

MINUTES OF MARCH 24, 2016 PLANNING COMMISSION

Be it remembered that a public hearings of the Long Beach Planning Commission of the City of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 24th day of March 2016, 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 public hearing.

There was present and in attendance on said Commission and at the public hearing the following named persons: Commission Chairman Frank Olavar, Commissioners Donald Frazer, Randy Fischer, Jeff Hansen, Ron Robertson, Planning Commission Advisor/consultant Bill Hessel and minutes Clerk Veronica Howard.

Commissioners Jim Heinzl, Chris Carrubba, Nicholas Brown and Patricia Bennett were absent the public hearing.

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 was called to order to consider a variance request as follows:

MINUTES OF MARCH 24, 2016
PLANNING COMMISSION



CITY OF LONG BEACH
201 Jeff Davis Avenue
PO BOX 929
Long Beach, MS 39560
(228) 863-1554 office
(228) 863-1558 fax

Office use only	
Date Received	2/29/16
Zoning	R-1
Agenda Date	3/20/2016
Check Number	CASH
Ward	

APPLICATION FOR
SPECIAL-USE APPROVAL

I. Tax Parcel Number(s): 0612E-02-015.000

II. Address of Property Involved: 706 Magnolia St

III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
Seeking a variance of street frontage for a subsequent request to subdivide the subject parcel, currently 125x125 into (2) parcels 65x125 and 60x125, see attached

PLEASE COMPLETE THE FOLLOWING:

- A. Describe any special condition that justify the granting of this request and that are peculiar to the property and do not apply to other properties in the general area. What are the reasons for the request and why the applicant cannot meet the stated code requirement? There are numerous narrow lots in the area (see attached) including 2-50x136 SE of subject property, 2 others East and SW of subject. Majority of Lots in the area average 70' of road frontage.
- B. Describe how the special condition discussed above is not the result of action taken by the applicant. Show that the applicant did not cause the need for this request. The applicants did not create or cause any conditions related to the request.
- C. Show that unnecessary hardship exists due to the character of the property and that this hardship makes the request necessary. State what hardship is caused if the applicant is required to meet code requirements? What is the result of this hardship? What would result if the Zoning Board denied this request? No hardship exists. We feel the style/size of homes we are building fit well with the neighborhood and lots are similar size we are currently building on.
- D. Show that denial of this request will deprive the applicant of rights commonly enjoyed by other properties in the general area and that the granting of this variance request will make possible the reasonable use of land while not conferring any special privilege. Outline how the subject of the variance is common in the area and if the applicant were to be denied this variance a right would be taken away which is granted to other properties. State how the variance makes reasonable use of the existing land and why the same action cannot be done in a way that does not require a variance. Show that granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable. We feel by utilizing the property for 2 new homes would benefit the area and city tax base. There would be no negative impact by the requested variance if approved. The lot would blend well with the neighborhood.

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IV. 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 Site Plan.** a site plan showing the land area which would be affected, 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 \$100.00 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. The City of Long Beach will notify, by certified letter, adjacent property owners within 200' (feet), to the requested action identified in this application, using the Harrison County Tax Assessor's Land Roll database.

INCOMPLETE APPLICATIONS MAY DELAY APPROVAL OF YOUR REQUEST, PLEASE SUBMIT ALL REQUIRED DOCUMENTS.

V. 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 2nd or 4th Thursday of each month (SEE ATTACHED MEETING DATES & DEADLINES.) Receipt of fee(s) does not constitute receipt of a completed application.

I the undersigned hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

Mike Carrubba, Dale Stennett

(PRINT) Name of Rightful Owner

(PRINT) Name of Agent

211 Magnolia st

Owner's Mailing Address

Agent's Mailing Address

Long Beach Ms 39560

City State Zip

City State Zip

228-324-8911

Phone

Phone

DStennett49@cableone.net

Email address

Email address

(*You may be contact by email regarding your application)

(*You may be contact by email regarding your application)

Dale Stennett

Signature of Owner

Date

2/26/2016

Signature of Agent

Date

Mike Carrubba

2/24/16

Page 2 of 3

Application for Special-Use Approval

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

Complete, if the property or properties involved have more than one (1) owner. All persons listed as owners on the deed of ownership to the property or properties listed must complete and sign application.

I the undersigned hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

OWNER

MICHAEL J. CARRUBBA

(PRINT) Name of Rightful Owner

618 WEST RAILROAD ST

Owner's Mailing Address

LONG BEACH CA 39560

City State Zip

228 806 1697

Phone

MCARRUBBA@CABLEONE.NET

Email address

(*You may be contact by email regarding your application)

[Signature] 2/26/16

Signature of Owner Date

OWNER

Dale Stennett

(PRINT) Name of Owner

211 Magnolia St

Owner's Mailing Address

Long Beach CA 39560

City State Zip

228-324-8911

Phone

DStennett49@Cableone.net

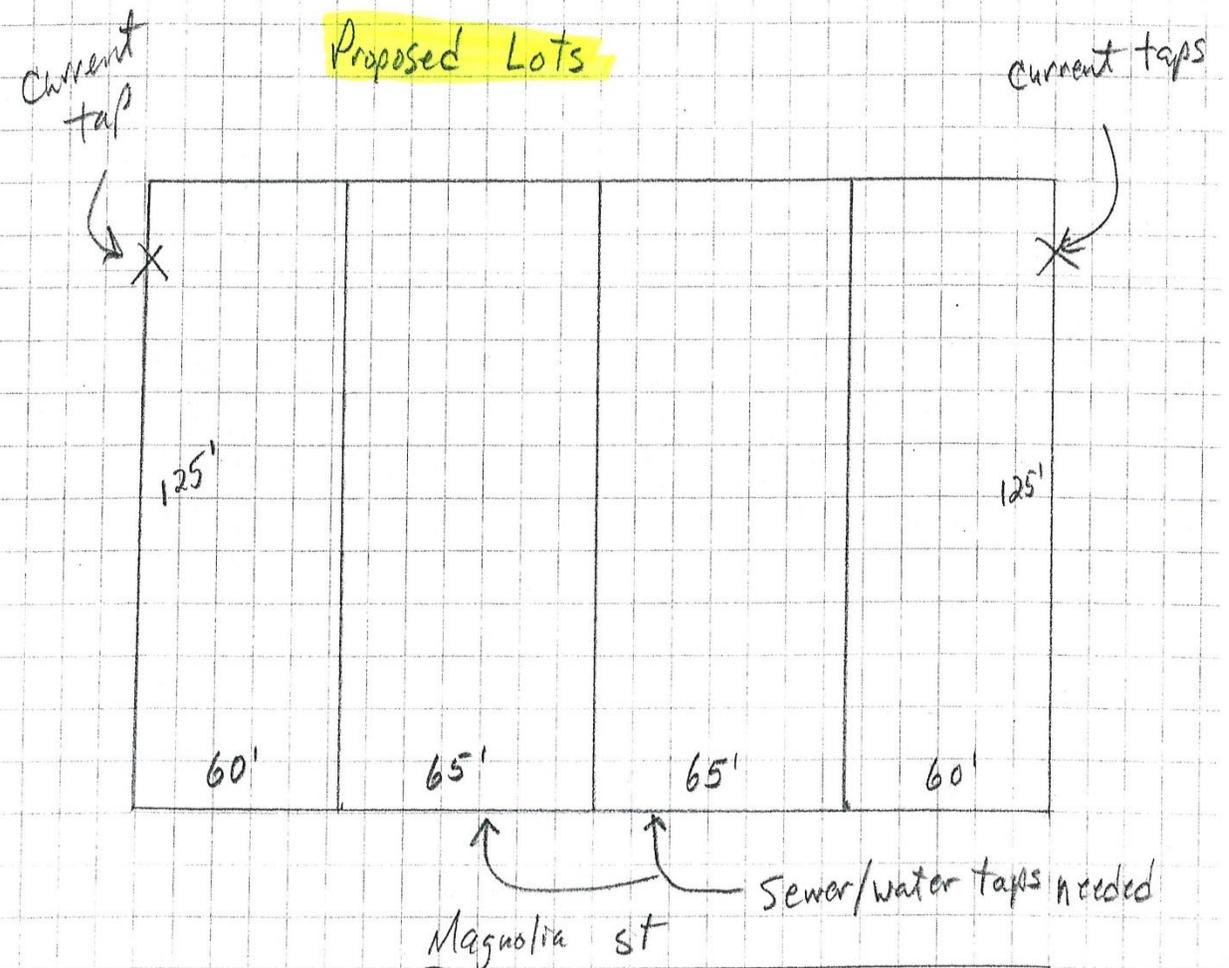
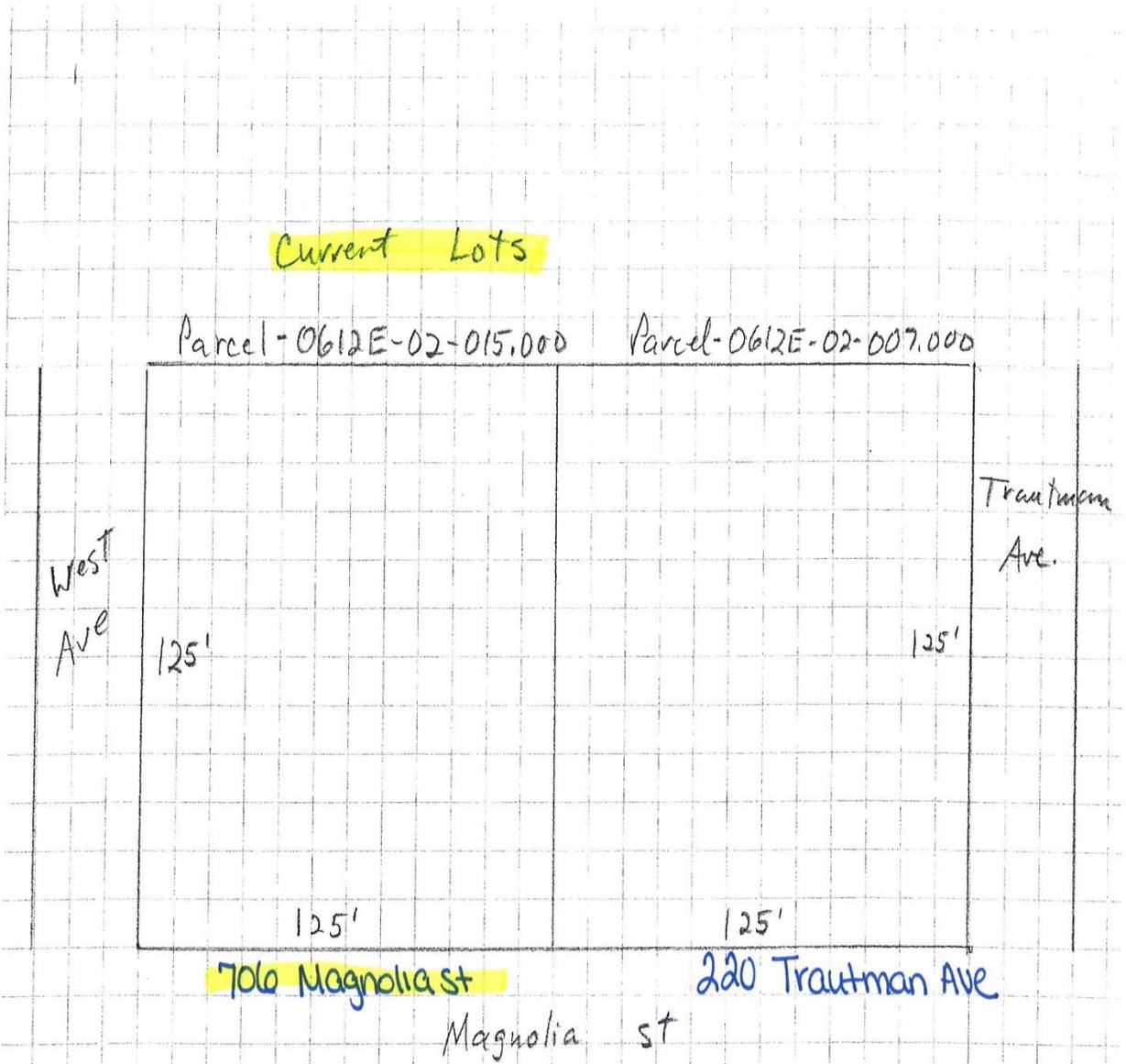
Email address

