

**Minutes of January 11, 2007
Long Beach Planning Commission**

Be it remembered that a regular meeting of the Long Beach Planning Commission was begun and held in the Superintendent of Educations Office on January 11, 2007. The same being the time and place fixed for holding said meeting.

There were present and in attendance on said Commission and at the meeting the following named persons, Commission Chairman Frank Olaivar, Tony VanCourt, Tonda Yandell, Dale Stogner, Frank Reed, Rod Rishell, Joseph Sweetapple, Planning Commission Advisor Bill Hessell, Zoning Enforcement Officer Ken Price, and Minutes Clerk Stacey Dahl.

There being a quorum present sufficient to transact the business of the Planning Commission, the meeting was called to order at 7:00 p.m. and the following proceedings were had and done.

Chairman Olaivar called for public comment and no one came forward.

The Commission Chairman stated that all decisions made at this meeting would have to be ratified by the Mayor and Board of Aldermen at their next regularly scheduled meeting of January 16, 2007 and subject to a ten-day appeal for a Public Hearing.

Commissioner Yandell made motion seconded by Commissioner Reed and unanimously carried to suspend the rules and amend the planning commission agenda to include the following: VI. NEW BUSINESS #6. ZONE TEXT CHANGE 612.1.2

Commissioner VanCourt made motion seconded by Commissioner Stogner and unanimously carried to approve

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the Planning Commission Minutes of December 14, 2006, as submitted.

The first item on the agenda was a continuation of the Public Hearing for a text amendment change for a Resort and Gaming District. The Public Hearing was closed at the last regularly scheduled meeting of the Planning Commission on December 14, 2006.

Bill Hessel came forward and advised the Commissioners of the text changes that were previously discussed and the following document spread upon the minutes of this meeting in words and figures as follows:

Technical Writing

Final Report Outline

Thompson

Type 1: Engineering Design Tested for Feasibility

I. Front Matter

Letter of Transmittal
Title Page
Executive Summary
Table of Contents
List of Figures

II. Introduction. Provide an summary of the project. Consider the following questions when writing the introduction:

What problems are solved or what needs are met by this design?
What has been done before to solve the design problem and why didn't this work? (cite sources where appropriate).
What are the specific objectives of the design?
How does this design differ from previous designs and why is it better?
What criteria were applied in creating and testing the design?
What theory(ies) support the validity of the design?
What limits (if any) apply to how it will (or should be used)?

III. Specifications. Provide the specifications of your design. Include materials used etc. Include details of the testing design such as apparatus and materials used. Describe procedures that were followed in the testing. Visuals are appropriate here, but they should be fully described.

IV. Test Results. Describe the test results. Emphasize the most important findings. Summarize more routine or less significant (but necessary findings). Consider if some aspects of the findings should be placed in an appendix.

V. Discussion. The purpose of this section is to tell readers what the results mean. Interpret the significance of the test results by applying your engineering knowledge to draw appropriate inferences from the test results.

VI. Conclusion(s) and/or Recommendation(s). Summarize the significance of the discussion section. If appropriate, make recommendations or discuss possibilities for implementing the design.

VII. End Matter

References Cited
Appendices

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Proposed Text Changes and Additions to the Zoning Ordinance
December 2006

The following changes and additions are in the order of their appearance in the zoning ordinance.

ADD TO:
ARTICLE III, Definitions

ADJACENT: Having a common border.

CONDITIONAL USE: A use approved by the Board of Aldermen that authorizes the recipient to make use of property in accordance with the requirements of this ordinance as well as any additional requirements imposed by the Council.

CONDOMINIUM: Form of ownership of property under which units of improvements are subject to ownership by different owners and there is appurtenant to each unit as part thereof an undivided share in the common areas.

CASINO: A room or rooms in which legal gaming is conducted.

GAMING: The dealing, operating, carrying on, conducting, maintaining or exposing for pay of any game.

GAMING ESTABLISHMENT: Any premises wherein or whereon gaming is done.

HABITABLE STRUCTURE: Any building that is occupied by human activity for the purpose of gaming, living, sleeping, eating, or cooking.

MARINA: A boat basin, harbor or dock with facilities for berthing and servicing boats which may include the provision of bait, ice and fishing tackle and eating establishments.

ADD TO:
Section 403 INTERPRETATION OF DISTRICT BOUNDARIES

403.6 District boundaries that extend to the water's edge shall be construed to extend to the City's legal jurisdiction into the existing water body. Thereby creating the same zoning classification for land and adjacent water.

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CHANGE:

Section 611 to SPECIAL USE DISTRICT

- 611.1 Purpose of this District. The purpose and intent of the Special Use District classification is to permit the City the right to establish needed zoning districts for a number of specific types of land development, which do not compatibly fit into the established zoning districts because of their size, unique characteristics, or institutional nature.
- 611.2 Types of Special Use Districts
- 611.2.1 Resort District to include a combination of commercial and related residential uses, which support the delivery of services and attractions, which promote the tourism industry and desired economic development. Such uses may include hotels/motels, golf courses, water-related activities, condominiums, detached housing and other accessory uses.
 - 611.2.2 Casino District to include Mississippi State Licensed gaming operations and their accessory uses, such as hotel/motel, restaurants/lounges and entertainment facilities.
 - 611.2.3 Educational Institutions District to include such compatible and related activities as colleges and universities, technical and vocational training facilities, auditoriums, libraries and other directly related educational uses.
- 611.3 General Regulations:
- 611.3.1 Contain a minimum of 5 acres, except for an expansion of an existing Special Use District.
 - 611.3.2 When submitting an application for a Special Use District, a site plan shall be submitted. This site plan shall be referred to the Planning Commission which shall review said plan to determine that such plan does or does not comply with the intent of this District.
 - 611.3.3 Major uses proposed for a Special Use District shall be under construction within one (1) year after approval of the final plan. If construction has not been initiated with said time period or a renewal of the plan has not been obtained, all land areas rezoned shall revert back to their previous zoning classification.
 - 611.3.4 Enactment of Special Use District zoning shall be binding upon the applicant or applicants, their successors and assignees and will limit

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the extent of the development to the conditions and limitations spelled out in the approved development plan for the specific area.

611.4 Casino District

- 611.4.1 This District is intended to provide for gaming establishments and their associated uses. Casino districts will have a sufficient impact on all adjacent uses and should be granted only after submission of a master plan. Within a Casino District the following use provisions shall apply:
- 611.4.2 Uses Permitted by Right:
- Mississippi licensed gaming establishments
 - Marinas
 - Hotels/Motels/Inns
 - Condominiums
 - Timeshare condominiums
 - Townhouses
 - Marine supply store
 - Boat storage
 - Transportation terminals
 - Convention center
 - Theaters/Entertainment centers
 - Health clubs
 - Spa facilities
 - Beauty salons/barber shops
 - Airbortums
 - Indoor/Outdoor recreation
 - Video game arcades (21 and older)
 - Fishing piers
 - Swimming pools
 - Water Park
 - Banking facilities
 - Restaurants
 - Lounges
 - Parking facilities
 - Retail shops
 - Gardens
- 611.4.3 Uses Permitted as Conditional:
- Campgrounds
 - RV Parks
 - Museums
 - Amusement centers
 - Chapels
 - Radio and television broadcasting studios

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- Daycare (infant) facilities
- Video game arcades (20 and under)
- Warehouse facilities
- Training (schools) facilities
- Small boat repair
- Dry boat storage
- 611.4.4 Uses Permitted as Accessory:
 - Candy store
 - Convenience store
 - Dry goods store
 - Gift shop
 - Jewelry store
 - Clothing store
 - Dry cleaning
 - Laundry facilities
 - Bakery
 - Water related uses
 - Walking trails
 - Fountains
 - And any other use customarily associated with a Casino

611.5 Special Provisions

- 611.5.1 The following provisions are in addition to any other requirement in this ordinance and where in conflict with another Section in this ordinance, the most restrictive interpretation shall be used.
 - 611.5.1.1 Any granting of a Casino District shall be conditional until all requirements of this ordinance have been met. Failure to complete all requirements shall void any change in zoning.
 - 611.5.1.2 Gaming establishments are generators of large commercial uses that create excessive vehicle traffic, noise and pedestrian congestion. To ensure the character of the City of Long Beach as a quaint community, a Casino District should be carefully located when adjacent to any residential District.
 - 611.5.1.3 The height limit for any habitual structure allowed in a Casino District shall be one hundred (100') feet from the adopted Base Flood Elevation; however the Planning Commission may grant up to an additional ten (10') feet to accommodate any parking provided under the structure and approved by the Fire Chief or his representative. In addition, the Planning Commission may permit a height variance, not to exceed ten (10') feet for an architecturally

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designed roof (not flat), that will enhance the overall appearance of the project.

611.5.1.4 All other structures shall not exceed fifty (50') feet in height.

611.5.1.5 Due to the heavy traffic and noise associated with a casino operation, the planning commission shall have the right to require a minimum buffer area based on use and size of development. Said buffer shall be of a reasonable size to assure harmony with adjacent land uses.

611.5.1.6 Casino Districts shall conform to all of the requirements of site plan review for major developments.

611.6 Resort District

611.6.1.1 This District is intended to provide for resort complexes, not including gaming, and their associated uses. Resort districts will have a sufficient impact on all adjacent uses and should be granted only after submission of a master plan. Within a Resort District the following use provisions shall apply:

611.6.2 Uses Permitted by right:

Hotels/Motels/Inns
Bed and Breakfast
Condominiums
Townhouses
Theaters/Movie Theaters
Health Clubs
Spa Facilities
Beauty Salons/Barber Shops
Golf Courses
Outdoor Parks
Arboretums
Gardens
Indoor/Recreation
Video Game Arcades
Swimming Pools
Tennis Courts
Banks (including ATMs)
Restaurants
Lounges
Parking Facilities
Light Retail Shops (as accessory)

611.6.3 Uses Permitted as Conditional:
Marinas

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Timeshare Condominiums
 Single-family Detached dwellings
 Campgrounds
 RV Parks
 Convention or Conference Center
 Museums
 Amusement Centers
 Outdoor Recreation
 Fishing Piers
 Water Parks
 Horse Stables
 Chapels

- 611.6.4 Uses Permitted as Accessory to the above:
 Day-care Facilities
 Arts and Craft Stores
 Gift Shops
 Toy Stores
 Bakeries
 Jewelry Store
 Clothing Store
 Warehouse
 Dry Goods Store
 Laundry
 Water Novelty Craft
 Fuel Dock
 Marine Supplies
 Transportation Facilities
 And any other use customarily associated with a Resort

611.7 Special Provisions

- 611.7.1 The following provisions are in addition to any other requirement in this ordinance and where in conflict with another Section in this ordinance, the most restrictive interpretation shall be used.
- 611.7.2 The minimum acreage requirement for a Resort District shall be five (5) acres.
- 611.7.3 The intent of a Resort District is to offer a variety of tourism-related uses in a well-planned project. Developments that would serve primarily the local community shall not be considered a Resort District. Such developments shall be treated as a single use project and meet the appropriate zoning classification and requirements.

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- 611.7.4 If the City grants conditional use for a marina in a Resort District, the marina shall not be used for any gaming establishment. It is not the intent of a Resort District to permit casino uses.
- 611.7.5 The height limit for any habitable structure shall be one hundred (100) feet from the adopted BFE and approved by the Fire Chief or his representative. All other uses shall not exceed fifty (50') feet in height.
- 611.7.6 Resort Districts by their nature will have major impact on adjacent property. Due to this potential impact on surrounding properties, a minimum buffer area of one hundred (100) feet shall be provided when a non-residential use is adjacent to any residential zoning district. If an approved structure exceeds one hundred (100) feet, the setback shall be increased one (1) foot for every additional two (2) feet of height. All buffer areas required by this sub-section shall be landscaped as approved by the planning commission. Said landscaping shall be of a design to limit the adverse effect of lighting and noise.
- 611.7.7 All signage to be used in a Resort District shall be approved by the planning commission for size and location. A master signage plan shall be provided prior to final approval.
- 611.7.8 Resort Districts shall conform to all of the requirements of site plan review for major developments.

611.8 Power And Duties Of The Commission

- 611.8.1 Conditional Uses for Special Use Districts
- 611.8.1.1 To hear and recommend action to the Board of Aldermen in regard to conditional uses as designated, only in Sections 611.4.3 or 611.6.3. Said uses are subject to the approval of location and site plan. In addition these uses are declared to possess such characteristics of unique or conditional form that each specific use shall be considered as an individual case. The Commission is to hear and decide such questions as are involved in determining whether conditional uses should be recommended for approval and to recommend such conditions and safeguards as are appropriate under the provisions of this

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ordinance, or to recommend to deny conditional use when not in harmony with the purposes of this ordinance. Conditional uses are subject to the final approval of the Board of Aldermen. The Planning Commission shall not recommend approval to the Board of Aldermen unless it shall find that all of the following conditions exist.

