

**MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**AGENDA
JULY 23, 2020
REGULAR MEETING OF THE PLANNING and DEVELOPMENT COMMISSION
CITY OF LONG BEACH, MISSISSIPPI
5:30 O'CLOCK P.M.
LONG BEACH CITY HALL
MEETING ROOM
201 JEFF DAVIS AVENUE**

I. CALL TO ORDER

II. ROLL CALL AND ESTABLISH QUORUM

III. PUBLIC HEARINGS

- 1. Variance- 0 Park Row, Tax Parcel 06110-01-016.001, Submitted by Mary Levens. (See Certificate of Resubdivision Application below).
- 2. Variance- 220 South Lang Avenue, Tax Parcel 0512H-02-021.000, Submitted by Michel Farris.

IV. ANNOUNCEMENTS

V. APPROVE MINUTES

- 1. July 9, 2020

VI. UNFINISHED BUSINESS

- 1. Discussion- Tree Ordinances 364, 490 and 491
- 2. Zone Map Change- PUD Zoning, Tax Parcels 0511N-01-004.000, 0511N-01-004.001, 0511N-01-004.002, 0511N-01-004.003, 0511N-01-004.004, 0511N-01-004.005, 0511N-01-004.006, 0511N-01-004.007, 0511N-01-004.008, 0511N-01-004.009, 0511N-01-004.010, 0511N-01-004.011, Submitted by Long Beach LLC, Charles Gant.

VII. NEW BUSINESS

- 1. Certificate of Resubdivision- 0 Park Row, Tax Parcel 06110-01-016.001, Submitted by Mary Levens.
- 2. Discussion- Text Changes, Chart of Uses.

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 August 4, 2020.

**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 Seal read the Opening Statement for the Planning and Development Commission.

**MINUTES OF JULY 23, 2020
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Be it remembered that two (2) 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 23rd day of July 2020, in said City, and the same being the time, date and place fixed for holding said Public Hearings.

There were present and in attendance on said Commission and at the Public Hearings the following named persons: Commission Chairman Frank Olaivar, Commissioners Shawn Barlow, Eddie Seal, Kevin McKenzie, Junior Husband, Marcia Kruse, City Consultant Bill Hessel, Building Official Mike Gundlach and Minutes Clerk Tina M. Dahl.

Absent the Public Hearings were Commissioners Mark McMillan, Jeff Hansen and Larry Ward.

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 to consider a Variance request for property located at 0 Park Row Avenue, Tax Parcel 0611O-01-016.001, submitted by Mary Levens, as follows:

MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



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

Office use only
Date Received 6-4-20
Zoning R-2
Agenda Date 7-9-20
Check Number 115

VARIANCE REQUEST

- I. Tax Parcel Number(s): 06110.01.016.001
- II. Address of Property Involved: 353 / 3.55 Park Row
- III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
Want to have 2. 50 ft lots x 200 ft deep
Consist with the neighborhood

****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?
6 house adjoin property are on 50 ft lots
South of this location.
- B. Describe how the special condition discussed above is not the result of actions taken by the applicant. Show that the applicant did not cause the need for this request.
The original property was sub-divided
into 50 ft lots.
- 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?
6 other house West side are on 50' ft lots
Want to continue with the neighborhood 50 ft lots
- 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.

MINUTES OF JULY 23, 2020
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

IV. REQUIRED ATTACHMENTS:

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

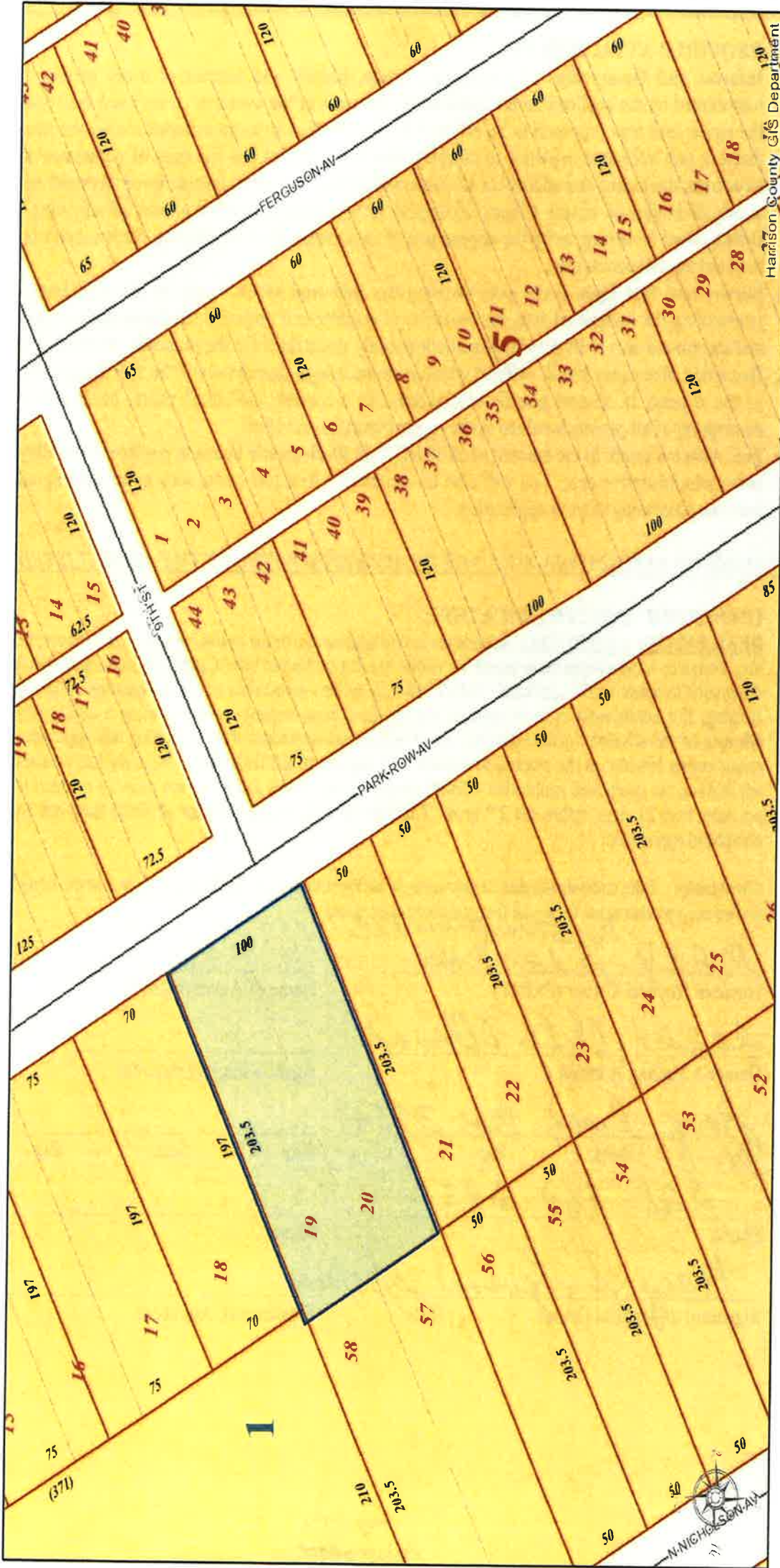
READ BEFORE EXECUTING, Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written 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.

<u>MARY J LEVENS</u> Name of Rightful Owner (PRINT)	<u>Mary J Levens LLC</u> Name of Agent (PRINT)
<u>20231 Cliff Alford</u> Owner's Mailing Address	<u></u> Agent's Mailing Address
<u>Long Beach</u> <u>Ms.</u> <u>39560</u> City State Zip	<u></u> <u></u> <u></u> City State Zip
<u>228-860-6956</u> Phone	<u></u> Phone
<u>Mary J Levens</u> <u>5/18/2020</u> Signature of Rightful Owner Date	<u></u> <u></u> Signature of Applicant Date

MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

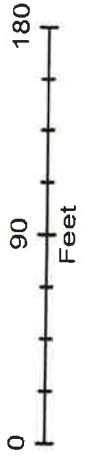
06110-01-016.001



HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: June 4, 2020



MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

SCANNED
1st Judicial District
Instrument 2020-1094 D-21
Filed/Recorded 1/20/2020 09:21 A
Total Fees \$ 28.00
2 Pages Recorded

Prepared by and Return to: Owen R. McNally
Law Offices of Owen McNally P.L.L.C.
4011 Beatline Rd.
Long Beach, MS 39560
228-900-2500
MS Bar No. 104777

Grantor: Owen R. McNally
29065 Commission Rd.
Apt. C
Long Beach, MS 39560
228-365-2500

Grantee: MSI Properties II, LLC
1601 30th Ave
Gulfport, MS 39501
228-860-6956

REVIEWED

INDEXING INSTRUCTIONS: Long View S/D Lots 19 & 20
STATE OF MISSISSIPPI
COUNTY OF HARRISON

CORRECTION WARRANTY DEED

IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00), cash in hand, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I, Owen R. McNally ("Grantor"), do hereby warrant and convey unto MSI PROPERTIES II, LLC ("Grantee"), the following described land and property located, lying and being situated in Harrison County, Mississippi, to-wit:

Lots 19 and 20 of LONG VIEW 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 17 at Page 39.

WITNESS MY SIGNATURE, this the 30 day of January 2020.

Owen R. McNally
Owen R. McNally

1 of 2

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 30 day of January 2020, within my jurisdiction, the within named Owen R. McNally, who acknowledged that he signed the above and foregoing instrument.

Amber Lucuesta
NOTARY PUBLIC

My Commission Expires: (6-24-21)



The Clerk reported that seventeen (17) notices of Public Hearing were sent by regular mail to property owners within one hundred sixty feet (160') of the subject property. Notices were also posted on the bulletin boards at City Hall, the Building Official's Office and the Water Department, 201 Jeff Davis Avenue and at the Long Beach Public Library, 209 Jeff Davis Avenue; Said notice was ordered as part of these proceedings:

MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
City of Long Beach



LEGAL NOTICE

PUBLIC HEARING

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

Mary Levens, 20231 Cliff Allen Road, Long Beach, MS, 39560, has filed an application for a Variance in accordance with the Comprehensive Long Beach Unified Land Ordinance. The applicant is requesting a Variance to build two residential homes on lots with a 50 feet for width. The lot width minimum requirement is 75 feet. The address is 0 Park Row Avenue, Tax Parcel Number is 06110-01-016.001. The legal description is as follows:

LOTS 19 & 20 LONG VIEW SUBD SEC 12-8-12

A Public Hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, July 9, 2020 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

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, TIANA M DALL, known to me to be the Minutes Clerk of the City of Long Beach, Mississippi, Planning and Development Commission, who being by me first duly sworn, 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 978 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 June 16, 2020, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 17 (seventeen) property owners within One Hundred Sixty Feet (160'), excluding public right of ways, of, Tax Parcel 06110-01-016.001, notifying them that a Public Hearing will be held, July 9, 2020 to consider an application for a Variance.

Given under my hand this the 16th day of June 2020.

Stacey Lahl, Affiant

SWORN TO AND SUBSCRIBED before me on this the 16th day of June 2020.

Notary Public

-My Commission Expires-



Morin, Jaime and Alejandra
351 Park Row Avenue
Long Beach, MS 39560

Franco, Reymundo and Bianca
349 Park Row Avenue
Long Beach, MS 39560

Knot To Be Properties, LLC
69200 6th Avenue
Covington, LA 70433

Fouche, Antwon ETAL
310 Park Row Avenue
Long Beach, MS 39560

Swarek, Gabriel Thomas
12477 Fisherman's Trail
Gulfport, MS 39503

Swanier, Oliver G and Pamela P
PO Box 481
Long Beach, MS 39560

Brown, Chad M and Lynette D
908 Park Row Avenue
Long Beach, MS 39560

Hincks, William G Jr
910 Park Row Avenue
Long Beach, MS 39560

Rubi Ronald and Thuhong Truong
909 Park Row Avenue
Long Beach, MS 39560

Morgan, Clarence H and Joyce D
415 Fox Meadow Road
Queen Anne, MD 21657

Flora, Michael L
913 Park Row Avenue
Long Beach, MS 39560

Magee, Lynnwood Jr
19241 Ervin Road
Gulfport, MS 39503

Griffin, Gary N and Kelly M
731 North Nicholson Avenue
Long Beach, MS 39560

Levens, James Matthew
733 North Nicholson Avenue
Long Beach, MS 39560

Levens, Cabrina
729 B North Nicholson Avenue
Long Beach, MS 39560

Nguyen, Lienny Thanh
727 North Nicholson Avenue
Long Beach, MS 39560

Franco, Denise and Luis O Cruz Lopez
347 Park Row Avenue
Long Beach, MS 39560

**MINUTES OF JULY 23, 2020
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 and 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. ~~XI~~ No. 25 dated 19 day of June, 2020
 Vol. ~~XI~~ No. 25 dated 19 day of June, 2020
 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.

[Signature]
Publisher

Sworn to and subscribed before me this 22 day of June, A.D. 2020.

