

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Be it remembered that a regular scheduled 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 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, Barney Hill, Jacquie Lipski, Joseph Sweetapple, Roderick Rishel, Building/Code Official Earl Levens and Minute Clerk Veronica Howard.

Commissioner Tony Vancourt, David Serrato, and Planning Commission Advisor Bill Hessell were absent the meeting.

There being a quorum present sufficient to transact the business of this recessed meeting 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 16, 2008, and subject to a ten-day appeal time for a Public Hearing.

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After careful review and no amendments required Commissioner Yandell made motion seconded by Commissioner Hill and unanimously carried to approve the Planning Commission minutes of August 28, 2008.

The first item of business was a Public Hearing for a Variance request submitted by Robin Riley Associates on behalf of Zion Michtavy as follows:

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



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

- 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:

- 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.

W. M. M. JOR ZION MICHAY 104 Wistonia Dr
Name of Owner(s) Mailing Address

Pass Christian Ms. 39571 228 452-4670
City State Zip Telephone (H) Office

W. M. M. August 18, 2008 \$ 100
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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LONG BEACH PLANNING COMMISSION**

8/11/08

Application for Case Review

I Type of Case Request
B. Planning Commission Approval
D. Variance Request

II Property Location
Lots 26-30 Ferguson Avenue

III Statement
Request is made to provide for a variance in the rule requiring 4,000 square feet per dwelling. Four dwellings are proposed, 16,000 square feet are required and 15,000 square feet are available for development. The subject parcel is 125 feet x 120 feet.

IV Legal Description
Block 7 Brazelton Subdivision

V. Addresses
To be supplied

VI Fees
Check attached

VII Ownership
See original form

Variance Supplemental Application

The applicant considers the property to have the carrying capacity for a four unit development. However, the site area would need to be increased by 1,000 square feet of site area to meet the code requirements for this density. The code requirement is for 16,000 square feet (4,000 square feet per dwelling). The applicants site is 15,000 square feet.

The land was purchased as one parcel as an in-fill development opportunity and a larger site was not offered in this general location.

The character of the property which poses an unnecessary hardship is its deficiency in size which limits it's full development. Were the applicant to be required to build to the code requirement the community would be deprived of additional housing and the applicant the full and proper realization of the potential of the site. Were the request to be denied the applicant would consider abandoning his plans entirely and placing the property on the market for sale.

The denial of this request will deprive the owner the right to develop property to it's full potential; the right of latitude in interpretation of code requirements is available to all and no special privilege is conferred. The plans submitted clearly demonstrate the proposed apartments pose no ill effects on the community, neighborhood or adjacent property. The applicant asks for the same leniency and tolerance within the code requirements that other applications for development within the community might also expect. The application is for a variance of parcel size which cannot be achieved in any other manner than by variance.

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8/11/08

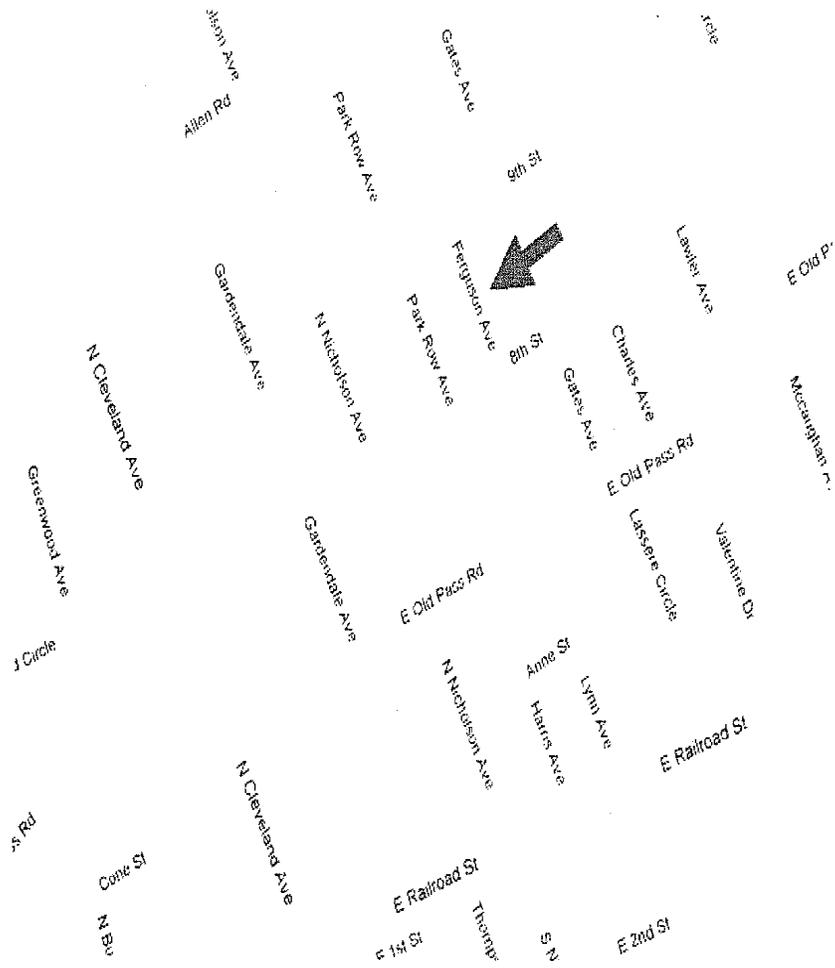
Application for Case Review

Ferguson Avenue
Long Beach, Mississippi

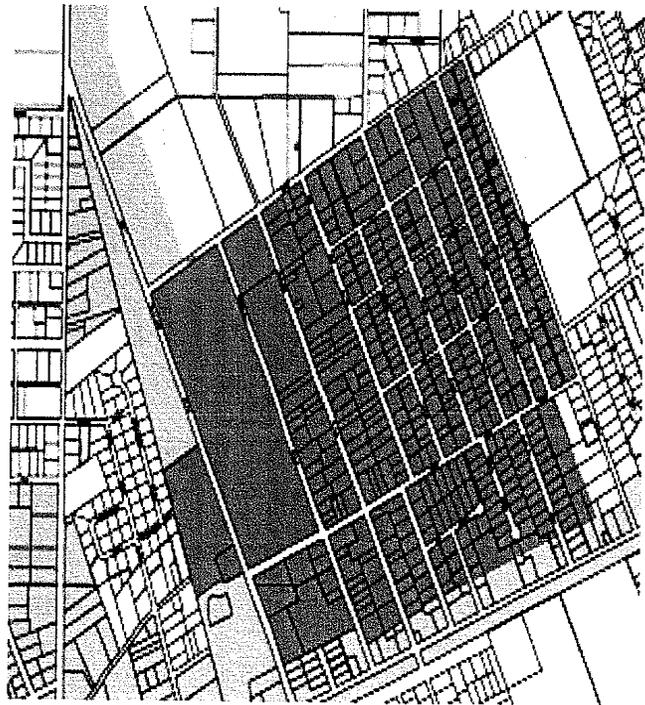
Architect Keleal Hassin
Robin Riley Associates

Contact:
Robin Riley Associates
Architecture & Urban Design
104 Wisteria Drive
Pass Christian, MS 39571
228-452-4670 Office
228-332-1461 Mobile
robinr@nznnet.gen.nz
<http://www.robinrileyarchitect.com>

**MINUTES OF SEPTEMBER 11, 2008
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LONG BEACH PLANNING COMMISSION**



Location map



Zoning map (R-2 Low Density Multi-family Residential)

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LONG BEACH PLANNING COMMISSION**



Property map

**MINUTES OF SEPTEMBER 11, 2008
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CITY OF LONG BEACH, MISSISSIPPI
CHART OF USES

NAME OF USES AND CONDITIONS	R-1	R-2	R-3	R-4	C-1	C-2	C-3	RV	WR
RESIDENTIAL									
Boarding House	-	X	R	-	-	R	R	-	-
Condominiums	-	X	R	-	X	X	X	-	-
High-rise Apartments	-	-	R	-	X	X	X	-	-
Low Rise Apartments	-	X	R	-	X	X	X	-	-
Mobile Home	-	-	X	-	-	-	-	-	-
Mobile Home Park	-	-	X	-	-	-	-	-	-
Rooming Houses	-	X	R	-	X	R	R	-	-
Single Family Dwelling	R	R	R	R	X	X	X	-	-
Town Houses	-	X	R	-	X	-	-	-	-
Two Family Dwelling	-	R	R	R	X	-	-	-	-

Long Beach Zoning Ordinance Chart of Uses

- R = As of Right
- = Special Approval Required (notified)
- X = With Planning Commission Approval (Non-notified)

