

**MINUTES OF MARCH 11, 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, David Serrato, and Minute Clerk Veronica Howard.

Commissioner Roderick Rishel was preliminary absent the meeting.

Commissioner Tony Vancourt was 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 the 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 17, 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 Hill and unanimously carried to approve the Planning Commission minutes of February 26, 2009 as submitted.

It came for consideration the public hearing to consider an application for ZONE CHANGE from R-1 Single-Family Residential to R-2 Low Density Multi-Family Residential, as submitted by Richard Armstrong, for property located on Fred Allen Road, Map Parcel Number 0511B-01-017.007 as follows:

**MINUTES OF MARCH 11, 2009
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 - *From R-1 TO R-2*
 - 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: *Fred Allen Rd 0511B-01-017.0000* 007
House number and street name

III. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.) *To Build A Duplex For MDA Program*

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

A. If in a subdivision:
Fred Allen Lot 3
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.

<i>Richard Armstrong</i>			<i>7230 TURNER RD</i>	
Name of Owner(s)			Mailing Address	
<i>Long Beach MS 39560</i>			<i>228-822-2238</i>	
City	State	Zip	Telephone (H)	Office
<i>[Signature]</i>			<i>Feb 13, 2009 \$ 100.00</i>	
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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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?

To Help meet the need for Affordable Housing
Lot is zone R-1

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.

The Lot was change in 2002 from R-2
to R-1

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?

I have no Hard Ship
Just trying to do my part
to help Housing needs

Show that denial of this request will deprive the applicant of rights commonly enjoyed by other properties in the general area and that the granting of this variance request will make possible the reasonable use of land while not conferring any special privilege. Outline how the subject of the variance is common in the area and if the applicant were to be denied this variance a right would be taken away which was granted to other properties. States how the variance makes reasonable use of the existing land and why the same action cannot be done in a way that does not require a variance. Show that the granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable.

Most of the Home in this Area
Are owned by a Multi Family

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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Nov 10 04 02:47p David M Necaise Attorney 2284660680

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1st Judicial District
Instrument Number 2004 9353 D-J1
Filed/Recorded 11 4 2004 2 56 P
Total Fees 13.00
5 Pages Recorded

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

TRUSTEE'S DEED

WHEREAS, on the 27th day of October, 2000, TIM HERCHENHAHN executed and delivered a Deed of Trust to VIRGIL G. GILLESPIE, Trustee, for the benefit of SHERI ARMSTRONG, which said Deed of Trust is recorded in Book 2150, at pages 424-426 of records of Mortgages and Deeds of Trust on Land in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi; and, was re-recorded on August 18, 2004 as Instrument Number 2004 14574 T-J1, in the aforesaid office, and

WHEREAS, the above described Deed of Trust provides for the substitution of Trustee in the place and stead of the one named therein, and SHERI ARMSTRONG did name, constitute and appoint DAVID M. NECAISE, as Substituted Trustee in said Deed of Trust in the place and stead of VIRGIL G. GILLESPIE, said substitution of Trustee being recorded as Instrument Number 2004 15367 T-J1 in the Records of Mortgages and Deeds of Trust on land in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi;

****NO TITLE EXAMINATION REQUESTED OR PERFORMED****

This Document Prepared by and Return to:
DAVID MICHAEL NECAISE, Attorney At Law
113 North Second Street
Post Office Box 2036
Bay St. Louis, MS 39521-2036
(228) 466-0670

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Nov 10 04 02:47p David M Necaize Attorney 2284660680

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WHEREAS, the said Deed of Trust provided that, in the event of default in the payment of the indebtedness described therein or any breach of any other provisions thereof, the Trustee shall, on demand of the holder of the Note and Deed of Trust, sell the property described therein to the highest and best bidder for cash on any secular day to be selected by the Trustee; and

WHEREAS, default has been made in the payment of said indebtedness referred to in the said Deed of Trust and SHERI ARMSTRONG, the owner and holder of the indebtedness described in the Deed of Trust has instructed the undersigned Substituted Trustee to sell the property described in the Deed of Trust, under the terms of the said Deed of Trust, and on the 22nd day of September, 2004, the undersigned Substituted Trustee gave notice that he would on October 22, 2004, offer for sale and sell at public outcry for cash, during legal hours, to the highest and best bidder, at the East main door of the Harrison County Courthouse, First Judicial District, at Gulfport, Harrison County, Mississippi, the property described in the said Deed of Trust and described hereinafter, and such notice was posted on the bulletin board in the Harrison County Courthouse, in the City of Gulfport, Mississippi, for the time and in the manner provided by law, and publication of the Notice of Sale was had in THE SUN HERALD, a newspaper having a general circulation in Harrison County, Mississippi, for more than one (1) year prior to the date of the first publication with the terms of said Deed of Trust, and the

****NO TITLE EXAMINATION REQUESTED OR PERFORMED****

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Nov 10 04 02:48p David M Necaize Attorney 2284660680

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legal holder of said indebtedness, SHERI ARMSTRONG, having requested the undersigned Substituted Trustee to execute the trust and sell said land in accordance with the terms of said Deed of Trust for the purpose of raising sums due thereunder together with attorney's fees and expenses of sale; and

WHEREAS, the undersigned Substituted Trustee, in accordance with the terms of said Deed of Trust and the laws of the State of Mississippi, did advertise said sale in THE SUN HERALD, a newspaper published in the City of Gulfport, Harrison County, Mississippi on the following dates: September 29, 2004, October 6, 2004, October 13, 2004, and October 20, 2004, and by posting a copy of said notice on the bulletin board of the Harrison County Courthouse, Gulfport, Mississippi on September 27, 2004; and,

WHEREAS, on the 22nd day of October, 2004 at the East main door of the Harrison County Courthouse, Gulfport, Mississippi being between the hours of 11:00 A.M. and 4:00 P.M., as required by the terms of the Deed of Trust and the laws of the State of Mississippi, I, the undersigned Substituted Trustee, did offer for sale at public outcry to the highest and best bidder for cash, the following described land and property located and being situated in the County of Harrison, First Judicial District, State of Mississippi and being more particularly described as follows:, to-wit:

The South 1/2 of Lot 3, and the North 1/2 of Lot 3, Replat of Fred Allen Subdivision, Phase I, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi.

