

Tuesday
March 18, 2014
Gautier, Mississippi

BE IT REMEMBERED THAT A RECESSED MEETING of the Mayor and Council Members of the City of Gautier, Mississippi was held Tuesday, March 18, 2014 at 6:30 pm in the City Hall Municipal Building, 3330 Highway 90, Gautier, Mississippi.

Those present were Mayor Gordon Gollott, Council Members Mary Martin, Johnny Jones, Hurley Ray Guillotte, Casey Vaughan, Rusty Anderson, Adam Colledge, City Manager Samantha Abell, City Clerk Cynthia Russell, City Attorney Joshua Danos and other concerned citizens.

REVISED AGENDA
CITY OF GAUTIER, MISSISSIPPI
CITY HALL COUNCIL CHAMBERS
March 18, 2014 @ 6:30 PM

- I. Call to Order
 - 1 Prayer
 - 2 Pledge of Allegiance
- II. Agenda Order Approval
- III. Announcements
 - 1 25th Anniversary Jackson County Industrial Trade Show at B.E. "Mac" McGinty Civic Center Tuesday, March 25th from 9:30 am – 4:00 pm
 - 2 3rd Annual Easter Egg Hunt Saturday, April 5th 10:00 am Shepard State Park
 - 3 Jackson County Household Hazardous Waste Collection Day Saturday, April 26th 8 am – 12 pm in the Singing River Mall Parking Lot
- IV. Presentation Agenda
 - 1 Presentation of American Red Cross Month Proclamation by Mayor Gollott
 - 2 Recognition of Firefighter of the Year Joshua B. Hill by Chief Robert Jones
 - 3 Recognition of Police Officer of the Year Lee Bond by Chief Dante Elbin
 - 4 January 2014 Financial Report by Teresa Montgomery, Comptroller
- V. Public Agenda
 - 1 Agenda Comments
- VI. Business Agenda
 - 1 Consideration of a Conditional Use-Major Permit for a Recreational Vehicle in the MURC-MW Zoning District at Lots 25, 26, & 27, Willis Heights Subdivision #2, PID #87420025.000. GPC Case No. 13-24-CU James T. Lacy, Owner. (Public Hearing. Quasi-Judicial Procedures)

- 2 Consideration of a Development Order Approval for the Subdivision of Land for Dees Landing, a Subdivision Comprising ± 82.2 Acres. GPC Case#13-28-SD Wilber Dees, Owner. (Public Hearing. Quasi-Judicial Procedures)
- 3 Consideration of a resolution approving mutual aid agreement between the City of Gautier and Jackson County for the purpose of providing plan reviews and inspections to Gautier for a period not to exceed eight weeks.
- 4 Order authorizing a MDOT Adopt an Interchange Agreement for I-10 at Exit 61 (Gautier-Vancleave Road) for the purpose of a park and ride facility.
- 5 Order approving Right of Way Consultant Services for Martin Bluff Road Widening Project: STP194-00(0001)LPA/105069-801000.
- 6 Order authorizing 2014 MDOT Urban Youth Corps Grant Application.
- 7 Order authorizing FY 2013 Fire Prevention and Safety Program Grant Application.
- 8 Order approving Docket of Claims.

VII. Consent Agenda **(All items approved in one motion)**

- 1 Order approving Minutes from Regular Council Meeting held March 4, 2014 and Recessed Animal Control Ordinance Work Session held March 11, 2014.
- 2 Order receiving February 2014 Privilege License Report.
- 3 Resolution approving the continuance of Local Emergency for the Deep Water Horizon Oil Spill until further notice.

**STUDY AGENDA
CITY OF GAUTIER, MISSISSIPPI
March 18, 2014**

- 1 Discuss Citizen Comments
- 2 **Discuss Council Comments – City Manager Evaluation**
- 3 Discuss City Manager Comments
- 4 Discuss City Clerk Comments
- 5 Discuss City Attorney Comments

Adjourn until April 1, 2014 @ 6:30 PM
www.gautier-ms.gov

Motion made by Councilman Colledge to revise the agenda order to add Business Item # 9 - Gulf Regional Planning Commission Match Agreement for the 1-10/Highway 57 Area Planning Study. Motion seconded by Councilwoman Martin and unanimously carried.

Announcements

- 1 3rd Annual Easter Egg Hunt Saturday, April 5th 10:00 am Shepard State Park
- 2 25th Anniversary Jackson County Industrial Trade Show at B.E. "Mac" McGinty Civic Center Tuesday, March 25th from 9:30 am – 4:00 pm
- 3 Jackson County Household Hazardous Waste Collection Day Saturday, April 26th 8 am – 12 pm in the Singing River Mall Parking Lot



**3rd Annual
EASTER EGG HUNT**

WHEN: April 5, 2014

WHERE: Shepard State Park
1034 Graveline Road
Gautier, MS 39553

TIME: 10:00 A.M. - until

Ages: 1 - 2 yrs old (1 parent)
3 - 4 yrs old
5 - 7 yrs old
8 - 10 yrs old

Free photo with Easter Bunny courtesy of Gautier Walgreens



For more information, contact Gautier City Hall at (228) 497-8000 or visit www.gautier-ms.gov.

Jackson County Household Hazardous Waste Collection Day



DO NOT BRING

Explosive Materials
Radioactive Materials
Electronics
Business Waste
Compressed Cylinders
Medical/Biological Waste
Syringes
PCB's



ACCEPTABLE ITEMS

Aerosols, All Purpose Cleaners, Ammonia, Anti-Freeze, Automobile Cleaners, Batteries, Brake Fluid, Charcoal Lighter Fluid, Chlorine Bleach, Detergents, Disinfectants, Drain Opener, Furniture Polish, Gasoline, Glass Cleaner, Herbicides, Insecticides, Mothballs, Motor Oil, Oven Cleaner, Paint, Paint Thinner, Pesticides, Pool Chemicals, Rodent Poisons, Rubber Cement, Rug & Upholstery Cleaner, Scouring Powder, Silver Polish, Snail & Slug Killers, Toilet Bowl Cleaner, Transmission Fluid, Tub & Tile Cleaner, Turpentine, Varnish, Water Seal, Wood Finish

A One Day FREE

Proper Disposal Turn-in Event

Saturday, April 26, 2014

8 a.m. - 12 noon

Singing River Mall Parking Lot

Highway 90, Gautier



Call (228) 872-8340 for more information

Household Hazardous Waste is ... Unused or leftover portions of products containing toxic chemicals. Any product which is labeled CAUTION, POISONOUS, TOXIC, FLAMMABLE or CORROSIVE is considered a household hazardous waste.

A Safe Substitute is ... A safe alternative to a toxic product. Fact sheets are available to help you reduce the use of toxics and minimize health risks.

Legal Transportation is ... Leaving products in the original containers and making sure that the containers are sealed so that they will not leak. Transport containers in the trunk or in the back of the vehicle away from passengers.

DO NOT TRANSPORT OVER 5 GALLONS OR 50 POUNDS AT ONE TIME.

Proper Disposal is ... Extremely important. It is dangerous and illegal to discard hazardous household materials in the trash or down the drain. Instead; use up the product as intended or take to a household hazardous waste event.



The collection event is a community service funded by the MS Department of Environmental Quality in cooperation with the Jackson County Board of Supervisors, Municipalities and the Jackson County Solid Waste Department.





You are cordially invited to attend the

25th Anniversary Jackson County Industrial Trade Show

B.E. "Mac" McGinty Civic Center, 2902 Shortcut Road, Pascagoula, MS

TUESDAY – March 25, 2014

Ribbon Cutting: 9 a.m. | Doors Open: 9:30 a.m. to 4 p.m.

Business-to-Business (B2B) Audience:

Businesses are encouraged to allow employees working in procurement, management, electric, engineering and other positions to attend the event. Attendees with a business card, company badge or work uniform representing any company will be admitted for free.

No one under 18 years of age will be admitted.

Gold Sponsors



Silver Sponsors



Contact Information:

Contact the Jackson County Chamber of Commerce to learn more about this event and the business community in Jackson County and across the Gulf Coast.

228.762.3391 | www.jcchamber.com

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Presentation

- 1 Presentation of American Red Cross Month Proclamation by Mayor Gollott
- 2 Recognition of Firefighter of the Year Joshua B. Hill by Chief Robert Jones
- 3 Recognition of Police Officer of the Year Lee Bond by Chief Dante Elbin
- 4 January 2014 Financial Report by Teresa Montgomery, Comptroller



January 2014 Ending Cash Balances

GENERAL DEPOSITORY

Fund Name		Account #	Balance
General Fund	Depository Account	001-000-001	\$1,238,137.31
MS Development Loan Katrina	Depository Account	007-000-001	\$2,460.45
CDBG-Downtown Revitalization	Depository Account	012-000-001	(\$287,935.84)
Transportation Enhancement	Depository Account	013-000-001	\$45,000.00
CIAP-Town Center	Depository Account	014-000-001	(\$27,080.83)
Allen Road Widening	Depository Account	020-000-001	\$22,369.00
MOHS DUI Enforcement Grant	Depository Account	025-000-001	(\$14,690.73)
MDOT Safe Routes to School	Depository Account	029-000-001	\$15,000.00
Hazard Mitigation 1794-23-01	Depository Account	100-000-001	
Martin Bluff Road Improvements	Depository Account	128-000-001	\$238,358.64
U S Justice Equitable Sharing	Depository Account	157-000-001	\$197,517.62
Fire Protection Fund	Depository Account	160-000-001	\$155,237.97
FF Grant:EMW-2012-FO-02393	Depository Account	161-000-001	(\$0.98)
DMR-BP Oil Spill Grant	Depository Account	165-000-001	(\$349.94)
MDOT-Youth Corp Program	Depository Account	166-000-001	
Tidelands Grant	Depository Account	171-000-001	\$240,000.00
Library Support Fund	Depository Account	172-000-001	\$35,953.51
Shepard State Park Fund	Depository Account	176-000-001	\$26,378.93
Solid Waste Fund	Depository Account	404-000-001	(\$18,780.57)
General Ledger Cash Balance			\$1,867,574.54
General Depository Reconciled Cash Balance			\$1,870,481.30

ENTERPRISE FUND

Fund Name		Account #	Balance
Water & Sewer Utility	Enterprise Account-M&M	400-000-001	\$221,085.70
	Enterprise Account-Hancock	400-000-002	\$1,701,571.94
CIAP: Old Shell	Enterprise Account-Hancock	414-000-002	(\$328,377.28)
MDB Loan: Water Ion-X Project	Enterprise Account-Hancock	421-000-002	\$2,860,676.86
Utility Bond Refunding	Enterprise Account-Hancock	430-000-002	\$13,216.66
General Ledger Cash Balance			\$4,468,173.88
Enterprise Reconciled Cash Balance			\$4,464,384.09

JANUARY 2014
YEAR TO DATE TOTALS

General Fund Totals	FY 2014 Budget	January 2014	Balance	33.33% % to date
General Fund Revenues	9,259,267.00	2,693,231.84	6,566,035.16	29.0%
Expenditures:				
001 Legislative	106,889.00	38,715.36	68,173.64	36.2%
010 City Court	299,473.00	115,185.96	184,287.04	38.4%
021 City Manager	172,381.00	57,652.31	114,728.69	33.4%
022 Human Resources	143,335.00	46,928.29	96,406.71	32.7%
040 City Clerk	270,849.00	90,205.94	180,643.06	33.3%
045 Finance	179,971.00	62,085.97	117,885.03	34.4%
060 City Attorney	95,000.00	39,583.35	55,416.65	41.6%
090 Economic Dev - Planning	816,457.00	289,626.22	526,830.78	35.4%
092 Building & General Expenses	384,100.00	135,493.05	248,606.95	35.2%
100 Police	3,546,291.00	1,132,068.83	2,414,222.17	31.9%
161 Fire	2,130,823.00	593,551.51	1,537,271.49	27.8%
170 Recreation	78,600.00	35,038.97	43,561.03	44.5%
201 PW: Streets	207,000.00	39,768.37	167,231.63	19.2%
205 PW: Maintenance	215,801.00	70,763.07	145,037.93	32.7%
680 Debt Service	0.00	0.00	0.00	
900 Interfund Transfers	798,146.00	0.00	798,146.00	
General Fund Expenditures	9,445,116.00	2,746,667.20	6,698,448.80	29.0%
<i>Total Operating Expenditures</i>	8,191,610.00	2,580,174.28	5,611,435.72	
<i>Total Capital Outlay Expenditures</i>	250,304.00	43,079.79	207,224.21	
<i>Total Debt Service</i>	205,056.00	123,413.13	81,642.87	
<i>Total Transfers Out</i>	798,146.00	0.00	798,146.00	
<i>Check Total</i>	9,445,116.00	2,746,667.20	6,698,448.80	
<i>Personnel</i>	6,560,025.00	2,067,010.61	4,493,014.39	31.5%
<i>Supplies</i>	457,485.00	126,771.84	330,713.16	27.7%
<i>Other Services</i>	1,174,100.00	386,391.83	787,708.17	32.9%
<i>Capital Outlay</i>	250,304.00	43,079.79	207,224.21	17.2%
<i>Debt Service</i>	205,056.00	123,413.13	81,642.87	60.2%
<i>Interfund Transfers</i>	798,146.00	0.00	798,146.00	0.0%
<i>Check Total</i>	9,445,116.00	2,746,667.20	6,698,448.80	29.0%
Beginning Cash Balance			548,053.98	
General Fund Revenue			1,547,982.58	
General Fund Expenditures			857,899.25	
Remaining balance			1,238,137.31	

JANUARY 2014
YEAR TO DATE TOTALS

General Depository Special Funds	BUDGET FY 2014	As of January 2014	Balance	33.33% % to date
007 MS Dev 2.36M Katrina Bonds				
Revenues	280,977.00	0.00	280,977.00	
Expenditures	282,027.00	0.00	282,027.00	
012 CDBG Downtown Revitalization				
Revenues	454,896.08	5,952.66	448,943.42	1.3%
Expenditures	454,551.88	293,544.30	161,007.58	64.5%
013 TE-Downtown Revitalization				
Revenues	420,000.00	0.00	420,000.00	
Expenditures	465,000.00	0.00	465,000.00	
014 CIAP-Town Center				
Revenues	804,143.75	1,200.00	802,943.75	0.1%
Expenditures	790,466.75	14,653.83	775,812.92	1.80%
020 Allen Road Widening				
Revenues	995,980.00	61,000.00	934,980.00	
Expenditures	957,349.00	0.00	957,349.00	
025 MOHS DUI Enforcement Grant				
Revenues	46,088.00	0.00	46,088.00	
Expenditures	46,088.00	14,690.73	31,397.27	31.8%
029 MDOT Safe Routes to School				
Revenues	125,000.00	15,000.00	110,000.00	12.0%
Expenditures	125,000.00	0.00	125,000.00	
100 Hazard Mitigation Grant 1794-23-01				
Revenues	16,800.00	16,800.00	0.00	100.0%
Expenditures	0.00	0.00	0.00	
103 US DOJ Ballistic Vest Grant				
Revenues	24,552.00	0.00	24,552.00	
Expenditures	24,552.00	0.00	24,552.00	
128 Martin Bluff Road Project				
Revenues	0.00	0.00	0.00	
Expenditures	50,000.00	1,568.29	48,431.71	3.1%
157 US Justice Equitable Sharing				
Revenues	0.00	0.00	0.00	
Expenditures	12,276.00	9,291.88	2,984.12	
160 Fire Protection Fund				
Revenues	98,641.00	0.00	98,641.00	
Expenditures	118,742.00	5,553.00	113,189.00	4.6%

