

**MINUTES OF AUGUST 14, 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, Roderick Rishel, Barney Hill, Jacquie Lipski, Joseph Sweetapple, Planning Commission Advisor Bill Hessel, and Minute Clerk Veronica Howard.

Commissioner David Serrato was 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 19, 2008, and subject to a ten-day appeal time for a Public Hearing.

**MINUTES OF AUGUST 14, 2008
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After careful review Commissioner Vancourt made motion seconded by Commissioner Hill and unanimously carried to approve the Planning Commission minutes of July 24, 2008.

Commissioner Yandell made motion seconded by Commissioner Sweetapple and unanimously carried to suspend the rules and add to the agenda under Old Business Planning Commission Public Hearing Date – Amendment to Ordinance #344 – Calculations of front and/or side yard widths & depts. on property bounded by U.S. Highway 90.

The first item of business was a Public Hearing for a Zone Change from R-4, Residential Farm to C-2 General Commercial for property located on 28th Street, Tax Parcel Number 0511A-01-003.001 submitted by George Healy, IV as follows:

**MINUTES OF AUGUST 14, 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

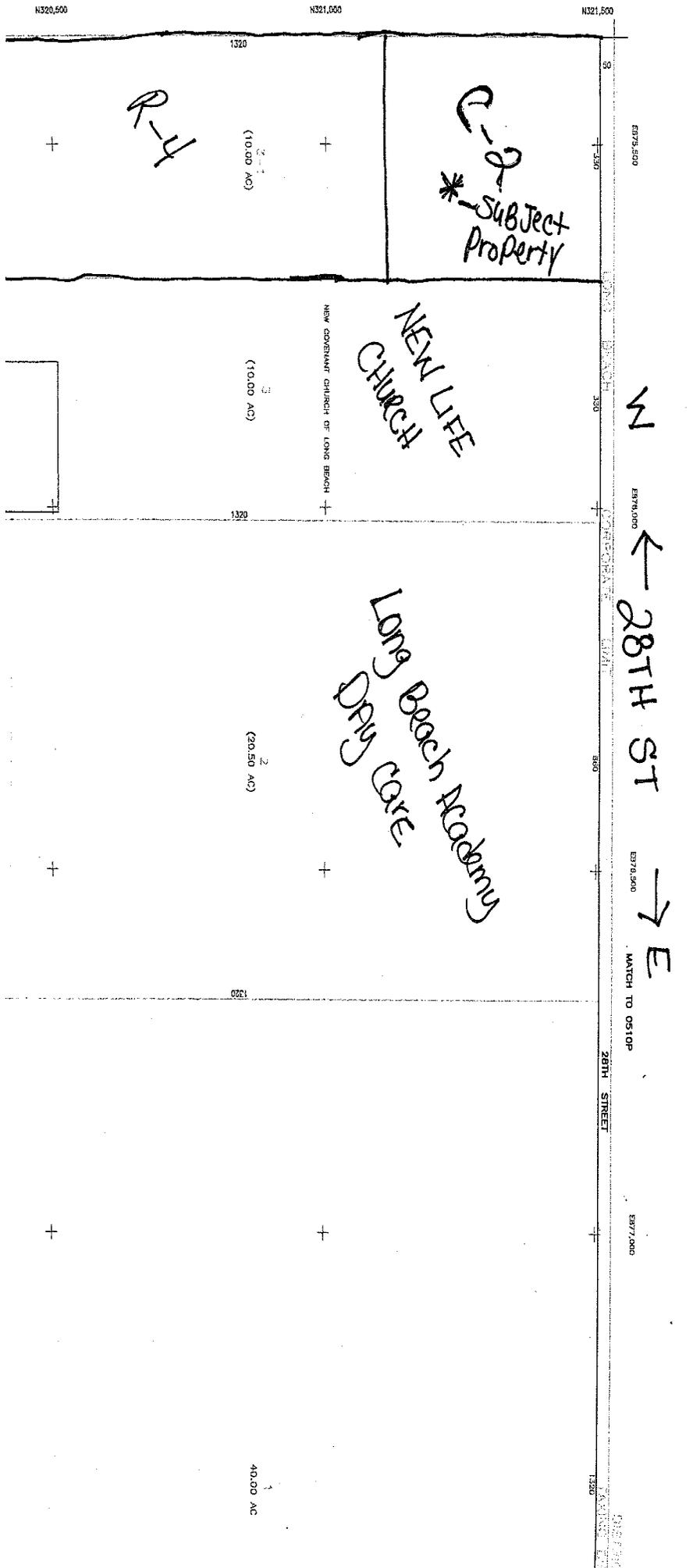
- I. TYPE OF CASE REQUEST
- A. Zoning Change
 - B. Planning Commission Approval
 - C. Special Exception Use
 - D. Variance Request
 - E. Change in Use
 - F. A Decision of the Building Official is Alleged to be in Error
 - G. Interpretation of the Zoning Ordinance
 - H. Home Occupation (attach copy of Deed or lease)
- II. Property Location: 28th Street 0511A -01-003.001
House number and street name
- III. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.) zone change: R4 to C-2
- 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.
- George W. Healy, IV 1323 28th Ave, Suite A
Name of Owner(s) Mailing Address
Gulfport, MS 39501 604-2734 575-4005
City State Zip Telephone (H) Office
[Signature] 7/14/08 \$ 100
Signature of Owner(s) 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 on 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 AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION



*-Subject Property

MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION

Harrison County Public Records Online (PRO) - Land Record: 2008-0005499-D-J1

Page 1 of 1

Land Record Detail 2008-0005499-D-J1

Recording Description

Document No.	2008-0005499-D-J1	File Date	6/24/2008
Document Type	WARRANTY DEED	Filed By	RILEY LAW FIRM
Year	2008	Book	0
Instrument No.	5499	Pages	0
		Book Type	D
		Judicial District	J1 - Gulfport

Grantors/Grantees

Grantor	MAULDIN JAMES W TRUSTEE
Grantor	MAULDIN JAMES W JOINT REVOCABLE INTER VIVOS TRUST
Grantor	MAULDIN KATHERINE M JOINT REVOCABLE INTER VIVOS TRUST
Grantee	HEALY GEORGE

Legal Description 1

Subdivision	LONG BEACH - METES & BOUNDS -- (SEC BLKS 1-59)				Subdivision Code	794
					Block	58
					Lots	
Section	03	Township	08S	Range	12W	
Sectional Description	North		South	East		West
	28TH ST		***	NEW COVENANT CH		***
Notes	10 ACS M/L - SEE ALSO SEC 3-8-12					

Legal Description 2

Subdivision	ACREAGE (TOWN/RNG/SEC)				Subdivision Code	1573
Section	03	Township	08S	Range	12W	
Sectional Description	NE 1/4		NW 1/4		SW 1/4	
	NE	NW	SW	SE	NE	NW
	.1	.2	.3	.4	.1	.2
					.3	.4
					.1	.2
					.3	.4
					.1	.2
					.3	.4
					.1	.2
					.3	.4
					.1	.2
					.3	.4
					.1	.2
					.3	.4
Notes	10 ACS S/L 28TH ST - SEE ALSO LBSB #58					

**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

FROM : HEALY LAW FIRM

FAX NO. : 2285754006

Jul. 14 2008 11:17AM P2

Reference:
 PREPARED BY AND RETURN TO KILEY LAW FIRM
 P O BOX 550 DULLEPORT MS 39102 228-866-4311

INDEX: 3-8-12
 W 1/2 of W 1/2 of NW 1/4 of NE 1/4
 LBSB 58 N. BY 28th ST
 E BY NEW COVENANT church


 1st Judicial District
 Instrument 2008 5499 D -11
 Filed/Recorded 6 24 2008 1 46 P
 Total Fees 12.00
 2 Pages Recorded

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 James W. Mauldin, as Trustee of the James W. Mauldin and Katherine M. Mauldin Joint Revocable Inter Vivos Trust does hereby sell, convey and warrant unto George Healy, the following described land and property located and being situated in the First Judicial District of Harrison County, State of Mississippi and being more particularly described as follows, to-wit:

A parcel of land being located in the W 1/2 of the NW 1/4 of the NE 1/4 of Section 3, Township 8 South, Range 12 West, Harrison County Mississippi, and being more particularly described as follows:

Commencing at the Northwest corner of said NW 1/4 of the NE 1/4 and run South 27 feet to the South margin of 28th Street and the POINT OF BEGINNING, thence East along said South margin 120.00 feet; thence South 1320 feet; thence West 330.00 feet; thence North 1320.00 feet to the POINT OF BEGINNING; containing 10 acres more or less and being the West 10 acres of that property purchased by William D. Moorman and William L. Komhaus from B. F. Breazeale and Henry Hart Breazeale by warranty deed executed November 7, 1978 and recorded in the office of the Chancery Clerk for the First Judicial District of Harrison County Mississippi in Deed Book 244 at page 368.

lbsb 58

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights of way, easements and the prior reservation 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 proration as of this date is incorrect, then the Grantor agrees to pay to the Grantee, or its assigns, any deficit on an actual proration, and likewise, the Grantee agrees to pay to the Grantor, or its assigns, any amount overpaid by it.

