

CITY OF WAVELAND
PLANNING & ZONING COMMISSION
AGENDA
NOVEMBER 14TH, 2022 6:00 PM

1. Call to Order / Roll Call.
2. Motion to approve the minutes from the Planning & Zoning Meeting held Monday, October 17, 2022.

Darren Dueitt, owner of a property on Hoffman Ln., parcel #161B-2-02-134.000, has made an application for a Re-subdivision and variances for the new proposed lots. The proposed lot split will create 5 new buildable properties. Proposed parcel A needs a one-hundred (100) variance on the street frontage as it will share an access easement with proposed parcel B. Proposed parcel B needs a fifty (50) feet variance on the street frontage. Proposed parcels C & D do not need any variances because they both meet the requirements set forth in Zoning Ord. #349. Proposed parcel E needs an eighty (80) feet variance on the street frontage.

3. Vinnie Bonadona, owner of the property commonly known as, 321 Hillcrest St., parcel #161E-0-02-075.000, has made an application of a Conditional Use for an Accessory Structure over 500 square feet. The applicant is requesting to construct an accessory structure of 1,120 square feet to be used for storage.
4. Bill Ivey, owner of the property commonly known as 316 Hoffman Ln., parcel # 161C-0-02-212.003, has made an application for a variance of one (1) foot from the right-side property line. The request is to be eleven and a half (11.5) feet from the right property line in order to construct a new single family residential home.
5. Linda and Michael Hannan, owners of the property commonly known as 136 Lakewood Dr., parcel #161B-2-01-023.000, have made an application for a five (5) feet variance in order to construct a porch addition. The request is for the back corner of the porch to have a 20 foot setback from the rear property line.
6. Cindi & Gregory Poindexter, owners of the property commonly known as 105 Venus St., parcel #162A-0-03-122.000, have made an application for the temporary use of an RV during new construction of their primary home. The RV will be allowed temporary occupancy for 180 days. The applicants have also made a request for a variance on the maximum height requirement for an accessory structure to house the RV. The request is for a one (1) foot variance in order to have the accessory structure height at sixteen (16) feet in height.
7. Julie & Todd Navarro, owners of the property commonly known as 120 Favre St., parcel #161M-0-11-063.000, have made an application for multiple variances on the property in order to construct a new single family residential home. The requests are five (5) feet variances from the front and rear yard setbacks and two and a half (2.5) feet variances on both side yard setbacks. The new setbacks will be twenty (20) feet from the front and rear property lines and ten (10) feet from both side property lines.

8. Julie & Todd Navarro, owners of the property commonly known as 302 Fink St., parcel # 162K-0-10-134.000, have made an application for multiple variances on the property in order to construct a new single family residential home. The requests are five (5) feet variances from the front and rear yard setbacks and two and a half (2.5) feet variances on both side yard setbacks. The new setbacks will be twenty (20) feet from the front and rear property lines and ten (10) feet from both side property lines.
9. Bernard Construction, representative Shane Bernard, owner of the property commonly known as 101 N Beach Blvd., parcel # 161E-0-02-127.000, has made an application for a variance on the front setback requirement for a beach front property and a variance request for the minimum parking space requirement for a lounge/bar. The front setback request is for a forty-two (42) feet variance in order for the front of the structure to be eight (8) feet from the front property line. This is to preserve a Live Oak tree on the property. The parking space request is to have ten (10) parking spaces under the structure. This meets the parking requirements for the condos but not for the lounge/bar. This is due to the parking bays on Coleman Ave. allowing for public parking.
10. Comments from Chair, Commissioners, & Staff
11. Public Comments to the Commissioners
12. Adjourn: AT _____ P.M.

MINUTES
WAVELAND PLANNING & ZONING COMMISSION
REGULAR MEETING
OCTOBER 17, 2022

A regular meeting of the Waveland Planning & Zoning Commission was held at 6:00 pm on Monday, October 17, 2022 at Waveland City Hall in the Board Room located at 301 Coleman Ave, Waveland, MS 39576.

Chairman Jim Meggett was not present; therefore, Commissioner Mike Adams conducted the meeting. Commissioner Mike Adams called the meeting to order at 6:02pm. Present at the meeting were Commissioners Mike Adams, Clarence Harris (via phone), Bryan Frater and, newly appointed, Gary Catalano. Also present were Zoning Manager, Jeanne Conrad and City Attorney, Malcolm Jones.

Commissioner Adams called for a motion to approve the minutes from the Planning & Zoning Meeting held on Monday, September 19, 2022. Commissioner Adams moved, seconded by Commissioner Frater to approve the minutes.

After a unanimous vote by all commissioners present, with Commissioner Catalano abstaining, the motion was passed.

William MaGee, owner of the property commonly known as 127 Aiken Rd. parcel #161B-2-01-006.001, has made an application for a Rear-Yard Variance of five (5) feet which would result in twenty (20) feet rear-yard setback in order to construct a new single-family residence.

Kelly Ladner, contractor for the property owner, came forward to represent the applicant and explain the request. After discussions between Mr. Ladner and the Commission, Commissioner Adams asked if anyone would like to come forward to comment on the request.

Beverly Coleman, owner of 129 Aiken Rd., and Betty Hawkins, owner of 124 Aiken RD., both came forward to explain their opposition to the variance request.

Kelly Ladner came back to the podium to answer more questions and to reply to the opposing parties.

After more discussion between the Commission, the applicant representative, and the opposing parties, Commissioner Adams made a motion to approve the variance request as written. Commissioner Frater seconded the motion.

After a unanimous vote of yea by all commissioners present, Commissioner Adams stated that the variance request meets all conditions and criteria set forth by section 906.1 of the zoning ordinance and declared the motion passed.

Cindi Poindexter, owner of the property commonly known as 105 Venus St. parcel # 162A-0-03-122.000, has made an application for a conditional use in order to have an accessory structure over 500 square feet. The proposed accessory structure will be 900 square feet used for storage.

Cindi Poindexter came forward to explain her request. It was mentioned that the applicant is wanting to use their RV as temporary occupancy during the construction of their new primary residence. Zoning Administrator, Jeanne Conrad, stated that no application was made for the temporary use of an RV for this

meeting. The applicant also showed the Commissioners what the structure will look like with a picture. After discussions between the applicant and the Commission, the height of the structure might need a variance, as well. The applicant stated that she would bring the paperwork for both applications up to City Hall the next day and she would be able to be on the agenda for the next Planning & Zoning Hearing on November 14, 2022.

Zoning Administrator, Jeanne Conrad, made a suggestion to get a letter notarized stating the applicant will not change the use of the RV sewer hookup for occupancy in the RV after the 180 days permit. City Attorney, Malcolm Jones stated that they would fill out a Non-Conversion Agreement.

After all discussions between the applicant and the commission, Commissioner Adams called for anyone in the audience to come and speak for or against the application. No one came forward from the audience.

Commissioner Adams made a motion to accept the application as written with the condition that the RV not be used as a dwelling in the future by filing a non-Conversion agreement with the City of Waveland. Commissioner Adams also stated that the application meets all conditions and criteria set forth in section 906.3 of the zoning ordinance. Commissioner Frater seconded the motion.

After a unanimous vote of yea by all commissioners present, Commissioner Adams declared the motion passed.

Roger & Donna Estopinal, owners of the property commonly known as 534 Meadow Ln., parcel # 161D-0-02-022.000, along with Jim Breland, owner of the property commonly known as 530 Meadow Ln., parcel # 161D-0-02-021.000, have made an application for variances in order to decrease Mr. Breland's property width and increase the property width for Mr. & Mrs. Estopinal. Mr. Breland's property would decrease by nineteen (19) feet in lot frontage, resulting in eight-one (81) feet. Mr. & Mrs. Estopinal would increase their property's frontage by nineteen (19) feet which would result in sixty-nine (69) feet. Mr. Breland would not need a variance on property square footage due to the size. Mr. & Mrs. Estopinal require an extra variance because the frontage increase is not enough to reach the minimum 12,000 square feet as stated in Ordinance #349.

Commissioners Adams & Frater requested clarification that there are 3 variances being asked with this application. Commissioner Adams explained the 3 variances that are being requested. The frontage of 534 Meadow Ln., the lot square footage of 534 Meadow Ln., and the frontage of 530 Meadow Ln. Zoning Administrator, Jeanne Conrad, verified that what Commissioner Adams stated was correct.

Roger Estopinal came forward to explain the request for his property as well as the property next door which he will be buying a section from the Owner, Jim Breland.

Once discussions between the applicant and the Commission was complete, Commissioner Adams called for anyone to speak for or against the application request. No one came forward from the audience.

Commissioner Catalano made a motion to accept the application, seconded by Commissioner Frater. Commissioner Adams stated that by accepting the application, all conditions and criteria of section 906.1 of the zoning ordinance have been met.

After a unanimous vote of yea by all commissioners present, Commissioner Adams declared the motion passed.

Commissioner Adams called for any comments from the Commissioners and staff. Commissioner Frater made a comment to City Attorney, Malcolm Jones, about increasing the maximum square footage for an accessory structure to 900 square feet instead of the current 500 square feet as stated in Zoning Ordinance #349.

Next, Welcome to Mr. Gary Catalano as Commissioner for Ward 4 as newly appointed by Mr. Charles Piazza, Alderman for Ward 4. Mr. Jones stated that the appointment did not need to be verified by the Board but it will be spread on the minutes of the board of Mayor and Aldermen at the next Board Meeting on October 19, 2022 at 6:30 in the Board Room of City Hall.

Mr. Jones also asked that the Commissioners check their calendars for the next 4 months of meetings to make sure they will be in town as the holidays approach in order to confirm a quorum for each of the meetings.

The next discussion was held about a "Short-Term Rentals" ordinance that the City of Waveland could be utilizing. Mr. Jones stated that he would send the Commission Ordinances from other municipalities that have ordinances enforcing "Short-Term Rentals" regulations to look at for examples.

After all discussions and comments were completed between the Commissioners, Mr. Jones and Ms. Conrad, there was no one left in the audience to make public comments to the Commissioners.

Commissioner Mike Adams made a motion to adjourn the meeting. Commissioner Frater seconded the motion to adjourn the meeting.

After a unanimous vote by all commissioners present to adjourn the meeting, Commissioner Adams declared the motion passed and the meeting adjourned at 7:04 pm.

Respectfully submitted,

Jeanne Conrad, Zoning Administrator

Item #3

Darren Dueitt

Parcel #161B-2-02-134.000

Hoffman Ln

Re-Subdivision & Variances

Creation of 5 new properties on Hoffman Ln. with street frontage variances for Proposed Parcels A, D, & E.

****Parcels B & C do not need variances. Street frontage & lot square footage meet zoning requirements.****

WAVELAND

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 addresses 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 last Monday of the month. Please call the Building and Zoning Office for submittal deadlines and the dates of the Meetings. You can also go to the City of Waveland website at: <http://waveland.ms.gov/administration/planning-and-zoning/>.

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

Name of Applicant: Darren S. Duett Date of Application: 9/26/22
Phone#: [REDACTED] E-mail (optional): [REDACTED]
Property Physical Address(s) or Parcel #(s): Hoffman Lane - Multiple Parcels
Current Zoning of Property: R-1 161B-2-02-134.000
Proposed Variance: Street Frontage for 2 parcels (80' and 50')
Applicant Signature: Darren S. Duett Date: 9/26/22
J. M. Cul, zoning Admin 10/20/22

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.

Darren S. Dueitt
P. O. Box 2279
Bay Saint Louis, MS 39521
Ph: [REDACTED]

Request for Variance (properties on Hoffman Lane without
100' street frontage)
See attached plot plans for details:

Letter of Intent:

- 1) Create residential building lot per legal description of Parcel "E" prepared by Duke Levy Associates in attached plot plan using existing 20' easement on Hoffman Lane.

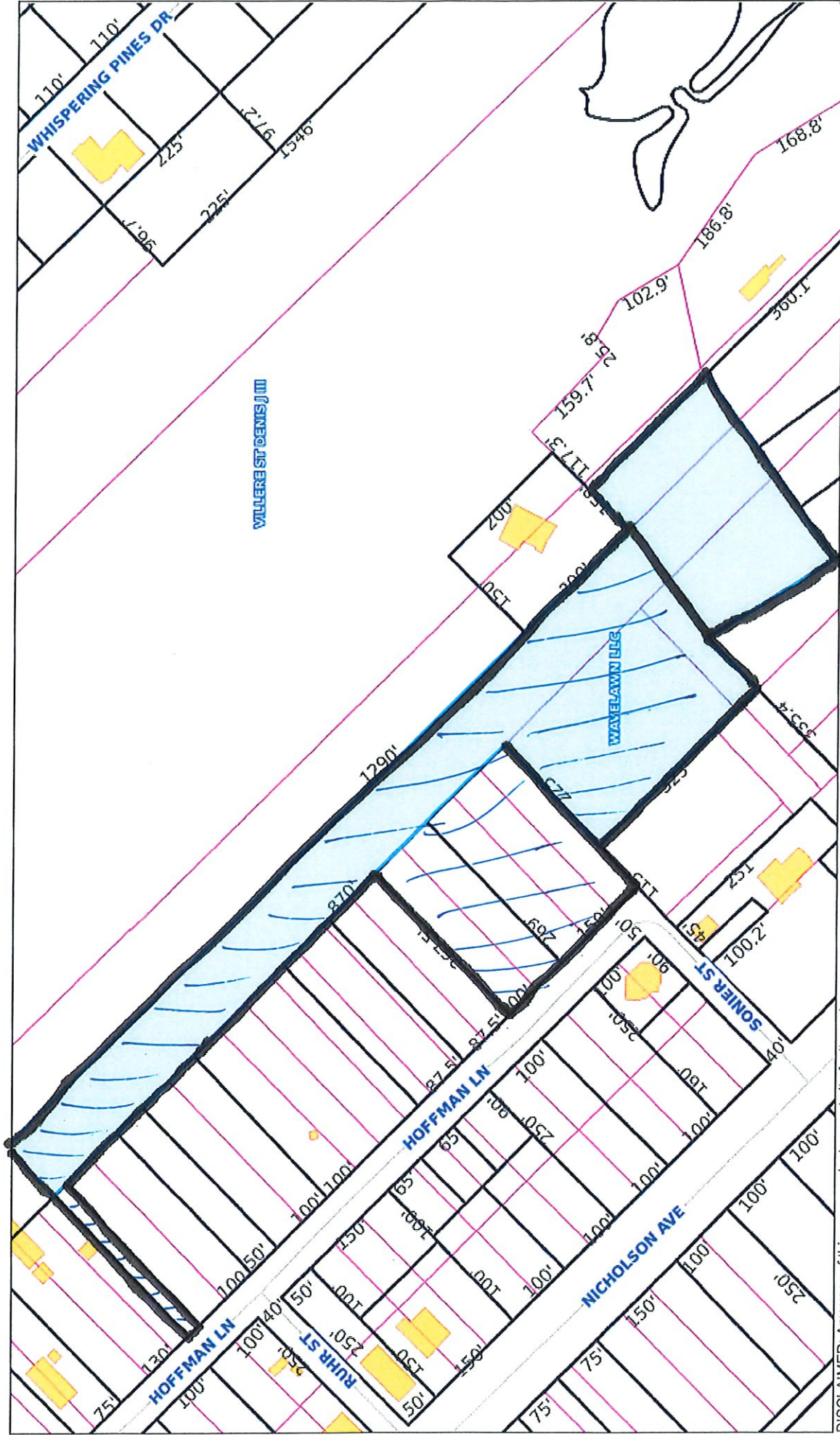
- 2) Create 2 residential building lots per legal descriptions of Parcel "A" and of Parcel "B" prepared by Duke Levy Associates in attached plot plan using existing 50' easement on Hoffman Lane. Shared easement from Parcel "B" to Parcel "A" will be approximately 25' X 70' using existing driveway on Hoffman Lane.

Geoportal Map



DISCLAIMER: Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider carefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn from, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.

Geoportal Map



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Item #4

Vincent Bonadona

321 Hillcrest St.

Conditional Use

Proposed Accessory structure of 1,120 sq ft.



