

**MINUTES OF FEBRUARY 26, 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, Barney Hill, Dale Hare, Tonda Yandell, Jacquie Lipski, Planning Commission Advisor Bill Hessel, 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 this regular scheduled 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 need to be ratified by the Mayor and Board of Aldermen at their next regularly scheduled meeting of March 3, 2009, and subject to a ten-day appeal time for a Public Hearing.

After careful review and consideration Commissioner Yandell made motion seconded by Commissioner Lipski and unanimously carried to approve the Planning Commission

regular scheduled meeting minutes of February 12, 2009 with the following corrections: Date of meeting on top of page should have been February 12, 2009, **NOT** January 22, 2009 and on page 37 Bruce Davis came forward on behalf of St. Patrick's Episcopal Church **NOT** Habitat for Humanity.

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It came for discussion under OLD BUSINESS approval/review of the Comprehensive Plan, Smart Code and Architectural Guidelines. A work Session was scheduled for March 5, 2009 at 5:00 p.m. at the City Hall Complex located at 645 Klondyke Road in the I.T. Trailer.

The first item of business was a Discussion regarding Zoning Ordinance #344 Article IX, Section 911. Mobile Homes and Modular Homes.

Noted for the record Planning Commission meeting minutes of November 8, 2007 and June 12, 2008.

It came for consideration the previously discussed Re Zoning for Keesler Federal Credit Union. The Clerk reported that due to previous discussions clarification was necessary upon submittal of the rezoning application. Noted for the record, once the application is submitted, it should be directed to Board for clarification.

The next item of business was Planning Commission Approval to place a mobile home (MEMA Cottage) unit

permanently at 6058 Beatline Road an R-4 Residential Farm Zone District submitted by Mr. Jerry Beech as follows:

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A MEMA cottage is currently located on my property at 6058 Beatline Road. The young man displaced by Katrina and currently occupying the cottage has been given the opportunity to purchase it. As with the initial use, purchase is conditioned to his having an approved location.

Enclosure (1) and (2) are a location map and sketch of the property with description.

I respectfully request that the board approve the continued use of the property for the cottage location. The current approval was to expire Mar. 2009.

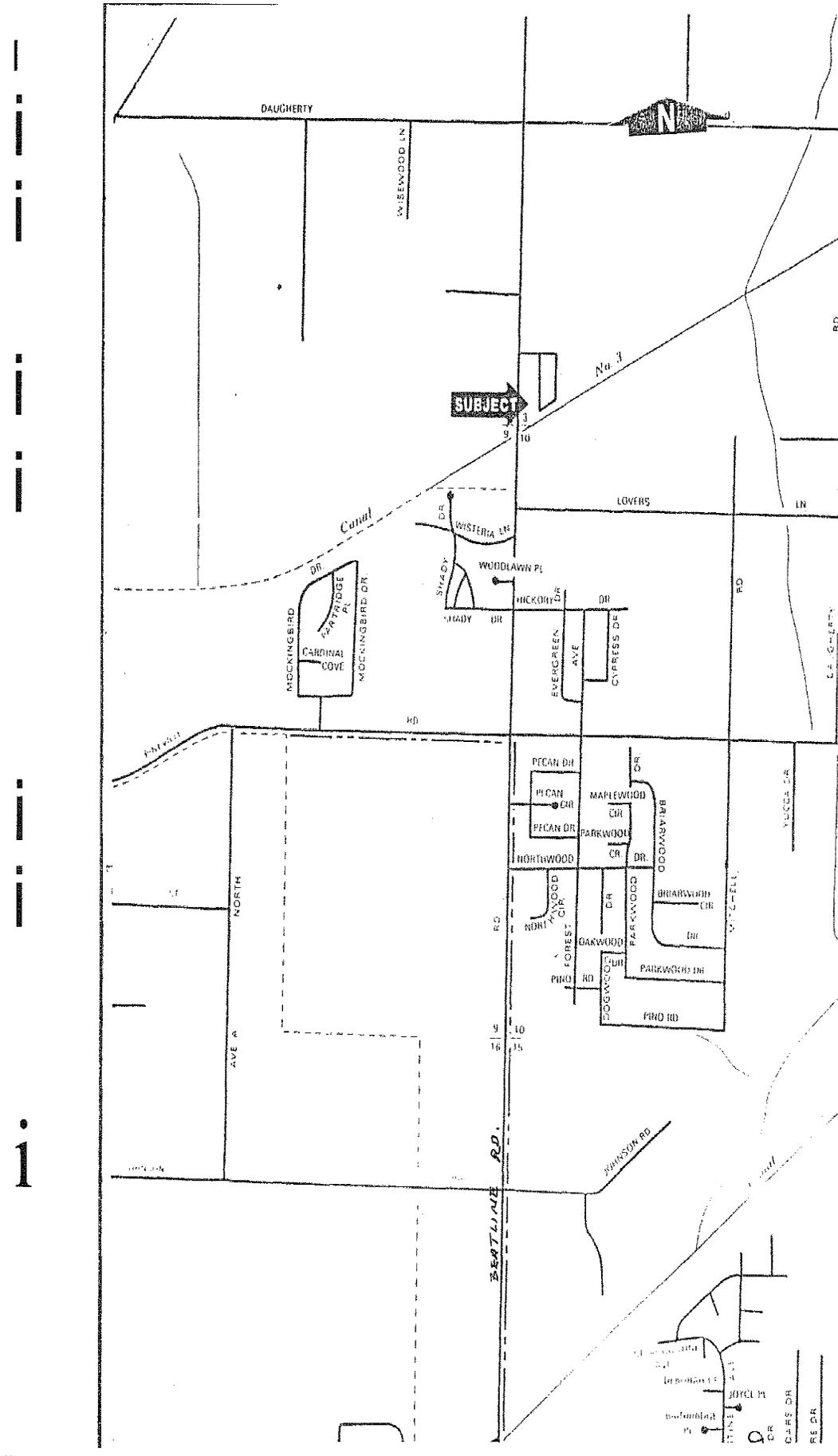
As the property owner I charge \$210.00 per month rent. My annual property tax is \$4,209.00. The rent helps me to pay those taxes.

