

**RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF PASCAGOULA,
MISSISSIPPI GRANTING A VARIANCE OF THE SETBACK REQUIREMENTS TO
BUILD A CARPORT AND DRIVE WITHIN 1 FOOT OF THE SIDE YARD**

WHEREAS, pursuant to Table 3.2.D. of the City of Pascagoula's Unified Development Ordinance, the Side Yard Set Back in a Single Family Residential 6 (SFR6) is 7 feet for the primary structure; and

WHEREAS, an application was submitted by Mark Savasta, to build a carport and drive at 4617 Newman Avenue, bearing Parcel ID No. 41785119.000, which is located within a Single Family Residential 6 (SFR6) District; and

WHEREAS, the applicant is seeking a Variance from the setback requirements established by Section 3.2.D; and

WHEREAS, on September 14, 2022, the Planning Board conducted a duly-noticed Public Hearing to consider the application and input from interested parties; and

WHEREAS, the City Planner provided a report and presentation related to the Variance of the applicable setback requirements; and

WHEREAS, the City Planner recommended approval of the Variance based on his findings and the application's consistency with the City's Unified Development Ordinance; and

WHEREAS, the City of Pascagoula's Planning Board considered the recommendation of the City Planner and, upon conclusion of the Public Hearing, unanimously voted to recommend approval of the Variance to the City Council; and

WHEREAS, on September 20, 2022, a second duly-noticed Public Hearing was held before the Mayor and City Council, at which time the City Planner provided a report and interested parties were allowed to comment; and

WHEREAS, the proposed Variance meets all the review standards contained in Section 2.5.L.3.e.i(A) of the City's Unified Development Ordinance, including, but not limited to, that the Variance is in harmony with the general purpose and intent of the Unified Development Ordinance and preserves its spirit; the Variance would not adversely affect the health or safety of persons residing or working in the neighborhood, be injurious to property or improvements in the neighborhood, or otherwise be detrimental to the public welfare; and the Variance would not confer on the applicant any special privilege denied by this Ordinance to other lands or structures without a demonstration of hardship.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

SECTION 1: The Mayor and City Council of the City of Pascagoula hereby adopt the foregoing recitals as their findings.

SECTION 2: The Mayor and City Council of the City of Pascagoula approve the request for a Variance of the side yard setback to allow construction of the carport and drive at 4617 Newman Avenue (Parcel ID No. 41785119.000).

SECTION 3: The approvals provided herein are subject to and conditioned upon compliance with the City’s Unified Development Ordinance, as it may be amended from time to time, including, but not limited to, requirements related to separation and storm water control.

SECTION 4: That this Resolution and all reports and documents considered with this application be spread upon the minutes of the City Council.

SECTION 5: That within ninety (90) days of the adoption of this Resolution, the applicant shall cause the same to be recorded in the Land Records of Jackson County, Mississippi, failing such the Special Use Permit and Variance granted herein shall terminate at the end of said ninety (90) day period.

The motion to approve the foregoing resolution was made by _____ and seconded by _____, and the following vote was recorded:

Mayor Willis	_____
Councilman Hyde	_____
Councilman Fornett	_____
Councilman Walker	_____
Councilman Parker	_____
Councilman Blythe	_____
Councilman Gatchell	_____

RESOLVED, this the _____ day of _____, 2022

ATTEST:

City Clerk

CITY COUNCIL
By: _____
Mayor