****NO TITLE EXAMINATION REQUESTED OR PERFORMED****

**MINUTES OF MARCH 11, 2009
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Nov 10 04 02:48p David M Necaise Attorney 2284660680

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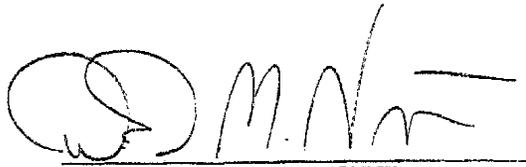
WHEREAS, the undersigned Trustee offered the above property for sale at public outcry as set forth above and there appeared Sheri Armstrong and Richard Armstrong, bidding the sum of TWENTY-EIGHT THOUSAND SIX HUNDRED AND 00/100 DOLLARS (\$28,600.00) for all of the above described land and property which was the highest and best bid received and said property was struck off to SHERI ARMSTRONG and RICHARD ARMSTRONG for the said amount and the said SHERI ARMSTRONG and RICHARD ARMSTRONG were declared to be the Purchasers thereof.

NOW THEREFORE, in consideration of the sum of TWENTY-EIGHT THOUSAND SIX HUNDRED AND 00/100 DOLLARS (\$28,600.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, I do hereby sell and convey unto SHERI ARMSTRONG and RICHARD ARMSTRONG, as joint tenants with rights of survivorship and not as tenants in common the following described real property:

The South 1/2 of Lot 3, and the North 1/2 of Lot 3, Replat of Fred Allen Subdivision, Phase I, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi.

I convey only such title as is vested in me as Substitute Trustee.

WITNESS my signature, this the 29th day of October, A.D., 2004.



DAVID M. NECAISE

****NO TITLE EXAMINATION REQUESTED OR PERFORMED****

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Nov 10 04 02:49p David M Necaise Attorney 2284660680

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STATE OF MISSISSIPPI

COUNTY OF HANCOCK

Personally came and appeared before me, the undersigned authority in and for the aforesaid jurisdiction, the within named DAVID M. NECAISE, who acknowledged to and before me, that he signed and delivered the above and foregoing instrument of writing on the day and year therein mentioned.

GIVEN under my hand and seal of office this the 29th day of October, A.D., 2004.



David M. Necaise
NOTARY PUBLIC
My Commission expires: 11/26/2008

ADDRESS OF GRANTOR: Post Office Box 2036, Bay St. Louis, MS 39521
TELEPHONE NUMBER: (228) 466-0670

ADDRESS OF GRANTEE: 9538 Poni Place, Diamondhead, MS 39525
TELEPHONE NUMBER: (228) 255-8681

****NO TITLE EXAMINATION REQUESTED OR PERFORMED****

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The Clerk reported that nine (9) notices of Public Hearing were sent 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
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. 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 **Zoning Map Change**.

Richard Armstrong, 7230 Turner Road, Long Beach, Mississippi has filed an application for a zone map change in accordance with the Comprehensive Zoning Ordinance. Applicant is requesting to change the zoning classification from R-1, Single Family Residential to R-2 Low Density Multi-Family Residential for property located on Fred Allen Road, tax parcel number 0511B-01-017.007. The legal description is as follows:

The South ½ of Lot 3, and the North ½ of Lot 3, Replat of Fred Allen Subdivision, Phase I, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi.

The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi 39560, Thursday, March 12, 2009, at 6:30 p.m., in the Long Beach School District Administration Office located on Commission Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

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The further reported that she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, LEGAL NOTICE, PUBLIC HEARING, as 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 Julie Garner 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. 125 No., 142 dated 21 day of Feb, 20 09
 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.

