

**MINUTES OF FEBRUARY 22, 2007
LONG BEACH PLANNING COMMISSION**

Be it remembered that a regular meeting of the Long Beach Planning Commission was begun and held in the City of Long Beach, Superintendent of Educations Office in said City at 7:00 p.m. on Thursday the 22nd of February 2007. The same being the time and place fixed for holding said meeting.

There were present and in attendance on said Commission and at the meeting the following named persons; Frank Olaivar, Tonda Yandell, Frank Reed, Tony VanCourt, Dale Stogner, Joseph Sweetapple and Minutes Clerk Mimi McMath.

Commissioners Rod Rishel, David Serrato and Planning Commission Advisor Bill Hessell were absent the meeting.

There being a quorum present sufficient to transact the business of the Planning Commission, the meeting was called to order at 7:00 p.m. and the following proceedings were had and done.

The Commission Chairman stated that all decisions made at this meeting would have to be ratified by the Mayor and Board of Aldermen at their next regularly scheduled meeting of February 22, 2007 and subject to a ten-day appeal for a Public Hearing.

Commissioner Yandell made motion seconded by Commissioner Reed and unanimously carried to approve Planning Commission Minutes of February 8, 2007.

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Chairman Olaivar stated the Commissioners had a work session prior to tonight's meeting and great progress is being made in calibrating transects for New Urbanism (Smart Code) plan. The Commission will meet every week until further notice. The meetings will be held on Wednesdays at 5:30 and at 5:30 prior to each regularly scheduled meeting on the second and fourth Thursdays of each month.

There came on for Planning Commission approval a request for a Certificate of Re-subdivision submitted by Ronald and Rosemary Daley for property located behind and adjacent to 629 Charleston Lane as follows along with a letter from the City Engineer:

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CITY OF LONG BEACH, MISSISSIPPI
PO BOX 929
201 JEFF DAVIS AVENUE
TELEPHONE 228-863-1554
FAX 228-865-0822
permits@cityoflongbeachms.com



APPLICATION FOR CASE REVIEW

R# 2762

I. TYPE OF CASE REQUEST

- A. Zoning Change
- B. Planning Commission Approval
- C. Special Exception Use
- D. Variance Request
- E. Change in Use
- F. A Decision of the Building Official is Alleged to be in Error
- G. Interpretation of the Zoning Ordinance
- H. Home Occupation (attach copy of Deed or lease)

XII. Property Location: 629 & 627 CHARLESTON LN, L.B., MS 39560
House number and street name

III. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.) CERTIFICATE OF RESUBDIVISION

IV. Legal Description of Land Involved. (Complete either A or B below.)

A. If in a subdivision: See ATTACHED
Subdivision Name

B. If Metes and Bounds: Attach a Legal Description

V. Names and Addresses of all Property Owners within 200 feet of subject land. (If bounded by street or alley, give names and mailing addresses of property directly across from the Subject Street or alley.) This information is necessary only if a Public Hearing is required.

VI. Fees: Attach a check in the amount appropriated for applicable request. This check is to be made payable to the City of Long Beach to cover administrative costs. You will also be responsible for actual costs, such as advertising and mailing incurred with the processing of your application.

VII. 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.

RONALD & ROSEMARY DALEY, 629 CHARLESTON LN
Name of Owner(s) Mailing Address

LONG BEACH, MS 39560 (228) 341-4525 (CELL)
City State Zip Telephone (H) Office

Rosemary Daley 2-8-07 \$250.00
Signature of Owner(s) Date Fee

NOTATION: The following attachments must be submitted with application. If applicable:

- A. Please attach a site plan showing the land area which would be affected, easements bounding and intersecting the designated area, the location of existing and proposed structures, off-street parking and other supporting open facilities and the ground area to be provided and continuously maintained for the proposed structure or structures.
- B. Please attach a development schedule indicating the time schedule for the beginning and completion of development planned in the area. If the development is planned in stages, the time schedule shall indicate the successive stages and the development planned for each stage. (FOR RE ZONING ONLY).
- C. The setback requirement for all signs is measured from the leading edge of the sign or the portion of the sign close to the property line. If requesting a variance from the setback requirements for a sign, also indicate the elevation and size of the proposed sign.
- D. Applicant should appear personally or through his/her agent at the scheduled hearing.
- E. Claims of support or "no objection" from owner(s) 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.

