

# MINUTES OF MAY 28, 2015 PLANNING COMMISSION

Be it remembered that 2 (two) public hearings of the Long Beach Planning Commission of the City of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 28<sup>th</sup> day of May 2015, in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed for holding said public hearing.

There was present and in attendance on said Commission and at the public hearing the following named persons: Commission Chairman Frank Olaivar, Commissioners Donald Frazer, Randy Fischer, Jim Heinzel, Chris Carrubba, Jeff Hansen, Ron Robertson, Tonda Yandell, Planning Commission Consultant/Advisor Bill Hessell and minutes Clerk Veronica Howard.

Commissioner Randy Fischer was preliminarily late the public hearing.

Commissioner Nicholas Brown was absent the public hearing.

There being a quorum present and sufficient to transact the business of this public hearing, the following proceedings were had and done.

The first public hearing was called to order to consider a zone map change as follows:

	<b>CITY OF LONG BEACH</b> 201 Jeff Davis Avenue / PO BOX 929 Long Beach, MS 39560 (228) 863-1554 office (228) 863-1558 fax	Office use only Date Received <u>4/28/15</u> Zoning <u>R-41c-2</u> Agenda Date <u>5/28/15</u> Check Number <u>1388</u>
I. TYPE OF CASE: <b>ZONE CHANGE REQUEST</b>		
II. Advalorem Tax Parcel Number(s): <u>0611C-01-001.000 and 0611C-01-002.000</u>		
III. Address of Property Involved: <u>Corner of Klondyke Rd. and 28<sup>th</sup> Street</u>		
IV. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.) <u>please see attached.</u>		
V. <b>REQUIRED ATTACHMENTS:</b>		
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.		
B. <b>Survey and Site Plan.</b> If the proposed amendment would require a change in the Zoning Map, a site plan showing the land area which would be affected, 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;		
C. <b>Development schedule.</b> The time schedule for the beginning and completion of development planned by the applicant 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.		
D. <b>Effect of Amendment.</b> A report giving the nature, description and effect of the proposed amendment, if the proposed amendment would require a change in the Zoning Map, description of the probable effect on the surrounding land uses and properties.		
E. <b>Error.</b> The error in the Ordinance that would be corrected by the proposed amendment, if the intent is to correct an error.		
F. <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.		
G. <b>Fee.</b> Attach a check in the amount of \$100.00. This check should be made payable to the <b>City of Long Beach</b> to cover administrative cost. You will also be responsible to actual costs, such as advertising and mailing incurred with the processing of your application.		
***NOTE*** <b>APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.</b>		
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.		
<b>Ownership:</b> 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>Casline Pointe, LLC</u> Name of Rightful Owner (PRINT) <u>17940 Painters Row</u> Owner's Mailing Address <u>Covington LA 70435</u> City State Zip <u>228-313-1063</u> Phone <u>[Signature]</u> <u>4-25-15</u> Signature of Rightful Owner Date	<u>Jared J. Riecke</u> Name of Agent (PRINT) <u>17940 Painters Row</u> Agent's Mailing Address <u>Covington LA 70435</u> City State Zip <u>228-313-1063</u> Phone <u>[Signature]</u> Signature of Agent Date	

Stevdrown1@gmail.com / 228-3131063

PL 7108 2133 3938 0607 9084

# MINUTES OF MAY 28, 2015 PLANNING COMMISSION

Attachments to ZONE CHANGE REQUEST  
Parcel Numbers 0611C-01-001.000 and 0611C-01-002.000

- I. **Zone Change request** to restore previous zoning classifications
- II. **Tax Parcel Numbers:** Parcel Numbers 0611C-01-001.000 and 0611C-01-002.000
- III. **Address of Property Involved:** Corner of Klondyke Road and 28<sup>th</sup> Street, Long Beach MS.
- IV. Statement explaining the request:

In January, 2008 the subject property was approved as a Planned Use development by Municipal Ordinance Number 552. ( See attached). Due to financing and other logistical issues, development of the entire parcel as required under PUD requirements was not able to be accomplished with the relatively brief period allowed under said classification. As a consequence, the PUD classification expired.

In November of 2013, acknowledging that the PUD classification has expired, and preferring to develop the property in stages, but in the same format as previously approved by the City, the Owner.