J. Garner
Clerk
FEB 26 2009

Sworn to and subscribed before me this 25 day of Feb, A.D., 20 09

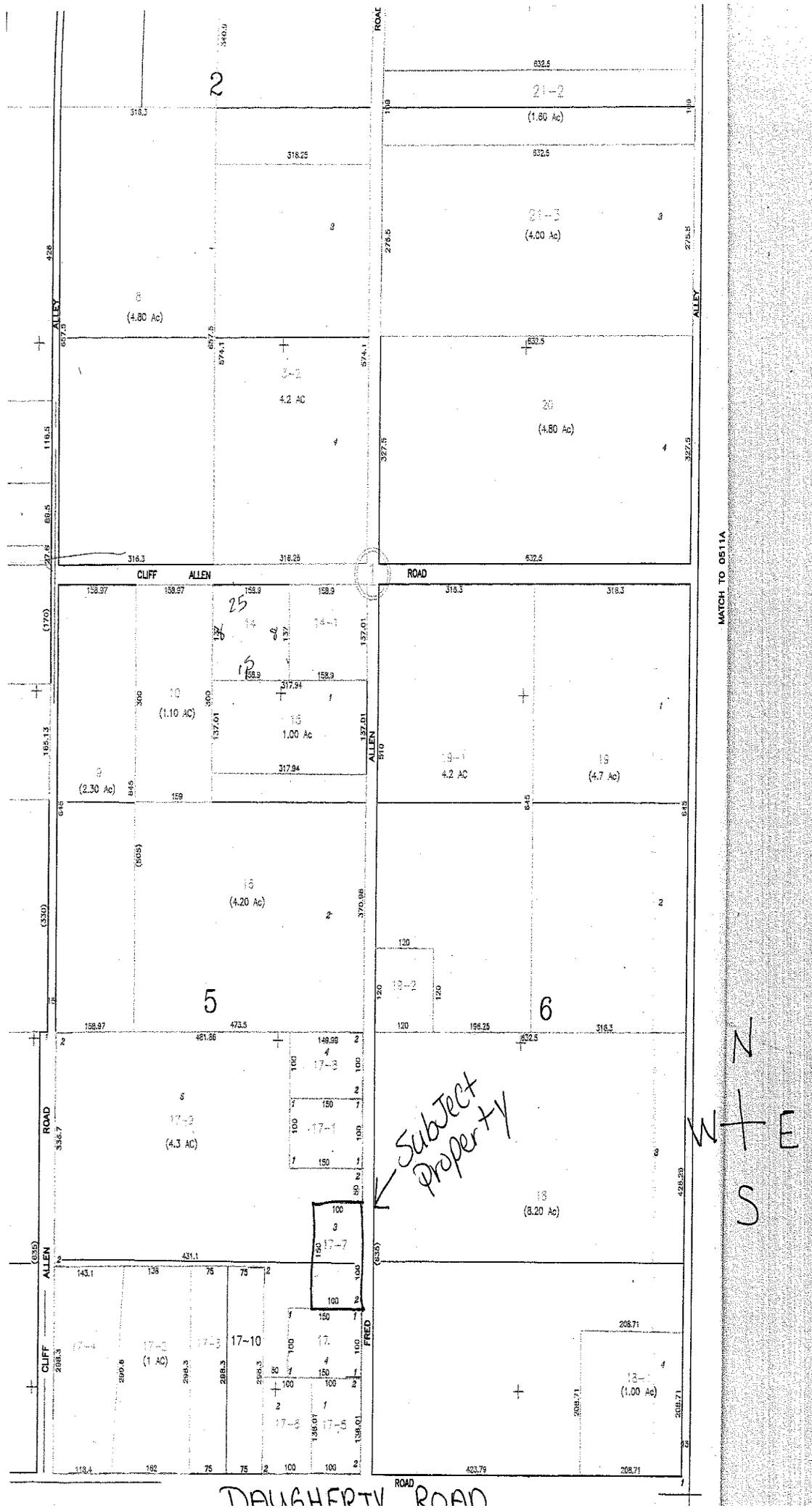
KANDI A. BERKLEY
Notary Public, State of Mississippi
Harrison County
My Commission Expires
April 05, 2010

Kandi Berkley
Notary Public

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

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 Zoning Map Change.
 Richard Armstrong, 7250 Turner Road, Long Beach, Mississippi has filed an application for a zoning map change in accordance with the Comprehensive Zoning Ordinance. Applicant is requesting to change the zoning classification from R-1, Single Family Residential to R-2 Low Density Multi-Family Residential. Property located on Fred Allen Road, tax parcel number 05119-01-017,007. The legal description is as follows:
 The South 1/2 of Lot 3 and the North 1/2 of Lot 4 Parcel of Fred Allen Subdivision (Phase) is subdivision according to the official map or plat thereof on file and of record in the office of the Charibery Clerk of Harrison County, First Judicial District, Mississippi.
 The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi 39600, Thursday, March 12, 2009, at 6:30 p.m., in the Long Beach School District Administration Office located on Commission Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.
 Signed: _____
 Chairman
 Planning Commission
 adv21,15AT 1310296

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The Commission Chairman recognized the applicant. The applicant stated that in 2002 the zoning for this property was inadvertently changed to R-1, he is requesting the Commission change the zoning to allow him to build a duplex. He further stated that the surrounding area is currently developed with duplexes and four plexes.

The Chairman opened the floor for public comments in favor of the request and no one came forward to be heard.

The Chairman opened the floor for public comments in opposition of the request and the following came forward to be heard:

Pamela Edwards, 20250 Daugherty Road, stated she was present for more information.

Bobby Lander, 20222 Daugherty Road, stated the area is currently overly developed with multi-family dwellings that are not maintained, the road cannot support the traffic in the area and the drainage is not adequate.

Patricia Bennett, 20108 Daugherty Road, stated there is not a need for more rental property, the area is currently unkept.

Debra Cook, 6359 Fred Allen Road, stated there are too many rental units currently in the area.

Harry Sharp, 6309 Fred Allen Road, stated he had drainage concerns and traffic concerns.

Steve Craig, 401 Evergreen Drive, stated he had traffic issues.

There being no further public comments, Commissioner Lipski made motion seconded by Commissioner Hare, and unanimously carried to close the public hearing.

Upon discussion, Commissioner Yandell made motion seconded by Commissioner Hill and unanimously carried to Deny the request stating that approval of the zone change constitute "spot zoning" therefore; arbitrary, capricious and unreasonable.

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Commissioner Roderick Rishel arrived at meeting. (6:58 p.m.)

