

AGENDA
GAUTIER PLANNING COMMISSION
September 4, 2025
5:30 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE (VOLUNTEER)

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

1. Approval of Minutes from August 7, 2025

**V. PUBLIC COMMENTS
(MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE AGENDA)**

VI. OLD BUSINESS

VII. NEW BUSINESS

1. Consider a request for a five-foot (5') variance to minimum lot width requirements in a R-1 Low Density Single-Family Residential Zoning District. Martin Bluff Road, PID #85433002.000, (GPC #25-38-VAR)

VIII. GENERAL DISCUSSION

1. PREVIOUS CASE UPDATES
2. PERMIT & TRC REPORTS

IX. ADJOURN

AUGUST 7, 2025
GAUTIER, MISSISSIPPI

BE IT REMEMBERED that a meeting of the Gautier Planning Commission of The City of Gautier, Mississippi, was held on August 7, 2025, at 5:30 PM in the Council Chambers of the Gautier Municipal Building at 3330 Highway 90, Gautier, Mississippi.

Commission Members present were: Chairman Josh Ward, Commissioners Maurice Hudson, Robert Williams, Herman Green, Marquitta Buxton, Greg Canada, and Ricky Decoteau. Also present were Scott Ankerson, Planning Director, Josh Danos, City Attorney, and Babs Logan, Planning Technician.

AGENDA

GAUTIER PLANNING COMMISSION

AUGUST 7, 2025

5:30 P.M.

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE (VOLUNTEER)**
- III. SWEAR IN NEW PLANNING COMMISSIONERS, AND VOTE ON CHAIRPERSON AND CO-CHAIRPERSON**
- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF MINUTES (JUNE 5, 2025)**
- VI. PUBLIC COMMENTS
(MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE AGENDA)**
- VII. OLD BUSINESS**
- VIII. NEW BUSINESS**
 - 1. Consider a request for a Special Exception that would allow a manufactured home in a MURC-MW Mixed Use Recreation Commercial Zoning District. 3032 Mary Walker Drive, Lot #5, PID #87010063.000. (GPC #25-30-SE)
 - 2. Consider a request for a Special Exception that would allow a monopine wireless tower in a C-1 Neighborhood Commercial Zoning District. Ladnier Road, PID #82513320.025. (GPC #25-34-SE)

3. Consider a request for a twenty-three foot (23') variance from a telecommunication tower to the nearest residence in a C-1 Neighborhood Commercial Zoning District. Ladnier Road, PID #82513320.025, (GPC #25-35-VAR)
4. Consider a request for a Property Owner Initiated Rezoning of Property located at PID #82438100.130, Old Spanish Trail, from R-1 Low Density Single-Family Residential to PUD Planned Unit Development. (GPC #25-36-RZ)

IX. GENERAL DISCUSSION

- A. PREVIOUS CASE UPDATES
- B. PERMIT & TRC REPORTS

X. ADJOURN

Due to Municipal Elections in July, several new Planning Commissioners were appointed.

Judge Ellerby, Municipal Judge for the City of Gautier, swore all Planning Commissioners in, those newly appointed and those already serving.

Vice Chairman Ward welcomed the new members and stated that discussion was open for appointment of a Chairman and Vice Chairman of the Planning Commission.

Commissioner Hudson made a motion to nominate **Vice Chairman Josh Ward**, based on leadership, and understanding of the call of order and procedures of the Planning Commission.

Commissioner Decoteau seconded the motion, and the vote was unanimous for the nomination.

Chairman Ward nominated Commissioner Hudson for Vice Chairman. He has been on the Commission for some time now and also served many years ago. He is very knowledgeable, has built stuff in Gautier, knows a lot about the Commission and will be a great choice to fill this position.

Commissioner Decoteau seconded the motion, and the vote was unanimous for the nomination.

Commissioner Buxton made a motion to approve the Agenda.

Commissioner Canada seconded the motion, and the following vote was recorded:

AYES: **Josh Ward**
 Maurice Hudson
 Robert Williams
 Herman Green
 Marquitta Buxton
 Greg Canada
 Ricky Decoteau

Motion Passed

Josh Danos, City Attorney, advised that because the majority of the Planning Commission were new appointees, he had reached out to the appropriate people and was told the new Commissioners could vote on these minutes even though they were not at the meeting.

Commissioner Hudson made a motion to approve June 5, 2025, minutes.

Chairman Ward seconded the motion, and the following vote was recorded:

AYES: **Josh Ward**
 Maurice Hudson
 Robert Williams
 Herman Green
 Marquitta Buxton
 Greg Canada
 Ricky Decoteau

Motion Passed.

PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE AGENDA) - None

OLD BUSINESS - None

NEW BUSINESS

1. Consider a request for a Special Exception that would allow a manufactured home in a MURC-MW Mixed Use Recreation Commercial Zoning District. 3032 Mary Walker Drive, Lot #5, PID #87010063.000. (GPC #25-30-SE)

Scott Ankerson, Planning Director, gave a brief overview of the case. He reminded Commissioners that a Special Exception does not run with the property.

REQUEST:

The Planning Department has received a request from Clarence Wesley Walley, II for a Special Exception that would allow a manufactured home in a MURC-MW Mixed Use Recreation Commercial Zoning District at 3032 Mary Walker Drive, Lot #5, PID #87010063.000. (GPC #25-30-SE). The application fee of \$250 was paid on June 6, 2025. All public notice requirements have been met.

BACKGROUND:

The request property is zoned MURC-MW Mixed Use Recreation Commercial.

1. Location: 3032 Mary Walker Drive, Lot #5, PID #87010063.000 (See Exhibit A)
2. General features of the proposed project:
Lot Size: approximately 1.69 acres
Existing Mobile Home Park (Southern Hideaway Estates)
3. Potable Water and Wastewater Services: Available at current location
4. Current Zoning (See Exhibit B): MURC-MW Mixed Use Recreation Commercial
5. Current Surrounding Zoning (See Exhibit B): MURC-MW Mixed Use Recreation Commercial to the north and east; C-3 Highway Commercial to the south and west.
6. Current Surrounding Existing Land Use (See Exhibit C): Mobile Home Park to the north and east; Commercial – Retail to the south and west; very low to low density residential to south.
7. Comprehensive Plan Future Land Use Designation (See Exhibit D): Low impact commercial

DISCUSSION:

The following addresses the review criteria for a Special Exception outlined in Section 4.16.4 of the UDO.

1. Explain how a literal interpretation of the City of Gautier’s Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others

of the district in which the property is located, and would work unnecessary hardship upon the applicant?

Applicant Response: See attached.

Staff Finding: UDO Section 13.2.3 states: Within the MURC-MW zoning district, mobile homes existing as of June 21, 2011, may be replaced so long as the nonconforming structure meets all other requirements of the Code.

However, this is a proposed new placement request and not a re-placement application.

2. Explain how the requested Special Exception will be in harmony with the purpose of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?

Applicant Response: See attached.

Staff Finding: It is staff's opinion that this will not be injurious to the neighborhood or the general welfare.

3. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant.

Applicant Response: See attached.

Staff Finding: Unsubstantiated

DETERMINATION OF APPLICABLE LAW:

1. The UDO defines a Special Exception as a relaxation of the terms of the Unified Development Ordinance where such an exception will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in undue hardship. Special Exceptions are necessary when an applicant seeks to establish or expand a use not ordinarily permitted in a specific zoning district. "Special Exceptions" are not transferable from one (1) owner of land to another.
2. Special Exception requires a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).
3. Once an application for a Special Exception is submitted to the Planning Department, the procedures outlined in UDO Section 4.14.1 will be followed. At the appropriate time, The Planning Commission will conduct a public hearing to determine whether the applicant meets all relevant criteria, and make a recommendation to City Council pursuant to UDO Section 4.14.4. City Council, pursuant to UDO Section 4.14.4(C), will then consider the matter at its next regularly scheduled meeting and approve or deny the Special Exception.

4. A Special Exception is required for uses not ordinarily permitted in a specific zoning district. Special Exceptions are not permitted by right, and may only be granted when certain criteria are established. (4.16.4)
5. Special Exceptions do not run with the land, and may be revoked by the Planning Department if any of the following circumstances are discovered:
 - A. The property changes ownership
 - B. The property is being utilized in a manner not permitted under the zoning regulations or the special exception; or
 - C. The property ceases to be used for the purpose allowed in the Special Exception for a period of one hundred eighty (180) days during the existence of the Special Exception.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets the "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the Special Exception;
2. Recommend that City Council approve the Special Exception with changes; or
3. Recommend that City Council deny the Special Exception.

Chairman Ward asked the applicant to present his case.

Wesley Walley, the applicant, said his family comes down from Purvis every chance they get, and a mobile home would make it better for his family and grandkids.

Chairman Ward asked if the aluminum cover over the RV would be staying.

Mr. Walley said it would not.

Commissioner Decoteau asked how big the mobile home would be.

Mr. Walley said it would be a single-wide, about 14' or 16' by 80'.

Commissioner Hudson said that with the other mobile homes in the area, this would be in harmony with the area.

Mr. Walley said he hoped he would be increasing the value of the area by bringing in a mobile home in place of the camper.

Commissioner Canada asked if the utilities were always connected to the camper.

Mr. Walley said it wasn't hard connected, but it stays connected.

Commissioner Hudson asked if it would be a transfer of power.

Mr. Ankerson said it wouldn't because it is the same owner, and the mobile home would run on a temporary pole as well. If there is a requirement for the temporary pole to be upgraded for any reason, then it would require an inspection and a new release.

Chairman Ward noted that it was only about an acre, or acre and a half, lot and there are only about six mobile homes are on it, so it isn't very dense. It is in harmony with what is already there, and a mobile home is going to be a more stable structure storm wise.

There were none in attendance speaking in opposition of the request.

ACTION TAKEN:

Commissioner Decoteau made a motion to recommend approval of the Special Exception because the evidence presented meets the criteria for approval from the UDO as listed.

Commissioner Hudson seconded the motion, and the following vote was recorded:

AYES:

- Josh Ward**
- Maurice Hudson**
- Robert Williams**
- Herman Green**
- Marquitta Buxton**
- Greg Canada**
- Ricky Decoteau**

Motion passed.

-
2. Consider a request for a Special Exception that would allow a monopine wireless tower in a C-1 Neighborhood Commercial Zoning District. Ladnier Road, PID #82513320.025. (GPC #25-34-SE)

Scott Ankerson, Planning Director, gave a brief overview of the case.

Chairman Ward explained that this particular portion was just voting on the Special Exception request for the cell tower. The next portion, for the Variance, would be voted on separately.

REQUEST:

The Planning Department has received a request from New Cingular Wireless PCS LLC (AT&T) for a Special Exception that would allow a monopine wireless tower in a C-1 Neighborhood Commercial Zoning District at Ladnier Road, PID #82513320.025 (GPC #25-34-SE). The application fee of \$250 was paid on July 10, 2025. All public notice requirements have been met.

BACKGROUND:

The request property is zoned C-1 Neighborhood Commercial.

1. Location: Ladnier Road, PID #82513320.025 (See Exhibit A)
2. General features of the proposed project:
 Lot Size: approximately 0.46 acres
 Vacant Lot
3. Potable Water and Wastewater Services: Available at current location
4. Current Zoning (See Exhibit B): C-1 Neighborhood Commercial
5. Current Surrounding Zoning (See Exhibit B): C-1 Neighborhood Commercial to the south; R-1 Low Density Single-Family Residential to the north, east and west.
6. Current Surrounding Existing Land Use (See Exhibit C): Vacant to the north and east; Very low to low density residential to the south; Civic to the west.
7. Comprehensive Plan Future Land Use Designation (See Exhibit D): Low density residential

DISCUSSION:

The following addresses the review criteria for a Special Exception outlined in Section 4.16.4 of the UDO.

1. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?

Applicant Response: See attached.

Staff Finding: Unsubstantiated

2. Explain how the requested Special Exception will be in harmony with the purpose of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?

Applicant Response: See attached.

Staff Finding: It is staff's opinion that this will not be injurious to the neighborhood or the general welfare.

3. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant.

Applicant Response: See attached.

Staff Finding: Unsubstantiated

DETERMINATION OF APPLICABLE LAW:

1. The UDO defines a Special Exception as a relaxation of the terms of the Unified Development Ordinance where such an exception will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in undue hardship. Special Exceptions are necessary when an applicant seeks to establish or expand a use not ordinarily permitted in a specific zoning district. "Special Exceptions" are not transferable from one (1) owner of land to another.
2. Special Exception requires a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).
3. Once an application for a Special Exception is submitted to the Planning Department, the procedures outlined in UDO Section 4.14.1 will be followed. At the appropriate time, The Planning Commission will conduct a public hearing to determine whether the applicant meets all relevant criteria, and make a recommendation to City Council pursuant to UDO Section 4.14.4. City Council, pursuant to UDO Section 4.14.4(C), will then consider the matter at its next regularly scheduled meeting and approve or deny the Special Exception.
4. A Special Exception is required for uses not ordinarily permitted in a specific zoning district. Special Exceptions are not permitted by right, and may only be granted when certain criteria are established. (4.16.4)
5. Special Exceptions do not run with the land, and may be revoked by the Planning Department if any of the following circumstances are discovered:
 - A. The property changes ownership
 - B. The property is being utilized in a manner not permitted under the zoning regulations or the special exception; or
 - C. The property ceases to be used for the purpose allowed in the Special Exception for a period of one hundred eighty (180) days during the existence of the Special Exception.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets the "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the Special Exception;
2. Recommend that City Council approve the Special Exception with changes; or
3. Recommend that City Council deny the Special Exception.

Chairman Ward asked the applicant to present his case.

Sterling Kidd, representative for AT&T, handed out information to the Commissioners regarding the cell tower.

Josh Danos, City Attorney, asked to have a copy for the record.

Mr. Kidd said the reason they were requesting this location for the cell tower was because there was a gap in coverage and this was the only location within the area their engineers found to place the tower for the needed coverage. The city has three types of zoning where a tower is more easily permitted, but there is nothing available in any of those areas. The company goes through a fairly exhaustive process to determine how they fill the coverage gap, and this is the location they were able to find with a willing landowner that would allow them to place the tower. There isn't a tower they could co-locate on because there is not one within search range and all the relevant nearby towers were already co-located on. This tower will also allow co-location of other carriers.

Commissioner Hudson asked about the design of the tower.

Mr. Kidd said the tower is a monopine and is a less intrusive design than others. It is even less intrusive than a monopole. It is more of a camouflaged design that will blend in with the environment. The tower is also designed to collapse on itself.

Commissioner Williams asked who owned the property the tower would be located on.

Chairman Ward stated the record showed the Register's owned the property.

Mr. Kidd said they were leasing the land from the property owner.

Commissioner Hudson asked how Gautier would benefit from the tower.

Mr. Kidd said most everyone uses cell phones. There are coverage gaps because the towers are overloaded, which means people can't communicate, which affects people calling spouses, children, and emergency services. Better wireless communication is always beneficial to a municipality.

Commissioner Williams asked if the Register's owned the house beside the lot in question. He noted that he didn't think the Mosquito Control Office located on the other side of the lot would have any issues.

Chairman Ward looked up the owner and said it looked like the parcel with the house on it was not owned by the Register's.

Mr. Kidd stated that the property was in a C-1, and although there were some houses nearby, there was also some commercial use nearby.

William Kerner, resident of Old Spanish Trail, said he has issues with his cell phone losing service about twice a month.

Chairman Ward said this is definitely needed in South Gautier. He had experienced no cell service in his old neighborhood in South Gautier on a regular basis. He asked if Planning Staff had received any calls or phone calls about the request.

Mr. Ankerson advised that we had received two calls asking for some general information, and once their questions were answered they said they had no problem with the tower going there.

Commissioner Williams asked if the area would be fenced in.

Commissioner Ward said the drawings showed a 50' x 50' fenced in area.

Chairman Ward said he assumed if it was intended to be camouflaged, they would not be clearing the entire property.

Mr. Ankerson said there would be a buffer requirement because it is a C-1 adjoining a R-1, although he wasn't sure how much of a buffer until he checked the UDO.

Chairman Ward noted that the drawings showed the tower closer to the Mosquito Control building, and away from the residences.

Mr. Ankerson advised that the Ordinance requires buffers between certain separate uses and between certain separate zoning classifications.

Commissioner Hudson said his only concern was about security, because there were a lot of children in the area. He would like to have cameras there as a safety measure also.

Mr. Kidd said there is a fence that prevents access to the area. He is not sure if there will be any cameras, but there will be caution signs, etc. on the fence. He feels that it is pretty clear if you approach the area, it is not a place to play.

Commissioner Ward said the drawings show a 5' buffer on three sides of the privacy fence. He noted that you have to go through a gate before you get to the fence.

Commissioner Canada asked who would be responsible for the ground keeping.

Mr. Kidd said they would be responsible for cutting the grass and everything.

There were none in attendance speaking in opposition of the request.

ACTION TAKEN:

Commissioner Decoteau made a motion to recommend approval of the Special Exception because the evidence presented meets the criteria for approval from the UDO as listed.

Commissioner Buxton seconded the motion, and the following vote was recorded:

AYES: **Josh Ward**
 Maurice Hudson
 Robert Williams
 Herman Green
 Marquitta Buxton
 Greg Canada
 Ricky Decoteau

Motion passed.

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3. Consider a request for a twenty-three foot (23') variance from a telecommunication tower to the nearest residence in a C-1 Neighborhood Commercial Zoning District. Ladnier Road, PID #82513320.025, (GPC #25-35-VAR)

Scott Ankerson, Planning Director, gave a brief overview of the case. He noted that this request was related to the Special Exception they just heard.

REQUEST:

The Planning Department has received a request from New Cingular Wireless PCS LLC (AT&T) for a twenty-three foot (23') variance from a telecommunication tower to the nearest residence in a C-1 Neighborhood Commercial Zoning District at Ladnier Road, PID #82513320.025, (GPC #25-35-VAR). The application fee of \$175 was paid on July 10, 2025. All public notice requirements have been met.

BACKGROUND:

The applicant would like to put a camouflaged 120' monopine wireless telecommunication tower on a vacant lot in a C-1 Neighborhood Commercial District. The Unified Development Ordinance (UDO) requires that the distance from the perimeter of a telecommunication tower or monopole to any residence shall be equal to the height of the tower plus thirty (30) feet. The tower would only be 127'2" from the nearest residence instead of 150' required for the proposed tower.

DISCUSSION:

The applicant is asking for a twenty-three foot (23') variance to the distance requirement between a telecommunication tower or monopole and the nearest residence. The proposed tower will only be 127'2" from the nearest residence instead of the required 150'. The UDO requires that the distance between a tower and the nearest residence be equal to the height of the tower plus thirty feet (30').

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (UDO) defines **Variances** as:

A Variance is a relaxation of the terms of the Unified Development Ordinance where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in an unnecessary or undue hardship. As used in this Ordinance, a Variance is authorized only for height, area and size of structure, or size of yards, separation of uses, open spaces, off-street parking spaces and some subdivision of property. The establishment or expansion of a use not permitted shall not be allowed by Variance.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

UDO SECTION 4.18: Variance

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as “use Variances” are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

- A. 30% of required off-street parking spaces and/or
- B. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

- A. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
- C. That the special conditions and circumstances do not result from actions of the applicant; and
- D. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets all "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the variance request as presented;
2. Recommend that City Council approve the variance request with changes; or
3. Recommend that City Council deny variance request.

Chairman Ward asked the applicant to present his case.

Sterling Kidd, representative for AT&T, said that the tower was pushed as far as it could be to the Mosquito Control building. The tower is designed to sustain winds up to 161 mph, which is based on the Telecommunications Industry Association standards. Most importantly, is that the tower folds over onto itself. It essentially folds in half instead of falling flat. The reason for the setback is that if it falls flat, it won't crush a home.

Commissioner Hudson asked what the total weight of the tower was. He also asked if there would be guidewires on the tower since we are in a hurricane prone area. He was concerned about the winds blowing it over.

Mr. Kidd said he was not sure about either. That information could possibly be in the handout they were given.

Chairman Ward said according to the letter in the information they were given, there is internal cabling and a safety climb wire. So, the internal cable would make it buckle back down on itself. The information given states that it would have a zero-fall radius. He said that the letter they were given in the handout would be in the exhibits from the meeting and if there were any liabilities or issues this letter has already been issued to the city.

Commissioner Ward noted that the tower was 120', so even if the tower was to fall in the direction of the residence it shouldn't hit it. The distance from the residence is 127'2". The Ordinance requires an additional 30' more than the height of the tower, which is why the variance is needed.

Mr. Ankerson said the Ordinance requirement was probably based on if a tower fell completely flat the whole distance, they wanted a little extra in case there were projectiles from the fall. This tower is designed to fold in half if it falls, so that is about half the distance of the height of the tower.

Chairman Ward noted that the Ordinance says residence not building. So the commercial building that is a lot closer, that it could possibly fall on, is not included in the distance requirement.

Mr. Kidd said in the original layout the tower would not meet the distance requirement for two homes, so they changed the layout and moved the tower location.

There were none in attendance speaking in opposition of the request.

ACTION TAKEN:

Commissioner Canada made a motion to recommend approval of the Variance because the evidence presented meets the criteria for approval from the UDO as listed.

Commissioner Buxton seconded the motion, and the following vote was recorded:

AYES: **Josh Ward**
 Maurice Hudson
 Robert Williams
 Herman Green
 Marquitta Buxton
 Greg Canada
 Ricky Decoteau

Motion passed.

4. Consider a request for a Property Owner Initiated Rezoning of Property located at PID #82438100.130, Old Spanish Trail, from R-1 Low Density Single-Family Residential to PUD Planned Unit Development. (GPC #25-36-RZ)

Scott Ankerson, Planning Director, gave a brief overview of the case. He noted that this property is in the immediate area where a Planned Unit Development was approved just recently. This project has also been presented to the City in the past, around 2013 or 2014. When it was presented as a development back then, they were sticking to the R-1 requirements. He believes a permit may have been issued but the project just never came to fruition for whatever reason. This request is asking for a small reduction in lot size from the previous request. The Planning Commission might want to consider whether there were conditions put on the previous request.

REQUEST:

The Planning Department has received a request from Shawn Pedersen dba Focus Construction for a Rezoning of property located at PID #82438100.130, Old Spanish Trail, from R-1 Low Density Single-Family Residential to PUD Planned Unit Development, and the attached PUD plan. (GPC Case #25-36-RZ). The application fee of \$300 was paid on July 15, 2025. All public notice requirements have been met.

BACKGROUND:

Section 4.15 of the City's Unified Development Ordinance (UDO) establishes the procedure to amend the City's Official Zoning Map. The Gautier Planning Commission (GPC) shall review a proposal for a rezoning and shall make an advisory recommendation to the City Council as to the need and justification for the change when the public welfare

justifies such action. The GPC shall include in its recommendation to the City Council findings that the required rezoning criteria have been met.

DISCUSSION:

1. Location: Old Spanish Trail, PID #82438100.130. (See Exhibit A)
2. Existing Zoning: R-1 Low Density Single-Family Residential. (See Exhibit B)

UDO 5.3.3 R-1, Low Density Single-Family Residential District - Purpose and intent. The purpose of this district is to provide areas where the principal use of land is for single-family detached dwelling units and related recreational facilities which compliment the area and provide a balanced and attractive residential area. R-1 areas are to be specifically designed to provide for the quiet enjoyment of the uses therein. They should have well defined boundaries and be protected from the encroachment of commercial uses and heavy through traffic.

UDO 5.3.17 PUD, Planned Unit Development - Purpose and intent. The PUD zoning district is applied to specific areas to encourage flexibility in the development of land, in order to promote its most appropriate use; to improve the design, character and quality of new developments; to encourage a harmonious and appropriate mixture of uses; to facilitate the adequate and economic provision of streets, utilities, and city services; to preserve the natural, environmental and scenic features of the site; to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; to mitigate the problems which may be presented by specific site conditions; and to encourage subdivisions which address the affordable housing goals, objectives and policies of the city's comprehensive plan. Uses permitted "by right" are established by the intent of the underlying Comprehensive Plan Future Land Use Map. It is anticipated that PUDs will offer one or more of the following advantages:

- A. Provide substantial buffers and transitions between areas of different land use and development densities;*
- B. Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces;*
- C. Counteract urban monotony and congestion on streets;*
- D. Promote architecture that is compatible with the surroundings;*
- E. Buffer differing types of land use and intensities of development from each other so as to minimize any adverse impact which new development may have on existing or zoned development; and*
- F. Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area.*

DATA AND ANALYSIS:

Property requested for Rezoning: Old Spanish Trail, PID #82438100.130

Location: Ward 1

Current Zoning of the Request Property: R-1 Low Density Single-Family Residential

Existing Land Use: Vacant. (See Exhibit C)

Future Land Use: Very Low Density Residential. (See Exhibit D)

Surrounding Zoning: R-1 Low Density Single-Family Residential to north & west; PUD Planned Unit Development to the south & east

HISTORY:

The subject property is vacant.

REVIEW CRITERIA:

The Planning Commission, in its report and recommendation to the City Council on the appropriateness of the request, shall study and consider the following criteria and record that the evidence presented meets the “Criteria for Approval” from the UDO, if applicable.

- A. There was a mistake in the original zoning; **or**
- B. The character of the surrounding area has changed to such an extent as to justify rezoning **AND** there is a public need for additional property to be zoned in accordance with the request.

The Planning Commission shall not recommend approval of a rezoning unless the applicant has proven by clear and convincing evidence that either of the required criteria items above have been met.

STAFF RECOMMENDATION:

If recommending approval, Planning Commission shall record that the evidence presented meets all “Criteria for Approval” from the UDO as listed above.

CONCLUSION:

Based on the required Review Criteria established by Section 4.15 of the Unified Development Ordinance and the appropriateness of the request relevant to the criteria, the Commission may:

1. Recommend that City Council approve to Rezone PID #82438100.130 from R-1 Low Density Single-Family Residential to PUD Planned Unit Development, and the attached PUD plan.
2. Recommend that City Council deny the Rezoning

Chairman Ward asked the applicant to present his case.

Shawn Pedersen, the applicant, said the first request for a subdivision was previously approved in 2014. All permits were obtained, and he was 100% ready to go at that time. It was approved for a fifty-six lot subdivision with two acres set aside for wetlands in the southeast corner as a preserve type piece of property. Since then, all the permits have expired, including the one from the Army Corp of Engineers. His company, Focus Construction, is now back into a financial position where they can move forward with the development. They would like to increase the density, going from eighty foot lots to seventy foot wide lots. This will change the lot layout because they are going to try to utilize the two acre piece originally set aside for wetlands. In lieu of that two acre piece for wetlands, they are going to try and utilize it for the retention requirement that will change with the new layout and put in a detention area. Previously concessions were being made, and they were going to put in some green space. This layout doesn't depict that because they wanted to open it up for discussion with the Commissioners to see if they wanted the green space and have two separate lots for a walking path around the detention area. To make it financially feasible, having the seventy foot lot lines would be more beneficial to them.

Commissioner Hudson said that in consideration of the neighbors, he would definitely like to have a buffer, if possible. Instead of reducing the lot size, he asked about reducing the number of lots from seventy to sixty. He said the Commissioners would try to guide him through placing some buffers to protect the already existing neighborhoods so everyone could try and live in harmony. He would like to keep a decent lot size so that it wouldn't look like a bunch of match box houses. He said that that area is growing, and although the city welcomes new homes, they also want to work with the people that live in the existing neighborhoods when considering new development.

Mr. Pedersen said they were open to working with the city however they could. He said the current layout shows sixty-seven lots not seventy. They would lose about three lots right off the bat to common or green space, which would leave about sixty-four lots. He asked what specific buffers the Commission might want, noting that the only access to the subdivision would be from the front at Old Spanish Trail. He said the depth of the lots couldn't really change because of the width of the road that goes to the lots, but if they wanted an additional buffer he might could make a nicer entryway on the front. That might be something they could redesign. Some of the lots are wider than seventy feet, where some are right at seventy feet. Seventy feet is the minimum design that they came up with.

Chairman Ward said that because he anticipates Old Spanish Trail getting much busier than what it is, one of his concerns is that the preliminary drawing shows one road in and on road out and doesn't really get bigger when you get to the entrance to Old Spanish Trail. He is concerned about there being a backup with people trying to get in and out of the subdivision because there isn't a turning lane. Having 67 lots with a single loop coming in and out, it looks to him that it needs to be a little wider at the beginning entrance to give a little more room for ingress and egress. He asked Mr. Ankerson if there were any requirements for that.

Mr. Ankerson stated that would be determined by the Fire Marshall for both egress and ingress. He said if a buffer requirement was imposed on the perimeter, it would change his entire lot layout and probably make it where he could design it to meet R-1 standards because he would probably lose at least a whole row in the center if he has to take up space around the perimeter to have a buffer. If he designed it by R-1 standards, the buffer requirement wouldn't be there because it would be R-1 backing up to R-1. He could choose to put a fence around his subdivision to differentiate it from another but there would not be a buffer requirement.

Chairman Ward said if they go back to an R-1 with about 50 houses there is not going to be a buffer.

Mr. Ankerson stated that if the layout goes back to meet R-1 standards, then this PUD plan that he is asking to be approved would be no longer, however he would be under the major subdivide process which would still come before the Planning Commission, and they could impose a buffer at that point.

Chairman Ward reminded the Commissioners that the applicant had already said that financially it was more beneficial to them to keep the 70 lots, and with that being said they may not move forward with the subdivision if they had to go back to 50 lots. He said the Commission needs to be careful on the buffer requirements that they put on the PUD, and the encroachments, because it would greatly reduce the applicant's financial impact of what they are trying to do.

Commissioner Williams asked what the price range would be for the new houses.

Mr. Pederson said more people are going toward a smaller, more affordable house. If they go by R-1 standards & 80' lots they could build wider, but in order to sell it they need to be targeting around \$270,000 to \$300,000 for the homes.

Commissioner Williams said two words he noted in the description of a PUD in the UDO was flexibility and affordable housing. He said he wants Gautier to grow but there is plenty of affordable housing. One of the biggest reasons we don't have a Walmart, a TJ Maxx, etc. is because the average income in Gautier is below what it is in Ocean Springs and some other areas. If we want Gautier to grow, we need to look at what the City looks like to attract growth. We want to approve things to make the city better. Pascagoula is getting department stores because they are looking at the general average income of the city. When he looks at the PUD description in the Ordinance and sees the word flexibility he wonders, if it is approved, could he turn it into affordable housing and make something smaller.

Chairman Ward explained that the minimum square footage for a dwelling in a R-1 District is 1325. That would make the value of the home about \$225,000.

Commissioner Williams asked if they could build duplexes or would it have to be single-family homes.

Mr. Ankerson reminded them they were approving a rezone to PUD and a PUD plan. The setbacks, lot size, density, and such would be bound by this plan and if they wanted to change it, they would have to come back before the Commission and ask for those changes.

Chairman Ward asked if, since imposing setbacks and buffers would change the layout, would Mr. Pedersen have to come back before the Commission to approve the changes.

Josh Danos, City Attorney, explained that what would happen is that they would agree to the recommendations of the Planning Commission and before it goes to Council a drawing of the plan was provided subject to the Commission's recommendation.

Mr. Ankerson said that if he lost 15 houses, he could still build affordable housing by right because R-1 just says single-family residential. Affordable housing, whatever you define that as, would be allowed by right as long as it is single-family residential and it meets the square footage requirement.

Mr. Pedersen said that in regard to their targeted price on the homes, his guess is that anyone that could afford a \$300,000 home would probably be above the medium level of income than other residents of Gautier. With respect to that, you would be improving the community.

Chairman Ward that a \$300,000 house in Gautier is not a cheap house.

Mr. Pedersen said they could redesign for the additional space up front to make turns and didn't see a problem with a 5' buffer in the back.

Chairman Ward asked if maybe they could just not clear the 5' and make the lots 130' deep, which would leave a 5' buffer all the way around.

Commissioner Decoteau said the green space up front would make a real nice entrance and provide a little bit of a buffer too. It should be able to be done without losing too many lots which would still meet their financial mark.

Mr. Pederson said they do want to set aside some green space to be maintained by the HOA.

Commissioner Hudson asked if the entryway would be in and out from both entrances or one way all the way around.

Mr. Pederson said it would be a two-lane road. Both sides would have curbs and gutters, and sidewalks.

Commissioner Canada asked how many different house designs they had, and how would they space that out.

Mr. Pedersen said he started building in 2007, so he has a good variety of designs.

Chairman Ward asked if they would definitely have a HOA like was mentioned earlier. He noted that an HOA could stop residents from parking on the street, etc. Sometimes it is more appealing if there is an HOA.

Mr. Pedersen said if that was a stipulation that would not be a problem.

