

MINUTES OF MAY 25, 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 25th of May 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, and minutes Clerk Veronica Howard.

Commissioner Ron Robertson was absent the public hearing.

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

* * *

The 1st public hearing was called to order to consider a Variance for property located at 130 Dearman Avenue, tax parcel #0612F-01-040.000, submitted by Blane Sutton as follows:

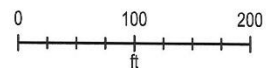
130 Dearman Ave - Tax Parcel 0612F-01-040.000



HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: April 27, 2017



MINUTES OF MAY 25, 2017 PLANNING COMMISSION



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

| | |
|-----------------|-----------|
| Office use only | |
| Date Received | 4/5/2017 |
| Zoning | R-1 |
| Agenda Date | 4/27/2017 |
| Check Number | 314 |

VARIANCE REQUEST

- I. Tax Parcel Number(s): 0612F-01-040.000
- II. Address of Property Involved: 130 DEARMAN AVE
- III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
SEE ATTACHED

****PLEASE COMPLETE THE FOLLOWING:**

- A. Describe any special condition that justify the granting of this request and that are peculiar to the property and do not apply to other properties in the general area. What are the reasons for the request and why the applicant cannot meet the stated code requirement?
SEE ATTACHED
- B. Describe how the special condition discussed above is not the result of actions taken by the applicant. Show that the applicant did not cause the need for this request.
SEE ATTACHED
- C. Show that an unnecessary hardship exists due to the character of the property and that this hardship makes the request necessary. State what hardship is caused if the applicant is required to meet code requirements? What is the result of this hardship? What would result if the Zoning Board denied this request?
SEE ATTACHED
- D. Show that denial of this request will deprive the applicant of rights commonly enjoyed by other properties in the general area and that the granting of this variance request will make possible the reasonable use of land while not conferring any special privilege. Outline how the subject of the variance is common in the area and if the applicant were to be denied this variance a right would be taken away which is granted to other properties. State how the variance makes reasonable use of the existing land and why the same action cannot be done in a way that does not require a variance. Show that granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable.
SEE ATTACHED

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 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.

| | |
|--|---|
| <p><u>BLANE SUTTON</u> Name of Rightful Owner (PRINT)</p> <p><u>716 PARK RIDGE DR.</u> Owner's Mailing Address</p> <p><u>River Ridge, LA 70123</u> City State Zip</p> <p><u>504-400-8313</u> Phone</p> <p><u>[Signature]</u> <u>3-27-17</u> Signature of Rightful Owner Date</p> | <p>_____ Name of Agent (PRINT)</p> <p>_____ Agent's Mailing Address</p> <p>_____ City State Zip</p> <p>_____ Phone</p> <p>_____ Signature of Applicant Date</p> |
|--|---|

* I WILL BE OUT OF THE COUNTRY MAY 3 - MAY 13TH
PLEASE SCHEDULE MY HEARING EITHER BEFORE OR AFTER
THOSE DATES. THANK YOU.

**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

130 Dearman Ave

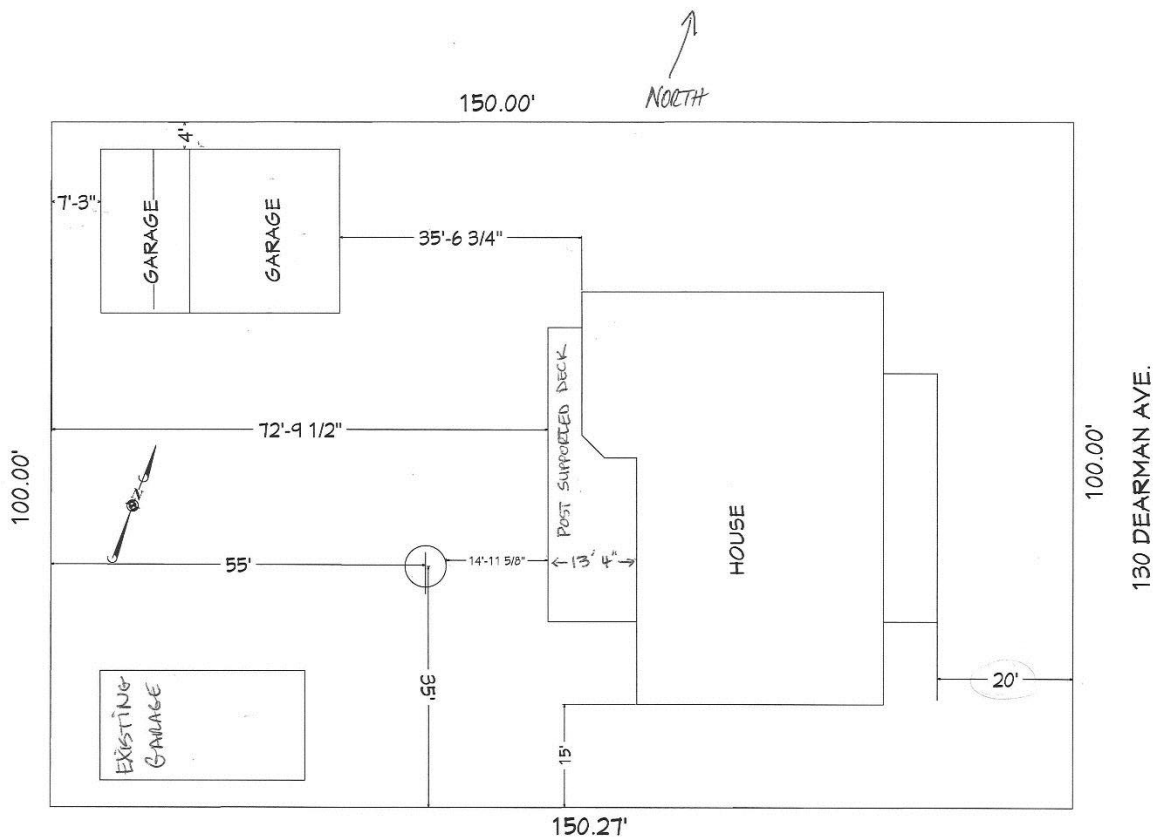
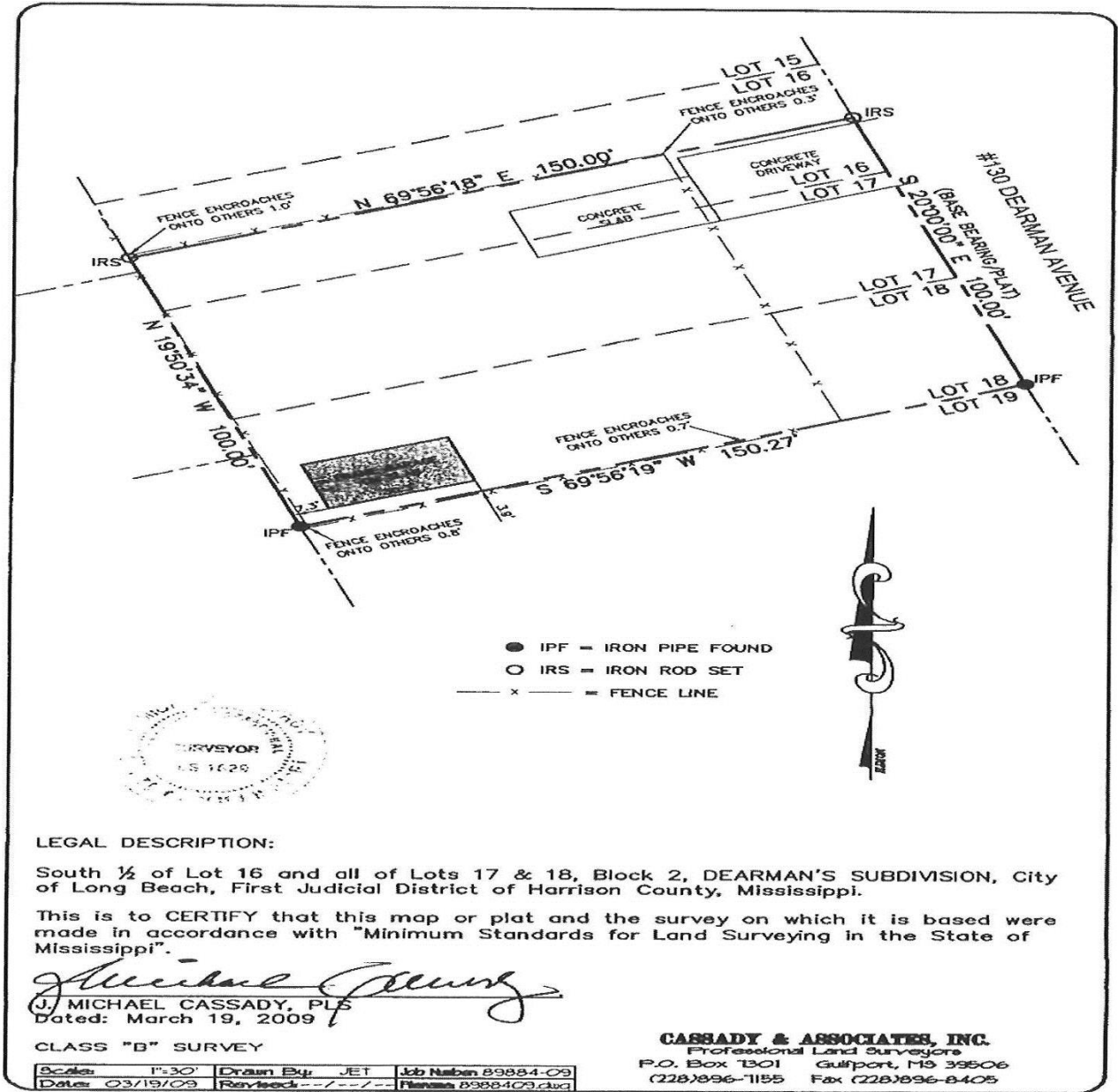
Variance Request (supplement)

5

III. Exemption for sidewalk, front setback from 25' to 20', rear setback to 7'3" and side setback to 4' to match existing garage clearance and clear live oak.

- A. An existing live oak that takes up a large portion of the western side of the property. The live oak will limit the size of the house built on the property if the setbacks are not modified to compensate for the 150+year old oak tree's canopy and root system. The nonexistence of any sidewalk on either side of the street on Dearman Ave would negatively affect the area as this would be the only sidewalk on the street.
- B. The tree is much older than the applicant so the applicant could not have caused the need for the request. The tree measures 12 feet 2 inches in diameter. I have researched several sites and there is no clear way to measure the age of this tree. It could be anywhere from 150-298 years old based on several sites.
- C. Due to the existence of a large live oak on the property and our concern to preserve the tree in its most current condition a zoning variance will be needed to give the existing root system and canopy clearance from the roof and foundation of our proposed house and garage. Per online research the majority say that a tree of this type should be given roughly 1' of ground clearance for every 1" of diameter. The measured circumference of the tree is 12'2" which equates to 46.5" in diameter. The variance we ask for concerning the garage would be at the same setbacks as an existing garage workshop with a side setback of 4' and a rear setback of 7'3" which survived Katrina and was grandfathered in under older zoning laws. The front setback of 20' versus the standard setback of 25' would align our front porch with that of 120 Dearman, two houses north of subject property. If the variance is not approved scaling of the size of the home would have to be reduced which would affect property values to surrounding properties. Currently the house as drawn would be the largest and newest house on the street which would have a positive impact on surrounding property values.
- D. Due to the size and the placement of the 150+ year old live oak it reduces the buildable area on the property. While our main concern is protecting this beautiful tree, we find it necessary for this variance as to protect the root system and existing canopy as much as possible. We feel that these setbacks will help the prolonged life of the tree and the foundation integrity of our future house.

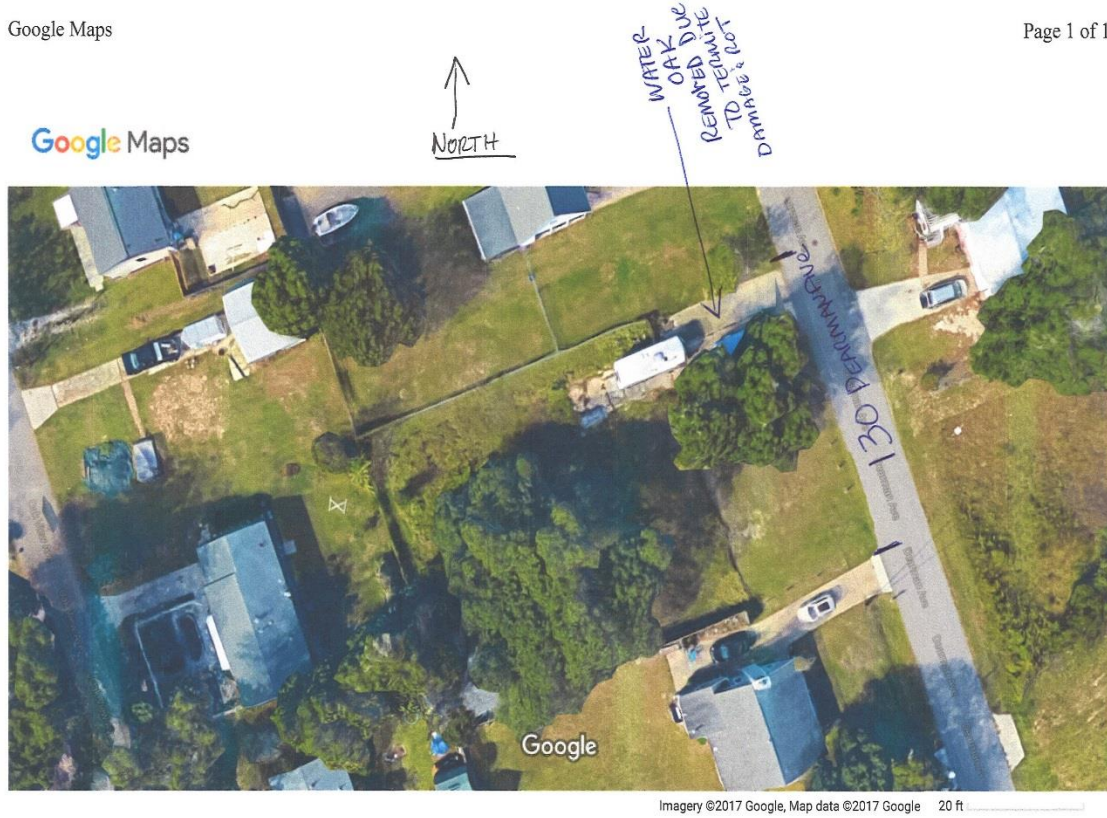
MINUTES OF MAY 25, 2017
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MINUTES OF MAY 25, 2017 PLANNING COMMISSION

Google Maps

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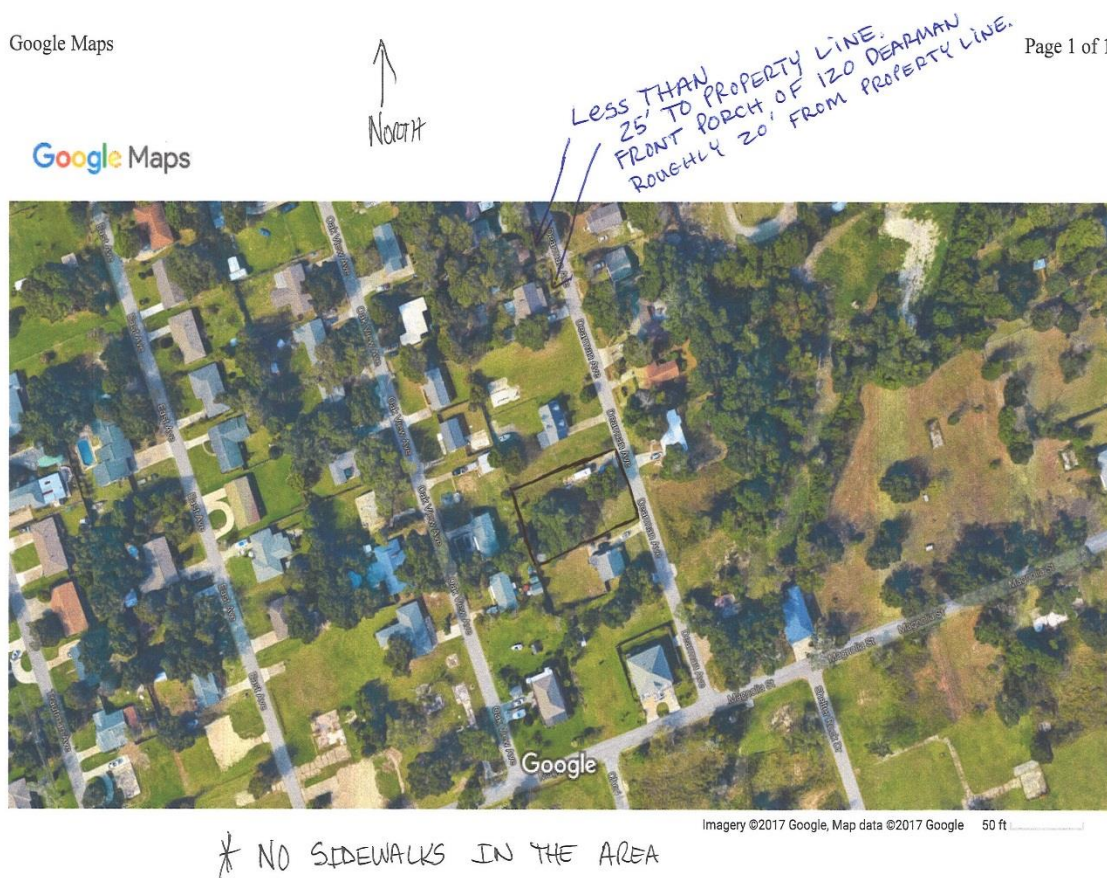


<https://www.google.com/maps/@30.345852,-89.1592408,59m/data=!3m1!1e3?hl=en>

3/24/2017

Google Maps

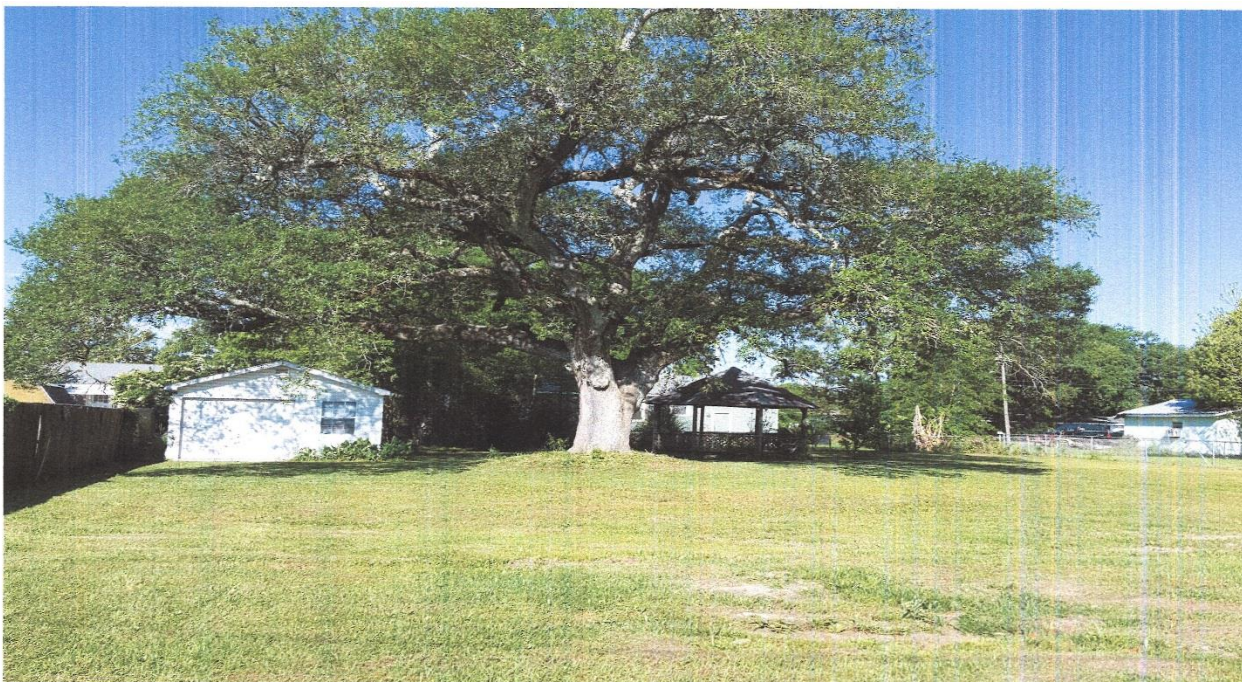
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<https://www.google.com/maps/@30.345852,-89.1592408,238m/data=!3m1!1e3?hl=en>

3/24/2017

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MINUTES OF OCTOBER 27, 2016 PLANNING COMMISSION

Gail Pav for Tyler Pav
312 E. 3rd St.
Long Beach, MS 39560

After looking at the lot at the above address I have the following recommendations.

