

**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Be it remembered that a regular scheduled meeting of the Long Beach Planning Commission was begun and held at the Long Beach School District Central Office, 19148 Commission Road, Long Beach, Mississippi and 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, Commissioners, Tonda Yandell, Dale Hare, Tony Vancourt, Barney Hill, Planning Commission Advisor Bill Hessell, and Minute Clerk Veronica Howard.

Commissioners Roderick Rishel, Jacquie Lipski, David Serrato and Joseph Sweetapple were absent the meeting.

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

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 August 5, 2008, and subject to a ten-day appeal time for a Public Hearing.

**MINUTES OF JULY 24, 2008
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LONG BEACH PLANNING COMMISSION**

After careful review Commissioner Yandell made motion seconded by Commissioner Vancourt and unanimously carried to approve the Planning Commission minutes of July 10, 2008 regular scheduled meeting.

The first item of business was a Public Hearing for a Zone Change from R-1/C-2, Single Family Residential/General Commercial to R-3 High Density Multi-Family Residential for property located North of Dorothy Lane and West of Klondyke Road; Tax Parcel Number 0611F-01-001.000 & 0611F-01-001.00 submitted by Leon Long & David Allen as follows:

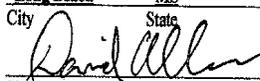
**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

CITY OF LONG BEACH, MISSISSIPPI
PO BOX 929
201 JEFF DAVIS AVENUE
TELEPHONE 228-863-1554
FAX 228-865-0822
permits@cityoflongbeachms.com

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)
- II. Property Location:
North of Dorothy Lane; West of Klondyke Road
House number and street name
- III. Statement clearly explaining the request being case for case review. (Attach supplemental pages if necessary.)
- IV. Legal Description of Land Involved. (Complete either A or B below.)
- A. If in a subdivision:

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 address 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 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>Leon Long & David Allen</u> Name of Owner(s) <u>Long Beach</u> <u>MS</u> <u>39560</u> City State Zip  Signature of Owner(s)	<u>19128 Commission Road</u> Mailing Address <u>228-864-0328</u> _____ Telephone (H) Office <u>7-3-08</u> <u>\$100</u> Date Fee
--	--

- 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 REZONING 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 JULY 24, 2008
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**ZONING CHANGE
STATEMENT**

The Comprehensive Zoning Ordinance, including the zoning map, is based on comprehensive planning studies and is intended to carry out the object of sound, stable and desirable environment. It is recognized that casual amendment of the ordinance would be detrimental to the achievement of that objective, and it is therefore declared to be the public policy to amend this ordinance only when one or more of the following conditions prevail:

Change in Conditions – There is an increased demand for multifamily housing on the Coast. Because of this and the change in the conditions of the immediate vicinity with the recent approval of a PUD, we feel the area has changed significantly enough to warrant the request for a zoning change.

The following items must be submitted when you are requesting a Zoning Change:

1. **Statement:** The site is bounded by and will utilize Dorothy Lane for ingress and egress. This street connects to Klondyke Road, a major thoroughfare in the City that will be used for primary access to and from the property. As per the City's Master Plan, adequate water supply is available to the site. The project will utilize the City's approved waste disposal service. The site is designed so that these services can be appropriately accommodated. The site is in an area that is easily accessed and can be serviced by the City's Fire and Police departments. Other facilities, such as sewer are available, as per the City's Master Plan. Schools, Parks and Recreational facilities are available so as to be utilized by the project without the need for additional services to be created.

The project is adjacent to Klondyke Road that is designated as major thoroughfare. This will allow for the accommodation of a variety of complimentary traffic modes. There will be adequate ingress/egress to and from the site. There will be no need for traffic to pass through any residential neighborhoods.

The majority of the property is zoned R-1 with a strip on Klondyke Road zoned C-2. These districts are designed to serve areas of business uses and residential uses. With the recent approval of a PUD in the area, surrounding uses will also be business and residential. **We are requesting that the R-1 portion of the property be rezoned R-3 to allow for the construction of approximately 130 units of multifamily housing.**

2. **Legal Description:** See Deed.
3. **Site Plan:** See Attached.
4. **Development Schedule:** The project is scheduled to begin immediately after the zoning amendment is granted. A more detailed schedule will follow in the Re-Plat application to be submitted subsequent to this application's approval.

