CITY OF GAUTIER
MEMORANDUM

To: Samantha Abell, City Manager

From: Chandra Nicholson, Economic Development and Planning Director

Date: January 13, 2015

Subject: A Resolution Declaring That A Necessity Exists For The Removal of a 24" (in diameter) Protected Live Oak Tree on Deerfield Road, Gautier

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REQUEST:

Melissa Stringer requests approval to remove a protected Live Oak tree at 5113 Deerfield.

DISCUSSION:

The applicant, Melissa Stringer, is requesting approval to remove a protected tree from 5113 Deerfield, Gautier, MS 39533. The applicant is concerned that the tree and roots will continue to cause damage to the home, utilities, and other improvements.

To determine whether a request warrants a finding of necessity, the Council shall consider the Comprehensive Plan, the intent of Unified Development Ordinance, Article XI to preserve protected trees, whether the continued preservation of the tree(s) places a significant hardship on the property owner, the continuation of the tree(s) threatens public safety and welfare, and whether all other options for preservation and/or relocation have been explored and found unsatisfactory

In accordance with Section 11.4.5 of the Unified Development Ordinance, owner-occupants of single-family residential homes are not required to prepare and implement a tree mitigation and preservation plan.

The City Council has the responsibility to determine the appropriateness of finding a necessity for the removal of a protected tree.

RECOMMENDATIONS:

The City Council may:

1. Approve the tree removal request; or
2. Deny the request.

ATTACHMENTS;

1. Resolution Finding of Necessity
2. Photos

RESOLUTION _____

A Resolution Declaring That A Necessity Exists For The Removal of a 24" (in diameter) Protected Live Oak Tree at 5113 Deerfield, Gautier Mississippi

WHEREAS, Section 11.4.5 of the Unified Development Ordinance requires the City Council adopt a resolution finding a necessity for the removal of protected trees; and

WHEREAS, to determine whether a request warrants a finding of necessity, the Council shall consider the Comprehensive Plan, the intent of Section 11.4.5 of the Unified Development Ordinance to preserve protected trees, whether the continued preservation of the tree(s) places a significant hardship on the property owner, the continuation of the tree(s) threatens public safety and welfare, and whether all other options for preservation and/or relocation have been explored and found unsatisfactory; and

WHEREAS, Melissa Stringer, owner-occupant of said single-family residential property, must remove an 24" (in diameter) live oak in the front yard of the property due to damage the tree is causing to private property improvements; and

WHEREAS, in accordance with Section 11.4.5 of the Unified Development Ordinance, owner-occupants of single-family residential homes are not required to prepare and implement a tree mitigation and preservation plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gautier, Mississippi, that:

Section 1. Finding of Necessity. For the aforesaid reason, this Council hereby finds, determines and declares that a necessity exists with respect to the removal of a protected tree at 5113 Deerfield, Gautier, MS 39533, which is a residential property.

Section 2. Effective Date. This Resolution shall be in full force and effect from and immediately upon its adoption.

DULY ADOPTED this _____ day of _____, by the City Council of Gautier, Mississippi.

ATTEST:

_____
City Clerk
Cynthia Russell

_____

Mayor Gordon Gollott

Melissa Stringer
5113 Deerfield
(228)-623-8607

5113