

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**AGENDA
DECEMBER 8, 2022
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- 812 North Nicholson Avenue, Tax Parcel 0612J-01-067.000, submitted by Whitney Sartin.
- 2. Variance- 18251 and 18237 Commission Road, Tax Parcel 0611J-01-027.000, submitted by DSLD Homes Gulf Coast, LLC.
- 3. Variance- 5004 Plantation Drive, Tax Parcel 0511O-03-069.012, submitted by Edward F. McKenna III.
- 4. Variance- 550 East Beach Blvd, Tax Parcel 0612A-03-007.002, submitted by Vision Painting and Construction, LLC.
- 5. Variance- 110 Oak View Avenue, Tax Parcel 0612F-01-065.000, submitted by Jeffrey P. Brown.
- 6. Variance- 737 West Beach Blvd, Tax Parcel 0512I-01-011.000, submitted by Mike Noble-Jack for Beachwalk Condo Association, Homeowners Association.
- 7. Variance- 610 Verbena Drive, Tax Parcel 0512A-01-052.152, submitted by Heather Childress.

- IV. ANNOUNCEMENTS**
- V. APPROVE MINUTES**

- 1. November 10, 2022

- VI. UNFINISHED BUSINESS**
- VII. NEW BUSINESS**

- 1. Tree Removal- 324 St. Augustine Avenue, Tax Parcel 0512A-01-023.000, submitted by Phillip and Julie Holley.
- 2. Tree Removal- 149 Markham Drive, Tax Parcel 0512J-01-019.000, submitted by Jason Ball.
- 3. Tree Removal- 504 Cypress Drive, Tax Parcel 0511J-02-051.000, submitted by Robin E. Brown.
- 4. Tree Removal- 310 Jeff Davis Avenue, Tax Parcel 0612B-03-056.000, submitted by Phenom Investments, LLC.
- 5. Planning Commission Approval- Short-Term Rental- 313 Oak Street, Tax Parcel 0612F-01-016.000, submitted by Dustin and Rachelle Clark (owners) and Rachelle Clark (property manager).
- 6. Certificate of Resubdivision- 1104 West Railroad Street, Tax Parcel 0512G-02-009.002 and 0512G-02-009.004, submitted by Howard Allen Farmer and Carolyn P. Farmer.
- 7. Preliminary Plat Approval- Bear Point Bayou, Phase 2, Tax Parcels 0511N-01-004.000, 0511N-01-004.001, 0511N-01-004.002, 0511N-01-004.003, 0511N-01-004.004, 0511N-01-004.005, 0511N-01-004.006, 0511N-01-004.007, 0511N-01-004.008, 0511N-01-004.009, 0511N-01-004.010, 0511N-01-004.011, submitted by Long Beach Holdings, LLC.

- 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 December 20, 2022.

**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.

Vice Chairman Shawn Barlow read the Opening Statement for the Planning and Development Commission.

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Be it remembered that seven (7) public hearings were heard before the Long Beach Planning and Development Commission, Long Beach, Mississippi, and begun at 5:30 o'clock p.m., Thursday, the 8th day of December 2022, 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 Hearings the following named persons: Chairman Frank Olaiivar, Vice Chairman Shawn Barlow, Commissioners Michael Levens, Chris Fields, Jennifer Glenn, and Marcia Kruse, City Advisor Bill Hessel, Building Official Mike Gundlach, Building Inspector Ryan Ladner and Minutes Clerk Tina M. Dahl.

Absent the public hearings were Commissioners Sawyer Walters, Billy Suthoff and Justin Shaw.

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

The first public hearing to consider a Variance for property located at 812 North Nicholson Avenue, Tax Parcel 0612J-01-067.000, submitted by Whitney Sartin, as follows:

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
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 10-24-22
Zoning R-1
Agenda Date 12-8-22
Check Number 710

VARIANCE REQUEST

- I. Tax Parcel Number(s): 0611 J-01-067.000
- II. Address of Property Involved: 812 N. Nicholson
- III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
no sidewalk on new development

****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? nobody else has a sidewalk on entire lot
- 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. It would make my house stand out by being the only house with a sidewalk.
- 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? It would look very funny for me to have the only sidewalk!
- 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. It would ruin the aesthetic of my home usually to be the only one with it.

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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 \$200.00. 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 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.

Mithey Surtin
Name of Rightful Owner (PRINT)

Name of Agent (PRINT)

307 Rita Lane
Owner's Mailing Address

Agent's Mailing Address

LB MS 39560
City State Zip

City State Zip

228-669-0899
Phone

Phone

[Signature] 10-14-22
Signature of Rightful Owner Date

Signature of Applicant Date

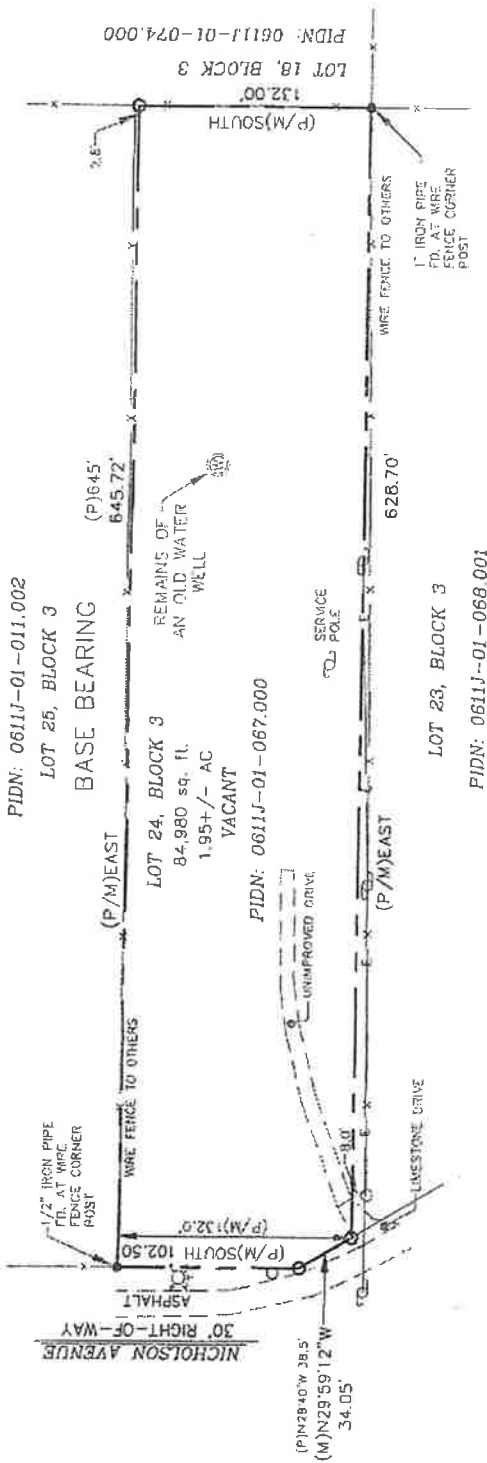
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Note: This survey has been prepared by information provided by the client and without the benefit of a current title report. This survey may not show all easements and other restrictions of record. Surveyor will be made available to add such features to this survey if a current title report or abstract of title is provided to him by proper authority. This survey does not warrant present ownership.

RECORD DESCRIPTION: 2017-301.30-U1

LOT TWENTY-FOUR (24), BLOCK THREE (3), COX'S SUBDIVISION, SECTION B OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 12 WEST, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, A SUBDIVISION 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 10, AT PAGE 10 (COPY BOOK 4, PAGE 306) THEREOF REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS A PART OF THIS DESCRIPTION.



SYMBOL LEGEND

- IRP = 1/2" iron rod set
- ⊙ IRF = iron rod found
- ⊗ PKF = P.K. nail found
- ⊗ PKS = P.K. nail set
- ⊗ IPF = iron pipe found
- ⊗ CMF = concrete man. ld.
- ⊗ LKF = lighted knot found
- E- overhead electric
- ⊕ utility pole
- (O) = deed
- (P) = plot
- (R) = record
- (M) = measure
- AC. = acres



NORTH
SCALE: 1" = 80'

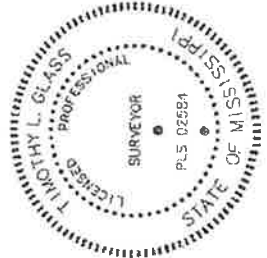
REFERENCE MATERIAL:
(1) COPY BOOK 4, PG 306

Note: This survey "CLASS B" was made in accordance with the current "Standards of Practice for Surveying" in the State of Mississippi.

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

Timothy L. Glass

TIMOTHY L. GLASS, P.L.S.
February 25, 2019
MS. REG. NO. 02584



Note: Building setbacks, elevations, wetlands determination and et cetera to be prescribed by appropriate governing bodies.

Note: All bearings shown on this plat were derived from the recorded bearing on the North line of the hereon described parcel of land. Copy Plat Book 4, Page 306. See survey plat for location.

Note: By Graphic Plotting only, this property is in Zone "X" of the Flood Insurance Rate Map 28047C0357C, Community Panel No. 285257-0357-G, determined June 16, 2009. Check with Building Official for community an Elevation Certificate. The above statement is for information only and this surveyor assumes no liability for the correctness of the cited map(s). In addition the above statement does not represent this surveyor's opinion of the probability of flooding.

SURVEY FOR:		Whitney T. Sartin LOT 24, BLOCK 3, SECTION B LONG BEACH, MISSISSIPPI 39560 PIDN: 0611J-01-067.000	
SURVEY BY:		Glass Land Surveying, Inc. 10453 Pin Oak Drive Biloxi, Mississippi 39532 Ph/Fax (228) 382-9004 e-mail: glassury@aol.com	
TYPE SURVEY:	BOUNDARY	JOB NO.:	L24B3CSD0WG
DATE OF SURVEY:	02/25/2019	REVISED:	
CHECKED BY:	TLC	SCALE:	1" = 80'
CREW CHIEF:	TLC	SHEET NO.:	1 OF 1

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

COPY

Prepared By and Return To
Schwartz, Orgler & Jordan, PLLC
12206 Hwy. 49
Culpeper, MS 39003
(228) 832-8550

File#190355

Indexing Instructions:
Lot 24, Blk 3, Section B, Cox's S/D,
Section 13, T8S, R12W, Harrison
County, 1st JD, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

THAT FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of a 10th which is hereby acknowledged,

DUSTIN MARMALICH and HANNA MARMALICH
205 MCGUIRE DRIVE
LONG BEACH, MS 39560
(228) 424-4425

do hereby grant, bargain, sell, convey and warrant, unto

WHITNEY T. SARTIN, an unmarried woman
307 RITA LANE
LONG BEACH, MS 39560
(728) 669-0899

the following described property, together with the improvements, hereditaments and appurtenances therunto situated and located in the County of Harrison, State of Mississippi, and more particularly described as follows, to-wit:

Lot Twenty-Four (24), Block Three (3), COX'S SUBDIVISION, Section B of Section 13, Township 8 South, Range 12 West, a subdivision 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 10 at Page 10 (Cape Book 4 at Page 306) thereof, reference to which is hereby made in aid of and as a part of this description.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and any prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners of subject property.

Estimated county ad valorem taxes have been prorated between the parties as a part of the

consideration for this conveyance. In the event the estimates upon which such proration is based prove to be inaccurate for any reason, the Grantee agrees to refund any excess, and the Grantor agrees to pay any deficiency, upon receipt of a copy of the tax statement for the current year and a computation of the true amount due, based on a 365 day year.

THIS CONVEYANCE is also subject to Zoning and/or other land use regulations promulgated by federal, state or local governments affecting the use or occupancy of the subject property.

WITNESS THE SIGNATURES of the Grantors on this the 28th day of February, 2019.


DUSTIN MARMALICH


HANNA MARMALICH

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIN HAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, DUSTIN MARMALICH and HANNA MARMALICH, who acknowledged that they signed, executed and delivered the above and foregoing instrument as a voluntary act and deed on the day and year therein authorized.

I, THIN HAY, do hereby certify and affix official seal on this the 28th day of February, 2019.




NOTARY PUBLIC

My Commission Expires: 4/20/20

The Clerk reported that eight (8) 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:

MINUTES OF DECEMBER 8, 2022
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION
City of Long Beach



LEGAL NOTICE
PUBLIC MEETING

In accordance with Section 4 of the City of Long Beach Sidewalk Ordinance 587 as amended by Ordinance 615, 616 and 647, notice is hereby given advising that the Planning and Development Commission for the City of Long Beach will hold a Public Meeting for the purpose of considering a Variance.

Whitney Sartin, 307 Rita Lane, Long Beach, MS, 39560, has filed an application for a Variance in accordance with the Long Beach Sidewalk Ordinance. The applicant is requesting a Variance from the placement of a sidewalk on a newly developed lot. The location of the requested Variance is 812 North Nicholson Avenue, Tax Parcel 0611J-01-067.000. The legal description is as follows:

LOT 24 BLK 3 COX SUBD SEC 13-8-12

A public meeting to consider the above Variance will be held in the City of Long Beach, Mississippi, 39560, Thursday, December 8, 2022, 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 Variance.

/s/ signed
Chairman
Planning Commission

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • (228) 863-1556 • FAX (228) 865-0822
www.cityoflongbeachms.com

Table with 3 columns and 3 rows of property information. Columns: Property Name, Address, City/State/Zip. Rows include MSL Properties II LLC, Pierce Family Properties LLC, Hurst Katherine S -L/E-, International Sangha Bhiksu Buddhist, Spreiter William Joseph, Chancey Brian D and Lena B, Redo Norman and Theresa -L/E-, Beguim Mubeena.

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

I, PHILIP J. ALLEN, the undersigned legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared before me, TINA M. DALL, 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, depose and say: and that he is 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 (60) days of the subject property, when applications for zoning map changes, variances, appeals, etc., are filed, all as stipulated in The Zoning Ordinance Number 988 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 November 15, 2022, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto to eight (8) property owners within 167' of 812 North Nicholson Avenue, Tax Parcel 0611J-01-067.000, notifying them that a public meeting will be held, December 8, 2022, to consider an application for a Variance submitted by Whitney Sartin.

Given under my hand this 15th day of November 2022

Signature of Notary Public
STACEY PAHL ALLEN

SWORN TO AND SUBSCRIBED before me on this 15th day of November 2022

-My Commission Expires-

Signature of Commission Expires
NOTARY PUBLIC



MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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

NOTARY PUBLIC

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the notice of public hearing as published in the Gazebo Gazette, a newspaper published in Harrison County, Mississippi, on the 28th day of November, 2022.

NOTARY PUBLIC FOR MISSISSIPPI

COMMISSION EXPIRES 12/31/23

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me the undersigned notary in and for said County and State, HUNTER DAWSON, publisher of THE GAZEBO GAZETTE, a newspaper printed and published in Harrison County, who being duly sworn, deposes and sways the publication of this notice hereto attached has been made to the said publication _____ weeks in the following numbers and on the following dates of each 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____

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.

Publisher

Sworn to and subscribed before me this 28 day of
Nov., A.D. 2022

Notary Public



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

Commissioner Fields made motion, seconded by Commissioner Kruse and unanimously carried to close the public hearing.

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

The second public hearing to consider a Variance for property located at 18251 and 18237 Commission Road, Tax Parcel 0611J-01-027.000, submitted by DSLD Homes Gulf Coast, LLC, as follows:

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
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	11-3-22
Zoning	R-1
Agenda Date	12-8-22
Check Number	9420

VARIANCE REQUEST

I. Tax Parcel Number(s): 0611J-01-027.000

II. Address of Property Involved: 18251 & 18237 Commission Rd

III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
To have no sidewalks installed along Commission Rd for new construction homes.
There are no sidewalks currently installed on either side of the projects and would lead
nowhere

****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?

Listed Above

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.

DSL D bought lots that were set up for open ditch on Commission Road, leaving it difficult
to install a sidewalk.

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?

Listed Above

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.

There is currently open ditch and no other sidewalks on Commission Rd near project.

**MINUTES OF DECEMBER 8, 2022
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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 \$200.00. 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 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.

DSL D Homes Gulf Coast, LLC

Name of Rightful Owner (PRINT)

Name of Agent (PRINT)

12341 Seaway Rd, Suit 2001

Owner's Mailing Address

Agent's Mailing Address

Gulfport MS 39503

City State Zip

City State Zip

985-320-3279

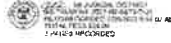
Phone

Phone

Signature of Rightful Owner Date

Signature of Applicant Date

MINUTES OF DECEMBER 8, 2022 REGULAR MEETING LONG BEACH PLANNING and DEVELOPMENT COMMISSION



PREPARED BY:

Law Offices of
LAURA F. PAULK, PLLC
16127 Orange Grove Road
Gulfport, MS 39503
228-831-1818
LFP File No.: 2207802
MS Doc No.: 10733

Return To:

Law Offices of
LAURA F. PAULK, PLLC
16127 Orange Grove Road
Gulfport, MS 39503
228-831-1818
LFP File No.: 2207802

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 date, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged,

Summer Grove LLC, a Mississippi Limited Liability Company, Grantor
14397 Creusote Rd
Gulfport, MS 39503
228-669-7071

does hereby sell, convey and warrant unto

DSL/D Homes (Gulf Coast), L.L.C., a Delaware Limited Liability Company, Grantee
7660 Pecan Lane, Ste 100
Baton Rouge, LA 70809
225-369-6395.

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

(See Exhibit A attached)

INDEXING INSTRUCTIONS: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, & 18, Summer Grove S/D, Harrison Co., MS

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 actually determined, if the proration as of this date is incorrect, the Parties hereto agree to pay on the basis of an actual proration.

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

RECORDED

record which effect the above described property.

WITNESS MY SIGNATURE, this the 25th day of July, 2022.

Summer Grove LLC

By: Charles Grant, Member

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned Notary Public in and for the above named jurisdiction, the within named, Charles Grant, who acknowledged that he is a Member of Summer Grove LLC, a Mississippi limited liability company and acknowledged that in said representative capacity and as its agent and deed, he signed, executed and delivered the above and foregoing instrument on the day and year therein stated, after first having been duly authorized so to do.

Given under my hand and seal, this the 25th day of July, 2022

Candace M. Dye
NOTARY PUBLIC

My Commission Expires:



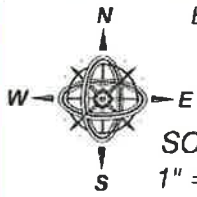
FORM 1

EXHIBIT A LEGAL DESCRIPTION

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), **Thirteen (13)**, Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), and Eighteen (18), Summer Grove Subdivision, a subdivision according to a map or plat thereof which is on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, in Plat Book 61 at Page 39, reference to which is hereby made in aid of and as a part of this description.

Paul

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

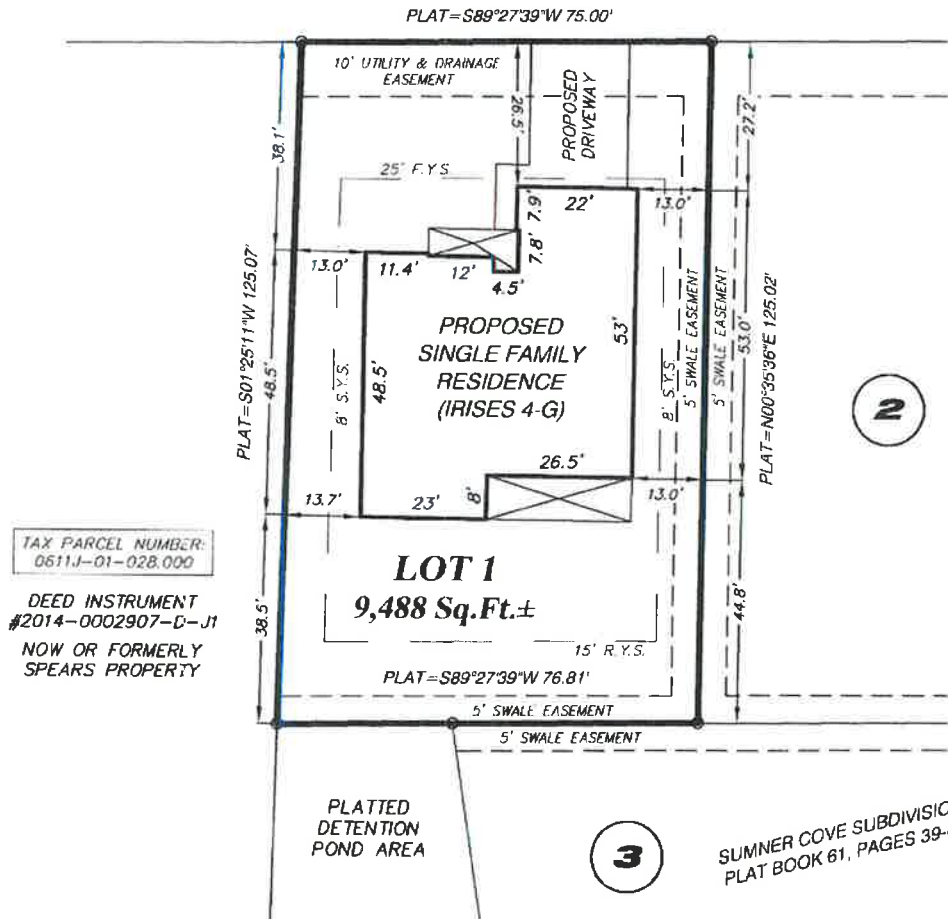


BEARINGS ARE BASED ON RECORDED SUBDIVISION PLAT

DRAINAGE NOTE:
THERE SHALL BE A 5' SWALE/DRAINAGE EASEMENT ALONG ALL SIDE LOT LINES.

REFERENCE MATERIALS:
1.) HARRISON COUNTY TAX MAPS, CURRENT EDITION.
2.) RECORDED PLAT OF SUMNER GROVE SUBDIVISION, RECORDED IN PLAT BOOK 61 AT PAGES 39-40.

COMMISSION ROAD
PUBLIC 40' RIGHT-OF-WAY (ASPHALT SURFACE)



TAX PARCEL NUMBER:
0611J-01-028.000

DEED INSTRUMENT
#2014-0002907-D-J1
NOW OR FORMERLY
SPEARS PROPERTY

*PROPOSED FINISH FLOOR
ELEVATION = 18" + ABOVE CURB

DRIVEWAY AND LEAD SIDEWALK
WITHIN LOT = 540 Sq. Ft. ±

PERVIOUS SURFACE = 6,200 Sq. Ft. ±

MAXIMUM LOT COVERAGE = 35%



- NOTES:**
- 1.) CONTRACTOR TO VERIFY HOUSE POSITION/ORIENTATION AND BUILDING SETBACK LINES PRIOR TO CONSTRUCTION.
 - 2.) SKETCH ONLY, NOT A BOUNDARY SURVEY.
 - 3.) WHEN SETBACKS OVERLAP UTILITY AND/OR DRAINAGE EASEMENTS, SETBACKS ARE TO BE SET ON EASEMENT LINE.

ABBREVIATION LEGEND:
PLAT = PLATTED DIMENSION
N90°00'00"E 435.00' = ACTUAL FIELD MEASUREMENT
F.Y.S. = FRONT YARD SETBACK
S.Y.S. = SIDE YARD SETBACK
R.Y.S. = REAR YARD SETBACK

**A PLOT PLAN OF LOT 1,
SUMNER GROVE
SUBDIVISION, CITY OF
LONG BEACH HARRISON
COUNTY, MISSISSIPPI.**

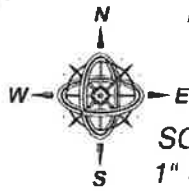


CLIENT: DSLD HOMES, LLC
DRAWN BY: JAG
DRAWING #: P22667
DATE: 7/29/2022



PATRICK M. MARTINO, PLS
13010 KAYLEIGH COVE
BILOXI, MISSISSIPPI 39532
PHONE: 228-396-2283
EMAIL: PATRICK@MARTINOSURVEYING.COM
PROFESSIONAL LAND SURVEYOR

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

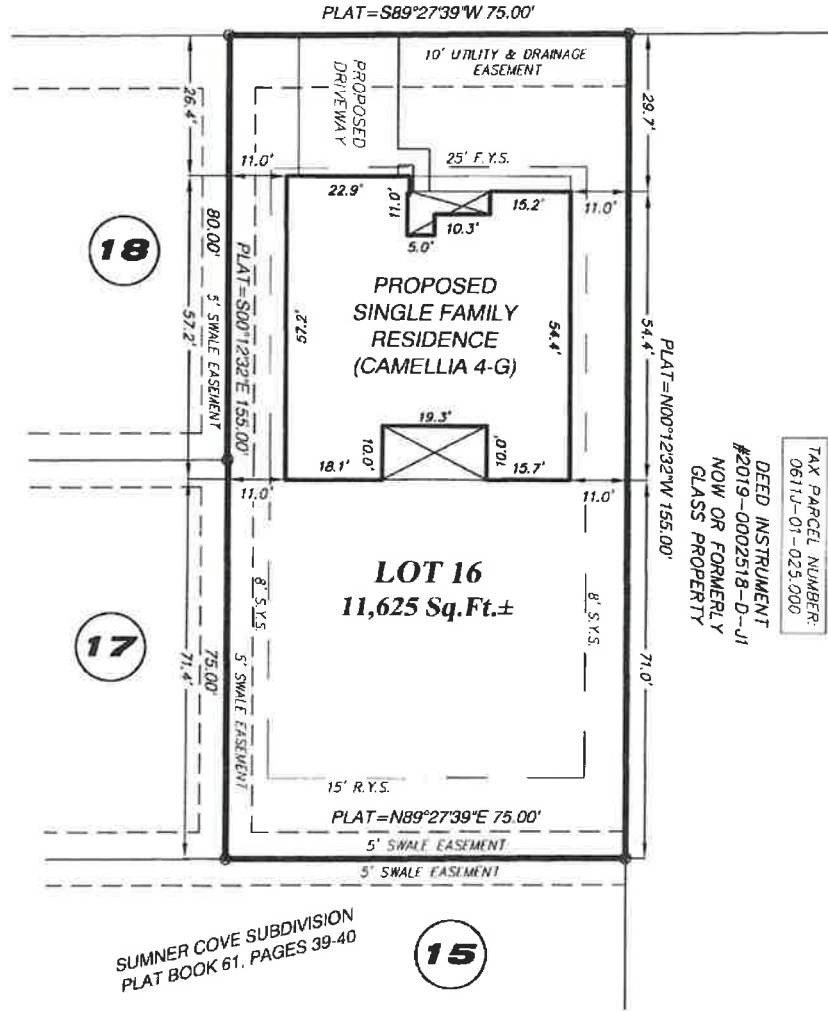


BEARINGS ARE BASED ON RECORDED SUBDIVISION PLAT

DRAINAGE NOTE:
THERE SHALL BE A 5' SWALE/DRAINAGE EASEMENT ALONG ALL SIDE LOT LINES.

REFERENCE MATERIALS:
1.) HARRISON COUNTY TAX MAPS, CURRENT EDITION.
2.) RECORDED PLAT OF SUMNER GROVE SUBDIVISION, RECORDED IN PLAT BOOK 61 AT PAGES 39-40.

COMMISSION ROAD
PUBLIC 40' RIGHT-OF-WAY (ASPHALT SURFACE)



*PROPOSED FINISH FLOOR ELEVATION = 18"± ABOVE CURB

DRIVEWAY AND LEAD SIDEWALK WITHIN LOT = 520 Sq.Ft.±
PERVIOUS SURFACE = 8,150 Sq.Ft.±
MAXIMUM LOT COVERAGE = 30%

ABBREVIATION LEGEND:
PLAT = PLATTED DIMENSION
R = RADIUS
L = ARC LENGTH
CH = CHORD
N90°00'00"E 435.00' = ACTUAL FIELD MEASUREMENT
F.Y.S. = FRONT YARD SETBACK
S.Y.S. = SIDE YARD SETBACK
R.Y.S. = REAR YARD SETBACK

NOTES:
1.) CONTRACTOR TO VERIFY HOUSE POSITION/ORIENTATION AND BUILDING SETBACK LINES PRIOR TO CONSTRUCTION.
2.) SKETCH ONLY, NOT A BOUNDARY SURVEY.
3.) WHEN SETBACKS OVERLAP UTILITY AND/OR DRAINAGE EASEMENTS, SETBACKS ARE TO BE SET ON EASEMENT LINE.

A PLOT PLAN OF LOT 16, SUMNER GROVE SUBDIVISION, CITY OF LONG BEACH HARRISON COUNTY, MISSISSIPPI.



CLIENT: **DSLD HOMES, LLC**
DRAWN BY: JAG
DRAWING #: P22679
DATE: 7/29/2022



PATRICK M. MARTINO, PLS
13010 KAYLEIGH COVE
BILOXI, MISSISSIPPI 39532
PHONE: 228-396-2283
EMAIL: PATRICK@MARTINOSURVEYING.COM
PROFESSIONAL LAND SURVEYOR

The Clerk reported that nineteen (19) notices of public hearing were sent by regular mail to property owners within one hundred sixty feet (160') of the subject

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION
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 MEETING

In accordance with Section 4 of the City of Long Beach Sidewalk Ordinance 587 as amended by Ordinance 615, 616 and 647, notice is hereby given advising that the Planning and Development Commission for the City of Long Beach will hold a Public Meeting for the purpose of considering a Variance.

