



**PLANNING COMMISSION MEETING AGENDA  
CITY OF OCEAN SPRINGS  
PLANNING COMMISSION  
TUESDAY, APRIL 8, 2025 - 6:00 PM**

**1. Call Meeting to Order**

**2. Approval of Minutes**

- a. March 11, 2025

**3. Old Business**

- a. none

**4. New Business** - The public is invited to address the Planning Commission for up to 3 minutes for each item, for each speaker, for a maximum period of 30 minutes. The Planning Commission will take all comments under advisement. Please identify yourself before speaking.

- a. **Public Hearing:** 901 Bienville Blvd. northwest corner of Bienville Blvd. and Washington Ave.– Requesting the Vacation of Alley; abutting PIDN: 60119054.000, 60119056.000, 60119058.000, 60119046.000, 60119042.000, 60119048.000, 60119050.000 – Tom Davies - Managing Partner with Cardiff Development Partners
- b. **Public Hearing:** 241 Lovers Lane – PIDN: 61465013.100– Katherine Vidrine – Approval of a Short-Term Rental Permit.

**5. General Public Comment** - The public is invited to address the Planning Commission for up to 3 minutes for each item, for each speaker, for a maximum period of 30 minutes. The Planning Commission will take all comments under advisement. Please identify yourself before speaking.

**6. Commissioner's Forum**

**7. Adjourn**

[MEET\_FOOT]

**The Minutes of the City of Ocean Springs**  
**Planning Commission**  
**Tuesday March 11, 2025**

**1. Call Meeting to Order**

A meeting of the City of Ocean Springs Planning Commission was called to order by Chairman Andy Phelan at 6:00 p.m. on Tuesday March 11, 2025. The members present were Matthew Hinton, Kevin O'Connell, Joey Conwill and Marshall Johnson. Absent was Joseph McCormick and Nicholaus Geiser. Also present was Wade Morgan Planning Director, Planner Elizabeth Dill, Planning Administrator Hannah Sullivan, and City Attorney Will Norman.

**2. Approval of Minutes:**

- a) February 11, 2025

A motion was made by Kevin O'Connell, seconded by Marshall Johnson to accept the minutes from February 11, 2025, as submitted. The motion carried unanimously.

**3. Old Business:**

- a) None.

**4. New Business:**

- a. **Public Hearing: Approve a request for Harper Grove Townhomes Subdivision Groveland Road – PIDN: 60127330.100 – 24 Hour Storage - Requesting a Plat Amendment. The property is zoned CH**

A motion was made by Matthew Hinton and seconded by Kevin O'Connell to open public hearing. The motion was carried unanimously. The Applicant Freddie Fountain spoke about the application. A motion was made by Matthew Hinton and seconded by Kevin O'Connell to close public hearing. The motion carried unanimously. A motion was made by Kevin O'Connell and seconded by Marshall Johnson to recommend approval of the plat amendment. The motion carried unanimously.

- b. **Public Hearing: Approve a request for a Short-Term Rental permit at 1112 Lafontaine Unit A – PIDN: 61080005.010-Adrienne Radakovic - The property is zoned R-1.**

A motion was made by Matthew Hinton and seconded by Marshall Johnson to open public hearing. The motion was carried unanimously. A motion was made by Kevin O'Connell and seconded by Marshall Johnson to close public hearing. The motion carried unanimously. A motion was made by Kevin O'Connell and seconded by Marshall Johnson to recommend approval of the short term rental. The motion carried unanimously.

- c. **DEFERRED TBD: Public Hearing: Approve a Commercial Subdivision Final Plat for 3419 Bienville Blvd – PIDN: 60127491.050 – KD Ocean Springs, LLC – Property is zoned CH.**
- d. **Approve a request for a lot split at 0 Rayburn Ave – PIDN: 60137006.000 & 60137008.100, East side of Rayburn Ave., south of Desoto St. and north of Porter Ave. – Mike Fritz - The property is zoned RM2**

A motion was made by Matthew Hinton and seconded by Kevin O'Connell to add in a letter from resident Aaron Ringo into the minutes. The motion carried unanimously. The Applicant Donovan Scruggs spoke about the application. Resident Cindy Wilder spoke against the application. Resident Ronald Morano spoke against the application. Resident Aaron Ringo spoke against the application. Resident Jane Farmersburg spoke against the application. Resident Steve Powell spoke against the application. Resident Cindy woods spoke against the application. Applicant Donovan Scruggs spoke about the residents' comments and questions. A motion was made by Joey Conwill and seconded by Kevin O'Connell to recommend approval of the lot split. The motion carried unanimously.

## **5. General Public Comment**

## **6. Commissioners Forum**

## **7. Adjourn**

A motion was made by Marshall Johnson, seconded by Kevin O'Connell to adjourn the meeting. The motion carried unanimously.

CITY OF OCEAN SPRINGS  
COMMUNITY DEVELOPMENT AND PLANNING  
POST OFFICE BOX 1800  
OCEAN SPRINGS, MS 39566-1800  
228-875-4415

**PLANNING COMMISSION REPORT**

**PUBLIC MEETING DATE:** April 8, 2025

**APPLICANT:** Tom Davis (Manager)/Cardiff Development Partners

**PROPERTY OWNERS:** Angela Taylor (owns 4 abutting lots)  
60119058.000, 60119056.000, 60119054.000 & 60119048.000  
Sherry Owen (owns 1 abutting lot)  
60119050.000

**REQUESTED ACTION:** Vacation of a City Right of Way (ROW)

**DATE OF REQUEST:** March 3, 2025

**LOCATION:** ROW that runs north from Bienville Blvd

**PARCEL NUMBERS:**  
West of Alley – 60119058.000, 60119056.000, & 60119054.000  
East of Alley – 60119048.000 & 60119050.000

**DESCRIPTION OF REQUEST:**  
Vacate a City Right of Way that runs north from Beinville Blvd between the five (5) parcels. A convenience store is proposed for the property.

**ADJACENT ZONING AND LAND USE:**  
**Subject Property:** C-H Regional Commercial/Commercial Mixed-Use District  
**Boat repair shop/An Active sanitary sewer is withing the ROW.**

**North:** C-H Regional Commercial  
**South:** C-H Regional Commercial  
**East:** C-H Regional Commercial  
**West:** C-H Regional Commercial





## BIENVILLE BLVD



## WASHINGTON AVE



### FINDINGS:

- The ROW is an active sewer easement.
- On October 6, 2020, the Board of Aldermen approved the abandonment of an adjacent east-west running unnamed alley.
- Properties North, West, and East of the alley are zoned CH which does not have a minimum lot size but has a minimum lot width of 25 feet.
  - Each parcel closest to Bienville Blvd is approximately 133 feet (60119054.000) and 113 feet (60119050.000) wide with the alley in the middle.
  - If the alley is vacated and the properties are reconfigured the newly created parcel would be approximately 273 feet wide.
- Properties surrounding the alley include:
  - West: 60119058.000, 60119056.000, & 60119054.000
  - East: 60119048.000 & 60119050.000
  - North: 816 Church Ave & 1109 Washington Ave



- Affidavits approving the vacating of the alley have been signed by property owners of the five (5) parcels to the West and East of the alley and one (1) property owner from the North located at 816 Church Ave.

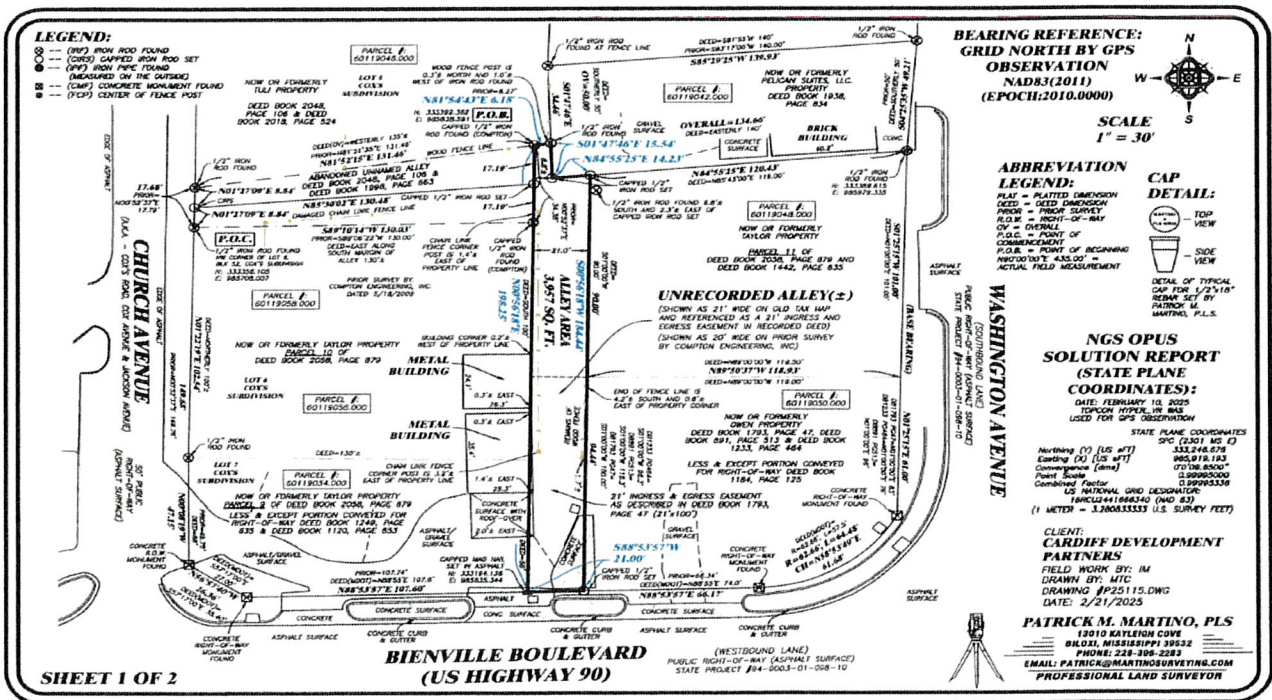
## CITY DEPARTMENT COMMENTS:

### PROJECT MANAGER:

- The developer has to purchase all of the parcels that tie into the sewer main between the end of the sewer main and the north property line of parcel 60119048.000.
- The developer has to install a manhole within the easement where the purchased property meets the adjacent property (basically at the north parcel line of the parcels purchased).

### GRANTS ADMINISTRATOR:

- This is the same ROW that has been brought up periodically for the last 15 years. The issue would be the existing utility lines – I believe it's a sewer main. Also, the parcels adjacent would have to agree in writing – including the one that is north that fronts Washington.



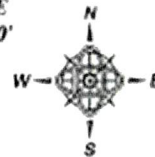


# EXHIBIT NOTE:

THIS IS AN EXHIBIT DRAWING FOR DISCUSSION PURPOSES ONLY AND DOES NOT REPRESENT ANY FORM OF BOUNDARY SURVEY. INFORMATION SHOWN HEREON IS MORE OR LESS AND IS BASED ON A COMBINATION OF DEED INFORMATION, PRIOR SURVEYS AND TAX MAP DIMENSIONS. A BOUNDARY SURVEY WOULD NEED TO BE PERFORMED FOR ACTUAL TRUE BEARINGS AND DIMENSIONS.

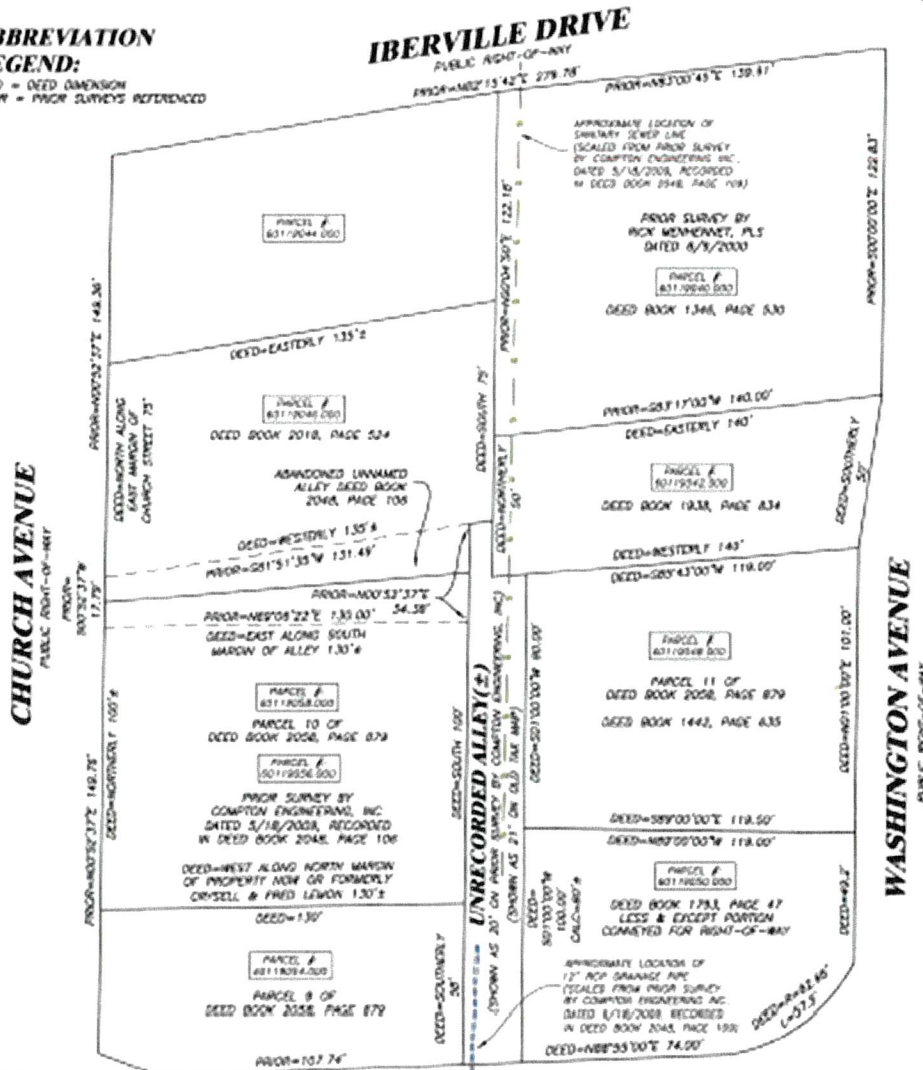
# SCALE

1" = 40'



# ABBREVIATION LEGEND:

DEED = DEED DIMENSION  
PRIOR = PRIOR SURVEY'S REFERENCED



CLIENT:  
**CARDIFF  
DEVELOPMENT  
PARTNERS**

EXHIBIT DRAWN BY: MTC  
DRAWING #P241417.DWG  
DATE: 12/17/2024

# BIENVILLE BOULEVARD (US HIGHWAY 90)

PUBLIC RIGHT-OF-WAY

# REFERENCE MATERIALS:

- 1.) JACKSON COUNTY TAX AND GIS MAPS.
- 2.) PRIOR SURVEY BY COMPTON ENGINEERING, INC. DATED MAY 18, 2009.
- 3.) PRIOR SURVEY BY RICK MENNENHETT, PLS. DATED JUNE 8, 2000.
- 4.) DEED BOOK 1049, PAGE 552
- 5.) DEED BOOK 1793, PAGE 47
- 6.) DEED BOOK 1938, PAGE 834
- 7.) DEED BOOK 2018, PAGE 524
- 8.) DEED BOOK 2048, PAGE 108
- 9.) DEED BOOK 2058, PAGE 879
- 10.) DEED BOOK 1348, PAGE 530
- 11.) DEED BOOK 1442, PAGE 635
- 12.) DEED BOOK 1333, PAGE 464
- 13.) ALL INFORMATION AS SHOWN HEREON.

**AN EXHIBIT DRAWING UTILIZING  
DEED INFORMATION, PRIOR SURVEYS  
AND TAX MAP DISTANCES TO SHOW  
THE APPROXIMATE LOCATION OF AN  
UNRECORDED ALLEY AND THE  
SURROUNDING PARCELS. PARCELS  
SITUATED IN SECTION 19, TOWNSHIP  
7 SOUTH, RANGE 8 WEST, JACKSON  
COUNTY, MISSISSIPPI**



**PATRICK M. MARTINO, PLS**  
13010 KATLEIGH COVE  
BILLOXI, MISSISSIPPI 39532  
PHONE: 228-296-2282  
EMAIL: PATRICK@MARTINOSURVEYING.COM  
PROFESSIONAL LAND SURVEYOR

**PUBLIC FEEDBACK:**

1. Daniel & Melissa Burton – March 20, 2025 – email attached
2. Daniel & Melissa Burton – April 4, 2025 – see attachment

**POTENTIAL MOTIONS:**

To recommend **approval** of the vacation of the unnamed right of way north from Bienville Blvd between parcels 60119058.000, 60119056.000, 60119054.000 & 60119048.000, 60119050.000.

– OR –

To recommend **denial** of the vacation of the right of way north from Bienville Blvd between parcels 60119058.000, 60119056.000, 60119054.000 & 60119048.000, 60119050.000.



2660 Townsgate Road, Suite 800  
Westlake Village, CA 91361

805.496.6449

March 1, 2025

Mr. Wade Morgan  
Interim Community Development and Planning Director  
City of Ocean Springs  
PO Box 1800  
Ocean Springs, MS. 39566

Dear Mr. Morgan:

CDP Ocean Springs, LLC, a Mississippi limited liability company is under contract to purchase in two separate transactions with two separate owners the properties at the northwest corner of Bienville Boulevard and Washington Avenue. The specific parcels include APN 60119048.000, 60119050.000, 60119054.000, 60119056.000 and 60119058.000. The parcels are located on both sides of an unrecorded and unused alley that runs north from Bienville Boulevard.

For many years this significant parcel has remained undeveloped due to the ownership retained by different owners and the unrecorded alley dividing the property. We wish to acquire the properties and develop a use which will provide more jobs and greater tax revenue to the city. In order to do so, we are hereby requesting that the City of Ocean Springs vacate the unrecorded alley as shown on the exhibit attached to this letter. If you have any questions, please feel free to call me at 805 496 6449 or email me at [tdavies@cardiffdp.com](mailto:tdavies@cardiffdp.com).

We will be forwarding via separate letter, affidavits in approval of this vacation by the abutting owners that have not yet been deeded a portion of the alley.

Very truly yours,

A handwritten signature in black ink, appearing to read "Tom Davies", is written over a horizontal line. To the right of the signature is a large, stylized, oval-shaped mark, possibly a stamp or a flourish.

