

Mayor
Tammy Fontenberry

City of Gautier
Gautier, Mississippi

City Manager
Samantha D. Abell

City Clerk
Wendy S. McClain

Council
At Large Mary F. Martin
Ward 1 Johnny Jones
Ward 2 Hurley Ray Guillotte
Ward 3 Gordon J. Gollott
Ward 4 Scott D. Macfarland
Ward 5 Adam D. Colledge



3330 Highway 90
Gautier, MS 39553
Phone: (228) 497-8000
Fax: (228) 497-8028
Email: gautier@gautier-ms.gov
Website: www.gautier-ms.gov

January 22, 2013

Jonathan Palmer
7301 Pineview Drive
Gautier, Mississippi 39553

COPY

Mailed 1-23-13
JB

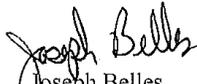
Reference: 7301 Pineview Drive Gautier, Mississippi 39553

Mr. Palmer,

This letter is to inform you the City of Gautier; Planning and Economic Development Department will recommend to the governing authority the property at 7301 Pineview Drive Gautier, Mississippi is a menace to the public health, safety, and welfare of the community. Code Enforcement will request the mayor and city council review the history of the code violations at this property during a scheduled February 2013 council meeting. If the mayor and council determine the property meets the criteria for abatement they will set a public hearing for a scheduled March 2013 council meeting. The purpose of the hearing is to listen to testimony and determine if the property meets the requirements outlined in Mississippi Code Annotated 1972 § Title 21, Chapter 19, Section 11 to begin the necessary clean-up of this property.

Code enforcement is requesting the property be in compliance by February 15, 2013. If you have any questions you can contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-1878 or code enforcement cell number (228) 219-7035.

Sincerely,


Joseph Belles
Code Enforcement Officer

LTR RETURNED
JAN 31, 2013

Mayor
Tommy Fontenberry

City of Gautier
Gautier, Mississippi

City Manager
Samantha D. Abell

Council

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March 21, 2012

Jonathan Palmer
7301 Pineview Drive
Gautier, Mississippi 39553

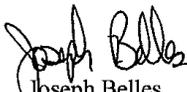
Reference: 7301 Pineview Drive Gautier, Mississippi 39553

Mr. Palmer,

Two previous letters mailed to you identified code violations at the property referenced above. My last letter requested you correct the violations identified and maintain the property within property code requirements so no other action would be necessary. The home remains in a state of disrepair, there is no water or electric servicing the home and someone is living in the home. Nothing identified in my last letter has been corrected, nor have you contacted the code enforcement office.

You are hereby summoned to appear in City of Gautier, Municipal Court on April 9, 2012, at 1:30 PM. You can contact the City of Gautier, Court Clerk, Monday – Friday, 8:00 AM - 5:00 PM at (228) 497-8004, if you have any questions.

Sincerely,


Joseph Belles
Code Enforcement Officer

Two Attachments: 1. Letter dated January 25, 2012
2. Letter dated February 29, 2012

"Nature's Playground!"

Mayor
Tommy Fontenberry

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Gautier, Mississippi

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City Clerk
Wendy S. McClain

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Website: www.gautier-ms.gov

February 29, 2012

Jonathan Palmer
7301 Pineview Drive
Gautier, Mississippi 39553

COPY

mailed 3-01-12
JB

Reference: 7301 Pineview Drive Gautier, Mississippi 39553

Mr. Palmer,

The property address referenced above remains in violation of the City of Gautier, zoning ordinances after previously sending you a letter of violation and providing you thirty days to make the improvements/repairs. On February 29, 2012, the property was reviewed and there is an accessory structure in the front yard, another accessory structure frame in the side yard and the property is overgrown. Additionally, the overall appearance of the manufactured home is in a state of disrepair needing repairs to comply with building code standards. Code enforcement would suggest you contact the city's zoning administrator for an inspection of your property to identify all the building code violations. The City of Gautier, Unified Development Ordinance, Article XVI, Section 16.7, Care of Property and Premises States:

It is unlawful for the owner or occupant of all residential and nonresidential structures, or property to utilize the premises of such property for the open storage of any abandoned motor vehicle or parts thereof, appliances, building material, building rubbish or similar items." It shall be the duty and responsibility of every such owner or occupant to keep the premises and property clean and to remove from the premises all such abandoned items as listed below, including but not limited to weeds, dead trees, trash, garbage, etc. Furthermore, the general site and/or premises shall be maintained in general with particular references to insuring that appearance will be and remain compatible and harmonious with properties in the general area and will not be so at variance with other properties in the general area as to cause a substantial depreciation of such property values.

