

**MINUTES OF FEBRUARY 27, 2014
PLANNING COMMISSION**

Be it remembered that a PUBLIC HEARING before the Long Beach Planning Commission of the City of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 27th day of February 2014, 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 the following named persons: Commission Chairman Frank Olaivar, Commissioners Donald Frazer, Randy Fischer, Ron Robertson, Tonda Yandell, and minutes Clerk Veronica Howard.

Commissioners Jeff Hansen and Nicholas Brown were preliminarily late the public hearing.

Commissioners Jim Heinzl and Jack Donovan were absent the public hearing.

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

The public hearing to consider a Special-Use permit to operate a business from a trailer was called to order.

	<p>CITY OF LONG BEACH PLANNING DEPARTMENT 645 KLONDYKE ROAD / PO BOX 929 LONG BEACH, MS 39560 (228) 863-1554</p>	<p align="center">Office use only</p> <p>Date Received <u>2/10/2014</u> Zoning <u>C-2</u> Agenda Date <u>2/27/2014</u> Check Number <u>224</u></p>
APPLICATION FOR CASE REVIEW		
I.	TYPE OF CASE: <u> </u> VARIANCE <input checked="" type="checkbox"/> SPECIAL EXCEPTION REQUEST	
II.	Advalorem Tax Parcel Number(s): <u>00115-01-033.000</u>	
III.	Address of Property Involved: <u>580 Klondyke Rd Long Beach Ms 39560</u>	
IV.	Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.) <u>Permission to conduct business out of an office trailer on a temporary basis while permanent office is being built. (MAXIMUM OF SIX MONTHS)</u>	
	**PLEASE COMPLETE THE FOLLOWING:	
A.	Describe any special condition that justify the granting of this variance 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 variance and why the applicant cannot meet the stated code requirement? _____ _____ _____	
B.	Describe how the special condition discussed in #1 above is not the result of actions taken by the applicant. Show that the applicant did not cause the need for this variance request. _____ _____ _____	
C.	Show that an unnecessary hardship exists due to the character of the property and that this hardship makes the request for the variance 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? _____ _____ _____	
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. _____ _____ _____	
Page 1 of 2 Application for Case Review - Variance OR Special Exception Request		

**MINUTES OF FEBRUARY 27, 2014
PLANNING COMMISSION**

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). 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.**

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 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.

Jerry Paige
Name of Rightful Owner (PRINT)

Joel A. Carubba
Name of Agent (PRINT)

