

**MINUTES OF MAY 14, 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, Planning Commission Advisor Bill Hessel, and Minutes Clerk Veronica Howard.

Commissioners David Serrato and Roderick Rishel were absent the meeting.

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

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The meeting was called to order and the Commission Chairman stated that all decisions made at this meeting would need to be ratified by the Mayor and Board of Aldermen at their next regularly scheduled meeting of May 19, 2009, and subject to a ten-day appeal time for a Public Hearing.

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After careful review and consideration Commissioner Vancourt made motion seconded by Commissioner Hare and unanimously carried to approve, with no corrections, the Planning Commission minutes of April 23, 2009.

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It came for discussion under OLD BUSINESS approval/review of the Comprehensive Plan, Smart Code and Architectural Guidelines. A work Session was scheduled for May 21, 2009 at 5:00 p.m. at the City Hall Complex located at 645 Klondyke Road in the I.T. Trailer.

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

It came for consideration the Public Hearing for a Variance Request for property located on Klondyke Road submitted by J & D Properties as follows:

		<b>APPLICATION FOR CASE REVIEW</b>	
		City of Long Beach, PO Box 929/201 Jeff Davis Avenue 39560 (228)863-1554 Fax (228)865-0822	
Shaded Areas for Staff ONLY		Agenda Date:	
TO BE COMPLETED BY APPLICANT (Front and Back of each page)		DATE: <i>4/29/2009</i>	
Name of Rightful Owner: <i>J &amp; D Properties of South Ms.</i>		Name of Applicant (if different than Owner) <i>JASON Spence</i>	
Property Address: <i>400 Klondyke Rd. Long Beach MS 39560</i>		Ward Number <i>2</i>	
Tax Parcel Identification Number(s): <i>06110-04-015.000</i>			
Mailing Address of Property Owner: <i>5 Ronnie Rossett Rd</i>		Mailing Address of Applicant (if different than owner):	
City <i>Carriere</i>		City	
State <i>Ms.</i>		State	
Zip <i>39426</i>		Zip	
County <i>Pearl River</i>		County	
Telephone: <i>(228) 297-1513</i>		Telephone: ( )	
<b>PROPERTY INFORMATION:</b>			
Property Size (Please give in acres or by dimension): <i>3 Acres</i>			
Present Zoning Classification <i>R-2</i>			
Flood Zone(s) of Property:			
	North	South	East
Property is most nearly bounded by what streets?			<i>Klondyke</i>
If property directly fronts or is adjacent one of the streets above please indicate with a X.			<i>X</i>
<b>TYPE OF CASE REQUEST (A separate supplement form is required for each)</b>			
<input type="checkbox"/> Zoning Change (\$100.00 + administrative fees)			
<input type="checkbox"/> Planning Commission Approval (\$50.00 application)			
<input type="checkbox"/> Special Exception Use (\$100.00 + administrative fees)			
<input checked="" type="checkbox"/> Variance Request (\$100.00 + administrative fees)			
Plat Approval - ( ) Sketch (\$50.00 application fee) ( ) Preliminary ( ) Final - Please provide a blue line of the proposed plat. FEES for Preliminary & Final plat approval as follows: 2-3 lots \$100 / 4-10 lots \$150 / 11-50 lots \$300 / 50-100 lots \$400 / 100+ lots \$500			
<input type="checkbox"/> A Decision of the Building Official is Alleged to be in Error (\$50.00 application fee)			
<input type="checkbox"/> Interpretation of the Zoning Ordinance			
<input type="checkbox"/> Home Occupation (attach copy of Deed or lease) (\$80.00 application fee) <b>Skip to page 4</b>			

**MINUTES OF MAY 14, 2009  
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LONG BEACH PLANNING COMMISSION**

**VARIANCE SUPPLEMENTAL APPLICATION**  
(complete for VARIANCE request ONLY)

<p>Describe any special condition that justify the granting of this variance request and that 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? <u>The lot can't be enlarged due to Existing Buildings.</u></p> <hr/> <hr/> <hr/> <hr/>
<p>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.</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>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?</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>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 is granted to other properties. State how the variance makes reasonable use of the existing land and why the same action cannot be done in a way that does not require a variance. Show that granting of this variance does not give the applicant any special privileges that the properties in the area would find desirable.</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

**APPLICATION FOR CASE REVIEW (continued)**

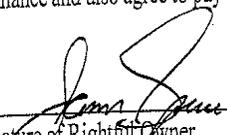
**Please attach the following. If applicable:**

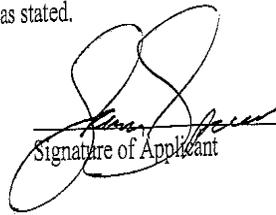
1. A deed which includes a legal description of the specific piece of property involved in the request.
2. If several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.
3. Survey
4. a site plan showing 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. A complete site plan of the property shall also be submitted with the application, to include any existing structures, easements, or other significant physical features.
5. 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)**
6. 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.
7. Applicant should appear personally or through his/her agent at the scheduled hearing.
8. 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.

**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.

**GENERAL INFORMATION, READ BEFORE EXECUTING.** Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than 21 days before the 2<sup>nd</sup> or 4<sup>th</sup> Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.

**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.

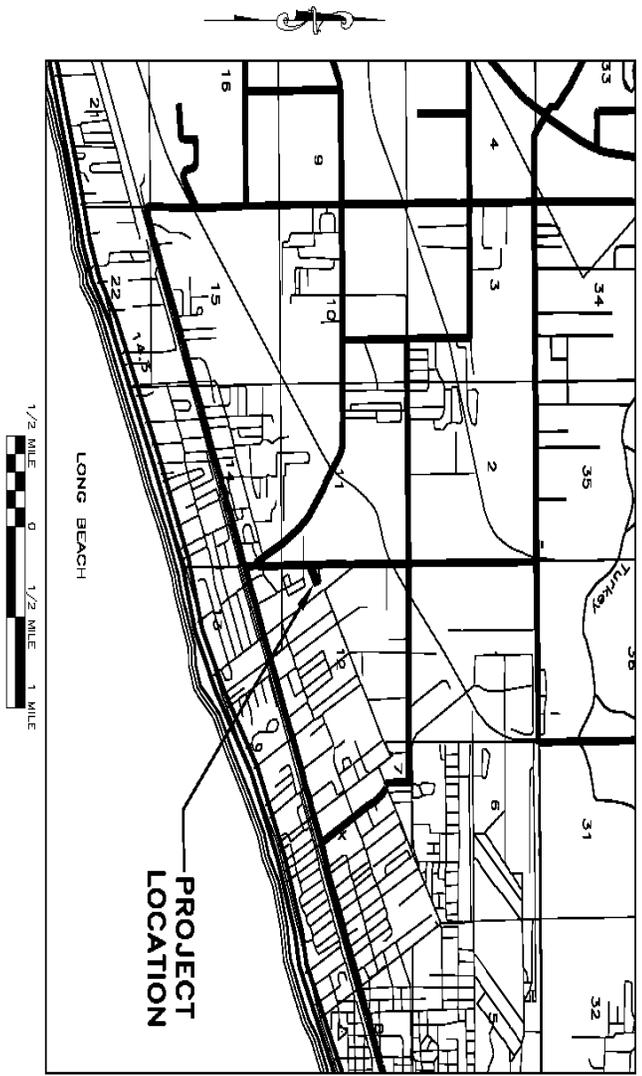
  
\_\_\_\_\_  
Signature of Rightful Owner

  
\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

PRELIMINARY PLAT FOR  
**FOUNTAIN APARTMENTS**  
**LONG BEACH, MS.**  
HARRISON CO., MS.



**PLAN ASSEMBLY**

TITLE	SHEET NO.
COVER SHEET	1 OF 2
LAYOUT AND CERTIFICATION	2 OF 2

**DEVELOPER**  
JASON SPENCE

**PROJECT ENGINEERING**  
O'NEAL-BOND ENGINEERING, INC.  
P.O. BOX 369  
WIGGINS, MS. 39577  
601-928-7390

**UTILITY OWNER**  
CITY OF LONG BEACH, MS.  
P.O. BOX 591  
LONG BEACH, MS 39501  
228-865-0440

<p>DRAWN BY: TIM LAWRENCE CHECKED BY: JASON SPENCE DATE: 2/6/2009</p>	<p>SCALE: 1" = 40'</p>	<p>LEGEND:                  ■ FOUND CORNER                  □ FOUND LIGHT WOOD STAKE                  ○ SET 1/2" RE-BAK CHALKS OTHERWISE                  ● FOUND 1/2" RE-BAK CHALKS                  ○ CHISEL POINT OR POINT                  ○ CHISEL POINT ON UTILITY POLE                  ○ SWAY POLE ON UTILITY POLE</p>
<p>CLASS OF SURVEY: BEARINGS DETERMINED BY RECORDED PLAT                  SURVEYED: 2/6/2009</p>	<p><b>O'NEAL-BOND ENGINEERING, INC.</b>                  L.L.O. EMAIL: dlawrence@obeng.com</p>	<p>1901 9th Street                  Ocean Springs, MS 38871                  (601) 908-5500</p>

SHEET 2 OF 2



**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

The Clerk reported that twenty-one (21) 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. Schruff

CITY ATTORNEY  
Jim Simpson

**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 a variance in accordance with the Comprehensive Zoning Ordinance. Applicant is proposing to develop an eight (8) lot subdivision, for the purpose of constructing low-rise apartments (triplexes and Duplexes). Per Zoning Ordinance (#344) the lot area minimum is 4,000 square feet per unit. Lot one has a lot area of 14,018.56 square feet. A Variance of 1, 982 square feet is being requested for lot one.

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.

The public hearing to consider the above Variance will be held in the City of Long Beach, Mississippi, 39560, Thursday, May 14, 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

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1556 • FAX 865-0822  
[www.cityoflongbeachms.com](http://www.cityoflongbeachms.com)

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

The Clerk reported that she did cause to be published in The Sun Herald, a newspaper with a 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 Variance.

J & D Properties of South Mississippi, LLC, 5 Ronnie Dossell Road, Carriere, MS, has filed an application for a variance in accordance with the Comprehensive Zoning Ordinance. Applicant is proposing to develop an eight (8) lot subdivision, for the purpose of constructing low-rise apartments (triplexes and Duplexes). Per Zoning Ordinance (#344), the minimum lot area is 4,000 square feet per lot. Lot one has a lot area of 14,018.56 square feet. A Variance of 1,882 square feet is being requested for lot one.

The Tax Parcel Number for the subject property is 06110-04-015,000. The property is generally described as being adjacent to Klondike 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.P. Smith 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 Klondike Road; 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 of the same property as described in that certain Warranty Deed from Polipart and Bell Contractors, Inc., to Henry A. Laidigh and wife, Nanette C. Laidigh, dated 5/31/86 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 39560, Thursday, May 14, 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.

