

**CITY OF GAUTIER  
MEMORANDUM**

**To:** Samantha Abell, City Manager  
**From:** Clint Creel, Animal Control/Code Enforcement Officer  
**Through:** Chandra Nicholson, Planning and Economic Development Director  
**Date:** March 10, 2015  
**Subject:** Request for Abatement - 1619 Mary Ann Drive Gautier, Mississippi 39553.

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**REQUEST:**

Pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11, the City of Gautier, Mayor and City Council should conduct a public hearing and receive public comment(s) regarding staff's recommendation to clean this private property.

**BACKGROUND:**

The Code Enforcement office has received complaints of the condition of the property and the safety concern of the abandoned in-ground swimming pool which is haphazardly covered with deteriorated plywood.

The Code Enforcement office is unable to contact the property owner. Neighbors are concerned for the health, safety and welfare of their neighborhood.

On February 19, 2015 a letter was sent to the owner of record that the City Staff would be requesting the City Council set a Public Hearing Date to determine if the property is a menace to public health, safety, and welfare. The owner of record was given a deadline of March 16, 2015 to comply with the code and secure any safety hazards.

On February 24, 2015, the Mayor and City Council set a public hearing date of March 17, 2015. The property owner was notified by letter, at the property address and the mailing address of record, of the hearing. Additionally, both the property and city bulletin board were posted with a copy of the public hearing notice two weeks prior to the scheduled hearing.

**DISCUSSION:**

The primary goal is to clean up and maintain the abandoned property pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11. There are two remaining above ground structures and an in-ground swimming pool on the property. One of the structures is a boat house and appears to be in good shape. The staff do not foresee a safety concern for the boat house and do not recommend removal of that structure.

The other structure is a pool house. The pool house is considered an accessory structure and is in a very deteriorated/dilapidated state. The structure is elevated and not secured, so animals and humans can freely enter the structure at any time. There is an accumulation of animal waste within the structure. The structure is approximately 600 square feet which does not meet the minimum requirements for a primary structure for the R-1 Zoning District of 1,325 square feet.

The in-ground swimming pool is full of stagnant water and rotting debris. The pool is covered with dilapidated plywood. Large gaps have developed in the pool covering which present an unsafe environment. The covering, with gaps, makes the pool easily accessible, but difficult to escape.

The property in general appears to have been abandoned. The vegetation is overgrown and miscellaneous debris is scattered around the site.

**RECOMMENDATION:**

Staff recommends removal of the pool house structure, primary structure remnants, filling in the in-ground swimming pool, removing any other slabs/walks/protrusions that are deemed an “attractive nuisance”, and removal of debris and overgrown vegetation on the property.

Staff recommends the Mayor and Council allow the responsible party until April 1, 2015, to clean up and secure the property. This would allow for the prescribed statutory 10-day appeal period to expire. Staff recommends the property be cleaned by the City on or after April 2<sup>nd</sup> if the responsible party has not cleaned and secured the property at such date. A lien would then be placed on the property in accordance with the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11.

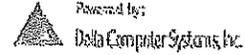
**ATTACHMENTS:**

1. Quasi-Judicial Procedures
2. Property/Parcel Information
3. Water Billing Information
4. Public Hearing Notification Letter (3/2/15)
5. Property Clean-up Recommendation Letter (2/19/15)
6. Current Photos

## 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.

Jackson County Mississippi



# Property Link

## JACKSON COUNTY, MS

Current Date 2/18/2015 Tax Year 2014  
Records Last Updated 2/17/2015

### PROPERTY DETAIL

OWNER PELFRESNE W ACRES : \*\*NA\*\*  
VILLA VENICE (B&B) LAND VALUE : 53170  
PO BOX 129 IMPROVEMENTS : 4700  
ISLAND LAKE IL 60042 TOTAL VALUE: 57870  
ASSESSED : 8681

PARCEL 87110371.000  
ADDRESS 1619 MARY ANN

### TAX INFORMATION

YEAR 2014	TAX DUE	PAID	BALANCE
COUNTY	445.93	445.93	0.00
CITY	327.27	327.27	0.00
SCHOOL	406.97	406.97	0.00
TOTAL	1180.17	1180.17	0.00

To Pay Online, [WWW.MSISTOP.COM](http://WWW.MSISTOP.COM)