Tom Davies  
Manager  
CDP Ocean Springs, LLC

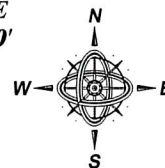




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SCALE  
1" = 40'

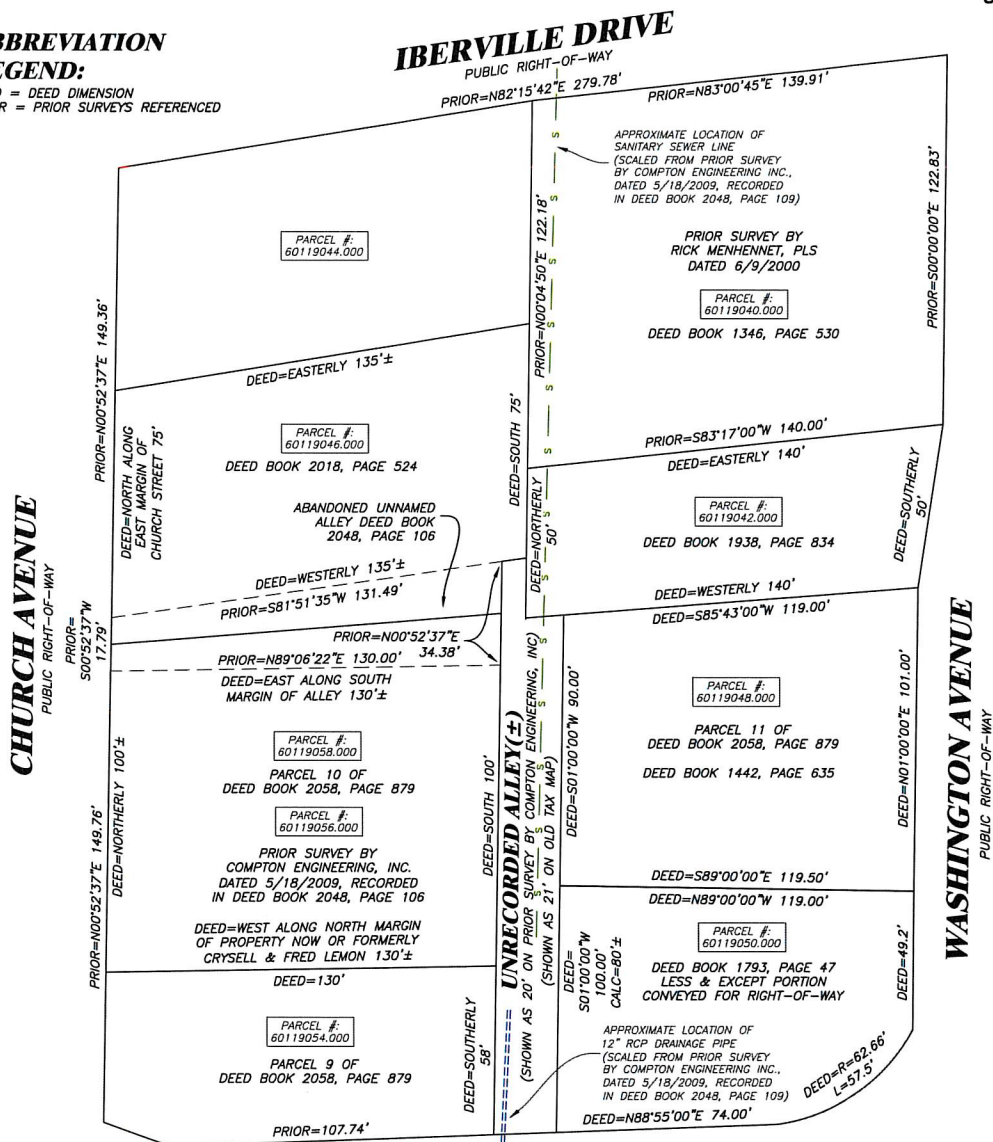


### ABBREVIATION

#### LEGEND:

DEED = DEED DIMENSION

PRIOR = PRIOR SURVEYS REFERENCED



CLIENT:  
**CARDIFF  
DEVELOPMENT  
PARTNERS**  
EXHIBIT DRAWN BY: MTC  
DRAWING #P241437.DWG  
DATE: 12/17/2024

**BIENVILLE BOULEVARD**  
(US HIGHWAY 90)  
PUBLIC RIGHT-OF-WAY

### REFERENCE MATERIALS:

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- 2.) PRIOR SURVEY BY COMPTON ENGINEERING, INC. DATED MAY 18, 2009.
- 3.) PRIOR SURVEY BY RICK MENHENNETT, PLS. DATED JUNE 9, 2000.
- 4.) DEED BOOK 1049, PAGE 552
- 5.) DEED BOOK 1793, PAGE 47
- 6.) DEED BOOK 1938, PAGE 834
- 7.) DEED BOOK 2018, PAGE 524
- 8.) DEED BOOK 2048, PAGE 106
- 9.) DEED BOOK 2058, PAGE 879
- 10.) DEED BOOK 1346, PAGE 530
- 11.) DEED BOOK 1442, PAGE 635
- 12.) DEED BOOK 1233, PAGE 464
- 13.) ALL INFORMATION AS SHOWN HEREON.

**AN EXHIBIT DRAWING UTILIZING  
DEED INFORMATION, PRIOR SURVEYS  
AND TAX MAP DISTANCES TO SHOW  
THE APPROXIMATE LOCATION OF AN  
UNRECORDED ALLEY AND THE  
SURROUNDING PARCELS. PARCELS  
SITUATED IN SECTION 19, TOWNSHIP  
7 SOUTH, RANGE 8 WEST, JACKSON  
COUNTY, MISSISSIPPI**



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PROFESSIONAL LAND SURVEYOR

**SHEET 1 OF 2**

(A.A.A. 504 S ROAD, 504 AVENUE W MINNEAPOLIS MINNESOTA,

50' PUBLIC  
RIGHT-OF-WAY  
(ASPHALT SURFACE)

**SHEET 1 OF 2**



**A SURVEY OF THE UNRECORDED ALLEY SITUATED  
BETWEEN PARCELS #60119042.000, #60119048.000,  
#60119050.000, #60119054.000, #60119056.000,  
#60119058.000 & #60119046.000, CITY OF OCEAN  
SPRINGS, JACKSON COUNTY, MISSISSIPPI**

**UNRECORDED ALLEY**

**LEGAL DESCRIPTION: (AS PER SURVEY DIMENSIONS)**

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI, AS SHOWN ON THE PLAT OF SURVEY PREPARED BY PATRICK M. MARTINO PLS., INC. DATED FEBRUARY 21, 2025 (SURVEY BASED ON THE MISSISSIPPI STATE PLANE COORDINATE SYSTEM (EAST ZONE, NAD 83)(2011)(EPOCH=2010.0000)), GRID VALUES USING A SCALE FACTOR OF 0.99995000 AND A CONVERGENCE ANGLE OF 07'09.6500" DETERMINED SPECIFICALLY FOR THIS PROJECT USING GRID BEARINGS DERIVED FROM STATIC GPS OBSERVATIONS OF CONTROL POINTS OBTAINED BY AN OPUS SOLUTION, ALL LINES RELATIVE TO) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" IRON ROD FOUND, SITUATED ALONG THE EAST MARGIN OF CHURCH AVENUE AT THE NORTHWEST CORNER OF LOT 6, BLOCK 52, COX'S SUBDIVISION, SAID IRON ROD ALSO BEING THE SOUTHWEST CORNER OF THE ABANDONED UNNAMED ALLEY, RECORDED IN DEED BOOK 2048, PAGE 106 AND DEED BOOK 1998, PAGE 663; THENCE ALONG SAID EAST MARGIN OF CHURCH AVENUE, N01°27'09"E 17.68 FEET TO A 1/2" IRON ROD FOUND AT THE UNNAMED ALLEY, N81°52'15"E 131.46 FEET TO A CAPPED 1/2" IRON ROD FOUND (STAMPED: COMPTON) AT THE NORTHWEST CORNER OF SAID ABANDONED UNNAMED ALLEY; THENCE ALONG THE NORTH LINE OF SAID ABANDONED UNNAMED ALLEY, N81°54'43"E 6.18 FEET TO A 1/2" IRON ROD FOUND, SITUATED ALONG THE WEST LINE OF PROPERTY NOW OF TULLI PROPERTY, N81°54'43"E 6.18 FEET TO A 1/2" IRON ROD FOUND, SITUATED ALONG THE WEST LINE OF PROPERTY NOW OF FORMERLY PELICAN SUITES, LLC, RECORDED IN DEED BOOK 1938, PAGE 834; THENCE ALONG SAID WEST LINE OF PELICAN SUITES, LLC, PROPERTY, S01°47'46"E 15.54 FEET TO A CAPPED 1/2" IRON ROD SET (STAMPED: MARTINO PLS 2838) AT THE SOUTHWEST CORNER OF SAID PELICAN SUITES, LLC, PROPERTY; THENCE ALONG THE SOUTH LINE OF SAID PELICAN SUITES, LLC, PROPERTY, N84°55'25"E 14.23 FEET TO A CAPPED 1/2" IRON ROD SET (STAMPED: MARTINO PLS 2838) AT THE NORTHWEST CORNER OF PROPERTY NOW OF FORMERLY TAYLOR, RECORDED AS PARCEL 11 OF DEED BOOK 2058, PAGE 879; THENCE ALONG THE WEST LINE OF SAID TAYLOR PROPERTY AND CONTINUE ALONG THE WEST LINE OF PROPERTY NOW OF FORMERLY OWEN, RECORDED IN DEED BOOK 1793, PAGE 47, LESS & EXCEPT PORTION CONVEYED FOR RIGHT-OF-WAY, S00°56'18"W 184.44 FEET TO A CAPPED 1/2" IRON ROD SET (STAMPED: MARTINO PLS 2838) AT THE SOUTHWEST CORNER OF SAID OWEN PROPERTY, SAID IRON ROD SET ALSO BEING SITUATED ALONG THE NORTH MARGIN OF BIENVILLE BOULEVARD (US HIGHWAY 90), S88°53'57"W 21.00 FEET TO A CAPPED MAG NAIL SET IN ASPHALT AT THE SOUTHEAST CORNER OF PROPERTY NOW OF FORMERLY TAYLOR, RECORDED AS PARCEL 9 OF DEED BOOK 2058, PAGE 879, LESS & EXCEPT PORTION CONVEYED FOR RIGHT-OF-WAY; THENCE ALONG THE EAST LINE OF SAID TAYLOR PROPERTY AND CONTINUE ALONG THE EAST LINE OF PROPERTY NOW OF FORMERLY OWEN, RECORDED AS PARCEL 10 OF DEED BOOK 2058, PAGE 879 AND ALSO THE EAST LINE OF THE ABANDONED UNNAMED ALLEY, RECORDED IN DEED BOOK 2048, PAGE 106 AND DEED BOOK 1998, PAGE 663, N00°56'18"E 198.25 FEET TO THE POINT OF BEGINNING, CONTAINING 3,957 SQUARE FEET.

**GENERAL NOTES:**

- 1.) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ENVIRONMENTAL STUDY. ALL APPLICABLE ENVIRONMENTAL REGULATIONS, RESTRICTIONS, AND LEGAL REQUIREMENTS OF ANY NATURE AND FURTHER SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIVE COVENANTS AND RIGHT-OF-WAY OF RECORD.
- 2.) THIS IS A CLASS "B" SURVEY ACCORDING TO THE STANDARDS SET FORTH IN THE CURRENT RULES AND REGULATIONS FOR SURVEYING WITHIN THE STATE OF MISSISSIPPI.
- 3.) RE-UNION OF THE PROPERTY IS SUBJECT TO CURRENT COUNTY SUBDIVISION AND ZONING REGULATIONS.



**SHEET 2 OF 2**

**REFERENCE MATERIALS:**

- 1.) JACKSON COUNTY TAX AND GIS MAPS.
- 2.) PRIOR SURVEY BY COMPTON ENGINEERING, INC. DATED MAY 18, 2008.
- 3.) PRIOR SURVEY BY RICK MENNENHETT, PLS., DATED JUNE 9, 2000.
- 4.) DEED BOOK 1049, PAGE 552
- 5.) DEED BOOK 1120, PAGE 949
- 6.) DEED BOOK 1184, PAGE 125
- 7.) DEED BOOK 891, PAGE 513
- 8.) DEED BOOK 1120, PAGE 603
- 9.) DEED BOOK 1120, PAGE 603
- 10.) DEED BOOK 1120, PAGE 603
- 11.) DEED BOOK 1911, PAGE 339
- 12.) DEED BOOK 1984, PAGE 663
- 13.) DEED BOOK 2047, PAGE 106
- 14.) DEED BOOK 1938, PAGE 834
- 15.) DEED BOOK 2018, PAGE 524
- 16.) DEED BOOK 2048, PAGE 106
- 17.) DEED BOOK 2058, PAGE 879
- 18.) DEED BOOK 1346, PAGE 630
- 19.) DEED BOOK 1442, PAGE 635
- 20.) DEED BOOK 1233, PAGE 464
- 21.) DEED BOOK 1248, PAGE 639
- 22.) MISSISSIPPI DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY PLANS FOR PROJECT NO. 94-0023-01-008-B-10.
- 23.) COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY WITH A DATE OF OCTOBER 28, 2024 AT 8:00 A.M. COMMITMENT NUMBER: 24-5581.001.
- 24.) COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY WITH A DATE OF OCTOBER 28, 2024 AT 8:00 A.M. COMMITMENT NUMBER: 24-5581.001.
- 25.) CITY OF OCEAN SPRINGS WATER PLAN, PROVIDED BY CLIENT.
- 26.) ALL INFORMATION AS SHOWN HEREON.

**BOUNDARY NOTE:**

BOUNDARY SURVEYS ARE BASED UPON THE RECORDED SUBDIVISION PLATS IN CASES OF REGULAR SUBDIVISIONS LOTS. BOUNDARY SURVEYS OF PROPERTIES NOT PART OF A REGULAR SUBDIVISION ARE BASED UPON TITLE INFORMATION PROVIDED BY THE PARTY REQUESTING THE SURVEY. BOUNDARY SURVEY PLATS REFLECT INFORMATION DISCOVERED BY THE SURVEYOR IN THE NORMAL COURSE OF WORK AND DOES NOT NECESSARILY SHOW EVERY POSSIBLE CONDITION AFFECTING THE PROPERTY. EASEMENTS, SERVITUDES, BUILDING ORDINANCES, ZONING, AND OTHER LEGAL ENCUMBRANCES MAY EXIST. CONSULT A TITLE ATTORNEY IF YOU WISH TO DISCOVER ALL THE LEGAL ENCUMBRANCES ATTACHED TO ANY PROPERTY.

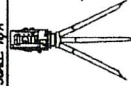
THIS IS TO CERTIFY THAT I HAVE MADE A SURVEY OF THE PROPERTY SHOWN HEREON AND THAT ALL DIMENSIONS AND OTHER DATA SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Patrick M. Martino*  
PATRICK M. MARTINO

2/17/2025  
DATE OF FIELD SURVEY



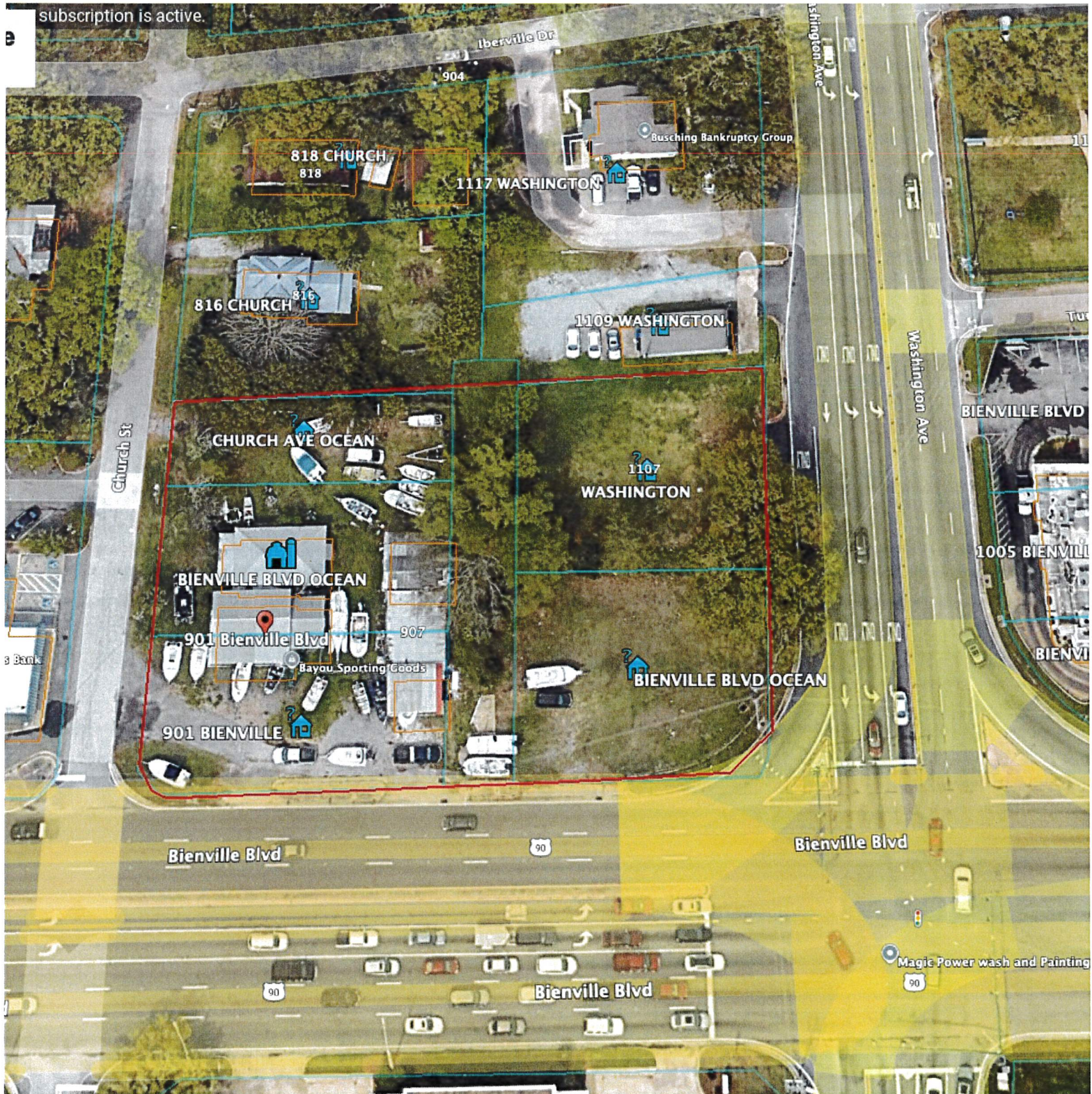
|                                                                                                                                       |                  |                                                                                                                                                     |                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| TITLE COMMITMENT ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY WITH A DATE OF 10/29/2024. COMMITMENT NUMBER: 24-5581 & 24-5581.001 |                  | NO FLOOD ZONE DETERMINATION WAS PERFORMED AS A PART OF THIS SURVEY. AN ACCURATE DETERMINATION CAN BE MADE BY ORDERING A FEMA ELEVATION CERTIFICATE. |                                                                    |
| CLIENT: PATRICK M. MARTINO, PLS                                                                                                       | SURVEY CLASS "B" | SCALE: N/A                                                                                                                                          | BEARINGS SHOWN HEREON ARE DERIVED BY GRID NORTH BY GPS OBSERVATION |
| PARTNERS                                                                                                                              |                  |                                                                                                                                                     |                                                                    |
| PARCEL: BIENVILLE BOULEVARD                                                                                                           |                  |                                                                                                                                                     |                                                                    |
| ADDRESS: OCEAN SPRINGS, MS 39564                                                                                                      |                  |                                                                                                                                                     |                                                                    |
| SECTION 19, TOWNSHIP 7 SOUTH, RANGE 8 WEST                                                                                            |                  |                                                                                                                                                     |                                                                    |
| PARCEL NUMBER: 75 SHOWN ON SURVEY                                                                                                     |                  |                                                                                                                                                     |                                                                    |
| CREW CHIEF: M. DRAWN BY: MTC                                                                                                          |                  |                                                                                                                                                     |                                                                    |
| DATE: 2/21/2025 JOB# P25115                                                                                                           |                  |                                                                                                                                                     |                                                                    |
| REVISED: CRD# P241437                                                                                                                 |                  |                                                                                                                                                     |                                                                    |



**PATRICK M. MARTINO, PLS**  
13010 MAYLEIGH COVE  
BILOXI, MISSISSIPPI 39532  
PHONE: 228-396-2283  
EMAIL: PATRICK@MARTINOSURVEYING.COM  
PROFESSIONAL LAND SURVEYOR



subscription is active.





