

**MINUTES OF JANUARY 8, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Be it remembered that a regular meeting of the Long Beach Planning Commission of the City of Long Beach, Mississippi, was begun and held at the Long Beach School District Central Office, 19148 Commission Road, in said City 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, Tony Vancourt, Barney Hill, Tonda Yandell, Jacquie Lipski, Building/Code Official Earl Levens, Zoning Enforcement Officer Claire Leatherwood and Minute Clerk Veronica Howard.

Commissioner Dale Hare, Roderick Rishel, Joseph Sweetapple, and David Serrato 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 meeting was called to order and 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 January 20, 2009, and subject to a ten-day appeal time for a Public Hearing.

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After careful review and consideration Commissioner Yandell made motion seconded by Commissioner Hill and unanimously carried to approve the Planning Commission regular scheduled meeting minutes of December 11, 2008.

It came for consideration under OLD BUSINESS an update of the temporary trailer located at 18012 Pineville Road owned by Mr. Chuck Ryan.

After much discussion and consideration Commissioner Vancourt made motion seconded by Commissioner Lipski and unanimously carried recommending the City take necessary action including litigation to have the temporary trailer removed by directing the Zoning Enforcement Officer to proceed with the process for removal of the trailer.

It came for consideration Approval/Review of the Comprehensive Plan, Smart code and Architectural guidelines.

A work session was scheduled for January 15, 2009 at 5:00 O'Clock P.M. in the IT trailer located at the City Hall Complex, 645 Klondyke Road.

It came for consideration under NEW BUSINESS home occupation approval submitted by Richard Lehmann for 19005 Red Bud Drive as follows:

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



APPLICATION FOR CASE REVIEW

- 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: 19005 Red Bud 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: EASTWOOD VILLAGE
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>RICHARD L. LEHMAN</u>	<u>19005 Red Bud Dr</u>
Name of Owner(s)	Mailing Address
<u>LONG BEACH, MS 39560</u>	<u>(228) 383-0056</u>
City State Zip	Telephone (H) Office
<u>Richard L. Lehman</u>	<u>12/31/08 \$80.00</u>
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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To: Long Beach Board of Commissioners

From: Richard L. Lehmann

Request for Review:

Sirs,

I request you provide me with a business license for operation of my e-commerce and training business, entitled R&D Backgrounds, Inc., at my home residence at 19005 Red Bud Dr., Long Beach, MS 39560. The business type falls under the Permitted Home Occupations, Section 912.4.6, Office facility of a salesman, sales representative, provided that no retail or wholesale transactions are made on the premises.

The operations of the business require no change in any city utility support or changes to local traffic and deliveries as the entire operation is to be conducted on my personal computer and on the internet from my home office. I am the only employee and have no plans for expansion in the future.

I had a home business, R&D Backgrounds, approved at the same address in 1999, but haven't renewed my license for several years.

Respectfully,



Richard L. Lehmann
R&D Backgrounds, Inc.
228-383-0056
lehmann@cableone.net
19005 Red Bud Drive
Long Beach, MS 39560-4409

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Index as follows: Lot 14, Eastwood Village, Harrison County, 1st JD, MS.

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

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 which is hereby acknowledged, WE, ANNE CONNER DAVIS formerly known as ANNE NORTH CONNER LEVENS and husband, KEITH DAVIS, do hereby sell, convey and warranty unto RICHARD LEE LEHMANN and wife, DONNA L. LEHMANN, as joint tenants with full rights of survivorship, not as tenants in common, that certain tract, piece or parcel of land situated and being located in the First Judicial District of Harrison County, State of Mississippi, more particularly described as follows, to-wit:

Lot Fourteen (14), EASTWOOD VILLAGE, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 36 at Page 19 thereof, reference to which is hereby made in aid of and as a part of this description.

This being the same property previously conveyed to Anne North Conner Levens in Warranty Deed dated December 15, 1993, and recorded in Deed Book 1260 at Page 299 in the Land Records of the First Judicial District of Harrison County, Mississippi.

THIS CONVEYANCE is subject to any prior reservation or conveyance of oil, gas or other mineral rights and subject to all easement restrictions, reservations and covenants of record.

IT IS AGREED and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis. When said taxes are actually determined, if the proration as of this date is incorrect, then the Grantor(s) agrees to pay to the Grantee(s), or its assigns, any

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deficit on an actual proration, and likewise, the Grantee(s) agrees to pay to the Grantor(s), or its assigns, any amount overpaid by it.

WITNESS OUR SIGNATURES, this the 29th day of September, 1999.

Anne Conner Davis

ANNE CONNER DAVIS
formerly known as
ANNE NORTH CONNER LEVENS

Keith A. Davis

KEITH DAVIS

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the above stated jurisdiction, the within named ANNE CONNER DAVIS formerly known as ANNE NORTH CONNER LEVENS and husband, KEITH DAVIS, who acknowledged that they signed and delivered the foregoing Warranty Deed on the day and year therein written as their own free and voluntary act and deed.

GIVEN under my hand and official seal on this the 29th day of September, 1999.

Celeste Paige

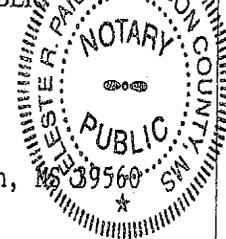
NOTARY PUBLIC

MY COMMISSION EXPIRES:

MY COMMISSION EXPIRES MARCH 23, 2003

GRANTOR'S ADDRESS: 506 Mockingbird Dr., Long Beach, MS 39560
GRANTOR'S NUMBER: 865-0088

GRANTEE'S ADDRESS: 19005 Redbud Dr., Long Beach, MS 39560
GRANTEE'S NUMBER: 868-3403



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This Document Prepared By and Return To:

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Mr. Lehmann came forward to address the Commission. He stated that he would not have any employees or anyone coming to his residence. He stated that he did receive a copy of Section 912 HOME OCCUPATION of Zoning Ordinance 344.

Commissioner Hill made motion seconded by Commissioner Yandell and unanimously carried to approve the request for home occupation provided that he complies with all requirements specified in the Zoning Ordinance Section 912.

The next agenda item for consideration was Willie Walker, 216 Roberts Avenue, home occupation review submitted by Clair Leatherwood, Zoning Enforcement Officer.

Mrs. Leatherwood came forward to state that Mr. Walker was in violation of Zoning Ordinance 344, Section 912 HOME OCCUPATION. She stated that she's received complaints regarding heavy equipment and noise associated with the Home Occupation business and after inspecting the property she's also witness the violation.

It was determined that it was in the authority of the Zoning Enforcement Officer to send notice of violation to any person or property that's in violation of the Zoning Ordinance or any other City Ordinance.

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There being no further business to come before the Planning Commission at this time Commissioner Yandell made motion seconded by Commissioner Lipski 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