MINUTES OF JUNE 22, 2017
PLANNING COMMISSION

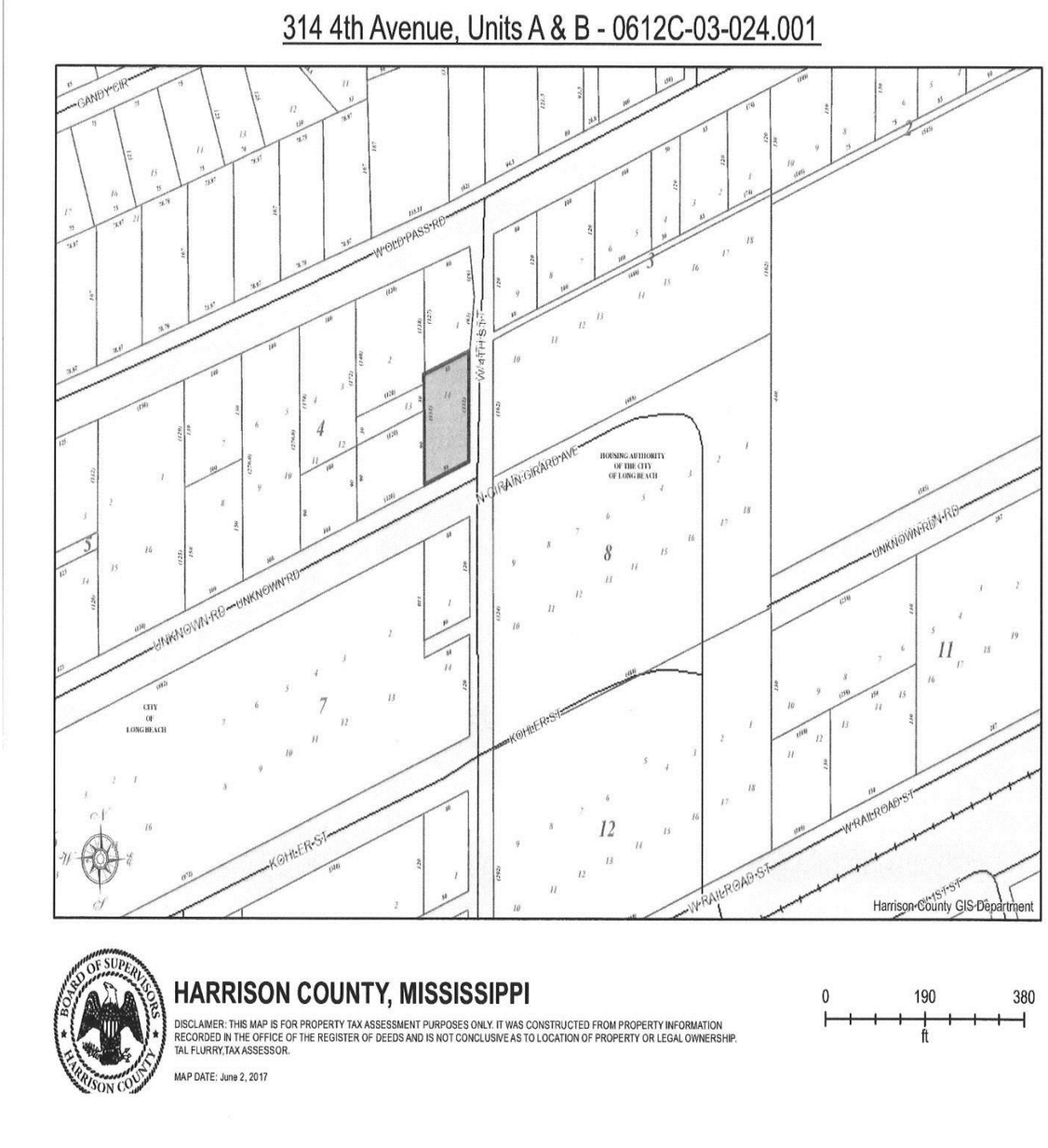
Be it remembered that a public hearings of the Long Beach Planning Commission of the City of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 22nd of June 2017, in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place 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 Donald Frazer, Randy Fischer, Chris Carrubba, Jeff Hansen, Nicholas Brown, Ron Robertson, 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 variance from the required 7500 sq. ft. lot area minimum, in a R-2, Medium Density zone district, for property located at 314 4th Avenue, tax parcel #0612C-03-024.001, submitted by James Ray, Ray Family Trust was called to order:



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

Office use only
Date Received ~~6/1/2017~~ 6/1/2017
Zoning R-2
Agenda Date ~~6/22/17~~ 6/22/17
Check Number 1148

VARIANCE REQUEST

I. Tax Parcel Number(s): 0612C-03-024.001

II. Address of Property Involved: 314 A+B 4th Ave

III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
This property was developed through MDA's Small Rental Assistance Program in 2010 to provide low + Moderate income housing for those impacted by Katrina

****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? This property was developed as a duplex two houses to be attached by an arch. They were permitted and a CO issued. They have been in use since 2010. Until the application for Resubdivision was started we were not aware the set back requirements were not met. Clifford Crosby was the surveyor in 2010 and the present surveyor

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.