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

Application for Conditional Use

302.16 Conditional Use: A conditional use is a use that would not be appropriate generally or without restriction through the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning districts as conditional uses, if specific provisions for such conditional use are made in this zoning ordinance.

Name of Applicant: Vinnie Bonadona Date of Application: 9/27/22
Phone#: [REDACTED] E-mail (optional): [REDACTED]
Property Physical Address(s) or Parcel #(s) 321 Hillcrest St - Waveland, MS
Current Zoning of Property and Proposed Conditional Use: 28x40 GARAGE

(Note: To submit a Conditional Use Application you must provide proof of current ownership or a document from the current owner granting you permission to seek a Conditional Use (specific to use) for this property.)

906.3 Conditional Uses: Subject to the provisions of Sections 901 and 902 of this Article, the Planning and Zoning Commission shall set a hearing and make a recommendation to the Board of Mayor and Aldermen to grant a conditional use for the uses enumerated as conditional uses in any district as herein qualified and may impose appropriate conditions and safeguards including a specified period of time for the use to protect property and property values in the neighborhood.

Applications for conditional use for uses authorized by this Ordinance shall be made to the Planning and Zoning Commission. A public hearing shall be held, after giving at least fifteen (15) days' notice of the hearing in an official paper specifying the time and place for said hearing. The application shall be specified by the governing authority. The Planning and Zoning Commission will investigate all aspects of the application giving particular regard to whether such use will:

1. Substantially increase traffic hazards or congestion.
2. Substantially increase fire hazards.
3. Adversely affect the character of the neighborhood.
4. Adversely affect the general welfare of the city.
5. Overtax public utilities or community facilities.
6. Be in conflict with the Comprehensive Plan.

If the findings by the Planning and Zoning Commission relative to the above subjects are that the City would benefit from the proposed use and the surrounding area would not be adversely affected, then the Commission may recommend the project for approval to the Board of Mayor and Aldermen.

B. Any proposed conditional use shall otherwise comply with all regulations set forth in this Zoning Ordinance for the district in which such use is located.

Please provide a letter providing as much detail as possible regarding the proposed Conditional Use, including but not limited to description of purpose of the conditional Use. Please review the above items regarding what the Planning and Zoning Commission will consider, and if applicable address any of the items in your letter).

Applicant Signature: [Signature] Date: 9/27/22
Zoning Official Sign-Off: J. M. Col Date: 9/27/22

9/27/22

I, Vinnie Bonadona, Am

Requesting Conditional use Approval

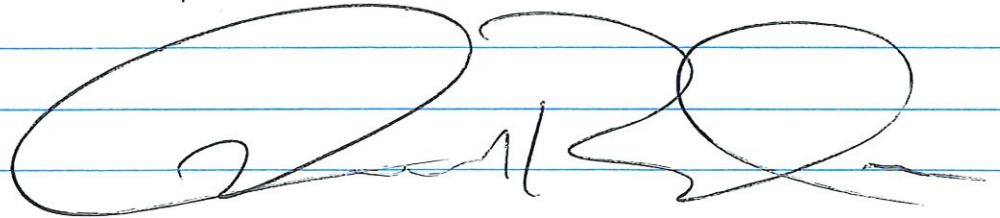
for a new construction home

with a Detached 28x40 Garage

To Be used to Store vehicles, Lawn

Equipment : golf cart.

Thank you,

A large, stylized handwritten signature in black ink, appearing to read 'Vinnie Bonadona'.

2022 617
Recorded in the Above
Deed Book & Page
01-11-2022 12:32:09 PM
Timothy A Keller
Hancock County

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

Grantor:
Matthew B. Wolf

[REDACTED]

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

Grantees:
Vincent M. Bonadona Jr.
Tania Bonadona

[REDACTED]

File No. B213028S

INDEXING INSTRUCTIONS: Lots 10-12, Blk 4, Waveland Terrace S/D, Town of Waveland, 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, **Matthew B. Wolf**, do hereby sell, convey and warrant unto **Vincent M. Bonadona Jr. and Tania Bonadona**, as joint tenants with right of survivorship and not as tenants in common, 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:

Lots 10, 11 and 12, Block 4, Waveland Terrace Subdivision, Town of Waveland, a subdivision according to the map or plat thereof on file and of record in the office of the Chancery Clerk of Hancock County, Mississippi, in Plat Book B-5, at Page 520.

This being the same property as that conveyed to Matthew B. Wolf, by instrument recorded in Deed Book 2010, Page 15542, 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(s) quitclaim any and all oil, gas, and other minerals owned, if any, to Grantee(s). 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 of 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 7 day of JANUARY, 2022 *gr*

Matthew B. Wolf
Matthew B. Wolf

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF HARRIS

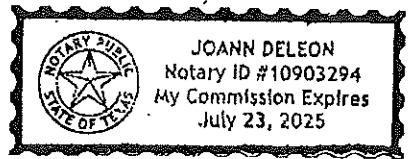
PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **Matthew B. Wolf**, who acknowledged before me that he signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 7 day of January, 2022 *gr*

(AFFIX SEAL)

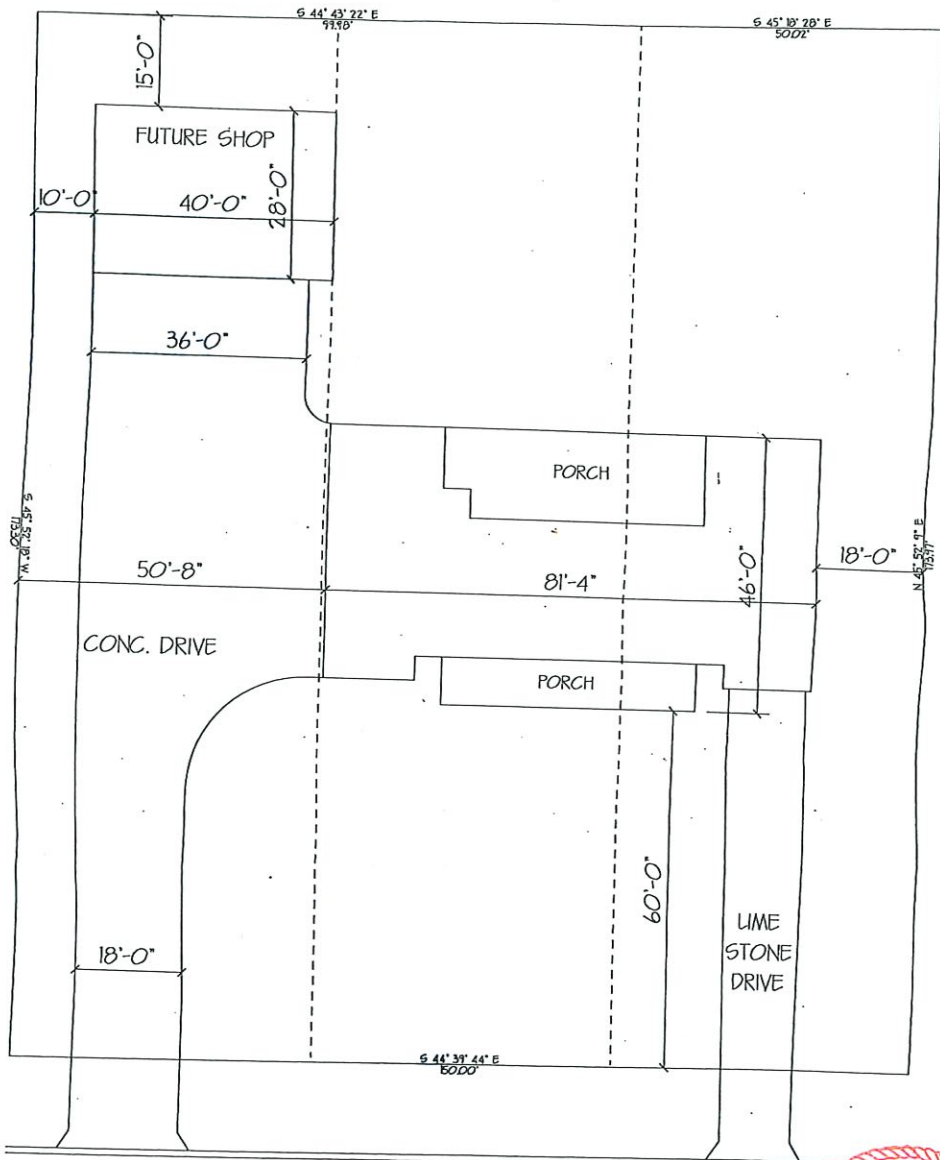
Joann DeLeon
NOTARY PUBLIC

My commission expires: 7/23/2025



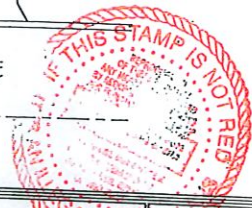
Hancock County
I certify this instrument was filed on
01-11-2022 12:32:09 PM
and recorded in Deed Book
2022 at pages 617 - 618
Timothy A Keller

LOTS 10, 11, 12



THE SETBACKS AND RESTRICTIONS SHOWN ON THIS PLOT PLAN ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED TO US. DESIGNTECH RECOMMENDS THAT SETBACKS AND LOT DIMENSIONS BE CONFIRMED BY PROFESSIONAL LAND SURVEYOR AND, OWNER BEFORE LOCATION OF BUILDING IS ESTABLISHED.

HILLCREST AVENUE



MEMBER A B D®	PLANS FOR: VINCENT & TONIA BONADONA LOT 10, 11, 12, WAVLAND TRACE HANCOCK COUNTY, MS.	DESIGNTECH RESIDENTIAL PLANNERS, INC. St. Tammany Parish, LA. WEB ADDRESS designtechusa.com	DATE 8-1-22		
LOOD ZONE C	PLOT PLAN	CODE	LIVING	AREA U.B.	INDEX
WIND ZONE 30 MPH	SCALE 1" = 20'-0"	A4	2584	3627	12783

R319 PROTECTION AGAINST DECAY

1. LOCATION REQUIRED IN AREAS SUBJECTED TO DECAY DAMAGE AS ESTABLISHED BY TABLE R301.2 (1), THE FOLLOWING: THE USE OF AN APPROVED SPECIES AND GRADE OF LUMBER, PRESSURE TREATED IN ACCORDANCE WITH AWPA C28, C31, C33, P1, P2, P3, OR DECAY-RESISTANT HEARTWOOD OF REDWOOD, BLACK LOCUST, OR CEDARS.

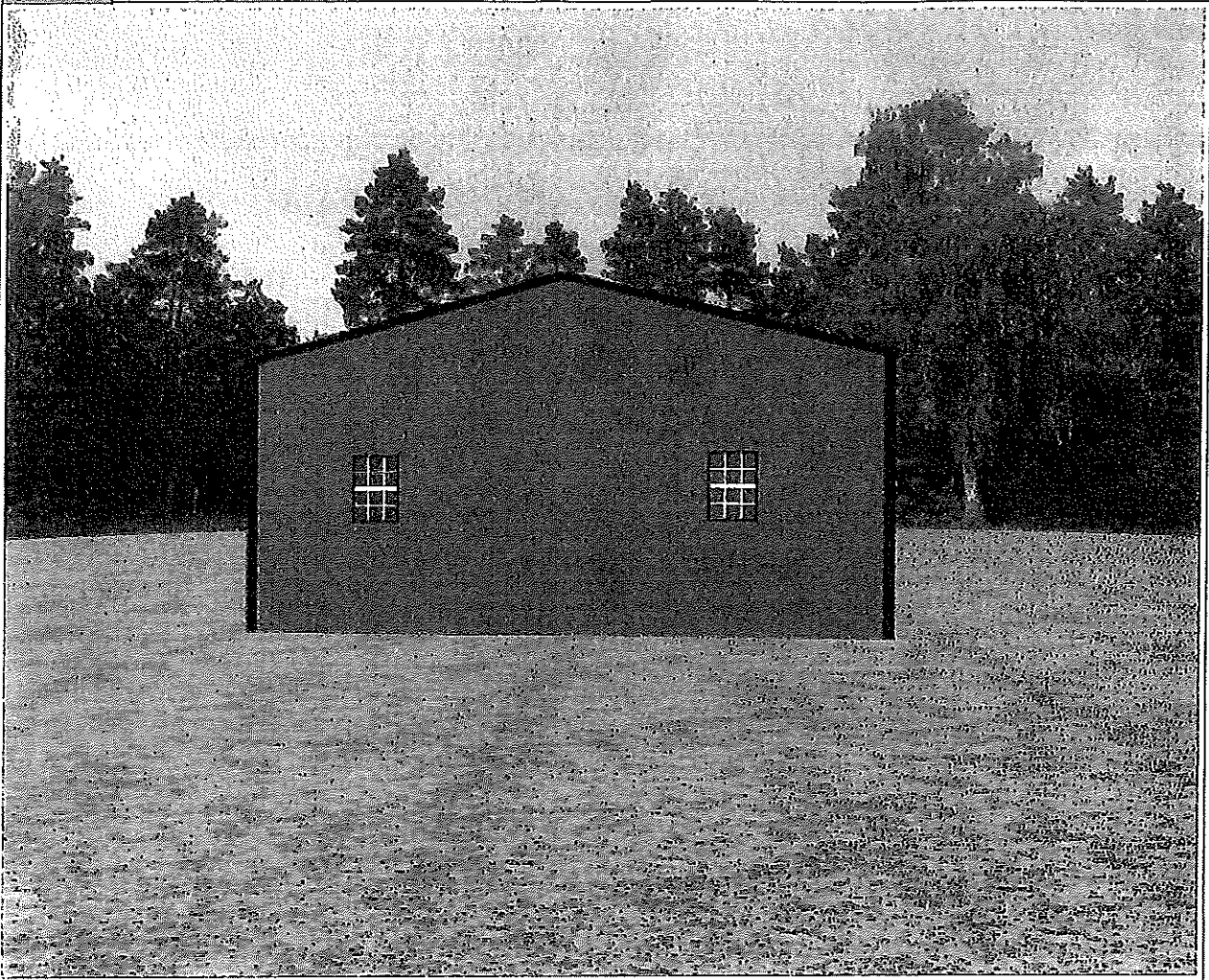
R320 PROTECTION AGAINST TERMITES

1. TERMITE PROTECTION SHALL BE PROVIDED BY REGISTERED TERMITICIDES, INCLUDING SOIL APPLIED PESTICIDES TO WOOD, OR OTHER APPROVED METHODS OF TERMITE PROTECTION LABELED FOR USE AS A PREVENTIVE TREATMENT (REGISTERED TERMITICIDES) UPON COMPLETION OF THE APPLICATION OF THE TERMITICIDE.



