

**MINUTES OF DECEMBER 12, 2013**  
**PLANNING COMMISSION**

Be it remembered that a regular meeting of the Long Beach Planning Commission of the City of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 12<sup>th</sup> day of December 2013, 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 Donald Frazer, Randy Fischer, Jim Heinzl, Jack Donovan, Nicholas Brown, Ron Robertson, Planning Consultant/Advisor Bill Hessell and minutes Clerk Veronica Howard.

Commissioner(s) Jeff Hansen and Tonda Yandell were absent the meeting.

Commission Chairman welcomed new Commission member Donald Frazer, Mayor Appointee.

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 Fischer made motion seconded by Commissioner Heinzl and unanimously carried to approve the regular meeting minutes of November 14, 2013 as submitted.

\* \* \* \* \*

It came for consideration under OLD BUSINESS boats and RV's on residential lots.

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**Add:**

**Section 209: Storage and Parking of Recreational Vehicles and Commercial vehicles.**

- (a) For the purpose of this Section, recreational vehicle shall include, but not limited to, airplanes, boats, floats, camping or travel trailers, motor homes, detachable travel equipment of a type adaptable to light duty trucks, boat trailers, utility trailers, snowmobiles, and other equipment or vehicles of a similar nature.
- (b) Exemptions. Pickup or light trucks with as classified below:
  - (1) Class 1 Light Duty  
Weight: 6,000 lb or less  
Examples: Ford F-150, GMC Safari, and the GMC Sonoma.
  - (2) Class 2 Light Duty  
Weight: 6,001 to 10,000 lb.  
Truck examples: GMC Sierra 1500, Ford F-250, cargo vans.
  - (3) Class 3 Light Duty  
Weight: 10,000 to 14,000 lb.  
Truck Examples: GMC Sierra 2500, Ford F-350.
- (c) General Requirements. Recreational and utility vehicles may be parked in any area which is either residentially zoned or used for residential purposes, including downtown, provided the following conditions are met:
  - (1) Recreational and utility vehicles shall not intrude into a right-of-way or access easement or obstruct sight visibility from adjacent driveways, rights-of-way, or access easements.
  - (2) Recreational and utility vehicles shall be operable and maintained in a clean, well-kept state that does not detract from the appearance of the surrounding area.
  - (3) Storage or parking shall be limited to a parcel of land upon which is located a principal dwelling unit and the vehicle or equipment so stored or parked shall be owned by the occupant of that unit.
  - (3) All such vehicles stored or parked outside shall be in good repair.
  - (4) No recreational or commercial vehicle may be stored upon any city street or sidewalk.
  - (5) Storage or parking areas are not required to be paved; provided, however that any vehicle must be parked or stored, or driven to and from said parking or storage area, on a dust-free and rut-free surface, including, without being limited to, any such areas covered with grass, ground cover, water-permeable grass pavers, cement, asphalt or other similar ground cover.
  - (6) No such vehicle shall exceed eleven (11) feet in height, eight (8) feet six (6) inches in width and forty (40) feet in length.
- (d) Screening Requirements. When not parked on a driveway per this subsection, all recreational and utility vehicles shall be screened from adjoining property owner and public streets as follows:
  - (1) Screening shall be adequate to provide a solid barrier of six feet to eight (8) feet in height. It may include landscaping, fences, walls, or any combination thereof.
- (e) Commercial Vehicle – Any motor vehicle designed or used primarily for transportation of persons or property for, or in connection with, a business.
  - (1) The outdoor parking or storage of commercial vehicles, including truck tractors and semi-trailers, is prohibited in R-1, R-2 and R-3 residential districts; provided, however, that this restriction shall not be deemed to prevent commercial vehicles utilized in the day-to-day use of the owner of the property.

No action was needed or taken.