OSI D Homes Gulf Coast, LLC, 12343 Sway Road, Suite 2001, Gulfport, MS, 39503, has filed an application for a Variance in accordance with the Long Beach Sidewalk Ordinance. The applicant is requesting a Variance from the placement of a sidewalk on a newly developed lot. The location of the requested Variance is 18751 Commission Road and 18757 Commission Road, Tax Parcel 0611402 027 000. The legal description is as follows:

S/3 AC(1) BEG 1545 FT E 25 FT S OF NW COR OF SEC 12 ON S MAR OF COMMISSION RD E ALONG RD 196.17 FT S 929.5 FT W 60 FT N 278.37 FT W 250.19 FT N 97.28 FT N 2 DGS F 353.86 FT TO POS PART OF NE 1/4 OF NW 1/4 OF SEC 12 R. 12

A public meeting to consider the above Variance will be held in the City of Long Beach, Mississippi, 39560, Thursday, December 8, 2022, 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 Variance.

/s/ signed
Chairman
Planning Commission

201 Jeff Davis • PO Box 920 • Long Beach, MS 39601 • (228) 641-1156 • FAX (228) 644-9817
www.cityoflongbeach.ms.gov

Case No.	Applicant Name	Address
2022-0001	Glass Mollie Elizabeth and Skylar P	18231 Commission Road Long Beach, MS 39560
2022-0002	Kenny Michael Jacob	5599 Dauvo Road Long Beach, MS 39560
2022-0003	Fulton Kim E and Susan	5598 Dauvo Road Long Beach, MS 39560
2022-0004	Pierce Family Properties LLC	73489 Stablewood Circle Pass Christian, MS 39571
2022-0005	Castiglia Alvin ETAL	105 Pine Cove Long Beach, MS 39560
2022-0006	Weaver Albert Sand Cynthia F	18552 Ray Road Long Beach, MS 39560
2022-0007	Wilson William L Jr and Ann J	18554 Ray Road Long Beach, MS 39560
2022-0008	Johnson Thomas J and Lynda B	18554 Ray Road Long Beach, MS 39560
2022-0009	Castiglia Joseph James Jr. UT	18556 Ray Road Long Beach, MS 39560
2022-0010	Wilson Shirley Schaffer	18567 Ray Road Long Beach, MS 39560
2022-0011	Levens Michael P and Briana Christine	20893 Lovers Lane Long Beach, MS 39560
2022-0012	Ladner Rockford N and Rhonda S	18255 Commission Road Long Beach, MS 39560
2022-0013	Sprars Warren Allen and Rhonda D	5575 Gates Avenue Long Beach, MS 39560
2022-0014	Rafson Brian P and Corrie R	18260 Commission Road Long Beach, MS 39560
2022-0015	Wilson Cecil E. Estate	18250 Commission Road Long Beach, MS 39560
2022-0016	Hawkins Mark and Sharon C - Trustees	18242 Commission Road Long Beach, MS 39560
2022-0017	Devlin Ian -EST-	18232 Commission Road Long Beach, MS 39560
2022-0018	Fulton Keith B and Diane	18220 Commission Road Long Beach, MS 39560
2022-0019	Fulton Latrice R-L/I	5575 Dauvo Road Long Beach, MS 39560

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

I, [Name], being the undersigned legal authority, do hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Planning and Development Commission, held on the 8th day of December, 2022, at the City of Long Beach, Mississippi, at the time and place therein stated.

- That the foregoing approved and acting Mayor Clerk of the City of Long Beach, Mississippi, Planning and Development Commission.
- That the City of Long Beach is responsible for making certain that the public notice of the proposed variance is properly posted in accordance with the provisions of the Long Beach Ordinance 587, as amended, and that all other matters pertaining to such public notice and the approval of the Planning and Development Commission is and for the City of Long Beach.
- That on December 8, 2022, she did receive and read the Notice of Public Meeting, a copy of which is attached hereto in accordance with the provisions of the Long Beach Ordinance 587, as amended, and that she did not object to the same.

Given under my hand and the Seal of the City of Long Beach, Mississippi, this 8th day of December, 2022.

[Signature]
CITY CLERK

NOTARIAL DISTRICT AND SIGNATURE before and on the 15th day of November 2022.

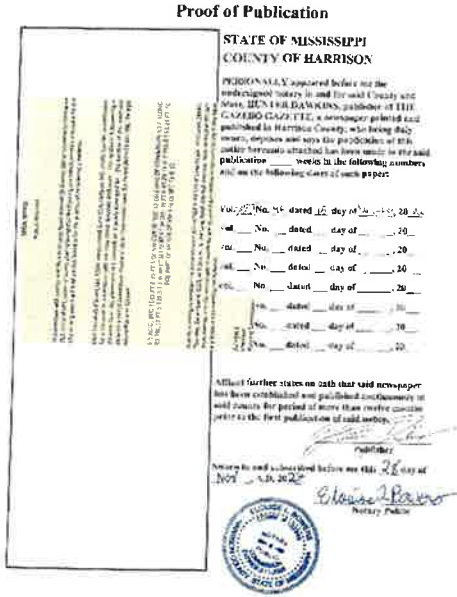
My Commission Expires

[Signature]
NOTARY PUBLIC



**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

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:



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

Commissioner Barlow made motion, seconded by Commissioner Levens and unanimously carried to close the public hearing.

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

The third public hearing to consider a Variance for property located at 5004 Plantation Drive, Tax Parcel 05110-03-069.012, submitted by Edward F. McKenna, III, as follows:

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

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	11-14-22
Zoning	R-1
Agenda Date	12-8-22
Check Number	3379

VARIANCE REQUEST

- I. Tax Parcel Number(s): 05110-03-069,012
- II. Address of Property Involved: 5004 Plantation Drive, Long Beach, MS 39560
- III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
Requesting an attached addition for a 2 car garage. We are asking for a 10 ft variance on the north side of the property.

****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?
The addition requested will come within 5 feet of the Colley's property line. The property has a narrow driveway, limited covered parking, & limited area to add an additional garage.
- 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.
This condition occurred when the home was built. We purchased the home this year.
- 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?
Constantly have to move vehicles back & forth to get in or out. Otherwise we would have to pay to park or store vehicles off the property.
- 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.
There is no room to widen the driveway or any other option on the property to build an additional garage. The properties on both sides have plenty of parking.

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

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 \$200.00. 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 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.

Edward F. McKenna III
Name of Rightful Owner (PRINT)

Name of Agent (PRINT)

5004 Plantation Drive
Owner's Mailing Address

Agent's Mailing Address

Long Beach, Ms 39560
City State Zip

City State Zip

228 365-9437
Phone

Phone

Edward F. McKenna III 14/10/22
Signature of Rightful Owner Date

Signature of Applicant Date

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Prepared By & Return To:
Dukes, Dukes, Keating & Fawcett, P.A.
Hugh D. Keating, Esq. #25216
2909 1st Street - Suite 201
Gulfport, MS 39501
Ph 228-868-1111
#3601 0004



FILED
J1 - GULFPORT DISTRICT
Instrument 2022-0011892-0-11
Filed/Recorded 02/23/2022 9:06:01 AM
Total Fees \$6.00
3 Pages Recorded

Index In: Lot 4, Plantation Subdivision.

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned as Grantors:

Sargent P. Mellen, Jr. and Anna B. Mellen
74597 Diamondhead Dr. North
Diamondhead, MS 39525
Ph: (228)365-4114

do hereby sell, convey and warrant a life estate unto Zonja H. Radoecker, whose address is 5004 Plantation Drive, Long Beach, MS 39560 Ph: (228)765-9436 and the remainder interests in fee simple unto the following Grantees:

Edward F. McKenna, III and Tammy G. McKenna
5004 Plantation Drive
Long Beach, MS 39560
Ph: (228)365-9436

as joint tenants with full rights of survivorship and not as tenants in common the following described

DEED BOOK - J1 - GULFPORT DISTRICT

real property situated in the First Judicial District of Harrison County, Mississippi, and being more particularly described as follows to wit:

See Exhibit "A" Attached

This conveyance is subject to any and all recorded rights-of-way, restrictions, reservations, covenants and easements.

Taxes on the subject property are pro-rated as of the date of this instrument and are assumed by the Grantees for the remainder of the year 2022.

Witness our signatures, this 17th day of February, 2022.

Sargent P. Mellen, Jr.
Sargent P. Mellen, Jr.
Anna B. Mellen
Anna B. Mellen

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the aforesaid County and State, on this 17th day of February, 2022, within my jurisdiction, the within named SARGENT P. MELLEN, JR., who acknowledged that he executed the above and foregoing instrument.

Just N. Fowler
Notary Public

My commission expires: (SEAL)
9/20/2023



STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the aforesaid County and State, on this 17th day of February, 2022, within my jurisdiction, the within named ANNA B. MELLEN, who acknowledged that she executed the above and foregoing instrument.

Just N. Fowler
Notary Public

My commission expires: (SEAL)
9/20/2023



DEED BOOK - J1 - GULFPORT DISTRICT

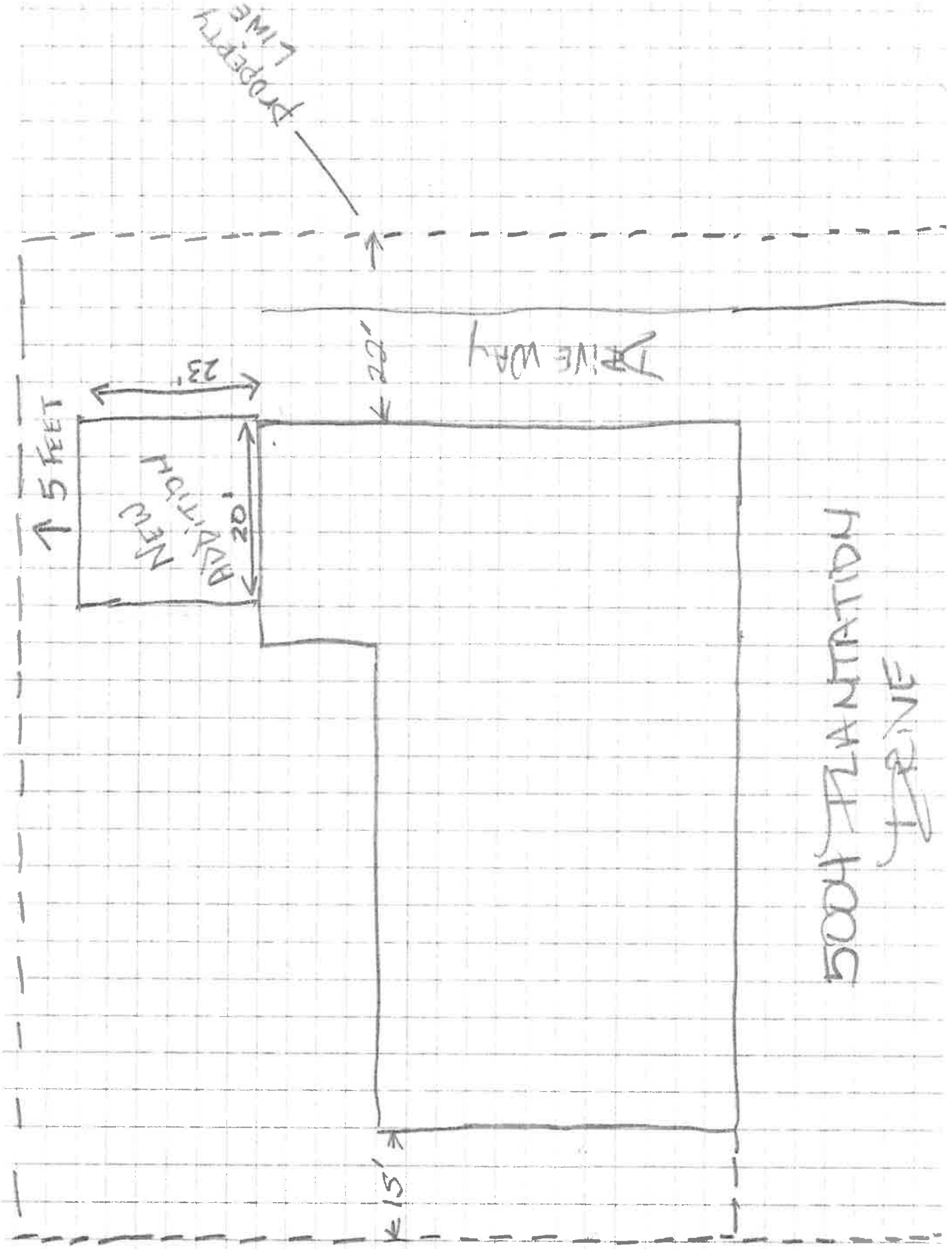
Exhibit "A"

Lot 4, Plantation Subdivision, a subdivision 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 36 at Page 57.

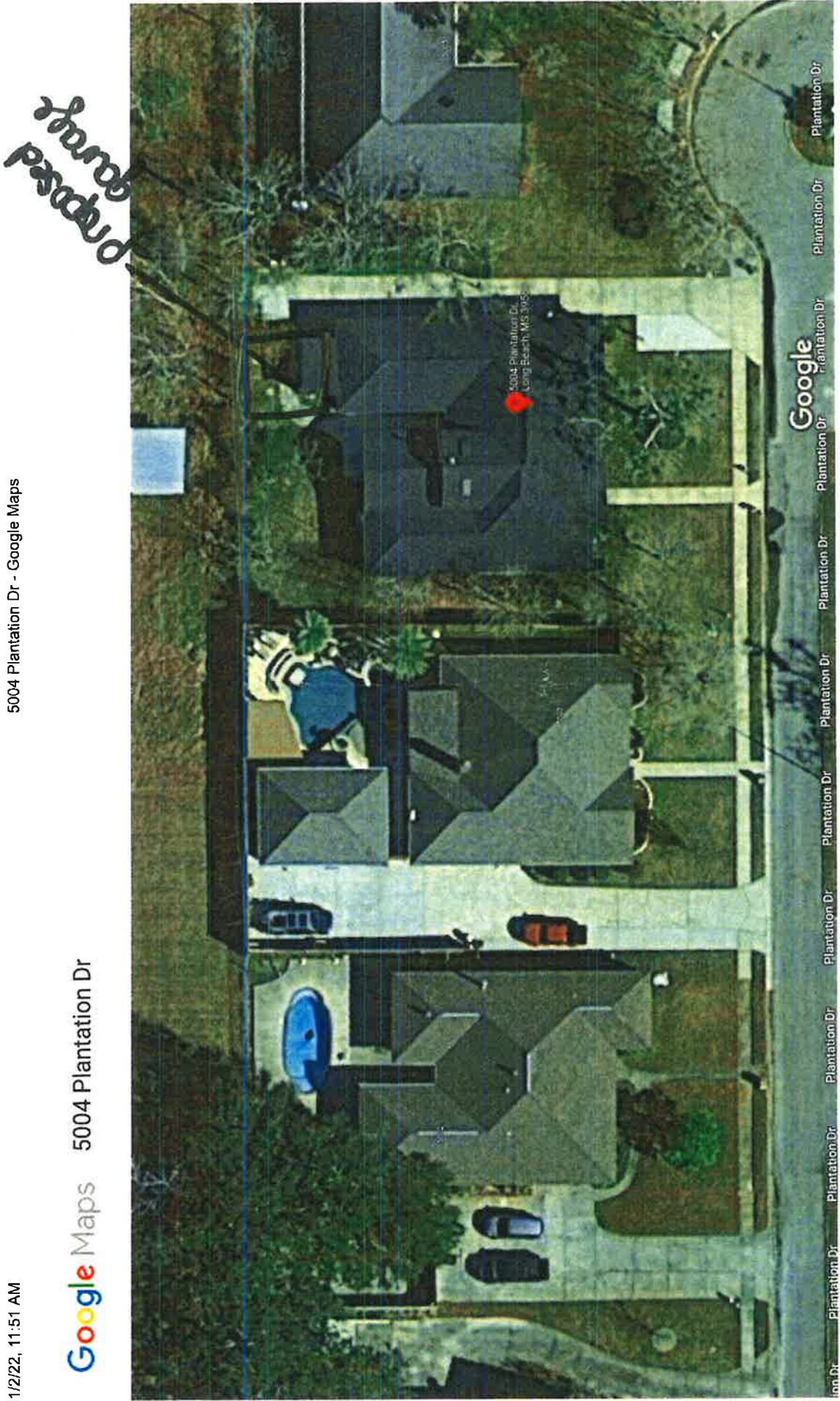
Un-Official

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION



MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



5004 Plantation Dr - Google Maps

11/2/22, 11:51 AM

Google Maps 5004 Plantation Dr

The Clerk reported that ten (10) 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:

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
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.

Edward F. McKernan III, 5004 Plantation Drive, Long Beach, MS, 39560, has filed an application for a Variance in accordance with the Comprehensive Long Beach Unified Land Ordinance. The applicant is requesting "a 10 ft variance on the north side of the property to construct an attached addition for a 2-car garage." The City's requirements are 15 ft rear yard setback for residential structures. The location of the request is 5004 Plantation Drive, Tax Parcel 05110-03 069 017. The legal description is as follows:

LOT 4 PLANTATION, SUBD IN SW 1/4 OF SW 1/4 OF SEC. 10 & 12

A Public hearing to consider the above variance will be held in the City of Long Beach, Mississippi, 19564 December 8, 2022, 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 and Development Commission

201 Jeff Davis • 1501 Box 920 • Long Beach, MS 39560 • (228) 667-1556 • FAX (228) 667-0822
www.cityoflongbeach.ms.gov

Morgan Carol B and Michael 5005 Plantation Drive Long Beach, MS 39560	Coffey Paula M 5018 Beatline Road Long Beach, MS 39560	Walker Craig and Jennifer Darlene 5003 Plantation Drive Long Beach, MS 39560
Jones Jason Charles and Melissa N 5002 Plantation Drive Long Beach, MS 39560	Spence Joseph H 5011 Plantation Drive Long Beach, MS 39560	Dauro Paul G and Susan L PO Box 1405 Long Beach, MS 39560
Jackson Dale M and Margaret S 5009 Plantation Drive Long Beach, MS 39560	Hendon Wayne Jay and Susan Kidd - L/E- 5008 Plantation Drive Long Beach, MS 39560	Blackburn Thomas Welch IV and Suzanne 5007 Plantation Drive Long Beach, MS 39560
Young Bryan K 4514 Beatline Road Long Beach, MS 39560		

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

I, **EMORY PAUL ANTON**, the undersigned, shall solemnly swear in affirmation of the truth of the foregoing contents of this legal notice, application, petition, and variance, which the Planning and Development Commission will be holding by the City of Long Beach, Mississippi, and will be held in accordance with the provisions of the Comprehensive Long Beach Unified Land Ordinance, as amended.

1. That I am the duly appointed and acting Minutes Clerk of the City of Long Beach, Mississippi, Planning and Development Commission.

2. That I am duly qualified, who is responsible for making copies of Public Hearing for the purpose of notifying property owners within one hundred sixty feet (160') of the subject property, unless applicants for zoning map changes, rezoning, annexation, etc. are listed, as required in the Planning Ordinance Section 197 of the City of Long Beach and other matters pertaining to such zoning matters and the business of the Planning and Development Commission in and for the City of Long Beach.

3. That on December 8, 2022, she did cause to be printed, posted, and mailed, a copy of a legal notice of public hearing, which said notice was published in the City of Long Beach, Mississippi, on December 8, 2022, to advise in application for a variance submitted by Edward F. McKernan III.

Given under my hand this 19th day of November 2022.

Emory Paul Anton
EMORY PAUL ANTON

SWORN TO AND SUBSCRIBED before me on this 19th day of November 2022.

Notary Public
NOTARY PUBLIC



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:

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Proof of Publication

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me the undersigned notary in and for said County and State, HUNTER BARKINS, publisher of THE GAZETTE-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 _____, 2022
 Vol. _____ No. _____ dated _____ day of _____, 20
 Vol. _____ No. _____ dated _____ day of _____, 20
 Vol. _____ No. _____ dated _____ day of _____, 20
 No. _____ dated _____ day of _____, 20
 No. _____ dated _____ day of _____, 20
 No. _____ dated _____ day of _____, 20
 No. _____ dated _____ day of _____, 20

After further notes on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months prior to the first publication of said notice.

Notary to and subscribed before me this 26 day of
 2022 A.D. 2022
 Hunter Barkins
 Notary Public



Commission Chairman Olaivar asked for anyone speaking in favor or opposition and the following came forward:

- Paula Coffey, 5108 Beatline Road, spoke in opposition stating she does not believe the applicant has met the requirements of a variance request and the applicant has failed to state a hardship. She stated all of the homes in the subdivision have 2 car garages and no other homes in the area have 3 car garages and adding a 3rd garage would not keep the harmony of the neighborhood. She stated that her property already has drainage issues and she is afraid that the requested addition would cause more issues.
- Paul Dauro, 5010 Plantation Drive, spoke in favor stating he lives directly across the street from the applicant and he believes the extra storage is much needed.
- Susan Dauro, 5010 Plantation Drive, spoke in favor stating the applicant's driveway is a single lane and make it difficult for the applicants to back up.

Commissioner Fields made motion seconded by Commissioner Barlow and unanimously carried to close the public hearing.

After considerable discussion, Commissioner Fields made motion, seconded by Commissioner Levens and unanimously carried recommending the approval of the Variance as submitted and for the applicant to work with City Official's during planning and construction to redirect any water shed to the street.

The fourth public hearing to consider a Variance for property located at 550 East Beach Blvd, Tax Parcel 0612A-03-007.002, submitted by Vision Painting and Construction, LLC, as follows:

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

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 11-7-22
Zoning R-1
Agenda Date 12-8-22
Check Number 4887

VARIANCE REQUEST

- I. Tax Parcel Number(s): 0612A-03-007.002
- II. Address of Property Involved: 550 BEACH BLVD, LONG BEACH, MS
East
- III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
ALLOW FRONT SETBACK LINE TO BE MOVED TO
18' SAME AS SIDE SETBACK LINE.

****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? THERE EXIST 2 LARGE OAK TREES ON THE REAR SETBACK LINE. WE PROPOSE MOVING THE RESIDENCE AWAY FROM THESE TREES SO AS TO AVOID NEEDING TO REMOVE THEM.
- 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. OAK TREES ON THE REAR SETBACK LINE ARE EXISTING
- 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? IF DENIED, OWNER WOULD NEED TO FILE FOR A PERMIT TO REMOVE THE TWO OAK TREES. IF ALLOWED, THEY WOULD ONLY NEED TO BE TRIMMED.
- 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. THE PROPOSED SETBACK WOULD BE ALLOWED IF HWY 90 WAS CONSIDERED THE FRONT OF THE RESIDENCE

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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 street, 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 \$200.00. 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 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>Vision Painting & Construction LLC</u>	<u>RUSS SMALLWOOD</u>
Name of Rightful Owner (PRINT)	Name of Agent (PRINT)

<u>4528 Gautier-Vandewee Rd</u>	<u>1258 GLENDALE PL.</u>
Owner's Mailing Address	Agent's Mailing Address

<u>Gautier</u>	<u>MS</u>	<u>39553</u>	<u>GULFPORT</u>	<u>MS</u>	<u>39507</u>
City	State	Zip	City	State	Zip

<u>228-249-6773</u>	<u>(228) 263-5482</u>
Phone	Phone

<u>Anthony York</u>	<u>11/3/2022</u>	<u>[Signature]</u>	<u>11/3/2022</u>
Signature of Rightful Owner	Date	Signature of Applicant	Date

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Our File: B22064
Prepared by: Rebecca Taylor
Schwartz, Ogler & Jordan, P.L.L.C.
PO BOX 4682
BLOOMINGVILLE, MS 38887-7441

RECORDED ORIGINAL



STATE OF MISSISSIPPI
COUNTY OF HARRISON

Index: Plat in BE 19 of Original Long Beach and Plat of Lot 15, Block 1, RESURVEY OF GULF VIEW COURT, City of Long Beach, Harrison County, MS, 1st JD.

WARRANTY DEED

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

Angelo D'Angelo,

2821 Penning Avenue, Alexandria, LA 71301, 504-229-8607,

does hereby sell, convey and warrant unto

Vision Planning and Construction LLC, a Mississippi Limited Liability Company,

4528 Greater Yancey Road, Gartner, MS 39551, 228-749-6777

the following described land and property being located in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

See Attached Exhibit "A",

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights of way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

THE ABOVE described property is not part of the Estate of the Grantor herein.

AD VALOREM TAXES for the current year have been paid and are hereby assumed by the Grantee herein.

WITNESS MY SIGNATURE, on this the 4th day of August, 2022,

Angelo D'Angelo
Angelo D'Angelo

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned at liberty in and for the jurisdiction aforesaid, Angelo D'Angelo, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantor on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 4th day of August, 2022.

NOTARY PUBLIC

My Commission Expires:



EXHIBIT 'A'

A parcel of land situated and being located in a part of Block 19 of the PLAT OF ORIGINAL LONG BEACH (Plat Book 11, Page 6) and in a part of Lot 15, Block 1 of the RESURVEY OF GULF VIEW COURT (Plat Book 15, Page 41), City of Long Beach, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit:

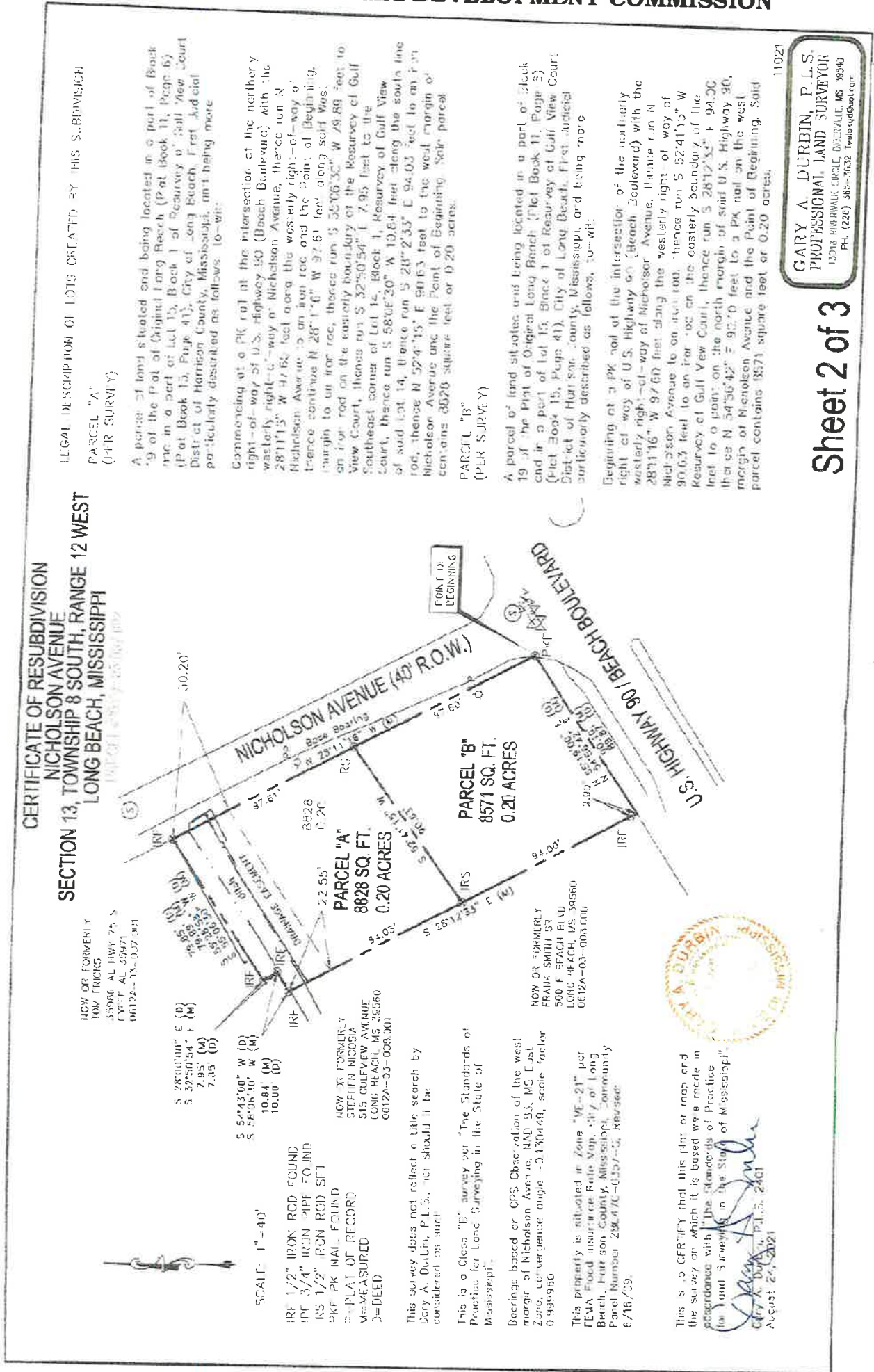
Beginning at the intersection of the northerly right-of-way of U.S. Highway 90/Beach Boulevard with the westerly right-of-way of Nicholson Avenue; thence run from said Point of Beginning, North 28 degrees 00 minutes 00 seconds West 195.41 feet along the westerly right-of-way of Nicholson Avenue; thence run South 55 degrees 28 minutes 29 seconds West 79.85 feet to the easterly boundary of the RESURVEY OF GULF VIEW COURT; thence run South 28 degrees 00 minutes 00 seconds East 7.51 feet to the Southeast corner of Lot 14, Block 1, RESURVEY OF GULF VIEW COURT; thence run South 54 degrees 43 minutes 00 seconds West 10.00 feet along the south line of said Lot 14; thence run South 28 degrees 00 minutes 00 seconds East 188.63 feet to the northerly margin of U.S. Highway 90/Beach Boulevard; thence run North 55 degrees 19 minutes 00 seconds East 89.87 feet along the northerly margin of U.S. Highway 90/Beach Boulevard to the Point of Beginning.