CERTIFIED TRUE COPY
JOHN McADAMS
 CLERK CHANCERY COURT
 HARRISON COUNTY, MISS.
 First Judicial District
John Adams D.C.

**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

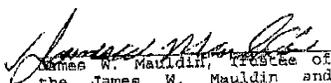
FROM : HEALY LAW FIRM

FAX NO. : 2285754006

Jul. 14 2008 11:17AM P3

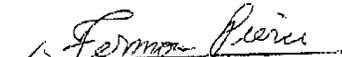
2

WITNESS THE SIGNATURE of the above Grantor(s), this the 19th day of June, 2008.

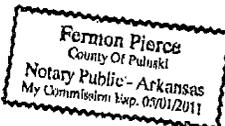

James W. Mauldin, Trustee of
the James W. Mauldin and
Katherine M. Mauldin, Revocable
Inter Vivos Trust Joint

STATE OF ~~MISSISSIPPI~~ ^{ARK}
COUNTY OF ~~Harrison~~ ^{PULASKI}

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 19th day of June, 2008, within my jurisdiction, the within named James W. Mauldin, as Trustee of the James W. Mauldin and Katherine M. Mauldin, ^{Joint} Revocable Inter Vivos Trust, who acknowledged that they/he/she executed and delivered the above and foregoing instrument.


NOTARY PUBLIC

MY COMMISSION EXPIRES:
MAY-21-2011



GRANTOR:
9107 Warden Rd.
Little Rock AR 72120
501-635-5494
GRANTEE:
1323 28th Ave 3kA
Gulfport MS 39501
228 575 4005

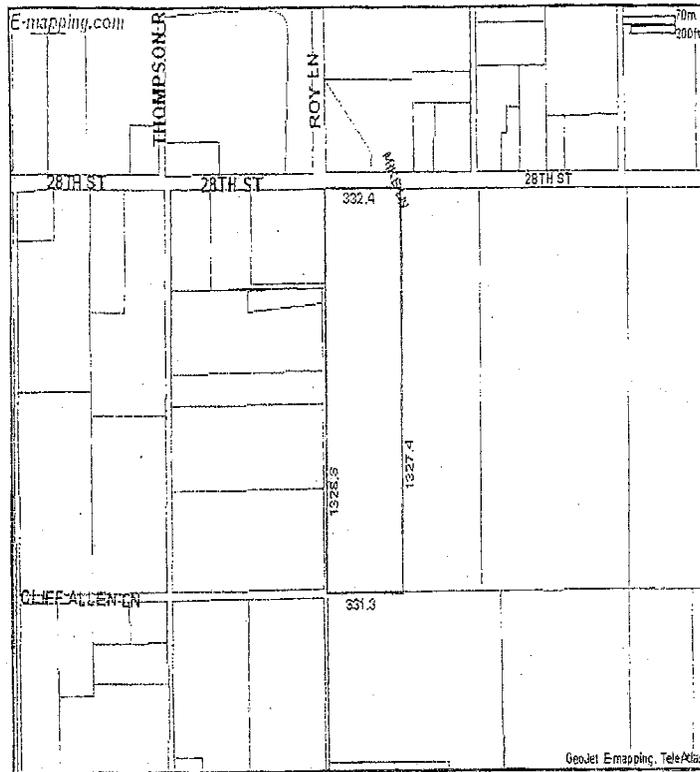
**MINUTES OF AUGUST 14, 2008
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LONG BEACH PLANNING COMMISSION**

GeoEye parcel maps

Page 1 of 1

Parcel Map

Property Address: 28TH ST



Information Deemed Reliable, Not Verified or Guaranteed by MGCMLS.
(5/9/2008)

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Protected by U. S. patents and copyright laws.

**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
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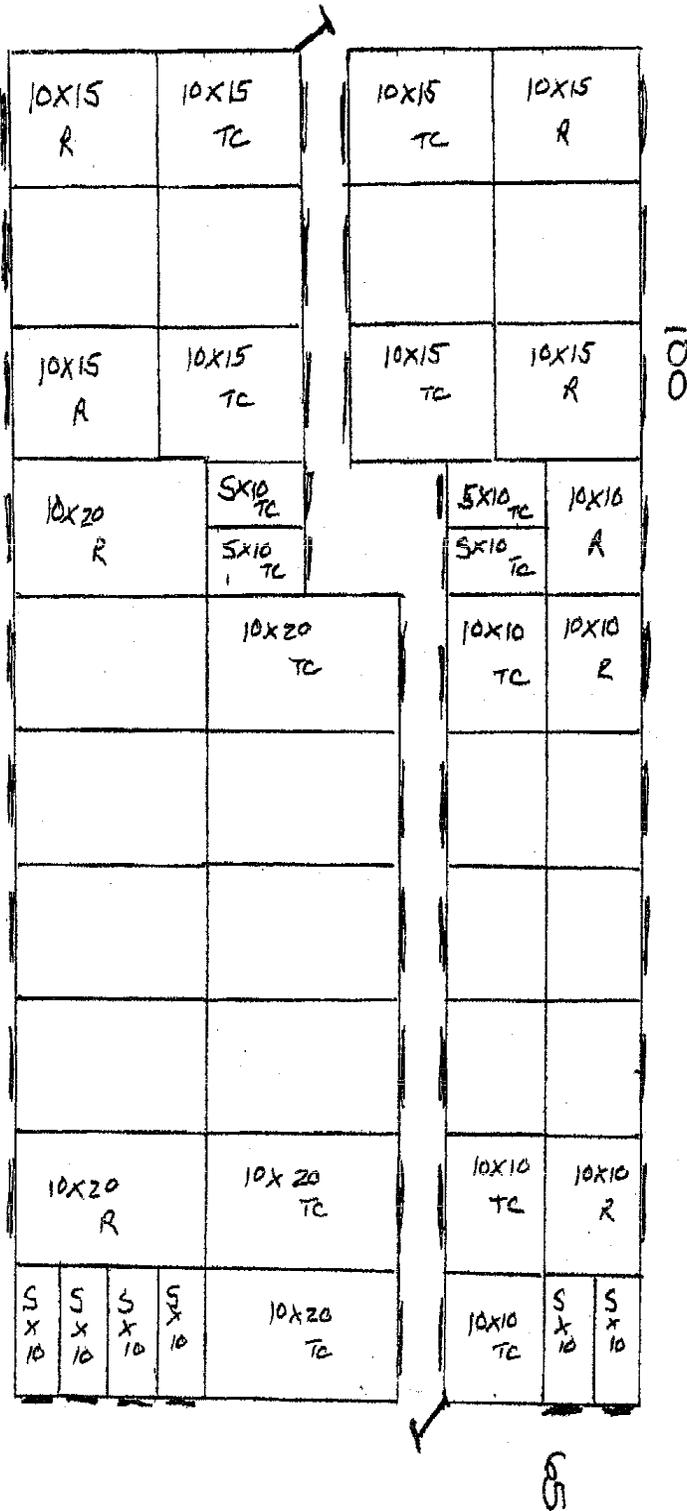
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10x15	10x15
10x20	10x16
10x20	10x10
5x10	5x10

001

53

*George Healey
GULFPORT, MS.*

**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



George Healey
Gulfport, MS

South
of
I-10

**MINUTES OF AUGUST 14, 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 (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 Zoning Map Change.

