MINUTES OF MAY 24, 2007
LONG BEACH PLANNING COMMISSION

Be it remembered that a regular meeting of the Long Beach Planning Commission was begun and held at the Superintendent of Educations Office on May 24, 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, Commission Co-Chairman, Tony VanCourt, Tonda Yandell Frank Reed, Dale Stogner Rod Rishell, Joseph Sweetapple, Planning Commission Advisor Bill Hessell Zoning Officer Ken Price and Minutes Clerk Mimi McMath.

Commission Chairman Frank Olaivar, and Commissioner David Serrato, was 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 June 5, 2007 and subject to a ten-day appeal for a Public Hearing.

****

Commissioner Yandell made a motion seconded by Commissioner Reed and unanimously carried to approve Planning Commission Minutes of May 10. 2007.

MINUTES OF MAY 24, 2007

LONG BEACH PLANNING COMMISSION

The first item to come before the Commission was a Public Hearing. The applicant is requesting a Variance on the front and side yard setback as follows:

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

R# 8897

APPLICATION FOR CASE REVIEW

I. TYPE OF CASE REQUEST
- A. 0 Zoning Change
- B. 0 Planning Commission Approval
- C. 0 Special Exception Use
- D. X Variance Request
- E. 0 Change in Use
- F. 0 A Decision of the Building Official is Alleged to be in Error
- G. 0 Interpretation of the Zoning Ordinance
- H. 0 Home Occupation (attach copy of Deed or lease)

II. Property Location: 125 Oak Gardens Ave
House number and street name

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

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

A. If in a subdivision: Lot 39 Oak Gardens
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 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.

Robert Pendriman	125 Oak Gardens Ave
Name of Owner(s)	Mailing Address
Long Beach MS 39560	(504) 309-1530 (228) 575-3277
City State Zip	Telephone (H) Office
[signature]	4/18/2007 $100.00
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 REZONING 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.

MINUTES OF MAY 24, 2007

LONG BEACH PLANNING COMMISSION

VARIANCE SUPPLEMENTAL APPLICATION
PAGE 2

Describe any special condition that justify the granting of this variance request and are peculiar toe the property and do not apply to other properties in the general area. What are the reasons for the variance and why the applicant cannot meet the stated code requirement?

To rebuild on a similar footprint that will maintain the same frontage as that of other houses in the subdivision and prevent the removal of an Oak Tree that has grown under the original footprint. The subdivision was designed with a 20 foot front setback, 5 foot side setbacks, and 5 foot rear setback.

Describe how the special condition discussed in #1 above is not the result of actions taken by the applicant. Show that the applicant did not cause the need for this variance request.

Hurricane Katrina destroyed original house.

Show that an unnecessary hardship exists due to the character of the property and that this hardship makes the request for the variance necessary. State what hardship is caused if the applicant is required to meet code requirements. What is the result of this hardship? What would result if the Zoning Board denied this request?

There is not enough area with the new setback codes to rebuild house that existed before Katrina and preserve Oak Tree. If request is denied they the Oak tree will have to be removed.

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 was granted to other properties. States 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 the granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable.