[Signature]
Notary Public



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

- Chad Brown, 908 Park Row Avenue, spoke with concerns for the drainage in his area. Mr. Brown stated that there are already flooding issues on his street and he fears it will worsen after adding two new homes.
- Ron Rubi, 909 Park Row Avenue, stated he already has flooding problems on his property. Mr. Rubi would like to see some drainage pipes installed on the property before Ms. Levens begins development.

He also submitted two photographs for the Commissioners to view.



**MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



MINUTES OF JULY 23, 2020

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Commissioner Seal made motion, seconded by Commissioner Barlow and unanimously carried to spread the photographs as evidence for the record.

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

The second Public Hearing to consider a Variance for property located at 220 South Lang Avenue, Tax Parcel 0512H-02-021.000, Submitted by Michel Farris, as follows:

MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



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

Office use only
Date Received 6/19/20
Zoning R-1
Agenda Date 7-23-20
Check Number 1031

VARIANCE REQUEST

- I. Tax Parcel Number(s): 0512H-02-021,000
- II. Address of Property Involved: 270 S. Lang Ave LB MS 39560
- III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
Requesting 3' Variance to Build garage 5' From Property Line on South Side.

****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?
Required to Fit Double wide Driveway
Existing Drive way to be extended to CARPORT/GARAGE.
Final Garage will be 10' From House
- 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.
Need ~~to~~ existing Drive way to go along House
to CARPORT.
- 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?
I CAN NOT FIT a 22' wide carport
and still be between Pool Fence & 5' of property.
- D. Show that denial of this request will deprive the applicant of rights commonly enjoyed by other properties in the general area and that the granting of this variance request will make possible the reasonable use of land while not conferring any special privilege. Outline how the subject of the variance is common in the area and if the applicant were to be denied this variance a right would be taken away which is granted to other properties. State how the variance makes reasonable use of the existing land and why the same action cannot be done in a way that does not require a variance. Show that granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable.
Need to be able to fit 2
Cars side by side need 22' wide carport

MINUTES OF JULY 23, 2020
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

IV. REQUIRED ATTACHMENTS:

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

Michel Farris
Name of Rightful Owner (PRINT)

220 S. LAMG Ave
Owner's Mailing Address

LB MS 39560
City State Zip

(281) 960-6395
Phone

M. Farris
Signature of Rightful Owner

Date

Name of Agent (PRINT)

Agent's Mailing Address

City State Zip

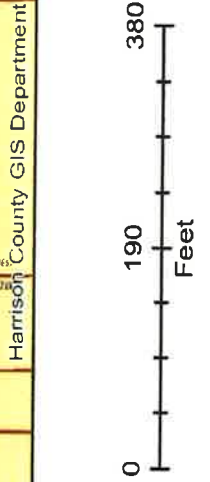
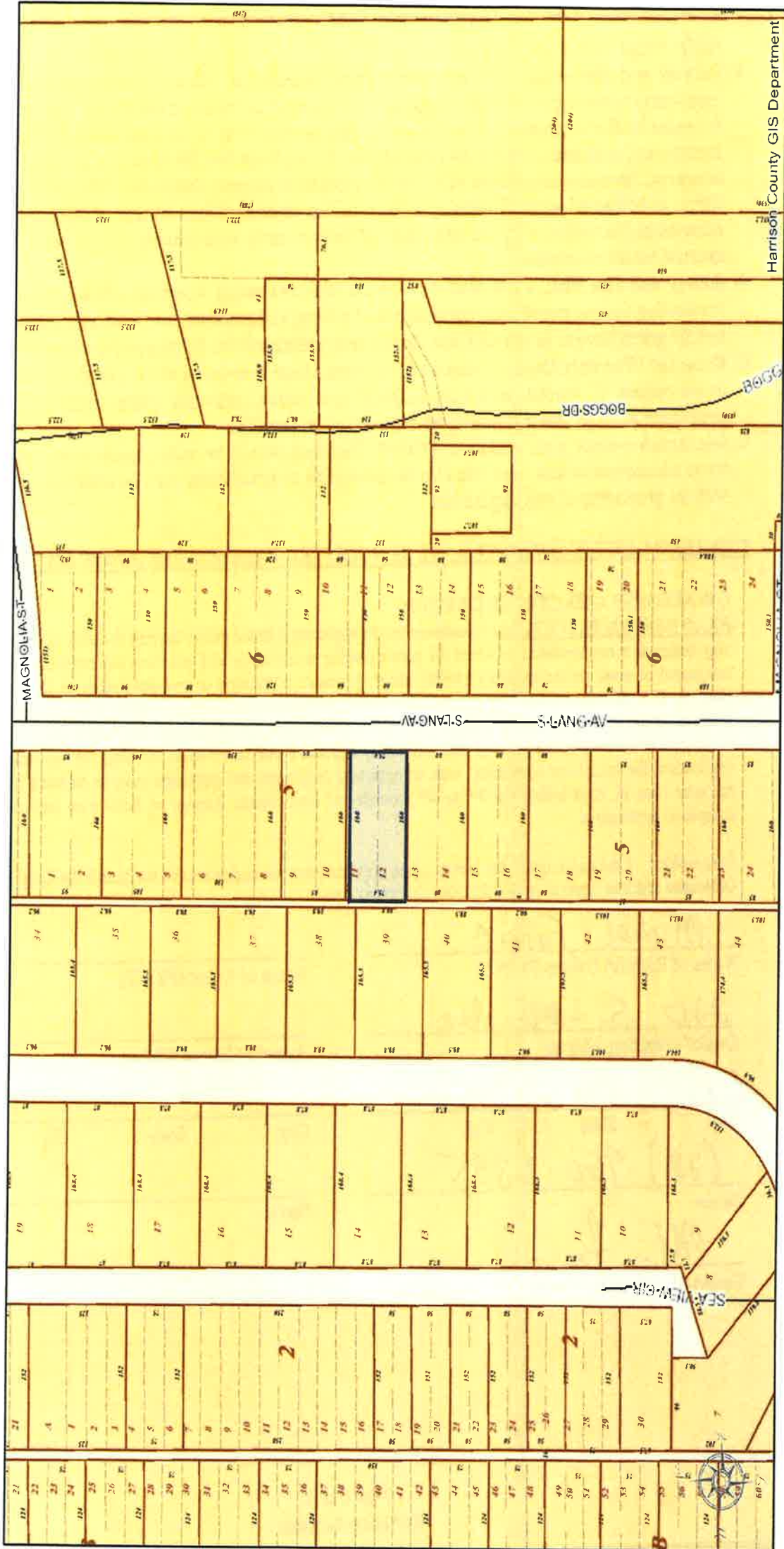
Phone

