

**MINUTES OF FEBRUARY 28, 2013
PLANNING COMMISSION**

Be it remembered that a regular meeting of the Long Beach Planning Commission of the City of Long Beach, Mississippi, was begun at 6:00 o'clock p.m., Thursday, the 28th day of February 2013, in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed for holding said meeting.

There was present and in attendance on said Commission and at the meeting the following named persons: Commissioners Tony Vancourt, George Casey, Ron Robertson, Tonda Yandell, Randy Fischer and Minutes Clerk Veronica Howard.

Commission Chairman Frank Olaivar and Commissioner Jim Heinzl were absent the meeting.

Commissioner Vancourt in his capacity as Co-Chairman chaired the meeting.

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

Commissioner Robertson made motion seconded by Commissioner Fischer and unanimously carried to approve the regular meeting minutes of February 14, 2013 as submitted.

It came for consideration new business Planning Commission approval to build low-rise apartments in an R-2 Low Density Multi-Family Residential zoned district submitted by Michael Madden as follows:

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

Office use only	
Date Received	2/22/13
Zoning	R-2
Agenda Date	2/28/13
Check Number	315

APPLICATION FOR CASE REVIEW

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

II. Advalorem Tax Parcel Number(s): 0511G-01-001.009

III. Address of Property Involved: Lot 9 L'Casa Foresta Subdivision, south end of
Via Don Ray

IV. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.)
 Approval to build Six (6) duplexes in R-2 & approval of site plan

V. REQUIRED ATTACHMENTS:

- A. **Interest and Ownership.** The applicant's name, address and interest of every person, firm or corporation represented by the applicant in the application, the name of the owner or owners and their respective addresses of the entire land area proposed to be changed in classification or to be included within the structures then existing thereon, and sufficient evidence to establish that the applicant has the right of possession to the land area and structures, the names and address of all owners of adjacent property (exclusive of the width of intervening streets, alleys, or bodies of water). Claims of support or "no objection" from owners of adjoining property should be substantiated in writing or by the appearance of such owner(s) at the hearing. Such support is usually considered material but not conclusive.
- B. **Survey and/or Site Plan.** A site plan showing the land area which would be affected, if required a general layout drawing of the development, easements bounding and intersecting the designated area, the locations of existing and proposed structures with supporting open facilities, and the ground area to be provided and continuously maintained for the proposed structure or structures;
- C. **Recorded Warranty Deed.** A deed which includes a legal description of the specific piece of property involved in the request. If, several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.
- D. **Fee.** Attach a check in the amount of \$50.00. This check should be made payable to the City of Long Beach to cover administrative cost. You will also be responsible to actual costs, such as advertising and mailing incurred with the processing of your application.

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

VI. OWNERSHIP AND CERTIFICATION:

READ BEFORE EXECUTING, Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than 21 days before the 2nd or 4th Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.

