

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**AGENDA  
AUGUST 12, 2021  
REGULAR MEETING OF THE PLANNING and DEVELOPMENT COMMISSION  
CITY OF LONG BEACH, MISSISSIPPI  
5:30 O'CLOCK P.M.  
LONG BEACH CITY HALL  
MEETING ROOM  
201 JEFF DAVIS AVENUE**

**I. CALL TO ORDER**

**II. ROLL CALL AND ESTABLISH QUORUM**

**III. PUBLIC HEARINGS**

1. Special-Use Approval- 20110 and 20112 Pineville Road, Tax Parcels 0511J-02-075.000 and 0511J-02-074.000, submitted by Maxims, LLC DBA Long Beach Market and Deli ("Deli") (owners), Michael J. Thompson, Jr. (agent).
2. Short-Term Rental- 830 West Beach Blvd, unit 2, Tax Parcel 0512I-01-051.010, submitted by Tara McLeese and Leslie Pichon.
3. Short-Term Rental- 109 East Azalea Drive, Tax Parcel 0712D-03-022.000, submitted by Kenneth and Beverly Hudson.
4. Short-Term Rental- 721 South Forest Avenue, Tax Parcel 0511O-03-023.000, submitted by Derek Hannan (owner) and Storme Hannan (property manager).

**IV. ANNOUNCEMENTS**

**V. APPROVE MINUTES**

1. July 22, 2021

**VI. UNFINISHED BUSINESS**

1. Discussion- Marijuana Dispensary Zoning.

**VII. NEW BUSINESS**

1. Tree Removal- 106 York Drive, Tax Parcel 0611N-03-015.000, submitted by Larry Epps and Tammy Epps.
2. Tree Removal- 109 East Azalea Drive, Tax Parcel 0712D-03-022.000, submitted by Kenneth T. Hudson.
3. Planning Commission Approval- 520 East Railroad Street, Tax Parcel 0612A-05-003.000, submitted by Vanessa Cruz.
4. Election of Officers- Planning and Development Commission Chairman.
5. Election of Officers- Planning and Development Commission Vice Chairman.

**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 17, 2021.

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

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

\*\*\*\*\*

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Be it remembered that four (4) 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 12<sup>TH</sup> day of August 2021, in said City, and the same being the time, date and place fixed for holding said Public Hearings.

There were present and in attendance on said Commission and at the Public Hearings the following named persons: Chairman Frank Olaivar, Commissioners Shawn Barlow, Sawyer Walters, Jeff Hansen, Michael Levens, Chris Fields, Jennifer Glenn and Marcia Kruse, City Advisor Bill Hessel, and Minutes Clerk Tina M. Dahl.

Absent the Public Hearings was Commissioner Justin Shaw and Building Official Mike Gundlach.

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 Special-Use Approval for property located at 20110 and 20112 Pineville Road, Tax Parcels 0511J-02-075.000 and 0511J-02-074.000, submitted by Maxims, LLC DBA Long Beach Market and Deli ("Deli") (owners) and Michael J. Thompson, Jr. (agent), as follows:

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LONG BEACH PLANNING and DEVELOPMENT COMMISSION



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

Office use only	
Date Received	7-1-21
Zoning	C-3 & R-0
Agenda Date	8-12-21
Check Number	1286
Ward	5

APPLICATION FOR  
SPECIAL-USE APPROVAL

- I. Tax Parcel Number(s): 0511J-02-075.000 and 0511J-02-074.000
- II. Address of Property Involved: 20110 and 20112 Pineville Road, Long Beach, MS 39560
- III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)  
Seeking approval to use 20112 Pineville Road as satellite parking for 20110 Pineville Road as more fully described in the attached.

**PLEASE COMPLETE THE FOLLOWING:**

- A. Describe any special condition that justify the granting of this request and that are peculiar to the property and do not apply to other properties in the general area. What are the reasons for the request and why the applicant cannot meet the stated code requirement? \_\_\_\_\_

See attached letter and exhibits.

- B. Describe how the special condition discussed above is not the result of action taken by the applicant. Show that the applicant did not cause the need for this request. \_\_\_\_\_

See attached letter and exhibits.

- C. Show that unnecessary hardship exists due to the character of the property and that this hardship makes the request necessary. State what hardship is caused if the applicant is required to meet code requirements? What is the result of this hardship? What would result if the Zoning Board denied this request? \_\_\_\_\_

See attached letter and exhibits.

- D. Show that denial of this request will deprive the applicant of rights commonly enjoyed by other properties in the general area and that the granting of this variance request will make possible the reasonable use of land while not conferring any special privilege. Outline how the subject of the variance is common in the area and if the applicant were to be denied this variance a right would be taken away which is granted to other properties. State how the variance makes reasonable use of the existing land and why the same action cannot be done in a way that does not require a variance. Show that granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable. \_\_\_\_\_

See attached letter and exhibits.

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**IV. REQUIRED ATTACHMENTS:**

- A. **Interest and Ownership.** The applicant's name, address and interest of every person, firm or corporation represented by the applicant in the application, the name of the owner or owners and their respective addresses of the entire land area proposed to be changed in classification or to be included within the structures then existing thereon, and sufficient evidence to establish that the applicant has the right of possession to the land area and structures, the names and address of all owners of adjacent property (exclusive of the width of intervening streets, alleys, or bodies of water). Claims of support or "no objection" from owners of adjoining property should be substantiated in writing or by the appearance of such owner(s) at the hearing. Such support is usually considered material but not conclusive.
- B. **Survey and Site Plan.** a site plan showing the land area which would be affected, easements bounding and intersecting the designated area, the locations of existing and proposed structures with supporting open facilities, and the ground area to be provided and continuously maintained for the proposed structure or structures;
- C. **Recorded Warranty Deed.** A deed which includes a legal description of the specific piece of property involved in the request. If, several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.
- D. **Fee.** Attach a check in the amount of \$100.00 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. The City of Long Beach will notify, by certified letter, adjacent property owners within 200' (feet), to the requested action identified in this application, using the Harrison County Tax Assessor's Land Roll database.

INCOMPLETE APPLICATIONS MAY DELAY APPROVAL OF YOUR REQUEST, PLEASE SUBMIT ALL REQUIRED 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 2<sup>nd</sup> or 4<sup>th</sup> Thursday of each month (SEE ATTACHED MEETING DATES & DEADLINES.) Receipt of fee(s) does not constitute receipt of a completed application.

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

\_\_\_\_\_  
(PRINT) Name of Rightful Owner

\_\_\_\_\_  
Owner's Mailing Address

\_\_\_\_\_  
City                      State                      Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email address  
(\*You may be contact by email regarding your application)

\_\_\_\_\_  
Signature of Owner                      Date

Michael J. Thompson, Jr.  
\_\_\_\_\_  
(PRINT) Name of Agent

5574 Red Creek Road  
\_\_\_\_\_  
Agent's Mailing Address

Long Beach, MS 39560  
\_\_\_\_\_  
City                      State                      Zip

(228) 265-5010  
\_\_\_\_\_  
Phone

mike@mjtllaw.com  
\_\_\_\_\_  
Email address  
(\*You may be contact by email regarding your application)

  
\_\_\_\_\_  
Signature of Agent                      Date

6/30/2021

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MICHAEL J. THOMPSON, JR.  
(228) 265-5010  
MIKE@MJTLAW.COM

June 30, 2021

**Via Hand Delivery**

City of Long Beach, Mississippi  
Planning and Development Commission  
P.O. Box 929  
201 Jeff Davis Avenue  
Long Beach, MS 39560

**Re: Supplement to Application for Special Use Approval**

Property Addresses: 20110 and 20112 Pineville Road  
Long Beach, MS 39560

Dear Commissioners:

This supplement to the Application for Special Use Approval is submitted on behalf of my client Maxims, LLC d/b/a Long Beach Market and Deli ("Deli") ahead of the July 22, 2021 City of Long Beach Planning & Development Commission meeting.

**Factual Background**

In June 2019, the City of Long Beach declined to renew the Deli's business license as a convenience store. The City required the Deli to register as a restaurant. In doing so, the number of required parking spaces increased from six (6) to thirty-one (31) per Ordinance 598, Section 199. There are twenty-one (21) parking spaces on the parcel where the Deli is located.

To accommodate the number of increased parking spots, the Deli has leased land on the other side of Mitchell Road at 20100 Pineville Road to provide satellite parking. The use of the leased premises to provide additional parking for the Deli has been approved by Mike Gundlach, the City zoning officer. The Deli made several improvements to the property at 20100 Pineville Road to accommodate the satellite parking. When Hurricane Zeta struck in October 2020, those improvements were lost during the demolition of a building located on the property. The property also now holds water.

---

Admitted in Mississippi and Louisiana  
Mailing Address: P.O. Box 280, Gulfport, MS 39502  
Facsimile: 601-907-4497

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As the leased premises are only temporary and are an additional expense, the Deli desires to have a long-term solution to the parking issue.

In this Application for Special Use Approval, the Deli proposes using the property immediately adjacent to it at 20112 Pineville Road to provide additional satellite parking. This property is owned by Dallas Van Norden, son of the Deli owner. There is no active business or operation on the proposed satellite parking property, nor has there been any recent active business at the property. On its parcel at 20110 Pineville Road, the Deli has twenty-one (21) of the thirty-one (31) required parking spots. The proposed satellite parking at 20112 Pineville Road has nineteen (19) additional parking spots.

However, the property at 20112 Pineville is zoned R-O. The property where the Deli is located is zoned C-3. According to the City of Long Beach Chart of Use, automobile parking garages or parking lots are not allowed on property that is R zoned. Ordinance 598, Section 105. Such use would only be allowed with Planning and Zoning Commission approval.

The Deli strongly desires to use the property immediately adjacent to it at 20112 Pineville Road to provide satellite parking. Doing so would allow the Deli to maintain the improvements in the parking area, would further ensure the safety of its customers by not having to cross a road to get to the parking area, and allow for use of property already owned by the Van Norden Family.

**Responses to Application for Special-Use Approval**

- A. Describe any special condition that justify the granting of this request and that are peculiar to the property and do not apply to other properties in the general area. What are the reasons for the request and why the applicant cannot meet the stated code requirement?

The proposed satellite parking area is not zoned for use as satellite parking. However, the proposed satellite parking area would allow the Deli to maintain the improvements in the parking area, would further ensure the safety of its customers by not having to cross a road to get to the parking area, and allow for use of property already owned by the Van Norden Family. Reference is made to the site plan and satellite photo attached as Exhibit A.

- B. Describe how the special condition discussed above is not the result of action taken by the applicant. Show that the applicant did not cause the need for this request.

The Van Nordens originally purchased the Deli property in 2011. At that time, the City of Long Beach issued a Privilege Tax License dated December 5, 2011 classifying the business as a Convenience Store. A copy of the Deli's privilege license is attached as Exhibit B. Per Ordinance 598, a General Business requires one (1) parking space per 300 sq. ft. of Gross Floor Area. In June 2019, the City declined to renew the Deli's Privilege License as a Convenience Store. A copy of the correspondence from the City's attorney is attached as Exhibit C. This change increased the number of required parking spaces to thirty-one (31) and the Deli has only twenty-one (21) parking spaces at its parcel. At that



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time, the Deli agreed to lease the adjacent property across Mitchell Road for use as a satellite parking area until a more permanent solution could be found.

- C. Show that unnecessary hardship exists due to the character of the property and that this hardship makes the request necessary. State what hardship is caused if the applicant is required to meet code requirements? What is the result of this hardship? What would result if the Zoning Board denied this request?

If the Planning and Zoning Commission denies this Special Use Application, Deli customers would have to continue to park across Mitchell Road. Further, the Deli would continue to incur unnecessary expenses to lease the current satellite parking area.

- 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.

Denial of this request would prevent the Deli owners from putting property to a good commercial use and potentially endanger Deli customers.

**Planning and Zoning Commission Authority to Grant Special Use Application**

The Special Use sought here is squarely within the purview of this Commission per the City of Long Beach Zoning Ordinance. The Ordinance defines a Special Exception Use as "A use that is subject to approval based on location and site plan. The use possesses such characteristics of unique or special form that each specific use shall be considered as an individual case." Ordinance 598, Section 14 (214).

Specific to satellite parking areas, the Ordinance further provides as follows: Section 206: Satellite Parking:

- a) If the number of off-street parking spaces required by this Section cannot reasonably be provided on the same lot where the principal use associated with these parking spaces is located, then spaces may be provided on adjacent or nearby lots in accordance with the provisions of this section. These off-site spaces are referred to in this section as satellite parking spaces.
- b) All such satellite parking spaces (except spaces intended for employee use) must be located within 400 feet of a public entrance of a principal building housing the use associated with such parking, or within 400 feet of the lot on which the use associated with such parking

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is located if the use is not housed within any principal building. Satellite parking spaces intended for employee use may be located within any reasonable distance.

- c) The developer wishing to take advantage of the provisions of this section must present satisfactory written evidence that he has the permission of the owner or other person in charge of the satellite parking spaces to use such spaces. The developer must also sign an acknowledgment that the continuing validity of his permit depends upon his continuing ability to provide the requisite number of parking spaces.
- d) Persons who obtain satellite parking spaces in accordance with this section shall not be held accountable for ensuring that the satellite parking areas from which they obtain their spaces satisfy the design requirements of this article. Ordinance 598, Section 206.

Lastly, the Ordinance further authorizes the Commission to deviate from the parking requirement set forth in Section 199 for businesses such as the Long Beach Market and Deli. Section 200 Flexibility in Administration provides, in pertinent part, as follows:

- a) The Mayor and the Board of Aldermen recognizes that, due to the particularities of any given development, the inflexible application of the parking standards set forth in Subsection 199(e) may result in a development either with inadequate parking space or parking space far in excess of its needs. The former situation may lead to traffic congestion or parking violations in adjacent streets as well as unauthorized parking in nearby private lots. The latter situation wastes money as well as space that could more desirably be used for valuable development or environmentally useful open space. Therefore, as suggested in Section 199, the planning commission may permit deviations from the presumptive requirements of Subsection 199(e) and may require more parking or allow less parking whenever it finds that such deviations are more likely to satisfy the standard set forth in Subsection 199(a).
- b) Without limiting the generality of the foregoing, the planning commission may allow deviations from the parking requirements set forth in Subsection 199(e) when it finds that:
  - (1) . . .
  - (2) A business is primarily oriented to walk-in trade.
  - (3) Or any other development that is unique in nature due to clients or visitors.
- c) Whenever the planning commission allows or requires a deviation from the presumptive parking requirements set forth in Subsection 199(e), it shall enter on the face of the permit the parking requirement that it imposes and the reasons for allowing or requiring the deviation.

The majority of the Deli's business is take-out food orders and retail craft beer sales. Only a small percentage of the Deli's business are dine-in customers. As such, the parking spaces are primarily used for short-term use. Under these circumstances, the Planning and Zoning Commission could, in the alternative to authorizing the use of 20112 Pineville Road as a satellite parking area, reduce



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the number of required parking spaces for the Deli from thirty-one (31) to twenty-one (21) such that all of the Deli parking can be located on the Deli premises.

We look forward to participating in the July 22, 2021 Planning and Zoning Commission meeting. In the interim, please let the undersigned know if any additional information or materials can be provided in relation to this Application.

Cordially,



Mike Thompson

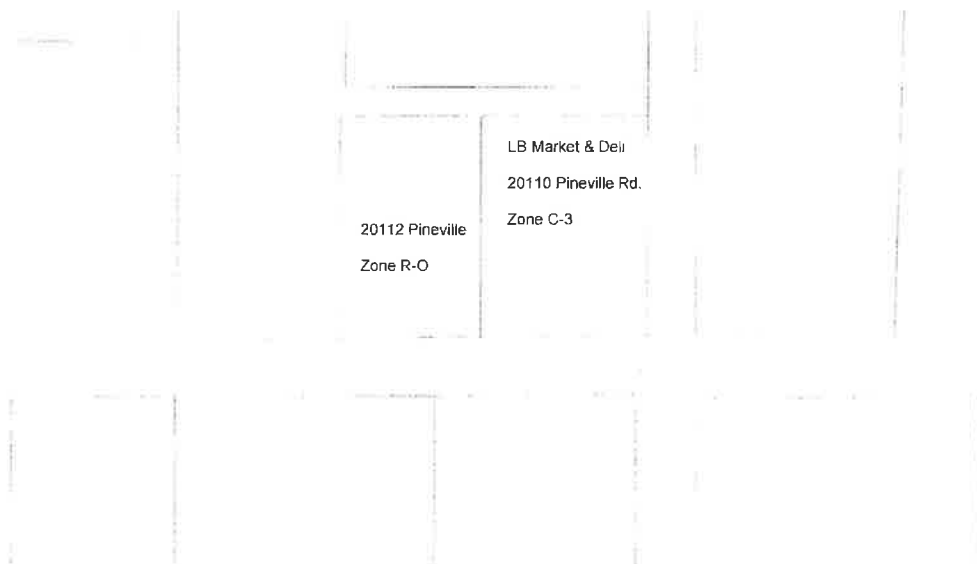
Cc: Maxims, LLC  
Steve Simpson, Esq. (ssimpson@purviscolaw.com)  
Mr. Mike Gundlach (mgundlach@cityoflongbeachms.com)

Enclosures:

- Exhibit A: Site Plan and Satellite Photo
- Exhibit B: City of Long Beach Privilege License December 5, 2011 to September 30, 2019
- Exhibit C: June 12, 2019 Letter from City Attorney
- Exhibit D: Landroll Information for Both Parcels Referenced in Application
- Exhibit E: Copies of Recorded Warranty Deeds for Both Parcels Referenced in Application

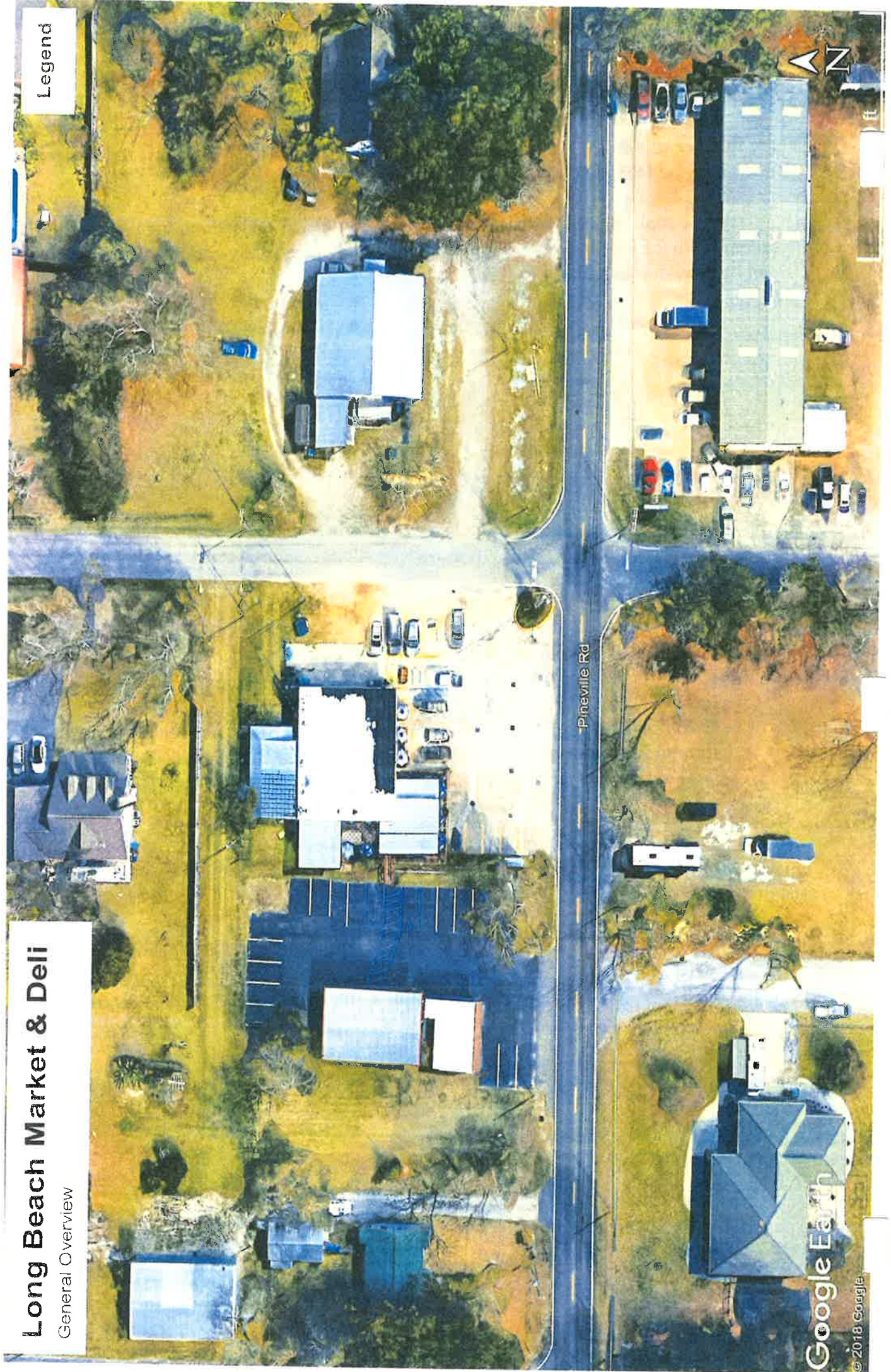
**Supplement to Application for Special Use Approval**  
Property Addresses: 20110 and 20112 Pineville Road  
Long Beach, MS 39560

**Exhibit A: Site Plan and Satellite Photo**





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Exhibit B: City of Long Beach Privilege License December 5, 2011 to September 30, 2019

THIS LICENSE MUST BE POSTED IN  
A CONSPICUOUS PLACE

State of Mississippi

BUSINESS # 1645

CITY OF LONG BEACH  
PRIVILEGE TAX LICENSE

VALID 10/01/18 - 09/30/19  
License Number 1645

LICENSE IS HEREBY GRANTED TO:

MAXIM F VAN NORDEN  
LONG BEACH DELI - MAXIMS LLC  
20110 PINEVILLE RD  
LONG BEACH, MS 39560

LOCATION:  
20110 PINEVILLE ROAD

CATEGORY: CONVENIENCE STORE

TYPE : CONVENIENCE STORE

DESC:

DATE ISSUED: DECEMBER 5, 2011

  
TAX COLLECTOR

IN THE CITY OF LONG BEACH, COUNTY OF HARRISON, STATE OF MISSISSIPPI ON THE EXPRESS CONDITION THAT THE LICENSEE SHALL OBSERVE AND OBEY THE LAWS OF THE STATE AND THE ORDINANCES OF THE CITY OF LONG BEACH AS ARE NOW IN FORCE OR MAY HEREAFTER BE ENACTED.

