

**MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**AGENDA
JANUARY 28, 2021
REGULAR MEETING OF THE PLANNING and DEVELOPMENT COMMISSION
CITY OF LONG BEACH, MISSISSIPPI
5:30 O'CLOCK P.M.
LONG BEACH CITY HALL
MEETING ROOM
201 JEFF DAVIS AVENUE**

I. CALL TO ORDER

II. ROLL CALL AND ESTABLISH QUORUM

III. PUBLIC HEARINGS

- 1. Variance- 404 Kohler Street, Tax Parcel 0612C-03-039.000, Submitted by Equity Trust Company, FBO Paul G. Dauro, IRA.

IV. ANNOUNCEMENTS

V. APPROVE MINUTES

- 1. January 14, 2021

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

- 1. Tree Removal- 420 East 3rd Street, Tax Parcel 0612A-01-033.000, Submitted by Charles Wambolt.
- 2. Tree Removal-105 Shannon Court, Tax Parcel 0711M-04-043.000, Submitted by Jacqueline Roberts.
- 3. Planning Commission Approval- 1166 West Railroad Street, Tax Parcels 0512G-02-017.000 and 0512G-02-017.001, Submitted by Stephen and Sarah McNally.
- 4. Discussion- Zoning Text Change, Ordinance 598, Section 89: Change in Use of Property Where a Nonconforming Situation Exists.

VIII. DEVELOPMENT & RESEARCH

IX. ADJOURN

*****NOTES*****

**All decisions made at this meeting are subject to a ten (10) day appeal for a Public Hearing and/or the Mayor and Board of Aldermen approval on February 2, 2021.

**The agenda for the Planning Commission meeting closes at 12:00 O'Clock (noon), and/or in accordance with applicable ordinances, the Thursday prior to the meeting day.

Commissioner McKenzie read the Opening Statement for the Planning and Development Commission.

**MINUTES OF JANUARY 28, 2021
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

Be it remembered that one (1) Public Hearing was heard before the Long Beach Planning and Development Commission, Long Beach, Mississippi, and begun at 5:30 o'clock p.m., Thursday, the 28TH day of January 2021, in said City, and the same being the time, date and place fixed for holding said Public Hearings.

There were present and in attendance on said Commission and at the Public Hearing the following named persons: Chairman Frank Olaivar, Commissioners Mark McMillan, Jeff Hansen, Junior Husband, Larry Ward, Kevin McKenzie, and Marcia Kruse, City Consultant Bill Hessell, Building Official Mike Gundlach and Minutes Clerk Tina M. Dahl.

Absent the Public Hearing were Commissioners Shawn Barlow and Jennifer Glenn.

There being a quorum present and sufficient to transact the business of the Public Hearing, the following proceedings were had and done.

The public hearing to consider a Variance for property located at 404 Kohler Street, Tax Parcel 0612C-03-039.000, submitted by Equity Trust Company, FBO Paul G. Dauro, IRA, as follows:

MINUTES OF JANUARY 28, 2021
REGULAR MEETING

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LONG BEACH PLANNING and DEVELOPMENT COMMISSION



CITY OF LONG BEACH
201 Jeff Davis Avenue/ PO BOX 929
Long Beach, MS 39560
(228) 863-1554 office
(228) 863-1558 fax

Office use only
Date Received 12-23-20
Zoning R-2
Agenda Date 1-28-21
Check Number CASH

VARIANCE REQUEST

- I. Tax Parcel Number(s): 0612C-03-039.000
- II. Address of Property Involved: 404 KOHLER STREET
- III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
ASKING FOR 18 FOOT VARIANCE ON SOUTH WEST SIDE OF
PROPERTY TO INSTALL A 6 FOOT PRIVACY FENCE FOR
SECURITY OF STORAGE OF UTILITY TRAILERS

****PLEASE COMPLETE THE FOLLOWING:**

- A. Describe any special condition that justify the granting of this request and that are peculiar to the property and do not apply to other properties in the general area. What are the reasons for the request and why the applicant cannot meet the stated code requirement? THIS IS AN R-2 PROPERTY THAT IS NOT
IN A NEIGHBORHOOD WITH HIGH DENSITY. A CORNER LOT
BUT NOT INTERFERING WITH THE VISUAL OF ONCOMING
TRAFFIC.
- B. Describe how the special condition discussed above is not the result of actions taken by the applicant. Show that the applicant did not cause the need for this request. THE PROPERTY LINE IS AT
LEAST 8 FEET FROM THE SIDE OF THE ROAD (4TH AVE) WHICH
IS SUFFICIENT ROOM FOR FENCE PLACEMENT AS
REQUESTED
- C. Show that an unnecessary hardship exists due to the character of the property and that this hardship makes the request necessary. State what hardship is caused if the applicant is required to meet code requirements? What is the result of this hardship? What would result if the Zoning Board denied this request? THE VARIANCE
REQUEST IS TO ALLOW MAXIMUM USE OF PROPERTY FOR
PARKING UTILITY TRAILERS AND LAWN EQUIPMENT TRAILERS
NOT GRANTING VARIANCE WILL LIMIT USEABLE SPACE
- D. Show that denial of this request will deprive the applicant of rights commonly enjoyed by other properties in the general area and that the granting of this variance request will make possible the reasonable use of land while not conferring any special privilege. Outline how the subject of the variance is common in the area and if the applicant were to be denied this variance a right would be taken away which is granted to other properties. State how the variance makes reasonable use of the existing land and why the same action cannot be done in a way that does not require a variance. Show that granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable. THIS PROPERTY IS BORDERED BY
LIKE KIND USES. LONG BEACH CITY BARN IS DIRECTLY NORTH OF
PROPERTY AND WAREHOUSE BUILDINGS WEST OF PROPERTY
ALSO SURROUNDED BY BALL FIELDS AND POLICE DEPT. AND STORAGE

MINUTES OF JANUARY 28, 2021
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IV. REQUIRED ATTACHMENTS:

- A. **Interest and Ownership.** The applicant's name, address and interest of every person, firm or corporation represented by the applicant in the application, the name of the owner or owners and their respective addresses of the entire land area proposed to be changed in classification or to be included within the structures then existing thereon, and sufficient evidence to establish that the applicant has the right of possession to the land area and structures, the names and address of all owners of adjacent property (exclusive of the width of intervening streets, alleys, or bodies of water). Claims of support or "no objection" from owners of adjoining property should be substantiated in writing or by the appearance of such owner(s) at the hearing. Such support is usually considered material but not conclusive.
- B. **Survey and Site Plan.** a site plan showing the land area which would be affected, easements bounding and intersecting the designated area, the locations of existing and proposed structures with supporting open facilities, and the ground area to be provided and continuously maintained for the proposed structure or structures;
- C. **Recorded Warranty Deed.** A deed which includes a legal description of the specific piece of property involved in the request. If, several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.
- D. **Fee.** Attach a check in the amount of \$100.00. This check should be made payable to the **City of Long Beach** to cover administrative cost. You will also be responsible to actual costs, such as advertising and mailing incurred with the processing of your application.

*****NOTE*** APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.**

V. OWNERSHIP AND CERTIFICATION:

READ BEFORE EXECUTING. Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than 21 days before the 2nd or 4th Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.

Ownership: I the undersigned due hereby agree to all the rules and regulations as set forth in the Long Beach Zoning Ordinance and also agree to pay all fees and charges as stated.

EQUITY TRUST COMPANY
FBO PAUL G. DAURO IRA

Name of Rightful Owner (PRINT)

P.O. Box 1405

Owner's Mailing Address

LONG BEACH MS. 39560

City State Zip

228-596-7046

Phone

Paul G. Dauro 12/23/2020
Signature of Rightful Owner Date

PAUL G. DAURO

Name of Agent (PRINT)

P.O. Box 1405

Agent's Mailing Address

LONG BEACH MS. 39560

City State Zip

228-596-7046

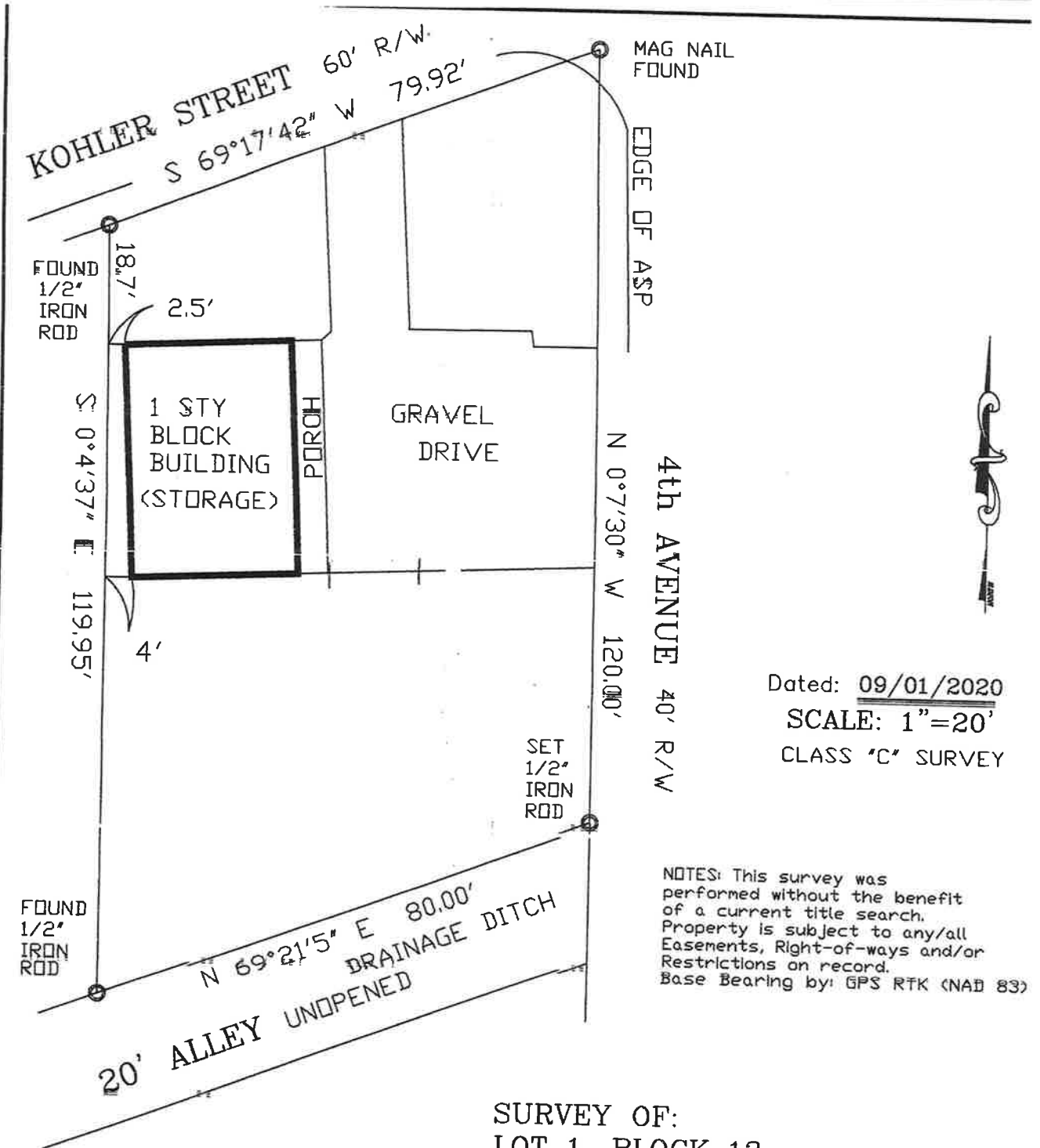
Phone

Paul G. Dauro 12/23/2020
Signature of Applicant Date

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LONG BEACH PLANNING and DEVELOPMENT COMMISSION



Dated: 09/01/2020
SCALE: 1"=20'
CLASS "C" SURVEY

NOTES: This survey was performed without the benefit of a current title search. Property is subject to any/all Easements, Right-of-ways and/or Restrictions on record. Base Bearing by: GPS RTK (NAD 83)

SURVEY OF:
LOT 1, BLOCK 13
KOHLER & RUSSELL SUBD.
CITY OF LONG BEACH
HARRISON COUNTY MS.

