

**MINUTES OF MAY 28, 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: Commissioners, Barney Hill, Dale Hare, Tonda Yandell, Tony Vancourt, Jacquie Lipski, and Minutes Clerk Veronica Howard.

Commission Chairman Frank Olaivar, Commissioners David Serrato, Roderick Rishel, and Maurice Warren 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 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 June 2, 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, with no corrections, the Planning Commission minutes of May 14, 2009.

It came for discussion under OLD BUSINESS approval/review of the Comprehensive Plan, Smart Code and Architectural Guidelines. A work Session was scheduled for June 4, 2009 at 5:00 p.m. at the City Hall Complex located at 645 Klondyke Road in the I.T. Trailer.

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The next item for consideration was Planning Commission Approval to operate a snow ball stand from property located on Pineville Road (19084 Pineville Road) submitted by Amber Dion as follows:

May 28th

		APPLICATION FOR CASE REVIEW City of Long Beach, PO Box 929/201 Jeff Davis Avenue 39560 (228)863-1554 Fax (228)865-0822		
Shaded Areas for Staff ONLY		Agenda Date:		
TO BE COMPLETED BY APPLICANT (Front and Back of each page)		DATE: <u>5-21-09</u>		
Name of Rightful Owner: <u>Amber Dion</u>		Name of Applicant (if different than Owner)		
Property Address: <u>19084 Pineville Rd.</u>		Ward Number <u>2</u>		
Tax Parcel Identification Number(s):				
Mailing Address of Property Owner: <u>19084 Pineville Rd.</u>		Mailing Address of Applicant (if different than owner): <u>224 W. Old Pass Rd</u>		
City <u>Long Beach</u>		City <u>Long Beach</u>		
State <u>MS</u>		State <u>MS</u>		
Zip <u>39560</u>		Zip <u>39560</u>		
County <u>Harrison Co.</u>		County <u>Harrison Co.</u>		
Telephone: <u>(601) 681-4482</u>		Telephone: <u>(228) 547-1034</u>		
PROPERTY INFORMATION				
Property Size (Please give in acres or by dimension):				
Present Zoning Classification <u>C-2</u>				
Flood Zone(s) of Property:				
	North	South	East	West
Property is most nearly bounded by what streets?	<u>LaCrossa</u>			<u>Pineville</u>
If property directly fronts or is adjacent one of the streets above please indicate with a X.	X			X
TYPE OF CASE REQUEST (A separate supplement form is required for each):				
<input type="checkbox"/> Zoning Change (\$100.00 + administrative fees)				
<input checked="" type="checkbox"/> Planning Commission Approval (\$50.00 application)				
<input type="checkbox"/> Special Exception Use (\$100.00 + administrative fees)				
<input type="checkbox"/> Variance Request (\$100.00 + administrative fees)				
Plat Approval - () Sketch (\$50.00 application fee) () Preliminary () Final - Please provide a blue line of the proposed plat. FEES for Preliminary & Final plat approval as follows: 2-3 lots \$100 / 4-10 lots \$150 / 11-50 lots \$300 / 50-100 lots \$400 / 100+ lots \$500				
<input type="checkbox"/> A Decision of the Building Official is Alleged to be in Error (\$50.00 application fee)				
<input type="checkbox"/> Interpretation of the Zoning Ordinance				
<input type="checkbox"/> Home Occupation (attach copy of Deed or lease) (\$80.00 application fee) Skip to page 4				

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APPLICATION FOR CASE REVIEW (continued)

Please attach the following if applicable:

1. A deed which includes a legal description of the specific piece of property involved in the request.
2. If several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.
3. Survey
4. 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. A complete site plan of the property shall also be submitted with the application, to include any existing structures, easements, or other significant physical features.
5. 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)**
6. 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.
7. Applicant should appear personally or through his/her agent at the scheduled hearing.
8. 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.

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.

GENERAL INFORMATION, READ BEFORE EXECUTING. Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than 21 days before the 2nd or 4th Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.

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.



Signature of Rightful Owner

Signature of Applicant

5-21-09
Date

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COMMERCIAL LEASE AGREEMENT.docx

http://mail.google.com/mail/?ui=2&ik=292e414f9a&view=att&th=121...

Attn: Duncan

COMMERCIAL LEASE AGREEMENT

This Commercial Lease Agreement (Lease) is entered into on this 20th day of May, 2009 by and between _____ (Landlord) and Amber Diaw (Tenant). Landlord is the owner of land and improvements whose address is: _____. Landlord makes available for lease a portion of the Building designated as _____ (Leased Premises).

Landlord desires to lease the Leased Premises to Tenant, and Tenant desires to lease the Leased Premises from Landlord for the term, at the rental and upon the provisions set forth herein.

THEREFORE, in consideration of the mutual promises contained herein, and for other good and valuable consideration, it is agreed:

Term.

The Initial Term of the Lease shall begin on the 5th day of June, 2009 and end on the 30th day of September, 2009. Landlord shall use its best efforts to put Tenant in possession of the Leased Premises on the beginning of the Lease term. If Landlord is unable to timely provide the Leased Premises, rent shall abate for the period of delay. Tenant shall make no other claim against Landlord for any such delay.

~~Tenant may renew the Lease for one extended term of one (1) year. Tenant shall exercise such renewal option, if at all, by providing written notice to Landlord not less than ninety (90) days prior to the expiration of the Initial Term. The renewal term shall be at the rental set forth below and otherwise upon the same covenants, conditions and provisions as contained in this Lease.~~

Rent.

Tenant shall pay to Landlord during the Initial Term rent of \$150.00 Dollars (\$) per month. Each payment shall be due in advance on the first day of each calendar month during the lease term to Landlord at the following address:

The rental payment amount for any partial calendar months included in the lease term shall be prorated on a daily basis.

Utilities.

Landlord shall pay all charges for water, sewer, gas, electricity, telephone and other services and utilities used by Tenant on the Leased Premises during the term of this Lease unless otherwise expressly agreed in writing by Landlord. Utilities will be included in the rent of this lease.

Landlord

Tenant

Amber Diaw

Amber Diaw 5-20-09

*Please return to Amber Diaw
228-863-5272*

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Applicant came forward to state that in the past there was a snow ball stand at the location.

Discussion was had regarding parking, ingress/egress and hand washing stations.

Commissioner Lipski made motion seconded by Commissioner Yandell and unanimously carried to approve the request.

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