THIS LICENSE IS NOT TRANSFERABLE AND IS SUBJECT TO SUMMARY REVOCATION IN CASE THE LICENSEE VIOLATES THE LAWS AND ORDINANCES THEN IN FORCE AND EFFECT.

BUSUCA

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**Exhibit C: June 12, 2019 Letter from City Attorney**



JAMES C. SIMPSON, JR.  
jes@wisecarter.com

Coast Office:  
2510 14<sup>th</sup> Street, Suite 1125  
Gulfport, Mississippi 39501  
Direct: 228-241-1690  
Phone: 228-867-7141  
Fax: 228-867-7142

June 12, 2019

Mr. Maxim F. Van Norden  
Long Beach Deli – Maxims LLC  
20110 Pineville Road  
Long beach, Mississippi 39560

RE: Long Beach Deli; City of Long Beach Privilege  
License No. 1645 Permit issues

Dear Mr. Van Norden:

In response to recent citizen complaints regarding lighting issues at the premises located 20110 Pineville Road, the City has had occasion to review the property use and license referenced above. Although we are led to believe that the lighting issues have now been addressed by Mississippi Power Company and the lighting problem somewhat abated, in the course of looking at the complaint we have observed that the license for your business is for a "convenience store." Plainly, that is not the use to which occupies the premises.

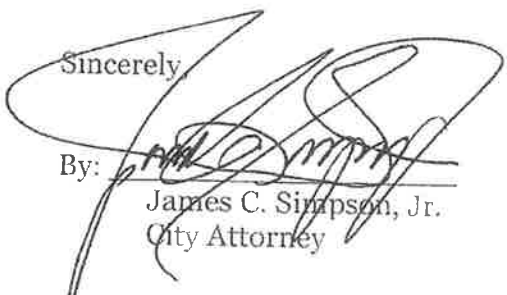
In order to continue your current use of the premises you are required to obtain a new business permit and properly identify the use to which the premises are intended to be used. We feel this may raise other issues related to your current use and suggest a meeting between you and City officials to address these potential issues in advance in order that we can minimize inconvenience and assist you in continued current operations at the premises.

Please contact the undersigned or Mike Gundlach immediately upon receipt of this letter and arrange a meeting so that this issue can be addressed and resolved. Failing any prompt resolution of this problem may otherwise lead to closure of the business by the City.

I look forward to your response.

Sincerely,

By:

  
James C. Simpson, Jr.  
City Attorney

cc: Mr. Mike Gundlach,  
City of Long Beach

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 Long Beach, MS 39560

**Exhibit D: Landroll Information for Both Parcels Referenced in Application**

6/30/2021

Harrison County Online! Harrison County Mississippi

**2020 Landroll Information**

**VAN NORDEN MAXIM F & LUCIA**  
 5142 MITCHELL RD LONG BEACH, MS 39560

**Physical Street Address:**  
 20110 PINEVILLE RD

Parcel #:	PPIN	Tax District	Homestead Exp.	Judicial Dist.
0511J-02-075.000	37134	3L		1
<b>Supervisor District:</b>			<b>Subdivision:</b>	
3				

**Exemption Code**  
 Non-Exempt

Section	Township	Range
10	08	12

**Instrument Number(s)**

2011-0008373-D-J1, 2008-0003451-D-J1, 2007-0001183-D-J1, 2005-0014702-D-J1,  
 1654/0167, 1426/0233, 0829/0016

Acres	Land Value	Improvements	Total Value	Assessed Value
0	34500	84899	119399	17910

**Legal Description**

7-11 STORE BEG 20 FT N & 15 FT W OF N S 1/2 SEC LINE OF SEC 10 ON N MAR OF  
 PINEVILLE RD N 150 FT W 110 FT S 150 FT TO RD ELY ALONG RD 110 FT TO POB  
 BEING PART OF LOT 51 OF H-S-H SURVEY SEC 10-8-12

There are 2 building description records attached to this parcel.

**Building 1 (Primary)**

<b>Year Built:</b>	1979
<b>Base Square Feet:</b>	2268
<b>Second Floor Area:</b>	0

**Building 2**

<b>Year Built:</b>	0
<b>Base Square Feet:</b>	3400
<b>Second Floor Area:</b>	0

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**2020 Landroll Information**

**VAN NORDEN DALLAS HAN**  
5142 MITCHELL RD LONG BEACH, MS 39560

**Physical Street Address:**  
20112 PINEVILLE RD

<b>Parcel #:</b>	<b>PPIN</b>	<b>Tax District</b>	<b>Homestead Exp.</b>	<b>Judicial Dist.</b>
0511J-02-074.000	37135	3L		1
<b>Supervisor District:</b>			<b>Subdivision:</b>	
3				

**Exemption Code**  
Non-Exempt

<b>Section</b>	<b>Township</b>	<b>Range</b>
10	08	12

**Instrument Number(s)**

2019-0000828-D-J1, 2013-0001860-D-J1, 2006-0000253-D-J1, 0841/0317

<b>Acres</b>	<b>Land Value</b>	<b>Improvements</b>	<b>Total Value</b>	<b>Assessed Value</b>
0	46000	37487	83487	12523

**Legal Description**

BEG 110 FT W OF INTER OF N MAR OF PINEVILLE RD & W MAR OF MITCHELL RD W  
ALONG PINEVILLE RD 95.5 FT N 150.1 FT E 95.5 FT S 150.1 FT TO POB PART OF  
SE1/4 OF NW1/4 OF SEC 10/8/12

**There are 2 building description records attached to this parcel.**

**Building 1 (Primary)**

<b>Year Built:</b>	1982
<b>Base Square Feet:</b>	1654
<b>Second Floor Area:</b>	0

**Building 2**

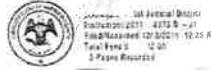
<b>Year Built:</b>	0
<b>Base Square Feet:</b>	112
<b>Second Floor Area:</b>	0

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REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



PREPARED BY:  
Law Offices of  
LAURA F. PAULK, PLLC  
16127 Orange Grove Road  
Gulfport, MS 39503  
228-831-1818  
LFP File No: 1104466  
MS Bar No. 10735

Return To:  
Law Offices of  
LAURA F. PAULK, PLLC  
16127 Orange Grove Road  
Gulfport, MS 39503  
228-831-1818  
LFP File No: 1104466

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

**WARRANTY DEED**

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

Long Beach Deli, LLC, a Mississippi Limited Liability Company, Grantor  
20110 Pinckville Road  
Long Beach, MS 39560  
(228) 864-1933

does hereby sell, convey and warrant unto

Maxim F. Van Norden and Lucia Van Norden, Grantees  
5142 Mitchell Rd  
Long Beach, MS 39560  
(228) 865-9605.

as joint tenants with full rights of survivorship and not as tenants in common, the following described land and property being located in Harrison County, Mississippi, more particularly described as follows:

(See Exhibit A attached)

INDEXING INSTRUCTIONS: Del in Long Beach Sec. 40 in SE 1/4 of NW 1/4 of Sec. 10-0-12, Harrison County, Mississippi

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

This conveyance is made expressly subject to any and all restrictive covenants, rights-of-way, easements, and mineral reservations and any other rights now of

record which effect the above described property.

WITNESS MY SIGNATURE, this the 7th day of December, 2011.

Long Beach Deli, LLC

By: Paul J. Sherer  
Paul J. Sherer, Member

By: Vinh Thi Sherer  
Vinh Thi Sherer, Member

By: Ba The Ho  
Ba The Ho, Member

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally appeared before me, the undersigned Notary Public in and for the above named jurisdiction, the within named, Paul J. Sherer, Vinh Thi Sherer, and Ba The Ho, who (severally) acknowledged that they are the Member(s) of Long Beach Deli, LLC, a Mississippi limited liability company and acknowledged that in said representative capacity and as its act and deed, they signed, executed and delivered the above and foregoing instrument on the day and year therein stated, after first having been duly authorized so to do.

Given under my hand and seal, this the 7th day of December, 2011.

My Commission Expires:



Michelle E. Gordon  
NOTARY PUBLIC

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land located in Long Beach Section Block Forty (40) in the Southeast One-quarter of the Northwest One-quarter (SE 1/4 of the NW 1/4) of Section 10, Township 8 South, Range 12 West, Harrison County, Mississippi, described as:

Commencing at the center of Section 10, Township 8 South, Range 12 West, Harrison County, Mississippi, thence Northerly along the half section line a distance of 20 feet to a point; thence Westerly a distance of 15 feet to an iron rod set on the apparent North line of Pineville Road, being the Point of Beginning; thence Northerly and parallel with the half section line a distance of 150 feet to an iron rod; thence Westerly a distance of 110 feet to an iron rod; thence Southerly and parallel with the half section line a distance of 150 feet to the apparent North line of Pineville Road, thence Easterly along the North line of Pineville Road a distance of 110 feet to the Point of Beginning.

1702466

3



1st Judicial District  
Instrument 2016 828 D -J1  
Filed/Recorded 2/13/2019 10:11 A  
Total Fees \$ 72.00  
0 Pages Recorded

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

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

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

**WARRANTY DEED**

For and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, FAMILY PHYSICAL THERAPY OF SOUTH MS, LLC, a Mississippi limited liability company, of 125 Yucca Drive, Long Beach, MS 39560, (228) 731-8450, does hereby sell, convey and warrant unto DALLAS HAN VAN NORDEN, of 5142 Mitchell Road, Long Beach, MS 39560, (228) 596-8932, the following described real property situated in Harrison County, First Judicial District, State of Mississippi, described as:

**A parcel of land situated in the SE1/4 of the NW1/4 of Section 10, Township 8 South, Range 12 West, City of Long Beach, Harrison County, Mississippi, being more particularly described as:**

Commencing at the point of intersection of the West margin of Mitchell Road with the North margin of Pineville Road; thence along said North margin of Pineville Road South 89 degrees 57 minutes 32 seconds West 110.00 feet to an iron rod found at the POINT OF BEGINNING; thence further along said North margin of Pineville Road West 95.46 feet to an iron rod; thence North 00 degrees 13 minutes 02 seconds East 150.08 feet to an iron rod; thence East 95.46 feet to an iron rod found; thence South 00 degrees 13 minutes 02 seconds West 150.08 feet to the POINT OF BEGINNING.

All as per survey by Clifford A. Crosby, PLS, dated December 31, 1997.

**INDEX AS FOLLOWS:** Part of the SE 1/4 of the NW 1/4 on N line of Pineville Road, Section 10, T8S, R12W, City of Long Beach, Harrison Co., 1<sup>st</sup> Jud. Dist., MS

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**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

The above described property is conveyed subject to restrictions, reservations and easements of record.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent year taxes are specifically assumed by the Grantee.

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

Witness the signature of the Grantor this 12<sup>th</sup> day of February, 2019.

**FAMILY PHYSICAL THERAPY  
OF SOUTH MS, LLC**

By: STEVE MYERS, Member

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, STEVE MYERS, who acknowledged that he is a Member of FAMILY PHYSICAL THERAPY OF SOUTH MS, LLC, a Mississippi limited liability company, and as its act and deed, he executed the above and foregoing instrument of writing on the day and in the year therein written, having been first duly authorized to do so.

Given under my hand and official seal of office this 12<sup>th</sup> day of February, 2019.

Stephanie R. Lyle  
NOTARY PUBLIC

My Commission Expires: 10/8/22



File No.: 19-23313 VAN NORDEN

Page 2

RESOLUTION OF FAMILY PHYSICAL THERAPY OF SOUTH MS, LLC

I hereby certify that I am the duly elected and qualified Manager of FAMILY PHYSICAL THERAPY OF SOUTH MS, LLC, a Mississippi limited liability company, and the keeper of the records of said company; that the following is a true and correct copy of resolutions duly adopted at a meeting of the Members thereof held in accordance with the Operating Agreement at its offices at which a quorum was present and voting and that the same has not been repealed or amended and remains in full force and effect and does not conflict with any rules of the Company.

BE IT RESOLVED that STEVE MYERS, as Member of FAMILY PHYSICAL THERAPY OF SOUTH MS, LLC, is hereby authorized, empowered, instructed and directed to act for and on behalf of said company in executing any and all necessary documents for the sale and transfer of the following described property:

A parcel of land situated in the SE1/4 of the NW1/4 of Section 10, Township 8 South, Range 12 West, City of Long Beach, Harrison County, Mississippi, being more particularly described as:

Commencing at the point of intersection of the West margin of Mitchell Road with the North margin of Pineville Road; thence along said North margin of Pineville Road South 89 degrees 57 minutes 32 seconds West 110.00 feet to an iron rod found at the POINT OF BEGINNING; thence further along said North margin of Pineville Road West 95.46 feet to an iron rod; thence North 00 degrees 13 minutes 02 seconds East 150.08 feet to an iron rod; thence East 95.46 feet to an iron rod found; thence South 00 degrees 13 minutes 02 seconds West 150.08 feet to the POINT OF BEGINNING.

All as per survey by Clifford A. Crosby, PLS, dated December 31, 1997.

There being no further business, on motion duly made and seconded, the meeting was declared adjourned.  
CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Members of FAMILY PHYSICAL THERAPY OF SOUTH MS, LLC, a Mississippi limited liability company, adopted at a meeting held at its domicile at which a quorum was present and voting, and the same has not been revoked or rescinded.

IN WITNESS WHEREOF, I have hereunto affixed my name on the 12<sup>th</sup> day of February, 2019.

FAMILY PHYSICAL THERAPY OF SOUTH MS, LLC

BY: Deborah Myers

DEBORAH MYERS, MANAGER

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

The Clerk reported that twelve (12) 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 **Special-Use Approval**.

Michael J. Thompson, Jr. (agent), has filed an application for a Special-Use Approval on behalf of his client Maxims, LLC, Long Beach Market and Deli ("Deli") (owners), 20110 and 20112 Pineville Road, Long Beach, MS, 39560, in accordance with the Comprehensive Long Beach Unified Land Ordinance. **The applicant is requesting satellite parking at 20112 Pineville Road to increase the Deli's parking by 19 additional spots. "The Deli strongly desires to use the property immediately adjacent to it at 20112 Pineville Road to provide satellite parking. Doing so would allow the Deli to maintain the improvements in the parking area, would further ensure the safety of its customers by not having to cross a road to get to the parking area, and allow for use of property already owned by the Van Norden Family."** The location of the request is 20112 Pineville Road, Long Beach, Mississippi, 39560, Tax Parcel Number 0511J-02-074.000.

The legal description is as follows:

BEG 110 FT W OF INTER OF N MAR OF PINEVILLE RD & W MAR OF MITCHELL RD W ALONG PINEVILLE RD 95.5 FT N 150.1 FT E 95.5 FT S 150.1 FT TO POB PART OF SE1/4 OF NW1/4 OF SEC 10/8/12

A Public Hearing to consider the above variance will be held in the City of Long Beach, Mississippi, 39560, Thursday, August 12, 2021, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed  
Chairman  
Planning and Development Commission

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING**

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

<p>Daniel, Jerry S 21178 Pineville Road Long Beach, MS 39560</p>	<p>Piety, Michael 5118 Mitchell Road Long Beach, MS 39560</p>	<p>Smith Tire &amp; Auto Service, Inc. PO Box 395 Long Beach, MS 39560</p>
<p>Smith, Mark A and Julienne W 5125 Mitchell Road Long Beach, MS 39560</p>	<p>Dorris, Paul D and Edgie M 20115 Pineville Road Long Beach, MS 39560</p>	<p>Hager, Kathi J PO Box 266 Long Beach, MS 39560</p>
<p>Skellie, William Jr and Patricia 20122 Pineville Road Long Beach, MS 39560</p>	<p>Vining, Steven H Jr and Nickie L 5111 Ashley Lane Long Beach, MS 39560</p>	<p>Marmalich, Dale William and Kimberly R 20114 Pineville Road Long Beach, MS 39560</p>
<p>Marmalich, Dale William and Kimberly R 5119 Mitchell Road Long Beach, MS 39560</p>	<p>Clark, Samuel M and Mary Burt 5121 Mitchell Road Long Beach, MS 39560</p>	<p>Kuhlmann, David M and Mary Margaret 5123 Ashley Lane Long Beach, MS 39560</p>

**AFFIDAVIT**

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
CITY OF LONG BEACH

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

1. That she is the duly appointed and acting Minutes Clerk of the City of Long Beach, Mississippi, Planning and Development Commission;
2. That in such capacity, she is responsible for mailing Notices of Public Hearing for the purpose of notifying property owners within One Hundred Sixty Feet (160'), excluding public right of ways, of the subject property, when applications for zoning map changes, variances, appeals, etc., are filed, all as stipulated in The Zoning Ordinance Number 598 of the City of Long Beach, and other matters pertaining to such Public Hearings and the business of the Planning and Development Commission in and for the City of Long Beach;
3. That on July 19, 2021, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 12 (twelve) property owners within One Hundred Sixty Feet (160'), excluding public right of ways, of, Tax Parcel 0511J-02-074.000, notifying them that a Public Hearing will be held, August 12, 2021, to consider an application for a Special-Use Approval.

Given under my hand this the 19th day of July 2021.

  
STACEY DAHL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 19th day of July 2021.

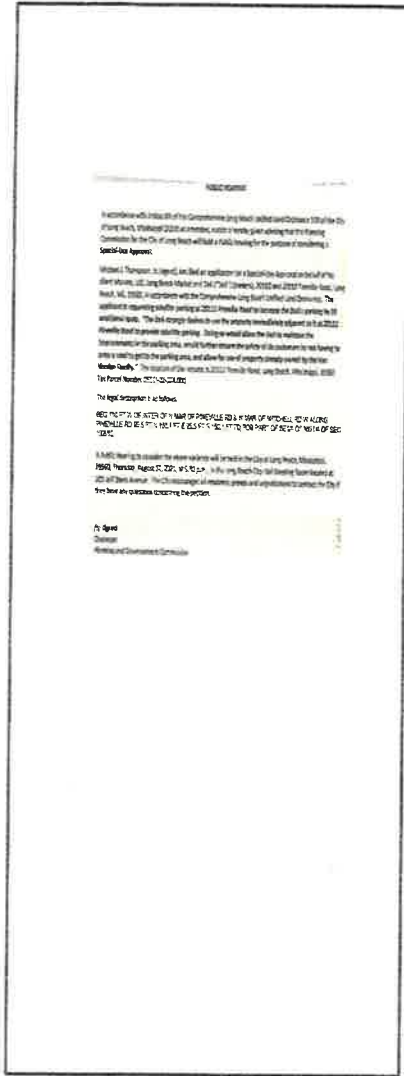
  
NOTARY PUBLIC

-My Commission Expires-



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

MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION  
Proof of Publication



STATE OF MISSISSIPPI  
COUNTY OF HARRISON

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

- Vol. XVI No. 30 dated 23 day of July, 2021
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- 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 26 day of July, A.D. 2021.

*[Signature]*  
Notary Public



Commissioner Marcia Kruse arrived at this time.

Commissioner Jennifer Glenn arrived at this time.

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

Tom Rishel, 615 Briarwood Drive, spoke in favor of the request.

Ken Hudson, 109 East Azalea Drive, spoke in favor of the request stating that the City needs to do everything they can to keep this business.

