

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

AGENDA
 JUNE 11, 2020
 REGULAR MEETING OF THE PLANNING and DEVELOPMENT COMMISSION
 CITY OF LONG BEACH, MISSISSIPPI
 5:30 O'CLOCK P.M.
 LONG BEACH CITY HALL
 MEETING ROOM
 201 JEFF DAVIS AVENUE

I. CALL TO ORDER

II. ROLL CALL AND ESTABLISH QUORUM

III. PUBLIC HEARINGS

1. Variance (Sidewalk)- 640 Klondyke Road, Tax Parcel 0611G-01-015.000, Submitted by Justin and Kristin Shaw.
2. Variance (Sidewalk)- 210 West Avenue, Tax Parcel 0612E-03-006.000, Submitted by Robert E. and Ann Ryan.
3. Variance (Sidewalk)- 315 East 4th Street, Tax Parcel 0612A-03-040.000, Submitted by Craig Brown.
4. Variance (Sidewalk)- 10 Canal Place, Tax Parcel 0512G-02-022.010, Submitted by Richard B. Brown, Jr.
5. Variance (Sign Setback)- 229 Klondyke Road, Tax Parcel 0611N-02-072.000, Submitted by Joseph and Karen Gauci.
6. Short-Term Rental- 830 West Beach Blvd, Unit 1, Tax Parcel 0512I-01-051.009, Submitted by Krista Bradford and Jordan Ginsberg.
7. Short-Term Rental- 21160 Pineville Road, Tax Parcel 0611L-01-012.000, Submitted by Franky Walker.

IV. ANNOUNCEMENTS

V. APPROVE MINUTES

1. March 12, 2020
2. March 26, 2020

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

1. Tree Removal (4 Live Oaks)- 1306 Wisteria Lane, Tax Parcel 0511K-02-023.000, Submitted by Kevin Purvis and Jennifer Jones.
2. Sketch Plat Approval- Tax Parcels 0511N-01-004.011, 0511N-01-004.010, 0511N-01-004.009, 0511N-01-004.008, 0511N-01-004.007, 0511N-01-004.006, 0511N-01-004.005, 0511N-01-004.004, 0511N-01-004.003, 0511N-01-004.002, 0511N-01-004.001, 0511N-01-004.000, Submitted by Charles Gant.
3. Discussion- Tree Ordinance 364.

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 June 16, 2020.**

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

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Be it remembered that seven (7) Public Hearings were heard before the Long Beach Planning and Development Commission, Long Beach, Mississippi, were begun at 5:30 o'clock p.m., Thursday, the 11th day of June 2020, in said City, and the same being the time, date and place fixed for holding said Public Hearings.

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

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

The first Public Hearing to consider a Variance for property located at 640 Klondyke Road, Tax Parcel 0611G-01-015.000, Submitted by Justin and Kristin Shaw, as follows:

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



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

Office use only	
Date Received	2-20-20
Zoning	C-2
Agenda Date	6-11-20
Check Number	2336

VARIANCE REQUEST

- I. Tax Parcel Number(s): 0611G-01-015.000
- II. Address of Property Involved: 640 Klondyke Rd.
- III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
We are requesting a variance not to construct a sidewalk at our new residence.

****PLEASE COMPLETE THE FOLLOWING:**

- A. Describe any special condition that justify the granting of this request and that are peculiar to the property and do not apply to other properties in the general area. What are the reasons for the request and why the applicant cannot meet the stated code requirement? We have approximately 290' of road frontage along Klondyke Rd that is wooded with the exception of the driveway opening. We intend on leaving the front 50-60' of our property wooded for privacy and a sound barrier. There are many large trees in this wooded section including live oaks and pine trees. Also, there are no other sidewalks on the East side of Klondyke Rd between Commission Rd and 28th Street.
- B. Describe how the special condition discussed above is not the result of actions taken by the applicant. Show that the applicant did not cause the need for this request. The property was wooded for over 30 years which has allowed for the growth of a large amount of trees. We bought the property due to its size and ability to have privacy. Also, we were unaware of the new sidewalk ordinance until we were applying for a building permit.
- C. Show that an unnecessary hardship exists due to the character of the property and that this hardship makes the request necessary. State what hardship is caused if the applicant is required to meet code requirements? What is the result of this hardship? What would result if the Zoning Board denied this request? Constructing a sidewalk will be very costly due to having 290' of road frontage and having to clear the front of the property. Large trees would have to be removed and are close to the utility easement. Additionally, we would be the only property along the East side of Klondyke Rd with a sidewalk. It would be a dangerous crossing to anyone trying to utilize the sidewalk.
- D. Show that denial of this request will deprive the applicant of rights commonly enjoyed by other properties in the general area and that the granting of this variance request will make possible the reasonable use of land while not conferring any special privilege. Outline how the subject of the variance is common in the area and if the applicant were to be denied this variance a right would be taken away which is granted to other properties. State how the variance makes reasonable use of the existing land and why the same action cannot be done in a way that does not require a variance. Show that granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable. There are no other sidewalks on the East side of Klondyke Rd between Commission Rd and 28th Street. Most of the homes are not located within a subdivision and are on larger lots that have some degree of privacy between their homes and busy thoroughfares.

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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 street alleys, or bodies of water). Claims of support or "no objection" from owners of adjoining property should be substantiated in writing or by the appearance of such owner(s) at the hearing. Such support is usually considered material but not conclusive.
- B. **Survey and Site Plan.** a site plan showing the land area which would be affected, easements bounding and intersecting the designated area, the locations of existing and proposed structures with supporting open facilities, and the ground area to be provided and continuously maintained for the proposed structure or structures;
- C. **Recorded Warranty Deed.** A deed which includes a legal description of the specific piece of property involved in the request. If, several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.
- D. **Fee.** Attach a check in the amount of \$100.00. This check should be made payable to the City of Long Beach to cover administrative cost. You will also be responsible to actual costs, such as advertising and mailing incurred with the processing of your application.

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

V. OWNERSHIP AND CERTIFICATION:

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

Justin & Kristin Shaw
Name of Rightful Owner (PRINT)

640 Klondyke Road
Owner's Mailing Address

Long Beach MS 39560
City State Zip

228-326-7183 / 228-326-7186
Phone

 7/20/20
Signature of Rightful Owner Date

Name of Agent (PRINT)

Agent's Mailing Address

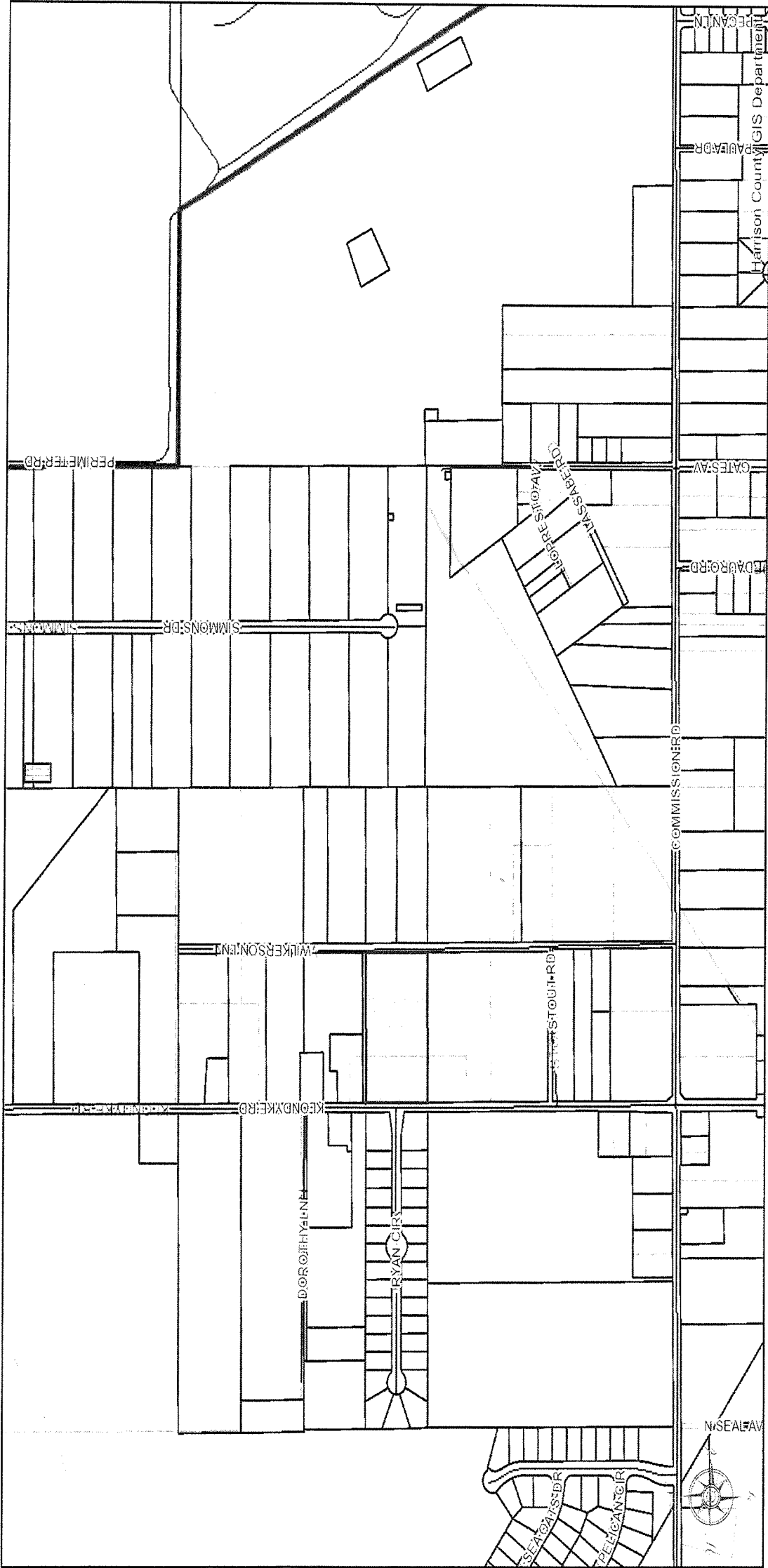
City State Zip

Phone

Signature of Applicant Date

MINUTES OF JUNE 11, 2020
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION

640 Klondyke Road, 0611G-01-015.000



HARRISON COUNTY, MISSISSIPPI

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

TAL FLURY, TAX ASSESSOR.
MAP DATE: May 14, 2020



**MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



1st Judicial District
Instrument 2019 9441 D -J1
Filed/Recorded 11/ 1/2019 03:05 P
Total Fees \$ 13.00
3 Pages Recorded

Indexing: Lot 7, Quarles S/D of NW ¼ of SW ¼ S1-8-12
and parcel in the NW ¼ of SW ¼ S1-8-12

STATE OF MISSISSIPPI

COUNTY OF HARRISON

FIRST JUDICIAL DISTRICT

Prepared by and return to:
David B. Estes
MS Bar No. 101404
Integrity Land Title, LLC
2200 25th Avenue
Gulfport, MS 39501
(228)896-8962
File# 2695

WARRANTY DEED

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

INA FAY CASTIGLIA
668 Klondyke Road
Long Beach, MS 39560
(228) 669-1733

does hereby **SELL, CONVEY and WARRANT** unto

JUSTIN SHAW and wife KRISTIN SHAW
as joint tenants with rights of survivorship and not as tenants in common
25840 Sandy Creek Road
Gulfport, MS 39503
(228) 326-7186

the following described land together with all improvements thereon located in the First
Judicial District of Harrison County, Mississippi, more particularly described as follows, to-wit:

See attached Exhibit "A"

THIS CONVEYANCE is subject to any and all easements, restrictive or protective
covenants, rights-of-way, zoning ordinances and reservations affecting said property of record.

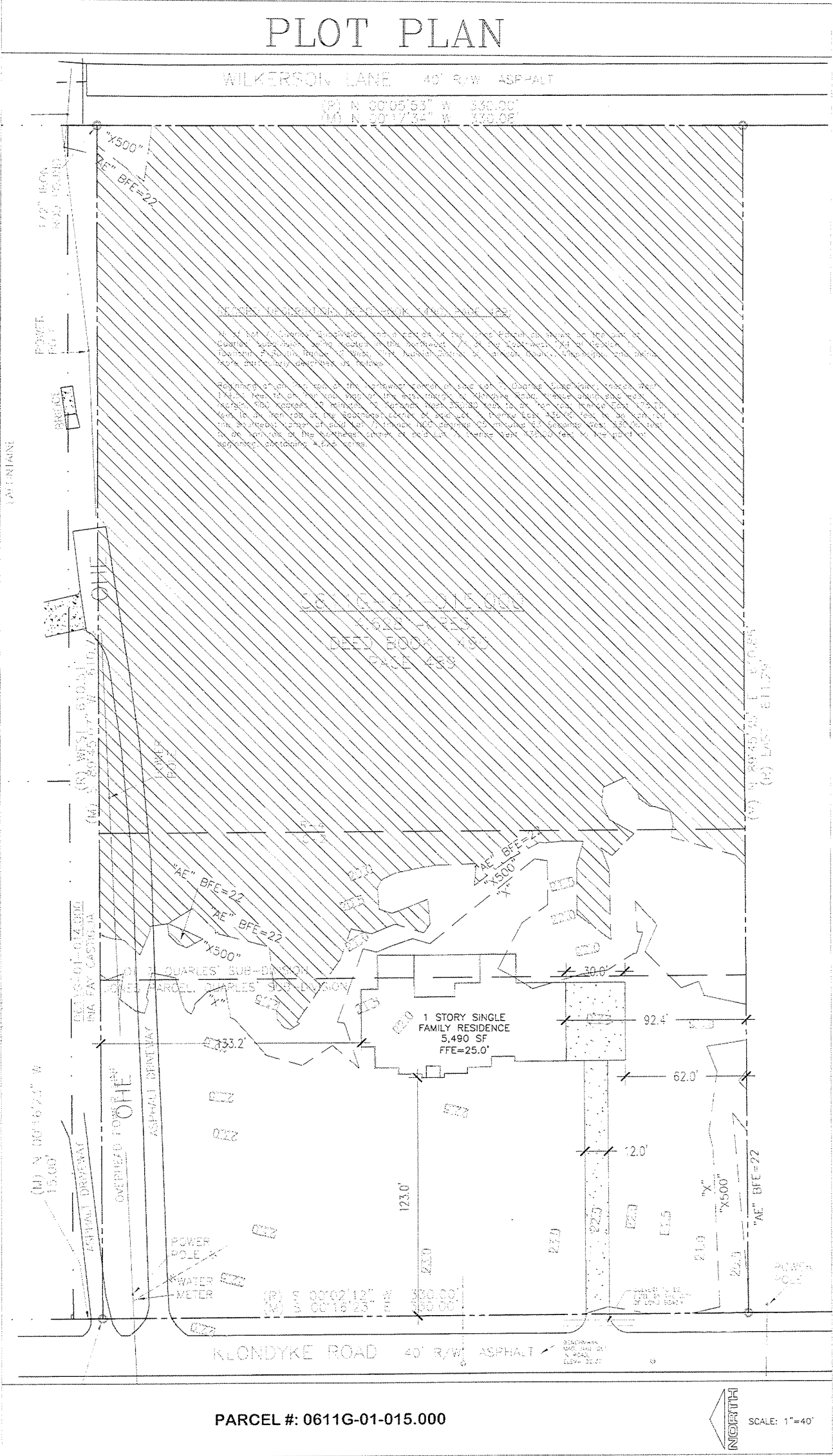
Exhibit "A"

3

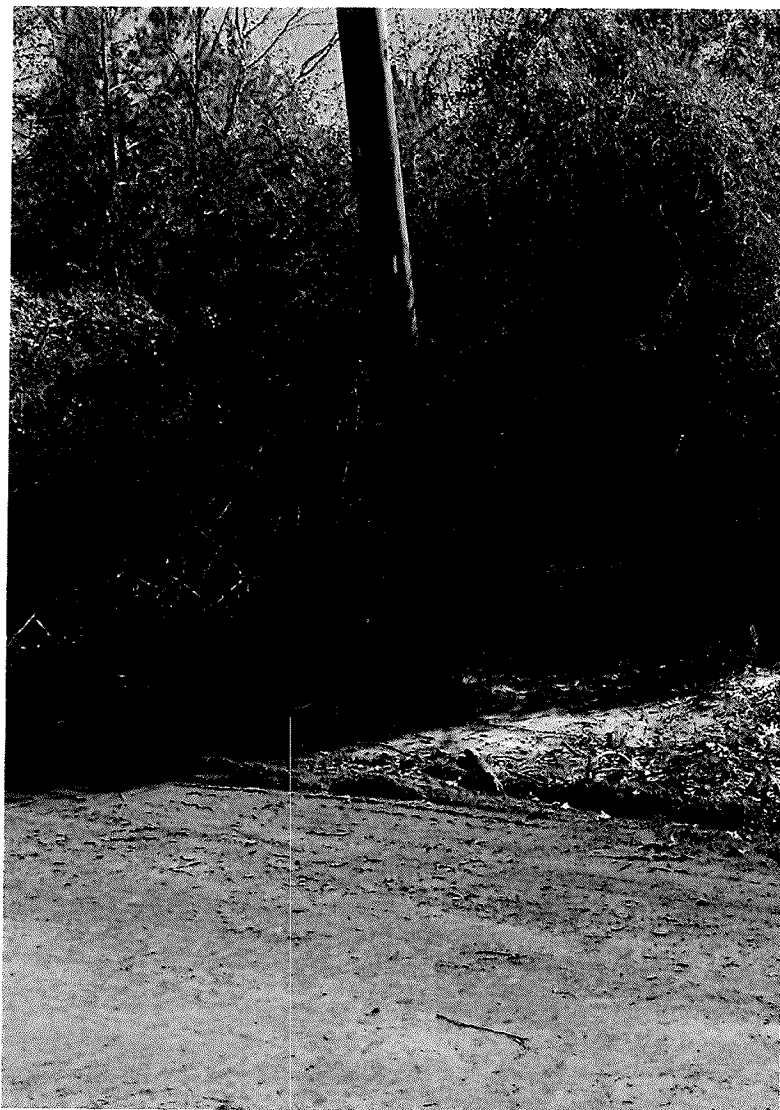
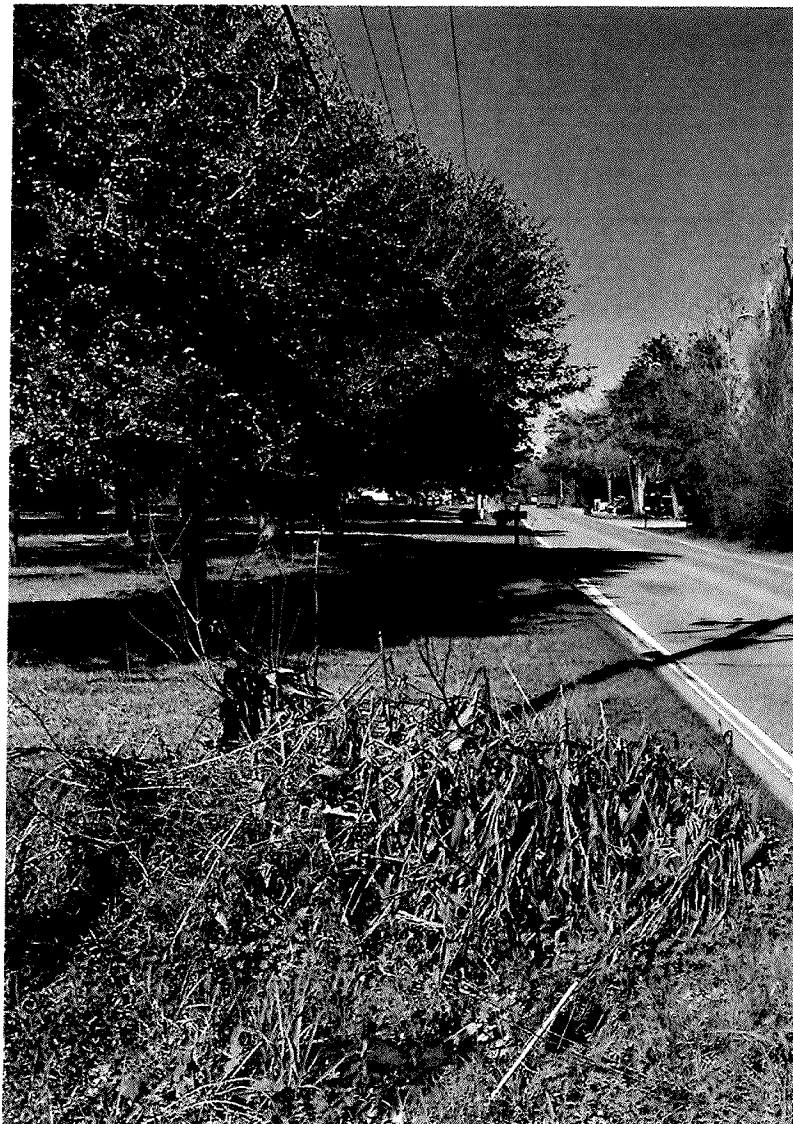
All of Lot 7, Quarles' Subdivision, and a portion of the Jones Parcel as
shown on the plat of Quarles' Subdivision, being located in the Northwest
1/4 of the Southwest 1/4 of Section 1, Township 8 South, Range 12 West,
First Judicial District of Harrison County, Mississippi, and being more
particularly described as follows:

Beginning at an iron rod at the Northwest corner of said Lot 7, Quarles'
Subdivision; thence West 174.51 feet to an iron rod lying on the east margin of
Klondyke Road; thence along said east margin, S00 degrees 02 minutes 12
Seconds West 330.00 feet to an iron rod; thence East 175.28 feet to an iron rod
at the Southwest corner of said Lot 7; thence East 436.00 feet to an iron rod at
the Southeast corner of said Lot 7; thence N00 degrees 05 minutes 53 Seconds
West 330.00 feet to an iron rod at the Northeast corner of said Lot 7; thence
West 436.00 feet to the point of beginning, containing 4.628 acres.

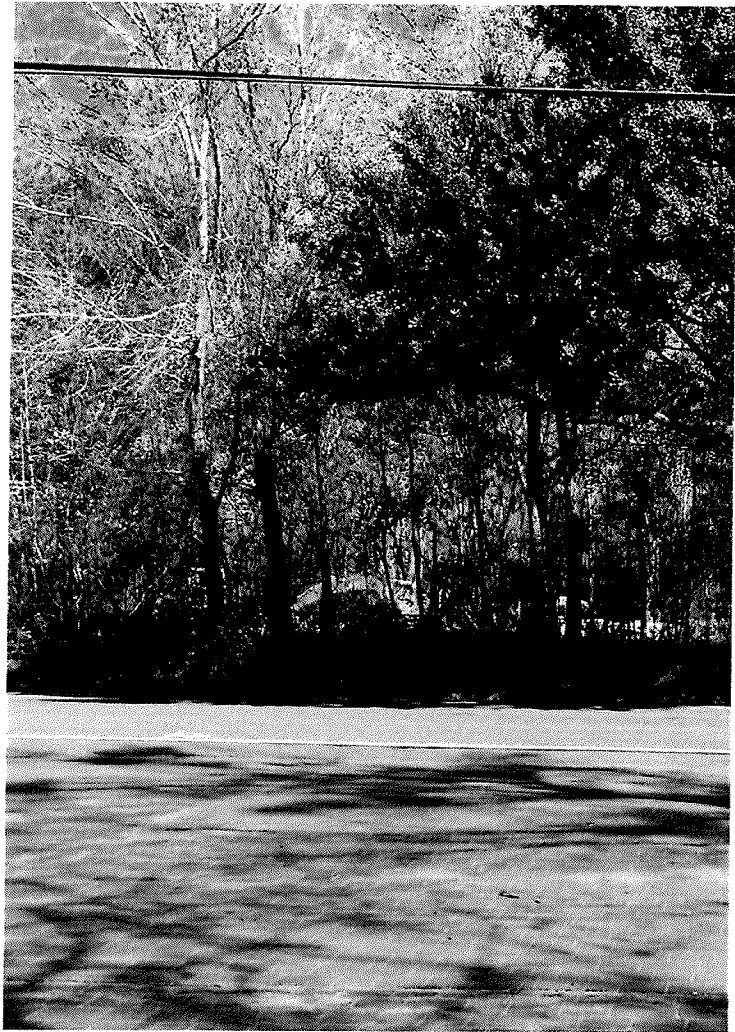
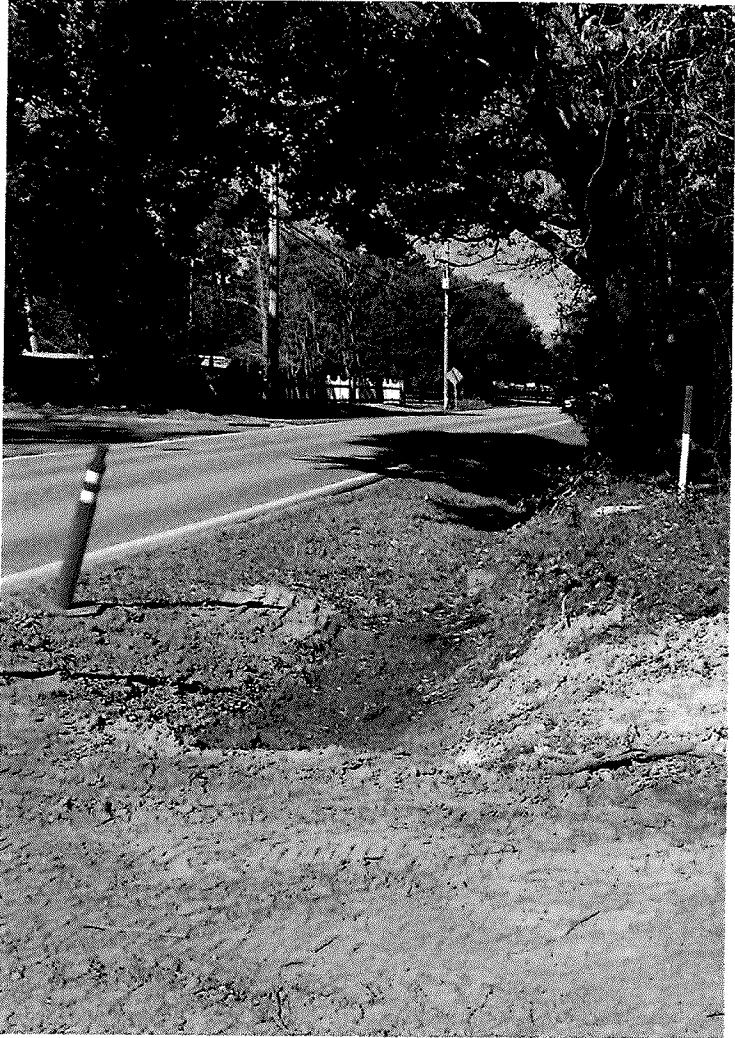
MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



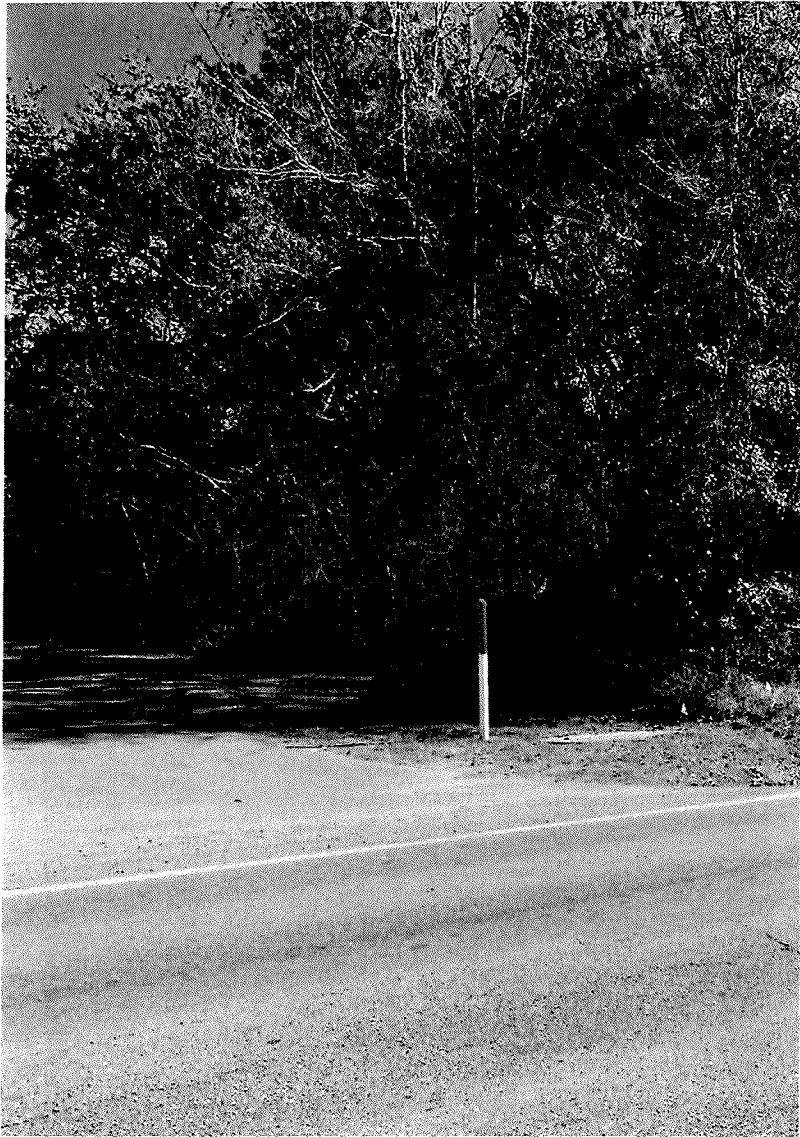
MINUTES OF JUNE 11, 2020
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The Clerk reported that ten (10) notices of Public Hearing were sent by regular mail to property owners within one hundred sixty feet (160') of the subject property. Notices were also posted on the bulletin boards at City Hall, the Building Official's Office and the Water Department, 201 Jeff Davis Avenue and at the Long Beach Public Library, 209 Jeff Davis Avenue; Said notice was ordered as part of these proceedings:

City of Long Beach



LEGAL NOTICE

PUBLIC MEETING

In accordance with Section 4 of the City of Long Beach Sidewalk Ordinance 587 as amended by Ordinance 615, Ordinance 645, and Ordinance 647 notice is hereby given advising that the Planning and Development Commission for the City of Long Beach will hold a Public Meeting for the purpose of considering a **Variance**.

