
**February 4, 2016
Gautier, Mississippi**

BE IT REMEMBERED THAT A REGULAR MEETING of the Gautier Planning Commission of the City of Gautier, Mississippi, was held on February 4, 2016 at 5:00 PM in the Council Chambers of the Gautier Municipal Building at 3330 Highway 90, Gautier, Mississippi.

Commission Members present were: Larry Dailey, Chairman; Vice Chairperson Sandra Walters; Commissioners Jimmy Green, Kay C. Jamison, J.J. Fletcher, Anthony York and Phil Torjusen. Also present were Chandra Nicholson, Economic Development and Planning Director; Josh Danos, City Attorney and Tricia L. Thigpen, Deputy City Clerk.

**AGENDA
GAUTIER PLANNING COMMISSION
February 4, 2016
5:00 P.M.**

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE (VOLUNTEER)**
- III. APPROVAL OF AGENDA**
- IV. APPROVAL OF MINUTES (January 7, 2016)**
- V. PUBLIC COMMENTS
(MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE AGENDA)**
- VI. OLD BUSINESS**
 - A. PRESENTATION OF THE MORAN AWARD
 - B. PLANNING COMMISSION RULES AND PROCEDURES –
DISCUSSION/ADOPTION

VII. NEW BUSINESS

A. QUASI-JUDICIAL

1. 405 ITALIAN ISLE – REQUEST FOR A FIVE FOOT (5') VARIANCE TO SIDE YARD SET-BACK REQUIREMENTS FOR A SINGLE-FAMILY RESIDENTIAL STRUCTURE IN A R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL ZONING DISTRICT (GPC Case #16-01-VAR)
2. 5401 CARTER ROAD – REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR THE PLACEMENT OF A MOBILE HOME IN AN AG, AGRICULTURAL ZONING DISTRICT (GPC CASE #16-02-CU)

VIII. GENERAL DISCUSSION

A. PREVIOUS CASE UPDATES

1. GPC CASE #15-12-SD GREVIEW ESTATES SUBDIVISION – OLD SPANISH TRAIL

B. UNIFIED DEVELOPMENT ORDINANCE COMPREHENSIVE UPDATES

1. DRIVEWAY/SURFACE PARKING MATERIAL
2. CORNER LOT TREATMENT

C. UPDATE ON DEVELOPMENT & EVENTS

IX. ADJOURN

Chairman Dailey called the meeting to order.

Commissioner Green made the motion to revise the agenda as follows:

1. Move Old Business B – Planning Commission Rules and Procedures – Discussion/Adoption to New Business #3.
2. Move Public Comments after Presentation of Larry Moran award.

Commissioner Torjusen seconded the motion and the following vote was recorded:

AYES: **Larry Dailey**
 Sandra Walters
 Jimmy Green
 Kay C. Jamison
 J.J. Fletcher
 Anthony York
 Phil Torjusen

NAYS: **None**

Motion passed.

Chairman Dailey and Vice-Chairperson Walters presented the 2015 Larry Moran Award to Ms. Etta Saxton, Owner/General Manager of Flower Patch Florist & Gifts and Sweet Tooth Bakery.

Vice-Chairperson Walters made the motion to approve the January 7, 2016 Gautier Planning Commission minutes. **Commissioner Torjusen** seconded the motion and the following vote was recorded:

AYES: **Larry Dailey**
 Sandra Walters
 Jimmy Green
 Kay C. Jamison
 J.J. Fletcher
 Anthony York
 Phil Torjusen

NAYS: **None**

Motion passed.

Public Comments (Matters of the Planning Commission not listed on the agenda) –

Bruce Swanson wanted to introduce himself to the Planning Commission. He and his wife purchased a foreclosed home in the Sandalwood subdivision.

OLD BUSINESS - None

NEW BUSINESS

A. QUASI-JUDICIAL

1. 405 ITALIAN ISLE – REQUEST FOR A FIVE FOOT (5') VARIANCE TO SIDE YARD SET-BACK REQUIREMENTS FOR A SINGLE-FAMILY RESIDENTIAL STRUCTURE IN A R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL ZONING DISTRICT (GPC Case #16-01-VAR)

Chairman Dailey announced the matter.

City Attorney Danos swore in Chandra Nicholson, Economic Development & Planning Director; Brandon Bosarge, owner and Lance Kempner, Bowden Architecture and Project Manager.

EX Parte Disclosure:

Chairman Dailey visited the site.

Vice-Chairperson Walters visited the site.

Commissioner Green visited the site and former resident of the neighborhood.

Commissioner Jamison no comment.

Commissioner Fletcher visited the site and personal acquaintance of the owner.

Commissioner York no comment.

Commissioner Torjusen is a resident of the neighborhood and is familiar with the property.

APPLICANT PRESENTATION:

Mr. Kempner stated Mr. Bosarge is requesting permission for a variance for the construction of a new garage at 405 Italian Isle Lane in Gautier. The construction of the new garage will place it approximately five feet (5') into the set-back area on the property and approximately five feet (5') from the adjoining property line and preserve the live oaks.

Vice-Chairperson Walters asked if they have to have this variance in order to not remove the protected trees.

Mr. Kempner stated they can't really put the garage on the site and get a really good turning radius in and out of the garage adequately with both cars without having some issues with the trees.

Vice-Chairperson Walters asked if they need the extra five feet (5') to protect the trees.

Mr. Kempner replied yes.

Mr. Bosarge stated that the owner of the adjoining property has agreed to the variance.

Vice-Chairperson Walters asked if they were also adding a gym.

Mr. Bosarge replied yes.

Chairperson Walters stated she wanted to make sure the extra footage was necessary.

Commissioner York asked what ramifications would the City face if the new owners of the adjoining property objected to this new structure.

Mr. Danos stated he didn't foresee any issues.

Chairman Dailey asked Mrs. Nicholson are there any special requirements for protecting these trees as paving occurs.

Mrs. Nicholson stated our ordinance does not allow pavers at this time.

Chairman Dailey asked Mr. Danos if it is appropriate to tie conditions to an approval of a variance to further protect the trees.

Mr. Danos stated he only finds conditions for a Conditional Use not Variances.

Chairman Dailey asked Mr. Bosarge if he would be agreeable to follow an arborist design to provide water and air circulation to the root system as he develops his driveway.

Mr. Bosarge replied yes.

No further questions for applicant.

Staff Presentation:

Mrs. Nicholson stated the Economic Development and Planning Department has received a request from Brandon Bosarge for a five foot (5') Variance to side yard set-back requirements for a single-family residential structure in a R-1 Low Density Single Family Residential Zoning at 405 Italian Isle, PID #81909340.000/81909350.000. The application fee of \$175 was paid on December 22, 2015. All public notice requirements have been met.

Staff has no objection to the Variance requested, but the Planning Commission must record a Finding of Fact regarding the "criteria for Approval" from the UDO as listed above:

The Planning Commission may:

1. Recommend that City Council approve the Side Set-back Variance request as presented;
2. Recommend that City Council approve the Side Set-back Variance request with changes;
- or
3. Recommend that City Council deny the Side Set-back Variance request.

Chairman Dailey asked were there any objections to Staff's report. There were no objections.

Vice-Chairperson Walters asked if adding an extra two feet (2') would set a precedence in the future for this type of variance.

Mr. Danos replied no. This variance is unique to the particular piece of property.

Chairman Dailey called for any further questions. There were no further questions.

Chairman Dailey closed the public hearing portion and called for a motion.

Vice-Chairperson Walters made the motion to approve the variance based on the following findings of fact:

- The natural placement of protected trees on the applicant's property prevents the applicant from building the same type of structure that others in the same zone can build
- The natural placement of the trees is not a result of the actions of the applicant.
- The variance will not confer any special privilege on the applicant that is denied to similar sites.
- The applicant agrees to protect tree roots if it becomes an issue going forward.

Commissioner Green seconded the motion and the following vote was recorded:

AYES: **Larry Dailey**
 Sandra Walters
 Jimmy Green
 K.C. Jamison
 J.J. Fletcher
 Anthony York
 Phil Torjusen

NAYS: **None**

Motion passed.

-
-
2. 5401 CARTER ROAD – REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR THE PLACEMENT OF A MOBILE HOME IN AN AG, AGRICULTURAL ZONING DISTRICT (GPC CASE #16-02-CU)

Chairman Dailey announced the matter.

Mr. Danos swore in Mrs. Nicholson and Joshua D. Priddy as witnesses.

EX PARTE DISCLOSURE:

Chairman Larry Dailey – visited the site.
Chairperson Walters – visited the site.
Commissioner Green – no comment
Commissioner Jamison – no comment.
Commissioner Fletcher – no comment.
Commissioner York – no comment.
Commissioner Torjusen – visited the site.

APPLICANT PRESENTATION

Mr. Priddy stated he is requesting a Conditional Use Major permit for 5401 Carter Road to put a new double wide mobile home, which is 80' x 29', on the front part of the property. The property is residential/agricultural and there are currently five (5) mobile homes surrounding the property. The property was also condemned by the City of Gautier.

Chairman Dailey asked if there were any questions for the applicant.

Commissioner Fletcher asked what was condemned on the property.

Mr. Priddy replied there was a mobile home, old tires, abandoned vehicles, old school bus etc.

Chairman Dailey called for Staff Presentation.

Mrs. Nicholson stated the Economic Development and Planning Department has received a request from Joshua D. Priddy & Virginia Priddy for a Conditional Use-Major Permit that would allow placement of a mobile home in an AG, Agricultural Zoning District at 5401 Carter Road, and PID #85298072.000. The application fee of \$250 was paid on December 17, 2015. All public notice requirements have been met.

Mrs. Nicholson stated that Staff does not recommend any conditions but that does not exclude the Planning Commission from placing conditions if they see fit.

Staff finds that the proposed use will be compatible and harmonious with the Agricultural District and recommends approval with no specific proposed conditions.

The Planning Commission may:

1. Recommend that City Council approve the Conditional Use-Major with the Conditions listed;
2. Recommend that City Council approve the Conditional Use-Major with changes; or
3. Recommend that City Council deny the Conditional Use-Major.

Mrs. Nicholson stated she would answer any questions.

Chairman Dailey asked were all city utilities are available at the property.

Mrs. Nicholson replied yes.

Chairman Dailey asked if there were any fire access limitations being on a dead end street.

Mrs. Nicholson replied she does not believe so.

Chairman Dailey made the statement that the UDO and Comprehensive Plan discourage mobile homes and encourage conventional buildings but they do allow for conditional use in an agricultural zone and that is what we are considering. Gautier is looking to not promote mobile homes in the city. Agricultural is an area inside our city limits where we really don't need an agricultural zone and at some point it will probably go away for another better and more perfect zone. I would hope that area changes over time.

Mr. Priddy asked does that mean at some point he would have to move.

Chairman Dailey replied no. It would not affect him.

Mr. Priddy stated that when Gautier cleaned off the property his culvert was destroyed and he does not have access to the driveway. The ditches need to be cleaned out and the street needs to be paved.

Mrs. Nicholson stated he could call ClearWater and they would initiate a work order.

Chairman Dailey closed the public hearing portion and called for a motion.

Commissioner York made the motion to approve the Conditional Use-Major request with no special conditions. **Commissioner Jamison** seconded the motion and the following vote was recorded:

AYES: **Larry Dailey**
 Sandra Walters
 Jimmy Green
 K.C. Jamison
 J.J. Fletcher
 Anthony York
 Phil Torjusen

NAYS: **None**

Motion passed.