Letters noted for the record:

From: Teresa Edmonds <teresa.edmonds@me.com>  
Date: August 12, 2021 at 12:19:53 PM CDT  
To: jenny@cityoflongbeachms.com  
Subject: Planning Committee public meeting tonight

I am in support of the planning commission's approval of Long Beach Market and Deli's request tonight for a zoning variance for parking on their property. This is a beloved LB restaurant and their popularity continues to grow. Terri



**MINUTES OF AUGUST 12, 2021  
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

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Dear Planning Commission,

Please grant The Van Nordens at Long Beach Deli permission to open a satellite parking facility on the property they already own. A business needing a satellite parking facility indicates a successful business in Long Beach. Personally, it is one of my favorites.

Thank you for considering this request.

Sincerely,

Rachell Richards

Sent from my iPhone

Kim Marmalich, 5119 Mitchell Road, spoke in opposition of the request. She stated 4 points:

- 1- Her family has been publicly attacked on facebook by customers of the Deli
- 2- An outdoor fundraiser hosted by the Deli had people looking at her family around the fence.
- 3- Bright light installed on the Deli property illuminated her entire yard. The lighting has been corrected by the power company.
- 4- The Deli closed at Christmas to host a party.

Ms. Marmalich also stated that the property is in an R-O Zone and can not be a parking lot per the City's Ordinance. The zoning ordinance states she is supposed to have a safe place to live. She does not want the commercial property growing any further and it is not her fault that the Deli changed their business plans. She believes the parking spots should actually be down sized. She does not want any more lighting and loitering on the property. She feels her property value is at risk and that this request is not in harmony with the City's ordinance or her property.

Photos submitted for the record:

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

C Spire 5:22 PM

Long Beach Market &...

Home Reviews Menu Photos Posts V



Long Beach Market & Deli

Dec 13, 2020

We will be closed today after 3:30 in preparation for our Christmas party. If you wanna join us, it will start at 4:30. Going to have the Skal Axe throwing trailer, tapping a keg, food, and some Christmas cheer. This will be outside, but please still wear a mask. Also, bring a rain jacket as it is supposed to rain. Hope you all have a great Sunday! 😊



Start Order

go.watrap.com



C Spire 5:23 PM

Long Beach Market &...

Home Reviews Menu Photos Posts V



Long Beach Market & Deli

Dec 14, 2020

Good times at the Christmas party yesterday! Thanks to all of you that came. And big thanks to Skal Axe Throwing Company! Need an idea for a Christmas party or Birthday party, go ahead and rent their axe throwing trailer. Mike was great and also his pops Wayne from the Biloxi VFW. Thanks guys. Hope all of you have a great week! 😊



Start Order

go.watrap.com



**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

City Advisor Bill Hessel recommended Building Official Mike Gundlach meet with the Deli to determine the amount of required parking spots.

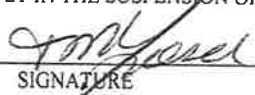
After considerable discussion, Commissioner Walters made motion, seconded by Commissioner Hansen and unanimously carried recommending to table the application as submitted, for further opinions from the Building Official Mike Gundlach and the City's Attorney Steve Simpson, until the Planning and Development Commission meeting on August 26, 2021, at 5:30 p.m.

\*\*\*\*\*

The second public hearing to consider a Short-Term Rental for property located at 830 West Beach Blvd, Unit 2, Tax Parcel 0512I-01-051.010 submitted by Tara McLeese and Leslie Pichon, as follows:



**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

CITY OF LONG BEACH, MISSISSIPPI											
APPLICATION FOR SHORT-TERM RENTAL											
<b>PHYSICAL ADDRESS:</b> 201 JEFF DAVIS AVENUE LONG BEACH, MS 39560	<b>PHONE:</b> (228) 863-1554 <b>FAX:</b> (228) 863-1558	<b>MAILING ADDRESS:</b> POST OFFICE BOX 929 LONG BEACH, MS 39560									
<b>PROPERTY INFORMATION:</b>											
ADDRESS: <u>830 WEST BEACH BLVD. UNIT 2</u> Tax Parcel: <u>00121-01-001</u> (Location of Short-Term Rental) <span style="float: right;">010</span>											
<b>OWNER'S INFORMATION:</b>											
Property Owner's Name: <u>TARA McLEESE + LESLIE PICHON</u>											
Property Owner's Address: <u>4317 Freeret St. New Orleans, LA 70115</u>											
Property Owner's Mailing Address, if different from above: <u>SAME</u>											
City State Zip											
Property Owner's Phone No: <u>571-216-5865</u> Email Address: <u>Tara.mcleese@gmail.com</u>											
Is there a homeowner's association for the neighborhood? <u>NO</u> If so, please provide written statement of support of short term rental?											
<b>PROPERTY MANAGER INFORMATION:</b>											
Property Manager's Name: <u><del>TARA McLEESE</del> TRACY VERNON</u>											
Property Manager's Address: (Must be a local contact) <u>15023 Loveless Dr. Gulfport, MS 39503</u>											
City State Zip											
Property Manager's Phone No: <u>228 343 0127</u> Email Address: <u>TRACYVERNON7@iclaw.com</u>											
<b>PLEASE PROVIDE THE FOLLOWING:</b>											
<ul style="list-style-type: none"> <li>• Mississippi Sales Tax ID # _____</li> <li>• Recorded Warranty Deed</li> <li>• Parking Rules &amp; Plan</li> <li>• Trash Management Plan</li> <li>• Copy of Proposed Rental Agreement</li> <li>• Proof of Liability Insurance, which included short term rental coverage</li> </ul>											
<b>ADDITIONAL INFORMATION:</b>											
<ul style="list-style-type: none"> <li>• OWNERSHIP: Please provide a recorded warranty deed</li> <li>• FEES: \$200, nonrefundable application fee, plus mailing cost. \$100, yearly renewable fee. Checks should be made payable to the City of Long Beach.</li> <li>• LICENSE: A Privilege Tax License must be applied and paid for after approval (\$20/yearly fee).</li> <li>• INCOMPLETE APPLICATIONS will not be processed.</li> </ul>											
<b>AFFIDAVIT</b>											
I HEREBY CERTIFY THAT I HAVE READ THIS APPLICATION AND THAT ALL INFORMATION CONTAINED HEREIN TRUE AND CORRECT; I ACKNOWLEDGE RECEIPT OF AND AGREE TO COMPLY WITH THE RULES & REGULATIONS OF SHORT TERM RENTALS (Ord 622), ALL APPLICABLE CODES, ORDINANCES AND STATE LAWS. VIOLATION OF ANY CODES OR REGULATIONS SHALL RESULT IN THE SUSPENSION OR REVOCATION OF THE PERMIT.											
TARA McLEESE		7/2/21									
PRINT NAME	SIGNATURE	DATE									
<b>BELOW IS FOR OFFICE USE ONLY</b>											
Maximum Occupancy: <u>8</u>	Maximum Vehicles allowed: <u>4</u>	Number of bedrooms: <u>3</u>	Number of people home can accommodate: <u>8</u>								
I AFFIRM THAT THE APPLICANT IS IN COMPLIANCE WITH ALL APPLICABLE ZONING REQUIREMENTS, BUILDING & FIRE CODES; AND THAT ALL APPLICABLE TAXES, FEES AND OTHER CHARGES HAVE BEEN PAID.											
Building Official Signature: _____		Date: _____									
Fire Inspector Signature: <u>Jessy Douch</u>		Date: <u>7/29/2021</u>									
COMMENTS: _____											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Date Received: <u>7-2-21</u></td> <td style="width: 50%;"></td> </tr> <tr> <td>Agenda Date: <u>8-12-21</u></td> <td></td> </tr> <tr> <td>Amount Due/Paid: <u>200.00</u></td> <td></td> </tr> <tr> <td>Check #: <u>2196</u></td> <td></td> </tr> </table>				Date Received: <u>7-2-21</u>		Agenda Date: <u>8-12-21</u>		Amount Due/Paid: <u>200.00</u>		Check #: <u>2196</u>	
Date Received: <u>7-2-21</u>											
Agenda Date: <u>8-12-21</u>											
Amount Due/Paid: <u>200.00</u>											
Check #: <u>2196</u>											

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

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

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

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

**WARRANTY DEED**

For and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, JOHN M. GASSMAN and wife, DONNA J. GASSMAN, of 6920 Ponderosa Drive, North Little Rock, AR 72116, 228-229-4566, do hereby sell, convey and warrant unto TARA McLEESE and spouse, LESLIE PICHON, of 4317 Freret Street, New Orleans, LA 70115, 571-216-5865, as joint tenants with full rights of survivorship and not as tenants in common the following described real property situated in Harrison County, State of Mississippi, described as:

**Lot 2 and 3, SEASHORE TOWNHOMES, 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 38 at Page 25 thereof, reference to which is hereby made in aid of and as a part of this description.**

The above described property is conveyed subject to restrictions, reservations and easements of record.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent year taxes are specifically assumed by the Grantees.

File No. 21-22834 MCLEESE

Page 1

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

Witness the signatures of the Grantors this 14th day of June, 2021.

*John M. Gassman*  
JOHN M. GASSMAN  
*Donna J. Gassman*  
DONNA J. GASSMAN

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named JOHN M. GASSMAN and DONNA J. GASSMAN, who acknowledged that they executed the above and foregoing instrument on the day and in the year therein written.

Given under my hand and official seal of office this 14th day of June, 2021.

*Stephanie R. Lipe*  
NOTARY PUBLIC  
My Commission Expires: 10/08/2022

AFFIX SEAL



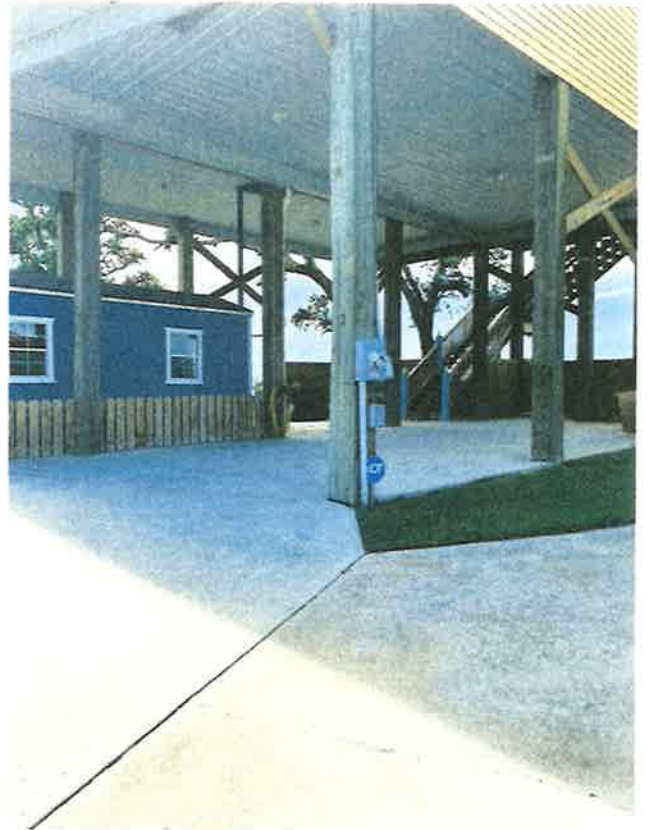


**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING**

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**Parking Rules and Plan for 830 W. Beach Blvd., Unit 2 Long Beach, Mississippi 39560**

This home shares a servitude with 380 W. Beach Blvd., Unit 1 and is accessed off of South Seashore Blvd. Once an individual accesses the servitude the driveway is private and can easily hold 4 vehicles. Parking will be offered free of charge to guests.



**Trash management Plan for 830 W. Beach Blvd., Unit 2 Long Beach, Mississippi 39560**

The owners pay the standard rate for residential trash pick up to the City of Long Beach. The home is cleaned after each guest check-out and the cleaning service empties all trash into the receptacles provided by the City. On Sunday evenings, the cleaning service ensures the trash receptacles are placed in the proper area for Monday pick-up.

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**RENTAL AGREEMENT**

**✓ I. ACKNOWLEDGMENT**

This agreement was made and executed on TBD date. Below are the parties involved in acknowledging this agreement:

**Tenant Information**

**Landlord Information**

**Tara McLeese and Leslie  
Pichon DBA TnLproofLLC**  
tnlproofllc

**Phone Number**  
(571) 216-5865

**Email**  
tnlproofllc@gmail.com

The address of the rental property is **830 West Beach Blvd. Unit 2,  
Long Beach, Mississippi 39560**

**✓ II. TERM/PERIOD**

The Rental period will being on **TBD** at **3:00pm** and it will end on **TBD** at **11:00am**. If the tenant wishes to extend, a new agreement will be created.

**✓ III. PAYMENTS**

The rental amount will be **TBD**.  
Payments will be made through a third party platform such as AirBnB or VRBO.  
The rental payment will be collected by See above.  
The reservation fee is a percentage of the total amount as determined by the thrid party processor.

**✓ IV. SECURITY DEPOSIT**

The tenant agrees to pay a security deposit of **\$200**. This will be refunded when the tenant leaves the property or when this agreement is terminated. This will be used to cover any damage to the property as necessary.

RENTAL AGREEMENT

✓ V. OCCUPANCY

The number of occupants will be **no more than 8 persons**. The property will be occupied by family members and friends as well as paying guests.

✓ VI. UTILITIES AND FURNITURE

- Electricity, water, gas, telephone, cable, and internet connection will be covered by the landlord.
- The tenant is responsible for taking good care of the furniture and appliances. The tenant will pay for any repair or replacement if the equipment was damaged during their stay.

✓ VI. SUBLETTING

Subletting is **not allowed**. The tenant agrees not to assign or sublet the property.

✓ VIII. MAINTENANCE, PEACE/ORDER, AND OTHERS

- The tenant should follow and implement the standard of cleanliness to the property.
- The tenant should keep the property in good condition.
- Pets are **NOT ALLOWED** in the rental property.
- Smoking is **NOT ALLOWED** in the rental property.
- The tenants are not allowed to keep firearms, bows, and other weapons in the rental property.
- The tenants agree not to use the property in a way to disturb the peace in the surroundings or environment.
- The tenant's personal property is not covered in the insurance purchased by the landlord against loss, theft, and negligence.

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**RENTAL AGREEMENT**

**✓ IX. INDEMNIFICATION**

The tenant indemnifies the landlord and the property free and harmless against any liabilities like accidents, loss of property, injury, or death of any person.

**✓ X. AMENDMENT**

This agreement can only be changed or modified with the written consent or permission from both the landlord and the tenant.

**✓ XI. GOVERNING LAW**

This agreement shall be governed under the laws of the State of Mississippi.

The undersigned, hereby agreed that both parties read the agreement and acknowledge it.

**Landlord**  
tn\proofllc

**Signature**

**Signature**

\_\_\_\_\_

\_\_\_\_\_



# MINUTES OF AUGUST 12, 2021 REGULAR MEETING

## LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Palomar Specialty Insurance Company      D-BILL: LOANDEPOT.COM LLC      PAGE: 1  
 PO Box 357965, Gainesville, FL 32635      NEW POLICY

CABRILLO COASTAL GENERAL INS AGENCY PO BOX 357965 GAINESVILLE, FL 32635-7965		PRODUCER:801160 (228) 215-0484 GLOBAL GREEN INSURANCE AGENCY 6204 WASHINGTON AVE OCEAN SPRINGS, MS 39564-2653	
NAMED INSURED TARA MCLEESE LESLIE PICHON 830 W BEACH BLVD UNIT 2 LONG BEACH, MS 39560		LOCATION OF RESIDENCE PREMISES (if different from insured address)  COUNTY: HARRISON	
POLICY NO: MSD0000477		Policy Period: 6/14/2021 to 6/14/2022	
DWELLING DECLARATIONS 12:01 A.M. Standard Time at the Address of the Named Insured as Stated Herein.			
Mortgagee: Loan Nbr: 400647798		2nd Mortgagee: Loan Nbr:	
LOANDEPOT.COM LLC PO BOX 7114 TROY, MI 48007			
SEASONAL Units/Families: 1		Construction: 2017/FRAME Class: P      Program: DP3 DWELL      Terr: 701	
COVERAGES AND LIMIT OF LIABILITY: COVERAGE IS PROVIDED ONLY WHERE A PREMIUM AND A LIMIT OF LIABILITY IS SHOWN FOR THE COVERAGE			
PROPERTY COVERAGES	LIMIT OF LIABILITY	PERILS INSURED AGAINST	PREMIUM
A. DWELLING	\$383000	FIRE	\$224.00
C. PERSONAL PROPERTY	\$20000	EXTENDED COVERAGE	\$261.00
E. ADDTL LIVING EXP	\$38300	HURRICANE	\$1449.00
		LIABILITY	\$115.00
		OTHER	\$130.00
			TOTAL PREMIUM \$2079.00
			TOTAL POLICY \$2079.00
FOR LOSS UNDER SECTION I, WE COVER ONLY THAT PART OF LOSS OVER THE DEDUCTIBLE			
STATED: WINDSTORM OR HAIL DEDUCTIBLE IS 2% = \$7,650			
ALL OTHER PERILS DEDUCTIBLE IS \$1,000			
POLICY SUBJECT TO THE FOLLOWING SURCHARGES, CREDITS, ENDORSEMENTS AND FORMS:			
FORM NO	EDITION	DESCRIPTION	LIMITS
SHPN-35	5/18	PRIVACY NOTICE	
CCD 422	5/17	POLICY JACKET	
DP 00 03	12/02	DWELLING - SPEC FORM	
CCD 17WEPW	5/17	WIND EXT PAINT EXCL	\$5000
CCH 16OL10	6/16	ORDINANCE OR LAW-10%	10%
CCD 17 WBS	5/17	WATER BACKUP	\$5000
CCD 17 STR	5/17	SHORT TERM RENTAL	
HO 04 90	10/00	PERS PROP REPL COST	
DL 24 01	12/02	PERSONAL LIABILITY	\$500000
		MEDICAL PAYMENTS	\$1000
* CONTINUED *			
Date Issued: 06/14/21		Countersigned by:	
		Authorized Representative	

Palomar Specialty Insurance Company      D-BILL: LOANDEPOT.COM LLC      PAGE: 2  
 PO Box 357965, Gainesville, FL 32635      ADDITIONAL INFORMATION

CABRILLO COASTAL GENERAL INS AGENCY PO BOX 357965 GAINESVILLE, FL 32635-7965		PRODUCER:801160 (228) 215-0484 GLOBAL GREEN INSURANCE AGENCY 6204 WASHINGTON AVE OCEAN SPRINGS, MS 39564-2653	
NAMED INSURED TARA MCLEESE LESLIE PICHON 830 W BEACH BLVD UNIT 2 LONG BEACH, MS 39560		LOCATION OF RESIDENCE PREMISES (if different from insured address)  COUNTY: HARRISON	
POLICY NO: MSD0000477		Policy Period: 6/14/2021 to 6/14/2022	
DWELLING DECLARATIONS 12:01 A.M. Standard Time at the Address of the Named Insured as Stated Herein.			
Mortgagee: Loan Nbr: 400647798		2nd Mortgagee: Loan Nbr:	
LOANDEPOT.COM LLC PO BOX 7114 TROY, MI 48007			
SEASONAL Units/Families: 1		Construction: 2017/FRAME Class: P      Program: DP3 DWELL      Terr: 701	
POLICY SUBJECT TO THE FOLLOWING SURCHARGES, CREDITS, ENDORSEMENTS AND FORMS:			
FORM NO	EDITION	DESCRIPTION	LIMITS
CCD 13 PL	5/17	PREMISES LIABILITY	
CCD MS SPL	5/17	SPEC PROVISIONS-LIAB	
DP 04 70	12/02	PROJECTIVE DEVICE CR	
		BURGLAR ALARM CREDIT	
CCD 17WHPD	5/17	WINDSTORM HAIL DED	
		OPEN FOUNDATION SRCH	
		WIND MITIGATION DISC	
CCD 17 LFL	5/17	FUNGI ROT BAC LIAB	\$10000
		PARTIAL HIP ROOF CR	
CCD MS OC	5/17	COVERAGE CHECKLIST	
CCH 13 DRB	1/14	INS SCORE DISCLOSURE	
CCD HDC	5/17	NO HOME DAY CARE COV	
CCD MS SP	5/17	SPEC PROVISIONS - MS	
CCD 17 LF	5/17	LTD FUNGI, MOLD, ETC	
CCD 17 SAE	5/17	STD AMENDATORY END	
CCHHOMSIIR	6/16	FLOOD/EARTHQUAKE NTC	
CCHHOMSPBR	6/16	BILL OF RIGHTS	
IL F 001	1/04	OPAC ADVISORY	
SHI DF RPI	6/16	RENTER POLICY INCNTV	
** IMPORTANT ** THE LIMIT OF LIABILITY FOR THIS STRUCTURE (COVERAGE A) IS BASED ON AN ESTIMATE OF THE COST TO REBUILD YOUR HOME, INCLUDING AN APPROXIMATE COST FOR LABOR AND MATERIALS IN YOUR AREA, AND SPECIFIC INFORMATION THAT YOU HAVE PROVIDED ABOUT YOUR HOME.			
* CONTINUED *			
Date Issued: 06/14/21		Countersigned by:	
		Authorized Representative	

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

Palomar Specialty Insurance Company PO Box 357965, Gainesville, FL 32635 Phone: 352-224-2820		D-BILL: LOANDEPOT.COM LLC ADDITIONAL INFORMATION PRODUCER: 801160 (228) 215-0484 GLOBAL GREEN INSURANCE AGENCY 6204 WASHINGTON AVE OCEAN SPRINGS, MS 39564-2653	
CABRILLO COASTAL GENERAL INS AGENCY PO BOX 357965 GAINESVILLE, FL 32635-7965		POLICY NO: MSD0000477    Policy Period: 6/14/2021 to 6/14/2022 DWELLING DECLARATIONS    12:01 A.M. Standard Time at the Address of the Named Insured as Stated Herein.	
<b>NAMED INSURED</b> TARA MCLEESE LESLIE PICHON 830 W BEACH BLVD UNIT 2 LONG BEACH, MS 39560		<b>LOCATION OF RESIDENCE PREMISES</b> (If different from Insured address) COUNTY: HARRISON	
Mortgagee:    Loan Nbr: 400647798 LOANDEPOT.COM LLC PO BOX 7114 TROY, MI 48007		2nd Mortgagee:    Loan Nbr:	
<b>SEASONAL</b> Units/Families: 1		Construction: 2017/FRAME Class: P    Program: DP3 DWELL    Terr: 702	
FRAUD STATEMENT: ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE OR STATEMENT OF CLAIM CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SUBJECTS THE PERSON TO CRIMINAL & CIVIL PENALTIES			
** IMPORTANT ** THIS POLICY CONTAINS A FLOOD EXCLUSION. FLOOD COVERAGE MAY BE PURCHASED SEPARATELY FROM THE NATIONAL FLOOD INSURANCE PROGRAM, IF AVAILABLE IN YOUR AREA.			
** IMPORTANT ** THIS POLICY CONTAINS AN EARTHQUAKE EXCLUSION. CONTACT YOUR AGENT FOR INFORMATION CONCERNING THE AVAILABILITY OF EARTHQUAKE COVERAGE.			
** IMPORTANT ** THIS POLICY CONTAINS A SEPARATE DEDUCTIBLE FOR WINDSTORM OR HAIL LOSSES WHICH MAY RESULT IN HIGH OUT-OF-POCKET EXPENSES TO YOU.			
1ST: LOAN NO. 400647798 MTO: LOANDEPOT.COM LLC TSAOA/ATIMA PO BOX 7114 TROY, MI 48007			
Date Issued: 06/14/21		* END OF POLICY DECLARATIONS * Countersigned by:	

CCD 17 STR 05 17

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**SHORT-TERM RENTALS TO OTHERS**

Form DP 00 03 Only

For an additional premium, this coverage applies while the dwelling shown as the Described Location in the Declarations is rented or held for rental to others on a short-term basis.