William Kerner, Old Spanish Trail resident, said giving a buffer zone was good, and if he was going to build \$300,000 houses then have at it. We need to focus on getting bigger businesses and we can't keep building small houses.

Jennifer Wainwright, Old Shell Landing Road resident, said that her family loved animals so her parents bought property on Old Shell Landing Road so they could keep horses there years ago. She said there were still developments by Elliott Homes that are still sitting undeveloped because no one has bought the lots. PUD's are being imposed on single families that are purchasing land so they don't have to live in a small subdivision. She is totally for the right development of Gautier. The property is located where the kids will go to Ocean Springs Schools so Gautier will not get any school taxes, and they won't get any income from water. Gautier will only get property taxes. We need nice homes, but we also need businesses.

Mr. Pedersen said that by reducing the lot width they are able to provide more amenities without increasing the overall density that would be allowed by right.

Mr. Ankerson noted that if the depth of the lots is changed to 130' to allow the 5' buffer it would also change the square footage of each lot.

Chairman Ward asked Mr. Pedersen if that would reduce the house size.

Mr. Pedersen said it would not reduce the house size.

ACTION TAKEN:

Chairman Ward made a motion to recommend that the City Council approve the PUD with the following stipulations: 1) 5' barrier on the east and west side reducing lot depth to approximately 130' in depth; 2) a 5' barrier on Old Spanish Trail side; 3) establish an HOA; 4) a green space at the entrance; and 5) the total square footage to reflect the depth change.

Commissioner Buxton seconded the motion, and the following vote was recorded:

AYES: **Joshua Ward**
 Maurice Hudson
 Robert Williams
 Herman Green
 Marquitta Buxton
 Greg Canada
 Ricky Decoteau

Motion passed.

Mr. Pedersen asked that the request be placed on a City Council meeting that was at least a month out to give him time to make the revisions requested.

GENERAL DISCUSSION

A. PREVIOUS CASE UPDATES

Mr. Ankerson advised Commissioners that City Council had approved the following cases presented to them from the June 5, 2025, meeting with any stipulations recommended by the Planning Commission: GPC #25-25-VAR, GPC #25-26-RZ, GPC #25-27-RZ. Council approved GPC #25-24-VAR and added the stipulation that a gutter be added if storm water begins to run to the property line. Council denied GPC #25-18-SE for a duplex.

B. PERMIT & TRC REPORT

Mr. Ankerson presented the June and July 2025 monthly reports.

Josh Danos asked for a motion and vote to direct City staff not to set any items on the October Agenda due to other things going on in the City in October.

Chairman Ward made a motion to direct staff not to put any items on the October agenda.

Commissioner Buxton seconded the motion, and the following vote was recorded:

AYES:

- Josh Ward**
- Maurice Hudson**
- Robert Williams**
- Herman Green**
- Marquitta Buxton**
- Greg Canada**
- Ricky Decoteau**

Motion passed.

Chairman Ward made a motion to adjourn the meeting.

Commissioner Buxton seconded the motion, and the following vote was recorded:

AYES: **Josh Ward**
 Maurice Hudson
 Robert Williams
 Herman Green
 Marquitta Buxton
 Greg Canada
 Ricky Decoteau

Motion Passed.

APPROVED BY:

Scott Ankerson
Planning Director/Building Official

DATE: _____

Josh Ward, Chairman
Gautier Planning Commission

DATE: _____

BACKUP DOCUMENTATION

Gautier Planning Commission

Regular Meeting Agenda

June 5, 2025

GPC #25-18-SE

Noelia Jimenez & Imer Perez

dba

J & G Real Estate Investment, LLP

3517 Raintree Drive

VII. NEW BUSINESS

2. Consider a tabled request for a **SPECIAL EXCEPTION** that would allow a duplex in a R-1 Low Density Single-Family Residential Zoning District. 3517 Raintree Drive, PID #82434083.000. (GPC #25-18-SE)

CITY OF GAUTIER STAFF REPORT

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: May 27, 2025

Subject: Consider a tabled request for a Special Exception that would allow a duplex in a R-1 Low Density Single-Family Residential Zoning District. 3517 Raintree Drive, PID #82434083.000. (GPC #25-18-SE)

REQUEST:

The Planning Department tabled the request from Noelia Jimenez & Imer Perez dba J & G Real Estate Investment, LLP, for a Special Exception that would allow a duplex in a R-1 Low Density Single-Family Residential Zoning District at 3517 Raintree Drive, PID #82434083.000. (GPC #25-18-SE) at the May 1, 2025, meeting because the representative for the applicant stated that the applicant wanted to make the existing structure a single-family house not a duplex. Because of the uncertainty as to what was actually wanted the request was tabled until the June 5, 2025, meeting so the applicant could be present. The application fee of \$250 was paid on March 24, 2025. All public notice requirements have been met.

BACKGROUND:

The request property is zoned R-1 Low Density Single-Family Residential.

1. Location: 3517 Raintree Drive, PID #82434083.000 (See Exhibit A)
2. General features of the proposed project:
 - Lot Size: approximately 0.3 acres
 - Pre-existing duplex – no power in either unit since September 2021
3. Potable Water and Wastewater Services: Available at current location
4. Current Zoning (See Exhibit B): R-1 Low Density Single-Family Residential
5. Current Surrounding Zoning (See Exhibit B): R-1 Low Density Single-Family to west, south, and east; AG Agricultural to the north.
6. Current Surrounding Existing Land Use (See Exhibit C): Vacant to the north and south, Very low to low density residential to the east and west.
7. Comprehensive Plan Future Land Use Designation (See Exhibit D): Medium Density Residential

DISCUSSION:

The following addresses the review criteria for a Special Exception outlined in Section 4.16.4 of the UDO.

1. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?

Applicant Response: *It was previously a duplex.*

Staff Finding: *Unsubstantiated*

2. Explain how the requested Special Exception will be in harmony with the purpose of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?

Applicant Response: *This will not be injurious to the neighborhood or the general welfare.*

Staff Finding: *It is staff's opinion that this will not be injurious to the neighborhood or the general welfare.*

3. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant.

Applicant Response: *Because it was previously a duplex.*

Staff Finding: *Unsubstantiated*

DETERMINATION OF APPLICABLE LAW:

1. The UDO defines a Special Exception as a relaxation of the terms of the Unified Development Ordinance where such an exception will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in undue hardship. Special Exceptions are necessary when an applicant seeks to establish or expand a use not ordinarily permitted in a specific zoning district. "Special Exceptions" are not transferable from one (1) owner of land to another.
2. Special Exception requires a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).
3. Once an application for a Special Exception is submitted to the Planning Department, the procedures outlined in UDO Section 4.14.1 will be followed. At the appropriate time, The Planning Commission will conduct a public hearing to determine whether the applicant meets all relevant criteria, and make a recommendation to City Council pursuant to UDO Section 4.14.4. City Council,

pursuant to UDO Section 4.14.4(C), will then consider the matter at its next regularly scheduled meeting and approve or deny the Special Exception.

4. A Special Exception is required for uses not ordinarily permitted in a specific zoning district. Special Exceptions are not permitted by right, and may only be granted when certain criteria are established. (4.16.4)
5. Special Exceptions do not run with the land, and may be revoked by the Planning Department if any of the following circumstances are discovered:
 - A. The property changes ownership
 - B. The property is being utilized in a manner not permitted under the zoning regulations or the special exception; or
 - C. The property ceases to be used for the purpose allowed in the Special Exception for a period of one hundred eighty (180) days during the existence of the Special Exception.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets the "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the Special Exception;
2. Recommend that City Council approve the Special Exception with changes; or
3. Recommend that City Council deny the Special Exception.

ATTACHMENTS:

1. Applicant's Exhibit 1 – Application
2. City's Exhibit A – Location Map
3. City's Exhibit B – Existing Zoning Map
4. City's Exhibit C – Existing Land Use Map
5. City's Exhibit D – Future Land Use Map

PLANNING DEPARTMENT
GAUTIER, MISSISSIPPI

SPECIAL EXCEPTION HEARING APPLICATION

Public Hearing Number

25-18-5E

<u>TYPE OF REQUEST:</u>	<u>FEE:</u>
Special Exception _____	\$251.00

*Includes \$1.00 filing fee per MS Code §25-60-5

Special Exception– These uses are not allowed by right and **require** a recommendation by the Planning Commission and approval of the City Council.

Name of Applicant: Noelia Jimenez and Imor Perez
Name of Business: J & G Real Estate Investment, LLP
Address: ~~11031~~ 3517 Raintree Drive, Gautier, MS 39553
Mailing Address (if different): 17034 Carlton Cuevas Rd. Gulfport 39503
Email Address: generaljanitorial services@gmail.com
Phone: 228-224-2147 Cell Phone: _____
Reason for request, location and intended use of Property: Duplex AR1 zone

ATTACHMENTS REQUIRED AS APPLICABLE:

- 1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.
- 2. Legal descriptions and street address.
- 3. A detailed project narrative that also addresses the questions on the "Criteria for Approval" page of this application.
- 4. Copy of protective covenants or deed restrictions, if any.
- 5. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
- 6. Any other information requested by the Planning Director.
- 7. Owner's Consent form if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant: [Signature]

FOR OFFICE USE ONLY	
Date Received	<u>3-24-25</u> Verify as Complete <u>Bd.</u>
Fee Amount Received	<u>251.00</u>
Initials of Employee Receiving Application	<u>Bals</u>

R-1

SPECIAL EXCEPTION

Criteria for Approval Special Exception

- A. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?
- B. Explain how the requested Special Exception will be in harmony with the purpose and intent of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?
- C. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant?

A. It was previously a Duplex

B. This will not be injurious to the neighborhood or the general welfare.

C. Because it was previously a Duplex.

Price cut: \$20K (1/16)

\$80,000

5 beds **2** baths **2,130** sqft

3517 Raintree Dr, Gautier, MS 39553

Contact agent

Est.: \$504/mo [Get pre-qualified](#)

 Residential, Multi Family, Duplex

 Built in 1971

 -- sqft lot

 Zestimate®  \$38/sqft

 \$-- HOA

What's special

INVESTOR SPECIAL! This duplex is being sold "as-is" and is perfect for those looking to invest in real estate. The property has a total of approximately 2,130 square feet. One of the units features 3 bedrooms, 2 bathrooms and is located on the first floor, while the other has 2 bedrooms, one bathroom and is located on the second floor. Don't miss out on this opportunity to own a great investment property! Call today for

[Show more](#)

506 days on Zillow **163 views** **6 saves**

Zillow last checked: 2 hours ago

Listing updated: March 06, 2025 at 08:25am

Listed by: Terri R Jones 601-919-5075, Simply Realty 601-919-5075

Source: MLS United, MLS#: 4063619



2

INDEXING INSTRUCTIONS: Section 34, T7S, R7W

Prepared By:
Andy J. Alfonso, III
Attorney at Law
2112 Bienville Blvd., Suite H1
Ocean Springs, MS 39564
(228) 818-5552

Return to:
Andy J. Alfonso, III
Attorney at Law
2112 Bienville Blvd., Suite H1
Ocean Springs, MS 39564
(228) 818-5552

STATE OF MISSISSIPPI
COUNTY OF JACKSON

SPECIAL WARRANTY DEED

FOR AND CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid and other good, legal and valuable considerations, the receipt of all of which is hereby acknowledged, the undersigned

MSTREO, LLC
4747 Executive Dr., Suite 210, San Diego, CA 92121
c/o (228) 818-5552

does hereby sell, convey and specially warrant unto

J&G Real Estate Investment, LLP
17034 Carlton Cuevas Rd, Gulfport, MS 39503
c/o (228) 818-5552

the land and property situated in the County of Jackson, State of Mississippi, described as follows, to-wit:

SEE EXHIBIT "A"

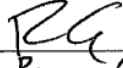
THIS CONVEYANCE is made subject to all applicable building restrictions, restrictive

covenants, easements and mineral reservations of record.

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

WITNESS THE SIGNATURE of the Grantor, this the 28 day of March, 2025.

MSTREO, LLC

By: 
Ryan Cole

STATE OF California
COUNTY OF San Diego

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

PERSONALLY appeared before me, the undersigned authority in and for the said County and State, on this 28 day of March, 2025, within my jurisdiction, the within named, Ryan Cole, who acknowledged to me that he is Senior Vice President of Operations of the within named, MSTREO, LLC, and that for and on behalf of the said entity, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said entity so to do.

GIVEN under my hand and the official seal of my office.


NOTARY PUBLIC

File #250156

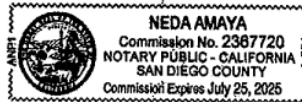


EXHIBIT "A"
LEGAL DESCRIPTION

3517 Raintree Drive Gautier, Mississippi 39553

Parcel #: 82434083.000 PPIN: 65599

Which also has a legal description of:

A tract of land situated in Section 34, Township 7 South, Range 7 West, Jackson County, Mississippi and more particularly described and follows: commencing at the NE corner of Section 34; Thence N 89 degrees 55 minutes West along the North Line of Section 34 935.00 feet to the point of beginning; Thence South 0 degrees 52 minutes West 145.00 feet to the North Margin of Raintree Drive; Thence South 89 degrees 55 minutes East along the North Margin of Raintree Drive 91.00 feet; Thence North 0 degrees 52 minutes East 145.000 feet to the point of beginning.



DECLARATION OF ACCEPTANCE

PROPERTY ADDRESS: 3517 Raintree Drive
Gautier, MS, 39553

All warranties and statements, expressed or implied, as to property condition, financing terms, and all representations of all parties, including seller, buyer, and cooperating brokers, contained in the Contract for Sale and Purchase of Real Estate have been complied with to our satisfaction.

We, the undersigned, do hereby declare that without any reservations we hereby accept the property as to the condition of the house, other improvements, fixtures and equipment, decoration, suitability and readiness for use as our home, as well as financing terms, and all other representations of buyers and sellers and cooperating brokers, and any other statements or representations contained in the contract or any addendum attached hereto. We do further declare that the consideration paid is acceptable to us, and that we understand that market conditions change, and that property values therefore change, and that we release Sellers, Sellers' Agents, and any Broker in this transaction from any responsibility resulting from changes in market conditions.

We understand that with the acceptance of the Deed, the Sellers will have no further responsibility or liability for any repairs to the property. Buyers and Sellers hold harmless the cooperating brokers for any representations, both expressed and implied, in the aforementioned contract or in any other form, not thus merged in the Deed.

 BUYER	<u>3/24/25</u> DATE	SELLER	DATE
 BUYER	<u>3/24/25</u> DATE	SELLER	DATE



A. Settlement Statement (HUD-1)

OMB Approval No. 2502-0265

B. Type of Loan				6. File Number	7. Loan Number	8. Mortgage Insurance Case Number
1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> RHS	3. <input type="checkbox"/> Conv. Unins.	4. <input type="checkbox"/> VA	250156		
		5. <input type="checkbox"/> Conv. Ins.				
C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for information purposes and are not included in the totals.						
D. Name and Address of Borrower J&G Real Estate Investment, LLP 17034 Carlton Cuevas Rd Gulfport, MS 39503			E. Name and Address of Seller MSTREO, LLC 4747 Executive Dr., Suite 210 San Diego, CA 92121		F. Name and Address of Lender	
G. Property Location 3517 Raintree Drive Gautier, MS 39553			H. Settlement Agent ((228) 816-5552) Andy J. Alfonso, III, Attorney at Law 2112 Bienville Blvd, H1, Ocean Springs, MS 39564			I. Settlement Date 03/24/2025
J. SUMMARY OF BORROWER'S TRANSACTION:			K. SUMMARY OF SELLER'S TRANSACTION:			
100. GROSS AMOUNT DUE FROM BORROWER			400. GROSS AMOUNT DUE TO SELLER			
101. Contract sales price		68,250.00	401. Contract sales price		68,250.00	
102. Personal property			402. Personal property			
103. Settlement charges to borrower (line 1400)		1,072.00	403.			
104.			404.			
105.			405.			
Adjustments for items paid by seller in advance			Adjustments for items paid by seller in advance			
106. City/town taxes	to		408. City/town taxes	to		
107. County taxes	to		407. County taxes	to		
108. Assessments	to		408. Assessments	to		
109.			409.			
110.			410.			
111.			411.			
112.			412.			
120. GROSS AMOUNT DUE FROM BORROWER		69,322.00	420. GROSS AMOUNT DUE TO SELLER		68,250.00	
200. AMOUNTS PAID BY OR IN BEHALF OF BORROWER			500. REDUCTIONS IN AMOUNT TO SELLER			
201. Deposit or earnest money		3,412.50	501. Excess Deposit (see instructions)			
202. Principal amount of new loan(s)			502. Settlement charges to seller (line 1400)		4,154.64	
203. Existing loan(s) taken subject to			503. Existing loans taken subject to			
204.			504. Payoff of first mortgage loan			
205.			505. Payoff of second mortgage loan			
206.			506.			
207.			507. Deposit being disbursed as proceeds (3,412.50)			
208.			508.			
209.			509.			
Adjustments for items unpaid by seller			Adjustments for items unpaid by seller			
210. City/town taxes	to		510. City/town taxes	to		
211. County taxes	01/01/2025 to 03/24/2025	341.58	511. County taxes	01/01/2025 to 03/24/2025	341.58	
212. Assessments	to		512. Assessments	to		
213.			513.			
214.			514. 2024 Taxes 82434083.000		1,547.20	
215.			515. 2023 Taxes 82434083.000		2,698.87	
216.			516. 2022 Taxes 82434083.000		3,196.22	
217.			517.			
218.			518.			
219.			519.			
220. TOTAL PAID BY / FOR BORROWER		3,754.08	520. TOTAL REDUCTION AMOUNT DUE SELLER		11,938.51	
300. CASH AT SETTLEMENT FROM OR TO BORROWER			600. CASH AT SETTLEMENT TO OR FROM SELLER			
301. Gross amount due from borrower (line 120)		69,322.00	601. Gross amount due to seller (line 420)		68,250.00	
302. Less amounts paid by/for borrower (line 220)		3,754.08	602. Less reduction amount due to seller (line 520)		11,938.51	
303. CASH FROM BORROWER		65,567.92	603. CASH TO SELLER		56,311.49	

SUBSTITUTE FORM 1099 SELLER STATEMENT: The information contained herein is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction will be imposed on you if this item is required to be reported and the IRS determines that it has not been reported. The Contract Sales Price described on Line 401 above constitutes the Gross Proceeds of this transaction.

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TIN#

MSTREO, LLC

L. SETTLEMENT CHARGES:		File Number: 250156		
700. Total Real Estate Broker Fees		4,095.00		
Division of commission (line 700) as follows:				
701. \$	2,047.50 to Simply Realty			
702. \$	2,047.50 to Sunset Mississippi Realty, LLC			
703. Commission paid at Settlement				4,095.00
704.				
705.				
800. Items Payable in Connection with Loan			P.O.C.	
801. Our origination charge	\$	(from GFE#1)		
802. Your credit or charge (points) for the specific interest rate chosen	\$	(from GFE#2)		
803. Your adjusted origination charges		(from GFE A)		
804. Appraisal fee		(from GFE#3)		
805. Credit report		(from GFE#3)		
806. Tax service		(from GFE#3)		
807. Flood certification		(from GFE#3)		
808.				
809.				
810.				
811.				
812.				
813.				
814.				
900. Items Required by Lender to Be Paid in Advance				
901. Daily interest charges	from lo @ \$ /day	(from GFE#10)		
902. Mortgage insurance premium	for lo	(from GFE#3)		
903. Homeowner's insurance	for lo	(from GFE#11)		
904. Flood Insurance Premium				
905. Windstorm Insurance Premium				
1000. Reserves Deposited with Lender				
1001. Initial deposit for your escrow account		(from GFE#9)		
1002. Homeowner's insurance	mo. @ \$ per mo. \$			
1003. Mortgage insurance	mo. @ \$ per mo. \$			
1004. City property taxes	mo. @ \$ per mo. \$			
1005. County property taxes	mo. @ \$ per mo. \$			
1006. Annual Assessments	mo. @ \$ per mo. \$			
1007.	mo. @ \$ per mo. \$			
1008.	mo. @ \$ per mo. \$			
1009. Aggregate Adjustment	\$			
1100. Title Charges				
1101. Title services and lender's title insurance		(from GFE#4)		
1102. Settlement or closing fee	Andy J. Alfonso, III, Attorney at Law	(from GFE#4)	380.00	
1103. Owner's title insurance	Andy J. Alfonso, III, Attorney at Law/S	(from GFE#5)	376.00	
1104. Lender's title insurance				
1105. Lender's title policy limit				
1106. Owner's title policy limit	68,250.00 — 376.00			
1107. Agent's portion of the total title insurance premium	Andy J. Alfonso, III, Attorney at Law	\$ 320.80		
1108. Underwriter's portion of the total title insurance premium	Security Title Guarantee Corp. of Baltimore(S)	55.20		
1109. Title Search/Abstract	Andy J. Alfonso, III, Attorney at Law	(from GFE#4)	285.00	
1110. Overnight Wiring	Andy J. Alfonso, III, Attorney at Law	(from GFE#4)		28.84
1111. ICPL Fee	Security Title Guarantee of Baltimore	(from GFE#4)		
1112.				
1113.				
1200. Government Recording and Transfer Charges				
1201. Government recording charges		(from GFE#7)	31.00	
1202. Deed \$ 62.00 Mortgage \$ Releases \$				31.00
1203. Transfer taxes		(from GFE#8)		
1204. City/county tax/stamps	Deed \$ Mortgage \$			
1205. State tax/stamps	Deed \$ Mortgage \$			
1206.				
1207.				
1208.				
1300. Additional Settlement Charges				
1301. Required services that you can shop for		(from GFE#6)		
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1303.				
1304.				
1305.				
1306.				
1307.				
1308.				
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)			1,072.00	4,154.04

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in the transaction. I further certify that I have received a copy of the HUD-1 Settlement Statement.

J&G Real Estate Investment, LLP

MSTREO, LLC

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement.

Andy J. Alfonso, III, Attorney at Law

03/24/25

J&G Real Estate Investment, LLP

MSTREO, LLC



A. Settlement Statement (HUD-1)

B. Type of Loan					
1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> RHS	3. <input type="checkbox"/> Conv. Unins.	6. File Number 250158	7. Loan Number	8. Mortgage Insurance Case Number
4. <input type="checkbox"/> VA	5. <input type="checkbox"/> Conv. Ins.				
C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for information purposes and are not included in the totals.					
D. Name and Address of Borrower J&G Real Estate Investment, LLP 17034 Carleton Cuvas Rd Gulfport, MS 39503		E. Name and Address of Seller MSTREG, LLC 4747 Executive Dr., Suite 210 San Diego, CA 92121		F. Name and Address of Lender	
G. Property Location 3517 Raintree Drive Gautier, MS 39553			H. Settlement Agent ((228) 818-5552) Ardy J. Alfonso, III, Attorney at Law 2112 Blenville Blvd, H1, Ocean Springs, MS 39564		I. Settlement Date 03/24/2025
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106. City/town taxes	to		406. City/town taxes	to	
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Adjustments for items unpaid by seller			Adjustments for items unpaid by seller		
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212. Assessments	to		512. Assessments	to	
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214.			514. 2024 Taxes 82434083.000		1,547.20
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217.			517.		
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703. Commission paid at Settlement				4,095.00
704.				
705.				
800. Items Payable in Connection with Loan			P.O.C.	
801. Our origination charge	\$	(from GFE#1)		
802. Your credit or charge (points) for the specific interest rate chosen	\$	(from GFE#2)		
803. Your adjusted origination charges		(from GFE A)		
804. Appraisal fee		(from GFE#3)		
805. Credit report		(from GFE#3)		
806. Tax service		(from GFE#3)		
807. Flood certification		(from GFE#3)		
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810.				
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814.				
900. Items Required by Lender to Be Paid In Advance				
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902. Mortgage insurance premium	for	to		(from GFE#3)
903. Homeowner's insurance	for	to		(from GFE#11)
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905. Windstorm Insurance Premium				
1000. Reserves Deposited with Lender				
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1007.	mo. @ \$		per mo. \$	
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1101. Title services and lender's title insurance				(from GFE#4)
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1105. Lender's title policy limit				
1106. Owner's title policy limit	68,250.00 ---	376.00		
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1108. Underwriter's portion of the total title insurance premium	Security Title Guarantee Corp. of Baltimore(S)	\$	55.20	
1109. Title Search/Abstract	Andy J. Alfonso, III, Attorney at Law			(from GFE#4) 265.00
1110. Overnight/Wiring	Andy J. Alfonso, III, Attorney at Law			(from GFE#4) 28.64
1111. ICPL Fee	Security Title Guarantee of Baltimore			(from GFE#4)
1112.				
1113.				
1200. Government Recording and Transfer Charges				
1201. Government recording charges				(from GFE#7) 31.00
1202. Deed \$	62.00	Mortgage \$	Releases \$	31.00
1203. Transfer taxes				(from GFE#8)
1204. City/county tax/stamps	Deed \$	Mortgage \$		
1205. State tax/stamps	Deed \$	Mortgage \$		
1206.				
1207.				
1208.				
1300. Additional Settlement Charges				
1301. Required services that you can shop for				(from GFE#6)
1302. Pest Inspection				
1303.				
1304.				
1305.				
1306.				
1307.				
1308.				
1400. Total Settlement Charges (enter on lines 103, Section J and 602, Section K)				1,072.00 4,154.64

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in the transaction. I further certify that I have received a copy of the HUD-1 Settlement Statement.

J&G Real Estate Investment, LLP

MSTREO, LLC

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement.

Andy J. Alfonso, III, Attorney at Law

03/24/25

J&G Real Estate Investment, LLP

MSTREO, LLC

82434083.000 TTLBL LLC

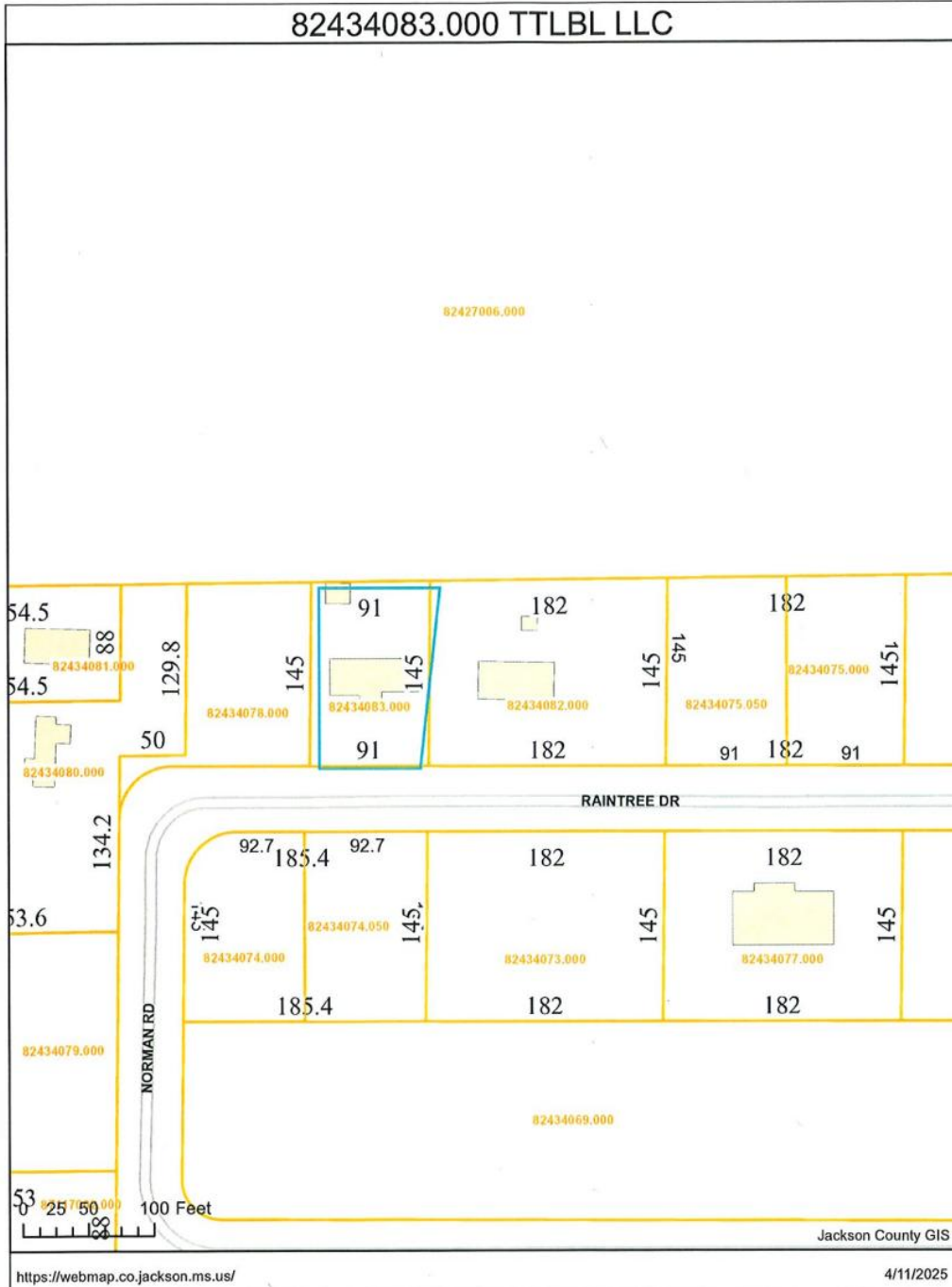


Exhibit A Location Map

Prepared by:
City of Gautier
Planning Department

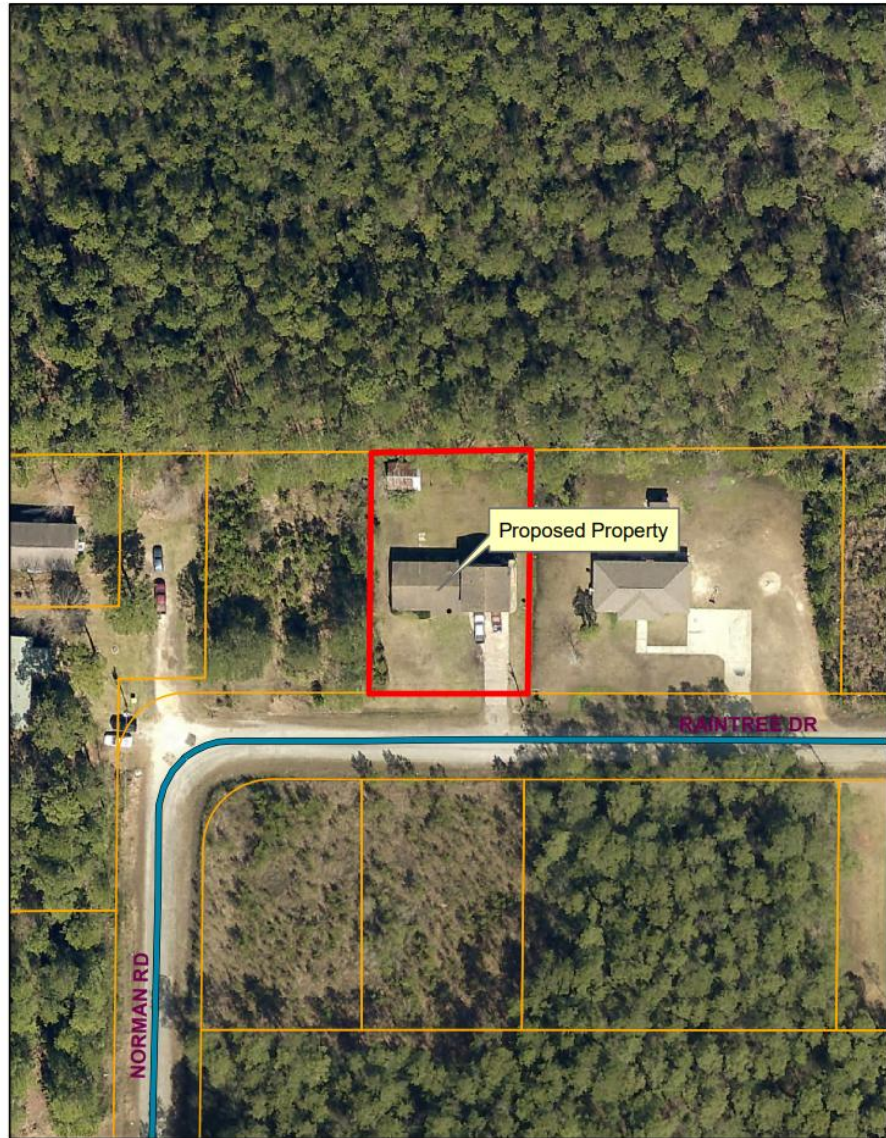
















Exhibit B Existing Zoning

Prepared by:
City of Gautier
Planning Department

Legend

Zoning ZONECODE

	AG
	C-1
	C-2
	C-3
	I-2
	MURC-1
	MURC-2
	MURC-MW
	PL
	PUD
	R-1
	R-2
	RE
	TC

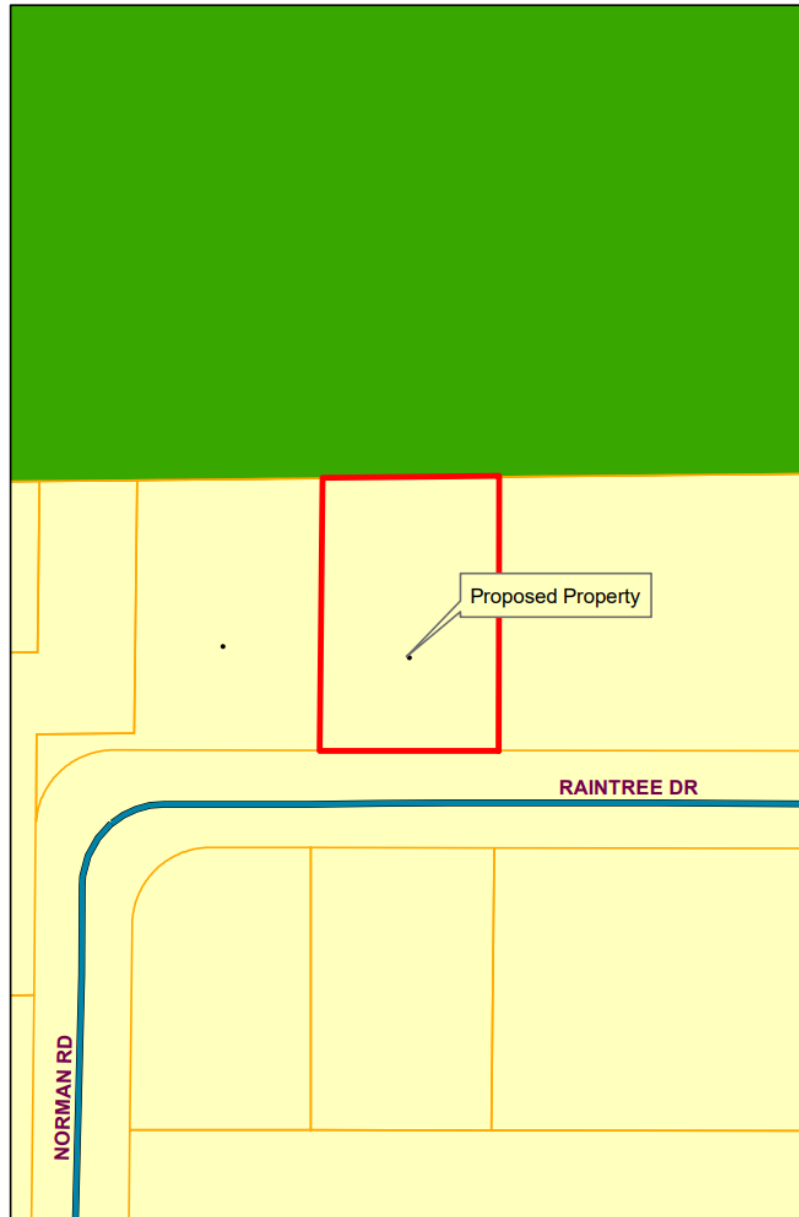


Exhibit C Existing Land-Use

Prepared by:
City of Gautier
Planning Department

Legend

EXISTING LAND USE

ELU_08

- commercial-retail
- conservation
- civic
- industrial
- marina/fish camps
- high density residential
- mobile home
- mobile home park
- medium density residential
- office
- recreation
- very low to low density residential
- utility
- vacant

