

CITY OF WAVELAND  
PLANNING & ZONING COMMISSION  
REGULAR MEETING AGENDA  
DECEMBER 18, 2023 6:00 PM

1. Call to Order/ Roll Call.
  
2. Spring Murphy, owner of the property commonly known as 1902/1904 Nicholson Ave., parcel #137N-0-35-030.001, has made an application for a Variance in order to divide the property into 2 separate parcels. The property is Zoned R-1: Single Family Residential District. Each parcel will have a preexisting house on it. A variance is being requested for +/-3.52 shortage on road frontage for each parcel. Parcel "A" will have 9,492 square feet, Parcel "B" will have 5,226. The applicant is requesting an area size variance, and on Parcel "B" variances of 1.9 feet on the side and 19.3 feet on the front setback.
  
3. Open Discussion of Comprehensive Plan and Zoning Ordinance
  
4. Comments from Chair, Commissioners, & Staff
  
5. Public comments to the Commissioners
  
6. Adjourn: AT\_\_\_\_\_P.M.

# The Sea Coast Echo

POST OFFICE BOX 2009  
BAY SAINT LOUIS, MS 39521-2009

## PROOF OF PUBLICATION

STATE OF MISSISSIPPI  
HANCOCK COUNTY

PERSONALLY appeared before me the undersigned authority in and for said County and State, GEOFF BELCHER, General Manager of THE SEA COAST ECHO, a newspaper published in the City of Bay Saint Louis, said County, who being duly sworn, deposes and says the publication of this notice hereunto annexed has been made in the said publication 1 weeks to-wit:

On the 30<sup>th</sup> day of November 2023

On the \_\_\_\_\_ day of \_\_\_\_\_ 2023

On the \_\_\_\_\_ day of \_\_\_\_\_ 2023

On the \_\_\_\_\_ day of \_\_\_\_\_ 2023

  
General Manager

Sworn to and subscribed before me A NOTARY PUBLIC



This 30<sup>th</sup> day of November 2023



NOTICED IS HEREBY GIVEN THAT THE WAVELAND PLANNING AND ZONING COMMISSION WILL HOLD A REGULAR MEETING ON MONDAY, DECEMBER 18TH, 2023 AT 6:00 P.M. THE PLANNING AND ZONING COMMISSION WILL CONSIDER THE FOLLOWING:

Note: Meetings of the Waveland Planning and Zoning Commission are held in person in the Mayor and Board of Alderman Board Room located on the 1st Floor of City Hall, 301 Coleman Avenue, Waveland, MS 39576.

Spring Murphy, owner of the property commonly known as 1902/1904 Nicholson Ave., parcel #137N-0-35-030.001, has made an application for a Variance in order to divide the property into 2 separate parcels. The property is Zoned R-1: Single Family Residential District. Each parcel will have a preexisting house on it. The applicant is requesting a side setback variance of 1.9 feet and a front setback variance of 19.3 feet, for the same preexisting house.

IF YOU HAVE QUESTIONS OR CONCERNS, YOU MAY CONTACT GERI BOUCHIE, ZONING OFFICIAL, AT (228) 466-2549 OR GBOUCHIE@WAVELAND-MS.GOV. ALL INTERESTED PARTIES ARE INVITED TO ATTEND AND PARTICIPATE AND MAY SUBMIT WRITTEN SUGGESTIONS BY THURSDAY, DECEMBER