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*Ronald J. Daley
Rosemary G. Daley
629 Charleston Lane
Long Beach, MS 39560
(228) 341-4525*

February 7, 2007

City of Long Beach
Long Beach, MS 39560

Re: Resubdivision

Dear Sir/Madam:

This letter is submitted along with surveys and plats prepared by Stenum and Associates, Surveyors. We recently moved into a new home at 629 Charleston Lane, Long Beach, MS. Since the lot we purchased was somewhat small, we decided to purchase the lot in back of 629 Charleston Lane. The back lot runs behind our house and our neighbor, Hal and Kris Hilton, who live directly to the north of us at 627 Charleston Lane. This back lot has no street access and can only be used as a "back yard".

We would like to split the back lot which extends our back yard, and sell the north half of the back lot to the Hilton's, so they can extend their back yard also. The attached surveys and documents show visually the results of the "back yard" split between us and the Hilton's.

We are not certain if you need anything further from either us or the Hilton's. Please don't hesitate to contact me at 228-341-4525 if you need any additional information.

Sincerely,



Rosemary G. Daley

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LONG BEACH 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 LONG BEACH MAYOR AND BOARD OF ALDERMEN HAVE REVIEWED AND APPROVED THE ATTACHED FINAL PLAT. THE FOLLOWING PROPERTY HAS BEEN SUBDIVIDED FROM HARRISON COUNTY AD VALOREM TAX PARCELS 0511P-01-003.088, 0511P-01-003.087, INTO TWO (2) PARCELS. THE SUBJECT PROPERTY IS GENERALLY DESCRIBED AS BEING LOCATED NORTH OF OLD TOWN ROAD AND EAST OF CHARLESTON LANE. THE CASE FILE NUMBER IS 0105PC0 _____.

LEGAL DESCRIPTIONS:

LEGAL DESCRIPTION: OVERALL 0.838 ACRE (36,496 SQ.FT.)
A PARCEL OF LAND BEING ALL OF LOT 69, PECAN PARK ESTATES, PHASE THREE, AND SITUATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 12 WEST, CITY OF LONG BEACH, HARRISON COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 67, PECAN PARK ESTATES, PHASE TWO, CITY OF LONG BEACH, HARRISON COUNTY, MISSISSIPPI; THENCE ALONG THE NORTH MARGIN OF A NON EXCLUSIVE PERPETUAL EASEMENT FOR INGRESS AND EGRESS AND FOR INSTALLATION OF WATER AND SEWER LINES DESCRIBED IN DEED BOOK 1183, PAGE 197, S58°08'23"W 90.69' TO AN IRON ROD FOUND; THENCE FURTHER ALONG SAID NORTH MARGIN, ALONG A CURVE TO THE RIGHT, WITH A RADIUS OF 324.16' AND AN ARC LENGTH OF 74.38', HAVING A CHORD OF S64°36'33"W 74.22' TO A CONCRETE MONUMENT FOUND AT THE SOUTHEAST CORNER OF LOT 69, PECAN PARK ESTATES, PHASE THREE; THENCE FURTHER ALONG SAID NORTH MARGIN, ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 324.16' AND AN ARC LENGTH OF 106.44', HAVING A CHORD OF S80°35'22"W 105.96' TO AN IRON ROD FOUND; THENCE FURTHER ALONG SAID NORTH MARGIN, S89°58'28"W 25.45' TO AN IRON ROD SET AT THE SOUTHWEST CORNER OF LOT 69, LYING ON THE EAST MARGIN OF CHARLESTON LANE; THENCE ALONG SAID EAST MARGIN OF CHARLESTON LANE, N00°01'32"W 56.20' TO AN IRON ROD SET; THENCE FURTHER ALONG SAID EAST MARGIN, ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 50.00' AND AN ARC LENGTH OF 104.72', HAVING A CHORD OF N00°01'33"E 86.60' TO AN IRON ROD SET; THENCE FURTHER ALONG SAID EAST MARGIN, N00°01'32"W 20.59' TO AN IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 40; THENCE ALONG THE SOUTH LINE OF SAID LOT 40, N89°59'57"E 129.99' TO AN IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT 40; THENCE ALONG THE EAST LINE OF SAID LOT 40, N30°40'47"W 29.31' TO AN IRON ROD FOUND; THENCE FURTHER ALONG SAID EAST LINE, N00°10'59"W 12.51' TO AN IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 66, PECAN PARK ESTATES, PHASE TWO; THENCE ALONG THE SOUTH LINE OF LOT 66, S80°12'58"E 108.05' TO AN IRON ROD FOUND AT THE NORTHWEST CORNER OF LOT 67; THENCE ALONG THE WEST LINE OF AFORESAID LOT 67, S31°33'45"E 100.60' TO THE POINT OF BEGINNING, CONTAINING 0.838 ACRE OR 36,503 SQUARE FEET. SAID PROPERTY BEING SUBJECT TO ALL EASEMENTS SHOWN HEREON.