LAST PAYMENT DATE 2/9/2015

### MISCELLANEOUS INFORMATION

EXEMPT CODE LEGAL LOT 136 & W1/2 OF LOT 137  
HOMESTEAD CODE None SEACLIFFE S/D 3RD ADD PB 9-51  
TAX DISTRICT 3840 DB 1559-532 (177M MAP871.12-03  
PPIN 073117 )  
SECTION 12  
TOWNSHIP 8S  
RANGE 7W

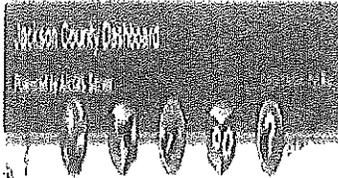
Book Page

### PURCHASE COUNTY TAX SALE FILES

### TAX SALES HISTORY, FOR UNPAID TAXES

Year Sold To Redeemed Date/By  
\*\*NO TAX SALES FOUND\*\*

[Back](#)



### Parcel Information

**APN:** 3710391.000  
**ZIP:** 37142-63-0171.004

**Owner Information**

**Name:** HUGHES W      **Percent of Ownership:** 100  
**Entity:**  
**Physical Address:** PO BOX 129      **Legal Address:** 1615 MARY ANN DR CHATTEN  
 35819-0426 IL 62492

**Land Information**

**Section, Township, Range:** 12 SS 7N      **Morages:** 00  
**Street Name:** WASTAVENOR

**Value and Tax Information**

**Total Assessed Value:** 5281      **Total Appraised Value:** 52810  
**Improvement Value:** 4700      **Land Value:** 33170  
**Tax Amount:** 3163      **SQ. FT:** 431      **Year Built:** 1998

