

**MINUTES OF OCTOBER 9, 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, Dale Hare, Barney Hill, Jacquie Lipski, Tony Vancourt, Joseph Sweetapple, Roderick Rishel, Planning Commission Advisor Bill Hessell, Building/Code Official Earl Levens, Zoning Enforcement Officer Claire Leatherwood, and Minute Clerk Veronica Howard.

Commissioners Tonda Yandell and David Serrato 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.

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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 October 21, 2008, and subject to a ten-day appeal time for a Public Hearing.

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After careful review and Commissioner Lipski made motion seconded by Commissioner Hill and unanimously carried to approve the Planning Commission minutes of September 25, 2008 with the following amendment: Page 9 motion read “.....Commissioner Hill made motion seconded by Commissioner Hill.....”. Should have been motion was made by Commissioner Hill and seconded by Commissioner Hare and unanimously carried.

\*\*\*\*\*

Motion was made my Commissioner Vancourt and seconded by Commissioner Lipski and unanimously carried to suspend the rules and add to the agenda under NEW BUSINESS review/approval of “City of Long Beach Transect Map” prepared by Ayers, Saint, Gross.

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The first item of business was a Public Hearing for a ten foot 6 inch (10’6”) front yard Variance for 201 Central Avenue, tax parcel number 0711N-05-056.000 submitted by Judy White as follows:

**MINUTES OF OCTOBER 9, 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:** 201 Central Ave., Long Beach, MS. 39560  
House number and street name

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

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

**A. If in a subdivision:**

145' of Lot 2, block 4, Ocean Wave Addition

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.** J.M. GANNON, Jr., L.A. Koennew

**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.**

Judy White 1550 E. 2nd St. Apt 084  
Name of Owner(s) Proposed Owner Mailing Address  
Pass Christian, MS 39571 (228) 847-0191 (228) 822-4312  
City State Zip Telephone (HQ) Office  
Judy White 9/16/08  
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 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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VARIANCE SUPPLEMENTAL APPLICATION  
PAGE 2

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

Katrina loss. Previous house slab is closer to street than proposed new construction. However, because of narrow lot dimensions, variance is requested to be (over)\*

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

Previous house lost during Katrina was not limited by set backs. The only limitation is the lot size of ~~605~~ 445+

Show that an unnecessary hardship exists due to the character of the property and that this hardship makes the request for the variance necessary. State what hardship is caused if the applicant is required to meet code requirements? What is the result of this hardship? What would result if the Zoning Board denied this request?

The desire to re-build on the lot is limited only by the lot size and setbacks per City ordinance. The consequence of code variance will be to abandon project to build personal residence.

Show that denial of this request will deprive the applicant of rights commonly enjoyed by other properties in the general area and that the granting of this variance request will make possible the reasonable use of land while not conferring any special privilege. Outline how the subject of the variance is common in the area and if the applicant were to be denied this variance a right would be taken away which was granted to other properties. State how the variance makes reasonable use of the existing land and why the same action cannot be done in a way that does not require a variance. Show that the granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable.

Denial of request, eliminates building personal residence on the property. Area is residential neighborhood. New home would increase property values and would help in recovery of neighborhood.

Completion of sale subject to approval for variance from the City of Long Beach  
FOR HOME OCCUPATION ONLY

I HAVE READ,  
UNDERSTAND AND AM WILLING TO COMPLY WITH ZONING  
ORDINANCE NO. 344 SECTION 912. HOME OCCUPATION.

**MINUTES OF OCTOBER 9, 2008  
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④ ——— feet from Central Ave; ——— feet from Fivley and  
———— feet from the east & south property lines.

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SCANNED



1st Judicial District  
Instrum 2008 4990 D -J1  
Filed/Recorded 6 9 2008 1 42 P  
Total Fees 12.00  
4 Pages Recorded

Return:  
Prepared by:  
Riley Law Firm,  
PO Box 550, Gulfport MS  
228-864-4511

GRANTOR: Jerry D. Riley  
Substituted Trustee  
P O Box 550  
Gulfport, MS 39502  
228-864-4511  
GRANTEE: Hancock Bank  
P O Box 4019  
Gulfport, MS 39502  
228-868-4000



STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

SUBSTITUTED TRUSTEE'S DEED

WHEREAS, Frank Gregg and Shelba Gregg executed that certain Deed of Trust to Harry R. Allen, Trustee, for the use and benefit of Hancock Bank, dated August 30, 2002 and filed for record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi and recorded in Deed of Trust Book 2478 at Page 209; and,

WHEREAS, Hancock Bank appointed and substituted Jerry D. Riley as Substituted Trustee in place and instead of Harry R. Allen as was their right to do under the terms of said Deed of Trust. Said Substitution of Trustee being dated March 26, 2008 and filed for record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi and recorded as Instrument No. 2008 4596T-J1; and,

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire debt secured having been declared due and payable in accordance with the terms of said Deed of Trust, and the legal holder of said indebtedness, Hancock Bank, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said Deed of Trust for the purpose of raising sums due thereunder together with attorney's fees and expenses of sale;

WHEREAS, the undersigned Substituted Trustee, in accordance with the terms of said Deed of Trust and the laws of the State of Mississippi, did advertise said sale in the Sun Herald, a newspaper published in the City of Biloxi, Harrison County, Mississippi on

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the following dates: May 15, 22, 29, June 5, 2008, and by posting a copy of said notice on the bulletin board of the Harrison County, Gulfport, Mississippi on May 15, 2008; and,

WHEREAS, on the 6th day of June, 2008 at the east front door of the Harrison County Courthouse, Gulfport, Mississippi at the hour of 11:15 a.m., I, the undersigned Substituted Trustee, did offer for sale at public outcry to the highest and best bidder for cash, the following described land and property located and being situated in the County of Harrison, First Judicial District, State of Mississippi and being more particularly described as follows, to-wit:

The North 145 feet of Lot 2, Block 4, Ocean Wave Addition to the City of Gulfport, Harrison County, First Judicial District, Mississippi as per the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi.

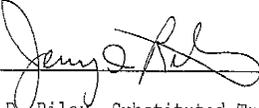
WHEREAS, the undersigned Substituted Trustee offered the above property for sale at public outcry as set forth above and there appeared Hancock Bank bidding the sum of Thirty Nine Thousand Two Hundred Six and 34/100 Dollars (\$39,206.34) for all of the above described land and property which was the highest and best bid received and said property was struck off to Hancock Bank for the said amount and the said Hancock Bank was declared to be the Purchaser thereof.

NOW, THEREFORE, in consideration of the sum of Thirty Nine Thousand Two Hundred Six and 34/100 Dollars (\$39,206.34) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, I do hereby sell and convey unto Hancock Bank all of the above described land and property conveying only such title as is vested in me as Substituted Trustee.

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LONG BEACH PLANNING COMMISSION**

3

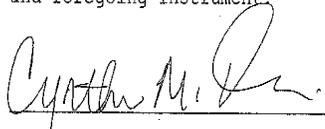
WITNESS MY SIGNATURE, this the 6th day of June, 2008.

  
\_\_\_\_\_  
Jerry D. Riley, Substituted Trustee

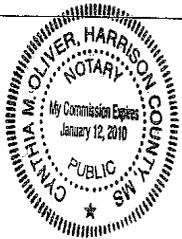
STATE OF MISSISSIPPI

COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this the 6th day of June, 2008, within my jurisdiction, the within named Jerry D. Riley, Substituted Trustee, who acknowledged that he executed and delivered the above and foregoing instrument.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:



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**PROOF OF PUBLICATION**

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 4 times in the following numbers and on the following dates of such paper, viz:

Vol. 124 No. 225 dated 15 day of May, 2008  
 Vol. 124 No. 232 dated 22 day of May, 2008  
 Vol. 124 No. 239 dated 29 day of May, 2008  
 Vol. 124 No. 246 dated 3 day of June, 2008  
 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.