(*You may be contact by email regarding your application)

[Signature] 2/26/16

Signature of Owner Date

MINUTES OF MARCH 24, 2016
PLANNING COMMISSION



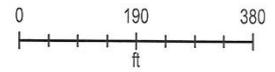
MINUTES OF MARCH 24, 2016 PLANNING COMMISSION



HARRISON COUNTY, MISSISSIPPI

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP. TAL FLURRY, TAX ASSESSOR.

MAP DATE: March 23, 2016



MINUTES OF MARCH 24, 2016 PLANNING COMMISSION

The clerk reported that twenty-two (22) notices of public hearing were sent by certified mail, electronic return receipt, to property owners with two hundred feet (200') of the subject property, notices were also posted on the bulletin boards at City Hall, the Building Official's office, and the Water Department, 201 Jeff Davis Avenue; and at the Long Beach Public Library, 207 Jeff Davis Avenue. Said return receipts were ordered as part of these proceedings:

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 **variance**.

Dale Stennett, 211 Magnolia Street, Long Beach, Mississippi, 39560 and Mike Carrubba, 618 West Railroad Street, Long Beach, Mississippi 39560 have filed an application for a variance in accordance with the Comprehensive Long Beach Unified Land Ordinance **the applicant(s) are requesting a 15' (fifteen foot) lot width variance on lot 1 (one) and a 10' (ten foot) lot width variance on lot 2 (two)**. The tax parcel number is 0612E-02-015.000. The legal description is as follows:

Lots 42, 43, 44, 45 and 46, Block 3, Trautman Addition to the Town of Long Beach, being an addition to the City of Long Beach, First Judicial District of Harrison County, Mississippi, as per the official map or plat thereof on file in the office of Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

A public hearing to consider the above variance will be held in the City of Long Beach, Mississippi 39560, Thursday, March 24, 2016, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 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

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

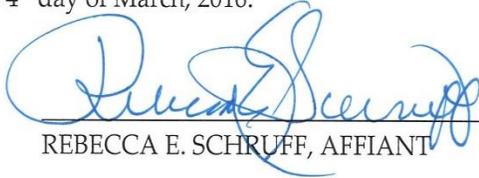
BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared before me, VERONICA HOWARD, known to me to be the Minutes Clerk of the City of Long Beach, Mississippi, Planning Commission, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

1. That she is the duly appointed and acting Minutes Clerk of the City of Long Beach, Mississippi, Planning Commission;

2. That in such capacity, she is responsible for mailing Notices of Public Hearing for the purpose of notifying property owners within Two Hundred Feet (200') of the subject property, when applications for zoning map changes, variances, appeals, etc., are filed, all as stipulated in The Zoning Ordinance Number 598 of the City of Long Beach; and other matters pertaining to such public hearings and the business of the Planning Commission in and for the City of Long Beach;

3. That on March 4, 2016, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 22 property owners within 200' of 706 Magnolia Street – Tax Parcel No. 0612E-02-015.000 notifying them that a public hearing will be held, March 24, 2016, to consider an application for Variance request filed by Dale Stennett and Mike Carrubba.

Given under my hand this the 4th day of March, 2016.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 4th day of March, 2016.



NOTARY PUBLIC

-My Commission Expires-



**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

KENYON HOMES HOLDINGS INC
4851 FALCON DR
FREDERICK CO 80530

BETTY ASHE
3405 OLD ANDERSON RD #223
ANTIOCH TN 37013

BAXTER BEAVERS
113 LAKE HARBOR POINT
BRANDON MS 39047

JULIE ANN BERRY
516 TRAUTMAN AVE
LONG BEACH MS 39560

WILLIE AND SHARON BRIGGS TRUSTEES
9512 DOWNING ST
RICHMOND VA 23238

HERBERT CARVER
5319 WINGATE DR
NEW ORLEANS LA 70122

MICHAEL COMMISKEY
1120 34TH ST
GULFPORT MS 39501

ARLEEN DAVIS
7840 CHESTERFIELD DR S
SOUTHAVEN MS 38671-6200

ELEANOR DAVIS -EST-
C/O EMANUEL BLESSEY
430 IONA ST
METAIRIE LA 70005

ANNE AND TONY DILORENZO
212 TRAUTMAN AVE
LONG BEACH MS 39560

LARRY AND JANET GIBSON
PO BOX 40
RALEIGH MS 39152

ELIZABETH HESS
207 LANG AVE S
LONG BEACH MS 39560

CHRISTOPHER HOLLINGSWORTH
1718 CYPRESS SPRINGS LN
COLLIERVILLE TN 38017

GAY IRBY
252 4TH ST E
LONG BEACH MS 39560

TONY KUAN AND GENA LENTZ
321 LAKESHORE DR
MADISON MS 39110

DYANN LENTZ
204 WEST AVE
LONG BEACH MS 39560

LINDA MCDONALD & ROMAS DE LA HUNT
110 COLE RD
HATTIESBURG MS 39402

JOHN SMITH
321 PINECREST BLVD
LONG BEACH MS 39560

KIMBALL WEBB
709 MAGNOLIA ST
LONG BEACH MS 39560

CHARLES AND MARY WELCH
125 WEST AVE
LONG BEACH MS 39560

DALE STENNETT
211 MAGNOLIA ST
LONG BEACH MS 39560

MICHAEL CARRUBBA
618 W RAILROAD ST
LONG BEACH MS 39560

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

The Clerk reported that she did cause to be published in the Sun Herald, a newspaper with general circulation in the City of Long Beach, and published in Harrison County, Leal Notice and Public Hearing, as evidence by the Publisher's Proof of Publication as follows:

Proof of Publication

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Crista Brackett 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 of 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. 132 No., 158 dated 9 day of Mar, 20 16
- 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 _____

Affiant further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Crista Brackett

Clerk

Sworn to and subscribed before me this 9 day of

March A.D., 20 16

Meri A. Jackson

Notary Public

**LEGAL NOTICE
PUBLIC HEARING**
In accordance with Article XIX of the Comprehensive Long Beach Unified Land Ordinance 508 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 variance. Dale Stennett, 211 Magnolia Street, Long Beach, Mississippi, 39560 and Mike Carruba, 618 West Railroad Street, Long Beach, Mississippi 39560 have filed an application for a variance in accordance with the Comprehensive Long Beach Unified Land Ordinance. The applicant(s) are requesting a 15' (fifteen foot) lot width variance on lot 1 (one) and a 10' (ten foot) lot width variance on lot 2 (two). The tax parcel number is 0612E-02-015.000. The legal description is as follows: Lots 42, 43, 44, 45 and 46, Block 3, Trautman Addition to the Town of Long Beach, being an addition to the City of Long Beach, First Judicial District of Harrison County, Mississippi, as per the official map or plat thereof on file in the office of Chancery Clerk of the First Judicial District of Harrison County, Mississippi. A public hearing to consider the above variance will be held in the City of Long Beach, Mississippi 39560, Thursday, March 24, 2016, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 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
ADV9,1WED
-1572870