Respectfully,  
Sharron Williams  
Planning Commission  
adv29.TT  
1321539

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. 125 No. 29 dated 29 day of Apr, 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.

Julie Garner  
Clerk  
MAY 14 2009  
Sworn to and subscribed before me this 30 day of Apr, A.D., 2009

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

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

**MINUTES OF MAY 14, 2009  
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LONG BEACH PLANNING COMMISSION**

Jason Spence, 5 Ronnie Dossett Road, Carriere, MS came forward to state request. He stated he is proposing to develop a seven (7) lot subdivision, and in keeping with the zoning ordinance he is requesting a one thousand nine hundred eighty-two (1,982) square foot variance in order to for the existing building on lot number one (1) to conform.

Commission Chairman called for any one speaking in Favor of the request and no one came forward to be heard.

\* \* \*

Commission Chairman called for anyone speaking in Opposition of the request and no one came forward to be heard.

\* \* \*

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

\* \* \*

Commissioner Yandell made motion seconded by Commissioner Vancourt and unanimously carried to approve the Variance request as submitted.

\*\*\*\*\*

It came for consideration a Variance request submitted by Beau Claire Condominiums as follows:

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

	<b>APPLICATION FOR CASE REVIEW</b> City of Long Beach, PO Box 929/201 Jeff Davis Avenue 39560 (228)863-1554 Fax (228)865-0822			
Shaded Areas for Staff ONLY		Agenda Date:		
TO BE COMPLETED BY APPLICANT (Front and Back of each page)		DATE: <b>APRIL 13 2009</b>		
Name of Rightful Owner: <b>BEAU CLAIR CONDOMINIUM ASSOCIATION</b>		Name of Applicant (if different than Owner) <b>TOM GOULD DICK SHERLIN</b>		
Property Address: <b>548 W. BEACH BLVD, LONG BEACH MS 39560</b>			Ward Number <b>1</b>	
Tax Parcel Identification Number(s): <b>0612E-03-038.001 0612E-03-037</b>				
Mailing Address of Property Owner: <b>548 W. BEACH BLVD</b>		Mailing Address of Applicant (if different than owner): <b>DICK SHERLIN 548 W. BEACH BLVD UNIT 139</b>		
City <b>LONG BEACH</b>		City <b>LONG BEACH</b>		
State <b>MS</b>		State <b>MS</b>		
Zip <b>39560</b>		Zip <b>39560</b>		
County <b>HARRISON</b>		County <b>HARRISON</b>		
Telephone: ( )		Telephone: <b>228 326-8880</b>		
<b>PROPERTY INFORMATION:</b>				
Property Size (Please give in acres or by dimension): <b>2.6 ACRES</b>				
Present Zoning Classification				
Flood Zone(s) of Property:				
	North	South	East	West
Property is most nearly bounded by what streets?	<b>MAGNOLIA</b>	<b>HWY 90</b>	<b>OAK GARDEN RUNNELS</b>	
If property directly fronts or is adjacent one of the streets above please indicate with a X.		<b>X</b>		
<b>TYPE OF CASE REQUEST (A separate supplement form is required for each)</b>				
<input type="checkbox"/> Zoning Change (\$100.00 + administrative fees)				
<input type="checkbox"/> Planning Commission Approval (\$50.00 application)				
<input type="checkbox"/> Special Exception Use (\$100.00 + administrative fees)				
<input checked="" type="checkbox"/> Variance Request (\$100.00 + administrative fees)				
<input type="checkbox"/> Plat Approval - ( ) Sketch (\$50.00 application fee) ( ) Preliminary ( ) Final - Please provide a blue line of the proposed plat. FEES for Preliminary & Final plat approval as follows: 2-3 lots \$100 / 4-10 lots \$150 / 11-50 lots \$300 / 50-100 lots \$400 / 100+ lots \$500)				
<input type="checkbox"/> A Decision of the Building Official is Alleged to be in Error (\$50.00 application fee)				
<input type="checkbox"/> Interpretation of the Zoning Ordinance				
<input type="checkbox"/> Home Occupation (attach copy of Deed or lease) (\$80.00 application fee) Skip to page 4				

**MINUTES OF MAY 14, 2009  
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ATTACHMENT FOR VARIANCE

DESCRIBE ANY SPECIAL CONDITION THAT JUSTIFY THE GRANTING OF THIS VARIANCE REQUEST AND THAT 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? The purpose of the fence is two fold: The primary need is for security. To keep people from entering the property from the beach and highway 90. Existing and future owners and renters want to feel secure. The six foot fence gives the feeling of security. A four foot fence does not provide security like a six foot fence does. We have a shower near the front of the property to be used only by our owners and renters after returning from the beach. The second reason is to complete the front appearance of a very attractive complex.

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. We have done nothing to cause the need for a six foot fence.

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? A financial hardship could exist from not having a six foot tall fence. The first financial hardship could be that a security guard would have to be hired to patrol and secure the property. Over an extended period of time the cost of a security guard would exceed the cost of the fence. If we had to build a four foot tall fence according to code rather than the requested six foot tall fence, the front appearance would not be appropriate. On the east side we have a six foot retaining wall that will look out of balance with a four foot front security fence. Our buildings are two stories tall and elevated according to FEMA specifications. A four foot tall fence would have the appearance of being out of balance with the buildings.

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 IS GRANTED TO OTHER PROPERTIES. STATE HOW THE VARIANCE MAKES REASONABLE USE OF THE EXISTING LAND AND WHY THE SAME ACTION CAN NOT BE DONE IN A WAY THAT DOES NOT REQUIRE A VARIANCE. SHOW THAT GRANTING OF THIS VARIANCE DOES NOT GIVE THE APPLICANT ANY SPECIAL PRIVILEGES THAT THE PROPERTIES IN THE AREA WOULD FIND

**MINUTES OF MAY 14, 2009  
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DESIRABLE. Many properties along highway 90 have fences higher than four feet especially condos such as ours. Our request for a six foot tall fence is reasonable and is a reasonable use of the land. I have mentioned in previous paragraphs why a four foot tall fence would not work and would not be effective. If this variance is granted our condo would not be receiving any special privileges. It is common to see six foot tall and taller fencing along highway 90 frontage property.

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

April 8, 2009

TO: The City of Long Beach  
Long Beach, MS 39560

FROM: Beau Clair Condominium Association  
548 West Beach Blvd  
Long Beach, MS 39560

RE: Request to Build Security Fence

We, the Beau Clair Condominium Association, are requesting to build a decorative and security fence along the front of our property facing highway 90. The stucco portion of the fence at the driveway entrance will be used to display our name and address. At this time we don't intend to install a security gate. The following are the specifications of the project:

The driveway opening will be 50 feet.

The fence will be 6 feet tall.

The section of fence on the west side of the entrance will have a one foot high footing with a 5 foot tall fence on top of the footing thus making the total height 6 feet.

The brick columns for this fence will be 8 feet from the property line and sidewalk running east and west.

The section of fence on the east side of the entrance will be 6 feet in height. The brick columns for this fence will be 11 feet from the property line and the sidewalk.

Brick columns across the front of the property will be approximately 7 feet tall.

The metal panels will be 8 feet wide and there will be 32 feet between columns on the west side and 24 feet between columns on the east side.

The metal fence running north from the front fence will not have any columns and will connect with the decking behind the existing units.

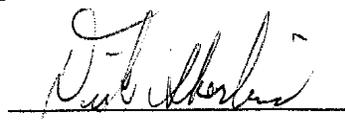
The stucco wall to the west of the driveway will be 22 feet long and the stucco wall to the east of the driveway will be 16 feet long. The tallest portions of the stucco walls will not exceed 6 feet.

The visibility to the left when exiting the driveway of Beau Clair is excellent. In addition the first street west of Beau Clair has excellent visibility to the left when a driver is leaving Runnels and entering or crossing highway 90.

This request is being presented by the following:



Tom Gould  
BCCA Treasurer  
601/408-5380



Dick Sherlin  
Beau Clair Home Owner  
228/326-8880

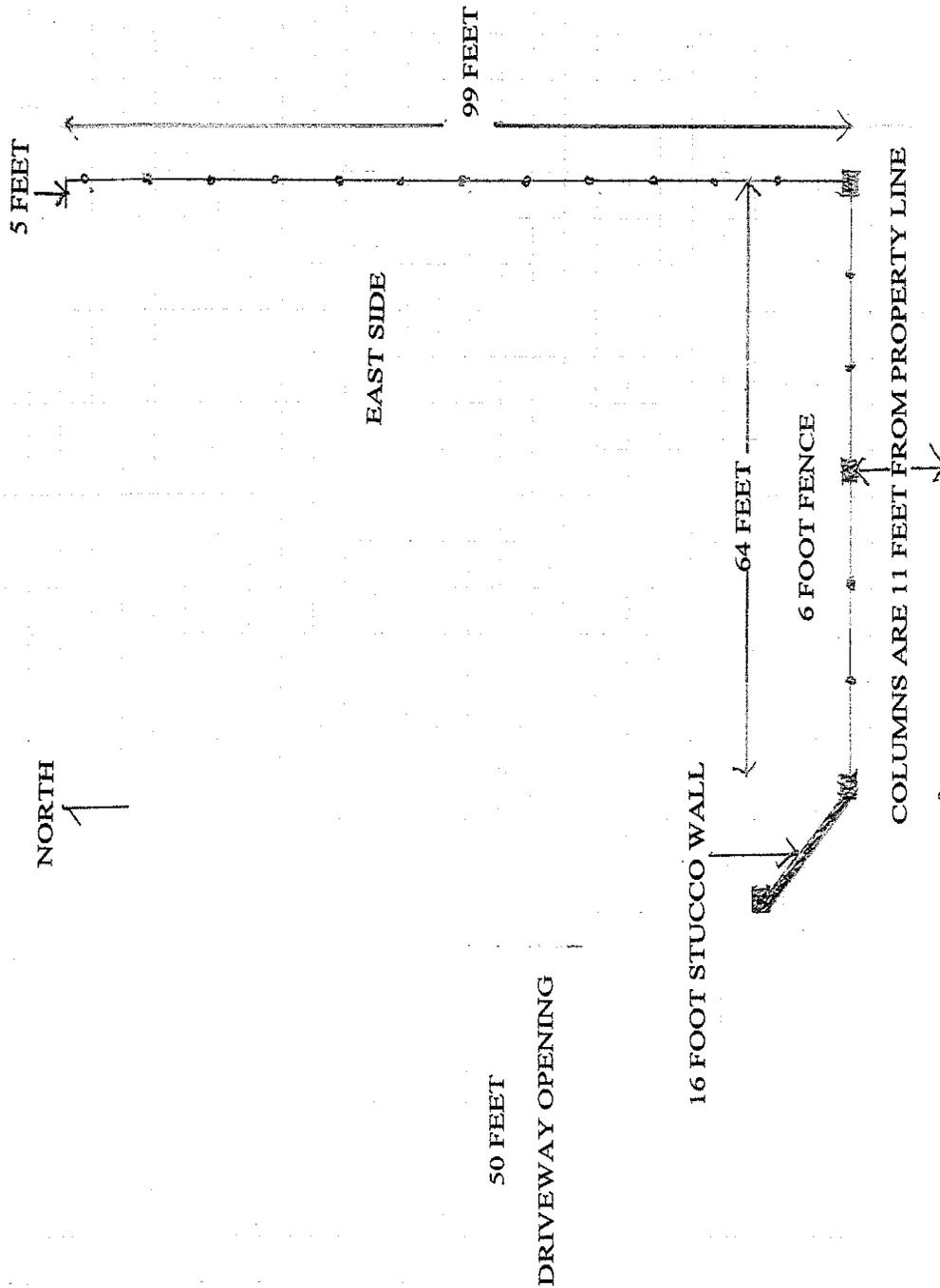
**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