Subject to that certain 30' drainage easement described as follows:

A parcel of land situated and being located in a part of Block 19 of the PLAT OF ORIGINAL LONG BEACH (Plat Book 11, Page 6) and in a part of Lot 15, Block 1 of the RESURVEY OF GULF VIEW COURT (Plat Book 15, Page 41), City of Long Beach, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit:

Commencing at the intersection of the northerly right-of-way of U.S. Highway 90/Beach Boulevard with the westerly right-of-way of Nicholson Avenue; thence run North 28 degrees 00 minutes 00 seconds West 165.21 feet along the westerly right-of-way of Nicholson Avenue to the Point of Beginning of the parcel herein described; thence continue from said Point of Beginning, North 28 degrees 00 minutes 00 seconds West 30.26 feet along the westerly right-of-way of Nicholson Avenue; thence run South 55 degrees 28 minutes 29 seconds West 79.85 feet to the easterly boundary of the RESURVEY OF GULF VIEW COURT; thence run South 28 degrees 00 minutes 00 seconds East 7.51 feet to the Southeast corner of Lot 14, Block 1, RESURVEY OF GULF VIEW COURT; thence run South 54 degrees 43 minutes 00 seconds West 10.00 feet along the south line of said Lot 14; thence run South 28 degrees 00 minutes 00 seconds East 22.55 feet; thence run North 55 degrees 28 minutes 59 seconds East 89.84 feet to the Point of Beginning.

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
MINUTES OF SEPTEMBER 22, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



GARY A. DURBIN, P.L.S.
 PROFESSIONAL LAND SURVEYOR
 13078 HOBWALK CIRCLE, DIERKSVILLE, MS 38940
 PH. (228) 585-2632 gad@gsdms.com

Sheet 2 of 3



This survey was made in accordance with the Standards of Practice for Land Surveyors in the State of Mississippi.
 Gary A. Durbin, P.L.S.
 August 24, 2021

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
City of Long Beach



LEGAL NOTICE
PUBLIC HEARING

In accordance with Article XI 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.

Vision Painting and Construction, LLC, 4528 Gautier-Vanclave Road, Gautier, MS, 39553, (owner) and Russ Smallwood, 1258 Glendale Place, Gulfport, MS, 39507, (agent), have filed an application for a Variance in accordance with the Comprehensive Long Beach Unified Land Ordinance. The applicant is requesting a "7-foot front yard variance to allow front setback line to be moved to 18 feet". The City's requirements are 25 ft front yard setback. The location of the request is 550 East Beach Blvd, Tax Parcel 0612A-03-007-002. The legal description is as follows:

BEG AT INTER OF W MAR OF NICHOLSON AVE & N MAR OF HWY 90 NLY ALONG NICHOLSON AVE 379.8 FT S 55 DGS W 79.8 FT TO E LINE OF GULFVIEW COURTSLY ALONG SUBD 7.5 FT TO SE COR OF LOT 14 BLK 1 S 54 DGS W 10 FT S 28 DGS E 188 FT TO HWY 90 ELY ALONG HWY 89.9 FT TO POB BEING PART OF WIDOW LADNER CLAIM & PART OF LOT 15BLK 1 GULFVIEW COURT ALSO THAT PARTLYING S OF HWY 90 TO GULF OF MEXICOPART OF SW1/4 OF NE1/4 SEC. 13 & 12

A Public Hearing to consider the above variance will be held in the City of Long Beach, Mississippi, 39560, December 8, 2022, 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 and Development Commission

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • (228) 861-1506 • FAX (228) 865-0622
www.cityoflongbeach.ms.gov

Table with 3 columns and 4 rows of names and addresses. Includes Holt Rentals LLC, Ashworth Randy and Reasons Tammy, Bergeron Everett and Linda, Welch Family LTD Partnership No9, Fricks Tom R and Carolyn, Smith Fark R Sr -L/E-, Farni Shonn Michael and Leigh Ann, Robertson Donna and Martin Prince, Henderson Charles Keeler -Trustee-, Wilson Barry C and Debra A, Brady Martin and Mary, Gonzales Tara E Stieber and Damon J.

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

I, STACEY DAHL, being a duly qualified legal authority authorized to administer oaths and in the jurisdiction aforesaid, on this day personally appeared before me, TINA M DAVIS, known to me to be the Ministry Clerk of the City of Long Beach, Mississippi, Planning and Development Commission, who is being by me first duly sworn, deposes and says to the following facts, 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 (100) feet (100') of the subject property, when applications for zoning map changes, variances, appeals etc. are filed, all as stipulated in the Zoning Ordinance (Number 99) 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 November 15, 2022, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to each of the property owners within 100' of 550 East Beach Blvd, Tax Parcel 0612A-03-007-002, notifying them that a public hearing will be held, December 8, 2022, to consider an application for a Variance requested by Vision Painting and Construction, LLC (owner) and Russ Smallwood (agent).

Given under my hand this 15th day of November 2022.

Stacey Dahl
STACEY DAHL, AFFIDAVIT

SHOWN TO AND SUBSCRIBED before me on this 15th day of November 2022.

-My Commission Expires-

Kim Gomboula
NOTARY PUBLIC



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

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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 DA WALKINS, publisher of THE GAZARD GAZETTE, a newspaper printed and published in Harrison County, who being duly sworn, deposes and says the publication of this notice herewith attached has been made to the said publication _____ weeks in the following numbers and on the following dates of said paper:


Vol. 2022 No. 22 dated 12 day of Nov, 2022
 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__

Alliant 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.

Publisher

Sworn to and subscribed before me this 22 day of Nov, A.D. 2022.

Notary Public



Commission Chairman Olaivar asked for anyone speaking in favor or opposition and the following came forward:

- Tommy Fricks, 600 South Nicholson Avenue, spoke in favor of the requested variance stating he will be asking for a variance in the future also.

Commissioner Barlow made motion, seconded by Commissioner Levens and unanimously carried to close the public hearing.

After considerable discussion, the applicants withdrew the application for Variance as submitted.

The fifth public hearing to consider a Variance for property located at 110 Oak View Avenue, Tax Parcel 0612F-01-065.000, submitted by Jeffrey P. Brown, as follows:

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
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 10-31-22
Zoning R-1
Agenda Date 12-8-22
Check Number 108

VARIANCE REQUEST

- 1. Tax Parcel Number(s): 0612 F - 01-065, 080
- 11. Address of Property Involved: **110 Oak View Ave, Long Beach, MS 39560**
- 111. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)

We are seeking a variance to permit a new shed/pool house to be erected with only a 4-foot setback from the south fenced property line

****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?

We had pool installed in Winter 2022 by Bay Pools. As part of project, we had extra concrete poured to eventually accommodate shed. We were not advised and were unaware of the 8-foot offset requirement. Now we have sold our home in Michigan and have become permanent residents of Long Beach. We need storage for tools, lawn equipment, etc. This shed location is functionally and aesthetically ideal. We will ensure rain runoff is diverted by gutters and downspouts.

- 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.

We were unaware of the setback requirement when surrounding concrete was poured for the pool project in Winter 2022.

- 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?

Additional expense to pour concrete in different location. This would also detract from, the functional and aesthetic layout of the backyard.

- 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.

We are intending to improve our property by adding a storage shed in a location of the yard that is both functional and visually appealing while not detracting from neighboring properties.

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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 \$200.00. 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.

JEFFREY P. BROWN

Name of Rightful Owner (PRINT)

Name of Agent (PRINT)

110 OAK VIEW AVE

Owner's Mailing Address

Agent's Mailing Address

LONG BEACH MS 39560

City State Zip

City State Zip

810 908 2033

Phone

Phone

JHB 10/31/2022

Signature of Rightful Owner Date

Signature of Applicant Date

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



1st Judicial District
Instrument 2021-6106 D - J1
Filed/Recorded 5/6/2021 02:30 P
Total Fees \$ 25.00
3 Pages Recorded

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

Grantors:
Ray J. Russo
Rebecca G. Russo
1609 W. 2nd St.
Arlington, TX 70613
(214) 505-1534

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

Grantees:
Jeffrey P. Brown
Barbara Ann Brown
110 Oak View Ave.,
Long Beach, MS 39560
(810) 908-2033

File No. Z219496N

INDEXING INSTRUCTIONS: A parcel of land situated in Sec. 14, T8S, R12W, 1st JD, Harrison County, MS.

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

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, Ray J. Russo and Rebecca G. Russo, do hereby sell, convey and warrant unto Jeffrey P. Brown and Barbara Ann Brown, 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 Harrison 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 Ray J. Russo and Rebecca G. Russo, by Warranty Deed recorded in Instrument No. 2020-1731-D-J1, Land Deed Records of Harrison 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 Grantees. 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 First Judicial District of Harrison 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 26 day of April, 2021.

Ray J. Russo
Ray J. Russo
Rebecca Russo
Rebecca G. Russo

ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Ray J. Russo and Rebecca G. Russo, 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 26 day of April, 2021.

(AFFIX SEAL)

My commission expires:



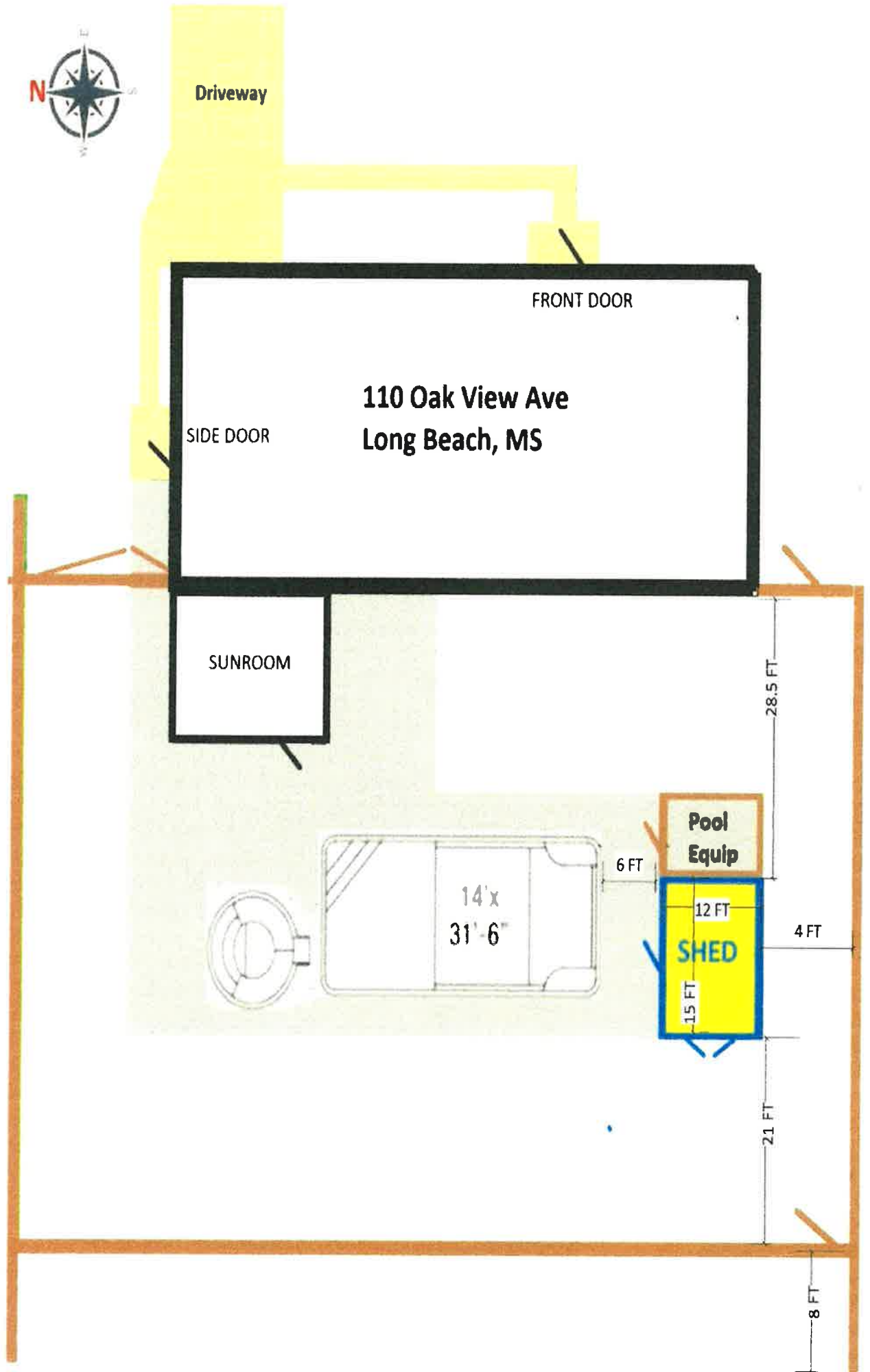
Laura Michini
NOTARY PUBLIC

Exhibit "A"

Legal Description

A parcel of land situation in Section 14, Township 8 South, Range 12 West and being more particularly described as follows: A parcel of land in Lot 54 of the Henderson-Shipmen Hughes Partition of the B. Peifer Claim 22 in Section 14, Township 8 South, Township 8 West, Range 12 West, in Harrison County, Mississippi, First Judicial District, and being designated as Lot E on the map or survey made by James A. Martin, C.E., For F.A. Johansen, dated March 18, 1955, and being recorded in Deed Book 413, Page 152, Deed Records of Harrison County, Mississippi, First Judicial District. Said parcel of land being more particularly described as beginning at a point of the West margin of Oak View Avenue 571 Feet North of the intersection of said Oak View Avenue with Magnolia Street, as measured along said West margin of Oak View Avenue, running thence Westerly 140 feet, running thence Northerly and parallel with said West margin of Oak View Avenue 75 feet, running thence Easterly and parallel with said North Margin of Magnolia Street 140 feet, running thence Southerly along the West margin of Oak View Avenue 75 Feet to the Point of Beginning.

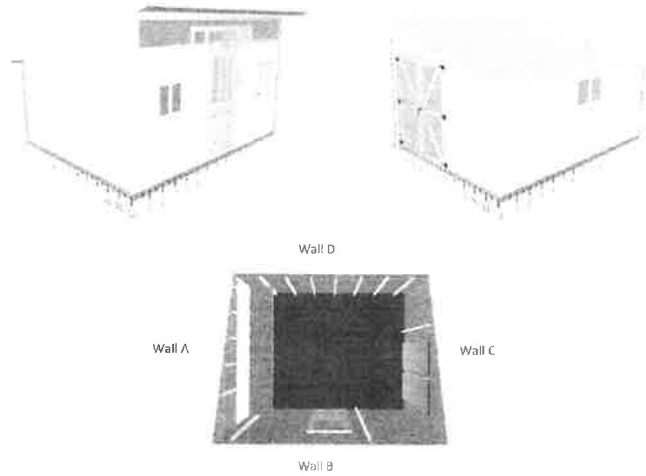
**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



MINUTES OF DECEMBER 8, 2022 REGULAR MEETING LONG BEACH PLANNING and DEVELOPMENT COMMISSION



Jeff Brown
110 Oak View Ave
Long Beach MS 39560
Q-1906393



Base Details

Building Size & Style
Premier Pro Studio 12 wide by 15' long
Paint Selection
0100 Concrete White, Trim Delicate White, Accent (Down) Seabrown
Roof Selection
Light Stone Metal Roof
Drp Edge
White
Is a permit required for this job?
Yes
Who is pulling the permit?
Tuff Shed

Options Details

Special Instructions
Customer wants custom kitchen island at house wrap.
High Wind
High Wind Kit/Kit
Doors
5 Lite Residential Door (Left Hand Curving)
2' x 6'7" Double Shed Door (6")
Crossbuck, Decorative Door Hardware
Windows
2 Ea 2'x2' Insulated Horizontal Sliding Window
3'x2' Insulated Horizontal Sliding Window
Walls
276 Sq Ft Vertical Groove Cement Panel Siding
Roof
277 Sq Ft Truss Spacing Upgrade - 16"
Floor and Foundation

Jobsite/Installer Details

Do you plan to install this building after Tuff Shed installs it?
Yes
Is there a power outlet within 100 feet of installation location?
Yes
The building location must be level to properly install the building. How level is the install location?
Within 4" of level
Will there be 18" of unobstructed workspace around the perimeter of all four walls?
No
Can the installers park their pickup truck & trailer within approximately 200' of your installation site?
Yes
Substrate Shed will be installed on?
Anchored to Concrete with U-bolt Flange



Jeff Brown
110 Oak View Ave
Long Beach MS 39560
Q-1906393

6 Ea Shed Anchor to Concrete - A24 & Wedge Anchor
Interior
13 Lin Ft 24" Workbench
68 Sq Ft Pegboard
12 Lin Ft Shelving - 12" deep
Vents
3 Ea Flood Vents
14 Ea Floor Track Vent
Workbench And Pegboard And Shelf Locations
Workbench on Side A at 39"
Shelf on Side A at 20"
Full Wall Pegboards on Side A at 39"

Signature: Jeff Brown Date: 10/21/2022

TUFF SHED Sales Order

Location:	Mobile #600 (251) 479 0722	Schedule/Date:	Pending
Factory Location:	Mobile #600 (251) 479 0722	Created Date:	10/21/2022
Factory Address:	3450 Armour Ave Mobile, AL 36657	Contact:	Jeff Brown p. (810) 908 2033 c. jeffbuz72@gmail.com
Prepared by:	Naley Lumpkin (251) 530-4343 nlumpkin@tuffshed.com	SKU:	Q0897872
Special Instructions:		Item Code:	2880301
Serial Number:		Ship To Address:	110 Oak View Ave Long Beach, MS, 39560, US

Item Item Description	Unit Price	Quantity	Additional Discount	Permit	Total Price
Premier Pro Studio 12 x 15	\$11,597.00	1.00	\$0.00	\$0.00	\$11,597.00
Vertical Groove Cement Panel Siding	\$6.50	526.00	\$0.00	\$0.00	\$3,419.00
Paint 10% of building base price	\$1,160.00	1.00	\$0.00	\$0.00	\$1,160.00
Metal Roof Upgrade - Light Stone	\$3.75	277.00	\$0.00	\$0.00	\$1,038.75
Upgrade - 3068 L-Out 9-Lite Residential Door	\$730.00	1.00	\$0.00	\$0.00	\$730.00
Permit and Permit Processing Fee	\$3.00	180.00	\$0.00	\$0.00	\$540.00
Truss Spacing Upgrade - 16" OC - Shed	\$1.50	277.00	\$0.00	\$0.00	\$415.50
Upgrade - 3' x 6"7" Double Shed Door (6")	\$529.00	1.00	\$0.00	\$132.25	\$661.25
High Wind - Retail	\$2.15	180.00	\$0.00	\$0.00	\$387.00
2'x2' Insulated Horizontal Sliding Window	\$199.00	7.00	\$0.00	\$49.75	\$298.50
Engineering Fees	\$1.50	180.00	\$0.00	\$0.00	\$270.00
Flood Vents	\$90.00	3.00	\$0.00	\$0.00	\$270.00
Less than 18"/24" build space	\$200.00	1.00	\$0.00	\$0.00	\$200.00
Shed Anchor to Concrete - A24 & Wedge Anchor	\$30.00	6.00	\$0.00	\$0.00	\$180.00
3'x2' Insulated Horizontal Sliding Window	\$729.00	1.00	\$0.00	\$57.25	\$786.25
Pegboard	\$2.50	68.00	\$0.00	\$0.63	\$127.84
24" Workbench	\$10.00	12.00	\$0.00	\$2.50	\$90.00
Accent Paint Color	\$50.00	1.00	\$0.00	\$0.00	\$50.00
Black Door Hardware - Double Door	\$60.00	1.00	\$0.00	\$15.00	\$45.00
Door - Decorative Double Door Trim - Crossbuck	\$53.00	1.00	\$0.00	\$14.75	\$44.25
Shelving - 12" deep	\$4.90	17.00	\$0.00	\$1.23	\$44.16
Floor Track Vent	\$2.00	14.00	\$0.00	\$0.50	\$21.00
Fuel Surcharge	\$70.00	1.00	\$0.00	\$0.00	\$70.00
Credit for Removal of Default Door	(\$655.00)	1.00	\$0.00	\$0.00	(\$655.00)
Delivery Fee	\$495.00			\$0.00	\$195.00
Gross Total					\$21,469.05
Discount					(\$412.55)
Net Total					\$21,056.50

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

Tax	\$0.00
Grand Total	\$21,056.50

Amount Due	\$10,456.50
Amount Paid	\$10,600.00
Amount Scheduled	\$0.00

Digitized by:
Jeff Brown
Customer Signature

10/21/2022
Date

**Rules and limitations apply. Contact your nearest Tuff Shed retail sales location at 1-800-269-8839 with questions.
Prices shown above show base building price and standard upgrades. Additional fees may apply, including charges for taxes, permits, engineering fees, delivery and leveling.*

The Clerk reported that twenty-three (23) 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 XX of the Constitution and Long Beach Unified Land Ordinance 386 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.

Jeffrey P. Brown, 110 Oak View Avenue, Long Beach, MS, 39560, has filed an application for a Variance in accordance with the Comprehensive Long Beach Unified Land Ordinance. The applicant is requesting a 14-foot side yard setback from the south lateral property line to construct a new shed/boat house. The City's requirements are 8 ft side yard setback. The location of the request is 110 Oak View Avenue, Tax Parcel 05137-01-053-000. The legal description is as follows:

BEGIN N 1/4 LINE OF WASHINGTON ST S W LINE OF OAK VIEW AVE S RUN N 57 1/2 FT TO S W L W 140 FT N 75 FT E 140 FT S 75 FT TO BEU BEING 1 OF 16 SURVEY OF JOHNSON PROPERTY DEED OF 2014 PG 416 LOT 34 N-S-R SURVEY SEC 14-B-13

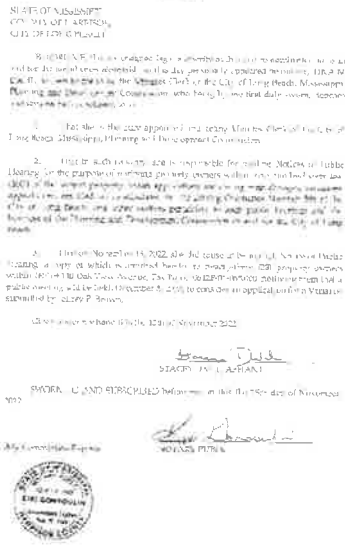
A Public Hearing in consider the above variance will be held in the City of Long Beach, Mississippi, 8:00am, December 8, 2022, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the city if they have any questions concerning the petition.

/s/ signed
Chairman
Planning and Development Commission

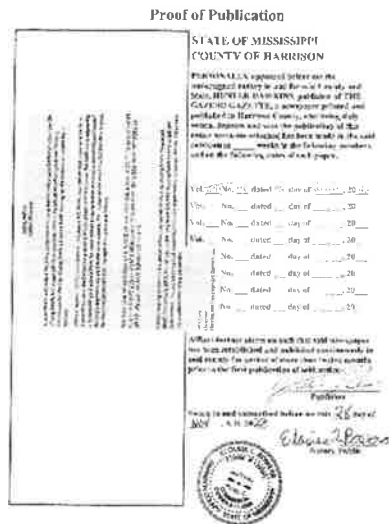
201 Jeff Davis • PO Box 1029 • Long Beach, MS 39560 • (228) 662-1550 • FAX (228) 662-1822
www.cityoflongbeach.ms.gov

- | | | |
|---|---|--|
| Robertson Brenda G -Trustee-
3 Rue Orleans
Long Beach, MS 39560 | Carmock Heather N
119 Oak View Avenue
Long Beach, MS 39560 | Winchester Phillip -Estate-
111 Oak View Avenue
Long Beach, MS 39560 |
| Jackson Kimberly Sue and Christopher
305 9 th Street
Pawnee, IL 62558 | McKay Charles K
111 East Avenue
Long Beach, MS 39560 | Baley F King Jr and Brenda
109 East Avenue
Long Beach, MS 39560 |
| Janik Thomas M and Marie R
212 Fairview Street
Watertown, WI 53094 | Walshe Michael F and Suzanne E
2161 Salem Road
Watkinsonville, GA 30677 | Randolph Burton Properties LLC
PO Box 1404
Long Beach, MS 39560 |
| Mellen S P Sr -Trust-
PO Box 1077
Gulfport, MS 39502 | Irwin Matthew S and Kimberly N
104 Oak View Avenue
Long Beach, MS 39560 | Heagle Austin R
108 Oak View Avenue
Long Beach, MS 39560 |
| Case Joel A
107 Oak View Avenue
Long Beach, MS 39560 | Smith Kevin Cole and Summer Marisol
109 Oak View Avenue
Long Beach, MS 39560 | Winchester Phillip A -Estate-
111 Oak View Avenue
Long Beach, MS 39560 |
| Mattox Kim Marie -EST-
113 Oak View Avenue
Long Beach, MS 39560 | Perrin William C and Lydia K
503 Carol Avenue
El Dorado, AR 71730 | Hernandez Hetta ETAL
128 Dearman Avenue
Long Beach, MS 39560 |
| Savoy Ronnie A and Michelle R
106 Palwood Drive
Pass Christian, MS 39571 | Wieting Renee and Daron Simpson
120 Dearman Avenue
Long Beach, MS 39560 | Ladner Elizabeth Stansbury L/E-
118 Dearman Avenue
Long Beach, MS 39560 |
| Hershberger Kenneth Ray L/E-
113 York Drive
Long Beach, MS 39560 | Mueller Joneli and Jon K
110 Dearman Avenue
Long Beach, MS 39560 | |

MINUTES OF DECEMBER 8, 2022
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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:



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

Commissioner Barlow made motion, seconded by Commissioner Levens and unanimously carried to close the public hearing.

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

The sixth public hearing to consider a Variance for property located at 737 West Beach Blvd, Tax Parcel 0512I-01-011.000, submitted by Mike Noble-Jack for Beachwalk Condo Association, Homeowners Association, as follows:

MINUTES OF DECEMBER 8, 2022
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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 11-7-22
Zoning R-1
Agenda Date 12-8-22
Check Number 2636

VARIANCE REQUEST

- I. Tax Parcel Number(s): 05121-01-011.000
- II. Address of Property Involved: 737 WEST BEACH BLVD., LONG BEACH, MS 39560
- III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
REQUEST TO ERECT STORM PROOF STEEL TOOL SHED ON NORTH WEST CORNER ON PROPERTY LINE. THIS REQUEST IS TO ALLOW THE SHED TO BE LOCATED ON THE PROPERTY LINE & NOT 8' EAST & 5' SOUTH OF PROPERTY LINE

****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? OPEN SPACE IS VERY LIMITED WITH 29 UNITS LOCATED ON THE PROPERTY. THIS PROPOSAL USES THE LARGEST OPEN SPACE AVAILABLE BUT THE 8' & 5' CODE REQUIREMENTS FROM PROPERTY LINE RESULTS IN SIGNIFICANT ACCESS ISSUES FROM A PRACTICAL & SAFETY PERSPECTIVE. SEE SCALE DRAWINGS OF BOTH CODE COMPLIANT OPTIONS WITH ISSUES MARKED UP. THIS NW CORNER OF THE PROPERTY HAS 20' EASEMENTS ON BOTH THE NORTH & WEST SIDES BEYOND THE PROPERTY LINE FOR STORM DRAINS. SO THE PLACEMENT OF THE SHED SHOULD NOT HAVE ANY NEGATIVE IMPACT TO FUTURE STRUCTURES BUILT ON ADJOINING PROPERTIES.
- 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 HOA HAS STUDIED THE WHOLE PROPERTY TO FIND THE SHED LOCATION WHICH WILL BE OPTIMUM AND NOT IMPACT NEIGHBORS OR UNIT OWNERS. THIS NW CORNER IS BY FAR THE LARGEST OPEN AREA AVAILABLE CONSIDERING ALL CURRENT/EXISTING DWELLINGS & PROPERTY LINES LIMITATIONS.
- 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? PLEASE SEE SCALE DRAWINGS OF SHED LOCATIONS WITH N/S & E/W ORIENTATIONS WITH REQUIRED CODE OFFSET. THE N/S OFFSET LOCATION WILL REQUIRE A MINIMUM 720 SQ.FT. BUT IS NOT FEASIBLE AS ROLL UP DOOR ACCESS IS SEVERELY RESTRICTED WITH PROXIMITY TO UNIT. THE E/W SIZED ORIENTATION WITH OFFSET REQUIRES 735 SQ.FT. ALSO WITH ROLL UP DOOR ACCESS RESTRICTIONS. THESE ALSO REPRESENT EMERGENCY EGRESS ISSUES. THE REQUESTED SHED LOCATION REQUIRES ONLY 250 SQ.FT. & THERE ARE NO RESTRICTIONS OR EGRESS ISSUES.
- 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. ONLY ORIENTATION VIABLE IS E/W WHICH CONSUMES MUCH MORE SPACE, MAKES ROLL UP DOOR INGRESS/EGRESS WITH LADDERS & VEHICLES VERY DIFFICULT & IS VERY VISIBLE FROM UNITS 734 & 736. IF VARIANCE IS APPROVED, ACCESS TO SHED IS SIMPLER & DIRECT. THE NORTH & WEST SIDES OF SHED WILL BE REPLACING 6' FENCE EXISTING WITH ABSOLUTELY MINIMAL IMPACT TO ADJACENT LOTS & WITH THE 20' STORM DRAIN BASEMENT WILL HAVE NO IMPACT VISUALLY TO ANY FUTURE BUILDINGS ON ADJACENT LOTS. & TO CURRENT UNITS 734 & 736.

Page 1 of 2 Variance Request

MINUTES OF DECEMBER 8, 2022
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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 street 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 \$200.00. 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 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.

