

MINUTES OF JANUARY 23, 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 23rd day of January 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, Jim Heinzl, Jack Donovan, Jeff Hansen, Nicholas Brown, Ron Robertson, Tonda Yandell, Planning Commission Advisor/Consultant Bill Hessell and minutes Clerk Veronica Howard.

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 Robertson made motion seconded by Commissioner Brown and unanimously carried to approve the regular meeting minutes of January 9, 2014 as submitted.

* * * * *

It came for consideration under OLD BUSINESS boats and RV's on residential lots.

Planning Commission Advisor/Consultant Bill Hessell submitted for review the following:

Add:

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.
- (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.

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After considerable discussion Commissioner Yandell made motion seconded by Commissioner Heinzl to schedule a public hearing, February 27, 2014; 5:30 p.m.; City Hall Meeting Room; Long Beach, MS 39560, for the purpose of considering a Zoning Text Change (Add Section 209) to the Land Use Ordinance (Zoning Ordinance) #598.

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 Fischer	Voted	Nay
Commissioner Jim Heinzl	Voted	Aye
Commissioner Jack Donovan	Voted	Aye
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 all the Commission members present and voting, the Commission Chairman declared the motion carried.

It came for consideration under Old Business a tree removal request for a Live Oak tree for property located at 112 West 3rd Street by Ray Taylor, Taylor Tree Company / Billy Lieger as follows:

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



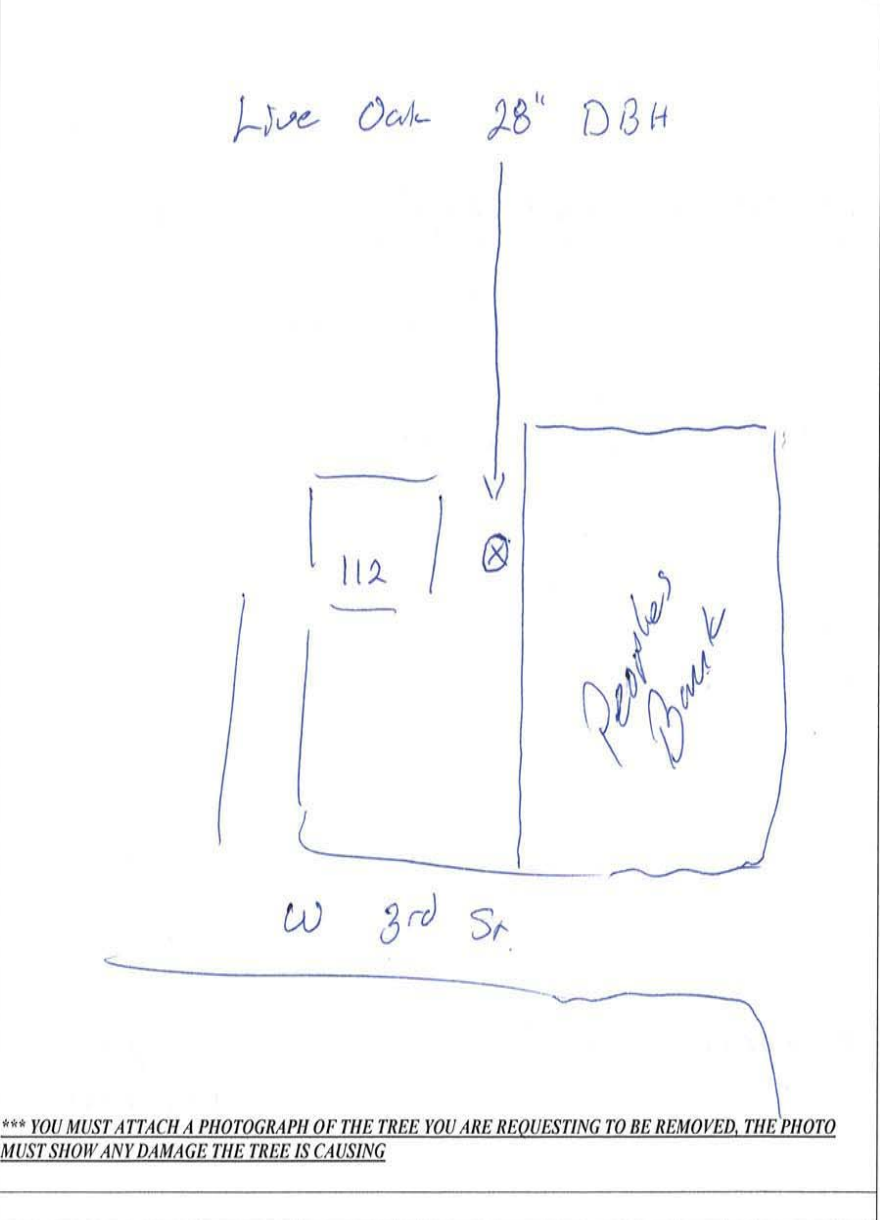
TREE PERMIT APPLICATION

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 ½) 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.

> 112 W 3rd St.
PROJECT ADDRESS (where the trees to be removed are): _____ Tax Parcel Number _____

> WHAT TYPE OF TREE ARE YOU REQUESTING TO BE REMOVED? Live Oak
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 **

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Date Printed: Jan 07, 2014

Parcel #: 0612B-03-081.000

112 W 3rd Street

Additional Parcel Information

Parcel #: 0612B-03-081.000		PPIN: 37968	
Owner: THIRD STREET REAL ESTATE LLC			
Location and Mailing Information			
Physical Address: 112 3RD ST		Mailing Address: 1100 POYDRAS STREET 34TH	
State: LA		City: NEW ORLEANS	Zip: 70163
Section: 13	Township: 8	Range: 12	
Parcel Area Measurements		Assessment Values	
Deed Acreage:		Land: 32488	
Structure Sq. Ft.: 1248		Improved: 70142	
Adjusted Sq. Ft.:		Total: 102630	
2nd Floor Sq. Ft.:		Assessed:	
Structure Year Built.: 1955		Assessment Information	
Misc. Information		Homestead Code: 0	
Judicial District: 1		Exemption Code: 0	
Subdivision: HENDERSON SHIPMAN HU...			
Tax District: 3L			

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Commissioner Fischer recused himself from the discussion and voting, of this agenda item, due to personal involvement with the owner.

Commissioner Jim Heinzl, Certified Arborist, stated after inspecting the tree he finds the tree is not dead, but is in poor health and declining due to Hurricane Katrina and the environment and submitted for the record the following:



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Based on Commissioner Heinzl's recommendation Commissioner Frazer made motion,
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seconded by Commissioner Heinzl and unanimously carried, recommending removal of the Live Oak Tree.

It came for consideration under New Business Planning Commission approval to conduct business from a temporary trailer for property located at 580 Klondyke Road submitted by Joel Carrubba as follows:

	<p>CITY OF LONG BEACH 201 JEFF DAVIS AVENUE PO BOX 929 LONG BEACH, MS 39560 (228) 863-1554 phone (228) 863-1558 fax</p>	<p align="center">Office use only</p> <p>Date Received <u>1/16/2014</u> Zoning <u>C-2</u> Agenda Date <u>1/23/2014</u> Check Number _____</p>
<u>APPLICATION FOR CASE REVIEW</u>		
<p>I. TYPE OF CASE: <input checked="" type="checkbox"/> PLANNING COMMISSION APPROVAL <input type="checkbox"/> DECISION OF THE BUILDING OFFICIAL IS ALLEGED TO BE IN ERROR <input type="checkbox"/> INTERPRETATION OF THE ZONING ORDINANCE</p>		
<p>II. Advalorem Tax Parcel Number(s): _____</p>		
<p>III. Address of Property Involved: <u>580 Klondyke Rd Long Beach Ms 39560</u></p>		
<p>IV. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.) <u>Permission to have temporary trailer (6 mo maximum) to conduct business while office being built.</u></p>		
<p>V. REQUIRED ATTACHMENTS:</p> <p>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.</p> <p>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;</p> <p>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.</p> <p>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.</p> <p>***NOTE*** APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.</p>		
<p>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.</p>		
<p><u>Jerry Paige</u> Name of Rightful Owner (PRINT)</p> <p>_____ Owner's Mailing Address</p> <p>_____ City State Zip</p> <p>_____ Phone</p> <p>_____ Signature of Rightful Owner Date</p>	<p><u>Joel Carrubba</u> Name of Agent (PRINT)</p> <p><u>668 Seal Ave</u> Agent's Mailing Address</p> <p><u>Long Beach Ms 39560</u> City State Zip</p> <p><u>228-671-0052</u> Phone</p> <p><u>[Signature]</u> <u>1/16/14</u> Signature of Agent Date</p>	