CERTIFICATION

This is to CERTIFY that I have surveyed the property hereon described and delineated, and that the measurements and other data indicated are correct to the best of my knowledge and belief.

Larry R. Smith

Larry R. Smith P.L.S. # 02695

This property is located in Zone(s) "X", as published by the Federal Insurance Administration Official Flood Hazard Map, Community Panel Number 28047C0356G, revised 6/16/2009.



**LARRY SMITH
LAND SURVEYING**
105 N. KERN DRIVE
GULFPORT MS. 39503

BOUNDARY, TOPOGRAPHIC
CONSTRUCTION LAYOUT

PHONE: (228) 832-9643

JOB #

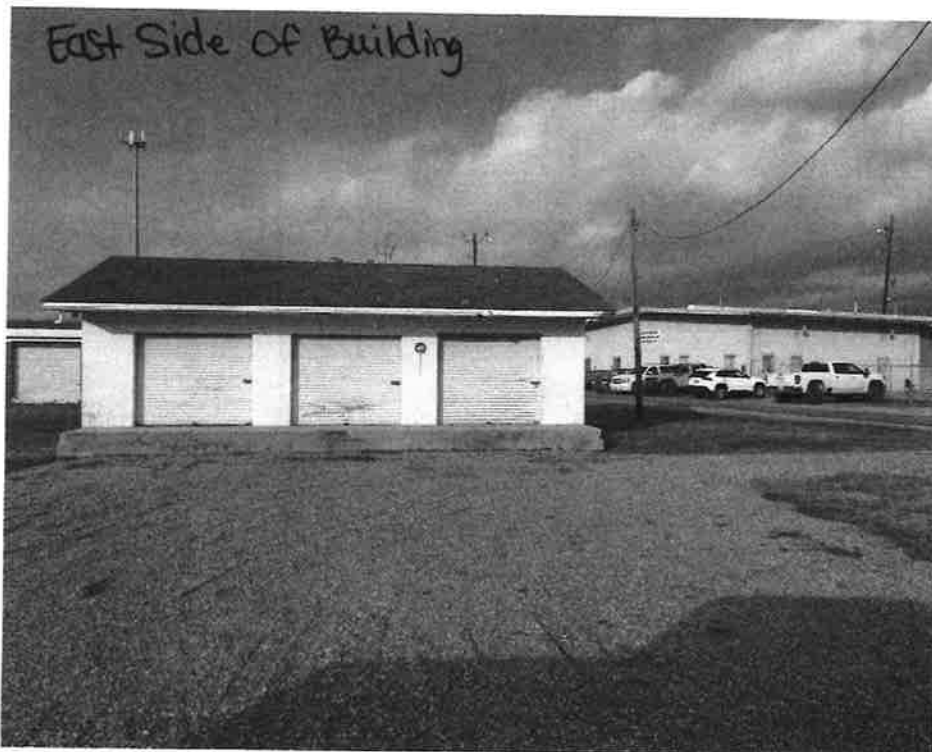
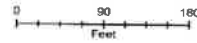
**MINUTES OF JANUARY 28, 2021
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404 Kohler Street, 0612C-03-039.000

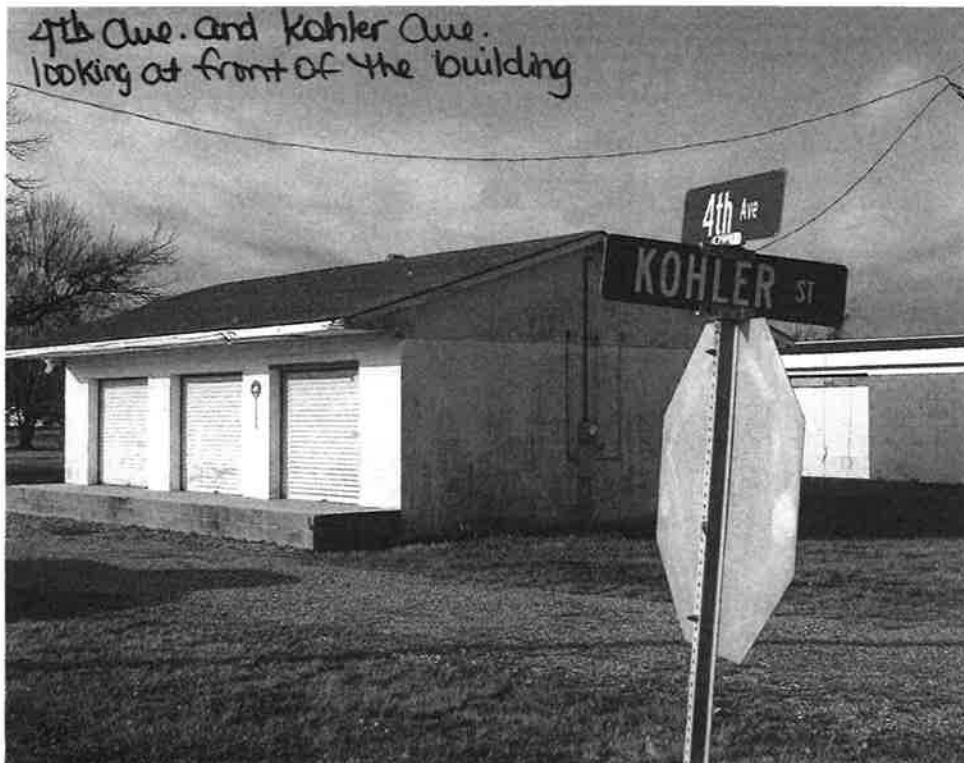
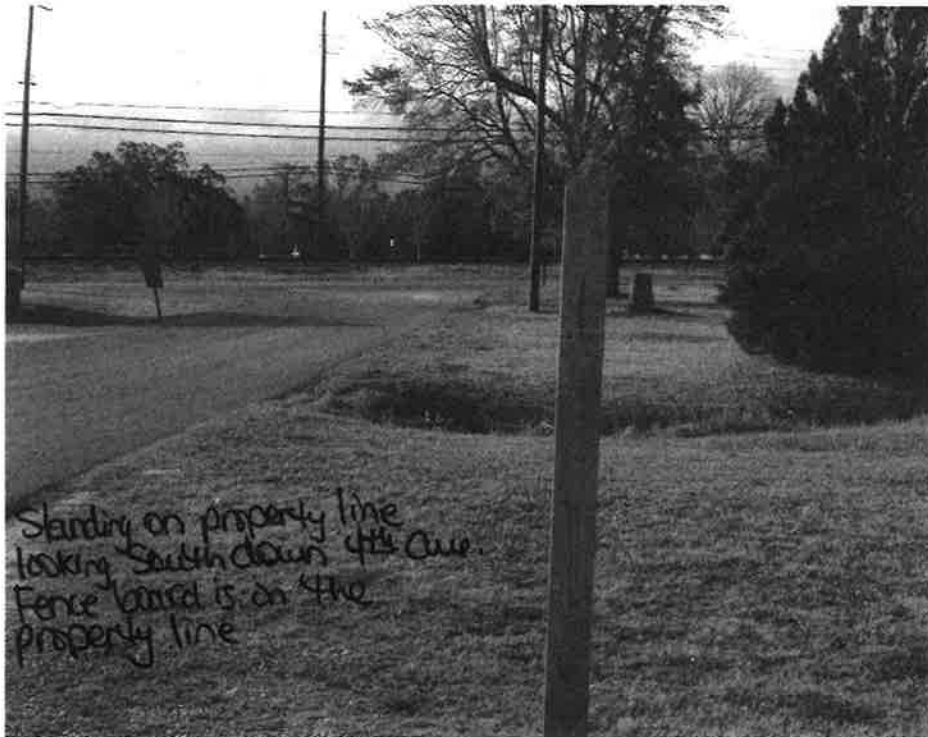


HARRISON COUNTY, MISSISSIPPI

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX APPRAISAL PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY BY ORIGINATOR PROVIDED BY THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONSIDERED AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP. MAP 2018 - December 23, 2018.