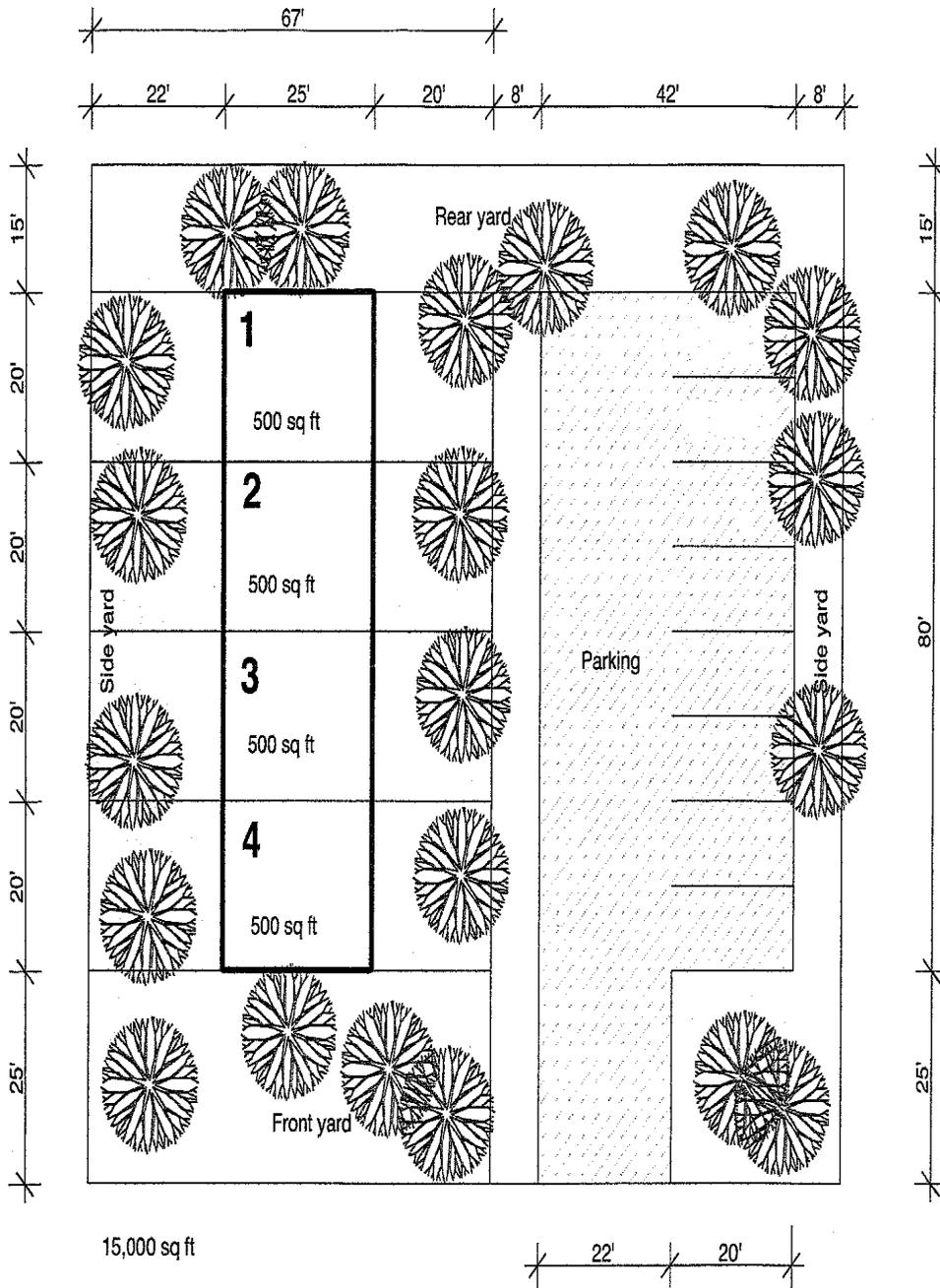
DISTRICT	FRONT SET BACK MINIMUM	SIDE SET BACK MINIMUM	REAR SET BACK MINIMUM	HEIGHT LIMIT MAXIMUM	LOT WIDTH MINIMUM	LOT AREA MINIMUM	COVERAGE MAXIMUM	DISTRICT AREA MINIMUM
R-1	25 FT	8 FT	15 FT	35 FT	75 FT	7,500 SQ FT	45%	53
R-2								
SINGLE-FAMILY	25 FT	8 FT	15 FT	45 FT	60 FT	7,500 SQ FT	45%	
TWO-FAMILY	25 FT	8 FT	15 FT	45 FT	75 FT	7,500 SQ FT	45%	
LOW-RISE APARTMENTS AND CONDOMINIUM	25 FT	8 FT	15 FT	45 FT	75 FT	4,000 SQ FT U	45%	
OTHER-PERMITTED USES	25 FT	8 FT	15 FT	45 FT	60 FT	7,500 SQ FT		

Long Beach Zoning Ordinance Setbacks

Property description

lots 26-30 block 7 Brazelton S/D...Parcel # 0611p-05-025.000

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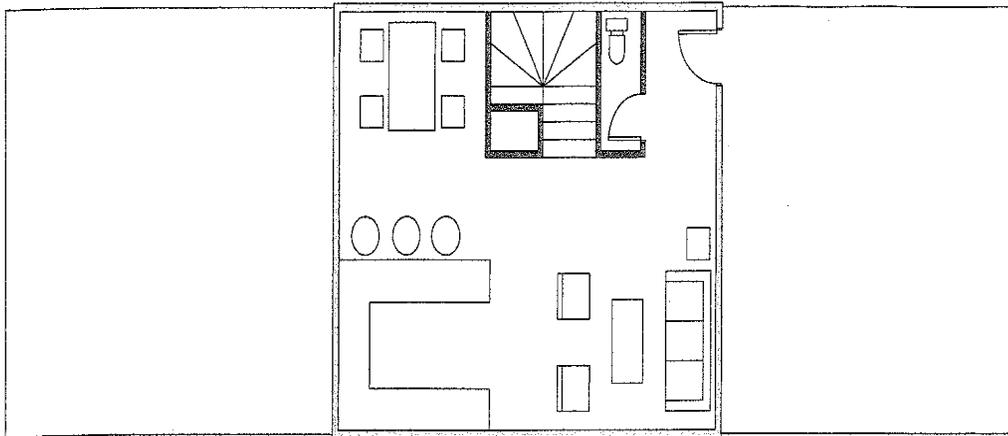
15,000 sq ft

Ferguson St

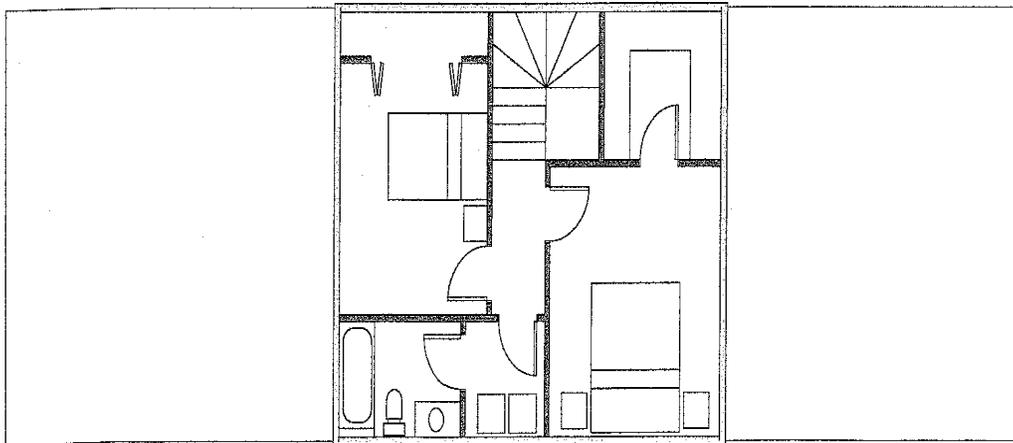
Four two story townhouses

Site Plan

**MINUTES OF SEPTEMBER 11, 2008
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Townhouse L1



Townhouse L2

Floor plans showing possible
development on two stories

Floor Plans

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STATE OF MISSISSIPPI
COUNTY OF HARRISON



[Signature]
1st Judicial District
Instrument 2004 10884 D -J1
Filed/Recorded 12 28 2004 2 47 P
Total Fees 16.00
2 Pages Recorded

SPECIAL WARRANTY DEED



FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, I, KATHLEEN L. SMILEY, do hereby sell, convey, deliver and specially warrant unto **ORANGE GROVE PROPERTIES, INC.**, all my right, title and interest in and to the following described real property, together with any and all improvements and appurtenances thereto situated, situated and being in the First Judicial District of Harrison County, Mississippi, to-wit:

Lot 26, 27, 28, 29 and 30, Block 7, Brazelton Subdivision,
Long Beach, MS

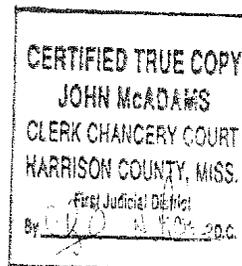
THE ABOVE described property constitutes no part of the homestead of the Grantor herein.