611.8.1.1a That the recommending of the conditional use will not adversely affect the public interest.

611.8.1.1b That satisfactory provisions and arrangement has been made concerning the following where applicable:

Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian traffic, safety and convenience traffic flow and control and access in case of fire or catastrophe.

Off-street parking and loading areas where required with particular attention to items in Section _____ above and the economic, noise, glare or odor effects of the conditional use on adjacent properties and properties generally in the district.

Screening and buffering with reference to type, dimensions and character.

Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic effect and compatibility and harmony with properties in the district.

That the use is in harmony with the orderly and appropriate development of the district in which the use is located.

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611 8.2 Notice of public hearing shall be administered
as stated in Section 1205.

CHANGE USE REQUIREMENTS FOR A PLANNED UNIT DEVELOPMENT
DISTRICT, PUD TO SECTION 612

CHANGE CHART OF PERMITTED USES TO SECTION 613

CHANGE SPECIAL EXCEPTION USES TO SECTION 614

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Commissioner Reed made motion seconded by Commissioner Sweetapple to approve the text amendment change as presented. The motion received the affirmative vote of a majority, with Commissioner Rishel voting Nay. It was noted for the record that the aforesaid text change was not available at the meeting, but was verbally introduced by Planning Consultant Bill Hessel.

The next item to come before the Commission was a Public Hearing for a Zone Change to rezone property located on Commission Road from R-1 to a PUD-R, submitted by Keith Bourgeois as follows:

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Nov 28, 2006 9:02PM

EMBASSY SUITE OF TULSA

No. 6743 P. 2

CITY OF LONG BEACH, MISSISSIPPI
FORM 213
201 JEFF BAYLOR AVENUE
TULSA, MISSISSIPPI 39560
FAX 334-848-8122
www.ci.longbeach.ms.us

APPLICATION FOR CASE REVIEW

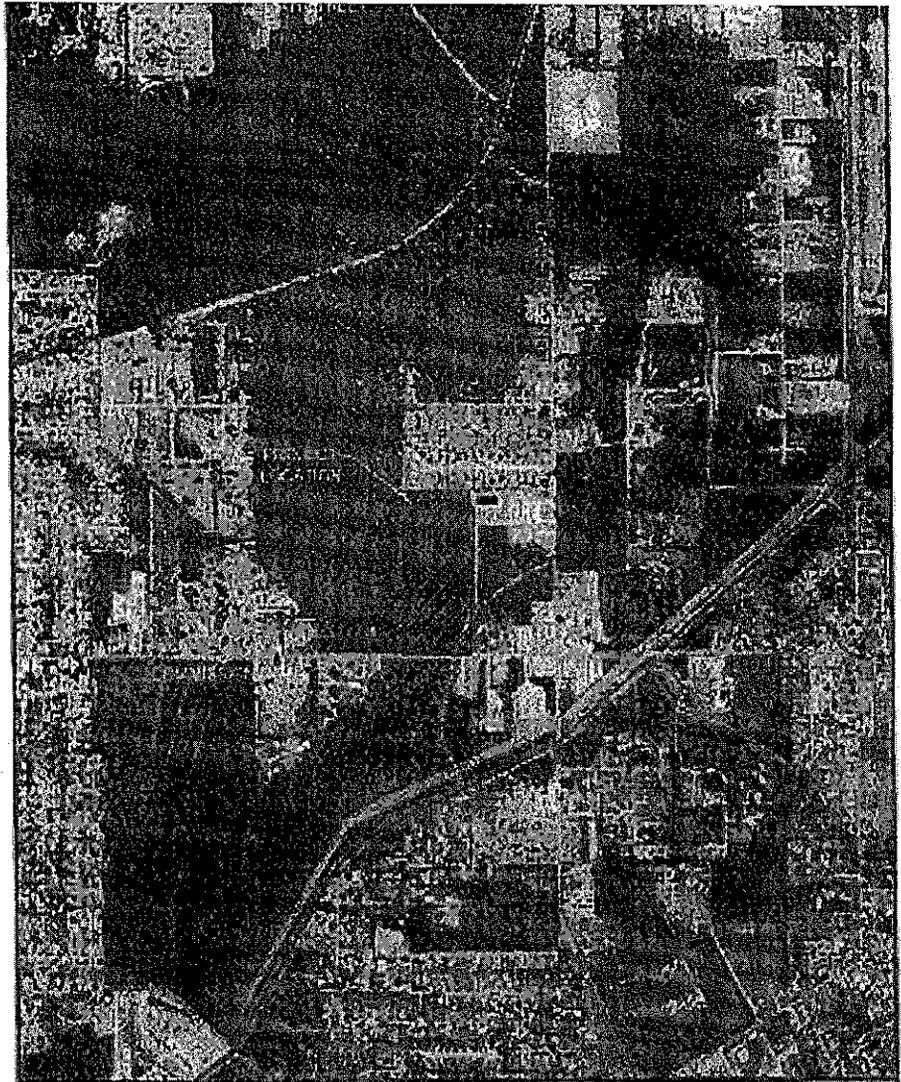
- 1. TYPE OF CASE REQUEST
 - A. Zoning Change
 - B. Planning Commission Approval
 - C. Special Use Permit
 - D. Variance Request
 - E. Change in Use
 - F. A Decision of the Director of Field is Requested to be in Effect
 - G. Interpretation of the Zoning Ordinance
 - H. Name Change (such type of Deed is used)
- 2. Property Location: COMMISSION RD
Street number and street name
- 3. Statement clearly explaining the request being made for case review. Attach supplemental copies if necessary. from R-1 to PDS-R
- 4. Legal Description (if land involved. Complete either A or B below)
 - A. If a subdivision: CHANGES TO THE
Sub-division Name
 - B. If Deeds and Easements: Attach a Legal Description
- 5. Names and Addresses of all Property Owners within 200 feet of subject land. If furnished by owner or agent, give names and address including all property already owned by the Subject Owner so they can be notified if a Public Hearing is required.
- 6. Fees: Attach a check in the amount appropriate for the applicable request. This check is to be made payable to the City of Long Beach so as to allow automatic debit. You will not be responsible for actual costs, such as scheduling and mailing, incurred with the processing of your application.
- 7. Declaration: I, the undersigned, do 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.

Keith Bourgeois & Karen Bourgeois P.O. Box 56321
 (Name of Owner)
Merouane LA 70055
 (City, State, Zip)
504 884 4568
 (Home/Office)
11/28/06
 (Date)

NOTATION: The following attachments must be submitted with application, if applicable:

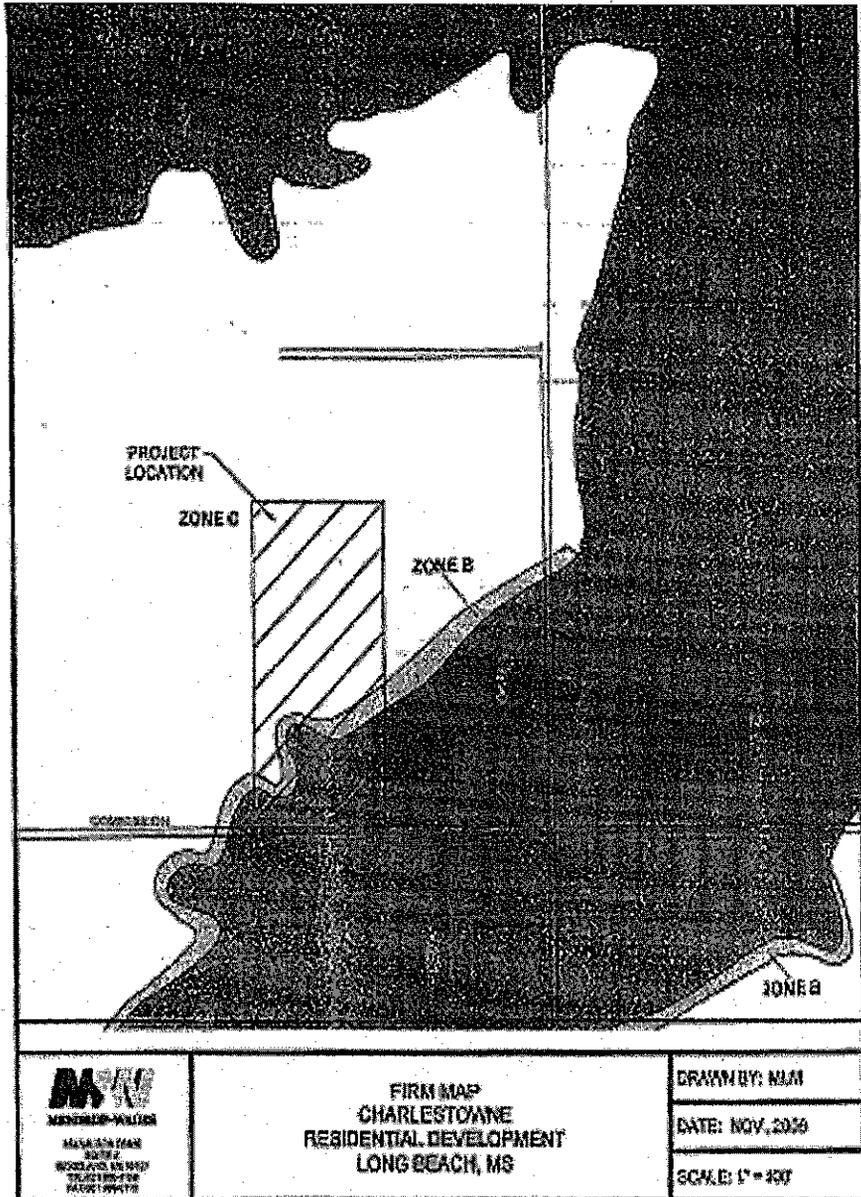
- A. Plans which include plan showing lot boundaries which would be affected, dimensions, boundaries and identifying the designated area, the location of existing and proposed structures, all easements and other recorded lot corner markers and the proposed area

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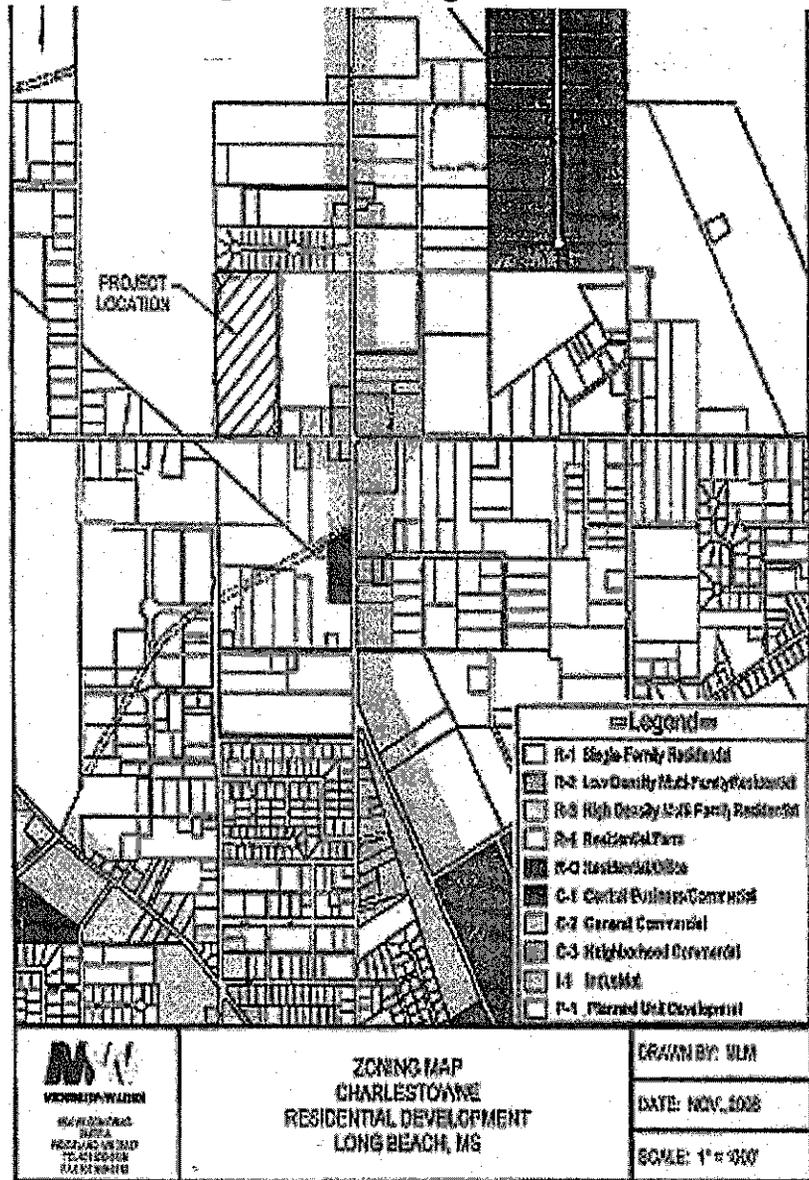