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LONG BEACH PLANNING COMMISSION**

07/07/2008 08:18 2288650043

KNESAL ENGINEERING

PAGE 02/03

STATE OF MISSISSIPPI

COUNTY OF HARRISON



[Signature]
1st Judicial District
Instrument 2007 4213 D J1
Filed/Recorded 4/20/2007 4:22 P
Total Fees 12.00
6 Pages Recorded

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, CASTINE DEVELOPMENT, INC., f/k/a M. SALLOUM LAND COMPANY, INC., a Mississippi corporation, 350 North Causeway Boulevard, Mandeville, LA 70448, 985-626-5330, a copy of the Articles of Amendment being attached hereto and made a part hereof, does hereby sell, convey and warrant unto DAVID L. ALLEN, 457 Kahler Street, Gulfport, MS 39507, 228-896-8220, and LEON LONG, 19128 Commission Road, Long Beach, MS 39560, 228-864-0328, as tenants in common, the following described land and property being located in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

The North One-half of the North one-half of the Northeast Quarter of the Southeast Quarter (N 1/2 of N 1/2 of NE 1/4 of SE 1/4) or the North One-half of the North One-half (N 1/2 of N 1/2) of U. S. Governmental Lot Nine (9), of Fractional Section 2, Township 8 South, Range 12 West, in the First Judicial District of Harrison County, Mississippi.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

AD VALOREM TAXES for the current year have been pro-rated and are hereby assumed by the Grantees herein.

IN WITNESS WHEREOF, CASTINE DEVELOPMENT, INC., f/k/a M. SALLOUM LAND COMPANY, INC., has caused this conveyance to be executed by its duly authorized officer, he having first been duly authorized to do so, on this the 3rd day of April, 2007.

CASTINE DEVELOPMENT, INC., f/k/a
M. SALLOUM LAND COMPANY, INC.

BY:

[Signature]
TERRY J. CARUSO-RIECKE
PRESIDENT/DIRECTOR

**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

07/07/2008 08:18 2288650043

KNESAL ENGINEERING

PAGE 03/03

2,

STATE OF MISSISSIPPI

COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, JARED J. CARUSO-RIECKE, who acknowledged that he is PRESIDENT/DIRECTOR of CASTINE DEVELOPMENT, INC., f/k/a M. SALLOUM LAND COMPANY, INC., a Mississippi corporation, and as its act and deed, he signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned, he having been first duly authorized to do so.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 3rd day of April, 2007.


NOTARY PUBLIC


My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES DEC. 10, 2009
BONDED 7/18/07 SPECIALTY NOTARY SERVICE

Prepared by and Return to:
Gulf Title Company, Inc.
P. O. Box 280
Gulfport, MS 39502
(228) 865-0011
File #070265/IAM

Indexing Instructions:

N 1/2 of N 1/2 o NE 1/4 of SE 1/4
Section 2, Township 8 South, Range 12 West
1st JD, Harrison County, Mississippi

**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

STATE OF MISSISSIPPI
COUNTY OF HARRISON



[Signature]
1st Judicial District
Instrument 2006 7540 D -J1
Filed/Recorded 8 24 2006 3 54 P
Total Fees 12.00
11 Pages Recorded

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, CARMELA FROST, NICHOLAS-FOSTER VIZZINI, LUCIA A. VIZZINI, CONCETTA T. VIZZINI, VINCENTINA P. NIZET, a/k/a VINCENTINA P. NIZET-VIZZINI, MICHELA VIZZINI, MARIA S. SIGNORILE, TERESA C. WELLS, PETER J. VIZZINI, and MATTHEW WELLS, ADMINISTRATOR OF THE ESTATE OF VINCENT PETER VIZZINI, JR., pursuant to the Judgment Approving Sale of Real Property, in Cause No. 06-01652-1, a copy attached hereto and made a part hereof, c/o 685 KLONDYKE ROAD, LONG BEACH, MS 39560, (228) 223-1294, do hereby sell, convey and warrant unto DAVID ALLEN, 457 Kahler Street, Gulfport, MS 39507, (228) 896-8220 and LEON LONG, 19128 Commission Road, Long Beach, MS 39560, (228) 864-0328, as tenants in common, each with an undivided one-half (½) interest, the following described land and property being located in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