AD VALOREM TAXES for the current year have been prorated and are assumed by the Grantee herein.

THIS CONVEYANCE is made subject to any and all recorded restrictive covenants, rights-of-way, easements and prior reservations of oil, gas and mineral reservations of record.

WITNESS my signature upon this, the 23 day of December, A.D., 2004.

[Signature]
KATHLEEN L. SMILEY



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STATE OF MISSISSIPPI

COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority, in and for the said county and state, the above named KATHLEEN L. SMILEY, who acknowledged that she signed, executed and delivered the above and foregoing Special Warranty Deed on the day and year therein mentioned.

GIVEN UNDER MY HAND and official seal of office this the 23rd day of DEC, 2004.

Roleen F. Harden
NOTARY PUBLIC

MY COMMISSION EXPIRES:

MAY 11, 2005



Grantor: Kathleen L. Smiley
12303 Hwy. 49 N.
Gulfport, MS 39503
(228) 831-9880

Grantee: Orange Grove Properties, Inc.
12303 Hwy. 49 N., Suite A
Gulfport, MS 39503
(228)831-9880

PREPARED BY: LAW OFFICES OF KATHLEEN L. SMILEY, PLLC
*Kathleen L. Smiley, MSB # 10209
12303 HWY 49 N.
Gulfport, MS 39503
(228) 831-9880 Telephone
(228) 831-9887 Facsimile*

INDEXING INSTRUCTIONS: Lot 26, 27, 28, 29 & 30, Block 7, Brazelton Subdivision,
Long Beach, MS

**MINUTES OF SEPTEMBER 11, 2008
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LONG BEACH PLANNING COMMISSION**

From: oceanxperience@yahoo.com
Subject: RE: Michtavy application
Date: August 11, 2008 3:13:07 PM CDT
To: rrobinr@nznet.gen.nz

Ok
This email s giving autorization to proceed.
Thank you
Mr. Zion michtavy



-----Original Message-----

From: Robin Riley <rrobinr@nznet.gen.nz>
Sent: Monday, August 11, 2008 12:13 PM
To: alain1359@aol.com
Cc: Keleal Hassin <keleal@kshassin.com>; Zion Michtavy
<oceanxperience@yahoo.com>
Subject: Michtavy application

Alain

Regarding Zion's Ferguson Ave. property: the Long Beach zoning board meets next September 11 (for variances). The application needs to be in by August 19. I met this morning with the Long Beach planner who reviewed the application and said it was complete except for a "Recorded Mortgage Deed" and a fax or email from Zion stating he is authorizing someone other than him self to sign the application in his behalf.

I am attaching the application for your review and asking if you can help complete the paperwork by getting me a copy of the mortgage and securing approval from Zion. (Keleal is out of town until next Monday.)

Thanks,
Robin

Robin Riley Associates
Architecture & Urban Design
104 Wisteria Drive
Pass Christian, MS 39571
228-452-4670 Office
228-332-1461 Mobile
rrobinr@nznet.gen.nz
<http://www.robinrileyarchitect.com>

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LONG BEACH PLANNING COMMISSION**

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

PROOF OF PUBLICATION

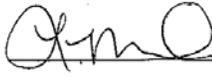


STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Lisa Marlow 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. 124 No. 328 dated 20 day of Aug, 20 08
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____

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

AUG 27 2008 
Clerk

Sworn to and subscribed before me this 20 day of August, A.D., 20 08

KANDI A. BERKLEY
Notary Public, State of Mississippi
Harrison County
My Commission Expires
April 05, 2010


Notary Public

Printer's Fee \$ _____
Furnishing proof of publication \$ _____
TOTAL..... \$ _____

**MINUTES OF SEPTEMBER 11, 2008
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The Clerk reported that thirty (30) 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.

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. Schruoff

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 a **Variance**.

Robin Riley Associates on behalf of Zion Michtavy, 104 Wisteria Drive, Pass Christian, Mississippi, has filed an application for a variance in accordance with the Comprehensive Zoning Ordinance. The applicant is requesting a One Thousand square foot (1000sq) density variance from the required sixteen thousand square feet (16,000sq). The Harrison County tax parcel number 0611P-05-025.000. The legal description is as follows:

Lot 26, 27, 28, 29 and 30, Block 7, Brazelton Subdivison, Long Beach, MS

The public hearing to consider the above variance will be held in the City of Long Beach, Mississippi 39560, Thursday, September 11, 2008, at 6:30 p.m., at the Long Beach School District Administration Office located at 19148 Commission Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

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Mr. Robin Riley came forward to state the request, he stated that by ordinance he needed 16,000 square foot to develop the proposed four unit town house apartment units his lot is only 15,000 square foot he is asking for a variance of 1,000 square feet.

Mr. Riley further stated that this development would clean the now vacant lot and he believed that this development would not negatively affect the neighborhood; the proposed units would be for sale or lease.

Commission Chairman called for anyone wishing to speak in favor of the request and no one came forward to be heard.

Commission Chairman called for anyone wishing to speak in opposition of the request and the following people came forward: Fred McMichael, 213 Ferguson Ave, stated the neighborhood is currently a bad area and does not need any more rental units; Bobby Shuffield, stated he was against multi-family development, and this proposed development would not be good for the neighborhood; Mr. Ladnier, Ferguson Ave, against multi-family; Mr. Cospelich, Old Pass Road, stated he was against this multi-family development.

Upon rebuttal Mr. Riley stated that the current zoning of his property (R-2) does allow for Multi-family development by right, he also stated that the issues that are currently in the neighborhood are social issues and not developmental and he believes this development would be an asset to the neighborhood.

Commissioner Sweetapple made motion seconded by Commissioner Lipski and unanimously carried to close the public hearing.

After careful review and discussion Commissioner Yandell made motion seconded by Commissioner Rishel and unanimously carried to deny the Variance request stating that

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denial of this request would not result in a difficult or unnecessary hardship in accordance with Zoning Ordinance, Section 1203.3 Variances for the applicant.

The next item of business was a Public Hearing for a Variance submitted by Bobby and Ann Ryan as follows:

**MINUTES OF SEPTEMBER 11, 2008
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AUG. 19. 2008 12:38PM CITY OF LONG BEACH NO. 963 P. 2

12
\$100 Application Fee
Plus Meeting Fee
396



CITY OF LONG BEACH, MISSISSIPPI
PO BOX 929
201 JEFF DAVIS AVENUE
TELEPHONE 228-963-1554
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: 210 WEST AVENUE
 House number and street name

III. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.) Three Foot Vardippia on each side of lot of six feet.

IV. Legal Description of Land Involved. (Complete either A or B below.)
 A. If in a subdivision: Brautman Woods
 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.

Bobby Ryan Ann Ryan 2100 Pass Road Gulfport, Ms. 39501
 Name of Owner(s) Mailing Address

