

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, PROVIDING AUTHORITY & INTENT; AMENDING ARTICLE V, ZONING DISTRICTS AND SPECIFIC REGULATIONS, OF THE UNIFIED DEVELOPMENT ORDINANCE, BY PERMITTING RECREATIONAL VEHICLES AS A CONDITIONAL USE-MAJOR IN THE MURC-MW MIXED USE RECREATION COMMERCIAL – MARY WALKER DISTRICT; 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, November 7, 2013. The City Council conducted a public hearing on November 19, 2013.
- B. The City Council finds that special consideration must be given to ensure that Recreational Vehicles are compatible within the mixed use district. Recreational Vehicles will be allowed as a major conditional use to ensure the use is consistent with the goals, objectives and policies of the Comprehensive Plan, ensure the major conditional use is consistent with the character of the immediate vicinity of the land proposed for development, and designed so that it is consistent with the harmonious development of the zoning district in which it is proposed.

Section 2. Amendment of Table 4

Article V, Section 5.2.2 Uses Permitted by Right and Conditional Uses, Unified Development Ordinance, is hereby amended to permit Recreational Vehicles as a Conditional Use – Major in the MURC-MW Mixed Use Recreation Commercial-Mary Walker, as listed in Table 5.

Section 3. Conflicts

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

Section 4. 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 5. Effective Date

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

Adopted: _____

Gordon Gollott, Mayor

Attest:

Approved as to form and legal sufficiency.

Cindy Russell, City Clerk

Babs Logan

From: William Logan [wbigdoglogan@yahoo.com]
Sent: Monday, November 04, 2013 1:45 PM
To: blogan@gautier-ms.gov
Subject: conditional use-major gpc #13-24-cu

Categories: Red Category

Babs Logan

Conurning rv @ lots 25,26,27 willis heights subdivision #2, PID #87420025.000. I thought this was covered over a year ago when the city had 4 rv's removed from this subdivision. The rv is all ready in place. One family went to the expense to build a home and another sold their property. Would this be fair to them. Either this area is zoned for rv use or not. I will be out of town for work and will be unable to attend meeting. Unless the city or planning commission has changed the zoning for this area, I do not see a reason for an rv there now or in the future. The first time it was moved in was on the intent of building a home, the only thing that was built was a large deck for rv. Follow the laws set up by the planning commission and city or change them to suit their needs.

Bill Logan
3220 Willis Street
Gautier,Ms

From: Carolyn Belton [mailto:CBelton@firstwithus.com]
Sent: Wednesday, November 06, 2013 8:59 AM
To: blogan@gautier-ms.gov
Subject: Letter on zoning change

Babs,

I am an owner of the property located at 3216 Willis Street in Gautier. I understand a letter went out to property owners about a proposed zone change. I did not get a letter and **oppose to** the proposed zone change. If you can sent me one I would appreciate it greatly. Also I would like to be included in any meeting discussions on this topic.

Thanks,

Carolyn Belton
Branch Manager/Loan Officer



Phone: (228) 826-9130 Cell (228) 990-3595
Fax: (228)826-2709
Website: www.FirstWithUs.com
Office: 10900 Highway 57 Vancleave, MS 39565

County shows Paul Roberti, Est.
as owner- Ms. Belton is his
daughter.
Babs



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Motion was made by Councilman Colledge in the best interest of the City of Gautier, to include contingent upon Phase I Site Assessment clearance of future risk or liability to the City. Motion was seconded by Councilman Vaughan and unanimously carried.

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

ORDER NUMBER 292-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City is hereby authorized to accept a donation of real property (approximately 1.64 acres) 0 Dolphin Drive just south of Highway 90.

IT IS HEREBY ORDERED approval is contingent upon Phase I site assessment clearance of future risk or liability to the City.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **Councilman Guillotte**, seconded by **Councilman Anderson** and the following vote was recorded:

AYES: Gordon Gollott
 Mary Martin
 Johnny Jones
 Hurley Ray Guillotte
 Casey Vaughan
 Rusty Anderson
 Adam Colledge

NAYS: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of December 3, 2013.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Patty Huffman, Grants & Projects Manager
Through: Chandra Nicholson, Director of Economic Development and Planning Dept.
Date: November 22, 2013
Subject: Acceptance of Donation of Real Property-0 Dolphin Drive
(Parcel ID#82435240.012)

REQUEST:

The Economic Development and Planning Department requests City Council authorization to accept a donation of real property (approximately 1.64 acres) on Dolphin Drive just south of Highway 90.