There are 4 live oaks (*Quercus virginiana*) on the property. A very large and majestic one in the front west corner which is approx. a 60" tree. Another in the middle of the property is approx. 32", one to the NW of it which is approx. 36" and the last is towards the back and on the west property line which is approx. 30".

They are looking to build a small cottage on the property which would require removal of the live oak in the middle or the 32" tree. There are several things to be mindful of in construction around oak trees.

The root zone is about 1" in radius for every 1" of diameter. This means that the large oak in front has a root zone extending 60' out from the trunk all the way around. A protective fence would need to be installed as close to this point or the dripline as possible. Nothing can be stored in this zone and no equipment would be allowed in the zone. Compaction of the soil is a big problem. Any fill needs to be minimal and kept as far from the tree as possible. Only 1" per year of fill can be installed over the root zone. Also no washing of equipment, including paint and drywall compounds. Some of the root zone will be encountered but as long as it is kept to no more than 30% of the root zone it will not be a problem. All of these steps need to be taken with each tree wanting to be kept.

There is a substantial amount of ivy growing on the large oak tree. This needs to have 3 to 4' of the vine cut. The top of the vine will die off, dry and eventually fall off. The bottom section of vine may persist on growing and can be sprayed with a glyphosate-based, ready to use herbicide labeled for use on vines. This should be applied when the vines are actively growing which would be anytime but winter. It would also be good to remove all the dead branches from the trees being kept. Other than that use some 0-0-60 potassium (potash) around the trees twice a year and everything should be great.

If you need anything don't hesitate to give me a call.

Thanks, Jim


Jim Heintel
Certified Arborist #SO-5803A
GreenScapes Property Management LLC
110 Driftwood Drive
Long Beach, MS 39560
228.493.3223
jim@greescapesms.com
Website:
www.Greencapesms.com
Bend Like a Willow Break Like an Oak

MINUTES OF MAY 25, 2017 PLANNING COMMISSION


MINUTES OF OCTOBER 27, 2016 PLANNING COMMISSION

Dangers of Root Disturbance | Arboriological Services

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- Recommended Trees
- Woodpecker Damage

QUICK CONTACT
Please enter your information

Name _____

Email _____

Phone _____

Message _____


I am an Existing Client

I am a New Client

GET A HOLD OF US

Dangers of Root Disturbance


All trees are sensitive to root disturbance. Examples include construction, landscaping, sprinkler installation, and grade changes. The effects of these changes on existing trees can be quite devastating and can take five to ten years to become fully visible.



Tree Root Structure. Source: International Society Of Arboriculture

To understand how trees are affected by root disturbance it is important to understand the structure of a tree's root system. Ninety percent of the root system is located in the first 12 to 18 inches of soil. The roots extend radially from the trunk one to two times the height of the tree.

During construction, the root system is cut to install foundations, sidewalks, driveways, utilities, pools, landscape beds, and irrigation systems. The closer to the tree the construction occurs, the more destructive it is.



Tree After Roots Are Cut. (Joseph O'Brien, USDA Forest Service)

Need expert advice? Contact one of our Certified Arborists today.

THERE ARE TWO MAIN TYPES OF TREE ROOTS:

1. Structural Roots

These roots anchor the tree and keep it from falling over. The structural roots begin at the base of the tree called the root flare. They grow mostly horizontally in the soil and taper in diameter as they move away from the tree. The cumulative mass of the root system keeps the tree upright, not just the tap root. The tap root can dissipate over time and is replaced with a series of sinker roots (smaller tap roots) through the entire rootzone. In conclusion, the closer to the trunk roots are cut, the higher the probability the tree will be unstable and fall over. A good rule of thumb is to stay approximately 6" to 12" from the trunk for every inch in diameter the tree is at DBH (diameter at breast height or 4.5' above grade). For example, a 16" Live Oak requires a

<http://www.arboriological.com/tree-articles/dangers-of-root-disturbance/>

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Dangers of Root Disturbance | Arboriological Services

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construction free distance of 8' to 16' from the trunk. Your certified arborist can assist you in deciding the critical distance depending on your individual situation.

2. Feeder Roots

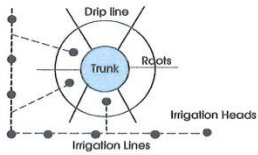
These roots are the small fibrous roots that absorb water and minerals. The more of these roots that are destroyed, the more the tree's ability to feed itself is impacted. Cutting roots is not the only way these roots are killed. Damage also occurs through compaction of the soil from heavy equipment repeatedly driving over the root zone or supplies being stored under the tree. Compaction of the soil reduces the pore space between soil particles, eliminating the oxygen in the soil which causes root death. Signs of feeder root damage are small pale colored leaves, leaves turning brown on the edges or shedding early, and the tips of the limbs dying over time.



Root damage from construction

In general, it is recommended not to remove more than 20-30% of the tree above and below ground at a given time. Tree species react differently to construction changes, but all trees take several years to acclimate and recover.

The most common damage following construction is from irrigation installation and over-watering. Sprinkler installation can cause just as much damage as initial construction due to the amount of trenching in the root zone. When laying out sprinkler lines, limit the trenching across the root zone under the trees. Radial trenching can aid in this process.



EXAMPLE OF RADIAL IRRIGATION INSTALLATION

After all of the construction is completed and the irrigation is installed, it is critical to not over water the existing trees. Most of our native trees are adapted to dry conditions and are adapted to receiving approximately 30" of rain a year. When an increase in water occurs, the soil can stay saturated, reducing the amount of oxygen. Roots begin to rot in this anaerobic condition, and trees can decline or die. Clay soils stay saturated longer than sandier soils. It is recommended to limit watering to 1" of water a week during the growing season including rainfall. This allows the soil to be moistened and then dry out, mimicking our region's natural rainfall pattern. Remember slope, drainage, rainfall, and sun exposure will vary the frequency and duration of the sprinkler system schedule. It is also helpful to match the water requirements of what you plant under the trees to the trees themselves. For example, planting Impatiens or Azaleas (requiring frequent watering) under a Red Oak (preferring dryer soils) will damage the Red Oak over time.

Need expert advice? Click or call today.

GUIDELINES FOR TREE PROTECTION

Before Construction:

<http://www.arboriological.com/tree-articles/dangers-of-root-disturbance/>

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PLANNING COMMISSION



J. Jones 1st Judicial District
Instrument 2015 7679 D -J1
Filed/Recorded 10/15/2015 02:25 P
Total Fees \$ 24.00
3 Pages Recorded

Prepared by:
Donald R. Jones, #3197
Attorney at Law
P. O. Box 7555
Gulfport, MS 39506
(228) 864-8965
File #155136

Return to:
Donald R. Jones
Attorney at Law
P. O. Box 7555
Gulfport, MS 39506
(228) 864-8965

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned, ZACHARY ADAM KLEE and wife, DONNA JEAN KLEE, 1583 Comanche Road, Arnold, MD 21012, Phone: 202.215.3894, do hereby sell, convey and warrant unto BLANE SUTTON, 1144 MacArthur Avenue, Harvey, LA 70058, 504-400-8313, the following described land and property being located in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

Lots Seventeen (17), Eighteen (18), and the South One-half (S1/2) of Lot Sixteen (16), Block Two (2), DEARMAN'S SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 12 at Page 6 (Copy Book 5 at

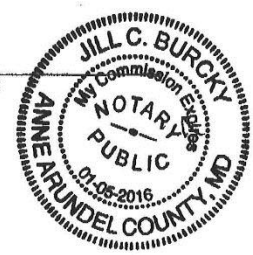
3.

STATE OF MARYLAND
COUNTY OF Anne Arundel

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 5th day of October, 2015.

Jill C. Burcky
NOTARY PUBLIC



My Commission Expires:
January 5, 2016

MINUTES OF MAY 25, 2017 PLANNING COMMISSION

The clerk reported that twenty-one (21) notices of public hearing were sent by regular mail, to property owners within two hundred feet (200') of the subject property. Notices were also posted on the bulletin boards at City Hall, the Building Official's office, and the Water Department, 201 Jeff Davis Avenue; Said notice was ordered as part of these proceedings:

City of Long Beach



LEGAL NOTICE

PUBLIC HEARING

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

Blane Sutton, 716 Park Ridge Drive, River Ridge, Louisiana, 70123 has filed an application for a variance in accordance with the Comprehensive Long Beach Unified Land Ordinance. **For the purpose of building a home, the applicant is requesting a 5' (five foot) front yard setback variance, from the required 25' (twenty-five feet)**. The address for the requested variance is 130 Dearman Avenue, tax parcel number is 0612F-01-040.000. The legal description is as follows:

Lots Seventeen (17), Eighteen (18), and the South one-half (S1/2) of Lot Sixteen (16), Block Two (2), DEARMAN'S SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 12 at Page 6 (Copy Book 5 at Page 390) thereof, reference to which is hereby made in aid of and as a part of this description.

A public hearing to consider the above variance will be held in the City of Long Beach, Mississippi 39560, Thursday, May 25, 2017, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

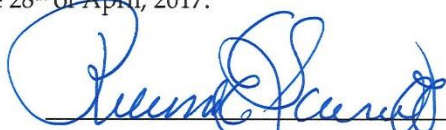
BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared before me, VERONICA HOWARD, known to me to be the Minutes Clerk of the City of Long Beach, Mississippi, Planning Commission, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

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

2. That in such capacity, she is responsible for mailing Notices of Public Hearing for the purpose of notifying property owners within Two Hundred Feet (200') of the subject property, when applications for zoning map changes, variances, appeals, etc., are filed, all as stipulated in The Zoning Ordinance Number 598 of the City of Long Beach; and other matters pertaining to such public hearings and the business of the Planning Commission in and for the City of Long Beach;

3. That on April 28, 2017, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 21 property owners within 200' of 130 Dearman Avenue – Tax Parcel No. 0612F-01-040.000 notifying them that a public meeting will be held, May 25, 2017, to consider an application for a Variance filed by Blane Sutton.

Given under my hand this the 28th of April, 2017.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 28th day of April 2017.

-My Commission Expires-


NOTARY PUBLIC



AFFIDAVIT-PHOTOS;POST NOTICE

MINUTES OF MAY 25, 2017 PLANNING COMMISSION

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1144 MACARTHUR AVE
HARVEY LA 70058

BLANE SUTTON
716 PARK RIDGE DR
RIVER RIDGE LA 70123

SCOTT & MARY HOOK
510 MAGNOLIA ST
LONG BEACH MS 39560

FREDERICK & CHRISTY WELCH
422 MAGNOLIA ST
LONG BEACH MS 39560

ANDREW KOVACS
132 DEARMAN AVE
LONG BEACH MS 39560

WALTER THIES
34602 W DUBUISSON RD
SLIDELL LA 70460

LAURIE TURFITT LADNER ET AL
509 SUNSET
BAY ST LOUIS MS 39520

LYNN LENNOX & WIFE
3312 BISSONET DR
METARIE LA 70003

JAMES SUTTON
131 DEARMAN AVE
LONG BEACH MS 39560

CAROLYN KANAGY & KATHY SHELLSTROM
2607 HARTZELL
EVANSTON IL 60201

JOHN & SYLVIA BARNARD
127 DEARMAN AVE
LONG BEACH MS 39560

HETTA HERNANDEZ
128 DEARMAN AVE
LONG BEACH MS 39560

RONNIE & MICHELLE SAVOY
7408 WINDSOR DR
HARAHAN LA 70123

KIM MARIE MATTOX
113 OAKVIEW AVE
LONG BEACH MS 39560

WILLIAM & LYDIA PERRIN
503 CAROL AVE
EL DORADO AR 71730

CRAIG EUGENE & SUSAN SHUMAKE
10520 ALLEN RD
GULFPORT MS 39503

HEATHER CARNOCKI
119 OAK VIEW AVE
LONG BEACH MS 39560

PHILLIP WINCHESTER
111 OAKVIEW AVE
LONG BEACH MS 39560

LYNN & RICHARD SHEPLER
118 OAKVIEW AVE
LONG BEACH MS 39560

RODNEY & CLINE PAUL BURKHOLDER
123 DIAMOND CT
HARRISONBURG VA 22801

EDGAR & AMY VICKERY
6771 GILMER WILBURN RD
COLUMBUS MS 39701

JIMMY & LILLE BEAVER
121 OAKVIEW AVE
LONG BEACH MS 39560

JOHN LEE & CLAIRE TUEPKER
103 DRIFTWOOD DR
LONG BEACH MS 39560

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

Proof of Publication

STATE OF MISSISSIPPI

COUNTY OF HARRISON

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

Vol. 133 No., 212 dated 3 day of may, 20 17

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

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

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

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

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

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

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

Crista Brackett

Clerk

Sworn to and subscribed before me this 3 day of may, A.D., 20 17

Meri A. Jackson

Notary Public

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

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 variance. Blane Sutton, 716 Park Ridge Drive, River Ridge, Louisiana, 70123 has filed an application for a variance in accordance with the Comprehensive Long Beach Unified Land Ordinance. For the purpose of building a home, the applicant is requesting a 5' (five foot) front yard setback variance, from the required 25' (twenty-five feet). The address for the requested variance is 130 Dearman Avenue, tax parcel number is 0612F-01-040.000. The legal description is as follows:
Lots Seventeen (17), Eighteen (18), and the South one-half (S1/2) of Lot Sixteen (16), Block Two (2), DEARMAN'S SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 12 at Page 6 (Copy Book 5 at Page 390) thereof, reference to which is hereby made in aid of and as a part of this description.
A public hearing to consider the above variance will be held in the City of Long Beach, Mississippi 39560, Thursday, May 25, 2017, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.
/s/ signed
Chairman
Planning Commission
ADV3,1WED
1888947



MINUTES OF MAY 25, 2017 PLANNING COMMISSION

Mr. Sutton came forward to reiterate his application.

* * *

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

* * *

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

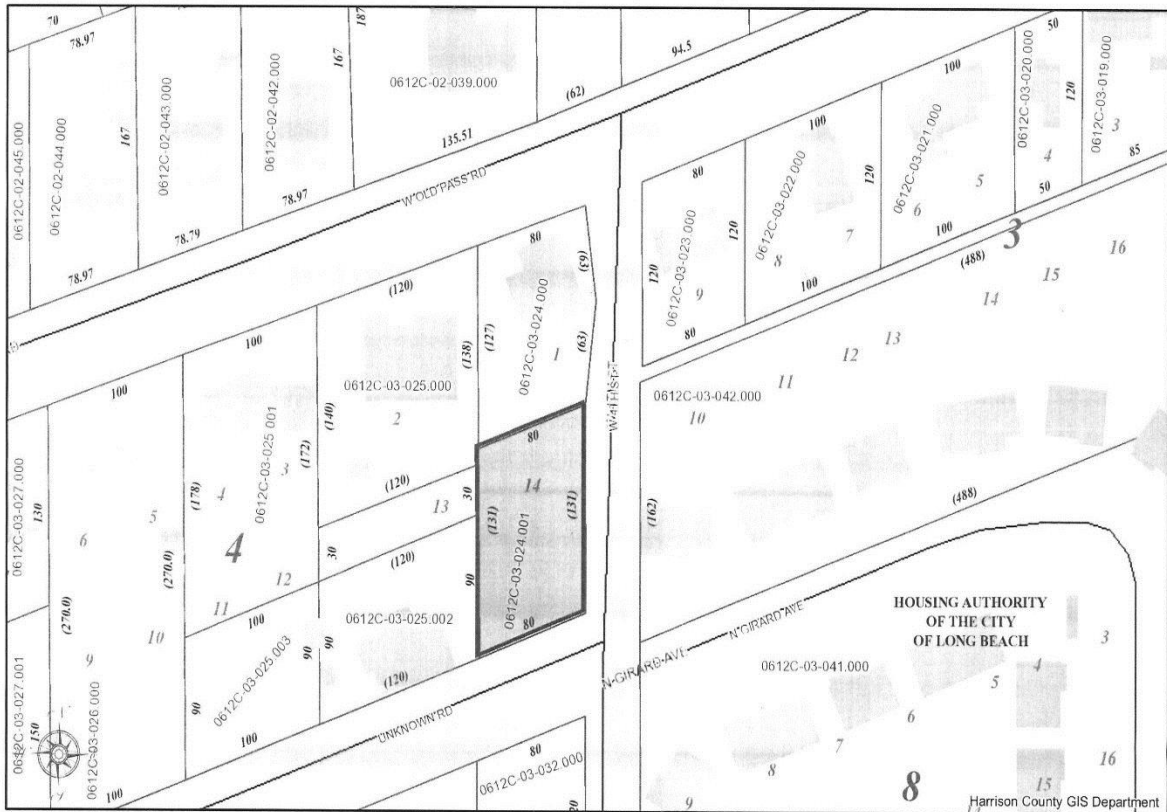
* * *

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

Commissioner Hansen made motion seconded by Commissioner Frazer and unanimously carried, recommending approval of the variance in accordance with the Unified Development Ordinance 598, Section 61: Variances.