A summons to appear in court will be issued if repairs are not completed by March 16, 2012. You may contact the City of Gautier, Code Enforcement Office, Monday - Thursday, 8:00 AM - 5:00 PM at (228) 497-8802/1878, if you have any questions. We gratefully appreciated your cooperation in this matter.

Sincerely,

Joseph Belles
Code Enforcement Officer

"Nature's Playground!"

Mayor
Tommy Fortenberry

City of Gautier
Gautier, Mississippi

Interim City Manager
Robert G. Ramsay

Council
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Website: www.gautier-ms.gov

January 25, 2012

Jonathan Palmer
7301 Pineview Drive
Gautier, Mississippi 39553

COPY
mailed 1-26-12
JB

Reference: 7301 Pineview Drive Gautier, Mississippi 39553

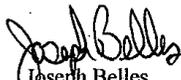
The property address referenced above is in violation of the City of Gautier, zoning ordinances. This letter will serve as my initial notice of violation and you have thirty days to clean-up and repair the property as requested. On January 24, 2012, the property was reviewed and there is an accessory structure in the front yard, another accessory structure frame in the side yard and the property is overgrown. Additionally, the overall appearance of the manufactured home is in a state of disrepair needing repairs to comply with building code standards. Code enforcement would suggest you contact the city's zoning administrator for an inspection of your property to identify all the building code violations. The City of Gautier, Unified Development Ordinance, Article XVI, Section 16.7, Care of Property and Premises States:

It is unlawful for the owner or occupant of all residential and nonresidential structures, or property to utilize the premises of such property for the open storage of any abandoned motor vehicle or parts thereof, appliances, building material, building rubbish or similar items." It shall be the duty and responsibility of every such owner or occupant to keep the premises and property clean and to remove from the premises all such abandoned items as listed below, including but not limited to weeds, dead trees, trash, garbage, etc. Furthermore, the general site and/or premises shall be maintained in general with particular references to insuring that appearance will be and remain compatible and harmonious with properties in the general area and will not be so at variance with other properties in the general area as to cause a substantial depreciation of such property values.

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare of the community. All exterior surfaces, including but not limited to, doors, door and window frames, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted

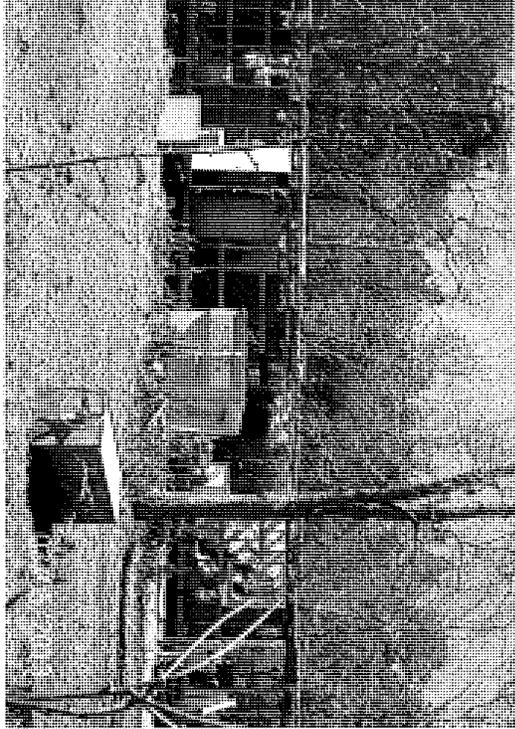
Code Enforcement Department is requesting your cooperation in correcting the violations and repairing this mobile home by February 27, 2012. Failure to comply with city regulations pursuant to Article XVI, Section 16.7, is punishable by fines as imposed by the municipal judge, with each day constituting a new and separate offense. You may contact the City of Gautier, Code Enforcement Office/Zoning Administrator, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-8802/1878. Code Enforcement will be happy to assist you with any questions that you may have.