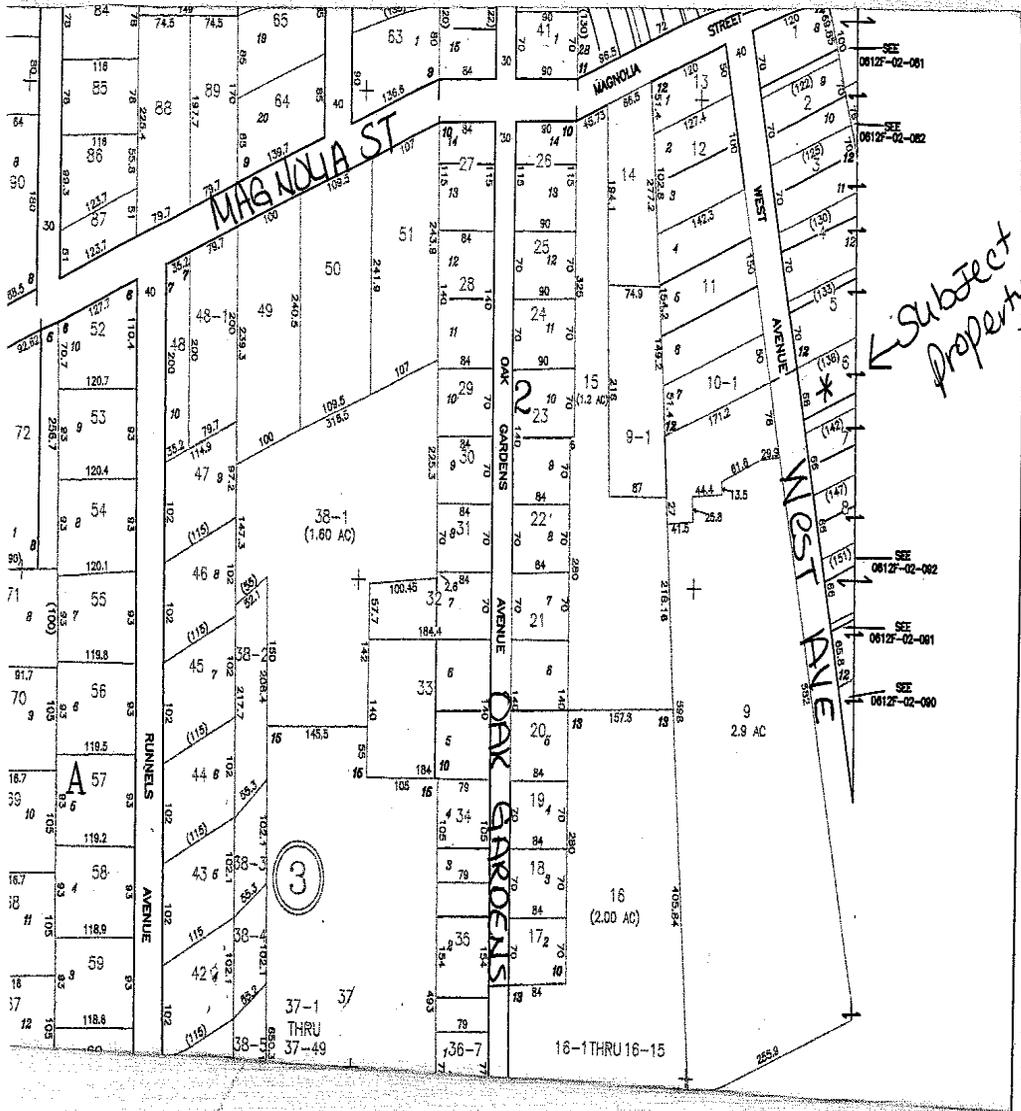
Gulfport Ms. 39501 228-669-2035
 City State Zip Telephone (21) Office

Bobby Ryan Ann Ryan 8-22-08 \$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 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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LONG BEACH PLANNING COMMISSION**



Bobby and ANN Ryan

N
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LONG BEACH PLANNING COMMISSION**

AUG. 19. 2008 12:38PM

CITY OF LONG BEACH

NO. 963 P. 3

VARIANCE SUPPLEMENTAL APPLICATION
PAGE 2

Describe any special condition that justify the granting of this variance request and are peculiar to 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?

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. State how the variance makes reasonable use of the existing land and why the same action cannot be done in a way that does not require a variance. Show that 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
ORDINANCE NO. 344 SECTION 912, HOME OCCUPATION.

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1. The lot is a narrow lot, The Hurricane destroyed our home. We need the variance to Rebuild the desired home we will need for the size of our family. ~~The plan is the desired HPE plan~~
2. When I purchased the lot, it was plotted that way.
3. We lost the home in Katrina. We are currently living in an Apartment. if the zoning board denied this Request we will not be able to come back to Long Beach.
4. If the Request is denied we can't Build the desired House we need for the size of our family. The lot was a narrow lot when we purchased it. if we ~~are~~ denied the variance there will be an additional Expense to hire an Architect to shrink the House plan to ~~fit the ~~lot~~~~ meet the existing 8 Ft. setbacks.

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LONG BEACH PLANNING COMMISSION**

BOOK 851 PAGE 631

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00) cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, WE, JOHN P. BROKOWSKI AND THERESA MARIE BROKOWSKI, do hereby sell, convey, and warrant unto ROBERT E. RYAN AND ANN M. RYAN as joint tenants with right of survivorship and not as tenants in common the following described property situated and being in Harrison County, Mississippi, to-wit:

Lot 14 and the North 16 feet of Lot 15, Trautman Woods Subdivision, Long Beach, Harrison County, Mississippi, as per the map or plat thereof on file and of record in Plat Book 17 at Page 35 in the Office of the Chancery Clerk of Harrison County, Mississippi, First Judicial District.

As a part of the consideration of this conveyance and by their acceptance hereof, the Grantees herein hereby assume and agree to pay the balance of that certain indebtedness evidenced by one promissory note in favor of Southern Savings and Loan Association and further hereby assume the obligation of that certain deed of trust on the above described property securing the aforesaid indebtedness dated April 8, 1977, in favor of the said Southern Savings and Loan Association in the original amount of \$25,000.00, which deed of trust is recorded in Deed of Trust Book 776 at Page 361 in the Office of the Chancery Clerk of Harrison County, Mississippi, First Judicial District.

It is expressly understood and agreed that the Grantors herein hereby expressly reserve a Vendor's Lien to secure the prompt and faithful compliance with the terms and provisions and obligations of the aforesaid promissory note and deed of trust, it being further understood and agreed that proper satisfaction and cancellation of the aforesaid deed of trust shall operate as full and complete satisfaction and cancellation of the Vendor's Lien herein retained.

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BOOK 851 PAGE 632

The aforesaid Grantors further and for the same consideration, do hereby convey, set over, assign and deliver unto the Grantees all of their right, title and interest in and to the escrow account in connection with the aforesaid note and deed of trust.

This deed is given subject to any and all prior easements, rights of way, restrictive covenants and mineral reservations of record, if any.

WITNESS OUR SIGNATURES on this the 2nd day of February, 1979.

John P. Brokowski
JOHN P. BROKOWSKI
Theresa Marie Brokowski
THERESA MARIE BROKOWSKI

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally came and appeared before me, the undersigned authority in and for said county and state, the within named JOHN P. BROKOWSKI AND THERESA MARIE BROKOWSKI, who acknowledged that they signed and delivered the above and foregoing Warranty Deed on the day and year therein shown.

GIVEN UNDER MY HAND AND SEAL on this the 2nd day of February, 1979.

Kathleen M. Chapin
NOTARY PUBLIC

My Commission Expires:

2/21/83



STATEMENT OF FEES

Filing	_____	.05
Recording	_____	Word @
15¢ per 100	_____	2.50
Certificate	_____	.50
Indexing 15¢ each	_____	30
Separable Subdivision	_____	
Total Fees	_____	33.5

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:
I hereby certify that this instrument was received and filed for record at 10 o'clock and 19 minutes M. on 5 day of March, A. D. 1979 and recorded March 6, 1979 in Records of Deeds, Book 851, Pages 631-632
G. M. Copel, Chancery Clerk
G. M. Copel, D. C.

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

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

PROOF OF PUBLICATION

LEGAL NOTICE
PUBLIC HEARING
In accordance with Article XII of the Comprehensive Zoning Ordinance (1944) of the City of Long Beach, Mississippi (1997) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a Variance, Ordinance Application, or Request for a Special Use Permit, 2100 Pass Road, Gulfport, Mississippi have filed an application for Variance from the Comprehensive Zoning Ordinance. Applicants are requesting a three foot (3') side yard variance for each side of their lot, a total of 6 feet (6'). The Variance is to allow for the occupants to re-locate their home.
The property is located North of Highway 90, East of Oak Gardens Avenue, South of Magnolia and West of Tenthredin Avenue. The Harrison County tax parcel numbers is 0565-05-001-000. The legal description is as follows:
Lot 14 and the North 15 feet of Lot 15, Tenthredin Woods Sub-division, Long Beach, Harrison County, Mississippi, as per the map or plan filed on file and of record in Plat Book 17 at Page 25 in the Office of the County Clerk of Harrison County, Mississippi, First Judicial District.
The public hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, September 11, 2008 at 4:00 p.m. in the Long Beach School District Administration Office located at 1949 Constitution Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning this petition.
At signed
Chairman
Planning Commission
STANLEY, TRACY
0767616

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Lisa Marlow 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. 124 No., 328 dated 26 day of Aug, 2008
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____

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

AUG 27 2008 [Signature]
Clerk

Sworn to and subscribed before me this 26 day of August, A.D., 2008

KANDI A. BERKLEY
Notary Public, State of Mississippi
Harrison County
My Commission Expires
April 05, 2010
[Signature]
Notary Public

Printer's Fee \$ _____
Furnishing proof of publication \$ _____
TOTAL..... \$ _____

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

The Clerk reported that twenty-one (21) 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.

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 a **Variance**.