**This notice is being mailed to you as an adjacent property to the project described below. Copies are sent via standard mail at the cost of the applicant of this project.**

---

City of Ocean Springs Community Development  
P. O. Box 1800  
Ocean Springs, MS 39566-1800  
228-875-4415

**PUBLIC NOTICE**

**PUBLIC NOTICE** is hereby given that the City of Ocean Springs *Planning Commission* will hold a public hearing in the regular meeting place of the Board of Aldermen located in City Hall at 1018 Porter Avenue Ocean Springs, MS, 39564 on

**Tuesday, April 8, 2025 @ 6:00 p.m.**

Regarding the following:

- **Tom Davies – North West corner of Bienville Blvd and Washington Ave – PIDN: 60119048.000, 60119050.000, 60119054.000, 60119056.000, and 60119058.000 – Request to vacate the alley that runs North from Bienville Blvd. This property is zoned C-H Regional Commercial.**

**Written comments** related to the above request will be accepted and may be mailed to the City of Ocean Springs Planning Department, Post Office Box 1800, Ocean Springs, MS 39566-1800 or emailed to [wmorgan@oceansprings-ms.gov](mailto:wmorgan@oceansprings-ms.gov).

At the aforementioned time and place, all parties of interest shall have an opportunity to be heard.

Wade Morgan,  
City of Ocean Springs  
Community Development Director



WHEELER & WHEELER, PLLC  
ATTORNEYS AT LAW

185 Main Street  
Biloxi, MS 39530

DAVID A. WHEELER  
david@wheelerattys.com

CANDACE C. WHEELER  
candace@wheelerattys.com

P.O. Box 264  
Biloxi, MS 39533

Ph. (228) 374-6720  
Fax (228) 374-6721

March 3, 2025

Mr. Wade Morgan  
Interim Community Development  
and Planning Director  
City of Ocean Springs  
P.O. Box 1800  
Ocean Springs, MS 39566

HAND DELIVERED

**RE:   *Vacation of unnamed alley***  
**Our Client: *Cardiff Development Partners***  
**Our File No.: *24-5561***

Dear Mr. Morgan:

Enclosed please find affidavits executed by the owners of parcels abutting the unused, unnamed alley lying north of U.S. Highway 90 between Church Avenue and Washington Avenue.

By letter dated March 1, 2025 Tom Davies, Manager of Cardiff Development Partners sent you a copy of the survey performed by Patrick M. Martino, PLS of the alley. I have enclosed another copy along with a copy of the legal description of the alley to be vacated for your use.

I have also enclosed a copy of the Resolution passed by the City on October 6, 2020 concerning the partial vacating of the northern portion of this alley that ran in an east/west direction. This resolution was recorded in Deed Book 1998 at Pages 663-671. This resolution recited that the original request to vacate this alley was approved by the City on June 16, 2009 and recognized that the original documents vacating the alley were not filed in the land records and could not be located, therefore the 2020 Resolution was passed to rectify that omission. The 2020 Resolution also found that the alley had not been maintained by the City as a public way for over 20 years and had not been used by the public for over 50 years. A subsequent Resolution was passed on November 2, 2021 to provide a more detailed description of the portion of the alley that was vacated. This Resolution was recorded in Deed Book 2048 at Pages 106-111.

If you have any questions or need anything further, please do not hesitate to contact me.

Sincerely,



David A. Wheeler

DAW/hc  
Enclosures

cc:     Cardiff Development Partners



2660 Townsgate Road, Suite 800  
Westlake Village, CA 91361

805.496.6449

December 20, 2024

Ms. Sherry L. Owen  
1 Bayou Place  
Gulfport, MS. 39503

Dear Sherry:

We are currently under contract to purchase the following properties in Ocean Springs, MS. Your property is the first on the list.

| <u>Address</u>      | <u>Assessor Parcel Number</u> | <u>Location Comment</u>            |
|---------------------|-------------------------------|------------------------------------|
| No address          | 60119050.000                  | NWC Bienville & Washington         |
| No address          | 60119048.000                  | immediately north of above         |
| No address          | 60119058.000                  | immediately south of 816 Church    |
| No address          | 60119056.000                  | immediately north of 901 Bienville |
| 901 Bienville Blvd. | 60119054.000                  | NEC Bienville & Church             |

I have also attached an aerial photo with the properties we are purchasing outlined in red.

During our investigation of this property, we thought the parcel in the middle of the properties was owned by the city. In subsequent title research we found out that it was an unrecorded alley. We would like to vacate the alley. The city requires that all properties abutting the alley be in approval of the vacation. I have attached an approval letter for you to sign and have notarized. We will pay for and arrange the notary for your convenience.

When it is vacated, each adjoining landowner will be vested with title to the portion of the alley adjacent to their property to the middle of the alley.

If you have any questions regarding the above, feel free to call me at 805 496 6449 or our attorney in Oceans Springs. His name is David Wheeler and he can be reached at 228 374 6720.

Please deliver the completed document to David Wheeler at his office address, which is as follows:

David Wheeler  
Wheeler & Wheeler PLLC  
185 Main Street  
Biloxi, MS. 39533

Very truly yours,

A handwritten signature in blue ink, appearing to read "Tom Davies", is written over a horizontal line.

Tom Davies



December 20, 2024

Ms. Carter Thompson  
Community Development Director  
City of Ocean Springs, MS  
1018 Porter Avenue  
Ocean Springs, MS. 39564

Re: vacation of the alley adjacent to 901 Bienville Road

Dear Ms. Thompson:

We each own interests in the following properties in Ocean Springs. Collectively, we own 100% of the properties below:

| <u>Address</u>      | <u>Assessor Parcel Number</u> | <u>Location Comment</u>            |
|---------------------|-------------------------------|------------------------------------|
| No address          | 60119048.000                  | south of 1107 Washington           |
| No address          | 60119058.000                  | immediately south of 816 Church    |
| No address          | 60119056.000                  | immediately north of 901 Bienville |
| 901 Bienville Blvd. | 60119054.000                  | NEC Bienville & Church             |

An application has been or will be made to vacate the unrecorded alley identified on the attached exhibit. Our properties abut this alley, and we hereby approve the vacation of the alley.

Sincerely

Angela B. Taylor  
Angela B. Taylor

Tyler Taylor  
Tyler Taylor

Dustin Taylor  
Dustin Taylor

Emma Taylor  
Emma Taylor

Angela Carroll  
Angela Carroll

Crystal R. Mason  
Crystal Mason

Sheely Seymour  
Sheely Seymour

Notary Public: Stephanie E. Morris

Commission expires: 06/01/27



December 20, 2024

Ms. Carter Thompson  
Community Development Director  
City of Ocean Springs, MS  
1018 Porter Avenue  
Ocean Springs, MS 39564

Re: vacation of the alley adjacent to 901 Bienville Road

Dear Ms. Thompson:

I am the owner of the vacant parcel of land at the northwest corner of Bienville Boulevard and Washington Avenue. The property does not have an address and may be identified by the assessor's parcel number 60119050.000.

An application has been or will be made to vacate the unrecorded alley identified on the attached exhibit. My property abuts this alley and I hereby approve the vacation of the alley.

Sincerely



Sherry L. Owen

Acknowledgment of Individual

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for said county and state, on this 20<sup>th</sup> day of December, 2024, within my jurisdiction, the within named Sherry L. Owen, who acknowledged that she executed the above and foregoing instrument.

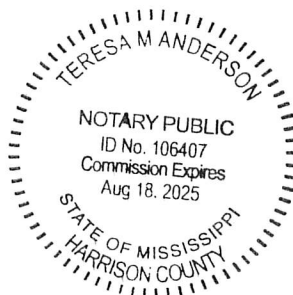


Notary Public

Printed Name: Teresa Anderson

My Commission Expires:

August 18, 2025





December 20, 2024

Ms. Carter Thompson  
Community Development Director  
City of Ocean Springs, MS  
1018 Porter Avenue  
Ocean Springs, MS. 39564

Re: vacation of the alley adjacent to 901 Bienville Road

Dear Ms. Thompson:

We are the owners of the house at 816 Church Avenue in Ocean Springs. The property has an assessor's parcel number of 60119046.000.

An application has been or will be made to vacate the unrecorded alley identified on the attached exhibit. Our property abuts this alley and we hereby approve the vacation of the alley.

Sincerely

  
Dr. Rajesh Tuli

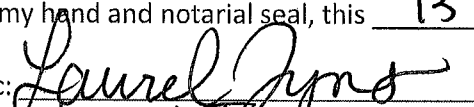
  
Dr. Pam Tuli

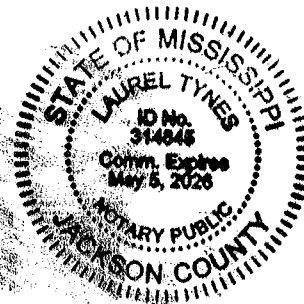
State of: Mississippi  
County of: Jackson

*The person(s) signing above does hereby certify that he or she is fully authorized and empowered to execute this instrument and to bind the undersigned hereto and does hereby in fact so execute this instrument.*

I, Laurel Tynes, a Notary Public, do hereby certify that Dr. Rajesh Tuli and Dr. Pam Tuli, appeared before me this day in person and acknowledged that he/she signed said document.

Given under my hand and notarial seal, this 13 day of 01, 2025.

Notary Public:   
Printed Name: Laurel Tynes  
My commission expires: May 5, 2028



# Property Link

## JACKSON COUNTY, MS

Current Date 3/18/2025

Tax Year 2023

Records Last Updated 3/17/2025

**PROPERTY DETAIL**

|                |                   |                              |
|----------------|-------------------|------------------------------|
| <b>OWNER</b>   | OWEN SHERRY L     | <b>ACRES</b> : .26           |
|                | 1 BAYOU PL        | <b>LAND VALUE</b> : 89073    |
|                |                   | <b>IMPROVEMENTS</b> : **NA** |
|                | GULFPORT MS 39503 | <b>TOTAL VALUE</b> : 89073   |
|                |                   | <b>ASSESSED</b> : 13361      |
| <b>PARCEL</b>  | 60119050.000      |                              |
| <b>ADDRESS</b> | BIENVILLE         |                              |

**TAX INFORMATION**

| YEAR 2023 | TAX DUE | PAID    | BALANCE |
|-----------|---------|---------|---------|
| COUNTY    | 672.86  | 672.86  | 0.00    |
| CITY      | 386.40  | 386.40  | 0.00    |
| SCHOOL    | 886.50  | 886.50  | 0.00    |
| TOTAL     | 1945.76 | 1945.76 | 0.00    |

LAST PAYMENT DATE 2 / 2 / 2024

**MISCELLANEOUS INFORMATION**

|                       |             |                                             |
|-----------------------|-------------|---------------------------------------------|
| <b>EXEMPT CODE</b>    |             | <b>LEGAL</b> BEG SE INTERSECTION HWY 90 & W |
| <b>HOMESTEAD CODE</b> | None        | /M                                          |
| <b>TAX DISTRICT</b>   | 4660        | WASHINGTON AVE N 66.2' M/L WL               |
| <b>PPIN</b>           | 056642      | Y                                           |
| <b>SECTION</b>        | 19          | 119' S TO N/M HWY 90 N 88* E 7              |
| <b>TOWNSHIP</b>       | 7           | 4'                                          |
| <b>RANGE</b>          | 8           | NELY TO POB DB 1793-47 (217 M               |
|                       |             | AP                                          |
| <b>Book</b>           | <b>Page</b> |                                             |

[PURCHASE COUNTY TAX SALE FILES](#)**TAX SALES HISTORY, FOR UNPAID TAXES**

| <u>Year</u>            | <u>Sold To</u> | <u>Redeemed Date/By</u> |
|------------------------|----------------|-------------------------|
| **NO TAX SALES FOUND** |                |                         |

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# Property Link

## JACKSON COUNTY, MS

Current Date 3/18/2025

Tax Year 2023

Records Last Updated 3/17/2025

**PROPERTY DETAIL**

**OWNER** TAYLOR ANGELA B  
TAYLOR TYLER  
280 PASTURE RD  
PERKINSTON MS 39573

**ACRES** : .26  
**LAND VALUE** : 74233  
**IMPROVEMENTS** : \*\*NA\*\*  
**TOTAL VALUE**: 74233  
**ASSESSED** : 11135

**PARCEL** 60119048.000  
**ADDRESS** WASHINGTON

**TAX INFORMATION**

|                            | <b>TAX DUE</b> | <b>PAID</b> | <b>BALANCE</b> |
|----------------------------|----------------|-------------|----------------|
| <b>YEAR 2023</b>           | 560.76         | 560.76      | 0.00           |
| <b>COUNTY</b>              | 322.02         | 322.02      | 0.00           |
| <b>CITY</b>                | 738.81         | 738.81      | 0.00           |
| <b>SCHOOL</b>              | 184.76         | 184.76      | 0.00           |
| <b>PENALTY &amp; OTHER</b> | 1806.35        | 1806.35     | 0.00           |
| <b>TOTAL</b>               |                |             |                |

**LAST PAYMENT DATE** 8 / 26 / 2024**TAXES DELINQUENT PRIOR YEAR****MISCELLANEOUS INFORMATION****EXEMPT CODE****HOMESTEAD CODE** None**TAX DISTRICT** 4660**PPIN** 056641**SECTION** 19**TOWNSHIP** 7**RANGE** 8

**LEGAL** COM W/M WASHINGTON AVE & C/L L  
&N  
RR N 375' FOR POB CONT N 101'  
S  
85 DEG W 119.5' S 90' ELY 119  
'  
TO POB DB 1442-635 DB 1635-631  
D

**Book** **Page**[PURCHASE COUNTY TAX SALE FILES](#)**TAX SALES HISTORY, FOR UNPAID TAXES**

| <u>Year</u> | <u>Sold To</u>                  | <u>Redeemed Date/By</u>            |
|-------------|---------------------------------|------------------------------------|
| 2023        | PROTAX04 LLC                    | NOT REDEEMED                       |
| 2022        | DOUGLAS J. SNYDER               | NOT REDEEMED                       |
| 2021        | FIG 20 LLC & SECURED PARTY      | 7/28/2023 CARROLL, ANGELA (TAYLOR) |
| 2020        | TISHA MALLETT                   | 5/13/2022 LEMON MARTHA EST OF      |
| 2019        | PAUL R CAMPO                    | 5/13/2022 LEMON MARTHA EST OF      |
| 2018        | HIGH SIERRA TAX SALE PROPERTIES | 8/27/2020 MARTHA D LEMON           |
| 2017        | PAUL R CAMPO                    | 7/18/2019 GEORGE W MURPHY          |

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# Property Link

## JACKSON COUNTY, MS

Current Date 3/18/2025

Tax Year 2023

Records Last Updated 3/17/2025

**PROPERTY DETAIL**

**OWNER** TAYLOR ANGELA B  
TAYLOR TYLER  
280 PASTURE RD  
PERKINSTON MS 39573

**ACRES** : .12  
**LAND VALUE** : 34260  
**IMPROVEMENTS** : \*\*NA\*\*  
**TOTAL VALUE**: 34260  
**ASSESSED** : 5139

**PARCEL** 60119058.000  
**ADDRESS** CHURCH

**TAX INFORMATION**

|                            | <b>TAX DUE</b> | <b>PAID</b> | <b>BALANCE</b> |
|----------------------------|----------------|-------------|----------------|
| <b>YEAR 2023</b>           | 258.80         | 258.80      | 0.00           |
| <b>COUNTY</b>              | 148.62         | 148.62      | 0.00           |
| <b>CITY</b>                | 340.97         | 340.97      | 0.00           |
| <b>SCHOOL</b>              | 80.19          | 80.19       | 0.00           |
| <b>PENALTY &amp; OTHER</b> |                |             |                |
| <b>TOTAL</b>               | 828.58         | 828.58      | 0.00           |

**LAST PAYMENT DATE** 8 / 26 / 2024**TAXES DELINQUENT PRIOR YEAR****MISCELLANEOUS INFORMATION**

|                            |             |                                             |
|----------------------------|-------------|---------------------------------------------|
| <b>EXEMPT CODE</b>         |             | <b>LEGAL</b> COM E/M CHURCH ST & C/L L&N RR |
| <b>HOMESTEAD CODE</b> None |             | N                                           |
| <b>TAX DISTRICT</b> 4660   |             | 421' FOR POB CONT N 30' E 130               |
| <b>PPIN</b> 056646         |             | '                                           |
| <b>SECTION</b> 19          |             | S 30' W 130' TO POB AND ALSO P              |
| <b>TOWNSHIP</b> 7          |             | T                                           |
| <b>RANGE</b> 8             |             | VACATED ALLEY PER CITY OF OS D              |
|                            |             | B                                           |
| <b>Book</b>                | <b>Page</b> |                                             |

[PURCHASE COUNTY TAX SALE FILES](#)**TAX SALES HISTORY, FOR UNPAID TAXES**

| <u><a href="#">Year</a></u> | <u><a href="#">Sold To</a></u> | <u><a href="#">Redeemed Date/By</a></u> |
|-----------------------------|--------------------------------|-----------------------------------------|
| 2023                        | PROTAX04 LLC                   | NOT REDEEMED                            |
| 2022                        | DOUGLAS J. SNYDER              | NOT REDEEMED                            |
| 2021                        | KALE FARMS LLC                 | 7/28/2023 CARROLL, ANGELA (TAYLOR)      |
| 2020                        | SOUTH MISSISSIPPI CHARM        | 5/13/2022 LEMON MARTHA EST OF           |
| 2019                        | PAUL R CAMPO                   | 8/ 2/2021 LEMON MARTHA D                |
| 2018                        | SABINE E LADNER                | 8/27/2020 MARTHA D LEMON                |
| 2017                        | SABINE E LADNER                | 3/15/2019 GEORGE W MURPHY               |