I have been trying to sell the property for several years to no avail. After Katrina a number of people, primarily contractors, expressed interest. I told them I didn't really know what the property was worth but I would entertain any offer. After they investigated the problems dealing with the federal and local agencies involved in class 'A' flood zone development I never heard from them.

I have been a contributing citizen of Long Beach. A sewage lift station is located on the SW corner of my property abutting Beatline Road. I did not charge the city for it. I donated the ROW for sewage line connecting the City development on the East side. Also, I've certainly paid my share of taxes.

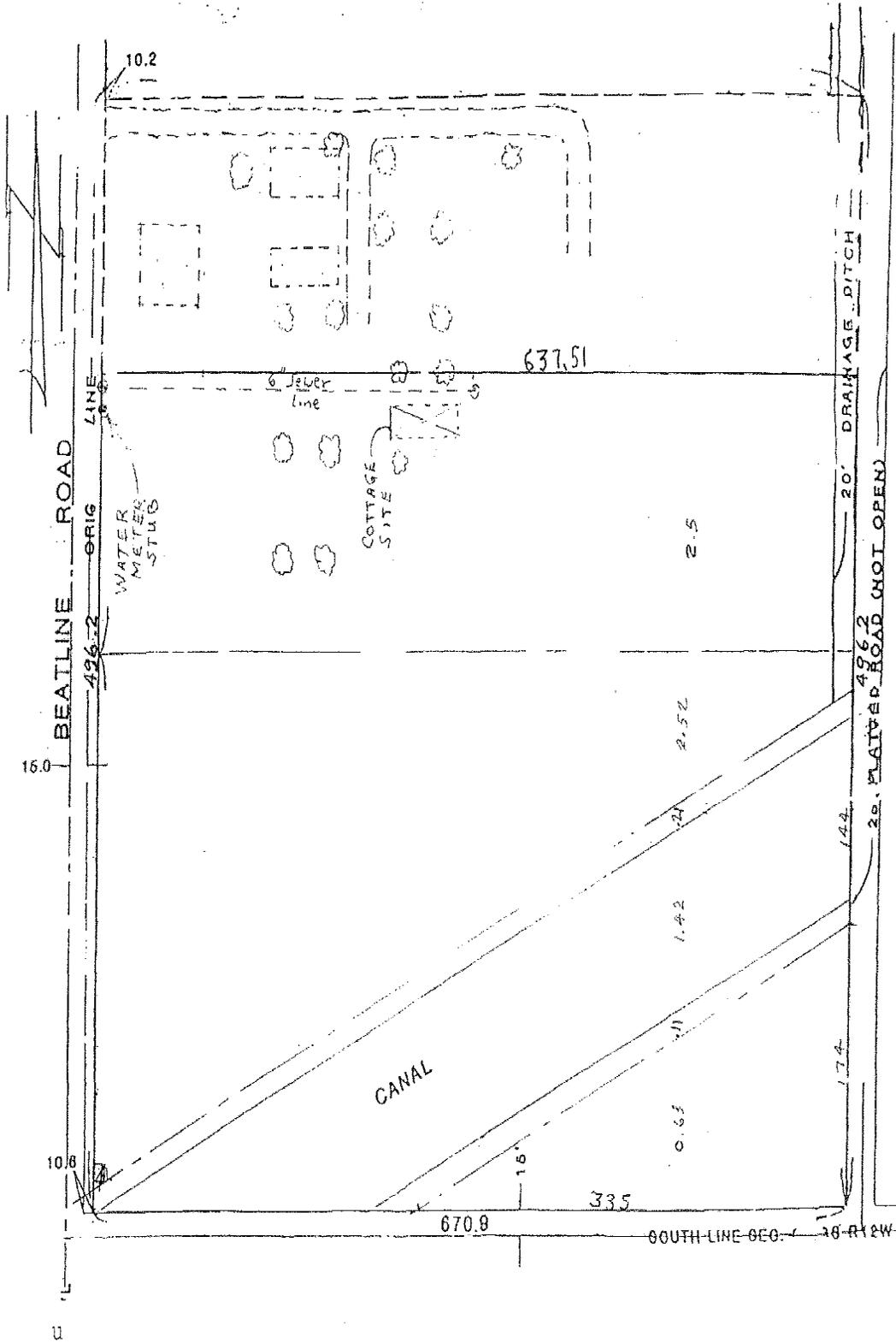
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Location Map J



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Lot Four (4), and South One Half (1/2) of Lot Three (3), Block Eleven (11), COX'S SUBDIVISION of the Southwest Quarter (SW 1/4) of Section Three (3), Township Eight (8) South, Range Twelve (12) West, in Harrison County Mississippi, as per map or plat thereof recorded in Book 4 at Page 285 of the Records of Plats on file in the office of the Chancery Clerk of Harrison County, Mississippi.