## Required Attachments

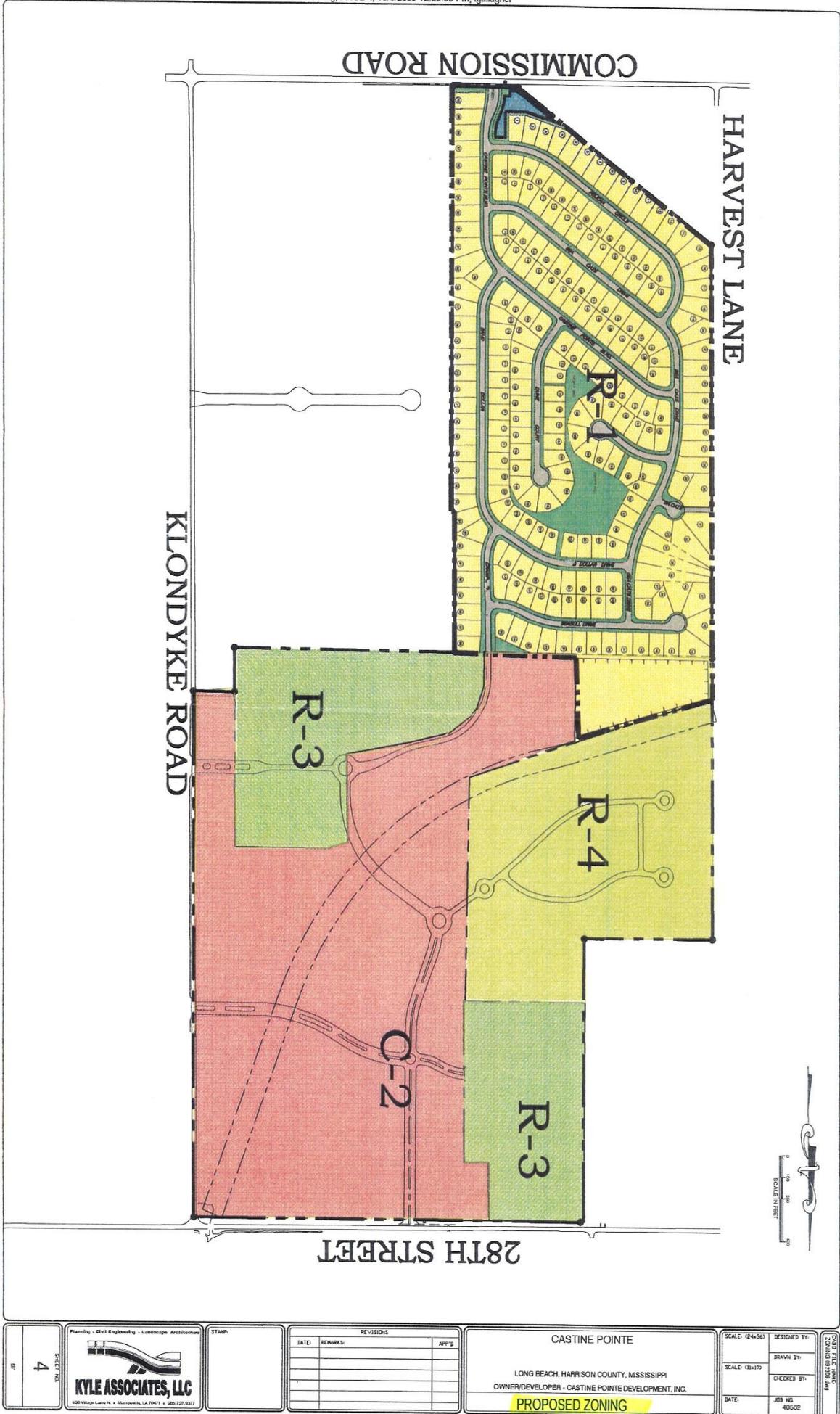
- A. **Interest and Ownership** - The property is owned entirely by Applicant, Castine Pointe, LLC. The LLC's sole member/owner is Jared J. Reicke. The correct address for the applicant /owner is on the Application.
- B. A **survey /site plan** of the property is attached, as well as a tax parcel map from the Tax Assessor's online service. Also attached is a plat indicating the requested zoning on the property that was previously approved. No structures are located on the property at this time.
- C. **Development schedule.** Financing has recently been obtained for development on the parcel. Only in connection with commencement of development plans was the mistake in Zoning discovered as a result of the most recent map change.
- D. **Effect of Amendment.** The requested Zoning change would restore the property to the previous classification reviewed and granted by the City. Plans for site development have been submitted to and approved by the City previously, and will be provided to the Planning Commission again if required.
- E. **Error.** This Property was re-zoned by the City after expiration of a previous PUD classification) in 2009 by Ordinance Number 571. See attached. Unbeknownst to the Applicant, in 2013 Ordinance number 601 was adopted, updating the Official Zoning map





# MINUTES OF MAY 28, 2015 PLANNING COMMISSION

K:\2005\40562 - Castine Pointe\ZONING EXHIBITS SEPT 09\ZONING 092309.dwg, PAGE 4, 10/8/2009 12:26:58 PM, lgallagher