*The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

Commission Chairman recognized Dale Stennett to state the request, Mr. Stennett submitted for the record the following petition for people in favor of his request and pictures depicting the type of homes he has previously built as follows:

PUBLIC COMMENTS "FAVOR" Not opposed

PUBLIC HEARING SUBJECT MATTER: SPECIAL USE APPLICATION ROAD FRONTAGE VARIANCE FOR PARCELS, 0612E-02-007.000 AND 0612E-02-015.000

	NAME	ADDRESS	PHONE
1.	Sharon Cooper	700 Magnolia St	985-515-4315
2.	Lisa Judice	708 Magnolia St.	225-933-4992
3.	Sack Hess	711 " "	(228) 216-0920
4.	Elizabeth Hess	" "	(228) 216-0922
5.	Pete Klein	201 OAK GARDENS	228 225-52-0687
6.	Frederic K. Welch	442 MAGNOLIA	228- "
7.	W. J. Van Dyke	127 Trautman Ave	225-364-7568
8.	John Smith	612 MAGNOLIA ST.	228-323-8857
9.	Shelia Stennett	710 Magnolia St	228-586-3169
10.	Dyann Lentz	204 West ave	228-697-0548

MINUTES OF MARCH 24, 2016
PLANNING COMMISSION



MINUTES OF MARCH 24, 2016
PLANNING COMMISSION



MINUTES OF MARCH 24, 2016 PLANNING COMMISSION

Mr. Stennett stated the following:

- He as previously built quality homes in Long Beach.
- He is bringing in tax revenue for the City.
- The homes that he's building are 1000 to 1500 sq. ft.
- He builds custom homes; they are not cookie cutter.
- He's targeting south of the CSX railroad because people rebuilding want to be south of the tracks.

*

*

Commission Chairman asked for anyone speaking in favor or the request as follows:

PUBLIC COMMENTS FAVOR		
PUBLIC HEARING SUBJECT MATTER: <u>Variance Request Magnolia/Trautman</u>		
<ul style="list-style-type: none"> ➤ All comments shall be directed to the Chairman when recognized. ➤ Comments of a personal nature regarding individual members of the Planning / Zoning Board, City staff and/or personnel, other citizens, disruptive comments or improper actions will not be permitted. ➤ Except as otherwise directed by the Chairman, public comments will not be permitted before or after the allotted time. ➤ Disruption of the public hearing will be cause for removal from the public meeting. 		
PLEASE PRINT NAME / ADDRESS / PHONE		COMMENT
1	Dale Stennett 211 Magnolia St	228 224-8911
2	Shelba Stennett 211 Magnolia St.	
3	MICHAEL CARRUBBA 618 WEST RAINBOW ST	228 806 1699
4	Michael K. Webb 702 MAGNOLIA ST.	
5		
6		
7		
8		
9		
10		

City of Long Beach
Planning Commission – Public Hearing
Date: 3/24/2016

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

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Commission Chairman called for anyone speaking in opposition of the request, the following was made part of the record:

PUBLIC COMMENTS <u>OPPOSED</u>	
PUBLIC HEARING SUBJECT MATTER: <u>Variance Request Magnolia/Trautman</u>	
<ul style="list-style-type: none"> ➤ All comments shall be directed to the Chairman when recognized. ➤ Comments of a personal nature regarding individual members of the Planning / Zoning Board, City staff and/or personnel, other citizens, disruptive comments or improper actions will not be permitted. ➤ Except as otherwise directed by the Chairman, public comments will not be permitted before or after the allotted time. ➤ Disruption of the public hearing will be cause for removal from the public meeting. 	
PLEASE PRINT NAME / ADDRESS / PHONE	COMMENT
1 ANNE Di Lorenzo	Letters opposing
2 Terry Thomas 521 Trautman Av	No Parking / Decrease Values
3 Julie Thomas 521 Trautman Av	No Parking / Rental Land
4 FRED Lively 209 WEST AVE	TO CLOSE TO STREET
5 JEAN Lively 209 WEST AVE	PROP. VALUE + or -
6 Tommi Baylot 106 TRAUTMAN AVE	over crowding - <u>Not wise</u>
7 Darnell Hill 705 MAGNOLIA	Overcrowding AREA small with homes
8 Julia Berry 516 TRAUTMAN	TOO MANY homes on those lots.
9 Anna Berry 516 Trautman Ave.	changing character of neighborhood over proliferation of fire of - could become rentals
10 David Berry 516 Trautman Ave.	2 Lot w/hsc B4 Camille + B-4 Katrina Keep them 2 Lots!

City of Long Beach
Planning Commission - Public Hearing
Date: 3/24/2016

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

PUBLIC COMMENTS OPPOSED

PUBLIC HEARING SUBJECT MATTER: _____

- All comments shall be directed to the Chairman when recognized.
- Comments of a personal nature regarding individual members of the Planning / Zoning Board, City staff and/or personnel, other citizens, disruptive comments or improper actions will not be permitted.
- Except as otherwise directed by the Chairman, public comments will not be permitted before or after the allotted time.
- Disruption of the public hearing will be cause for removal from the public meeting.

PLEASE PRINT		
	NAME / ADDRESS / PHONE	COMMENT
1	Thomas J. SIESENER 116 EAST AVE 238-383 1662	DONT WANT ANY RENTERS.
2	Tony DiLorenzo 212 Trautman Ave 869-7780	Do not want a reloading door neighborhood
3	James T Baylit 601 529 106 Trautman Av 8074	over crowding
4	Belinda Brawn Harper 100 Trautman Ave	Why was this meeting a secret?
5	Tony E. Harper 100 Trautman Ave	_____
6		
7		
8		
9		
10		

City of Long Beach
Planning Commission - Public Hearing
Date: 3/24/2016

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

To: The Planning Commission for the City of Long Beach, MS.

Dear Members of the Planning Commission,

12 March 2016

I strongly oppose the variances requested on Lots 37, 38, 39, 40, and 41, Block 3, Trautman Addition to the Town of Long Beach, and on Lots 42, 43, 44, 45, and 46, Block 3, Trautman Addition to the Town of Long Beach.

While the re-development of the vacant lots left by Hurricane Katrina is to be encouraged to further restore our community, doing so by circumventing the very ordinances that have shaped our community's character destroys the very community we hope to restore.

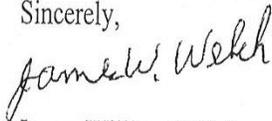
I live at 206 Trautman Avenue, which is about 400 feet north of said lots. I, my wife, and my in-laws, have occupied this residence since 1934, and we are the longest continuous residents in the area. We have invested heavily in Long Beach because of the quality of the neighborhood, the schools, and city government. The requested variances will lower the quality of the neighborhood, and lessen the value of the property we have held for 82 years. These variances will lead to higher density of housing, and lower density of greenspace. Greenspace is an important part of the character of any neighborhood. It allows spaces for children to play, for trees to grow, for personal reflection, and for gardens. It attracts both current and future citizens.

There are many building lots in this area which are vacant and are available to the developers. The one-block, 250-ft long, section of land on Magnolia Avenue that lies between Trautman Avenue and West Avenue, which is the subject of the variance request, will itself accommodate 3 homes and still remain faithful to the city ordinance requiring building lots to have a 75-ft minimum road frontage. The only conceivable reason for allowing the developers to build 4 houses where only 3 should be built is to increase the developers' profit margins.

I have no issue with developers making a profit. Real estate developers provide a valuable service to the community. But increasing their profits at the expense of the value of my property is not fair, and is not in keeping with how we do things in Long Beach.

So I respectfully ask that you refuse these requests for variances. You, the members of the City Planning Commission, are our representatives to ensure that fair and responsible development occur in our community; development that adds to and does not subtract from its character. I have faith that you will realize that in this instance, the requested variances are not needed and will detract from the otherwise good work the developers do.

Sincerely,



James William Welch
206 Trautman Avenue
Long Beach, MS 39560.
Cell phone: (228) 224-7963
Home phone: (228) 863-6036

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

Veronica Howard

From: Larry Gibson <larrygibsonmd@yahoo.com>
Sent: Sunday, March 13, 2016 9:37 PM
To: veronica@cityoflongbeachms.com
Cc: Charles Welch
Subject: Proposed variances requested on Lots 37,38,39,40, and 41, Block 3, Trautman Addition to the Town of Long Beach, Ms., and on Lots 42, 43, 44, 45, and 46, Block 3, Trautman Addition to the Town of Long Beach, Ms.

To The Planning Commission for the City of Long Beach, Ms.

Dear Ladies and Gentlemen:

My wife and I along with many of our neighbors, oppose the proposed variances requested on Lots 37 thru 46, Block 3, Trautman Addition to the Town of Long Beach, Ms.

We are not opposed to progress if it is in the best interest of the City and our neighborhood. We believe that putting four of these small frame houses will significantly result in overcrowding detracting from the appearance of our neighborhood. I believe in years to come these small homes will decrease in value causing all property values in the area to decrease.

Respectfully, we request that you, the Planning Commission, to turn down these requested variances.

Larry Gibson, MD, Rph., EXE. JD
Manager
124 West Ave.
Long Beach, Ms 39560

Janet M. Gibson, MS Education, Certified Public

601-433-6886

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

To: The Planning Commission for the City of Long Beach, MS.