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? For these two units to be given to family members in the future and/or bank financing required with present set back violations the property would not qualify for a loan

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. Home behind this property that faces (Unknow) Russell St. appear to violate set backs

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.

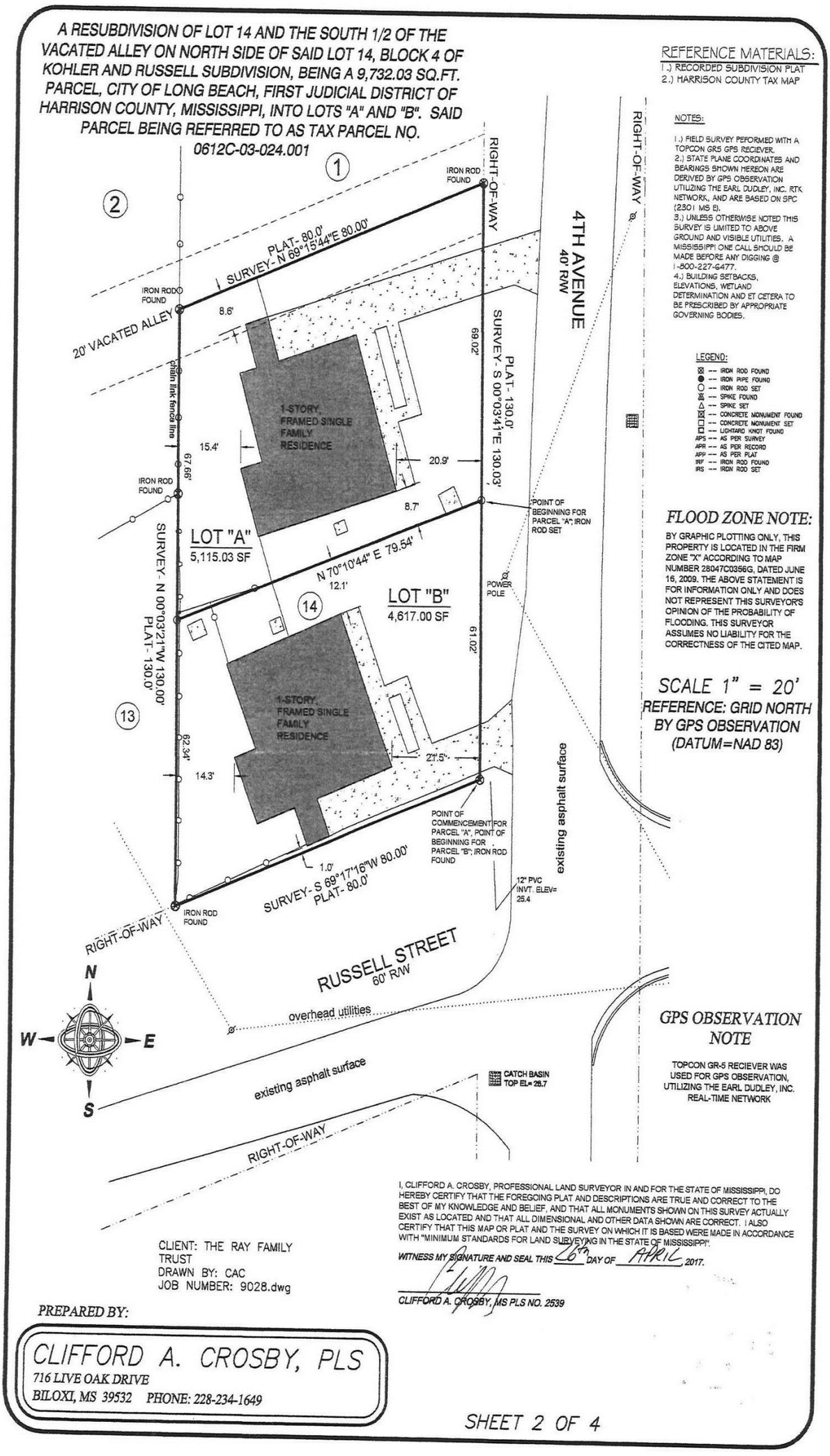
******NOTE*** APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.***

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.