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The applicant came forward to state the request, he stated currently that there is a Mobile Home (MEMA cottage) placed on the lot, the owner of the unit has the opportunity to purchase the unit contingent upon approval of permanent placement. If the Commission approved the permanent placement of the unit that he would continue to charge the occupant rent to help pay the annual property taxes.

After considerable discussion Commissioner Hill made motion seconded by Commissioner Hare and unanimously carried to approve the Placement of the Mobile Home (MEMA cottage) in accordance with Zoning Ordinance #344, Article IX, SECTION 911. MOBILE HOMES AND MODULAR HOMES and contingent upon the agreement that there only be one (1) Mobile Home placed on the land and that the applicant submits a detailed site plan showing all structures on the lot.

Next item on the agenda was Planning Commission Approval to build low-rise apartments at 400 Klondyke Road an R-2 Low Density Multi-Family Residential Zone District submitted by J & D Properties 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 - *TO build low rise APTS in R-2 Zone*
- 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: 400 Klondyke Rd. Long Beach MS. 39560
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.

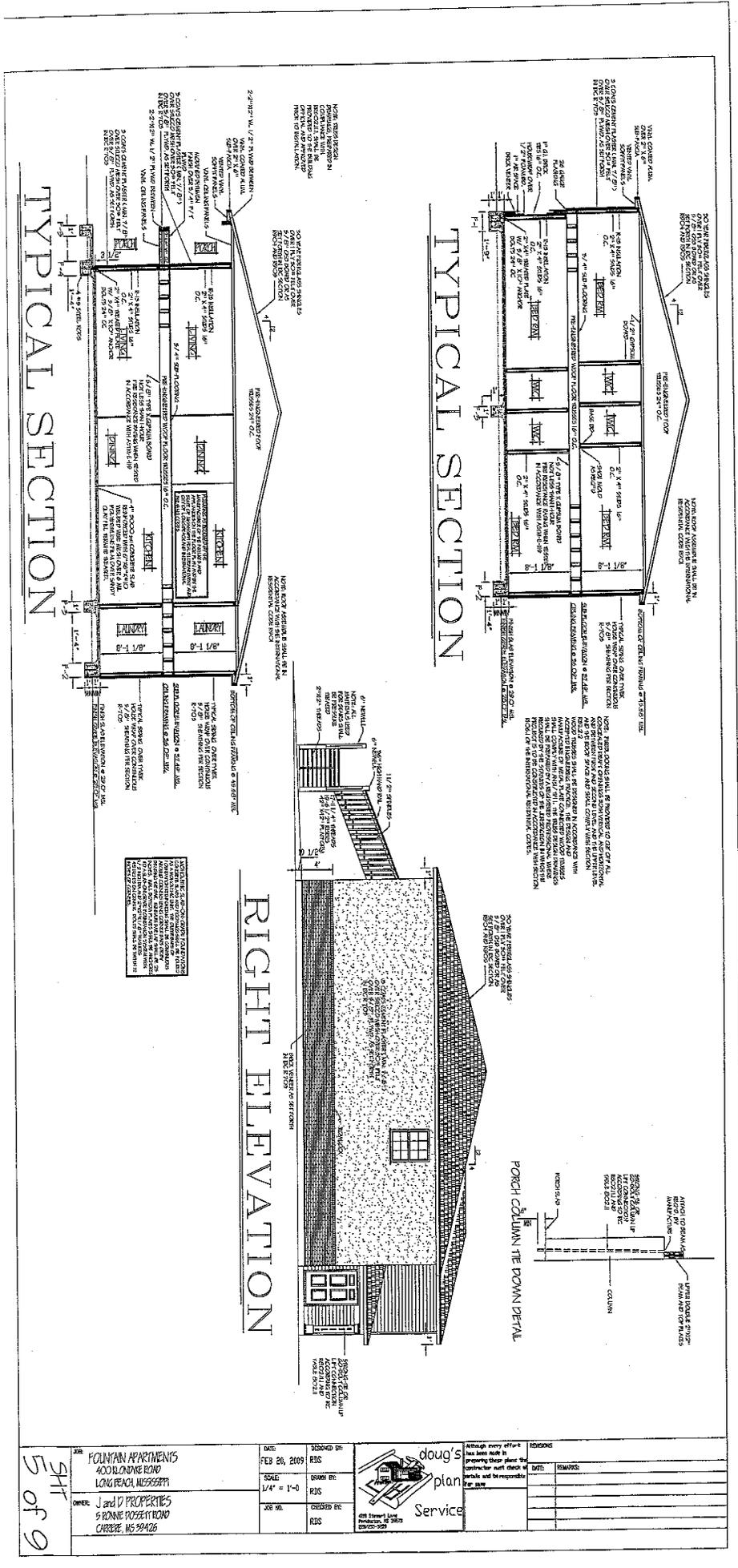
VII. Ownership: I the undersigned due hereby agree to all the rules and regulations as set forth in the Long Beach Zoning Ordinance and also agree to pay all fees and charges, as stated.