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LONG BEACH RENTALS, LLC
18308-C COMMISSION ROAD
LONG BEACH, MS 39560
(228) 864-6875 (Office) (228) 697-3794 (Cell)

This Rental Agreement made between Long Beach Rentals, LLC, a company doing business in Harrison County, State of Mississippi, hereinafter called "Lessor" and Candice Metcalf (Hereinafter called "Lessee") whose address is 580 Woodley Rd P.O. Box 3956
PH # 228-671-0056 SS # _____ DL # _____

Lessor does hereby demise and lease unto Lessee, the building located at 18308-A Commission Road, Long Beach, MS 39560, to be used for business purposes, to have and to hold for a period of one year, beginning on the 15 day of Feb, 2014 Lessee paying unto Lessor the sum of 600.00 per month, payable one month in advance to Lessor at 18308-C Commission Road, Long Beach, Mississippi 39560 as rent for the use of said premises. At the completion of the building being built on said property, the rent will increase to \$1,200.00 per month. If rent is not paid within 5 days of month due, a 10 per cent (10%) late charge will be added to the amount due.

A damage deposit of \$600.00 is pending upon tenant receiving business license. Upon termination of lease this deposit will be refunded as long as premises is kept in good condition as prior to renting building.

Lessee agrees to rent property AS IS, and Lessee will be responsible for all maintenance for the duration of this lease.

LESSEE EXPRESSLY AGREES AND COVENANTS WITH LESSOR THAT:

1. He will not use the demised premises for an unlawful purpose; that he will pay the rent each month as it becomes due; that he will keep the demised premises in good condition (usual wear and depreciation excepted); that he will not store explosive or highly inflammable material or goods on the demised premises without the written consent of Lessor.
2. Lessee will at his expense obtain insurance on the property located on the demised premises, and that Lessor shall not be responsible for any damage or loss to said property caused by fire, water, theft, leakage, rodents, or from any hazard or cause whatsoever; that Lessor and Lessee each forfeit and waive any right of action that he may later acquire against the other for loss or damage to this property where such loss is caused by fire or any of the hazards insured by the standard extended coverage endorsement that arises out of or is connected with the leasing of the demised premises.
3. Lessor or its designated agent may enter said premises when deemed necessary for inspection or repair to protect the premises and property of other parties.
4. In addition to such liens and remedies provided by law to secure and collect rent, Lessee hereby grants to Lessor a lien and security interest upon all of Lessee's property, now or at any time hereafter stored on the demised premises, and in case of default in the payment of said rent by Lessee, Lessor is authorized to seize and take possession of said property and place Lessor's

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lock on the door of the demised premises, and after due notice to Lessee as provided herein, if the rent is not paid within the time specified in said notice, sell the property at public or private sale, according to the notice given, for the payment of said rent, and from the proceeds of such sale may be applied by Lessor against his lien, including the reasonable cost of such sale.

5. Notice shall be in writing setting forth and itemized statement of the amount of the indebtedness, and shall be delivered in person or forwarded by certified or registered mail addressed to Lessee at the address set forth below (or such other address Lessee shall furnish Lessor in writing), and shall contain a demand for the payment of said rent on or before a day mentioned not less than 10 days from delivery of the notice if it be personally delivered or from the time when the notice should reach its destination according to due course of post if sent by mail, and a statement that unless the rent is paid within the time specified, the property will be sold at specified place. Charge incurred by Lessor to deliver/mail such letters will be added to the itemized statement of indebtedness.

6. Should Lessee hold and retain possession of the demised premises after the expiration of this lease, his occupancy of the demised premises shall be as a tenant from month to month, and that all the covenants and conditions contained herein shall continue in full force and effect so long as Lessee holds over and retains possession of the demised premises.

7. In the event of breach of any of the foregoing covenants and conditions by Lessee, Lessor may, at the option of Lessor, terminate this lease. Rentals units to be used for storage only.

