

MINUTES OF SEPTEMBER 26, 2013  
PLANNING COMMISSION

Be it remembered that a PUBLIC HEARING of the Long Beach Planning Commission of the City of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 26<sup>th</sup> day of September 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 public hearing the following named persons: Commissioners Randy Fischer, Jack Donovan, Jeff Hansen, Ron Robertson, Tonda Yandell, Planning Consultant/Advisor Bill Hessel and Minutes Clerk Veronica Howard.

Commission Chairman Frank Olaivar, Commissioners Tony Vancourt, Jim Heinzl and Nicholas Brown were absent the public hearing.

Commissioner Tonda Yandell chaired the meeting.

There being a quorum present and sufficient to transact the business of this public hearing, the following proceedings were had and done.

The public hearing to consider zoning text changes, amending Ordinance 598 (Zoning Ordinance) as follows was called to order.

- Add to Section 47
- Add to Section 119
- Add to Section 120
- Add Section 129 Manufactured Homes/Mobile Home Park Standards
- Amend Section 105 Chart of Uses to allow manufactured dwellings in an R-4, Residential/Farm zone district with Planning Commission approval.
- Add Section 130 Temporary and portable units and structures
- Amend Section 188 (e)

The clerk reported 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, Mississippi, "Notice of Public Hearing", as evidence of the Publisher's Proof of Publication:

# PROOF OF PUBLICATION

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA LAUF 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. 129 No., 336 dated 4 day of Sept, 2013

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 \_\_\_\_\_

Ad on Back

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.

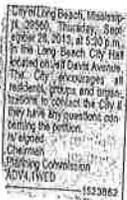
Crista Lauf

Clerk

Sworn to and subscribed before me this 4 day of

Sept, A.D., 2013

Hardberg  
Notary Public



1523862



## City of Long Beach

BOARD OF ALDERMEN  
Leonard G. Carrubba, Sr. - At-Large  
Gary J. Ponthieux - Ward 1  
Bernie Parker - Ward 2  
Kelly Griffin - Ward 3  
Ronnie Hammons, Jr. - Ward 4  
Mark E. Lishen - Ward 5  
Alan Young - Ward 6



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 XIX of the Comprehensive Long Beach Unified Land Ordinance 598 of the City of Long Beach, Mississippi (2013) 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 change in the zoning text in accordance with the Comprehensive Long Beach Unified Land Ordinance. The City proposes to amend the following Sections as shown below.

Section 47: add the following

- (3) Any legal use that would require planning commission approval by this ordinance and existed at the time of adoption of this ordinance shall be considered to have received planning commission approval and no further action is required.
- (4) In the case of a use requiring planning commission approval being destroyed by a natural disaster, such use may be replaced without further action as long as the use occupies a footprint equal to or less than the existing use occupied.

Section 119: add the following

- (e) Barbed wire fences or use of barbed wire along the top of a fence or wall shall be permissible on in R-4, I-1 or I-2 districts, subject to planning commission approval upon making written finding that use of barbed wire is reasonably necessary to the safety, welfare, and security of the property.

Section 120: add the following

- (e) Notwithstanding other provisions of this Code, fences, walls and hedges may be permitted in any required yard, or along the edge of any yard, provided that no fence, wall or hedge that obstructs visibility shall be erected, altered or placed in or around any required yard to exceed four (4) feet in height above the ground and provided that a fence or wall along the rear lot line or alongside lot lines to the rear of the setback line shall not exceed eight (8) feet in height. In any event, no fences walls or hedges shall obstruct sight lines for vehicular traffic.

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Add:

Section 129: Manufactured Home/Mobile Home Park Standards

(a) Permitted Locations

- (1) Mobile Homes are allowed only in approved Mobile Home Parks, except as otherwise provided, or when permitted as a temporary use for storage or security purposes at a construction project, as described in this code.

(b) Size and Density

- (1) Mobile Home Parks may be located on a minimum of ten (10) contiguous acres of land.
- (2) Maximum density of Mobile Home Parks is twelve (12) Mobile Home Lots per acre.