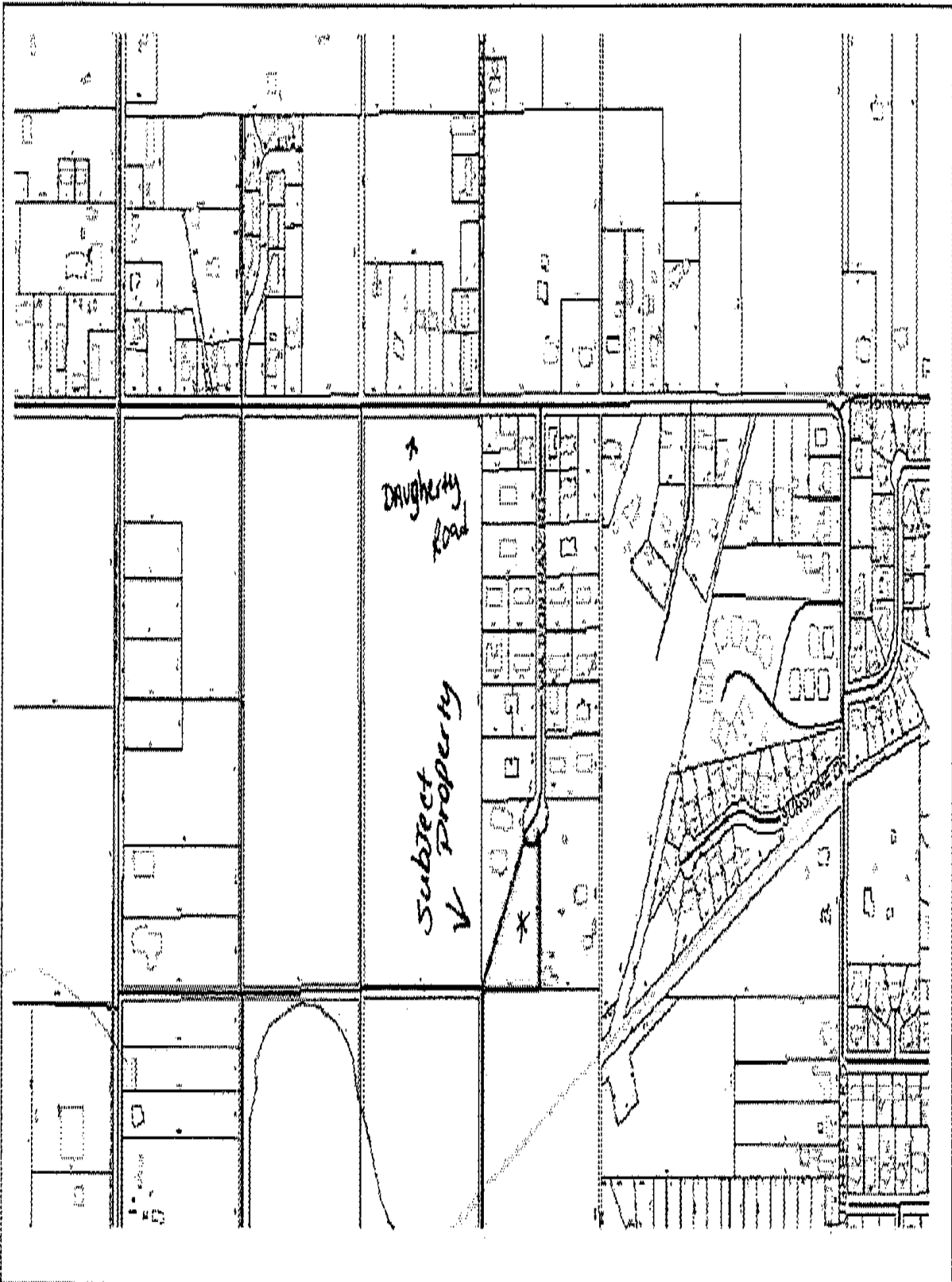
Ownership: I the undersigned due hereby agree to all the rules and regulations as set forth in the Long Beach Zoning Ordinance and also agree to pay all fees and charges as stated.

Scott L. McLaren
Name of Rightful Owner (PRINT)
 2651 E. Vallejo Ct
Owner's Mailing Address
 Gilbert AZ 85298
City State Zip
 480-600-4015
Phone
 [Signature]
Signature of Rightful Owner Date

Michael J. Madden
Name of Agent (PRINT)
 13326 Carriage Circle
Agent's Mailing Address
 Gulfport, MS 39503
City State Zip
 228-697-3123
Phone
 [Signature]
Signature of Agent Date

