

**MINUTES OF MARCH 25, 2010
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Be it remembered that a regular meeting of the Long Beach Planning Commission of the City of Long Beach, Mississippi, was begun and held at the Long Beach School District Central Office, 19148 Commission Road, in said City and the same being the time and place fixed for holding said meeting.

There were present and in attendance on said Commission and at the meeting the following named persons: Commission Chairman Frank Olaivar, Commissioners Tony Vancourt, Danny Hansen, John Castleberry, Gretchen Loftus, William "Chip" Williams, Tonda Yandell, Dale Hare, and Minutes Clerk Veronica Howard.

Commissioners Jacquie Lipski was absent the meeting.

* * *

There being a quorum present and sufficient to transact the business of this regular scheduled meeting the following proceeding 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 April 6, 2010, and subject to a ten-day appeal in time for a Public Hearing.

* * *

After careful review and consideration Commissioner Hare made motion seconded by Commissioner Vancourt and unanimously carried to approve the Planning Commission Minutes of March 11, 2010.

**MINUTES OF MARCH 25, 2010
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It came for consideration a PUBLIC HEARING to consider a Zone Change Request from R-1 Single-Family Residential to R-2 Low Density Multi-Family Residential for 113 Charles Wood Lane submitted by Helen and Donald Mauffray as follows:

	<p>CITY OF LONG BEACH PLANNING DEPARTMENT 645 KLONDYKE ROAD / PO BOX 929 LONG BEACH, MS 39560 (228) 863-1554</p>	<p style="text-align: center; margin: 0;">Office use only</p> <p>Date Received <u>3-8-10</u> Zoning <u>R-1</u> Agenda Date <u>3-25-10</u> Check Number <u>1242</u></p>
APPLICATION FOR CASE REVIEW		
<p>I. TYPE OF CASE: ZONE CHANGE REQUEST</p>		
<p>II. Advalorem Tax Parcel Number(s): <u>0612 D-01-007.000</u></p>		
<p>III. Address of Property Involved: <u>113 Charleswood Lane Long Beach MS 39560</u></p>		
<p>IV. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.) <u>request to build a living structure in rear of above property to allow daughter to care for parents. See attached</u></p>		
<p>V. REQUIRED ATTACHMENTS:</p> <p>A. Interest and Ownership. The applicant's name, address and interest of every person, firm or corporation represented by the applicant in the application, the name of the owner or owners and their respective addresses of the entire land area proposed to be changed in classification or to be included within the structures then existing thereon, and sufficient evidence to establish that the applicant has the right of possession to the land area and structures, the names and address of all owners of adjacent property (exclusive of the width of intervening streets, alleys, or bodies of water). Claims of support or "no objection" from owners 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.</p> <p>B. Survey and Site Plan. If the proposed amendment would require a change in the Zoning Map, a site plan showing the land area which would be affected, easements bounding and intersecting the designated area, the locations of existing and proposed structures with supporting open facilities, and the ground area to be provided and continuously maintained for the proposed structure or structures;</p> <p>C. Development schedule. The time schedule for the beginning and completion of development planned by the applicant 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.</p> <p>D. Effect of Amendment. A report giving the nature, description and effect of the proposed amendment, if the proposed amendment would require a change in the Zoning Map, description of the probable effect on the surrounding land uses and properties.</p> <p>E. Error. The error in the Ordinance that would be corrected by the proposed amendment, if the intent is to correct an error.</p> <p>F. Recorded Warranty Deed. A deed which includes a legal description of the specific piece of property involved in the request. 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.</p> <p>G. Fee. Attach a check in the amount of \$100.00. This check should be made payable to the City of Long Beach to cover administrative cost. You will also be responsible to actual costs, such as advertising and mailing incurred with the processing of your application.</p>		
<p>***NOTE*** APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.</p>		
<p>VI. OWNERSHIP AND CERTIFICATION:</p> <p>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.</p> <p>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.</p>		
<p><u>Donald & Helen Mauffray</u> Name of Rightful Owner (PRINT)</p> <p><u>113 Charleswood Lane</u> Owner's Mailing Address</p> <p><u>Long Beach MS 39560</u> City State Zip</p> <p><u>228 864-7562</u> Phone</p> <p><u>Helen or Mauffray 3-5-10</u> Signature of Rightful Owner Date</p>	<p>_____ Name of Agent (PRINT)</p> <p>_____ Agent's Mailing Address</p> <p>_____ City State Zip</p> <p>_____ Phone</p> <p>_____ Signature of Agent Date</p>	