George W. Healy, IV, 1323 26th Street, Suite A, Gulfport, MS 39501 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-4, Residential Farm to C-2, General Commercial for the south 820 feet of tax parcel number 0511A-01-003.001. The property is generally described as being South of 26th Street, East of Fred Allen Road, and North of Cliff Allen Road. The legal description for tax parcel number 0511A-01-003.001 is as follows:

A parcel of land being located in the W1/2 of the NW 1/4 of Section 3, Township 6 South, Range 12 West, Harrison County Mississippi, and being more particularly described as follows:

Commencing at the Northwest corner of said NW 1/4 of the NE 1/4 and run South 27 feet to the South 27 feet to the South margin of 26th Street and the POINT OF BEGINNING, thence East along said South margin 330.00 feet; thence South 1320 feet; thence West 330.00 feet; thence North 1320.00 feet to the POINT OF BEGINNING; containing 10 acres more or less and being the West 10 acres of that property purchased by William D. Moorman and William L. Kornhauser from S.F. Breazale and Healy Hart Breazale by warranty deed executed November 17, 1975 and recorded in the office of the Chancery Clerk for the First Judicial District of Harrison County Mississippi in Deed Book 844 at page 368.

The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi 39550.

Thursday, August 14, 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
A87,adv30,1WED, 1299068

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., 301 dated 30 day of July, 20 08
 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.

AUG 01 2008
Clerk 31
Sworn to and subscribed before me this 31 day of July, A.D., 20 08

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 AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

The Clerk reported that Nine (9) 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. Schruff

CITY ATTORNEY
Frank R. McCreary, III

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 Zoning Map Change.

George W. Healy, IV, 1323 28th Street, Suite A, Gulfport, MS 39501 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-4, Residential Farm to C-2, General Commercial for the south 820 feet of tax parcel number 0511A-01-003.001. The property is generally described as being South of 28th Street, East of Fred Allen Road, and North of Cliff Allen Road. The legal description for tax parcel number 0511A-01-003.001 is as follows:

A parcel of land being located in the W1/2 of the NW ¼ of Section 3, Township 8 South, Range 12 West, Harrison County Mississippi, and being more particularly described as follows:

Commencing at the Northwest corner of said NW ¼ of the NE ¼ and run South 27 feet to the South 27 feet to the South margin of 28th Street and the POINT OF BEGINNING, thence East along said South margin 330.00 feet; thence south 1320 feet; thence West 330.00 feet; thence North 1320.00 feet to the POINT OF BEGINNING; containing 10 acres more or less and being the West 10 acres of that property purchased by William D. Moorman and William L. Kornhause from B.F. Breazeale and Hauty Hart Breazeale by warranty deed executed November 17, 1978 and recorded in the office of the Chancery Clerk for the First Judicial District of Harrison county Mississippi in Deed Book 844 at page 368.

The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi 39560, Thursday, August 14, 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 AUGUST 14, 2008
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George Healy came forward to state the request he stated he is requesting a change in zoning to allow him to build a boat storage and mini warehouses.

Commission chairman called for anyone who wished to speak in FAVOR of the request and no one came forward to be heard.

Commission Chairman called for anyone who wished to speak in OPPOSITION of the request and the following came forward: Edward Wilson, 111 8th Street, Long Beach, MS, concerns regarding low income development; Jennifer Henderson, 20175 28th Street, Long Beach, MS, concerns regarding what this type of development would attract to the neighborhood and property devaluation; Glenn Mitchell, 444 Klondyke Road, Long Beach, MS, concerns were regarding spot zoning versus comprehensive zoning.

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

After much discussion commissioner Rishel made motion seconded by Commissioner Sweetapple and unanimously carried to approve the Zone Change request from R-4 Residential Farm to C-2 General Commercial for the south 820 feet of parcel number 0511A-01-003.001 as submitted.

**MINUTES OF AUGUST 14, 2008
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LONG BEACH PLANNING COMMISSION**

The next item of business was a Public Hearing for a Zone Change from R-1, Single Family Residential C-2 General Commercial for property located on Klondyke Road, Tax Parcel Number 0611F-01-001.001 & 0611F-01-002.000 submitted by Leon Long and David Allen as follows:

CITY OF LONGBEACH, 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 addressed 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 <u>David Allen</u> Signature of Owner(s)	<u>19128 Commission Road</u> Mailing Address <u>228-864-0328</u> Telephone (H) Office <u>7-3-08</u> \$100 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 AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION

**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 Dorothy Lane and Klondyke Road. Klondyke Road, a major thoroughfare in the City, 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 only of the property be rezoned R-3 to allow for the construction of approximately 114 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.

**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
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]
DAVID J. CARUSO-RIECKE
PRESIDENT/DIRECTOR

**MINUTES OF AUGUST 14, 2008
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LONG BEACH PLANNING COMMISSION**

07/07/2008 08:18 2288650043

KNESAL ENGINEERING

PAGE 03/03

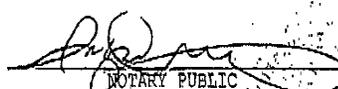
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STATE OF MISSISSIPPI

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 THROUGH STATE 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 AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

STATE OF MISSISSIPPI
COUNTY OF HARRISON



J. Hand
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 1/4 of the SE 1/4) 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 AUGUST 14, 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 AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

3

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

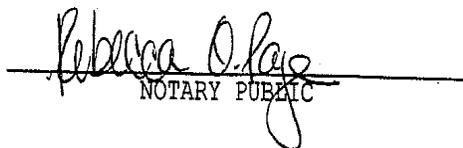

NICHOLAS-FOSTER VIZZINI

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Montgomery

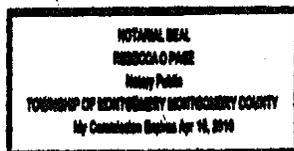
THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, NICHOLAS-FOSTER VIZZINI, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantor on the day and in the year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

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


NOTARY PUBLIC

My Commission Expires:

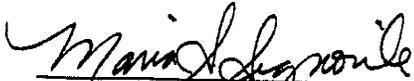
Apr. 10, 2010



**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

4

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



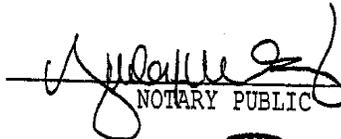
MARIA S. SIGNORILE

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:

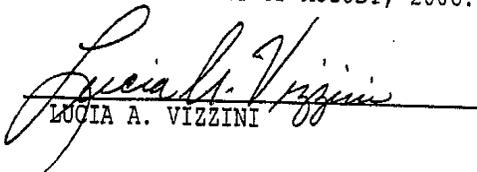
Sept. 15, 2009



**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

5

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

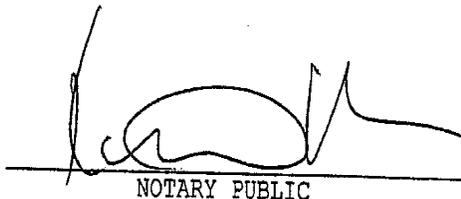

LUCIA A. VIZZINI

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. 01PA8084809
Qualified in Nassau County
Commission Expires Dec. 8, 2006

**MINUTES OF AUGUST 14, 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 AUGUST 14, 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 (4344) of the City of Long Beach, Mississippi (1997) 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, 18128- 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 R-3, Multi-Family Residential for tax parcel numbers 0811F-01-002.000 and 0811F-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 Circle. 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 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 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 16 seconds West a distance of 15.03 feet to an iron rod 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 529.39 feet to an iron rod found; thence run South 89 degrees 40 minutes 19 seconds East a distance of 1190.82 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 530.59 feet back to the Point of Beginning. Said parcel contains 8.01 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 (N 1/2 of N 1/2 of NE 1/4 of SE 1/4) of 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.
The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi, 39560, Thursday, August 14, 2008, at 8:30 p.m., in the Long Beach School District Administration Office located at 13148 Commission Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition. This public hearing was originally scheduled for July 24, 2008.
/s/ signed
Chairman
Planning Commission
ARB, as/20, 1WED
1288070

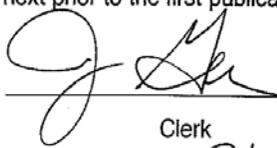
STATE OF MISSISSIPPI
COUNTY OF HARRISON

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:

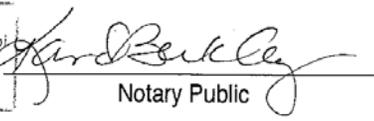
- Vol. 124 No., 301 dated 30 day of July, 2008
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ 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.