City of Waveland  
301 Coleman Ave.  
Waveland, MS 39576

NEOPOST FIRST-CLASS MAIL  
12/05/2023  
US POSTAGE \$000.63<sup>0</sup>



ZIP 39576  
041L10429081

LOYCE LADNER  
1911 NICHOLSON AVE  
WAVELAND, MS 39576

City of Waveland  
301 Coleman Ave.  
Waveland, MS 39576

NEOPOST FIRST-CLASS MAIL  
12/05/2023  
US POSTAGE \$000.63<sup>0</sup>



ZIP 39576  
041L10429081

KEM PROPERTIES LLC  
1408 CHICKASAW AVE  
METAIRIE, LA 70005

KEM PROPERTIES LLC  
1408 CHICKASAW AVE  
METAIRIE, LA 70005

City of Waveland  
301 Coleman Ave.  
Waveland, MS 39576

NEOPOST FIRST-CLASS MAIL  
12/05/2023  
US POSTAGE \$000.63<sup>0</sup>



ZIP 39576  
041L10429081

KEM PROPERTIES LLC  
630 HOPE ST  
WAVELAND, MS 39576

Dec 5, 2023 at 9:20:44 AM

Waveland



City of Waveland  
301 Coleman Ave.  
Waveland, MS 39576

NEOPOST

FIRST-CLASS MAIL

12/05/2023

US POSTAGE \$000.63<sup>0</sup>



ZIP 39576  
041L10429081

KATHLEEN REDMON  
P O BOX 3265  
BAY ST LOUIS, MS 39521

City of Waveland  
301 Coleman Ave.  
Waveland, MS 39576

NEOPOST

FIRST-CLASS MAIL

12/05/2023

US POSTAGE \$000.63<sup>0</sup>



ZIP 39576  
041L10429081

KATHLEEN REDMON  
608 HOPE ST  
WAVELAND, MS 39576

City of Waveland  
301 Coleman Ave.  
Waveland, MS 39576

NEOPOST

FIRST-CLASS MAIL

12/05/2023

US POSTAGE \$000.63<sup>0</sup>



ZIP 39576  
041L10429081

MARK MARKS  
155 WOODSIDE DR  
MANDEVILLE, LA 70448

Dec 5, 2023 at 9:21:01 AM  
Waveland



City of Waveland  
301 Coleman Ave.  
Waveland, MS 39576

NEOPOST FIRST-CLASS MAIL  
12/05/2023  
US POSTAGE \$000.63<sup>0</sup>



ZIP 39576  
041L10429081

MARK MARKS  
155 WOODSIDE DR  
MANDEVILLE, LA 70448

City of Waveland  
301 Coleman Ave.  
Waveland, MS 39576

NEOPOST FIRST-CLASS MAIL  
12/05/2023  
US POSTAGE \$000.63<sup>0</sup>



ZIP 39576  
041L10429081

KATHLEEN REDMON  
608 HOPE ST  
WAVELAND, MS 39576

City of Waveland  
301 Coleman Ave.  
Waveland, MS 39576

NEOPOST FIRST-CLASS MAIL  
12/05/2023  
US POSTAGE \$000.63<sup>0</sup>



ZIP 39576  
041L10429081

KATHLEEN REDMON  
P O BOX 3265  
BAY ST LOUIS, MS 39521

Dec 5, 2023 at 9:20:25 AM  
Waveland

## Item #2

Spring Murphy

1902&1904 Nicholson Ave

### Variance for Lot Split

1 Parcel with 2 Primary Structures

Needs a street frontage variance for each new parcel

Parcel 1: 3.52' street frontage & 500 sq. ft. Variance

Parcel 2: 3.52' street frontage, 1.9 ft. side, 19.3 ft. front,  
& 4774 sq. ft. area size Variance





Building/Zoning Department  
301 Coleman Avenue  
Waveland, MS 39576  
(228)466-2549  
(228)467-5177 FAX

## Application for Variance

### Section 904. Applying for a Variance

To apply for a variance from the terms of the Zoning Ordinance, the applicant must submit the following:

1. Letter stating what is being requested and what type of development is proposed.
2. Two (2) copies of plot plan detailing existing structure, proposed development and encroachment, dimensions of property, location of all streets bordering property, and the names and mailing addressed of all property owners adjacent to side of property affected.
3. A fee of Seventy-five (\$75.00) Dollars, payable in advance to help defray the expense of advertising and processing.

Typically the Planning and Zoning Commission meets on the 3rd Monday of the month. Please call the Building and Zoning Office for submittal deadlines and the dates of the Meetings.

Please remember that the Planning and Zoning Commission is a recommending body. The case will go the Board of Alderman at their next regularly scheduled meeting for final action on the variance request.