18308 C Commission Rd
Owner's Mailing Address

6608 N. Seal Ave
Agent's Mailing Address

Long Beach Mr 39560
City State Zip

Long Beach Ms 39560
City State Zip

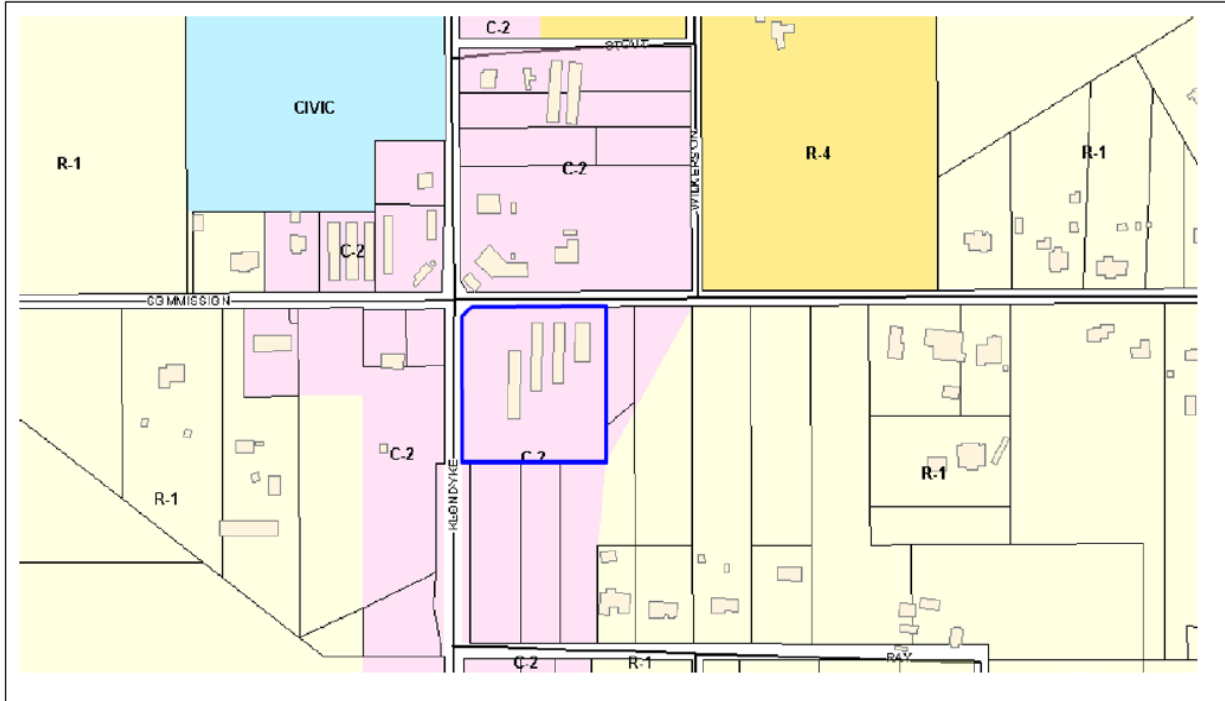
228-863-6072
Phone

228-674-0052
Phone

Jerry Paige 2-10-14
Signature of Rightful Owner Date

[Signature] 2/10/14
Signature of Applicant Date

**MINUTES OF FEBRUARY 27, 2014
PLANNING COMMISSION**



**THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY.
HARRISON COUNTY ASSUMES NO LEGAL RESPONSIBILITIES
FOR THE INFORMATION CONTAINED ON THIS MAP.**

Date Printed: Feb 28, 2014

Parcel #: 0611J-01-033.000



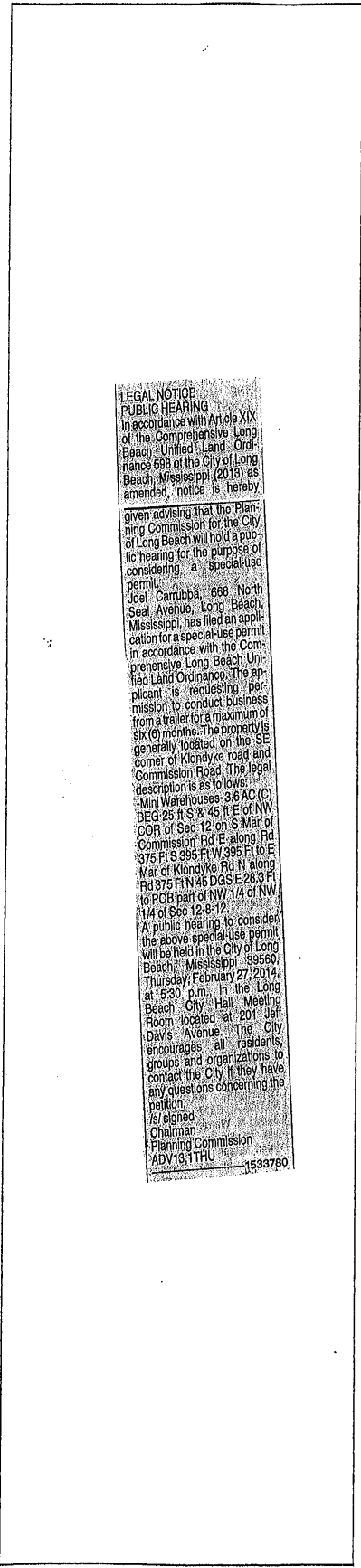
**Long Beach
Building
New Construction: Commercial
PERMIT # 5089**

