

**MINUTES OF APRIL 9, 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, Barney Hill, Dale Hare, Tonda Yandell, Maurice Warren, Tony Vancourt, Jacquie Lipski, David Serratto, Planning Commission Advisor Bill Hessell, Building/Code Official Earl Levens, and Minutes Clerk Veronica Howard.

Commissioner Roderick Rishel was 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.

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 21, 2009, and subject to a ten-day appeal time for a Public Hearing.

After careful review and consideration Commissioner Yandell made motion seconded by Commissioner Lipski and unanimously carried to approve the Planning Commission minutes of March 26, 2009 as submitted.

Commission Chairman Frank Olaivar recused himself from meeting. Vice-Chairman, Tony Vancourt, presided in the absence of the Chairman.

MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION

It came for consideration the public hearing to consider an application for ZONE CHANGE from R-O/R-1, Residential/Office/Single Family Residential to C-2 General Commercial, as submitted by Ida Faye Woodfield, for property located on Klondyke Road in conjunction with the Planning Commission's consideration to expand said request to include the entire R-O Residential Office zone district along Klondyke Road as follows:

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

APPLICATION FOR CASE REVIEW

IDA FAYE WOODFIELD - KLONDYKE ROAD PROPERTY

ZONING CHANGE

**MINUTES OF APRIL 9, 2009
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APPLICATION FOR CASE REVIEW

IDA FAYE WOODFIELD - KLONDYKE ROAD PROPERTY

ZONING CHANGE

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SUMMARY

On January 22, 2009, this Planning Commission reviewed the subdivision of the subject parcel from the larger parcel owned by Ida Woodfield, and the subdivision was subsequently approved by the Board of Aldermen. The subject parcel is proposed to be sold to Keesler Federal Credit Union for the construction of a new branch. The current zoning of the subject parcel is R-0. Ida Woodfield seeks a re-zoning of the subject parcel to C-2 to enable the sale to Keesler Federal Credit Union and the subsequent construction of a permanent Keesler Federal Credit Union branch in Long Beach, Mississippi.

Ida Woodfield submits her application for a zoning change and would show this commission that the character of the neighborhood has changed to such an extent as to justify re-zoning which will satisfy a public need as shown by the attached reports of Kim Compton and Harry Hebert.

**MINUTES OF APRIL 9, 2009
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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

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:
533 KLONDYKE ROAD, 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.)
- IV. Legal Description of Land Involved. (Complete either A or B below.)
- A. If in a subdivision:
SEAL 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. SEE ATTACHED
- 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>IDA FAYE WOODFIELD</u>	<u>533 KLONDYKE RD.</u>
Name of Owner(s)	Mailing Address
<u>LONG BEACH MS 39560</u>	<u>228/844-5333 N/A</u>
City State Zip	Telephone (H) Office
<u>SEE ATTACHED LETTER</u>	<u>S</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 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.

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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?

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.

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?

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. States 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.

FOR HOME OCCUPATION ONLY!

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

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

January 15, 2009

City of Long Beach, Mississippi
Planning Commission
645 Klondyke Road
P O Box 929
Long Beach, MS 39560

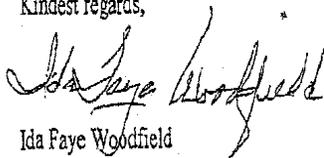
Subject: Resubdivision and Rezoning Request

To whom it may concern:

This letter serves as my authorization for Gerald Caldwell, Tammy Brister or Scotty Broome as representatives of Keesler Federal Credit Union to act in my behalf in the processes of resubdividing and rezoning the parcel referred to as Proposed Parcel A, consisting of 2.53 acres, on the attached survey.

Please also ensure that communications regarding these proceedings are directed to the individuals named above at Keesler Federal Credit Union, 2602 Pass Road, Biloxi, MS 39531. Thank you for your consideration and acceptance of this request.

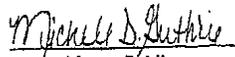
Kindest regards,



Ida Faye Woodfield
533 Klondyke Road
Long Beach, MS 39560

Attachment: Menhennett Survey dated January 9, 2009

Subscribed and sworn to before me, in my presence this 15 day of January 2009,
a Notary Public in and for the County of Harrison, State of Mississippi.


Michelle D. Guthrie
Notary Public

SEAL

My Commission Expires May 11, 2011

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

LRMINQ01	LAND ROLL MAINTENANCE	LRWINQ02/HC
Parcel 0611K-01-017.000	Library 2009	
Legal Description	13.4 AC(C) BEG AT INTER W MAR OF KLONDYKE RD & N MAR OF SUMMER LN N ALONG KLONDYKE 772 FT W 349.3 FT N 55 DG W 380.4 FT W 660 FT TO E MAR OF EAST AVE S ALONG AVE 330 FT E 534.8 FT S 30 FT E 210 FT S 49.2 FT E 150 FT S 580 FT TO SUMMER LN E ALONG RD 148 FT N 128 FT E 108 FT S 128 FT TO RD E ALONG RD 150 FT TO POB PART OF LOT 8 & 9 SEAL SUBD PART OF E1/2 OF NE1/4 SEC 11-8-12	PPIN 85713 Page 1

LRMINQ01	LAND ROLL MAINTENANCE	LRWINQ01/HC
Library 2009		
WOODFIELD IDA FAYE 533 KLONDYKE RD	Parcel 0611K-01-017.000 Alt Parcel 0611K-01-017.000 Exempt Code Tax District 3L Subdivision	PPIN 85713

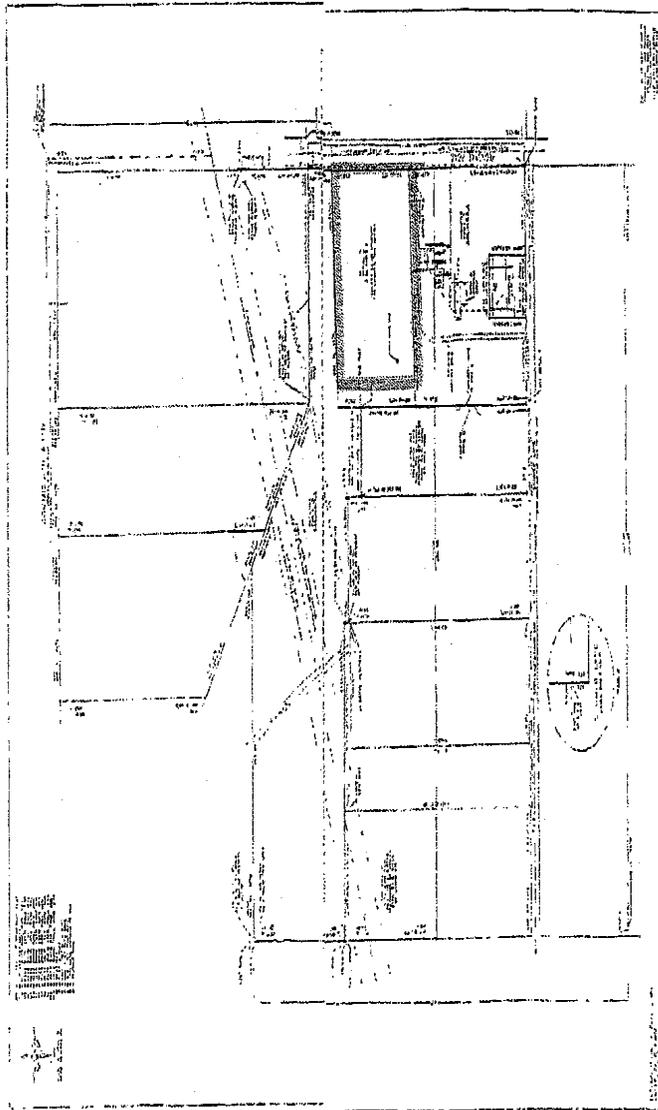
Neighborhood

C/S/Z LONG BEACH	MS 39560							
Sect/Twn/Rng 11 08 12	Blk 533	St KLONDYKE RD						
Cls C-Acres	C-Value	U-Acres	U-Value	T-Acres	Improved	True	Assessed	
1 13.40	86186			13.40	116937	203123	20313	
2								
13.40	86186			13.40	116937	203123	20313	
Homestead Type 1	1=065 2=DAV 3=DIS 4=Regular				Regular	100	7500	
Mtg					Eligible for Class 1	Y (Y/N)		
New Value Added	F-Fire 0-Override				Deed Ref. 0646/0524			
Drainage Code	Benefit Price Total				Deed Date / /			
					Roll: Page Line Added			
					County 5193 5	By		
					City	Changed 3 11 2004		
					School	By LSC		
Levee Benefits	X .05 =							
F3-NEXT PARCEL, F5-LEGAL, F6-ADDENDUM, F7-DEEDS, F8-FLAGS, F9-OPTIONS								
F3 For next record								

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

PARCEL OF IDA WOODFIELD'S PROPERTY AT ISSUE

REVIEWED BY LONG BEACH PLANNING COMMISSION
FOR SUBDIVISION ON JANUARY 22, 2009



**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

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STATE OF MISSISSIPPI
COUNTY OF HARRISON

[Faint, mostly illegible text, possibly a deed or certificate]

STATE OF MISSISSIPPI, COUNTY OF HARRISON, East Judicial District
I, C. J. DASHY, Clerk of the Chancery Court of said County and State, certify that the instrument of which the foregoing is a record was delivered to me to be recorded at 11:40 o'clock A.M. on the 26 day of May, 1970 and recorded May 27 1970.

C. J. DASHY, Clerk

By Clarence Smith C.

15
T. 30

Page 524
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26 May 1970

STATE OF MISSISSIPPI
HARRISON COUNTY

Common to Woodfield
Part of total property

In consideration of the sum of TEN DOLLARS, cash in hand paid and other good and valuable considerations, the receipt of all of which is hereby acknowledged, I, MYRTLE GRIMM, do hereby sell, convey and warrant unto EUEL E. WOODFIELD and his wife, IBA FAYE WOODFIELD, as joint tenants with right of survivorship and not as tenants in common, the following described property situated in Harrison County, Mississippi, to-wit:

That lot or parcel of land having a beginning point and its southeast corner on the West margin of a public road designated as Klondyke Road which point is 248.4 feet North measured along the West margin of said Klondyke Road from the intersection of the North margin of Summer Lane with the West margin of Klondyke Road; from said point of beginning running North, along the West margin of Klondyke Road 100 feet; thence West 250 feet; thence South 100 feet; thence East 250 feet to the point of beginning and being situated in Section 11, Township 8 South, Range 12 West (if regularly surveyed) and being part of the larger tract of land acquired by the grantor under deed from Philip Costanza by deed dated September 25, 1952, and recorded in the records of deeds of Harrison County, Mississippi, in Book 359 on page 235.

The above property forms no part of my homestead.

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

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Grantor reserves the right to remove the dwelling house which is partly situated on the above described land at any reasonable time within one year from date hereof.

Taxes for the year 1970 are to be pre-rated as of date hereof.

WITNESS MY SIGNATURE this, the 26th day of May, A.D., 1970.

Lyle Crum
LEYLE CRUM

STATE OF MISSISSIPPI
HARRISON COUNTY

Before me, the undersigned authority, a Notary Public in and for the aforesaid County and State, personally appeared the within named LEYLE CRUM who acknowledges to me that she signed and delivered the above and foregoing instrument on the day and year therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on this, the 26th day of May, A.D., 1970.

[Signature]
[Illegible]

BY SUBSCRIPTION [Illegible]

580 word 75
 50
 15
 7.45

STATE OF MISSISSIPPI, COUNTY OF HARRISON: First Judicial District
 I, C. J. Darby, Clerk of the Chancery Court of said County and State, certify that the instrument of which the foregoing is a copy was delivered to me to be recorded *in file to this C. M. on the 26th day of May, 1970* and recorded *May 27th 1970*
 C. J. DARBY, Clerk
[Signature] D.C.

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

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Gravine to Woodfield

Book

27 May 1970 Page 526

STATE OF MISSISSIPPI
HARRISON COUNTY

In consideration of the sum of TEN THOUSAND and other good and valuable considerations, including the obligation of Grablees to pay the further sum of twenty two thousand five hundred dollars and 00/100 (\$22,500.00) to be evidenced by a promissory note of even date herewith, bearing interest at the rate of six per cent (6%) per annum, interest payable annually, and payable in 10 equal annual installments of the principal; said note being secured by a deed of trust on the within described land, I, LUCILE GRABER, do hereby sell, convey and warrant unto BILL W. WOODFIELD and his wife, (DA FAYE WOODFIELD), as joint tenants with right of survivorship and not as tenants in common, the following described property situated in Harrison County, Mississippi.

to-wit:

That tract of land having a beginning point and 168 southeast corner at a point on the west margin of a public road designated as Klondyke Road; which point is 346.4 feet North of the North margin of Summer Lane; from said beginning point running North along the west margin of Klondyke Road 423.6 feet; thence east 349.25 feet thence North 89° West 230.4 feet to the northeast corner of Lot 9 of Neal's Subdivision; thence west 660 feet; thence South 330 feet; thence East 334 3/4 feet, more or less, to the northeast corner of a lot of land heretofore conveyed by J.W. Walker to Julia L. Conn; thence South 30 feet; thence East 210 feet to the northeast corner of land sold by Walker to Conn as aforesaid; thence South 49.2 feet; thence East 150 feet; thence South 680.4 feet to the North margin of said Summer Lane; thence East along the North margin of Summer Lane 156 feet; thence North 346.4 feet; thence East 250 feet to the point of beginning and being situated in Section 11, Township 6 South, Range 12 West (if regularly surveyed) and being part of the larger tract of land acquired by the grantor under deeds from Philip Constanza dated September 25, 1952 and October 25, 1960, as appear of record in the records of deeds of Harrison County, Mississippi; together with all rights thereto pertaining and subject to existing easement or right of way for Mississippi Power Company Electric power Line and easement for existing drainage canal.

The above property forms no part of my homestead.

MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION

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STATE OF MISSISSIPPI
HARRISON COUNTY

26 May 1970

Remainder of = Grinn to Woodfield

In consideration of the sum of TEN DOLLARS, cash in hand paid and other good and valuable considerations, the receipt of all of which is hereby acknowledged, I, LUCYLE GRINN, do hereby sell, convey and warrant unto EUEL E. WOODFIELD and his wife, IDA FAYE WOODFIELD, as joint tenants with right of survivorship and not as tenants in common, the following described property situated in Harrison County, Mississippi, to-wit:

That lot or parcel of land having a beginning point and its southeast corner at the intersection of the North margin of a public road designated Summer Lane and the west margin of Klondyke Road; from said point of beginning running North along the west margin of Klondyke Road 248.4 feet; thence West 250 feet; thence South 248.4 feet; thence East 250 feet to the point of beginning, and being situated in Section 11, Township 8 South, Range 12 West (11 regularly surveyed) and being part of the larger tract of land acquired by the Grantor under deed from Philip Constanza by deed dated September 25, 1952, and recorded in the records of deeds of Harrison County, Mississippi, in Book 359 on Page 235.