JANUARY 2014
YEAR TO DATE TOTALS

161 FF Grant: EMW-2012-FO-02393				
Revenues	29,379.00	29,379.00	0.00	100.0%
Expenditures	29,379.50	29,380.48	-0.98	100.0%
166 MDOT Youth Corp Program				
Revenues	31,508.01	33,273.39	-1,765.38	105.6%
Expenditures	35,000.00	1,014.46	33,985.54	2.8%
171 Combined Tidelands Grant				
Revenues	404,736.76	2,625.00	402,111.76	0.6%
Expenditures	642,111.76	0.00	642,111.76	
172 Library Support Fund				
Revenues	111,698.00	40,361.87	71,336.13	36.1%
Expenditures	111,698.00	12,335.69	99,362.31	11.0%
175 MSWFP Recreation Trails Grant				
Revenues	99,840.00	0.00	99,840.00	
Expenditures	99,840.00	0.00	99,840.00	
176 Shepard State Park				
Revenues	91,000.00	48,237.95	42,762.05	53.0%
Expenditures	86,000.00	36,214.25	49,785.75	42.1%
404 Solid Waste Fund				
Revenues	1,205,000.00	310,745.23	894,254.77	25.7%
Expenditures	1,205,500.00	333,041.65	872,458.35	27.6%

JANUARY 2014
YEAR TO DATE TOTALS

General Depository Special Fund
130 \$7M GO Bond - Capital Improvements

Obj Description	FY 2014 Budget	January 2014	Balance	33.33%
Revenue	488,969.00	629.64	488,339.36	0.1%
Capital Improvements	2,040,022.79	157,675.15	1,882,347.64	7.7%
Debt Service	488,969.00	107,934.38	381,034.62	22.0%
	<u>2,528,991.79</u>	<u>265,609.53</u>	<u>2,263,382.26</u>	10.5%

<i>Beginning Cash Balance</i>	1,845,216.85
<i>GO Bond Revenues</i>	153.55
<i>GO Bond Expenditures</i>	155,445.93
<i>Ending Cash Balance</i>	1,689,924.47

JANUARY 2014
YEAR TO DATE TOTALS

	FY 2014 Budget	January 2014	Balance	33.33 % % to date
Water & Sewer Utility Fund Totals				
Utility Fund Revenues	6,836,647.00	2,784,023.46	4,052,623.54	40.7%
Administration	1,937,700.00	684,632.91	1,253,067.09	35.3%
Water & Sewer O & M	2,343,727.00	665,366.83	1,678,360.17	28.3%
Debt Service	2,348,397.00	848,807.37	1,499,589.63	36.1%
Transfers	545,007.00	0.00	545,007.00	
Utility Fund Expenditures	7,174,831.00	2,198,807.11	4,976,023.89	30.6%
<i>Total Operating Expenditures</i>	4,121,427.00	1,349,999.74	2,771,427.26	
<i>Total Capital Outlay Expenditures</i>	160,000.00	0.00	160,000.00	
<i>Total Debt Service</i>	2,348,397.00	848,807.37	1,499,589.63	
<i>Total Interfund Transfers</i>	545,007.00	0.00	545,007.00	
<i>Check Total</i>	7,174,831.00	2,198,807.11	4,976,023.89	
<i>Personnel</i>	103,727.00	50,372.62	53,354.38	48.6%
<i>Supplies</i>	360,000.00	55,320.32	304,679.68	15.4%
<i>Other Services</i>	3,657,700.00	1,244,306.80	2,413,393.20	34.0%
<i>Capital Outlay</i>	160,000.00	0.00	160,000.00	
<i>Debt Service</i>	2,348,397.00	848,807.37	1,499,589.63	36.1%
<i>Interfund Transfers</i>	545,007.00	0.00	545,007.00	
<i>Check Total</i>	7,174,831.00	2,198,807.11	4,976,023.89	30.6%
<i>Beginning Cash Balance</i>			2,052,729.43	
<i>Enterprise Fund Revenue</i>			625,760.85	
<i>Enterprise Fund Expenditures</i>			755,832.64	
<i>Remaining balance</i>			1,922,657.64	

Enterprise Special Fund

	FY 2014 Budget	January 2014	Balance	33.33%
414 CIAP Funds: Old Shell Landing				
Grant Proceeds	474,615.12		474,615.12	
Construction Phase Services	474,615.12	328,377.28	146,237.84	69.1%
421 MSB - Water Ionization Project				
Loan Proceeds				
Expenditures	2,864,351.86	3,675.00	2,860,676.86	0.1%

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

ORDER NUMBER 064-2014

**CITY OF GAUTIER
CONDITIONAL USE-MAJOR DEVELOPMENT PERMIT
GPC CASE NO. 13-24-CU
JAMES T. LACY
REGARDING PARCEL ID NO: 87420025.000**

The City of Gautier, at its regular meeting held on March 18, 2014, considered the application for a Conditional Use-Major Development Permit for placement of a recreational vehicle as submitted by James T. Lacy. The parcel subject to this Permit is located at Lots 25, 26 & 27, Willis Heights Subdivision #2, Gautier Mississippi, 39553. After due public notice, the City Council, having considered the favorable recommendation by the Planning Commission, application, testimony and exhibits presented by the applicant, the report of the City Staff and all other relevant testimony, exhibits and other evidence, pursuant to applicable provisions of the City's Unified Development Ordinance, hereby approves the Conditional Use-Major Development Permit and orders as follows:

1 This proposed Conditional Use-Major is consistent with the goals, objectives and policies of the City's Comprehensive Plan.

2 This proposed Conditional Use-Major is consistent with the character of the immediate vicinity of the proposed use.

3 The proposed use, classified as a recreational vehicle, is permitted as a Conditional Use-Major in the MURC-MW District.

4 Therefore, the City Council overturns the recommendation of the Planning Commission and approves the application submitted on October 23, 2013 for a Conditional Use-Major Development Permit.

5 The City Clerk shall have this permit recorded in the public records of Jackson County, at the expense of the applicant, and provide the applicant a copy of the permit with the recording information affixed.

6 The Gautier Planning Commission denied approval of this Conditional Use-Major Development Permit on March 6, 2014.

7 The City Council adopted this Conditional Use-Major Development Permit on recorded vote of 7 ayes to 0 nays to approve the application of James T. Lacy, located at Lots 25, 26 & 27, Willis Heights Subdivision #2, in Gautier, Mississippi, and identified as Jackson County Parcel No. 87420025.000 for two (2) years with an annual review by the Technical Review Committee for compatibility at no cost to the citizen to insure proper maintenance and is not a deterrence to surrounding properties and that it meets floodplan management requirements.

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

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

NAYS None

March 18, 2014
Date of Issuance

Gordon Gollott, Mayor
City of Gautier, Mississippi
3330 Hwy 90
Gautier, MS 39553

Cynthia Russell
City Clerk

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of March 18, 2014.

QUASI-JUDICIAL PROCEDURES

1. Announcement of Matter. Read the matter title to be considered.
2. Swear the Witnesses. All witnesses, parties, citizen participants and City Staff who plan to speak at the hearing shall collectively be sworn at the beginning of the hearing by the City Attorney
3. Ex Parte Disclosure. All members must disclose on the record any ex parte communications, to include any physical inspections of the subject property. The disclosure should include with whom any communication has taken place, a summary of the substance of the communication, and the date of the site visit, if any. If anyone has received written communications, the writing must be presented, read into record or a copy provided to all participants, and made a part of the official record.
4. Applicant Presentation.
5. Questions directed to Applicant. The applicant should answer any questions by the public, the Planning Commission, or others.
6. Staff Presentation. This includes presentation of the staff report into the official record.
7. Objections from Applicant. Confirm whether there are objections from the applicant regarding the staff report or development order.
8. Questions directed to Staff. The staff answers any questions by the public, the Planning Commission, or others.
9. Public Comments. Members of the public should be allowed to make comments regarding the application.
10. Applicant rebuttal/final comments
11. Staff rebuttal/final comments
12. Call for final questions.
13. Close public portion of the hearing.
14. Motion & Deliberation. Planning Commission makes a motion, and debates and deliberates regarding the application and development order.
15. Vote.
16. Close the quasi-judicial proceeding.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager

From: Chandra Nicholson, Economic Development & Planning Director

Date: March 11, 2014

Subject: Conditional Use-Major Permit for a Recreational Vehicle in the MURC-MW Zoning District at Lots 25, 26 & 27, Willis Heights Subdivision #2, PID #87420025.000 (GPC Case No. 13-24-CU)

REQUEST:

The Economic Development and Planning Department has received a request from James T. Lacy for a Conditional Use-Major Permit that would allow a recreational vehicle in a MURC-MW Mixed Use Recreation Commercial-Mary Walker zoning district at Lots 25, 26 & 27, Willis Heights Subdivision #2, PID #87420025.000. The application fee of \$250 was paid on October 23, 2013. All public notice requirements have been met.

DISCUSSION:

Staff has attached a Staff Report with detailed project analysis.

RECOMMENDATION:

The Planning Commission held a public hearing on March 6, 2014 to consider the request and found that the proposed recreation vehicle as a prime use will not be compatible and harmonious with the surrounding properties.

The City Council may:

1. Approve the Conditional Use-Major Permit with Conditions; or
2. Deny the Conditional Use-Major Permit as recommended by the Planning Commission.

ATTACHMENTS:

1. Conditional Use-Major Development Order
2. Staff Report with Back-up

**CITY OF GAUTIER
CONDITIONAL USE-MAJOR DEVELOPMENT PERMIT
GPC CASE NO. 13-24-CU**

JAMES T. LACY

REGARDING PARCEL ID NO: 87420025.000

The City of Gautier, at its regular meeting held on March 18, 2014, considered the application for a Conditional Use-Major Development Permit for placement of a recreational vehicle as submitted by James T. Lacy. The parcel subject to this Permit is located at Lots 25, 26 & 27, Willis Heights Subdivision #2, Gautier Mississippi, 39553. After due public notice, the City Council, having considered the favorable recommendation by the Planning Commission, application, testimony and exhibits presented by the applicant, the report of the City Staff and all other relevant testimony, exhibits and other evidence, pursuant to applicable provisions of the City's Unified Development Ordinance, hereby approves the Conditional Use-Major Development Permit and orders as follows:

1. This proposed Conditional Use-Major is consistent with the goals, objectives and policies of the City's Comprehensive Plan.
2. This proposed Conditional Use-Major is consistent with the character of the immediate vicinity of the proposed use.
3. The proposed use, classified as a recreational vehicle, is permitted as a Conditional Use-Major in the MURC-MW District.
4. Therefore, the City Council overturns the recommendation of the Planning Commission and approves the application submitted on October 23, 2013 for a Conditional Use-Major Development Permit.
5. The City Clerk shall have this permit recorded in the public records of Jackson County, at the expense of the applicant, and provide the applicant a copy of the permit with the recording information affixed.
6. The Gautier Planning Commission denied approval of this Conditional Use-Major Development Permit on March 6, 2014.
7. The City Council adopted this Conditional Use-Major Development Permit on a recorded vote of _____ ayes to _____ nays to approve the application of James T. Lacy, located at Lots 25, 26 & 27, Willis Heights Subdivision #2, in Gautier, Mississippi, and identified as Jackson County Parcel No. 87420025.000.

March 18, 2014
Date of Issuance

Attest:

Gordon Gollott, Mayor
City of Gautier, Mississippi
3330 Highway 90
Gautier, MS 39553

Cindy Russell
City Clerk

Gautier Planning Commission

Regular Meeting Agenda

February 6, 2013

GPC #13-24-CU

VII. NEW BUSINESS

A. QUASI-JUDICIAL

1. JAMES T. LACY - REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT TO ALLOW AN RV IN A MURC-MW MIXED USE RECREATION COMMERCIAL – MARY WALKER ZONING DISTRICT, LOTS 25, 26 & 27, WILLIS HEIGHTS SUBDIVISION, WILLIS STREET & RIVER OAKS DRIVE, (GPC CASE #13-24-CU)

QUASI-JUDICIAL PROCEDURES

1. Announcement of Matter. Read the matter title to be considered.
2. Swear the Witnesses. All witnesses, parties, citizen participants and City Staff who plan to speak at the hearing shall collectively be sworn at the beginning of the hearing by the City Attorney.
3. Ex Parte Disclosure. All members must disclose on the record any ex parte communications, to include any physical inspections of the subject property. The disclosure should include with whom any communication has taken place, a summary of the substance of the communication, and the date of the site visit, if any. If anyone has received written communications, the writing must be presented, read into record or a copy provided to all participants, and made a part of the official record.
4. Applicant Presentation.
5. Questions directed to Applicant. The applicant should answer any questions by the public, the Planning Commission, or others.
6. Staff Presentation. This includes presentation of the staff report into the official record.
7. Objections from Applicant. Confirm whether there are objections from the applicant regarding the staff report or development order.
8. Questions directed to Staff. The staff answers any questions by the public, the Planning Commission, or others.
9. Public Comments. Members of the public should be allowed to make comments regarding the application.
10. Applicant rebuttal/final comments
11. Staff rebuttal/final comments
12. Call for final questions.
13. Close public portion of the hearing.
14. Motion & Deliberation. Planning Commission makes a motion, and debates and deliberates regarding the application and development order.
15. Vote.
16. Close the quasi-judicial proceeding.

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission
From: Babs Logan, Planning Technician
Through: Chandra Nicholson, Economic Development & Planning Director
Date: January 22, 2014
Subject: Conditional Use-Major Permit for a Recreational Vehicle in the MURC-MW Zoning District at Lots 25, 26 & 27, Willis Heights Subdivision #2, PID #87420025.000 (GPC Case No. 13-24-CU)

REQUEST:

The Economic Development and Planning Department has received a request from James T. Lacy for a Conditional Use-Major Permit that would allow a recreational vehicle in a MURC-MW Mixed Use Recreation Commercial-Mary Walker zoning district at Lots 25, 26 & 27, Willis Heights Subdivision #2, PID #87420025.000. The application fee of \$250 was paid on October 23, 2013. All public notice requirements have been met.

BACKGROUND:

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

1. Location: Lots 25, 26 & 27, Willis Heights Subdivision #2, PID #87420025.000, corner of Willis Street and River Oaks Drive (See Exhibit A)
2. General features of the proposed project:
Principal Arterial: Highway 90
Gross Lot Acreage: approximately 0.36 acres
Potable Water and Wastewater Services: Existing from City
3. Current Zoning: MURC-MW Mixed Use Recreation Commercial – Mary Walker
4. Current Surrounding Zoning (See Exhibit B): surrounded by MURC-MW Mixed Use Recreation Commercial – Mary Walker
5. Current Surrounding Existing Land Use (See Exhibit C): Very Low to Low Density Residential to the north, and west; Vacant to the east; Mobile Home Park to the south

6. Comprehensive Plan Future Land Use Designation (See Exhibit D): Recreational Commercial

DISCUSSION:

The following addresses the review criteria for a Major Conditional Use outlined in Section 4.17.5 of the UDO.

