

**MINUTES OF JULY 10, 2014
PLANNING COMMISSION**

Be it remembered that the regular schedule 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 10th day of July 2014, 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 Heinzl, Jeff Hansen, Nicholas Brown, Tonda Yandell and minutes Clerk Veronica Howard.

Commissioners Donald Frazer, Randy Fischer, Jack Donovan, and Ron Robertson were 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 Brown and unanimously carried to approve the regular meeting minutes of June 26, 2014 and the work session minutes of July 7, 2014 as submitted.

* * * * *

It came for consideration under old business the review / discussion of section 901 of the previous zoning ordinance #344.

No action was taken.

* * * * *

It came for consideration under new business a tree removal request for the removal of one (1) Magnolia tree for property located at 109 McGuire Drive submitted by Doug Williams 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
APPLICATION FOR TREE PERMIT

| OFFICE USE ONLY | |
|-----------------|-----------|
| Date Received | 7/9/2014 |
| Zoning | R-1 |
| Agenda Date | 7/10/2014 |
| Check Number | CASH |

(Initial on the line that you've read each)

_____ 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.

TODAY'S DATE: 7/8/2014

PROPERTY INFORMATION

TAX PARCEL # _____

Address of Property Involved: 109 McGuire DR

Property owner name: Douglas B Williams

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.

Property owner address: _____

Phone No. (____) _____

CONTRACTOR OR APPLICANT INFORMATION

Company Name: _____

Phone No: 228-860-2664 Fax: _____

Name: Doug Williams

Address: 109 McGuire DR

PERMIT INFORMATION

Permit for: Removal Trimming _____ Pruning _____

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 DYING -
POSSIBLY STRUCK BY LIGHTNING
TREE ON NORTH SECTION OF
FRONT LAWN

Number of Trees: _____
_____ Live Oak 1 Southern Magnolia

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 owner's agent for the herein described work.

[Signature] 7-9-2014
Signature Date

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

(Initial on the line that you've read each)

_____ 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.

_____ PHOTOGRAPH: You must attach a photograph of the tree to be removed, the photo must show any damage the tree is causing.

_____ OWNERSHIP: Please provide a recorded warranty deed.

_____ PERMIT FEES: 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.

_____ REPLANTING: 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.

_____ MEETING: You must attend the Planning Commission meeting, not attending may cause your permit for tree removal to be denied or withheld.

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109 McGuire

Commissioner Heinzl, Certified Arborist, stated the tree is in decline due to insects.

In accordance with the City's Tree Ordinance #364, Commissioner Heinzl made motion seconded by Commissioner Hansen and unanimously carried recommending removal of the tree as submitted.

It came for consideration under new business a tree removal request for the removal of

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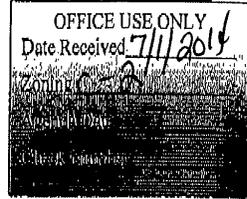
one (1) Magnolia tree for property located at 19010 Pineville Road submitted by James and Garnette Wetzel as follows:

07/01/2014 TUE 8:04 FAX

001/003



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



c-2
-7/10/2014
-CASH

APPLICATION FOR TREE PERMIT

(Initial on the line that you've read each)

____ 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.

TODAY'S DATE: 7/1/2014

PROPERTY INFORMATION

TAX PARCEL # 0612C-01-005.000
Address of Property Involved: 19010 PINEVILLE ROAD
Property owner name: JAMES + GARNETTE WETZEL
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.
Property owner address: 616 EAST BEACH, GDT. MS 39501
Phone No. 228, 861-0220 or 228-864-6400

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

(Initial on the line that you've read each)

____ 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.

PHOTOGRAPH: You must attach a photograph of the tree to be removed, the photo must show any damage the tree is causing.
 OWNERSHIP: Please provide a recorded warranty deed.

____ PERMIT FEES: 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.

____ REPLANTING: 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.

____ MEETING: You must attend the Planning Commission meeting, not attending may cause your permit for tree removal to be denied or withheld.

CONTRACTOR OR APPLICANT INFORMATION

Company Name: JAMES K. WETZEL
Phone No. 228-861-0220 Fax: 228-863-1793
Name: JAMES K. WETZEL
Address: 616 EAST BEACH, GDT. MS 39501

PERMIT INFORMATION

Permit for: Removal Trimming _____ Pruning _____

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.