JUN 06 2008

J. Garner  
Clerk

Sworn to and subscribed before me this 6 day of

June, A.D., 2008

KANDI A. BERKLEY  
Notary Public, State of Mississippi  
Harrison County  
My Commission Expires  
April 03, 2010  
Kandi A. Berkley  
Notary Public

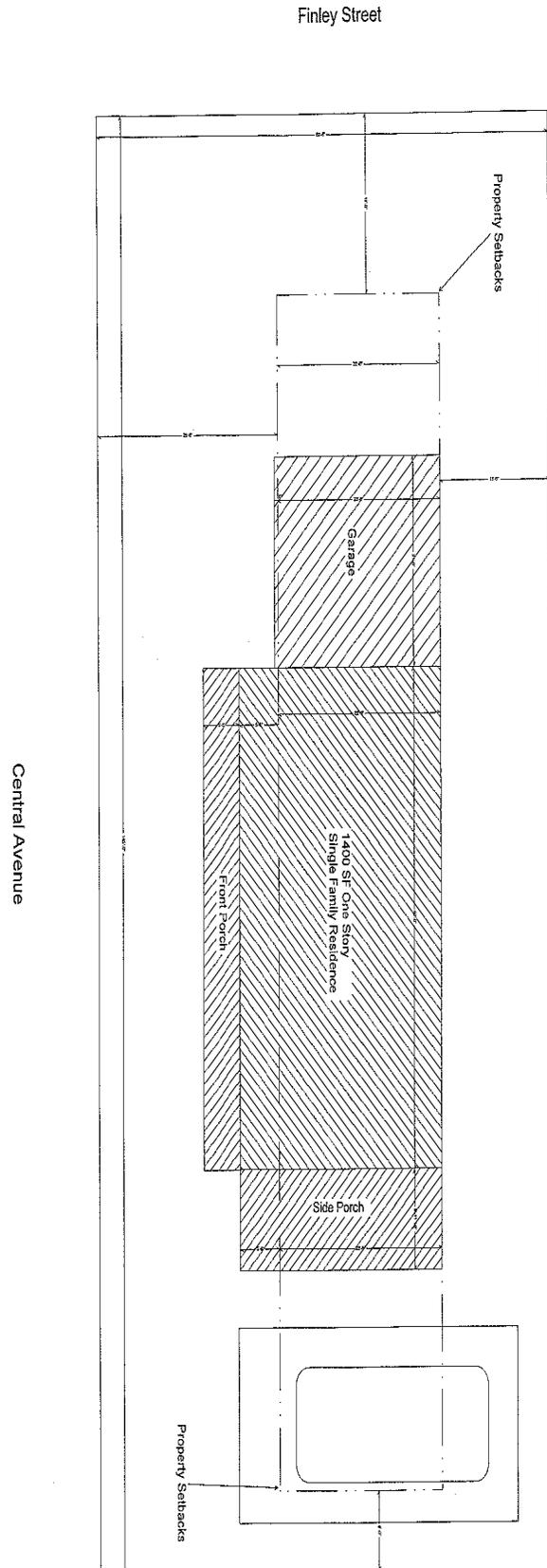
Printer's Fee ..... \$ \_\_\_\_\_

Furnishing proof of publication ..... \$ \_\_\_\_\_

TOTAL..... 182.34

**NOTICE OF SUBSTITUTED TRUSTEE'S SALE OF LAND**  
 WHEREAS, Fern G. Ginn and Shelia Ginn executed that certain Deed of Trust to Harry H. Allen, Trustee, for the use and benefit of Hancock Bank, dated August 20, 2002 and filed for record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, and recorded in Deed of Trust Book 2476 at Page 202, and, WHEREAS, Hancock Bank appointed and substituted Jerry D. Filley as Substituted Trustee in place and stead of Harry H. Allen as was their right to do under the terms of said Deed of Trust, Said Substitution of Trustee being dated March 28, 2008 and filed for record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi and recorded as Instrument No. 2008-45067-J; and, WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire debt secured having been declared due and payable in accordance with the terms of said Deed of Trust and the legal holder of said indebtedness, Hancock Bank, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said Deed of Trust for the purpose of raising sums of money to pay the debt and expenses of sale;  
 NOW, THEREFORE, the undersigned, Substituted Trustee, pursuant to the authority and request so made, does hereby give notice that he will sell during the legal hours, between the hours of

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**MINUTES OF OCTOBER 9, 2008  
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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 (#347) of the City of Long Beach, Mississippi (1987) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a Variance.  
Judy White, 1550 E 2nd Street Apartment 1084, Pass Christian, Mississippi 39271 has filed an application for Variance from the Comprehensive Zoning Ordinance. Applicant is requesting a ten foot six inch (10'6") front yard setback variance. The Variance is to allow for the applicants to build her home. The property is located South of Finley Street and North of Highway 90. The Harrison County tax parcel numbers is 071 11-05-055,000. The legal description is as follows:  
The North 145 feet of Lot 2, Block 4, Ocean Wave Addition to the City of Gulfport, Harrison County, First Judicial District, Mississippi as per the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi.  
The public hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39270, on Thursday, October 9, 2008 at 6:30 p.m. in the Long Beach School District Administration Office located at 19146 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  
K27.adv24.1WED  
12/20/07

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Lisa Marlow 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., 357 dated 24 day of Sept, 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.

[Signature]  
Clerk

Sworn to and subscribed before me this 24 day of September, A.D., 20 08

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

[Signature]  
Notary Public

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

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LONG BEACH PLANNING COMMISSION**

The Clerk reported that seventeen (17) notice 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 **Variance**.

Judy White, 1550 E 2<sup>nd</sup> Street Apartment 084, Pass Christian, Mississippi 39571 has filed an application for Variance from the Comprehensive Zoning Ordinance. Applicant is requesting a ten foot six inch (10'6") front yard setback variance. The Variance is to allow for the applicants to build her home.

The property is located South of Finley Street and North of Highway 90. The Harrison County tax parcel numbers is 0711N-05-056.000. The legal description is as follows:

The North 145 feet of Lot 2, Block 4, Ocean Wave Addition to the City of Gulfport, Harrison County, First Judicial District, Mississippi as per the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi.

The public hearing to consider the above Variance will be held in the City of Long Beach, Mississippi 39560, Thursday, October 9, 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 OCTOBER 9, 2008  
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The applicant came forward to state request she stated that she lost her home in Hurricane Katrina and is planning to purchase the aforementioned lot contingent upon approval of a variance for the front yard setback.

Commission Chairman called for anyone wishing to speak in favor of the request and no one came forward to be heard.

Commission Chairman called for anyone wishing to speak in opposition of the request and no one came forward to be heard.

Commissioner Hare made motion seconded by Commissioner Sweetapple and unanimously carried to close the public hearing.

After considerable discussion Commissioner Rishel made motion seconded by Commissioner Hare and unanimously carried to approve the Variance request in accordance with Zoning Ordinance 344, Section 1207. FINDINGS, as follows:

1207.1 There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district.

1207.2 A literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.

1207.3 The requested variance will be in harmony with the purpose and intent of this Ordinance and will not be injurious to the neighborhood or to the general welfare.

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1207.4 The special circumstances are not the result of the actions of the applicant.

1207.5 The existence of a nonconforming use of neighboring land, buildings, or structures in the same district or permitted or nonconforming uses in other districts shall not constitute a reason for the requested variance.

1207.6 The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure.

1207.7 The variance is not a request to permit a use of land, buildings, or structures which are not permitted by right or by special exception in the district involved.

1207.8 Notice of public hearing shall be given as in Article XII, Section 1205

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It came consideration under New Business Planning Commission approval to build low rise apartments in an R-2, Zone District tax parcel number 0611O-01-033.000 submitted by Michael & Prentiss Magee as follows:

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*Recorded Deed  
Sketch  
By Sept. 18, 2008*



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



APPLICATION FOR CASE REVIEW

I. TYPE OF CASE REQUEST

- A.  Zoning Change
- B.  Planning Commission Approval *- TO Build Low Rise Apts in R-2 Zone*
- 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: 741 Wickdson  
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.