Contractor OWNER		Permit Date 23-Oct-08	
Owner JERRY PAIGE		Business Name	
Job Address 580 KLONDYKE RD		City, State Zip LONG BEACH, MS 39560	
Section	Township	Range	Lot
Use of Building AUTO SALES		Flood Zone	Base Fid Elev
Description of Work CONSTRUCT BUILDING IN ACCORDANCE WITH IRC-2012, NEC 2012, CITY ORDINANCES AND COMMENTS OF PLAN AND PERMIT REVIEW.		Community Panel Number 285257	Min Gnd Elev
Remarks		Surveyor	Surveyor #
<p>CONSTRUCT BUILDING IN ACCORDANCE WITH IRC-2012, NEC 2012, CITY ORDINANCES AND COMMENTS OF PLAN AND PERMIT REVIEW. PERMIT EXTENDED FOR 6 MONTHS, PER EARL LEVENS PERMIT EXPIRES: 06/01/2014</p>			
Valuation of Work \$		Permit Fee:	
\$41,250.00		\$216.25	
Plans Checked by EL		Type of Const. Wood	Occupancy Group Commercial
Date 10/23/2008		SqFt Living Area 600	Occupancy Work Type New Construction
Permit Validated by HA		SqFt Accessory Area	Zoning Class
Date 10/23/2008		Number of Stories 1	Bedrooms 1
		Foundation Slab	Baths
<p align="center">NOTICE</p> <p>THIS PERMIT IS ISSUED SUBJECT TO THE PARTY TO WHOM IT IS ISSUED FULLY COMPLYING WITH ALL REQUIREMENTS OF THE BUILDING CODE AND ALL PERTINENT LAWS AND ORDINANCES REGULATING THE USE AND CONSTRUCTION OF STRUCTURES AND THE WORK AUTHORIZED BY THIS PERMIT, OTHERWISE IT SHALL BECOME VOID AND THE PARTY LIABLE TO SUCH PENALTIES AS MAY BE PROVIDED FOR VIOLATION OF SAID ORDINANCES.</p> <p>THIS PERMIT SHALL BE VOID IF NOT KEPT AT APPROVED LOCATION OF WORK. THIS PERMIT IS VALID FOR 6 MONTHS. AFTER 6 MONTHS, PERMIT MUST BE UPDATED AND AFTER 1 YEAR THE PERMIT MUST BE RENEWED.</p> <p>I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATIONS CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION</p>			
SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT		DATE	
SIGNATURE OF OWNER (IF OWNER BUILDER)		DATE	
Parcel Number 0611J-01-033.000		Legal Description	
Comments CONSTRUCT BUILDING IN ACCORDANCE WITH IRC-2012, NEC 2012, CITY ORDINANCES AND COMMENTS OF PLAN AND PERMIT REVIEW. PERMIT EXTENDED FOR 6 MONTHS, PER EARL LEVENS PERMIT EXPIRES: 06/01/2014			
Payment Type Check	Re-Inspection Fee \$0.00		
Check Number 10367			

**MINUTES OF FEBRUARY 27, 2014
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, Mississippi, "Notice of Public Hearing", a s evidence of the Publisher's Proof of Publication:

PROOF OF PUBLICATION



**LEGAL NOTICE
PUBLIC HEARING**
In accordance with Article XIX of the Comprehensive Long Beach Unified Land Ordinance 698 of the City of Long Beach, Mississippi (2013) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a special-use permit for Jeff Carruba, 668 North Seal Avenue, Long Beach, Mississippi, has filed an application for a special-use permit. In accordance with the Comprehensive Long Beach Unified Land Ordinance, the applicant is requesting a permission to conduct business from a trailer for a maximum of six (6) months. The property is generally located on the SE corner of Klondyke road and Commission Road. The legal description is as follows:
- Mini Warehouses: 3.6 AC (C) BEG 25 ft S & 45 ft E of NW COR of Sec. 12 on S Mar of Commission Rd E along Rd 375 Ft S 395 Ft W 395 Ft to E Mar of Klondyke Rd N along Rd 375 Ft N 45 DGS E 28.3 Ft to POB part of NW 1/4 of NW 1/4 of Sec. 12-8-12.
A public hearing to consider the above special-use permit will be held in the City of Long Beach, Mississippi (39060) Thursday, February 27, 2014, 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 matter.
Signed
Chairman
Planning Commission
ADV131THU 1539780

STATE OF MISSISSIPPI
COUNTY OF HARRISON

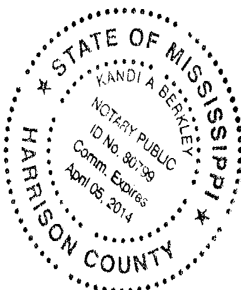
Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA BRACKETT who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport, in Harrison County, Mississippi, and the publication of the notice, 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. 130 No., 133 dated 13 day of Feb, 2014
- 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 country for a period of more than twelve months next prior to the first publication of said notice.