The 2nd public hearing was called to order to consider a short-term rental for property located at 314 A & B 4th Avenue, tax parcel 0612C-03-024.001, submitted by James Ray, Ray Family Trust as follows:

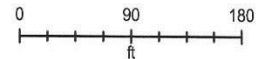
314 4TH AVE - TAX PARCEL 0612C-03-024.001



HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: April 28, 2017



**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**



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

| | |
|-----------------|-----------|
| Office use only | |
| Date Received | 4/26/2017 |
| Zoning | R-2 |
| Agenda Date | 5/25/2017 |
| 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 Re-subdivision was started we were not under the setback 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 for grant income is required with present setback violations the properties would not qualify for a loan

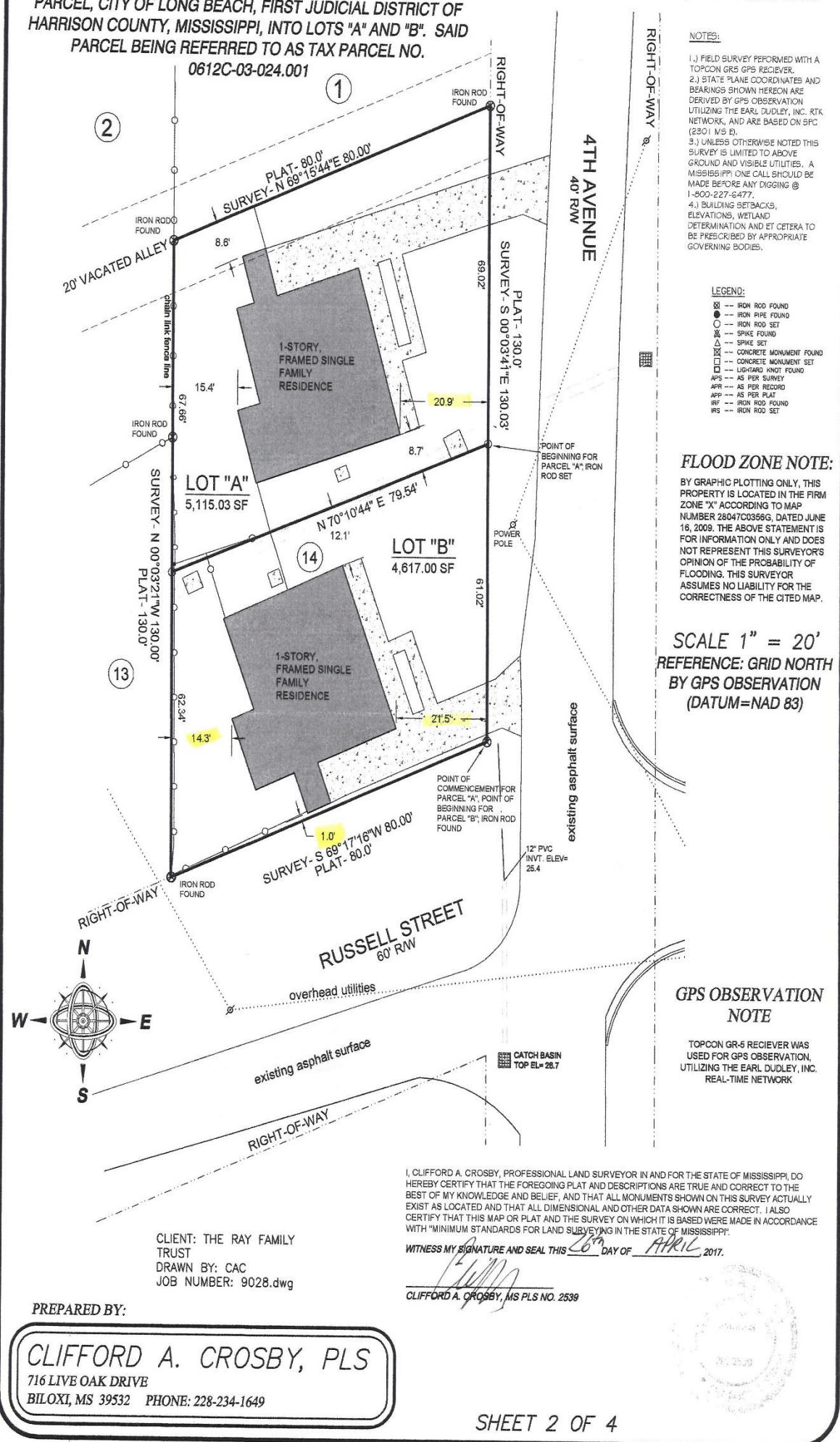
D. Show that denial of this request will deprive the applicant of rights commonly enjoyed by other properties in the general area and that the granting of this variance request will make possible the reasonable use of land while not conferring any special privilege. Outline how the subject of the variance 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 (Unknown) Russell St. appears to violate setback

MINUTES OF MAY 25, 2017 PLANNING COMMISSION

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 PERFORMED WITH A TOPCON GR5 GPS RECEIVER.
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) N/S B.
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
 ⊕ --- LIGHTED KNOT FOUND
 AS --- AS PER SURVEY
 APR --- AS PER RECORD
 APR --- 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 28047C0366G, 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 RECEIVER 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

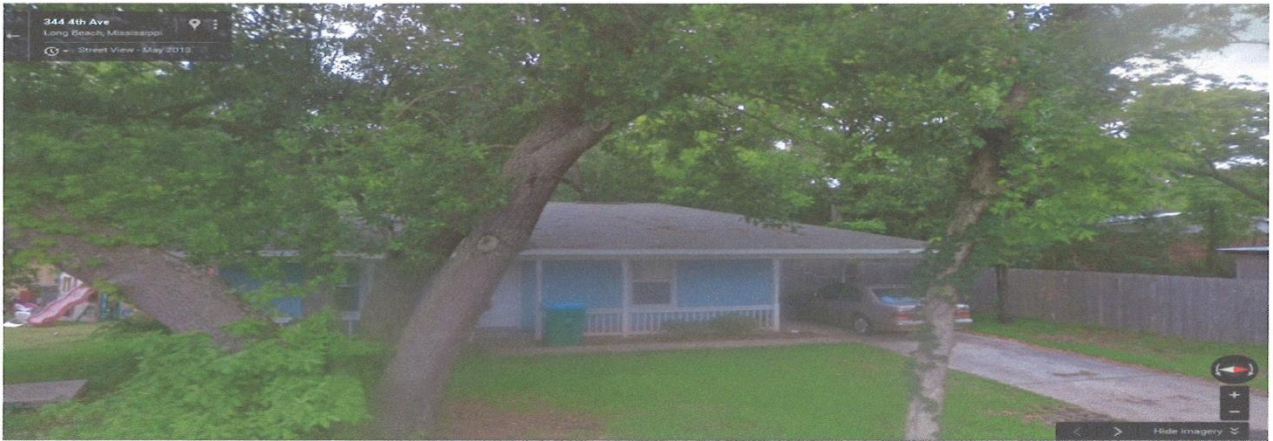
PREPARED BY:
CLIFFORD A. CROSBY, PLS
 716 LIVE OAK DRIVE
 BILOXI, MS 39532 PHONE: 228-234-1649

SHEET 2 OF 4

MINUTES OF MAY 25, 2017
PLANNING COMMISSION



Looking Northwest



Looking West from 4th Ave



Looking West from 4th Ave



Looking Northwest from 4th Ave

MINUTES OF MAY 25, 2017
PLANNING COMMISSION



Looking West on Russell



Aerial View



Looking East

MINUTES OF MAY 25, 2017
PLANNING COMMISSION



[Signature] 1st Judicial District
Instrument 2015 8384 D -J1
Filed/Recorded 11/12/2015 01:16 P
Total Fees \$ 12.00
6 Pages Recorded

| | |
|---|---|
| Prepared by: Gerald M. Warren, Attorney 1311 Spring St., Suite A Gulfport, MS 39507 (228)897-9975 MS Bar No. 06963 | Return to: Gerald M. Warren, Attorney P. O. Box 1506 Gulfport, MS 39502 (228)897-9975 |
|---|---|

INDEXING INSTRUCTIONS: Lot 14, Block 4, Kohler & Russell S/D

WARRANTY DEED

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

JAMES O. RAY and wife,
M. LOUISE RAY,
P. O. Box 962
Long Beach, MS 39560
(228) 865-0132

do hereby sell, convey and warrant unto

JAMES RAY and MARGARET RAY, as Trustees of
THE RAY FAMILY TRUST,
UNDER AGREEMENT DATED JUNE 16, 2010
P. O. Box 962
Long Beach, MS 39560
(228) 865-0132

the following land and property, lying and being situated in the County of Harrison, First Judicial District, State of Mississippi, and being more particularly described as follows, to-wit:

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 thereto appertaining.

MINUTES OF MAY 25, 2017 PLANNING COMMISSION

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

City of Long Beach



LEGAL NOTICE

PUBLIC HEARING

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

James Ray, Ray Family Trust, 470 West Beach Boulevard, Long Beach, Mississippi, 39560 has filed an application for a variance in accordance with the Comprehensive Long Beach Unified Land Ordinance. **For the purpose of subdividing a lot, the applicant is requesting a 4'1" (four foot, one inch) front yard setback variance, from the required 25' (twenty-five foot) on lot A. The applicant is also requesting a 3'5" (three foot, five inch) front yard setback variance, (from the required 25' (twenty-five feet)), a 7' (seven foot) side yard setback variance (from the required 8' (eight feet)) and a .7" (seven-tenths of an inch) rear setback variance (from the required 15' (fifteen feet)) on lot B.** The address for the requested variance is 314 4th Avenue, Units A & B, tax parcel number is 0612C-03-024.001. The legal description is as follows:

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 thereto appertaining.

A public hearing to consider the above variance will be held in the City of Long Beach, Mississippi 39560, Thursday, May 25, 2017, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 Jeff Davis Avenue. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared before me, VERONICA HOWARD, known to me to be the Minutes Clerk of the City of Long Beach, Mississippi, Planning Commission, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

1. That she is the duly appointed and acting Minutes Clerk of the City of Long Beach, Mississippi, Planning Commission;
2. That in such capacity, she is responsible for mailing Notices of Public Hearing for the purpose of notifying property owners within Two Hundred Feet (200') of the subject property, when applications for zoning map changes, variances, appeals, etc., are filed, all as stipulated in The Zoning Ordinance Number 598 of the City of Long Beach; and other matters pertaining to such public hearings and the business of the Planning Commission in and for the City of Long Beach;
3. That on April 28, 2017, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 10 property owners within 200' of 314 4th Avenue, Units A and B – Tax Parcel No. 0612C-03-024.001 notifying them that a public meeting will be held, May 25, 2017, to consider an application for a Variance filed by James Ray, Ray Family Trust.

Given under my hand this the 28th of April, 2017.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 28th day of April 2017.

-My Commission Expires-


NOTARY PUBLIC



MINUTES OF MAY 25, 2017 PLANNING COMMISSION

JAMES RAY
RAY FAMILY TRUST
470 W BEACH BLVD
LONG BEACH MS 39560

JAMES & MARGARET RAY TRUSTEES
PO BOX 962
LONG BEACH MS 39560

MISS REGIONAL HOUSING AUTH VIII
10430 THREE RIVERS RD
GULFPORT MS 39503

PAULA SPEARS & BRENDA LADNER
415 W OLD PASS RD
LONG BEACH MS 39560

LUKE & AMY WILSON
413 W OLD PASS RD
LONG BEACH MS 39560

JOHN SNEED
501 W OLD PASS RD
LONG BEACH MS 39560

WILLIAM & GLORIA HAYES
503 W OLD PASS RD
LONG BEACH MS 39560

GABRIEL D'ARCANGELIS
505 W OLD PASS RD
LONG BEACH MS 39560

MICAH CATLIN
402 RUSSELL ST
LONG BEACH MS 39560

JOHN REED
312 4TH AVE
LONG BEACH MS 39560

JASON LADNER
20120 LOVERS LN
LONG BEACH MS 39560

DEWEY & TERRIE TURNAGE
502 W OLD PASS RD
LONG BEACH MS 39560

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

Proof of Publication

STATE OF MISSISSIPPI
COUNTY OF HARRISON

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

Vol. 133 No., 212 dated 3 day of may, 2017
 Vol. _____ No., _____ dated _____ day of _____, 20____
 Vol. _____ No., _____ dated _____ day of _____, 20____
 Vol. _____ No., _____ dated _____ day of _____, 20____
 Vol. _____ No., _____ dated _____ day of _____, 20____
 Vol. _____ No., _____ dated _____ day of _____, 20____
 Vol. _____ No., _____ dated _____ day of _____, 20____

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

Crista Brackett
Clerk

Sworn to and subscribed before me this 3 day of may, A.D., 2017

Meri A. Jackson
Notary Public

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



**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

Commission Chairman recognized, Mr. Brad Ray, representing the applicant.

* * *

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

* * *

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

* * *

Commissioner Frazer made motion seconded by Commissioner Brown and unanimously carried to close the public hearing.

* * *

Discussion was had regarding a permit issued in December 2009 permitting the construction of a duplex on the subject property. After discussion Commissioner Fisher made motion seconded by Commissioner Brown and unanimously carried, recommending approval of the 4'1" front yard setback variance on lot A, in accordance with the Unified Development Ordinance 598, Section 61: Variances.

After further discussion Commissioner Carrubba made motion seconded by Commissioner Hansen and unanimously carried recommending a 3'.5" (three foot, 5 inch) front yard setback variance, a 7' (seven foot) side yard setback variance and a .7" (seventh of an inch) rear setback variance on lot B, in accordance with the Unified Development Ordinance 598, Section 61: Variances.

Be it remembered that a regular meeting of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 25th day of May 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 public hearing the following named persons: Commission Chairman Frank Olaiivar, Commissioners Donald Frazer, Randy Fischer, Chris Carrubba, Jeff Hansen, Nicholas Brown, and minutes Clerk Veronica Howard.

Commissioner Ron Robertson was absent the meeting.

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

Commissioner Fischer made motion seconded by Commissioner Hansen and unanimously carried to approve the regular meeting minutes of May 11, 2017, as submitted.

MINUTES OF MAY 25, 2017 PLANNING COMMISSION

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

No action was taken.

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

No action was taken.

It came for discussion under unfinished business Zone text change – chart of uses (remanded back for further review & consideration). The following was submitted by Planning Commission Consultant Bill Hessell for review:

| 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 | | | | | | | | | |
| 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 | | | |
| Condominium | | | R | | | X | R | X | X | X | | | |
| Zero-Lot Line (4 acre min.) | X | R | R | X | | | | | | | | | |
| Apartment Building <i>Low Rise</i> | | | R | | | X | X | X | X | X | | | |
| Apartment Building <i>High Rise</i> | | | X | | | X | X | X | X | X | | | |
| Live-Work Unit | | | | | R | S | S | X | S | X | | | |
| Mobile Home Park | | | | S | | | | | | | | | |
| Manufactured Homes | | | | X | | | | | | | | | |
| | 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 | | | |
| 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 | | |

**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

| | | | | | | | | | | | | | |
|--|----|----|----|----|----|----|------|----|-----|----|-----|-----|-----|
| 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 | |
| Storage and Distribution | | | | | | | | X | | | R | R | |

R = permitted by right


X = permitted with Planning Commission Approval

S = permitted as Special-use (hearing)

After review it was the consensus of the Planning Commission to take the aforementioned recommendations under advisement.

**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

It came for consideration Preliminary Plat approval for a zero lot line development for property located at 316 East 5th Street, tax parcel 0612A-03-034.000 & 400 East 5th Street, tax parcel 0612A-03-034.001 submitted by JEL Development III, LLC as follows:

| | | | | | | | | | | | | |
|--|--|--|---|--|-----------|----------|------------|----------|-------------|----------|------------|----------|
|  | <p>CITY OF LONG BEACH 201 Jeff Davis Avenue PO BOX 929 LONG BEACH, MS 39560 (228) 863-1554 office (228) 863-1558 fax</p> | <p align="center">Office use only</p> <p>Date Received <u>4/25/2017</u> Zoning <u>R-1</u> Agenda Date <u>4/27/2017</u> Check Number <u>1221</u></p> | | | | | | | | | | |
| <p>I. TYPE OF CASE: <u>X</u> PRELIMINARY PLAT APPROVAL FOR A SUBDIVISION _____ FINAL PLAT APPROVAL FOR A SUBDIVISION</p> | | | | | | | | | | | | |
| <p>II. ADVALOREM TAX PARCEL NUMBER(S): _____</p> | | | | | | | | | | | | |
| <p>III. GENERAL LOCATION OF PROPERTY INVOLVED: <u>FIFTH STREET ROAD</u> <u>Douglas North Property</u></p> | | | | | | | | | | | | |
| <p>IV. ADDRESS OF PROPERTY INVOLVED: <u>316 AND 400 EAST 5TH STREET</u></p> | | | | | | | | | | | | |
| <p>V. GENERAL DESCRIPTION OF REQUEST: Subdivision of <u>8 Lots</u> ^{zero} <u>0 lot line</u> Into <u>Detach Homes USING Sect 12.3 AS A GUID</u> <u>RESIDENTIAL USE.</u></p> | | | | | | | | | | | | |
| <p>VI. REQUIRED ATTACHMENTS:</p> <p>A. Please refer to the City of Long Beach Subdivision Regulations for required documents. B. Cash or Check payable to the City of Long Beach in the amount as follows:</p> <table style="margin-left: 40px;"> <tr><td>2-3 Lots</td><td>\$100.00</td></tr> <tr><td>4-10 lots</td><td>\$150.00</td></tr> <tr><td>11-50 lots</td><td>\$300.00</td></tr> <tr><td>50-100 lots</td><td>\$400.00</td></tr> <tr><td>100 + lots</td><td>\$500.00</td></tr> </table> <p>C. Proof of ownership (copy of recorded warranty deed), if applicable proof of authority to act as agent for owner.</p> <p>***NOTE*** APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.</p> | | | 2-3 Lots | \$100.00 | 4-10 lots | \$150.00 | 11-50 lots | \$300.00 | 50-100 lots | \$400.00 | 100 + lots | \$500.00 |
| 2-3 Lots | \$100.00 | | | | | | | | | | | |
| 4-10 lots | \$150.00 | | | | | | | | | | | |
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| 50-100 lots | \$400.00 | | | | | | | | | | | |
| 100 + lots | \$500.00 | | | | | | | | | | | |
| <p>VII. OWNERSHIP AND CERTIFICATION: READ BEFORE EXECUTING, The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than fifteen (15) days before the 2nd or 4th Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.</p> <p>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> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><u>JEL INVESTMENTS III LLC</u> Name of Rightful Owner (PRINT)</p> <p><u>P.O. Box 779</u> Owner's Mailing Address</p> <p><u>L.B.</u> <u>MS</u> <u>39560</u> City State Zip</p> <p><u>228-324-2048</u> Phone</p> <p><u>Stevens@jlb-co.com</u> Email address (*You may be contact by email regarding your application)</p> <p><u>[Signature]</u> <u>4-24-2017</u> Signature of Rightful Owner Date <u>MANAGING MEMBER</u></p> </td> <td style="width: 50%; vertical-align: top;"> <p>_____ Name of Agent (PRINT)</p> <p>_____ Agent's Mailing Address</p> <p>_____ City State Zip</p> <p>_____ Phone</p> <p>_____ Email address (*You may be contact by email regarding your application)</p> <p>_____ Signature of Applicant Date</p> </td> </tr> </table> | | | <p><u>JEL INVESTMENTS III LLC</u> Name of Rightful Owner (PRINT)</p> <p><u>P.O. Box 779</u> Owner's Mailing Address</p> <p><u>L.B.</u> <u>MS</u> <u>39560</u> City State Zip</p> <p><u>228-324-2048</u> Phone</p> <p><u>Stevens@jlb-co.com</u> Email address (*You may be contact by email regarding your application)</p> <p><u>[Signature]</u> <u>4-24-2017</u> Signature of Rightful Owner Date <u>MANAGING MEMBER</u></p> | <p>_____ Name of Agent (PRINT)</p> <p>_____ Agent's Mailing Address</p> <p>_____ City State Zip</p> <p>_____ Phone</p> <p>_____ Email address (*You may be contact by email regarding your application)</p> <p>_____ Signature of Applicant Date</p> | | | | | | | | |
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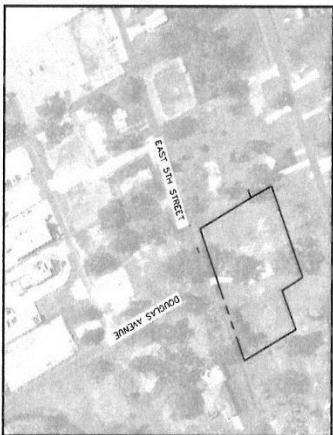
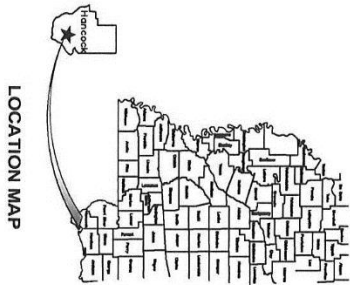
MINUTES OF MAY 25, 2017 PLANNING COMMISSION

FIFTH STREET COTTAGES JEL INVESTMENTS III. LLC. Long Beach, MS


MAY 22, 2017

DETAILED INDEX

| DESCRIPTION OF SHEET | WKG. NO. | SHEET NO. |
|---------------------------|----------|-----------|
| <u>GENERAL SHEETS</u> | | |
| TITLE SHEET | G-001 | 1 OF 8 |
| GENERAL NOTES | GN-1 | 2 OF 8 |
| <u>CIVIL SHEETS</u> | | |
| BOUNDARY AND TOPO SURVEY | C-100 | 3 OF 8 |
| LOT AND STREET LAYOUT | C-200 | 4 OF 8 |
| GRADING AND DRAINAGE PLAN | C-300 | 5 OF 8 |
| UTILITY PLAN | C-400 | 6 OF 8 |
| UTILITY DETAILS | C-500 | 7 OF 8 |
| EROSION CONTROL DETAILS | C-600 | 8 OF 8 |
| <u>PRELIMINARY PLAT</u> | | |
| PRELIMINARY PLAT LAYOUT | PLAT | 1 OF 1 |




DATE : _____
JASON P. CHINICHE, P.E.
 MISSISSIPPI LICENSE NO. 19732

| SHEET TITLE GENERAL NOTES | PROJECT TITLE FIFTH STREET COTTAGES JEL INVESTMENTS III, LLC LONGBEACH, MS, |  | | | | | | | | | | | | | | | | | | | | |
|---|---|---|--|--|--|-------------|--------|------|------------|------|----------|-------------|-----|------------|-----|-------|----------|--|-------------|---|--------------|-------|
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>DATE</th> <th>REVISION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table> | DATE | REVISION | | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>PROJECT NO.</td> <td>17-018</td> </tr> <tr> <td>TOWN</td> <td>LONG BEACH</td> </tr> <tr> <td>DATE</td> <td>05/23/17</td> </tr> <tr> <td>DESIGNED BY</td> <td>JPC</td> </tr> <tr> <td>CHECKED BY</td> <td>JPC</td> </tr> <tr> <td>SCALE</td> <td>AS SHOWN</td> </tr> </table> | PROJECT NO. | 17-018 | TOWN | LONG BEACH | DATE | 05/23/17 | DESIGNED BY | JPC | CHECKED BY | JPC | SCALE | AS SHOWN | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>SHEET COUNT</td> <td>1</td> </tr> <tr> <td>SHEET NUMBER</td> <td>G-001</td> </tr> </table> | SHEET COUNT | 1 | SHEET NUMBER | G-001 |
| DATE | REVISION | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| PROJECT NO. | 17-018 | | | | | | | | | | | | | | | | | | | | | |
| TOWN | LONG BEACH | | | | | | | | | | | | | | | | | | | | | |
| DATE | 05/23/17 | | | | | | | | | | | | | | | | | | | | | |
| DESIGNED BY | JPC | | | | | | | | | | | | | | | | | | | | | |
| CHECKED BY | JPC | | | | | | | | | | | | | | | | | | | | | |
| SCALE | AS SHOWN | | | | | | | | | | | | | | | | | | | | | |
| SHEET COUNT | 1 | | | | | | | | | | | | | | | | | | | | | |
| SHEET NUMBER | G-001 | | | | | | | | | | | | | | | | | | | | | |