The above property forms no part of my homestead.

Taxes for the year 1970 are to be pro-rated as of date hereof.

WITNESS MY SIGNATURE this, the 26th day of May A.D., 1970.

Lucyle Grinn
LUCYLE GRINN

STATE OF MISSISSIPPI
HARRISON COUNTY

Before me, the undersigned authority, a Notary Public in and for the aforesaid County and State, personally appeared the within named LUCYLE GRINN, who acknowledged to me that she signed and delivered the above and foregoing instrument on the

day and year therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on this, the 26th day of May A.D., 1970.

Geo. R. Smith
NOTARY PUBLIC

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

Grantor reserves the right to remove the dwelling house which is partly situated on the above described land at any reasonable time within one year from date hereof.

Taxes for the year 1970 are to be pro-rated as of date hereof.

WITNESS MY SIGNATURE this, the 26th day of May,
A.D., 1970.

Lucyle Grimm

LUCYLE GRIMM

STATE OF MISSISSIPPI
HARRISON COUNTY

Before me, the undersigned authority, a Notary Public in and for the aforesaid County and State, personally appeared the within named LUCYLE GRIMM, who acknowledged to me that she signed and delivered the above and foregoing instrument on the day and year therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on this, the 26th day of May, A.D., 1970.

Geo. P. Smith

NOTARY PUBLIC



My commission expires: August 15, 1970

Filing .05
600 words 90
Certificate .50
Indexing

STATE OF MISSISSIPPI, COUNTY OF HARRISON: First Judicial District

I, C. J. Darby, Clerk of the Chancery Court of said County and State, certify that the instrument of which the foregoing is a record was delivered to me to be recorded at 4:01 o'clock P M. on the 26 day of May, 1970 and recorded May 29th 1970
C. J. DARBY, Clerk,

MINUTES OF APRIL 9, 2009
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Signature of Physician *Daleen M. White* Date of Issue

ALABAMA
CERTIFICATE OF DEATH

101

William

W. R. White 11-21-99

Henry L. Myers

MEDICAL CERTIFICATION

Sudden Arrhythmic Death

Cardiomyopathy Ischemic Heart Disease *No*

Natural *No*

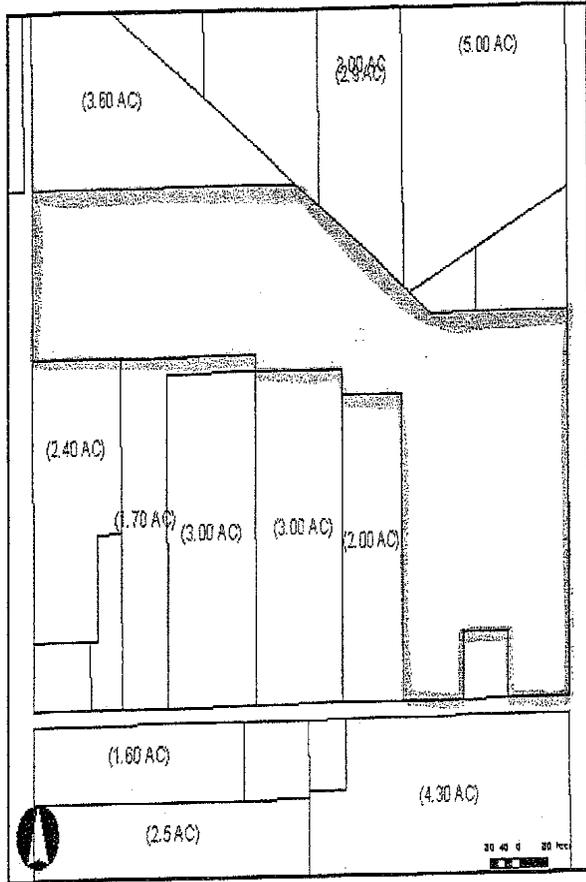
This is a legal record and must be filed within five (5) days after death.

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Ida Woodfield Ownership

<http://gis.co.harrison.ms.us/harrisonwebmapping/>

Ida Woodfield Ownership



0611K-01-017.000 (2008 Parcels)



2008 Parcels



Active Rail



County Boundary



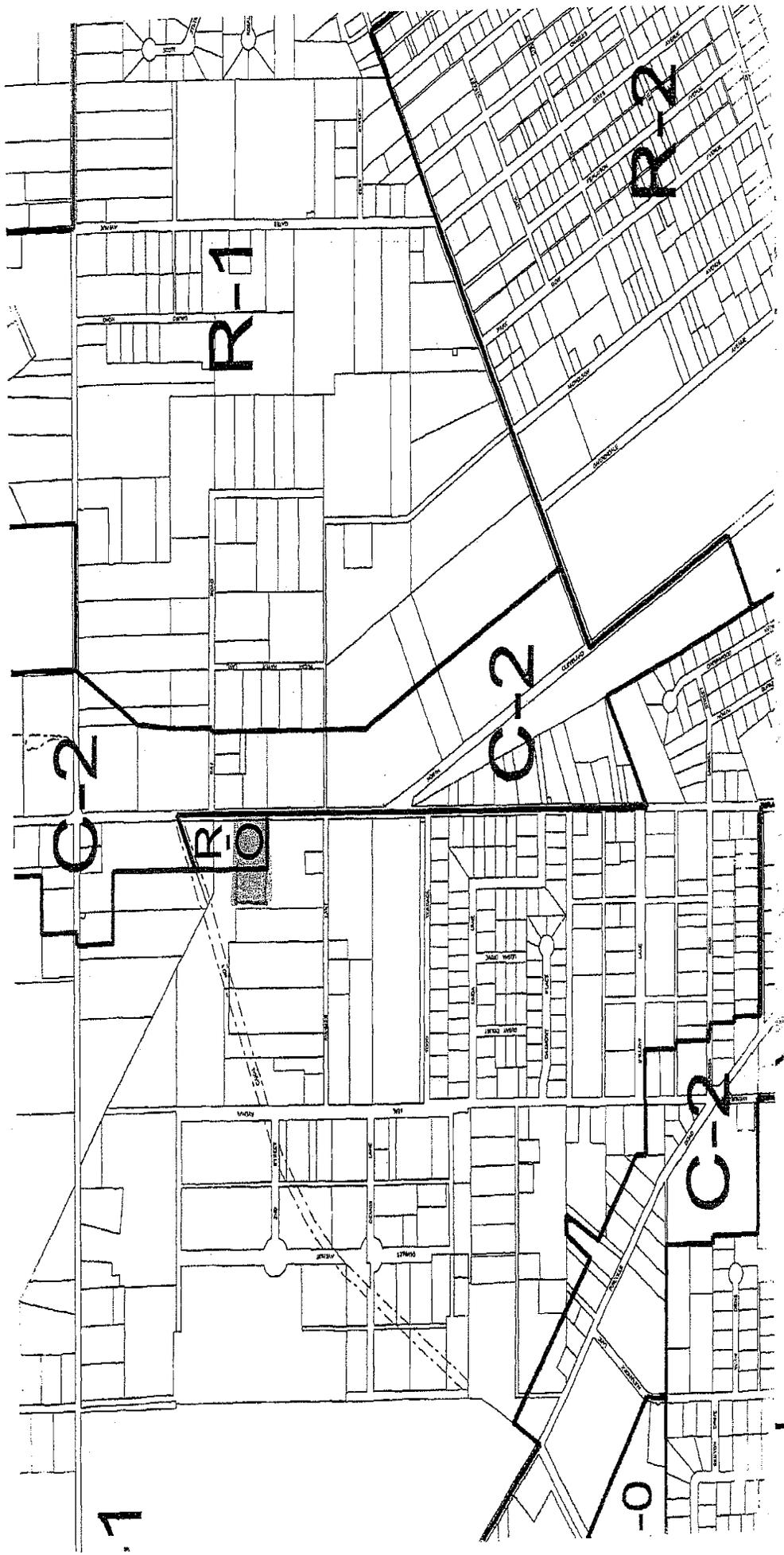
City Boundary



Named Stream



MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION



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**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

ADJACENT PROPERTY OWNERS WITHIN 160/200 FEET

- | | |
|---|---|
| 1. Miss Power Co.
PO Box 4079
Gulfport, MS 39502
Parcel 0611k-01-003.000 | 8. Margaret Ann Necaise
548 Klondyke Rd
Long Beach, MS 39560
0611J-01-060.000 |
| 2. Aaron Suddeth
19025 Commission Rd
Long Beach MS 39560 | 9. Southern Star Lodge #500 F&AM
PO Box 500
Long Beach MS 39560
0611J-01-060.001 |
| 3. Matt D. Thomas
21401 Tucker Rd
Long Beach MS 39560
0611K-01-025.000 | 10. DLDS, LLC
629 Lafayette St
Gretna, LS 70053
0611J-01-061.000 |
| 4. MC Miskell
4716 Ohio Ave
Gulfport, MS 39501
0611L-01-026.000 | 11. Anthony Gordon
117 Summer Lane
Long Beach, MS 39560 |
| 5. John D. & Dianna L Donovan
111 Summer Lane
Long Beach MS 39560
0611k-01-024.000 | |
| 6. Johnny and Patricia Lee Goodman,
Jr.
109 Summer Lane
Long Beach, MS 39560
0611k-01-023.000 | |
| 7. Marguerite Schaeffer Cuevas
18552 Ray Rd
Long Beach, MS 39560
0611J-01-034.001 | |

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

Adjacent Property within 160/200 feet

<http://gis.co.harrison.ms.us/harrisonwebmapping/>

Adjacent Property within 160/200 feet



- | | | |
|--------------|-----------------|---------------|
| 2008 Parcels | Active Rail | City Boundary |
| 2008 Parcels | County Boundary | Named Stream |

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

DEVELOPMENT SCHEDULE

Construction will begin 2010

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

Analysis of Proposed Klondyke Road Project
Long Beach, Mississippi

Situation Analysis

Hurricane Katrina's devastation has led to a geographic shift northward of both residential development and rebuilding, along with the economic activities that support the local population. Retail outlets, restaurants and housing that once operated "south of the railroad tracks" are locating in areas deemed safer.

With a population of 16,404¹ and average household income of \$43,289 compared to \$41,994 for the nation², Long Beach enjoys a reputation as a peaceful, residential community. As such, commercial enterprises serving residents are necessary to provide opportunities to circulate wealth within the local economy rather than leaving the political and economic boundaries of the City.

Residents in the area enjoy a Cost of Living that is 5.7% below the national average. With housing costs 7.5% below the national average, growth in housing development and population is expected to continue in and around Long Beach³.

Project Overview

Keesler Federal Credit Union (KFCU) proposes to locate a branch on Klondyke Road in Long Beach. The ideal site is currently zoned R-O. In order to establish the KFCU Long Beach Branch, the site must be zoned C-2. Properties immediately adjacent and across the street are zoned C-2.

As of 2006, no banks are based in Long Beach and only four (4) banks have one (1) or more branch locations in the City⁴.

Long Beach compares to cities in South Mississippi with similar populations as follows:

	Population	One or More Branch Bank Locations
Long Beach	15,404	4
Gautier	16,096	9
Laurel	18,405	4
Moss Point	14,199	3
Ocean Springs	17,545	9

¹ Demographics Now

² Bureau of Labor Statistics

³ Council for Community and Economic Research (formerly ACCRA)

⁴ Mississippi Bankers Association

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

Economic Impact Analysis

Economic Impact Analysis is the calculation of jobs, output and economic activity generated by a business in a locale. This analysis will trace spending through the local economy and measure the cumulative effects of that spending.

The impact of the new facility and its operation is divided into two (2) phases:

- Phase I: a one-time construction impact
- Phase II: recurring impacts from the operation of the enterprise

Definitions

- direct impact indicates the employment and income generated by the KFCU Long Beach Branch project
- indirect impact represents the employment and income generated and/or retained by enterprises from which KFCU purchases goods and services
- induced impact estimates employment and income generated and/or retained in the economy from employees of KFCU and its vendors such as purchases at local grocery stores and service providers

Phase I: Construction

The period of construction is expected to be six (6) months. With construction employment of 25 and a construction payroll of \$1.3 million, the total impact to the local economy is 68 jobs and over \$1.4 million in income.

Economic Impact: Construction (One-time)⁵

	Direct	Indirect	Induced	TOTAL IMPACT
Employment	25	22	21	68
Income	\$1,300,000	\$107,975	\$78,105	\$1,486,081

⁵ Multipliers source: Minnesota IMPLAN Group. Category 354: Monetary authorities and deposit credit intermediaries.

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Phase II: Operation

With employment of 11, the annual payroll is expected to be \$329,227. The impact on the local economy is estimated to be a total of 48 jobs and \$756,626 in new and/or retained income. Because the employment and income figures are calculated as an annual accounting, the operation impacts are likewise annual:

Economic Impact: Operations (Recurring annually)

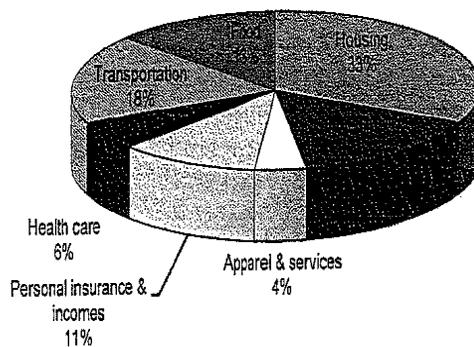
	Direct	Indirect	Induced	TOTAL IMPACT
Employment	11	24	13	48
Income	\$329,227	\$269,900	\$157,499	\$756,626

Local Tax Impact Analysis

Local Tax Impact Analysis calculates changes in tax revenues received by the political governing entity of the study area. This analysis examines sales tax revenues and ad valorem tax revenues; both with portions contributing to Long Beach's operational funding.