SHEET NO. <b>4</b> OF	Planning • Civil Engineering • Landscape Architecture  <b>KYLE ASSOCIATES, LLC</b> <small>628 Village Lane N. • Meridian, MS 39067 • 662.722.9277</small>	STAMP	REVISIONS <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">DATE</th> <th style="width: 60%;">REMARKS</th> <th style="width: 30%;">APP'D</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	DATE	REMARKS	APP'D										<b>CASTINE POINTE</b> <small>LONG BEACH, HARRISON COUNTY, MISSISSIPPI</small> <small>OWNER/DEVELOPER - CASTINE POINTE DEVELOPMENT, INC.</small> <b>PROPOSED ZONING</b>	SCALE: 1/2"=50' SCALE: 1/4"=25' DATE: 10/8/09 DESIGNED BY: [blank] DRAWN BY: [blank] CHECKED BY: [blank] JOB NO: 40562	<small>CASTINE POINTE DEVELOPMENT, INC.</small>
DATE	REMARKS	APP'D																

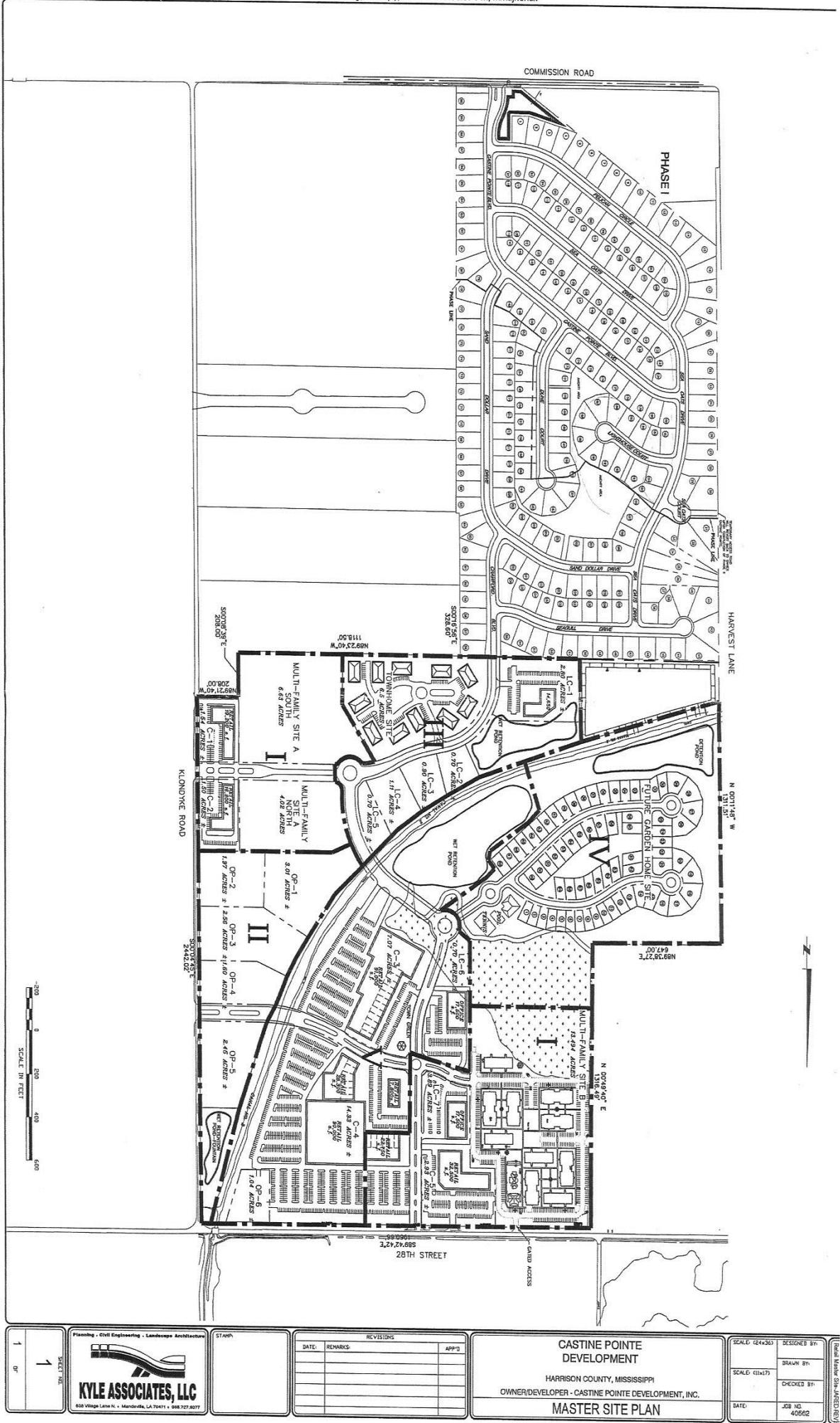


MINUTES OF MAY 28, 2015  
PLANNING COMMISSION



# MINUTES OF MAY 28, 2015 PLANNING COMMISSION

K:\2005\40562 - Castine Pointe\Multi-Family Bldg\Retail Master Site-JARED-REV.dwg, SITE (2), 6/23/2009 3:56:07 PM, mmajnerick



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0'