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It came for consideration the public hearing to consider an application for Special Exception Use to allow a pre existing structure to be used as a second dwelling, as submitted by Nancy McGill, for property located at 20136 Pineville Road 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 ~~to~~ *TO turn a pre existing BLOG into a 2nd Dwelling*
- 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: 20136 Pineville Rd, Long Beach
House number and street name

III. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.) *Remodel small house & make into a one bedroom rental unit.*

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

A. If in a subdivision:
NA
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.

Nancy McBill 109 W Chipwood Dr
Name of Owner(s) Mailing Address
Subject, MS 39503 228-234-4357
City State Zip Telephone (H) Office
2-19-09 \$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

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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?

The small house is pre-existing. It will be upgraded in & out and more attractive for the neighbors if allowed.

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.

It is pre existing.

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?

It will lose potential income and not have funds to improve the exterior if not allowed.

Show that denial of this request will deprive the applicant of rights commonly enjoyed by other properties in the general area and that the granting of this variance request will make possible the reasonable use of land while not conferring any special privilege. Outline how the subject of the variance is common in the area and if the applicant were to be denied this variance a right would be taken away which was granted to other properties. States how the variance makes reasonable use of the existing land and why the same action cannot be done in a way that does not require a variance. Show that the granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable.

It would only be an asset to the city to upgrade it.

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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Index: SE 1/4 of NW 1/4
Section 10, T8S, R12W
Harrison County, MS

Return: Nancy McGill *NM*
~~20126 Pineville Road~~ 18231
Long Beach, MS 39560 *Commission*
(228) 863-2848 *Road*

BOOK 1453 PAGE 238

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

QUITCLAIM 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 and sufficiency of all of which are hereby acknowledged, I, WILLIAM D. MCGILL, do hereby grant, bargain, sell, convey and quitclaim unto NANCY MCGILL all of my right, title and interest in and to the following described real property, lying and being situated in Harrison County, Mississippi, more particularly described as follows:

A parcel of land situated in the Southeast One-fourth of the Northwest One-fourth (SE 1/4 of NW 1/4) of Section 10, Township 8 South, Range 12 West (if the same were regularly laid out and surveyed), Harrison County, Mississippi, and being more particularly described as follows:

Beginning at a concrete monument found on the North line of the Southeast One-fourth of the Northwest One-fourth (SE 1/4 of NW 1/4) at a point which is 711 feet West of the Northeast (NE) corner of said Southeast One-fourth of the Northwest One-fourth (SE 1/4 of NW 1/4) of Section 10, Township 8 South, Range 12 West (if regularly surveyed); and from said point of beginning, South 89 degrees 53 minutes 26 seconds West for a distance of 146.81 feet to a concrete monument found; thence South 1300.18 feet to a fence corner post lying on the North margin of Pineville Road; thence along said North margin North 89 degrees 28 minutes 51 seconds East for a distance of 147.52 feet to a fence corner post; thence North 00 degrees 01 minutes 52 seconds West for a distance of 1299.12 feet to the Point of beginning.

Said parcel of land being located in and a part of Lot 51 of the Henderson, Shipman and Hughes partition of the Bartholomew Pellerin Claim, according to the map or plat thereof on file and of record in the Deed Book Number 2 on Pages 105 to 107 of the records of Deeds of Harrison County, Mississippi.

And being further identified as being the West 147 feet of that property acquired by Spradley from Ferris by Deed dated July 30, 1954 and recorded in the records of Deeds of Harrison County, Mississippi in Book 384 on Pages 302-305.

Together with the aforesaid property and for the

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BOOK 1453 PAGE 239

consideration aforesaid, Grantor also sell, convey, assign and warrant unto the Grantees the right of the use artesian water from well located on the Northwest quarter of the Southwest quarter of Section 10, Township 8 South, Range 12 West (if regularly surveyed), with right to maintain piping connections with said well and all other rights pertaining thereto as were granted by H.H. McComb to August Werner by instrument dated June 30, 1931 and recorded in the records of Deeds of Harrison County, Mississippi, in Book 190 on Pages 539-540.

This conveyance is subject to any and all recorded rights-of-way, restrictions, reservations, covenants and easements.

WITNESS MY SIGNATURE on this, the 17th day of May, 1999.


WILLIAM D. MCGILL, Grantor

STATE OF MISSISSIPPI

COUNTY OF HARRISON

PERSONALLY came and appeared before me, the undersigned authority in and for said County and State, WILLIAM D. MCGILL, who acknowledged to me that he signed, executed and delivered the above and foregoing Quitclaim Deed on the day and year therein mentioned, for the purposes therein stated, as and for his free and voluntary act and deed.

GIVEN under my hand and official seal of office on this, the 17th day of May, 1999.


NOTARY PUBLIC

My Commission Expires:

2-23-2003

GRANTOR:

William D. McGill
3801 Melton, Apt. 39C
Pascagoula, MS 39581
(228) 769-6830

**MINUTES OF MARCH 11, 2009
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Book 1453 Page 240

GRANTEE:

Nancy McGill *NM*
 20136 Pineville Road *18231 Commission Rd*
 Long Beach, MS 39560
 (228) *863-2848*

PREPARED BY: Robert H. Koon
 Attorney At Law
 P.O. Box 4015
 Gulfport, MS 39502
 (228) 868-2919

Instrument No. 3954

STATEMENT OF FEES

Recording Fee \$6.00
 Records Maintenance Fee \$1.00
 Abstract of Sale \$1.00
 Marginal Entry \$1.00
 Other _____
 TOTAL FEES COLLECTED \$9.00



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

I hereby certify that this instrument was received and filed for record at 8 o'clock
 and 53 minutes A. M. on 27 day of May, A.D. 19 99
 and recorded May 28, 19 99 in Records of Deeds _____

Book 1453 Pages 238-240

JOHN McADAMS, Chancery Clerk
 BY *John McAdams*

LAWRENCE-GREENWOOD 00685

**MINUTES OF MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

The Clerk reported that forty-two (42) notices of Public Hearing were sent 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
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. 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 Special Exception Use.