A 9.1, more or less, acre parcel of land lying and being situated in the South One half of the North One half of the Northeast Quarter of the Southeast Quarter (S ½ of N ½ of the NE ¼ of the SE ¼) of Section 2, Township 8 South, Range 12 West, First Judicial District of Harrison County, Mississippi, and being more particularly described on a survey dated July 5, 2006 by Benjamin Mark Walley, as follows:

LBSB 54

INDEXING INSTRUCTIONS
9.1 AC (MORE OR LESS) IN S1/2 OF N1/2 OF NE1/4 OF SE1/4, SECTION 2
TOWNSHIP 8 SOUTH, RANGE 12 WEST, 1ST JD, HARRISON COUNTY, MS

**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

2

A parcel of land located in the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) of Section 2, Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows: Commencing at an iron rod found at the Northeast (NE) corner of Dauro Estates Subdivision, said iron rod also located on the West margin of Klondyke Road; thence run along said West margin, North 01 degrees 06 minutes 18 seconds West a distance of 15.03 feet to a PK nail found at the POINT OF BEGINNING; thence leaving said West margin, run North 89 degrees 38 minutes 14 seconds West a distance of 1187.89 feet to an iron rod found; thence run North 00 degrees 38 minutes 11 seconds West a distance of 329.90 feet to an iron rod found; thence run South 89 degrees 40 minutes 19 seconds East a distance of 1190.92 feet to an iron rod set on the West margin of Klondyke Road; thence run along said West margin, South 00 degrees 06 minutes 33 east a distance of 330.59 feet back to the Point of Beginning. Said parcel contains 9.01 acres of land and is subject to a 15 foot ingress and egress easement across the South 15 feet of the above described parcel.

Being the same property described in Paragraph I of the Judgment Admitting for Probate the Last Will and Testament of Lena A. Vizzini as a Muniment of Title Only, in the Chancery Court of the First Judicial District of Harrison County, Mississippi, in Cause No. 97-02579.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

TAXES for the current year have been pro-rated as of this date and are hereby assumed by the Grantees herein.

THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK

FOUR (4) SIGNATURE PAGES FOLLOW

**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

3

WITNESS MY SIGNATURE, ON THIS THE 18TH DAY OF AUGUST, 2006.


NICHOLAS-FOSTER VIZZINI

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Montgomery

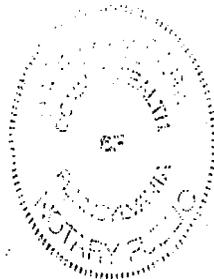
THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, NICHOLAS-FOSTER VIZZINI, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantor on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 18th day of August, 2006.


NOTARY PUBLIC

My Commission Expires:

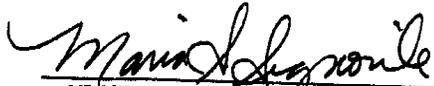
Apr. 10, 2010



**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

4

WITNESS MY SIGNATURE, ON THIS THE 18TH DAY OF AUGUST, 2006.



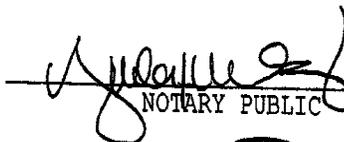
MARIA S. SIGNORILE

STATE OF GEORGIA

COUNTY OF Gwinnett

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, MARIA S. SIGNORILE, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantor on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 18 day of August, 2006.



NOTARY PUBLIC

My Commission Expires:

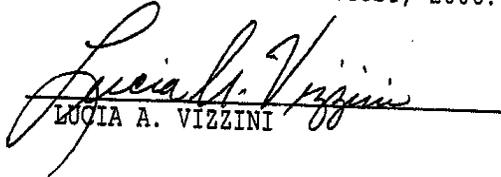
Sept. 15, 2009



5

**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

WITNESS MY SIGNATURE, ON THIS THE 18TH DAY OF AUGUST, 2006.