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It came for consideration a tree removal request for a Live Oak tree for property located at 120 Edmund Drive submitted by Rebecca Gaskin as follows:

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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

Ray Carruba - 263-1869

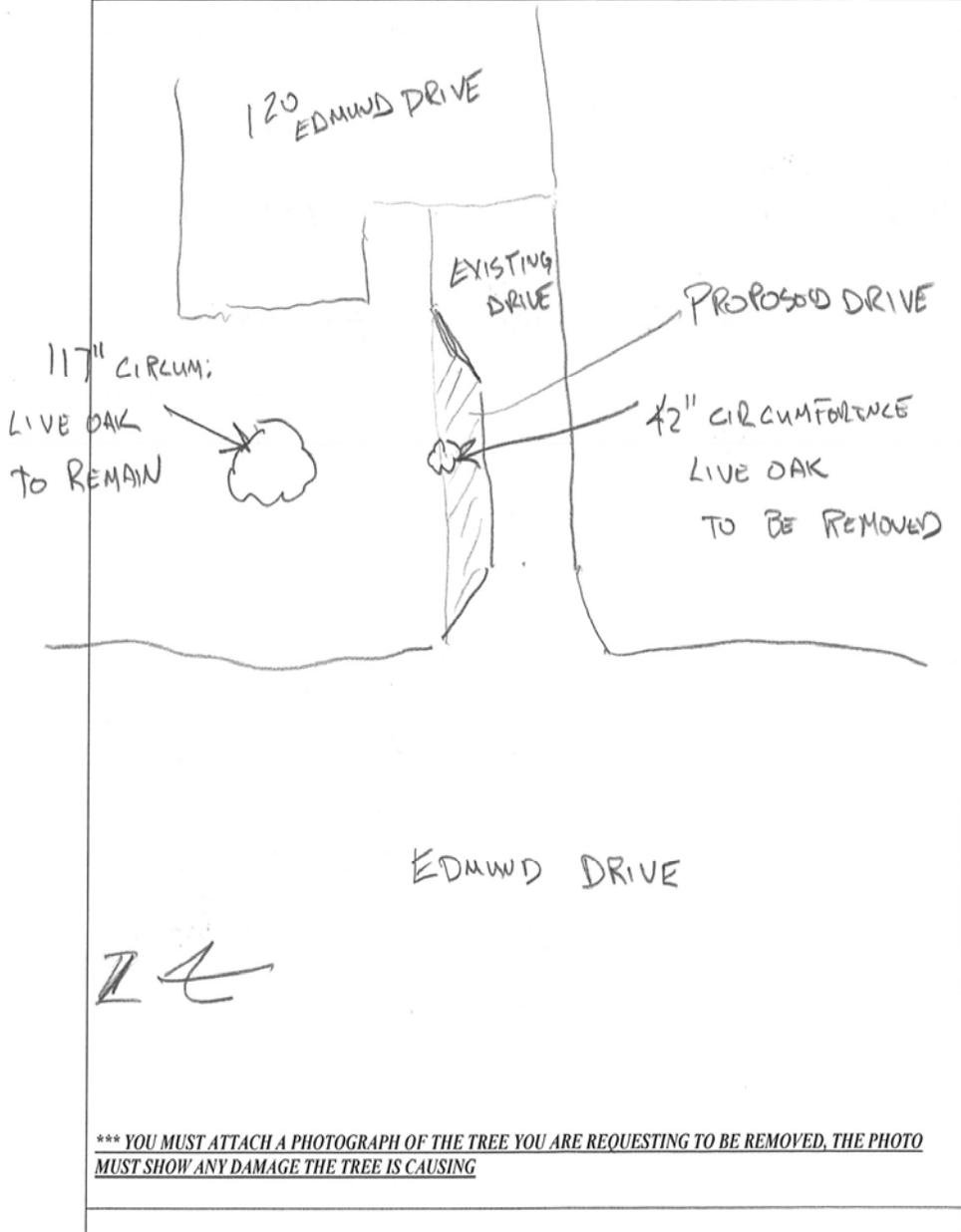
**Routine trimming does not require a permit.** The reason for pruning may include, but are not limited to, reducing risk, maintaining or improving tree health and structure, improving aesthetics, or satisfying a specific need. The City of Long Beach does recommend you obtain a licensed Arborist for 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 1/2) feet above the surface of the ground, or a multi-stemmed trunk system with a definitely formed crown. 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.

> 120 EDMUND DRIVE  
PROJECT ADDRESS (where the trees to be removed are): Tax Parcel Number

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

**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.



**\*\*\* YOU MUST ATTACH A PHOTOGRAPH OF THE TREE YOU ARE REQUESTING TO BE REMOVED, THE PHOTO MUST SHOW ANY DAMAGE THE TREE IS CAUSING**

\*\* OVER \*\*

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PLANNING COMMISSION**

**APPLICANT(S) INFORMATION:**

Gaskin Rebecca L  
Last Name First MI

120 Edmund Dr. Long Beach MS 39560  
Mailing Address City, State, Zip

> 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.