<u>So. Properties of South Mills & Ronnie Dosselt Rd</u>			
Name of Owner(s) <u>Jason Spence</u>		Mailing Address	
<u>Carrier MS 39426</u>	<u>228-297-1513</u>	<u>601-799-2466</u>	
City	State	Telephone (H)	Office
<u>Jason Spence</u>		<u>2/18/09</u>	<u>\$ 50.00</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

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The applicant came forward to state he was asking approval to build low-rise rental units in and R-2 Zone District.

After discussion Commissioner Yandell made motion seconded by Commissioner Hare and unanimously carried to approve the building of Low-Rise apartments in and R-2 Zone District.

Next item of business was an appeal to the Building Officials Decision submitted by Karen Clark 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: 409 RUSSELL AVE
House number and street name
- III. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.) ATTACHED
- 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>KAREN CLARK</u>	<u>409 RUSSELL AVE</u>
Name of Owner(s)	Mailing Address
<u>Long Beach MS 39560</u>	<u>228 326 5427</u>
City State Zip	Telephone (H) Office
<u>Haron Echols</u>	<u>2/23/09</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.
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2/23/09

To whom it may concern,

IN ACCORDANCE WITH ZONING
ORDINANCE 344, SECTION 1204
I WOULD LIKE TO APPEAL THE REJECTION
OF MY BUILDING PERMIT. IN MY
LETTER OF REJECTION IT STATES THAT
NO PART OF A MOBILE HOME OR MODULAR
HOME OR OTHER FACILITY PLACED ON
A LOT SHALL BE CLOSER THAN
100 FEET TO A PUBLIC STREET.

IF THAT WERE THE CASE I WOULD
NOT BE ALLOW TO BUILD ANY HOME

Thank You,

Kevin E. Shaw

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City of Long Beach

BOARD OF ALDERMEN
Allen D. Holder, Jr. - At Large
Charlie Boggs - Ward 1
Richard Notter - Ward 2
Richard Burton - Ward 3
Joe McNary - Ward 4
Mark Lishen - Ward 5
Carolyn Anderson - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schuff

CITY ATTORNEY
Frank R. McCreary, III

February 13, 2009

Karen Clark
409 Russell Avenue
Long Beach, MS 39560

Reference: Building Permit Application for 409 Russell Avenue, Long Beach, MS

Dear Mrs. Clark:

I regret to inform you that the building permit application you submitted to my office dated February 12, 2009, has been denied for the following reasons:

1. Mema Cottages have wheels attached to their frame therefore they are considered Mobile Homes.
2. City of Long Beach, MS Zoning Ordinance #344, Section 911 MOBILE HOMES states:
 - 911.1 Permitted Locations
 - 911.1.2 Mobile Homes are allowed as a conditional use in R-4 Districts.
 - 911.2 Size and Density
 - 911.2.1 Minimum of three (3) contiguous acres of land.
* The lot at 409 Russell Avenue is 91 X 177 (total square footage equals 16, 107).
 - 911.3 Mobile Home Lot / Modular Home Lot
 - 911.3.1 No part of a Mobile home or Modular home or other facility placed on a lot shall be closer than one hundred (100) feet to a public street.
 - 911.3.2 No mobile home shall be located closer than fifty (50) feet to any property line which does not abut upon a public street or highway.

This decision may be appealed in accordance with Zoning Ordinance 344, Section 1204 APPEALS AND APPLICATIONS. Should an appeal be granted, the following documents must accompany the new application:

1. A FEMA Elevation Certificate showing cottage will meet the required elevation (AE 19').

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

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2. A Plot plan showing structures meeting the required set backs
3. A permanent foundation plan for the Cottage, Strapping details
4. A certificate certifying cottage has passed inspections at the factory meeting all ICC 2003 codes.

If you have any concerns or questions please feel free to contact me at 228-863-1554.

Sincerely,

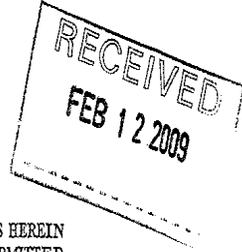


Earl Levens
Building/Code Official
City of Long Beach, MS

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CITY OF LONG BEACH
645 KLONDYKE RD
PO BOX 929
TELEPHONE 228-863-1554
FAX 228-865-0822



APPLICATION FOR BUILDING PERMIT

APPLICATION IS HEREBY MADE FOR A BUILDING PERMIT TO ACCOMPLISH THE WORK AS HEREIN DESCRIBED IN ACCORDANCE WITH DUPLICATE PLANS AND/OR SPECIFICATIONS SUBMITTED HERewith. IT IS AGREED THAT ALL CORRECTIONS IN PLANS AND/OR SPECIFICATIONS NECESSARY FOR COMPLIANCE SHALL BE OBSERVED AND ALL REQUIREMENTS OF THE BUILDING CODE, THE ZONING ORDINANCE AND ALL OTHER PERTINENT LAWS AND ORDINANCES REGULATING CONSTRUCTIONS SHALL BE COMPLIED WITH IN THE PURSUIT OF THIS WORK WHETHER OR NOT SPECIFIED HEREIN.