1. Is the proposed use listed in the list of possible Conditional Uses in the particular Zoning District?

Applicant: Yes.

Staff Finding: Yes. The proposed use is listed as a Conditional Use-Major in the MURC-MW zoning district. The applicant made a successful application for a text change to the code, approve by Council on December 3, 2013.

2. Describe how the project is compatible with the character of development in the vicinity relative to (a) density, bulk and intensity of structures, (b) parking, and (c) other uses. Please attach parking plan, site plan, architectural rendering or other plans.

Applicant Response: There are other RVs and mobile homes in the area.

Staff Finding: The only recreational vehicles on private lots in the area are owned by the property owners who have a principal structure on the lot and store the RV on their property for off-site recreational use. These RVs are not allowed to be occupied while on the lots. RVs are allowed by right in designated RV parks or as a Conditional Use-Major on an individual lot in the MURC-MW zoning district.

3. Will your project negatively affect neighboring property values or pose a real or perceived threat to citizens? Explain.

Applicant Response: No. There are already mobile homes and RV's in the area.

Staff Finding: Research indicates that when RVs are allowed on private lots for long terms and are only occasionally used they often become abandoned and derelict.

4. Will your project adversely affect vehicular or pedestrian traffic in the vicinity? Explain.

Applicant Response: No. We will only be there a few days from time to time. Just one car.

Staff Finding: There is no evidence that the proposed RV will have any adverse affect on vehicular or pedestrian traffic.

5. Can the proposed use be accommodated by existing or proposed public services and facilities including, but not limited to, water, sanitary sewer, streets, drainage, police and fire protection, and schools?

Applicant Response: It already has water and sewer hook-ups.

Staff Finding: The proposed use can be accommodated by existing public services and facilities.

6. Is the proposed use in harmony with the Comprehensive Plan? Explain how.

Applicant: Yes.

Staff Response: The Comprehensive Plan shows the area as Recreational Commercial. The suggested land uses listed for Recreational Commercial areas in the Comprehensive Plan are single family homes, townhouses, patio homes, mixed use buildings, marinas, public parks, restaurants, specialty retail, small structures, rental cabins and recreational vehicle parks. This would suggest that RVs should only be allowed in RV parks.

7. Does the proposed use pose a hazardous, detrimental, or disturbing affect, either real or perceived, to present surrounding land uses due to noises, glare, smoke, dust, odor, fumes, water pollution, vibration, electrical interference, or other nuisances? Explain.

Applicant Response: No. It is just an RV and we will only be in it a few days here and there.

Staff Finding: There is no evidence that the proposed use poses a hazardous, detrimental or disturbing affect to present surrounding uses.

8. Does the use conform to all district regulations for the applicable district in which it is located, or have other provisions been provided for? Explain.

Applicant Response: Yes.

Staff Finding: The proposed use is not allowed in the district by right but is listed as a major conditional use which may or may not be approved by Council after review by Planning Commission.

DETERMINATION OF APPLICABLE LAW:

1. Conditional Uses by definition are detrimental to their surroundings, but with conditions may be made compatible. The UDO defines conditional uses as specific uses which are enumerated in each zoning district and which because of their nature are not allowed by right but may be allowed after the required review process. The City may specify certain conditions as necessary to make the use compatible with other uses in the same district. Conditional uses are issued for uses of land and uses designated “Conditional Use-Major” are transferable from one (1) owner of land to another.

The UDO further defines Conditional Uses-Major as uses that are not allowed by right but require a recommendation by the Planning Commission and the approval of the City Council. Additionally, if the conditional use is transferred to a new owner, the new owner must submit a letter to the Economic Development Director agreeing to the current terms and conditions before a business license may be issued.

2. Conditional Uses-Major require a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).

RECOMMENDATION:

Staff finds that the proposed use is not consistent with the Comprehensive Plan and intent of the MURC-MW Mixed Use Recreation Commercial-Mary Walker zoning district regarding recreational vehicles. Furthermore, a recreational vehicle is not a structure and will deteriorate with time, in disharmony with surrounding land uses. Staff does not recommend approval.

CONCLUSION:

The Planning Commission may:

1. Place Conditions on the use for Compatibility and Recommend that City Council approve the Conditional Use-Major; or
2. Recommend that City Council deny the Conditional Use-Major.

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
6. City's Exhibit E – Draft Conditional Use-Major Development Order

EXHIBIT 1

ECONOMIC DEVELOPMENT/PLANNING DEPARTMENT
GAUTIER, MISSISSIPPI

CONDITIONAL USE-MAJOR HEARING APPLICATION

Hearing Number

G.P.C. 13-24-111

<u>TYPE OF REQUEST:</u>	<u>FEE:</u>
Conditional Use – Major <u> X </u>	\$250.00

Major Conditional Use -- These uses are not allowed by right, and require a recommendation by the Planning Commission and approval of the City Council.

Name of Applicant: James T. Lacy

Name of Business: _____

Address: _____ Mailing Address (if different): P.O. Box 2221, Hattiesburg, 39403

Email Address: James.lacy@comcast.net

Phone: 601-582-8916 Cell Phone: 601-466-2000

Reason for request, location and intended use of Property: to allow placement of an RV on Lots 25, 26 & 27

Willis Heights Subdivision #2, PID #87420025.000

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 Economic Development/Planning Director and/or members of the Technical Review Committee.
- _____ 7. Owner's Consent form, if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant: [Signature]

Date of Application: 10/23/13

FOR OFFICE USE ONLY	
Date Received <u>10/23/13</u>	Verify as Complete <u>BT</u>
Fee Amount Received <u>\$250.00</u>	
Initials of Employee Receiving Application <u>BT</u>	

EXHIBIT 1

MAJOR CONDITIONAL USE

Criteria for Approval Major Conditional Use

1. Is the proposed use listed in the list of possible Conditional Uses in the particular Zoning District?

yes

2. Please describe how the project is compatible with the character of development in the vicinity relative to (a) density, bulk and intensity of structures, (b) parking, and (c) other uses. Please attach parking plan, site plan, architectural rendering or other plans.

There are other RV's and mobile homes in the area.

3. Will your project negatively affect neighboring property values or pose a real or perceived threat to citizens? Explain.

No. There are already mobile homes and RV's in the area.

4. Will your project adversely affect vehicular or pedestrian traffic in the vicinity? Explain.

No. We will only be there a few days from time to time. Just one car.

5. Can the proposed use be accommodated by existing or proposed public services and facilities including, but not limited to, water, sanitary sewer, streets, drainage, police and fire protection, and schools?

It already has water and sewer hook-ups.

6. Is the proposed use in harmony with the Comprehensive Plan? Explain how.

Yes.

7. Does the proposed use pose a hazardous, detrimental, or disturbing affect, either real or perceived, to present surrounding land uses due to noises, glare, smoke, dust, odor, fumes, water pollution, vibration, electrical interference, or other nuisances? Explain.

No. It is just an RV and we will only be in it a few days here and there.

8. Does the use conform to all district regulations for the applicable district in which it is located, or have other provisions been provided for? Explain.

Yes.

EXHIBIT 1

Parcel Information

PIDN: 87420025.000
GISP: 769.32-04-0087.00M

Owner Information

Name: LACY JAMES T & HILDA R Percent of Ownership: 100
Name2:
Mailing Address: 309 4TH AVE Physical Address: WILLIS DR GAUTIER
HATTIESBURG MS 39401

Land Information

Section, Township, Range: 32 7S 6W Acreage: 0.36000001
Street Name: WILLIS DR

Value and Tax Information

Total Assessed Value: 10762 Total Appraised Value: 71740
Improvement Value: 1970 Land Value: 69770
Tax Amount: 1397 SQ. FT: 0 Year Built: 0000

Legal Description

Description: LOTS 25 26 & 27 OF WILLIS HGTS S/D #2 (87M Map769.32-04) DB 92 7-289

Deed Book / Page: 927 / 289

EXHIBIT 1

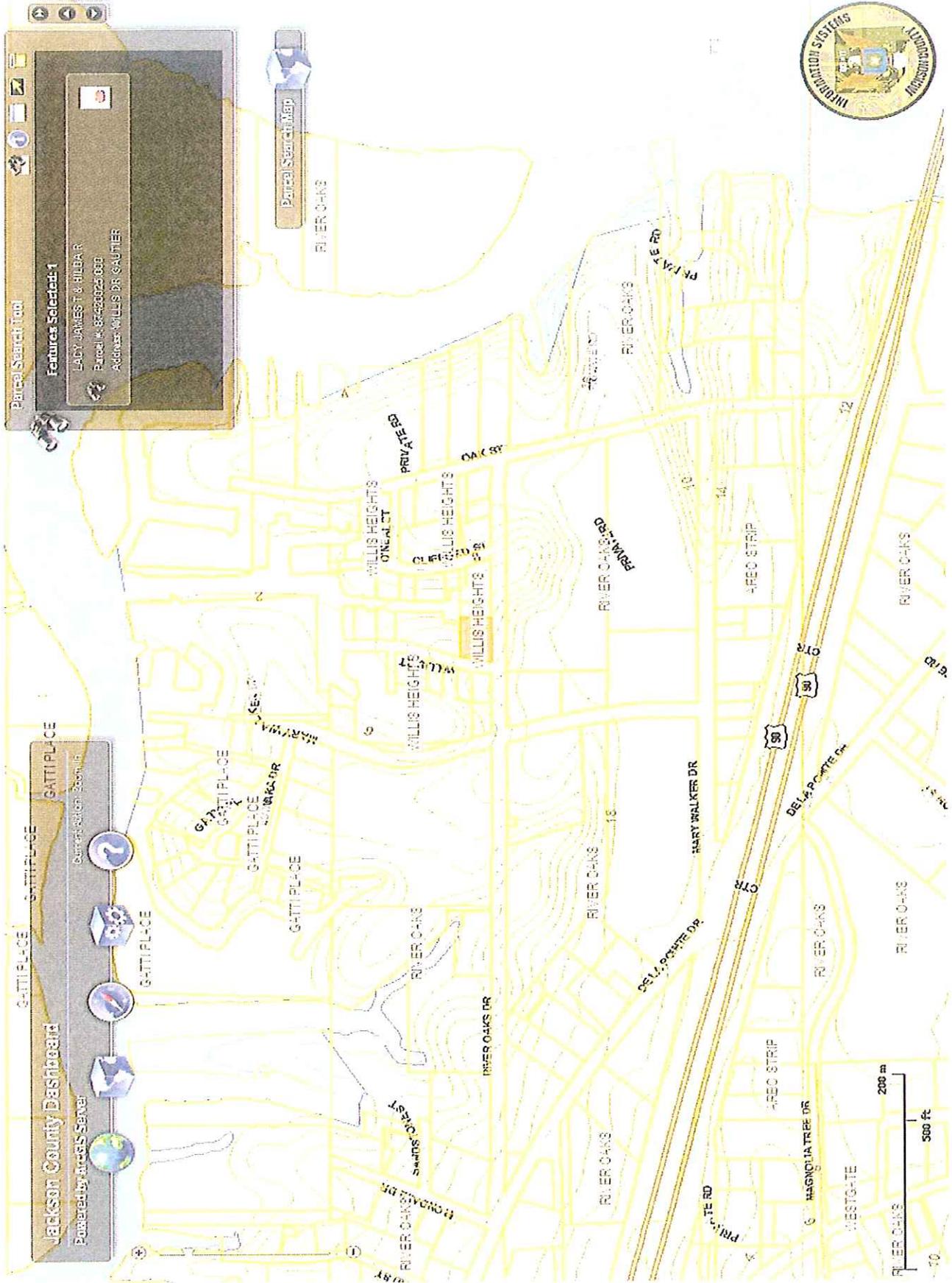
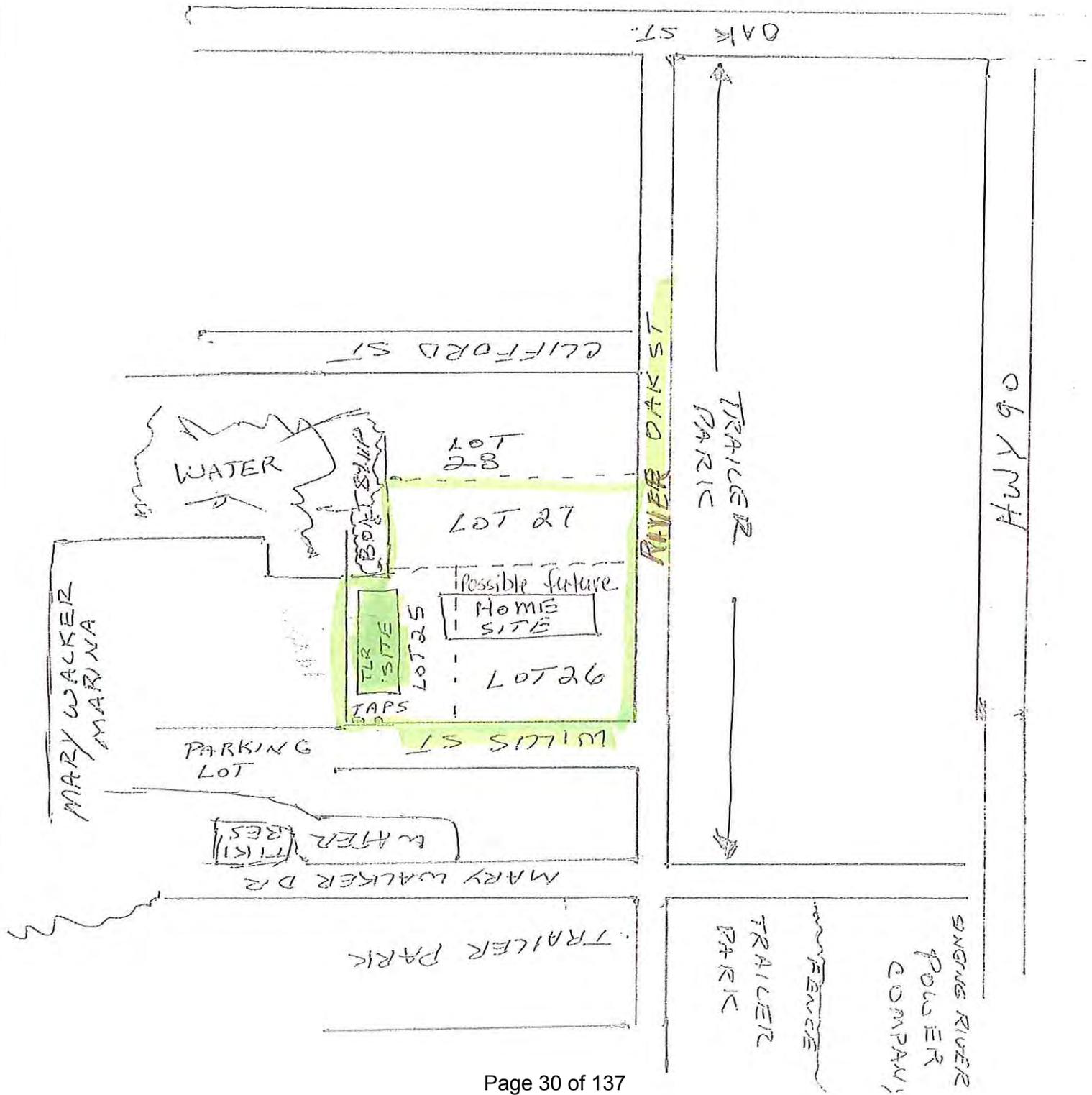
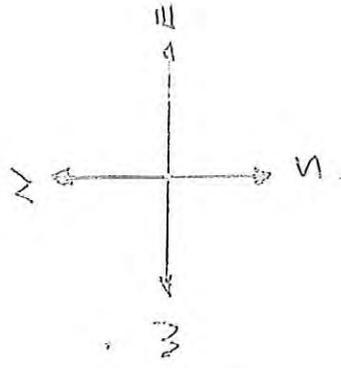


EXHIBIT 1



Babs,

I AM REQUESTING TO LEAVE MY CAMPER ON MY PROPERTY FOR THE FOLLOWING REASONS:
MY WIFE HAS HAD TWO STROKES, BRAIN SURGERY, IS A DIABETIC AND REQUIRES AC.
WE WILL ONLY BE IN THE AREA A COUPLE OF DAYS AT A TIMES.
THE CAMPER IS NOT FOR PERMANENT USE.
WE PLAN TO FISH FROM THE PIER IN THE GAUTIER PARK AS WE NO LONGER CAN GO BOATING.
WHEN WE LEAVE THE AREA ALL HOOKUPS WILL BE DISCONNECTED.