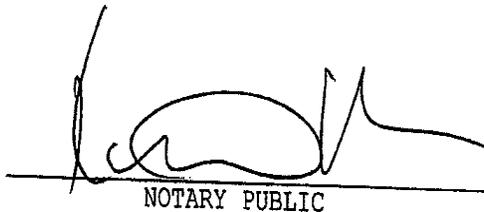

LUCIA A. VIZZINI

STATE OF NEW YORK

COUNTY OF NY

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, LUCIA A. VIZZINI, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantor on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 18 day of August, 2006.


NOTARY PUBLIC

My Commission Expires:

KENNETH PACKER
Notary Public, State of New York
No. 02PAG084808
Qualified in Nassau County
Commission Expires Dec. 9, 2006

**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

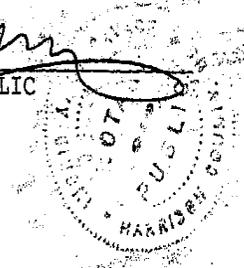
7

STATE OF MISSISSIPPI

COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, CARMELA FROST, CONCETTA VIZZINI, VINCENTINA P. NIZET-VIZZINI, MICHELA VIZZINI, TERESA C. WELLS, PETER J. VIZZINI, and MATTHEW WELLS, ADMINISTRATOR OF THE ESTATE OF VINCENT PETER VIZZINI, JR., who acknowledge that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantors on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 18th day of August, 2006.


NOTARY PUBLIC


My Commission Expires:
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES DEC. 10, 2009
BONDED THROUGH STEGALL NOTARY SERVICE

Prepared by & Return To:
Gulf Title Company, Inc.
P. O. Box 280
Gulfport, MS 39502
(228) 865-0011
File #060731

**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

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

PROOF OF PUBLICATION

**LEGAL NOTICE
PUBLIC HEARING**
In accordance with Article XII of the Comprehensive Zoning Ordinance (#344) of the City of Long Beach, Mississippi (1957) 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 Zoning Map Change.

Leon Long & David Allen, 19128 Commission Road, Long Beach, MS 39560 has filed an application for a zone map change in accordance with the Comprehensive Zoning Ordinance. Applicant is requesting to change the zoning classification from R-1C-2 Single-Family Residential/General Commercial to H-3 Multi-Family Residential for tax parcel numbers 0611F-01-002,000 and 0611F-01-001,000. The property is generally described as being South of 28th Street, West of Klondyke Road, and North of Dorothy Lane and Ryan Circles. The legal description is as follows:
Parcel 1: A parcel of land located in the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) of Section 2, Township 2 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows: Commencing at an iron rod found at the Northeast (NE) corner of Deuro Estates Subdivision, said iron rod also located on the West margin of Klondyke Road; thence run along said West margin North 01 degrees 06 minutes 19 seconds West a distance of 15.03 feet to a PK nail found at the POINT OF BEGINNING; thence leaving said West margin, run North 89 degrees 38 minutes 14 seconds West a distance of 1187.89 feet to an iron rod found; thence run North 00 degrees 36 minutes 11 seconds West a distance of 323.90 feet to an iron rod found; thence run South 89 degrees 40 minutes 19 seconds East a distance of 1190.92 feet to an iron rod set on the West margin of Klondyke Road; thence run along said West margin South 00 degrees 06 minutes 33 seconds East a distance of 330.89 feet back to the Point of Beginning. Said parcel contains 9.01 acres of land and is subject to a 15 foot ingress and egress easement across the South 15 feet of the above described parcel.

Parcel 2: The North One-half of the North One-half of the Northeast Quarter of the Southeast Quarter (N 1/2 of N 1/2 of NE 1/4 of SE 1/4) of Section 2, Township 2 South, Range 12 West, in the First Judicial District of Harrison County, Mississippi.

The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi 39560, Thursday, July 24, 2008, at 6:30 p.m. in the Long Beach School District Administration Office, located at 19149 Commission Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

As signed
Chairman
Planning Commission
X59,adv10,1THU
1264713

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Julie Garner 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. 124 No., 281 dated 10 day of July, 2008
- 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.