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# Property Link

## JACKSON COUNTY, MS

Current Date 3/18/2025

**Tax Year 2023**

Records Last Updated 3/17/2025

**PROPERTY DETAIL**

**OWNER** TAYLOR ANGELA B  
TAYLOR TYLER  
280 PASTURE RD  
PERKINSTON MS 39573

**ACRES** : .20  
**LAND VALUE** : 57093  
**IMPROVEMENTS** : 22886  
**TOTAL VALUE**: 79979  
**ASSESSED** : 11997

**PARCEL** 60119056.000  
**ADDRESS** BIENVILLE

**TAX INFORMATION**

|                            | <b>TAX DUE</b> | <b>PAID</b>   | <b>BALANCE</b> |
|----------------------------|----------------|---------------|----------------|
| <b>YEAR 2023</b>           | 604.17         | 604.17        | 0.00           |
| <b>COUNTY</b>              | 346.95         | 346.95        | 0.00           |
| <b>CITY</b>                | 796.00         | 796.00        | 0.00           |
| <b>SCHOOL</b>              | <b>258.15</b>  | <b>258.15</b> | 0.00           |
| <b>PENALTY &amp; OTHER</b> |                |               |                |
| <b>TOTAL</b>               | 2005.27        | 2005.27       | 0.00           |

**LAST PAYMENT DATE** 8 / 26 / 2024**TAXES DELINQUENT PRIOR YEAR****MISCELLANEOUS INFORMATION**

|                            |             |                                             |
|----------------------------|-------------|---------------------------------------------|
| <b>EXEMPT CODE</b>         |             | <b>LEGAL</b> COM E/M CHURCH ST & C/L L&N RR |
| <b>HOMESTEAD CODE</b> None |             | N                                           |
| <b>TAX DISTRICT</b> 4660   |             | 351' FOR POB CONT N 70' E 130               |
| <b>PPIN</b> 056645         |             | '                                           |
| <b>SECTION</b> 19          |             | S 70' W 130' TO POB DB 1877-85              |
| <b>TOWNSHIP</b> 7          |             | D                                           |
| <b>RANGE</b> 8             |             | B 2051-680 DB 2058-879 (210 MA              |
|                            |             | P7                                          |
| <b>Book</b>                | <b>Page</b> |                                             |

[PURCHASE COUNTY TAX SALE FILES](#)**TAX SALES HISTORY, FOR UNPAID TAXES**

| <u><a href="#">Year</a></u> | <u><a href="#">Sold To</a></u>   | <u><a href="#">Redeemed Date/By</a></u> |
|-----------------------------|----------------------------------|-----------------------------------------|
| 2023                        | CHRISTIANA TRUST AS CUSTODIAN FO | NOT REDEEMED                            |
| 2022                        | DOUGLAS J. SNYDER                | NOT REDEEMED                            |
| 2021                        | CHRISTIANA TRUST AS CUSTODIAN FO | 7/28/2023 CARROLL, ANGELA (TAYLOR)      |
| 2020                        | CHRISTIANA TRUST AS CUSTODIAN FO | 5/13/2022 LEMON MARTHA EST OF           |
| 2019                        | PAUL R CAMPO                     | 5/13/2022 LEMON MARTHA EST OF           |
| 2018                        | SABINE E LADNER                  | 1/15/2021 MARTHA D LEMON                |
| 2017                        | SABINE E LADNER                  | 3/25/2019 GEORGE W MURPHY               |

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# Property Link

## JACKSON COUNTY, MS

Current Date 3/18/2025

Tax Year 2023

Records Last Updated 3/17/2025

**PROPERTY DETAIL**

**OWNER** TAYLOR ANGELA B  
TAYLOR TYLER  
4358 MELVIN RD  
D'IBERVILLE MS 39540

**ACRES** : .20  
**LAND VALUE** : 57086  
**IMPROVEMENTS** : 39186  
**TOTAL VALUE**: 96272  
**ASSESSED** : 14441

**PARCEL** 60119054.000  
**ADDRESS** 901 BIENVILLE

**TAX INFORMATION**

|                            | <b>TAX DUE</b> | <b>PAID</b> | <b>BALANCE</b> |
|----------------------------|----------------|-------------|----------------|
| <b>YEAR 2023</b>           | 727.25         | 727.25      | 0.00           |
| <b>COUNTY</b>              | 417.63         | 417.63      | 0.00           |
| <b>CITY</b>                | 958.16         | 958.16      | 0.00           |
| <b>SCHOOL</b>              | 310.61         | 310.61      | 0.00           |
| <b>PENALTY &amp; OTHER</b> | 2413.65        | 2413.65     | 0.00           |
| <b>TOTAL</b>               |                |             |                |

**LAST PAYMENT DATE** 8 / 26 / 2024**TAXES DELINQUENT PRIOR YEAR****MISCELLANEOUS INFORMATION**

|                            |             |                                             |
|----------------------------|-------------|---------------------------------------------|
| <b>EXEMPT CODE</b>         |             | <b>LEGAL</b> BEG N/M HWY 90 & E/M CHURCH AV |
| <b>HOMESTEAD CODE</b> None |             | E                                           |
| <b>TAX DISTRICT</b> 4660   |             | N 55' M/L E 130' S 65' S 88* W              |
| <b>PPIN</b> 056644         |             | 1                                           |
| <b>SECTION</b> 19          |             | 07.6' N 57* W 27' TO POB DB 18              |
| <b>TOWNSHIP</b> 7          |             | 77                                          |
| <b>RANGE</b> 8             |             | -85 DB 2051-680 DB 2058-879 (2              |
|                            |             | 09                                          |
| <b>Book</b>                | <b>Page</b> |                                             |

**PURCHASE COUNTY TAX SALE FILES****TAX SALES HISTORY, FOR UNPAID TAXES**

| <u><b>Year</b></u> | <u><b>Sold To</b></u>            | <u><b>Redeemed Date/By</b></u>     |
|--------------------|----------------------------------|------------------------------------|
| 2023               | CHRISTIANA TRUST AS CUSTODIAN FO | NOT REDEEMED                       |
| 2022               | DOUGLAS J. SNYDER                | NOT REDEEMED                       |
| 2021               | CHRISTIANA TRUST AS CUSTODIAN FO | 7/28/2023 CARROLL, ANGELA (TAYLOR) |
| 2020               | SOUTH MISSISSIPPI CHARM          | 5/13/2022 LEMON MARTHA EST OF      |
| 2019               | PRISMA INVESTMENTS LLC           | 7/14/2021 LEMON MARTHA D ET AL     |
| 2018               | TTLBL, LLC                       | 8/27/2020 MARTHA D LEMON           |
| 2017               | DOUGLAS J. SNYDER                | 3/15/2019 GEORGE W MURPHY          |

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# Property Link

## JACKSON COUNTY, MS

Current Date 3/18/2025

 Tax Year 2023  
 Records Last Updated 3/17/2025
**PROPERTY DETAIL**

**OWNER** TULI RAJ & PAM  
 816 CHURCH AVE  
 OCEAN SPRINGS MS 39564  
**ACRES** : .28  
**LAND VALUE** : 65653  
**IMPROVEMENTS** : 115340  
**TOTAL VALUE**: 180993  
**ASSESSED** : 27149  
**PARCEL** 60119046.000  
**ADDRESS** 816 CHURCH

**TAX INFORMATION**

| YEAR 2023 | TAX DUE | PAID    | BALANCE |
|-----------|---------|---------|---------|
| COUNTY    | 1367.22 | 1367.22 | 0.00    |
| CITY      | 785.15  | 785.15  | 0.00    |
| SCHOOL    | 1801.34 | 1801.34 | 0.00    |
| TOTAL     | 3953.71 | 3953.71 | 0.00    |

LAST PAYMENT DATE 12 / 21 / 2023

**MISCELLANEOUS INFORMATION**

| EXEMPT CODE         | LEGAL                          |
|---------------------|--------------------------------|
| HOMESTEAD CODE None | COM SE INTERS CHURCH AVE & IBE |
| TAX DISTRICT 4660   | RV                             |
| PPIN 056640         | ILLE ST S 74' FOR POB NELY 133 |
| SECTION 19          | '                              |
| TOWNSHIP 7          | SLY 75' SWLY 135' N 75' TO POB |
| RANGE 8             | A                              |
|                     | ND ALSO PT VACATED ALLEY PER C |
|                     | IT                             |
| Book                | Page                           |

[PURCHASE COUNTY TAX SALE FILES](#)**TAX SALES HISTORY, FOR UNPAID TAXES**

| <u>Year</u>            | <u>Sold To</u> | <u>Redeemed Date/By</u> |
|------------------------|----------------|-------------------------|
| **NO TAX SALES FOUND** |                |                         |

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## **UNRECORDED ALLEY**

### **LEGAL DESCRIPTION: AS PER SURVEY DIMENSIONS**

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI, AS SHOWN ON THE PLAT OF SURVEY PREPARED BY PATRICK M. MARTINO PLS, INC. DATED FEBRUARY 21, 2025 (SURVEY BASED ON THE MISSISSIPPI STATE PLANE COORDINATE SYSTEM (EAST ZONE, NAD\_83(2011)(EPOCH:2010.0000), GRID VALUES USING A SCALE FACTOR OF 0.99995000 AND A CONVERGENCE ANGLE OF 0°0'09.6500", DETERMINED SPECIFICALLY FOR THIS PROJECT USING GRID BEARINGS DERIVED FROM STATIC GPS OBSERVATIONS OF CONTROL POINTS OBTAINED BY AN OPUS SOLUTION, ALL LINES RELATIVE TO) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" IRON ROD FOUND, SITUATED ALONG THE EAST MARGIN OF CHURCH AVENUE AT THE NORTHWEST CORNER OF LOT 6, BLOCK 52, COX'S SUBDIVISION, SAID IRON ROD ALSO BEING THE SOUTHWEST CORNER OF THE ABANDONED UNNAMED ALLEY, RECORDED IN DEED BOOK 2048, PAGE 106 AND DEED BOOK 1998, PAGE 663; THENCE ALONG SAID EAST MARGIN OF CHURCH AVENUE, N01°27'09"E 17.68 FEET TO A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID ABANDONED UNNAMED ALLEY; THENCE ALONG THE NORTH LINE OF SAID ABANDONED UNNAMED ALLEY, N81°52'15"E 131.46 FEET TO A CAPPED 1/2" IRON ROD FOUND (STAMPED: COMPTON) AT THE NORTHEAST CORNER OF SAID ABANDONED UNNAMED ALLEY, RECORDED IN DEED BOOK 2048, PAGE 106 AND DEED BOOK 1998, PAGE 663, SAID IRON ROD ALSO SITUATED ALONG THE SOUTH LINE OF PROPERTY NOW OR FORMERLY TULI, RECORDED IN DEED BOOK 2018, PAGE 524 AND IS THE POINT OF BEGINNING; THENCE ALONG SAID SOUTH LINE OF TULI PROPERTY, N81°54'43"E 6.18 FEET TO A 1/2" IRON ROD FOUND, SITUATED ALONG THE WEST LINE OF PROPERTY NOW OR FORMERLY PELICAN SUITES, LLC, RECORDED IN DEED BOOK 1938, PAGE 834; THENCE ALONG SAID WEST LINE OF PELICAN SUITES, LLC. PROPERTY, S01°47'46"E 15.54 FEET TO A CAPPED 1/2" IRON ROD SET (STAMPED: MARTINO PLS 2838) AT THE SOUTHWEST CORNER OF SAID PELICAN SUITES, LLC. PROPERTY; THENCE ALONG THE SOUTH LINE OF SAID PELICAN SUITES, LLC. PROPERTY, N84°55'25"E 14.23 FEET TO A CAPPED 1/2" IRON ROD SET (STAMPED: MARTINO PLS 2838) AT THE NORTHWEST CORNER OF PROPERTY NOW OR FORMERLY TAYLOR, RECORDED AS PARCEL 11 OF DEED BOOK 2058, PAGE 879; THENCE ALONG THE WEST LINE OF SAID TAYLOR PROPERTY AND CONTINUE ALONG THE WEST LINE OF PROPERTY NOW OR FORMERLY OWEN, RECORDED IN DEED BOOK 1793, PAGE 47, LESS & EXCEPT PORTION CONVEYED FOR RIGHT-OF-WAY, S00°56'18"W 184.44 FEET TO A CAPPED 1/2" IRON ROD SET (STAMPED: MARTINO PLS 2838) AT THE SOUTHWEST CORNER OF SAID OWEN PROPERTY, SAID IRON ROD SET ALSO BEING SITUATED ALONG THE NORTH MARGIN OF BIENVILLE BOULEVARD (US HIGHWAY 90); THENCE ALONG SAID NORTH MARGIN OF BIENVILLE BOULEVARD (US HIGHWAY 90), S88°53'57"W 21.00 FEET TO A CAPPED MAG NAIL SET IN ASPHALT AT THE SOUTHEAST CORNER OF PROPERTY NOW OR FORMERLY TAYLOR, RECORDED AS PARCEL 9 OF DEED BOOK 2058, PAGE 879, LESS & EXCEPT PORTION CONVEYED FOR RIGHT-OF-WAY; THENCE ALONG THE EAST LINE OF SAID TAYLOR PROPERTY AND CONTINUE ALONG THE EAST LINE OF PROPERTY NOW OR FORMERLY TAYLOR, RECORDED AS PARCEL 10 OF DEED BOOK 2058, PAGE 879 AND ALSO THE EAST LINE OF THE ABANDONED UNNAMED ALLEY, RECORDED IN DEED BOOK 2048, PAGE 106 AND DEED BOOK 1998, PAGE 663, N00°56'18"E 198.25 FEET TO THE POINT OF BEGINNING. CONTAINING 3,957 SQUARE FEET.

7

**A RESOLUTION TO DETERMINE THE DESCRIBED PORTION OF AN  
UNNAMED ALLEY ABANDONED**

**WHEREAS**, on June 16<sup>th</sup>, 2009, there was presented to the Mayor and Board of Aldermen of the City of Ocean Springs, Mississippi, a petition by Elwin R. Friar, Jr., Naomi Friar Garvey, Fred L. Lemon, John T. Munro, Munro Limited Partnership, W. P. Kennedy, and Janet B. Kennedy requesting the City to find and determine an unused and unnamed alley adjacent to their property abandoned which is located off of Church Street, north of Bienville Blvd; and

**WHEREAS**, said petition was approved by the then Board of Aldermen, but the original documents were not filed with Jackson County Land Records; and

**WHEREAS**, Jackson County Land Records requires that original documents be filed with their offices; and

**WHEREAS**, Janet Kennedy Rhodes is not in possession of the original, so she now petitions the Mayor and Board to honor the prior approval in order for her to file an original resolution with Jackson County Land Records;

**WHEREAS**, the portion of the alley running North and South contains an active City sewer line; and

**WHEREAS**, the portion of the alley running East and West does not contain any city utilities and it is that portion which is to be considered abandoned; and

**WHEREAS**, no property owner will be denied reasonable and convenient access to the general street system of the City by abandoning the portion of the alley herein involved; and

**WHEREAS**, the described portion of the unnamed alley has not been used by the public for over 50 years; and

**WHEREAS**, the City has not maintained the area as a public way for over 20 years; and

**WHEREAS**, the City does not need the alley to access its water and sewer facilities in that area; and

**WHEREAS**, there has been a complete, continuous and unexplained non-use of the alley by the general public for a period exceeding ten years; and

**WHEREAS**, the City cannot ascertain when or if the alley was formally dedicated to the city,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the City of Ocean Springs, Mississippi as follows:



202023981 9 PGS

OFFICIAL RECORDS JACKSON COUNTY  
Josh Eldridge  
CHANCERY CLERK  
RECORDING FEE: \$30.00  
#202023981 BK: 1998 PG: 663-671  
11/03/2020 09:55:50 AM 9 PGS  
JGARULO, DC Rpt#24836



SECTION ONE: The findings, conclusions and statements of fact contained in the foregoing preamble are hereby adopted, ratified and incorporated herein.

SECTION TWO: That the unnamed alley as specifically described in attached property description and consistent with the attached survey be deemed abandoned based on the above in that there has been a complete, continuous and unexplained non-use of the alley by the general public exceeding ten years. Title should revert to the adjoining landowners, who take, consistent with the recognized rule of conveyance, to the centerline of the alley.

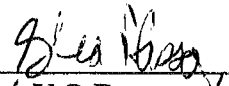
SECTION THREE: That the City shall retain the mineral rights, if any, and the right of ingress and egress to remove the same.

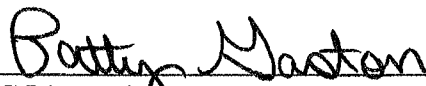
SECTION FOUR: That this Resolution be forwarded to the abutting property owners.

The above Resolution, having been first reduced to writing, the vote was as follows:

|                    |            |
|--------------------|------------|
| Alderman Gill      | <u>Aye</u> |
| Alderman Authement | <u>Aye</u> |
| Alderman Bellman   | <u>Aye</u> |
| Alderman Papania   | <u>Aye</u> |
| Alderman Blackman  | <u>Aye</u> |
| Alderman Impey     | <u>Aye</u> |
| Alderman Cox       | <u>Aye</u> |

**SO RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN** of the City of Ocean Springs, Mississippi, on this the 6<sup>th</sup> day of October, 2020.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CITY CLERK

### **EXHIBIT "A"**

Beginning at a point on the East margin of Church Street (formerly referred to as Cox Avenue) which point is 75 feet, more or less, South of the South margin of Iberville Avenue; from said point of beginning running thence Easterly a distance of 135 feet, more or less, to Church Street, thence North along the East margin of Church Street a distance of 75 feet to teh Point of Beginning. Being bounded North and East by property now or formerly of Friar, South by a lane and West by Church Street. Being situated in Section 19, Township 7 South, Range 8 West, Jackson County, Mississippi, and being the same property as first described parcel in teh Deed to Merrill F. Scharr, Trustee recorded in Book 217, Page 231 of the Deed Records of Jackson County, Mississippi. The said parcel being sometimes referred to as Lot Five (5), Block Fifty-Two (52), according to the Cox map of the Township of Ocean Springs.



P.O. Box 1800  
Ocean Springs, MS  
39566-1800

1018 Porter Avenue  
Ocean Springs, MS 39564

PH 228.875.4236  
FX 228.875.7249

**Shea Dobson**  
Mayor

**Bobby Cox**  
Alderman at Large

**John Gill**  
Alderman Ward 1

**Rickey Authement**  
Alderman Ward 2

**Joseph Bellman, Jr.**  
Alderman Ward 3

**Ken Papania**  
Alderman Ward 4

**Robert Blackman**  
Alderman Ward 5

**Michael (Mike) Impey, II**  
Alderman Ward 6

**City Clerk**  
228.875.4236

**Police Chief**  
228.875.2211

**Fire Chief**  
228.872.4407

**Public Works**  
228.875.3955

**Community  
Development and  
Planning**  
228.875.4415

**Human Resources  
and Risk Management**  
228.872.3338

**Parks and  
Leisure Services**  
228.875.8665



**City of Ocean Springs**

**Memorandum**

**To:** Jackson County Land Records

**From:** Carolyn Martin, Planning & Grants Administrator

**Date:** October 22, 2020

**Re:** Abandon portion of an unnamed alley adjacent to Church Street

---

The City of Ocean Springs Board of Aldermen (BOA) considered the above referenced item at their recess meeting on Tuesday, October 6, 2020.