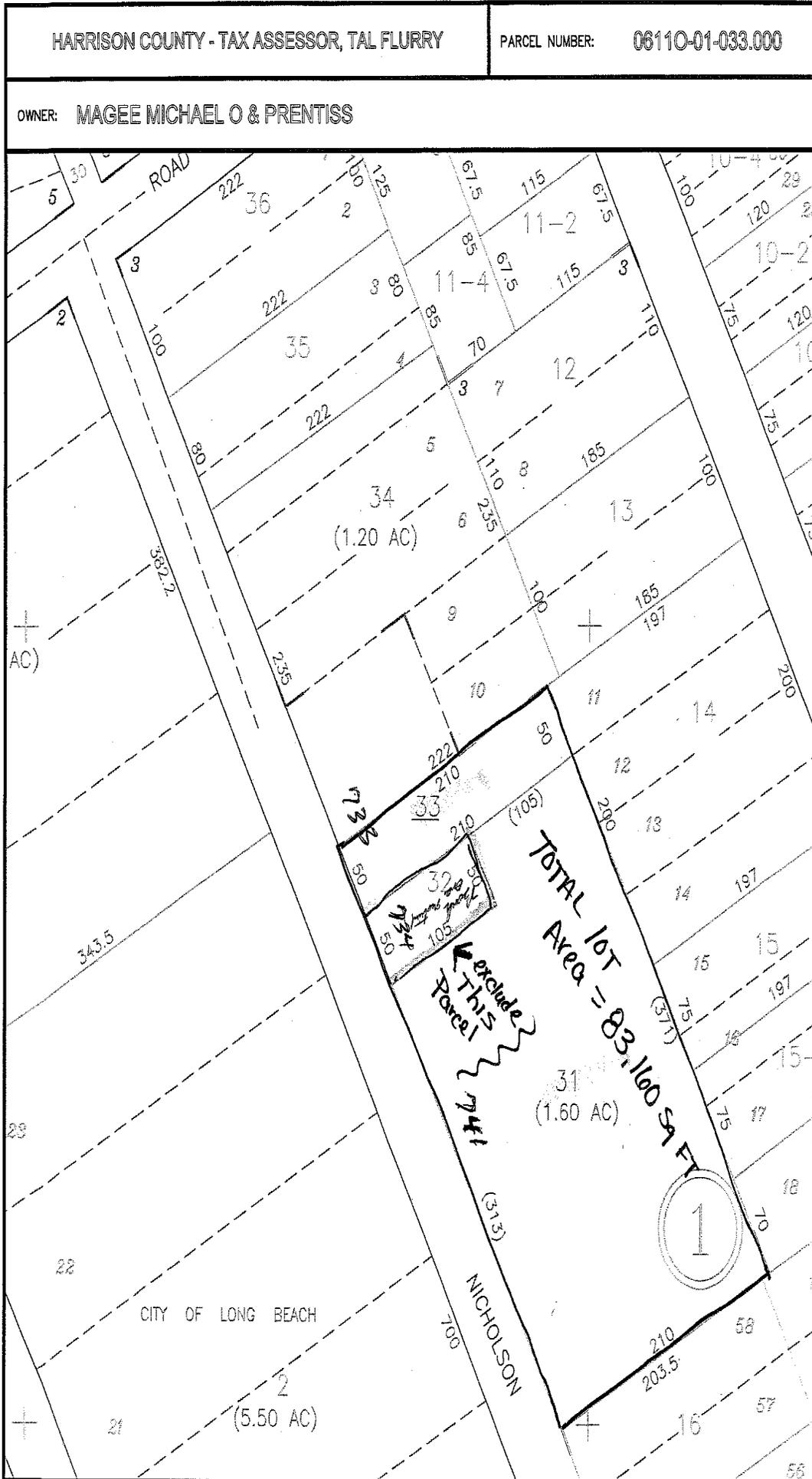
VII. Ownership: I the undersigned do hereby agree to all the rules and regulations as set forth in the Long Beach Zoning Ordinance and also agree to pay all fees and charges as stated.

<u>Michael D and Pront's Magee</u>		<u>10435 Hutter Rd</u>	
Name of Owner(s)		Mailing Address	
<u>Gulfport, Ms 39503</u>	<u>228-872-1243</u>	<u>228-832-2034</u>	<u>Cell 323 1559</u>
City	State	Zip	Telephone (H) Office
<u>Michael Magee</u>	<u>9-11-08</u>	<u>\$50.00</u>	
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 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 by the owner(s) of such property at the hearing.

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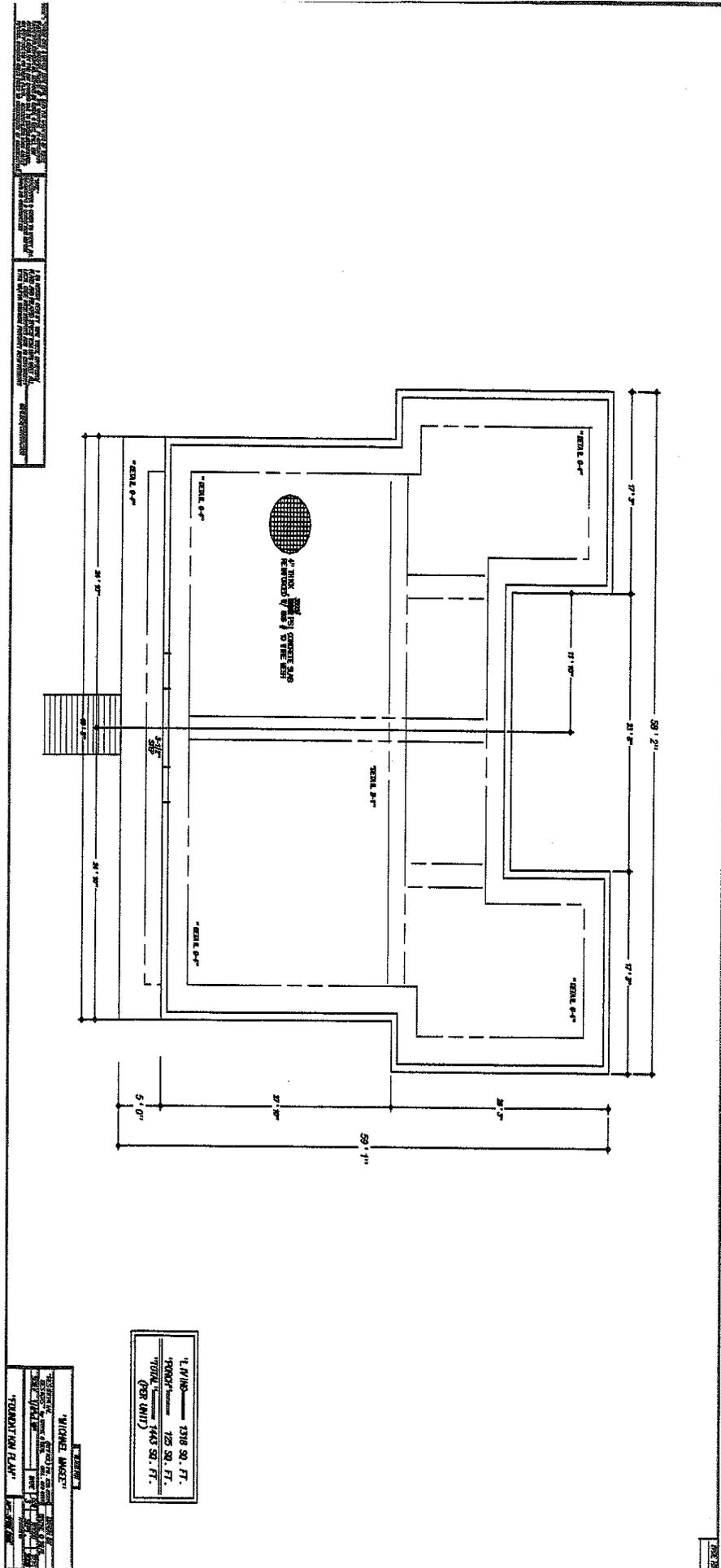