JUL 11 2008
Julie Garner
Clerk 10

Sworn to and subscribed before me this 10 day of July, A.D., 2008

KANDI A. BERKLEY
Notary Public, State of Mississippi
Harrison County
My Commission Expires
April 05, 2010

Kandi Berkley
Notary Public

Printer's Fee \$ _____
Furnishing proof of publication \$ _____
TOTAL..... \$ _____

**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

The Clerk reported that Twenty-Three (13) 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

BOARD OF ALDERMEN

Richard Bennett
Charlie Boggs
Richard Burton
Allen D. Holder, Jr.
Mark Lishen
Joe McNary
Richard Notter



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruoff

CITY ATTORNEY
Frank R. McCreary, III

LEGAL NOTICE

PUBLIC HEARING

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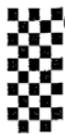
A parcel of land located in the Northeast Quarter of the Southeast Quarter (NE ¼ of SE ¼) of Section 2, Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows: Commencing at an iron rod found at the Northeast (NE) corner of Dauro Estates Subdivision, said iron rod also located on the West margin of Klondyke Road; thence run along said West margin, North 01 degrees 06 minutes 18 seconds West a distance of 15.03 feet to a PK nail found at the POINT OF BEGINNING; thence leaving said West margin, run North 89 degrees 38 minutes 14 seconds West a distance of 1187.89 feet to an iron rod found; thence run North 00 degrees 38 minutes 11 seconds West a distance of 329.90 feet to an iron rod found; thence run South 89 degrees 40 minutes 19 seconds East a distance of 1190.92 feet to an iron rod set on the West margin of Klondyke Road; thence run along said West margin, South 00 degrees 06 minutes 33 east a distance of 330.59 feet back to the Point of Beginning. Said parcel contains 9.01 acres of land and is subject to a 15 foot ingress and egress easement across the South 15 feet of the above described parcel.

Parcel 2: The North One-half of the North one-half of the Northeast Quarter of the Southeast Quarter (N ½ of N ½ of NE ¼ of SE ¼) or the North One-half of the North One-half (N ½ of N ½) of U.S. Governmental Lot Nine (9), of Fractional Section 2, Township 8 South, Range 12 West, in the First Judicial District of Harrison County, Mississippi.

The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi 39560, Thursday, July 24, 2008, at 6:30 p.m., in the Long Beach School District Administration Office located at 19148 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

**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



07/23/2008 11:20 2288650043

KNESAL ENGINEERING

PAGE 01/01



July 23, 2008

City of Long Beach
Planning Department
201 Jeff Davis Avenue
Long Beach, MS 39560

Re: Letter No. 02-2532X
Klondyke Road and Dorothy Lane
KES Project No. 2532

To Whom It May Concern:

On behalf of Mr. Leon Long, we are requesting that you hold the application package requesting Zoning Change approval for the above project until your next meeting on August 14, 2008.

Should you have any questions, please do not hesitate to call.

Very truly yours,

KNESAL ENGINEERING SERVICES, INC.

Bobby Knesal, P.E.
President

CONSULTING ENGINEERS
14321 CREOSOTE ROAD • GULFPORT, MISSISSIPPI 39503 • 228-867-9100 • FAX 228-865-0043
P.O. BOX 3288 • GULFPORT, MISSISSIPPI 39505

At the applicants request this hearing was rescheduled to the next regular scheduled meeting.

**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

After careful review of the agenda Commissioner Vancourt made motion seconded by Commissioner Hill and unanimously carried to move agenda items 4 and 5 to agenda items 1 and 2 and remove from the agenda item 3 (Planning Commission Approval to build a preschool in an R-4 zone district).

