

MINUTES OF JULY 27, 2017 PLANNING COMMISSION

Be it remembered that a public hearings of the Long Beach Planning Commission of the City of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 27th of July 2017, 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 public hearing.

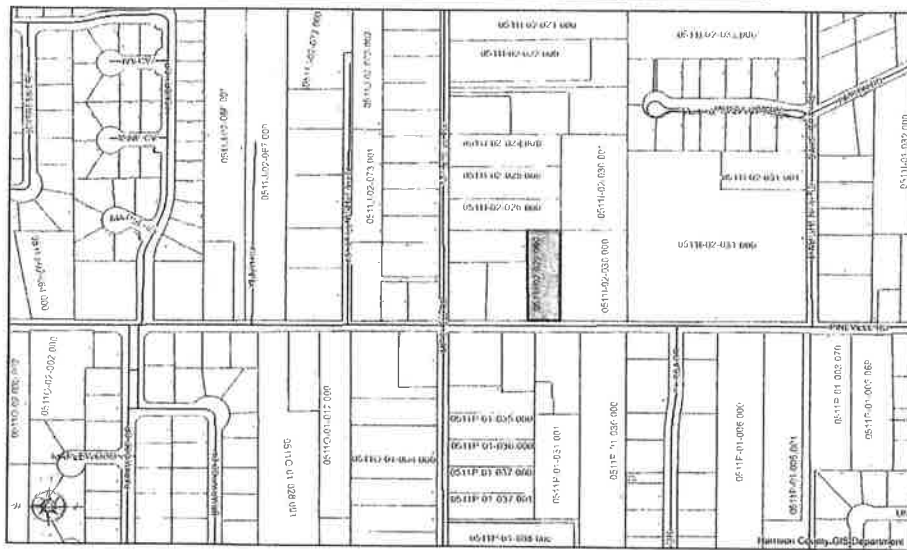
There was present and in attendance on said Commission and at the public hearing the following named persons: Commission Chairman Frank Olaivar, Commissioners Shawn Barlow, Jeff Hansen, Judy Wood, Chris Carrubba, Eddie Seal, Mark McMillan, Mike Gundlach, Randy Fischer, Planning Commission Consultant/Advisor Bill Hessell, and minutes Clerk Veronica Howard.

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

* * *

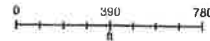
The public hearing to consider a short-term rental, for property located at 20092 Pineville Road, tax parcel #05111-02-029.000, submitted by Joni Maloy was called to order:

20092 PINEVILLE ROAD - TAX PARCEL 05111-02-029.000



HARRISON COUNTY, MISSISSIPPI

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED BY THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP. THE PLANNING COMMISSION HAS NO LIABILITY FOR ANY ERRORS OR OMISSIONS. MAP DATE: July 27, 2017



**MINUTES OF JULY 27, 2017
PLANNING 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>20092 Pineville Rd</u>		Tax Parcel # <u>05111-02-029.000</u>									
<small>(Location of Short-Term Rental)</small>											
OWNER'S INFORMATION:											
Property Owner's Name: <u>Joni Maloy</u>											
Property Owner's Address: <u>22230 Pineville Rd, Pass Christian MS 39571</u>											
Property Owner's Mailing Address, if different from above:											
<small>City State Zip</small>											
Property Owner's Phone No: <u>228-493-3878</u>		Email Address: <u>Joni.Maloy@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>Joni Maloy</u>											
Property Manger's Address: (Must be a local contact) <u>22230 Pineville Rd, Pass Christian MS 39571</u>											
<small>City State Zip</small>											
Property Manager's Phone No.: <u>228-493-3878</u>		Email Address: <u>Joni.Maloy@gmail.com</u>									
PLEASE PROVIDE THE FOLLOWING:											
<ul style="list-style-type: none"> • Mississippi Sales Tax ID # _____ <u>sales & use tax applied for conf # 1-832-123-520</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>Joni Maloy</u>		<u>Joni Maloy</u>	<u>5/8/2017</u>								
<small>PRINT NAME</small>		<small>SIGNATURE</small>	<small>DATE</small>								
BELOW IS FOR OFFICE USE ONLY											
Maximum Occupancy:	Maximum Vehicles allowed:	Number of bedrooms:	Number of people home can accommodate:								
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>John Eastman</u>		Date: <u>6/27/17</u>									
Fire Inspector Signature: <u>Greg Shellis</u>		Date: <u>6/27/17</u>									
COMMENTS:											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Date Received: <u>5/10/2017</u></td> <td> </td> </tr> <tr> <td>Agenda Date: <u>6/27/2017</u></td> <td> </td> </tr> <tr> <td>Amount Due/Paid: <u>\$200.00</u></td> <td> </td> </tr> <tr> <td>Check #: <u>220</u></td> <td> </td> </tr> </table>				Date Received: <u>5/10/2017</u>		Agenda Date: <u>6/27/2017</u>		Amount Due/Paid: <u>\$200.00</u>		Check #: <u>220</u>	
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Agenda Date: <u>6/27/2017</u>											
Amount Due/Paid: <u>\$200.00</u>											
Check #: <u>220</u>											