OLD BUSINESS

B. Planning Commission Rules and Procedures – Discussion/Adoption

Before discussion of this matter **Chairman Dailey** made the motion to approve the Rules and Procedures of the Planning Commission as distributed by Mr. Danos. **Commissioner Torjusen** seconded the motion.

Staff and the Commission discussed the following changes:

Rule #2 – The following was added to Rule #2 – “No committee shall constitute a quorum of the Commission.”

Chairman Dailey made the motion to approve the amendment to Rule #2. **Vice-Chairperson Walters** seconded the motion and the following vote was recorded:

AYES: **Larry Dailey**
 Sandra Walters
 Jimmy Green
 K.C. Jamison
 J.J. Fletcher
 Anthony York
 Phil Torjusen

NAYS: **None**

Motion passed.

Rule #8 – Mr. Danos amended the rule as follows: “Notice of Planning Commission meetings shall be governed by the requirements of state statute and the provisions of the Unified Development Ordinance.”

The Commission had no objections to the amendment to Rule #8.

Rule #4 – Chairman Dailey recommended adding the following to Rule #4:

“Or as otherwise defined by the UDO.”

Chairman Dailey made the motion to approve the amendment to Rule #6. **Commissioner York** seconded the motion and the following vote was recorded:

AYES: **Larry Dailey**
 Sandra Walters
 Jimmy Green
 K.C. Jamison
 J.J. Fletcher
 Anthony York
 Phil Torjusen

NAYS: **None**

Motion passed.

Rule #6 – Chairman Dailey would like the Chairman to have some involvement on the agenda before it is presented to the Commission.

After discussion the Commission made no changes to Rule #4.

Rule #21 – Mr. Danos replaced language. “The Chairperson shall be responsible for the orderly conduct of business at each Commission meeting and shall preserve order and decorum at such meeting.”

The Commission had no objections to changes in Rule #21.

Rule #25 – Commissioner Fletcher asked for clarification of this rule. Mr. Danos stated that the rule is in Roberts Rules of Order and the Commission could delete this rule.

Vice-Chairperson Walters made the motion to delete Rule #25. **Commissioner Jamison** seconded the motion and the following vote was recorded:

AYES: **Larry Dailey**
 Sandra Walters
 Jimmy Green
 K.C. Jamison
 J.J. Fletcher
 Anthony York
 Phil Torjusen

NAYS: **None**

Motion passed.

Rule #41- Mr. Danos discussed the changes in rule #41. The Commission had no objections to Rule #41.

Mr. Danos suggested the Commission make a motion to approve sequential numbering of the Rules and Procedures document.

Chairman Dailey made the motion to approve sequential numbering of the Rules and Procedures document. **Commissioner Green** seconded the motion and the following vote was recorded:

AYES: **Larry Dailey**
 Sandra Walters
 Jimmy Green
 K.C. Jamison
 J.J. Fletcher
 Anthony York
 Phil Torjusen

NAYS: **None**

Motion passed.

City of Gautier Easter Egg Hunt scheduled for March 19th at Shepard State Park.

Commissioner Green made the motion to adjourn until March 3, 2016. **Commissioner Jamison** seconded the motion and the following vote was taken:

AYES: **Larry Dailey**
 Sandra Walters
 Jimmy Green
 K.C. Jamison
 J.J. Fletcher
 Anthony York
 Phil Torjusen

NAYS: **None**

Motion passed.

SUBMITTED BY:

Chandra Nicholson,
Economic Development & Planning Director

DATE: _____

Larry Dailey, Chairman
Gautier Planning Commission

DATE: _____

BACK UP DOCUMENTATION

Gautier Planning Commission
Regular Meeting Agenda
February 4, 2016
GPC #16-01-VAR
405 Italian Isle Variance Request

VII. NEW BUSINESS

A. QUASI-JUDICIAL

1. 405 ITALIAN ISLE – REQUEST FOR A FIVE FOOT (5') VARIANCE TO SIDE YARD SET-BACK REQUIREMENTS FOR A SINGLE-FAMILY RESIDENTIAL STRUCTURE IN A R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL ZONING DISTRICT (GPC CASE #16-01-VAR)

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: Chandra Nicholson, Director of Economic Development & Planning

Date: January 29, 2016

Subject: 405 Italian Isle – Request for a five foot (5’) Variance to Side Yard Set-Back Requirements (GPC Case No. 16-01-VAR)

REQUEST:

The Economic Development and Planning Department has received a request from Brandon Bosarge for a five foot (5’) Variance to side yard set-back requirements for a single-family residential structure in a R-1 Low Density Single Family Residential Zoning District at 405 Italian Isle, PID #81909340.000/81909350.000. The application fee of \$175 was paid on December 22, 2015. All public notice requirements have been met.

BACKGROUND:

The request property is zoned R-1 Low Density Single Family Residential Zoning District. The property contains an existing single-family dwelling and the owner would like to construct an addition to the dwelling unit.

DISCUSSION:

The property owner would like to maintain site line views while preserving historic live oaks on the property. A variance request has been submitted to reduce the east side set-back requirement from ten feet (10’) to five foot (5’). A reduction request of five (5’) or one half of the required set-back distance.

The proposed density will remain within the minimum requirements of the district.

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (UDO) defines **Variiances** as:

A Variance is a relaxation of the terms of the Unified Development Ordinance where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in an unnecessary or undue hardship. As used in this Ordinance, a Variance is authorized only

for height, area and size of structure, or size of yards, separation of uses, open spaces, off-street parking spaces and some subdivision of property. The establishment or expansion of a use not permitted shall not be allowed by Variance.

The UDO defines **Hardship** as:

Hardship means the exceptional hardship that would result from a failure to grant the requested variance. The City requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

UDO SECTION 4.18: Variance

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as “use Variances” are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

- A. 30% of required off-street parking spaces and/or
- B. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

- A. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
- C. That the special conditions and circumstances do not result from actions of the applicant; and
- D. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION & CONCLUSION:

The Staff has no objection to the Variance requested, but the Planning Commission must record a Finding of Fact regarding the “Criteria for Approval” from the UDO as listed above.

The Planning Commission may:

- 1. Recommend that City Council approve the Side Set-back Variance request as presented;
- 2. Recommend that City Council approve the Side Set-back Variance request with changes;
or
- 3. Recommend that City Council deny the Side Set-back Variance request.

ATTACHMENTS:

- 1. Applicant’s Exhibit 1 – Application
- 2. Applicant’s Exhibit 2 – Site Photos
- 3. Applicant’s Exhibit 3 – Site Plan
- 4. City’s Exhibit A – Location Map
- 5. City’s Exhibit B – Existing Zoning Map
- 6. City’s Exhibit C – Existing Land Use Map
- 7. City’s Exhibit D – Future Land Use Map

GAUTIER, MISSISSIPPI
ECONOMIC DEVELOPMENT/PLANNING DEPARTMENT
PUBLIC HEARING APPLICATION

Public Hearing Number
16-1-VAR

PERMIT REQUESTED:

<u>TO BE HEARD BY GAUTIER PLANNING COMMISSION:</u>		<u>FEE:</u>
Change In Zoning District	_____	\$300.00
Major Development	_____	No Fee
Home Occupation	_____	\$100.00
Variance (greater than 30%)	<u>X</u> _____	\$100.00
Appeal to Staff Decision	_____	\$100.00

<u>TO BE HEARD BY ECONOMIC DEVELOPMENT/PLANNING DIRECTOR ON STAFF REVIEW:</u>		<u>FEE:</u>
Home Occupation	_____	\$100.00
Variance (30% or less)	_____	\$100.00

See Attachment for Application Procedure

Name of Applicant: Owner - Brandon Bosarge / Agent - Bowden Architecture, Project Manager - Lance Kempner
 Name of Business: Residence Phone: 228-617-7474 (Owner) 251-433-0704 (Agent)
 Business Address: _____ Mailing Address (if Different): 405 Wind Drift Lane Gautier, MS 39553
 Reason for request, location and intended use of Property: Live Oak Preservation

ATTACHMENTS REQUIRED AS APPLICABLE:

- X 1. Diagram of Intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.
- X 2. Legal descriptions and street address.
- X 3. A detailed project narrative.
- N/A 4. Copy of protective covenants or deed restrictions, if any.
- N/A 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.
- N/A 6. Any other information requested by the Economic Development/Planning Director and/or members of the Site Plan Review Committee.

Signature of Applicant: Lance Kempner "agent"
 Date of Application: December 23, 2015

FOR OFFICE USE ONLY	
Date Received <u>12.22.15</u>	Verify as Complete _____
Fee Amount Received <u>\$175.00</u>	
Initials of Employee Receiving Application <u>JC</u>	



BOWDEN ARCHITECTURE

December 16, 2015

City of Gautier
3330 Highway 90
Gautier, MS 39553

RE: 405 Wind Drift Lane Gautier, MS 39553

To Whom It May Concern:

The property owner wishes to construct a garage on his newly acquired property. It is a wonderful site with many large live oaks. He has had an arborist attend to the trees' health. In order to have adequate turn out space and best preserve the magnificent heritage trees, we have proposed a split garage scheme to work around the trees. We would also need to encroach upon the set back reducing it from 10' to 5'. The adjacent property is already developed and would not be adversely affected by the shorter distance. Please accept this request for a variance of the side yard setback.

Thank you for your consideration. If you have any questions or concerns please contact me at 251-433-0704.

Sincerely,

Lance Kempner



Bosarge Diving Inc.
PO Box 2455
Pascagoula, MS. USA 39569-2455
(228) 762-6361 Telephone
(228) 762-6380 Facsimile
(888) 762-6364 Toll Free

Mrs. Dot Breland
308 Italian Isle Lane
Gautier, MS. 39553

Good Day Mrs. Breland,

It is with this letter that I am asking your written permission for a variance from the Gautier Planning Commission for construction of a new garage on my property at 405 Italian Isle Lane Gautier, MS. 39553, Jackson County Parcel ID # 81909340-000.

The proposed location of the new garage I am planning to construct will place it approximately 5 feet into the set back area on my property, and approximately 5 feet from our adjoining property line.

