MINUTES OF JUNE 14, 2012
REGULAR MEETING
LONG BEACH PLANNING COMMISSION

Be it remembered that a regular meeting before the Long Beach Planning Commission of the City of Long Beach, Mississippi, was begun at 6:00 o'clock p.m., Thursday, the 14th day of June 2012, in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed for holding said meeting.

There was present and in attendance on said Commission and at the meeting the following named persons: Commission Chairman Frank Olaivar, Commissioners Jim Heinzel, Gretchen Loftus, George Casey, Ron Robertson, Tonda Yandell, Randy Fischer and Minutes Clerk Veronica Howard.

Commissioner Tony Vancourt was absent the meeting.

The meeting was called to order, there being a quorum present and sufficient to transact the business of this meeting, the following proceedings were had and done.

Commissioner Yandell made motion seconded by Commissioner Loftus and unanimously carried to approve the May 24, 2012 (Regular Meeting) minutes as submitted.

****

It came for consideration a Tree Removal request for a Live Oak Tree located at 116 East 5th Street submitted by Charles Batten as follows:

MINUTES OF JUNE 14, 2012
REGULAR MEETING
LONG BEACH PLANNING COMMISSION

Please call Me at (228) 238-0070

CITY OF LONG BEACH, MISSISSIPPI
201 Jeff Davis Avenue
P.O. Box 929
Long Beach, MS 39560
(228) 863-1554
(228) 863-1558 fax

TREE PERMIT APPLICATION

****WHAT TYPE OF TREE ARE YOU REQUESTING TO BE REMOVED?** Live Oak
i.e. Live Oak, Magnolia, etc.

Routine trimming does not require a permit. The reason for pruning may include, but are not limited to, reducing risk, maintaining or improving tree health and structure, improving aesthetics, or satisfying a specific need. The City of Long Beach does recommend you obtain a licensed Arborist for your and the tree protection.

Any single-family Residential, Multi-Family Residential, Commercial or Industrial Zoned areas need a permit to remove a Live Oak or Magnolia tree with its root system, growing upon the earth usually with one trunk or at least eighteen (18) inches in circumference or larger, measured four and one-half (4 ½) feet above the surface of the ground, or a multi-stemmed trunk system with a definitely formed crowned.

Any person desiring a permit for removal of any Live Oak or Magnolia tree, shall submit this application and a filing fee of $25.00 per parcel of land to which such application pertains.

APPLICANT INFORMATION:

1. Last Name: Batten First: Charles Middle: Neal
2. Address: 116 East 5th St.
3. City: Long Beach State: MS Phone: (228) 238-0070

Project Address (where the trees to be removed are) **Tax Parcel Number**

4. Are you the legal owner of the above property? Yes ✓ No_____, If No written consent from the owner is needed. Please provide a statement that no person, not listed on this application, has any interest in the title in or to the property. Please provide a recorded warranty deed.

5. What is the reason the tree needs to be removed? Be specific ex. Construction, street or roadway, recreational area, patio, parking lot, diseased tree not worthy of preservation, etc. It is a dying tree that is a hazard to the house. Most importantly, I can not get insurance until its removal

Upon issuance of a Tree Removal Permit, the permit fee will be as follows:

1. For removal of a tree or trees where such removal of such tree or trees is necessitated by material damage caused by such tree or trees to permanent improvement or improvements on the parcel where such tree or trees are situated a fee of $1.00 per tree permitted to be removed.

2. For removal of all other trees, a fee of $45.00 per tree permitted to be removed.
   As per City of Long Beach Tree Ordinance (#364) any person removing any Live Oak or Magnolia tree within the City of Long Beach, Mississippi, without a valid tree removal permit, shall be guilty of a misdemeanor; and upon conviction thereof shall be sentenced to pay a fine not less than $500.00 nor more than $1000.00. The removal of each tree without having first secured a valid tree removal permit shall constitute a separate offense and shall be punishable as such.