*Out of town June 8, 2017

MINUTES OF JULY 27, 2017 PLANNING COMMISSION

CONFIRMATION


Your request has been submitted and your confirmation number is 1 832-123-520.

Mississippi Department of Revenue | Help | Security | Contact Us

Parking Rules/Plan and Trash Management for 20092 Pineville Rd

Parking will only be allowed on the property.
Garbage will be set out at the street no earlier than Sunday evening and Wednesday evening and returned to the house after garbage pick up by me or occupants.

Joni Maloy
5/10/2017



Rental Rules/ Contract

- The home is located at 20092 Pineville Rd, Long Beach MS 39560.
All correspondence should be sent to Joni Maloy at 20092 Pineville Rd, Long Beach MS 39560. My phone number is 228-493-3878.
1. CHECK-IN TIME IS AFTER 4 P.M. CST AND CHECK-OUT IS BY 10 A.M. CST. NO Early Check-ins or late check-outs.
 2. This is a NON SMOKING house. Any evidence of smoking inside the house will result in the forfeiture of the security deposit and may incur additional fees for cleaning.
 3. Pets are permitted in the rental house only with prior approval. Pet owners are responsible for cleaning up of any/all pet refuse. Pets are not allowed on furniture at any time. Any evidence of pets on furniture may incur extra cleaning fees. All pets must be up to date on rabies vaccinations and all other vaccinations. Heartworm prevention is highly recommended. All pets are to be treated with Advantage or similar flea and tick repellent three (3) days prior to arrival.
 4. DAMAGE/RESERVATION DEPOSIT- A damage/reservation deposit of \$250 is required. The deposit automatically converts to a security/damage deposit upon arrival. The deposit is NOT applied toward rent; however, it 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 charges accrued during the stay are paid prior to departure.
 - e. No linens are lost or damaged.
 - f. NO Early check-in or late check out.
 5. PAYMENT - At least half the total amount is due at booking, with the remaining balance due at least thirty (30) days before reservation.
 6. CANCELLATIONS - A sixty (60) day notice is required for cancellation. Cancellations that are made more than sixty (60) days prior to the arrival date will incur a \$200 cancellation fee. Cancellations or changes that result in a shortened stay, that are made within 60 days of the arrival date, forfeit the full advance payment and damage/reservation deposit. Cancellation or early departure does not warrant any refund of rent or deposit.
 7. MONTHLY RESERVATION CANCELLATIONS - Monthly renters must cancel one hundred twenty (120) days prior to check-in. Monthly renters who make a change that results in a shortened stay must be made at least ninety (90) days prior to check-in.
 8. FALSIFIED RESERVATIONS - Any reservation obtained under false

**MINUTES OF JULY 27, 2017
PLANNING COMMISSION**

pretense will be subject to forfeiture of advance payment, deposit and/or rental money, and the party will not be permitted to check in.

9. WRITTEN EXCEPTIONS - Any exceptions to the above mentioned policies must be approved in writing in advance.

10. POOL - If a pool is on the property, Please keep pool gates closed. Children under the age of 12, non-swimmers and pets are not allowed in the pool area without adult supervision.