Nancy McGill, 109 West Chipwood Drive, Gulfport, Mississippi has filed an application for a special exception use from the Comprehensive Zoning Ordinance. The request is to allow the applicant more than one principal dwelling on a lot zoned R-O Residential/Office.

A parcel of land situated in the Southeast One-fourth of the Northwest One-fourth (SE ¼ of NW ¼) of Section 10, Township 8 South, Range 12 West (if the same were regularly laid out and surveyed), Harrison County, Mississippi, and being more particularly described as follows:

Beginning at a concrete monument found on the North line of the Southeast One-fourth of the Northwest One-fourth (SE ¼ of NW ¼) at a point which is 711 feet West of the Northeast (NE) corner of said Southwest One-fourth of the Northwest One-fourth (SE ¼ of NW ¼) of Section 10, Township 8 South, Range 12 W (if regularly surveyed); and from said point of beginning, South 89 degrees 53 minutes 26 seconds West for a distance of 146.81 feet to a concrete monument found; thence South 1300.18 feet to a fence corner post lying on the North margin of Pineville Road; thence along said North margin North 89 degrees 28 minutes 51 seconds East for a distance of 147.52 feet to a fence corner post; thence North 00 degrees 01 minutes 52 seconds West for a distance of 1299.12 feet to the Point of beginning.

Said parcel of land being located in and a part of Lot 51 of the Henderson, Shipman and Hughes partition of the Bartholomew Pellerin Claim, according to the map or plat thereof on file and of record in the Deed Book Number 2 on Pages 105 to 107 of the records of Deeds of Harrison County, Mississippi.

And being further identified as being the West 147 feet of that property acquired by Spradley from Ferris by Deed dated July 30, 1954 and recorded in the records of Deeds of Harrison County, Mississippi in Book 384 on Pages 302-305.

Together with the aforesaid property and for the consideration aforesaid, Grantor also sell, convey, assign and warrant unto the Grantees the right of the use artesian water from well located on the Northwest quarter of the Southwest quarter of Section 10, Township 8 South, Range 12 West (if regularly surveyed), with right to maintain piping connections with said

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

**MINUTES OF MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

well and all other rights pertaining thereto as were granted by H.H. McComb to August Werner by instrument dated June 30, 1931 and recorded in the records of Deeds of Harrison county, Mississippi, in Book 190 on Pages 539-540.

The public hearing to consider the above Special Exception Use will be held in the City of Long Beach, Mississippi 39560, Thursday, March 12, 2009 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 MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

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

**LEGAL NOTICE
PUBLIC HEARING**
In accordance with Article XII of the Comprehensive Zoning Ordinance (2044) 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 Special Exception Use.

Nancy McGill, 109 West Chipwood Drive, Gulfport, Mississippi has filed an application for a special exception use from the Comprehensive Zoning Ordinance. The request is to allow the applicant more than one principal dwelling on a lot zoned R-O Residential Office.

A parcel of land situated in the Southeast One-fourth of the Northwest One-fourth (SE 1/4 of NW 1/4) of Section 10, Township 8 South, Range 12 West (if the same were regularly laid out and surveyed), Harrison County, Mississippi, and being more particularly described as follows:

Beginning at a concrete monument found on the North line of the Southeast One-fourth of the Northwest One-fourth (SE 1/4 of NW 1/4) at a point which is 711 feet West of the Northeast (NE) corner of said Southeast One-fourth of the Northwest One-fourth (SE 1/4 of NW 1/4) of Section 10, Township 8 South, Range 12 West (if regularly surveyed); and from said point of beginning, South 89 degrees 53 minutes 26 seconds West for a distance of 149.81 feet to a concrete monument found there; thence South 1300.18 feet to a fence corner post lying on the North margin of Pineville Road; thence along said North margin North 89 degrees 28 minutes 51 seconds East for a distance of 147.52 feet to a fence corner post; thence North 00 degrees 01 minutes 52 seconds West for a distance of 1299.12 feet to the Point of beginning.

Said parcel of land being located in and a part of Lot 51 of the Henderson, Shipman and Hughes partition of the Bartholomew Pellerin Claim, according to the map or plat thereof on file and of record in the Deed Book Number 2 on Pages 105 to 107 of the records of Deeds of Harrison County, Mississippi.

And being further identified as being the West 147 feet of that property acquired by Spradley from Pinner by Deed dated July 30, 1954 and recorded in the records of Deeds of Harrison County, Mississippi in Book 284 on Pages 302-305.

Together with the aforesaid property and for the consideration aforesaid, Grantor also sell, convey, assign and warrant unto the Grantees the right of the use artesian water from well located on the Northwest quarter of the Southwest quarter of Section 10, Township 8 South, Range 12 West (if regularly surveyed), with right to maintain piping connections with said well and all other rights pertaining thereto as were granted by H.H. McComb to August Werner by instrument dated June 30, 1931 and recorded in the records of Deeds of Harrison County, Mississippi in Book 150 on Pages 539-540.

The public hearing to consider the above Special Exception Use will be held in the City of Long Beach, Mississippi 3356B, Thursday, March 12, 2009 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.