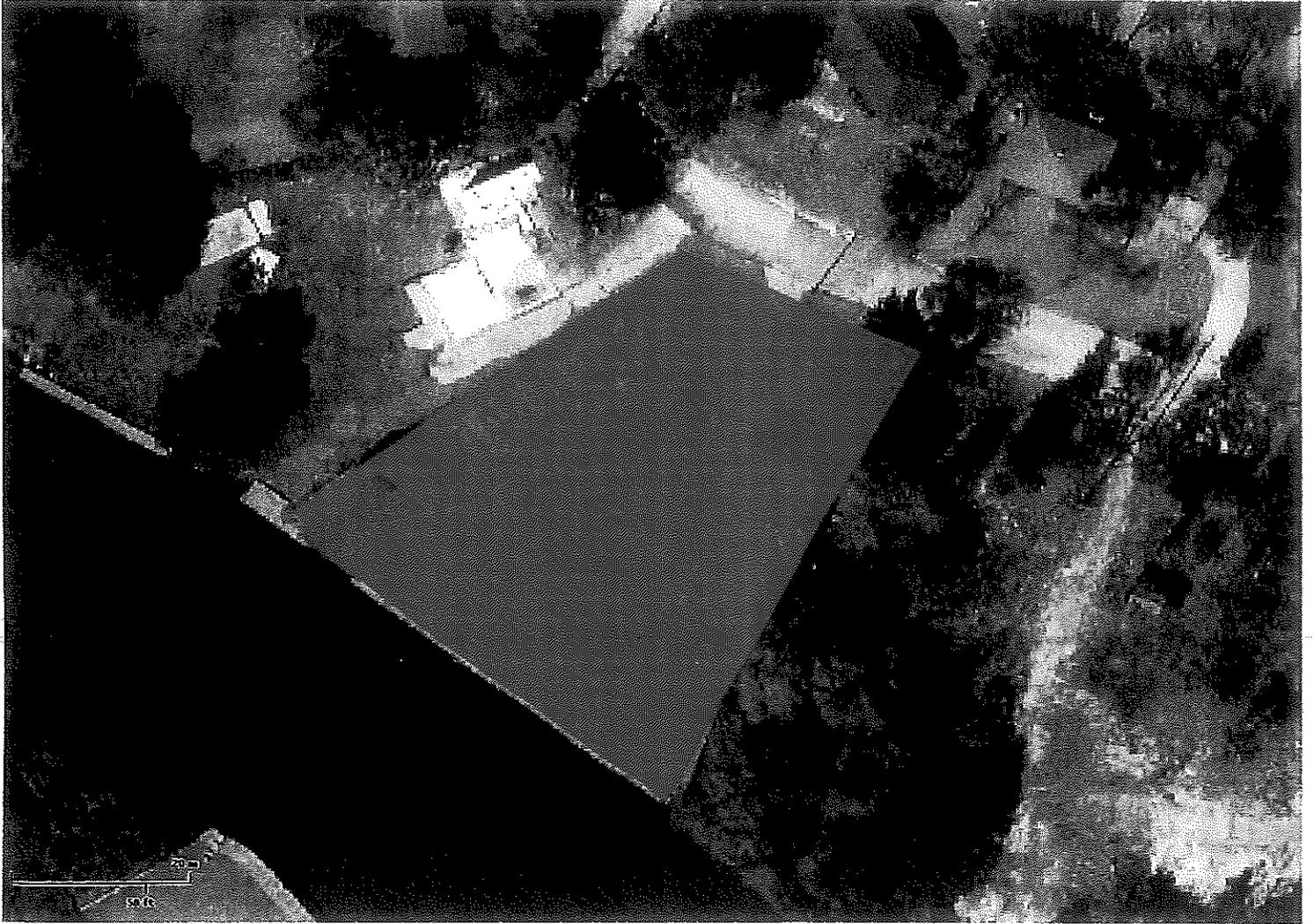
**Legal Description**

**Description:** 1ST 1/3 & 1/2 OF LOT 199 SCHIFFE 30 3RD ADD PG 9 51 06 1539-532 (117R 04/07/12-03)  
**Deed Book / Page:** 1559 / 352



# Flex Viewer

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UBMMTR01 WATER

UTILITY BILLING MASTER FILE MAINTENANCE

UBWMTR21/R4

Account Name EMOTIN C/O J HARRISON TRUSTEE C ADDENDUM  
 1345 F  
 Street Address P O BOX 354 Apartment Cd \_\_\_\_\_  
 City, State, Zip MUNDELEIN, IL 60060 - Phone 228 522 726  
 Hold From Late Fee? Y-Yes Deposit \_\_\_\_\_ Date 9 18 2000 Receipt \_\_\_\_\_  
 Service Address MARY ANN 1619 (Street Name, Number)  
 Last Inspected \_\_\_/\_\_\_/\_\_\_ Zoning 3 Grid \_\_\_\_\_ Flood Zone \_\_\_\_\_  
 Hold Billing N Y-do not bill until changed H-Hold next time only Print Bill Y  
 Draft Bank \_\_\_\_\_ Draft Code \_\_\_ (27,37,28,38)  
 Name on Acct \_\_\_\_\_ Acct No. \_\_\_\_\_  
 Does This Account Have 2 Meters N (Y/N) Number of Dwellings 1  
 Water Code 102 WATER TAXED Default \_\_\_\_\_ Bad Check N  
 Sewer 201 SEWER \_\_\_\_\_ Rental N  
 Garbage 999 NO CHARGE \_\_\_\_\_ Other Acct N  
 Other \_\_\_\_\_ No. \_\_\_\_\_  
 Billing Cycle S M=Month Q=Qtr S=Semi-Annual A=Annual 1=1st Month, 2=2nd Month  
 Account Class Code CSW Water Main Code \_\_\_\_\_ Baths \_\_\_\_\_ Meter Date 3 5 2014  
 Sewer Main Code \_\_\_\_\_ Garbage Route \_\_\_\_\_ Rooms \_\_\_\_\_ Delinquent Info:  
 Arrears Water Sewer Garbage Other Total Hold Code \_\_\_\_\_  
 Total 97.57 90.53 \_\_\_\_\_ 25.00 213.10 Date 12 19 2007  
 Tax 7.04 \_\_\_\_\_ FT Bill A Count 2 Flag Y

F10 OWNER F12 ADDENDUM

UBMADD WATER  
EMOTIN C/O J HARRISON TRUSTEE C

ADDENDUM

UBWADD01/R4

Account F001345

Line Notes

Total Lines on File 2

1	02/25/2008 bill was returned to sender 2/11. tag
2	04/08/2008 bill was returned to sender. lsh
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	

Go directly to line \_\_\_\_\_

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F1&5-UP F2&6-DOWN F9-FIRST F10-LAST F13-INSERT F14-DELETE F17-SAVE

## PUBLIC NOTICE

Public Notice is hereby given by the Mayor and Members of the Gautier City Council that a public hearing will be held at 6:30 PM on March 17, 2015, in the Council Chambers of Gautier City Hall, 3330 Highway 90, Gautier, Mississippi, to determine whether property or parcel of land as described below is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community:

**That certain property listed on the Jackson County land rolls as belonging to Pelfresne W Villa Venice (B&B), being generally described as 1619 Mary Ann Drive, Gautier, MS, and more specifically described as PIDN #87110371.000, Lot 136 & W1/2 of Lot 137 Seacliffe Subdivision 3<sup>rd</sup> Addition, as recorded in Deed Book 1559, Page 532, record of official plats on file in the office of the Chancery Clerk of Jackson County, Mississippi.**

Persons having an interest in said properties are hereby notified that in accordance with 21-19-11 of the Codes of Mississippi of 1972, as amended, the City may upon a finding the property or parcel of land in its existing condition to be a menace to the public health, safety, and welfare of the community proceed to clean the property or parcel of land as allowed by MS Code 21-19-11. The costs of which may be charged as a lien against such properties to be collected upon sale of the property or through civil proceedings. In addition, an adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of one (1) year after final adjudication without any further hearing if notice is posted on the property or parcel of land and at City Hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

Mayor  
Gordon J. Gollott

*City of Gautier*  
Gautier, Mississippi

City Manager  
Saurantha D. Abell

Council

At Large Mary F. Martin  
Ward 1 Johnny Jones  
Ward 2 Hurley Ray Guillotte  
Ward 3 Casey C. Vaughan  
Ward 4 Charles "Rusty" Anderson  
Ward 5 Adam D. Colledge



City Clerk  
Cynthia Russell

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

March 2, 2015

Pelfresne W Villa Venice (B&B)  
P.O. Box 129  
Island Lake, IL 60042

RE: 1619 Mary Ann Drive Gautier, MS 39553  
Notice of Public Hearing

To Whom It May Concern:

The City of Gautier, Mayor and City Council has approved and scheduled a public hearing for Tuesday, March 17, 2015, at 6:30 PM. The location for the hearing is the Gautier City Hall, 3330 Highway 90 Gautier, Mississippi 39553. The purpose of this public hearing is to determine whether or not the property referenced above is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community per Mississippi Code Annotated 1972 § Title 21, Chapter 19, Section 11.

If at the scheduled hearing, the governing authority decides the property or parcel of land is in a condition determined to be a menace to the public health, safety, and welfare of the community, the city shall proceed to clean the land by the use of municipal workers or by contract.

Additionally, the municipality may reenter the property or parcel of land for a period of one year after the hearing without any further hearings. A notice will be posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven days before the property or parcel of land is reentered for cleaning.

If you have any questions you can contact the City of Gautier, Code Enforcement Office, Monday – Friday, 8:00 AM - 5:00 PM at (228) 497-1878.

Sincerely,

Clint Creel  
Animal Control/Code Enforcement Officer

Mayor  
Gordon E. Sorkett

City of Gautier  
Gautier, Mississippi

City Manager  
Samantha D. Abel

Council

At Large Mary E. Martin  
Ward 1 Johnny Jones  
Ward 2 Wesley Ray Guillotte  
Ward 3 Casey C. Vaughan  
Ward 4 Charles "Rusty" Anderson  
Ward 5 Adam D. Callidge

City Clerk  
Cynthia Russell

3330 Highway 90  
Gautier, MS 39558  
Phone: (228) 497-8000  
Fax: (228) 497-8028  
Email: [gautier@gautier-ms.gov](mailto:gautier@gautier-ms.gov)  
Website: [www.gautier-ms.gov](http://www.gautier-ms.gov)



POSTED TO  
PROPERTY  
2/19/15

February 19, 2015

Pelfresne W Villa Venice (B&B)  
P.O. Box 129  
Island Lake, IL 60042

Reference: 1619 Mary Ann Drive Gautier, MS 39553

To Whom It May Concern:

This letter is to inform you the City of Gautier; Planning and Economic Development Department will recommend to the governing authority the property at 1619 Mary Ann Drive, Gautier, Mississippi is a menace to the public health, safety, and welfare of the community. Code Enforcement will request the Mayor and City Council review the history of the code violations on this property during a scheduled February 24, 2015 council meeting. If the mayor and council determine the property, meets the criteria for private property clean up they will set a public hearing for a scheduled March 2015 council meeting. The purpose of the hearing is to listen to testimony and determine if the property meets the requirements outlined in Mississippi Code Annotated 1972 § Title 21, Chapter 19, Section 11.