> 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. Construction - Tree is not healthy.

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

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.

Rebecca Gaskin 11-16-13  
Signature Date

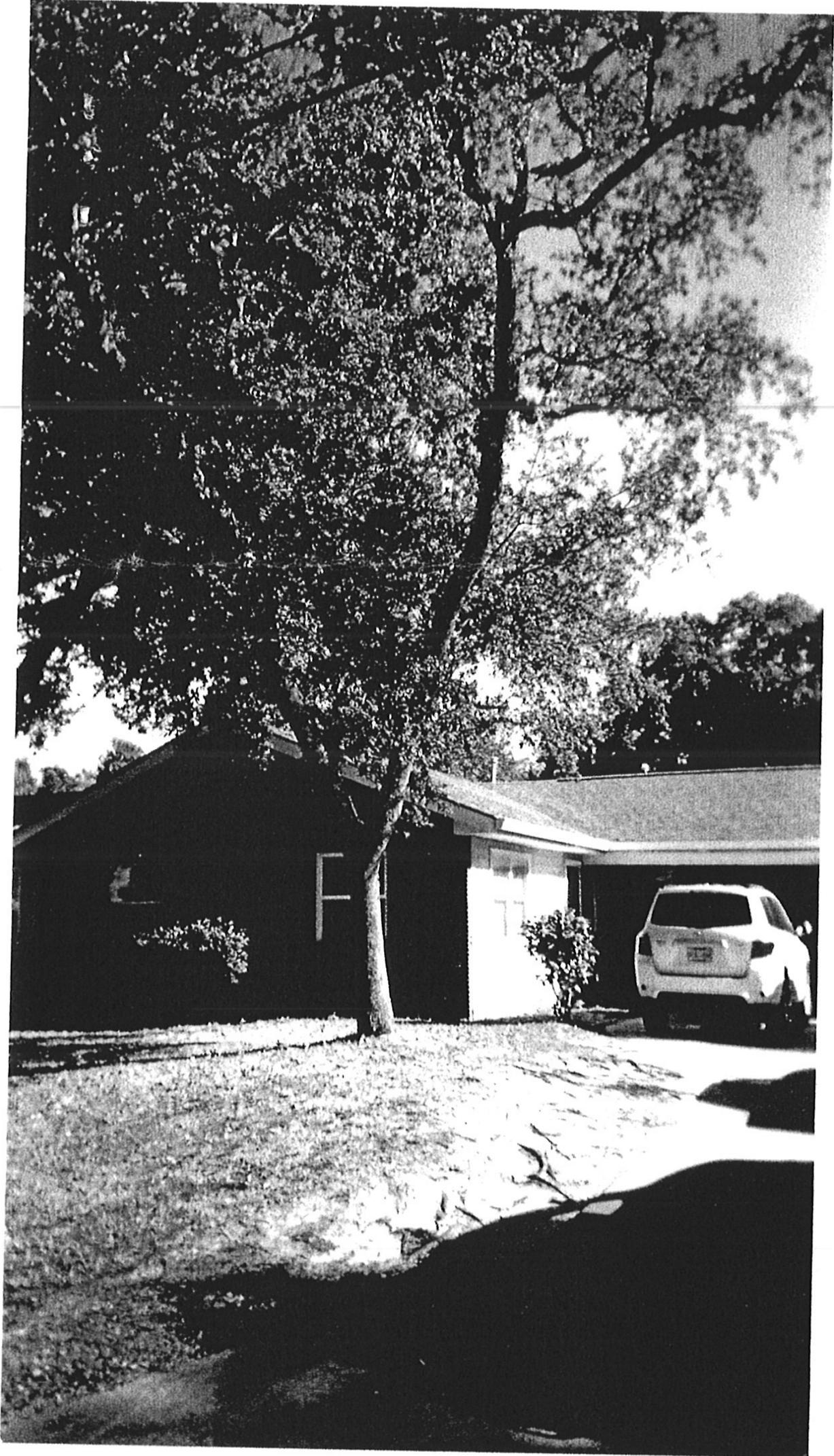
**OFFICE USE ONLY**

**CITY OF LONG BEACH TREE BOARD RECOMMENDATIONS/COMMENTS BELOW:**

No Objection

**PRINTED NAME & SIGNATURE OF TREE BOARD MEMBER(S):** Robert Morrison 12/3/13  
**DATE:** 12-3-13

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SCANNED



*J. H. H. H.* 1st Judicial District  
Instrument 2013 2550 D -J1  
Filed/Recorded 4/22/2013 11:40 A  
Total Fees \$ 12.00  
3 Pages Recorded