** As a condition of granting the tree removal permit, the City, acting by and through its Mayor and Board of Aldermen, may require the applicant to relocate or replace trees, but may not require the replacement of trees in a number greater than the number of Live Oak or Magnolia trees removed; trees to be of Four (4) inches caliper deciduous trees or five (5) feet in height of evergreen or Live Oak or Magnolia trees.

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all applicable codes, ordinances and state laws regulation construction; that I am the owner or authorized to act as the owners agent for the herein described work.

Charles Batten 5-29-12
Signature Date

TREE SITE PLAN:

Please provide a map or diagram of the parcel of land, specifically designating the area or areas of proposed tree removal and the proposed use of such area. Please include the following: 1) location of all trees on the property, their size and species 2) Designate which are disease/or damaged, 3) designate which are endangering any roadway, pavement, or utility line, 4) any proposed grade changes that might adversely affect or endanger any trees on the site and specify how to maintain them 5) designate the trees to be removed and the trees to be maintained, and 5) location of existing and/or proposed structures.

116 E 5th ST- Batten

CITY OF LONG BEACH TREE BOARD RECOMMENDATIONS/COMMENTS BELOW:

No objection

6-5-12

PRINTED NAME AND SIGNATURE OF TREE BOARD MEMBER — DATE

Currently it's 82.6°F and winds are from the SSE @ 7.0 mph

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Harrison County Judicial 1
1801 23rd Ave
Gulfport, MS 39501

Harrison County Judicial 2
730 Dr. Martin Luther King, Jr. Blvd
Biloxi, MS 39530

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2011 Official Landroll Information

BATTEN CHARLES N
116 E 5TH ST LONG BEACH MS39560

Physical Street Address:
116 E 5TH ST

Parcel #:	PPIN	Tax District	Homestead Exp.	Judicial Dist.
0612B-03-045.001	104649	L		1

Supervisor District:	Subdivision:
3	ORIGINAL LONG BEACH

Exemption Code
Non-Exempt

Section	Township	Range	Instrument Number
13	08	12	1632/0538

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Acres	Land Value	Improvements	Total Value	Assessed Value
0	20125	0	20125	3019

Legal Description
W1/2 OF LOT 9 BLK 16 ORIGINAL LONG BEACH SUBD SEC 13-8-12

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Currently, there are 30 people online