Thank you for your consideration,

Brandon Bosarge

I, Mrs. Dot Breland, find the proposed location of the planned new garage acceptable and hereby grant my permission for the variance to the set back regulation for the purpose detailed above:

Print Name: Dot Breland

Signature: Dot Breland

Date: 12-19-15

Witness: Scott Baria

Signature: [Signature]

Date: 19 Dec 2015

Parcel Information

PIDN: 81909340.000
GISP: 863.05-04-0009.00

Owner Information

Name: BOSARGE BRANDON & KIMBERLY
Name2:
Percent of Ownership: 100
Mailing Address: 412 WIND DRIFT LN
Physical Address: 405 WIND DRIFT LN GAUTIER
GAUTIER MS 39553

Land Information

Section, Township, Range: 05 8S 6W
Acreage: 1.50
Street Name: WIND DRIFT LN

Value and Tax Information

Total Assessed Value: 69026
Total Appraised Value: 690260
Improvement Value: 546830
Land Value: 143430
Tax Amount: 8302
SQ. FT: 6422
Year Built: 2007

Legal Description

Description: COM SWC LOT 21B BAYOU PIERRE ACRES & N/L CANAL S 73DEG E TO S/L CANAL FOR POB S 14 DEG E
582.62' ELY 90' N 13 DEG E 422' E 75' N 13 DEG E TO S/M CANAL WLY 165' TO POB DB 1798-422 (9
Map863.05-04)

Deed Book / Page: 1798 / 422

Parcel Information

PIDN: 81909350.000
GISP: 863.05-04-0010.00

Owner Information

Name: BOSARGE BRANDON & KIMBERLY Percent of Ownership: 100
Name2:
Mailing Address: 412 WIND DRIFT LN Physical Address: 401 ITALIAN ISLE GAUTIER
GAUTIER MS 39553

Land Information

Section, Township, Range: 05 8S 6W Acreage: .72
Street Name: ITALIAN ISLE

Value and Tax Information

Total Assessed Value: 14658 Total Appraised Value: 97720
Improvement Value: 0 Land Value: 97720
Tax Amount: 1978 SQ. FT: 0 Year Built: 0000

Legal Description

Description: COM INTERS W/M ORRELL ST & N/M GRAVELINE RD S 25 DEG E TO S/M GRAVELINE RD S 25 DEG E 451.9' M/L
TO S/M RD N 36 DEG E ON RD 28.25' ELY ALG CANAL 249.45' S 14 DEG E 582.62' ELY 90' FOR POB NE 422' E
75' SE 412' TO MS SOUND WLY 77' TO POB DB 1798-422 (10 MAP863.05-04) 'PER SURVEY'
Deed Book / Page: 1798 / 422

Parcel Information

PIDN: 81909340.000
GISP: 863.05-04-0009.00

Owner Information

Name: BOSARGE BRANDON & KIMBERLY Percent of Ownership: 100
Name2:
Mailing Address: 412 WIND DRIFT LN Physical Address: 405 WIND DRIFT LN GAUTIER
 GAUTIER MS 39553

Land Information

Section, Township, Range: 05 8S 6W Acreage: 1.50
Street Name: WIND DRIFT LN

Value and Tax Information

Total Assessed Value: 69026 Total Appraised Value: 690260
Improvement Value: 546830 Land Value: 143430
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Description: COM SWC LOT 21B BAYOU PIERRE ACRES & N/L CANAL S 73DEG E TO S/L CANAL FOR POB S 14 DEG E
582.62' ELY 90' N 13 DEG E 422' E 75' N 13 DEG E TO S/M CANAL WLY 165' TO POB DB 1798-422 (9
Map863.05-04)
Deed Book / Page: 1798 / 422



Wed Jan 13 2016 04:37:36 PM

© Copyright 2009 Jackson County.

OWNER'S CONSENT AND DESIGNATION OF AGENT

I, Brandon Bosarge, the fee simple owner of the following described property (address or parcel ID number(s) if no address assigned):

405 Italian Isle Gautier, MS 39553

hereby petition to the City of Gautier to allow Bowden Architecture and affirm that (name of person) H. Don Bowden & Lance Kempner is hereby designated to act as agent on my behalf to accomplish the above.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand this application; attachments and fees become part of the official records of the City of Gautier, MS, and are not returnable.

Brandon Bosarge
(Owner's Signature)

The foregoing instrument was acknowledged before me this 19th day of January 2016 by BRANDON BOSARGE, who is personally known to me or has produced MS DL as identification and who did take an oath.

MARLA J. PURDY
(Printed Name of Notary Public)

Marla J. Purdy
(Signature of Notary Public)

Commission # _____ . My commission expires _____ .
(Notary's Seal)

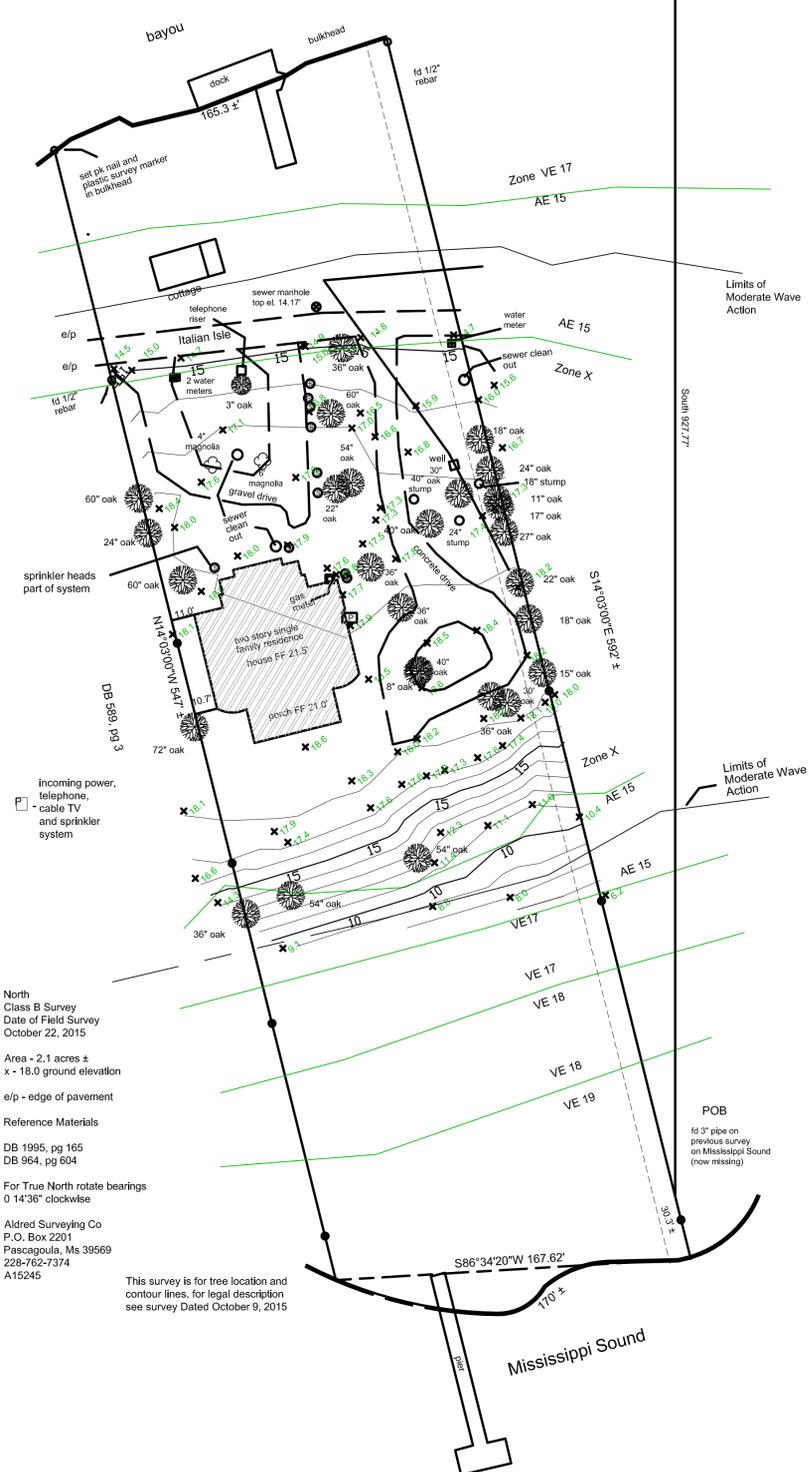


METAL ROOF PANELS
(LOW SLOPE)



METAL ROOF PANEL
OVER CENTER AREA

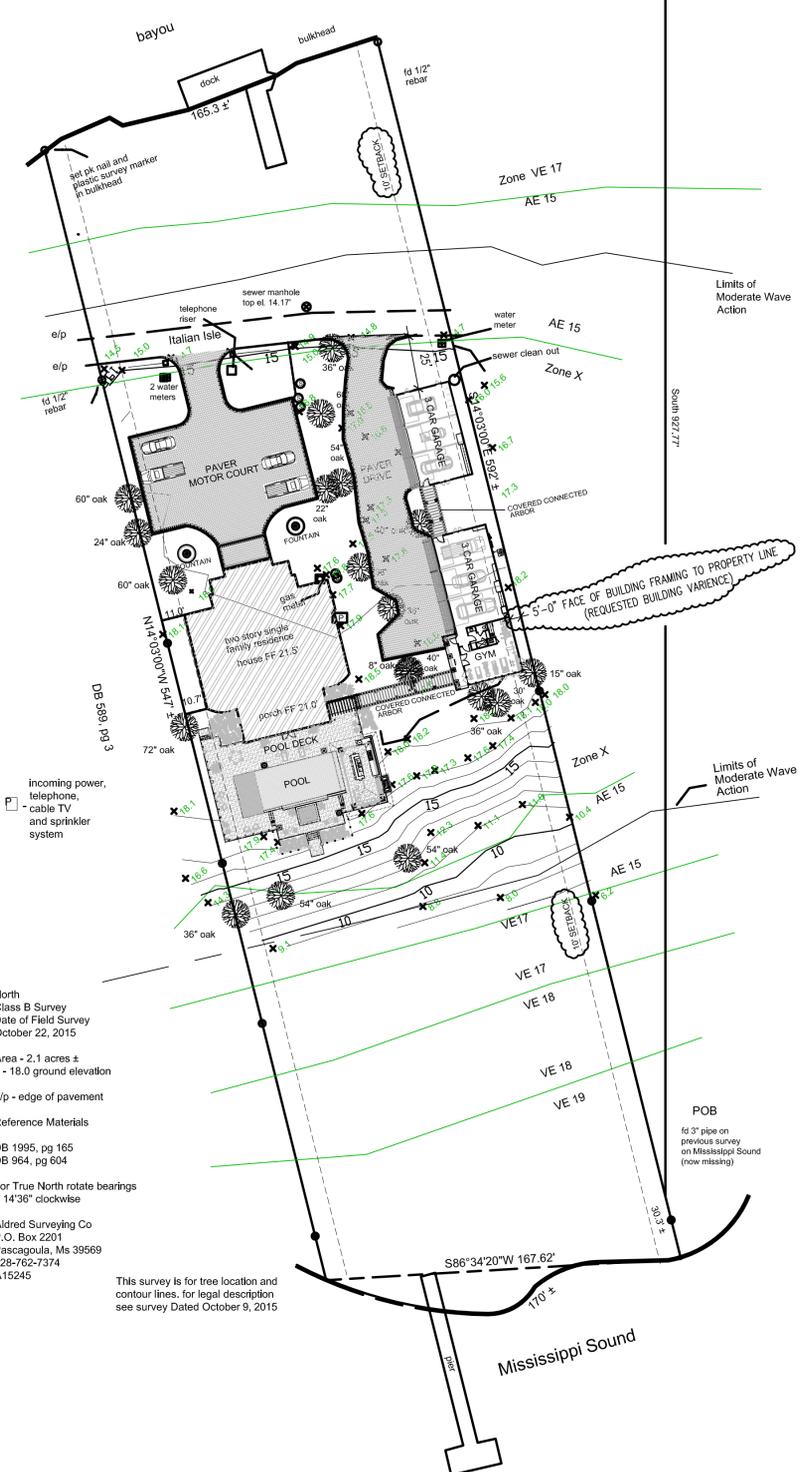
Commencing Point
N. W. cor Lot 23,
Bayou Pierre Acres Sd
PB 5, pg 8
Claim Section 9, T8S, R6W



North
Class B Survey
Date of Field Survey
October 22, 2015
Area - 2.1 acres ±
x - 18.0 ground elevation
e/p - edge of pavement
Reference Materials
DB 1995, pg 165
DB 964, pg 604
For True North rotate bearings
0 14'36" clockwise
Aldred Surveying Co
P.O. Box 2201
Pascagoula, Ms 39569
228-762-7374
A15245
This survey is for tree location and
contour lines, for legal description
see survey Dated October 9, 2015