Name of Rightful Owner (PRINT)

MIKE NOBLE-JACK FOR BEACHWALK CONDO. ASSN. HOA.

Name of Agent (PRINT)

Owner's Mailing Address

701 W BEACH BLVD.

Agent's Mailing Address

City State Zip

LONG BEACH MS 39560

City State Zip

Phone

(937) 694-5055

Phone

Signature of Rightful Owner Date



Signature of Applicant Date 11/4/2022

MINUTES OF DECEMBER 8, 2022
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION
Beachwalk Tool Shed Proposal

The following is the intended plan for and use of the Beachwalk Tool Shed:

1. The shed is to be a 10 foot by 20-foot galvanized steel structure provided and installed by a highly reputable manufacturer by the name of Eagle Carports and the dealer and installer is Mississippi Shed.
2. The structure will be fully enclosed with a standard peak roof, three windows, a person door and a 6 foot roll-up door. The structure is rated to resist up to 140 mph winds.
3. It is to be installed on a poured concrete pad with a 6 inch pad overlap. The Long Beach City may recommend some steel rebar spikes be driven into the ground before pouring to secure the pad in case of flooding.
4. The shed walls will be painted the same color as the complex walls and the roof will be galvanized (silver) corrugated to closely match our unit roofs.
5. The shed is to be located in the very north, western corner of the complex running in a north to south direction. The most practical position is on the property line but this will require the city to grant a variance to place it there. The variance request is currently under way.
6. The shed will have an entry ramp on the south side at the roll-up door to facilitate the ingress and egress of wheeled equipment and deliveries.
7. The shed is to be used to store all the tools, chemicals, paints and other materials needed to maintain and repair the complex.
8. The shed will not be used for any personal storage except where such items are provided to be shared for the purpose of maintaining the complex.

EXHIBIT A

LEGAL DESCRIPTION

That certain portion of Lot 5 and the East 30 feet of Lot 6 of the White and Calvert Survey in Section 15/22 in Township 8 South, Range 12 West, in Harrison County, State of Mississippi, described as follows: Beginning at the intersection of the center line of the present Lang Avenue in the City of Long Beach, Mississippi, and the North right-of-way line of U.S. Highway #90; and from said point of beginning, running thence South 60 degrees 50 minutes West along the above said right-of-way line of U.S. Highway #90 a distance of 214.9 feet to an Iron pin, which is the Point of Beginning of the parcel of land herein described; running thence South along the East line of Lot 5 of the White and Calvert Survey across the U.S. Highway #90, and sea wall and sand beach to the seashore of the Gulf of Mexico or Mississippi South; running thence Westerly along the seashore of the Gulf of Mexico of Mississippi South a distance of 135.1 feet, more or less, to a point which is 30 feet West of the East line of Lot 6 of the White and Calvert Survey; running thence North across the sand beach, the seawall and U.S. Highway #90 to a pin set in the North right-of-way line of U.S. Highway #90; thence continuing North along a line which is parallel to and 30 feet West of the East line of Lot 6 of the White and Calvert Survey, a distance of 611.4 feet to an iron pin set on the South line of a proposed street; thence due East along the South line of said proposed street a distance of 126 feet to an iron pin; running thence due South a distance of 563.7 feet to the iron pin set at the Point of beginning; together with all riparian, aquatic and littoral rights thereunto belonging or in any wise appertaining.

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

Being the same property acquired by Edson C. Tung, Henry C. Tung, and Anna Chin Tung Louie by deed from Olga E. Fabacher, dated February 11, 1964, and recorded in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi on January 20, 1964. The heirs at law of Henry C. Tung conveyed their interest in the above property to the Grantor herein, Edson C. Tung, by Warranty Deed dated November 6, 1995 and recorded in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Deed Book 1322, at page 462. The heirs at law of Henry C. Tung were adjudicated in Harrison County Chancery Cause No. 00-00092.

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

CERTIFICATE OF RECORDATION OF PLAN OF CONDOMINIUM
AND DECLARATION

COMES NOW, May Investments, LLC and Peoples Bank that being the record owner and all record holders of security interest therein of real property situated in Long Beach, Harrison County, Mississippi, more particularly described as follows, do hereby consent to and file this their CERTIFICATE OF RECORDATION OF PLAN OF CONDOMINIUMS.

See attached Legal Description, survey
and floor plans

By executing the Plan of Condominium, which is being filed herewith, declarant as being the owner and all record holders of security interest therein, do consent to the recordation of the Condominium Plan pursuant to Mississippi Code Annotated § 89-9-9.

SO CERTIFIED, this the 13 day of August, 2001.

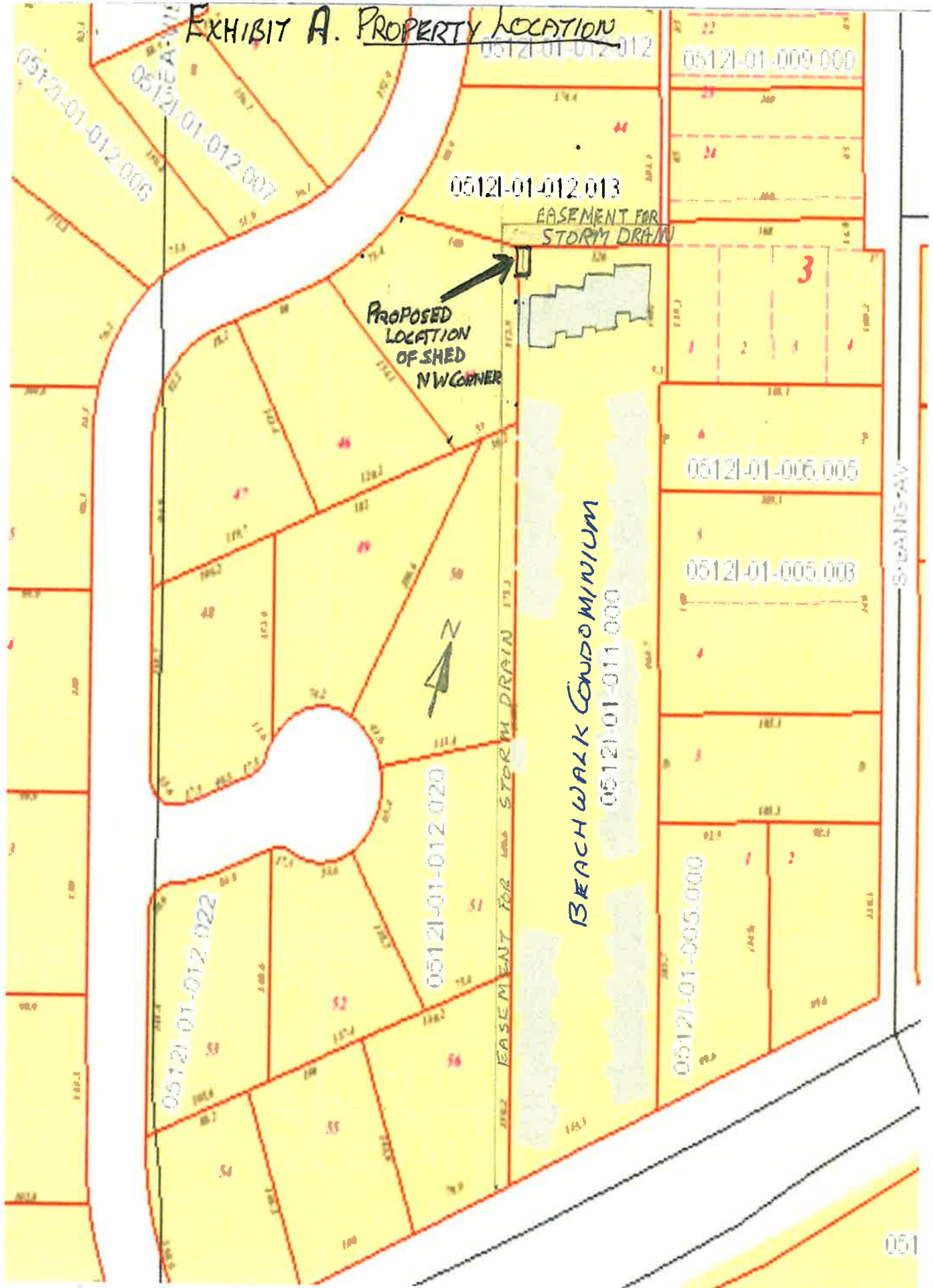
A. Fred May
MAY INVESTMENTS, LLC
A. FRED MAY
RECORD OWNER

Wes Fulmer, Sr.
WES FULMER, SR., VICE PRESIDENT
THE PEOPLES BANK
RECORD HOLDER OF
SECURITY AGREEMENT



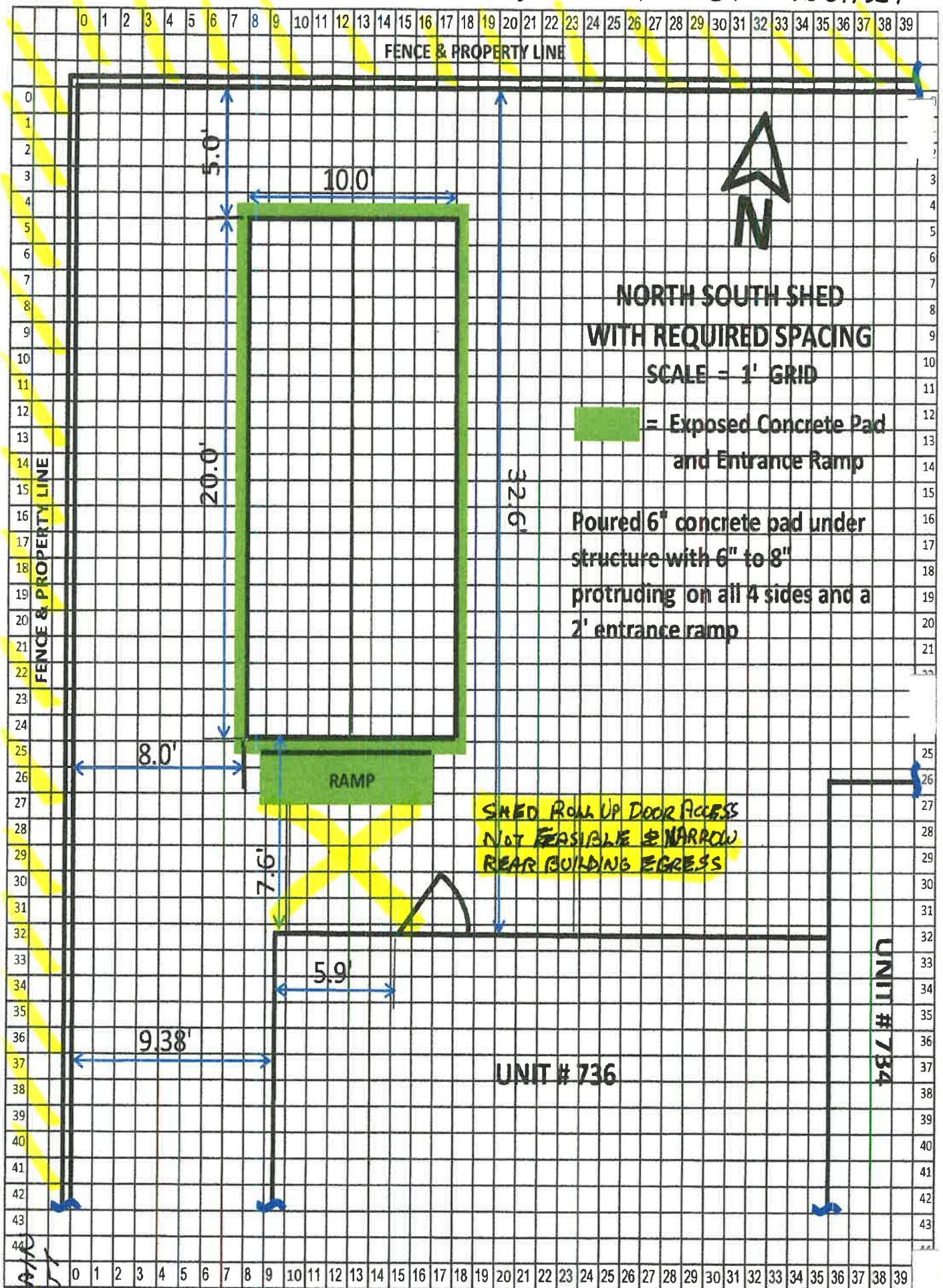
BEACHWALK OWNER INFORMATION						
Bldg #	Unit #		First Name	Last Name	First Name	Last Name
B	700	West Beach Blvd. Long Beach, MS 39560	Donald	Henry Jr.	Rebecca	Henry
A	701	West Beach Blvd. Long Beach, MS 39560	Mike	Noble-Jack	Sharon	Noble-Jack
B	702	West Beach Blvd. Long Beach, MS 39560	Mike	Giovingo	Anne	Giovingo
A	703	West Beach Blvd. Long Beach, MS 39560	Kelly	Leblanc		
B	704	West Beach Blvd. Long Beach, MS 39560	Dan	Helton		Helton
A	705	West Beach Blvd. Long Beach, MS 39560	Jonathan	Rivera		
B	706	West Beach Blvd. Long Beach, MS 39560	Joseph	Krown	Celie	Krown
A	707	West Beach Blvd. Long Beach, MS 39560	Margaret	Koslosky	Andrew	Koslosky
B	708	West Beach Blvd. Long Beach, MS 39560	Danny	Guin	Kim	Guin
A	709	West Beach Blvd. Long Beach, MS 39560	Rick	Hodges	Tami	Hodges
C	710	West Beach Blvd. Long Beach, MS 39560	Marlene	Naquin		
C	712	West Beach Blvd. Long Beach, MS 39560	Trish	Lyerla	Ronnie	Tallent
C	714	West Beach Blvd. Long Beach, MS 39560	Wilma	Navarrete		
C	716	West Beach Blvd. Long Beach, MS 39560	Doug	Kibler	Lisa	Kibler
C	718	West Beach Blvd. Long Beach, MS 39560	Dan	Seymour	Marcia	Seymour
D	719	West Beach Blvd. Long Beach, MS 39560	Jamie	Broussard		
E	720	West Beach Blvd. Long Beach, MS 39560	Ted	Lawver	Robin	Lawver
D	721	West Beach Blvd. Long Beach, MS 39560	Vern	Workman	Jane	Workman
E	722	West Beach Blvd. Long Beach, MS 39560	David	Waters	Allyn	Waters
D	723	West Beach Blvd. Long Beach, MS 39560	Guy	Montella		
E	724	West Beach Blvd. Long Beach, MS 39560	Phil	Bonfanti	Sarah	Sneed
D	725	West Beach Blvd. Long Beach, MS 39560	Max	Runnels		
E	726	West Beach Blvd. Long Beach, MS 39560	Geoffrey	Stockenstrom	Maureen	George
D	727	West Beach Blvd. Long Beach, MS 39560	Randal	Westbrook	Lorrie	Westbrook
E	728	West Beach Blvd. Long Beach, MS 39560	Beverly(Owner)	Inchinose		
F	730	West Beach Blvd. Long Beach, MS 39560	Bonnie	Brandenburg		
F	732	West Beach Blvd. Long Beach, MS 39560	Liz	Marchant	Bob	Summers
F	734	West Beach Blvd. Long Beach, MS 39560	Ray	Drumm	Tammy	Drumm
F	736	West Beach Blvd. Long Beach, MS 39560	Frank	Lagodny	Linda	Cochran
Mailbox	737	West Beach Blvd. Long Beach, MS 39560	HOA Mailbox Only			

LONG BEACH PLANNING and DEVELOPMENT COMMISSION



LONG BEACH PLANNING and DEVELOPMENT COMMISSION

EXHIBIT B NS SHED ORIENTATION WITH CODE OFFSET

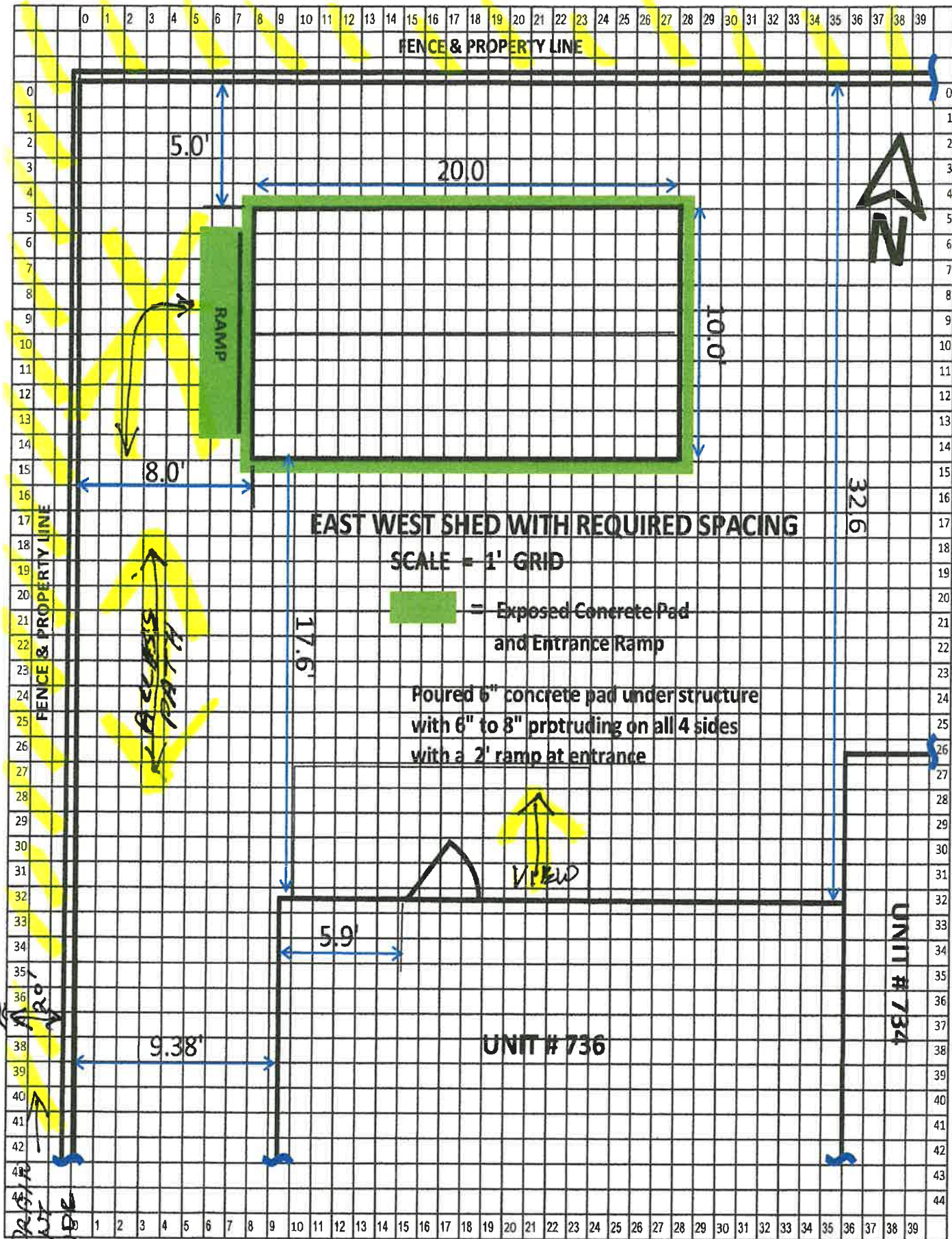


STORM DRAIN
EASEMENT
20' WIDE

1. INGRESS & EGRESS UNWORKABLE TO ROLL UP DOOR
2. LARGE AREA OF PROPERTY REQUIRED TO SERVICE SHED
3. BLOCK OF UNITS - REAR EMERGENCY EGRESS PATH RESTRICTED

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

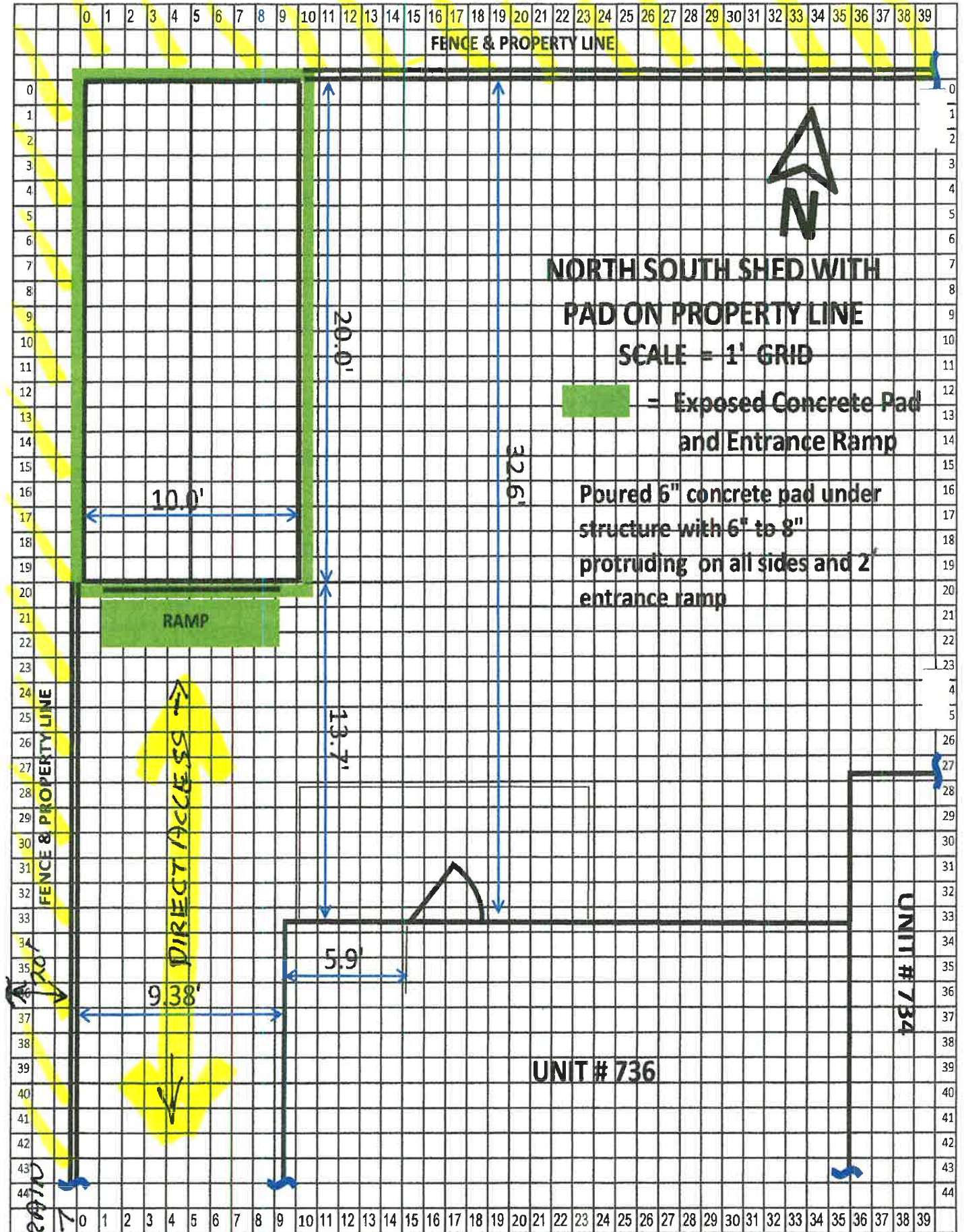
EXHIBIT C EW SHED ORIENTATION WITH CODE OFFSET



1. VERY DIFFICULT STEEP ROLL UP DOOR ACCESS FOR VEHICLES & LADDERS
2. LARGE AREA OF PROPERTY REQUIRED TO SERVICE SHED
3. IMPACTS VIEW FROM UNITS 734 & 736.
4. ROLL UP DOOR ON EAST SIDE WOULD DOUBLE LAND USE & DEGRADE ACCESS

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

EXHIBIT D NS SHED ORIENTATION WITH NO OFFSET VARIANCE



**MINUTES OF DECEMBER 8, 2022
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

Sent from my iPhone

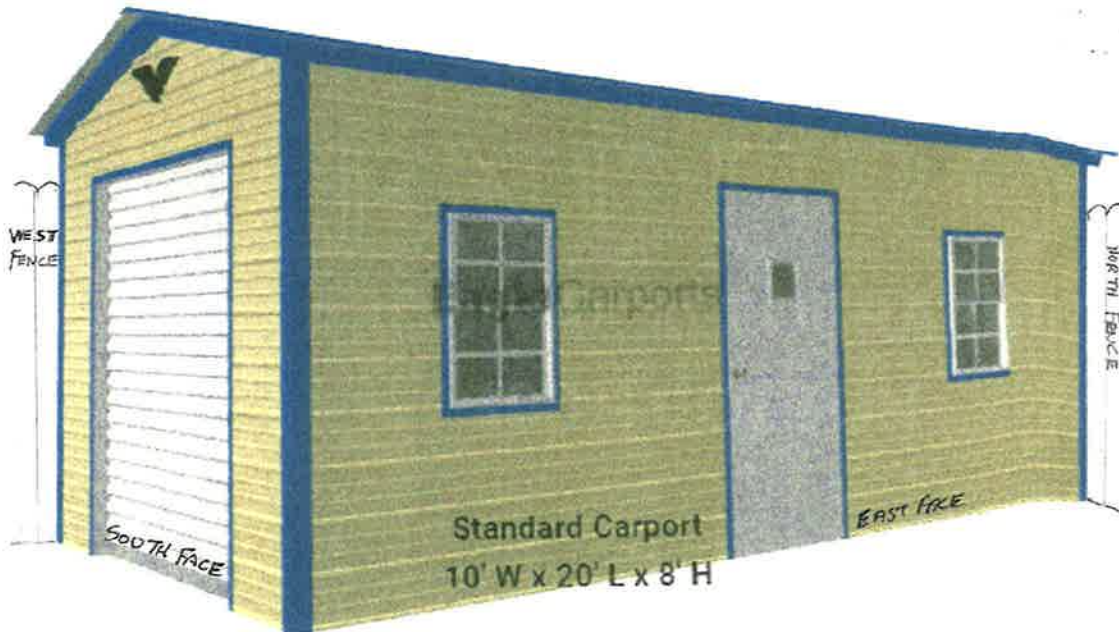
On Apr 6, 2022, at 10:09 AM, Ms Shed <msshed.ellsville@gmail.com> wrote:

Good morning Mr. Noble-Jack

This is the building that we discussed yesterday. Please let me know if you have any questions.

- 10x20x8 Vertical Roof
- Fully Enclosed
- 3-Window
- 1-Walk In door
- 1-8x8 Roll up door
- \$7,809.40

Thanks,
 Betsy Rodarte
 601-549-7553
 MShed.com



SE VIEW

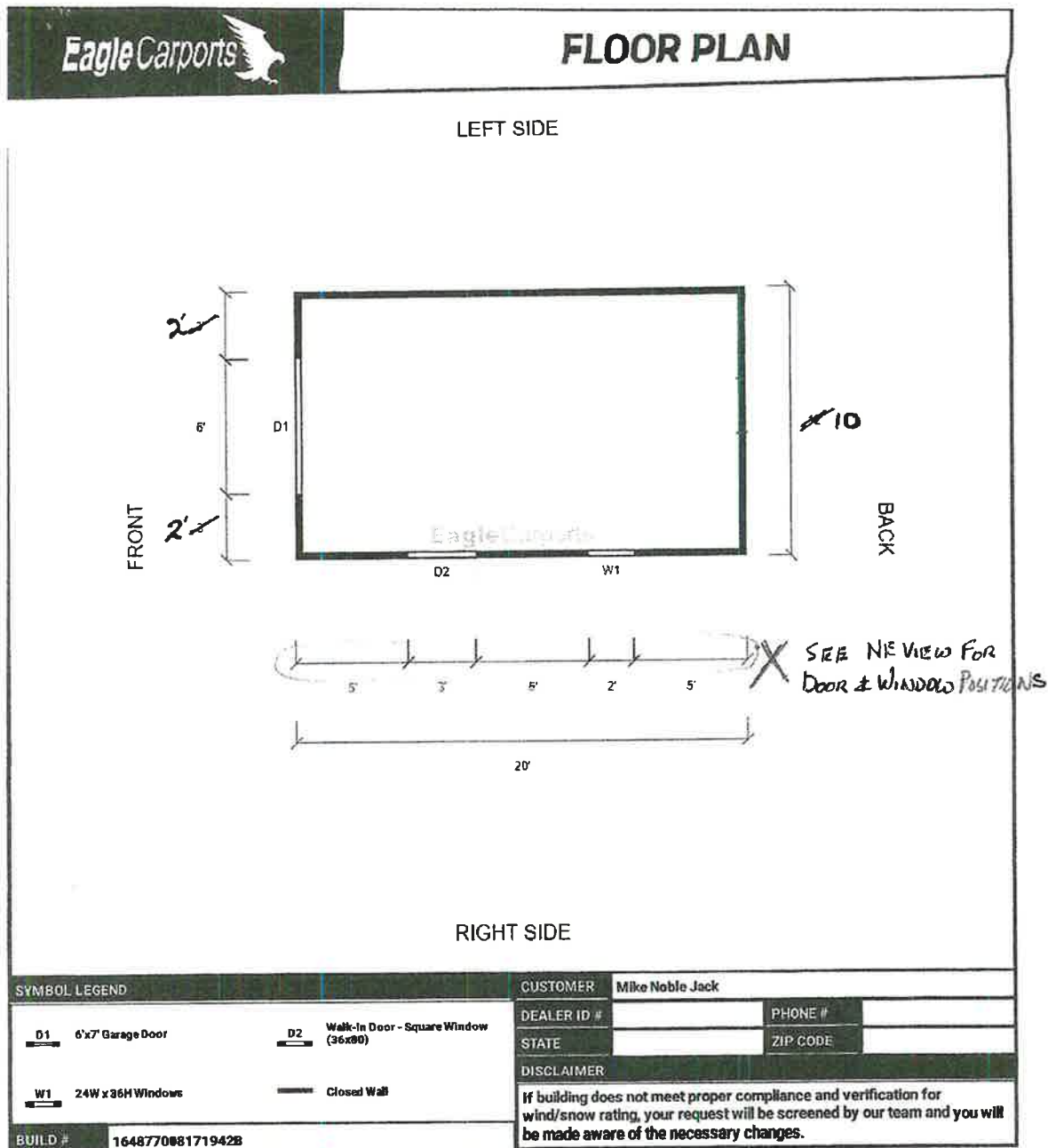


NW VIEW

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



NE VIEW



The Clerk reported that twenty-one (21) 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

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION
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 III of the Comprehensive Long Beach Ordinance and Ordinance 108 of the City
of Long Beach, Mississippi (2022) to amend the Ordinance governing the Planning
Commission for the City of Long Beach, a Public Hearing for the purpose of considering a
variance.