06/13/2012

06/13/2012

06/13/2012

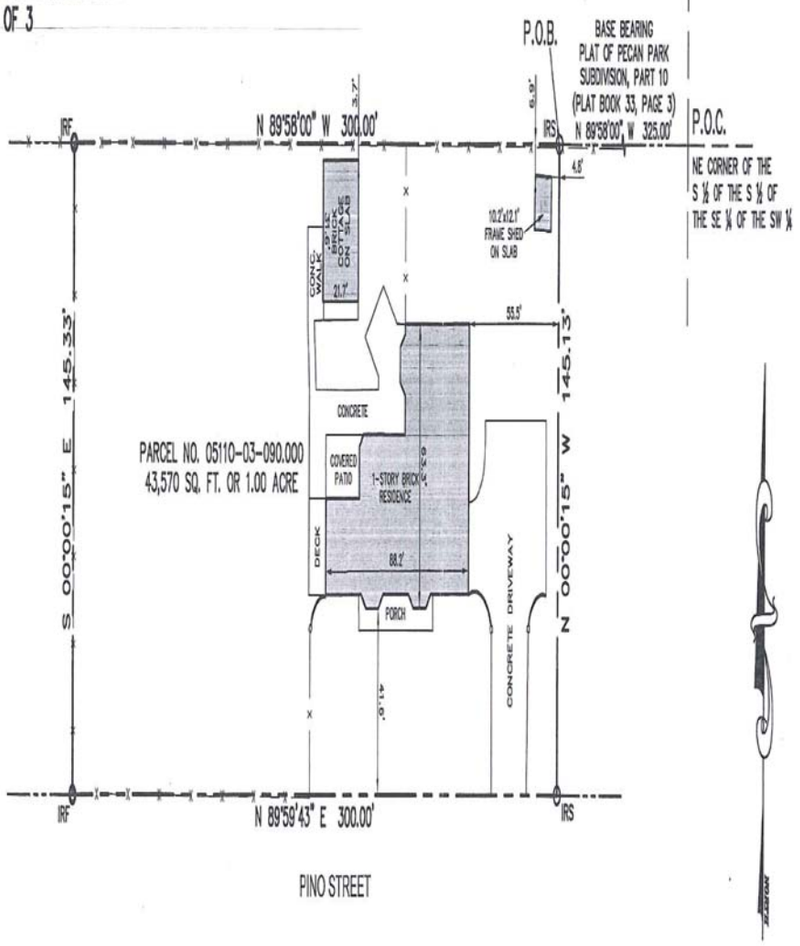
06/13/2012

Based upon the City of Long Beach Tree Board's recommendation Commissioner Robertson made motion seconded by Commissioner Fischer and unanimously carried recommending removal of the Live Oak Tree in accordance with The Tree Preservation and Protection Ordinance (#364).

* *

It came for consideration a Certificate of Resubdivision for property located at 1009 Pino Street submitted by Ed Byrnes as follows:

RESUBDIVISION OF
PARCEL 05110-03-090.000
INTO PARCEL A & PARCEL B
SHEET 1 OF 3



O IRF = IRON ROD FOUND

O IRS = IRON ROD SET

—x— = FENCE LINE

CLOSURE = 1:15,000

CLASS "B" SURVEY

By Graphic Plotting only, this property is in Zone "X" of the Flood Insurance Rate Map, Community Panel No. 28047C0356G, revision date June 16, 2009. Exact designation can only be determined by an Elevation Certificate. The City of Long Beach current BFE requires an additional 4 feet of freeboard. The above statement is for information only and this surveyor assumes no liability for the correctness of the cited map(s). In addition, the above statement does not represent this surveyor's opinion of the probability of flooding. Confirm ABFE with NFIP Specialist in City Planning Department.

This is to CERTIFY that this map or plat and the survey on which it is based were made in accordance with "Minimum Standards for Land Surveying in the State of Mississippi".

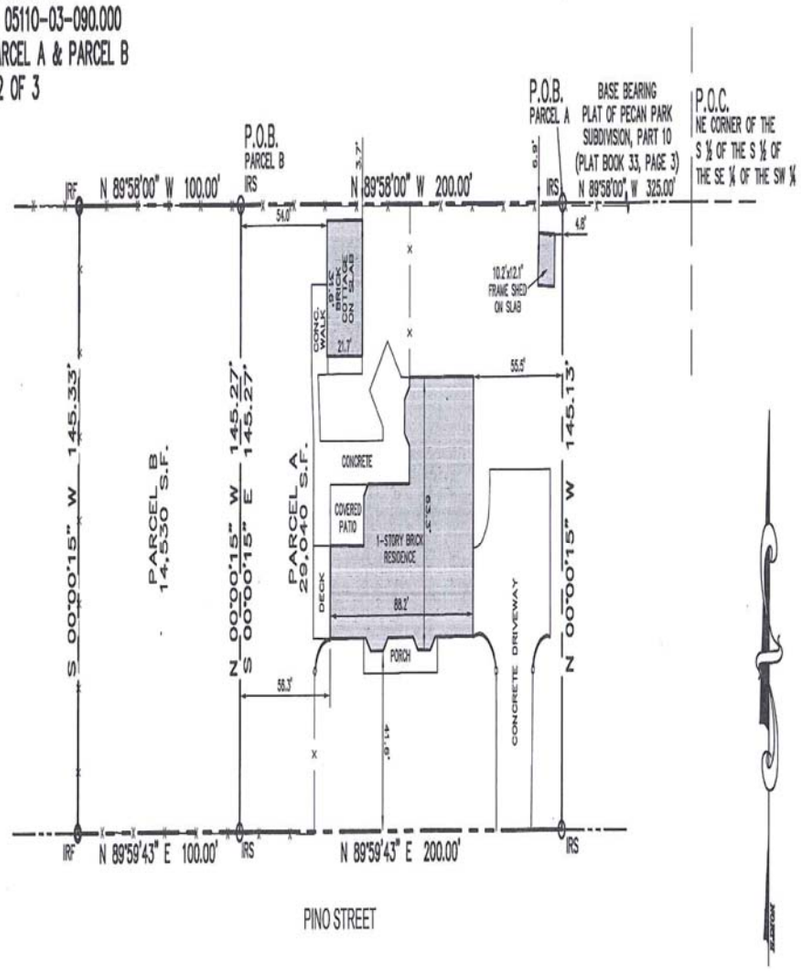
J. MICHAEL CASSADY, PLS
Dated: June 4, 2012