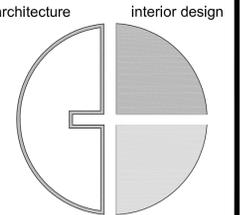
1 EXISTING SITE SURVEY
SCALE 1" = 40'

Commencing Point
N. W. cor Lot 23,
Bayou Pierre Acres Sd
PB 5, pg 8
Claim Section 9, T8S, R6W



North
Class B Survey
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P.O. Box 2201
Pascagoula, Ms 39569
228-762-7374
A15245
This survey is for tree location and
contour lines, for legal description
see survey Dated October 9, 2015

2 PROPOSED NEW SITE
SCALE 1" = 40'



**BOWDEN
ARCHITECTURE**
1657 SPRINGHILL AVENUE
MOBILE, ALABAMA 36604
PHONE (251) 433 - 0704
FAX (251) 433 - 3683
office@bowdenarchitecture.com

PROFESSIONAL SEAL

**REQUESTED
SIDE YARD
VARIANCE**

BOSARGE RESIDENCE
405 WIND DRIFT LN, GAUTIER MS 39553

SHEET TITLE:
5'-0" - PROPOSED SIDE YARD SETBACK VARIANCE

DATE: 8 JAN 2016
DRAWN BY: LFK
CHECKED BY:
REVISED: 14 APRIL 05

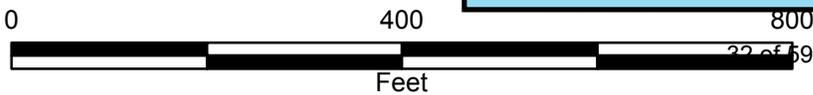
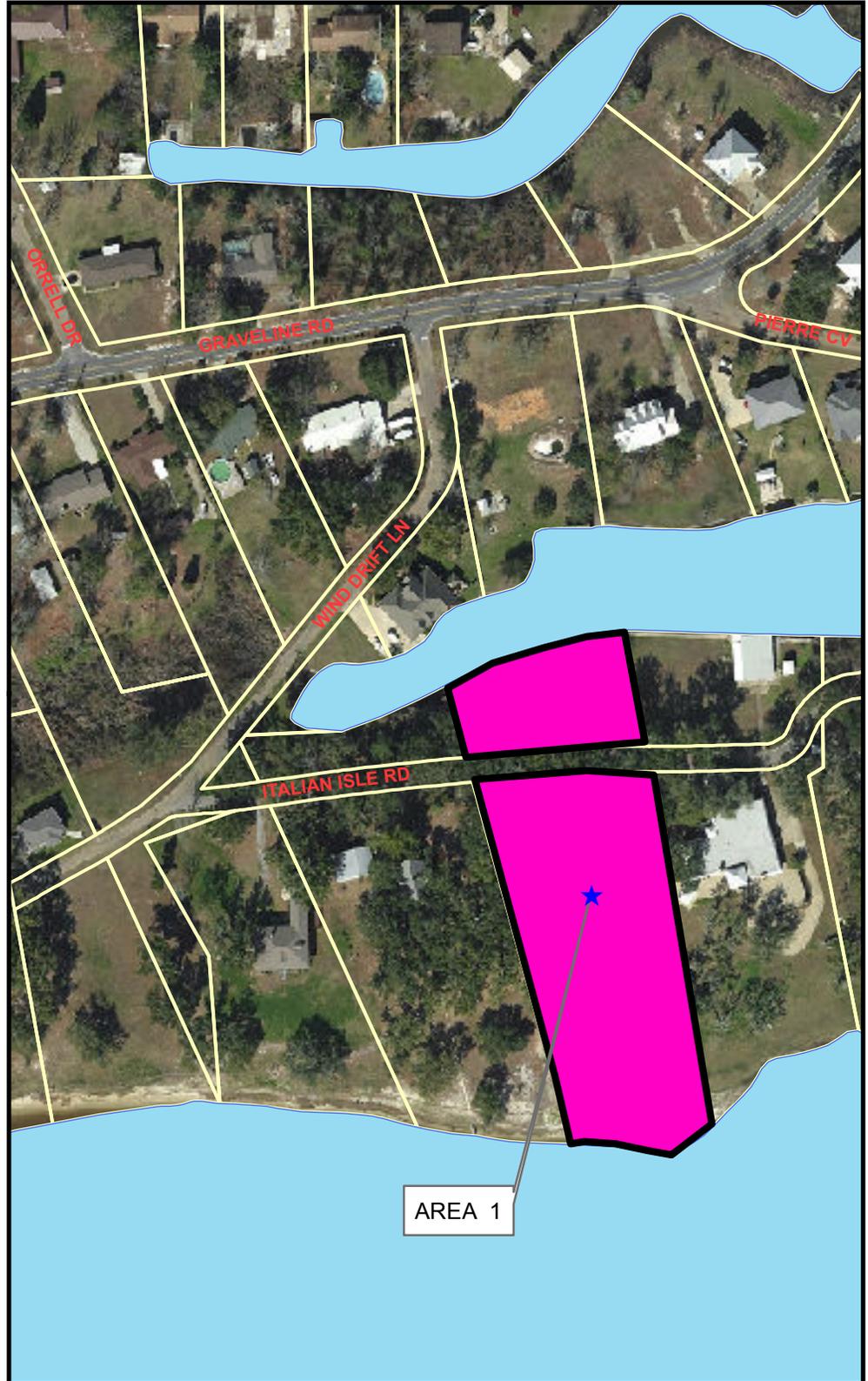
VAR

**Location Map
405 Italian Isle
Variance Request (Side-Yard Set-Back)**

City Of Gautier
Economic Development/Planning

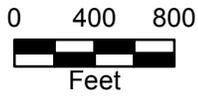


Prepared by the
City of Gautier
Planning Division



Existing Zoning Map

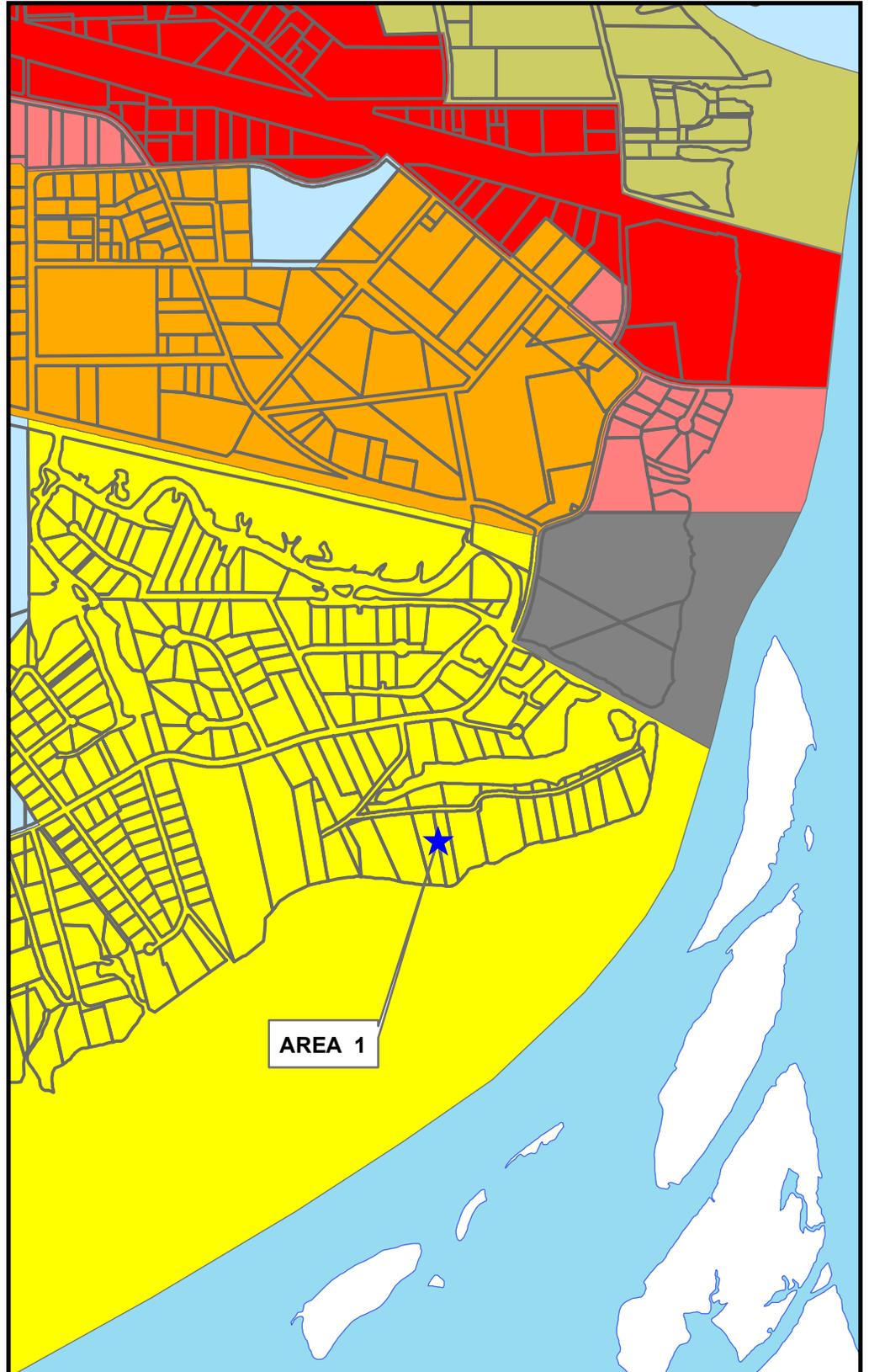
City Of Gautier
Economic Development/Planning



