

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**AGENDA
AUGUST 26, 2021
REGULAR MEETING OF THE PLANNING and DEVELOPMENT COMMISSION
CITY OF LONG BEACH, MISSISSIPPI
5:30 O’CLOCK P.M.
LONG BEACH CITY HALL
MEETING ROOM
201 JEFF DAVIS AVENUE**

I. CALL TO ORDER

II. ROLL CALL AND ESTABLISH QUORUM

III. PUBLIC HEARINGS

- 1. Continued- Special-Use Approval- 20110 and 20112 Pineville Road, Tax Parcels 0511J-02-075.000 and 0511J-02-074.000, submitted by Maxims, LLC DBA Long Beach Market and Deli (“Deli”) (owners) and Michael J. Thompson, Jr (agent).
- 2. Zoning Text Change- Section 18-23 of Ordinance 598, the Unified Land Use Ordinance; and to establish division 5. Of Article IV; Boards, Commissions and Agencies; and for related purposes.
- 3. Variance- 149 Markham Drive, Tax Parcel 0512J-014-019.000, submitted by Southern Paradise, LLC.
- 4. Short-Term Rental- 548 West Beach Blvd, Unit 107, Tax Parcel 0612E-03-037.007, submitted by Surfside, LLC (owner) and Tom McCormick, Beau Clair Homeowners Association (property manager).
- 5. Short-Term Rental- 117 Sea Oaks Blvd, Tax Parcel 0512I-01-012.009, submitted by Dixie L. Memmott (owner) and Tammy Rea (property manager).

IV. ANNOUNCEMENTS

V. APPROVE MINUTES

- 1. August 12, 2021

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

- 1. Tree Removal- 406 East Railroad Street, Tax Parcel 0612A-05-011.000, submitted by Stephanie Stubbs.
- 2. Certificate of Resubdivision- 149 Markham Drive, Tax Parcel 0512J-01-019.000, submitted by Southern Paradise, LLC (Glynn Illich).

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 September 9, 2021.

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

Commissioner Sawyer Walters read the Opening Statement for the Planning and Development Commission.

Be it remembered that five (5) 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 26TH day of August 2021, in said City, and the same being the time, date and place fixed for holding said Public Hearings.

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LONG BEACH PLANNING and DEVELOPMENT COMMISSION

There were present and in attendance on said Commission and at the Public Hearings the following named persons: Chairman Frank Olaivar, Commissioners Sawyer Walters, Jeff Hansen, Justin Shaw, Michael Levens, Chris Fields, and Marcia Kruse, Building Official Mike Gundlach and Minutes Clerk Tina M. Dahl.

Absent the Public Hearings were Commissioners Shawn Barlow and Jennifer Glenn, and City Advisor Bill Hessell.

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

The first public hearing resumed to consider a Special-Use Approval for property located at 20110 and 20112 Pineville Road, Tax Parcels 0511J-02-075.000 and 0511J-02-074.000, submitted by Maxims, LLC DBA Long Beach Market and Deli ("Deli") (owners) and Michael J. Thompson, Jr. (agent), whereupon Building Official Mike Gundlach provided the following letter:

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City of Long Beach



August 23, 2021

RE: Long Beach Market and Deli "Deli"
20110 Pineville Road
Tax Parcel: 0511J-02-075.000

Following a review of the property and structure located at 20110 Pineville Road, I have determined the restaurant is not just a restaurant but has a certain amount of floor space that is designated for a retail sales area. It is my opinion, the required amount of customer parking spaces for the actual space inside is 23 spaces. The Deli has 21 spaces on the property and willing to ask all employees to park on the adjacent property to the west at 20112 Pineville Road. This action would allow the entire premises to be allowed for customer parking. I do not have an issue with this amount of spaces, as the owner has stated they do approximately 50% food service as takeout. The parking lot should also be repainted to designate the parking spots, so there is organized parking and not random parking where customers find room. I do have some issues i would like to address that seem to be a safety factor for the community. Delivery trucks should park in the adjacent parking lot for deliveries or schedule them for later deliveries in the afternoons, to not present traffic issues in the streets and on the corner of Pineville Road and Mitchell Road. The new subdivision on the south end of Mitchell Road will be adding approximately 200 cars at the intersection, which will cause more congested traffic problems.

Sincerely,

Mike Gundlach
City of Long Beach
Building Official

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1554 • FAX 863-1558

After further discussion, applicant withdrew the application.

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The second public hearing to consider a Zoning Text Change for Section 18-23 of Ordinance 598, the Unified Land Use Ordinance; and to establish division 5. Of Article IV; Boards, Commissions and Agencies; and for related purposes, as follows:

There came on for consideration at a duly constituted meeting of the Board of Aldermen and Mayor of the City of Long Beach held on the 6th day of July, 2021, the following Ordinance, which was reduced to writing and presented in advance of the meeting for reading and examination:

ORDINANCE NO. _____

ORDINANCE TO REPEAL PART 1. LONG BEACH PLANNING AND DEVELOPMENT COMMISSION, SEC. 18-23 OF ORDINANCE 598, THE UNIFIED LAND USE ORDINANCE; AND TO ESTABLISH DIVISION 5. OF ARTICLE IV; BOARDS, COMMISSIONS AND AGENCIES; AND FOR RELATED PURPOSES

WHEREAS, the Governing Authorities have heretofore determined and that it would be in the best interest of the City of Long Beach to establishment a planning and development commission to consider and make recommendations regarding the orderly use of and compliance with the Unified land Use Ordinance; and,

NOW THEREFORE, BE IT ORDAINED by the Board of Alderman of the City of Long Beach, Mississippi, as follows:

SECTION ONE.

ARTICLE IV. BOARD, COMMISSIONS AND AGENCIES

DIVISION 5. LONG BEACH PLANNING AND DEVELOPMENT COMMISSION

(a) There shall be a Long Beach Planning and Development Commission consisting of 9 members, all of whom shall be residents of the City and duly qualified electors therein. The members shall be appointing by the Mayor, subject to confirmation by the Board of Alderman. There shall be at least one member from each ward of the City.

(b) Long Beach Planning and Development Commission members shall be appointed for two-year terms, but members may continue to serve until their successors have been appointing.

(c) Members may be appointed to successive terms without limitation.

(d) The Mayor and Board of Alderman may remove Long Beach Planning and Development Commission members at any time for failure to attend three consecutive meetings or for failure to attend 30 percent or more of the meetings within any 12-month period or for any other good cause related to performance of duties

(e) Any vacancies shall be filled by the Mayor, subject to confirmation by the Board of Alderman. A person appointed to fill a vacancy shall fill out the term of office of the original appointee.

(f) If a member moves outside the city, that shall constitute a resignation from the Long Beach Planning and Development Commission.

(g) Commission members shall serve without pay, but may be reimbursed for expenses incurred in the performance of official duties.

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SECTION TWO.

This Ordinance shall be in full force and effect from and after its passage and shall be enrolled and published in the manner required by law.

The above and foregoing Resolution having been introduced in writing, was first read and considered section by section and then as a whole. This question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Tim McCaffrey	voted	_____
Alderman Bernie Parker	voted	_____
Alderman Donald Frazer	voted	_____
Alderman Mike Brown	voted	_____
Alderman Patrick Bennett	voted	_____
Alderman Angie Johnson	voted	_____
Alderman Pete McGoey	voted	_____

The question having received the Affirmative vote of a majority the Alderman present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this 6th day of July, 2021.

APPROVED:

George Bass, Mayor

ATTEST:

Stacey Dahl, City Clerk

The Clerk reported that notices were 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:

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 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 **zoning text change**.

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

Section 18-23 of Ordinance 598, the Unified Land Use Ordinance; and to establish division 5. Of Article IV; Boards, Commissions and Agencies; and for related purposes.

The purpose of this proposed change is to promote uniformed development and encourage public safety, thereby enhancing the quality of life for all Long Beach residents. A public hearing to consider the above zoning text change will be held in the City of Long Beach, Mississippi 39560, Thursday, August 26, 2021, at 5:30 p.m., in the Long Beach City Hall located on Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
 Chairman
 Planning Commission

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1554 • FAX 863-1558

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>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 herunto attached has been made in the said publication _____ weeks in the following numbers and on the following dates of such paper:</p> <p>Vol. <u>201</u> No. <u>6</u> dated <u>6</u> day of <u>August</u>, 20<u>21</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____</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>Sworn to and subscribed before me this <u>22</u> day of _____, A.D. 20<u>21</u></p> <p style="text-align: right;">_____ Notary Public</p>
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Commission Chairman Olaivar asked for anyone speaking in favor or opposition of the request and the following came forward:

Larry Ward, 730 Briarwood Drive, spoke in opposition of the changes stating the wording in the proposed ordinance change is incorrect and he believes the wording should state that there be staggered 2-4 year terms. He believes that the Commissioner that is being removed should have a hearing before being removed. He would like to see the City start following it's ordinances. He then stated that sections 18-23 are not all being changed, just section 18 for the record.

Commissioner Walters made motion, seconded by Commissioner Fields and unanimously carried to close the Public Hearing.

After considerable discussion, Commissioner Walters made motion, seconded by Commissioner Fields and unanimously carried recommending to approve the Zoning Text Change for Section 18.

The third public hearing to consider a Variance for property located at 149 Markham Drive, Tax Parcel 0512J-01.019.000 submitted by Southern Paradise, LLC, as follows:

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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 7-27-21
Zoning R-1
Agenda Date 8-26-21
Check Number 4764

VARIANCE REQUEST

- I. Tax Parcel Number(s): 05125-01-019.000
- II. Address of Property Involved: 149 MARKHAM
- III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)

SEE ATTACHED

****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?
SEE ATTACHED
- 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.
SEE ATTACHED
- 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?
SEE ATTACHED
- 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.
SEE ATTACHED

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IV. REQUIRED ATTACHMENTS:

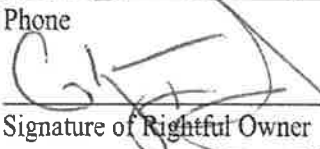
- A. **Interest and Ownership.** The applicant's name, address and interest of every person, firm or corporation represented by the applicant in the application, the name of the owner or owners and their respective addresses of the entire land area proposed to be changed in classification or to be included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

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

V. OWNERSHIP AND CERTIFICATION:

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

Ownership: I the undersigned 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.

<p><u>Southern Paradise, LLC</u> Name of Rightful Owner (PRINT)</p> <p><u>POB 1612</u> Owner's Mailing Address</p> <p><u>LB ms 39560</u> City State Zip</p> <p><u>2287605455</u> Phone</p> <p><u></u> <u>7/20/21</u> Signature of Rightful Owner Date</p>	<p>_____ Name of Agent (PRINT)</p> <p>_____ Agent's Mailing Address</p> <p>_____ City State Zip</p> <p>_____ Phone</p> <p>_____ Signature of Applicant Date</p>
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Variance/Subdivide - 149 Markham, Presented by Southern Paradise LLC (glynn illich)

Reason:

We have been developing for over 20 years now in the LB area. North of the tracks, we developed Belle Terre Estates and Le Petit Cove planned communities from the ground up.

South of the tracks, we have rebuilt well over 40 upscale homes on the old vacated Katrina lots. The key to our success is knowing the demographic of our buyers. When selling a home near the beach, 90%+ of our buyers are 60-80 years old semi/retired from Louisiana. Generally upper middle-class/affluent w/disposable income to support our local businesses; law abiding. Their main requests are low crime, small yards, and upscale modest-sized homes. There is no demand for oversized lots due to time/cost to maintain, and our buyers are in the downsizing phase of their lives.

149 Markham is a HUGE lot, and we have tried to sell it (as is) for over 2 years. All my buyers love this lot, but want it much smaller. I currently have the proposed subdivided lots already reserved (if the City approves). That is how strong the demand is for "walk to the beach" lots that are smaller in size.

We have designed our cottages sizes to meet our buyers needs — roughly 1,400 - 1,600 sq ft. Evenly subdividing 149 Markham will make the 2 lots the perfect size of 68.75'. This is the same size as most lots we are currently building on all over Long Beach -- south of the tracks. (ie 125 E 4th, 216 E 5th, 218 E 5th, 410 S Cleveland, 176 Central (two 50' lots and we are building our standard cottage on 1 of the 2 lots), etc). There are also 4 other lots on Markham that are less in width than our requested subdivided size of 68.75'.

If we were to build a home to proportionally fit the current size of 149 Markham, it would have to be a huge 3000'+ estate, and it would be a hardship to sell (and a risk for us). We have no history of requests for homes that large & price point. Again, my demographic does not want homes/lots that big, therefore we have specialized in meeting their needs. We ask the Planning Commission to take a ride down Markham and see all the stunning upscale homes have already built — #143, #145, #142, #146, #148. All these homes are 35' wide (heated/cooled). We plan to continue rebuilding on these old Katrina lots and revitalize Markham to its original charming state.

Lastly, we are a locally-owned, proven company of upscale home developments. We would never damage our local reputation by developing something the City (or Markham) would be ashamed of. We ask to be judged by our excellent history, and we can assure you, those 2 lots will become real assets to a street we have already made a positive impact on.

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Drainage/Sewer:

Prior to submitting this application, we consulted with City Engineer David Ball, Public Works Director Joe Culpepper, and Building Inspector Mike Gundlach. All concluded no issues with drainage impacts, sewer impacts, and building 2 homes on the large lot.

There is a dedicated overgrown alley in the rear of this lot for drainage (see attached survey). We plan to clear the alley and sod it. This will allow for better drainage, and the new homeowners will maintain the area as it will blend in to their rear yard grass. Also, when we subdivide, we plan to install a swell between the two lots allowing for drainage to the front and rear. There is an inlet on the back side of the rear fence (on the Destiny Oaks side) that is allocated to consume some of the runoff from this dedicated alley as well.

Setbacks:

Attached is the proposed survey of the 2 new homesites. Each lot honors the 25' front, 8' sides and 15' rear set backs like the rest of the street – plenty of green space. More importantly, there will be 50' of distance between the 2 new homes. Few existing houses in Markham have this luxury. The City asks for 7,500' minimum total size for lots, and to subdivide will allow for 7,906.25' for each lot. The lots will be 115' deep, plus an additional 10' rear sodded drainage alley – (total of 125' deep yard space & plenty of green space between these homes and Destiny Oaks in the rear)

Traffic:

None. This is a dead-end street with 0-traffic now. Our buyers are generally retired, and generally drive slow. With our last 10 sales, 7 of those sales were to widows and they only had 1 car.

Crime:

None. One of the main reasons our buyers are moving from Louisiana's is to escape crime. They are successful law-abiding citizens looking to enjoy the safety of Long Beach. The homes we are building are \$350k-\$400k, which attracts a quality demographic and a good tax base for the City. They are no strain on the police.

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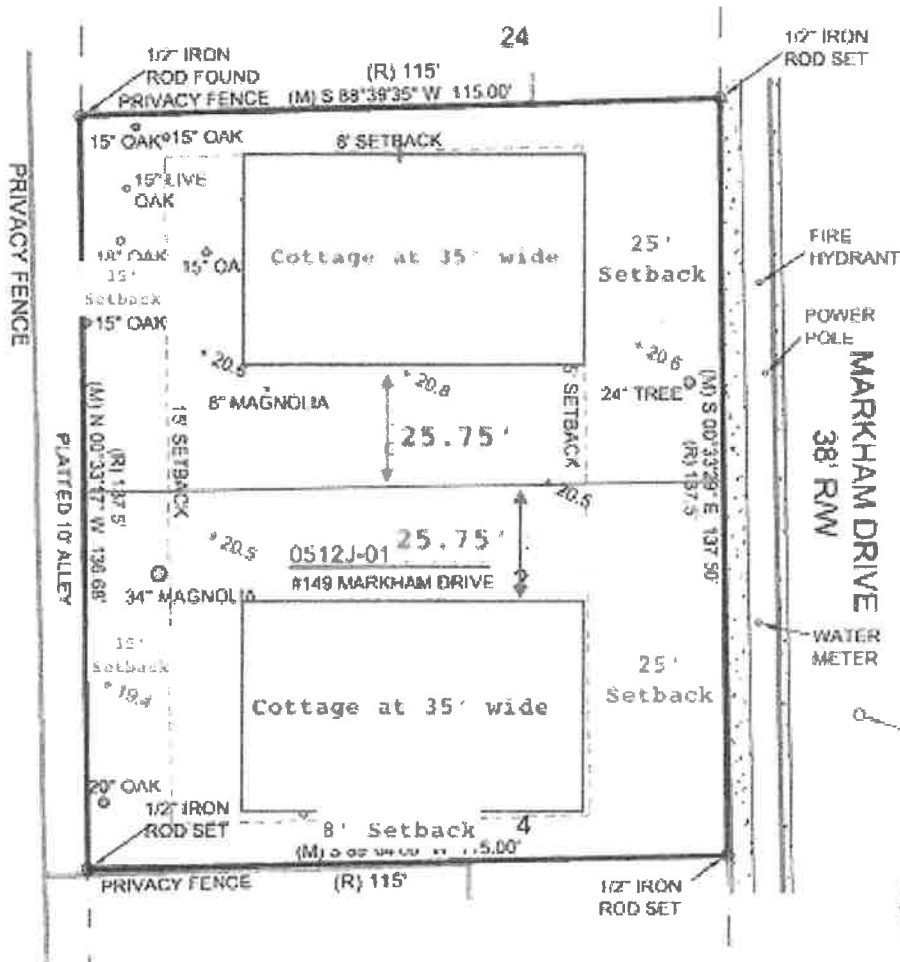
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Example of how our cottages will fit on the lots — still honoring all set backs, and having plenty of green space.

