1010E-02-025.000	GEOTES JOHNNY W & THOMPSON DONALD R	1751 MAGNOLIA STREET	GULFPORT	MS	39507
	20736	1010E-02-001.000	DEDEAUX UTILITY CO INC	1317 24TH AVE SUITE C	GULFPORT	MS	39501
	20741	1010E-02-026.000	SPRINGBRIDGE PROPERTIES LLC	C/O GERALD WARREN	GULFPORT	MS	39502
	121484	1010E-02-026.001	MCDANIEL ANGELA D -TRUSTEE-	1010 BRIDGE STREET	GULFPORT	MS	39507
	121486	1010E-02-026.003	GUERRERO MAYRA GARDUNO -ETAL-	1018 BRIDGE ST	GULFPORT	MS	39507
	121485	1010E-02-026.002	COLE CARRIE A & RONALD L KAUFMAN	1014 BRIDGE ST	GULFPORT	MS	39507
	121487	1010E-02-026.004	DLMS LLC	1303 SPRING STREET	GULFPORT	MS	39507
	20731	1010E-02-008.000	HAMMOND HOLDINGS LLC	P O BOX 990	MONTROSE	AL	36559
	134935	1010E-02-008.001	SPRING STREET LLC	53 SHORELINE LANE	GULFPORT	MS	39503



Legend

- Site
- US or State Highway
- Street
- Buildings



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.

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
51445	IPL0369234	Legal Ad - IPL0369234	September Zoning Board	1.0	69.0L

ATTENTION: GULFPORT URBAN DEVELOPMENT IP

PO BOX 1780

GULFPORT, MS 39502

accountspayable@gulfport-ms.gov;sasmith@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, September 17th, 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 2609ZB126, by owner Ancillary Capital LLC, seeking approval for a 4 foot side yard setback where 6 feet is required as well as a 2 foot secondary frontage setback where 6 feet is required, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2609ZB129, by owner Ancillary Capital LLC, seeking approval for a 4000 square foot lot where 10,222 square feet is required for a 3-Unit Multiple-Family Dwelling, Tax Parcel 0811L-03-036.000, 3300 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2609ZB130, by owner John K. Rester, seeking approval for a 7-foot 6-inch back and side yard fence where 6 feet is the height limit, Tax Parcel 1010C-01-001.045, 10889 Channelside Drive, Zoned R-2 (Single Family), Ward 5

Variance 2609ZB131, by agent Addison Sweebe, seeking approval for a 5,000 square foot lot where 8000 square feet is required for a Duplex use, Tax Parcel 0811L-03-029.000, 3212 11th St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2610ZB134, by owner B&B Forrest, Inc., seeking approval for a 4.42 foot east side yard setback where 6 feet is required for side yard setback, Tax Parcel 1010E-02-025.001, 1293 Spring Street, Zoned T3 (Sub-Urban Zone), Ward 4

This the 26th day of August 2026
Nathan Boddie, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0369234
Sep 2 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:

09/02/26 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Julie Ambry



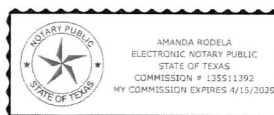
Julie Ambry

Amanda Rodela



Sworn to and subscribed before
me on

Sep 2, 2026, 9:51 AM EDT



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