Legal index – Unnamed alley Section 19, Township 7 South, Range 8 West

  
\_\_\_\_\_  
**Carolyn Martin**  
Planning & Grants Administrator

Documentation related to this request is attached.



## REGULAR MEETING OF OCTOBER 6, 2020

Be it remembered that the Mayor and Board of Aldermen of the City of Ocean Springs met in a Regular Meeting at the City Hall in the City of Ocean Springs at 6:00 p.m. on October 6, 2020. The Mayor presiding, Aldermen Gill, Authement, Bellman, Cox, Papania, Blackman and Impey were present. Also present were City Attorney Nicole Sullivan, City Clerk Patty Gaston, Deputy City Clerk Vicky Hupe, Fire Chief Derek McCoy, Police Chief Mark Dunston, Planning & Grants Administrator Carolyn Martin, Building Official Darrell Stringfellow, Public Works Assistant Director Candice Hooks, Parks & Recreation Director Stephen Glorioso, Human Resources & Risk Management Director Mindy McDowell and Executive Assistant to the Mayor & Board Meggan Brown.

The Mayor called the meeting to order.

### NEW BUSINESS

The Planning & Grants Administrator said in 2009 there was a resolution approved to determine a portion of an unnamed alley off Church Street, north of Bienville Boulevard, abandoned (Exhibit 8-b) but the 2009 documentation could not be found and needs to be redone. Motion was made by Alderman Blackman and seconded by Alderman Impey to adopt Resolution to determine a portion of an unnamed alley off Church Street, north of Bienville Boulevard, abandoned (Exhibit 8-b).

The motion carried with a roll call vote as follows:

|                    |     |
|--------------------|-----|
| Alderman Gill      | Aye |
| Alderman Authement | Aye |
| Alderman Bellman   | Aye |
| Alderman Cox       | Aye |
| Alderman Papania   | Aye |
| Alderman Blackman  | Aye |
| Alderman Impey     | Aye |

### CERTIFICATE

I, Vicky Hupe, duly qualified Deputy City Clerk for the City of Ocean Springs, Mississippi, do hereby certify that the attached is a true and correct copy of a motion adopted by the Mayor and Board of Aldermen at a Regular Meeting held on the 6th day of October 2020, appearing in Minute Book 102 of the Official Minutes. Witness my hand and the seal of the City, this is the 21<sup>st</sup> day of October, 2020.



  
Deputy City Clerk

\* Item # 8b \*

**REGULAR MEETING AGENDA  
MAYOR AND BOARD OF ALDERMEN – CITY OF OCEAN SPRINGS  
Tuesday, October 6, 2020 – 6:00 p.m. CITY HALL**

**1. CALL TO ORDER**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

**3. PUBLIC HEARING**

- a) 306 Shearwater Drive.; Parcel Identification no. 60130610.025; Request Approval of Certificate of Appropriateness (COA) for new single-family dwelling with attached garage and golf cart garage; HPC recommends approval of COA (Exhibit 3-a)

**4. PROCLAMATION**

- a) Domestic Violence Awareness Month – Melissa Galatis (Exhibit 4-a)

**5. PRESENTATIONS \*\*Each Limited to 10 mins or less**

- a) Residential speed limits and pedestrian safety - OSPREYS (Exhibit 5-a)
- b) State of The Friends of the Mary C. address and farewell – Elizabeth Feder-Hosey (Exhibit 5-b)
- c) Connection of water and sewer lines – MS Attorney General Opinion – Carl Kennedy (Exhibit 5-c)

**6. AGENDA PUBLIC COMMENT \*\* *The Public is invited to address the Board for up to 3 minutes each for a maximum period of 30 minutes, ONLY regarding issues listed on this agenda. The Board will take all comments under advisement for potential action if warranted. Please identify yourself and agenda item, if no agenda item is stated you will be asked to hold your comment until General Public Comment at the end of the meeting.***

**7. OLD BUSINESS**

- a) Discuss MOU term ending between Blossman Family YMCA and City of Ocean Springs – Alderman Bellman
- b) Discuss beach lights – Alderman Authement

**8. NEW BUSINESS**

- a) Discuss Lighthouse Academy use of Taconi Gym during school hours -- Alderman Authement (Exhibit 8-a)
- b) Adopt resolution to determine a portion of an unnamed alley off Church Street, north of Bienville Boulevard, abandoned (Exhibit 8-b)
- c) Discussion of Memorandum of Understanding (MOU) between the Walter Anderson Museum of Art, Inc. and the City of Ocean Springs for Mary C. Consulting Services (Exhibit 8-c)

**9. CONSENT AGENDA \* *All matters listed under Consent Agenda, are considered to be routine by the Board of Aldermen and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.***

**Mayor:**

- a) Authorize to extend the resolution proclaiming the existence of a local emergency enacted March 16, 2020 for Local Emergency regarding the COVID-19 outbreak (Exhibit 9-a)
- b) Approve Run/Walk permit application for 12<sup>th</sup> Annual 5-K R.A.C.E – Rotary Club of Ocean Springs; Saturday, October 24, 2020 from 5:00 p.m. to 9:00 p.m.; Mary C Building with some road closures and a rolling road block; no cost to the City, applicant pays associated event cost (Exhibit 9-b)
- c) Approve Run/Walk permit application for St. Alphonsus Catholic School 5k; Friday, October 30, 2020 from 5:00 p.m. to 9:00 p.m.; start/end at St. Alphonsus with a rolling road block; no cost to the City, applicant pays associated event cost (Exhibit 9-c)

**City Clerk:**

- d) Authorize to extend the resolution proclaiming the existence of a local emergency enacted March 11, 2019 for Front Beach Drive due to the incapacitation of street lights along Front Beach Drive; extend for 30 days (Exhibit 9-d)
- e) Ratify check to eSouth Technologies, LLC in the amount of \$4,000.00 for Camera installation equipment for Hwy 90 (Exhibit 9-e)
- f) Ratify check to Project NOLA in the amount of \$20,900.00 for 12 Camera hosting and 7 license plate recognition tech (Exhibit 9-f)
- g) Accept September 2020 Aged Receivable Report for utility billing (Exhibit 9-g)
- h) Approve Minutes: Recess Meeting September 14, 2020 (Exhibit 9-h)

**Human Resources:**

- i) Accept Minutes: Human Resources Committee Meeting September 21, 2020 (Exhibit 9-i)
- j) Human Resources Action Items (Exhibit 9-j):
  - a. Authorize removal of Police Analyst Mandy Phillips from probationary status to full time status effective immediately
  - b. Authorize removal of Fire Lieutenant Keith Guice from probationary status to full time state effective immediately
  - c. Accept resignation of Firefighter Shane Fountain, effective October 19, 2020; authorize to begin the process of filling the vacant position
  - d. Authorize employment of lateral transfer Daniel Chad Jay, Firefighter, Step 4, \$13.51 hourly rate; effective on or about October 31, 2020; one year probationary status, pending successful completion of all pre-employment requirements

**Public Works:**

- k) Authorize award of bid for fuel supply delivery to Eagle Energy for a period of one year (Exhibit 9-k)

**Community Development & Planning:**

- l) Adopt Resolution to accept donated property for a portion of 1001 Ocean Springs Road PID 60128650.000 and 60128320.100 for right of way from Zayed Realty, LLC (Exhibit 9-l)
- m) Accept Easement donation located at 700 Bienville Blvd. from HSC Ocean Springs 90 LLC (Exhibit 9-m)

**Planning Commission:**

- n) Approve request for Residential Short Term Rental (STR) permit – 405 Cleveland Avenue PID#60225380.000 (Exhibit 9-n)
- o) Approve request for Residential Short Term Rental (STR) permit – 284 McCool Street PID#61305165.000 (Exhibit 9-o)



**Grants Administration:**

- p) Authorize the Mayor to execute contract with Brown, Mitchell, & Alexander, Inc., for related engineering services - Tidelands Project: FY20-P412-02: East Beach Accessibility (Exhibit 9-p)

**Building Department:**

- q) Accept Code Enforcement Report through September 30, 2020 (Exhibit 9-q)
- r) Approve Tree Protection Department recommendations – Tree Applications through September 29, 2020 (Exhibit 9-r)
- s) Authorize demolition of structure at 601 Pine Hills Road (Exhibit 9-s)
- t) Authorize demolition of structure at 1820 Stuart Avenue (Exhibit 9-t)
- u) Authorize demolition of structure at 808 Handy Avenue (Exhibit 9-u)

**10. DEPARTMENT REPORTS**

**Mayor:**

**City Clerk:**

- a) Approve payment: Docket of Claims, all expenditures are appropriate and authorized by law, and spread summary on the Minutes (Exhibit 10-a)
- b) Accept Monthly Budget Report (Exhibit 10-b)
- c) Adopt Municipal Compliance Questionnaire and spread upon the minutes (Exhibit 10-c)
- d) Colonial Estates water line leak (Exhibit 10-d)
- e) Wesley United Methodist Church sewer credit (Exhibit 10-e)
- f) Resolution for refinance of 2019 Rosenbauer Firetruck (Exhibit 10-f)
- g) Resolution authorizing employment of professionals for the refinance of 2019 Rosenbauer Firetruck (Exhibit 10-g)

**Police Department:**

**Fire Department:**

**Human Resources/Risk:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

**Building Department:**

**Parks & Recreation:**

- h) Discussion of forming a Tennis Committee to determine scope and budget for a Tennis Pro or Tennis Facility Manager/Marketer (Exhibit 10-h)

**City Attorney:**

**11. GENERAL PUBLIC COMMENT:** *The public is invited to address the Board for up to 3 minutes each for a maximum period of 30 minutes. The Board will take all comments under advisement to take potential action at a later date if warranted. Priority will be given to Ocean Springs residents and Business Owners.*

- Please identify yourself before speaking into the microphone.

**12. ALDERMEN'S FORUM**

- a) Discussion of employees topped out on pay scale – Alderman Blackman

**13. EXECUTIVE SESSION**

**RECESS UNTIL 6:00 P.M. on Tuesday, October 20, 2020**

## Planner

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**From:** dan@burtoncpafirm.com  
**Sent:** Thursday, March 20, 2025 5:03 PM  
**To:** Wade Morgan; Planner; Hannah Sullivan  
**Cc:** melissa@burtoncpafirm.com  
**Subject:** Alley vacation agenda item - Tom Davies

Wade, Elizabeth and Hannah,

Both me and my wife, Melissa Burton, would like to thank you for meeting with us a few weeks ago as it relates to the proposed attempt to vacate the recorded alley on Bienville Blvd. Our property is located at 1109 Washington Ave which consists of a commercial office building and lot that approximates 50 x 140 feet. We were approached by Mr Davies in December 2024 and he provided us with a letter that he asked us to sign that was to be used to secure all of the property owners approval for his request for vacation. We expressed our concerns to Mr Davies and indicated that we would not be signing his letter as we believe that this alley is critical for public safety as well as future development of our commercial site.

We are not in agreement with Mr Davies vacation request and will provide additional information before April 3<sup>rd</sup> to Elizabeth so that it can be provided to Commissioners at the public hearing on Tuesday, April 8<sup>th</sup>. Thanking you in advance for your consideration in this matter.

Daniel Burton  
Certified Public Accountant  
Burton CPA Firm, PA  
PO Box 7605  
Gulfport, MS 39506-7605  
Telephone: 228-897-1287  
Fax: 228-897-1406

## **Pelican Suites, LLC**

P.O. BOX 7605  
GULFPORT, MS 39506-7605  
(228) 897-1287

To: City of Ocean Springs Planning Commission  
From: Daniel Burton, Managing Member, Pelican Suites, LLC  
Melissa Burton, Member, Pelican Suites, LLC  
Re: Tom Davies – Request to Vacate Alley  
Date: April 3, 2025

### **REQUEST PRESENTED**

Should the Planning Commission recommend to the Board of Alderman to approve Mr. Tom Davies' request to vacate the alley that runs north from Bienville Blvd., east of parcels 60119054.000, 60119056.000, 60119058.000, west of parcels 60119048.000, 60119050.000, and south of parcels 60119042.000, 60119046.000?<sup>1</sup>

### **BRIEF ANSWER**

No. All adjacent property owners do not consent to vacating the alley, the vacation would materially injure the rights of non-consenting property owners, and a usable alley is required to maintain legal safety standards of access ways.

### **BACKGROUND**

#### **1109 Washington Ave - Parcel 60119042.000 - Pelican Suites, LLC**

Pelican Suites, LLC purchased the property at 1109 Washington Ave from K&S Group, LLC on June 21, 2019, and it is leased to Burton CPA Firm, PA as a satellite branch office of the CPA practice. While the physical footprint at this location is relatively small and access is problematic, the CPA firm has been able to serve many long-time Ocean Springs clients and friends who have known the Burton family since the 1950s. At the time of purchase, the parcel had access to two separate platted alleys, one running east-west from the west side of the property to Church St and one running north-south from the south side of the property to Bienville Blvd.<sup>2</sup> This property and the surrounding parcels are zoned C-H Regional Commercial.

#### **East-West Alley - South of Parcel 60119046.000 and North of Parcel 60119058.000**

On June 16, 2009, adjacent property owners of the alley that runs east-west from the west side of 1109 Washington Ave to Church St requested that the city abandon the alley and allocate the alley property to the adjacent property owners. While the then Board of Alderman approved the request, the documents were not filed with Jackson

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<sup>1</sup> Attachment A: ArcGIS Web Map of Alley & Surrounding Parcels

<sup>2</sup> Attachment B: Site Plan, Page 20 of Appraisal dated September 26, 2019



Land Records, and the originals were lost.<sup>3</sup> Additionally, the then-owner of 1109 Washington Ave, Mr. Preston Lewis, was not included as a consenting party, despite having a significant interest in the alley.

By 2020, all adjacent parcels had changed ownership except the parcel owned on the north side of the alley then owned by Janet K. Rhodes, f/k/a Janet B Kennedy. Each new property owner may not have been aware of the previous decision to vacate the east-west alley as it was not recorded when each property changed hands.

On October 6, 2020, Ms. Rhodes petitioned the City to honor the prior approval without proper notice provided to the new adjacent property owners. Nevertheless, the petition was improperly approved and recorded in Jackson County Land Records on November 3, 2020. In addition, the petition called for the improperly approved Resolution to be forwarded to the abutting property owners, but this notice never occurred either.

On November 2, 2021, Ms. Rhodes again petitioned the City to honor the 2009 approval without proper notice to the new adjacent property owners but with additional attachments of a legal description and survey.<sup>4</sup> Again, the petition was improperly approved and recorded in Jackson County Land Records on November 5, 2021. Again, the petition called for the improperly approved Resolution to be forwarded to the abutting property owners, but the notice never occurred.

Pelican Suites, LLC was unaware of this alley vacation until April 2, 2025, when it was discovered in research for this memorandum.

### **Mr. Tom Davies Development Plans**

After Mr. Dan Burton of Pelican Suites, LLC had been contacted repeatedly by mutual contacts, at the direction of a real estate broker, to inquire of Pelican Suites, LLC's interest in selling the Washington Ave property, Mr. Tom Davies contacted Mr. Burton on October 28, 2024. He inquired as to interest in selling the property. After indicating that there was no interest, Mr. Davies insisted on being provided a number for purposes of syndicating a real estate development. Mr. Davies expressed that the number given was too high, and Mr. Burton explained that the amount given reflected the lack of motivation to sell.

Mr. Davies contacted Mr. Burton again via email on December 20, 2024, ordering him to sign an ungrammatical letter of approval to vacate the alley, as drafted by his attorney, Mr. David Wheeler.<sup>5</sup> This was solely to proceed with his development plans. Mr. Burton refused to sign the letter and explained to Mr. Davies, via email and telephone, the safety and logistical reasons that the alley is needed and required.

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<sup>3</sup> A Resolution to Determine the Described Portion of an Unnamed Alley Abandoned, filed November 3, 2020, Book 1998 Pg 663-671

<sup>4</sup> A Resolution to Determine the Described Portion of an Unnamed Alley Abandoned, filed November 5, 2021, Book 2048 Pg 106-111

<sup>5</sup> Attachment C: Letter from Mr. Davies, undated but delivered via email on December 20, 2024, with attached ungrammatical letter

Unhappy with Mr. Burton's position, Mr. Davies has attempted to circumvent the property rights of Pelican Suites, LLC by making this current request of the Planning Commission to vacate the alley. His efforts are despite his being fully aware of the public safety requirements for this alley access.

## **DISCUSSION**

### **Vacation Requires Consent**

In Mississippi, a map or plat can be vacated/ altered by petition of the governing municipality **only after** parties that will be adversely affected are notified and agree in writing to the vacation/ alteration.<sup>6</sup> MS Code §17-1-23 (4) explains that failure to gain approval from the parties shall prohibit the governing authority from altering or vacating the map or plat, or any part thereof.

This state's law is clear. This request to vacate the alley can only be filed after Mr. Davies has obtained written consent to such a vacation. As Pelican Suites, LLC has not consented in writing, or otherwise, to the vacation of the alley, Mr. Davies' request is exceptionally premature and should be immediately dismissed.

### **Alley is Required as a Service Drive**

In addressing the standards for streets and alleys:

*Alleys shall be dedicated along the rear of all commercial and industrial lots, unless, in the opinion of the Planning Commission, such alleys are unnecessary...* UDC §5.2.1.I.<sup>7</sup>

All the abutting parcels to this alley are zoned C-H Regional Commercial, and only one parcel is used as a non-commercial lot. As such, all the abutting parcels must have an alley dedicated at the rear of the lots according to City code, unless the Planning Commission deems such alleys unnecessary. Because the alley is legally required, Mr. Davies' request should be denied.

### **Vacation Petition Fails Approval Criteria Due to Material Injury to Property Owner's Rights**

In addressing the approval criteria for eliminating a plat, in whole or in part:

*The Planning Commission shall not approve a petition for vacation if it will materially injure the rights of any non-consenting property owner...* UDC §2.44.5.A.<sup>8</sup>

Pelican Suites, LLC's parcel has only one access point on Washington Ave and a driveway that narrows to less than 20 feet. This makes the existing main driveway only usable as a one-way drive. The alley provides an additional and wider access way to the property, allowing for more fluid traffic flow. The alley also provides a needed service

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<sup>6</sup> MS Code §17-1-23 (4)

<sup>7</sup> City of Ocean Springs, Unified Development Code §5.2.1.I (Approved March 26, 2019, Updated December 3, 2024)

<sup>8</sup> City of Ocean Springs, Unified Development Code §2.44.5.A (Approved March 26, 2019, Updated December 3, 2024)

drive to the commercial property as the only other access is on the heavily trafficked Washington Avenue/Hwy 609. Further, having the secondary access insulates the property owners from future additional encroachments along the major street/highway that may be forthcoming from the Mississippi Department of Transportation (MDOT).