Justin and Kristin Shaw, 640 Klondyke Road, Long Beach, MS. 39560, have filed an application for a Variance in accordance with the Long Beach Sidewalk Ordinance 647. The applicant is requesting a variance from the placement of a sidewalk on a newly developed lot. The location of the requested Variance is 640 Klondyke Road, Tax Parcel Number is 0611G-01-015.000. The legal description is as follows:

4.6 AC BEG AT NW COR OF LOT 7 QUARLES SUBD W 174.5 FT TO E
MAR OF KLONDYKE RD SLY ALONG RD 330 FT E 611.3 FT TO SE COR
OF LOT NLY ALONG LOT 330 FT TO NE COR WLY ALONG LOT 436 FT
TO POB BEING ALL OF LOT 7 QUARLES SUBD & PART OF NW1/4 OF
SW1/4 OF SEC 1-8-12

A public meeting to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, June 11, 2020, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared before me, TINA M DAHL, known to me to be the Minutes Clerk of the City of Long Beach, Mississippi, Planning 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 May 20, 2020, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 10 (ten) property owners within One Hundred Sixty Feet (160'), excluding public right of ways, of, Tax Parcel 0611G-01-015.000, notifying them that a Public Hearing will be held, June 11, 2020 to consider an application for a Variance.

Given under my hand this the 20th day of May 2020.

Stacey Dahl
STACEY DAHL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 20th day of May 2020.

Kini Gonsoulin
NOTARY PUBLIC

-My Commission Expires-



AVERY 5160 [®] Long Beach Estates, LLC PO Box 550 Oxford, MS 38655	Easy Peel[®] Address Labels Bend along line to expose Pop-up Edge [®] Wilkerson, JR and WF 5134 Wilkerson Lane Long Beach, MS 39560	Go to avery.com/templates Use Avery Template 5160 Wescovich, Jonathan R and Fallon A 5140 Wilkerson Lane Long Beach, MS 39560
Sandidge, Brian E and Carmen K 666 Klondyke Road Long Beach, MS 39560	Lafontaine, Terrell O II and Julie R 9 Oakmont Place Long Beach, MS 39560	Castiglia, Ina Fay 668 Klondyke Road Long Beach, MS 39560
Rogers, Rose Mary and Seth A 671 Klondyke Road Long Beach, MS 39560	Fischer, Randy J and Melissa Ann 679 Klondyke Road Long Beach, MS 39560	Via, Diane and Acie C Jr 31 Ryan Circle Long Beach, MS 39560
Brown, Armond A II and Brenda J 30 Ryan Circle Long Beach, MS 39560		

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

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
Proof of Publication

PUBLIC MEETING

In accordance with Section 4 of the City of Long Beach Sidewalk Ordinance 587 as amended by Ordinance 615, Ordinance 642, and Ordinance 647 notice is hereby given advising that the Planning and Development Commission for the City of Long Beach will hold a Public Meeting for the purpose of considering a Variance.

Jurth and Kristin Shaw, 640 Klondyke Road, Long Beach, MS, 39560, have filed an application for a Variance in accordance with the Long Beach Sidewalk Ordinance 647. The applicant is requesting a variance from the placement of a sidewalk on a newly developed lot. The location of the proposed Variance is 640 Klondyke Road, Tax Parcel Number is 9811G-01-015-000. The legal description is as follows:

4.6 AC BEG AT NW COR OF LOT 7 QUARLES SUBD IN 474.5 FT TO E COR OF PRUDOMPKNE RD SLY ALONG RD 330 FT E 841.3 FT TO SE COR OF PRUDOMPKNE RD SLY ALONG LOT 330 FT TO NE COR WLY ALONG LOT 435 FT TO E COR BEG 1/4 COR OF LOT 7 QUARLES SUBD & PART OF NW 1/4 OF SEC 14-12

A public meeting to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, June 11, 2020, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 1401 Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

(Is signed)
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:

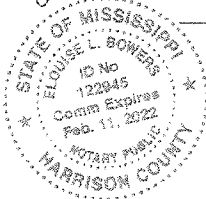
Vol. XV No. 21 dated 22 day of May, 2020
Vol. ____ No. ____ dated ____ day of ____, 20 ____
Vol. ____ No. ____ dated ____ day of ____, 20 ____
Vol. ____ No. ____ dated ____ day of ____, 20 ____
Vol. ____ No. ____ dated ____ day of ____, 20 ____
Vol. ____ No. ____ dated ____ day of ____, 20 ____
Vol. ____ No. ____ dated ____ day of ____, 20 ____
Vol. ____ No. ____ dated ____ day of ____, 20 ____
Vol. ____ No. ____ dated ____ day of ____, 20 ____

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

(Signature)
Publisher

Sworn to and subscribed before me this 26 day of May, A.D. 2020.

(Signature)
Notary Public



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 Seal and unanimously carried to close the Public Hearing.

After considerable discussion, Commissioner Ward made motion, seconded by Commissioner Husband and unanimously carried recommending the approval of the Sidewalk Variance.

The second Public Hearing to consider a Variance request for property located at 210 West Avenue, Tax Parcel 0612E-03-006.000, submitted by Robert E. and Ann Ryan, as follows:

**MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



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

Office use only	
Date Received	3-16-20
Zoning	R-2
Agenda Date	6-11-20
Check Number	8339

VARIANCE REQUEST

- I. Tax Parcel Number(s): 0612E-03-006.000
- II. Address of Property Involved: 210 West Avenue Long Beach, Ms 39560
- III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
See attached supplementary pages

****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 supplementary pages
- B. Describe how the special condition discussed above is not the result of actions taken by the applicant. Show that the applicant did not cause the need for this request.
See attached supplementary pages
- C. Show that an unnecessary hardship exists due to the character of the property and that this hardship makes the request necessary. State what hardship is caused if the applicant is required to meet code requirements? What is the result of this hardship? What would result if the Zoning Board denied this request?
See attached supplementary pages
- 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 supplementary pages

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MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

IV. REQUIRED ATTACHMENTS:

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

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

V. OWNERSHIP AND CERTIFICATION:

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

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

Robert E. and Ann Ryan
Name of Rightful Owner (PRINT)

Name of Agent (PRINT)

11545 Briarstone Place
Owner's Mailing Address

Agent's Mailing Address

Gulfport Ms 39503
City State Zip

City State Zip

228-617-6000
Phone

Phone

Robert Ryan
Signature of Rightful Owner Date

Signature of Applicant Date

**MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

1 of 2

March 16, 2020

TO: The Planning Commission and Board of Aldermen

FROM: Robert and Ann Ryan

Re: Request for variance

Applicants: Robert and Ann Ryan

Property Address: 210 West Avenue, Long Beach, Ms. 39560

Property Parcel Number: 0612E-03-006.000

Legal Desc: Lot 14 & N 16 FT of Lot 15 Trautman Wood Subd.

Dear Sirs:

First we would like to thank Mayor Bass and the Planning Commission for the admirable job that you do. We would also like to thank the building department for their hard work and guidance in the construction of our new home at 210 West Avenue in Long Beach. We recognize and agree that sidewalks are a good thing for the community, but we also agree with the City that there are certain cases where Sidewalk construction may not be practical.

The following information should justify why I am requesting a variance on the ordinance requiring sidewalk installation prior to the issuance of a Certificate of Occupancy.

We believe that the property falls in the category of special circumstances. The permit was issued on the property prior to the adoption of Ordinance No. 587 requiring construction of public sidewalks In The City of Long Beach.

Our pictures will show other homes including property addresses, years built, and parcel numbers enjoying these same rights requested by the applicant. See Exhibit A.

When the application for the building permit was made, sidewalk construction was not required as part of the site plan review. In accordance with the site plan drawings and the subsequent building permit issued, a specially designed circular drive was constructed on the property. See Exhibit B

Requiring the applicant to install a sidewalk to the property at this time will require the homeowner to retrofit the circular drive to fit the sidewalk. This would entail the removal of significant sections of the circular drive's concrete edging and the loss of critical esthetic appeal essential to the special design of the circular drive.

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**MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

2 of 2

In the interest of conforming to the requirements of the ordinance, that is, providing for building of attractive and well constructed sidewalks that correspond to the character, aesthetic qualities, natural, environmental and historical features of developing neighborhoods, we would like to site these points that are peculiar to West Avenue.

On the east side of the street there are fixed objects such as power poles, fire hydrants, and storm drains placed outside the required landscape strip which will interfere with sidewalk placement and connectivity, making it unsafe for pedestrians trying to use the sidewalk for the very purpose for which it was intended.

On the west side of the street there is an open drainage ditch that runs south down West Avenue, along the paved street and parallel to the old Gulf View Motel Property, leaving no area for a sidewalk without drainage improvements. See Exhibit C

Requiring the homeowner to comply with the strict interpretation of the ordinance and its amendments would not be practical, because West Avenue does not conform to the spirit and goals of the sidewalk ordinance.

If the Planning Commission finds this information to be correct, and such information justifies the granting of this request, we respectfully ask the Planning Commission and Board of Alderman to grant applicants a variance and waiver to the ordinance.

We did not cause the need for this request. We relied in good faith on the established applicable codes and ordinances under which the building permit application was made and the permit was issued. Granting this request will allow us to occupy our new home. Denying us this request will deny us the same rights commonly enjoyed by other property owners in the general area, as well as leaving us without a certificate of occupancy.

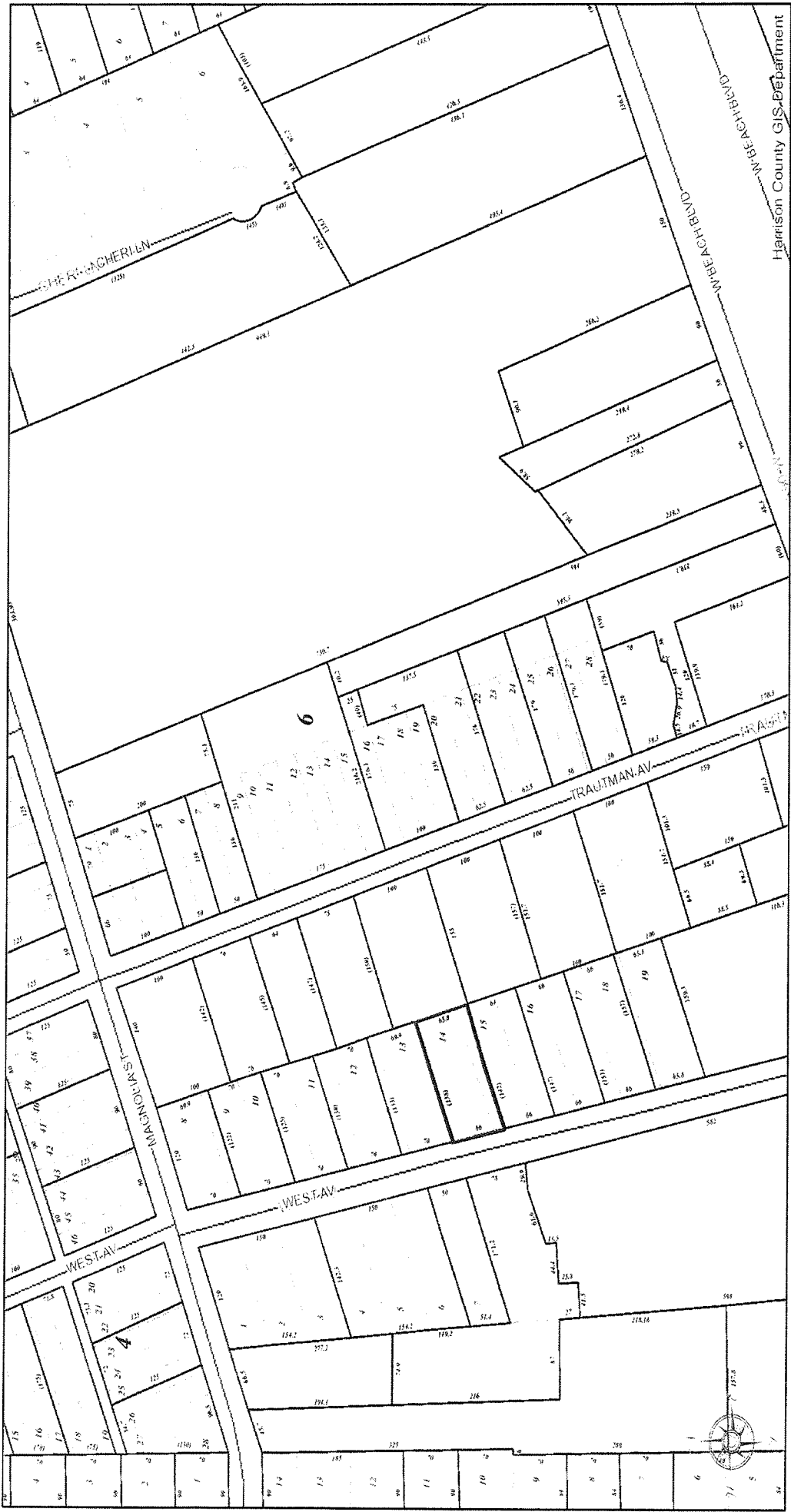
Thank you for considering this request.

Respectfully yours,

The Ryans, Robert and Ann

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

210 West Avenue, 0612E-03-006.000



HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: May 14, 2020

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00) cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, WE, JOHN P. BROKOWSKI AND THERESA MARIE BROKOWSKI, do hereby sell, convey, and warrant unto ROBERT E. RYAN AND ANN M. RYAN as joint tenants with right of survivorship and not as tenants in common the following described property situated and being in Harrison County, Mississippi, to-wit:

Lot 14 and the North 16 feet of Lot 15, Trautman Woods Subdivision, Long Beach, Harrison County, Mississippi, as per the map or plat thereof on file and of record in Plat Book 17 at Page 35 in the Office of the Chancery Clerk of Harrison County, Mississippi, First Judicial District.

As a part of the consideration of this conveyance and by their acceptance hereof, the Grantees herein hereby assume and agree to pay the balance of that certain indebtedness evidenced by one promissory note in favor of Southern Savings and Loan Association and further hereby assume the obligation of that certain deed of trust on the above described property securing the aforesaid indebtedness dated April 8, 1977, in favor of the said Southern Savings and Loan Association in the original amount of \$25,000.00, which deed of trust is recorded in Deed of Trust Book 776 at Page 361 in the Office of the Chancery Clerk of Harrison County, Mississippi, First Judicial District.

It is expressly understood and agreed that the Grantors herein hereby expressly reserve a Vendor's Lien to secure the prompt and faithful compliance with the terms and provisions and obligations of the aforesaid promissory note and deed of trust, it being further understood and agreed that proper satisfaction and cancellation of the aforesaid deed of trust shall operate as full and complete satisfaction and cancellation of the Vendor's Lien herein retained.

The aforesaid Grantors further and for the same consideration, do hereby convey, set over, assign and deliver unto the Grantees all of their right, title and interest in and to the escrow account in connection with the aforesaid note and deed of trust.

This deed is given subject to any and all prior easements, rights of way, restrictive covenants and mineral reservations of record, if any.

WITNESS OUR SIGNATURES on this the 2nd day of February, 1979.

John P. Brokowski
JOHN P. BROKOWSKI
Theresa Marie Brokowski
THERESA MARIE BROKOWSKI

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally came and appeared before me, the undersigned authority in and for said county and state, the within named JOHN P. BROKOWSKI AND THERESA MARIE BROKOWSKI, who acknowledged that they signed and delivered the above and foregoing Warranty Deed on the day and year therein shown.

GIVEN UNDER MY HAND AND SEAL on this the 2nd day of February, 1979.

Barthelme M. Chapin
NOTARY PUBLIC

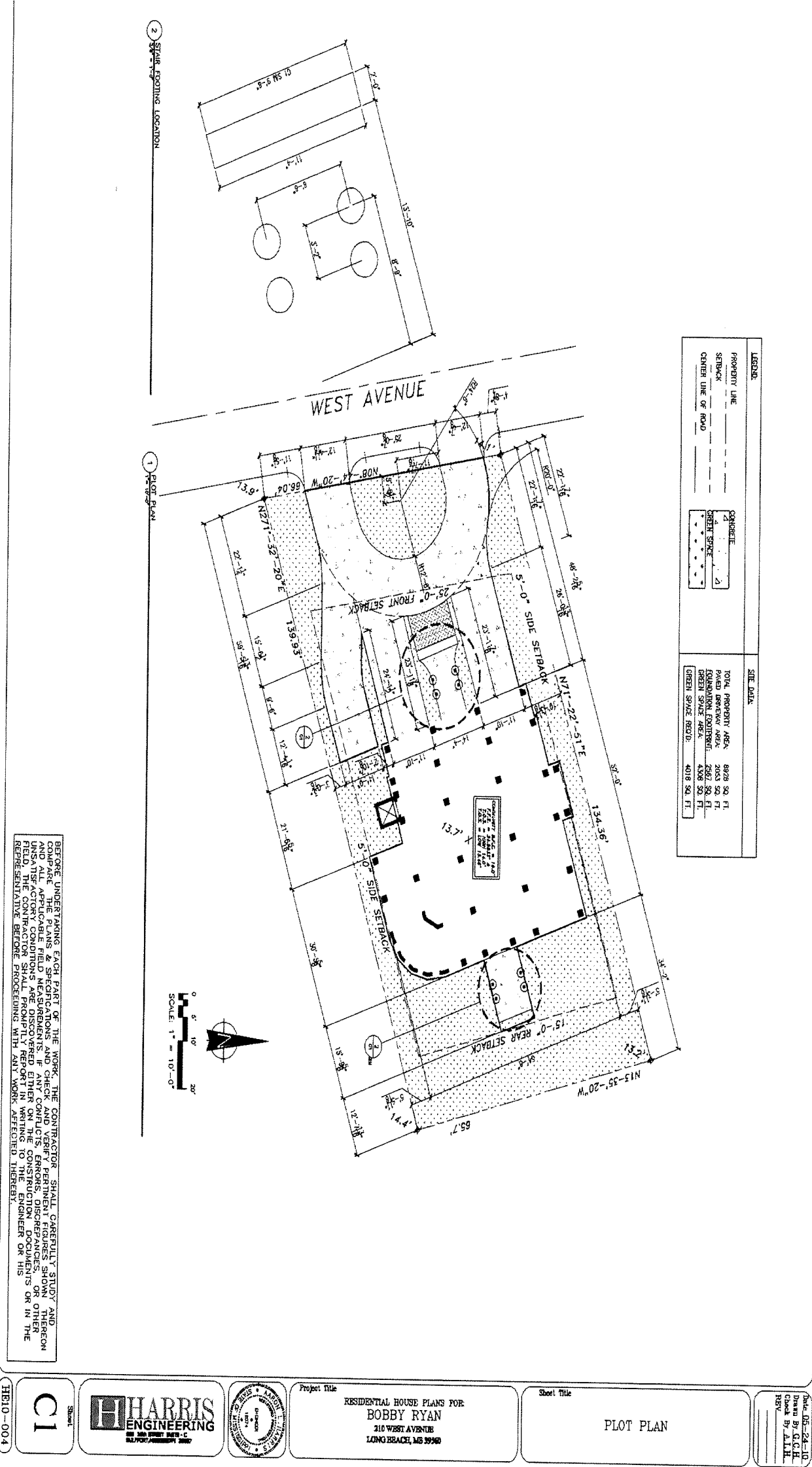
My Commission Expires: 2/21/83



1979
Filing _____
Recording _____
Notary Fee _____
Certification _____
Indexing 15¢ each _____
Statute Satisfaction _____
Total Fees _____

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:
I hereby certify that this instrument was reviewed and filed for record on 10 a'clock and 19 p.m. of 2-19-79 and recorded in Book 861 Page 632
G. H. Engel, Chancery Clerk

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



HE10-004

Sheet 1

HARRIS ENGINEERING
1000 W. 10th St.
Long Beach, CA 90802

Project Title
RESIDENTIAL HOUSE PLANS FOR
BOBBY RYAN
210 WEST AVENUE
LONG BEACH, MS 39606

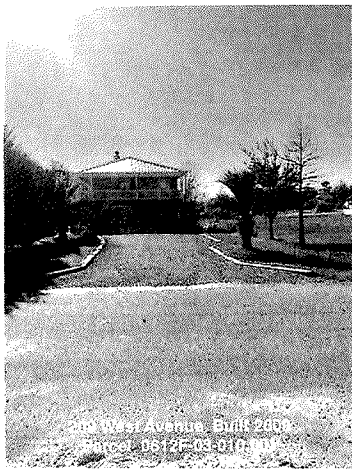
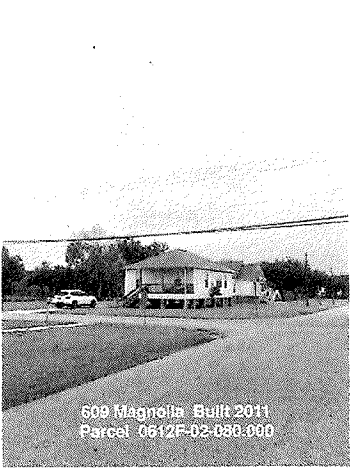
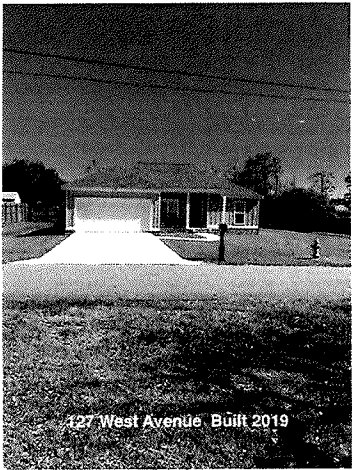
Sheet Title
PLOT PLAN

Date: 05-24-10
Drawn By: GCH
Check By: ALH
REV.

