

**MINUTES OF NOVEMBER 12, 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: Commissioners Tony Vancourt, Danny Hansen, Gretchen Loftus, William "Chip" Williams, Tonda Yandell, Dale Hare, John Castleberry, and Minutes Clerk Veronica Howard.

Commission Chairman Frank Olaivar and Commissioner Jacquie Lipski and were absent the meeting.

Commissioner Vancourt in his capacity as Co-Chairman Chaired the meeting.

Commission Chairman recognized and welcomed new Commission member John Castleberry, appointed to fill the unexpired term of Barney Hill.

\* \* \*

There being a quorum present and sufficient to transect the business of this regular scheduled meeting the following proceeding 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 November 17, 2009, and subject to a ten-day appeal in time for a Public Hearing.

\* \* \*

After careful review and consideration Commissioner Yandell made motion seconded by Commissioner Hare and unanimously carried to approve the Planning Commission Minutes of October 22, 2009 as submitted.

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It came for consideration under OLD BUSINESS approval / review of the Comprehensive, Smart Code Plan and Architectural guidelines.

Commission submitted final revisions to Consultant Group Ayers, Saint, Gross, the Commission is waiting final draft with the final revision completed.

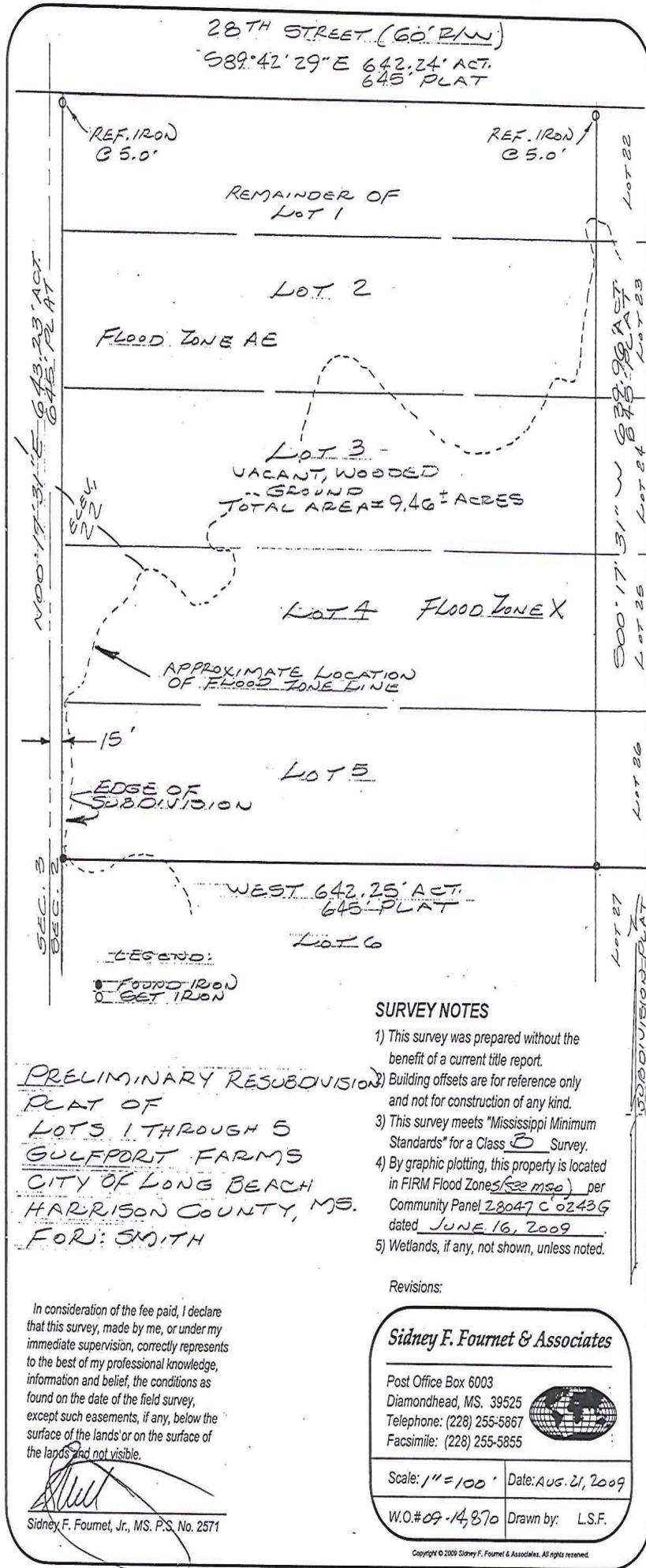
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It came for consideration under NEW BUSINESS Planning Commission approval to build low rise apartments (four-plex) in a C-2, General Commercial zone district for property located on 28<sup>th</sup> Street submitted by Skipper Smith as follows:

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	<p><b>CITY OF LONG BEACH PLANNING DEPARTMENT 645 KLONDYKE ROAD / PO BOX 929 LONG BEACH, MS 39560 (228) 863-1554</b></p>	<p style="text-align: center; font-size: small;">Office use only</p> <p>Date Received <u>11-5-09</u>          Zoning <u>C-21R-4</u>          Agenda Date <u>11-12-09</u>          Check Number <u>3246</u></p>
<b>APPLICATION FOR CASE REVIEW</b>		
<p>I. TYPE OF CASE: <input checked="" type="checkbox"/> <b>PLANNING COMMISSION APPROVAL</b>  <input type="checkbox"/> <b>DECISION OF THE BUILDING OFFICIAL IS ALLEGED TO BE IN ERROR</b>  <input type="checkbox"/> <b>INTERPRETATION OF THE ZONING ORDINANCE</b></p>		
<p>II. Advalorem Tax Parcel Number(s): <u>06110-02-003.000</u></p>		
<p>III. Address of Property Involved: <u>D 28<sup>th</sup> ST</u></p>		
<p>IV. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.)  <u>permission to build a fourplex in commercial Area.</u></p>		
<p>V. <b>REQUIRED ATTACHMENTS:</b></p> <p>A. <b>Interest and Ownership.</b> The applicant's name, address and interest of every person, firm or corporation represented by the applicant in the application, the name of the owner or owners and their respective addresses of the entire land area proposed to be changed in classification or to be included within the structures then existing thereon, and sufficient evidence to establish that the applicant has the right of possession to the land area and structures, the names and address of all owners of adjacent property (exclusive of the width of intervening streets, alleys, or bodies of water). Claims of support or "no objection" from owners 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.</p> <p>B. <b>Survey and/or Site Plan.</b> A site plan showing the land area which would be affected, if required a general layout drawing of the development, easements bounding and intersecting the designated area, the locations of existing and proposed structures with supporting open facilities, and the ground area to be provided and continuously maintained for the proposed structure or structures;</p> <p>C. <b>Recorded Warranty Deed.</b> A deed which includes a legal description of the specific piece of property involved in the request. 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.</p> <p>D. <b>Fee.</b> Attach a check in the amount of \$50.00. This check should be made payable to the City of Long Beach to cover administrative cost. You will also be responsible to actual costs, such as advertising and mailing incurred with the processing of your application.</p> <p style="text-align: center; font-size: small;"><b>***NOTE*** APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.</b></p>		
<p>VI. <b>OWNERSHIP AND CERTIFICATION:</b>  <b>READ BEFORE EXECUTING.</b> 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.</p>		
<p><u>Skippy Smith</u> Name of Rightful Owner (PRINT)</p> <p><u>808 E. Old Pass Rd</u> Owner's Mailing Address</p> <p><u>Long Beach MS 39560</u> City State Zip</p> <p><u>228-380-7547</u> Phone</p> <p><u>[Signature]</u> <u>11-3-09</u> Signature of Rightful Owner Date</p>	<p>_____ Name of Agent (PRINT)</p> <p>_____ Agent's Mailing Address</p> <p>_____ City State Zip</p> <p>_____ Phone</p> <p>_____ Signature of Agent Date</p>	

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PRELIMINARY RESUBDIVISION  
PLAT OF  
LOTS 1 THROUGH 5  
GULFPORT FARMS  
CITY OF LONG BEACH  
HARRISON COUNTY, MS.  
FOR: SMITH

- SURVEY NOTES**
- 1) This survey was prepared without the benefit of a current title report.
  - 2) Building offsets are for reference only and not for construction of any kind.
  - 3) This survey meets "Mississippi Minimum Standards" for a Class O Survey.
  - 4) By graphic plotting, this property is located in FIRM Flood Zones (see map) per Community Panel Z8047 C 0243G dated JUNE 16, 2009.
  - 5) Wetlands, if any, not shown, unless noted.

In consideration of the fee paid, I declare that this survey, made by me, or under my immediate supervision, correctly represents to the best of my professional knowledge, information and belief, the conditions as found on the date of the field survey, except such easements, if any, below the surface of the lands or on the surface of the lands and not visible.

Sidney F. Fournet, Jr., MS. P.S. No. 2571

Revisions:

**Sidney F. Fournet & Associates**

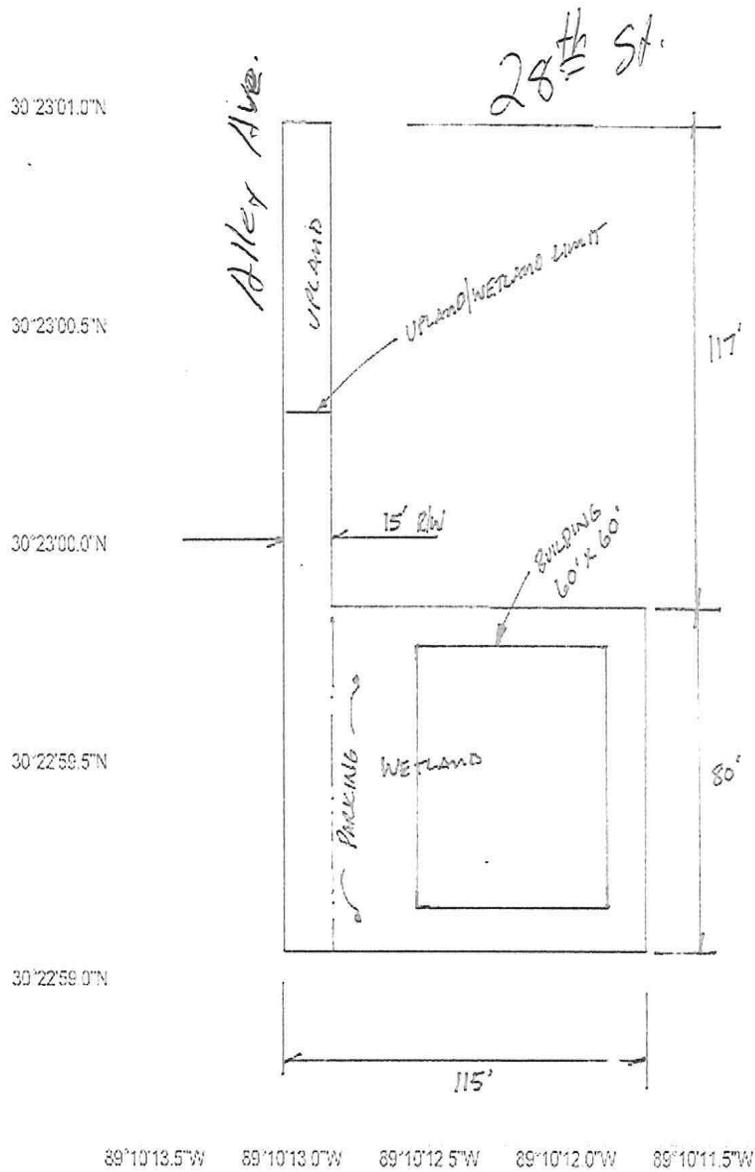
Post Office Box 6003  
Diamondhead, MS. 39525  
Telephone: (228) 255-5867  
Facsimile: (228) 255-5855

Scale: 1" = 100'      Date: AUG. 21, 2009

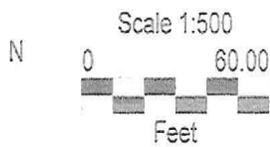
W.O.# 09-14,870      Drawn by: L.S.F.

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Lat/Long  
WGS 1984



SA 2009-149328M

SKIPPER SMITH.SSF  
 9/22/2009

GPS Pathfinder Office





**MINUTES OF NOVEMBER 12, 2009  
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LONG BEACH PLANNING COMMISSION**



1st Judicial District  
Instrument 2009 3099 D -J1  
Filed/Recorded 5 7 2009 11 55 A  
Total Fees 12.00  
2 Pages Recorded

SCANNED



STATE OF MISSISSIPPI  
COUNTY OF HARRISON



QUIT CLAIM 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, I, **DAVID R. BOND, III**, do hereby grant, bargain, convey and quit claim, unto **SKIPPER R. SMITH**, the following described property, together with the improvements, hereditaments and appurtenances thereunto situated and located in the County of Harrison, State of Mississippi, and more particularly described as follows, to-wit:

Lot Two (2), 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.

THE ABOVE DESCRIBED PROPERTY IS NO PART OF THE HOMESTEAD OF THE GRANTOR HEREIN.

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 6<sup>th</sup> day of May, 2009.

DAVID R. BOND, III

TITLE NOT EXAMINED NOR REQUESTED

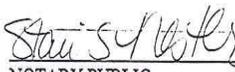
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STATE OF MISSISSIPPI  
COUNTY OF HARRISON

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, **DAVID R. BOND, III**, who acknowledged that he signed, executed and delivered the above and foregoing instrument as his voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 6<sup>th</sup> day of May, 2009.

  
\_\_\_\_\_  
NOTARY PUBLIC

(SEAL)

My Commission Expires:

ADDRESS OF GRANTOR:  
808 EAST OLD PASS ROAD  
LONG BEACH, MS 39560  
(228) 380-7889

ADDRESS OF GRANTEEES:  
808 EAST OLD PASS ROAD  
LONG BEACH, MS 39560  
(228) 380-7889

PREPARED BY AND RETURN TO:

OUR FILE #090608

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

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Applicant came forward to state his request.

After discussion and consideration regarding adequate detail on the site plan submitted, Commissioner Hansen made motion seconded by Commissioner Williams, and the question being put to a roll call vote by the Chairman, the results were as follows:

Commissioner Hansen	voted	Aye
Commissioner Loftus	voted	Aye
Commissioner Williams	voted	Aye
Commissioner Yandell	voted	Aye
Commissioner Hare	voted	Aye
Commissioner Castleberry	abstained	

The question having received the affirmative vote of all the Commissioners present and voting, the Chairman declared the motion carried to approve the building of low-rise apartments (four-plex) in a C-2, General Commercial Zone District.

There being no further business to come before the Planning Commission at this time Commissioner Yandell made motion seconded by Commissioner Hansen and unanimously carried to ADJOURN the meeting until the next regularly scheduled meeting in due course.

APPROVED:

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Commission Co-Chairman, Tony Vancourt

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

ATTEST:

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Veronica Howard, Minutes Clerk