Sales Tax

On average, a household's disposable income, or income after taxes, is divided into seven (7) major categories⁶:



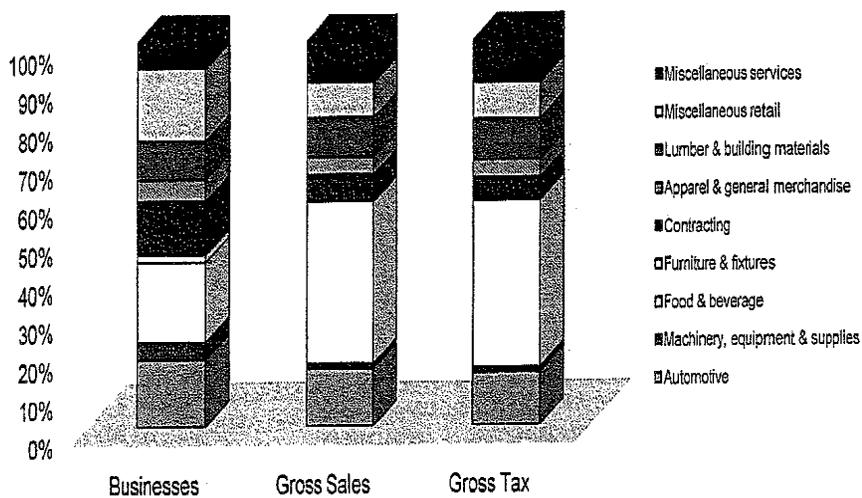
⁶ Bureau of Transportation Statistics

kimberly compton, ceod
economic development strategies

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Of these sub-divisions, "food", "apparel and services" and "other" are subject to sales tax. Such expenses account for 32% of disposable income, or income after income taxes.

In FY 2008, Long Beach was home to 311 businesses that collected sales taxes. Further, gross sales in 2008 resulting in sales tax totaled \$131,667,607⁷:



Compared to other cities of similar size in South Mississippi⁸, Long Beach has the population to support the location and/or expansion of commercial ventures. The table below represents businesses that collect and remit sales taxes only.

	Population	Businesses	Gross Sales	Gross Tax
Long Beach	15,404	311	\$131,699,651	\$8,667,607
Gautier	16,096	369	\$212,923,728	\$14,416,898
Laurel	18,405	827	\$798,258,583	\$50,967,352
Moss Point	14,199	338	\$138,445,226	\$9,121,678
Ocean Springs	17,545	623	\$377,682,824	\$25,363,279

On average, communities in Mississippi are home to one (1) retail business that collects sales taxes per 33 residents. Long Beach has the population capacity to successfully support 466 retail operations.

⁷ Mississippi State Tax Commission
⁸ Census Bureau and Mississippi State Tax Commission

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economic development strategies

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

The addition of business activities serving the residents of the City will increase sales tax revenues by keeping monetary transactions local. Further, commercial districts such as the area along Klondyke Road create an environment conducive to agglomeration of retail and service providers. Commercial corridors provide residents with opportunities to spend their dollars within the political and economic boundaries of a locale.

Phase I: Construction

The one-time total income impact of the construction phase of KFCU's project is \$1,486,081. Of that, 32% is assumed to be spent on sales-taxable purchases. Conservatively, if one-half (1/2) of those purchases are made within the political boundaries of Long Beach, the City will receive approximately \$9,779 in additional tax revenues⁹.

Because the construction period is a temporary occurrence this analysis assumes no new home ownership, therefore there is no adjustment to ad valorem tax collections during this period. However, it is assumed that local contractors who may own residential and/or commercial property in the City will be employed for this project.

Phase II: Operation

In addition to the one-time sales tax collection during the construction phase, there are recurring tax collections for the duration of operations. The annual total income impact is \$756,626. Utilizing the same assumptions

- 32% of disposable income will be spent on sales-taxable purchases
- one-half (1/2) of those purchases are made within the political boundaries of Long Beach
- utilization of the same estimation formula

the annual additional sales tax collections realized by the City are estimated to be \$4,979. These collections are recurring and paid annually for the life of the enterprise.

⁹ Formula for estimation: (Income) X 32% X Diversion to Cities from Sales Tax Collections Average rate

linearly expansion, good
economic development strategies

**MINUTES OF APRIL 9, 2009
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- operation of the KFCU Long Beach Branch will result in recurring annual sales tax receipts of \$4,510 to the City
- additional ad valorem taxes received by the city will be \$53,809¹¹ annually

The local economy has shifted both geographically and structurally. Residential and economic activities are moving northward. Furthermore, local economies are beginning to be comprised of hamlet type mini-economies. Commercial activities are moving to their customers. The character of neighborhoods in South Mississippi signals a desire and need of nearby consumption opportunities, including banking services.

Notes:

No home ownership of direct or indirect employees is assumed although it is expected that permanent employment will result in increased and/or retained ad valorem tax collections.

It is assumed that all construction materials will be purchased beyond the political and economic boundaries of the City. Therefore, no sales tax is calculated for construction materials in this analysis.

¹¹ Future ad valorem tax collection minus current collection

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

Kimberly Kit Compton, CEcD
314 Eastview Drive
Biloxi, Mississippi 39531
Phone: (228) 313-5545
Fax: (228) 385-1917
kkcompton@aol.com

EMPLOYMENT HISTORY

Research Director

Louisiana Department of Economic Development
1051 North Third Street, Baton Rouge, LA 70802-5239
P.O. Box 94185, Baton Rouge, LA 70804-9185
(800) 450-8115 or (225) 342-3000
Supervisor: Michael J. Olivier
Starting Annual Salary - \$95,000
Ending Annual Salary - \$101,325
Hours – 40 per week minimum

2006 to 2008

- Supervise Research Department comprised of eight (8) staff
- Develop and manage Program of Work
- Evaluate Gulf Opportunity Zone Bond application to provide recommendation to the Louisiana State Bond Commission
- Activities of division include:
 - Create and maintain a statewide site and building database
 - Coordinate a GIS program
 - Develop the various pieces needed for customized project response
 - Research and maintain current data on local/regional/state demographics, business trends and quality-of-life issues and monitor the changes
 - Respond to information requests from internal departments; local economic development professionals; the general public and media outlets
 - Prepare Public Relations oriented presentation and reports
 - Prepare "talking points" for Economic Development Secretary and Governor on various topics for myriad audiences

**MINUTES OF APRIL 9, 2009
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*Kimberly Kit Compton, CECD
Page 2*

Director
Economic Development Resource Center
The University of Southern Mississippi
118 College Drive, Hattiesburg, Mississippi 39406-0001
(601) 266-1000
Supervisor: Kenneth G. Malone
Starting Annual Salary - \$70,000
Ending Annual Salary - \$70,000
Hours - 40 per week minimum

2004 to 2006

- Management of economic development research center: supervise research staff and coordinate activities with faculty and academic staff
- Perform various analyses of practices and policies including: Economic Impact Analysis; Return on Investment; Retail Trade Analysis; and Economic Indicator Reports
- Establishment and supervision of Business Assistance Centers to provide post-Katrina assistance to small businesses in the Mississippi Gulf Coast and Hattiesburg regions
- Instructor - Master of Science, Economic Development Finance; and Principles of Macroeconomics

Adjunct Faculty
Mississippi Gulf Coast Community College
Keesler Air Force Base
PO Box 5008
Biloxi, Mississippi 39534
(228) 432-7198
Supervisor: Patricia Holloway
Starting Salary - \$1,500 per course
Ending Salary - \$1,500 per course
Hours - 3 per week, class time; 6 per week, preparation

2004 to 2006

- Instructor - Principles of Economics

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Kimberly Kit Compton, CECD
Page 3

Deputy Director
Harrison County Development Commission
12292 Intraplex Parkway
Gulfport, Mississippi 39503
(228) 896-5020
Supervisor: Michael J. Olivier
Starting Annual Salary - \$48,000
Ending Annual Salary - \$70,000
Hours - 40 per week minimum

2001 to 2004

- Public awareness and outreach including presentations to various civic groups and professional associations, bi-monthly radio show, and occasional articles for print media
- Processing of all tax exemption applications based on self-developed economic impact analysis
- Recommendation and presentation of tax exemption applications and land sale offers to Commission and Board of Supervisors
- Management of County owned industrial parks including water and sewer systems; and property pricing and sales based on self-developed formula
- Preparation and oversight of annual budgets for Capital Projects and Industrial Park Maintenance totaling \$6M to \$10M
- Preparation and oversight of 20-Year Capital Projects Program totaling \$25M to \$30M
- Domestic recruiting of industrial operations based on Target Industry Study and development and executing of Existing Business and Industry Program
- Analyze and prepare financial and incentive packages for new and expanding companies
- In the absence of the Executive Director, responsible for the management of the organization and supervision of support staff

Industrial Development Manager
Harrison County Development Commission
12292 Intraplex Parkway
Gulfport, Mississippi 39503
(228) 896-5020
Supervisor: Michael J. Olivier
Starting Annual Salary - \$35,000
Ending Annual Salary - \$42,000
Hours - 40 per week minimum

1997 to 2000

- Oversight of day-to-day operations of County owned industrial parks
- Market available industrial sites both within industrial parks and outside
- Provide existing industry support to local companies
- Coordination of and participate in industrial recruiting activities
- Conduct economic impact analyses and evaluate tax exemption applications and land pricing discounts based on developed model

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

POULOS-HEBERT & ASSOCIATES

2018 23rd Avenue - Gulfport, Ms. 39501
P. O. Box 7702 - Gulfport, Ms. 39506
228-864-2378 - Fax 228-864-2379
www.HebertAppr@AOL.com

Roger Poulos, MAI (1946-1995)
Harry Hebert, GAA

March 3, 2009

Ms. Lauren Sonnier
Rushing & Guice, P.L.L.C.
604 Porter Avenue
Ocean Springs, MS 39564

RE: Zoning Change, 533 Klondyke Road, Long Beach, Mississippi.

Dear Ms. Sonnier:

As per your request, I have inspected the area in which the above referenced property is located for the purpose of ascertaining if the neighborhood has changed to such an extent as to justify rezoning. The extent of my investigation included a visual inspection of the property and neighborhood, conversations with zoning department personnel, a discussion with the City's Engineer, and traffic count information from the Gulf Coast Regional Planning Commission. These items were combined with my many years of appraisal experience along the Mississippi Gulf Coast, including the City of Long Beach, and the neighborhood in which this property is located.

Klondyke Road and Cleveland Avenue combine to provide a vehicular corridor that connects Beach Boulevard with 28th Street. Developments along these two roadways vary from single family residential to commercial. At the intersection of Commission Road and Klondyke Road, a few hundred feet north of the site in question, are several small commercial businesses such as a convenience food store/gas station, mini-warehouse facilities, a car wash, and seafood market.. Most have been at this intersection for several years, with a few others emerging relatively recently.

South of Commission Road, along Klondyke Road and Cleveland Avenue, the neighborhood has changed over the last few years. A multi-tenant commercial building was constructed, as were two places of worship (one still under construction). Portions of both religious facilities are located in C-2; General Commercial Districts, and were required to obtain Planning Commission Approval before construction. Another example of a changing, growing neighborhood.

MISSISSIPPI GULF COAST

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

Page 2
March 3, 2009

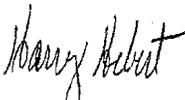
Traffic along Klondyke Road, in front of the property in question, has increased in recent years from 8,400 cars per day in 2004, to 9,800 cars per day in 2007. Commission Road, at its intersection with Klondyke Road, has also seen an increase from 4,200 to 5,300 vehicles per day. The City of Long Beach will soon be rebuilding a small bridge along Klondyke Road to accommodate the increased in traffic.

The site in question is part of a small area along Klondyke Road that is restricted to residential office use. Another small area is classified as R-1; single family residential. A review of the City's zoning map reveals that Commission Road, north of Allen Street, and continuing north along Klondyke Road to 28th Street, is mostly commercial zoning on both sides of the two roadways. A change of Subject's RO classification to commercial would be consistent with a growing trend in he neighborhood.

Therefore, based on my analysis, it is an opinion Klondyke Road is changing into a commercial corridor in the City of Long Beach. Traffic increases, in addition to some new commercial businesses, support this opinion..