11. STORM POLICY - No refunds will be given for storms.

12. This house is privately owned; the owners are not responsible for any accidents, injuries or illness 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: _____

Names of all occupants: _____

 <p align="center">LEXINGTON INSURANCE COMPANY HO3 Homeowner Declaration Page</p>	
<p>NOTE: This insurance policy is issued pursuant to Mississippi law covering surplus lines insurance. The company issuing the policy is not licensed by the State of Mississippi, but is authorized to do business in Mississippi as a nonadmitted company. The policy is not protected by the Mississippi Insurance Guaranty Association in the event of the insurer's insolvency.</p>	
<p align="center">Missey Bosarge Procuring Agent's Name</p>	
<p>Policy Number: 41947021 - 01</p>	<p>Renewal of Policy Number: 41947021</p>
<p>Name of Insured and Mailing Address: Maloy, Joni Maloy, Billy 20092 PINEVILLE RD LONG BEACH, MS 39560-3207</p>	<p>Broker Name and Address: Gumtree Wholesale Insurance Brokers 2616 Lakeward Drive Jackson, MS 39216 228-563-6137</p>
<p>Policy Term: 06/16/2016</p>	<p>Expiration: 06/16/2017</p>
<p align="right">12:01 AM Standard Time at the Insured's residence premises.</p>	
<p>The residence premises covered by this policy is located at the above address, unless otherwise stated.</p>	
<p>Insurance is provided only with respect to those special limits of liability applicable thereto:</p>	
<p>Coverage Part 1 - Homeowners</p> <ul style="list-style-type: none"> - Coverage A: Dwelling \$280,000 - Coverage B: Other Structures \$43,400 - Coverage C: Contents \$25,000 - Coverage D: Loss of Use \$43,400 - Loss Assessment: \$1,000 - Ordinance or Law: 10% - Coverage E: Personal Liability \$500,000 - Coverage F: Medical Payments to Others \$5,000 	<p>Coverage Part 2 - Personal Umbrella</p> <ul style="list-style-type: none"> - Umbrella Limit \$ 0 - Self Insured Retention \$ 0 <p>Coverage Part 3 - Excess Flood</p> <ul style="list-style-type: none"> - Building \$ 0 - Contents \$ 0 <p>Coverage Part 4 - Scheduled Property</p> <ul style="list-style-type: none"> - Total Scheduled Property \$ 0
<p>Homeowner Deductibles</p> <ul style="list-style-type: none"> All Other Perils: \$2,500 Wind Hail: 2% Earthquake: Excluded Special: Theft \$2,500 Special: None \$N/A 	<p>Annual Premium: \$3,023.00</p> <ul style="list-style-type: none"> Policy Premium: \$3,023.00 Inspection Fee: 0 SL Broker Fee: \$75.00 Surplus Lines Taxes: \$123.92 Stamping Fee: \$7.75 Non-Admitted Fee: \$92.94 <p align="right">Total Due: \$3,322.61</p>
<p>Minimum Earned Premium: \$0</p>	<p>Sub Broker Information</p>
<p>Homeowners Rating Information</p> <ul style="list-style-type: none"> Territory: 06 Protection Class: 5 County: HARRISON-MS EQ Zone: NA Construction: Veneer Masonry Yr Built: 1974 	<p>Name: BancorpSouth Insurance - Gulfport, MS Addr 1: 2909 13th Street Addr 2: City, State, Zip: Gulfport, MS 39501</p>
<p>Forms and Endorsements made part of this policy at time of issuance:</p>	
<p>This declaration page with policy provisions and endorsements, if any, issued to form a part, thereof, completes the above numbered homeowner's policy</p>	
<p>Countersignature Date: 06/15/2016</p>	<p>Countersignature: Authorized Representative: <i>Jane A. Co.</i></p>
<p>LexElite 11/00</p>	

MINUTES OF JULY 27, 2017
PLANNING COMMISSION

STATE OF MISSISSIPPI

COUNTY OF HARRISON

BOOK 1245 PAGE 95

ENTER

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, LIONEL T. FAYARD and wife, SYBIL O. FAYARD, 22180 Mercedes Drive, Gulfport, MS 39503, (601) 832-2008, do hereby sell, convey and warrant unto BILLY R. MALOY, JR. and wife, JONI D. MALOY, 20092 Pineville Road, Long Beach, MS. 39560, (601) 868-6574 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:

Commencing at a point which is a distance of 240 feet West of the Southeast corner of the West One-half (W 1/2) of the Southwest One-Fourth of the Northeast One-Fourth (SW 1/4 of NE 1/4) of Section 10, Township 8 South, Range 12 West, First Judicial District of Harrison County, Mississippi, to a Point of Beginning, which point is on the North right-of-way line of Pineville Road; thence run North 0 degrees 0 minutes West a distance of 349 feet to a point; thence run West a distance of 120.7 feet to a point; thence run South 349 feet to a point on the North right-of-way line of Pineville Road; thence run East a distance of 120.7 feet to the Point of Beginning, comprising of .967 acres. (Being situated in Long Beach Section Block Number Forty-three (43))

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 Grantees herein.