Name of Applicant: Spring Murphy Date of Application: 11/15/23  
Phone#: 564-473-5803 E-mail (optional): ssmurphy615@yahoo.com  
Property Physical Address(s) or Parcel #(s): 1902/1904 Nicholson (Waveland)  
Current Zoning of Property: R-1  
Proposed Variance: To divide the property into 2 separates parcel "A" & "B"  
Applicant Signature: SSU Date: 11/15/23

Please review the items below regarding what the Planning and Zoning Commission will consider, and if applicable address any of the items in your letter.

### Section 906. Power and Duties of the Planning and Zoning Commission

The Planning and Zoning Commission shall have the following powers and duties:

- 906.1 To recommend in special cases such variances from the terms of this Zoning Ordinance as will not be contrary to public interest where, owing to the special conditions, a literal enforcement of the provisions of this Ordinance

would result in unnecessary hardship. A variance from the terms of this Zoning Ordinance shall not be recommended by the Planning and Zoning Commission unless and until:

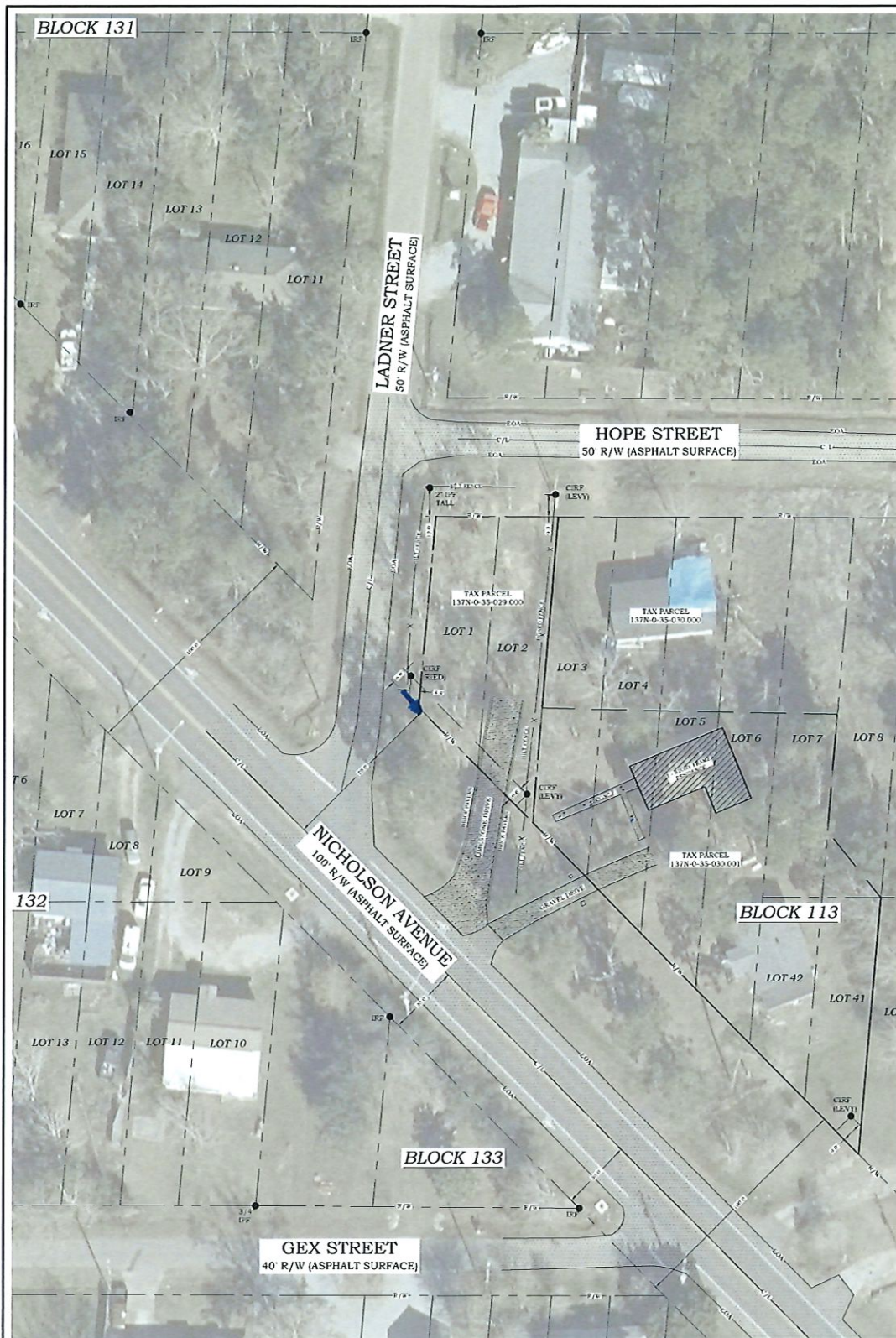
- A. A written application for a variance is submitted demonstrating:
  - 1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same district.
  - 2. That literal interpretation of the provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Zoning Ordinance.
  - 3. That special conditions and circumstances do not result from the actions of the applicant.
  - 4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Ordinance to other lands, structures, or buildings in the same district.
- B. A public hearing shall be held after giving at least fifteen (15) days notice of the hearings in an official newspaper specifying the time and place for said hearing.
- C. The Planning and Zoning Commission may find in specific cases such variances from the terms of this Zoning Ordinance may not be contrary to the public interest where, owing to special conditions, literal enforcement of the provisions of this Zoning Ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of this Zoning Ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variances may be recommended in such case of unnecessary hardship upon a finding by the Planning and Zoning Commission that all of the following conditions exist:
  - 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.
  - 2. A literal interpretation of the provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.
  - 3. Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents of the district in which the property is located.
  - 4. The requested variance will be in harmony with the purpose and intent of this Zoning Ordinance and will not be injurious to the neighborhood or to the general welfare.
  - 5. The special circumstances are not the result of the actions of the applicant.
  - 6. The existence of a non-conforming use of neighboring land, buildings or structures in the same district, or non-conforming uses in other districts shall not constitute a reason for the requested variance.
  - 7. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.
  - 8. The variance is not a request to permit a use of land, building or structures which are not permitted by right or by conditional use in the district involved.
  - 9. Notice of public hearing shall be given as in section 906.1.B.