Sincerely,

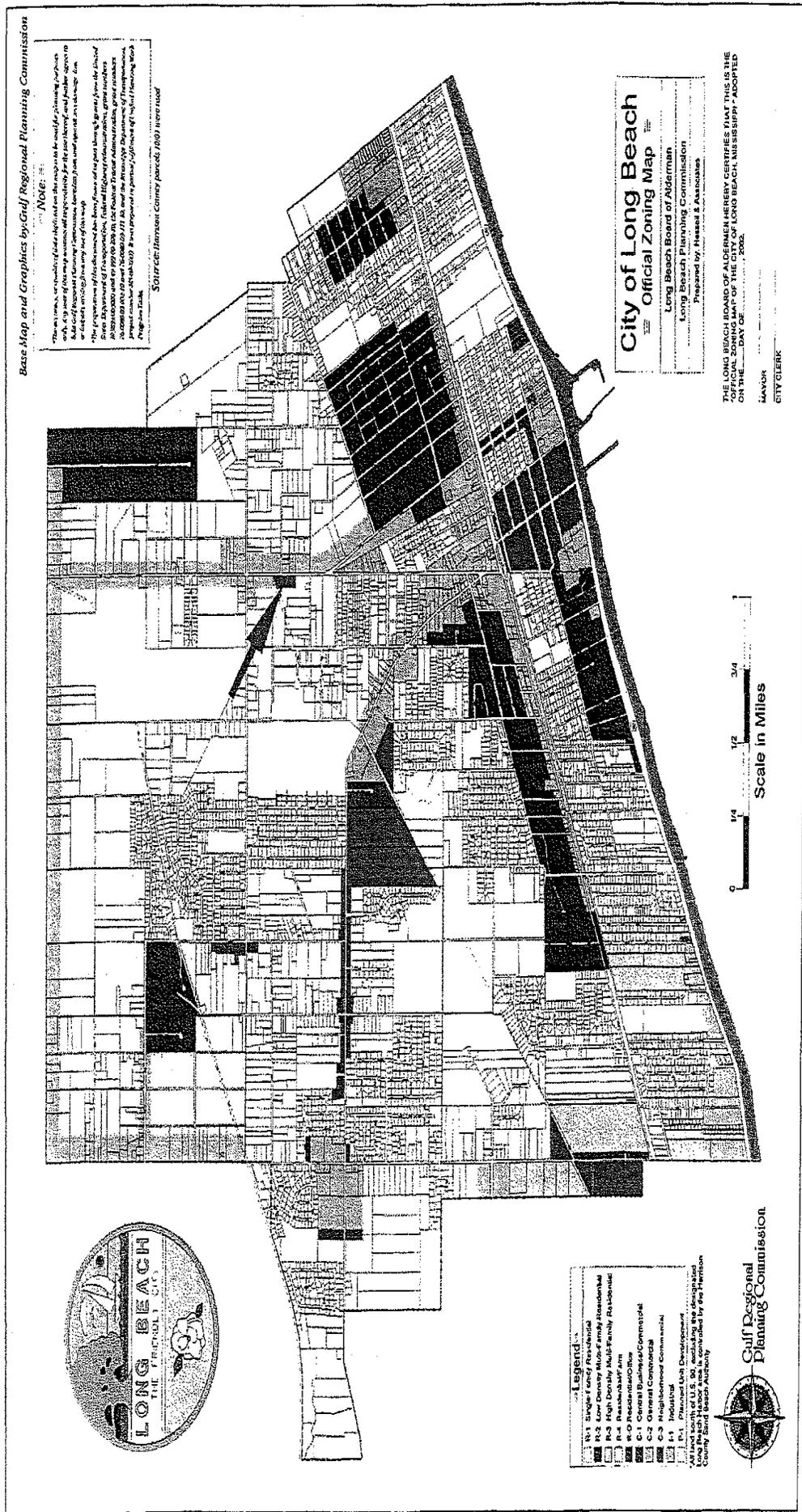
POULOS-HEBERT & ASSOCIATES



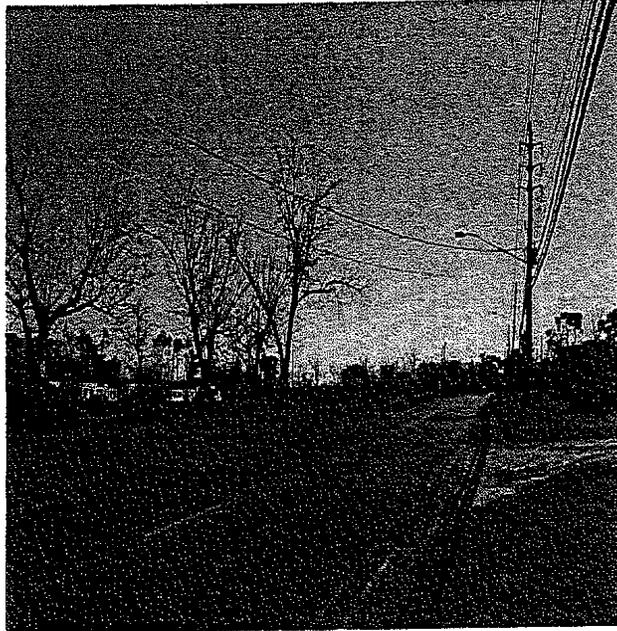
Harry Hebert, Appraiser
State Certified General Real Estate Appraiser: GA-141

POULOS-HEBERT & ASSOCIATES

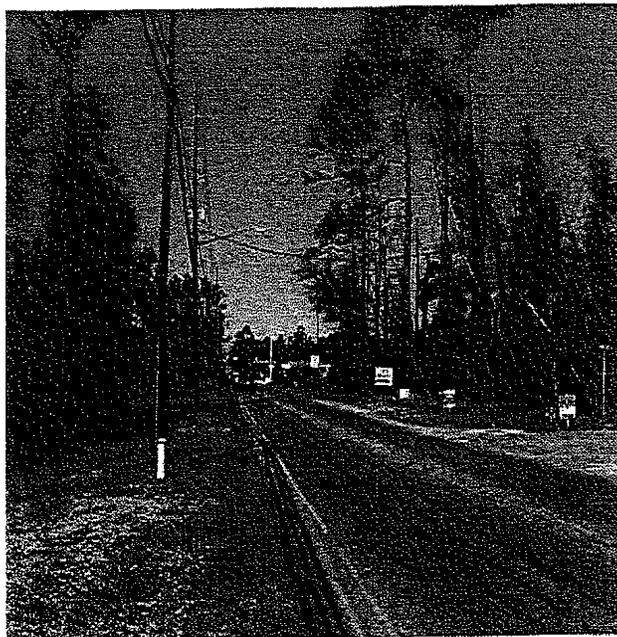
MINUTES OF APRIL 9, 2009 REGULAR MEETING LONG BEACH PLANNING COMMISSION



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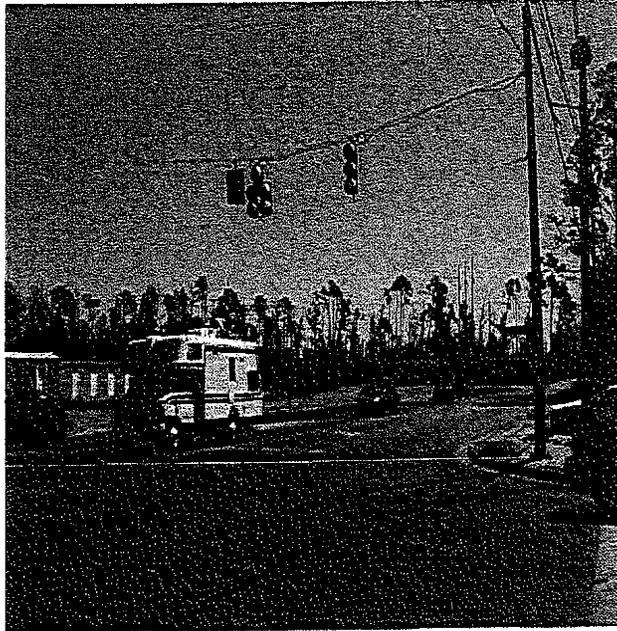
KLONDYKE ROAD LOOKING SOUTH FROM SUBJECT PROPERTY



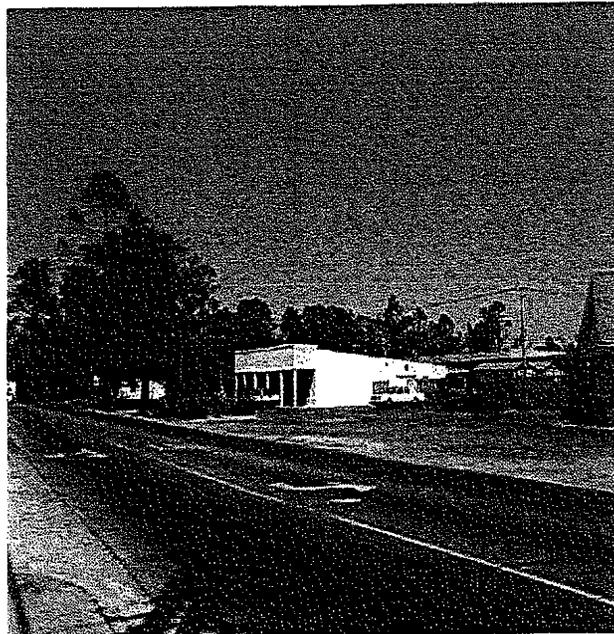
KLONDYKE ROAD LOOKING NORTH FROM SUBJECT PROPERTY
COMMISSION ROAD INTERSECTION IN BACKGROUND

POULOS-HEBERT & ASSOCIATES

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KLONDYKE ROAD LOOKING SOUTH FROM COMMISSION ROAD



KLONDYKE ROAD LOOKING NORTH FROM COMMISSION ROAD

POULOS-HEBERT & ASSOCIATES

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

QUALIFICATIONS & BACKGROUND OF HARRY HEBERT, APPRAISER

EDUCATION

Masters Degree in Business Administration, Mississippi State University

B.S. Degree in Industrial Education, Mississippi State University

SPECIAL APPRAISAL COURSES AND EXAMS SUCCESSFULLY COMPLETED

Real Estate Appraisal Course 1-A, Basic Principles, Methods and Techniques.

Real Estate Appraisal Course 1-B, Capitalization Theory and Techniques, University of Mississippi.

Real Estate Appraisal Course II, Appraisal of Urban Properties, Jackson, Mississippi.

Real Estate Appraisal Course III, Appraisal of Rural Properties, University of Houston.

Real Estate Appraisal Course VIII, Residential Properties, Milsaps College, Jackson, Ms.

Standards of Professional Practices, Part A & B, Baton Rouge, La.

Report Writing & Valuation Analysis, Florida State University

National Uniform Appraisers Examination, State of Louisiana, New Orleans, La.

POULOS-HEBERT & ASSOCIATES

**MINUTES OF APRIL 9, 2009
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REAL ESTATE COURSES, WORKSHOPS, AND SEMINARS

Advanced Sales Comparison and Cost Approaches; Appraisal Institute

Appraisal of Nonconforming Uses; Appraisal Institute

Partial Interest Valuation - Undivided; Appraisal Institute

Eminent Domain and Condemnation Appraising; Appraisal Institute

Attacking and Defending an Appraisal in Litigation; Appraisal Institute.

What Clients Would Like Their Appraisers to Know; Appraisal Institute.

Quality Assurance in Residential Appraisals; Appraisal Institute.

The Professional's Guide to URAR (Fannie Mae); Appraisal Institute

Business Practices and Ethics, Course 420, Appraisal Institute.

Mathematically Modeling Real Estate Data

Internet Search Strategies For Real Estate Appraisers; Appraisal Institute.

Appraising High-Value and Historic Homes; Appraisal Institute.
Highest and Best Use Applications; Appraisal Institute.

Litigation Skills for Appraisers; Appraisal Institute.

Instructor Orientation Session for
NEW National USPAP Course; Appraisal Foundation.

Appraisal Review and Compliance; Appraisal Institute.

Fair Lending and the Appraiser; Appraisal Institute.

Limited Scope Appraisals; Appraisal Institute.

POULOS-HEBERT & ASSOCIATES

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

REAL ESTATE COURSES, WORKSHOPS, AND SEMINARS, CONT'D

Income Property Underwriting, Mortgage Bankers Association.

Commercial Loan Underwriting, Institute of Financial Education.

Multi-Family Loan Underwriting, Federal Home Loan Mortgage Corporation.

Single Family Loan Underwriting, Federal Home Loan Mortgage Corporation.

Real Estate Syndications: Registered Representative, Real Estate Securities Syndications Institute.

Real Estate Syndications: Broker/Dealer, Real Estate Securities Syndications Institute.

PAST AND PRESENT LICENSES

Mississippi State Certified General Real Estate Appraiser: GA-141.

Real Estate Instructor, Louisiana Real Estate Commission.

Real Estate Instructor, Mississippi Real Estate Commission.

Registered Representative: Real Estate Syndications, National Association of Securities Dealers.

Registered Broker/Dealer: Real Estate Syndications, National Association of Securities Dealers.

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

PAST AND PRESENT PROFESSIONAL AFFILIATIONS

Appraisal Institute, Associate Member.

National Association of Realtors, Real Estate Appraisal Section, GAA Designation.

Mississippi Association of Realtors

National Association of Review Appraisers.

National Association of Securities Dealers.

TEACHING EXPERIENCE

Instructor for "Real Estate Principles", "Income Property Valuation", "Real Estate Law", and "Real Estate Finance". University of Southern Mississippi, at Long Beach, Ms.

Instructor of "Finance" and "Valuation", for the Mississippi Association of Realtors.

Instructor for pre-licensing and post-licensing real estate courses, for the Mississippi Association of Realtors.

Instructor of Appraisal pre-licensing and continuing education courses, for the Mississippi Association of Realtors.

Various workshops and seminars concerning real estate finance for the Institute of Financial Education.

Real Estate Instructor for Real Estate Principles, Real Estate Law and Real Estate Appraisal, Jackson County Junior College.

Contributor to the publication "Residential Loan Underwriting", Institute of Financial Education.

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

GENERAL APPRAISAL EXPERIENCE

Includes all types of property, such as urban, rural, commercial, industrial, land development, special purpose, and recreational. I have appraised casino sites along the Mississippi Gulf Coast, and along the Mississippi River in the states of Iowa and Mississippi.

Three years as a staff appraiser with the Mississippi Department of Transportation, ten years as a commercial real estate appraiser and loan officer with financial institutions, and as an independent fee appraiser and financial consultant since 1987. I have been affiliated with Poulos, Hebert & Associates, on the Mississippi Gulf Coast since 1990, and owner since 1995.

COURT TESTIMONY

I have been accepted as an expert witness in real estate valuation and real estate finance in Federal Bankruptcy Courts, Eminent Domain Proceedings, and City Annexation Hearings.

POULOS-HEBERT & ASSOCIATES

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

The Clerk reported that fifteen (15) 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
Allen D. Holder, Jr. - At Large
Charlie Boggs - Ward 1
Richard Notter - Ward 2
Richard Burton - Ward 3
Joe McNary - Ward 4
Mark Lishen - Ward 5
Carolyn Anderson - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruoff

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**.

Ida Faye Woodfield, 533 Klondyke Road, Long Beach, Mississippi 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-O/R-1, Residential/Office/Single Family Residential to C-2 General Commercial for property located on Klondyke Road. The legal description is as follows:

A parcel of land located in the NE ¼ of the NE ¼ of Section 11 if laid out as a regular section or a portion of Fractional Section 12, Township 8 South, Range 12 West. Also being located in apportion of Lot 9, Seals Addition, Long Beach, Harrison County, Mississippi, as per Plat Book 11, Page 13, being more particularly described as:

Beginning at an iron rod on the apparent west margin of Klondyke Road. Said iron rod being 983.1 feet south of an existing mag nail at the centerline intersection of Commission Road and Klondyke Road reputed to be marking NE corner of said Section 11; thence run S 00°-23'-35" E along the said west margin for 275.0 feet to an iron rod; thence run S89°-39'55" W for 401.2 feet to a point in an iron rod; thence run N00°-20'07" W for 275.0 feet to an iron rod; thence run N86°-39'-46" E for 400.92 feet to the Point of Beginning.

The Long Beach Planning Commission has voted to expand the above request to consider the rezoning of the entire R-O Residential Office district adjacent to said request along Klondyke Road. The following legal generally describes the area:

Beginning at the intersection of the centerline of Klondyke Road and the centerline of Canal #1; thence south along the centerline o Klondyke Road to a point 240 feet, more or less, north of the north margin of Summer Lane; thence west along a line parallel to the centerline of Summer Lane 170 feet, more or less; thence north along a line parallel to the centerline of Klondyke Road to the

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

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

intersection of the centerline of Canal #1; thence northeasterly along the centerline of Canal #1 to point of beginning.

The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi 39560, Thursday, April 9, 2009, at 6:30 p.m., in the Long Beach School District Administration Office located on Commission Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

**MINUTES OF APRIL 9, 2009
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The Clerk further 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.

Change: 1st. From Woodfield S33 Kionoyke Road, Long Beach, Mississippi; has filed an application for a zoning map change in accordance with the Comprehensive Zoning Ordinance. Applicant is requesting to change the zoning classification from R-0114 Residential/Office Single Family Residential to C-2 General Commercial for property located on Kionoyke Road. The legal description is as follows:

A parcel of land located in the NE 1/4 of the NE 1/4 of Section 11, T14N, R10E, E1/2 of Range 10, Township 14 North, Range 10 East, also being located in subdivision 11, 1019, Seals Addition, Long Beach, Harrison County, Mississippi, as per map Book 71, Page 18, being a 100' x 100' parcel.