BEAU CLAIR CONDOMINIUM ASSOCIATIO

LEGAL DESCRIPTION

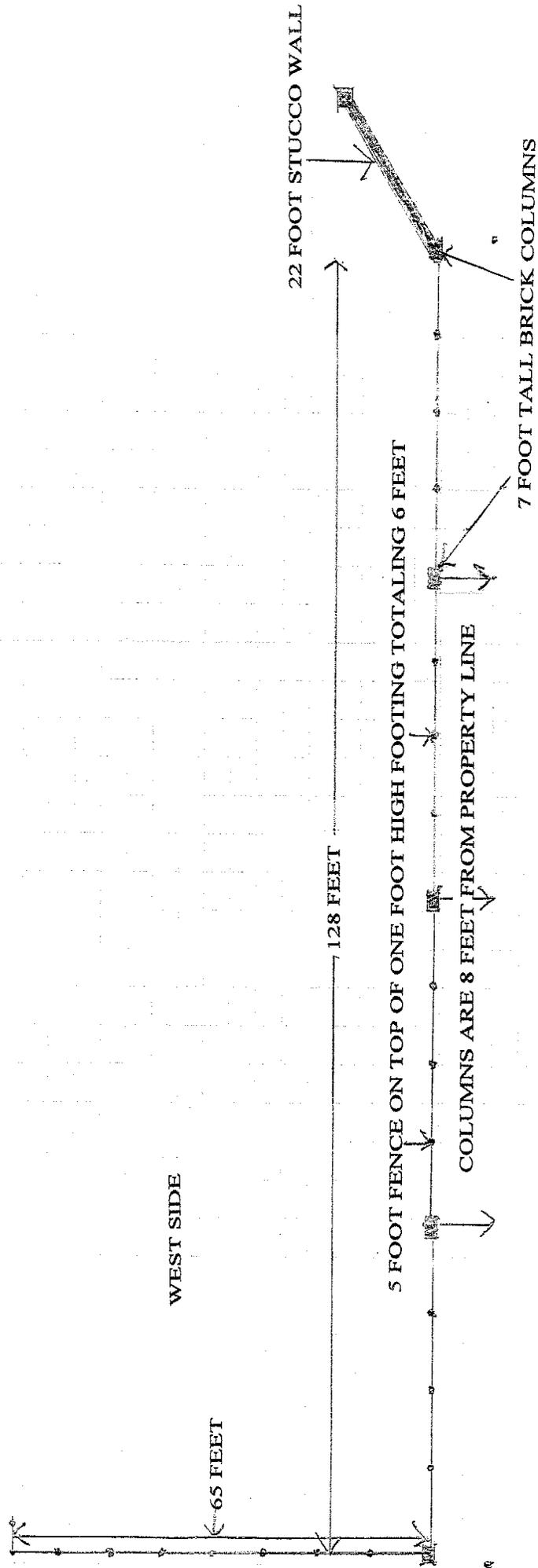
Begin at the SW corner of Lot 1, Block 1, Oak Gardens Subdivision, said point of beginning being located on the North margin of U.S. 90 right-of-way, and then from said point of beginning run N 67°46'E along said right-of-way 5.4 feet; thence run N 00°01' E parallel with the West line of said Oak Gardens Subdivision 493.0 feet to a point located 5.0 feet East of the 89°59' W 105.0 feet; thence run N 00°02' E 55.0 feet; thence run West 145.5 feet; thence run S 00°01' E 650.3 feet to the North margin of U. S. Highway 90 right-of-way; thence run N 67°46' E along said North right-of-way 264.9 feet to the point of beginning.

MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION

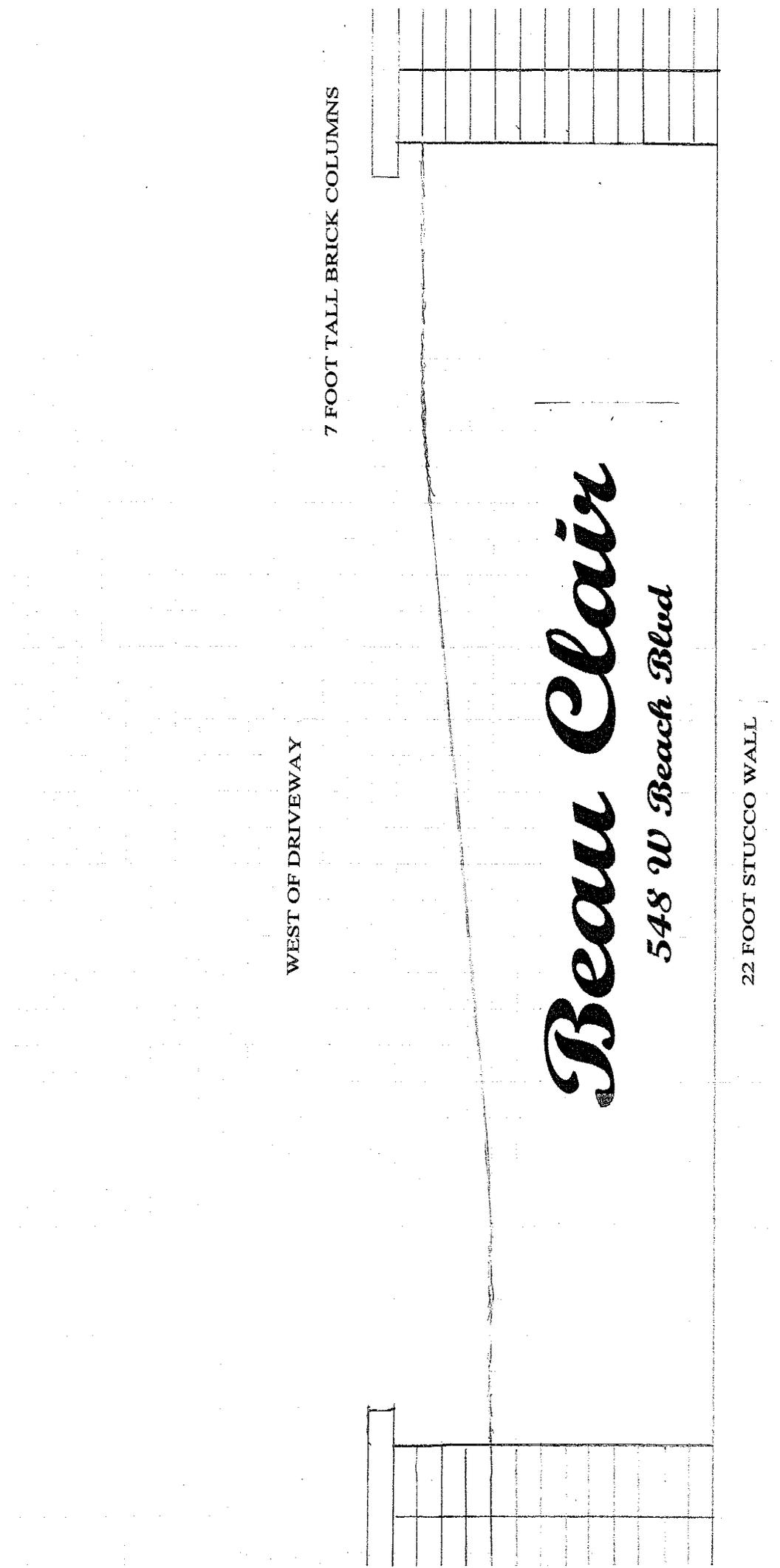


MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION

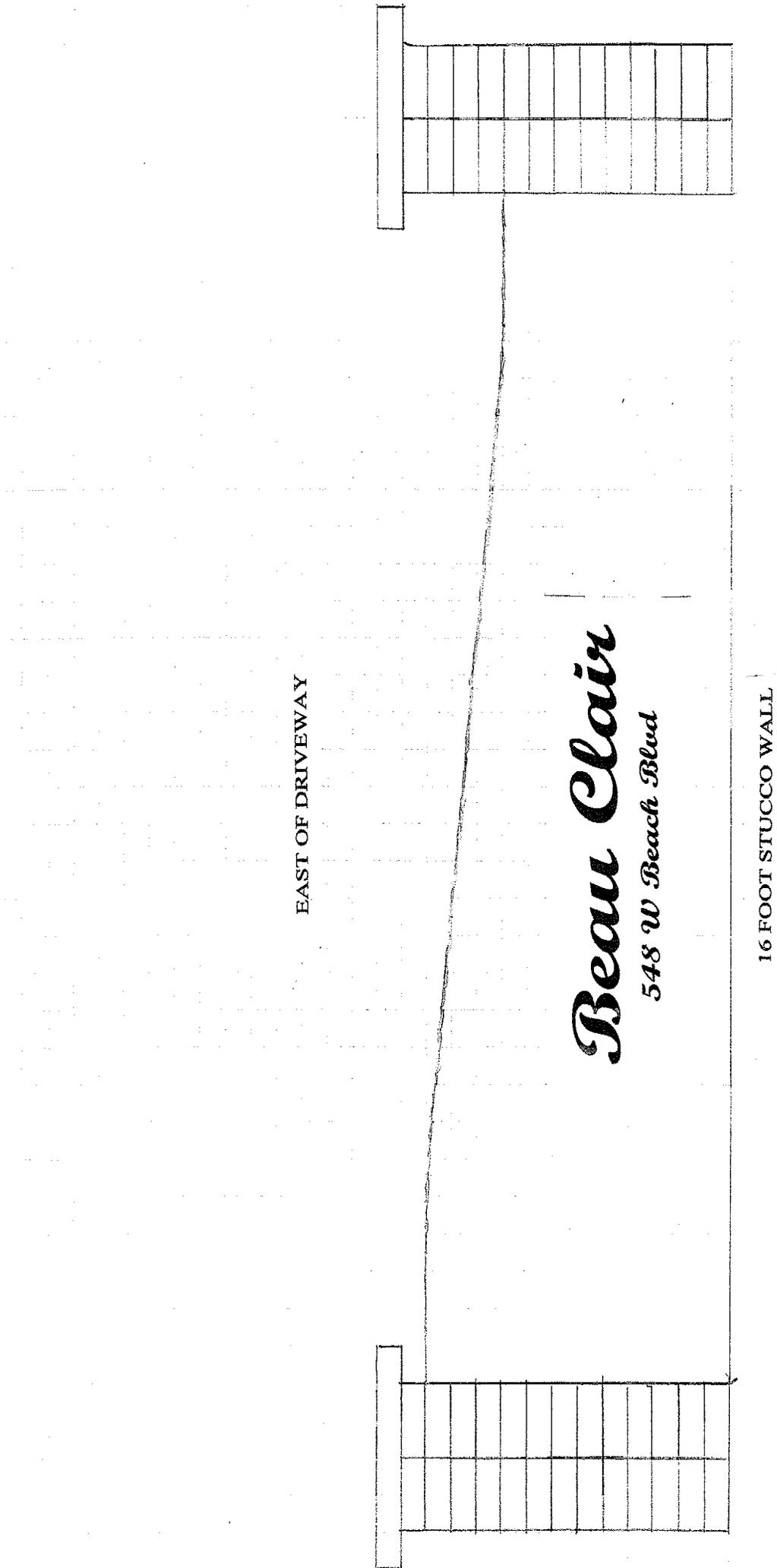
NORTH  
↑



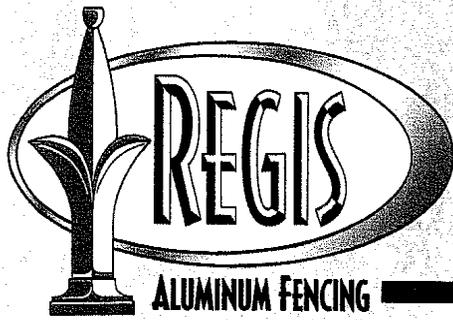
MINUTES OF MAY 14, 2009  
REGULAR MEETING  
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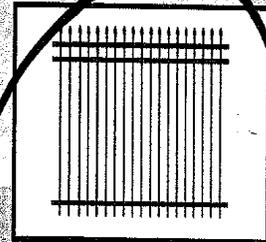
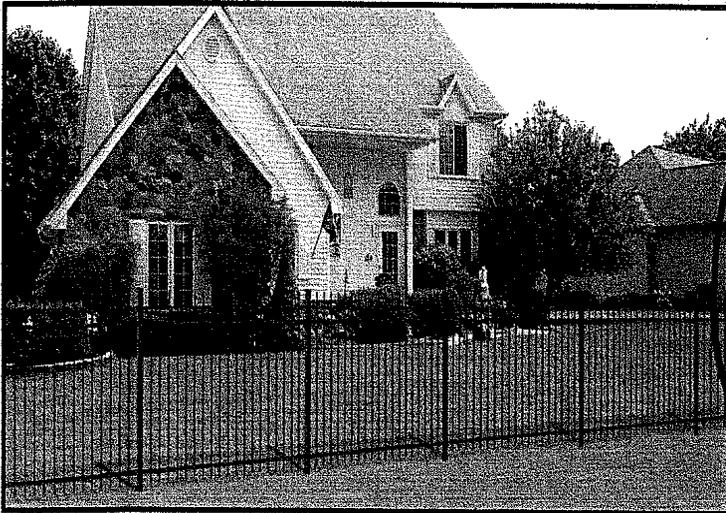
MINUTES OF MAY 14, 2009  
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LONG BEACH PLANNING COMMISSION



MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION



# 4000 SERIES



### MODEL 4131

3 RAIL - With FINIALS  
Heights: 48", 60" & 72"  
Length: 8' Sections

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



FROM DRIVEWAY LOOKING EAST



**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



FROM DRIVEWAY LOOKING WEST



**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



FROM RUNNELS LOOKING EAST



**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

**APPLICATION FOR CASE REVIEW (continued)**

Please attach the following, if applicable:
<ol style="list-style-type: none"> <li>1. A deed which includes a legal description of the specific piece of property involved in the request.</li> <li>2. If several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.</li> <li>3. Survey</li> <li>4. 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. A complete site plan of the property shall also be submitted with the application, to include any existing structures, easements, or other significant physical features.</li> <li>5. 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. <b>(FOR RE ZONING ONLY)</b></li> <li>6. 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.</li> <li>7. Applicant should appear personally or through his/her agent at the scheduled hearing.</li> <li>8. 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.</li> </ol> <p><b>Fees:</b> Attach a check in the amount appropriated for applicable request. This check is to be made payable to the <b>City of Long Beach</b> to cover administrative costs. You will also be responsible for actual costs, such as advertising and mailing incurred with the processing of your application.</p>

**GENERAL INFORMATION, READ BEFORE EXECUTING.** Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than 21 days before the 2<sup>nd</sup> or 4<sup>th</sup> Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.

**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.

Tom Donald, **TREASURER** Tom Donald  
 Signature of Rightful Owner BCCA Signature of Applicant

04/13/2009

Date

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

The Clerk reported that Ninety-five (95) 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. Schruff

CITY ATTORNEY  
Frank R. McCreary, III

**LEGAL NOTICE**

**PUBLIC HEARING**

In accordance with Article XII of the Comprehensive Zoning Ordinance (#344) of the City of Long Beach, Mississippi (1987) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a Variance.

The Beau Clair Condominium Association, 548 West Beach Boulevard, Long Beach, MS, has filed an application for a variance in accordance with the Comprehensive Zoning Ordinance. Applicants are requesting to erect a six (6) foot fence along the front of their property line. The maximum height permitted in any required front yard per Ordinance #344 Article IX, Section 904, is four (4) feet. Tax Parcel Number(s) for the subject property is 0612E-03-038.001 AND 0612E-03-037.000. The property is generally described as being adjacent to Hwy 90, South of Magnolia, East of Runnels Avenue and West of Oak Gardens Avenue. The legal description is as follows:

Being at the SW corner of Lot 1, Block 1, Oak Gardens Subdivision, said point of beginning being located on the North margin of U.S. 90 right-of-way, and then from said point of beginning run N 67 46'E along said right-of-way 5.4 feet; thence run N 00 01' E parallel with the West line of said Oak Gardens Subdivision 493.0 feet to a point located 5.0 feet East of the 89 59' W 105.0 feet; thence run N 00 02'E 55.0 feet; thence run West 145.5 feet; thence run S 00 01'E 650.3 feet to the North margin of U.S. Highway 90 right-of-way; thence run N 67 46' E along said North right-of-way 264.9 feet to the point of beginning.

The public hearing to consider the above Variance will be held in the City of Long Beach, Mississippi, 39560, Thursday, May 14, 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 MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

The Clerk reported that she did cause to be published in The Sun Herald, a newspaper with a 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 Variance. The Beau Clair Condominium Association, 548 West Beach Boulevard, Long Beach, MS, has filed an application for a Variance in accordance with the Comprehensive Zoning Ordinance. Applicants are requesting to erect a six (6) foot fence along the front of their property line. The maximum height permitted in any required front yard per Ordinance #344 Article IX, Section 904, is four (4) feet. Tax Parcel Number(s) for the subject property is 0812E-43-038.001 AND 0812E-43-037.000. The property is generally described as being adjacent to Hwy 90, South of Magnolia, East of Runnels Avenue and West of Oak Gardens Avenue. The legal description is as follows: Being at the SW corner of Lot 1, Block 9, Oak Gardens Subdivision, said point of beginning being located on the North margin of U.S. 90 right-of-way, said then from said point of beginning run N 67 46'E along said right-of-way 5.4 feet; thence run N 00 01'E parallel with the West line of said Oak Gardens Subdivision 493.0 feet to a point located 5.0 feet East of the 89 59' W 105.0 feet; thence run N 00 02'E 55.0 feet; thence run West 145.5 feet; thence run S 00 01'E 650.3 feet to the North margin of U.S. Highway 90 right-of-way; thence run N 67 46'E along said North right-of-way 284.9 feet to the point of beginning. The public hearing to consider the above Variance will be held in the City of Long Beach, Mississippi, 39560, Thursday, May 14, 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.21.1T 1320308

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., 201 dated 21 day of Apr, 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\_\_\_\_

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.

Julie Garner  
Clerk

APR 23 2009  
Sworn to and subscribed before me this 22 day of Apr, A.D., 2009

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

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

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

John Oberg with the condominium association came forward to state request. He stated the association was requesting a variance to allow a six foot (6') fence to enhance the appearance and for the safety of the residence.

\* \* \*

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

\* \* \*

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

\* \* \*

Commissioner Hare motioned seconded by Commissioner Vancourt and unanimously carried to close the public hearing.

\* \* \*

After considerable discussion commissioner Hare made motion seconded by Commissioner Hill to approve the Variance request as submitted.

\*\*\*\*\*

Next agenda item was Planning Commission approval to build Low-Rise apartments in a C-2 General Commercial zone district for property located on Pineville Road submitted by John Dutton as follows (tabled from 04/23/2009 meeting):

**MINUTES OF MAY 14, 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](mailto:permits@cityoflongbeachms.com)



APPLICATION FOR CASE REVIEW

- I. TYPE OF CASE REQUEST
- A.  Zoning Change
  - B.  Planning Commission Approval *-TO build low-rise apts in C-2 zone*
  - C.  Special Exception Use
  - D.  Variance Request
  - E.  Change in Use
  - F.  A Decision of the Building Official is Alleged to be in Error
  - G.  Interpretation of the Zoning Ordinance
  - H.  Home Occupation (attach copy of Deed or lease)

II. Property Location: 79023 PINEVILLE RD.  
House number and street name

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

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

A. If in a subdivision:

Subdivision Name

B. If Metes and Bounds: Attach a Legal Description

V. Names and Addresses of all Property Owners within 200 feet of subject land. (If bounded by street or alley, give names and mailing addresses of property directly across from the Subject Street or alley.) This information is necessary only if a Public Hearing is required.

VI. Fees: Attach a check in the amount appropriated for applicable request. This check is to be made payable to the City of Long Beach to cover administrative costs. You will also be responsible for actual costs, such as advertising and mailing incurred with the processing of your application.