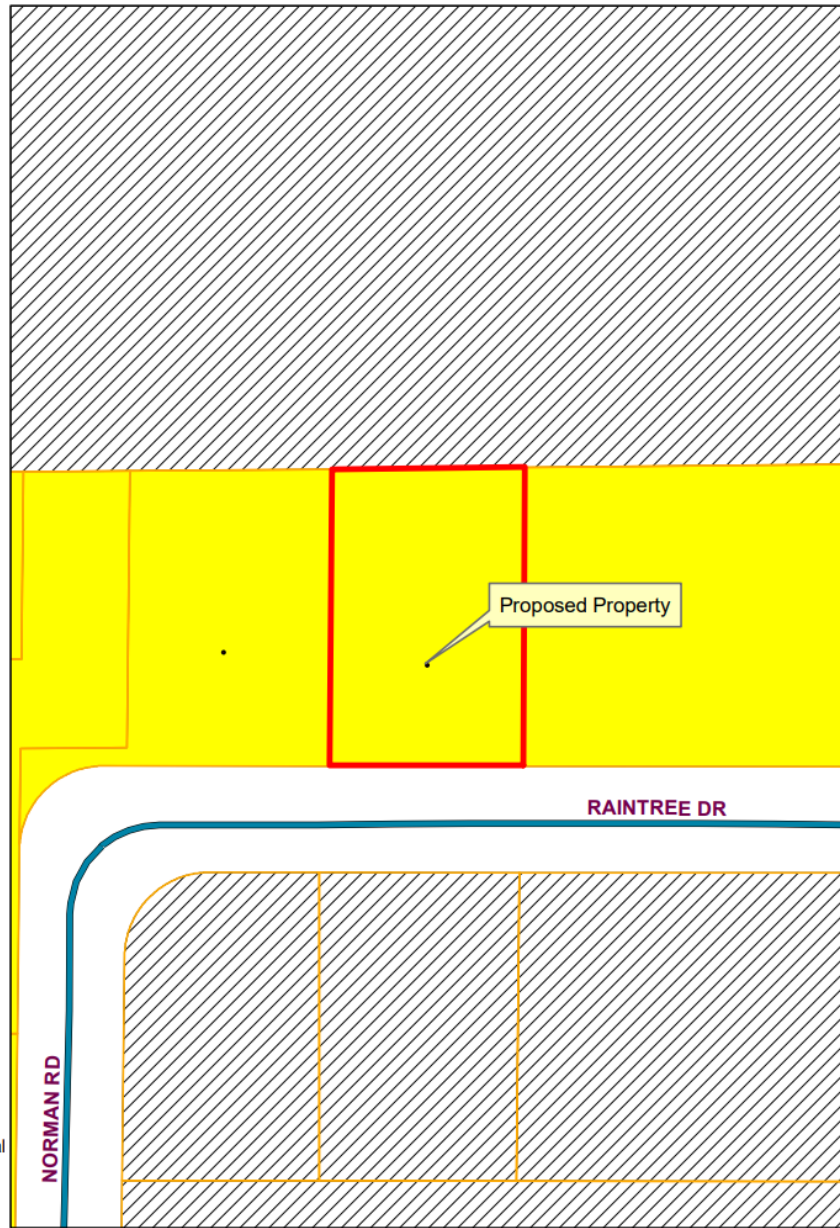


Exhibit D Future Land-Use

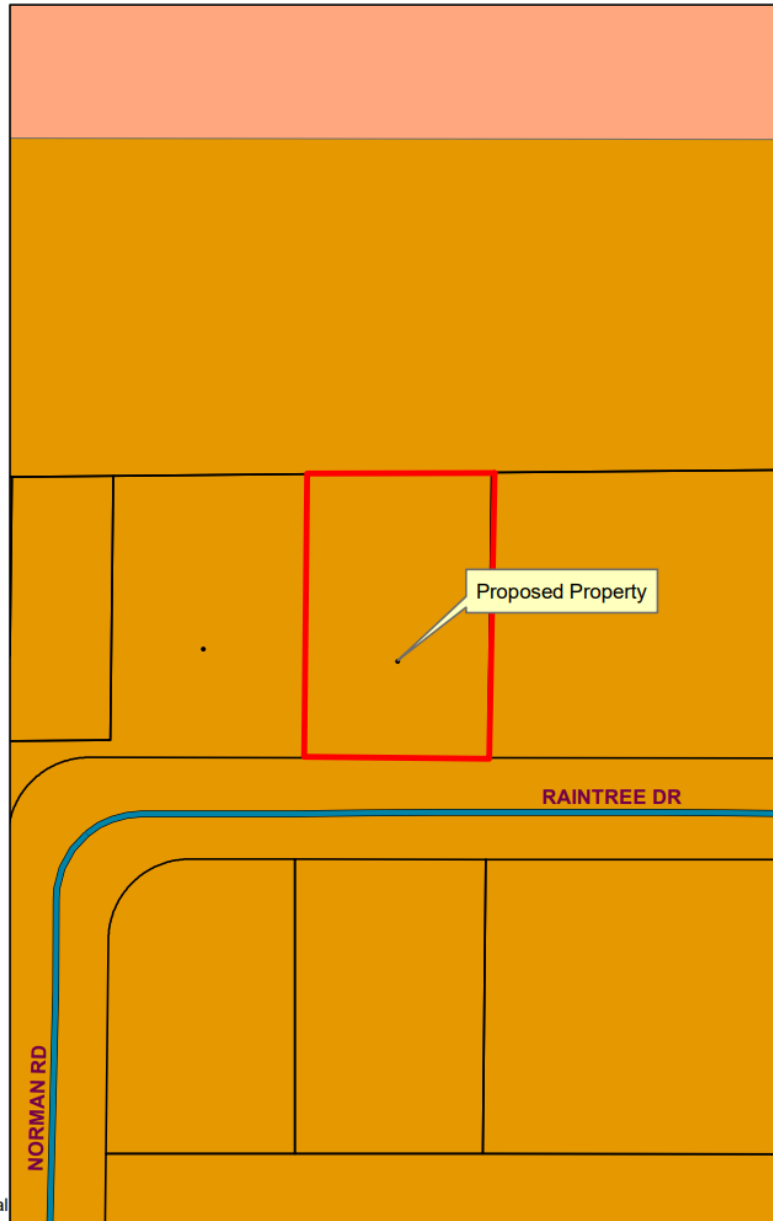
Prepared By:
City of Gautier
Planning Department

Legend

FUTURE LAND USE

FLU_Class

-
- Civic
- high impact commercial
- Conservation
- High Density Residential
- Industrial
- Low Density Residential
- Medium Density Residential
- Mobile Home Residential
- low impact Commercial
- Recreational
- recreational commercial
- Regional Scale Commercial
- mixed use residential
- Town Center
- Very Low Density Residential



Gautier Planning Commission

Regular Meeting Agenda

June 5, 2025

GPC #25-24-VAR

3205 Oak Street

PID #87420002.000 & #87420001.060

VII. NEW BUSINESS

3. Consider a request for a seven-foot (7') variance to side yard setback requirements for an accessory building in a MURC-MW Mixed Use Recreation Commercial - MW Zoning District. 3205 Oak Street, PID #87420002.000 & #87420001.060, (GPC #25-24-VAR)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: May 27, 2025

Subject: Consider a request for a seven-foot (7') variance to side yard setback requirements for an accessory building in a MURC-MW Mixed Use Recreation Commercial - MW Zoning District at 3205 Oak Street, PID #87420002.000 & #87420001.060, (GPC #25-24-VAR)

REQUEST:

The Planning Department has received a request from Clarence E. Derrington, III for a seven-foot (7') variance to side yard setback requirements for an accessory building in a MURC-MW Mixed Use Recreation Commercial - MW Zoning District at 3205 Oak Street, PID #87420002.000 & #87420001.060, (GPC #25-24-VAR). The application fee of \$175 was paid on April 10, 2025. All public notice requirements have been met.

BACKGROUND:

The applicant would like to put a 12' x 35' portable boat shed on the side of his house. There is approximately 13.4' between his house and his side property line. He stated that he would like to have about 10" to 12" between his home and the boat shed which would leave about 6" between his shed and the side property line. Per the Unified Development Ordinance (UDO), the required side setback in a MURC-MW District is 7.5'. The applicant will need a seven-foot (7') variance to side yard setback requirements.

DISCUSSION:

The applicant is asking for a seven-foot (7') variance to side yard setback requirements in a MURC-MW District. He is wanting to put a portable boat shed on the side of his house that will be approximately 6" from the side property line. A 7.5' side yard setback is required in a MURC-MW District. The applicant would need a 7' variance to side yard setback requirements.

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (UDO) defines **Variances** as:

A Variance is a relaxation of the terms of the Unified Development Ordinance where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in an unnecessary or undue hardship. As used in this Ordinance, a Variance is authorized only for height, area and size of structure, or size of yards, separation of uses, open spaces, off-street parking spaces and some subdivision of property.

The establishment or expansion of a use not permitted shall not be allowed by Variance.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

UDO SECTION 4.18: Variance

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as “use Variances” are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

- A. 30% of required off-street parking spaces and/or
- B. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

- A. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
- C. That the special conditions and circumstances do not result from actions of the applicant; and
- D. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets all "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the variance request as presented;
2. Recommend that City Council approve the variance request with changes; or
3. Recommend that City Council deny variance request.

ATTACHMENTS:

1. Applicant's Exhibit 1 – Application
2. City's Exhibit A – Location Map
3. City's Exhibit B – Existing Zoning Map
4. City's Exhibit C – Existing Land Use Map
5. City's Exhibit D – Future Land Use Map

GAUTIER, MISSISSIPPI

PLANNING DEPARTMENT
PUBLIC HEARING APPLICATION

Public Hearing Number

25-24-VAR

TO BE HEARD BY GAUTIER PLANNING COMMISSION:		FEE:
Variance	_____	\$176.00
*Includes \$1.00 filing fee per MS Code §25-60-5		

Name of Applicant: Clarence E. Derrington III

Name of Business: _____ Phone: 601-613-1755

Property Address: 3205 Oak St. Mailing Address (if Different): 5555 Hwy. 80. E Pearl Ms. 39208

E-Mail Address: chipderrington@yahoo.com

Reason for request, location and intended use of Property: Portable Sped for Boat
7' variance to sideyard setbacks in MURC-MW

- ATTACHMENTS REQUIRED AS APPLICABLE:
- 1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.
 - 2. A detailed project narrative.
 - 3. Copy of protective covenants or deed restrictions, if any.
 - 4. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
 - 5. Any other information requested by the Planning Director.

Signature of Applicant: Clarence E. Derrington III Date of Application: 4-9-25

FOR OFFICE USE ONLY	
Date Received	<u>4/10/25</u> Verify as Complete <u>Rabs</u>
Fee Amount Received	<u>176.00</u> Initials of Employee Receiving Application <u>Rabs</u>

MURC-MW 7.5 side yard setback

OWNERS CONSENT AND DESIGNATION OF AGENCY – VARIANCE

I, Clarence E. Derrington III ^(C+R Derrington TTEES LTD 3/10/24), the fee simple owner of the following

described property (give legal description):

See attached

hereby petition to the City of Gautier to Grant a Variance of Distance to Lot Line in Willis Heights

and affirm that Clarence E. Derrington III is hereby designated to act as agent on my behalf to accomplish the above.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand this application; attachments and fees become part of the official records of the City of Gautier, MS, and are not returnable.

Clarence E. Derrington III
(Owner's Signature)

The foregoing instrument was acknowledged before me this 10th day of April, 2025 by Clarence E. Derrington III, who is personally known to me or has produced MS Drivers License as identification and who did take an oath.

Nickol Carron
(Printed Name of Notary Public)

Nickol Carron
(Signature of Notary Public)

Commission # 125734. My commission expires 10/16/26.



VARIANCE

Criteria for Approval

1. What special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels), or structures or buildings in the same district?

Distance from Lot Line

2. Are these special conditions and circumstances a result of your actions? Explain.

No

3. How will the literal interpretation of the provisions of this Ordinance deprive you of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance? Explain.

Very many sheds in this area are very close to the lot line.

4. Will the granting of the Variance requested confer upon you any special privilege that is denied by this Ordinance to other similar sites (lots or parcels), structures or buildings in the same district? Explain.

No

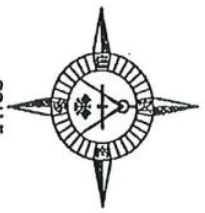
NARRATIVE

I would like to place the boat shed in between the house and the lot line.

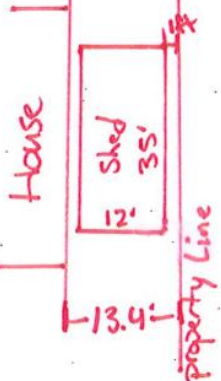
The neighbor on the side of house where the shed would go has given me a verbal answer that it would be OK to place the shed here.



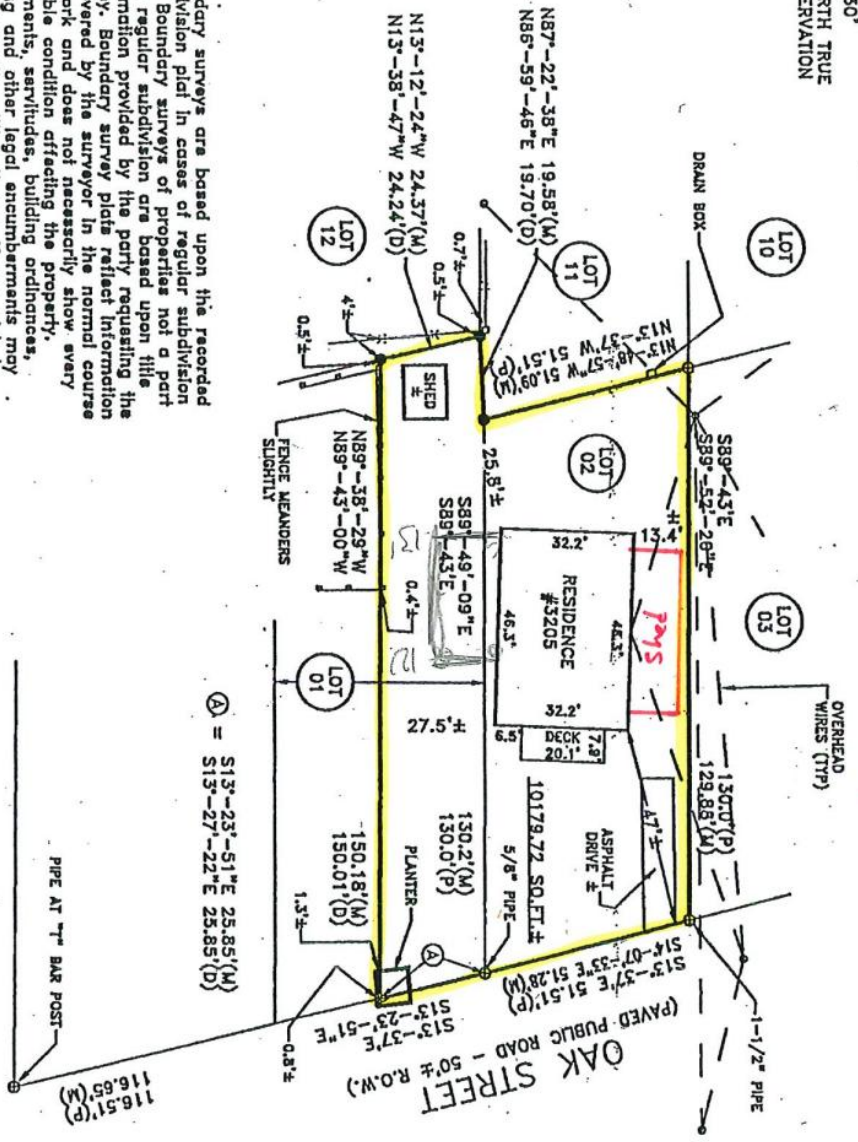
1" = 30'
 GEODETIC NORTH TRUE
 BY GPS OBSERVATION



- D = DEED BOOK 1604, PAGES 83-87
- P = PLAT OF RECORD
- M = MEASURED
- o = POST
- o = POLE
- = FND 1/2" IRON ROD
- ⊙ = FND 1/2" IRON PIPE
- ▲ = SET 1/2" IRON ROD
- ⊠ = CONCRETE MONUMENT FND
- ✳ = PK/MAG NAIL



NOTE: Boundary surveys are based upon the recorded subdivision plat in cases of regular subdivision lots. Boundary surveys of properties not a part of a regular subdivision are based upon title information provided by the party requesting the survey. Boundary plats reflect information discovered by the surveyor in the normal course of work and does not necessarily show every possible condition affecting the property. Easements, servitudes, building ordinances, zoning and other legal encumbrances may exist. Consult a title attorney if you wish to discover all the legal encumbrances attached



Ⓐ = $S13^{\circ}-23'-51''E$ 25.85'(M)
 $S13^{\circ}-27'-22''E$ 25.85'(D)

PIPE AT "T" BAR POST

Survey of Lot 2, Willis Heights, Number 2, Gaultier, Jackson County, Mississippi; as per Plat Book 2, Page 53, AND ALSO:

A portion of Lot 1, Willis Heights, Number 2, Gaultier, Jackson County, Mississippi; as per Plat Book 2, Page 53, being more particularly described as:

DEED DESCRIPTION: AS FURNISHED (DB 1604 P.O.'S 83-87) Commencing at a pipe marking the NE corner of Lot 1, Willis Heights, No. 2, as per Plat Book 2, Page 53 in the office of the Chancery Clerk, Jackson County, Mississippi, said point being the point of beginning; thence S13°-27'-22"E along the West margin of Oak Street, a distance of 25.85 feet; thence N89°-43'-00"W a distance of 150.01 feet to the West line of said Lot 1; thence N13°-38'-47"W along said West line, a distance of 24.24 feet; thence N86°-59'-46"E a distance of 19.70 feet to the North line of said Lot 1; thence S85°-54'-69"E along said North line a distance of 130.04 feet to the point of beginning.

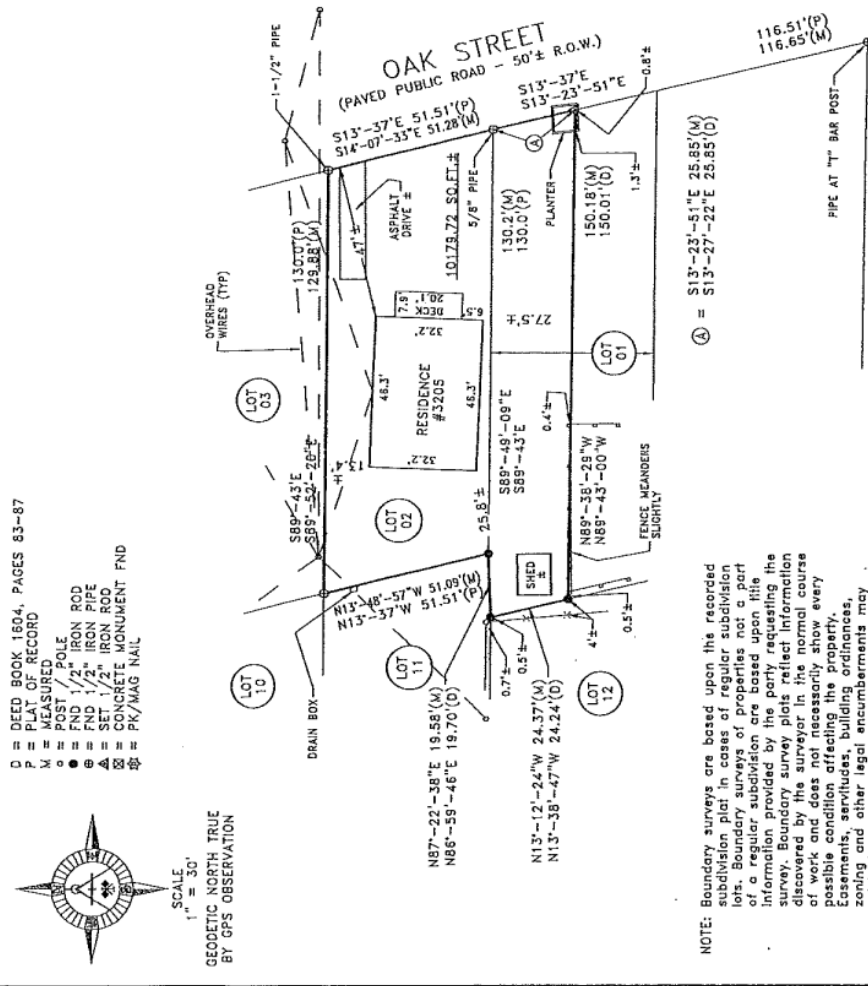
This is to CERTIFY that I have surveyed the property herein described and delineated, and that the measurements and other data indicated are correct to the best of my knowledge and belief.



ERIC MENHENNETT P.L.S.
27 September 2010
Class "B"

- NOTE: Utilities not located except as shown.
- NOTE: Survey performed without benefit of current title exam.
- NOTE: Building setbacks, elevations, wetlands determination and et cetera to be prescribed by appropriate governing bodies.
- NOTE: Survey performed by L.J. Achee, Jr. P.E./R.L.S., dated 9/17/89 and found at DB 1156, PG 602 used as reference material.

ERIC (Rick) MENHENNETT
Professional Land Surveyor
(MUL) PO Box 3442
Biloxi, MS 39535
(228) 436-9701 (office)
(228) 436-9702 (FAX)



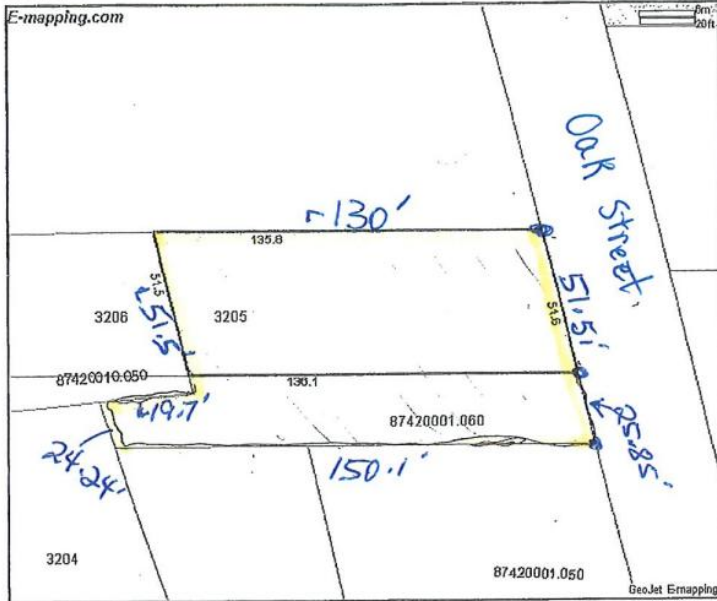
3205 Oak St
Gautier, MS

Parcel Map

Property Address: 3205 OAK

E-mapping.com

Approx. Acreage: 0
Land Use: 1110



Parcel Color Legend

Agricultural/Farm	Commercial	Mobile Homes
Multi-Family	Public	Residential
Vacant		

Information Deemed Reliable, Not Verified or Guaranteed by MDCMLS.
(3/15/2010)

Copyright © GeoJet Information Solutions, Inc.
Protected by U. S. patents and copyright laws.

87420002.000 C & R DERRINGTON TTEES UTD 3-16-21



87420001.060 C & R DERRINGTON TTEES UTD 3-16-21

PIDN: 87420001.060
GISP: 769.32-04-0053.00

Owner Information

Percent of Ownership: 100
Name: C & R DERRINGTON TTEES UTD 3-16-21
Name 2:
Mailing Address: 5555 HWY 80 E
PEARL MS
39208

Site Address: OAK ST GAUTIER

Land Information

Section: 32 Acreage: 0
Township: 7
Range: 6
Street Name OAK
ST

Value and Tax Information

Total Assessed Value: 914 Total Appraised Value: 6090
Improvement Value: 0 Land Value: 6090
Tax Amount: 128 SQ FT: 0 Year Built: 0

Legal Description

Description: BEG NEC LOT 1 WILLIS HGTS #2 S 1
3 DEG E ALG W/M OAK ST 25.85' W
150.01' N 13 DEG W 24.24' N 86 D
EG E 19.70' TO N/L LOT 1 S 89 DE
G E 130.04' TO POB DB 1625-257 (
53 Map769.32-04)

Deed Book / Page: 2168 / 540

87420001.060 C & R DERRINGTON TTEES UTD 3-16-21



Exhibit A Location Map

Prepared by:
City of Gautier
Planning Department



Exhibit B Existing Zoning

Prepared by:
City of Gautier
Planning Department

Legend

Zoning

ZONECODE

- AG
- C-1
- C-2
- C-3
- I-2
- MURC-1
- MURC-2
- MURC-MW
- PL
- PUD
- R-1
- R-2
- R-3
- RE
- TC



Exhibit C Existing Land-Use

Prepared by:
City of Gautier
Planning Department

- Legend**
EXISTING LAND USE
ELU_08
- commercial-retail
 - conservation
 - civic
 - industrial
 - marina/fish camps
 - high density residential
 - mobile home
 - mobile home park
 - medium density residential
 - office
 - recreation
 - very low to low density residential
 - utility
 - vacant

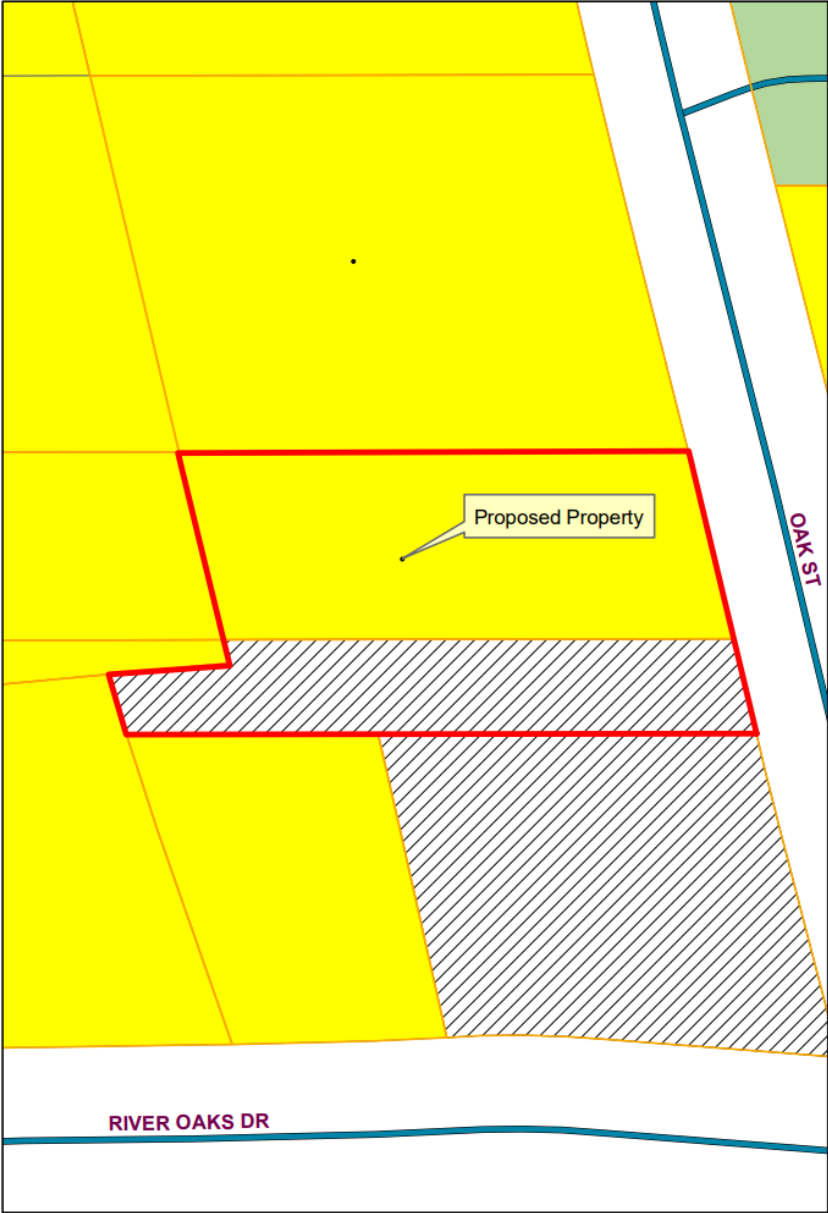


Exhibit D Future Land-Use

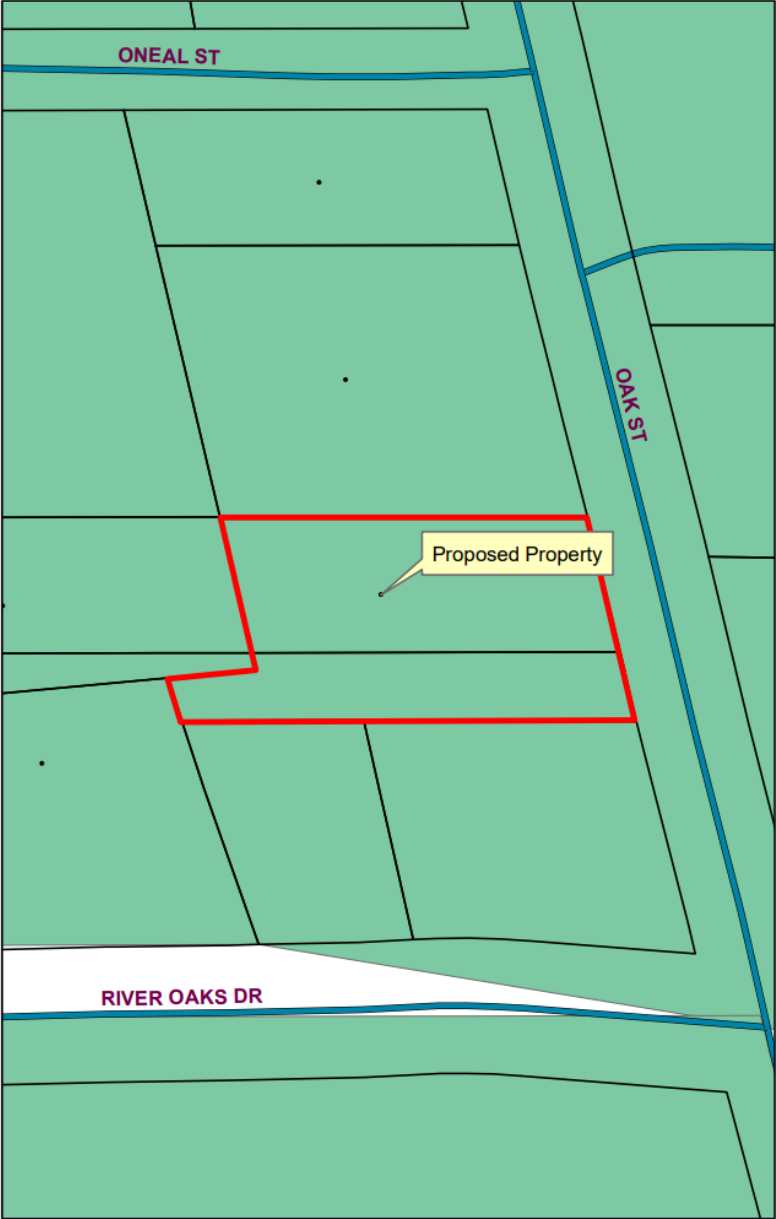
Prepared By:
City of Gautier
Planning Department

Legend

FUTURE LAND USE

FLU_Class

-
- Civic
- high impact commercial
- Conservation
- High Density Residential
- Industrial
- Low Density Residential
- Medium Density Residential
- Mobile Home Residential
- low impact Commercial
- Recreational
- recreational commercial
- Regional Scale Commercial
- mixed use residential
- Town Center
- Very Low Density Residential



Gautier Planning Commission

Regular Meeting Agenda

June 5, 2025

GPC #25-25-VAR

5917 Old Spanish Trail

VII. NEW BUSINESS

4. Consider a request for a nine-foot (9') variance to secondary front yard setback requirements for an accessory building in a R-1 Low Density Single-Family Residential Zoning District. 5917 Old Spanish Trail, PID #82432005.000, (GPC #25-25-VAR)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: May 27, 2025

Subject: Consider a request for a nine-foot (9') variance to secondary front yard setback requirements for an accessory building in a R-1 Low Density Single-Family Residential Zoning District at 5917 Old Spanish Trail, PID #82432005.000, (GPC #25-25-VAR)

REQUEST:

The Planning Department has received a request from John Teachnor for a nine-foot (9') variance to secondary front yard setback requirements for an accessory building in a R-1 Low Density Single-Family Residential Zoning District at 5917 Old Spanish Trail, PID #82432005.000, (GPC #25-25-VAR). The application fee of \$175 was paid on May 5, 2025. All public notice requirements have been met.

