

**MINUTES OF APRIL 9, 2015
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 9th day of April 2015, 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, Chris Carrubba, Jeff Hansen, Tonda Yandell and minutes Clerk Veronica Howard.

Commissioners Nicholas Brown and Ron Robertson were absent the meeting.

There being a quorum present and sufficient, to transact the business of this regular meeting, the following proceeding were had and done.

Commissioner Frazer made motion seconded by Commissioner Hansen and unanimously carried to suspend the rules and add to the agenda under new business 2. Tree removal request for 1 Live Oak tree – 104 Lassere Circle submitted by Don and Sylvia Oglesby.

Commissioner Hansen made motion seconded by Commissioner Frazer and unanimously carried to approve the minutes the regular meeting minutes of March 26, 2015 as submitted.

It came for consideration under old business discussion regarding rezoning an 18 acre lot located on Commission Road, tax parcel #0611F-01-013.000.

No action was taken.

It came for consideration under old business discussion regarding rezoning the area east of Long Beach High School (Nicholson Avenue), East to McCaughan Avenue and Allen Road, South to East Old Pass Road.

No action was taken.

The next item for new business was a tree removal request for one (1) Southern Magnolia tree for property located at 501 Jeff Davis Avenue submitted by Jason Ladner as follows:

MINUTES OF APRIL 9, 2015 PLANNING COMMISSION



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	4/1/2015
Zoning	C-1
Agenda Date	4/9/2015
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 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.

TODAY'S DATE: 4-1-15

PROPERTY INFORMATION

TAX PARCEL # 06126-01-015.000
Address of Property Involved: 501 Jeff Davis Ave
Property owner name: Jason Ladner
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: 20120 Lovers Ln
Phone No. 228 860 4926

CONTRACTOR OR APPLICANT INFORMATION

Company Name: _____
Phone No. _____ Fax: _____
Name _____
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)

Diseased - Needs to Come Down

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] 4-1-15
Signature Date

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

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

JCS 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.

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

JCS OWNERSHIP: Please provide a recorded Warranty deed.

JCS 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.

JCS 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.

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

MINUTES OF APRIL 9, 2015
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**THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY.
HARRISON COUNTY ASSUMES NO LEGAL RESPONSIBILITIES
FOR THE INFORMATION CONTAINED ON THIS MAP.**

Date Printed: Apr 01, 2015

Parcel #: 0612G-01-015.000



**MINUTES OF APRIL 9, 2015
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MINUTES OF APRIL 9, 2015 PLANNING COMMISSION

Jim Heinzl, Certified Arborist, stated he inspected the tree and due to lack of care the tree is in irreversible decline. Based upon his inspection of the tree Commissioner Heinzl made motion seconded by Commissioner Frazer recommending removal of the Magnolia tree.

The question being put to a roll call vote, the results were as follows:

Commissioner Frazer	AYE
Commissioner Fischer	AYE
Commissioner Heinzl	AYE
Commissioner Carrubba	ABSTAINED
Commissioner Hansen	AYE
Commissioner Brown	ABSENT, NOT VOTING
Commissioner Robertson	ABSENT, NOT VOTING
Commissioner Yandell	AYE

The question receiving the affirmative from the majority of the Commission members present and voting the Chairman declared the motion carried recommending removal of the Live Oak tree.

The next item for business was a tree removal request for one (1) Live Oak tree for property located at 104 Lassere Circle submitted by Don and Sylvia Oglesby 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
APPLICATION FOR TREE PERMIT

OFFICE USE ONLY
Date Received <u>4/9/15</u>
Zoning <u>R-1</u>
Agenda Date
Check Number <u>CASH</u>

(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: 4/9/2015

PROPERTY INFORMATION

TAX PARCEL # 0601P-03-054.000
Address of Property Involved: 104 LASSERE CIR
Property owner name: DON & SYLVIA OGLESBY
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: SAME
228
Phone No. () 324-5132

CONTRACTOR OR APPLICANT INFORMATION

Company Name: _____
Phone No. _____ Fax: _____
Name _____
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)

Number of Trees:
 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.
Don Oglesby 4-9-15
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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Date Printed: Apr 09, 2015

Parcel #: 0611P-03-054.000



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Jim Heinzl, Certified Arborist, stated after reviewing the pictures submitted the tree is entangled in the power lines and the roots are growing under the house, potentially and eventually going to cause damage to the homes structure. Based upon Commissioner Heinzl's statement Commissioner Yandell made motion seconded by Commissioner Frazer 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 Hansen made motion seconded by Commissioner Frazer and unanimously carried to adjourn the meeting until the next regular scheduled meeting in due course.

APPROVED:

Commission Chairman, Frank Olaiivar

Date: _____

ATTEST:

Veronica Howard, Minutes Clerk