**MINUTES OF MARCH 25, 2010
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LONG BEACH PLANNING COMMISSION**

STATE OF MISSISSIPPI

COUNTY OF HARRISON

BOOK 1047 PAGE 309

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned, RUTH DEDEAUX VANN, a single person, does hereby sell, convey and warrant unto DONALD THOMAS MAUFFRAY and wife, HELEN J. MAUFFRAY, 113 Charleswood Lane, Long Beach, Mississippi 39560, as joint tenants with full rights of survivorship and not as tenants in common, the following described land and property being located in the First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit:

A parcel of land being situated in and a part of Lots Seven (7) and Eight (8), NORTEWOOD VILLAGE 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 23 at Page 18, more particularly described as follows, to-wit: Beginning at the Northeast corner of Lot 7 of said Northwood Village Subdivision, thence run Southerly along the West side of Charleswood Lane a distance of 14.25 feet; continuing thence Southeasterly along the West side of Charleswood Lane around a curve with a radius of 55 feet a distance of 42.75 feet; thence run Southwesterly a distance of 226.0 feet to the Southwest corner of Lot 8 of said Northwood Village Subdivision; thence run North a distance of 137.5 feet; thence run North-easterly a distance of 186.7 feet to the Point of Beginning.

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.

TAXES for the current year have been pro-rated as of this date and are hereby assumed by the Grantees herein.

WITNESS MY SIGNATURE, this the 25th day of July, 1986.


RUTH DEDEAUX VANN

**MINUTES OF MARCH 25, 2010
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LONG BEACH PLANNING COMMISSION**

STATE OF MISSISSIPPI
COUNTY OF HARRISON

BOOK 1047 PAGE 310

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the under-
signed authority in and for the jurisdiction aforesaid, the within
named RUTH DEDEAUX VANN, who acknowledged to and before me that
they signed and delivered the above and foregoing instrument as
their 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
25th day of July, 1986.

Roberta M. Burleson
NOTARY PUBLIC

My Commission Expires:
June 2, 1990



STATEMENT OF FEES

First Page	\$2.00
Adm. Charge	\$1.00
Abstracting/Section at \$1.00	\$1.00
Marginal Entry at .50	.50
Total Fees	4.00

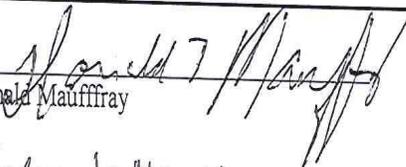
STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:
I hereby certify that this instrument was received and filed for record at 4 o'clock
and 18 minutes P. M. on 25th day of July, A.D. 19 86
and recorded July 29, 1986 in Records of Deeds
Book 1047 Pages 309-310

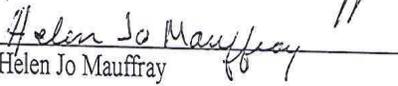
G. N. Creel, Chancery Clerk
By Hatty Summers, c.

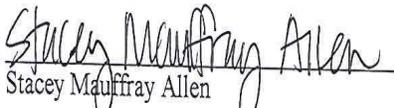
**MINUTES OF MARCH 25, 2010
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February 23, 2010

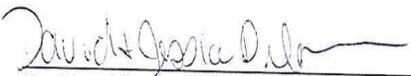
Donald and Helen Mauffray, reside at 113 Charleswood Lane, Long Beach, MS 39560, and are asking permission from the City of Long Beach, MS to allow a new building structure in the back of their property, which will be a living structure, to allow their daughter Stacey Mauffray Allen, to care for them on the same property. We are asking permission from the two (2) immediate neighbors that this may affect and below are signatures granting permission.