Dear Ladies and Gentlemen,

11 March 2016

I strongly oppose the proposed variances requested on Lots 37, 38, 39, 40, and 41, Block 3, Trautman Addition to the Town of Long Beach, and on Lots 42, 43, 44, 45, and 46, Block 3, Trautman Addition to the Town of Long Beach.

While I support real estate developers in their quest to restore Long Beach from the devastation of Katrina, this rebuilding should be done with care, and in accordance with the existing character of the community.

Long Beach rightfully has chosen a minimum road footage for houses of 75 ft. This has resulted in neighborhoods that are uncrowded, with breathing room between houses, and with yards that accommodate gardens, trees, and room for children to play. The proposed building lots, with widths of only 60 and 65 ft, will cause the neighborhood to appear crowded, taking significantly away from its character and value.

I invested in Long Beach when I bought my house and lot, which is approximately 125 ft north of the said lots. Each year I pay approximately \$2170.00 in property taxes for my home. My investments should not be degraded in value merely to provide greater profit margin for the real estate developers. And it is not the case that there is not ample vacant building lots available in Long Beach, in this area, for further development by the real estate developers.

So I respectfully ask that you, the Planning Commission, turn down these requests for variances. You are part of the keepers of the intrinsic value and character of Long Beach. Please help ensure Long Beach's long-term value as the rebuilding takes place.

Sincerely,



Dr. Charles Robert Welch
125 West Avenue.
Long Beach, MS 39560.
Cell phone: 601.618.5561
Email: Charles.r.welch@gmail.com

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

March 18, 2016

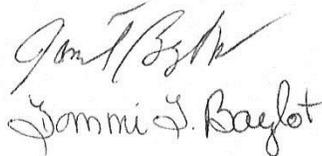
Dear Long Beach Planning Commission,

This is an exciting time ! With all the new development taking place in Long Beach, you can't help but get excited to see our city being rebuilt with new restaurants and homes.

My husband and I live on Trautman Ave. where some of this new construction is taking place. It has been brought to our attention that while we welcome the wonderful new homes, a variance has been requested to **SQUEEZE** four houses on an area that really should have only three. This area being between Trautman Ave. and West Ave. facing Magnolia. We understand the contractors wanting / needing to make a profit but not at the expense of the current homeowners. Over crowding our street would take away from the Norman Rockwell feel of the Ave. where you can see people walking the sidewalk and visiting in the yards.

It is indeed a privilege to live on Trautman Ave. with it's older homes and a straight path to the beach. The neighbors are wonderful. My family and some of our neighbors have much history on Trautman Ave. Some of you might remember Cypress Grove Nursery; that was my grandfather's (Charlie Reinike) and later my parents. My Aunt, Marguarite Cuave lived on the corner of Trautman and Magnolia.

We say all that to ask you **Pease Do Not grant the requested variance.** There is more property in the area to be used for new construction. **Please do not let over crowding get started.** Keep our "Friendly City" friendly with nice homes and reasonably sized yards.



J. T. Baylot

Dr. and Mrs. J.T. Baylot
106 Trautman Ave.
Long Beach, Ms. 39560

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

To: The Planning Commission for the City of Long Beach, MS.

Dear Ladies and Gentlemen

21 March 2016

I strongly oppose the proposed variances requested on Lots 37, 38, 39, 40, and 41, Block 3, Trautman Addition to the Town of Long Beach, and on lots 42, 43, 44, 45, and 46, Block 3, Trautman Addition to the Town of Long Beach.

I have been a resident of 212 Trautman Avenue since 1967. It is 125ft from these lots. I bought this home because it was a family neighborhood.

We feel the requested variances will lesson our property values and change the character of our neighborhood. Please consider how you would feel in your home and why you like living there.

We do not mind builders or real estate making a living or our community growing. We don't want our neighborhood to become a revolving door.

So we ask you the Planning Commission to turn these requests down for variances. Please support the character of Long Beach.

Sincerely,

Anne & Tony DiLorenzo

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

- Terry Thomas, stated there is already a traffic problem through the neighborhood, to crowd in more homes would increase the problem.
- Tony Harper, against additional small, rental property being built.
- Mike Webb, against additional small, rental property being built. The City has ordinances for a reason.
- Julie Berry, has lived on Trautman Avenue for years, paid the price to rebuild after Hurricane Katrina, against overcrowding the neighborhood.

* * *

Upon rebuttal, Mr. Stennett, stated that following:

- The homes are not going to be rental or vacation homes, they are custom built homes.
- The homes will be sold, not rental property.
- There's a house at 216 Trautman Avenue that has been dilapidated since Hurricane Katrina, that hasn't brought anyone's property value down.
- City has approved similar variances.
- There are just as many people that are in favor of his request that are against (petition submitted above.)

* * *

Commissioner Frazer made motion seconded by Commissioner Fischer and unanimously carried to close the public hearing.

After review and discussion Commissioner Robertson made motion seconded by Commissioner Fischer and unanimously carried, to deny the request for variance, referencing the applicant's application which states, "no hardship exist." He further stated that Ord 598, Section 61 (b) states, "a variance may be granted by the Board of Adjustments if it concluded that strict enforcement of the ordinance would result in practical difficulties or unnecessary hardship for the applicant...." He further stated that none of the other conditions for granting a variance, listed in Ord. 598, Section 61: Variances existed.

The next public hearing was called to order to consider a variance request as follows:

MINUTES OF MARCH 24, 2016
PLANNING COMMISSION



CITY OF LONG BEACH
201 Jeff Davis Avenue
PO BOX 929
Long Beach, MS 39560
(228) 863-1554 office
(228) 863-1558 fax

Office use only	
Date Received	2/29/16
Zoning	R-1
Agenda Date	3/24/2016
Check Number	CASH
Ward	

APPLICATION FOR
SPECIAL-USE APPROVAL

I. Tax Parcel Number(s): 0612E-02-007.000

II. Address of Property Involved: 220 Trantman Ave.

III. Statement clearly explaining the request being made. (Attach supplemental pages if necessary.)
Seeking a variance of street frontage for a subsequent request to subdivide the subject parcel, currently 125x125 into (2) parcels 65x125 and 60x125, see attached

PLEASE COMPLETE THE FOLLOWING:

A. Describe any special condition that justify the granting of this request and that are peculiar to the property and do not apply to other properties in the general area. What are the reasons for the request and why the applicant cannot meet the stated code requirement? There are numerous narrow lots in the area (see attached) including 2-50x136 SE of subject property, 2 others East and SW of subject. Majority of lots in the area average 70' of road frontage.

B. Describe how the special condition discussed above is not the result of action taken by the applicant. Show that the applicant did not cause the need for this request. The applicants did not create or cause any conditions related to the request.

C. Show that unnecessary hardship exists due to the character of the property and that this hardship makes the request necessary. State what hardship is caused if the applicant is required to meet code requirements? What is the result of this hardship? What would result if the Zoning Board denied this request? No hardship exists. We feel the style/size of homes we are building fit well with the neighborhood and lots are similar size we are currently building on.

D. Show that denial of this request will deprive the applicant of rights commonly enjoyed by other properties in the general area and that the granting of this variance request will make possible the reasonable use of land while not conferring any special privilege. Outline how the subject of the variance is common in the area and if the applicant were to be denied this variance a right would be taken away which is granted to other properties. State how the variance makes reasonable use of the existing land and why the same action cannot be done in a way that does not require a variance. Show that granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable. We feel by utilizing the property for 2 new homes would benefit the area and city tax base. There would be no negative impact by the requested variance if approved. The lot would blend well with the neighborhood.

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

Complete, if the property or properties involved have more than one (1) owner. All persons listed as owners on the deed of ownership to the property or properties listed must complete and sign application.