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

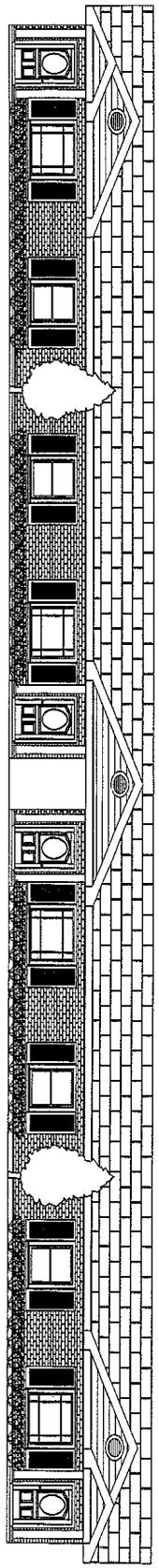
<u>PINEVILLE GARDENS</u>	<u>502 NORTHWOODS DR</u>
Name of Owner(s)	Mailing Address
<u>Abita Springs, LA 70420</u>	<u>985/249-7545 504/452-2779</u>
City State Zip	Telephone (H) Office
<u>John Dutton</u>	<u>9/14/09</u>
Signature of Owner(s)	Date
	<u>\$ 50.00</u>
	Fee

NOTATION: The following attachments must be submitted with application. If applicable:

- A. Please attach a site plan showing the land area which would be affected, easements bounding and intersecting the designated area, the location of existing and proposed structures, off-street parking and other supporting open facilities and the ground area to be provided and continuously maintained for the proposed structure or structures.
- B. Please attach a development schedule indicating the time schedule for the beginning and completion of development planned in the area. If the development is planned in stages, the time schedule shall indicate the successive stages and the development planned for each stage. (FOR RE ZONING ONLY).
- C. The setback requirement for all signs is measured from the leading edge of the sign or the portion of the sign close to the property line. If requesting a variance from the setback requirements for a sign, also indicate the elevation and size of the proposed sign.
- D. Applicant should appear personally or through his/her agent at the scheduled hearing.
- E. Claims of support or "no objection" from owner(s) of adjoining property should be

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

# PINEVILLE GARDENS



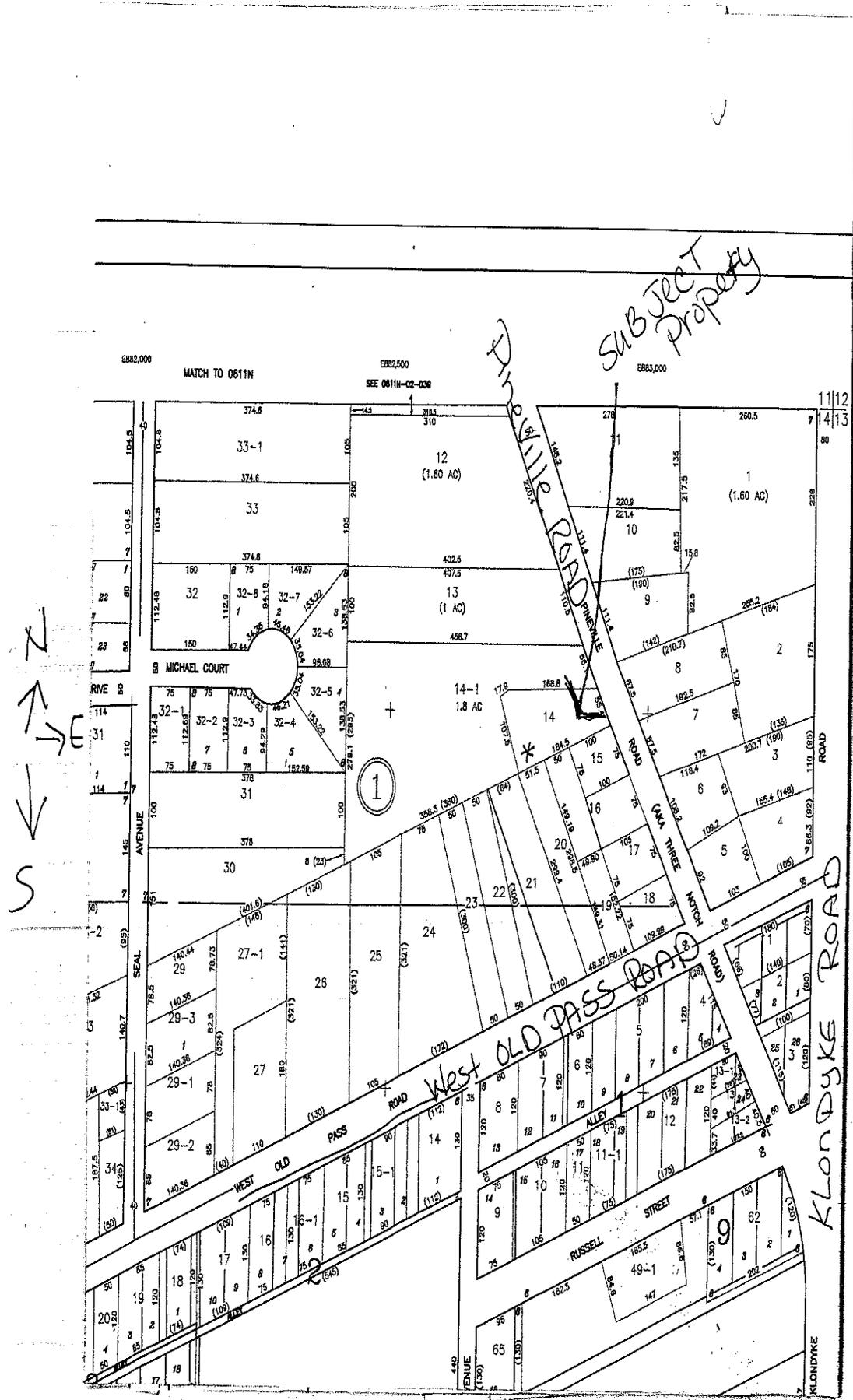
— FRONT ELEVATION —

**NOTE:**  
On the upper part of the facade area of main two front and back porches.  
**IN CASE NOTE:** Every attempt has been made to show the building as it will appear after construction. Construction is in progress. The drawing is a preliminary drawing and is subject to change without notice. The drawing is not to be used for any other purpose without the written consent of the architect.

<p><b>DESIGNER:</b> DELPHINE &amp; ASSOC. 1848 RIVERVIEW DR. V. DENVER, CO 80202 TEL: 303.733.3944 FAX: 303.733.3944</p>		<p><b>DATE:</b> APRIL 5, 2009</p>	
<p><b>PROJECT:</b> PINEVILLE GARDENS APT. 1848 RIVERVIEW DR. V. DENVER, CO 80202</p>		<p><b>PROJECT NO.:</b> 1848 RIVERVIEW DR. V. DENVER, CO 80202</p>	
<p><b>SCALE:</b> AS SHOWN</p>		<p><b>PROJECT NO.:</b> 1848 RIVERVIEW DR. V. DENVER, CO 80202</p>	
<p><b>DATE:</b> APRIL 5, 2009</p>		<p><b>PROJECT NO.:</b> 1848 RIVERVIEW DR. V. DENVER, CO 80202</p>	



**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



P.C. Approval Build Low-Rise in C-2

Pineville Gardens - John Dutton

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

After considerable discussion regarding trash collection and resident parking, Commissioner Yandell made motion seconded by Commissioner Hare and unanimously carried to approve the request as submitted.

\*\*\*\*\*

Next agenda item for consideration was Preliminary Plat Approval for a subdivision on Klondyke Road submitted by J & D Properties as follows:

 <b>APPLICATION FOR CASE REVIEW</b> City of Long Beach, PO Box 929/201 Jeff Davis Avenue 39560 (228)863-1554 Fax (228)865-0822			
Shaded Areas for Staff ONLY		Agenda Date:	
TO BE COMPLETED BY APPLICANT (Front and Back of each page)		DATE: <u>4/29/2009</u>	
Name of Rightful Owner: <u>J &amp; D Properties of South MS</u>		Name of Applicant (if different than Owner) <u>Jason Spence</u>	
Property Address: <u>400 Klondyke Rd. Long Beach</u>		Ward Number <u>2</u>	
Tax Parcel Identification Number(s): <u>06110-04-015,000</u>			
Mailing Address of Property Owner: <u>5 Ronnie Rossell Rd.</u>		Mailing Address of Applicant (if different than owner):	
City <u>Carriere</u>		City	
State <u>MS.</u>		State	
Zip <u>39426</u>		Zip	
County <u>Pearl River</u>		County	
Telephone: <u>(228) 297-1513</u>		Telephone: ( )	
PROPERTY INFORMATION:			
Property Size (Please give in acres or by dimension): <u>3 Acres</u>			
Present Zoning Classification <u>R-2</u>			
Flood Zone(s) of Property:			
	North	South	East
Property is most nearly bounded by what streets?			<u>Klondyke</u>
If property directly fronts or is adjacent one of the streets above please indicate with a X.			<u>X</u>
TYPE OF CASE REQUEST (A separate supplement form is required for each):			
<input type="checkbox"/> Zoning Change (\$100.00 + administrative fees)			
<input type="checkbox"/> Planning Commission Approval (\$50.00 application)			
<input type="checkbox"/> Special Exception Use (\$100.00 + administrative fees)			
<input type="checkbox"/> Variance Request (\$100.00 + administrative fees)			
<input checked="" type="checkbox"/> Plat Approval - ( ) Sketch (\$50.00 application fee) <input checked="" type="checkbox"/> Preliminary ( ) Final - Please provide a blue line of the proposed plat. FEES for Preliminary & Final plat approval as follows: 2-3 lots \$100 / 4-10 lots \$150 / 11-50 lots \$300 / 50-100 lots \$400 / 100+ lots \$500			
<input type="checkbox"/> A Decision of the Building Official is Alleged to be in Error (\$50.00 application fee)			
<input type="checkbox"/> Interpretation of the Zoning Ordinance			
<input type="checkbox"/> Home Occupation (attach copy of Deed or lease) (\$80.00 application fee) Skip to page 4			

FEES FROM RECEIPT # 10788 Applied.

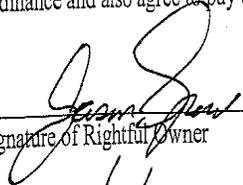
**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

**APPLICATION FOR CASE REVIEW (continued)**

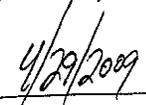
<p><b>Please attach the following, if applicable:</b></p> <ol style="list-style-type: none"><li>1. A deed which includes a legal description of the specific piece of property involved in the request.</li><li>2. If several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.</li><li>3. Survey</li><li>4. 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. A complete site plan of the property shall also be submitted with the application, to include any existing structures, easements, or other significant physical features.</li><li>5. 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. <b>(FOR RE ZONING ONLY)</b></li><li>6. 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.</li><li>7. Applicant should appear personally or through his/her agent at the scheduled hearing.</li><li>8. 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.</li></ol> <p><b>Fees:</b> Attach a check in the amount appropriated for applicable request. This check is to be made payable to the <b>City of Long Beach</b> to cover administrative costs. You will also be responsible for actual costs, such as advertising and mailing incurred with the processing of your application.</p>
--

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**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.