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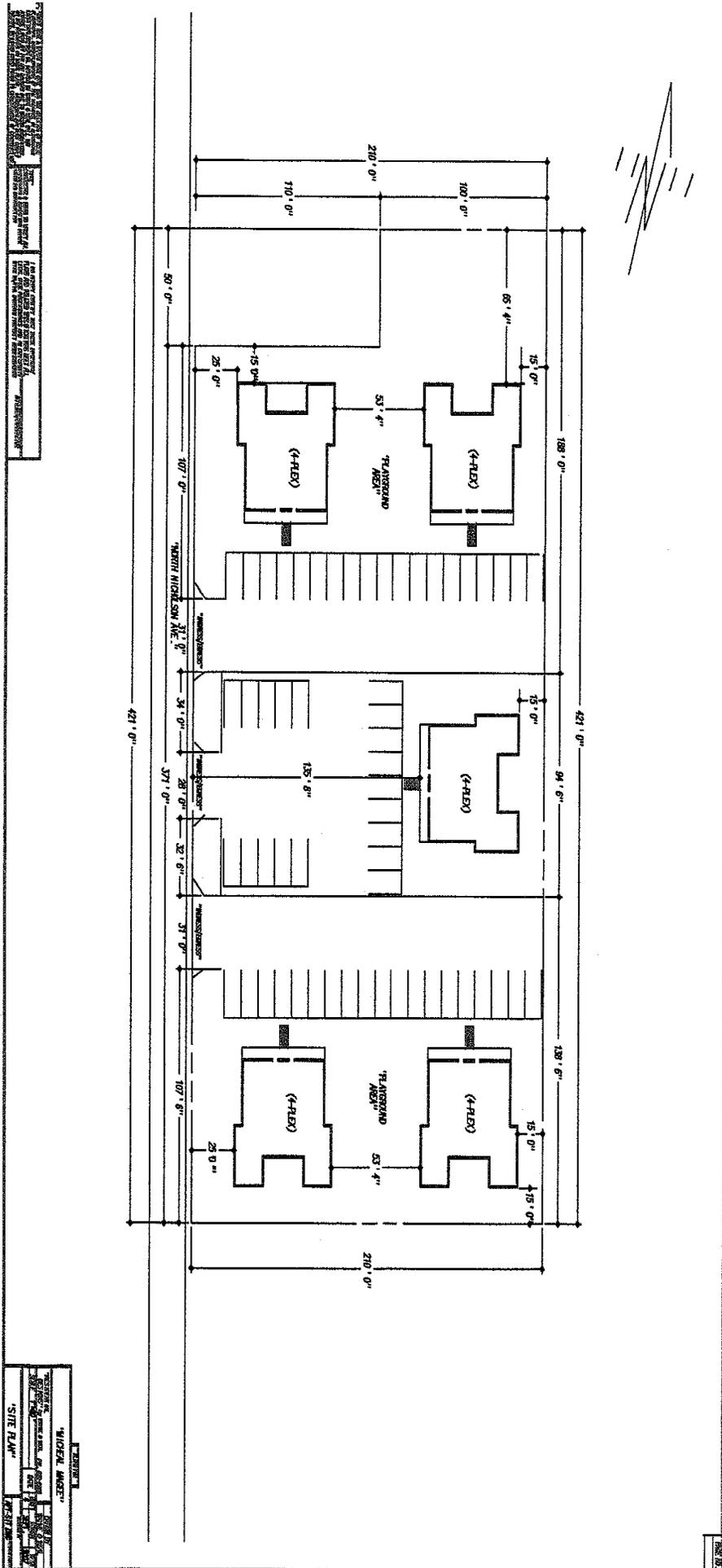
525039 FT



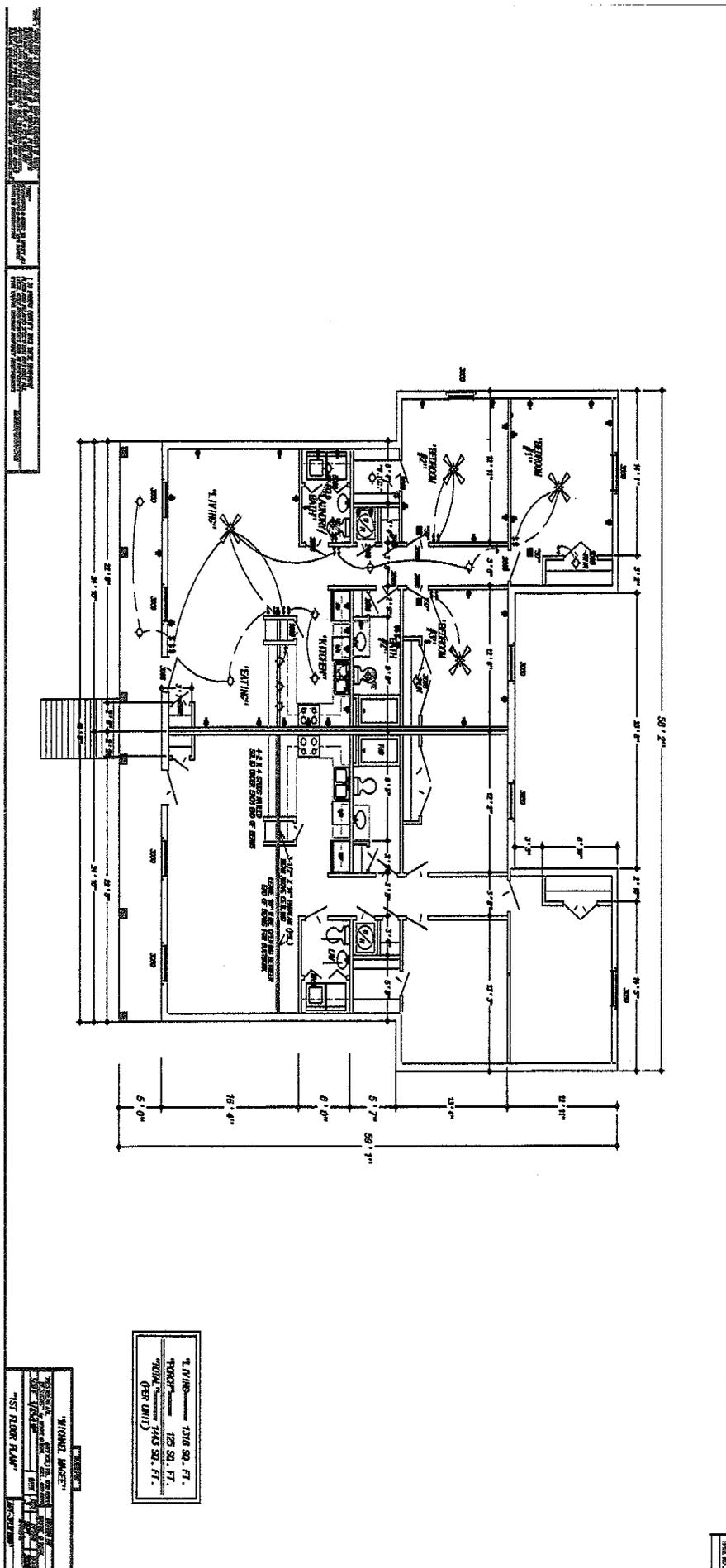
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LONG BEACH PLANNING COMMISSION**

Michael Magee came forward to state request he stated he was requesting to build twenty (20) low rise apartments in an R-2, Zone district.

After careful review and discussion Commissioner Hill made motion seconded by Commissioner Sweetapple and unanimously carried to approve the request as submitted, stating that the applicant should take into consideration that if his intentions were to sell the units that a Certificate of Re-subdivision would be needed.