I HAVE CONTINUED TO DEVELOP THE PROPERTY SINCE PURCHASING IN 1980. PUTTING IN A FRENCH
DRAIN SYSTEM, CITY WATER AND SEWER, AND HAVE HAD SINGING RIVER POWER SINCE 1980.

ALSO, WHEN I PURCHASED THE PROPERTY THERE WAS A HOUSE ON IT. THE SIDEWALK TO THE HOUSE
STILL REMAINS. I THOUGHT I WOULD BE GRANDFATHERED IN, BUT DID NOT HAPPEN.

I THINK THAT THE LOOKS OF CAMPER DOES DEGRADE THE AREA.

I RETIRED FROM INGALLS/NORTHORP GRUMMAN AFTER THIRTY PLUS YEARS AND REALLY LIKE
THE CITY.

THANK YOU FOR YOUR CONSIDERATION IN THIS REQUEST.

JAMES T LACY

EXHIBIT 1



EXHIBIT 1



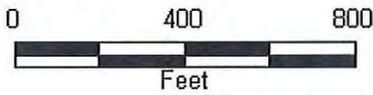
EXHIBIT 1



EXHIBIT A

Location Map Lots 25,26 and 27 of Willis Hgts S/D #2 Conditional Use-Major

City Of Gautier
Economic Development/Planning



Prepared by the
City of Gautier
GIS Division

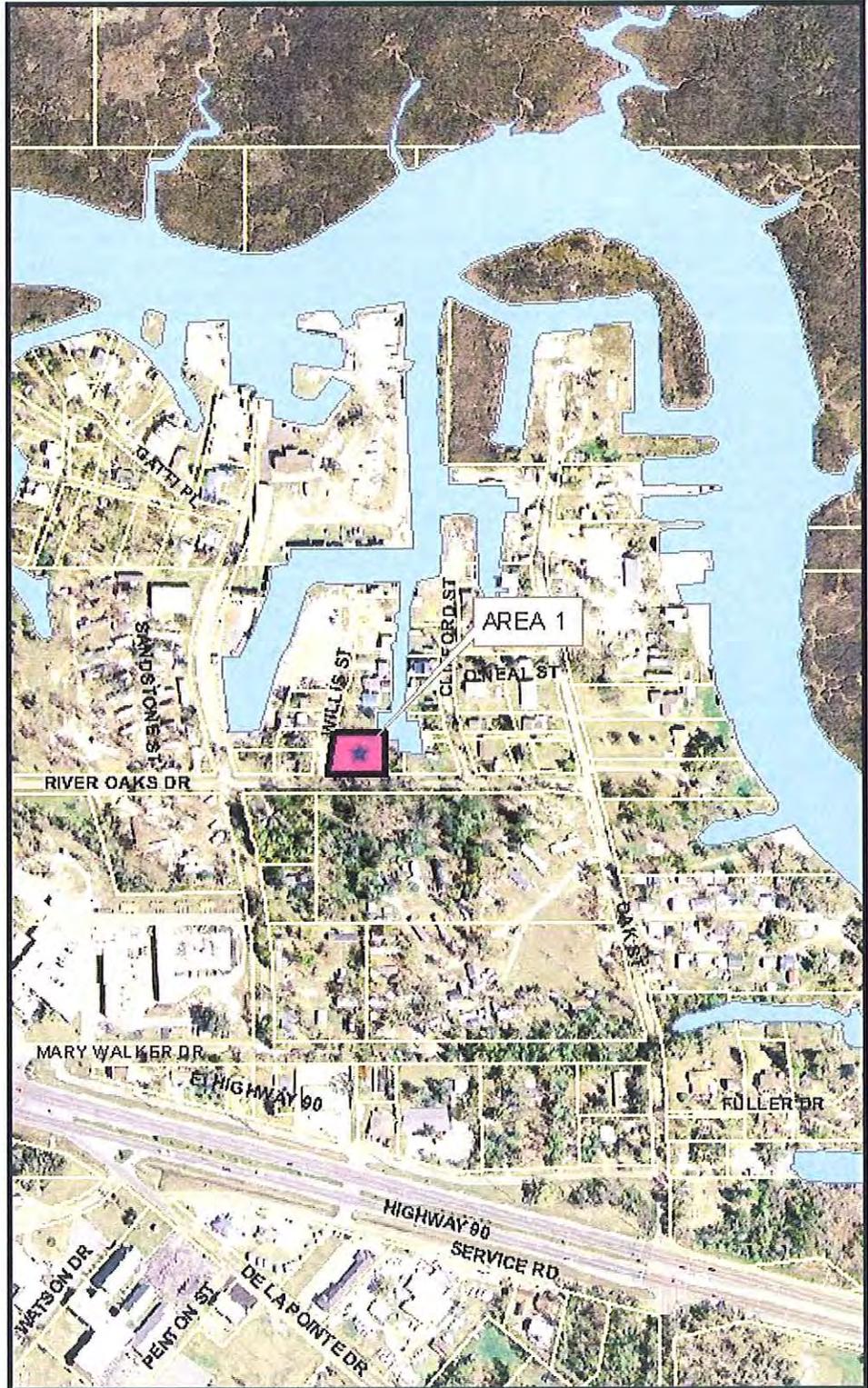
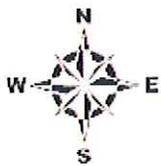
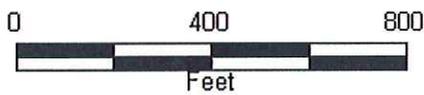


EXHIBIT B

Existing Zoning Map

City Of Gautier
Economic Development/Planning



Prepared by the
City of Gautier
GIS Division

Legend

- AG Agricultural
- PL Public/Semi-Public
- PUD Planned Unit Development
- R-1 Low Density Residential
- R-2 Multi-Family Residential
- R-3 Mobile Home District
- MUM
- TC
- MURC-1
- MURC-2
- MURC-MW
- C-1 Neighborhood Commercial
- C-2 Community Commercial
- C-3 Highway Commercial
- I-2 Industrial

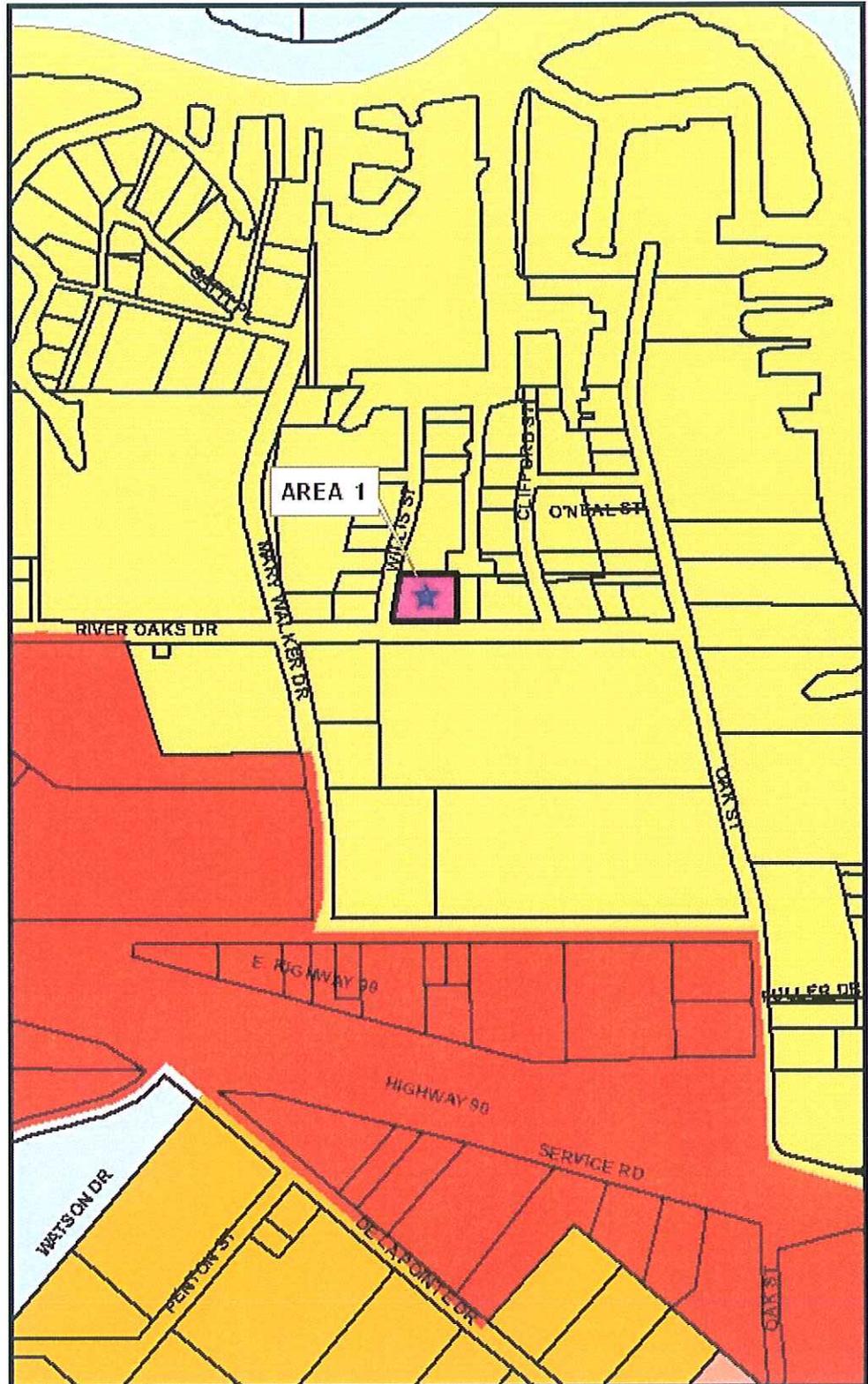
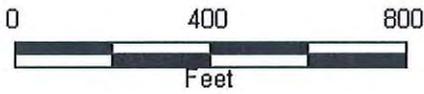