Signature of Applicant

Date

MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

0512H-02-021.000, 220 South Lang Avenue



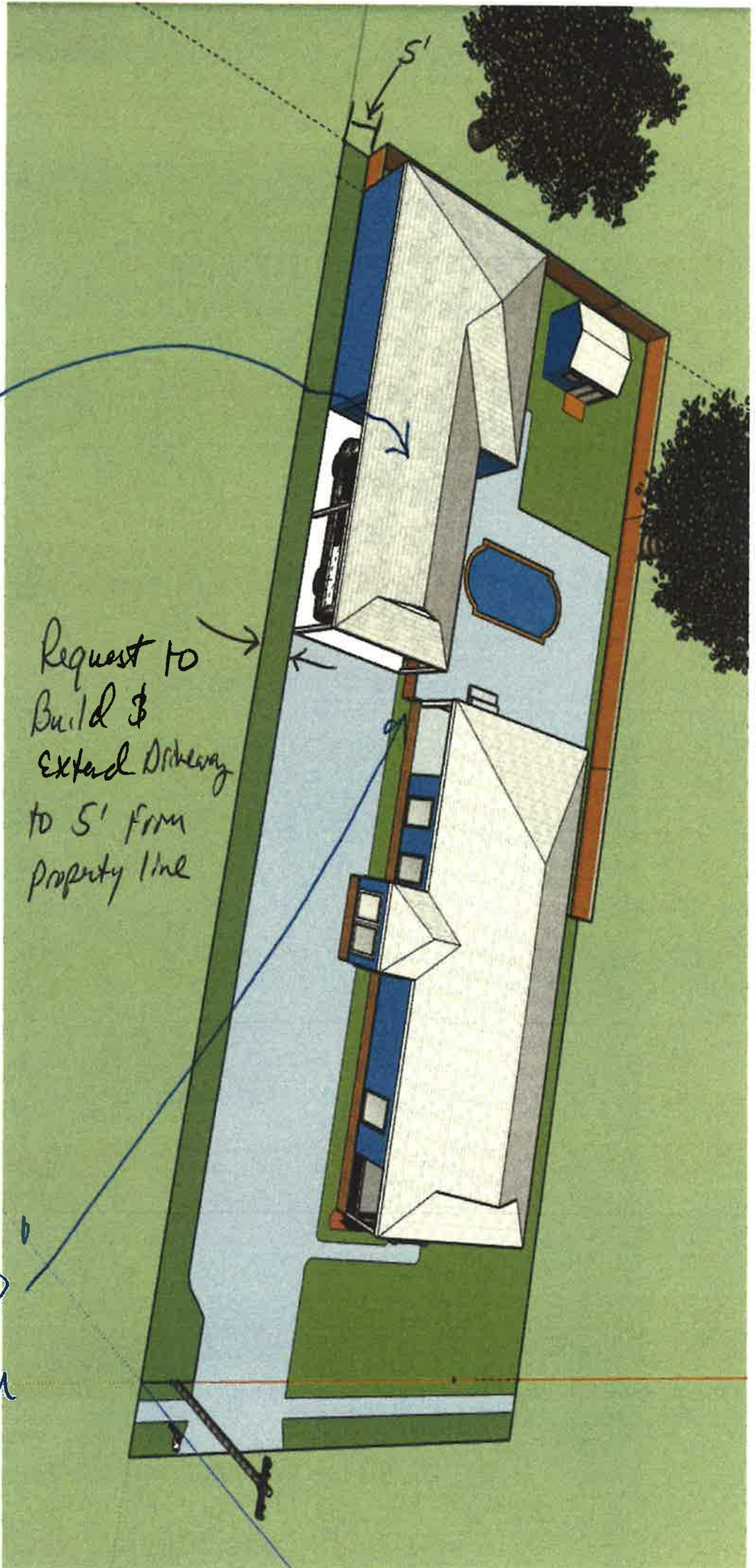
HARRISON COUNTY, MISSISSIPPI

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

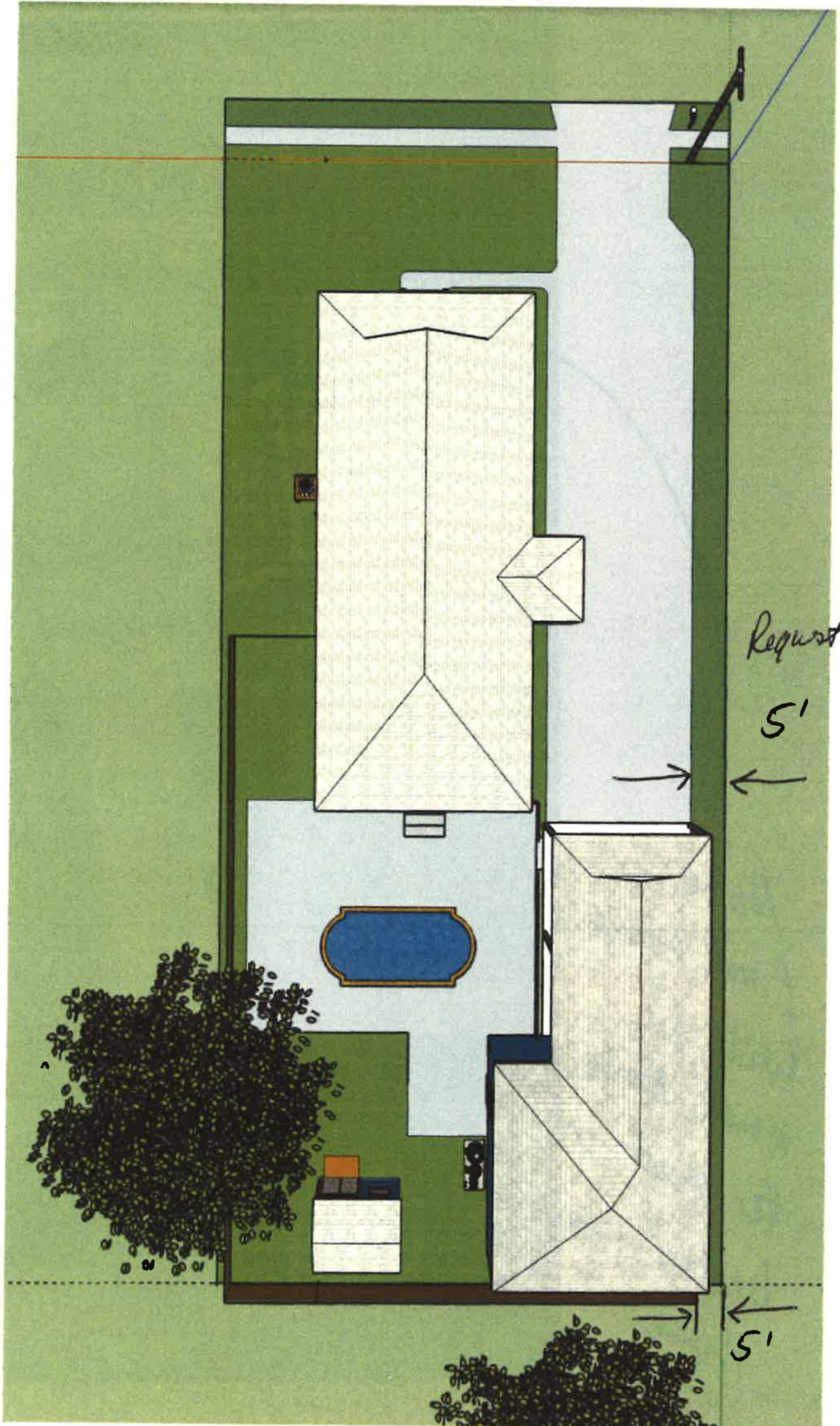
*MAP DATE: June 29, 2020



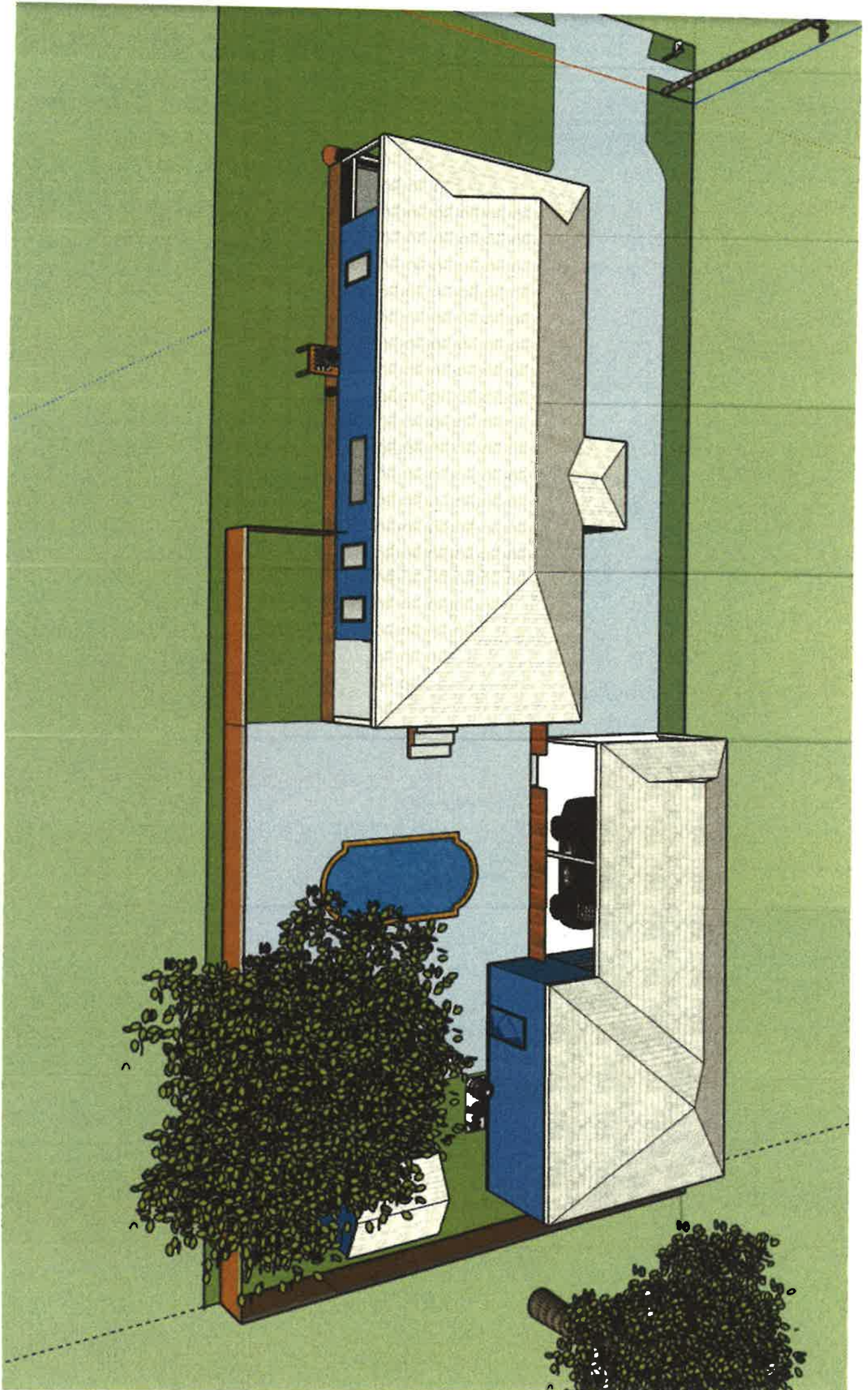
Note
Final Garage
will be
moved back
to meet 10'
distance from
house



MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



LONG BEACH PLANNING and DEVELOPMENT COMMISSION



**MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

4 Pages Recorded

Prepared By & Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
Our File: 190205

Index As:
South 35.4' of Lot 11, all of Lot 12, Blk 5,
Harbor View S/D, Harrison County, 1st
JD, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

REVIEWED

WARRANTY DEED

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

MAGNOLIA BREEZE PROPERTIES, LLC
A Mississippi Limited Liability Company
19015 SHAW ROAD
SAUCIER, MS 39574
(225) 413-3908

does hereby sell, convey and warrant unto

MICHEL R. FARRIS, a married man
220 S. LANG AVENUE
LONG BEACH, MS 39560
(281) 960-6395

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

The South 35.4 feet of Lot Eleven (11), all of Lot Twelve (12), Block Five (5), HARBOR VIEW SUBDIVISION of the City of Long Beach, Mississippi, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 5 at Page 6 (Copy Book 2-A at Page 172) thereof, reference to which is hereby made in aid and as a part of this description.

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

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

and leases of oil, gas and minerals by previous owners.

TAXES for the current year have been pro-rated as of this date and are hereby assumed by the Grantee herein.

IN WITNESS WHEREOF, MAGNOLIA BREEZE PROPERTIES, LLC has caused this conveyance to be executed by its duly authorized officer, having first been duly authorized to do so, on this the 6th day of March, 2019.

MAGNOLIA BREEZE PROPERTIES, LLC


By: **ROBERT B. TERWILLIGER, MEMBER**

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **ROBERT B. TERWILLIGER**, who acknowledge that he is a **MEMBER** of **MAGNOLIA BREEZE PROPERTIES, LLC**, and as its act and deed, he signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned, for and on behalf of said entity, having been first duly authorized to do so.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 6th day of March, 2019.


NOTARY PUBLIC

My Commission Expires:



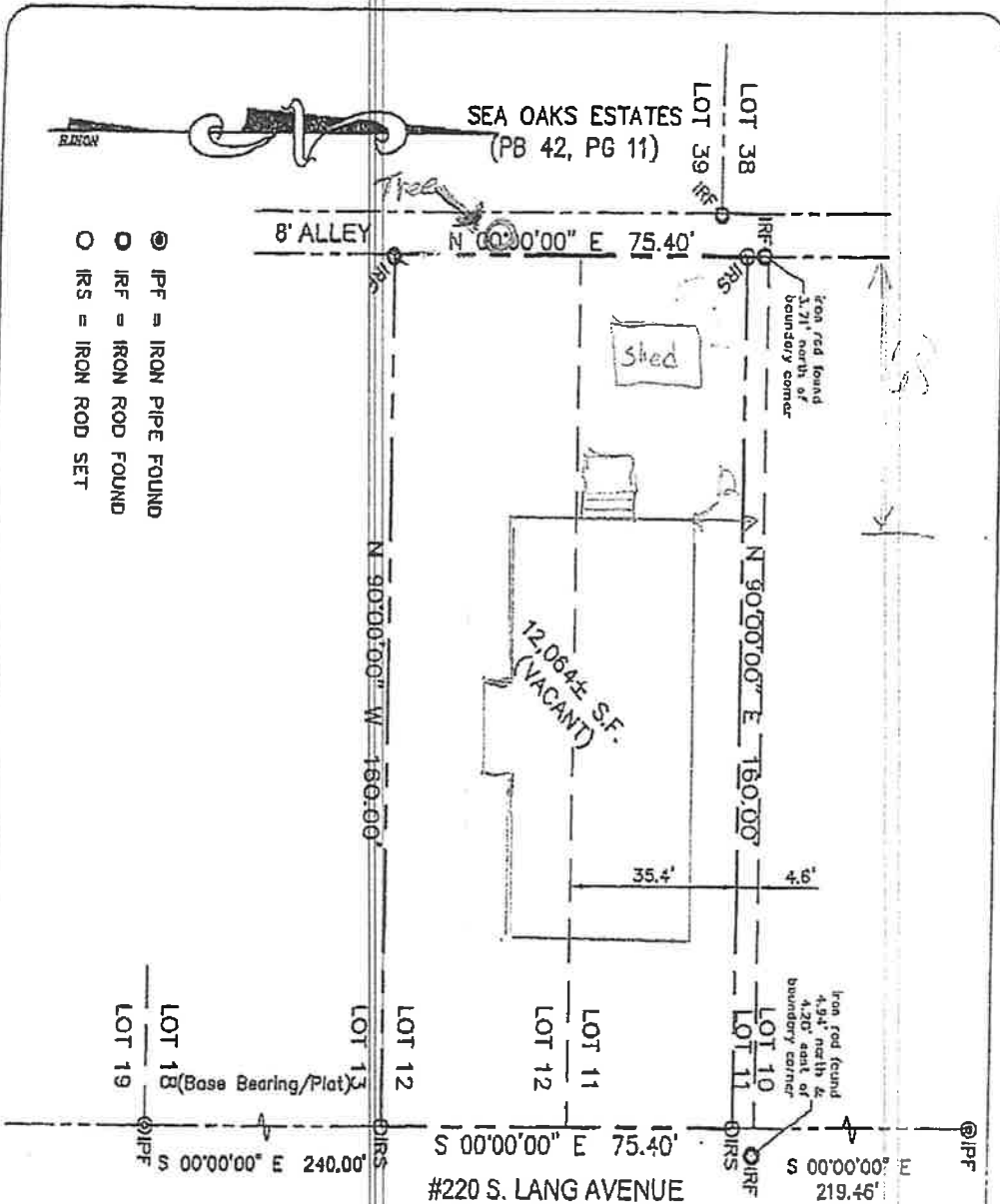
MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

1/2019

flexmls

S # 341672 220 S Lang Ave, Long Beach, MS 39560

\$279,000



- ⊙ IPF = IRON PIPE FOUND
- IRF = IRON ROD FOUND
- IRS = IRON ROD SET

LEGAL DESCRIPTION:

The south 35.4 feet of Lot-11 and of HARBOR VIEW SUBDIVISION (Plat Book Beach, First Judicial District of Harris)

A copy of this plat is valid ONLY if it has an original signature and date or stamped seal. This survey and plat requires Construction and no third party or implied.

This is to CERTIFY that this map or which it is based were made in accordance with the Practice for Surveying in the State of Mississippi.

