

**MINUTES OF NOVEMBER 13, 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 13th day of November 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 Donald Frazer, Randy Fischer, Nicholas Brown, Ron Robertson, Tonda Yandell, and minutes Clerk Veronica Howard.

Commissioner Jeff Hansen was preliminarily late the meeting.

Commissioners Jim Heinzl and Chris Carrubba 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 Fischer made motion seconded by Commissioner Frazer and unanimously carried to approve the regular meeting minutes of September 25, 2014 as submitted.

Commissioner Fischer made motion seconded by Commissioner Yandell and unanimously carried to approve the regular meeting minutes of October 23, 2014 as submitted.

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It came for consideration under old business the review / discussion of section 901 of the previous zoning ordinance #344, setbacks requirements on arterial and collector streets.

Commissioner Frazer made motion seconded by Commissioner Brown and unanimously carried to schedule a public hearing for December 11, 2014; City Hall Meeting Room; 201 Jeff Davis Avenue, Long Beach, MS; 5:30 p.m.

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It came for consideration under old business the review / discussion of the sign ordinance.

Commissioner Frazer made motion seconded by Commissioner Brown and unanimously carried to schedule a public hearing for December 11, 2014; City Hall Meeting Room; 201 Jeff Davis Avenue, Long Beach, MS; 5:30 p.m.

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It came for consideration under new business tree removal for 1 (one) Live Oak tree for property located at 504 Gulf View Avenue submitted by David and Linda Powell as follows:

MINUTES OF NOVEMBER 13, 2014 PLANNING COMMISSION



CITY OF LONG BEACH, MISSISSIPPI
301 Jeff Davis Avenue
P.O. Box 929
Long Beach, MS 38658
(228) 863-1554
(228) 863-1588 Fax
APPLICATION FOR TREE PERMIT

OFFICE USE ONLY	
Date Received	11/16/2014
Zoning	R-1
Agenda Date	11/13/2014
Check Number	106

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

RP 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 you and the tree protection.

RP 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 five and one-half (4 1/2) feet above the surface of the ground, or a multi-stemmed trunk system with a definitely formed central stem.

RP 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: 11-06-14

PROPERTY INFORMATION

TAX PARCEL # 0612A-03-024.000

Address of Property Involved: 504 Gulf View Ave.

Property owner name: David & Linda Powell

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: 4366 Brookline Rd., Long Beach

Phone No. 901 246-8845

CONTRACTOR OR APPLICANT INFORMATION

Company Name: Butch Wallace

Phone No. 901-699-9102 Fax _____

Name: contractor

Address _____

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)

Construction of home - see attached sheets

Number of Trees: 1 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.

Linda W. Powell 11-06-14
Signature Date

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

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

RP 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 diseased 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.

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

RP EASEMENT: Please provide a recorded warranty deed.

RP 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 \$15.00 per tree permitted to be removed. As per City of Long Beach Tree Ordinance (6364) 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.

RP 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.

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

**MINUTES OF NOVEMBER 13, 2014
PLANNING COMMISSION**

City of Long Beach
Tree Removal Application

Please be advised that our Contractor, Mr. Butch Wallace, will be representing us at this hearing.

Our oldest son is a Naval Officer, who is on leave, and we will be in Florida on vacation at the time of this hearing.

Our design and placement of this home is to accommodate our youngest son with Autism. He spends most of his time in his room and loves looking at the beach and watching the cars go down Highway 90.

There was some Katrina debris embedded in the tree as noted in the picture.

Our plans are to plant two Live Oak saplings along the West property line.

Thank you for your time and consideration of this application.