(c) Mobile Home Lot

- (1) The minimum applicable Mobile Home Lot shall be three thousand (3,000) square feet.
- (2) The average area of all spaces within the Mobile Home Park shall not be less than three thousand (3,000) square feet excluding drives, playgrounds, and similar areas.
- (3) A minimum separation of sixteen (16) feet between Mobile Homes, one from another and from other structures located on other lots shall be provided.
- (4) No part of a Mobile Home or other facility placed on a Mobile Home Lot shall be closer than ten (10) feet to a Mobile Home Park street.
- (5) No Mobile Home shall be located closer than ten (10) feet to any perimeter boundary line of the Mobile Home Park which does not abut upon a Thoroughfare.
- (6) No Mobile Home shall be located closer to any perimeter boundary line of the Mobile Home Park abutting upon a Thoroughfare than twenty-five (25) feet or such other distance as may be established as a setback requirement with respect to conventional buildings in the district in which the Mobile Home Park is located.
- (7) An electrical outlet supplying at least 100-115/220-225 volts, 100 amperes, shall be provided for each non- all-electric Mobile Home Lot in a Mobile Home Park; and 200 amperes for each all-electric Mobile Home Lot in a Mobile Home Park.
- (8) Each Mobile Home Lot in a Mobile Home Park shall be provided with a patio adjacent to the entrance to the Mobile Home. Such patio shall be a minimum of one hundred seventy-five (175) square feet and shall be surfaced with an all-weather, rigid, impervious, permanent pavement meeting the minimum specifications prescribed for the installation of sidewalks by the City Engineer.
- (9) All Mobile Home Lots in a Mobile Home Park shall abut upon a driveway with a minimum right-of-way of not less than thirty (30) feet in width, which driveway shall have unobstructed access to a Thoroughfare.
- (10) Turnarounds shall be provided for all dead-end roads. The minimum radius of a required turnaround shall be eighty (80) feet.
- (11) All driveways and pathways greater than two (2) feet wide within a Mobile Home Park shall be hard-surfaced (concrete or asphalt) and lighted at night with electric lamps of a minimum of 100 watts each, spaced at intervals of not more than one hundred (100) feet.

- (12) The average width of all lots within the Mobile Home Park shall be a minimum of forty (40) feet. Each pad shall be well drained, uniformly graded, and compacted as approved by the Director of Public Works.
- (13) Ground anchors must be provided for each Mobile Home stand in accordance with the requirements set forth in the Building Code. Each Mobile Home shall be properly secured to the ground anchors.
- (d) Parks, Open Space, and Recreational Areas
  - (1) A minimum of eight (8%) percent of the gross Mobile Home Park area shall be set aside and developed as common use areas for open or enclosed recreation facilities. No street, storage area, Mobile Home Lot, or utility site shall be included in the calculation of land area necessary to meet this requirement.
- (e) Fence, Wall or Hedge Required along Certain Boundaries
  - (1) Where any perimeter boundary line of a Mobile Home Park directly abuts property which is improved with a permanent residential building located within twenty-five (25) feet of such boundary, or directly abuts unimproved property which may, under existing codes and regulations, be used for permanent residential construction, an ornamental fence, wall or hedge six (6) feet in height, or a natural buffer of fifteen (15) feet shall be provided along such boundary.
- (f) Architecture and Landscaping for Buildings:
  - (1) Buildings in a Mobile Home Park shall be architecturally attractive and surrounded by landscaped yards.
- (g) Office Building
  - (1) In every Mobile Home Park there shall be an office Building in which shall be located the office of the person in charge of the Mobile Home Park.
- (h) Mobile Home Park Service Buildings
  - (1) Each Mobile Home Park shall provide service buildings to house such sanitation facilities as are required by this Section. At least one service building providing required minimum facilities shall be located within two hundred (200) feet of every dependent Mobile Home Lot.
  - (2) Service buildings in a Mobile Home Park shall be permanent structures complying with all applicable codes and statutes regulating buildings, electrical installations, plumbing and sanitation systems.
  - (3) All service buildings in a Mobile Home Park shall be well lighted at all times; shall be well ventilated with screened openings; shall be constructed of such moisture-proof material, to include painted woodwork, as shall permit repeated cleaning and washing. The floors of service buildings shall be of concrete, tile or similar material impervious to water, and easily cleaned and pitched to a floor drain.
- (i) Water Supply and Distribution
  - (1) An adequate supply of potable drinking water shall be supplied by pipes to all buildings and Mobile Home Lots within a Mobile Home Park to meet the requirements of the Park. No common drainage vessels shall be provided nor shall any drinking faucets be placed in a toilet room or water closet compartment.
  - (2) Each Mobile Home Lot in a Mobile Home Park shall be provided with a cold water tap at least four inches above the ground. An adequate supply of hot water shall be provided at all times in the park service buildings for all bathing, washing

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and cleansing facilities. The hot and cold water supply shall have a minimum capacity of 125 gallons per day.