Michael P. Blanchard

MICHAEL P. BLANCHARD, PS #2834
Dated: June 6, 2018

MISSISSIPPI CLASS "B" SURVEY

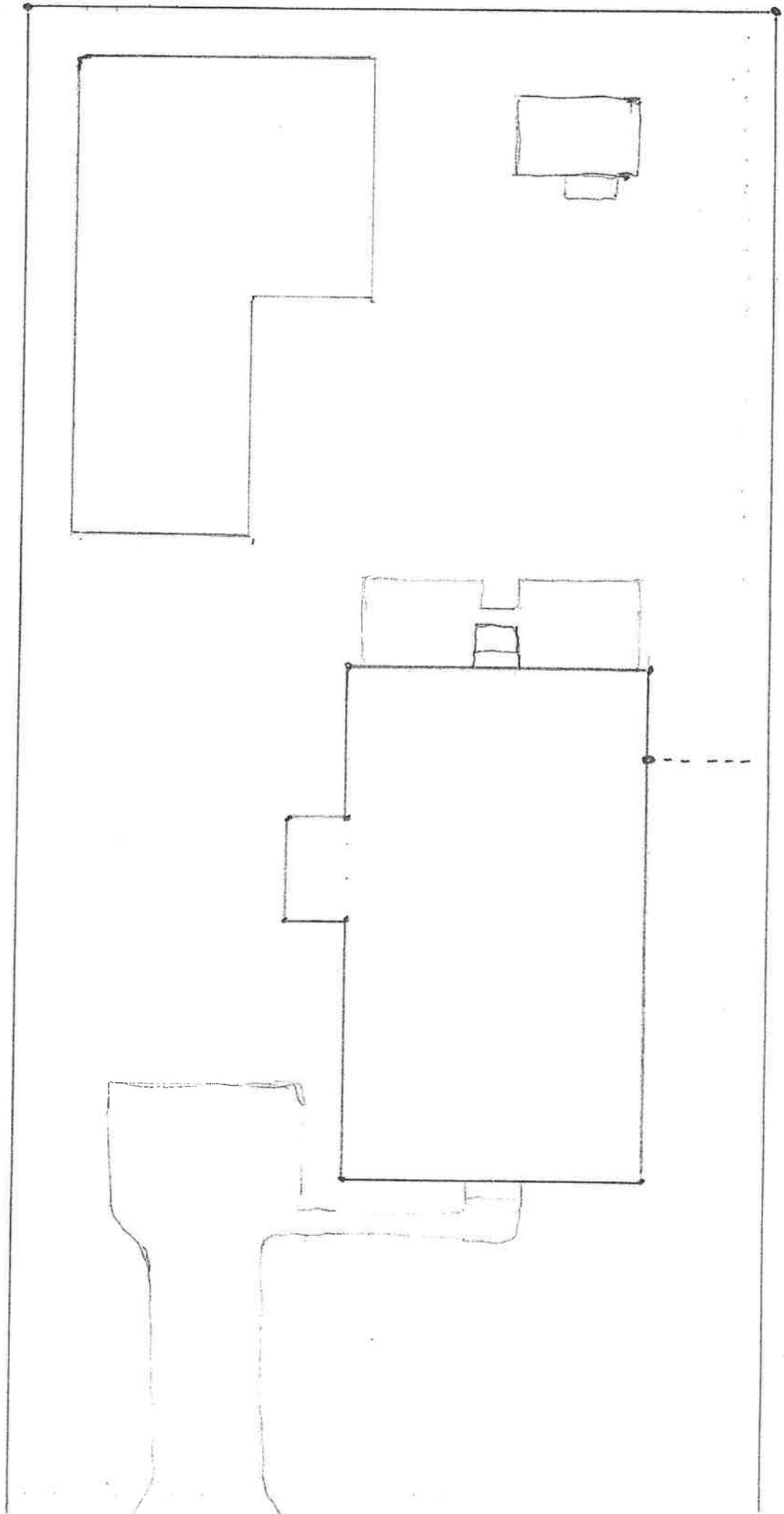
Scale: 1" = 30' Plat
Date: 06/06/2018 RZ

CASI
LAND SURVEYORS
1114 22nd Ave
(228) 896-1118

MF 1/19/19

**MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

3'
↔



REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

The Clerk reported that fourteen (14) 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**.

Michael Farris, 220 South Lang Avenue, Long Beach, MS, 39560, has filed an application for a Variance in accordance with the Comprehensive Long Beach Unified Land Ordinance. **The applicant(s) is requesting a 3' (three foot) Variance to build a garage 5' (five feet) from the property line on the south side. City Ordinance states that accessory structures must be 8' (eight feet) from the side property line.** The address is 220 South Lang Avenue, Tax Parcel Number is 0512H-02-021.000. The legal description is as follows:

S 35.4 FT OF LOT 11 & ALL LOT 12 BLK 5 HARBOR VIEW

A Public Hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, July 23, 2020 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 JULY 23, 2020
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 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 Commission;
2. That in such capacity, she is responsible for mailing Notices of Public Meeting for the purpose of notifying property owners within One Hundred Sixty Feet (160') of the subject property, when applications for zoning map changes, variances, appeals, etc. are filed, all as stipulated in Ordinance Number 598 of the City of Long Beach; and other matters pertaining to such public meetings and the business of the Planning Commission in and for the City of Long Beach;
3. That on July 1, 2020, she did cause to be mailed, Notice of Public Meeting, a copy of which is attached hereto, to 14 (fourteen) property owners within 160' (one hundred sixty feet), excluding rights-of-way, of 220 South Lang Avenue - Tax Parcel No. 0512h-02-021.000, notifying them that a Public Meeting will be held, July 23, 2020, to consider an application for a Variance filed by Michael Farris.

Given under my hand this the 1st of July, 2020.


STACEY DAHL, AFFIRANT

SWORN TO AND SUBSCRIBED before me on this the 1st day of July, 2020.

-My Commission Expires-


NOTARY PUBLIC



McDowell, Jack and Jennifer
37423 Cornerview Road
Geismer, LA 70734

Burchinal, David L and Kathy Lynn
201 Barkhill Drive
Lafayette, LA 70508

Green, Dove W III and Vanean
230 South Lang Avenue
Long Beach, MS 39560

Welles, Ronald V and Mary E
120 Sea Oaks Blvd
Long Beach, MS 39560

Hawk, Linda L
16011 Bellawoods Drive
Tampa, FL 33647

Allen, Joseph Oley and Paula Myers
2668 Beach Blvd
Unit 402
Biloxi, MS 39531

Aymami, David A and Beth Mahler
126 Seal Oaks Blvd
Long Beach, MS 39560

Rein, David and Linda
129 Sea Oaks Blvd
Long Beach, MS 39560

Lalonde, John G and Geneva L
233 South Lang Avenue
Long Beach, MS 39560

Olroyd, Marie Hiern
826 Pennsylvania Avenue
Slidell, LA 70458

Bishop, Patrick C and WF
229 South Lang Avenue
Long Beach, MS 39560

Gipson, Martha M ETAL
218 Boggs Circle
Long Beach, MS 39560

Suire, Jerry John and Antonia Gresham
215 South Lang Avenue
Long Beach, MS 39560

White, Andrew B and Amy M
714 Mangum Avenue
Mendenhall, MS 39114

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 and Public Hearing, as evidenced by the Publisher's Proof of Publication as follows:

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Proof of Publication

PUBLIC HEARING
 In accordance with Article VII, of the Comprehensive Long Beach Unified Land Ordinance 198 of the City of Long Beach, Mississippi (2019) as amended, notice is hereby given soliciting that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a Variance.

Michael Farris, 220 South Long Avenue, Long Beach, MS, 39060, has filed an application for a Variance in accordance with the Comprehensive Long Beach Unified Land Ordinance. The applicant(s) is requesting a 3' (three foot) Variance to build a garage 3' (three feet) from the property line on the south side. City Ordinance states that necessary annotations must be 5' (eight feet) from the side property line. The address is 220 South Long Avenue. Tax Parcel Number is 001241 02 021 000. The legal description is as follows:
 6.39 A FT OF LOT 11 & ALL LOT 12 BLK 6 HARBOR VIEW

A Public Hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39060, Thursday, July 23, 2020 at 6:30 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

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. 27 No. 27 dated 3 day of July, 2020
 Vol. ___ No. ___ dated ___ day of ___, 20__
 Vol. ___ No. ___ dated ___ day of ___, 20__
 Vol. ___ No. ___ dated ___ day of ___, 20__
 Vol. ___ No. ___ dated ___ day of ___, 20__
 Vol. ___ No. ___ dated ___ day of ___, 20__
 Vol. ___ No. ___ dated ___ day of ___, 20__
 Vol. ___ No. ___ dated ___ day of ___, 20__
 Vol. ___ No. ___ dated ___ day of ___, 20__

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

[Signature]
 Publisher

Sworn to and subscribed before me this 20th day of July, A.D. 2020.

[Signature]
 Notary Public



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

Commissioner Seal made motion, seconded by Commissioner Barlow and unanimously carried to close the Public Hearing.

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

Be it remembered that a Regular Meeting before the Long Beach Planning and Development Commission, Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 23rd day of July 2020, 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: Commission Chairman Frank Olaiivar, Commissioners Shawn

MINUTES OF JULY 23, 2020
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Barlow, Eddie Seal, Kevin McKenzie, Junior Husband, and Marcia Kruse, City Consultant
Bill Hessel, Building Official Mike Gundlach and Minutes Clerk Tina M. Dahl.

Absent the Regular Meeting were Commissioners Mark McMillan, Jeff Hansen and Larry Ward.

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

Commissioner McKenzie made motion, seconded by Commissioner Barlow and unanimously carried to approve the Regular Meeting minutes of July 9, 2020, as submitted.

It came for discussion under Unfinished Business, Tree Ordinances 364, 490 and 491, as follows:

221

The Mayor and Board of Aldermen of the City of Long Beach, Mississippi, took up the matter of providing for the protection and removal of trees within said City. Whereupon Alderman Walker introduced in writing the following Ordinance

ORDINANCE 364

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, REGULATING THE PLANTING AND REMOVAL OF STREET TREES AND TREES ON PRIVATE PROPERTY WITHIN SAID CITY, REQUIRING A PERMIT FOR THE REMOVAL OF CERTAIN TREES FROM PRIVATE PROPERTY, PROVIDING FOR THE PROTECTION OF TREES FROM ABUSE AND NUTILATION, PROVIDING FOR PENALTIES FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE, AND FOR RELATED PURPOSES.

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

SECTION 1. Short Title

This Ordinance shall be known, and may be cited, as "The Tree Preservation and Protection Ordinance of the City of Long Beach, Mississippi.

SECTION 2. Intent and Purpose

The intent and purpose of this Ordinance is, through the preservation and planting of trees and removal thereof, to: aid in the stabilization of soil by the prevention of erosion and sedimentation; reduce storm water runoff and the costs associated therewith and replenish ground water supplies; aid in the removal of carbon dioxide and generation of oxygen in the atmosphere; provide a buffer and screen against noise pollution; provide protection against severe weather; aid in the control of drainage and restoration of denuded soil subsequent to construction or grading; provide a haven for birds which in turn assist in the control of insects; protect and increase property values; conserve and enhance the City's physical and aesthetic environment; and generally protect and enhance the quality of life and the general welfare of the City.

SECTION 3. Definitions

(a) In addition to any words and terms or phrases elsewhere defined herein, the following words, terms and phrases shall have the following meanings, unless some other meaning is plainly intended:

"Caliber" shall mean the diameter of any tree trunk six (6) inches above ground level.

"City" shall mean the City of Long Beach, Mississippi.

"Governing Body" shall mean the Mayor and Board of Aldermen of the City of Long Beach, Mississippi.

"Mayor" shall mean the Mayor of the City

"Building Official" shall mean the Building Official of the City.

"Person" shall mean an individual, partnership, corporation, society, trust or any unincorporated organization, association, or other combination of individuals whether legal or natural, and any agency, department or subdivision of the City.

MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

222

"Planning Commission" shall mean the Planning Commission of the City.

"Public Works Department" shall mean the Public Works Department of the City.

"Removal" shall mean the ultimate destruction or removal of any shrub, or tree through cutting, land fill, drainage, poison, fire, explosion, damaging, or any other direct or indirect action resulting in the death of such shrub, shrubs, tree or trees.

"Street Tree" or "street shrub" shall mean any tree or shrub in a public place.

"Tree Worthy of Preservation" shall mean any tree which can reasonably be determined by the Planning Commission of the City to have a remaining life span equal to or greater than that of a proposed structure included in a site plan or subdivision plat, or any tree which is unique by reason of age, size, rarity or status as a landmark or species specimen, or other outstanding quality.

SECTION 4. STREET TREES/STREET SHRUBS--JURISDICTION.

(a) The Planning Commission, subject to the approval of the Governing Body of the City, shall have exclusive jurisdiction and supervision over all trees, shrubs and grassy areas planted or growing in public places. The Public Works Department of the City, with the direction of the Planning Commission, shall have the duty to plant, trim, spray, treat, preserve, remove trees, shrubs and grassy areas in public places to insure safety or preserve the symmetry and beauty of such public places.

(b) It shall be unlawful for any person to hinder, prevent, delay or interfere with the Planning Commission, the Public Works Department, or any agent or employee thereof, in the exercise of the powers and duties in the carrying out of the provisions hereof. This section shall not be construed to prohibit the pursuit of any legal or equitable remedy in a court of competent jurisdiction for the protection of personal or property rights by any property owner in the City of Long Beach, Mississippi.

(c) There is excluded from the provisions of this section, public places in the median of U. S. Highway 90 within jurisdiction of the Harrison County Park Commission.

(d) All actions of the Planning Commission and/or the Public Works Department in carrying out the provisions of this Section are subject to the prior approval of the Governing Body of the City which may provide for such actions, at its discretion, to be carried out by contract with private persons.

SECTION 5. PERMIT REQUIRED FOR REMOVAL OF TREE FROM PRIVATE PROPERTY.

(a) It shall be unlawful for any person to remove or cause or assist in the removal of any Live Oak or Magnolia tree within the City of Long Beach, Mississippi, without first having obtained a valid tree removal permit. For the purpose of this Section, a tree is any self-supporting Live Oak or Magnolia tree with its root system, growing upon the earth usually with one trunk or at least eighteen (18) inches in circumference or larger, measured four and one-half (4 1/2) feet above the surface of the ground, or a multi-stemmed trunk system with a definitely formed crown.