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

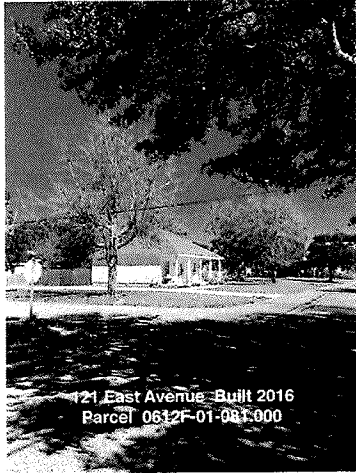
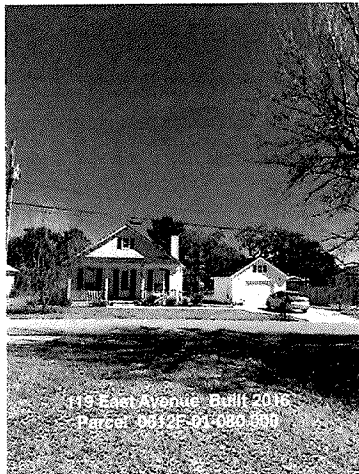
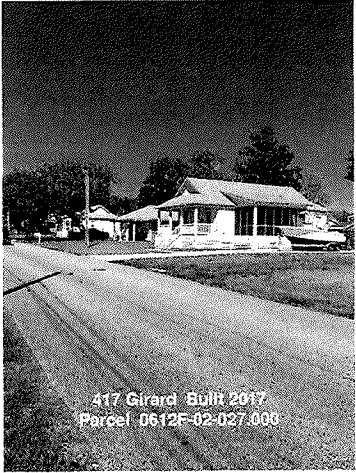
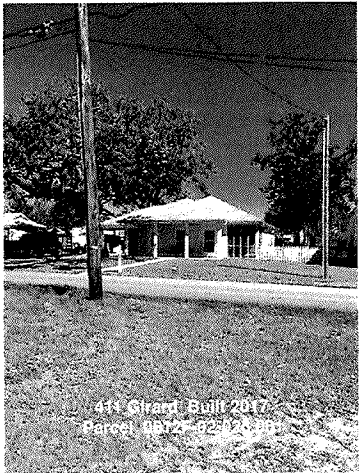
1 of 6

Exhibit A



2 of 6

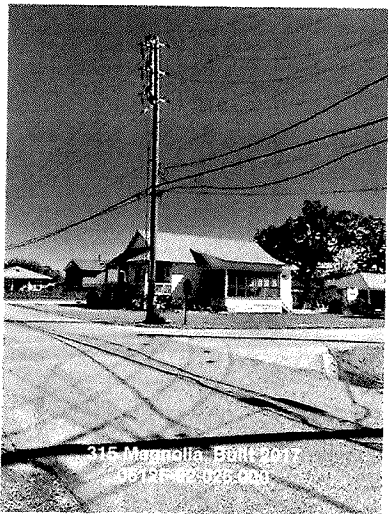
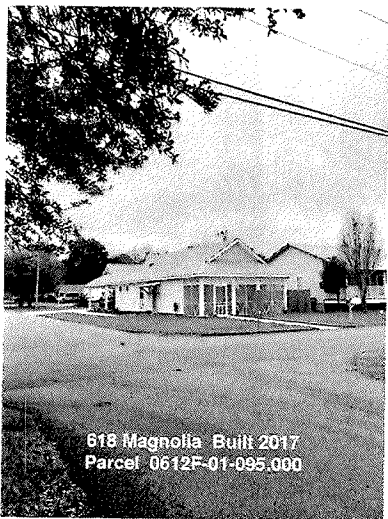
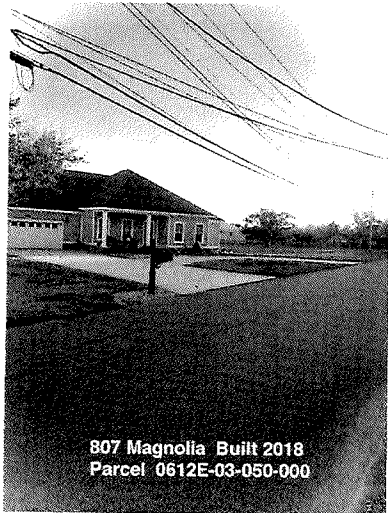
Exhibit A (continued)



MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

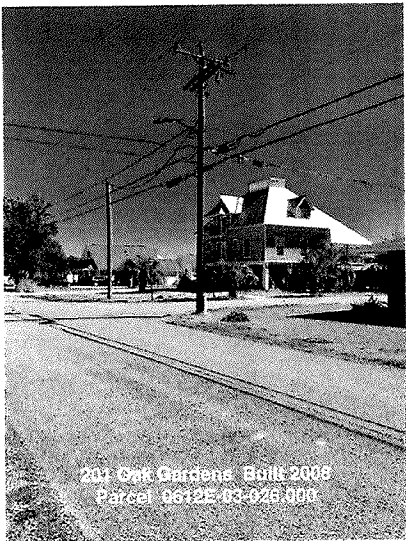
3 of 6

Exhibit A (continued)



4 of 6

Exhibit A (continued)

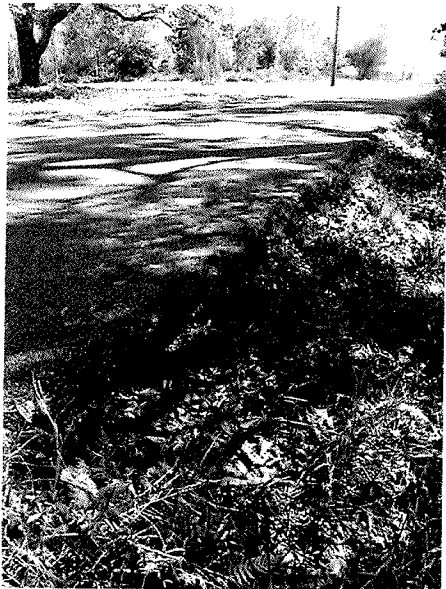


MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
Exhibit B



6 of 6

Exhibit C



MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

The Clerk reported that eleven (11) 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 MEETING

In accordance with Section 4 of the City of Long Beach Sidewalk Ordinance 587 as amended by Ordinance 615, Ordinance 645, and Ordinance 647 notice is hereby given advising that the Planning and Development Commission for the City of Long Beach will hold a Public Meeting for the purpose of considering a **Variance**.

Robert E. and Ann Ryan, 11545 Briarstone Place, Gulfport, MS, 39503, have filed an application for a Variance in accordance with the Long Beach Sidewalk Ordinance 647. The applicant is requesting a variance from the placement of a sidewalk on a newly developed lot. The location of the requested Variance is 210 West Avenue, Tax Parcel Number is 0612E-03-006.000. The legal description is as follows:

LOT 14 & N 16 FT OF LOT 15 TRAUTMANWOOD SUBD.

A public meeting to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, June 11, 2020, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
 Chairman
 Planning Commission

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared before me, TINA M DAHL, known to me to be the Minutes Clerk of the City of Long Beach, Mississippi, Planning 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 May 20, 2020, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 11 (eleven) property owners within One Hundred Sixty Feet (160'), excluding public right of ways, of, Tax Parcel 0612E-03-006.000, notifying them that a Public Hearing will be held, June 11, 2020 to consider an application for a Variance.

Given under my hand this the 20th day of May 2020.

Stacey Dahl
STACEY DAHL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 20th day of May 2020.

-My Commission Expires- *Kimi Gonsoulin*
NOTARY PUBLIC



Lentz, Kimberly and Little, William Jr
PO Box 927
Gulfport, MS 39502



Lentz, Dyann S
204 West Avenue
Long Beach, MS 39560



Olnada LLC
68 Redfern Trail
Petal, MS 39465

Dyer, Charles T
5270 Menge Avenue
Pass Christian, MS 39571

Hare, Mike
2898 Guntharp Road
Fulton, MS 38843

Simmons Gulf View Properties, LLC
2510 Inwood Drive
Houston, TX 77019

Evans, Richard B and Dana A
209 West Avenue
Long Beach, MS 39560

Ryan, Thomas C Jr and Charlotte I
18045 Allen Road
Long Beach, MS 39560

Sullivan, John Heath and Lauren R
524 Trautman Avenue
Long Beach, MS 39560

Sanders, Scott and Ann Lynn
131 Stoneleigh Drive
Heath, TX 75032

Berry, Julie A and David M
516 Trautman Avenue
Long Beach, MS 39560

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

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MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
Proof of Publication

<p>PUBLIC MEETING</p> <p>In accordance with Section 4 of the City of Long Beach Sidewalk Ordinance §37 as amended by Ordinance 447, the City of Long Beach Planning and Development Commission for the City of Long Beach will hold a Public Meeting for the purpose of considering a Variance.</p> <p>Robert E. and Ann R. Run, 11564 Oakshore Place, Clifton, Mo. 64003, have filed an application for a Variance in accordance with the City of Long Beach Ordinance §37. The applicant is requesting a variance from the placement of a sidewalk on a newly developed lot. The proposed sidewalk is 210 West Avenue. The Parcel Number is 0612E-03-006000. The legal description is as follows:</p> <p>LOT 14 AND 18 OF LOT 18 TRACT 14000000 SUBD.</p> <p>A public meeting to consider the above Variance will be held in the City of Long Beach, Mississippi at 201 Jeff Davis Avenue, on Thursday, June 11, 2020, at 5:30 p.m. in the Public Hearing Room located in the City of Long Beach. The City encourages all residents, groups and organizations to attend. The City of Long Beach has any questions concerning the petition.</p> <p><i>[Signature]</i> Chairman Planning Commission</p>	<p>STATE OF MISSISSIPPI COUNTY OF HARRISON</p> <p>PERSONALLY appeared before me the undersigned notary in and for said County and State, HUNTER DAWKINS, publisher of THE GAZEBO GAZETTE, a newspaper printed and published in Harrison County, who being duly sworn, deposes and says the publication of this notice hereunto attached has been made to the said publication _____ weeks in the following numbers and on the following dates of such paper:</p> <p>Vol. <u>11</u> No. <u>3</u> dated <u>22</u> day of <u>May</u>, 20<u>20</u> Vol. ____ No. ____ dated ____ day of ____, 20____ Vol. ____ No. ____ dated ____ day of ____, 20____ Vol. ____ No. ____ dated ____ day of ____, 20____ Vol. ____ No. ____ dated ____ day of ____, 20____ Vol. ____ No. ____ dated ____ day of ____, 20____ Vol. ____ No. ____ dated ____ day of ____, 20____ Vol. ____ No. ____ dated ____ day of ____, 20____</p> <p>Affiant further states on oath that said newspaper has been established and published continuously in said county for period of more than twelve months prior to the first publication of said notice.</p> <p><i>[Signature]</i> Publisher</p> <p>Sworn to and subscribed before me this <u>26</u> day of <u>May</u>, A.D. 20<u>20</u>.</p> <p><i>[Signature]</i> Notary Public</p> <p>STATE OF MISSISSIPPI FLORISE L. BOWEN ID No. 122945 Comm Expires Feb. 11, 2022 NOTARY PUBLIC HARRISON COUNTY</p>
--	---

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

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

After considerable discussion, Commissioner Husband made motion, seconded by Commissioner Seal and unanimously carried denying the application for Sidewalk Variance.

The third Public Hearing to consider a Variance for property located at 315 East 4th Street, Tax Parcel 0612A-03-040.000, submitted by Craig Brown, as follows:

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MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



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

Office use only
Date Received 3-31-20
Zoning C-1
Agenda Date 6-11-20
Check Number 200322

VARIANCE REQUEST

- I. Tax Parcel Number(s): 0612A-03-040.000
- II. Address of Property Involved: 315 E 4th Street
- III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
No front sidewalk due to water meter location

****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? Water Meter is located where Sidewalk is located.
- B. Describe how the special condition discussed above is not the result of actions taken by the applicant. Show that the applicant did not cause the need for this request. water meter was already there
- C. Show that an unnecessary hardship exists due to the character of the property and that this hardship makes the request necessary. State what hardship is caused if the applicant is required to meet code requirements? What is the result of this hardship? What would result if the Zoning Board denied this request? we can not move it and if we put side walk above the meter it will be very awkward.
- D. Show that denial of this request will deprive the applicant of rights commonly enjoyed by other properties in the general area and that the granting of this variance request will make possible the reasonable use of land while not conferring any special privilege. Outline how the subject of the variance is common in the area and if the applicant were to be denied this variance a right would be taken away which is granted to other properties. State how the variance makes reasonable use of the existing land and why the same action cannot be done in a way that does not require a variance. Show that granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable. there are some neighbors that do not have front side walks due to water meters.

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

IV. REQUIRED ATTACHMENTS:

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

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

V. OWNERSHIP AND CERTIFICATION:

READ BEFORE EXECUTING. Attendance by the applicant(s) at the public hearing is mandatory, however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing, a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing an application. The completed application with all necessary documents and payments must be returned to the Planning office no later than 21 days before the 2nd or 4th Thursday of each month. Receipt of fees 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.

John Shoemaker

Name of Rightful Owner (PRINT)

128 English Village Drive

Owner's Mailing Address

Long Beach, MS 39560

City State Zip

404-702-1319

Phone

[Signature]

03-20-20

Date

Signature of Applicant

Craig Brown

Name of Agent (PRINT)

14397 Creosote Rd

Agent's Mailing Address

Gulfport MS 39503

City State Zip

228-206-5599

Phone

[Signature]

3-20-20

Date

315 East 4th Street, 0612A-03-040.000



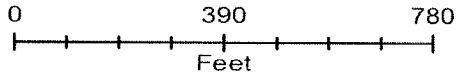
Harrison County GIS Department



HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: May 14, 2020



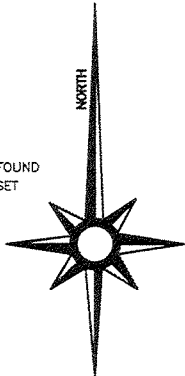
MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

NOTES:

- 1.) FIELD SURVEY PERFORMED WITH A COMBINATION OF TOPCON GR5 GPS RECIEVER 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).
- 3.) ELEVATIONS SHOWN ARE BASED ON NAVD88, GEIOD 2009.
- 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
- IRF --- IRON ROD FOUND
- IRS --- IRON ROD SET



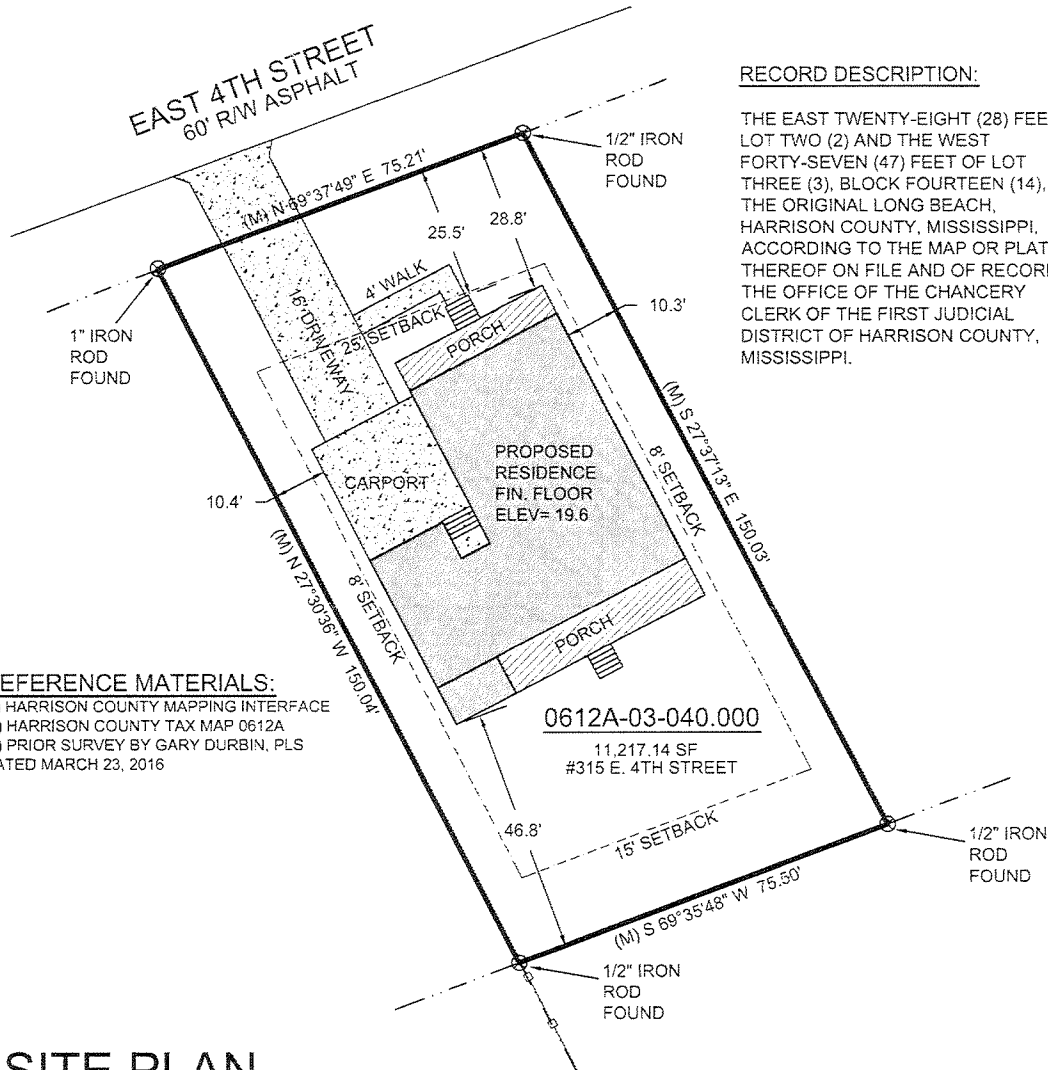
RECORD DESCRIPTION:

THE EAST TWENTY-EIGHT (28) FEET OF LOT TWO (2) AND THE WEST FORTY-SEVEN (47) FEET OF LOT THREE (3), BLOCK FOURTEEN (14), OF THE ORIGINAL LONG BEACH, HARRISON COUNTY, MISSISSIPPI, ACCORDING TO THE 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.

REFERENCE MATERIALS:

- 1.) HARRISON COUNTY MAPPING INTERFACE
- 2.) HARRISON COUNTY TAX MAP 0612A
- 3.) PRIOR SURVEY BY GARY DURBIN, PLS DATED MARCH 23, 2016

SITE PLAN



THIS PROPERTY IS LOCATED IN F.I.R.M. ZONE "AE", BFE=18 ACCORDING TO
MAP NUMBER 28047C0357G DATED JUNE 16, 2009

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

FOR:
GANT & BROWN

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



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

EMAIL: cliffordcrosby@cableone.net

DATE OF FIELD WORK: 6/15/2019
PARTY CHIEF: PE
INSTRUMENT MAN: SB
RODMAN: PE
DRAWN BY: CAC
DRAWING NUMBER: 16078 315 E 4TH
REVISED: 3/20/2020

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

True & Certified Copy
of the original

Prepared by & Return To:
Schwartz, Orgler & Jordan, PLLC
PO Box 4682
Biloxi MS 39535, 228-388-7441

STATE OF MISSISSIPPI
COUNTY OF HARRISON INDEX: E 28' OF LT 2 & W 47' OF LT 3, BLK 14, ORIGINAL LONG BEACH,
HARRISON COUNTY, MS, 1ST JD.
WARRANTY DEED

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

Carol Cuevas,

330 East Fourth (4th) Street, Long Beach, MS 39560, 228-209-3108

does hereby sell, convey and warrant unto

John Richard Shoemaker and Theresa Jean Jones,

128 English Village Drive, Long Beach, MS 39560, 404-702-1319,

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

The East Twenty-eight (28) feet of Lot Two (2) and the West Forty-seven (47) feet of Lot Three (3),
Block Fourteen (14), ORIGINAL LONG BEACH, a subdivision according to the official map or plat
thereof; on file and of record in the office of the Chancery Clerk of the First Judicial District of
Harrison County, Mississippi in Plat Book 11 at Page 6 (Copy Book 4A at Page 365) thereof; reference
to which is hereby made in aid of and as a part of this description.

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

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

WITNESS MY SIGNATURE, on this the 21st day of March, 2017.

Carol Cuevas
Carol Cuevas

STATE OF MISSISSIPPI
COUNTY OF HARRISON

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 21st day of March,
2017.

NOTARY PUBLIC

My Commission Expires:

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

The Clerk reported that fourteen (14) notices of Public Hearing were sent by regular mail to property owners within one hundred sixty feet (160') of the subject property. Notices were also posted on the bulletin boards at City Hall, the Building Official's Office and the Water Department, 201 Jeff Davis Avenue and at the Long Beach Public Library, 209 Jeff Davis Avenue; Said notice was ordered as part of these proceedings:

City of Long Beach



LEGAL NOTICE

PUBLIC MEETING

In accordance with Section 4 of the City of Long Beach Sidewalk Ordinance 587 as amended I Ordinance 615, Ordinance 645, and Ordinance 647 notice is hereby given advising that the Planning and Development Commission for the City of Long Beach will hold a Public Meeting for the purpose of considering a **Variance**.

John Shoemake, 128 English Village Drive, Long Beach, MS, 39560, has filed an application for a Variance in accordance with the Long Beach Sidewalk Ordinance 647. The applicant is requesting a variance from the placement of a sidewalk on a newly developed lot. The location of the requested Variance is 315 East 4th Street, Tax Parcel Number is 0612A-03-040.000. The legal description as follows:

E 28 FT OF LOT 2 & W 47 FT OF LOT 3 BLK 14 ORIGINAL LONG BEACH

A public meeting to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, June 11, 2020, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared before me, TINA M DAHL, known to me to be the Minutes Clerk of the City of Long Beach, Mississippi, Planning 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 May 20, 2020, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 14 (fourteen) property owners within One Hundred Sixty Feet (160'), excluding public right of ways, of, Tax Parcel 0612A-03-040.000, notifying them that a Public Hearing will be held, June 11, 2020 to consider an application for a Variance.

Given under my hand this the 20th day of May 2020.

Stacey Dahl
STACEY DAHL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 20th day of May 2020.

-My Commission Expires- Kini Gonsoulin
NOTARY PUBLIC



Brace, Robert S and Tommie J
317 East 4th Street
Long Beach, MS 39560



Lehman, Robert H and William R
5270 Silo Ridge
Colorado Springs, CO 80917



Birkbeck, Helen Margaret
321 East 4th Street
Long Beach, MS 39560

Banta, Eugene E and Joy R
5963 Hwy I
Napoleanville, LA 70390

Fayard, Helen M
5585 Dauro Road
Long Beach, MS 39560

Keller, Peggy O and Patrick G
4509 Woodland Avenue
Metairie, LA 70002

LiAnna, Jen Yau and Kung, Chia ETAL
3939 SW Bond Avenue
Apt 336
Portland, OR 97239

Wagner, Mary Lance
401 South Cleveland Avenue
Long Beach, MS 39560

Bartman, Marcy Mullins
418 East Third Street
Long Beach, MS 39560

Slifko, Patricia A
305 South Cleveland Avenue
Long Beach, MS 39560

Dora Land
PO Box 1405
Apple Valley, CA 92307

Squyers, Kevin
316 East 4th Street
Long Beach, MS 39560

Blayne Suzanne McPherson
318 East 4th Street
Long Beach, MS 39560

Patricia Gail Steagall
322 East 4th Street
Long Beach, MS 39560

MINUTES OF JUNE 11, 2020 REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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

Pharmacokinetics

PUBLIC MEETING

In accordance with Section 4 of the City of Long Beach Sidewalk Ordinances 587 we assembled by the City of Long Beach, Mississippi, on the 11th day of June, 2020, at 5:00 p.m. in the City of Long Beach City Hall Meeting Room, for the purpose of considering a Variance.

Joseph Stomander, 128 English Village Drive, Long Beach, MS, 39660, has filed an application for a Variance in accordance with the Long Beach Sidewalk Ordinances 647. The applicant is requesting a variance that would allow the placement of a sidewalk on a newly developed lot. The location of the requested variance is 315 East 7th Street, Tax Parcel Number 01612A-01-5401000. The legal description is as follows:

E 28 FT OF LOT 2A W 47 FT OF LOT 14 ORIGINAL LONG BEACH

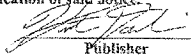
A public meeting to consider the above Variance will be held in the City of Long Beach, Mississippi, 10560, Thursday, June 11, 2020, at 5:00 p.m. in the Long Beach City Hall Meeting Room, located at 301 West Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

(to be signed by the City Clerk)
Chairman
Planning Commission

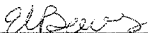
PERSONALLY appeared before me the undersigned notary in and for said County and State, HUNTER DAWKINS, publisher of the GAZEBO GAZETTE, a newspaper printed and published in Harrison County, who being duly sworn, deposes and says the publication of this notice hereunto attached has been made to the said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

Vol. XV No. 4 dated 22 day of May, 2020
Vol. ____ No. ____ dated ____ day of ____, 20____
Vol. ____ No. ____ dated ____ day of ____, 20____
Vol. ____ No. ____ dated ____ day of ____, 20____
Vol. ____ No. ____ dated ____ day of ____, 20____
Vol. ____ No. ____ dated ____ day of ____, 20____
Vol. ____ No. ____ dated ____ day of ____, 20____
Vol. ____ No. ____ dated ____ day of ____, 20____
Vol. ____ No. ____ dated ____ day of ____, 20____

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


Publisher

Sworn to and subscribed before me this 26 day of May, A.D. 2020.


Notary Public

* STATE OF MISSISSIPPI *
LOUISE L. GOWENS, JR.
ID No. 122945
Comm Expires Feb. 11, 2022
NOTARY PUBLIC
HARRISON COUNTY

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

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

After considerable discussion, Commissioner Husband made motion, seconded by Commissioner McMillan to deny the application for Sidewalk Variance, the question being put to a roll call vote, the result was as follows:

Commissioner Barlow	Voted	Yay
Commissioner McMillan	Voted	Yay
Commissioner Hansen	Voted	Yay
Commissioner Seal	Voted	Yay
Commissioner Ward	Voted	Nay
Commissioner McKenzie	Voted	Yay
Commissioner Husband	Voted	Yay
Commissioner Kruse	Voted	Nay

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

The question having received the affirmative vote of the majority of the Commissioners, the Chairman declared the motion denied.

The fourth Public Hearing to consider a Variance for property located at 10 Canal Place, Tax Parcel 0512G-02-022.010, submitted by Richard B. Brown, Jr., as follows:

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



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

Office use only
 Date Received 5/15/20
 Zoning R-0
 Agenda Date 6/11/20
 Check Number 186064

VARIANCE REQUEST

- I. Tax Parcel Number(s): 05126-02-022.010
- II. Address of Property Involved: 10 Canal Place, Long Beach Ms 39560
- III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
Request to NOT install sidewalk at said address.

****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?
Covenants in the subdivision are being revised to NOT require property owner to install sidewalks.
- B. Describe how the special condition discussed above is not the result of actions taken by the applicant. Show that the applicant did not cause the need for this request.
Being that there are no sidewalks in the subdivision, we are requesting to NOT install a sidewalk in front of our property.
- C. Show that an unnecessary hardship exists due to the character of the property and that this hardship makes the request necessary. State what hardship is caused if the applicant is required to meet code requirements? What is the result of this hardship? What would result if the Zoning Board denied this request?
We would be the only home with sidewalk.
- D. Show that denial of this request will deprive the applicant of rights commonly enjoyed by other properties in the general area and that the granting of this variance request will make possible the reasonable use of land while not conferring any special privilege. Outline how the subject of the variance is common in the area and if the applicant were to be denied this variance a right would be taken away which is granted to other properties. State how the variance makes reasonable use of the existing land and why the same action cannot be done in a way that does not require a variance. Show that granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable.
No special privileges. Subdivision would be uniform since covenants will not require sidewalk.