- (3) An independent water supply can be used in a Mobile Home Park if public water is not available; and, if a private water system is approved by the City and the County Board of Health.
- (4) The water distribution system within a Mobile Home Park shall comply with all minimum standards and specifications for the installation of public water distribution systems, as established by the provisions of the City plumbing code or other codes. The Mobile Home Park water system shall provide running water service at a pressure of not less than 20 pounds per square inch at all outlets.
- (5) A minimum of one drinking fountain for each Playground area and one drinking fountain in the immediate vicinity of each service Building shall be provided for public use in each Mobile Home Park.
- (j) Each Mobile Home Park shall be provided, for emergency purposes, with the following sanitation facilities:
  - (1) One flush toilet and one urinal for males, one flush toilet for females, one lavatory for each sex, and one shower or bathtub with individual dressing accommodations for each sex, for the first fifty (50) Mobile Home Lots or any less number thereof; and
  - (2) One additional flush toilet and one additional urinal for males, one additional flush toilet for females, one additional lavatory for each sex and one additional shower or bathtub with individual dressing accommodations for each sex for each fifty (50) Mobile Home Lots or fractional number thereof in excess of the first fifty (50) Mobile Home Lots.
- (k) Each Mobile Home Park which accommodates Dependent Mobile Homes shall be provided with the following sanitation facilities:
  - (1) One flush toilet and one urinal for males, one flush toilet for females, one lavatory for each sex, and one shower or bathtub with individual dressing accommodations for each sex for the first fifteen (15) Dependent Mobile Homes, or any less number, so accommodated; and
  - (2) One additional flush toilet and one (1) additional urinal for males, one (1) additional lavatory for each sex and one additional shower or bathtub with individual dressing accommodations for each sex for each fractional number in excess of the first fifteen (15) Dependent Mobile Homes so accommodated.
- (l) Each toilet and each shower or bathtub with individual dressing accommodations, for which provision is made in this Section shall be in a private compartment or stall.
- (m) The toilet and other sanitation facilities required by this Section for males and females shall be either in separate buildings or shall be separated, if in the same Building, by a soundproof Wall. The sanitation facilities for males and females shall be distinctly marked to denote the sex for which they are intended.
- (n) Waste from showers, bathtubs, flush toilets, urinals, lavatories and slop sinks in service and other buildings within a Mobile Home Park shall be discharged into a public sewer system in compliance with applicable codes or into a private sewer and disposal plant approved Harrison County Health Department.
- (o) Each Mobile Home Lot in a Mobile Home Park shall be provided with a sewer at least four inches in diameter, which shall be connected to receive the waste from the

shower, bathtub, flush toilet, lavatory and kitchen sink of the Mobile Home located in such lot and having any or all of such facilities. The sewer in each lot shall be connected to discharge the Mobile Home waste into a public sewer system in compliance with applicable codes or into a private sewer and disposal plant approved Harrison County Health Department.

- (p) Approved garbage containers with tight-fitting covers shall be provided in each Mobile Home Park, in quantities adequate to permit disposal of all garbage and rubbish. Garbage containers shall be located not farther than two hundred (200) feet from any Mobile Home Lot. The containers shall be covered and kept in sanitary conditions at all times. Garbage and rubbish shall be collected and disposed of as frequently as may be necessary to insure that the garbage containers shall not overflow.
- (q) Every Mobile Home Park shall be equipped at all times with fire-extinguishing equipment in good working order, of such type size, and number, and as located within the Mobile Home Park as to satisfy applicable and reasonable regulations of the City Fire Department. No open fires shall be permitted at any place which may endanger life or property, and no fires shall be left unattended at any time.
- (r) At any Mobile Home Park containing more than twenty (20) Lots, an approved fire alarm box must be provided, which shall be conspicuously and conveniently located and clearly identified and shall be suitably connected with the City fire alarm system. In every Mobile Home Park suitable public telephone facilities shall be installed and maintained in a convenient and readily accessible place prominently marked and designated and kept available for use in giving fire alarms at any time.
- (s) Standard fire hydrants and fire service lines shall be installed in such a manner that a fire hydrant shall be located within five hundred (500) feet of each Mobile Home Lot.
- (t) All Buildings and the grounds of each park shall be maintained in a clean, slightly condition and kept free of any condition that will menace the health of any occupant or the public or constitute a nuisance.
- (u) No Owner or Person in charge of any dog, cat, or other pet animal shall permit it to run at large or commit any nuisance within the limits of any Mobile Home Park. Not more than two dogs and cats shall be allowed in one Mobile Home and no pets shall be raised for Commercial purposes.
- (v) The sale of automobiles and/or Mobile Homes is prohibited within any Mobile Home Park.

Chart of Uses: add the following  
Manufactured Dwelling allowed in R-4 with planning commission approval

Add:

**Section 130: Temporary and Portable Units and Structures**

- (a) Temporary storage units, portable storage units, "PODS" or dumpsters (hereinafter "devices") may be placed upon private residential property or a city street in accordance with the following limitations:
  - (1) A permit must be obtained from the City prior to the placement of any device. The cost of the permit shall be determined by the City. Such devices must be placed upon private property unless some physical condition exists that would