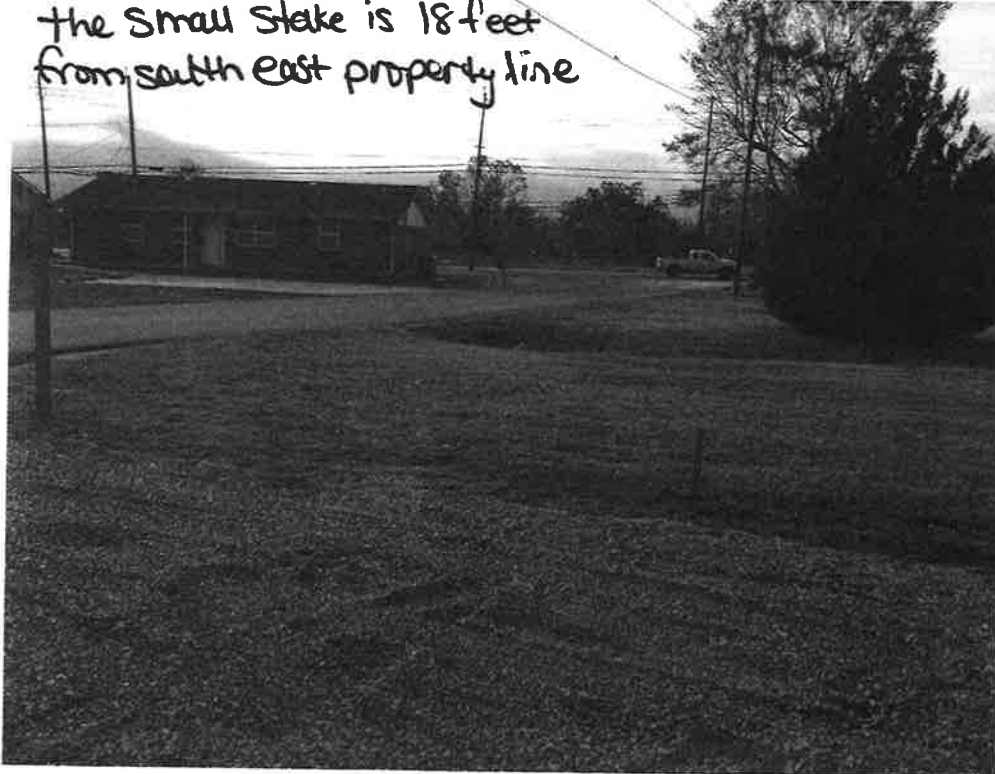


MINUTES OF JANUARY 28, 2021
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*the small stake is 18 feet
from south east property line*



PREPARED BY:
Michael J. Yentzen
Esplanade Land & Title Co., LLC
1914 24th Avenue
Gulfport, MS 39501
(228) 594-8860
MS Bar # 100866

RETURN TO:
Michael J. Yentzen
Esplanade Land & Title Co., LLC
1914 24th Avenue
Gulfport, MS 39507
(228) 594-8860

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

For and in consideration of the sum of TEN AND NO/100THS DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all which is hereby acknowledged, I

JENNIFER P. WALKER
5003 PLANTATION DRIVE
LONG BEACH, MS 39560
228.860.9859

do hereby sell, convey, and warrant unto

EQUITY TRUST COMPANY CUSTODIAN FBO PAUL DAURO IRA
5010 PLANTATION DRIVE
LONG BEACH, MS 39560
228.596.7046

the following described land and property, lying and being situated in Harrison County, Mississippi, First Judicial District, and more particularly and certainly described as follows:
(See Exhibit A attached)(Page 3)

Indexing instructions: LOT ONE (1), BLOCK THIRTEEN (13), KOHLER & RUSSELL SUBDIVISION, HARRISON COUNTY, MISSISSIPPI, FIRST JUDICIAL DISTRICT.

This conveyance is subject to all covenants, restrictions, easements, rights of way and other matters of record. It is agreed and understood that the taxes for the current year have not been prorated as of this date on an estimated basis, and will be assumed by the Grantee.

WITNESS the signature of the Grantor on this the 25th day of November, 2020.

**MINUTES OF JANUARY 28, 2021
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STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 25th day of November, 2020, within my jurisdiction, the within named JENNIFER P. WALKER MCKNIGHT who acknowledged that she signed, executed and delivered the above and foregoing instrument.

GIVEN under my hand and official seal of office.

My Commission Expires:

NOTARY PUBLIC

EXHIBIT "A"

Legal Description: LOT ONE (1), BLOCK THIRTEEN (13), KOHLER & RUSSELL SUBDIVISION, A SUBDIVISION ACCORDING TO THE OFFICIAL MAP OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF HARRISON COUNTY, MISSISSIPPI, FIRST JUDICIAL DISTRICT, IN PLAT BOOK 4, AT PAGE 8, (COPY BOOK 2A, AT PAGE 134), THEREOF, REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS PART OF THIS DESCRIPTION, TOGETHER WITH ALL THE RIGHTS, PRIVILEGES, IMPROVEMENTS AND APPURTENANCES TO THE SAME BELONGING OR IN ANY WISE APPERTAINING. (TAX PARCEL # 0612C-03-039.000).

The Clerk reported that three (3) notices of Public hearing were sent by regular mail to property owners within one hundred sixty feet (160') of the subject property. Notices were also posted on the bulletin boards at City Hall, the Building Official's Office and the Water Department, 201 Jeff Davis Avenue and at the Long Beach Public Library, 209 Jeff Davis Avenue; said notice was ordered as part of these proceedings:

City of Long Beach



**LEGAL NOTICE
PUBLIC HEARING**

In accordance with Article XIX of the Comprehensive Long Beach Unified Land Ordinance 598 of the City of Long Beach, Mississippi (2013) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a **Variance**.

Equity Trust Company (owner), Paul G. Dauro (agent), PO Box 1405, Long Beach, MS, 39560, has filed an application for a Variance in accordance with the Comprehensive Long Beach Unified Land Ordinance 598, amended by Ordinance 608, Section 119: Lots. **The applicant is an "18 feet variance for the south west side of property to install a 6 feet privacy fence for security of storage of utility trailers".** The City's requirement for side yard setbacks on a corner lot are 18 feet. The address is 404 Kohler Street, Tax Parcel Number is 0612C-03-039.000. The legal description is as follows:

LOT 1 BLK 13 KOHLER & RUSSELL

A Public Hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, January 28, 2021, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

MINUTES OF JANUARY 28, 2021
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AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared before me, TINA M DAHL, known to me to be the Minutes Clerk of the City of Long Beach, Mississippi, Planning and Development Commission, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

- 1. That she is the duly appointed and acting Minutes Clerk of the City of Long Beach, Mississippi, Planning and Development Commission;
2. That in such capacity, she is responsible for mailing Notices of Public Hearing for the purpose of notifying property owners within One Hundred Sixty Feet (160'), excluding public right of ways, of the subject property, when applications for zoning map changes, variances, appeals, etc., are filed, all as stipulated in The Zoning Ordinance Number 598 of the City of Long Beach; and other matters pertaining to such Public Hearings and the business of the Planning and Development Commission in and for the City of Long Beach;
3. That on January 4, 2021, she did cause to be mailed, Notice of Public Hearing a copy of which is attached hereto, to 3 (three) property owners within One Hundred Sixty Feet (160'), excluding public right of ways, of, Tax Parcel 0612C-03-039.000, notifying them that a Public Hearing will be held, January 28, 2021 to consider an application for a Variance.

Given under my hand this the 4th day of January 2021.

Stacey Dahl
STACEY DAHL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 4th day of January 2021.

Xini Gonsoulin
NOTARY PUBLIC



AVERY 5160
Mississippi Regional Housing Authority
#VIII
10430 Three Rivers Road
Gulfport, MS 39503

Enjoy Peel Address Labels
Hale, CJ and Barbara
416 West Railroad Street
Long Beach, MS 39560

Go to avery.com/templates
Kingdom Real Estate Group, LLC
1205 North 1300 West
Pleasant Grove, UT 84062

The Clerk reported that she did cause to be published in the Gazebo Gazette, a newspaper with general circulation in the City of Long Beach, and published in Harrison County, Legal Notice of Public Hearing, as evidenced by the Publisher's Proof of Publication as follows:

Proof of Publication

STATE OF MISSISSIPPI
COUNTY OF HARRISON
PERSONALLY appeared before me the undersigned notary in and for said County and State, HUNTER DAWKINS, publisher of THE GAZEBO GAZETTE, a newspaper printed and published in Harrison County, who being duly sworn, deposes and says the publication of this notice hereunto attached has been made to the said publication ___ weeks in the following numbers and on the following dates of such paper:
Vol. ___ No. ___ dated ___ day of ___, 20__
Vol. ___ No. ___ dated ___ day of ___, 20__
Vol. ___ No. ___ dated ___ day of ___, 20__
Vol. ___ No. ___ dated ___ day of ___, 20__
Vol. ___ No. ___ dated ___ day of ___, 20__
Vol. ___ No. ___ dated ___ day of ___, 20__
Vol. ___ No. ___ dated ___ day of ___, 20__
Vol. ___ No. ___ dated ___ day of ___, 20__
Vol. ___ No. ___ dated ___ day of ___, 20__
Affiant further states on oath that said newspaper has been established and published continuously in said county for period of more than twelve months prior to the first publication of said notice.
Sworn to and subscribed before me this 11 day of Jan, A.D. 2021.
Notary Public

**MINUTES OF JANUARY 28, 2021
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Commission Chairman Olaivar asked for anyone speaking in favor or opposition of the request and no one came forward.

Commissioner Husband made motion, seconded by Commissioner Hansen and unanimously carried to close the Public Hearing.

After considerable discussion, Commissioner Hansen made motion, seconded by Commissioner Kruse and unanimously carried recommending the approval of the Variance as submitted.

Be it remembered that a Regular Meeting before the Long Beach Planning and Development Commission, Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 28th day of January 2021, in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed for holding said Regular Meeting.

There were present and in attendance on said Commission and at the meeting the following named persons: Chairman Frank Olaivar, Commissioners Mark McMillan, Jeff Hansen, Junior Husband, Larry Ward, Kevin McKenzie, and Marcia Kruse, City Consultant Bill Hessell, Building Official Mike Gundlach and Minutes Clerk Tina M. Dahl.

Absent the Regular Meeting were Commissioners Shawn Barlow and Jennifer Glenn.

There being a quorum present and sufficient to transact the business of this regular meeting, the following proceedings were had and done.

Commissioner McKenzie made motion, seconded by Commissioner McMillan and unanimously carried to approve the Regular Meeting minutes of January 14, 2021, as submitted.

MINUTES OF JANUARY 28, 2021
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION

It came for discussion under New Business a Tree Removal for property located at 420 East 3rd Street, Tax Parcel 0612A-01-033.000, submitted by Charles Wambolt, as follows:



CITY OF LONG BEACH, MISSISSIPPI
201 Jeff Davis Avenue
P.O. Box 929
Long Beach, MS 39560
(228) 863-1554
(228) 863-1558 fax
APPLICATION FOR TREE PERMIT

OFFICE USE ONLY
Date Received 1-20-21
Zoning R-1
Agenda Date 1-28-21
Check Number 1520

(Initial on the line that you've read each)

CW Routine trimming does not require a permit. The reason for pruning may include, but are not limited to, reducing risk, maintaining or improving tree health and structure, improving aesthetics, or satisfying a specific need. The City of Long Beach does recommend you obtain a licensed Arborist for your and the tree protection.

CW Any single-family Residential, Multi-Family Residential, Commercial or Industrial Zoned areas need a permit to remove a Live Oak or Magnolia tree with its root system, growing upon the earth usually with one trunk or at least eighteen (18) inches in circumference or larger, measured four and one-half (4 1/2) feet above the surface of the ground, or a multi-stemmed trunk system with a definitely formed crowned.

CW Any person desiring a permit for removal of any Live Oak or Magnolia tree, shall submit this application and a filing fee of \$25.00 per parcel of land to which such application pertains.

TODAY'S DATE: 1/1/2021

PROPERTY INFORMATION

TAX PARCEL # 0612A-01-033.000

Address of Property Involved: 420 E. 3rd St.

Property owner name: Charles Wambolt

Are you the legal owner of the above property? Yes No If No, written consent from the owner is needed. Please provide a statement that no person, not listed on this application, has any interest in the title in or to the property.

Property owner address: 420 E. 3rd St.