Because of the limited access issues, Pelican Suites, LLC is severely limited in what type of business can operate on the parcel now. Vacating the alley would be the final blow in restricting the property's potential, resulting in material injuries to property value and lost opportunity. Pelican Suites, LLC should be afforded equal rights to the parcel as all other property owners and should not be forced to suffer from impaired access that limits business operations. Because permanently vacating the alley would materially injure Pelican Suites, LLC's rights, Mr. Davies' request should be denied.

### **Vacation Creates Traffic Hazards**

In addressing the reduction of traffic hazards at access ways for off-street automobile parking and storage:

*Access ways shall be designed and constructed so that vehicles will not back into public streets or alleys, except for single-family and duplex structures. The location and number of access ways shall be so arranged that they will reduce the possibility of traffic hazards as much as possible.*  
UDC §4.7.5.D.<sup>9</sup>

Pelican Suites, LLC's only current access point is so narrow that it can only be used as a one-way drive. This situation can and does create dangerous traffic hazards. If one automobile is entering the property at the same time another is exiting, one is forced to back up, or the entering automobile must completely stop on Washington Ave/Hwy 609, blocking traffic flow.

Even without the potential for a one-way jam in the sole access way, entering and exiting the parcel alone is a dangerous situation. Pelican Suites, LLC's property is a 50-foot wide parcel that fronts on one of the busiest and most congested intersections in south Mississippi. While the speed limit on Washington Ave, southbound over the Fort Bayou Bridge, is posted at 35 mph, the actual speed at which cars approach the intersection of Washington Ave and Bienville Blvd is much higher.

To complicate matters, MDOT created a right turn lane for traffic to proceed west on Bienville Blvd to Biloxi, which begins directly from Pelican Suites, LLC's parcel. When customers are almost stopping to make the right turn into the parcel's only access way, following drivers believe the right turn signal is for the intersection and do not slow down for the earlier turn.

It has become abundantly clear that with the continuing development of the downtown area, the City must honor the additional access way of the alley. This access way will allow patrons and employees to exit onto Bienville Blvd with the benefit of a traffic

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<sup>9</sup> City of Ocean Springs, Unified Development Code §4.7.5.D (Approved March 26, 2019, Updated December 3, 2024)

signal light creating pauses in traffic flow. The congestion trend in this area will likely never decrease, and access to and from this parcel will continue to become more hazardous to the general public. As the alley is required to reduce the current traffic hazards, Mr. Davies' request should be denied.

### **Vacation Creates Material Safety Concerns**

The City of Ocean Springs adopted the 2018 Edition of the International Fire Code for regulating and governing the safeguarding of life and property from many harms, including from conditions hazardous to life or property in the occupancy of buildings and premises. OSCO §9-1.<sup>10</sup>

In addressing additional fire apparatus access roads for fire service:

*The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. IFC §503.1.2.<sup>11</sup>*

As has been previously detailed, there is significant potential for the impairment of the single access road of Washington Ave/Hwy 609 by vehicle congestion. Additionally, the only access to the property is from the southbound flow, and barricades prevent the crossing of Washington Ave/Hwy 609 by any northbound flow. These access-limiting factors would require a fire code official to ensure the existence and functionality of the alley.

It is understood that the City of Ocean Springs is in a transitional phase in selecting a new Fire Chief. It is anticipated that upon permanent Fire Chief approval and installation by the City, Pelican Suites, LLC will make a formal request to the Fire Chief relating to the alley as an additional fire apparatus access road. The protection and safety of the general public, as well as any occupants and visitors of the parcel, would be best served by Fire Services and Emergency Medical Services having this secondary access. Because the alley is necessary due to the potential impairment of the Washington Ave/Hwy 609 access road, Mr. Davies' request should be denied.

### **Prior Access Limitations Imposed by the City**

During the due diligence period of Pelican Suites, LLC's purchase of 1109 Washington Ave, safe and adequate access were of immediate concern. However, in 2019, clear and defined documentation showed two alleys bordering the property, one with access to Church St and one with access to Bienville Blvd. These two dedicated access points showed great potential for the property. Without them, the property is almost land-locked because of the extreme congestion inhibiting the use of the Washington Ave/Hwy 609 access drive. Pelican Suites, LLC would not have purchased the property without the alleys.

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<sup>10</sup> Ocean Springs, MS, Code of Ordinances §9-1 (2018)

<sup>11</sup> International Fire Code §503.1.2 (2018)



As previously stated, Pelican Suites, LLC only became aware of the resolution abandoning the Church St alley while researching this memorandum. Even though Pelican Suites, LLC was an interested party to this abandonment, the City never provided notice and the impact on property rights was never addressed. It is acknowledged that a substantial live oak tree sits in the middle of the alley and that any attempt to remove such a tree would be met with contentious community opposition. From a practical standpoint, this alley was unlikely to be a practical access point. However, the improper alley abandonment effectively eliminated one of the only two options for safe and adequate future access. Because the alley in question is now the only option for an additional access point, Mr. Davies' request should be denied.

### **ALLEY NOT PREVIOUSLY ADDRESSED/PURSUED**

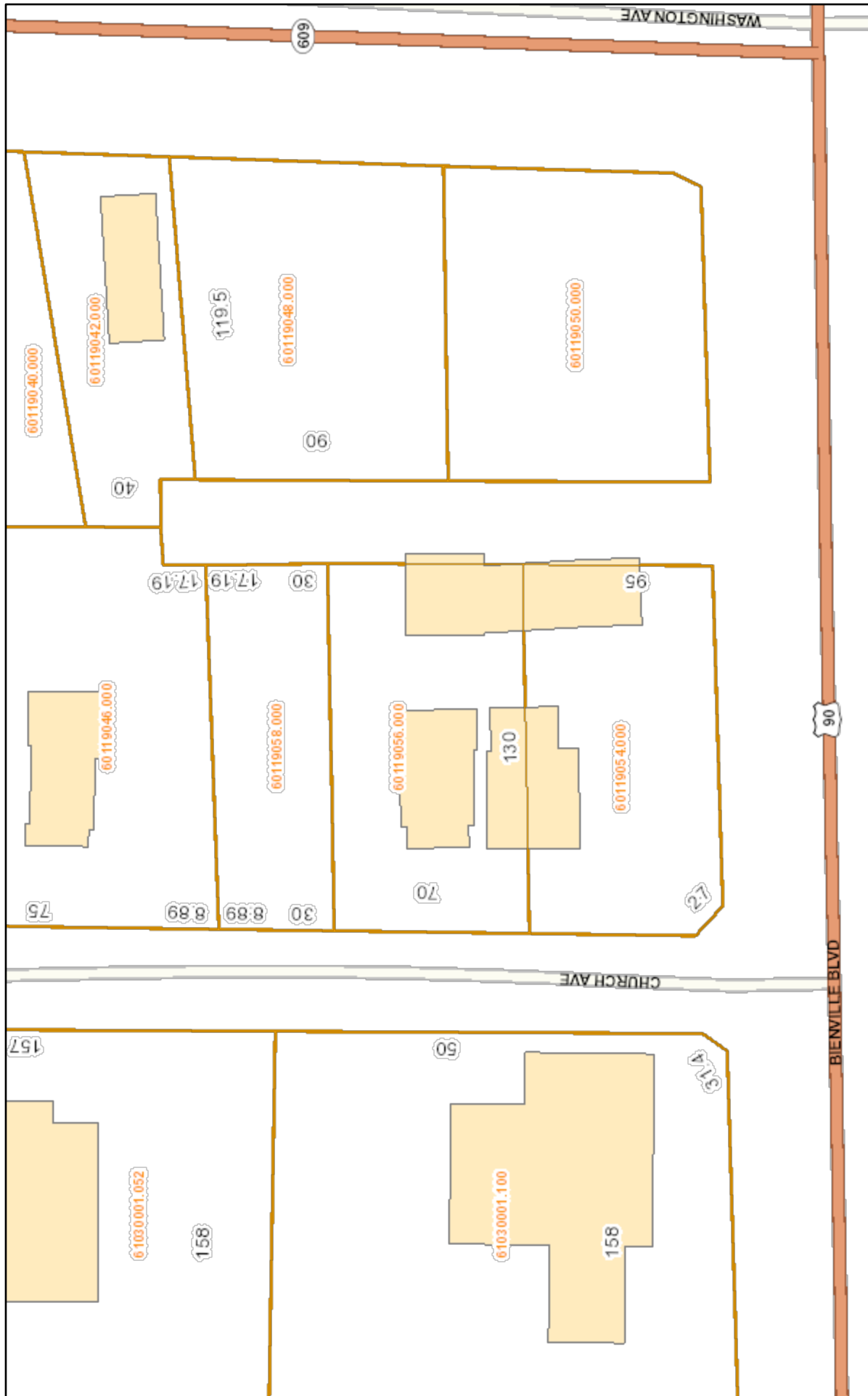
While the existence of the two alleys was a determining factor in deciding to purchase the property at 1109 Washinton Ave, no efforts were immediately made to improve the functionality of the alleys. Since Pelican Suites, LLC purchased the property, the tenants of the parcels on either side of the current alley at issue, Bayou Marine, have effectively blocked access by parking boats and trailers in the alley. To satisfy any concerns over the legitimacy of the alley, land records were reviewed, and all pertinent deeds, from Munro Petroleum and Mr. Lemon to the current owners, include legal descriptions that clearly recognize the existence of the alley that runs north-south from Pelican Suites, LLC's property to Bienville Blvd.

Mr. Lemon's estate proceedings have been ongoing since his death on October 6, 2015, and his parcels abutting the alley have been listed for sale since Pelican Suites, LLC's purchase in 2019. Because of this unsettled status, Pelican Suites, LLC, delayed addressing the use of the alley to wait for the property to be sold. Now that there is a potential buyer for the property, the alley must be addressed and made usable and available to all appropriate property owners.

Pelican Suites, LLC respectfully requests that the Planning Commission fully recognize all property owners' rights in this matter and that the alley remain and be made functional and accessible to all appropriate property owners.

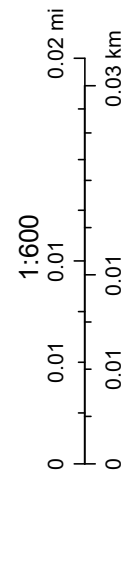
### **CONCLUSION**

Pelican Suites, LLC is in opposition to the alley vacation as requested by Mr. Davies. After consideration of the above reasons, it is clear that Mr. Davies' request for the vacation of the alley should be dismissed/denied. Approval of Mr. Davies' vacation request would violate provisions of Mississippi state law, Ocean Springs city code, International Fire Code, and cause significant financial and non-financial damages to the property and property rights of Pelican Suites, LLC.



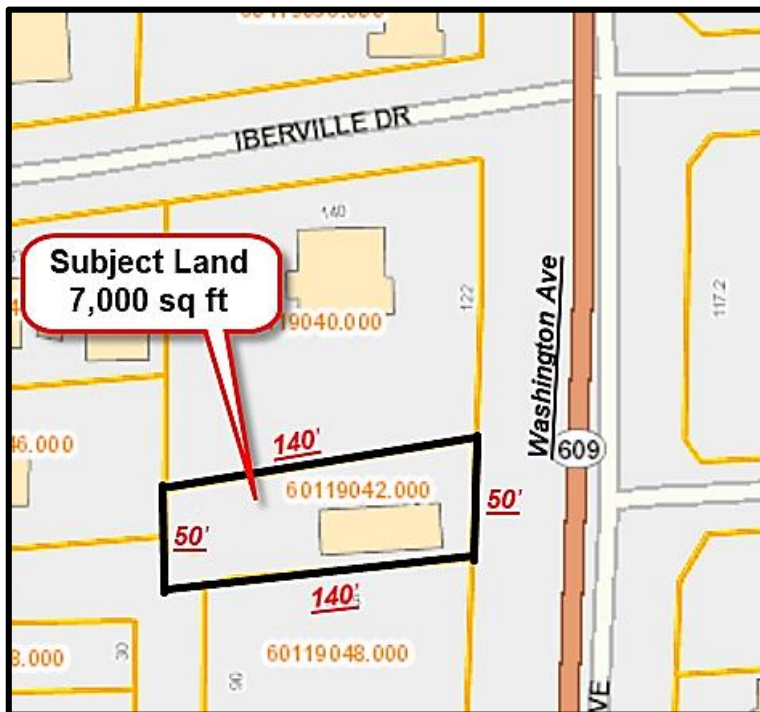
April 3, 2025

- Parcels
- PrimaryRoads
- Major
- CenterLines



Jackson County GIS

## SITE PLAN:



Allen Purvis and Associates, Inc. Real Estate Appraisers



2660 Townsgate Road, Suite 800  
Westlake Village, CA 91361

805.496.6449

Mr. Dan Burton  
Pelican Suites LLC  
PO Box 7605  
Gulfport, MS. 39564

Re: Alley Vacation

Dear Dan:

We are currently under contract to purchase the following properties in Ocean Springs, MS.

| <u>Address</u>      | <u>Assessor Parcel Number</u> | <u>Lot in Comment</u>              |
|---------------------|-------------------------------|------------------------------------|
| No address          | 60119050.000                  | NWC Bienville & Washington         |
| No address          | 60119048.000                  | immediately north of above         |
| No address          | 60119058.000                  | immediately south of 816 Church    |
| No address          | 60119056.000                  | immediately north of 901 Bienville |
| 901 Bienville Blvd. | 60119054.000                  | NEC Bienville & Church             |

Our intention is to develop a retail center here with one or two tenants.  
I have also attached an aerial photo with the properties we are purchasing outlined in red.

During our investigation of this property, we thought the parcel in the middle of the properties was owned by the city. In subsequent title research we found out that it was an unrecorded alley. We would like to vacate the alley. The city requires that all properties abutting the alley be in approval of the vacation. I have attached an approval letter for you to sign and have notarized. We will pay for and arrange the notary for your convenience.

When it is vacated, each adjoining landowner will be vested with title to the portion of the alley adjacent to their property to the middle of the alley at no cost to you.

If you have any questions regarding the above, feel free to call me at 805 496 6449 or our attorney in Oceans Springs. His name is David Wheeler and he can be reached at 228 374 6720.

Please deliver the completed document to David Wheeler at his office address which is as follows:

David Wheeler  
Wheeler & Wheeler PLLC  
185 Main Street  
Biloxi, MS. 39533

Very truly yours,

A handwritten signature in blue ink, appearing to read "Tom Davies", is written over a horizontal line.

Tom Davies



December 20, 2024

Ms. Carter Thompson  
Community Development Director  
City of Ocean Springs, MS  
1018 Porter Avenue  
Ocean Springs, MS. 39564

Re: vacation of the alley adjacent to 901 Bienville Road

Dear Ms. Thompson:

I am the manager of Pelican Suites LLC, which owns 1109 Washington Avenue and has an assessor's parcel number of 60119042.000.

An application has been or will be made to vacate the unrecorded alley identified on the attached exhibit. My property abuts this alley and I hereby approve the vacation of the alley.

Sincerely

Daniel Burton

**CITY OF OCEAN SPRINGS  
COMMUNITY DEVELOPMENT AND PLANNING  
POST OFFICE BOX 1800  
OCEAN SPRINGS, MS 39566-1800  
228-875-4415**

**PLANNING COMMISSION REPORT**

**PUBLIC HEARING DATE:** April 8, 2025

**APPLICANT:** Katherine Vidrine

**LOCATION:** 241 Lovers Lane

**PARCEL NUMBER:** 61465013.100

**REQUESTED ACTION:** Residential Short Term Rental Permit

**DATE OF APPLICATION:** September 9, 2024

**DESCRIPTION OF REQUEST:**

A permit to operate a short-term rental that allows rental usage for less than (30) thirty consecutive days.

**ADJACENT ZONING/LAND USE:**

**Subject Property:** R-1 Low Density Single Family/Single Family Dwelling

**North:** R-1 Low Density Single Family

**South:** Back Bay

**East:** R-1 Low Density Single Family

**West:** R-1 Low Density Single Family

**Short-Term Rental District:** City Wide



### **FINDINGS:**

- **Local Property Manager:** The local property manager, Stephen Douglas Lewis Jr., has the address of 6721 Washington Ave Apt 9I Ocean Springs, MS. This satisfies the requirement to be located within 2 miles of the city limits.
- **Application:** Submittal is complete and was received prior to the deadline. A copy of the rental agreement is attached for consideration.
- **Homeowner's Association:** The property is not located in a covenant-restricted subdivision.
- **Liability Insurance:** The signed application states that the liability insurance for the property does not exclude short term rentals from coverage, as well as conformance with building code, zoning requirements. There are no deed restrictions and taxes are current.
- **Fee:** The application fee was provided with the application. The mail-out fee was paid prior to distribution.
- **Notice via Standard Mail:** The notice of public hearing was sent to 21 property owners within 500 feet of the subject property. The distribution included the name of the applicant, notice of the hearing date, time and location, and a summary of Frequently Asked Questions regarding short-term rentals. All advertising requirements have been met.
- **Publication:** Notice of the public hearing was advertised at least 15 days prior to the date of the hearing per ordinance. Additionally, the required yard sign was placed in the yard. All advertising requirements have been met.
- **Inspection:** The property was inspected for all required elements on February 13, 2025, and was approved. The inspection form is attached for review.
- **Maximum Occupancy:** The requested maximum occupancy of (6) six is approved by the Fire Marshall during the above referenced inspection.
- **Maximum Number of Vehicles:** The request for a maximum number of (6) six vehicles is approved by the Building Official during the above referenced inspection.
- **Guest Rules:** The rules were posted and visible during the property inspection.
- **Code Violations:** No code violations.

### **PUBLIC FEEDBACK:**

1. Lovers Lane Homeowners Collective – March 31, 2025 – See attachments

### **PROPOSED MOTION:**

To recommend **approval** of the short-term rental located at 241 Lovers Lane with an annual renewal and compliance with the City of Ocean Springs STR Ordinance.

– OR –

To recommend **denial** of the short-term rental located at 241 Lovers Lane with an annual renewal and compliance with the City of Ocean Springs STR Ordinance.