EXHIBIT C

Existing Land Use Map

City Of Gautier
Economic Development Planning



Prepared by the
City of Gautier
GIS Division

Legend

EXISTING LAND USE

- 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

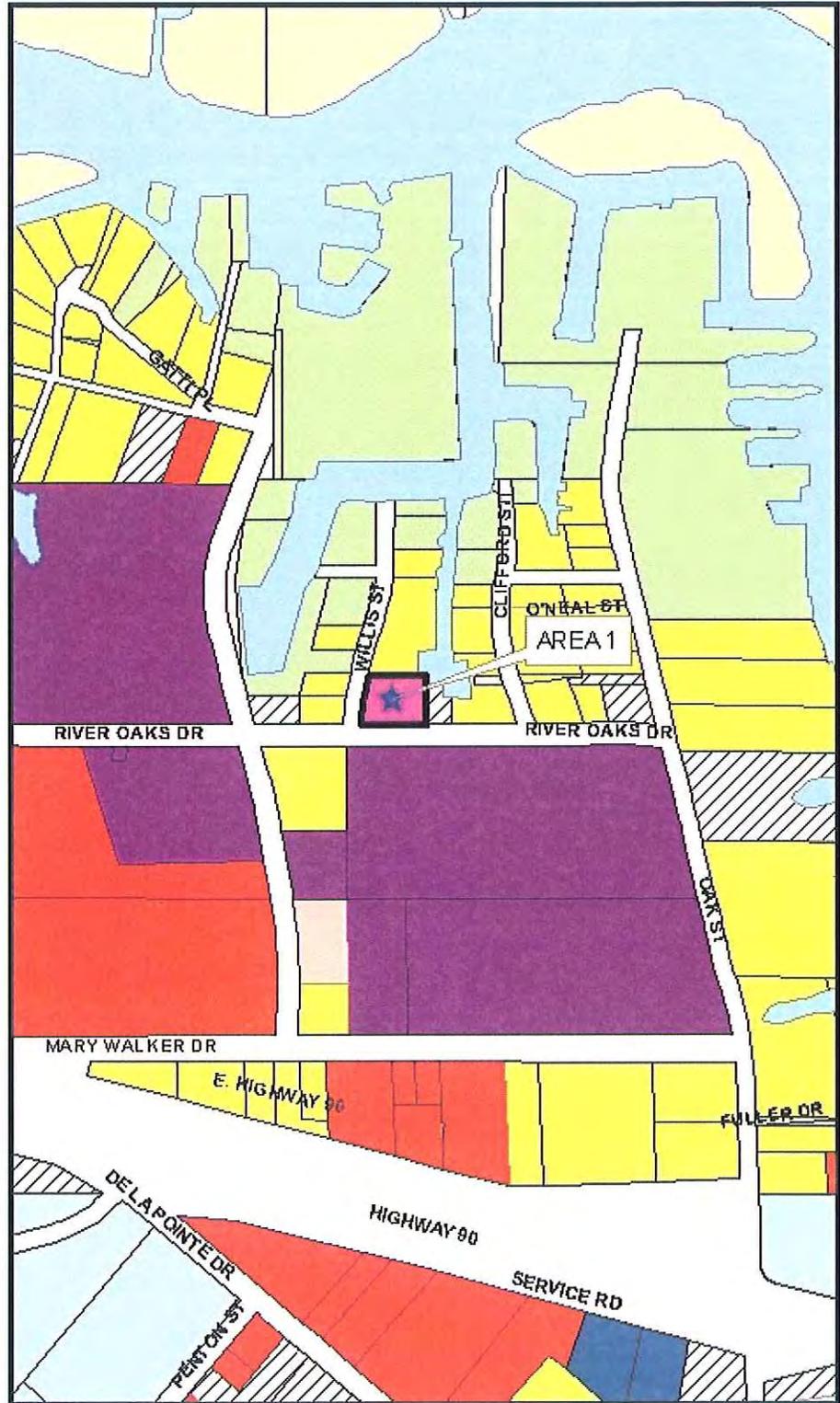


EXHIBIT D

Future Land Use Map

City Of Gautier
Economic Development Planning



Prepared by the
City of Gautier
GIS Division

Legend

- 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

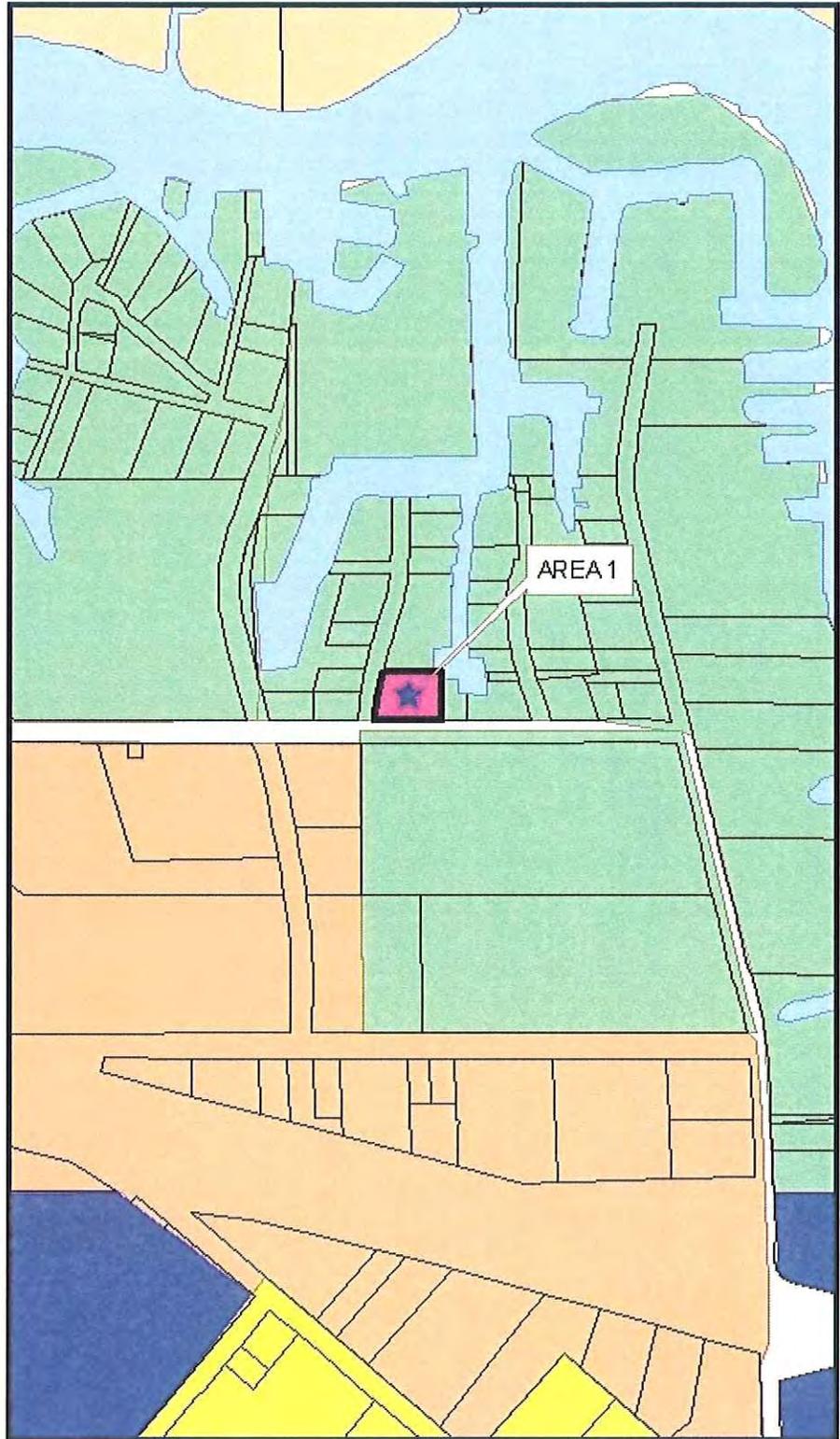


EXHIBIT E

**CITY OF GAUTIER
CONDITIONAL USE-MAJOR DEVELOPMENT PERMIT
GPC CASE NO. 13-24-CU**

JAMES T. LACY

REGARDING PARCEL ID NO: 87420025.000

The City of Gautier, at its regular meeting held on February 18, 2014, considered the application for a Conditional Use-Major Development Permit for placement of a recreational vehicle as submitted by James T. Lacy. The parcel subject to this Permit is located at Lots 25, 26 & 27, Willis Heights Subdivision #2, Gautier Mississippi, 39553. After due public notice, the City Council, having considered the favorable recommendation by the Planning Commission, application, testimony and exhibits presented by the applicant, the report of the City Staff and all other relevant testimony, exhibits and other evidence, pursuant to applicable provisions of the City's Unified Development Ordinance, hereby approves the Conditional Use-Major Development Permit and orders as follows:

1. This proposed Conditional Use-Major is consistent with the character of the immediate vicinity of the proposed use.
2. The proposed use, classified as a recreational vehicle, is permitted as a Conditional Use-Major in the MURC-MW District.
3. Therefore, the City Council accepts the recommendation of the Planning Commission and approves the application submitted on October 23, 2013 for a Conditional Use-Major Development Permit.
4. The City Clerk shall have this permit recorded in the public records of Jackson County, at the expense of the applicant, and provide the applicant a copy of the permit with the recording information affixed.
5. The Gautier Planning Commission recommended approval of this Conditional Use-Major Development Permit on February 6, 2014.
6. The City Council adopted this Conditional Use-Major Development Permit on a recorded vote of _____ ayes to _____ nays to approve the application of James T. Lacy, located at Lots 25, 26 & 27, Willis Heights Subdivision #2, in Gautier, Mississippi, and identified as Jackson County Parcel No. 87420025.000.

EXHIBIT E

February 18, 2014
Date of Issuance

Attest:

Gordon Gollott, Mayor
City of Gautier, Mississippi
3330 Highway 90
Gautier, MS 39553

Cynthia Russell
City Clerk

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

ORDER NUMBER 065-2014

**CITY OF GAUTIER
DEVELOPMENT ORDER
GPC CASE NO. 13-28-SD**

The City of Gautier, at its regular meeting held on March 18, 2014, considered the application for a Development Order for the Subdivision of Land for a thirteen lot subdivision development in an R-1 Low Density Single-Family Residential zoning district as submitted by Wilbur Dees. The parcels subject to this Order are generally described as being located at the southeast end of Homestead Boulevard, Parcels 81807045.030, 81807045.000 & 81807045.025, Gautier, Mississippi, 39553. After due public notice the City Council, having considered the Technical Review Committee's review, the Planning Commission's review, application, testimony and exhibits presented by the applicant, the report of the City Staff and all other relevant testimony, exhibits and other evidence, pursuant to applicable provisions of the City's Unified Development Ordinance, hereby approves the Development Order for the Subdivision of Land and orders as follows:

1. The proposed development is consistent with the character of the immediate vicinity of the proposed use.
2. The proposed development of the subdivision of land requires a replat of 82.2± acres for a seven lot subdivision development permitted in the R-1 District.
3. Therefore, the City Council approves the application submitted on November 18, 2013 for a Development Order for the Subdivision of Land.
4. The City Council adopted this Development Order for Subdivision of Land on a recorded vote of 4 ayes to 3 nays to approve the application of Wilbur Dees for a seven lot subdivision development to be located at the southeast end of Homestead Boulevard Gautier, Mississippi, and identified as Jackson County Parcel Nos. 81807045.030, 81807045.000 & 81807045.025.

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

AYES: Gordon Gollott
Mary Martin
Hurley Ray Guillotte
Casey Vaughan

NAYS: Johnny Jones
Rusty Anderson
Adam Colledge

March 18, 2014
Date of Issuance

Gordon Gollott, Mayor
City of Gautier, Mississippi
3330 Highway 90
Gautier, MS 39553

ATTEST:

Cynthia Russell
City Clerk

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of March 18, 2014.

QUASI-JUDICIAL PROCEDURES

1. Announcement of Matter. Read the matter title to be considered.
2. Swear the Witnesses. All witnesses, parties, citizen participants and City Staff who plan to speak at the hearing shall collectively be sworn at the beginning of the hearing by the City Attorney.
3. Ex Parte Disclosure. All members must disclose on the record any ex parte communications, to include any physical inspections of the subject property. The disclosure should include with whom any communication has taken place, a summary of the substance of the communication, and the date of the site visit, if any. If anyone has received written communications, the writing must be presented, read into record or a copy provided to all participants, and made a part of the official record.
4. Applicant Presentation.
5. Questions directed to Applicant. The applicant should answer any questions by the public, the Planning Commission, or others.
6. Staff Presentation. This includes presentation of the staff report into the official record.
7. Objections from Applicant. Confirm whether there are objections from the applicant regarding the staff report or development order.
8. Questions directed to Staff. The staff answers any questions by the public, the Planning Commission, or others.
9. Public Comments. Members of the public should be allowed to make comments regarding the application.
10. Applicant rebuttal/final comments
11. Staff rebuttal/final comments
12. Call for final questions.
13. Close public portion of the hearing.
14. Motion & Deliberation. Planning Commission makes a motion, and debates and deliberates regarding the application and development order.
15. Vote.
16. Close the quasi-judicial proceeding.

CITY OF GAUTIER
STAFF MEMORANDUM

To: Samantha D. Abell, City Manager
From: Chandra Nicholson, Economic Development & Planning Director
Date: March 11, 2014
Subject: GPC Case #13-28-SD. Consideration of Development Order Approval for the Subdivision of Land for Dees Landing, a Subdivision Comprising ±82.2 Acres. Wilbur Dees, Owner

REQUEST:

The applicant, Wilbur Dees, is proposing to divide three parcels consisting of approximately 82.2 acres into thirteen (13) parcels. The application fee of \$100 was paid on November 18, 2013. All public notice requirements have been met.

Staff has deemed the application sufficient for planning commission and city council consideration. The application was processed in accordance with UDO Section 4.2 and 4.7 for Subdivision of Land. The applicant has submitted drawings indicating the concept of the proposed subdivision regarding lot sizes, street frontage, etc. Prior to Final Plat review and the issuance of building permits, the owner shall provide additional documentation showing compliance with the UDO and City requirements.

The site is currently served by public water and sewer, and is comprised of three parcels containing 5.35 acres, 49.5 acres and 18.5 acres, located on the east end of Homestead Boulevard. The property is zoned R-1 Low Density Single-Family Residential.

BACKGROUND:

The Planning Commission reviewed this case on December 5, 2013 and again on March 6, 2013 where action was taken.

Pursuant to Section 4.7.2 of the UDO, preliminary approval to subdivide land is not required. A development plan is required in order to ensure there are adequate levels of service to provide for the development. An applicant may elect to request preliminary plat approval simultaneous with the development plan approval process.

On December 5, 2013, the applicant proposed a Preliminary Plat that included 10 developable lots (8 lots on the peninsula and 2 lots on the eastern end) and the remainder of the subdivision would remain large tracts of land. The row of developable lots on the western end of the development have been referred to as the “peninsula” for discussion purposes. The Gautier Planning Commission considered the owner’s plans for a residential development and directed the applicant to consider larger lots more compatible with surrounding properties. The owner subsequently met with residents to hear concerns regarding compatibility and has made the following changes:

The owner has altered the preliminary plat to increase the lot road frontage to a minimum of approximately 150 feet, in order to be compatible with existing lots.

The owner has increased lot size from the permissible 1/3 acre to 1/2 acre along Homestead Boulevard.

The owner commits that the lots at the east end of Homestead will be a minimum of an acre and a half.

The owner will develop wetlands that Homestead residents will be able to utilize as an amenity.

The owner will not replat all of his land at this time, though he understands he could make application to do so. He realizes a future rezoning could negatively affect his ability to plat his land in accordance with the stated intentions above. Based on market demand for large homes and large lots, the owner intends to replat the remaining land at a future time, in accordance with the above specifications agreed upon by neighboring property owners.

On March 6, 2014, the applicant proposed a Preliminary Plat that included 7 developable lots (6 lots on the peninsula and 1 lot on the eastern end) and the remainder of the subdivision would remain large tracts of land. The reduction in the number of lots was due to the increase in lots size to accommodate the concerns of the neighbors.

On March 6, 2014, at the Planning Commission Meeting, the applicant requested a change to their submittal to increase the total number of lots back to the initially submitted number of 10 developable lots (9 lots on the peninsula and 1 lot on the eastern end) while maintaining a minimum lot size of ½ acre. The Gautier Planning Commission allowed the revised Preliminary Plat to be entered into the record and be considered.

On March 6, 2014, the Planning Commission voted unanimously to Recommend Approval of the Development Order for the Subdivision of Land.

DISCUSSION:

The Technical Review Committee met to review the proposed subdivision on January 23, 2014. Attached to the Staff Report are an email and a memo from TRC staff members submitted to the

Economic Development and Planning Director. The TRC deems the preliminary plat request technically sufficient for Planning Commission review, in accordance with section 4.7.2.

Section 4.1.8 Major Developments (Development larger than 2.25 acres)

The following procedures, in addition to those listed in Section 4.5, shall apply to all major development order applications:

A. The Technical Review Committee (TRC) shall review the proposal and submit comments, if any, in writing to the Chairman of the Committee. Once the TRC has come to the conclusion that the proposal can be approved, approved with conditions, approved with modifications or denied, the Chairman shall forward each TRC member’s written recommendation through the City Manager to the Planning Commission and City Council. In addition to the written recommendations of each TRC member, information provided to the Planning Commission and City Council shall include, but not be limited to, the following:

1. Characteristics of the site and surrounding area, including important natural and manmade features, the size and accessibility of the site and surrounding land uses.

Analysis:

	Current Land Use	Zoning District
North	Very low to low density residential	R-1 Low Density Single-Family Residential
South	Very low to low density residential, conservation, vacant,	R-1 Low Density Single-Family Residential
East	Marsh, River	N/A
West	Very low to low density residential, vacant	R-1 Low Density Single-Family Residential

Approximately 45 acres of the total acreage of parcels being divided is upland; approximately 37.2 acres is marsh land which is shown on the plat. Lot 7 of the proposed subdivision has wetlands (salt marsh) along its eastern boundary. There is no evidence of wetlands within Lots 1-6 of the proposed subdivision. (See attached letter from Batson & Brown, Inc.)

2. Impact on concurrency requirements and level of service standards (LOS).

Analysis:

The City has adequate levels of service for the proposed subdivision, including roadways, water and sewer capacity, fire and police.

