

**MINUTES OF MARCH 26, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

Be it remembered that a regular meeting of the Long Beach Planning Commission of the City of Long Beach, Mississippi, was begun and held at the Long Beach School District Central Office, 19148 Commission Road, in said City 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, Tonda Yandell, Jacquie Lipski, Tony Vancourt, Roderick Rishel, and Minute Clerk Veronica Howard.

Commissioner David Serrato and Barney Hill were absent the meeting.

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

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The meeting was called to order and the Commission Chairman stated that all decisions made at this meeting would need to be ratified by the Mayor and Board of Aldermen at their next regularly scheduled meeting of April 7, 2009, and subject to a ten-day appeal time for a Public Hearing.

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After careful review and consideration Commissioner Lipski made motion seconded by Commissioner Hare and unanimously carried to approve the Planning Commission minutes of March 12, 2009 with the following corrections:

Date of Minutes (top of pages) should be March 12, 2009, on Page 1, preliminarily is misspelled; Page 13, existing is misspelled; Page 23, Commissioner Lipski made motion; Page 34, recused is misspelled.

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It came for discussion under OLD BUSINESS approval/review of the Comprehensive Plan, Smart Code and Architectural Guidelines. A

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work Session was scheduled for April 2, 2009 at 5:00 p.m. at the City Hall Complex located at 645 Klondyke Road in the I.T. Trailer.

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It came for approval under NEW BUSINESS Planning Commission Approval to build low-rise apartments in an R-2 Low-Density Multi-Family Residential zone submitted by Curt Achee 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](mailto:permits@cityoflongbeachms.com)



APPLICATION FOR CASE REVIEW

- I. TYPE OF CASE REQUEST
- A.  Zoning Change
  - B.  Planning Commission Approval - *Build low-rise apts in R-2 Zone Dist.*
  - 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 END CHARLES AVE.  
House number and street name

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

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

A. If in a subdivision: SEE ATTACHED  
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>CURT ACTEE</u>	<u>P.O. BOX 429</u>
Name of Owner(s)	Mailing Address
<u>PASS CHRISTIAN MS 39571</u>	<u>228 697 1818</u>
City State Zip	Telephone (H) Office
	<u>3/5/09</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 or by the appearance of such owner(s) at the hearing. Such support is usually considered prima facie evidence.