J. MICHAEL CASSADY
LICENSED PROFESSIONAL
SURVEYOR
LS 1629
STATE OF MISSISSIPPI

PREPARED BY:
CASSADY & ASSOCIATES, INC.
Professional Land Surveying
P.O. Box 1301 Gulfport, MS 39506
(228)896-1156 Fax (228)896-8405

Scale: 1"=40'	Drawn By: JET	Job Number: 11335-12	
Date: 06/05/12	Revised: --/--/--	Filename: ReSubDiv	

RESUBDIVISION OF
PARCEL 05110-03-090.000
INTO PARCEL A & PARCEL B
SHEET 2 OF 3



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CLASS "B" SURVEY

By Graphic Plotting only, this property is in Zone "X" of the Flood Insurance Rate Map, Community Panel No. 28047C0356G, revision date June 16, 2009. Exact designation can only be determined by an Elevation Certificate. The City of Long Beach current BFE requires an additional 4 feet of freeboard. The above statement is for information only and this surveyor assumes no liability for the correctness of the cited map(s). In addition, the above statement does not represent this surveyor's opinion of the probability of flooding. Confirm ABFE with NFIP Specialist in City Planning Department.

This is to CERTIFY that this map or plat and the survey on which it is based were made in accordance with "Minimum Standards for Land Surveying in the State of Mississippi".

J. MICHAEL CASSADY, PLS
Dated: June 4, 2012

J. MICHAEL CASSADY
REGISTERED PROFESSIONAL
SURVEYOR
LS 1629
STATE OF MISSISSIPPI

PREPARED BY:
CASSADY & ASSOCIATES, INC.
Professional Land Surveyors
P.O. Box 7301 Gulfport, MS 39506
(228)896-1155 Fax (228)896-8405

Scale: 1"=40'	Drawn By: JET	Job Number: 11335-12	
Date: 06/05/12	Revised: --/--/--	Filename: Resub1.dwg	

CERTIFICATE OF RESUBDIVISION

In accordance with Article II, Section 3 of the Code of Ordinance (Subdivision Regulations) of the City of Long Beach as amended, it is hereby certified that the Long Beach Planning Commission Chairman and Long Beach Mayor and Board of Aldermen have reviewed and approved the attached Final Plat. The following property has been subdivided from Harrison County ad valorem tax parcel number 05110-03-090.000 into Two new parcels. The subject property is generally described as being located adjacent to Pino Street.

LEGAL DESCRIPTION OF LAND PRIOR TO THIS RESUBDIVISION:

PARCEL NO. 05110-03-090.000 (EDWARD BYRNES)

A parcel of land located in Long Beach Section, Block 38, South by Pino Street, also in the Southeast One-Quarter of the Southwest One-Quarter (SE ¼ of the SW ¼) of Section 10, township 8 South, Range 12 West, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, to-wit:

COMMENCING at the Northeast corner of the South One-Half of the South One-Half of the Southeast Quarter of the Southwest Quarter (S ½ of S ½ of SE ¼ of SW ¼) of Section 10, Township 8 South, Range 12 West, First Judicial District of Harrison County, Mississippi; thence run West a distance of 325.00 feet to an iron marker at the Point of Beginning; thence run South a distance of 145.00 feet to the North margin of Pino Street; thence run along said margin West a distance of 300.00 feet; thence run North a distance of 145.00 feet; thence run East a distance of 300.00 feet to the Point of Beginning. Said parcel contains 43,570 square feet.