Bobby and Ann Ryan, 2100 Pass Road, Gulfport, Mississippi have filed an application for Variance from the Comprehensive Zoning Ordinance. Applicants are requesting a three foot (3') side yard variance for each side of their lot, a total of six feet (6'). The Variance is to allow for the applicants to rebuild their home.

The property is located North of Highway 90, East of Oak Gardens Avenue, South of Magnolia and West of Trautman Avenue. The Harrison County tax parcel numbers is 0612E-03-006.000. The legal description is as follows:

Lot 14 and the North 16 feet of Lot 15, Trautman Woods Subdivision, Long Beach, Harrison County, Mississippi, as per the map or plat thereof on file and of record in Plat Book 17 at Page 35 in the Office of the Chancery Clerk of Harrison County, Mississippi, First Judicial District.

The public hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, September 11, 2008 at 6:30 p.m., in the Long Beach School District Administration Office located at 19148 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

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Mr. Ryan came forward to state request he stated that he was asking for a three (3) foot side yard setback variance on each side of his house a total of six (6) feet. He stated that his house was destroyed by Hurricane Katrina and he wants to build back in Long Beach.

Commission Chairman called for anyone wishing to speak in favor of the request and no one came forward.

Commission Chairman called for anyone wishing to speak in opposition of the request and no one came forward.

Commissioner Yandell made motion seconded by Commissioner Hill and unanimously carried to close the public hearing

After careful review and discussion Commissioner Sweetapple made motion seconded by Commissioner Hill and unanimously carried to approve the Variance request stating that denial of variance would result in an unnecessary hardship in accordance with Zoning Ordinance #344, Section 1203.3 Variances for the applicant.

The next item of business under New Business was Sketch approval for property on Pineville Road submitted by James Wedworth:

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



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



APPLICATION FOR CASE REVIEW

I. TYPE OF CASE REQUEST

A. Zoning Change

B. Planning Commission Approval *-sketch 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: Long Beach 21110 Riverside 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.

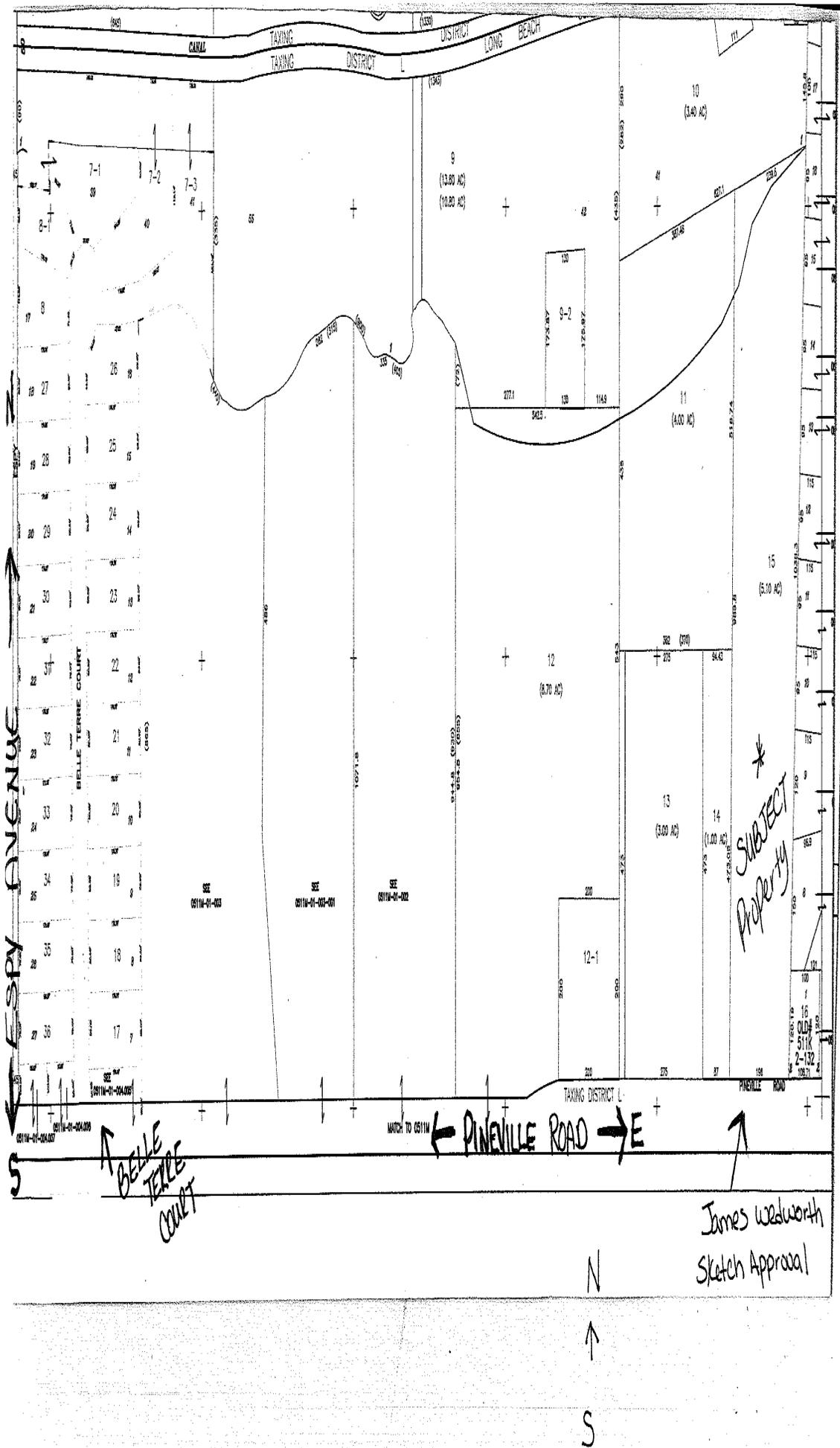
Amber Walden 21110 Riverside Rd
Name of Owner(s) Mailing Address

Long Beach, MS 39560 228-860-9720
City State Zip Telephone (H) Office

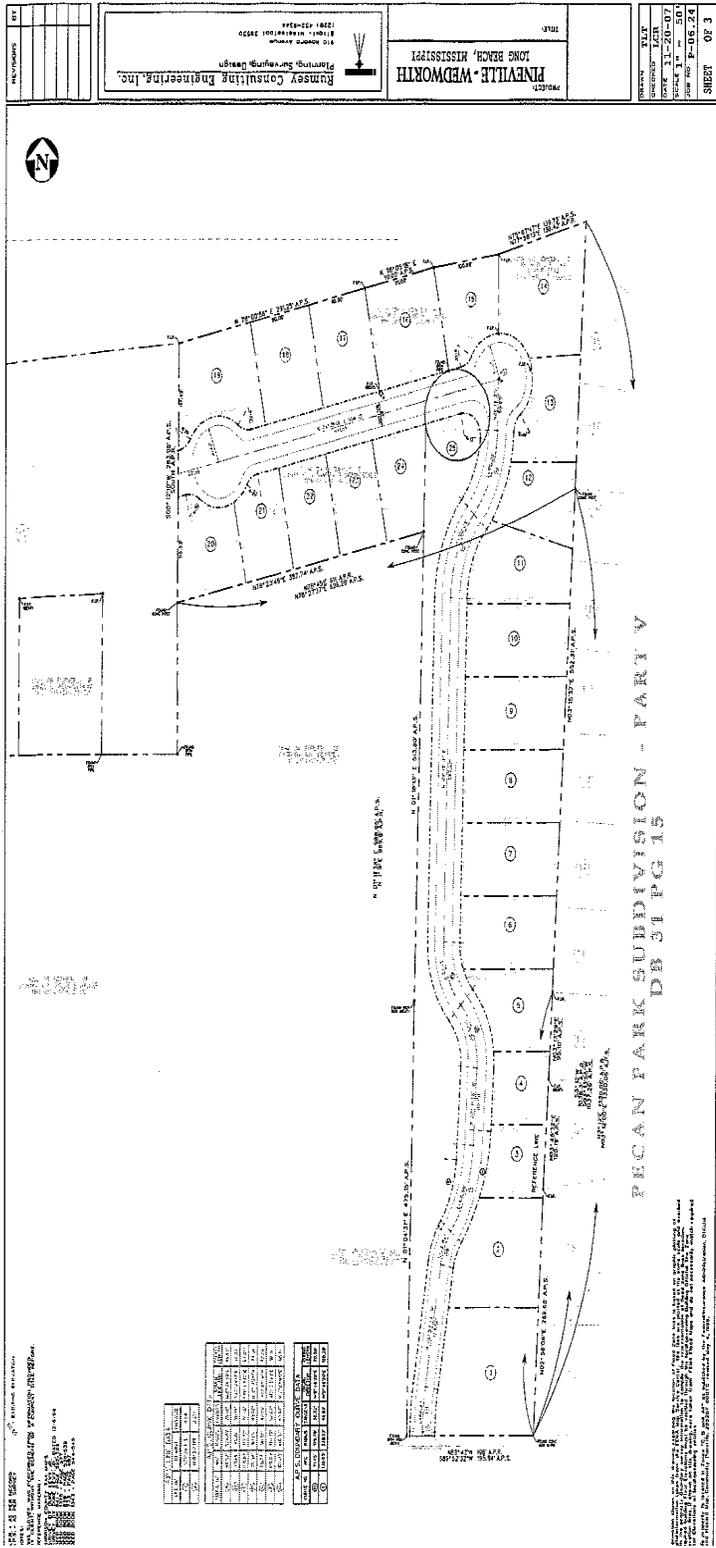
Amber Walden 9/4/08 \$50.00
Signature of Owner(s) Date Fee