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LEGAL DESCRIPTIONS OF TWO PROPOSED PARCELS READ AS FOLLOWS:

LEGAL DESCRIPTION 0.416 ACRE (18,126 SQ.FT.):

A PARCEL OF LAND BEING ALL OF LOT 39, PECAN PARK ESTATES, PHASE THREE AND SITUATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 12 WEST, CITY OF LONG BEACH, HARRISON COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 67, PECAN PARK ESTATES, PHASE TWO, CITY OF LONG BEACH, HARRISON COUNTY, MISSISSIPPI; THENCE ALONG THE WEST LINE OF SAID LOT 67, N31°33'45"W 50.30' TO AN IRON ROD FOUND AT THE POINT OF BEGINNING; THENCE S64°23'30"W 130.61' TO AN IRON ROD FOUND AT THE NORTHEAST CORNER OF LOT 69, PECAN PARK ESTATES, PHASE THREE; THENCE ALONG THE NORTH LINE OF SAID LOT 69, S89°59'58"W 107.65' TO AN IRON ROD SET ON THE EAST MARGIN OF CHARLESTON LANE; THENCE ALONG SAID EAST MARGIN, ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 50.00' AND AN ARC LENGTH OF 68.73', HAVING A CHORD OF N20°38'51"W 63.44' TO AN IRON ROD FOUND; THENCE FURTHER ALONG SAID EAST MARGIN, N00°01'32"W 20.59' TO AN IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 40; THENCE ALONG THE SOUTH LINE OF SAID LOT 40, N89°59'57"E 129.99' TO AN IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT 40; THENCE ALONG THE EAST LINE OF SAID LOT 40, N30°40'47"W 29.31' TO AN IRON ROD FOUND; THENCE FURTHER ALONG SAID EAST LINE, N00°10'59"W 12.51' TO AN IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 66, PECAN PARK ESTATES, PHASE TWO; THENCE ALONG THE SOUTH LINE OF LOT 66, S80°12'58"E 108.05' TO AN IRON ROD FOUND AT THE NORTHWEST CORNER OF LOT 67; THENCE ALONG THE WEST LINE OF AFORESAID LOT 67, S31°33'45"E 50.30' TO THE POINT OF BEGINNING, CONTAINING 0.416 ACRE OR 18,126 SQUARE FEET. SAID PROPERTY BEING SUBJECT TO ALL EASEMENTS SHOWN HEREON.