David and Linda Powell
504 Gulf View Avenue
Long Beach, Ms. 39560

**MINUTES OF NOVEMBER 13, 2014
PLANNING COMMISSION**

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, RICHARD H. HAWKINS, also known as RICHARD H. HAWKINS, Sr., and wife, FRANCES B. HAWKINS, 151 Grande View Drive, Apt. 212, Biloxi, MS 39531, 228-367-3039, do hereby sell, convey and warrant unto DAVID W. POWELL and wife, LINDA H. POWELL, 768 Tinsington Drive, Collierville, TN 38017, 901-246-8845, as joint tenants with full rights of survivorship and not as tenants in common, the following described land and property being located in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

A parcel of land being part of Lots One (1) and Two (2), GULF VIEW COURT ADDITION and a part of Lots Thirteen (13) and Fourteen (14), Block Two (2), of the RESURVEY OF GULF VIEW COURT and being more fully described as: Commencing at the corner common to the Southeast corner of said Lot One (1) of GULF VIEW COURT ADDITION and the Southwest corner of said Lot Fourteen (14), Block Two (2), of the RESURVEY OF GULF VIEW COURT for the Point of Beginning; thence run North 62 degrees 06 minutes East along the South line of said Lot Fourteen (14) a distance of 119.03 feet to the point of the West margin of Gulf View Avenue; said point being the Southeast corner of said Lot Fourteen (14), thence run North 28 degrees West along the West margin of Gulf View Avenue a distance of 80 feet; thence run South 62 degrees 06 minutes West a distance of 152.76 feet; thence run South 28 degrees East a distance of

MINUTES OF NOVEMBER 13, 2014
PLANNING COMMISSION

2011.

Richard H. Hawkins, Sr.
RICHARD H. HAWKINS, also known as
RICHARD H. HAWKINS, SR.

Frances B. Hawkins
FRANCES B. HAWKINS

STATE OF MISSISSIPPI

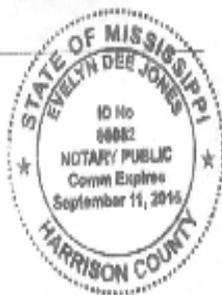
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, RICHARD H. HAWKINS, also known as RICHARD H. HAWKINS, SR., and wife, FRANCES B. HAWKINS, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantors on the day and in the year therein mentioned.

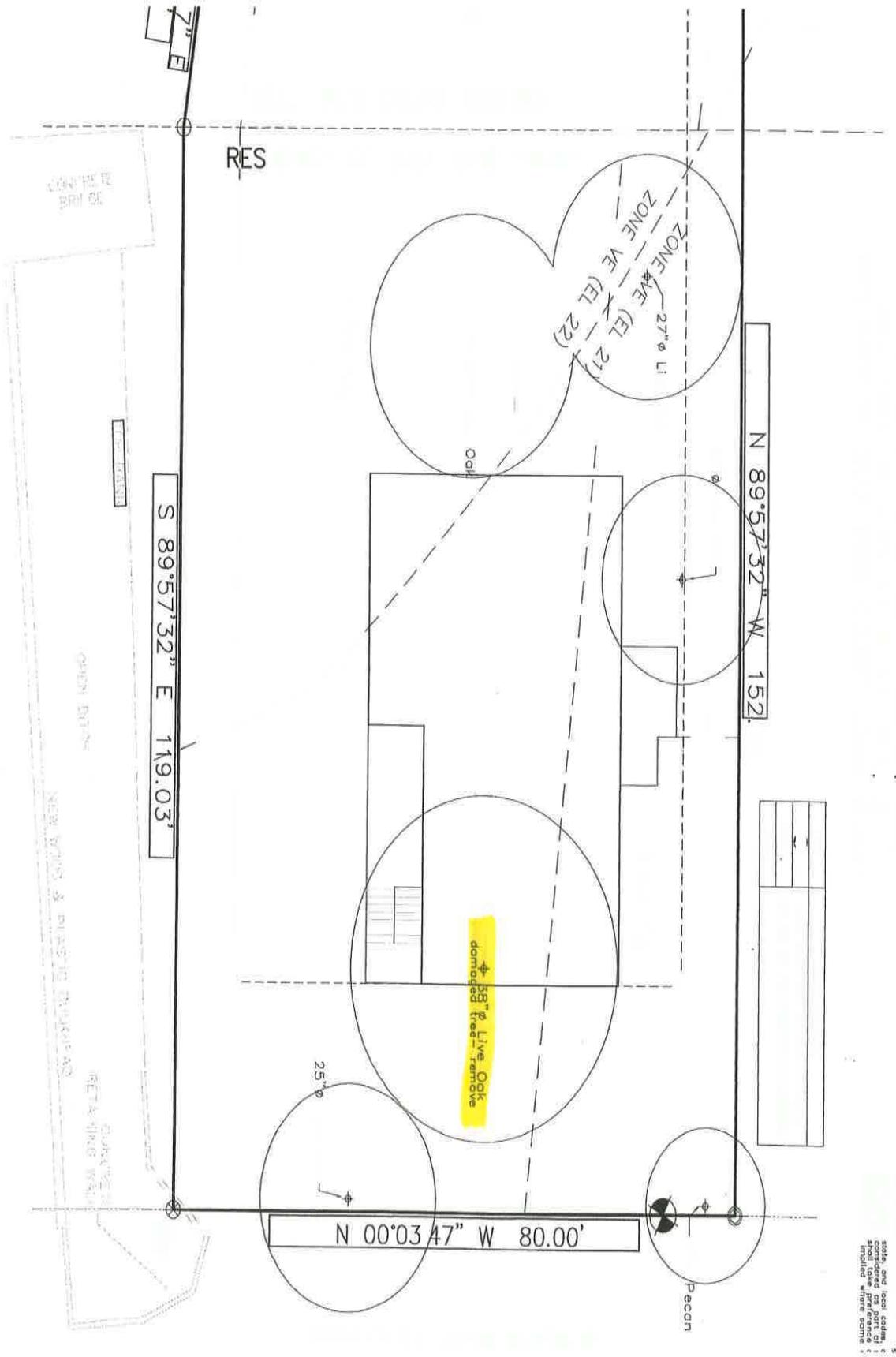
GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 12th day of December, 2011.