Sincerely,

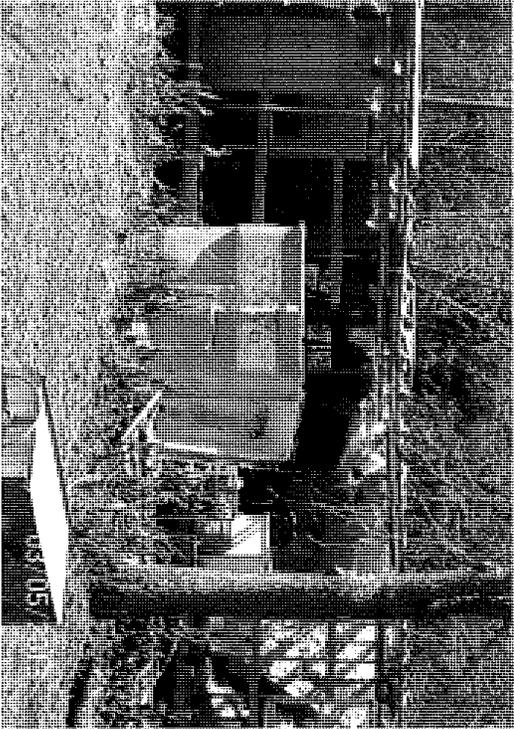

Joseph Belles
Code Enforcement Officer

"Nature's Playground!"

