

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Wesley Devers, City Planner
Through: Chandra Nicholson, Director of Economic Development and Planning
Date: May 12, 2015
Subject: A Resolution Declaring That A Necessity Exists For The Removal of a 15" (in diameter) Southern Magnolia Tree on Kingslea Drive, Gautier

REQUEST:

Mr. Richard T. and Mrs. Mena C. Lawrence requests approval to remove a protected Southern Magnolia tree at 2025 Kingslea Drive.

DISCUSSION:

The applicants, Richard T. and Mena C. Lawrence, are requesting approval to remove a protected tree from 2025 Kingslea Drive, Gautier, MS 39533. The applicant's tree appears to be diseased and is missing limbs. According to the applicant, the tree is dropping dead limbs onto the roof of their home.

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

1
2
3 **RESOLUTION _____**

4 **A Resolution Declaring That A Necessity Exists For The Removal of a 15” (in diameter)**
5 **Protected Southern Magnolia Tree at 2025 Kingslea Drive, Gautier Mississippi**

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

8
9 WHEREAS, to determine whether a request warrants a finding of necessity, the Council shall
10 consider the Comprehensive Plan, the intent of Section 11.4.5 of the Unified Development
11 Ordinance to preserve protected trees, whether the continued preservation of the tree(s) places a
12 significant hardship on the property owner, the continuation of the tree(s) threatens public safety
13 and welfare, and whether all other options for preservation and/or relocation have been explored
14 and found unsatisfactory; and

15
16 WHEREAS, Richard T. and Mena C. Lawrence, owner-occupants of said single-family
17 residential property, must remove a 15” (in diameter) southern magnolia in the front yard of the
18 property due to disease of tree causing limbs to die and fall on home; and

19
20 WHEREAS, in accordance with Section 11.4.5 of the Unified Development Ordinance, owner-
21 occupants of single-family residential homes are not required to prepare and implement a tree
22 mitigation and preservation plan.

23
24 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gautier,
25 Mississippi, that:

26
27 Section 1. Finding of Necessity. For the aforesaid reason, this Council hereby finds, determines
28 and declares that a necessity exists with respect to the removal of a protected tree at 2025
29 Kingslea Drive, Gautier, MS 39533, which is a residential property.

30
31 Section 2. Effective Date. This Resolution shall be in full force and effect from and immediately
32 upon its adoption.

33
34
35 DULY ADOPTED this _____ day of _____, by the City Council of Gautier,
36 Mississippi.

37
38 ATTEST:

39
40 _____
41 City Clerk
42 Cynthia Russell

43
44
45 _____
46 Mayor Gordon Gollott