**The Fee for a Variance Application is \$75.00 and is non-refundable regardless of approval or denial.**

If you have any questions regarding submitting your application please contact:

Zoning Department  
(228) 466-2549  
[jhayes@waveland-ms.gov](mailto:jhayes@waveland-ms.gov)





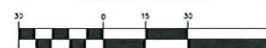
GRID COORDINATES	
POINT	NORTHING EASTING
A	292367.11 813368.01
B	292266.60 813448.64



#### LEGEND:

IRF = 1/2" IRON ROD FOUND  
IFF = IRON PIPE FOUND  
CIRS = CAPPED 1/2" IRON ROD FOUND  
CIRS = CAPPED 1/2" IRON ROD SET  
IFF = IRON FENCE POST  
TFF = T POST FOUND  
IBF = IRON BAR FOUND  
AIF = ANGLE IRON FOUND  
WFP = WOOD FENCE POST  
MNF = MAGNETIC NAIL FOUND  
MNS = MAGNETIC NAIL SET  
REF. = REFERENCE  
O/S = OFFSET  
R/W = RIGHT-OF-WAY  
O/H/U = OVERHEAD UTILITIES  
PP = POWER POLE  
LP = LIGHT POLE  
TP = TELEPHONE PEDESTAL  
POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT  
TBM = TEMPORARY BENCH MARK  
FFE = FINISH FLOOR ELEVATION  
TOB = TOP OF BANK  
RCP = REINFORCED CONCRETE PIPE  
CMP = CORRUGATED METAL PIPE  
HDPE = HIGH DENSITY POLYETHYLENE PIPE  
FH = FIRE HYDRANT  
SMH = SENTRY MAN HOLE  
C/L = CENTERLINE  
EOA = EDGE OF ASPHALT  
EOG = EDGE OF GRAVEL  
(P) = PLAT OF RECORD  
(D) = DEED OF RECORD  
(R) = RECORD  
X 0.00 = GROUND ELEVATION

#### GRAPHIC SCALE



(IN FEET)