James Ray Ray Family Trust	
Name of Rightful Owner (PRINT)	Name of Agent (PRINT)
470 W. Beach Blvd	
Owner's Mailing Address	Agent's Mailing Address
Long Beach, Ms 39560	
City State Zip	City State Zip
228 323-7771	
Phone	Phone
J. D. Ray, Trustee 4/26/2017	
Signature of Rightful Owner Date	Signature of Applicant Date


A RESUBDIVISION OF LOT 14 AND THE SOUTH 1/2 OF THE VACATED ALLEY ON NORTH SIDE OF SAID LOT 14, BLOCK 4 OF KOHLER AND RUSSELL SUBDIVISION, BEING A 9,732.03 SQ.FT. PARCEL, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, INTO LOTS "A" AND "B". SAID PARCEL BEING REFERRED TO AS TAX PARCEL NO. 0612C-03-024.001
REFERENCE MATERIALS:
1.) RECORDED SUBDIVISION PLAT
2.) HARRISON COUNTY TAX MAP
NOTES:
1.) FIELD SURVEY PEFORMED WITH A TOPCON GR5 GPS RECIEVER.
2.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE DERIVED BY GPS OBSERVATION UTILIZING THE EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPC (2301 MS E).
3.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-227-6477.
4.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE 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
AS PER SURVEY
AS PER RECORD
AS PER PLAT
IRON ROD FOUND
IRON ROD SET
1
2
13
14
IRON ROD FOUND
PLAT- 80.0'
SURVEY- N 69°15'44"E 80.00'
20' VACATED ALLEY
8.6'
RIGHT-OF-WAY
4TH AVENUE
40' R/W
RIGHT-OF-WAY
69.02'
PLAT- 130.0'
SURVEY- S 00°03'41"E 130.03'
chain link fence line
1-STORY, FRAMED SINGLE FAMILY RESIDENCE
15.4'
20.9'
67.66'
IRON ROD FOUND
8.7'
POINT OF BEGINNING FOR PARCEL "A"; IRON ROD SET
LOT "A"
5,115.03 SF
N 70°10'44" E 79.54'
12.1'
POWER POLE
LOT "B"
4,617.00 SF
SURVEY- N 00°03'21"W 130.00'
PLAT- 130.0'
61.02'
1-STORY, FRAMED SINGLE FAMILY RESIDENCE
62.34'
14.3'
21.5'
existing asphalt surface
POINT OF COMMENCEMENT FOR PARCEL "A"; POINT OF BEGINNING FOR PARCEL "B"; IRON ROD FOUND
1.0'
SURVEY- S 69°17'16"W 80.00'
PLAT- 80.0'
12" PVC INVT. ELEV= 25.4
IRON ROD FOUND
RIGHT-OF-WAY
RUSSELL STREET
60' R/W
overhead utilities
existing asphalt surface
CATCH BASIN TOP EL= 26.7
RIGHT-OF-WAY
N
W
E
S
FLOOD ZONE NOTE:
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN THE FIRM ZONE "X" ACCORDING TO MAP NUMBER 28047C0356G, DATED JUNE 16, 2009. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING. THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP.
SCALE 1" = 20'
REFERENCE: GRID NORTH BY GPS OBSERVATION (DATUM=NAD 83)
GPS OBSERVATION NOTE
TOPCON GR-5 RECIEVER WAS USED FOR GPS OBSERVATION, UTILIZING THE EARL DUDLEY, INC. REAL-TIME NETWORK
I, CLIFFORD A. CROSBY, PROFESSIONAL LAND SURVEYOR IN AND FOR THE STATE OF MISSISSIPPI, DO HEREBY CERTIFY THAT THE FOREGOING PLAT AND DESCRIPTIONS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT ALL MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS LOCATED AND THAT ALL DIMENSIONAL AND OTHER DATA SHOWN ARE CORRECT. I ALSO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF MISSISSIPPI".
WITNESS MY SIGNATURE AND SEAL THIS 26th DAY OF APRIL, 2017.
CLIFFORD A. CROSBY, MS PLS NO. 2539
CLIENT: THE RAY FAMILY TRUST
DRAWN BY: CAC
JOB NUMBER: 9028.dwg
PREPARED BY:
CLIFFORD A. CROSBY, PLS
716 LIVE OAK DRIVE
BILOXI, MS 39532 PHONE: 228-234-1649
SHEET 2 OF 4

MINUTES OF JUNE 22, 2017
PLANNING COMMISSION

Due to a death in the family, the applicant was unable to attend the public hearing. Commissioner Hansen made motion seconded by Commissioner Fischer and unanimously carried, recommending the Commission table the Public Hearing until the meeting of July 13, 2017.

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Be it remembered that a regular meeting of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 22nd day of June 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 Donald Frazer, Randy Fischer, Chris Carrubba, Jeff Hansen, Nicholas Brown, Ron Robertson, 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 Fischer made motion seconded by Commissioner Hansen and unanimously carried to approve the regular meeting minutes of June 8, 2017, as submitted.

****

It came for discussion under unfinished business amending the zoning ordinance #598, Section 123 Zero Lot Line Development.