WITNESS OUR SIGNATURES, on this the 15th day of June, 1993.


LIONEL T. FAYARD

The clerk reported that ten (10) notices of public hearing were sent by regular mail, to property owners within two hundred feet (200') of the subject property. Notices were also posted on the bulletin boards at City Hall, the Building Official's office, and the Water Department, 201 Jeff Davis Avenue; Said notice was ordered as part of these proceedings:

City of Long Beach



LEGAL NOTICE

PUBLIC HEARING

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

Joni Maloy, 22230 Pineville Road, Pass Christian, MS 39571 has filed an application for a short-term rental in accordance with the Comprehensive Long Beach Unified Land Ordinance, Section 131: Short Term Rentals-Residential (Ordinance 622). The location of the requested short-term rental is 20092 Pineville Road, Long Beach, Mississippi 39560, tax parcel number 05111-02-029.0100. The legal description is as follows:

Commencing at a point which is a distance of 240 feet West of the Southeast corner of the West One-half (W ½) of the Southwest One-Fourth of the Northeast One-Fourth (SW ¼ of NE ¼) of Section 10, Township 8 South, Range 12 West, First Judicial District of Harrison County, Mississippi, to a point of beginning, which point is on the North right-of-way line of Pineville Road; thence run North 0 degrees 0 minutes West a distance of 349 feet to a point; thence run West a distance of 120.7 feet to a point; thence run South 349 feet to a point on the North right-of-way line of Pineville Road; thence run East a distance of 120.7 feet to the Point of Beginning, comprising of .967 acres. (Being situated in Long Beach Section Block Number Forth-three (43))

A public hearing to consider the above short-term rental will be held in the City of Long Beach, Mississippi 39560, Thursday, July 27, 2017, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

MINUTES OF JULY 27, 2017
PLANNING 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, **VERONICA HOWARD**, known to me to be the Minutes Clerk of the City of Long Beach, Mississippi, Planning Commission, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

1. That she is the duly appointed and acting Minutes Clerk of the City of Long Beach, Mississippi, Planning Commission;

2. That in such capacity, she is responsible for mailing Notices of Public Hearing for the purpose of notifying property owners within Two Hundred Feet (200') 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 Commission in and for the City of Long Beach;

3. That on June 27, 2017, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 10 property owners within 200' of 20092 Pineville Road - Tax Parcel No. 05111-02-029.000 notifying them that a public meeting will be held, July 27, 2017, to consider an application for a Short-term Rental filed by Joni Maloy.

Given under my hand this the 27th of June, 2017.

Rebecca E. Schrupf
REBECCA E. SCHRUPF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 27th day of June 2017.

-My Commission Expires-

Stacey Dahl
NOTARY PUBLIC



AFFIDAVIT- PHOTOS/POST NOTICE

Use Avery® TEMPLATE 5160® Feed Paper for Easy Peel Feature AVERY® 5160®

BILLY & JONI MALOY
20092 PINEVILLE RD
LONG BEACH MS 39560

ALEXANDER & MELISSA KROL
PO BOX 125
LONG BEACH MS 39560

ALEXANDER AND/OR RENA KROL
12090 NEW ORLEANS AVE
GULFPORT MS 39503

MELVIN BRISOLARA & BARBARA REED
5128 MITCHELL RD
LONG BEACH MS 39560

MICHAEL PIETY
5118 MITCHELL RD
LONG BEACH MS 39560

JERRY DANIELS
21178 PINEVILLE RD
LONG BEACH MS 39560

HOWARD & JOYCE DANIELS
20096 PINEVILLE RD
LONG BEACH MS 39560

SMITH TIRE & AUTO SERVICE INC
PO BOX 395
LONG BEACH MS 39560

JOSEPH STAPLETON & APRIL PATTERSON
20097 PINEVILLE RD
LONG BEACH MS 39560

DAVID REEVES
20091 PINEVILLE RD
LONG BEACH MS 39560

DAVID COBB & WIFE
20085 PINEVILLE RD
LONG BEACH MS 39560

MINUTES OF JULY 27, 2017
PLANNING COMMISSION

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

Proof of Publication

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Crista Brackett who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city of Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 1 times in the following numbers and on the following dates of such paper, viz:

- Vol. 133 No. 270 dated 30 day of June, 2017
- 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 a period of more than twelve months next prior to the first publication of said notice.