243

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

IV. REQUIRED ATTACHMENTS:

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

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

V. OWNERSHIP AND CERTIFICATION:

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

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

Richard B. Brown JR.
Name of Rightful Owner (PRINT)

Name of Agent (PRINT)

10 Canal Place
Owner's Mailing Address

Agent's Mailing Address

Long Beach MS 39560
City State Zip

City State Zip

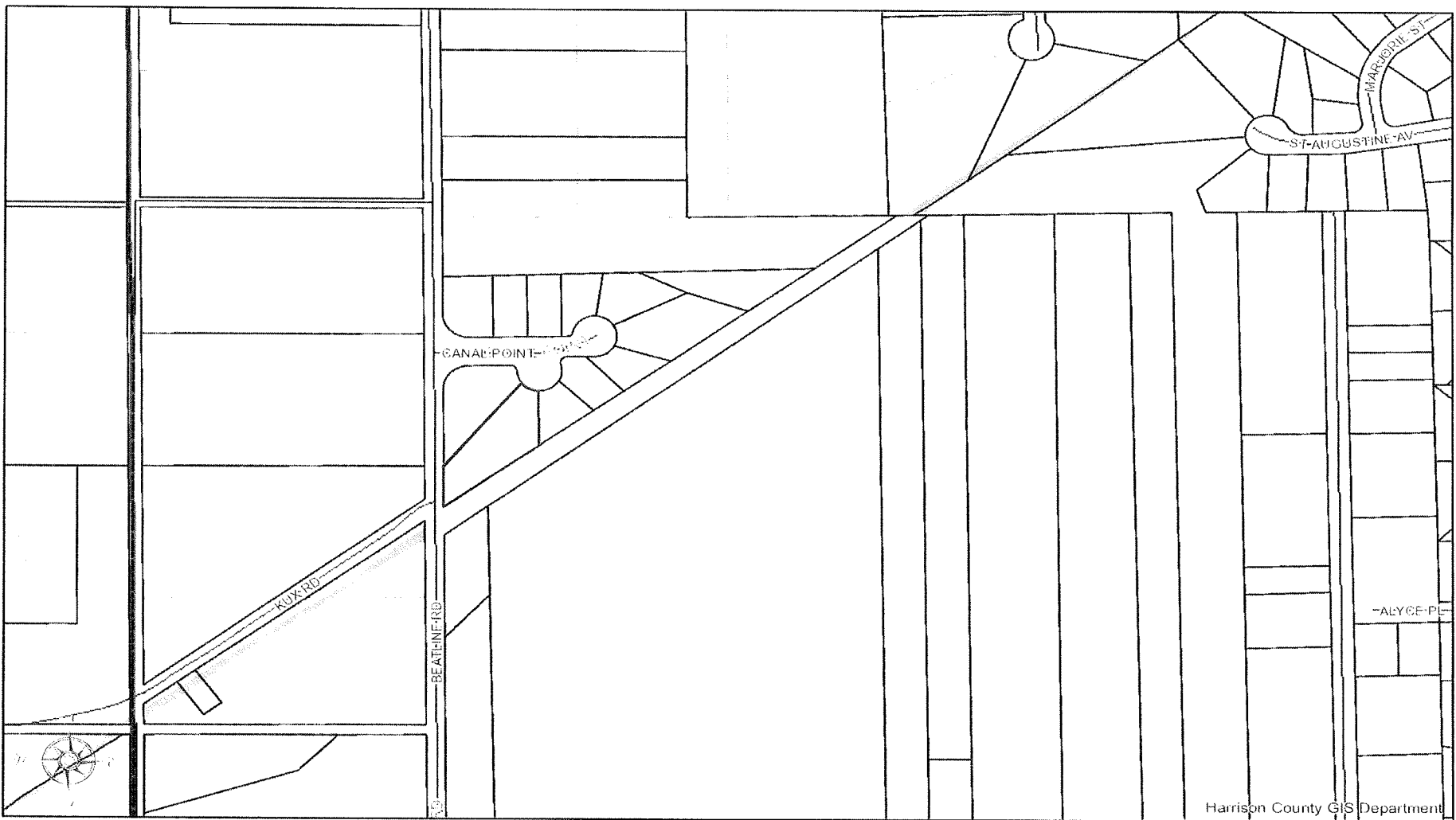
(228) 265-1036
Phone

Phone

 5-15-20
Signature of Rightful Owner Date

Signature of Applicant Date

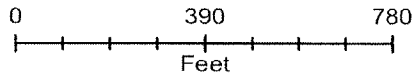
10 Canal Place, 0512G-02-022.010



HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: June 10, 2020



MINUTES OF JUNE 11, 2020
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, **GULF CONTRACTING LLC**, a Mississippi limited liability company, of 6 Canal Place, Long Beach, MS 39560, (228) 324-0485, does hereby sell, convey and warrant unto **RICHARD B. BROWN** and wife, **ERIN N. BROWN**, of 2012 West 2nd Street #276, Long Beach, MS 39560, (228) 265-1036, as joint tenants with full rights of survivorship and not as tenants in common, the following described real property situated in Harrison County, First Judicial District, State of Mississippi, described as:

Lot 10, CANAL PLACE OF LONG BEACH, located in Harrison County, First Judicial District, Mississippi, as per map or plat thereof on file and of record in Plat Book 49, Page 11, Records of Plats of Harrison County, Mississippi, on file in the office of the Chancery Clerk of said County and State; together with all improvements thereon and all appurtenances in anywise appertaining thereto.

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 and all subsequent year taxes are specifically assumed by the Grantees.

File No.: 19-23809 BROWN

Page 1

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

Witness the signature of the Grantor this 3rd day of January, 2020.

GULF CONTRACTING LLC

By: JOHNATHON DAMIENS, Manager/Member

By: KYLE CASSAGNE, Manager/Member

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, **JOHNATHON DAMIENS** and **KYLE CASSAGNE**, who acknowledged that they are Manager/Member, respectively, of **GULF CONTRACTING LLC**, a Mississippi limited liability company, and as its act and deed, they executed the above and foregoing instrument of writing on the day and in the year therein written, they having been first duly authorized to do so.

Given under my hand and official seal of office this 3rd day of January, 2020.

Stephanie R. Lipe
NOTARY PUBLIC
My Commission Expires: 10/8/22



File No.: 19-23809 BROWN

Page 2

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

RESOLUTION OF GULF CONTRACTING LLC

We hereby certify that we are all of the Manager/Members of **GULF CONTRACTING LLC**, a Mississippi limited liability company, and 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 JOHNATHON DAMENS and KYLE CASSAGNE, as Manager/Member of GILTE CONTRACTING LLC, a Mississippi limited liability company, 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:

Lot 10, CANAL PLACE OF LONG BEACH, located in Harrison County, First Judicial District, Mississippi, as per map or plat thereof on file and of record in Plat Book 49, Page 11, Records of Plats of Harrison County, Mississippi, on file in the Office of the Chancery Clerk of said County and State; together with all improvements thereon and all appurtenances in anywise appertaining thereto.

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

CERTIFICATE

We hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Members of **GULF CONTRACTING, L.P.**, 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, we have hereunto affixed our names on the 3rd day of January, 2020.

GILF-CONTRACTING LLC

BY: Sebastian D

BY: [Signature]

KYRIE CHASSAGNE, Manager/Member

BOUNDARY DESCRIPTION:

Lot 10, Canal Place Subdivision, Plat Book 49, Page 11, First Judicial District, Harrison County, Mississippi.

CANAL PLACE
(ASPHALT PAVED ROAD IN
PUBLIC RIGHT OF WAY)

R=50.00' (50.00' - PLAT)
AL=42.77' (42.84' - PLAT)
D=049°00'48" (49°05'36" - PLAT)
CL=41.48' (41.55' - PLAT)
CB=N62°31'00"W (N 63°36'54" W - PLAT)

10' DRAINAGE AND
UTILITY EASEMENT

LOT 9

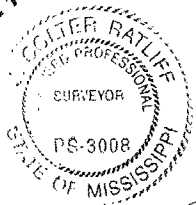
15.0'

LONG BEACH CANAL 1

**DRAINAGE AND
UTILITY EASEMENT**

Surveyor's Notes:

1. This survey has been performed without the benefit of a title report and may not show all rights-of-way, easements, and restrictions. Such features can be added if a current title report is performed and certified by an attorney, and is provided to the surveyor.
2. Copies of this survey without an original signature and seal in blue ink are not valid. Any alteration of this survey, in whole or part, without prior written permission of Title Engineering, Inc. is prohibited.
3. No flood zone information is shown hereon.
4. No wetland information is shown hereon.
5. ● = 1/2 inch Iron Rod Found unless otherwise noted.
6. Parcel Indexing Instructions: Lot 10, Canal Place Subdivision, First Judicial District, Harrison County, Mississippi
7. All ownership information shown hereon are "now or formally".



J. Colter Ratliff, P.S.
Field Surveyed December 30, 2019



510 S. VARDAMAN ST
VAGGINS MS 38577
PHONE 601 928 4121
EMAIL info@hceeng.com

PROJECT NUMBER : 1357-19



GEODETIC NORTH PER
GPS OBSERVATION
SCALE: 1" = 60'
CLASS "B" SURVEY

BEATLINE ROAD
(ASPHALT PAVED ROAD IN PUBLIC RIGHT OF WAY)

N 00° 39' 43" W 475.37'

LOT 11
OFFICE BUILDING

LOT 10

BUILDING SETBACK
2" W 264.74'
174' - PLAT)

(N 01° 43' 24" W 97.92' - FLAT)

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

The Clerk reported that nine (9) 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 MEETING

In accordance with Section 4 of the City of Long Beach Sidewalk Ordinance 587 as amended by Ordinance 615, Ordinance 645, and Ordinance 647 notice is hereby given advising that the Planning and Development Commission for the City of Long Beach will hold a Public Meeting for the purpose of considering a **Variance**.

Richard B. Brown, 10 Canal Place, Long Beach, MS. 39560, have filed an application for a Variance in accordance with the Long Beach Sidewalk Ordinance 647. The applicant is requesting a variance from the placement of a sidewalk on a newly developed lot. The location of the requested Variance is 10 Canal Place, Tax Parcel Number is 0512G-02-022.010. The legal description is as follows:

LOT 10 CANAL PLACE OF LONG BEACH SEC 15-8-12

A public meeting to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, June 11, 2020, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared before me, TINA M DAHL, known to me to be the Minutes Clerk of the City of Long Beach, Mississippi, Planning 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 May 20, 2020, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 9 (nine) property owners within One Hundred Sixty Feet (160'), excluding public right of ways, of, Tax Parcel 0512G-02-022.010, notifying them that a Public Hearing will be held, June 11, 2020 to consider an application for a Variance.

Given under my hand this the 20th day of May 2020.


STACEY DAHL, AFFRANT

SWORN TO AND SUBSCRIBED before me on this the 20th day of May 2020.

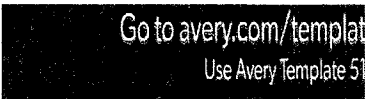
-My Commission Expires- 
NOTARY PUBLIC



Desporte, Diane
4151 Beatline Road
Long Beach, MS 39560



Lackey, Sally R ETAL
4189 Beatline Road
Long Beach, MS 39560



Thomas, Robert B Jr and Michelle E
12418 Fishermans Trail
Gulfport, MS 39503

Fischman, Sally Lynn
4255 Beatline Road
Long Beach, MS 39560

Levens, James E III and Lucy R
217 Pine Street
Long Beach, MS 39560

Elliott Homes
PO Box 7299
D'Iberville, MS 39540

Damiens, Johnathon and Alexandra
6 Canal Place
Long Beach, MS 39560

Beatline Road Mini Storage LLC
PO Box 28
Long Beach, MS 39560

Miss State Board of Mental Health
1170 West Railroad Street
Long Beach, MS 39560

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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

Proof of Publication

PUBLIC MEETING

In accordance with Section 4 of the City of Long Beach Sidewalk Ordinance 587, as amended by Ordinance 687, the Planning and Development Commission for the City of Long Beach will hold a Public Meeting for the purpose of considering a Variance.

Richard E. Brown, 10 Canal Place, Long Beach, MS 39560, have filed an application for a Variance in accordance with the Long Beach Sidewalk Ordinance 587, as amended by Ordinance 687, to place a sidewalk on a newly developed lot. The location of the proposed Variance is 10 Canal Place, Tax Parcel Number is 05120-02-022.010. The legal description is as follows:

LOT 10 CANAL PLACE OF LONG BEACH SEC. 15-B-42

A public meeting to consider this Variance will be held in the City of Long Beach, Mississippi at 201 Jeff Davis Avenue, Tuesday, June 11, 2020, at 5:30 p.m. The City encourages all residents, groups and organizations to submit the City if they have any questions concerning the petition.

/s/ signed
Richard E. Brown
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. XV No. 21 dated 22 day of May, 2020

Vol. _____ No. _____ dated _____ day of _____, 20 _____

Vol. _____ No. _____ dated _____ day of _____, 20 _____

Vol. _____ No. _____ dated _____ day of _____, 20 _____

Vol. _____ No. _____ dated _____ day of _____, 20 _____

Vol. _____ No. _____ dated _____ day of _____, 20 _____

Vol. _____ No. _____ dated _____ day of _____, 20 _____

Vol. _____ No. _____ dated _____ day of _____, 20 _____

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 May, A.D. 2020.

[Signature]
Notary Public

STATE OF MISSISSIPPI
LOUISE L. BOWERS
ID No. 122945
Comm Expires Feb. 11, 2022
NOTARY PUBLIC
HARRISON COUNTY


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

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

Commissioner Seal made motion, seconded by Commissioner Husband and unanimously carried recommending the approval of the Sidewalk Variance as submitted.

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

The fifth Public Hearing to consider a Variance for property located at 229 Klondyke Road, Tax Parcel 0611N-02-072.000, submitted by Joseph and Karen Gauci, as follows:

	<p>CITY OF LONG BEACH 201 Jeff Davis Avenue/ PO BOX 929 Long Beach, MS 39560 (228) 863-1554 office (228) 863-1558 fax</p>	<p style="text-align: right;">Office use only</p> <p>Date Received <u>2-26-20</u> Zoning <u>C-2</u> Agenda Date <u>6-11-20</u> Check Number <u>2032</u></p>
<p>VARIANCE REQUEST</p>		
I.	Tax Parcel Number(s): <u>0612C-01-022-0000611N-02-072.000</u>	
II.	Address of Property Involved: <u>229 KLONDYKE ROAD</u>	
III.	Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)	
	<u>Variance To Place NEW SIGN ON OLD Footprint</u> <u>15' FROM ROAD 11' Front YD Set Back</u>	
<p>**PLEASE COMPLETE THE FOLLOWING:</p>		
<p>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?</p>		
	<u>SIGN WILL NOT BE VISIBLE</u> <u>Set Back 30' FROM Road & will encroach ON</u> <u>Yenking Lot.</u>	
<p>B. Describe how the special condition discussed above is not the result of actions taken by the applicant. Show that the applicant did not cause the need for this request.</p>		
	<u>OLD SIGN Rotted & Blew</u> <u>DOWN - WIND STORM</u>	
<p>C. Show that an unnecessary hardship exists due to the character of the property and that this hardship makes the request necessary. State what hardship is caused if the applicant is required to meet code requirements? What is the result of this hardship? What would result if the Zoning Board denied this request?</p>		
	<u>TREES SURROUND FRONT OF PROPERTY making</u> <u>SIGN VISIBILITY IMPOSSIBLE @ Requested ordinance</u>	
<p>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 privilege that the properties in the area would find desirable.</p>		
	<u>SEE PICTURES Enclosed</u>	

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MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

IV. REQUIRED ATTACHMENTS:

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

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

V. OWNERSHIP AND CERTIFICATION:

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

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

JOSEPH E KAREN GAVE'S

Name of Rightful Owner (PRINT)

Name of Agent (PRINT)

229 Klondyke Rd

Owner's Mailing Address

Agent's Mailing Address

Long Beach Ms 39560

City State Zip

City State Zip

734-637-4627

Phone

Phone

[Signature]

Signature of Rightful Owner

Date

Signature of Applicant

Date

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

229 Klondyke Road, 0611N-02-072.000



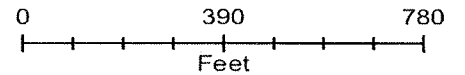
Harrison County GIS Department



HARRISON COUNTY, MISSISSIPPI

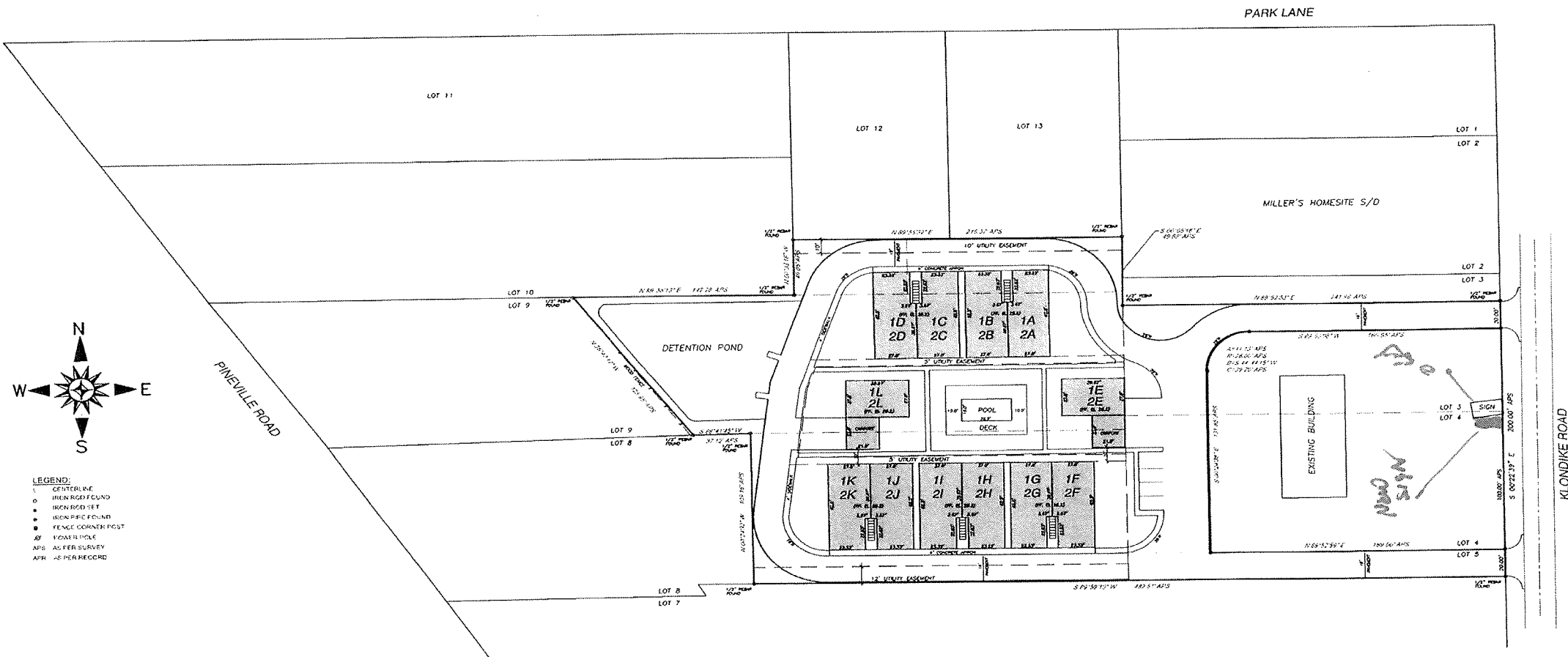
DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP. TAL FLURRY, TAX ASSESSOR.

MAP DATE: May 14, 2020



WINTER GARDEN ESTATES

A CONDOMINIUM DEVELOPMENT CONSISTING OF 24 UNITS, SITUATED IN THE CITY OF LONG BEACH, HARRISON COUNTY, MS



SITE PLAN

SHEET 4 of 11

DUKE LEVY & ASSOCIATES, P.A.	
1711 WAVELAND AVENUE WAVELAND, MS 39578 (728) 467-5212 PHONE	
SCALE: 1" = 30'	DATE: 08-22-18
DRAWING: WOV 18-034	CLIENT: Joe Gaudi

**MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

My Map

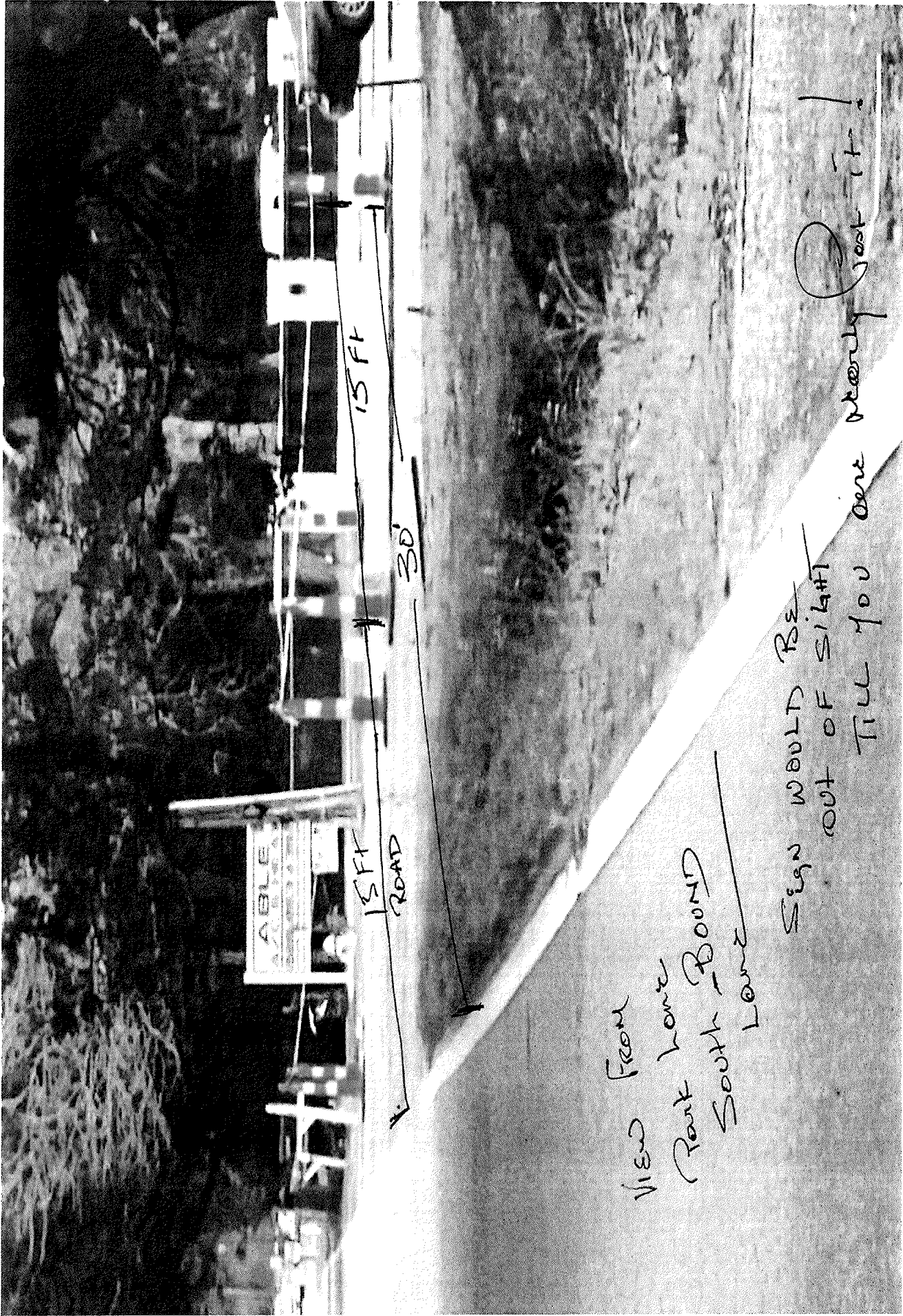


HARRISON COUNTY, MISSISSIPPI

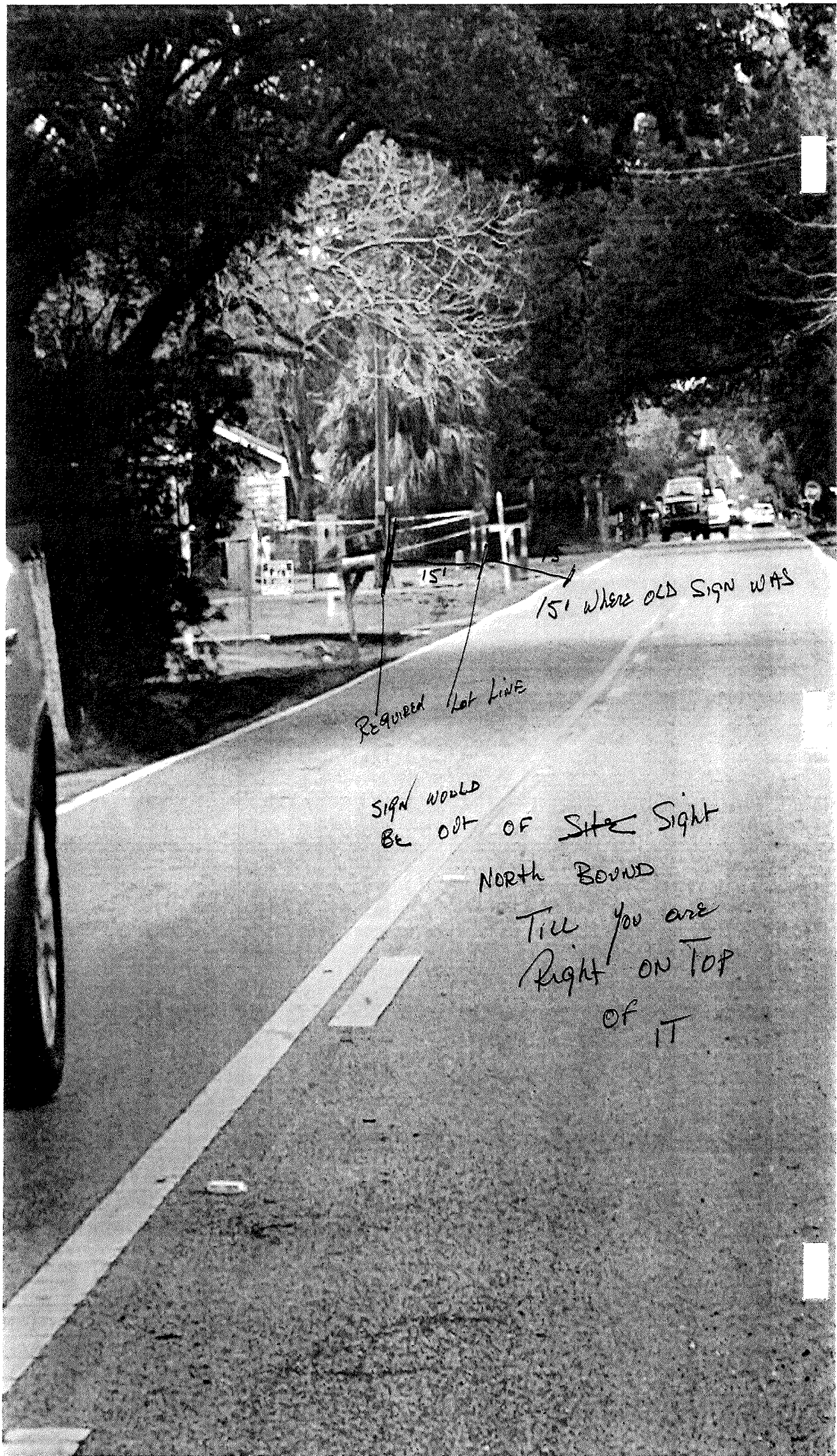
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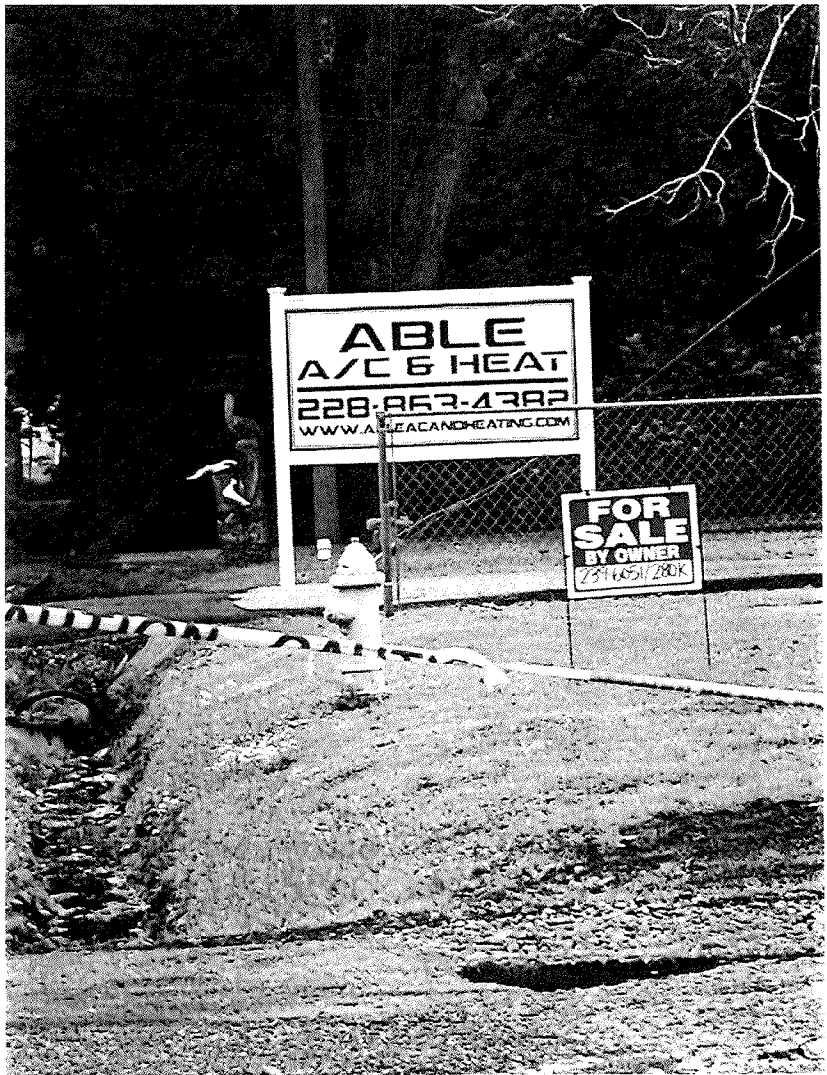
MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