- (use separate sheet if needed)
- 1) THE TREE IS DAMAGING THE FOUNDATION OF PARKING LOT - NEXT TO MAIN BUILDING
 - 2) LIMBS ARE FALLING ON BUILDING DAMAGING STRUCTURES.
- 11) Number of Trees: 3 TREE IS IN BAD CONDITION
- Live Oak _____ Southern Magnolia

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 owner's agent for the herein described work.

Signature: [Signature] Date: 7/1/14

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BOOK 1393 PAGE 392

STATE OF MISSISSIPPI

COUNTY OF HARRISON

ENTERED

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten (\$10.00) Dollars, cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, I, REGINA C. RILEY, do hereby sell, convey, and warrant unto JAMES K. WETZEL and GARNETTE A. WETZEL, as joint tenants, not as tenants in common, but with survivorship to either, the following described property, together with the improvements located thereon, being situated and located in the First Judicial District of Harrison County, Mississippi, to-wit:

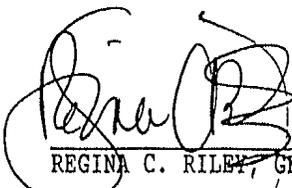
That certain parcel of land situated in Lot 2 of SEAL SUBDIVISION in the Northeast 1/4 of the Northeast 1/4 of Section 14, Township 8 South, Range 12 West in the City of Long Beach, Harrison County, Mississippi, more particularly described as beginning on the North margin of Old Pass Road where the same intersects with the East margin of Pineville Road and run thence Northwesterly along the East margin of Pineville Road a distance of 92 feet to an iron pipe; thence Northeasterly a distance of 109.2 feet to an iron pipe; thence Southeasterly a distance of 100 feet to the North margin Old Pass Road; thence Southwesterly along the North margin of Old Pass Road a distance of 103 feet to the Point of Beginning, being that same property conveyed in Warranty Deed recorded in Book 1281, Page 497, Land Deed Records of Harrison County, Mississippi, First Judicial District.

The above described property is conveyed subject to any restrictive covenants, mineral reservations and easements of record.

Ad Valorem taxes for the current year are prorated as of the date of this deed and are assumed by Grantees herein.

WITNESS my signature, this the 23rd day of December A.D., 1997.

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT
L. L. McAdams, Clerk of the Chancery


REGINA C. RILEY, GRANTOR

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7/1/2014



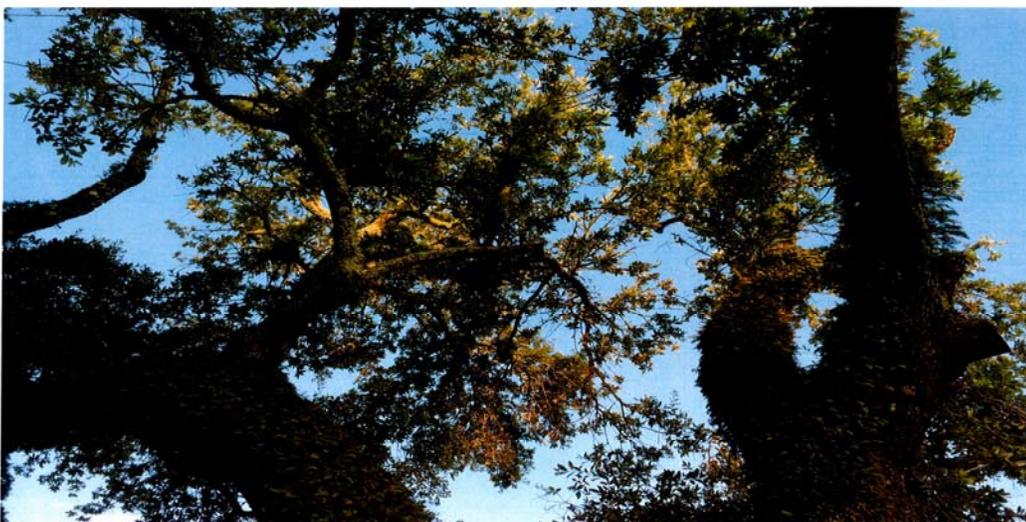
MINUTES OF JULY 10, 2014
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MINUTES OF JULY 10, 2014
PLANNING COMMISSION



7/1/2014



10010 Pineville

**MINUTES OF JULY 10, 2014
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Commissioner Heinzl, Certified Arborist, stated the tree is a healthy living tree, the tree should only be trimmed.

In accordance with the City's Tree Ordinance #364, Commissioner Yandell made motion seconded by Commissioner Heinzl and unanimously carried recommending denying the removal of the tree as submitted.

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

APPROVED:

Chairman, Frank Olaivar

Date: _____

ATTEST:

Veronica Howard, Minutes Clerk