3. The nature of the proposed development, including land use types and densities; the placement of proposed buildings and other improvements on the site; the location, type and method of maintenance of open space and public use areas, if any; the preservation of natural features or protection of sensitive lands, if any; proposed parking areas; internal traffic circulation systems, if any; the approximate total ground coverage of paved areas and structures; stormwater management, and water and sewage distribution, collection and treatment systems.

Analysis:

The existing property where Lots 1-6 are to be located is currently wooded. Lot 7 at the end of Homestead Boulevard is cleared to some extent. The applicant will not have to build any new roads because all seven proposed R-1 residential lots front on Homestead Boulevard. No recreational facilities are proposed at this time, though the owner proposes wetslips as an amenity at a later phase.

The section of land where Lots 1-6 will be located is upland and will accommodate construction of new homes. At the east section of the property where Lot 7 is to be located are some wetlands. The lot has been made larger to provide area for the house to be built outside the wetlands area. There are some protected trees that will have to be removed for construction of homes.

4. Conformity of the proposed development with the Comprehensive Plan, this Code and other applicable regulations.

Analysis:

The UDO requires the following setbacks and density for the R-1 zoning district: Minimum lot area of 9,600 square feet. Front setbacks 25' (an additional 10' must be added to the front setback on Homestead Boulevard per the UDO making the front setbacks 35'), Side setbacks 10', Rear setbacks 25', and minimum living area 1,325 S.F. The proposed development conforms to the requirements of the UDO and zoning district.

Section 5.2.4 (C) also states the following regarding setbacks: In any existing residential district, the minimum front yard setback of any new structure built as an infill structure, shall be the same as the adjoining residential structures, or if there are no adjoining residential structures, shall be equal to the average of other residences on the same side of the street within the same block or series of blocks.

The existing zoning district does not comply with the City's Comprehensive Plan. The Comprehensive Plan, adopted September 2009, reflects a new land designation called RE Residential Estate on the Future Land Use Map. The RE designation would require a minimum of one acre per single family dwelling, and a minimum living area of 1,800 square feet. Front setbacks 50', Side setbacks 20' and Rear setbacks 35'.

CONCLUSION AND RECOMMENDATION:

At the March 6, 2014 Planning Commission Meeting, the Planning Commission voted unanimously to Recommend Approval of the Development Order for the Subdivision of Land.

Based on the Planning Commission's Recommendation, the Technical Review Committee's review, the analysis of the site data, existing zoning, impact on the available infrastructure, availability of existing utilities, and the appropriateness of the request relevant to the criteria established by Section 4.7 of the Unified Development Ordinance, the staff recommends approval of a Development Order and Preliminary Subdivision Plat. Although, the size and set-back of the proposed lots are not consistent with the Comprehensive Plan, the size and set-backs of the proposed lots do comply with the current code requirements. The size of the proposed lots is consistent with areas that have the availability of water and sewer services. The larger residential estate lots are more consistent with areas that do not have water and sewer service availability.

Based on the Technical Review Committee's review, the analysis of the site data, zoning, existing and future land use maps, impact on the availability of infrastructure, consistency with the Comprehensive Plan, and the appropriateness of the request relevant to the criteria established by Section 4.7 of the Unified Development Ordinance, the City Council may:

1. Approve the Development Order and Preliminary Plat; or
2. Deny the Development Order and Preliminary Plat.

ATTACHMENTS:

Development Order

Staff Report and backup

Attachment 1: Exhibit Submitted as a Part of December 5, 2013 GPC Packet

Attachment 2: Exhibits Submitted at March 6, 2014 GPC Meeting

Attachment 3: Exhibit Submitted After March 6, 2014 GPC Meeting for Clarification

**CITY OF GAUTIER
DEVELOPMENT ORDER
GPC CASE NO. 13-28-SD**

DEES LANDING DEVELOPMENT ORDER FOR THE SUBDIVISION OF LAND

REGARDING PARCEL ID NOS: 81807045.030, 81807045.000 & 81807045.025

The City of Gautier, at its regular meeting held on March 18, 2014, considered the application for a Development Order for the Subdivision of Land for a seven lot subdivision development in an R-1 Low Density Single-Family Residential zoning district as submitted by Wilbur Dees. The parcels subject to this Order are generally described as being located at the southeast end of Homestead Boulevard, Parcels 81807045.030, 81807045.000 & 81807045.025, Gautier, Mississippi, 39553. After due public notice, the City Council, having considered the Technical Review Committee's review, the Planning Commission's review, application, testimony and exhibits presented by the applicant, the report of the City Staff and all other relevant testimony, exhibits and other evidence, pursuant to applicable provisions of the City's Unified Development Ordinance, hereby approves the Development Order for the Subdivision of Land and orders as follows:

1. This proposed development is consistent with the character of the immediate vicinity of the proposed use.
2. The proposed development of the subdivision of land requires a replat of 82.2± acres for a seven lot subdivision development permitted in the R-1 District.
3. Therefore, the City Council approves the application submitted on November 18, 2013 for a Development Order for the Subdivision of Land
5. The City Council adopted this Development Order for Subdivision of Land on a recorded vote of _____ ayes to _____ nays to approve the application of Wilbur Dees for a seven lot subdivision development to be located at the southeast end of Homestead Boulevard Gautier, Mississippi, and identified as Jackson County Parcel Nos. 81807045.030, 81807045.000 & 81807045.025.

March 18, 2014

Date of Issuance

Attest:

Gordon Gollott, Mayor
City of Gautier, Mississippi
3330 Highway 90
Gautier, MS 39553

Cynthia Russell
City Clerk

Gautier Planning Commission

Regular Meeting Agenda

February 6, 2014

GPC #13-28-SD

Dees Landing Subdivision

VII. NEW BUSINESS

A. QUASI-JUDICIAL

2. DEES LANDING - REQUEST FOR A DEVELOPMENT ORDER FOR THE SUBDIVISION OF LAND IN AN R-1 LOW DENSITY SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, HOMESTEAD BOULEVARD (WILBUR DEES, OWNER) (GPC CASE #13-28-SD)

QUASI-JUDICIAL PROCEDURES

1. Announcement of Matter. Read the matter title to be considered.
2. Swear the Witnesses. All witnesses, parties, citizen participants and City Staff who plan to speak at the hearing shall collectively be sworn at the beginning of the hearing by the City Attorney
3. Ex Parte Disclosure. All members must disclose on the record any ex parte communications, to include any physical inspections of the subject property. The disclosure should include with whom any communication has taken place, a summary of the substance of the communication, and the date of the site visit, if any. If anyone has received written communications, the writing must be presented, read into record or a copy provided to all participants, and made a part of the official record.
4. Applicant Presentation.
5. Questions directed to Applicant. The applicant should answer any questions by the public, the Planning Commission, or others.
6. Staff Presentation. This includes presentation of the staff report into the official record.
7. Objections from Applicant. Confirm whether there are objections from the applicant regarding the staff report or development order.
8. Questions directed to Staff. The staff answers any questions by the public, the Planning Commission, or others.
9. Public Comments. Members of the public should be allowed to make comments regarding the application.
10. Applicant rebuttal/final comments
11. Staff rebuttal/final comments
12. Call for final questions.
13. Close public portion of the hearing.
14. Motion & Deliberation. Planning Commission makes a motion, and debates and deliberates regarding the application and development order.
15. Vote.
16. Close the quasi-judicial proceeding.

CITY OF GAUTIER
STAFF REPORT
DEES LANDING SUBDIVISION

To: Gautier Planning Commission Chairman and Members
From: Babs Logan, Planning Technician
Thru: Chandra Nicholson, Economic Development & Planning Director
Date: January 30, 2014
Subject: Consideration of a Development Order for the Subdivision of Land for Dees Landing, a Subdivision Comprising ±82.2 Acres. Aron Chesney, PLS, Agent for Owner Wilbur Dees. (GPC #13-28-SD)

REQUEST:

The applicant, Wilbur Dees, is proposing to divide three parcels consisting of approximately 82.2 acres into ten parcels. Six of the new parcels will be approximately one half acre or 21,200 square feet. The other new parcel will be approximately 1.5 acres; the remaining three parcels will be larger than 1.5 acres. The application fee of \$100 was paid on November 18, 2013. All public notice requirements have been met.

Staff has deemed the application sufficient for planning commission and city council consideration. The application was processed in accordance with UDO Section 4.2 and 4.7 for Subdivision of Land. The applicant has submitted drawings indicating the concept of the proposed subdivision regarding lot sizes, street frontage, etc. Prior to Final Plat review and the issuance of building permits, the owner shall provide additional documentation showing compliance with the UDO and City requirements.

The site is currently served by public water and sewer, and is comprised of three parcels containing 5.35 acres, 49.5 acres and 18.5 acres, located on the east end of Homestead Boulevard. The property is zoned R-1 Low Density Single-Family Residential.

BACKGROUND:

Pursuant to Section 4.7.2 of the UDO, preliminary approval to subdivide land is not required. A development plan is required in order to ensure there are adequate levels of service to provide for

the development. An applicant may elect to request preliminary plat approval simultaneous with the development plan approval process. On December 5, 2013, the Gautier Planning Commission considered the owner's plans for a residential development and directed the applicant to consider larger lots more compatible with surrounding properties. The owner subsequently met with residents to hear concerns regarding compatibility and has made the following changes:

The owner has altered the preliminary plat to increase the lot road frontage to a minimum 150 feet, in order to be compatible with existing lots.

The owner has increased lot size from the permissible 1/3 acre to 1/2 acre along Homestead Boulevard.

The owner commits that the lots at the east end of Homestead will be a minimum of an acre and a half.

The owner will develop wetlands that Homestead residents will be able to utilize as an amenity.

The owner will not replat all of his land at this time, though he understands he could make application to do so. He realizes a future rezoning could negatively affect his ability to plat his land in accordance with the stated intentions above. Based on market demand for large homes and large lots, the owner intends to replat the remaining land at a future time, in accordance with the above specifications agreed upon by neighboring property owners.

DISCUSSION:

The Technical Review Committee met to review the proposed subdivision on January 23, 2014. Attached to the Staff Report are an email and a memo from TRC staff members submitted to the Economic Development and Planning Director. The TRC deems the preliminary plat request technically sufficient for Planning Commission review, in accordance with section 4.7.2.

Section 4.1.8 Major Developments (Development larger than 2.25 acres)

The following procedures, in addition to those listed in Section 4.5, shall apply to all major development order applications:

A. The Technical Review Committee (TRC) shall review the proposal and submit comments, if any, in writing to the Chairman of the Committee. Once the TRC has come to the conclusion that the proposal can be approved, approved with conditions, approved with modifications or denied, the Chairman shall forward each TRC member's written recommendation through the City Manager to the Planning Commission and City Council. In addition to the written recommendations of each TRC member, information provided to the Planning Commission and City Council shall include, but not be limited to, the following:

1. Characteristics of the site and surrounding area, including important natural and manmade features, the size and accessibility of the site and surrounding land uses.

Analysis:

	Current Land Use	Zoning District
North	Very low to low density residential	R-1 Low Density Single-Family Residential
South	Very low to low density residential, conservation, vacant,	R-1 Low Density Single-Family Residential
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Approximately 45 acres of the total acreage of parcels being divided is upland; approximately 37.2 acres is marsh land which is shown on the plat. Lot 7 of the proposed subdivision has wetlands (salt marsh) along its eastern boundary. There is no evidence of wetlands within Lots 1-6 of the proposed subdivision. (See attached letter from Batson & Brown, Inc.)

2. Impact on concurrency requirements and level of service standards (LOS).

Analysis:

The City has adequate levels of service for the proposed subdivision, including roadways, water and sewer capacity, fire and police.

3. The nature of the proposed development, including land use types and densities; the placement of proposed buildings and other improvements on the site; the location, type and method of maintenance of open space and public use areas, if any; the preservation of natural features or protection of sensitive lands, if any; proposed parking areas; internal traffic circulation systems, if any; the approximate total ground coverage of paved areas and structures; stormwater management, and water and sewage distribution, collection and treatment systems.

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CONCLUSION AND RECOMMENDATION:

Based on the Technical Review Committee's review, the analysis of the site data, existing zoning, impact on the available infrastructure, availability of existing utilities, and the appropriateness of the request relevant to the criteria established by Section 4.7 of the Unified Development Ordinance, the staff recommends approval of a Development Order and Preliminary Subdivision Plat. Although, the size and set-back of the proposed lots are not consistent with the Comprehensive Plan, the size and set-backs of the proposed lots do comply with the current code requirements. The size of the proposed lots is consistent with areas that have the availability of water and sewer services. The larger residential estate lots are more consistent with areas that do not have water and sewer service availability.

Based on the Technical Review Committee's review, the analysis of the site data, zoning, existing and future land use maps, impact on the availability of infrastructure, consistency with the Comprehensive Plan, and the appropriateness of the request relevant to the criteria

established by Section 4.7 of the Unified Development Ordinance, the Planning Commission may:

1. Recommend approval of the Development Order and Preliminary Plat; or
2. Recommend denial of the Development Plan.

ATTACHMENTS:

Applicants Exhibit 1 - Preliminary Plat

Applicants Exhibit 2 – Application

Applicants Exhibit 3 – Wetlands Letter from Batson & Brown, Inc.

