

**MINUTES OF JANUARY 26, 2017
PLANNING COMMISSION**

Be it remembered that a regular meeting of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 26th day of January 2017, 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, Chris Carrubba, Jeff Hansen, Nicholas Brown, Ron Robertson, Debra Cook, Planning Commission Advisor/Consultant Bill Hessel and minutes Clerk Veronica Howard.

Commissioner Jim Heinzl was 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 Fischer and unanimously carried to approve the regular meeting minutes of January 12, 2017 as submitted.

It came for consideration under old business discussion regarding amending the zoning ordinance to allow special use permits in all zoning districts.

No action was taken.

It came for discussion to amend the zoning ordinance 598 section 143 to add "setback requirements for accessory structures from other buildings."

No action was taken.

It came for discussion to amend zoning ordinance 598, Section 69: Notice of hearing, to amend "notices to property owners within 200 ft. to 160 ft."

No action was taken.

It came for consideration under New Business tree removal request for a Magnolia tree for property located at 168 Ocean Wave Avenue, tax parcel #0711N-05-040.000 submitted by Hamilton Bruni as follows:

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Commissioner Fischer made motion recommending removal of the Magnolia tree, stating after inspecting the tree it appeared to be in decline, seconded by Commissioner Hansen and unanimously carried.

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It came for consideration certificate of resubdivision for property located on Reed Avenue, tax parcel #0711L-03-004.006 submitted by Timothy Salonica as follows:

	<p>CITY OF LONG BEACH PLANNING DEPARTMENT 201 JEFF DAVIS AVENUE PO BOX 929 LONG BEACH, MS 39560 (228) 863-1554 (228) 863-1558 FAX</p>	<p align="center">Office use only</p> <p>Date Received <u>1/24/2017</u> Zoning _____ Agenda Date <u>1/26/2017</u> Check Number <u>CASH</u></p>
<u>APPLICATION FOR CASE REVIEW</u>		
I. TYPE OF CASE: CERTIFICATE OF RESUBDIVISION		
II. ADVALOREM TAX PARCEL NUMBER(S): <u>0711L-03.004.006</u>		
III. GENERAL LOCATION OF PROPERTY INVOLVED: <u>Corner of E. Old Pass Rd and Reed Avenue</u>		
IV. ADDRESS OF PROPERTY INVOLVED: <u>1301 E. Old Pass Rd</u>		
V. GENERAL DESCRIPTION OF REQUEST: Resubdivision of <u>1 Lot into 2 Lots</u> Into _____		
VI. REQUIRED ATTACHMENTS:		
A. Resubdivision Survey and Certificate (see attached example)		
B. Cash or Check payable to the City of Long Beach in the amount of \$250.00		
C. Proof of ownership (copy of recorded warranty deed), if applicable proof of authority to act as agent for owner.		
NOTE <u>APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.</u>		
VII. OWNERSHIP AND CERTIFICATION:		
<u>READ BEFORE EXECUTING</u> , 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 fifteen (15) days before the 2 nd or 4 th Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.		
Ownership: I the undersigned due hereby agree to all the rules and regulations as set forth in the Long Beach Zoning Ordinance and also agree to pay all fees and charges as stated.		
<u>Timothy Salonica</u> Name of Rightful Owner (PRINT)	_____ Name of Agent (PRINT)	
<u>1301 E. Old Pass Rd.</u> Owner's Mailing Address	_____ Agent's Mailing Address	
<u>Long Beach, MS 39560</u> City State Zip	_____ City State Zip	
<u>(228) 233-5534</u> Phone	_____ Phone	
<u>[Signature] 1-19-17</u> Signature of Rightful Owner Date	_____ Signature of Applicant Date	

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J. J. J. 1st Judicial District
Instrument 2016 1106 D -J1
Filed/Recorded 2/24/2016 03:10 P
Total Fees \$ 12.00
2 Pages Recorded

INDEXING INSTRUCTIONS: PART OF LOT 1 GOTTSCHALK SURVEY OF SW 1/4 OF NW 1/4 OF SEC 7-8-11, FIRST JUDICIAL DISTRICT, HARRISON COUNTY, MISSISSIPPI.