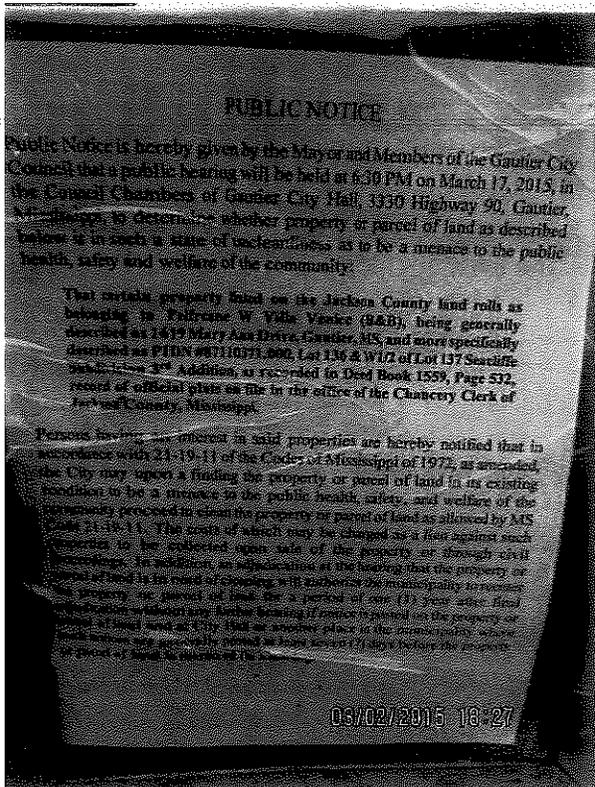
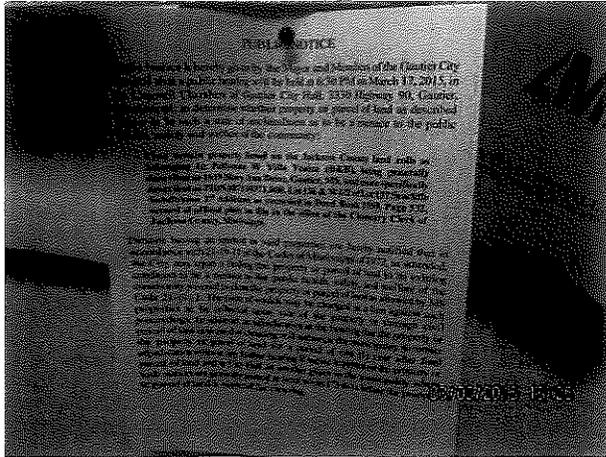
Code enforcement is requesting the property be in compliance and safety hazards secured by March 16, 2015. If you have any questions you can contact the City of Gautier, Code Enforcement Office, Monday – Friday, 8:00 AM - 5:00 PM at (228) 497-1878, or by e-mail at [ccreel@gautier-ms.gov](mailto:ccreel@gautier-ms.gov).

Sincerely,

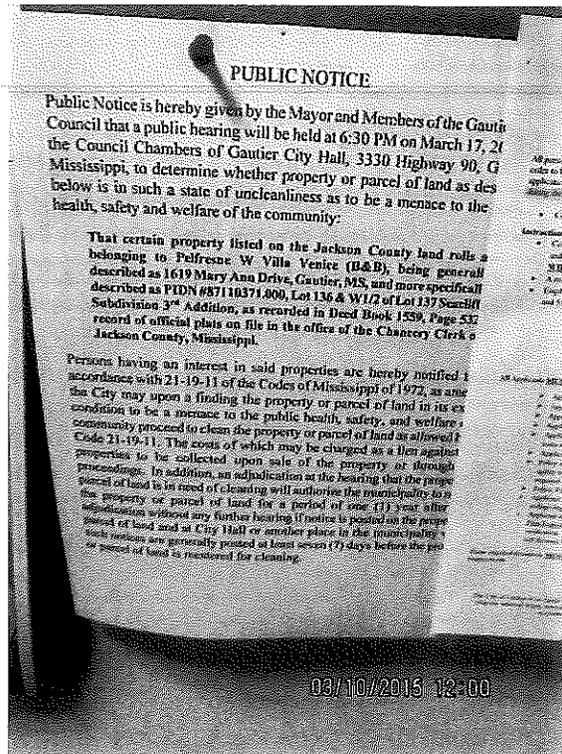
Clint Creel  
Animal Control/Code Enforcement Officer

Notices Posted for 1619 Mary Ann Drive Gautier, MS 03/02/15

Gautier Public Library:



Property Posted



City Hall Bulletin Board