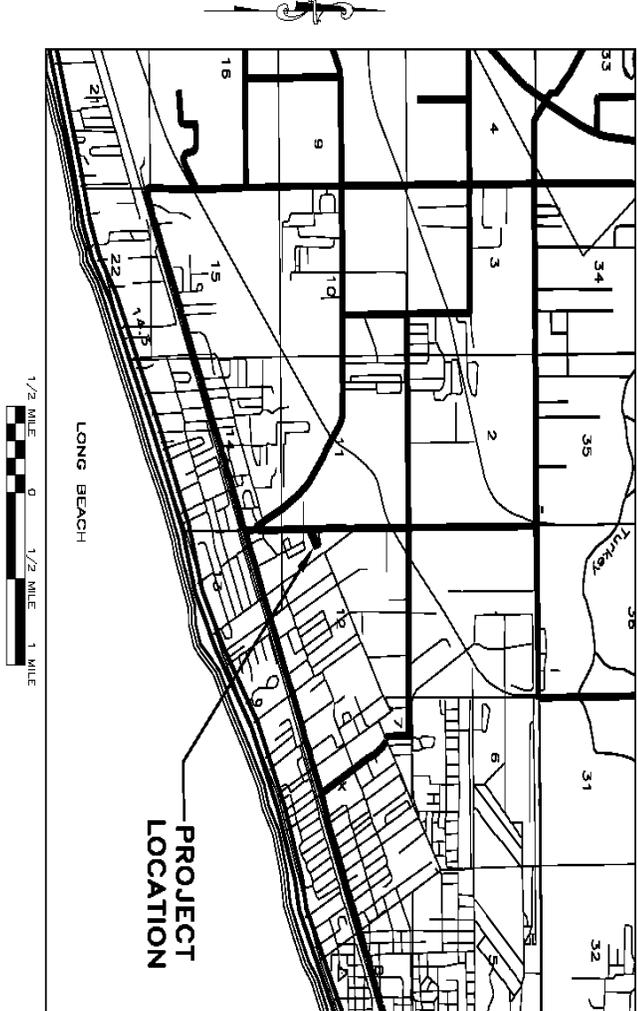
  
\_\_\_\_\_  
Signature of Rightful Owner

  
\_\_\_\_\_  
Signature of Applicant

  
\_\_\_\_\_  
Date

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

PRELIMINARY PLAT FOR  
**FOUNTAIN APARTMENTS**  
**LONG BEACH, MS.**  
HARRISON CO., MS.



**PLAN ASSEMBLY**

TITLE  
COVER SHEET  
LAYOUT AND CERTIFICATION

SHEET NO.  
1 OF 2  
2 OF 2

PROJECT ENGINEERING  
O'NEAL-BOND ENGINEERING, INC.  
P.O. BOX 369  
WIGGINS, MS. 39577  
601-928-7390

DEVELOPER  
JASON SPENCE

UTILITY OWNER  
CITY OF LONG BEACH, MS.  
P.O. BOX 591  
LONG BEACH, MS 39501  
228-865-0440

<p>DESIGNED BY: JIM LAWRENCE DRAWN BY: JIM LAWRENCE CHECKED BY: JIM LAWRENCE DATE: 2/6/2009</p>	<p>SCALE: 1" = 40'</p>	<p>CLASS: 10' SURVEY BEARING DETERMINED BY RECORDED PLAT SURVEYED: 2/6/2009</p>
<p><b>O'NEAL-BOND ENGINEERING, INC.</b></p> <p>2100 E. STATE STREET, SUITE 200 MEMPHIS, TN 38117 (901) 525-3300</p>		

SHEET 2 OF 2



**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

***LONG BEACH FIRE DEPARTMENT***

**Subdivision/Site Inspection Form**

---

Subdivision and/or Site: Jason Spence Development

Address or Location: 400 Block of Klondyke Rd.

---

**Subdivision Site and Acceptance Test**

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

---

**Site Plan**

Preliminary Site Plan Review Date: 02/24/2009

Preliminary Site Plan:

Accepted  Rejected

---

**Hydrants Test**

Water Main Size: 6"

Accepted:  Rejected

Hydrant Number: 1  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 2  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 3  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 4  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 5  
Gallons per Minute:

Location:  
Accepted:  Rejected:

Hydrant Number: 6  
Gallons per Minute:

Location:  
Accepted:  Rejected:

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

Hydrant Number: 7

Location:

Gallons per Minute:

Accepted[ ] Rejected[]

Hydrant Number: 8

Location:

Gallons per Minute:

Accepted[ ] Rejected[]

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

Fee: \$100.00

Reviewed by: Griff Skellie

 Date: 02/24/2009

Note: The water main shall be a 10" to the new hydrant because of the dead end please resubmit showing the proper size main

*Protecting Life and Property*

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



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

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

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



May 14, 2009

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

**RE: Fountain Apts. Subdivision**

Ladies and Gentlemen:

We have reviewed the preliminary plat information for the referenced subdivision which is proposed to be constructed at the site of the old "Fountain Apts." on Klondyke Road, immediately north of Larosa Street. We have the following comments:

1. According to my calculations regarding the detention pond, the pond needs to be slightly larger (2500 sq. ft.) and the outlet structure could be simplified to an 18" culvert with a concrete overflow weir. This outfall structure will make the City's maintenance of the pond much easier. The design engineer should verify these calculations and revise accordingly.
2. At the south end of the cul-de-sac, there should be a curb inlet collecting the on-site runoff & underground drainage with a culvert into the pond instead of the curb cut & rip-rap apron as shown now.
3. The road should have a minimum centerline slope of 0.5% to ensure positive drainage; this will also serve to provide more cover over the eastern end of the sewer system.
4. The pipe wrap detail should be modified in accordance with the attached detail.
5. The specifications should require that all fittings for water mains be ductile iron fittings in accordance with the City's standard specifications.

We see no reason to withhold approval of this subdivision at this time, contingent upon the engineer's inclusion of the needed revisions to the plans prior to construction. We ask that the engineer submit 3 sets of stamped, sealed plans and specifications after the final revisions and before construction begins.

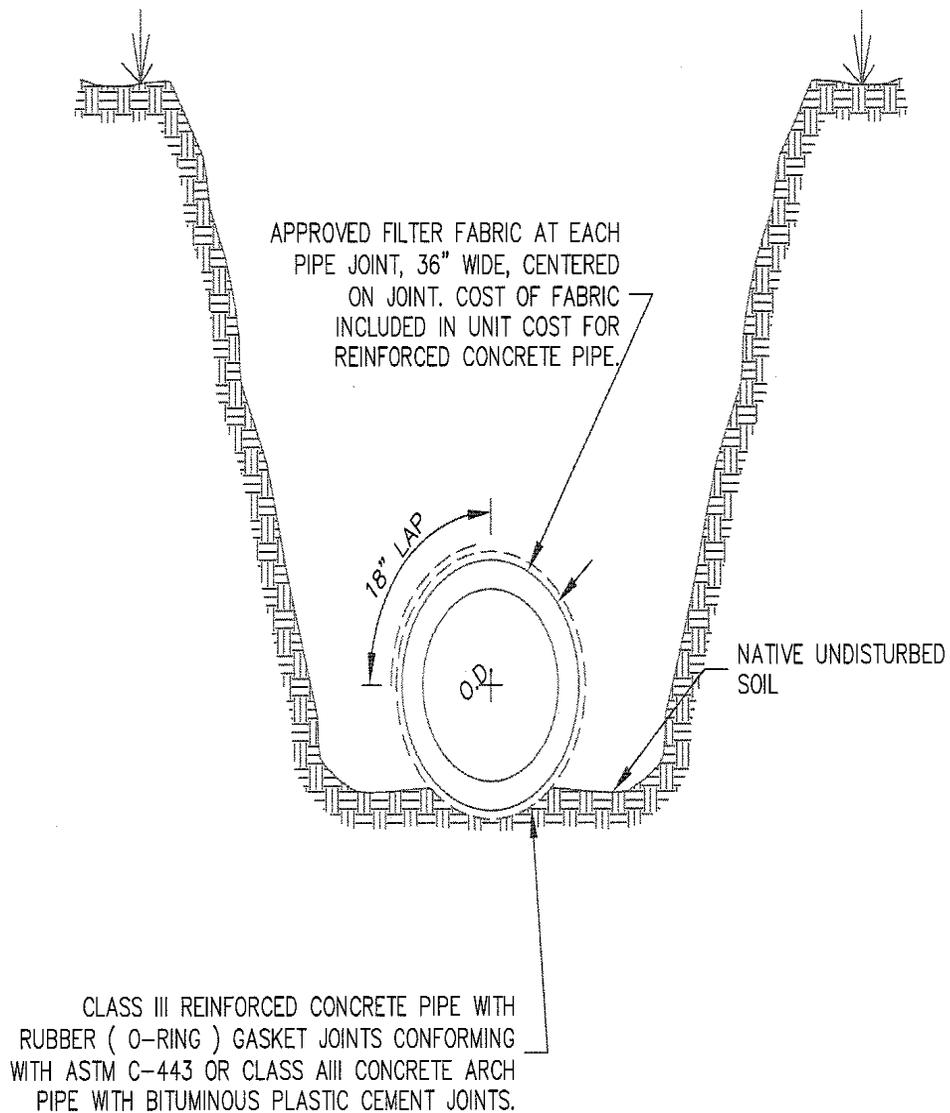
Sincerely,

David Ball, P.E.

DB:539

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

\B-BED5.DWG



CLASS "C" BEDDING REQUIRED

**CULVERT PIPE JOINING  
AND BEDDING DETAIL**

N.T.S.

**MINUTES OF MAY 14, 2009  
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Commissioner Yandell made motion seconded by Commissioner Vancourt and unanimously carried to approve the Preliminary Plat (for the Fountain Apartments) subdivision contingent upon the Fire Department's and City Engineer's recommendation and all requirements are met per the City of Long Beach Subdivision Regulations.