2/22/2013

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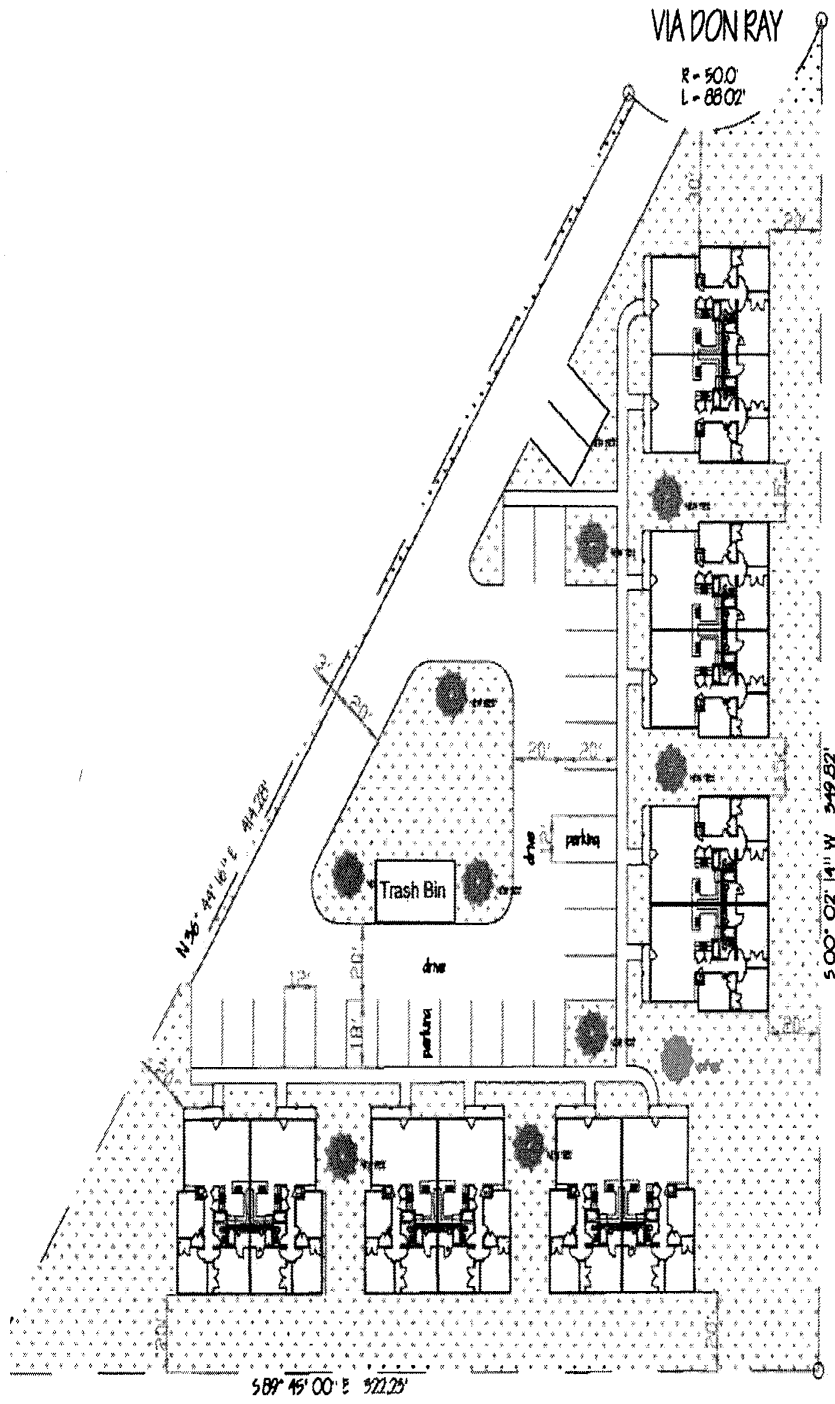


**THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY.
HARRISON COUNTY ASSUMES NO LEGAL RESPONSIBILITIES
FOR THE INFORMATION CONTAINED ON THIS MAP.**

Date Printed: Feb 25, 2013

Parcel #: 0511G-01-001.009

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ppin 95812

HARRISON COUNTY TAX - DETAIL

Parcel ID **0511G-01-001.009**
 Owner **LEWIS DUSTIN**
 Owner Address **6313 BEATLINE RD**
 LONG BEACH, MS 39560
 Property Location **0 VIA DON RAY**
 Legal Description **LOT 9 L'CASA FORESTA SUBD SEC 3-8-12**

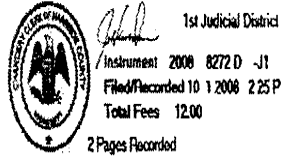
Tax District Rate		Homestead Value
County	3615.0000	Special Exemption
City	4898.0000	Deed Book/Page
School	6042.0000	Date Recorded 08/01/2006
Cultivated Acre Value (C1)		Cultivated Acres
Cultivated Acre Value (C2)	\$17,250	Cultivated Acres
Uncultivated Acre Value (C1)		Uncultivated Acres
Uncultivated Acre Value (C2)		Uncultivated Acres
Improvement/Bldg Value (C1)		Forest Acres
Improvement Bldg Value (C2)		
Total Assessment	\$2,587	Tax District L

Taxes Due		Less H.E. Credits	
County	\$93.560	County	0.00
City	\$126.760	City	0.00
School	\$156.370	School	0.00
Forest	\$0.000		
Total Taxes	\$392.920	Roll Year	2008

Notifications	
To find TRUE VALUE: Add the (C1) and (C2) fields.	(C1) Denotes with Homestead (C2) Denotes without Homestead
To find ASSESSED VALUE: Multiply (C1) fields by 10% Multiply (C2) fields by 15%	* Denotes Owner Address NOT Property Location