Commissioner Robertson made motion, seconded by Commissioner Hansen and uanimously carried to schedule a Public Hearing for July 13, 2017, 5:30 p.m.; City Hall; Meeting Room to consider the following:

Section 123: Townhouse 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 but so 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; but so designed as to protect the health, safety and welfare of the public. In fulfilling the purpose of this use, the townhouse or row house concept may be used which permits the construction of single-family dwellings immediately adjacent to one another without side yards between the individual units. 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) Minimum lot area: The first 2 townhouse lots shall equal 4,000 square feet and each additional unit shall have 1,500 square feet.

(b) Minimum lot width: Twenty (20) feet for townhouses, except that for corner lots the minimum shall be determined based on the minimum requirement for said district.

(c) Minimum front yard: The same as required for each district, except where the development contains units located on both sides of a street constructed by developer to the city's specifications. In this case the minimum front yard setback may be reduced to fifteen (15) feet.

(d) Minimum side yard: None for townhouses except on corner lots. Also, the minimum side yard required for the townhouse unit located at the end of a row of town houses shall be ten (10) feet from the exterior lot line.

(e) Minimum rear yard: Use district rear yard minimum.

(f) Maximum height: The maximum height is thirty-five (35) feet.

(g) Maximum lot coverage: Coverage is limited to seventy-five (75%) percent for all structures.

(h) Maximum length of row: A row of townhouses shall not exceed two hundred twenty-five (225) feet. An open space of twenty (20) feet shall be provided between adjacent rows.

(i) Townhouses shall be constructed up to side lot lines without side yards and no windows, doors or other opening shall face a side lot line except that the outside wall of end units may contain such openings.

(j) Final plat: A final plat shall be prepared in accordance with the Long Beach Subdivision ordinance.

(k) Owners association: Establishment of an owners' association shall be mandatory when any portion of the development is to be held in common.

(l) 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.

(m) All townhouse developments shall be subject to review and approval by the planning commission and the Board of Alderman.

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 but so 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; but so 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 a 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 shall be in accordance with the chart of uses.
  (2) Less than two (2) acres shall be in accordance with the chart of uses.
  (3) No minimum in the case of separating a duplex.

(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 street constructed by developer to the city's specifications. 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) Maximum height: The maximum height is thirty-five (35) feet from BFE.

(i) Maximum lot coverage: Coverage is limited to sixty-five (65%) percent for all structures.

(j) 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 building 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.

(k) Each zero lot line structure shall abut upon a dedicated public right-of-way. The exception to this requirement shall be a permanent 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 shall be the responsibility of the adjoining property owners.

(l) Final plat: A final plat shall be prepared in accordance with the Long Beach Subdivision ordinance.

(m) Owners association: Establishment of an owners' association shall be mandatory when any portion of the development is to be held in common.

(n) 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.

(o) All zero lot line developments shall be subject to review and approval by the planning commission and Board of Alderman.

MINUTES OF JUNE 22, 2017
PLANNING COMMISSION

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

No action was taken.

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It came for discussion under unfinished business Zone text change – chart of uses (remanded back for further review & consideration).

Commissioner Fischer made motion, seconded by Commissioner Brown and uanimously carried to schedule a Public Hearing for July 13, 2017, 5:30 p.m.; City Hall; Meeting Room to consider the following:

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

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

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

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

	R1	R2	R3	R4	RO	C1	C1HD	C2	C2B	C3	I-1	I-2	WFD
Storage and Distribution								X			R	R	

R = permitted by right

X = permitted with Planning Commission Approval

S = permitted as Special-use (hearing)