AUG 01 2008


Clerk

Sworn to and subscribed before me this 31 day of July, A.D., 2008

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

Notary Public

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

**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

The Clerk reported that Thirteen (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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/s/ signed
Chairman
Planning Commission

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

**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Bobby Kneasal came forward on behalf of the applicant to state the request he stated his clients were requesting a change in zoning to allow for a Multi-Family development of town homes to fulfill a need that is on the Gulf Coast, he also stated that this development would not be low-income or subsidized housing.

Commission chairman called for anyone who wished to speak in FAVOR of the request and no one came forward to be heard.

Commission Chairman called for anyone who wished to speak in OPPOSITION of the request and the following came forward:

Melissa Fisher, 609 Klondyke Road, submitted the following petition and letter of concerns for the record:

**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

1. WE HAVE THE OPPORTUNITY TO BUILD A BETTER LONG BEACH. THIS

IS NOT THE WAY TO DO IT

We are concerned about noise generated by a ↓
THE NOISE FROM MULTI-FAMILY DEVELOPMENTS IS VERY
UNDESIRABLE - we built where we are because

3. TRAFFIC COUNT OF 11,000 CARS ON KLONDYKE ROAD AS OF

4. KLONDYKE RD IS A MAJOR EVACUATION ROUTE

5. LIVING DIRECTLY ACROSS THE STREET FROM THIS MULTIFAMILY

DEVELOPMENT WILL THREATEN THE SECURITY OF MY FAMILY. I WILL
BE FORCED TO PUT IN PLACE EXPENSIVE SECURITY BARRIERS AND
ALARMS.

6. REZONING MORE LAND FOR THIS USE COULD STIFLE THE EXISTING
MULTI-FAMILY HOUSING MARKET. THERE IS PLENTY OF LAND ZONED
FOR THIS TYPE OF DEVELOPMENT ALREADY.

7. ~~INLAND IS THE MOST DESIRABLE PLACE FOR HOME BUILDING. NOT
APARTMENTS~~

8. A MAJOR CONSIDERATION FOR BUILDING OUR PERMANENT HOME AT
THIS LOCATION WAS THE FACT THAT ALL AJACENT LAND WAS ZONED
R-1. I AM CONFIDANT THAT SURROUNDING HOMEOWNERS DID THE
SAME.

9. REZONING WILL HAVE A NEGATIVE EFFECT ON THE VALUE OF THE
PROPERTIES NEAR THE REZONED AREA.

10. THE REZONED LOTS WILL BE WORTH MORE, AND NEARBY SINGLE
FAMILY HOMES WILL BE WORTH LESS

Aug 19/2008

Randy

*Mr. Edwards
Castino Poirle*

**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

11. THE CLOSER THE RESIDENCE IS TO AN R3 ZONE THE LESS DESIRABLE IT IS, ERGO LESS VALUABLE

12. IT IS NOT RIGHT TO LOWER THE VALUES OF SO MANY SINGLE FAMILY HOMES. *for one mano project*

13. THERE IS NO WAY THOSE WHO LIVE CLOSE BY COULD SELL OUR HOMES AND BREAK EVEN. MOST HOME OWNERS WILL OWE THE BANK MORE THAN THE PROPERTY IS WORTH. THIS IS AN UNFAIR BURDEN ON NEARBY HOMEOWNERS.

14. THIS IS SPOT ZONING; IT IS UNCHARACTERISTIC AND ALLOWS ONE MAN TO GAIN; WHILE THOSE WHO HAVE INVESTED IN SINGLE FAMILY HOME IN LONG BEACH LOSE.

15. EXHIBIT "A" WILL SHOWS THAT THERE SIMPLY IS NOT NEED FOR MORE MULTYHOUSING IN LONG BEACH. A POLE TAKEN OF THE APARTMENT COMPLEXES IN LONG BEACH, (THAT WOULD RELEASE THEIR INFORMATION). AS YOU CAN SEE THERE ARE VACANCYS. WE HAVE COMPLEXES THAT NEED BUSINESS

16. DOROTHY LANE IS A PRIVATE DRIVE AND BY LAW WILL REMAIN A PRIVATE DRIVE. I HAVE PRESCRIPTIVE USE OF THAT DRIVE.

17. I PERSONALLY PAID TO PAVE IT.

18. IT CAN NOT BE DISTURBED IN ANY WAY. THAT RIGHT OF WAY HAS BEEN USED FOR OVER 40 YEARS, ALL THE WAY BACK TO WHEN MY GRANDFATHER USED IT FOR A FARMING ROAD.

**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

19. THE TREES ON THIS LAND SHOULD NOT BE DISTURBED, ALL LIVE OAKS, AND MAGNOLIAS ARE PROTECTED

20. IF THIS LAND IS REZONED R-3, THE INVESTORS COULD, BY RIGHT, BUILD AN UNSIGHTLY, UNDESIRABLE, HOUSING DEVELOPMENT AND THE PLANNING COMMISSION AND BOARD OF ALDERMAN WOULD BE POWERLESS TO PREVENT IT.

21. IF YOU LOOK BACK IN RECORD THIS IS NOT THE FIRST TIME THE COMMISSION HAS BEEN APPROACHED WITH A SIMILAR REQUEST.

22. IT WAS FOUGHT SUCCESSFULLY BY RESIDENTS ON MAY 22, 2008 WHEN A ZONE REQUEST WAS TO GO FROM R-1 TO R-2. ON OLD PASS ROAD AND ALSO DENIED FOR A SIMILAR REQUEST TO REBUILD A PREVIOUS COMPLEX. THIS PROPERTY WAS REQUESTED TO ZONE R-3. ONLY 10 PEOPLE CAME FORWARD.

23. IF THE ONLY JUSTIFICATION FOR CHANGING THE ZONEING FROM R-1 TO R-3 IS THE PROFIT OF A FEW INVESTORS, SUCH A MOVE BY THIS COMMISSION, WOULD BE UNFAIR AND IS NOT IN THE BEST INTEREST OF LONG BEACH RESIDENTS.

24. WHAT WOULD BE MORE APPEALING TO THE NEIGHBORS WOULD BE A NICE SINGLE FAMILY NEIGHBORHOOD. SURLEY THIS IS NOT TOO MUCH TO ASK, BECAUSE MANY FAMILIES HAVE INVESTED SO MUCH IN THEIR HOMES AND NEIGHBORHOOD.

**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

25. THE DECLINE OF THIS REQUEST WOULD BE FAIR AND JUST. I LOOK TO
THE COMMISSION TO CONSIDER AND PROTECT THE WISHES, DESIRES
AND HOME VALUES OF THE RESIDENTS OF LONG BEACH, FIRST AND
FOREMOST.

**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

We, the Undersigned endorse the following petition:

Stop the requested rezoning of tax parcel numbers 0611F-01-002.000 and 0611F-01-001.000 from Single-Family Residential / Commercial to Multi-Family Residential.

Targets: City of Long Beach Planning Commission
City of Long Beach Board of Alderman

#	Date	Name	Address	Phone #	Comments
1	7/17/08	Devin M. Costello	9 Ryan Circle	864-0673	
2	7/17/08	Dany T. Shuk	14 Ryan Circle	865-7237	cell 222-0073
3	7-17-08	Mark [unclear]	16 RYAN CIRCLE	697-1116	
4	7-17-08	Dave [unclear]	15 Ryan Circle	863-4443	
5	7-17-08	Dorothy Bob Howdershelt	12 Ryan Circle	864-4005	
10	7-17-08	Shelley Bard	20 Ryan Circle	864-5173	cell 224-3925
7	7-17-08	Jeffrey Tipton	21 Ryan Cr	697-9703	
8	7-17-08	Bryan Jagner	22 Ryan Cir.	596-9510	
9	7-17-08	Shirley Hardman	25 Ryan Cir	863-5183	
10	7-17-08	Nancy Ryan	43 Ryan Cir	861-0264	
11	7-17-08	Betty Padua	24 Ryan Circle	864-9127	cell 363-4143
12	7/17/08	Clark Rogers	3 Ryan Circle		
13	7/17/08	Kevin [unclear]	26 Ryan Circle	906-0883	
14	7/17/08	David [unclear]		863-0909	25 Ryan.
15	7/17	David [unclear]	29 RYAN CIRCLE	864-8488	NO
10	7/17/08	David [unclear]	31 Ryan Circle	318-218951	
17	7/17/08	David [unclear]	30 Ryan Circle	228-871-7196	
8	7/17/08	John [unclear]	1 Ryan Circle	868-2305	
19	7/17/08	Ronald Pohl	7 RYAN CIRCLE	575-9787	
20	7/17/08	Carol Pohl	7 Ryan Circle	575-9787	
21	7/17/08	Al [unclear]	6 Ryan Cir	864-0921	
22	7/17/08	Amy Haynes	6 Ryan Circle	864-0921	
23	7/17/08	John [unclear]	8 RYAN CR	865-7236	
24	7/18/08	Tom [unclear]	19175 Commission Rd.	864-6682	cell 697-7746
25	7/18/08	Tom [unclear]	679-Blondyke Rd	864-1889	
26	8/14/08	David [unclear]	671 Blondyke Rd	864-1889	

