MINUTES OF AUGUST 23, 2007
LONG BEACH PLANNING COMMISSION

Be it remembered that a regular meeting of the Long Beach Planning Commission was begun and held at the Long Beach School District Central Office, 19148 Commission Road, Long Beach, Mississippi on Thursday, August 23, 2007 and 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 Chairman Frank Olaivar, Commissioners Tonda Yandell, Dale Hare, William Owen, Joseph Sweetapple, Jacquie Lipski, Planning Commission Advisor Bill Hessell, Building/Code Official Earl Levens, and minute clerk Veronica Howard.

Commissioners Roderick Rishel, Tony Vancourt and David Serrato 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 6:30 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 September 4, 2007 and subject to a ten-day appeal for a Public Hearing.

****

Commissioner Owen made motion seconded by Commissioner Tonda and unanimously carried to approve Planning Commission Minutes of August 9, 2007 with the following amendment: on page 2 of the minutes second paragraph should read, "Mr. Carrubba came forward to state his request, he stated he was asking for approval to "operate"

his business from a 40' X 8 ½' trailer on a lot located at 580 Klondyke Road for a period of 6 months, until the owner Jerry Paige was able to have a permanent 20' X 30' metal, stucco front building built on the lot.

****

After considerable discussion the Planning Commission members agreed to a work session scheduled for August 28, 2007 at 5 p.m. at the Central Fire Station in the training room.

****

The first item on the agenda under NEW BUSINESS was Planning Commission approval for a home occupation license at 102 Pittman Drive submitted by Stephen Linhoss as follows:

MINUTES OF AUGUST 23, 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. (X) Home Occupation (attach copy of Deed or lease)

II. Property Location: 102 PITTMAN DR.
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:

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 dua 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.

STEPHEN L. LINHOSS
Name of Owner(s)

102 PITTMAN DR.
Mailing Address

LONG BEACH, MS 39560
City State Zip

228-575-6811 228-223-0980
Telephone (H) Office

Stephen L. Linhoss 8-3-07
Signature of Owner(s) Date

$ 60.00
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.

MINUTES OF AUGUST 23, 2007
LONG BEACH PLANNING COMMISSION

August 3, 2007

City of Long Beach:

I request that a permit be granted to me for the purpose of operating an office in my home. My business consists of wedding and portrait photography which is done at a location other than my home. No retail sales will be made at this location and no customers will come to this location. The purpose of this office is record keeping and computer editing of digital photographs. No inventory other than samples will be stored at this location.

Stephen L. LinHoss

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

SCANNED REVIEWED

PREPARER OF INSTRUMENT
AND AFTER RECORDING RETURN TO
Gillespie Title Company
Post Office Box 740
Gulfport, MS 39502
(228) 864-4542
FILE NO.: 07-06-0157

1st Judicial District
Instrument 2007 6203 D -J1
Filed/Recorded 6 22 2007 4 21 P
Total Fees 12.00
2 Pages Recorded

WARRANTY DEED

For and in consideration of the sum of TEN AND NO/100THS DOLLARS ($10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all which is hereby acknowledged LEE CAMPBELL, JR., a single man, does hereby sell, convey, and warrant unto STEPHEN L. LINHOSS and wife, MARY S. LINHOSS, as joint tenants with full rights of survivorship, the following described land and property, lying and being situated in the First Judicial District, Harrison County, Mississippi, to-wit:

Commencing at a point a distance of 443 feet South of the Center line of the L & N Railroad right of way on the West margin of Ocean Wave Avenue, in the City of Long Beach, First Judicial District of Harrison County, Mississippi; thence running Westerly along the South margin of a road a distance of 317.8 feet to the Point of Beginning; thence from said Point of Beginning running Westerly along the South margin of Pittman Road a distance of 91.7 feet, more or less, to a point; thence running South parallel to the West line of Lot One (1) of Gottschalk Survey of the Claud Ladnier Claim and along East line of Poupart Street a distance of 141.3 feet, more or less, to the Northern boundary of the Stokes property; thence running Easterly parallel to said Pittman Road a distance of 91.7 feet to the Southeast corner of the land herein conveyed; thence running Northerly parallel to the West line of said Lot 1 of the Gottschalk Survey a distance of 144 feet, more or less, to the Point of Beginning.

This conveyance is subject to all covenants, restrictions, easements, rights of way and other matters of record.

Ad Valorem taxes for the current year are prorated and assumed by the Grantees. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Grantors agree to pay said Grantee or its assigns any deficit on actual proration.

MINUTES OF AUGUST 23, 2007
LONG BEACH PLANNING COMMISSION

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 21st day of June, 2007, within my jurisdiction, the within named LEE CAMPBELL, JR., who acknowledged that he signed, executed and delivered the above and foregoing instrument.

GIVEN under my hand and official seal of office.

NOTARY PUBLIC

My Commission Expires:

JEANNINE VOLPE
Notary Public, State of Mississippi
County of Hancock
My Commission Expires Nov. 27, 2009

(SEAL)

Indexing: Parcel in Long Beach Section, Block 1 North & Pittman Rd.; South & Stokes; East by Weaver; West by Poupart St., Harrison County, Mississippi.

ADDRESSES OF PARTIES:

Grantor
Lee Campbell Jr.
1400 Salem Road
Cookeville, TN 38506
Phone: 931-260-8195

Grantee
Stephen L. and Mary S. Linhoss
102 Pittman Drive
Long Beach, MS 39560
Phone: 404-713-7338

MINUTES OF AUGUST 23, 2007
LONG BEACH PLANNING COMMISSION

Form 70-001-02-1-1-000 (Rev.04/02) Page 1

Route to the Registration Section

Mississippi Registration Application

For Office Use Only

Please see instructions for details on completion.
Incomplete forms will be returned.
All applicants should complete Sections A ,B and F.
Also complete any other sections that apply.

Sales Tax Only - If more than one physical location, a separate application must be completed for each different physical location. If taxpayer is a chain type store and filing a masterfile return, then use Form 72-309 to make a change that affects all accounts.

SECTION A: Check Tax Account Applying for

Sales/Use Tax	Withholding Tax	Corporate Income Tax	Beer/Tobacco Tax (Wholesalers & Distributors Only)
[X] Sales Tax	[ ] Withholding Tax - Employees	[ ] Corporate Income Tax	[ ] Beer Excise Tax
[ ] Use Tax	[ ] Withholding Tax - Employee Leasing	[ ] Corporate Franchise Tax	[ ] Tobacco Excise Tax
	[ ] Withholding Tax - Gaming		Taxpayers must file a separate application for permits to sell Beer and Tobacco. See instructions for details.

SECTION B: Business Information (all applicants must complete this section - see instructions)

1. Type of Ownership:
   - [ ] C Corporation
   - [ ] S Corporation
   - [ ] LLC-Partnership
   - [ ] LLC-Corporation
   - [ ] Single Member LLC-Division of Parent
   - [ ] Single Member LLC-Sole Proprietorship
   - [ ] LLP
   - [ ] Partnership - General
   - [ ] Partnership - Limited
   - [ ] Federal Government
   - [ ] Other Government
   - [X] Sole Proprietor
   - [ ] Other: Specify

2. Identification:
   - 409-82-0636 — Federal Employer Identification Number
   - 409-82-0636 — Social Security Number
   - Sales Tax Masterfile Number (if any)

3. [ ] Check if claiming exemption for "Non-Profit" status for corporate income/franchise tax. Attach documentation to substantiate.

4. Legal Name (Owner's name, if sole proprietor): STEPHEN L. LINHOSS

5. Trade Name (if different): STEVE LINHOSS, PHOTOGRAPHER

6. Headquarters Address or Home Address - if Sole Proprietor: 102 PITTMAN DR. (Street address, do not enter P.O. Box) — LONG BEACH (City) MS (State) HARRISON (County) 39560 (ZIP)

7. Mailing Address: 102 PITTMAN DR. (Street Address or P.O. Box) — LONG BEACH (City) MS (State) HARRISON (County) 39560 (ZIP)

8. MS Physical Address: 102 PITTMAN DR. (Street address, do not enter P.O. Box) — LONG BEACH (City) MS (State) HARRISON (County) 39560 (ZIP)

9. Phone Number: (228) 223-0981 — Fax Number ( )
   E-mail Address: slinhoss@cableone.net — Pager / Cell Number ( )
   Secondary Phone: (228) 575-6811 — Fax Number ( )

10. Description or nature of business: WEDDING, PORTRAIT, AND SPECIAL EVENT PHOTOGRAPHY

11. Industry Code (List all that apply to your business.) Primary: 443130 Additional:
    Correct Industry Code determines what products can be purchased exempt for resale.

SECTION C: For Corporations and Partnerships Only

12. State of Incorporation: _____ Date admitted or authorized to do business in Mississippi: _____

14. Basis of reporting: [ ] Calendar Yr. [ ] Fiscal Yr. (List FYE) _____

15. If C Corp, S Corp, LLC, LLP, or Partnership, list names and home addresses of officers, directors, managing partners, or members who have any responsibility for fiscal management of the organization. (If more space needed, add additional page.)