City of Ocean Springs Planning Department  
1018 Porter Avenue / PO Box 1800 Ocean Springs, MS 39564 / (228) 875-4415

**RESIDENTIALLY ZONED SHORT TERM RENTAL ANNUAL PERMIT APPLICATION**

Application Date: \_\_\_\_\_

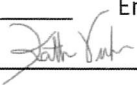
**REQUIRED ATTACHMENTS:**

**FEES: \$501** ~ **Application Fee** Effective 4/4/23 – \$500 must be paid at the time application is submitted [includes occupancy inspection fee]. ~ **Administrative Fee:** \$1.00 (per Ordinance 2022-17 following the requirements of Section 25-60-5 MS code Annotated)

- ☐ Completed Application
- ☐ Copy of Proposed Rental Agreement
- ☐ Proposed Parking Plan – Sketch
- ☐ Copy of rules, including trash management and reference of the city's noise ordinance (available upon request), to be posted inside unit
- ☐ Affirmation of Code Compliance – Ord.2015-11 (Section 401.3(10)) – Attached.
- ☐ *~~Standard mailout fee will be calculated during the review process and must be paid prior to scheduling of the public hearing~~*
- Properties will be reviewed and inspected prior to scheduling the public hearing date and sending the required notices.
- PERMITS MUST BE RENEWED ANNUALLY (renewal fee) AND ARE NOT TRANSFERRABLE. PERMITS SHOULD BE RENEWED BEFORE EXPIRATION.

**REQUIRED: RENTAL PROPERTY INFORMATION:**

- Address of Rental Property: 241 Lovers Lane
- Parcel Identification Number: 61465013.100 Number of bedrooms: 3
- Proposed maximum # guests: 8 Number of existing off-street parking spaces: 8
- Is this property located in a covenant-restricted subdivision? ☐ Yes ☐ No ~ *If yes, a copy of the covenants must be included.*

|                                                                                                |                                                                                            |
|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| PROPERTY OWNER – Name:                                                                         | <u>Katherine Vidrine</u>                                                                   |
| Address:                                                                                       | <u>1004 N Lakeshore Dr Lakeshore Dr. Lake Charles, LA 70601</u>                            |
| Phone No.                                                                                      | <u>3372744640</u>                                                                          |
| Email:                                                                                         | <u>Paigevidrineinc@yahoo.com</u>                                                           |
| OWNER SIGNATURE:                                                                               | <u></u> |
| <hr/>                                                                                          |                                                                                            |
| LOCAL PROPERTY MANAGER – <i>[Must RESIDE within two (2) miles of the OS City Limits]</i>       |                                                                                            |
| Name:                                                                                          | <u>Stephen Douglas Lewis Jr.</u>                                                           |
| Address:                                                                                       | <u>6721 Washington Avenue Apt 9I</u>                                                       |
| Phone No.                                                                                      | <u>6015433621</u>                                                                          |
| Email:                                                                                         | <u>steviedlewis29@gmail.com</u>                                                            |
| Is the Property Manager OR the Owner the best contact for scheduling Inspections? <u>Owner</u> |                                                                                            |



**Owner – initial by each ordinance to indicate receipt:**

Copy of Ordinance 2015-11 Received: KV (initials) Copy of Ordinance 2019-19 Received: KV  
Copy of Ordinance 2018-02 Received: KV (initials) Copy of Ordinance 2021-25 Received: KV  
Copy of Ordinance 2023-07 Received: KV (initials)

**Physical Inspection of Property:**

- All applicable fire and health codes as would apply to a commercially zoned structure must be compliant.
- As part of the review process, an inspection will be scheduled to determine that all physical requirements are met per the ordinance
- Inspection will also include but are not limited to: adequate parking, proposed occupancy, number of vehicles allowed, location of garbage storage, posting of rules, etc. (per *most current* Inspection Checklist dated: 2/08/18)

**Affirmation of Codes/Regulations**

I, (print name) Katherine Vidrine, hereby certify that:

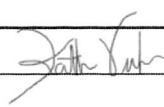
1. I am the owner of the property that is the subject of this application and that I have read and understand the requirements as outlined in the application.
2. There are no outstanding City of Ocean Springs property taxes or special assessments on the parcel(s).
3. Per Section 2.C.5 of Ordinance No. 2015-11, I will obtain a Mississippi State Sales Tax License through the MS Dept. of Revenue to pay all city, county, and state taxes required by law.
4. The property included in this application is in compliance with all applicable building codes, zoning requirements, and deed restrictions and/or covenants.
5. The Homeowner's liability insurance does not exclude short term rentals from coverage.
6. Any existing mortgage or deed does NOT prohibit use of property as a short term rental.
7. Proper documentation of covenants that may restrict use of the property as a short rental and/or a letter of support from the HOA has been provided.

I further acknowledge that the information provided herein is true and correct to the best of my knowledge.

**Owner(s) Name:** Katherine Vidrine

**Parcel ID(s):** 61465013.100

**Date Property Acquired:** \_\_\_\_\_

**Owner's Signature**  **Date** \_\_\_\_\_

**Office Use Only**

Date of Inspection: \_\_\_\_\_ Result of Occupancy Inspection: \_\_\_\_\_

Maximum Occupancy Determination: \_\_\_\_\_ (attached)

Maximum Parking Spaces: \_\_\_\_\_ Permit Renewal Date: \_\_\_\_\_

PC Public Hearing Date: \_\_\_\_\_ BOA Approval Date: \_\_\_\_\_



ADDRESS: 241 Lovers Lane iWorQ Permit#: 6553



PLANNING DEPARTMENT  
P.O. Box 1800 / Ocean Springs, MS. 39566  
Phone 228-875-4415 Fax 228-872-5427

**RESIDENTIALLY-ZONED SHORT TERM RENTAL – OCCUPANCY INSPECTION FORM**

Before requesting an occupancy inspection from the Building Official and the Fire Marshall, please make sure the following items have been completed. Someone must be present at the time of inspection.

All Occupancy Inspections are done at 10am

The following items must be complete prior to inspection:

- |                                                                                                                                  |                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| <input type="checkbox"/> Type 2A 10BC Fire Extinguishers<br>(Maximum travel distance 75 ft.)                                     | <input type="checkbox"/> Adequate garbage receptacles                          |
| <input checked="" type="checkbox"/> Emergency Lighting with battery backup                                                       | <input type="checkbox"/> Smoke detectors in all bedrooms<br>and hallways.      |
| <input type="checkbox"/> Address on Building                                                                                     | <input type="checkbox"/> Carbon monoxide detectors if there<br>is gas service. |
| <input type="checkbox"/> Breaker Box needs to be labeled                                                                         | <input type="checkbox"/> Identified # of Bedrooms: <u>3</u>                    |
| <input type="checkbox"/> Outlet and switch plate covers need to be<br>installed. (GFCI Circuits within 6 ft. of<br>water source) | <input type="checkbox"/> Proposed # of Guests: _____                           |
| <input type="checkbox"/> No exposed wiring                                                                                       | Approved # of Guests per OSFD: <u>6</u>                                        |
| <input type="checkbox"/> Adequate emergency egress                                                                               |                                                                                |
| <input type="checkbox"/> Operable windows in sleeping areas                                                                      | <input type="checkbox"/> Proposed # of vehicles: _____                         |
| <input type="checkbox"/> Guest rules (noise, garbage, etc.) must be<br>visibly posted.                                           | Approved # of vehicles per OSFD: <u>6</u>                                      |

Property Owner: Paige Vidrine Phone #: 228-300-1887  
Contact Name: same Phone #: same

.....  
**Date of Inspection:** 2/13/25

COMMENTS: ① EXISTING GUARD RAILS DO NOT MEET MINIMUM HEIGHT, ② NO HAND  
RAILS DOWN STEPS TO POOL ③ MASTER BEDROOM WINDOWS DO NOT MEET REQUIRED  
EGRESS SPACING

☒ **PASSED**

Building Official: [Signature] Fire Marshall: [Signature]

Property Owner: [Redacted]



Villa Micci Vacation Home  
241 Lovers Lane  
Ocean Springs, MS

**Villa Micci Vacation Home Rules and Regulations:**

While we hope that every guest enjoys their stay at Villa Micci, it is important that all house rules and regulations are adhered to. We have set forth a list so that, while you enjoy your visit, safety is a the forefront for you and your guest and for both the home itself and surrounding properties.

**General Requirements-** All Guests (and any Visitors) must comply with all house rules and any other instructions that were left for you to comply by. Guests must notify the property manager of any disputes or complaints from neighbors as soon as reasonably practicable.

**Contact Information:**

For all questions, comments, or concerns please contact the property managers at the following numbers. It is important to do so in a timely fashion as soon as the problem arises.

*(See last page for contact information)*

**Noise-** High noise levels create hazardous conditions and disrupts any attempt to maintain public peace and safety during the night time hours. It is important to follow the rules set forth regarding high noise levels (including but not limited to the outdoor areas surrounding the home). Excessive noise is prohibited at all times and may result in termination of the vacation rental agreement.

All loud noise levels of both guests and sound amplification devices (radio, stereo, speakers, etc) are to remain at a reasonable level with the respect of neighbors in mind. However, it is UNLAWFUL for any person or persons to play, use, operate, or permit to be played, used, or operated any sound amplification or producing device or similar equipment outdoors on the premises of a commercial establishment during the following days and times:



**Weekdays** (Sunday night through Friday morning) between the hours of 11:00 P.M. through 8:00 A.M. and:

**Weekends** (Friday night through Sunday morning between the hours of 11:59 P.M. through 8:00 A.M.

**Security-** While the safety of both your guests and belongings are very important, and we make every effort to maintain a high level of security, it is your responsibility to make the efforts to keep your belongings safe, as well. When you leave the house for any reason, it is important to lock all doors and windows and set the house alarm before your departure.

**Energy Saving-** We want you to be comfortable during your stay in the home, however, please remain aware of thermostat temperatures in the home. Due to the difficulty in changing out recessed lighting bulbs, we ask that you shut them off as you leave the property and before bed.

**Hot Tubs/Pool-** We do have a hot tub and pool for your enjoyment, however, follow all safety precautions regarding pool/water safety. For safety reasons, it is not permitted to use any glassware (or anything with sharp objects) around the pool/hot tub area. Failure to do so will result in a fine deducted from the security deposit.

**Balcony/Deck Area-** Guest must supervise any babies and children at all times when using the Deck and Balcony areas.

**Smoking-** Smoking is NOT prohibited on the inside under any circumstances, the failure to do so will result in loss of security deposit. However, you are free to smoke anywhere outside of the home. Please, pick up cigarette butts, failure to do so will result in a fine deduction from the security deposit.

**Pets/Animals-** No pets or animals are allowed on the premises under any circumstance.

**Damages and Breakages-** We are aware that accidents do happen, but please practice caution to not put yourself in any position that would damage this property or the belongings in it.

All damages and breakages must be reported to the property manager as soon as they occur. Failure to report the accident will likely result in a penalty deduction from the security deposit.



To avoid damages and breakages, no furniture is to be moved from one room to another without prior agreement.

Tiles in the home will get slippery when wet, so use caution as you come in from the pool/hot tub area.

**Garbage-** Guests are responsible for trash up keep during their stay. The trash is picked up on Thursdays. With that being said, the trash is to be put out no earlier than Wednesday and no later than Thursday at 9:00 A.M.

*If you leave before Wednesday, then our maid service will take care of the trash.*

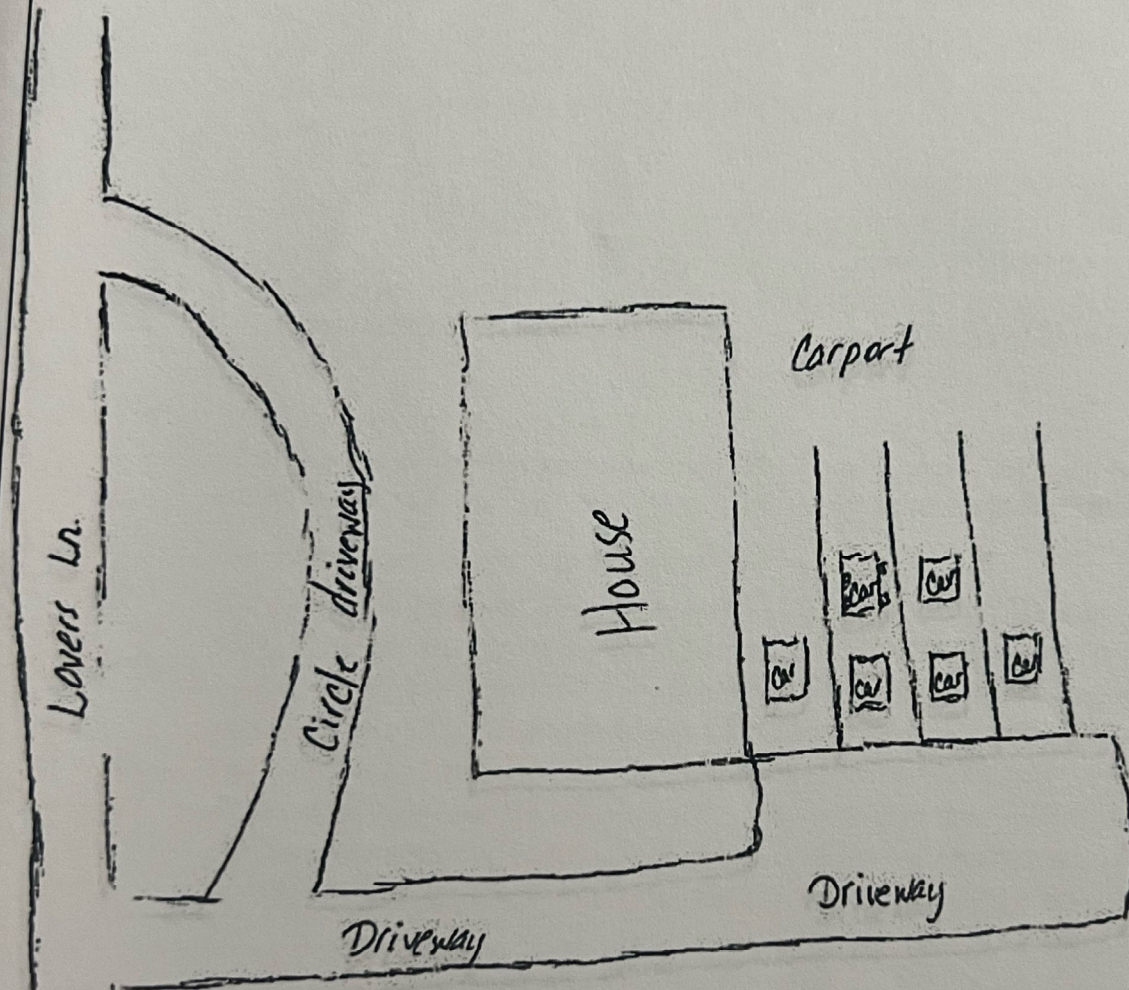
To take out the trash, there is a garbage shoot located inside of the butler's pantry. At the bottom of the shoot is the garbage can that gets put out. Please make sure that it isn't full and change the can out when that does happen.

**Barbecue-** Instructions on how to properly use the gas barbecue on the property will be located inside the home.

**Compliance-** Breach of any of these house rules is a breach of the terms and conditions of occupancy as per the rental agreement.

The owner and manager reserve the right to terminate permission to occupy and to evict from the vacation rental, any guests or visitors who refuse to follow these house rules or who cause a nuisance to neighbors or other residents of the community.







## Rental Agreement

Premises: 241 Lovers Ln Ocean Springs, MS 39564

Maximum Capacity: 6 People

Maximum Vehicles: 6

Noise: As per Ocean Springs Noise Ordinance 2012-04

It shall be unlawful for any person or persons to engage in or continue activities as permitted by City of Ocean Springs for outdoor special events, parades, outdoor facility uses or public performances past the hour of **10:00PM** EXCEPT FOR athletic contests recognized by the department of parks and leisure.

Parties are not permitted on the premise.

Trash is to be disposed in the receptacles provided

Respectful use of the property is required.

This agreement is hereby issued between \_\_\_\_\_ and  
\_\_\_\_\_ on \_\_\_\_\_.

Signature of landlord \_\_\_\_\_

Signature of Renter \_\_\_\_\_

# PUBLIC HEARING NOTICE

## Residential Short-Term Rental

THIS INFORMATION IS BEING SENT TO YOU AS PART OF THE PERMITTING PROCESS FOR A NEARBY PROPERTY.

**Per adopted Code for the City of Ocean Springs, notice has been advertised in the Coastal Breeze Newspaper and copies are sent via Standard mail at the cost of the applicant.**

**PUBLIC NOTICE** is hereby given that the City of Ocean Springs **PLANNING COMMISSION** will hold a **public hearing** on the date listed below to consider an application for a Short-Term Rental Permit per Ordinance no. 2015-11 governing the provision of Short Term Rentals of dwellings in residential zones after application, hearing, and approval.

Application for the address listed below will be considered in the regular meeting place of the Board of Aldermen at the City Hall located at 1018 Porter Avenue Ocean Springs, MS 39564.

**Short-Term Rental Applied for:** 241 LOVERS LANE

**Public Hearing Date/Time:** APRIL 8, 2025 @ 6pm

Applicant KATHERINE VIDRINE

Local Contact STEPHEN DOUGLAS LEWIS JR.

The Residential Short-Term Rental Ordinance (2015-11) was approved on July 7, 2015. The ordinance was researched, modified, and re-approved on February 20, 2018, and again on December 17, 2019. This document addresses what the ordinance requires of an applicant, the process, and contact information for questions or concerns. For more details, please call the Planning Department at 228-875-4415.

**Short-Term Rentals:** Considered as less than 30 days. Conditions for permitting include an approval process, occupancy/vehicle requirements, guest registry, noise/garbage management, posting of rules, local management, and a process for complaints, basis for denial or revocation, and violations.

### Frequently Asked Questions regarding Residential Short-Term Rental permits:

- 1) ***Why am I receiving this information?*** All property owners within 500 feet of the property requesting a permit are required to receive notification via standard mail. Additionally, the hearing was advertised in the local newspaper and a yard sign placed on the property. This notice was mailed to your address of record with the Jackson County Tax Assessor's office.
- 2) ***What is allowed under a Short-Term Rental Permit?*** Approval of the permit will allow the property owner to rent the residence for periods of less than 30 days at a time, governed by restrictions listed in the ordinance. The permit does not allow any other non-permitted activity.
- 3) ***Who will be responsible for management of the property?*** The property owner is ultimately responsible for all activity on the property. The Local Property Manager, if one is assigned, **MUST** reside within 2 miles of the city limits and be available 24/7 to address issues related to the property. The Planning Department will have a contact number in case of emergencies.
- 4) ***Do the property owners pay sales tax for this activity?*** Yes – the property owner will be issued a city privilege license that will allow them to register with the state for payment of sales tax, including the additional "bed tax" required for all hotel activity.
- 5) ***What review has been done by the City?*** The application, a \$200 application fee, and payment for mailing was received. All information was reviewed to ensure all administrative requirements have been met. The home has been inspected to ensure that all life safety elements are in place and a maximum occupancy/vehicle allowance has been set.





**Lovers Lane Homeowners Collective**  
Ocean Springs, MS

31st March 2025

**Ocean Springs Planning Commission**

% Ocean Springs Planning Department  
Ocean Springs, MS

Dear OS Planning Commission Members,

We the undersigned homeowners of Lovers Lane and tributaries would like to formally request denial of application for short term rental of the property located at 241 Lovers Lane. Specifically, we ask that the planning commission preserve the single family atmosphere as outlined in the protective covenants on file with the Chancery Court of Jackson County, MS which state that "no lot can be used except for residential purposes". These protective covenants have remained in force since the original founding of the Seapointe 1 subdivision in 1964. This was acknowledged by the planning commission seated in 2018 who deliberated on a similar request, and was subsequently validated by the Board of Alderman at the June 5th, 2018 meeting. Thereafter, the Seapointe Home Owners Association was formed in 2018 to protect the sanctity and integrity of this original covenant.