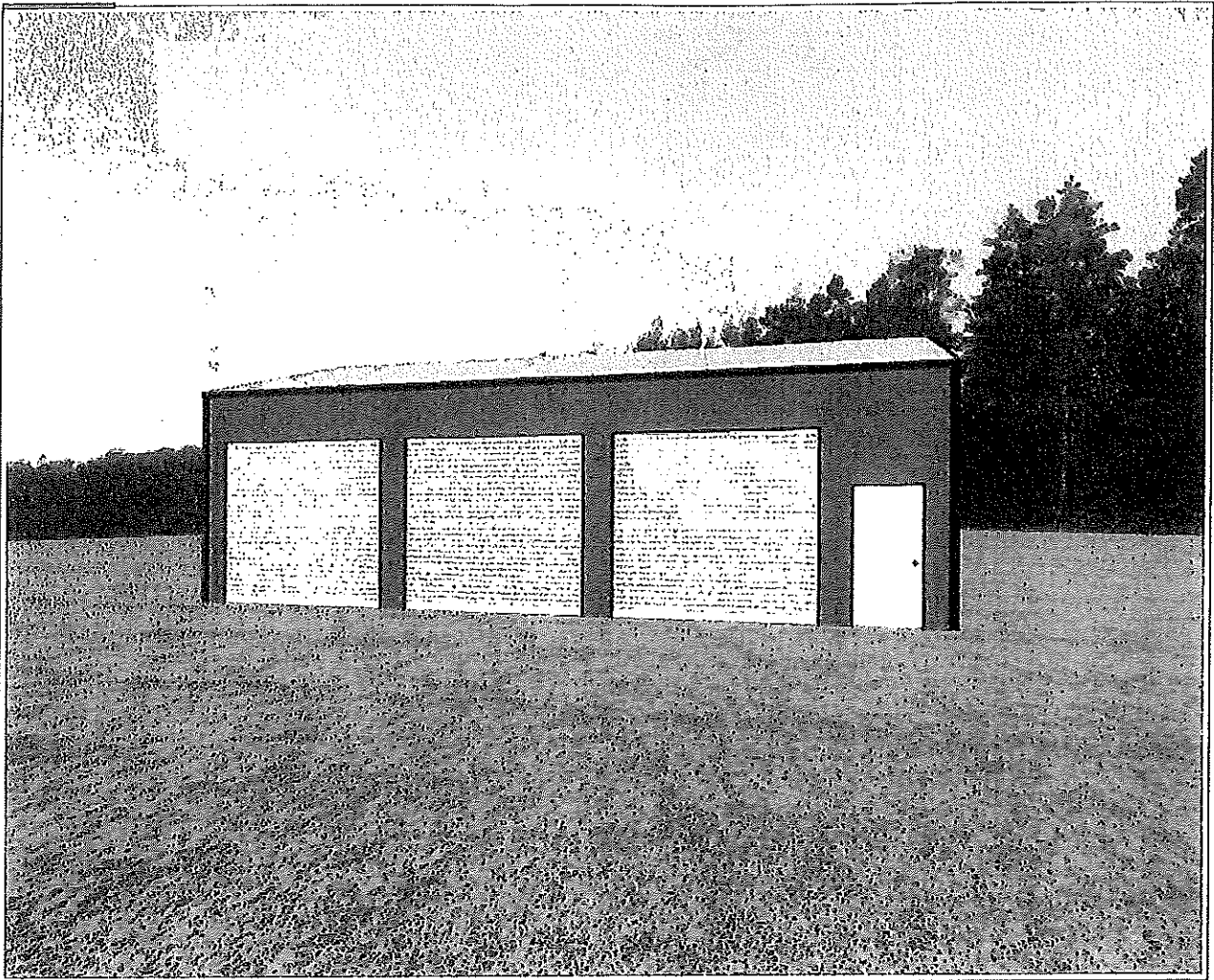
207 Direct | 985-582-0940 Cell | 985-801-1001 Fax
www.resourcebank.com

BUILDING VIEW



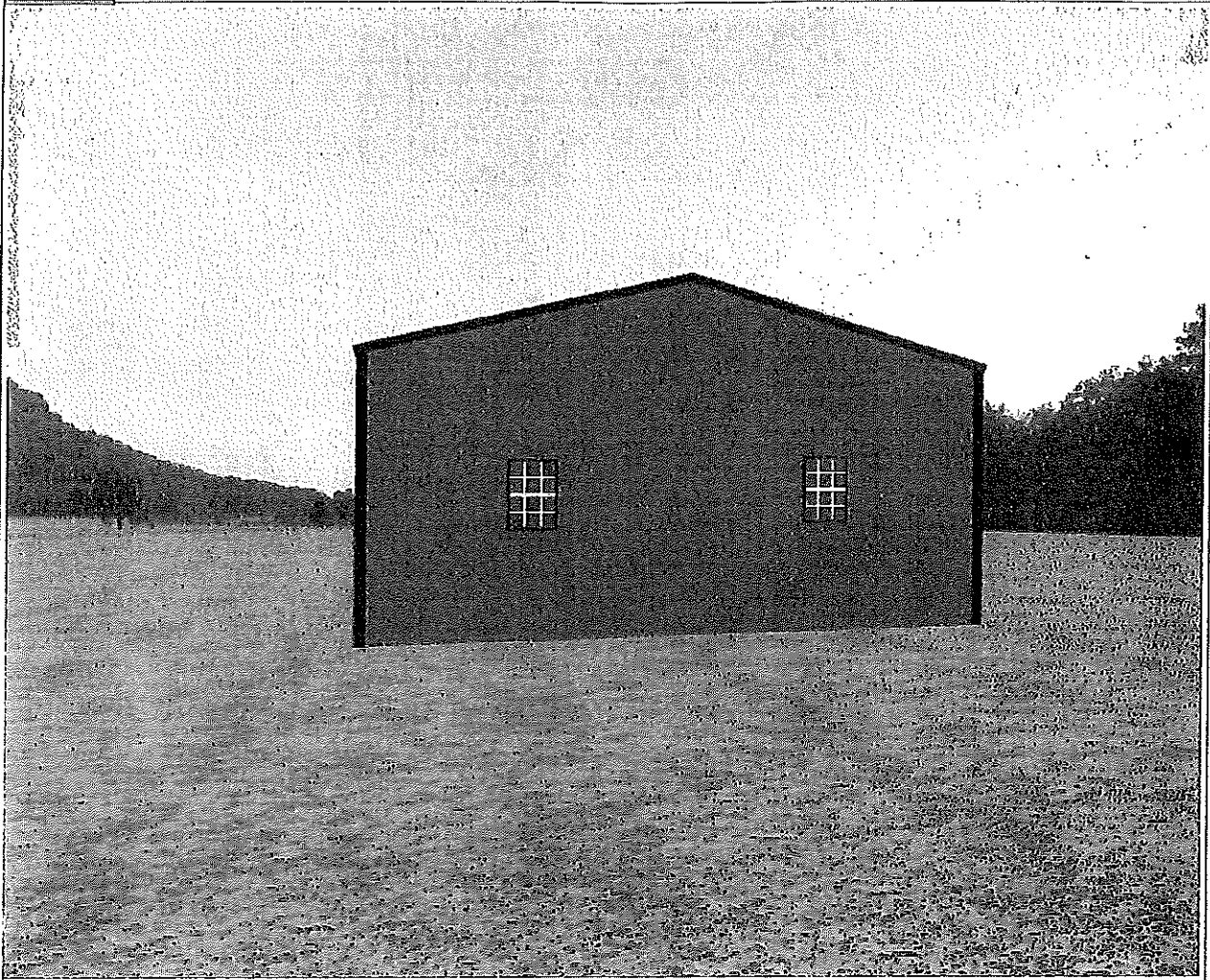
VIEW IMAGE 1

BUILDING VIEW



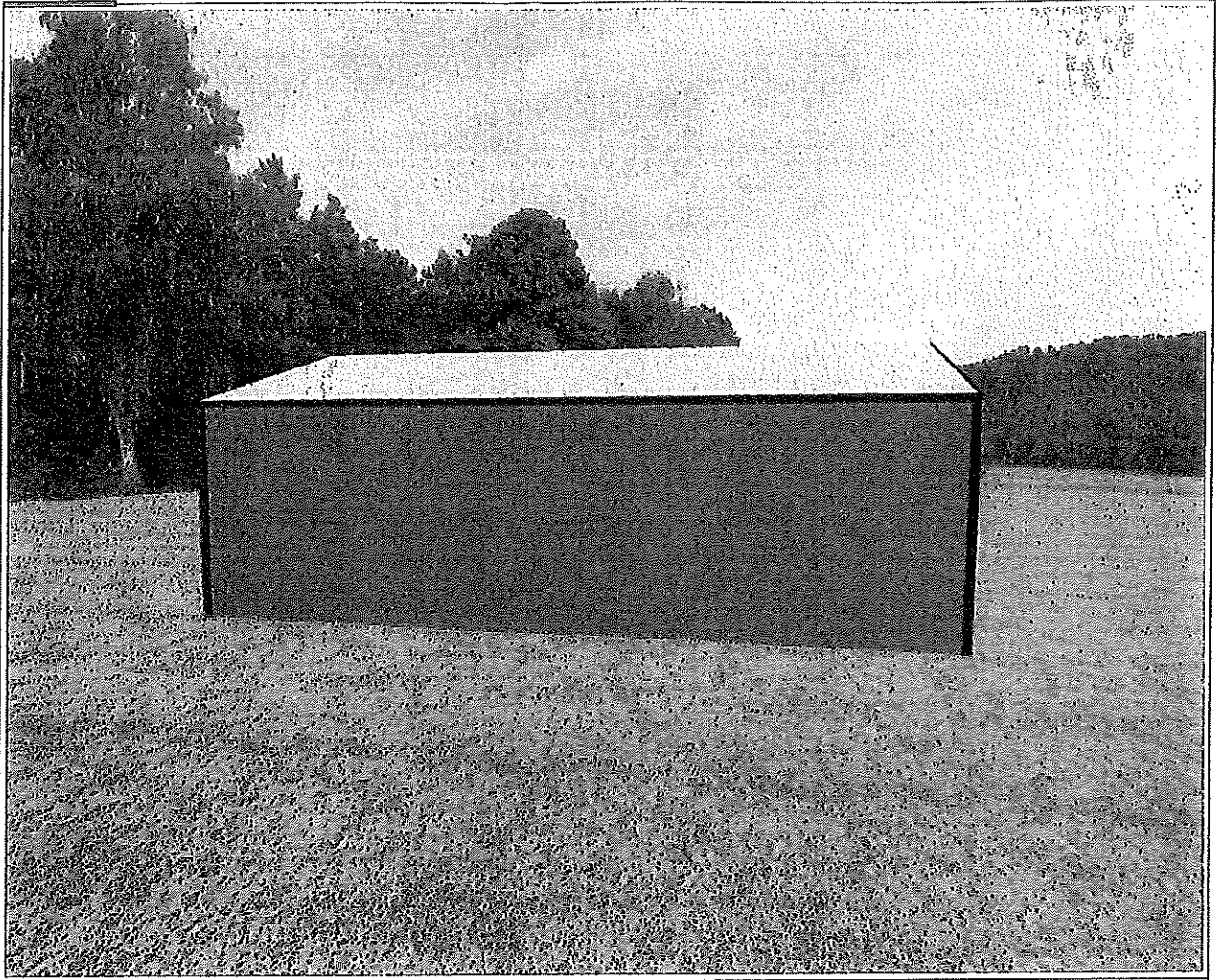
VIEW IMAGE 2

BUILDING VIEW



VIEW IMAGE 3

BUILDING VIEW



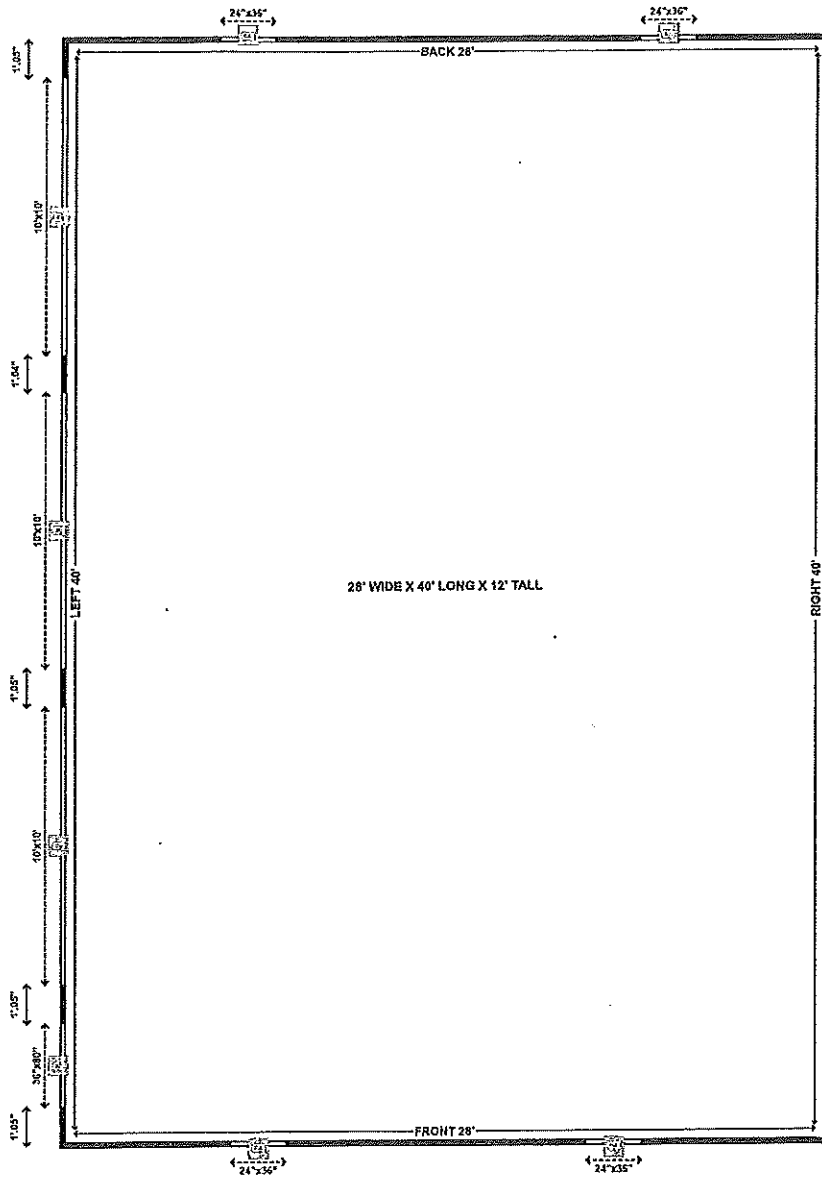
VIEW IMAGE 4

BUILDING VIEW

Legends

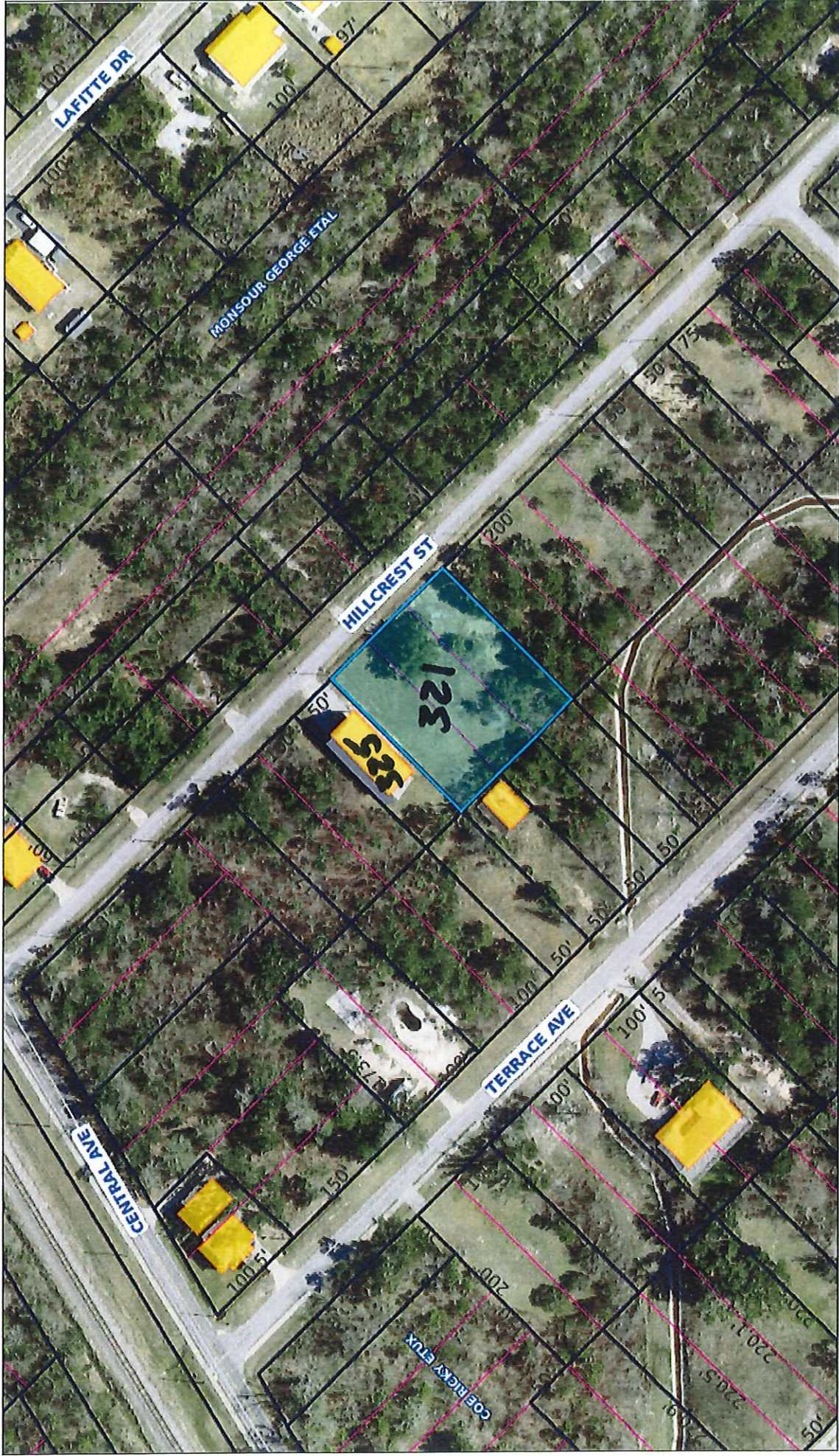
☐ Garage Door ☐ Garage Door Frameout ☐ Walk in Door ☐ Walk in Door Frameout ☐ Windows ☐ Windows Frameout ||||| Open Wall ■ Closed Wall ↔ Distance