I the undersigned hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

OWNER

OWNER

Michael J. Bohike
(PRINT) Name of Rightful Owner

(PRINT) Name of Owner

13 Southern Oaks
Owner's Mailing Address

Owner's Mailing Address

Long Beach, MS 39560
City State Zip

City State Zip

228-860-3005
Phone

Phone

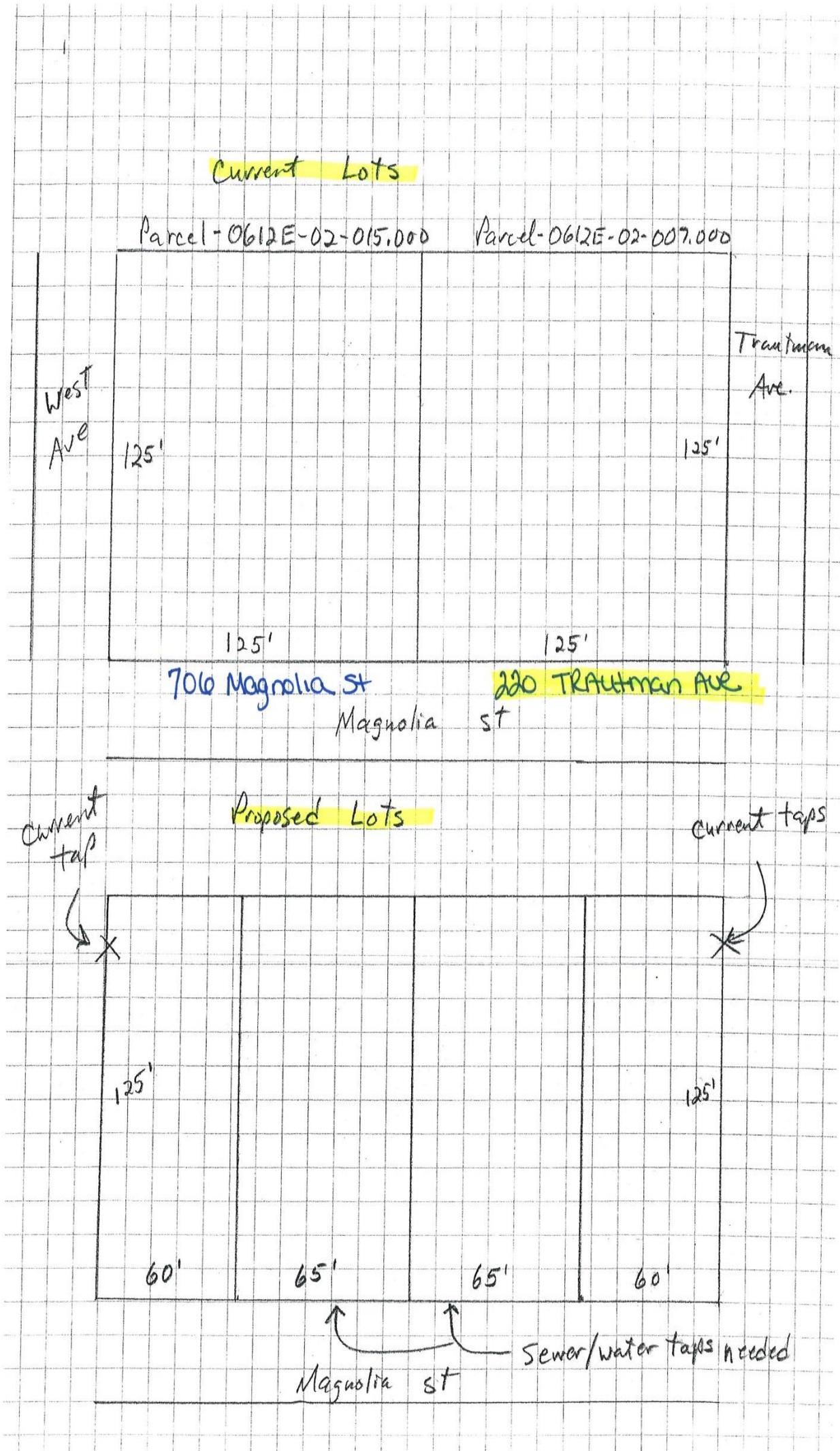
MJBOHIKE@AOL.COM
Email address
(*You may be contact by email regarding your application)

Email address
(*You may be contact by email regarding your application)

Michael J. Bohike
Signature of Owner Date

Signature of Owner Date

MINUTES OF MARCH 24, 2016
PLANNING COMMISSION



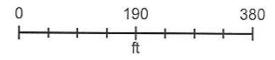
MINUTES OF MARCH 24, 2016 PLANNING COMMISSION



HARRISON COUNTY, MISSISSIPPI

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP. TAL FLURY, TAX ASSESSOR.

MAP DATE: March 23, 2016



MINUTES OF MARCH 24, 2016 PLANNING COMMISSION

The clerk reported that twenty-four (24) notices of public hearing were sent by certified mail, electronic return receipt, to property owners with two hundred feet (200') of the subject property, notices were also posted on the bulletin boards at City Hall, the Building Official's office, and the Water Department, 201 Jeff Davis Avenue; and at the Long Beach Public Library, 207 Jeff Davis Avenue. Said return receipts were ordered as part of these proceedings:

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. Schruoff

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 **variance**.

Dale Stennett, 211 Magnolia Street, Long Beach, Mississippi, 39560 on behalf of Michael Bohlke, 13 Southern Oaks Lane, Long Beach, Mississippi 39560 has filed an application for a variance in accordance with the Comprehensive Long Beach Unified Land Ordinance **the applicant(s) are requesting a 15' (fifteen foot) lot width variance on lot 1 (one) and a 10' (ten foot) lot width variance on lot 2 (two)**. The tax parcel number is 0612E-02-007.000. The legal description is as follows:

Lots 37, 38, 39, 40 and 41, Block 3, Trautman Addition to the Town of Long Beach, being an addition to the City of Long Beach, First Judicial District of Harrison County, Mississippi, as per the official map or plat thereof on file in the office of Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

A public hearing to consider the above variance will be held in the City of Long Beach, Mississippi 39560, Thursday, March 24, 2016, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 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

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

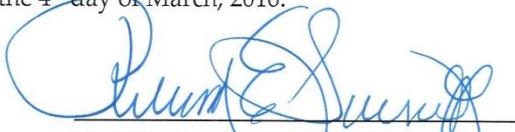
BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared before me, VERONICA HOWARD, known to me to be the Minutes Clerk of the City of Long Beach, Mississippi, Planning Commission, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

1. That she is the duly appointed and acting Minutes Clerk of the City of Long Beach, Mississippi, Planning Commission;

2. That in such capacity, she is responsible for mailing Notices of Public Hearing for the purpose of notifying property owners within Two Hundred Feet (200') of the subject property, when applications for zoning map changes, variances, appeals, etc., are filed, all as stipulated in The Zoning Ordinance Number 598 of the City of Long Beach; and other matters pertaining to such public hearings and the business of the Planning Commission in and for the City of Long Beach;

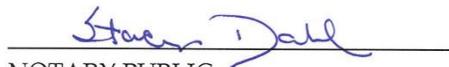
3. That on March 4, 2016, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 24 property owners within 200' of 220 Trautman Avenue – Tax Parcel No. 0612E-02-007.000 notifying them that a public hearing will be held, March 24, 2016, to consider an application for Variance request filed by Dale Stennett and Mike Carrubba.

Given under my hand this the 4th day of March, 2016.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 4th day of March, 2016.

-My Commission Expires-


NOTARY PUBLIC



**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

KENYON HOMES HOLDINGS INC
4851 FALCON DR
FREDERICK CO 80530

KENYON HOMES INC
PO BOX 353
JANICE MS 39426

BAXTER BEAVERS
113 LAKE HARBOR POINT
BRANDON MS 39047

JULIE ANN BERRY
516 TRAUTMAN AVE
LONG BEACH MS 39560

WILLIE AND SHARON BRIGGS TRUSTEES
9512 DOWNING ST
RICHMOND VA 23238

HERBERT CARVER
5319 WINGATE DR
NEW ORLEANS LA 70122

MICHAEL COMMISKEY
1120 34TH ST
GULFPORT MS 39501

ARLEEN DAVIS
7840 CHESTERFIELD DR S
SOUTHAVEN MS 38671-6200

ELEANOR DAVIS -EST-
C/O EMANUEL BLESSEY
430 IONA ST
METAIRIE LA 70005

ANNE AND TONY DILORENZO
212 TRAUTMAN AVE
LONG BEACH MS 39560

JANA BAGGETT
23585 BRIGIN PL
MURIETTA CA 92562

JOHN AND VICKEY GORDON
7 NORTHWOOD DR
LONG BEACH MS 39560

CHRISTOPHER HOLLINGSWORTH
1718 CYPRESS SPRINGS LN
COLLIERVILLE TN 38017

GAY IRBY
252 4TH ST E
LONG BEACH MS 39560

TONY KUAN AND GENA LENTZ
321 LAKESHORE DR
MADISON MS 39110

DYANN LENTZ
204 WEST AVE
LONG BEACH MS 39560

LINDA MCDONALD & ROMAS DE LA HUNT
110 COLE RD
HATTIESBURG MS 39402

J C AND DONNA KEITH
116 EAST AVE
LONG BEACH MS 39560

THOMAS AND DEBRA SIESENER
116 EAST AVE
LONG BEACH MS 39560

GERALD AND FREDDE TAYLOR
5522 DAUGHERTY RD
LONG BEACH MS 39560

DALE STENNETT
211 MAGNOLIA ST
LONG BEACH MS 39560

MICHAEL CARRUBBA
518 W RAILROAD ST
LONG BEACH MS 39560

WARREN AND SUSAN WALKER
1529 MAGNOLIA ST #7
GULFPORT MS 39507

CHARLES AND MARY WELCH
125 WEST AVE
LONG BEACH MS 39560

Michael Bohlke
13 Southern Oaks
Long Beach MS 39560

Michael Bohlke
13 Southern Oaks
Long Beach MS 39560

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

The Clerk reported that she did cause to be published in the Sun Herald, a newspaper with general circulation in the City of Long Beach, and published in Harrison County, Leal Notice and Public Hearing, as evidence by the Publisher's Proof of Publication as follows:

Proof of Publication

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Crista Brackett 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 of 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. 132 No., 158 dated 9 day of Mar, 2016
- 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____

Affiant further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Crista Brackett

Clerk

Sworn to and subscribed before me this 9 day of March, A.D., 2016

Meri A. Jackson

Notary Public

**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 variance.
Dale Stennett, 211 Magnolia Street, Long Beach, Mississippi, 39560 on behalf of Michael Bohke, 13 Southern Oaks Lane, Long Beach, Mississippi 39560 has filed an application for a variance in accordance with the Comprehensive Long Beach Unified Land Ordinance. The applicant(s) are requesting a 15' (fifteen foot) lot width variance on lot 1 (one) and a 10' (ten foot) lot width variance on lot 2 (two). The tax parcel number is 0612E-02-007.000. The legal description is as follows: Lots 37, 38, 39, 40 and 41, Block 3, Trautman Addition to the Town of Long Beach, being an addition to the City of Long Beach, First Judicial District of Harrison County, Mississippi, as per the official map or plat thereof on file in the office of Chancery Clerk of the First Judicial District of Harrison County, Mississippi. A public hearing to consider the above variance will be held in the City of Long Beach, Mississippi 39560, Thursday, March 24, 2016, at 5:30 p.m., in the Long Beach City Hall Meeting Room located at 201 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
ADV9,1WED
1572871