Crista Brackett
Clerk
FEB 14 2014

Sworn to and subscribed before me this 13 day of Feb, A.D., 20 14



Kandi A. Berke
Notary Public

MINUTES OF FEBRUARY 27, 2014
PLANNING COMMISSION

City of Long Beach

BOARD OF ALDERMEN

Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kelly Griffin - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Alan Young - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruoff

CITY ATTORNEY
James C. Simpson, Jr.

LEGAL NOTICE

PUBLIC HEARING

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

Joel Carrubba, 668 North Seal Avenue, Long Beach, Mississippi, has filed an application for a special-use permit in accordance with the Comprehensive Long Beach Unified Land Ordinance. The applicant is requesting permission to conduct business from a trailer for a maximum of six (6) months. The property is generally located on the SE corner of Klondyke road and Commission Road. The legal description is as follows:

-Mini Warehouses- 3.6 AC (C) BEG 25 ft S & 45 ft E of NW COR of Sec 12 on S Mar of Commission Rd E along Rd 375 Ft S 395 Ft W 395 Ft to E Mar of Klondyke Rd N along Rd 375 Ft N 45 DGS E 28.3 Ft to POB part of NW ¼ of NW ¼ of Sec 12-8-12.

A public hearing to consider the above special-use permit will be held in the City of Long Beach, Mississippi 39560, Thursday, February 27, 2014, 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 • 863-1556 • FAX 865-0822
www.cityoflongbeachms.com

Said notice was posted on the bulletin boards at City Hall, 201 Jeff Davis Avenue, in the Building Official's Office and the Water Department; in the Long Beach Public Library, 209 Jeff Davis Avenue; and on the City's official website, www.cityoflongbeachms.com.

**MINUTES OF FEBRUARY 27, 2014
PLANNING COMMISSION**

* * *

Commission Chairman recognized applicant Joel Carrubba.

* * *

The Chairman opened the floor for public comments; no one came forward to be heard.

* * *

There being no comments or discussion, Commissioner Robertson made motion, seconded by Commissioner Fisher and unanimously carried to close the public hearing.

* * *

Based upon the original permit for construction of a permanent building, dated October 23, 2008, being renewed and extended until June 1, 2014, Commissioner Robertson made motion seconded by Commissioner Yandell and unanimously carried to approve the temporary trailer for a period of six (6) months from date the permit for the trailer is obtained.

Be it remembered that a PUBLIC HEARING before the Long Beach Planning Commission of the City of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 27th day of February 2014, 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 the following named persons: Commission Chairman Frank Olaivar, Commissioners Donald Frazer, Randy Fischer, Nicholas Brown, Ron Robertson, Tonda Yandell, Planning Commission Consultant/Advisor Bill Hessell and minutes Clerk Veronica Howard.

Commissioners Jeff Hansen was preliminarily late the public hearing.

Commissioners Jim Heinzl and Jack Donovan were absent the public hearing.

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

The public hearing to consider a zoning text change was called to order.

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, Mississippi, "Notice of Public Hearing", a s evidence of the Publisher's Proof of Publication:

MINUTES OF FEBRUARY 27, 2014
PLANNING COMMISSION

PROOF OF PUBLICATION

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 zoning text change.

Long Beach Planning Commission has filed an application for a change in the zoning text in accordance with the Comprehensive Long Beach Unified Land Ordinance. The City proposes to make the following changes to said Ordinance:

Add to Article XI Supplemental Use Regulations, Section 209: Storage and Parking of Recreational Vehicles.

(a) For the purpose of this Section, recreational vehicle shall include, but not limited to: boats, floats, camping or travel trailers, motor homes, boat trailers, utility trailers, and other equipment or vehicles of a similar nature.
(b) Exemptions: Pickup or light trucks

(c) General Requirements. Recreational and utility vehicles may be parked in any area which is either residentially zoned or used for residential purposes, including downtown, provided the following conditions are met:

(1) Recreational and utility vehicles shall not intrude into a right-of-way or access easement or obstruct sight visibility from adjacent driveways, rights-of-way, or access easements.