SL Storage Length(Utility)



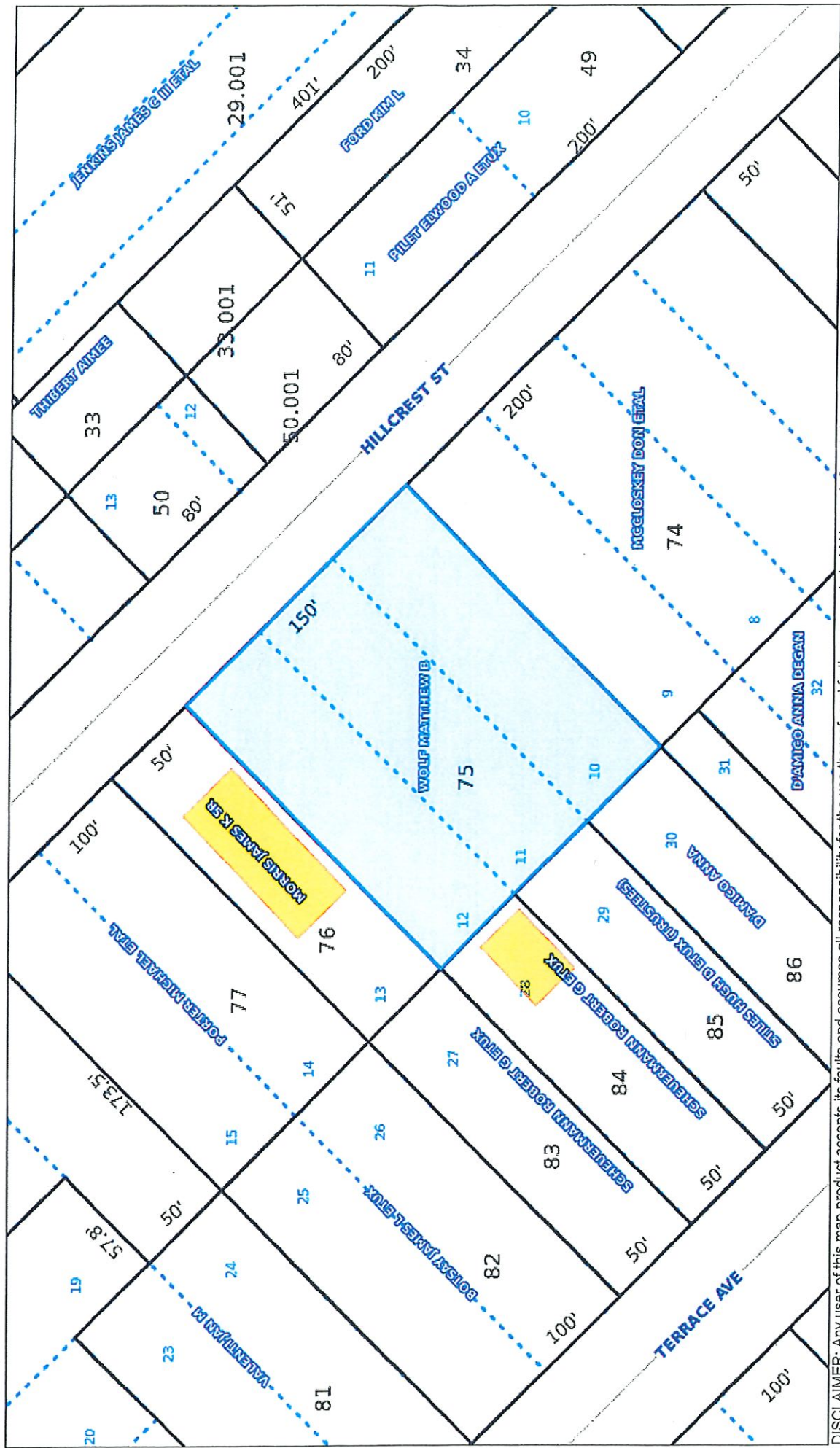
2D LAYOUT

Geoportail Map



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Geoportal Map



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Item #5

Kenneth Monti (Property Owner)

Bill Ivey (Contractor/Applicant)

316 Hoffman Ln.

Variance

1' Variance request for Right Side-Yard for the construction of a new single family residential house.



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.
3. A fee of Seventy-five (\$75.00) Dollars, payable in advance to help defray the expense of advertising and processing.

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: Billy Date of Application: 10/20/22
Phone#: [REDACTED] E-mail (optional): [REDACTED]
Property Physical Address(s) or Parcel #(s): 316 HOFFMAN LANE
Current Zoning of Property: R-1
Proposed Variance: 8" from Right Side-Yard
Applicant Signature: [Signature] Date: 10/20/22

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.

Applicant Signature: 

Date: 10/20/22

Zoning Official Sign-Off: 

Date: 10/24/22

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

Jeanne Conrad
 Zoning Department
 (228) 466-2549
jconrad@waveland-ms.gov

October 20, 2022

To Whom It May Concern:

Ref: 316 Hoffman Lane

We would like to ask for a variance of 8" on this property. This would allow our home to be built on this 50' wide parcel of land. We have searched and searched for plans that would accommodate a nice 3 bedroom / 2 bath home, and when we found this particular plan, it was perfect for this location. Our home would be 25'8", therefore not allowing us to meet the current setback of 12'6". We also plan on adding numerous live oaks to the property to make it blend in with the surrounding area.

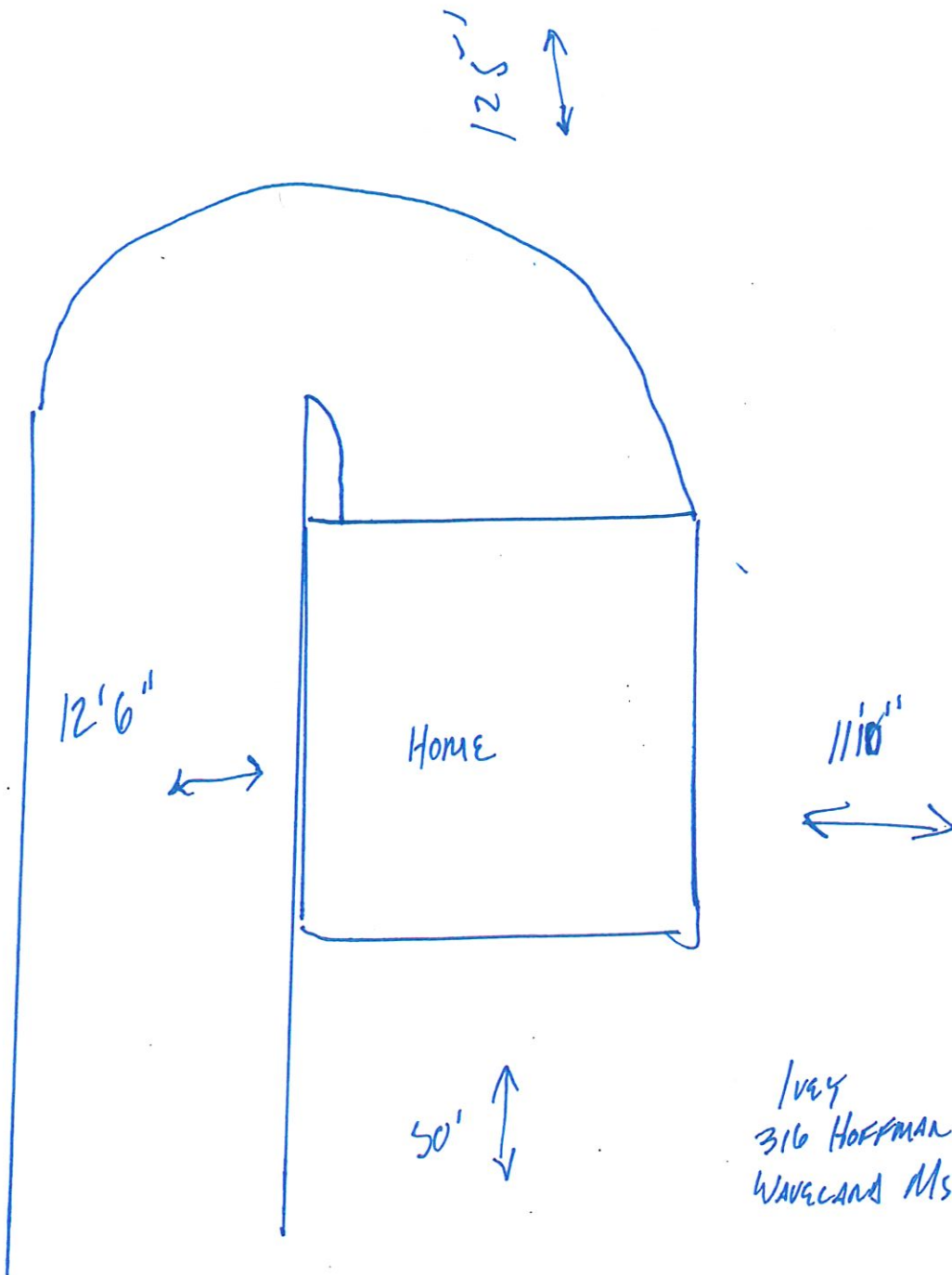
Therefore, we would appreciate the mere 8" variance to make our dreams come true.

Sincerely,

Amy and Bill Ivey

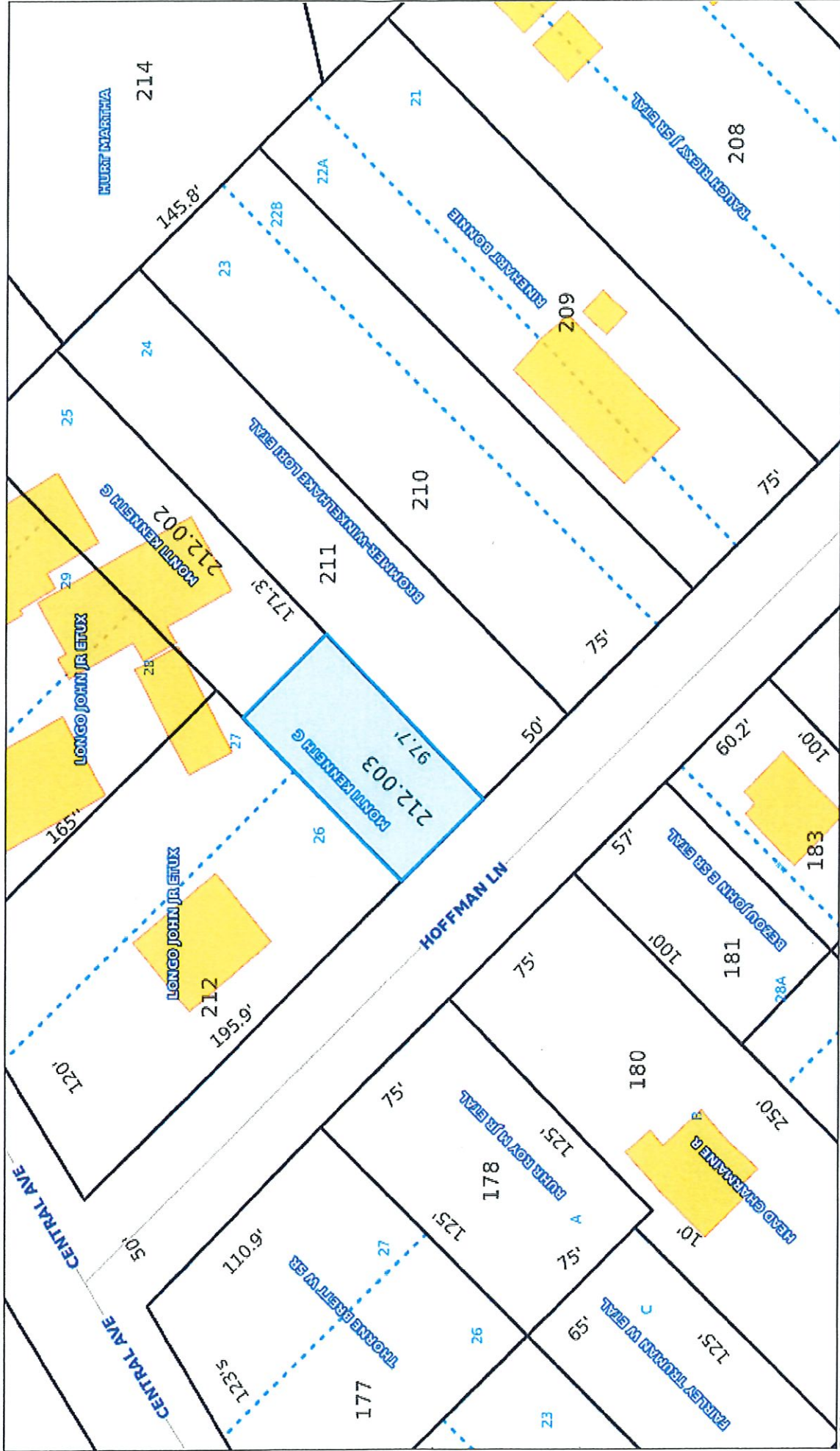
Handwritten signatures of Amy and Bill Ivey in blue ink. The signature for Amy is written above the signature for Bill.

Plot Plan



1/24/4
316 HOFFMAN LANE
WAVELAND MS

Geoportail Map



DISCLAIMER: Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider carefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn from, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.

Geoportal Map



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Item #6

Linda & Michael Hannan

136 Lakewood Dr.

Variance

5' Variance request for Rear-Yard Setback for the construction of a porch addition to their single family residential house.



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

5' Variance Request

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 last Monday of the month. Please call the Building and Zoning Office for submittal deadlines and the dates of the Meetings. You can also go the City of Waveland website at: <http://waveland.ms.gov/administration/planning-and-zoning/>.

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.

Linda Bellone Hannan

Name of Applicant: Michael Dennis Hannan

Date of Application: October 17, 2022

Phone#: [REDACTED]

E-mail (optional): [REDACTED]

Property Physical Address(s) or Parcel #(s): 136 Lakewood Drive, Waveland, MS 39576

Current Zoning of Property: AE

Proposed Variance: Encroach rear setback From 25' to 20'

Applicant Signature: Linda Bellone Hannan

Date: October 17, 2022

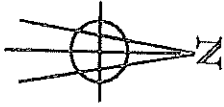
Michael Dennis Hannan

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.