NOTES:

- 1.) FIELD SURV
- 2.) STATE PL
- 3.) ELEVATIO
- 4.) THIS SURV
- 5.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-221-6477.
- 6.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ETC. TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.

- -- CONCRETE MONUMENT SET
- ⊠ -- LIGHTARD KNOT FOUND
- (M) -- AS MEASURED
- (R) -- AS PER RECORD
- APP -- AS PER PLAT
- IRF -- IRON ROD FOUND
- IRS -- IRON ROD SET



A SURVEY OF LOT A1,
ALL OF LOTS 1
THROUGH 3 AND THE
NORTH HALF OF LOT
4, BLOCK 3, THOMAS
SUBDIVISION, CITY OF
LONG BEACH,
HARRISON COUNTY,
MISSISSIPPI

REFERENCE MATERIALS:
1.) RECORDED PLAT OF THOMAS
SUBDIVISION

THIS IS TO CERTIFY THAT I HAVE MADE A SURVEY OF THE
PROPERTY SHOWN HEREON AND THAT ALL DIMENSIONS AND
OTHER DATA SHOWN ARE TRUE AND CORRECT TO THE BEST
OF MY KNOWLEDGE AND BELIEF.

[Signature]
CLIFFORD A. CROSBY, P.L.S. DATE *11/12/2019*



THIS PROPERTY IS LOCATED IN F.I.R.M. ZONE "X500" ACCORDING TO
MAP NUMBER 28047C0358C DATED JUNE 16, 2009

SURVEY CLASS - "B"
SCALE: 1" = 30'

FOR:
SOUTHERN PARADISE, LLC

BEARINGS SHOWN HEREON ARE DERIVED BY:
GPS OBSERVATION, STATE PLANE GRID, MS EAST



CROSBY SURVEYING
PROFESSIONAL LAND SURVEYING
778 LIVE OAK DRIVE
BILOXI, MISSISSIPPI 39532
PHONE: 228-234-1649

EMAIL: clifford@croby.com

DATE OF FIELD WORK: 10/15/2019

PARTY CHIEF: CC

INSTRUMENT MAN: DM

RODMAN: CC

DRAWN BY: CAC

DRAWING NUMBER: 15325 149 MARK

REVISED:

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The Clerk reported that twenty (20) notices of public hearing were sent by regular mail to property owners within one hundred sixty feet (160') of the subject property. Notices were also posted on the bulletin boards at City Hall, the Building Official's Office and the Water Department, 201 Jeff Davis Avenue and at the Long Beach Public Library, 209 Jeff Davis Avenue; said notice was ordered as part of these proceedings:

City of Long Beach



LEGAL NOTICE
PUBLIC HEARING

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

Southern Paradise, LLC, PO Box 1612, 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 to create 2 lots with the lot width of 68.75 feet. The City's requirement for minimum lot width is 75 feet. The location of the request is 149 Markham Drive, Long Beach, Mississippi, 39560, Tax Parcel Number 05121-01-019.000. The legal description is as follows:

LOT A-1 & LOTS 1 TO 3 & N1/2 LOT 4 BLK 3 THOMAS SUBD PT LOTS 33 TO 35 WHITE & CALVERT SURVEY SEC 22-B-12

A Public Hearing to consider the above variance will be held in the City of Long Beach, Mississippi, 39560, Thursday, August 26, 2021, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning and Development Commission

201 Jeff Davis • PO Box 929 • Long Beach, MS 39560 • 863-1354 • FAX 863-1358

- | | | |
|--|--|--|
| <p>AVERY 3150
Meyers, Daniel D and Nancy L
147 Markham Drive
Long Beach, MS 39560</p> | <p>3150
Harb, Adeeb E and Brenda
130 Destiny Oaks Blvd
Long Beach, MS 39560</p> | <p>3150
Martin, Margaret
132 Destiny Oaks Blvd
Long Beach, MS 39560</p> |
| <p>Pecoul, Linda -Trustee-
134 Destiny Oaks Drive
Long Beach, MS 39560</p> | <p>Lavers, William and Juli-Anna
136 Destiny Oaks Drive
Long Beach, MS 39560</p> | <p>Clover, Bart W and Durenda L
3 Mossy Oaks Drive
Long Beach, MS 39560</p> |
| <p>Bailey, Terry D and Patricia A
717 Oleander Lane
Biloxi, MS 39532</p> | <p>Alexander, William Chandler and WJ
157 Markham Drive
Long Beach, MS 39560</p> | <p>Lindorder, John H
155 Markham Drive
Long Beach, MS 39560</p> |
| <p>Livengood, D Michael and R Karen
154 Markham Drive
Long Beach, MS 39560</p> | <p>Amos, Dana D and Anita M
566 Warrior Trail
Jackson, MS 39216</p> | <p>Bassuner, Ronald and Burgund
146 Markham Drive
Long Beach, MS 39560</p> |
| <p>Ralph Thomas
PO Box 174
Winona, MO 65588-0174</p> | <p>Golden Bay Investment, LTD
2305 A McKee Road
San Jose, CA 95116</p> | <p>Taylor, Paul G and Susan D
135 Destiny Oaks Drive
Long Beach, MS 39560</p> |
| <p>Youmans, Dung H and Hang T
PO Box 1019
Long Beach, MS 39560</p> | <p>Nguyen, Dung H and Hang T
131 Destiny Oaks Blvd
Long Beach, MS 39560</p> | <p>McCray, Janis Kay Potter
PO Box 12656
Alexandria, LA 71315</p> |
| <p>Perkins, Arlene
127 Destiny Oaks Drive
Long Beach, MS 39560</p> | <p>Nguyen, Dung Duc
13342 Balcrest Drive
Houston, TX 77070</p> | |

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**MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

1. That she is the duly appointed and acting Minutes Clerk of the City of Long Beach, Mississippi, Planning and Development Commission;
2. That in such capacity, she is responsible for mailing Notices of Public Hearing for the purpose of notifying property owners within One Hundred Sixty Feet (160'), excluding public right of ways, of the subject property, when applications for zoning map changes, variances, appeals, etc., are filed, all as stipulated in The Zoning Ordinance Number 398 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 August 2, 2021, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 20 (twenty) property owners within One Hundred Sixty Feet (160'), excluding public right of ways, of, Tax Parcel 0512J-01-019.000, notifying them that a Public Hearing will be held, August 26, 2021, to consider an application for a Short-Term Rental.

Given under my hand this the 2nd day of August 2021.

Stacey Dahl
STACEY DAHL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of August 2021.

Kini Gonsoulin
NOTARY PUBLIC

-My Commission Expires-



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

Proof of Publication

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

PERSONALLY appeared before me the undersigned notary in and for said County and State, HUNTER DAWKINS, publisher of THE GAZEBO GAZETTE, a newspaper printed and published in Harrison County, who being duly sworn, deposes and says the publication of this notice hereunto attached has been made to the said publication ___ weeks in the following numbers and on the following dates of such paper:

Vol. 271 No. 3 dated 6 day of August, 2021

Vol. ___ No. ___ dated ___ day of ___, 20__

Vol. ___ No. ___ dated ___ day of ___, 20__

Vol. ___ No. ___ dated ___ day of ___, 20__

Vol. ___ No. ___ dated ___ day of ___, 20__

Vol. ___ No. ___ dated ___ day of ___, 20__

Vol. ___ No. ___ dated ___ day of ___, 20__

Vol. ___ No. ___ dated ___ day of ___, 20__

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

Sworn to and subscribed before me this 2 day of August, A.D. 2021.

Publisher
Hunter Dawkins
Notary Public
Stacey Dahl

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

**MINUTES OF AUGUST 26, 2021
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

John Lindopfer, 155 Markham Drive, spoke in opposition stating that he owns the lot to the north of this property and he believes that even having 75' lots are too small and the City should not allow variances to create smaller lots. Smaller lots create frustration with homeowners due to not leaving much room for kids to play or room to store boats, rv's, etc. He believes small lots restrict homeowners.

Bill Lavers, 136 Destiny Oaks Blvd, spoke in opposition stating he believes there are codes set for a reason and he does not believe we should set precedence across the city.

Glynn Illich, the applicant, spoke stating the demographics have changed in the city and residents are wanting smaller lots. The homes he will build are 35 feet wide, 3 bedroom, 3 bathroom, and 1600 square feet. Building this size and dimensions leaves an abundance of green space in between homes.

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

After considerable discussion, Commissioner Walters made motion, seconded by Commissioner Shaw recommending to deny the variance application as submitted, the vote being put to a roll call vote, the result was as follows:

Commissioner Walters	Voted	Nay
Commissioner Hansen	Voted	Yay
Commissioner Shaw	Voted	Nay
Commissioner Levens	Voted	Yay
Commissioner Fields	Voted	Yay
Commissioner Kruse	Voted	Yay

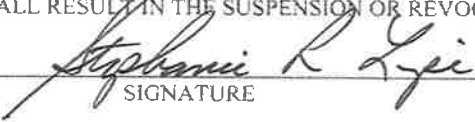
The vote having received the affirmative vote of a majority of the Commissioners present and voting, Commission Chairman Frank Olaiivar declared the motion carried.

The fourth public hearing to consider a Short-Term Rental for property located at 548 West Beach Blvd, Unit 107, Tax Parcel 0612E-03-037.007 submitted by Surfside, LLC (owner) and Tom McCormick, Beau Clair Homeowners Association (property manager), as follows:

**MINUTES OF AUGUST 26, 2021
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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: 548 W. Beach Blvd., Unit 107, Long Beach, MS 39560		Tax Parcel # 0612E-03-037.007					
(Location of Short-Term Rental)							
OWNER'S INFORMATION:							
Property Owner's Name: <u>Surfside, LLC</u>							
Property Owner's Address: _____							
Property Owner's Mailing Address, if different from above:							
20152 Lovers Lane	Long Beach	MS	39560				
	City	State	Zip				
Property Owner's Phone No.: (228) 547-1486		Email Address: <u>rwood769@aol.com</u>					
Is there a homeowner's association for the neighborhood? <input checked="" type="checkbox"/> If so, please provide written statement of support of short term rental?							
PROPERTY MANAGER INFORMATION:							
Property Manager's Name: <u>Tom McCormick - Beau Clair Homeowners Assoc.</u>							
Property Manager's Address: (Must be a local contact)							
548 W. Beach Blvd.	Long Beach	MS	39560				
	City	State,	Zip				
Property Manager's Phone No.: (504) 738-1939		Email Address: <u>tmccormich1148@gmail.com</u>					
PLEASE PROVIDE THE FOLLOWING:							
<ul style="list-style-type: none"> • Mississippi Sales Tax ID # <u>87-1132837</u> • Recorded Warranty Deed • Parking Rules & Plan • Trash Management Plan • Copy of Proposed Rental Agreement • Proof of Liability Insurance, which included short term rental coverage 							
ADDITIONAL INFORMATION:							
<ul style="list-style-type: none"> • OWNERSHIP: Please provide a recorded warranty deed • FEES: \$200, nonrefundable application fee, plus mailing cost. \$100, 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 (\$20/yearly fee). • 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 (Ord 622), ALL APPLICABLE CODES, ORDINANCES AND STATE LAWS. VIOLATION OF ANY CODES OR REGULATIONS SHALL RESULT IN THE SUSPENSION OR REVOCATION OF THE PERMIT.							
Stephanie R. Lipe, Member			<u>07/22/2021</u>				
PRINT NAME	SIGNATURE		DATE				
BELOW IS FOR OFFICE USE ONLY							
Maximum Occupancy: <u>5</u>	Maximum Vehicles allowed: <u>2</u>	Number of bedrooms: <u>2</u>	Number of people home can accommodate: <u>5</u>				
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: _____					
Fire Inspector Signature: <u>Jonathan Darden</u>		Date: <u>7/26/2021</u>					
COMMENTS: _____							
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Date Received: <u>7-22-21</u></td> </tr> <tr> <td style="padding: 2px;">Agenda Date: <u>8-26-21</u></td> </tr> <tr> <td style="padding: 2px;">Amount Due/Paid: <u>200.00</u></td> </tr> <tr> <td style="padding: 2px;">Check #: <u>103</u></td> </tr> </table>				Date Received: <u>7-22-21</u>	Agenda Date: <u>8-26-21</u>	Amount Due/Paid: <u>200.00</u>	Check #: <u>103</u>
Date Received: <u>7-22-21</u>							
Agenda Date: <u>8-26-21</u>							
Amount Due/Paid: <u>200.00</u>							
Check #: <u>103</u>							

MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



SCANNED



1st Judicial District
Instrument 2021 9352 D - J1
Filed/Recorded 6/30/2021 09:55 A
Total Fees \$ 26.00
2 Pages Recorded

Prepared by:
Julien K. Byrne III
Attorney at Law
311 East Second St.
Pass Christian, MS 39571
(228) 452-9408
Mississippi Bar Number: 7654

Return to:
Julien K. Byrne III
Attorney at Law
311 East Second St.
Pass Christian, MS 39571
(228) 452-9408

INDEX AS FOLLOWS: Unit 107, BEAU CLAIR CONDOMINIUM, Harrison Co., 1st Jud. Dist., MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

For and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, MICHAEL J. MATUCK and wife, JANELL A. MATUCK, of 643 N. Glenwood Drive, Silver Lake, WI 53170, (708) 638-4448, do hereby sell, convey and warrant unto SURFSIDE, LLC, a Mississippi limited liability company, of 20152 Lovers Lane, Long Beach, MS 39560, (228) 547-1486, the following described real property situated in Harrison County, First Judicial District, State of Mississippi, described as:

Unit 107 in the Plan of Condominium subdivision known as BEAU CLAIR CONDOMINIUM as the same is recorded in Plat Book 34 at Page 27, and as the same is otherwise created, established and dedicated in a certain Plan of Condominium and Declaration of Covenants, Conditions and Restrictions and Exhibits thereto dated October 11, 1984, and of record in Deed Book 994 at Pages

253-278, in the Land Records of the Chancery Clerk of the First Judicial District of Harrison County, at Gulfport, Mississippi, together with an undivided 1/49th interest in and to the common areas of BEAU CLAIR CONDOMINIUM appurtenant to the unit as such are defined in the aforesaid Plan of Condominium and Declaration of Covenants, Conditions and Restrictions and Exhibits thereto. All as subsequently re-platted in Plat Book 56, Page 6, and subject to amended covenants thereof, all of record in aforesaid office.

The above described property is conveyed subject to restrictions, reservations and easements 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 parties herein agree to pay on a basis of an actual proration. All subsequent year taxes are specifically assumed by the Grantee.

As to the improvements located on the subject real property, the parties acknowledge that said improvements are being transferred in their "as is where is" condition on the date hereof.

The above described property forms no part of the homestead of the Grantors herein.

Witness the signatures of the Grantors this 24 day of June, 2021.

Michael J. Matuck
MICHAEL J. MATUCK
Janelle A. Matuck
JANELL A. MATUCK

STATE OF ~~MISSISSIPPI~~ ^{Illinois} WISCONSIN
COUNTY OF Lake

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named MICHAEL J. MATUCK and wife, JANELL A. MATUCK, who acknowledged that they executed the above and foregoing instrument on the day and in the year therein written.

Given under my hand and official seal of office this 24 day of June, 2021.

Laura J. Leo
NOTARY PUBLIC

My Commission Expires: Sept 29, 2021

AFFIX SEAL



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MINUTES OF AUGUST 26, 2021
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION
548 E. BEACH BLVD., UNIT 107
RULES AND REGULATIONS

- Quiet hours are between 10:00 p.m. - 7:00 a.m.
- Nothing shall be hung from the windows, porches or balcony rails - this includes towels.
- Any furniture, plants, etc. in front of the unit should be kept within the porch area of the unit so it does not obstruct the plaza area.
- Back area of the unit should be clear for passage of other owners/guests.
- All outside areas of the unit should be kept clean of garbage - this includes cigarette butts.
- Pool hours are 8:00 a.m. - 10:00 p.m.
- Children under the age of 12 must be accompanied by an adult in the pool area.
- No GLASS containers allowed on the pool deck.
- No grilling is allowed, EXCEPT for the grill supplied in the pool area.
- Please be courteous and clean the grill after each use.
- Trash collection is located north of the clubhouse, behind the fenced enclosure.
- 2 parking spots are allowed for Unit 107. Additional parking for vehicles, boats or trailers is permissible in Beau Clair's open lot north of the trash dumpster. Please be aware that you are parking at your own risk and this area is provided for your convenience. The owners of Unit 107 and Beau Clair Condominiums are not responsible for damage or theft to vehicles or vehicle contents.
- No smoking or pets allowed in Unit 107.

"PROPOSED"
Rental Agreement

Please click here to view the Rental Agreement for bookings made after 12/6/20.

Please click here to view the Rental Agreement for bookings made before 12/18/19.

Welcome and thank you for booking your vacation rental through Evolve Vacation Rental Network.

Please be sure to read this rental agreement (the "Agreement"), as well as our Terms & Conditions, Privacy Policy, and Inclusion and Community Behavior Policy. The vacation rental property you have selected (the "Vacation Rental") may have additional rules, policies, terms and conditions that apply to your stay, which are found in the description section(s) of the Vacation Rental listing. If you are booking your Vacation Rental through a website other than the Evolve site, your reservation may also be subject to that website's terms and conditions.