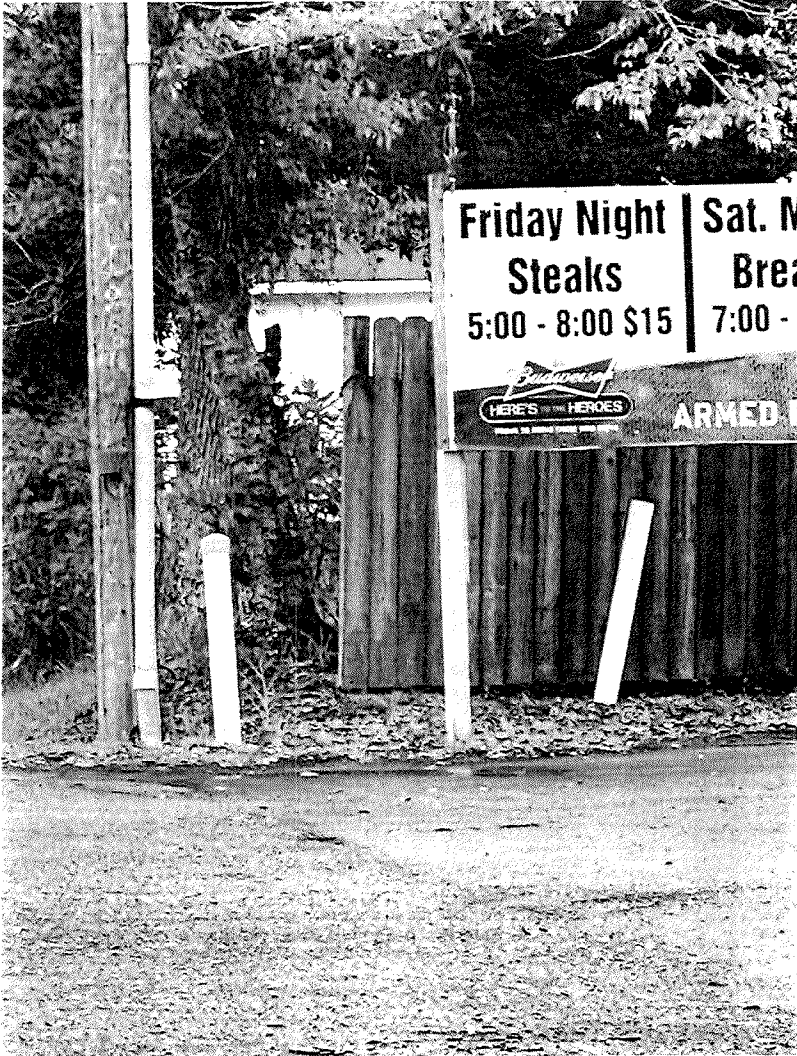
MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

The Clerk reported that ten (10) notices of Public hearing were sent by regular mail to property owners within one hundred sixty feet (160') of the subject property. Notices were also posted on the bulletin boards at City Hall, the Building Official's Office and the Water Department, 201 Jeff Davis Avenue and at the Long Beach Public Library, 209 Jeff Davis Avenue; said notice was ordered as part of these proceedings:

City of Long Beach



LEGAL NOTICE

PUBLIC HEARING

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

Joseph and Karen Gauci, 229 Klondyke Road, Long Beach, MS, 39560, have filed an application for a Variance in accordance with the Comprehensive Long Beach Unified Land Ordinance. **The applicant(s) are requesting a 15' (fifteen foot) front set back variance from the required 15' (fifteen feet) setback on commercial lots for the placement of a sign. Ordinance 607, "Section 181, Permitted Signs According to Zoning Use Districts, (3) Monument or Monument Style Signs, (vii) The minimum front setback for signs shall be fifteen feet in all commercial and industrial districts".** The address is 229 Klondyke Road, Tax Parcel Number is 0612C-01-022.000. The legal description is as follows:

S 80 FT OF LOT 3 & ALL LOT 4 & N 20FT OF LOT 5 MILLERS HOMESITE SUBD. ALSO E1/2 OF ALLEY LYING W OF SAID LOTS PART OF SE1/4 OF SE1/4 OF SEC 11-8-12

A Public Hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, June 11, 2020 at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
 Chairman
 Planning Commission

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared before me, TINA M DAHL, known to me to be the Minutes Clerk of the City of Long Beach, Mississippi, Planning 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 May 20, 2020, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 10 (ten) property owners within One Hundred Sixty Feet (160'), excluding public right of ways, of, Tax Parcel 0612C-01-022.000, notifying them that a Public Hearing will be held, June 11, 2020 to consider an application for a Variance.

Given under my hand this the 20th day of May 2020.

Stacey Dahl
STACEY DAHL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 20th day of May 2020.

-My Commission Expires- *Kini Gonsoulin*
NOTARY PUBLIC



Starr, Juanita F -Trustee-
231 Klondyke Road
Long Beach, MS 39560



Blaine, William L and Fields, Amy K
113 Park Lane
Long Beach, MS 39560



McDougal, Jon G and WF
111 Park Lane
Long Beach, MS 39560

Addison- DG 1 LLC
PO Box 160942
Mobile, AL 36616

Ladner, Susan Marie
8728 Road 309
Pass Christian, MS 39571

Knight, Edmund B
227 Klondyke Road
Long Beach, MS 39560

Price, Thelma J -EST-
222 Klondyke Road
Long Beach, MS 39560

Pitts, Jeffrey A and Christopher R
200 Pine Ridge Road
Lawrence, MS 39336

Miscavage, Ingrid A
315 Meadow Wood Circle
Long Beach, MS 39560

Shoemaker, Rhonda J
313 Meadow Wood Circle
Long Beach, MS 39560

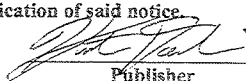

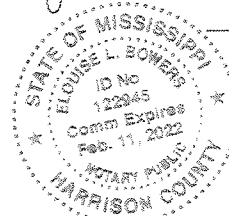
MINUTES OF JUNE 11, 2020
REGULAR MEETING

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LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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

Proof of Publication

PUBLIC HEARING		STATE OF MISSISSIPPI COUNTY OF HARRISON
<p>In accordance with Article XIX of the Comprehensive Long Beach Unified Land Ordinance 598 of the City of Long Beach, Mississippi (2017) as amended, the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a Variance.</p> <p>Joseph and Karen Gaiet, 229 Klondyke Road, Long Beach, MS, 39560, have filed an application for a Variance in accordance with the Comprehensive Long Beach Unified Land Ordinance. The applicant(s) are requesting a 15' (fifteen foot) front setback variance from the original 30' (thirty foot) setback. The Variance is requested for the placement of a sign. Ordinance 607, "Section 181, Permitted Signs According to Zoning Use Districts, (3) Monument or Monument Signs, (4) The minimum front setback for signs shall be fifteen feet in all commercial and industrial districts". The address is 229 Klondyke Road, Tax Parcel Number is 0612C-01-022,000. The legal description is as follows:</p> <p>S 89 FT OF LOT 3 & ALL LOT 4 & N 20 FT OF LOT 5 MILLERS HOMESITE SUBD. ALSO E/2 OF ALLEY LYING W/OF SAID LOTS PART OF SE1/4 OF SEC 14 OF SEC 11-8-12</p> <p>A Public Hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, June 11, 2020 at 5:30 p.m. in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.</p> <p>/s/ signed Chairman Planning Commission</p>		<p>PERSONALLY appeared before me the undersigned notary in and for said County and State, HUNTER DAWKINS, publisher of THE GAZEBO GAZETTE, a newspaper printed and published in Harrison County, who being duly sworn, deposes and says the publication of this notice hereunto attached has been made to the said publication _____ weeks in the following numbers and on the following dates of such paper:</p> <p>Vol. <u>XV</u> No. <u>21</u> dated <u>22</u> day of <u>May</u>, 20<u>20</u></p> <p>Vol. _____ No. _____ dated _____ day of _____, 20____</p> <p>Vol. _____ No. _____ dated _____ day of _____, 20____</p> <p>Vol. _____ No. _____ dated _____ day of _____, 20____</p> <p>Vol. _____ No. _____ dated _____ day of _____, 20____</p> <p>Vol. _____ No. _____ dated _____ day of _____, 20____</p> <p>Vol. _____ No. _____ dated _____ day of _____, 20____</p> <p>Vol. _____ No. _____ dated _____ day of _____, 20____</p> <p>Affiant further states on oath that said newspaper has been established and published continuously in said county for period of more than twelve months prior to the first publication of said notice.</p> <p> Publisher</p> <p>Sworn to and subscribed before me this <u>26</u> day of <u>May</u>, A.D. 20<u>20</u></p> <p> Notary Public</p> <p></p>

Commission Chairman Olaivar asked for anyone speaking in favor of the request and Edmund Knight, resident of 227 Klondyke Road stated he is in favor of the sign being placed in the original spot, but he has concerns the sign may impede the view of traffic.

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

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

After considerable discussion, Commissioner Hansen made motion, seconded by Commissioner Husband and unanimously carried recommending the approval of the Setback Variance.

**MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

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The sixth Public Hearing to consider a Short-Term Rental for property located at 830 West Beach Blvd, Unit 1, Tax Parcel 0512I-01-051.009, submitted by Krista Bradford and Jordan Ginsberg, as follows:

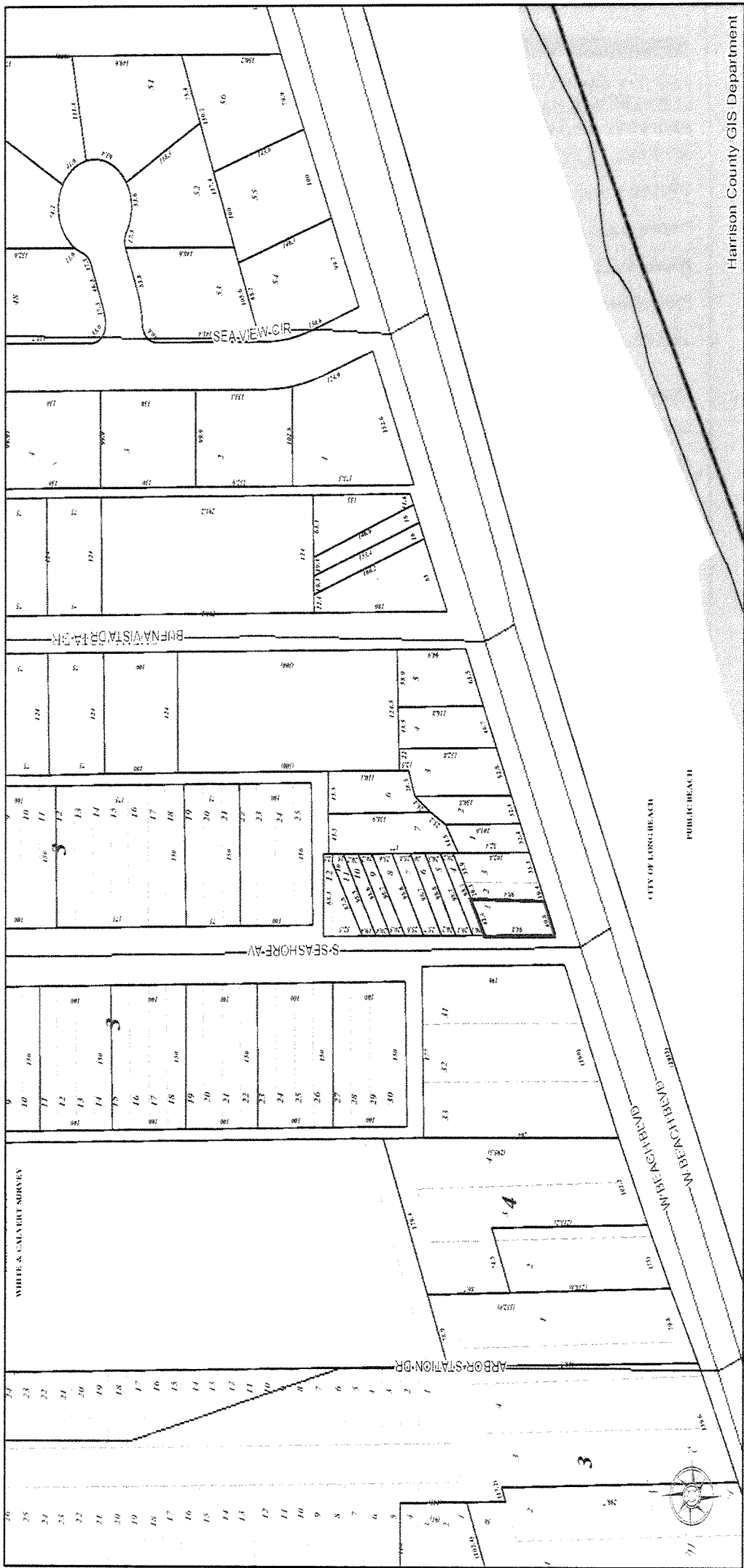
263

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

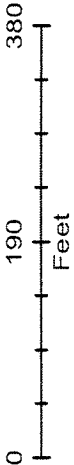
CITY OF LONG BEACH, MISSISSIPPI											
APPLICATION FOR SHORT-TERM RENTAL											
PHYSICAL ADDRESS: 201 JEFF DAVIS AVENUE LONG BEACH, MS 39560	PHONE: (228) 863-1554 FAX: (228) 863-1558	MAILING ADDRESS: POST OFFICE BOX 929 LONG BEACH, MS 39560									
PROPERTY INFORMATION:											
ADDRESS: <u>830 West Beach Boulevard, Unit 1</u>		Tax Parcel # <u>05121-01-051.009</u>									
(Location of Short-Term Rental)											
OWNER'S INFORMATION:											
Property Owner's Name: <u>Krista Bradford and Jordan Ginsberg</u>											
Property Owner's Address: <u>3228 Laurel St., New Orleans, LA 70115</u>											
Property Owner's Mailing Address, if different from above: <u>Same as above</u>											
City State Zip											
Property Owner's Phone No: <u>(847) 910-3460</u> Email Address: <u>thebestlongbeach@gmail.com</u>											
Is there a homeowner's association for the neighborhood? <input checked="" type="checkbox"/> If so, please provide written statement of support of short term rental?											
PROPERTY MANAGER INFORMATION:											
Property Manager's Name: <u>Same as Property owner</u>											
Property Manager's Address: (Must be a local contact) _____ _____ City State Zip											
Property Manager's Phone No.: _____ Email Address: _____											
PLEASE PROVIDE THE FOLLOWING:											
<ul style="list-style-type: none">• Mississippi Sales Tax ID # <u>1410-7295</u>• Recorded Warranty Deed• Parking Rules & Plan• Trash Management Plan• Copy of Proposed Rental Agreement• Proof of Liability Insurance, which included short term rental coverage											
ADDITIONAL INFORMATION:											
<ul style="list-style-type: none">• OWNERSHIP: Please provide a recorded warranty deed• FEES: \$200, nonrefundable application fee, plus mailing cost. \$100, yearly renewable fee. Checks should be made payable to the City of Long Beach.• LICENSE: A Privilege Tax License must be applied and paid for after approval (\$20/yearly fee).• INCOMPLETE APPLICATIONS will not be processed.											
AFFIDAVIT											
I HEREBY CERTIFY THAT I HAVE READ THIS APPLICATION AND THAT ALL INFORMATION CONTAINED HEREIN TRUE AND CORRECT; I ACKNOWLEDGE RECEIPT OF AND AGREE TO COMPLY WITH THE RULES & REGULATIONS OF SHORT TERM RENTALS (Ord 622), ALL APPLICABLE CODES, ORDINANCES AND STATE LAWS. VIOLATION OF ANY CODES OR REGULATIONS SHALL RESULT IN THE SUSPENSION OR REVOCATION OF THE PERMIT.											
PRINT NAME: <u>Jordan Ginsberg</u>		DATE: <u>May 13, 2020</u>									
SIGNATURE: <u>Jordan Ginsberg</u>											
BELOW IS FOR OFFICE USE ONLY											
Maximum Occupancy: <u>6</u>	Maximum Vehicles allowed: <u>3</u>	Number of bedrooms: <u>2</u>	Number of people home can accommodate: <u>6</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: <u>Muf2 held</u>		Date: <u>5/27/2020</u>									
Fire Inspector Signature: <u>Jerry De</u>		Date: <u>5/27/2020</u>									
COMMENTS: _____											
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%;">Date Received: <u>5-14-20</u></td><td style="width: 50%;"></td></tr><tr><td>Agenda Date: <u>6-11-20</u></td><td></td></tr><tr><td>Amount Due/Paid: <u>\$200.00</u></td><td></td></tr><tr><td>Check #: <u>0172</u></td><td></td></tr></table>				Date Received: <u>5-14-20</u>		Agenda Date: <u>6-11-20</u>		Amount Due/Paid: <u>\$200.00</u>		Check #: <u>0172</u>	
Date Received: <u>5-14-20</u>											
Agenda Date: <u>6-11-20</u>											
Amount Due/Paid: <u>\$200.00</u>											
Check #: <u>0172</u>											

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

830 West Beach Blvd, Unit 1, 05121-01-051.009



Harrison County GIS Department



HARRISON COUNTY, MISSISSIPPI

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

TAL FLURRY, TAX ASSESSOR
MAP DATE: May 14, 2020



MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

By and for the
State of Mississippi
County of Harrison
I, J. A. Walker, Jr.
Notary Public
do hereby certify that
the foregoing
is a true and correct
copy of the original
as the same appears
in the minutes of the
Long Beach Planning and
Development Commission
held on June 11, 2020.

By and for the
State of Mississippi
County of Harrison
I, J. A. Walker, Jr.
Notary Public
do hereby certify that
the foregoing
is a true and correct
copy of the original
as the same appears
in the minutes of the
Long Beach Planning and
Development Commission
held on June 11, 2020.

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WALKER AND WALKER

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned, WALKER AND WALKER MANAGEMENT GROUP, LLC, 104 Magnolia Avenue, Ocean Springs, Mississippi, 38864-1414, does hereby sell, convey and warrant unto JORGEAN L. MINAMOTO and KRISTA L. BRADNER, 1044 Laurel Hill, New Orleans, LA 70115, 50-010-0404, as joint tenants with full right of survivorship and not as tenants in common, the following described land and premises being located in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

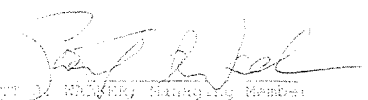

Lot 100-011, WASHBURN SUBDIVISION, a subdivision according to the map on file and recorded in the office of the Planning Clerk of the First Judicial District of Harrison County, Mississippi, as the same appears on said map, and as the same is more particularly described as follows, to-wit:

THIS CONVEYANCE is subject to and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all recorded reservations, conveyances and claims of all, past and present owners of said property.

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

IN WITNESS WHEREOF, WALKER AND WALKER MANAGEMENT GROUP, LLC, has caused this conveyance to be executed by its duly authorized officers, having first been duly authorized to do so, on this 1st day of July, 2019.

WALKER AND WALKER MANAGEMENT GROUP, LLC

By: 
ROBERT A. WALKER, Managing Member
By: 
KRISTA L. BRADNER, Managing Member

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY PERSONALLY came and appeared FRANK RE. THE undersigned authority in and to the undersigned authority, JORGEAN L. MINAMOTO, Managing Member, and KRISTA L. WALKER, Managing Member, of WALKER AND WALKER MANAGEMENT GROUP, LLC, and as per act and deed, they signed, sealed and delivered the above and foregoing instrument of writing on this day and in the year therein mentioned, and having been first duly authorized to do so.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this 1st day of July, 2019.

By Commission Expires:



**MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



Parking Rules & Plan

830 Beach Boulevard West, Unit 1 ("The Nest") is a two-bedroom, two-bathroom single-family raised house. Parking for at least three vehicles is available on a poured, covered concrete driveway located underneath the home. The driveway extends directly to S. Seashore Avenue to allow for ingress and egress.

Trash Management Plan

We have municipal trash and recycling service every Monday. Receptacles are stored on the concrete driveway underneath the house and transferred to S. Seashore Avenue for pick up on Sunday evenings or Monday mornings.

Proposed Rental Agreement

Rentals of the house will be facilitated through online marketplaces, such as Airbnb and VRBO. The terms of rental are consistent with the standard terms set forth on those platforms. Additionally, we intend to include the following specific instructions for our guests:

GENERAL RULES

- No smoking
- No pets
- No parties

OUTDOOR AREAS

- There is a propane grill under the house, in the shed. Please do not grill in the shed or on the balcony upstairs.

CHECKING OUT

- Please load and start the dishwasher.
- Start a load of towels in the washing machine.
- Turn off the upstairs A/C.

The Clerk reported that six (6) notices of Public Hearing were sent by regular mail to property owners within one hundred sixty feet (160') of the subject property. Notices were also posted on the bulletin boards at City Hall, the Building Official's Office and the Water Department, 201 Jeff Davis Avenue and at the Long Beach Public Library, 209 Jeff Davis Avenue; said notice was ordered as part of these proceedings:

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
City of Long Beach



LEGAL NOTICE

PUBLIC HEARING

In accordance with the Comprehensive Long Beach Unified Land Ordinance 598, of the City of Long Beach, Mississippi (2013) as amended, and Ordinance 622, Short-Term Rentals, of the City of Long Beach, 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**.

Krista Bradford and Jordan Ginsberg, 3228 Laurel Street, New Orleans, LA, 70115, have filed an application for a Short-Term Rental in accordance with the Comprehensive Long Beach Unified Land Ordinance and Ordinance 622. The applicant is requesting to operate a Short-Term Rental. The subject property is 830 West Beach Blvd, the Tax Parcel Number is 05121-01-051.009. The legal description is as follows:

LOT 1 SEASHORE TOWNHOMES SUBD SEC 22-8-12

A public hearing to consider the above request will be held in the City of Long Beach, Mississippi 39560, Thursday, June 11, 2020, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

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

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

BEFORE ME, the 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 May 20, 2020, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 6 (six) property owners within One Hundred Sixty Feet (160'), excluding public right of ways, of, Tax Parcel 05121-01-051.009, notifying them that a Public Hearing will be held, June 11, 2020 to consider an application for a Variance.

Given under my hand this the 20th day of May 2020.


STACEY DAHL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 20th day of May 2020.

-My Commission Expires-

NOTARY PUBLIC



268

MINUTES OF JUNE 11, 2020

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

<div><div>AVERY</div><div>5160</div></div> <div>Gassman, John M and Donna J 830 West Beach Blvd Unit 2 Long Beach, MS 39560</div>	<div><div>Easy Peel® Address Labels</div><div>Bend along line to expose Pop-up Edge</div></div> <div>CP Homes, LLC 830 West Beach Blvd Long Beach, MS 39560</div>	<div><div>Go to avery.com</div><div>Use Avery</div></div> <div>Patrick, Christopher E 7585 Old Jackson Road Forest, MS 39074</div>
<div>Gue, Floyd E and Rita O 1142 Clipper Drive Slidell, LA 70458</div>	<div>Demarco, James W Jr and Kimberly J 2175 Schillinger Road Mobile, AL 36695</div>	<div>Sand Dollar Condos 144 Sequoia Road St. Augustine, FL 32086</div>

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

Proof of Publication

PUBLIC HEARING

In accordance with the Comprehensive Long Beach Unified Land Ordinance 598, of the City of Long Beach, Mississippi (2013) as amended, and Ordinance 622, Short-Term Rentals, of the City of Long Beach, 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.

Kristin Bradford and Jordan Ginsberg, 3228 Laurel Street, New Orleans, LA, 70115, have filed an application for a Short-Term Rental in accordance with the Comprehensive Long Beach Unified Land Ordinance and Ordinance 622. The applicant is requesting to operate a Short-Term Rental. The subject property is 830 West Beach Blvd, the Tax Parcel Number is 031241-051009. The legal description is as follows:

LOT 1 SEASHORE TOWNHOMES SUBD SEC 22-8-12

A public hearing to consider the above request will be held in the City of Long Beach, Mississippi 39560, Thursday, June 11, 2020, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

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. XV No. 21 dated 22 day of May, 2020

Vol. _____ No. _____ dated _____ day of _____, 20____

Vol. _____ No. _____ dated _____ day of _____, 20____

Vol. _____ No. _____ dated _____ day of _____, 20____

Vol. _____ No. _____ dated _____ day of _____, 20____

Vol. _____ No. _____ dated _____ day of _____, 20____

Vol. _____ No. _____ dated _____ day of _____, 20____

Vol. _____ No. _____ dated _____ day of _____, 20____

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 May, A.D. 2020.

Notary Public

STATE OF MISSISSIPPI
HOUSE L. BOWERS
ID No 122946
Comm Expires Feb. 11, 2022
NOTARY PUBLIC
HARRISON COUNTY

Page 62

MINUTES OF JUNE 11, 2020
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 Seal made motion, seconded by Commissioner Hansen and unanimously carried to close the Public Hearing.