\*\*\*\*\*

It came for consideration Planning Commission Approval to build condominiums in an R-2, Zone District for tax parcel number 0611G-01-004.005 submitted by Vincent Depaolo as follows:

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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](mailto:permits@cityoflongbeachms.com)



APPLICATION FOR CASE REVIEW

- I. TYPE OF CASE REQUEST
- A.  Zoning Change
  - B.  Planning Commission Approval *to build condos in R-2 + sketch 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: LOT 21 ROYAL PINES 0611G-01-004.001  
House number and street name

III. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.) CONDO IN A R-2

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

A. If in a subdivision: ROYAL PINES ESTATE  
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>VINCENT DePaolo</u> Name of Owner(s)	<u><del>LOT</del> 104 WOOD OAK CT</u> Mailing Address
<u>PICAYUNE MS 39466</u> City State Zip	<u>601-748-3585</u> Telephone (H) Office
<u>Vincent DePaolo</u> Signature of Owner(s)	<u>9-25-08</u> \$ <u>50.00</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 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

**MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



**GULF COAST LAND . COM, LLC**  
Developmental \* Commercial \* Industrial Brokerage



13326 Carriage Circle  
Gulfport, MS 39503

Office: (228)855-7390  
Toll Free: (800)284-7440  
Call: (228)596-3123  
E-Fax: (228)284-4433  
mm@gulfcoastland.com

**CONTRACT OF THE SALE AND PURCHASE OF REAL ESTATE**

The Seller hereby agrees to sell and the Purchaser agrees to purchase the hereinafter described property on the terms and conditions stipulated in the following schedule and both Seller and Purchaser acknowledge that GULF COAST LAND . COM, LLC is the procuring cause of this sale.

**(1) DESCRIPTION:**

LOT 21 ROYAL PINES ESTATES  
Parcel# 0611G-01-004.005

Seller: DOYLE EDWARD JOHN, THERESA MARIE

Buyer: Wood Oak, LLC, and /or Assigns, 4826 Carinleigh, Houston, TX 77084

(2) PRICE: The purchase price of the property is .....	\$ 54,000.00
CASH AT CLOSING .....	(54,000.00)
BALANCE .....	0.00

Payable as follows: Cash at Closing

Buyer to qualify for a mortgage loan and subject property must appraise for as much or more than the sales price or this contract is void and the earnest money refunded in full to the Buyer.

**(3) CERTAIN COSTS PAID BY: (S for Seller; B for Buyer)**

Wetlands Inspection: B Home Inspection: N/A Environmental Phase I Inspection: B Discount Points: B Survey: B Origination Fee: B  
Appraisal: B Attorney's Fee (including Title Search): S Loan Title Insurance: B Owner Title Insurance: B VA Funding Fee: N/A  
Flood Certification: N/A Prepaid and Escrow Items: B Septic/Treatment Plant Inspector: N/A Termite: N/A Other Closing Costs: B/S

**(4) TAXES:** Taxes for the current year are to be paid by: Prorated at closing

**(5) INSURANCE:** Fire and tornado insurance is to be paid by: N/A

**(6) TITLE:** The Seller is to furnish abstract of title to date and/or certificate of title from reputable attorney or abstract company. Reasonable time shall be allowed for preparation of abstract and examination of title. Should examination of abstract reveal defects which can be cured, the Seller hereby obligates himself (themselves) to cure same as expeditiously as possible, and to execute and tender Warranty Deed in accordance with the terms hereof.

**(7) POSSESSIONS:** Said property is to be delivered with deed

**(8) DEPOSIT:** The Purchaser has deposited with GULF COAST LAND . COM, LLC \$ 1,000.00 as earnest money. If the title is merchantable, this deposit is to apply on the cash payment. If the title is not merchantable, the Seller is to return to the Purchaser the earnest money. In the event the title is found to be merchantable and the Purchaser fails to carry out and perform the terms of this agreement, he shall forfeit the above mentioned earnest money as liquidated damages for such failure or refusal, and the earnest money so forfeited shall be divided equally between the Seller and the Agent (see paragraph 14).

**(9)** Seller agrees to pay Broker a 7.5% commission on the total purchase price indicated in paragraph 2

**(10)** The sale is to be closed within 60 days from date, or as soon thereafter as merchantable title can be affected. Conditions 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 are on page 2 of this contract and are a binding part of this contract.

**(11) SPECIAL PROVISIONS:**

A. Closing to occur at the office of Schwartz, Orgler & Jordan, 15487 Oak Lane Drive, Suite 200-J, Gulfport, MS 39503, (228) 832-8550

**(12) All parties to this transaction understand GULF COAST LAND . COM, LLC is:**

Buyers Agent  Sellers Agent  Disclosed Dual Agent  
(If the purchaser considers it necessary, the purchaser can obtain agency representation of a lawyer or real estate broker, or both.)

**(13)** Seller/Buyer has 3 days to accept this offer.  
WITNESS OUR SIGNATURES THIS THE 9th DAY OF September 2008

\_\_\_\_\_  
SELLER

\_\_\_\_\_  
BUYER

GULF COAST LAND . COM, LLC

**MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

(14) **BREACH OF CONTRACT:** Specific performance is the essence of this contract, except as otherwise specifically provided for in Paragraph 16, and as further delineated below:

- (a) In the event of breach of this contract by Purchaser, the Seller at his option may either (1) accept the earnest money deposit as liquidated damages and this contract shall be null and void, or (2) enter suit in any court of competent jurisdiction for damages, giving credit on said damages for the said earnest money, or (3) enter suit in any court of competent jurisdiction for specific performance. If the Seller accepts the earnest money deposit as liquidated damages; or if the Seller litigates for additional damages in any court of law, the Broker shall be paid one half (1/2) of the earnest money deposit amount but not to exceed the full commission herein provided for. If the Seller succeeds in a suit for specific performance, the Broker shall be paid a full commission by the Seller.
- (b) In the event of breach of contract by the Seller, the Purchaser at his option may either (1) accept the return of the earnest money deposit and cancel the contract, or (2) enter suit for damages in any court of competent jurisdiction, or (3) enter suit in any court of competent jurisdiction for specific performance. In the event of breach of contract by the Seller, the Broker shall be paid a full commission by the Seller regardless of any action taken by the Purchaser.
- (c) If it becomes necessary to insure the performance of the conditions of this contract for either party to initiate litigation then the losing party agrees to pay reasonable attorney fees and court costs in connection therewith.

(15) **RESPONSIBILITY OF BROKER:** Both parties agree that the Broker, named herein, is the procuring cause of this sale. This instrument is to contain all terms of this sale, and no representations have been made other than are herein contained. No agent or representative of Broker shall have any power to make any representations as to the property or any statement, unless and except fully embodied herein in writing. This instrument shall impose no obligations upon Broker, otherwise than in accordance with its terms, and no agents or representative of Broker has any authority otherwise than herein stated to do any act or thing other than herein set forth and Purchaser and Seller hereby represent to Broker that no agent or representative has made any representation or done any act other than herein set forth. The Broker assumes no responsibility for the performance of this contract by either party hereto or for the condition of the subject property.

(16) **STRUCTURAL CONDITION:** The Purchaser hereby acknowledges that unless otherwise set forth in writing elsewhere in this contract, that neither the listing Broker or the selling Broker or their sales associates nor the Owner/Seller have made any representations concerning the present or past structural condition of the slab or foundation of this property. The Purchaser also hereby agrees that they will not hold either Broker and/or sales associate or Owner/Seller responsible or liable for any present or future structural problems or damage to the foundation or slab of said property. Purchaser has the right and permission to hire an engineer, or contractor to advise him on the condition of the subject property prior to closing. Some parts of Mississippi have expansive soils known as Yazoo clay and if present can cause foundation and structural damage. N/A

(17) **DAMAGE FOR FIRE, ETC.:** This contract is further conditioned upon delivery of the improvements in their present condition, and in the event of material damages by fire or otherwise, before closing, Purchaser may declare the contract void and shall be entitled to the return of his earnest money, or Purchaser may elect to complete the transaction in accordance with this contract, provided the property is restored by Seller at Seller's expense prior to closing of the sale.