Name	Address Information: Physical Address	City	State	Zip	Social Security Number	Title	% Owned

Form 70-001-02-1-2-000 (Rev 04/02) Page 2

SECTION D: Sales/Use Tax

16. Enter Previous Owner Name, Trade Name & Account Number: NONE

17. Where will records be maintained? (Check One) ☐ Headquarters ☒ Physical ☐ Other

18. Date business began at this location: 8-1-2007 *(Returns will be required from this date forward.)*

19. Check one of the following to describe your business location:
☐ Owner Occupied Retail Space ☐ Leased Retail Space
☒ Owner's Home ☐ Other (explain)

20. Is your business located inside or outside the city limits? ☒ Inside ☐ Outside ☐ Unknown

21. Do you already have a use tax number? ☐ Yes ☒ No Use Tax Number

22. Have you qualified for any tax incentives? ☐ Yes ☒ No
If yes, please provide approved documentation from Mississippi Development Authority.

SECTION E: Withholding Tax

23. Date Mississippi taxable wages first paid N/A 24. Estimated monthly liability 0

25. Number of Mississippi Employees 0

26. Are you an employee leasing company? ☐ Yes ☒ No If yes, contact your District Service Office for more information.

27. Where will records be maintained? (Check One) ☐ Headquarters ☒ Physical ☐ Other

SECTION F: Applicant Signature

I hereby certify that the above statements are true and correct to the best of my knowledge and belief. As indicated on this completed form, I hereby apply for the appropriate permit(s) to engage in business. I agree to pay any and all taxes due the State of Mississippi and to comply fully in all respects with the applicable Mississippi Tax Laws and any corresponding rules and regulations.

STEPHEN L. LINHOSS — Print Name of Owner or Officer of Corporation Only
OWNER — Title
Aug. 1, 2007 — Date

Signature of Owner or Officer of Corporation Listed in #15 | Signature of Owner or Officer of Corporation Listed in #15 | Signature of Owner or Officer of Corporation Listed in #15

If General Partnership, all general partners must sign. Attach sheet, if needed. If Limited Partnership, Managing Partner must sign.

For Office Use Only - Do Not Write in this Section

Date Issued _____ SIC Code _____ City Number _____ Cash Bond Amt $ _____

	M	Q	A	Norms	Tax Acct No.
Sales Tax	☐	☐	☐		
Use Tax	☐	☐	☐		
Withholding Tax	☐	☐			

Also Responsible for:
☐ Tupelo Tax
☐ Special City/County Tax
☐ Occupancy Tax
☐ Motor Vehicle Rental Tax
☐ Waste Tire Disposal Fee

Additional Account to be included in Master File Number: ☐ Yes ☐ No Master File No.

Approved:

Agent's Signature | Agent's Number | Date | Master File Agent's Signature

After considerable discussion Commissioner Yandell made motion seconded by Commissioner Owen and unanimously carried to approve the request as submitted pursuant to Zoning Ordinance #344, Article IX, Section 912 HOME OCCUPATIONS.

****

The next agenda item was Planning Commission approval to build mini warehouses in a C-3 Zoning District submitted by Alan Simmons as follows:

MINUTES OF AUGUST 23, 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

Lease or Deed.

I. TYPE OF CASE REQUEST
- A. ( ) Zoning Change
- B. (X) Planning Commission Approval - Build Mini warehouses in C-3 District
- 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: 6003 DAUGHERTY RD
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:

_____
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.

ALAN J. SIMMONS
Name of Owner(s) AJS PROPERTIES LLC

P.O. BOX 2007
Mailing Address

GULFPORT MS 39505
City State Zip

228 586-5678
Telephone (H)

228-539-5953
Office

Signature of Owner(s)

8/9/07
Date

$50.00
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.

MINUTES OF AUGUST 23, 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?

ASKING FOR APPROVAL TO PUT MINI-WAREHOUSES IN A C3 ZONE.

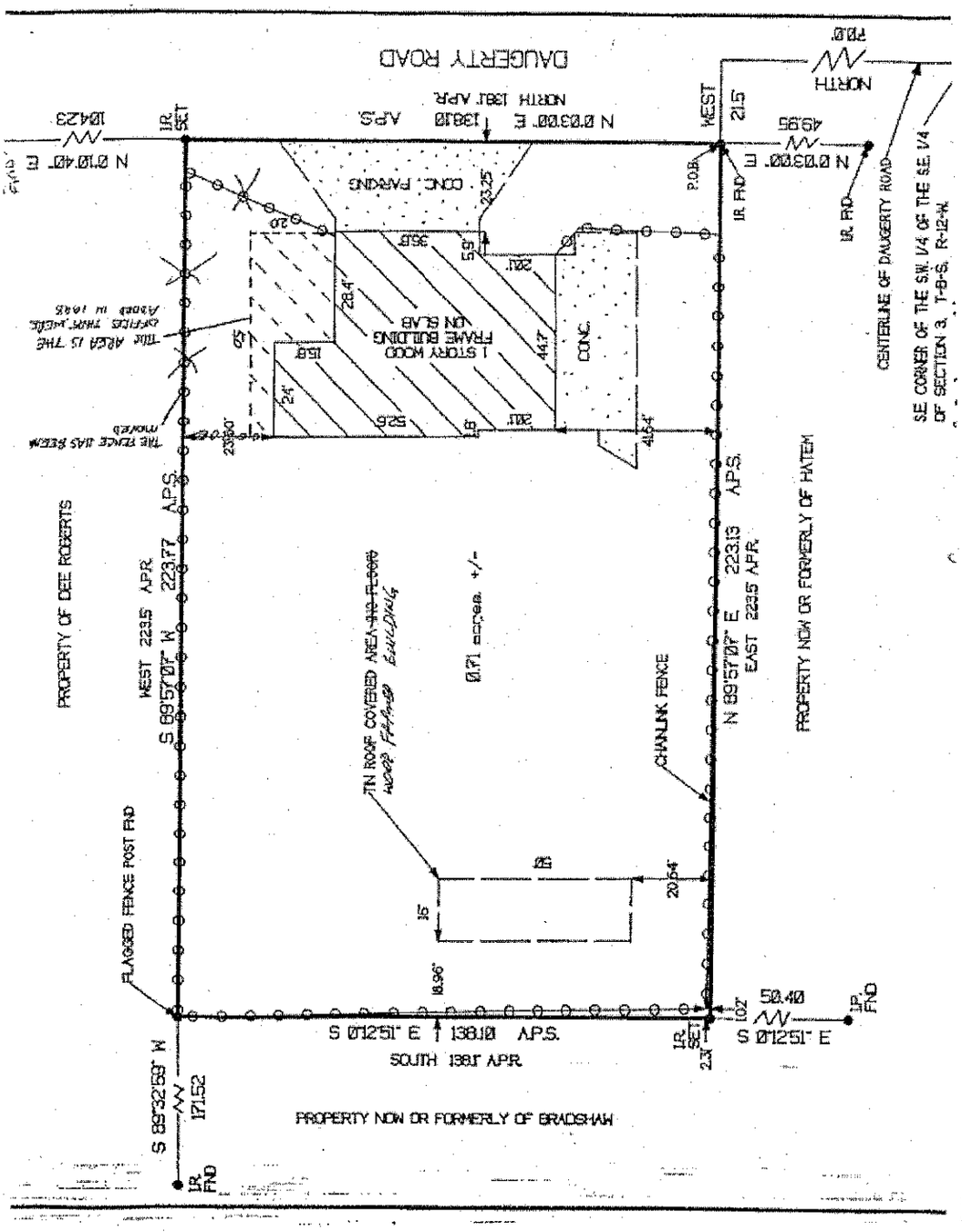
Describe how the special condition discussed in #1 above is not the result of actions taken by the applicant. Show that the applicant did not cause the need for this variance request.

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


DAUGERTY ROAD
NORTH 138.1' APR.
N 0°03'00" E 138.10 A.P.S.
N 0°10'40" E 104.23
WEST 21.5
N 0°03'00" E 49.95
NORTH 70.0'
CONC. PARKING
1 STORY WOOD FRAME BUILDING ON SLAB
CONC.
CENTERLINE OF DAUGERTY ROAD
S.E. CORNER OF THE S.W. 1/4 OF THE S.E. 1/4 OF SECTION 3, T-8-S, R-12-W.
PROPERTY OF DEE ROBERTS
WEST 223.5 APR.
S 89°57'07" W 223.77 A.P.S.
N 89°57'07" E 223.13 A.P.S.
EAST 223.5 APR.
PROPERTY NOW OR FORMERLY OF HATEM
TIN ROOF COVERED AREA
0.71 acres +/-
CHAINLINK FENCE
FLAGGED FENCE POST FND
S 0°12'51" E 138.10 A.P.S.
SOUTH 138.1' APR.
S 0°12'51" E 50.40
S 89°32'59" W 171.52
PROPERTY NOW OR FORMERLY OF BRADSHAW

SURVEYED FOR: Dee Roberts

DESCRIPTION: A parcel of land located and being situated in the Southwest 1/4 of the Southeast 1/4 of Section 3, Township 8 South, Range 12 West, First Judicial District of Harrison County, Mississippi and being more particularly described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 3, Township 8 South, Range 12 West, Long Beach, First Judicial District of Harrison County, Mississippi and thence run North 700 Feet to a point; thence run West a distance of 215 feet to the West margin of Daugherty Road and the Point of Beginning; thence run North along said West margin a distance of 138.10 Feet to a point; thence run West a distance of 2235 Feet to a point; thence run South a distance of 1381 Feet to a point; thence run East a distance of 2235 Feet to the Point of Beginning.