**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

We, the Undersigned endorse the following petition:

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Targets: City of Long Beach Planning Commission
City of Long Beach Board of Alderman

#	Date	Name	Address	Phone #	Comments
27	7-18	Donald Mitchell	19003 Dorothy Ln	864-8374	
28	7/18	Seth Cooper	673 Klondyke	864-1330	
29	7/18	Seth Cooper	634 Klondyke	868-8874	
30	7/18/08	Dum Jovan	104 Oakview Ave.	863-5501	
31	7-18-08	Matthew	104 Oakview Ave	463-5501	
32	7-19-08	Andrea Hill	2 Ryan Circle	867-6426	
33	7-19-08	John	2 Ryan Circle	867-6426	
34		R N Juma	23 Ryan Cir	860-4089	
35	7-19-08	Wendy Smith	11 Ryan Cir	697-6121	
36	7-19-08	Heather	19 Ryan Cir	323-437	
37	7-19-08	Kyle Seal	18585 Bay Rd	861-7298	
38	7-19-08	Jeanne Parks	5 Ryan Cr.	284-0407	
39	7-19	Cam Dedeo	13 Ryan Cir.	865-0095	
40	7-19	DAVID FAVIA	19 Ryan Circle	863-4443	
41	7-19	Frank Lopez	644 Klondyke	864-5835	
42	7/19	Rumel	710 Klondyke Rd	822-9849	
43	7/19	Tasha	710 Klondyke Rd	822-9849	
44	7/19	FRANK CATTICIA	706 KLONDYKE RD	863-0402	
45	7/22	Lara Conn	707 Klondyke Rd	864-2938	
46	8/14	Alan Bondy	5144 Wilkerson	804-1922	
47	8/14	Chisten Kim	5144 Wilkerson	804-1922	
48	8/14	Brian Sandidge	5144 Wilkerson	230-1322	
49	8/14	Alice Meller	643 Dougherty Rd	863-4306	
50	8/14	Eric	10 RYAN CIRCLE	268-3664	
51	8/14	George Koon	27 RYAN CIR	864-0993	
52	8/14	Anthony Juma	1 Ryan Circle	868-2305	
53	8/14	Tha C. Sanchez	102 Pennwood Dr	864-0570	
54	8/14	Andrew Kinnula	201 Shore Dr.	570-0595	

**MINUTES OF AUGUST 14, 2008
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We, the Undersigned endorse the following petition:

Stop the requested rezoning of tax parcel numbers 0611F-01-002.000 and 0611F-01-001.000 from Single-Family Residential / Commercial to Multi-Family Residential.

Targets: City of Long Beach Planning Commission
City of Long Beach Board of Alderman

#	Date	Name	Address	Phone #	Comments
55	8/14	SINDY COLLINS	19002 ALLEN RD	N/A	
56	8/14	JERALD CARMICHAEL	136 LINDA LANE	N/A	
57	8/14	+ Amanda Billore	19055 Compton	N/A	
58	8/14	KE DANIEL	west old Pan Rd	N/A	
59	8/14	Debbie Brown	100 North Lida Ln	N/A	
60	8/14	Eileen Caird	313 Joyce Ave	N/A	
61	8/14	Leon Rogant	105 So. Island Circle	N/A	
62	8/14	Louise Traver	105 So. Island Circle	N/A	
63	8/14	N. J. M. Sullivan	107 Willow Lane	N/A	
64	8/14	John R. Sullivan	107 Willow Lane	N/A	
65	8-14-08	FAYE J. COLLINS	123 E. AZALEA DR.	N/A	
66	8-14-08	Tammy Lee	502 Plantation Dr		
67	8-14-08	Robbie Lee	502 Plantation Dr		
68	8-14-08	James O'Neal	107 Shore Drive	N/A	
69	8/14/08	Summer Duvion	1111 Leigh Street	N/A	
70	8/14/08	Dawn Hix	114 Shore Dr	N/A	
71	8/14/08	Debra L. Baker	526 Bonnie Rd	N/A	
72	8/14/08	Kim W. Wynn	6091 DAUGHERTY	N/A	
73	8/14/08	Theresa L. Bell	1108 Hickory Dr	N/A	
74	8/14/08	JC Whitfield	227 ALVARADO DR	N/A	
75	8-14-08	William By Bums	902 CANTHARUS	N/A	
76	8-14-08	Mike Hanko	113 MT BASS		
77	8/14/08	Barbara Douglas	7034/ Cleveland Ave 'B	N/A	
78	8/14/08	William	106 S. WINGATE AVE	576-7079	
79	7/14/	Robert L. Reeder	110 Willowhwy N. B. Dr	864-8791	
80	8/14	Rose Clois	1215 Spring Dr	NA	8/14 Reeder Kucera
81	8/14	Luther W. Conner	707 Klondyke		
82	8/14	Dorothy Lane	19003 Dorothy Ln	864-8374	

Darrin Hill, 2 Ryan Circle, concerns regarding drainage; Shelly Bart, 20 Ryan Circle; Alice Miller, 643 Klondyke Road, concerns regarding traffic; Erin Knowles, Concerns regarding drainage; Glenn Mitchell, 444 Klondyke Road, concerns regarding spot zoning; Edward Harman, 25 Ryan Circle, stated it would be an injustice to allow for multi-family development in this area; Roberta Mitchell, 19003; Dorothy Lane, opposed

**MINUTES OF AUGUST 14, 2008
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to multi-family; Farren Knowles, 201 Shore Drive, concerns regarding ingress/egress on Klondyke Road; Dave Shoemaker, 14 Ryan Circle, concerns regarding traffic on Klondyke Road; Robert, 12 Ryan Circle, concerns were regarding insufficient water pressure; Ina Faye Castiglia, 668 Klondyke Road, concerns were regarding drainage & keeping the area zoned for Single-Family homes; Jim Haik, 8 Ryan Circle, opposed to multi-family in this area; Ryan Paul, 7 Ryan Circle, concerns regarding drainage; Frank Presto, 694 Klondyke Road concerns regarding drainage in the area; Larry Merrell, 19175 Commission Road, concerns regarding fire protection with a development this size; Tico Torres, 15 Ryan Circle, concerns regarding traffic on Klondyke Road; resident of 31 Ryan Circle, against Multi-family development.

Upon rebuttal Bobby Kneaseal stated he understood the concerns of the residents, but with development there's always an increase in traffic and those are issues the City needs to address, all utilities (water/sewer) would be addressed with engineering design, he went on to state that everyone is against multifamily development, but that there is a market for it on the Gulf Coast, that there is plenty of Single family development but there is no market for it at this time, he stated that not all units in this development would be built one time. He stated he is aware that R-2 zoning is an option and welcomes that type zoning also.

Commissioner Vancourt made motion seconded by Commissioner Lipski and unanimously carried to close the Public Hearing.

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After much discussion commissioner Rishel made motion seconded by Commissioner Yandell and unanimously carried to DENY the Zone Change request from R-1, Single-family Residential to R-3, High Density Multi-Family as submitted.

The first item of business under Old Business was a petition from the Mayor and Board of Aldermen to set a Public Hearing Date for an amendment to Ordinance #344 – Calculations of front and/or side yard widths & depts. on property bounded by U.S. Highway 90.

Commissioner Yandell made motion seconded by Commissioner Sweetapple and unanimously carried to schedule the public hearing for September 25, 2008.