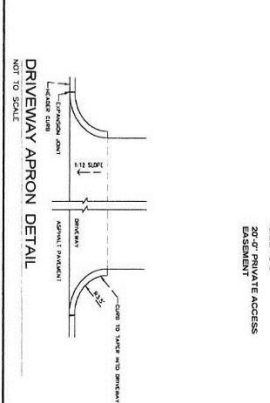
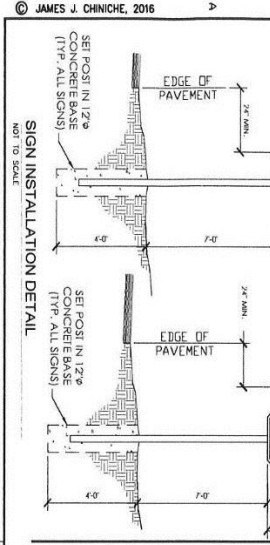
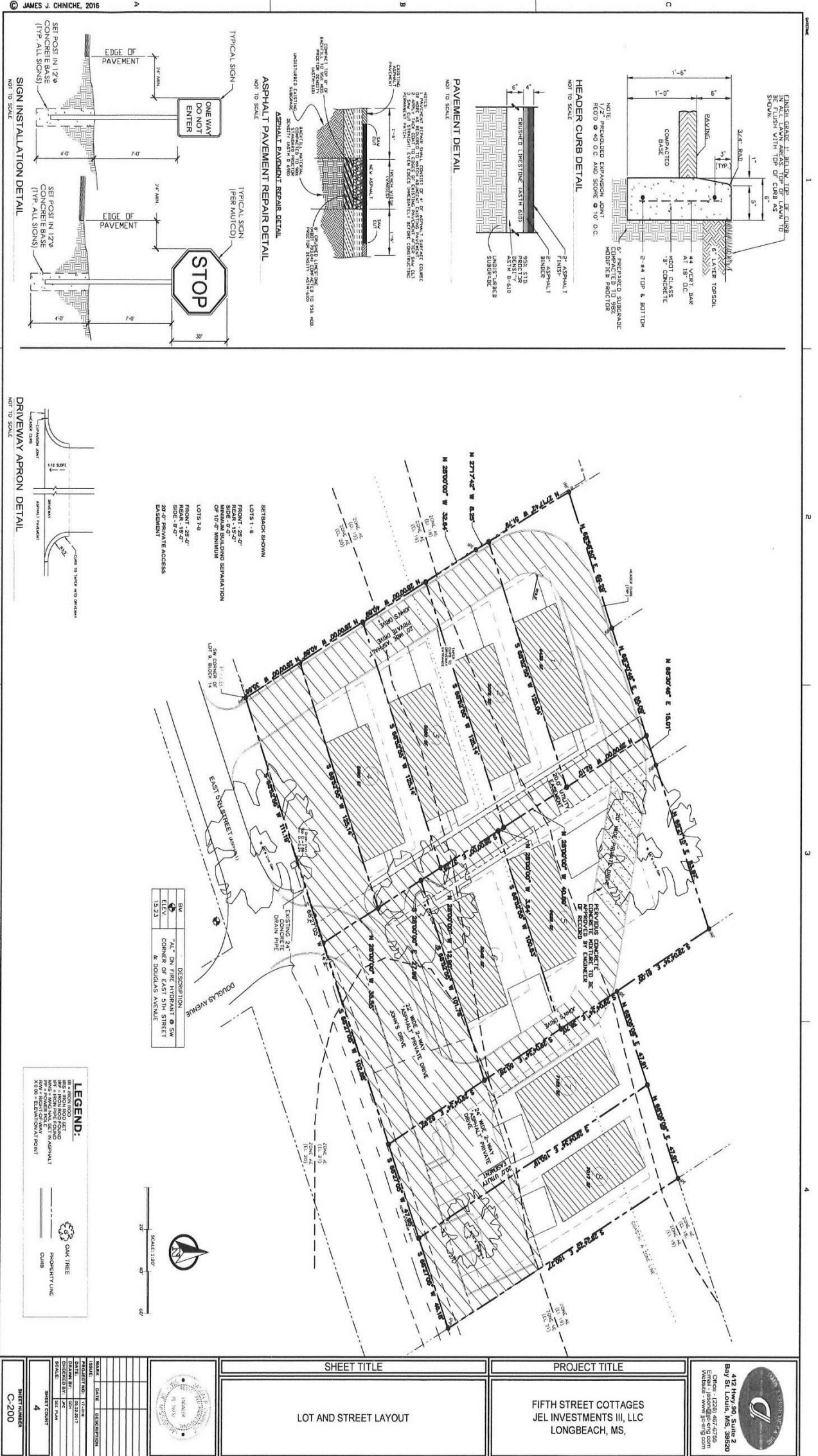
MINUTES OF MAY 25, 2017 PLANNING COMMISSION

GENERAL NOTES

- GENERAL NOTES**
1. ALL MATERIAL UTILIZED SHALL BE INSTALLED IN STRICT CONFORMANCE
 2. MANUFACTURERS RECOMMENDATIONS
 3. PROTECT EXISTING UTILITIES FROM DAMAGE
 4. CONTRACTOR SHALL DISPOSE OFF-SITE ALL MISCELLANEOUS TRASH & DEBRIS FROM ALL AREAS WITHIN THE LIMITS OF WORK. ALL SUCH WORK AND DISPOSAL SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL REQUIREMENTS.
 5. EXISTING UNDERGROUND UTILITY LINES ARE SHOWN ON THE DRAWINGS BASED UPON THE BEST INFORMATION AVAILABLE TO THE ENGINEER. THE ENGINEER CAN NOT AND DOES NOT WARRANT THAT THIS INFORMATION IS COMPLETE OR ACCURATE. THE CONTRACTOR MUST COORDINATE DIRECTLY WITH THE INVOLVED UTILITY OWNERS TO HAVE UNDERGROUND UTILITY LINES FIELD LOCATED IN ADVANCE OF CONSTRUCTION.
 6. THE CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF EXISTING GRADES, PROJECT ENGINEER.
 7. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT EXISTING STRUCTURES SUCH AS PIPES, INLETS, APOONS, BRIDGES, ETC. FROM DAMAGE WHICH MIGHT OCCUR DURING CONSTRUCTION. EXTREME CARE SHOULD BE EXERCISED IN THE UNDERCUT AREA AND THE UNDERCUT DEPTH MAY BE ADJUSTED AT GROSS DRAINS, AS DIRECTED BY THE ENGINEER. ANY STRUCTURES SHALL REPLACE OR REPAIR, AS DIRECTED BY THE ENGINEER. THE CONTRACTOR SHALL REPLACE OR REPAIR OF DAMAGED ITEMS.
 8. IF IT IS NECESSARY TO HOLD ANY UTILITY POLES, THE CONTRACTOR SHALL COORDINATE WITH THE UTILITY COMPANY. ANY FEE OR CHARGE FOR THIS SERVICE SHALL BE ASSUMED BY THE CONTRACTOR.
 9. CONTRACTOR SHALL SUBMIT A DETAILED PLAN TO ENGINEER & OWNER FOR REVIEW PRIOR TO COMMENCEMENT OF WORK.
 10. CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING BRACING SHORING OR ANY GROUND SUPPORT SYSTEM REQUIRED TO PREVENT FAILURE FROM OCCURRING.
 11. WHEN ANY SERVICES OR MATERIALS ARE REQUIRED TO COMPLETE THE PROJECT AND DO NOT HAVE A SEPARATE PAY ITEM LISTED, THE CONTRACTOR SHALL ACCEPT AND ABSORB ANY AND ALL COSTS INVOLVED TO COMPLETE THE PROJECT.
- CONCRETE WORK**
1. CONTRACTOR SHALL MATCH EXISTING PAVEMENT IN GRADE AND ALIGNMENT AT CONNECTIONS TO EXISTING PAVEMENT.
 2. ALL RAOLI ARE TO BE FIELD DETERMINED. RAOLI SHOWN ON THE PLANS ARE APPROXIMATE.
 3. ALL CONCRETE SHALL BE CLASS "B", 3500 PS UNLESS OTHERWISE NOTED. ALL EXPOSED CONCRETE EDGES SHALL BE CHAMFERED 3/4". MATERIALS, PLACEMENT, AND CURING SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS.
- EARTHWORK**
1. Voids created by the removal of posts, concrete anchors, footings, etc. shall be backfilled and tamped
 2. vegetative material will be removed prior to placement of granular material.
 3. Back of curbs shall be backfilled to top of curb elevations.
- REMAINENT AND TEMPORARY TRAFFIC CONTROL**
1. ALL TRAFFIC CONTROL SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS (MUTCD). THE OWNER WILL HAVE THE AUTHORITY TO SUSPEND ALL WORK AND/OR WITHHOLD PAYMENTS FOR FAILURE OF THE CONTRACTOR TO MAINTAIN/FOLLOW PROPER TRAFFIC CONTROL.
 2. ALL TEMPORARY TRAFFIC CONTROL DEVICES ON THIS PROJECT SHALL COMPLY WITH PART VI OF THE MUTCD (LATEST EDITION).
 3. ALL SIGNS THAT CONFLICT WITH THE CONSTRUCTION OF THIS PROJECT SHALL BE COVERED/REMOVED AND RESET BY THE CONTRACTOR AS DIRECTED BY THE ENGINEER
 4. WORK ON STRUCTURES FOR THIS PROJECT REQUIRES EXCAVATION IN THE IMMEDIATE VICINITY OF TRAFFIC AND ADJACENT PROPERTIES. THEREFORE, THE RISK OF A FAILURE OCCURRING DURING THE EXCAVATION REQUIRES THAT EXTREME CAUTION BE EXERCISED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PLACE WHAT BARRING, SHORING, OR GROUND SUPPORT SYSTEM THAT IS DEEMED NECESSARY TO PREVENT A FAILURE AND PROTECT THE PERSONS WORKING NEAR THE EXCAVATION, THE PUBLIC THAT MAY BE ABOVE THE EXCAVATION, OR ANY STRUCTURE ADJACENT TO THE EXCAVATION. ALL COST FOR ANY PROTECTIVE MEASURES INCLUDING THE MATERIALS AND LABOR FOR
- DESIGNING, DRAWING, AND CONSTRUCTING THE FACILITY SHALL BE ABSORBED IN MAINTENANCE OF TRAFFIC.
5. EXISTING BLUE RAISED PAVEMENT MARKERS INDICATING THE LOCATION OF FIRE HYDRANTS SHALL BE REINSTALLED OR REPLACED ONCE FINAL ROADWAY SURFACE IS INSTALLED. ALL ASSOCIATED COSTS SHALL BE ABSORBED IN MAINTENANCE OF TRAFFIC.
 6. REMOVAL OF OBJECT MARKERS SHALL BE ABSORBED IN MAINTENANCE OF TRAFFIC.
 7. TEMPORARY STRIPING SHALL CONFORM TO FINISHED STRIPE SPECIFICATIONS FOR ALIGNMENT AND STRAIGHTNESS.
 8. ORANGE FLUORESCENT SHEETING SHALL BE USED ON ALL CONSTRUCTION AND LEGENDS AND BORDER ON WHITE BACKGROUND.
 9. ALL POST LENGTHS FOR SIGNS SHALL BE VERIFIED IN THE FIELD PRIOR TO FABRICATION.
 10. ALL PLASTIC DRUMS SHALL HAVE A BALLASTING COLLAR MADE FROM RECYCLED TRUCK TIRES OR OTHER SUITABLE MATERIAL.
 11. REMOVAL OF OBSOLETE SIGNAGE OR REMOVAL OF OLD SIGNS TO BE REPLACED SHALL BE COST ABSORBED IN THE COST OF MAINTENANCE OF TRAFFIC.
 12. ALL RAISED ROADSIDE APPURTENANCES TO BE PLACED A MINIMUM OF 2' BEHIND FACE OF CURB UNLESS OTHERWISE SPECIFIED ON PLANS.
 13. ACCESS TO ALL BUSINESSES WITHIN THE PROJECT LIMITS SHALL BE MAINTAINED BY THE CONTRACTOR AT ALL TIMES.
- DRAINAGE & UTILITIES**
1. ALL PIPE JOINTS ARE TO BE WRAPPED IN TYPE V GEOTEXTILE FABRIC, 36"
 2. EXISTING UTILITY APPURTENANCES SHALL BE ADJUSTED TO FINISHED GRADE IN ROADWAY AREAS OR ABOVE FINISHED GRADE OUTSIDE PAVED AREAS AS DIRECTED BY THE ENGINEER.
 3. AT ALL LOCATIONS WHERE PIPE AND/OR FITTINGS COME IN CONTACT WITH CONCRETE, THE TWO MATERIALS SHALL BE SHEET RUBBER SEPARATED BY 1/2"
 4. EXISTING SANITARY SEWER MANHOLE TOPS, WATER VALVES/BOXES, METERS, OR OTHER RELATED APPURTENANCES SHALL BE ADJUSTED TO FINISH GRADE BY CONTRACTOR.
 5. ALL VARIES DIMENSIONS DEPEND DIRECTLY ON PIPE SIZE, THICKNESS AND DEPTH OF PIPE.
 6. PIPE LENGTHS ARE MEASURED FROM INSIDE FACE OF BOX TO INSIDE FACE OF BOX.
 7. ALL PRESS SHALL BE FLUSH WITH THE INTERIOR FACE OF THE BOX.
 8. CONTRACTOR SHALL VIDEO ALL NEW STORM DRAIN LINES 42" AND SMALLER AND ALL NEW ARCH STORM DRAIN LINES 65"x40" AND SMALLER.
 9. PICK-UP HOLES WILL NOT BE ALLOWED IN ANY PIPE. CONTRACTOR SHALL POUR FLOOR-LEVEL VENTERS INTO EXISTING STRUCTURES AS DIRECTED BY THE ENGINEER OR FIELD VERIFIED BEFORE BACKFILL.
 10. NO IMPROVEMENT SHALL INTERFERE OR BLOCK DRAINAGE.
 11. EXISTING FIRE HYDRANTS SHALL BE ADJUSTED AS REQUIRED TO PROVIDE 18" OF CLEARANCE BETWEEN THE NEW GRADE LEVEL AND THE PUMPER NOZZLE. EQUIPMENT AND MATERIALS NEEDED.
 12. WATER MAINS FOUND TO CONFLICT WITH THE NEW CONSTRUCTION SHALL BE REROUTED ABOVE OR BELOW THE CONFLICT. REROUTING WATER MAIN, DISINFECTION, AND TESTING SHALL COMPLY WITH THE STATE OF MISSISSIPPI HEALTH DEPARTMENT REGULATIONS. REROUTING WATER MAINS SHALL INCLUDE ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY INCLUDING, BUT NOT LIMITED TO: PIPE FITTINGS, RESTRAINTS, EXCAVATION, BACKFILL, CONCRETE, GASKETS, HARDWARE, DISINFECTION, TESTING, AND REPORTING.
 13. EXISTING WATER SERVICES GOING TO CONFLICT WITH THE NEW CONSTRUCTION SHALL BE REROUTED ABOVE OR BELOW THE CONFLICT. REROUTING WATER MAINS OR SERVICES, DISINFECTION, AND TESTING SHALL COMPLY WITH THE STATE OF MISSISSIPPI HEALTH DEPARTMENT REGULATIONS. REROUTING SERVICES SHALL INCLUDE ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY INCLUDING, BUT NOT LIMITED TO: PIPE FITTINGS, RESTRAINTS, EXCAVATION, BACKFILL, CONCRETE, GASKETS, HARDWARE, CLEAN OUTS, METER BOXES, DISINFECTION, TESTING, AND REPORTING.
 14. TOP ELEVATIONS OF INLETS AND BOXES ARE APPROXIMATE. FINAL GRADES SHALL BE FIELD DETERMINED. BY CONTRACTOR AND REVIEWED BY ENGINEER PRIOR TO COMMENCEMENT OF WORK.
 15. PRE-CAST DRAINAGE STRUCTURES SHALL NOT BE ALLOWED FOR THIS PROJECT. CAST-IN-PLACE STRUCTURES, INCLUDING INLETS AND JUNCTION BOXES SHALL BE INCLUDED. STEPS ARE REQUIRED IN ANY BOX DEEPER THAN 3'.
 16. INCLUDED STEPS ARE REQUIRED IN ANY BOX DEEPER THAN 3'.
 17. REPAIR TO EXISTING DRAINAGE STRUCTURES TO THE IN NEW DRAINAGE LINES SHALL BE ABSORBED IN THE COST OF THE NEW PIPE.
 18. RECONNECTING EXISTING PIPES TO NEW UTILITY STRUCTURES SHALL BE ABSORBED
19. EXISTING PRIVATE DRAIN LINES SHALL BE TIED INTO THE NEW SUBSURFACE DRAINAGE SYSTEM. THE CONTRACTOR SHALL FIELD VERIFY THE LOCATION OF ALL EXISTING PRIVATE DRAIN LINES. (COST ABSORBED IN THE PRICE BID FOR PIPE OR STRUCTURAL CONCRETE)
- EROSION CONTROL**
1. THE EROSION CONTROL DEVICES REFERENCED IN THESE PLANS ARE A MINIMUM REQUIREMENT. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INSURE THAT SILT DOES NOT LEAVE THE RIGHT OF WAY OR CONTAMINATE WATERS OF THE U.S. DURING CONSTRUCTION. THE CONTRACTOR SHALL SUBMIT AN EROSION CONTROL PLAN PRIOR TO COMMENCEMENT OF WORK AND MAINTAIN THE PLAN DURING CONSTRUCTION.
 2. TEMPORARY SEEDING IS REQUIRED FOR SOILS THAT REMAIN STOCKPILED OR ARE NOT SCHEDULED FOR ANY ACTIVITY FOR MORE THAN THIRTY (30) CALENDAR DAYS AREAS SHALL BE SEEDED WITHIN SEVEN (7) DAYS OF DISTURBANCE. TEMPORARY SEEDING SHALL BE APPLIED IN ACCORDANCE WITH THE PLANTING SCHEDULE AND THE RATE OF APPLICATION/PLANTING PREPARATION OUTLINED IN THE UNDERGROUND UTILITY PLAN.
 3. THE CONTRACTOR SHALL BE REQUIRED TO FURNISH ALL MATERIALS AND PERFORM ALL WORK FOR THE PROPER INSTALLATION, MAINTENANCE AND REMOVAL OF TEMPORARY EROSION CONTROL MEASURES NECESSARY TO CONTROL SILTING.
 4. SILT FENCES SHALL BE INSTALLED AROUND ALL STOCKPILED MATERIALS. ALL DISTURBED AREAS SHALL HAVE SOD INSTALLED OR BE SEEDED IMMEDIATELY ONCE FINISHED GRADING IS COMPLETE IN AN AREA. SEEDING AND SODDING LOCATIONS SHALL BE DETERMINED, ON SITE, BY THE ENGINEER TO MATCH EXISTING ADJACENT CONDITIONS.
 6. NO ADDITIONAL PAYMENT WILL BE MADE FOR WATERING. WATERING SHALL BE DONE IN ACCORDANCE WITH THE INDUSTRY STANDARDS AND SPECIFICATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER MAINTENANCE OF THE EROSION CONTROL THROUGHOUT THE LIFE OF THE PROJECT AND THROUGHOUT THE MAINTENANCE PERIOD. THE CONTRACTOR SHALL NOT BE PAID FOR ANY ADDITIONAL WATERING REQUIRED ABOVE AND BEYOND WHAT IS REQUIRED FOR FULL PLANT ESTABLISHMENT.
 7. THE PLACEMENT OF EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES (BMP'S) SHALL BE IN ACCORDANCE WITH THE MISSISSIPPI DEPARTMENT OF QUALITY'S PLANNING AND DESIGN MANUAL FOR THE CONTROL OF EROSION, SEDIMENT AND STORMWATER.
 8. NATURAL VEGETATION SHALL BE MAINTAINED AND PROTECTED WHEREVER POSSIBLE.
 9. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING EROSION CONTROLS THROUGHOUT THE DURATION OF THE PROJECT.
 10. TEMPORARY EROSION AND SEDIMENT CONTROLS SHALL NOT BE REMOVED UNTIL PERMANENT EROSION CONTROLS (SUCH AS GRASSING) ARE ESTABLISHED.
 11. ALL EQUIPMENT REPAIR AND MAINTENANCE SHALL BE DONE OFFSITE.
 12. REPAIRS SHALL BE PROVIDED TO PROPERLY DISPOSE OF ALL TRASH AND WASTE. ALL CONSTRUCTION DEBRIS SHALL BE PICKED UP AT THE END OF EACH DAY AND SHALL BE REMOVED COMPLETELY FROM THE SITE AT THE END OF THE PROJECT.
 12. SANITARY FACILITIES SHALL BE PROVIDED ON-SITE FOR ALL PERSONNEL.
 13. ALL EROSION CONTROLS SHALL BE INSTALLED IN ACCORDANCE WITH THE DETAILS. THE CONTRACTOR IS RESPONSIBLE FOR MAKING MODIFICATIONS TO THE EROSION CONTROL PLAN AS FIELD CONDITIONS CHANGE OR EXISTING CONTROL BECOME INEFFECTIVE.
 15. ACCUMULATED SEDIMENT SHALL BE REMOVED FROM CONTROLS WHEN IT REACHES 1/2 THE HEIGHT OF THE CONTROL. THE SEDIMENT SHALL BE PROPERLY DISPOSED OF SO AS NOT TO CAUSE SEDIMENTATION IN ANOTHER LOCATION.
 16. EROSION AND SEDIMENT CONTROLS SHALL BE INSPECTED WEEKLY AND FOLLOWING ANY RAIN EVENT. NON-FUNCTIONING, INEFFECTIVE OR DAMAGED CONTROLS SHALL BE REPAIRED, REPLACED, OR SUPPLEMENTED WITH FUNCTIONAL CONTROLS WITHIN 24 HOURS OF DISCOVERY.
 17. MATURED SOIL OR SOD SHALL BE RESPONSIBLE FOR THE REMOVAL OF ANY SEDIMENT THAT MIGRATES INTO OR ON THE STREET.
 18. THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL OF ANY SEDIMENT OR CONSTRUCTION DEBRIS THAT IS TRACKED ONTO ADJACENT PAVED AREAS. ADJACENT STREETS SHALL BE KEPT CLEAN THROUGHOUT CONSTRUCTION AND SHALL BE CLEANED WITH A STREET-SWEEPER OR SIMILAR TECHNIQUE IMMEDIATELY UPON DISCOVERY OF SEDIMENT. WASHING DOWN OF THE STREET OR ANY PAVED AREAS IS NOT ALLOWED.
 19. ANY SEDIMENT THAT HAS MIGRATED OFFSITE WHETHER ONTO PUBLIC OR PRIVATE PROPERTY SHALL BE REMOVED IMMEDIATELY UPON DISCOVERY. THE SOURCE OF THE BREACH SHALL IMMEDIATELY BE LOCATED AND CORRECTED.