CERTIFICATE: THIS IS TO CERTIFY THAT I HAVE CAUSED A SURVEY TO BE MADE ON THE ABOVE DESCRIBED PROPERTY, AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

KENNY LEWAZ ALSTON
REGISTERED LAND SURVEYOR INC.
4602 KENDALL AVE.
GULFPORT MS 39507
(601)864-2645 VOICE AND FAX
NO. LS-2529
STATE OF MISSISSIPPI

KENNY L. ALSTON * LS-2529 * REGISTERED LAND SURVEYOR * STATE OF MISSISSIPPI

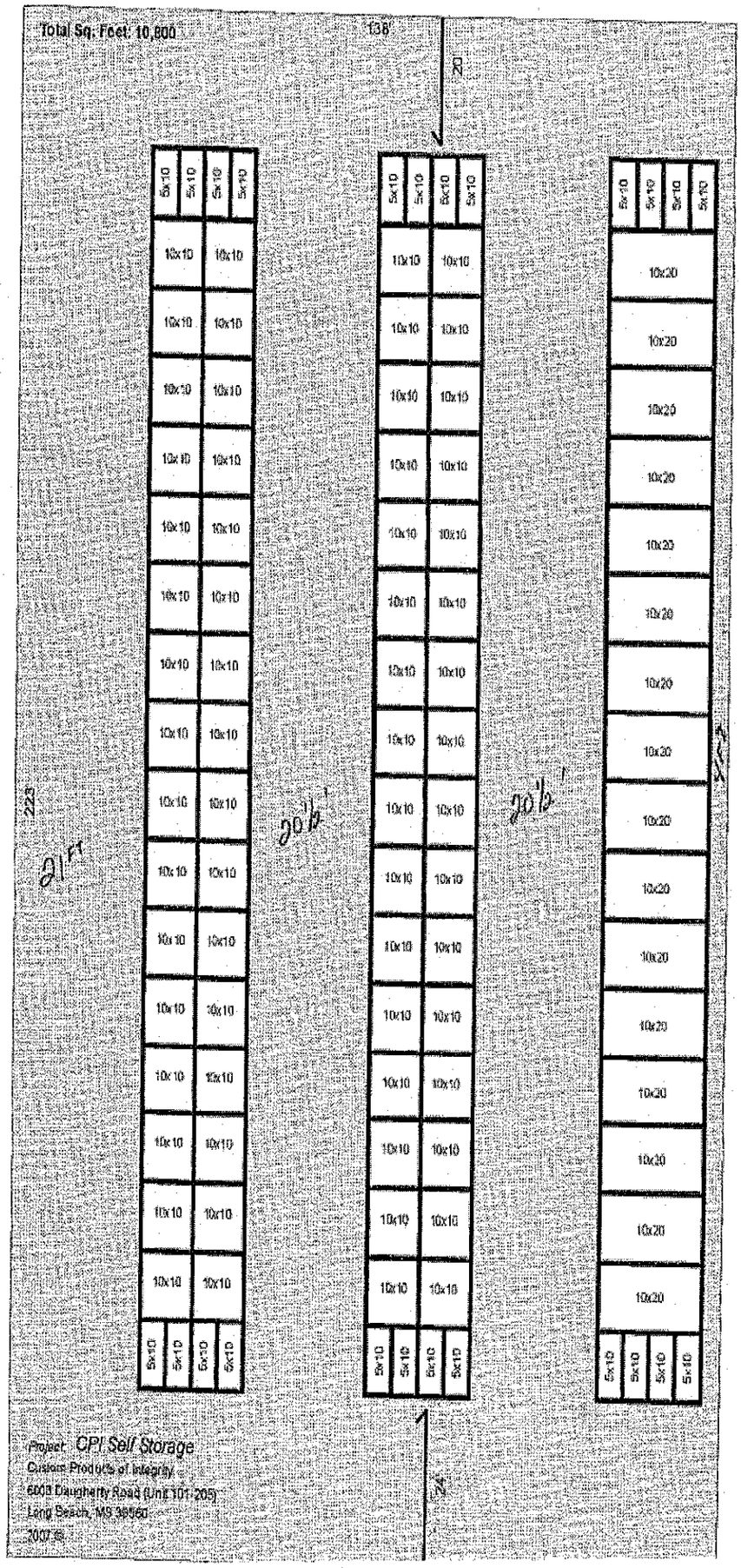
DATE OF FIELD SURVEY: 11/17/94

All bearings on this plat were based on a solar observation by the hour angle method.

The above described property lies in Firm zone C, communtiy panel # 285257-0001-C of the F.E.M.A. flood zone maps revised May 4, 1988.

A.P.S. = As Per Surveyed A.P.R. = As Per Record I.R. = Iron Rod

I" = 30'
CLASS 'B'
DWG. #94-1558


Total Sq. Feet: 10,800
138'
20'
223
21 FT
20½'
20½'
24'
5x10
10x10
10x20
Project: CPI Self Storage
Custom Products of Integrity
6008 Daugherty Road (Unit 101-205)
Long Beach, MS 39560
2007 ©

BOOK 1491 PAGE 542

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

FILED for RECORD

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, ALAN J. SIMMONS does hereby sell, convey, and warrant unto AJS Properties, LLC, a Mississippi Limited Liability Company, the following described property being situated and located in the First Judicial District of Harrison County, Mississippi, to-wit:

That certain parcel of property described as commencing at the Southeast corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 3, Township 8 South, Range 12 West, and thence run North along the Quarter Section Line a distance of 118 feet to a point in the center line of Daugherty Road; thence run West a distance of 20 feet to a set rod at the West margin of Daugherty Road to a point of beginning; and from said point of beginning, thence run North along the west margin of said Daugherty Road a distance of 90.1 feet to a set rod; and thence run West a distance of 225 feet to an iron pipe; and thence run South along a fence line and parallel to the West margin of Daugherty Road a distance of 90.1 feet to an iron pipe; and thence run East a distance of 225 feet to the west margin of Daughtery Road at the point of beginning. Said property being the same property conveyed to Hugh Melton, Jr. and wife, Pamela Melton, by Warranty Deed dated February 9, 1972, recorded in Deed Book 679 at Pages 56-57; in the office of the Chancery Clerk of Harrison County, Mississippi, less and except the East 20 feet thereof which constitutes the public road right-of-way of Daugherty Road, and said property is hereby described in accordance with the title survey plat prepared by E. Patrick Cassady & Associates dated February 23, 1976; and also,

That parcel of land described as follows: Commence at the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 3, Township 8 South, Range 12 West, Long Beach, Harrison County, Mississippi, and thence run West 20 feet; thence run North 70 feet to the point of beginning of that property herein described, From said point of beginning thence run west 225 feet to an iron rod; thence run North 48.0 feet to an iron rod; thence run East 225 feet to an iron rod situated on the West margin of Daugherty Road; thence run South along the West margin of said road a distance of 48.0 feet back to the point of beginning as per the survey prepared by Verlon Byrd, R.L.S. No. 1862 dated November 9, 1990.

INDEXING INSTRUCTIONS: T8S, R12W, §3; SW ¼ of SE ¼

BOOK 1491 PAGE 543

The above described property is subject to any easements, restrictive covenants, and prior oil, gas and mineral reservations and conveyances of record. The above described property constitutes no part of the Homestead of the Grantor, nor is it adjacent or contiguous thereto. Ad valorem taxes for the current year will be assumed by the Grantee.

WITNESS my signature this the 6th day of April, 2000.

ALAN J. SIMMONS

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 6th day of April, 2000, within my jurisdiction, the within named ALAN J. SIMMONS who acknowledged that he executed the above and foregoing instrument.

Before Public State of Mississippi At Large
My Commission Expires: October 12, 2001
BONDED THRU HEIDEN-MAGHETTI, INC.

NOTARY PUBLIC

My Commission Expires:

Grantor's Address:
1302 W. Railroad Street
Long Beach, MS 39560
(228) 868-3400

Grantee's Address:
1302 W. Railroad Street
Long Beach MS 39560
(228) 868-3400

This instrument prepared by:
Jabeal, Rice
YOUNG & RICE
Attorneys at Law
1918 22th Avenue
P.O. Box 303
Gulfport, MS 39501
(228) 868-6501

Instrument No. 3050

STATEMENT OF FEES

Recording Fee $6.00
Records Maintenance Fee $1.00
Abstracting Fee
$1.00 Mortgage Fee
Margin Fee
Other
TOTAL FEES COLLECTED 8.00

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:

I hereby certify that this instrument was received and filed for record at 1 o'clock and 51 minutes P. Mins. 10th day of April, A.D. 2000 and recorded April 11 2000 in Records of Deeds Book 1491 Page 542-543

CHY McADAMS, Chancery Clerk

By _____, D.C.