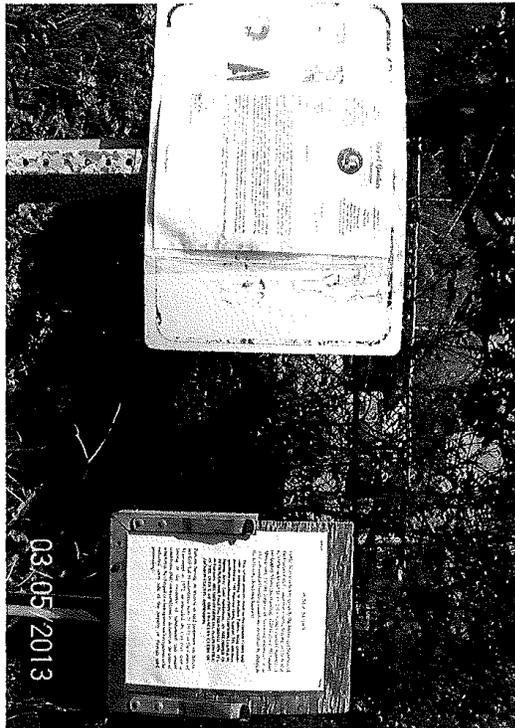
RECENT PHOTO 3-05-13



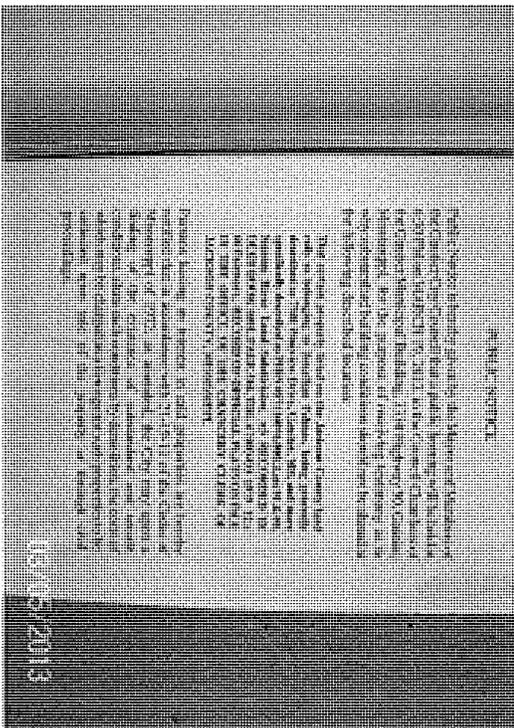
RECENT PHOTO 3-05-13



POSTED AT PROPERTY



CITY HALL Bulletin Board

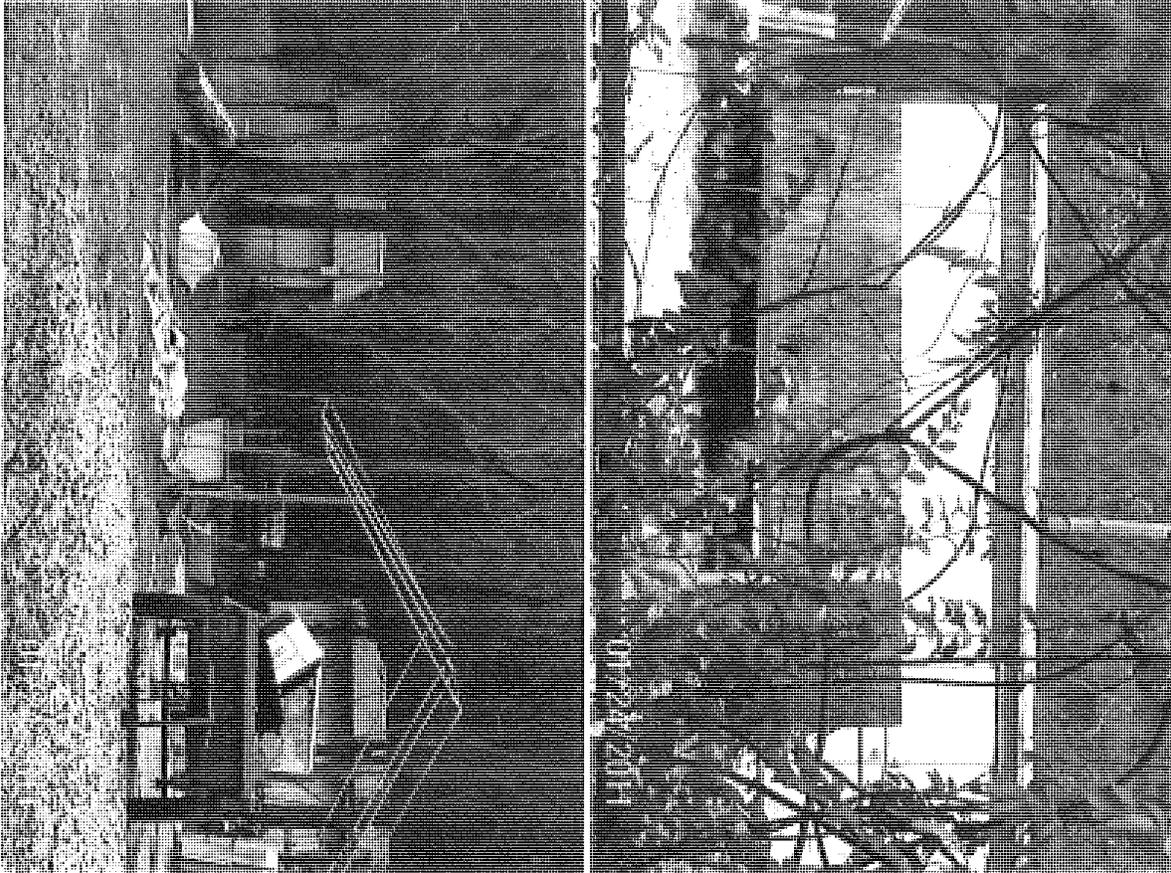




7301 PINENEW,
HICKORY HILL







There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDINANCE NUMBER 211-2013

AN ORDINANCE OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, PROVIDING AUTHORITY & INTENT; AMENDING ARTICLE XII, SIGNS, BILLBOARDS AND ADVERTISING MATERIAL, OF THE UNIFIED DEVELOPMENT ORDINANCE, BY ALLOWING ADDITIONAL SIGNAGE FOR BUSINESS SUITES LOCATED IN SHOPPING CENTERS WITH SECTIONS PERPENDICULAR TO HIGHWAY 90 OR HIGHWAY 57 AND BUSINESSES LOCATED ON COMMERCIAL PARCELS IN TCMU TOWN CENTER MIXED USE WITHIN ONE THOUSAND FEET OF HIGHWAY 90, AND TO ESTABLISH SIGNAGE REQUIREMENTS FOR MASTER PLANNED COMMERCIAL DEVELOPMENTS WITH LINEAR FRONTAGE ON HIGHWAY 90 OR HIGHWAY 57; AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, THAT THE CODE OF ORDINANCES OF THE CITY OF GAUTIER IS AMENDED AS FOLLOWS:

Section 1. Authority & Intent

- A. The Gautier Planning Commission held a public hearing after due public notice and considered this ordinance on Thursday, March 7, 2013. The City Council conducted a public hearing on March 19, 2013.
- B. The City Council finds that the sign ordinance does not address signage for larger commercial developments such as a Master Planned Commercial Development, nor does it consider certain situations that have developed with commercial parcels within the TCMU Town Center Mixed Use District or shopping centers with sections perpendicular to Highway 90 or Highway 57.