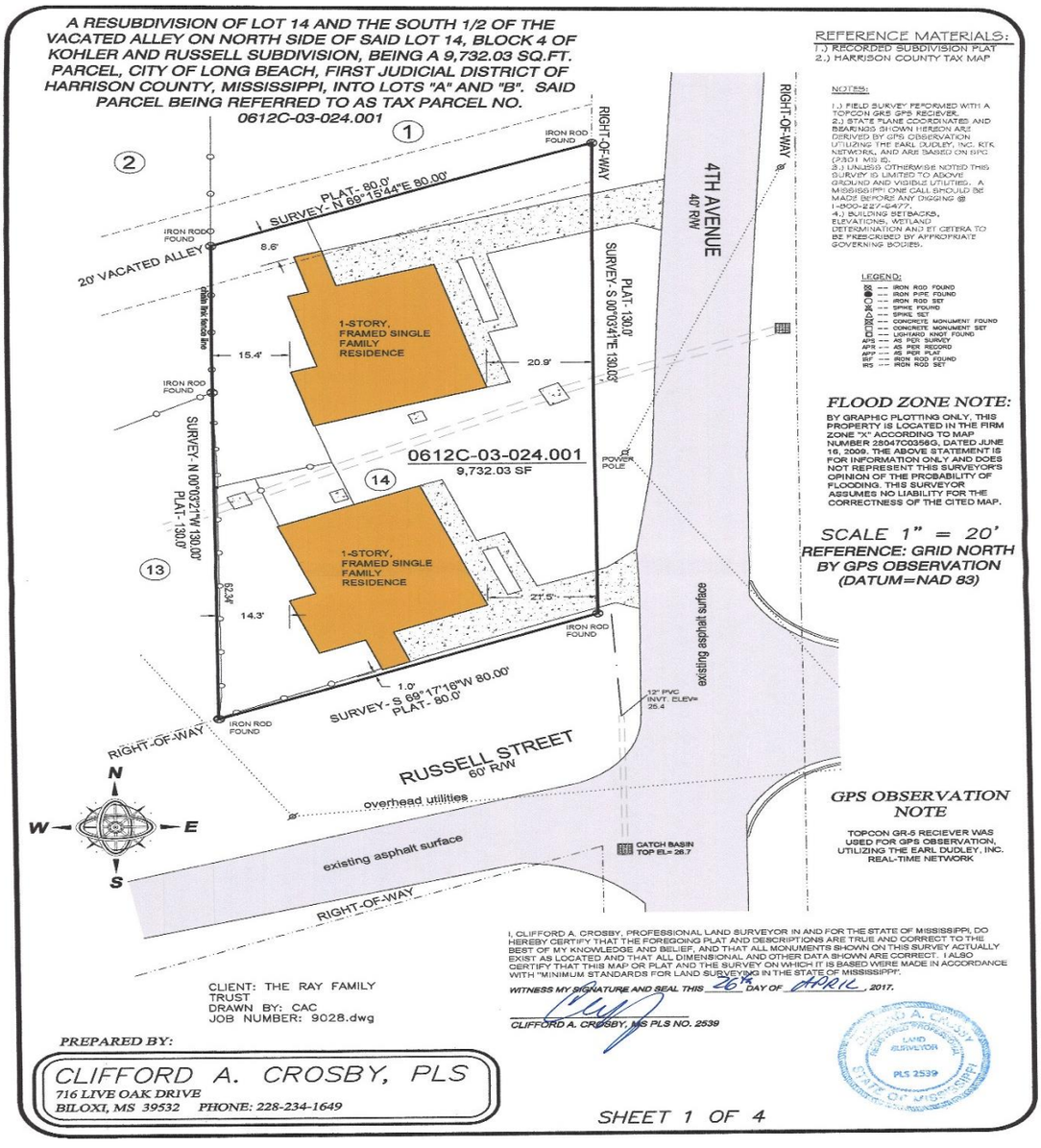
****

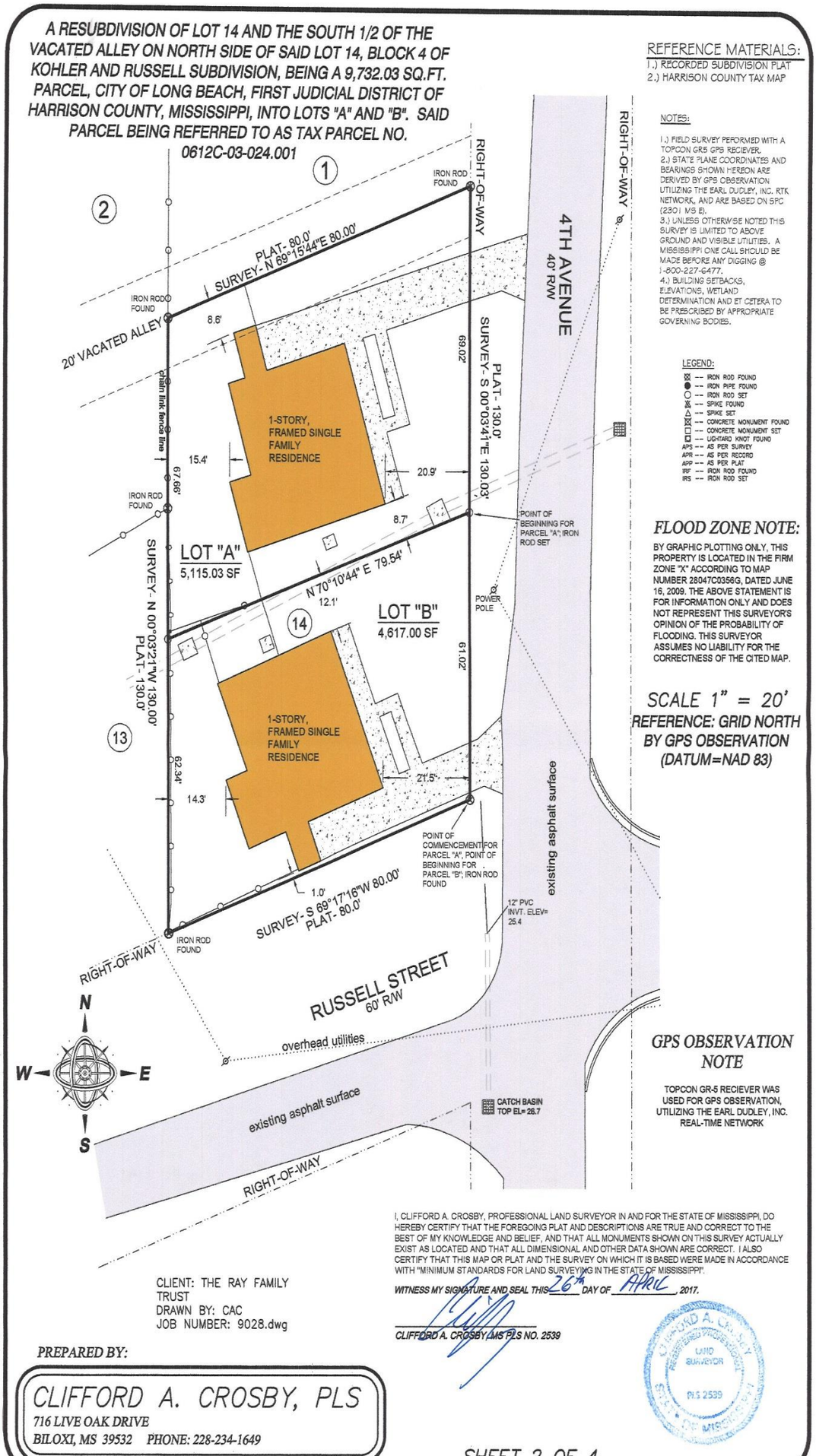
It came for discussion how to define and place stipulations on public and/or private ingress/egress, perpetual easements and right-of-ways.