Mrs. Anna K. Cook for her husband, Mr. Robert Cook, 337 West Beach Blvd., Long Beach, MS 39560,
has filed an application for a variance in accordance with the Comprehensive Long Beach Ordinance
Ordinance 108. The applicant is requesting the city allow a shed to be located on the property corner on
property line. This request is to allow the shed to be located on the property line and not 5' east and
5' south of property line. The City's requirements are 8 ft side yard setback and 5 ft rear yard setback
for accessory structures. The location of the request is 337 West Beach Blvd., Tax Parcel 0512101-
01105. The legal description is as follows:

CORNER AREA: 17.36 SQ. FT. INTER OF A CORNER OF 337 WEST BEACH BLVD. AND 5' SOUTH OF PROPERTY
LINE. 17.36 SQ. FT. TO 5' SOUTH OF PROPERTY LINE. 17.36 SQ. FT. TO 5' SOUTH OF PROPERTY LINE.
ALONG 337 WEST BEACH BLVD. TO 5' SOUTH OF PROPERTY LINE.

A Public Hearing to consider the above variance will be held in the City of Long Beach, Mississippi,
2022, December 8, 2022, at 3:30 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 concerns concerning the petition.

Attest:
City Clerk
Planning and Development Commission

City of Long Beach • 201 Jeff Davis Avenue, Long Beach, MS 39560 • (662) 434-1334 • FAX (662) 434-4492
www.cityoflongbeach.com

Realty International LLC PO Box 4246 Gulfport, MS 39501	Montella Shawn M and Lynnette G 256 South Lang Avenue Long Beach, MS 39560	Huynh Kim and Huynh Invest Inc 4502 Coletto Creek Court Richmond, TX 77406
Tejera Ella Faith and Enrique Luis 2012 West 2 nd Street Apt 255 Long Beach, MS 39560	Beck Susan D and James C PO Box 734 Long Beach, MS 39560	Mills Stephen G 7600 Erie Drive Nederland, TX 77627
Barrett Jamie F and Janet M and Joseph 2012 West 2 nd Street Long Beach, MS 39560	Hester Almee 6101 Adelaide Avenue #6206 North Richland Hills, TX 76180	Allen Oley Joseph PO Box 1856 Gulfport, MS 39502
Staab Douglas G and Sheila A - Trustees 44010 Memorial Drive Broken Bow, NE 68822	Nguyen Christopher W 3413 Abbotswood Drive Harvey, LA 70058	Le-Vu Hong T 1144 East End Blvd Slidell, LA 70461
Thieman Gary R 20108 Mulligan Cove Gulfport, MS 39503	Powell Llewellyn 2379 College Road Southaven, MS 38672	Larsen Michelle T and Erik D 2415 Hollis Lane Cedar Park, TX 78613
Trabosh Jerry and Beaver Craig 114 Arrowhead Drive Douglasville, PA 19518	Poarch Holdings LLC 5115 Thousand Oaks Place NW Kennesaw, GA 30152	Dowling Keith and Celeste 2501 Mumphrey Road Chalmette, LA 70043
Speiss Rachel and Darryn Valdez-Ochoa 344 Franklin Lane Atworth, GA 30102	Bonds Maxine T 20369 Jones Mill Road Long Beach, MS 39560	Memmott Dixie L 11172 Miriam Oaks South Jordan, UT 84095

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HANTS
CITY OF LONG BEACH

I, the undersigned, being a duly qualified legal professional, do hereby certify that I am
and to the best of my knowledge and belief, the applicant herein named, and I have
examined the application and the facts of the case and I believe the applicant is
entitled to the relief requested.

The state in which the applicant and the property are located is Mississippi.

The applicant is a resident of the City of Long Beach, Mississippi, and the property is
located in the City of Long Beach, Mississippi, and the property is located in the
City of Long Beach, Mississippi, and the property is located in the City of Long
Beach, Mississippi.

The undersigned is a duly qualified legal professional, and I believe the applicant is
entitled to the relief requested.

Given under my hand this 10th day of November 2022.

Sherry A. ...
SHERRY A. ...

SWORN TO AND SUBSCRIBED before me on this 10th day of November 2022.

My Commission Expires



MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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 hereto attached has been made to the said publication _____ weeks in the following numbers and on the following dates of such paper:

Vol. 211 No. 26 dated 18 day of November, 2022

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.

Hunter Dawkins
Publisher

Sworn to and subscribed before me this 28 day of Nov, A.D. 2022

Elouise L. Powers
Notary Public



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

Vice Chairman Barlow made motion, seconded by Commissioner Kruse and unanimously carried to close the public hearing.

After considerable discussion, Commissioner Fields made motion, seconded by Vice Chairman Barlow and unanimously carried recommending the approval of the Variance as submitted.

The seventh public hearing to consider a Variance for property located at 610 Verbena Drive, Tax Parcel 0512A-01-052.152, submitted by Heather Childress, as follows:

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

115

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 11-14-22
Zoning R-1
Agenda Date 12-8-22
Check Number 6310

VARIANCE REQUEST

05122-01-052.152

I. Tax Parcel Number(s): Lot 192 Old town Gardens s/o, Phase 2

II. Address of Property Involved: 1010 Verbena Drive

III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)

I would like to build a 10x10 shed 3ft from Rear property line and no more than 4 ft off side property line since our property is only 50 ft wide.
Requesting 4ft side yard variance & 2ft Rear variance replacement for shed.
****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? our property is only 50 ft wide vs a normal 75 ft wide property. Our neighbors sheds are less than standard 8ft from property line.

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 house was built on this property 4 years ago and we just purchased it.

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? If we have to build shed eight feet from property line it will place the shed at our Gate out the back of the property and prevent us from being able to put a pool in the future.

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. If we have to come 8ft off fence line that would make 18ft of our property used of a 50 ft property. All of our neighbors seem to have been allowed to put a shed closer to their lot lines.

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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 \$200.00. 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.

Heather Childress
Name of Rightful Owner (PRINT)

Name of Agent (PRINT)

1010 Verbena Drive
Owner's Mailing Address

Agent's Mailing Address

Long Beach MS 39560
City State Zip

City State Zip

402-212-4059
Phone

Phone

Heather Childress 11/14/22
Signature of Rightful Owner Date

Signature of Applicant Date

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



RECORDED



FIRST JUDICIAL DISTRICT
HARRISON COUNTY MISSISSIPPI
Filed/Recorded 08/11/2022 3:05:01 PM
Notary Fee: \$6.00
3 Pages Recorded

THIS INSTRUMENT PREPARED BY RETURN TO:
Schwanz, Ogler & Jordan, PLLC
13206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
File#221526

WARRANTY DEED
Dated
August 4, 2022

Grantors: JUSTIN AUSTIN and wife, ASHLEY AUSTIN
95284 ORCHID BLOSSOM TRAIL
FERNANDINA BEACH, FL 32034
(904) 441-2343

Grantee: JAMIE L. CHILDRESS and wife, HEATHER L. CHILDRESS
as tenants by the entirety with full rights of survivorship and not as tenants
in common
2617 15TH AVENUE
GULFPORT, MS 39501
(402) 708-0559

INDEXING INSTRUCTIONS AS FOLLOWS:

Per Miss. Code Ann. 89-5-33 you are instructed to index this document in real property located as follows,

Lot 152, Old Town Gardens S/D, Phase 2, Harrison County, 1st JD, MS

Prepared By and Return To:
Schwanz, Ogler & Jordan, PLLC
13206 Hwy 49
Gulfport, MS 39503
(228) 832-8550

Indexing Instructions:
Lot 152, Old Town Gardens S/D,
Phase 2, Harrison County, 1st JD, MS

File#221526

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

THAT FOR AND IN CONSIDERATION of the 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,

JUSTIN AUSTIN and wife, ASHLEY AUSTIN
95284 ORCHID BLOSSOM TRAIL
FERNANDINA BEACH, FL 32034
(904) 441-2343

does hereby grant, bargain, sell, convey and warrant, unto

JAMIE L. CHILDRESS and wife, HEATHER L. CHILDRESS
as tenants by the entirety with full rights of survivorship and not as tenants in common
2617 15TH AVENUE
GULFPORT, MS 39501
(402) 708-0559

the following described property, together with the improvements, hereditaments and appurtenances thereto situated and located in the County of Harrison, State of Mississippi, and more particularly described as follows, to-wit:

Lot One Hundred Fifty-Two (152), OLD TOWN GARDENS SUBDIVISION, PHASE TWO (2), a subdivision 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 51 at Page 8 thereof, reference to which is hereby made in aid of and as a part of this description.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and any prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners of subject property.

Estimated county ad valorem taxes have been prorated between the parties as a part of the

consideration for this conveyance. In the event the estimates upon which such proration is based prove to be inaccurate for any reason, the Grantee agrees to refund any excess, and the Grantor agrees to pay any deficiency, upon receipt of a copy of the tax statement for the current year and a computation of the true amount due, based on a 365 day year.

THIS CONVEYANCE is also subject to Zoning and/or other land use regulations promulgated by Federal, state or local governments affecting the use or occupancy of the subject property.

WITNESS THE SIGNATURES of the Grantors on this 4th day of August, 2022

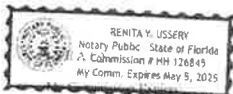
Justin Austin
JUSTIN AUSTIN

Ashley Austin
ASHLEY AUSTIN

STATE OF *FL*
COUNTY OF *Harrison*

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction to-wit: JUSTIN AUSTIN and wife, ASHLEY AUSTIN, who acknowledged that they signed, executed and delivered the above and foregoing instrument as their voluntary act and deed on the day and year therein mentioned.

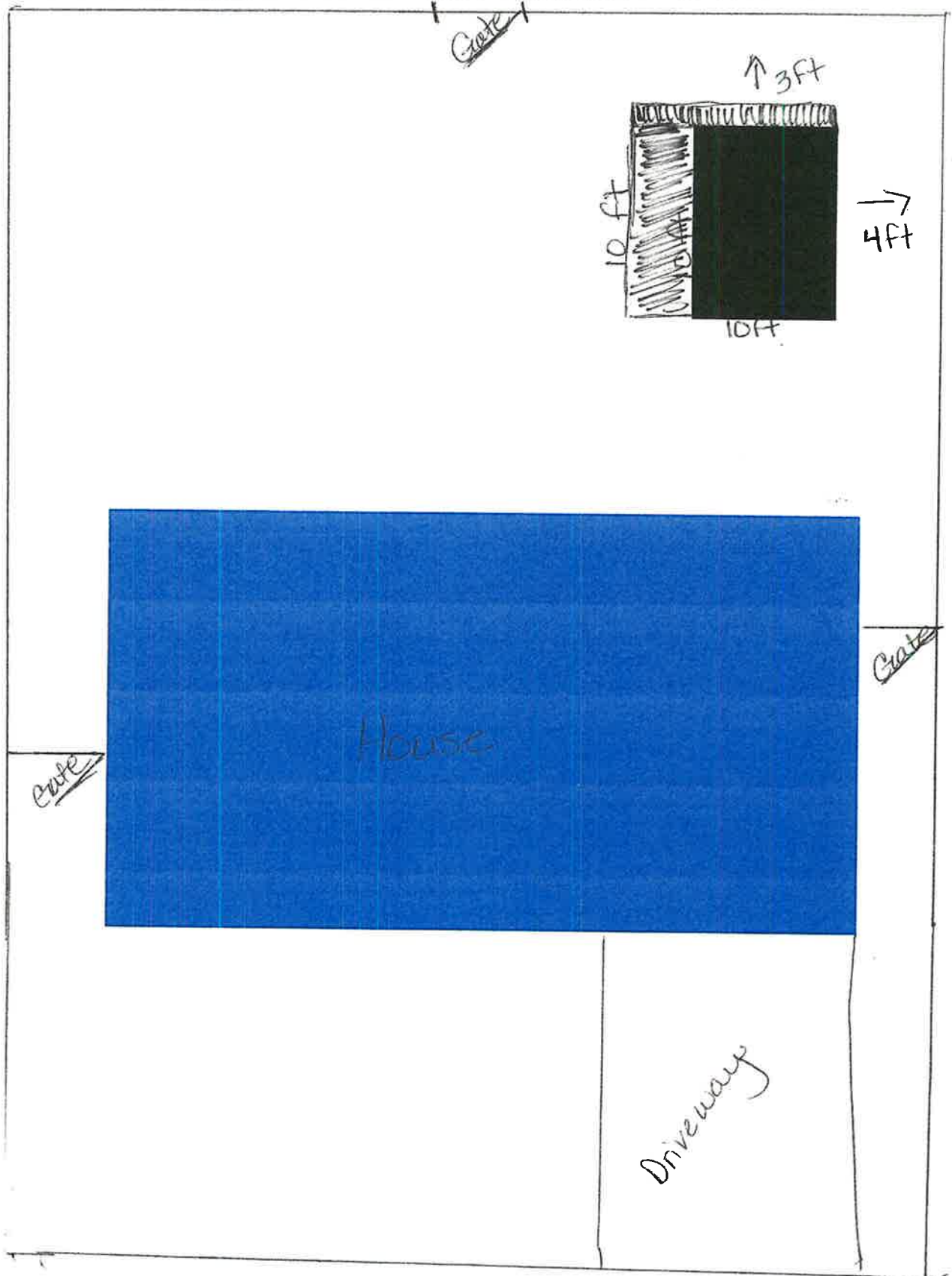
GIVEN under my hand and official seal on this *5th* day of August, 2022.



Renita Y. USSERY
NOTARY PUBLIC

5/5/2025

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



The Clerk reported that twenty-one (21) 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:

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
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.

Heather Childress, 610 Verbena Drive, Long Beach, MS, 39560, has filed an application for a Variance in accordance with the Comprehensive Long Beach Unified Land Ordinance. The applicant is requesting "a 4-foot side yard variance and 2-foot rear variance to build a 10X10 shed 3 ft from rear property line and no more than 4 ft off side property line." The City's requirements are 8 ft side yard setback and 5 ft rear yard setback for accessory structures. The location of the request is 610 Verbena Drive, Tax Parcel 0512A 01 052.152. The legal description is as follows:

LOT 152, OLD TOWN GARDENS PH 2 SEC 15-B-12

A Public Hearing to consider the above variance will be held in the City of Long Beach, Mississippi, 39560, December 8, 2022, 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 and Development Commission

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • (228) 863-1456 • FAX (228) 863-0822
www.cityoflongbeach.ms

Table with 3 columns and 7 rows listing names and addresses of attendees. Column 1: Schmidt John B, Satchfield Kurt, Holloway Angela T, Maldonado Tobias Jr, Grimes McCord Weldon and Hillary Beth, Middlebrooks Sabrina N, Saddler Edward H Jr and Bridgette A. Column 2: Thode Thomas Kyle and Lindsay Rhea, Savarese Jeffrey L, Reed Jessica Anita, Kern Nathaniel Thomas and Lorya, Bullard Robert Otis, Andrews Tammy Lynn, Ortiz Jean Carlow Ramos ETAL. Column 3: Molesworth Susan Grace, Goldsmith Melvin, Rupert Richard T and Amy Suzanne, Auger Kaitlyn, Livingston Adam G and Elyse C Kreeger, Leger Dianna Lee -Trustee-, Smith Josef D and Meghan S.

AFFIDAVIT

SUBSCRIBED:
COUNTY OF HANCOCK
CITY OF LONG BEACH

I, [Signature], do hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Planning and Development Commission of the City of Long Beach, Mississippi, held on the 8th day of December, 2022, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue, Long Beach, Mississippi.

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 each meeting, she is responsible for calling the meeting to order, maintaining the minutes of the meeting, and for presenting the minutes to the Commission for their approval. She is also responsible for preparing the minutes of the meeting and for presenting them to the Commission for their approval.

3. That on November 17, 2022, she did cause to be printed, signed and published in the City of Long Beach, Mississippi, the minutes of the meeting of the Planning and Development Commission of the City of Long Beach, Mississippi, held on the 8th day of December, 2022, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue, Long Beach, Mississippi.

Given under my hand this 14th day of November 2022.

[Signature]
STACY J. HAYAT

SWORN TO AND SUBSCRIBED before me on the 14th day of November 2022.

Notary Public

[Signature]
NOTARY PUBLIC




MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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

<p style="text-align: center;">STATE OF MISSISSIPPI COUNTY OF HARRISON</p> <p>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 in the said publication _____ weeks in the following numbers and on the following dates of such papers:</p> <p>Vol. <u>21</u>, No. <u>24</u> dated <u>16</u> day of <u>November</u>, 20<u>22</u> 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___</p> <p>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.</p> <p style="text-align: right;">_____ Publisher</p> <p>Young is and subscribed before me this <u>26</u> day of <u>Nov</u>, A.D. 20<u>22</u> <u>Elaine J. Barlow</u> Notary Public</p> 	
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Commission Chairman Olaivar asked for anyone speaking in favor or opposition and no one came forward.

Vice Chairman Barlow made motion, seconded by Commissioner Kruse and unanimously carried to close the public hearing.

After considerable discussion, Commissioner Kruse made motion, seconded by Vice Chairman Barlow 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 8th day of December 2022, 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, Vice Chairman Shawn Barlow, Commissioners Michael Levens, Chris Fields, Jennifer Glenn and Marcia Kruse, Advisor Bill Hessell, Building Official Mike Gundlach, Building Inspector Ryan Ladner and Minutes Clerk Tina M. Dahl.

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

Absent the regular meeting were Commissioners Sawyer Walters, Billy Suthoff and Justin Shaw.

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

Commissioner Barlow made motion, seconded by Commissioner Kruse and unanimously carried to approve the Regular Meeting minutes of November 10, 2022, as submitted.

It came for discussion under New Business a tree removal for the property located at 324 St. Augustine Avenue, Tax Parcel 0512A-01-023.000, submitted by Phillip and Julie Holley, as follows:

MINUTES OF DECEMBER 8, 2022
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 10-21-22
Zoning R-1
Agenda Date 12-8-22
Check Number 4395

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

gms 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.

gms 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.

gms 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: 10/21/22

PROPERTY INFORMATION

TAX PARCEL # 512A-01-023.000

Address of Property Involved: 324 St. Augustine Ave.

Property owner name: Phillip & Julie Holley

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: 324 St. Augustine Ave.

Phone No. (228) 860-1158

CONTRACTOR OR APPLICANT INFORMATION

Company Name: ~~Diesel~~ United Tree Service

Phone No. 228-213-0163 Fax: _____

Name Scott Fowler

Address 215 Shady Lane Long Beach, MS 39500

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.:

diseased (use separate sheet if needed)

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.

Julie Holley 10/20/22
Signature Date

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

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

gms 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.

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

gms OWNERSHIP: Please provide a recorded warranty deed.

gms 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.

gms 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.

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

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Return To:
Post Closing Department
Regions Bank d/b/a Regions Mortgage
P.O. Box 1718
Memphis, TN 38101-1718

Prepared By:

Ryan F Alred
80 TechnaCenter Drive
Montgomery, AL 36117

(334) 270-6853

[Space Above This Line For Recording Data]

DEED OF TRUST

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 regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated October 20, 2006 together with all Riders to this document.

(B) "Borrower" is Phillip M. Holley and wife, Julie M. Holley

Borrower is the trustor under this Security Instrument.

(C) "Lender" is Regions Bank d/b/a Regions Mortgage

Lender is a state chartered association organized and existing under the laws of the state of Alabama

0896488645

MISSISSIPPI Single Family Freddie Mac/Freddie Mac UNIFORM INSTRUMENT

Form 3025 1/01

4 (MIS) 60051.03

Page 1 of 15

VMP Mortgage Forms, Inc. *PMB*

CL - MS CONV DEED OF TRUST



o a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(Q) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

TRANSFER OF RIGHTS IN THE PROPERTY

This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the County of Harrison

[Type of Recording Jurisdiction]

[Name of Recording Jurisdiction]

See Exhibit A attached hereto and made a part hereof for all purposes.

Parcel ID Number: 512A-01-023 .000
324 St Augustine Ave
Long Beach
("Property Address"):

which currently has the address of
[Street]
(City), Mississippi 39560 [Zip Code]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

BORROWER COVENANTS that Borrower is lawfully seized of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

UNIFORM COVENANTS. Borrower and Lender covenant and agree as follows:

1. Payment of Principal, Interest, Escrow Items, Prepayment Charges, and Late Charges. Borrower shall pay when due the principal of, and interest on, the debt evidenced by the Note and any prepayment charges and late charges due under the Note. Borrower shall also pay funds for Escrow Items pursuant to Section 3. Payments due under the Note and this Security Instrument shall be made in U.S. 0896488645

4 (MIS) 60051.03

Page 2 of 18

Initials: *PMB*

Form 3025 1/01

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

324 ST AUGUSTINE AVENUE



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 FLURRY, TAX ASSESSOR.

MAP DATE: October 21, 2022



**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
MEMORANDUM**

Date: December 5, 2022

To: City of Long Beach Planning Commission

From: Long Beach Tree Board

Re: Tree Removal 324 St. Augustine Ave

The subject Live Oak tree is clearly dying and is growing within a few feet of the home. Another healthy, mature Live Oak is growing in the backyard which forms a nice canopy over the property.

The Tree Board has no object to removal of the dying tree.

After considerable discussion and upon recommendation by the City's Tree Board, Commissioner Kruse made motion seconded by Commissioner Fields and unanimously carried recommending to approve the application as submitted.

It came for discussion under New Business a tree removal for property 149 Markham Drive, Tax Parcel 0512J-01-019.000, submitted by Jason Ball, as follows:

MINUTES OF DECEMBER 8, 2022
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 11-7-22
Zoning R-1
Agenda Date 12-8-22
Check Number Cash

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

JP 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.

JP 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.

JP 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: 11-7-22

PROPERTY INFORMATION

TAX PARCEL # 0512J-01-019.000

Address of Property Involved: 149 Markham Drive, Long Beach

Property owner name: JAGON BAW

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: 149 Markham Dr., Long Beach, MS

Phone No. (622) 760-4903

CONTRACTOR OR APPLICANT INFORMATION

Company Name: No Limit Tree Service

Phone No. (228) 493 2409 Fax: _____

Name BRENNAN PERCICIAO

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.:

(use separate sheet if needed)

Tree has died after the completion of our home

Number of Trees:

____ Live Oak 1 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.

[Signature] Nov 8 2022
Signature Date

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

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

JP 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.

JP PHOTOGRAPH: You must attach 2 photograph of the tree to be removed, the photo must show any damage the tree is causing.

JP OWNERSHIP: Please provide a recorded warranty deed.

JP 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.

JP 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.

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

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



11-2014-PK1 21910LT
Instrument 2021-1403072-11
Filed/Recorded 10/28/2021 3:25:02 PM
Total Fees \$345
2 Pages Recorded

Prepared By & Return To:
Schwartz, Oglet & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
Out File 717183

Index As:
Lots A1, 1, 2, 3 & N 12.5' of Lot 4, Dk 3,
Thomas S/D of Lots 23-35 White &
Calvert Survey, Harrison County, 1st JD,
MS

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 consideration, the receipt and sufficiency of all of which is hereby
acknowledged, the undersigned,

SOUTHERN PARADISE, LLC
A MS Limited Liability Company
P.O. BOX 1612
LONG BEACH, MS 39560
(228) 750-5455

does hereby sell, convey and warrant unto

JASON M. BALL and wife, CAROLYN A. BALL
as tenants by the entirety with full rights of survivorship and not as tenants in common
121 PITTMAN DRIVE
LONG BEACH, MS 39560
(623) 999-3717

the following described land and property being located in Harrison County, Mississippi, being more
particularly describe, as follows, to-wit:

Lots A1, One (1), Two (2), Three (3) and North 12.5 feet of Lot Four (4), Block Three
(3), THOMAS SUBDIVISION of Lots Thirty-Three (33), Thirty-Four (34) and
Thirty-Five (35), WHITE AND CALVERT SURVEY, to the City of Long Beach,
County of Harrison, State of Mississippi, as per map or plat thereof on file and of
record in Plat Book 6, Page 3, of the Plat Records of Harrison County, Mississippi


THE ABOVE described property is no part the homestead of the Grantor herein.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and
easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances
and leases of oil, gas and minerals by previous owners.

TAXES for the current year have been prepaid as of this date and are hereby assumed by the
Grantees herein.

IN WITNESS WHEREOF, SOUTHERN PARADISE, LLC has caused this conveyance to be
executed by its duly authorized officer, having first been duly authorized to do so, on this the 27th day of
October, 2021.


SOUTHERN PARADISE, LLC

By: 
Glynn Ilich, Manager

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority
in and for the jurisdiction aforesaid, GLYNN ILLICH, who acknowledge that he is the Manager of
SOUTHERN PARADISE, LLC, A MS Limited Liability Company, and as its act and deed, he signed,
sealed and delivered the above and foregoing instrument of writing on the day and in the year therein
mentioned, for and on behalf of said entity, having been first duly authorized to do so.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, OF OFFICE, this the 27th day of October,
2021.

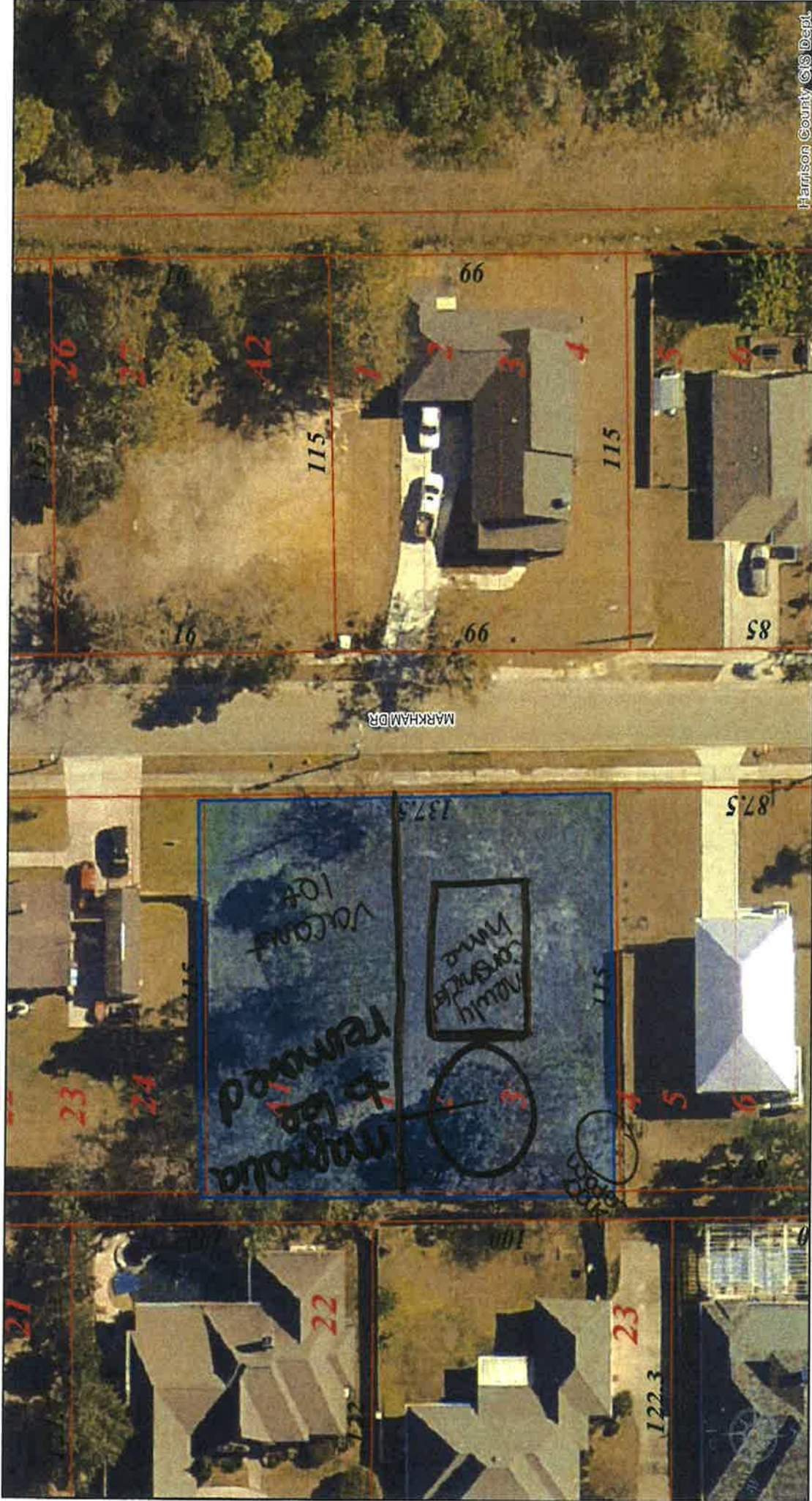

NOTARY PUBLIC

My Commission Expires:

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

0512J-01-049.000, 149 MARKHAM DRIVE



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.