The next agenda item was a Certificate of Re-subdivision submitted by Tim Allen as follows:

**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



CITY OF LONG BEACH, MISSISSIPPI
PO BOX 929
201 JEFF DAVIS AVENUE
TELEPHONE 228-863-1554
FAX 228-865-0822
permits@cityoflongbeachms.com



APPLICATION FOR CASE REVIEW

I. TYPE OF CASE REQUEST

- A. Zoning Change
- B. Planning Commission Approval - *Certificate of Resubdivision*
- 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:

House number and street name

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

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

A. If in a subdivision:

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>Tim Allen</u>	<u>PO Box 4001</u>
Name of Owner(s)	Mailing Address
<u>WAAA BILOXI, MS 39535</u>	<u>228-263-6523</u>
City State Zip	Telephone (H) Office
<u>Tim Allen</u>	<u>7/22/08</u>
Signature of Owner(s)	Date
	<u>\$250.00</u>
	Fee

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 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

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SURVEYED FOR: Tim Allen

OVERALL DEED DESCRIPTION: (2004-0300-D-1) A Parcel of Lot One (1), L'CASEA SUBDIVISION, City of Long Beach, Harrison County, Mississippi, and being more particularly described as follows: commencing at the northeast corner of said Lot 1, thence along North line of said Lot 1, also being the South margin of Daugherty Road, South 89 degrees 55 minutes 05 seconds West 84.40 feet to the Point of Beginning, thence further along said North line, South 89 degrees 55 minutes 05 seconds West 199.10 feet to the Northwest corner of said Lot 1, South 00 degrees 00 minutes 01 seconds West 120.00 feet to the Southwest corner of said Lot 1, thence along the South line of said Lot 1, North 89 degrees 55 minutes 05 seconds East 199.10 feet to a point; thence North 119.18 feet to the Point of Beginning.

CERTIFICATE: THIS IS TO CERTIFY THAT I HAVE CAUSED A SURVEY TO BE MADE ON THE ABOVE DESCRIBED PROPERTY, AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

KENNY LEMAZ ALSTON
PROFESSIONAL LAND SURVEYOR INC.
4602 KENDALL AVE.
GULFPORT, MS 39507
(228) 864-2845 VOICE AND FAX
K.A.L. 2329
STATE OF MISSISSIPPI

DATE OF FIELD SURVEY: 03/31/2008

This property is subject to all local subdivision planning and zoning ordinances and shall be affected by the above described property.

This survey does not reflect the existence or nonexistence of wetlands.

This property is subject to any and all recorded restrictive covenants, rights-of-way and assessments applicable to subject property that would be shown by a current title report.