By clicking "Book Now" you are acknowledging and agreeing to each of the above-described terms and conditions, as well as the following for the selected property:

1. **BOOKING TRANSACTION.** This Agreement is between Evolve Vacation Rental Network, Inc. ("Evolve"), acting on behalf of and for the benefit of the owner of the Vacation Rental (your "Host"), and the individual completing this booking transaction for the Vacation Rental ("you" or "Guest"). **If you are renting a property located in the State of Nevada, "Evolve" refers to our licensed property management affiliate Realty Corner, Inc. d/b/a Evolve Nevada (Nevada Broker # B.143842).** Evolve provides marketing and other limited support services for the Host; however, your Host is responsible for on-the-ground service, including, but not limited to, the condition of the Vacation Rental and access to the Vacation Rental. You agree that you will be present at the Vacation Rental for the entire duration of the reservation and that you will be responsible for the actions and behavior of each individual present at the Vacation Rental during your stay. This includes ensuring each individual in your party or otherwise present at the Vacation Rental is aware of and in compliance with the terms identified in this Agreement.
2. **PAYMENT TERMS & CANCELLATION.** The total amount due, including the base rates, taxes, and fees are displayed on the checkout webpage for the Vacation Rental. A portion of your total payment may be due upon checkout, as indicated in the "amount to be charged now" line. The balance is due prior to arrival within the schedule indicated on the reservation webpage. Please review these amounts carefully. You may cancel your booking at any time, however, all amounts that have been paid prior to your cancellation may be non-refundable.
3. **HOUSE RULES & POLICIES.** - The Vacation Rental may have specific rules and policies regarding large groups, parties, pets, smoking/vaping, quiet hours, parking, pool and/or hot tub usage, and other local, HOA, or property regulations. These rules are detailed in the description section of the Vacation Rental listing, in an Exhibit A attached hereto, and/or as otherwise delivered to you, and are incorporated into this Agreement. Please review these terms carefully, as violation(s) may result in additional fees or the immediate removal of you and other members of your party

**MINUTES OF AUGUST 26, 2021
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

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Evolve is not authorized to make exceptions to these rules. Further, violation of any law or ordinance by any individual at the Vacation Rental during your reservation will result in the immediate removal of you and other members of your party from the Vacation Rental without refund.

4. **ARRIVAL DETAILS & CHECK-IN/CHECK-OUT.** Once your booking has been paid in full, you will receive contact information for the primary contact for your stay (your "Guest Contact"). Check-in and check-out times will be communicated to you at least 10 days prior to your arrival, unless otherwise set forth in the description of the Vacation Rental. Please confirm your expected arrival time with your Guest Contact. If you or any member of your group fails to vacate the Vacation Rental at the designated check-out time, you grant Evolve the right to charge the credit card number used to book the Vacation Rental for an additional night. Further, Evolve, the Host, or the Guest Contact may initiate any and all proceedings necessary to remove you or any member of your group or your belongings from the Vacation Rental.
5. **DAMAGE.** In lieu of a security deposit Evolve charges a mandatory fee for third-party accidental rental damage waiver. This fee and the related terms, conditions, and waiver amounts are set forth on the Vacation Rental detail webpage and the checkout webpage and are incorporated into this Agreement. Any damage to the Vacation Rental must be reported to Evolve and the Guest Contact before check-out. You agree damage not covered by, or exceeding the waiver limit of, the accidental rental damage waiver is your full responsibility. This may include damage or loss occurring during your stay, violations of house rules or policies, additional cleaning fees, and/or any fines or other costs incurred by the behavior of you or any other occupant during your stay in violation of laws or other regulations. You grant Evolve the right to charge the credit card number used to book the Vacation Rental for any such damages, including, but not limited to, additional cleaning fees. To ensure that the proper party is held responsible, please notify your Guest Contact of any damage found at check-in.
6. **FEES & ADDITIONAL SERVICES.** All mandatory and optional booking-related fees will be disclosed in the Vacation Rental listing. If you fail to select any option(s) that incur additional fees applicable to your stay and it is later discovered that you should have selected such option(s), you grant Evolve the right to charge the credit card number used to book the Vacation Rental for the associated additional fees.
7. **MAXIMUM OCCUPANCY.** The maximum number of people that may occupy the Vacation Rental is indicated in the listing description. For clarification, this number applies to all overnight guests, day visitors and children. Unless otherwise approved by your Guest Contact or Host, occupancy over the indicated capacity may result in the immediate removal of you and other members of your party from the Vacation Rental and forfeiture of all amounts paid. Maximum occupancy is established by the Host and Evolve is not authorized to make exceptions to these terms.
8. **CONDITION OF THE PROPERTY.** Your Host cares very much about their Vacation Rental and strives to keep it in excellent shape. If you notice any problems, hazardous conditions, housekeeping issues, or maintenance issues, please notify your Guest Contact immediately. If the Vacation Rental is not in the condition represented in the rental listing, Evolve may, in its sole

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exceed the amount you paid for the reservation. You hereby acknowledge that if the Vacation Rental has access to shared amenities, the repair and maintenance of such shared amenities may not be within Evolve's or the Host's responsibility or control.

9. **HOST ACCESS.** You agree to allow your Host, Guest Contact, and/or their agents reasonable access to the Vacation Rental during your stay if requested. Such access may be necessary to resolve maintenance related issues you report. In the event of an emergency, the Vacation Rental may be accessed without prior notice or permission.
10. **CLEANLINESS.** You are expected to treat the Vacation Rental with respect, keeping in mind that this is an individual's home, not a hotel room. Even in cases where a cleaning fee is charged, you are expected to leave the Vacation Rental in a clean, neat, and orderly condition and respect the Host's requests regarding check-out procedures.
11. **CANCELLATIONS BY EVOLVE & SUBSTITUTION OF PROPERTY.** In the event that Evolve or your Host cancels your booking, you will be notified as quickly as possible. In such cases, Evolve may provide the option to substitute a comparable property selected by Evolve or refund 100% of any amounts paid to Evolve. If you accept the substitute property, all rules, policies, terms and conditions specified in the description section for the substituted property shall apply, even if they differ from your original reservation.
12. **FORCE MAJEURE.** In the event your stay at the Vacation Rental becomes impossible for any reason outside Evolve's control, including natural disasters, fire, evacuation orders, or other acts of government agencies, Evolve may choose to cancel your booking and issue a partial or full refund or booking credit of the amounts paid to Evolve. For purposes of clarification, no refund or credit is due (or will be made) to you for inclement weather unless Evolve initiates the cancellation. You and your invitees must comply with any mandatory evacuation order.
13. **INDEMNIFICATION & HOLD HARMLESS; ASSUMPTION OF RISK.** You agree to indemnify and hold harmless your Host and Evolve, for any liabilities, damage, cost or expense whatsoever arising from or related to any claim in connection with your use and/or occupancy of the Vacation Rental, including, but not limited to, any claim or liability for personal injury, damage, fines, penalties, loss of personal belongings, or theft of property, which is made, incurred, or sustained by you and/or anyone using the Vacation Rental during your stay. You and anyone using the Vacation Rental during your stay accepts and assumes all risks involved in or related to the use of third-party transportation vendors, the pool/hot tub, activities participated in while on the premises, or amenities provided at the property, as applicable.
14. **ATTORNEY'S FEES & COSTS.** If Evolve or your Host employs the services of an attorney or attorneys to enforce any conditions of this Agreement, you shall be liable to Evolve or your Host, as applicable, for reasonable attorney's fees and costs incurred.
15. **FALSIFIED BOOKINGS.** If your booking was made under false pretense, including, but not limited to, a falsified name, age or size of party, you will be subject to immediate cancellation of your reservation, removal from the property, and forfeiture of all amounts paid.

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MINUTES OF AUGUST 26, 2021
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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vacation rental and is not a lease or other long-term residential tenancy agreement. This Agreement is only for the licensed use of the Vacation Rental for the stated reservation dates. It creates no property rights in you and no rights to renewal or for recurring usage. You shall not sublet the Vacation Rental or any part of it and shall not assign any interest (in whole or in part) to this Agreement or any rights hereunder.

17. **MEDIATION & ARBITRATION.** If you have a dispute that arises from or relates to this Agreement or the Vacation Rental, and if the dispute cannot be settled through direct discussions, you agree to try first to settle the dispute by mediation administered by the American Arbitration Association under its Commercial Mediation Procedures. If the dispute is not settled by mediation, you agree to submit all unresolved disputes, controversies or claims to binding arbitration in Colorado administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules. If the parties agree, the mediator involved in the parties' mediation can serve as the arbitrator. Any award of the arbitrator against Evolve cannot exceed the total amount paid for the Guest's booking at issue. You expressly waive all claims in excess of, and agree that your recovery shall not exceed, this amount. Any such award shall be in satisfaction of all claims by you against Evolve or the Host. Judgment on any award rendered in such arbitration can be entered in and enforced by any court having jurisdiction.

18. **LIMITATION OF LIABILITY.** TO THE MAXIMUM EXTENT PERMITTED BY LAW, IN NO EVENT WILL EVOLVE, NOR ITS AFFILIATES, OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, AND/OR OWNERS, BE LIABLE FOR ANY INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL, OR PUNITIVE DAMAGES ARISING OUT OF OR IN CONNECTION WITH YOUR STAY AT THE VACATION RENTAL. THIS LIMITATION APPLIES TO ALL CLAIMS FOR DAMAGES WHETHER BASED ON A THEORY OF WARRANTY, CONTRACT, TORT (INCLUDING ORDINARY NEGLIGENCE), STRICT LIABILITY, OR ANY OTHER CAUSE OF ACTION, EVEN IF EVOLVE HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES AND EVEN IF THE LIMITED REMEDY SET FORTH HEREIN IS FOUND TO HAVE FAILED OF ITS ESSENTIAL PURPOSE.

19. **CLASS ACTION & JURY TRIAL WAIVER.** ANY AND ALL PROCEEDINGS TO RESOLVE CLAIMS WILL BE CONDUCTED ONLY ON AN INDIVIDUAL BASIS AND NOT IN A CLASS, CONSOLIDATED OR REPRESENTATIVE ACTION. IF FOR ANY REASON A CLAIM PROCEEDS IN COURT RATHER THAN IN ARBITRATION, THE PARTIES EACH WAIVE ANY RIGHT TO A JURY TRIAL.

20. **JURISDICTION & VENUE.** This Agreement is made in, and shall be governed solely by the laws of, the State of Colorado without regard to conflict of laws principles. If for any reason a claim proceeds in court rather than arbitration, such action may only be brought in the state or federal courts in Denver, Colorado, and each party hereby submits to the exclusive jurisdiction of those courts for the purposes of any such proceeding.

21. **GENERAL TERMS.** If any section, clause, paragraph, or term of the Rental Agreement is held or determined to be void, invalid, or unenforceable for any reason, all other terms, clauses, or paragraphs herein shall be severed and remain in force and effect. This Agreement shall be binding on and inure to the benefit of the parties hereto and on each of their heirs, executors, administrators, successors, and assignees. This Agreement or any rights hereunder may not be assigned (in whole or in part) by you. This Agreement is taken in full compliance with federal,

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handicap, or familial status. This Agreement becomes binding upon receipt of your initial payment. Sending payment constitutes your acceptance and agreement to these terms, conditions, limitations, and restrictions.

EXHIBIT A - ADDITIONAL HOUSE RULES

FRONT YARD	BACK YARD	COMMON	REAR
Handicap Accessible	Handicap Accessible	Handicap Accessible	Handicap Accessible
Handicap Accessible	Handicap Accessible	Handicap Accessible	Handicap Accessible
Handicap Accessible	Handicap Accessible	Handicap Accessible	Handicap Accessible
Handicap Accessible	Handicap Accessible	Handicap Accessible	Handicap Accessible
Handicap Accessible	Handicap Accessible	Handicap Accessible	Handicap Accessible
Handicap Accessible	Handicap Accessible	Handicap Accessible	Handicap Accessible
Handicap Accessible	Handicap Accessible	Handicap Accessible	Handicap Accessible

<https://evolve.com/rental-agreement-2020>

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MINUTES OF AUGUST 26, 2021 REGULAR MEETING LONG BEACH PLANNING and DEVELOPMENT COMMISSION



FOREMOST CONDOMINIUM
DECLARATIONS PAGE

POLICY NUMBER: 381-5006049404-01
RENEWAL OF:
POLICY PERIOD BEGINNING 06/29/21 ENDING 06/29/22 12:01 A.M. STANDARD TIME

YOU AS NAMED INSURED AND YOUR ADDRESS

RICHARD WOOD
20152 LOVERS LN
LONG BEACH MS 39560-2502

YOUR POLICY IS SERVICED BY:

ALLEN INSURANCE AGENCY LLC
PO BOX 318
LONG BEACH MS 39560-0318

AGENCY CODE:
239200370

TELEPHONE:
(228) 822-1234

COVERAGES: Coverage is provided only where an Amount of Insurance or a Limit of Liability is shown and a premium is stated for the Peril Insured Against. Detailed descriptions and any limitations will be found in your policy.

AGGREGATE LIMIT: If your Declarations Page indicates SECTION II COVERAGES, the most we will pay in any one Policy Period for any one insured Location for Liability is \$2,000,000 regardless of the number of claims, suits or accidents.

LOCATION # 1

IMPORTANT RATING INFORMATION

PREMISES DESCRIPTION:	548 W BEACH BLVD LONG BEACH MS 39560-5954		
CONSTRUCTION:	BRICK/MASONRY	TERRITORY:	Z
UNITS IN BLDG.:	49	PROT. CLASS:	5
OCCUPANCY:	VACATION & SHORT TER	RESP. FIRE DEPT.:	LONG BEACH FS 2
HYDRANT:	WITHIN 1,000 FEET	COUNTY:	HARRISON
FIRE DEPT.:	WITHIN 5 MILES		
		YR. BUILT:	2008
		FORM:	DF6

SECTION I COVERAGES	AMOUNT OF INSURANCE	ADD'L/RETURN PREMIUM	ANNUAL PREMIUM
A. UNIT OWNERS BUILDING	\$ 40,000		\$ 982.00
C. PERSONAL PROPERTY	\$ 25,000		INCLUDED
D. LOSS OF RENTS (1/12 PER MONTH)	\$ 12,500		INCLUDED

SECTION I LOSSES ARE SUBJECT TO A DEDUCTIBLE OF: \$1,000 ALL PERILS

SECTION II COVERAGES	AMOUNT OF INSURANCE	ADD'L/RETURN PREMIUM	ANNUAL PREMIUM
F. PREMISES LIABILITY	\$ 500,000 EA ACCIDENT		INCLUDED
G. MEDICAL PAYMENTS	\$ 1,000 EA PERSON		INCLUDED
	\$ 10,000 EA ACCIDENT		

Policy Number: 381-5006049404-01
Form 80998 01/13

INSURED COPY

PAGE 1 CONTINUED

FORMS/ENDORSEMENTS THAT APPLY TO LOCATION # 1	ADD'L/RETURN PREMIUM	ANNUAL PREMIUM
2151 05/15 EXCEPTION TO COVG - HOLD		
11009 01/15 CONDOMINIUM LANDLORD POLICY		
2141 05/15 REQUIRED CHANGE - MISSISSIPPI		
7178 01/15 REPLACEMENT COST PERSONAL PROPERTY	\$	55.00
7180 01/15 WATER BACKUP OF SEWERS OR DRAINS	\$	75.00
7190 01/15 LOSS ASSESSMENT - INCREASED AMOUNT	\$	5.00
7172 04/15 PLATINUM COVERAGE		INCLUDED

DISCOUNTS/SURCHARGES THAT APPLY TO LOCATION # 1	ADD'L/RETURN PREMIUM	ANNUAL PREMIUM
INSURED AGE DISCOUNT	\$	-129.00
AGE OF HOME	\$	-77.00
CLAIMS FREE DISCOUNT	\$	-12.00
MASONRY DISCOUNT	\$	-129.00
PLATINUM PACKAGE DISCOUNT	\$	-77.00
TENANT SCREENING DISCOUNT	\$	-6.00
VACATION RENTAL SURCHARGE	\$	129.00
MAX DISCNT EXCEEDED ADJUSTMENT	\$	237.00

LOCATION # 1 Annual Premium \$ 1,053.00

TOTAL ANNUAL POLICY PREMIUM \$ 1,053.00

MINIMUM EARNED PREMIUM \$50

THIS DECLARATIONS PAGE WITH YOUR FOREMOST POLICY PROVISIONS AND ANY ENDORSEMENTS ISSUED TO FORM A PART THEREOF COMPLETES THE ABOVE NUMBERED POLICY.