409 Russell Ave
ADDRESS OF PROPERTY

LEGAL DESCRIPTION - LOT BLOCK

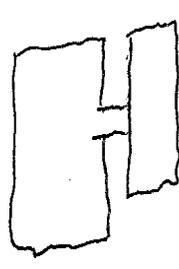
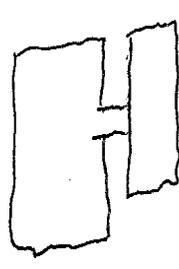
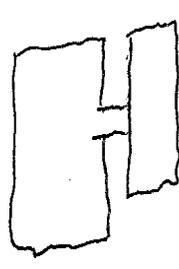
SECTION TOWNSHIP RANGE

TAX PARCEL NUMBER

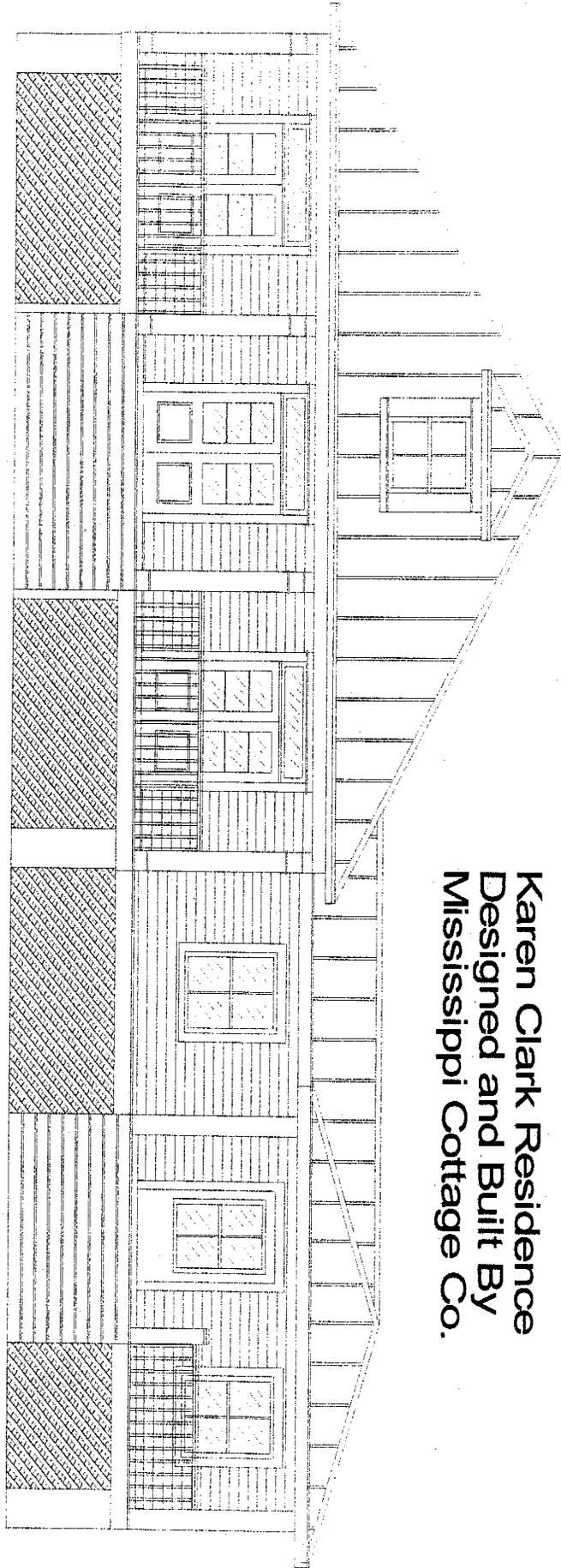
<p align="center"><u>PERSON/FIRM MAKING APPLICATION</u></p> <p><u>KAREN Clark</u> NAME</p> <p><u>409 Russell Ave</u> ADDRESS</p> <p><u>Long Beach, MS 3990</u> CITY STATE ZIP</p> <p><u>320-5427</u> PHONE</p>		<p align="center"><u>OWNER</u></p> <p><u>SAM</u> NAME</p> <p>ADDRESS</p> <p>CITY STATE ZIP</p> <p>PHONE</p>	
<p>WORK CLASSIFICATION</p> <p>NEW CONSTRUCTION _____</p> <p>ADDITION <u>X</u></p> <p>ALTERATIONS _____</p> <p>STRUCTURAL REPAIR _____</p> <p>MOVING _____</p> <p>RELOCATION _____</p> <p>OTHER: _____</p> <p>SPECIFY _____</p>	<p>SIZE, ETC.</p> <p>NUMBER OF STORIES <u>1</u></p> <p>NUMBER OF BEDROOMS <u>3</u></p> <p>NUMBER OF BATHS <u>2</u></p> <p>MAXIMUM WIDTH <u>34</u></p> <p>MAXIMUM LENGTH <u>40</u></p> <p>MAXIMUM HEIGHT <u>35</u></p> <p>HEATED AREA _____</p> <p>GARAGE <u>X</u></p> <p>COVERED PORCH <u>2</u></p> <p>CARPORT <u>X</u></p> <p>OTHER: _____</p>	<p>TYPE OF CONSTRUCTION</p> <p>WOOD FRAME/ SIDING <u>X</u></p> <p>CONCRETE BLOCK _____</p> <p>WOOD FRAME/ BRICK VENEER _____</p> <p>OTHER: _____</p>	
<p>TYPE FOUNDATION</p> <p>CONCRETE SLAB _____</p> <p>BLOCK PIERS <u>X</u></p> <p>FILING _____</p> <p>OTHER: _____</p>	<p>CORNER LOT</p> <p>YES _____</p> <p>NO _____</p>	<p>PROPERTY LOCATED IN ZONE <u>A</u> FEMA MAP PANEL NO. <u>AE20</u></p> <p>REQUIRED BASE ELEVATION <u>19</u> AVERAGE GROUND ELEVATION <u>15</u></p> <p>LICENSE NO. _____</p> <p>NAME OF ENGINEER, SURVEYOR OR ARCHITECT _____</p> <p>PROPERTY LOCATED IN FLOODWAY _____ NOT LOCATED IN FLOODWAY _____</p>	