BACKGROUND:

The Economic Development and Planning Department has received an offer from a property owner to donate to the City approximately 1.64 acres of commercial property located just south of Highway 90 on Dolphin Drive. The property adjoins the Suburban Lodge and has approximately 138 feet of road frontage on Dolphin Drive. The property owner has requested that the property transfer be completed before year-end.

DISCUSSION:

According to the Office of the State Attorney General, “a municipality may accept a donation of real property, provided that it has made the requisite factual findings and has documented its formal acceptance in its minutes. With respect to owed taxes, a municipality does not have the authority to remit or release liability for taxes that are due and owing”. It is in the best interest of the City to accept this property contingent on clearance from an Environmental Assessment of future risk or liability to the City. While the City has not identified an immediate use for the project, it is in the City’s best interest to accept the donation based on the property value alone. The property owner will also be informed that any outstanding property taxes owed will not be forgiven.

RECOMMENDATION:

The Economic Development and Planning Department recommends that City Council accept the donation of real property as proposed above contingent on a Phase I Environmental Site Assessment clearance of future risk or liability to the City.

The City Council may:

1. Accept the donation of real property identified above contingent on the Environmental Site Assessment clearance; or
2. Decline the donation of real property identified above.

ATTACHMENT(S):

Parcel Information for Parcel #82435240.012

Map

Property Feature Sheet

Jackson County Tax

Parcel ID: 82435240.012
Owner: AFCO GAUTIER LAND COMPANY LLC
Owner Address: 4200 NORTHSIDE PKWY BLDG #12
 ATLANTA GA 30327
Property Location: 0 DOLPHIN
Legal Description: COM 2640' S OF NE COR SECT 35 S 220.77' N 79 DEG W 3444' S 10 DEG W 83' TO S/M HWY 90 & DOLPHIN S 4 DEG W 150.72' S 10 DEG W 180.29' S 10 DEG W 221.47' TO POB S 10 DEG W 138.25' N 79 DEG W 515.87' N 10 DEG E 138.25' S 79°E 515.55' TO POB DB1489-241 (26.01 MAP777.35-03)

Tax District Rate

County:		Homestead Value:	
City:		Special Exemption:	
School:		Deed Book/Page:	1489/241
Cultivated Acres Value(C1):		Cultivated Acres:	
Cultivated Acres Value(C2):		Cultivated Acres:	
Uncultivated Acres Value(C1):		Uncultivated Acres:	
Uncultivated Acres Value(C2):		Uncultivated Acres:	
Improvement/Bldg Value(C1):		Forest Acres:	0
Improvement/Bldg Value(C2):		Date Recorded:	
Total Assessment:	\$8,063	Tax District:	
Appraised Impr Value:	\$0	Sale Date:	
Appraised Land Value:	\$53,750	Sale Price:	
Total Appraised Value:	\$53,750	Year Built:	
Acres:	1.64	Section/Township/Range:	35/7S/7W
Building SqFt:	0	Subdivision:	