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- prohibit placement in the yard or driveway. If the device cannot be placed on private property it may be placed on a city street directly in front of the property of the permit holder.
- (2) A permit issued by the City shall be valid for seven (7) days from the date of issuance. The Building Official may grant an extension of up to seven (7) days upon showing of good cause by the applicant. Not more than two such extensions shall be permitted, for a maximum of twenty-one (21) days in any consecutive twelve (12) month period.
  - (3) A permit issued by the City shall be valid for ninety (90) days when issued in conjunction with a building permit when there is an active construction project occurring and when such device is placed on private property. The Building Official may grant an extension of up to ninety (90) days upon showing of good cause by the applicant. Not more than two such extensions shall be permitted, for a maximum of two hundred seventy (270) days in any consecutive twelve (12) month period.
  - (4) A permit issued by the City shall be valid for one hundred eighty (180) days when issued in conjunction with a major development plan. The Building Official may grant extensions upon showing of good cause by the applicant and depending on the scope of the project. Should work cease on the project for more than thirty (30) days, the Building Official may revoke the permit and require removal of the device.
  - (5) The device may be used in commercial districts as permitted by the planning commission.
  - (6) The device may not be located in any manner that restricts or impedes visibility of motorists.
  - (7) The device shall not be placed on any city street where parking is not permitted or that has a pavement width of less than eighteen (18) feet measured from inside of curb to inside of curb, or from edge of pavement to edge of pavement.
  - (8) The device shall not exceed eight (8) feet in width, nor be placed in a manner that restricts the remaining street width to less than ten feet measured from inside of curb or edge of pavement to the device.
  - (9) The device must be associated with temporary storage or a project for the property of the permit holder and not more than one (1) temporary or portable storage unit or more than one (1) dumpster shall be permitted at any time.
  - (10) The device shall not be placed in a manner which damages any public improvement, including but not limited to, the pavement, curb, gutter, grass, landscaping or tree located within the public right-of-way. If the device causes damage to any public improvement, the applicant shall reimburse the city the cost of repair.
  - (11) Any device which is placed in violation of this section or is not removed at the end of the time for which it is authorized by the city to remain in place may be removed by the city, with prior notice of not less than twenty-four (24) hours, and the cost of such removal, together with the cost of administration of its removal, shall be reimbursed to the city by the applicant.
- (b) Temporary and Portable Buildings and Structures

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- (1) A temporary or portable structure may be erected only in commercial districts, unless otherwise specified in this code.
- (2) A temporary or portable structure may be erected only in connection with the erection of a permanent building, street, utility, or other structure. Permission for the erection of any temporary structure shall be obtained from the Building Official after posting of sufficient bond to insure removal of it within two (2) weeks after the permanent structure is complete. A temporary or portable structure may be used for a temporary construction office and for the housing of tools, equipment, and materials.
- (3) Subdivision sales offices may be erected only after approval by the Planning Commission subject to such conditions as may be determined by the Commission to be necessary to insure termination of the use after a reasonable period and removal or conversion to a conforming use.
- (4) No trailers for dwellings, storage, or business shall be parked in any district, except upon approval by the Planning Commission in connection with a permanent building or construction project. All temporary structures shall be for a period of time not to exceed one year, renewable for periods of six (6) months, stating the use for which approved.
- (5) No building shall be moved into and placed within the City of Long Beach except such buildings, which conform to the standards for new construction for dimensions, use and placement upon the lot, and requirements of this and other Ordinances.

Section 188: amend (e) to read

- (e) No part of a freestanding sign shall exceed a height, measured from ground level, of twenty-five (25) feet in the C-2, C-1HD, I-1 and I-2; and fifteen (15) feet in all other districts except C-3 and R-O, which shall be ten (10) feet.

The purpose of this proposed change is to promote uniformed development and encourage public safety, thereby enhancing the quality of life for all Long Beach residents. A public hearing to consider the above zoning text change will be held in the City of Long Beach, Mississippi 39560, Thursday, September 26, 2013, at 5:30 p.m., in the Long Beach City Hall located on Jeff Davis Avenue. 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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Said notice was posted on the bulletin boards at City Hall, 201 Jeff Davis Avenue, in the Building Official's Office and the Water Department; in the Long Beach Public Library, 209 Jeff Davis Avenue; and on the City's official website, [www.cityoflongbeachms.com](http://www.cityoflongbeachms.com).

\* \* \*

The Chairman opened the floor for public comments; no one came forward to be heard.

\* \* \*

There being no comments or discussion, Commissioner Robertson made motion seconded by Commissioner Fischer and unanimously carried to close the public hearing.

\* \* \*

Commissioner Robertson made motion seconded by Commissioner Fischer and unanimously carried recommending approving the zoning text changes as submitted.

\*\*\*\*\*

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 26<sup>th</sup> day of September 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: Commissioners Randy Fischer, Jack Donovan, Jeff Hansen, Ron Robertson, Tonda Yandell, Planning Consultant/Advisor Bill Hessel and Minutes Clerk Veronica Howard.

Commission Chairman Frank Olaivar, Commissioners Tony Vancourt, Jim Heinzl and Nicholas Brown were absent the meeting.

Commissioner Tonda Yandell chaired 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 Fischer made motion seconded by Commissioner Hansen and unanimously carried to approve the regular meeting minutes of September 12, 2013, with the following correction, the motion recommending Planning Commission approval to allow livestock in an R-4 zone district should have also stated that the horses/livestock should be maintained and kept on the R-4 zoned portion of the parcel.