Phone No. (228) 234-4567

CONTRACTOR OR APPLICANT INFORMATION

Company Name: TBA

Phone No. _____ Fax: _____

Name _____

Address _____

PERMIT INFORMATION

Permit for: Removal Trimming _____ Pruning _____

What is the reason the tree needs to be removed? Be specific ex. Construction, street or roadway, recreational area, patio, parking lot, diseased tree not worthy of preservation, etc.:

Cracking drive way + foundation of
inside of home + prevention of
neighbors foundation cracking.

Number of Trees:

1 Live Oak _____ Southern Magnolia

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all applicable codes, ordinances and state laws regulation construction; that I am the owner or authorized to act as the owner's agent for the herein described work.

C. Wambolt 1/1/2021
Signature Date

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

(Initial on the line that you've read each)

CW TREE SITE PLAN: Please provide a map or diagram of the parcel of land, specifically designating the area or areas of proposed tree removal and the proposed use of such area. Please include the following: 1) location of all protected and large shade trees on the property, their size and species 2) Designate which are disease/or damaged, 3) designate which are endangering any roadway, pavement, or utility line, 4) any proposed grade changes that might adversely affect or endanger any trees on the site and specify how to maintain them 5) designate the trees to be removed and the trees to be maintained, and 5) location of existing and/or proposed structures.

CW PHOTOGRAPH: You must attach a photograph of the tree to be removed, the photo must show any damage the tree is causing.

CW OWNERSHIP: Please provide a recorded warranty deed.

CW PERMIT FEES: Upon issuance of a Tree Removal Permit, the permit fee will be as follows: For removal of a tree or trees where such removal of such tree or trees is necessitated by material damage caused by such tree or trees to permanent improvement or improvements on the parcel where such tree or trees are situated a fee of \$1.00 per tree permitted to be removed. For removal of all other trees, a fee of \$45.00 per tree permitted to be removed. As per City of Long Beach Tree Ordinance (#364) any person removing any Live Oak or Magnolia tree within the City of Long Beach, Mississippi, without a valid tree removal permit, shall be guilty of a misdemeanor; and upon conviction thereof shall be sentenced to pay a fine not less than \$500.00 nor more than \$1000.00. The removal of each tree without having first secured a valid tree removal permit shall constitute a separate offense and shall be punishable as such.

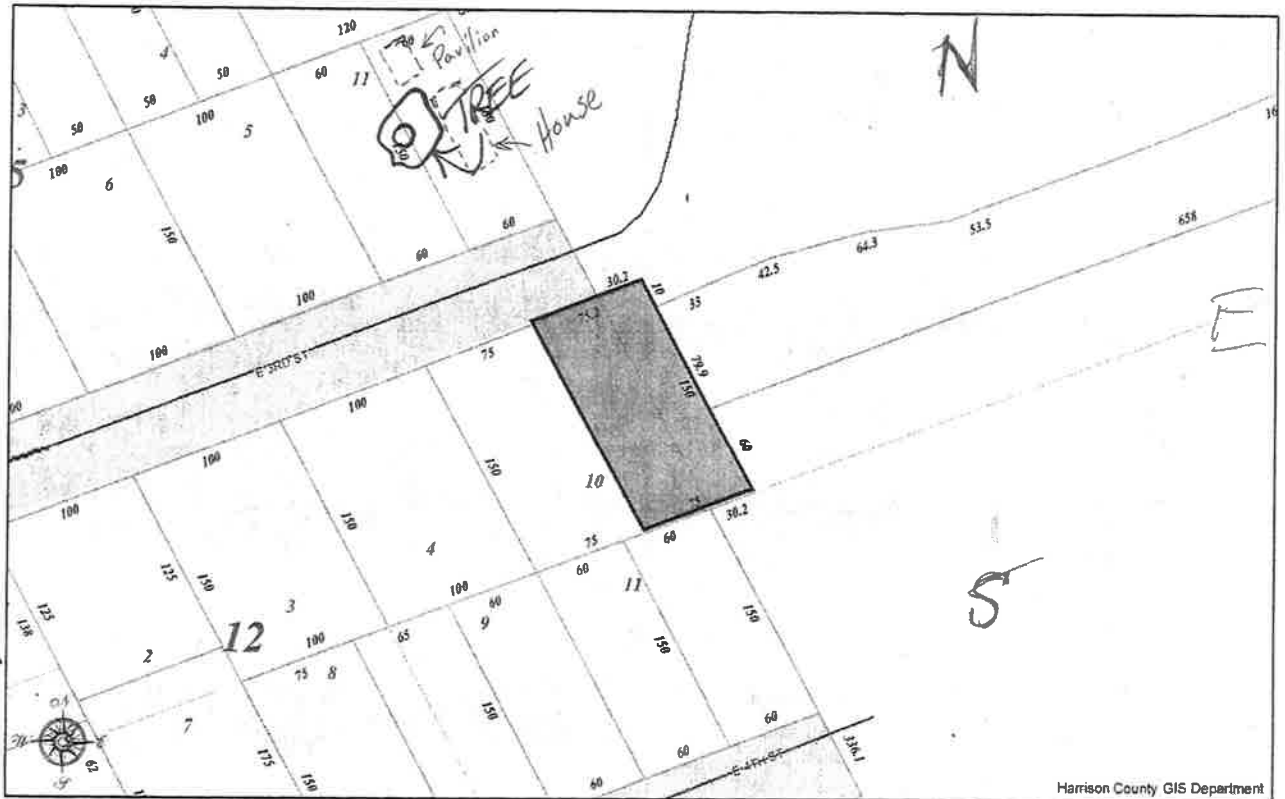
CW REPLANTING: As a condition of granting the tree removal permit, the City, acting by and through its Mayor and Board of Aldermen, may require the applicant to relocate or replace trees, but may not require the replacement of trees in a number greater than the number of Live Oak or Magnolia trees removed; trees to be of Four (4) inches caliper deciduous trees or five (5) feet in height of evergreen or Live Oak or Magnolia trees.

CW MEETING: You must attend the Planning Commission meeting, not attending may cause your permit for tree removal to be denied or withheld.

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

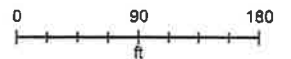
My Map



HARRISON COUNTY, MISSISSIPPI

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP. TAL FLURY, TAX ASSESSOR.

MAP DATE: August 5, 2015



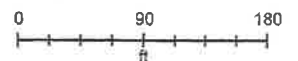
My Map



HARRISON COUNTY, MISSISSIPPI

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MAP DATE: August 5, 2015



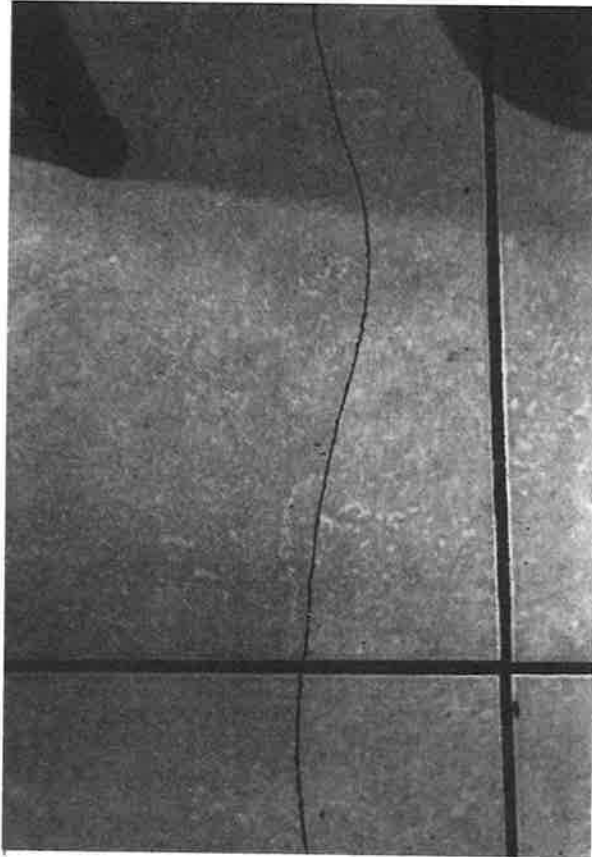
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**MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



[Signature] 1st Judicial District
Instrument 2019 4862 D -J1
Filed/Recorded 7/9/2019 12:45 M
Total Fees \$ 15.00
3 Pages Recorded

PREPARED BY:

Charles B. Wambolt
420 E. 3rd St.
Long Beach, MS 39560
(228) 234-4567

RETURN TO:

Charles B. Wambolt
420 E. 3rd St.
Long Beach, MS 39560
(228) 234-4567

STATE OF MISSISSIPPI

COUNTY OF HARRISON

WARRANTY DEED

For and in consideration of the sum of Ten dollars (\$10.00), cash in hand paid this day, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged,

Donald R. Wambolt
Long Beach, MS 39560
(228) 234-4567
109 Oak Avenue

does hereby sell, convey and warrant unto

Charles B. Wambolt
420 E. 3rd St.
Long Beach, MS 39560
(228) 234-4567

The following described land and property being located in Harrison County, Mississippi, more particularly described as follows:

(See Exhibit A attached)

INDEXING INSTRUCTIONS:

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis and are assumed by the Grantee. When said taxes are determined, if the proration of this date is incorrect, the Parties hereto agree to pay on the basis of an actual proration.

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**MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

EXHIBIT A

PARCEL 1

All that part of Lot Ten(10), Block Twelve (12), of ORIGINAL LONG BEACH, in the Town of Long Beach in Harrison County, Mississippi, as shown by the official map or plat of said Original Long Beach, commonly known and referred to as Porter's Map of Long Beach, on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, in Record of Plats Book 11 Page 6 (Copy Book 4-A, Page 365) of the Record of Plats in Harrison County, Mississippi and being more particularly described as follows:

Beginning at an iron pipe found marking the Northwest (NW) corner of Lot Ten (10) ,Block Twelve (12) of ORIGINAL LONG BEACH and thence North 69 degrees 17 minutes 27 seconds East along the South margin of East Third Street a distance of 75.06 feet to an iron rod found; thence South 27 degrees 59 minutes 54 seconds East a distance of 150.08 feet to an iron rod found marking the Southwest (SW) corner of said Lot Ten (10); thence North 28 degrees 04 minutes 20 seconds West a distance of 149.87 feet to the point of beginning, having an area of 11, 150.0 square feet., more or less.

PARCEL 2

EAST ½ of LOT 11, BLOCK 5, ORIGINAL LONG BEACH, a subdivision of the City of Long Beach, First Judicial District, of Harrison County, Mississippi, as per the official map or plat thereof on file of record in the office of the Chancery Clerk of Harrison County, Mississippi.

Tax Parcel No. 0612A-01-033.000 (TAX PARCEL NUMBER FOR INFORMATION PURPOSES ONLY).