Prepared by the
City of Gautier
Planning Division

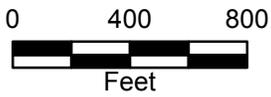
Legend

-  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



Existing Land Use Map

**City Of Gautier
Economic Development/Planning**

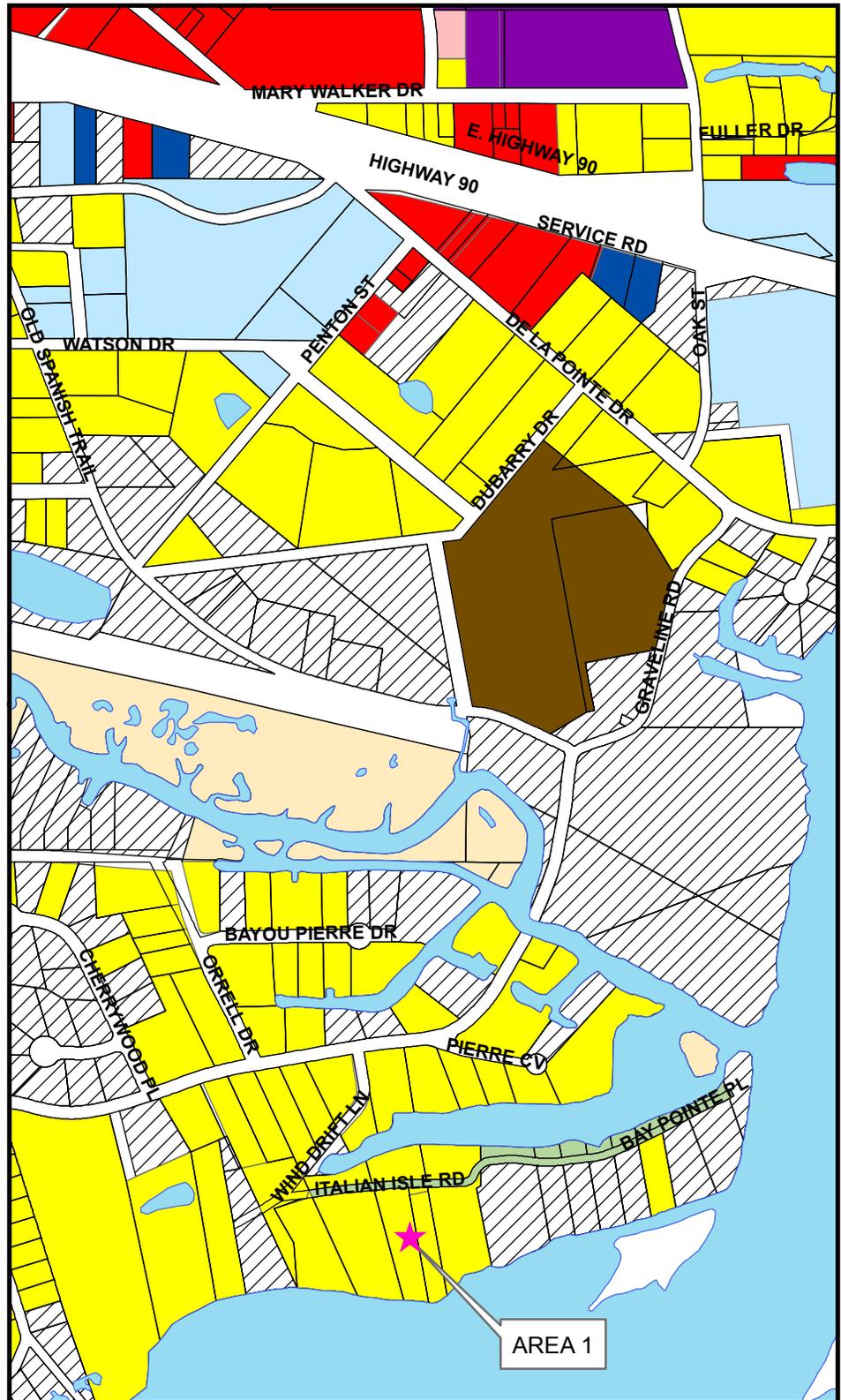


**Prepared by the
City of Gautier
Planning Division**

Legend

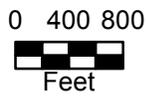
EXISTING LAND USE

- 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



Future Land Use Map

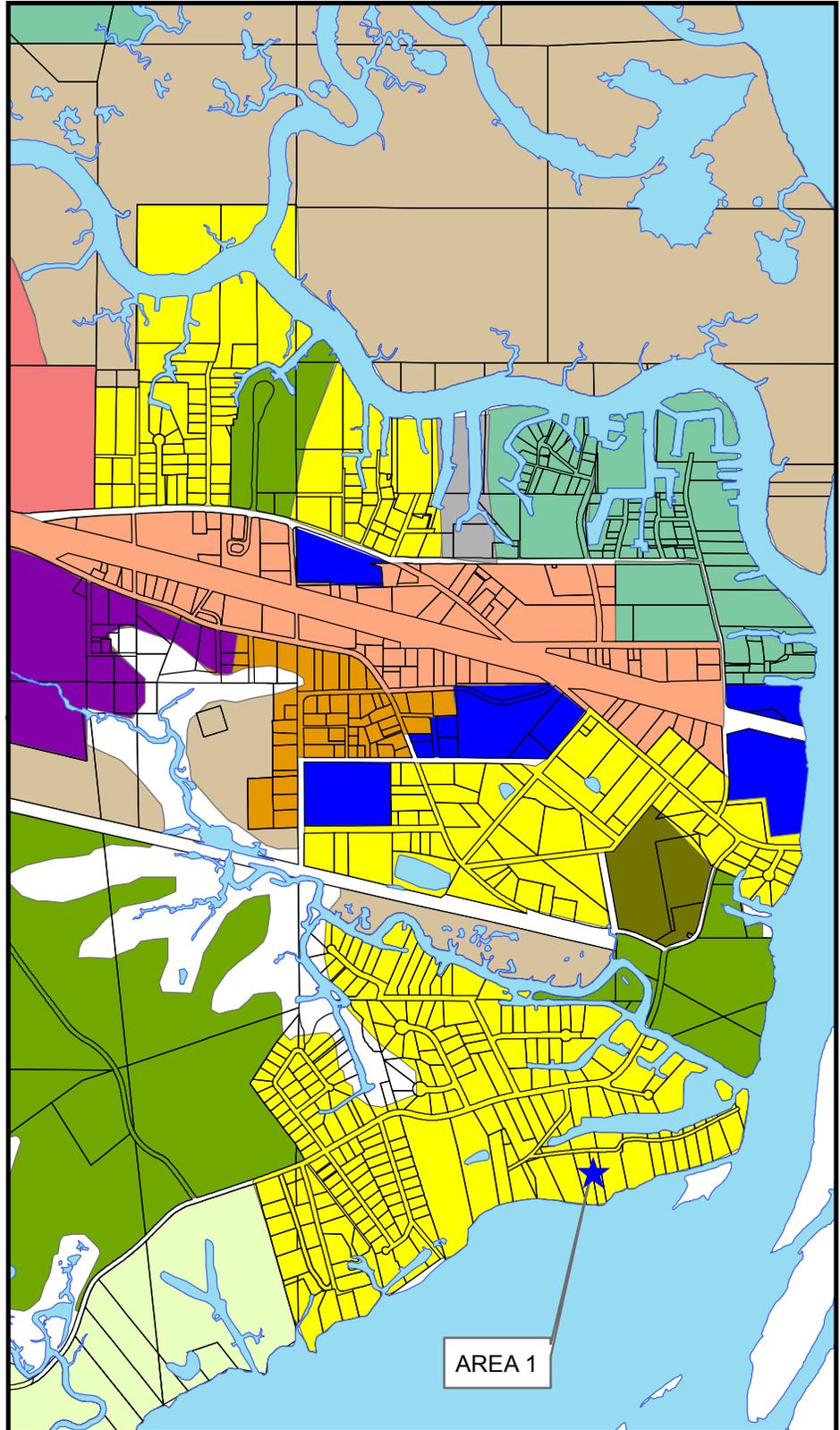
City Of Gautier
Economic Development/Planning



Prepared by the
City of Gautier
Planning 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



Gautier Planning Commission

Regular Meeting Agenda

February 4, 2016

GPC #16-02-CU

5401 Carter Road Mobile Home Placement

VII. NEW BUSINESS

A. QUASI-JUDICIAL

2. 5401 CARTER ROAD – REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR THE PLACEMENT OF A MOBILE HOME IN AN AG, AGRICULTURAL ZONING DISTRICT (GPC CASE #16-02-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: Chandra Nicholson, Director of Economic Development & Planning

Date: January 29, 2016

Subject: Conditional Use-Major Permit for Placement of a Mobile Home at 5401 Carter Road (GPC Case No. 16-02-CU)

REQUEST:

The Economic Development and Planning Department has received a request from Joshua D. Priddy & Virginia Priddy for a Conditional Use-Major Permit that would allow placement of a mobile home in an AG, Agricultural Zoning District at 5401 Carter Road, PID #85298072.000. The application fee of \$250 was paid on December 17, 2015. All public notice requirements have been met.

BACKGROUND:

The request property is zoned AG, Agricultural.

1. Location: 5401 Carter Road (See Exhibit A)
Principal Arterial: Highway 57
2. General features of the proposed project:
Total Building Area: 1904 square feet
Site Size: 4.77 Acres
3. Potable Water and Wastewater Services: Existing from City
4. The property was previously abated by the City to mitigate Code Enforcement violations. The property is now under new ownership.
5. Current Zoning (See Exhibit B): AG, Agricultural.
6. Current Surrounding Zoning (See Exhibit B): AG, Agricultural (and Sandhill Crane Refuge Area)
7. Current Surrounding Existing Land Use (See Exhibit C): Very Low to Low Density Residential, Mobile Home, and Vacant.

8. Comprehensive Plan Future Land Use Designation (See Exhibit D): Low Density Residential

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, it is a possible Conditional Use in the particular Zoning district in the city of Gautier.

Staff Finding: Yes, Mobile/Manufactured Home is listed as a Conditional Use-Major in an AG zoning district.

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: Home site is in residential area at the end of a dead end road. It has a driveway with water and sewer hookups currently.

Staff Finding: The proposed use is residential which will be compatible with the properties in the vicinity.

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

Applicant Response: No, there is currently 5 mobile homes in this neighborhood. I have five acres at the end of Carter Road with no neighbors within 100 yards.

Staff Finding: There is no evidence to indicate the proposed use will negatively affect the property values, or cause a detriment to the surrounding properties. There are currently several mobile homes adjacent/near the proposed location.

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

Applicant Response: No, my property is on a residential road and at the end. This property will be used as our place of residence..

Staff Finding: There is no evidence that the proposed residential use 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: Yes, There are currently residents other than myself residing on Carter Road and receiving all the services available by Gautier.

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: No, the surrounding property has existing mobile homes so it will fit the harmony.

Staff Response: No, the Comprehensive plan proposes single-family homes in this area, but the lot size would adequately support a single-family dwelling at a future date.

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, this property will be used as our place of residency.

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, it does conform with the conditional use, which makes it applicable to have a mobile home in the City of Gautier.

Staff Finding: The proposed use will conform to district regulations.

DETERMINATION OF APPLICABLE LAW:

1. 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 Uses-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.....

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

RECOMMENDATION & CONCLUSION:

Staff finds that the proposed use will be compatible and harmonious with the Agricultural District and recommends approval with no specific proposed conditions.

The Planning Commission may:

1. Recommend that City Council approve the Conditional Use-Major with the Conditions listed;
2. Recommend that City Council approve the Conditional Use-Major with changes; or
3. Recommend that City Council deny the Conditional Use-Major.

ATTACHMENTS:

1. Draft Conditional Use-Major Permit
2. Applicant’s Exhibit 1 – Application
3. City’s Exhibit A – Location Map
4. City’s Exhibit B – Existing Zoning Map
5. City’s Exhibit C – Existing Land Use Map
6. City’s Exhibit D – Future Land Use Map

**CITY OF GAUTIER
CONDITIONAL USE-MAJOR PERMIT
GPC CASE NO. 16-02-CU**

5401 CARTER ROAD – MOBILE HOME PLACEMENT

REGARDING PARCEL ID NO: 85298072.000

The City of Gautier City Council, at its regular meeting held on February 16, 2016, considered the application for a Conditional Use-Major Permit for a Mobile Home as submitted by Joshua D. Priddy & Virginia Priddy. The parcel subject to this Permit is located at 5401 Carter Road in Gautier, Mississippi. 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 Permit 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 Mobile Home/Manufactured Home, is permitted as a Conditional Use-Major in the AG Zoning District.
4. Therefore, the City Council accepts the recommendation of the Planning Commission and approves the application submitted on December 17, 2015 for a Conditional Use-Major Permit.
5. No specific Conditions were required.
6. 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.
7. The Gautier Planning Commission recommended approval of this Conditional Use-Major Permit on February 4, 2016.
8. The City Council adopted this Conditional Use-Major Permit on a recorded vote of _____ eyes to _____ nays to approve the application of Joshua D. Priddy & Virginia Priddy, located at 5401 Carter Road, in Gautier, Mississippi, and identified as Jackson County Parcel No. 85298072.000.