Processed: June 28, 2021

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

The Clerk reported that thirty-five (35) notices of public hearing were sent by regular mail to property owners within two hundred feet (200') of the subject property. Notices were also posted on the bulletin boards at City Hall, the Building Official's Office and the Water Department, 201 Jeff Davis Avenue and at the Long Beach Public Library, 209 Jeff Davis Avenue; said notice was ordered as part of these proceedings:

City of Long Beach



LEGAL NOTICE

PUBLIC HEARING

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

Property owner, Surfside, LLC, 20152 Lovers Lane, Long Beach, MS, 39560 (owner), and Tom McCormick, Beau Clair Homeowners Association, 548 West Beach Blvd (property manager), have filed an application for a Short-Term Rental in accordance with the Comprehensive Long Beach Unified Land Ordinance, Short Term Rentals-Residential (Ordinance 622). The location of the requested Short-Term Rental is 548 West Beach Blvd, Unit 107, Long Beach, MS, 39560, Tax Parcel 0612E-03-037,007. The legal description is as follows:

UNIT 107 & UNDIVIDED 1/49TH INT IN COMMON AREA, BEAU CLAIR CONDOS

A Public Hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, August 26, 2021, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1554 • FAX 863-1558

AVERY	STUDY	
Caro, V J Jr 1315 Valhi Blvd Houma, LA 70360	Miller, Jimmie J 611 Briarwood Drive Long Beach, MS 39560	Smith, Clare Q 105 Runnels Avenue Long Beach, MS 39560
Carnesi, William J Jr PO Box 85 Chalmette, LA 70044	Cook, Erskine G Jr 109 Runnels Avenue Long Beach, MS 39560	Dykes, David H and Karen L 5006 Live Oak Drive Long Beach, MS 39560
Bogert, Gerald I and Pauline S 113 Runnels Avenue Long Beach, MS 39560	O'Donald, William and Pamela 115 Runnels Avenue Long Beach, MS 39560	Simmons, Geoffrey D and Brittany H 102 Runnels Avenue Long Beach, MS 39560
Newcomb, Patricia H 6 Ashely Court Long Beach, MS 39560	Hardin, Robert B-Trustee- 751 Avignon Drive Suite A Ridgeland, MS 39157	Allen, Norma J 7126 Timber Trail Southaven, MS 38672
Sherin, Richard 548 West Beach Blvd Unit 139 Long Beach, MS 39560	Upon the Rock Rentals, LLC 1530 Haddonham Drive Cumming, GA 30041	Hallwood, Timothy and Gardner, Victoria 1507 Thompson Road, Bad Axe, MI 48413
Jefferson, Joseph 7433 Live Oak Way Pass Christian, MS 39571	Tommy McCormick c/o Elliott Homes 1403 Pass Road Gulfport, MS 39501	Femrite, Roger and Faye 548 West Beach Blvd Unit 134 Long Beach, MS 39560
Ladner, Billy M and Patricia A 548 West Beach Blvd Unit 137 Long Beach, MS 39560	Sherin, Richard 548 West Beach Blvd Long Beach, MS 39560	Beau Clair Community Association 548 West Beach Blvd Long Beach, MS 39560
Schlosser, Brian R and Melinda H 214 Oak Gardens Avenue Long Beach, MS 39560	Pauli, James C and Mary K 753 Saint James Park Avenue Monroe, MI 48161	Baker, Robert W and Cricket M 320 Southeast Street Monroe, MI 48161
Eubanks, Susan and Wanda 21122 Hwy 22 Maurepas, LA 70449	Walters, Kevin and Pamela 548 West Beach Blvd Unit 115 Long Beach, MS 39560	Martinka, Virginia C 808 Mills Avenue Gulfport, MS 39501
Bruno, Ralph V and Deborah E 14035 Tiggy Duplexis Gonzales, LA 71737	Daley, Robert M and Jeremia R PO Box 4273 Gulfport, MS 39502	Gremillon, Constance Elaine Monies 315 Stevenson Street Lafayette, LA 70501

MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

AVERY 5160
Eubanks, Polly
12345 Homeport Drive
Maurepa, LA 70449

Gant and Brown Premier Home
Builders
1616 26th Avenue
Gulfport, MS 39501

UP TO AVERY.COM
Allison, David
803 Memorial Blvd Suite C
Picayune, MS 39466

Bailey, Mercedes and Hayward, James
6320 Bennett Lake Road
Fenton, MI 48430

Holliday, JW Jr and WF
613 Old Savannah Drive
Long Beach, MS 39560

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

- 1. That she is the duly appointed and acting Minutes Clerk of the City of Long Beach, Mississippi, Planning and Development Commission;
2. That in such capacity, she is responsible for mailing Notices of Public Hearing for the purpose of notifying property owners within Two Hundred Feet (200'), excluding public right of ways, of the subject property, when applications for zoning map changes, variances, appeals, etc., are filed, all as stipulated in The Zoning Ordinance Number 398 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 August 2, 2021, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 35 (thirty-five) property owners within Two Hundred Feet (200'), excluding public right of ways, of Tax Parcel 0612E-031-037,037, notifying them that a Public Hearing will be held, August 26, 2021, to consider an application for a Short-Term Rental.

Given under my hand this the 2nd day of August 2021.

Stacy Dahl
STACY DAHL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of August 2021.

Kini Gonsoulin
NOTARY PUBLIC

My Commission Expires:



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

LEGAL NOTICE
PUBLIC HEARING
In accordance with Article XVI of the Constitution Long Beach (which is an Ordinance of the City of Long Beach, Mississippi) I do hereby advise you that the Planning Commission for the City of Long Beach will be holding a Public Hearing for the purpose of considering a Short-Term Rental.

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. 201 No. 32 dated 6 day of August, 2021
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 2 day of August, A.D. 2021.
Notary Public



**MINUTES OF AUGUST 26, 2021
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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

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

After considerable discussion, Commissioner Walters made motion, seconded by Commissioner Hansen and unanimously carried recommending to approve the Short-Term Rental in accordance with Ordinance 622, as submitted.

The fifth public hearing to consider a Short-Term Rental for property located at 117 Sea Oaks Blvd, Tax Parcel 0512I-01-012.009, submitted by Dixie L. Memmott (owner) and Tammy Rea (property manager), as follows:

**MINUTES OF AUGUST 26, 2021
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: 117 Sea Oaks Blvd, Long Beach, MS 39560 Tax Parcel # <u>0521-01-012-00</u> (Location of Short-Term Rental)						
OWNER'S INFORMATION: Property Owner's Name: <u>Dixie L Memmott</u> Property Owner's Address: <u>11172 Miriam Oaks Dr, South Jordan, UT 84096</u> Property Owner's Mailing Address, if different from above: _____						
Property Owner's Phone No: <u>801-520-9639</u>	City: _____ State: _____ Zip: _____	Email Address: <u>dixielmemmott@hotmail.com</u>				
Is there a homeowner's association for the neighborhood? _____ If so, please provide written statement of support of short term rental? _____						
PROPERTY MANAGER INFORMATION: Property Manager's Name: <u>Tammy Rea</u> Property Manager's Address (Must be a local contact): <u>9101 Joy Lane</u> <u>Pass Christian MS 39571</u> City: _____ State: _____ Zip: _____ Property Manager's Phone No: <u>328-731-2110</u> Email Address: <u>ReaJ55@yahoo.com</u>						
PLEASE PROVIDE THE FOLLOWING: NO <ul style="list-style-type: none"> • Mississippi Sales Tax ID # <u>2021321874</u> (Business ID 1292672) • Recorded Warranty Deed • Parking Rules & Plan • Trash Management Plan • Copy of Proposed Rental Agreement • Proof of Liability Insurance, which included short term rental coverage 						
ADDITIONAL INFORMATION: <ul style="list-style-type: none"> • OWNERSHIP: Please provide a recorded warranty deed • FEES: \$200, nonrefundable application fee, plus marking cost; \$100 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 (\$20 yearly fee). • INCOMPLETE APPLICATIONS will not be processed 						
AFFIDAVIT I HEREBY CERTIFY THAT I HAVE READ THIS APPLICATION AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT. I ACKNOWLEDGE RECEIPT OF AND AGREE TO COMPLY WITH THE RULES & REGULATIONS OF SHORT TERM RENTALS (ORD 622), ALL APPLICABLE CODES, ORDINANCES AND STATE LAWS. VIOLATION OF ANY CODES OR REGULATIONS SHALL RESULT IN THE SUSPENSION OR REVOCATION OF THE PERMIT.						
Dixie L Memmott		July 12, 2021				
PRINT NAME:	SIGNATURE	DATE				
BELOW INFO FOR OFFICE USE ONLY						
Maximum Occupancy: <u>8</u>	Maximum Vehicles allowed: <u>4</u>	Number of bedrooms: <u>4</u>	Number of people home can accommodate: <u>8</u>			
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: _____					
Fire Inspector Signature: <u>Jessie Deas</u>	Date: <u>7/16/2021</u>					
COMMENTS: _____						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Date Received: <u>7-15-21</u></td> </tr> <tr> <td style="padding: 2px;">Agenda Date: <u>8-26-21</u></td> </tr> <tr> <td style="padding: 2px;">Amount Due/Paid: <u>200.00</u></td> </tr> <tr> <td style="padding: 2px;">Check # <u>2100063582</u></td> </tr> </table>			Date Received: <u>7-15-21</u>	Agenda Date: <u>8-26-21</u>	Amount Due/Paid: <u>200.00</u>	Check # <u>2100063582</u>
Date Received: <u>7-15-21</u>						
Agenda Date: <u>8-26-21</u>						
Amount Due/Paid: <u>200.00</u>						
Check # <u>2100063582</u>						

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

I hereby certify that this is a true and correct copy of the original document.
Certified by: Kristen Chapman
Month: June, Day: 16, Year: 2021

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

Grantors:
Jedidiah A. Kanengiser
Lauran K. Kanengiser
3 Cambrian Ridge
Petal, MS 39465
(601) 826-6823

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

Grantee:
Dixie L. Memmott
11172 Miriam Oaks
South Jordan, UT 84095
(801) 520-9639

File No. Z219827N

INDEXING INSTRUCTIONS: Lot 10, Sea Oaks Estates, 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, Jedidiah A. Kanengiser and Lauran K. Kanengiser, do hereby sell, convey and warrant unto Dixie L. Memmott, 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:

Lot 10, Sea Oaks Estates, 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 42, at Page 11.

This being the same property as that conveyed to Jedidiah A. Kanengiser and Lauran K. Kanengiser, by instrument recorded in Instrument No. 2016-9139-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.

Grantors quitclaim 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 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 16th day of June, 2021.

Jedidiah A. Kanengiser
Jedidiah A. Kanengiser
Lauran K. Kanengiser
Lauran K. Kanengiser

ACKNOWLEDGEMENT

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Jedidiah A. Kanengiser and Lauran K. Kanengiser, 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 16th day of June, 2021.

(AFFIX SEAL)



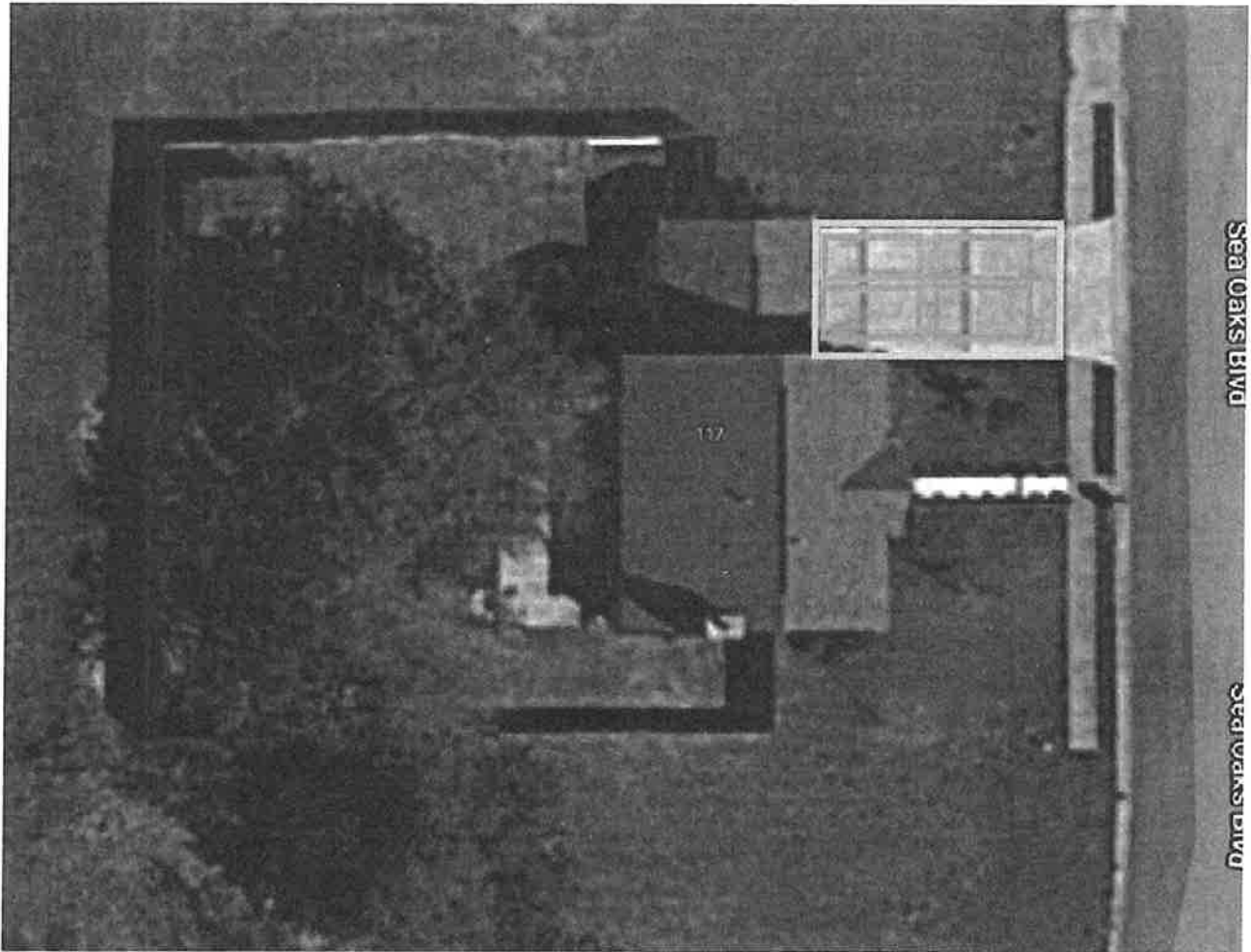
Lori Lee Hammon Tree
NOTARY PUBLIC

My commission expires:

DEED ACCEPTED BY:

Dixie L. Memmott
Dixie L. Memmott, Grantee

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



Diveway is 40X20 and can fit 4 vehicles

Trash management plan

All trash and recycling receptacles locations and rules will be communicated to the guest along with rules and penalties for improper disposal.

We have a back-up plan in place for when guest fail to follow the disposal protocols or when the amount of trash exceed the city limits for pick up. This includes a third party hired to properly dispose of the excess waste at the local dump.

We will maintain weekly residential trash collection and follow all city requirements for this

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MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
Rental Agreement
and House Rules

Check-in: After 4:00 PM
Checkout: 11:00 AM
Self check-in with smart lock
No smoking
No parties or events
No pets are allowed

Please read each of the rules carefully in-order to avoid any danger and/or deductions from your security deposit upon check-out.

You must be at least 25 years or older to book this property.

NO EVENTS, GROUP GATHERINGS OR PARTIES ARE ALLOWED AT THIS PROPERTY UNDER ANY CIRCUMSTANCES

PERMITTED USE: (Tenant acknowledgment by Initialing _____)

- This reservation is for use as a vacation rental only **NO EVENTS AND PARTIES:** no events, group gatherings, or parties are permitted.
- Upon discovery of an event, group gathering or party, Management personnel or Security shall have the right to enter and remove all persons from the Property, including you and your registered guests.
- In this event, you will forfeit all monies, including security deposits.
- Only those guests listed as registered guest to this rental agreement may occupy the property during the reservation periods.
- **NO FILMING AND PHOTOGRAPHY:** Unless registered with and pre-approved by Management, guests shall not use the property for any commercial purpose.

CHECK-IN/CHECK-OUT: (Tenant acknowledgment by Initialing _____)

- Late check-out may be available upon request please ask for cost and availability.
- Failure to abide by the listed check-in and check-out times will result in a \$50 fine for every 30-minute violation before or after the times provided.

CLEANING: (Tenant acknowledgment by Initialing _____)

- All trash must be taken out and placed in correct trash bins and all dishes must be placed in the dishwasher upon check out.
- Please treat this home like you would your own and deliver the home in the same condition as you found it.
- Any trash that is in-excess of the allotted number of garbage cans will incur a charge of \$150.

OCCUPANCY: (Tenant acknowledgment by Initialing _____)

- Guests are responsible for ensuring that all visitors comply with these House Rules.
- Our rental rates are based upon a maximum of two persons per bedroom. Children are counted in total occupancy.
- Any additional overnight guests must be approved and are subject to additional fees.
- In the event that you exceed the maximum occupancy number on this property, you will be charged a \$500 penalty per person for every person over occupancy, and we reserve the right to deny access or to require all guests to vacate the premises.

QUIET HOURS: (Tenant acknowledgment by Initialing _____)

- Please respect our neighbors and abide by our quiet hours, enforced from 9pm - 8am.
- Noise must be kept strictly under 60 dBA during the day. Anyone found to be violating noise ordinances will be subject to an initial \$500 fine followed by a possible eviction in egregious circumstances.
- Guests will not be given any refund for issues related to noise ordinance violations.

NO HOLD OVER POLICY: (Tenant acknowledgment by Initialing _____)

- You are not permitted to stay beyond your reservation dates without Management approval.
- If you remain on the vacation rental property beyond the time and date of check-out, you agree and consent to be removed and locked out of the vacation rental property by Management, its representatives, and/or law enforcement.
- You further consent to permit Management to remove your personal belongings to a location of the Manager's choice, where you may retrieve them.