(18) **GENERAL PROVISIONS:** Both parties agree that this contract, unless subsequently amended in writing, contains the final and entire agreement between the parties hereto, and neither party shall be bound by any terms, conditions, oral statements, warranties, or representations not herein contained. The words "Seller" and "Purchaser" as used in this contract shall include the plural as well as the singular and the masculine shall be read as the feminine as the context may require.

(19) **ACCEPTANCE:** The Buyer hereby represents that he has personally inspected and examined the above mentioned premises and all improvements thereon and accepts the property in its "AS IS" and present condition. Neither party has relied upon any statement or representation not embodied in this contract made by the other party or the sales representative bringing the parties together. The provisions of this contract shall apply to and bind the heirs, executors, administrators, successors and assigns of the respective parties hereto.

(20) All utilities such as electrical, plumbing, and appliances to be delivered in proper working order. Purchaser to be allowed access to property prior to closing to inspect the above. Closing constitutes acceptance by Purchaser to the above in proper working order.

(21) Statements and representations made by the Broker are primarily gathered from information given to him by the Seller and while we are diligent in our efforts to obtain the facts, we are in no way liable for incorrect information regarding zoning laws, survey lines, fences, border line disputes, flood plans, or any Acts of God. In quoting the square footage of a building, we do not guarantee that this square footage measurement is correct, nor has the price and consideration been based primarily on the square footage. If you, as the Buyer, have any questions about the size of the building, or the boundary of the property, you have the right to hire a surveyor, or engineer to determine these measurements, at your own expense, prior to closing. Any checks received by the Brokers as earnest money are subject to bank clearance and the monies are to be held in his escrow account until the sale is closed.

(22) Termites have become a serious problem especially in the Southern United States. When the U.S. Government ruled that Chlordane could not be used in pre-treatment, the problem has gotten worse. There are two known termites at this time - one is the common subterranean termite and it works from the soil where it obtains moisture and the other is the Formosan termite which does not need moisture from the soil and can work from the top down. Normally the Seller orders and pays for the termite inspection and the Buyer is given a copy of the report. However if the Buyer elects to order and pay for an inspection, the Buyer has that right. The listing and the selling Broker assume no liability for past, present or future termite damage.

(23) Neither the listing Broker, or the selling Broker, or Seller/Owner are responsible or liable for an environmental contamination, hidden or exposed. Buyer is advised to consult with appropriate professionals regarding the possible existence of hazardous wastes and toxic substances on the property, including, but not limited to, asbestos, radon gas, toxic mold, and lead based paint. Buyer is further advised that a variety of federal laws can place strict liability on property owners for hazardous waste management and cleanup of hazardous substances. If you have any doubts you may order a Phase I environmental study which may run from \$500.00 to \$1,500.00.

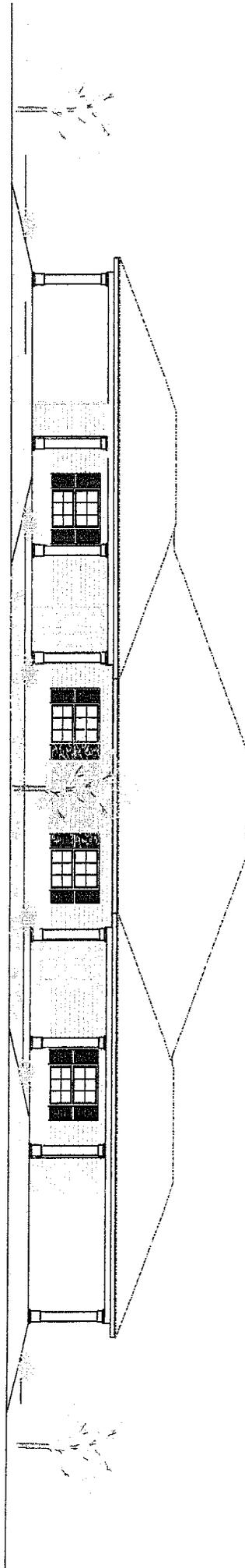
(24) **STATEMENT:** Each undersigned party to this transaction acknowledges that they have read and understand this contract and hereby acknowledges receipt of a copy of this document.

(25) Flood maps, flood ways, and flood plains change from time to time. When we sell property you will be furnished a flood certificate which will be ordered by the mortgage lender, banker, or closing attorney. WE ARE IN NO WAY RESPONSIBLE for flooding, but do recommend flood insurance if there is any question in your mind. Insurance companies take the position that houses destroyed by rising waters in a hurricane are destroyed because of flooding and if you do not have flood insurance they do not pay claims.