February 17, 2016
Date of Issuance

Attest:

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

Cindy Russell
City Clerk

GPRC

ECONOMIC DEVELOPMENT/PLANNING DEPARTMENT
GAUTIER, MISSISSIPPI

CONDITIONAL USE-MAJOR HEARING APPLICATION

Hearing Number

16-02-CU

<u>TYPE OF REQUEST:</u>	<u>FEE:</u>
Conditional Use – Major <u>✓</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: Joshua D. Priddy & Virginia Priddy

Name of Business: _____

Address: 5401 Carter Rd. Ocean Springs, MS 39564 Mailing Address (if different): P.O. Box 66 Ocean Springs, MS 39566

Email Address: priddyjosh4@gmail.com

Phone: 228-382-4272 Cell Phone: *228-382-2761*

Reason for request, location and intended use of Property: To place mobile home on property.

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.
- N/A 4. Copy of protective covenants or deed restrictions, if any.
- N/A 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.
- N/A 6. Any other information requested by the Economic Development/Planning Director and/or members of the Technical Review Committee.
- N/A 7. Owner's Consent form, if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant: Josh Priddy/Virginia Priddy
Date of Application: 12-7-15

FOR OFFICE USE ONLY

Date Received 12-17-15 Verify as Complete 1/4/16

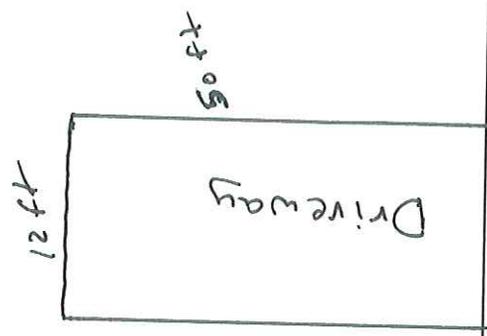
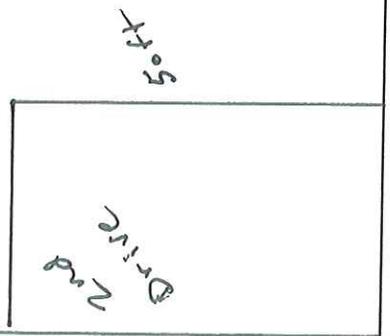
Fee Amount Received 250.00

44 of 59

Initials of Employee Receiving Application Rm

Plan to clear front 2 acres for yard.
Yard will be fenced in the front by Carter
Road. Remaining 3 acres will remain wooded.

Property line



Property line

Carter Road

Narrative

(We) Joshua and Virginia Priddy own 5 acres of land on 5401 Carter Road, which is residential/agricultural, in the City of Gautier. Under the Conditional Use, it is possible to put a mobile home in this location. We are planning on putting a double wide with the dimensions of (80' X 29') on the front part of our five acres. The property will have a driveway as seen in the illustration of the property. There are currently five mobile homes that surround the property, which will fit the harmony of this area.

Major Conditional Use Criteria for Approval

1. Yes. it is a possible Conditional Use in the particular Zoning district in the city of Gautier.
2. Home site is in residential area at the end of a dead end road. It has a driveway with water and sewer hookups currently.
3. No, there is currently 5 mobile homes in this neighborhood. I have five acres at the end of Carter Road with no neighbors within 100 yards.
4. No, my property is on a residential road and at the end. This property will be used as our place of residence.
5. Yes, There are currently residents other than myself residing on Carter Road and receiving all the services available by Gautier.
6. No, the surrounding property has existing mobile homes so it will fit the harmony.
7. No, this property will be used as our place of residency.
8. Yes, it does conform with the conditional use, which makes it applicable to have a mobile home in the City of Gautier.

Year: Susp
Card: 1 of 1

Jackson County, Mississippi
** Master Summary Display **

6-JAN-16: 2:12 PM

Reco: 5389 Dist: 5800
Pidn: 85298072.000

* Legal Description *

* Owner/Address *

PRIDY JOSHUA D & VIRGINIA

5400 CAMPBELL RD
OCEAN SPRINGS MS
39564-0000

Town: 7 Rang: 7 Sect: 17 CSec:
1-LOT 55 FOUNTAINBLEAU AC S/D
2-(E1/2 NE1/4 SE1/4 SE1/4)
3-DB 1801-594 (114 MAP774.17)
4-
5-
6-
7-
8-
9-

* Exemptions *
HS Number: HstP: .00% Gisp: 774.17-00-0114.00
Xmpt Code: 0 Acrt: 5.00 Ascd:
Parcel in Suspended D B

* Prev Values *	* Curr Values *	* Undiv Intrst *
PLvl: 10340	Lavl: 0	Undi:
PBvl: 670	Blvl: 0	Undp: .00%
Ptot: 11010	Totv: 0	

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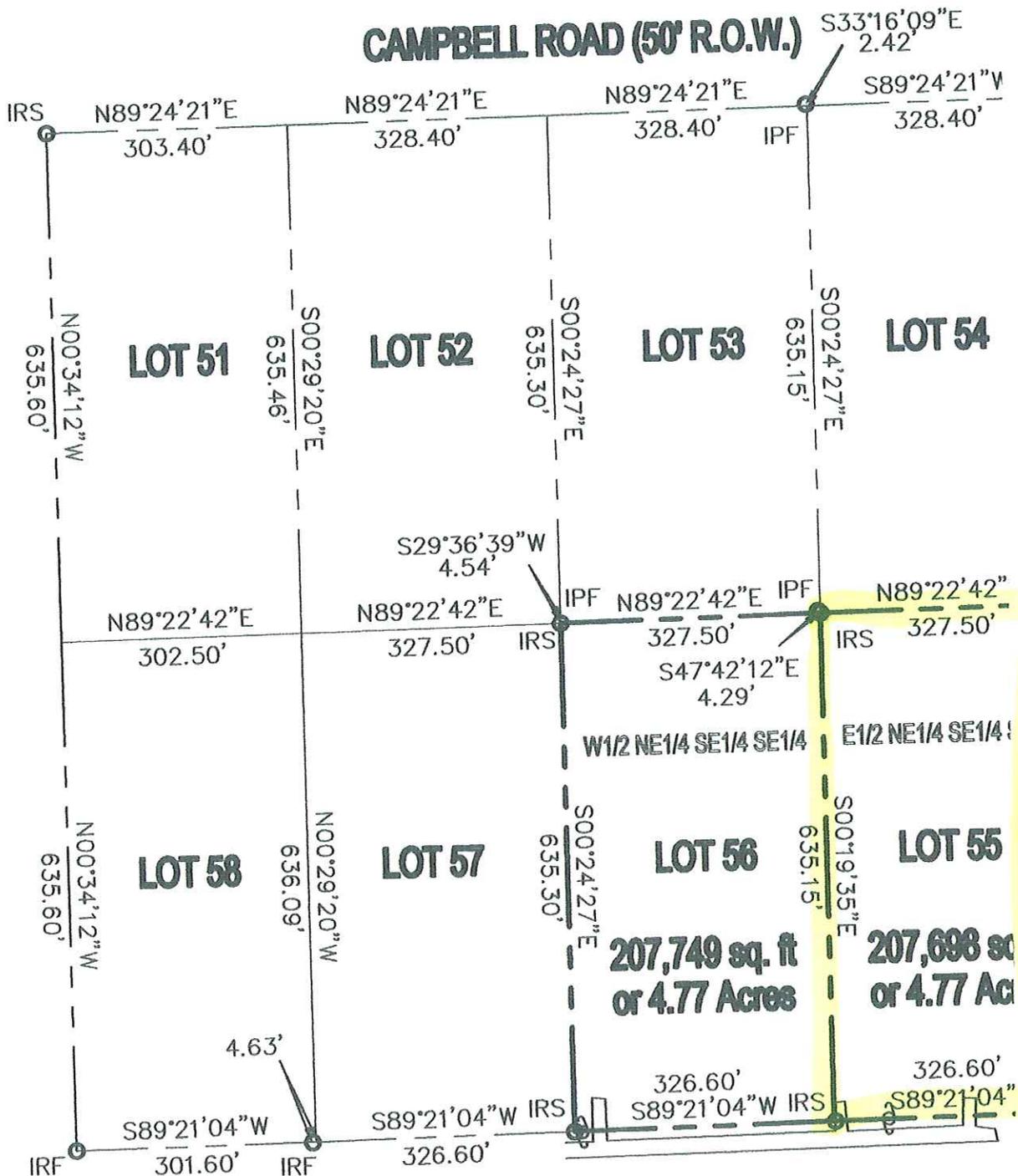


SCALE: 1"=200'

M=MEASURED
D=DEED
P=PLAT

BAKER ROAD (50' R.O.W.)

CAMPBELL ROAD (50' R.O.W.)



CARTER ROAD (50' R.O.W.)

IRF 1/2" IRON ROD FOUND
IPF 3/4" IRON PIPE FOUND
IRS 1/2" IRON ROD SET

2



201518704 2 PGS

OFFICIAL RECORDS JACKSON COUNTY
Terry Miller
CHANCERY CLERK
RECORDING FEE: \$12.00
#201518704 BK:1801 PG:594-595
12/11/2015 09:54:44 AM 2 PGS
DLONNEMAN,DC Rcpt#16139

Prepared by and return to:
E. Foley Ranson, P.A.
P.O. Box 848
Ocean Springs, MS 39566
228-875-8770
File No: 15-R3399

Indexing Instructions: E 1/2 of NE 1/4 of SE 1/4 of SE 1/4 of Section 17-7-7 aka Lot 55,
Fountainebleu Acres Subdivision

Grantor:
Ann Renee & Douglas Allen Priddy
5400 Campbell Road
Ocean Springs, MS 39564
Telephone: 228-365-4216

Grantee:
Joshua D. & Virginia Priddy
5400 Campbell Road
Ocean Springs, MS 39564
Telephone: 228-382-4272

STATE OF MISSISSIPPI

COUNTY OF JACKSON

WARRANTY DEED

For and in consideration of the sum of Ten Dollars, cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, We, ANN RENEE PRIDDY and DOUGLAS ALLEN PRIDDY, do hereby sell, convey and warrant unto JOSHUA D. PRIDDY and wife, VIRGINIA PRIDDY, as joint tenants with right of survivorship and not as tenants in common, the following described property, situated in the County of Jackson, State of Mississippi, as follows, to-wit:

The East 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of Section 17, Township 7 South, Range 7 West, Jackson County, Mississippi and same parcel is sometimes referred to Lot 55, Fountainebleu Acres Subdivision, according to an unrecorded plat.

Page Two

The Grantees assume responsibility for all ad valorem taxes.

This conveyance is subject to any and all recorded restrictive covenants, rights-of-way, easements and reservations of any oil, gas minerals and other rights.

WITNESS THE SIGNATURE of the undersigned on this the 10th day of December, 2015.

Ann Renee Priddy
ANN RENEE PRIDDY

Douglas Allen Priddy
DOUGLAS ALLEN PRIDDY

STATE OF MISSISSIPPI

COUNTY OF JACKSON

PERSONALLY appeared before me, the undersigned authority in and for the aforesaid jurisdiction, the within named ANN RENEE PRIDDY and DOUGLAS ALLEN PRIDDY who acknowledged that they executed the above and foregoing instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 10th day of December, 2015.