| | | | |
|--|--|---|---|
| <p>SHEET TITLE</p> <p>GENERAL NOTES</p> | <p>PROJECT TITLE</p> <p>FIFTH STREET COTTAGES JEL INVESTMENTS III, LLC LONGBEACH, MS,</p> |  | <p>412 Hwy 90, Suite 2 Bay St. Louis, MS 39580 Phone - 601-875-6700 Email - jchiniche@jchiniche.com Website - www.jc-eg.com</p> |
| <p>DATE</p> <p>05/25/2017</p> | <p>PROJECT NO.</p> <p>17-001</p> | <p>DATE</p> <p>05/25/2017</p> | <p>SCALE</p> <p>AS SHOWN</p> |
| <p>SHEET NUMBER</p> <p>GN-1</p> | <p>SHEET COUNT</p> <p>2</p> | | |

MINUTES OF MAY 25, 2017 PLANNING COMMISSION



| | | | |
|---|--|---|--|
| | SHEET TITLE LOT AND STREET LAYOUT | PROJECT TITLE FIFTH STREET COTTAGES JEL INVESTMENTS III, LLC LONGBEACH, MS, | |
| PROJECT NO. 17-018 DATE: 05/23/17 CHECKED BY: JJC SCALE: AS SHOWN SHEET COUNT: 4 SHEET NUMBER: C-200 | 412 Hwy 50, Suite 2 Bay St. Louis, MS, 39520 Office: (228) 407-0755 Fax: (228) 407-0756 Website: www.jel-llc.com | | |

MINUTES OF MAY 25, 2017 PLANNING COMMISSION

© JAMES J. CHINICHE, 2016

DRAINAGE LEGEND

| | |
|--|--------------------------------|
| | EXISTING CONTOUR |
| | PROPOSED CONTOUR |
| | EXISTING SPOT ELEVATION |
| | PROPOSED SPOT ELEVATION |
| | PROPOSED THROAT INLET AND PIPE |
| | EXISTING CURB INLET AND PIPE |
| | MATCH EXISTING GRADE |
| | FLOW DIRECTION ARROW |
| | RIIDGE LINE |

DRAINAGE NOTES:

ALL FINISH SPOT ELEVATIONS REPRESENT TOP OF SURFACE ELEVATIONS. CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE AT ALL TIMES. OWNER SHALL BE RESPONSIBLE FOR GRADING OF PARCELS TO ENSURE POSITIVE DRAINAGE AS INDICATED. CONTRACTOR TO MAINTAIN POSITIVE DRAINAGE TO EXISTING DITCH AND DRAIN THROUGH SITE.

DRAINAGE CALCULATIONS FOR FIFTH STREET COTTAGES, CITY OF LONG BEACH, HARRISON COUNTY, MS.

TOTAL SITE AREA APPROXIMATELY 7.41 ACRES

THE DRAINAGE RUNOFF (Q) IN CU FT SEC IS REPRESENTED BY "C" OR "QA" WHERE "C" IS THE COEFFICIENT OF RUNOFF, AND "S" IS THE MAXIMAL INTENSITY IN INCHES HR, AND "S" IS THE 1-HOUR 2.5 INCH (63.5 MM) 100 YEAR STORM.

C = .45 FOR WOOD PAVED PERVIOUS SURFACE AREAS
C = .40 FOR PAVED (CONCRETE) AREAS

THE PRE-DEVELOPMENT RUNOFF FOR THIS SITE IS
1.041 (3.7 CU FT) = 4.22 CFS

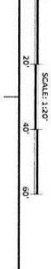
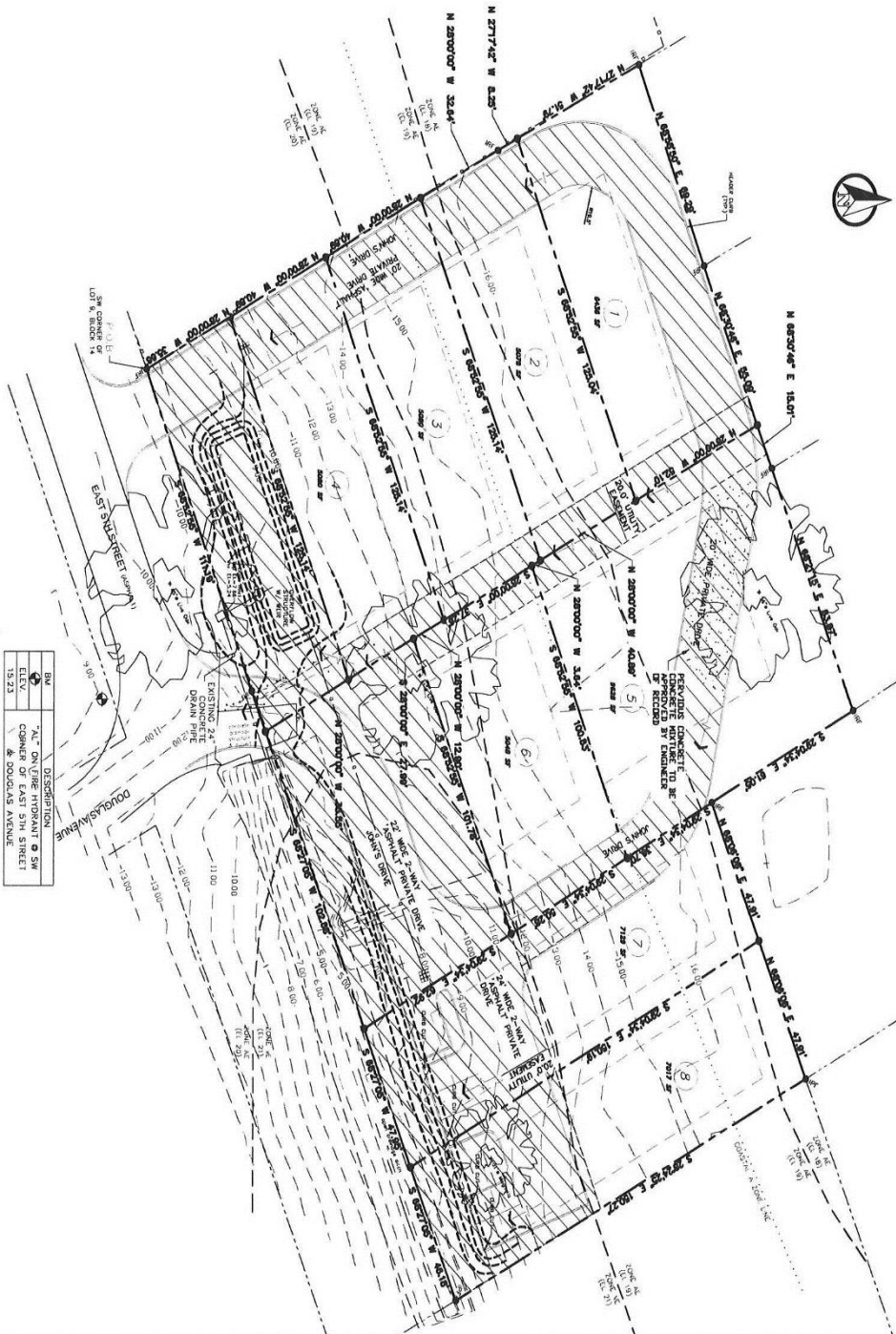
THE POST-DEVELOPMENT RUNOFF FOR THIS SITE IS
1.601 (5.29 CU FT) = 6.87 CFS


TOTAL POST DEVELOPMENT RUNOFF = 6.87 CFS

THE NET GAIN IN RUNOFF WOULD BE 6.87 - 4.22 OR 2.64 CFS

STORAGE CALCULATIONS FOR FIFTH STREET COTTAGES, CITY OF LONG BEACH, HARRISON COUNTY, MS.

| SITE AREA (AC) | 1.44 | |
|----------------------------|------|------------|
| SOIL GROUP | A | |
| C DEVELOPED | 50 | |
| C UNDEVELOPED | 40 | |
| T (CONSERVED) (MIN) | 1.45 | |
| T (UNDEVELOPED) | 4.23 | |
| C (DESERVED) (MIN) (CIVIL) | 2.39 | |
| STORAGE VOLUME | 3972 | CUBIC FEET |



| SHEET TITLE SITE DRAINAGE PLAN | PROJECT TITLE FIFTH STREET COTTAGES JEL INVESTMENTS III, LLC LONGBEACH, MS, |  <p>412 Hwy 30, Suite 2 Bay St. Louis, MS, 38520 Office - (228) 487-8755 Mobile - (601) 938-1133 Website - www.jjc-engineer.com</p> | | | | | | | | | | | | | | |
|--|---|--|------|-------------|------------|--------------------|------------|------|-----|-------------|-----|---------|--------------|-------|---|-------------|
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>02/23/2017</td> <td>PROJECT NO. 17-014</td> </tr> <tr> <td>02/23/2017</td> <td>DATE</td> </tr> <tr> <td>JJC</td> <td>DESIGNED BY</td> </tr> <tr> <td>JJC</td> <td>CHK. BY</td> </tr> <tr> <td>1/5" = 1'-0"</td> <td>SCALE</td> </tr> <tr> <td>5</td> <td>SHEET COUNT</td> </tr> </tbody> </table> | | | DATE | DESCRIPTION | 02/23/2017 | PROJECT NO. 17-014 | 02/23/2017 | DATE | JJC | DESIGNED BY | JJC | CHK. BY | 1/5" = 1'-0" | SCALE | 5 | SHEET COUNT |
| DATE | DESCRIPTION | | | | | | | | | | | | | | | |
| 02/23/2017 | PROJECT NO. 17-014 | | | | | | | | | | | | | | | |
| 02/23/2017 | DATE | | | | | | | | | | | | | | | |
| JJC | DESIGNED BY | | | | | | | | | | | | | | | |
| JJC | CHK. BY | | | | | | | | | | | | | | | |
| 1/5" = 1'-0" | SCALE | | | | | | | | | | | | | | | |
| 5 | SHEET COUNT | | | | | | | | | | | | | | | |
| SHEET NUMBER C-300 | | | | | | | | | | | | | | | | |

MINUTES OF MAY 25, 2017
PLANNING COMMISSION

310 5th Street

SCANNED



1st Judicial District
Instrument 2011 4449 D -J1
Filed/Recorded 7/11/2011 02:35 P
Total Fees \$ 14.00
3 Pages Recorded



Prepared by:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)-865-9047
MS Bar # 1866

Return to:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)-865-9047
FIR # 11-104

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

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

CATHY JO MCKEE *1/1c/a* CATHY JO SHEDD and KEVIN B. MCKEE
1312 ANN STREET, UNIT 1
BEAUFORT, NC 28516
(252)-269-0785

do hereby sell, convey and warrant unto

JEL INVESTMENTS III, LLC, a Mississippi limited liability Company
P.O. BOX 779
LONG BEACH, MS 39560
(228)-863-0303

that certain tract, piece or parcel of land situated and being located in Harrison County, State of Mississippi, more particularly described as follows, to-wit:

(See Exhibit A attached, Page 3)

INDEXING INSTRUCTIONS: EXEMPT

THIS CONVEYANCE is subject to any prior reservation or conveyance of oil, gas or other mineral rights and subject to all easement restrictions, reservations and covenants of record.

Page 1 of 3

7

IT IS AGREED and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis. When said taxes are actually determined, if the proration as of the date is incorrect, then the Grantor(s) agrees to pay the Grantee(s), or its assigns, any deficit on an actual proration, and likewise, the Grantee(s) agrees to pay the Grantor(s), or its assigns, any amount overpaid by it.

WITNESS OUR SIGNATURES, this the 7th day of July, 2011.

Cathy Jo McKee
CATHY JO MCKEE

Kevin B. McKee
KEVIN B. MCKEE

STATE OF North Carolina
COUNTY OF Carteret

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the above stated jurisdiction, the within named CATHY JO MCKEE *1/1c/a* CATHY JO SHEDD and KEVIN B. MCKEE who acknowledged that they signed and delivered the foregoing Warranty Deed on the day and year therein written as their own free and voluntary act and deed.

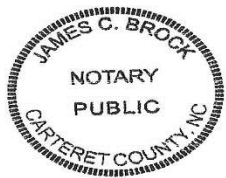
GIVEN under my hand and official seal on this the 7 day of JULY, 2011.

MY COMMISSION EXPIRES:

28 October, 2012

NOTARY PUBLIC

James C. Brock



Page 2 of 3

MINUTES OF MAY 25, 2017
PLANNING COMMISSION

3

Exhibit "A"

A PORTION OF LOTS 4, 5, AND 9, BLOCK 14, ORIGINAL LONG BEACH, CITY OF LONG BEACH, HARRISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SAID LOT 9; THENCE N 28° 23' 04" W 150.66' TO AN IRON PIPE FOUND AT THE NORTHWEST CORNER OF SAID LOT 9; THENCE N 27° 52' 40" W 60.00' TO AN IRON ROD; THENCE N 68° 53' 37" E 70.00' TO AN IRON ROD FOUND; THENCE N 69° 04' 16" E 68.17' TO AN IRON ROD; THENCE S 22° 32' 14" E 51.87' TO AN IRON ROD; THENCE S 68° 16' 36" W 3.74' TO AN IRON ROD; THENCE S 20° 53' 58" E 157.12' TO THE NORTH MARGIN OF 5TH STREET; THENCE ALONG SAID NORTH MARGIN OF 5TH STREET, S 69° 00' 00" W 109.00' TO THE POINT OF BEGINNING.

THIS BEING THE SAME PROPERTY DESCRIBED ON THE SURVEY ATTACHED TO THE DEED RECORDED IN DEED BOOK 1653 AT PAGE 48. THIS PARCEL ALSO DESIGNATED AS COUNTY TAX PARCEL # 0612A-03-034.000.

400 5th street
1



John Pearson 1st Judicial District
Instrument 2011 4488 D -J1
Filed/Recorded 7/12/2011 10:50 A
Total Fees \$ 16.00
3 Pages Recorded

SCANNED



Prepared by:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)-865-9047
MS Bar # 1866

Return to:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)-865-9047
File # 11-105

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

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

JOHN EDWARD PEARSON, JR.
482 1/2 CASEY WAY
GRAND JUNCTION, CO 81504
(970)-314-9432

do hereby sell, convey and warrant unto

JEL INVESTMENTS III, LLC, a Mississippi limited liability Company
P.O. BOX 779
LONG BEACH, MS 39560
(228)-863-0303

that certain tract, piece or parcel of land situated and being located in Harrison County, State of Mississippi, more particularly described as follows, to-wit:

(See Exhibit A attached, Page 3)

INDEXING INSTRUCTIONS: EXEMPT
THE SUBJECT PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR

THIS CONVEYANCE is subject to any prior reservation or conveyance of oil, gas or other mineral rights and subject to all easement restrictions, reservations and covenants of record.

2

MINUTES OF MAY 25, 2017
PLANNING COMMISSION

IT IS AGREED and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis. When said taxes are actually determined, if the proration as of the date is incorrect, then the Grantor(s) agrees to pay the Grantee(s), or its assigns, any deficit on an actual proration, and likewise, the Grantee(s) agrees to pay the Grantor(s), or its assigns, any amount overpaid by it.

WITNESS MY SIGNATURE, this the 9th day of July, 2011.

John Edward Pearson, Jr.
JOHN EDWARD PEARSON, JR.

STATE OF Utah
COUNTY OF Grand

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the above stated jurisdiction, the within named JOHN EDWARD PEARSON, JR. who acknowledged that he signed and delivered the foregoing Warranty Deed on the day and year therein written as his own free and voluntary act and deed.

GIVEN under my hand and official seal on this the 9th day of July, 2011.

MY COMMISSION EXPIRES:

08/25/2014

NOTARY PUBLIC

Marylou Lopez

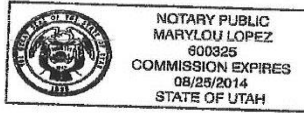


Exhibit "A"

A PORTION OF LOTS 4, 5, 8 AND 9, BLOCK 14, ORIGINAL LONG BEACH, CITY OF LONG BEACH, HARRISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE FOUND AT THE SOUTHEAST CORNER OF SAID LOT 8; THENCE S 68° 25' 08" W 95.95' TO AN IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SAID LOT 8; THENCE S 69° 00' 00" W 19.12' TO AN IRON ROD; THENCE N 20° 53' 58" W 157.12' TO AN IRON ROD; THENCE N 68° 16' 36" E 3.74' TO AN IRON ROD; THENCE N 22° 32' 14" W 51.87' TO AN IRON ROD; THENCE N 69° 04' 16" E 2.20' TO AN IRON ROD FOUND; THENCE N 68° 46' 01" E 83.92' TO AN IRON PIPE FOUND; THENCE S 23° 10' 07" 60.41' TO AN IRON PIPE FOUND; THENCE S 28° 18' 40" E 149.62' TO THE POINT OF BEGINNING.

AND

LOT 7, BLOCK 14, ORIGINAL LONG BEACH, CITY OF LONG BEACH, HARRISON COUNTY, MISSISSIPPI.