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CITY OF LONG BEACH
BUILDING PERMIT APPLICATION
PAGE 2

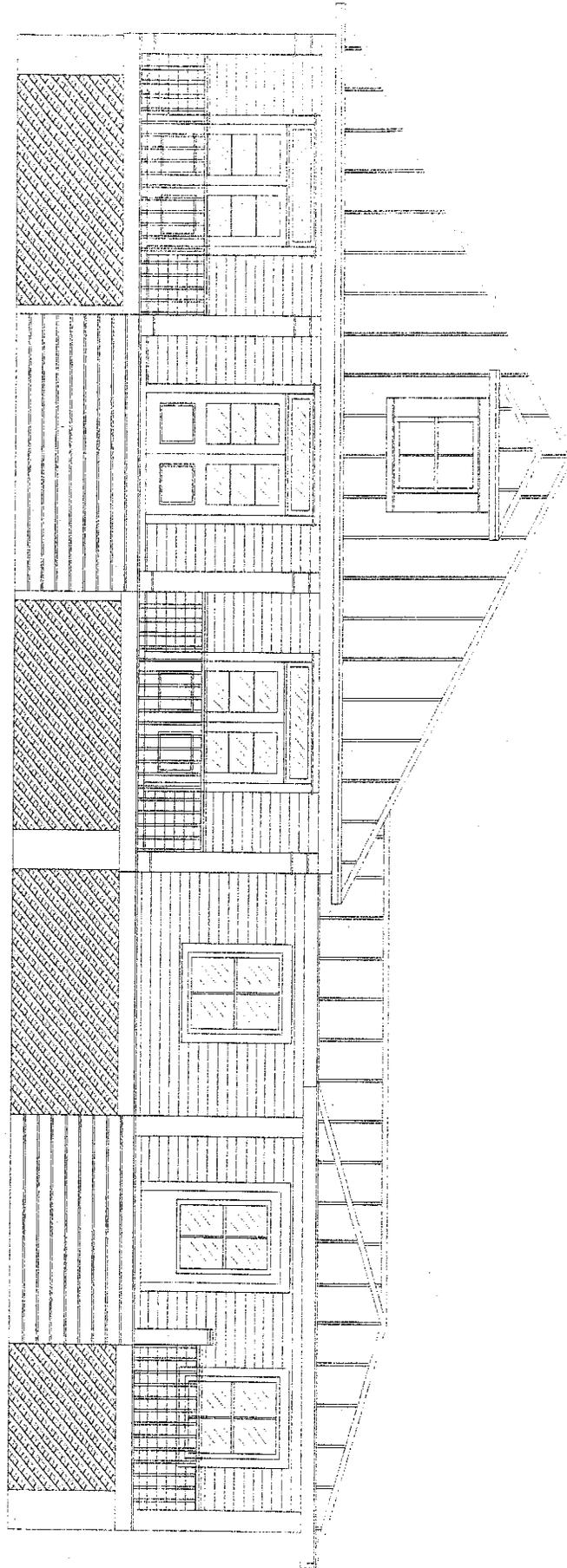
PLOT AREA IN SQUARE FEET <p align="center"><u>289' 7500</u></p>										
SET BACK FROM PROPERTY LINE TO BUILDING <p align="center"><u>25'</u></p>										
NUMBER OF OFF STREET PARKING SPACES PROVIDED <p align="center"><u>NONE</u></p>										
PLOT INFORMATION PLEASE SHOW DISTANCE TO FRONT, REAR AND SIDE LOT LINES FROM BUILDING										
<table style="width: 100%; border: none;"> <tr> <td style="width: 30%;"></td> <td style="width: 40%; text-align: center;"> FEET REAR LOT LINE <u>79'</u> </td> <td style="width: 30%;"></td> </tr> <tr> <td style="text-align: center;"> FEET SIDE LOT LINE <u>12'</u> </td> <td style="text-align: center;">  </td> <td style="text-align: center;"> FEET SIDE LOT LINE <u>12'</u> </td> </tr> <tr> <td colspan="3" style="text-align: center;"> FEET FRONT LOT LINE <u>29'</u> </td> </tr> </table>			FEET REAR LOT LINE <u>79'</u>		FEET SIDE LOT LINE <u>12'</u>		FEET SIDE LOT LINE <u>12'</u>	FEET FRONT LOT LINE <u>29'</u>		
	FEET REAR LOT LINE <u>79'</u>									
FEET SIDE LOT LINE <u>12'</u>		FEET SIDE LOT LINE <u>12'</u>								
FEET FRONT LOT LINE <u>29'</u>										
I HEREBY CERTIFY THAT I HAVE READ THIS APPLICATION AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT; THAT I AGREE TO COMPLY WITH ALL APPLICABLE CODES, ORDINANCES AND STATE LAWS REGULATING BUILDING CONSTRUCTION; THAT I AM THE OWNER OR AUTHORIZED TO ACT AS THE OWNERS AGENT FOR THE HEREIN DESCRIBED WORK AND THAT THE TOTAL CONTRACT OR VALUATION IS:										
\$ _____										
NAME OF COMPANY _____										
DATE <u>2/12/09</u>										
SIGNATURE <u>[Signature]</u> BY OWNER OR AUTHORIZED AGENT										