 M&W MICHAEL WATKINS CORPORATION 10000 W. 10TH AVE. DENVER, CO 80231 303.751.1000	<p>AERIAL MAP CHARLESTOWNE RESIDENTIAL DEVELOPMENT LONG BEACH, MS</p>	<p>DRAWN BY: WJM DATE: NOV, 2006 SCALE: 1"=100'</p>
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M
 WOODRUFF-WALKER
 601 W. 10th Street
 Gulfport, MS 39230
 TEL: 601-833-8888
 FAX: 601-833-8888

ZONING MAP
 CHARLESTOWNE
 RESIDENTIAL DEVELOPMENT
 LONG BEACH, MS

DRAWN BY: ULM

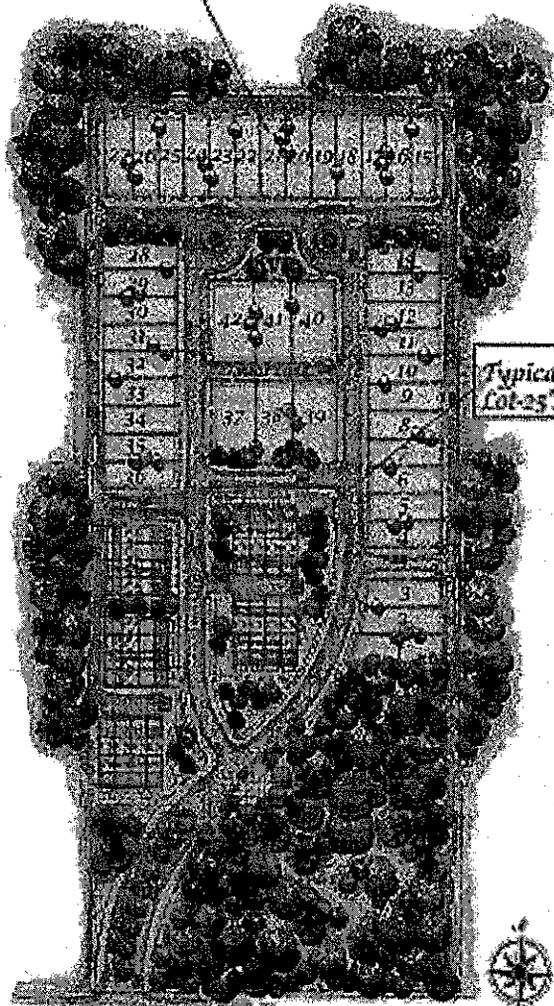
DATE: NOV, 2008

SCALE: 1" = 300'

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ALL COPY RIGHTS RESERVED BY THE CITY OF LONG BEACH

Typical Single Family Lot- 40'x120'



Typical Townhome
Lot- 25'x120'

Commission Seal



Preliminary Masterplan
Charlestowne

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STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

Case 1474 sub 227

WARRANTY DEED

For and in consideration of the sum of Ten Dollars (\$10.00) cash to him paid and other good and lawful considerations, the receipt and sufficiency of all of which is hereby acknowledged, I, **LOWELL A. CLEESON**, do hereby sell, convey and warrant unto **KEITH G. BOURGEOIS** and **KAREN BOURGEOIS**, the following described real property situated in Harrison County, Mississippi described as:

The West 3967 feet of the SE 1/4 of the SE 1/4 of Section 2, Township 8 South, Range 12 West, 4th N of the right of way of Crenshaw Road, Harrison County, First Judicial District, Mississippi.

The above described property is conveyed subject to restrictions, covenants and easements of record.

It is agreed and understood that the taxes for the current year have been paid in full at a bank and that when said taxes are actually demanded, the purchaser or purchasers herein, the parties hereto agree to pay same based on actual assessment. All other past year taxes are specifically covered by the Grantor herein.

The above described property is not a part of the homestead of the Grantee herein.

WITNES my signature this 12th day of December, 2007.

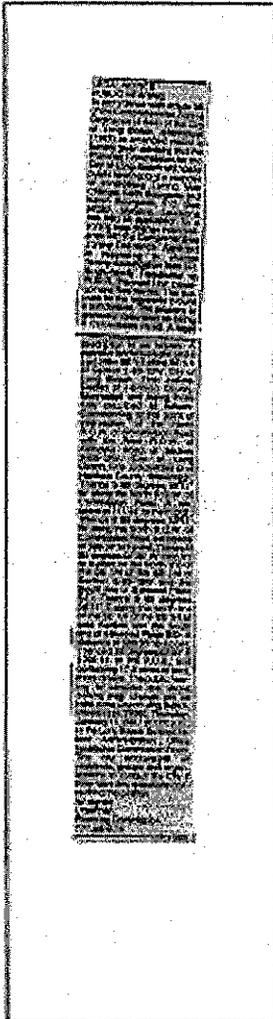
Lowell A. Cleeson
LOWELL A. CLEESON

CERTIFIED TRUE COPY

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The Clerk reported that she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, LEGAL NOTICE, and PUBLIC HEARING, as evidenced 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 Shirley Brinked 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 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 each paper, viz:

- Vol. 123 No. 47 dated 9 day of December, 2006
- 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____

Allian 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.

Shirley Brinked
Clerk

Sworn to and subscribed before me this 11 day of December, A.D., 2006

Commission Expires on: October 16, 2007
Kevin Scott
Notary Public

Printer's Fee \$ 46.68
 Furnishing proof of publication \$ 3.00
TOTAL 49.68

The Clerk reported further that twenty seven (27) notices of Public Hearing were sent by Certified mail, return receipt

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requested, to property owners within two hundred (200') feet of the subject property. Said return receipts were ordered as part of the record of these proceedings.

City of Long Beach



LEGAL NOTICE

PUBLIC HEARING

In accordance with Article XII of the Comprehensive Zoning Ordinance (§ 344) of the City of Long Beach, Mississippi (1917) 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 Zoning Map Change.

Keith Bourgeois and Karen Desjardis, P.O. Box 46367, Metairie, Louisiana has filed an application for a zoning map change in accordance with the Comprehensive Zoning Ordinance. Applicant is requesting to change zoning classification from R-1 Single-family Residential to PUD-R, Planned Unit Development Residential. The purpose for the request is to build a subdivision. The property is generally described as being 6 Commission Road. A legal description is as follows:

A parcel of land situated in and a part of the SE ¼ of the SE ¼ of Section 2-88-12W, City of Long Beach, First Judicial District of Harrison County, Mississippi and being more fully described as follows:

Commencing at the point of intersection of the North R.O.W. of Commission Road with the West R.O.W. of Rhondys Road of Section 2-18-12W, City of Long Beach, First Judicial District of Harrison County, Mississippi; Thence S 19°52'57" W along the North R.O.W. of Commission Road, a distance of 717.74' to the P.O.B.; Thence S 19°59'57" W along the North R.O.W. of Commission Road, a distance of 596.34' to a point; Thence N 00°02'30" W 1322.81' to a point on the North line of the SE ¼ of the SE ¼ of Section 2-88-12W and the South line of Silkwood Place S(0); Thence S 19°01'31" E along the North line of the SE ¼ of the SE ¼ of said Section and the South line of Silkwood Place S(0), a distance of 516.35' to a point; Thence S 00°02'35" E 1239.14' to the P.O.B., and containing 17.8 acres of land, more or less.

The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi, 32500, Thursday, January 11, 2007 at 7:00 p.m., in the Long Beach School District Administration Office located on Commission Road. The city encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ _____
Chairman
Planning Commission

The commission recognized Mr. Keith Bourgeois, Mr. Blake Mindrop, and Mr. Jim Raley and discussion was held regarding their proposed development.

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Commission Chairman Olaiwer recognized any parties opposed to the proposed development and the following individuals came forward:

- Mr. Michael Jones 16 Ryan Circle
- Mr. David Fava 19 Ryan Circle
- Ms. Shelley Bard 20 Ryan Circle
- Mr. Stephen Tores Ryan Circle
- Mr. Edward Hardman 25 Ryan Circle
- Ms. Joann Koons 27 Ryan Circle
- Mr. Robert Howdershelt 12 Ryan Circle

The aforesaid individuals expressed their opposition to the proposed development due to but not limited to the following concerns - traffic congestion, drainage, wetlands issues, two to four houses per lot backing up to their homes, lower property values, and water supply.

The commission again recognized Mr. Bourgeois, Mr. Mindrop and Mr. Raley. Upon continued discussion and upon hearing the concerns of the residents of Ryan Circle, the developers agreed to amend their proposal to allow the homes that will run along Ryan Circle to be built on 75 (seventy five) foot lots with "backyards to backyards".

It was determined that the developers will make the aforesaid changes to their proposed development and present them at the January 25, 2007, meeting of the Planning Commission.

Commissioner Rishel made motion seconded by Commissioner VanCourt and unanimously carried to close the Public Hearing.

After brief discussion, Commissioner Yandell made motion seconded by Commissioner Stogner and unanimously carried to table the aforesaid matter until the next meeting of the Planning Commission.

The next Public Hearing was a Special Exception Use to operate a business in a Residential district submitted by Valerie A. Thomas of Alexander Road as follows:

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R#1194

I. TYPE OF CASE REQUEST

A. Zoning Change
 B. Planning Commission Approval
 C. Special Zoning Use
 D. Variance Request
 E. Change in Use
 F. A. Extension of the Building Official's Authority to be in Error
 G. Inspection of the Zoning Ordinance
 H. Home Conversion (Attach copy of Deed or Lease)

II. Property Location: 178 Alexander Rd, Long Beach, MS 39560
 Street number and street name

III. Estimated sheet(s) requiring the request being made for case review. (Attach supplemental pages if necessary): Special Zoning Com. Use, to

IV. Legal Description (if) and Parcel and (Complete either A or B below) Plan Diagram of

A. If in a subdivision
 Subdivision Name _____

B. If Acres and Blocks: Attach a Legal Description

V. Maps and Address of all Property Owners within 200 feet of subject land. (If touched by street, alley, driveway and parking driveway of property directly across from the subject street or alley). This information is necessary only if a Public Hearing is required.

VI. Fees: Attach a check in the amount of any fee(s) applicable to request. This check is to be made payable to the City of Long Beach by money order or cashier's check. You will also be responsible for record costs, such as advertising and mailing related with the processing of your application.

VII. Declaration: I, the undersigned hereby approve all the rules and regulations set out in the Long Beach Zoning Ordinance and also state or pay all fees and charges due.

Valerie A. Thomas 178 Alexander Rd
 City of Long Beach, MS 39560 228-219-7501 228-516-7333
 Signature (if) Valerie A. Thomas 1/27/07 100.001 Adams
 Department (if) _____ Date _____

- NOTATION:** The following specifications must be submitted with application. Map(s) shall:
- Show such a site plan showing the boundaries which would be affected, easements, lot and block, and delineating the dimensions, the location of existing and proposed structures, 45-degree parking and other appurtenant uses, the lot and the ground area to be provided and reservedly maintained for the proposed street use or easement.
 - Show such a development schedule including the time schedule for the backing and completion of development planned in the area. If the development is phased in stages, the schedule shall include the start and completion dates for each stage. (PLAN DECOMMISSIONED)
 - The setback requirements for all signs if measured from the leading edge of the sign or the portion of the sign closest to the property. Also, if required, a variance form for setbacks shall be attached to the sign, also indicate the direction and size of the proposed sign.
 - Sign locations shall appear personally or through a third party of the individual leading. Copies of copies of "true adjustment" must accompany all signage proposed. The sign shall be submitted and backing as by the appearance of such sign(s) at the hearing. Such sign(s) shall be submitted in accordance with the code.