1 INCH = 30 FEET

#### NOTES:

1. LOT LOCATION & ORIENTATION ARE BASED ON RECORDED DATA AND MONUMENTATION FOUND AVAILABLE.
2. BEARINGS REFERENCE: GRID, GEOID G2018U7 NAD 83 STATE PLANE ZONE MISSISSIPPI EAST BY GPS OBSERVATION, UTILIZING EARL DUDLEY'S VIRTUAL REFERENCE NETWORK, INET, HAVING A CONVERGENCE ANGLE OF -0°16'23.62" AND A COMBINATION FACTOR OF 0.999986870.
3. SURVEY CONSIDERED A CLASS "B" SURVEY.
4. ONLY VISIBLE ROADS, LAKES, DRIVEWAYS, DRAINS, UTILITIES, ETC., OVER AND ACROSS SAID PREMISES ARE SHOWN HEREON.
5. THIS SURVEY WAS PREPARED WITHOUT A CURRENT TITLE REPORT NOR WERE COUNTY RECORDS RESEARCHED FOR EASEMENTS BY THIS SURVEYOR.

REV. DATE	
DATE: 11/22/2023	
DWG #: 22-002_NicholsonAve-ROW	
SCALE: 1" = 30'	
DRAWN BY: MRM	



OFFICE - (228) 467-6755  
EMAIL - admin@chiniche.com  
WEBSITE - www.chiniche.com  
407 HWY. 90,  
BAY ST. LOUIS, MS, 39530

RIGHT OF WAY EXHIBIT OF  
NICHOLSON AVENUE SOUTH OF BLOCK 113,  
BAY ST. LOUIS LAND AND IMPROVEMENT  
COMPANY'S SUBDIVISION OF PART OF THE BAY ST.  
LOUIS LAND AND IMPROVEMENT COMPANY'S FIRST  
ADDITION TO THE CITY OF BAY ST. LOUIS AND  
WAVELAND, HANCOCK COUNTY, MS.  
JOB #: 22-002 SHEET 1 OF 1 FOR: CITY OF WAVELAND