QUITCLAIM DEED

Prepared by Grantor:
ACC Tax Sale Properties, LLC
423 Grandview
Memphis, TN 38111
601-693-9229

Return to Grantee:
Timothy Salonica
1301 East Old Pass Road
Long Beach, MS 39560
228-233-5534

STATE OF MISSISSIPPI
COUNTY OF HARRISON

FOR AND IN CONSIDERATION of the sum of Ten and no/100 (10.00) Dollars, this day, cash in hand paid, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned ACC TAX SALE PROPERTIES, LLC, does hereby grant, bargain, sell, convey, and quitclaim unto, TIMOTHY SALONICA, all of its' interest, if any, conveyed to Grantor by Tax Sale and Chancery Clerk's Conveyance Land Sold for Taxes (herein referenced) in the following described real estate lying and being situated in the Harrison County, Mississippi, to-wit:

**DR: 2004-0004835-D-J1 06/14/2004-WD COM AT INTER OF S MAR OF 3RD ST AKA
IRIS ST IF EXTENDED & E MAR OF REED AVE S 28 DG E 500 FT TO POB S 28 DG
E 180 FT N 62 DG E 95.7 FT N 28 DG W 180 FT S 62 DG W 96.3 FT TO POB
PART OF LOT 1 GOTTSCHALK SURVEY OF SW 1/4 OF NW 1/4 OF SEC 7-8-11
PARCEL NO: 0711L-03-004.006 S-T-R: 07-08-11 PPIN 125081 YR 2012**

This conveyance made subject to all applicable restrictive covenants, easements, right-of-way, oil and minerals that may have been previously reserved. Grantor purchased the 2012 tax at the August 26, 2013 Harrison County Tax Sale and received a CHANCERY CLERKS CONVEYANCE LAND SOLD FOR TAXES (Title 39, Div 10, Mississippi Code 1942. As Amended) dated December 7, 2015. It was recorded in said office as Instrument 2015 8931 D-J1 on December 7, 2015 at 12:49 p.m. This Instrument does not cover any rights of the Grantor arising out of tax sales subsequent to August 26, 2013. Grantor herein shall not be responsible for any taxes due, or to become due on the above described property. This quitclaim deed is without warranty of any kind and Grantee accepts said property in an as is where is condition.

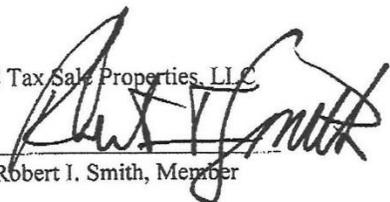
~ 1 ~

0711 L-03. 004.006

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Witness my signature on this the 9 day of Feb, 2016.

ACC Tax Sale Properties, LLC

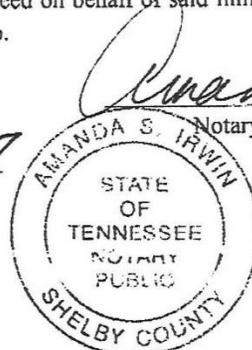

By: Robert I. Smith, Member

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me the undersigned authority in and for the state and county aforesaid, on this 9 day of Feb, 2016, within my jurisdiction, the within named **Robert I. Smith** personally known to me to be a Member of the within named **ACC Tax Sale Properties, LLC** who acknowledged that he executed and delivered the above and foregoing quitclaim deed on behalf of said limited liability company as its own act and deed, he having been duly authorized to do so.