THIS BEING ALL OF THE PROPERTY PREVIOUSLY CONVEYED TO JOHN EDWARD PEARSON, JR. IN DEEDS RECORDED IN BOOK 1060 AT PAGE 631, BOOK 1060 AT PAGE 632 AND BOOK 1652 AT PAGE 115 LESS THAT PROPERTY CONVEYED TO CATHY JO SHEDD IN DEED RECORDED IN BOOK 1653 AT PAGE 48. THIS PARCEL ALSO DESIGNATED AS COUNTY TAX PARCEL # 0612A-03-034.001.

MINUTES OF MAY 25, 2017
PLANNING COMMISSION

LONG BEACH FIRE DEPARTMENT

Subdivision/Site Inspection Form

Subdivision and/or Site: 5th St Cottages

Address or Location: 5th St and Douglas Ave.

Subdivision Site and Acceptance Test

For all new subdivisions located within the City of Long Beach, a minimum of \$80.00 plus \$20.00 per fire hydrant shall be levied. **This fee includes initial site plan review, with the inspection and test on each hydrant for the final acceptance test.** The fee is payable upon submittal of the initial plans for review to the Long Beach Building Code Office.

Site Plan

Preliminary Site Plan Review Date:

Preliminary Site Plan: Accepted Rejected

Hydrants Test

Water Main Size: 8 Inch

Accepted: Rejected

Hydrant Number: # 1

Location:

Gallons per Minute: Not Tested

Accepted: Rejected:

Hydrant Number:

Location:

Gallons per Minute:

Accepted: Rejected:

Hydrant Number:

Location:

Gallons per Minute:

Accepted: Rejected:

Hydrant Number:

Location:

Gallons per Minute:

Accepted: Rejected:

** All hydrants will be tested before the final acceptance is given on the site plan. Please make sure all water valves are turned on. **

Reviewed by: Griff Skellie

Fee: \$100.00

Protecting Life and Property

MINUTES OF MAY 25, 2017 PLANNING COMMISSION



A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS

520 33RD STREET
GULFPORT, MS 39507

TEL (228) 863-0667
FAX (228) 863-5232

May 25, 2017

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

RE: 5th Street Cottages S/D

Ladies and Gentlemen:

During multiple meetings with Public Works, the engineer, and the developer for the referenced subdivision, we have identified several corrections needed to the construction documents and the plat itself, which are listed below:

PLAT

1. The latest revisions to the street layout in the construction plans are not reflected on the plat.
2. The plat should contain verbiage which clearly states that the City will not accept any of the infrastructure in the development for maintenance, improvement, or repair, including water and sewer mains, the drainage system, the road, or the detention pond.
3. The plat should contain an easement dedicated to the City for access to the water service locations for each lot.

SPECIFICATIONS

1. The developer has expressed interest in utilizing the City's standard specifications for subdivisions. A copy of the specifications should be submitted for the record.

CONSTRUCTION PLANS

1. It is my understanding that the LB Fire Dept. has reviewed the plans and finds the layout of the private road width and radii to be acceptable.
2. Based on recent communications with the local US Postmaster, there should be a community mailbox "kiosk" for mail delivery and pickup.
3. The drainage system design appears reasonable on initial review; however, additional information is needed regarding pipe sizes and slopes and other related features.
4. We have also reviewed the detention pond design, and it seems to be appropriate; however, additional details are required concerning the pond and outlet structure details.
5. The grading and drainage plan should detail how the project will be constructed to avoid blocking off-site drainage which currently flows across this property.

MINUTES OF MAY 25, 2017 PLANNING COMMISSION

May 25, 2017

6. The developer should submit copies of the approvals of all State agencies, including the MS Dept. of Health, MS Dept. of Environmental Quality, and other concerned agencies.
7. According to the LB Fire Dept., a fire hydrant is required inside the boundary of the subdivision in order to meet the hydrant spacing requirements of the code.
8. The plans should contain verbiage detailing notifications to be given to the City and affected property owners in the case of a road or utility service closure during construction.

The above list is subject to further change as the documents are revised, and as review continues. The developer and his engineer have taken no exceptions to our requests and are working on making the necessary corrections; however, the needed changes are not complete yet.

Based on the developer's readiness to modify the plans, we therefore see no reason to withhold approval of the preliminary plat phase of this subdivision, contingent upon full satisfaction of all concerns of the City as noted by Public Works, myself, and other City agencies. This approval will allow the developer to begin site preparation as needed for construction of infrastructure items. However, we recommend that the approval allow for no construction of infrastructure items (water, sewer, drainage, streets, etc.) until the City has satisfactory plans, specifications, and a preliminary plat in-hand.

Sincerely,



David Ball, P.E.

DB:539

MINUTES OF MAY 25, 2017 PLANNING COMMISSION

Commissioner Carrubba submitted for the record the following:

Long Beach Planning and Zoning Commission Meeting

May 25, 2017

RE: ZLL Developments

I have a few points I would like to put on record and become a part of the minutes of this meeting. My intent here is not to deny any developer or persons from making improvements to property. The sole purpose is to insure all regulations are taken into consideration.

ZLL developments are a subdivision of land and thus would need to comply with not only Ordinance 598, Land Use Ordinance, but also the Subdivision Regulations. A subdivision of land with no more than three (3) lots is considered a Minor Subdivision. A subdivision of land with more than three (3) lots is classified as a Major Subdivision. Reference Article I, General Regulations, Section of the Section 10, Definitions of the Subdivision Regulations.

Article I, General Regulations

Section 3. Purpose, in part states:

The purpose of these regulations is to promote the health, safety, morals and general welfare of present and future residents, ...

There have been letters and in person rejections of the development proposed the developer in previous meetings by adjacent land owners, none came forward in favor. Therefore, the approval of the development would not promote the morals or general welfare of the residents. Another point to consider promoting morals and general welfare, should this development be approved, would be for the developer, although there is no regulation for him to do so, install a fence around the property.

This is also referenced in Ordinance 598 Section 123.

Section 4. Jurisdiction, in part:

This ordinance shall govern all subdivision of land within the City of Long Beach, as now or hereafter defined.

Article III

Section 2, Preliminary Plat Approval

Subsection b, in part:

(2) Two copies of the preliminary plat application forms as adopted by the planning commission shall be submitted to the planning commission at least twenty (20) working days prior to the regular monthly meeting of the planning commission at which the preliminary plat is to be considered. Neither ZLL development presented tonight has met this requirement.

The intent of this is to allow Planning Commission Members, and any other interested persons, ample time to review the documents to be able to make an educated decision.

At the time of this writing neither ZLL developments were complete. They do not have recommendations from the City's Engineer.

**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

Article IV

Section 2. Access to Lots

Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles, as well as, for all likely to need or desire access to the property in its intended use. However, no lot shall have less than thirty-five (35) front feet* on a street.

*Section 123 of Ordinance allows thirty (30) feet for Zero Lot Line Developments.

The ZLL before us have no lot frontage on a Public Street.

Section 11, Streets and Sidewalks

subsection (a) in part:

... all lots ...shall abut a public street at least to the extent necessary to comply with the access requirement set forth in Section 2. For the purpose of this subsection, the term "public street" includes a preexisting public street as well as a street created by the sub-divider that meets the public street standards of this ordinance and is dedicated for public use.

The regulations define FRONTAGE as "That edge of a lot bordering a street."

STREET is defined as "A public street or a street with respect to which an offer of dedication has been made.

Again, no lots abut a public street.

Subsection b states:

A subdivision in which the access requirement of Section 2 is satisfied by a private road that meets neither the public street standards nor the standards set forth in Section 2 may be developed so long as, since the effective date of this ordinance, NOT MORE THAN THREE LOTS have been created out of the same tract.

Subsection b, 1 continues:

The intent of this subsection is primarily to allow the creation of NOT MORE THAN THREE LOTS developed for single family residential purposes. Therefore, the Long Beach Planning Commission MAY NOT APPROVE any subdivision served by a private road authorized by the subsection in which one or more of the lots thereby created is intended for (i) two family or multi-family residential use or (ii) ANY OTHER RESIDENTIAL or nonresidential use that would tend to generate more traffic than customarily generated by THREE SINGLE FAMILY RESIDENCES.

Ordinance 598 Article XIII Streets and Sidewalks also contains the requirements of a subdivision to have "public streets", construction standards and the like. It does not reference "private roads" as being

**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

sufficient over public streets, other than mentioned above. Also, if a private road is allowed, the City has no way to control the construction nor maintenance of said road.

I can see no other way to interpret the intent of this regulation other than NO development may have MORE THAN 3 LOTS ON A PRIVATE ROAD. All lots on this development are proposed on a private road which is obviously more than three (3) lots. Also, the proposed private road is a one-way loop. What is to control the traffic so that it is not used as a two-way street, thus endangering public safety as mentioned above in Article I, Section 3? I would propose that, although not regulated, that the developer install gates at both ends that would control how the traffic enters and leaves the development.

Section 123 of Ordinance 598 requires that "in a Zero Lot Line Development that there shall be no minimum side yard required on one side and fourteen (14) feet on the opposite side."

Lots 7 and 8 do not meet these requirements. Lots 7 and 8 are not on a lot line nor meet the 14' on the opposite side.

Based on the submitted proposal of the development, in my opinion, the JEL development does not meet the requirements of both the Land Use Ordinance #598 nor the Subdivision Regulations. I am aware that the City of Long Beach needs development, both residential and commercial, I personally wish to see us grow and to afford any and all developers the same regulations to abide by. Although, we should not ignore the regulations for the sake of development. Therefore, I am forced to be opposed to the approval of the development as it is submitted for the reason stated above. The developer may choose to request variances to the items that do not meet these regulations. I would hope that this Commission, between the developer, the City Engineer and the City Planning Consultant, Bill Hessel, may come to some compromise as to satisfy the Ordinances, the developer and the residents.

Respectfully Submitted

Chris Carrubba

Ward 2 Planning Commission Member

After review and discussion Commissioner Hansen made motion seconded by Commissioner Brown recommending approval of the preliminary plat, contingent upon the City Engineer's and Fire Department's recommendations; Stating that the plat appeared to be in accordance with the City's Subdivision Regulations and Unified Development Ordinance.

The motion being put to a roll call vote the results were as follows:

| | |
|-----------------------|-----|
| COMMISSIONER FRAZER | AYE |
| COMMISSIONER BROWN | AYE |
| COMMISSIONER HANSEN | AYE |
| COMMISSIONER FISCHER | AYE |
| COMMISSIONER CARRUBBA | NAY |

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

MINUTES OF MAY 25, 2017 PLANNING COMMISSION



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

| | |
|-----------------|-----------|
| Office use only | |
| Date Received | 4/26/2017 |
| Zoning | R-2 |
| Agenda Date | 5/25/2017 |
| Check Number | 1148 |

APPLICATION FOR CERTIFICATE OF RESUBDIVISION

- I. TYPE OF CASE: **CERTIFICATE OF RESUBDIVISION**
- II. ADVALOREM TAX PARCEL NUMBER(S): 0612C-03-024.001
- III. GENERAL LOCATION OF PROPERTY INVOLVED: _____
- IV. ADDRESS OF PROPERTY INVOLVED: 314A + B 4th Ave
- V. GENERAL DESCRIPTION OF REQUEST: Resubdivision of R-2
Into R-1
- VI. **REQUIRED ATTACHMENTS:**
 - A. Resubdivision Survey and Certificate (see attached example) **on no less than 11" X 17" paper.**
 - B. Cash or Check payable to the City of Long Beach in the amount of \$250.00
 - C. Proof of ownership (copy of recorded warranty deed), if applicable proof of authority to act as agent for owner.

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

VII. **OWNERSHIP AND CERTIFICATION:**
READ BEFORE EXECUTING. the applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than fifteen (15) days before the 2nd or 4th Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.

Ownership: I the undersigned 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.

| | |
|---|---|
| <p><u>James Ray</u> Name of Rightful Owner (PRINT)</p> <p><u>470 W. BEACH Blvd</u> Owner's Mailing Address</p> <p><u>Long Beach Ms 39560</u> City State Zip</p> <p><u>228 323-7771</u> Phone</p> <p><u>J.O. Ray</u> <u>4-16-17</u> Signature of Rightful Owner Date</p> | <p>_____ Name of Agent (PRINT)</p> <p>_____ Agent's Mailing Address</p> <p>_____ City State Zip</p> <p>_____ Phone</p> <p>_____ Signature of Applicant Date</p> |
|---|---|

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

NAME OF OWNER (PRINT) James + Margaret Ray trustee of Ray Family Trust

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) N/A (C) 228 323-7771

TAX PARCEL NUMBER(S) OWNED 0612C-03-024.001

SIGNATURE James Ray Margaret Ray

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (C) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE _____

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (C) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE _____

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (C) _____

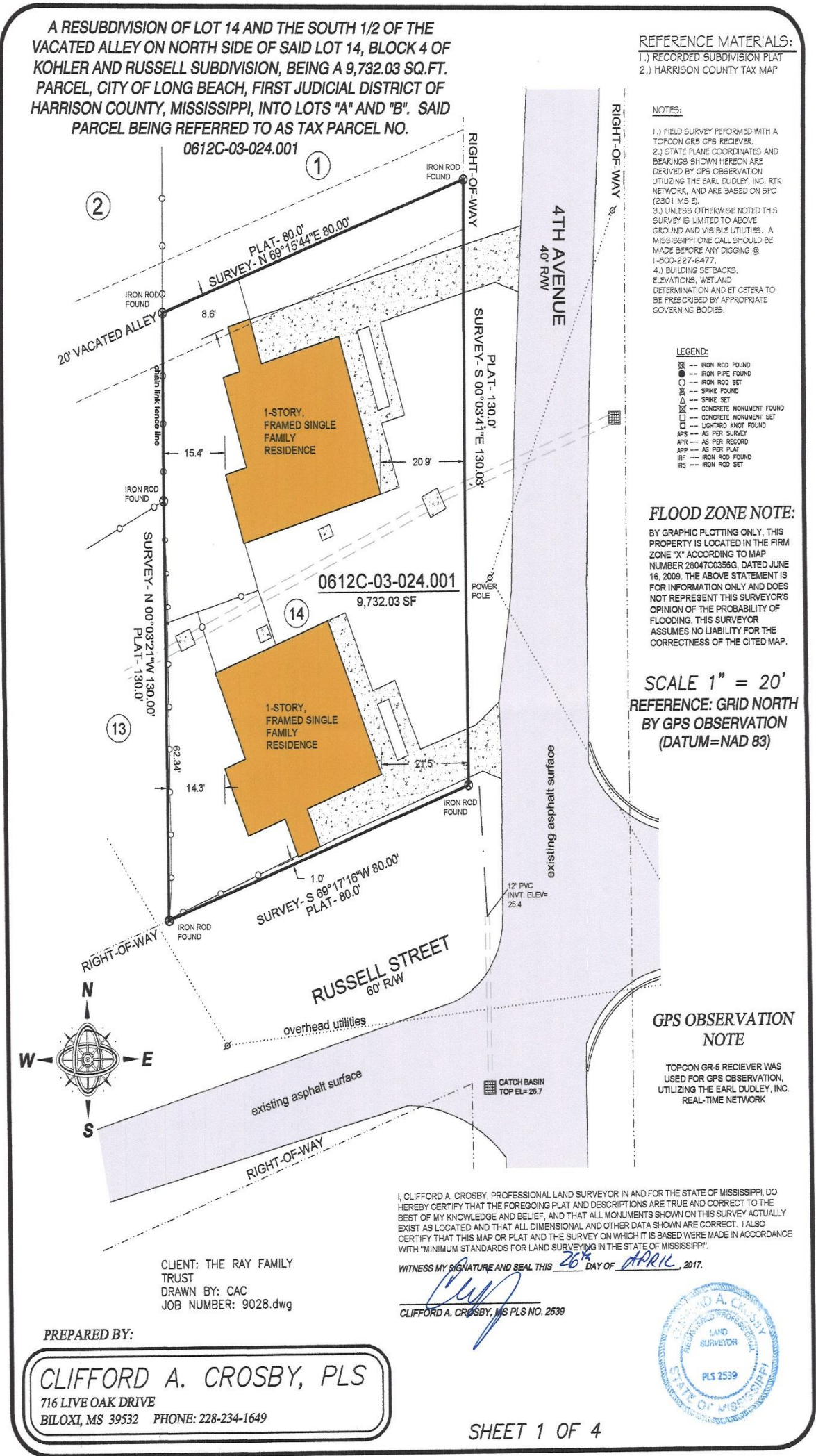
TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE _____

(Use additional forms as needed)

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES PERSON/AGENT FOR YOU: _____

MINUTES OF MAY 25, 2017 PLANNING COMMISSION



**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

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 PERFORMED WITH A TOPCON GR5 GPS RECEIVER.
- 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) M S E I.
- 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 SPIKE FOUND
- IRON ROD SET
- SPIKE FOUND
- △ SPIKE SET
- CONCRETE MONUMENT FOUND
- CONCRETE MONUMENT SET
- LIGHTARD KNOT FOUND
- AS PER SURVEY
- APR --- AS PER RECORD
- APR --- AS PER PLAT
- RF --- IRON ROD FOUND
- RS --- IRON ROD SET

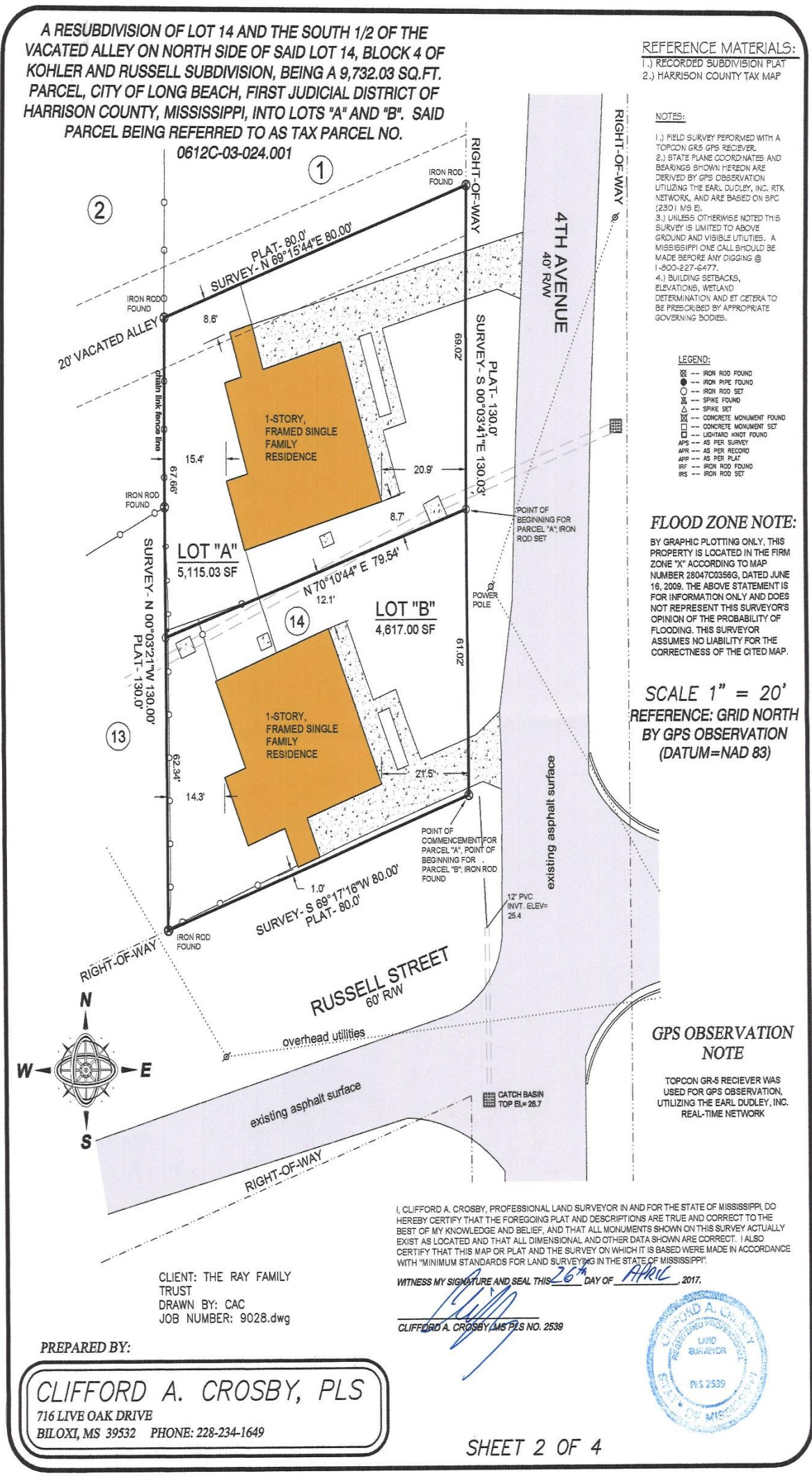
FLOOD ZONE NOTE:

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 RECEIVER 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, M.S.P.S. 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

**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

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 IMPLIED.
- 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-11

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, N68°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

MINUTES OF MAY 25, 2017
PLANNING COMMISSION



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

After discussion and review it was the consensus of the Commission to table this agenda item, to allow the applicant time to submit an application and have approved a variance for reduced lot size.