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

PETS: (Tenant acknowledgment by Initialing _____)

- Any unauthorized pets will be subject to an additional fee. Damage or additional cleaning charges attributable to pets shall be charged to you, together with a fine of \$100 per day with a minimum of \$500.

SMOKING: (Tenant acknowledgment by Initialing _____)

- This property is non-smoking.
- Violation of the no smoking policy will result in forfeiture of the full security deposit and damage liability of up to \$2,500 for any discovered damage to furniture or any odors.

SAFETY: (Tenant acknowledgment by Initialing _____)

- No unlawful use of the property
- No weapons, violent behavior, fireworks, flammable substances, hazardous materials, or illegal substances permitted in or around the property.
- Guests found to be violating any of the safety rules shall be liable for any corresponding property damage, and subject to \$500 fine and immediate eviction from the Property without refund.

SURVEILLANCE: (Tenant acknowledgment by Initialing _____)

- This property is monitored by noise monitoring devices, periodic patrols, security, and 24-hour video electronic surveillance on the exterior of the house for guest security and to ensure that the house rules are respected.
- There is no electronic video surveillance on the interior of the house.
- Do not tamper with any of our surveillance and safety equipment. Guests found to be tampering with equipment shall be liable for any corresponding property damage, and subject to \$500 fine and immediate eviction from the Property without refund.
- Guest **MUST** report anything that needs replacing or fixing immediately.

PARKING: (Tenant acknowledgment by Initialing _____)

- Maximum limit of 4 vehicles are allowed to be parked at this residence and must be parked in the driveway.
- There is no street parking and violators will be towed away at their own expense.
- Violations may lead to fines.

MAIL: (Tenant acknowledgment by Initialing _____)

- Guests may not have packages or mail sent to the property.
- We do not always have full access to the mailbox and would not want you to lose your mail.

UTILITIES: (Tenant acknowledgment by Initialing _____)

- The cost of your booking includes utilities assuming a normal usage; excessive usage will be charged separately and paid for by Guest.

APPLIANCES: (Tenant acknowledgment by Initialing _____)

- Guest may only use appliances for their intended use

THERMOSTAT: (Tenant acknowledgment by Initialing _____)

- To prevent damage, the A/C may not be lowered below 72 degrees Fahrenheit at any time during your stay.

PROPERTY INSPECTION: (Tenant acknowledgment by Initialing _____)

- Your inspection of the vacation rental property must take place within 24 hours of your arrival.
- No refunds will be given for any issues report 24 hours after check-in or after your stay is completed.
- If there are any concerns with the property, Guest **MUST** notify Management immediately to ensure that such issues may be remedied in a timely manner.
- Upon any violation of the rules or noise/neighbor complaints, we reserve the right to enter the Property to inspect at any time during your stay.

PERSONAL PROPERTY: (Tenant acknowledgment by Initialing _____)

- You are responsible for keeping your valuables safe at all times.
- By checking into the property, you waive, discharge, and agree to hold harmless the real property owner from all damages or injuries arising from or related to your stay at the property, including but not limited to, any accidents or injury to yourself, your guests and associates, and loss of money, jewelry or valuables of any kind.

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING**

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LONG BEACH PLANNING and DEVELOPMENT COMMISSION

LOST & FOUND: (Tenant acknowledgment by Initialing _____)

- Please note that all shipping is at the traveler's expense. There is a minimum \$25 shipping cost.
- We are not liable for any lost items. Our team will do our best to locate your lost items after check-out.

MAINTENANCE/REPAIRS: (Tenant acknowledgment by Initialing _____)

- We cannot guarantee against mechanical failure of heating, air conditioning, appliances, TVs, Wifi routers.
- Guest **MUST** report any inoperative equipment to our Management immediately.
- We will make every reasonable effort to have repairs done quickly and efficiently.
- If you demonstrate that the problem persists after being given phone instructions by a property associate, a maintenance service professional will be dispatched.
- **NO REFUNDS OR RENT REDUCTIONS WILL BE MADE DUE TO MECHANICAL FAILURES OR MALFUNCTIONS, INTERRUPTIONS OF UTILITIES, MAINTENANCE PROBLEMS OR CONSTRUCTION IN THE AREA. WHILE WE WILL MAKE EVERY EFFORT TO REPAIR ANY MAINTENANCE ISSUE IN A TIMELY MANNER, IT CANNOT GUARANTEE THAT THE ISSUE WILL BE FIXED DURING A GUEST STAY, AS THE COMPANY MAY HAVE TO GO THROUGH HOME WARRANTIES.**
- We will always look for alternative solutions to ensure and prioritize guest comfort.

HOST CANCELLATION POLICY. (Tenant acknowledgment by Initialing _____)

- If for any reason this Accommodation is unavailable, including, but not limited to, issues related to safety, utilities, maintenance, guest overstays, weather or inaccessibility, accidental double booking on multiple platforms or other reasons, Management will allow Guest to cancel and receive a full refund or we may cancel the reservation and provide a full refund of all payments made by you.

CHANGE IN CIRCUMSTANCE: (Tenant acknowledgment by Initialing _____)

- If, after booking is completed, and correspondence or discussions with the guest disclose a change in circumstances involving the reservation of this property, Management has the right to refuse a reservation to the guest if the reservation is not conducive to the welfare of the property.
- Such circumstances include but are not limited to an event or party planned during the guest's occupancy of the property, violations of the occupancy limits, rules regarding pets, age limitations or the purpose of the rental.

CREDIT CARD REQUIRED: (Tenant acknowledgment by Initialing _____)

- If applicable to your reservation, a major credit card (Visa or MasterCard) may be required to hold a reservation and may be charged to pay for incidental charges and other fees incurred during your stay.
- The name on the credit card must be the name of the primary guest on the reservation and a picture ID will be required along with the signed rental agreement.
- If any costs or damages, including but not limited to: extra cleaning fees, or unauthorized pets, are discovered during or within a reasonable amount of time after your stay, your credit card on file will be charged for said amounts.

SECURITY DEPOSIT COSTS: (Tenant acknowledgment by Initialing _____)

- If applicable to your reservation, the security deposit will be used at the sole discretion of Management to pay for the restoration of the property to its original move-in conditions (outside of other normal wear and tear).
- All stays of 30+ days require a security deposit and pre-approval.
- Additional costs include but are not limited to: cleaning beyond normal wear and tear, removing excessive garbage, repairing or replacing any part of the premises, its contents, and common areas for damage caused after your stay.
- In the event that said deposit is insufficient, you agree to allow Management to charge your credit card on file to pay the additional costs.
- If all terms and conditions of the agreement are fulfilled, the deposit will be returned in full within 21 business days after guest departure.

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

- ❖ Management reserves the right to ask the tenant to vacate the premises with no refund should any of these rules be violated and unresolved.
- ❖ No refund of monies will be issued due to violation of the house rules, noise ordinances, or occupancy limits.
- ❖ Guests agree to follow any and all House Rules provided to them by Management, as well as any and all rules of the City or County ordinances in the area where the property is located.
- ❖ Any and all legal matters arising out of this agreement shall be adjudicated in the city in which you are renting.
- ❖ ALL GUESTS hereby acknowledge and agree to follow all house rules, neighborhood rules and city laws and ordinances.

Management:

By: _____ Date: _____

Tenant:

By: _____ Date: _____



Policy: **23-4580165959-S-00**

Effective From: 06/16/2021 To: 06/16/2022
Declarations Effective: 06/16/2021

Coverages and Premium

117 Sea Oaks Blvd, Long Beach, MS, 39560

Premium \$3,900.00	Policy Fee \$200.00	Inspection Fee \$100.00	Installment Fee \$0.00
Surplus Lines Taxes \$168.00	Stamping Fee \$10.50	MWUA \$126.00	Minimum Earned Premium 25%
Total \$4,504.50		Policy Form HO-3	
Coverage A Dwelling \$375,000	Coverage B Other Structures \$10,000	Coverage C Personal Property \$50,000	Coverage D Loss of Use \$25,000
		Coverage E Liability \$500,000	Coverage F Medical Payments \$5,000

Deductibles

Named Storm	3% (\$11,250)	All Other Perils	\$2,500
Wind and Hail	\$2,500		

Discounts

Central Station Burglar Alarm	X Not included	New Purchase	X Not included
Central Station Fire Alarm	X Not included	Renovated Home	X Not included
Fully Sprinklered Home	X Not included	Water Mitigation	X Not included
Guard Gated Community	X Not included	Wind Mitigation	✓ Included
HardiePlank® Siding	X Not included		

Endorsements

Additional Amount of Insurance for Dwelling	Not Included	Increased Limits on Business Personal Property	\$2,500
Increased Ordinance or Law	10%	Loss Assessment	\$1,000
Part Time Rental	Included	Mold Property/Liability	\$5,000 / \$5,000
Special Personal Property	Not Included	Personal Injury	Not Included
Coverage C Increased Special Limits	Not Included	Pool and Patio Enclosure	\$5,000
Equipment Breakdown	Not Included	Service Line Interruption	Not Included
Identity Fraud Expense	Not Included	Water Back-Up	\$5,000

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION



a VICTOR company

Policy:23-4580165959-S-00

Effective From: 06/16/2021 To: 06/16/2022

Declarations Effective: 06/16/2021

Mortgagees and Additional Interests

Name	Type	Address	Rank	Loan Number
Travis Memmott	Additional Insured	117 Sea Oaks Blvd, Long Beach, MS 39560		
CME Lending Group LLC, ISAOA	Mortgagee	711 Plaza Dr, Chesterton, IN 46304	First	9210504004

The Clerk reported that thirty-four (34) notices of public hearing were sent by regular mail to property owners within two hundred feet (200') of the subject property. Notices were also posted on the bulletin boards at City Hall, the Building Official's Office and the Water Department, 201 Jeff Davis Avenue and at the Long Beach Public Library, 209 Jeff Davis Avenue; said notice was ordered as part of these proceedings:

City of Long Beach



LEGAL NOTICE

PUBLIC HEARING

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

Property owner, Dixie L. Memmott, 11172 Miriam Oaks Drive, South Jordan, UT, 84095 (owner), and Tammy Rae, 9101 Joy Lane, Pass Christian, MS, 39571 (property manager), have filed an application for a Short-Term Rental in accordance with the Comprehensive Long Beach Unified Land Ordinance, Short Term Rentals-Residential (Ordinance 622). The location of the requested Short-Term Rental is 117 Sea Oaks Blvd Long Beach, MS, 39560, Tax Parcel 0512I-01-012.009. The legal description is as follows:

LOT 10 SEA OAKS ESTATES SEC 22-8-12

A Public Hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, August 26, 2021, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

MINUTES OF AUGUST 26, 2021 REGULAR MEETING LONG BEACH PLANNING and DEVELOPMENT COMMISSION

<p>AVERY 5160 Gant and Brown Premier Home Builders 1616 26th Avenue Gulfport, MS 39501</p>	<p>Carl Hamilton Builder, LLC 1603 Kensington Street Ocean Springs, MS 39564</p>	<p>Go to avery.com for the Avery Family's 100+ Year Anniversary</p> <p>Cundiff, Ronald J 1227 Covington Drive Saline, MI 48176</p>
<p>Rohmer, Richard and Sharon 308 Ivy Lakes Drive St. John's, FL 32259</p>	<p>Quinn, Jerry M and Nicole R -Trustees- 4932 Willow Ridge Court Zionsville, IN 46077</p>	<p>Norris, James C 237 Franklin Road Scottsville, KY 42164</p>
<p>Thomasson, Dorothy Lynn Rev Trust 200 S Birch Street Hanover, IN 47243</p>	<p>Poarch Holdings, LLC 5115 Thousand Oaks Place NW Kennesaw, GA 30152</p>	<p>Alfred G Ricker for Foundation PO Box 2683 Mandeville, LA 70470</p>
<p>Hester, Aimee 6101 Adelaide Avenue #6206 N Richland Hills, TX 76180</p>	<p>Hansen, Jeffrey S and Dorene S 242 Reed Avenue Long Beach, MS 39560</p>	<p>Welles, Ronald V and Mary F 120 Sea Oaks Blvd Long Beach, MS 39560</p>
<p>Hawk, Linda L 16011 Bella Woods Drive Tampa, FL 33647</p>	<p>Green, Dove W III and Vanean 230 South Lang Avenue Long Beach, MS 39560</p>	<p>Knight, Patrick Jones 3239 Stonegate Falls Drive Land of Lakes, FL 34638</p>
<p>Feeney, Fredrick B c/o PO Drawer 460 Gulfport, MS 39502</p>	<p>Mills, Stephen G 7600 Erie Drive Nederland, TX 77627</p>	<p>Beck, Susan D and James C PO Box 734 Long Beach, MS 39560</p>
<p>Tejera, Ella Faith and Enrique, Luis 109 Driftwood Drive Long Beach, MS 39560</p>	<p>Huynh, Kim and Huynh Investment Co Inc 4502 Coletto Creek Court Richmond, TX 77406</p>	<p>May Investments, LLC 123 North Lang Avenue Long Beach, MS 39560</p>
<p>Arbor Beach Club, LLC 4910 North Monroe Street Tallahassee, FL 32303</p>	<p>Arbor Station V, LLC 2750 Old Augustine Road Tallahassee, FL 39301</p>	<p>Golden Bay Investment, LTD 7305 A McKee Road San Jose, CA 95116</p>
<p>Bertucci, Gregory Emile 431 Bertucci Blvd Biloxi, MS 39531</p>	<p>Grower, John 3116 12th Street Gulfport, MS 39501</p>	<p>Concordia Pacific, LLC c/o Victor Myron Cochran 10701 Angelo Tenero Avenue Las Vegas, NV 89135</p>
<p>Vento, Michael R and Cindy S 250 5th Street EXT Verona, PA 15147</p>	<p>Morere, Marshall 81251 Oak Lane Covington, LA 70435</p>	<p>Ducote, Curtis A Jr and Bridget E 118 Buena Vista Drive Long Beach, MS 39560</p>

<p>AVERY 5160 Kergosien, Stephen R and Cheryl R 116 Buena Vista Drive Long Beach, MS 39560</p>	<p>Go to avery.com for the Avery Family's 100+ Year Anniversary</p> <p>Heber, Dennis F Sr and Herma D -L/E- 112 Buena Vista Drive Long Beach, MS 39560</p>	<p>Go to avery.com/templates/ Use Avery Family's 100+ Year Anniversary</p> <p>Kopp, Robert D and Paula R 11154 Woodley Road Gulfport, MS 39503</p>
<p>Lohan, Louis ETAL PO Box 1529 Long Beach, MS 39560</p>		

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

1. That she is the duly appointed and acting Minutes Clerk of the City of Long Beach, Mississippi, Planning and Development Commission;
2. That in such capacity, she is responsible for mailing Notices of Public Hearing for the purpose of notifying property owners within Two Hundred Feet (200'), excluding public right of ways, of the subject property, when applications for zoning map changes, variances, appeals, etc. are filed, all as stipulated in The Zoning Ordinance Number 898 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 August 2, 2021, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 34 (thirty-four) property owners within Two Hundred feet (200'), excluding public right of ways, of, Tax Parcel 05121-01-012009, notifying them that a Public Hearing will be held, August 26, 2021, to consider an application for a Short-Term Rental.

Given under my hand this the 2nd day of August 2021.

Stacey Dahl
STACEY DAHL AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of August 2021.

-My Commission Expires- *Kari Gonsoulin*
NOTARY PUBLIC



MINUTES OF AUGUST 26, 2021
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 hereunto attached has been made to the said publication _____ weeks in the following numbers and on the following dates of such paper:


Vol. XVI No. 3 dated 6 day of August, 2021
 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___

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.

[Signature]
Publisher

Sworn to and subscribed before me this 7 day of August, A.D. 2021.

[Signature]
Notary Public



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

David Brannon, 145 Sea Oaks Blvd, spoke on behalf of Sea Oaks Homes Owners Association, stating that Ordinance 622 explains property within a subdivision with an active homeowner's association with adopted covenants that do not allow short term rentals will not be considered for a permit. He then explained that Sea Oaks does have an HOA and asked that the application be denied. Mr. Brannon, submitted the following for the record:

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

26 August 2021

On behalf of the Sea Oaks Estates Subdivision Homeowners Association, we respectfully submit the following petition for your consideration:

- Concerning the matter of an application for a short-term lodging, special-use permit for the residence owned by Ms. Dixie Mermott, Ogden, Utah located at 117 Sea Oaks Boulevard, Long Beach, MS.
- Ms. Mermott's application was submitted in accordance with the Unified Development Ordinance, Section 131, Ordinance number 622 as recommended by the Planning Commission of Long Beach, MS and approved by unanimous vote of the Board of Aldermen, City of Long Beach, MS on September 20, 2016. The ordinance was subsequently certified by the City Clerk of Long Beach, MS on September 21, 2016.
- According to Ordinance 622, Section K, "Denial or Revocation of a License" states:
 - "Conditions for denial of permit or revocation of permit to operate a Short-term rental unit shall include but in no way limited to the following:
 1. Property within a subdivision with an active homeowner's association with adopted covenants that do not allow short term rentals will not be considered for a permit. A letter of acknowledgement and support will be required from the Homeowner's Association in order to continue in the pursuit of a permit. Failure of the applicant to notify the City that his/her property is a part of a Homeowner's Association shall result in denial of a permit or revocation of a permit.
- According to the Declaration of Covenants, Conditions, and Restrictions of Sea Oaks Estates Subdivision, the properties of Sea Oaks Estates Subdivision, Lots 1 through 56, as recorded in Plat Book 42, at Page 11, in the public records of the First Judicial District of Harrison County, Mississippi.
 - The properties described above shall be held, sold and conveyed subject to the following easements, covenants, conditions and restrictions, which are for the purpose of protecting the value and desirability of, and which shall run with the real property and

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

- Article VI; Section 13, of the Declaration of Covenants for the Sea Oaks Estates Subdivision states:
 - **“Leasing.** Entire living units may be rented provided that the Living Unit is used only as a residence; that the lease or rental period is for not less than thirty (30) consecutive days; that the Living Unit is occupied by only one family having not more members than the Living Unit is designed to accommodate; and provided that such use by the tenant or tenants does not create a nuisance. An Owner may lease or rent his own living unit himself to any lessee provided that he furnishes the Association with the names of all the tenants. All lessees are subject to the provisions of the Declaration and the Bylaws and failure to comply with said provisions shall be a default under lease of any Living Unit whether so stated in said lease. All of the foregoing may be enforced by the Association.
- Given these salient factors, we respectfully request that the Planning Commission of Long Beach deny Ms. Memmott’s request for a special use permit for short-term rental of 117 Sea Oaks Boulevard in the Sea Oaks Estates Subdivision, Long Beach, Mississippi.