PARCEL 3

A parcel of land situated and being located in a part of Lots Eight (8) and Nine (9), Block Nineteen (19), ORIGINAL LONG BEACH, according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 11 at Page 6 (Copy Book 4A at Page 365) thereof, and being more particularly described as: Beginning at the intersection of the West margin of Douglas Lane with the North margin of Kerr Street; thence run from said point of beginning, South 63 degrees 51 minutes West a distance of 110.0 feet along the North margin of Kerr Street; thence run North 63 degrees 51 minutes East a distance of 110.0 feet to the West margin of Douglas Lane; thence run South 28 degrees East a distance of 122.0 feet along the West margin of Douglas Lane to the North margin of Kerr Street and the Point of Beginning.

This conveyance is made expressly subject to any and all restrictive covenants, rights-of-way, easements, and mineral reservations and any other rights now of record which effect the above described property.

WITNESS MY SIGNATURE, this the 3 day of July 2019

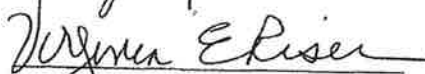

Donald R. Wambolt

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally appeared before me, the undersigned Notary Public in and for the above named jurisdiction, the within named, Donald R. Wambolt, who acknowledged that he signed and delivered the foregoing instrument on the day and year therein stated.

Given under my hand and seal this the 3 day of July 2019


NOTARY PUBLIC

My Commission Expires:

Sept 11 2020



**MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

From: Marcy Bartman <marcybartman@gmail.com>
Sent: Tuesday, January 26, 2021 9:45 AM
To: tina@cityoflongbeachms.com
Subject: Tree removal - Charles Wambolt and Marcy Bartman

Mrs. Dahl,

My neighbor is having issues with the tree that is on both our properties. It is causing damage to his property and has lifted part of mine. I do not have proper drainage because of it. Please advise if there is anything else you will need from me.

Thank you,
Marcy Bartman
Cell: 228.452.1186
O'Dwyer Realty
Office: 228.452.4242
marcybartman@gmail.com

MEMORANDUM

Date: January 22, 2021
To: City of Long Beach Planning Commission
From: Kimberly Lentz, Long Beach Tree Board
Re: Tree Removal Application – 420 E. Third St
.....

The tree is causing ongoing damage to the homeowner's property. The tree board does not object to the removal of the tree.

After considerable discussion, and upon a City of Long Beach Tree Board Member's recommendation in accordance with the City of Long Beach Tree Ordinance, Commissioner McKenzie made motion, seconded by Commissioner McMillan and unanimously carried to approve the removal of the one (1) Live Oak Tree, as submitted.

It came for discussion under New Business, a Tree Removal for property located at 105 Shannon Court, Tax Parcel 0711M-04-043.000, submitted by Jacqueline Roberts, as follows:

**MINUTES OF JANUARY 28, 2021
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION



CITY OF LONG BEACH, MISSISSIPPI
201 Jeff Davis Avenue
P.O. Box 929
Long Beach, MS 39560
(228) 863-1554
(228) 863-1558 fax

APPLICATION FOR TREE PERMIT

OFFICE USE ONLY	
Date Received	1-20-21
Zoning	R-1
Agenda Date	1-28-21
Check Number	3468

(Initial on the line that you've read each)

JL Routine trimming does not require a permit. The reason for pruning may include, but are not limited to, reducing risk, maintaining or improving tree health and structure, improving aesthetics, or satisfying a specific need. The City of Long Beach does recommend you obtain a licensed Arborist for your and the tree protection.

JL Any single-family Residential, Multi-Family Residential, Commercial or Industrial Zoned areas need a permit to remove a Live Oak or Magnolia tree with its root system, growing upon the earth usually with one trunk or at least eighteen (18) inches in circumference or larger, measured four and one-half (4 1/2) feet above the surface of the ground, or a multi-stemmed trunk system with a definitely formed crowned.

JL Any person desiring a permit for removal of any Live Oak or Magnolia tree, shall submit this application and a filing fee of \$25.00 per parcel of land to which such application pertains.

TODAY'S DATE: 01/19/21

(228) 547-0499

PROPERTY INFORMATION

TAX PARCEL # 0711M 04-043.000

Address of Property Involved: 105 SHANNON CT.

Property owner name: JACQUELINE ROBERTS

Are you the legal owner of the above property? Yes No If No, written consent from the owner is needed. Please provide a statement that no person, not listed on this application, has any interest in the title in or to the property.

Property owner address: 105 SHANNON CT., LB, MS 39560

Phone No. (228) 547-0499

CONTRACTOR OR APPLICANT INFORMATION

Company Name: BOBCAT (JOEY WILSON) TREE WORK

Phone No. (228) 806-8063 Fax: _____

Name JOEY WILSON

Address 8468 COUNTY FARM RD., LB, MS 39560

PERMIT INFORMATION

Permit for: Removal Trimming _____ Pruning _____

What is the reason the tree needs to be removed? Be specific ex. Construction, street or roadway, recreational area, patio, parking lot, diseased tree not worthy of preservation, etc.: _____
(use separate sheet if needed)

*SEE ATTACHED SHEET

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

(Initial on the line that you've read each)

JL TREE SITE PLAN: Please provide a map or diagram of the parcel of land, specifically designating the area or areas of proposed tree removal and the proposed use of such area. Please include the following: 1) location of all protected and large shade trees on the property, their size and species 2) Designate which are disease/or damaged, 3) designate which are endangering any roadway, pavement, or utility line, 4) any proposed grade changes that might adversely affect or endanger any trees on the site and specify how to maintain them 5) designate the trees to be removed and the trees to be maintained, and 5) location of existing and/or proposed structures.

JL PHOTOGRAPH: You must attach a photograph of the tree to be removed, the photo must show any damage the tree is causing.

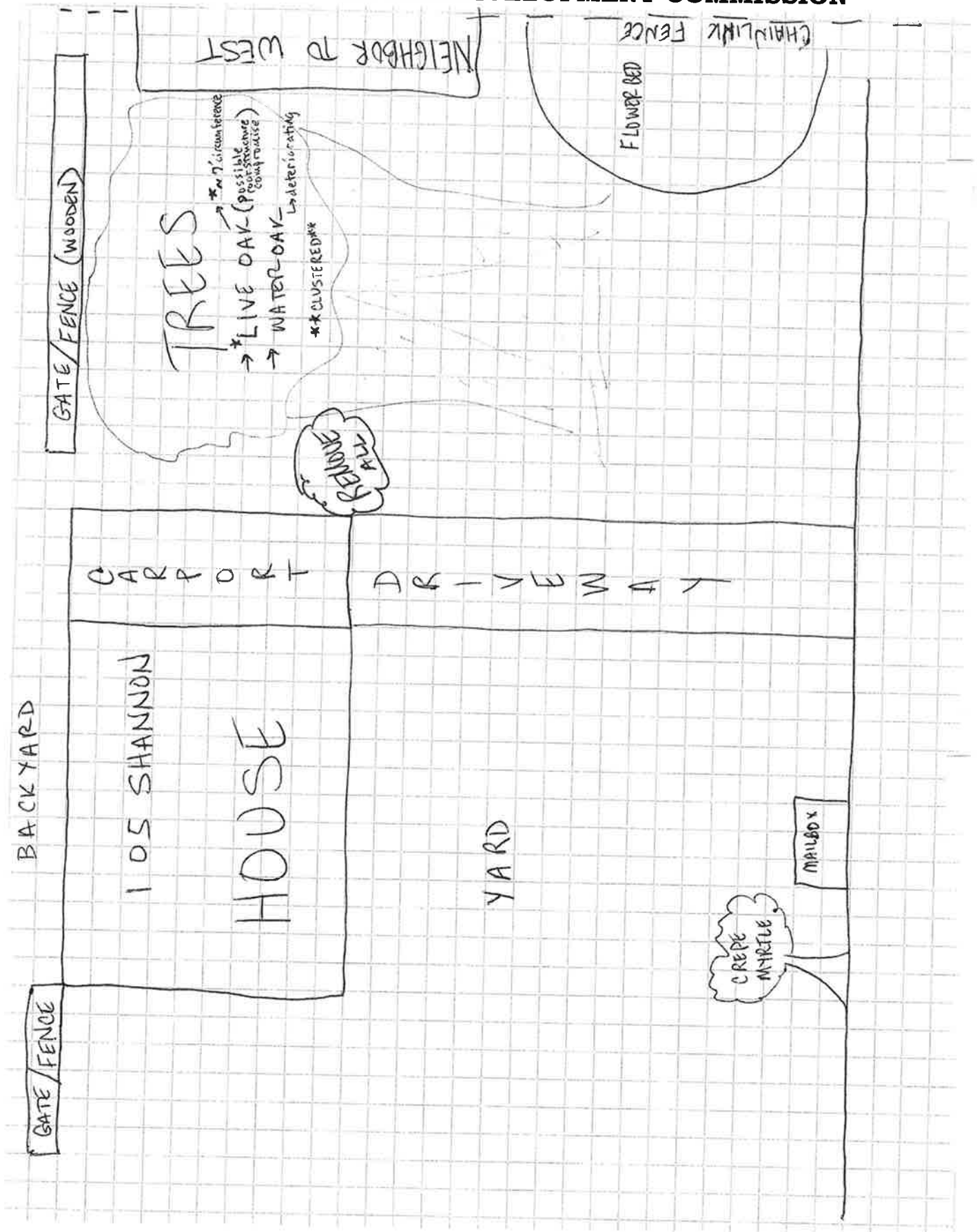
JL OWNERSHIP: Please provide a recorded warranty deed.

JL PERMIT FEES: Upon issuance of a Tree Removal Permit, the permit fee will be as follows: For removal of a tree or trees where such removal of such tree or trees is necessitated by material damage caused by such tree or trees to permanent improvement or improvements on the parcel where such tree or trees are situated a fee of \$1.00 per tree permitted to be removed. For removal of all other trees, a fee of \$45.00 per tree permitted to be removed. As per City of Long Beach Tree Ordinance (#364) any person removing any Live Oak or Magnolia tree within the City of Long Beach, Mississippi, without a valid tree removal permit, shall be guilty of a misdemeanor; and upon conviction thereof shall be sentenced to pay a fine not less than \$500.00 nor more than \$1000.00. The removal of each tree without having first secured a valid tree removal permit shall constitute a

Reasons for tree removal

- A dying water oak and the live oak have grown into one cluster.
- Concerned deterioration of water oak may have compromised the root structure of the live oak.
- I fear more limbs will drop on my roof, car, and/or neighbor's property and house.
- Certified tree surgeon recommends removal of live oak and water oak.