Crista Brackett

Clerk

Sworn to and subscribed before me this 30 day of June A.D., 2017

Meri A Jackson

Notary Public

LEGAL NOTICE
PUBLIC HEARING
In accordance with Article XIX of the Comprehensive Long Beach Unified Land Ordinance 699 of the City of Long Beach, Mississippi (2013) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a Short-Term Rental.
Joni Mabry, 82290 Pinaville Road, Palm Christian, MS 39271 has filed an application for a short-term rental in accordance with the Comprehensive Long Beach Unified Land Ordinance, Section 1511: Short Term Rentals-Residential (Ordinance 622).
The location of the requested short-term rental is 30092 Pinaville Road, Long Beach, Mississippi 38560, tax parcel number 15111-00-009-0190. The legal description is as follows:
Commencing at a point which is a distance of 240 feet West of the Southwest corner of the West One-half (1/2) of the Southwest One-Fourth of the Northwest One-Fourth 1/4 of the 1/4 of Section 10, Township 8 South, Range 18 West, First Judicial District of Harrison County, Mississippi, to a point of beginning, which point is on the North right-of-way line of Pinaville Road; thence run North 0 degrees 0 minutes West a distance of 640 feet to a point; thence run West a distance of 180.7 feet to a point; thence run South 89 degrees to a point on the North right-of-way line of Reservoir Road; thence run East a distance of 180.7 feet to the Point of Beginning, comprising of .057 acres, (being situated in Long Beach Section Block Number Fourteen (43)).
A public hearing to consider the above short-term rental will be held in the City of Long Beach, Mississippi 39560, Thursday, July 27, 2017, at 8:30 p.m. in the Long Beach City Hall Meeting Room located at 201 Jill Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning this petition.
At signed
Chairman
Planning Commission
ADV90, LPH 1861036

*The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



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 PLANNING COMMISSION

Mrs. Maloy came forward to reiterate her application.

* * *

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

- Kenny and Joyce Daniels, 20096 Pineville Road, stated Mrs. Maloy has always been a good neighbor and they support her short-term rental approval.

* * *

Commission Chairman called for anyone speaking in opposition of the request, no one came forward to be heard.

* * *

Commissioner Hansen made motion seconded by Commissioner Carrubba and unanimously carried to close the public hearing.

Commissioner Carrubba made motion seconded by Commissioner Hansen, recommending approval of the short-term rental in accordance with the short-term rental Ordinance No. 622; whereupon Commissioner Gundlach called for discussion. After discussion, the Commission Chairman put the question to a roll call vote, the results were as follows:

Commissioner Barlow	Aye
Commissioner McMillan	Aye
Commissioner Hansen	Aye
Commissioner Seal	Aye
Commissioner Gundlach	Nay
Commission Wood	Aye
Commissioner Fischer	Aye
Commissioner Carrubba	Aye

The question having received the affirmative of the Commission member present and voting the Commission Chairman declared the motion, recommending approval, passed.

Be it remembered that a regular meeting of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 27th of July 2017, 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 meeting.

There was present and in attendance on said Commission and at the meeting following named persons: Commission Chairman Frank Olaivar, Commissioners Shawn Barlow, Jeff Hansen, Judy Wood, Chris Carrubba, Eddie Seal, Mark McMillan, Mike Gundlach, Randy Fischer, Planning Commission Advisor/Consultant Bill Hessell, and minutes Clerk Veronica Howard. There being a quorum present and sufficient to transact the business of this meeting, the following proceedings were had and done.

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Commissioner Carrubba made motion seconded by Commissioner Hansen and unanimously carried to approve the regular meeting minutes of July 13, 2017, with the following correction:

Page 32, regarding the election of Chairman and Vice-chairman, replace "Commissioner... made motion..." with "Commissioner... made a nomination..."