BACKGROUND:

The applicant would like to put a 30' x 60' metal garage on the side of his house. The applicant lives on a corner lot and the garage would be located within the secondary front yard. He would like to place the garage 16' from the property line within the secondary front yard. The Unified Development Ordinance (UDO) requires a 25' setback in a secondary front yard in a R-1 Low Density Single-Family Residential District. The applicant will need a nine-foot (9') variance to secondary front yard setback requirements.

DISCUSSION:

The applicant is asking for a nine-foot (9') variance to secondary front yard setback requirements in a R-1 District. He wants to put a metal garage within the secondary front yard setback of his lot. The garage would be 16' from the property line and the UDO requirement is 25'.

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (UDO) defines **Variances** as:

A Variance is a relaxation of the terms of the Unified Development Ordinance where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in an unnecessary or undue hardship. As used in this Ordinance, a Variance is authorized only for height, area and size of structure, or size of yards, separation of uses, open spaces, off-street parking spaces and some subdivision of property. The establishment or expansion of a use not permitted shall not be allowed by Variance.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

UDO SECTION 4.18: Variance

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as “use Variances” are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

- A. 30% of required off-street parking spaces and/or
- B. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

- A. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
- C. That the special conditions and circumstances do not result from actions of the applicant; and
- D. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets all "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

- 1. Recommend that City Council approve the variance request as presented;
- 2. Recommend that City Council approve the variance request with changes; or
- 3. Recommend that City Council deny variance request.

ATTACHMENTS:

- 1. Applicant's Exhibit 1 – Application
- 2. City's Exhibit A – Location Map
- 3. City's Exhibit B – Existing Zoning Map
- 4. City's Exhibit C – Existing Land Use Map
- 5. City's Exhibit D – Future Land Use Map

GAUTIER, MISSISSIPPI

PLANNING DEPARTMENT
PUBLIC HEARING APPLICATION

Public Hearing Number

25-25-VAR

<u>TO BE HEARD BY GAUTIER PLANNING COMMISSION:</u>		<u>FEE:</u>
Variance _____		\$176.00
*Includes \$1.00 filing fee per MS Code §25-60-5		

Name of Applicant: JOHN TEACHNOR

Name of Business: _____ Phone: 320-226-9834

Property Address: 5917 Old Spanish Trl, OCEAN SPRINGS, MS 39564 Mailing Address (if Different): _____

E-Mail Address: JTEACHNR@HOTMAIL.COM

Reason for request, location and intended use of Property: REQUEST VARIANCE, SEE ATTACHED SKETCH, RESIDENTIAL. 9' Secondary yard variance for shed

ATTACHMENTS REQUIRED AS APPLICABLE:

- 1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.
- 2. A detailed project narrative.
- _____ 3. Copy of protective covenants or deed restrictions, if any.
- _____ 4. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
- _____ 5. Any other information requested by the Planning Director.

Signature of Applicant: [Signature] Date of Application: 5-6-25

FOR OFFICE USE ONLY	
Date Received <u>5-5-25</u>	Verify as Complete <u>Bals</u>
Fee Amount Received <u>176.00</u>	Initials of Employee Receiving Application <u>Bals</u>

VARIANCE

Criteria For Approval

1. What special conditions and circumstances are particular to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district?
 - a. **I purchased this property on March 7, 2025. I was informed that the property was in Jackson County MS. My deed did NOT say the property was inside of the city limits of Gautier MS. The city limits are along the center line of Old Shell Landing road which the property borders.**
 - b. **I wanted the slab where it is, not knowing that the property was inside Gautier MS. city limits and that I need a permit. Further, if I had known, I would have moved the slab to comply with said ordinance requirements. Slab is per attached layout. It is sixteen feet inside the property line (along Old Shell Landing Road edge) instead of the twenty-five feet required by Gautier city ordinance. The slab is one hundred and forty feet back from the corner of Old Spanish Trail. There is a row of bushes between the slab and property line. The requested variance is for the nine feet. See attached sketch.**
2. Are these special conditions and circumstances a result of your actions? Explain.
 - a. **I hired a local contractor to construct a concrete slab for a garage. He did not obtain a permit. I assumed he knew what permits I needed to obtain. He also said the property was in Jackson County.**
 - b. **I applied to Jackson County to obtain a permit to have the garage constructed according to the building contractor's request and they informed me that the property was within the city limits of Gautier and that I would have to apply for a permit from the city of Gautier.**
 - c. **When I applied for the permit they informed me about the set-back requirement of 25 feet. I am requesting a variance for the 9 feet that does not meet the ordinance requirement.**
3. How will the literal interpretation of the provisions of this ordinance deprive you of rights commonly enjoyed by other property in the same district under the provisions of this ordinance? Explain.
 - a. **It will prevent me from building the garage on said slab and limit the use of the property I purchased in good faith with the intent of building a garage.**
4. Will the granting of the variance requested confer upon you any special privilege that is denied by other similar sites (lots or parcels), structures or buildings in the same district? Explain
 - a. **I don't believe it would give me a special privilege.**

John Teachnor
320-226-9834

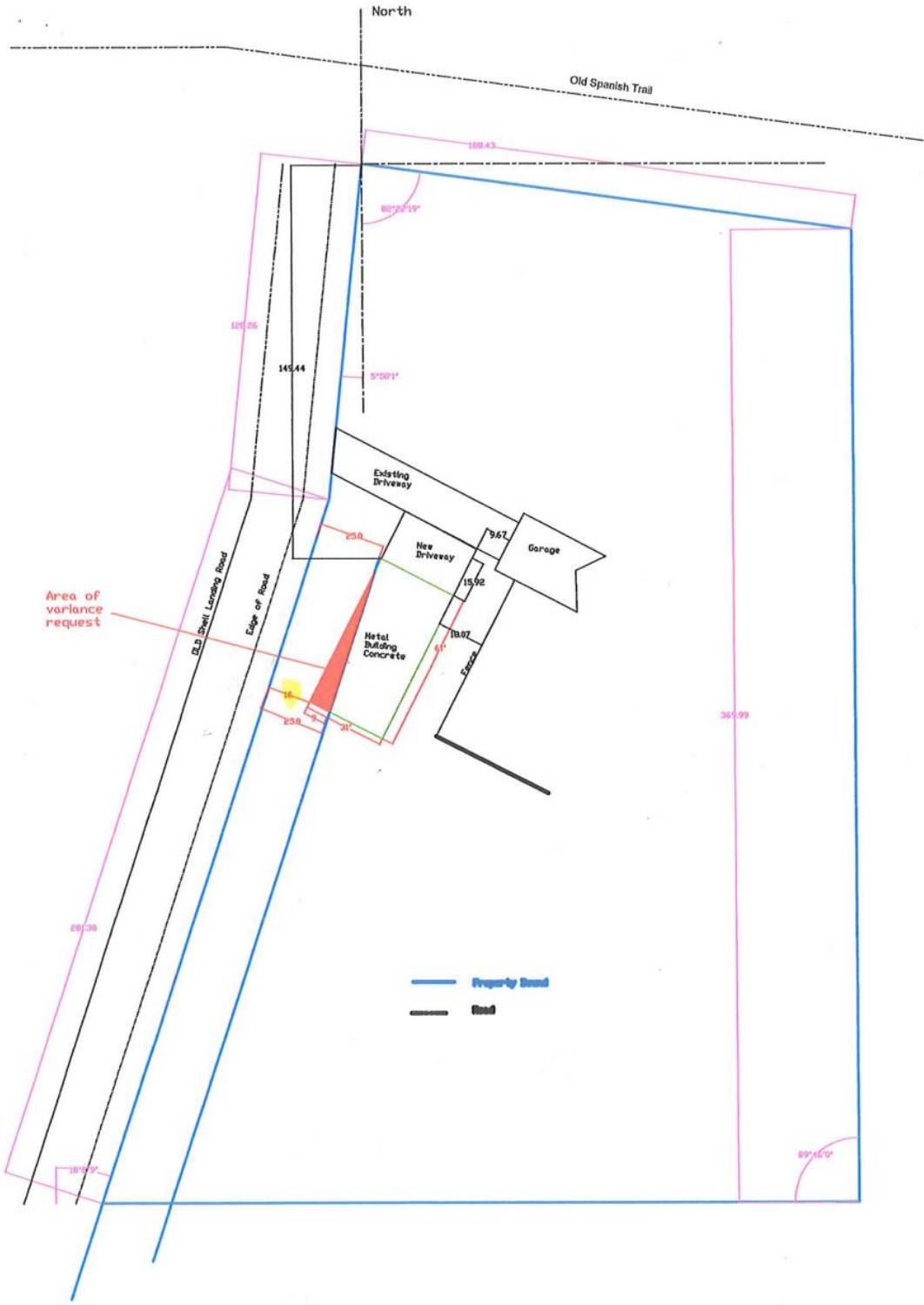
May 6, 2025

Narrative

I want to build a garage on a concrete slab per attached building design.

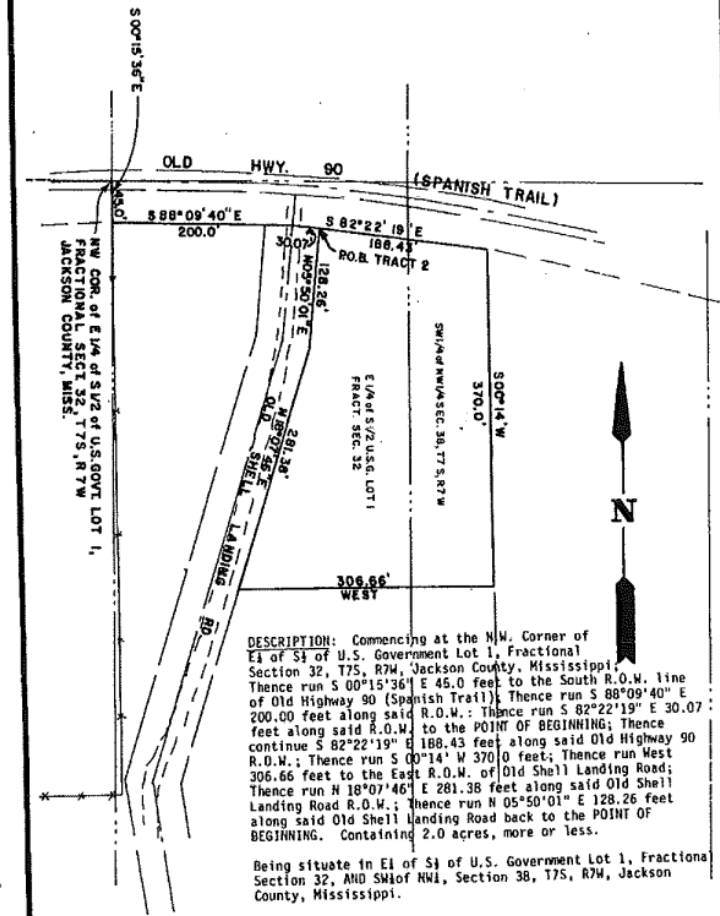
Old Spanish Trail





AP 10158

PLAT OF TRACT NO. 2 BOOK 847 PAGE 507



DESCRIPTION: Commencing at the N.W. Corner of E1 of S1 of U.S. Government Lot 1, Fractional Section 32, T7S, R7W, Jackson County, Mississippi, Thence run S 00°15'36" E 45.0 feet to the South R.O.W. line of Old Highway 90 (Spanish Trail); Thence run S 88°09'40" E 200.00 feet along said R.O.W.; Thence run S 82°22'19" E 30.07 feet along said R.O.W. to the POINT OF BEGINNING; Thence continue S 82°22'19" E 188.43 feet along said Old Highway 90 R.O.W.; Thence run S 00°14' W 370.0 feet; Thence run West 306.66 feet to the East R.O.W. of Old Shell Landing Road; Thence run N 18°07'46" E 281.38 feet along said Old Shell Landing Road R.O.W.; Thence run N 05°50'01" E 128.26 feet along said Old Shell Landing Road back to the POINT OF BEGINNING. Containing 2.0 acres, more or less.

Being situate in E1 of S1 of U.S. Government Lot 1, Fractional Section 32, AND SW1/4 of NW1/4, Section 38, T7S, R7W, Jackson County, Mississippi.

SCALE: 1" = 100'
 SURVEYED: G. MOODY
 DRAWN: T. BROWN

BATSON AND BROWN, INC. CONSULTING ENGINEERS
 WIGGINS □ LUCEDALE □ PASCAGOULA, MISSISSIPPI

STATEMENT OF FEES STATE OF MISSISSIPPI - JACKSON COUNTY

First Page \$2.00
 Additional Page @ \$1.00 \$

I, Lynn Presley, Clerk of the Chancery Court of said County, certify that the within Instrument was filed in my office for record on the 22nd day of February, 1986 at 11:50 o'clock A.M. and was duly recorded on the 22nd day of February, 1986 in Land Deed Book No. 847 Pages 507 of my office.
 GIVEN under my hand and seal of office this 22nd day of February, A.D., 1986.

Total Fees \$ 7.00 Form No. 106

Lynn Presley
 LYNN PRESLEY, Chancery Clerk



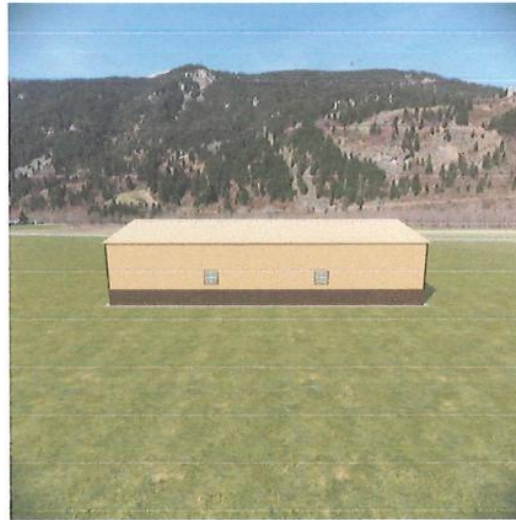
Your Custom Metal Building Design
alansfactoryoutlet.com | 1-800-488-6903

Edit or Buy Your Design: alansfactoryoutlet.com/design/Gd5IUD62/

Delivery Zip Code: 39564



Front



Right



Back



Left













INVOICE #1022
INVOICE DATE: 4/21/2025

ANY ADDITIONAL WORK REQUESTED THAT IS NOT COVERED IN THE ORIGINAL INVOICE WILL BE QUOTED SEPARATELY AND ADDED TO THE ORIGINAL INVOICE.

BILL TO:

NAME: John Teachnor

ADDRESS: 5917 Old Spanish Trail
 Gautier, MS 39553

PHONE NUMBER: 320-226-9834

EMAIL: jteachnor@hotmail.com

ASPHALT CONTRACTORS, LLC
 2411 WASHINGTON AVENUE
 PASCAGOULA, MS 39567

DESCRIPTION	AMOUNT
1 Remove grass and stockpile on property as discussed.	\$9,000.00
2 Deliver and spread crushed limestone (610) to grade for	
3 slab. Area of concrete slab is 61' X 31'. Driveway is	
4 26' X 18'. Form area to be poured with concrete including	
5 wire and plastic. (2) pieces of #4 rebar on perimeter of	
6 footings 12" X 12". Finish all concrete and remove all trash	
7 or debris from job site.	
8	
9 **Additional work-drainage pipe installed	\$1,400.00
10	
11	
12	
13	
14	
15	
TOTAL	\$10,400.00

Signed by: _____

STATE OF MISSISSIPPI

COUNTY OF JACKSON

WARRANTY DEED

FOR AND IN CONSIDERATION of the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, **CHARLES R. SHULTIS, III, TRUSTEE OF THE SHULTIS FAMILY REVOCABLE TRUST DATED JULY 1, 2013** does hereby grant, bargain, sell, convey and warrant unto **JOHN TEACHNOR AND CATHERINE TEACHNOR**, as joint tenants with the full rights of survivorship and not as tenants in common, that certain tract, piece or parcel of land situated in Jackson County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST QUARTER OF THE SOUTH HALF OF U. S. GOVERNMENTAL LOT 1, FRACTIONAL SECTION 32, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI; THENCE RUN SOUTH 00° 15' 36" EAST 45.0 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF OLD HIGHWAY 90 (SPANISH TRAIL); THENCE RUN SOUTH 88° 09' 40" EAST 200.00 FEET ALONG SAID RIGHT-OF-WAY; THENCE RUN SOUTH 82° 22' 19" EAST 30.07 FEET ALONG SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 82° 22' 19" EAST 188.43 FEET ALONG SAID OLD HIGHWAY 90 RIGHT-OF-WAY; THENCE RUN SOUTH 00° 14' WEST 370.0 FEET; THENCE RUN WEST 306.66 FEET TO THE EAST RIGHT-OF-WAY OF OLD SHELL LANDING ROAD; THENCE RUN NORTH 18° 07' 46" EAST 281.38 FEET ALONG SAID OLD SHELL LANDING ROAD RIGHT-OF-WAY; THENCE RUN NORTH 05° 50' 01" EAST 128.26 FEET ALONG SAID OLD SHELL LANDING ROAD BACK TO THE POINT OF BEGINNING, CONTAINING 2.0 ACRES, MORE OR LESS. BEING SITUATED IN THE EAST QUARTER OF THE SOUTH HALF OF U.S. GOVERNMENTAL LOT 1, FRACTIONAL SECTION 32, AND SOUTHWEST QUARTER OF NORTHWEST QUARTER, CLAIM SECTION 38, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI.

This conveyance is subject to all covenants, easements, restrictions, reservations, and other matters of record, all zoning and building laws, rules and regulations and ordinances, and all matters that would be disclosed by an accurate survey of said property.

Taxes for the year 2025 have been pro-rated between the parties and the payment of same when due on January 1, 2026, shall be the responsibility of the Grantees herein.

The Certificate of Trust for the Shultis Family Revocable Trust is attached hereto as Exhibit "A".

WITNESS THE SIGNATURE(S) OF THE GRANTOR(S), on the 7 day of March, 2025.

THE SHULTIS FAMILY REVOCABLE TRUST dated July 1, 2013

By: Charles R. Shultis, III Trustee
CHARLES R. SHULTIS, III, Trustee

STATE OF MISSISSIPPI

COUNTY OF JACKSON

This day, personally appeared before me, the undersigned Notary Public, in and for the aforesaid County and State, the within named **CHARLES R. SHULTIS, III, TRUSTEE OF THE SHULTIS FAMILY REVOCABLE TRUST DATED JULY 1, 2013** who acknowledged to me that they executed, signed and delivered, the foregoing Warranty Deed on the day and year herein mentioned for said Trust as its true and voluntary act and deed after being duly authorized to do so.

Given under my hand and official seal of office, this the 7 day of March, 2025.



Victoria Sauer
NOTARY PUBLIC
MY COMMISSION EXPIRES: 9/12/25

copy



OFFICIAL RECORDS JACKSON COUNTY
Terry Miller
CLERK
RECORDING FEE \$12.00
#201312329 BK:1718 PG:71-72
07/08/2013 03:46 PM 2 PGS
CSHOWS,DC Rept#009310

Prepared by: Elliot G. Mestayer 2128 Ingalls Ave., Pascagoula, MS 39567 (228) 762-1193

**CERTIFICATE OF TRUST FOR THE
THE SHULTIS FAMILY REVOCABLE TRUST**

1. 5917 Old Spanish Trail
Address of office
Ocean Springs, MS 39564
2. Charles R. Shultis Jr. and Margaret Shultis
Name of Trustees
same
Address of Trustees
3. Charles R. Shultis Jr. and Margaret Shultis
Name of Grantor
same
Address of Grantor
4. Legal Description of all interests in real property owned by or conveyed to the Trust are as follows:
 - a. Commencing NWC E1/4 S1/2 Govt Lot 1 Section 32 S to S/M Highway 90 S 88 degrees E 200' S 82 Degrees E 30.07' to Point of Beginning thence S 82 degrees E 188.43' South 370°W 306.66' to Rd N 18 degrees E 281.38' N 5 degrees E 128.26' to Point of Beginning. This being the property described in DB 847-502 (104 Map779.32) Township 7 Range 7
5. Anticipated Termination Date of this Trust: 20 years after the death of the Grantor.

Prepared by: Elliot G. Mestayer 2128 Ingalls Ave., Pascagoula, MS 39567 (228) 762-1193

6: General Powers granted to Trustee: Powers conferred by Section 91-9-101 et. seq. of the Mississippi Code of 1972.

DATED: July 1st, 2013.

Charles R. Shultis, Jr.
CHARLES R. SHULTIS, JR.

Margaret Shultis
MARGARET SHULTIS

STATE OF MS
COUNTY OF Jackson

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned notary public in and for the above County and State, CHARLES R. SHULTIS JR. and MARGARET SHULTIS., named in the above and foregoing Trust Agreement, who acknowledged that they signed and delivered said instrument as their own free and voluntary act and deed on the date therein shown.

WITNESS MY HAND AND OFFICIAL seal on this the 1st day of July, 2013.

Elliot G. Mestayer
NOTARY PUBLIC
STATE OF MISSISSIPPI
ELLIOT G. MESTAYER
NOTARY PUBLIC
ID NO. 3722
EXPIRES 02/28/15
JACKSON COUNTY

82432005.000 SHULTIS FAMILY REVOCABLE TRUST

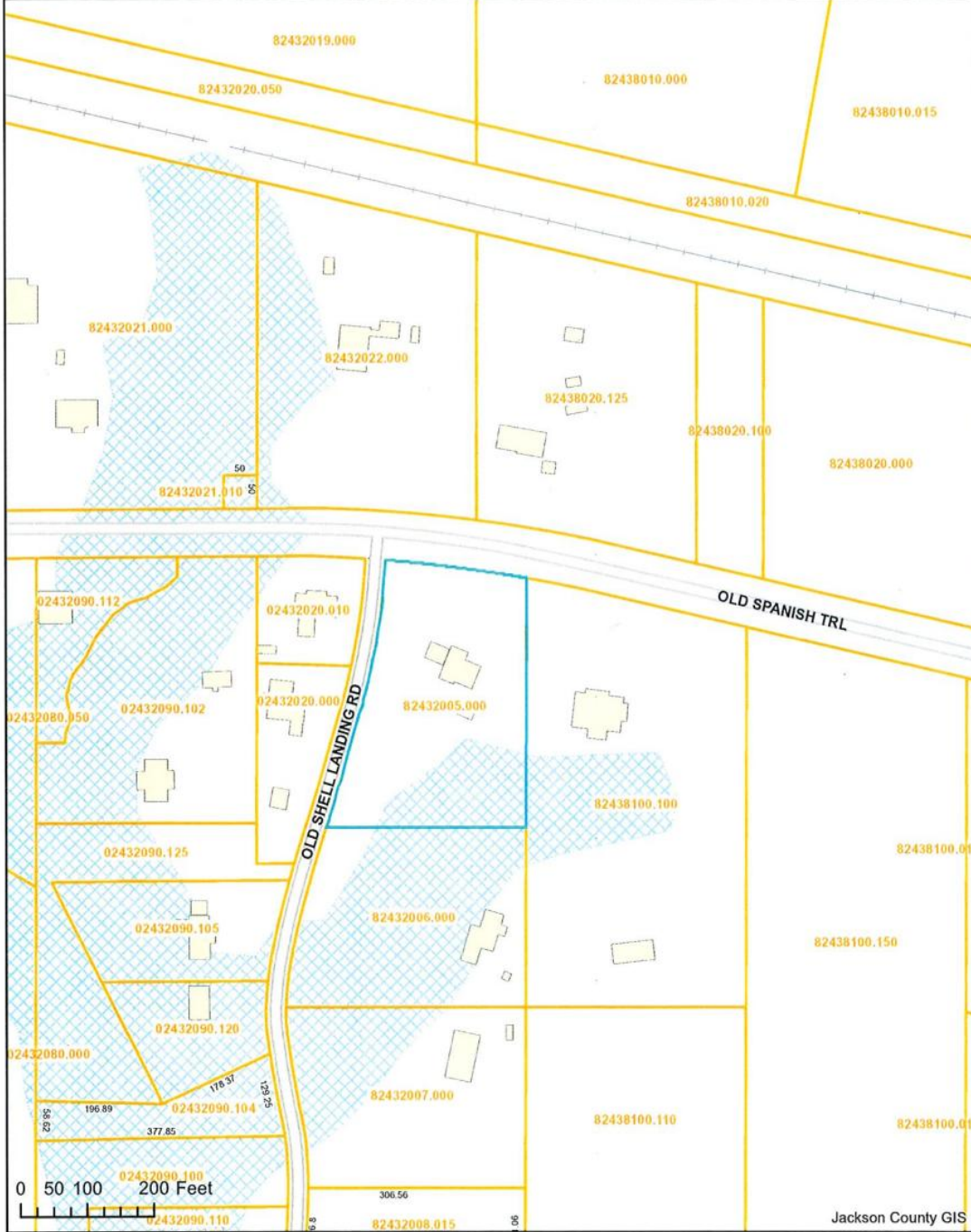


Exhibit A Location Map

Prepared by:
City of Gautier
Planning Department



Exhibit B Existing Zoning

Prepared by:
City of Gautier
Planning Department

Legend

Zoning

ZONECODE

- AG
- C-1
- C-2
- C-3
- I-2
- MURC-1
- MURC-2
- MURC-MW
- PL
- PUD
- R-1
- R-2
- R-3
- RE
- TC

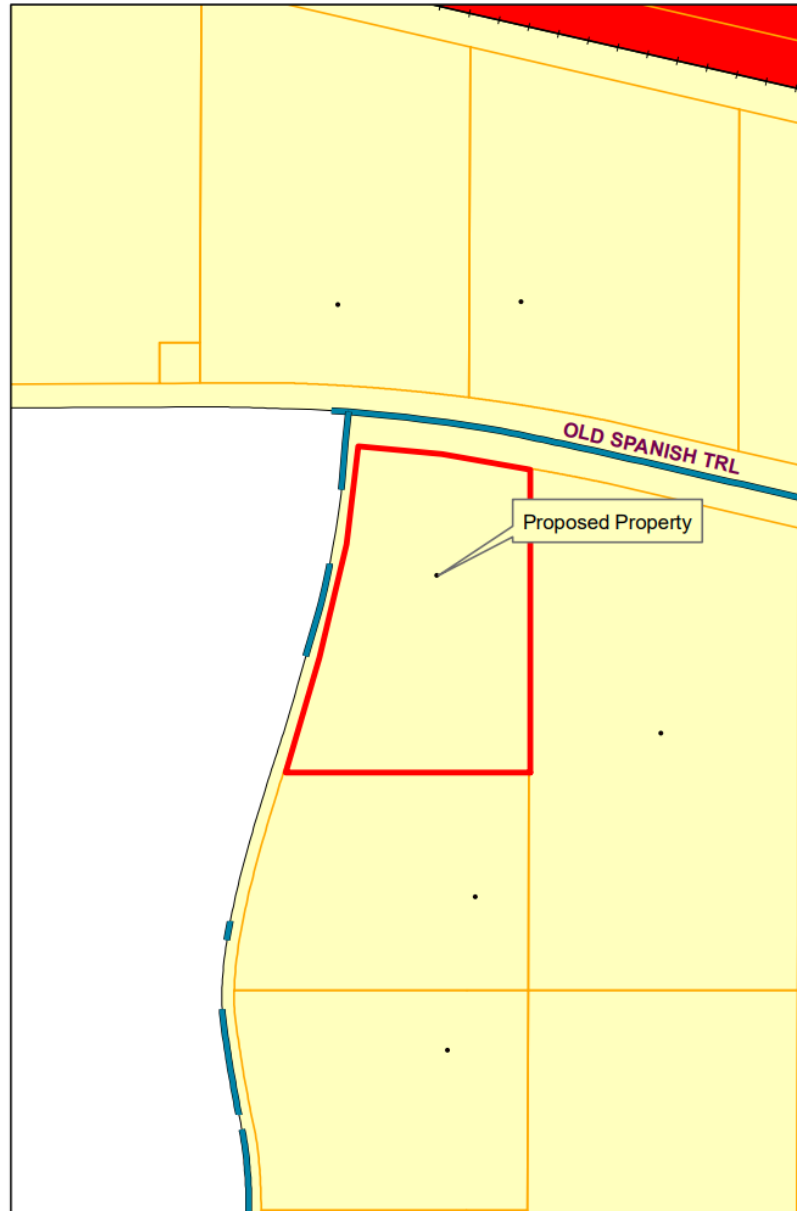


Exhibit C Existing Land-Use

Prepared by:
City of Gautier
Planning Department

Legend

EXISTING LAND USE

ELU_08

- commercial-retail
- conservation
- civic
- industrial
- marina/fish camps
- high density residential
- mobile home
- mobile home park
- medium density residential
- office
- recreation
- very low to low density residential
- utility
- vacant