\*\*\*\*\*

It came for consideration under NEW BUSINESS Planning Commission approval to build R-1, Single Family residential in C-1, Central Business district zone district for property located at 118 West 4<sup>th</sup> Street submitted by Charles Wood as follows:

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CITY OF LONG BEACH  
 201 JEFF DAVIS AVENUE  
 PO BOX 929  
 LONG BEACH, MS 39560  
 (228) 863-1554 phone  
 (228) 863-1558 fax

Office use only  
 Date Received 9/23  
 Zoning C-1  
 Agenda Date 9/20  
 Check Number -

APPLICATION FOR CASE REVIEW

- I. TYPE OF CASE:  PLANNING COMMISSION APPROVAL  
 DECISION OF THE BUILDING OFFICIAL IS ALLEGED TO BE IN ERROR  
 INTERPRETATION OF THE ZONING ORDINANCE

II. Advalorem Tax Parcel Number(s): 0612 B - 03 - 094,000

III. Address of Property Involved: 118 W. 4<sup>TH</sup> ST. Long Beach, MS

IV. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.)  
APPLICANT IS REQUESTING PERMISSION TO BUILD A RESIDENCE ON THE ABOVE PARCEL WHICH IS ZONED COMMERCIAL. APPLICANT UNDERSTANDS THAT THE CURRENT ZONING WILL NOT BE CHANGED.

- V. REQUIRED ATTACHMENTS:
- 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.
  - B. Survey and/or Site Plan. A site plan showing the land area which would be affected, if required a general layout drawing of the development, 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;
  - C. 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.
  - D. Fee. Attach a check in the amount of \$50.00. 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.

**\*\*\*NOTE\*\*\* APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.**

VI. OWNERSHIP AND CERTIFICATION:  
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 2<sup>nd</sup> or 4<sup>th</sup> 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.

PAUL T. STANFORD  
 Name of Rightful Owner (PRINT)

CHARLES E. WOOD  
 Name of Agent (PRINT)

116 PARK LANE  
 Owner's Mailing Address

615 PINEWOOD DR  
 Agent's Mailing Address

Long Beach MS 39560  
 City State Zip

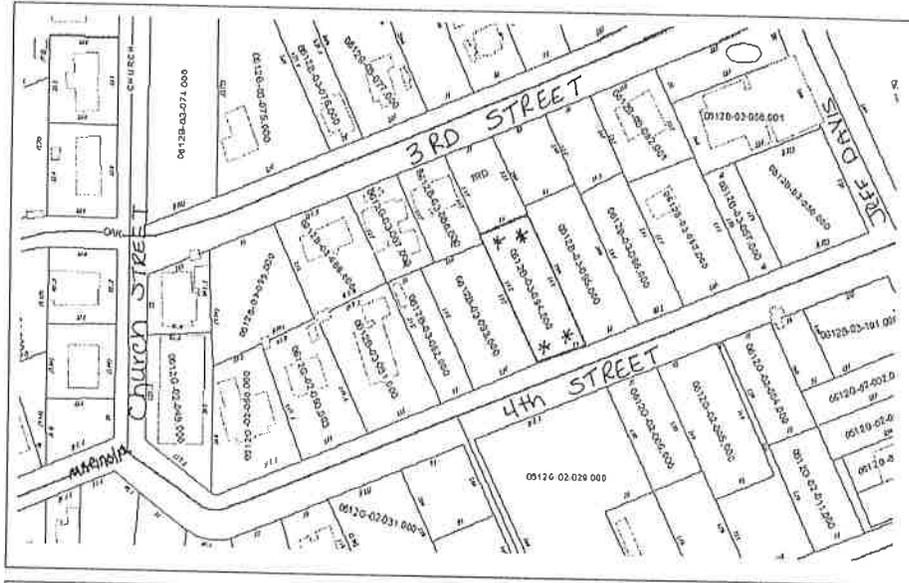
Long Beach MS 39560  
 City State Zip

601-297-5776  
 Phone

228-383-2154  
 Phone

\_\_\_\_\_  
 Signature of Rightful Owner Date

[Signature] 9/23/13  
 Signature of Agent Date



THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY.  
 HARRISON COUNTY ASSUMES NO LEGAL RESPONSIBILITIES  
 FOR THE INFORMATION CONTAINED ON THIS MAP.  
 Date Printed: Sep 27, 2013 Parcel #: 0612B-03-094.000

REAL ESTATE PURCHASE CONTRACT (RESIDENTIAL)

STATE OF MISSISSIPPI  
 COUNTY OF HARRISON

1. PARTIES: PAUL T. SANFORD (Seller) agrees to sell and convey to CHARLES E. WOOD AND JUDY M. COUEY (Purchaser), and Purchaser agrees to buy from Seller the Property described below.

2. PROPERTY: (a) Land: Address: 118 W. 4<sup>TH</sup> ST. LONGBEACH, MS. or more specifically described as: A LOT 73 FEET EAST AND BY 185 FEET NORTH AND SOUTH ON W. 4<sup>TH</sup> ST, LONG BEACH, MS. The land is referred to as the "Property".

3. PURCHASE PRICE: The Total Price shall be \$ 31,000 payable as follows:  
 Earnest money: (Receipt of which is hereby acknowledged) \$ 100  
 Cash or certified funds due at closing: \$ 30,900

4. FINANCING: N/A

5. TITLE INSURANCE: To be obtained by Purchasers

6. PRORATIONS: The taxes, as determined on the date of closing, are to be prorated between Seller and Purchaser as of the date of delivery of the deed.