Beginning at the intersection of Kionoyke Road, S&J road being 250 feet south of an existing road, 250' at the centerline intersection of Commission Road, and Kionoyke Road, thence to be met at the corner of said Section 11, thence run S 00° 00' 00" E along the said west margin of 275.0 feet to an angle of 207.2 feet to a point in the road, thence run NW 207.2 feet for 275.0 feet to an angle of 207.2 feet to the point of beginning.

The Long Beach Planning Commission has voted to expand the above request to consider the rezoning of the entire R-0114 Residential Office zoning adjacent to said request being Kionoyke Road. The following legal description describes the area: Beginning at the intersection of the centerline of Kionoyke Road and the centerline of Canal #1, thence south along the centerline of Kionoyke Road to a point 250 feet, more or less, north of the north margin of Summer Lane, thence west along a line parallel to the centerline of Summer Lane 170 feet, more or less, thence north along a line parallel to the centerline of Kionoyke Road to the intersection of the centerline of Canal #1, thence north easterly, also, to the centerline of Canal #1, to point of beginning.

The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi 38660, Thursday, April 9, 2009, at 8:30 p.m. in the Long Beach School District Administration Office located on Commission Road. The City encourages all residents, groups, and organizations to contact the City if they have any questions concerning the petition.

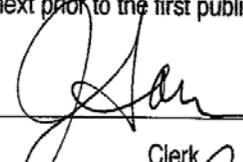
Chairman
Planning Commission
adv. 26.11 1316189

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 of Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 1 times in the following numbers and on the following dates of such paper, viz:

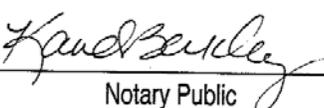
- Vol. 25 No., 175 dated 26 day of Mar, 2009
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- 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.


 Clerk 26 day of Mar, A.D., 2009

Sworn to and subscribed before me this 26 day of Mar, A.D., 2009

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 APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

The Vice Chairman recognized, Maria Cobb and Billy Guise, Attorneys representing Keesler Federal Credit Union; Tammy Brister, Vice-President of Branch Operations for Keesler Federal Credit Union (KFCU); and Jerry Caldwell, Board member of KFCU to speak on behalf of the applicant to state the following:

Applicant submitted for the record a petition of 1001 signatures from members of KFCU that live and/or work in the City of Long Beach that are in favor the project. (on file in Planning / Zoning Office)

The request does not constitute "spot zoning". They are asking to extend the existing commercial zone district south.

There has been significant change in the character of the neighborhood, noting two (2) letters included in application, due to the development of two churches along Klondyke Road.

Klondyke Road is becoming the commercial corridor for the City of Long Beach.

KFCU is adhering to the Master Plan that the City of Long Beach has adopted. Which states Klondyke Road is a commercial corridor in Long Beach.

KFCU has searched other locations within the City and there is no other property available to accommodate them.

* * *

The Vice Chairman opened the floor for public comments in favor of the request and the following came forward:

Ida Faye Woodfield, owner of the subject property.

Ruby Blackwell, 21454 Womack Lane, Long Beach, MS, stated the City needs this project to help with the schools and taxes.

Claire Leatherwood, 20 Oakmont Place, City is in need of development.

Luther Conn, 546 Klondyke Road, representing the Masonic Lodge, stated that 150 members of the lodge voted in favor of the project.

* * *

**MINUTES OF APRIL 9, 2009
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The Vice Chairman opened the floor for public comments in opposition of the request and the following came forward:

Abner Oglesby, counselor at law, Deutsch, Kerrigan & stiles, Gulfport, MS, representing Jack and Dianne Donovan, 109 Summer Lane, Long Beach, MS submitted the following:

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

DK&S
DEUTSCH,
KERRIGAN
& STILES

2510 14th Street, Suite 1001
Gulfport, MS 39501
Main (228) 864-0161
Fax (228) 863-5278
aoglesby@dkslaw.com
www.dkslaw.com

ABNER C. OGLESBY
Counselor at Law

April 9, 2009

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

Re: Opposition to Zone Change Request of Ida Faye Woodfield
DK&S File No. 01327-00001

Commission Members:

We represent Jack and Diane Donovan who request you recommend the Board of Aldermen deny Ida Faye Woodfield's request to re-zone that certain property facing both Summer Lane and Klondyke Road from R-0/R-1 Residential to C-2 Highway Commercial. Ms. Woodfield's request does not meet the requirements provided in the Long Beach Zoning Ordinance, the Mississippi Code or Mississippi common law to allow for a zoning change.

Before a property is reclassified, an applicant seeking re-zoning must prove by **clear and convincing evidence** either that: (1) there was a mistake in the original zoning, or (2) the character of the neighborhood has changed to such an extent as to justify re-zoning, and that a public need exists for re-zoning.¹ The petitioner, Ms. Woodfield, has the burden to prove by clear and convincing evidence that the area needs to be re-zoned.²

Ms. Woodfield's application only indicates her argument is a change in conditions (there is no mention of a mistake in the original zoning). Clearly, her application has not met the clear and convincing evidence to burden to show a change in the character of the neighborhood that would allow the property to be re-zoned for commercial purposes.

¹*Bridge v. Mayor and Bd. Of Alderman of Oxford*, 995 So. 2d 81, 2008 (Miss. 2008).

²*Childs, et al. v. Hancock County Bd of Supervisors, et al.*, 1 So. 3d 855 (Miss. 2008).

Deutsch, Kerrigan & Stiles, L.L.P.

New Orleans • Monroe • Gulfport

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Page 2

On the contrary, the Donovans have attached a report from local commercial realtor Monte Luffey of GVA Advantis stating there has been no change in conditions that would allow the property be re-zoned. Additionally, you will find attached a petition signed by members of the community against the re-zoning, letters from nearby landowners opposing the re-zoning, two maps of the area, and photos of the subject property/residential neighborhood.

Again, we respectfully request you recommend the Board of Aldermen deny this application for re-zoning. Thank you for your time and consideration of this matter.

Respectfully submitted on behalf of Jack and Diane Donovan,



David C. Goff (MS Bar No. 8948)
Abner C. Oglesby (MS Bar No. 101632)
Deutsch, Kerrigan & Stiles, L.L.P.
One Hancock Plaza, Suite 1001
2510 Fourteenth Street
Gulfport, MS 39501
Telephone: (228) 864-0161
Facsimile: (228) 863-5278

cc: Jack and Diane Donovan

**MINUTES OF APRIL 9, 2009
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6. **Letter of Representation**

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WE THE FOLLOWING, BEING RESIDENTS IN THE CITY OF LONG BEACH AND RESIDING IN THE AREA OF THE INTERSECTION OF SUMMER LANE AND KLONDYKE ROAD WANT IT TO BE KNOWN THAT WE STRONGLY OPPOSE ANY REZONING OF THE LAND ON THE WEST SIDE OF KLONDYKE RD BETWEEN SUMMER LANE AND COMMISSION RD FROM RESIDENTIAL TO COMMERCIAL. WE FEEL THAT REZONING WOULD DRASTICALLY CHANGE OUR NEIGHBORHOOD AND WITH PLENTY OF COMMERCIAL SPACE AVAILABLE WITHIN THE CITY THERE IS NO VALID REASON TO SACRIFICE RESIDENTIAL AREAS.

- 1 NAME Anna Donovan ADDRESS 111 Summer Ln PHONE 868-7415
- 2 NAME Jack Donovan ADDRESS 111 Summer Ln PHONE 868-7415
- 3 NAME Joan Hagan ADDRESS 107 Summer Ln PHONE 868-2670
- 4 NAME Almond Cull ADDRESS 105 Summer Ln PHONE 863-4919
- 5 NAME Pat's McKee ADDRESS 24 Lindshore PHONE 313-4452
- 6 NAME Ann R. Ragan ADDRESS 1826 Commission Rd PHONE 868-8799
- 7 NAME Elaine Crowell ADDRESS 105 Summer Lane PHONE 863-4919
- 8 NAME Alicia Carubba ADDRESS 105 Summer Lane PHONE 863-4919
- X 9 NAME Steven R. Cuthy ADDRESS 117 Summer Ln PHONE 867-8863
- X NAME Tom Neece ADDRESS 6 Todd Terrace PHONE 863-7303
- 10 NAME Scott W. Wilson ADDRESS 1609 Seal Ave PHONE 868-8207
- 11 NAME Margaret H. H. H. ADDRESS 906 Beatrice PHONE 234-5669
- X NAME Kevin F. Pule ADDRESS 511 Klondyke Rd PHONE 228-547-6993
- X NAME ALDEN STEEN ADDRESS 110 SUMMER LN PHONE 868-3182
- X NAME Samantha Somier ADDRESS 653 N. Seal Ave PHONE 228-324-4159
- X NAME Amy Classon ADDRESS 410 N. Seal Ave PHONE 228-697-5716
- X NAME Susan Sales ADDRESS 403 N. Seal Ave PHONE 228-864-1914
- X NAME John D. D. ADDRESS 403 N. Seal Ave PHONE 228-864-9914
- X NAME John D. D. ADDRESS 103 Summer Ln PHONE 868-2116
- X NAME John D. D. ADDRESS 103 Summer Ln PHONE 868-2116
- X Greg West 102 Galloway (228) 236-4077
- 22 X Cathy Keel 618 N. Seal Ave 228-6883
- 23 X Hope Wilson 653 N. Seal Ave 228-5845

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This is a petition to object to the rezoning of residential property on Klondyke Rd. near Summer Lane to put a 4,000 Sq. ft. Keesler Federal Credit Union on. Please sign below.

Name, address, phone# & signature:

1. Sean Donovan 913 Catherine St 868-2062 *Sean Donovan*
2. Anna Donovan 913 Catherine St 868-2062 *Anna Donovan*
3. Dan Tomalis 202 Royal Dr 596-2944 *Dan Tomalis*
4. ~~MARTA E. PIERCE~~ 5535 GATES AVE 844-7832 *Marta Pierce*
5. Stella Wolf 400 Pine Crest Circk, LB MS 39700 *Stella Wolf*
6. PATRICK PIERCE 5535 GATES AVE 844-7832 *PL Pierce M.D.*
- # 7. Robert Reed 509 East Old Pass rd. 2288616990 *Robert Reed*
8. Steven Munn 801 West 2nd St LB 809 3336 *Steven Munn*
9. JOHN P. SIGAFOS 501 N. SEA AVE LB 39700 547-5759 *John P. Sigafos*
10. Traci Bonney 21082 Pineville Rd 326-0408 *Traci Bonney*
11. Yolanda Dullis 2012 W. 2nd St. 800.4033 *Yolanda Dullis*
12. Michelle Stewart 101 Trautman Ave 321-5211 *Michelle Stewart*
13. Nathan Dhan 415 Pincrest Circle 234-5300 *Nathan Dhan*
14. Linda Eure Johnson Rd LB 5476202 *Linda Eure*
15. JOY BROWN 500 LEIGH ST LB *Joy Brown*
16. Nichol Nelson 131 N. Seashore Dr. Long Beach *Nichol Nelson*
17. Lady Nelson 131 N. Seashore Dr Long Beach *Lady Nelson*
18. Valerie Vaughn 504 Leigh St Long Beach *Valerie Vaughn*
19. Donna Brown 504 Leigh St LB *Donna Brown*
20. Robert Brown 504 Leigh St LB *Robert Brown*
21. Joseph P. Brown 500 Leigh St. Long Beach *Joseph P. Brown*
22. Amy Brashear 131 N. Seashore Dr. LB MS *Amy Brashear*
23. Carolyn Brashear 131 N. Seashore LB MS *Carolyn Brashear*
24. David W. Newman 259 Reinke Rd LB MS *David W. Newman*
25. TINA NEWMAN 259 Reinke Rd LB MS *Tina Newman*
26. _____
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This is a petition to object to the rezoning of residential property on Klondyke Rd. near Summer Lane to put a 4,000 Sq. ft. Keesler Federal Credit Union on. Please sign below.

Name, address, phone# & signature:

1. Danille Plancher 547-8174 Danille Plancher
2. Connie Dierksen 908-8794 18260 Commission Rd
3. Brian Robinson 913-8711 18260 Commission Road
4. Curtis Mezie 84 Linda Lane 313-4452 Curtis Mezie
5. Sara J. Burt 24 Linda Lane 861-0641 Sara J. Burt
6. Lisa Baker & Linda Lane 868-0103 Lisa Baker
7. Kevin Hoarwood 4 Linda Ln 222 2379 Kevin Hoarwood
8. Carol Spangenberg 3 Susan Court 861-4316 Carol Spangenberg
9. Wendy Platt 6 SUSAN CT. 865-0415 Wendy Platt
10. James L. McNew 6 Linda Lane 669-3403 James L. McNew
11. Carol & SUSAN COURT
12. MURIEL PAGAN 7 LINDA LN. 669-3799 Muriel Pagan
13. Nancy Morgan 11 Linda Lane Nancy Morgan
14. Joe Woodruff 10 Linda Ln SV
15. Lena Bellanger 25 Linda Lane
16. Paul J. Bural 5 Leisha Drive
17. Justine Burkett 2 Leisha Dr.
18. Suzanne Slade 14 Linda Ln.
19. Fred & Staci 16 Linda Lane
20. Kristina Mulvaney 27 Linda Lane
21. Stan S. Dalton 173 N Seal Ave Long Beach, MS 39560
22. Margie Mc Cormick 43 Linda Lane Long Beach
23. Carol Turner 39 Linda Lane Long Beach
24. Charlie Penney 39 Linda Lane Long Beach, MS
25. KRYAN MILLER 28 Linda LN LB MS
26. Joe P. 431 KLONDYKE RD LONG BEACH, MS
27. Michael W. Wharton #4 Chimiche Lane Long Beach, MS
28. Patricia M. Martin 4 Chimiche Lane Long Beach MS
29. Linda Roberts 9 Chimiche Ln Long Beach
30. Tony Goff 8 Chimiche Ln Long Beach MS
31. Richard Pierce 13 Chimiche Ln Long Beach MS
32. Lou Givens 17 Chimiche Ln Long Beach MS
33. ULA MURK 816 WILLOW LN Long Beach MS
34. Connie Johnson 109 Willow Ln Long Beach, MS
35. Mike Johnson 155 Willow Ln Long Beach, MS
36. N. Susan Bellard 117 Willow Ln
37. K. SATCHFIELD 112 WILLOW LANE
38. Shelley Reed 110 Willow Ln Long Beach MS



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This is a petition to object to the rezoning of residential property on Klondyke Rd. near Summer Lane to put a 4,000 Sq. ft. Keesler Federal Credit Union on. Please sign below.