Planning • Civil Engineering • Landscape Architecture



**KYLE ASSOCIATES, LLC**  
833 Village Lane N. • Mandeville, LA 70471 • 988.707.8077

DATE	REMARKS	REVISIONS	APP'D

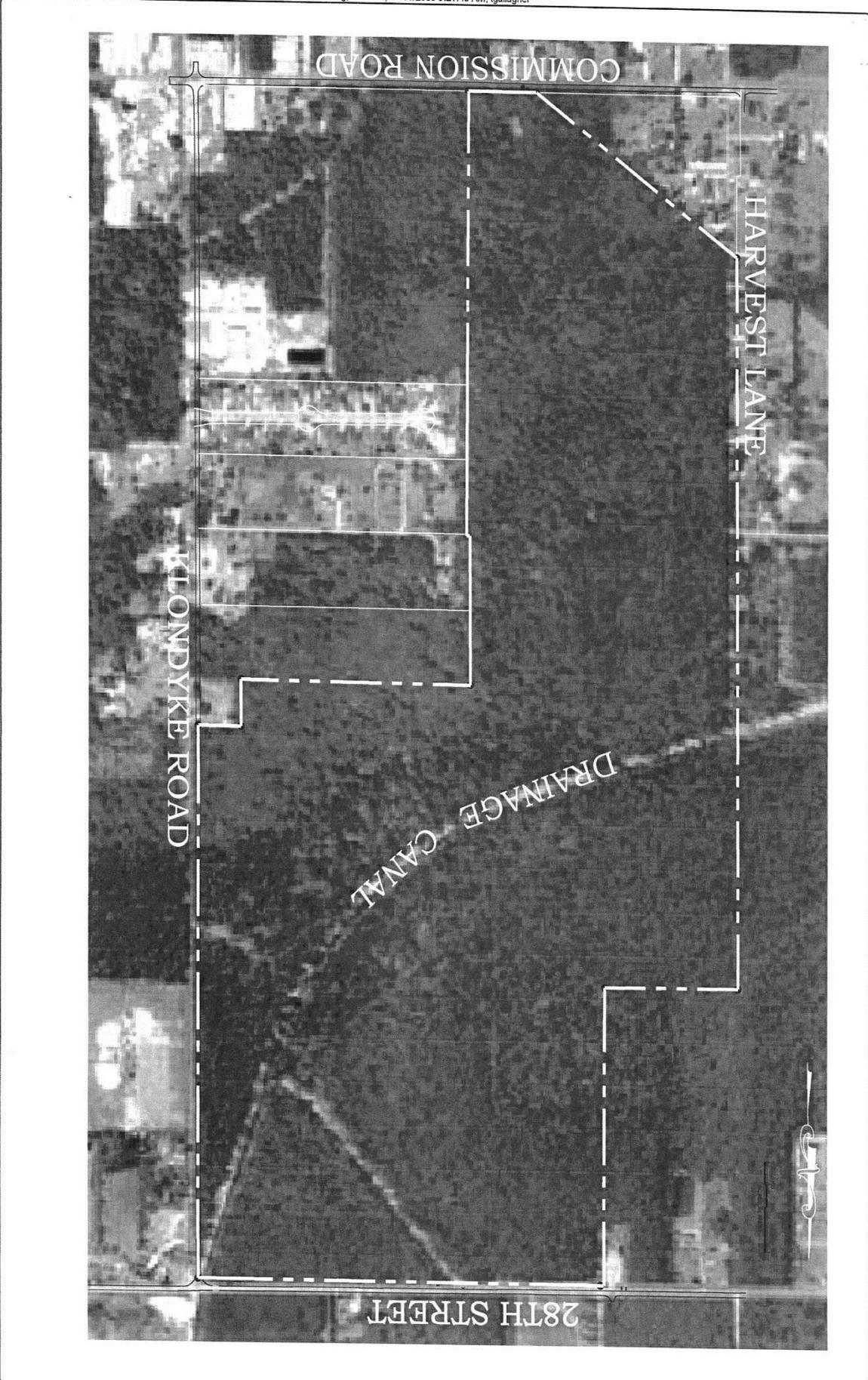
DATE	REMARKS	REVISIONS	APP'D

**CASTINE POINTE  
DEVELOPMENT**  
HARRISON COUNTY, MISSISSIPPI  
OWNER/DEVELOPER - CASTINE POINTE DEVELOPMENT, INC.  
**MASTER SITE PLAN**

SCALE: (24x36)	DESIGNED BY:
SCALE: (11x17)	DRAWN BY:
DATE:	CHECKED BY:
	JOB NO. 4/0582

# MINUTES OF MAY 28, 2015 PLANNING COMMISSION

K:\2005\40562 - Castine Pointe\ZONING EXHIBITS SEPT 09\ZONING 092309.dwg, PAGE 1, 10/16/2009 9:21:40 AM, tgallagher