LEGAL DESCRIPTION: 0.422 ACRE (18,370 SQ.FT.)

A PARCEL OF LAND BEING ALL OF LOT 69, PECAN PARK ESTATES, PHASE THREE, AND SITUATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 12 WEST, CITY OF LONG BEACH, HARRISON COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 67, PECAN PARK ESTATES, PHASE TWO, CITY OF LONG BEACH, HARRISON COUNTY, MISSISSIPPI; THENCE ALONG THE NORTH MARGIN OF A NON EXCLUSIVE PERPETUAL EASEMENT FOR INGRESS AND EGRESS AND FOR INSTALLATION OF WATER AND SEWER LINES DESCRIBED IN DEED BOOK 1183, PAGE 197, S58°08'23"W 90.69' TO AN IRON ROD FOUND; THENCE FURTHER ALONG SAID NORTH MARGIN, ALONG A CURVE TO THE RIGHT, WITH A RADIUS OF 324.16' AND AN ARC LENGTH OF 74.38', HAVING A CHORD OF S64°36'33"W 74.22' TO A CONCRETE MONUMENT FOUND AT THE SOUTHEAST CORNER OF LOT 69, PECAN PARK ESTATES, PHASE THREE; THENCE FURTHER ALONG SAID NORTH MARGIN, ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 324.16' AND AN ARC LENGTH OF 106.44', HAVING A CHORD OF S80°35'22"W 105.96' TO AN IRON ROD FOUND; THENCE FURTHER ALONG SAID NORTH MARGIN, S89°58'28"W 25.45' TO AN IRON ROD SET AT THE SOUTHWEST CORNER OF LOT 69, LYING ON THE EAST MARGIN OF CHARLESTON LANE; THENCE ALONG SAID EAST MARGIN OF CHARLESTON LANE, N00°01'32"W 56.20' TO AN IRON ROD SET; THENCE FURTHER ALONG SAID EAST MARGIN, ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 50.00' AND AN ARC LENGTH OF 35.99', HAVING A CHORD OF N39°21'10"E 35.22' TO AN IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 39, PECAN PARK ESTATES, PHASE THREE; THENCE ALONG THE SOUTH LINE OF SAID LOT 39, N89°59'58"E 107.65' TO AN IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT 39; THENCE N64°23'30"E 130.61'

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TO AN IRON ROD FOUND ON THE WEST LINE OF AFORESAID LOT 67; THENCE ALONG SAID WEST LINE, S31°33'45"E 50.30' TO THE POINT OF BEGINNING, CONTAINING 0.422 ACRE OR 18,370 SQUARE FEET. SAID PROPERTY BEING SUBJECT TO ALL EASEMENTS SHOWN HEREON.

SEE ATTACHED SURVEY BY GENE PAUL STENUM, P.L.S. #2752, DATED JANUARY 29, 2007.

YOU ARE HEREBY ADVISED TO INVESTIGATE AND DETERMINE THE ALLOWABLE USES AS PROVIDED BY THE RESTRICTIVE COVENANT, IF ANY, WHICH AFFECT THE SUBJECT PROPERTY. FURTHER THE APPLICANT HEREBY COVENANTS AND AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY OF LONG BEACH, IT'S AGENTS, SERVANTS, AND/OR EMPLOYEES CONCERNING THE PETITION FOR SUBDIVISION OR THE REAL PROPERTY DESCRIBED HEREIN:

ACKNOWLEDGMENTS

(1) CERTIFICATE OF OWNERSHIP

WE hereby certify that we are the owners of the property described hereon, which property is within the subdivision regulation jurisdiction of the City of Long Beach, and that we freely adopt this plan of subdivision.