7. CLOSING COSTS & DATE: The sale shall be closed and the deed delivered within sixty (60) days from the execution of this Agreement by all parties, except Seller shall have a reasonable length of time within which to perfect title or cure defects in the title to the said property. Purchasers agrees to pay all closing costs and attorneys fees.

8. CONVEYANCE: Seller agrees to convey a good merchantable title and General Warranty Deed of said property insuring that property is free of all encumbrances, except as hereinabove set out and Seller and Purchaser agree that any encumbrances shall be paid in full at the time of closing from sales proceeds.

9. CONDITION OF PROPERTY: Property is sold "as is".

10. SELLER'S WARRANTIES: Seller warrants that Seller has not received notification from any lawful authority regarding any assessments, pending public improvements, repairs, replacements or alterations to said premises that have not been satisfactorily made. These warranties shall survive the delivery of the above deed.

11. EARNEST MONEY: The Earnest Money as paid by Purchaser as set forth in Paragraph 3 hereof shall be deposited by Seller only upon the execution of this contract.

12. DEFAULT: If Purchaser fails to comply with this contract, Purchaser will be in default, and Seller may (a) enforce specific performance, seek such other relief as may be provided by law, or both, or (b) terminate this contract and receive the earnest money as liquidated damages, thereby releasing both parties from this contract. If Seller fails to comply with this contract for any other reason, Seller will be in default and Purchaser may (a) enforce specific performance, seek such other relief as may be provided by law, or both, or (b) terminate this contract and receive the earnest money, thereby releasing both parties from this contract.

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13. MEDIATION: Any dispute between Purchaser and Seller related to this contract that is not resolved through informal discussion will be submitted to a mutually acceptable mediation service or provider. The parties to the mediation shall bear the mediation costs equally. This paragraph does not preclude a party from seeking equitable relief from a court of competent jurisdiction.

14. SURVIVAL OF CONTRACT: All terms, conditions and warranties not performed at the time of delivery of the deed shall survive such delivery.

15. COMMISSION FEES: Purchaser and Seller agree that said contract was negotiated at arms length without assistance of any real estate agents or brokers and that no such fees shall be paid by either party in connection with this contract or sale.

16. ADDITIONAL PROVISIONS: Any additional Provisions set forth below, initialed by all parties, are hereby made a part of this contract and this contract states the entire agreement between the parties and merges in this agreement all statements, representations, and covenants heretofore made, and any agreements not incorporated herein are void and of no force and effect.

17. SUCCESSORS AND ASSIGNS: This contract shall be binding upon any heirs, successors and assigns of Seller or Purchaser.

18. REVOCATION OF OFFER BY PURCHASER: This contract has been first executed by Purchaser and if not accepted by all parties by noon on W/A, 20   , this offer shall be void.

- 19. ADDITIONAL PROVISIONS: 1. This contract is contingent upon purchasers obtaining permission from the City of Long Beach to build a residence on the Property which is zoned "commercial".
- 2. This contract is also contingent upon purchasers obtaining at their expense a current survey showing no encroachments.

Executed by the parties on the dates shown below.

PURCHASERS:

9/22/13  
Date

[Signature]  
[purchaser's signature above/printed name below]  
Charles E. Wood

[Signature]  
[purchaser's signature above/printed name below]  
Judy M. Casey

SELLER:

9/22/13  
Date

[Signature]  
[seller's signature above/printed name below]  
Paul J Sanford

[Signature]  
[seller's signature above/printed name below]  
Paul J. Sanford

[Signature]  
[seller's signature above/printed name below]  
Ann - Michelle Sanford

After considerable discussion Commissioner Robertson made motion seconded by Commissioner Donovan and unanimously carried recommending approval with the understanding that granting approval was not a change in the zoning and stating to the applicant that commercial development can occur on surrounding lots.

\*\*\*\*\*

It came for consideration Tree removal request for a Live Oak tree for property located at 213 James Drive submitted by Paul Jermyn 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

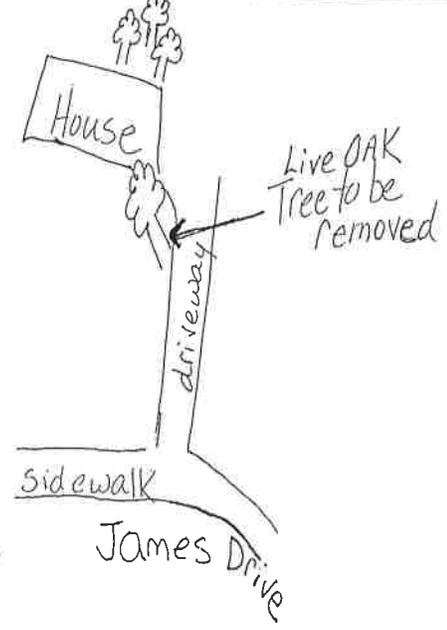


Routine trimming does not require a permit. The reason for pruning may include, but are not limited to, reducing risk, maintaining or improving tree health and structure, improving aesthetics, or satisfying a specific need. The City of Long Beach does recommend you obtain a licensed Arborist for your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

213 James Drive Long Beach 0611P-01-003.008  
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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APPLICANT(S) INFORMATION:

Last Name: Jeremy N First: Paul MI: G.

