

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Scott Ankerson, Building Official
Through: Chandra Nicholson, Director of Economic Development and Planning
Date: July 14, 2015
Subject: Request to Remove a 21” (in diameter) Live Oak Protected Tree and an 11” (in diameter) Southern Magnolia Protected Tree at 2233 Brookside Drive, Gautier

REQUEST:

Mr. Thomas Holloway requests approval to remove a 21” (in diameter) protected Live Oak tree from the front yard and an 11” (in diameter) protected Southern Magnolia tree from the side yard of 2233 Brookside Drive.

DISCUSSION:

The applicant, Thomas Holloway, is requesting approval to remove two protected trees from 2233 Brookside Drive, Gautier, MS 39533. The applicant states that the insurance carrier for the home owner’s insurance policy is requiring the removal of the two trees due to the proximity and possible future damage to the foundation and roof of the house. The 2nd trip to the property on July 15th by staff revealed trimming work had already been performed on the two trees.

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 property does maintain a Homestead Exemption Status.

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 protected tree removal request; or
2. Deny the request.

ATTACHMENTS;

1. Resolution Finding of Necessity
2. Property Owner Information
3. New Deed
4. Photos

Parcel Information

PIDN: 85440695.000

GISP: 771.01-03-0118.00M

Owner Information

Name: CASEY PAUL O III & GENEVIEVE S

Percent of Ownership: 100

Name2:

Mailing Address: 2233 BROOKSIDE DR
GAUTIER MS 39553

Physical Address: 2233 BROOKSIDE DR GAUTIER

Land Information

Section, Township, Range: 01 7S 7W

Acreage: .00

Street Name: BROOKSIDE DR

Value and Tax Information

Total Assessed Value: 8402

Total Appraised Value: 84020

Improvement Value: 72760

Land Value: 11260

Tax Amount: 842

SQ. FT: 1425

Year Built: 1996

Legal Description

Description: LOTS 104 & 105 HICKORY HILL EST S/D UNIT #7 PB 11-22;23 DB 1594-159 (118M MAP771.01-03)

Deed Book / Page: 1594 / 159

Prepared by:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantor:
Paul G. Casey, III
Genevieve S. Casey
P.O. Box 2001
Pascagoula, MS 39568
Telephone: (228) 327-1478

Return To:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011
File No. 15-4101N

Grantee:
Thomas R. Holloway

2233 Brookside Street
Gautier, MS 39533
Telephone: (228) 697-9453

INDEXING INSTRUCTIONS: Lots 104 & 105 Hickory Hills Estates S/D, Unit 7, Jackson County, MS

STATE OF MISSISSIPPI
COUNTY OF JACKSON

WARRANTY DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged we, I **Paul G. Casey, III and Genevieve S. Casey**, do hereby sell, convey and warrant unto **Thomas R. Holloway**, all of that certain tract, piece or parcel of land situated in Jackson County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

Lots 104 and 105, Hickory Hills Estates, Unit 7, a subdivision, according to a map or plat thereof which is on file of record in the office of the Chancery Clerk of Jackson County, MS, in Plat Book 11 at Page 22, reference to which is hereby made in aid of and as a part of this description.

Jackson Tax Parcel No. 85440695.000

This being the same property as that conveyed to Paul G. Casey, III and Genevieve S. Casey, by instrument recorded in Deed Book 1594, Page 159, Land Deed Records of Jackson County, Mississippi.

If this property is bounded by water, this conveyance includes any natural accretion, and is subject to any erosion due to the action of the elements. Such riparian and littoral rights as exist are conveyed herewith but without warranty as to their nature or extent. If any portion of the property is below the mean high tide watermark, or is coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act it is conveyed by quitclaim only.

This conveyance is subject to any and all covenants, rights of way, easements, restrictions and reservations of record in the office of the Chancery Clerk of Jackson County, Mississippi.

It is agreed and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to make all necessary adjustments on the basis of an actual proration.

WITNESS OUR SIGNATURES, on this the 26 day of June, A.D., 2015.

Paul G. Casey, III
Paul G. Casey, III

Genevieve S. Casey
Genevieve S. Casey

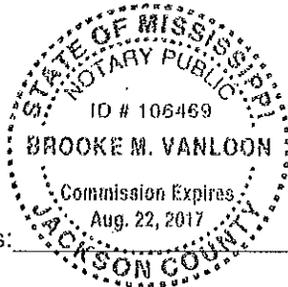
ACKNOWLEDGEMENT

STATE OF MISSISSIPPI
COUNTY OF JACKSON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **Paul G. Casey, III and Genevieve S. Casey**, who acknowledged before me that they signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 26 day of June, A.D. 2015.

(AFFIX SEAL)



My commission expires: _____

Brooke M. Vanloon
NOTARY PUBLIC

DEED ACCEPTED BY:

Thomas R. Holloway
Thomas R. Holloway, Grantee

, Grantee

**2233 BROOKSIDE DRIVE
PROPOSED TREE REMOVAL
PHOTOS**



Magnolia Tree Near Corner of House

Magnolia Tree Near Corner of House