*The Sun Herald has been deemed eligible for publishing legal notices in Harrison County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

Commission Chairman recognized Dale Stennett to state the request, Mr. Stennett submitted for the record the following petition for people in favor of his request and pictures depicting the type of homes he has previously built as follows:

PUBLIC COMMENTS "FAVOR" Not opposed

PUBLIC HEARING SUBJECT MATTER: SPECIAL USE APPLICATION ROAD FRONTAGE VARIANCE FOR PARCELS, 0612E-02-007.000 AND 0612E-02-015.000

	NAME	ADDRESS	PHONE
1.	Sharon Cooper	700 Magnolia St	985-515-4315
2.	Lisa Judice	708 Magnolia St.	225-933-4992
3.	Sack Hess	711 " "	(228) 216-0920
4.	Elizabeth Hess	" "	(228) 216-0922
5.	Pete Klein	201 OAK GARDENS	228 225-52-0687
6.	Frederic K. Welch	442 MAGNOLIA	228- "
7.	W. J. Van Dyke	127 Trautman Ave	225-364-7568
8.	John Smith	612 MAGNOLIA ST.	228-323-8857
9.	Shelia Stennett	710 Magnolia St	228-586-3169
10.	Dorann Lentz	204 West ave	228-697-0548

MINUTES OF MARCH 24, 2016
PLANNING COMMISSION



MINUTES OF MARCH 24, 2016
PLANNING COMMISSION



**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

Mr. Stennett stated the following:

- The City has previous granted variances where no hardship existed.
- The City previous granted variances and created non-conforming lots.

*

*

Commission Chairman asked for anyone speaking in favor or the request as follows:

PUBLIC COMMENTS <u>FAVOR</u>		
PUBLIC HEARING SUBJECT MATTER: <u>Variance Request Magnolia/Trautman</u>		
<ul style="list-style-type: none"> ➤ All comments shall be directed to the Chairman when recognized. ➤ Comments of a personal nature regarding individual members of the Planning / Zoning Board, City staff and/or personnel, other citizens, disruptive comments or improper actions will not be permitted. ➤ Except as otherwise directed by the Chairman, public comments will not be permitted before or after the allotted time. ➤ Disruption of the public hearing will be cause for removal from the public meeting. 		
PLEASE PRINT NAME / ADDRESS / PHONE		COMMENT
1	Dale Stennett 211 Magnolia St	228 324-8911
2	Sheba Stennett 211 Magnolia St.	
3	MICHAEL CARRUBBA 618 WEST RAINBOW ST	228 806 1699
4	Michael K. Webb 704 MAGNOLIA ST.	
5		
6		
7		
8		
9		
10		

City of Long Beach
Planning Commission – Public Hearing
Date: 3/24/2016

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

*

*

Commission Chairman called for anyone speaking in opposition of the request, the following was made part of the record:

PUBLIC COMMENTS <u>OPPOSED</u>	
PUBLIC HEARING SUBJECT MATTER: <u>Variance Request Magnolia/Trautman</u>	
<ul style="list-style-type: none"> ➤ All comments shall be directed to the Chairman when recognized. ➤ Comments of a personal nature regarding individual members of the Planning / Zoning Board, City staff and/or personnel, other citizens, disruptive comments or improper actions will not be permitted. ➤ Except as otherwise directed by the Chairman, public comments will not be permitted before or after the allotted time. ➤ Disruption of the public hearing will be cause for removal from the public meeting. 	
PLEASE PRINT NAME / ADDRESS / PHONE	COMMENT
1 <u>ANNE Di Lorenzo</u>	<u>Letters opposing</u>
2 <u>Terry Thomas 521 Trautman Av</u>	<u>No Parking / Decrease Values</u>
3 <u>Julie Thomas 521 Trautman Av</u>	<u>No Parking / Land Rental</u>
4 <u>FRED LIVELY 209 WEST AVE</u>	<u>TO CLOSE TO STREET</u>
5 <u>JEAN LIVELY 209 WEST AVE</u>	<u>PROP. VALUE + or -</u>
6 <u>Tommi Baylot 106 TRAUTMAN AVE</u>	<u>over crowding - <u>Not wise</u></u>
7 <u>Darnell Hill 705 MAGNOLIA</u>	<u>Overcrowding AREA small with homes</u>
8 <u>Julia Berry 516 TRAUTMAN</u>	<u>TOO MANY homes on those lots.</u>
9 <u>Anna Berry 516 Trautman Ave.</u>	<u>changing character of neighborhood overcrowding of area could become rentals</u>
10 <u>David Berry 516 Trautman Ave.</u>	<u>2 Lot w/hsc B4 Camille & B-4 Katrina Keep them 2 Lots!</u>

City of Long Beach
Planning Commission – Public Hearing
Date: 3/24/2016

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

PUBLIC COMMENTS OPPOSED

PUBLIC HEARING SUBJECT MATTER: _____

- All comments shall be directed to the Chairman when recognized.
- Comments of a personal nature regarding individual members of the Planning / Zoning Board, City staff and/or personnel, other citizens, disruptive comments or improper actions will not be permitted.
- Except as otherwise directed by the Chairman, public comments will not be permitted before or after the allotted time.
- Disruption of the public hearing will be cause for removal from the public meeting.

PLEASE PRINT		
	NAME / ADDRESS / PHONE	COMMENT
1	Thomas J. SIESENER 116 EAST AVE 238-383 1662	DONT WANT ANY RENTERS.
2	Tony DiLorenzo 212 Trautman Ave 869-7780	Do not want a reloading door neighborhood
3	James T Baylit 601 529 106 Trautman Av 8074	over crowding
4	Belinda Brawn Harper 100 Trautman Ave	Why was this meeting a secret?
5	Tony E. Harper 100 Trautman Ave	_____
6		
7		
8		
9		
10		

City of Long Beach
Planning Commission - Public Hearing
Date: 3/24/2016

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

To: The Planning Commission for the City of Long Beach, MS.

Dear Members of the Planning Commission,

12 March 2016

I strongly oppose the variances requested on Lots 37, 38, 39, 40, and 41, Block 3, Trautman Addition to the Town of Long Beach, and on Lots 42, 43, 44, 45, and 46, Block 3, Trautman Addition to the Town of Long Beach.

While the re-development of the vacant lots left by Hurricane Katrina is to be encouraged to further restore our community, doing so by circumventing the very ordinances that have shaped our community's character destroys the very community we hope to restore.

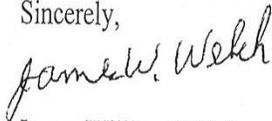
I live at 206 Trautman Avenue, which is about 400 feet north of said lots. I, my wife, and my in-laws, have occupied this residence since 1934, and we are the longest continuous residents in the area. We have invested heavily in Long Beach because of the quality of the neighborhood, the schools, and city government. The requested variances will lower the quality of the neighborhood, and lessen the value of the property we have held for 82 years. These variances will lead to higher density of housing, and lower density of greenspace. Greenspace is an important part of the character of any neighborhood. It allows spaces for children to play, for trees to grow, for personal reflection, and for gardens. It attracts both current and future citizens.

There are many building lots in this area which are vacant and are available to the developers. The one-block, 250-ft long, section of land on Magnolia Avenue that lies between Trautman Avenue and West Avenue, which is the subject of the variance request, will itself accommodate 3 homes and still remain faithful to the city ordinance requiring building lots to have a 75-ft minimum road frontage. The only conceivable reason for allowing the developers to build 4 houses where only 3 should be built is to increase the developers' profit margins.

I have no issue with developers making a profit. Real estate developers provide a valuable service to the community. But increasing their profits at the expense of the value of my property is not fair, and is not in keeping with how we do things in Long Beach.

So I respectfully ask that you refuse these requests for variances. You, the members of the City Planning Commission, are our representatives to ensure that fair and responsible development occur in our community; development that adds to and does not subtract from its character. I have faith that you will realize that in this instance, the requested variances are not needed and will detract from the otherwise good work the developers do.

Sincerely,



James William Welch
206 Trautman Avenue
Long Beach, MS 39560.
Cell phone: (228) 224-7963
Home phone: (228) 863-6036

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

Veronica Howard

From: Larry Gibson <larrygibsonmd@yahoo.com>
Sent: Sunday, March 13, 2016 9:37 PM
To: veronica@cityoflongbeachms.com
Cc: Charles Welch
Subject: Proposed variances requested on Lots 37,38,39,40, and 41, Block 3, Trautman Addition to the Town of Long Beach, Ms., and on Lots 42, 43, 44, 45, and 46, Block 3, Trautman Addition to the Town of Long Beach, Ms.

To The Planning Commission for the City of Long Beach, Ms.

Dear Ladies and Gentlemen:

My wife and I along with many of our neighbors, oppose the proposed variances requested on Lots 37 thru 46, Block 3, Trautman Addition to the Town of Long Beach, Ms.

We are not opposed to progress if it is in the best interest of the City and our neighborhood. We believe that putting four of these small frame houses will significantly result in overcrowding detracting from the appearance of our neighborhood. I believe in years to come these small homes will decrease in value causing all property values in the area to decrease.

Respectfully, we request that you, the Planning Commission, to turn down these requested variances.

Larry Gibson, MD, Rph., EXE. JD
Manager
124 West Ave.
Long Beach, Ms 39560

Janet M. Gibson, MS Education, Certified Public

601-433-6886

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

To: The Planning Commission for the City of Long Beach, MS.

Dear Ladies and Gentlemen,

11 March 2016

I strongly oppose the proposed variances requested on Lots 37, 38, 39, 40, and 41, Block 3, Trautman Addition to the Town of Long Beach, and on Lots 42, 43, 44, 45, and 46, Block 3, Trautman Addition to the Town of Long Beach.