- 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

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



MINUTES OF SEPTEMBER 11, 2008 REGULAR MEETING LONG BEACH PLANNING COMMISSION

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Tax Assessor

Departments

10:23:58 AM

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- Tax Roll Main

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

2008 Proposed Landroll Information

WEDWORTH JAMES Q 3RD & SANDRA
21110 PINEVILLE RD LONG BEACH MS39560

Physical Street Address:

21110 PINEVILLE RD

Parcel #:	PPIN	Tax District	Homestead Exp.	Jud
0511L-01-015.000	36952	L	Regular	

Supervisor District:

3

Subdivision:

N/A

Exemption Code

Non-Exempt

Section	Township	Range	Instrument Num
09	08	12	0841/0392

[Click for more book and](#)

Acres	Land Value	Improvements	Total Value	Asse
5.1	10863	200275	211138	

Legal Description

5.1 AC BEG 2757 FT W & 20 FT N OF SE COR OF NE 1/4 OF SEC 9 ON N MAR OF PI
N 3 DGS E 1038.3 FTS 78 DGS W 239.6 FT S 989.8 FT TO RD E ALONG 196 FT TO PC
SE

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Currently, there are 88 people online

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

After careful review and discussion it was determined that the applicant would need to apply for and have granted a variance in accordance with the City of Long Beach Subdivision Regulations, Section 8. General Layout of Streets (c) “.....such streets may not extend more than 100 feet (measured to the center of the turnaround).”

Commissioner Lipski made motion seconded by Commissioner Sweetapple and unanimously carried to table approval of the sketch contingent upon a variance being granted.

Next agenda item was a certificate of Re-subdivision submitted by Frank Olaivar as follows:

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



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

- I. TYPE OF CASE REQUEST
- A. Zoning Change
 - B. Planning Commission Approval *Certification 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: Galloway
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.

<u>JAMES OLIVAN</u> Name of Owner(s)	<u>P.O. Box 316</u> Mailing Address
<u>Long Beach, MS 39560</u> City State Zip	<u>228 6692029</u> Telephone (H) Office
<u>[Signature]</u> Signature of Owner(s)	<u>9/15/08</u> <u>\$950.00</u> 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

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

**LONG BEACH PLANNING COMMISSION
CERTIFICATE OF RESUBDIVISION**

IN ACCORDANCE WITH ARTICLE 11, 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 PARCEL 612E-01 - 027.000 INTO THREE (3) PARCELS. THE SUBJECT PROPERTY IS GENERALLY DESCRIBED AS BEING

LOCATED:
NORTH OF WEST RAILROAD STREET
SOUTH OF WEST OLD PASS ROAD
AND ADJACENT TO GALLOWAY STREET

LEGAL DESCRIPTIONS

OVERALL LEGAL DESCRIPTION:

LOT 11, LESS THE NORTH 8.75 FT. AND LOTS 12 THRU 17, BLOCK C, BELMONT S/D, CITY OF LONG BEACH, 1ST. JUDICIAL DISTRICT, HARRISON COUNTY, MS.

THE LEGAL DESCRIPTION OF THE PROPOSED PARCELS READS AS FOLLOWS:

PROPOSED PARCEL 1:

LOT 11, LESS THE NORTH 8.75 FT.; LOT 12; THE NORTH 13.75 FT. OF LOT 13; BLOCK C, BELMONT S/D, CITY OF LONG BEACH, 1ST. JUDICIAL DISTRICT, HARRISON COUNTY, MS.

PROPOSED PARCEL 2:

THE SOUTH 21.25 FT. OF LOT 13; LOT 14; THE NORTH 18.75 FT. OF LOT 15, BLOCK C, BELMONT S/D, CITY OF LONG BEACH, 1ST. JUDICIAL DISTRICT, HARRISON COUNTY, MS.

PROPOSED PARCEL 3:

THE SOUTH 16.25 FT. OF LOT 15; LOTS 16 AND 17; BLOCK C, BELMONT S/D, CITY OF LONG BEACH, 1ST. JUDICIAL DISTRICT, HARRISON COUNTY, MS.

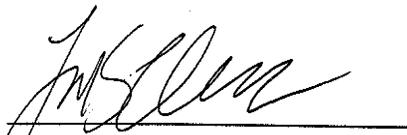
SEE ATTACHED SURVEY BY JAMES R. CLARKE, P.L.S.
DATED SEPT. 4, 2008

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, 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 OR THE REAL PROPERTY DESCRIBED HEREIN.

ACKNOWLEDGE

(1) CERTIFICATION 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.


OWNER

9/11/08
DATE

SUBSCRIBED AND SWORN TO BEFORE ME, IN MY PRESENCE THIS 11th DAY OF Sept, 2008.

SEAL
NOTARY PUBLIC 

MY COMMISSION EXPIRES: 2/6/09

08079E SHT. 1 OF 2 [LBRSD]

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

(2) CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT THE MINOR SUBDIVISION SHOWN ON THIS PLAT DOES NOT INVOLVE THE CREATION OF NEW PUBLIC STREETS, THE EXTENSION OF PUBLIC WATER OR SEWER SYSTEM OF THE INSTALLATION OF DRAINAGE IMPROVEMENTS THROUGH ONE OR MORE LOTS TO SERVE ONE OR MORE LOTS, THAT THE SUBDIVISION SHOWN IS IN ALL RESPECTS IN COMPLIANCE WITH THE CITY ORDINANCES OF LONG BEACH AND THAT THEREFORE THIS PLAT HAS BEEN APPROVED BY THE ADMINISTRATOR SUBJECT TO ITS BEING RECORDED IN THE HARRISON COUNTY COURTHOUSE WITHIN (60) DAYS OF THE DATE BELOW.

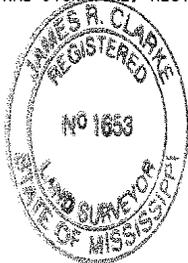
ADMINISTRATOR

DATE

(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 IN BOOK 1503, PAGE 403 AND/OR INSTRUMENT _____ IN ACCORDANCE WITH ALL APPLICABLE CODES AND ORDINANCES. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS THE _____ DAY OF _____, 2008

SEAL OR STAMP



James R. Clarke

REGISTERED LAND SURVEYOR: J. R. CLARKE
MS. 1653

REGISTRATION NUMBER

SUBSCRIBED AND SWORN TO BEFORE ME, IN MY PRESENT THIS THE 11th DAY OF Sept, 2008, A NOTARY PUBLIC IN AND FOR THE COUNTY OF HARRISON, STATE OF MISSISSIPPI.