LEGAL DESCRIPTIONS OF THE (2) NEW PARCELS READ AS FOLLOWS:

LEGAL DESCRIPTION OF PARCEL A:

A parcel of land situated and being located in the Southeast ¼ of the Southwest ¼ of Section 10, Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, to-wit:

Commencing at the Northeast corner of the South ½ of the South ½ of the Southeast ¼ of the Southwest ¼ of said Section 10; thence run North 89 degrees 58 minutes 00 seconds West 325.00 feet along the north line of the said South ½ of the South ½ of the Southeast ¼ of the Southwest ¼ and the south line of PECAN PARK SUBDIVISION, PART 10 (Plat Book 10, Page 3) to the Point of Beginning of the parcel herein described; thence continue from said Point of Beginning, North 89 degrees 58 minutes 00 seconds West 200.00 feet along the north line of the said South ½ of the South ½ of the Southeast ¼ of the Southwest ¼ and the south line of PECAN PARK SUBDIVISION, PART 10; thence run South 00 degrees 00 minutes 15 seconds East 145.27 feet to the northerly margin of Pino Street; thence run North 89 degrees 59 minutes 43 seconds East 200.00 feet along the northerly margin of Pino Street; thence run North 00 degrees 00 minutes 15 seconds West 145.13 feet to the Point of Beginning. Said parcel contains 29,040 square feet.

LEGAL DESCRIPTION OF PARCEL B:

A parcel of land situated and being located in the Southeast ¼ of the Southwest ¼ of Section 10, Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, to-wit:

Commencing at the Northeast corner of the South ½ of the South ½ of the Southeast ¼ of the Southwest ¼ of said Section 10; thence run North 89 degrees 58 minutes 00 seconds West 325.00 feet along the north line of the said South ½ of the South ½ of the Southeast ¼ of the Southwest ¼ and the south line of PECAN PARK SUBDIVISION, PART 10 (Plat Book 10, Page 3); thence continue North 89 degrees 58 minutes 00 seconds West 200.00 feet along the north line of the said South ½ of the South ½ of the Southeast ¼ of the Southwest ¼ and the south line of PECAN PARK SUBDIVISION, PART 10 to the Point of Beginning of the parcel herein described; thence continue from said Point of Beginning, North 89 degrees 58 minutes 00 seconds West 100.00 feet along the north line of the said South ½ of the South ½ of the Southeast ¼ of the Southwest ¼ and the south line of PECAN PARK SUBDIVISION, PART 10; thence run South 00 degrees 00 minutes 15 seconds East 145.33 feet to the northerly margin of Pino Street; thence run North 89 degrees 59 minutes 43 seconds East 100.00 feet along the northerly margin of Pino Street; thence run North 00 degrees 00 minutes 15 seconds West 145.27 feet to the Point of Beginning. Said parcel contains 14,530 square feet.

CERTIFICATE OF OWNERSHIP:

I hereby certify that I am the owner of the property described hereon, which property is within the subdivision regulation jurisdiction of the City of Long Beach, and that I freely adopt this plan of subdivision.

Edward Byrnes — Date: 6.6.12

Subscribed and sworn to before me, in my presence this 6th day of June, 2012, a Notary Public in and for the County of Harrison, State of MS.