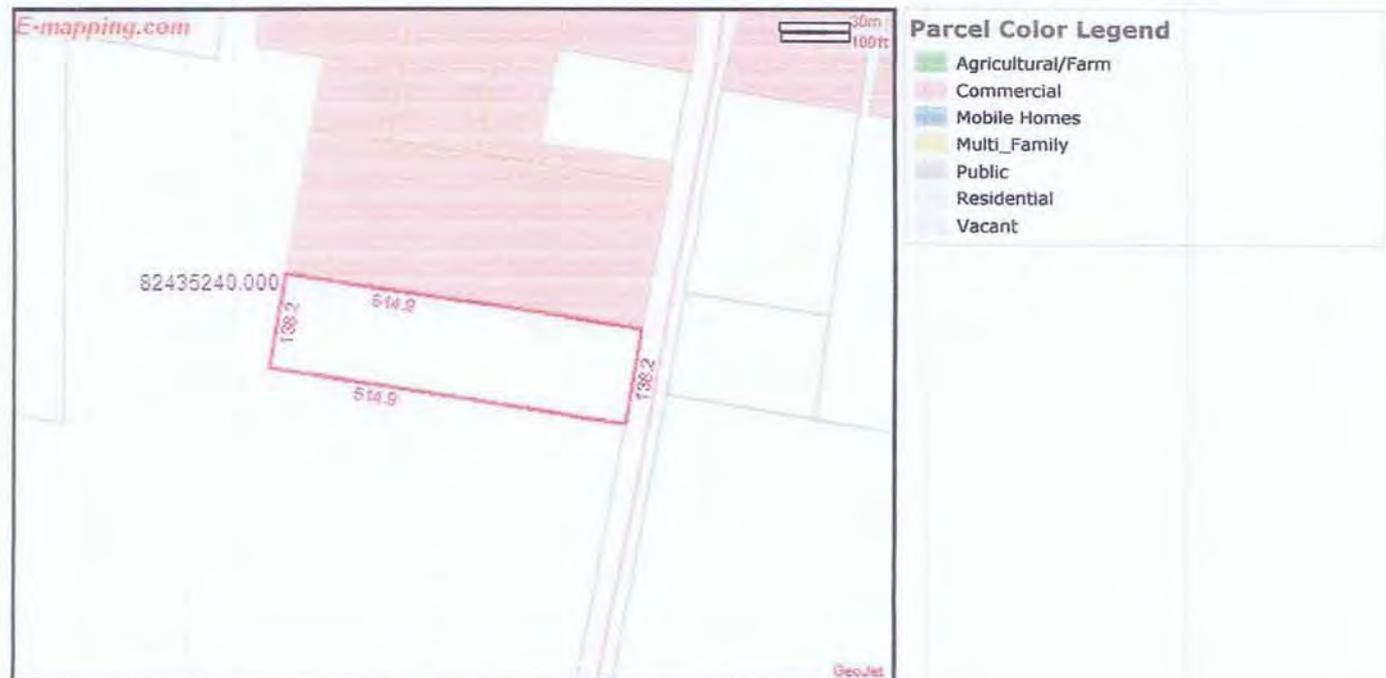
Taxes Due

County:
City:
School:
Forest:
Total Taxes: \$1,047.05

Less H.E. Credits

County:
City:
School:
Roll Year:

Maps



Lots/Acreage/Farms

UL 248326 A

Cumbest Realty, Inc. [#463]
Cumbest, Mark [cumbmm115]

228-588-6213
228-219-2376



Click On Photo For More Info

List Price: \$ 79,500
Days on Market: 647 days
List Date: 01/23/12
Excl. Agency: N
Internet: Y **IDX:** Y **Addr Public:** Y
Agency (A/B): Y/N
Co-op (A/B): 5.0/0.0 or

Other Info:

Address: 0 DOLPHIN	Cross St: HWY 90
Area: 22-Gautier	City: GAUTIER
Lot Size: 138.20 X 514.90 X 138.20 X 514.90	Zip Code: 39553
Legal: Sec 35,T7S,R7W	Subdivision: Non-Subdivision
Acreage: 1.640	Parcel #: 82435240.012
County: Jackson County	Flood Ins Req: SubjToSurvey
Zoning:	Est Ann Taxes: \$ 1,440
Lots:	Map Coordinate:
Road Frontage: 138	Virtual Tour: http://
Water Frontage:	Condo/HO Assn Fee:
Potential Short Sale: N	Condo/HO Fee Frequency:
3rd Party/Bank Owned: N	

School District: Gautier
Junior/Middle School:
Elementary School: Gautier
Senior High School:

Owner Name:
Owner/Agent: N

Prop Desc: GAUTIER- PRIME COMMERCIAL 1.64 acres, more or less, located just south of Hwy 90 on Dolphin St. Property adjoins the Suburban Lodge to the South. Road frontage of approx. 138 ft on Dolphin. High visibility. Just minutes to I-10. Close proximity to casinos,restaurants golf and other entertainment.

Type: Undev.Land/Water Ar
Acc Transport: City Street, Paved Road
Waterfront:
Amenities: Near Golf Course, Near Entertainment, Other-See Remarks
Trees: Heavily Wooded, Variety
Type Farm:
Utilities Avail: Water, Sewer, Electricity, Phone, Street Lights
Utilities OnSite: None
Minerals: No Minerals **Mobile Home:** Not Allowed
Fences:
Bldg On Site:
Livestock:
Showing: Vacant Property
Restrictions:
Docs on File: Aerial Map/Photo, Topography/Map, Demographics
Equip Included:
Topography: Level, Partially Wooded
Sale Options: Will Not Divide
Acceptable Financing: Conventional, Cash, FHA, VA
Directions:



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

ORDER NUMBER 293-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City is hereby authorized to accept a proposal from BMI Environmental Services, LLC to perform a Phase I Environmental Site Assessment (ESA) for a parcel of land on Dolphin Drive that has been offered to the City as a donation.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **Councilwoman Martin**, seconded by **Councilman Anderson** and the following vote was recorded:

AYES: Gordon Gollott
 Mary Martin
 Johnny Jones
 Hurley Ray Guillotte
 Casey Vaughan
 Rusty Anderson
 Adam Colledge

NAYS: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of December 3, 2013.