Name, address, phone# & signature:

1. Jamin Davidson 914 Catherine St 697-0109
2. Deborah Warburton 2282346389
3. Mike Parlin LB 216-9968
4. Johnny Beckley LB 669-5886
5. Naome Brown 102 Galloway St Long Beach
6. Robert Clark 7096 Bosage Long Beach -
7. Mary A Smith 444 Pine Crest Long Beach 206-1665
8. PATRICIA HALE 101 Summer LN Long Beach 860-7123
9. _____
10. _____
11. _____
12. _____
13. _____
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**MINUTES OF APRIL 9, 2009
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Jack Donovan
111 Summer Lane
Long Beach, MS. 39560
April 7, 2009

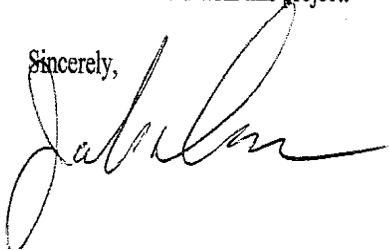
Dear Board Member:

I am a long-time resident of our city, and I am writing to express my concern about the request for a re-zoning of the Woodfield property along Klondyke Rd. I live directly adjacent to the property and I oppose this re-zoning for several reasons.

1. According to the law re-zoning can only occur when "the character of the neighborhood has changed to such an extent as to justify reclassification, *and* there is a public need for re-zoning." There has been absolutely no significant change in that area of the city to justify any re-zoning and a public need does not exist for another bank.
2. According to the law "The term "spot zoning" is ordinarily used where a zoning ordinance is amended reclassifying one or more tracts or lots for a use prohibited by the original zoning ordinance and out of harmony therewith. The one constant in the cases, where zoning ordinances have been invalidated due to "spot zoning" is that they were designed "to favor" someone." It is obvious in this case that the "favored" is KFCU. The first request by KFCU was deemed spot-zoning by the board and the solution was to increase the size of the property to be re-zoned and increase the setback from the norm of 200 feet to 400 feet. Why was this done, to accommodate the needs of KFCU. Clearly this fits the definition of spot-zoning.
3. If this property is re-zoned commercial that would mean that any business could now build and open adjacent to my property. I bought my house knowing that the adjacent property was zoned residential. Property owners should be protected by zoning laws not have them changed to accommodate a request by any business especially when there is so much commercially zoned property available in the city.
4. Safety also is a major concern. What about the increase in traffic, Summer Lane and Seal Ave. are not thru streets and there a several children, (I have 7 grandchildren) and adults that walk, jog, and ride bicycles on the street. There are no sidewalks on either roads so who is going to guarantee the safety of all that live there.

I am not against progress, our city needs to attract new businesses but not at the expense of our citizens. Instead of debating an issue that clearly has legal complications, the city leaders should get together with KFCU and find a suitable location that is properly zoned and move forward with this project.

Sincerely,



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1 of 2 pages

TO: Long Beach Planning Commission, Board of Alderman and Mayor
FROM: Leonard G. Carrubba, Sr. (105 Summer Lane. Long Beach)
DATE: April 7, 2009
RE: Spot Zoning on Klondyke Rd.

Hello, my name is Leonard Carrubba, a resident of Long Beach at 105 Summer Lane.

In my opinion
When Whitney Bank decided to rebuild in Long Beach after the storm, they put a temporary building in Long Beach. Their business was good, they decided to expand, found commercial property in Long Beach and purchased it. They have built a beautiful building that is esthetically pleasing and is mutually beneficial for both the bank and for our local economy. Whitney Bank followed our city's ordinances and laws, as everyone should, and I am grateful for that.

Progress in Long Beach is a good thing, and I am thrilled that Keesler Federal Credit Union (KFCU) wants to expand their branch here in Long Beach. This expansion would be a great benefit for both KFCU and for our community.

There is already plenty of commercial property here in Long Beach on which KFCU can expand and build. For some reason, though, KFCU has apparently been advised that it is OK to purchase residential property instead of commercial property and get it rezoned to commercial. This goes against our current zoning ordinances and state law. To change a zone for a specific person or entity, no matter how large the area is, is considered spot zoning, which is illegal in the state of Mississippi. Since KFCU came forth months ago and asked for a variance for this site, it is more than obvious that the accommodations some members of the Board of Alderman are trying to make for KFCU are, in reality, spot zoning.

A statement was made at the Chamber of Commerce forum, at which I participated on March 27, implying that KFCU might leave Long Beach and move to Pass Christian (which has approximately half the population of Long Beach), if the spot zoning is not approved. In my opinion, this is just a scare tactic--- not based in fact---to get other members of the Board of Alderman and Planning Commission to approve this spot zoning.

If this rezoning is allowed, the city of Long Beach will be violating the law and the rights of its citizens. It also will be opening itself up to yet another lawsuit. This proposed spot zoning is not equitable for businesses, which have already invested in commercial property in our city. It is also not equitable for residents who have lived in residential areas and purchased residential property, knowing the surrounding zoning and attributes of their neighborhoods. In order to protect the past investors, present investors and future investors, we should protect the city's integrity by following our own ordinances. We should encourage KFCU to locate in Long Beach on existing commercial property, so they can show their commitment to expanding in Long Beach and respecting its laws.

1

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2 of 2 pages

Now, there is an effort to rezone not only the parcel that KFCU has worked to subdivide for its expansion, but also neighboring residential property. Rezoning the residential property on Klondyke between Summer Lane and Canal #1 to commercial property will totally change the character of the neighborhood, which has essentially remained the same for at least the past 30 years. We do not need or want the excess noise, traffic and diminished residential quality of life that come with adjoining commercial property. The residents of this neighborhood purchased their own property and homes, and in some cases even rebuilt after the storm, knowing their property and adjacent properties were zoned residential.

There is an argument that the area of Klondyke Road between Commission Rd. and Cleveland Ave. has changed dramatically and new commercial property is needed. This is inaccurate and unjustified, because commercial property nearby has yet to be fully developed. For example, at the corner of Klondyke and Commission Rd. north of this site, a Spur gas station has gone out of business. Across the street, to the east of it, a car lot has gone out of business and several other business occupants have failed there. There are several failed businesses that have occupied the strip mall, built around 1969, across from the proposed spot zoning and there are several vacancies in that business section even today. In addition, there are commercial lots north and south of the Strip Mall for sale. The only new recent construction in the area of the proposed zone change has been two churches, which can only enhance the surrounding neighborhoods.

It has been said that the area has changed because an increase of traffic. If so, this could be because of the relocation of Harper McCaughan Elementary on Commission Rd. from downtown on Jeff Davis Ave., requiring approximately 60 staff members and almost 400 students to travel in that new direction. This is a temporary situation, as this traffic flow will undoubtedly change again with the opening of the new school on Pineville Rd.

It is great that KFCU wants to invest in our community. We can grow together and all can benefit from a new, larger branch; however, I believe that the powers that be at Keesler Federal Credit Union should find existing commercial property in Long Beach to build their facility. This will show all investors interested in Long Beach that everyone should and must play by the same rules and that all property owners can "bank" on the assurance that their investments in their homes and businesses are "safe" ones in Long Beach.

Thank you for your time and consideration in this matter.

Leonard G. Carrubba, Sr.

2

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This letter was published in the Sun Herald Fri. April 3 under Opinions. It was sent to me and I am forwarding it all concerned citizens.

"If some among you fear taking a stand because you are afraid of reprisals from customers, clients, or even government, recognize that you are just feeding the crocodile hoping he'll eat you last"Ronald Reagan

We welcome the new business, but...

I would like to thank the folks at Keeser Federal Credit Union for making plans to locate a new branch bank building in Long Beach. The principals are to be commended for recognizing the many benefits of doing business in our town, and all citizens welcome and eagerly await their groundbreaking. Unfortunately, there is a contentious issue that remains to be settled involving the branch's proposed location.

Keesler is proposing to locate the building on property currently zoned for single family residential homes. Apparently, Keesler has been led to believe the land would be rezoned or receive a variance to allow their construction in a residential neighborhood on land zoned for residential homes. I am among those who are opposed to granting this exception because (1) it is not fair to the other banks who have already paid the price to build their branches on more expensive commercially-zoned land, (2) it is not fair to the nearby commercial property owners who have vacant land available for this facility, and (3) it is not fair to the homeowners in the neighborhood whose residential property values will fall if any commercial business is allowed to build next to their homes.

Everyone wants Keesler to locate in Long Beach, but our zoning laws must be consistently applied to protect those who have already made investments in our City. Sadly, several incumbent officials are politicizing this issue and characterizing anyone opposed to Keesler's proposed location as being "anti-growth". We should expect and demand more of our elected officials.

I encourage those who are in a position to impact this issue to invite Keesler to build on one of the many vacant commercial properties in our City. Doing so would send the message to current investors and prospective developers that their investments will be safeguarded by the consistent and even-handed application of our zoning regulations. This might be the only way to avoid having issues like this settled in court – a process that only tarnishes Long Beach's image as "The Friendly City".

Steve Nicosia

Long Beach

4/6/2009

**MINUTES OF APRIL 9, 2009
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I would like to see Keebler credit
build in Long Beach but build where there is
commercial property already zoned commercial.
I'm in agreement with others who feel like
Keebler is receiving special treatment that
allows them to purchase residential property
with the option to rezone commercial. To my
knowledge the city hasn't offered this option to
any other business. There are laws to be followed.

Blaine D. Parker
Kay Parker
103 Summer Ln
Long Beach

**MINUTES OF APRIL 9, 2009
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BEING A RESIDENT PROPERTY OWNER
IN LONG BEACH, FOR THE PAST 5 YRS,
I SEE SO MUCH COMMERCIAL
PROPERTY VACANT, AND I DO NOT
SEE ANY REASON TO TRY AND
CHANGE THE ZONING LAWS TO
USE RESIDENTIAL PROPERTY FOR
BIG BUSINESS, WHO HAVE POWER
AND WEALTH, AND I DO NOT
WISH TO SEE THE PROPERTY OWNERS
LOSE THE VALUE OF THEIR PROPERTY

Raymond R. Anthony
Long Beach

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

4-8-09

To the Long Beach Zoning Board

Sirs,

Please stop your plans to change the zoning laws of my neighborhood. There are plenty of available sites for the Keebler Fed. C.V. What you are doing will set a dangerous precedent and will cause unfair worry to every resident & home owner in the City. Zoning laws need to be dependable.

Thank You

Alden Steen

110 Summer Lane, L.B.

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



Advantis Real Estate Services Company
2310 19th Street
Gulfport, MS 39501
Tel 228.864.8629
Fax 228.563.5617
www.gvaadvantis.com

April 9, 2009

City of Long Beach Planning Commission
645 Klondyke Road
PO Box 929
Long Beach, MS 39560

Dear Planning Commission:

I have been asked by Abner C. Oglesby, Counselor at Law with Deutsch, Kerrigan & Stiles, to give my opinion as a real estate professional aware of industry trends in the Long Beach, Mississippi property market. Specifically I have been asked to review the neighborhood encompassing Parcel 0611K-01-017.000, owned by Ida Faye Woodfield, (near the intersection of Klondyke Road and Cleveland Avenue) to determine if conditions warrant a change in the current zoning of the property from R-O/R-1 Residential to C-2 Highway Commercial.

After inspecting the parcel and its surrounding area and review of residential and commercial transactions in the area, it is my opinion that the current zoning is proper and does not warrant a change. The neighborhood where this property is located has not undergone a change in conditions to warrant rezoning this specific parcel. A shopping center has existed across from the subject property for many years, but with no recent expansion or commercial explosion in the center, it does not indicate a change in conditions to warrant the subject property being rezoned for commercial purposes. Two Long Beach churches have recently relocated to nearby Cleveland Avenue- the addition of the churches to the area only enhances the residential neighborhood aspect of the area near the intersection of Klondyke and Cleveland. It is true that residential and commercial activities are trending northward, but the trend has not changed the subject parcel's neighborhood. If anything it has shown the need for additional residential units in the area.

There are many other commercial properties available in Long Beach to develop the Keesler Federal Credit Union office. Examples of these properties are enclosed. If you should have any questions or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'MSL'.

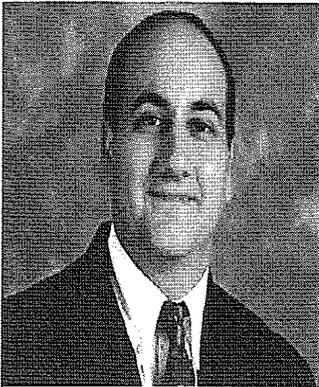
Monte S. Luffey

MSL/gwf
Enclosures

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LONG BEACH PLANNING COMMISSION**

Monte Luffey

Managing Director



Background

Monte Luffey joined GVA Advantis in 2008 and serves as managing director for the Gulfport office.

Since 1993, Mr. Luffey has been active in commercial and residential development along the Mississippi Gulf Coast. He has served as managing member and lead developer in a wide range of projects including residential subdivisions, office buildings, retail developments, apartments, self-storage units and a limited service hotel. He was in charge of development, leasing and management for these developments.

Industry & Civic Affiliations

- President - Mississippi Commercial Association of Realtors
- Member - Gulf Coast Business Council
- Member - Gulfport Chamber of Commerce
- Past President - Pass Christian Chamber of Commerce
- Past Treasurer - Pass Christian Historical Society
- Past Board Member - Mississippi Coast Home Builders Association
- Past Chairman - Coast Episcopal School Board of Trustees
- Past Member - Peoples Bank Advisory Board

Education / Experience

- Stirling Properties - Regional Vice President
- Waste Management, Inc. - Division VP and Controller
- Private Practice - Certified Public Accountant
- B.S. Accounting, Louisiana State University, 1988
- Licensed Real Estate Salesperson - Mississippi, Louisiana, Alabama

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

No Photo Available	Long Beach COMMISSION		\$ 75,000 Ref #: 197477
	Status:	Active	County: Harrison County
	Zip Code:	39560	Subdivision:
	Acres:		Type:
	# of Lots:	1	Farm Type:
	Rd Frntg:	72	Age: Neighborhood Commercial Dist.
	Wtr Frntg:		Mobile Homes:

DIR: From 28th Street, go south on Klondyke, take left on Commission, see sign on right.

Legal Desc: see Nov.2006survey

School District: Long Beach

Elementary:

Junior/Middle: Long Beach

Senior High: Long Beach

Virtual Tour: <http://>

Realtors, pull up attachment of survey. Affordable C-2 zoned lot adjacent to mini-warehouses, across road from gas station/corner store. High traffic area. Power co. easement in back still allows for parking spaces. Best buy is all 4 parcels (5.1 acres)-\$285,000. Offers welcome!!