**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

It came for consideration a certificate of resubdivision for property located at 646 East Railroad Street, tax parcel 0611P-03-010.000 & 0611P-03-009.001 submitted by Claudia Meadows, as follows:

| | | |
|---|--|--|
|  | <p>CITY OF LONG BEACH PLANNING DEPARTMENT 201 JEFF DAVIS AVENUE PO BOX 929 LONG BEACH, MS 39560 (228) 863-1554 (228) 863-1558 FAX</p> | <p align="center">Office use only</p> <p>Date Received <u>5/15/2017</u> Zoning <u>C-2</u> Agenda Date <u>5/25/2017</u> Check Number <u>108</u></p> |
| <u>APPLICATION FOR CERTIFICATE OF RESUBDIVISION</u> | | |
| <p>I. TYPE OF CASE: CERTIFICATE OF RESUBDIVISION</p> | | |
| <p>II. ADVALOREM TAX PARCEL NUMBER(S): <u>0611P-03010.000 & 0611P-03-009-001</u></p> | | |
| <p>III. GENERAL LOCATION OF PROPERTY INVOLVED: <u>Railroad Street & McCaughan, Long Beach</u></p> | | |
| <p>IV. ADDRESS OF PROPERTY INVOLVED: <u>646 East RR</u></p> | | |
| <p>V. GENERAL DESCRIPTION OF REQUEST: Resubdivision of <u>Beauty Shop from house</u> Into <u>Beauty Shop separate parcel & house separate parcel</u></p> | | |
| <p>VI. REQUIRED ATTACHMENTS:</p> <p>A. Resubdivision Survey and Certificate (see attached example) on no less than 11" X 17" paper.</p> <p>B. Cash or Check payable to the City of Long Beach in the amount of \$250.00</p> <p>C. Proof of ownership (copy of recorded warranty deed), if applicable proof of authority to act as agent for owner.</p> <p>***NOTE*** APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.</p> | | |
| <p>VII. OWNERSHIP AND CERTIFICATION: READ BEFORE EXECUTING, the applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than fifteen (15) days before the 2nd or 4th Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.</p> <p>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.</p> | | |
| <p><u>Claudia Meadows - Executor of estate</u> Name of Rightful Owner (PRINT)</p> <p><u>19086 Pine Forest Rd.</u> Owner's Mailing Address</p> <p><u>Gulfport, MS. 39503</u> City State Zip</p> <p><u>228-669-0495</u> Phone</p> <p>_____ Signature of Rightful Owner</p> | <p><u>Claudia Meadows</u> Name of Agent (PRINT)</p> <p><u>19086 Pine Forest Rd.</u> Agent's Mailing Address</p> <p><u>Gulfport MS 39503</u> City State Zip</p> <p><u>228-669-0495</u> Phone</p> <p><u>Claudia Meadows 5/15/17</u> Signature of Applicant Date</p> | |

MINUTES OF MAY 25, 2017
PLANNING COMMISSION



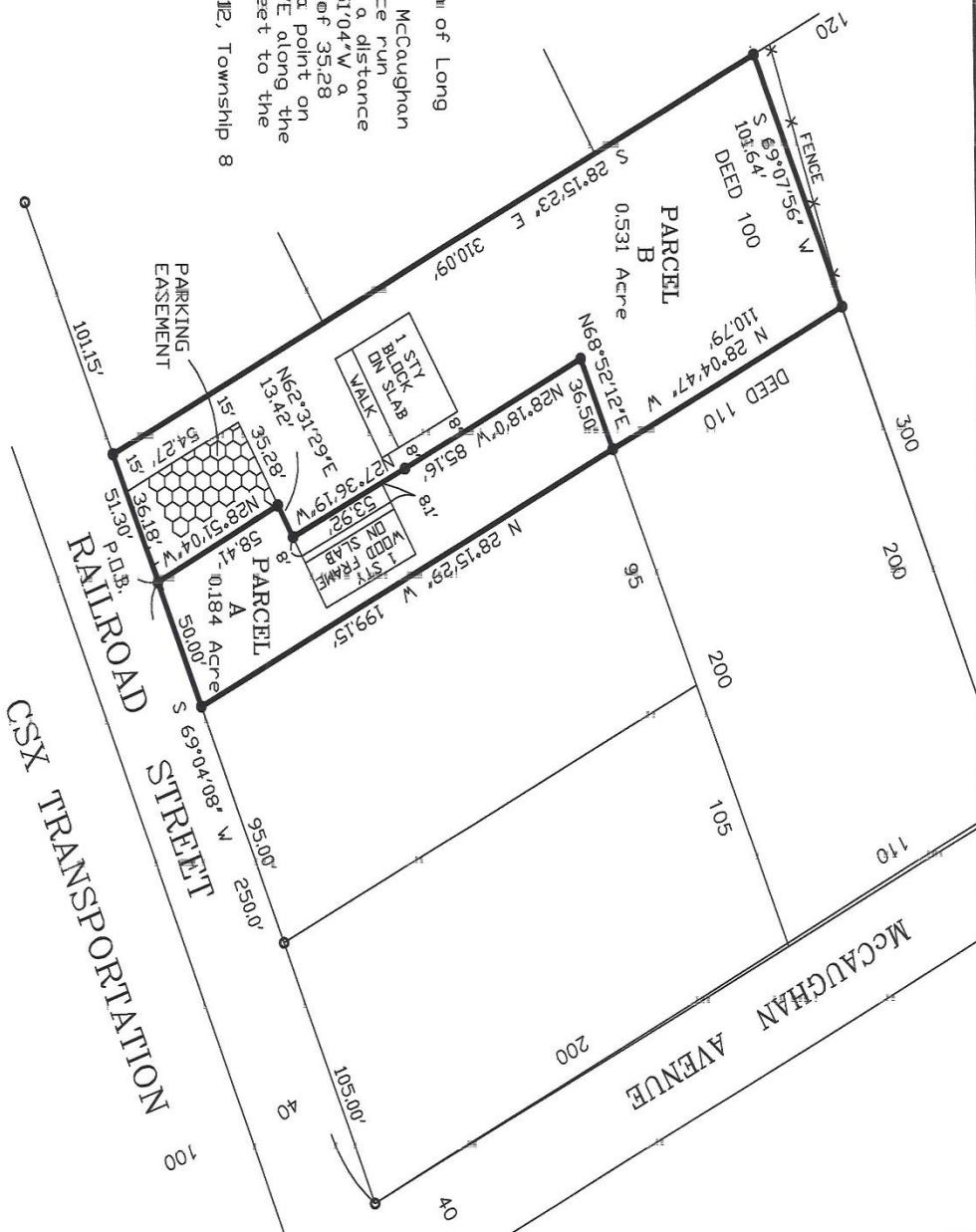
SCALE: 1"=50'
CLASS: "C" SURVEY
Base Bearing by: GPS RTK (NAD 83)
NOTES: This survey was performed without the benefit of a current title search. Property is subject to any/all Easements, Right-of-ways and/or Restrictions on record.

RESUBDIVISION
SURVEY OF:
CASTANEDO SHEILA -EST-
646 E RAILROAD ST
LONG BEACH, MS 39560

This property is located in Zone(s) "X", as published by the Federal Insurance Administration, Official Flood Hazard Map, Community Panel Number 28047C0357G, revised 06/16/2009

DESCRIPTION OF PARKING EASEMENT
That certain parcel of land being situated in the Town of Long Beach, Harrison County, Mississippi described as:
Commencing at the intersection of the West margin of McCaughan Avenue and the North margin of Railroad Street, thence run S69°04'08"W along the north margin of Railroad Street a distance of 250.0 feet to the POINT OF BEGINNING; thence N28°51'04"W a distance of 58.41 feet; thence S62°31'29"W a distance of 35.28 feet; thence S28°15'23"E a distance of 54.27 feet to a point on the North margin of Railroad Street; thence N69°04'08"E along the north margin of Railroad Street a distance of 36.18 feet to the point of beginning.
Being located in the SE 1/4 of The SE 1/4 of Section 12, Township 8 South, Range 12 West, Harrison County, Mississippi.
Section Block 7 in the City of Long Beach.

REFERENCE MATERIAL:
DEED BOOK 776 PAGE 396
INST # 3005-16029
INST # 2006-11322
INST # 2007-1938
PLAT OF GULF PARK HEIGHTS
HARRISON COUNTY TAX MAP



LARRY SMITH
LAND SURVEYING
105 N. KERN DRIVE GULFPORT MS. 39503 PHONE: (228) 832-9643

BOUNDARY, TOPOGRAPHIC
CONSTRUCTION LAYOUT



CERTIFICATION
This is to CERTIFY that I have surveyed the property hereon described and delineated, and that the measurements and other data indicated are correct to the best of my knowledge and belief.

Larry R. Smith
UPDATE: 02/24/2017
Dated: 02/03/2016
P.L.S. # 02695

MINUTES OF MAY 25, 2017 PLANNING COMMISSION

CERTIFICATE OF RESUBDIVISION

In accordance with Article II, Section 3 of the Code of Ordinance (Subdivision Regulations) of the City of Long Beach as amended, it is hereby certified that the Long Beach Planning Commission Chairman and Board of Aldermen have reviewed and approved the attached Final Plat. The following property has been subdivided from Harrison County ad Valorem tax parcel number(s) 0611P-03-010000 and 0611P-03-009001 into two new parcels as shown. The subject property is generally described as being located on the North margin of Railroad Street, West of McCaughan Avenue.

PRIOR TO RESUBDIVISION

LEGAL DESCRIPTION DEED BOOK 776 PAGE 396
That certain parcel of land situated in Long Beach, Harrison County, Mississippi, commencing at the point on the west margin of McCaughan Avenue 200 feet north of the north margin of Railroad Street, which point is the northeast corner of the property of Clifton Bufkin, running thence westerly and parallel to the north margin of Railroad Street a distance of 300 feet, more or less to a point on the east line of the property of James Warren Lathier and wife, running thence northerly and parallel to the west margin of McCaughan Avenue a distance of 110 feet, running thence easterly and parallel to said Railroad Street a distance of 300 feet, more or less to a point on the west margin of McCaughan Avenue running thence south a distance of 110 feet to the point of beginning, being bounded on the south by Clifton Bufkin and wife and JC Bufkin, west by James Warren Lathier and wife, north by the property of WR. Alford, and east by McCaughan Avenue.

LEGAL DESCRIPTIONS - TWO NEW PARCELS
That certain parcel of land being situated in the Town of Long Beach, Harrison County, Mississippi described as:
DESCRPTION PARCEL "A"
Commencing at the intersection of the West margin of McCaughan Avenue and the North margin of Railroad Street, thence run S69°04'08"W along the north margin of Railroad Street a distance of 250.0 feet to the POINT OF BEGINNING, thence N28°51'04"W a distance of 58.41 feet, thence N62°31'29"E a distance of 134.2 feet, thence N27°36'19"W a distance of 36.50 feet to an iron rod, thence S28°15'23"E a distance of 54.27 feet to a point on the North margin of Railroad Street, thence S69°04'08"E along the north margin of Railroad Street a distance of 50.0 feet to the point of beginning.
Said parcel contains 8,015 Square Feet or 0.184 Acres, more or less, being located in the SE 1/4 of The Section 12, Township 8 South, Range 12 West, Harrison County, Mississippi.

DESCRPTION PARCEL "B"
That certain parcel of land being situated in the Town of Long Beach, Harrison County, Mississippi described as:
DESCRPTION PARCEL "B"
Commencing at the intersection of the West margin of McCaughan Avenue and the North margin of Railroad Street, thence run S69°04'08"W along the north margin of Railroad Street a distance of 250.0 feet to the POINT OF BEGINNING, thence N28°51'04"W a distance of 58.41 feet, thence N62°31'29"E a distance of 134.2 feet, thence N27°36'19"W a distance of 36.50 feet to an iron rod, thence S28°15'23"E a distance of 54.27 feet to a point on the North margin of Railroad Street, thence S69°04'08"E along the north margin of Railroad Street a distance of 50.0 feet to the point of beginning.
Said parcel contains 8,015 Square Feet or 0.184 Acres, more or less, being located in the SE 1/4 of The Section 12, Township 8 South, Range 12 West, Harrison County, Mississippi.

LEGAL DESCRIPTION DEED BOOK 776 PAGE 396
That certain parcel of land being situated in the Town of Long Beach, Harrison County, Mississippi described as:
DESCRPTION PARCEL "A"
Commencing at the intersection of the West margin of McCaughan Avenue and the North margin of Railroad Street, thence run S69°04'08"W along the north margin of Railroad Street a distance of 250.0 feet to the POINT OF BEGINNING, thence N28°51'04"W a distance of 58.41 feet, thence N62°31'29"E a distance of 134.2 feet, thence N27°36'19"W a distance of 36.50 feet to an iron rod, thence S28°15'23"E a distance of 54.27 feet to a point on the North margin of Railroad Street, thence S69°04'08"E along the north margin of Railroad Street a distance of 50.0 feet to the point of beginning.
Said parcel contains 8,015 Square Feet or 0.184 Acres, more or less, being located in the SE 1/4 of The Section 12, Township 8 South, Range 12 West, Harrison County, Mississippi.

LARRY SMITH
BOUNDARY TOPOGRAPHIC
LAND SURVEYING
CONSTRUCTION LAYOUT

105 N. KERN DRIVE GULFPOR T MS. 39503 PHONE: (228) 832-9643

SHEET 3 OF 3 PREPARED BY: LARRY SMITH

DESCRIPTION OF PARKING EASEMENT

That certain parcel of land being situated in the Town of Long Beach, Harrison County, Mississippi described as:
DESCRPTION PARCEL "A"
Commencing at the intersection of the West margin of McCaughan Avenue and the North margin of Railroad Street, thence run S69°04'08"W along the north margin of Railroad Street a distance of 250.0 feet to the POINT OF BEGINNING, thence N28°51'04"W a distance of 58.41 feet, thence S28°15'23"E a distance of 54.27 feet to a point on the North margin of Railroad Street, thence S69°04'08"E along the north margin of Railroad Street a distance of 36.18 feet to the point of beginning.
Being located in the SE 1/4 of The SE 1/4 of Section 12, Township 8 South, Range 12 West, Harrison County, Mississippi. Section Block 7 in the City of Long Beach.

CERTIFICATE OF DIVERSITY
I hereby certify that I am the Executor of the Sheila Castaneda Estate, described herein, which property is within the subdivision regulation jurisdiction of the City of Long Beach, and that I freely adopt this plan of subdivision.
Sheila Ann Meadows (Executor) Date: 3-9-2017

Subscribed and sworn to before me, in my presence this 7 day of MAY, 2017.
Notary Public in and for the County of HARRISON, State of MISSISSIPPI.
Richard Luck
NOTARY PUBLIC

My Commission Expires: 03-05-2015

CERTIFICATE OF SURVEY AND ACCURACY
I, **ROGER S. SMITH**, Surveyor, under my supervision from actual survey made by me or actual survey made under my supervision and approved in accordance with all applicable codes and ordinances. Witness my original signature, registration number and seal this 24th day of FEBRUARY, 2017.
Larry R. Smith Ms. PLS #02695 SURVEYOR



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:
Subject to and approved by the City of Long Beach Planning Commission at the regularly scheduled meeting on the _____ day of _____, 2017.

Planning Commission Chairman: _____
APPROVAL: _____
Submitted to and accepted by the City of Long Beach, Board of Aldermen, at the regular meeting of said Board of Aldermen held on the _____ day of _____, 2017.
AIDP/TI: _____

City Clerk: _____ Mayor: _____

MINUTES OF MAY 25, 2017
PLANNING COMMISSION

BOOK 776 PAGE 396

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, receipt of which is hereby acknowledged, I, MRS. J. H. BROUN, a widow, do hereby sell, convey and warrant unto SHEILA CASTANEDO the following described property situated in the First Judicial District, Harrison County, Mississippi, to-wit:

That certain parcel of land situated in Long Beach, Harrison County, Mississippi, commencing at a point on the west margin of McCaughan Avenue 200 feet north of the north margin of Railroad Street, which point is the northeast corner of the property of Clifton Bufkin; running thence westerly and parallel to the north margin of Railroad Street a distance of 300 feet, more or less, to a point on the east line of the property of James Warren Latimer and wife; running thence northerly and parallel to the west margin of McCaughan Avenue a distance of 110 feet; running thence easterly and parallel to said Railroad Street a distance of 300 feet, more or less, to a point on the west margin of McCaughan Avenue; running thence south a distance of 110 feet to the point of beginning; being bounded on the south by Clifton Bufkin and wife and J. C. Bufkin, west by James Warren Latimer and wife, north by property of W. B. Alford, and east by McCaughan Avenue; together with all improvements situated thereon and all appurtenances in anywise appertaining thereto.

AND ALSO:

Beginning at a point on the north margin of Railroad Street in said Town of Long Beach, Mississippi, 200 feet east of the southwest corner of what was formerly Hayes and Ellzey Addition, which point of beginning is the southwest corner of property conveyed to Clifton Bufkin et ux by W. B. Alford, on the 26th day of February,

(\$10.00), cash in hand paid, and other good and valuable consideration, receipt of which is hereby acknowledged, I, MRS. J. H. BROUN, a widow, do hereby sell, convey and warrant unto SHEILA CASTANEDO the following described property situated in the First Judicial District, Harrison County, Mississippi, to-wit:

That certain parcel of land situated in Long Beach, Harrison County, Mississippi, commencing at a point on the west margin of McCaughan Avenue 200 feet north of the north margin of Railroad Street, which point is the northeast corner of the property of Clifton Bufkin; running thence westerly and parallel to the north margin of Railroad Street a distance of 300 feet, more or less, to a point on the east line of the property of James Warren Latimer and wife; running thence northerly and parallel to the west margin of McCaughan Avenue a distance of 110 feet; running thence easterly and parallel to said Railroad Street a distance of 300 feet, more or less, to a point on the west margin of McCaughan Avenue; running thence south a distance of 110 feet to the point of beginning; being bounded on the south by Clifton Bufkin and wife and J. C. Bufkin, west by James Warren Latimer and wife, north by property of W. B. Alford, and east by McCaughan Avenue; together with all improvements situated thereon and all appurtenances in anywise appertaining thereto.

AND ALSO:

Beginning at a point on the north margin of Railroad Street in said Town of Long Beach, Mississippi, 200 feet east of the southwest corner of what was formerly Hayes and Ellzey Addition, which point of beginning is the southwest corner of property conveyed to Clifton Bufkin et ux by W. B. Alford, on the 26th day of February, 1954, running thence westerly along the north margin of Railroad Street a distance of 100 feet

**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

BOOK **776** PAGE **397**

to a point which is the Southeast corner of property heretofore conveyed by W. B. Alford to James Warren Latimer et ux; running thence Northerly along the east margin of property of Latimer a distance of 200 feet to a point; running thence Easterly and parallel to the North margin of Railroad Street a distance of 100 feet; running thence Southerly along the West margin of the property of Clifton Bufkin a distance to 200 feet to the point of beginning. Being bounded on the South by Railroad Street, West by the property of James Warren Latimer and North by a lot heretofore conveyed by the Grantor herein to W. B. Alford and on the East by the property of Clifton Bufkin and wife.

Grantor expressly retains a life estate in and to the two parcels of real property described above.

This conveyance is subject to all restrictions, rights of way, easements and reservations of oil, gas and other minerals of record or existing pertaining to said property.

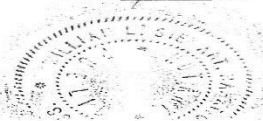
WITNESS my signature, this the 9th day of April, A.D., 1976.

Mrs J. H. Broun
MRS. J. H. BROUN

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the aforesaid County and State, MRS. J. H. BROUN, who acknowledged that she signed and delivered the above and foregoing Warranty Deed on the day and year therein mentioned.