X-V

 $x, y$ 

1

10

1



85



7



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1

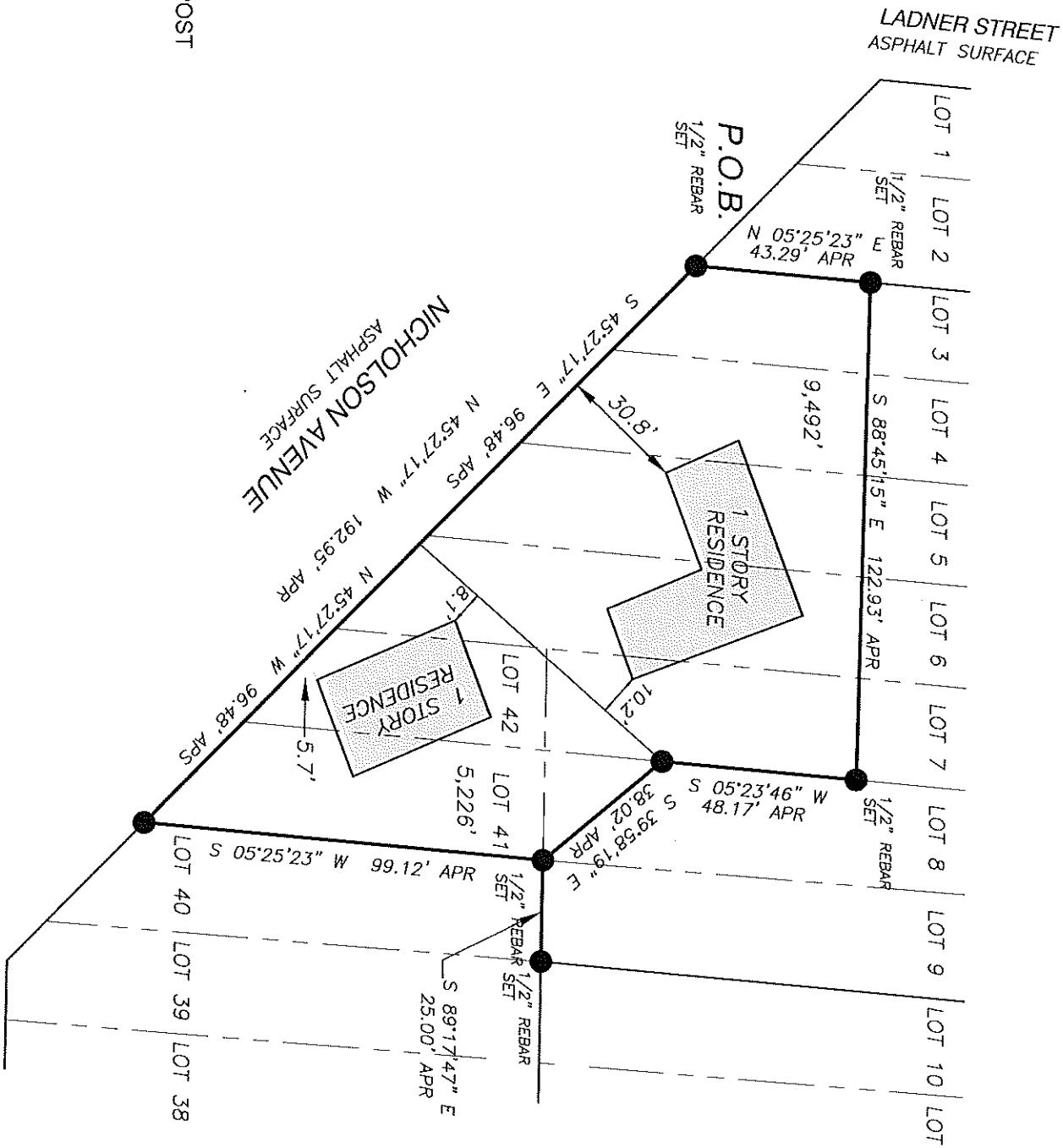
5710

187

187



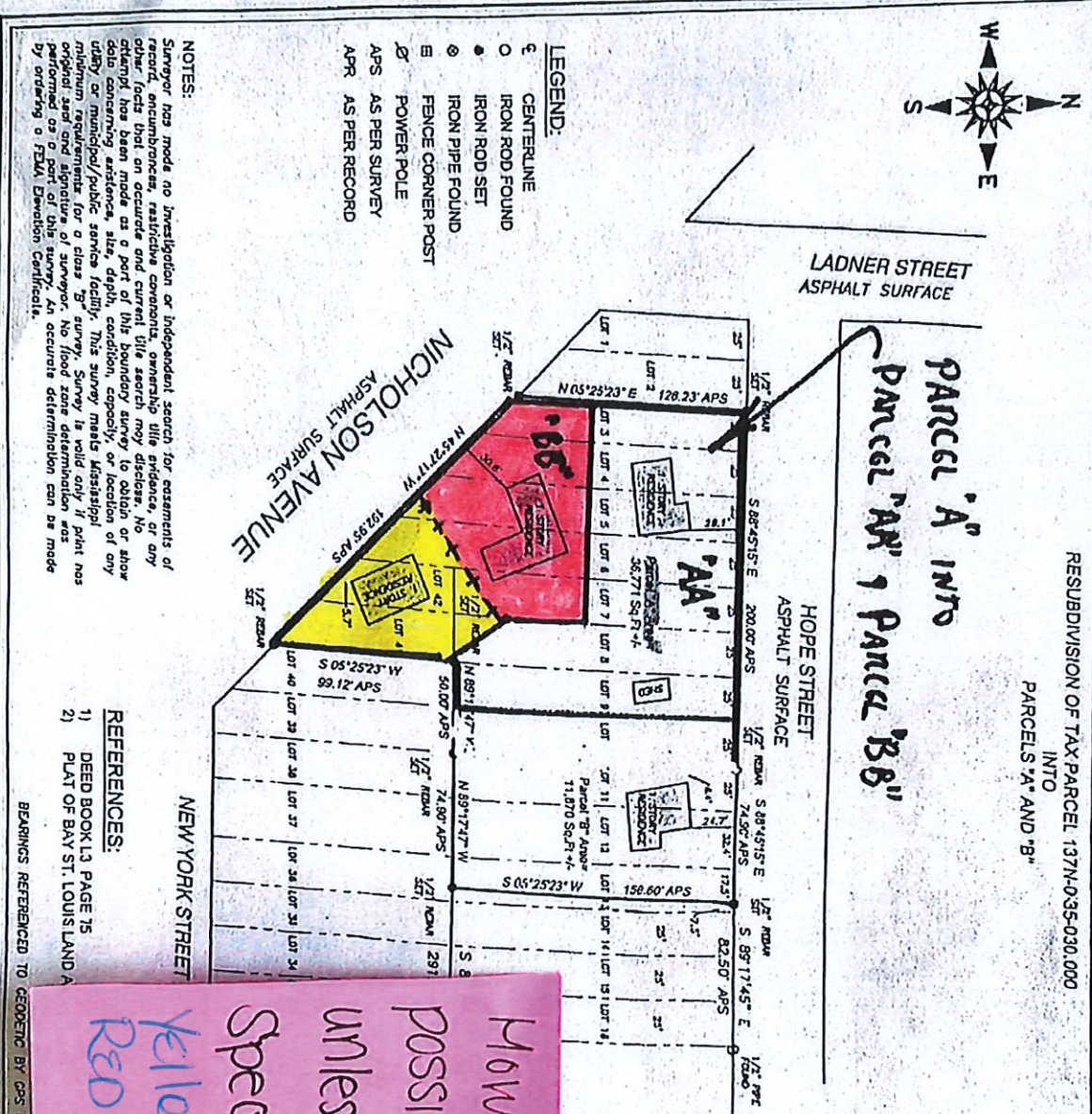




investigation or independent search for easements of restrictive covenants, ownership title evidence, or any urate and current title search may disclose. No

ND  
ND  
R POST  
Y  
D





**NOTES:**  
 Surveyor has made no investigation or independent search for encumbrances of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that on accurate and current title search may disclose. No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or municipal/public service facility. This survey meets Mississippi minimum requirements for a class "B" survey. Survey is void only if plot has original seal and signature of surveyor. No flood zone determination was performed as a part of this survey. An accurate determination can be made by ordering a FEMA Elevation Certificate.

**REFERENCES:**  
 1) DEED BOOK 13 PAGE 15  
 2) PLAT OF BAY ST. LOUIS LAND A

BEARINGS REFERENCED TO GEODETIC BY GPS OBSERVATIONS

PAGE 2 OF 2

DRAWING: WDC 2021-159 CLIENT: Spring Murphy

How we would  
 possibly separate  
 unless otherwise  
 specified.  
 Yellow - 1902  
 Red - 1904  
 Nicholson

LEVY & ASSOCIATES, P.A.  
 4412 LEISURE TIME DRIVE  
 DIAMONDHEAD, MS 39525  