**COVERAGES**

**C. Coverage C - Personal Property**

The following is added under item 2.:

- k. Property contained in an apartment, other than the dwelling shown as the Described Location in the Declarations, rented or held for rental to others by you or any person insured under this policy.

**PERILS INSURED AGAINST**

**A. Coverage A - Dwelling And Coverage B - Other Structures**

Item 2.c.(7) is deleted.

**B. Coverage C - Personal Property**

Item 12.b.(4) is deleted.

All other provisions of this policy apply.



**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING**

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**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

The Clerk reported that twenty-two (22) notices of public hearing were sent by regular mail to property owners within two hundred feet (200') of the subject property. Notices were also posted on the bulletin boards at City Hall, the Building Official's Office and the Water Department, 201 Jeff Davis Avenue and at the Long Beach Public Library, 209 Jeff Davis Avenue; said notice was ordered as part of these proceedings:

**City of Long Beach**



**LEGAL NOTICE**

**PUBLIC HEARING**

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

Property owners, Tara McLeese and Leslie Pichon, 4317 Freret Street, New Orleans, LA, 70115, have filed an application for a Short-Term Rental in accordance with the Comprehensive Long Beach Unified Land Ordinance, Short Term Rentals-Residential (Ordinance 622). The location of the requested Short-Term Rental is 830 West Beach Blvd, Unit 2, Long Beach, MS, 39560, Tax Parcel 05121-01-051.010. The legal description is as follows:

LOT 5 AZALEA HOMES SUBD

A Public Hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, August 12, 2021, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed  
Chairman  
Planning Commission

MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Ginsberg, Jordan S and Bradford Krista  
3228 Laurel Street  
New Orleans, LA 70115

Gue, Floyd E and Rita O  
1142 Clipper Drive  
Slidell, LA 70458

Demarco, James W Jr and Kimberly J  
2175 Schillinger Road  
Mobile, AL 36695

Szush, James W Jr  
645 Fairway Drive  
Thibodaux, LA 70301

Moffett Custom Cottages, LLC  
621 Kentucky Avenue South  
Parsons, TN 38363

Lizana, Carl A ETAL  
334 East Beach Blvd  
Gulfport, MS 39507

Kershaw, Colleen M  
216 Buena Vista Drive  
Long Beach, MS 39560

Verble, Richard D and Michaela F  
Levens  
214 Buena Vista Drive  
Long Beach, MS 39560

Nguyen, Chuong  
210 Buena Vista Drive  
Long Beach, MS 39560

TRS Property Services, LLC  
1509 East Spring Street  
New Albany, IN 47150

Wofford, William E and Janet S  
115 South Ridge Road  
Andalusia, AL 36421

Vento, Michael R and Cindy S  
250 5<sup>th</sup> Street EXT  
Verona, PA 15147

Grower John  
3116 12<sup>th</sup> Street  
Gulfport, MS 39501

Concordia, Pacific LLC  
C/O Victor Myron Cockran  
Las Vegas, NV 89135

Sand Dollar Condos  
144 Segouria Road  
St. Augustine, FL 32086

CP Homes, LLC  
830 West Beach Blvd  
Long Beach, MS 39560

Zhang, Xiaodong and Hong, XU  
820 West Beach Blvd #4  
Long Beach, MS 39560

Gavin, Roy C and Dana W  
820 West Beach Blvd #5  
Long Beach, MS 39560

Gottschalk, Douglas Moreau  
124 English Village Drive  
Long Beach, MS 39560

Whalen, Michael  
303 Espy Avenue  
Pass Christian, MS 39571

Olenjnik, Leslie Ann  
509 Autumn Walk  
Canton, GA 30114

Seashore Townhome Owners  
Association  
PO Box 1372  
Robbinsville, NC 28771

AFFIDAVIT

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
CITY OF LONG BEACH

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

1. That she is the duly appointed and acting Minutes Clerk of the City of Long Beach, Mississippi, Planning and Development Commission;
2. That in such capacity, she is responsible for mailing Notices of Public Hearing for the purpose of notifying property owners within Two Hundred Feet (200'), excluding public right of ways, of the subject property, when applications for zoning map changes, variances, appeals, etc., are filed, all as stipulated in The Zoning Ordinance Number 598 of the City of Long Beach; and other matters pertaining to such Public Hearings and the business of the Planning and Development Commission in and for the City of Long Beach;
3. That on July 19, 2021, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 22 (twenty-two) property owners within Two Hundred Feet (200'), excluding public right of ways, of, Tax Parcel 05121-01-051.010, notifying them that a Public Hearing will be held, August 12, 2021, to consider an application for a Short Term Rental.

Given under my hand this the 19<sup>th</sup> day of July 2021.

*Stacey Dahl*  
STACEY DAHL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 19<sup>th</sup> day of July 2021,

*Kini Gonsoulin*  
NOTARY PUBLIC

-My Commission Expires-



MINUTES OF AUGUST 12, 2021  
REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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

Proof of Publication

PUBLIC HEARING

In accordance with Article XXV of the Comprehensive Long Beach Unified Land Ordinance 2012 of the City of Long Beach, Mississippi (2012) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a Public Hearing for the purpose of considering a Short-Term Rental.

Property owners, Terry Milam and Leslie Pickett, 4117 Forest Street, New Orleans, LA, 70111, have filed an application for a Short-Term Rental in accordance with the Comprehensive Long Beach Unified Land Ordinance, Short Term Rentals-Residential Ordinance 622. The location of the proposed Short-Term Rental is 830 West Beach Blvd, Unit 2, Long Beach, MS, 39560, Tax Parcel 0812101-051 010. The legal description is as follows:

LOT 5 AZALEA HOMES SUBD

A Public Hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, August 12, 2021, at 5:00 p.m., at 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.

As 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. XVI No. 30 dated 23 day of July, 2021
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- 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 26 day of July, A.D. 2021.

*[Signature]*  
Notary Public



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

Roy Gavin, 820 West Beach Blvd, Unit 5, spoke in opposition of the short-term rental. Mr. Gavin has concerns that having a short-term rental as his neighbor will decrease his property value. He is also worried about the trend of the short-term rentals in the City. Mr. Gavin stated that he purchased his home to live in and he feels that the City approving short-term rentals are a business.

Mr. Sheldon, 820 West Beach Blvd, Unit 4, spoke in opposition of the short-term rental stating that he would not have purchased his beach front home if he knew all properties around him would become short-term rentals.

Letter submitted for the record:

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

To Whom It May Concern,

We write in support of the short-term rental permit sought by the owners of 830 Beach Boulevard West, Unit 2. Unfortunately, we are unable to attend the meeting in person due to prior commitments. We have known Tara McLeese and Leslie Pichon for some time in both personal and professional capacities. We know them to be conscientious, respectful, reliable, responsible, and dedicated. During their short time owning the property, they have spent substantial time (and likely cost) improving it—both inside and out. In short, they are wonderful neighbors, and we are confident they will continue to be. Moreover, we have seen first-hand their dedication to the Gulf Coast. In addition to being devoted to the area, we know they will be fantastic emissaries for the City of Long Beach. We recommend that the Planning & Development Commission approve their request for a short-term rental permit without qualification or reservation.

We welcome the opportunity to provide further comment or answer any questions you may have.

Sincerely,

Krista Bradford and Jordan Ginsberg  
Owners, 830 Beach Boulevard West, Unit 1

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

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

\*\*\*\*\*

The third public hearing to consider a Short-Term Rental for property located at 109 East Azalea Drive, Tax Parcel 0712D-03-022.000 submitted by Kenneth and Beverly Hudson, as follows:

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

287

CITY OF LONG BEACH, MISSISSIPPI							
APPLICATION FOR SHORT-TERM RENTAL							
<b>PHYSICAL ADDRESS:</b> 201 JEFF DAVIS AVENUE LONG BEACH, MS 39560	<b>PHONE:</b> (228) 863-1554 <b>FAX:</b> (228) 863-1558	<b>MAILING ADDRESS:</b> POST OFFICE BOX 929 LONG BEACH, MS 39560					
<b>PROPERTY INFORMATION:</b>							
ADDRESS: <u>109 E Azalea Dr., Long Beach, MS 39560</u> Tax Parcel # <u>01120-03-022.00</u> <small>(Location of Short-Term Rental)</small>							
<b>OWNER'S INFORMATION:</b>							
Property Owner's Name: <u>Kenneth and Beverly Hudson</u>							
Property Owner's Address: <u>Same as above</u>							
Property Owner's Mailing Address, if different from above: <u>Same as above</u>							
<small>City State Zip</small>							
Property Owner's Phone No: <u>228-297-3442</u> Email Address: <u>Kenny.hudson1626@gmail.com</u>							
Is there a homeowner's association for the neighborhood? <u>NO</u> If so, please provide written statement of support of short term rental?							
<b>PROPERTY MANAGER INFORMATION:</b>							
Property Manager's Name: <u>Kenneth Hudson</u>							
Property Manager's Address: (Must be a local contact) <u>Same as above</u>							
<small>City State Zip</small>							
Property Manager's Phone No.: <u>Same</u> Email Address: <u>Same</u>							
<b>PLEASE PROVIDE THE FOLLOWING:</b>							
<ul style="list-style-type: none"> <li>• Mississippi Sales Tax ID # <u>1436-1058</u></li> <li>• Recorded Warranty Deed <input checked="" type="checkbox"/></li> <li>• Parking Rules &amp; Plan <input checked="" type="checkbox"/></li> <li>• Trash Management Plan <input checked="" type="checkbox"/></li> <li>• Copy of Proposed Rental Agreement <input checked="" type="checkbox"/></li> <li>• Proof of Liability Insurance, which included short term rental coverage</li> </ul>							
<b>ADDITIONAL INFORMATION:</b>							
<ul style="list-style-type: none"> <li>• OWNERSHIP: Please provide a recorded warranty deed</li> <li>• FEES: \$200, nonrefundable application fee, plus mailing cost. \$100, yearly renewable fee. Checks should be made payable to the City of Long Beach.</li> <li>• LICENSE: A Privilege Tax License must be applied and paid for after approval (\$20/yearly fee).</li> <li>• INCOMPLETE APPLICATIONS will not be processed.</li> </ul>							
<b>AFFIDAVIT</b>							
I HEREBY CERTIFY THAT I HAVE READ THIS APPLICATION AND THAT ALL INFORMATION CONTAINED HEREIN TRUE AND CORRECT; I ACKNOWLEDGE RECEIPT OF AND AGREE TO COMPLY WITH THE RULES & REGULATIONS OF SHORT TERM RENTALS (Ord 622), ALL APPLICABLE CODES, ORDINANCES AND STATE LAWS. VIOLATION OF ANY CODES OR REGULATIONS SHALL RESULT IN THE SUSPENSION OR REVOCATION OF THE PERMIT.							
<u>Beverly Hudson</u> <small>PRINT NAME</small>	<u>Beverly Hudson</u> <small>SIGNATURE</small>	<u>7/12/2021</u> <small>DATE</small>					
<b>BELOW IS FOR OFFICE USE ONLY</b>							
Maximum Occupancy: <u>3</u>	Maximum Vehicles allowed: <u>2</u>	Number of bedrooms: <u>1</u>	Number of people home can accommodate: <u>3</u>				
I AFFIRM THAT THE APPLICANT IS IN COMPLIANCE WITH ALL APPLICABLE ZONING REQUIREMENTS, BUILDING & FIRE CODES; AND THAT ALL APPLICABLE TAXES, FEES AND OTHER CHARGES HAVE BEEN PAID.							
Building Official Signature: _____		Date: _____					
Fire Inspector Signature: <u>Smitty Dada</u>		Date: <u>8/2/2021</u>					
COMMENTS: _____							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Date Received: <u>7-15-21</u></td> </tr> <tr> <td style="padding: 2px;">Agenda Date: <u>8-12-21</u></td> </tr> <tr> <td style="padding: 2px;">Amount Due/Paid: <u>200.00</u></td> </tr> <tr> <td style="padding: 2px;">Check #: <u>442</u></td> </tr> </table>				Date Received: <u>7-15-21</u>	Agenda Date: <u>8-12-21</u>	Amount Due/Paid: <u>200.00</u>	Check #: <u>442</u>
Date Received: <u>7-15-21</u>							
Agenda Date: <u>8-12-21</u>							
Amount Due/Paid: <u>200.00</u>							
Check #: <u>442</u>							

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

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

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

STATE OF MISSISSIPPI

COUNTY OF HARRISON

FIRST JUDICIAL DISTRICT

**WARRANTY DEED**

For and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, we, **JACK E. CHRISTOPHER, CHARLES H. CHRISTOPHER, II and CAROLYN JANE TOWNSEND**, being the devisees under the estate of Martha Jane Harrison, deceased, whose estate is probated as Cause #06-490-5, in the Chancery Court of Lauderdale County, Mississippi, and pursuant to a Judgment closing said estate, dated June 1, 2007, and placing the Grantors herein in possession, of 2405 8<sup>th</sup> Street, Meridian, MS 39302, (601) 917-0207, do hereby sell, convey and warrant unto **KENNY HUDSON**, of 128 English Village Drive, Long Beach, MS 39560, (228) 870-1025, the following described real property situated in Harrison County, First Judicial District, State of Mississippi, described as:

**Lot 5 of AZALEA HOMES SUBDIVISION, as shown by map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi, together with all appurtenances in anywise appertaining thereto.**

File No. 14-21025 HUDSON

The above described property is conveyed subject to restrictions, reservations and easements of record.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent year taxes are specifically assumed by the Grantee.

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

Witness the signatures of the Grantors this 14 day of August, 2014.

**SEE FOLLOWING PAGE FOR SIGNATURES**



**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**289**

  
\_\_\_\_\_  
JACK E. CHRISTOPHER

\_\_\_\_\_  
CHARLES H. CHRISTOPHER, II

\_\_\_\_\_  
CAROLYN JANE TOWNSEND

File No.: 14-21025 HUDSON

\_\_\_\_\_  
JACK E. CHRISTOPHER  
  
\_\_\_\_\_  
CHARLES H. CHRISTOPHER, II

\_\_\_\_\_  
CAROLYN JANE TOWNSEND

File No.: 14-21025 HUDSON

MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

JACK E. CHRISTOPHER

CHARLES H. CHRISTOPHER, II

*Carolyn Jane Townsend*  
CAROLYN JANE TOWNSEND

File No.: 14-21025 HUDSON

STATE OF Mississippi  
COUNTY OF Lauderdale

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named **JACK E. CHRISTOPHER**, who acknowledged that he executed the above and foregoing instrument on the day and in the year therein written.

Given under my hand and official seal of office this 14 day of August, 2014.

*Desiree M. Palmer*  
NOTARY PUBLIC

My Commission Expires: 4/29/2018



AFFIX SEAL

**MINUTES OF AUGUST 12, 2021**  
**REGULAR MEETING**  
**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**  
**Application for Short-Term Rental Attachments**

291

109 E. Azalea Dr.  
City of Long Beach

**Parking Rules & Plan**

Guests may park one vehicle in the driveway. Guests may not park on the street. Guests may not bring more than one vehicle to the property.

**Trash Management Plan**

Guests may use the trash and recycling bins at the top of the driveway. Management will empty trash cans in guest rooms between guests.

**Proposed Rental Agreement**

Guest suite can accommodate 1-3 guests. Room cost is \$115-\$200 each night. No guests under the age of 12. Management will provide cleaning service between guests for a nominal fee. Management will be on property to handle any issues or complaints.

I acknowledge that a violation of the ordinances of the City of Long Beach shall result in the suspension or revocation of the permit.

Beverly Hudson

*Beverly Hudson*

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION  
Host Protection Insurance Program Summary**

Last updated: December 31, 2020

### **About Host Protection Insurance**

The Host Protection Insurance Program ("HPI Program") insures Hosts, in certain countries, for their legal liability for bodily injury or property damage to guests or others resulting from an event that happens during a guest's Airbnb Stay at the Host's Accommodation, subject to the terms, conditions, and exclusions of the Host Protection Insurance policy. There is no cost to Hosts for them to be insured under the HPI Program.

The HPI Program does not insure Hosts for damage or loss to their own property or Accommodation. For damage to a Host's property, learn more about [Airbnb's Host Guarantee program](#).

Subject to the policy's terms, insurance coverage under the HPI Program provides Hosts with primary liability insurance while hosting guests. The Host has the option to make a claim first under the HPI Program instead of their own insurance policy as long as the Host's own insurance policy allows them to do so. Hosts or their insurance advisers should check the terms and conditions of their own insurance policy. For information about the claims process, please see the [claims section](#) of this document.

### **Disclaimer**

This HPI Program summary does not contain the full terms, conditions, and exclusions. In the United States, in certain instances, the HPI Program is underwritten by a non-admitted insurer and may not be subject to your state's insurance laws and regulations and is not protected by the insolvency guaranty fund. The insurance provided through the HPI Program does not apply to hosts who offer accommodations through Airbnb Travel, LLC or hosts of experiences.

### **Insurance providers and countries included**

The HPI Program currently extends to Hosts globally, except for jurisdictions subject to applicable sanctions laws. The HPI Program does not apply to hosts who offer accommodations through Airbnb Travel, LLC.

In the majority of jurisdictions, the HPI Program provides insurance through a policy issued by Zurich Insurance plc, one of the world's most reputable insurance providers. In some jurisdictions, where a locally issued policy is required by local laws or regulations, coverage may be provided by a Zurich Insurance plc partner company.

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

The HPI program provides insurance through policies issued by different insurance companies in the United States, Japan and China and is placed by Airbnb UK Services Limited in the United Kingdom, an appointed representative of Aon UK Limited as more fully set out as follows:

- In the United Kingdom, the HPI Program has been arranged and concluded for the benefit of United Kingdom hosts by Airbnb UK Services Limited, an appointed representative of Aon UK Limited<sup>1</sup>.
- In the United States, coverage is provided under policies issued by Generali US Branch or Assicurazioni Generali SpA.
- In Japan, coverage is provided under a policy issued by Sompo Japan Nipponkoa Insurance Inc. [Learn more about coverage in Japan](#)
- In China, coverage is provided under a policy issued by the People's Insurance Company of China as part of the China Host Protection Plan. [Learn more about coverage in China](#)

Note that different coverage limits and terms may apply depending on the jurisdiction.

**Insurance policy period**

The current term of the HPI Program is December 31, 2020 to December 31, 2021.