No action was taken or needed.

****

It came for consideration under new business certificate of resubdivision for property located 314 4th Avenue, Units A & B, tax parcel 0612C-03-024.001 submitted by James Ray, Ray Family Trust as follows:




A RESUBDIVISION OF LOT 14 AND THE SOUTH 1/2 OF THE VACATED ALLEY ON NORTH SIDE OF SAID LOT 14, BLOCK 4 OF KOHLER AND RUSSELL SUBDIVISION, BEING A 9,732.03 SQ.FT. PARCEL, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, INTO LOTS "A" AND "B". SAID PARCEL BEING REFERRED TO AS TAX PARCEL NO. 0612C-03-024.001
REFERENCE MATERIALS:
1.) RECORDED SUBDIVISION PLAT
2.) HARRISON COUNTY TAX MAP
NOTES:
1.) FIELD SURVEY PEFORMED WITH A TOPCON GR5 GPS RECIEVER.
2.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE DERIVED BY GPS OBSERVATION UTILIZING THE EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPC (2301 MS E).
3.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-227-6477.
4.) BUILDING SETBACKS, ELEVATIONS, WETLAND DIETERMINATION 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
APS -- AS PER SURVEY
APR -- AS PER RECORD
APP -- AS PER PLAT
IRF -- IRON ROD FOUND
IRS -- IRON ROD SET
FLOOD ZONE NOTE:
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN THE FIRM ZONE "X" ACCORDING TO MAP NUMBER 28047C0356G, DATED JUNE 16, 2009. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING. THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP.
SCALE 1" = 20'
REFERENCE: GRID NORTH BY GPS OBSERVATION (DATUM=NAD 83)
GPS OBSERVATION NOTE
TOPCON GR-5 RECIEVER WAS USED FOR GPS OBSERVATION, UTILIZING THE EARL DUDLEY, INC. REAL-TIME NETWORK
1
2
13
14
IRON ROD FOUND
PLAT- 80.0'
SURVEY- N 69°15'44"E 80.00'
20' VACATED ALLEY
8.6'
RIGHT-OF-WAY
4TH AVENUE
40' R/W
PLAT- 130.0'
SURVEY- S 00°03'41"E 130.03'
69.02'
chain link fence line
1-STORY, FRAMED SINGLE FAMILY RESIDENCE
15.4'
20.9'
67.66'
8.7'
POINT OF BEGINNING FOR PARCEL "A"; IRON ROD SET
LOT "A"
5,115.03 SF
SURVEY- N 00°03'21"W 130.00'
PLAT- 130.0'
N 70°10'44" E 79.54'
12.1'
POWER POLE
LOT "B"
4,617.00 SF
61.02'
62.34'
14.3'
21.5'
existing asphalt surface
POINT OF COMMENCEMENT FOR PARCEL "A"; POINT OF BEGINNING FOR PARCEL "B"; IRON ROD FOUND
1.0'
SURVEY- S 69°17'16"W 80.00'
PLAT- 80.0'
12" PVC INVT. ELEV= 25.4
RUSSELL STREET
60' R/W
overhead utilities
CATCH BASIN TOP EL= 26.7
N
W
E
S
CLIENT: THE RAY FAMILY TRUST
DRAWN BY: CAC
JOB NUMBER: 9028.dwg
I, CLIFFORD A. CROSBY, PROFESSIONAL LAND SURVEYOR IN AND FOR THE STATE OF MISSISSIPPI, DO HEREBY CERTIFY THAT THE FOREGOING PLAT AND DESCRIPTIONS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT ALL MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS LOCATED AND THAT ALL DIMENSIONAL AND OTHER DATA SHOWN ARE CORRECT. I ALSO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF MISSISSIPPI".
WITNESS MY SIGNATURE AND SEAL THIS 26th DAY OF APRIL, 2017.
CLIFFORD A. CROSBY, MS PLS NO. 2539
CLIFFORD A. CROSBY
REGISTERED PROFESSIONAL LAND SURVEYOR
PLS 2539
STATE OF MISSISSIPPI
PREPARED BY:
CLIFFORD A. CROSBY, PLS
716 LIVE OAK DRIVE
BILOXI, MS 39532 PHONE: 228-234-1649
SHEET 2 OF 4