\*\*\*\*\*

The next item for consideration was Planning Commission Approval to operate a snow ball stand from a residence submitted by Amber Dion as follows:

*Due may 7th  
may 14th* *Veronica*  
*Planning Commission*

		<b>APPLICATION FOR CASE REVIEW</b> City of Long Beach, PO Box 929/201 Jeff Davis Avenue 39560 (228)863-1554 Fax (228)865-0822																
Shaded Areas for Staff ONLY		Agenda Date:																
TO BE COMPLETED BY APPLICANT (Front and Back of each page)		DATE: <b>4-25-09</b>																
Name of Rightful Owner: <b>Amber Lea Dion</b>		Name of Applicant (if different than Owner)																
Property Address: <b>224 West Old Pass Rd Long Beach, MS 39560</b>		Ward Number <b>4</b>																
Tax Parcel Identification Number(s):																		
Mailing Address of Property Owner: <b>224 West Old Pass Rd Long Beach, MS 39560</b>		Mailing Address of Applicant (if different than owner): <b>same</b>																
City <b>Long Beach</b>		City																
State <b>Mississippi</b>		State																
Zip <b>39560</b>		Zip																
County <b>Harrison</b>		County																
Telephone: <b>(228)547-1034</b>		Telephone: ( )																
<b>PROPERTY INFORMATION</b>																		
Property Size (Please give in acres or by dimension):																		
Present Zoning Classification																		
Flood Zone(s) of Property:																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;"></td> <td style="width: 25%; text-align: center;">North</td> <td style="width: 25%; text-align: center;">South</td> <td style="width: 25%; text-align: center;">East</td> <td style="width: 25%; text-align: center;">West</td> </tr> <tr> <td>Property is most nearly bounded by what streets?</td> <td style="text-align: center;"><b>Pineville Rd.</b></td> <td style="text-align: center;"><b>W. Old Pass Rd.</b></td> <td style="text-align: center;"><b>Seal Ave.</b></td> <td style="text-align: center;"><b>Pineville Rd.</b></td> </tr> <tr> <td>If property directly fronts or is adjacent one of the streets above please indicate with a X.</td> <td></td> <td style="text-align: center;"><b>X</b></td> <td></td> <td></td> </tr> </table>					North	South	East	West	Property is most nearly bounded by what streets?	<b>Pineville Rd.</b>	<b>W. Old Pass Rd.</b>	<b>Seal Ave.</b>	<b>Pineville Rd.</b>	If property directly fronts or is adjacent one of the streets above please indicate with a X.		<b>X</b>		
	North	South	East	West														
Property is most nearly bounded by what streets?	<b>Pineville Rd.</b>	<b>W. Old Pass Rd.</b>	<b>Seal Ave.</b>	<b>Pineville Rd.</b>														
If property directly fronts or is adjacent one of the streets above please indicate with a X.		<b>X</b>																
<b>TYPE OF CASE REQUEST (A separate supplement form is required for each):</b>																		
<input type="checkbox"/> Zoning Change (\$100.00 + administrative fees)																		
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<input type="checkbox"/> Special Exception Use (\$100.00 + administrative fees)																		
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Plat Approval - ( ) Sketch (\$50.00 application fee) ( ) Preliminary ( ) Final - Please provide a blue line of the proposed plat. FEES for Preliminary & Final plat approval as follows: 2-3 lots \$100 / 4-10 lots \$150 / 11-50 lots \$300 / 50-100 lots \$400 / 100+ lots \$500																		
<input type="checkbox"/> A Decision of the Building Official is Alleged to be in Error (\$50.00 application fee)																		
<input type="checkbox"/> Interpretation of the Zoning Ordinance																		
<input type="checkbox"/> Home Occupation (attach copy of Deed or lease) (\$80.00 application fee) <b>Skip to page 4</b>																		

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

**APPLICATION FOR CASE REVIEW (continued)**

**Please attach the following, if applicable:**

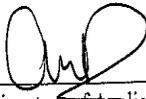
1. A deed which includes a legal description of the specific piece of property involved in the request.
2. If several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.
3. Survey
4. a site plan showing 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. A complete site plan of the property shall also be submitted with the application, to include any existing structures, easements, or other significant physical features.
5. 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)**
6. 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.
7. Applicant should appear personally or through his/her agent at the scheduled hearing.
8. 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.

**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.

GENERAL INFORMATION, READ BEFORE EXECUTING, Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than 21 days before the 2<sup>nd</sup> or 4<sup>th</sup> Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.

**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.

  
\_\_\_\_\_  
Signature of Rightful Owner

  
\_\_\_\_\_  
Signature of Applicant

4-25-09  
\_\_\_\_\_  
Date

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

HOME OCCUPATION APPLICANTS:

*Home Occupation is any occupation within a dwelling and clearly incidental thereto, carried on by a member of the family residing on the premises provided that no other person not a resident of premises is employed, that no stock in trade is kept or commodities sold, no mechanical equipment is used except such that is normally used for family, domestic or household purposes, and there is no exterior indication other than a sign permitted by the district regulations, that the building is being used for any purpose other than a dwelling. The following home occupations are permitted by right but if any vehicle or trailer is used, then approval must be granted by the Planning Commission pursuant to Zoning Ordinance #344, Article IX, Section 913.0 Vehicles and Trailers:*

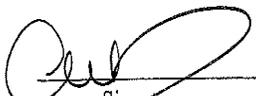
- (a) Artist and sculptors; (b) Authors and composers; (c) Dressmakers, seamstresses, and tailors; (d) Family day (e) care home, limited to not more than three (3) children; (f) Office facility of a minister, rabbi or priest; (g) Office facility of a salesman, sales representative, provided that no retail or wholesale transactions are made on the premises; (h) Individual tutoring; (i) Individual stringed instrument instructions (j) Maid or home cleaning service for other dwellings. (k) Lawn care service and gardening. (l) Home office in which work for compensation or without compensation is undertaken, including, but not limited to receiving or initiating correspondence, such as phone calls, mail, faxes, or e-mail; preparing or maintaining business records; and word and data processing or personal services. (m) personal instructions or personal services in which customers or students visit the home by appointment only, and service is provided on a one-on-one basis. No adult entertainment activities shall be allowed as a home based business/occupation (n) Sales of a specific product in which members of the immediate family are employed, but which offer for sale stock in trade which is obtained from national franchise entity. Sales of products may be by delivery only. Examples of this type of home occupation include Amway, Tupperware, Mary Kay Make-up and similar products.

However, a home occupation shall not in any event be deemed to include auto repairs, minor or major, barber/beauty shops, dance instructions, upholstery, stables/kennels, restaurants, tourist homes, veterinary clinics/hospitals, private schools w/organized classes, gift shops, medical/dental clinics, medical offices, painting of vehicles, trailers or boats photo developing, photo studios, radio/television repair, or cabinet shops, Escort dating services, adult bookshop, adult imaging (electronic or otherwise) shop or outlet, Electrician, Plumber or Welding Contractor.

**SPECIAL NOTE:** an \$80.00 application fee and a copy of the owner's recorded warranty deed must be included with this application in addition if such dwelling is being leased, written permission from the landlord will need to be provided also.

Please give description of business (be specific): <u>small <del>tent</del> seasonal snowball stand on a 4ft x 8ft trailer, operating between April - October.</u>	
Will there be any equipment stored at the home, IF YES WHAT TYPE? (BE SPECIFIC) <u>only the actual trailer</u>	
How many employees will you have? <u>myself</u>	Social Security Number or Tax ID Number: <u>425-68-0689</u>
How is the property zoned? R-1 <input checked="" type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> R-4 <input type="checkbox"/> R-0 <input type="checkbox"/> C-1 <input type="checkbox"/> C-2 <input type="checkbox"/> C-3 <input type="checkbox"/> I-1 <input type="checkbox"/>	
Name of Business: <u>Amber Lea's Snowballs</u>	

**\*\*I have read, understand and am willing to comply with Zoning Ordinance No. 344 Article IX, SECTION 912. HOME OCCUPATION.**

  
Signature

4-29-09  
Date

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



1st Judicial District  
Instrument 2007 4022 D -J1  
Filed/Recorded 4 16 2007 4 3 P  
Total Fees 12.00  
2 Pages Recorded

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

WARRANTY DEED

THAT FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, HOGNESS, LLC, a Mississippi limited liability company, does hereby grant, bargain, sell, convey and warrant, unto AMBER L. DION, a single woman, the following described property, together with the improvements, hereditaments and appurtenances thereunto situated and located in the County of Harrison, State of MS, and more particularly described as follows, to-wit:

A parcel of land located in Section 14, Township 8 South, Range 12 West, in the City of Long Beach, Harrison County, Mississippi, better described as:

Commencing at the intersection of the West right-of-way of Pineville Road and the North right-of-way of West Old Pass Road and run Southwesterly along said North right-of-way 318.9 feet to the POINT OF BEGINNING. Thence continue along said North right-of-way 50.0 feet; thence run Northwesterly and parallel to Pineville Road 305.0 feet; thence run Northeasterly and parallel to West Old Pass Road 50.0 feet; thence Southeasterly and parallel to Pineville Road 305.0 feet to the point of beginning.

Said property being situated in Block One (1), SEAL SUBDIVISION and also sectionally indexed in Municipal Block 17 of the Long Beach Municipal Blocks to the City of Long Beach, Mississippi.

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

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

THIS CONVEYANCE is also subject to Zoning and/or other land use regulations promulgated by federal, state or local governments affecting the use or occupancy of the subject property.

WITNESS THE SIGNATURE of the Grantor on this the 13th day of April, 2007.

HOGNESS, LLC

By:

  
JERRY LEE MORTON  
MANAGING MEMBER

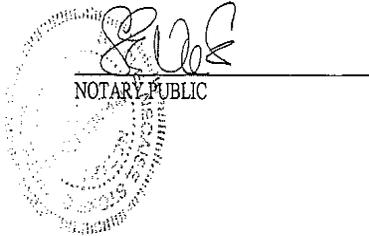
**MINUTES OF MAY 14, 2009  
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LONG BEACH PLANNING COMMISSION**

STATE OF MISSISSIPPI

COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority of law in and for this jurisdiction, the within named JERRY LEE MORTON, who acknowledged to me that she is the MANAGING MEMBER of the company known as HOGNESS, LLC, a Mississippi limited liability company and that for and on behalf of said company and as its act and deed she signed and delivered the foregoing instrument of writing on the day and year therein mentioned, she having been first duly authorized to do so.

GIVEN under my hand and official seal on this the 13th day of April, 2007.



(SEAL)

My Commission Expires:

ADDRESS OF GRANTOR:  
605 BRIARWOOD DRIVE  
LONG BEACH, MS 39560  
(228) 868-3316

ADDRESS OF GRANTEE:  
224 WEST OLD PASS ROAD  
LONG BEACH, MS 39560  
(228) 547-1034

PREPARED BY AND RETURN TO:

FILE# 070461

Schwartz, Orgler & Jordan, PLLC  
15487 Oak Lane Drive, Suite 200-I  
Gulfport, MS 39503  
(228) 832-8550

*Index: L Beach Sec. Blk 17  
Pt of Lot 1, Sec 1 S/D*

**MINUTES OF MAY 14, 2009  
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Discussion was had regarding adequate customer parking and ingress/egress safety. Commissioner Yandell made motion seconded by Commissioner Lipski and unanimously carried to deny the request stating that there is not sufficient parking and the ingress/egress safety concerns.