**Coverage eligibility**

Hosts of Accommodations are covered under the HPI Program. As described above, The HPI Program covers Hosts for incidents that result in the Host's legal liability resulting from a bodily injury or a property damage claim arising during a guest's Airbnb Stay at the Host's Airbnb Accommodation. The incident must also occur during the Airbnb Stay and the Stay arranged using Airbnb's Platform.

1. **Accommodation:** Accommodation is a residential or other property location that is owned or controlled by a Host, listed on the Airbnb Platform, and booked by a third party using the Airbnb Platform who has consented to the Airbnb Terms of Service (available at <https://www.airbnb.com/terms>).
2. **Airbnb Platform:** Airbnb Platform refers to [airbnb.com](http://airbnb.com) and [luxuryretreats.com](http://luxuryretreats.com) online platforms, and mobile applications associated with each.
3. **Host:** Host is a person or entity who has completed the Airbnb account registration process, including consenting to the Airbnb Terms of Service and lists their Accommodation on the Airbnb Platform. Host also includes a person providing host

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<sup>1</sup>Airbnb UK Services Limited is an appointed representative of Aon UK Limited is a UK entity authorised and regulated by the Financial Conduct Authority (FCA). Aon's FCA register number is 310451. You can check this on the Financial Services Register by visiting the FCA's website or contacting the FCA on 0800 111 6768.";

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING**

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

related services on behalf of the Host, including full or part time domestic staff, family members, and roommates.

Anyone otherwise living at the Accommodation is included as an additional insured to the extent of claims brought against the Host. The Host's landlord, homeowners association or condo-owners association, or any other similar entity of which the Host is a member, is also an insured, but only with respect to liability arising out of the ownership, maintenance, or use of that part of the Host's Accommodation, including related common areas, during an Airbnb Stay.

4. **Airbnb Stay:** An Airbnb Stay begins on the guest's check-in date and ends on the checkout date from the Host's Accommodation as shown in the Airbnb Platform. There must be an actual Airbnb Stay in order for the coverage to apply; canceled Airbnb Stays and no-show situations are not entitled to coverage.

### **Covered locations**

Covered locations are Accommodations as described above.

Accommodations can include mobile homes, buses, air streams, watercrafts, tree houses, and other such unique locations that are parked and used as an Accommodation. Additionally, Accommodations include treehouses, yurts, and other such unique locations.

### **Liability limits**

\$1,000,000 USD each occurrence with a total limit available per Host property of USD 1,000,000 during the HPI Program policy term (generally an annual term).

### **Coverages**

The HPI Program provides insurance that covers Hosts for their legal liability to a guest or third party for bodily injury or property damage due to an incident that occurs during a guest's Airbnb Stay at the Host's Accommodation. If the HPI Program applies to the claim, the insurance includes coverage for claim investigation costs and expenses, as well as costs of defending a formal complaint such as a lawsuit.

### **Exclusions**

The HPI Program excludes from coverage:

- Aircraft, Auto, and Mobile Equipment – injury or damage connected in any way to aircraft, autos, and mobile equipment, except where these are listed on Airbnb and being used as



**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

Accommodations, or where the auto is used by the Host in connection with their host-related services during a relevant Airbnb Stay, of which coverage is contingent.

To be an Accommodation, the Aircraft, Auto, or Mobile equipment must be parked.

- Assault and Battery – any loss or expense caused by, arising out of, or resulting directly or indirectly, in any way from assault and/or battery of any person committed by or alleged to have been committed by any insured under the policy.
- Chinese Drywall – injury or damage arising from or connected in any way to drywall, plasterboard, sheetrock, gypsum board, or any materials used in the manufacture of drywall used in the construction of interior walls, that were manufactured in, originated from, or exported from China or incorporated any component parts or materials made in, originated from, or exported from China.
- Communicable Disease - any bodily injury, property damage, or other loss arising out of the actual or alleged transmission of a communicable disease.
- Contractual Liability – liability for bodily injury or property damage where the insured is obligated to pay damages they have assumed in a contract or agreement. This exclusion doesn't include legal liability the insured would have without a contract or agreement.
- Cross Suits – any claims brought by one insured against another insured.
- Distribution of Material in Violation of Statutes – bodily injury or property damage arising directly or indirectly out of any action or omission that violates or is alleged to violate any statute, ordinance, or regulation that prohibits or limits the sending, transmitting, communicating, or distributing of material or information.
- Electronic Data – damages arising out of the loss of, loss of use of, damage to, corruption of, inability to access, or inability to manipulate electronic data.
- Employment Related Practices - bodily injury arising out of refusal to employ a person; termination of a person's employment; or employment-related practices, policies, acts or omissions, such as coercion, demotion, evaluation, reassignment, discipline, defamation, harassment, humiliation, discrimination or malicious prosecution directed at that person. This exclusion applies whether the injury-causing event occurs before employment, during employment, or after employment of that person, and whether the insured may be liable as an employer or in any other capacity.
- Expected or Intended Injury – bodily injury or property damage the insured intended to happen, or should have expected to happen. For example, if a Host were to deliberately

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING**

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

destroy property of a guest, this coverage wouldn't apply, even if the Host were legally responsible for that damage.

- Exterior Insulation and Insulation Systems – bodily injury or property damage related in any way to “exterior insulation and finish systems” or any part of them, including the application or use of conditioners, primers, accessories, flashings, coatings, caulking, or sealants in connection with such a system.
- Fungi or Bacteria – bodily injury or property damage arising from or connected to inhalation of, ingestion of, contact with, exposure to, existence of, or presence of, any fungi or bacteria on or within a building or structure, including its contents. This exclusion does not apply to any fungi or bacteria that are, are on, or are contained in a good or product intended for consumption.
- Liquor Liability – injury or damage for which any insured may be held liable because they:
  - Caused or contributed to the intoxication of any person
  - Provided alcoholic beverages to a person under the legal drinking age or under the influence of alcohol
  - Violated any statute, ordinance, or regulation relating to the sale, gift, distribution, or use of alcoholic beverages.

This exclusion only applies if you are in the business of manufacturing, distributing, selling, serving, or furnishing alcoholic beverages.

- Loss of, or Damage to, Certain Property – property damage to:
  - Property you own, rent, or occupy
  - Property loaned to you
- Damage to Property, Impaired Property, and Your Product - certain types of losses that would normally only be covered if you make products or work as a contractor at a location. These excluded losses involve property damage to:
  - The exact part of any real property that you, or any contractors or subcontractors are working on, if the property damage arises from that work
  - The exact part of any property that must be restored, repaired, or replaced, because your work was incorrectly performed on it
  - Impaired property or property that has not been physically injured but is still less useful, arising from a defect, deficiency, inadequacy, or dangerous condition in your product or your work
  - Impaired property or property that has not been physically injured but is still less useful, arising from a delay or failure by you or anyone acting on your behalf to perform a contract or agreement in accordance with its terms

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

- Your product, including losses arising out of your product or any part of it or your work, including losses arising out of it or any part of it
- Nuclear Risks – any loss or damage resulting from the hazardous properties of nuclear material.
- Personal and Advertising Injury – losses, including consequential bodily injury that arise out of claims, such as:
  - False arrest, detention, or imprisonment
  - Malicious prosecution
  - Wrongful eviction from, wrongful entry into, or invasion of the right of private occupancy of a room, dwelling or premises that a person occupies, committed by or on behalf of its owner, landlord, or lessor
  - Oral or written publication, in any manner, of material that slanders or libels a person or organization, or disparages a person's or organization's goods, products, or services
  - Oral or written publication, in any manner, of material that violates a person's right of privacy
  - Use of another's advertising idea in your advertisement
  - Infringing upon another's copyright, trade dress, or slogan in your "advertisement"
- Pollution - bodily injury or property damage arising from pollutants of any kind. There is an exception for losses originating from equipment that is used to heat, cool or dehumidify the building, or equipment used to heat water, for personal use, by the building's occupants or their guests. There is also an exception for injury or damage arising out of a fire that escapes its normal location (hostile fire).
- Products and Completed Operations – bodily injury or property damage occurring away from premises you own or rent and arising out of any goods or products, other than real property, manufactured, sold, handled, distributed, or disposed of by you or other trading under your name.
- Products Recall – damages claimed for any loss, cost or expense incurred by you or others for the loss of use, withdrawal, recall, inspection, repair, replacement, adjustment, removal, or disposal of your product, your product, work, or impaired property. Impaired property means tangible property that cannot be used or is less useful because it incorporates your product or work and such product or work is thought to be defective, deficient, inadequate or dangerous.
- Punitive or Exemplary Damages - punitive or exemplary damages, fines, or penalties, except where such damages are insurable by law.

**MINUTES OF AUGUST 12, 2021**  
**REGULAR MEETING**  
**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

- Recording of Material or Information - damages related to bodily injury or property damage arising out of actual or alleged recording, printing, dissemination, disposal, collecting, sending, transmitting, communicating, or distribution of any material or information by a camera that is:
  1. Not previously disclosed by a Host in the Airbnb listing, including the specific location whether recording occurs during the reservation, or
  2. placed in or observing the interior of private spaces such as a bathroom, bedroom, or sleeping area, or
  3. Not concealed
- Sexual Assault - any loss or expense caused by, arising out of, or resulting directly or indirectly, in any way from sexual abuse or molestation of any person committed by or alleged to have been committed by any insured.
- Silica, Silica Dust, Lead, and Asbestos – bodily injury or property damage arising from or connected in any way to asbestos, lead, silica, or silica dust.
- Watercraft – injury or damage connected in any way to watercraft, with a few exceptions:
  1. Watercraft listed on Airbnb and while being used as Accommodation and is docked or on a mooring
  2. Watercraft under 26 feet in length
  3. Watercraft which is an Accommodation while being used within inland or coastal waters, but any separate insurance coverage maintained by the Host or anyone else that's applicable to the loss will apply first
- War – bodily injury or property damage arising, directly, or indirectly, out of:
  - War, including undeclared or civil war
  - Warlike action by a military force, including action in hindering or defending against an actual or expected attack, by any government, sovereign, or other authority using military personnel or other agents
  - Insurrection, rebellion, revolution, usurped power, or action taken by governmental authority in hindering or defending against any of these.
- Workers Compensation and Employers Liability – any obligation of the insured under a workers' compensation, disability benefits, or unemployment compensation law or any similar law. Bodily injury to any employees of the insured (or any of their family members) arising out of their employment by an insured or performing duties related to the conduct of an insured's business. This exclusion applies whether the insured may be liable as an employer or in any other capacity.

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**Claims**

Please inform Airbnb immediately by submitting the [Insurance Program Intake Form](#) if you become aware of any bodily injury or property damage that may be a subject to coverage under the HPI Program. After the intake form is completed, a third-party claims adjuster appointed by the insurer will get in touch with you to discuss the claim and gather information. The adjuster will then settle the claim in accordance with the terms of the HPI Program, and applicable laws and regulations in the applicable jurisdiction.

**Questions**

Please visit [airbnb-host-protection-insurance.com/inquiry](https://airbnb-host-protection-insurance.com/inquiry) if you have questions regarding the coverage made available under this program.

**Complaints**

In the United Kingdom, if you or another insured under the policy wishes to raise a complaint, you can do so by contacting the address below, and a member of the team will ensure that your complaint is referred to an appropriate person:

Aon UK Limited, Central Complaints Team  
Briarcliff House, Kingsmead, Farnborough, GU14 7TE  
By phone: Telephone 01252 768662  
By e-mail: [Central.Complaints@aon.co.uk](mailto:Central.Complaints@aon.co.uk)

Copies of our complaint handling procedures are available on request.

If you cannot settle your complaint with us, you may be entitled to refer it to the Financial Ombudsman Service. Visit [this site](#) for further details or contact them at: The Financial Ombudsman Service, Exchange Tower, London, E14 9SR, telephone 0800 023 4567.

Alternatively, if you are based outside of the United Kingdom, you can register your complaint on the Online Dispute Resolution (ODR) Platform [here](#).

The Clerk reported that twenty-six (26) notices of public hearing were sent by regular mail to property owners within two hundred feet (200') of the subject property. Notices were also posted on the bulletin boards at City Hall, the Building Official's Office and the Water Department, 201 Jeff Davis Avenue and at the Long Beach Public Library, 209 Jeff Davis Avenue; said notice was ordered as part of these proceedings:



**MINUTES OF AUGUST 12, 2021  
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 **Short-Term Rental**.

Property owners, Kenneth and Beverly Hudson, 109 East Azalea Drive, Long Beach, MS, 39560, have filed an application for a Short-Term Rental in accordance with the Comprehensive Long Beach Unified Land Ordinance, Short Term Rentals-Residential (Ordinance 622). The location of the requested Short-Term Rental is 109 East Azalea Drive, Long Beach, MS, 39560, Tax Parcel 0712D-03-022,000. The legal description is as follows:

LOT 5 AZALEA HOMES SUBD

A Public Hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, August 12, 2021, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

*/s/ signed*  
Chairman  
Planning Commission

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

<b>Witnesses</b> Lawson, Billy D and Christopher L Cirillo 107 East Azalea Drive Long Beach, MS 39560	<b>Witnesses</b> Cantin, Patricia W 13016 Cypress Gold Drive St. Amant, LA 70774	<b>Witnesses</b> Caldwell, Lina B 132 English Village Drive Long Beach, MS 39560
Burton, Richard Carter 121 English Village Drive Long Beach, MS 39560	Gottschalk, Douglas M. 124 English Village Drive Long Beach, MS 39560	Drumm, Rene and Stanley Stevenson 111 East Azalea Drive Long Beach, MS 39560
White, Rachel Sarah and Ed Lye 113 East Azalea Drive Long Beach, MS 39560	Black, John R 115 East Azalea Drive Long Beach, MS 39560	Norton, Virginia G 112 East Azalea Drive Long Beach, MS 39560
Basic, Maura 114 East Azalea Drive Long Beach, MS 39560	Jenkins, Ronald J and Andrea 116 East Azalea Drive Long Beach, MS 39560	Rayner, Donald R -L/E- 115 East Azalea Drive Long Beach, MS 39560
Ryan, Lee Ann and Susan G Molesworth 113 West Azalea Drive Long Beach, MS 39560	Graham, Dawn Michelle and Roger Edward 111 West Azalea Drive Long Beach, MS 39560	Norton, Virginia G 108 West Azalea Drive Long Beach, MS 39560
Young, Kenneth and Barbara B 58 County Road 299 Oxford, MS 38655	Benoit, Evelyn B 4227 Canal Street New Orleans, LA 70119	Orange Grove Utilities, Inc 110 South Wilson Blvd Gulfport, MS 39503
Turnbough, Jocelyn U 133 English Village Drive Long Beach, MS 39560	Quigley, Millard A and Sharon K 129 English Village Drive Long Beach, MS 39560	Williams, Keilen 127 English Village Drive Long Beach, MS 39560
Tilley, Richard H MD and Patricia D 123 English Village Drive Long Beach, MS 39560	Roberts, Stephen H and Kathy G 130 Richards Avenue Long Beach, MS 39560	Oak Place, LLC 1124 2 <sup>nd</sup> Street Gulfport, MS 39501
Williams, Charlotte Jean 2004 Golden Bay Lane League City, TX 77573	Hartness, Gary D and Donna L 158 Richards Avenue Long Beach, MS 39560	

**MINUTES OF AUGUST 12, 2021**  
**REGULAR MEETING**  
**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

AFFIDAVIT

STATE OF MISSISSIPPI  
 COUNTY OF HARRISON  
 CITY OF LONG BEACH

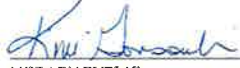
BEFORE ME, the undersigned legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared before me, TINA M DAHL, known to me to be the Minutes Clerk of the City of Long Beach, Mississippi, Planning and Development Commission, who being by me first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

1. That she is the duly appointed and acting Minutes Clerk of the City of Long Beach, Mississippi, Planning and Development Commission;
2. That in such capacity, she is responsible for mailing Notices of Public Hearing for the purpose of notifying property owners within Two Hundred Feet (200'), excluding public right of ways, of the subject property, when applications for zoning map changes, variances, appeals, etc, are filed, all as stipulated in The Zoning Ordinance Number 598 of the City of Long Beach; and other matters pertaining to such Public Hearings and the business of the Planning and Development Commission in and for the City of Long Beach;
3. That on July 19, 2021, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 26 (twenty-six) property owners within Two Hundred Feet (200'), excluding public right of ways, of, Tax Parcel 0712D-03-022.000, notifying them that a Public Hearing will be held, August 12, 2021, to consider an application for a Short Term Rental.

Given under my hand this the 19th day of July 2021.

  
 STACEY DAHL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 19th day of July 2021.

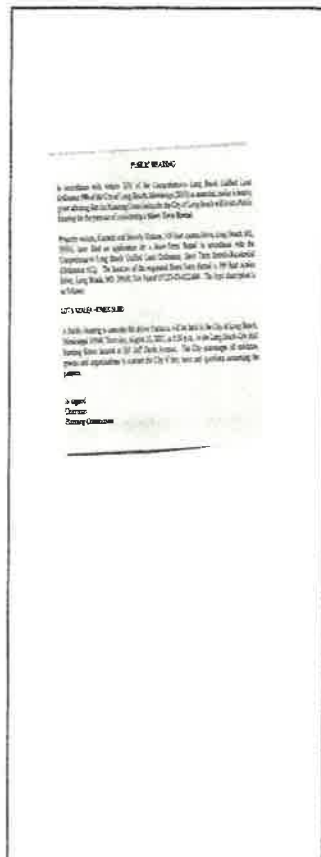
  
 NOTARY PUBLIC

-My Commission Expires-



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

**Proof of Publication**




STATE OF MISSISSIPPI  
 COUNTY OF HARRISON


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

- Vol. XVI No. 30 dated 23 day of July, 2021
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_
- Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20\_\_

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

  
 Publisher

Sworn to and subscribed before me this 24 day of July, A.D. 2021.

  
 Notary Public



**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

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

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

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

\*\*\*\*\*

The fourth public hearing to consider a Short-Term Rental for property located at 721 South Forest Avenue, Tax Parcel 0511O-03-023.000 submitted by Derek Hannan (owner) and Storme Hannan (property manager), as follows:

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING**

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

CITY OF LONG BEACH, MISSISSIPPI							
APPLICATION FOR SHORT-TERM RENTAL							
<b>PHYSICAL ADDRESS:</b> 201 JEFF DAVIS AVENUE LONG BEACH, MS 39560	<b>PHONE:</b> (228) 863-1554 <b>FAX:</b> (228) 863-1558	<b>MAILING ADDRESS:</b> POST OFFICE BOX 929 LONG BEACH, MS 39560					
<b>PROPERTY INFORMATION:</b>							
ADDRESS: <u>721 FOREST AVE. LONG BEACH, MS 39560</u>		Tax Parcel # <u>05110-03-023</u>					
(Location of Short-Term Rental)							
<b>OWNER'S INFORMATION:</b>							
Property Owner's Name: <u>DEREK HANNAN</u>							
Property Owner's Address: <u>721 FOREST AVE. LONG BEACH, MS 39560</u>							
Property Owner's Mailing Address, if different from above:							
<u>475 LAMOINE BEACH Rd. LAMOINE, MAINE, 04605 ME 04605</u>							
City State Zip							
Property Owner's Phone No: <u>202 297-7950</u> Email Address: <u>dhanan@hotmail.com</u>							
Is there a homeowner's association for the neighborhood? <u>No</u> If so, please provide written statement of support of short term rental?							
<b>PROPERTY MANAGER INFORMATION:</b>							
Property Manager's Name: <u>STORME HANNAN</u>							
Property Manager's Address: (Must be a local contact)							
<u>11 DOVER DR GULFPORT MS 39503</u>							
City State, Zip							
Property Manager's Phone No.: <u>228-254-0898</u> Email Address: <u>STORME@DREAMSLEEPOVERS.COM</u>							
<b>PLEASE PROVIDE THE FOLLOWING:</b>							
<ul style="list-style-type: none"> <li>• Mississippi Sales Tax ID # <u>87-0917669</u></li> <li>• Recorded Warranty Deed <input checked="" type="checkbox"/></li> <li>• Parking Rules &amp; Plan •</li> <li>• Trash Management Plan •</li> <li>• Copy of Proposed Rental Agreement •</li> <li>• Proof of Liability Insurance, which included <u>short term rental coverage</u></li> </ul>							
<b>ADDITIONAL INFORMATION:</b>							
<ul style="list-style-type: none"> <li>• OWNERSHIP: Please provide a recorded warranty deed</li> <li>• FEES: \$200, nonrefundable application fee, plus mailing cost. \$100, yearly renewable fee. Checks should be made payable to the City of Long Beach.</li> <li>• LICENSE: A Privilege Tax License must be applied and paid for after approval (\$20/yearly fee).</li> <li>• INCOMPLETE APPLICATIONS will not be processed.</li> </ul>							
<b>AFFIDAVIT</b>							
I HEREBY CERTIFY THAT I HAVE READ THIS APPLICATION AND THAT ALL INFORMATION CONTAINED HEREIN TRUE AND CORRECT; I ACKNOWLEDGE RECEIPT OF AND AGREE TO COMPLY WITH THE RULES & REGULATIONS OF SHORT TERM RENTALS (Ord 622), ALL APPLICABLE CODES, ORDINANCES AND STATE LAWS. VIOLATION OF ANY CODES OR REGULATIONS SHALL RESULT IN THE SUSPENSION OR REVOCATION OF THE PERMIT.							
<u>STORME HANNAN</u>		<u>7/8/21</u>					
PRINT NAME	SIGNATURE	DATE					
BELOW IS FOR OFFICE USE ONLY							
Maximum Occupancy:	Maximum Vehicles allowed:	Number of bedrooms:	Number of people home can accommodate:				
<u>8</u>	<u>3</u>	<u>3</u>	<u>8</u>				
I AFFIRM THAT THE APPLICANT IS IN COMPLIANCE WITH ALL APPLICABLE ZONING REQUIREMENTS, BUILDING & FIRE CODES; AND THAT ALL APPLICABLE TAXES, FEES AND OTHER CHARGES HAVE BEEN PAID.							
Building Official Signature: _____		Date: _____					
Fire Inspector Signature: <u>Janetly D...</u>		Date: <u>8/3/2021</u>					
COMMENTS: _____							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Date Received: <u>7-15-21</u></td> </tr> <tr> <td style="padding: 2px;">Agenda Date: <u>8-12-21</u></td> </tr> <tr> <td style="padding: 2px;">Amount Due/Paid: <u>200.00</u></td> </tr> <tr> <td style="padding: 2px;">Check #: <u>CC</u></td> </tr> </table>				Date Received: <u>7-15-21</u>	Agenda Date: <u>8-12-21</u>	Amount Due/Paid: <u>200.00</u>	Check #: <u>CC</u>
Date Received: <u>7-15-21</u>							
Agenda Date: <u>8-12-21</u>							
Amount Due/Paid: <u>200.00</u>							
Check #: <u>CC</u>							

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

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

Grantors:  
**Jack F. Tucker**  
**Debra Jones Tucker**  
20235 Hayes Rd.  
Long Beach, MS 39560  
(228) 297-8185

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

Grantees:  
**Derek Hannan**  
**Amy Richards**  
721 Forest Ave.  
Long Beach, MS 39560  
(202) 297-7950

File No. Z207975S

**INDEXING INSTRUCTIONS:** Lot 11, Blk 5, Pecan Park S/D, Unit 1, 1st JD, Harrison County, MS

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, we, **Jack F. Tucker and Debra Jones Tucker**, do hereby sell, convey and warrant unto **Derek Hannan and Amy Richards**, as joint tenants with right of survivorship and not as tenants in common, all of that certain tract, piece or parcel of land situated in the First Judicial District of Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

**Lot Eleven (11), Block Five (5), Pecan Park Subdivision, Unit One (1), a subdivision according to a map or plat thereof which is on file of record in the office of the Chancery Clerk in the First Judicial District of Harrison County, MS, in Plat Book 25, at Page 20, reference to which is hereby made in aid of and as a part of this description.**

This being the same property as that conveyed to Jack F. Tucker and Debra Jones Tucker, by instrument recorded in Instrument No. 2014-2644-D-J1, Land Deed Records of Harrison County, Mississippi.