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VARIANCE SUPPLEMENTAL APPLICATION
PAGE 2

Describe any special conditions that justify the granting of this variance request and are peculiar to the property and do not apply to other properties in the general area. What are the reasons for the variance and why the applicant cannot meet the stated code requirements?

We are on a budget with our business
this building is under \$100,000.
and in our budget

Describe how the special conditions discussed in #1 above in set the result of actions taken by the applicant. Show that the applicant did not cause the need for this variance request.

Because of Hurricane Katrina
property has gone up in value or
damaged by the storm. This property
needs no repairs.

Show that an unnecessary hardship exists due to the character of the property and that this hardship makes the request for the variance 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 the request?

Due to Hurricane Katrina, No
other buildings in Long Beach
will suit our needs. We will
be forced to move to Deepport.

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 without conferring any special privilege. Explain how the subject of the variance is unique in the area and if the applicant were to be denied this variance a right would be taken away which was granted to other properties. Show 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 the granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable.

There are other businesses
around this area. We should
not cause any more traffic

FOR HOME OCCUPATION ONLY

Minutes of January 11, 2007
Long Beach Planning Commission



1st Judicial District
/Enclosed \$200 10/23 07 -JL
/Work Received 12/21/2006 10:06 A
Total Fees 12.00
CPages Recorded

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, JASON F. WALKER AND WIFE, CATRINA R. WALKER, does hereby sell, convey and warrant unto VALERIE A. THOMAS, the following described property situated in Harrison County, Mississippi, to-wit:

A parcel of land situated and being in the City of Long Beach, First Judicial District of Harrison County, Mississippi, in the B. Pellerie Grant or Claim in Township 3 South, Range 12 West, Harrison County, Mississippi, described as follows:

Beginning at a point 310 feet South and 100 feet West of the Northeast corner of a tract of land conveyed by Mrs. Christina B. Schwan to Mrs. George P. Reinke by deed dated November 7th, 1921, and recorded in Deed Book 132, page 465 of Harrison County, Mississippi, the said point of beginning being the Southwest corner of the tract of land conveyed by George P. Reinke, et al to Sam Brown and Mary Elba Brown in December, 1945, and from said point running thence West a distance of 100 feet thence North 150 feet thence East 100 feet to the Northwest corner of the tract conveyed to Sam Brown and Mary Elba Brown; thence South 150 feet to the point of beginning. Being the same land conveyed by George P. Reinke, et al, to Elie Armstrong and Mable Armstrong, by deed dated March 26th, 1945, in Deed Book 234, page 193 of Harrison County, Mississippi. County Section Block 22.

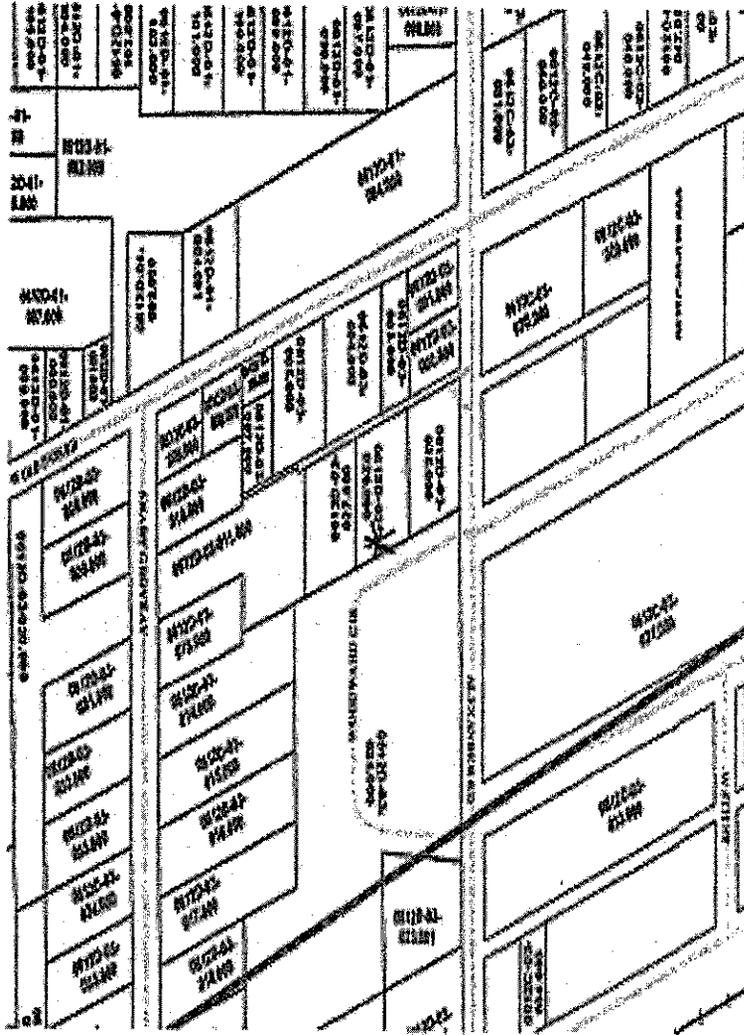
lib 22
22

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights of way, easements and the price reservations of any oil, gas and other minerals.

IT IS AGREED and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis. When said taxes are actually determined, if the pro-ration as of this date is incorrect, then the Grantor agrees to pay to the Grantee, or its assigns, any deficit on an actual pro-ration, and likewise, the Grantee agrees to pay to the Grantor, or its assigns, any amount overpaid by it.

Witness my signature on this the 11th day of October

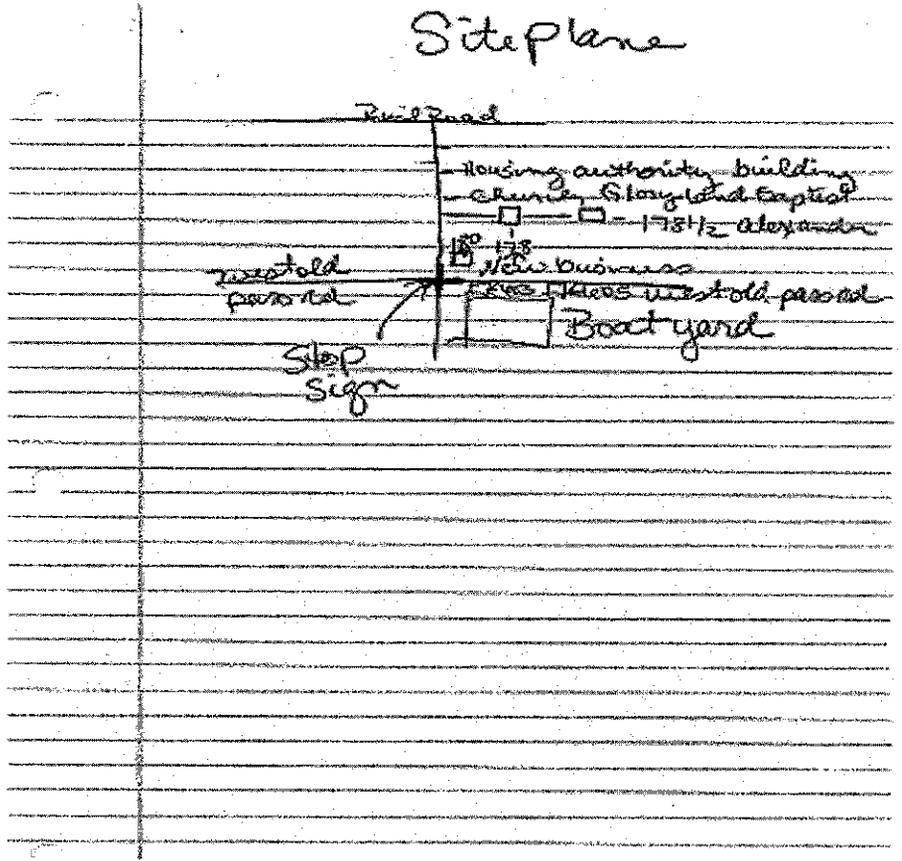
Minutes of January 11, 2007
Long Beach Planning Commission



* Subject property (landlocked)

Minutes of January 11, 2007
Long Beach Planning Commission

Site Plane



**Minutes of January 11, 2007
Long Beach Planning Commission**

The Clerk reported further that seventeen (17) notices of Public Hearing were sent by Certified mail, return receipt requested, to property owners within two hundred (200') feet of the subject property. Said return receipts were ordered as part of the record of these proceedings.

City of Long Beach



LEGAL NOTICE

PUBLIC HEARING

In accordance with Article XII of the Comprehensive Zoning Ordinance (# 246) of the City of Long Beach, Mississippi (1987) 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 Special Exception Use.

Valerie A. Thomas, 178 Alexander Road, Long Beach, Mississippi has filed an application for a special exception use with the Comprehensive Zoning Ordinance. The request is to allow a business to operate in an R-2, Low Density Multi-family Residential District. The general location is adjacent to Alexander Road and south of West Old Pass Road. The legal description is as follows:

A parcel of land situated and being in the City of Long Beach, First Judicial District of Harrison County, Mississippi, in the B. Peckham Grant or Claim in Township 8 South, Range 12 West, Harrison County, Mississippi, described as follows:

Beginning at a point 310 feet South and 100 feet West of the Northeast corner of a tract of land conveyed by Mrs. Christina B. Schwan to Mrs. George P. Reinken by deed dated November 7th, 1921, and recorded in Deed Book 132, page 445 of Harrison County, Mississippi, the said point of beginning being the Southwest corner of the tract of land conveyed by George P. Reinken, et al to Sam Brown and Mary Ella Brown in December, 1941, and from said point running thence West a distance of 100 feet; thence North 150 feet; thence East 100 feet to the Northwest corner of the tract conveyed to Sam Brown and Mary Ella Brown; thence South 150 feet to the point of beginning. Being the same land conveyed by George P. Reinken, et al, to Ellis Armstrong and Minnie Armstrong, by deed dated March 26th, 1945, in Deed Book 234, page 193 of Harrison County, Mississippi, County Section Book 22.

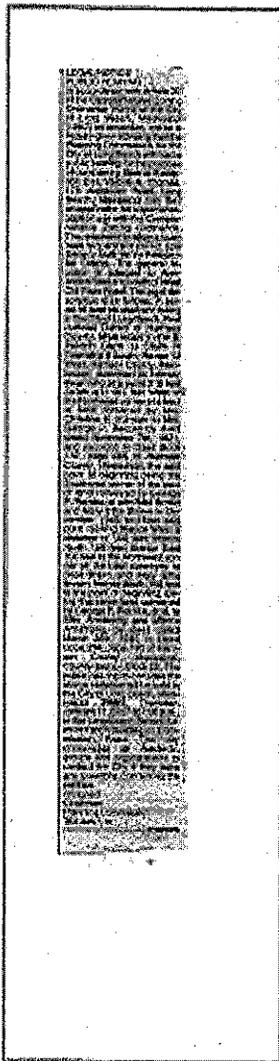
The public hearing to consider the above variance will be held in the City of Long Beach, Mississippi, 3956, Thursday, January 11, 2007 at 7:00 p.m., in the Long Beach School Administration Building on Communion Road. The city encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

At signed
Chairman
Planning Commission

Minutes of January 11, 2007
Long Beach Planning Commission

The Clerk reported that she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, LEGAL NOTICE, and PUBLIC HEARING, as evidenced 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 ASHLEY BRADFORD 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. 123 No. 165 dated 7 day of December 00
- 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.

A. Beard
Clerk

Sworn to and subscribed before me this 7 day of December, A.D., 20 00

Commission Expires on: October 18, 2007
Karim Shorb
Notary Public

Printer's Fee	\$ <u>45.12</u>
Furnishing proof of publication	\$ <u>3.00</u>
TOTAL	<u>48.12</u>

**Minutes of January 11, 2007
Long Beach Planning Commission**

*******PAGES MISNUMBERED - THIS PAGE LEFT BLANK
INTENTIONALLY**

**Minutes of January 11, 2007
Long Beach Planning Commission**

Commission Chairman Olaiver recognized Ms. Valerie Thomas and discussion was held regarding her aforesaid request.

The Chairman called for anyone who wished to come forward to speak in favor of the applicant and Mr. Gary Ponthieux, 212 South Seashore, and Ms. Virginia Hurlbert, 305 Larosa Road, came forward.

The Chairman called for anyone who wished to come forward who opposed the request and no one came forward.

Commissioner Yandell made motion seconded by Commissioner Sweetapple and unanimously carried to close the Public Hearing

After brief discussion, Commissioner Rishel made motion seconded by Commissioner Sweetapple and unanimously carried to approve the aforesaid request.