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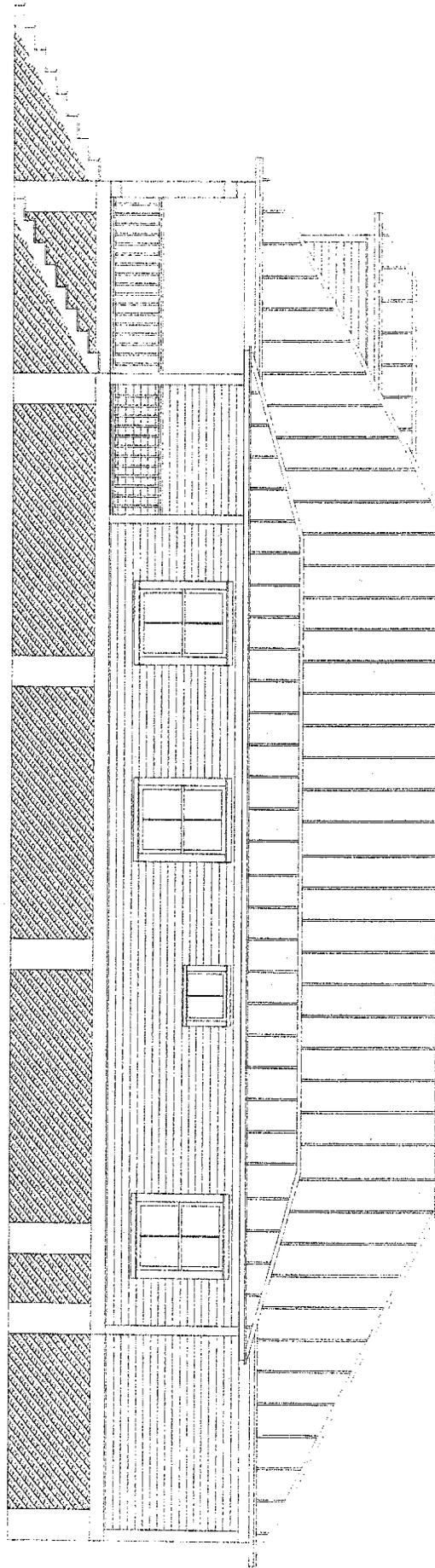