**Petition to Deny Application for Short-Term Rental at
117 Sea Oaks Blvd., Long Beach, MS 39560**

We, the undersigned, respectfully request that The Planning Commission for the City of Long Beach, deny the request made by Ms. Dixie L. Memmott to open her single-family residence to short-term rental use.

We believe allowing this short-term rental variance is essentially taking a residential property and turning it into commercial use, and will negatively affect our property values and quality of life.

- increased traffic on our dead-end street
- street parking issues not addressed when subdivision originally permitted as R-1
- excessive partying and noise in our quiet family-oriented subdivision
- decreased property values
- one property in our subdivision that does not comply with our R-1 accepted Zoning
- opens our subdivision to future development that does not comply with Single-Family Homes

Name	Signature	Address	Date
JANIS P. BRANNON	<i>Janis P. Brannon</i>	145 SEA OAKS	24 AUG 21
JANIS M. BRANNON	<i>Janis M. Brannon</i>	145 Sea Oaks	8-24-21

MINUTES OF AUGUST 26, 2021
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION
Petition to Deny Application for Short-Term Rental at
117 Sea Oaks Blvd., Long Beach, MS 39560

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SCOTT STAUFFER	144 Sea Oaks	8/26/21
Name	Signature	Address Date

(Handwritten signature of Scott Stauffer)

Petition to Deny Application for Short-Term Rental at
117 Sea Oaks Blvd., Long Beach, MS 39560

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Name	Signature	Address	Date
CLARK KING	<i>(Signature)</i>	142 Sea Oak Blvd Long Beach, MS	Aug 24, 2021
PAULA KING	<i>(Signature)</i>	142 Sea Oaks Blvd Long Beach, MS	8-24-21

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION
Petition to Deny Application for Short-Term Rental at
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Stephanie Newell	<i>Dr Stephanie Newell</i>	147 Sea Oaks	Blvd.	8/24/2021
Name	Signature	Address		Date

**Petition to Deny Application for Short-Term Rental at
117 Sea Oaks Blvd., Long Beach, MS 39560**

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Name	Signature	Address	Date
<i>Timothy Knight</i>	<i>Timothy Knight</i>	125 SEA OAKS BLVD	8-24-2021
LINDA M. KNIGHT	<i>Linda M Knight</i>	125 SEA OAKS	8/24/2021

MINUTES OF AUGUST 26, 2021
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Petition to Deny Application for Short-Term Rental at
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Name	Signature	Address	Date
EDWARD J. BERNARD	<i>[Signature]</i>	136 SEA OAKS	8/24/21
GERALDINE M. BERNARD	<i>[Signature]</i> Geraldine M. Bernard	"	"

THANK'S FOR YOUR EFFORTS - LET ME KNOW IF I CAN HELP

Petition to Deny Application for Short-Term Rental at
117 Sea Oaks Blvd., Long Beach, MS 39560

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Name	Signature	Address	Date
Jerome Marshall	<i>[Signature]</i>	149 Sea	8/26/21
Rhonda Marshall	<i>[Signature]</i>	Oaks Blvd Long Beach	

MINUTES OF AUGUST 26, 2021
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION
Petition to Deny Application for Short-Term Rental at
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Name	Signature	Address	Date
WILLIE A. KINARD	<i>Willie A. Kinard</i>	123 SEA OAKS BLVD,	8/24/21

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Name	Signature	Address	Date
PATRICK FEAVEL	<i>Patrick Feavel</i>	131 SEA OAKS BL LONG BEACH, MS 39560	8/24/21


**MINUTES OF AUGUST 26, 2021
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION
Petition to Deny Application for Short-Term Rental at
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Name	Signature	Address	Date
Steven Lawson		143 Sea Oaks Blvd. Long Beach, MS 39560	8-23-21

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Name	Signature	Address	Date
PHILIP A MAZLUSKI		135 SEA OAKS BLVD	25 AUG 2021
ANGELA J MAZLUSKI		135 Sea Oaks Blvd	25 AUG 21

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION
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<u>DEIDRE WILLET</u>	<u>Deidre Willet</u>	<u>134 SEA OAKS BLVD</u>	<u>8/25/21</u>
Name	Signature	Address LONG BEACH MS 39560	Date

<u>FRANK N. WILLET, JR.</u>	<u>[Signature]</u>	<u>134 SEA OAKS BLVD</u>	<u>8/25/21</u>
Name	Signature	Address LONG BEACH, MS 39560	Date

Petition to Deny Application for Short-Term Rental at
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<u>JAMES L. ATCHISON</u>	<u>James L. Atchison</u>	<u>130 SEA OAKS</u>	<u>8/24/21</u>
<u>Dianne Atchison</u>	<u>Dianne Atchison</u>	<u>130 Sea Oaks</u>	<u>8/24/21</u>
Name	Signature	Address	Date



**MINUTES OF AUGUST 26, 2021
REGULAR MEETING**

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION
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Name	Signature	Address	Date
Susan Labrecque		137 Sea Oaks Blvd.	8/24/21
Fred Feeney		137 Sea Oaks Blvd	8/26/21

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- street parking issues not addressed when subdivision originally permitted as R-1
- excessive partying and noise in our quiet family-oriented subdivision
- decreased property values
- one property in our subdivision that does not comply with our R-1 accepted Zoning
- opens our subdivision to future development that does not comply with Single-Family Homes

Patricia Stephens		101 Sea Oaks Blvd.	August 25, 2021
Name	Signature	Address	Date

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING**

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION
Petition to Deny Application for Short-Term Rental at
117 Sea Oaks Blvd., Long Beach, MS 39560**

We, the undersigned, respectfully request that The Planning Commission for the City of Long Beach, deny the request made by Ms. Dixie L. Memmott to open her single-family residence to short-term rental use.

We believe allowing this short-term rental variance is essentially taking a residential property and turning it into commercial use, and will negatively affect our property values and quality of life.

- increased traffic on our dead-end street
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- decreased property values
- one property in our subdivision that does not comply with our R-1 accepted Zoning
- opens our subdivision to future development that does not comply with Single-Family Homes

Name	Signature	Address	Date
Welles, Ronald	<i>Ronald Welles</i>	120 Sea Oaks Blvd Long Beach, Ms. 39560	25 Aug 21
Welles, Mary	<i>Mary Welles</i>	120 Sea Oaks Blvd Long Beach, Ms. 39560	25 Aug 21

**Petition to Deny Application for Short-Term Rental at
117 Sea Oaks Blvd., Long Beach, MS 39560**

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- opens our subdivision to future development that does not comply with Single-Family Homes

Name	Signature	Address	Date
DAVE BEVILL	<i>Dave Beville</i>	127 Sea Oaks	
Sarame Hunt	<i>Sarame Hunt</i>	"	8-25-21

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING**

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION
Petition to Deny Application for Short-Term Rental at
117 Sea Oaks Blvd., Long Beach, MS 39560**

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Name	Signature	Address	Date
DAVID M REIN	<i>David M Rein</i>	129 SEA OAKS BLVD	26 AUG 21

Ed Bernard, 136 Sea Oaks Blvd, spoke in opposition of the application stating that he owns villas and his experience with short term rentals has been unsatisfactory. He also asked for the Commission to define the definition of a short-term rental.

David Ryan, 129 Sea Oaks Blvd, spoke in opposition stating he believes more residents than the ones within 200' should receive notice of the public hearing and that the city should keep up with HOA's.

Steve Lawson, 143 Sea Oaks Blvd, spoke in opposition stating that Ordinance 598, Section 43, states an application may be denied if the application is not in harmony with the area. He believes the request is not in general conformity with the land and that values will decline. He believes the traffic and number of people coming into the area will increase. The purchase of his home was based on big homes in a nice area and development.

Clark King, 142 Sea Oaks Blvd, spoke in opposition stating that he has empty lots on both sides of his home and there are approximately 15 empty lots in the development. He then asked Commissioners if they would buy a lot and build their dream home next to a vacation rental.

Ron Wells, 120 Sea Oaks Blvd, spoke in opposition. Stating that their neighborhood has harmony. He stated that all of the empty lots in their neighborhood stay clean and maintained by the current homeowners. Mr. Wells also stated that the homeowners in the Sea Oaks development take pride in their community.

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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

After considerable discussion, Commissioner Walters made motion, seconded by Commissioner Shaw and unanimously carried recommending to deny the Short- Term Rental in accordance with Ordinance 622 and the homeowner's association covenants that are in place.

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 26th day of August 2021, in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed for holding said Regular Meeting.

There were present and in attendance on said Commission and at the meeting the following named persons: Chairman Frank Olaivar, Commissioners Sawyer Walters, Jeff Hansen, Justin Shaw, Michael Levens, Chris Fields, and Marcia Kruse, Building Official Mike Gundlach and Minutes Clerk Tina M. Dahl.

Absent the Regular Meeting were Commissioners Shawn Barlow and Jennifer Glenn, and City Advisor Bill Hessel.

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

Commissioner Hansen made motion, seconded by Commissioner Walters and unanimously carried to approve the Regular Meeting minutes of August 12, 2021, as submitted.

It came for discussion under New Business, a Tree Removal Permit Application for the property located at 406 East Railroad Street, Tax Parcel 0612A-05-011.000, submitted by Stephanie Stubbs, as follows:

MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



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

OFFICE USE ONLY
Date Received 8-10-21
Zoning G2
Agenda Date 8-26-21
Check Number Cash

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

(S) 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.

(S) 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.

(S) 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: 8-10-21

PROPERTY INFORMATION

TAX PARCEL # 0612A-05-011-000

Address of Property Involved: 406 E Railroad St

Property owner name: Stephanie Stubbs

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: 406 E Railroad St

Phone No. (228) 868-9479

CONTRACTOR OR APPLICANT INFORMATION

Company Name: _____

Phone No. _____ Fax: _____

Name _____

Address _____

PERMIT INFORMATION

Permit for: Removal Trimming Pruning

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

Tree roots are a tripping hazard, tree is causing some drainage issues and endangering the roof.

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.

Stephanie D Stubbs
Signature _____ Date _____

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

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

(S) 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.

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

(S) OWNERSHIP: Please provide a recorded warranty deed.

(S) 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.

(S) 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.

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

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

381



Rutledge Plumbing, Inc.

5003 Plantation Drive
Long Beach, MS 39560
228-864-8770
Federal I. D. # 64-0647122

Ref: The large tree by Animal Care Hospital, 406 E Railroad St, Long Beach, MS 39560

To whom it may concern:

I have unstopped the sump pump that drains the dog yard several times. It has always been leaves causing the problem. And this will continue so long as the tree remains. There is an adequate drain in the catch basin (where the pump is located) but the owner of Animal Care said the previous owners told her it was damaged by city work on Nicholson, and never drain afterwards. The owners were forced to install the sump pump.

When we have a tropical storm, the pump has enough trouble keeping up by itself, and the leaves make it impossible. The interior dogs kennels just the building flood due to this situation.

Also, the parking lot is starting to buckle, and their sewer and water service lines are very likely to be affected in time, if not already. I have unstopped them previously.

I strongly agree with Dr. Stubbs request to remove the tree and solve a multitude of problems.

Feel free to call or email me: 228-860-9859 or craig_n_jen@msn.com

Craig Walker, President
Rutledge Plumbing Co. Inc.

Professional Tree Service

Will Beat Any Legitimate Estimate
Proposal/Contract/Receipt/Invoice
228-669-9388

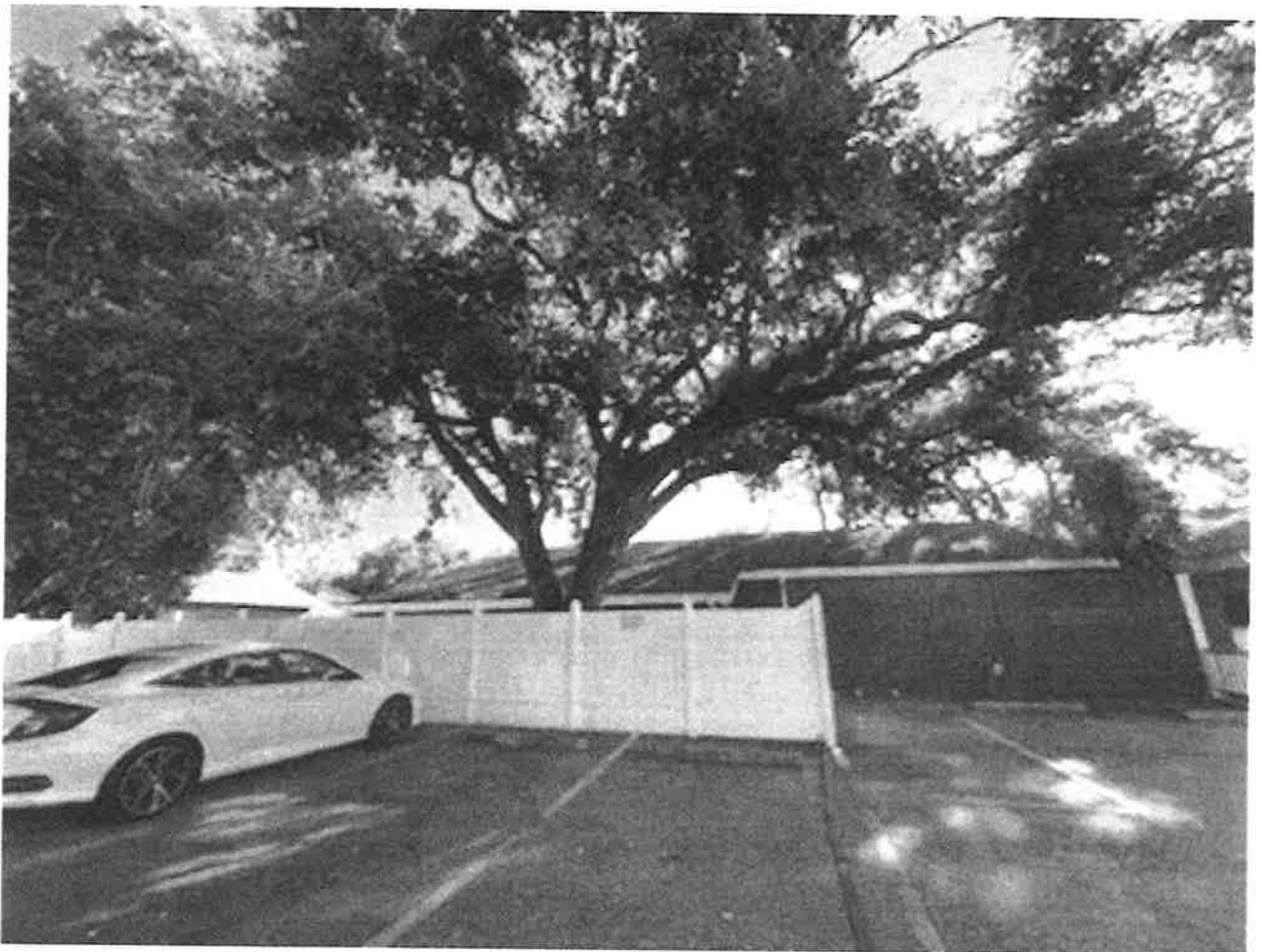
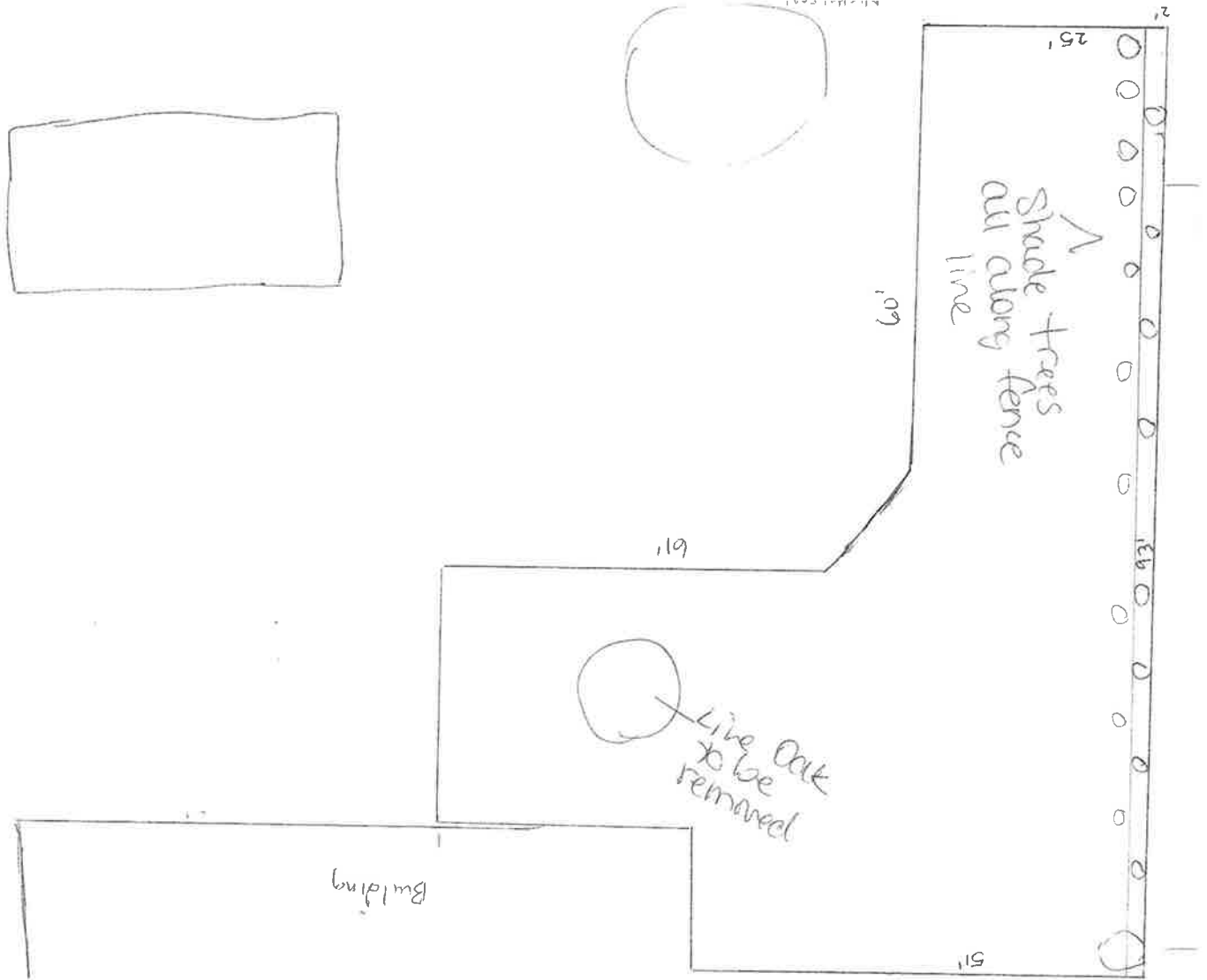
21734 Yankee Town Road · Saucier, MS 39574
theprofessionaltreesvc@gmail.com