The next item to come before the Commission was a Public Hearing for a Variance on a side yard set back submitted by Ronnie Carter of 298 North Burke as follows:

Minutes of January 11, 2007
Long Beach Planning Commission

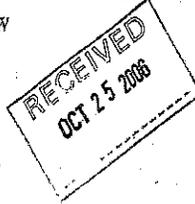


CITY OF LONG BEACH, MISSISSIPPI
PO BOX 929
201 JEFF DAVIS AVENUE
TELEPHONE 228-363-1554
FAX 228-365-0822
permits@cityoflongbeachms.com



APPLICATION FOR CASE REVIEW

- I. TYPE OF CASE REQUEST
- A. Zoning Change
 - B. Planning Commission Approval
 - C. Special Exception Use
 - Variance Request
 - E. Change in Use
 - F. A Decision of the Building Official is Alleged to be in Error
 - G. Interpretation of the Zoning Ordinance
 - H. Home Occupation (attach copy of Deed or lease)



II. Property Location:
298 N BURKE AV, LONG BEACH, MS 39560
House number and street name

III. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.) Variance

IV. Legal Description of Land Involved. (Complete either A or B below.)

A. If in a subdivision:

GREEN MEADOWS
Subdivision Name

B. If Metes and Bounds: Attach a Legal Description

V. Names and Addresses of all Property Owners within 200 feet of subject land. (If bounded by street or alley, give names and mailing addresses of property directly across from the Subject Street or alley.) This information is necessary only if a Public Hearing is required.

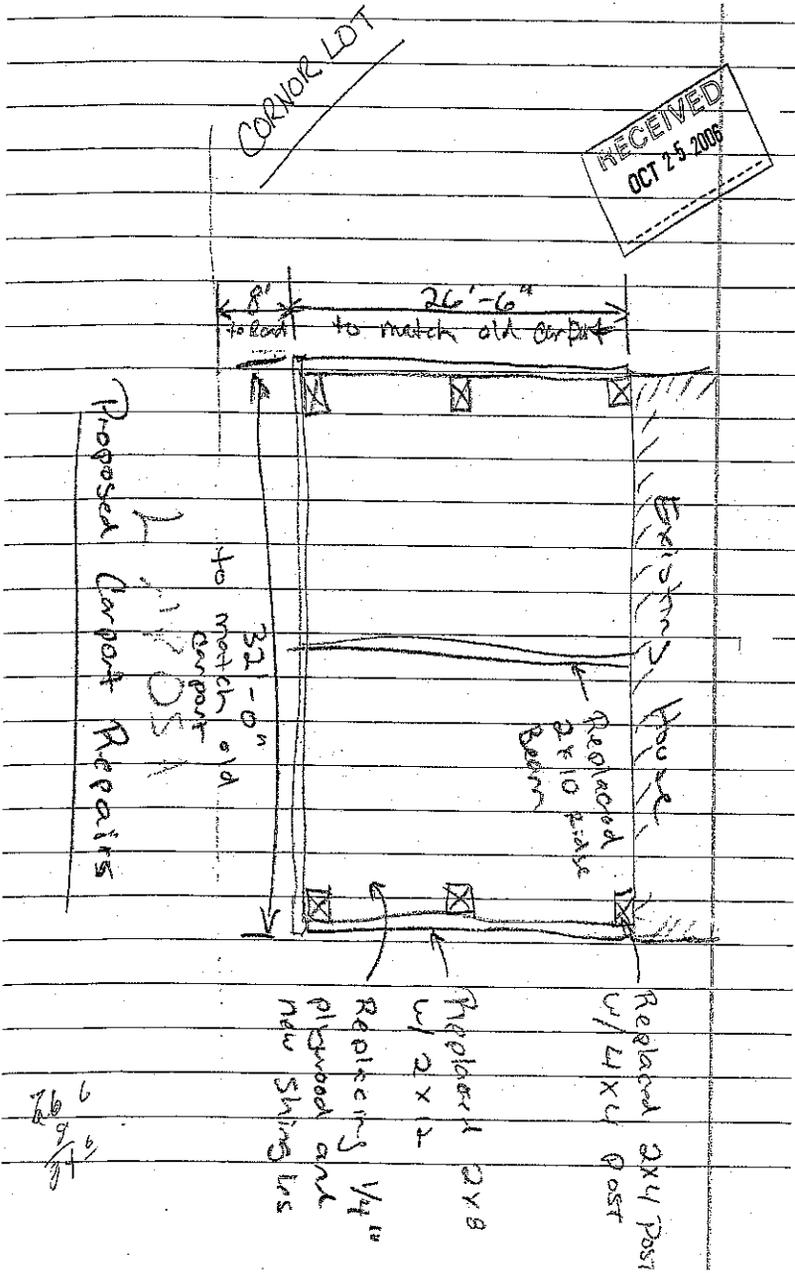
VI. Fees: Attach a check in the amount appropriated for applicable request. This check is to be made payable to the City of Long Beach to cover administrative costs. You will also be responsible for actual costs, such as advertising and mailing incurred with the processing of your application.

VII. Ownership: I the undersigned do 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>RONNIE CARTER</u>	<u>298 N BURKE AV</u>
Name of Owner(s)	Mailing Address
<u>LONG BEACH MS 39560</u>	<u>228-214-7766</u>
City State Zip	Telephone (H)
<u>Ronnie P. Carter</u>	<u>10/25/06</u>
Signature of Owner(s)	Date
	Office Fee <u>\$100.00</u>

NOTATION: The following attachments must be submitted with application. If applicable:

- A. Please attach a site plan showing the land area which would be affected, easements bounding and intersecting the designated area, the location of existing and proposed structures, off-street parking and other supporting open facilities and the ground area to be provided and continuously maintained for the proposed structure or structures.
- B. Please attach a development schedule indicating the time schedule for the beginning and completion of development planned in the area. If the development is planned in stages, the time schedule shall indicate the successive stages and the development planned for each stage. (FOR RB ZONING ONLY).
- C. The setback requirement for all signs is measured from the leading edge of the sign or the portion of the sign close to the property line. If requesting a variance from the setback requirements for a sign, also indicate the elevation and size of the proposed sign.
- D. Applicant should appear personally or through his/her agent at the scheduled hearing.
- E. Claims of support or "no objection" from owner(s) 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.



Minutes of January 11, 2007
Long Beach Planning Commission

BOOK 1292 PAGE 118

CERTIFIED TRUE COPY
JOHN McADAMS
CLERK CHANCERY COURT
HARRISON COUNTY, MISS.
First Judicial District
By *[Signature]* C.C.

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, WE, ROBERT NEIL CAVE AND WIFE, MARLINE CAVE, Grantors, do hereby warrant, sell and convey unto RONNIE ALLEN CARTER and wife, PAMELA S. CARTER, joint tenants with full rights of survivorship and not as tenants in common, the following described real property situated in the First Judicial District of Harrison County, Mississippi, and being more particularly described as follows:

RECEIVED
OCT 25 2006

Lot 12, Block 2, GREEN MEADOWS SUBDIVISION, being a subdivision located in the City of Long Beach, First Judicial District of Harrison County, Mississippi, as per map or plat thereof on file and of record in the Plat Records in Plat Book 24, Page 46, in the office of the Chancery Clerk of Harrison County, Mississippi.

This conveyance is subject to any and all recorded rights-of-way, restrictions, reservations, covenants and easements.

Taxes on the subject property are pro-rated as of the date of this instrument and are assumed by the Grantee for the remainder of the year 1994.

Witness our signatures, this the 9th day of December, 1994.

[Signature]
ROBERT NEIL CAVE
[Signature]
MARLINE CAVE

STATE OF Mississippi
COUNTY OF HARRISON/1st

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the aforesaid County and State, on this 9th day of December, 1994, within my jurisdiction, the undersigned ROBERT NEIL CAVE and MARLINE CAVE, who acknowledged, executed the above and foregoing instrument.

[Signature]
NOTARY PUBLIC

My commission expires: March 10, 1998

Address of Grantor: 2220 Bell's Ferry Road
PASS CHRISTIAN, MS 39571 (601) 452-3099

Address of Grantee: 228 North Burks
Long Beach, MS 39560 (601) 844-2491

DOCUMENT PREPARED BY: DUKES, DUKES, KEATING & FANECA, P.A., P.O. DRAWER W, GULFPORT, MS 39502, (601) 868-1111

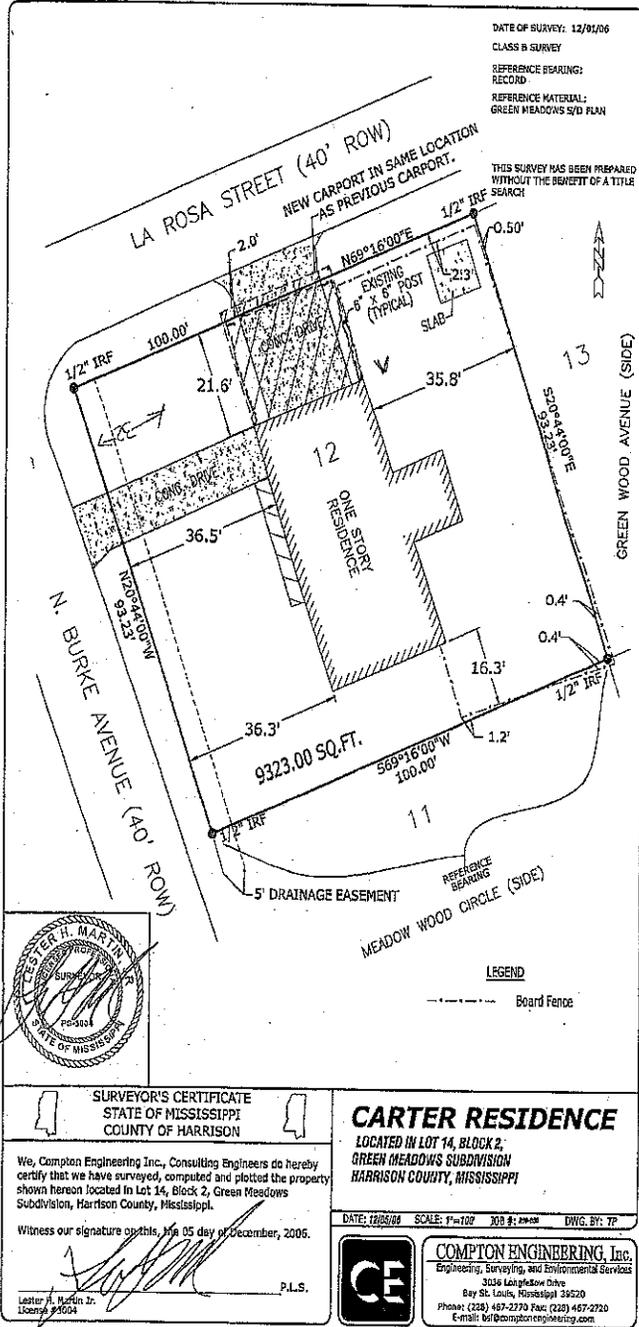
4110092962

STATEMENT OF FEES
Recorded Fee: 30.00
Acknowledgment: 10.00
Mortgage: 20.00
Other: 0.00
TOTAL FEES COLLECTED: 70.00

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:
I hereby certify that this instrument was received and filed for record at 3 o'clock and 52 minutes P.M. on 13 day of Dec, A.D. 19 94 and recorded in Book 1292, Pages 118.

8352
C. J. CREEL, Chancery Clerk
By *[Signature]* C.C.

Minutes of January 11, 2007
Long Beach Planning Commission

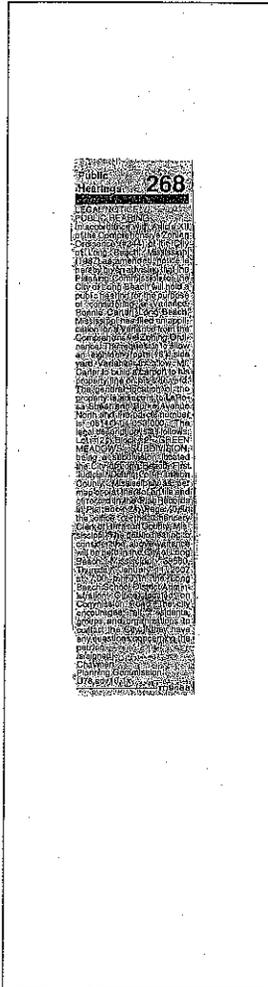


The Clerk reported that she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, LEGAL

Minutes of January 11, 2007
Long Beach Planning Commission

NOTICE, and PUBLIC HEARING, as evidenced 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 Tahira Caudin 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 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. 125 No., 74 dated 16th day of Dec., 2006
- 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 country for a period of more than twelve months next prior to the first publication of said notice.