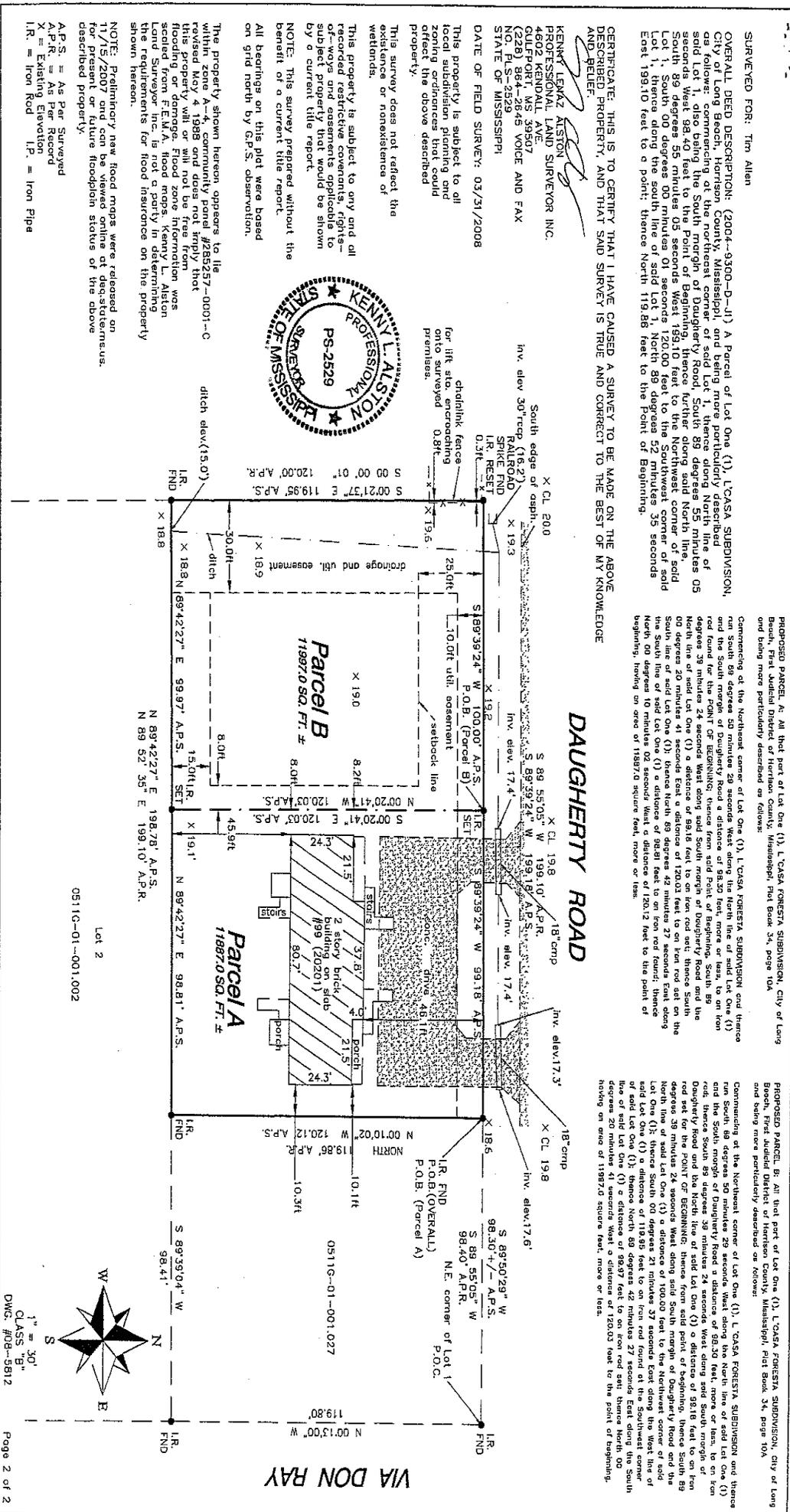
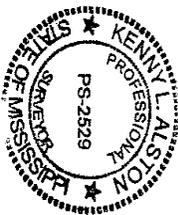
NOTE: This survey prepared without the benefit of a current title report.

All bearings on this plat were based on grid north by GPS observation.

The property shown hereon appears to lie within zone A-4 community panel #285257-0001-C revised May 4 1988 and does not imply that this property will or will not be free from flooding or damage. Flood zone information was secured from FEMA's flood maps. Kenny L. Alston and Surveyor Inc. are a party in determining the requirements for flood insurance on the property shown hereon.

NOTE: Preliminary new flood maps were released on 11/15/2007 and can be viewed online at dec.state.ms.us for present or future floodplain status of the above described property.

A.P.S. = As Per Surveyed
A.P.R. = As Per Record
X = Existing Elevation
I.P. = Iron Pipe



PROPOSED PARCEL A: All that part of Lot One (1), L'CASEA FORESTA SUBDIVISION, City of Long Beach, First Judicial District of Harrison County, Mississippi, Plat Book 34, page 10A and being more particularly described as follows:

Commencing at the Northwest corner of Lot One (1), L'CASEA FORESTA SUBDIVISION and thence run South 89 degrees 50 minutes 28 seconds West along the North line of said Lot One (1) a distance of 98.30 feet, more or less, to an iron rod found for the POINT OF BEGINNING, thence from said Point of Beginning, South 89 degrees 39 minutes 24 seconds West along said South margin of Daugherty Road and the North line of said Lot One (1) a distance of 98.18 feet to an iron rod set; thence South 00 degrees 20 minutes 41 seconds East a distance of 120.03 feet to an iron rod set on the North line of said Lot One (1) a distance of 98.18 feet to an iron rod set; thence East along the South line of said Lot One (1) a distance of 98.18 feet to the point of beginning, having on area of 11887.0 square feet, more or less.