MAP DATE: November 7, 2022

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
MEMORANDUM**

Date: December 5, 2022

To: City of Long Beach Planning Commission

From: Long Beach Tree Board

Re: Tree Removal Application – 149 Markham

.....

The Magnolia tree is completely dead and should be removed.

After considerable discussion and upon recommendation of the City's Tree Board, Commissioner Fields made motion seconded by Vice Chairman Barlow and unanimously carried recommending to approve the application as submitted.

It came for discussion under New Business a tree removal for property located at 504 Cypress Drive, Tax Parcel 0511J-02-051.000, submitted by Robin E. Brown, as follows:

MINUTES OF DECEMBER 8, 2022
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 11-14-22
Zoning R-1
Agenda Date 12-8-22
Check Number 1068

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

13 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.

3X 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.

13 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: 11/10/22

PROPERTY INFORMATION

TAX PARCEL # 00115-02051.000

Address of Property Involved: 504 Cypress Dr

Property owner name: Robin E Brown

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: 504 Cypress Dr

Phone No: 228 265-3187

CONTRACTOR OR APPLICANT INFORMATION

Company Name: Agard Ethical Tree Service

Phone No. 228 327 5753 Fax: _____

Name Carl Beuze

Address 2025 Toulouse St Unit A, Ocean Springs

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.: Roof damage - cant get homeowner insurance approval, concrete damage to area around pool, root system protruding above ground, extends below house causing blocked plumbing (already had to have plumber work since moved in on 10/1/22)

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.

Robin E Brown
Signature

11/10/22
Date

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

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

13 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.

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

13 OWNERSHIP: Please provide a recorded warranty deed.

13 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.

13 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.

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

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Aggard Ethical tree service

Tree is a large Co-Dominant Live oak with a Poorly Formed Trunk structure with clearly visible Bark inclusion. The Trunks are Formed at the Lower Most part of the Tree making it prone To Breach/Splitting. Removal of the West Most Trunk Due to Damage & hollow prevents stability or Bracing. Tree has a heavy lean & is primarily over the house with an increased chance of property Damage or injury in the case of tree Failure.

228-327-5453

SCANNED



1st JUDICIAL DISTRICT
Instrument 2022-022477-D-12
Filed/Recorded 10/12/2022 11:40:01 AM
Total Fees 26.00
2 Pages Recorded

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

Grantors:
Brian J. Lamar
Cortney A. Lamar
504 Cypress Drive
Long Beach, MS 39560
(831) 241-1339

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

Grantee:
Robin E. Brown
504 Cypress Drive
Long Beach, MS 39560
(228) 265-3187

File No. F220346N

INDEXING INSTRUCTIONS: Lot 42, Pecan Park S/D, Part 3, 1st JD, Harrison County, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

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, Brian J. Lamar and Cortney A. Lamar, do hereby sell, convey and warrant unto Robin E. Brown, all of that certain tract, piece or parcel of land situated in the First Judicial District of Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereto belonging, and being more particularly described as follows, to-wit:

Lot 42, Pecan Park Subdivision, Part 3, a subdivision according to the map or plat thereof on file and of record in the office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi, in Plat Book 30, at Page 6.

This being the same property as that conveyed to Brian J. Lamar and Cortney A. Lamar, by instrument recorded in Instrument No. 2020-4322-D-J1, Land Deed Records in the First Judicial District of Harrison 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 in the First Judicial District of Harrison 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 provision of this date is incorrect, the Parties hereto agree to make all necessary adjustments on the basis of an actual provision.

WITNESS OUR SIGNATURES, on this the 29 day of September, 2022.

Brian J. Lamar

Cortney A. Lamar

ACKNOWLEDGMENT

STATE OF _____
COUNTY OF _____
(WITH THE U.S. ARMED FORCES)
(OVERSEAS AT OKINAWA, JAPAN)

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Brian J. Lamar and Cortney A. Lamar, who acknowledged before me that they signed, executed and delivered the above and foregoing instrument on the day and year stated, for the use and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 29 day of September, 2022.

(AFFIX SEAL)

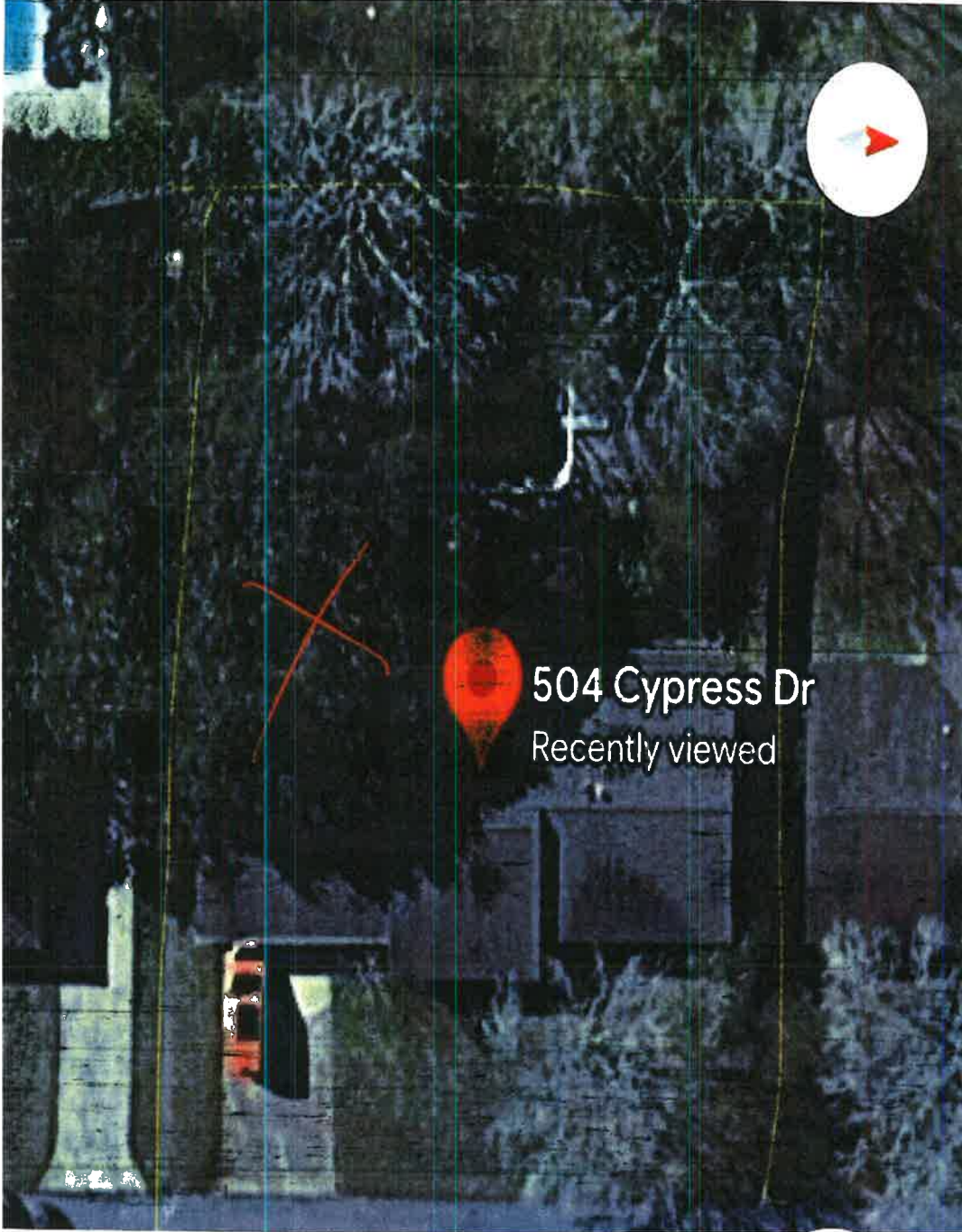
NOTARY PUBLIC

My commission expires: indefinite

DEANDREA A. WOODS, SPC, USA
PARALEGAL Specialist
Qualified General Powers of a Notary
Public by 10 U.S.C. § 1044a & AR 27-56



**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING**

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION
Tina Dahl**

From: Ginger Wentz <[REDACTED]>
Sent: Monday, November 28, 2022 5:07 PM
To: Kimberly Lentz; tina@cityoflongbeachms.com
Subject: Tree Removal Application 504 Cypress Dr

memo

LONG BEACH TREE BOARD

To: City of Long Beach Planning Board

From: Ginger Wentz, member of Tree Board

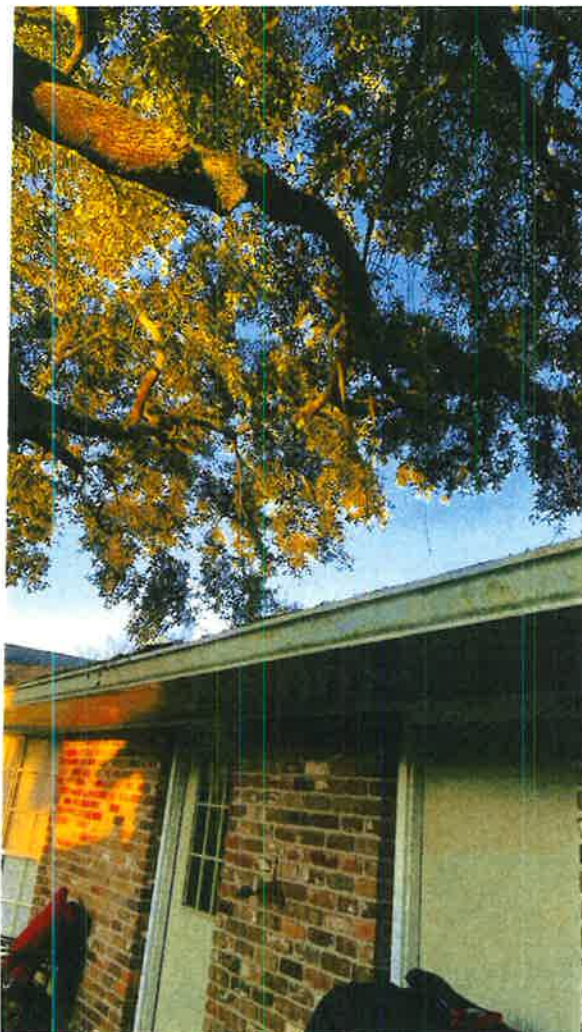
Date: November 28, 2022

Re: Tree Removal Application In re: 504 Cypress Dr

It is the recommendation of the Tree Board that the Tree Removal application for the property located at 504 Cypress Dr. be approved based on the

1. According to the owners, they cannot get homeowners insurance with the branches over the roof line. I have included additional pictures
2. I have also included additional photos of the high roots and the cutting of the co-dominant trunk referenced by tree company.

Therefore, it is the recommendation of the Tree Board that the Tree Removal Application be approved.



**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

After considerable discussion and upon recommendation of the City's Tree Board, Vice Chairman Barlow made motion, seconded by Commissioner Kruse and unanimously carried recommending to approve the application as submitted.

It came for discussion under New Business a tree removal for property located at 310 Jeff Davis Avenue, Tax Parcel 0612B-03-056.000, submitted by Phenom Investments, LLC, as follows:

MINUTES OF DECEMBER 8, 2022
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 11-30-22
Zoning C-1
Agenda Date 12-8-22
Check Number 204

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

OK 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.

OK 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 crown.

OK 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: 11/30/22

PROPERTY INFORMATION

TAX PARCEL # 0012B-03-056.000

Address of Property Involved: 310 Jeff Davis

Property owner name: Phenom Investments llc

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: 19148 Pineville Rd LB

Phone No. (228) 669-6985

CONTRACTOR OR APPLICANT INFORMATION

Company Name: Phenom Investments llc

Phone No. 228-669-6985 Fax: _____

Name: Sarah Renken

Address 19148 Pineville Rd LB 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. Construction
(use separate sheet if needed)

In order to build proposed hotel, the trees need to be removed to provide the appropriate space needed because of the small size of the lot

Number of Trees:

2 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.

Sarah Renken 11/30/22
Signature Date

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

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

OK 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.

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

OK OWNERSHIP: Please provide a recorded warranty deed.

OK 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.

OK 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.

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

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



11 - GULFPORT DISTRICT
Instrument 2021-0831755-0-11
Filed/Recorded 11/12/2022 4:06:42 PM
Total Fees 26.00
4 Pages Recorded

RECEIVED
COMMUNITY DEVELOPMENT

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

Grantor:
Michael Cabrera
908 E. Grinnell Dr.
Burbank, CA 91501
(323) 445-4337

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

Grantee:
Phenom Investments, LLC, a Mississippi
Limited Liability Company
100 Park Lane Dr.
Long Beach, MS 39560
(228) 688-6885

File No. 0212189F

INDEXING INSTRUCTIONS: A parcel of land located in Sec. 13, T8S, R12W, 1st Judicial District, Harrison County, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

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, Michael Cabrera, do hereby sell, convey and warrant unto Phenom Investments LLC, a Mississippi Limited Liability Company, all of that certain tract, piece or parcel of land situated in Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereto belonging, and being more particularly described as follows, to-wit:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

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 quitsclaims any and all oil, gas, and other minerals owned, if any, to Grantee. 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 the First Judicial District of Harrison 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.

Survey Attached Hereto as Exhibit "B"

WITNESS MY SIGNATURE, on this the 3rd day of September, 2021.

Michael Cabrera

ACKNOWLEDGEMENT

STATE OF MISSISSIPPI
COUNTY OF JACKSON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Michael Cabrera, 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.



WITNESS MY HAND AND OFFICIAL SEAL, on this the 3rd day of September, 2021.

Osheena McAdams
NOTARY PUBLIC

My commission expires: 2/11/24

Exhibit "A"

Legal Description

A parcel of land situated in Fractional Section 13, Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, with the bearings based on State Plane Grid North (MS East Zone 2301):

Beginning at an x-mark on sidewalk at the intersection of the West margin of Jeff Davis Avenue with the North margin of West 4th Street; thence along said North margin of West 4th Street, South 69 degrees 18 minutes 16 seconds West 132.00 feet to a 1/2 inch iron rod with cap set; thence North 27 degrees 32 minutes 33 seconds West 150.00 feet to a 1/2 inch iron rod with cap set; thence North 89 degrees 18 minutes 16 seconds East 132.00 feet to a 1/2 inch iron rod with cap set on the West margin of Jeff Davis Avenue; thence along said West margin, South 27 degrees 52 minutes 53 seconds East 150.00 feet to the point of beginning, containing 19,844.49 square feet. Herein described property being designated as County Parcel Number 0612B-03-056.000, and being that same property described as Parcel Four in Instrument No. 2013-8010-D-11, of the Deed Records of the First Judicial District of Harrison County, Mississippi. This being the same property as Parcel Four in that certain deed conveyed to Ronald John Elias, Betty Jean Elias and Louis Elias, Jr., by Warranty Deed recorded as Instrument No. 2013-8010-D-11, Land Deed Records of Harrison County, Mississippi.

LESS AND EXCEPT: The North 50 feet of the subject property.

SUBJECT TO: The following described ingress and egress and utility easement:

AN INGRESS AND EGRESS AND UTILITY EASEMENT SITUATED IN FRACTIONAL SECTION 13, TOWNSHIP 8 SOUTH, RANGE 12 WEST, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BASED ON STATE PLANE GRID NORTH (MS EAST ZONE 2301):

COMMENCING AT AN X-MARK ON SIDEWALK AT THE INTERSECTION OF THE WEST MARGIN OF JEFF DAVIS AVENUE WITH THE NORTH MARGIN OF WEST 4TH STREET; THENCE ALONG SAID NORTH MARGIN OF WEST 4TH STREET, S69°18'16"W 108.11' TO THE POINT OF BEGINNING; THENCE FURTHER ALONG SAID NORTH MARGIN, S68°18'16"W 25.89' TO A 1/2" IRON ROD WITH CAP SET; THENCE N27°52'53"W 100.00' TO A 1/2" IRON ROD WITH CAP SET; THENCE N69°18'16"E 38.42'; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 143.68', AN ARC LENGTH OF 31.31' AND A CHORD BEARING AND DISTANCE OF S67°58'39"E 31.25'; THENCE ALONG A CURVE TO LEFT, HAVING A RADIUS OF 243.07', AN ARC LENGTH OF 43.47' AND A CHORD BEARING AND DISTANCE OF S21°15'52"E 43.41'; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 113.17', AN ARC LENGTH OF 26.95' AND A CHORD BEARING AND DISTANCE OF S32°48'06"E 25.89' TO THE POINT OF BEGINNING, CONTAINING 2,743.16 SQUARE FEET.

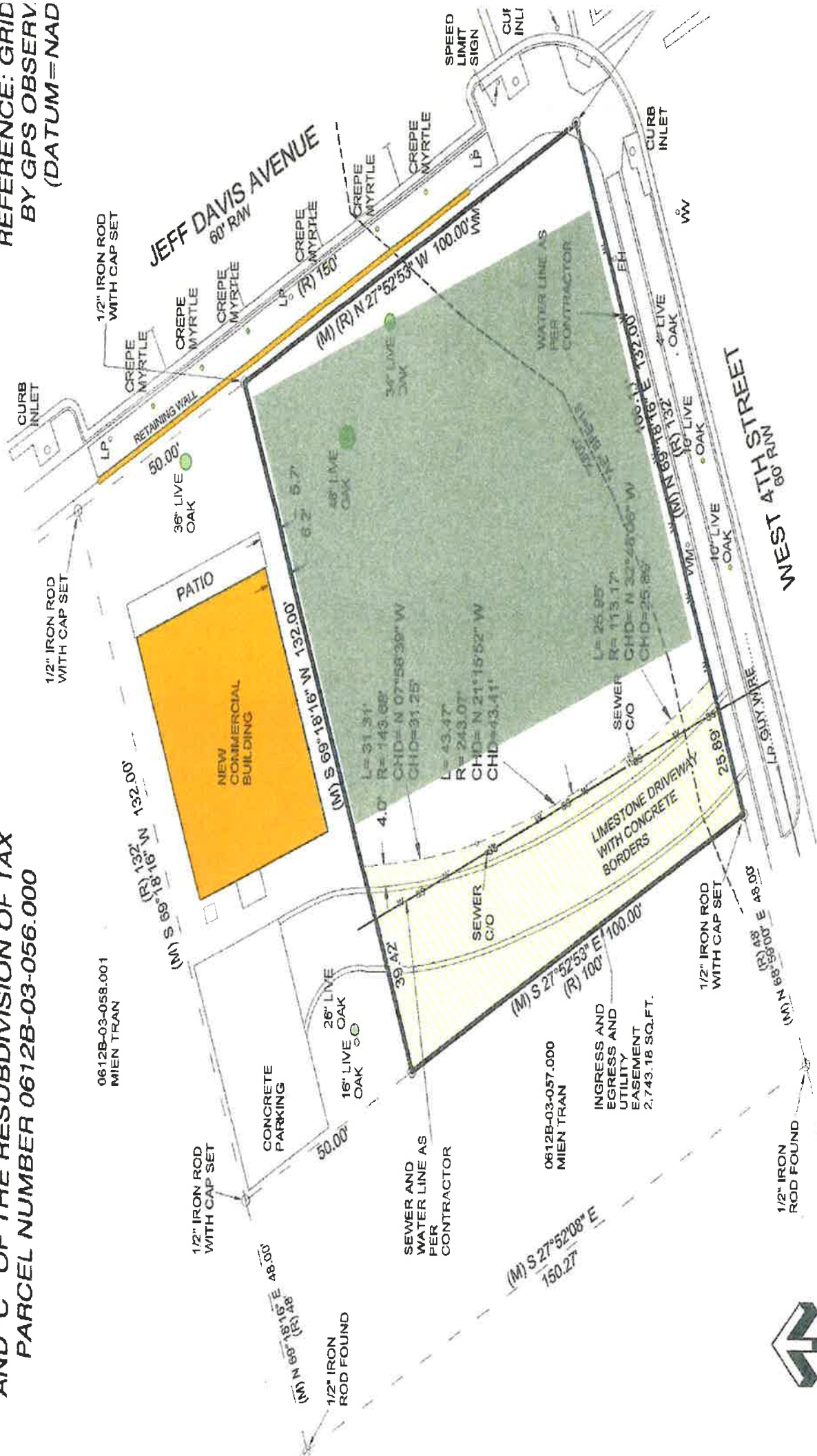
MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

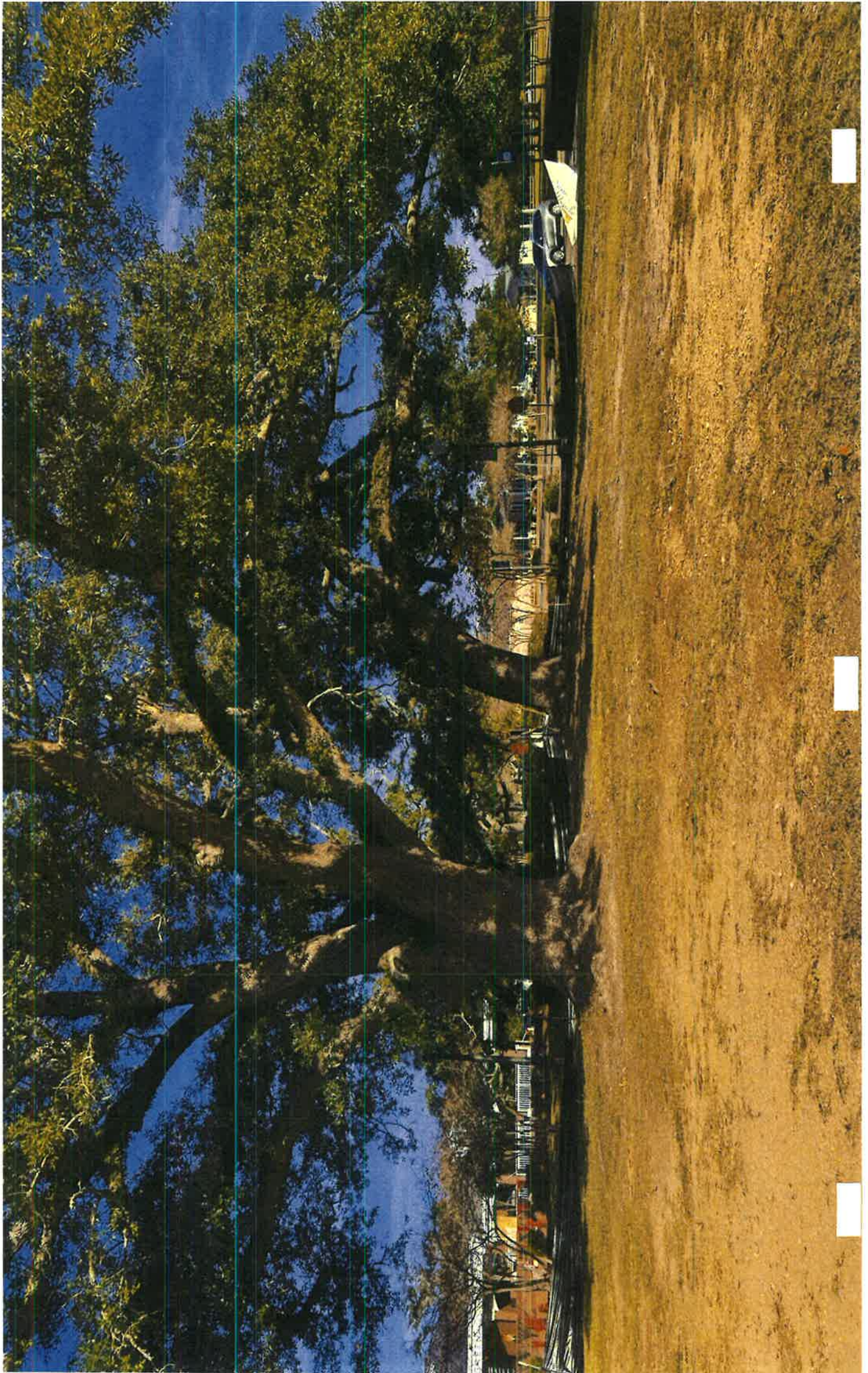
OF LONG BEACH, FIRST JUDICIAL DISTRICT
OF HARRISON COUNTY, MISSISSIPPI. SAID
PARCELS BEING REFERRED TO AS LOTS "B"
AND "C" OF THE RESUBDIVISION OF TAX
PARCEL NUMBER 0612B-03-056.000

PROPERTY IS SERVICED BY CITY OF
LONG BEACH WATER AND SEWER AT
THIS TIME.

SCALE 1" =
REFERENCE: GRID
BY GPS OBSERV
(DATUM=NAD



**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



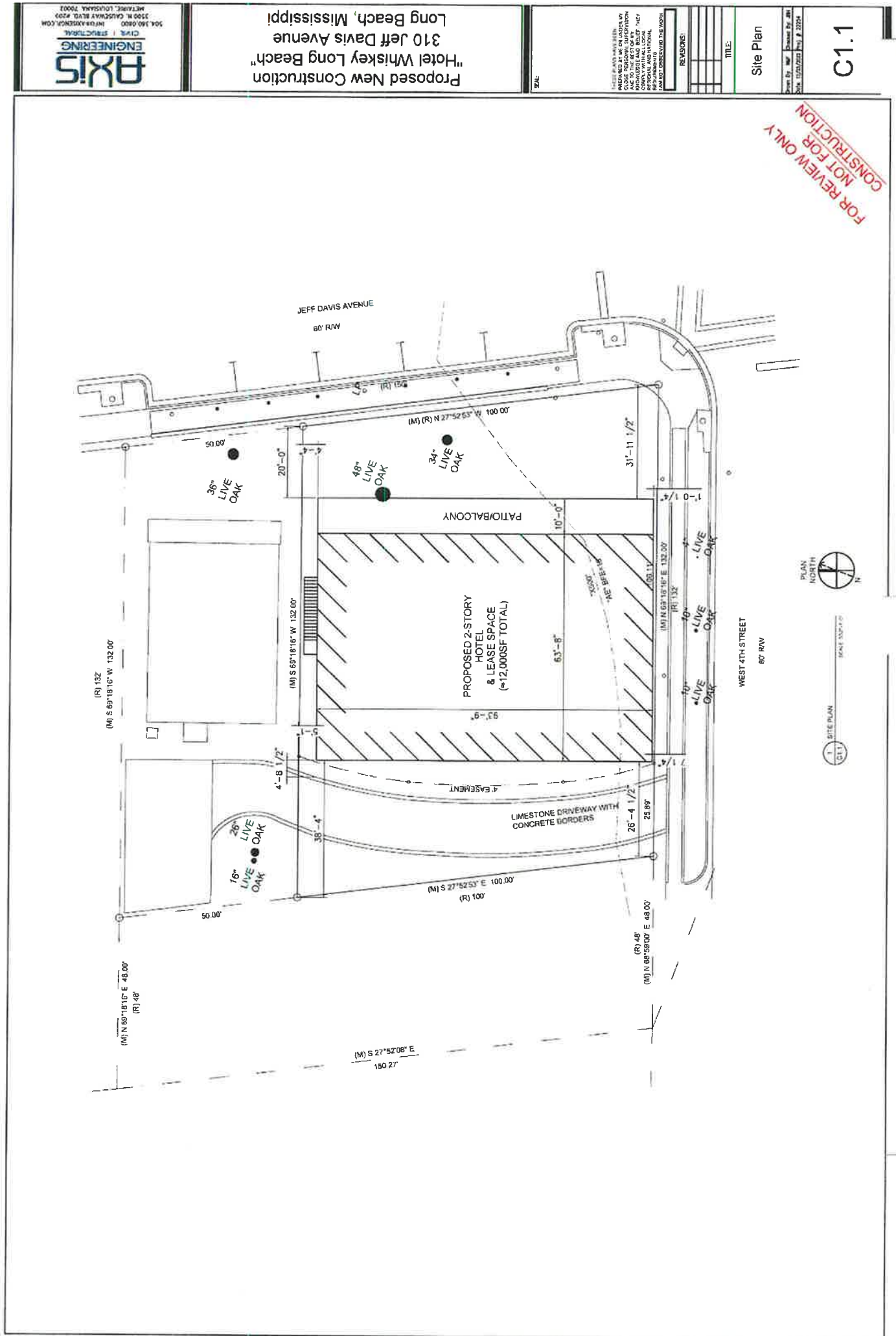
**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

At this time, the applicant submitted a revised site plan and requested to only remove the 48" Live Oak Tree and trim the 34" Live Oak Tree.



147

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
MEMORANDUM

Date: December 6, 2022
To: City of Long Beach Planning Commission
From: Long Beach Tree Board
Re: Tree Removal Application for 310 Jeff Davis Ave

It is the recommendation of the Tree Board that the Tree Removal application be denied on the following information and on the factors contained in Section 6 of "The Tree Preservation and Protection Ordinance of the City of Long Beach, MS."