[Signature]
Clerk

Sworn to and subscribed before me this 18th day of Dec., A.D., 2006

Commission Expires On:
October 15, 2007
Karen Shook
Notary Public

Printer's Fee	\$	<u>29.04</u>
Furnishing proof of publication	\$	<u>3.00</u>
TOTAL		<u>32.04</u>

The Clerk reported further that twenty six (26) notices of Public Hearing were sent by Certified mail, return receipt requested, to property owners within two hundred (200') feet of the subject property. Said return receipts were ordered as part of the record of these proceedings.

Minutes of January 11, 2007
Long Beach Planning Commission

City of Long Beach



LEGAL NOTICE

PUBLIC HEARING

In accordance with Article XII of the Comprehensive Zoning Ordinance (# 344) of the City of Long Beach, Mississippi (1987) 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.

Ronnie Carter, Long Beach, Mississippi has filed an application for a Variance from the Comprehensive Zoning Ordinance. The request is to allow an eighteen foot (18') side yard Variance to allow Mr. Carter to build a carport to his property line on his side yard. The general location of the property is adjacent to LaRosa Street and Burke Avenue North and the parcel number is 06110-04-053.000. The legal description is as follows:

Lot 12, Block 2, GREEN MEADOWS SUBDIVISION, being a subdivision located the City of Long Beach, First Judicial District of Harrison County, Mississippi, as per map or plat thereof on file and of record in the Plat Records in Plat Book 24, Page 40, in the office of the Chancery Clerk of Harrison County, Mississippi.

The public hearing to consider the above variance will be held in the City of Long Beach, Mississippi, 39560, Thursday, January 11, 2007 at 7:00 p.m., in the Long Beach School District Administration Office located on Commission Road. 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

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1556 • FAX 865-0822
www.cityoflongbeachms.com

The Commission recognized Mr. John Carmack, representative and brother-in-law of Mr. Carter. Mr. Carmack stated that the carport was already constructed when the home was purchased approximately thirteen (13) years ago. The carport was destroyed by Hurricane Katrina and they are requesting only to rebuild it to pre-Katrina status.

**Minutes of January 11, 2007
Long Beach Planning Commission**

The Commission Chairman called forward any one who wished to speak in favor of the applicant and the following individuals came forward:

- Ms. Regina Hurlbert 305 Larosa Road
- Ms. Diane Pitts 300 Larosa Road
- Mr. Bruce Carver 212 Greenwood Drive

The aforesaid individuals confirmed that the home did have the carport attached for approximately twenty (20) years and were in favor of the carport being reconstructed.

The Commission Chairman called forward any one who wished to speak in opposition of the applicant and no one came forward.

Commissioner Stogner made motion seconded by Commissioner Reed and unanimously carried to close the Public Hearing.

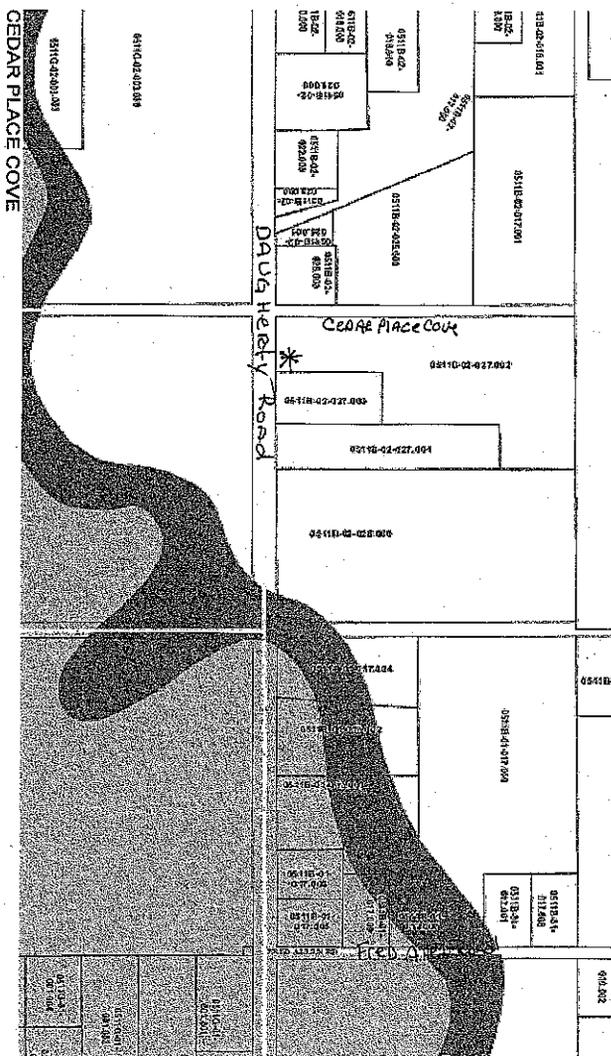
After discussion, Commissioner Stogner made motion seconded by Commissioner Reed and unanimously carried to approve the aforesaid request with the following stipulations - the posts must be located on the home owner's property and the structure is an open carport (no enclosure).

The first item under Old Business was update on the Master Plan and Smart Code. The Chairman announced that a workshop had been held prior to tonight's regularly scheduled meeting. The next workshop will be on January 18, 2007 at 7:00 pm and the 25th of January at 5:30 pm. All such meetings will be held at the Superintendent of Educations Office located on Commission Road. There was no action required or taken at this time.

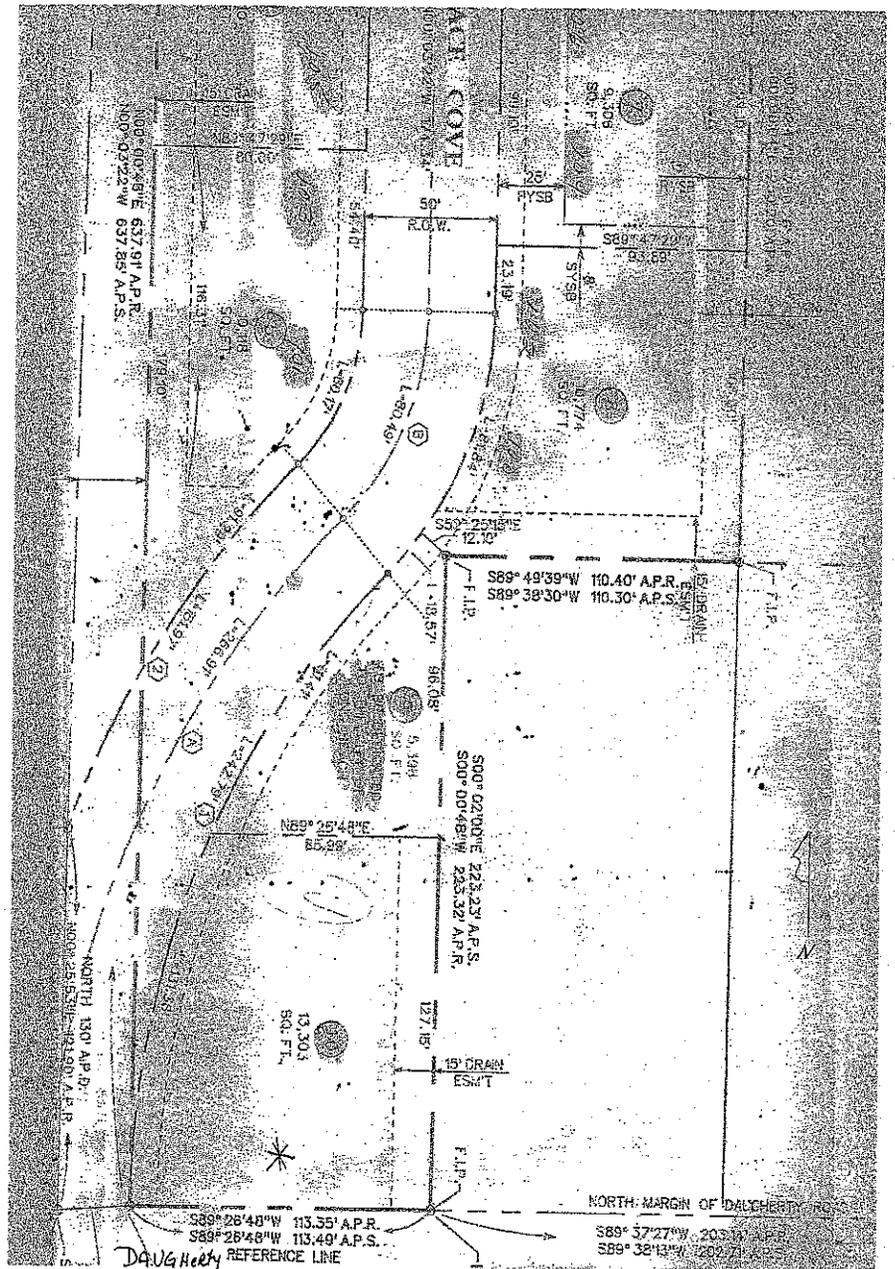
The next item under Old Business was to revisit a request for a low rise apartment in a Commercial Zone submitted by Jimmy Wedworth of Long Beach as follows:

Minutes of January 11, 2007
Long Beach Planning Commission

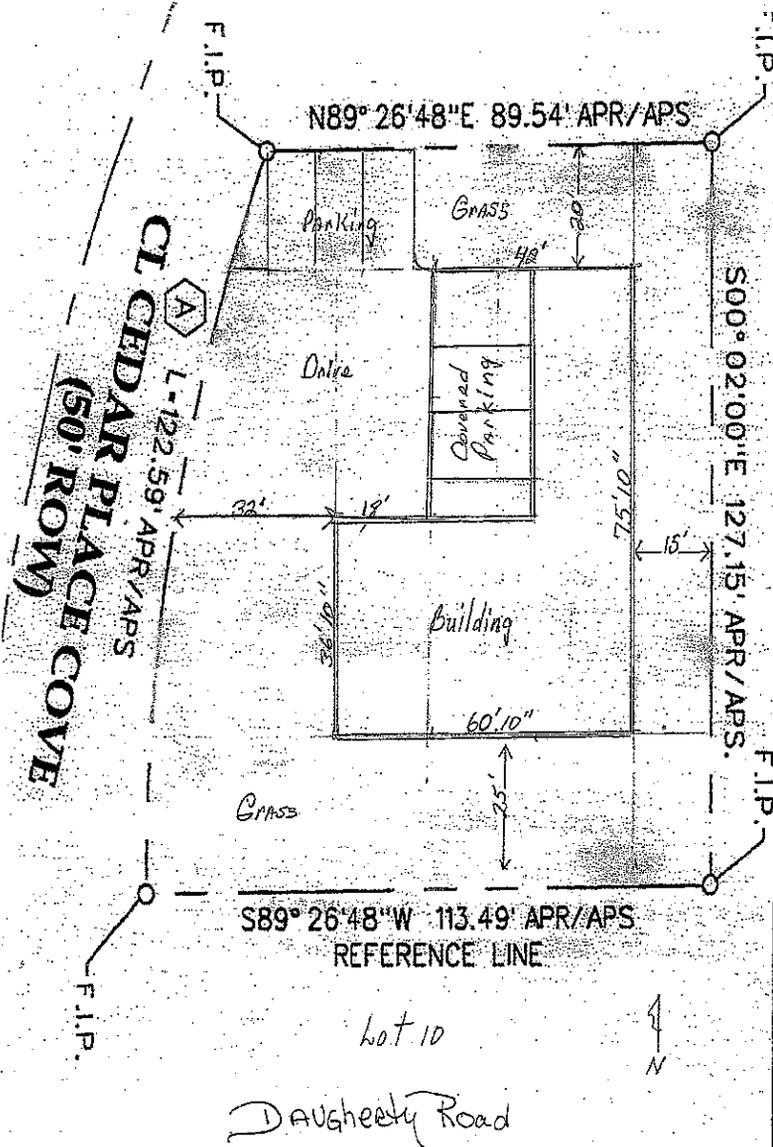
BeatLine



Minutes of January 11, 2007
Long Beach Planning Commission



Minutes of January 11, 2007
Long Beach Planning Commission



Mr. Wedworth came forward to answer any questions and petition the Commission.

Minutes of January 11, 2007
Long Beach Planning Commission

After considerable discussion Commissioner Reed made motion seconded by Commissioner Stogner and unanimously carried to approve the aforesaid request, as submitted.