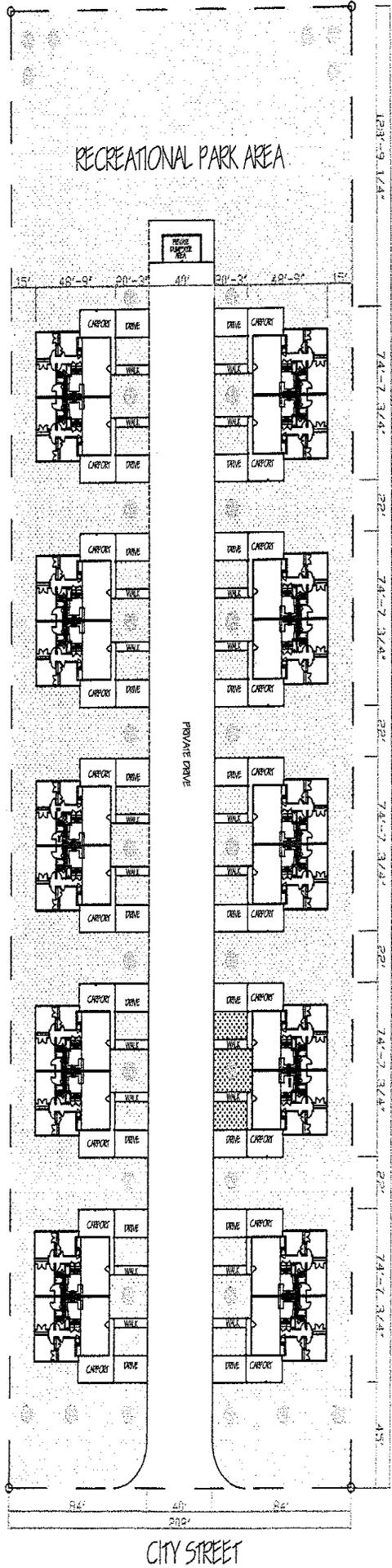
Seller

Buyer

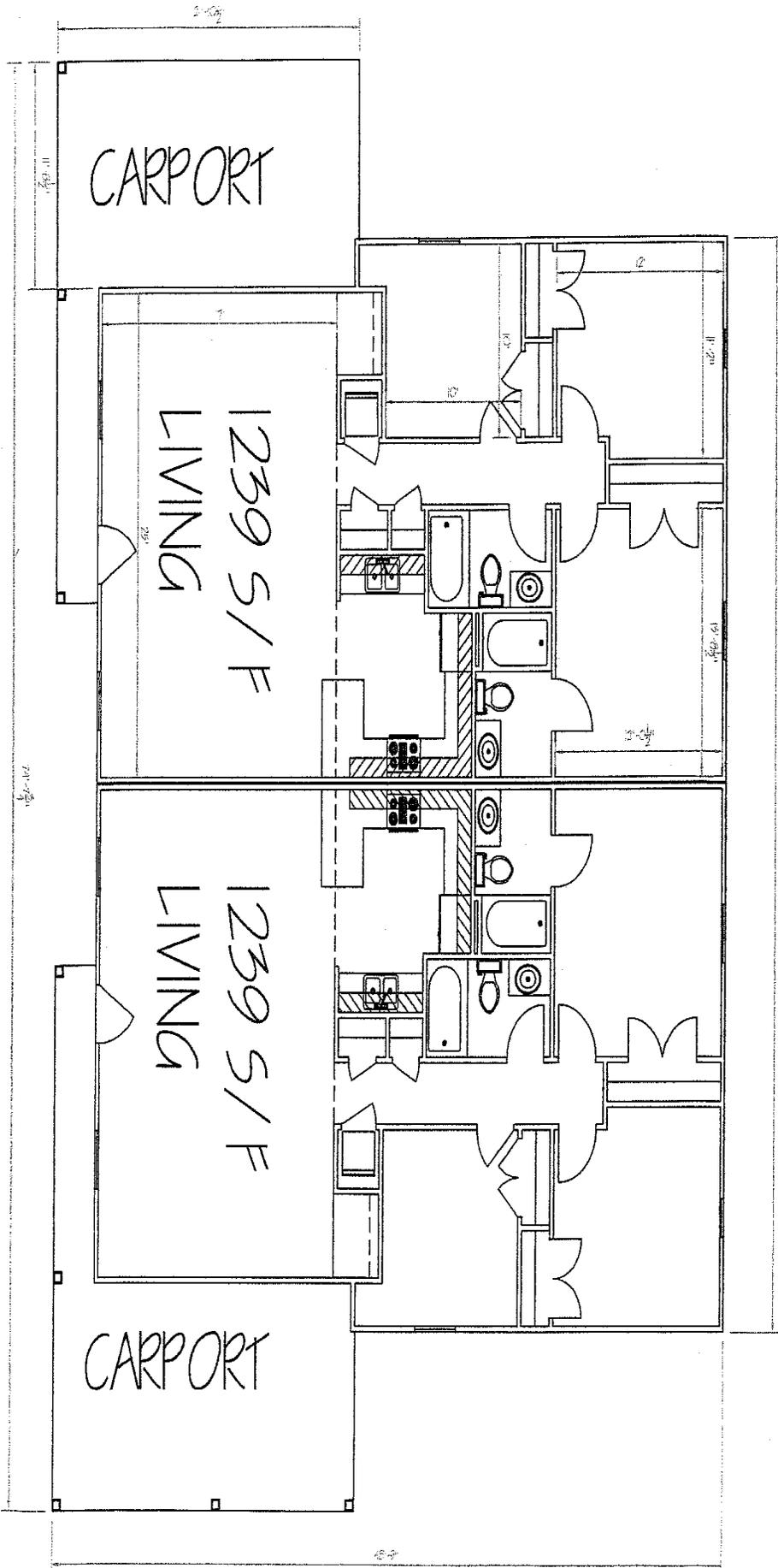
**MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION



MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION



**MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

The applicant came forward to state request he stated that the Commission granted him previous approval for the same type of development on a lot across the street from the lot in subject but due to some issues in purchasing the lot he was not able to acquire it and is now requesting Planning Commission approval to build on this lot.

After careful review and consideration Commissioner Lipski made motion seconded by Commissioner Hare and unanimously carried to approve the request as submitted.

\*\*\*\*\*

It came for consideration Planning Commission approval for Preliminary Plat approval for Castine Pointe, LLC on behalf of Kyle Associates as follows:

**MINUTES OF OCTOBER 9, 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](mailto:permits@cityoflongbeachms.com)



APPLICATION FOR CASE REVIEW

- I. TYPE OF CASE REQUEST
- A.  Zoning Change
  - B.  Planning Commission Approval - Preliminary Plat 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: CASTINE POINTE  
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.

CASTINE POINTE, LLC on behalf of KAUE ASSOCIATES  
Name of Owner(s) Mailing Address 638 VILLAGE LANE N  
(985) 727-9377 MADEVILLE, LA 70471  
City State Zip Telephone (H) Office  
[Signature] for Castine Pointe, LLC 9/24/08 \$ 500.00  
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 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 OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



**SUBMITTAL FORM**

**Date:** 9/29/08

**To (Company Name):** City of Long Beach  
Planning Commission

**Attention:** Veronica Howard

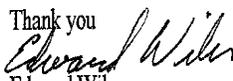
**From:** Edward Wilson  
Project Manager  
Kyle Associates, L.L.C.  
638 Village Lane North  
Mandeville, LA 70471  
(985) 727-9377 (office)  
(985) 727-9390 (fax)  
(228)365-3825 (cell)  
ewilson@kyleassociates.net

**Project Name:** Castine Point Phase II

**Project No.:** 40562

<u>Quantity</u>	<u>Item Description</u>
1	Check Payable to City of Long Beach (500.00)
1	Application for Case Review
3	Copy Construction Plans Phase I
1	CD With PDF's of Phase I

**Remarks:** Mrs. Howard  
This is our submittal of Application for Case Review to the City of Long Beach Planning Commission. We have submitted construction plans to David Ball.

Thank you  
  
Edward Wilson  
Project Manager

Mandeville  
(985)727-9377

P.O. Box 1831 Mandeville, LA 70470-1831  
Fax  
(985)727-9390

New Orleans  
(504)227-9355

**MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



**SUBMITTAL FORM**

**Date:** 10/03/08

**To (Company Name):** City of Long Beach  
Planning Commission

**Attention:** Veronica Howard

**From:** Edward Wilson  
Project Manager  
Kyle Associates, L.L.C.  
638 Village Lane North  
Mandeville, LA 70471  
(985) 727-9377 (office)  
(985) 727-9390 (fax)  
(228)365-3825 (cell)  
ewilson@kyleassociates.net

**Project Name:** Castine Point Phase II

**Project No.:** 40562

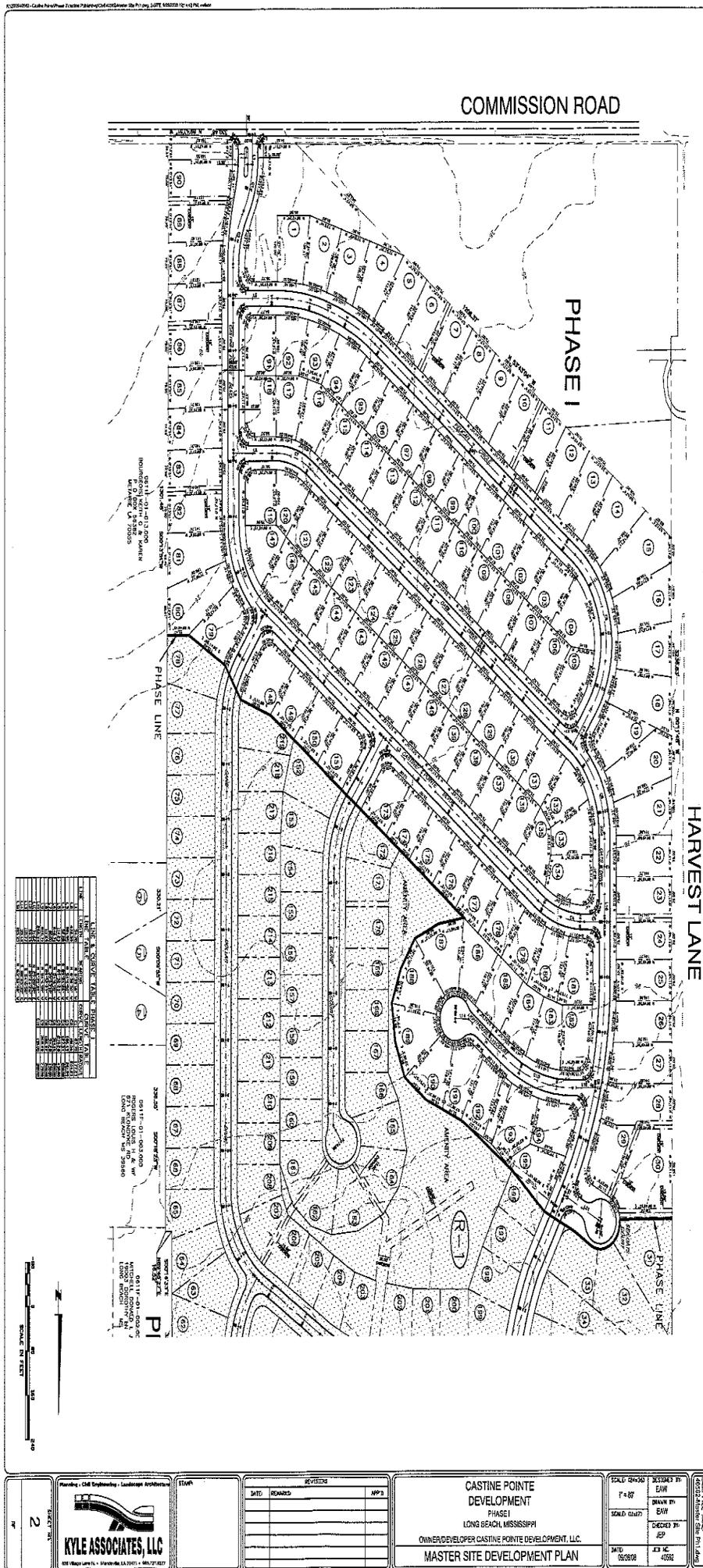
<u>Quantity</u>	<u>Item Description</u>
1	Copy Construction Plans Phase II
1	CD With PDF's of Phase II