1 of 1	Planning - Civil Engineering - Landscape Architecture  <b>KYLE ASSOCIATES, LLC</b> <small>1309 Village Lane N. • Metairie, LA 70001 • 504.737.2077</small>	STAMP:	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3">REVISIONS</th> </tr> <tr> <th>DATE</th> <th>REMARKS</th> <th>APP'D</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	REVISIONS			DATE	REMARKS	APP'D													<b>CASTINE POINTE</b> LONG BEACH, MISSISSIPPI HARRISON COUNTY OWNER/DEVELOPER - CASTINE POINTE DEVELOPMENT, INC. <b>SITE AERIAL VIEW</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>SCALE: 1/2"=100'</td> <td>DESIGNED BY:</td> </tr> <tr> <td>SCALE: 1/4"=100'</td> <td>DRAWN BY:</td> </tr> <tr> <td>DATE:</td> <td>CHECKED BY:</td> </tr> <tr> <td>DATE:</td> <td>JOB NO. 40562</td> </tr> </table>	SCALE: 1/2"=100'	DESIGNED BY:	SCALE: 1/4"=100'	DRAWN BY:	DATE:	CHECKED BY:	DATE:	JOB NO. 40562	DRAWN BY: T. GALLAGHER CHECKED BY: T. GALLAGHER DATE: 10/16/09
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# MINUTES OF MAY 28, 2015 PLANNING COMMISSION

The clerk reported that fifty-one (51) notices of public hearing were sent by certified mail, electronic return receipt, to property owners with two hundred feet (200') of the subject property, notices were also posted on the bulletin boards at City Hall, the Building Official's office, and the Water Department, 201 Jeff Davis Avenue; and at the Long Beach Public Library, 207 Jeff Davis Avenue. Said return receipts were ordered as part of these proceedings:

## BOARD OF ALDERMEN

Leonard G. Carrubba, Sr. - At-Large  
Gary J. Ponthieux - Ward 1  
Bernie Parker - Ward 2  
Kelly Griffin - Ward 3  
Ronnie Hammons, Jr. - Ward 4  
Mark E. Lishen - Ward 5  
Alan Young - Ward 6



WILLIAM SKELLIE, JR.  
MAYOR

CITY CLERK  
TAX COLLECTOR  
Rebecca E. Schruff

CITY ATTORNEY  
James C. Simpson, Jr.

## LEGAL NOTICE

### PUBLIC HEARING

In accordance with Article XIX of the Comprehensive Long Beach Unified Land Ordinance (598) of the City of Long Beach, Mississippi (2013) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a **zoning map change**.

Castine Pointe, LLC, 17940 Painters Row, Covington, LA 70435 has filed an application for a Zone Map change in accordance with the Comprehensive Long Beach Unified Land Ordinance. Applicant is requesting to change the zoning classification to multiple zoning district classifications. The tax parcel number is 0611C-01-001.000 and 0611C-01-002.000. The property is generally described as being South of Twenty-Eight Street (28<sup>th</sup>), North of Commission Road and running parallel with Klondyke Road. The legal descriptions as follows:

**1. R-3 High Density Multi-Family Residential, legal description as follows:**

From the Point of Beginning go North 89 degree 23 minutes 32 seconds West, a distance of 1258.54 feet; thence go North 00 degrees 24 minutes 10 seconds East, a distance of 118.30 feet; thence go along a curve to the right having a radius of 270.00 feet and an arc length of 369.20 feet; thence go North 73 degrees 58 minutes 29 seconds East, a distance of 435.22 feet; thence go along a curve to the left having a radius of 75.00 feet and an arc length of 265.35 feet; thence go North 09 degrees 29 minutes 47 seconds West, a distance of 275.20 feet; thence go North 66 degrees 53 minutes 24 seconds East, a distance of 103.09 feet; thence go South 89 degrees 37 minutes 40 seconds East, a distance of 464.04 feet; thence go North 00 degrees 08 minutes 39 seconds West, a distance of 925.28 feet back to the Point of Beginning. Said parcel contains 18.03 acres of ground more or less.

**2. C-2 General Commercial, legal description as follows:**

From the Southeast corner of the East ½ of the Northeast ¼ of Section 2, Township 8 South – Range 12 West go North 89 degree 23 minutes 32 seconds West, a distance of 1466.30 feet to the Point of Beginning.

From the Point of Beginning go North 89 degrees 23 minutes 32 seconds West, a distance of 451.64 feet; thence go North 00 degrees 45 minutes 51 seconds East, a distance of 379.43 feet; thence go North 69 degrees 45 minutes 47 seconds East, a distance of 579.55 feet; thence go North 00 degrees 17 minutes 18 seconds East, a distance of 1786.53 feet; thence go North 89 degrees 42 minutes 42 seconds West, a distance of 125.00 feet; thence go North 00 degrees 17 minutes 18 seconds East a distance of 270.00 feet to a point on the Southerly right of way line of 28<sup>th</sup> Street; thence go along said right of way South 89 degrees 42 minutes 42 seconds East a distance of 1480.00 feet to a point on the intersection of the above said right of way and the Westerly right of way line of Klondyke Road; thence go along Klondyke Road right of way South 00 degrees 04 minutes 45 seconds East, a distance of 2442.02 feet; thence leave said right of way and go North