Mailing Address: 213 James Drive Long Beach MS 39560  
 City: State: Zip:

Phone: 228-860-9258

> 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. Leaning live OAK... Damaging concrete driveway Safety hazard - because buckling driveway.

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: Paul J. Jumper Date: 9-12-13

OFFICE USE ONLY  
 CITY OF LONG BEACH TREE BOARD RECOMMENDATIONS/COMMENTS BELOW

We suggest and recommend

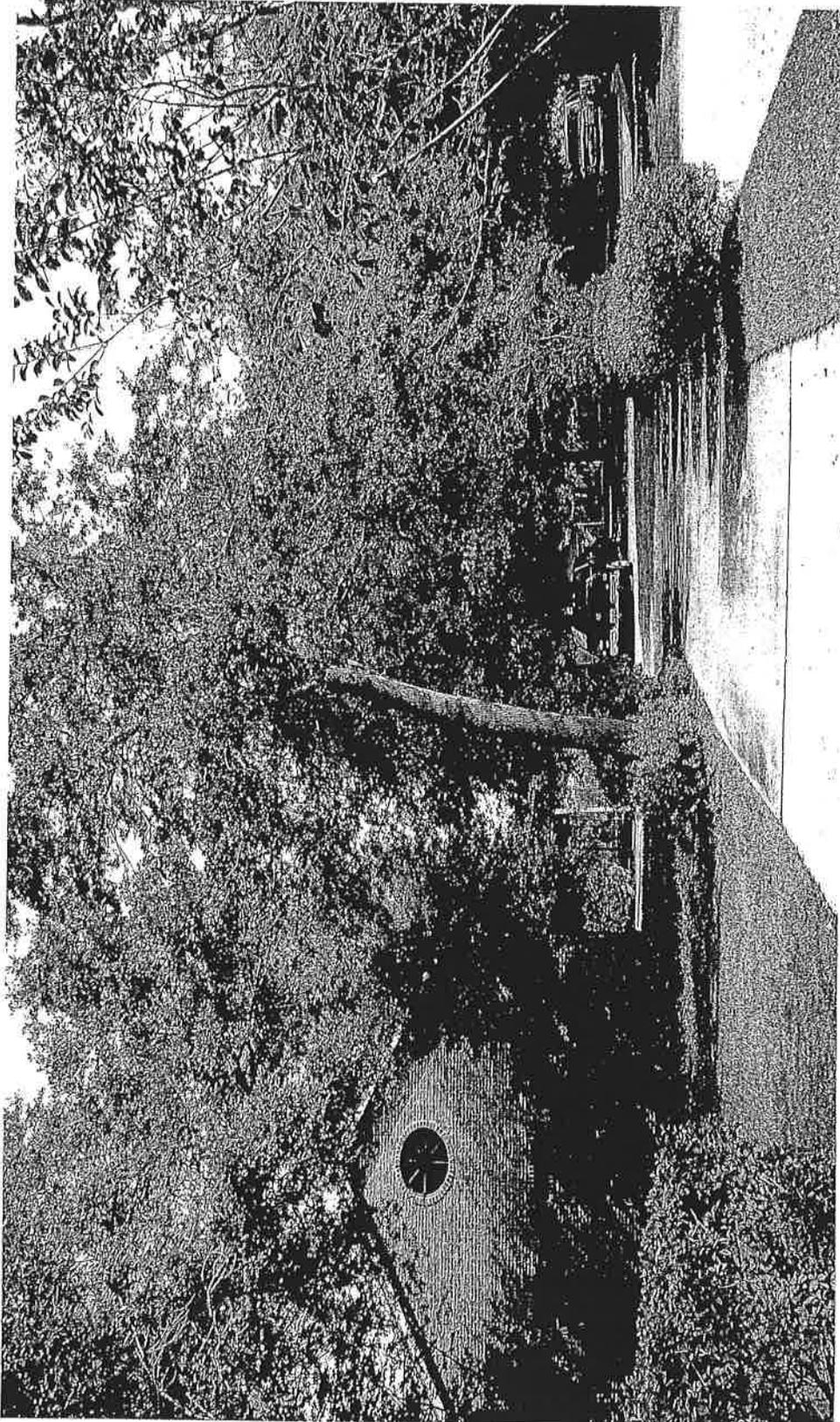
(1) Replace affected slab with pavers to allow water and feed for the Oak

(2) Remove elevated slab to correct elevation and leave tree

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

DATE:  
9-18-13  
9/18/13

213 James Drive



213 JAMES DRIVE



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Commissioner Donovan made motion seconded by Commissioner Robertson and unanimously carried recommending removal of the Live Oak tree, stating the applicant did not have to replant a tree to replace the one being removed.

\*\*\*\*\*

It came for consideration Tree removal request for a Live Oak tree for property located at 720 East Beach Boulevard submitted by St. Thomas the Apostle Catholic Church as follows:

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 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.