LAWYERS SERVICE CO. 3525

After considerable discussion Commissioner Owen made motion seconded by Commissioner Hare and unanimously carried to approve the request as submitted with the understanding that the applicant would include some type of landscaping to the property.

****

The next agenda item was a Certificate of Resubdivision submitted by Eugene Dugger as follows:

MINUTES OF AUGUST 23, 2007
LONG BEACH PLANNING COMMISSION

CITY OF LONGBEACH, MISSISSIPPI
PO BOX 929
201 JEFF DAVIS AVENUE
TELEPHONE 228-863-1554
FAX 228-865-0832
permits@cityoflongbeachms.com

APPLICATION FOR CASE REVIEW

I. TYPE OF CASE REQUEST
- A. ( ) Zoning Change
- B. (X) Planning Commission Approval - Certificate of Resubdivision
- 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: 419 E 3RD STREET
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:

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.

EUGENE DUGGER
Name of Owner(s)

P.O. BOX 78; WIGGINS, MS 39577
Mailing Address

Long Beach MS 39560
City State Zip

Telephone (H) Office

Signature of Owner(s)

8-16-07
Date

$250.00
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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a 28 degrees 11 minutes East a
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heast corner of said Lot 10,
he East line of said Lot 10 West

ocated in the Widow N. Lodnier
from St. Mary's Seminary on or

survey on which it is based were
Land Surveying in the State of

MINUTES OF AUGUST 23, 2007

LONG BEACH PLANNING COMMISSION

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 as shown for parcel 0630-00-014.000 into Two (2) parcels. The subject property is generally described as being located south of East Third Street, East of Mississippi Avenue, and adjacent to Property now or formerly of the Catholic Diocese of Biloxi, St. Thomas Church Property and Property now or formerly of the State of Mississippi.

LEGAL DESCRIPTIONS:

Overall Legal Description: (2007-7129-0-01) Lot Ten (10) in Block Twelve (12) of ORIGINAL LONG BEACH, in the Town of Long Beach, in Harrison County, Mississippi, as shown by the official map or plat of said Original Long Beach, commonly known and referred to as Porter's Map of Long Beach, on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi in Record of Plats Book 11 at Page 5 of the Records of Plats in Harrison County, Mississippi together with all improvements thereon and all appurtenances in any wise appertaining thereto.

AND ALSO:

Beginning at an iron pipe set at the Northeast corner of Lot Ten (10), Block Twelve (12), of ORIGINAL LONG BEACH, and running thence North 69 degrees 17 minutes East a distance of 30.25 feet to an iron pipe, then South 28 degrees 11 minutes East a distance of 198 feet, to an iron pipe, thence South 69 degrees 12 minutes West a distance of 30.25 feet to an iron pipe set at the Southeast corner of said Lot 10, thence North 28 degrees 11 minutes West along the East line of said Lot 10 West a distance of 198 feet to the point of beginning. Being a part of the St. Thomas Church property located in the Widow M. Koehler claim in Harrison County, Mississippi, acquired from St. Mary's Seminary on or about November 11, 1970.

THE LEGAL DESCRIPTION OF THE TWO PROPOSED PARCELS READ AS FOLLOWS:

PROPOSED PARCEL 01: All that part of Lot Ten (10), Block Twelve (12) of ORIGINAL LONG BEACH, in the Town of Long Beach, in Harrison County, Mississippi, as shown by the official map or plat of said Original Long Beach, commonly known and referred to as Porter's Map of Long Beach, on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, in Record of Plats Book 11 at Page 6 (copy book 4-A, pg. 305) of the Records of Plats in Harrison County, Mississippi and being more particularly described as follows:

BEGINNING at an iron pipe found marking the Northwest (N.W.) corner of Lot Ten (10), Block Twelve (12) of ORIGINAL LONG BEACH and thence North 69 degrees 17 minutes 27 seconds East along the South margin of East Third Street a distance of 75.66 feet to an iron rod found; thence South 27 degrees 28 minutes 54 seconds East a distance of 150.03 feet to an iron rod found; thence South 69 degrees 28 minutes 09 seconds West a distance of 74.89 feet to an iron rod found marking the Southwest (S.W.) corner of said Lot Ten (10); thence North 28 degrees 09 minutes 28 seconds West a distance of 149.87 feet to the point of beginning, having an area of 11150.0 square feet, more or less.

PROPOSED PARCEL 02: All that part of Lot Ten (10), Block Twelve (12) of ORIGINAL LONG BEACH, in the Town of Long Beach, in Harrison County, Mississippi, as shown by the official map or plat of said Original Long Beach, commonly known and referred to as Porter's Map of Long Beach, on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, in Record of Plats Book 11 at Page 6 (copy book 4-A, pg. 305) of the Records of Plats in Harrison County, Mississippi and also a strip of land 30.25 feet East and West by 150 feet North and South and formerly being a part of the St. Thomas Church property located in the Widow M. Koehler claim in Harrison County, Mississippi, acquired from St. Mary's Seminary on or about November 11, 1970, as being more particularly described as follows:

Commencing at an iron pipe found marking the Northwest (N.W.) corner of Lot Ten (10), Block Twelve (12) of ORIGINAL LONG BEACH and thence North 69 degrees 17 minutes 27 seconds East along the South margin of East Third Street a distance of 75.66 feet to an iron rod found marking the POINT OF BEGINNING; thence from said point of beginning, North 69 degrees 22 minutes 13 seconds East along the South margin of East Third Street a distance of 44.84 feet to the Northwest (N.E.) corner of said Lot Ten (10); thence North 69 degrees 23 minutes 58 seconds East a distance of 29.63 feet to a bent iron rod found; thence South 28 degrees 10 minutes 38 seconds East along property now or formerly of the State of Mississippi and property now or formerly of the Catholic Diocese of Biloxi (St. Thomas Church) a distance of 150.39 feet to a bent iron rod found; thence South 69 degrees 24 minutes 45 seconds West a distance of 30.50 feet to an iron pipe found marking the Southeast (S.E.) corner of Lot Ten (10), Block Twelve (12) of said ORIGINAL LONG BEACH; thence South 69 degrees 24 minutes 49 seconds West along the South line of said Lot Ten (10) a distance of 44.47 feet to an iron rod found; thence North 27 degrees 58 minutes 54 seconds West a distance of 150.03 feet to the point of beginning, having an area of 11126.0 square feet, more or less.

SEE ATTACHED SURVEY BY Kenny L. Alston Land Surveyor DATED 08/08/2007-08/08/2007

You are hereby advised to investigate and determine the effects which are granted 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, its agents, servants and or employees against any and all claims, demands, or causes of action of whatever nature which may arise as a result of the action of the Planning Commission, its agents, servants, and/or employees concerning the petition for subdivision of the real property described herein.

ACKNOWLEDGE

(1) CERTIFICATE OF OWNERSHIP
I hereby certify that I am the owner of the property described hereon which property is within the subdivision regulation jurisdiction of the City of Long Beach, and that I freely adopt this plan of subdivision.

[signature] 8/16/07
SIGNATURE DATE

Subscribed and sworn to before me, in my presence this 16 day of AUG 2007, a Notary Public in and for the County of Harrison, State of Mississippi.

[signature]
NOTARY PUBLIC

NOTARIAL SEAL
NOTARY PUBLIC STATE OF MISSISSIPPI
MY COMMISSION EXPIRES SEPT. 13, 2010
BONDED THRU STEGALL NOTARY SERVICE

My Commission Expires: _____

(2) CERTIFICATE OF APPROVAL
I hereby certify that the minor modifications 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 (90) days of the date below.

ADMINISTRATOR DATE

(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 a deed description recorded Document No. 2007-7129-0-01 in accordance with all applicable codes and ordinances. Witness my original signature, registration number and seal this the 9 day of August 2007.

[signature]
Kenny L. Alston, Professional Land Surveyor
Registration Number PS-2529

KENNY L. ALSTON PROFESSIONAL PS-2529 SURVEYOR STATE OF MISSISSIPPI

Subscribed and sworn to before me, in my presence this the 9 day of August 2007, a Notary Public in and for the County of Harrison, State of Mississippi.

[signature]
Notary Public

My Commission Expires: _____

NOTARIAL SEAL
NOTARY PUBLIC STATE OF MISSISSIPPI
MY COMMISSION EXPIRES SEPT. 13, 2010
BONDED THRU STEGALL NOTARY SERVICE

PLANNING COMMISSION

Approved by the City of Long Beach Planning Commission at the regular meeting of said Commission held on the ____ day of _____ 2007.