Buildings:

Equipment:

Livestock:

Fences:

Lot Size: 72.300 X 247.600 X 95.700 X 308.000

Topography:

Access:

Trees: Heavily Wooded

Minerals:

Waterfront:

Restrict:

Amenities:

Site Utilities:

Utilities Avail: Water, Sewer, Electricity, Gas, Phone

Annual Taxes:

Flood Insur:

04/08/09 -- THIS INFORMATION IS CONFIDENTIAL, DEEMED RELIABLE BUT NOT GUARANTEED. BUYER AND/OR BUYER'S AGENT SHOULD VERIFY DATA AND EVALUATE SOURCE. -- 04:12 PM

Monte Luffey with Advantis Real Estate Serv. Co. (228-864-8629)

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

No Photo Available	Long Beach		\$ 75,000
	KLONDYKE & RAY RD (CORNER)		Ref #: 197549
	Status:	Active	County: Harrison County
	Zip Code:	39560	Subdivision:
	Acres:	1.500	Type: Commercial
	# of Lots:	1	Farm Type:
	Rd Frntg:	140	Age: Neighborhood Commercial Dist.
	Wtr Frntg:		Mobile Homes:

DIR:

Legal Desc: See Nov2006 survey

School District: Long Beach

Junior/Middle: Long Beach

Virtual Tour: <http://>

Elementary:

Senior High: Long Beach

Corner parcel (parcel 4). See recent survey of all 4 parcels on attachments to your left !!!!- zoned commercial . Can purchase one lot (make offer on price of \$99,000 per lot, or all 4 for the best value of \$285,000 total.

Buildings:

Equipment:

Livestock:

Fences:

Lot Size: 140.000 X 466.000 X 139.900 X 470.000

Topography:

Access:

Trees:

Minerals:

Waterfront:

Restrict:

Amenities:

Site Utilities:

Utilities Avail:

Annual Taxes:

Flood Insur: Subject to Survey

04/08/09

-- THIS INFORMATION IS CONFIDENTIAL, DEEMED RELIABLE BUT NOT GUARANTEED. BUYER AND/OR BUYER'S AGENT SHOULD VERIFY DATA AND EVALUATE SOURCE. --

04:12 PM

Monte Luffey with Advantis Real Estate Serv. Co. (228-864-8629)

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

No Photo Available	Long Beach 0 BEATLINE RD	\$ 139,900 Ref #: 211280
	Status: Active Zip Code: 39560 Acres: 1.000 # of Lots: 1 Rd Frntg: 136 Wtr Frntg:	County: Harrison County Subdivision: Type: Farm Type: Age: Neighborhood Commercial Dist. Mobile Homes:

DIR:

Legal Desc: 1 AC BEG 360 FT S

School District: Long Beach

Junior/Middle:

Virtual Tour: <http://>

Elementary:

Senior High:

Highly visible commercial lot between the new Dollar General and the well known Rusty Pelican Restaurant.

Buildings:

Equipment:

Livestock:

Fences:

Lot Size: 136.000 X 320.000 X 136.000 X 320.000

Topography: Level Wooded, Possible Wetlands

Access:

Trees:

Minerals:

Waterfront:

Restrict:

Amenities:

Site Utilities:

Utilities Avail: Water, Sewer, Electricity, Phone

Annual Taxes: \$ 1,091

Flood Insur:

04/08/09 -- THIS INFORMATION IS CONFIDENTIAL, DEEMED RELIABLE BUT NOT GUARANTEED. BUYER AND/OR BUYER'S AGENT SHOULD VERIFY DATA AND EVALUATE SOURCE. --

04:12 PM

Monte Luffey with Advantis Real Estate Serv. Co. (228-864-8629)

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

	LONG BEACH	\$ 199,999
	PINEVILLE RD RD	Ref #: 209398
Status:	Active	County: Harrison County
Zip Code:	39560	Subdivision:
Acres:	0.600	Type: Commercial
# of Lots:	1	Farm Type:
Rd Frntg:	236	Age: Neighborhood Commercial Dist.
Wtr Frntg:		Mobile Homes:

DIR:

Legal Desc:

School District: Long Beach

Junior/Middle: Long Beach

Virtual Tour: <http://www.LePetitCove.com>

Elementary: Mccaugham

Senior High: Long Beach

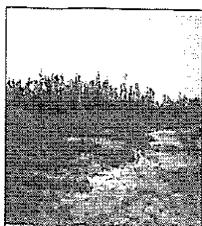
GREAT COMMERCIAL LOT LOCATED ON PINEVILLE ROAD AT THE ENTRANCE TO "LE PETIT COVE" ONE OF THE NICEST NEW SUBDIVISIONS IN THE CITY OF LONG BEACH. DO NOT MISS YOU CHANCE TO HAVE A BUILT IN CUSTOMER BASE RIGHT BEHIND YOU RETAIL BUSINESS. OWNER MAY DEED RESTRICT CERTAIN USES. SURVEY ON FILE.

Buildings:	Equipment:
Livestock:	Fences:
Lot Size: 236.000	Topography: Level
Access:	Trees:
Minerals:	Waterfront:
Restrict: Deed Restrictions, Architectural Review, Easements	Amenities:
Site Utilities:	Utilities Avail: Water, Sewer, Electricity, Gas, Phone
Annual Taxes:	Flood Insur: Subject to Survey

04/08/09 -- THIS INFORMATION IS CONFIDENTIAL, DEEMED RELIABLE BUT NOT GUARANTEED. BUYER AND/OR BUYER'S AGENT SHOULD VERIFY DATA AND EVALUATE SOURCE. -- 04:12 PM

Monte Luffey with Advantis Real Estate Serv. Co. (228-864-8629)

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



Long Beach
28TH STREET **\$ 399,000**
Ref #: 203133

Status: Active	County: Harrison County
Zip Code: 39561	Subdivision:
Acres: 17.200	Type:
# of Lots:	Farm Type:
Rd Frntg:	Age:
Wtr Frntg:	Mobile Homes:

DIR:

Legal Desc: Lenghty call for s

School District: Long Beach

Elementary:

Junior/Middle:

Senior High:

Virtual Tour: <http://>

Approx 17.2 acres. 3.28 acres zoned C-4 and 14 acres zoned R-1. Property has been cleared and has some fill on it. Conveyed w/ special warranty deed as mineral rights don't convey! Prime Commercial area! Unlimited potential with many possible uses! Could be subd. with commercial front!

Buildings:

Equipment:

Livestock:

Fences:

Lot Size: 0.000

Topography: Level

Access: City Street

Trees:

Minerals: No Minerals

Waterfront:

Restrict:

Amenities: Near Entertainment

Site Utilities:

Utilities Avail:

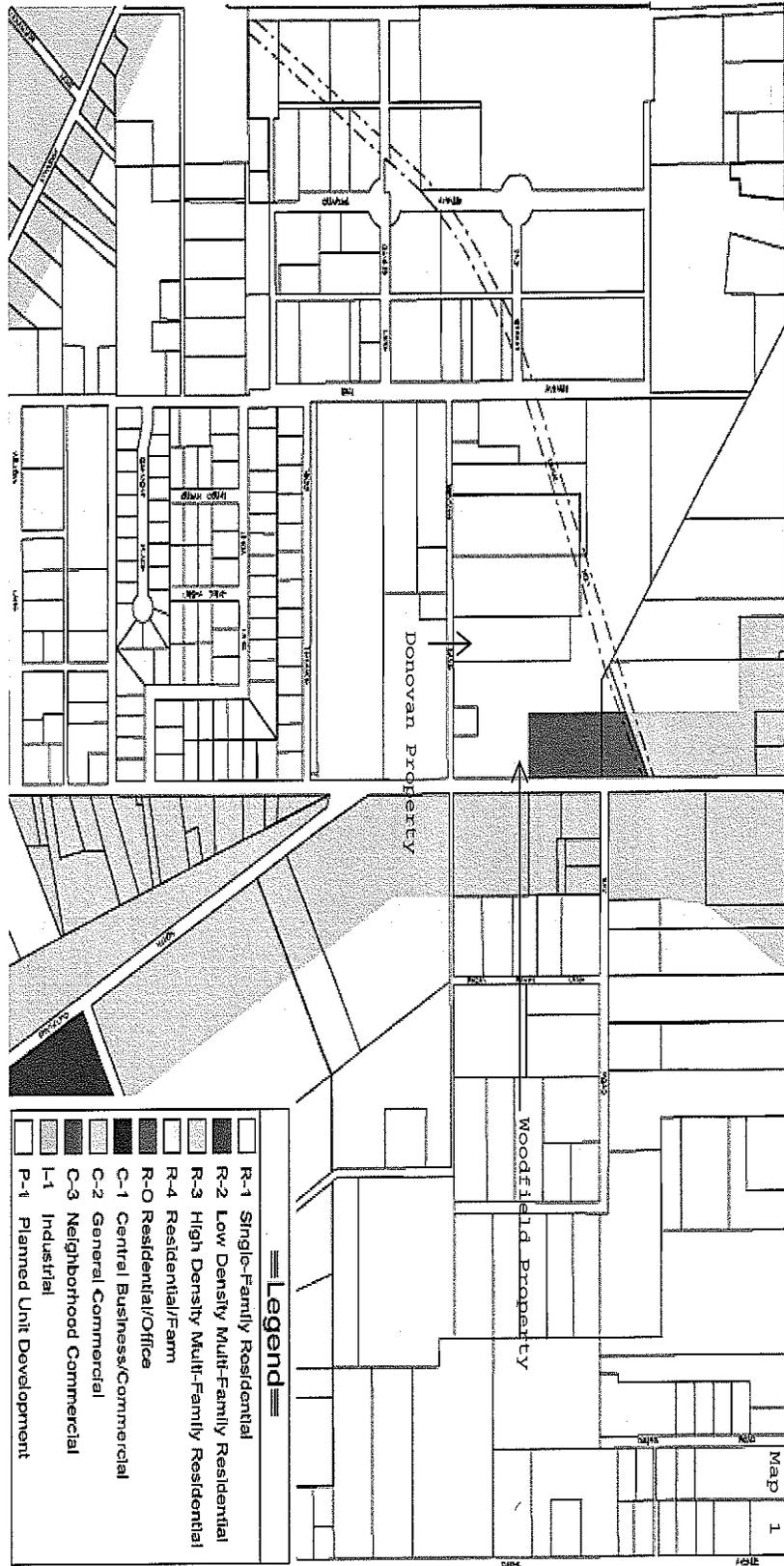
Annual Taxes:

Flood Insur: Subject to Survey

04/08/09 -- THIS INFORMATION IS CONFIDENTIAL, DEEMED RELIABLE BUT NOT GUARANTEED. BUYER AND/OR BUYER'S AGENT SHOULD VERIFY DATA AND EVALUATE SOURCE. -- 04:12 PM

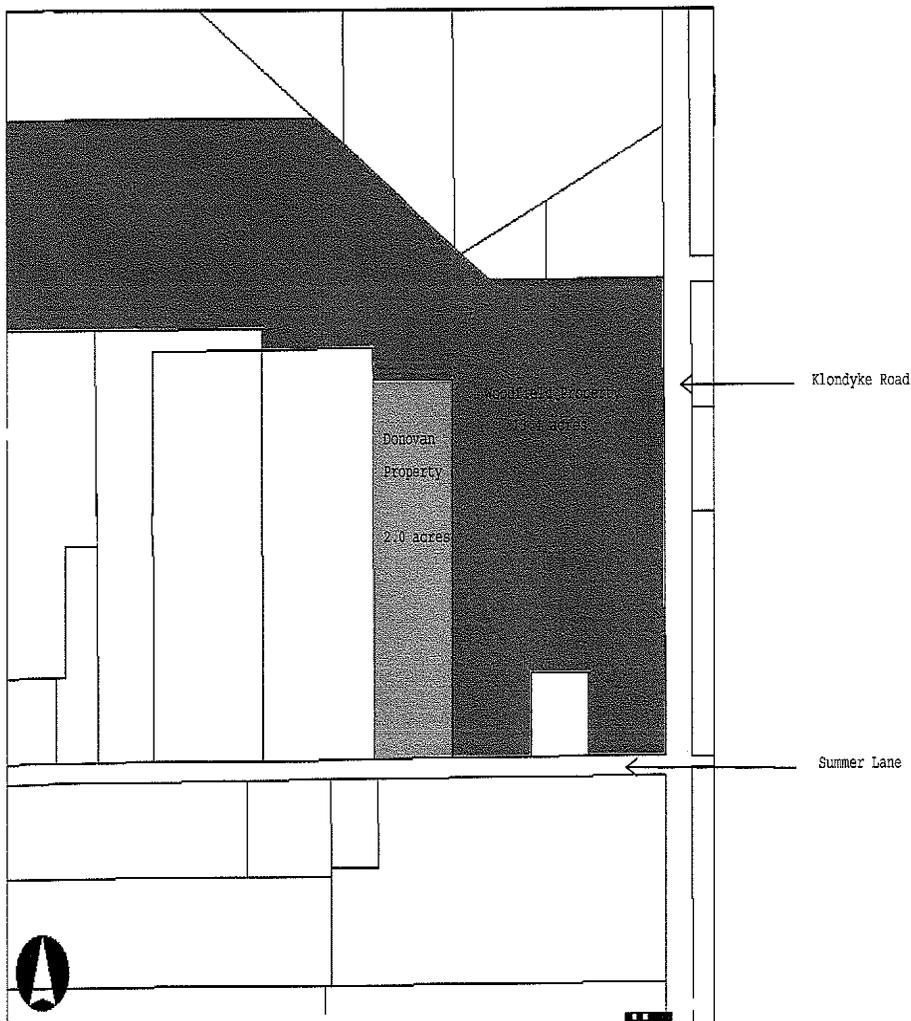
Monte Luffey with Advantis Real Estate Serv. Co. (228-864-8629)