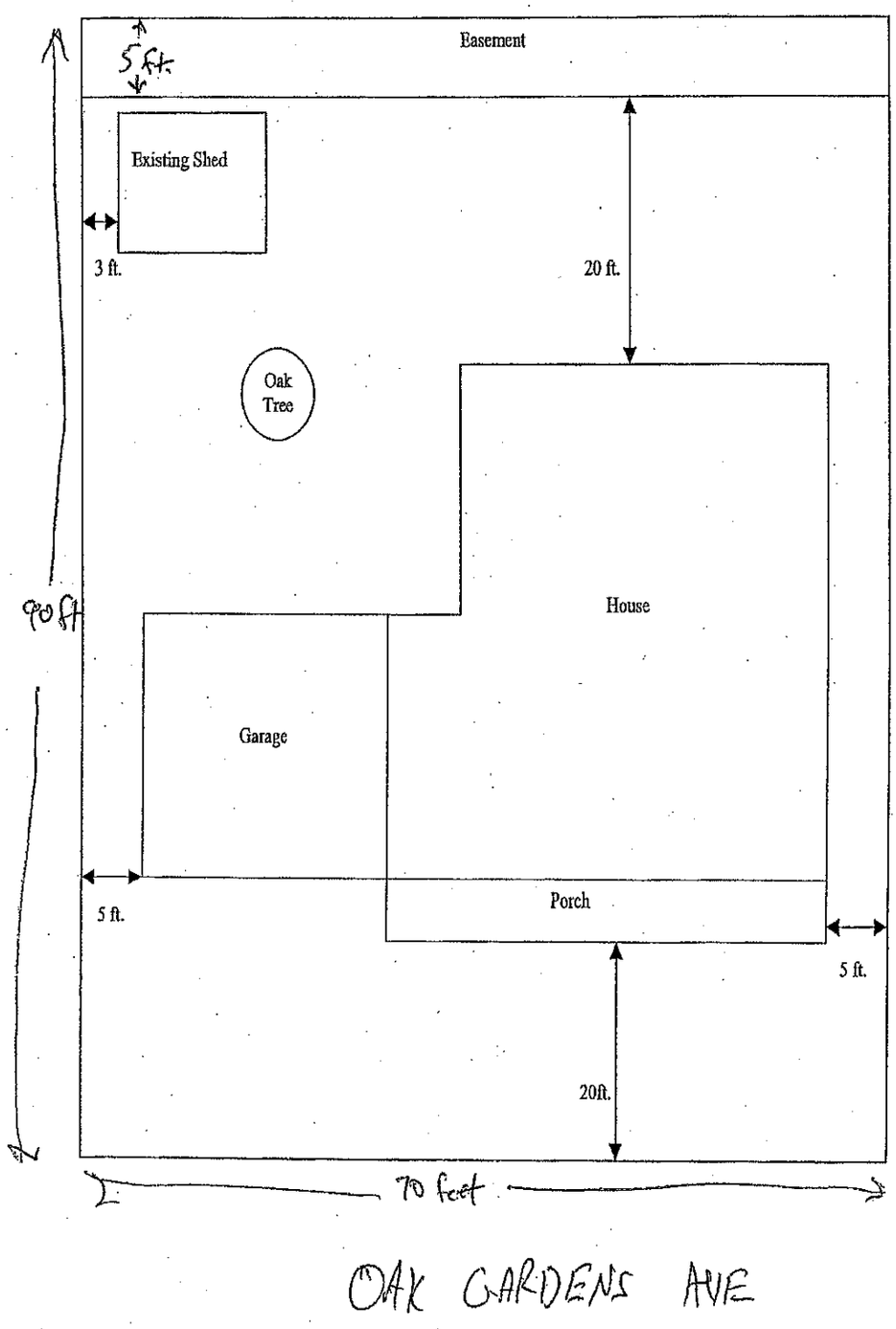
The houses in the area were built with the covenants of the subdivision. The house would have to be built further than the others and would require the removal of an Oak Tree. Would like to rebuild on footprint of ~~existing~~ house destroyed by Hurricane Katrina

FOR HOME OCCUPATION ONLY!

I_____HAVE READ,
UNDERSTAND AND AM WILLING TO COMPLY WITH ZONING ORDIANCE NO. 344 SECTION 912. HOME OCCUPATION.

MINUTES OF MAY 24, 2007
LONG BEACH PLANNING COMMISSION

Robert Pendzimaz
125 Oak Gardens ave.



MINUTES OF MAY 24, 2007

LONG BEACH PLANNING COMMISSION

Return To:
PAGE, MANNINO, PERESICH
& McDERMOTT
P.O. DRAWER 289
BILOXI, MS 39533
(228) 374-2100

BOOK 2637 PAGE 321

Prepared By:
Donna Martindale
BancorpSouth Bank
P.O. Box 3356
Tupelo, MS 38803
662-678-7693

1st Judicial District
Instrument Number 2003 9982 T
Filed 5 20 2003 4 12 P
Total Fees 12.00
Book 2637 Page 321-338 Recorded 5-21-03

(Space Above This Line For Recording Data)

DEED OF TRUST

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated May 15, 2003 together with all Riders to this document.
(B) "Borrower" is ROBERT PENDSIMAZ, A SINGLE PERSON

Borrower is the trustor under this Security Instrument.
(C) "Lender" is BANCORPSOUTH BANK

Lender is a State Chartered Institution
organized and existing under the laws of The State Of Mississippi

PENDZIM3045708 3075838 0
MISSISSIPPI-Single Family-Fannie Mae/Freddie Mac UNIFORM INSTRUMENT Form 3025 1/01
-6(MS) (0008)
Page 1 of 15 MW 03/00 Initials: RP
VMP MORTGAGE FORMS - (800)521-7291

ALTA Commitment (1982)

FIRST AMERICAN TITLE INSURANCE COMPANY

EXHIBIT "A"

Issuing Office File No.:23538.1

LEGAL DESCRIPTION:

Lot 3, Block 3, OAK GARDENS SUBDIVISION, as per 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 16 at Page 21.