_____ _____
Planning Commission Chairman, Frank Oliver DATE

ACCEPTANCE

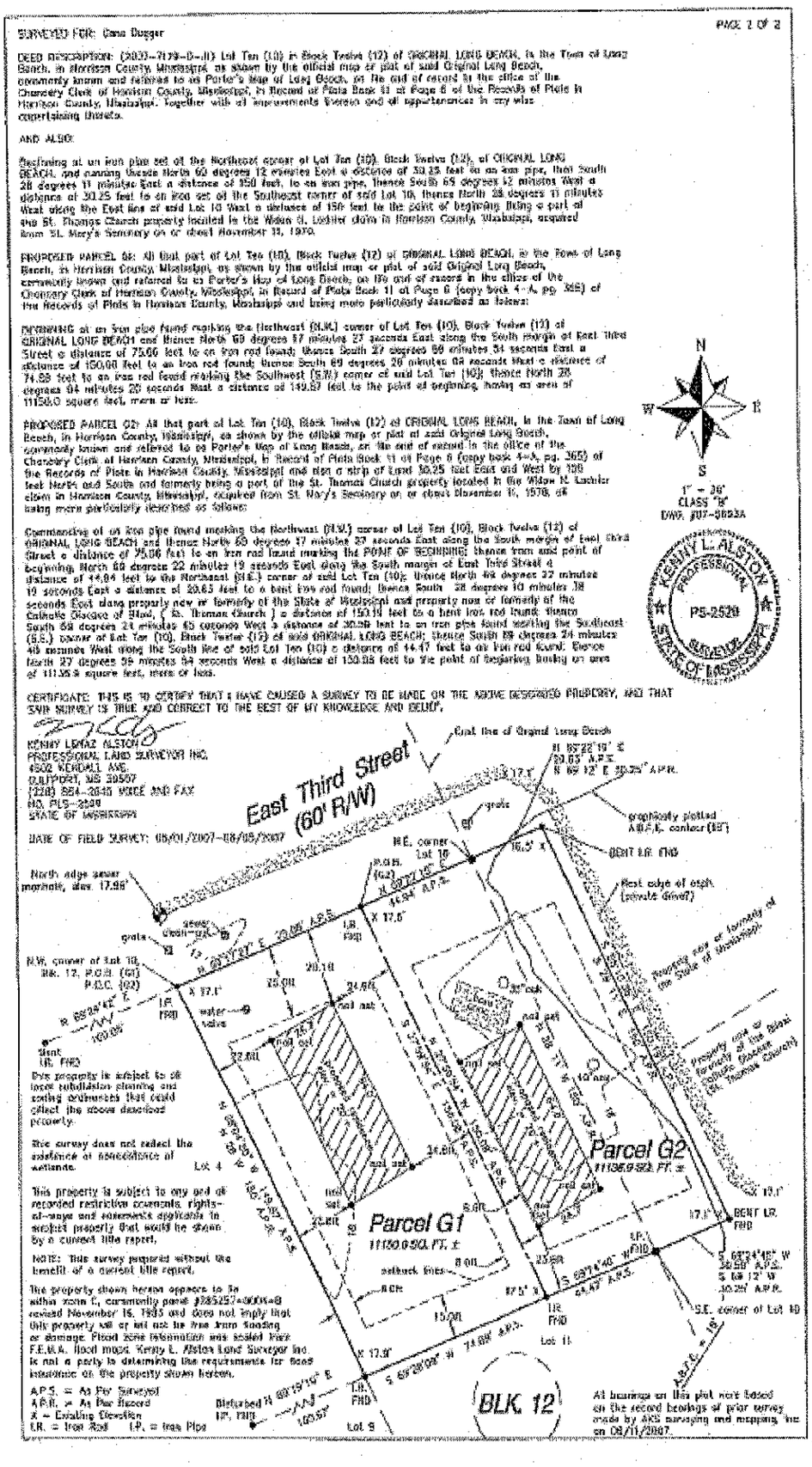
Submitted to and approved by the City of Long Beach, Board of Aldermen, at the regular meeting of said Board of Aldermen held on the _____ day of _____.

ADOPT: ATTEST:

_____ _____
MAYOR, WILLIAM SKELLIE, JR CITY CLERK, REBECCA E. SCHRUFF

MINUTES OF AUGUST 23, 2007

LONG BEACH PLANNING COMMISSION



SURVEYED FOR: Dana Dugger

PAGE 2 OF 2

DEED DESCRIPTION: (2003-7139-D-JJ) Lot Ten (10) in Block Twelve (12) of ORIGINAL LONG BEACH, in the Town of Long Beach, in Harrison County, Mississippi, as shown by the official map or plat of said Original Long Beach, commonly known and referred to as Porter's Map of Long Beach, on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, in Record of Plats Book 11 at Page 6 of the Records of Plats in Harrison County, Mississippi. Together with all improvements thereon and all appurtenances in any wise appertaining thereto.

AND ALSO:

Beginning at an iron pipe set at the Northeast corner of Lot Ten (10), Block Twelve (12), of ORIGINAL LONG BEACH, and running thence North 60 degrees 12 minutes East a distance of 30.25 feet to an iron pipe, thence South 28 degrees 11 minutes East a distance of 150 feet, to an iron pipe, thence South 65 degrees 12 minutes West a distance of 30.25 feet to an iron set at the Southeast corner of said Lot 10, thence North 28 degrees 11 minutes West along the East line of said Lot 10 West a distance of 150 feet to the point of beginning, being a part of the St. Thomas Church property located in the Widow N. Lechler claim in Harrison County, Mississippi, acquired from St. Mary's Seminary on or about November 11, 1970.

PROPOSED PARCEL G1: All that part of Lot Ten (10), Block Twelve (12) of ORIGINAL LONG BEACH, in the Town of Long Beach, in Harrison County, Mississippi, as shown by the official map or plat of said Original Long Beach, commonly known and referred to as Porter's Map of Long Beach, on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, in Record of Plats Book 11 at Page 6 (copy book 4-A, pg. 365) of the Records of Plats in Harrison County, Mississippi and being more particularly described as follows:

BEGINNING at an iron pipe found marking the Northwest (N.W.) corner of Lot Ten (10), Block Twelve (12) of ORIGINAL LONG BEACH and thence North 60 degrees 12 minutes 23 seconds East along the South margin of East Third Street a distance of 75.00 feet to an iron rod found; thence South 27 degrees 59 minutes 34 seconds East a distance of 150.00 feet to an iron rod found; thence South 60 degrees 26 minutes 08 seconds West a distance of 74.88 feet to an iron rod found marking the Southwest (S.W.) corner of said Lot Ten (10); thence North 28 degrees 04 minutes 20 seconds West a distance of 149.87 feet to the point of beginning, having an area of 11150.0 square feet, more or less.

PROPOSED PARCEL G2: All that part of Lot Ten (10), Block Twelve (12) of ORIGINAL LONG BEACH, in the Town of Long Beach, in Harrison County, Mississippi, as shown by the official map or plat of said Original Long Beach, commonly known and referred to as Porter's Map of Long Beach, on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, in Record of Plats Book 11 at Page 6 (copy book 4-A, pg. 365) of the Records of Plats in Harrison County, Mississippi and also a strip of Land 30.25 feet East and West by 200 feet North and South and formerly being a part of the St. Thomas Church property located in the Widow N. Lechler claim in Harrison County, Mississippi, acquired from St. Mary's Seminary on or about November 11, 1970, all being more particularly described as follows:

Commencing at an iron pipe found marking the Northwest (N.W.) corner of Lot Ten (10), Block Twelve (12) of ORIGINAL LONG BEACH and thence North 60 degrees 12 minutes 23 seconds East along the South margin of East Third Street a distance of 75.00 feet to an iron rod found marking the POINT OF BEGINNING; thence from said point of beginning North 60 degrees 22 minutes 19 seconds East along the South margin of East Third Street a distance of 44.84 feet to the Northeast (N.E.) corner of said Lot Ten (10); thence North 60 degrees 22 minutes 19 seconds East a distance of 20.65 feet to a bent iron rod found; thence South 28 degrees 10 minutes 38 seconds East along property now or formerly of the State of Mississippi and property now or formerly of the Catholic Diocese of Biloxi, (St. Thomas Church) a distance of 150.19 feet to a bent iron rod found; thence South 64 degrees 24 minutes 45 seconds West a distance of 30.58 feet to an iron pipe found marking the Southeast (S.E.) corner of Lot Ten (10), Block Twelve (12) of said ORIGINAL LONG BEACH; thence South 65 degrees 24 minutes 48 seconds West along the South line of said Lot Ten (10) a distance of 14.47 feet to an iron rod found; thence North 27 degrees 59 minutes 34 seconds West a distance of 150.35 feet to the point of beginning having an area of 11135.9 square feet, more or less.