I agree to pay _____ in cash, in full upon completion of the work specified below:

The Live oak tree near building is a threat in several ways. The first thing is it's too close to building. Tripping hazards, Large over grown limbs over hanging the building. Roof system going under the slab and also plumbing pipes as well. The Tree needs to be removed to prevent further damage to the property and building.

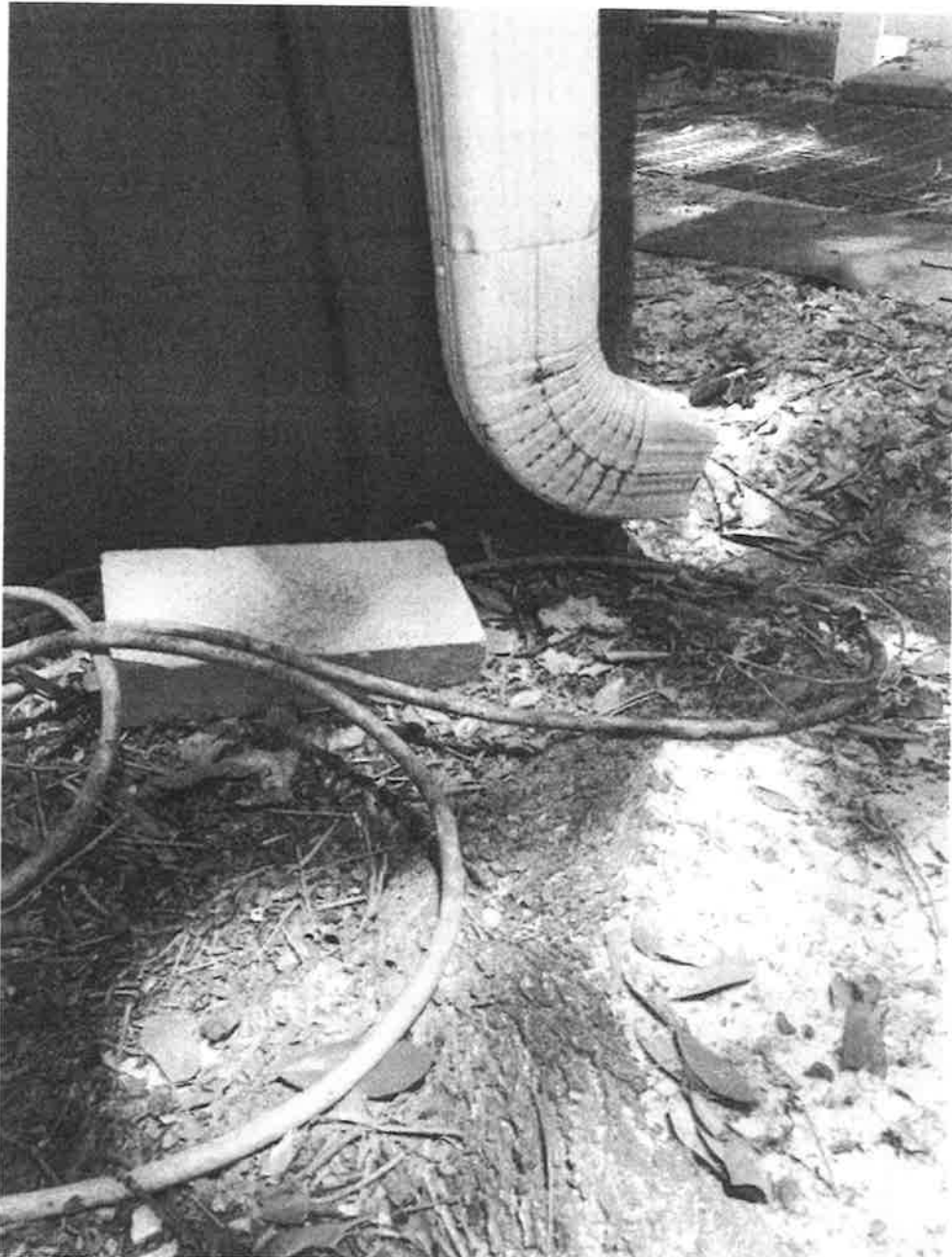
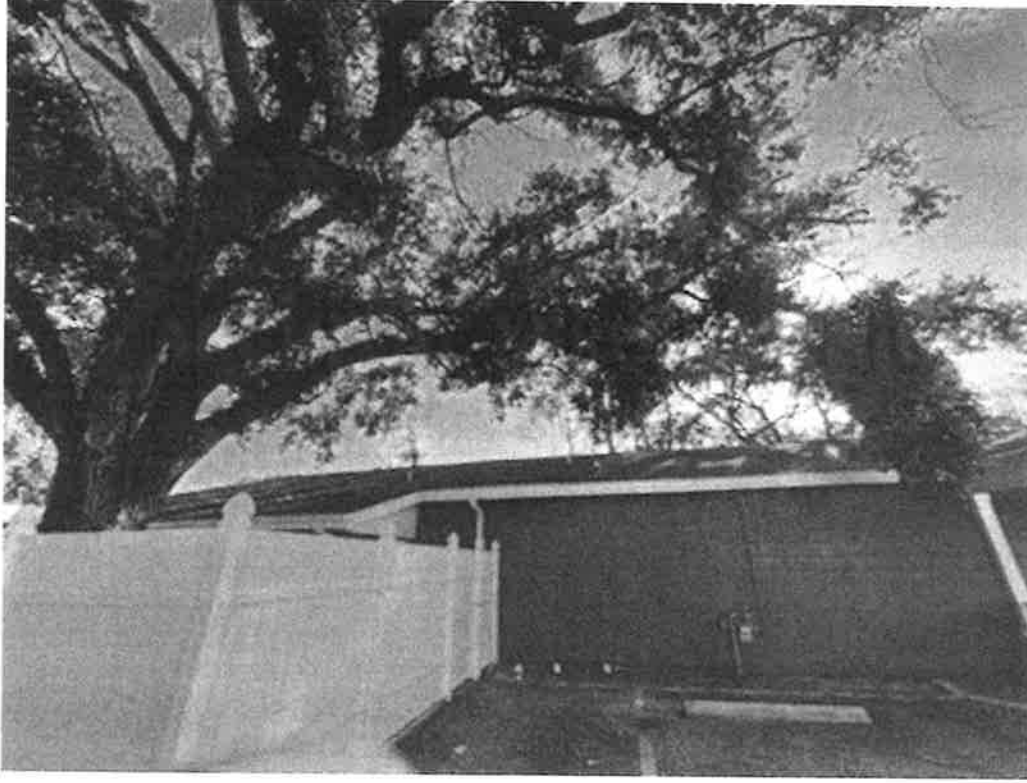
Any further questions feel free to contact me any time thanks.

MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



**MINUTES OF AUGUST 26, 2021
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION



MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Prepared By and Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
Our File #130569

Indexing Instructions:
Lot 31, Less S 70', all of Lots 30,
32, 33 & 34, Blk 1, Gardendale
Addition, 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 all of
which is hereby acknowledged,

WILLIAM S. NALLEY and DEBRA L. NALLEY
21520 BOBS ROAD
LONG BEACH, MS 39560
(228) 326-3263

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

STUBBS PROPERTY MANAGEMENT, LLC
A Mississippi Limited Liability Company
406 E. RAILROAD STREET
LONG BEACH, MS 39560
(662) 832-4838

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

Lot Thirty-One (31), less the South 70 feet thereof, all of Lots Thirty (30),
Thirty-Two (32), Thirty-Three (33) and Thirty-Four (34), Block One (1),
GARDENDALE ADDITION to the City of Long Beach, 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 13 at Page 12 (Copy Book 5A at Page 459) thereof.

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 16th day of May, 2013.

William S. Nalley
WILLIAM S. NALLEY

Debra L. Nalley
DEBRA L. NALLEY

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY personally appeared before me, the undersigned authority in and for the
jurisdiction aforesaid, WILLIAM S. NALLEY and DEBRA L. NALLEY, 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 the 16th day of May, 2013.

Celeste Paige
NOTARY PUBLIC

(S E A L)

My Commission Expires:



MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
MEMORANDUM

Date: August 26, 2021

To: City of Long Beach Planning Commission

From: Kimberly Lentz, Long Beach Tree Board

Re: Tree Removal Application – 406 E. Railroad St

.....

The Live Oak tree is a double trunk tree with an extensive root system situated within three feet of a building being used by Animal Care Hospital as a veterinary office and animal hospital.

The tree roots are damaging the plumbing, the foundation and causing the building to flood. Dr. Stubbs purchased the location approximately 8 years ago and has made numerous good-faith attempts to address the problems caused by the roots, including the installation of a pumping system. For the reasons set forth in the letter from Rutledge Plumbing, Inc. attached to the Tree Removal Application, the Tree Board does not object to the removal of the tree. Rutledge describes the complex drainage issues and concludes removal of the tree is necessary.

There are several other large Live Oak trees in the general area so the overall environment will not be significantly altered. We do not suggest that a new tree be planted on the property.

After considerable discussion and upon the recommendation of the Tree Board, Commissioner Hansen made motion, seconded by Commissioner Walters and unanimously carried recommending the approval of the tree removal as submitted.

It came for discussion under new business, a Certificate of Resubdivision for property located at 149 Markham Drive, Tax Parcel 0512J-01-019.000, submitted by Southern Paradise, LLC (Glynn Illich), as follows:

MINUTES OF AUGUST 26, 2021
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 7-27-21
Zoning R-1
Agenda Date 8-26-21
Check Number 4764

APPLICATION FOR CERTIFICATE OF RESUBDIVISION

TYPE OF CASE: CERTIFICATE OF RESUBDIVISION

AD VALOREM TAX PARCEL NUMBER(S): 0512J-01-019.000

GENERAL LOCATION OF PROPERTY INVOLVED: Markham Dr & HW90

ADDRESS OF PROPERTY INVOLVED: _____

GENERAL DESCRIPTION OF REQUEST: Resubdivision of 1 huge lot

Into 2 lots

I. 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 \$250.00
- 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 also agree to pay all fees and charges as stated.

Southern Paradise LLC (Glynn Illich)

Name of Rightful Owner (PRINT)

POB 1612

Owner's Mailing Address

Long Beach MS 39560

City State Zip

(228) 760.5455

Phone

Glynn Illich 7/19/21
Signature of Rightful Owner Date

Name of Agent (PRINT)

Agent's Mailing Address

City State Zip

Phone

Signature of Applicant Date

387

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

Prepared By and Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550

File#182095

Indexing instructions:
Lot A1, Lots 1-3 & N 1/2 of Lot 4,
Blk 3, Thomas S/D of Lots 33-35,
White & Calvert, 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 all of which is hereby acknowledged.

PETER J. LASSALLE, JR. and GAIL W. LASSALLE
P.O. BOX 208
POPLARVILLE, MS 39470
(601) 795-0136

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

SOUTHERN PARADISE, LLC
A Mississippi Limited Liability Company
P.O. BOX 1612
LONG BEACH, MS 39560
(228) 760-5455

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

Lots A1, One (2), Two (2), Three (3) and North 12.5 feet of Lot Four (4), Block Three (3), THOMAS SUBDIVISION of Lots Thirty-Five (35), Thirty-Four (4) and Thirty-Three (3), 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.

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 6th day of May, 2019.


PETER J. LASSALLE, JR.


GAIL W. LASSALLE

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, PETER J. LASSALLE, JR. and GAIL W. LASSALLE, 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 mentioned.

GIVEN under my hand and official seal on this the 6th day of May, 2019.


NOTARY PUBLIC

My Commission Expires:



**MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

A RESUBDIVISION OF A PARCEL OF LAND BEING A
15,764.43 SQ.FT. PARCEL, CITY OF LONG BEACH, FIRST
JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI,
INTO LOTS "A" AND "B". SAID PARCEL BEING REFERRED
TO AS TAX PARCEL NO. 0512J-01-019.000

NOTES:

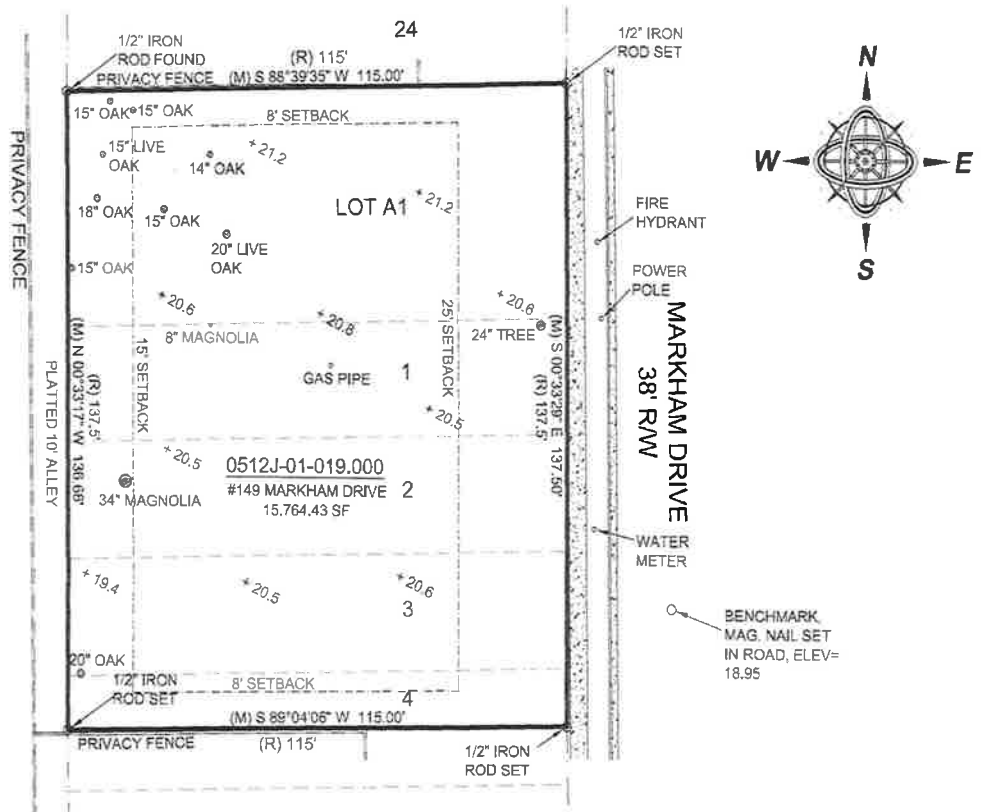
- 1.) FIELD SURVEY PERFORMED WITH A TOPCON GR5 GPS RECEIVER.
- 2.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE DERIVED BY GPS OBSERVATION UTILIZING THE EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON 59C (250' M.S.S.).
- 3.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-227-6477.
- 4.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.