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

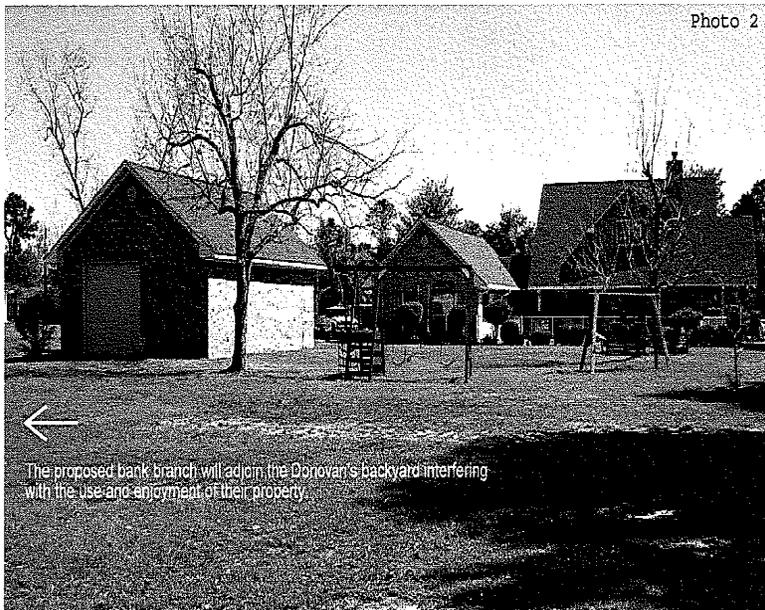
Map 2



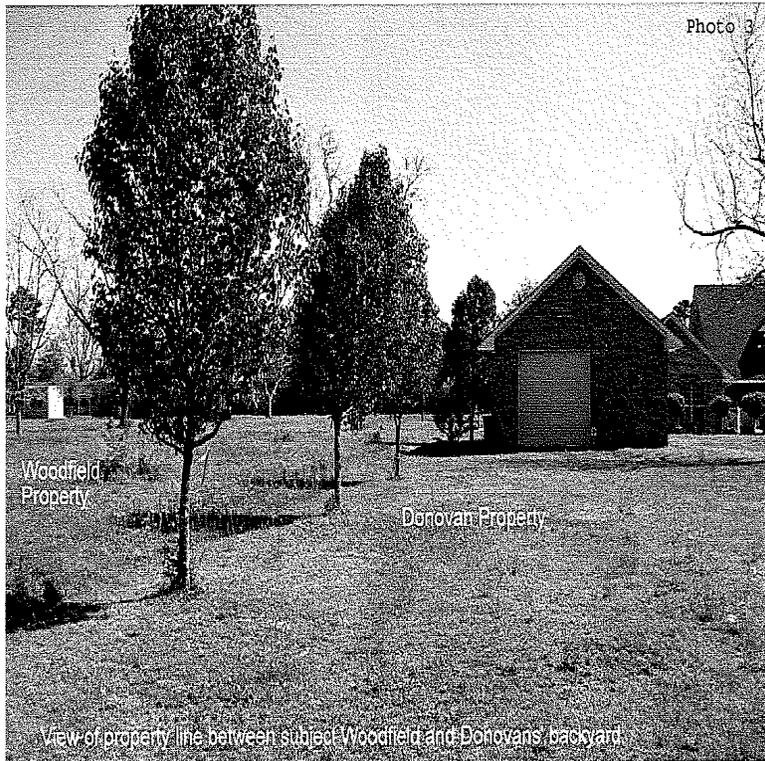
PPIN	Parcel ID	Tax District	Owner Name
037219	0611K-01-024.000	L	DONOVAN JOHN D & DIANNA L

PPIN	Parcel ID	Tax District	Owner Name
085713	0611K-01-017.000	L	WOODFIELD IDA FAYE

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**



**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

April 9, 2009

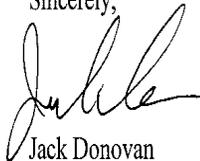
City of Long Beach, MS
Planning Commission
P. O. Box 929
Long Beach, MS 39560

Re: Opposition to Zone Change Request of Ida Faye Woodfield
DK&S File No. 01327-00001

Commission Members:

Please be advised that we have engaged Deutsch, Kerrigan & Stiles, L.L.P. as counsel to represent us regarding our opposition to the zoning change request of Ida Faye Woodfield. Deutsch, Kerrigan & Stiles, L.L.P. has full authority to appear on our behalf before the City of Long Beach and all other governmental authorities related to our opposition to the zoning change.

Sincerely,



Jack Donovan



Diane Donovan

**MINUTES OF APRIL 9, 2009
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Jack Donovan, 111 Summer Lane, stated he is for the project but against the rezoning of residential property to Commercial and feels the request should not be approved to accommodate this one entity.

John Goodman, 109 Summer Lane, stated if approved, the project would abut against his property, causing drainage onto his property, the security lighting at night from the building would illuminate his property, and that there is a current traffic problem turning on/off Klondyke Road this project would cause more traffic problems.

Leonard Carrubba, 105 Summer Lane, read letter submitted above for the record.

Connie Rolison, 18260 Commission Road, read letter written by Ryan Rolison, stating he was not against the project, but was against the rezoning of property to accommodate one business, that there is adequate commercial zoned property in Long Beach to be developed, concerns for his children's safety with a bank building next to his property because of the robbery and illegal activity

Patricia Goodman, 109 Summer Lane, stated that a business should be welcomed into a community and not cause anxiety and confusion, there is commercial property in Long Beach that this project could happen on.

Steve Nicosia, 515 GulfView Avenue, submitted letter above for the record.

Chris Hare, 18032 Allen Road, stated he was against the rezoning because there is plenty of commercial property in Long Beach. Believes KFCU is only proposing to build on this property because it's zoned residential and the purchase price is more economical than buying commercial property. Stated there has been no change in the character of the neighborhood, that rezoning of the property would be unfair to commercial businesses, and by rezoning this property the City is sending the wrong message to developers and residential home owners.

Marcia Kruse, 19015 Redbud Drive, stated that the Master Plan for the City of Long Beach was a concept to be used in the next 20 plus years, the Mississippi State Law states that for the purpose of rezoning the change in the character of the neighborhood needs to be in effect currently. Stated the City is in need of jobs and businesses but this is not the correct place because it is not zone commercial. KFCU has not meet the state requirements to be granted a zone change.

**MINUTES OF APRIL 9, 2009
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Margaret Miskell, 4716 Ohio Avenue, Gulfport, MS, owns property on Klondyke Road, stated she is in support of whatever the board decides is best for the residence.

Dianne Donovan, 111 Summer Lane, stated she has concerns for the safety of the neighborhood with a project like KFCU.

* * *

Planning Commission Vice-Chairman recognized, Billy Guice of Rushing & Guice Attorney at law, Ocean Springs, MS for rebuttal as follows:

A bank is not a safety issue in neighborhoods, there's a branch currently located across from the Middle School

The traffic count on Klondyke Road is eighty four hundred (8400), the bank completes approximately one thousand transactions per day, KFCU would not add any additional traffic onto Klondyke Road.

The character of all neighborhoods changed after Hurricane Katrina.

Klondyke Road has more commercial business located on it than residential houses,

KFCU paid experts to research on what is the prime location to build this project, they are proposing this location because Klondyke Road is the commercial corridor for the City of Long Beach and they are paying prime money for this location.

12 locations have been studied in Long Beach and those locations are not being considered because of wetlands, drainage and traffic issues.

Stated the request is not a request for "spot zoning". It is a request to extend the already existing commercial zone to the south.

KFCU would be an anchor for the area.

* * *

Commissioner Hill made motion seconded by Commissioner Lipski and unanimously carried to close the public hearing.

* * *

**MINUTES OF APRIL 9, 2009
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LONG BEACH PLANNING COMMISSION**

After considerable consideration Commissioner Serratto made motion seconded by Commissioner Yandell to approve the Zone Change from R-O/R-1, Residential/Office/Single Family Residential to C-3 Neighborhood Commercial stating that the character of the neighborhood has changed with the development of the two churches along Klondyke Road.

The motion being put to a roll call vote by the Commission Vice Chairman the result was as follows:

Commissioner Lipski	Nay
Commissioner Serratto	Aye
Commissioner Yandell	Aye
Commissioner Warren	Nay
Commissioner Hare	Nay
Commissioner Hill	Nay

The question having received the negative vote of a majority of the Commissioners present and voting, and no substitute motion being made the Commission Vice Chairman declared the motion denied.

It came for consideration the public hearing to consider an application for a VARIANCE, as submitted by J & D Property, for property located on Klondyke Road as follows:

**MINUTES OF APRIL 9, 2009
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 - **SEE Pkt**
 - 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:
400 Klondike Rd. 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.)

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.

S + D Properties of South MS LLC 5 Ronnie Rossell Rd
Name of Owner(s) Mailing Address
Carriere MS 39426 228-297-1513 601-799-2466
City State Zip Telephone (H) Office
Sean Spence 2/18/09 \$ 100.00
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.

**MINUTES OF APRIL 9, 2009
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The Clerk reported that twenty-two (22) 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
Allen D. Holder, Jr. - At Large
Charlie Boggs - Ward 1
Richard Notter - Ward 2
Richard Burton - Ward 3
Joe McNary - Ward 4
Mark Lishen - Ward 5
Carolyn Anderson - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruoff

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.

J & D Properties of South Mississippi, LLC, 5 Ronnie Dossett Road, Carriere, MS, has filed an application for variances in accordance with the Comprehensive Zoning Ordinance. Applicants are proposing to develop an eight (8) lot subdivision, for the purpose of constructing low-rise apartments (4-plexes). Per Zoning Ordinance (#344) the lot area minimum is 4,000 square feet per unit. Variances are being requested as follows:

1. Lot 1, a 1,981.42 sf lot size variance.
2. Lot 2, a 3,933.60 sf lot size variance.
3. Lot 3, a 3,956.30 sf lot size variance.
4. Lot 4, a 3,079.16 sf lot size variance.
5. Lot 5, a 2,991.21 sf lot size variance.
6. Lot 6, a 2,630.70 sf lot size variance.
7. Lot 7, a 3,957.28 sf lot size variance.
8. Lot 8, a 650.18 sf lot size variance.

The Tax Parcel Number for the subject property is 06110-04-015.000. The property is generally described as being adjacent to Klondyke Road and South of Larosa Road. The legal description is as follows:

A parcel of land located in Section 12, Township 8 South, Range 12 West, if regularly surveyed in government sections, and is part of the B. Pellerin Private Grant of Claim known as Section 22, and is in Lot 55 of the Henderson Shipman Hughes Partition, Long Beach, Harrison County, Mississippi, more particularly described as follows: Beginning at the Northeast corner of Green Meadows Subdivision, as per plat recorded in the Chancery Clerk's office of Harrison County, Mississippi, at Plat Book 24, Page 40, and run thence South 59 degrees 19 minutes West 655.07 feet to the East margin of Klondyke Road; run thence North 0 degrees 29 minutes 9 seconds East along said East margin 270.1 feet to a point; run thence North 61 degrees 55 minutes 47 seconds East 554.54 feet to a point; run thence South 20 degrees 2 minutes 9 seconds East 209.43 feet to the Point of Beginning. And being one in the same property as described in that certain Warranty Deed from Poupart and Ball Contractors, Inc., to Henry A. Leidigh and wife, Nanette C. Leidigh dated 5/31/96 and recorded in Deed Book 1337 at Page 174.

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

The public hearing to consider the above Variance will be held in the City of Long Beach, Mississippi, 39560, Thursday, April 9, 2009 at 6:30 p.m., in the Long Beach School District Administration Office located on Commission Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed
Chairman
Planning Commission

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

The Clerk further 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 the Comprehensive Zoning Ordinance (#344) of Long Beach, Mississippi (1967) as amended, notice 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. J & D Properties of South Mississippi, LLC, 5 Ronnie Dosssett Road, Carters, MS, has filed an application for variances in accordance with the Comprehensive Zoning Ordinance. Applicants are proposing to develop an eight (8) lot subdivision, for the purpose of constructing low-rise apartments (4-plexes). Per Zoning Ordinance (#344) the lot area minimum is 4,000 square feet per unit. Variances are being requested as follows:
 1. Lot 1, a 1,981.42 sf lot size variance.
 2. Lot 2, a 3,833.60 sf lot size variance.
 3. Lot 3, a 3,956.30 sf lot size variance.
 4. Lot 4, a 3,079.16 sf lot size variance.
 5. Lot 5, a 2,991.21 sf lot size variance.
 6. Lot 6, a 2,630.70 sf lot size variance.
 7. Lot 7, a 3,957.28 sf lot size variance.
 8. Lot 8, a 650.18 sf lot size variance.
 The Tax Parcel Number for the subject property is 06110-04-015.000. The property is generally described as being adjacent to Klondyke Road and South of Larosa Road. The legal description is as follows:
 A parcel of land located in Section 12, Township 8 South, Range 12 West, if regularly surveyed in government sections, and is part of the B. Polson Private Grant of Clinton known as Section 22, and is in Lot 55 of the Henderson Shipman Hughes Partition, Long Beach, Harrison County, Mississippi, more particularly described as follows: Beginning at the Northeast corner of Green Meadows Subdivision, as per plat recorded in the Chancery Clerk's office of Harrison County, Mississippi, at Plat Book 24, Page 40, and run thence South 59 degrees 19 minutes West 655.07 feet to the East margin of Klondyke Road; run thence North 0 degrees 23 minutes 9 seconds East along said East margin 270.1 feet to a point; run thence North 61 degrees 55 minutes 47 seconds East 554.54 feet to a point; run thence South 20 degrees 2 minutes 9 seconds East 209.43 feet to the Point of Beginning. And being one in the same property as described in that certain Warranty Deed from Poupant and Ball Contractors, Inc. to Henry A. Leigh and wife, Nanelle C. Leigh dated 5/31/96 and recorded in Deed Book 1337 at Page 174.
 The public hearing to consider the above Variance will be held in the City of Long Beach, Mississippi, 33590, Thursday, April 9, 2009 at 6:30 p.m., in the Long Beach School District Administration Office located on Commission Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.
 Signed _____
 Chairman
 Planning Commission
 adv.26.11
 1316077

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. 125 No., 175 dated 26 day of Mar, 20 09
- 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 26 day of Mar, A.D., 20 09

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..... \$ _____

**MINUTES OF APRIL 9, 2009
REGULAR MEETING
LONG BEACH PLANNING COMMISSION**

The Commission Vice-Chairman recognized the applicant. He stated he was asking for a variance to allow him to build low rise apartments on each lot to qualify him for a MDA grant.

* * *

The Commission Vice-Chairman opened the floor for public comment either in favor of or opposed to the request for Variance and no one came forward to be heard.

* * *

There being no public comment, Commissioner Yandell made motion seconded by Commissioner Hill and unanimously carried to close the public hearing.

* * *

After considerable discussion Commissioner Yandell made motion seconded by Commissioner Hare and unanimously carried to deny the request stating that the size of variances needed were in excess and the density would be too great for the area.

It came for discussion under OLD BUSINESS approval/review of the Comprehensive Plan, Smart Code and Architectural Guidelines. A work Session was scheduled for April 16, 2009 at 5:00 p.m. at the City Hall Complex located at 645 Klondyke Road in the I.T. Trailer.

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