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

## MINUTES OF MAY 28, 2015 PLANNING COMMISSION

89 degrees 21 minutes 40 seconds West, a distance of 208.00 feet; thence go North 00 degrees 08 minutes 39 seconds West, a distance of 717.28 feet; thence go North 89 degrees 37 minutes 40 seconds West, a distance of 464.04 feet; thence go South 66 degrees 53 minutes 24 seconds West, a distance of 103.09 feet; thence go South 09 minutes 29 seconds 47 minutes East, a distance of 275.20 feet; thence go along a curve to the radius of 75.00 feet and an arc length of 265.35 feet; thence go South 73 degrees 58 minutes 29 seconds West, a distance of 435.22 feet; thence go along a curve to the left having a radius of 270.00 feet and an arc length of 369.20 feet; thence go South 00 degrees 24 minutes 10 seconds West, a distance of 118.30 feet back to the Point of Beginning. Said parcel contains 70.61 acres of ground more or less.

3. **R-4 Residential Farm, legal description as follows:**

From the Southeast corner of the East ½ of the Northeast ¼ of Section 2, Township 8 South – Range 12 West go North 89 degrees 23 minutes 32 seconds West, a distance of 2625.95 feet to a point on the Easterly right of way line of Harvest Lane; thence go along said right of way North 00 degrees 11 minutes 48 seconds West, a distance of 171.16 feet to the Point of Beginning.

From the Point of Beginning continue along said right of way North 00 degrees 11 minutes 48 seconds West, a distance of 1311.51 feet; thence leave said right of way and go North 89 degrees 38 minutes 27 seconds East, a distance of 647.00 feet; thence go North 00 degrees 49 minutes 40 seconds East, a distance of 300.00 feet; thence go South 89 degrees 22 minutes 52 seconds East, a distance of 615.24 feet; thence go South 00 degrees 17 minutes 18 seconds West, a distance of 1036.53 feet; thence go South 69 degrees 45 minutes 47 seconds West, a distance of 579.55 feet; thence go South 74 degrees 16 minutes 20 seconds West, a distance of 740.51 feet back to the Point of Beginning. Said parcel contains 31.88 acres of ground more or less.

4. **R-3 High Density Multi-Family Residential, legal description as follows:**

Commence from the Southeast corner of the East ½ of the Northeast ¼ of Section 2, Township 8 South Range 12 West and go North 89 degrees 23 minutes 32 seconds West, a distance of 2,625.95 feet to a point on the Easterly right of way line of Harvest Lane; thence go along said right of way North 00 degrees 11 minutes 48 seconds West, a distance of 1,311.51 feet; thence leave said right of way and go North 89 degrees 38 minutes 27 seconds East, a distance of 647.00 feet; thence go North 00 degrees 49 minutes 40 seconds East, a distance of 300.00 feet to the Point of Beginning. From the Point of Beginning go North 00 degrees 49 minutes 40 seconds East, a distance of 1,016.49 feet to a point on the Southerly right of way line of 28<sup>th</sup> Street; thence go along said right of way South 89 degrees 42 minutes 42 seconds East, a distance of 480.66 feet; thence leave said right of way and go South 00 degrees 17 minutes 18 seconds West, a distance of 270.00 feet; thence go South 89 degrees 42 minutes 42 seconds East, a distance of 125.00 feet; thence go South degrees 17 minutes 18 seconds West, a distance of 750.00 feet; thence go North 89 degrees 22 minutes 52 seconds West, a distance of 615.24 feet back to the Point of Beginning. Said parcel contains 13.495 acres of land more or less.

The purpose of this proposed change is to promote uniformed development and improve public safety, thereby enhancing the quality of life for all Long Beach residents. A public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi 39560, Thursday, May 28, 2015, at 5:30 p.m., in the Long Beach City Hall located on Jeff Davis Avenue.

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 28, 2015 PLANNING COMMISSION

The Clerk reported that she did cause to be published in the Sun Herald, a newspaper with general circulation in the City of Long Beach, and published in Harrison County, Leal Notice and Public Hearing, as evidence by the Publisher's Proof of Publication as follows:

classifications. The tax parcel number is 0611C-01-001,000 and 0611C-01-002,000. The property is generally described as being South of Twenty-Eight Street (28th), North of Commission Road and running parallel with Klondyke Road. The legal descriptions are as follows:

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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  
ADV7,1THU 1558C095

## Proof of Publication

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Crista Brackett 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. 131 No., 216 dated 7 day of May, 2015  
 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 county for a period of more than twelve months next prior to the first publication of said notice.