GIVEN under my hand and official seal of office, this the 9th day of April, A.D., 1976.



William L. Stewart
NOTARY PUBLIC
My Commission Expires: 2/17/79

Grantor expressly retains a life estate in and to the two parcels of real property described above.

This conveyance is subject to all restrictions, rights of way, easements and reservations of oil, gas and other minerals of record or existing pertaining to said property.

WITNESS my signature, this the 9th day of April, A.D., 1976.

Mrs J. H. Broun
MRS. J. H. BROUN

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the aforesaid County and State, MRS. J. H. BROUN, who acknowledged that she signed and delivered the above and foregoing Warranty Deed on the day and year therein mentioned.

GIVEN under my hand and official seal of office, this the 9th day of April, A.D., 1976.



William L. Stewart
NOTARY PUBLIC
My Commission Expires: 2/17/79

3664

| STATEMENT OF FEES | |
|----------------------|--------|
| Filing | .05 |
| Recording | 200 |
| 15c per 100 Words @ | 1.20 |
| Certificate | 2.50 |
| Indexing 15c each | 3.00 |
| Separate Subdivision | 3.00 |
| Total Fees | 366.75 |

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:
I hereby certify that this instrument was received and filed for record at 9 o'clock and 10 minutes A.M. on 12 day of July, A. D. 1976 and recorded July 13, 1976 in Records of Deeds, Book 776 Pages 396-397
G. N. Creel, Chancery Clerk
By Jo B. Burdette, D. C.

MINUTES OF MAY 25, 2017
PLANNING COMMISSION

IN THE CHANCERY COURT OF HARRISON COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

IN THE MATTER OF THE ESTATE OF
SHEILA CASTENADO, DECEASED,
CLAUDIA ANN MEADOWS, PETITIONER

CAUSE NO.: 14-1516(2)
FILED
AUG 15 2014
JOHN McADAMS, CHANCERY CLERK
John McAdams D.C.

LETTERS TESTAMENTARY

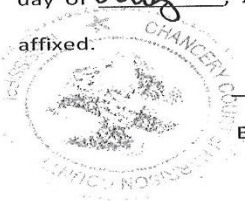
WHEREAS, SHEILA CASTENADO, Deceased, of Harrison County, made in her lifetime her respective Last Will and Testament, which on the 23rd day of July, 2014, was proved, approved and admitted to record in the above named Court, and probate thereof granted to Claudia Ann Meadows, Executrix thereof, and therein appointed Claudia Ann Meadows, and said Claudia Ann Meadows, having complied with the provisions of the statute in such cases provided;

THEREFORE, to the intent that said Will may be well and truly performed, we do give, grant and commit unto Claudia Ann Meadows, the administration of all and singular the goods and chattels, rights and credits, of and belonging to the estate of said Testator, with full power to take the same unto her hands and possession, and ask, levy, recover and receive the same, wherever they may be in this State; hereby requiring and enjoining upon the said Claudia Ann Meadows, to make a true and perfect inventory of all and singular the goods and chattels, rights and credits which have or shall come to her hands, possession or knowledge, or unto the hands or possession of any other person or persons, for her to exhibit said inventory to the above named Court within the time limited by law to administer said goods and chattels, rights and credits, according to law; to make a just and true account of her actions therein, if and when required by the above Court; and to well and truly pay and deliver all the legacies contained and specified in the said Will, so far

1

as goods and chattels, rights and credits, will extend and the law charge herself hereby confirming said Executrix with full and ample authority to dispose of all and singular said goods and chattels, rights and credits, according to the tenor of said Last Will and Testament, and the true intent and meaning of said Testator, by virtue of these presents.

WITNESS the Honorable Jennifer T. Schloegel
Chancellor of the Harrison County Chancery Court, this the 15
day of Aug., 2014, and the seal of the Court hereunto
affixed.



John McAdams, Clerk
By: John McAdams, D.C.

(SEAL)

John McAdams, Clerk of the Chancery Court in and for the County of Harrison, State of Mississippi, certify that the above is a true copy of the Letters Testamentary upon the Estate of SHEILA CASTENADO, Deceased, granted and issued to Claudia Ann Meadows, Executrix, on the 15 day of Aug., 2014, the same appears on file of record in my office in said County and State.

GIVEN under my hand and seal of said Court in said County and State, this the 15 day of Aug., 2014.



John McAdams
Chancery Clerk
By: John McAdams, D.C.

- 2

**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

IN THE CHANCERY COURT OF HARRISON COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

IN THE MATTER OF THE ESTATE OF SHEILA CASTANEDO, DECEASED

CLAUDIA ANN MEADOWS, PETITIONER

CAUSE NO. 14-1516(2)

APR 25 2017
John W. Adams, Chancery Clerk

ORDER TO RESUBDIVIDE REAL PROPERTY D.G.

THIS DAY this cause came on to be heard on the Petition for Authority to Resubdivide Real Property, filed herein by Claudia Ann Meadows, Executrix, and the Court being duly advised in the premises finds as follows:

I.

That on the 6th day of January, 2013, Sheila Castanedo (herein "Decedent") departed this life, having at the time of her death a fixed place of residence in and being an adult resident citizen of the City of Long Beach, First Judicial District of Harrison County, Mississippi. Letters Testamentary [Doc. 6] were granted and issued by the Clerk of this Court on August 15, 2014.

II.

That Decedent left surviving her the following named beneficiaries, as set forth in the Last Will and Testament of Sheila Castanedo, all of whom are the adult children of Decedent:

- a. Claudia Ann Meadows, adult daughter of the Decedent, residing at 19086 Pine Forest Road, Gulfport, Mississippi 39503;
- b. Mary Lynn Follis, adult daughter of the Decedent, residing at 14564 E. Railroad Avenue, Gulfport, Mississippi 39503;
- c. Sheila Elaine Sullivan, adult daughter of the Decedent, residing at 10055 Park Meadows Drive, Apartment 55011, Lone Tree, Colorado 80124;
- d. Charles Douglas Castanedo, adult son of the Decedent, residing at 1661 Box Canyon Drive, Reno, Nevada 89521;
- e. Janet Christine Welch, adult daughter of the Decedent, residing at 650 E. Railroad Avenue, Long Beach, Mississippi 39560; and
- f. Barbara Jean Campbell, adult daughter of the Decedent, residing at 19295 Mark Drive, Saucier, Mississippi 39574.

III.

That in accordance with law, notice to creditors was published in *The Sun Herald* on October 3, 2014, October 10, 2014, and October 17, 2014 [Doc. 8]. The time within which claims might be probated against the Estate of the Decedent has expired, and no claims have been filed.

IV.

A Petition for Approval of First Annual Accounting [Doc. 14] was filed on January 14, 2016, with an Order Approving Accounting [Doc. 20] entered on April 13, 2016.

V.

That the Estate includes fee simple interest in real property located in Harrison County, First Judicial District, Mississippi, more particularly described as follows:

That certain parcel of land situated in Long Beach, Harrison County, Mississippi, commencing at a point on the west margin of McCaughan Avenue 200 feet north of the north margin of Railroad Street, which point is the northeast corner of the property of Clifton Bufkin; running thence westerly and parallel to the north margin of Railroad Street a distance of 300 feet, more or less, to a point on the east line of the property of James Warren Latimer and wife; running thence northerly and parallel to the west margin of McCaughan Avenue a distance of 110 feet; running thence easterly and parallel to said Railroad Street a distance of 300 feet, more or less, to a point on the west margin of McCaughan Avenue; running thence south a distance of 110 feet to the point of beginning; being bounded on the south by Clifton Bufkin and wife and J. C. Bufkin, west by James Warren Latimer and wife, north by property of W. B. Alford, and east by McCaughan Avenue; together with all improvements situated thereon and all appurtenances in anywise appertaining thereto.

**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

AND ALSO:

Beginning at a point on the north margin of Railroad Street in said Town of Long Beach, Mississippi, 200 feet east of the southwest corner of what was formerly Hayes and Ellzey Addition, which point of beginning is the south-west corner of property conveyed to Clifton Bufkin et ux by W. B. Alford, on the 26th day of February, 1954, running thence westerly along the north margin of Railroad Street a distance of 100 feet to a point which is the Southeast corner of property heretofore conveyed by W. B. Alford to James Warren Latimer et ux; running thence Northerly along the east margin of property of Latimer a distance of 200 feet to a point; running thence Easterly and parallel to the North margin of Railroad Street a distance of 100 feet; running thence Southerly along the West margin of the property of Clifton Bufkin a distance to 200 feet to the point of beginning. Being bounded on the South by Railroad Street, West by the property of James Warren Latimer and North by a lot heretofore conveyed by the Grantor herein to W. B. Alford and on the East by the property of Clifton Bufkin and wife.

VI.

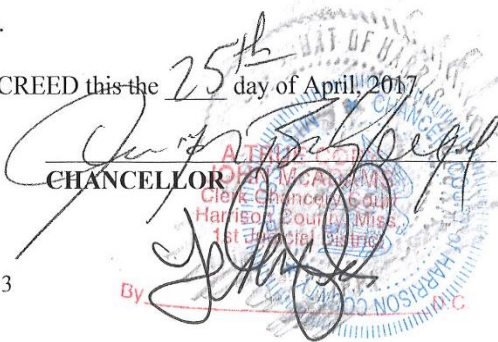
That the above described real property was assigned two separate parcel numbers by the Harrison County, Mississippi, Tax Assessor as follows: (a) Parcel No. 0611P-03-010.000 operates as rental property through the Mississippi Regional Housing Authority Section 8 housing program; and (b) Parcel No. 0611P-03-009.001 operates as Chatter Box Beauty Shop. However, said real property was never subdivided for the purposes of creating two separate legal descriptions.

VII.

That the Court grants the Executrix authority to obtain a Certificate of Resubdivision from the City of Long Beach Planning Department for the real property listed in Paragraph V.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Executrix is authorized to apply for a Certificate of Resubdivision from the City of Long Beach Planning Department for the real property listed in Paragraph V herein above.

SO ORDERED, ADJUDGED AND DECREED this the 25th day of April, 2017

3
By 
CHANCELLOR
ALTA M. McCall
Clerk-Chancellor
Harrison County, Miss.
1st Judicial District

Prepared by:


Shannon Ladner Ozerden, MSB #102065
Dukes, Dukes, Keating & Faneca, P.A.
Post Office Drawer W
Gulfport, Mississippi
Telephone: 228-868-1111
Facsimile: 228-863-2886

**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**



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 0611P-03-009.001 & 0611P-03-010.000

Ladies and Gentlemen:

We have received a Certificate of Subdivision for the referenced parcels on Railroad Street, slightly west of McCaughan Ave., which proposes to realign the boundary lines of the two existing parcels. Based on the zoning ordinance, neither existing parcel meets the lot width requirements of the C-2 zone in which they are currently located. However, the subdivision doesn't propose to reduce the lot width, but only to increase the area of the smaller 0611P-03-009.001 parcel (the eastern lot) by adding depth to the rear of the parcel. Besides the lot width, it appears that all other City requirements are met, including set backs, lot sizes, minimum allowable street frontage, etc.

Since the existing parcels are already non-compliant with the City's zoning ordinance, it doesn't seem reasonable to withhold approval of a subdivision which in no way increases the violation. We therefore take no exception to this subdivision, subject to the 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

After consideration and review Commissioner Fischer made motion seconded by Commissioner Frazer and unanimously carried recommending approval of the resubdivision in accordance with the City's Subdivision Regulations and based upon the City Engineer's recommendations.

MINUTES OF MAY 25, 2017 PLANNING COMMISSION

It came for approval Preliminary Plat approval for a zero lot line development for property located at 818 & 820 West Beach Boulevard, tax parcel #0512I-01-030.001 and 0512I-01-050.000 submitted by Chris Patrick as follows:

Due to engineering changes needed, this agenda item was tabled until the next regular scheduled meeting of June 8, 2017.

It came for consideration Planning Commission approval to build single family in C-1, Central Business/Commercial Zoning District for property located at 404 Mason Avenue, tax parcel 0612G-02-032.000 submitted by Mike Carrubba on behalf of Mike Bohlke as follows:

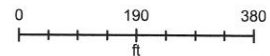
404 Mason Ave - Tax Parcel 0612G-02-032.000



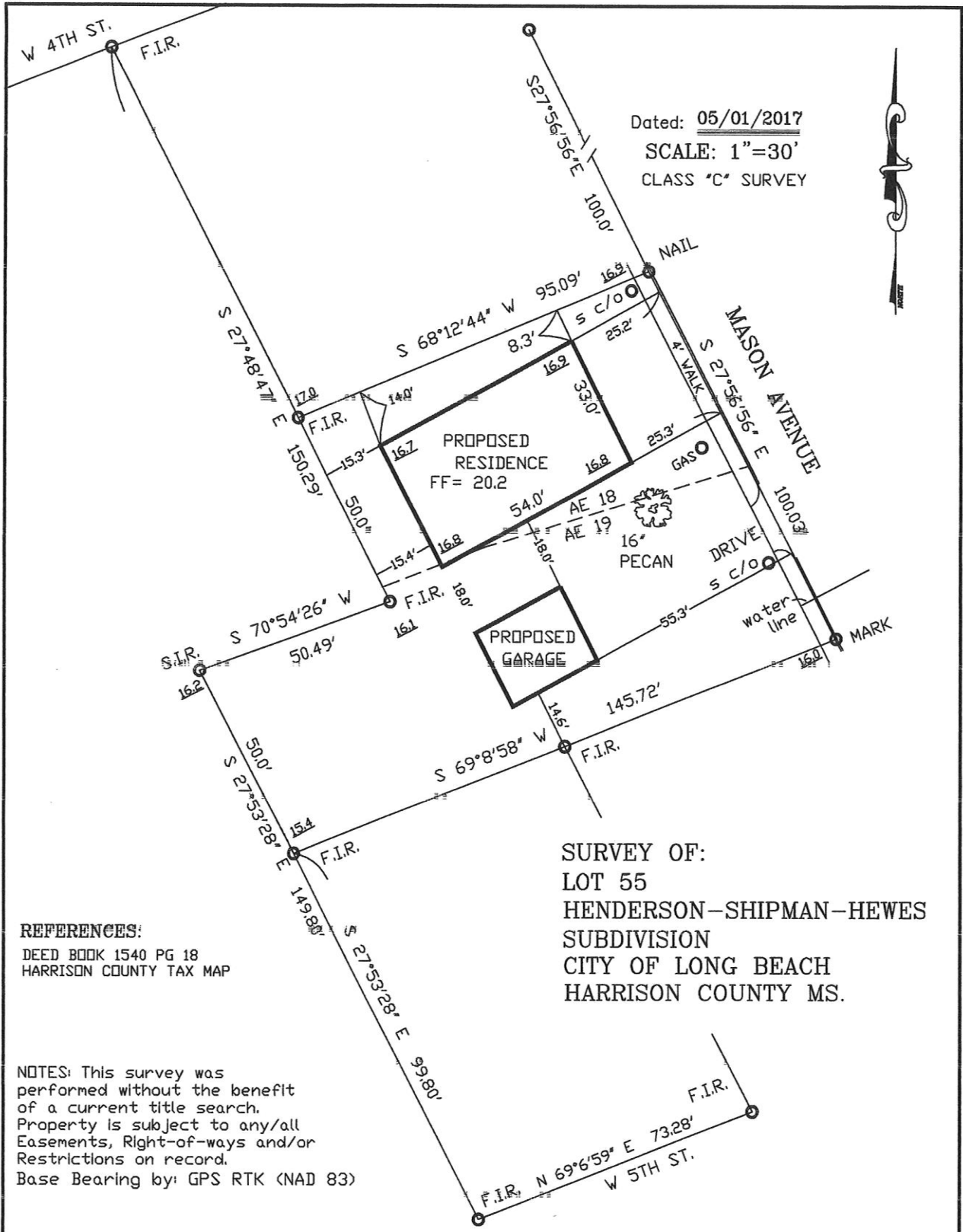
HARRISON COUNTY, MISSISSIPPI

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

MAP DATE: May 23, 2017



**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**



Dated: 05/01/2017
SCALE: 1"=30'
CLASS 'C' SURVEY



REFERENCES:
DEED BOOK 1540 PG 18
HARRISON COUNTY TAX MAP

SURVEY OF:
LOT 55
HENDERSON-SHIPMAN-HEWES
SUBDIVISION
CITY OF LONG BEACH
HARRISON COUNTY MS.

NOTES: This survey was performed without the benefit of a current title search. Property is subject to any/all Easements, Right-of-ways and/or Restrictions on record. Base Bearing by: GPS RTK (NAD 83)

CERTIFICATION

This is to CERTIFY that I have surveyed the property hereon described and delineated, and that the measurements and other data indicated are correct to the best of my knowledge and belief.

Larry R. Smith
Larry R. Smith P.L.S. # 02695



This property is located in Zone(s) "AE", as published by the Federal Insurance Administration, Official Flood Hazard Map, Community Panel Number 28047C0357G, revised 6/16/2009.

| | | | |
|--|---|--|-------|
| | LARRY SMITH LAND SURVEYING 105 N. KERN DRIVE GULFPORT MS. 39503 PHONE: (228) 832-9643 | BOUNDARY, TOPOGRAPHIC CONSTRUCTION LAYOUT | JOB # |
| | | | |

MINUTES OF MAY 25, 2017
PLANNING COMMISSION



1st Judicial District
Instrument 2017 996 D - J1
Filed/Recorded 2/17/2017 01:28 P
Total Fees \$ 12.00
3 Pages Recorded

Prepared by:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)-865-9047
MS Bar # 1866

Return to:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)-865-9047
File # 17-024

STATE OF MISSISSIPPI
HARRISON COUNTY
FIRST JUDICIAL DISTRICT

WARRANTY DEED

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

Randy Looney and Vicky Looney
703 Old Spanish Trail
Waveland, MS 39576
228-239-6043

do hereby sell, convey and warrant unto

Michael J. Bohlke
13 Southern Oaks Lane
Long Beach, MS 39560
228-860-3005

that certain tract, piece or parcel of land situated and being located in First Judicial District of Harrison County, State of Mississippi, more particularly described as follows, to-wit:

(See Exhibit A attached, Page 3)

INDEXING INSTRUCTIONS: Long Beach Section Block 16

Page 1 of 3

THIS CONVEYANCE is subject to any prior reservation or conveyance of oil, gas or other mineral rights and subject to all easement restrictions, reservations and covenants of record.

IT IS AGREED and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis. When said taxes are actually determined, if the proration as of the date is incorrect, then the Grantor(s) agrees to pay the Grantee(s), or its assigns, any deficit on an actual proration, and likewise, the Grantee(s) agrees to pay the Grantor(s), or its assigns, any amount overpaid by it.

WITNESS OUR SIGNATURES, this the 16th day of February, 2017.

Randy Looney

Vicky Looney

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the above stated jurisdiction, the within named Randy Looney and Vicky Looney who acknowledged that they signed and delivered the foregoing Warranty Deed on the day and year therein written as their own free and voluntary act and deed.

GIVEN under my hand and official seal on this the 16th day of February, 2017.

MY COMMISSION EXPIRES:



NOTARY PUBLIC

Page 2 of 3

**MINUTES OF MAY 25, 2017
PLANNING COMMISSION**

Exhibit "A"

A lot or parcel of land described as beginning at a point 100 feet South of the South margin line of Fourth Street on the West margin of Mason Avenue in the City of Long Beach, as a point of beginning; from said point running West perpendicular to Mason Street 96 feet to a stake; running thence South 50 feet; running thence West 50 feet; running thence South 50 feet; running thence East 146 feet; running thence North along the West margin line of Mason Street to the Place of Beginning; said Lot being bounded as follows, North by Bolding, East by Mason Avenue, South by Melhado and West by Krantz, in the City of Long Beach, lying and being between Fourth Street and Fifth Street in the City of Long Beach, Harrison County, First Judicial District, Mississippi, also known as Lot 55, Henderson-Shipman-Hewes Subdivision.

Page 3 of 3

5/22/2017

I Mike Bohlke designate Coastal Cottage & Development, LLC., Mike Carrubba to represent me on behalf of request to build a single family home in C1 area, 404 Mason Ave.



Commissioner Frazer made motion seconded by Commissioner Brown and unanimously carried recommending approval of the single-family residence in C-1, Central Business Zone District, reiterating to the applicant that the surrounding properties are zoned commercial.

**MINUTES OF MAY 25, 2017
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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.

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

APPROVED:

Commission Chairman, Frank Olaivar

Date: _____

ATTEST:

Veronica Howard, Minutes Clerk