The first item of business under New Business was Planning Commission Approval for a Certificate of Re-Subdivision submitted by Tim Allen as follows:

**MINUTES OF AUGUST 14, 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>MOBILE 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

Previously PAID

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

MINUTES OF AUGUST 14, 2008 REGULAR MEETING LONG BEACH PLANNING COMMISSION

LONG BEACH PLANNING COMMISSION CERTIFICATE OF RESUBDIVISION

In accordance with Article II, Section 3 of the Code of Ordinance (Subdivision Regulations) of the City of Long Beach, Mississippi, the Long Beach Planning Commission has reviewed and approved the attached Final Plat, 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 and Yalobamba tax parcel 05110-01-001.001, into 2 parcels. The subject property is generally described as being located South of Daugherty Road, North of Z Parcel, and West of Vag Don Key. The case file number is _____.

OVERALL DEED DESCRIPTION: (2004-0300-0-1) A Parcel of Lot one (1), LCASA SUBDIVISION, CITY OF LONG BEACH, Harrison County, Mississippi, and being more particularly described as follows: A parcel of land 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 99.40 feet to the Point of Beginning; thence South along said North line, South 89 degrees 55 minutes 05 seconds West 99.40 feet, to the corner of said Lot 1, thence along the South line of said Lot 1, North 89 degrees 52 minutes 35 seconds East 199.10 feet to a point; thence North 119.86 feet to the Point of Beginning.

PROPOSED PARCEL A: All that part of Lot One (1), LCASA 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 Northeast corner of Lot One (1), LCASA FORESTA SUBDIVISION, and thence run South 89 degrees 50 minutes 29 seconds West along the North line of said Lot One (1) and the South margin of Daugherty Road a distance of 98.30 feet, more or less, to an iron rod found for the POINT OF BEGINNING; thence South 89 degrees 50 minutes 29 seconds West along the North line of said Lot One (1) and the South margin of Daugherty Road and the North line of said Lot One (1) a distance of 99.18 feet to an iron rod set; thence South 00 degrees 20 minutes 41 seconds East a distance of 78.99 feet to an iron rod set; thence South 00 degrees 20 minutes 41 seconds East a distance of 98.39 feet to an iron rod set; thence South 00 degrees 08 minutes 42 seconds West a distance of 100.00 feet to an iron rod set; thence South 00 degrees 08 minutes 42 seconds West a distance of 138.78 feet to an iron rod found; thence North 00 degrees 42 minutes 27 seconds East a distance of 138.78 feet to an iron rod found; having an area of 190000.00 square feet, or 0.367 acres more or less.

PROPOSED PARCEL B: All that part of Lot One (1), LCASA FORESTA SUBDIVISION, CITY OF LONG BEACH, Harrison County, Mississippi, Plat Book 34, page 10A and being more particularly described as follows:

Commencing at the Northeast corner of Lot One (1), LCASA FORESTA SUBDIVISION, and thence run South 89 degrees 50 minutes 29 seconds West along the North line of said Lot One (1) and the South margin of Daugherty Road a distance of 98.30 feet, more or less, to an iron rod; thence South 89 degrees 39 minutes 24 seconds West along said South margin of Daugherty Road and the North line of said Lot One (1) and the South margin of Daugherty Road and the North line of said Lot One (1) a distance of 99.18 feet to an iron rod set; thence South 00 degrees 20 minutes 41 seconds East a distance of 78.99 feet to an iron rod set; thence South 00 degrees 08 minutes 42 seconds West a distance of 100.00 feet to an iron rod set; thence South 00 degrees 08 minutes 42 seconds West a distance of 138.78 feet to an iron rod found; thence North 00 degrees 42 minutes 27 seconds East a distance of 138.78 feet to an iron rod found; having an area of 78984.00 square feet, or 0.181 acres more or less.

See attached survey by Kerry L. Alston Land Surveyor, dated 04/01/2008.

You are hereby advised to investigate and determine the allowable uses as provided by the restrictive covenants, if any, which affect the subject property. Further the applicant hereby covenants and agrees to defend, indemnify and hold the City of Long Beach, Board of Aldermen, and the Long Beach Planning Commission, its agents, servants, and/or employees concerning the petition for subdivision or the real property described herein.

Prepared by:
Kerry L. Alston Land Surveyor
4607 Kenda Avenue
Gulfport, MS, 39507
(228) 864-2649

Indexing Instructions:
Lot 1, LCasa Foresta Subdivision

ACKNOWLEDGE (1) CERTIFICATE OF OWNERSHIP

I hereby certify that I am the owner of the property described herein, which property is within the subdivision jurisdiction of the City of Long Beach, and that I freely adopt this plan of subdivision.

Subscribed and sworn to before me, in my presence, this day of August 14, 2008, at _____, a notary public in and for the County of Harrison, State of Mississippi.

Notary Public
My Commission Expires: 10/14/2011

(2) CERTIFICATE OF APPROVAL

I hereby certify that the author subdivision shown on this plat does not involve the creation of new public utility easements or any other public utility easements in excess of those shown on the plat. The installation of drainage improvements through on or more lots to serve one or more lots. That the plat conforms with all applicable codes and ordinances of the City of Long Beach and that the plat conforms with all applicable codes and ordinances of the State of Mississippi.

ADMINISTRATOR

Date _____

(3) CERTIFICATE OF SURVEY AND ACCURACY

I hereby certify that this map drawn by me or drawn under my supervision from actual survey made by me conforms with all applicable codes and ordinances of the City of Long Beach and that the plat conforms with all applicable codes and ordinances of the State of Mississippi.

Kerry L. Alston, PLS-25329

Subscribed and sworn to before me, in my presence, this 14th day of August 2008, at _____, a notary public in and for the County of Harrison, State of Mississippi.

Notary Public
My Commission Expires: 10/14/2011

PLANNING COMMISSION

Approved by the City of Long Beach Planning Commission at the regular meeting of said Commission held on the _____ day of _____, 2008.

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 _____, 2008.

ATTEST:

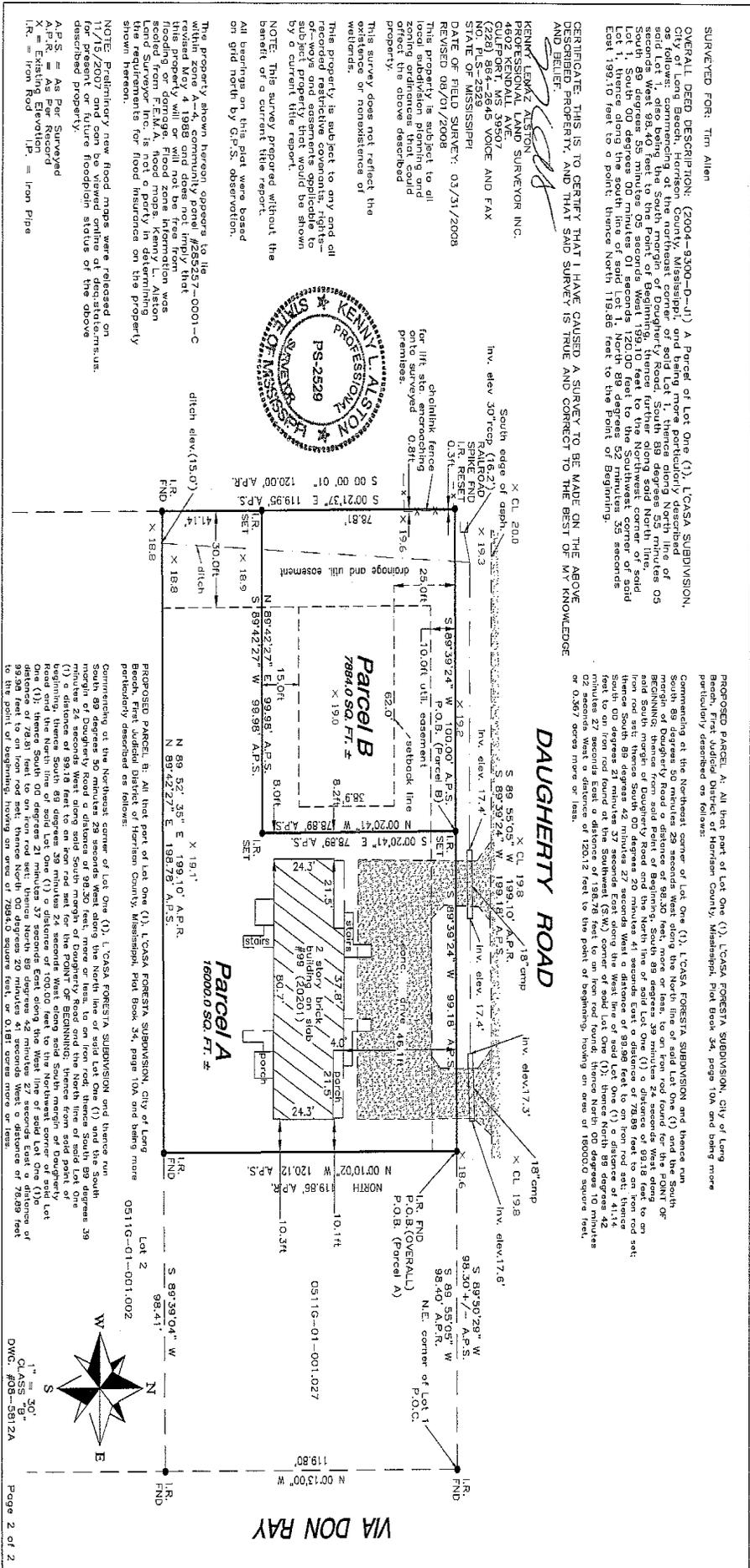
ADOPT:

City Clerk

MAYOR



INUTES OF AUGUST 14, 2008 REGULAR MEETING LONG BEACH PLANNING COMMISSION



OVERALL DEED DESCRIPTION: (2004-9300-D-1) A Parcel of Lot One (1), LCASA SUBDIVISION, commencing at the northeast corner of said Lot One (1) and the South margin of Daugherty Road, thence further along said North line, secondly West 88.40 feet to the point of Beginning, thence further along said North line, thirdly South 00 degrees 00 minutes 01 seconds 120.00 feet to the Southwest corner of said Lot 1, thence along the south line of said Lot 1, North 89 degrees 52 minutes 35 seconds East 199.10 feet to a point thence North 119.80 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.

KENNETH ALSTON
PROFESSIONAL SURVEYOR INC.
4602 KENDALL AVE.
GULFPORT, MS 39507
(228) 894-2645 VOICE AND FAX
STATE OF MISSISSIPPI

DATE OF FIELD SURVEY: 03/31/2008

REVISED: 08/01/2008

This property is subject to all local subdivision planning and zoning regulations which may affect the above described property.

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

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

All bearings on this plat were based on grid north by G.P.S. observation.

The property shown hereon appears to lie within zone A (commonly parcel #283257-0001-C) and is subject to the provisions of this property will or will not be free from flooding or damage. Flood zone information was obtained from the Flood Insurance Rate Map Land Surveyor Inc. is not responsible for the determination of 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
X = Existing
IR = Iron Rod
IP = Iron Pipe

PROPOSED PARCEL A: All that part of Lot One (1), LCASA FORESTIA 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 Northeast corner of Lot One (1), LCASA FORESTIA SUBDIVISION and thence run South 89 degrees 50 minutes 29 seconds West along the North line of said Lot One (1) and the South margin of Daugherty Road a distance of 99.10 feet, more or less, to an iron rod found for the point of Beginning; thence South 89 degrees 52 minutes 35 seconds East a distance of 119.80 feet to an iron rod set; thence South 00 degrees 00 minutes 01 seconds East a distance of 78.89 feet to an iron rod set; thence South 00 degrees 00 minutes 01 seconds East along the West line of said Lot One (1) a distance of 41.14 feet to an iron rod found at the Southwest (S.W.) corner of said Lot One (1); thence North 89 degrees 42 minutes 27 seconds East a distance of 189.78 feet to an iron rod found; thence North 00 degrees 10 minutes 01 seconds West a distance of 160.00 feet to the point of Beginning; having an area of 16000.0 square feet, or 0.367 acres more or less.

DAUGHERTY ROAD

VIA DON RAY

**MINUTES OF AUGUST 14, 2008
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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



August 14, 2008

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

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

Ladies and Gentlemen:

We are in receipt of the referenced Certificate of Resubdivision, revised by the developer, and have reviewed it for compliance with City requirements. The subdivision has been revised to meet the City requirement of 4000 sq. ft. / dwelling unit in this R-2 zone. The subdivision will create two parcels, both having street frontage on Daugherty Road. Both parcels will be about 100 feet wide, but proposed Parcel A has a "flagstaff" portion south of Parcel B. However, this doesn't seem to conflict with any City requirements and it now appears that both proposed parcels meet all relevant requirements.

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 discussion Commissioner Yandell made motion seconded by Commissioner Lipski and unanimously carried to approve the Certificate of re-subdivision as submitted.

The next item of business under New Business was Planning Commission Approval for the modification of the drainage on Penny Lane Subdivision Plat submitted by Glenn & Valerie Mueller as follows:

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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: 20015 Pineville Rd (Penny Lane Subdivision) OLD TOWN + OLD SAVANNAH
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:
Penny Lane
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 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.

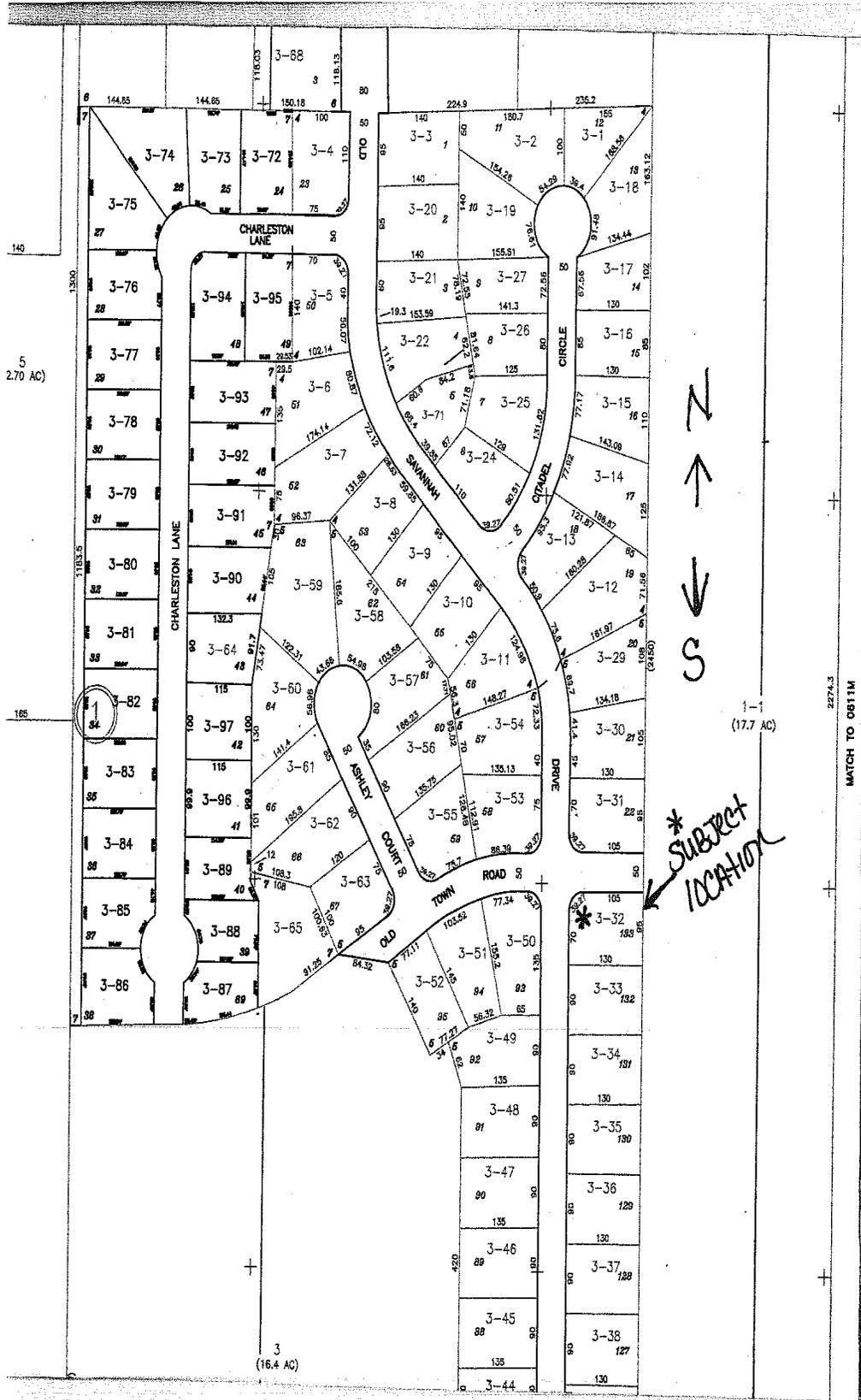
<u>Gloria + Valerie Mueller</u>			<u>20015 Pineville Rd</u>	
Name of Owner(s)			Mailing Address	
<u>Long Beach MS</u>	<u>39560</u>		<u>228-697-0967</u>	
City	State	Zip	Telephone (H)	Office
<u>H.R. Mitchell</u>			<u>8-4-08</u>	<u>\$</u>
Signature of Owner(s)			Date	Fee