PROPOSED PARCEL B: All that part of Lot One (1), L'CASEA FORESTA SUBDIVISION, City of Long Beach, First Judicial District of Harrison County, Mississippi, Plat Book 34, page 10A and being more particularly described as follows:

Commencing at the Northwest corner of Lot One (1), L'CASEA FORESTA SUBDIVISION and thence run South 89 degrees 50 minutes 28 seconds West along the North line of said Lot One (1) a distance of 98.30 feet, more or less, to an iron rod found for the POINT OF BEGINNING, thence from said Point of Beginning, South 89 degrees 39 minutes 24 seconds West along said South margin of Daugherty Road and the North line of said Lot One (1) a distance of 98.18 feet to an iron rod set; thence South 00 degrees 20 minutes 41 seconds East a distance of 120.03 feet to an iron rod set on the North line of said Lot One (1) a distance of 98.18 feet to an iron rod set; thence East along the South line of said Lot One (1) a distance of 98.18 feet to the point of beginning, having on area of 11887.0 square feet, more or less.

**MINUTES OF JULY 24, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



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

520 33RD STREET, GULFPORT, MS 39507
P.O. BOX 1677, GULFPORT, MS 39502

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



July 23, 2008

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

RE: Certificate of Resubdivision – Tax Parcel No. 0511G-01-001.001

Ladies and Gentlemen:

We are in receipt of the referenced Certificate of Resubdivision and have reviewed it for compliance with City requirements. The subdivision will create two parcels, both having street frontage on Daugherty Road. Both parcels will be about 100 feet wide, and about 120 feet deep; and both seem to meet all relevant requirements of City ordinances.

We therefore see no reason to withhold approval for this Certificate of Resubdivision.

Sincerely,

David Ball, P.E.

DB:539

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After considerable review Commissioner Vancourt made motion seconded by Commissioner Hare and unanimously carried to approve the Certificate as submitted.

Upon more discussion regarding approval of the Subdivision would create a nonconforming lot, Commissioner Hill made motion seconded by Commissioner Vancourt and unanimously carried to rescind the previous motion.

After further discussion Commissioner Yandell made motion seconded by Commissioner Hare and unanimously carried to approve the Certificate of Re-subdivision contingent that Parcel A has a minimum of sixteen thousand square feet (16,000 sq ft) and parcel B has a minimum sixty square feet (60 sq ft) of road frontage.

The next agenda item was Planning Commission approval to build a 4-plex (low rise apartments) in an R-2 zone district as follows:

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FAX 228-865-0822
permits@cityoflongbeachms.com



APPLICATION FOR CASE REVIEW

- I. TYPE OF CASE REQUEST
- A. Zoning Change
 - B. Planning Commission Approval - TO BUILD 4-plex (LOW RISE APT) IN R-2 ZONE DISTRICT
 - 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:

House number and street name

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

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

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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.

<p><u>Tim Allen</u> Name of Owner(s)</p> <p><u>BILOXI MS 39535</u> City State Zip</p> <p><u>Tim Allen</u> Signature of Owner(s)</p>	<p><u>PO Box 4001</u> Mailing Address</p> <p><u>228-263-6523</u> Telephone (H) Office</p> <p><u>7/22/08</u> \$ <u>50</u> Date Fee</p>
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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.
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The next agenda item was Planning Commission review of an amendment to Zoning Ordinance #344 pertaining to calculations of front and/or side yard widths & depths on property bounded by U.S. Highway 90 to be made by measuring from the Northern boundary of the U.S. Highway 90 easement, and for related purposes.

After much discussion Commissioner Hill made motion seconded by Commissioner Yandell and unanimously carried to withhold action pending recommendation from the City Attorney and after preliminary research indicated that it is prudent the City Council get a statement from MDOT (Mississippi Department of Transportation) stating that the properties/easements incumbent by sidewalks are not taken by adverse possession.

The next item of business was review Section 912 Home Occupations.

The Commission directed Planning Commission Advisor to produce an amendment to Section 912 Home Occupations to be presented to the Commission at the next regular scheduled.

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

APPROVED:

Commission Chairman, Frank Olaivar

Date: _____

ATTEST:

Veronica Howard, Minute Clerk