 (228) 343-9691 PHONE



**LEGAL DESCRIPTION: Parcel "A"**  
 A survey of Lots 3 thru 10, inclusive, and all of Lots 4, 1 and 42, Block 113, Bay St. Louis Land and Improvement Company's Subdivision of part of the Bay St. Louis Land and Improvement Company's First Addition to the City of Bay St. Louis and Waveland, Hancock County, Mississippi.

**LEGAL DESCRIPTION: Parcel "B"**  
 A survey of Lots 11 and 12, and the west 17.5 feet of Lot 13, Block 113, Bay St. Louis Land and Improvement Company's Subdivision of part of the Bay St. Louis Land and Improvement Company's First Addition to the City of Bay St. Louis and Waveland, Hancock County, Mississippi.



NOTICED IS HEREBY GIVEN THAT THE WAVELAND PLANNING AND ZONING COMMISSION WILL HOLD A REGULAR MEETING ON MONDAY, **DECEMBER 18TH, 2023 AT 6:00 P.M.** THE PLANNING AND ZONING COMMISSION WILL CONSIDER THE FOLLOWING:

THIS IS ALSO NOTIFICATION THAT THE PLANING AND ZONING COMMISSION IS A RECOMMENDING COMMISSION ONLY. THE WAVELAND BOARD OF MAYOR AND ALDERMEN WILL CONSIDER FINAL APPROVAL OF THE PLANNING AND ZONING COMMISSION ON **TUESDAY, JANUARY 02, 2024 AT 6:30 PM.**

Note: Meetings of the Waveland Planning and Zoning Commission are held in person in the Mayor and Board of Alderman Board Room located on the 1st Floor of City Hall, 301 Coleman Avenue, Waveland, MS 39576.