Applicants Exhibit 4 – Future Development Concepts

City’s Exhibit A - Location Map

City’s Exhibit B - Existing Zoning Map

City’s Exhibit C - Existing Land Use Map

City’s Exhibit D - Future Land Use Map

City’s Exhibit E – GIS Parcel Maps and Information

City’s Exhibit F - Draft Development Order

City’s Exhibit G - TRC Memo and E-mail, Dated January 23, 2014 & January 24, 2014

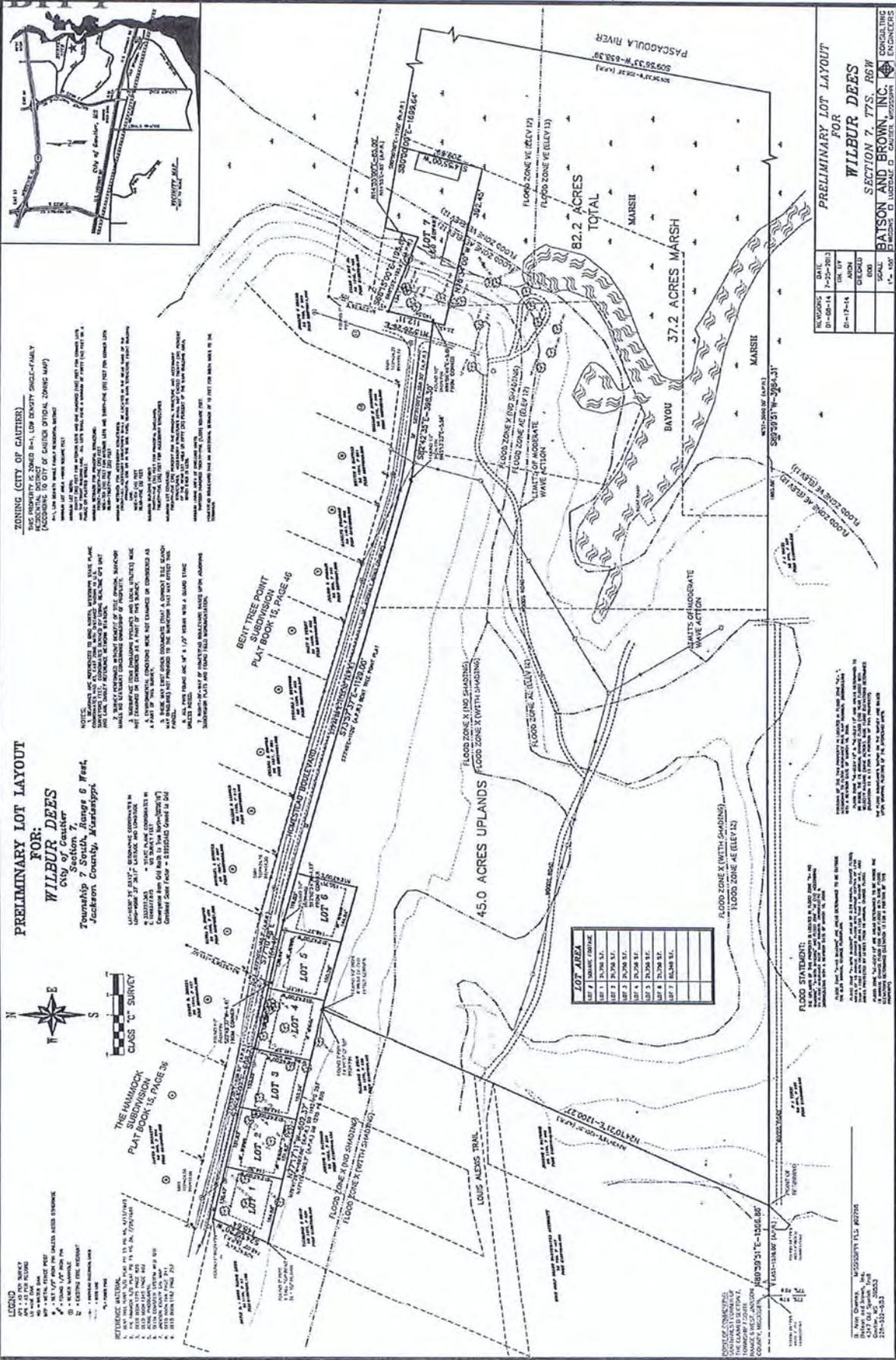
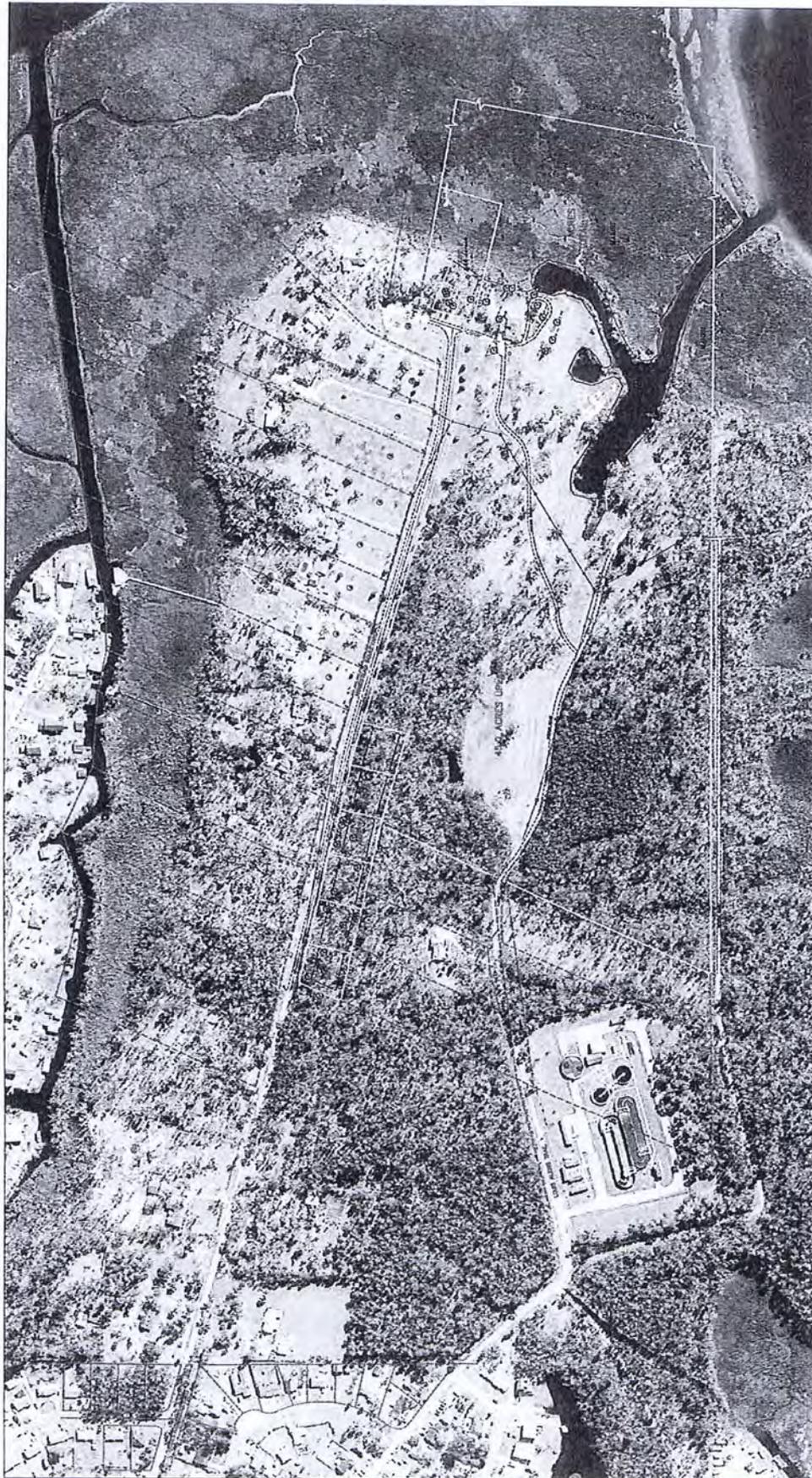


EXHIBIT 1



REVISIONS	DATE	BY	DESCRIPTION
	7-1-2014	WJ	PRELIMINARY LOT LAYOUT
		WJ	FOR
		WJ	WILBUR DEES
		WJ	SECTION 7, T7S, R6W
		WJ	BATSON AND BROWN, INC.
		WJ	CONSULTING ENGINEERS
		WJ	1" = 100'

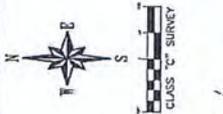
PRELIMINARY LOT LAYOUT
FOR

WILBUR DEES

SECTION 7, T7S, R6W

BATSON AND BROWN, INC. CONSULTING ENGINEERS
15 WOODS O LUCASVILLE OH 44850

PRELIMINARY LOT LAYOUT
FOR:
WILBUR DEES
 City of Gautier
 Section 7,
 Township 7 South, Range 6 East,
 Jackson County, Mississippi



LEGEND

- 1. 1/4" = 100' SCALE
- 2. 1/8" = 100' SCALE
- 3. 1/16" = 100' SCALE
- 4. 1/32" = 100' SCALE
- 5. 1/64" = 100' SCALE
- 6. 1/128" = 100' SCALE
- 7. 1/256" = 100' SCALE
- 8. 1/512" = 100' SCALE
- 9. 1/1024" = 100' SCALE
- 10. 1/2048" = 100' SCALE
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EXHIBIT 2

City of Gautier Planning & Economic Development Department
3330 Highway 90
Gautier, Mississippi

APPLICATION FOR SUBDIVISION
PRELIMINARY PLAT & FINAL PLAT APPROVAL

Name of Subdivision: Dees Landing Subdivision

No. of Lots in Subdivision: 10

Zoning Classification of Said Property: R-1 Residential

(Attested by City Zoning Administrator) _____

Name of Owner: Dora Virginia Dees Irrevocable Trust- (Wilbur Dees Trustee)

Name of Engineer: Batson and Brown, Inc.

Name of Applicant: Wilbur Dees

Applicant's Address: 15078 Laurelwood Drive, Gulfport, MS 39503

Telephone Number of Applicant: (Business) 288/522-6353 (B&B) (Home) 228-861-1250 (WD)

Date of Application: November 15, 2013

Name and Addresses of Adjacent Land Owners:

Attached Sheets

Deed Book 1162, Page 257.

Legal Description of property is as follows.

Commencing at the SW corner of Claim Section 7, T-7-S, R-6-W, Jackson County, Mississippi; thence East, a distance of 1576.00 feet to the POINT OF BEGINNING; thence 24°34'18"E, a distance of 1201.31 feet; thence N76°41'28"W, a distance of 607.66 feet; thence N26°42'44"E, a distance of 148.02 feet to the South margin of Homestead Boulevard; thence along said South margin S75°53'38"E, a distance of 609.52 feet; thence S77°50'00"E, a distance of 160.70 feet; thence S73°44'09"E a distance of 1133.30 feet; thence S81°55'47"E, a distance of 78.03 feet to the NW corner of the Dees Property; thence S10°06'53"W, a distance of 477.43 feet; thence S60°36'18"E, a distance of 78.50 feet; thence S69°16'56"E, a distance of 135.91 feet; thence N64°55'43"E, a distance of 102.15 feet; thence N72°45'07"E, a distance of 113.40 feet; thence N55°37'32"E, a distance of 70.44 feet; thence N2°14'43"W, a distance of 249.72 feet; thence N3°07'07"W, a distance of 98.63 feet; thence N19°43'34"E, a distance of 226.33 feet; thence S56°15'00"E, a distance of 115.67 feet; thence N14°55'00"E, a distance of 85.00 feet; thence S80°00'00"E, a distance of 1700.00 feet to the Pascagoula River; thence Southerly along the West margin of said River (S9°56'33"W, a distance of 708.28 feet) to a point that bears East 3990.00 feet from the point of beginning; thence West, a distance of 3990.00 feet to the POINT OF BEGINNING; said described tract containing 80.3 acres (40.7 upland and 39.6 wetland), more or less.

Deed Book 196, Page 211.

That certain tract, piece or parcel of land situated in Section 7, Township 7 South, Range 6 West in Jackson County, State of Mississippi, and more particularly described as follows, to-wit:

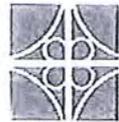
Beginning at a point on the South line of said Section 7, which point is East 3053 feet from the Southwest corner of said Section 7, thence North 998.8 feet, thence East 1200.6 feet, thence South 22°00' West 852.1 feet, thence West 647.4 feet, thence South 268.7 feet, thence West along the South line of said Section 7 a distance of 233.9 feet to the Point of Beginning. Containing 20 acres more or less.

is described and recorded in Book No. 1162 Page No. 257 and in Book No. 196 Page No. 211 in the records of Jackson County, Mississippi. There are (are no) restrictive covenants or deed restrictions (which are attached). A fee in the amount of six dollars (\$6.00) per lot subject to a minimum fee of one-hundred dollars (\$100.00).

Signed Wilbur Dees

(Name of Applicant)

(file original & 3 copies)



BATSON AND BROWN, INC.
CONSULTING ENGINEERS
LUCEDALE □ GAUTIER □ PASCAGOULA

REPLY TO:
4347 OLD SPANISH TRAIL
GAUTIER MS 39553
228/522-6353
228/522-6403 FAX

Allen J Roy, Jr.
PID# 81807040.400
700 Homestead Blvd.
Gautier, MS 39553

Celena R. Hoover
PID# 85070004.000
812 Homestead Blvd.
Gautier, MS 39553

Joseph V. and Betty L. Krebs
PID# 85070011.000
PID# 85070012.000
702 Homestead Blvd.
Gautier, MS 39553

Tyrrell A. and Jean Y. Henwood
PID# 85070005.000
808 Homestead Blvd.
Gautier, MS 39553

Talmadge D. and Etta P. Shaw
PID# 81807040.422
PID# 81807040.420
1631 Mary Ann Dr.
Gautier, MS 39553

Mary S. Terry
PID# 85070006.000
804 Homestead Blvd.
Gautier, MS 39553

Joseph D. and Daphne C. Watrous
PID# 81807040.460
PID# 81807040.424
1212 Louis Alexis Trail
Gautier, MS 39553

Julius B. and Sandra B. Morgan, Jr.
PID# 85070007.000
800 Homestead Blvd.
Gautier, MS 39553

Royce B. and Rose Marie Luke
PID# 81807020.100
1321 Homestead Blvd.
Gautier, MS 39553

Melvin Douglas and Patricia F. Gautier
PID# 85070009.000
708 Homestead Blvd.
Gautier, MS 39553

James A. Dorsett
PID# 85420002.000
Mailing:
P.O. Box 487
Gautier, MS 39553
Physical:
1004 Homestead Blvd.
Gautier, MS 39553

William R. and Sarah H. Finnicum
PID# 85070010.000
704 Homestead Blvd.
Gautier, MS 39553

Corey Brian and Julia Claire Lanius Dinkel
PID# 85420005.000
1000 Homestead Blvd.
Gautier, MS 39553

Marilyn Swanson
PID# 85070008.000
Mailing:
700 Tantallon Dr.
Ocean Springs, MS 39564
Physical:
712 Homestead Blvd.
Gautier, MS 39553

Wanda P. and Bruce J. Norton
PID# 85070001.000
908 Homestead Blvd.
Gautier, MS 39553

Michael L. and Debra L. Bugner
PID# 85070002.000
904 Homestead Blvd.
Gautier, MS 39553

F.A. and Hazel M. Tucci Trustees
PID# 81830020.000
PID# 81830020.025
3212 Oak St.
Gautier, MS 39553

William D. and Carrie Ann Ladner
PID# 85070003.000
900 Homestead Blvd.
Gautier, MS 39553

*MS State Tax Sale of 1980
81830010.000*

EXHIBIT 3



BATSON AND BROWN, INC.
CONSULTING ENGINEERS
LUCEDALE □ GAUTIER □ WIGGINS

REPLY TO:
4347 Old Spanish Trail
Gautier, MS 39553
Ph: 228/522.6353
Fax: 228/522.6403

January 24, 2014

Ms. Chandra Nicholson, P.E.
City of Gautier; Dir. Economic Development
3330 Highway 90
Gautier, MS 39553

RE: Dees Landing Subdivision

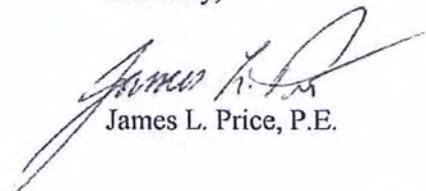
Dear Ms. Nicholson,

This letter is to confirm that our office has conducted a visual assessment of the construction limits of the proposed Dees Landing Subdivision to be located in Gautier, MS for the purpose of identifying and locating wetlands.

No evidence of wetlands was observed within or near the project limits of lots one through six of the proposed development. Lot seven does have wetlands (salt marsh) along its eastern boundary. As proposed this lot does have sufficient area for the placement of a home within required setbacks. When built, contractors and homeowners shall be required to protect the marsh within and adjacent to this lot.

Therefore we herein request to proceed with the application.