LEGEND:

- ⊗ --- IRON ROD FOUND
- --- IRON PIPE FOUND
- --- IRON ROD SET
- ⊗ --- SPIKE FOUND
- △ --- SPIKE SET
- ⊗ --- CONCRETE MONUMENT FOUND
- --- CONCRETE MONUMENT SET
- ⊗ --- LIGHTED MARK FOUND
- (M) --- AS MEASURED
- (R) --- AS PER RECORD

REFERENCE MATERIALS:

- 1.) RECORDED PLAT OF THOMAS SUBDIVISION
- 2.) DEED 2019-2983-D-J1



GPS OBSERVATION NOTE

TOPCON VR RECEIVER WAS USED FOR GPS OBSERVATION, UTILIZING THE EARL DUDLEY, INC. REAL-TIME NETWORK

FLOOD ZONE NOTE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN THE FIRM ZONE "X500" ACCORDING TO MAP NUMBER 28047C0358G, DATED JUNE 16, 2009. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING. THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP.



SCALE 1" = 30'
REFERENCE: GRID NORTH
BY GPS OBSERVATION
(DATUM=NAD 83)

CLIENT: SOUTHERN PARADISE, LLC
DATE OF FIELD WORK: 7/21/2021
DRAWN BY: CAC
JOB NUMBER: 15325

PREPARED BY:

CLIFFORD A. CROSBY, PLS
716 LIVE OAK DRIVE
BILOXI, MS 39532 PHONE: 228-234-1649

EXISTING

SHEET 1 OF 4

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

A RESUBDIVISION OF A PARCEL OF LAND BEING A 15,764.43 SQ.FT. PARCEL, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, INTO LOTS "A" AND "B". SAID PARCEL BEING REFERRED TO AS TAX PARCEL NO. 0512J-01-019.000

NOTES:

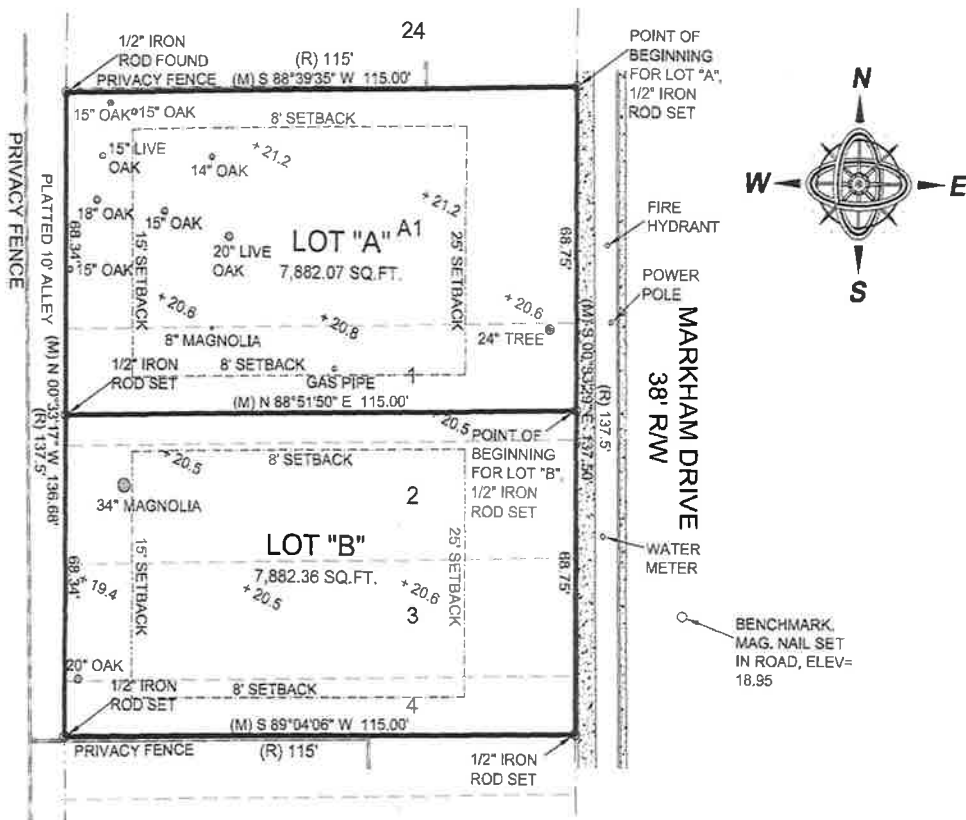
- 1.) FIELD SURVEY PERFORMED WITH A TOPCON GR5 GPS RECEIVER.
- 2.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE DERIVED BY GPS OBSERVATION UTILIZING THE EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SFC (2301 MS 2).
- 3.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-227-6477.
- 4.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.

LEGEND:

- ⊗ -- IRON ROD FOUND
- -- IRON PIPE FOUND
- ⊖ -- IRON ROD SET
- ⊕ -- SPIKE FOUND
- ⊖ -- SPIKE SET
- ⊗ -- CONCRETE MONUMENT FOUND
- ⊖ -- CONCRETE MONUMENT SET
- ⊗ -- LIGHT TARD KNOT FOUND
- (M) -- AS MEASURED
- (R) -- AS PER RECORD
- APR -- AS PER PLAT
- IRF -- IRON ROD FOUND
- RS -- IRON ROD SET

REFERENCE MATERIALS:

- 1.) RECORDED PLAT OF THOMAS SUBDIVISION
- 2.) DEED 2019-2983-D-1



GPS OBSERVATION NOTE

TOPCON VR RECIEVER WAS USED FOR GPS OBSERVATION, UTILIZING THE EARL DUDLEY, INC. REAL-TIME NETWORK

FLOOD ZONE NOTE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN THE FIRM ZONE "X500" ACCORDING TO MAP NUMBER 28047C0358G, DATED JUNE 16, 2009. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING. THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP.



SCALE 1" = 30'
REFERENCE: GRID NORTH
BY GPS OBSERVATION
(DATUM=NAD 83)

CLIENT: SOUTHERN PARADISE, LLC
DATE OF FIELD WORK: 7/21/2021
DRAWN BY: CAC
JOB NUMBER: 15325

PREPARED BY:

CLIFFORD A. CROSBY, PLS
716 LIVE OAK DRIVE
BILOXI, MS 39532 PHONE: 228-234-1649

PROPOSED

SHEET 2 OF 4

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

A RESUBDIVISION OF A PARCEL OF LAND BEING A 15,764.43 SQ.FT. PARCEL, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, INTO LOTS "A" AND "B". SAID PARCEL BEING REFERRED TO AS TAX PARCEL NO. 0512J-01-019.000

GENERAL NOTES:

- 1.) THIS SURVEY WAS PREPARED FROM INFORMATION PROVIDED BY CLIENT, WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.
- 2.) THIS PROPERTY IS LOCATED IN F.I.R.M. ZONE "AE", BFE=18 and 19 ACCORDING TO MAP NUMBER 28047C0357G DATED JUNE 16, 2009.
- 3.) BEARINGS SHOWN HEREON ARE DERIVED BY: GRID NORTH BY GPS OBSERVATION, ALL LINES RELATIVE TO.
- 4.) THIS SURVEY MEETS MISSISSIPPI MINIMUM REQUIREMENTS FOR A CLASS "B" SURVEY.
- 5.) THIS SURVEY AND PLAT WERE PREPARED ONLY FOR THE CLIENT NAMED HEREON AND NO THIRD PARTY CERTIFICATION IS EXPRESSED OR IMPLIED.
- 6.) A COPY OF THIS PLAT IS VALID ONLY IF IT IS COMPLETE AND INTACT, HAS AN ORIGINAL SIGNATURE AND DATE, AND HAS THE ORIGINAL EMBOSSED OR COLORED (NOT BLACK) STAMPED SURVEYOR'S SEAL.

RECORD DESCRIPTION:

LOT A1, ALL OF LOTS 1 THROUGH 3 AND THE NORTH HALF OF LOT 4, BLOCK 3, THOMAS SUBDIVISION, CITY OF LONG BEACH, HARRISON COUNTY, MISSISSIPPI

BOUNDARY NOTE:

BOUNDARY SURVEYS ARE BASED UPON THE RECORDED SUBDIVISION PLAT IN CASES OF REGULAR SUBDIVISIONS LOTS. BOUNDARY SURVEYS OF PROPERTIES NOT A PART OF A REGULAR SUBDIVISION ARE BASED UPON TITLE INFORMATION PROVIDED BY THE PARTY REQUESTING THE SURVEY. BOUNDARY SURVEY PLATS REFLECT INFORMATION DISCOVERED BY THE SURVEYOR IN THE NORMAL COURSE OF WORK AND DOES NOT NECESSARILY SHOW EVERY POSSIBLE CONDITION AFFECTING THE PROPERTY, EASEMENTS, SERVITUDES, BUILDING ORDINANCES, ZONING, AND OTHER LEGAL ENCUMBERMENTS MAY EXIST. CONSULT A TITLE ATTORNEY IF YOU WISH TO DISCOVER ALL THE LEGAL ENCUMBERMENTS ATTACHED TO ANY PROPERTY.

**LEGAL DESCRIPTIONS OF LOTS CREATED BY THIS SUBDIVISION:
LEGAL DESCRIPTION: LOT "A", AS PER SURVEY DIMENSIONS**

LOT A1 AND A PORTION OF LOT 1, BLOCK 3, THOMAS SUBDIVISION, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BEING BASED ON STATE PLANE GRID NORTH (MS EAST ZONE 2301):

BEGINNING AT AN IRON ROD AT THE NORTHEAST CORNER OF SAID LOT A1; THENCE ALONG THE WEST MARGIN OF MARKHAM DRIVE, S00°33'29"E 68.75'; THENCE S88°51'50"W 115.00' TO THE WEST LINE OF SAID LOT 1; THENCE ALONG THE WEST LINE OF SAID LOT 1 AND LOT A1, N00°33'17"W 68.34' TO AN IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LOT A1; THENCE ALONG THE NORTH LINE OF SAID LOT A1, N88°38'35"E 115.00' TO THE POINT OF BEGINNING, CONTAINING 7,882.07 SQUARE FEET.

LEGAL DESCRIPTION: LOT "B", AS PER SURVEY DIMENSIONS

A PORTION OF LOTS 1, 2, 3 AND THE NORTH 1/2 OF LOT 4, BLOCK 3, THOMAS SUBDIVISION, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BEING BASED ON STATE PLANE GRID NORTH (MS EAST ZONE 2301):

COMMENCING AT AN IRON ROD AT THE NORTHEAST CORNER OF LOT A1, BLOCK 3, THOMAS SUBDIVISION; THENCE ALONG THE WEST MARGIN OF MARKHAM DRIVE, S00°33'29"E 68.75' TO THE POINT OF BEGINNING; THENCE FURTHER ALONG SAID WEST MARGIN, S00°33'29"E 68.75' TO THE SOUTH LINE OF THE NORTH 1/2 OF SAID LOT 4; THENCE ALONG SAID SOUTH LINE, S88°04'08"W 115.00' TO THE WEST LINE OF SAID LOT 4; THENCE ALONG THE WEST LINE OF SAID LOTS 1, 2, 3 AND 4, N00°33'17"W 68.34'; THENCE N88°51'50"E 115.00' TO THE POINT OF BEGINNING, CONTAINING 7,882.36 SQUARE FEET.

CLIENT: SOUTHERN PARADISE, LLC
DATE OF FIELD WORK: 7/21/2021
DRAWN BY: CAC
JOB NUMBER: 15325

PREPARED BY:

CLIFFORD A. CROSBY, PLS
716 LIVE OAK DRIVE
BILOXI, MS 39532 PHONE: 228-234-1649

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

CERTIFICATE OF OWNERSHIP

I hereby certify that I am the owner 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.

Glynn Illich
GLYNN ILLICH, MANAGING MEMBER
OF SOUTHERN PARADISE, LLC

8/20/21
DATE

Subscribed and sworn to before me, in my presence this 30th day of August 2021, a Notary Public in and for the County of Harrison, State of Mississippi.



Beverly W. Smith
NOTARY PUBLIC

My Commission Expires: May 17, 2022

A RESUBDIVISION OF A PARCEL OF LAND BEING A 15,764.43 SQ. FT. PARCEL, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, INTO LOTS "A" AND "B". SAID PARCEL BEING REFERRED TO AS TAX PARCEL NO. 0512J-01-019.000

CERTIFICATE OF APPROVAL

I hereby certify that the minor subdivision shown on this 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 ordinances 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 (60) days of the date below.

ADMINISTRATOR _____ DATE _____

PLANNING COMMISSION

Approved by the City of Long Beach Planning Commission at the regular meeting of said Commission held on the _____ day of _____ 2021.

Planning Commission Chairman _____ Date _____

ACCEPTANCE

Submitted to and approve by the City of Long Beach, Board of Aldermen, at the regular meeting of said Board of Aldermen held on the _____ day of _____ 2021.

ADOPT: _____ ATTEST: _____

MAYOR _____ CITY CLERK _____

CLIENT: SOUTHERN PARADISE, LLC
DATE OF FIELD WORK: 7/21/2021
DRAWN BY: CAC
JOB NUMBER: 15325

PREPARED BY:

CLIFFORD A. CROSBY, PLS
716 LIVE OAK DRIVE
BILOXI, MS 39532 PHONE: 228-234-1649



CERTIFICATE OF SURVEY AND ACCURACY

I, CLIFFORD A. CROSBY, PROFESSIONAL LAND SURVEYOR IN AND FOR THE STATE OF MISSISSIPPI, DO HEREBY CERTIFY THAT THE FOREGOING PLAT AND DESCRIPTIONS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT ALL MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS LOCATED AND THAT ALL DIMENSIONAL AND OTHER DATA SHOWN ARE CORRECT. I ALSO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF MISSISSIPPI".

WITNESS MY SIGNATURE AND SEAL THIS 21st DAY OF August, 2021.

Clifford A. Crosby
CLIFFORD A. CROSBY, MS PLS 2539

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

Special Tap Fee: 149 Markham Dr				
Date: 08-04-2021				
SEWER AND WATER TAP				
MATERIALS:				
QTY.		ITEM	PRICE	TOTAL
1	EA	1" Corp Stop	\$38.48	\$38.49
1	EA	1" Curb Stop	\$44.65	\$44.85
20	FT	Roll Tube	\$0.33	\$6.60
1	EA	Meter Box	\$39.90	\$39.90
1	EA	6"x1" Tap Saddle	\$21.50	\$21.50
2	FT	6X6" T	\$26.75	\$53.50
2	FT	8" FERNCO	\$11.77	\$23.54
2	EA	6" CAPS	\$6.92	\$13.84
56	EA	6" SDR 26	\$2.70	\$151.20
TOTAL MATERIAL COST				\$393.42
EQUIPMENT:				
QTY.		ITEM	PRICE	TOTAL
8	HRS	161-TRACK HOE	\$21.00	\$168.00
8	HRS	DUMP TRUCK/ Trailer	\$45.00	\$360.00
8	HRS	CREW TRUCK	\$10.00	\$80.00
TOTAL EQUIPMENT COST				\$608.00
LABOR:				
			LABOR	TOTAL
				\$863.81
TOTAL LABOR COST				\$863.81
FUEL:				
			TOTAL MATERIAL COST	TOTAL
				\$393.42
			TOTAL EQUIPMENT COST	\$608.00
			TOTAL LABOR COST	\$863.81
TOTAL				\$1,865.23
5% FUEL COST				\$93.26
PLEASE REMIT MATERIAL AND EQUIPMENT COST TO:				<u>\$1,001.42</u>
City of Long Beach				
P.O. Box 929				
Long Beach, MS 39560				
PLEASE REMIT LABOR & FUEL COST TO:				<u>\$957.07</u>
Utility Partners, LLC				
P.O. Box 591				
Long Beach, MS 39560				
TOTAL WATER TAP FEE COST				\$1,958.49

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

August 23, 2021

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

RE: Certificate of Subdivision – Tax Parcel No. 0512J-01-019.000

Ladies and Gentlemen:

We have received the referenced Certificate of Subdivision and reviewed it for compliance with the City's ordinances. The submitted subdivision proposes to divide one existing parcel with approximately 137.5 feet of frontage along the west side of Markham Dr. into two parcels: Lot "A" and Lot "B" which will both have approximate widths of 68.75 feet at the right-of-way of Markham Dr., and approximate depths of 115 feet.

While these parcels meet the minimum overall size requirement for lots in terms of square footage, they are sub-standard with regard to width. It is therefore assumed that a variance must be granted to allow the creation of these non-compliant parcels. Otherwise, the subdivision appears to be in order.

If approval is granted, the 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,

David Ball, P.E.

DB:539

After considerable discussion, Commissioner Hansen made motion, seconded by Commissioner Walters and unanimously carried recommending approval of the resubdivision in accordance with the Subdivision Regulation, Article II. MINOR AND MAJOR SUBDIVISION GENERAL REGULATIONS, as submitted.

**MINUTES OF AUGUST 26, 2021
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

There being no further business to come before the Planning and Development Commission at this time, Commissioner Hansen made motion, seconded by Commissioner Levens 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