Evelyn Dee Jones
NOTARY PUBLIC

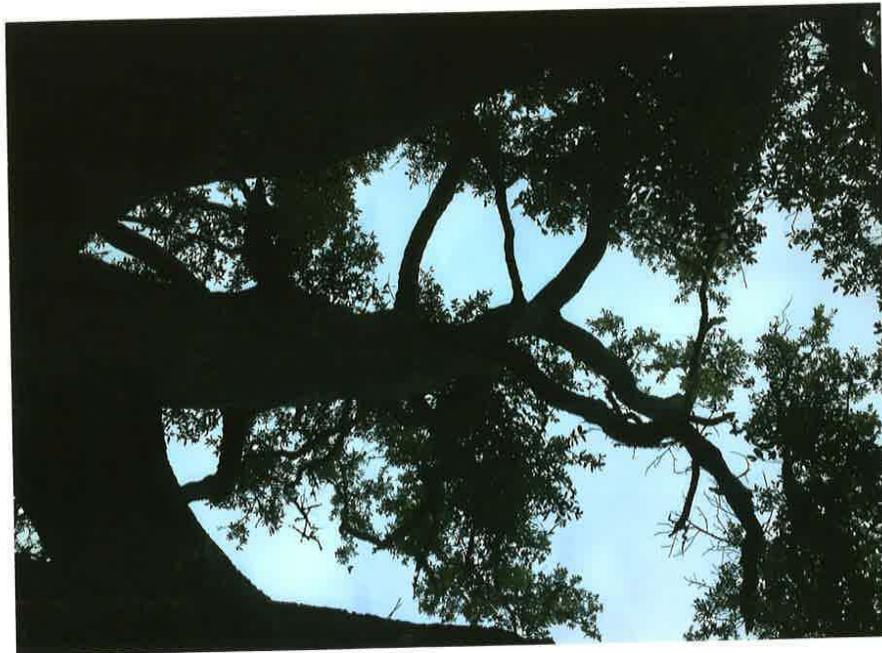
My Commission Expires:



MINUTES OF NOVEMBER 13, 2014
 PLANNING COMMISSION



MINUTES OF NOVEMBER 13, 2014
PLANNING COMMISSION



After discussion and review Commissioner Robertson made motion seconded by Commissioner Brown and unanimously carried recommending, removal of the trees, stating sizable replacement trees must be planted.

**MINUTES OF NOVEMBER 13, 2014
PLANNING COMMISSION**

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

APPROVED:

Commission Chairman, Frank Olaiivar

Date: _____

ATTEST:

Veronica Howard, Minutes Clerk