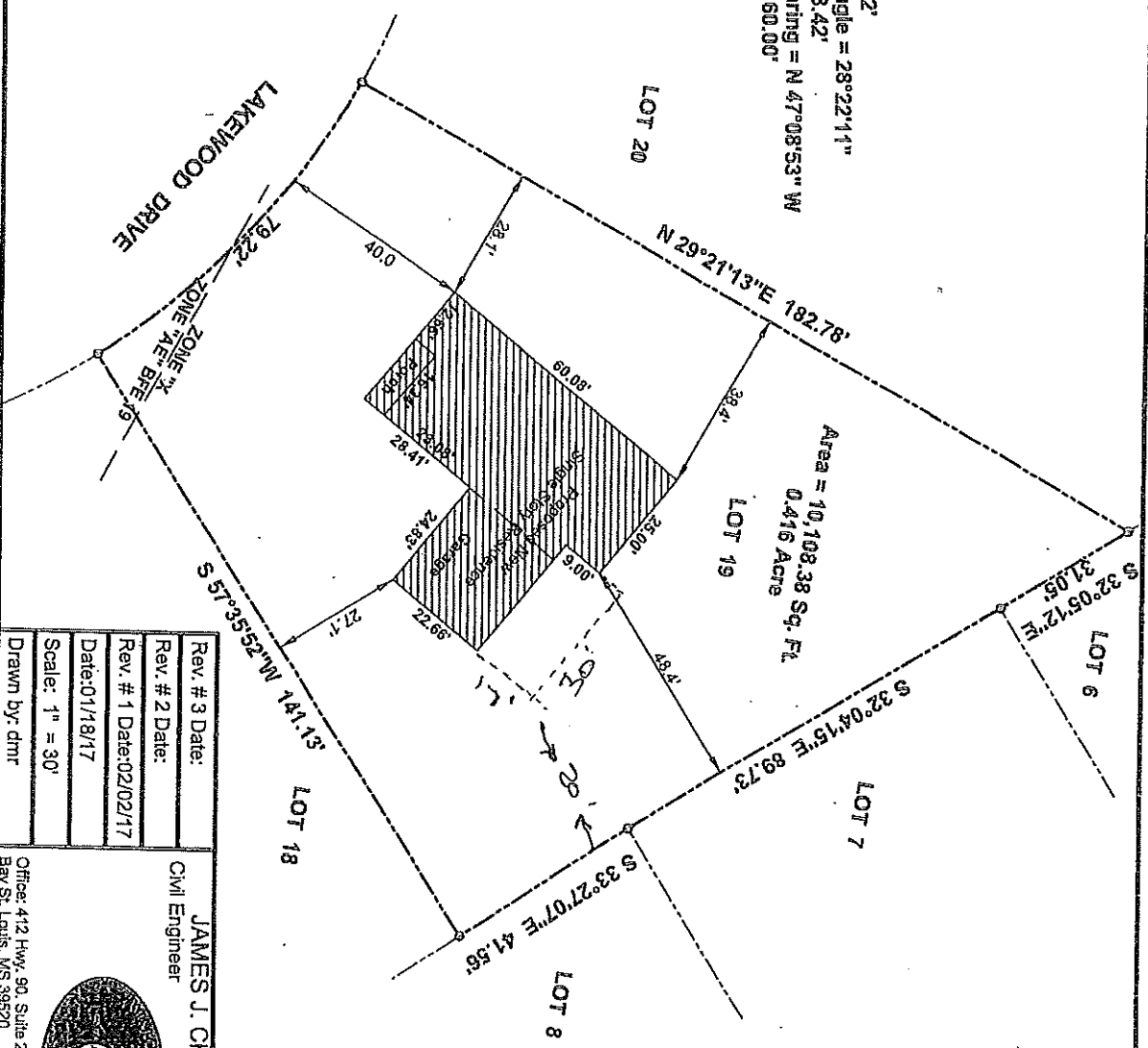
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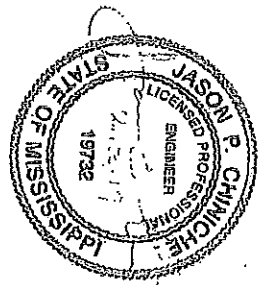
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Arc = 79.22'
 Central Angle = 28°22'11"
 Chord = 78.42'
 Chord Bearing = N 47°08'53" W
 Radius = 160.00'



NOTES:
 1. Lot location, orientation, & bearings indicated are based on a plat by C. Crosby, PLS dated, 03/11/14 provided by client.



Rev. # 3 Date:
Rev. # 2 Date:
Rev. # 1 Date: 02/02/17
Date: 01/18/17
Scale: 1" = 30'
Drawn by: dmr

JAMES J. CHINICHE, P.A., INC.
 Civil Engineer
 Land Surveyor

Office: 412 Hwy. 90, Suite 2
 Bay St. Louis, MS 39520

(228) 493-0579
 (228) 497-8755

PLOT PLAN OF
 A PROPOSED NEW RESIDENCE
 LOCATED AT 136 LAKEWOOD DRIVE
 ON LOT 19, LAKEWOOD SUBDIVISION,
 SECTION ONE, CITY OF WAVELAND,
 HANCOCK COUNTY, MISSISSIPPI

Job #: 2017-027 Sht. 1 of 1 For Frazier

2022 13775
Recorded in the Above
Deed Book & Page
09-09-2022 12:52:46 PM
Timothy A Kellar
Hancock County

Prepared by & return to:
Eugene J. Hoffman, IV (MSB #104994)
Landmark Title & Escrow Co., Inc.
521 Ulman Ave.
Bay St. Louis, MS 39520
Telephone: (228) 467-4675
Facsimile: (228) 467-4656
File No.: 1166-33422

INDEX: Lot 19, LAKEWOOD S/D, Sec. 1 1st Ward, Waveland, Hancock Co., MS.

**STATE OF MISSISSIPPI
COUNTY OF HANCOCK**

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration not necessary to be mentioned herein, the receipt and sufficiency of all of which is hereby acknowledged, We,

BRETT A. FRAZIER and MARY A. FRAZIER, Grantors


do hereby sell, convey and warrant unto

LINDA BELLONE HANNAN and MICHAEL DENNIS HANNAN, Grantees


as joint tenants with full rights of survivorship and not as tenants in common, the following described land and property situated in Hancock County, Mississippi, to wit:

See Legal Description attached hereto as **EXHIBIT "A"**.

Together with all and singular the rights, privileges, improvements and appurtenances to the same belonging or in any wise appertaining.

This conveyance is made subject to any and all prior reservations, restrictions, easements, exceptions, covenants and conditions of record, including any mineral, oil or gas reservations and any covenants or restrictions which appear of record.

If bounded by water, the warranty granted herein shall not extend to any part of the above-described property which is tideland or coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act and this conveyance includes any natural accretion and is subject to any erosion due to the action of the elements.

The Grantors herein certify that the property hereinabove conveyed forms no part of the homestead of said Grantors.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years' taxes are specifically assumed by Grantees herein.

WITNESS our signatures, this the 31st day of August, 2022.


BRET A. FRAZIER, Grantor


MARY A. FRAZIER, Grantor

**STATE OF MISSISSIPPI
COUNTY OF HANCOCK**

PERSONALLY CAME AND APPEARED before me, the undersigned authority in and for the jurisdiction aforesaid, on this the 29 day of September, 2022, the within named **BRETT A. FRAZIER** and **MARY A. FRAZIER**, who acknowledged that they executed and delivered the foregoing instrument of writing on the day and year therein mentioned.

My commission expires:

9/12/2023

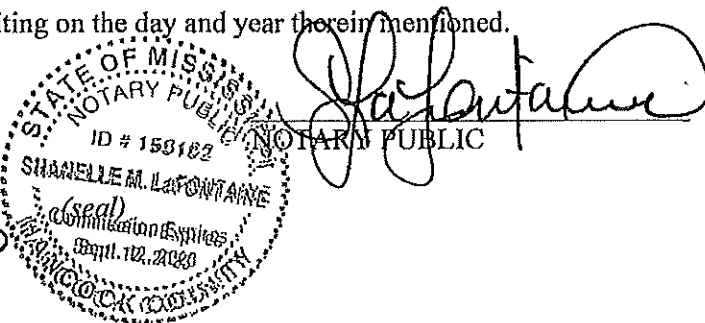


EXHIBIT "A"
(File No.: 1166-33422)
Legal Description

Lot 19, LAKEWOOD SUBDIVISION, Section 1, First Ward, City of Waveland, Hancock County, Mississippi, as per the official map or plat thereof on file and of record in the office of the Chancery Clerk of Hancock County, Mississippi, in Plat Book 3, Page 42.



Timothy A. Kellar

Hancock County
I certify this instrument was filed on
09-09-2022 12:52:46 PM
and recorded in Deed Book
2022 at pages 13775 - 13777
Timothy A Kellar

Geoportal Map



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Item #7

Cindi & Greg Poindexter

105 Venus St.

Temporary Use of an RV during New Construction

Variance for Accessory Structure Height

Use of an RV during New Construction of Primary Dwelling & a 1' variance for the accessory structure height that will house the RV during and after construction.

WAVELAND

Application for Temporary Conditional Use of an RV during New Construction

302.16 Conditional Use: A conditional use is a use that would not be appropriate generally or without restriction through the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning districts as conditional uses, if specific provisions for such conditional use are made in this zoning ordinance.

Name of Applicant: Gregory & Cynthia Poindexter Date of Application: 3/22/22
Driver's License #: [REDACTED] State: MS
Address: [REDACTED]
City: [REDACTED] State: MS Zip: [REDACTED]
Phone#: [REDACTED] E-mail (optional): [REDACTED]
Property Physical Address or Parcel #: 105 Venus St. Waveland, MS 39576
Current Zoning: R-1 Flood Zone: X Foundation Inspection: _____
Permit #: _____ Date Permit was Issued: _____
RV Registration #: [REDACTED] RV Insurance #: [REDACTED]

309.5 A Temporary Conditional Use for a Recreational Vehicle may be applied for only in connection with the erection of a permanent residential dwelling when the following listed conditions have been met. Said conditional use may be permitted by the Board and Mayor of Aldermen, upon review and recommendation by the Planning and Zoning Commission with the procedures and under the conditions set forth in Article IX.


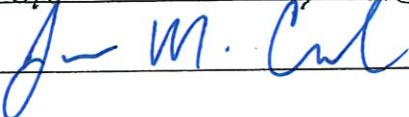
- A. Without a permit, it shall be unlawful for any person, firm, or corporation to dwell in a Recreational Vehicle as contemplated by Section 409.5 within the City of Waveland. The violation of any of the provisions of Section 409.5 shall be deemed a misdemeanor, with each day of the violation being considered a separate offense. A fine of up to one hundred dollars for each day may apply for each violation.
- B. Approval of the Temporary Conditional Use permit shall be for a period of time not to exceed 180 days. Before the expiration of the initial 180 day period, the applicant may make application to the Planning and Zoning Commission, for approval by the Mayor and Board of Aldermen, requesting an additional 180 days.
- C. Upon completion of the structure, use of the Recreational Vehicle must be in compliance with the regulations of the Zoning Ordinance and other applicable local, State, and Federal regulations.
- D. Only one Recreational Vehicle, serial number to be provided, is allowed on the location for which a building permit is issued. Said Recreational Vehicle may not be rented and may only be occupied by the owner(s) of the property.
- E. The applicant must provide sufficient evidence of the following conditions, in addition to the provisions listed in Section 906.3, with the submission of the Temporary Conditional Use application:

1. Issuance of a valid and current building permit for a residential structure;
2. Verification of a completed and inspected foundation on the property;
3. Submittal of an Evacuation Plan for the Recreational Vehicle in the instance that a named storm enters the Gulf of Mexico and/or a voluntary or mandatory evacuation is ordered for the area;
4. A copy of the title and proof of insurance on the Recreational Vehicle;
5. Proof that the Recreational Vehicle is able to be transported over the streets and highways and has the appropriate state and local licenses;
6. Proof of quick disconnect to City utilities;
7. There must not be any structural additions to the Recreational Vehicle;
8. Recreational Vehicles and the subject properties must be in compliance with and are restricted by the requirements and standards of the Flood Damage Prevention Ordinance.

F. The above stipulations and conditions are not intended to be all inclusive, and each application may have additional stipulations and conditions as the health, safety, and welfare of the City require.

G. At any time the Planning or Zoning Officer or Building Official deems that the conditions and stipulations attached to the Temporary Conditional Use permit are not met, the Temporary Conditional Use permit will be deemed withdrawn without further action and appropriate enforcement measures will be taken.

H. A final permit fee for the placement of a temporary construction recreational vehicle of One Hundred dollars is required.

Applicant Signature: 
Zoning Official Sign-Off: 

Date: 3/22/22
Date: 10/20/22



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

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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.
3. A fee of Seventy-five (\$75.00) Dollars, payable in advance to help defray the expense of advertising and processing.

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: Cindi Poindexter Date of Application: 10/18/22
Phone#: [REDACTED] E-mail (optional): [REDACTED]
Property Physical Address(s) or Parcel #(s): 105 Venus St. Waveland, MS
Current Zoning of Property: R-1
Proposed Variance: ~~to~~ One Foot Variance on height of RV Structure
Applicant Signature: Cindi Poindexter Date: 10/18/22

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.

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 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.

Applicant Signature: Cindi Poundexter

Date: 10/18/22

Zoning Official Sign-Off: J-M. Conrad

Date: 10/20/22

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

Jeanne Conrad
 Zoning Department
 (228) 466-2549
jconrad@waveland-ms.gov

I Cynthia Poindexter have
in place a quick connect w/my
RV for water & sewer on
105 Venus St. Waveland in
Case of a hurricane!

Cynthia Poindexter
10/18/22

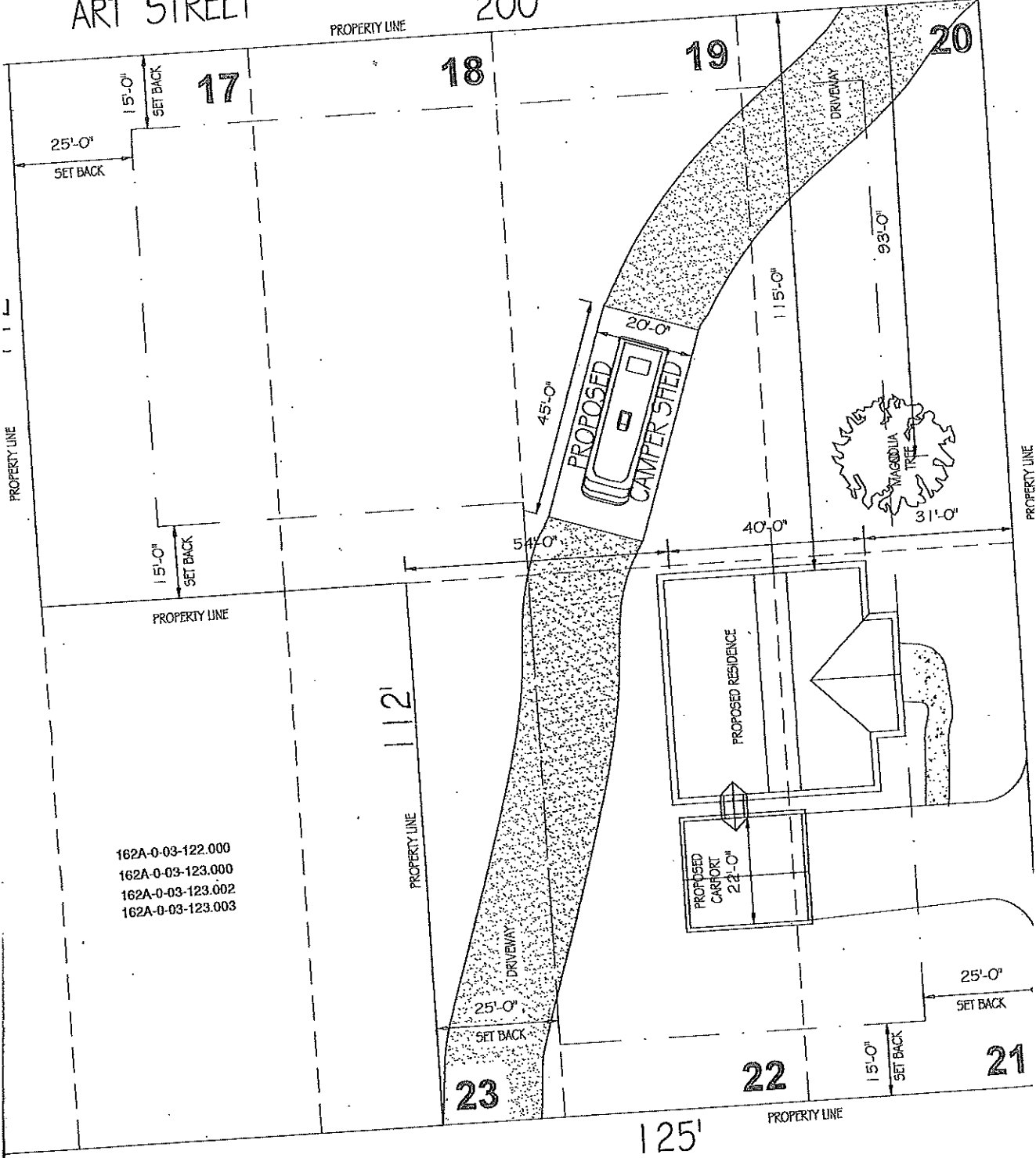
The Purpose of this RV Carport is
~~I want~~ so that we can stay
in it while house is under construction.