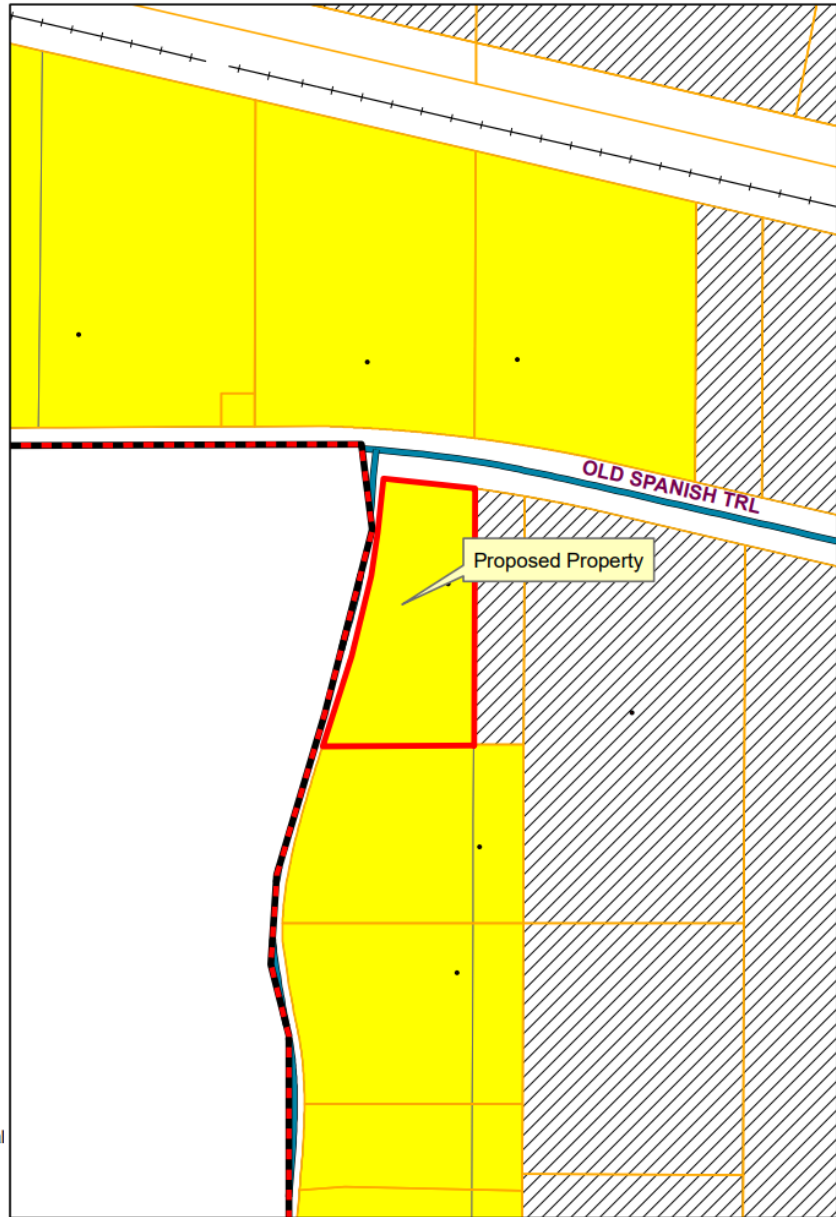
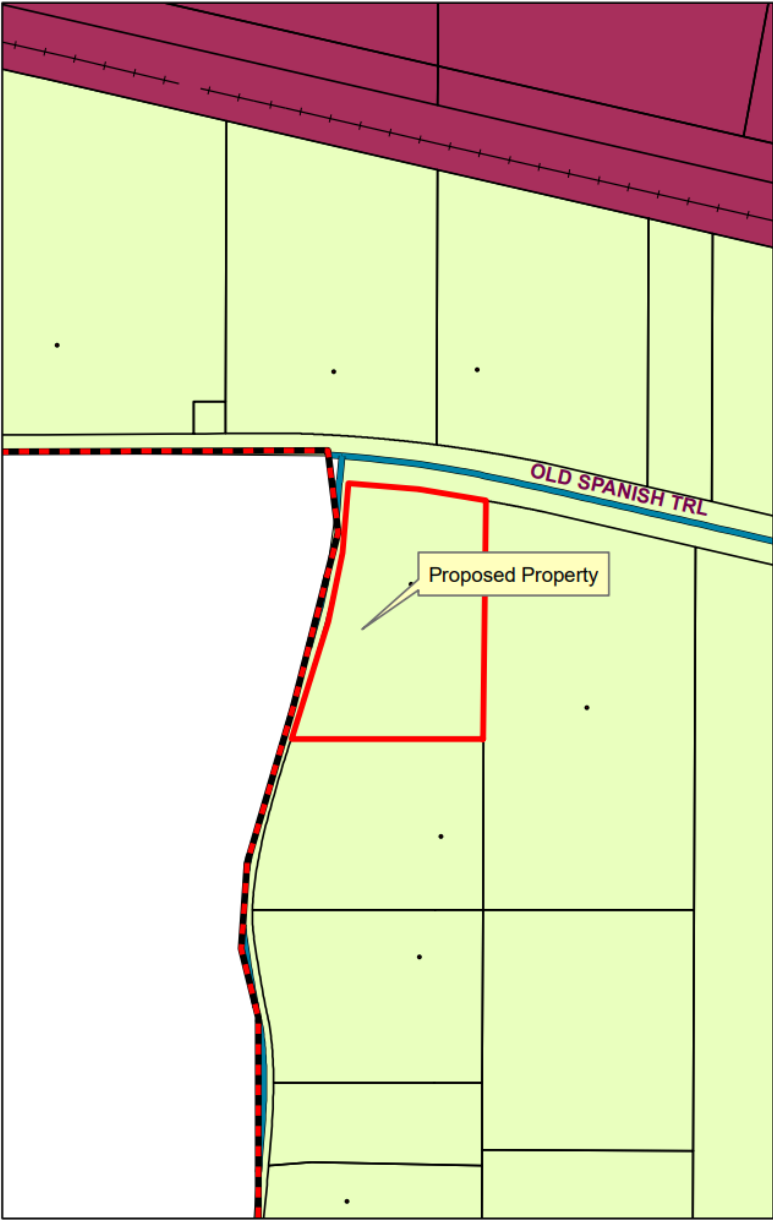


Exhibit D Future Land-Use

Prepared By:
City of Gautier
Planning Department

- Legend**
FUTURE LAND USE
FLU_Class
- Civic
 - high impact commercial
 - Conservation
 - High Density Residential
 - Industrial
 - Low Density Residential
 - Medium Density Residential
 - Mobile Home Residential
 - low impact Commercial
 - Recreational
 - recreational commercial
 - Regional Scale Commercial
 - mixed use residential
 - Town Center
 - Very Low Density Residential



Gautier Planning Commission

Regular Meeting Agenda

June 5, 2025

GPC #25-26-RZ

Henry "Hank" B. Zuber, III

dba

HBZ, LLC VII

7313 Martin Bluff Road

PID #85432006.000 & #85432007.000

VII. NEW BUSINESS

5. Consider a request for a Property Owner Initiated Rezoning of Property located at 7313 Martin Bluff Road, PID #85432006.000 & #85432007.000, from R-1 Low Density Single-Family Residential to C-2 Community Commercial (GPC Case No. 25-26-RZ)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: May 27, 2025

Subject: Consider a request for a Property Owner Initiated Rezoning of Property located at 7313 Martin Bluff Road, PID #85432006.000 & #85432007.000, from R-1 Low Density Single-Family Residential to C-2 Community Commercial (GPC Case No. 25-26-RZ)

REQUEST:

The Planning Department has received a request from Henry “Hank” B. Zuber, III dba HBZ, LLC VII for a proposed Amendment of the Official Zoning Map of the City of Gautier, Mississippi. The request is to rezone a portion of two adjoining parcels known as 7313 Martin Bluff Road, PID #85432006.000, & 85432007.000, from R-1 Low Density Single-Family Residential to C-2 Community Commercial. More than half of each parcel is currently zoned C-2 Community Commercial, and the other portion is zoned R-1 Low Density Single-Family Residential. (GPC Case No. 25-26-RZ). The application fee of \$300 was paid on May 7, 2025. All public notice requirements have been met.

BACKGROUND:

Section 4.15 of the City’s Unified Development Ordinance (UDO) establishes the procedure to amend the City’s Official Zoning Map. The Gautier Planning Commission (GPC) shall review a proposal for a rezoning and shall make an advisory recommendation to the City Council as to the need and justification for the change when the public welfare justifies such action. The GPC shall include in its recommendation to the City Council findings that the required rezoning criteria have been met.

DISCUSSION:

1. Location: 7313 Martin Bluff Road, PID #85432006.000, & 85432007.000 (See Exhibit A)
2. Existing Zoning: C-2 Community Commercial & R-1 Low Density Single-Family Residential (See Exhibit B)

UDO 5.3.8 C-2, Community Commercial District - Purpose and intent. The purpose of this district is to provide areas of medium density commercial including a mixture of retail, professional services, and studios which cluster together. Community Commercial Districts are located primarily along transportation collectors such as Gautier-Vancleave. The co-location of

professional services and civic uses shall be encouraged to strengthen industry and provide an attractive, pedestrian scale commercial corridor into the City.

UDO 5.3.3 R-1, Low Density Single-Family Residential District - Purpose and intent. The purpose of this district is to provide areas where the principal use of land is for single-family detached dwelling units and related recreational facilities which compliment the area and provide a balanced and attractive residential area. R-1 areas are to be specifically designed to provide for the quiet enjoyment of the uses therein. They should have well defined boundaries and be protected from the encroachment of commercial uses and heavy through traffic.

DATA AND ANALYSIS:

Property requested for Rezoning: 7313 Martin Bluff Road, PID #85432006.000, & 85432007.000.

Location: Ward 4

Current Zoning of the Request Property: C-2 Community Commercial & R-1 Low Density Single-Family Residential

Existing Land Use: Very low to low density residential. (See Exhibit C)

Future Land Use: Low Density Residential. (See Exhibit D)

Surrounding Zoning: C-2 Community Commercial to the North and South, R-1 Low Density Single-Family Residential to the North, South, East, and West.

HISTORY:

This property has several older vacant structures on it. Currently a portion of the property is zoned C-2 Community Commercial, and a portion is zoned R-1 Low Density Single-Family Residential.

REVIEW CRITERIA:

The Planning Commission, in its report and recommendation to the City Council on the appropriateness of the request, shall study and consider the following criteria and record that the evidence presented meets the "Criteria for Approval" from the UDO, if applicable.

- A. There was a mistake in the original zoning; **or**
- B. The character of the surrounding area has changed to such an extent as to justify rezoning **AND** there is a public need for additional property to be zoned in accordance with the request.

The Planning Commission shall not recommend approval of a rezoning unless the applicant has proven by clear and convincing evidence that either of the required criteria items above have been met.

STAFF RECOMMENDATION:

If recommending approval, Planning Commission shall record that the evidence presented meets all “Criteria for Approval” from the UDO as listed above.

CONCLUSION:

Based on the required Review Criteria established by Section 4.15 of the Unified Development Ordinance and the appropriateness of the request relevant to the criteria, the Commission may:

1. Recommend that City Council approve to Rezone the entire subject area to C-2 Community Commercial; or
2. Recommend that City Council deny the Rezoning.

ATTACHMENTS:

1. Applicant’s Exhibit 1 – Application
2. City’s Exhibit A – Location Map
3. City’s Exhibit B – Existing Zoning Map
4. City’s Exhibit C – Existing Land Use Map
5. City’s Exhibit D – Future Land Use Map

Revised 2/8/23

GAUTIER, MISSISSIPPI
PLANNING DEPARTMENT
PUBLIC HEARING APPLICATION

Public Hearing Number

25-26-RZ

by 6/9

<u>TO BE HEARD BY GAUTIER PLANNING COMMISSION:</u>	<u>FEE:</u>
Zoning Change _____	\$301.00
*Includes \$1.00 filing fee per MS Code §25-60-5	

Name of Applicant: Henry "Hank" B. Zuber III

Name of Business: HBZ LLC VII Phone: 228-235-1193

Property Address: 7313 Martin Bluff Rd, Gautier, MS 39553 Mailing Address (if Different): 503 Minor Land Ocean Springs, MS 39566

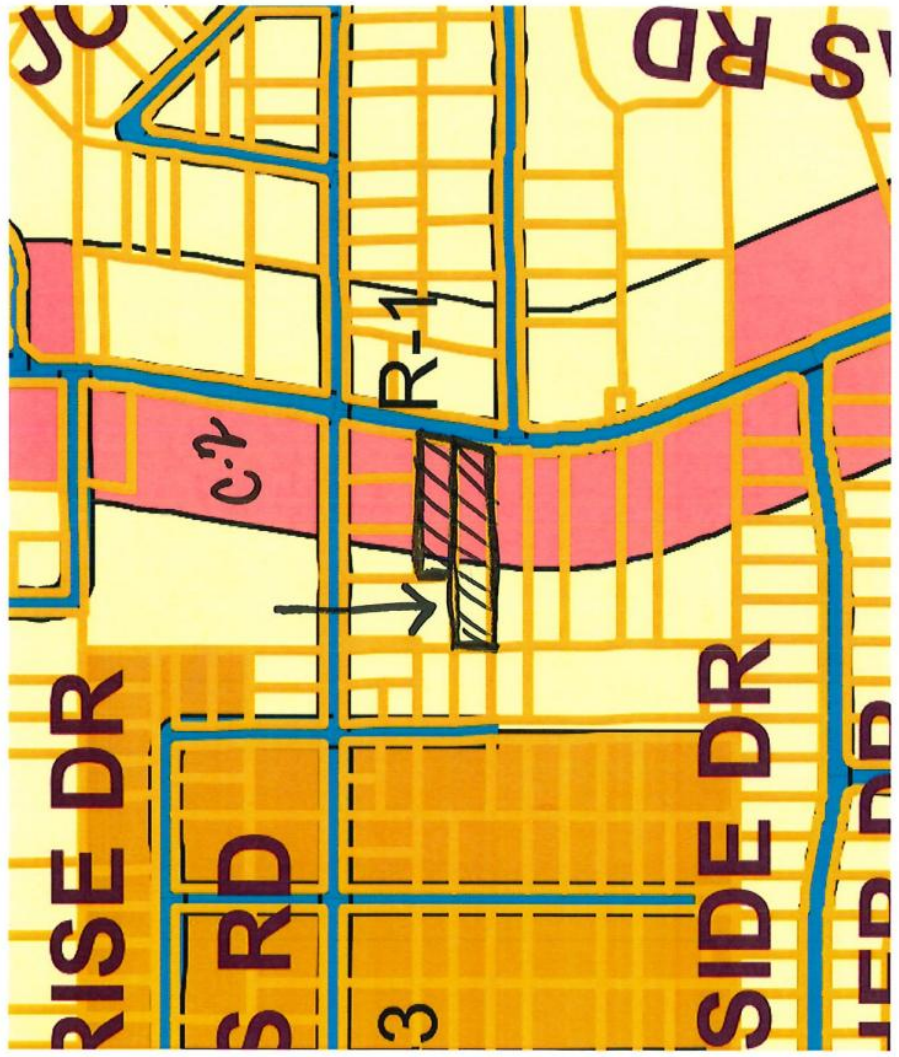
E-Mail Address: hank@zuberlaw.net

Reason for request, location and intended use of Property: b/c it is split zone between C-2 & R-1, desire it to be all zoned C-2 for both

- ATTACHMENTS REQUIRED AS APPLICABLE: parcel numbers: 85432007.000, 85432006.000
1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.
 2. A detailed project narrative. N/A -> no project decided it is split zone
 3. Copy of protective covenants or deed restrictions, if any.
 4. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
 5. Any other information requested by the Planning Director.

Signature of Applicant: [Signature] Date of Application: 5/7/25

FOR OFFICE USE ONLY	
Date Received <u>5-7-25</u>	Verify as Complete <u>Babs</u>
Fee Amount Received <u>301.00</u>	Initials of Employee Receiving Application <u>Babs</u>



202417707
BK: 2182 PG: 261 - 262
09/20/2024 04:02:06 PM 2 PG(S)
Receipt # 20971

Prepared by and return to:
Matthew E. Perkins, MSB 102353
4224 Castenera Avenue
Moss Point, MS 39563
(228) 762-6631

Grantor's Address:
Mitchell Murphy Hill
7313 Martin Bluff Road
Gautier, MS 39553
(228) 235-0688

Grantee's Address:
HBZ LLC VII
6913 Washington Avenue, Suite B
Ocean Springs, MS 39564
(228) 875-1097

INDEXING INSTRUCTIONS: Lot 8 and Lot 9, less the West 142 ft. of Lot 9, Hastings Subdivision, Jackson County, Mississippi

STATE OF MISSISSIPPI
COUNTY OF JACKSON

WARRANTY DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN and NO/100 (\$10.00) DOLLARS, cash in hand paid and other good and valuable consideration, the receipt of all which is hereby acknowledged, Mitchell Murphy Hill, Grantor, does hereby grant, bargain, sell, convey and warrant unto HBZ LLC VII, a Mississippi Limited Liability Company, Grantee, those certain pieces or parcels of land situated in Jackson County, Mississippi, and being more particularly described as follows, to-wit:

Lot 8 of the Hastings Subdivision, per plat thereof recorded in Book 2, Page 70, records of plats of Jackson County, Mississippi, and is situated in Claim Section 12, Township 7 South, Range 7 West.

AND

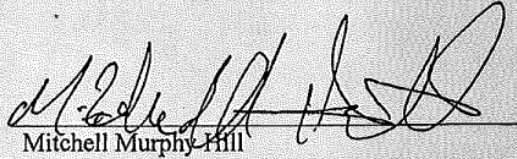
TITLE NOT EXAMINED

Lot 9, less the West 142 ft. as conveyed in Book 976 at Page 324, Hastings Subdivision, as per plat thereof recorded in Plat Book 2, page 70, Records of Plats of Jackson County, Mississippi, per Deed Book 542, Page 336.

The warranty of this conveyance is made expressly subject to all restrictive covenants, rights of way, easements, and mineral reservations affecting the above-described property.

It is understood and agreed that the parties have furnished the legal description and information for this instrument and that the preparer of this instrument has not checked the title to said property nor verified the information furnished, and the parties do hereby waive a title examination and other objection, and the parties further release and discharge the preparer of this instrument and the notary from any and all liability and damages in connection with this instrument.

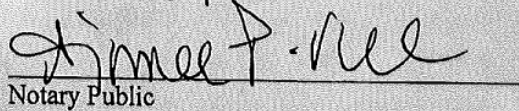
WITNESS MY SIGNATURE on this 20th day of September, 2024.


Mitchell Murphy Hill

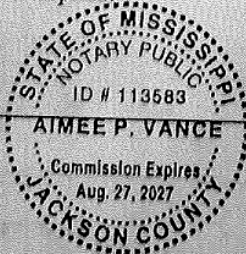
STATE OF MISSISSIPPI
COUNTY OF JACKSON

Personally appeared before me, the undersigned authority in and for the said county and state, within my jurisdiction, the within named Mitchell Murphy Hill, who acknowledged that he signed and delivered the foregoing instrument of writing on the day and year the same bears date as his own and voluntary act and deed and for the uses and purposes therein mentioned.

Given under my hand and official seal, this the 20th day of September, 2024.


Notary Public

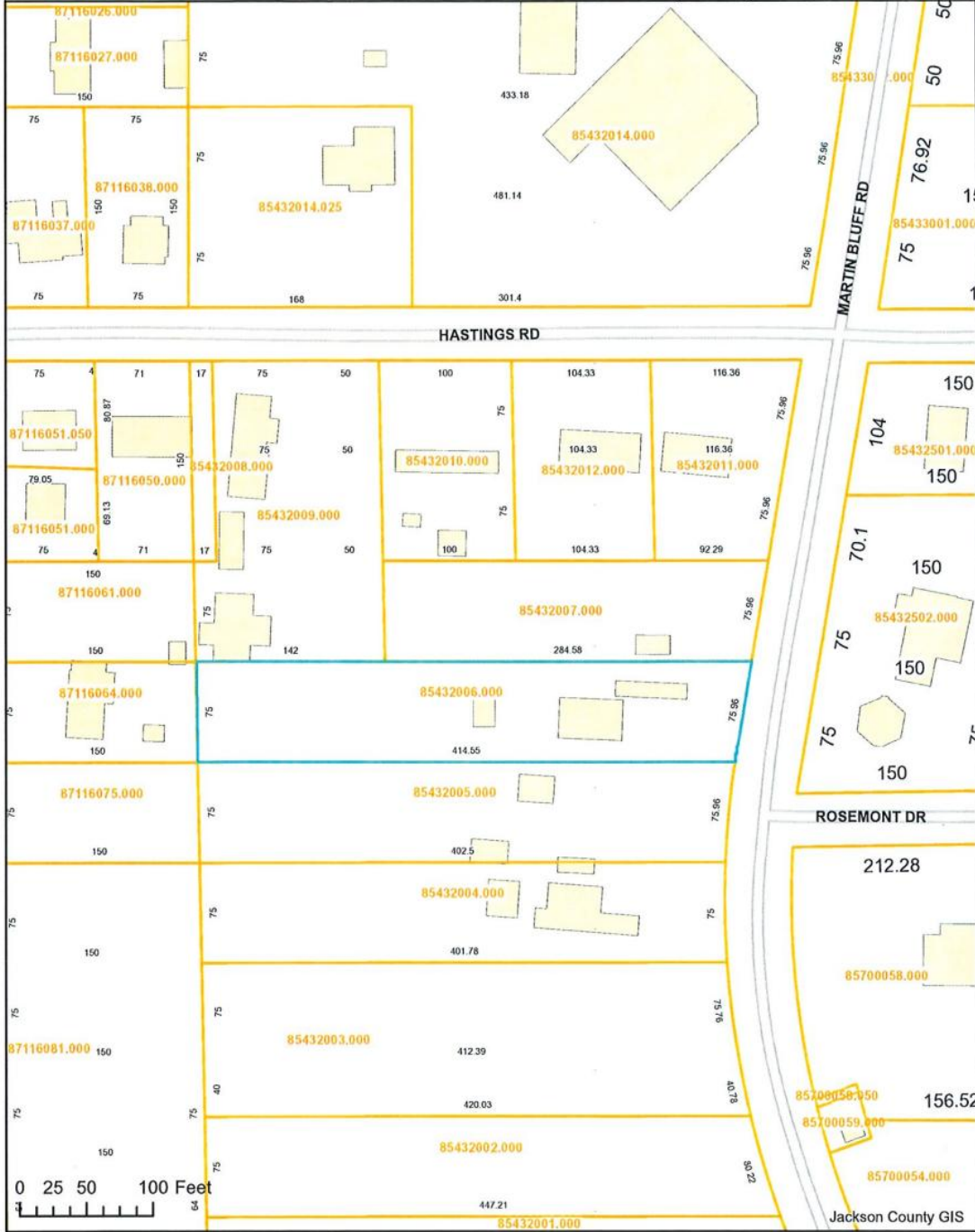
My commission expires:



TITLE NOT EXAMINED

Ultra
5 11:41 AM

85432006.000 HILL JAMES 0 (EST)



85432007.000 HILL JAMES ODELL

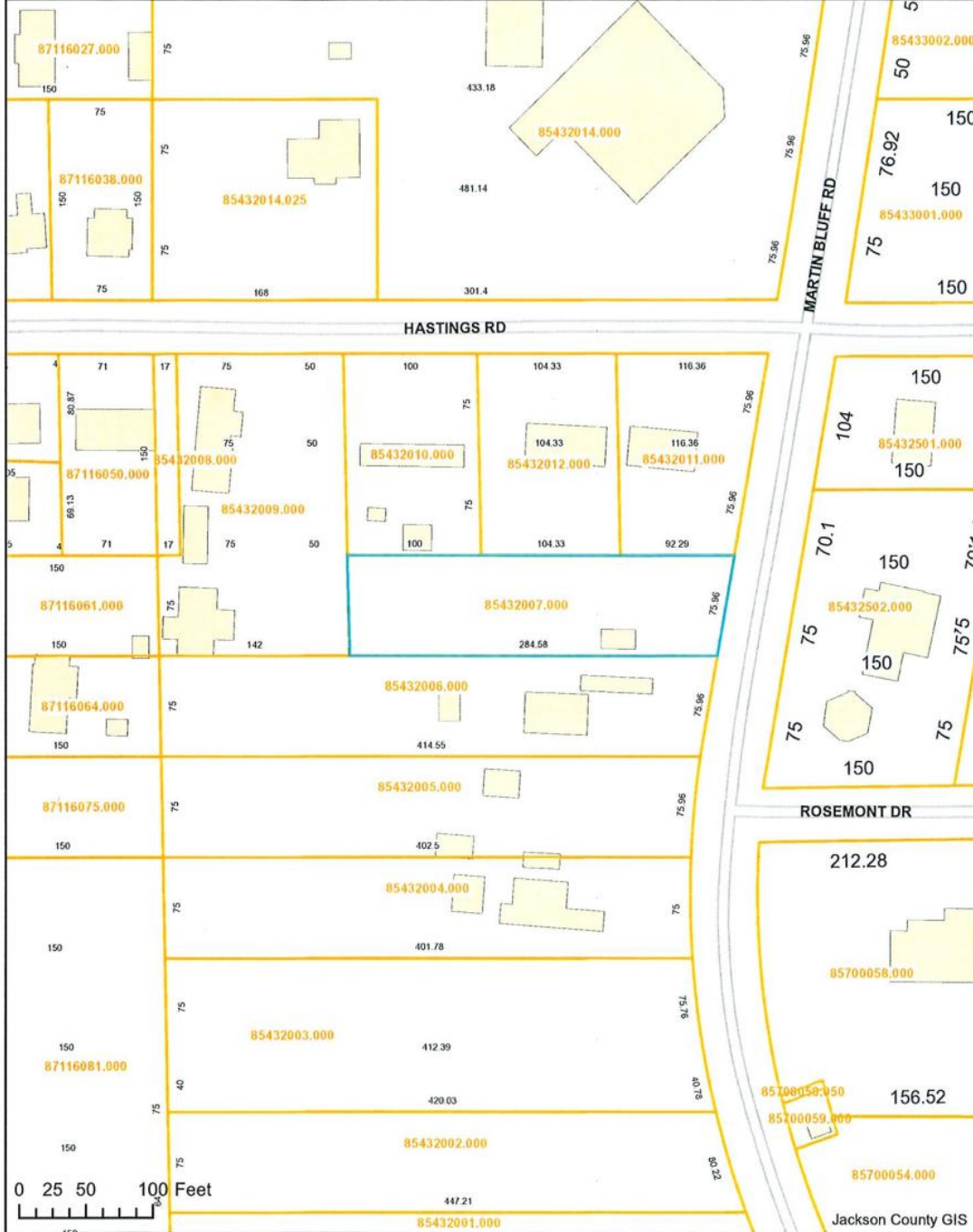


Exhibit A Location Map

Prepared by:
City of Gautier
Planning Department



Exhibit B Existing Zoning

Prepared by:
City of Gautier
Planning Department

Legend

Zoning

Color	ZONECODE
Green	AG
Light Pink	C-1
Red	C-2
Dark Red	C-3
White	I-2
Tan	MURC-1
Light Green	MURC-2
Dark Green	MURC-MW
Light Blue	PL
Blue	PUD
Yellow	R-1
Light Yellow	R-2
Orange	R-3
Light Purple	RE
Dark Purple	TC

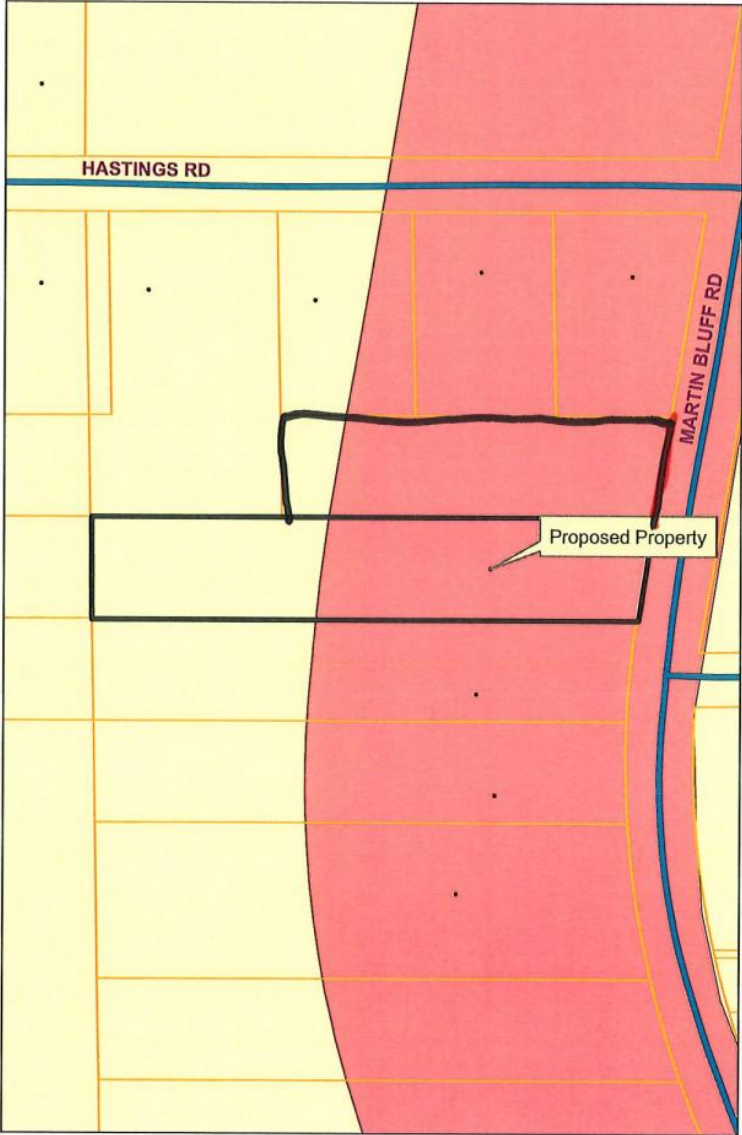


Exhibit C Existing Land-Use

Prepared by:
City of Gautier
Planning Department

- Legend**
- EXISTING LAND USE**
ELU_08
- commercial-retail
 - conservation
 - civic
 - industrial
 - marina/fish camps
 - high density residential
 - mobile home
 - mobile home park
 - medium density residential
 - office
 - recreation
 - very low to low density residential
 - utility
 - vacant