While I support real estate developers in their quest to restore Long Beach from the devastation of Katrina, this rebuilding should be done with care, and in accordance with the existing character of the community.

Long Beach rightfully has chosen a minimum road footage for houses of 75 ft. This has resulted in neighborhoods that are uncrowded, with breathing room between houses, and with yards that accommodate gardens, trees, and room for children to play. The proposed building lots, with widths of only 60 and 65 ft, will cause the neighborhood to appear crowded, taking significantly away from its character and value.

I invested in Long Beach when I bought my house and lot, which is approximately 125 ft north of the said lots. Each year I pay approximately \$2170.00 in property taxes for my home. My investments should not be degraded in value merely to provide greater profit margin for the real estate developers. And it is not the case that there is not ample vacant building lots available in Long Beach, in this area, for further development by the real estate developers.

So I respectfully ask that you, the Planning Commission, turn down these requests for variances. You are part of the keepers of the intrinsic value and character of Long Beach. Please help ensure Long Beach's long-term value as the rebuilding takes place.

Sincerely,



Dr. Charles Robert Welch
125 West Avenue.
Long Beach, MS 39560.
Cell phone: 601.618.5561
Email: Charles.r.welch@gmail.com

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

March 18, 2016

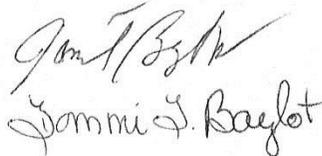
Dear Long Beach Planning Commission,

This is an exciting time ! With all the new development taking place in Long Beach, you can't help but get excited to see our city being rebuilt with new restaurants and homes.

My husband and I live on Trautman Ave. where some of this new construction is taking place. It has been brought to our attention that while we welcome the wonderful new homes, a variance has been requested to **SQUEEZE** four houses on an area that really should have only three. This area being between Trautman Ave. and West Ave. facing Magnolia. We understand the contractors wanting / needing to make a profit but not at the expense of the current homeowners. Over crowding our street would take away from the Norman Rockwell feel of the Ave. where you can see people walking the sidewalk and visiting in the yards.

It is indeed a privilege to live on Trautman Ave. with it's older homes and a straight path to the beach. The neighbors are wonderful. My family and some of our neighbors have much history on Trautman Ave. Some of you might remember Cypress Grove Nursery; that was my grandfather's (Charlie Reinike) and later my parents. My Aunt, Marguarite Cuave lived on the corner of Trautman and Magnolia.

We say all that to ask you **Pease Do Not grant the requested variance.** There is more property in the area to be used for new construction. **Please do not let over crowding get started.** Keep our "Friendly City" friendly with nice homes and reasonably sized yards.



J. T. Baylot

Dr. and Mrs. J.T. Baylot
106 Trautman Ave.
Long Beach, Ms. 39560

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

To: The Planning Commission for the City of Long Beach, MS.

Dear Ladies and Gentlemen

21 March 2016

I strongly oppose the proposed variances requested on Lots 37, 38, 39, 40, and 41, Block 3, Trautman Addition to the Town of Long Beach, and on lots 42, 43, 44, 45, and 46, Block 3, Trautman Addition to the Town of Long Beach.

I have been a resident of 212 Trautman Avenue since 1967. It is 125ft from these lots. I bought this home because it was a family neighborhood.

We feel the requested variances will lesson our property values and change the character of our neighborhood. Please consider how you would feel in your home and why you like living there.

We do not mind builders or real estate making a living or our community growing. We don't want our neighborhood to become a revolving door.

So we ask you the Planning Commission to turn these requests down for variances. Please support the character of Long Beach.

Sincerely,

Anne & Tony DiLorenzo

**MINUTES OF MARCH 24, 2016
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- Tony Harper, stated the reason the house at 216 Trautman Avenue has not been torn down is because it has been tied up with attorneys. Concerns of traffic speeding through the neighborhood where children play.
- Anne DiLorenzo, stated the reason 216 Trautman Avenue has not been torn down is because it has been tied up with attorneys, She and her husband kept that lot and the two subject lots mowed. This is an old neighborhood, it has a restored historical home and she's against cutting up lots to build more homes for profit.
- Melinda Harper, against overcrowding.
- Anna Berry, splitting these lots and crowding in more homes in the neighborhood would change the character of the neighborhood.
- David Berry, against crowding houses on the lots, it will cause degrading of the neighborhood.

*

*

Upon rebuttal, Mr. Stennett stated the following:

- He has a plot of the surrounding lots and they are all different sizes.
- The homes in the subdivision are mixed sizes.
- Similar variances have been granted by the City creating smaller lots.
- He's building the homes to suite customers, his customers want smaller houses.
- He's spent more money building homes in Long Beach than any other builders.
- The homes that he builds are usually 1100 sq. ft. and appraise for about \$150,000.

*

*

Commissioner Hansen made motion seconded by Commissioner Frazer and unanimously carried to close the public hearing.

After review and discussion Commissioner Robertson made motion seconded by Commissioner Fischer and unanimously carried, to deny the request for variance, referencing the applicant's application which states, "no hardship exist." He further stated that Ord 598, Section 61 (b) states, "a variance may be granted by the Board of Adjustments if it concluded that strict enforcement of the ordinance would result in practical difficulties or unnecessary hardship for the applicant...." He further stated that none of the other conditions for granting a variance, listed in Ord. 598, Section 61: Variances existed.

**MINUTES OF MARCH 24, 2016
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Be it remembered that a regular meeting of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 24th day of March 2016, 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, Jeff Hansen, Ron Robertson, Planning Commission Advisor/Consultant Bill Hessel and minutes Clerk Veronica Howard.

Commissioner(s) Jim Heinzl, Chris Carrubba, Nicholas Brown and Patricia Bennett were absent the meeting.

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

Commissioner Robertson made motion seconded by Commissioner Frazer and unanimously carried to approve the regular meeting minutes of March 10, 2016 as submitted.

It came for consideration under old business Planning Commission review of tourist homes, daily / weekly rentals.

Planning Commission Consultant / Advisor submitted for the following for review:

**MINUTES OF MARCH 24, 2016
PLANNING COMMISSION**

SHORT TERM RENTALS - RESIDENTIAL

Section 1: DEFINITION

The following words, terms and phrases, when used in this article shall have the meanings ascribed to them in this section:

Short Term Rental: " *Short Term Rental*" means any dwelling or condominium or portion thereof that is available for use or is used for accommodations or lodging of guests, paying a fee or the compensation for a period of less than thirty (30) consecutive days. For the purpose of House Bill No. 1836 (1998) regarding a tax levy on lodging rentals, short-term rental "means any establishment engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging or sleeping purposes to transient guests and which are known in the trade as such". The term "Short-Term Rental" does not include any hospital, convalescent or nursing home, shell houses, group homes, or sanitarium or any facility associated with a hospital providing rooms for medical patients and their families. The term "Short Term rental" shall also not include mobile homes, manufactured homes, group homes, travel trailers, tents, recreational vehicles, campers or other similar vehicles or structures nor does the term include a bed and breakfast permitted by City ordinances .

Local Property Manager: The person specifically named on the application and permits who is responsible for the day-to-day operation of the short term rental unit, and who may be contacted and available twenty-four (24) hours a day if there is a problem with the unit.

The local property manager may be the owner or agent of the owner and shall reside within two (2) miles of the Long Beach city limits.

The local property manager and owner shall be responsible for the management and upkeep of the rental unit in compliance with the provisions set forth herein. The name, address and telephone number of the owner and the local property manager shall be submitted at the time that the application is filed and said information shall be made available to the public. The owner shall be responsible for providing written notice of any change with respect to the name, address and telephone number of the local property manager to the City within five (5) days of any such change.

**MINUTES OF MARCH 24, 2016
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Section 2: PERMIT REQUIRED

**IT IS UNLAWFUL TO CONDUCT OR OPERATE A SHORT-TERM RENTAL
WITHOUT HAVING OBTAINED A PERMIT THEREFORE.**

- A. A short-term lodging, special use permit and occupancy tax registration are required for each short term lodging rental unit.
- B. Applications may be made for a short term lodging special use permit in all residential zones.
- C. The permit process requires an application completed in accordance with the following which may be obtained at the City Building Department.
- (1) Application shall contain such information as the Building Official shall from time to time require, including, but not limited to , the location/address of the short term rental, number of rooms therein contained, the number of persons the short term rental proposes to accommodate , the name of the property owner, the name of the local property manager, sales tax collection, and the name, address and telephone number of the local contact person who is available for contact, copy of the rental agreement, proposed parking plan (reviewed and determined upon signing and inspection by Building Official rules, and a plan for trash management, and a copy of the proposed rental agreement.
- (2) It shall be the duty of the applicant to notify the City Building Department of any Homeowners Association which may have jurisdiction over the applicant's property. It shall be the further duty of the applicant to notify the affected Homeowner's Association of the application process and to provide the City Building Department with a written statement of support from the Homeowner's Association which approves the request of the applicant for use of the owner's property as a short term rental. Failure to notify the City Building Department of the existence of a Homeowner's Association shall result in the suspension or revocation of the permit.
- (3). It shall be the duty of the applicant to produce proof to the City Building Department of homeowner's liability insurance coverage which does not exclude short term rentals from coverage. Further, the applicant shall provide proof that the insurer has been notified of the insured's intent to use the property as a short term rental.
- (4) It shall be the duty of the applicant to produce proof of any mortgage or deed of trust which may encumber the property and submit proof that the mortgage or deed of trust does not prohibit the use of the property as a short term rental.