Crista Brackett  
\_\_\_\_\_

MAY 08 2015

Clerk

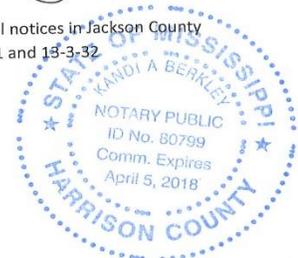
Sworn to and subscribed before me this 7 day of

May, A.D., 2015

Kandice Berkley  
\_\_\_\_\_

Notary Public

\*The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32



Ad Cont on Back

**LEGAL NOTICE  
PUBLIC HEARING**  
In accordance with Article XIX of the Comprehensive Long Beach Unified Land Ordinance (598) of the City of Long Beach, Mississippi (2013) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a zoning map change.  
Castine Pointe, LLC, 17940 Painters Row, Covington, LA 70435 has filed an application for a Zone Map change in accordance with the Comprehensive Long Beach Unified Land Ordinance. Applicant is requesting to change the zoning classification to multiple zoning district

**MINUTES OF MAY 28, 2015  
PLANNING COMMISSION**

Commission Chairman recognized Jared Riecke, applicant for the request. Mr. Riecke came forward to reiterate his application, stating that Castine Pointe was previously rezoned by the City in 2009 and unbeknownst to him the property reverted back to the previous zoning in 2013. Mr. Riecke stated he was requesting the City rezone the property back to what was previously approved in 2009.

Commission Chairman asked for anyone speaking in favor or the request to please come forward, no one came forward to be heard.

Commission Chairman called for anyone speaking in opposition of the request, the following was made part of the record:

<b>PUBLIC COMMENTS <u>OPPOSED</u></b>	
PUBLIC HEARING SUBJECT MATTER: <u>Castine Pointe - Zone map change</u> <u>Tax Parcel # 0011C-01-001.000 + 0011C-01-002.000</u>	
<ul style="list-style-type: none"> <li>➤ All comments shall be directed to the Chairman when recognized.</li> <li>➤ Comments of a personal nature regarding individual members of the Planning / Zoning Board, City staff and/or personnel, other citizens, disruptive comments or improper actions will not be permitted.</li> <li>➤ Except as otherwise directed by the Chairman, public comments will not be permitted before or after the allotted time.</li> <li>➤ Disruption of the public hearing will be cause for removal from the public meeting.</li> </ul>	
PLEASE PRINT	
NAME / ADDRESS / PHONE	COMMENT
1 Jennifer Fava 228-363-2052 17 Ryan Circle Long Beach, MS 39560	
2 D. J. Ziegler, LLC # 7090 N. GOLF 464-0673	
3 Karylyn + Derrin Hill 2 Ryan Circle LB. 228-596-7296	
4 Denise Costello 9 Ryan Circle 806-4128	
5 Sue Hodges 12 Ryan Circle 337-546-0296	
6 Bill Hodges 334-361-1639 12 Ryan Circle 39560	
7 Megan Murphy 228-365-4735 6057 Hamster Ln Long Beach 39560	
8 David Smith 228-669-2408 6057 Hamster Ln 39560	
9 Dewitt C Blair 868-1344 18461 28th St Long Beach, MS	
10 Kameron Haverstick 18 Ryan Circle 304-2148	

City of Long Beach  
Planning Commission – Public Hearing  
Date: 5/28/2015

**MINUTES OF MAY 28, 2015  
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**PUBLIC COMMENTS OPPOSED**

PUBLIC HEARING SUBJECT MATTER: Castine Pointe - zone map change  
Tax Parcel # 0611C-01-001.000 + 0611C-01-002.000

- All comments shall be directed to the Chairman when recognized.
- Comments of a personal nature regarding individual members of the Planning / Zoning Board, City staff and/or personnel, other citizens, disruptive comments or improper actions will not be permitted.
- Except as otherwise directed by the Chairman, public comments will not be permitted before or after the allotted time.
- Disruption of the public hearing will be cause for removal from the public meeting.

PLEASE PRINT		
	NAME / ADDRESS / PHONE	COMMENT
1	Todd Haverstick 18 Ryan Circle 304-2186	
2	Jois Conn 864-2938 709 Wondyke Rd	
3	Shuley Hardman 25 Ryan Circle	
4		
5		
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City of Long Beach  
Planning Commission – Public Hearing  
Date: 5/28/2015

# MINUTES OF MAY 28, 2015 PLANNING COMMISSION

**Veronica Howard**

---

**From:** rckelley@aol.com  
**Sent:** Thursday, May 28, 2015 1:26 PM  
**To:** veronica@cityoflongbeachms.com  
**Subject:** Re: Castine Pointe Development

Ms Howard,

I'm not sure if will be able to make the meeting this afternoon. I have a few concerns about the rezoning and development of the property I want to be known.

I am opposed to the zoning change and development for the following reasons.

1. The majority of the property is wetlands. On the U.S. Fish and Wildlife Service web site their National Wetlands Inventory shown most of property to be wetlands.
2. The property has a lot of wildlife and reptiles. There is a small pond that the development plans does not include that supports numerous frogs and turtles.
3. The development may cause additional flooding at the intersections of Klondike and Commission Roads, and Klondike and 28th Street.
4. The development shows a road tying into Harvest Lane which may be a problem. Harvest Lane is a narrow road. One car has to pull onto the shoulder to let another pass and the shoulders are getting tore up. More traffic will make this worst
5. The development plan does not show a wooded buffer between it and Harvest Lane.