A RESUBDIVISION OF LOT 14 AND THE SOUTH 1/2 OF THE VACATED ALLEY ON NORTH SIDE OF SAID LOT 14, BLOCK 4 OF KOHLER AND RUSSELL SUBDIVISION, BEING A 9,732.03 SQ.FT. PARCEL, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, INTO LOTS "A" AND "B". SAID PARCEL BEING REFERRED TO AS TAX PARCEL NO. 0612C-03-024.001

GENERAL NOTES:

1.) THIS SURVEY WAS PREPARED FROM INFORMATION PROVIDED BY CLIENT, WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.

2.) THIS PROPERTY IS LOCATED IN F.I.R.M. ZONE "X" ACCORDING TO MAP NUMBER 28047C0356G DATED JUNE 16, 2009.

3.) BEARINGS SHOWN HEREON ARE DERIVED BY: GRID NORTH BY GPS OBSERVATION. ALL LINES RELATIVE TO.

4.) THIS SURVEY MEETS MISSISSIPPI MINIMUM REQUIREMENTS FOR A CLASS "B" SURVEY.

5.) THIS SURVEY AND PLAT WERE PREPARED ONLY FOR THE CLIENT NAMED HEREON AND NO THIRD PARTY CERTIFICATION IS EXPRESSED OR IMPIED.

6.) A COPY OF THIS PLAT IS VALID ONLY IF IT IS COMPLETE AND INTACT, HAS AN ORIGINAL SIGNATURE AND DATE, AND HAS THE ORIGINAL EMBOSSED OR COLORED (NOT BLACK) STAMPED SURVEYOR'S SEAL.

RECORD DESCRIPTION, INSTRUMENT NO. 2015-8384-D-J1

LOT FOURTEEN (14), IN BLOCK FOUR (4) OF THE KOHLER & RUSSELL SUBDIVISION TO THE CITY OF LONG BEACH, COUNTY OF HARRISON, STATE OF MISSISSIPPI, TOGETHER WITH ALL IMPROVEMENTS THEREON AND APPURTENANCES APPERTAINING.

BOUNDARY NOTE:

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

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

A PORTION OF LOT 14 AND ALL OF THE SOUTH 1/2 OF THE VACATED ALLEY LYING NORTH SAID LOT 14, BLOCK 4, KOHLER & RUSSELL SUBDIVISION, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BEING BASED ON STATE PLANE GRID NORTH:

COMMENCING AT AN IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT 14; THENCE ALONG THE EAST LINE OF SAID LOT 14 AND THE WEST MARGIN OF 4TH AVENUE, N00°03'41"W 61.02' TO AN IRON ROD SET AT THE POINT OF BEGINNING; THENCE S70°10'44"W 79.54' TO AN IRON ROD SET ON THE WEST LINE OF SAID LOT 14; THENCE ALONG SAID WEST LINE AND EXTENSION THEREOF, N00°03'21"W 67.66' TO AN IRON ROD FOUND IN THE CENTERLINE OF A VACATED ALLEY; THENCE ALONG SAID CENTERLINE, N69°15'44"E 80.00' TO AN IRON ROD FOUND ON THE WEST MARGIN OF 4TH AVENUE; THENCE ALONG SAID WEST MARGIN, S00°03'41"E 69.02' TO THE POINT OF BEGINNING, CONTAINING 5,115.03 SQUARE FEET.

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

A PORTION OF LOT 14, BLOCK 4, KOHLER & RUSSELL SUBDIVISION, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BEING BASED ON STATE PLANE GRID NORTH:

BEGINNING AT AN IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT 14; THENCE ALONG THE NORTH MARGIN OF PLATTED RUSSELL STREET, S69°17'16"W 80.00' TO AN IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID LOT 14; THENCE ALONG THE WEST LINE OF SAID LOT 14, N00°03'21"W 62.34' TO AN IRON ROD SET; THENCE N70°10'44"E 79.54' TO AN IRON ROD SET ON THE EAST LINE OF SAID LOT 14 AND THE WEST MARGIN OF 4TH AVENUE; THENCE ALONG SAID EAST LINE AND WEST MARGIN, S00°03'41"E 61.02' TO THE POINT OF BEGINNING, CONTAINING 4,617.00 SQUARE FEET.