(2) Recreational and utility vehicles shall be properly licensed, operable, and maintained in a clean, well-kept state that does not detract from the appearance of the surrounding area.

(3) Storage or parking shall be limited to a parcel of land upon which is located a principal dwelling unit and the vehicle or equipment so stored or parked shall be owned by the occupant of that unit.

(4) All such vehicles stored or parked outside shall be in good repair.

(5) No recreational or commercial vehicle may be stored upon any city street or sidewalk.

(6) Storage or parking areas are not required to be paved; provided, however that any vehicle must be parked or stored, or driven to and from said parking or storage area, on a dust-free and rut-free surface, including, without being limited to, any such areas covered with grass, ground cover, water-permeable grass pavers, cement, asphalt or other similar ground cover.

(7) No such vehicle shall exceed eleven (11) feet in height, eight (8) feet six (6) inches in width and forty (40) feet in length.

(d) Screening Requirements. When not parked on a driveway per this subsection, all recreational and utility vehicles shall be setback beyond the existing front building line and screened from adjoining property owner and any public side street as follows:

(1) Screening shall be adequate to provide a solid barrier of six feet to eight (8) feet in height. It may include landscaping, fences, walls, or any combination thereof.

The purpose of this proposed change is to promote uniform development and encourage public safety, thereby enhancing the quality of life for all Long Beach residents. A public hearing to consider the above zoning text change will be held in the City of Long Beach, Mississippi 39560, Thursday, February 27, 2014, 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
ADV5, WED 1533185

h000041

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 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. 130 No., 125 dated 5 day of Feb, 20 14

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 country for a period of more than twelve months next prior to the first publication of said notice.

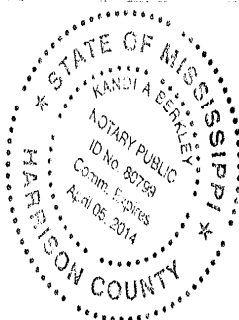
FEB 06 2014

Crista Brackett

Clerk

Sworn to and subscribed before me this 5 day of

Feb, A.D., 20 14



Krista Brackett
Notary Public

MINUTES OF FEBRUARY 27, 2014
PLANNING COMMISSION

City of Long Beach

BOARD OF ALDERMEN

Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kelly Griffin - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Alan Young - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

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 **zoning text change**.

Long Beach Planning Commission has filed an application for a change is the zoning text in accordance with the Comprehensive Long Beach Unified Land Ordinance. The City proposes to make the following changes to said Ordinance:

Add to Article XI Supplemental Use Regulations:

Section 209: Storage and Parking of Recreational Vehicles.

- (a) For the purpose of this Section, recreational vehicle shall include, but not limited to: boats, floats, camping or travel trailers, motor homes, boat trailers, utility trailers, and other equipment or vehicles of a similar nature.
- (b) Exemptions. Pickup or light trucks
- (c) General Requirements. Recreational and utility vehicles may be parked in any area which is either residentially zoned or used for residential purposes, including downtown, provided the following conditions are met:
 - (1) Recreational and utility vehicles shall not intrude into a right-of-way or access easement or obstruct sight visibility from adjacent driveways, rights-of-way, or access easements.
 - (2) Recreational and utility vehicles shall be properly licensed, operable, and maintained in a clean, well-kept state that does not detract from the appearance of the surrounding area.
 - (3) Storage or parking shall be limited to a parcel of land upon which is located a principal dwelling unit and the vehicle or equipment so stored or parked shall be owned by the occupant of that unit.
 - (4) All such vehicles stored or parked outside shall be in good repair.
 - (5) No recreational or commercial vehicle may be stored upon any city street or sidewalk.
 - (6) Storage or parking areas are not required to be paved; provided, however that any vehicle must be parked or stored, or driven to and from said parking or storage area, on a dust-free and rut-free surface, including, without being limited to, any such areas covered with grass, ground cover, water-permeable grass pavers, cement, asphalt or other similar ground cover.
 - (7) No such vehicle shall exceed eleven (14) feet in height, eight (8) feet six (6) inches in width and forty (40) feet in length.