If this property is bounded by water, this conveyance includes any natural accretion, and is subject to any erosion due to the action of the elements. Such riparian and littoral rights as exist are conveyed herewith but without warranty as to their nature or extent. If any portion of the property is below the mean high tide watermark, or is coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act it is conveyed by quitclaim only.

Grantors quitclaim any and all oil, gas, and other minerals owned, if any, to Grantees. No mineral search was requested or performed by preparer.

This conveyance is subject to any and all covenants, rights of way, easements, restrictions and reservations of record in the office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi.

It is agreed and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to make all necessary adjustments on the basis of an actual proration.

The death certificate for Jenna LeAnn Pearson, from a prior conveyance, is attached hereto as Exhibit "A".

WITNESS OUR SIGNATURES, on this the \_\_\_\_ day of January, 2020.

\_\_\_\_\_  
Jack F. Tucker

\_\_\_\_\_  
Debra Jones Tucker

ACKNOWLEDGMENT

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **Jack F. Tucker and Debra Jones Tucker**, who acknowledged before me that they signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the \_\_\_\_ day of January, 2020.


(AFFIX SEAL)

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_

DEED ACCEPTED BY:

\_\_\_\_\_  
Derek Hannan, Grantee

  
\_\_\_\_\_  
Amy Richards, Grantee



**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**Dream Sleepovers, LLC.**

PO BOX 783

Pass Christian MS 39571

(228)254-0898

# **Parking Rules**

## **721 S Forest Ave**

Guests are to park in the designated cement driveway. Parking is NOT permitted on the grass. The driveway can fit 3 average sized vehicles.

Boat haulers, car haulers, and other additional vehicles are to be parked in the backyard, using the double gates on the side of the property. Guests are to open them from the inside of the backyard to allow access.

**Dream Sleepovers, LLC.**

PO BOX 783

Pass Christian MS 39571

(228)254-0898

# **Trash Management**

## **721 S Forest Ave**

Please dispose of all food and household trash into the 13 gallon kitchen bags provided under the sink. Trash is to be sorted and recycled, when possible. Please remove all trash from the property before checkout, and deposit into the closed garbage cans outside the unit.

Please put the trash cans to the curb on Sunday evenings for Monday pickup.

All personal food items are to be removed at checkout.

Please dispose of feminine products into the trash cans provided.

**ONLY TOILET PAPER IS TO BE FLUSHED DOWN THE TOILETS!!**

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING**

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**Dream Sleepovers, LLC.**

PO BOX 783

Pass Christian MS 39571

(228)254-0898

# House Rules - 721 S FOREST

## **NUMBER OF GUESTS / PETS**

The person who made the reservation is responsible for all guests and their actions on the property.

Please list all guests and pets that will be staying. Failure to do so will result in being asked to leave immediately without any refund, and will be subject to a \$250 fine.

Only the guests on the reservation are allowed on the property. If you are expecting visitors, please get permission from the property manager before doing so. Guests plus visitors cannot exceed the maximum occupancy.

Maximum occupancy of this property is 8 people, as stated in the fire code, and listing.

Please list pets as guests in the 2-10 year old section so that the pet fee (\$20 per pet per night) is accounted for.

**NO HOUSE PARTIES ARE ALLOWED! UNDER NO CIRCUMSTANCES WILL HOUSE PARTIES BE TOLERATED. POLICE WILL BE CALLED AND CHARGES WILL BE FILED.**

The neighbors are super friendly, but are quick to let us know if any of these rules seem to be broken. Please respect the quiet residential area that we chose for the perfect, peaceful, getaway.

## **PET RULES**

Pets are NOT allowed on the furniture. Extra cleaning fees (\$195 for a deep cleaning) will apply if there is dog hair on the furniture and comforters.

Pet poop is to be picked up from the backyard before departure. Pet poop in the neighborhood, and at the park is to be picked up at ALL times.

Please do not leave animals trapped in rooms as they scratch the backs of the doors trying to get out.

Please sweep or vacuum any excessive shedding.

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING**

**307**

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**NO SMOKING**

Smoking is strictly prohibited inside the home, including the laundry room. Smoking is allowed in the backyard, as long as cigarette butts are disposed of properly, and safely. Violating this rule will lead to the forfeit of your \$250 security deposit to cover the cost of a deep cleaning and deodorizing for the incoming guests.

**FOOD AND TRASH**

Please dispose of all food and household trash into the 13 gallon kitchen bags provided under the sink. Trash is to be sorted and recycled, when possible. Please remove all trash from the property before checkout, and deposit into the closed garbage cans outside the unit.

Please put the trash cans to the curb on Sunday evenings for Monday pickup.

All personal food items are to be removed at checkout.

Please dispose of feminine products into the trash cans provided.

**ONLY TOILET PAPER IS TO BE FLUSHED DOWN THE TOILETS!!**

**NOISE**

In accordance with the Noise Ordinance of Long Beach, MS - no excessive noise (loud music, motor vehicles, motor cycles or other disruptive noise) is allowed between the hours of 7am and 9pm. Any guests violating this will be subject to the fines set by the city.

**TEMPERATURE**

Please leave the temperature settings on the AC/HEAT thermostat. The temperature should be kept between 72 - 75 while using the AC. 65 - 68 for the heating. Exceptions to this rule must have prior approval.

Windows and doors are NOT to be left open at any time. Doing so can freeze up the unit and lead to damage and repairs.

**CHECK OUT RULES**

Check out is at 10am. Cleaners are scheduled to arrive at 10am to begin cleaning for the incoming guests. Please return the key to the lockbox.

Please clean and return all dishes to the cabinets.

Please remove all trash.


Please set the thermostat to 75 for the AC or 65 for the heat when leaving.

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



ACORD		EVIDENCE OF PROPERTY INSURANCE		DATE
THIS IS EVIDENCE THAT A RENEWAL OFFER AS IDENTIFIED BELOW HAS BEEN ISSUED, IS IN FORCE, AND CONVEYS ALL THE RIGHTS AND PRIVILEGES AFFORDED UNDER THE POLICY UPON RECEIPT OF PAYMENT.				12/12/2020
AGENCY	PHONE NO.	COMPANY	POLICY NUMBER	
Hippo Insurance Services	1-800-585-0705	Spinnaker Insurance Company NAICS - 24376 Rated A - (Excellent) by A.M. Best (#022321)	HMS-1764595-01	
CODE	SUB-CODE	Please visit <a href="http://myhippo.com/lender">myhippo.com/lender</a> to make real-time changes to this policy, including mortgage updates, revised effective date and more.		
HIPO License # 15033370				
INSURED	LOAN NUMBER	POLICY NUMBER		
Derek Hannan 721 Forest Ave, Long Beach, Mississippi 39560		HMS-1764595-01		
ADDITIONAL INSURED	EFFECTIVE DATE	EXPIRATION DATE	CONTINUED LEVEL TERMINATED IF CHECKED *	
	01/31/2021 12:01 am	01/31/2022 12:01 am		
<b>PROPERTY INFORMATION</b>				
LOCATION/DESCRIPTION 721 Forest Ave, Long Beach, Mississippi 39560				
<b>COVERAGE INFORMATION</b>				
COVERAGE/PERLS FORMS	AMOUNT OF INSURANCE		DEDUCTIBLE	
HO-3 Special Form - Homeowners Policy:	Coverage A - Dwelling	\$225,000	\$1,000	
	Extended Replacement Cost	25% of Coverage A	All Peril	
	Coverage B - Other Structures	\$45,000		Excluded
	Coverage C - Personal Property	\$140,000		Wind or Hail
	Coverage D - Loss of Use	\$67,500		
	Coverage E - Personal Liability	\$300,000		Excluded
	Coverage F - Medical Payment	\$1,000		Hurricane
	Sinkhole Collapse			
<b>REMARKS (including Special Conditions)</b>				
This policy does not contain Earthquake coverage. This policy does not contain Flood Insurance coverage				
The Coverage A - Dwelling amount listed above reflects 100% of the estimated replacement cost for the property address listed for this policy.				
Please visit <a href="http://myhippo.com/lender">myhippo.com/lender</a> to make real-time changes to this policy, including mortgage updates, revised effective date and more				
Full Term Premium - *SEE APPENDED INVOICE -				\$1,300



ADDITIONAL INTEREST		
NAME AND ADDRESS	* MORTGAGEE	* ADDITIONAL INSURED
	* LOSS PAYEE	
LOAN#		
AUTHORIZED REPRESENTATIVE		
HIPPO INSURANCE SERVICES		
LICENSE # 15033370		
 Richard L. McCathron		

THE POLICY IS SUBJECT TO THE PREMIUMS, FORMS, AND RULES IN EFFECT FOR EACH POLICY PERIOD. SHOULD THE TERMS AND CONDITIONS OF THE POLICY PURCHASE NOT BE AGREED TO THE POLICY WILL BE NULL CANCELLED WHERE ALLOWED. SHOULD THE POLICY BE TERMINATED, THE COMPANY WILL GIVE THE ADDITIONAL INTEREST IDENTIFIED BELOW WRITTEN NOTICE AND WILL SEND NOTIFICATION OF ANY CHANGES TO THE POLICY THAT WOULD AFFECT THAT INTEREST, IN ACCORDANCE WITH THE POLICY PROVISIONS OR AS REQUIRED BY LAW.

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



<b>BILLING INVOICE</b>		DATE <b>12/12/2020</b>
<b>Payment Remittance</b>		<b>Real Time Policy Updates</b>
Make checks payable to: Hippo Insurance - Spinnaker Trust PO Box 842136 Dallas, TX 75284-2136		Please visit <a href="http://myhippo.com/lender">myhippo.com/lender</a> to make real-time revisions to this policy, including changes such as mortgage updates, revised effective date and more.

<b>Named Insured</b>	<b>Policy Information</b>	
Derek Hannan 721 Forest Ave Long Beach, Mississippi 39560	Carrier:	Spinnaker Insurance Company
	Policy Number:	HMS-1764595-01
	Effective Date:	01/31/2021
	Expiration Date:	01/31/2022
<b>Mortgagee Information</b>	<b>Loan Number</b>	

Billing Information	
Payment Remittance	Hippo Insurance - Spinnaker Trust PO Box 842136 Dallas, TX 75284-2136
Payment Method	Credit/Debit Card
Full Term Premium	\$1,300
Amount Paid	\$1,300
Amount Due	\$0
Payment Due Date	01/31/2021

The policy is subject to the premium, forms and rules in effect for each policy period. If the policy premium is not received within 30 days of the effective date noted above, a CANCELLATION will be issued where allowed. The company will provide a written notice of cancellation to any additional interests in accordance with the policy provisions or as required by law.

Inquiries	
Policy Updates:	<a href="http://myhippo.com/lender">myhippo.com/lender</a>
Billing & Payment:	<a href="mailto:billing@myhippo.com">billing@myhippo.com</a>
Invoice & Coverage:	<a href="mailto:support@myhippo.com">support@myhippo.com</a>
Log-on to Customer Portal:	<a href="https://myhippo.com/myaccount/login">https://myhippo.com/myaccount/login</a>

V 4/2019

The Clerk reported that twenty-four (24) notices of public hearing were sent by regular mail to property owners within two hundred feet (200') of the subject property. Notices were also posted on the bulletin boards at City Hall, the Building Official's Office and the Water Department, 201 Jeff Davis Avenue and at the Long Beach Public Library, 209 Jeff Davis Avenue; said notice was ordered as part of these proceedings:



**MINUTES OF AUGUST 12, 2021  
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 Short-Term Rental.

Property owner, Derek Hannan, 457 Lamoine Beach Road, Lamoine, ME, 04605 (owner), and Storme Hannan, 11 Dover Drive, Gulfport, MS, 39503 (property manager), have filed an application for a Short-Term Rental in accordance with the Comprehensive Long Beach Unified Land Ordinance, Short Term Rentals-Residential (Ordinance 622). The location of the requested Short-Term Rental is 721 South Forest Avenue, Long Beach, MS, 39560, Tax Parcel 05110-03-023.000. The legal description is as follows:

LOT 11 BLK 5 PECAN PARK SUBD UNIT 1

A Public Hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, August 12, 2021, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed  
Chairman  
Planning Commission

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



Kennedy, James T  
1613 Maryland Avenue  
Kenner, LA 70062



Welsh, James E Jr and Amy L  
716 Dogwood Drive  
Long Beach, MS 39560



Simmons, Florene A -L/E-  
714 Dogwood Drive  
Long Beach, MS 39560

Lee, Matthew J and Rachel, Kensey  
5189 Beatline Road  
Long Beach, MS 39560

Cousins, Bernard  
PO Box 110  
Long Beach, MS 39560

Stephens, Paul J and Martha R  
717 Forest Avenue  
Long Beach, MS 39560

Breighner, Heather and Leroy II  
715 South Forest Avenue  
Long Beach, MS 39560

McNutt, Kenneth G and Sherry L  
720 Forest Avenue  
Long Beach, MS 39560

Prudhomme, Ivy Jean and Gregory  
718 South Forest Avenue  
Long Beach, MS 39560

Smoot, Thelma  
716 South Forest Avenue  
Long Beach, MS 39560

Le, Jessica and Rebekah L Bushart  
714 South Forest Avenue  
Long Beach, MS 39560

Coffey, Robert P and Paula M  
5018 Beatline Road  
Long Beach, MS 39560

Riley, Michaelia and Green, Lawrence J  
5036 Beatline Road  
Long Beach, MS 39560

Ray Wayne -EST-  
800 South Forest Avenue  
Long Beach, MS 39560

Keefer, Edward C and Rebecca M  
216 Pine Street  
Long Beach, MS 39560

Taylor, Charles Walter  
803 Forest Avenue  
Long Beach, MS 39560

Fowler, Janet B  
720 Dogwood Drive  
Long Beach, MS 39560

Pruitt, Larry L and Camille P  
722 Dogwood Drive  
Long Beach, MS 39560

Oerting, Franklyn S and Lyn B  
128 Pirate Avenue  
Long Beach, MS 39560

Chesnutt, Richard D and Mary L  
721 Dogwood Drive  
Long Beach, MS 39560

Smith, Anglea M  
719 Dogwood Drive  
Long Beach, MS 39560

Beets, Raymond R Jr and Betty R  
717 Dogwood Drive  
Long Beach, MS 39560

Nations, Booth  
715 Dogwood Drive  
Long Beach, MS 39560

Fallo, Charles M and Pamela K  
713 Dogwood Drive  
Long Beach, MS 39560

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

AFFIDAVIT

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
CITY OF LONG BEACH

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

1. That she is the duly appointed and acting Minutes Clerk of the City of Long Beach, Mississippi, Planning and Development Commission;
2. That in such capacity, she is responsible for mailing Notices of Public Hearing for the purpose of notifying property owners within Two Hundred Feet (200'), excluding public right of ways, of the subject property, when applications for zoning map changes, variances, appeals, etc., are filed, all as stipulated in The Zoning Ordinance Number 598 of the City of Long Beach; and other matters pertaining to such Public Hearings and the business of the Planning and Development Commission in and for the City of Long Beach;
3. That on July 19, 2021, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 24 (twenty-four) property owners within Two Hundred Feet (200'), excluding public right of ways, of, Tax Parcel 05110-03-023.000, notifying them that a Public Hearing will be held, August 12, 2021, to consider an application for a Short Term Rental.

Given under my hand this the 19th day of July 2021.

  
STACEY DAIL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 19th day of July 2021.

  
NOTARY PUBLIC



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

**Proof of Publication**

In accordance with Article XXV of the Comprehensive Long Beach Unified Land Ordinance #18 of the City of Long Beach, Mississippi (2017) as amended, notice is hereby given according to the Planning Commission for the City of Long Beach will hold a Public Hearing for the purpose of considering a Short-Term Rental.

Property owner, Cheryl Hannon, 477 Lantana Beach Pkwy, Lumberton, MS 39090 (owner) and Sheree Hannon, 11 Deep Creek, Osprey, MS 39090 (property manager) have filed an application for a Short-Term Rental in accordance with the Comprehensive Long Beach Unified Land Ordinance, Short-Term Rentals Revisited Ordinance #22. The location of the proposed Short-Term Rental is 721 Santa Rosa Avenue, Long Beach, MS, 39090, Tax Parcel 05110-03-023.000. The legal description is as follows:

LOT 11 BLK 1 PDCAN PAKS 020 UNIT 1

A Public Hearing to consider the above Ordinance will be held in the City of Long Beach, Mississippi 39090, Thursday, August 12, 2021, at 6:30 pm, 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 project.

I, signed:  
Character:  
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. XVI No. 30 dated 3 day of July, 2021 ;  
 Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20 \_\_\_  
 Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20 \_\_\_  
 Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20 \_\_\_  
 Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20 \_\_\_  
 Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20 \_\_\_  
 Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20 \_\_\_  
 Vol. \_\_\_ No. \_\_\_ dated \_\_\_ day of \_\_\_, 20 \_\_\_

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

  
Publisher

Sworn to and subscribed before me this 26 day of July, A.D. 2021.

  
Notary Public



**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

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

Charles Taylor, 803 South Forest Avenue, spoke in opposition of the short-term rental stating he believes he now lives next to a hotel/motel and not in a residential area any longer.

James Welch, 716 Dogwood Drive, spoke in opposition of the short-term rental and stated that the owners have been renting out the home for months without a permit.

Sherry McNutt, 720 South Forest Avenue, spoke in favor of the short-term rental stating the owners have now cleaned up the yard and are maintaining the home. She has not heard any loud noises or disruptions from the home.

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

After considerable discussion, Commissioner Glenn made motion, seconded by Commissioner Barlow and unanimously carried recommending to approve the Short Term Rental in accordance with Ordinance 622, 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 12th day of August 2021, in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed for holding said Regular Meeting.

There were present and in attendance on said Commission and at the meeting the following named persons: Chairman Frank Olaivar, Commissioners Shawn Barlow, Sawyer Walters, Jeff Hansen, Michael Levens, Chris Fields, Jennifer Glenn, and Marcia Kruse, City Advisor Bill Hessell, and Minutes Clerk Tina M. Dahl.