(b) Any person desiring a permit for removal of any Live Oak or Magnolia tree, as required by this Ordinance, shall submit a written application, together with a filing fee of \$10.00 for each tree proposed to be removed. The application, together with the filing fee, shall be submitted to the Zoning Enforcement Officer of the City, and shall include the following information:

- (1) Name and address of the applicant and status of legal entity.
 - (2) Status of applicant with respect to the land upon which such tree or trees is or are located.
 - (3) Written consent of the owner and mortgagee of the land if the applicant is not the owner.
 - (4) 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.
 - (5) Name and address of the person preparing any map, drawing or diagram submitted with the application.
 - (6) Location of the property, including a street number and address and lot number as shown on the official assessor's map of the City.
 - (7) A true copy of the deed or other muniment of title evidencing ownership of the subject property.
 - (8) Location of all trees on the property and identification of size and species.
 - (9) Designation of all diseased and/or damaged trees.
 - (10) Designation of any trees endangering any roadway, pavement, or utility line.
 - (11) Any proposed grade changes that might adversely affect or endanger any trees on the site and specifications of how to maintain them.
 - (12) Designation of trees to be removed and trees to be maintained.
 - (13) Purpose of tree removal (construction, street or roadway, recreation area, patio, parking lot, diseased tree not worthy of preservation, etc.)
 - (14) Location of existing and/or proposed structures.
 - (15) A statement of the applicant that no person, not a party to the application, has any interest in the title in or to the property.
- (c) The Zoning Enforcement Officer, in addition may require the applicant to furnish, and the applicant shall thereupon supply any of the following documentation:
- (1) A site plan specifying the methods to be used to preserve all remaining trees and their root system and the means of providing water and nutrients to their root systems.
 - (2) A topographical survey of the land if development, construction, or subdivision will result in change in elevation, or if the land is more than one acre in area.
 - (3) Plat or survey of the land drawn to scale by a registered, land surveyor or professional engineer.
 - (4) Location of all existing and proposed utilities.
 - (5) Grading and drainage requirements.
 - (6) The extent, description and time frame which will be used by applicant and/or owner to replenish the flora occasioned by the removal of any Live Oak and/or Magnolia trees.
 - (7) Location and description of all existing or proposed structures, improvements and site uses, properly dimensioned and referenced to property lines, drawn to scale.

223

MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

224

SECTION 6. PLANNING COMMISSION REVIEW OF PERMIT APPLICATION.

The Zoning Enforcement Officer shall refer the application for tree removal permit and supporting documents to the Planning Commission of the City for review and determination whether the permit should be granted or denied and appropriate recommendations to the Governing Body of the City for final action. In determining whether or not a Tree Removal Permit should be granted and making its recommendation to the Governing Body of the City, the Planning Commission shall consider the following:

- (A) The condition of the tree or trees proposed to be removed with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interference with utility services.
- (b) The necessity of removing the tree or trees in order to construct the proposed improvements or structures to allow reasonable economic use of the property.
- (c) The effect of removal on erosion, soil moisture retention, flow of surface waters and coordination with the drainage system plan of the City of Long Beach, Mississippi.
- (d) The number and density of trees in the area and the effect of tree removal on property values of the neighborhood and other existing vegetation.
- (e) Whether any tree proposed to be removed is worthy of preservation.
- (f) Impact upon the urban and natural environment, including:
 - (1) Whether tree removal would substantially alter the water table or affect the stability of ground and surface water.
 - (2) Whether tree removal would affect water quality and aquifer recharge by reducing the natural assimilation of nutrients, chemical pollutants, heavy metals and other substances from ground and surface waters during the movement of water towards an aquifer or natural stream.
 - (3) Whether tree removal would have an adverse impact upon existing biological and ecological systems.
 - (4) Whether tree removal would affect noise pollution by increasing source noise levels to such a degree that a public nuisance or violation of noise control would occur.
 - (5) Whether tree removal will affect air movement by significantly reducing the ability of existing vegetation to reduce wind velocities.
 - (6) Whether tree removal will affect air quality by significantly affecting the natural cleansing of the atmosphere by vegetation.
 - (7) Whether tree removal will affect wildlife habitat by significantly reducing the habitat available for wildlife existence and reproduction or causing the emigration of wildlife from adjacent or associated eco-systems.
- (g) The ease with which the applicant can alter or revise the proposed development of improvement to accommodate existing trees.
- (h) The economic hardship that would be imposed upon the applicant were the permit denied.
- (i) The heightened desirability of preserving tree cover in densely developed or densely populated areas.

225

- (j) The need for visual screening in transitional zones or relief from glare, blight, commercial or industrial ugliness or any other visual affront.
- (k) Whether the continued presence of the tree or trees is likely to cause danger to a person or property.
- (l) Whether the topography of the area in which the tree or trees is located is of such a nature to be damaging or injurious to trees.
- (m) Whether the removal of the trees is for the purpose of thinning a heavily wooded area where some trees will remain.

(n) These provisions shall not apply to:

- (a) The removal of trees from commercial or horticultural properties such as farms, nurseries, or commercial forests. This exception shall not be interpreted to include timber harvesting incidental to imminent development of the land.
- (b) The removal of trees on public rights-of-ways conducted by or on behalf of a Federal, State, County, Municipal, or other governmental agency in pursuance of its lawful activities or functions in the construction or improvement of public rights-of-ways.
- (c) The removal of a tree which has become or threatens to become a danger to human life or property.
- (d) In submitting its recommendations to the Governing Body of the City, the Planning Commission shall state its reasons for either a recommendation for granting or denying the application for the Tree Removal Permit.

SECTION 7. FINAL APPROVAL OF GOVERNING BODY REQUIRED FOR TREE REMOVAL PERMIT.

(a) At its next regular meeting following the receipt the recommendations of the Planning Commission concerning an application for Tree Removal Permit, or at such meeting to which the same may be recessed or adjourned, the Mayor and Governing Body of the City shall take final action in granting or denying the application for Tree Removal Permit. The underlying facts and circumstances for granting or denying the application shall be spread upon the minutes of the Mayor and Governing Body. Any person feeling aggrieved at the findings and decisions of the Mayor and Governing Body of the City shall have the right to appeal by bill of exceptions to the Circuit Court in and for the First Judicial District of Harrison County, Mississippi, in the manner provided by Laws of the State of Mississippi.

(b) 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 Live (5) feet in height of evergreen or Live Oak or Magnolia trees.

SECTION 8. REMOVAL OF TREE, PENALTIES.

(a) 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 \$50.00 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.

457

**MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

226

(b) If any person shall remove any Live Oak or Magnolia tree from any property within the City of Long Beach, Mississippi, without first having obtained a valid Tree Removal Permit, and have any permit granted for the construction, remodeling or demolition of any building, improvement or structure on such property, or for the subdivision of such property, such person shall be in violation of the provisions of this Ordinance; and upon such finding of such violation of this Ordinance, the Governing Body of the City shall revoke such permit for construction, remodeling or demolition of any building, improvement or structure on such property or for the subdivision of such property; and such person so violating the provisions of this ordinance shall not be granted any new permit for the construction, remodeling or demolition of any building, improvement or structure on such property or for the subdivision of such property for a period of not less than six (6) months nor more than nine (9) months from the date of such revocation of such permit. This penalty is in addition to the penalties set forth in sub-section a of this section above.

SECTION 9. HEADINGS, CATCH PHRASES.

The headings and catch phrases of each section of this ordinance or for easy reference and research and shall not be construed to affect the meaning of any of such sections.

SECTION 10. EMERGENCIES.

In the event of emergencies involving, but not limited to, hurricanes, windstorms, floods, freezes or other civil disasters, the requirements of this Ordinance may be temporarily waived or suspended by proclamation of the Mayor of the city of Long Beach, Mississippi, filed with the City Clerk of said city.

SECTION 11. SEPARABILITY.

If any section, subsection, sentence, clause or phrase of this Ordinance, or the application thereof to any person or circumstance, shall be held invalid, or unconstitutional, by any court of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application; and to that end, the provisions of this ordinance, and each section, subsection, sentence, clause or phrase are hereby declared to be severable.

SECTION 12. EFFECTIVE DATE.

For good cause shown, and the public health and safety being the intent and purpose of this ordinance, and the immediate preservation of order and public welfare so requiring it, this Ordinance shall be in full force and effect from and after its adoption, the same nevertheless to be published and enrolled as required by law.

The above and foregoing Ordinance No. 364 having been introduced in writing, was first read and considered section by section and then as a whole. Alderman Walker moved the adoption of the ordinance and Alderman Lawless seconded the motion to adopt the same; and after discussion, the question being put to a roll call vote, the result as to each section and as to the whole of said ordinance was as follows:

Alderman Sal Giuffria	voted	Yea
Alderman Miriam Graves	voted	Yea
Alderman Mike Lawless	voted	Yea

227

Alderman Donald Logan	voted	Yea
Alderman Wayne O'Neal	voted	Absent and not voting
Alderman Michael Rutledge	voted	Yea
Alderman Fred Walker	voted	Yea

The motion having received the affirmative vote of a majority of the aldermen present, the Mayor declared the motion carried and said Ordinance No. 364 adopted and approved this 21st day of October, 1986.

APPROVED:


Glenn W. Mitchell, Mayor

WITNESSETH:


Jeritza A. Pell, City Clerk

228

CERTIFICATE

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

I, the undersigned, Jeritza A. Pell, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of Ordinance #364 adopted by the Mayor and Board of Aldermen of the City of Long Beach at a regular meeting duly convened and held on the 21st day of October, 1986, as the same appears of record in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 22nd day of October, 1986.


Jeritza A. Pell, City Clerk

(SEAL)

**MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

498

ORDINANCE NO. 490

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING ORDINANCE NO. 364, ENTITLED, "AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, REGULATING THE PLANTING AND REMOVAL OF STREET TREES AND TREES ON PRIVATE PROPERTY WITHIN SAID CITY, REQUIRING A PERMIT FOR THE REMOVAL OF CERTAIN TREES FROM PRIVATE PROPERTY, PROVIDING FOR THE PROTECTION OF TREES FROM ABUSE AND MUTILATION, PROVIDING FOR PENALTIES FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE, AND FOR RELATED PURPOSES" TO INCREASE THE FILING FEE FOR APPLICATION TO REMOVE TREES AND TO MAKE SAME APPLICABLE FOR EACH PARCEL AND TO ESTABLISH PERMIT FEES FOR TREE REMOVAL, AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen (the "Governing Body") of the City of Long Beach, Mississippi, (the "Municipality") having made due investigation therefore, do now find, determine, adjudicate and declare as follows:

1. That in order to more effectively fulfill the purpose and intent of the City's "Tree Ordinance", being Ordinance No. 364, and equitably assess the cost of application and enforcement of same, it is necessary to amend the permit application fee and establish permit fees for trees permitted to be removed pursuant to the said ordinance. Now therefore,

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

SECTION 1 Section 5 of Ordinance No. 364 of the City of Long Beach, Mississippi, entitled, "AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, REGULATING THE PLANTING AND REMOVAL OF STREET TREES AND TREES ON PRIVATE PROPERTY WITHIN SAID CITY, REQUIRING A PERMIT FOR THE REMOVAL OF CERTAIN TREES FROM PRIVATE PROPERTY, PROVIDING FOR THE PROTECTION OF TREES FROM ABUSE AND MUTILATION, PROVIDING FOR PENALTIES FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE, AND FOR RELATED PURPOSES" be and it is hereby amended to read as follows:

"SECTION 5 PERMIT REQUIRED FOR REMOVAL OF TREE FROM PRIVATE PROPERTY.

(a) It shall be unlawful for any person to remove or cause or assist in the removal of any Live Oak or Magnolia tree within the City of Long Beach, Mississippi, without first having obtained a valid tree removal permit. For the purpose of this section, a tree is any self-supporting Live Oak or Magnolia tree with its root system, growing upon the earth usually with one trunk or at least eighteen (18) inches in circumference or larger, measured four and one-half (4 1/2) feet above the surface of the ground, or a multi-stemmed trunk system with a definitely formed crown.

(b) Any person desiring a permit for removal of any Live Oak or Magnolia tree, as required by this ordinance, shall submit a written application, together with a filing fee of \$25 per parcel of land to which such application pertains. The application, together with the filing fee, shall be submitted to the Zoning Enforcement Officer of the City, and shall include the following information:

- (1) Name and address of the applicant and status of legal entity
- (2) Status of applicant with respect to the land upon which such tree or trees is or are located

1

499

(3) Written consent of the owner and mortgagee of the land if the applicant is not the owner

(4) 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

(5) Name and address of the person preparing any map, drawing or diagram submitted with the application

(6) Location of the property, including a street number and address and lot number as shown on the official assessor's map of the City

(7) A true copy of the deed or other muniment of title evidencing ownership of the subject property

(8) Location of all trees on the property and identification of size and species

(9) Designation of all diseased and/or damaged trees

(10) Designation of any trees endangering any roadway, pavement, or utility line

(11) Any proposed grade changes that might adversely affect or endanger any trees on the site and specifications of how to maintain them

(12) Designation of trees to be removed and trees to be maintained

(13) Purpose of tree removal (construction, street or roadway, recreational area, patio, parking lot, diseased tree not worthy of preservation, etc.)