Thanks
Cindi Poindexter

ART STREET

200'

PROPERTY LINE



162A-0-03-122.000
 162A-0-03-123.000
 162A-0-03-123.002
 162A-0-03-123.003

MUSIC STREET

125'

PROPERTY LINE

1" = 6'

LOT LINE

INDEX TO DRAWINGS:

CERTIFICATE OF TITLE

Form #

STATE OF MISSISSIPPI

ORIGINAL

VEHICLE IDENTIFICATION NUMBER

MAKE YEAR MODEL BODY

TITLE NUMBER

TITLE TEXT (E.G. UNIT #)

TITLE DATE DATE OF FIRST SALE FOR USE NEW ONLY

NO. CYL NEW/USED TYPE OF VEHICLE

ODOMETER - NO TENTHS

OWNER(S)

POINDEXTER, GREGORY DEAN OR CYNTHIA JANE

BRANDS

1ST LIENHOLDER

DATE:

2ND LIENHOLDER

DATE:

MAIL TO

POINDEXTER, GREGORY DEAN OR CYNTHIA JANE

T2

LIEN SATISFACTION: THE UNDERSIGNED HOLDER OF ABOVE DESCRIBED LIEN(S) ON THE MOTOR VEHICLE DESCRIBED HEREON HEREBY ACKNOWLEDGES SATISFACTION THEREOF.

1ST LIEN _____ BY _____
(LIENHOLDER) (SIGNATURE AND TITLE)

THIS _____ DAY OF _____ 20____

2ND LIEN _____ BY _____
(LIENHOLDER) (SIGNATURE AND TITLE)

THIS _____ DAY OF _____ 20____

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS

THE _____



The Mississippi Department of Revenue hereby certifies that on application duly made, the person named herein is registered by this office as the lawful owner of the vehicle described subject to the liens or security interests as may subsequently be filed with the Mississippi Department of Revenue. This certificate of title is issued pursuant to the Mississippi Motor Vehicle Title Law Section 63-21-1, Mississippi Code of 1972, and subject to the provisions thereof.

CONTROL NUMBER

MISSISSIPPI DEPARTMENT OF REVENUE

Chris Baker

VOID IF ALTERED

IMPORTANT - IDENTIFICATION CARDS

FOLD TOP AND BOTTOM OF CARD ON PERFORATION

MISSISSIPPI STATE FARM®

MUTL VOL



INSURED POINDEXTER, GREGORY

MUTL VOL



INSURED POINDEXTER, GREGORY

MUTL VOL

POLICY NUMBER [REDACTED]

MODEL [REDACTED]

AGENT [REDACTED]

PHONE [REDACTED]

VIN [REDACTED]

NAIC [REDACTED]

EFFECTIVE DATE [REDACTED]

[Signature]

POLICY NUMBER [REDACTED]

MODEL [REDACTED]

AGENT [REDACTED]

PHONE [REDACTED]

VIN [REDACTED]

NAIC [REDACTED]

EFFECTIVE DATE [REDACTED]

[Signature]

SEE REVERSE SIDE FOR ADDITIONAL COVERAGE INFORMATION

SEE REVERSE SIDE FOR ADDITIONAL COVERAGE INFORMATION

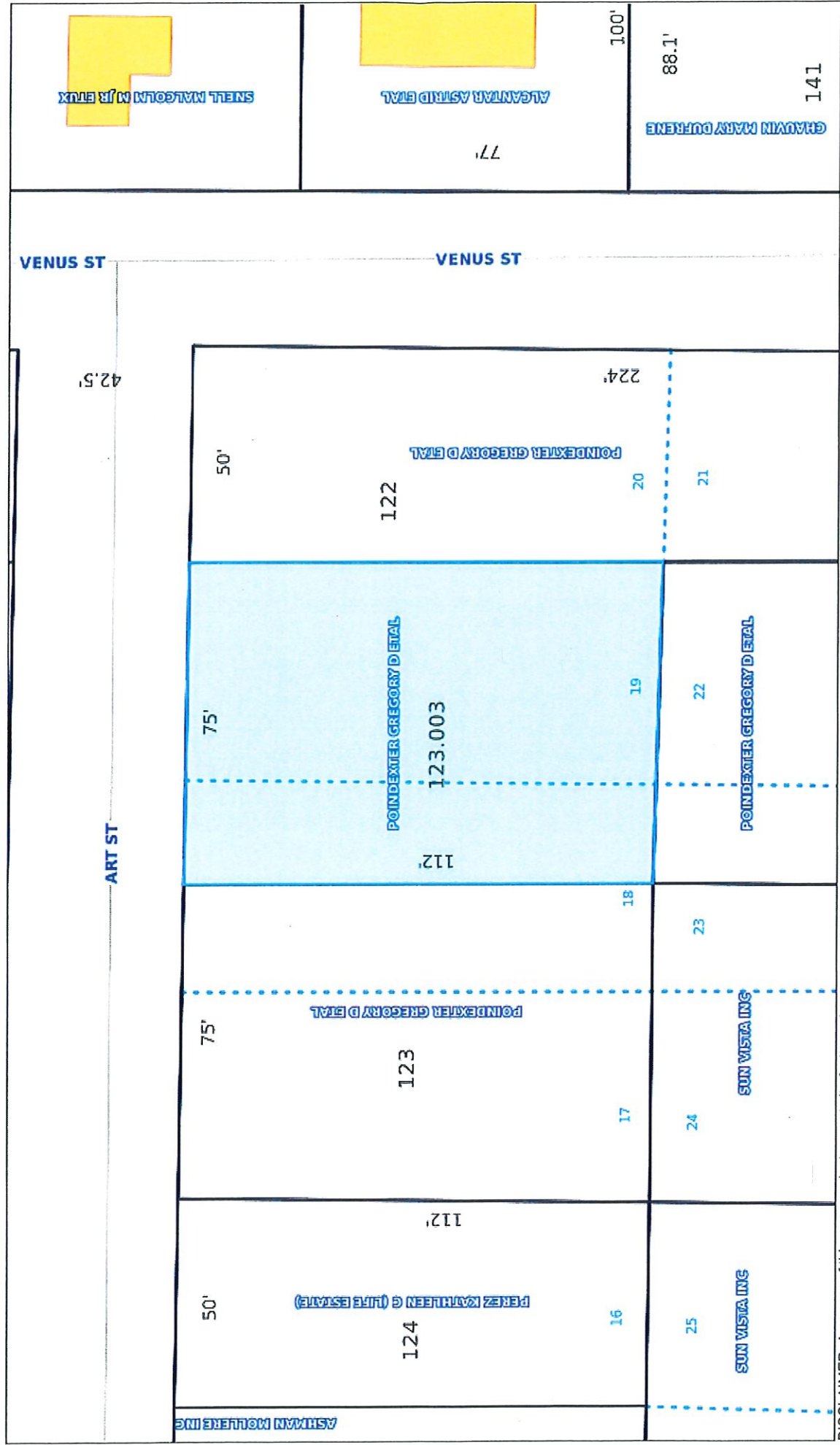
THIS CARD IS INVALID IF THE POLICY FOR WHICH IT WAS ISSUED LAPSES OR IS TERMINATED.
KEEP YOUR CURRENT CARD UNTIL THE EFFECTIVE DATE OF THIS CARD.

2 A





Geoportal Map



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Item #8

Julie & Todd Navarro

120 Favre St.

Variances

2.5' Variances on both Side-Yard Setbacks

&

5' Variances on Front & Rear-Yard Setbacks.

****Proposed Setbacks are 10' from each side and 20'
from front and rear property lines.****



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

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

Name of Applicant: Todd Navarro Date of Application: 10/19/22
Phone#: [REDACTED] E-mail (optional): [REDACTED]
Property Physical Address(s) or Parcel #(s): 120 Favre Street, Waveland
Current Zoning of Property: ~~RI~~ RI
Proposed Variance: 5' Foot Front & Back and 2 1/2' each side
Applicant Signature: Todd Navarro Date: 10/19/22

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.

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 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:

Jeanne Conrad

Zoning Department

(228) 466-2549

jconrad@waveland-ms.gov

Todd Navarro



October 19, 2022

Building/Zoning Department
301 Coleman Avenue
Waveband, Ms 39576

Re: 120 Favre Street

Enclosed please find two copies of the plot plan detailing existing structure, proposed development and encroachment and dimensions property, location of all streets boarding property, and the names of all property owners adjacent to side of property affected.

I am requesting the approval for a residential new construction with the set-backs shown on the attached plot plan for 120 Favre Street, Waveland, Ms.

We are requesting Front variance of 5' and rear variance of 5'. Side variances of 2 1/2' on each side.

Thank you,

Todd Navarro

I hereby certify that this is a true and correct copy of the original document.

Certified By ENIEZGODA
Month 9 Day 13 Year 2022

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

Grantor:
85 Sedgefield, LLC
A Louisiana limited liability company

[REDACTED]

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

Grantee:
NCH Investments, LLC
A Montana limited liability company

[REDACTED]

File No. B223839S

INDEXING INSTRUCTIONS: Lot 7, of the Mrs. Mary Alma Maxwell S/D, being part of Lot 89, Second Ward, Waveland, 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, **85 Sedgefield, LLC, a Louisiana limited liability company**, do hereby sell, convey and warrant unto **NCH Investments, LLC, a Montana limited liability company**, 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:

Lot 7, of the Mrs. Alma Maxwell Subdivision, said subdivision being a part of Lot 89, Second Ward, Waveland, a subdivision according to the map or plat thereof on file and of record in the office of the Chancery Clerk of Hancock County, Mississippi, in Plat Book G-9, at Page 230.

This being the same property as that conveyed to 85 Sedgefield, LLC, a Louisiana limited liability company, by instrument recorded in Deed Book 2022, at Page 11899, 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(s) quitclaims any and all oil, gas, and other minerals owned, if any, to Grantee(s). No mineral search was requested or performed by preparer.

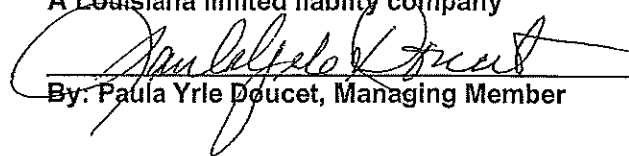
This conveyance is subject to any and all covenants, rights of way, easements, restrictions and reservations of record in the office of the Chancery Clerk in the of Hancock County, Mississippi.

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.

The Corporate Resolution of 85 Sedgefield, LLC, a Louisiana limited liability company, is attached hereto as Exhibit "A".

WITNESS MY SIGNATURE, on this the 9th day of September, 2022.

85 Sedgefield, LLC
A Louisiana limited liability company


By: Paula Yrle Doucet, Managing Member

ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

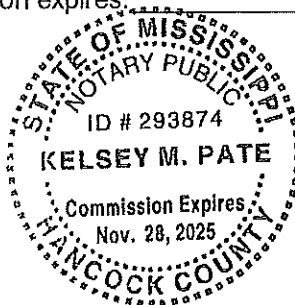
PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named **Paula Yrle Doucet**, the duly appointed **Managing Member** of **85 Sedgefield, LLC, a Louisiana limited liability company**, who acknowledged before me that she signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned, for and on behalf of the aforesaid entity, after first having been duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 9th day of September, 2022.

(AFFIX SEAL)


NOTARY PUBLIC

My commission expires: _____



CORPORATE RESOLUTION

In a duly called meeting of all of the Members/Shareholders of **85 Sedgefield, LLC**, a Louisiana limited liability company, hereinafter the Company, it was unanimously approved by all of the Members/Shareholders, that **Paula Yrle Doucet**, as Managing Member of the Company, has complete authority to sell on behalf of the Company the property located at 120 Favre Street, Waveland, MS 39576, being more particularly described as:

Lot 7, of the Mrs. Alma Maxwell Subdivision, said subdivision being a part of Lot 89, Second Ward, Waveland, a subdivision according to the map or plat thereof on file and of record in the office of the Chancery Clerk of Hancock County, Mississippi, in Plat Book G-9, at Page 230.

So, approved and acknowledged this, the 9th day of September, 2022.

85 Sedgefield, LLC
A Louisiana limited liability company

By: *Paula Yrle Doucet*
Paula Yrle Doucet, Managing Member

CORPORATE ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named **Paula Yrle Doucet**, the duly appointed **Managing Member of 85 Sedgefield, LLC, a Louisiana limited liability company**, who acknowledged before me that she signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned, for and on behalf of the aforesaid entity, after first having been duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 9th day of September, 2022.

Kelsey M Pate
NOTARY PUBLIC

(AFFIX SEAL)

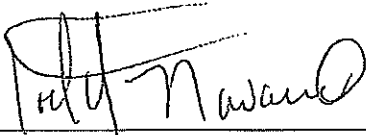
My commission expires:



Exhibit "A"

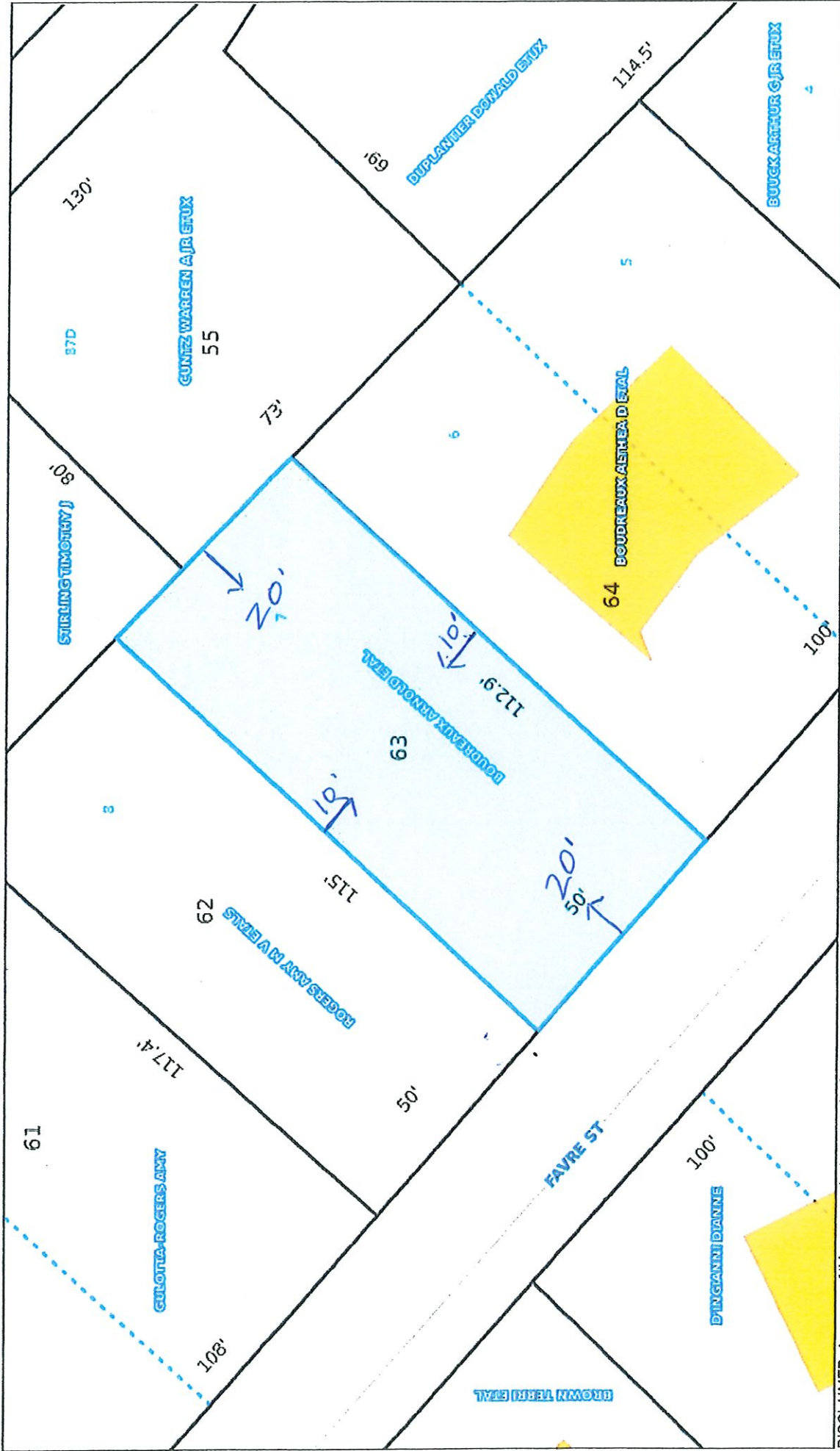
Legal Description

Lot 7, of the Mrs. Alma Subdivision, said subdivision being a part of Lot 89, Second Ward, Waveland, a subdivision according to the map or plat thereof on file and of record in the office of the Chancery Clerk of Hancock County, Mississippi, in Plat Book G-9, at Page 230.