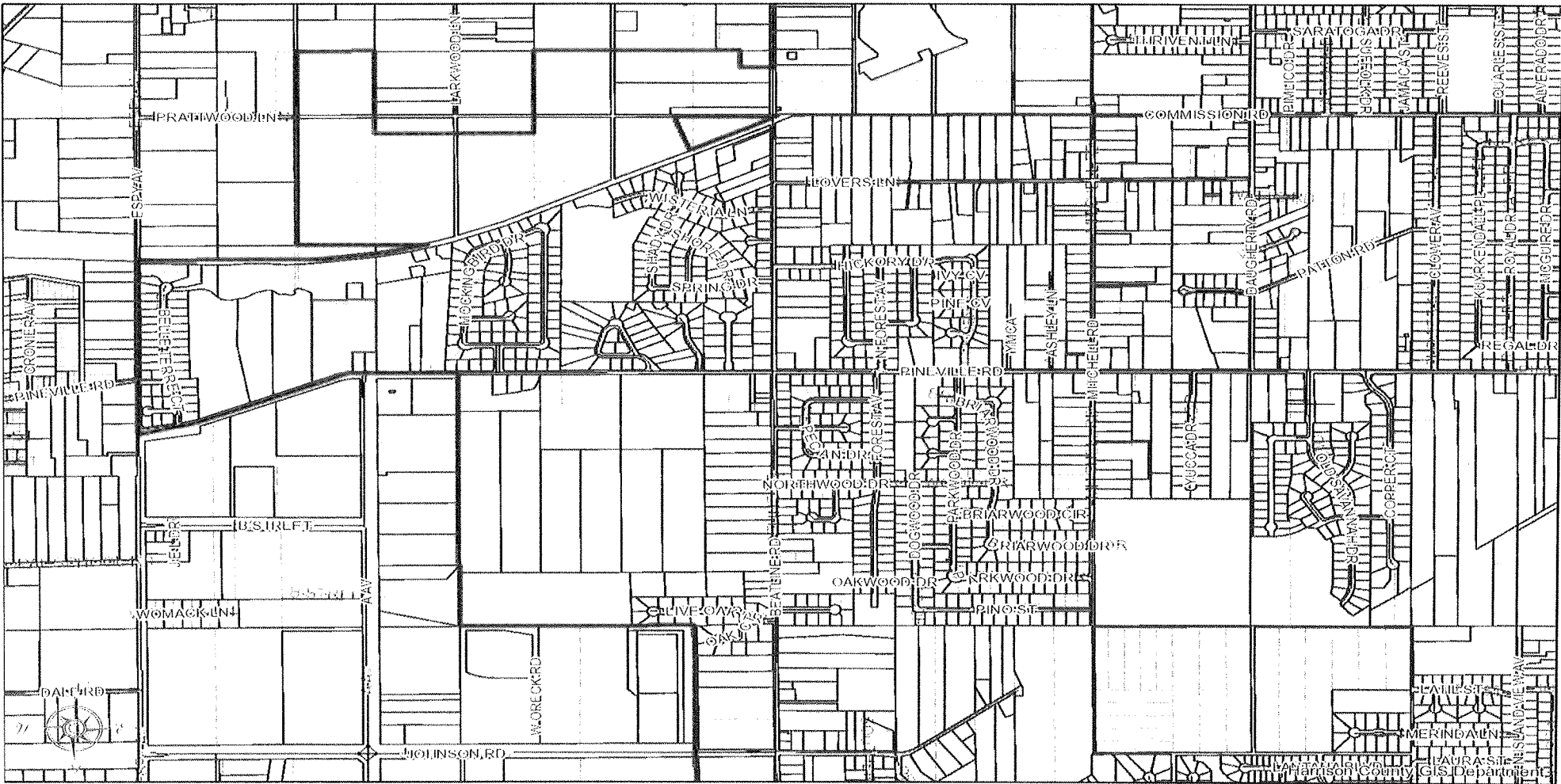
After considerable discussion, Commissioner Hansen made motion, seconded by Commissioner Husband and unanimously carried recommending the approval of the Short-Term Rental.

The seventh Public Hearing to consider a Short-Term Rental for property located at 21160 Pineville Road, Tax Parcel 0611L-01-012.000, submitted by Franky Walker, as follows:

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

CITY OF LONG BEACH, MISSISSIPPI			
APPLICATION FOR SHORT-TERM RENTAL			
PHYSICAL ADDRESS: 201 JEFF DAVIS AVENUE LONG BEACH, MS 39560	PHONE: (228) 863-1554 FAX: (228) 863-1558	MAILING ADDRESS: POST OFFICE BOX 929 LONG BEACH, MS 39560	
PROPERTY INFORMATION: ADDRESS: <u>21160 PINEVILLE ROAD</u> Tax Parcel # <u>0511L-01012.0</u> (Location of Short-Term Rental)			
OWNER'S INFORMATION: Property Owner's Name: <u>FRANKY WALKER</u> Property Owner's Address: <u>P.O. BOX 718</u> Property Owner's Mailing Address, if different from above: <div style="text-align: right; margin-right: 50px;"> <u>LONG BEACH</u> <u>MS.</u> <u>39560</u> City State Zip </div> Property Owner's Phone No: <u>228-596-284</u> Email Address: <u>FRANKY596@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?			
PROPERTY MANAGER INFORMATION: Property Manager's Name: <u>SAME AS ABOVE</u> Property Manager's Address: (Must be a local contact) <div style="text-align: right; margin-right: 50px;"> City State Zip </div> Property Manager's Phone No.: Email Address:			
PLEASE PROVIDE THE FOLLOWING: <ul style="list-style-type: none"> Mississippi Sales Tax ID # <u>200-09903-4</u> Recorded Warranty Deed Parking Rules & Plan Trash Management Plan Copy of Proposed Rental Agreement Proof of Liability Insurance, which included short term rental coverage 			
ADDITIONAL INFORMATION: <ul style="list-style-type: none"> OWNERSHIP: Please provide a recorded warranty deed FEEs: \$200, nonrefundable application fee, plus mailing cost. \$100, yearly renewable fee. Checks should be made payable to the City of Long Beach. LICENSE: A Privilege Tax License must be applied and paid for after approval (\$20/yearly fee). INCOMPLETE APPLICATIONS will not be processed. 			
AFFIDAVIT I HEREBY CERTIFY THAT I HAVE READ THIS APPLICATION AND THAT ALL INFORMATION CONTAINED HEREIN TRUE AND CORRECT; I ACKNOWLEDGE RECEIPT OF AND AGREE TO COMPLY WITH THE RULES & REGULATIONS OF SHORT TERM RENTALS (Ord 622), ALL APPLICABLE CODES, ORDINANCES AND STATE LAWS. VIOLATION OF ANY CODES OR REGULATIONS SHALL RESULT IN THE SUSPENSION OR REVOCATION OF THE PERMIT.			
<u>FRANKY WALKER</u> PRINT NAME	<u>[Signature]</u> SIGNATURE	DATE	
BELOW IS FOR OFFICE USE ONLY			
Maximum Occupancy: <u>8</u>	Maximum Vehicles allowed: <u>8</u>	Number of bedrooms: <u>4</u>	Number of people home can accommodate: <u>8</u>
I AFFIRM THAT THE APPLICANT IS IN COMPLIANCE WITH ALL APPLICABLE ZONING REQUIREMENTS, BUILDING & FIRE CODES; AND THAT ALL APPLICABLE TAXES, FEES AND OTHER CHARGES HAVE BEEN PAID.			
Building Official Signature: <u>[Signature]</u>		Date: <u>5/27/2020</u>	
Fire Inspector Signature: <u>[Signature]</u>		Date: <u>5/27/2020</u>	
COMMENTS: _____			
<div style="border: 1px solid black; padding: 5px; width: fit-content;"> Date Received: <u>3-3-20</u> Agenda Date: <u>6-11-20</u> Amount Due/Paid: <u>200.00</u> Check #: <u>852</u> </div>			

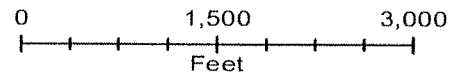
21160 Pineville Road, 0511L-01-012.000



HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: May 14, 2020



MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

BOOK 1491 PAGE 137

STATE OF MISSISSIPPI
COUNTY OF HARRISON



QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of Ten dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, I, JENNIFER LEE WALKER, a single person, do hereby sell, convey, and quitclaim unto FRANKY L. WALKER AND MIKE, CALLIE L. WALKER, as joint tenants with full rights of survivorship and not as tenants in common, all of my right, title and interest in and to the following described property situated in the First Judicial District of Harrison County, Mississippi, more particularly described as follows, to-wit:

BEGINNING at a point on the North margin of Pineville Road 3181 feet West of the Section line dividing Section 9 and 10, Township 8 South, Range 13 West, in Harrison County, Mississippi, 1/4 regularly laid out and surveyed, which is the Southwest corner of the property conveyed by T.T. Fields to William D. Simmons and Ruth J. Simmons by Deed dated August 19, 1964, and recorded in Book 575 at Pages 488-9 of the Deed Records of Harrison County, Mississippi; thence running North with the West boundary of the Simmons land a distance of 743 feet to the South margin of Bayou Portage; running thence Westerly with the South bank of Bayou Portage and following the meanderings of the same to a point 542.5 feet West of the West line of the Simmons property; running thence South along a line marked by stakes and parallel to the West line of the Simmons property a distance of 374.8 feet to a point on the North line of Pineville Road which point lies 88.8 feet South of the Half Section Line; running thence Northeasterly and Easterly with the North margin of Pineville Road to the POINT OF BEGINNING. Being a parcel of land bounded on the South by Pineville Road; on the East by lands now or formerly of Simmons; on the North by Bayou Portage; and on the West by lands of Daniels; and being the East 542.5 feet of the lands conveyed to Howard M. Daniels and Esther Earley Daniels by T. T. Fields by Deed dated April 15, 1969, and recorded in Book 629 at Pages 167-169 of the Deed Records of Harrison County,

BOOK 1491 PAGE 138

Mississippi. LESS AND EXCEPT: One (1) acre, more or less, lying situate in the Southeast corner of the property described above for the point of beginning; thence run North a distance of 200 feet along the West boundary of the Simmons (Bates-Brooks) land; run thence South in a straight line and parallel to the West line of the Simmons (Bates-Brooks) property a distance of 200 feet to a point on the North line of Pineville Road; run thence Northeasterly and Easterly with the North margin of Pineville Road, a distance of 260 feet to the point of beginning.

Ad valorem taxes for the year 2000 are prorated as of the date of delivery of this deed.

WITNESS my signature, this the 18 day of March, 2000.

JENNIFER LEE WALKER

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said County and State, on this 18 day of March 2000, within my jurisdiction, the within named JENNIFER LEE WALKER, who acknowledged that she executed and delivered the above and foregoing instrument.

NOTARY PUBLIC

My Commission Expires:
RECORDED

Indexing Instructions:
Index in Long Beach Section Block 36
" S by Pineville Road
" E by now or formerly Simmons
" W by Daniels
" N by unknown

BOOK 1491 PAGE 139

Grantor(s):
21160 Pineville Rd.
Long Beach, MS 39560
228/663-4220

Grantee(s):
21160 Pineville Rd.
Long Beach, MS 39560
228/663-4220

Prepared by and return to:
Frank R. McCreary, III
P. O. Box 987
Long Beach, MS 39560
(601) 868-6697

Instrument No. 2914

STATEMENT OF FEES
Recording Fee \$6.00
Records Maintenance Fee \$1.00
Abstract Fee \$1.00
Margin \$1.00
Other \$0.00
TOTAL FEES COLLECTED \$9.00

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:
I hereby certify that this instrument was received and filed for record at 12:00 o'clock and 04 minutes P. M. on 4th day of April, A.D. 2000 and recorded April 5th 2000 in Records of Deeds Book 1491 Pages 137-139
JOHN MADAMS, Chancery Clerk
By: J.C.
LAURENCE GILBERTSON, Notary

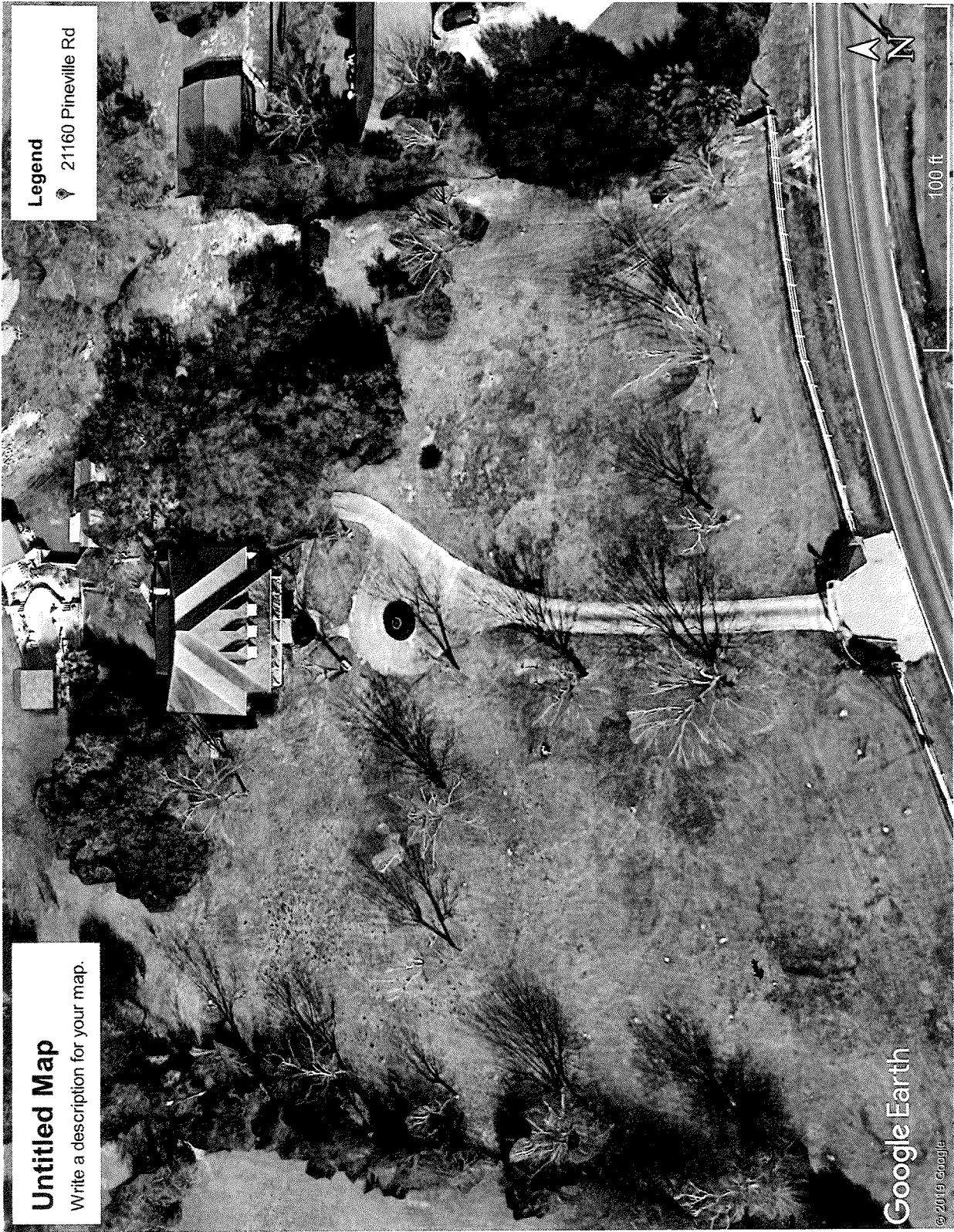
MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

PARKING

WE HAVE 9 ACRES AND AS YOU CAN SEE IN PHOTO ENCLOSED, PARKING WILL NOT BE A PROBLEM, AS THE HOME SLEEPS 10 PEOPLE.

TRASH MANAGEMENT

WE HAVE 4 TRASH RECEPTICALS FOR OVER LOAD DAYS.



MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

RULES

- Rental Rules / Contract
The home Rental Rules / Contract
The home Rental Rules / Contract
The home is located at 21160 PINEVILLE ROAD, Long Beach, MS 39560. My phone number is 228-596-1284.
1. Check in time is 4:00 PM and check out is by 10:00 AM. No early check ins or late check outs.
 2. This is a NON SMOKING house.
 3. Damage Deposit – A damage deposit of \$250 is required. The damage deposit is fully refundable within fourteen (14) days of departure, provided the following provisions are met:
 - A. No damage is done to house or its contents beyond normal wear and tear.
 - B. No charges are incurred due to contraband, pets or collection of rents or services rendered during the stay.
 - C. All debris, rubbish and discards are placed in refuse containers outside, and soiled dishes are cleaned.
 - D. All keys are left where designated and the house is left locked.
 - E. All charges accrued during the stay are paid prior to departure.
 - F. No linens are lost or damaged.
 - G. No early check-in or late check-out
 4. CANCELLATIONS- Cancellations or changes that result in a shortened stay forfeit the full advance payment. Cancellation or early departure does not warrant any refund or rent or deposit.
 5. Maximum Occupancy- The maximum number of guests is limited to fourteen persons. An additional charge of \$10.00 per person per night for guest in addition to 14 will be assessed.
 6. Long minimum stays may be required during holiday periods.
 7. No daily maid service – While linens and bath towels are included in the rental. We suggest you bring your own beach towels. We do not permit towels or linens to be taken from the house.
 8. Falsified reservations- any reservation obtained under false pretense will be subject to forfeiture of advance payment, deposit and / or rental money
 9. Written exceptions- any exceptions to the above mentioned policies must be approved in writing in advance.
 10. Parking- parking on the road is not permitted. Any illegally parked cars are subject to towing; applicable fines/towing fees are the sole responsibility of the vehicle owner.
 11. Swimming Pool- No children under the age of 15 permitted in the swimming pool without an adult. No diving, climbing or jumping off fountain wall. Swim at your own risk. Use at your own risk , we sanitize and replenish chemicals in pool prior to your arrival.
 12. Bikes are to be used under adult supervision only, ride at your own risk.
 13. MUST BE AT LEAST 26 YEARS OF AGE TO RENT PROPERTY. PERSON RENTING PROPERTY WILL BE RESPONSIBLE FOR ANY DAMAGES TO HOME.
 14. Storm Policy- No refunds will be given for storms.
 15. This vacation house is privately owned; the owners are not responsible for any accidents, injuries or illnesses that occur while on the premises or its facilities. The homeowners are not responsible for the loss of personal belongings or valuables of the guest. By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premises or others whom they invite to use the premise.

By signing below, I agree to all terms and conditions of this agreement
Signature: _____ Date: _____
Printed Name: _____
Address: _____
Phone Number: _____
Check in Date: _____
Check out date: _____
Adults: _____
Children: _____

- Loud and raucous noise constitutes a menace and is a serious hazard to the public health, welfare, safety, and quality of life within the city of Long Beach, MS.
- The sounding of any horn or signal device on any motor vehicle, motorcycle, or motor boat, except as a danger signal is prohibited, as required by state law.
- The playing or operation of any sound equipment in such a manner, or with such volume as to disturb the peace, quiet, comfort, or repose of persons in dwelling, apartment, hotel, or other type of residence is prohibited.
- The use of any drum or other or other instrument or sound equipment for the purpose of attracting attention by the creation of

RULES

- noise, to any performance, show, sale, or display of merchandise as to attract customers to any place of business.
- No sound equipment may be operated within 150 feet of the property line except between the hours of 7:00 am-9:00 pm.
 - Sound equipment may not emit loud and raucous noises so as to interfere with the enjoyment of life or property or to interfere with public peace and comfort.
- Initial _____

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

The Clerk reported that six (6) 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 the Comprehensive Long Beach Unified Land Ordinance 598, of the City of Long Beach, Mississippi (2013) as amended, and Ordinance 622, Short-Term Rentals, of the City of Long Beach, 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**.

Franky Walker, P.O. Box 718, Long Beach, MS, 39560, has filed an application for a Short-Term Rental in accordance with the Comprehensive Long Beach Unified Land Ordinance and Ordinance 622. The applicant is requesting to operate a Short-Term Rental. The subject property is 21160 Pineville Road, the Tax Parcel Number is 0511L-01-012.000. The legal description is as follows:

FRANKY L WALKER REVOCABLE TRUST & SALLIE E WALKER REVOCABLE TRUST -2015-1181 & 1186 & 1189- 8.7 AC BEG 3315 FT W & 200 FT N OF INTER OF E LINE OF SEC 9 & N MAR OFF PINEVILLE RD WHICH IS 200 FT N OF SW COR OF SIMMONS PROP AS PER DEED BK 575/488 N 543 FT W 542.5 FT S 850.6 FT TO RD ELY ALONG RD 356.2 FT N 200 FT E 200 FT TO POB PART OF SE 1/4 OF NW 1/4 & NE 1/4 OF SW 1/4 OF SEC 9-8-12

A public hearing to consider the above request will be held in the City of Long Beach, Mississippi 39560, Thursday, June 11, 2020, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
 Chairman
 Planning Commission

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared before me, TINA M DAHL, known to me to be the Minutes Clerk of the City of Long Beach, Mississippi, Planning 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 May 20, 2020, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 6 (six) property owners within One Hundred Sixty Feet (160'), excluding public right of ways, of, Tax Parcel 0511L-01-012.000, notifying them that a Public Hearing will be held, June 11, 2020 to consider an application for a Variance.

Given under my hand this the 20th day of May 2020.

Stacey Dahl
STACEY DAHL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 20th day of May 2020.

Kini Gonsoulin
NOTARY PUBLIC

-My Commission Expires-



Small, Rhonda J and David C
7356 Smith Road
Long Beach, MS 39560



Kaletsch, Daniel F and Freida
21128 Pineville Road
Long Beach, MS 39560



Wedworth, James Q
21110 Pineville Road
Long Beach, MS 39560

Oien, Susan S and Metcalf, Jeannine S
21168 Pineville Road
Long Beach, MS 39560

Bay Technical Associates, Inc
5239 A Avenue
Long Beach, MS 39560

Tackl Technologies, LLC
18220 Commission Road
Long Beach, MS 39560

The Clerk reported that she did cause to be published in the Gazebo Gazette, a newspaper with general circulation int eh City of Long Beach, and published in Harrison

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
County, Legal Notice and Public Hearing, as evidenced by the Publisher's Proof of
Publication as follows:

Proof of Publication

PUBLIC HEARING

In accordance with the Comprehensive Long Beach Unified Land Ordinance 598, of the City of Long Beach, Mississippi (2017) is amended, and Ordinance 622, Short-Term Rentals, of the City of Long Beach, 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.

Franky Walker, P.O. Box 718, Long Beach, MS, 39560, has filed an application for a Short-Term Rental in accordance with the Comprehensive Long Beach Unified Land Ordinance and Ordinance 622. The applicant is requesting to operate a Short-Term Rental. The subject property is 21160 Pineville Road, the Tax Parcel Number is 0511C-01-012.000. The legal description is as follows:

FRANKY L WALKER REVOCABLE TRUST & SALLIE E WALKER REVOCABLE TRUST -2016- 1181 & 1189 & 1189-8.7 AC BEG 3315 FT W & 200 FT N OF INTERSECTION OF LINE OF SEC 8 & N MAR OPINEVILLE RD WHICH IS 203 FT N OF SW COR OF SIMMONS PRY AS REFERRED BK 575468 N 543 FT W 642.5 FT S 950.6 FT TO RD ELY ALONG RD 356.2 FT N 230 FT E 200 FT TO POB PART OF SE 1/4 OF NW 1/4 & NE 1/4 OF SW 1/4 OF SEC 8-4-12

A public hearing to consider the above request will be held in the City of Long Beach, Mississippi 39560, Tuesday, June 11, 2020, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

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. XV No. 31 dated 22 day of May, 2020
Vol. ____ No. ____ dated ____ day of ____, 20____
Vol. ____ No. ____ dated ____ day of ____, 20____
Vol. ____ No. ____ dated ____ day of ____, 20____
Vol. ____ No. ____ dated ____ day of ____, 20____
Vol. ____ No. ____ dated ____ day of ____, 20____
Vol. ____ No. ____ dated ____ day of ____, 20____
Vol. ____ No. ____ dated ____ day of ____, 20____
Vol. ____ No. ____ dated ____ day of ____, 20____

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

[Signature]
Publisher

Sworn to and subscribed before me this 26 day of May, A.D. 2020

[Signature]
Notary Public

STATE OF MISSISSIPPI
HOUSE L. BOWERS
ID No 122945
Comm Expires Feb. 11, 2022
NOTARY PUBLIC
HARRISON COUNTY

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 Seal and unanimously carried to close the Public Hearing.

After considerable consideration, Commissioner Husband made motion, seconded by Commissioner Hansen and unanimously carried recommending the approval of the Short-Term Rental.

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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 11th day of June 2020, in the long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed for holding said Regular Meeting.

Commissioner Seal made motion, seconded by Commissioner Husband and unanimously carried to approve the Regular Meeting minutes of March 12, 2020.

Commissioner Hansen made motion, seconded by Commissioner Husband and unanimously carried to approve the Regular Meeting minutes of March 26, 2020.

It came for discussion under New Business, a Tree Removal Application for property located at 1306 Wisteria Lane, Tax Parcel 0511K-02-023.000, submitted by Kevin Purvis and Jennifer Jones, as follows:

279

**MINUTES OF JUNE 11, 2020
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 5/18/20
Zoning R-1
Agenda Date 6-11-20
Check Number 3085

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

JS 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.

JS 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.

JS 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: 5-18-20

PROPERTY INFORMATION

TAX PARCEL # 0511K-02-023.000

Address of Property Involved: 1306 Wisteria Lane

Property owner name: Kevin Purvish Jennifer Jones
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: 1306 Wisteria Lane

Phone No. 228-327-0783 - Jennifer

228-323-7974 - Kevin

CONTRACTOR OR APPLICANT INFORMATION

Company Name: Loftus Tree Service

Phone No. _____ Fax: _____

Name _____

Address _____

PERMIT INFORMATION

Permit for Removal: ☒ Trimming ☐ Pruning ☐

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

(use separate sheet if needed)

It is only 1 inch from the root and home the roots are affecting the foundation

Inspector said it needs to be removed.

Number of Trees: 4
☐ 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.

Signature Jennifer Jones Date 5-18-20

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

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

JS 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 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.

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

JS OWNERSHIP: Please provide a recorded warranty deed.

JS 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 \$1,000.00. 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.

JS 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 diameter deciduous trees or five (5) feet in height of evergreen or Live Oak or Magnolia trees.