Donald Mauffray


Helen Jo Mauffray


Stacey Mauffray Allen

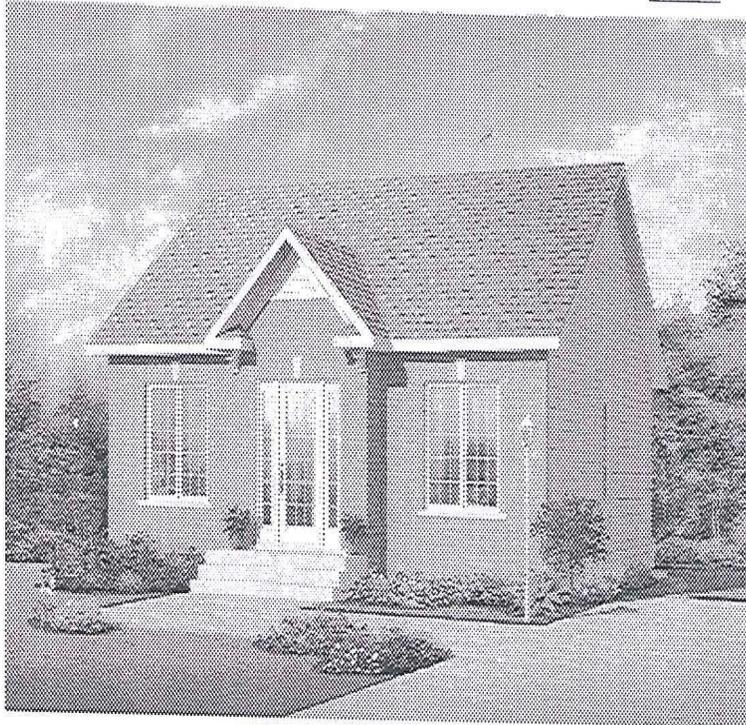

Donald Coss
115 Charleswood Lane
Long Beach, MS 39560


David and Jessica Dilo
111 Charleswood Lane
Long Beach, MS 39560

**MINUTES OF MARCH 25, 2010
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House Plan HWEPL65240 image

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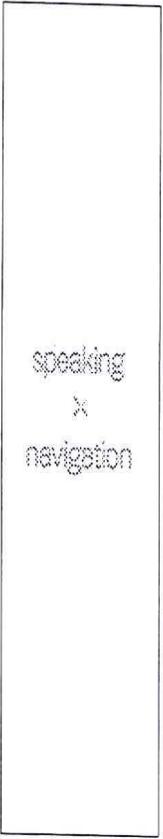
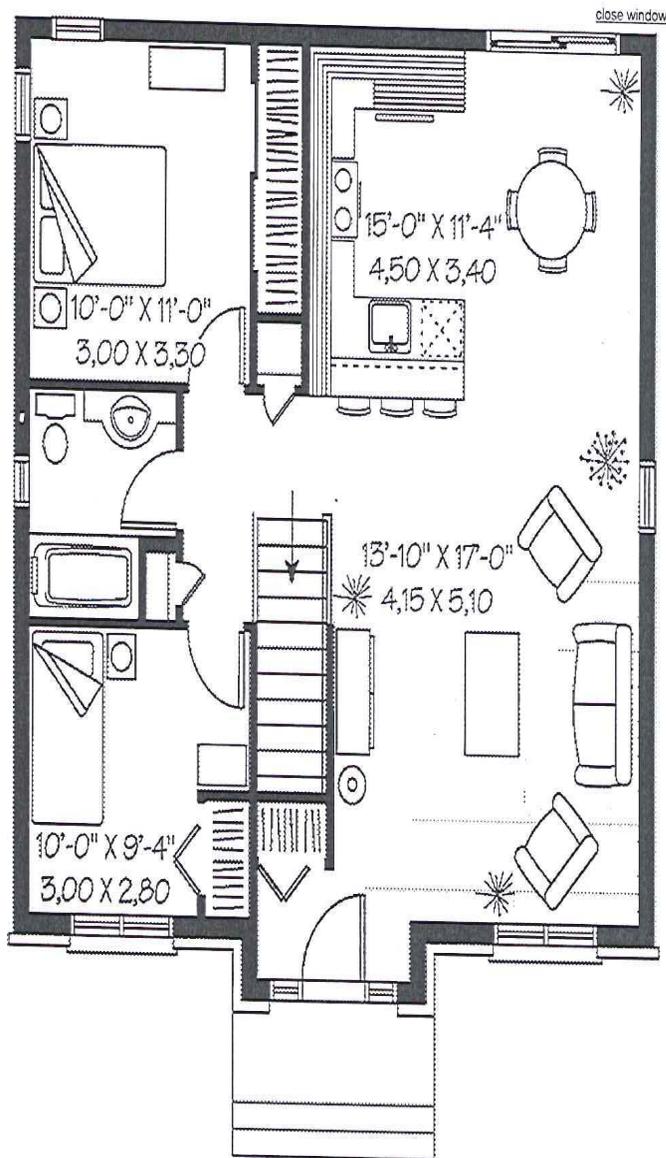
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House Plan HWEPL65240 image

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**MINUTES OF MARCH 25, 2010
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The Clerk reported that Seventeen (17) notices of Public Hearing were sent by Certified Mail, Electronic Return Receipt, to property owners with two hundred 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
Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kaye H. Couvillon - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Carolyn J. Anderson - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruiff

CITY ATTORNEY
James C. Simpson, Jr.

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**.