**Karen Clark Residence
Designed and Built By
Mississippi Cottage Co.**

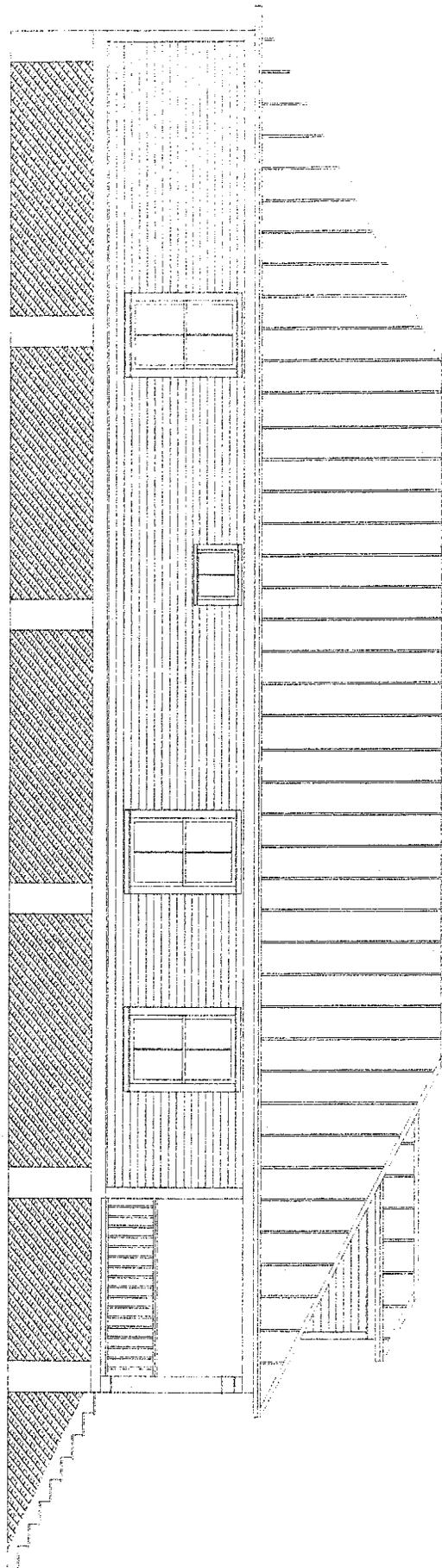
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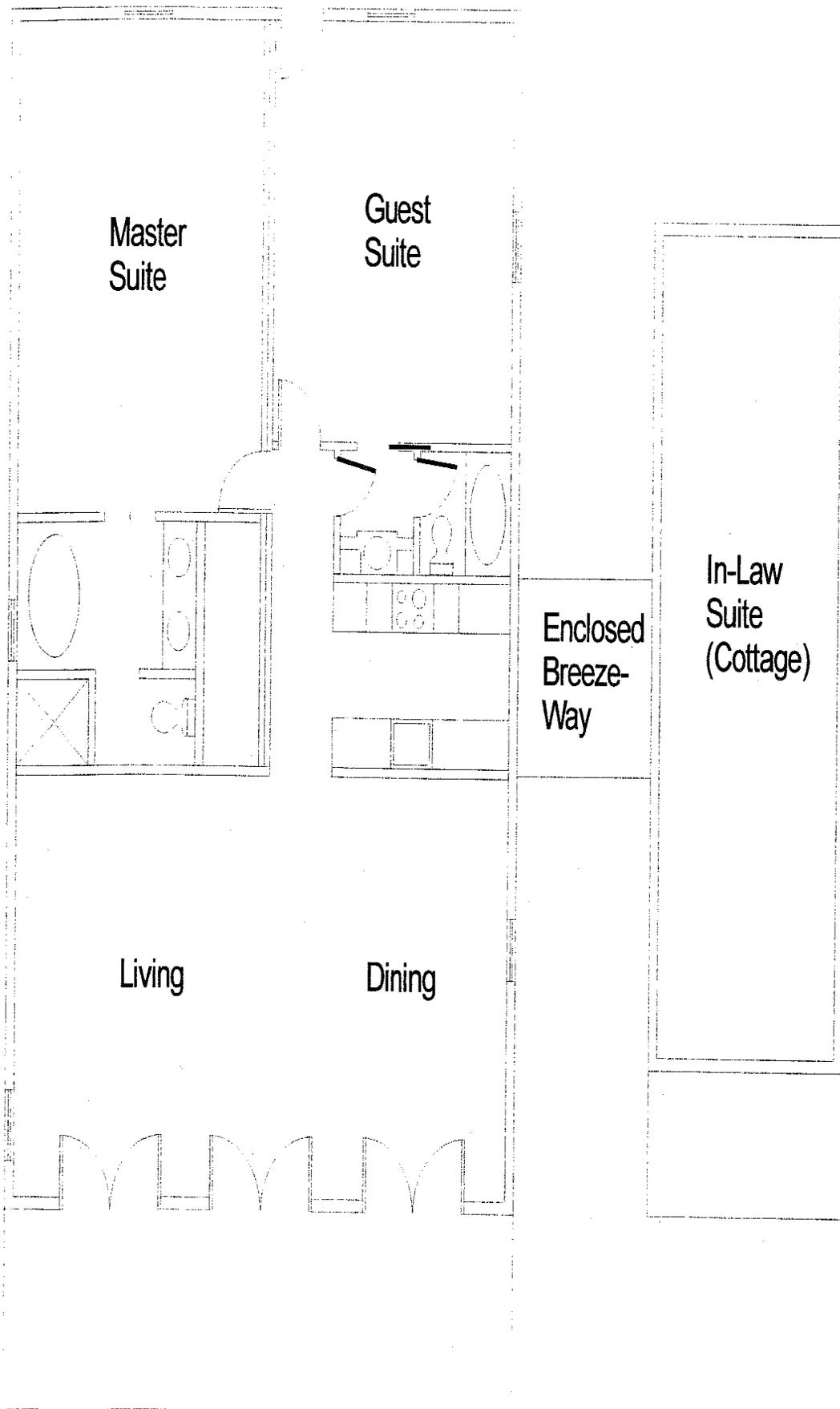
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Noted for the record Applicant was absent the meeting.

Building Official Earl Levens came forward to state the reasons the application was denied (Letter Noted Above).

After discussion Commissioner Hill made motion seconded by Commissioner Lipski and unanimously carried to uphold the Building Officials decision to deny the application for Building Permit.

There being no further business to come before the Planning Commission at this time Commissioner Hare 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 Olaiivar

Date:_____

ATTEST:

Veronica Howard, Minute Clerk