The first item under New Business to come before the Commission was a request for re-subdivision for property located on Twin Cedars Avenue submitted by Beverly and William Byrd as follows along with a letter from the City Engineer:



CITY OF LONG BEACH, MISSISSIPPI
PO BOX 929
201 JEFF DAVIS AVENUE
TELEPHONE 228-863-1554
FAX 228-865-3822
permits@cityoflongbeachms.com



RECEIVED
DEC 20 2008

APPLICATION FOR CASE REVIEW

- I. TYPE OF CASE REQUEST
 - A. Zoning Change
 - B. Planning Commission Approval
 - C. Special Exception Use
 - D. Variance Request
 - E. Change in Use
 - F. A Decision of the Building Official is Alleged to be in Error
 - G. Interpretation of the Zoning Ordinance
 - H. Home Occupation (attach copy of Deed or lease)
- X Property Location: 205 Twin Cedars Ave
House number and street name
- X Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary) Certificate of re-subdivision
- IV. Legal Description of Land Involved. (Complete either A or B below)
 - A. If in a subdivision:
Subdivision Name _____
 - B. If Metes and Bounder: Attach a Legal Description.
- V. Names and Addresses of all Property Owners within 200 feet of subject land. (If bounded by street or alley, give names and mailing addresses of property directly across from the Subject Street or alley.) This information is necessary only if a Public Hearing is required.
- VI. Fees: Attach a check in the amount appropriated for applicable request. This check is to be made payable to the City of Long Beach to cover administrative costs. You will also be responsible for actual costs, such as advertising and mailing incurred with the processing of your application.
- VII. Ownership: I the undersigned do 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.

Beverly William Byrd
Name of Owner(s) _____ Mailing Address _____

Judy Byrd
Signature of Owner(s) _____ Telephone (H) _____ Office _____
Date 12-20-08 Fee 250.00

863-4425

- NOTATION: The following attachments must be submitted with application, if applicable:
- A. Please attach a site plan showing the land area which would be affected, easements bounding and bisecting the designated area, the location of existing and proposed structures, off-street parking and other supporting open facilities and the ground area to be provided and continuously maintained for the proposed structure or structures.
 - B. Please attach a development schedule indicating the time schedules for the beginning and completion of development planned in the area. If the development is planned in stages, the time schedule shall indicate the successive stages and the development planned for each stage. (FOR RE ZONING ONLY).
 - C. The setback requirement for all signs is measured from the leading edge of the sign or the portion of the sign close to the property line. If requesting a variance from the setback requirements for a sign, also indicate the elevation and size of the proposed sign.
 - D. Applicant should appear personally or through his/her agent at the scheduled hearing.
 - E. Claims of support or "no objection" from owner(s) 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.

**Minutes of January 11, 2007
Long Beach Planning Commission**



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

320 23RD STREET, GULFPORT, MS 39507
P.O. BOX 1877, GULFPORT, MS 39502

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



January 3, 2007

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

RE: Certificate of Resubdivision – Tax Parcel No. 0512H-04-020

Gentlemen:

We have received a Certificate proposing a subdivision of an existing parcel on Twin Cedar Avenue. We have a few concerns which we feel should be addressed before the City approves this subdivision and we have summarized them below:

1. Most importantly, the legal description and survey indicates that the western boundary of the existing parcel includes half of a fourteen foot right-of-way, called West Twin Cedar Avenue, which was platted as a part of Twin Cedar Subdivision. The survey does indicate that this right-of-way was reverted back to the "original" owners, but there is "parol" evidence only, meaning the evidence is only verbal. Certainly, we can find no evidence to indicate that this or any portion of the right-of-way was ever abandoned, and therefore, it seems that the property should not include any portion of that right-of-way on the west side of the property. The surveyor should submit proper evidence of the abandonment before we could recommend approval of the subdivision as it is indicated now.
2. In the Certificate, the legal description of Proposed Parcel 1 has no "point of beginning". The first word of the description should be changed from "Commencing" to "Beginning".

The creation of this new lot on Twin Cedar Avenue will require additional water and sewer connections, which fees must be paid by the developer as a "Special Connection Fee" in accordance with City Ordinance No. 480. The parcels proposed by the subdivision do conform to City requirements, in terms of width and size, but we do recommend withholding approval of the subdivision until the lots are shown and described correctly, in relation to the right-of-way of West Twin Cedar Avenue.

Sincerely,

David Ball, P.E.

DB:539

**Minutes of January 11, 2007
Long Beach Planning Commission**

Registration Number

Subscribed and sworn to before me, in my presence this day of _____ a
Notary Public in and for the County of Harrison, State of Mississippi.

SEAL
NOTARY PUBLIC

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 _____.

Planning Commission Chairman

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 _____.

ATTEST:

ADOPT:

City Clerk

Mayor

Prepared by:

City of Long Beach
Planning Commission
201 Jeff Davis Avenue
Long Beach, MS 39560
228-863-1554

INDEXING INSTRUCTIONS:

Minutes of January 11, 2007
Long Beach Planning Commission

Book 870 - page 597B

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned ADELLE REED RAY FINK does hereby sell, convey and warrant unto WILLIAM R. BYRD and wife, BEVERLY G. BYRD, as joint tenants with full rights of survivorship and not as tenants in common, the following described land and property being located and situated in the County of Harrison, State of Mississippi, and more particularly described as follows, to-wit:

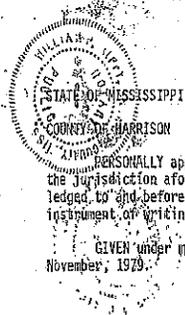
Lots 10 and 11, TWIN CEDARS SUBDIVISION in that part of Lots 18, 19 and 20 lying North of the L & N Railroad in White and Calvert Survey in Section 15, Township 7 South, Range 12 West, in the City of Long Beach, Mississippi, as shown by the official map or plat of said Twin Cedars Subdivision on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi in Plat Book 18 at page 23.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights of way, easements and prior reservation of any oil, gas, minerals and other rights.

THE ABOVE DESCRIBED property constitutes no part of the homestead of the Grantor herein.

TAXES for the current year have been prorated as of this date and assumed by the Grantees herein.

EXECUTED this the 27th day of November, 1979.



Adelle Reed Ray Fink
ADELLE REED RAY FINK

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Adelle Reed Ray Fink, who acknowledged to and before me that she signed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned.

GIVEN under my hand and official seal of office, this the 27th day of November, 1979.

William R. Byrd
NOTARY PUBLIC

My Commission Expires:

5/18/80

STATEMENT OF FEES
Filing _____ .05
Recording _____ Words @ _____
15¢ per 100
Certificates _____
Indexing 15¢ each
Separate Stamp _____

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT.
I hereby certify that this instrument was received and filed for record at _____ o'clock and _____ minutes, M., on the 29 day of Nov, A. D. 1979, and recorded on Nov 20, 1979 in Records of Deeds. Book 870 Page 597B
G. N. Creel, Chancery Clerk
H. R. L. a

**Minutes of January 11, 2007
Long Beach Planning Commission**

The commission recognized with Ms. Beverly Byrd and after considerable discussion, it was determined that some documentation was not available and/or not reviewed by the City Engineer and was reflected in the aforesaid letter submitted by David Ball, City Engineer. Commissioner Reed made motion seconded by Commissioner Stogner and unanimously carried to approve the aforesaid request, contingent upon a revised letter from the City Engineer declaring his recommendation to approve.

There came on for Planning Commission approval a request for a certificate of re-subdivision for property located at 1148 Old Pass Road East (this property is actually on Louisiana Avenue) submitted by Bruce Carver as follows along with a letter from the City Engineer:

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Long Beach Planning Commission



A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS
620537 STREET, GULFPORT, MS 39507 TEL (228) 563-0667
P.O. BOX 1677, GULFPORT, MS 39502 FAX (228) 563-9232



January 2, 2007

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

RE: Certificate of Resubdivision - Tax Parcel No. 0611P-01-001.000

Gentlemen:

We have received a revised Certificate of Resubdivision for the referenced parcel on Louisiana Avenue. The subdivision will subdivide one existing parcel into two new parcels, both of which meet the City's minimum standards for lot size. There are a few corrections needed to the Certificate, which are summarized below.

1. In the "Overall Legal Description" on the Certificate, the "call" indicating the bearing and distance for the western boundary of the original parcel (N 28°42' W. 358.8') is missing.
2. In the legal description of the "Proposed Parcel 2" on the Certificate, the northern boundary of the proposed parcel should be described as N 61°43'20" E 191.91. The boundary is now described as S 61°43'20" E 191.91.
3. In the legal description of the "Proposed Parcel 2" on the Certificate, the northern boundary of the apparent right-of-way of Louisiana Avenue is missing the "degree" symbol.

The creation of this additional parcel on Louisiana Avenue will require the creation of additional water and sewer connections, which must be paid by the developer as a "Special Connection Fee" in accordance with City Ordinance No. 480. Although there are still some changes needed to the Certificate, we suggest approving the subdivision on the condition that the needed changes be made prior to final approval by the Board of Aldermen.

Sincerely,

David Ball, P.E.

DB.539

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Long Beach Planning Commission**

LONG BEACH PLANNING COMMISSION

CERTIFICATE OF RESUBDIVISION

In accordance with Article II, Section 3 of 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 0611P-01-001.000 into two (2) parcels. The subject property is generally described as being located north of 1130 East Old Pass Road, south of 1130B East Old Pass Road, and adjacent to 1149 East Old Pass Road.

The Case File Number is 01107-02.

LEGAL DESCRIPTIONS

Overall Legal Description:

A parcel of land situated and being located in the Widow N. Ladner Claim, Township 8 South, Range 11 West and Range 12 West, Long Beach Section Block 3, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows: Commence at a point on the Northwest margin of East Old Pass Road, said point being on the Southwest line of property now or formerly to Mrs. Inez H. D. Carver, and being on the Northeast line of property now or formerly to Sally E. Burk, also said point being on the dividing line of the above said properties as stated and being recognized in Chancery Court Cause No. 66,041; thence run North 28 degrees 42 minutes 30 seconds West a distance of 150.0 feet to the point of beginning; thence run South 59 degrees 21 minutes West a distance of 192.13 feet; thence run North 61 degrees 44 minutes East a distance of 191.97 feet; thence run South 28 degrees 42 minutes 30 seconds East a distance of 348.8 feet to the said point of beginning. Said parcel contains 1.55 acres, more or less. Also being a portion of that certain parcel of land formerly constituting the extension of Old Plantation Addition, now vacated.

And also an easement described as follows: A parcel of land situated and being located in the Widow N. Ladner Claim, Township 8 South, Range 11 West and Range 12 West, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows: For the point of beginning, commence at a point on the Northwest margin of East Old Pass Road, said point being on the Southwest line of property now or formerly to Mrs. Inez H.D. Carver, and being on the Northwest line of property now or formerly to Sally E. Burk, also said point being on the dividing line of the above said properties as stated and being recognized in Chancery Court Cause No. 66,041; thence run South 59 degrees 21 minutes West a distance of 25.01 feet along the Northwest margin of East Old Pass Road; thence run North 28 degrees 42 minutes 30 seconds West a distance of 489.84 feet; thence run North 61 degrees 44 minutes East a distance of 25.0 feet; thence run South 28 degrees 42 minutes 30 seconds East a distance of 488.8 feet to the said point of beginning. Said parcel of land being located in Long Beach Section Block 3; also being a portion of that certain parcel of land formerly constituting the extension of Old Plantation Addition, now vacated.

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THE LEGAL DESCRIPTIONS OF THE TWO PROPOSED PARCELS READ AS FOLLOWS:

Proposed Parcel 1:

A parcel of land situated and being located in the Widow N. Ladner Claim, Township 8 South, range 11 West, and range 12 West, Long Beach section block 3, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows: commence at a iron pin found on the Northwest margin of East Old Pass Road, said point being on the dividing line of the above said properties as stated and being recognized in Chancery Clerk Cause No. 66,041; thence run N28°39'19"W 150.00 feet to a found iron pin; S59°22'32"W 40.02 to an iron pin set on the apparent right-of-way for Louisiana Avenue and the point of beginning for this description.

Thence run S59°22'32"W 152.05' to a found iron pin; thence run N28°42'00"W 150.00 feet to a set iron pin; thence run N59°22'31"E 152.02 feet to an iron pin set on the apparent right-of-way for Louisiana Avenue; thence run S28°42'38"E along said right-of-way 150.00 feet to a set iron pin and the point of beginning for this description.

Being a total of .52 acres, more or less.