1. The property located at 310 Jeff Davis Ave. was transferred by Warranty Deed to the applicant in September 2021.
2. The applicant requests permission to remove the only two (2) trees on the property- majestic live oaks, referred to herein after as Live Oak 1 and Live Oak 2 (Sec. 6d).
3. The property survey included with the tree removal application and the survey dated 9/13/2021 filed with the Warranty Deed both show Live Oak 1 as a 48" Live Oak and Live Oak 2 as a 34" Live Oak.
4. Based on these trunk diameters and using an aging factor of 4 to determine the approximate age of the trees, Live Oak 1 is approximately 192 years old (circa 1831) and Live Oak 2 is approximately 136 years old (circa 1887) (Sec. 6 a, c, d, e).
5. Two Tree Board members measured the Live Oak trees on December 3, 2022, and determined that Live Oak 1 is 56" in diameter and Live Oak 2 is 38" in diameter (measured 4.5" from the base). Using the recent measurements, Live Oak 1 could be 220 years old (circa 1802) and Live Oak 2 could be 152 years old (circa 1870).
6. In either case, both trees predate the founding/incorporation of our city in 1905 and are public treasures.
7. **When the property was purchased in 2021, the applicant knew or should have known that trees would hinder the space available for the prospective use of the property for a hotel on the 0.45-acre parcel of land with an additional easement running through the property.** However, the application states that the reason the trees need to be removed is to provide the appropriate space needed to construct a hotel because of the small size of the lot (Sec. 6a,b).8. Ultimately, both Live Oaks at 310 Jeff Davis Ave. (2 of only 3 live oaks located directly across the street from the town green) are healthy and thriving trees that provide a significant canopy and unquantifiable benefits to downtown Long Beach. The approximate limb spans are over 60' and both trees have withstood the test of time and hurricanes (including hurricanes Camille in 1968 and Katrina in 2005) over their long lives and are worthy of preservation (Sec.6 a, b, e).

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Therefore, the members of the Tree Board strongly urge the Planning Commission to deny the application for the removal of the live oaks located at 310 Jeff Davis Ave.



*Additional photos have been included.

After considerable discussion and upon recommendation of the City's Tree Board, Commissioner Fields made motion, seconded by Commissioner Levens and unanimously carried recommending to approve the application as submitted, with direction that the applicants refrain from removing the Live Oak Tree until building plans are received by the Building Official's Office.

It came for discussion under New Business Planning Commission Approval, Short-Term Rental for property located at 313 Oak Street, Tax Parcel 0612F-01-016.000, submitted by Dustin and Rachelle Clark (owners) and Rachelle Clark (property manager), as follows:

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

CITY OF LONG BEACH, MISSISSIPPI																			
APPLICATION FOR SHORT-TERM RENTAL																			
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																	
PROPERTY INFORMATION:																			
ADDRESS: 313 Oak St, Long Beach, MS 39560		Tax Parcel # 0612f01016.000																	
(Location of Short-Term Rental)																			
OWNER'S INFORMATION:																			
Property Owner's Name: Dustin and Rachelle Clark																			
Property Owner's Address: 20175 Lovers Lane, Long Beach, MS 39560																			
Property Owner's Mailing Address, if different from above:																			
City State Zip																			
Property Owner's Phone No: 254-285-8881 Email Address: dustinclark1@yahoo.com																			
Is there a homeowner's association for the neighborhood? <u>No</u> If so, please provide written statement of support of short term rental?																			
PROPERTY MANAGER INFORMATION:																			
Property Manager's Name: Rachelle Clark																			
Property Manager's Address: (Must be a local contact) 20175 Lovers Lane, Long Beach, MS 39560																			
City State Zip																			
Property Manager's Phone No.: 254-285-8955 Email Address: racheleclark08@gmail.com																			
PLEASE PROVIDE THE FOLLOWING:																			
<ul style="list-style-type: none"> • Mississippi Sales Tax ID # <u>Airbnb</u> • Recorded Warranty Deed <input checked="" type="checkbox"/> • Parking Rules & Plan <input checked="" type="checkbox"/> • Trash Management Plan <input checked="" type="checkbox"/> • Copy of Proposed Rental Agreement <input checked="" type="checkbox"/> • Proof of Liability Insurance, which includes short term rental coverage <input checked="" type="checkbox"/> 																			
ADDITIONAL INFORMATION:																			
<ul style="list-style-type: none"> • Completed written statement of compliance. • FEES: \$250, nonrefundable application fee. \$500, yearly renewable fee. Checks should be made payable to the City of Long Beach. • LICENSE: A Privilege Tax License must be applied and paid for after approval. • INCOMPLETE APPLICATIONS will not be processed. 																			
AFFIDAVIT																			
I HEREBY CERTIFY THAT I HAVE READ THIS APPLICATION AND THAT ALL INFORMATION CONTAINED HEREIN TRUE AND CORRECT; I ACKNOWLEDGE RECEIPT OF AND AGREE TO COMPLY WITH THE RULES & REGULATIONS OF SHORT-TERM RENTALS (Ordinance 660), ALL APPLICABLE CODES, ORDINANCES AND STATE LAWS. VIOLATION OF ANY CODES OR REGULATIONS SHALL RESULT IN THE SUSPENSION OR REVOCATION OF THE PERMIT.																			
Dustin and Rachelle Clark		11/28/22																	
PRINT NAME	SIGNATURE	DATE																	
BELOW IS FOR OFFICE USE ONLY																			
Maximum Occupancy:	Maximum Vehicles allowed:	Number of bedrooms:	Number of people home can accommodate:																
5	2	2	5																
I AFFIRM THAT THE APPLICANT IS IN COMPLIANCE WITH ALL APPLICABLE ZONING REQUIREMENTS, BUILDING & FIRE CODES; AND THAT ALL APPLICABLE TAXES, FEES AND OTHER CHARGES HAVE BEEN PAID.																			
Building Official Signature: 		Date: 11/29/22																	
Fire Inspector Signature:		Date:																	
COMMENTS:																			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Date Received: 11-28-22</td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> </tr> <tr> <td>Agenda Date: 12-8-22</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Amount Due/Paid: 250.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Payment Method: 3425</td> <td></td> <td></td> <td></td> </tr> </table>				Date Received: 11-28-22				Agenda Date: 12-8-22				Amount Due/Paid: 250.00				Payment Method: 3425			
Date Received: 11-28-22																			
Agenda Date: 12-8-22																			
Amount Due/Paid: 250.00																			
Payment Method: 3425																			

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



SCANNED



1st JUDICIAL DISTRICT
Instrument 2022-0026334-D-J1
Filed/Recorded 10/19/2022 9:47:01 AM
Total Fees 26.00
2 Pages Recorded

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

Grantors:
Burt Juneau and Rene Juneau, as Co-Trustees of the R&B Juneau Revocable Trust
201 Saint Charles Avenue
Long Beach, MS 39560
(228) 216-1723

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

Grantees:
Dustin K. Clark
Rachelle Clark
20175 Lovers Lane
Long Beach, MS 39560
(254) 285-8881

File No. F220393N

INDEXING INSTRUCTIONS: W 5 ft of Lot 1 & E 1/2 of Lot 2, Blk 6, Quarles Add, 1st JD, Harrison County, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

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, **Burt Juneau and Rene Juneau, as Co-Trustees of the R&B Juneau Revocable Trust**, does hereby sell, convey and warrant unto **Dustin K. Clark and Rachelle Clark**, 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 the First Judicial District of Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

The West 5 feet of Lot 1 and the East 1/2 of Lot 2, Block 6, Quarles Addition to Long Beach, a subdivision according to the map or plat thereof on file and of record in the office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi, in Plat Book 1, at Page 6.

This being the same property as that conveyed to Burt Juneau and Rene Juneau, as Co-Trustees of the R&B Juneau Revocable Trust, by instrument recorded in Instrument No. 2020-10747-D-J1, Land Deed Records in the First Judicial District of Harrison 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 in the First Judicial District of Harrison County, Mississippi.

It is agreed and understood that the taxes for the current year have been prorate as of this date on an estimate 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.

Certificate of the R&B Juneau Revocable Trust of August 5, 2020 is recorded in Instrument No. 2020-10748-D-J1, Land Deed Records in the First Judicial District of Harrison County, Mississippi.

WITNESS OUR SIGNATURES, on this the 17th day of October, 2022.

The R&B Juneau Revocable Trust of August 5, 2020

By: Burt Juneau, Trustee

By: Rene Juneau, Trustee

ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, this within named **Burt Juneau and Rene Juneau**, the duly appointed Trustees of **The R&B Juneau Revocable Trust of August 5, 2020**, 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, 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 17th day of October, 2022.

(AFFIX SEAL)



My commission expires

Corey Bradley
NOTARY PUBLIC

House Rules

1. Trash day is Monday. Owners will arrive at property between 6pm Sunday and 8am Monday to put cans at the road. Owner will not disturb tenant.
2. Parking two cars maximum. No street parking. Violations to this rule will result in removal from property.

MINUTES OF DECEMBER 8, 2022 REGULAR MEETING LONG BEACH PLANNING and DEVELOPMENT COMMISSION Vacation Rental Agreement

This Vacation Rental Agreement is made by and between Rachelle and Dustin Clark (Homeowner) and _____ (Guest) as of the date last set forth on the signature page of this Agreement. For good and valuable consideration, the sufficiency of which is acknowledged, the parties hereby agree as follows:

1. Property

The vacation rental property is located at: _____ 313 Oak St. Long Beach, MS 39560

(e.g. appliances, amenities and other provided items such as towels, linens, sports equipment, etc.)

2. Maximum occupancy

The maximum number of guests is limited to 6 _____ persons, including _____ children. An additional charge of \$ _____ per person per night for guests in addition to _____ will be assessed.

3. Term of the lease

The vacation rental lease begins at 3pm _____ on _____ ("Check-in Date") and ends at 10 am _____ on _____ (the "Check-out Date").

Failure to adhere to the check-out time may result in an additional late fee set at \$ 50 _____ unless discussed in advance of the stay.

4. Minimum stay

This property requires a 1 _____ night minimum stay. Longer minimum stays may be required during holiday periods. If a rental is taken for less than _____ days, the guest will be charged the _____ night rate.

5. Rental rules

Guest agrees to abide by the Rental Rules (attached to this agreement) at all times while at the property, and shall cause all members of the rental party and anyone else Guest permits on the property to abide by the following rules at all times while residing at the property.

Template made by LODCIFY

Disclaimer

This is a sample vacation rental agreement only. You should always seek the advice of an attorney before finalizing any legally binding document. Please ensure you review and update your agreement regularly in order to comply with changing local, state or federal laws. Complete and review the information in this document as it pertains to your property and its rules, features, etc.

6. Access

Guest shall allow Homeowner access to the property for purposes of repair, inspection or emergency. Homeowner shall exercise this right of access in a reasonable manner by giving at least _____ hours notice (unless in case of emergency).

7. Rental rate and fees

A. Deposit: A deposit of \$ _____ is due at least _____ days prior to the Check-in Date.

OPTION A.

The deposit is for security purposes and will be refunded within _____ days of the Check-out Date, provided no deductions are made due to:

- i. damage caused to the property or furnishings;
- ii. dirt or other mess requiring excessive cleaning; or
- iii. any other cost incurred by Homeowner due to Guest's stay

OPTION B.

The deposit is non-refundable and applied toward the rental fees.

If the premises appear dirty or damaged upon Check-in, Guest shall inform Homeowner immediately.

B. Rental Rate: Payment in full of the following fees shall be due within _____ days of the Check-in Date:

- Nights
- Price per night
- Cleaning fee
- Additional fee(s)
- Taxes & fees
- Deposit

Total due

Template made by LODCIFY

Disclaimer

This is a sample vacation rental agreement only. You should always seek the advice of an attorney before finalizing any legally binding document. Please ensure you review and update your agreement regularly in order to comply with changing local, state or federal laws. Complete and review the information in this document as it pertains to your property and its rules, features, etc.

MINUTES OF DECEMBER 8, 2022 REGULAR MEETING LONG BEACH PLANNING and DEVELOPMENT COMMISSION

8. Cancellation policy

If Guest wishes to cancel the reservation, the deposit will be refunded as follows:

- % if canceled days prior to the Check-in Date
- % if canceled days prior to the Check-in Date

The Homeowner may also be entitled to cancel the Guest stay if house rules are broken during rental period.

9. Insurance

We encourage all renters to purchase traveler insurance in case of unforeseen circumstances, accidents or other issues that may prohibit Guest from traveling or fulfilling rental terms.

10. Payment

Acceptable payment methods are: **credit card/PayPal/bank transfer**

All payments, unless otherwise specified, will be processed on my vacation rental website at the URL:

Manual PayPal requests will be made from the account with email address:

For other manual payments, please contact us directly to administer these.

Email address:

Phone number:

By my signature below, I hereby give permission to charge my credit card/PayPal account for the amounts above. I agree that all rental monies are non-refundable per cancellation policy above. I have read my rights to purchase travel insurance.

Template made by 

Disclaimer

This is a sample vacation rental agreement only. You should always seek the advice of an attorney before finalizing any legally binding document. Please review, modify and update your agreement regularly in order to comply with changing local, state or federal laws. Complete and revise the information in this document as it pertains to your property and location, features, etc.

The parties agree to the terms of this Vacation Rental Agreement, as evidenced by the signatures set forth below.

Homeowner

(Electronic or manual signature)

Name:

Date:

Phone Number:
(during the stay)

Guest

(Electronic or manual signature)

Name:

Date:

Phone Number:
(during the stay)

Template made by 

Disclaimer

This is a sample vacation rental agreement only. You should always seek the advice of an attorney before finalizing any legally binding document. Please review, modify and update your agreement regularly in order to comply with changing local, state or federal laws. Complete and revise the information in this document as it pertains to your property and location, features, etc.

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
SUTTONATIONAL

DWELLING FIRE POLICY

FOR QUESTIONS CONCERNING POLICY COVERAGE,
CONTACT THE AGENT OR BROKER, SHOWN ON YOUR DECLARATIONS PAGE.

FOR OTHER ASSISTANCE, CALL:

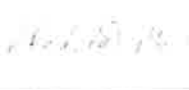
CLAIMS: 800-487-7565

CUSTOMER CARE: 800-487-7565

POLICY PROVISION: This Policy Jacket with the Policy Declarations, Policy Form and Endorsements issued to form a part thereof, completes the policy as numbered on the Declarations Page. Whenever your policy is modified, you will receive a dated revision of the Policy Declarations.

This Policy is signed at the Home Office by our President and Secretary. It is countersigned on the Declarations Page by our authorized representative(s) if required. In consideration of your paid premium, Sutton Specialty Insurance Company extends to you the coverage offered by this insurance contract.



Lloyd Yavener, President


Michelle Freitag, Secretary

Sutton Specialty Insurance Company
1855 Griffin Road, Suite B-390
Dania Beach, FL 33004

SSPJ-11-2020

**DWELLING FIRE POLICY
NEW BUSINESS DECLARATIONS**



Johnson & Johnson
The Corporation of the First Southern Insurance Company

POLICY NUMBER: LSP600406290

CO #: 802

NAMED INSURED & MAILING ADDRESS
RACHELLE CLARK
20275 LOVERS LN
LONG BEACH, MS 39560

AGENCY NAME & ADDRESS
890361 - ARDE' INSURANCE GROUP
P.O. Box 8575

Gulfport, MS 39506
(228) 897-2404

Policy Period: From 10/17/2022 to 10/17/2023 12:01 a.m. Standard Time at the Described Location[s]

This Certificate of Insurance is issued in accordance with the authorization granted and Undersigned by SUTTON SPECIALTY INSURANCE COMPANY, herein after called "the Company". This insurance applies to the Described Location(s). Coverage for which a Limit or Premium is shown and Perils Insured Against for which a Premium is stated.

This Certificate of Insurance is issued in accordance with the authorization granted and Undersigned by SUTTON SPECIALTY INSURANCE COMPANY, Contract Number 802/22, herein after called "the Company". This insurance applies to the Described Location(s). Coverage for which a Limit or Premium is shown and Perils Insured Against for which a Premium is stated.

This insurance policy is issued pursuant to Mississippi law covering surplus lines insurance. The company issuing the policy is not licensed by the State of Mississippi but is authorized to do business in Mississippi as a nonadmitted company. The policy is not protected by the Mississippi Insurance Guaranty Association in the event of the insurer's insolvency.

MINIMUM EARNED PREMIUM: 25%	
NO FLAT CANCELLATIONS	
DWELLING FIRE	\$3,190.00
POLICY FEE	\$150.00
MWUA FEE	\$100.00
STAMPING FEE	\$8.25
STATE TAX	\$133.60
TOTAL PREMIUM	\$3,582.15

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

NAMED INSURED: RACHELLE CLARK		POLICY NUMBER: LSP600406290	
LOCATION #1 - 313 OAK ST LONG BEACH MS 39560 - HARRISON COUNTY			
COVERAGE	LIMIT	PREMIUM	
DWELLING FIRE			
COVERAGE A - DWELLING (RCV)	\$178,000	\$2,344.00	
COVERAGE C - PERSONAL PROPERTY (ACV)	\$20,000	\$263.00	
COVERAGE D - FAIR RENTAL VALUE	\$20,000	\$263.00	
PREMISES LIABILITY	\$500,000	\$125.00	
MEDICAL PAYMENTS TO OTHERS	\$1,000	\$5.00	
ORDINANCE OR LAW - 10%			INCL
MOLD	\$5,000	\$75.00	
VANDALISM OR MALICIOUS MISCHIEF	\$218,000	\$115.00	
DEDUCTIBLES		TOTAL BASE PREMIUM: \$3,190.00	
AOP DEDUCTIBLE: \$2,500			
NAMED STORM DEDUCTIBLE: 5%			
RATING FACTORS & UNDERWRITING INFORMATION:			
POLICY FORM: DP3	NUMBER OF STORES: 1		
OCCUPANCY: TENANT	SQUARE FOOTAGE: 1,101		
DISTANCE TO COAST: 0.3000 MILES	FOR SALE: NO		
TERRITORY: A	ON HISTORICAL REGISTRY: NO		
PROTECTION CLASS: 5	IN GATED COMMUNITY: NO		
CONSTRUCTION TYPE: FRAM F	RENTAL TERM: LESS WEEK		
YEAR OF CONSTRUCTION: 1980	ROOF CONSTRUCTION: SHINGLE RATED FOR HIGH WIND SPEEDS		
YEAR OF WIRING UPDATES: 2007	ROOF GEOMETRY: GABLE ROOF		
YEAR OF PLUMBING UPDATES: 2007	ROOF SHEATHING: OTHER/UNKNOWN		
YEAR OF HEATING UPDATES: 2021	ROOF ANCHOR: OTHER/UNKNOWN		
YEAR OF ROOFING UPDATES: 2021	OPENING PROTECTION: OTHER/UNKNOWN		
ROOF AGE: 1 YEARS			
# OF NON-WIND LOSSES: NONE			
# OF WIND LOSSES: NONE			
PROTECTIVE DEVICE(S): SMOKE DETECTORS			

This Certificate shall not be valid unless signed by Johnson & Johnson Inc.
Dated at Charleston, South Carolina on 10/28/2022

By 

Producing Agent: FRANCIS G JOHNSON

DF2016 (04/16)

Page 2 of 4

NAMED INSURED: RACHELLE CLARK		POLICY NUMBER: LSP600406290	
SCHEDULE OF FORMS AND ENDORSEMENTS			
FORM NUMBER	FORM NAME		
DP 00 03 12 02	DWELLING PROPERTY 3 - SPECIAL FORM		
JJ LITS 456 02 08	ANIMAL EXCLUSION		
LMA5015 (09/09)	ASBESTOS ENDORSEMENT		
REF 2962 (06/02/03)	BIOLOGICAL OR CHEMICAL MATERIALS EXCLUSION		
REF 1331 20/4/61	CANCELLATION CLAUSE		
LMA539 (03-20)	COMMUNICABLE DISEASE ENDORSEMENT		
DF 2016 (04/16)	DWELLING FIRE DECLARATIONS		
EDE (06/10)	EXISTING DAMAGE EXCLUSION ENDORSEMENT (PERSONAL LINES)		
JJ DCS 94 02-05	EXTERIOR INSULATION AND FINISH SYSTEM EXCLUSION		
IL P 015 01 07	FLOOD AND EARTH MOVEMENT LOSSES NOT COVERED ADVISORY NOTICE TO POLICYHOLDERS		
REF5062 04/38/2006	FRAUDULENT CLAIM CLAUSE		
DP 03 33 02 05	FUNGI, WET OR DRY ROT, OR BACTERIA INCREASED AMOUNT OF COVERAGE		
LMA9137 06-17	MISSISSIPPI INFORMATIONAL NOTICE FOR SURPLUS LINES PERSONAL LINES POLICIES		
DL 24 16 12 02	NO COVERAGE FOR HOME DAY CARE BUSINESS		
SSI-SOP 001 (11-2020)	NOTICE OF SERVICE OF SUIT		
REF 1257 17/3/60	NUCLEAR INCIDENT EXCLUSION CLAUSE		
OS 2016 (5/17)	OTHER STRUCTURES EXCLUSION		
DL 24 01 12 02	PERSONAL LIABILITY		
JJC 07-20	POLICY JACKET		
DL 24 11 07-14	PREMISES LIABILITY (NON-OWNER OCCUPIED DWELLING)		
REF 5401 11-19	PROPERTY CYBER AND DATA EXCLUSION		
REF 1191 (7/5/59)	RADIOACTIVE CONTAMINATION EXCLUSION CLAUSE		
LMA3100 15/09/10	SANCTION LIMITATION AND EXCLUSION CLAUSE		
REF 2340 1/11/988	SEPAGE AND/OR POLLUTION AND/OR CONTAMINATION EXCLUSION U.S.A. & CANADA		
NS1001	SPECIAL NAMED STORM DEDUCTIBLE		
JJ LITS 4066 (7-30)	SPECIFIC BUILDING MATERIALS EXCLUSION - PROPERTY		
ILP022 01 07	STATEMENT REGARDING FLOOD INSURANCE ADVISORY NOTICE TO POLICYHOLDERS		
SS Privacy 10 21	SUTTON NATIONAL PRIVACY POLICY		
SSPJ-11-2020	SUTTON SIGNATURE PAGE		
HD 0109 (03/10)	TAINTED DRYWALL MATERIAL EXCLUSION		
TLO05 (05/07)	TOTAL OR CONSTRUCTIVE LOSS CLAUSE		
JJ LITS 3159 (8/04)	TRAMPOLINE LIABILITY EXCLUSION		
IL P 001 01 04	US TREASURY DEPARTMENT'S OFFICE OF FOREIGN ASSETS CONTROL ("OFAC") ADVISORY NOTICE TO POLICYHOLDERS		
NY 229 (08/10/2001)	WAR & TERRORISM ENDORSEMENT		
		SURPLUS LINES LICENSEE: Francis G Johnson PO Box 899 Charleston, SC 29402 LICENSE #: 10152301	

11/2016 (04/16)

Page 3 of 4

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

NAMED INSURED: RACHELLE CLARK

POLICY NUMBER: LSP600406290

SCHEDULE OF LIENHOLDERS AND ADDITIONAL INSUREDS	
Location #1/Building #1	
PRIMARY MORTGAGEE	
GULF SOUTH MORTGAGE LLC	
ISADA / ATIMA	
12292 ASHLEY DR	
GULFPORT, MS 39503	

DF2016 (04/16)

Page 4 of 4

After considerable discussion, Vice Chairman Barlow made motion, seconded by Commissioner Kruse and unanimously carried recommending approval of the application as submitted.

It came for discussion under New Business a Certificate of Resubdivision for the property located at 1104 West Railroad Street, Tax Parcels 0512G-02-009.002 and 0512G-02-009.004, submitted by Howard Allen Farmer and Carolyn P. Farmer, as follows:

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



CITY OF LONG BEACH
PLANNING DEPARTMENT
201 JEFF DAVIS AVENUE
PO BOX 929
LONG BEACH, MS 39560
(228) 863-1554
(228) 863-1558 FAX

Office use only
Date Received 11-15-22
Zoning R-1
Agenda Date 12-8-22
Check Number 124

APPLICATION FOR CERTIFICATE OF RESUBDIVISION

- I. TYPE OF CASE: CERTIFICATE OF RESUBDIVISION
- II. ADVALOREM TAX PARCEL NUMBER(S): # 0512G-02-009.002 & # 0512G-02-009.004
- III. GENERAL LOCATION OF PROPERTY INVOLVED: _____
- IV. ADDRESS OF PROPERTY INVOLVED: 1104 W. Railroad St, Long Beach, MS.
- V. GENERAL DESCRIPTION OF REQUEST: Resubdivision of two lots back
Into one lot.
- VI. REQUIRED ATTACHMENTS:
 - A. Resubdivision Survey and Certificate (see attached example) on no less than 11" X 17" paper.
 - B. Cash or check payable to the City of Long Beach in the amount of \$375.00
 - C. Proof of ownership (copy of recorded warranty deed) if applicable proof of authority to act as agent for owner.

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

VII. OWNERSHIP AND CERTIFICATION:

READ BEFORE EXECUTING, 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 fifteen (15) 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 agree to pay all fees and charges as stated.

Howard Allen Farmer / Carolyn P. Farmer
Name of Rightful Owner (PRINT)

Name of Agent (PRINT)

1104 W. Railroad Street
Owner's Mailing Address

Agent's Mailing Address

Long Beach, MS 39560
City State Zip

City State Zip

770/826-3419
Phone

Phone

Howard Allen Farmer 11-15-2022
Signature of Rightful Owner Date

Signature of Applicant Date

Carolyn Farmer 11/15/2022

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

NAME OF OWNER (PRINT) Howard Allen Farmer

ADDRESS (STREET, CITY, STATE, ZIP CODE) 1104 W. Railroad St, Long Beach, MS 39560

PHONE # (H) — (C) 770/826-3419

TAX PARCEL NUMBER(S) OWNED #05126-02-009.002 & #05126-02-009.004

SIGNATURE Howard Allen Farmer Carolyn Farmer 11/15/2022

NAME OF OWNER (PRINT) Carolyn P. Farmer

ADDRESS (STREET, CITY, STATE, ZIP CODE) 3595 Ebenezer Rd SE, Conyers, GA. 30094

PHONE # (H) — (C) 770/826-3420

TAX PARCEL NUMBER(S) OWNED #05126-02-009.002 & #05126-02-009.004

SIGNATURE _____

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (C) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE _____

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (C) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE _____

(Use additional forms as needed)

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES PERSON/AGENT FOR YOU: _____

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

REVIEWED

SCANNED



1st Judicial District
Instrument 2021 6632 D - 11
Filed/Recorded 5/11/2021 03:08 P
Total Fees \$ 20.00
7 Pages Recorded

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

Grantor:
Stephen Carlson
21555 Dherde Rd.,
Gulfport, MS 39503
(228) 236-5655

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

Grantees:
Howard Allen Farmer
Carolyn P. Farmer
1104 W Railroad St.,
Long Beach, MS 39560
(770) 826-3419

File No. Z219643N

INDEXING INSTRUCTIONS: Pt. of Lot 37, White and Calvert Survey, 1st JD, Harrison County, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
HARRISON JUDICIAL DISTRICT

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, Stephen Carlson, do hereby sell, convey and warrant unto Howard Allen Farmer and Carolyn P. Farmer, 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 Harrison 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 Stephen Carlson, by Warranty Deed recorded in Instrument No. 2019-7098-D-J1, Land Deed Records of Harrison 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 quitsclaims any and all oil, gas, and other minerals owned, if any, to Grantees. 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 First Judicial District of Harrison 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.

This conveyance is not part of the Grantor(s) homestead.

Survey attached hereto as Exhibit "B".

WITNESS MY SIGNATURE, on this the 10th day of May, 2021.

Stephen Carlson

ACKNOWLEDGEMENT

STATE OF MISSISSIPPI
COUNTY OF Harrison

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Stephen Carlson, 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 10th day of May, 2021.

(AFFIX SEAL)



NOTARY PUBLIC

My commission expires

DEED ACCEPTED BY:

Howard Allen Farmer, Grantee

Carolyn P. Farmer, Grantee

Exhibit "A"

Legal Description

Commencing at a iron rod at the Southeast corner of Lot 37 of the White and Calvert Survey in the City of Long Beach, Harrison County, Mississippi thence: S69°23'46"W for 84.59 feet along the Northernly margin of West Railroad Avenue to a iron pipe thence: S70°48'48"W for 74.90 feet along the Northernly margin of West Railroad Street to a iron rod thence: N0°55'15"W for 216.11 feet to a iron rod thence: N89°33'46"E for 71.14 feet to a iron rod thence: S0°55'03"E for 192.04 feet to the point of beginning, said parcel contains 14,516 square feet, more or less.

Subject to that 25 foot roadway easement along the West part of the property as depicted on that survey recorded in the Office of the Chancery Clerk of the First Judicial of Harrison County, Mississippi in Deed Book 1440, at Page 75.

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

SCANNED



1st Judicial District
Instrument 2021-10210-11
Recorded 11/10/21 09:37 P
Total Fees \$ 36.00

PREPARED BY:
Michael J. Ventozz
Expansive Land & Title Co., LLC
1514 24th Avenue
Gulfport, MS 39501
(228) 594-8866
MS Bar # 109865

RETURN TO:
Michael J. Ventozz
Expansive Land & Title Co., LLC
1514 24th Avenue
Gulfport, MS 39501
(228) 594-8866

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

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

Stephen Carlson
71553 Unerde Rd.
Gulfport, MS 39503
228.236.5655

do hereby sell, convey, and warrant unto

Howard Allen Farmer and Carolyn P. Farmer
1104 W Railroad St.
Long Beach, MS 39560
770.426.5419

the following described land and property, lying and being situated in Harrison County, Mississippi, First Judicial District, more particularly and certainly described as follows:

(See Exhibit A attached)(Page 5)

Indexing instructions: PART OF LOT 38, WHITE AND CALVERT SURVEY, 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 been prorated 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 Grantor agrees to pay said Grantees or their assigns any deficit on the actual proration.