(14) Location of existing and/or proposed structures

(15) A statement of the applicant that no person, not a party to the application, has any interest in the title in or to the property

(c) The Zoning Enforcement Officer, in addition may require the applicant to furnish, and the applicant shall thereupon supply any of the following documentation:

(1) A site plan specifying the methods to be used to preserve all remaining trees and their root system and the means of providing water and nutrients to their root systems

(2) A topographical survey of the land if development, construction, or subdivision will result in change in elevation, or if the land is more than one acre in area

(3) Plat or survey of the land drawn to scale by registered land surveyer or professional engineer

(4) Location of all existing and proposed utilities

(5) Grading and drainage requirements

(6) The extent, description and time frame which will be used by the applicant and/or owner to replenish the flora of occasioned by the removal of any Live Oak and/or Magnolia trees

(7) Location and description of all existing or proposed structures, improvements and site uses, properly dimensioned and referenced to property lines, drawn to scale"

SECTION 2 Section 7 of said Ordinance No. 364 of the City of Long Beach, Mississippi, be and it is hereby amended to read as follows:

"SECTION 7 FINAL APPROVAL OF GOVERNING BODY REQUIRED FOR TREE

2

MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

500

REMOVAL PERMIT

(a) And its next regular meeting following the receipt of the recommendations of the Planning Commission concerning an application for Tree Removal Permit, or at such meeting to which the same may be recessed or adjourned, the Mayor and Governing Body of the City shall take final action in granting or denying the application for Tree Removal Permit. The underlying facts and circumstances for granting or denying the application shall be spread upon the minutes of the Mayor and Governing Body. Any person feeling aggrieved at the finding and decisions of the Mayor and Governing Body of the City shall have the right to appeal by bill of exceptions to the Circuit Court in and for the First Judicial District of Harrison County, Mississippi, in the manner provided by the Laws of the State of Mississippi.

(b) 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.

(c) Upon issuance of a Tree Removal Permit, the permit fees will be as follows:

\$45.00 per tree permitted to be removed"

SECTION 3. Severability

If any section, subsection, sentence, clause or phrase of this Ordinance, or the application thereof, be held by any court of competent jurisdiction to be invalid or unconstitutional, such holding shall not affect the remaining portions of this Ordinance.

SECTION 4 Effective Date

This ordinance shall take effect and be and force thirty (30) days after its adoption, publication and enrollment thereof as provided by law.

The above and foregoing Ordinance No. 490 was introduced in writing by Alderman Ponthieux who moved its adoption. Alderman Bennett seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

Alderman Jimmy Levens	voted Nay
Alderman Jetry Rouse	voted Aye
Alderman Gary Ponthieux	voted Aye
Alderman Richard Bennett	voted Aye
Alderman Billy Skellie	voted Nay
Alderman Allen D. Holder, Jr	voted Nay
Alderman Joseph McNary	voted Aye

5

501

The question having received the affirmative vote of a majority the Aldermen present and voting, the Mayor declared the motion carried in the said Ordinance adopted and approved this the 21st day of October, 2003.

APPROVED:


ROBERT E. BASS, JR., MAYOR

ATTEST:


REBECCA E. SCHRUFF, CITY CLERK

CERTIFICATE

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

I, the undersigned, Rebecca E. Schrupf, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #490 of the City of Long Beach, Mississippi adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on the 21st day of October, 2003, as the same appears of record in Ordinance Book #6, pages 498-501, inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 22nd day of October, 2003.

(SEAL)


Rebecca E. Schrupf, City Clerk

MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

ORDINANCE NO. 491

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING ORDINANCE NO. 364, AS AMENDED, ENTITLED, "AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, REGULATING THE PLANTING AND REMOVAL OF STREET TREES AND TREES ON PRIVATE PROPERTY WITHIN SAID CITY, REQUIRING A PERMIT FOR THE REMOVAL OF CERTAIN TREES FROM PRIVATE PROPERTY, PROVIDING FOR THE PROTECTION OF TREES FROM ABUSE AND MUTILATION, PROVIDING FOR PENALTIES FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE, AND FOR RELATED PURPOSES" TO REDUCE PERMIT FEES FOR TREE REMOVAL WHERE REMOVAL IS REQUIRED BY DAMAGE CAUSED BY THE SUBJECT TREE OR TREES TO PERMANENT IMPROVEMENTS ON THE PARCEL OF LAND WHERE THE SUBJECT TREE IS SITUATED, AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen (the "Governing Body") of the City of Long Beach, Mississippi, (the "Municipality") having made due investigation therefore, do now find, determine, adjudicate and declare as follows:

1. That in order to more effectively fulfill the purpose and intent of the City's "Tree Ordinance", being Ordinance No. 364, and equitably assess the cost of application and enforcement of same, particularly in those instances where removal of a 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, it is necessary to amend the permit fees for trees permitted to be removed pursuant to the said ordinance. Now therefore,

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

SECTION 1 Section 7 of said Ordinance No. 364 of the City of Long Beach, Mississippi, entitled, "AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, REGULATING THE PLANTING AND REMOVAL OF STREET TREES AND TREES ON PRIVATE PROPERTY WITHIN SAID CITY, REQUIRING A PERMIT FOR THE REMOVAL OF CERTAIN TREES FROM PRIVATE PROPERTY, PROVIDING FOR THE PROTECTION OF TREES FROM ABUSE AND MUTILATION, PROVIDING FOR PENALTIES FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE, AND FOR RELATED PURPOSES" as amended, be and it is hereby amended to read as follows:

SECTION 7 FINAL APPROVAL OF GOVERNING BODY REQUIRED FOR TREE REMOVAL PERMIT

(a) And its next regular meeting following the receipt of the recommendations of the Planning Commission concerning an application for Tree Removal Permit, or at such meeting to which the same may be recessed or adjourned, the Mayor and Governing Body of the City shall take final action in granting or denying the application for Tree Removal Permit. The underlying facts and circumstances for granting or denying the application shall be upon the merits of the Mayor and Governing Body. Any person feeling aggrieved at the finding and decision of the Mayor and Governing Body of the City shall have the right to appeal by bill of exceptions to the Circuit Court in and for the First Judicial District of Harrison County, Mississippi, in the manner provided by the Laws of the State of Mississippi.

(b) 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 Four (4) inches diameter deciduous trees or five (5) feet in height of evergreen or Live Oak or Magnolia trees.

503

(c) Upon issuance of a Tree Removal Permit, the permit fees will be as follows:

1) 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;

2) For Removal of all other trees, a fee of \$45.00 per tree permitted to be removed"

SECTION 2 Severability

If any section, subsection, sentence, clause or phrase of this Ordinance, or the application thereof, be held by any court of competent jurisdiction to be invalid or unconstitutional, such holding shall not affect the remaining portions of this Ordinance.

SECTION 3 Effective Date

This ordinance shall take effect and be in force thirty (30) days after its adoption, publication and enrollment thereof as provided by law.

The above and foregoing Ordinance No. 491 was introduced in writing by Alderman Rouse who moved its adoption. Alderman Ponthieux seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

Alderman Jimmy J. Owens	voted	Aye
Alderman Jerry Rouse	voted	Aye
Alderman Gary Ponthieux	voted	Aye
Alderman Richard Bennett	voted	Aye
Alderman Billy Skellie	voted	Aye
Alderman Allen D. Holdet, Jr	voted	Aye
Alderman Joseph McNary	voted	Aye

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried in the said Ordinance adopted and approved this the 17th day February, 2004

APPROVED:


ROBERT E. BASS, JR., MAYOR

ATTEST:


REBECCA E. SCHRUFF, CITY CLERK

MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
504

C E R T I F I C A T E

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

I, the undersigned, Rebecca E. Schruff, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #491 of the City of Long Beach, Mississippi, adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on March 17, 2004, as the same appears of record in Ordinance Book #6, Pages 502-504, inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 18th day of March, 2004.

(SEAL)


Rebecca E. Schruff, City Clerk

It was the consensus of the Commission to carry this item over to the next agenda for further discussion.

It came for discussion under Unfinished Business a Zone Map Change for property located at Tax Parcels 0511N-01-004.000, 0511N-01-004.001, 0511N-01-004.002, 0511N-01-004.003, 0511N-01-004.004, 0511N-01-004.005, 0511N-01-004.006, 0511N-01-004.007, 0511N-01-004.008, 0511N-01-004.009, 0511N-01-004.010, 0511N-01-004.011, submitted by Long Beach, LLC, Charles Gant as follows:

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Commission Chairman Olaiivar recognized Mr. Gant who at that time further explained his application.

After considerable discussion, Commissioner Seal made motion, seconded by Commissioner Husband and unanimously carried to readvertise the Zone Map Change request for public hearing.

It came on for discussion under New Business, a Certificate of Resubdivision for property located at 0 Park Row Avenue, Tax Parcel 0611O-01-016.001, submitted by Mary Levens, as follows:

MINUTES OF JULY 23, 2020
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 6-4-20
Zoning R-2
Agenda Date 7-9-20
Check Number 115

APPLICATION FOR CERTIFICATE OF RESUBDIVISION

- I. TYPE OF CASE: CERTIFICATE OF RESUBDIVISION
- II. ADVALOREM TAX PARCEL NUMBER(S): 06110.01.016.001
- III. GENERAL LOCATION OF PROPERTY INVOLVED: 353 / 355 Park Row Avenue. L.B.
- IV. ADDRESS OF PROPERTY INVOLVED: Lot 19-20 - Long View Subd.
- V. GENERAL DESCRIPTION OF REQUEST: Resubdivision of 2-50 ft lots - 200 ft deep

VI. REQUIRED ATTACHMENTS:

- A. Resubdivision Survey and Certificate (see attached example) on no less than 11" X 17" paper.
- B. Cash or Check payable to the City of Long Beach in the amount of \$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.

MARY S LEVENS
Name of Rightful Owner (PRINT)

20231 Cliff Allen rd
Owner's Mailing Address

Long Beach Ms 39560
City State Zip

228-860-6956
Phone

Mary S Levens 5/18/2020
Signature of Rightful Owner Date

Name of Agent (PRINT)

Agent's Mailing Address

City State Zip

Phone

Signature of Applicant Date

465

**MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

SCANNED



[Signature] 1st Judicial District
Instrument 2020 1034 D -J1
Filed/Recorded 1/30/2020 09:21 A
Total Fees \$ 26.00
2 Pages Recorded

REVIEWED

Prepared by and Return to:
Owen R. McNally
Law Offices of Owen McNally
PLLC
4011 Beatline Rd.
Long Beach, MS 39560
228-900-2500
MS Bar No. 104777

Grantor:
Owen R. McNally
20065 Commission Rd.
Apt. C
Long Beach, MS 39560
228-365-2500

Grantee:
MSL Properties II, LLC
1601 30th Ave
Gulfport, MS 39501
228-860-6956

INDEXING INSTRUCTIONS: Long View S/D Lots 19 & 20
STATE OF MISSISSIPPI
COUNTY OF HARRISON

CORRECTION WARRANTY DEED

IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00), cash in hand, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I, **Owen R. McNally** ("Grantor"), do hereby warrant and convey unto **MSL PROPERTIES II, LLC** ("Grantee"), the following described land and property located, lying and being situated in Harrison County, Mississippi, to-wit:

Lots 19 and 20 of LONG VIEW 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 17 at Page 39. ✓

WITNESS MY SIGNATURE, this the 30 day of January 2020.

[Signature]
Owen R. McNally
1 of 2

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 30 day of January 2020, within my jurisdiction, the within named **Owen R. McNally**, who acknowledged that he signed the above and foregoing instrument.

[Signature]
NOTARY PUBLIC

My Commission Expires: 6-24-21



MINUTES OF JULY 23, 2020
 REGULAR MEETING
 LONG BEACH PLANNING and DEVELOPMENT COMMISSION

A RESUBDIVISION OF A 20,303.97 SQUARE FEET PARCEL KNOWN AS LOTS 19 AND 20, LONG VIEW SUBDIVISION, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, INTO ORIGINAL LOTS 19 AND 20. SAID PARCEL BEING REFERRED TO AS TAX PARCEL NO. 06110-01-016.001

EXISTING

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

- NOTES:
- 1.) FIELD SURVEY PERFORMED WITH A TOPCON VR GPS RECEIVER.
 - 2.) STATE PLANE COORDINATES AND BEARINGS SHOWN ARE DERIVED BY GPS OBSERVATION UTILIZING THE EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPC (2011 M.S.E).
 - 3.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND ABOVE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING.
 - 4.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.
 - 5.) THIS IS A CLASS "B" SURVEY.
 - 6.) BEARINGS SHOWN HEREON ARE DERIVED BY:
 - 7.) GRID NORTH BY GPS OBSERVATION, ALL LINES RELATIVE TO:

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

- LEGEND:
- IRON ROD FOUND
 - IRON PIPE FOUND
 - IRON ROD FOUND
 - SPIKE SET
 - CONCRETE MONUMENT FOUND
 - LANTANA MONUMENT FOUND
 - LANTANA MONUMENT FOUND
 - AS PER SURVEY
 - AS PER RECORD
 - IRON ROD FOUND
 - IRON ROD SET

GPS OBSERVATION NOTE

DATE OF FIELD WORK: 06/21/2020
 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 NUMBER 2807/0397G, DATED JUNE 16, 2008. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND DOES NOT REPRESENT HIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING. THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE GATED MAP.