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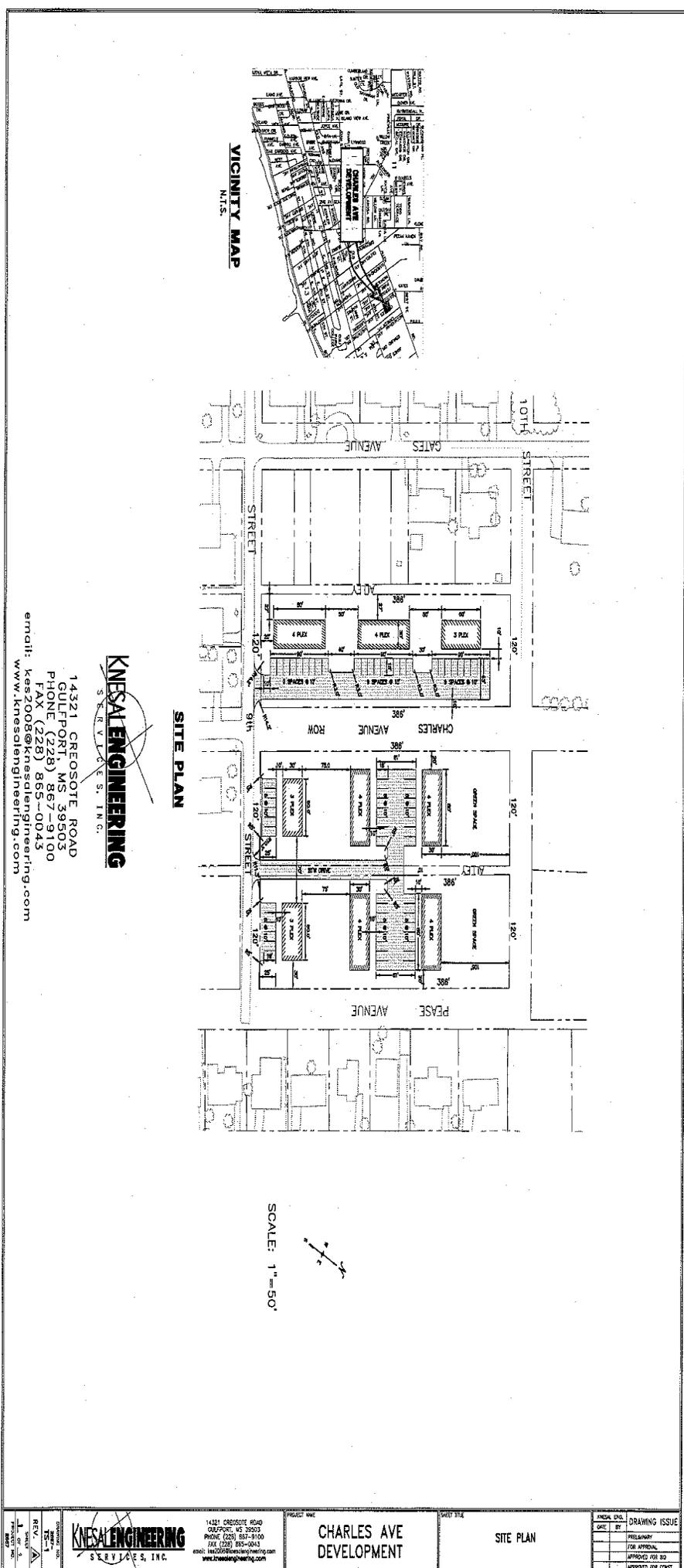
III. The property is zoned R-2 at this time. The request is for planning commission approval to build 4 plexes on said property. The preliminary layout shows that all setbacks and footage requirements were met or exceeded.

IV.

A. Part of Gates subdivision platted but not developed.

Tax Parcel #0611P-04-074.000  
#0611P-04-073.000  
#0611P-04-072.000  
#0611P-04-076.000  
#0611P-04-075.000  
#0611P-04-114.000  
#0611P-04-113.000  
#0611P-04-111.000  
~~#0611P-04-118.000~~  
~~#0611P-04-117.002~~  
~~#0611P-04-117.000~~

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Bobby Kneasel, 14321 Creosote Rd Gulfport, MS 39503, came forward on behalf of applicant to state request.

After considerable discussion regarding road frontage, subdivision of the lots, and access to the lots Commissioner Lipski made motion seconded by Commissioner Hare and unanimously carried to approve low-rise apartments in an R-2, Low Density Multi-Family Zone contingent that a formal site plan and legal descriptions for the new lots be submitted to the Commission for final approval.

\*\*\*\*\*

It came for approval Planning Commission Approval for FINAL PLAT approval submitted by Leon Long 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](mailto:permits@cityoflongbeachms.com)



APPLICATION FOR CASE REVIEW

- I. TYPE OF CASE REQUEST
- A.  Zoning Change
  - B.  Planning Commission Approval *Final Plat Approval - RED GATE.*
  - 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: 19132 Commissioners Road, Long Beach, MS  
House number and street name

III. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.) FINAL PLAT APPROVAL FOR RED GATE.