As signed
Chairman
Planning Commission
adv26, THU 1310742

PROOF OF PUBLICATION

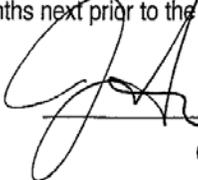
STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Julie Garner 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. 125 No. 147 dated 26 day of Feb, 2009
 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____

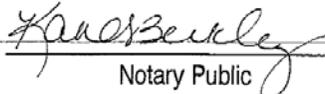
Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

MAR 03 2009


Clerk 2 day of

Sworn to and subscribed before me this Mar, A.D., 2009

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 MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

The Commission Chairman recognized the applicant. The applicant came forward to state she would like to renovate a nine hundred (900 sq. ft.) square foot one bedroom cottage to be used for a rental.

The Chairman opened the floor for public comments in favor of the request and no one came forward to be heard.

The Chairman opened the floor for public comments in opposition of the request and the following came forward to be heard:

Dolly Williamson, 504 Hickory Drive, stated that the property is zoned R-O for a reason, and is currently not being maintained.

Submitted for the record a letter received from William Spradley, 20137 Pineville Road as follows:

William E. Spradley
20137 Pineville Road
Long Beach, MS 39560
Home: 228-575-0636
Cell: 228-326-3846

March 1, 2009

City of Long Beach
Chairman, Planning Commission
201 Jeff Davis
P.O. Box 929
Long Beach, MS 39560

Dear Sir:

This letter is in response to your certified letter undated, Titled: "**Legal Notice of Public Hearing**" concern Nancy McGill, of 109 West Chipwood Drive, Gulfport, MS.

Since said property is a rental property already, *we do not concur with turning another building into another rental* on 20136 Pineville Road, Long Beach, MS next to Mr. Spradley's property and home. Mr. Spradley's health may prevent him from attending the city meeting on March 12, 2008.

As Mr. Spradley discussed with your office last week, there are errors in the documents submitted to the city and these items will be addressed to Harrison County for correction.

Sincerely,

William E. Spradley

**MINUTES OF MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

There being no further public comments, Commissioner Hare made motion seconded by Commissioner Serrato, and unanimously carried to close the public hearing.

Upon discussion, Commissioner Lipski Yandell made motion seconded by Commissioner Hare and unanimously carried to Approve the request stating that the building is pre existing and it would be an improvement to have it renovated, also with the stipulation that there be adequate parking, a paved driveway extended to allow access to the dwelling and that is renovated to building code.

It came for discussion under OLD BUSINESS approval/review of the Comprehensive Plan, Smart Code and Architectural Guidelines. A work Session was scheduled for Wednesday, March 18, 2009 at 5:00 p.m. at the City Hall Complex located at 645 Klondyke Road in the I.T. Trailer.

It came for approval under NEW BUSINESS Planning Commission Approval for a Home Occupation submitted by Virginia Norton as follows:

**MINUTES OF MARCH 11, 2009
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: NORTON First: VIRGINIA Middle Initial: G.
 Address: 108 W. AZALEA DR.
 City: Long Beach State: MS Zip: 39560 Phone: 903.244.6994
 Signature: Virginia G. Norton Date: 2/26/09
 Signature of applicant implies consent to any background checks deemed appropriate by this department

Business Information

Business Name: Sound ADVICE
 Business Name

To be used for: CONTRACT ULTRASOUND Consulting Nationwide.

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 MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

STATE OF MISSISSIPPI
COUNTY OF HARRISON



1st Judicial District
Instrument 2007 4854 D -J1
Filed/Recorded 5 10 2007 3 49 P
Total Fees 12.00
2 Pages Recorded

TITLE NOT EXAMINED

SCANNED

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of Ten dollars (\$10.00) and other good, valuable and legal considerations, the receipt of all of which is hereby acknowledged, the undersigned, VIRGINIA A. MADDEN and JOHNNY W. JONES, 6006 Sandlin Avenue, Texarkana, TX 75503, (903)244-6994, do hereby sell, convey and quitclaim unto VIRGINIA A. MADDEN, 6006 Sandlin Avenue, Texarkana, TX 75503, (903)244-6994, the following described land and property, together with all improvements situated thereon, located in the First Judicial District of the County of Harrison, State of Mississippi, being more particularly described as follows, to-wit:

Lot Forty-two (42), AZALEA HOMES SUBDIVISION, 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 20 at Page 34 thereof, reference to which is hereby made in aid of and as a part of this description.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

AD VALOREM TAXES for the current year have been pro-rated and are hereby assumed by the Grantees herein.

WITNESS MY SIGNATURE, this the 13th day of April, 2007.

VIRGINIA A. MADDEN

JOHNNY W. JONES

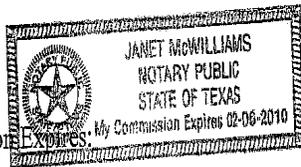
**MINUTES OF MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

2

STATE OF Texas
COUNTY OF Bowie

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named VIRGINIA A. MADDEN, who acknowledged to and before me that she signed and delivered the above and foregoing instrument as her free and voluntary act and deed on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 13th day of ~~March~~ April, 2007.



Janet McWilliams
NOTARY PUBLIC

My Commission Expires: 02-06-2010

STATE OF Louisiana
COUNTY OF Lafayette

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named JOHNNY W. JONES, who acknowledged to and before me that he signed and delivered the above and foregoing instrument as his free and voluntary act and deed on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 13 day of ~~March~~ April, 2007.