NOTARY PUBLIC

My Commission Expires: 7-30-2014

STATE OF MISSISSIPPI MARY B. LAMBERT NOTARY PUBLIC ID No 30095 Comm Expires July 30, 2014 HARRISON COUNTY

RESUBDIVISION OF PARCEL 05110-03-090.000 INTO PARCEL A & PARCEL B
SHEET 3 OF 3

CERTIFICATE OF OWNERSHIP:

I hereby certify that I am the owner of the property described hereon, which property is within the subdivision regulation jurisdiction of the City of Long Beach, and that I freely adopt this plan of subdivision.

Karen L. Byrnes — Date: 6/6/12

Subscribed and sworn to before me, in my presence this 6th day of June, 2012, a Notary Public in and for the County of Harrison, State of MS.

NOTARY PUBLIC

My Commission Expires: 7-30-2014

STATE OF MISSISSIPPI MARY B. LAMBERT NOTARY PUBLIC ID No 30095 Comm Expires July 30, 2014 HARRISON COUNTY

CERTIFICATE OF SURVEY AND ACCURACY:

I hereby certify that this map drawn by me or drawn under my supervision from actual survey made by me or actual survey made under my supervision and was prepared in accordance with all applicable codes and ordinances. Witness my original signature, registration number and seal this the 6th day of June, 2012.

A. Michael Cassady, PLS
Registration No. 1529

Subscribed and sworn to before me, in my presence this ___ day of _____, 2012, a Notary Public in and for the County of Harrison, State of Mississippi.

NOTARY PUBLIC

My Commission Expires: 1/17/14

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 5801 JERRY J. ROSETTI Commission Expires Jan. 17, 2014 HARRISON COUNTY

CERTIFICATE OF APPROVAL:

I hereby certify that the Minor Subdivision shown on this plat does not involve the creation of new public streets, or any change in existing public streets, the extension of public water or sewer system or the installation of drainage improvements through one or more lots to serve one or more lots. That the subdivision shown is in all respects in compliance with the City ordinances of Long Beach and that therefore this plat has been approved by the administrator subject to its being recorded in the Harrison County Courthouse within sixty (60) days of the date below.

Administrator — Date:

PLANNING COMMISSION:

Submitted to and approved by the City of Long Beach Planning Commission at the regularly scheduled meeting on the ___ day of _____, 2012.

Planning Commission Chairman

APPROVAL:

Submitted to and accepted by the City of Long Beach, Board of Aldermen, at the regular meeting of said Board of Aldermen held on the ___ day of _____, 2012.

ATTEST: — ADOPT:

City Clerk — Mayor

Prepared by:
City of Long Beach
Planning Commission
201 Jeff Davis Avenue
Long Beach, MS 39560
228-863-1554

PREPARED BY:
CASSADY & ASSOCIATES, INC.
Professional Land Surveyors
P.O. Box 1301 Gulfport, MS 39506
(228)896-1166 Fax (228)896-8405

Scale: N. T. S.	Drawn By: JET	Job Number: 11335-12
Date: 06/05/12	Revised: --/--/--	Filename: Resub3.dwg

Currently it's 83.1°F and winds are from the S @ 8.0 mph

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Harrison County Judicial 1
1801 23rd Ave
Gulfport, MS 39501

Harrison County Judicial 2
730 Dr. Martin Luther King, Jr. Blvd
Biloxi, MS 39530

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2011 Official Landroll Information

BYRNES EDWARD J & KAREN L
29- 53RD STREET GULFPORT MS39507

Physical Street Address:
1009 PINO ST

Parcel #:	PPIN	Tax District	Homestead Exp.	Judicial Dist.
0511O-03-090.000	37189	L	Regular	1

Supervisor District:	Subdivision:
3	N/A

Exemption Code
Non-Exempt

Section	Township	Range	Instrument Number
10	08	12	1192/0457

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Acres	Land Value	Improvements	Total Value	Assessed Value
0	43470	240052	283522	29525

Legal Description
1 AC(C) BEG 325 FT W OF NE COR OF S1/2 OF S1/2 OF SE1/4 OF SW1/4 OF SEC 10 S 145 FT TO N MAR OF PINO STW ALONG RD 300 FT N 145 FT E 300 FTTO POB PART OF SE1/4 OF SW1/4 SEC