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

A. If in a subdivision:  
RED GATE ESTATES  
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>Leon Long &amp; David Allen</u>		_____	
Name of Owner(s)		Mailing Address	
<u>19128 Commissioners Rd</u>		_____	
<u>Long Beach, MS 39560</u>		_____	
City	State	Zip	
		Telephone (H)	Office
Signature of Owner(s)		<u>3/10/09</u>	<u>\$300.00</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

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**RED GATE ESTATES**  
LOCATED IN THE SOUTHWEST QUARTER OF  
SECTION 2, TOWNSHIP 8 SOUTH, RANGE 12 WEST  
CITY OF LONG BEACH, HARRISON COUNTY,  
MISSISSIPPI

**BORDINARY DESCRIPTION PER INSTRUMENT #8007-4888-D-17**

A Parcel of land located in the Southwest Quarter of the Southwest Quarter (SE 1/4 of the SW 1/4 of Section 2, Township 8 South, Range 12 West, Harrison County, Mississippi, containing a subdivision described as follows:

**BEGIN** at an iron rod found at the Southwest (SE) corner of Lot Fifteen (15), DAUGHTERY PARK SUBDIVISION, Part 3, City of Long Beach, on the 1/4 Point Book 20 at Page 20, in Harrison County, Mississippi, containing 22 minutes 22 seconds East 883.35 feet along the east line of said subdivision to the Northeast (NE) corner of Lot 21 and an iron rod; thence run North 00 degrees 45 minutes 22 seconds East 347.25 feet to an iron rod; thence run South 82 degrees 51 minutes 23 seconds East 347.25 feet to an iron rod; thence run South 00 degrees 05 minutes 00 seconds East 509.54 feet to an iron rod; thence run North 89 degrees 24 minutes 23 seconds West 428.23 feet to the intersection of the Road; thence run North 88 degrees 02 minutes 27 seconds West 346.84 feet along said Road 3256.02 feet to an iron rod; thence run North 89 degrees 06 minutes 42 seconds West 182.50 feet to the Point of Beginning.

**OWNER'S CERTIFICATE AND DECLARATION**

This is to certify that Alan & Long Road Estates Investment, LLC is the owner of the land plotted and described herein; the owner further declares that to be a correct plot of said land and that the same is in accordance with the plat of said land as shown on the Plat of Red Gate Estates, Part 3, City of Long Beach, Harrison County, Mississippi, and hereby declares the streets, avenues and that Community Bank, Gulf Coast, which is by and through its duly authorized officer, Jerry Egan, joins in the dedication of this plot for the reason they are the proprietors of the property described herein.

Witness our signatures, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Alan D. Long  
Owner  
Community Bank, Gulf Coast  
Vice President

**ACKNOWLEDGMENT**

STATE OF MISSISSIPPI  
COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT

Personally appeared before me, the undersigned authority in and for the said county and state, on this \_\_\_\_\_ day of \_\_\_\_\_, 2009, Alan D. Long, who acknowledged that he is a partner of Alan & Long Road Estates Investment, LLC, and that he executed the above and foregoing instrument, having been duly authorized to do so.

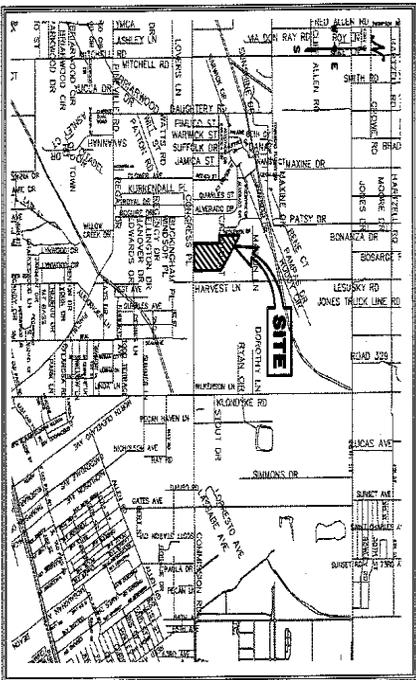
NOTARY PUBLIC

**ACKNOWLEDGMENT**

STATE OF MISSISSIPPI  
COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT

Personally appeared before me, the undersigned authority in and for the said county and state, on this \_\_\_\_\_ day of \_\_\_\_\_, 2009, Alan D. Long, who acknowledged that he is a partner of Alan & Long Road Estates Investment, LLC, and that he executed the above and foregoing instrument, having been duly authorized to do so.