Absent the Regular Meeting was Commissioner Justin Shaw and Building Official Mike Gundlach.

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

**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

\*\*\*\*\*

Commissioner Hansen made motion, seconded by Commissioner Walters and unanimously carried to approve the Regular Meeting minutes of July 22, 2021, as submitted.

\*\*\*\*\*

It came for consideration under Unfinished Business, Marijuana Dispensary Zoning. No discussion was had.

\*\*\*\*\*

It came for discussion under New Business, a Tree Removal Permit Application for the property located at 106 York Drive, Tax Parcel 0611N-03-015.000, submitted by Larry Epps and Tammy Epps, as follows:

MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



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

OFFICE USE ONLY  
Date Received 7-28-21  
Zoning R-1  
Agenda Date 8-12-21  
Check Number Cash

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

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

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

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

TODAY'S DATE: 7/28/2021

**PROPERTY INFORMATION**

TAX PARCEL # 0611N-03-015.000

Address of Property Involved: 106 York Dr

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

Property owner address: 106 York Dr

Phone No. (901) 496-0323

**CONTRACTOR OR APPLICANT INFORMATION**

Company Name: Peterson Land Services

Phone No. 228-493-5583 Fax: \_\_\_\_\_

Name Kotton Peterson

Address 21200 Fenton Deleaux Rd Kila Ms 39556

**PERMIT INFORMATION**

Permit for: Removal  Trimming \_\_\_\_\_ Pruning \_\_\_\_\_

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

Have to repair water pipes several times because of roots. Roots have broken up driveway. Limbs fall on house. Limbs grow over street and delivery truck + garbage trucks hit on limbs. (use separate sheet if needed)

Number of Trees:  
1 Live Oak \_\_\_\_\_ Southern Magnolia

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

Larry Epps Signature 7/28/2021 Date

**ADDITIONAL INFORMATION REQUIRED FROM APPLICANT**

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

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

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

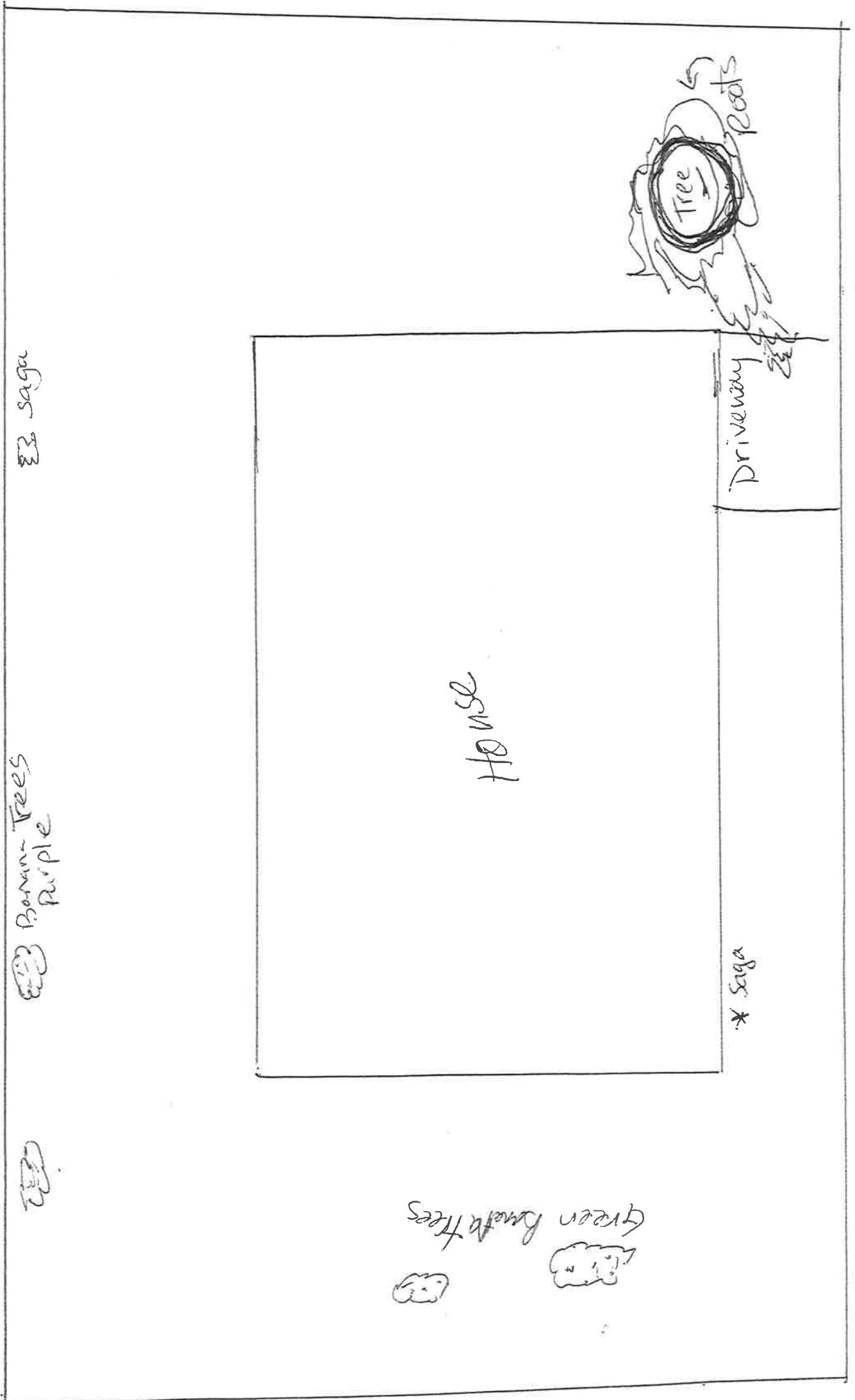
RE OWNERSHIP: Please provide a recorded warranty deed.

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

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

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

MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION





**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



PREPARED BY:

Law Offices of  
LAURA F. PAULK, PLLC  
16127 Orange Grove Road  
Gulfport, MS 39503  
228-831-1818  
LFP File No.: 1505618  
MS Bar No. 10733

Return To:

Law Offices of  
LAURA F. PAULK, PLLC  
16127 Orange Grove Road  
Gulfport, MS 39503  
228-831-1818  
LFP File No.: 1505618

STATE OF MISSISSIPPI

COUNTY OF HARRISON

**WARRANTY DEED**

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

Jean Marie McLeod and Gerald Keith McCullough, as Trustees of the McCullough Parkwood Trust, dated December 17, 2010  
614 Old Savannah Drive  
Long Beach, MS 39560  
228-863-1756

does hereby sell, convey and warrant unto

Tammy D. Epps and husband, Larry D. Epps, Grantees  
106 York Drive  
Long Beach, MS 39560  
901-496-0358,

as joint tenants with full rights of survivorship and not as tenants in common, the following described land and property being located in Harrison County, Mississippi, more particularly described as follows:

(See Exhibit A attached)

INDEXING INSTRUCTIONS: Lot 3, Sunny Acres, re-subdivision of Lots 14-39,  
Blk 3, Canaway's S/D

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

This conveyance is made expressly subject to any and all restrictive covenants, rights-of-way, easements, and mineral reservations and any other rights now of

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**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

record which effect the above described property.

WITNESS MY SIGNATURE, this the 23rd day of November, 2015.

The McCullough Parkwood Trust, dated  
December 17, 2010

*Jean Marie McLeod, Trustee*  
Jean Marie McLeod, Trustee  
*Gerald Keith McCullough, Trustee*  
Gerald Keith McCullough, Trustee

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally appeared before me, the undersigned Notary Public in and for the above named jurisdiction, the within named, JEAN MARIE MCLEOD and GERALD KEITH MCCULLOUGH, who acknowledged that they are the Trustees of THE MCCULLOUGH PARKWOOD TRUST DATED DECEMBER 17, 2010, and that individually and in said representative capacity as Trustees of THE MCCULLOUGH PARKWOOD TRUST DATED DECEMBER 17, 2010, as its act and deed, they executed the above and foregoing instrument on the day and year therein stated, after first having been duly authorized by said trust so to do.

Given under my hand and seal, this the 23rd day of November, 2015.

*Carolee D. G.*  
NOTARY PUBLIC

My Commission Expires:



1535614

2

**MEMORANDUM**

Date: August 10, 2021

To: City of Long Beach Planning Commission From: Ginger Wentz, Long Beach Tree Board Re: Tree Removal Application – 106 York Dr

The homeowners want to remove a majestic live oak to widen their existing driveway. The Long Beach Tree Ordinance allows the removal of protected trees to accommodate structural improvements and to allow for reasonable economic development. However, Section 6(g) requires the planning commission to consider whether the proposed improvements could be revised to accommodate the existing tree. The Tree Board suggests that the homeowners should consider other possibilities before removing the tree.

The attached pictures show that the driveway can be expanded without removing the tree.

A tree trimming by a reputable arborist would address the other concerns included in the application. Removal of the trees should be a last resort.

There are no other trees in the immediate area and removing this majestic tree's canopy would be adversely affected by removal of this live oak.

Therefore it is the Tree Board's recommendation that the application for removal be denied and that the homeowners hire a reputable arborist to trim and shape up the tree.



**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**





**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
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After considerable discussion and upon the recommendation of the letter submitted by the Tree Board, Commissioner Fields made motion, seconded by Commissioner Glenn to approve the removal of the Live Oak Tree, the question being put to a roll call vote, the result was as follow:

Commissioner Barlow	Voted	Yay
Commission Sawyer Walters	Voted	Yay
Commissioner Jeff Hansen	Voted	Yay
Commissioner Michael Levens	Voted	Yay
Commissioner Chris Fields	Voted	Yay
Commissioner Jennifer Glenn	Voted	Yay
Commissioner Marcia Kruse	Voted	Nay

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

\*\*\*\*\*

It came for discussion under New Business, a Tree Removal Application for the property located at 109 East Azalea Drive, Tax Parcel 0712D-03-022.000, submitted by Kenneth T. Hudson, as follows:

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION



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

APPLICATION FOR TREE PERMIT

OFFICE USE ONLY
Date Received 8-4-21
Zoning R-1
Agenda Date 8-12-21
Check Number 444

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

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

KH Any single-family Residential, Multi-Family Residential, Commercial or Industrial Zoned areas need a permit to remove 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 definitely formed crowned.

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

TODAY'S DATE: 8-3-2021

PROPERTY INFORMATION

TAX PARCEL # 07120-03-022.000

Address of Property Involved: 109 E. Azalea Dr.

Property owner name: Kenneth T. Hudson

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

Property owner address: same as above

Phone No. (228) 297-3442

CONTRACTOR OR APPLICANT INFORMATION

Company Name:

Phone No. above Fax:

Name same as above

Address same as above

PERMIT INFORMATION

Permit for: Removal [X] Trimming Pruning

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

We need to expand our driveway/parking area. (use separate sheet if needed)

Number of Trees:

Live Oak 2 Southern Magnolia

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

Signature: Kenneth T. Hudson Date: 8/3/21

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

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

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

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

[X] OWNERSHIP: Please provide a recorded warranty deed.

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

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

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



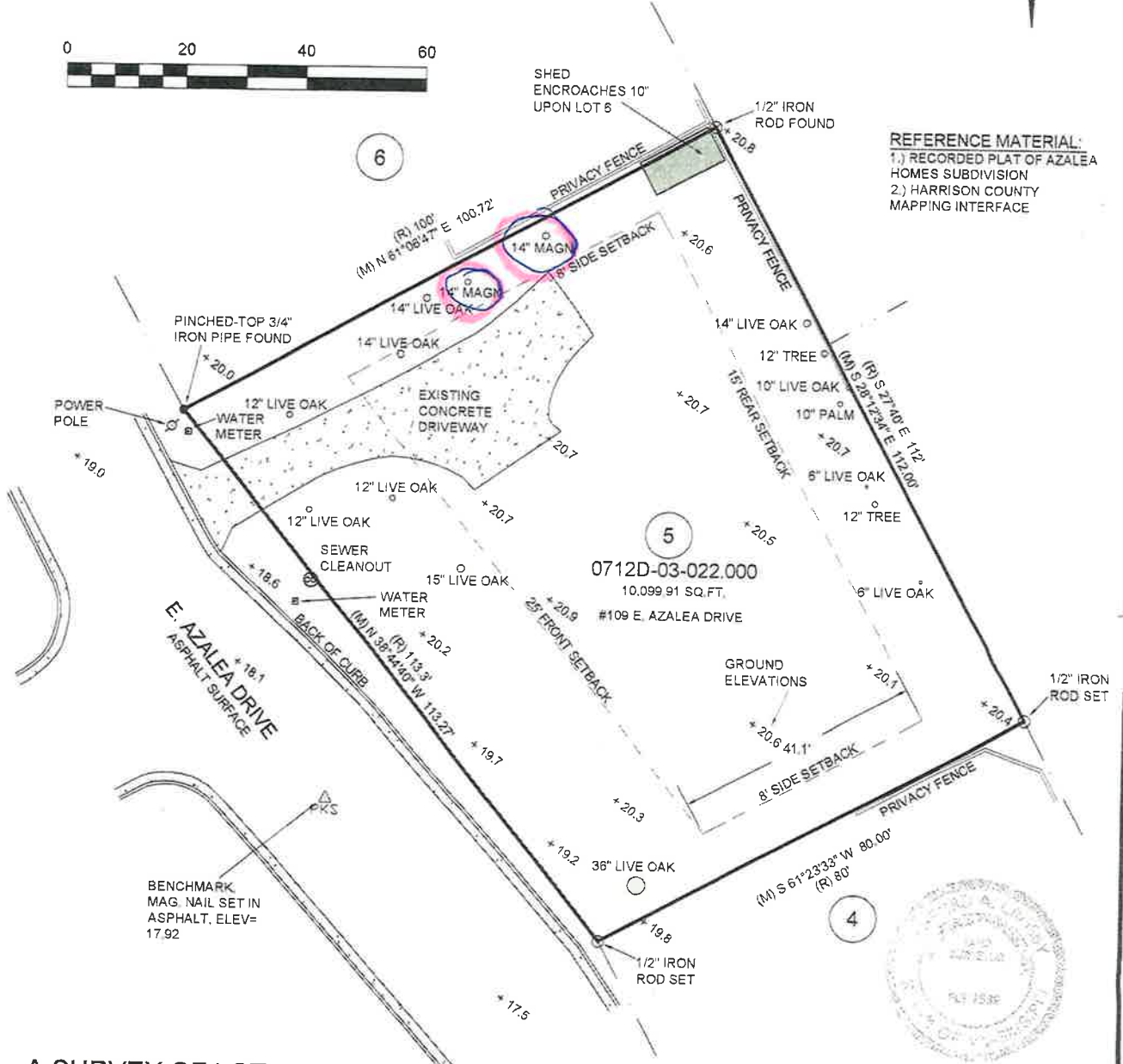
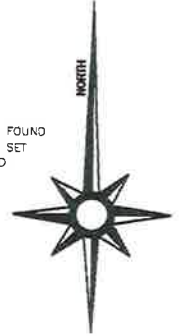
**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**NOTES:**

- 1.) FIELD SURVEY PERFORMED WITH A COMBINATION OF TOPCON GR3 GPS RECEIVER AND TOPCON GPT-9005A ROBOTIC TOTAL STATION.
- 2.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE DERIVED BY COMBINATION OF GPS STATIC OBSERVATION AND EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPC (2301 MS E). BEARINGS ARE GRID NORTH.
- 3.) ELEVATIONS SHOWN ARE BASED ON NAVD88.
- 4.) THIS SURVEY HAS BEEN PREPARED BY INFORMATION PROVIDED BY CLIENT AND LIMITED RESEARCH IN COURTHOUSE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THIS SURVEY MAY NOT SHOW ALL EASEMENTS AND OTHER RESTRICTIONS OF RECORD. SURVEYOR WILL BE MADE AVAILABLE TO ADD SUCH FEATURES TO THIS SURVEY IF A CURRENT TITLE REPORT OR ABSTRACT OF TITLE IS PROVIDED TO HIM BY PROPER AUTHORITY.
- 5.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-227-6477.
- 6.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.

**LEGEND:**

- ⊗ --- IRON ROD FOUND
- --- IRON PIPE FOUND
- --- IRON ROD SET
- ⊗ --- SPIKE FOUND
- ⊗ --- SPIKE SET
- ⊗ --- CONCRETE MONUMENT FOUND
- ⊗ --- CONCRETE MONUMENT SET
- ⊗ --- LIGHTARD KNOT FOUND
- (M) --- AS MEASURED
- (R) --- AS PER RECORD
- APP --- AS PER PLAT
- RF --- IRON ROD FOUND
- RS --- IRON ROD SET



**REFERENCE MATERIAL:**  
1.) RECORDED PLAT OF AZALEA HOMES SUBDIVISION  
2.) HARRISON COUNTY MAPPING INTERFACE

**A SURVEY OF LOT 5,  
AZALEA HOMES  
SUBDIVISION, CITY OF  
LONG BEACH, HARRISON  
COUNTY, MISSISSIPPI**

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

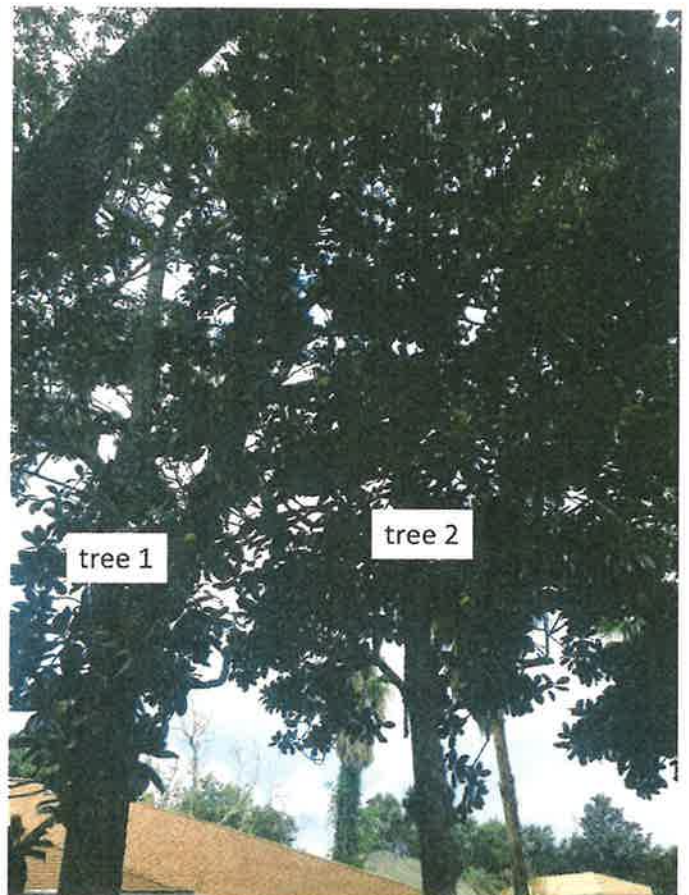
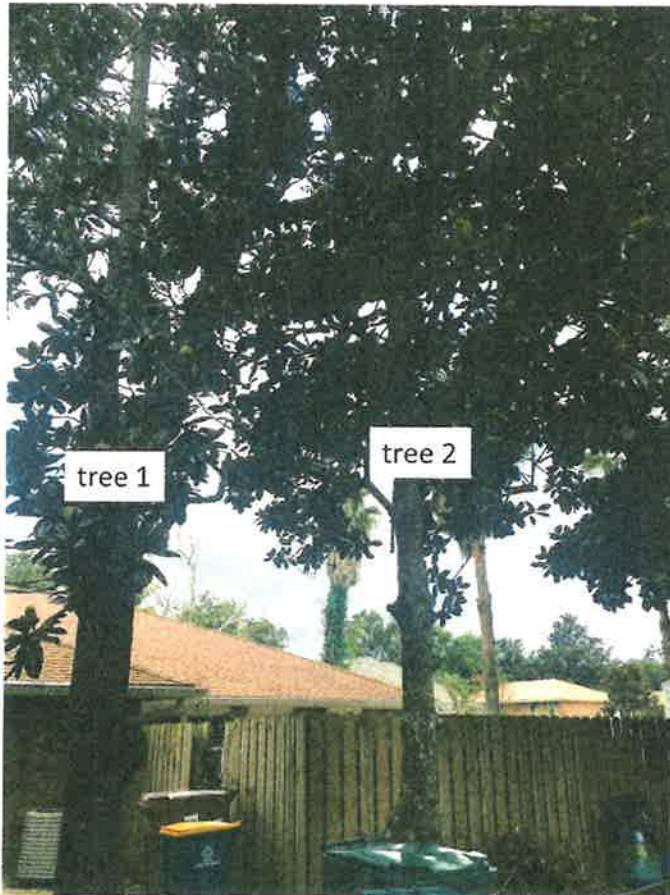
*Clifford A. Crosby*  
CLIFFORD A. CROSBY, P.L.S.      DATE 4/28/2016

THIS PROPERTY IS LOCATED IN F.I.R.M. ZONE <u>"X500"</u> ACCORDING TO MAP NUMBER <u>28047C0357G</u> DATED <u>JUNE 16, 2009</u>			
SURVEY CLASS - "B"	FOR: <u>KENNY HUDSON</u>	BEARINGS SHOWN HEREON ARE DERIVED BY: <u>GPS OBSERVATION, STATE PLANE GRID, MS EAST</u>	
SCALE: 1" = 20'	<p align="center"><b>CROSBY SURVEYING</b> PROFESSIONAL LAND SURVEYING 716 LIVE OAK DRIVE BILOXI, MISSISSIPPI 39532 PHONE: 228-234-1649</p>		
DATE OF FIELD WORK: <u>4/26-4/29/2016</u>			
PARTY CHIEF: <u>CAC</u>			
INSTRUMENT MAN: <u>CAC</u>			
RODMAN: <u>CAC</u>		DATE: _____	
DRAWN BY: <u>CAC</u>		TIME: _____	
DRAWING NUMBER: <u>15301 LOT 5</u>		REVISION: _____	
REVISED: _____			



**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

*TREE'S TO BE CUT*



**MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

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

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

STATE OF MISSISSIPPI

COUNTY OF HARRISON

FIRST JUDICIAL DISTRICT

**WARRANTY DEED**

For and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, we, **JACK E. CHRISTOPHER, CHARLES H. CHRISTOPHER, II and CAROLYN JANE TOWNSEND**, being the devisees under the estate of Martha Jane Harrison, deceased, whose estate is probated as Cause #06-490-5, in the Chancery Court of Lauderdale County, Mississippi, and pursuant to a Judgment closing said estate, dated June 1, 2007, and placing the Grantors herein in possession, of 2405 8<sup>th</sup> Street, Meridian, MS 39302, (601) 917-0207, do hereby sell, convey and warrant unto **KENNY HUDSON**, of 128 English Village Drive, Long Beach, MS 39560, (228) 870-1025, the following described real property situated in Harrison County, First Judicial District, State of Mississippi, described as:

**Lot 5 of AZALEA HOMES SUBDIVISION, as shown by map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi, together with all appurtenances in anywise appertaining thereto.**

File No.: 14-21025 HUDSON

The above described property is conveyed subject to restrictions, reservations and easements of record.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent year taxes are specifically assumed by the Grantee.