SEAL

[Signature]

NOTARY PUBLIC

MY COMMISSION EXPIRES: 2/6/09

PLANNING COMMISSION

APPROVED BY THE CITY OF LONG BEACH PLANNING COMMISSION AT THE REGULAR MEETING OF SAID COMMISSION HELD ON THE _____ DAY OF _____, 2008

PLANNING COMMISSION CHAIRMAN

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 _____, 2008

ADOPT:

ATTEST:

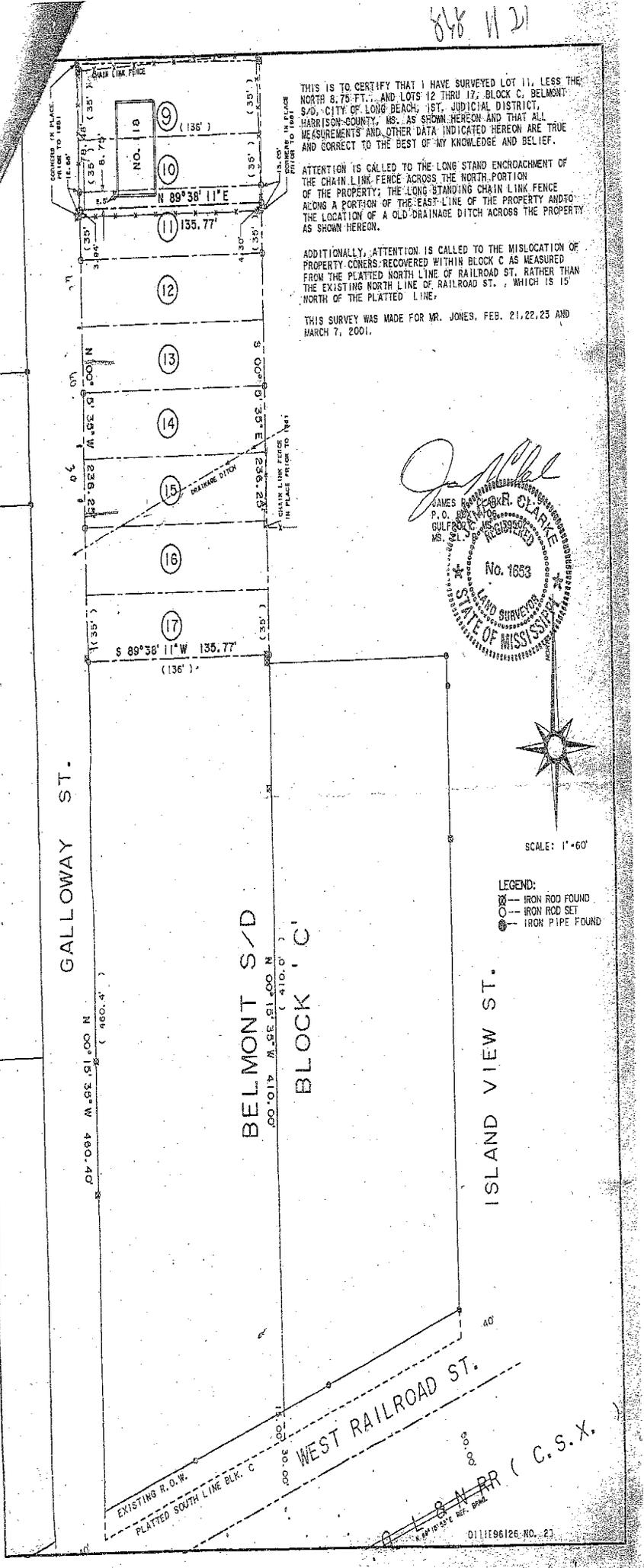
MAYOR

CITY CLERK

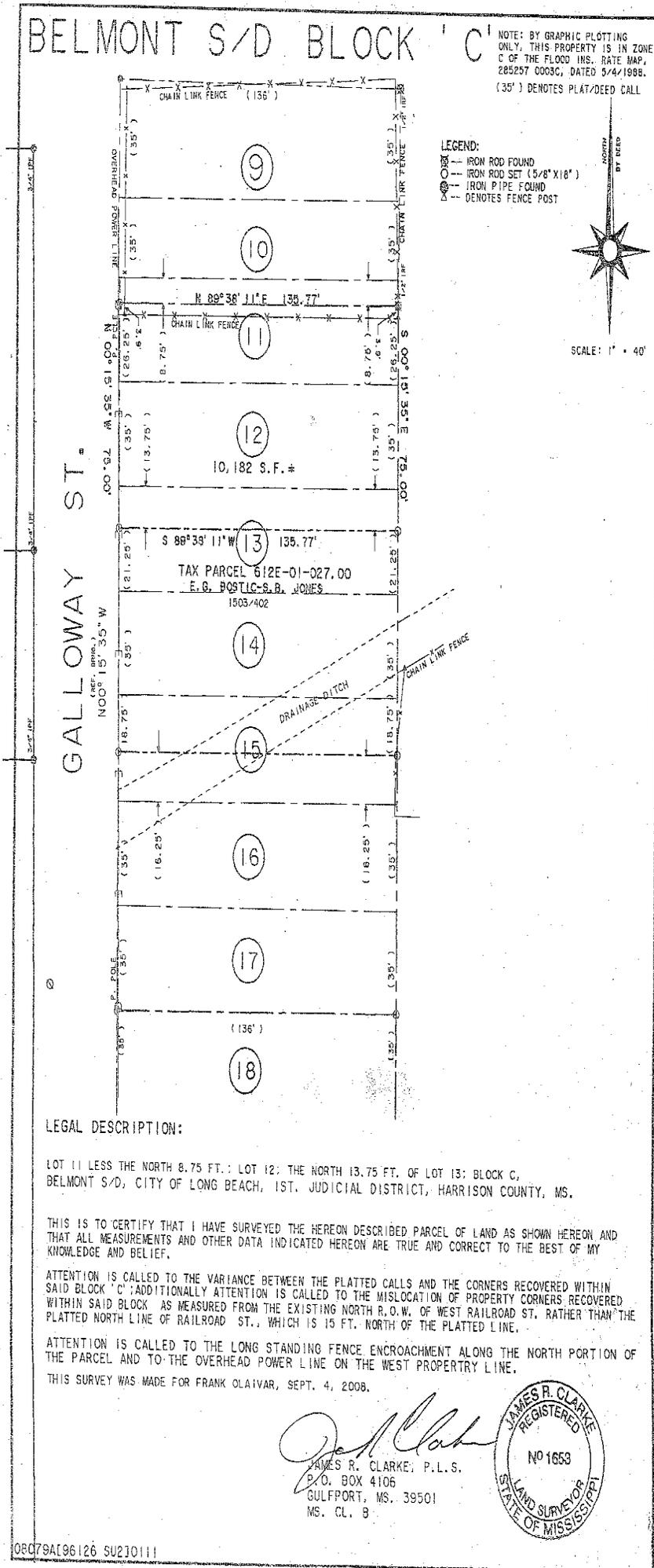
08079D SHT. 2 OF 2 [LBRSD]