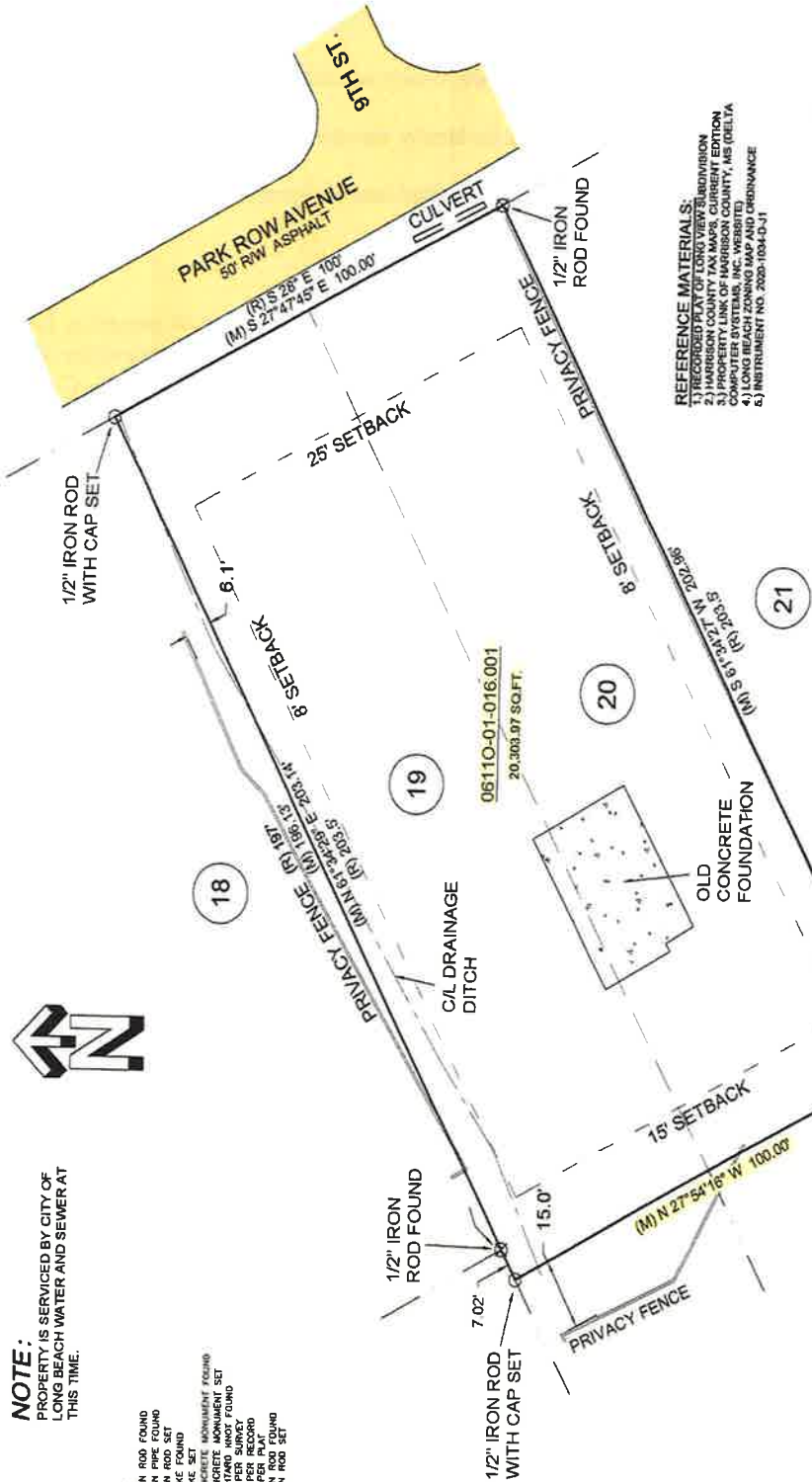
MINIMUM BUILDING SETBACKS:
 THIS PARCEL OF LAND IS LOCATED IN A ZONE R-1 SINGLE FAMILY RESIDENCE DISTRICT AS PER CITY OF LONG BEACH ZONING MAP.

FRONT YARD - 28 FEET
 SIDE YARD - 5 FEET
 REAR YARD - 16 FEET

CLIENT: MSL PROPERTIES II, LLC
 DATE OF FIELD SURVEY: 5/21/2020
 DRAWN BY: CAC
 JOB NUMBER: 20164.dwg

PREPARED BY:

CLIFFORD A. CROSBY, PLS
 716 LIVE OAK DRIVE
 BILOXI, MS 39332 PHONE: 228-234-1649



- REFERENCE MATERIALS:
- 1.) RECORDED PLAT OF LONG VIEW SUBDIVISION
 - 2.) HARRISON COUNTY TAX MAPS, CURRENT EDITION
 - 3.) HARRISON COUNTY TAX MAPS, CURRENT EDITION
 - 4.) LONG BEACH ZONING MAP AND ORDINANCE
 - 5.) INSTRUMENT NO. 2008-1034-D-11

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

A RESUBDIVISION OF A 20,303.97 SQUARE FEET PARCEL KNOWN AS LOTS 19 AND 20, LONG VIEW SUBDIVISION, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, INTO ORIGINAL LOTS 19 AND 20. SAID PARCEL BEING REFERRED TO AS TAX PARCEL NO. 06110-01-016.001

PROPOSED

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

- NOTES:
- 1.) FIELD SURVEY PERFORMED WITH A TOPCON VR 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 SPC (2301 MS E).
 - 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 PROVIDED BY APPROPRIATE GOVERNING BODIES.
 - 5.) THIS IS A CLASS "A" SURVEY AS DERIVED BY:
 - 6.) BEARINGS SHOWN HEREON ARE DERIVED BY:
 - 7.) GRID NORTH BY GPS OBSERVATION, ALL LINES RELATIVE TO.

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

- LEGEND:
- 1/2" IRON ROD FOUND
 - IRON PIPE FOUND
 - IRON ROD SET
 - SPRUE FOUND
 - CONCRETE MONUMENT FOUND
 - CONCRETE MONUMENT SET
 - LIGHTBULB KNOT FOUND
 - AS PER RECORD
 - AS PER RECORD
 - AS PER RECORD
 - AS PER RECORD
 - IRON ROD FOUND
 - IRON ROD SET

GPS OBSERVATION

NOTE

DATE OF FIELD WORK: 05/21/2020
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 "X" ACCORDING TO MAP NUMBER 28047C03573, DATED JUNE 18, 2008. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND DOES NOT REPRESENT THE SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING. THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP.

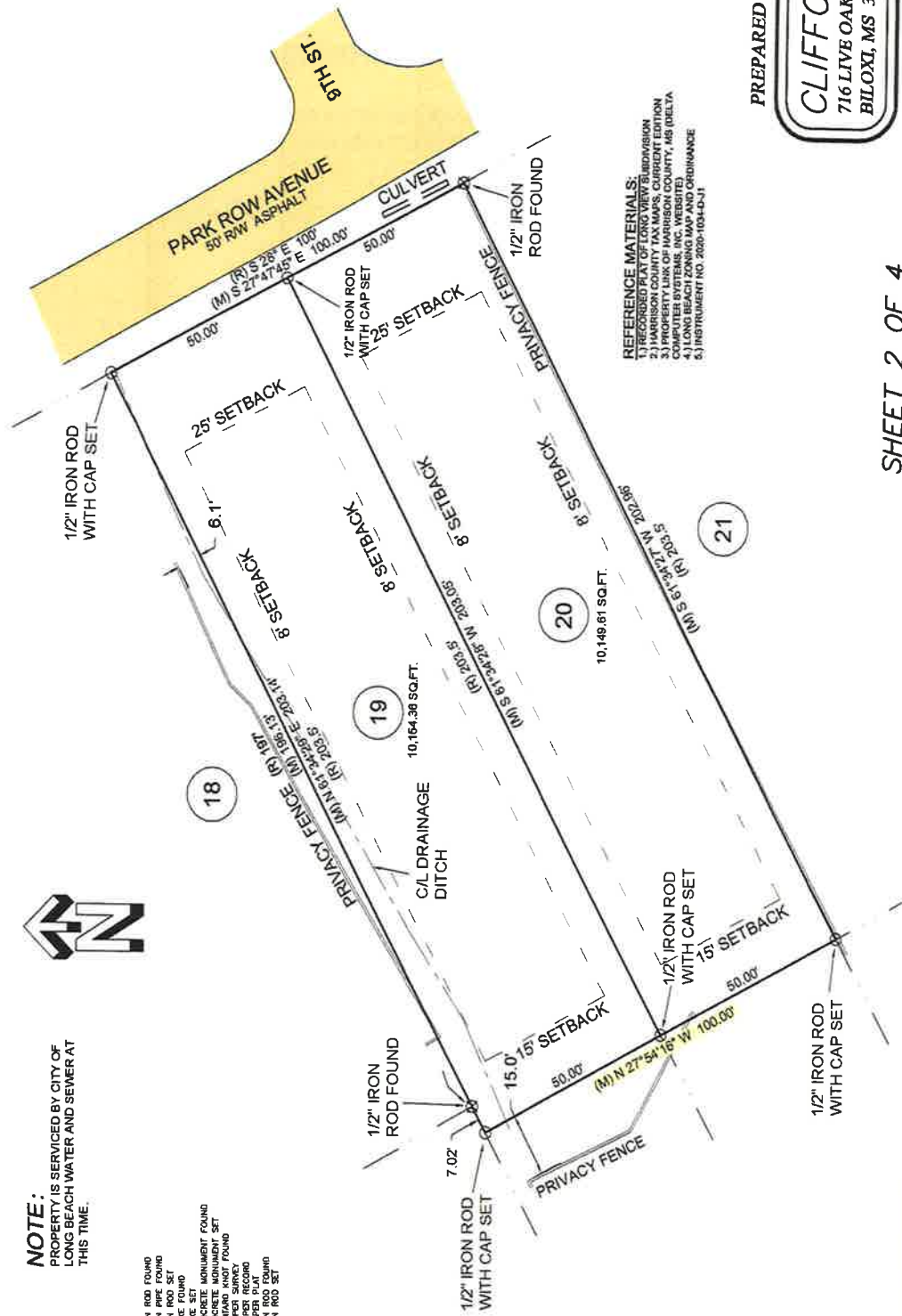
MINIMUM BUILDING SETBACKS:

THIS PARCEL OF LAND IS LOCATED IN A ZONE R-1, SINGLE FAMILY RESIDENCE DISTRICT AS PER CITY OF LONG BEACH ZONING MAP.
FRONT YARD - 25 FEET
SIDE YARD - 8 FEET
REAR YARD - 15 FEET

CLIENT: MSL PROPERTIES II, LLC
DATE OF FIELD SURVEY: 5/21/2020
DRAWN BY: CAC
JOB NUMBER: 20164.dwg

PREPARED BY:

CLIFFORD A. CROSBY, PLS
716 LIVE OAK DRIVE
BILOXI, MS 39332 PHONE: 228-234-1649



- REFERENCE MATERIALS:
- 1.) RECORDED PLAT OF LONG VIEW SUBDIVISION
 - 2.) HARRISON COUNTY TAX MAPS, CURRENT EDITION
 - 3.) PROPERTY LINK OF HARRISON COUNTY, MS (DELTA)
 - 4.) LONG BEACH ZONING MAP, AS REVISIONED
 - 5.) INSTRUMENT NO. 2008-1004-02-11

**MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

A RESUBDIVISION OF A 20,303.97 SQUARE
FEET PARCEL KNOWN AS LOTS 19 AND 20,
LONG VIEW SUBDIVISION, CITY OF LONG
BEACH, FIRST JUDICIAL DISTRICT OF
HARRISON COUNTY, MISSISSIPPI, INTO
ORIGINAL LOTS 19 AND 20. SAID PARCEL
BEING REFERRED TO AS TAX PARCEL NO.
06110-01-016.001

LONG BEACH PLANNING COMMISSION

CERTIFICATE OF RESUBDIVISION

In accordance with Article II, Section 3 of the Code of Ordinance (Subdivision Regulations) of the City of Long Beach as amended, it is hereby certified that the Long Beach Planning Commission Chairman and Long Beach Mayor and Board of Aldermen have reviewed and approved the attached Final Plat. The following property has been subdivided from Harrison County ad valorem tax parcel (06110-01-016.001) into (two) lots. The subject property is generally described as being located (on west side of Park Row Avenue, Long Beach, MS).

The Case File Number is: _____

LEGAL DESCRIPTIONS

LEGAL DESCRIPTION OF LAND PRIOR TO THIS RESUBDIVISION (PER DEED):

LOTS 19 AND 20, LONG VIEW SUBDIVISION, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI.

