

There came on for consideration at a duly constituted meeting of the City Council and Mayor of the City of Gulfport held on the 8th day of April, 2014, the following Ordinance:

ORDINANCE NO. 2789

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GULFPORT, MISSISSIPPI ADOPTED THE 29TH DAY OF JUNE, 1979, AS AMENDED, TO REZONE CERTAIN PROPERTY FROM ITS PRESENT ZONING CLASSIFICATION OF T5 (URBAN CENTER) and T6 (URBAN CORE) TO T4+ (GENERAL URBAN "PLUS")

WHEREAS, the Mayor and City Council of the City of Gulfport, Mississippi, find and do so determine, based upon the recommendation of the Gulfport City Planning Commission and City departments, and based upon a reasonable consideration of the character of the district and neighborhood and suitability for particular purposes, that ad valorem tax parcel number 1011D-03-004.000, which is generally described as being located south of and adjacent to Township Road, north of U.S. Highway 90, east of and adjacent to Phillips Drive, west of Paradise Avenue should be rezoned from its present classifications of T5 (Urban Center) and T6 (Urban Core) to T4+ (General Urban "Plus") District. The Case File Number is 1403PC008.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS:

SECTION 1: That the Official Zoning Map of the Comprehensive Zoning Ordinance of the City of Gulfport, adopted the 29th day of June, 1979, as amended, be and the same is hereby amended to provide that the following legally described property be rezoned from its present classifications of T5 (Urban Center) and T6 (Urban Core) to T4+ (General Urban "Plus") District.

Ad valorem tax parcel number 1011D-03-004.000 is legally described as:

That certain tract of land in said County and State situated in the West half (W1/2) of Fractional Section 6, Township 8 South, Range 10 West, according to the plat of the Government Survey and more particularly described as follows: Beginning at a point on the seashore of the Mississippi Sound 916 feet East of the dividing line between Ranges 10 and 11 and running thence North 1380 feet to property of the Louisville and Nashville Railroad Company; thence North 73 50' East 53 feet 9 inches to a point in the North boundary line of said Township 8; thence East along said Township line 48 feet; thence running South 1395 feet to a point on the seashore of the Mississippi Sound and thence Westerly along said seashore 100 feet to the Place of Beginning and having a frontage of 100 feet on said seashore and extending back north between parallel lines 100 feet apart to the property of said Railroad Company on the Western and to the Township line on the Eastern line of bounded on the North by said Railroad Company property and the Northern boundary line of said Township 8, on the East by a strip of land about 38 feet wide separating the land hereby conveyed from a lot belonging to Dominic Dulcich which said strip is now or was formerly the property of Margaret Soria, on the South by the waters of the Mississippi Sound or Gulf of Mexico, and on the West by land now or formerly of George McCaughan; together with all appurtenances and the littoral and aquatic rights or privileges thereunto belonging or vested by law in the owner of said premises. The same being the property acquired by John Boebinger from George McCaughan by deed executed July 19, 1895, and of record in the record of Deeds Book 32 at Pages 467-69 in the Office of the Chancery Clerk of Harrison County, Mississippi, LESS AND EXCEPT that certain parcel of land conveyed by Mary Louise Micelle to Prafulbhai Ishverbhai Patel and Champben P. Patel by deed executed May 22, 1990, and

of record in the Record of Deeds Book 1160 at Pages 91-93 in the office of the Chancery Clerk of Harrison County, Mississippi.

SECTION 2: The rezoning of said parcel shall be further subject to the following conditions: The owner, agent or lessee who requested rezoning of the property, which was subsequently rezoned by the Mayor and City Council must secure a building permit from the Building Official and commence construction within one year from the date of approval of rezoning by the City Council. If no building permit has been obtained and said plan development is not completed according to approved plans, the rezoning of said parcel shall be null and void and automatically revert back to its original zoning classification.

See also: COMPREHENSIVE ZONING ORDINANCE {Section IX (3) (b)} Reversion.

SECTION 3: For good cause being shown and the interest and welfare of the City of Gulfport, the citizens thereof require that the said Ordinance be in full force and effect immediately upon its passage and this Ordinance shall be in full force and effect from and after its passage, but shall nevertheless be published and enrolled as provided by law.

The above and foregoing Ordinance, after having been first reduced to writing, was introduced by Councilmember Pucheu, seconded by Councilmember Casey and was adopted by the following roll call votes, to-wit:

YEAS:

Casey
Dombrowski
Holmes-Hines
Walker
Sharp
Flowers
Pucheu

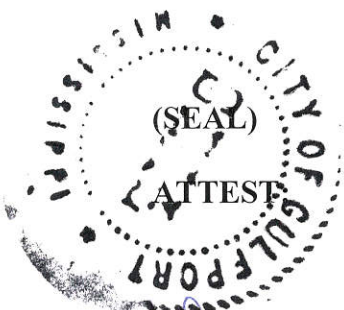
NAYS:

None

ABSENT:

None

WHEREUPON the President declared the motion carried and the Ordinance adopted, this the 8th day of April, 2014.




CLERK OF THE COUNCIL

ADOPTED:



PRESIDENT OF THE COUNCIL

The above and foregoing Ordinance having been submitted to and approved by the Mayor, this the 9th day of April, 2014.

APPROVED:


MAYOR