A handwritten signature in black ink, appearing to read "Todd Navarro". The signature is written in a cursive style with a large initial "T" and "N".

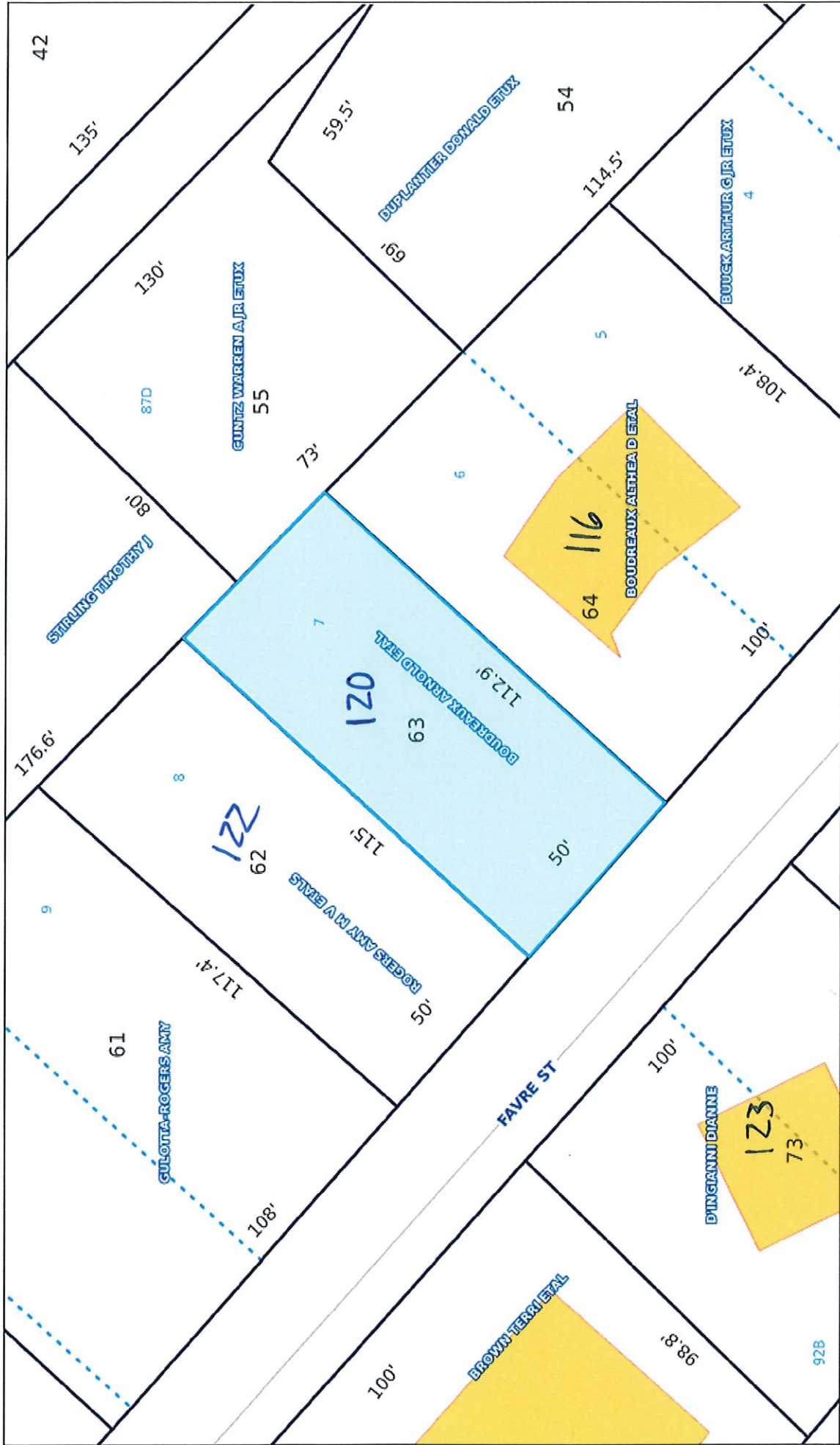
NCH Investments, LLC
By: Todd Navarro, Member

Geoportal Map



DISCLAIMER: Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider carefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn from, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.

Geoportal Map



DISCLAIMER: Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider carefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn from, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.

Geoportal Map



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Item #9

Julie & Todd Navarro

302 Fink St.

Variances

2.5' Variances on both Side-Yard Setbacks

&

5' Variances on Front & Rear-Yard Setbacks.

****Proposed Setbacks are 10' from each side and 20'
from front and rear property lines.****



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.
3. A fee of Seventy-five (\$75.00) Dollars, payable in advance to help defray the expense of advertising and processing.

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: TODD Navarro Date of Application: 10/19/2022
Phone#: [Redacted] E-mail (optional): [Redacted]
Property Physical Address(s) or Parcel #(s): 302 Funk St.
Current Zoning of Property: R1
Proposed Variance: 5' Front and 5' Back - 2 1/2 each side
Applicant Signature: [Signature] Date: 10/19/2022

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.

- 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:

Jeanne Conrad
Zoning Department
(228) 466-2549
jconrad@waveland-ms.gov

Todd Navarro



October 19, 2022

Building/Zoning Department
301 Coleman Avenue
Waveband, Ms 39576

Re: 302 Fink Street

Enclosed please find two copies of the plot plan detailing existing structure, proposed development and encroachment and dimensions property, location of all streets boarding property, and the names of all property owners adjacent to side of property affected.

I am requesting the approval for a residential new construction with the set-backs shown on the attached plot plan for 302 Fink Street, Waveland, Ms.

We are requesting Front variance of 5' and rear variance of 5'. Side variances of 2 1/2' on each side.

Thank you,

Todd Navarro

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

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

Grantors:
Richard Frank Bourgeois, Jr.
Wallace Gary Bourgeois

[REDACTED]

Grantee:
NCH Investments, LLC
A Montana Limited Liability Company

[REDACTED]

File No. B223873S

INDEXING INSTRUCTIONS: Part of Lot 12, Robert'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, we, **Richard Frank Bourgeois, Jr. and Wallace Gary Bourgeois**, do hereby sell, convey and warrant unto **NCH Investments, LLC, a Montana Limited Liability Company** 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 Richard Frank Bourgeois, Jr. and Wallace Gary Bourgeois, by instrument recorded in Deed Book 2019, Page 550, 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(s) quitclaim any and all oil, gas, and other minerals owned, if any, to Grantee(s). 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 of 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 OUR SIGNATURES, on this the 30th day of September, 2022.

Richard Frank Bourgeois, Jr.
Richard Frank Bourgeois, Jr.

Wallace Gary Bourgeois
Wallace Gary Bourgeois

ACKNOWLEDGMENT

STATE OF MS

COUNTY OF Hancock

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **Richard Frank Bourgeois, Jr. and Wallace Gary Bourgeois**, 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 30th day of September, 2022.

(AFFIX SEAL)

Derinda M. Chester
NOTARY PUBLIC

My commission expires: _____

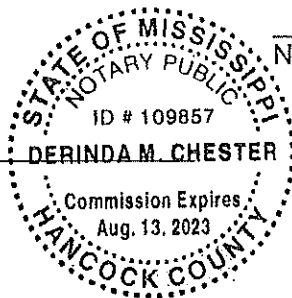


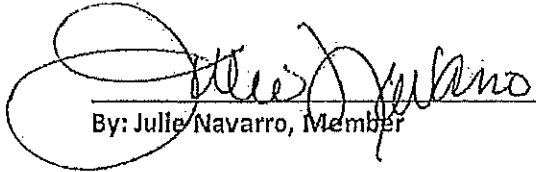
Exhibit "A"

Legal Description

A parcel of land being part of Lot 12, Roberts Subdivision, Hancock County, Mississippi and being more particularly described as follows:

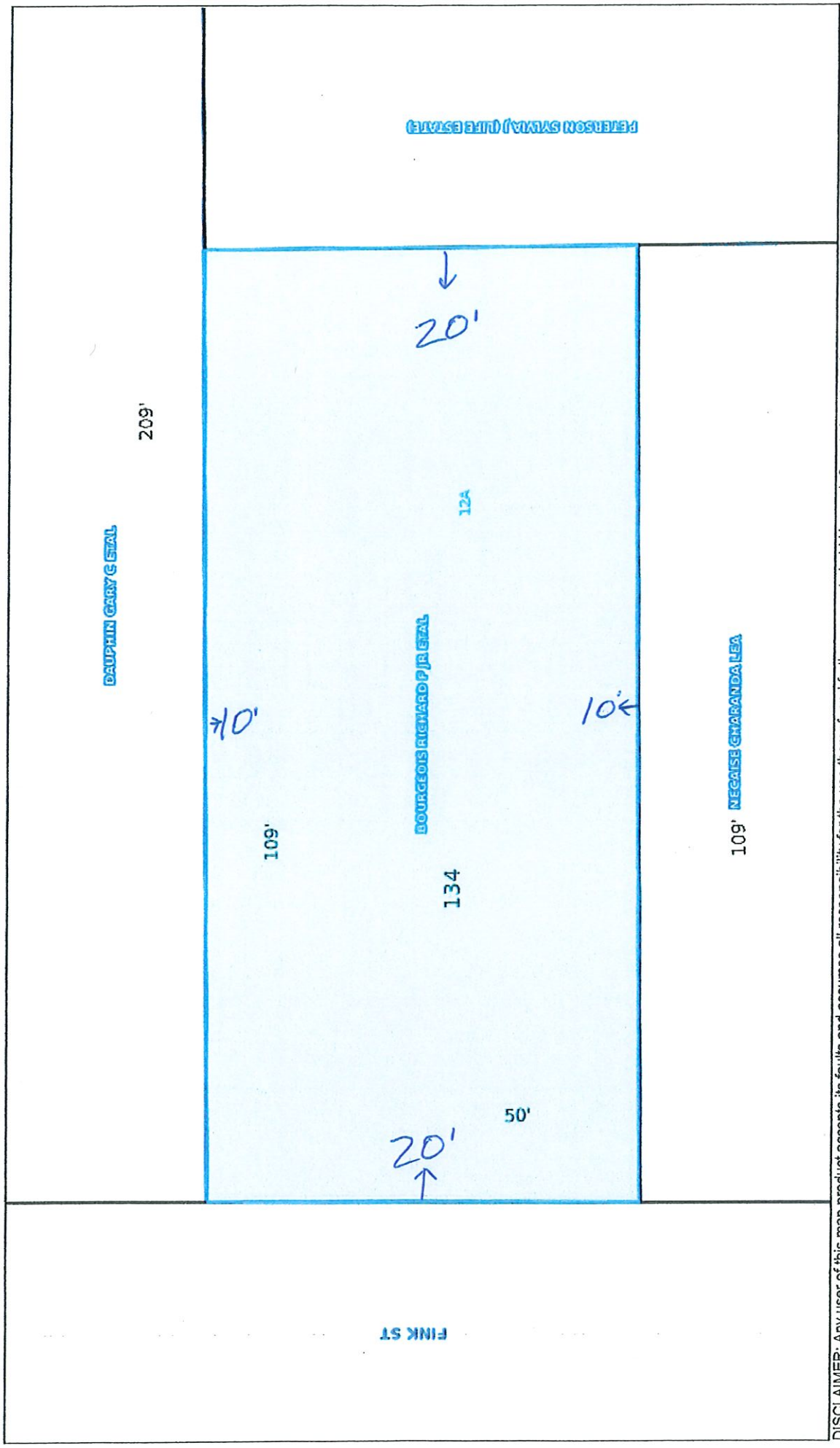
Beginning at the Northwest corner of Lot 12, running South along Fink Street 50.0 feet to a stake; thence East 109.0 feet to a stake; thence North 50.0 feet to the North line of Lot 12; thence West 109.0 feet to the Place of Beginning; said lot herein conveyed has a front of 50.0 feet on Fink Street and a depth of 109.0 feet, more or less.

NCH Investments, LLC
A Montana limited liability company


By: Julie Navarro, Member

9/29/2022
Date

Geoportal Map



DISCLAIMER: Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider carefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn from, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.

Item #10

Bernard Construction

(Shane Bernard)

101 N. Beach Blvd.

Variances

**42' Variance on Front-Yard Setback for Beachfront
Property.**

&

**Variance on Minimum required Parking spaces for a
lounge/bar.**

****Proposed Setbacks are 8' from front property line, 3'
from rear property line, and 0' from side property lines
(as allowed in CO-2 Coleman Open District)****



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.
3. A fee of Seventy-five (\$75.00) Dollars, payable in advance to help defray the expense of advertising and processing.

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: BERNARD CONSTRUCTION SHANE BERNARD Date of Application: 10-15-22
 Phone#: [REDACTED] E-mail (optional): [REDACTED]
 Property Physical Address(s) or Parcel #(s): 101 N. BEACH
 Current Zoning of Property: C02
 Proposed Variance: 42 FOOT FRONT YARD AND
10 SPACE PARKING
 Applicant Signature: [Signature] Date: 10-19-22

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:

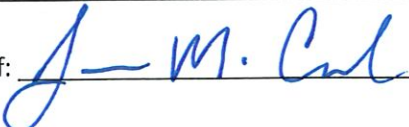
- A. A written application for a variance is submitted demonstrating:
1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same district.

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.

Applicant Signature: 

Date: 10-19-22

Zoning Official Sign-Off: 

Date: 10/20/22

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

Jeanne Conrad
 Zoning Department
 (228) 466-2549
jconrad@waveland-ms.gov



**BERNARD
CONSTRUCTION**

10-19-22

RE: The Waveland

101 N Beach

Waveland MS, 39576

To the members of the board:

I would like to thank you for giving me the opportunity to present my project to all of you. I am proposing a mixed use, condo and restaurant development, called The Waveland. I am requesting a 42' front yard variance as well as a 10 space parking requirement variance. In order for the project to be economically viable, the mixed use is a must. Upon doing research of condo's along the coast, we have designed the project in line with comparable coastal units. Due to the extreme height requirements of the property, it was imperative that we use up as much floor space as possible. Also, equally important is the presence of the beautiful Live oak tree that sits on the property. It is our utmost desire to preserve and protect this tree, and make it a central part of the beauty of the project. I believe that our development will add tremendous value and service to the city of Waveland, and look forward to working with all of you to accomplish this goal. Thank you again for this opportunity.