Ronald J. Daley
 RONALD J. DALEY

2-6-07
 Date

Rosemary Daley
 ROSEMARY DALEY

2-6-07
 Date

Harrel J. Hilton
 HARREL J. HILTON

2-6-07
 Date

Kristen E. Hilton
 KRISTEN E. HILTON

2-6-07
 Date

Subscribed and sworn to before me, in my presence this 6th day of February, 2007, a Notary Public in and for the County of Harrison, State of Mississippi.

Don Kukpatich
 NOTARY PUBLIC

Seal

My Commission Expires MISSISSIPPI STATEWIDE NOTARY PUBLIC
~~MY COMMISSION EXPIRES SEP-27, 2008~~

(2) 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 ordinance 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 sixty (60) days of the date below.

 ADMINISTRATOR

 DATE

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(3) CERTIFICATE OF SURVEY AND ACCURACY

I hereby certify that this map drawn by me or drawn under my supervision from actual survey made by me or actual survey made under my supervision and was prepared in accordance with all applicable codes and ordinance. Witness my original signature, registration number, and seal this the 29th day of January, 2007.

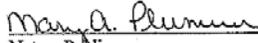


GENE PAUL STENUM, P.L.S. #2752
Registered Land Surveyor
Registration Number # 2752



Subscribed and sworn to before me, in my presence this 29th day of January, 2007, a Notary Public in and for the County of Harrison, State of Mississippi.




Notary Public

MARY A. PLUMMER
Mississippi Statewide Notary Public
My Commission Expires January 29, 2010

My Commission expires: _____

PLANNING COMMISSION

Submitted to and approved by the City of Long Beach Planning Commission at the regularly schedule meeting on the _____ day of _____ 2007.

Planning Commission Chairman

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A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS
620 33RD STREET, GULFFORT, MS 39507
P.O. BOX 1677, GULFFORT, MS 39502

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



February 22, 2007

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

RE: Certification of Resubdivision – Tax Parcel Nos. 0511P-01-003.088 & 0511P-01-03.087

Gentlemen:

We are in receipt of the referenced Certificate of Resubdivision, which proposes to divide a "landlocked" piece of land into two parcels which can then be combined with two conforming parcels having frontage on Charleston Lane. Although we see no problem with the subdivision itself, we do have the following comment:

1. The property which will actually be divided is not referenced on the Certificate of Resubdivision. According to the Harrison County tax roll, that existing parcel is Tax Parcel No. 0511P-01-003.065. We ask that the first paragraph in the Certificate be revised to include the existing tax parcel number.

As a part of this subdivision, the two parcels being created will be combined into the two existing parcels on Charleston Lane, so no new parcels will be created by this subdivision and all City requirements will be satisfied. We see no reason to withhold approval of the subdivision at this time, provided that the Certificate be revised to include the additional tax parcel as referenced above. If you have any questions, please call. Thank you.

Sincerely,

David Ball, P.E.

DB:539

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Mrs. Daley came forward to make the request. Parcel #0511P-01-003.065 is being divided into two pieces and attached to the existing parcel. Their parcel numbers are 0511P-01-003.087 and 0511P-01-003.088.

Commissioner Reed made motion seconded by Commissioner Sweetapple and unanimously carried to approve the Certificate as presented with the exception of adding parcel number 0511P-01-003.065 as recommended by the City Engineer as referenced in his letter. This parcel number will be added to the first paragraph on the first page of the Certificate of Re-Subdivision.

The next item to come before the Commission was the adoption of PLANNING COMMISSION MINUTE BOOK #12.

Commissioner Yandell made motion seconded by Commissioner Sweetapple and unanimously carried to approve the above mentioned book.

There being no further business to come before the Planning Commission at this time Commissioner Reed made motion seconded by Commissioner Stogner and unanimously carried to adjourn the meeting until the next regularly scheduled meeting in due course. The meeting was adjourned at 7:35 p.m.

Commission Chairman DATE

ATTEST: _____
Mimi McMath. Minutes Clerk