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1556 • FAX 865-0822
www.cityoflongbeachms.com

**MINUTES OF FEBRUARY 27, 2014
PLANNING COMMISSION**

(d) Screening Requirements. When not parked on a driveway per this subsection, all recreational and utility vehicles shall be setback beyond the existing front building line and screened from adjoining property owner and any public side street as follows:

- (1) Screening shall be adequate to provide a solid barrier of six feet to eight (8) feet in height. It may include landscaping, fences, walls, or any combination thereof.

The purpose of this proposed change is to promote uniformed development and encourage public safety, thereby enhancing the quality of life for all Long Beach residents. A public hearing to consider the above zoning text change will be held in the City of Long Beach, Mississippi 39560, Thursday, February 27, 2014, 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

Said notice was posted on the bulletin boards at City Hall, 201 Jeff Davis Avenue, in the Building Official's Office and the Water Department; in the Long Beach Public Library, 209 Jeff Davis Avenue; and on the City's official website, www.cityoflongbeachms.com.

The Chairman opened the floor for public comments; no one came forward to be heard.

* * *

There being no comments or discussion, Commissioner Frazer made motion, seconded by Commissioner Brown and unanimously carried to close the public hearing.

* * *

Commissioner Yandell made motion seconded by Commissioner Robertson to recommend approval of the text change.

And the motion being put to a roll call vote by the Commission Chairman, the results were as follows:

Commissioner Donald Frazer	Voted	Aye
Commissioner Randy Fisher	Voted	Nay
Commissioner Jim Heinzl	Absent, not voting	
Commissioner Jack Donovan	Absent, not voting	
Commissioner Jeff Hansen	Voted	Aye
Commissioner Nicholas Brown	Voted	Aye
Commissioner Ron Robertson	Voted	Aye
Commissioner Tonda Yandell	Voted	Aye

The question having received the affirmative vote of the all the Commission members present and voting, the Commission Chairman declared the motion carried.

**MINUTES OF FEBRUARY 27, 2014
PLANNING COMMISSION**

Be it remembered that a regular meeting 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 day of February 2014, 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 the following named persons: Commission Chairman Frank Olaivar, Commissioners Donald Frazer, Randy Fisher, Jeff Hansen, Nicholas Brown, Ron Robertson, Tonda Yandell, Planning Commission Consultant/Advisor Bill Hessell and minutes Clerk Veronica Howard.

Commissioner Jim Heinzl and Jack Donovan were absent the meeting.

The meeting was called to order, there being a quorum present and sufficient to transact the business of this meeting, the following proceedings were had and done.

* * * * *

Commissioner Frazer made motion seconded by Commissioner Brown and unanimously carried to approve the regular meeting minutes of February 13, 2014 as submitted.

* * * * *

It came for consideration a tree removal request for a Live Oak tree submitted by Michelle Carpenter as follows:

Handwritten note:
Please
for- case before
8206

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

TREE PERMIT APPLICATION

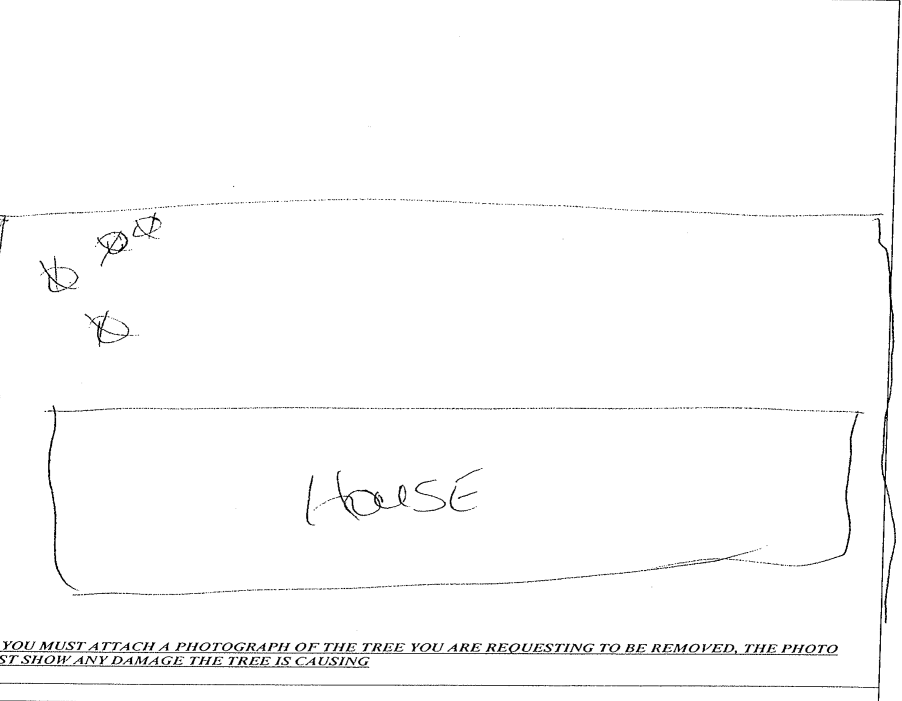


Routine trimming does not require a permit. The reason for pruning may include, but are not limited to, reducing risk, maintaining or improving tree health and structure, improving aesthetics, or satisfying a specific need. The City of Long Beach does recommend you obtain a licensed Arborist for your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

> 5017 LIVE OAK DRIVE
PROJECT ADDRESS (where the trees to be removed are): Tax Parcel Number

> WHAT TYPE OF TREE ARE YOU REQUESTING TO BE REMOVED? 20 LIVE OAKS
i.e. Live Oak, Magnolia, etc.

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.



*** YOU MUST ATTACH A PHOTOGRAPH OF THE TREE YOU ARE REQUESTING TO BE REMOVED, THE PHOTO MUST SHOW ANY DAMAGE THE TREE IS CAUSING

** OVER **

MINUTES OF FEBRUARY 27, 2014 PLANNING COMMISSION

APPLICANT(S) INFORMATION:		
<u>CARPENTEL</u>	<u>MICHELLE</u>	<u>L.</u>
Last Name	First	MI
<u>5017 LIVE OAK DR. LONG BEACH MS 39560</u>		
Mailing Address	City,	State, Zip
<p>➤ Are you the legal owner of the above property? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>. 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. Please provide a recorded warranty deed.</p> <p>➤ 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. <u>PUTTING UP A POOL</u></p>		
<p>Upon issuance of a Tree Removal Permit, the permit fee will be as follows: For removal of a tree or trees where such removal of such tree or trees is necessitated by material damage caused by such tree or trees to permanent improvement or improvements on the parcel where such tree or trees are situated a fee of \$1.00 per tree permitted to be removed. For removal of all other trees, a fee of \$45.00 per tree permitted to be removed. As per City of Long Beach Tree Ordinance (#364) any person removing any Live Oak or Magnolia tree within the City of Long Beach, Mississippi, without a valid tree removal permit, shall be guilty of a misdemeanor; and upon conviction thereof shall be sentenced to pay a fine not less than \$500.00 nor more than \$1000.00. The removal of each tree without having first secured a valid tree removal permit shall constitute a separate offense and shall be punishable as such.</p> <p>** 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.</p> <p>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 owners agent for the herein described work.</p>		
<u>[Signature]</u>		<u>2/18/14</u>
Signature	Date	

OFFICE USE ONLY	
CITY OF LONG BEACH TREE BOARD RECOMMENDATIONS/COMMENTS BELOW:	
<p style="font-size: 2em; text-align: center;">No objection</p>	
PRINTED NAME & SIGNATURE OF TREE BOARD MEMBER(S):	DATE:
<u>[Signature]</u>	_____
_____	_____

Commissioner Robertson made motion seconded by Commissioner Fischer and unanimously carried to table this agenda item stating more information, pictures are needed.

It came for consideration home occupation request to operate a mobile service from R-1, Single-family residential submitted by Matthew Ladnier as follows:

MINUTES OF FEBRUARY 27, 2014 PLANNING COMMISSION

(Thursday 5:30pm)



CITY OF LONG BEACH
201 JEFF DAVIS AVENUE
PO BOX 929
LONG BEACH, MS 39560
(228) 863-1554 phone
(228) 863-1558 fax

Office use only
Date Received <u>2/19/2014</u>
Zoning _____
Agenda Date <u>02/27/2014</u>
Check Number _____

APPLICATION FOR CASE REVIEW

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

II. Advalorem Tax Parcel Number(s): _____

III. Address of Property Involved: P.O. Box 1884 Gulfport, MS 39501

IV. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.)
I am requesting to have a Mobile Unit to do detailing on cars. I am requesting to have a Mobile Unit to do detailing on cars, design wraps, security Alarms, and Security Wiring. All Paint Jobs and Repair work will be contracted out. Clean and Environmentally Friendly.