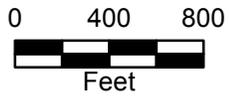


Sheree L. Ranson
NOTARY PUBLIC

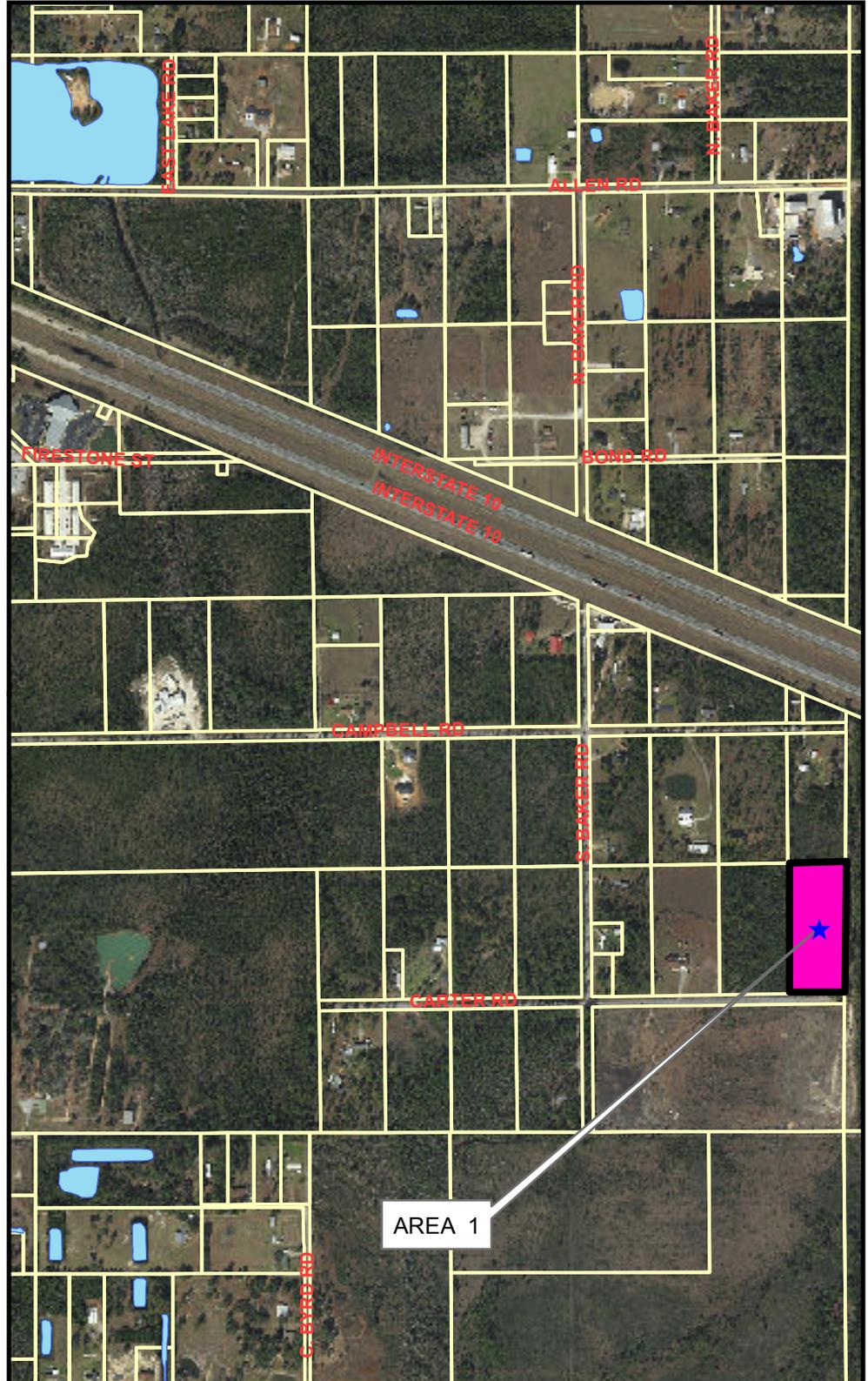
My Commission Expires:
1-22-2019

**Location Map
5401 Carter Road
Conditional Use**

City Of Gautier
Economic Development/Planning

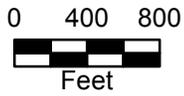


Prepared by the
City of Gautier
Planning Division



Existing Zoning Map

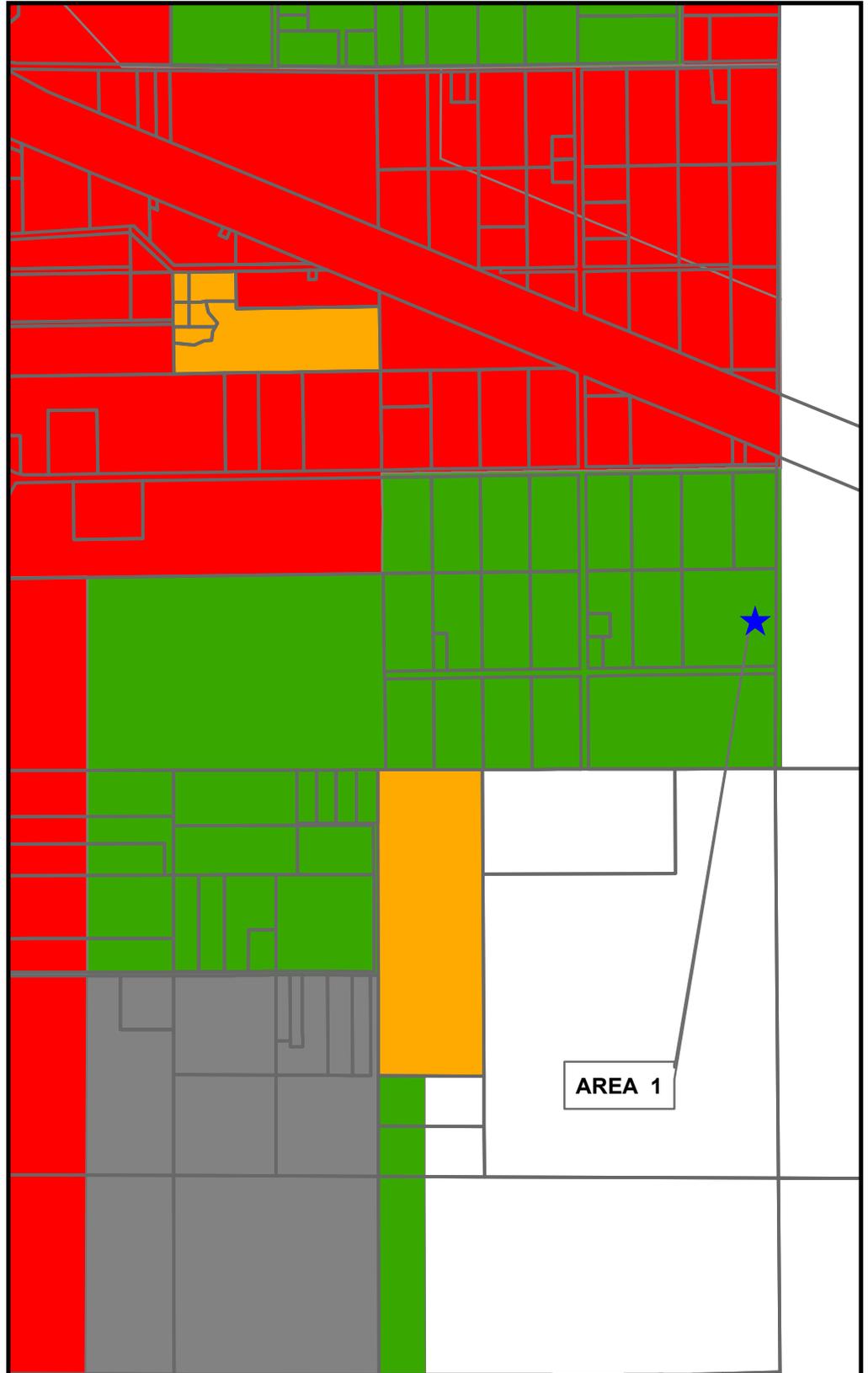
City Of Gautier
Economic Development/Planning



Prepared by the
City of Gautier
Planning Division

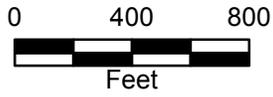
Legend

-  AG Agricultural
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-  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