It came for consideration under old business consideration to amend Section 123(a): Zero Lot Line Residential Uses submitted by the City of Long Beach Planning Commission and tabled from the public hearing held July 13, 2017.

Commissioner Wood made motion, seconded by Commissioner Fischer and unanimously carried recommending amending Section 123(a): Zero Lot Line Residential use as follows:

Section 123(a): Zero Lot Line Residential Uses

The purpose of this use is to provide for the development of moderate to high-density residential uses and structures in moderately spacious surroundings. Designed as to promote efficient land use; permit a more energy efficient arrangement of structures; protect environmentally sensitive areas; or provide more usable private or community open space. Said developments should be designed as to protect the health, safety and welfare of the public. This use may be fulfilled by the use of the zero lot line concepts which permits the construction of detached single-family dwellings on lots without a side yard requirement on one side of the lot. This use may also be used to separate an existing duplex along the common wall. In order to allow any deviation from the following minimum requirements for these types of development, the developer must show evidence that such deviation is in the benefit of the public.

- (a) Site plans: Site plans for zero lot line developments shall show the locations of buildings and/or building sites, streets, drives, alleys, walks, parking, on-site recreation areas (if proposed), yards, the boundary of the development, maintenance easements and all common area.
- (b) Minimum size of development:
 - (1) Two (2) acres or more (see Chart of Uses)
 - (2) Less than two (2) acres (see Chart of Uses)
 - (3) No minimum in the case of separating an existing duplex that complies with this Section.
- (c) Minimum lot area: Zero lot line dwelling units shall have 3,000 square feet.
- (d) Minimum lot width: Thirty (30) feet for zero lot line houses, except that for corner lots the minimum shall be determined based on the minimum requirement for said district.
- (e) Minimum front yard: The same as required for each district, except where the development contains units located on both sides of a dedicated street constructed by the developer in accordance with the Long Beach Subdivision ordinance. In this case the minimum front yard setback may be reduced to fifteen (15) feet. These setback requirements shall be used when private roads are proposed in the development.
- (f) Minimum side yard: In zero lot line developments there shall be no minimum side yard required on one side and fourteen (14) feet on the opposite side. However, for corner lots the minimum side yard required shall be fourteen (14) feet. Also, the minimum side yard required for the dwelling located adjacent to a lot that is not a part of the zero lot line development shall be fourteen (14) feet.
- (g) Minimum rear yard: Use district rear yard minimum.
- (h) All setbacks shall be measured from the property line or the designated easement or common area line.
- (i) Maximum height: The maximum height is thirty-five (35) feet from the adopted Base Flood Elevation.
- (j) Maximum lot coverage: Coverage is limited to sixty-five (65%) percent for all structures.
- (k) Zero lot line dwelling shall be constructed against the lot line on one side of a lot and no windows, doors or other openings shall be permitted on this side. Where adjacent zero lot line dwellings are not constructed against a common lot line, the builder or developer must provide for a perpetual wall maintenance easement of five (5) feet in width along the adjacent lot and parallel with such wall.
- (l) Each zero lot line structure shall abut upon a dedicated public right-of-way. The exception to this requirement shall be a permanent road easement granted to each property owner which said easement allows access to a dedicated public right-of-way. A declaration will be attached to each warranty deed stating that the maintenance for said easement(s) shall be the responsibility of all property owners in development.
- (m) Final plat: All plats shall be prepared in accordance with the Long Beach Subdivision ordinance.
- (n) Owners association: Establishment of an owners' association shall be mandatory when any portion of the development is to be held in common.
- (o) Common areas: All areas of the site plan, other than individual "for sale" lots/units and public rights-of-way shall be shown and designated as "common area", the fee simple title to which shall be conveyed by the developer to the owners' association. Any common area shall not be further subdivided, developed or conveyed by the owners association, except where approved under the provisions of this ordinance. This stipulation shall be so stated in the declarations and noted on the final plat.

MINUTES OF JULY 27, 2017
PLANNING COMMISSION

It came for discussion under unfinished business public and/or private ingress/egress, perpetual easements and right of ways.


No action was taken or needed.

It came for discussion under unfinished business available and/or vacant commercial property and buildings.

No action was taken.

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

APPROVED:



Commission Chairman, Frank Olaivar

Date: _____

ATTEST:



Veronica Howard, Minutes Clerk