CLIENT: THE RAY FAMILY TRUST
DRAWN BY: CAC
JOB NUMBER: 9028.dwg

PREPARED BY:

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

SHEET 3 OF 4

A RESUBDIVISION OF LOT 14 AND THE SOUTH 1/2 OF THE VACATED ALLEY ON NORTH SIDE OF SAID LOT 14, BLOCK 4 OF KOHLER AND RUSSELL SUBDIVISION, BEING A 9,732.03 SQ.FT. PARCEL, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, INTO LOTS "A" AND "B". SAID PARCEL BEING REFERRED TO AS TAX PARCEL NO. 0612C-03-024.001

CERTIFICATE OF OWNERSHIP

I hereby certify that I am the owner of the property described heron, which property is within the subdivision regulation jurisdiction of the City of Long Beach, and that I freely adopt this plan of subdivision.

J.O. Ray, Trustee 4/26/2017
OWNER DATE

Subscribed and sworn to before me, in my presence this 26 day of Apr. 1 2017, a Notary Public in and for the County of Harrison, State of Mississippi.

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 4842 STACEY DAHL Commission Expires Dec. 5, 2019 HARRISON COUNTY

SEAL NOTARY PUBLIC Stacey Dahl

My Commission Expires: 12/5/19

CERTIFICATE OF APPROVAL

I hereby certify that the minor subdivision shown on this plat does not involve the creation of new public streets, or any change in existing public streets, the extension of public water or sewer system or the installation of drainage improvements through one or more lots to serve one or more lots. That the subdivision shown is in all respects in compliance with the City ordinances of Long Beach and that therefore this plat has been approved by the administrator subject to its being recorded in the Harrison County Courthouse within (60) days of the date below.

ADMINISTRATOR DATE

PLANNING COMMISSION

Approved by the City of Long Beach Planning Commission at the regular meeting of said Commission held on the ___day of_____2017.

Planning Commission Chairman Date

ACCEPTANCE

Submitted to and approve by the City of Long Beach, Board of Aldermen, at the regular meeting of said Board of Aldermen held on the___day of_____2017.

ADOPT: ATTEST:

MAYOR CITY CLERK

CERTIFICATE OF SURVEY AND ACCURACY

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

WITNESS MY SIGNATURE AND SEAL THIS 26th *DAY OF* APRIL, *2017.*

CLIFFORD A. CROSBY, MS PLS 2539

CLIFFORD A. CROSBY LAND SURVEYOR PLS 2539 STATE OF MISSISSIPPI

CLIENT: THE RAY FAMILY TRUST
DRAWN BY: CAC
JOB NUMBER: 9028.dwg

PREPARED BY:

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

SHEET 4 OF 4

A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS
520 33RD STREET
GULFPORT, MS 39507
TEL (228) 863-0667
FAX (228) 863-5232

May 23, 2017

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

RE: Certificate of Subdivision - Tax Parcel 0612C-03-024.001

Ladies and Gentlemen:

We have received a Certificate of Subdivision for the referenced parcel at the northwest corner of 4th Avenue & Russell St., which proposes to create two parcels from one existing parcel. There are two buildings, labeled as single family residences, on the existing parcel. Upon our review of the proposed changes for conformance with the City's ordinance, we found that the following revisions do not meet the requirements of the zoning ordinance and should only be approved via variance:

1. Lot A – Front set back is 20.9 ft., which is less than the code requirement of 25 ft.
2. Lot A – Total lot area is approx. 5,115 sq. ft., which is less than the code requirement of 7,500 sq. ft.
3. Lot B – Lot width is approx. 57 ft., which is less than the code requirement of 60 ft.
4. Lot B – Front set back is 21.5 ft., which is less than the code requirement of 25 ft.
5. Lot B – Total lot area is approx. 4,617 sq. ft., which is less than the code requirement of 7,500 sq. ft.

Other than these issues which could be approved via variance, the subdivision appears to be in order. Since there are two existing residences already on one parcel, it's possible that the subdivision of this parcel may be an "after the fact" attempt to properly configure this property. We therefore take no exception to this subdivision, subject to the City's determination and approval of the required variances and to payment of any required tapping fees or special connection fees as determined by the City's public works department.

Sincerely,

David Ball, P.E.

DB:539

O:\539\Cert Sub\Cert of Sub 0612C-03-024.001.doc

Page 1 of 1

Due to a death in the family, the applicant was unable to attend the public hearing. Commissioner Hansen made motion seconded by Commissioner Fischer and unanimously carried, recommending the Commission table the Public Hearing until the meeting of July 13, 2017.

****

MINUTES OF JUNE 22, 2017
PLANNING COMMISSION

There being no further business to come before the Planning Commission at this time Commissioner Frazer made motion, seconded by Commissioner Fischer 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