NOTARY PUBLIC



**VICINITY MAP  
(NOT TO SCALE)**

**ENGINEER'S CERTIFICATE**

The plans of said subdivision and the construction of all improvements thereon, which are or may be shown on the said subdivision and the construction of all improvements thereon, which are or may be shown on the said subdivision, conform to the standards, regulations and all other laws, rules, ordinances, and rules of the City of Long Beach, Mississippi, and I, the undersigned, hereby certify that the same are correct and true to the best of my knowledge and belief.

Witness my signature and seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Robert A. Keady, P.E.  
Mississippi Registration #3038

**SURVEYOR'S CERTIFICATE**

I, J. Collier Ruffin, a Professional Surveyor, in and for the State of Mississippi, do hereby certify that the above and foregoing instrument, which is a part of the record of said subdivision, is a correct and true copy of the original instrument, and that the measurements and other data indicated are correct to the best of my knowledge and belief.

Witness my signature and seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

J. Collier Ruffin, P.S.  
Mississippi Registration #3008

**CITY ENGINEER'S CERTIFICATE OF APPROVAL**

I, the undersigned, as the duly authorized representative of these regulations and rules of the City of Long Beach, Mississippi, in giving tentative approval of the general subdivision plan, the plat of said land, and the plat of said subdivision, hereby certify that the same are correct and true to the best of my knowledge and belief.

Witness my signature and seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**LONG BEACH PLANNING COMMISSION**

These have been reviewed and preliminary approved.

DATE: \_\_\_\_\_, 20\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE**

I, the undersigned, as the duly authorized representative of the City of Long Beach, Mississippi, in giving tentative approval and acceptance of Plat for recording by Order of the Mayor and Board of Commissioners of the City of Long Beach, Mississippi, do hereby certify that the same are correct and true to the best of my knowledge and belief.

Witness my signature and seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

CITY CLERK

APPROVED:

Mayor

**CERTIFICATE OF COMPARISON**

We, the undersigned, do hereby certify that we have compared this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, with the original plat of Red Gate Estates and find the same to be a correct and true copy thereof.

I, Collier Ruffin, P.S. #3008  
CHANCELLERY CLERK

BY: \_\_\_\_\_  
DEPUTY CLERK

**CHANCELLERY CLERK'S CERTIFICATE**

Filed and recorded by duplicate in the Record of Plats for Harrison County, Mississippi, in Plat Book \_\_\_\_\_ at Page \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

CHANCELLERY CLERK

DEPUTY CLERK

PROJECT NO. 09-01	SHEET 1 OF 1	REV. PLAT-1	DRAWING NO. 09-01
14201 BERGICENT ROAD GULFPORT, MISSISSIPPI 39503 PHONE (601) 837-0110 FAX (601) 837-0110 email: paul@knealengineering.com www.knealengineering.com			
PROJECT NAME	RED GATE ESTATES	LONG BEACH, MISSISSIPPI	
SHEET TITLE	CERTIFICATION		
DATE	BY	DATE	BY
APPROVED FOR EBD	APPROVED FOR EBD	APPROVED FOR EBD	APPROVED FOR EBD
APPROVED FOR CNST.	APPROVED FOR CNST.	APPROVED FOR CNST.	APPROVED FOR CNST.





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***LONG BEACH FIRE DEPARTMENT***

**Subdivision/Site Inspection Form**

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**Subdivision and/or Site:** Red Gate Estates Subdivision

**Address or Location:** Commission Road

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**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.