Donald and Helen Mauffray, 113 Charles Wood Lanes, Long Beach, MS has filed an application for a zone map change in accordance with the Comprehensive Zoning Ordinance. Applicants are requesting to change the zoning classification from R-1, Single-Family Residential to R-2 Low Density Multi-Family Residential for tax parcel number(s) 0612D-01-007.000. The property is generally described as being West of Alexander Road and South of Lynwood Circle. The legal description is as follows:

A parcel of land being situated in and a part of Lots Seven (7) and Eight (8), NORTHWOOD VILLAGE 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 23 at Page 18, more particularly described as follows, to-wit: Beginning at the Northeast corner of Lot 7 of said Northwood Village Subdivision, thence run Southerly along the West side of Charleswood Lane a distance of 14.25 feet; continuing thence Southeasterly along the West side of Charleswood Lane around a curve with a radius of 55 feet a distance of 42.75 feet; thence run Southwesterly a distance of 226.0 feet to the Southwest corner of Lot 8 of said Northwood Village Subdivision; thence run North a distance of 137.5 feet; thence run Northeasterly a distance of 186.7 feet to the point of Beginning.

The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi 39560, Thursday, March 25, 2010, at 6:00 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

**MINUTES OF MARCH 25, 2010
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The Clerk reported that she did cause to be published in The Sun Herald, a newspaper with general circulation in the City of Long Beach, and published in Harrison County, LEGAL NOTICE, PUBLIC HEARING, as evidence by the Publisher's Proof of Publication as follows:

PROOF OF PUBLICATION

**LEGAL NOTICE
PUBLIC HEARING**
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/s/ signed
Chairman
Planning Commission
ADV11,1THU 1372552

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA LAUK 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. 126 No., 159 dated 11 day of March, 2010
- 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 12 2010

Crista Lauk
Clerk

Sworn to and subscribed before me this 11 day of March, A.D., 2010

Nandi A. Steeby
Notary Public

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

**MINUTES OF MARCH 25, 2010
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LONG BEACH PLANNING COMMISSION**

Mrs. Helen Mauffray came forward to state that due to her husband's illness they were requesting permission to place a secondary dwelling on their lot to be occupied by their daughter this would allow her daughter to easily help provide care for her husband.

* * *

Commission Chairman called for anyone wishing to speak in **FAVOR** in of the request.

Don Coss, 115 Charleswood Lane, stated that this is an ideal situation and granting approval would have zero impact on the neighborhood.

* * *

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

* * *

Commissioner Yandell made motion seconded by Commissioner Hansen and unanimously carried to CLOSE the public hearing.

After considerable discussion Commissioner Hansen made motion seconded by Commissioner Yandell and unanimously carried to DENY the Zone Change request, but recommend APPROVAL for Special Exception Use allowing the applicant permission to build the aforementioned building.

It came for consideration a PUBLIC HEARING to consider a Text Change Request, requesting all uses by "right" in a C-1 Central Business/Commercial District be changed to require "Planning Commission" approval submitted by the City of Long Beach Planning Commission.

**MINUTES OF MARCH 25, 2010
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WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

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 Text Change**.

Long Beach Planning Commission has filed an application for a zone text change in accordance with the Comprehensive Zoning Ordinance. Applicant is requesting to change the zoning text for the C-1, Central Business District. The text change will require all uses presently allowed by "right" to be changed to require "Planning Commission Approval" prior to the issuance of a building permit. The purpose of this proposed change is to ensure that the City has considered smart growth methodology, promoted uniformed development and encourage the creation of a strong economic and civic environment for the Central Business District, thereby enhancing the quality of life for all Long Beach residents.

The public hearing to consider the above zoning text change will be held in the City of Long Beach, Mississippi 39560, Thursday, March 25, 2010, at 6:00 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

**MINUTES OF MARCH 25, 2010
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Commission Chairman stated with the potential adoption of the Smart Code Plan, possible being months away viewing and/or approving new developments in the downtown area would give developers the opportunity to conform to the Smart Code plan.

Commission Chairman called for anyone wishing to speak in **FAVOR** in of the request.

* * *

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

* * *

Commissioner Yandell made motion seconded by Commissioner Loftus and unanimously carried to CLOSE the public hearing.

After considerable discussion Commissioner Yandell made motion seconded by Commissioner Loftus and unanimously carried to APPROVE the Text Change Request.

It came for consideration under OLD BUSINESS approval / review of the Comprehensive, Smart Code Plan and Architectural guidelines.

FINAL revisions where submitted to Ayers, Saint Gross, Commission is awaiting the changes in order proceed to public hearing.

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

**MINUTES OF MARCH 25, 2010
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

APPROVED:

Commission Chairman, Frank Olaivar

Date: _____

ATTEST:

Minutes Clerk, Veronica Howard