

APPLICATION FOR AMENDMENT TO THE ZONING ORDINANCE

Please complete this form in its entirety; failure to do so may cause a delay in the submittal of your application to the Planning and Zoning Commission.

The following information is required before this application will be submitted to the Planning and Zoning Commission for consideration.

OWNER: ADAX, LLC

ADDRESS: 114 MAID STREET

BAY St. Louis, MS 39520

PHONE: 228-493-9939

ADDRESS OF PROPERTY IN QUESTION IF DIFFERENT FROM
ADDRESS STATED ABOVE.

CHAPMAN ROAD

APPLICATION FEE OF \$250.00: _____

CRITERIA

Zoning ordinances are not intended to be changed lightly and are presumed to be "well planned and adopted to be permanent." As a result of the presumption of permanency, it is necessary for one seeking a change in zoning to show the following:

1. Legal description of property to be considered for proposed amendment to the Zoning Ordinance as described in the Hancock County tax rolls.

LOTS 1-266, INCLUSIVE, COASTAL GABLES TOWNHOMES

(SEE ALSO ATTACHED LEGAL DESCRIPTION)

2. Parcel number(s) as described in the Hancock County tax rolls.

PARCELS 138H-0-46-028.000 THROUGH AND INCLUDING

PARCEL 138H-0-46-297.000

3. Present Zoning: R-1

4. Proposed Zoning: R-1A

5. Proposed use of property is rezoned: RESIDENTIAL-SINGLE FAMILY

6. Is the property to be rezoned in a subdivision? ☒ YES ☐ NO

7. If construction is being considered for the property in question, please provide a sketch Of building, showing dimensions and all property setbacks.

8. Text Amendment:

8. Provide the specific provision(s) of the ordinance involved for your zoning request as listed below under AMENDMENTS: CHANGE IN CONDITIONS

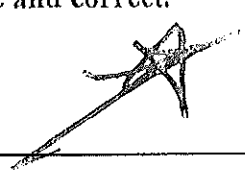
Article XIV, AMENDMENTS
1401.3 AMENDMENT POLICY

- A. **Mistake.** There is a mistake in the Zoning Ordinance or the Zoning Map and it is in the public interest to correct this error.
- B. **Change in Conditions.** Change or changing conditions in a particular area, or in the city, or in the regional area generally, in which an amendment to the Ordinance is in the public interest and is necessary and is desirable.
- C. **Increase for Need in Sites.** Increased or increasing needs for business or industrial sites, in addition to sites that are available, which is in the public interest and make it Necessary and desirable to reclassify an area or to extend the boundaries of an existing district.
- D. **Annexation.** It is necessary and desirable to classify territory hereafter annexed to city to a district classification.
- E. **Ordinance Changes.** Amendment of the Ordinance not involving a change in Classification of land is necessary.
- F. **Change in Governmental Property.** It is necessary to reclassify property as a result of acquisition or disposition of such property by the United States of America, the State of Mississippi, or Hancock County.

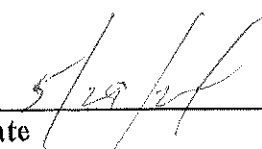
The burden of proving the criteria set forth is the responsibility of the party seeking a zoning change. The above elements must be proven through clear and convincing evidence and must be submitted with this application.

It is warranted in good faith by the owner whose name is signed hereto that all of the above facts are true and correct.

Signature



Date



FOR OFFICE USE ONLY Date application received: _____

Legal Description

Those certain parcels of land situated in Hancock County, Mississippi, more particularly described as follows, to-wit:

The Point of Beginning being a 3/4 inch iron pipe located 1,627.45 feet North and 1,385.41 feet West of the Southeast corner of Section 27, Township 8 South, Range 14 West, Hancock County, Mississippi, and thence run North 89 degrees 31' 43" West along a fence for 746.00 feet to a 3/4 inch iron pipe on the Southeastern right of way of Chapman Road; thence run South 24 degrees 14' 14" West along said right of way for 408.17 feet to a point; thence South 22 degrees 48' 04" West along said right of way for 90.74 feet to a 3/4 inch iron pipe; thence South 88 degrees 18' 17" East for 1,083.05 feet to a 1/2 inch iron rebar; thence North 15 degrees 31' 43" West for 500.00 feet to the Point of Beginning. Said parcel containing 9.865 acres, being part of the Gadon Toulme Claim and a part of the SE 1/4 of Section 27, Township 8 South, Range 14 West, Hancock County, Mississippi.

AND ALSO:

Commencing at the corner of Section 27/36-34/35, Township 8 South, Range 14 West, Hancock County, Mississippi, and run North 20.0 feet; Thence run West 901.8 feet to an iron pin on the Northern line of Bay Kiln Road; thence run North 16 degrees 05' West for 239.2 feet to a 2" iron pipe; thence North 14 degrees 59' West 571.9 feet to the Place of Beginning; thence North 89 degrees 44' West 1,218.39 feet to a point on the Eastern line of Chapman Road; thence North 3 degrees 51' East 309 feet; thence North 16 degrees 45' East along the Eastern Line of Chapman Road 66 feet; thence South 88 degrees 48' East 1,084 feet; thence South 14 degrees 59' East 366.9 feet to the Place of Beginning. Said land containing 9.7 acres, more or less, and being part of the Gadon Toulme Claim No. 20, in Section 27, Township 8 South, Range 14 West, Hancock County, Mississippi.

Subject only to utility easements and public road right of ways previously dedicated to the City of Bay Saint Louis, Mississippi.