Section 2. Amendment of Article XII

Article XII, Section 12.8.1 Lots Abutting Highway 90 or Highway 57, Unified Development Ordinance, is hereby amended to wit (add underlined):

Section 12.8.1 Lots Abutting Highway 90 or Highway 57:

Add to A, B, C and D:

- 5. Each store, office or other place of business located in a section of a shopping center with frontage that is perpendicular to Highway 90 or Highway 57 and is an end suite, shall also be allowed a canopy sign and a wall sign on the Highway 90 or Highway 57 side. The area limitation allowed in subsection 12.9 below shall be allowed for the interior side as well as the highway side.

Add:

H. Commercial parcels located in TCMU Town Center Mixed Use zoning districts with linear frontage along Highway 90:

1. One (1) free-standing, on-site sign shall be permitted, provided the sign is located on the Highway 90 frontage.
2. Sign shall not exceed ten (10) feet in height. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, signage shall not exceed fifteen (15) feet in height.
3. Sign square footage shall not exceed sixty (60) square feet. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, total signage shall not exceed one hundred fifty (150) square feet with individual stores not exceeding fifty (50) square feet.
4. Each store, office, or other place of business shall be permitted one canopy sign and one wall sign subject to the area limitation of subsection 12.9, below.

I. Master planned commercial developments, defined as consisting of two hundred thousand (200,000) square feet of building space or larger, with linear footage along Highway 90 or Highway 57:

1. Two (2) free-standing, on-site, multi-tenant signs shall be permitted on Highway 90 or Highway 57 frontage, and one (1) free-standing, on-site, multi-tenant sign shall be permitted on other public street frontage.
2. Each sign on Highway 90 or Highway 57 frontage shall not exceed thirty (30) feet in height. Each additional sign allowed on public streets shall not exceed twenty-five (25) feet in height.
3. Total sign square footage for each sign on Highway 90 or Highway 57 frontage shall not exceed five hundred (500) square feet. Total sign square footage for each additional sign allowed on public streets shall not exceed three hundred (300) square feet.
4. Each store, office or other place of business shall be permitted one (1) canopy sign and one (1) wall sign subject to the area limitation of subsection 12.9, below.

Section 4. Conflicts

All ordinances or parts of ordinances in conflict with this ordinance are repealed

to the extent of such conflict.

Section 5. Severability

If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

Section 6. Effective Date

This Ordinance shall take effect immediately upon approval by the City Council and signature of the Mayor.

Motion was made by Mayor Fortenberry, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

NAYS: None

Adopted: March 19, 2013

Tommy Fortenberry, Mayor

Attest:

Approved as to form and legal sufficiency.

Cynthia Russell, City Clerk

New language is underlined.
Deleted language is ~~stricken~~.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Babs Logan, Planning Technician
Thru: Eric Meyer, Planning and Economic Development Director
Date: March 12, 2013
Subject: Consideration of an Ordinance Amendment Relating to Signs for Businesses that Abut Highway 90 and Highway 57 and Commercial Parcels in TCMU, Town Center Mixed Use District. GPC Case #13-03-UDO

REQUEST:

The Planning and Economic Development Director directed Staff to draft ordinances regarding the following signage:

- 1) to allow a business located in a section of a shopping center with frontage that is perpendicular to Highway 90 or Highway 57, and is an end suite, a canopy and a wall sign on both the interior side and the Highway side of the building.
- 2) to allow a commercial parcel located in TCMU with linear frontage along Highway 90 to have a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90.
- 3) to establish signage allowed for Master Planned Commercial Development with linear Frontage on Highway 90 or Highway 57.

BACKGROUND:

Amendment Process

Amendments to the Unified Development Ordinance may be initiated by the City Council, the Gautier Planning Commission (GPC), the City Staff, or by a citizen. The process requires that the GPC review and forward a recommendation to the City Council on the proposed amending ordinance(s).

After due public notice the City Council shall hold a public hearing after the first reading of the ordinance amending the UDO. The City Council may consider approval after a public hearing based on the application and the relevant support materials, testimony at the public hearing, the GPC recommendation, and the Staff Report.