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). Claims of support or "no objection" from owners of adjoining property should be substantiated in writing or by the appearance of such owner(s) at the hearing. Such support is usually considered material but not conclusive.
B. Survey and/or Site Plan. A site plan showing the land area which would be affected, if required a general layout drawing of the development, easements bounding and intersecting the designated area, the locations of existing and proposed structures with supporting open facilities, and the ground area to be provided and continuously maintained for the proposed structure or structures;
C. Recorded Warranty Deed. A deed which includes a legal description of the specific piece of property involved in the request. If several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.
D. Fee. Attach a check in the amount of \$50.00. This check should be made payable to the **City of Long Beach** to cover administrative cost. You will also be responsible to actual costs, such as advertising and mailing incurred with the processing of your application.

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

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 21 days before the 2nd or 4th Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.
Ownership: I the undersigned do hereby agree to all the rules and regulations as set forth in the Long Beach Zoning Ordinance and also agree to pay all fees and charges as stated.

<u>Matthew Kadlec</u> Name of Rightful Owner (PRINT)	_____ Name of Agent (PRINT)
<u>P.O. Box 1884</u> Owner's Mailing Address	_____ Agent's Mailing Address
<u>Gulfport, MS 39501</u> City State Zip	_____ City State Zip
<u>1-228-209-4131</u> Phone	_____ Phone
<u>[Signature]</u> Signature of Rightful Owner	<u>02/19/2014</u> Date
_____ Signature of Agent	_____ Date

MOBILE SERVICE 24/7
Matthew's Custom
&
Hot Rods
 Paint Jobs, Detailing, Wraps, Designs
 Car Sales, Security Alarms and Much More!!
 Cell: 228-209-4131 **Cheapest Around!!!**

**MINUTES OF FEBRUARY 27, 2014
PLANNING COMMISSION**

Based upon the applicant not in attendance and an incomplete application Commissioner Yandell made motion seconded by Commissioner Brown and unanimously carried to take no action on the request.

It came for consideration review / discussion of Section 901 of the previous zoning ordinance #344.

67

ARTICLE IX

SUPPLEMENTARY REGULATIONS

SECTION 901.

Front yard depth, and in the case of a corner building site, side yard width shall be a minimum of fifty-five (55) feet from the property line of all arterials and twenty-five (25) feet on all collectors. ~~(Whenever a residential use is permitted in any area classified as Commercial or Industrial, such residential use shall comply with the minimum setback restrictions provided for in an R-3 classification.)~~ If such residential use is bounded by an arterial or collector, the front and/or side yard depth shall be fifty-five (55) or twenty-five (25) feet from the property line or that required for an R-3 classification, whichever is greater. Whenever the boundary of a building site in C-1, C-2, C-3 or I-District adjoins a residential building site in a Residential District, a buffer area not less than fifteen (15) feet in width shall be provided along the property line adjoining such district and a fence or wall which forms a visual barrier shall be provided along the property line adjoining the same.

SECTION 902.

Within an R-4 district, livestock shall be kept a minimum of twenty-five (25) feet from more restrictive residential districts.

SECTION 903. VISIBILITY AT INTERSECTIONS IN RESIDENTIAL DISTRICTS.

On a corner lot in any residential district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vision between a height of two and one-half (2 1/2) and ten (10) feet above the center line grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines fifty (50) feet from the point of the intersection.

SECTION 904. FENCES, WALLS AND HEDGES.

904.1 Notwithstanding other provisions of this Ordinance, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard, provided that no fence, wall, or hedge ~~that obstructs sight~~ shall be erected, altered, or placed in or around any required front yard to exceed four (4) feet.

No action was taken or needed.

**MINUTES OF FEBRUARY 27, 2014
PLANNING COMMISSION**

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

APPROVED:

Chairman, Frank Olaivar

Date: _____

ATTEST:

Veronica Howard, Minutes Clerk