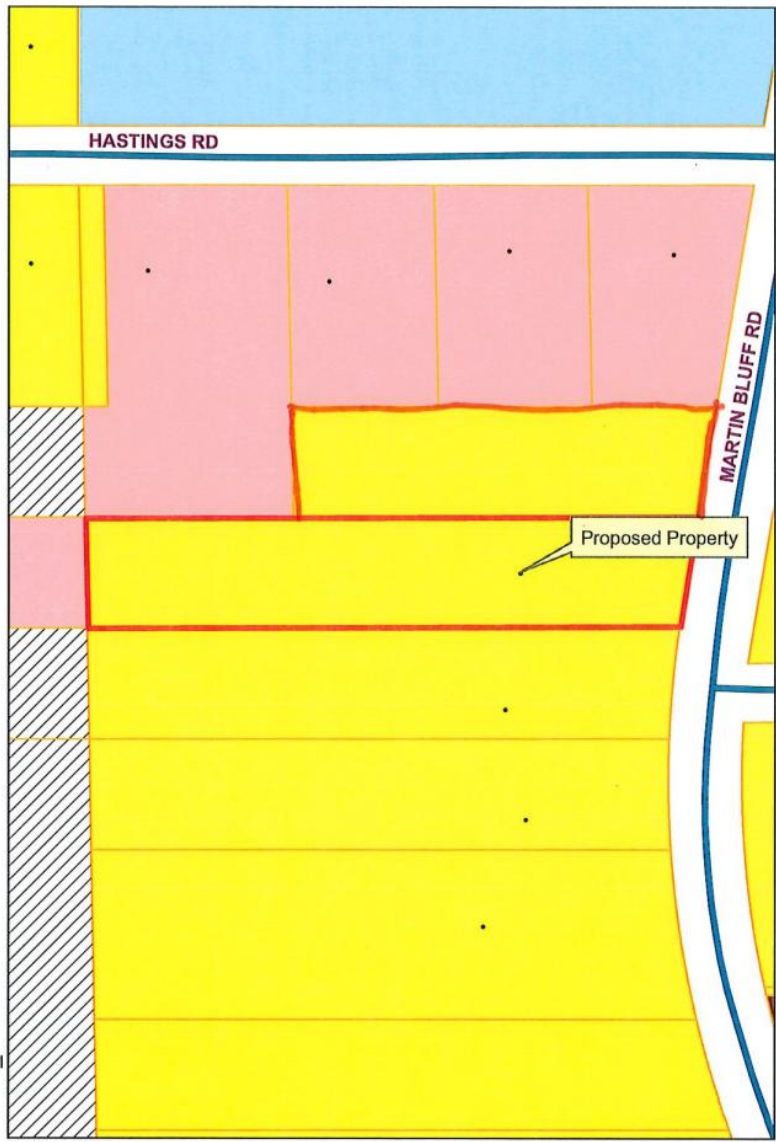


Exhibit D Future Land-Use

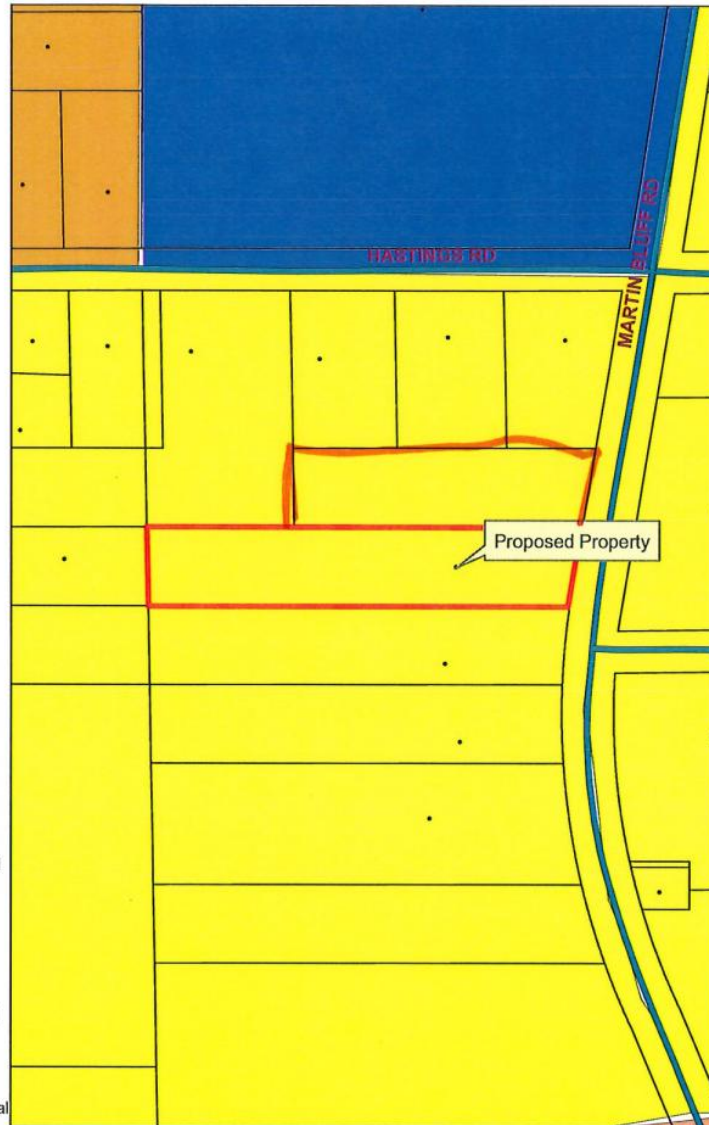
Prepared By:
City of Gautier
Planning Department

Legend

FUTURE LAND USE

FLU_Class

- Civic
- high impact commercial
- Conservation
- High Density Residential
- Industrial
- Low Density Residential
- Medium Density Residential
- Mobile Home Residential
- low impact Commercial
- Recreational
- recreational commercial
- Regional Scale Commercial
- mixed use residential
- Town Center
- Very Low Density Residential



Gautier Planning Commission

Regular Meeting Agenda

June 5, 2025

GPC #25-27-RZ

Elliott Land Developments, LLC

Old Spanish Trail

PID #82438110.000, #82438100.125 & #82438100.000

VII. NEW BUSINESS

6. Consider a request for a Property Owner Initiated Rezoning of Property located at PID #82438110.000, Old Spanish Trail, from R-1 Low Density Single-Family Residential to PUD Planned Unit Development, and to amend a previously approved PUD Plan for PID #82438100.125 & #82438100.000. (GPC Case No. #25-27-RZ)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: May 28, 2025

Subject: Consider a request for a Property Owner Initiated Rezoning of Property located at PID #82438110.000, Old Spanish Trail, from R-1 Low Density Single-Family Residential to PUD Planned Unit Development, and to amend a previously approved PUD Plan for PID #82438100.125 & #82438100.000. (GPC Case No. 25-27-RZ)

REQUEST:

The Planning Department has received a request from Elliott Land Developments, LLC for a Rezoning of property located at PID #82438110.000, Old Spanish Trail, from R-1 Low Density Single-Family Residential to PUD Planned Unit Development, and to amend a previously approved PUD Plan for PID #82438100.125 & #82438100.000. The application fee of \$300 was paid on April 22, 2025. All public notice requirements have been met.

BACKGROUND:

Section 4.15 of the City's Unified Development Ordinance (UDO) establishes the procedure to amend the City's Official Zoning Map. The Gautier Planning Commission (GPC) shall review a proposal for a rezoning and shall make an advisory recommendation to the City Council as to the need and justification for the change when the public welfare justifies such action. The GPC shall include in its recommendation to the City Council findings that the required rezoning criteria have been met.

DISCUSSION:

1. Location: Old Spanish Trail, PID #82438110.000, #82438100.125 & #82438100.000. (See Exhibit A)
2. Existing Zoning: PID #82438100.125 & #82438100.000 is PUD Planned Unit Development, PID #82438110.000 is R-1 Low Density Single-Family Residential. (See Exhibit B)

UDO 5.3.3 R-1, Low Density Single-Family Residential District - Purpose and intent. The purpose of this district is to provide areas where the principal use of land is for single-family detached dwelling units and related recreational facilities which compliment the area and provide a balanced and attractive residential area. R-1 areas are to be specifically designed to provide for the quiet enjoyment of the

uses therein. They should have well defined boundaries and be protected from the encroachment of commercial uses and heavy through traffic.

UDO 5.3.17 PUD, Planned Unit Development - Purpose and intent. The PUD zoning district is applied to specific areas to encourage flexibility in the development of land, in order to promote its most appropriate use; to improve the design, character and quality of new developments; to encourage a harmonious and appropriate mixture of uses; to facilitate the adequate and economic provision of streets, utilities, and city services; to preserve the natural, environmental and scenic features of the site; to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; to mitigate the problems which may be presented by specific site conditions; and to encourage subdivisions which address the affordable housing goals, objectives and policies of the city's comprehensive plan. Uses permitted "by right" are established by the intent of the underlying Comprehensive Plan Future Land Use Map. It is anticipated that PUDs will offer one or more of the following advantages:

- A. Provide substantial buffers and transitions between areas of different land use and development densities;*
- B. Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces;*
- C. Counteract urban monotony and congestion on streets;*
- D. Promote architecture that is compatible with the surroundings;*
- E. Buffer differing types of land use and intensities of development from each other so as to minimize any adverse impact which new development may have on existing or zoned development; and*
- F. Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area.*

DATA AND ANALYSIS:

Property requested for Rezoning: Old Spanish Trail, PID #82438110.000. (PID #82438100.125 & #82438100.000, Old Spanish Trail, - amendment of previously approved PUD plan)

Location: Ward 1

Current Zoning of the Request Property: R-1 Low Density Single-Family Residential (Property for PUD plan amendment zoned PUD Planned Unit Development)

Existing Land Use: Vacant. (See Exhibit C)

Future Land Use: Very Low Density Residential. (See Exhibit D)

Surrounding Zoning: R-1 Low Density Single-Family Residential to North, South, East & West

HISTORY:

All the subject property is vacant. PID #82438100.125 & #82438100.000 were rezoned from R-1 Low Density Single-Family Residential to PUD Planned Unit Development in April 2019. Although the zoning remains PUD, the applicant never proceeded with the PUD plan that was approved.

REVIEW CRITERIA:

The Planning Commission, in its report and recommendation to the City Council on the appropriateness of the request, shall study and consider the following criteria and record that the evidence presented meets the “Criteria for Approval” from the UDO, if applicable.

- A. There was a mistake in the original zoning; **or**
- B. The character of the surrounding area has changed to such an extent as to justify rezoning **AND** there is a public need for additional property to be zoned in accordance with the request.

The Planning Commission shall not recommend approval of a rezoning unless the applicant has proven by clear and convincing evidence that either of the required criteria items above have been met.

STAFF RECOMMENDATION:

If recommending approval, Planning Commission shall record that the evidence presented meets all “Criteria for Approval” from the UDO as listed above.

CONCLUSION:

Based on the required Review Criteria established by Section 4.15 of the Unified Development Ordinance and the appropriateness of the request relevant to the criteria, the Commission may:

1. Recommend that City Council approve to Rezone PID #82438110.000 from R-1 Low Density Single-Family Residential to PUD Planned Unit Development, and approve the amended PUD plan for PID #82438100.125 & #82438100.000; or
2. Recommend that City Council deny the Rezoning and amended PUD plan.

ATTACHMENTS:

1. Applicant's Exhibit 1 – Application
2. City's Exhibit A – Location Map
3. City's Exhibit B – Existing Zoning Map
4. City's Exhibit C – Existing Land Use Map
5. City's Exhibit D – Future Land Use Map

Revised 2/8/23

GAUTIER, MISSISSIPPI
PLANNING DEPARTMENT
PUBLIC HEARING APPLICATION

Public Hearing Number

25-27-KZ

TO BE HEARD BY GAUTIER PLANNING COMMISSION:	FEE:
Zoning Change _____	\$301.00
*Includes \$1.00 filing fee per MS Code §25-60-5	

Name of Applicant: Donovan Scruggs Town Planning and Consulting, LLC (agent)

Name of Business: Elliott Land Developments, LLC Phone: _____

Property Address: Unaddressed parcels on O. Spanish Trail 317 Pine Dr., Ocean Springs, MS 39564 (agent)
Mailing Address (if Different): _____

E-Mail Address: donovan@scruggsplanning.com (agent)

Reason for request, location and intended use of Property: Change in Neighborhood Character and Public Need

Summary of change in character and need to be provided on separate document _____

ATTACHMENTS REQUIRED AS APPLICABLE:

- 1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.
- 2. A detailed project narrative.
- NA 3. Copy of protective covenants or deed restrictions, if any.
- NA 4. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
- NA 5. Any other information requested by the Planning Director.

Signature of Applicant:  Date of Application: 4/12/25

Donovan Scruggs (PH: 228-348-1315) will serve as agent to provide additional documents and representations for this application.

FOR OFFICE USE ONLY	
Date Received	<u>4/22/25</u> Verify as Complete <u>Scott</u>
Fee Amount Received	<u>301.00</u> Initials of Employee Receiving Application <u>Bahn</u>

April 22, 2025

Mr. Scott Ankerson, Planning Director
Gautier City Hall
3330 US-90
Gautier, MS 39553



RE: Rezoning and PUD Amendment for 3 Parcels along Old Spanish Trail
PPINs: 82438110.000; 82438100.125; & 2438100.000

Dear Mr. Ankerson:

Attached to this letter are an application for rezoning, land use report, agent authorization, deed of properties, and a PUD plan for the proposed Seagrass Landing PUD. Elliott Land Developments, LLC is the owner of the three parcels referenced above. The two western parcels are designated as a PUD related to a 2019 rezoning. The eastern parcel is currently designated as R-1 Low Density, Single-Family Residential, and the owner is requesting a rezoning to PUD for incorporation into the attached PUD plan.

The 2019 PUD plan for Hillcrest Subdivision expired in 2022, but the properties remain designated as PUD. The original plan included 332 lots on approximately 88 acres. The proposed PUD plan incorporates the eastern parcel and increases the total area to approximately 108 acres. The PUD plan will include 328 lots on the expanded site that includes the western (original) and eastern parcels. As a result, the proposed density of the new PUD plan is approximately 3.1 units per acre which is a significant decrease from 3.75 units per acre (Hillcrest Subdivision). The PUD plan that provides greater detail of the proposed development (see attached). Despite the larger total area, the number of lots proposed with the new PUD plan has been reduced.

A key component of the plan is the rezoning of the eastern parcel from R-1 to PUD. This requires the identification of a 'change in neighborhood character' and 'public need' (no mistake in zoning is presumed). The change in neighborhood character is evidenced through the following items:

1. Ocean Estates – This is a residential development of approximately 120 units constructed in approximately 2010. While the site includes single-family residential lots, the lots are owned by a single entity and operates as rental properties. Fairfield Place is another development within the area that has changed the character of the area.
2. The construction of the Ocean Springs High School represents a significant change in the character of the area.
3. Single-family residential development is occurring to the southwest in unincorporated Jackson County but with close proximity to the subject properties.

Public need is also a component of the rezoning request. As much of the residential growth over the years has been within the unincorporated portions of Jackson County, Gautier and other municipalities need continued growth of residential development to support the local business communities. Additional support for the request is within that attached Land Use Report.

I appreciate your consideration in this matter. If there are questions related to this request, please feel free to call at 228.348.1315 or email to donovan@scruggsplanning.com.

Sincerely,


Donovan Scruggs, AICP

Donovan Scruggs Town Planning and Consulting, LLC
317 Pine Drive, Ocean Springs
Mississippi 39564
Ph: 228.348.1315
EM: donovan@scruggsplanning.com

OWNER'S CONSENT AND DESIGNATION OF AGENT

I, Brandon Elliott (Elliott Land Developments, LLC), the fee simple owner of the following described property (address or parcel ID number(s) if no address assigned):

82438110.000 (Eastern Parcel)
82438100.125 (Western/Front Parcel)
2438100.000 (Western/Rear SW Parcel)

hereby petition to the City of Gautier to allow the rezoning of the subject parcel from R-1 to PUD (eastern parcel) and approval of amended PUD Plan, and affirm that (name of person) Donovan Scruggs (Scruggs Town Planning) are hereby designated to act as agent on my behalf to accomplish the above.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand this application; attachments and fees become part of the official records of the City of Gautier, MS, and are not returnable.

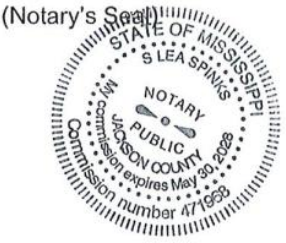
[Signature]
(Owner's Signature)

The foregoing instrument was acknowledged before me this 10th day of April, 2025 by Brandon Elliott, who is personally known to me or has produced MSDL as identification and who did take an oath.

S. Lea Spinks
(Printed Name of Notary Public)

[Signature]
(Signature of Notary Public)

Commission # 471968. My commission expires 30 May 2028.



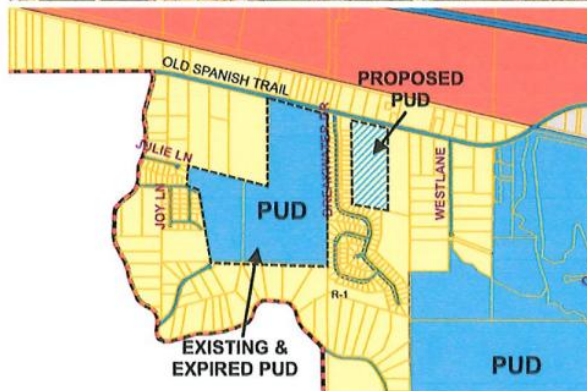
**Land Use Report for a
Zoning Amendment and PUD Plan Amendment for Properties Located
Along South Side of Old Spanish Trail
PIDNS: 82438110.000; 82438100.125; & 2438100.
Applicant: Elliott Land Developments, LLC**

Prepared by: S. Donovan Scruggs, AICP
Date: April 22, 2025

Elliott Land Developments, LLC (Elliott) is submitting an application to amend a Planned Unit Development (PUD) Plan (previous Hillcrest Subdivision) and rezone to PUD a 20-acre tract to the east for the development as a conservation or cluster development. The proposed development, Seagrass Landing, will include 108 acres of land and approximately 328 dwelling units. The site is located along the south side of Old Spanish Trail between Highway 57 and Shell Landing.



Elliott Land Development has submitted a revised PUD Plan that outlines the development strategy for Seagrass Landing. The proposed development is located west of Fairfield Place and along the east and west sides of Ocean Estates. These two subdivisions were developed after Hurricane Katrina and provide evidence of a change in neighborhood character. Farther west, Maurepas Circle (part of Palmetto Pointe subdivision) has completed the installation of infrastructure, and new homes are expected to soon start construction. Palmetto Pointe is another subdivision developed by Elliott Homes that includes several phases. These subdivisions are just east of Ocean Springs High School and north of an unincorporated area that has experienced significant growth in recent years with the construction of new single-family residential units and subdivisions.



The rezoning will provide more housing opportunities for those wishing to relocate to Gautier. More importantly, it will locate houses within an area that will not place more traffic along Greyhound Way that is typically congested in early mornings as residents are required to use limited routes from a populated area.

1. PUD: Cluster/Conservation Development

The proposed rezoning relates to the recent purchase of the various parcels by Elliott. As owner of the east and west parcels, the company plans to develop the subdivision to construct new single-family residential units. The original plan for the western parcels was approved in 2019. The PUD Plan for that development expired in 2022, but the zoning

remains as Planned Unit Development (PUD). Elliott intends to include the eastern parcels that is approximately 20 acres into the revised PUD Plan. The Plan is included with this application.

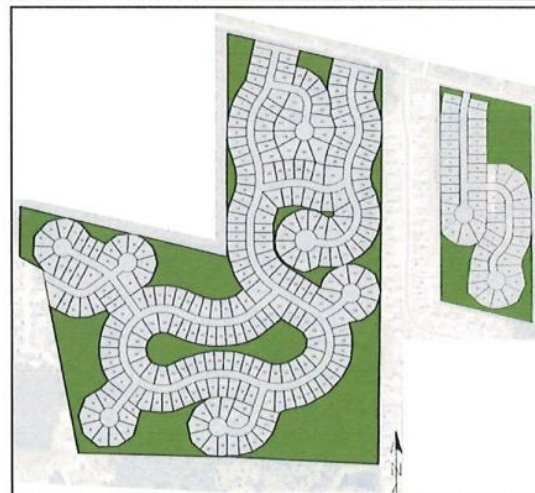
The 2019 PUD Plan included 332 lots on approximately 88 acres. The revised PUD Plan with the additional area to the east includes approximately 108 acres (20 additional acres) but only 328 lots. The increase in area and a reduction in lot count significantly reduces the project density from approximately 3.75 to 3.1 units per acre. A primary goal associated with the PUD request is the preservation of wetland areas. The 2019 Plan included the mitigation and filling of wetlands throughout the site. The proposed plan will preserve much more of the existing wetlands on the site. This is achieved through a reduction in lot counts and construction smaller lots. Combined, these efforts ultimately reduce the length of roadways within the development, which reduces stormwater runoff.



To the upper right is an image depicting a conservation or cluster development as it compares to a similar conventional subdivision. Notice that despite an equal number of lots, the plan on the left provides more open space or green space. While a conservation subdivision can preserve a variety of sensitive or unique features, on the Gulf Coast these subdivisions often preserve wetlands. Wetlands provide stormwater storage, wildlife habitat, and other benefits. The center image is the approved 2019 Hillcrest Plan. In this plan, there was very little open space, and the common area primarily included retention ponds.



The proposed Seagrass Landing plan (lower image) includes slightly fewer lots overall with an increased footprint. This allows more of the area, including wetlands, to be preserved. As a result, the stormwater retention requirements will be reduced. By using the wetland preservation areas wisely, the street and lot layouts can use wetland areas as buffers along the rear yards. This allows the smaller lots to have a much larger feel.



Unlike the 2019 plan, the current plan will preserve more than 29 acres of land with approximately 4 acres of stormwater storage. This represents almost 25 percent of the total area of the site being set aside and preserved.

2. Change in Neighborhood Character

Following Hurricane Katrina, the subject area experienced noticeable growth. Ocean Estates is a development of single-family lots that is located between the proposed east and west phases of Seagrass Landing. Despite being developed on individual lots, all of the dwelling units are owned by a single-entity and operates the development as

a rental community. This site was developed between 2008 and 2009 and includes 122 units and a club house or amenities area.

To the west is Fairfield Place. This development actually began construction of infrastructure in 2005 prior to Hurricane Katrina but was slow to build out. It was completed by 2008 and only includes 47 houses. A later phase to the southeast (which is the westernmost parcel of Seagrass Landing) was planned but never constructed. Efforts will be made to connect Seagrass Landing to one or more of the existing streets to the west.

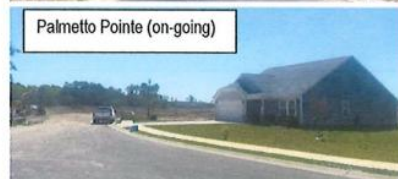
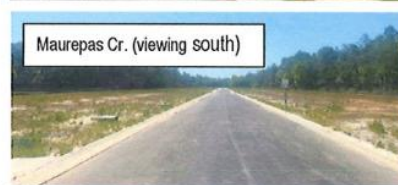
While new growth was occurring in Gautier, more intense activity was present in unincorporated Jackson County. In approximately 2008, the Ocean Springs School District secured passage of a bond issue for the construction of a new high school. In 2012, the Ocean Springs High School opened at the southeast corner of Old Spanish Trail and Highway 57 (Greyhound Way). This development significantly impacted the area to the south. While there was a downturn in development following the recession of 2008 and the BP Oil Spill, this changed in the early 2010s. As more homes began to be constructed in unincorporated Jackson County, one of the more impacted areas was the just south of the high school. Palmetto Pointe and other development began their early stages. Eventually, this development has worked its way toward Old Spanish Trail with the extension of Maurepas Circle. This connection point will encourage more traffic along Old Spanish Trail as it provides an alternative route to avoid the intersection at the high school.

Seagrass Landing is an extension of the on-going growth pressures within the area. With more than three hundred homes proposed, it represents the largest development to occur in the City of Gautier since the development of Shell Landing.

3. Public Need

The proposed project addresses a number of public needs for the City. While the new homes will provide increases in ad valorem property taxes, 'new rooftops' within a city will lead to new businesses and support of existing businesses. Legacy Park is being developed north of Highway 90 and additional support for that site will result from additional homes within the area.

While Gautier is the largest city in Jackson County in terms of land, it only ranks ahead of Moss Point in population. Population in Moss Point and Pascagoula has been slowly declining. Ocean Springs and Gautier have grown at a slow but positive rate. Some of this growth has been through annexation. At the same time, the Jackson County has grown faster than the four municipalities, and now there are more Jackson County residents living in unincorporated areas than the residents residing within municipalities. As growth migrates to the unincorporated areas, businesses and commercial



development could do the same which could impact sales tax collection in municipalities such as Gautier.

Finally, the rezoning to PUD will allow for a conservation subdivision which will preserve wetlands. This will have a positive impact on stormwater runoff, open space and wildlife habitats. These developments also encourage the reduction of infrastructure which ultimately require less infrastructure to maintain.

4. Consistency with the Comprehensive Plan.

The Gautier Comprehensive Plan recognizes the benefits associated with preserving wetland and natural areas:

In addition to providing a natural habitat for plants and animals, they [wetlands] provide a valuable role in floodplain management. When rivers overflow, wetlands absorb and slow the impeding floodwaters, mitigating the effect of flooding on communities. (Gautier Comprehensive Plan, p. 38).

Due to the natural constraints of the area including areas prone to flooding, wetlands, the coastal land and the bayous which are found in many areas, well-designed development will be required to allow growth to occur while protecting environmentally fragile areas (Gautier Comprehensive Plan, p. 43).

The Comprehensive Plan provides Implementation and Action Steps to protect Natural Resources and the following specifically related to Seagrass Landing.

- *Protect environmentally sensitive areas through creative development design.*
- *Use the principals of Low Impact Residential Development in appropriate places.*
- *Require Conservations Subdivisions or cluster housing in environmentally sensitive areas. (Gautier Comprehensive Plan, p. 45).*

Within the Housing and Neighborhood Stabilization section of the Plan, the following Goal is reiterated:

- *Require Conservations Subdivisions or cluster housing in environmentally sensitive areas. (Gautier Comprehensive Plan, p. 58).*

5.3.17 PUD (Planned Unit Development)

According to the UDC's Section 5.3.17 PUD, the purpose and intent of the PUD District is to:

...encourage flexibility in the development of land, in order to promote its most appropriate use; to improve the design, character and quality of new developments; to encourage a harmonious and appropriate mixture of uses; to facilitate the adequate and economic provision of streets, utilities, and city services; to preserve the natural, environmental and scenic features of the site; to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; to mitigate the problems which may be presented by specific site conditions; and to encourage subdivisions which address the affordable housing goals, objectives and policies of the city's comprehensive plan. Uses permitted "by right" are established by the intent of the underlying Comprehensive Plan Future Land Use Map. It is anticipated that PUDs will offer one or more of the following advantages:

- B. Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces.*
- F. Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area.*

The PUD District provides a flexible tool to develop cluster and conservation subdivisions in a manner consistent with the Comprehensive Plan. PUDs can provide a reduced development footprint with smaller and more compact lots. This leads to decreased lengths of roadways and less impervious surfaces

5. Conclusions.

Seagrass Landing represents one of the largest residential developments within the City of Gautier in several years. The PUD amendment and rezoning will permit a conservation subdivision which is encouraged in the Comprehensive Plan to preserve wetland and the natural environment. Despite the inclusion of an additional parcel, Seagrass Landing will result in a less dense development with fewer units than the 2019 Plan for Hillcrest Subdivision.

A growing population is important and is preferred to a declining population with out-migration of residents. A growing population supports the local economy which provides more revenues for businesses and the local units of government and schools.

The request is supported by a change in neighborhood character demonstrated by Ocean Estates, Fairfield Place, and the northern extension of Palmetto Place. The construction of the Ocean Springs High School encouraged a significant amount of growth immediately south of the site, and the northward progression of development has caused a change in character. The public need is addressed through encouraging smart, population growth that is sensitive to the environment and supports economic growth within Gautier. Elliott Land Developments intends to start construction of the infrastructure as quickly as possible, and requests the necessary approvals to initiate the development processes.

Respectfully Submitted:



Donovan Scruggs, AICP
Donovan Scruggs Town Planning and Consulting, LLC
317 Pine Drive
Ocean Springs, MS 39564

SEAGRASS LANDING:

A PLANNED UNIT DEVELOPMENT
OF GAUTIER, MISSISSIPPI

MAY 2025

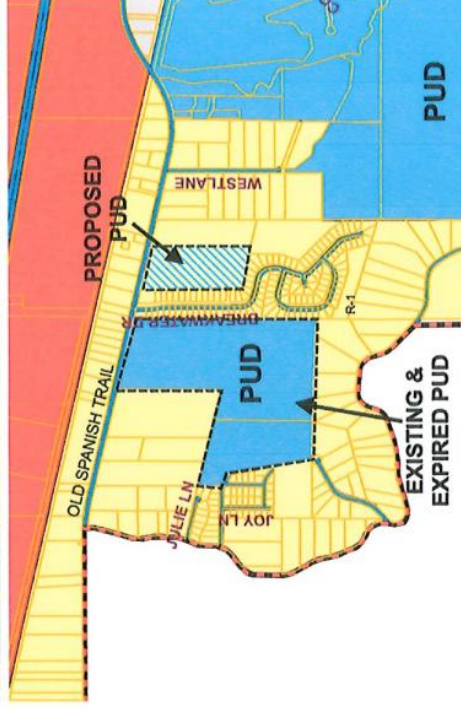
Introduction

Seagrass Landing is proposed Residential Planned Unit Development located south of Old Spanish Trail in Gautier, Mississippi. The site will be developed by Elliott Land Developments, LLC. The project includes three parcels of land that are located along the east and west boundaries of Ocean Estates II subdivision. The western area includes two parcels of approximately 88 acres. The smaller, eastern parcel is approximately 20 acres. In total, the development will include slightly more than 108 acres of land.

The overall plan is to create a Conservation Subdivision or "cluster" development that will include smaller lot size in an effort to avoid wetlands and sensitive areas while maintaining the economic viability of the project. The project will include 'patio homes' which typically include smaller lot sizes than more traditional, residential lots. The overall density of the project will be less than the 2019 PUD plan approved previously. Additionally, with the eastern parcel included with the proposed PUD, the total project area is larger than the 2019 Plan.

The site is located within the westernmost area of the City and within close proximity to the Gautier corporate boundary. In 2019, the western parcels were rezoned as a Planned Unit Development (PUD). The eastern parcel maintains a zoning designation of Low Density Single-Family Residential (R-1). For a consistency in development, this project will include a request to designate the eastern property as a PUD and be included in this PUD Plan.

The PUD designation will provide the developer more flexibility in design. With this flexibility, Seagrass Landing can be developed with a greater avoidance of wetlands and sensitive areas for enhanced opens spaces. By leaving these wetlands more intact, their natural function of absorption and flood control will benefit the neighborhood and area. These areas also create natural buffer areas between adjacent properties.



Unified Development Code & Comprehensive Plan
 Planned Unit Developments (PUDs) are a common element of most zoning codes across the nation. PUDs provide flexibility in design to permit a mix of uses, avoid sensitive areas, and similar goals outlined in Comprehensive Plans. Oftentimes these goals are difficult to achieve in typical zoning regulations that focus on segregating uses and establish minimum lot sizes that encourage harmony or monotony. In the City's Unified Development Code (UDC), Planned Unit Developments (PUDs) are defined as follows:

An area for which a unitary development plan has been prepared indicating, but not being limited to, the following land uses; open space, on-site circulation for both pedestrians and vehicles, parking, setbacks, housing, densities, building spacing, land coverage, landscaping, relationships, streets, building heights, accessory uses, and architectural treatment. A planned unit development also includes "cluster developments," which are development design techniques that concentrates buildings in a specified area on a site to allow the remaining land to be used for recreation, common open space, or preservation of environmentally sensitive areas.

Seagrass Landing is an example of a cluster development that will include open space or common areas with the remaining wetlands. Along the Mississippi Coast, wetland areas are oftentimes simply mitigated to expand the developable areas of the site. This involves the filling of wetlands and the development within these areas that were previously regulated wetlands. By preserving portions of these wetland areas, the site is enhanced with more common and buffer areas. More importantly, these wetlands and buffers provide natural drainage and retention areas that can reduce the amount of infrastructure and detention basins. The Gautier Comprehensive Plan recognizes the benefits associated with preserving wetland and natural areas:



In addition to providing a natural habitat for plants and animals, they [wetlands] provide a valuable role in floodplain management. When rivers overflow, wetlands absorb and slow the impeding floodwaters, mitigating the effect of flooding on communities. (Gautier Comprehensive Plan, p. 38).

Due to the natural constraints of the area including areas prone to flooding, wetlands, the coastal land and the bayous which are found in many areas, well-designed development will be required to allow growth to occur while protecting environmentally fragile areas (Gautier Comprehensive Plan, p. 43).

The Comprehensive Plan provides Implementation and Action Steps to protect Natural Resources and the following specifically related to Seagrass Landing.

- *Protect environmentally sensitive areas through creative development design.*
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- B. Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces.*
- F. Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area.*

The PUD District provides a flexible tool to develop cluster and conservation subdivisions in a manner consistent with the Comprehensive Plan. PUDs can provide a reduced development footprint with smaller and more compact lots. This leads to decreased lengths of roadways and less impervious surfaces. The UDC outlines the following minimum requirements for PUDs:

- Total Site or Development Area: Two (2) acres
- Lots for single-family detached dwelling units: Seventy-five hundred (7,500) square feet
- Lots for single-family detached patio home or zero lot line dwelling units: Five thousand (5,000) square feet
- Lots for single-family attached dwelling units: Twenty-four hundred (2,400) square feet

Seagrass Landing is being proposed as a 'patio home' development that will include minimum lot areas of 6,500 square feet on the Western Parcels and 7,000 square feet on the Eastern Parcel. Both areas significantly exceed the minimal lot area requirements of 5,000 square feet.