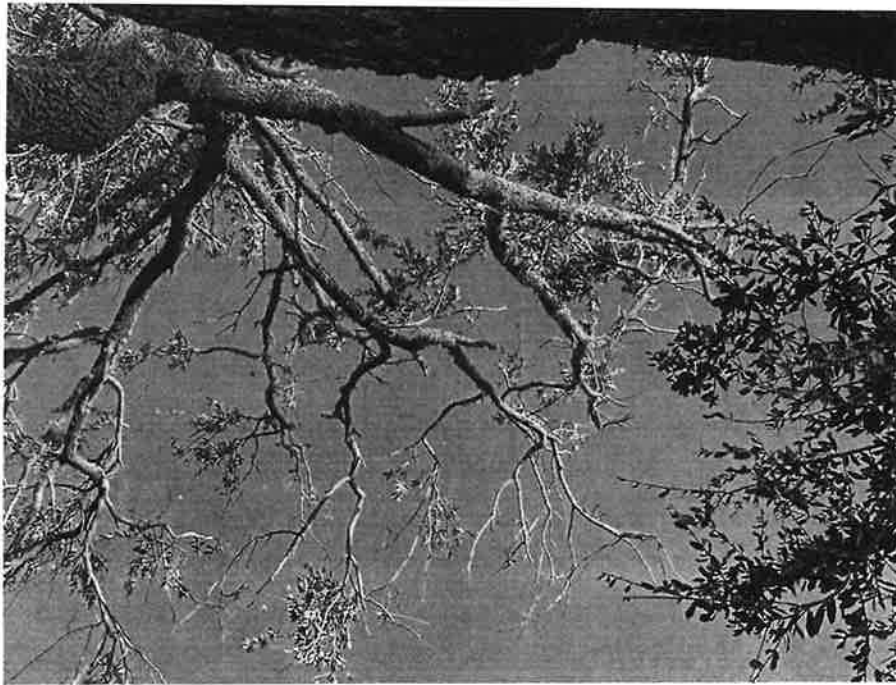
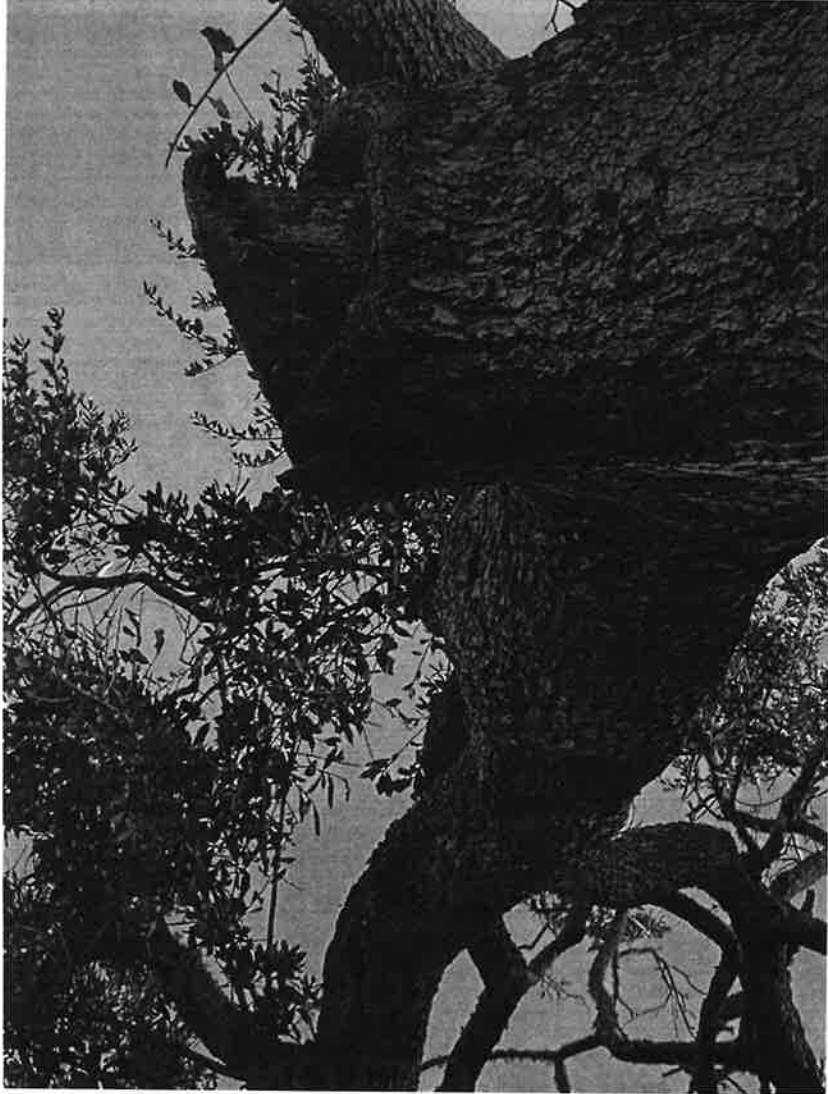
MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



**MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



**MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



339

**MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

[Space Above This Line For Recording Data]

This Instrument Prepared By:
TRUSTMARK NATIONAL BANK
Kelli Hewittc

After Recording Return To:
Trustmark National Bank
P. O. Box 22869
JACKSON, MISSISSIPPI 39225
Loan Number: 4235946

DEED OF TRUST

MIN: 100213400042359466

MERS Phone: 888-679-6377

Grantor/Borrower: Jacqueline Ann Roberts, 105 Shannon Ct., Long Beach, MS 39560
(228) 547-0499

Grantee: TRUSTMARK NATIONAL BANK, P.O. BOX 22869, JACKSON, MISSISSIPPI 39225
(800) 844-2000

Beneficiary: Mortgage Electronic Registration Systems, Inc. (MERS), 1901 E Voorhees Street, Suite C, Danville,
IL 61834. Telephone number is (888) 679-MERS.

Trustee: Granville Tate, Jr., 248 E. Capitol Street, Jackson, Mississippi 39201
(601) 208-5088

Indexing Instructions: The real property described herein is situated in the _____ Quarter of the
Quarter of Section _____, Township _____, Long Beach
Range _____ of the _____ County, Mississippi. _____ Judicial District of

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11,
13, 18, 20 and 21. Certain rules controlling the construction of this instrument are set forth in Sections 3, 11,
13, 18, 20 and 21.

MEMORANDUM

Date: January 22, 2021

To: City of Long Beach Planning Commission

From: Kimberly Lentz, Long Beach Tree Board

Re: Tree Removal Application – 105 Shannon Ct

.....

The tree is causing ongoing damage to the homeowner's property. The tree board does not object to the removal of the tree.

After considerable discussion, and upon a City of Long Beach Tree Board Member's recommendation in accordance with the City of Long Beach Tree Ordinance, Commissioner Husband made motion, seconded by Commissioner Hansen and unanimously carried to approve the removal of the one (1) Live Oak Tree, as submitted.

It came for discussion under New Business, Planning Commission Approval for property located at 1166 West Railroad Street, Tax Parcels 0512G-02-017.000 and 0512G-02-017.001, submitted by Stephen and Sarah McNally, as follows:

MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

CITY OF LONG BEACH, MISSISSIPPI

APPLICATION FOR CASE REVIEW

PHYSICAL ADDRESS: 201 JEFF DAVIS AVENUE LONG BEACH, MS 39560	PHONE: (228) 863-1554 FAX: (228) 863-1558	MAILING ADDRESS POST OFFICE BOX 929 LONG BEACH, MS 39560
---	--	---

- I. TYPE OF CASE: PLANNING COMMISSION APPROVAL
 DECISION OF THE BUILDING OFFICIAL IS ALLEGED TO BE IN ERROR
 INTERPRETATION OF THE ZONING ORDINANCE
- II. Address of Property Involved: 1166 West Rail Road, Long Beach, MS 39560 05126-02-017.000
05126-02-017.006
- Tax Parcel Number

III. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.) In Anticipation of Beatline Parkway (4 Lanes) becoming a reality we request this C-3 property be given Planning Commission Approval to be used as Storage Rental Units. This Approval would compensate Beatline Road Mini Storage for land taken by the city to complete Beatline Parkway.

- IV. REQUIRED ATTACHMENTS:
- A. Interest and Ownership. The applicant's name, address and interest of every person, firm or corporation represented by the applicant in the application, the name of the owner or owners and their respective addresses of the entire land area proposed to be changed in classification or to be included within the structures then existing thereon, and sufficient evidence to establish that the applicant has the right of possession to the land area and structures, the names and address of all owners of adjacent property (exclusive of the width of intervening streets, alleys, or bodies of water). Claims of support or "no objection" from owners of adjoining property should be substantiated in writing or by the appearance of such owner(s) at the hearing. Such support is usually considered material but not conclusive.
 - B. Survey and/or Site Plan. A site plan showing the land area which would be affected, if required a general layout drawing of the development, easements bounding and intersecting the designated area, the locations of existing and proposed structures with supporting open facilities, and the ground area to be provided and continuously maintained for the proposed structure or structures;
 - C. Recorded Warranty Deed. A deed which includes a legal description of the specific piece of property involved in the request. If, several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.
 - D. Fee. Attach a check in the amount of \$50.00. This check should be made payable to the City of Long Beach to cover administrative cost. You will also be responsible to actual costs, such as advertising and mailing incurred with the processing of your application.

*****NOTE*** APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.**

V. **OWNERSHIP AND CERTIFICATION:**
READ BEFORE EXECUTING. Attendance by the applicant(s) at the public hearing (IF REQUIRED) and/or meeting is mandatory; however, the applicant may designate a representative to attend the public hearing and/or meeting on their behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing and/or meeting. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application. The completed application with all necessary documents and payments must be returned to the Planning office not later than 21 days before the 2nd or 4th Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.

Ownership: I the undersigned do hereby agree to all the rules and regulations as set forth in the Long Beach Zoning Ordinance and also agree to pay all fees and charges as stated.