PREPARED BY AND RETURN TO JERRY D RILEY / RILEY LAW FIRM  
P O BOX 550 GULFPORT MS 39502 228-864-4511  
Bar 5359

INDEX: Lot 11 Edmund HEIGHTS

STATE OF MISSISSIPPI  
COUNTY OF Harrison

WARRANTY 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 is hereby acknowledged, the undersigned, R. Levern Livingston, 821 Old Brick Lane, Charleston, SC 29492, 843-364-7370, does hereby sell, convey and warrant unto, Rebecca L. Gaskin, 120 Edmund Drive, Long Beach, MS 39560, 228-806-8778, an unmarried person, the following described land and property located and being situated in the First Judicial District of Harrison County, State of Mississippi and being more particularly described as follows, to-wit:

See Attached Exhibit "A"

THIS PROPERTY constitutes no part of the Grantor's homestead.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights of way, easements and the prior reservation of any oil, gas and other minerals.

IT IS AGREED and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis. When said taxes are actually determined, if the proration as of this date is incorrect, then the Grantor agrees to pay to the Grantee, or its assigns, any deficit on an actual proration, and likewise, the Grantee agrees to pay to the Grantor, or its assigns, any amount overpaid by it.

**MINUTES OF DECEMBER 12, 2013  
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Planning Commissioner and Certified Arborist, Jim Heinzl submitted for the record the following:



*120 Edmund Drive*

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Based upon the Tree Board and Planning Commissioner/Certified Arborist Jim Heinzl's recommendation, Commissioner Donovan made motion seconded by Commissioner Robertson and unanimously carried recommending removal of the Live Oak tree stating the tree was damaged and dying.

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It came for consideration a tree removal request for one (1) Live Oak tree and two (2) Magnolia trees for property located at 618 South Forest Avenue submitted by Gail Youngman as follows:

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



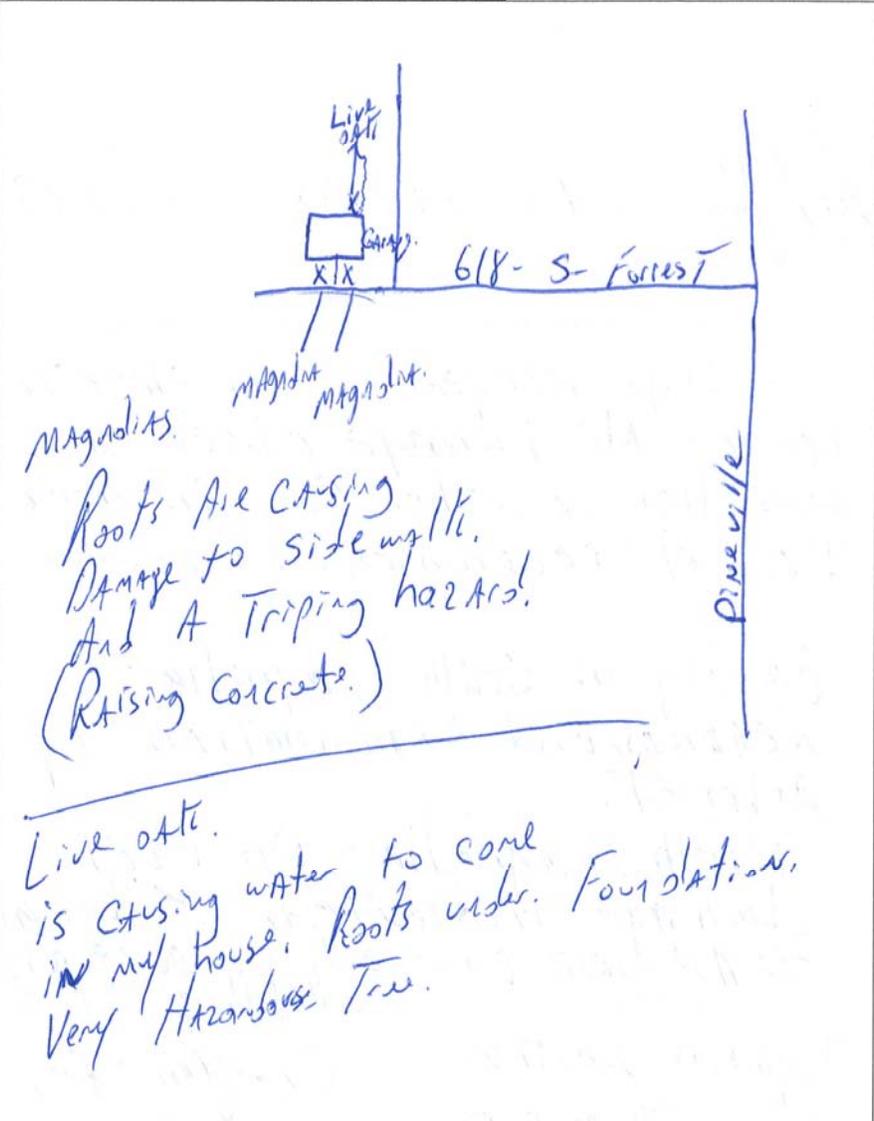
TREE PERMIT APPLICATION

**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 1/2) 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.

> 618 - S - Forest Ave. Long Beach  
PROJECT ADDRESS (where the trees to be removed are): Tax Parcel Number

> WHAT TYPE OF TREE ARE YOU REQUESTING TO BE REMOVED? 1 Live oak - 2 Magnolias  
i.e. Live Oak, Magnolia, etc.

**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.



**\*\*\* YOU MUST ATTACH A PHOTOGRAPH OF THE TREE YOU ARE REQUESTING TO BE REMOVED, THE PHOTO MUST SHOW ANY DAMAGE THE TREE IS CAUSING**

\*\* OVER \*\*

**MINUTES OF DECEMBER 12, 2013  
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APPLICANT(S) INFORMATION:

Youngman Gail  
 Last Name First MI

618 S- Forest Ave Long Beach MS 39560.  
 Mailing Address City, State, Zip

> 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.

> 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. Causing Foundation Damage  
Roots Raising Sidewalk  
Causing water to go in house to close.

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

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.

[Signature] State License LT-765- 12-09-13.  
 Signature Date

**OFFICE USE ONLY**

**CITY OF LONG BEACH TREE BOARD RECOMMENDATIONS/COMMENTS BELOW:**

Very large 100+ year old Oak close to house - NO Damage observed - similar to other Oaks in area. Do not recommend removal.

Cavity in South Magnolia - Recommend examination by arborist.

North Magnolia - No root damage indicated. Sidewalk settlement caused by a year and shifting of slab

PRINTED NAME & SIGNATURE OF TREE BOARD MEMBER(S):

Duann Lentz [Signature]  
 Robert Morrison [Signature]

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Planning Commissioner and Certified Arborist, Jim Heinzl submitted for the record the following:



*618 Forrest Ave S,*

**MINUTES OF DECEMBER 12, 2013  
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**MINUTES OF DECEMBER 12, 2013  
PLANNING COMMISSION**



**MINUTES OF DECEMBER 12, 2013  
PLANNING COMMISSION**



**MINUTES OF DECEMBER 12, 2013  
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Based upon the Tree Board and Planning Commissioner/Certified Arborist Jim Heinzl's recommendation, Commissioner Heinzl made motion seconded by Commissioner Fischer and unanimously carried recommending denying the removal of the one (1) Live Oak and two (2) Magnolia trees, stating the trees are healthy and there are no signs of damage to house or property caused by the trees.

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It came for consideration the December meeting date scheduled, based upon the Christmas holiday; Commissioner Robertson made motion seconded by Commissioner Brown and unanimously carried not to meet December 26, 2013.

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It came for consideration election of a Planning Commission Vice-Chairman. Commissioner Donovan made motion seconded by Commissioner Robertson and unanimously carried nominating Commissioner Tonda Yandell as Vice-Chairman.

There being no further business to come before the Planning Commission at this time Commissioner Robertson made motion seconded by Commissioner Fischer and unanimously carried to adjourn the meeting until January 9, 2014.

**MINUTES OF DECEMBER 12, 2013  
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APPROVED:

\_\_\_\_\_

Chairman, Frank Olaivar

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

Veronica Howard, Minutes Clerk