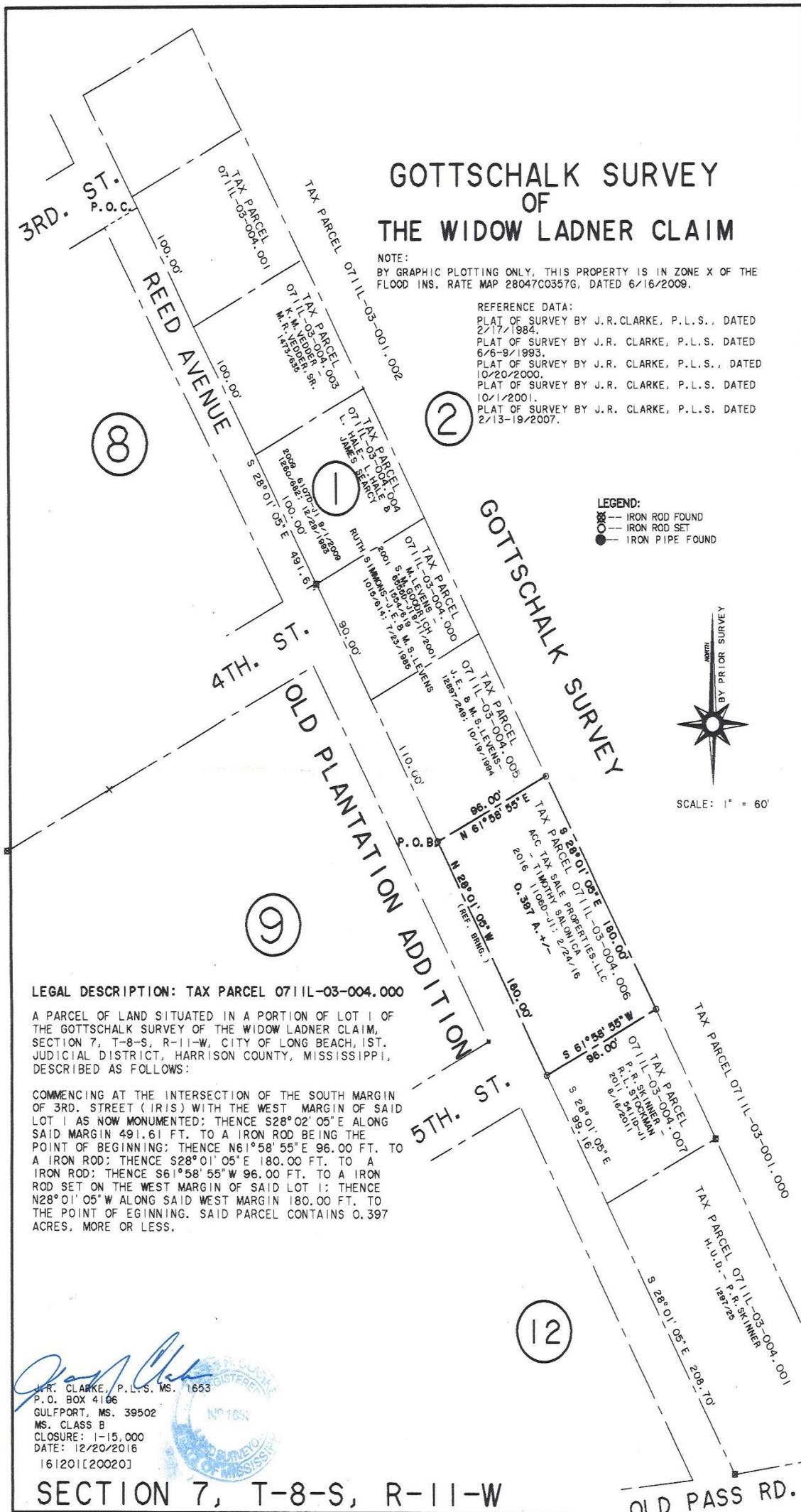
My Commission Expires:

April 8, 2017

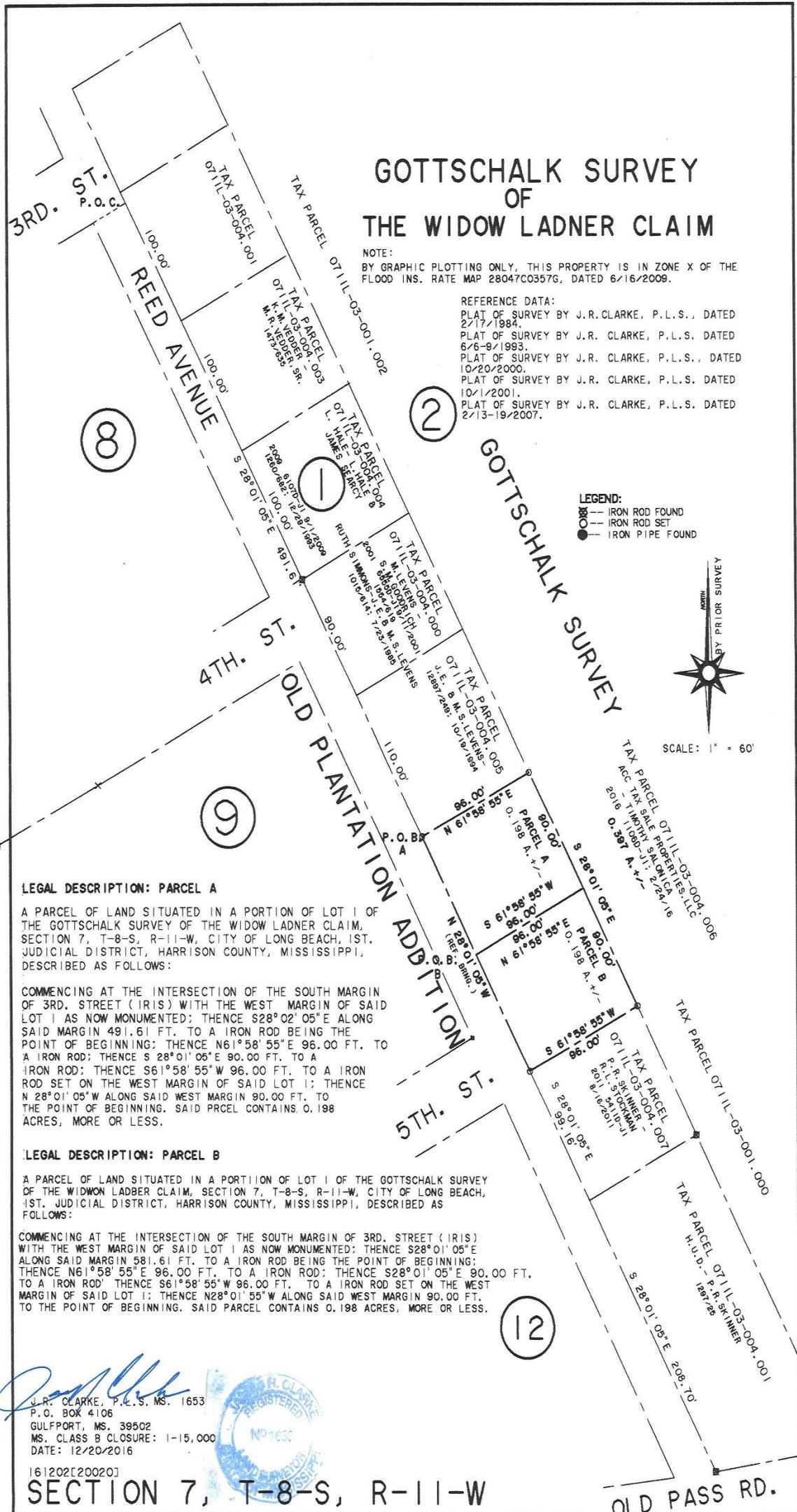


My Comm. Expires
April 8, 2017

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LONG BEACH PLANNING COMMISSION
CERTIFICATE OF RESUBDIVISION

IN ACCORDANCE WITH ARTICLE 11, SECTION 3 OF THE CODE OF ORDINANCE (SUBDIVISION REGULATIONS) OF THE CITY OF LONG BEACH AS AMENDED, IT IS HEREBY CERTIFIED THAT THE LONG BEACH PLANNING COMMISSION CHAIRMAN AND LONG BEACH MAYOR AND BOARD OF ALDERMEN HAVE REVIEWED AND APPROVED THE ATTACHED FINAL PLAT. THE FOLLOWING PROPERTY HAS BEEN SUBDIVIDED FROM HARRISON COUNTY AD VALOREM TAX PARCEL 0711L-03-004.006 INTO 2 PARCELS. THE SUBJECT PROPERTY IS GENERALLY DESCRIBED AS BEING LOCATED:

NORTH OF OLD PASS ROAD
SOUTH OF ALLEN ROAD
AND ADJACENT TO REED AVENUE

LEGAL DESCRIPTIONS

OVERALL LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED IN A PORTION OF LOT 1 OF THE GOTTSCHALK SURVEY OF THE WIDOW LADNER CLAIM, SECTION 7, T-8-S, R-11-W, CITY OF LONG BEACH, 1ST. JUDICIAL DISTRICT, HARRISON COUNTY, MISSISSIPPI, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH MARGIN OF 3RD. STREET (IRIS) WITH THE WEST MARGIN OF SAID LOT 1 AS NOW MONUMENTED; THENCE S28°01'05"E ALONG SAID MARGIN 491.61 FT. TO A IRON ROD, BEING THE POINT OF BEGINNING; THENCE N61°58'55"W 96.00 FT. TO A IRON ROD; THENCE S28°01'05"E 180.00 FT. TO A IRON ROD; THENCE S61°58'55"W 96.00 FT. TO A IRON ROD SET ON THE WEST MARGIN OF SAID LOT 1; THENCE N28°01'05"W ALONG SAID WEST MARGIN 180.00 FT. TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.397 ACRES, MORE OR LESS.

THE LEGAL DESCRIPTION OF THE PROPOSED PARCELS READS AS FOLLOWS:

PARCEL A

A PARCEL OF LAND SITUATED IN A PORTION OF LOT 1 OF THE GOTTSCHALK SURVEY OF THE WIDOW LADNER CLAIM, SECTION 7, T-8-S, R-11-W, CITY OF LONG BEACH, 1ST. JUDICIAL DISTRICT, HARRISON COUNTY, MISSISSIPPI, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH MARGIN OF 3RD. STREET (IRIS) WITH THE WEST MARGIN OF SAID LOT 1 AS NOW MONUMENTED; THENCE S28°01'05"E ALONG SAID MARGIN 491.61 FT. TO A IRON ROD, BEING THE POINT OF BEGINNING; THENCE N61°58'55"W 96.00 FT. TO A IRON ROD; THENCE S28°01'05"E 90.00 FT. TO A IRON ROD; THENCE S61°58'55"W 96.00 FT. TO A IRON ROD SET ON THE WEST MARGIN OF SAID LOT 1; THENCE N28°01'05"W ALONG SAID WEST MARGIN 90.00 FT. TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.198 ACRES, MORE OR LESS.

PARCEL B

A PARCEL OF LAND SITUATED IN A PORTION OF LOT 1 OF THE GOTTSCHALK SURVEY OF THE WIDOW LADNER CLAIM, SECTION 7, T-8-S, R-11-W, CITY OF LONG BEACH, 1ST. JUDICIAL DISTRICT, HARRISON COUNTY, MISSISSIPPI, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH MARGIN OF 3RD. STREET (IRIS) WITH THE WEST MARGIN OF SAID LOT 1 AS NOW MONUMENTED; THENCE S28°01'05"E ALONG SAID MARGIN 581.61 FT. TO A IRON ROD BEING THE POINT OF BEGINNING; THENCE N61°58'55"W 96.00 FT. TO A IRON ROD; THENCE S28°01'05"E 90.00 FT. TO A IRON ROD; THENCE S61°58'55"W 96.00 FT. TO A IRON ROD SET ON THE WEST MARGIN OF SAID LOT 1; THENCE N28°01'05"W ALONG SAID WEST MARGIN 90.00 FT. TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.198 ACRES, MORE OR LESS.

SEE ATTACHED SURVEY BY JAMES R. CLARKE, P.L.S.
DATED: 12/20/2016

YOU ARE HEREBY ADVISED TO INVESTIGATE AND DETERMINE THE ALLOWABLE USES AS PROVIDED BY THE RESTRICTIVE COVENANT, IF ANY, WHICH AFFECT THE SUBJECT PROPERTY. FURTHER, THE APPLICANT HEREBY COVENANTS AND AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY OF LONG BEACH, ITS AGENTS, SERVANTS AND OR EMPLOYEES AGAINST ANY AND ALL CLAIMS, DEMANDS, OR CAUSES OF ACTION OF WHATEVER NATURE WHICH MAY ARISE AS A RESULT OF THE ACTION OF THE PLANNING COMMISSION, ITS AGENTS, SERVANTS, AND/OR EMPLOYEES CONCERNING THE PETITION FOR SUBDIVISION OR THE REAL PROPERTY DESCRIBED HEREIN.

ACKNOWLEDGE

(I) CERTIFICATION OF OWNERSHIP
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE CITY OF LONG BEACH, AND THAT I FREELY ADOPT THIS PLAN OF SUBDIVISION.