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

Witness the signatures of the Grantors this 14 day of August, 2014.

**SEE FOLLOWING PAGE FOR SIGNATURES**

File No.: 14-21025 HUDSON

**MINUTES OF AUGUST 12, 2021**  
**REGULAR MEETING**  
**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

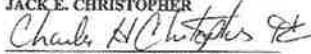
  
JACK E. CHRISTOPHER

CHARLES H. CHRISTOPHER, II

CAROLYN JANE TOWNSEND

File No: 14-21025 HUDSON

JACK E. CHRISTOPHER



CHARLES H. CHRISTOPHER, II

CAROLYN JANE TOWNSEND

File No: 14-21025 HUDSON

MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

JACK E. CHRISTOPHER

CHARLES H. CHRISTOPHER, II

*Carolyn Jane Townsend*  
CAROLYN JANE TOWNSEND

File No. 14-21025 HUDSON

STATE OF *Mississippi*  
COUNTY OF *Lauderdale*

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named JACK E. CHRISTOPHER, who acknowledged that he executed the above and foregoing instrument on the day and in the year therein written.

Given under my hand and official seal of office this 14 day of August, 2014.

*Desiree M. Palmer*  
NOTARY PUBLIC

My Commission Expires: 4/29/2018



AFFIX SEAL

File No. 14-21025 HUDSON

**MINUTES OF AUGUST 12, 2021**  
**REGULAR MEETING**  
**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**  
**MEMORANDUM**

Date: August 10, 2021

To: City of Long Beach Planning Commission

From: Kimberly Lentz, Long Beach Tree Board

Re: Tree Removal Application – 109 E. Azalea

.....

The homeowners want to remove two protected Magnolia trees to widen their existing driveway. The Long Beach Tree Ordinance allows the removal of protected trees to accommodate structural improvements and to allow for reasonable economic development. However, Section 6(g) requires the planning commission to consider whether the proposed improvements could be revised to accommodate the existing trees.

The Tree Board suggests that the homeowners should consider other possibilities before removing the trees. There is a portable storage shed at the end of the driveway which could possibly be relocated, and the driveway could be extended rather than widened. The added length should provide the same amount of additional parking as the proposed widening. There may be other alternatives to expand into the back yard, depending on the home configuration. Removal of the trees should be a last resort.

If no other options are feasible, the Tree Board recognizes that the homesite contains several Live Oak Trees and the canopy in the area would not be adversely affected by removal of the two trees. The Tree Board also agrees that the homeowners need additional parking.

After considerable discussion and upon the recommendation of the letter submitted by the Tree Board, Commissioner Hansen made motion, seconded by Commissioner Walters and unanimously carried to approve the removal of the 2 Magnolia Trees.

\*\*\*\*\*

It came for discussion under New Business, an application for Planning Commission Approval for property located at 520 East Railroad Street, Tax Parcel 0612A-05-003.000, submitted by Vanessa Cruz, as follows:



MINUTES OF AUGUST 12, 2021  
REGULAR MEETING  
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

CITY OF LONG BEACH, MISSISSIPPI

APPLICATION FOR CASE REVIEW

PHYSICAL ADDRESS:  
201 JEFF DAVIS AVENUE  
LONG BEACH, MS 39560

PHONE: (228) 863-1554  
FAX: (228) 863-1558

MAILING ADDRESS  
POST OFFICE BOX 929  
LONG BEACH, MS 39560

- I. TYPE OF CASE:  PLANNING COMMISSION APPROVAL  
 DECISION OF THE BUILDING OFFICIAL IS ALLEGED TO BE IN ERROR  
 INTERPRETATION OF THE ZONING ORDINANCE

II. Address of Property Involved: 520 E. Railroad, Suite E, Long Beach, MS 39560 0612A-05-003, 000  
Tax Parcel Number

III. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.)  
see attached business plan. Requesting approval for a boarding facility for felines (only).

IV. REQUIRED ATTACHMENTS:

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

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

V. OWNERSHIP AND CERTIFICATION:

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

Vanessa Cruz  
Name of Rightful Owner (PRINT)

\_\_\_\_\_  
Name of Agent (PRINT)

246 Reinke Rd  
Owner's Mailing Address

\_\_\_\_\_  
Agent's Mailing Address

Long Beach, MS 39560  
City State Zip

\_\_\_\_\_  
City State Zip

951 310 2884  
Phone

\_\_\_\_\_  
Phone

vanessa@farpetsrescue.org  
Email address

\_\_\_\_\_  
Email Address

Vanessa Cruz 8/12/21  
Signature of Rightful Owner Date

\_\_\_\_\_  
Signature of Agent Date

OFFICE USE ONLY

Date Received 8/4/21 Zoning C-2 Agenda Date 8/12/21 Check Number 1234

**LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

# FOR PET'S SAKE RESCUE

PO BOX 468, LONG BEACH, MS 39560  
(228) 202-7125

## **ABOUT**

For Pet's Sake Rescue is a registered 501(c)3 non-profit organization. It has functioned as a foster based rescue. In the first year, during a pandemic, For Pet's Sake Rescue was able to save over 300 animal lives. Many of these animals were adopted though some were paired with transport opportunities and taken to other rescues to adopt in locations with a higher demand.

## **LOCATION**

A lease agreement has been signed as of August 2, 2021 between For Pet's Sake Rescue and BP Leasing, LLC contingent on the approval of the City of Long Beach. The physical location will be 520 East Railroad, Suite E, Long Beach, Mississippi 39560.

## **PLAN**

South Mississippi has an issue of overpopulation with felines. For Pet's Sake Rescue has focused their attention on this. There are many canine rescues and resources along the MS Gulf Coast though there are very few for felines. For Pet's Sake Rescue will continue to focus over 90% of its' efforts on felines. This facility will be a boarding facility to concentrate on rehabilitation and transporting of feline animals only. Canines will not be boarded in this facility and continue to be placed with fosters.

The main purpose of the facility is to have a safe location to board felines during their transition from neonatal to an age of appropriate adoption or to rehabilitate unhealthy/wounded felines. Vetting will continue to occur offsite at Gulfport Veterinary Hospital at 204 Pass Road, Gulfport, MS 39560 for routine veterinary care, Furbaby's Veterinary Hospital at 17339 Hwy 67, Biloxi, MS 39532 for emergency care, Coast Veterinary Hospital at 3401 Hewes Avenue, Gulfport, MS 39507 for orthopedic care, and The Humane Society at 2615 25th Avenue, Gulfport, MS 39501 for spay and neuter surgeries.

For Pet's Sake Rescue facility will not be open to the public. The address will not be disclosed publicly to prevent any animal dumping. Each animal intake will be planned for and met by a representative of For Pet's Sake Rescue. Adoption contracts will state the address is privileged information and should remain confidential at all times. We will make every attempt to keep adoptions offsite at an agreed location such as fosters homes. Many of For Pet's Sake Rescue animals will be transported to Northern and Midwestern states to reduce the current population along the Southeast. Transports will be our main focus.

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PLAN CONTINUED

All animals will be fixed to prevent unwanted pregnancies and continue to help with population control efforts. We will continue our relationships with TNR groups and individuals involved with population control missions. Our efforts include boarding animals that are not old enough for spay or neuter surgeries.

We currently have 2 part time Kennel Technicians responsible for maintaining the cleanliness of the kennels and feeding each animal daily. We anticipate adding another should our approval request be granted. Our Board Members also participate in helping with feeding, cleaning, medicating, and handling animals as well as physically transport animals to other states.

CLOSING

We truly appreciate your time and consideration. If you have any questions or concerns, please feel free to reach out to our President, Vanessa Cruz at [vanessa@forpetsakerescue.org](mailto:vanessa@forpetsakerescue.org) or her personal cell phone number at (951) 310-2884.

COMMERCIAL LEASE AGREEMENT

THIS AGREEMENT made, entered into and executed this 12 day of August 2021, by and between BP Leasing, LLC c/o Peaks and Associates, LLC and Vanessa Cruz D/B/A For Pete's Sake Rescue (hereinafter called "Lessee"). Lessor and Lessee contract and agree as follows:

1. Lessor hereby leases unto Lessee the following land and any improvements there on:
  2. 520 EAST RAIROAD, UNIT E  
LONG BEACH, MS 39560  
(hereafter "the leased property").
2. The term of this lease shall be for a primary term of 2 years, commencing on August 1, 2021, and expiring at midnight on July 31, 2023., unless extend as provided for herein. This lease can be extended at the end of the primary term for an additional term of 2 years by Lessee giving Lessor notice of his intent to extend the lease thirty (30) days prior to the expiration of the primary term.
3. During the primary term, Lessee shall pay to Lessor, as rental, the sum of Six Hundred Fifty and no/100 Dollars (\$ 650.00) per month, in advance, on or before 10<sup>th</sup> day of each month. During any extended term, Lessee shall pay to Lessor, as rental, the sum of Six Hundred and no/100 Dollars (\$ 675.00) per month, in advance, on or before 10<sup>th</sup> of each month. 24<sup>th</sup> payment of \$650.00 shall be paid to lessor on the 1<sup>st</sup> of August ~~1921~~ <sup>2021</sup> as security deposit.
4. The leased property may be used for the following purposes and for no other purposes: Pet rescue
5. (A) Indemnity: Lessor and Lessee shall indemnify and save harmless the other from any and all losses, fines, suits, damages, expenses, claims, demands and actions of any kind resulting from their negligence, breach, or violation or non-performance of any condition hereof.
- (B) Insurance: Lessee shall, during the entire term of the Lease keep in full force and effect a policy of public liability insurance with respect to the Property and the business operated by Lessee in the Property and which the limits of general liability shall be in the amount of Five Hundred Thousand Dollars (\$500,000.00) combined single limit, naming Lessor as additional insured. Such coverage shall include a broad form general liability endorsement. The policy shall contain a clause that the Lessee will not cancel or change the insurance without first giving the Lessor ten (10) days prior written notice.

Lessor shall during the term hereof, at its sole expense, provide and keep in force insurance the interior of 520 East Railroad St against loss or damage by fire and extended coverage, in an amount equal to one hundred percent (100%) of the full

*check with me how by Lessor with approval  
BY THE CITY OF LONG BEACH  
[Signature]*

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insurable value thereof, which insurance shall be placed with an insurance company or companies approved by Lessor and licensed to do business in the State of Mississippi. The term "full insurable value" shall mean actual replacement value of the interior (exclusive of costs of excavation, foundations and footing below ground level). The insurance required under this paragraph shall be carried in the name of the Lessor and shall provide that any proceeds shall be paid to Lessor and any applicable mortgage holder.

Duplicate originals or certificates of insurance of the policies provided shall be furnished by the Lessee to lessor and shall contain an agreement by the insurer that such policy or policies shall not be canceled without at least ten (10) days prior notice to the Lessor.

Lessee shall pay all taxes assessed against all personal property located on the premises and shall also pay all privilege, excise and other taxes duly assessed. Lessee shall pay said taxes when due so as to prevent the assessment of any late fees or penalties.

6. Lessee shall pay for all electricity, and other utilities (except Water and Sewer) used on the premises. Water and Sewer shall be provided by the Lessor.

7. (A) Lessor's Repairs: Lessor shall be solely responsible for maintaining the roof, foundation and exterior of the building and all parking areas in good repair for their intended use.

(B) Other Repairs: All repairs, maintenance, replacement or reconstruction to the interior of the portion of the building leased by Lessee, including but not limited to replacement of glass doors and windows and repair of the plumbing, are to be made by Lessee at Lessee's expense. If Lessee fails to make such repairs or replacements promptly or within fifteen (15) days of occurrence, Lessor may, at its option, make such repairs or replacements and Lessee shall repay the costs thereof to Lessor on demand.

8. Lessee will keep the leased property in a clean and wholesome condition and will comply at all times with all lawful health and police regulations.

Lessee shall promptly comply with all of the ordinances of the City of Long Beach or of any other governmental body applicable for said premises and to all ordinances and requirements enforced by the state board of health, sanitary, fire or police departments of the City of Long Beach for the correction, prevention and abatement of nuisances in and about or connected with the Property because of Lessee's use thereof during the term of this Agreement, all at Lessee's expense. Lessee shall provide for the removal of its own trash, wastepaper, boxes and cartons and shall not permit any accumulation of such materials. Lessee shall not engage in any act which shall constitute a nuisance.

9. If Lessee shall make default in the payment of the rent, or any part thereof

default shall continue for thirty days after notice thereof in writing to Lessee, or if (a) any proceeding under the bankruptcy act of the United States is begun by or against the Lessee, and an order of adjudication, or order approving the petition, be entered in such proceedings, or (b) a receiver or trustee is appointed for substantially all of the Lessee's business or assets, or (c) if Lessee shall make an assignment for the benefit of creditors, or (d) if Lessee shall vacate or abandon the leased property, then, and in any such event, it shall be lawful for the Lessor, at his election, to declare the term hereof ended and to re-enter the leased property, and to repossess and enjoy the said premises and any buildings and improvements situated thereon without such a re-entry and repossession working a forfeiture of the rents to be paid and the covenants to be performed by the Lessee during the full term of this agreement. If any default shall be made in any covenant, agreement, condition, or undertaking which cannot with due diligence be cured within a period of 30 days, and if notice thereof in writing shall have been given to the Lessee, and if the Lessee, prior to the expiration of 30 days from and after the giving of such notice, shall commence to satisfy the cause of such default and shall proceed diligently and with reasonable dispatch to take all steps and do all work required to cure such default, then the Lessor shall not have the right to declare said term ended by reason of such default; provided, however, that the curing of any default in such manner shall not be construed to limit or restrict the right of Lessor to declare the said term ended and enforce all of their rights and remedies hereunder for any other default not so cured.

The foregoing provision for the termination of this lease for any default in any of its covenants shall not operate to exclude or suspend any other remedy of the Lessor for breach of any of said covenants, or for the recovery of said rent for the full term, and in the event of the termination or default in any of the terms of this lease as aforesaid.

10. Lessee shall permit Lessor and his agents to enter the Property at all reasonable times for any of the following purposes to inspect the same: (i) to maintain the building in which the said premises are located, (ii) to make repairs to the Property as the Lessor is obligated or may elect to make, and (iii) to post notices of non-responsibility for alterations or additions or repairs.

11. If Property, including improvements thereon, are injured by fire or other casualty, Lessee shall have the exclusive right and option to either terminate this Agreement or reconstruct and/or repair the said damaged improvements and continue this Lease under its terms and conditions as if no such casualty occurred by giving written notice to Lessor of Lessee's intention to so continue this Lease within thirty (30) days after the date of said damage or casualty. In the event that Lessee so elects to continue this Lease, any insurance proceeds payable as a result of said fire or casualty shall be first applied to pay the reconstruction or repair of said improvements, and any balance of such insurance proceeds after payment of said reconstruction or repair shall be paid to whoever owns the insurance policy under which payment is made.

12. If, during the term of this Agreement, the Property shall be taken or condemned, either in whole or part, by competent authorities for public or quasi-public use, Lessee shall have the option to terminate this Agreement as of the date of taking. If



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Lessee elects not to terminate this Agreement, then this Agreement shall continue in full force and effect.

13. It is understood and agreed that the relationship of the parties hereto is strictly that of Lessor and Lessee and that the Lessor has no ownership in the Lessee's enterprise and the Agreement shall not be construed as a joint venture or partnership. The Lessee is not and shall not be deemed to be an agent or representative of the Lessor.

14. All covenants, conditions and agreements and undertakings contained in this Agreement shall extend to and be binding on the respective heirs, successors and assigns of the respective parties hereto the same as if they were in every case named and expressed.

15. It is further understood and agreed by and between the Lessor and Lessee that, on account of breach or default by either party of any of their obligations hereunder, it shall become necessary for the other party to employ and/or consult with an attorney to give advice, or to enforce or demand any of either party's rights or remedies hereunder, then, and in any such event, the defaulting or breaching party shall pay all attorney fees, court costs and other expenses occasioned by such default(s) or breach(es).

16. Written notice to Lessee, all rent checks and all notices from Lessee to Lessor shall be served or sent to:

Peaks and Associates, LLC  
215 Woodbine Dr.  
Gulfport, MS. 39507

Until further written notice to Lessor, all notices from Lessor to Lessee shall be served or sent to Lessee at the following address:

520 East Railroad Street,  
Unit E  
Long Beach, MS 39560

All notices to be given under this Agreement shall be in writing and shall be served personally or sent by United States certified or registered mail.

17. This Agreement contains all of the agreements and conditions made between the parties hereto and may not be modified orally or in any other manner other than by agreement in writing signed by all parties hereto or their respective successors in interest.

18. If any section, paragraph, sentence or portion of this Agreement or the application thereof to any party or circumstance shall, to any extent, be or become invalid

18. If any section, paragraph, sentence or portion of this Agreement or the application thereof to any party or circumstance shall, to any extent, be or become invalid or illegal, such provision is and shall be null and void, but, to the extent that said null and void provisions do not materially change the overall agreement and intent of this entire agreement, the remainder of this Agreement shall not be affected thereby and each remaining provision of this Agreement shall be valid and enforceable to the fullest extent provided by law.

19. ALTERATIONS, TRADE FIXTURES, FINANCING. Lessee shall have the right to make such alterations and improvements to the Property as it deems necessary or desirable upon giving written notice of same to Lessor. Such alterations and improvements shall comply with all applicable construction laws and regulations and shall conform generally with the existing improvements on the Property. The Lessee shall keep the Property free from any and all liens arising out of the work performed or materials furnished in making such improvements.

20. Lease is contingent on approval from the City of Long Beach Planning Commission approval

21. This Agreement shall be governed by and construed in accordance with the laws of the State of Mississippi.

WITNESS: the signatures of the parties, this the 2 day of August, 2021.

LESSOR:

*[Handwritten Signature]*  
*[Handwritten Signature]*

LESSEE:

*[Handwritten Signature]*  
*[Handwritten Signature]*  
Vanessa Cruz President  
For Pets Save Rescue

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for said County and State, \_\_\_\_\_, who acknowledged to me that she signed and delivered the above and foregoing instrument on the day and in the year therein shown as her act and deed.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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After considerable discussion, Commissioner Hansen made motion, seconded by Commissioner Walters and unanimously carried to approve the application as submitted.

\*\*\*\*\*

It came for consideration, in accordance with Ordinance 598, Section 21: Planning Commissioners and Officers, election of Chairman, whereupon Commissioner Hansen made motion, seconded by Commissioner Walters and unanimously carried to re-elect Commissioner Frank Olaivar to serve as Chairman.

\*\*\*\*\*

It came for consideration, in accordance with Ordinance 598, Section 21: Planning Commissioners and Officers, election of Vice-Chairman, whereupon Commissioner Hansen made motion, seconded by Commissioner Walters and unanimously carried to elect Commissioner Shawn Barlow to serve as Vice-Chairman.

\*\*\*\*\*

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

APPROVED:

\_\_\_\_\_

Chairman Frank Olaivar

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Tina M. Dahl, Minutes Clerk