Sincerely,

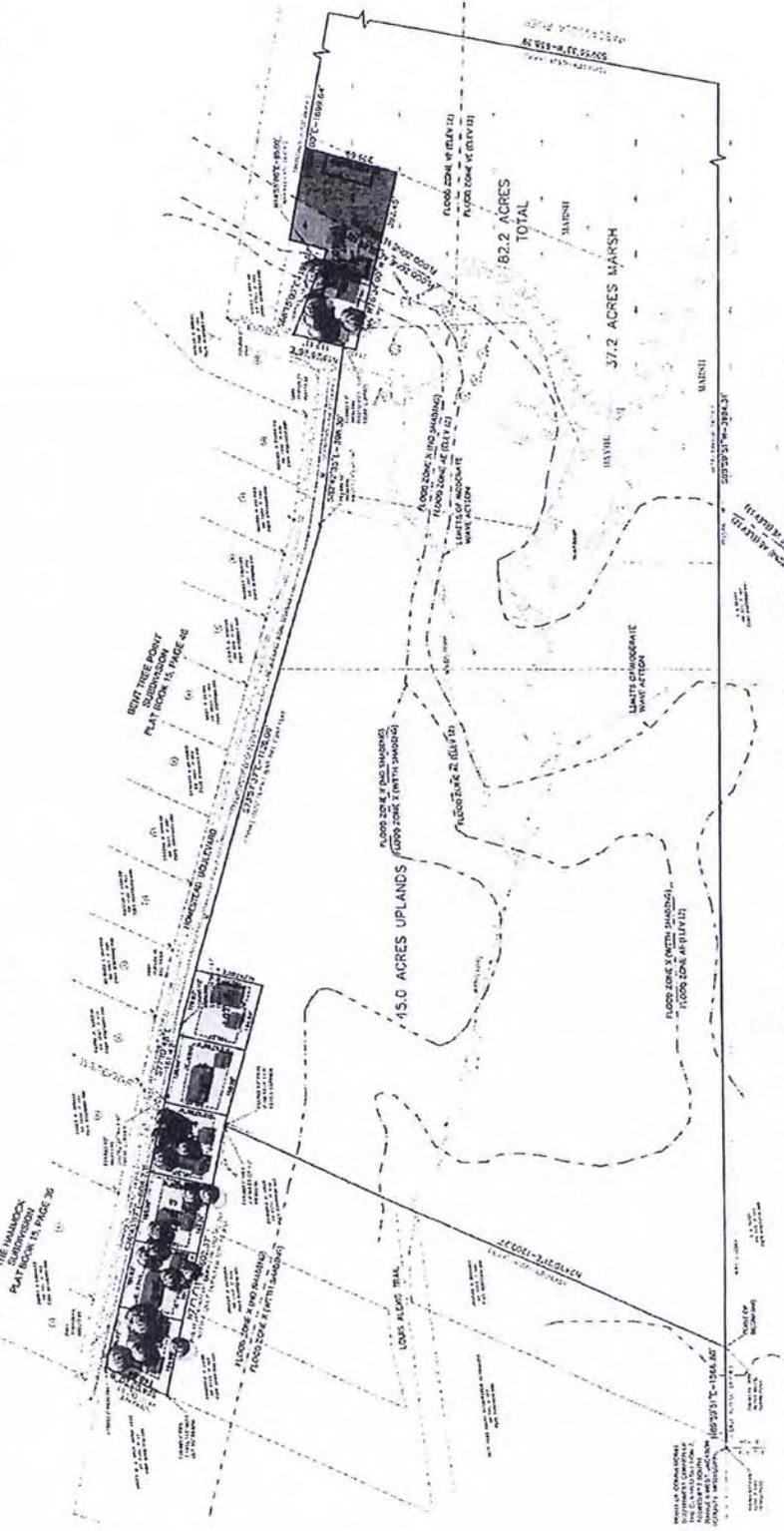


James L. Price, P.E.

EXHIBIT 4

LOT INFORMATION DATA

ZONING INFORMATION	REQUESTED SQUARE FOOTAGE	SQUARE FOOTAGE	CITY BUILDING SET BACK REQUIRED	DEVELOPMENT SET BACKS	DEVELOPMENT SET BACKS	ESTIMATED RESIDENTIAL CONSTRUCTION COST
R-1 LOW DENSITY SINGLE FAMILY MINIMUM LOT AREA 9,000 S.F. FRONT SET BACK 35 FOOT SIDE SET BACK 10 FOOT REAR SET BACK 25 FOOT MINIMUM LIVING AREA 1,325 S.F.	LOT 1.....21,200 S.F. LOT 1.....21,200 S.F. LOT 1.....21,200 S.F. LOT 1.....21,200 S.F. LOT 1.....21,200 S.F. LOT 1.....21,200 S.F. LOT 1.....21,200 S.F.	LOT 1.....21,750 S.F. LOT 2.....21,750 S.F. LOT 3.....21,750 S.F. LOT 4.....21,750 S.F. LOT 5.....21,750 S.F. LOT 6.....21,750 S.F. LOT 7.....65,340 S.F.	FRONT SET BACK 35 FOOT SIDE SET BACK 10 FOOT REAR SET BACK 25 FOOT	FRONT SET BACK 35 FOOT SIDE SET BACK 10 FOOT REAR SET BACK 25 FOOT	MINIMUM PROPOSED LIVING AREA IS 2,000 S.F.	(890.00)SF PLUS \$50,000.00 LOT COST) 2,000 SF HOME.....\$230,000.00 2,300 SF HOME.....\$257,000.00 2,500 SF HOME.....\$275,000.00 2,800 SF HOME.....\$302,000.00 3,000 SF HOME.....\$332,000.00



DEES LANDING GAUTIER, MISSISSIPPI

FEBRUARY 6, 2014

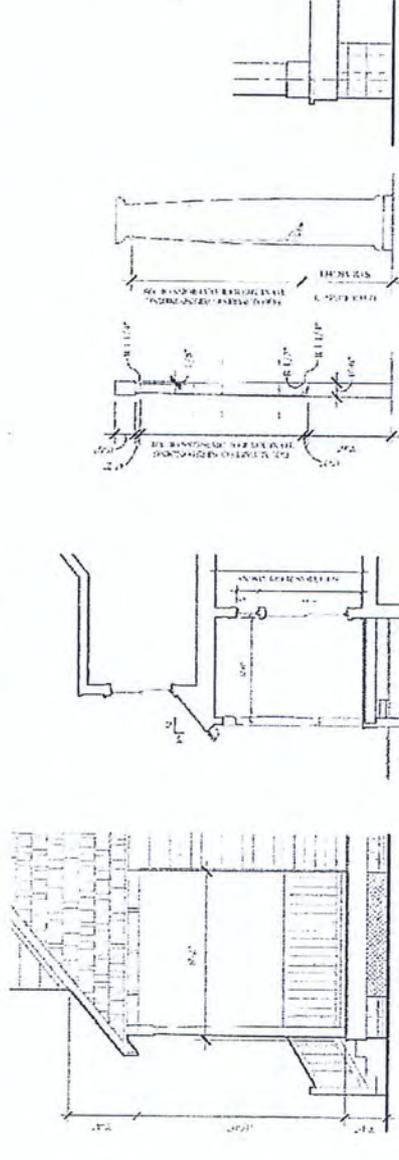
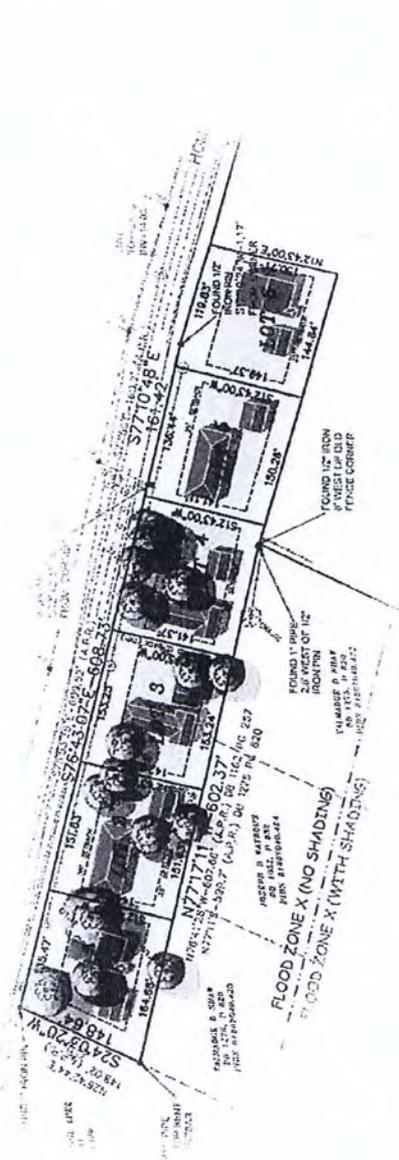
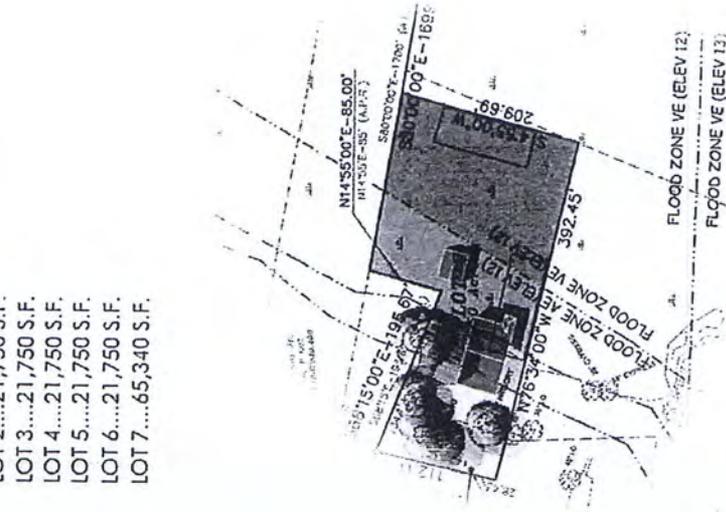
LDJ ARCHITECTURE, PLLC
MICHAEL A. LEBATARD, ARCHITECT

BATSON AND BROWN, INC
CONSULTING ENGINEERS

EXHIBIT 4

LOT SQUARE FOOTAGE

- LOT 1.....21,750 S.F.
- LOT 2.....21,750 S.F.
- LOT 3.....21,750 S.F.
- LOT 4.....21,750 S.F.
- LOT 5.....21,750 S.F.
- LOT 6.....21,750 S.F.
- LOT 7.....65,340 S.F.



TYPICAL PORCH SECTION
TYPICAL COLUMN DETAIL
TYPICAL PORCH END
SAMPLES FROM THE DESIGN MANUAL

DEES LANDING GAUTIER, MISSISSIPPI

FEBRUARY 6, 2014

BATSON AND BROWN, INC
CONSULTING ENGINEERS

IDJ ARCHITECTURE, PLLC
MICHAEL A. LEBATARD, ARCHITECT

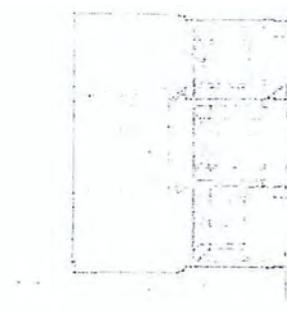
EXHIBIT 4



FARIGATE HOUSE
2,300 SQ.FT.



GAUTIER HOUSE
2,600 SQ.FT.



GAUTIER COTTAGE
2,400 SQ.FT.



FERNANDO HOUSE
2,800 SQ.FT.

TYPICAL ARCHITECTURAL STYLES ALLOWED AT DEES LANDING

STYLES TAKEN FROM DEES LANDING ARCHITECTURAL DESIGN STANDARDS REFLECTING COASTAL VERNACULAR



LOT 4

LOT 3

LOT 5 AND LOT 6 SHADAR

LOT 2

LOT 1

TYPICAL STREET SCAPES HOMESTEAD BOULEVARD LOOKING EAST

DEES LANDING
GAUTIER, MISSISSIPPI
FEBRUARY 6, 2014

BATSON AND BROWN, INC
CONSULTING ENGINEERS

LDJ ARCHITECTURE, PLLC
MICHAEL A. LEBATARD, ARCHITECT

EXHIBIT 4

DEES LANDING GAUTIER, MISSISSIPPI

PROPOSED COVENANTS AND RESTRICTION HIGHLIGHTS

HOME OWNER ASSOCIATION

HOA will be made up property owners owning property are living in Dees Landing Community and shall be known as Members. The Members shall elect a President, Vice President, Treasurer and Secretary.

ARCHITECTURAL REVIEW COMMITTEE

The Architectural Review Committee to be known as the ARC shall be made up of 2 Professional Architects and 1 Professional Landscape Architect. The ARC will be responsible for reviewing all proposed designs, make comments, give direction and approve all proposed structures to be built in Dees Landing Community, and insure that all proposed designs comply with the Design Manual's intent.

TREE ORDINANCE

Each Lot Owner will provide a site plan prepared by a Design Professional indicating all major tree locations, the size of the tree, the tree's drip line and species. The Lot Owner will not be allowed to cut, trim, or prune any tree designated as a Legacy Tree. The Lot Owner will design and build in a manner that will not damage the tree roots or cause severe trimming.

DESIGN MANUAL AND TYPICAL BUILDING DETAILS

A design manual of acceptable architectural styles, details, proportions for building elements such as windows, doors and exterior trim to include finish materials allowed will be outlined in the design manual. The design manual will also outline the minimum landscape requirements outlining the type of plants to be allowed.

PROPERTY USE

Owner's Responsibility
Nuisances
Improper Use of Property
Pets Automobiles and Parking
Attractiveness and Safety of Lots
Temporary Structures
Enforcement

EXHIBIT 4

DEES LANDING GAUTIER, MISSISSIPPI DESIGN MANUAL HIGHLIGHTS

DESIGN VISION

It is the intent of the development to encourage architectural styles that reflect the vernacular styles prominent to the Mississippi Gulf Coast during the early period of the Coast development.

It is the intent of Dees Landing to facilitate a new community that will offer quality homes in a safe and attractive environment for residents.

Dees Landing will provide housing for a diverse market.

Dees Landing will provide safe housing.

Dees Landing will insure through the ARC and Design Manual creative site design.

Dees Landing will preserve the character and integrity of low-density residential.

Dees Landing will promote efficient use of land while protecting valuable natural resources.

Dees Landing will promote the property values of established subdivision by insuring through the implementation of building requirements and a continual review by the ARC as required by the Covenants.

SAMPLE STYLES PERMITTED
COLONIAL TYPOLOGIES
GREEK REVIVAL TYPOLOGIES
COASTAL FRENCH TYPOLOGIES
SPANISH COLONIAL TYPOLOGIS

GENERAL ARCHITECTURAL DEFINED ELEMENTS
BUILDING WALLS AND MATERIALS
BUILDING TRIM AND DECORATIVE ELEMENTS
ROOFS AND ROOF MATERIALS
WINDOWS AND DOORS
FENCING
SAMPLE DETAILS
BUILDING ELEMENT PROPORTIONS
EXTERIOR COLORS
WALKS