\*\*\*\*\*

Next agenda item for approval was Planning Commission approval to build low-rise apartments in a C-2, Zone District submitted by Real Estate Development as follows:

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

		<b>APPLICATION FOR CASE REVIEW</b> City of Long Beach, PO Box 929/201 Jeff Davis Avenue 39560 (228)863-1554 Fax (228)865-0822	
Shaded Areas for Staff ONLY		Agenda Date:	
TO BE COMPLETED BY APPLICANT (Front and Back of each page)		DATE: 05/16/09	
Name of Rightful Owner: Real Estate Development		Name of Applicant (if different than Owner)	
Property Address: 0 Daugherty Rd.		Ward Number	
Tax Parcel Identification Number(s): 0511B-01-017-066			
Mailing Address of Property Owner: 1244 Kensington Dr.		Mailing Address of Applicant (if different than owner):	
City Biloxi		City	
State Ms.		State	
Zip 39530		Zip	
County Harrison		County	
Telephone: (228) 324-3890		Telephone: ( )	
<b>PROPERTY INFORMATION:</b>			
Property Size (Please give in acres or by dimension):			
Present Zoning Classification C-2			
Flood Zone(s) of Property:			
	North	South	East
Property is most nearly bounded by what streets?		Daugherty	Fred Allen
If property directly fronts or is adjacent one of the streets above please indicate with a X.		X	
<b>TYPE OF CASE REQUEST (A separate supplement form is required for each):</b>			
<input checked="" type="checkbox"/> Zoning Change (\$100.00 + administrative fees)			
<input checked="" type="checkbox"/> Planning Commission Approval (\$50.00 application)			
<input type="checkbox"/> Special Exception Use (\$100.00 + administrative fees)			
<input type="checkbox"/> Variance Request (\$100.00 + administrative fees)			
Plat Approval - ( ) Sketch (\$50.00 application fee) ( ) Preliminary ( ) Final - Please provide a blue line of the proposed plat. FEES for Preliminary & Final plat approval as follows: 2-3 lots \$100 / 4-10 lots \$150 / 11-50 lots \$300 / 50-100 lots \$400 / 100+ lots \$500			
<input type="checkbox"/> A Decision of the Building Official is Alleged to be in Error (\$50.00 application fee)			
<input type="checkbox"/> Interpretation of the Zoning Ordinance			
<input type="checkbox"/> Home Occupation (attach copy of Deed or lease) (\$80.00 application fee) Skip to page 4			

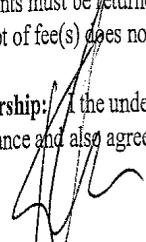
**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
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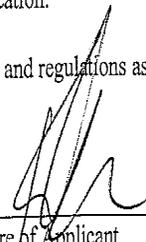
**APPLICATION FOR CASE REVIEW (continued)**

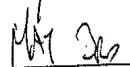
Please attach the following, if applicable:
1. A deed which includes a legal description of the specific piece of property involved in the request.
2. If several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.
3. Survey
4. 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. A complete site plan of the property shall also be submitted with the application, to include any existing structures, easements, or other significant physical features.
5. 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. <b>(FOR RE ZONING ONLY)</b>
6. 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.
7. Applicant should appear personally or through his/her agent at the scheduled hearing.
8. 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.
<b>Fees:</b> Attach a check in the amount appropriated for applicable request. This check is to be made payable to the <b>City of Long Beach</b> to cover administrative costs. You will also be responsible for actual costs, such as advertising and mailing incurred with the processing of your application.

GENERAL INFORMATION, READ BEFORE EXECUTING. Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than 21 days before the 2<sup>nd</sup> or 4<sup>th</sup> Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.

**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.

  
\_\_\_\_\_  
Signature of Rightful Owner

  
\_\_\_\_\_  
Signature of Applicant

  
\_\_\_\_\_  
Date



**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



**STATE OF MISSISSIPPI**  
HALEY BARBOUR, GOVERNOR  
**MISSISSIPPI DEVELOPMENT AUTHORITY**  
GRAY SWOOPE  
EXECUTIVE DIRECTOR

April 30, 2009

Jason Nezat  
12507 Raintree Pl  
Biloxi, MS 39532

**SUBJECT: BULIDING PERMIT NEEDED**

Dear Jason Nezat,

The Mississippi Development Authority greatly appreciates your participation in Round 1 of the Small Rental Assistance Program. This letter is to inform you that MDA requests your building permit for SRAP Application Number 07SR101737 **within thirty (30) days of the date of this letter.**

Please note that the disbursement of the SRAP loan is based upon the following program requirements:

- For program Options B, C and D, one-half of the loan amount will be disbursed upon the presentation of a Building Permit to MDA.
- Completion bonuses are calculated based upon time elapsed between the loan closing date and the date the unit is ready for tenant occupancy. If more than twelve (12) months has elapsed, no completion bonus will be awarded.

Please contact **Pamela Taplin-Williams**, your SRAP Case Manager, at 601-720-4403 or [Pamela.Williams@horne-llp.com](mailto:Pamela.Williams@horne-llp.com) with information about your Building Permit for your property.

If you are unable to secure the necessary funding to complete the construction on your property, or if you have decided to withdraw from the Small Rental Assistance Program for any reason, please indicate your desire to withdraw from the program in writing to

**Mississippi Development Authority - SRAP**  
Attn: Pamela Taplin-Williams  
P.O. Box 66  
Clinton, MS 39060-0066

MDA thanks you for your continued cooperation in the Small Rental Assistance Program.

Sincerely,

Mississippi Development Authority

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

The applicant or a representative was not in attendance to state request.

\* \* \*

No action was taken on request.

\*\*\*\*\*

The next item for consideration was Sketch approval for a subdivision on 28<sup>th</sup> Street submitted by Skipper Smith as follows:

		<b>APPLICATION FOR CASE REVIEW</b> City of Long Beach, PO Box 929/201 Jeff Davis Avenue 39560 (228)863-1554 Fax (228)865-0822	
Shaded Areas for Staff ONLY		Agenda Date:	
TO BE COMPLETED BY APPLICANT (Front and Back of each page)		DATE: <u>5-6-09</u>	
Name of Rightful Owner: <u>Skipper R. Smith</u>		Name of Applicant (if different than Owner)	
Property Address: <u>19501 28<sup>th</sup> Street (Lot-2 Gulfport Farms)</u>		Ward Number: <u>5 ?</u>	
Tax Parcel Identification Number(s):			
Mailing Address of Property Owner: <u>808 E. Old Pass Rd.</u>		Mailing Address of Applicant (if different than owner):	
City <u>Long Beach</u>		City	
State <u>Ms.</u>		State	
Zip <u>39560</u>		Zip	
County <u>Harrison</u>		County	
Telephone: <u>(228) 380-7547</u>		Telephone: ( )	
<b>PROPERTY INFORMATION:</b>			
Property Size (Please give in acres or by dimension): <u>(1.9 ac)</u>			
Present Zoning Classification <u>Commercial</u>			
Flood Zone(s) of Property: <u>N/A</u>			
Property is most nearly bounded by what streets?		North	South
		<u>28<sup>th</sup></u>	<u>N/A</u>
If property directly fronts or is adjacent one of the streets above please indicate with a X.		East	West
		<u>Long Ridge</u>	<u>Turner Rd.</u>
<b>TYPE OF CASE REQUEST (A separate supplement form is required for each):</b>			
<input type="checkbox"/> Zoning Change (\$100.00 + administrative fees)			
<input type="checkbox"/> Planning Commission Approval (\$50.00 application)			
<input type="checkbox"/> Special Exception Use (\$100.00 + administrative fees)			
<input type="checkbox"/> Variance Request (\$100.00 + administrative fees)			
<input type="checkbox"/> Plat Approval - ( ) Sketch (\$50.00 application fee) ( ) Preliminary ( ) Final - Please provide a blue line of the proposed plat. FEES for Preliminary & Final plat approval as follows: 2-3 lots \$100 / 4-10 lots \$150 / 11-50 lots \$300 / 50-100 lots \$400 / 100+ lots \$500			
<input type="checkbox"/> A Decision of the Building Official is Alleged to be in Error (\$50.00 application fee)			
<input type="checkbox"/> Interpretation of the Zoning Ordinance			
<input type="checkbox"/> Home Occupation (attach copy of Deed or lease) (\$80.00 application fee) <b>Skip to page 4</b>			



**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**



Index Instructions (Mississippi Code ANN. §89-5-33):  
Exempt

Prepared by & Return to:  
Nations Title Agency of MS, Inc.  
5407 Indian Hill Boulevard  
Diamondhead, MS 39525  
Phone 228-255-3985  
File No. 05ms00806

**SCANNED**

-----[Space Above This Line For Recording Data]-----

State of Mississippi

County of Harrison

First Judicial District



*[Signature]* 1st Judicial District  
Instrument - 2005 18846 D -J1  
Filed/Recorded 8 25 2005 10 10 A  
Total Fees 16.00  
3 Pages Recorded

**WARRANTY DEED**

For and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, I, **Robert M. Daley**, do hereby sell, convey and warrant unto **David R. Bond, III and Skipper R. Smith**, the following described land and property situated in Harrison County, Mississippi, to wit:

**Lots One (1), Two (2), Three (3), Four (4), and Five (5), GULFPORT FARMS, according to the map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.**

Together with all and singular the rights, privileges, improvements and appurtenances to the same belonging or in any wise appertaining.

This conveyance is made subject to any and all reservations, restrictions, easements, exceptions, covenants and conditions of record, including any mineral, oil or gas reservations and any covenants or restrictions of record.

If bounded by water, the warranty granted herein shall not extend to any part of the above described property which is tideland or coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act and this conveyance includes any natural accretion and is subject to any erosion due to the action of the elements.

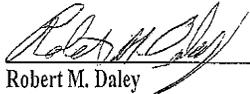
The Grantors herein certify that the property hereinabove conveyed forms no part of the homestead of said Grantors.

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

2

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years taxes are specifically assumed by Grantees herein.

WITNESS my/our signature(s), this the 23<sup>rd</sup> day of August, 2005.

  
Robert M. Daley

B

**MINUTES OF MAY 14, 2009  
REGULAR MEETING  
LONG BEACH PLANNING COMMISSION**

State of Mississippi

County of Hancock

Personally came and appeared before me, the undersigned authority in and for the aforesaid County and State on this the 23<sup>rd</sup> day of August, 2005, Robert M. Daley, who acknowledged that he signed and delivered the foregoing instrument of writing on the day and year therein mentioned.



Notary Public

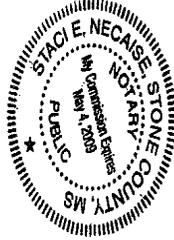
My Commission Expires:

Address of Grantors:

~~PO Box 773~~ PO Box 4213  
Biloxi, MS 39533 Gulfport 39502  
Phone: 228-234-1186

Address of Grantees:

808 East Old Pass Road  
Long Beach, MS 39560  
Phone: 228-  
ML



**MINUTES OF MAY 14, 2009  
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LONG BEACH PLANNING COMMISSION**

Request was withdrawn by applicant's request.

\*\*\*\*\*

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