Very truly,
Shane Bernard
President





FOR PRELIMINARY REVIEW

FOR PRELIMINARY REVIEW

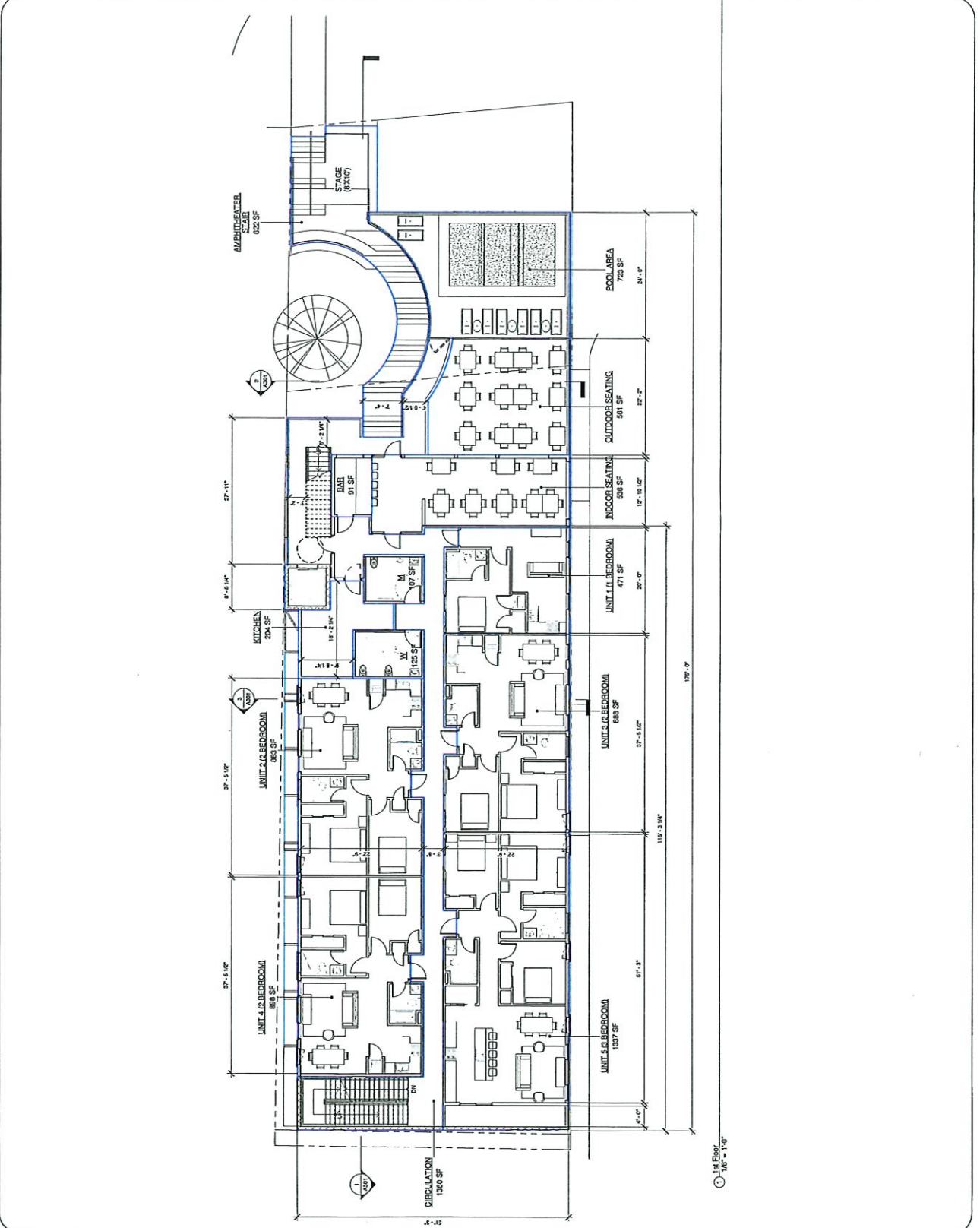


No.	Description	Date
1	Schematic 01	06.22.2022
2	Schematic 02	06.22.2022
3	Schematic 03	07.22.2022
4	Schematic 04	10.12.2022

New Construction
Development
101 N. BEACH RD. |
WAVELAND, MS |
39576

FIRST FLOOR
PLAN

2022.28
A101



① - 1/4" = 1'-0"

FOR PRELIMINARY REVIEW

FOR PRELIMINARY REVIEW

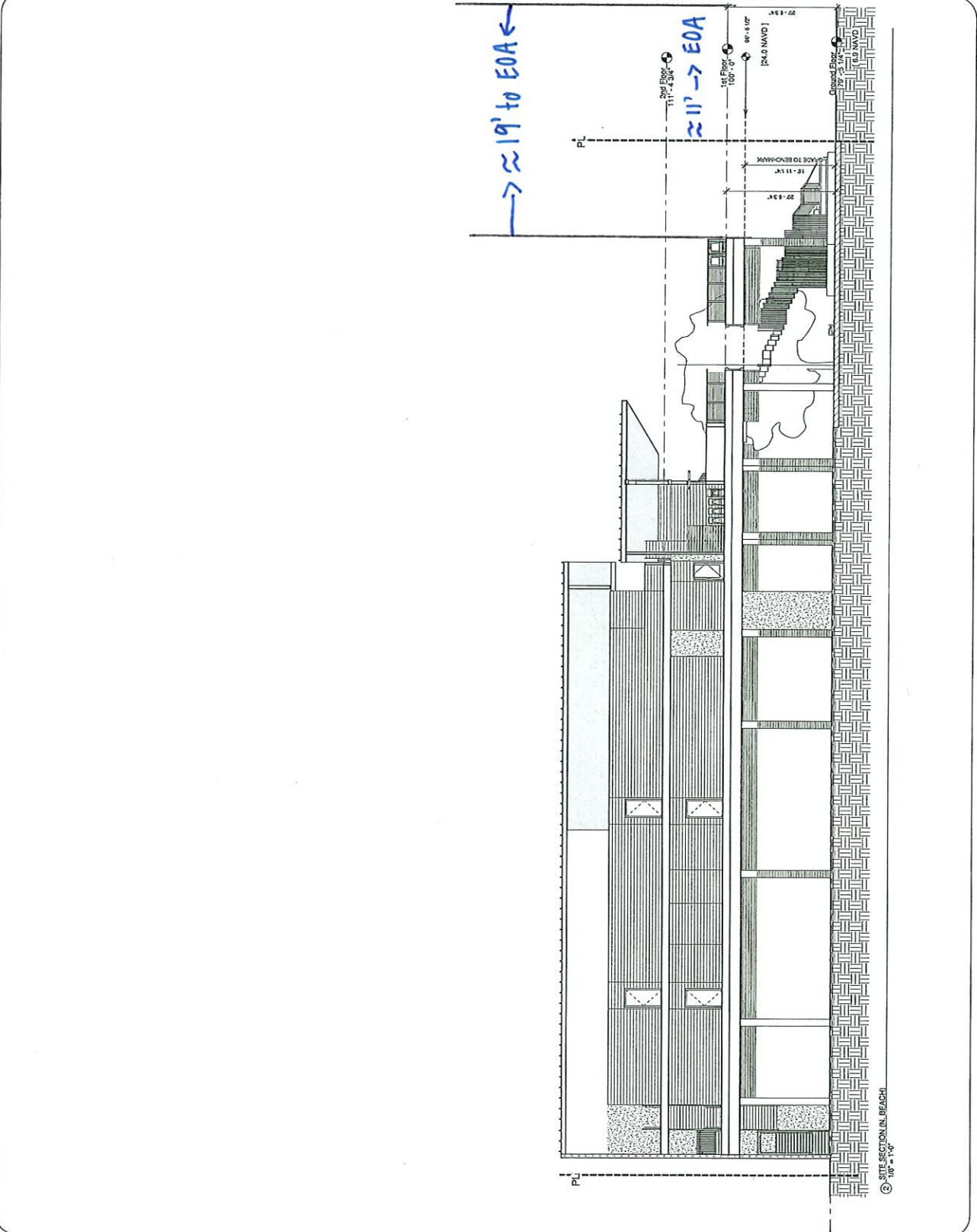


No.	Description	Date
1	Schematic 01	06.23.2022
2	Schematic 02	07.22.2022
3	Schematic 03	07.22.2022
4	Schematic 04	10.12.2022

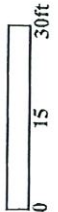
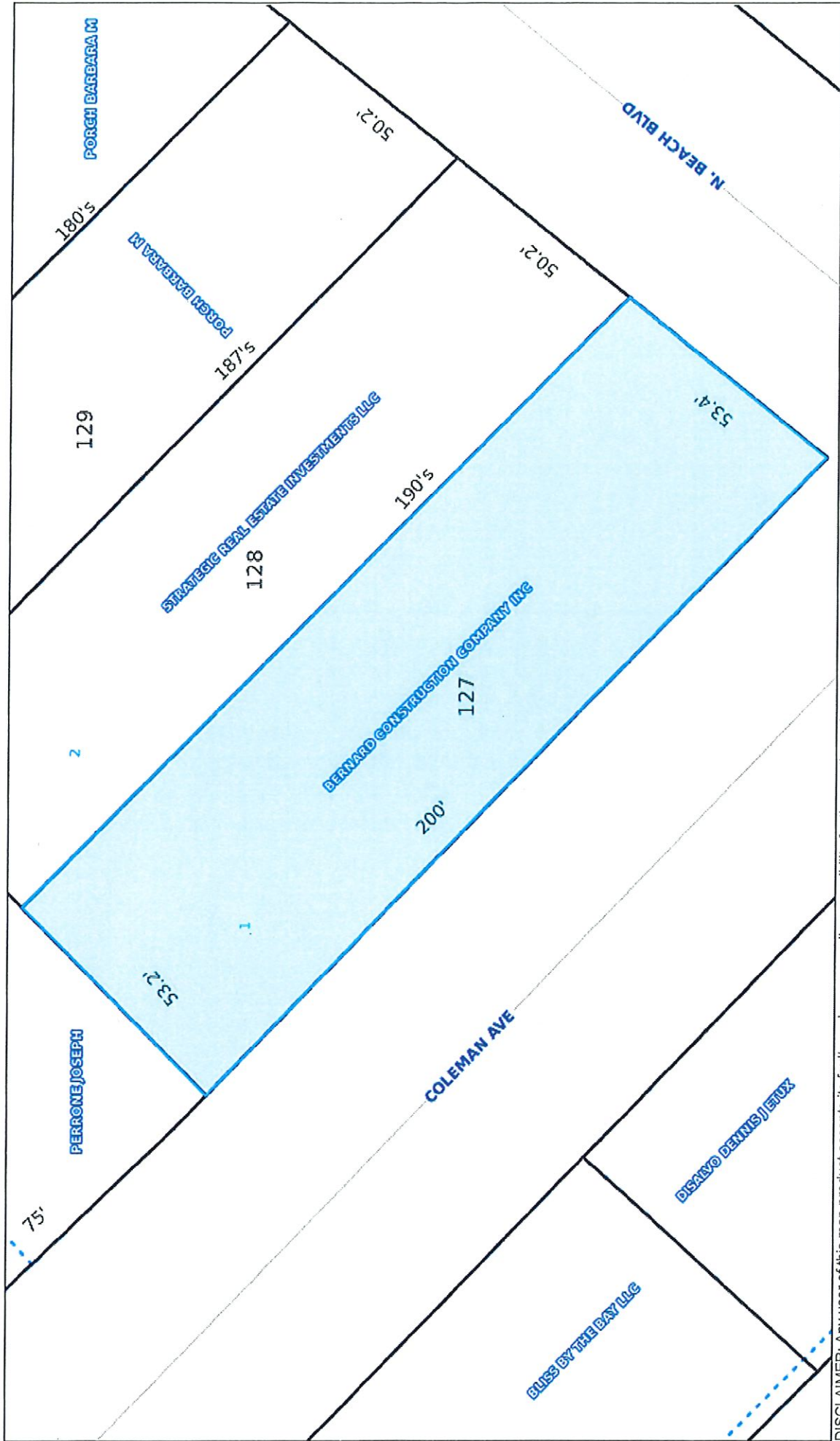
New Construction
Development
101 N. BEACH RD. |
WAVELAND, MS |
39576

SITE SECTION

2022.28
A051

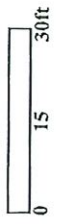
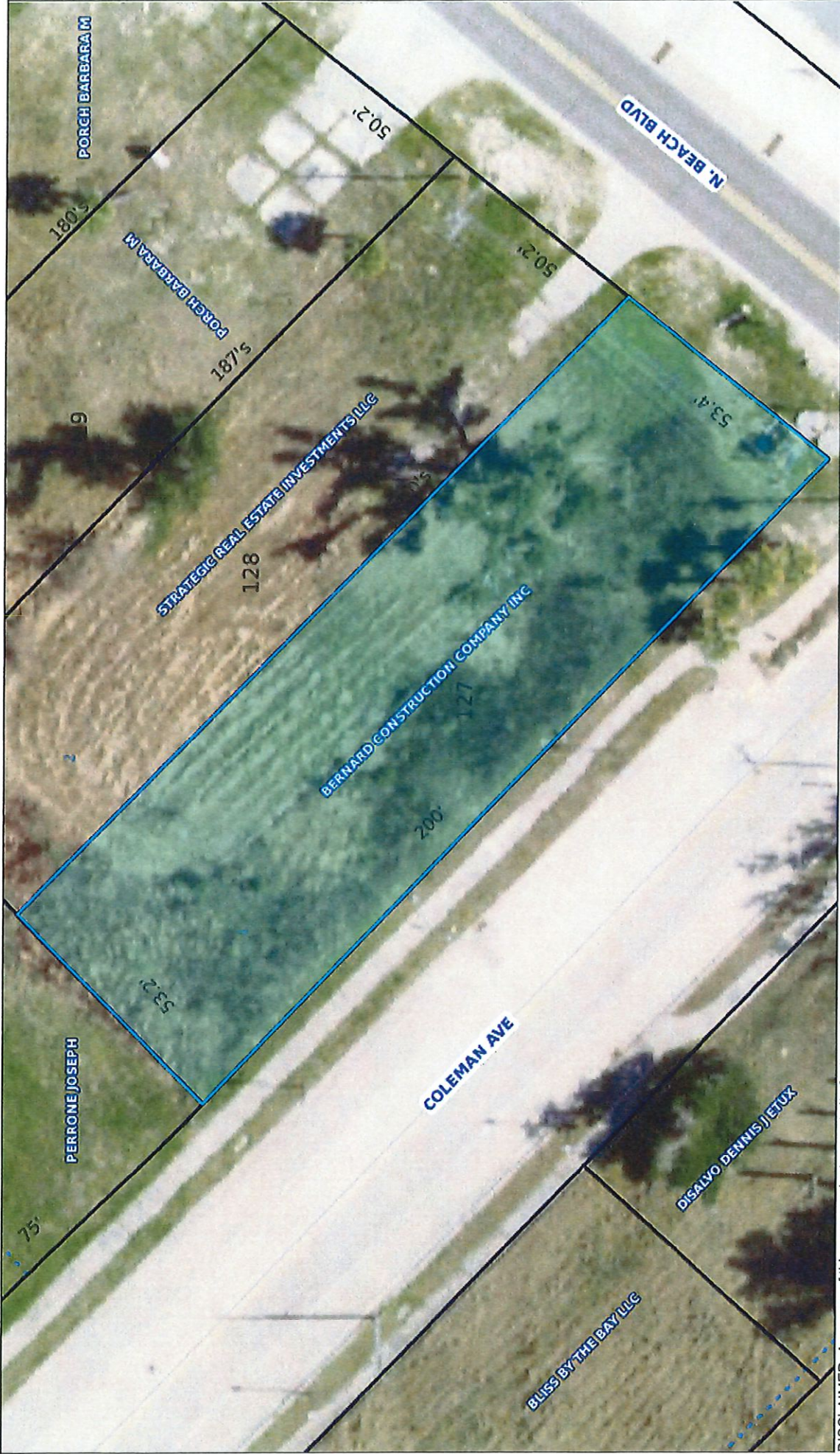


Geoportal Map



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