> 720 East Beach Blvd Long Beach  
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.

SEE ATTACHED

\*\*\* 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 SEPTEMBER 26, 2013  
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APPLICANT(S) INFORMATION:

St. Thomas the Apostle Catholic Church

Last Name \_\_\_\_\_ First \_\_\_\_\_ MI \_\_\_\_\_

720 East Beach Blvd 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. Tree is diseased and dying.

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 such 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: Louis Lohan Date \_\_\_\_\_

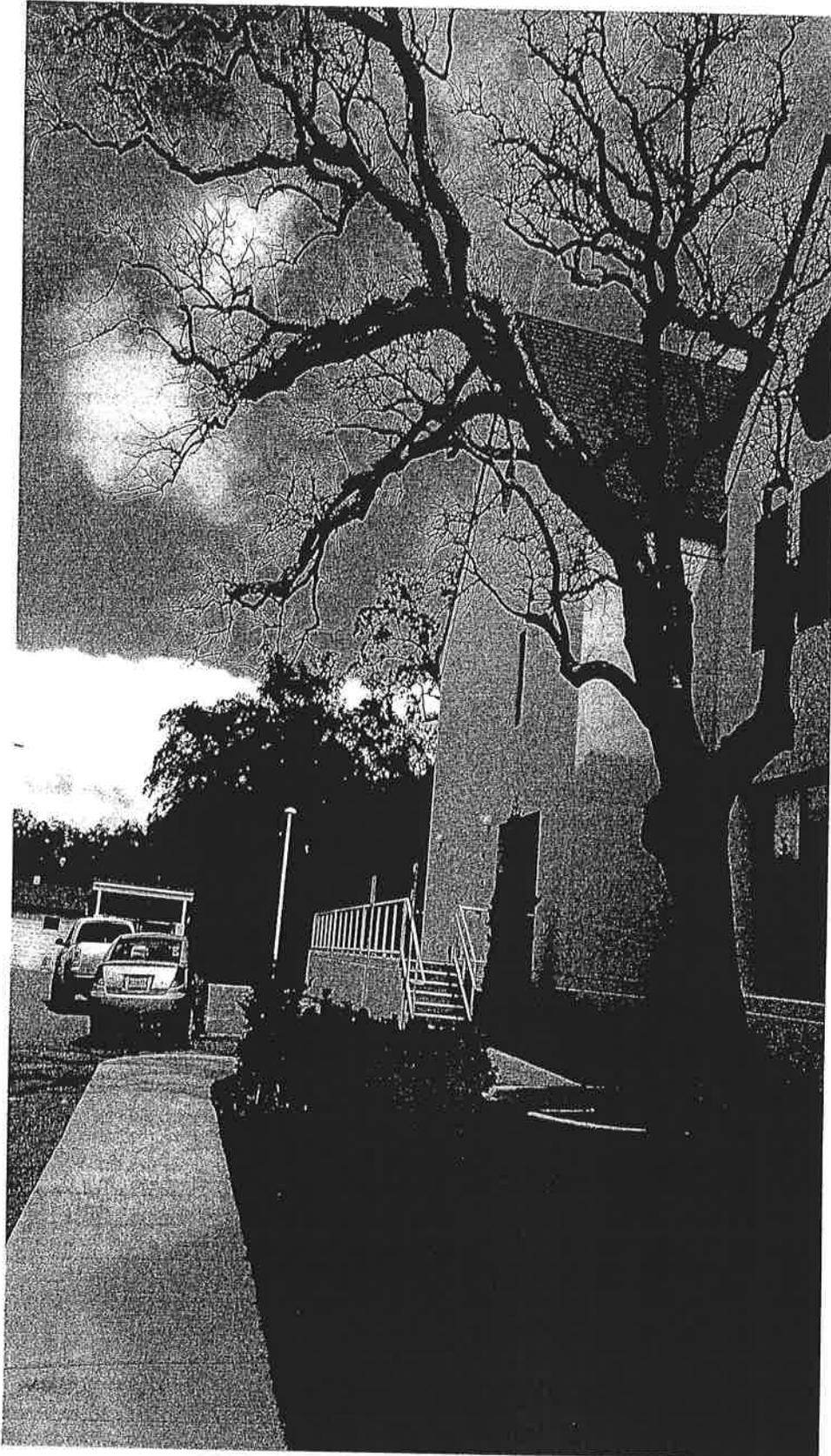
COMMENTS

Obviously dead

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

DATE: 9/25/13





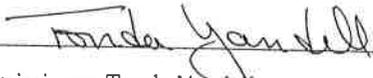
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Based upon the Tree Board's recommendation, Commissioner Hansen made motion seconded by Commissioner Fischer and unanimously carried recommending removal of the Live Oak tree.

\*\*\*\*\*

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

APPROVED:

  
\_\_\_\_\_  
Commissioner, Tonda Yandell

Date: 9/27/2013

ATTEST:

  
\_\_\_\_\_  
Veronica Howard, Minutes Clerk