<u>Stephen and Sarah McNally</u> Name of Rightful Owner (PRINT)	_____ Name of Agent (PRINT)
<u>20073 Commission Road</u> Owner's Mailing Address	_____ Agent's Mailing Address
<u>Long Beach Ms.</u> <u>39560</u> City State Zip	_____ City State Zip
<u>228-365-8356</u> Phone	_____ Phone
<u>postalworkshop@aol.com</u> Email address	_____ Email Address
<u>Stephen McNally</u> <u>1/7/21</u> Signature of Rightful Owner Date	_____ Signature of Agent Date

OFFICE USE ONLY

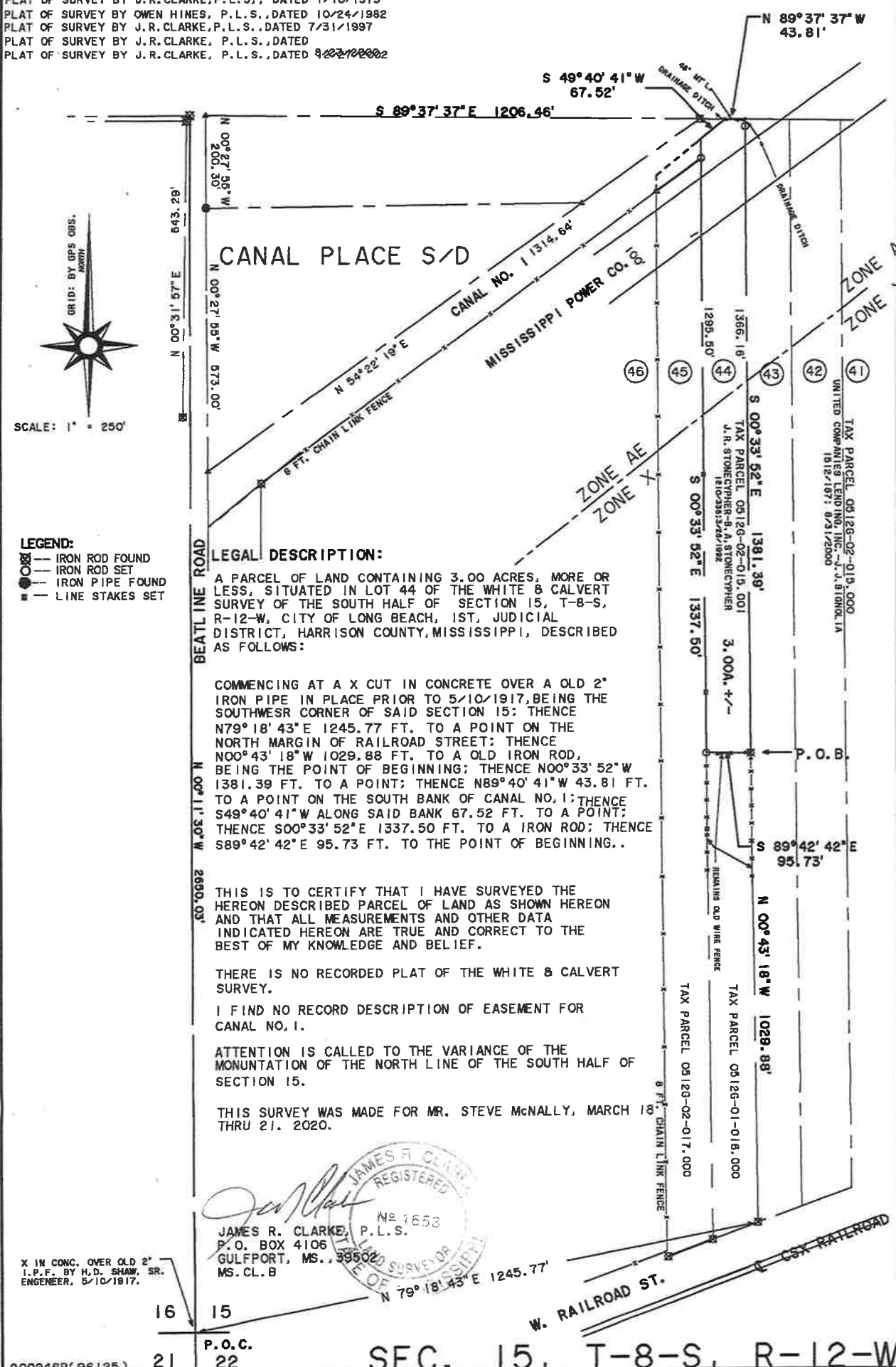
Date Received 1-8-21 Zoning C-3 Agenda Date 1-28-21 Check Number 10843

**MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

NOTE: BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X & AE OF THE FLOOD INS. RATE MAP 28047C0 G, DATED 9/16/2009. THERE IS NO RECORDED PLAT OF RECORD FOR THE "WHITE AND CALVERT SURVEY" RECORDED IN THE LAND DEED RECORDS OF HARRISON COUNTY. A DRAWING OF THE WHITE & CALVERT SURVEY IS RECORDED IN THE 1926 TAX ACCESSION MAPS OF SAID COUNTY. THE LOTTING IS BASED ON 55 LOTS WITH A EAST-WEST WIDTH OF 96 FT. FOR A TOTAL EAST-WEST WIDTH OF 5280 FT. (1 MILE).

REFERENCE DATA:

- PLAT OF SURVEY BY H. D. SHAW, SR., ENG., 5/10/1917
- 1926 HARRISON CO. TAX ACCESSION MAP
- PLAT OF SURVEY BY J. R. CLARKE, P. L. S., DATED 1/10/1979
- PLAT OF SURVEY BY OWEN HINES, P. L. S., DATED 10/24/1982
- PLAT OF SURVEY BY J. R. CLARKE, P. L. S., DATED 7/31/1997
- PLAT OF SURVEY BY J. R. CLARKE, P. L. S., DATED 9/20/2000
- PLAT OF SURVEY BY J. R. CLARKE, P. L. S., DATED 9/20/2000



LEGAL DESCRIPTION:

A PARCEL OF LAND CONTAINING 3.00 ACRES, MORE OR LESS, SITUATED IN LOT 44 OF THE WHITE & CALVERT SURVEY OF THE SOUTH HALF OF SECTION 15, T-8-S, R-12-W, CITY OF LONG BEACH, 1ST, JUDICIAL DISTRICT, HARRISON COUNTY, MISSISSIPPI, DESCRIBED AS FOLLOWS:

COMMENCING AT A X CUT IN CONCRETE OVER A OLD 2" IRON PIPE IN PLACE PRIOR TO 5/10/1917, BEING THE SOUTHWEST CORNER OF SAID SECTION 15; THENCE $N 79^{\circ}18'43'' E$ 1245.77 FT. TO A POINT ON THE NORTH MARGIN OF RAILROAD STREET; THENCE $N 00^{\circ}43'18'' W$ 1029.88 FT. TO A OLD IRON ROD, BEING THE POINT OF BEGINNING; THENCE $N 00^{\circ}33'52'' W$ 1381.39 FT. TO A POINT; THENCE $N 89^{\circ}40'41'' W$ 43.81 FT. TO A POINT ON THE SOUTH BANK OF CANAL NO. 1; THENCE $S 49^{\circ}40'41'' W$ ALONG SAID BANK 67.52 FT. TO A POINT; THENCE $S 00^{\circ}33'52'' E$ 1337.50 FT. TO A IRON ROD; THENCE $S 89^{\circ}42'42'' E$ 95.73 FT. TO THE POINT OF BEGINNING..

THIS IS TO CERTIFY THAT I HAVE SURVEYED THE HEREON DESCRIBED PARCEL OF LAND AS SHOWN HEREON AND THAT ALL MEASUREMENTS AND OTHER DATA INDICATED HEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

THERE IS NO RECORDED PLAT OF THE WHITE & CALVERT SURVEY.

I FIND NO RECORD DESCRIPTION OF EASEMENT FOR CANAL NO. 1.

ATTENTION IS CALLED TO THE VARIANCE OF THE MONUMENTATION OF THE NORTH LINE OF THE SOUTH HALF OF SECTION 15.

THIS SURVEY WAS MADE FOR MR. STEVE McNALLY, MARCH 18 THRU 21, 2020.

JAMES R. CLARKE, P. L. S.
 P.O. BOX 4106
 GULFPORT, MS., 39502
 MS. CL. B

X IN CONC. OVER OLD 2" I.P.F. BY H.D. SHAW, SR. ENGINEER, 5/10/1917.

16 15 P.O.C. 21 22 SEC. 15, T-8-S, R-12-W

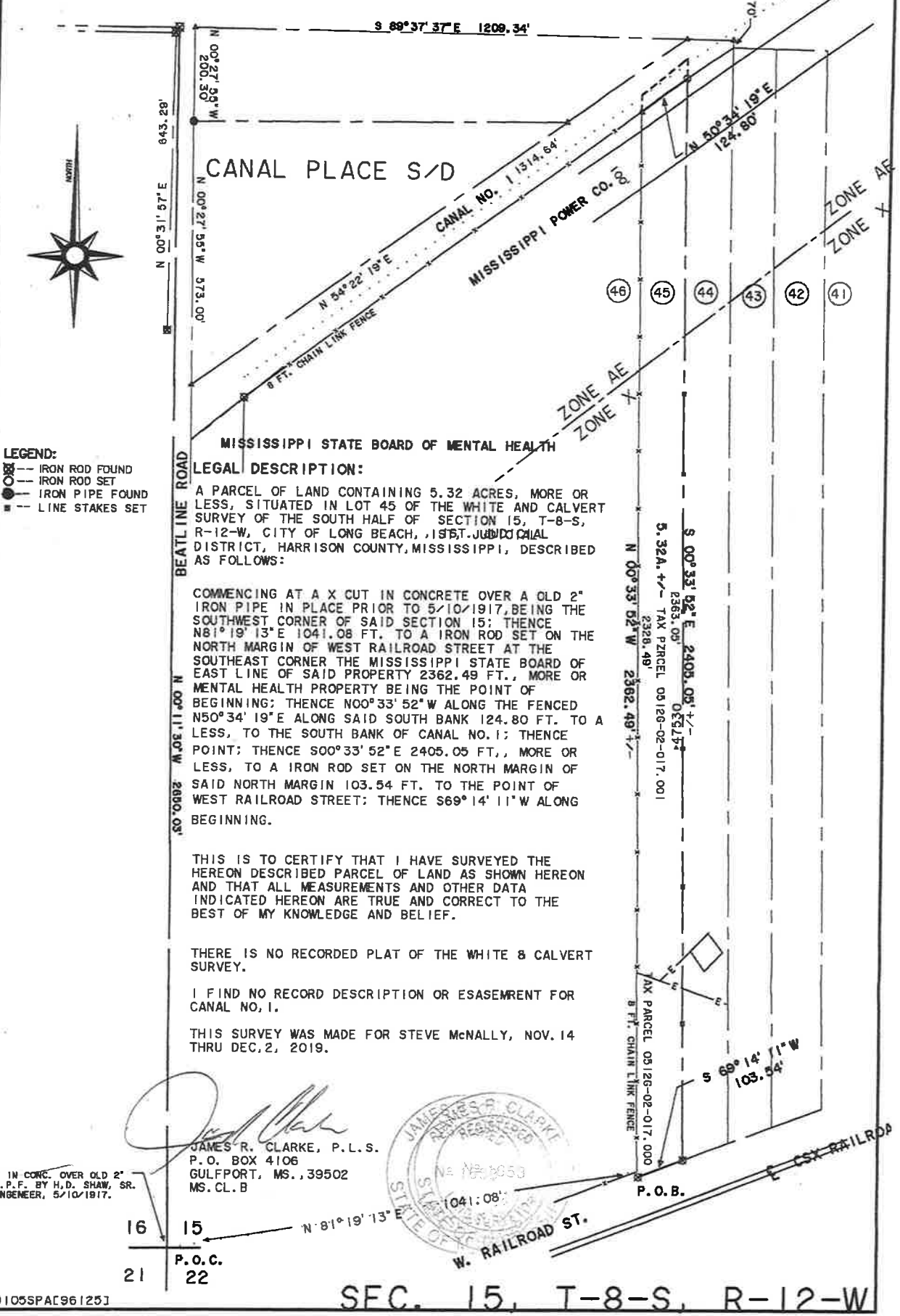
**MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

NOTE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X 8 AE OF THE FLOOD INS. RATE MAP 28047COG, DATED 9/16/2008. THERE IS NO RECORDED PLAT OF RECORD FOR THE "WHITE AND CALVERT SURVEY" RECORDED IN THE LAND DEED RECORDS OF HARRISON COUNTY. A DRAWING OF THE WHITE & CALVERT SURVEY IS RECORDED IN THE 1926 TAX ACCEMENT MAPS OF SAID COUNTY. THE LOTTING IS BASED ON 55 LOTS WITH A EAST-WEST WIDTH OF 96 FT. FOR A TOTAL EAST-WEST WIDTH OF 5280 FT. (1 MILE).