Zoning District	Min. Lot Area (sq. ft.)	Min. Lot Width	Maximum Building Height			Setbacks			Maximum Density (units per acre)			Maximum Floor Area Ratio			Max % of area covered on lot			
			*Tier 1	Tier 2	Tier 3	Front	Side	Rear	*Tier 1	Tier 2	Tier 3	*Tier 1	Tier 2	Tier 3	*Tier 1	Tier 2	Tier 3	
AG	20,000 SF	100	35	N/A	N/A	50	20/35	25	none	N/A	N/A	N/A	N/A	N/A	N/A	15	N/A	N/A
R-E	43,560	150	35	N/A	N/A	50/35	20/35	35	none	N/A	N/A	N/A	N/A	N/A	N/A	20	N/A	N/A
R-1	9,600	80	35	N/A	N/A	25/35	10/25/35	25	none	N/A	N/A	N/A	N/A	N/A	N/A	30	N/A	N/A

2019 Plan: Hillcrest Subdivision-Previous PUD

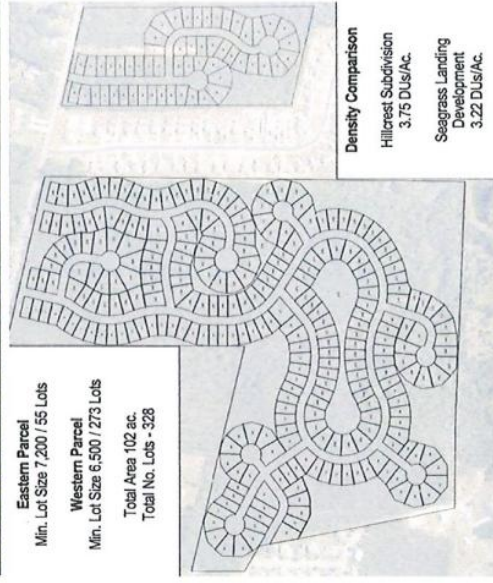
The present zoning of the western parcels was established in 2019 as a PUD. Within the City of Gautier, a “PUD” Plan must be implemented within three (3) years unless extended. Plans that are not constructed are set to expire at the end of the three year period. The approved PUD Plan associated with the Hillcrest Subdivision expired in 2022. The eastern parcel was not included in the 2019 project and maintains the R-1 District designation. It is important to recognize that while the PUD plan may have expired, the PUD designation (zoning) remains in place. The current proposal includes designating the eastern parcel as a PUD and incorporate the eastern parcel into the revised PUD plan.



The PUD Plan approved previously included 332 lots on 88 acres of land. The Hillcrest Subdivision PUD plan included lots that were compliant with the minimum lot areas of a PUD for a single-family residential units (7,500 sq. ft.), but failed to provide other characteristics typically related to PUDs such as mix of use, open space, or conservation areas. The majority of the open spaces were detention ponds and the plan included the mitigation of all wetlands on the site. The development plan of Seagrass Landing that includes smaller lots the conventional districts Low Density, Single-Family Residential (R-1) District.

Hillcrest Subdivision had an overall site density of approximately 3.75 residences per acre. By contrast, Seagrass Landing is a less dense project. Hillcrest Subdivision includes approximately 88 acres while Seagrass Landing with the additional parcel to the east has a total area of 108 acres. Despite a larger area of more than 20 acres, the lot count of Seagrass Landing is 328 or four lots less than the 332 of Hillcrest Subdivision. The provides a site density that is more than .6 dwelling units less per acre. For the western parcel, the Hillcrest lot count was 332 units while the western parcel of Seagrass Landing is only 273 units. Within the 88 acres of the two western parcels, this is a reduction of 59 dwelling units proposed with the Seagrass Landing.

The smaller lots sizes of Seagrass Landing combined with the overall reduction in the number of lots and an increase in the project area allows the site to place more of the sensitive areas of the property in conservation areas.

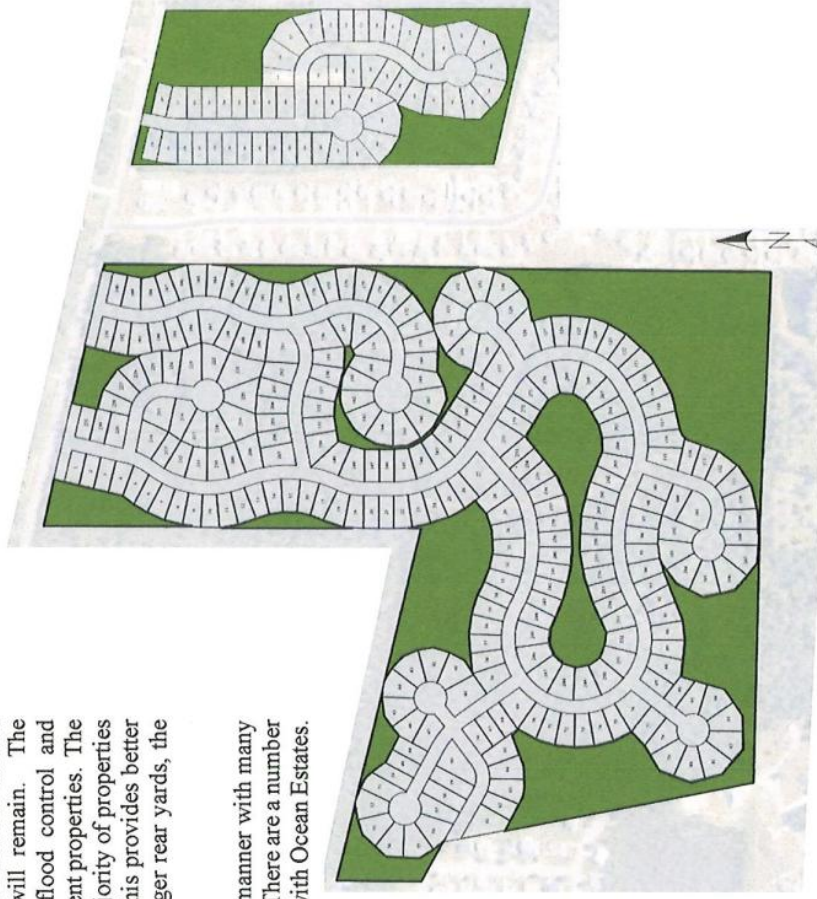


Seagrass Landing: Open Space

Unlike the Hillcrest Plan, Seagrass Landing is proposing to preserve more of the site's natural wetland areas. Both the western and eastern parcels include significant wetland areas that will remain. The wetlands not only provide benefits related to flood control and retention, these areas provide buffers among adjacent properties. The western parcels have been arranged so that the majority of properties have rear yards along wetland or buffer areas. This provides better separation among neighbors. Also with these larger rear yards, the smaller lots feel much larger.

The eastern parcel will be developed in a similar manner with many of the lots with rear lot lines along wetland areas. There are a number of lots that will share a common rear yard lot line with Ocean Estates.

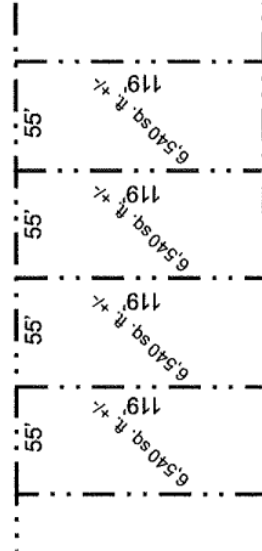
Despite the smaller lot sizes, the lots will have a more openness because of the preservation of wetlands. The survey of the properties indicates there are 108 acres with the western and eastern parcels. Of this, approximately 29.5 acres will be preserved with 4.0 acres serving as stormwater retention. Excluding the stormwater ponds, almost twenty-five (25) percent of the total area of the eastern and western sites will be preserved as open space.



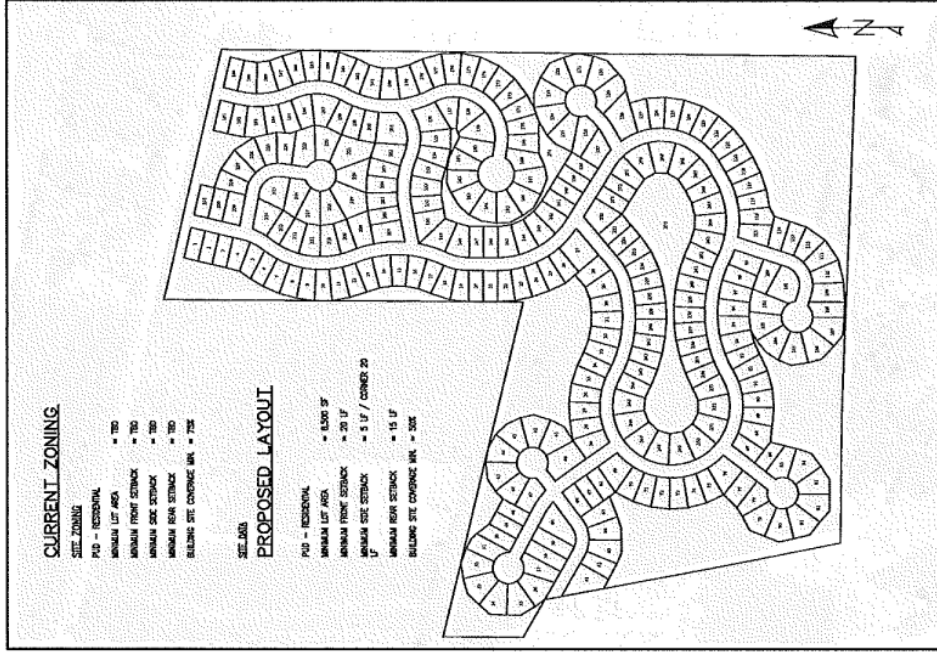
Seagrass Landing-West

With the expiration of Hillcrest Subdivision's PUD plan, Elliott Land Developments purchased the property with the intent of developing a single-family residential neighborhood. The development will consist of detached dwellings on smaller lots or patio homes. The Hillcrest plan was approved for 332 units on the western 88 acres with very little open space or common areas. In contrast, Seagrass Landing will only include 273 dwelling units that include within the western area. Despite the smaller lot sizes, the western area proposes a density of approximately 3.1 units per acre. As previously mentioned, Hillcrest proposed a density of approximately 3.75 units per acre. In total, the western parcels within the Hillcrest plan included 59 more lots or dwelling units on the subject property.

To the immediate east of the site is Ocean Estates, a platted subdivision of approximately 120 dwelling units. All lots and common areas with Ocean Estates is under a single-ownerships and functions as a rental neighborhood.

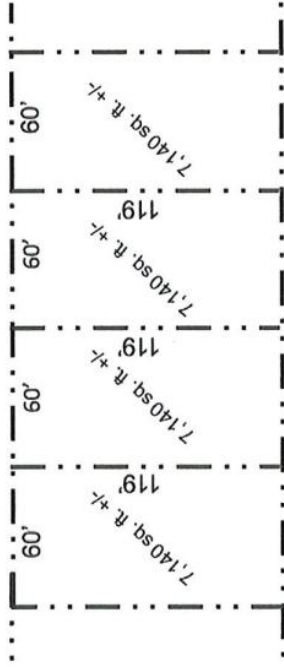


Typical Lot Dimensions-Western Phase



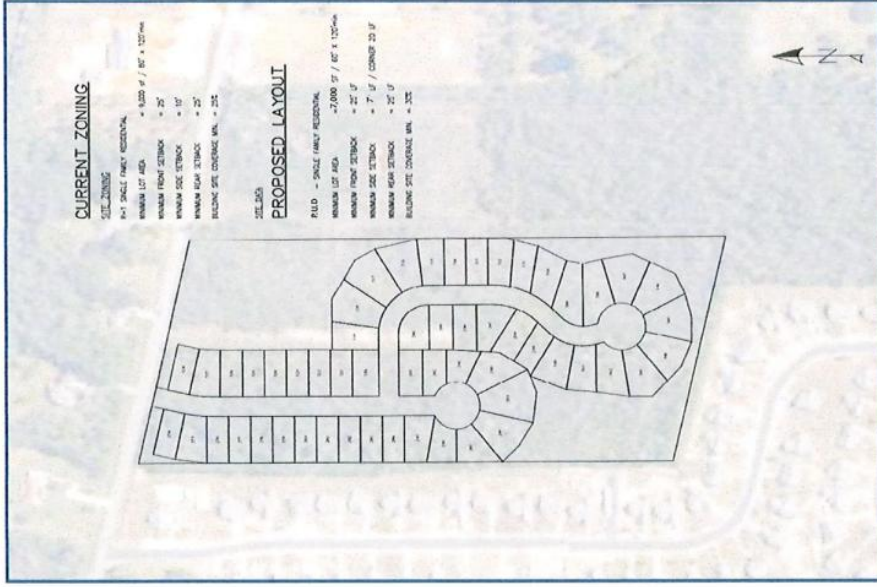
Seagrass Landing- East

The eastern parcel of Seagrass Landing is approximately 20 acres in size. Despite being under the same ownership, this area was not included in the 2019 Plan. The developer intends to include this area within the current PUD Plan for Seagrass Landing. Despite the inclusion with the PUD, the lot sizes are more consistent with standard zoning district sizes and are larger than the lots within the western phase. The PUD will permit more compact lots with minimum areas of 7,000 square feet with wetlands preserved in common areas. A slight reduction in lot sizes and side yard setbacks is included to allow greater flexibility in house selection and sizes.



Typical Lot Dimensions-Western Phase

Seagrass Landing Lot Standards	west	east
Lot Area (Minimum)	6,400 sq. ft.	7,000 sq. ft.
Front Yard Setback (Minimum)	20	25
Side Yard Setback (Minimum)	5	7
Rear Yard Setback (Minimum)	15	25
Percent Coverage (Maximum)	50	50



Seagrass Landing: Housing

Seagrass Landing will include patio-houses which are generally considered smaller homes. The development will include homes that generally range in widths of 38 to 46 feet. Despite the somewhat smaller lots, the homes will range in sizes from approximately 1,550 square feet to 4,050. The flexibility provided through the PUD designation will provide a greater diversity of housing types that can include single and two-story homes.

The use of various elevations and finishes can provide a development that with a blend of houses and not continuous rows of houses that are indistinguishable.



OFFICIAL RECORDS JACKSON COUNTY
Josh E. Dridge
CHROSBY CLERK
RECORDING FEE: \$26.00
#202504030 BK: 2201 PG: 663-666
83/11/2025 10:23:21 AM 4 PGS
TFOUNTAIN,DC Rpt196146



202504030 4 PGS

Prepared by & return to:
Schwartz, Orgler & Jordan, PLLC
12206 Highway 49
Gulfport, MS. 39503
228-832-8550
Our File: 220760

Indexing: Section 38, Township 7 South,
Range 7 West

STATE OF MISSISSIPPI
COUNTY OF JACKSON

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,

**Trebornos LLC,
A Mississippi Limited Liability Company
6102 Olvida Circle
Ocean Springs, MS 39564
(228) 239-3955**

does hereby sell, convey and warrant unto

**Elliott Land Developments, LLC,
A Mississippi Limited Liability Company
1402 Pass Road
Gulfport, MS 39501
(228) 257-9914**

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

SEE ATTACHED EXHIBIT "A"

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way
and easements applicable to subject property, and subject to any and all prior recorded reservations,
conveyances and leases of oil, gas and minerals by previous owners.
TAXES for the current year have been pro-rated as of this date and are hereby assumed by the
Grantee herein.

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

Trebornos LLC
BY: Paul R. Campo, Sole Member
Paul R. Campo, Sole Member

STATE OF MISSISSIPPI
COUNTY OF HARRISON

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

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

Ashley Zimmerman
NOTARY PUBLIC

My Commission Expires:



EXHIBIT "A"

SURVEY DESCRIPTION FOR PARCEL "A":

A PARCEL OF LAND SITUATED IN CLAIM SECTION 38, TOWNSHIP 7 SOUTH, RANGE 7 WEST, CITY OF GAUTIER, JACKSON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BASED ON STATE PLANE GRID NORTH (MS EAST ZONE):

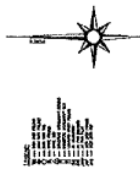
BEGINNING AT A 1" IRON PIPE FOUND AT THE NORTHWEST CORNER OF LOT 20, OLD SHELL LANDING TRACTS, UNIT 2 AS PER PLAT BOOK 18 ON PAGES 15 AND 16; THENCE ALONG THE NORTH LINE OF SPANISH TRACE ESTATES SUBDIVISION, N8743°52'W 483.83' TO A 1/2" IRON ROD FOUND; THENCE N1035°33'W 513.93' TO A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF FAIRFIELD PLACE SUBDIVISION; THENCE ALONG THE EAST LINE OF SAID SUBDIVISION, N1031°11'W 636.29'; THENCE FURTHER ALONG SAID EAST LINE, N5923°15'W 176.51'; THENCE FURTHER ALONG SAID EAST LINE, N0004°33'E 314.18' TO A CONCRETE MONUMENT FOUND AT THE NORTHEAST CORNER OF LOT 8 OF SAID SUBDIVISION; THENCE S7654°12'E 330.13' TO A CONCRETE MONUMENT FOUND; THENCE S7656°00'E 330.00' TO A CONCRETE MONUMENT FOUND; THENCE S7656°23'E 659.87' TO A CONCRETE MONUMENT FOUND; THENCE N0004°40'W 1356.04' TO A CONCRETE MONUMENT FOUND ON THE SOUTH MARGIN OF OLD SPANISH TRAIL; THENCE ALONG SAID SOUTH MARGIN, S7654°13'E 937.30' TO THE NORTHWEST CORNER OF LOT 1, OCEAN ESTATES II; THENCE ALONG THE WEST LINE OF OCEAN ESTATES II, S0012°16'E 2450.84' TO THE NORTHEAST CORNER OF LOT 16, OLD SHELL LANDING TRACTS UNIT 2; THENCE ALONG THE NORTH LINE OF SAID OLD SHELL LANDING TRACTS UNIT 2, N8749°16'W 1361.03' TO THE POINT OF BEGINNING, CONTAINING 87.847 ACRES AND BEING THAT SAME PROPERTIES AS DESCRIBED AS PARCEL NO. 2 AND PARCEL NO. 3 IN DEED BOOK 1809 ON PAGE 440 OF THE LAND RECORDS OF JACKSON COUNTY, MISSISSIPPI.

AND ALSO

SURVEY DESCRIPTION FOR PARCEL "B":

A PARCEL OF LAND SITUATED IN CLAIM SECTION 38, TOWNSHIP 7 SOUTH, RANGE 7 WEST, CITY OF GAUTIER, JACKSON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BASED ON STATE PLANE GRID NORTH (MS EAST ZONE):

BEGINNING AT THE NORTHEAST CORNER OF THE CLUBHOUSE SITE, OCEAN ESTATES II, AS PER PLAT BOOK 23 ON PAGES 93 AND 94, SAID POINT LYING ON THE SOUTH MARGIN OF OLD SPANISH TRAIL; THENCE ALONG THE EAST LINE OF SAID SUBDIVISION, S0012°16'E 1356.99' TO THE NORTHWEST CORNER OF LOT 107 OF SAID SUBDIVISION; THENCE ALONG THE NORTH LINE OF SAID SUBDIVISION AND EXTENSION THEREOF, S7659°04'E 660.45' TO A CONCRETE MONUMENT FOUND; THENCE N0005°29'W 1355.95' TO A 1/2" IRON ROD FOUND ON THE SOUTH MARGIN OF OLD SPANISH TRAIL; THENCE ALONG SAID SOUTH MARGIN, N7656°58'W 663.29' TO THE POINT OF BEGINNING, CONTAINING 20.068 ACRES AND BEING THAT SAME PROPERTY AS DESCRIBED AS PARCEL NO. 1 IN DEED BOOK 1809 ON PAGE 440 OF THE LAND RECORDS OF JACKSON COUNTY, MISSISSIPPI.



SCALE
 1" = 100'
 1" = 200'
 1" = 300'
 1" = 400'
 1" = 500'

THIS PLAN IS A REVISION OF THE PLAN FOR PARCEL "A" AND PARCEL "B" DATED 10/15/1998. THE REVISIONS ARE AS FOLLOWS: 1. THE BOUNDARY BETWEEN PARCEL "A" AND PARCEL "B" HAS BEEN REVISITED AND ADJUSTED TO REFLECT THE ACTUAL SURFACE CONDITIONS. 2. THE AREA BETWEEN THE BOUNDARY AND THE ADJACENT PARCELS HAS BEEN REVISITED AND ADJUSTED TO REFLECT THE ACTUAL SURFACE CONDITIONS. 3. THE AREA BETWEEN THE BOUNDARY AND THE ADJACENT PARCELS HAS BEEN REVISITED AND ADJUSTED TO REFLECT THE ACTUAL SURFACE CONDITIONS.

THIS PLAN IS A REVISION OF THE PLAN FOR PARCEL "A" AND PARCEL "B" DATED 10/15/1998. THE REVISIONS ARE AS FOLLOWS: 1. THE BOUNDARY BETWEEN PARCEL "A" AND PARCEL "B" HAS BEEN REVISITED AND ADJUSTED TO REFLECT THE ACTUAL SURFACE CONDITIONS. 2. THE AREA BETWEEN THE BOUNDARY AND THE ADJACENT PARCELS HAS BEEN REVISITED AND ADJUSTED TO REFLECT THE ACTUAL SURFACE CONDITIONS. 3. THE AREA BETWEEN THE BOUNDARY AND THE ADJACENT PARCELS HAS BEEN REVISITED AND ADJUSTED TO REFLECT THE ACTUAL SURFACE CONDITIONS.



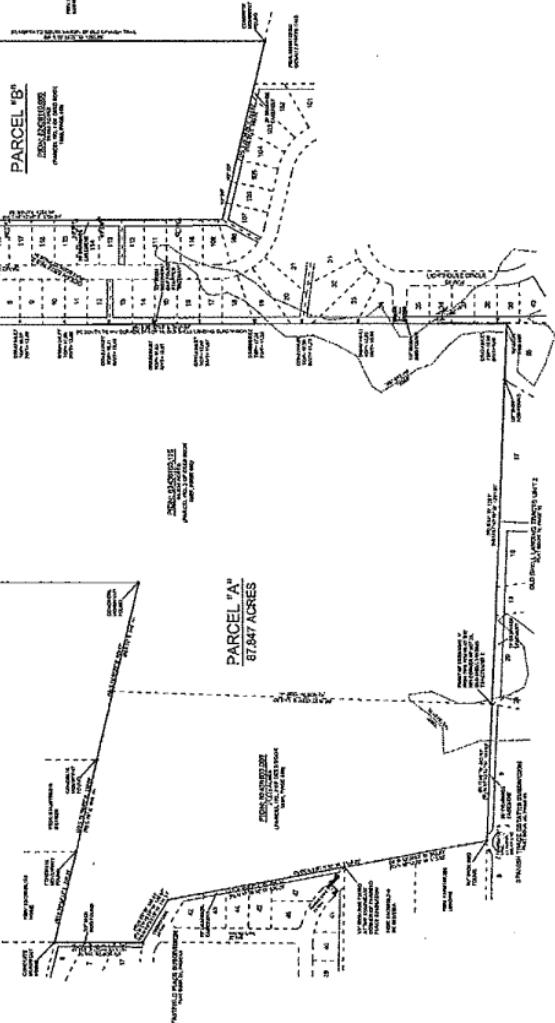
CROSBY SURVEYING
 1000 W. 10th St.
 Oklahoma City, Oklahoma 73106
 (405) 521-1111
 www.crosby-surveying.com

PROJECT NO.	1000 W. 10th St.
DATE	10/15/1998
BY	J. CROSBY
CHECKED BY	J. CROSBY
SCALE	1" = 100'
PROJECT NO.	1000 W. 10th St.
DATE	10/15/1998
BY	J. CROSBY
CHECKED BY	J. CROSBY
SCALE	1" = 100'



THIS PLAN IS A REVISION OF THE PLAN FOR PARCEL "A" AND PARCEL "B" DATED 10/15/1998. THE REVISIONS ARE AS FOLLOWS: 1. THE BOUNDARY BETWEEN PARCEL "A" AND PARCEL "B" HAS BEEN REVISITED AND ADJUSTED TO REFLECT THE ACTUAL SURFACE CONDITIONS. 2. THE AREA BETWEEN THE BOUNDARY AND THE ADJACENT PARCELS HAS BEEN REVISITED AND ADJUSTED TO REFLECT THE ACTUAL SURFACE CONDITIONS. 3. THE AREA BETWEEN THE BOUNDARY AND THE ADJACENT PARCELS HAS BEEN REVISITED AND ADJUSTED TO REFLECT THE ACTUAL SURFACE CONDITIONS.

THIS PLAN IS A REVISION OF THE PLAN FOR PARCEL "A" AND PARCEL "B" DATED 10/15/1998. THE REVISIONS ARE AS FOLLOWS: 1. THE BOUNDARY BETWEEN PARCEL "A" AND PARCEL "B" HAS BEEN REVISITED AND ADJUSTED TO REFLECT THE ACTUAL SURFACE CONDITIONS. 2. THE AREA BETWEEN THE BOUNDARY AND THE ADJACENT PARCELS HAS BEEN REVISITED AND ADJUSTED TO REFLECT THE ACTUAL SURFACE CONDITIONS. 3. THE AREA BETWEEN THE BOUNDARY AND THE ADJACENT PARCELS HAS BEEN REVISITED AND ADJUSTED TO REFLECT THE ACTUAL SURFACE CONDITIONS.



PARCEL "B"
 20.847 ACRES

PARCEL "A"
 61.847 ACRES

82438110.000 TREBORNOS LLC

PIDN: 82438110.000
GISP: 778.33-00-0029.54

Owner Information

Percent of Ownership: 100
Name: TREBORNOS LLC
Name 2:
Mailing Address: 6102 OLVIDA CR
OCEAN SPRINGS MS
39564

Site Address: OLD SPANISH TRL GAUTIER

Land Information

Section: Acreage: 14.7
Township: 7
Range: 7
Street Name OLD SPANISH
TRL

Value and Tax Information

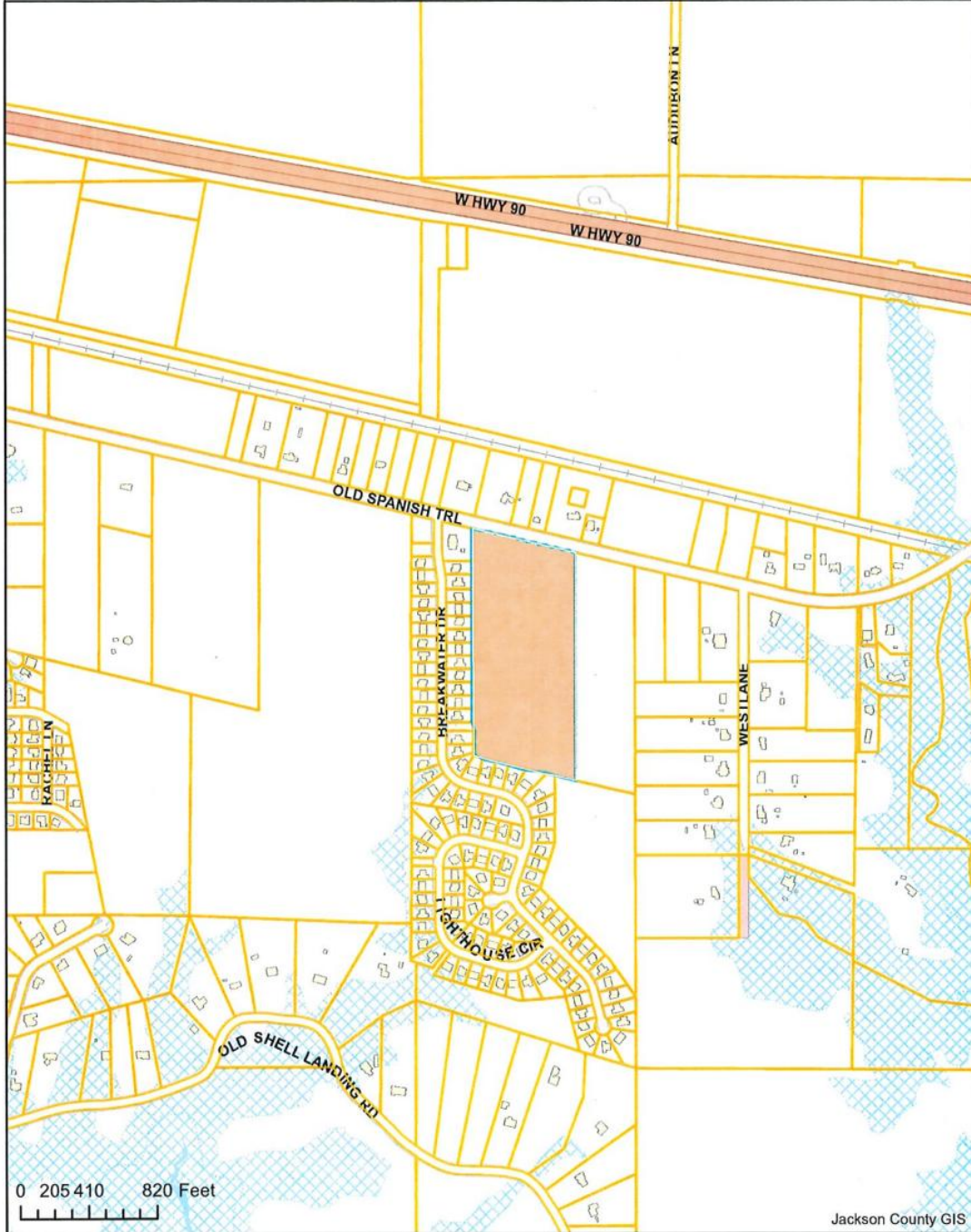
Total Assessed Value: 303 Total Appraised Value: 2020
Improvement Value: 0 Land Value: 2020
Tax Amount: 42 SQ FT: 0 Year Built: 0

Legal Description

Description: COM SEC SW1/4 SE1/4 N 73* W 1389
.93' N 2898.26' TO S/M SPANISH T
RAIL N 76* E 379.23' TO POB S 13
56.99' S 76* E 660.30' N TO S/M
RD NWLY TO POB DB 1763-674 DB 18
00-499 DB 1802-737 DB 1809-440 (
29.54 MAP778.33)

Deed Book / Page: 1809 / 440

82438110.000 TREBORNOS LLC



82438100.125 TREBORNOS LLC

PIDN: 82438100.125
GISP: 779.32-00-0111.00

Owner Information

Percent of Ownership: 100
Name: TREBORNOS LLC
Name 2:
Mailing Address: 6102 OLVIDA CR
OCEAN SPRINGS MS
39564

Site Address: OLD SPANISH TRL GAUTIER

Land Information

Section: Acreage: 67.85
Township: 7
Range: 7
Street Name OLD SPANISH
TRL

Value and Tax Information

Total Assessed Value: 1175 Total Appraised Value: 7830
Improvement Value: 0 Land Value: 7830
Tax Amount: 193 SQ FT: 0 Year Built: 0

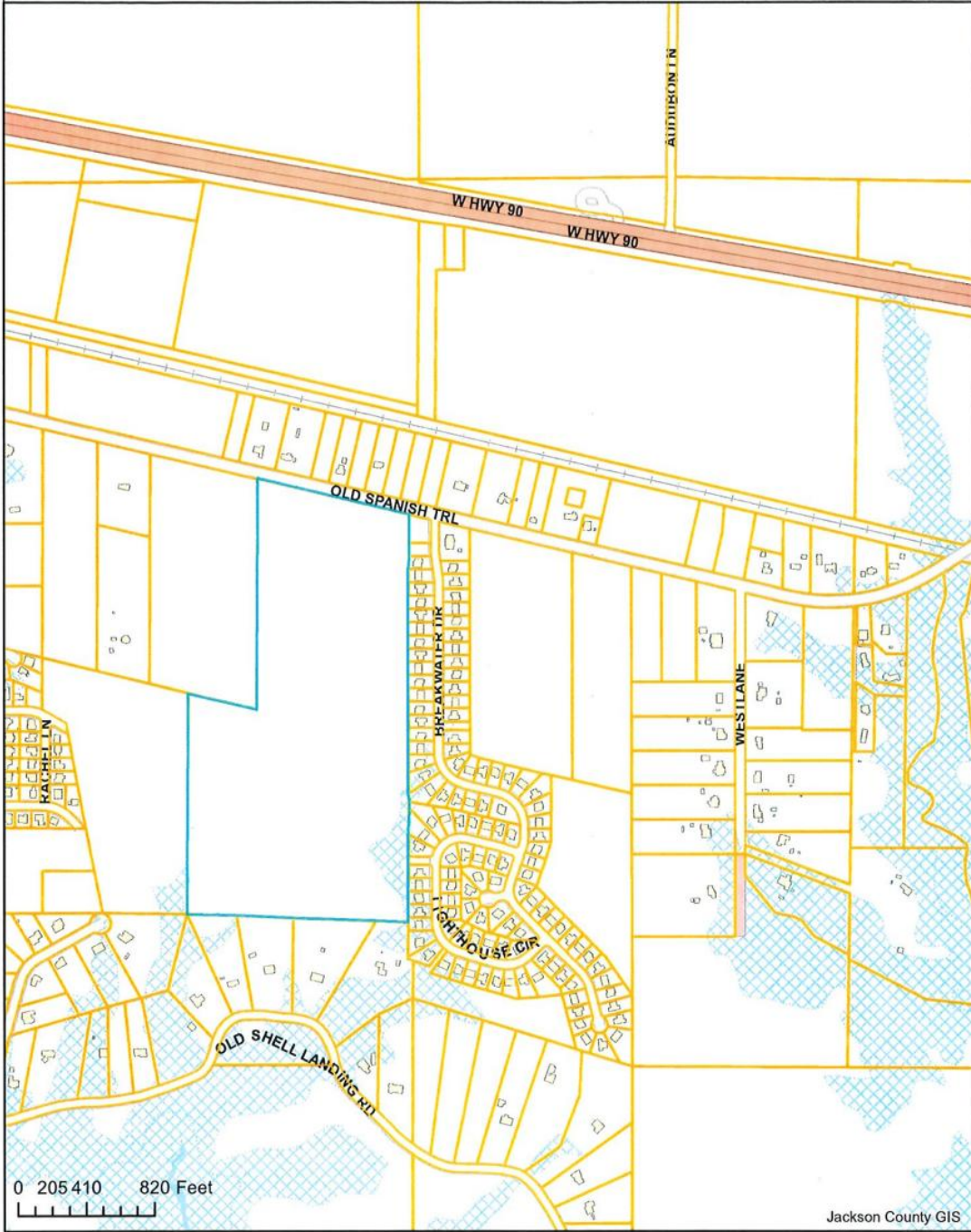
Legal Description

Description: BEG E/L W1/2 SEC 38 & S/M OLD HW
Y 90 S TO NEC LOT 16 OLD SHELL L
ANDING N 87° W 1361' N 1330' M/L
S 76° E 410' N 1356' TO S/M OLD
HWY 90 SELY ALG RD TO POB DB 17
63-676 DB 1800-499 DB 1802-737 D
B 1809-440 (111 MAP779.32)