LEGAL DESCRIPTIONS OF THE TWO PROPOSED PARCELS:

LEGAL DESCRIPTION of (LOT 19):

LOT 19, LONG VIEW SUBDIVISION, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI.

LEGAL DESCRIPTION of (LOT 20):

LOT 20, LONG VIEW SUBDIVISION, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI.

CLIENT: MSL PROPERTIES II, LLC
DATE OF FIELD SURVEY: 5/21/2020
DRAWN BY: CAC
JOB NUMBER: 20164.dwg

PREPARED BY:

CLIFFORD A. CROSBY, PLS

716 LIVE OAK DRIVE

BILOXI, MS 39532 PHONE: 228-234-1649

SHEET 3 OF 4

MINUTES OF JULY 23, 2020
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.

MSL PROPERTIES II, LLC

Mary Levens
SIGNED BY: MARY LEVENS

6/4/2020
DATE

Subscribed and sworn to before me, in my presence this 4 day of June 2020, a Notary Public in and for the County of Harrison, State of Mississippi.

Ronald Andrew Marion Jr
NOTARY PUBLIC

My Commission Expires: _____



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

CERTIFICATE OF SURVEY AND ACCURACY

I hereby certify that this map drawn by me or drawn under my supervision from actual survey made by me or actual survey made under my supervision and a deed description recorded in instrument no. 2020-0001034-D-J1 in accordance with all applicable codes and ordinances. Witness my original signature, registration number and seal this the 4th day of June, 2020.

Clifford A. Crosby, P.L.S.

2539
MS P.L.S. NO.



PLANNING COMMISSION

Approved by the City of Long Beach Planning Commission at the regular meeting of said Commission held on the _____ day of _____ 20____.

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 _____ 20____.

ADOPT: _____

ATTEST: _____

MAYOR

CITY CLERK

PREPARED BY:

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

CLIENT: MSL PROPERTIES II, LLC
DATE OF FIELD SURVEY: 5/21/2020
DRAWN BY: CAC
JOB NUMBER: 20164.dwg

**MINUTES OF JULY 23, 2020
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

June 11, 2020

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

RE: Certificate of Subdivision - Tax Parcel No. 06110-01-016.001

Ladies and Gentlemen:

We have received a Certificate of Subdivision for the referenced property which has 100 feet frontage on the west side of Park Row Ave. The proposed subdivision proposes to divide the parcel into two equal parcels, each with 50 feet of frontage on Park Row Ave.

The proposed width of the parcels doesn't meet the requirements of the ordinance with regard to lot width; however, it is our understanding that the Owner has already applied for a variance for this issue. Besides the lot width, we see no other issues with the proposed changes or with the Certificate of Subdivision itself.

If the City chooses to allow the creation of these narrow lots, 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

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Special Tap Fee: 355 PARK ROW

Date: 06-16-20

SEWER AND WATER TAP

MATERIALS:

QTY.		ITEM	PRICE	TOTAL
2	FT	6" T wyes	\$27.30	\$54.60
1	EA	6" CAPS	\$6.80	\$6.80
1	EA	6x1 TAP SADDLE	\$25.00	\$25.00
2	EA	8" FERNCO	\$12.00	\$24.00
1	EA	1" CORP STOP	\$37.93	\$37.93
2	EA	1" CURB STOP	\$37.93	\$75.86
1	EA	METER BOX	\$35.00	\$35.00
10	EA	1" TUFF TUBE	\$0.35	\$3.50
14	EA	6" SDR 26	\$2.46	\$34.44
TOTAL MATERIAL COST				\$297.13

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
	\$520.26
TOTAL LABOR COST	
	\$520.26

FUEL:

TOTAL MATERIAL COST	TOTAL
	\$297.13
TOTAL EQUIPMENT COST	\$608.00
TOTAL LABOR COST	\$520.26
TOTAL	
	\$1,425.39
5% FUEL COST	\$71.27

PLEASE REMIT MATERIAL AND EQUIPMENT COST TO:

\$905.13

City of Long Beach

P.O. Box 929

Long Beach, MS 39560

PLEASE REMIT LABOR & FUEL COST TO:

\$591.53

Utility Partners, LLC

P.O. Box 591

Long Beach, MS 39560

TOTAL WATER TAP FEE COST **\$1,496.66**

**MINUTES OF JULY 23, 2020
REGULAR MEETING**

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Commissioner Seal made motion, seconded by Commissioner Husband and unanimously carried recommending approval of the resubdivision in accordance with the Subdivision Regulation, Article II. MINOR AND MAJOR SUBDIVISION GENERAL REGULATIONS.

It came for discussion under New Business Text Changes, Chart of Uses:

Chart of Use													
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WD
Agricultural													
Greenhouse Commercial				R						S	S	S	
Crops / Forestry				R									
Riding Stable				X							S	S	
Livestock				X							S	S	
Wildlife Refuge				X							S	S	
Forest Preserve				R									
Residential													
Single Family	R	R	R	R	R	X		X	X	X			
Accessory Unit	X	X	X	X	X	X		X	X	X	X	X	
Duplex / 2 Family Dwelling		R	R		X								
Townhouse			R			X	X	X	X	X			
Condominium			R			X	R	X	X	X			
Apartment Building <i>Low Rise</i>			R			X	X	X	X	X			
Apartment Building <i>High Rise</i>			X			X	X	X	X	X			
Live-Work Unit					R	S	S	X	S	X			
Mobile Home Park				S									
Special Care Homes													
Homes for Handicapped or Infirm			X	X	X			R		X			
Nursing Care, Intermediate Care Homes			X	X	X			R		X			
Halfway Houses								S					
Lodging													
Hotel / Motel (12+ rooms)			S			X	R	X	R	X			
Inn (up to 12 rooms)						X	X	X	R	X			
Bed and Breakfast (1-5 rooms)		X	X			X		X	R	X			
Tourist Homes (renting by the day or week)	X	X	X	X	X	X		X	X	X			
Office, Clerical, Research and Services (Not primarily related to goods and merchandise)													
Home Occupation (No customer/ client traffic generation)	R	R	R	R	R	R	R	R	R	R			
Operations designed to attract and serve customers or clients on the premises					X	R		R	R	R	R	R	X
Operations designed to attract little or no customers or client traffic other than employees of the entity					R	R		R	R	R			
Office building (multiple offices)						X	R	R	R	X	R	R	
Operations with drive up window						X	X	R	X	X			X
Work / Live Unit					R	R		R	R	R			
Services and Enterprises Relating to Animals													
Veterinarian (small animals only)					X	X		R	X	X			
Veterinarian (small / large animals)				S	X			X		X	X		
Boarding Kennel				S	X			X	S	X	X		

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Sales and Rental of Goods, Merchandise and Equipment													
No storage or display of goods outside fully enclosed building													
High volume traffic generation (more than 2,500 sq ft)						R	R	R	R	R			X
Low volume traffic generation (up to 2,500 sq ft)						R	R	R	R	R			X
Wholesale sale								R			R	R	
Storage and display of goods outside fully enclosed building allowed													
High volume traffic generation (more than 2,500 sq ft)							X	R	X	X	R	R	
Low volume traffic generation (up to 2,500 sq ft)							X	R	X	X	R	R	
Wholesale sale								R	X	X	R	R	
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Manufacturing, Processing, Creating, Repairing, Painting, Renovation, Cleaning and Assembling of Goods													
All operations conducted entirely within fully enclosed building													
Majority of dollar volume of business done with walk-in trade						X		X	X	X	R	R	
Majority of dollar volume of business not done with walk-in trade								X	X	X	R	R	
Operations conducted within or outside fully enclosed building													
Majority of dollar volume of business done with walk-in trade								X			R	R	
Majority of dollar volume of business not done with walk-in trade								X			R	R	
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Regulated Businesses													
Check cashing, title loan or pawn								R			X		
Escort services											S		
Lingerie modeling studio											S		
Sex oriented cabaret, cinema, media, or sex shop with sale or rental of sex oriented merchandise											S		
Tattoo and body piercing parlor								R			X		
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Motor Vehicle Related Sales and Service													
Motor vehicle sales or rental								R			X		
Sales with installation of parts or accessories (tires, mufflers, etc.)								R		S	R		
Motor vehicle repair and maintenance including substantial body work								R			R		
Motor vehicle repair and maintenance not including substantial body work								R			R	R	
Gas Sales							X	R	X	X	R	R	X
Gas Sales with repair and maintenance services								R	S	S	R	R	
Car Wash								R		X	R	R	
Scrap materials, salvage or junk yards and vehicle graveyards											X	R	
Automobile parking garages or parking lots (commercial)						X	X	X	X	X	R	R	

**MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Storage													
Storage rental units								X		X	R	R	
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Entertainment, Recreation, Amusement													
Activity conducted entirely within building or structure													
Bowling alleys, skating rinks, billiard halls , indoor athletic facilities and similar uses						X	X	R	X	X			
Movie theaters						X	X	R	X	X			
Coliseums, stadiums and similar uses				S			R	R	R				
Performing arts auditorium						R	R	R	R	X			
Activity conducted primarily outside enclosed building													
Privately owned outdoor recreational facilities				S			X	X	X				
Drive- in movies									X				
Publicly owned and operated outdoors recreation facilities	X	X	X	X			X	X	X	X	X	X	X
Golf course				S					X				
Golf driving ranges (not accessory to golf courses)				S				R	X				
Horseback riding or stables				X									
Automobile and motorcycle racetracks				S									
RV Park				S					X				
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Food Service, Restaurants, Lounge													
No substantial carry-out or delivery services, no drive-in service or primary consumption outside fully enclosed building						R	R	R	R	R			R
Restaurants with alcohol as accessory use						R	R	R	R	R			R
Lounge for consumption of alcoholic beverages on premises						R	R	R	R	X			R
Carry-out, delivery and drive-in services, primary consumption outside fully enclosed building						X	X	R	X	X			X
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Marine Related Facility													
Marina stores and supplies (up to 2,500 sq ft.)						R	R	R	R	R			R
Live bait stores													R
Boat storage (indoor)								R			R	R	X
Boat storage (indoor and outdoor)								R			R	R	X
Boat maintenance and repair								R			R	R	X
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Civic and Emergency Services													
Community Facility	X	X	X	X	X	X	X	R	X	X	R	R	X
Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X
Fire Station	X	X	X	X	X	X	X	X	X	X	X	X	X
Rescue and ambulance								R			R	R	
Infrastructure / Utilities	X	X	X	X	X	X	X	X	X	X	X	X	X
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Miscellaneous public and semi-public uses													
Post office	X	X	X	X	X	X	X	X	X	X	X	X	X
Airport		S											
Sanitary landfill		S		S									
Transit Facility							X	R	X				X
Military reserve centers		S					S	S	S	S	S		

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Funeral Home, Cemetery, Crematorium													
Funeral Home with embalming on site								R		X			
Funeral Home (visitation / services only)								R		X			
Crematorium											R	R	
Cemetery				S									
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Educational, Cultural, Religious, Philanthropic, Social, Fraternal, Child Care													
Child care facility (3 or fewer)	X	X	X	R	X			R	X	R			
Child care facility (4 or more)				X				R		R			
Elementary School	X	X	X	X				X	X	X	X	X	
Middle / High School	X	X	X	X				X	X	X	X	X	
College / University (including dormitory)	X	X	X	X				X	X	X	X	X	
Learning Center				S				R			R	R	X
Special training / Vocational				S				R			R	R	
Research facility				S		X	X	R	X	X	R	R	X
Libraries, museums, art centers and similar uses				S		X	X	R	X	X	R	R	X
Social, fraternal clubs and similar uses	X	X	X	X	X			R	X	X			
Churches, synagogues and temples	S	S	S	S	S	S	S	X	X	X			
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Towers and Related Structures													
Towers or antennas for individual residential use (limited to district height limit)	X	X	X	X	X	X	X	X	X	X	X	X	X
Towers or antennas for community or regional use								X	X	X	R	R	
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Open air markets and horticultural sales													
Open air markets (farm, craft, and produce)				S		X	X	R	X	R			X
Open air flea markets				S				X		X			
Horticultural sales with outdoor display				X				R	X	X			
	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Industrial													
Auto related industrial								X			R	R	
Communication / Transportation								X			R	R	
Manufacturing / Processing								X			R	R	
Marine related facility								X			R	R	
Products and Services								X			R	R	
Storage and Distribution								X			R	R	

Note: R = permitted by right
 X = permitted with Planning Commission Approval
 S = permitted as Special-use (hearing)

**MINUTES OF JULY 23, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

After considerable discussion, Commissioner Seal made motion, seconded by Commissioner Husband and unanimously carried to make the following changes:

- Townhomes allowed in an R-2 Zone with Planning Commission Approval.
- Nursing Care, Intermediate Care Homes allowed in an C-1 Zone with Planning Commission Approval.

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

APPROVED:

Commission Chairman Frank Olaivar

DATE: _____

ATTEST:

Tina M. Dahl, Minutes Clerk