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

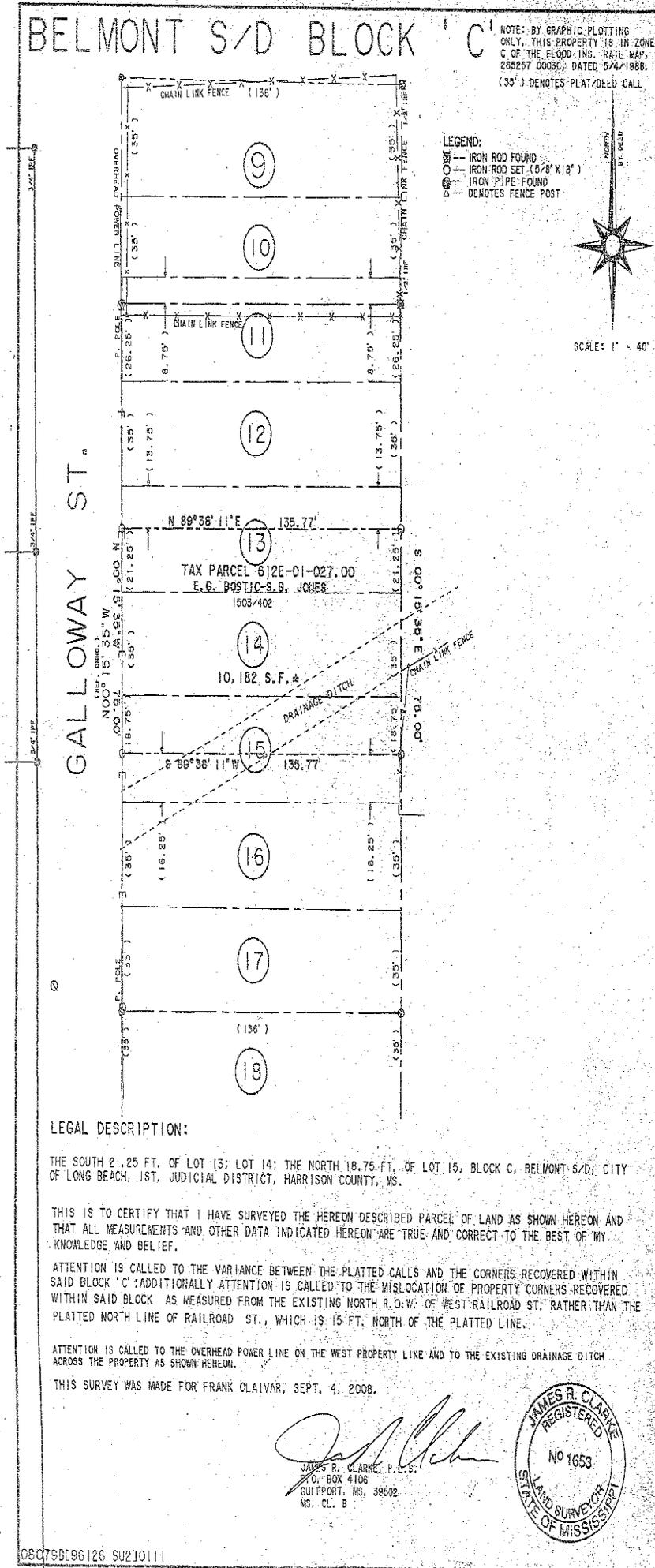
848 11 21



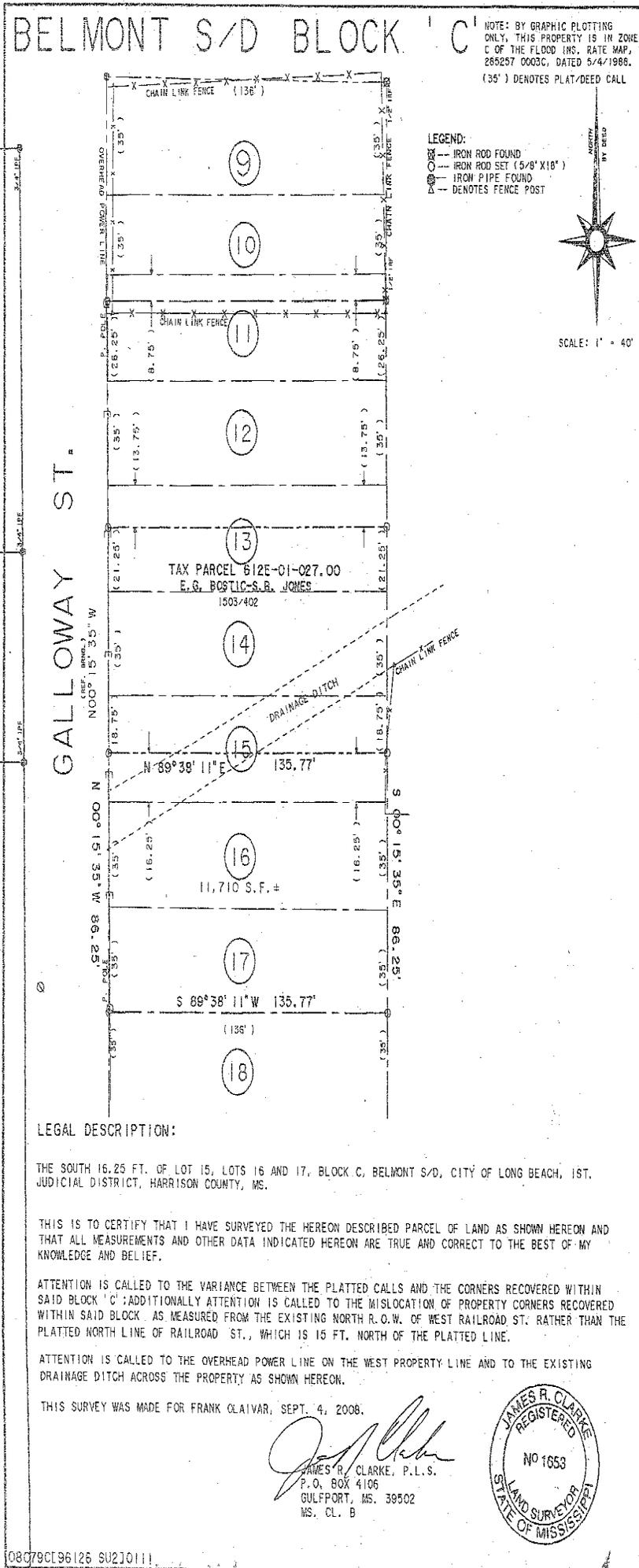
**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



**MINUTES OF SEPTEMBER 11, 2008
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LONG BEACH PLANNING COMMISSION**



**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



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

520 33RD STREET, GULFPORT, MS 39507
P.O. BOX 1677, GULFPORT, MS 39502

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



September 11, 2008

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

RE: Certificate of Resubdivision – Tax Parcel No. 0612E-01-027.000

Ladies and Gentlemen:

I have received a proposed certificate of resubdivision for the referenced tax parcel. The subdivision will divide the parcel into 3 new lots, each having frontage on Galloway Street. Parcels 1 & 2 will have 75' of frontage, Parcel 3 will have 86.25', and all lots will be 136' deep. This proposed subdivision appears to meet all relevant requirements of the City and I see no reason to withhold approval.

Sincerely,

David Ball, P.E.

DB:539
Enclosure

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Commission Chairman Frank Olaivar recues his self from the meeting.

Commissioner Joseph Sweetapple chaired this section of the meeting.

After careful review Commissioner Rishel made motion seconded by Commissioner Hill to approve the certificate of re-subdivision contingent upon the City Engineers recommendations and in accordance with the City of Long Beach Subdivision regulation Section 3. Minor Subdivision Approval.

Next agenda item was Home Occupation approval submitted by Gayle Cuevas as follows:

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



APPLICATION FOR HOME OCCUPATION
ZONING/BUILDING DEPARTMENT
PO BOX 929
TELEPHONE 228-863-1554
FAX 228-865-0822



HOME OCCUPATION is any occupation within a dwelling and clearly incidental thereto, carried on by a member of the family residing on the premises provided that no other person not a resident of the premises is employed, that no stock in trade is kept or commodities sold, no mechanical equipment is used except such that is normally used for family, domestic or household purposes, and there is no exterior indication other than a sign permitted by the district regulations, that the building is being used for any purpose other than a dwelling. When within the above requirements, a home occupation included, but is not limited to the following:

- (a) artist and sculptors;
- (b) authors and composers;
- (c) dressmakers, seamstresses, and tailors;
- (d) family day care home, limited to not more than three (3) children;
- (e) office facility of a minister, rabbi, or priest;
- (f) office facility of a salesman, sales representative, provided that no retail or wholesale transactions are made on the premises;
- (g) individual tutoring;
- (h) individual stringed instrument instruction

However, a home occupation shall not in any event be deemed to include auto repairs, minor or major, barber/beauty shops, dance instructions, upholstery, stables/kennels, restaurants, tourist homes, veterinary clinics/hospitals, private schools w/organized classes, gift shops, medical/dental clinics, medical offices, painting of vehicles, trailers, or boats, photo developing, photo studios, radio/television repair, or cabinet shops.

SPECIAL NOTE: an \$80.00 application fee and a copy of the owner's recorded warranty deed must be included with this application in addition, if such dwelling is being leased, written permission from the landlord will need to be provided also.

Owner Information

Last Name: CUEVAS First: GAYLE Middle Initial: L
 Address: 214 BUENA VISTA DR.
 City: LONG BEACH State: MS Zip: 39560 Phone: 228-865-9511
 Signature: Gayle J Cuevas Date: _____
Signature of applicant implies consent to any background checks deemed appropriate by this department

Business Information

Business Name: MISSISSIPPI PUBLISHING
Business Name

To be used for: WRITING SONGS

Application is hereby made for a Certificate of Occupancy for the use of the building, structure, or premises as identified and described herein. It is agreed that all the laws, ordinances and regulations enforced by the Building Inspection Department of the City of Long Beach, Miss., Shall be complied with in pursuit of the granting of this Certificate whether or not specified herein.

FOR OFFICE USE ONLY
 Zoning Classification: _____ Conforming: Yes No
 Agenda Date: _____
 Comments/Notes: _____

**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Harrison County Online!

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Tax Assessor

Departments

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Linked Site Services

- Land Records Online
- Online Mapping
- Pay Property Taxes
- Renew Car Tags

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

2008 Proposed Landroll Information

CUEVAS GAYLE & BRENDA
214 BUENA VISTA DR LONG BEACH MS39560

Physical Street Address:
214 BUENA VISTA DR

Parcel #:	PPIN	Tax District	Homestead Exp.	Jud
0512H-02-061.000	38831	L	Regular	

Supervisor District:	Subdivision:
3	BUENA VISTA HEIGHTS

Exemption Code

Non-Exempt

Section	Township	Range	Instrument Num
15	08	12	1660/0111

[Click for more book and](#)

Acres	Land Value	Improvements	Total Value	Asse
0	20700	53137	73837	

Legal Description

LOTS 16 TO 18 BLK B BUENA VISTA HEIGHTS

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**MINUTES OF SEPTEMBER 11, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

After careful review and consideration Commissioner Yandell made motion seconded by Commissioner Lipski and unanimously carried to approve the Home Occupation as submitted in accordance with Zoning Ordinance #344 Section 912 Home Occupations.

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

APPROVED:

Commission Chairman, Frank Olaivar

Date:_____

ATTEST:

Veronica Howard, Minute Clerk