Also being a portion of that certain parcel of land formerly constituting the extension of Old Plantation addition, now vacated.

Proposed Parcel 2:

A parcel of land situated and being located in the Widow N. Ladner Claim, Township 8 South, range 11 West, and range 12 West, Long Beach section block 3, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows: commence at an iron pin found on the Northwest margin of East Old Pass Road, said point being on the dividing line of the above said properties as stated and being recognized in Chancery Clerk Cause No. 66,041; thence run N28°39'19"W 150.00 feet to a found iron pin; thence run N28°42'38"W 150.00 feet to a set iron pin, thence run S59°22'31"W 40.02 feet to an iron pin set on the apparent right-of-way for Louisiana Avenue and the point of beginning for this description.

Thence run S59°22'31"W 152.02 feet to a set iron pin; thence run N28°42'01"W 206.59 feet to a found iron pin, thence run S61°43'20"E 191.91 feet to a found iron pin; thence run S28°42'38"E 106.00 feet to an iron pin set on the apparent right-of-way for Louisiana Avenue; thence run S61°26'24"W along said right-of-way 40.00 feet to a set iron pin; thence run S28°42'38" along said right of way 94.16 feet to a set iron pin and the point of beginning for this description.

Being a total of .81 acres, more or less.

Also being a portion of that certain parcel of land formerly constituting the extension of Old Plantation addition, now vacated.

And also an easement described as follows: a parcel of land situated and being located in the Widow N. Ladner Claim, Township 8 South, range 11 West and range 12 West, First Judicial District of Harrison County, Mississippi and being more particularly described as follows: for the point of beginning, commence at a point on the Northwest margin of East Old Pass Road, said point being on the Southwest line of property now or formerly to Mrs. Inez H. D. Carver, and being on the Northeast line of property now or formerly to Sally E. Burk, also said point being recognized in Chancery Court cause no. 66,041; thence run S59°21'W a distance of 25.01 feet along the Northwest margin of East Old Pass Road; thence run

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WILLIAMS & ASSOCIATES, PA
architecture • interiors

December 28, 2006

Planning Commissioners
The City of Long Beach
645 Klondyke Road
Long Beach, MS 39560

RE: ATTACHMENT TO APPLICATION FOR CASE REVIEW
The Villas at Grande Pointe

Dear Commissioners:

This attachment is in response to questions regarding the mentioned Application for Case Review. It is numbered with regard to said application.

ii. Property Location:

The most southwesterly parcel in the City of Long Beach situated just north of US Hwy 90 and east of the south eastern dividing line between the City of Pass Christian/City of Long Beach.

iii. Statement explaining case review:

This Project will consist of four buildings all to be wood framed to meet 175 mph wind loading well above the 140 mph wind load stipulated in the IBC 2003 building code. Three of the buildings will be set atop concrete parking structures with a base flood elevation of approximately 23' - 25' above sea level. The third building will be a small uninhabitable maintenance building serving the pool area and be built on grade as a sacrificial facility. The three condominium buildings will be of two sizes; units A and B will both be 30 unit structures of 10 units per floor and 3 floors high while the smaller unit C will be 3 units wide and 4 floors high. These three buildings will contain 72 units total at approximately 1,344 sq. ft. each for a total heated and cooled area of 96,768 sq. ft. excluding balconies. The balcony area will be approximately 448 sq. ft. per unit times 72 units for a total of 32,256 sq. ft. Indigenous architecture and the Design Charette in October 2005 will be the inspiration for the exterior imagery. The required parking of 1.5 spaces per unit will be exceeded to approximately 2.1 spaces per unit. A pool will be situated in the center courtyard. The remainder of the site will be given over to vehicular loop circulation around the perimeter with access off Holiday Drive and heavy landscaping within the building perimeter as well as around the exterior of the building footprint. The site measures 383.38' east and west and 410.0' north and south. The total site square footage is 157,186.28 sq. ft., acreage is 3.493 acres.

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After considerable discussion, Commissioner Sweetapple made motion seconded by Commissioner Stogner and unanimously carried to grant the request as petitioned, with clarification that the property is still zoned commercial and commercial uses are permitted.

The next item to come before the Commission was a request to not be required to build sidewalks and gutters on the subdivision which was approved at the last regularly scheduled meeting of the City of Long Beach Planning Commission of December 14, 2006, (page 504). This is submitted by Margie Cuevas as follows:



CITY OF LONG BEACH, MISSISSIPPI
P.O. BOX 920
201 JEFF DAVIS AVENUE
TELEPHONE 228-863-1554
FAX 228-863-0822
permits@cityoflongbeach.com



APPLICATION FOR CASE REVIEW

8845

I. TYPE OF CASE REQUEST
 A. Zoning Change
 B. Planning Commission Approval
 C. Special Exception Use
 D. Variance Request
 E. Change in Use
 F. A Decision of the Building Official is Alleged to be in Error
 G. Interpretation of the Zoning Ordinance
 H. Home Occupation (attach copy of Deed or lease)

II. Property Location: Ray Rd @ Klondyke Rd. L.B.
 House number and street name.

III. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.)
see attached

IV. Legal Description of Land Involved. (Complete either A or B below.)
 A. If in a subdivision: N/A
 Subdivision Name
 B. If Metes and Bounds: Attach a Legal Description

V. Names and Addresses of all Property Owners within 200 feet of subject land. (If bounded by street or alley, give names and mailing addresses of property directly across from the Subject Street or alley.) This information is necessary only if a Public Hearing is required.

VI. Fees: Attach a check in the amount appropriated for applicable request. This check is to be made payable to the City of Long Beach to cover administrative costs. You will also be responsible for actual costs, such as advertising and mailing incurred with the processing of your application.

VII. Ownership: I the undersigned do 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.

Name of Owner(s): Margie Cuevas Mailing Address: 29376 Deschamps Rd
 City: Pass Christian MS. 39571 State: MS Zip: 39571 Telephone (H): 864-3200 Office: 150.00
 Signature of Owner(s): Margie Cuevas Date: 1/3/07 Fee: 150.00

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Long Beach Planning Commission**

1/3/07

Re: Planning Commission Mtg. 1/11/07

We are requesting a review of this case, in order to hopefully, delete the "curbs, gutters, and sidewalks" requirement for our property, for the following reasons:

1. There are no curbs, gutters, or sidewalks existing anywhere on Klondyke Road or Ray Road, and we feel that it will take away from the look of our road to have just that 380 feet of curbs, gutters, and sidewalks, that start and stop so abruptly on our short, very narrow, "Dead End" road.
2. Because these lots all have street access, sewer, and water, there will not be any new roads/streets added, just lots ready to sell.

Thank you

Cinde Weaver

The commission recognized Mr. Albert Weaver and Ms. Cinde Weaver and discussion was held regarding their request.

After considerable discussion Commissioner Yandell made motion seconded by Commissioner Reed and unanimously carried to waive the requirement for curbs and gutters, but sidewalks must be installed.

The last item to come before the Commission was a request for Preliminary Plats for La Petit Cove. (This has been previously approved but the applicant has changed the lot structure in the subdivision.) submitted by Glynn Illich as follows along with a letter from the City of Long Beach Engineer, David Ball:

**Minutes of January 11, 2007
Long Beach Planning Commission**



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

520 52ND STREET, GULFPORT, MS 39507
P.O. BOX 1677, GULFPORT, MS 39502

TEL (228) 863-0667
FAX (228) 863-8232



January 3, 2007

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

RE: Le Petit Cove S/D

Gentlemen:

We have received a set of construction plans indicating a revised layout of the referenced subdivision. This new layout does not create anymore lots than originally proposed; instead, the main road is diverted closer to Canal No. 1, leaving no buildable lots adjacent to the Canal. We have the following comments concerning this submittal:

1. Preliminary Plat - We have not received a Preliminary Plat for review; however, the Certifications and Dedications on the Plat would be the same as the previous submittal. The only changes would be in the layout of the right-of-way and the lots.
2. Sheet C2 - The cul-de-sac pavement width and right-of-way should measure 80' and 100' in diameter, respectively. This change will affect the configuration of the lots around the cul-de-sac, but should not make any of the lots non-conforming.
3. Sheet C3 - The bottom of the detention pond should be sloped so that the pond drains to the Outlet Device. Alternatively, the pond could have two outlet boxes, each with a single 9" orifice, with the pond sloped to drain to either of the two structures. These two outlet boxes would be the equivalent of the single outlet structure with two 9" orifices.
4. Sheet C3 - Several of the Yard Inlets, which drain the rear yards of the subdivision, are numbered the same. These should be renumbered to avoid confusion.
5. Sheet C3 - The culvert between YI 1 at Kays Drive and YI 2 south of Kays Drive does not appear to be needed.
6. Sheet C4 - Either SMH 9 or SMH 8 should be shifted to eliminate the "Conflict" Curb Inlet 10. Our quick check indicates that the sewer main could cross over the 15" culvert if it is routed through the street in that area (near Station 5+00).

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Long Beach Planning Commission**

January 3, 2007

7. Sheet C4 - The note referring to Existing Sewer Manhole 1 states to "tie existing pipe to SMH 2". As far as we can tell, there is no SMH 2 shown on this job. This note should be revised.

Much of the design information for this layout was the same as the previous configuration, such as the Technical Specifications and the pond design, which is designed to properly detain the runoff from a 100-year storm event. We hereby recommend approval of this subdivision, contingent upon the correction of the above items and submittal of three sets each of sealed, signed Plans & Specifications prior to construction. If you have any questions, please call. Thank you.

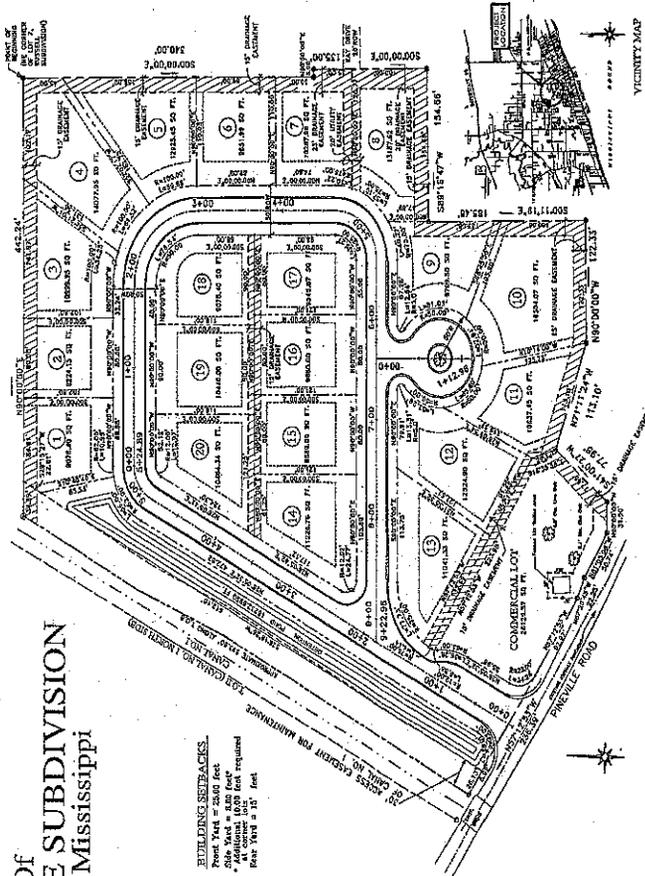
Sincerely,



David Bai, P.E.

DB-539

Minutes of January 11, 2007
Long Beach Planning Commission



Plat Of
LE' PETIT COVE SUBDIVISION
Long Beach, Mississippi

BUILDING SETBACKS.
• Front Yard - 10' - 15' feet
• Side Yard - 5' - 10' feet
• Rear Yard - 10' - 15' feet

**Minutes of January 11, 2007
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There was no one present on the aforesaid request, however, based upon the aforesaid information, Commissioner Yandell made motion seconded by Commissioner Stogner and unanimously carried to approve the Preliminary Plats, subject to the City Engineers recommendations as set forth above.

The commission recognized Planning Consultant Bill Hessel and brief discussion was held regarding a text change in Zoning Regulation 612.1.2. It was the consensus of the commission to direct Mr. Hessel to prepare the text change and begin the process of advertising.

There being no further business to come before the Planning Commission at this time, Commissioner Reed made motion seconded by Commissioner Stogner and unanimously carried to adjourn the meeting until the next regularly scheduled meeting in due course.

APPROVE:

FRANK OLIVER, CHAIRMAN

DATE

ATTEST:

Mimi McMath, Minutes Clerk