CERTIFICATE: THIS IS TO CERTIFY THAT I HAVE CAUSED A SURVEY TO BE MADE ON THE ABOVE DESCRIBED PROPERTY, AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

KENNY LEMAZ ALSTON
PROFESSIONAL LAND SURVEYOR INC.
4502 KENDALL AVE.
GULFPORT, MS 39507
(228) 864-3848 VOICE AND FAX
MS. PLS-2529
STATE OF MISSISSIPPI

DATE OF FIELD SURVEY: 08/01/2007-08/08/2007

KENNY L. ALSTON
PROFESSIONAL
P.S.-2529
SURVEYOR
STATE OF MISSISSIPPI

N
W
E
S
1" = 30'
CLASS "B"
DWG. #07-0823A

East Third Street (60' R/W)

East line of Original Long Beach
N 60°22'19" E
20.65' A.P.S.
N 60° 12' E 30.25' A.P.R.

Parcel G1
11150.0 SQ. FT. ±

Parcel G2
11135.9 SQ. FT. ±

BLK. 12

Lot 4

Lot 9

Lot 11

Lot 10

Lot Ten (10)

Lot Eight (8)

Lot Seven (7)

Lot Six (6)

Lot Five (5)

Lot Four (4)

Lot Three (3)

Lot Two (2)

Lot One (1)

Property now or formerly of the State of Mississippi

Property now or formerly of the Biloxi Catholic Diocese (St. Thomas Church)

Property is subject to all local subdivision planning and zoning ordinances that could affect the above described property.

This survey does not reflect the existence or nonexistence of wetlands.

This property is subject to any and all recorded restriction covenants, rights-of-ways and easements applicable to subject property that would be shown by a current title report.

NOTE: This survey prepared without the benefit of a current title report.

The property shown hereon appears to be within zone C, currently panel #285257-0005-B revised November 15, 1985 and does not imply that this property will or will not be free from flooding or damage. Flood zone information was scaled from F.E.M.A. flood maps. Kenny L. Alston Land Surveyor Inc. is not a party to determining the requirements for flood insurance on the property shown hereon.

A.P.S. = As Per Surveyed
A.P.R. = As Per Record
X = Existing Elevation
I.R. = Iron Rod I.P. = Iron Pipe

All bearings on this plat were based on the record bearings of prior survey made by AKS surveying and mapping, inc on 08/11/2003.

A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS
820 33rd STREET, GULFPORT, MS 39507
P.O. BOX 1677, GULFPORT, MS 39502
TEL (228) 863-0667
FAX (228) 863-6232

August 23, 2007

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

RE: Certificate of Resubdivision – Tax Parcel No. 0612A-01-034.000

Gentlemen:

We are in receipt of the referenced Certificate of Resubdivision. This subdivision will create two parcels at the east end of E. 3rd Street. We have the following comments concerning this item:

1. In the legal description of the overall parcel, specifically in the portion of the existing property outside of the "Original Long Beach" survey, the bearing and distance of the east line of the property includes an additional word "West", which should be removed.
2. The Zoning Ordinance requires a minimum of 75 feet for lot width (at the front building line) in an R-1 zone. Proposed Parcel G2 does not meet this criteria, although it is very close. The lot ranges in width from 74.57 feet in the front line to 75.06 feet at the back line. At the front building line, the proposed parcel appears to be 74.65 feet in width.

Although this subdivision does come very close to meeting the City's requirements, it is deficient as discussed above in Item #2. A variation from the Ordinance in this minor way may be acceptable to the City, but any deviation from the Zoning Ordinance must be approved from the Planning Commission, so I must leave that decision in your hands.

Aside from the lot width issue, I see no reason to withhold approval of the Certificate, contingent upon revision of the legal description according to Item #1 above.

Sincerely,

David Ball, P.E.

DB:539

UTILITY PARTNERS, LLC

Aug.23, 2007

Eugene Dugger
419 E. Third St.
Long Beach, MS. 39560

RE: COSTS OF SPECIAL WATER AND SEWER CONNECTION, Mitchell Rd.

Dear Mr. Dugger;

Listed below is a breakdown of expenses to be incurred by you for the special water and sewer connection you have requested. As you will note, you will need to make two (2) separate payments; one to Utility Partners, LLC for the labor and overhead, and one to the City of Long Beach for materials and equipment.

CITY OF LONG BEACH

MATERIALS:

¾"Corporation stop	$ 16.11
¾"Curb Stops	$ 20.56
30'-3/4"Tuff Tubing@$.50/ft	$ 15.00
¾"x4" Tapping saddel16.50ea.	$ 16.50
80'-8" Sewer pipe@$3.77/ft.	$ 301.60
8x6" wye	$ 31.40
6x6" Cleanout	$ 25.15
TOTAL MATERIALS	**$424.97**

EQUIPMENT:

Cat backhoe, 8 hrs. @ $35.00/hr.	**$280.00**
TOTAL EQUIPMENT	**$704.97**

404 Kohler Street • Long Beach, MS 39560
P.O. Box 591 • Long Beach, MS 39560
228-863-0440 • Fax 228-865-7844

Utility Partners LLC.

TOTAL LABOR & OVERHEAD **$704.97**

The total for materials and equipment comes to $704.97 and should be paid to the City of Long Beach. Total for labor and overhead is $365.53 and should be paid to Utility Partners LLC.

Sincerely,

CHRISTOPHER HULL
Supervisor, Water & Sewer Dept.

MINUTES OF AUGUST 23, 2007
LONG BEACH PLANNING COMMISSION

STATE OF MISSISSIPPI

COUNTY OF HARRISON

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, MYRNA JORDAN does hereby grant, bargain, sell, convey and warrant, unto WALLACE R. DUGGER, the following described property, together with the improvements, hereditaments and appurtenances thereunto situated and located in the County of Harrison, State of MS, and more particularly described as follows, to-wit:

Lot Ten (10) in Block Twelve (12) of ORIGINAL LONG BEACH, in the Town of Long Beach, in Harrison County, Mississippi, as shown by the official map or plat of said Original Long Beach, commonly known and referred to as Porter's Map of Long Beach, on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, in Record of Plats Book 11 at Page 6 of the Records of Plats in Harrison County, Mississippi. Together with all improvements thereon and all appurtenances in any wise appertaining thereto.

AND ALSO:

Beginning at an iron pipe set at the Northeast corner of Lot Ten (10), Block Twelve (12), of ORIGINAL LONG BEACH, and running thence North 69 degrees 12 minutes East a distance of 30.25 feet to an iron pipe, then South 28 degrees 11 minutes East a distance of 150 feet, to an iron pipe, thence South 69 degrees 12 minutes West a distance of 30.25 feet to an iron set at the Southeast corner of said Lot 10, thence North 28 degrees 11 minutes West along the East line of said Lot 10 West a distance of 150 feet to the point of beginning. Being a part of the St. Thomas Church property located in the Widow N. Ladnier claim in Harrison County, Mississippi, acquired from St. Mary's Seminary on or about November 11, 1970.

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.

TAXES for the current year have been pro-rated as of this date and are hereby assumed by the Grantee herein.

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.

WITNESS THE SIGNATURE of the Grantor on this the 11 day of July, 2007.

MYRNA JORDAN

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, MYRNA JORDAN, who acknowledged that she signed, executed and delivered the above and foregoing instrument as her voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seat on this the 11 day of July, 2007.

NOTARY PUBLIC

(SEAL)

My Commission Expires:

ADDRESS OF GRANTOR:
19013 RED BUD DR
LONG BEACH, MS 39560
(228) 324-3838

ADDRESS OF GRANTEE:
1203 SOUTH EAST 14TH AVE
OCALA, FL 34471
(352) 425-0634

PREPARED BY AND RETURN TO:

FILE# 070885

Schwartz, Orgler & Jordan, PLLC
15487 Oak Lane Drive, Suite 200-I
Gulfport, MS 39503
(228) 832-8550

After careful discussion Commissioner Owen made motion seconded by Commissioner Sweetapple and unanimously carried to approve the Certificate of Resubdivision contingent upon all fees paid prior to final acceptance and the City Engineer's recommendations.

****

The next agenda item was Planning Commission approval to operate a business from a temporary building submitted by Christopher Malloy as follows:

MINUTES OF AUGUST 23, 2007
LONG BEACH PLANNING COMMISSION

CITY OF LONGBEACH, MISSISSIPPI
PO BOX 929
201 JEFF DAVIS AVENUE
TELEPHONE 228-863-1554
FAX 228-865-6822
permits@cityoflongbeachms.com

APPLICATION FOR CASE REVIEW

I. TYPE OF CASE REQUEST
- A. ( ) Zoning Change
- B. (X) Planning Commission Approval - operate business from temp bldg
- C. ( ) Special Exception Use
- D. (X) ~~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: 0 Burke 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:

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 agrees 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.

Christopher Malloy Name of Owner(s)	208 Royal Dr. Mailing Address
Long Beach MS 39560 City State Zip	228 596-1731 Telephone (H) Office
 Signature of Owner(s)	8-21-07 $50.00 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

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?

Starting a new venture at this point have the funds for all permits & a Temp Bldg. will have more funds once Business starts.

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?