Project Manager

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 AUGUST 14, 2008
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**MINUTES OF AUGUST 14, 2008
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LONG BEACH PLANNING COMMISSION**

Penny Lane Estates

Val's Property Development, LLC
20015 Pineville Rd
Long Beach, MS 39560

August 1, 2008

Subject: Drainage Modification Penny Lane (Old Town and Old Savannah)

Planning Commission,

We are seeking approval for the modification of the drainage on the "Penny Lane" Subdivision plat.

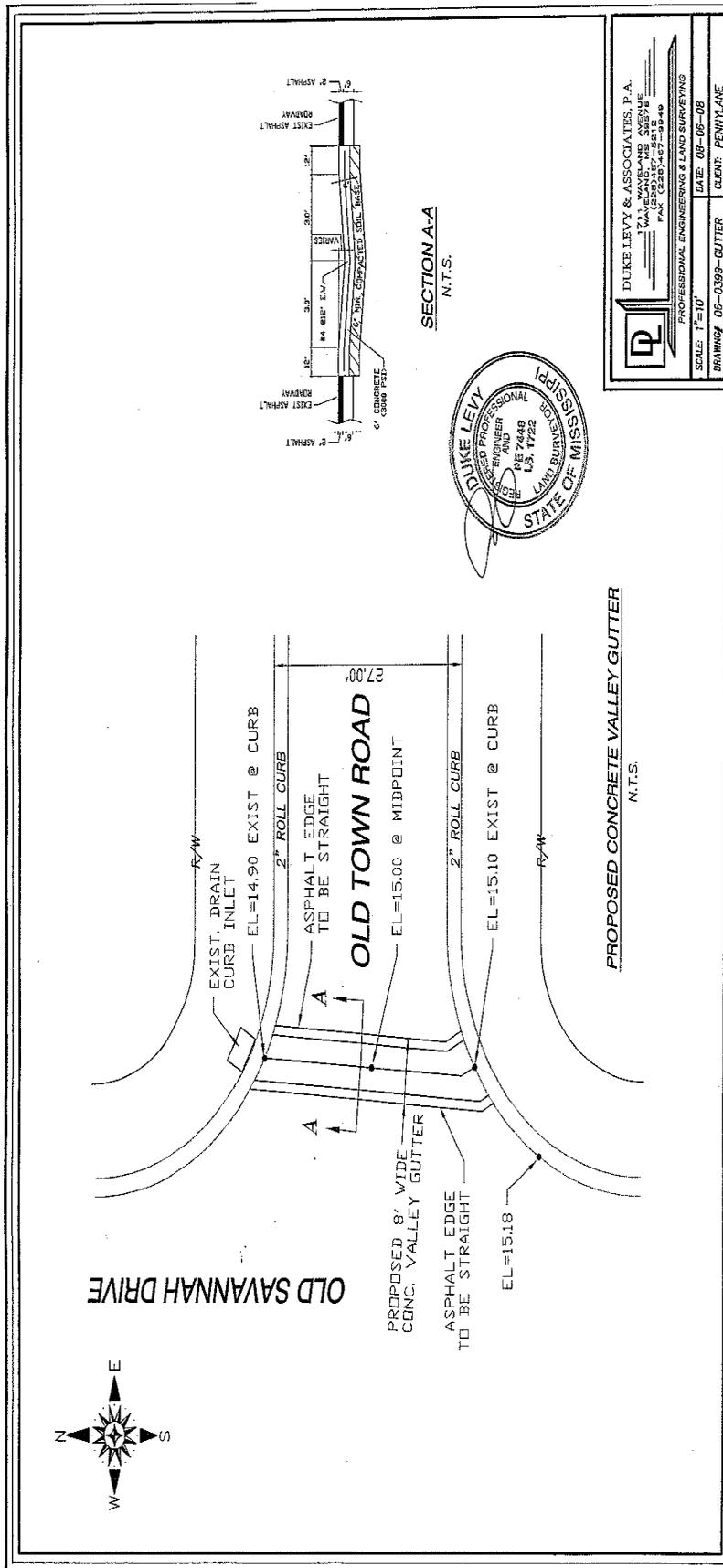
Currently the intersection is paved and it drains fairly well but we feel that it will improve with a concrete valley. Our engineer has a proposed drawing attached. We have met with David Ball (City Engineer) and Derrell Wilson (Director of Public Works) and they are informed of the proposed "Concrete Valley".

Respectfully,



Hal Mitchell
Project Manager
Val's Property Development, LLC
Penny Lane Estates
(228) 697-0967

**MINUTES OF AUGUST 14, 2008
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LONG BEACH PLANNING COMMISSION**



**MINUTES OF AUGUST 14, 2008
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



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

520 83RD STREET, GULFBPORT, MS 39507
P.O. BOX 1677, GULFBPORT, MS 39502

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

August 14, 2008



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

RE: Penny Lane Subdivision – Modification of Street / Drainage System

Ladies and Gentlemen:

I am in receipt of a plan by Duke Levy, P.E., the engineer who designed the referenced subdivision, to modify the intersection of Old Town Road, built as a part of this subdivision, and Old Savannah Drive. The new portion of Old Town Road was designed and constructed to drain to this intersection; however, the approved construction plans indicated a drainage box on the southeast corner of the intersection. According to all available evidence, no drainage box has ever existed there. Once the road was constructed, it became apparent that a drainage problem had been created by blocking the path of normal street drainage from Old Savannah Drive.

The developer proposes to construct a shallow concrete "swale" across the intersection to drain runoff from the south side of the intersection to the north side where there is an existing curb inlet; and he has performed a survey to determine if such a method of repair would work. The survey, and a quick check on-site during rainy weather, indicates that there is sufficient elevation to drain across the street. Furthermore, his proposed pavement section in the swale meets the City's standard for concrete streets so I have little concern regarding the structural capacity of the swale.

I am not aware of any relevant City ordinance pertaining to this matter, but, I can say that it has not been the City's normal practice to drain runoff across intersections in this manner. Were a set of construction plans submitted to the City with this type of intersection drainage indicated, it would be rejected in favor of underground drainage.

In summary, the proposed plan appears to be valid and should function correctly if built properly; however, intersection drainage of this type is not normally allowed within the City. The decision on a policy matter of this type obviously rests with the Planning Commission and the Board of Aldermen. Should you have any questions, please do not hesitate to contact me.

Sincerely,

David Ball, P.E.

DB-539

O:\539\Penny Lane drainage problem 081408.doc

Page 1 of 1

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After much discussion and consideration Commissioner Yandell made motion seconded by Commissioner Sweetapple and unanimously carried stating that the Commission understands that there is a problem that needs to be addressed but feels that it is not a Planning Commission issue and refers the issue to the City Engineer and the Mayor and Board of Aldermen.

After considerable discussion Commissioner Yandell made motion seconded by Commissioner Vancourt and unanimously carried to petition the Mayor and Board of Aldermen for a recording device to be used for Public Meetings of the Planning Commission.

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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 Yandell and unanimously carried to ADJOURN the meeting until the next regularly scheduled meeting in due course.

APPROVED:

Commission Chairman, Frank Olaiivar

Date: _____

ATTEST:

Veronica Howard, Minute Clerk