Information not warranted. Information herein is from Harrison County Tax Rolls. MLS subscribers are not responsible for its accuracy.
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Index as follows: Lot 9, L'Casa Foresta S/D, Harrison County, 1st JD, MS



STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

THAT FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, I, DUSTIN LEWIS, does hereby grant, bargain, sell, convey and warrant, unto SCOTT McLAREN, the following described property, together with the improvements, hereditaments and appurtenances thereunto situated and located in the First Judicial District of the County of Harrison, State of MS, and more particularly described as follows, to-wit:

Lot 9, L' CASA FORESTA SUBDIVISION, according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of Harrison County, Mississippi, in Plat Book 34 at Page 40.

The above described property does not constitute as the Homestead of the Grantor.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and any prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners of subject property.

Estimated county ad valorem taxes have been prorated between the parties as a part of the consideration for this conveyance. In the event the estimates upon which such proration is based prove to be inaccurate for any reason, the Grantee agrees to refund any excess, and the Grantor agrees to pay any deficiency, upon receipt of a copy of the tax statement for the current year and a computation of the true amount due, based on a 365 day year.

THIS CONVEYANCE is also subject to Zoning and/or other land use regulations promulgated by federal, state or local governments affecting the use or occupancy of the subject property.

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Mr. Madden came forward to state he was representing the seller/owner of the property. He stated the building would be built of hardy plank or vinyl, each unit would be three (3) bedrooms, and trash collection would be provided by a private company.

After review and discussion Commissioner Yandell made motion seconded by Commissioner Robertson and unanimously carried to table the request until a date the developer and/or buyer is able to attend the meeting to answer the Commission's concerns including layout and look of the units/buildings, trash pick-up plans, etc.

It came for consideration removal of a Live Oak Tree at 209 Clower Avenue submitted by Michelle Gregory as follows:

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



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

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

Any single-family Residential, Multi-Family Residential, Commercial or Industrial Zoned areas need a permit to remove a Live Oak or Magnolia tree with its root system, growing upon the earth usually with one trunk or at least eighteen (18) inches in circumference or larger, measured four and one-half (4 1/2) feet above the surface of the ground, or a multi-stemmed trunk system with a definitely formed crowned.

Any person desiring a permit for removal of any Live Oak or Magnolia tree, shall submit this application and a filing fee of \$25.00 per parcel of land to which such application pertains.

APPLICANT INFORMATION:

- Last Name: BREGORY First: WICHTEVE Middle: L.
- Address: 209 CLOWEN AVE
- City: LONG BEACH State: MS Phone: 601 8206

Same
Project Address (where the trees to be removed are) Tax Parcel Number

- Are you the legal owner of the above property? Yes No . If No written consent from the owner is needed. Please provide a statement that no person, not listed on this application, has any interest in the title in or to the property. Please provide a recorded warranty deed.
- What is the reason the tree needs to be removed? Be specific ex. Construction, street or roadway, recreational area, patio, parking lot, diseased tree not worthy of preservation, etc. ROOTS ARE COMING UP IN BATHROOM AROUND FLARE. DISCOVERED IN THE FALL DURING A REMODEL. TREE ROOTS HAVE ALSO DISCOVERED DRIVEWAY

Upon issuance of a Tree Removal Permit, the permit fee will be as follows:

- For removal of a tree or trees where such removal of such tree or trees is necessitated by material damage caused by such tree or trees to permanent improvement or improvements on the parcel where such tree or trees are situated a fee of \$1.00 per tree permitted to be removed.
- For removal of all other trees, a fee of \$45.00 per tree permitted to be removed.
As per City of Long Beach Tree Ordinance (#364) any person removing any Live Oak or Magnolia tree within the City of Long Beach, Mississippi, without a valid tree removal permit, shall be guilty of a misdemeanor; and upon conviction thereof shall be sentenced to pay a fine not less than \$500.00 nor more than \$1000.00. The removal of each tree without having first secured a valid tree removal permit shall constitute a separate offense and shall be punishable as such.