MINUTES OF MAY 24, 2007
LONG BEACH PLANNING COMMISSION

The Clerk reported that she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, LEGAL NOTICE, PUBLIC HEARING, as evidenced by the Publisher's Proof of Publication as follows:

City of Long Beach

BOARD OF ALDERMEN

Richard Bennett
Charlie Boggs
Richard Burton
Allen D. Holder, Jr.
Mark Lishen
Joe McNary
Richard Notter

WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
Frank R. McCreary, III

LEGAL NOTICE

PUBLIC HEARING

In accordance with Article XII of the Comprehensive Zoning Ordinance (# 344) of the City of Long Beach, Mississippi (1987) 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 **Variances.**

Robert Pendsimaz, a single person of 125 Oak Garden Avenue Long Beach, Mississippi has filed an application for a variance from the Comprehensive Zoning Ordinance. The request is to grant two (2), three foot (3') variances per side yard and one five (5') foot variance for the front yard to allow the building of a new single family residence. The Ordinance requires eight (8) feet per side yard set back. And twenty five (25) feet on the front yard. The general location of the property is adjacent to Oak Gardens Avenue the legal description is as follows:

Lot 3, Block 3, Oak Gardens Subdivision, as per 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 Plat Book 16 at Page 21.

The public hearing to consider the above variance will be held in the City of Long Beach, Mississippi, 39560, Thursday, May 24, 2007 at 7:00 p.m., in the Long Beach School District Administration Office located on Commission Road. The city encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

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

MINUTES OF MAY 24, 2007

LONG BEACH PLANNING COMMISSION

The Clerk reported further that twenty nine (29) notices of Public Hearing were sent by Certified mail, return receipt requested, to property owners within two hundred (200') feet of the subject property. Said return receipts were ordered as part of the record of these proceedings

PROOF OF PUBLICATION

LEGAL NOTICE
PUBLIC HEARING
In accordance with Article XII of the Comprehensive Zoning Ordinance (ZO-34) of the City of Long Beach, Mississippi (1987) 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 Variances. Mr. Robert Pendergast is single person. 8/1129 Oak Garden Avenue, Long Beach, Mississippi has filed an application for a Variance from the Comprehensive Zoning Ordinance. The request is to grant two (2) [illegible] Variances, per side yard, and one (1) five (5) foot variance for the front yard, to allow the building of a new single family residence. Other Ordinance requirements eight (8) feet per side yard setbacks and twenty five (25) feet on the front yard. The general location of the property is adjacent to Oak Gardens Avenue. The legal description is as follows: [illegible] Lot 3, Block 8, Oak Gardens Subdivision, as per 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 10 at Page 21. [illegible] The public hearing to consider the above Variance will be held in the City of Long Beach, Mississippi, 39560, on Tuesday, May 24, 2007 at 7:00 p.m. in the Long Beach City Hall Council Chambers, Administration Office, located at 6 Commission Road, in the City of Long Beach, at which time all residents, groups and organizations interested in protecting the City of Long Beach are invited to attend. Any questions concerning the [illegible] be addressed. [illegible] Chairman, Planning Commission

STATE OF MISSISSIPPI
COUNTY OF HARRISON

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

Vol. 123 No., 211 dated 4th day of May, 20 07

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 newapaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

Commission Expires on:
October 15, 2007

Clerk

Sworn to and subscribed before me this 4th day of May, A.D., 20 07

Karen Shook
Notary Public

Printer's Fee ..... $ 30.36

Furnishing proof of publication ..... $ 3.00

TOTAL..... 33.36

MINUTES OF MAY 24, 2007

LONG BEACH PLANNING COMMISSION

Mr. Pendzimaz came forward to state his request. He stated that he wished to rebuild his home in the same location it was prior to the storm. .

The Chairman asked if anyone was present who wished to speak in favor of the applicant and no one came forward.

The Chairman asked if anyone was present who wished to speak in opposition to the request and no one came forward.

Commissioner Sweetapple made motion seconded by Commissioner Reed and unanimously carried to close the Public Hearing.

After a short discussion Commissioner Reed made a motion seconded by Commissioner Sweetapple and unanimously carried to approve the applicants request for the variance as submitted.

****

Commissioner VanCourt announced the Commission had a workshop prior to tonight's meeting with the Mayor and Board of Aldermen pertaining to Smart Code. The consensus of the Commission was that the work being accomplished to create new zoning districts was moving the City in the correct direction. It was determined from workshop to continue in the current direction until final results were accomplished.

****

The next item to come before the Commission was a request to operate a car wash at 510 West Railroad Street. Submitted by Mr. Daniel Green as follows:

MINUTES OF MAY 24, 2007
LONG BEACH PLANNING COMMISSION

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

APPLICATION FOR CASE REVIEW

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)

II. Property Location:
S/O westrailroad St — House number and street name
0612C-03-034,000 — Parcel No.

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

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

A. If in a subdivision:

_____
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 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.

Name of Owner(s): Daniel Flynn / Anchen M Green
Mailing Address: S/O westrailroad St
City: Long Beach — State: Miss — Zip: 39560
Telephone (H): 228-383-0051 — Office:
Signature of Owner(s): Anchen M. Green
Date: 05/17/07 — Fee: $50

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.