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

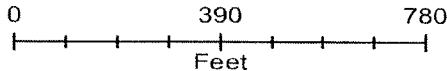
1306 Wisteria Lane, 0511K-02-023.000



HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: May 19, 2020



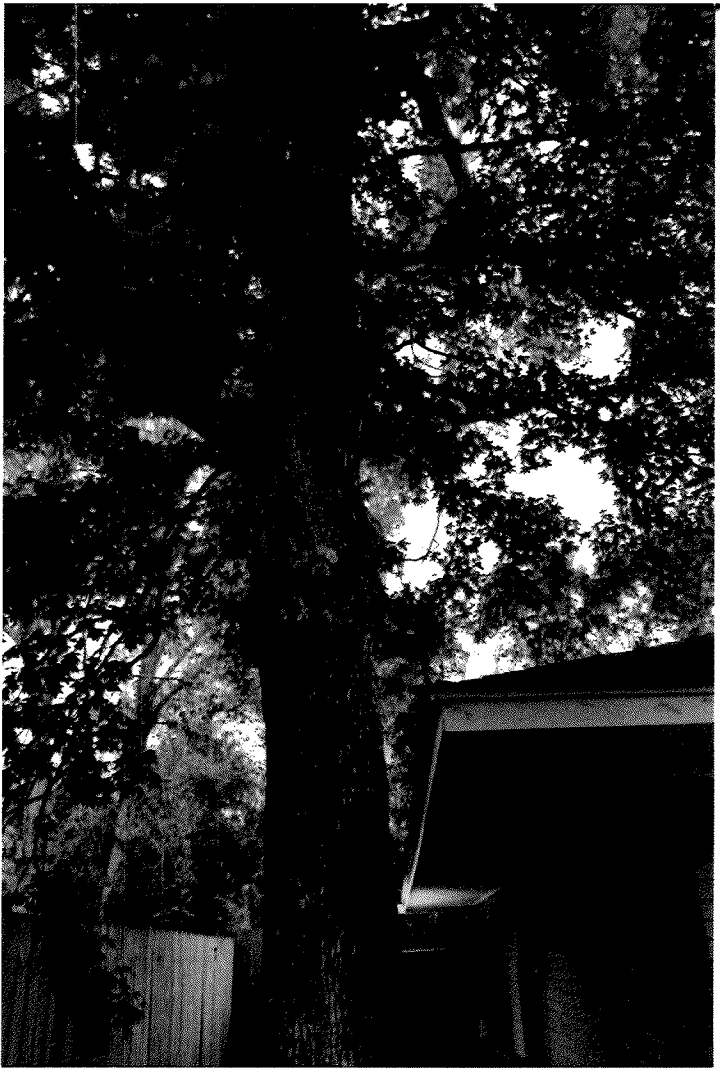
MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



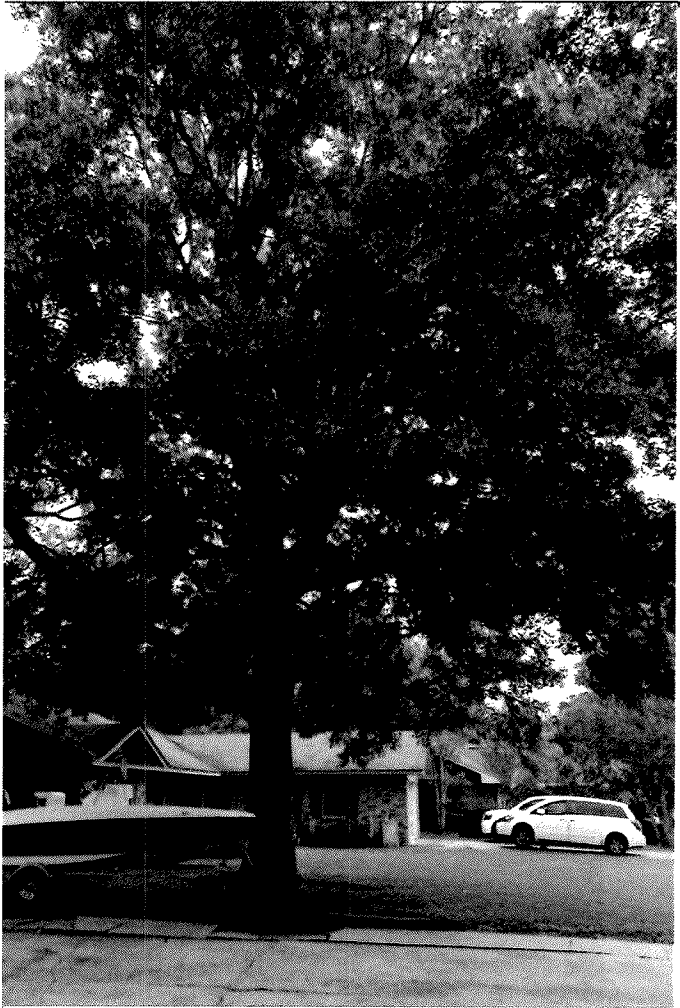
**MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



**MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



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

Grantor:
Thomas Marino
2230 Beach Dr. #205
Gulfport, MS 39507
Telephone: (205) 541-4530

Return To:
David B. Payer
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011
File No. Z186711N

Grantee:
Kevin Robert Purvis
Jennifer J. Jones
1306 Wisteria Lane
Long Beach, MS 39560
Telephone: (228) 323-7974

INDEXING INSTRUCTIONS: Lot 18, Pecan Park S/D, Part 4, First Judicial District, Harrison County, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, I, Thomas Marino, do hereby sell, convey and warrant unto Kevin Robert Purvis and Jennifer J. Jones, joint tenants with full rights of survivorship and not as tenants in common, all of that certain tract, piece or parcel of land situated in Harrison County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

Lot 18, Pecan Park Subdivision, Part 4, a subdivision according to the 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 30, at Page 14.

This being the same property as that conveyed to Thomas Marino, by Special Warranty Deed as recorded in Instrument No. 2009-4503-D-J1, Land Deed Records of Harrison County, Mississippi.

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

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

Grantor(s) quitclaim any and all oil, gas, and other minerals owned, if any, to Grantee(s). No mineral search was requested or performed by preparer.

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

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

WITNESS MY SIGNATURE, on this the 6th day of Sept., 2018.

Thomas Marino
Thomas Marino

ACKNOWLEDGEMENT

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Thomas Marino, who acknowledged before me that he signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned.



UNDER MY HAND AND OFFICIAL SEAL, on this the 6th day of Sept.,

Lori Lee Hammon Tree
NOTARY PUBLIC

My commission expires: 3-22-22

DEED ACCEPTED BY:
Kevin Robert Purvis
Kevin Robert Purvis, Grantee

Jennifer J. Jones
Jennifer J. Jones, Grantee

MEMORANDUM

Date: June 5, 2020
To: City of Long Beach
From: Long Beach Tree Board
Re: Tree Removal Application – 1306 Wisteria Ln

Only 1 of the 4 oak trees the homeowners want to remove is a protected Live Oak. The other 3 trees are unprotected water oaks. The Live Oak Tree is situated within inches of the home and should be removed as soon as possible to prevent further damage to the foundation and imminent damage to the roof.

MINUTES OF JUNE 11, 2020
REGULAR MEETING
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After considerable discussion, and upon a City of Long Beach Tree Board Member’s recommendation in accordance with the City of Long Beach Tree Ordinance, Commissioner Ward made motion, seconded by Commissioner Hansen and unanimously carried to approve the removal of the Live Oak Tree.

It came for discussion under New Business, a Sketch Plat Approval for property located at Tax Parcels 0511N-01-004.011, 0511N-01-004.010, 0511N-01-004.009, 0511N-01-004.008, 0511N-01-004.007, 0511N-01-004.006, 0511N-01-004.005, 0511N-01-004.004, 0511N-01-004.003, 0511N-01-004.002, 0511N-01-004.001, 0511N-01-004.000, submitted by Charles Gant, as follows:

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



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

Office use only	
Date Received	5/14/20
Zoning	R-1
Agenda Date	6/11/20
Check Number	85-3301

I. TYPE OF CASE: **SKETCH APPROVAL**

II. ADVALOREM TAX PARCEL NUMBER(S): See Attached

III. GENERAL LOCATION OF PROPERTY INVOLVED: Southwest of the intersection of Pineville and Beeline Road

IV. ADDRESS OF PROPERTY INVOLVED: N/A

- A. The purpose of the sketch is to develop a general design on which to base the preliminary and final plat, and thus having to revise such design to make in conform to the comprehensive City plan and to relate it to surrounding development. To this end, the sub-divider should consult informally with the City Engineer and the Planning Commission on preparation of the sketch plat.
- B. The sub-divider shall submit to the Planning Commission the sketch plat of the proposed subdivision, together with the attendant items, fifteen (15) days prior to the Planning Commission meeting at which the sketch plat is to be approved. The sketch plat shall be reviewed by the Planning Commission and approved by the Mayor and Board of Aldermen. The review shall take into consideration, in addition to the requirements set forth in these regulations, the components of the comprehensive City plan, the zoning ordinance and other plans, programs and regulations that might affect the area and the design and development of the subdivision.
- C. The sub-divider must submit a general layout drawing of the proposed subdivision or development. The sketch plat should indicate location of the subdivision, street alignment and lot sizes, and should provide additional information that is deemed reasonably necessary within the scope the Subdivision Ordinance by the City. (1) The sketch plat should consist of three (3) full-size drawings on 24 x 36 inch sheets and (1) 8 1/2 x 14 and/or emailed in pdf. format to the Clerk.
- D. The Planning Commission shall inform the sub-divider that the Sketch plan as submitted or as modified does or does not meet the objectives of City Regulations. When the Planning Commission or the Mayor and Board find that the sketch plat does not meet the objectives of City regulations the reasons therefore shall be given, together with any changes recommended to be made. In the even the sub-divider does not agree to changes recommended by the Planning Commission, he may request and shall receive review and formal action by the Mayor and Board of Aldermen at its next regular meeting.
- E. Although not recommended, a developer may be allowed to combine the Sketch and Preliminary plats so that they may be considered together.

V. **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).

MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

- B. **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.
- C. **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.

VI. **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 fifteen (15) days before the 2nd or 4th Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.

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

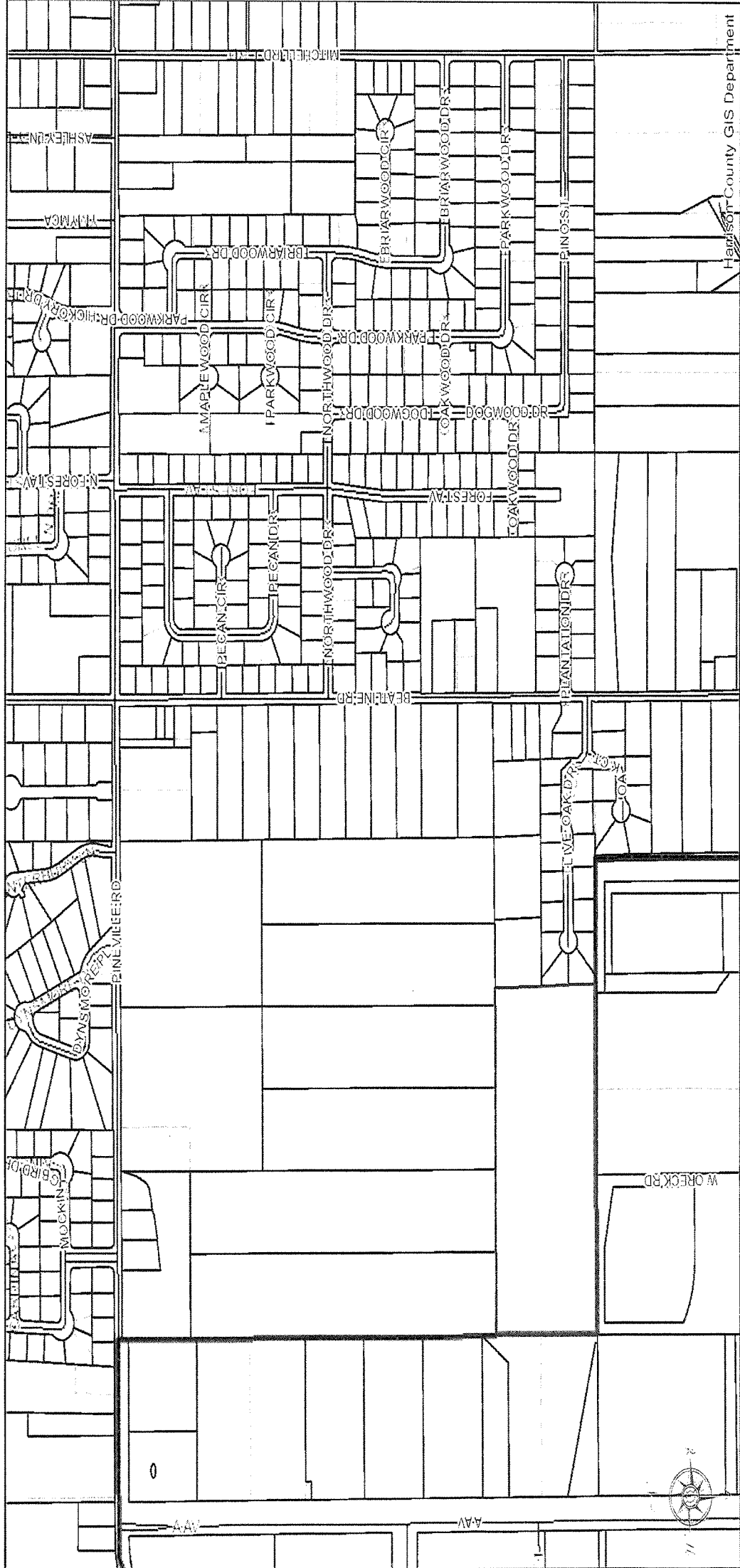
<div>Name of Rightful Owner (PRINT)</div>	<div>Charles Gant</div> <div>Name of Agent (PRINT)</div>
<div>Owner's Mailing Address</div>	<div>14397 Creosote Rd</div> <div>Agent's Mailing Address</div>
<div>CityStateZip</div>	<div>Gulfport MS 39503</div> <div>CityStateZip</div>
<div>Phone</div>	<div>228-669-7071</div> <div>Phone</div>
<div>Signature of Rightful OwnerDate</div>	<div>Charles Gant</div> <div>Signature of ApplicantDate</div>

**MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION
THE COVE SUBDIVISION
CITY OF LONG BEACH**

TAX PARCELS:

0511N-01-004.011
0511N-01-004.010
0511N-01-004.009
0511N-01-004.008
0511N-01-004.007
0511N-01-004.006
0511N-01-004.005
0511N-01-004.004
0511N-01-004.003
0511N-01-004.002
0511N-01-004.001
0511N-01-004.000

0 Beatline Road, 0511N-01-004.000



0 750 1,500
Feet

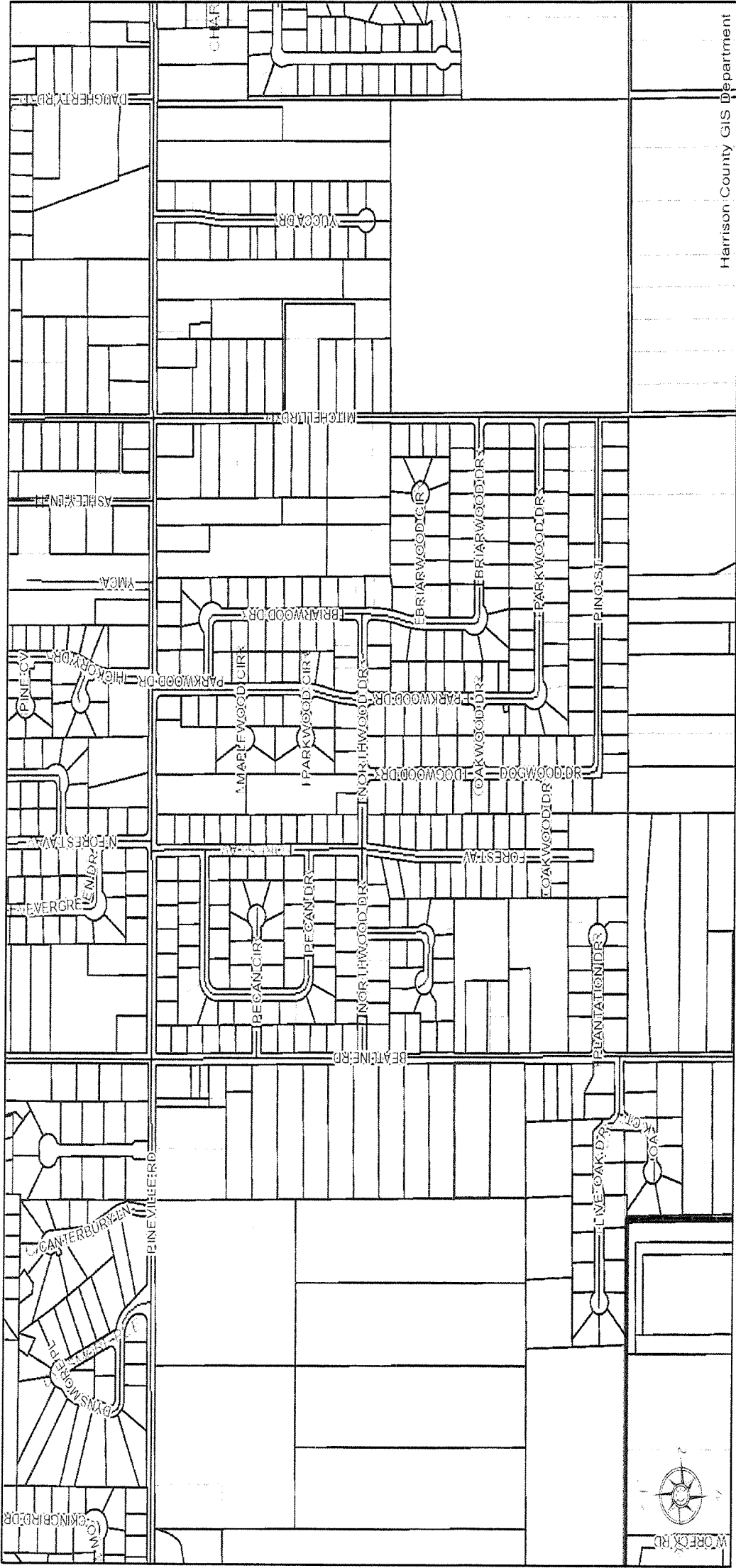
HARRISON COUNTY, MISSISSIPPI

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TAL FLURY, TAX ASSESSOR
MAP DATE: May 14, 2020



MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

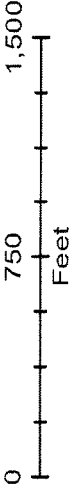
0 Beatline Road, 05111N-01-004.001



HARRISON COUNTY, MISSISSIPPI

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TAL FLURRY, TAX ASSESSOR

MAP DATE: May 14, 2020



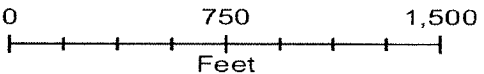
0 Beatline Road, 0511N-01-004.002



HARRISON COUNTY, MISSISSIPPI

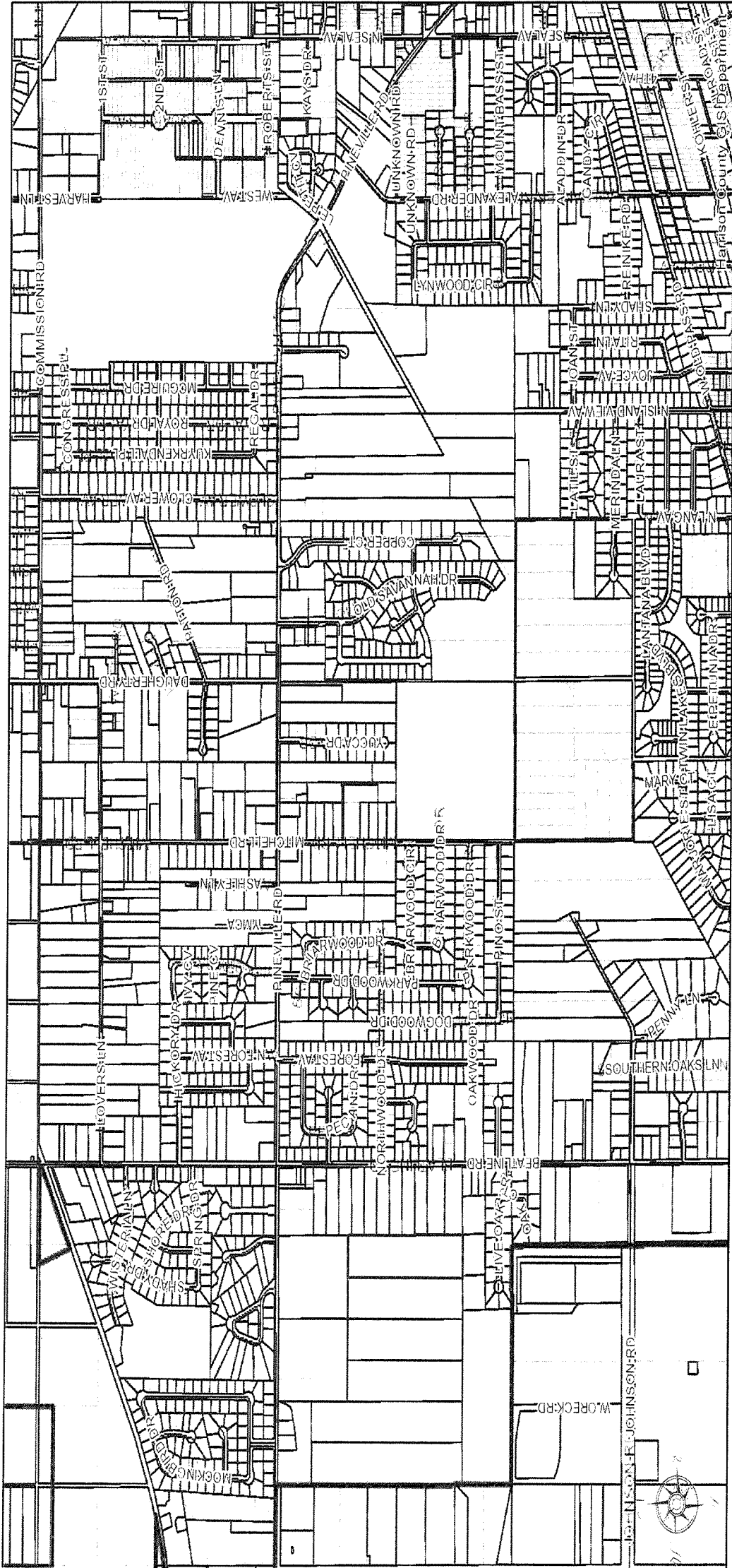
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MAP DATE: May 14, 2020



MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

0 Beatline Road, 05111N-01-004.003



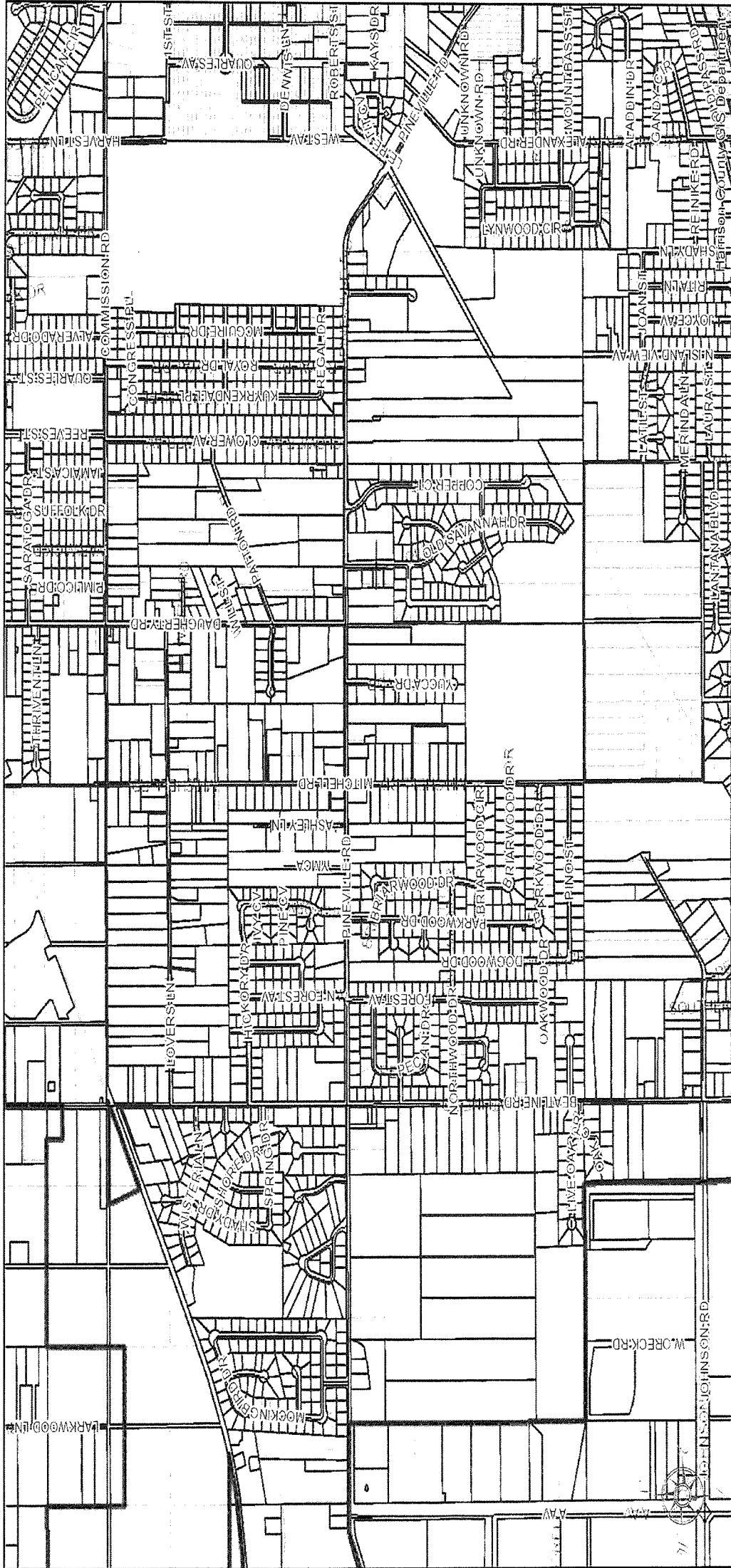
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DATE: May 14, 2020

**MINUTES OF JUNE 11, 2020
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

0 Beatline Road, 0511N-01-004.004



A vertical number line is shown, labeled "Feet" on the right side. The line has tick marks at 0, 1,500, and 3,000. There are also unlabeled tick marks at intervals of 500 between the labeled ones.