Jadeon Janel
NOTARY PUBLIC
#014045

My Commission Expires: Life

Prepared By:
Gulf Title Company
10576 Klein Road
Gulfport, MS 39503
(228) 539-0909
File #062802-MN

**MINUTES OF MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

IN THE CHANCERY COURT OF HARRISON COUNTY

FIRST JUDICIAL DISTRICT

GARRY MADDEN	PLAINTIFF
VERSUS	NO. 01-02707
VIRGINIA MADDEN	DEFENDANT

JUDGMENT

THERE CAME on to be heard and considered on this date Complaint for Divorce in the above referenced styled and numbered cause and the Court having heard and considered same, having full and complete jurisdiction of the parties and of the subject matter and being duly advised in the premises does hereby find, order and adjudge as follows; to-wit:

That the Court has full and complete jurisdiction of the parties and of the subject matter, the parties being over twenty-one years of age, of the white or Caucasian race and have both resided in Harrison County, Mississippi for six months prior to the filing of this action.

That the parties were married each to the other on April 2, 1999 in Harrison County Mississippi and thereafter separated on July 22, 2001 while resident citizens of Harrison County, Mississippi and have not since cohabited.

That no children were born of this union and none are anticipated.

That certain Irreconcilable Differences have arisen between the parties which make continued marital cohabitation impossible. Accordingly, the Court finds that the parties are entitled to a full, complete and final judgment of divorce of and from each other on the ground of Irreconcilable Differences.

That the parties hereto have entered into a Property Settlement Agreement disposing of all issues involving their property rights and obligations to one another with regard to the marital relationship and the Court finds that the Property Settlement Agreement, attached hereto to be a fair, sufficient and adequate Property Settlement Agreement and same is hereby adopted, approved and ratified by this Court. The parties are admonished to abide by the terms and

**MINUTES OF MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

provisions thereof.

That the parties have withdrawn all fault grounds and accordingly the Court shall proceed on the ground of Irreconcilable Differences.

IT IS THEREFORE;

ORDERED AND ADJUDGED that the parties hereto, Virginia A. Madden and W. Garry Madden be are hereby awarded a full, complete and final divorce of and from each other on the ground of Irreconcilable Differences.

IT IS FURTHER;

ORDERED AND ADJUDGED that the Defendant's name of Virginia A. Madden be changed to that of Virginia A. Norton by which name she shall hereafter be known.

IT IS FINALLY;

ORDERED AND ADJUDGED that the attached Property Settlement Agreement is hereby made an integral part of the Judgment of Divorce and thus subject to enforcement under the contempt powers of this Court.

THUS ORDERED AND ADJUDGED on this the 10th day of April, 2002.


SPECIAL CHANCELLOR

HERBERT J. STELLY, SR.
Attorney for Defendant
Post Office Box 1204
Gulfport, MS 39502
(228) 864-2418
MS Bar No. 7835

GAIL NICHOLSON
Attorney of Plaintiff
Post Office Box 162
Gulfport, MS 39502
(228) 864-9484
MS Bar No. 3850

**MINUTES OF MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Applicant was not present at meeting.

Planning Commission took no action on item.

It came for approval Planning Commission Approval for a Home Occupation submitted by Gregory Tuckey as follows:



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, upholstering, 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: Tuckey First: Gregory Middle Initial: C
 Address: 1125 Weigh ST
 City: Long Beach State: MS Zip: 39560 Phone: 228-324-1935
 Signature: [Signature] Date: 27 March 09
 Signature of applicant implies consent to any background checks deemed appropriate by this department

Business Information

Business Name: Real Repairs
 Business Name
 To be used for: Home Office

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 MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Harrison County Online!

Page 1 of 1

2008 Owner and Property Information

TUCKEY GREGORY C & PAMELA A
1125 LEIGH ST LONG BEACH MS39560

Physical Street Address:
1125 LEIGH ST

Parcel #:	PPIN	Tax District	Homestead Exp.	Judicial Dist.
0511H-01-028.000	85509	L	Regular	1

Supervisor District:	Subdivision:
3	DAUGHERTY PARK SUBD PART 6

Exemption Code

Non-Exempt

Section	Township	Range	Book	Page
03	08	12	2005-0011319-D- J1	--
Acres	Land Value	Improvements	Total Value	Assessed Value
0	59800	20964	80764	8076

Legal Description

LOT 74 DAUGHERTY PARK SUBD PART 6; ALSO BEG AT SW COR OF LOT 74 SELY 46 FT TO CENTERLINE OF CANAL #2 N 27 DGS E 93 FT TO EXTENSION OF W LINE OF LOT 83 NWLY 155.2 FT TO SW

[Click Here To Print](#) | [Click To Close This Window](#)

**MINUTES OF MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Applicant was not present at meeting.

Planning Commission took no action on item.

The next item of business was Planning Commission Approval to build low-rise apartments in an R-2, Low Density Multi-Family zone district, submitted by Curt Achee, as follows:



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 - Build low-rise apts in R-2 Zone Dist.
 - 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:
NORTH END CHARLES AVE.
House number and street name

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

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

A. If in a subdivision:
SEE ATTACHED
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>CURT ACHEE</u> Name of Owner(s)	<u>P.O. BOX 429</u> Mailing Address
<u>PASS CHRISTIAN MS 39571</u> City State Zip	<u>228 697 1818</u> Telephone (H) Office
<u>Curt Achee</u> Signature of Owner(s)	<u>3/5/09</u> <u>\$50.00</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 MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

III. The property is zoned R-2 at this time. The request is for planning commission approval to build 4 plexes on said property. The preliminary layout shows that all setbacks and footage requirements were met or exceeded.