MINUTES OF MAY 24, 2007
LONG BEACH PLANNING COMMISSION

VARIANCE SUPPLEMENTAL APPLICATION
PAGE 2

Describe any special condition that justify the granting of this variance request and are peculiar toe the property and do not apply to other properties in the general area. What are the reasons for the variance and why the applicant cannot meet the stated code requirement?

X Dear PLANNING COMMISSION I DANIEL GREEN I AM ASKING FOR time To Put A Building ON my Property I Need 6 MOS

Describe how the special condition discussed in #1 above is not the result of actions taken by the applicant. Show that the applicant did not cause the need for this variance request.

Show that an unnecessary hardship exists due to the character of the property and that this hardship makes the request for the variance necessary. State what hardship is caused if the applicant is required to meet code requirements? What is the result of this hardship? What would result if the Zoning Board denied this request?

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 was granted to other properties. States 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 the granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable.

FOR HOME OCCUPATION ONLY!

I Daniel L. Green HAVE READ, UNDERSTAND AND AM WILLING TO COMPLY WITH ZONING ORDIANCE NO. 344 SECTION 912. HOME OCCUPATION.

MINUTES OF MAY 24, 2007
LONG BEACH PLANNING COMMISSION

site menu | site contact

Tax Assessor

Departments

9:07:05 AM

Department Menu
- Tax Assessor Home
- Tax Roll Main

Online Databases
- County Tax Rolls
- Court Dockets
- General Instruments
- Harrison County Weather
- Judgement Rolls
- Justice Court Tickets
- Marriage Database
- Online Mapping
- Property Taxes
- Voter Database

Linked Site Services
- Land Records Online
- Pay Property Taxes
- Renew Car Tags

Home > Real and Personal Property Rolls

Use the print link below this record to print a borderless copy of the record

2006 Official Landroll Information

GREEN ANDREA MICHELLE ET AL
510 W RAILROAD ST LONG BEACH MS39560

Physical Street Address:
510 RAILROAD ST

Parcel #:	PPIN	Tax District	Homestead Exp.	Jud
0612C-03-034.000	40585	L		

Supervisor District:	Subdivision:
3	KOHLER & RUSSELL

Exemption Code
Non-Exempt

Section	Township	Range	Instrument Num
14	08	12	1465/0276

Click for more book and

Acres	Land Value	Improvements	Total Value	Asse
0	9200	0	9200	

Legal Description
LOT 10 BLK 14 KOHLER & RUSSELL

Click Here To Print This Page | Previous Page

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Currently, there are 53 people online

MINUTES OF MAY 24, 2007

LONG BEACH PLANNING COMMISSION

WEDNESDAY MAY 16,2007
TO WHOM IT MAY CONCERN,

I, MICHELLE A. GREEN, GEORGE D. WILLIAMS JR.,AND CHRISTOPHER M. WILLIAMS GIVES DANIEL GREEN PERMISSION TO DETAIL CARS AT 510 WEST RAILROAD ST. LONG BEACH, MS. 39560.

Christopher M. Williams
George D. Williams Jr.
Michelle A. Green

SINCERELY,YOURS!!!

This the 17th day of May, 2007.

Melissa Babb

Notary Public State of Mississippi At Large
My Commission Expires: January 29, 2010
Bonded Thru Holden, Brooks & Garland, Inc.

Melissa Babb

MINUTES OF MAY 24, 2007
LONG BEACH PLANNING COMMISSION

Mr. Green came forward to state his request. He was requesting the Commission allow him to continue operating his automobile detailing business until he could afford to have a facility built to all appropriate codes and ordinances.

It was determined that Mr. Green had been operating this business at this location with out any licensing and he had previously been informed that he would have to have built a business with correct drainage for this type of business.

Commissioner Sweetapple made motion seconded by Commissioner Yandell and unanimously carried to deny the applicant his request and instructed Mr. Green that if he wanted to operate a of business he needs to comply with all applicable codes and ordinances

****

There being no further business to come before the Planning Commission at this time Commissioner Stogner made motion seconded by Commissioner Sweetapple and unanimously carried to adjourn the meeting until the next regularly scheduled meeting in due course. The meeting was adjourned at. 8:00 p.m.

_____

Tony VanCourt, Commission Co-Chairman

_____Date

Attest _____

Mimi McMath,
Planning Commission
Minutes Clerk