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Currently, there are 32 people online

A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS
520 33RD STREET
GULFPORT, MS 39507
TEL (228) 863-0667
FAX (228) 863-5232

June 12, 2012

City of Long Beach
P.O. Box 929
Long Beach, MS 39560

RE: Certificate of Resubdivision – Tax Parcel No. 0511O-03-090.000

Ladies and Gentlemen:

We have received the referenced Certificate of Resubdivision and have reviewed it for compliance with the City's ordinances. This subdivision will create two parcels from one existing parcel on Pino Street. Both parcels created will front on Pino Street, and both parcels meet minimum requirements of the City's ordinances..

The form of the Certificate appears to be in order and it appears to have all appropriate certifications. Therefore, we recommend approval of this subdivision, subject to the payment of any required tapping fees or special connection fees as determined by the City.

Sincerely,

David Ball, P.E.

DB:539

UTILITY PARTNERS, LLC

June 13, 2012

RE: COST OF SPECIAL SEWER CONNECTION –Parcel 05110-03-090.000

Dear Sir or Madam:

Listed below is a breakdown of expenses to be incurred by you for the special sewer connection you have requested. As you will note, you will need to make two (2) separate payments; one to Utility Partners LLC. for the labor and overhead, and one to the City of Long Beach for materials and equipment.

CITY OF LONG BEACH

MATERIALS:

1 – 8" x 6" Flowing "T" @ $27.00	$ 27.00
1 – 6" x 6" Flowing "T" @ $22.00	$ 22.00
20' – 6" Sewer Pipe @ $3.50/ft	$ 70.00
1- 8"x1"Tap saddle @ $28.60	$ 28.60
1-1"Corp stop @ $25.90	$ 25.90
1-1" Curb stop @ $36.40	$ 36.40
1- Meter box @ $12.00	$ 12.00
7 tons limestone @ $23.50/ton	$164.50
Asphalt – 1 Ton @ $55.50/ton	$ 55.50
Well point $387.50	$387.50
Mini trackhoe @ $35.00/hr.	$280.00
Dumptruck- 3hrs. @ $ 25.00/hr.	$ 75.00
Crewtruck-8hrs. @ $25.00/hr.	$200.00

TOTAL MATERIALS AND EQUIPMENT $1,384.90

404 Kohler Street • Long Beach, MS 39560
P.O. Box 591 • Long Beach, MS 39560
228-863-0440 • Fax 228-865-7844

TOTAL LABOR & OVERHEAD **$471.22**

The total for materials and equipment comes to $1384.90 and should be paid to the City of Long Beach. Total for labor and overhead is $471.22 and should be paid to Utility Partners LLC.

Sincerely,

CHRISTOPHER HULL
Supervisor, Water & Sewer

Commissioner Yandell made motion seconded by Commissioner Robertson and unanimously carried recommending approval of the Certificate as submitted. Noted for the record letters from David Ball, City Engineer and Christopher Hull, Supervisor, Water & Sewer, Utility Partners.

* *

It came for consideration a directive from the Mayor and Board of Aldermen requesting the Planning Commission Review and/or Revise the ordinance regulating Yard, Garage, Carport, etc. sales.

Veronica Howard

From: City Clerk [cityclerk@cityoflongbeachms.com]
Sent: Wednesday, June 06, 2012 12:44 PM
To: 'Veronica Howard'
Subject: BOARD ACTION 06.05.12 - PLANNING COMMISSION AGENDA

The board wants the Planning Commission to review and/or revise the ordinance to regulate yard, garage, carport, etc. sales. Please put this on their next agenda. Thanks.

This item was tabled until the next regular scheduled meeting.

* *

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

APPROVED:

_____

Chairman, Frank Olaivar

Date:_____

ATTEST:

_____

Veronica Howard, Minutes Clerk