IV.

A. Part of Gates subdivision platted but not developed.

Tax Parcel #0611P-04-074.000

#0611P-04-073.000

#0611P-04-072.000

#0611P-04-076.000

#0611P-04-075.000

#0611P-04-114.000

#0611P-04-113.000

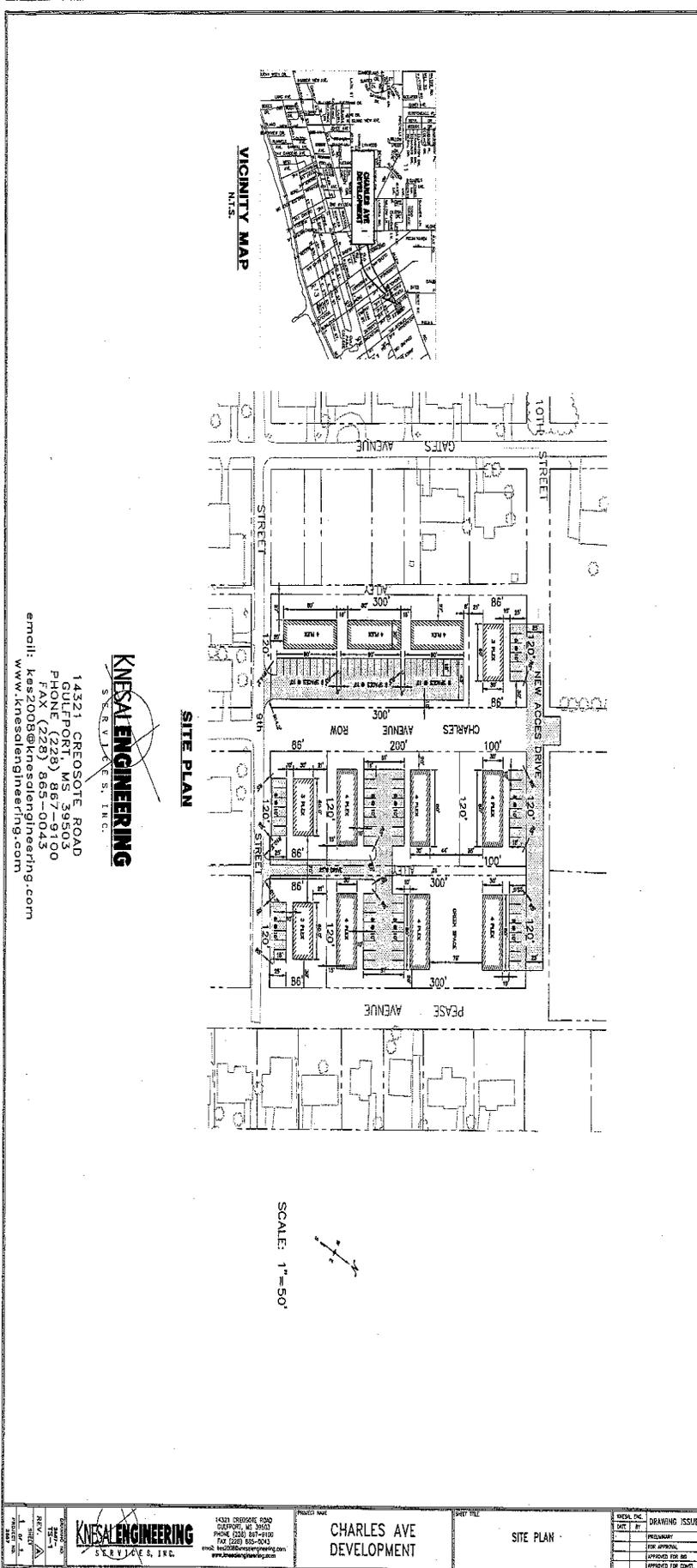
#0611P-04-111.000

~~#0611P-04-118.000~~

~~#0611P-04-117.002~~

~~#0611P-04-117.000~~

**MINUTES OF MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



**MINUTES OF MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Discussion was had regarding street frontage, ingress and egress, and density, Commissioner Yandell made motion seconded by Commissioner Lipski and unanimously carried to table the item to allow the applicant time to address the aforementioned issues.

The next agenda item for discussion was an application for Case Review for a Zone Change (on file in Building/Code Office) submitted by Mrs. Ida Faye Woodfield.

* * *

Planning Commission Chairman Frank Oliavar recued his self from meeting.

* * *

Commissioner Lipski made motion seconded by Commissioner Hill and unanimously carried directing Commissioner Yandell to Chair meeting.

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After considerable discussion Commissioner Hare made motion seconded by Commissioner Serrato directing Planning Commissioner Advisor Bill Hessell to draft a legal notice for public hearing to Rezone the property along the west margin of Klondyke Road, between canal #1 to Summer Lane, a depth/width of 170 feet, to C-2 General Commercial.

The question being put to a roll call vote by the Commission Chairman the results were as follows:

Commissioner Barney Hill	Nay
Commissioner Tony Vancourt	Absent, not voting
Commissioner David Serrato	Aye
Commissioner Jacquie Lipski	Aye
Commissioner Roderick Rishel	Aye
Commissioner Dale Hare	Aye

The question having received the affirmative vote of the majority of the Commissioners present and voting, the Commission Chairman declared the motion carried.

**MINUTES OF MARCH 11, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

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