LESSEE:

LESSOR;

PRINT NAME:

Carubba Motors

LONG BEACH RENTALS, LLC

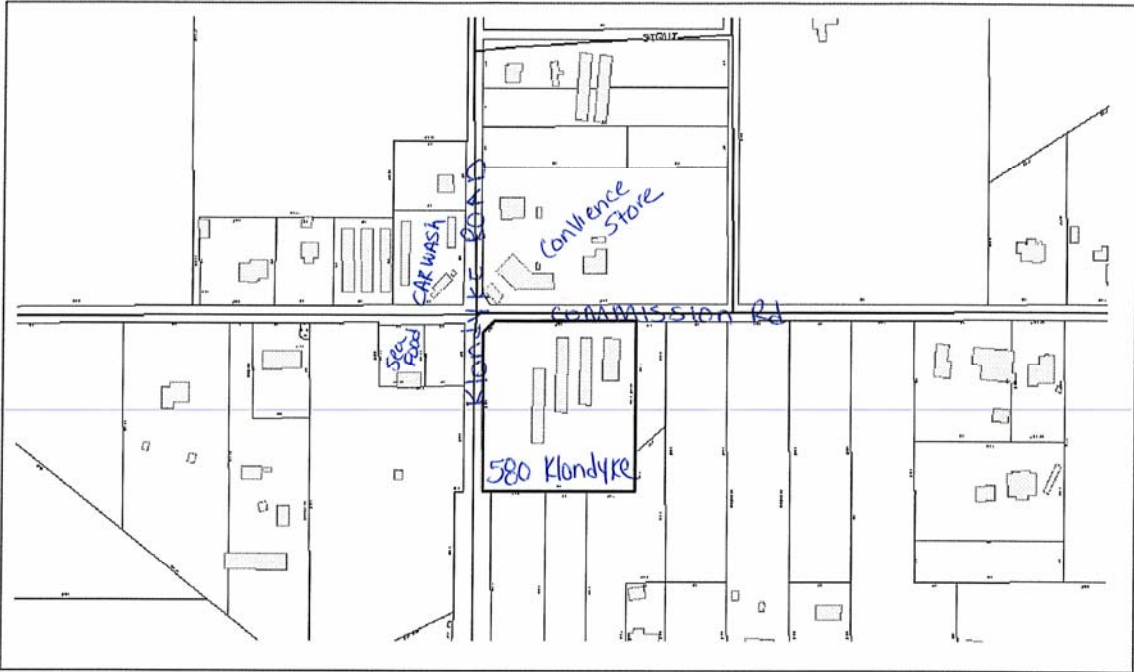
SIGNATURE:

[Signature]
for Carubba
Motors

By:

[Signature]

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Date Printed: Jan 22, 2014

Parcel #: 0611J-01-033.000

580 Klondyke Rd

Additional Parcel Information

Parcel #: 0611J-01-033.000 PPIN: 37361
Owner: LONG BEACH RENTALS LLC

Location and Mailing Information

Physical Address: 580 KLONDYKE RD
Mailing Address: 205 ROYAL DR
State: MS City: LONG BEACH Zip: 39560
Section: 12 Township: 8 Range: 12

Parcel Area Measurements

Deed Acreage: (4.00 AC)
Structure Sq. Ft.: 3680
Adjusted Sq. Ft.:
2nd Floor Sq. Ft.:
Structure Year Built.: 1977

Assessment Values

Land: 66240
Improved: 109405
Total: 175645
Assessed:

Misc. Information

Judicial District: 1
Subdivision:
Tax District: 3L

Assessment Information

Homestead Code: 0
Exemption Code: 0

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Based upon the Land Use Ordinance #598, Section 130 Temporary and Portable Units and Structures (b) Temporary and Portable Buildings and Structures (2) “A temporary or portable structure may be erected only in connection with the erection of a permanent building, street, utility, or other structure. Permission for the erection of any temporary structure shall be obtained from the Building Official after posting of sufficient bond to insure removal of it within two (2) weeks after the permanent structure is complete. A temporary or portable structure may be used for a temporary construction office and for the housing of tools, equipment, and materials”, Commissioner Yandell made motion, seconded by Commissioner Heinzl, recommending denying the request.

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

Commissioner Donald Frazer	Voted	Nay
Commissioner Randy Fischer	Voted	Aye
Commissioner Jim Heinzl	Voted	Aye
Commissioner Jack Donovan	Voted	Aye
Commissioner Jeff Hansen	Voted	Nay
Commissioner Nicholas Brown	Voted	Aye
Commissioner Ron Robertson	Voted	Aye
Commissioner Tonda Yandell	Voted	Aye

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

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