Deed Book / Page: 1809 / 440

<https://webmap.co.jackson.ms.us/>

82438100.125 TREBORNOS LLC



82438100.000 TREBORNOS LLC

PIDN: 82438100.000
GISP: 779.32-00-0084.00

Owner Information

Percent of Ownership: 100
Name: TREBORNOS LLC
Name 2:
Mailing Address: 6102 OLVIDA CR
OCEAN SPRINGS MS
39564

Site Address: UNKNOWN

Land Information

Section: Acreage: 20.77
Township: 7
Range: 7
Street Name UNKNOWN

Value and Tax Information

Total Assessed Value: 427 Total Appraised Value: 2840
Improvement Value: 0 Land Value: 2840
Tax Amount: 70 SQ FT: 0 Year Built: 0

Legal Description

Description: BEG NWC LOT 20 OLD SHELL LANDING
S/D N 89° W 483.91' N 10° W 115
0.22' N 59° W 176.51' N 314.19'
S 76° E 910' M/L S TO POB DB 176
3-675 DB 1800-499 1802-737 DB 18
09-440 (84 MAP779.32)

Deed Book / Page: 1809 / 440

<https://webmap.co.jackson.ms/>

82438100.000 TREBORNOS LLC

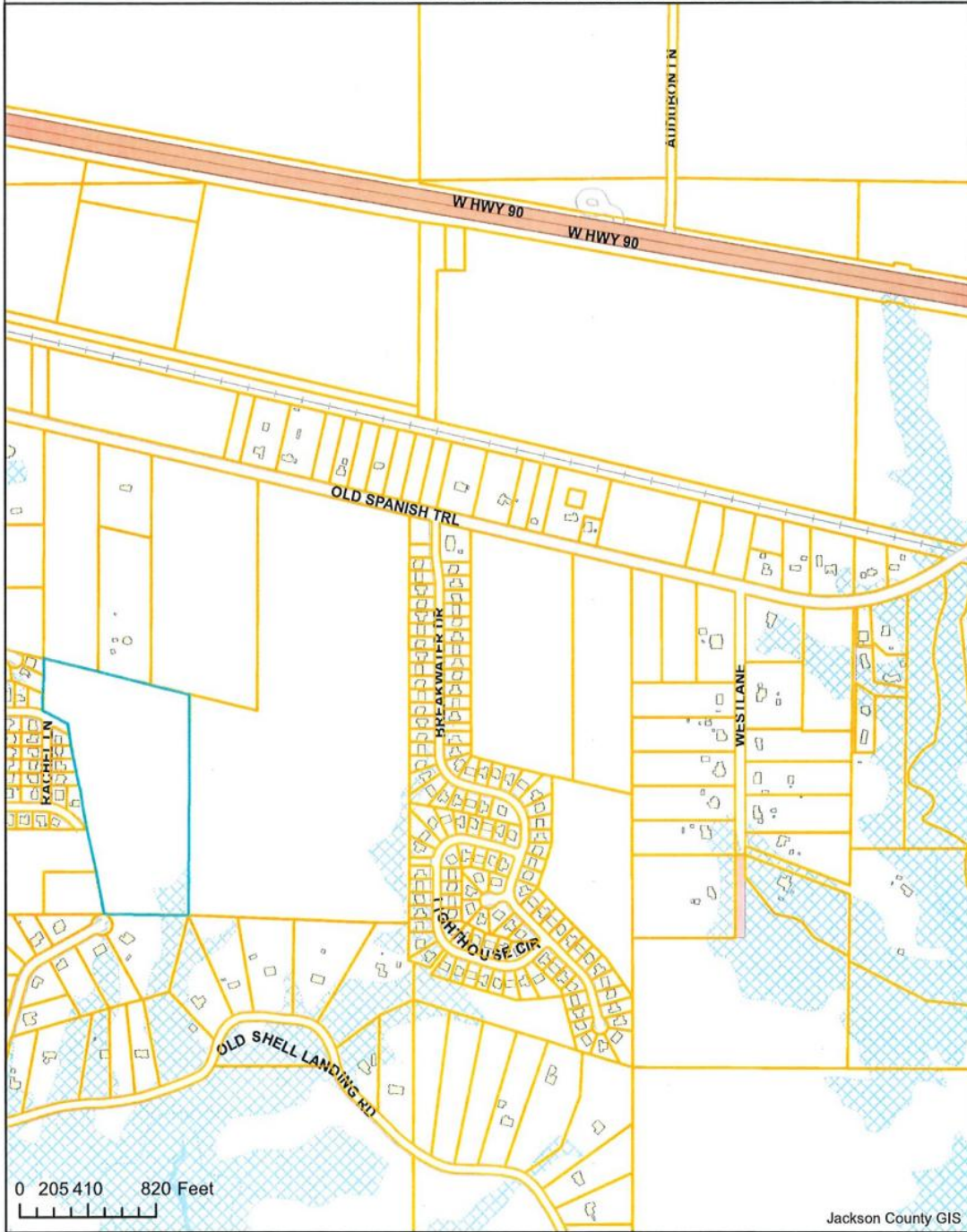


Exhibit A Location Map

Prepared by:
City of Gautier
Planning Department

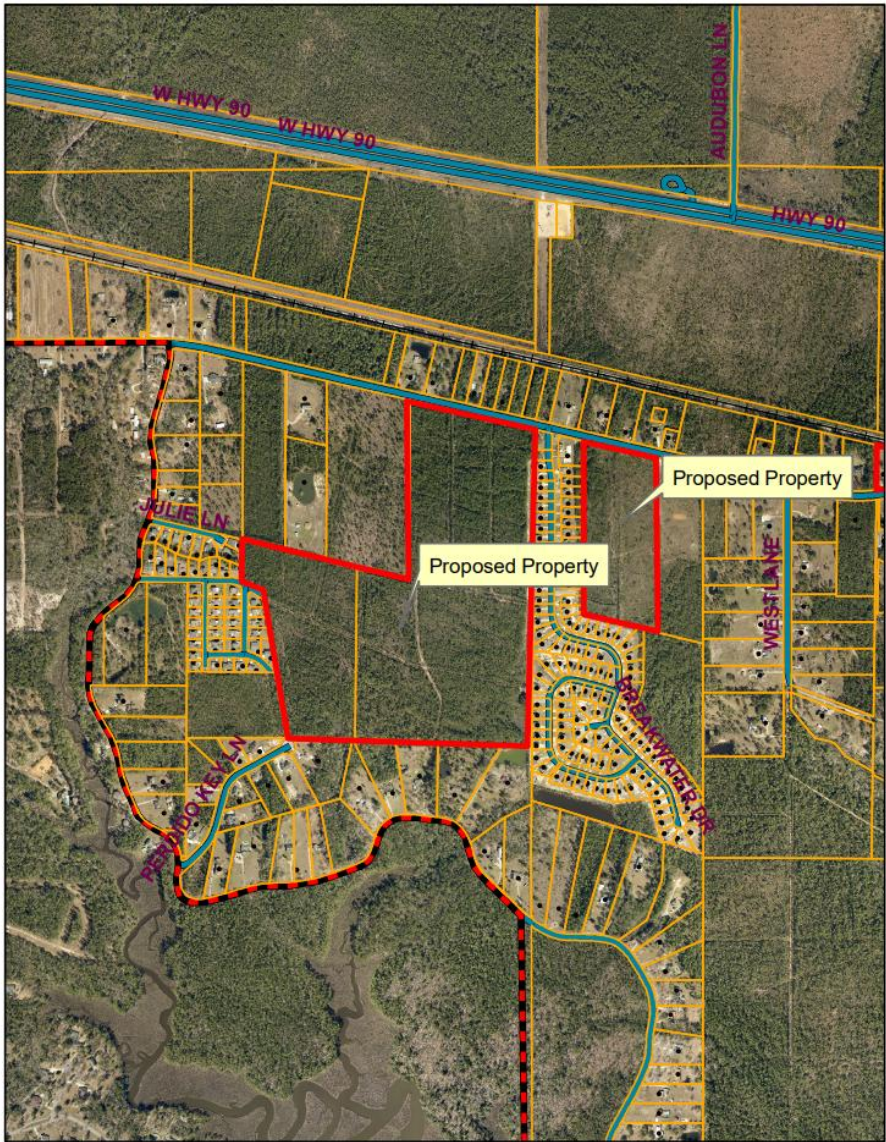


Exhibit B Existing Zoning

Prepared by:
City of Gautier
Planning Department

Legend

Zoning ZONECODE

- AG
- C-1
- C-2
- C-3
- I-2
- MURC-1
- MURC-2
- MURC-MW
- PL
- PUD
- R-1
- R-2
- R-3
- RE
- TC

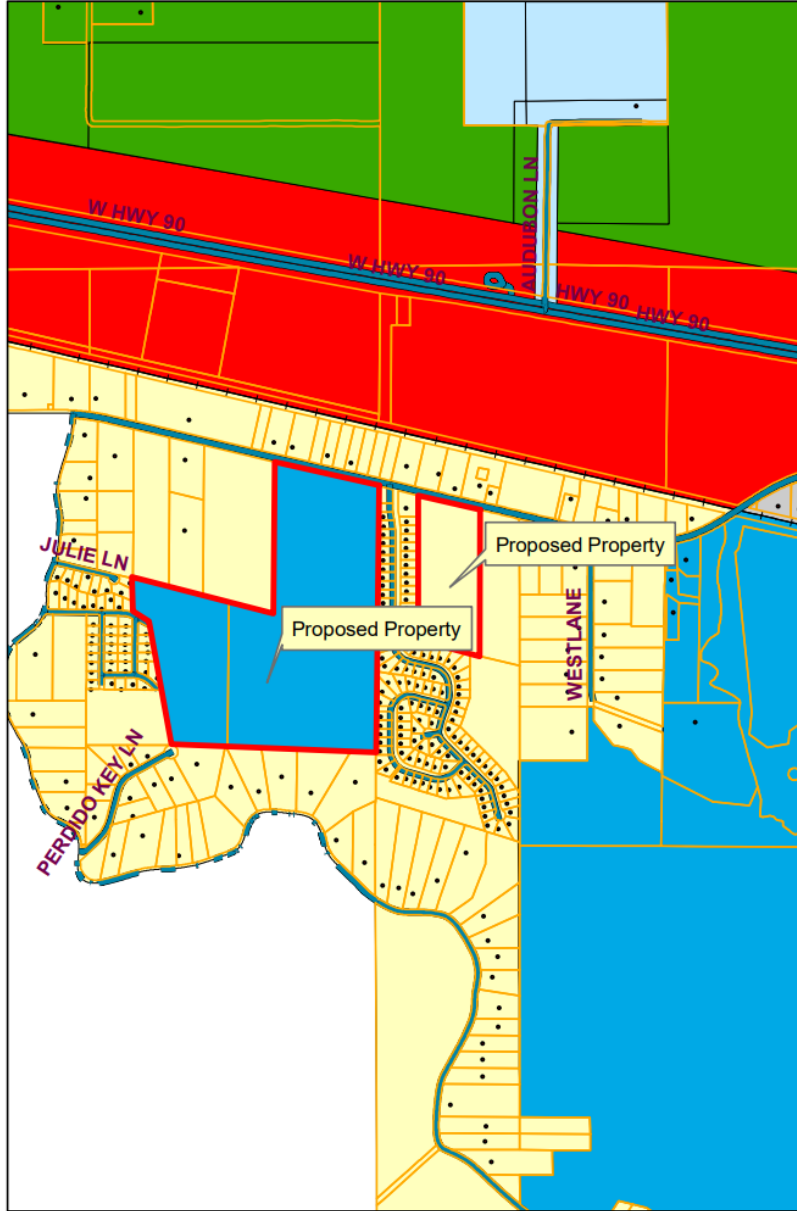


Exhibit C Existing Land-Use

Prepared by:
City of Gautier
Planning Department

Legend

EXISTING LAND USE

ELU_08

- commercial-retail
- conservation
- civic
- industrial
- marina/fish camps
- high density residential
- mobile home
- mobile home park
- medium density residential
- office
- recreation
- very low to low density residential
- utility
- vacant

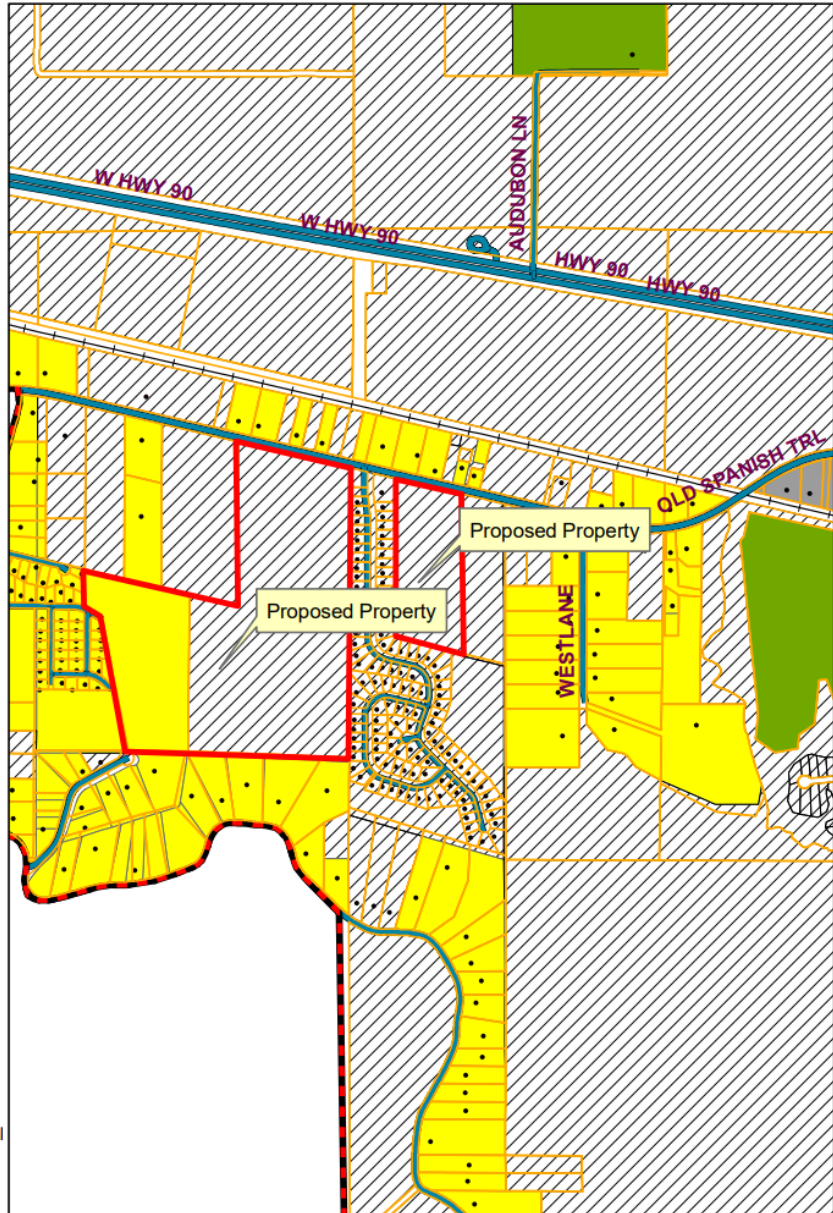
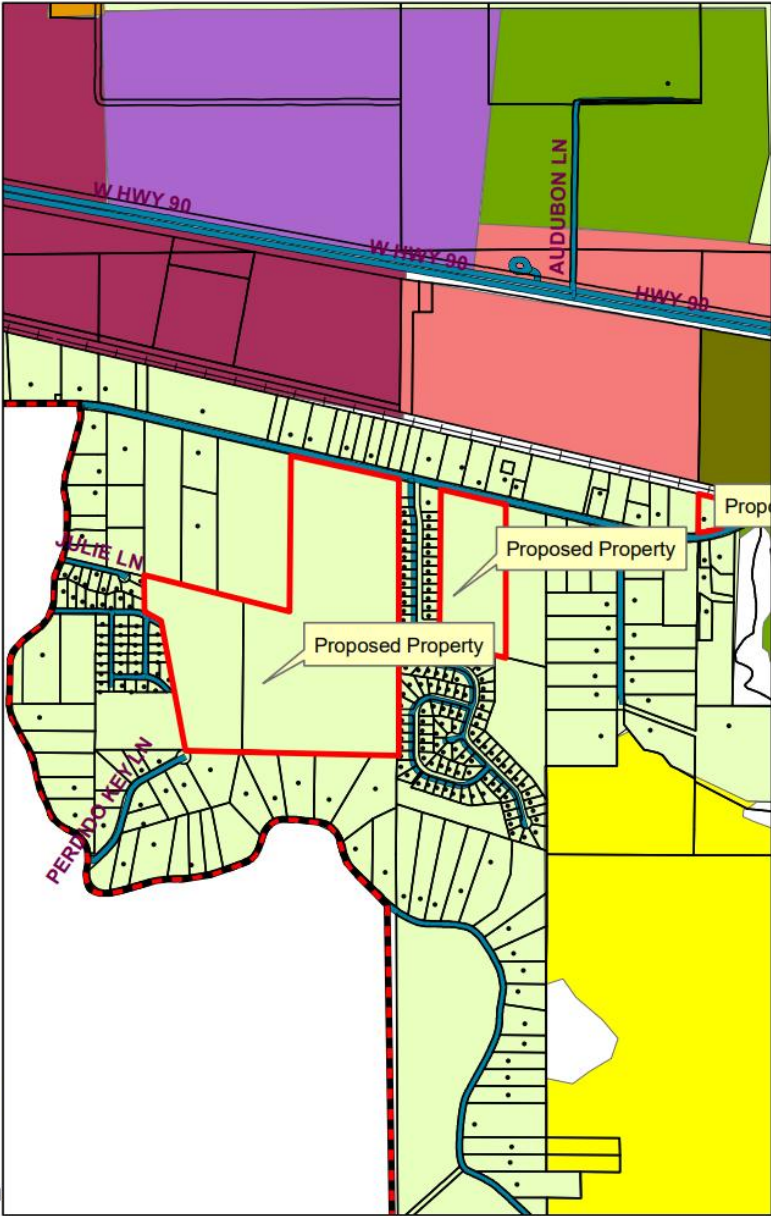


Exhibit D Future Land-Use

Prepared By:
City of Gautier
Planning Department

- Legend**
- FUTURE LAND USE**
- FLU_Class**
- Civic
 - high impact commercial
 - Conservation
 - High Density Residential
 - Industrial
 - Low Density Residential
 - Medium Density Residential
 - Mobile Home Residential
 - low impact Commercial
 - Recreational
 - recreational commercial
 - Regional Scale Commercial
 - mixed use residential
 - Town Center
 - Very Low Density Residential



Gautier Planning Commission

Regular Meeting Agenda

September 4, 2025

GPC #25-38-VAR

Martin Bluff Road, PID #85433002.000

VII. NEW BUSINESS

1. Consider a request for a five-foot (5') variance to minimum lot width requirements in a R-1 Low Density Single-Family Residential Zoning District. Martin Bluff Road, PID #85433002.000, (GPC #25-38-VAR)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Scott Ankersen, Planning Director

Date: August 21, 2025

Subject: Consider a request for a five-foot (5') variance to minimum lot width requirements in a R-1 Low Density Single-Family Residential Zoning District, at Martin Bluff Road, PID #85433002.000, (GPC #25-38-VAR)

REQUEST:

The Planning Department has received a request from David Penton dba DAP Enterprises LLC for a five-foot (5') variance to minimum lot width requirements in a R-1 Low Density Single-Family Residential Zoning District, at Martin Bluff Road, PID #85433002.000, (GPC #25-38-VAR). The application fee of \$175 was paid on August 15, 2025. All public notice requirements have been met.

BACKGROUND:

The applicant would like to subdivide the subject property into four (4) lots that would be 75' wide and 225' deep. The Unified Development Ordinance requires that lots in a R-1 Low Density Single-Family Residential District be 80' in width. The applicant would need a five-foot (5') variance to minimum lot width requirements in a R-1 District.

DISCUSSION:

The applicant is asking for a five-foot (5') variance to minimum lot width requirements in a R-1 District. He would like to subdivide the subject property, which is 300' wide and 225' deep, into four (4) lots. Each lot would be 75' wide and 225' deep.

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (UDO) defines **Variances** as:

A Variance is a relaxation of the terms of the Unified Development Ordinance where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in an unnecessary or undue hardship. As used in this Ordinance, a Variance is authorized only for height, area and size of structure, or size of yards, separation of uses, open spaces, off-street parking spaces and some subdivision

of property. The establishment or expansion of a use not permitted shall not be allowed by Variance.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

UDO SECTION 4.18: Variance

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as "use Variances" are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor

Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

- A. 30% of required off-street parking spaces and/or
- B. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

- A. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
- C. That the special conditions and circumstances do not result from actions of the applicant; and
- D. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets all "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

- 1. Recommend that City Council approve the variance request as presented;
- 2. Recommend that City Council approve the variance request with changes; or
- 3. Recommend that City Council deny variance request.

ATTACHMENTS:

- 1. Applicant's Exhibit 1 – Application
- 2. City's Exhibit A – Location Map
- 3. City's Exhibit B – Existing Zoning Map
- 4. City's Exhibit C – Existing Land Use Map
- 5. City's Exhibit D – Future Land Use Map

PUBLIC HEARING APPLICATION

Public Hearing Number

Publi

c Hearing Number

25-38-VAR

<u>TO BE HEARD BY GAUTIER PLANNING COMMISSION:</u>		<u>FEE:</u>
Variance	_____	\$176.00
*Includes \$1.00 filing fee per MS Code §25-60-5		

Name of Applicant: DAVID A PENTON

Name of Business: DAP ENT LLC Phone: 228217 0027

Property Address: MARTIN BLUFF RD PJD # 85433002.000 Mailing Address (if Different): P.O. Box 1321 GAUTIER

E-Mail Address: Pentond@OUTLOOK.COM

Reason for request, location and intended use of Property: VARIANCE on 80' wide Lot to 75'

X 4 LOTS TO BALANCE A FUTURE OF 4 AFFORDABLE HOUSING

ATTACHMENTS REQUIRED AS APPLICABLE:

- 1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.
- 2. A detailed project narrative.
- _____ 3. Copy of protective covenants or deed restrictions, if any.
- _____ 4. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
- _____ 5. Any other information requested by the Planning Director.

Signature of Applicant: [Signature] Date of Application: 8/13/25

Date Received <u>8/15/25</u>		Verify as Complete <u>Scott</u>		FOR OFFICE USE ONLY
Fee Amount Received <u>176.00</u>		Initials of Employee Receiving Application <u>Balus</u>		

(Printed Name of Notary Public)

(Signature of Notary Public)

Commission # 495775
expires 06/09/2029

. My commission

(Notary's Seal)



VARIANCE

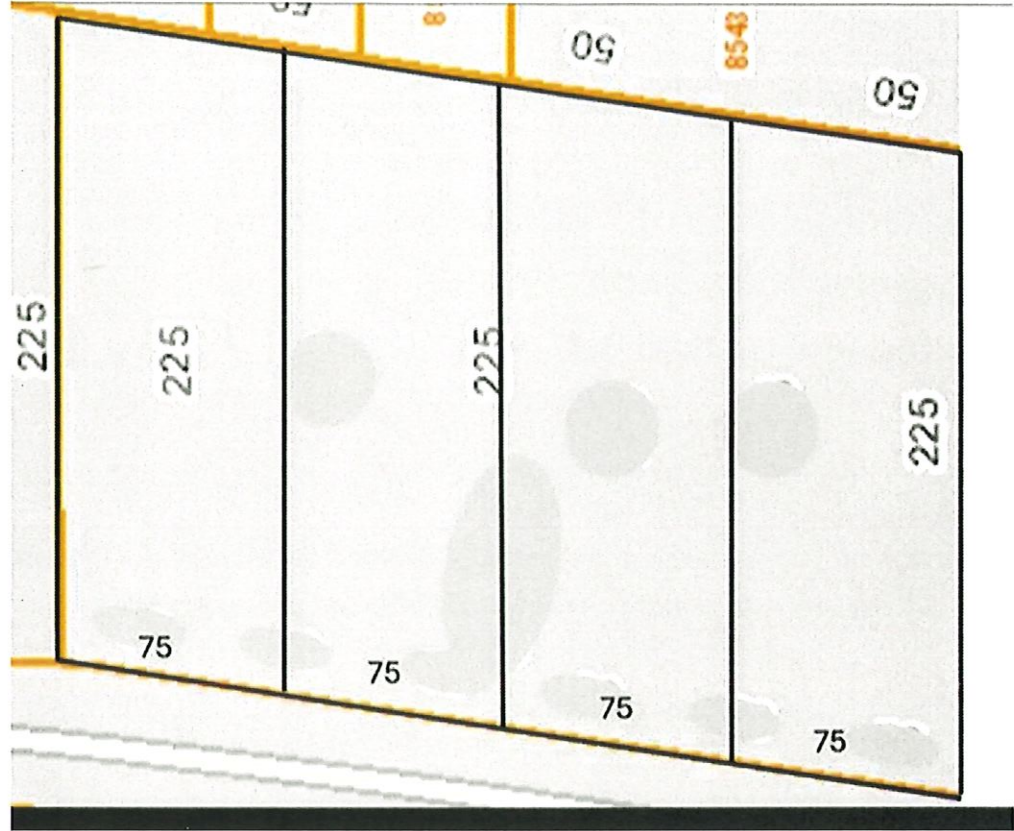
Criteria for Approval

1. What special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels), or structures or buildings in the same district?
The current property is divided in 6 50' LOTS - 75' BALANCES OUT FOR 4 PROPERTIES AND THE 80' WOULD CAUSE LARGE NON OCCUPIED LOT/UNUSABLE. 75' IS THE TYPICAL LOT WIDTH IN THE CITY.
2. Are these special conditions and circumstances a result of your actions? Explain.
NO. REQUIREMENTS CHANGED BY CITY
3. How will the literal interpretation of the provisions of this Ordinance deprive you of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance? Explain. *THIS WILL ALLOW A BALANCED 4 PROPERTY LAYOUT AND ACCENT THIS AREA*
4. Will the granting of the Variance requested confer upon you any special privilege that is denied by this Ordinance to other similar sites (lots or parcels), structures or buildings in the same district? Explain. *NO, IT WILL ALLOW THE BEST FOR ALL. 4 PROPERTY HOMESCARD TAXBASED AND DEVELOP THE AREA.*

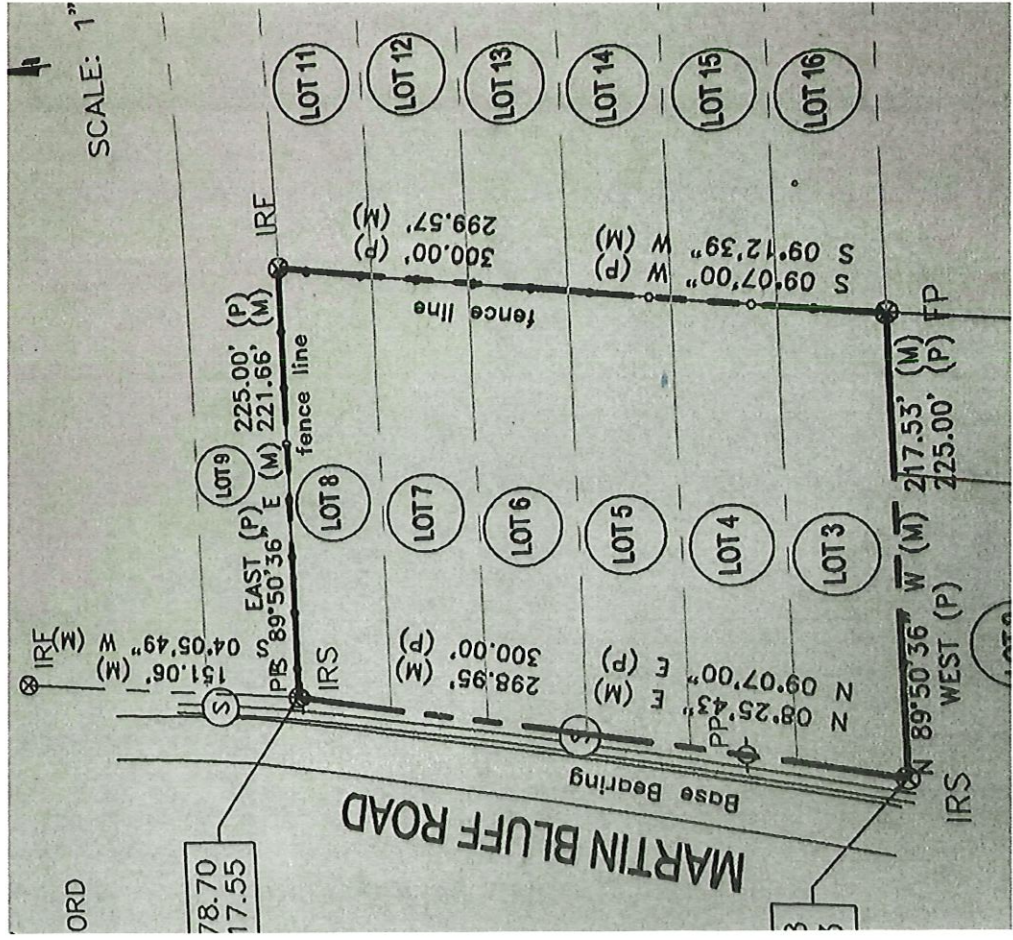
NARRATIVE

Current Plot is A 1.49 ACRES Property WITH ^{under brush} ~~underbrush~~ Removed
That was divide IN 6 50' Lots IN 1997 AND STILL IS AT THIS
Time. To Balance The 300' ROAD FRONTAGE TO 4 75'
Lots, This Will on be 2.5' on EACH side OF EACH LOT
AND WILL NOT LEAVE A UNUSABLE WOODED PROPERTY

Proposed Plat



Current Plat



85433002.000 DAP ENTERPRISES LLC

PIDN: 85433002.000
GISP: 763.07-02-0051.00M

Owner Information

Percent of Ownership: 100
Name: DAP ENTERPRISES LLC
Name 2:
Mailing Address: P O BOX 1321
GAUTIER MS
39553

Site Address: MARTIN BLUFF RD GAUTIER

Land Information

Section: 03 Acreage: 0
Township: 7
Range: 6
Street Name MARTIN BLUFF
RD

Value and Tax Information

Total Assessed Value: 1467 Total Appraised Value: 9780
Improvement Value: 0 Land Value: 9780
Tax Amount: 0 SQ FT: 0 Year Built: 0

Legal Description

Description: LOTS 3;4;5;6;7 & 8 HASTINGS SING
ING RIVER GARDEN ANNEX S/D DB 21
30-205 (51M MAP763.07-02)

Deed Book / Page: 2130 / 205

85433002.000 DAP ENTERPRISES LLC