HARRISON COUNTY, MISSISSIPPI

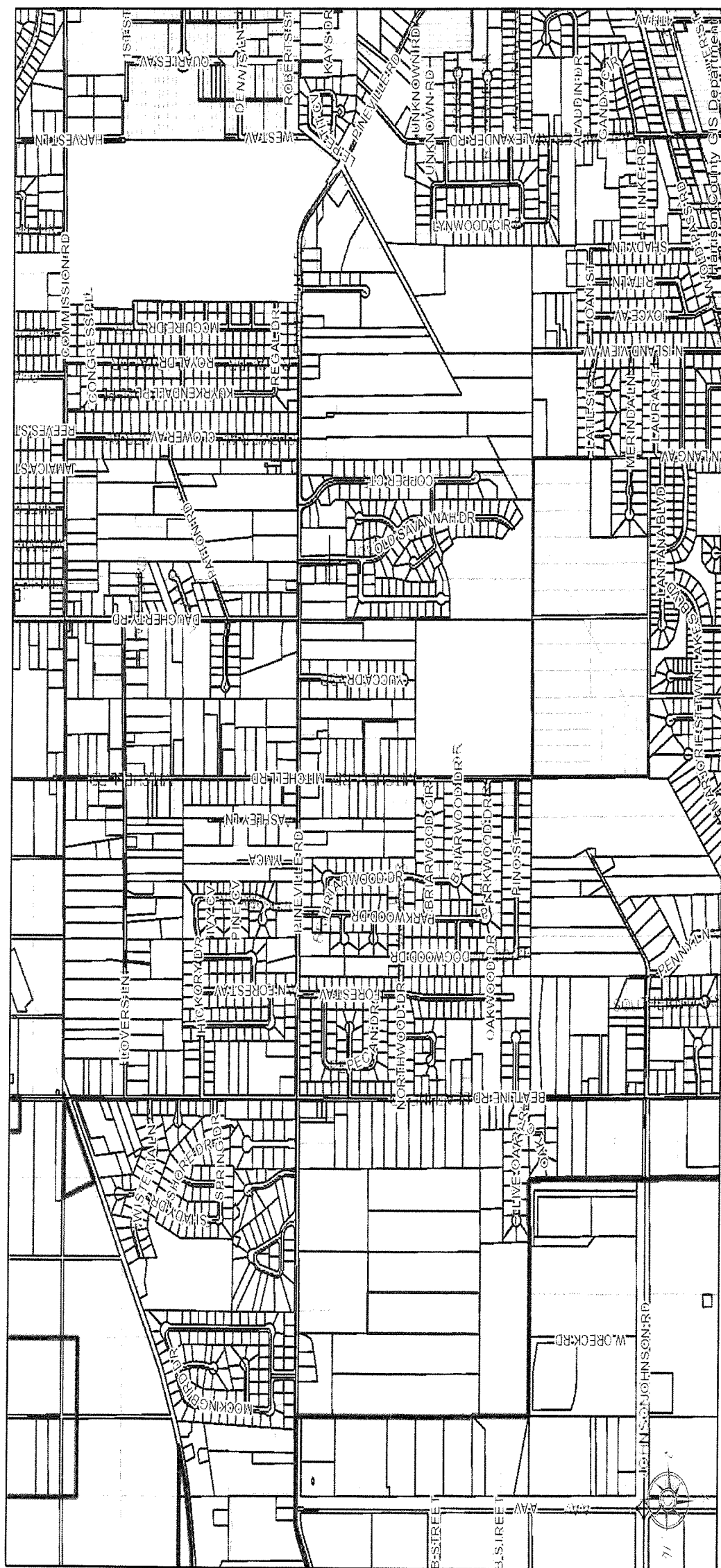
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MAP DATE: May 14, 2020



**MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

0 Beatline Road, 0511N-01-004.006



HARRISON COUNTY, MISSISSIPPI

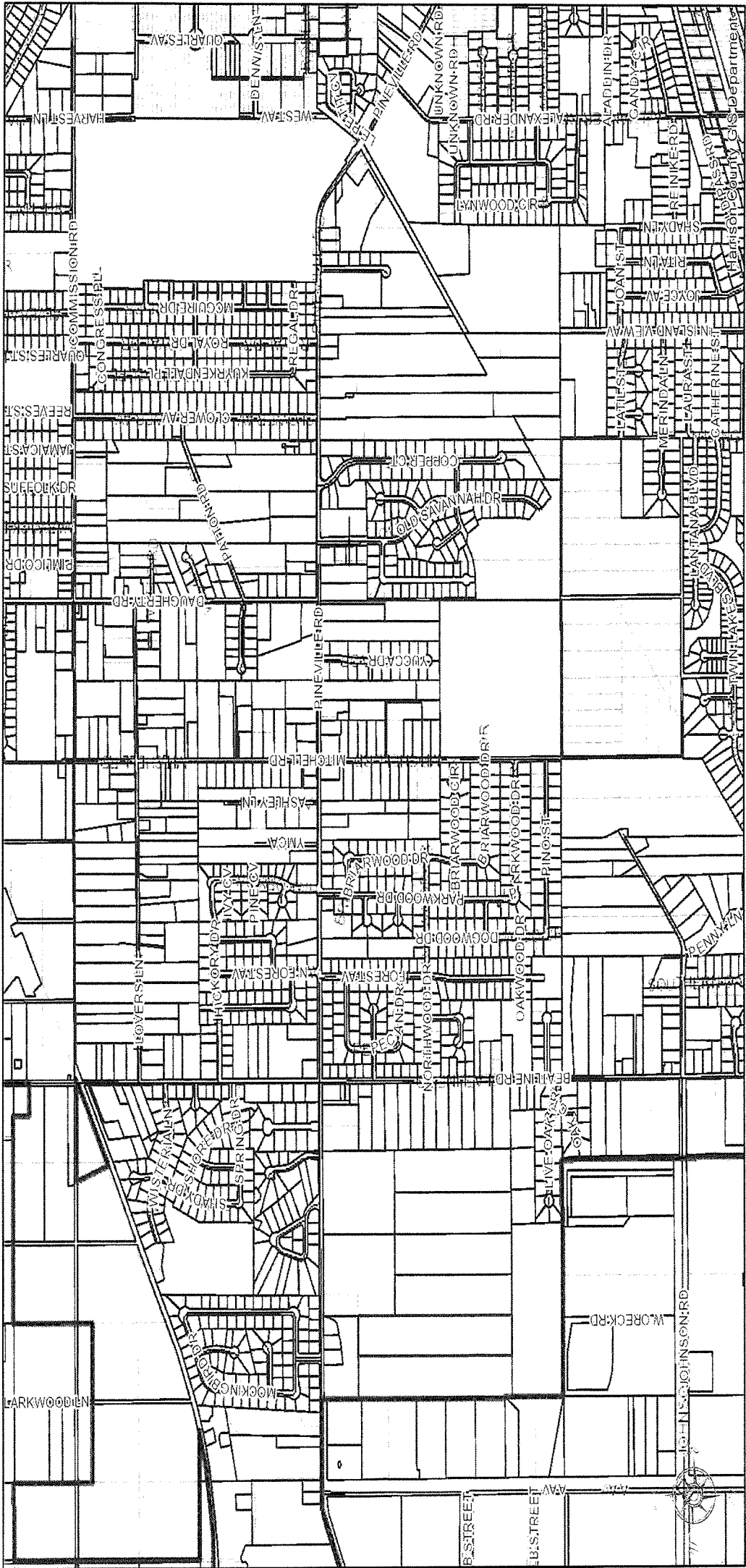
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DATE: May 14, 2020



MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

0 Beatline Road, 05111N-01-004.007



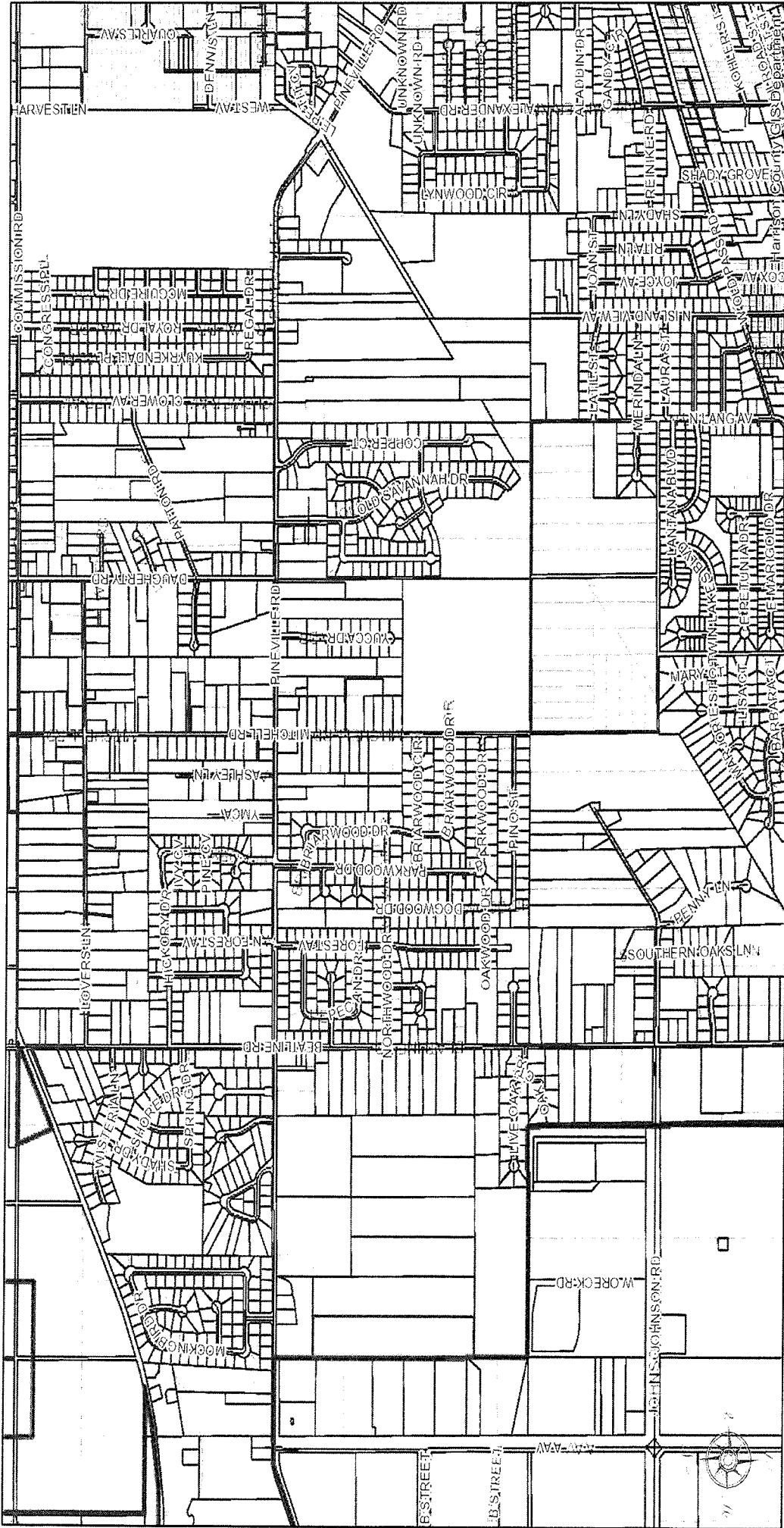
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MINUTES OF JUNE 11, 2020
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION

0 Beatline Road, 05111N-01-004.008



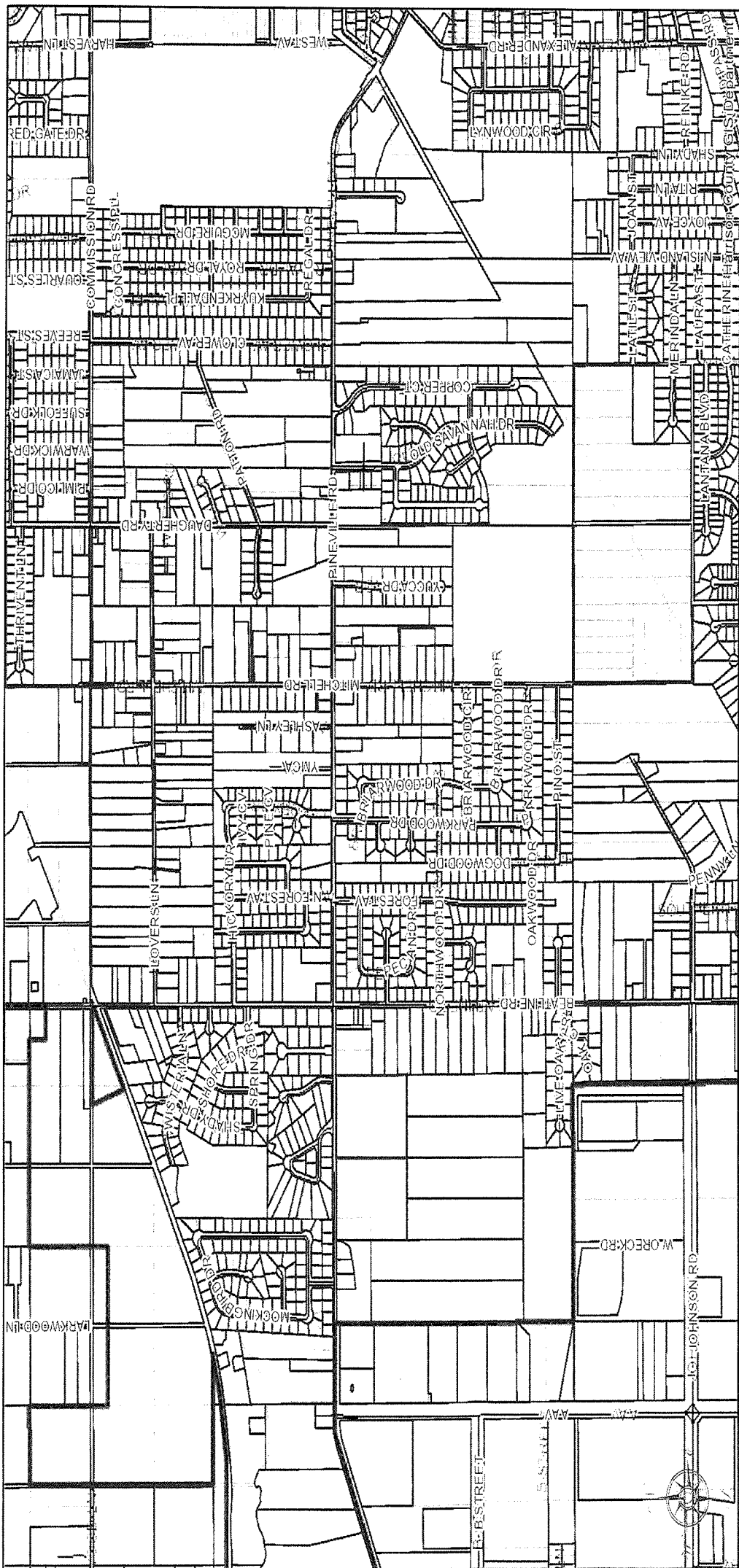
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0 Beatline Road, 0511N-01-004.009



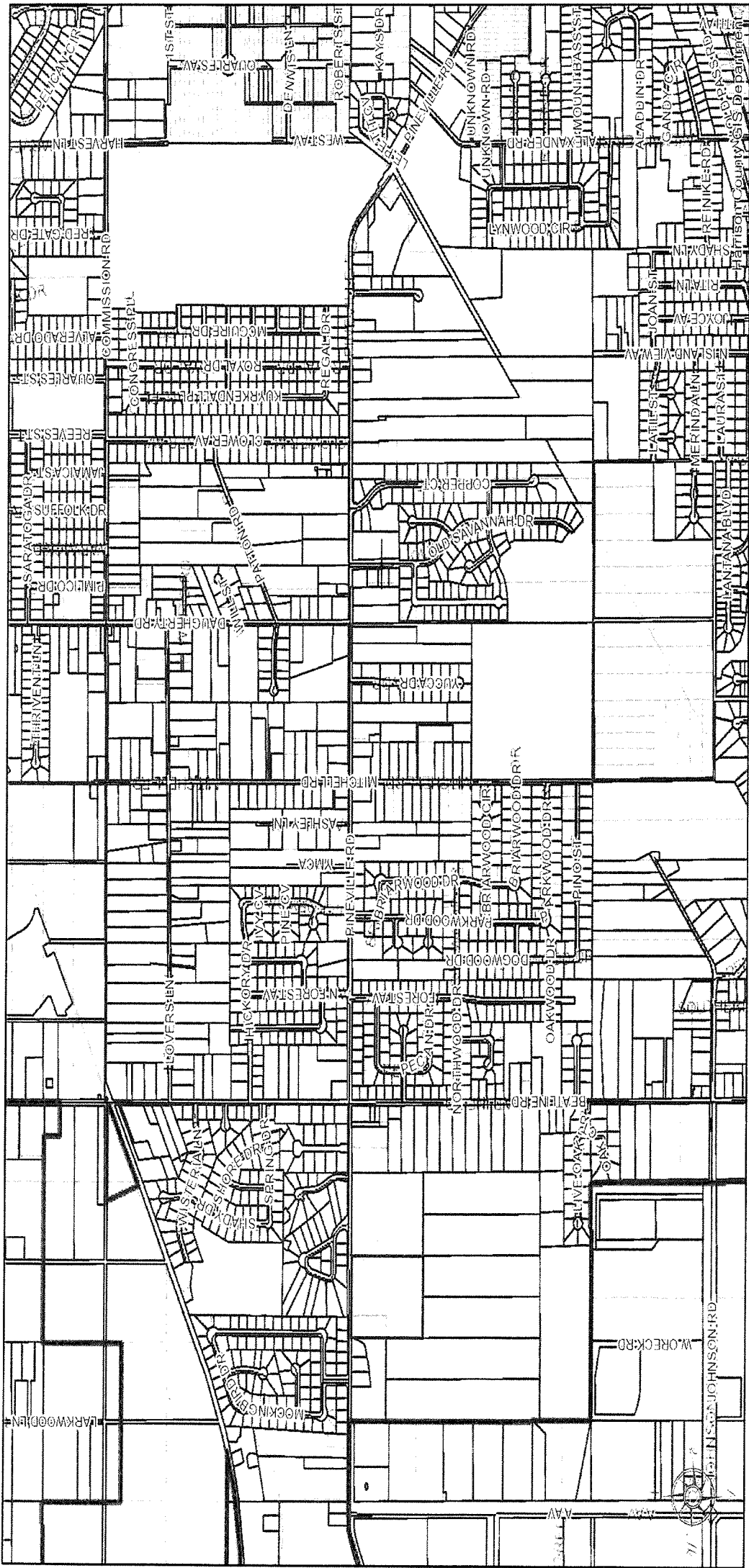
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MINUTES OF JUNE 11, 2020
REGULAR MEETING
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0 Beatline Road, 05111N-01-004.010



HARRISON COUNTY, MISSISSIPPI

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TAL FLURRY, TAX ASSESSOR.

MAP DATE: May 14, 2020

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

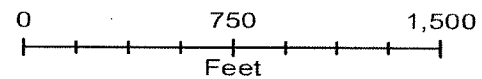
0 Beatline Road, 0511N-01-004.011



HARRISON COUNTY, MISSISSIPPI

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MAP DATE: May 14, 2020





MINUTES OF JUNE 11, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

To act on the behalf of Sellers, Charlies Gant, or his assigns for Subdlvison Development
Application to the City Long Beach, MS 39560.

PROPERTY DESCRIPTION:

Parcels Harrison County, MS:

0511N-01-004.000, 0511N-01-004.001, 0511N-01-004.002, 0511N-01-004.003,
0511N-01-004.004, 0511N-01-004.005, 0511N-01-004.006, 0511N-01-004.007,
0511N-01-004.008, 0511N-01-004.009, 0511N-01-004.010, 0511N-01-004.011

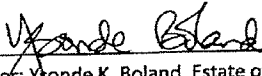
Attached is Plat tax parcels (red mark pin)

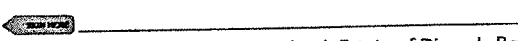
Street Address: 0 Beatline Rd and Pineville Rd, Long Beach MS 39560

Property Agent: Charlie Gant, or his Assigns action on behalf of the Sellers

We certify that We are the Owners of the above referenced property. As such, We hereby
authorizes Charlie Gant to act on our behalf and as our agent to take all actions necessary for
the processing, issuance and acceptance of this application or certification and any and all
standard and special conditions, Change of Use Application with the City of Long Beach
Development – Planning Division.

We hereby certify the above information submitted in this application is true and accurate to
the best of our knowledge for Charlies Gant, or his assigns.


Date: 4-23-20
Seller: Ysonde K. Boland, Estate of Diane L. Boland
Heirs at Law


Date: _____
Seller: Kurt Cameron Boland, Estate of Diane L. Boland
Heirs at Law

To act on the behalf of Sellers, Charlies Gant, or his assigns for Subdivision Development
Application to the City Long Beach, MS 39560.

PROPERTY DESCRIPTION:

Parcels Harrison County, MS:

0511N-01-004.000, 0511N-01-004.001, 0511N-01-004.002, 0511N-01-004.003,
0511N-01-004.004, 0511N-01-004.005, 0511N-01-004.006, 0511N-01-004.007,
0511N-01-004.008, 0511N-01-004.009, 0511N-01-004.010, 0511N-01-004.011

Attached is Plat tax parcels (red mark pin)

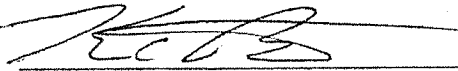
Street Address: 0 Beatline Rd and Pineville Rd, Long Beach MS 39560

Property Agent: Charlie Gant, or his Assigns action on behalf of the Sellers

We certify that We are the Owners of the above referenced property. As such, We hereby
authorizes Charlie Gant to act on our behalf and as our agent to take all actions necessary for
the processing, issuance and acceptance of this application or certification and any and all
standard and special conditions, Change of Use Application with the City of Long Beach
Development – Planning Division.

We hereby certify the above information submitted in this application is true and accurate to
the best of our knowledge for Charlies Gant, or his assigns.

Date: _____
Seller: Ysonde K. Boland, Estate of Diane L. Boland
Heirs at Law


Date: April 23, 2020
Seller: Kurt Cameron Boland, Estate of Diane L. Boland
Heirs at Law

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After considerable discussion with Mr. Gant, no action was taken.

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

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

Walker introduced in writing the following Ordinance.

ORDINANCE 364

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

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

SECTION 1. Short Title

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

SECTION 2. Intent and Purpose

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

SECTION 3. Definitions

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

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

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

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

"Mayor" shall mean the Mayor of the City.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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SECTION 6. PLANNING COMMISSION REVIEW OF PERMIT APPLICATION.

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

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

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(j) The need for visual screening in transitional zones or relief from glare, blight, commercial or industrial ugliness or any other visual affront.

(k) Whether the continued presence of the tree or trees is likely to cause danger to a person or property.

(l) Whether the topography of the area in which the tree or trees is located is of such a nature to be damaging or injurious to trees.

(m) Whether the removal of the trees is for the purpose of thinning a heavily wooded area where some trees will remain.

(n) These provisions shall not apply to:

(a) The removal of trees from commercial or horticultural properties such as farms, nurseries, or commercial forests. This exception shall not be interpreted to include lumber harvesting incidental to imminent development of the land.

(b) The removal of trees on public rights-of-ways conducted by or on behalf of a Federal, State, County, Municipal, or other governmental agency in pursuance of its lawful activities or functions in the construction or improvement of public rights-of-ways.

(c) The removal of a tree which has become or threatens to become a danger to human life or property.

(o) In submitting its recommendations to the Governing Body of the City, the Planning Commission shall state its reasons for either a recommendation for granting or denying the application for the Tree Removal Permit.

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

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

(b) As a condition of granting the Tree Removal Permit, the City, acting by and through its Mayor and Board of Aldermen, may require the applicant to relocate or replace trees, but may not require the replacement of trees in a number greater than the number of Live Oak or Magnolia Trees removed; trees to be of four (4) inches caliper deciduous trees or five (5) feet in height of evergreen or Live Oak or Magnolia trees.

SECTION 8. REMOVAL OF TREE, PENALTIES.

(a) Any person removing any Live Oak or Magnolia tree within the City of Long Beach, Mississippi, without a valid Tree Removal Permit, shall be guilty of a misdemeanor; and upon conviction thereof shall be sentenced to pay a fine not less than \$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.

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

SECTION 9. HEADINGS, CATCH PHRASES.

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

SECTION 10. EMERGENCIES.

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

SECTION 11. SEPARABILITY.

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

SECTION 12. EFFECTIVE DATE.

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

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

Alderman Sal Giuffria	voted	<u>Yea</u>
Alderman Miriam Graves	voted	<u>Yea</u>
Alderman Mike Lawless	voted	<u>Yea</u>

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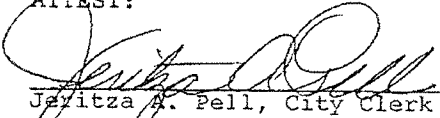
1	Alderman Donald Logan	voted	<u>Yea</u>
	Alderman Wayne O'Neal	voted	<u>Absent</u> and not voting
	Alderman Michael Rutledge	voted	<u>Yea</u>
	Alderman Fred Walker	voted	<u>Yea</u>

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

APPROVED:


Glenn W. Mitchell, Mayor

ATTEST:


Jeritza A. Pell, City Clerk

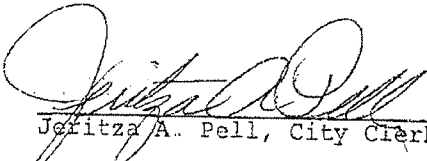
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CERTIFICATE

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

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


Jeritza A. Pell, City Clerk

(SEAL)

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ORDINANCE NO. 490

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

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

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

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

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

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

(a) It shall be unlawful for any person to remove or cause or assist in the removal of any Live Oak or Magnolia tree within the City of Long Beach, Mississippi, without first having obtained a valid tree removal permit. For the purpose of this section, a tree is any self-supporting Live Oak or Magnolia tree with its root system, growing upon the earth usually with one trunk or at least eighteen (18) inches in circumference or larger, measured four and one-half (4 ½) feet above the surface of the ground, or a multi-stemmed trunk system with a definitely formed crown.

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

(1) Name and address of the applicant and status of legal entity

(2) Status of applicant with respect to the land upon which such tree or trees is or are located

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

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

"SECTION 7. FINAL APPROVAL OF GOVERNING BODY REQUIRED FOR TREE

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REMOVAL PERMIT

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

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

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

\$45.00 per tree permitted to be removed."

SECTION 3. Severability

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

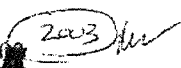
SECTION 4 Effective Date

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

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

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

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

APPROVED:


ROBERT E. BASS, JR., MAYOR

ATTEST:


REBECCA E. SCHRUFF, CITY CLERK

C E R T I F I C A T E

**STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH**

I, the undersigned, Rebecca E. Schruff, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #490^{2nd} of the City of Long Beach, Mississippi adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on the 21st day of October, 2003, as the same appears of record in Ordinance Book #6, pages 498-501, inclusive, in my office at the City Hall in said City.

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

(SEAL)


Rebecca E. Schruff, City Clerk

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REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

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ORDINANCE NO. 491

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

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

1 That in order to more effectively fulfill the purpose and intent of the City's "Tree Ordinance", being Ordinance No. 364, and equitably assess the cost of application and enforcement of same, particularly in those instances where removal of a tree or trees is necessitated by material damage caused by such tree or trees to permanent improvement or improvements on the parcel where such tree or trees are situated, it is necessary to amend the permit fees for trees permitted to be removed pursuant to the said ordinance. Now therefore,

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

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

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

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

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

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

- 1) For Removal of a tree or trees where such removal of such tree or trees is necessitated by material damage caused by such tree or trees to permanent improvement or improvements on the parcel where such tree or trees are situated, a fee of \$ 1.00 per tree permitted to be removed;
- 2) For Removal of all other trees, a fee of \$45.00 per tree permitted to be removed"

SECTION 2. Severability

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

SECTION 3 Effective Date

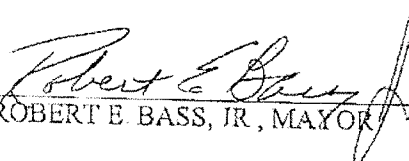
This ordinance shall take effect and be and force thirty (30) days after its adoption, publication and enrollment thereof as provided by law

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

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

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

APPROVED:


ROBERT E. BASS, JR., MAYOR

ATTEST:


REBECCA E. SCHRUFF, CITY CLERK

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C E R T I F I C A T E

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

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

(SEAL)


Rebecca E. Schruoff, City Clerk

After considerable discussion, no action was taken.

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

APPROVED:

Commission Chairman Frank Olaivar

DATE: _____

ATTEST:

Tina M. Dahl, Minutes Clerk