OWNER: [Signature] DATE 24th January 2017
SUBSCRIBED AND SWORN TO BEFORE ME, IN MY PRESENCE THIS 24th DAY OF January 2017



SEAL
NOTARY PUBLIC
[Signature]
MY COMMISSION EXPIRES: June 10, 2018

SHT. 3 OF 4 161203[LBRSD]

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(2) CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT THE MINOR SUBDIVISION SHOWN ON THIS PLAT DOES NOT INVOLVE THE CREATION OF NEW PUBLIC STREETS, THE EXTENSION OF PUBLIC WATER OR SEWER SYSTEM OF THE INSTALLATION OF DRAINAGE IMPROVEMENTS THROUGH ONE OR MORE LOTS TO SERVE ONE OR MORE LOTS. THAT THE SUBDIVISION SHOWN IS IN ALL RESPECTS IN COMPLIANCE WITH THE CITY ORDINANCES OF LONG BEACH AND THAT THEREFORE THIS PLAT HAS BEEN APPROVED BY THE ADMINISTRATOR SUBJECT TO ITS BEING RECORDED IN THE HARRISON COUNTY COURTHOUSE WITHIN (60) DAYS OF THE DATE BELOW.

ADMINISTRATOR _____ DATE _____

(3) CERTIFICATE OF SURVEY AND ACCURACY

I HEREBY CERTIFY THAT THIS MAP DRAWN BY ME OR DRAWN UNDER MY SUPERVISION FROM ACTUAL SURVEY MADE BY ME OR ACTUAL SURVEY MADE UNDER MY SUPERVISION AND A DEED DESCRIPTION RECORDED IN BOOK _____ PAGE _____ AND/OR INSTRUMENT 2016 11060-11 IN ACCORDANCE WITH ALL APPLICABLE CODES AND ORDINANCES. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS THE 20 DAY OF DEC., 20 16

SEAL OR STAMP



JAMES R. CLARKE
REGISTERED LAND SURVEYOR

MS. 1653
REGISTRATION NUMBER MS. 1653



SUSCRIBED AND SWORN TO BEFORE ME, IN MY PRESENCE THIS THE 9 DAY OF JAN, 2017, A NOTARY PUBLIC IN AND FOR THE COUNTY OF HARRISON, STATE OF MISSISSIPPI.





NOTARY PUBLIC

8-23-17
MY COMMISSION EXPIRES:

PLANNING COMMISSION

APPROVED BY THE CITY OF LONG BEACH PLANNING COMMISSION AT THE REGULAR MEETING OF SAID COMMISSION HELD ON THE _____ DAY OF _____, 20____

PLANNING COMMISSION CHAIRMAN

DATE

ACCEPTANCE

SUBMITTED TO AND APPROVED BY THE CITY OF LONG BEACH, BOARD OF ALDERMEN, AT THE REGULAR MEETING OF SAID BOARD OF ALDERMEN HELD ON THE _____ DAY OF _____, 20____

ADOPT:

ATTEST:

MAYOR

CITY CLERK

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A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS

520 33RD STREET
GULFPORT, MS 39507

TEL (228) 863-0667
FAX (228) 863-5232

January 26, 2017

City of Long Beach
P.O. Box 929
Long Beach, MS 39560

RE: Certificate of Resubdivision – Tax Parcel No. 0711L-03-004.006

Ladies and Gentlemen:

We have received a request for minor subdivision for the referenced tax parcel on Reed Avenue, north of Old Pass Road. The proposed subdivision will divide a single existing parcel into two parcels, with both parcels in an R-1 zone. Both parcels meet the minimum size requirements, and have the minimum required frontage on an improved City street. We therefore recommend approval of this subdivision, subject to the payment of any required tapping fees or special connection fees as determined by the City's public works department.

Sincerely,

David Ball, P.E.

DB:539

Based upon the Subdivision Regulations, Article II, Section 3 and the City's Engineer recommendation, Commissioner Carrubba made motion, recommending approval of the certificate of resubdivision as submitted, seconded by Commissioner Frazer and unanimously carried.

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It came for discussion amending zoning ordinance 598 to allow for single-family residential dwellings in C-1, C-2, and C-3 district to run with the land.

No action was taken or needed.

There being no further business to come before the Planning Commission at this time Commissioner Fischer 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