WITNESS the signature of the Grantor, on this the 1st day of July, 2021.

Stephen Carlson - GRANTOR

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 1st day of July, 2021, within my jurisdiction, the within Stephen Carlson, who acknowledged that he signed, executed and delivered the above and foregoing instrument:

GIVEN under my hand and official seal of office.

My Commission Expires:

MAY 26, 2022

NOTARY PUBLIC



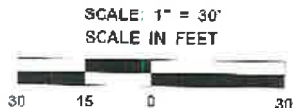
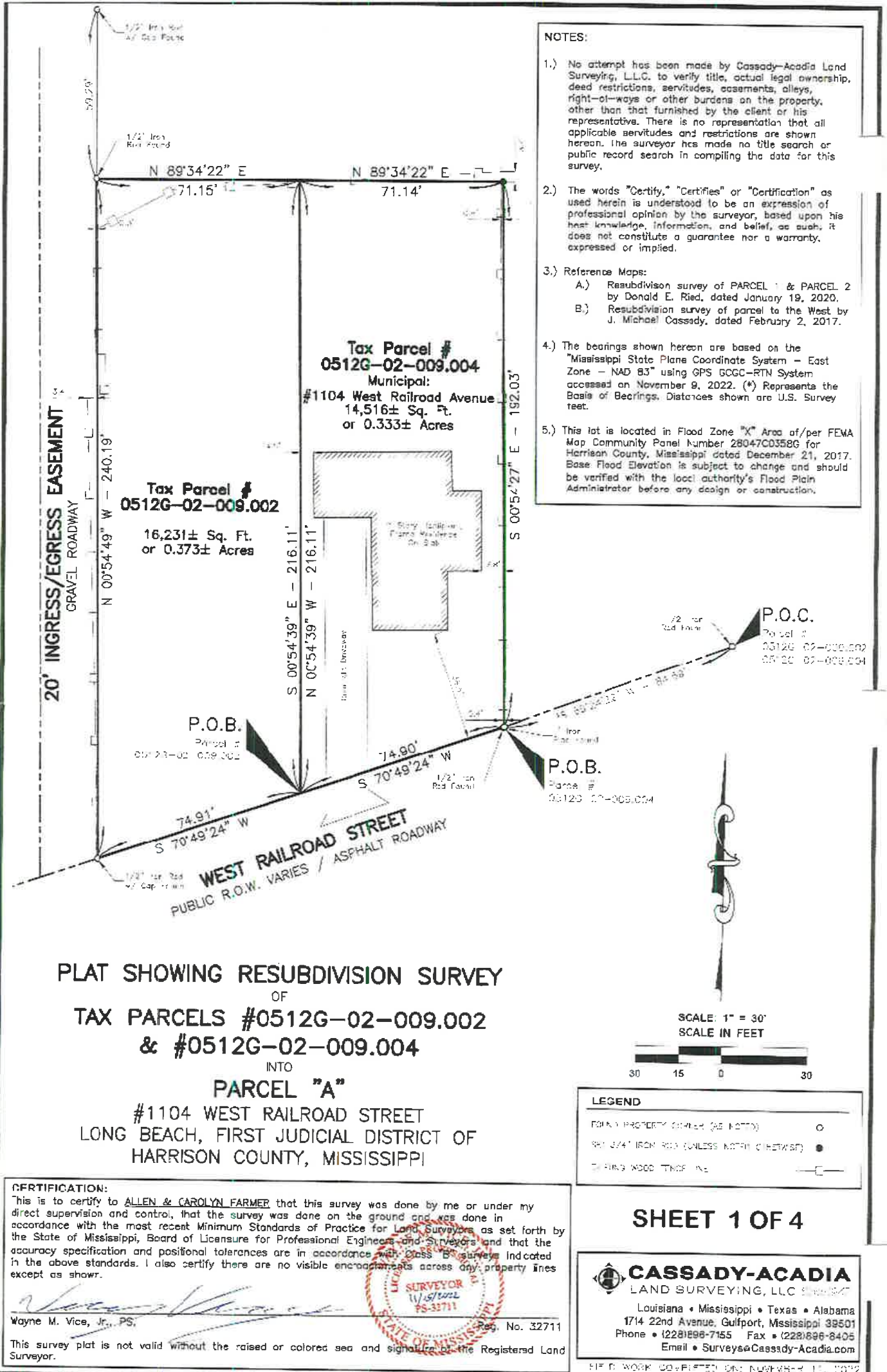
EXHIBIT "A"

LEGAL DESCRIPTION: PART OF LOT 38 LOCATED IN THE WHITE AND CALVERT SURVEY IN THE CITY OF LONG BEACH, HARRISON COUNTY, MISSISSIPPI, FIRST JUDICIAL DISTRICT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD AT THE SOUTHEAST CORNER OF LOT 37 OF THE WHITE AND CALVERT SURVEY IN THE CITY OF LONG BEACH, HARRISON COUNTY, MISSISSIPPI, FIRST JUDICIAL DISTRICT; THENCE SOUTH 69 DEGREES 23 MINUTES 46 SECONDS WEST FOR 84.59 FEET ALONG THE NORTHERLY MARGIN OF WEST RAILROAD STREET TO AN IRON PIPE; THENCE SOUTH 70 DEGREES 48 MINUTES 48 SECONDS WEST FOR 74.90 FEET ALONG THE NORTHERLY MARGIN OF WEST RAILROAD STREET TO AN IRON ROD TO THE TRUE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 55 MINUTES 15 SECONDS WEST FOR 216.11 FEET TO AN IRON ROD; THENCE SOUTH 89 DEGREES 33 MINUTES 46 SECONDS WEST 71.15 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 55 MINUTES 25 SECONDS EAST FOR 240.19 FEET TO AN IRON ROD AT THE NORTHERLY MARGIN OF WEST RAILROAD STREET; THENCE NORTH 70 DEGREES 48 MINUTES 48 SECONDS EAST FOR 74.91 FEET ALONG THE NORTHERLY MARGIN OF WEST RAILROAD STREET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 16,231 SQUARE FEET MORE OR LESS, AND BEING THE SAME PARCEL AS "PARCEL 1" ON THE SURVEY BY RIED & ASSOCIATES, LLC, DATED 01/16/2020. JOB NUMBER 20-004. ATTACHED HERETO AND MADE A PART HEREOF.

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION



LEGEND

- OWNER PROPERTY CENTER (SEE NOTES) ○
- 1/2" IRON ROD (UNLESS NOTED OTHERWISE) ●
- SPRING WOOD TRIP LINE ———

SHEET 1 OF 4

CASSADY-ACADIA
LAND SURVEYING, L.L.C.
Louisiana • Mississippi • Texas • Alabama
1714 22nd Avenue, Gulfport, Mississippi 39501
Phone • (228)896-7155 Fax • (228)896-8406
Email • Survey@cassidy-acadia.com

FIELD WORK COMPLETED ON: NOVEMBER 17, 2022

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

CERTIFICATE OF RESUBDIVISION

In accordance with Article II, Section 3 of the Code of Ordinance (Subdivision Regulations) of the City of Long Beach as amended, it is hereby certified that the Long Beach Planning Commission Chairman and Long Beach Mayor and Board of Aldermen have reviewed and approved the attached Final Plat. The following property has been subdivided from Harrison County ad valorem tax parcel numbers 0512G-02-009.002 and 0512G-02-009.004 into One new parcel. The subject properties are generally described as being located North of West Railroad Avenue & East of Bealbine Road.

LEGAL DESCRIPTIONS OF LANDS PRIOR TO THIS RESUBDIVISION:
INSTRUMENT NO. 2020-11940-D-1

PARCEL #0512G-02-009.002

COMMENCING at an iron rod at the southeast corner of Lot 37 of the White and Calvert survey in the City of Long Beach, Harrison County, Mississippi

Thence South 69 degrees 23 minutes 46 seconds West for 84.59 feet along the northerly margin of West Railroad Avenue to an iron pipe; thence South 70 degrees 48 minutes 48 seconds West for 74.90 feet along the northerly margin of West Railroad Street to an iron rod, the true POINT OF BEGINNING; thence North 00 degrees 55 minutes 15 seconds West for 216.11 feet to an iron rod; thence South 89 degrees 33 minutes 46 seconds West 71.15 feet to an iron rod; thence South 00 degrees 55 minutes 25 seconds East for 240.19 feet to an iron rod at the northerly margin of West Railroad Street; thence North 70 degrees 48 minutes 48 seconds East for 74.91 feet along the northerly margin of West Railroad to the POINT OF BEGINNING.

Said parcel contains 16,231 square feet more or less.

PARCEL #0512G-02-009.004

COMMENCING at an iron rod at the southeast corner of Lot 37 of the White and Calvert survey in the City of Long Beach, Harrison County, Mississippi

Thence South 69 degrees 23 minutes 46 seconds West for 84.59 feet along the northerly margin of West Railroad Avenue to an iron pipe; thence South 70 degrees 48 minutes 48 seconds West for 74.90 feet along the northerly margin of West Railroad Street to an iron rod; thence North 00 degrees 55 minutes 15 seconds West for 216.11 feet to an iron rod; thence North 89 degrees 33 minutes 46 seconds East for 71.14 feet to an iron rod; thence South 00 degrees 55 minutes 03 seconds East for 102.01 feet to the POINT OF BEGINNING

Said parcel contains 14,516 square feet more or less.

LEGAL DESCRIPTION OF THE NEWLY CREATED PARCEL READS AS FOLLOWS:

LEGAL DESCRIPTION OF PARCEL "A":

A parcel of land situated and being located in a part of Lots 37 & 38, WHITE & CALVERT SURVEY and in a part of Section 15, Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit:

COMMENCING at a 1/2 inch iron rod on the northerly margin of West Railroad Avenue and at the southeast corner of Lot 37 of the WHITE & CALVERT SURVEY; thence run South 69 degrees 24 minutes 22 seconds East along the northerly margin of West Railroad Avenue a distance of 84.59 feet to a 1-inch iron pipe, at the POINT OF BEGINNING of the parcel herein described;

Thence continue from said POINT OF BEGINNING South 70 degrees 48 minutes 24 seconds West along the northerly margin of West Railroad Avenue a distance of 149.81 feet to a 1/2-inch iron rod; thence departing the northerly margin of West Railroad Avenue, run North 00 degrees 54 minutes 49 seconds West a distance of 240.19 feet to a 1/2-inch iron rod; thence run North 89 degrees 34 minutes 22 seconds East a distance of 142.29 feet to a 3/4-inch capped iron rod; thence run South 00 degrees 54 minutes 27 seconds East a distance of 142.03 feet to the POINT OF BEGINNING.

Said parcel contains 0.706 acres, more or less.

**PLAT SHOWING RESUBDIVISION SURVEY
OF
TAX PARCELS #0512G-02-009.002
& #0512G-02-009.004
INTO
PARCEL "A"**

**#1104 WEST RAILROAD STREET
LONG BEACH, FIRST JUDICIAL DISTRICT OF
HARRISON COUNTY, MISSISSIPPI**

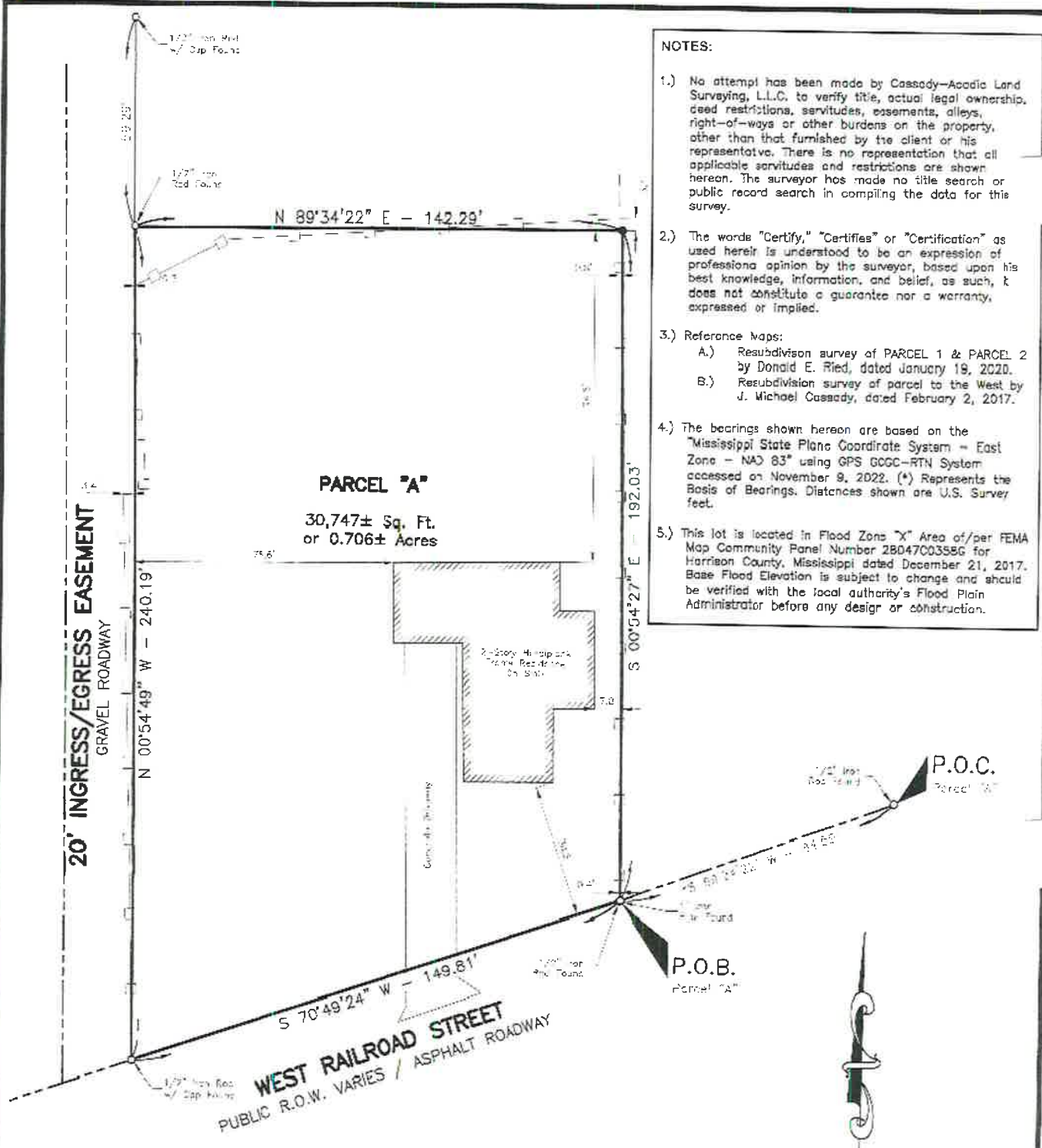
SHEET 3 OF 4



**CASSADY-ACADIA
LAND SURVEYING, LLC**
Louisiana • Mississippi • Texas • Alabama
1714 22nd Avenue, Gulfport, Mississippi 39501
Phone • (228)898-7155 Fax • (228)898-8405
Email • Surveys@Cassady-Acadia.com

FILED WORK COMPLETED ONE NOVEMBER 11, 2022

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



- NOTES:**
- 1.) No attempt has been made by Cassady-Acadia Land Surveying, L.L.C. to verify title, actual legal ownership, deed restrictions, servitudes, easements, alleys, right-of-ways or other burdens on the property, other than that furnished by the client or his representative. There is no representation that all applicable servitudes and restrictions are shown hereon. The surveyor has made no title search or public record search in compiling the data for this survey.
 - 2.) The words "Certify," "Certifies" or "Certification" as used hereon is understood to be an expression of professional opinion by the surveyor, based upon his best knowledge, information, and belief, as such, it does not constitute a guarantee nor a warranty, expressed or implied.
 - 3.) Reference Maps:
 - A.) Resubdivision survey of PARCEL 1 & PARCEL 2 by Donald E. Ried, dated January 19, 2020.
 - B.) Resubdivision survey of parcel to the West by J. Michael Cassady, dated February 2, 2017.
 - 4.) The bearings shown hereon are based on the Mississippi State Plane Coordinate System - East Zone - NAD 83" using GPS GCGG-RTN System accessed on November 9, 2022. (*) Represents the Basis of Bearings. Distances shown are U.S. Survey feet.
 - 5.) This lot is located in Flood Zone "X" Area of/ per FEMA Map Community Panel Number 28047003586 for Harrison County, Mississippi dated December 21, 2017. Base Flood Elevation is subject to change and should be verified with the local authority's Flood Plain Administrator before any design or construction.

**PLAT SHOWING RESUBDIVISION SURVEY
OF
TAX PARCELS #0512G-02-009.002
& #0512G-02-009.004
INTO
PARCEL "A"
#1104 WEST RAILROAD STREET
LONG BEACH, FIRST JUDICIAL DISTRICT OF
HARRISON COUNTY, MISSISSIPPI**

LEGEND

FOUND PROPERTY CORNER (AS NOTED)	○
SET 3/4" CON. ROD (UNLESS NOTED OTHERWISE)	●
EXISTING WOOD FENCE LINE	—

SHEET 2 OF 4

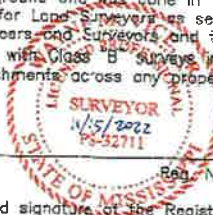
CASSADY-ACADIA
LAND SURVEYING, L.L.C.

Louisiana • Mississippi • Texas • Alabama
1714 22nd Avenue, Gulfport, Mississippi 39501
Phone • (228)896-7155 Fax • (228)896-8405
Email • Survey@Cassady-Acadia.com

CERTIFICATION:
This is to certify to ALLEN & CAROLYN FARMER that this survey was done by me or under my direct supervision and control, that the survey was done on the ground and was done in accordance with the most recent Minimum Standards of Practice for Land Surveyors as set forth by the State of Mississippi, Board of Licensure for Professional Engineers and Surveyors and that the accuracy specification and positional tolerances are in accordance with Class "B" surveys indicated in the above standards. I also certify there are no visible encroachments across any property lines except as shown.

Wayne M. Vice, Jr.
Wayne M. Vice, Jr., P.S. Reg. No. 32711

This survey plat is not valid without the raised or colored seal and signature of the Registered Land Surveyor.



FIELD WORK COMPLETED ON NOVEMBER 11, 2022

**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

CERTIFICATE OF OWNERSHIP:

I hereby certify that Allen Farmer & Carolyn Farmer are the owners of the property described hereon, which property is within the subdivision regulation jurisdiction of the City of Long Beach, and that I freely adopt this plan of subdivision.

Allen Farmer, Owner
Date: 11/15/2022

Carolyn Farmer, Owner
Date: 11/15/2022

Subscribed and sworn to before me, in my capacity as Notary Public in and for the County of Harrison, State of Mississippi, on the 15th day of November, 2022.

Sierra R. Carr
NOTARY PUBLIC

My Commission Expires: 11 Dec 24

CERTIFICATE OF SURVEY AND ACCURACY:

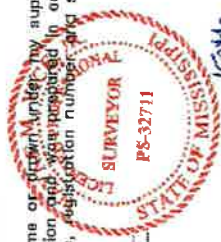
I hereby certify that this map drawn by me or under my supervision from actual survey made by me or actual survey made under my supervision and was prepared in accordance with all applicable codes and ordinances. Witness my original signature, registration number and seal this the 15 day of NOVEMBER, 2022.

Wayne M. Viggart, Jr., P.S.
Registration No. 32714

Subscribed and sworn to before me, in my presence this 19th day of November, 2022, a Notary Public in and for the County of Harrison, State of MISSISSIPPI.

Sierra R. Carr
NOTARY PUBLIC

My Commission Expires: 3/13/2026



**PLAT SHOWING RESUBDIVISION SURVEY
OF
TAX PARCELS #0512G-02-009.002
& #0512G-02-009.004
INTO
PARCEL "A"
#1104 WEST RAILROAD STREET
LONG BEACH, FIRST JUDICIAL DISTRICT OF
HARRISON COUNTY, MISSISSIPPI**

CERTIFICATE OF APPROVAL:

I hereby certify that the Minor Subdivision shown on the plat does not involve the creation of new public streets, or any change in existing public streets, the extension of public water or sewer system or the installation of drainage improvements through one or more lots to serve one or more lots. That the subdivision shown is in all respects in compliance with the City Ordinance of Long Beach and that therefore this plat has been approved by the administrator subject to its being recorded in the Harrison County Courthouse within sixty (60) days of the date below.

Administrator _____ Date: _____

PLANNING COMMISSION:

Submitted to and approved by the City of Long Beach Planning Commission at the regularly scheduled meeting on the _____ day of _____, 2022.

Planning Commission Chairman _____

APPROVAL:

Submitted to and accepted by the City of Long Beach, Board of Aldermen, at the regular meeting of said Board of Aldermen held on the _____ day of _____, 2022.

ATTEST: _____ ADOPT: _____

City Clerk _____ Mayor _____

Prepared by: _____
City of Long Beach
Planning Commission
201 Jeff Davis Avenue
Long Beach, MS 39560
228-663-1354

SHEET 4 OF 4

CASSADY-ACADIA
LAND SURVEYING, LLC
Louisiana • Mississippi • Texas
1714 22nd Avenue, Gulfport, Mississippi 39501
Phone • (228)898-7155 Fax • (228)898-8406
Email • Survey@cassady-acadia.com

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

161 Lameuse St., Suite 203
Biloxi, MS 39530
228-967-7137



OVERSTREET
& ASSOCIATES
CONSULTING ENGINEERS

630 Delmas Ave., Suite B
Pascagoula, MS 39567
228-967-7137

November 30, 2022

City of Long Beach
P.O. Box 929
Long Beach, MS 39560

RE: Certificate of Subdivision - Tax Parcel No. 0512G-02-009.002 & 0512G-02-009.004

Ladies and Gentlemen:

We have received a Certificate of Subdivision for the referenced property, which can be described as a parcel of land located in a part of lots 37 & 38, White & Calvert survey and in part of section 15, Township 8 South, Range 12 West, City of Long Beach. This subdivision simply combines two existing parcels into a single parcel. Proposed Parcel "A" will be 0.71 acres in size, with nearly 150 feet of frontage on W Railroad St.

There is an existing 2-Story house that has a 7.8 feet side set back and is in conflict with the ordinance's requirement of an 8 feet minimum.

The Certificate itself has all appropriate certifications and information. If granted, City approval of the subdivision should be subject to the payment of any required tapping fees or special connection fees as determined by the City's Public Works department.

Sincerely,

Billy Swort

BS:539

After considerable discussion and upon the recommendation of the City Engineer, Commissioner Fields made motion, seconded by Commissioner Kruse and unanimously carried recommending approval of the application as submitted.

It came for discussion under New Business, Preliminary Plat Approval, Bear Point Subdivision, Phase 2, Tax Parcels 0511N-01-004.000, 0511N-01-004.001, 0511N-01-004.002,

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

0511N-01-004.003, 0511N-01-004.004, 0511N-01-004.005, 0511N-01-004.006, 0511N-01-004.007, 0511N-01-004.008, 0511N-01-004.009, 0511N-01-004.010, 0511N-01-004.011, submitted by Long Beach Holdings, LLC.



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 11-17-22
Zoning R-1
Agenda Date 12-8-22
Check Number 1118

- I. TYPE OF CASE: PRELIMINARY PLAT APPROVAL
- II. ADVALOREM TAX PARCEL NUMBER(S): See Attached
- III. GENERAL LOCATION OF PROPERTY INVOLVED: Southwest corner of the intersection of Beatline and Pineville Roads
- IV. ADDRESS OF PROPERTY INVOLVED: Not Available phase 2
- V. GENERAL DESCRIPTION OF REQUEST: Subdivision of 87.6 acres of property zoned R-1 into 202 lots in accordance with the requirements of the Long Beach Ordinances

VI. REQUIRED ATTACHMENTS:

- A. Twenty (20) working days prior to the regular monthly meeting of the planning commission the following documents must be submitted:
 - a. Three (3) full-size blue-line copies of the preliminary plat,
 - b. Two (2) blue-line copies of the complete construction plans and specification,
 - c. Two (2) copies of the developer's engineer's basis of design and complete design calculation, and
 - d. Two (2) copies of the preliminary plat application forms
 - e. The proposed plat shall be at a scale legible and functional on sheets of twenty-four (24) by thirty-six (36) inches in size. ****Please refer to the City of Long Beach's Subdivision Regulations for additional information to be included on the plat.**
- B. Cash or Check payable to the City of Long Beach in the amount as follows:

2-3	Lots	\$100.00
4-10	Lots	\$150.00
11-50	Lots	\$300.00
50-100	Lots	\$400.00
100 +	Lots	\$500.00
- C. Proof of ownership (copy of recorded warranty deed), if applicable proof of authority to act as agent for owner.

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

VII. OWNERSHIP AND CERTIFICATION:

READ BEFORE EXECUTING. 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 twenty (20) 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 agree to pay all fees and charges as stated.

Long Beach Holdings, LLC

Name of Rightful Owner (PRINT)

Name of Agent (PRINT)

14397 Creosote Road

Agent's Mailing Address

Owner's Mailing Address

Gulfport MS 39503

City State Zip

City State Zip

228-669-7071

Phone

Phone

charlie@gant-brown.com

Email address

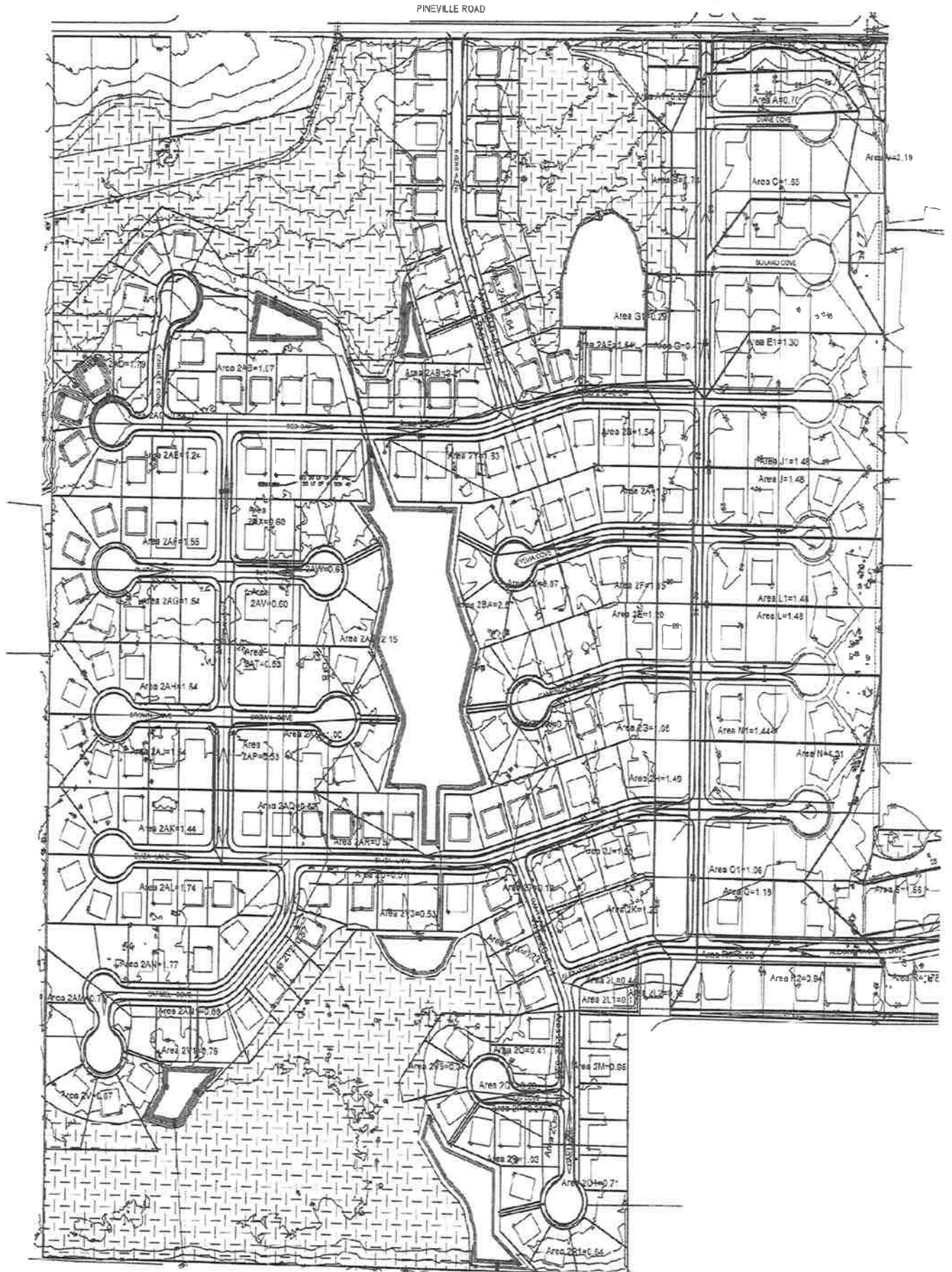
Email address

[Signature]
Signature of Rightful Owner Date

Signature of Applicant Date

MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

*Bear Point Subdivision, Ph. 2
Proposed Watershed*



**MINUTES OF DECEMBER 8, 2022
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

Commissioner Levens made motion, seconded by Commissioner Kruse and unanimously carried to table the application until the regular scheduled meeting on Thursday, January 12, 2023.

There being no further business to come before the Planning and Development at this time, Vice Chairman Barlow made motion, seconded by Commissioner Fields 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