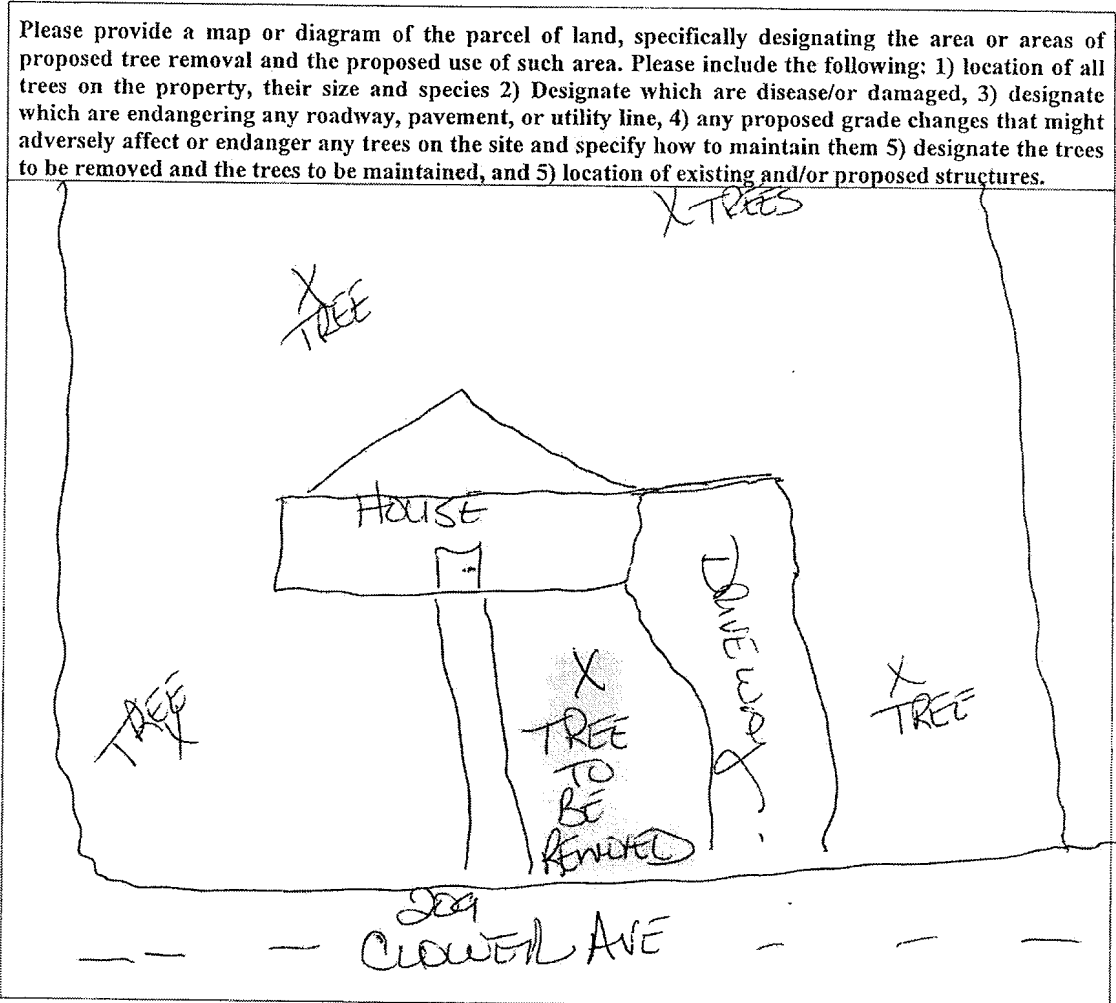
** As a condition of granting the tree removal permit, the City, acting by and through its Mayor and Board of Aldermen, may require the applicant to relocate or replace trees, but may not require the replacement of trees in a number greater than the number of Live Oak or Magnolia trees removed; trees to be of Four (4) inches caliper deciduous trees or five (5) feet in height of evergreen or Live Oak or Magnolia trees.

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all applicable codes, ordinances and state laws regulation construction; that I am the owner or authorized to act as the owners agent for the herein described work.

[Signature] 3/11/13
Signature Date
OVER →

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TREE SITE PLAN:



CITY OF LONG BEACH TREE BOARD RECOMMENDATIONS/COMMENTS BELOW:

No objection

Diana Latta
Diana Latta

2/25/13

PRINTED NAME AND SIGNATURE OF TREE BOARD MEMBER

DATE

Commissioner Yandell made motion seconded by Commissioner Fischer and unanimously carried recommending removal of the Live Oak tree based upon the Tree Board's recommendation and in accordance with Ordinance 364, the Tree Preservation and Protection Ordinance.

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

APPROVED:

Chairman, Frank Olaivar

Date: _____

ATTEST:

Veronica Howard, Minutes Clerk