**Remarks:** Mrs. Howard  
This is our submittal of Construction Plans to the City of Long Beach Planning Commission. We have submitted construction plans to David Ball.

Thank you  
  
Edward Wilson  
Project Manager

Mandeville (985)727-9377	P.O. Box 1831 Mandeville, LA 70470-1831 Fax (985)727-9390	New Orleans (504)227-9355
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**MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



**MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

***LONG BEACH FIRE DEPARTMENT***

**Subdivision/Site Inspection Form**

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Subdivision and/or Site: Castine Point Phase I

Address or Location: Commission Rd.

---

**Subdivision Site and Acceptance Test**

For all new subdivisions located within the City of Long Beach, a minimum of \$80.00 plus \$20.00 per fire hydrant shall be levied. **This fee includes initial site plan review, with the inspection and test on each hydrant for the final acceptance test.** The fee is payable upon submittal of the initial plans for review to the Long Beach Building Code Office.

---

**Site Plan**

Preliminary Site Plan Review Date: 9/29/2008

Preliminary Site Plan:

Accepted  Rejected

---

**Hydrants Test**

Water Main Size: 8"

Accepted:  Rejected

Hydrant Number: 1  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 2  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 3  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 4  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 5  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 6  
Gallons per Minute:

Location:  
Accepted:  Rejected:

**MINUTES OF OCTOBER 9, 2008  
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LONG BEACH PLANNING COMMISSION**

Hydrant Number: 7

Location:

Gallons per Minute:

Accepted[ ] Rejected[ ]

Hydrant Number: 8

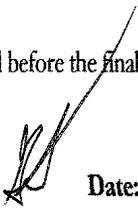
Location:

Gallons per Minute:

Accepted[ ] Rejected[ ]

\*\* All hydrants will be tested before the final acceptance is given on the site plan. Please make sure all water valves are turned on. \*\*

Fee: \$ 320.00

Reviewed by: Griff Skellie  Date: 9/29/2008

Note: Island at entrance shall be 20' from the edge of Commission Road

*Protecting Life and Property*

**MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

***LONG BEACH FIRE DEPARTMENT***

**Subdivision/Site Inspection Form**

---

Subdivision and/or Site: Castine Pointe Phase II resubmit

Address or Location: Commission Rd.

---

**Subdivision Site and Acceptance Test**

For all new subdivisions located within the City of Long Beach, a minimum of \$80.00 plus \$20.00 per fire hydrant shall be levied. **This fee includes initial site plan review, with the inspection and test on each hydrant for the final acceptance test.** The fee is payable upon submittal of the initial plans for review to the Long Beach Building Code Office.

---

**Site Plan**

Preliminary Site Plan Review Date: 10/09/2008

Preliminary Site Plan:

Accepted  Rejected

---

**Hydrants Test**

Water Main Size: 8"

Accepted:  Rejected

Hydrant Number: 1  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 2  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 3  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 4  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 5  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 6  
Gallons per Minute:

Location:  
Accepted:  Rejected:

**MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

Hydrant Number: 7

Location:

Gallons per Minute:

Accepted[ ] Rejected[ ]

Hydrant Number: 8

Location:

Gallons per Minute:

Accepted[ ] Rejected[ ]

\*\* All hydrants will be tested before the final acceptance is given on the site plan. Please make sure all water valves are turned on. \*\*

Fee: \$ 240.00

Reviewed by: Griff Skellie

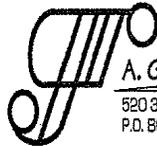


Date: 10/09/2008

Note:

*Protecting Life and Property*

**MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



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

520 33<sup>RD</sup> STREET, GULFPORT, MS 39507  
P.O. BOX 1577, GULFPORT, MS 39502

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



October 9, 2008

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

**RE: Castine Pointe Subdivision – Phases 1 & 2**

Ladies and Gentlemen:

Along with Derrel Wilson, we have reviewed the referenced subdivisions for their compliance with City requirements, and have found that there are still numerous changes necessary to the plans. I have met separately with the engineer and have shown him our concerns, which he assures us can be addressed. However, we do not feel it would be in the City's best interests to approve these subdivisions at this time, even on a contingent basis and we therefore recommend that approval of these subdivisions be denied until such time as they have satisfied the City's concerns.

Sincerely,

David Bail, P.E.

DB:539

**MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

Edward Wilson, engineer for the project came forward to state request he stated he was asking for the Planning Commission to approve this project in order to allow his client to move forward although the City Engineers recommendation was to deny the project.

After much discussion and consideration Commissioner Vancourt made motion seconded by Commissioner Lipski to approve the project contingent all engineering concerns were addressed and corrected to the satisfaction of the City Engineer and asking the City Engineer to provide the applicant with a comprehensive plan, if at all possible, addressing all engineering concerns.

\*\*\*\*\*

It came for consideration Planning Commission review/approval of the “City of Long Beach Transect Map” prepared by Ayers, Saint, Gross.

After careful review Commissioner Lipski made motion seconded by Commissioner Rishel and unanimously carried recommending the following changes and stating that others may be identified:

1. The FEMA Flood Map overlay needs to be removed.
2. The Belle Terre Subdivision on the West side of town is showing T-1 Rural Preserve, needs to be changed to T-3, Suburb

**MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

3. Area around Ocean Wave Avenue is showing Railroad Corridor, needs to be changed to an Industrial District.
4. Orchard Park Subdivision needs to be added (show streets) and the Rural Preserve removed, should be T-3 Suburb.
5. Old Town Garden (formerly Green Oak Lakes) subdivision/streets are not shown on the map.
6. Area along Cleveland Avenue is showing T-4 Neighborhood, that needs to be changed to T-4C NBHD Commercial.
7. Intersection of Commission Road and Klondyke Road is showing T-4 Neighborhood, needs to be changed to T-4c NBHD Commercial.
8. Should churches be shown in a Special District?
9. Street Correction: Nicholson Avenue runs from Allen Road to Highway 90. (Thompson Drive needs to be moved to the West)
10. Red Gate subdivision is showing Civic District, what is the reason for that?
11. School District office on Commission Road should be in an Educational District.

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

**MINUTES OF OCTOBER 9, 2008  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

made motion seconded by Commissioner Hill and  
unanimously carried to ADJOURN the meeting until the next  
regularly scheduled meeting in due course.

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APPROVED:

\_\_\_\_\_  
Commission Chairman, Frank Olaiivar

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Veronica Howard, Minute Clerk