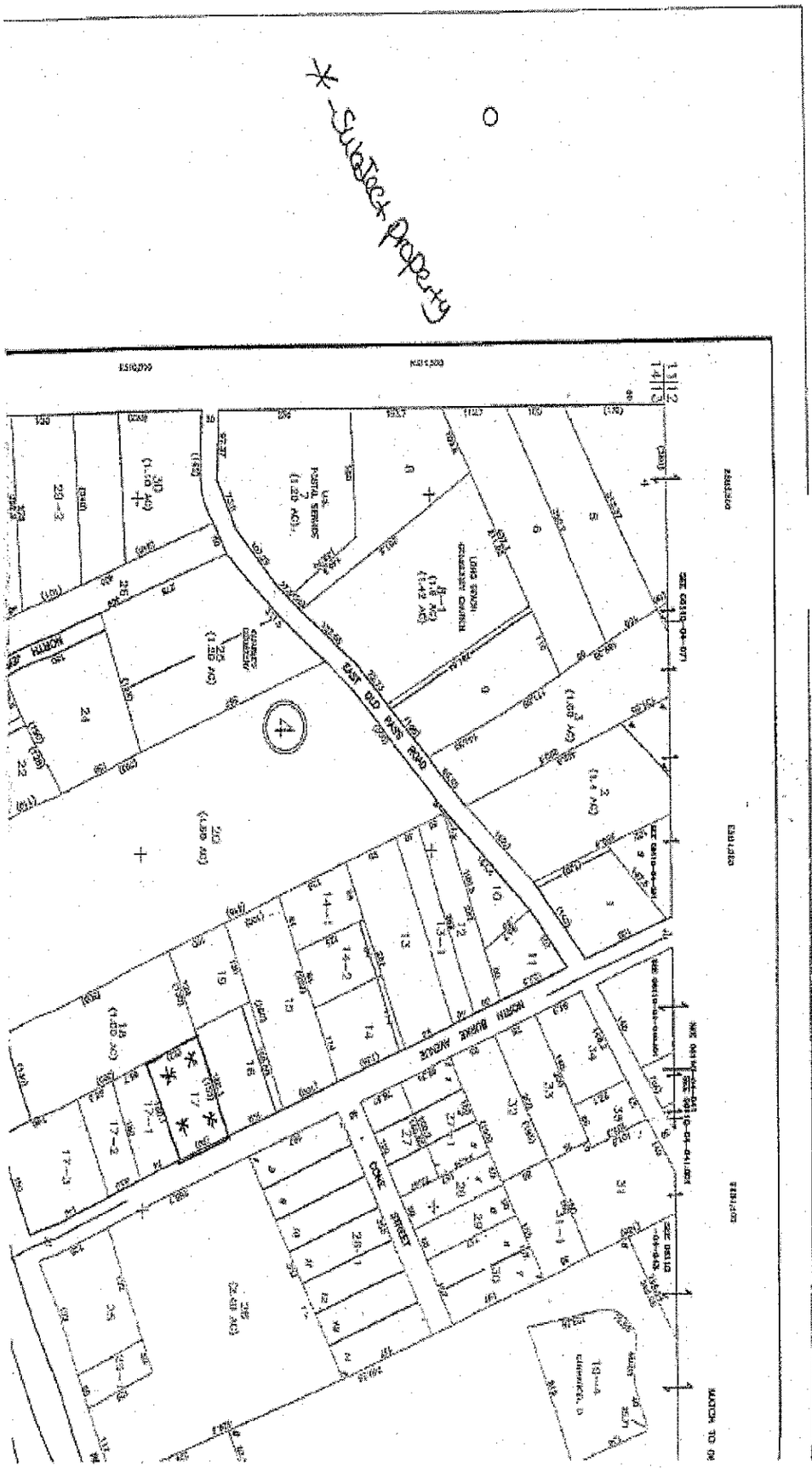
If I spend funds to build a commercial Bldg at this time will not have funds for other things.

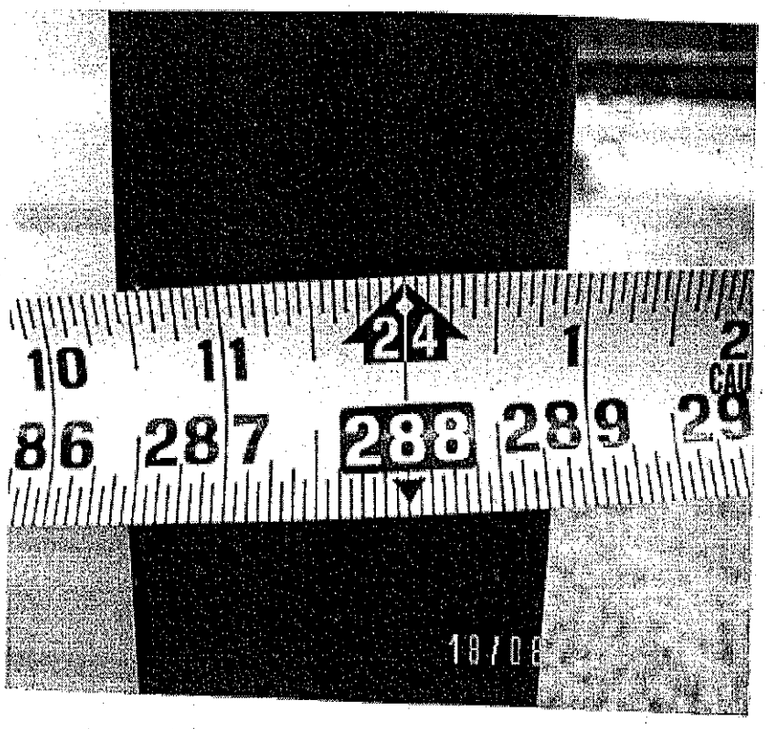
Show that denial of this request will deprive the applicant of rights commonly enjoyed by other properties in the general area and that the granting of this variance request will make possible the reasonable use of land while not conferring any special privilege. Outline how the subject of the variance 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.

If Denied the Property will remain Vacant and owner Spent In Excess of 10 K To Fix up Lot to Present State.

FOR HOME OCCUPATION ONLY!

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


* - Subject Property
EAST OLD BASS ROAD
NORTH BRIDGE AVENUE
COVE STREET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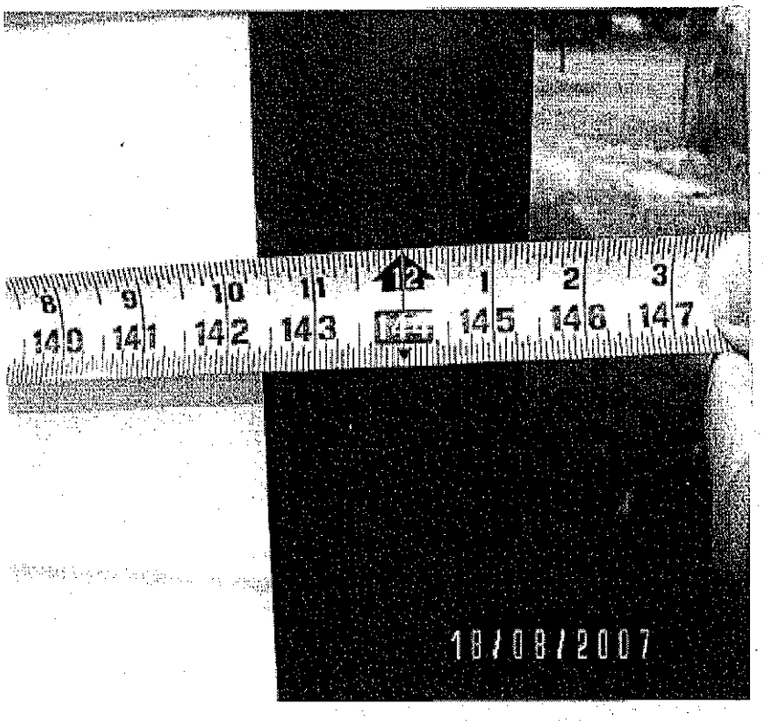
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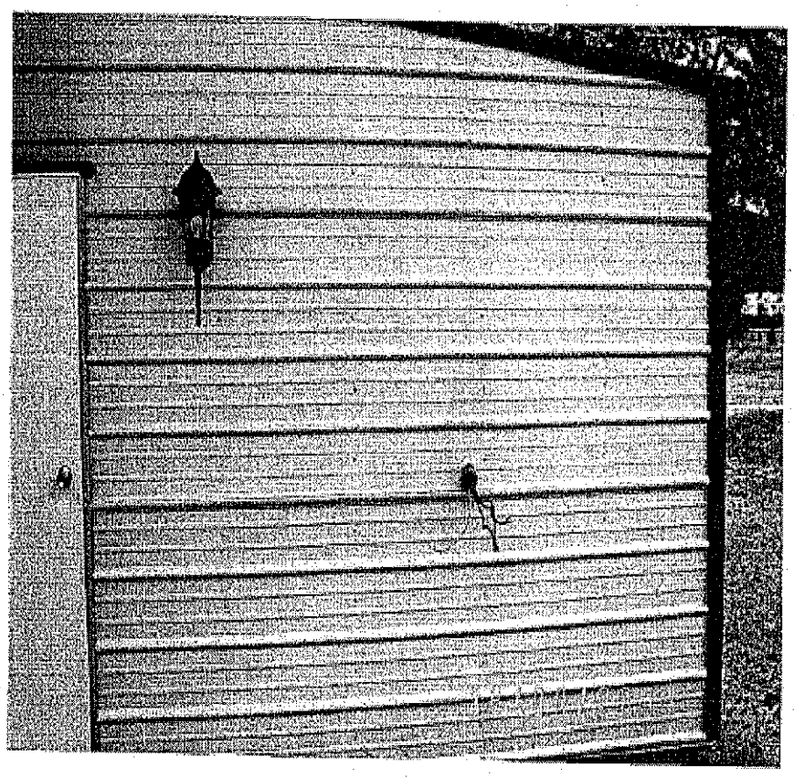