Existing Land Use Map

City Of Gautier
Economic Development/Planning

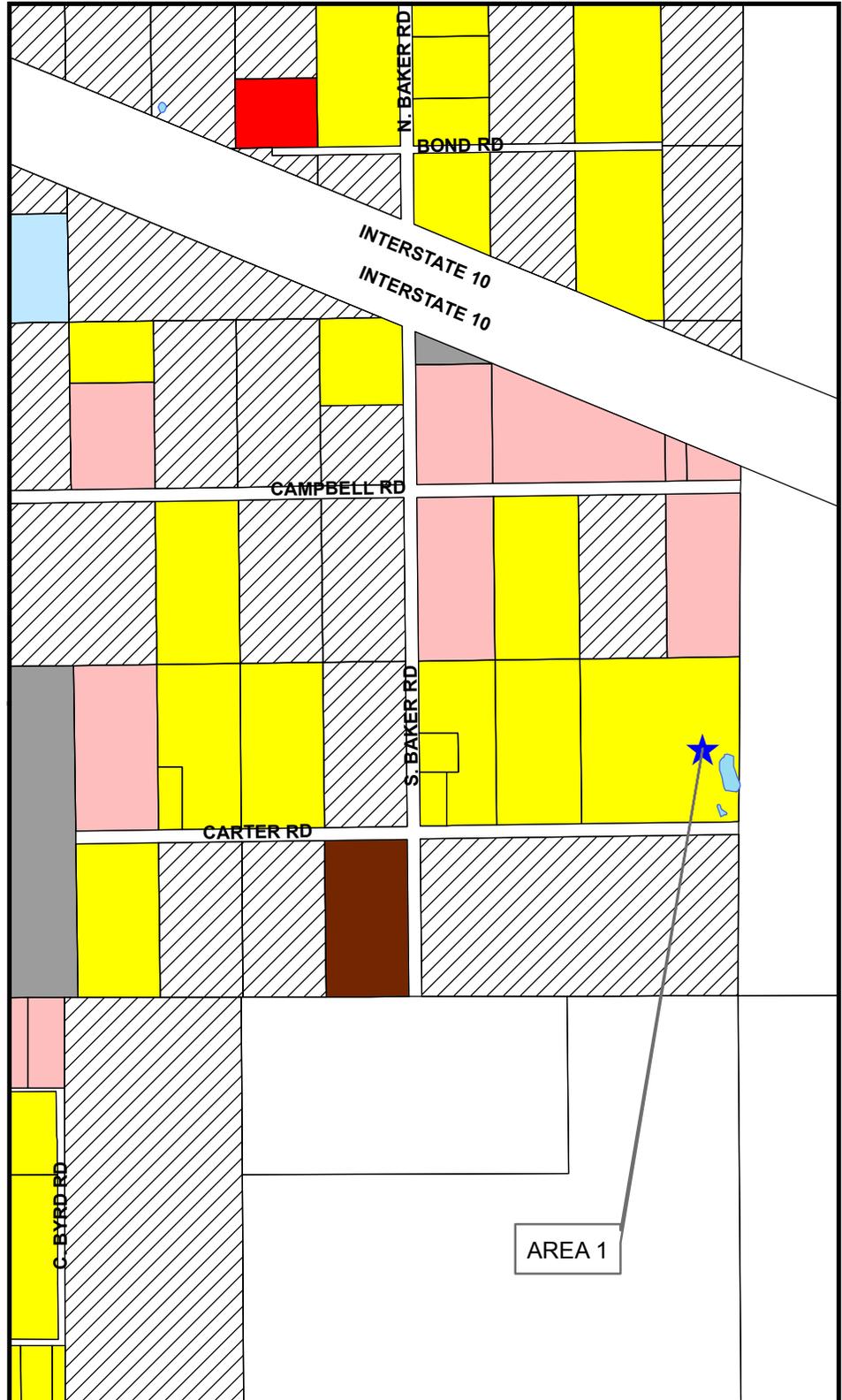


Prepared by the
City of Gautier
Planning Division

Legend

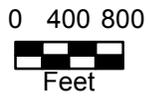
EXISTING LAND USE

- 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



Future Land Use Map

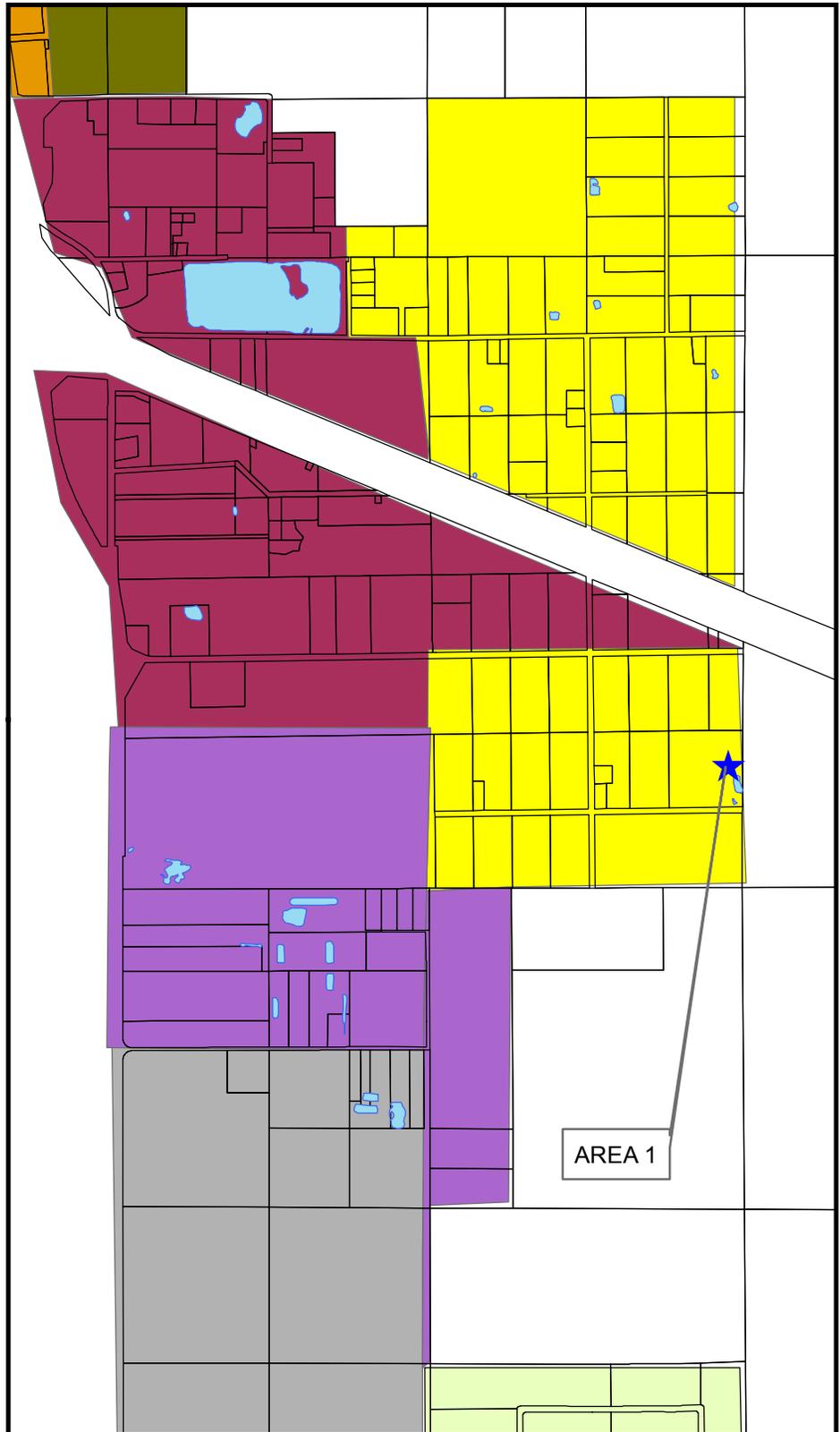
City Of Gautier
Economic Development/Planning



Prepared by the
City of Gautier
Planning 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



RULES AND PROCEDURES OF THE GAUTIER PLANNING COMMISSION

Internal rules governing the Planning Commission are set forth below. Any situation not covered in these rules shall be governed by state statute and the Unified Development Order of the City of Gautier..

ORGANIZATION

RULE 1. The Commission shall annually elect from its membership a Chairperson and vice Chairperson and shall adopt rules for the conduct of its meetings. Robert’s Rules of Order (current edition) shall apply to all Planning Commission hearings (unless suspended as referenced herein) until different rules are adopted by the Commission and approved by the Gautier City Council. The staff of the Economic Development and Planning Department shall render assistance to the Planning Commission regarding information needed for public hearings (UDO 3.2.1(H)), and shall review or coordinate the review of all applications to it. The City Clerk, or his designee, shall be the secretary of the Commission.

RULE 2. The Chairperson shall preside over the meetings of the Planning Commission and will exercise all powers usually incident to the office. The Planning Commission may create standing or temporary committees to examine, investigate and inquire into subjects under the purview of the Planning Commission. No standing or temporary committee shall have the power to commit the Planning Commission to endorse any plan or program. If at any meeting the Chairperson is not present, or is unable to act, the Vice-Chairperson shall preside. If both the Chairperson and the Vice-Chairperson are not present or are unable to act, the members present shall select one from among them to preside as Acting Chairperson. **No committee shall constitute a quorum of the Commission.**

The duties of the Chairperson are:

1. To call the Commission to order at the time appointed for the meeting.
2. To ascertain the presence of a quorum.
3. To cause the minutes of the preceding meeting to be considered and passed upon by the Commission.
4. To lay before the Commission its business in the order indicated by RULE 5.
5. To receive any propositions made by members and put them to the Commission.
6. To divide the Commission on questions submitted to him and announce the results.
7. To preserve order and decorum in debate and all other times.
8. To enforce such other rules of the Commission that are not placed in charge of another officer for which the enforcement is not reserved by the Commission.
9. To inform the body, when necessary, or when any question is raised, or any point of order or practice pertinent to the pending business.
10. To sign and authenticate all official documents of the Commission once approved by the Commission.

MINUTES

RULE 3. Written minutes of all public hearings shall be prepared for the review and approval of the Planning Commission at its next regularly scheduled meeting (or as soon as practicably possible) and shall include the following:

First: The proceedings of the Commission as concisely as possible, care being taken to record a true and accurate account of all the proceedings.

Second: The vote of each motion.

QUORUM

RULE 4. Four (4) members of the Commission constitutes a quorum. (UDO 3.2.4) All Commission actions shall be by vote of a majority of the quorum **or as otherwise defined by the UDO.**

ORDER OF BUSINESS

RULE 5. The business of the Commission shall be disposed of in the following order:

- A. Call to Order
- B. Pledge of Allegiance
- C. Approval of Agenda
- D. Approval of Minutes
- E. Public Comments (Matters of the Planning Commission not listed on the Agenda)
- F. Old Business
- G. New Business
- H. General Discussion
 - a. Commissioner's Comments
 - b. Staff's Report
 - c. Communications to the Planning Commission
- I. Adjournment

AGENDA

RULE 6. The Commission shall direct the order in which the business items on the agenda shall be transacted.

RULE 7. The Chairperson, at each meeting, shall announce to the Commission the business in order, agreeable to the preceding rule, and no business shall be considered which is not on the calendar.

Rule 8. Notice of Planning Commission meetings shall be governed by the requirements of state statute and the provisions of the Unified Development Ordinance.

RULE 9. If no matters over which the Planning Commission has jurisdiction are pending, a meeting may be cancelled at the discretion of the Chairperson as provided in the UDO.

RULE 10. The Chairperson shall not allow a Planning Commission meeting to proceed past 9:30 PM, unless an extension of the meeting is approved by a majority vote of the quorum.

ATTENDANCE

RULE 11. Should a Planning Commission member have three (3) consecutive absences or five (5) nonconsecutive absences within a period of twelve (12) months, such member shall be replaced by the City Council.

PUBLIC TESTIMONY

RULE 12. The Chairperson shall open the public hearing on the subject case by identifying and briefly describing the proposal.

RULE 13. The Chairperson shall state that testimony and input will be taken in a prescribed fashion with presentation and speaking order as follows (unless subject to quasi-judicial procedures):

1. Applicant/proponent: Presentation and statements by representatives of the proponent/applicant.
2. Staff Representative: Presentation of staff report and other materials and correspondence into the record.
3. Members of the Public: Presentations and statements by the public who wish to speak for or against the applicant. Public comments will be limited to three (3) minutes per speaker.

RULE 14. All persons speaking to the Planning Commissions shall be recognized by the Chairperson and shall stand, approach the microphone, if provided, and identify themselves by name, address and who they represent.

RULE 15. All comments shall be directed to the Chairperson.

RULE 16. Testimony shall be kept factual and on the subject. The Chairperson is charged with the responsibility of discouraging and stopping irrelevant, unnecessarily long, repetitive, or abusive testimony. Time permitted, additional opportunity will be provided for additional public comments after everyone who so desires has had an opportunity to speak.

RULE 17. The audience shall not interrupt testimony.

RULE 18. Speakers shall not question one another, instead a question shall be addressed to the Chairperson. Upon request of a consensus of the members, the Chairperson may allow direct questioning of an expert witness who has previously testified on behalf of an opponent or proponent, or other business before the Commission.

RULE 19. If written statements are made, a copy shall be presented to the Commission and the Secretary.

RULE 20. Planning Commissioners then deliberate on the application and the testimony received. Members may ask questions of both staff and any other speakers to clarify their understanding of relevant points or to gather additional information; all questions shall be posed through the Chairperson who shall ask the appropriate party for answers.

DECORUM IN DEBATE

RULE 21. When any member is about to speak in debate, or deliver any matter to the Commission, he shall respectfully address himself to the Chairperson and being recognized, shall confine himself to the question under debate, avoid personalities, and no member shall impugn the motive of any member's vote or argument.

RULE 22. When a member is speaking, the Commission shall be in order and no private conversations shall occur.

RULE 23. No member shall be allowed to explain his vote or discuss the question while the yeases and noes are being called, or change his vote after the result has been announced.

RECOMMENDATION TO CITY COUNCIL

RULE 24. In circumstances where approval or denial by the City Council is required, the recommendation of the Planning Commission shall be sent to the City Council for their consideration and official action. The Economic Development Director shall provide a Finding of Fact to the City Council along with the recommendation of the Planning Commission and other data and materials on all zoning or development related proceedings of the Planning Commission's Meeting. (UDO 3.2.5)

AMENDMENT TO RULES

RULE 25. These rules may be amended by resolution, approved by the majority of the membership of the Commission.

SUSPENSION OF RULES

RULE 26. These rules, or the order of business, established by the Commission, may be suspended by the majority of the membership of the Commission.