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PLANNING COMMISSION**

- (5) The application shall include a statement from the applicant affirming that the applicant is in compliance with all applicable zoning requirements, building codes, deed restrictions and/or covenants, and has paid all applicable taxes, fees and other charges.
- (6) The applicant shall execute a written statement acknowledging that a violation of the ordinances of the City of Long Beach shall result in the suspension or revocation of the permit.
- (7) A non-refundable application fee of two hundred dollars (\$200.00) plus mailing costs or the most recent fee established by the Board of Alderman shall be paid by the applicant at the time of filing the application with said application fee concerning the costs of inspection, mailing, and labor affiliated with the processing of the application.
- (8) Upon the filing of an application in accordance with Subsections (1) through (7), the City shall notify all landowners within five hundred (500) feet of the applicant's land boundaries of the applicant's intent to obtain a permit to conduct or operate a Short Term Rental on the property owned by the applicant. Notification by the City shall be made by mail and shall be addressed to the landowner identified for each parcel in the ad valorem tax rolls for the City. The notification shall provide the following information to the landowners within five hundred (500) feet of the applicant's land boundaries:
- a. Name and address of the applicant;
 - b. Name and address of the local contact person who will be available for contact at all times;
 - c. Name and address of every agent;
 - d. Copy of the application shall be available at City Hall;
- (9) The City shall notify the landowners within five hundred (500) feet of the applicant's boundary lines of the date, time and place of a hearing before the Planning Commission. Notice shall be published in a local newspaper of general circulation within the City at least fifteen (15) days prior to the hearing.
- (10) At the conclusion of the public hearing, the Planning Commission shall approve or disapprove the application and send its decision, along with the reason for its decision, to the Board of Aldermen. The matter shall be set on the agenda of the next City meeting after the time for appeal has lapsed.
- (11) Any party aggrieved by the decision of Planning Commission may appeal the decision to the Board of Aldermen within ten (10) days from the time of the decision. Any aggrieved party shall file a written notice of appeal with the City Clerk. The City shall hold a hearing to hear the appeal as set forth in the code.

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(12) In the event no appeal is filed, the decision of the Planning Commission shall be final and the permit shall be issued or denied based upon such after approval by the Mayor and Board of Aldermen. If an appeal is filed, the Board of Aldermen shall consider the appeal and render its decision with respect to the issuance or denial of the permit, setting forth its reasons for such.

- D. The short term rental unit is in accordance with all applicable fire and health codes as would apply if the unit was located within a commercial zone and designated as a commercial venture therein
- E. Each short term rental permit shall expire one (1) year from the date of issuance of the permit.

- F. Permit renewal may be obtained for an amount equal to ~~one night rental fee~~ or ^{\$200} \$100, whichever is greater, through the City Building Department.

Permit renewal process will include staff review of City records and other documentation pertaining to complaints, if any, that have been received about the specific short term rental unit under consideration. Filed complaints that are in violation of the zoning codes, building codes, property maintenance, codes and/or applicable laws or regulations will be considered as part of the renewal process. Applicable local, State and Federal laws or regulations may be a basis for denying a permit renewal. If permit renewal is denied, the City Building Department shall provide notice as to the reason for denial and the landowner shall be allowed ten (10) days to correct any deficiencies itemized. At the expiration of ten (10) days, a landowner may appeal the denial of permit renewal to the Board of Aldermen. The appeal must be in writing and must be filed within ten (10) days following the expiration of the ten (10) day period within which to ~~file~~ correct deficiencies.

- G. Approval of short term lodging permit does not legalize any non-permitted use or structure. Short term rental units are not to be used to distribute retail products of ~~or~~ personal services to invitees for marketing or similar purposes. The outdoor display of goods and merchandise for sale is prohibited.
- H. Short term lodging rental permits are not transferable. Upon sale or any type of transfer of the property, any permit issued pursuant to the terms set forth herein,

MINUTES OF MARCH 24, 2016 PLANNING COMMISSION

shall automatically expire. Any new owner(s) or transferee(s) shall be required to apply for a new permit in accordance with this article.

- I. Any structure or unit that is deed restricted for affordable housing shall not be used as a short-term lodging rental.
- J. The total number of permits issued for residential short term rental shall not exceed thirty-five (35) at any given time.

Section 3: OCCUPANCY

The maximum occupancy of each short term rental shall be as determined by the Building Official and/or Fire Marshall based on the inspection of the premises and applicable laws, regulations and codes. Each permit shall specify the maximum number of occupants, which may be limited due to building or parking constraints.

Section 4: NUMBER OF VEHICLES

The maximum number of vehicles will be determined upon site inspection by the Building Department and should be compatible with the zoning. This number will be based on off street parking availability and on-street conditions. It will be preferred that the applicant/owner provide off-street parking. In certain circumstances where no off-street parking exists and on-street constraints exist, the Building Official may require that an off- street parking space to be constructed or secured.

Section 5: REGISTRY OF GUESTS

Each person granted a short term rental permit shall keep or cause to be kept a registry of guests. Such registration or list shall be available for inspection upon ten (10) days written notice by the Building Official or his designee.

Section 6: NOISE

Property owners and local property managers shall insure that the occupants of the short term rental are aware of City noise ordinances and State laws regarding disturbing the peace.

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Section 7: PREMISES AND GARBAGE MANAGEMENT

It shall be the duty of every local property manager and/or owner to keep all of the rooms in connection with the short term rental provided for the use of guests, in clean and sanitary condition; and to provide each guest with affective protection against flies mosquitoes and other vermin. Garbage shall be disposed of in covered containers and placed in the scheduled pick-up location.

Section 8: POSTING OF RULES

Short term rental unit rules shall be posted inside the rental unit in a location readily visible to all tenants. The rules shall include: occupancy; parking limits; noise, rules and garbage management. A written copy of this Ordinance shall be posted within the unit and displayed at all times.

Section 9: LOCAL CONTACT PERSON

All short term rentals shall designate a local property manager who will respond to the questions or concerns twenty-four (24) hours a day. The name, address and telephone number of the local contact person shall be submitted to the Planning Department, Building Department and City Police Department during the permitting process. The name, address and telephone number of the local contact person shall be posted permanently inside the short term rental unit. The local contact person, property manager and/or property owner shall be considered the responsible person for violations of the Short Term Rental Ordinance.

Section 10: COMPLAINTS AND DISPUTE RESOLUTIONS

Complaints regarding violation of this Ordinance must first be directed to the local contact person. If the local contact person is unable to resolve the issue and/or the issue relates to public safety, then the concerned party should contact the Building Department. The Long Beach Police Department shall have an updated list provided by the Building Department of all local contact persons for short term rentals in case complaints are received after hours. Verified complaints concerning non-compliance with the terms of this Ordinance may be considered in determining whether or not a permit should be revoked.

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Section 11: DENIAL OR REVOCATION OF A LICENSE

Conditions for denial of permit or revocation of permit to operate a Short Term Rental unit shall include but in no way limited to the following:

- A. Property within a subdivision with an active homeowner's association with adopted covenants that do not allow short term rentals will not be considered for a permit. A letter of acknowledgment and support will be required from the Homeowner's Association in order to continue in the pursuit of a permit. Failure of the applicant to notify the City that his/her property is a part of a Homeowner's Association shall result in denial of a permit or revocation of a permit.
- B. The applicant failed to conform to the conditions set forth herein for the current or previous year.
- C. Guests and/or users of the property were issued noise ordinance and/or disturbing the peace citations during the previous or current year.
- D. Any other reasonable or rational factors or combination of factors, including, but not limited to inadequate lot size, inadequate street parking, lack of response from local property manager or contact person, filed complaints of violation of the zoning code, building code, property maintenance code and/or applicable laws or regulations (may be a basis for denying permit).
- E. The Building Official is authorized to revoke permits. A permitted owner shall be provided with written notice of the reason(s) the permit is subject to revocation. The applicant shall be allowed ten (10) days from the date written notice is issued to correct defective conditions. If the condition is not corrected within ten (10) days to the satisfaction of the Building Official, permit shall be revoked by issuing such order. Upon receipt of such order by the owner or local property manager, the unit shall cease operation as a short term rental. The owner may appeal the order revoking the permit. The owner's appeal must be in writing and filed with the Building Department within ten (10) days of entry of the order. The revocation shall remain in full force and effect during the pendency of the appeal. The appeal should be presented to the Mayor and Board of Aldermen at the next scheduled meeting following the filing of the appeal. The owner should be afforded notice and the opportunity to be heard.

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Section 12: VIOLATIONS

Any persons or users who allow such use of a residential property in violation of this Ordinance shall be guilty of a misdemeanor.

For purposes of prosecution of violations of this chapter, each day that any violation occurs (*rental without a permit*) is deemed to constitute a separate violation.

Section 13: CONSTITUTIONALITY

Should any portion, provision or section of this Ordinance be held void, unconstitutional or invalid, the remaining portion of the ordinance shall remain in full force and effect?

Section 14: CONFLICTS

It is hereby provided that the provisions of these regulations shall not be construed as being in conflict with the provisions of any of the regulations of Long Beach, Mississippi. In any case where the provisions in these regulations and the provisions of other regulations both apply, the provisions of this Ordinance shall govern for the purpose of short term rentals of residential dwellings or condominiums.

Section 15: REVIEW

The City shall review the Ordinance annually to evaluate the benefits recognized by the use of Short Term Rentals, as well as, any adverse impact the use of Short Term Rentals may have.

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There being no further business to come before the Planning Commission at this time Commissioner Hansen made motion seconded by Commissioner Robertson 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