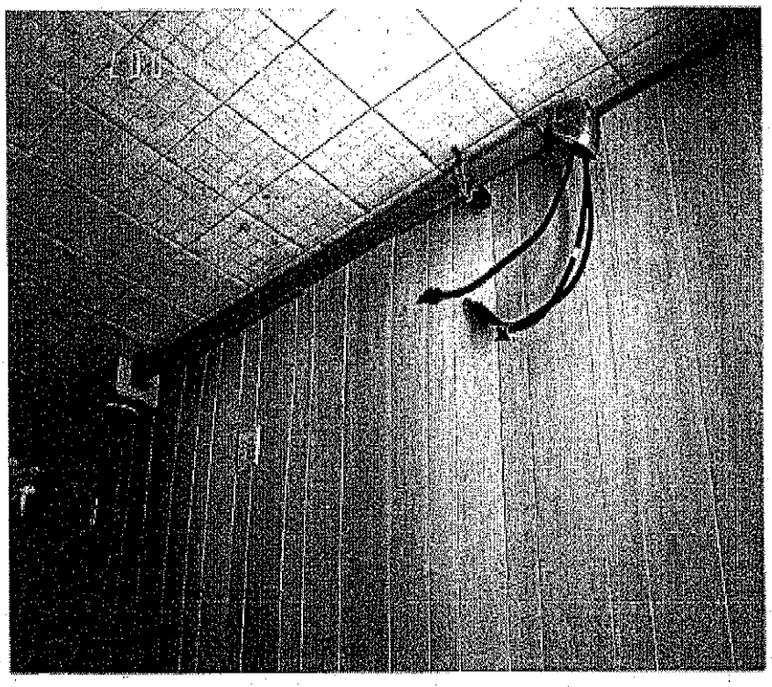

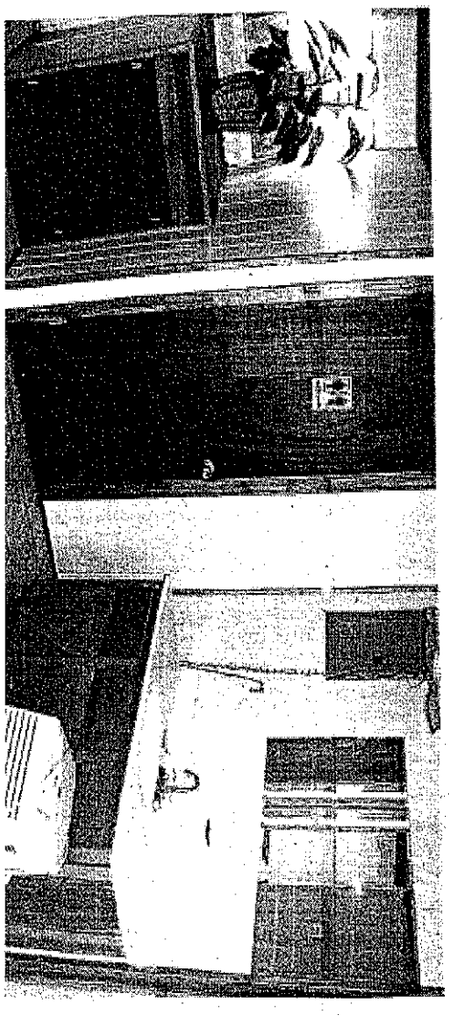

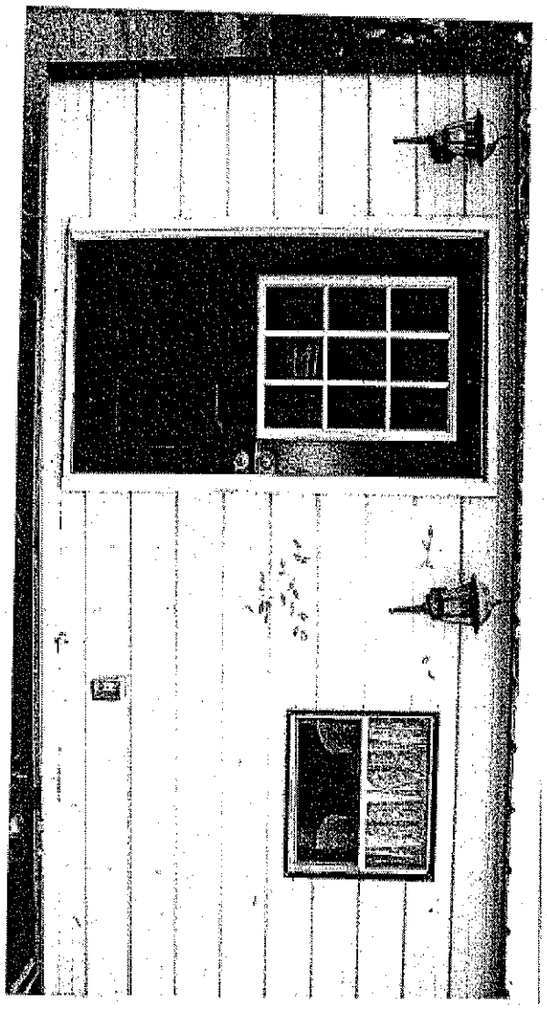

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Tax Assessor

Departments

4:15:00 PM

Department Menu
- Tax Assessor Home
- Tax Roll Main

Online Databases
- County Tax Rolls
- Court Dockets
- General Instruments
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- Justice Court Tickets
- Marriage Database
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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

2007 Proposed Landroll Information

MALLOY CHRISTOPHER L
208 ROYAL DRIVE LONG BACH MS39560

Physical Street Address:
0 BURKE AVE

Parcel #:	PPIN	Tax District	Homestead Exp.	Jud
0612B-04-017.000	38030	L		

Supervisor District:	Subdivision:
3	HENDERSON SHIPMAN HUGHES SU

Exemption Code
Non-Exempt

Section	Township	Range	Instrument Num
13	08	12	2006-0011577-D
			Click for more book and

Acres	Land Value	Improvements	Total Value	Asse
0	11250	0	11250	

Legal Description
BEG 274.5 FT N OF INTER OF N MAR OFRAILROAD & W MAR OF BURKE AVE S 66 t
150.1 FT N 21 DGS W 95 M/L N 69 DGS E 150 FT TO RD SLY ALONG RD 90 FT M/L T
BEING PART OF LOT

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PROPERTY TAX AGREEMENT

The undersigned parties do hereby acknowledge that the closing attorney has prorated the ad valorem taxes for the year 2006 by estimating that the 2006 taxes will be approximately the same as the 2005 tax amount. The taxes for the year 2006 will be due January 1, 2007. The parties hereby agree that in the event the actual tax assessment for 2006 is significantly increased or decreased from the 2005 amount, the party receiving the excess credit from the estimated proration shall reimburse the other party.

The buyer hereby acknowledges that the tax assessor will not change the tax statement to show buyer as the new owner until after January of 2007; therefore, it is very likely that buyer will not receive any notice that your taxes are due. In late December, buyer should call or visit the Harrison County Tax Collector's Office at Harrison County Courthouse in Gulfport, Mississippi (228) 865-4039. Give the clerks office the following information:

Taxes assessed to: Gerald H. Daniel

Parcel #: 0612B-0--017.000

Legal Description: 0 Burke Avenue, Long Beach, MS 39560

Ask them for the amount due for 2006. Your payment may be mailed to Harrison County Tax Collector, P.O. Box 1270, Gulfport, MS 39502. It must be received before February 1, 2007, in order to avoid any penalties for late payment.

SO AGREED AND ACKNOWLEDGED effective this the 10 of November, 2006.

SELLER:

GERALD H. DANIEL

PURCHASER:

CHRISTOPHER L. MALLOY

After Careful discussion Commissioner Yandell made motion seconded by Commissioner Sweetapple to approve the temporary building in accordance with Zoning Ordinance #344, Article X, Section 1005 TEMPORARY AND PORTABLE BUILDINGS AND STRUCTURES.

There being no further business to come before the Planning Commission at this time Commissioner Owen made

motion seconded by Commissioner Hare and unanimously carried to adjourn until the next regularly scheduled meeting in due course.

Frank Olaivar, Commission Chairman Date

Attest

Veronica Howard Minute Clerk