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**Site Plan**

**Preliminary Site Plan Review Date :** 05/15/2006

**Preliminary Site Plan:** Accepted  Rejected

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**Hydrants Test**

**Water Main Size:** 8 inch main Accepted:  Rejected

**Hydrant Number:** #1 lot # 5 **Location:** Red Gate Drive  
**Gallons per Minute:** Accepted:  Rejected:

**Hydrant Number:** #2 lot # 22 **Location:** Red Gate Drive  
**Gallons per Minute:** 1000 Accepted:  Rejected:

**Hydrant Number:** #3 lot # 33 **Location:** Estate Drive  
**Gallons per Minute:** 1000 Accepted:  Rejected:

**Note:** Hydrant at lot # 5 will not open. 03/25/2009

**Reviewed by:** Mike Brown **Date:** 05/15/2006

**Fee:** \$140.00

*Protecting Life and Property*

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

520 33<sup>RD</sup> STREET, GULFPORT, MS 39507  
P.O. BOX 1677, GULFPORT, MS 39502

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



March 26, 2009

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

**RE: Final Acceptance – Red Gate Subdivision**

Ladies and Gentlemen:

We understand that the developer of the referenced subdivision is seeking final approval of the Record Plat for this subdivision, consisting of 44 lots. We have reviewed the form of the plat and find it acceptable, subject to final review by the City Attorney.

After several meetings on-site, a Final Inspection of the improvements constructed for this development was conducted on March 5, 2009. Although I understand from the Contractor that the punchlist items have been completed, I have not been able to get pictorial evidence of their completion. Therefore, we enclose a worksheet which reflects the current status of the punchlist work, with our recommendation regarding the amount of the Completion Bond which would be appropriate if the Plat is to be accepted at this time. The total amount recommended for the Completion Bond is \$46,125.

We have also received a statement from the developer regarding the actual cost of the improvements constructed for this subdivision, which we accept. Based upon this value, the correct amount for the Warranty Bond for this development would be 10% x \$624,991 = \$62,499.

Sincerely

David Ball, P.E.

DB-539  
Enclosure

cc: Bobby Knesal, P.E.

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Red Gate Subdivision  
Completion Bond Calculation (from punchlist of 03/05/2009)  
3/26/2009

ITEM	ESTIMATED COST
1 Clean drainage system to remove standing water in boxes.	\$2,500
2 Expose end of 12" culvert at NW corner of Lot 3 & install FES on culvert. Reshape swale the swale and install erosion control in rear drainage area of W property line. Clean drainage system to remove standing water.	\$1,000
3 Lot lines must be at least 10' from top of bank at ponds. Also, clean fence row for access.	\$2,000
4 Adjust both SMH top elevations at Lot 19.	\$1,000
5 Grind stumps which are in the ditch line / dress-up / grade to drain along the W property line near Calnito St.	\$1,000
6 Remove water service to school building.	\$100
7 Seal both SMH @ E edge of NW pond to eliminate infiltration.	\$500
8 Seed & stabilize all exposed earth in drainage areas.	\$700
9 Build invert in junction box in west inlet into the east pond; trim pipe to handle flow.	\$250
10 Add grout to invert in the SMH in N side of lot 19.	\$100
11 Cut a gradual ditch along the ground in the SW corner of the NW pond to drain the surrounding area.	\$250
12 Leave outlet of north pond to perform as is, will check up as part of 2 year warranty inspection will see if any action is needed then.	\$0
13 Flush sewer system; remove standing water and sand in the system.	\$1,000
14 Cut invert for incoming pipe @ the E side of SMH @ Red Gate & Estate Dr.	\$500
15 Both ponds must be dry. This may require modifications to the existing ditch at the NW pond outfall. City will monitor the pond functionality throughout the 2-year warranty period but will expect both ponds to be dry before final acceptance.	\$26,000
<b>TOTAL WORK TO BE PERFORMED</b>	<b>\$36,900</b>
<b>ALLOWANCE (PER ORDINANCE)</b>	<b>\$9,225</b>
<b>TOTAL COMPLETION BOND</b>	<b>\$46,125</b>

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Bobby Kneasel, 14321 Creosote Rd Gulfport, MS 39503, came forward on behalf of applicant to state request.

After considerable discussion Commissioner Yandell made motion seconded by Commissioner Lipski and unanimously carried to approve the Final Plat contingent upon City Engineers and Fire Department recommendations.

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There being no further business to come before the Planning Commission at this time Commissioner Yandell made motion seconded by Commissioner Lipski 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