REFERENCE DATA:

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- 1926 HARRISON CO. TAX ACCEMENT MAP
- PLAT OF SURVEY BY J.R. CLARKE, P.L.S., DATED 1/10/1979
- PLAT OF SURVEY BY OWEN HINES, P.L.S., DATED 10/24/1982
- PLAT OF SURVEY BY J.R. CLARKE, P.L.S., DATED 7/31/1997
- PLAT OF SURVEY BY J.R. CLARKE, P.L.S., DATED 12/27/2002



MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

SCANNED



1st Judicial District
Instrument 2020 3811 D -J1
Filed/Recorded 4/16/2020 09:20 A
Total Fees \$ 26.00
4 Pages Recorded

Prepared by:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)-865-9047
MS Bar No. 1866

Return to:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)865-9047
File No. 20-072

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

RENTAL

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, I

Beverly A. Stonecypher, now known as Beverly Brooks
5306 Dalton Circle
Milton, FL 32570
(850)-564-1557

do hereby sell, convey and warrant unto

VOMCK, LLC
20073 Commission Road
Long Beach, MS 39560
(228)-365-8356

that certain tract, piece or parcel of land situated and being located in Harrison County, State of Mississippi, more particularly described as follows, to-wit:

(See Exhibit A attached, Page 3)

INDEXING INSTRUCTIONS: Exempt

The subject property is not the homestead of the Grantor.

Page 1 of 3

THIS CONVEYANCE is subject to any prior reservation or conveyance of oil, gas and other mineral rights and subject to all restrictions, reservations and covenants of record.

IT IS AGREED and understood that the taxes for the current year have been assumed by the Grantee.

WITNESS MY SIGNATURE, this the 14 day of April, 2020.

Beverly Brooks
Beverly Brooks, formerly know as
Beverly A. Stonecypher

STATE OF Florida
COUNTY OF Vanita Rova

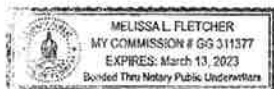
PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the above stated jurisdiction, the within named Beverly Brooks, formerly know as Beverly A. Stonecypher who acknowledged that she signed and delivered the foregoing Warranty Deed on the day and year therein written as her own free and voluntary act and deed.

GIVEN under my hand and official seal on this the 14 day of April, 2020.

NOTARY PUBLIC

Melissa Fletcher

MY COMMISSION EXPIRES:
March 13, 2023



Page 2 of 3

**MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

THIS CONVEYANCE is subject to any prior reservation or conveyance of oil, gas and other mineral rights and subject to all restrictions, reservations and covenants of record.

IT IS AGREED and understood that the taxes for the current year have been assumed by the Grantee.

WITNESS MY SIGNATURE, this the 14 day of April, 2020.

Beverly Brooks
Beverly Brooks, formerly know as
Beverly A. Stonecypher

STATE OF Florida
COUNTY OF Santa Rosa

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the above stated jurisdiction, the within named **Beverly Brooks, formerly know as Beverly A. Stonecypher** who acknowledged that she signed and delivered the foregoing Warranty Deed on the day and year therein written as her own free and voluntary act and deed.

GIVEN under my hand and official seal on this the 14 day of April, 2020.

NOTARY PUBLIC

MY COMMISSION EXPIRES:
March 13, 2023

Melissa Fletcher



Page 2 of 3

Exhibit "A"

All of Lot 44, White & Calvert Survey, lying North of the Louisville & Nashville Railroad, in Section 15, Township 8 South, Range 12 West, City of Long Beach, Harrison County, Mississippi.

LESS AND EXCEPT A PARCEL OF LAND DESCRIBED AS: Beginning at the point where the East boundary line of Lot 44, White & Calvert Survey, Section 15 Township 8 South, Range 12 West, intersects the North right-of-way line of Railroad Street for point of beginning; thence North and along the East boundary line of Lot 44, a distance of 1,031.30 feet to a point; thence East and perpendicular to the East boundary line of Lot 44 a distance of 96 feet to a point on the West boundary line of Lot 44; thence South along the West boundary line of Lot 44 a distance of 1,065 feet to a point on the north right-of-way of Railroad Street; thence along the North right-of-way line of Railroad Street to the point of beginning. Said parcel contains 2.31 acres more or less. Said parcel is a portion of that part of Lot 44, White & Calvert Survey, Section 15, Township 8 South, Range 12 West, City of Long Beach, Harrison County, Mississippi, lying North of the Louisville and Nashville Railroad.

This being the same property conveyed to the Grantor in Quitclaim Deed recorded in Deed Book 1210 at page 336.

Also shown on the attached survey.

Page 3 of 3

MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

SCANNED



1st Judicial District
Instrument 2019 10594 D -J1
Filed/Recorded 12/23/2019 02:13 P
Total Fees \$ 12.00
6 Pages Recorded

REVIEWE

Prepared by:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)-865-9047
MS Bar No. 1866

Return to:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)865-9047
File No. 19-298

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, WE

Melanie Dawn Harris and Robert Nance
15073 Northrup Cuevas Road
Gulfport, MS 39503
(228)-697-0280

do hereby sell, convey and warrant unto

VOMCK, LLC
20073 Commission Road
Long Beach, MS 39560
(228)-365-8356

that certain tract, piece or parcel of land situated and being located in Harrison County, State of Mississippi, more particularly described as follows, to-wit:

(See Exhibit A attached, Page 3)

INDEXING INSTRUCTIONS: Exempt

The subject property is not the homestead of the Grantor.

Page 1 of 5

THIS CONVEYANCE is subject to any prior reservation or conveyance of oil, gas and other mineral rights and subject to all restrictions, reservations and covenants of record.

IT IS AGREED and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis. When said taxes are actually determined, if the proration as of the date is incorrect, then the Grantor(s) agrees to pay the Grantee(s), or its assigns, any deficit on an actual proration, and likewise, the Grantee(s) agrees to pay the Grantor(s), or its assigns, any amount overpaid by it.

WITNESS OUR SIGNATURES, as executed below to be effective December 19, 2019.

Melanie Dawn Harris

Robert Nance

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**MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

THIS CONVEYANCE is subject to any prior reservation or conveyance of oil, gas and other mineral rights and subject to all restrictions, reservations and covenants of record.

IT IS AGREED and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis. When said taxes are actually determined, if the proration as of the date is incorrect, then the Grantor(s) agrees to pay the Grantee(s), or its assigns, any deficit on an actual proration, and likewise, the Grantee(s) agrees to pay the Grantor(s), or its assigns, any amount overpaid by it.

WITNESS OUR SIGNATURES, as executed below to be effective December 19, 2019.

Melanie Dawn Harris

Robert L Nance

Robert Nance

Page 2 of 5

WITNESS MY SIGNATURE, this the 19 day of December, 2019 to be effective December 19, 2019.

Melanie Dawn Harris

Melanie Dawn Harris

STATE OF MISSISSIPPI

COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the above stated jurisdiction, the within named **Melanie Dawn Harris** who acknowledged that she signed and delivered the foregoing Warranty Deed on the day and year therein written as her own free and voluntary act and deed.

GIVEN under my hand and official seal on this the 19 day of December, 2019.

MY COMMISSION EXPIRES: _____



NOTARY PUBLIC

Ronald Andrew Marion, Jr.

Page 3 of 5

MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

WITNESS MY SIGNATURE, this the 19th day of December, 2019 to be effective December 19, 2019.

Robert L Nance
Robert Nance

STATE OF Texas
COUNTY OF Travis

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the above stated jurisdiction, the within named **Robert Nance** who acknowledged that he signed and delivered the foregoing Warranty Deed on the day and year therein written as his own free and voluntary act and deed.

GIVEN under my hand and official seal on this the 19th day of December, 2019.

NOTARY PUBLIC

MY COMMISSION EXPIRES:
10/17/2020

Robert Francis Aiello



Page 4 of 5

Exhibit "A"

That part of Lot 45 of the White and Calvert Survey, Long Beach, Harrison County, Mississippi, lying North of West Railroad Street and South of a drainage canal, and being part of Section 22, Township 8 South, Range 12 West, Harrison County, Mississippi.

Page 5 of 5

**MINUTES OF JANUARY 28, 2021
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

After considerable discussion, Commissioner McMillan made motion, seconded by Commissioner Hansen and unanimously carried approving the application as submitted.

It came for discussion under New Business, Zoning Text Change, Ordinance 598, Section 89: Change in Use of Property Where a Nonconforming Situation Exists, as follows:

LEGAL NOTICE

PUBLIC HEARING

In accordance with Article XIX of the Comprehensive Long Beach Unified Land Ordinance 598 of the City of Long Beach, Mississippi (2013) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a **zoning text change**.

Long Beach Planning Commission has filed an application for a change to the zoning text in accordance with the Comprehensive Long Beach Unified Land Ordinance. The City proposes to amend the following Section as shown below.

Section 89: Change in Use of Property Where a Nonconforming Situation Exists.
Add the following to subsection (d)

- (4) If the issuing authority finds that the existing structures must be removed or substantially altered to allow for a more compatible change in nonconforming use, such changes shall be permitted. All new construction permitted shall comply with this ordinance.
- (5) Planning Commission Approval is required to have a change in use. Said approval shall supersede Section 87.
- (6) Said change shall be good for six months from the date of final approval. Failure to obtain a permit within the six months from approval will cause the property to revert back to the original nonconforming status.
- (7) If the change in use is granted, the owner of the property may sell said property and all approvals, restrictions and regulations shall pass to the new owners.

The purpose of this proposed change is to promote uniformed development and encourage public safety, thereby enhancing the quality of life for all Long Beach residents. A public hearing to consider the above zoning text change will be held in the City of Long Beach, Mississippi 39560, Thursday, , 2021, at 5:30 p.m., in the Long Beach City Hall located on Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

**MINUTES OF JANUARY 28, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

After considerable discussion, no action was taken.

There being no further business to come before the Planning and Development Commission at this time, Commissioner Husband made motion, seconded by Commissioner Hansen and unanimously carried to adjourn the meeting until the next regular scheduled meeting in due course.

APPROVED:

Chairman Frank Olaivar

DATE: _____

ATTEST: _____

Tina M. Dahl, Minutes Clerk