1. Spring Murphy, owner of the property commonly known as 1902/1904 Nicholson Ave., parcel #137N-0-35-030.001, has made an application for a Variance in order to divide the property into 2 separate parcels. The property is Zoned R-1: Single Family Residential District. Each parcel will have a preexisting house on it. A variance is being requested for +/-3.52 shortage on road frontage for each parcel. Parcel "A" will have 9,492 square feet, Parcel "B" will have 5,226. The applicant is requesting an area size variance, and on Parcel "B" variances of 1.9 feet on the side and 19.3 feet on the front setbacks.

YOU ARE RECEIVING THIS NOTICE EITHER BECAUSE YOU ARE AN ADJACENT PROPERTY OWNER OR LOCATED DIRECTLY ACROSS THE STREET.

IF YOU HAVE QUESTIONS OR CONCERNS, YOU MAY CONTACT GERI BOUCHIE, ZONING OFFICIAL, AT (228)466-2549 OR [GBOUCHIE@WAVELAND-MS.GOV](mailto:GBOUCHIE@WAVELAND-MS.GOV).

ALL INTERESTED PARTIES ARE INVITED TO ATTEND AND PARTICIPATE AND MAY SUBMIT WRITTEN SUGGESTIONS BY THURSDAY, DECEMBER 14, 2023 BY 12:00 p.m. CST.







Dec 4, 2023 at 12:51:58 PM  
Waveland

2021 8443  
Recorded in the Above  
Deed Book & Page  
06-01-2021 12:21:30 PM  
Timothy A Kellar  
Hancock County

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

Grantor:  
**Charlotte A. Tartavouille**  
1200 St. Joseph Street  
Waveland, MS 39576  
(228) 216-6926

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

Grantee:  
**Spring Steadman Murphy**  
1408 Chickasaw Avenue  
Metairie, LA 70005  
(504) 473-5803

File No. B212237S

ACKNOWLEDGEMENT

**INDEXING INSTRUCTIONS:** Lots 3-9, 41 & 42, Blk 113, Bay St. Louis Land and Improvement Company's S/D, Hancock County, MS

STATE OF MISSISSIPPI  
COUNTY OF HANCOCK

**WARRANTY DEED**

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

**LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"**

This being the same property as that conveyed to Charlotte A. Tartavouille, by instrument recorded in Deed Book 2021 at Page 2703, Land Deed Records of Hancock County, Mississippi.



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

Grantor quitclaims any and all oil, gas, and other minerals owned, if any, to Grantee. No mineral search was requested or performed by preparer.

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

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

WITNESS MY SIGNATURE, on this the 26<sup>th</sup> day of May, 2021.

Charlotte A. Tartavouille  
Charlotte A. Tartavouille

#### ACKNOWLEDGMENT

STATE OF MISSISSIPPI  
COUNTY OF HANCOCK

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Charlotte A. Tartavouille, who acknowledged before me that they signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 26<sup>th</sup> day of May, 2021.

(AFFIX SEAL)



My commission expires:

Vicki R. Ladner  
NOTARY PUBLIC

DEED ACCEPTED BY:

384  
Spring Steadman Murphy, Grantee

## Payment Successful

Thank you for your one time online payment to City of Waveland Building and Zoning. Please note that your billing statement will reflect TWO charges, one from Nexbillpay for the payment FEE and one from City of Waveland Building and Zoning for the PAYMENT AMOUNT. If you have questions about this online transaction, please contact Nexbillpay at the contact information below.

### Online Payment Questions

Nexbillpay

2416 Greensprings Hwy.

Birmingham, AL 35209

800-639-2435, Option 4

[info@nexbillpay.com](mailto:info@nexbillpay.com)

### Statement or Billing Questions

City of Waveland Building and Zoning

301 Coleman Avenue

Waveland, MS 39576

228-466-2549

**Below is a copy of the information you submitted. Save or print a copy of this page for your records.**

Payment date: 11/15/2023

Department: variance

Name:

*Spence Murphy*

Card number: XXXX2013

Customer number: 1

Amount applied to bill: \$75.00

Service fee: \$2.50

Payment total: \$77.50      Confirmation Number: D7K68H