Please find attachments including:

- Seapointe 1 subdivision plat
- State of Mississippi, County of Jackson, Protective Covenant for Seapointe Subdivision 1964
- Seapointe Home Owners Association LLC, Operating Agreement
- Board of Alderman meeting minutes, June 5th, 2018

We appreciate your diligence and discernment in serving our community.

Respectfully,

**Ethel Moran Alman**  
253 Lovers Ln.

**Jonathan & Christy Barry**  
246 Lovers Ln.

**John & JoAnna Bosco**  
300 Lovers Ln.

**Stephen & Jenni Boskovich**  
261 Lovers Ln.

**Mathew & Monique Dellenger**  
247 Lovers Ln.

**Theron & Merileigh Furr**  
245 Lovers Ln.

**Kenneth & Haley Goodman**  
113 Spanish Point Rd.

**Cary & Tiffany Haney**  
249 Lovers Ln.

**James & Kimme Hargrove**  
246 Lovers Ln.

**Geoffery Mavar**  
311 Lovers Ln.

**Ralph & Renee Mitchell**  
255 Lovers Ln.

**Jim & Janna Christensen Mulvey**  
102 Spanish Point Rd.

**Tom & Gloria Semotuk**  
243 Lovers Ln.

**Mark & Allison Wall**  
239 Lovers Ln.

**Scottie & Alexis Watts**  
115 Spanish Point Rd.

**Ray & Hyla Weiss**  
305 Lovers Ln.

**Van & Kim Wurm**  
258 Lovers Ln.

**William & Megan Yockey**  
302 Lovers Ln.

**Limited Liability Company Operating Agreement of  
Seapointe Home Owners Association, LLC,  
a Limited Liability Company**

**I. Formation.**

A. State of Formation. This is a Limited Liability Company Operating Agreement (the "Agreement") for Seapointe Home Owners Association, LLC, a Member-managed Mississippi limited liability company (the "Company") formed under and pursuant to Mississippi law. Seapointe is a subdivision on record at the Office of the Chancery Clerk of Jackson County, MS and is also referred to as Sea Pointe Pt 1.

B. Operating Agreement Controls. To the extent that the rights or obligations of the Members or the Company under provisions of this Operating Agreement differ from what they would be under Mississippi law absent such a provision, this Agreement, to the extent permitted under Mississippi law, shall control.

C. Registered Agent and Office. The Company's initial agent (the "Agent") for service of process is Thomas D. Semotuk. The Agent's registered office is 243 Lovers Lane, Ocean Springs, Mississippi 39564-2825. The Company may change its registered office, its registered agent, or both, upon filing a statement with the Mississippi Secretary of State.

D. No State Law Partnership. No provisions of this Agreement shall be deemed or construed to constitute a partnership (including, without limitation, a limited partnership) or joint venture, or any Member a partner or joint venturer of or with any other Member, for any purposes other than federal and state tax purposes.

**II. Purposes and Powers.**

A. Purpose. The Company is a nonprofit company and is created for the following purpose:

For the betterment and preservation of the unique single family residential atmosphere of the Seapointe Subdivision as outlined in the Protective Covenants on file with the Chancery Court of Jackson County, MS .

B. Powers. The Company shall have all of the powers of a limited liability company set forth under Mississippi law.

C. Duration. The Company's term shall commence upon the filing of an Articles of Organization and all other such necessary materials with the state of Mississippi. The Company will operate until terminated as outlined in this Agreement unless:

1. A majority of the Members vote to dissolve the Company;
2. No Member of the Company exists, unless the business of the Company is continued in a manner permitted by Mississippi law;
3. It becomes unlawful for either the Members or the Company to continue in business;
4. A judicial decree is entered that dissolves the Company; or

5. Any other event results in the dissolution of the Company under federal or Mississippi law.

### **III. Members.**

A. Members. The Members of the Company (jointly the "Members") at the time of adoption of this Agreement are as follows:

Thomas Semotuk, 243 Lovers lane  
Raymond Weiss, 254 Lovers Lane  
Renee Mitchell, 255 Lovers Lane  
Jenni Boskovich, 261 Lovers Lane

B. Limited Liability of the Members. Except as otherwise provided for in this Agreement or otherwise required by Mississippi law, no Member shall be personally liable for any acts, debts, liabilities or obligations of the Company. No Member shall have any recourse against any other Member except as is expressly provided for by this Agreement.

C. Voluntary Membership. Membership is voluntary and members may leave at any time with written notice to the Registered Agent.

D. Admission of New Members. Membership is open to the property owners and residents of Seapointe upon written request to the Registered Agent.

E. Member Voting. Each Member shall have one vote. Decisions shall be approved based on a simple majority vote of all members present at a duly called meeting.

F. Duties of the Members. The Members shall cause the Company to do or cause to be done all things necessary to preserve and keep in full force and effect its existence, rights (charter and statutory) and franchises.

1. At all times hold itself out as being a legal entity separate from the Members and any other person and conduct its business in its own name;

2. Not guarantee or become obligated for the debts of any other person or hold out its credit as being available to satisfy the obligations of others;

3. Not pledge its assets for the benefit of any other person or make any loans or advances to any person;

4. Correct any known misunderstanding regarding its separate identity;

5. Cause its Members to meet or act pursuant to written consent and keep minutes of such meetings and actions and observe all other Mississippi limited liability company formalities;

Failure of the Members to comply with any of the foregoing covenants shall not affect the status of the Company as a separate legal entity or the limited liability of the Members.

G. Compensation of Members. No Member shall receive compensation for services rendered.

### **IV. Dissolution.**



A. Limits on Dissolution. The Company shall have a perpetual existence, and shall be dissolved, and its affairs shall be wound up only upon the provisions established in Section II (C) above.

**V. Exculpation and Indemnification.**

A. No Member, employee or agent of the Company and no employee, agent or affiliate of a Member (collectively, the "Covered Persons") shall be liable to the Company or any other person who has an interest in or claim against the Company for any loss, damage or claim incurred by reason of any act or omission performed or omitted by such Covered Person in good faith on behalf of the Company and in a manner reasonably believed to be within the scope of the authority conferred on such Covered Person by this Agreement, except that a Covered Person shall be liable for any such loss, damage or claim incurred by reason of such Covered Person's gross negligence or willful misconduct.

B. The foregoing provisions of this Article VII shall survive any termination of this Agreement.

**VI. General Provisions.**

A. Notices. All notices, offers or other communications required or permitted to be given pursuant to this Agreement shall be in writing and may be personally served or sent by United States mail and shall be deemed to have been given when delivered in person or three (3) business days after deposit in United States mail, registered or certified, postage prepaid, and properly addressed, by or to the appropriate party.

B. Number of Days. In computing the number of days (other than business days) for purposes of this Agreement, all days shall be counted, including Saturdays, Sundays and holidays; provided, however, that if the final day of any time period falls on a Saturday, Sunday or holiday on which national banks are or may elect to be closed, then the final day shall be deemed to be the next day which is not a Saturday, Sunday or such holiday.

C. Execution of Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be an original, and all of which shall together constitute one and the same instrument.

D. Severability. The provisions of this Agreement are independent of and separable from each other, and no provision shall be affected or rendered invalid or unenforceable by virtue of the fact that for any reason any other or others of them may be invalid or unenforceable in whole or in part.

E. Headings. The Article and Section headings in this Agreement are for convenience and they form no part of this Agreement and shall not affect its interpretation.

F. Controlling Law. This Agreement shall be governed by and construed in all respects in accordance with the laws of the state of Mississippi (without regard to conflicts of law principles thereof).

G. Application of Mississippi Law. Any matter not specifically covered by a provision of this Agreement shall be governed by the applicable provisions of Mississippi law.

H. Amendment. This Agreement may be amended only by written consent of all the Members. Upon obtaining the approval of any such amendment, supplement or restatement as to the Certificate, the Company shall cause a Certificate of Amendment or Amended and Restated Certificate to be prepared, executed and filed in accordance with Mississippi law.

I. Entire Agreement. This Agreement contains the entire understanding among the parties hereto with respect to the subject matter hereof, and supersedes all prior and contemporaneous agreements and understandings, inducements or conditions, express or implied, oral or written, except as herein contained.

IN WITNESS WHEREOF, the Members have executed and agreed to this Limited Liability Company Operating Agreement, which shall be effective as of \_\_\_\_\_ 2018.

Signatures:

\_\_\_\_\_  
Thomas Semotuk

\_\_\_\_\_  
Raymond Weiss -

\_\_\_\_\_  
Renee Mitchell

\_\_\_\_\_  
Jenni Boskovich

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE 02-21-2008 BY 60322 UCBAW

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 10-10-2001 BY 60322 UCBAW

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

... 27 MAR 1964 ...

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Page 10



STATE OF MISSISSIPPI  
COUNTY OF JACKSON

259 483

PROTECTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, SEASHORE, INC., a Mississippi Corporation, being the owner of all of that certain land and property lying and being situated in Jackson County, Mississippi, known as "SEAPOINTE", a subdivision according to a map or plat thereof on file and of record in the Office of the Chancery Clerk of Jackson County, Mississippi, in Plat Book 8, Page 1, and being desirous of imposing certain restrictive and protective covenants upon said land for the protection of itself and all future purchasers and owners of residential lots lying within said subdivision, do hereby impose on said land the following restrictive covenants, to-wit:

1. No lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any lot other than one detached single-family dwelling not to exceed two (2) stories in height and a private garage for the use of the occupants of such single-family dwelling.
2. The ground floor area of the main structure, exclusive of open porches and garages, shall not be less than 2,000 square feet.
3. No building shall be located on any lots in said subdivision nearer than 35 feet to the front lot line. No building shall be located nearer than 10 feet to a side or interior lot line. There shall be no open carports, and all garages must have garage doors, with the exception of those having rear entrances. For the purpose of this covenant, steps, eaves and open porches shall not be considered as a part of a building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.



4. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat.

5. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

6. No structure of a temporary character - trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence, either temporary or permanently.

7. In the event any person shall own two or more adjacent building lots, and shall desire to construct a dwelling occupying a portion of both of said adjoining lots as a building site, then the restriction as to the dividing line between said adjoining lots shall not apply insofar as it restricts the placing of any dwelling nearer than 10 feet to a side lot line, but all other restrictions herein contained shall apply to the same extent as if said dwelling had been built on a single building lot.

8. No dwelling shall be erected or placed on any re-subdivided lot having a width of less than 80 feet at the minimum building set-back line, nor shall any dwelling be erected or placed on any lot having an area of less than 12,000 square feet, it being the intention that lots or any part thereof in this subdivision may be re-subdivided, subject to the above. In the event any lot or lots are so re-subdivided, any part or parts of said lots may be used for street purposes in said re-subdividing of lots.

9. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 25 years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 5 years, unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

208 40

10. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

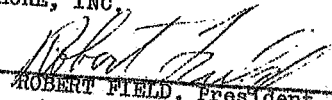
11. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

13. Paragraphs 2 and 3 of these Protective Covenants shall not apply to Lot 7 and Lot 29, Seapointe Subdivision only so far as they may affect residences under construction at this date.

WITNESS OUR SIGNATURES, this the 18th day of June, 1964.

SEASHORE, INC.

BY:

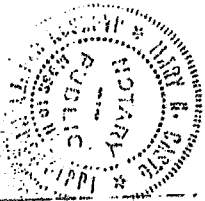
  
ROBERT FIELD, President

  
T. L. BRACKETT, JR., V-PRES.

200 436  
STATE OF MISSISSIPPI  
COUNTY OF JACKSON

PERSONALLY appeared before me, the undersigned authority in and for the aforesaid jurisdiction, ROBERT FIELD and THURMAN PITTS, President and Secretary-Treasurer, respectively, of SEASHORE, INC., a Mississippi Corporation, who acknowledged that they signed, executed and delivered the above and foregoing instrument on the date therein set forth, for and on behalf of the corporation, after having been first duly authorized so to do.

GIVEN under my hand and official seal of office, this the \_\_\_\_\_ day of June, 1964.



My Commission Expires June 5, 1965.

Mary H. Casto  
NOTARY PUBLIC

STATEMENT OF FEES

|               |                                   |
|---------------|-----------------------------------|
| Filing        | 5c                                |
| Recording     | 25c                               |
| @ 15c per 100 |                                   |
| Certifying    | 20c                               |
| Indexing      | 15c for each separate subdivision |
| Total Fees    | 6.55                              |

STATE OF MISSISSIPPI — JACKSON COUNTY

I, Wilbur G. Dees, Clerk of the Chancery Court of said County, certify that the within Instrument was filed in my office for record on the 28<sup>th</sup> day of July 1964 at 3:45 o'clock P. M. and was duly recorded on the 29 day of July 1964 in Land Deed Book No. 259 Pages 432-312 in my office.

GIVEN under my hand and seal of office, this 29 day of July A.D., 1964

WILBUR G. DEES, Chancery Clerk

By Wilbur G. Dees





Motion made by Alderman Authement, seconded by Alderman Bellman and unanimously carried to go into Public Hearing regarding an appeal filed by applicant Katherine Vidrine for the denial of a Use Permit – Residential Short Term Rental (Primary Structure) at 241 Lovers Lane.

The Planning and Grants Administrator stated this has been brought before the Mayor and Board of Aldermen for a final recommendation.

**The Mayor asked if there was any proponents who wanted to speak in favor of the denial of the use permit.**

Mr. Paul Broussard, 240 Lovers Lane, spoke in favor of the denial of the permit. Mr. Broussard doesn't agree with allowing a business in a residential neighborhood. Mr. Broussard said if the City allows this it would change the whole neighborhood.

Dr. Ray Weiss, 302 LaSalle Court and 305 Lovers Lane, came before the Board to speak on behalf of the Sea Point Homeowners Association. The homeowners association is opposed to the short term rental.

Renee Mitchell, 255 Lovers Lane, stated she has lived in a community where there were short term rentals and it was not a pleasant experience. Ms. Mitchell talked about her concerns with walkers, joggers, bicyclists, mother's strolling their children, and the elderly along the narrow roads in that area and feels the visitors coming in will not abide by the speed limit. Ms. Mitchell said sometimes it is difficult to see these people along the side of the road due to shadows and trees. She said they have a peaceful community and they do not need new people coming in and out every week.

Mr. Reginald Richards, 242 Lovers Lane, stated this would be a commercial establishment and he thought he was living in a residential area. Mr. Richards said he pays a lot of taxes and now there is a commercial establishment moving into the neighborhood and he does not understand that.

Mr. Ken Aultman, 318 Lovers Lane, also opposes the short term rental issue for many of the same reasons already mentioned. Mr. Aultman said it is a narrow, winding street and in some areas it is so narrow that only (1) one vehicle can get by. He said the people who live there know where these areas are and know where to pull over. He said he feels there will be a lot of accidents and hurt people in this area if you bring people in who that are not from here on a regular basis. Mr. Aultman strongly recommends the Board oppose this and go with the Planning Commission's recommendation to deny it.

**The Mayor asked if there was any opponents who wanted to speak against the denial of the use permit.**

Mr. John Zender, 7824 Trout Street, spoke against the denial of the short term rental. He does not think there is a just and valid reason that you don't allow this permit. He said by denying the permit you are defrauding their rights to use their property.

Ms. Mary Lou Hutto lives in a house off of Lovers Lane spoke in favor of the denial of the short term rental. Ms. Hutto asked why buy a piece of property in a well-established residential neighborhood if you plan on opening a business.

Mr. Chris Corkern with Purdie & Metz Law Firm stated on behalf of the landowners they have filed a notice of appeal and position statement. Mr. Corkern said the reason for the position paper is because they feel the Board should reject the recommendation of the Planning Commission and issue a permit. Mr. Corkern mentioned the beauty of this ordinance is it can be revoked and it should alleviate all of the landowners concerns who are in proximity to this property because there is an outlet if the permit is granted and there is a legitimate complaint then they could go through the process to have the permit revoked. Mr. Corkern said all of the requirements have been met and all they are asking is to allow the property owner be allowed to utilize their property.

The Building Official stated a final site work inspection has not been done. The Building Official said what he is relating to is the original complaint where the site work starting without any permits and questions regarding enclosing in bathroom downstairs. The Building Official said they were notified and have removed the walls and associated plumbing downstairs. Mr. Zender has since then secured a land work permit.

Mr. Corkern commented on the complaints about changing the nature of the neighborhood is premature because there has been no indication at this time that the neighborhood has changed. Mr. Corkern also pointed out that there has been permits granted in the Cherokee Glenn Subdivision and there has been no issues with that changing any characteristics of the neighborhood. In conclusion the reasons for the position statement presented today is to respectfully ask the Board to reject the recommendation of the Planning Commission and to issue a short term rental permit to his client.

Mrs. Ethel Moran Alman, currently lives in Brandon, MS, inherited the property at 253 Lovers Lane. Mrs. Alman is completely opposed to the short term rental.

Motion made by Alderman Gill, seconded by Alderman Authement and unanimously carried to come out of Public Hearing.

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Motion made by Alderman Authement, seconded by Alderman Gill and unanimously carried to follow the recommendation of the Planning Commission to deny a use permit – residential short term rental (primary structure) at 241 Lovers Lane for the reasons stated by the Planning Commission. (Exhibit 3-a)

### **ADDENDUM**

Motion made by Alderman Gill, seconded by Alderman Blackman and unanimously carried to add the addendum to the agenda.

### **NEW BUSINESS**

Motion made by Alderman Impey, seconded by Alderman Cox and unanimously carried to ratify Proclamation of Existence of Local Emergency by the Mayor and Board of Aldermen of the City of Ocean Springs, Mississippi for Invest 90L. (Exhibit 4-a)

Motion made by Alderman Impey, seconded by Alderman Cox and unanimously carried to terminate the status of the Local Emergency enacted by Invest 90L. (Exhibit 4-b)

### **OLD BUSINESS**

The Building Official updated the Board on the status of the site work at the property located at 420 Jackson Avenue. The Building Official stated the Building Department has been working with the owner to bring the property into compliance since 2006. The Building Official said Ms. Gautier has been cleaning up the property and stated it looks a lot better. He also said Ms. Gautier is interested in fixing the property and the structure located on the property.

Ms. Carolyn Gautier owner of the property at 420 Jackson Avenue. Ms. Gautier apologized for the condition of the property and has all intentions of fixing the house, she has already cleaned the yard, and plans on keeping the property maintained. Ms. Gautier said she is starting to obtain quotes to repair the structure of the house. Ms. Gautier's plan is to move forward so she can move back into the home.

Alderman Blackman asked how long of a process does she think this will be once quotes are in place and will she be ready to move forward with the repairs. Ms. Gautier commented that she wants to find the right person to do the work and not just anybody.

^