I would be great to see the property be bought by the state or federal government and preserved as a wildlife habitat.

Please show this list of concerns to the zoning commission and anyone else that may be interested.

Thank you,

Ron Kelley  
6045 Harvest Lane  
Long Beach, MS 39560  
Cell 228-861-9193

-----Original Message-----

From: Veronica Howard <veronica@cityoflongbeachms.com>  
To: rckelley <rckelley@aol.com>  
Sent: Mon, May 11, 2015 11:46 am  
Subject: Castine Pointe Development

Hope this helps. If you have any other questions please feel free to contact me.

Thank you.

1

The following individuals came forward to be heard:

- Floyd Ray, wetlands question/concern.
- Rodney Stevens, flooding concerns.
- D.J. Ziegler, traffic concerns.
- Jennifer Fava, traffic and drainage concerns, would the project be beneficial to the City or cause more problems.
- Mike Bertucci, property value concerns. Will a buffer be provided between zoning districts.
- Sue Hodges, opposed to R-3 zoning.
- Gary Smith, opposed to R-3 zoning.
- Belinda Tipton, decrease in property value concerns.
- Bill Hodges, opposed to R-3 zoning.

\*

\*

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

**MINUTES OF MAY 28, 2015  
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\* \* \*

Upon rebuttal, applicant, Jared Riecke, stated the following:

- Due to the collapse of the housing/building market the project was not started in 2009. The market is starting to return, his plans are to develop the property.
- His company owns or operates no Section 8 housing.
- His company owns and operates every development they build.
- His company has never built housing over 3 stories high.
- Lots in the development would be in the \$40,000 range; houses \$200,000 range.
- There would be at least 2 ingress/egress roads for the residential development.
- Any wetlands would be delineated, mitigated and/or avoided.

\* \* \*

After review and discussion Commissioner Robertson made motion seconded by Commissioner Heinzl and unanimously carried recommending approval of the zoning map change as submitted.

\*\*\*\*\*

The second public hearing was called to order to consider a zone map change as follows:

# MINUTES OF MAY 28, 2015 PLANNING COMMISSION

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## Minutes of May 5, 2015 Mayor and Board of Aldermen

	<p><b>CITY OF LONG BEACH</b> 201 Jeff Davis Avenue / PO BOX 929 Long Beach, MS 39560 (228) 863-1554 office (228) 863-1558 fax</p>	<p style="font-size: small;">Office use only Date Received: <u>5/11/15</u> Zoning: <u>R1</u> Agenda Date: <u>5/15/15</u> Check Number: <u>N/A</u></p>
<p>I. TYPE OF CASE: <u>ZONE CHANGE REQUEST</u></p>		
<p>II. Advalorem Tax Parcel Number(s): <u>0611F - 01 - 013.000</u></p>		
<p>III. Address of Property Involved: <u>Commission Rd CHARLESTOWNE, LLC</u></p>		
<p>IV. <u>Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.)</u>  <u>APPLICATION FOR CASE REVIEW - ZONE CHANGE</u>  <u>CORRECTION FROM R-1 TO R-3 - DIRECT PLANNING</u>  <u>COMMISSION TO CONDUCT PUBLIC HEARING MAY 28, 2015</u></p>		
<p>V. REQUIRED ATTACHMENTS:</p> <p>A. Interest and Ownership. 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. Survey and Site Plan. If the proposed amendment would require a change in the Zoning Map, a site plan showing the land area which would be affected, encumbrances 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. Development schedule. The time schedule for the beginning and completion of development planned by the applicant 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.</p> <p>D. Effect of Amendment. A report giving the nature, description and effect of the proposed amendment, if the proposed amendment would require a change in the Zoning Map, description of the probable effect on the surrounding land uses and properties.</p> <p>E. Error. The error in the Ordinance that would be corrected by the proposed amendment, if the intent is to correct an error.</p> <p>F. Recorded Warranty Deed. 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>G. Fee. Attach a check in the amount of \$100.00. 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>***NOTE*** APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.</p>		
<p>VI. OWNERSHIP AND CERTIFICATION:  <u>READ BEFORE EXECUTING.</u> 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>Name of Rightful Owner (PRINT) _____</p> <p>Owner's Mailing Address _____</p> <p>City State Zip _____</p> <p>Phone _____</p> <p>Signature of Rightful Owner _____ Date _____</p>	<p style="text-align: center;"><u>CITY OF LONG BEACH</u></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 <u>[Signature]</u> Date _____  <u>City Clerk</u></p>	

M.B. 80  
REG:05.05.15

**MINUTES OF MAY 28, 2015  
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Minutes of May 5, 2015  
Mayor and Board of Aldermen

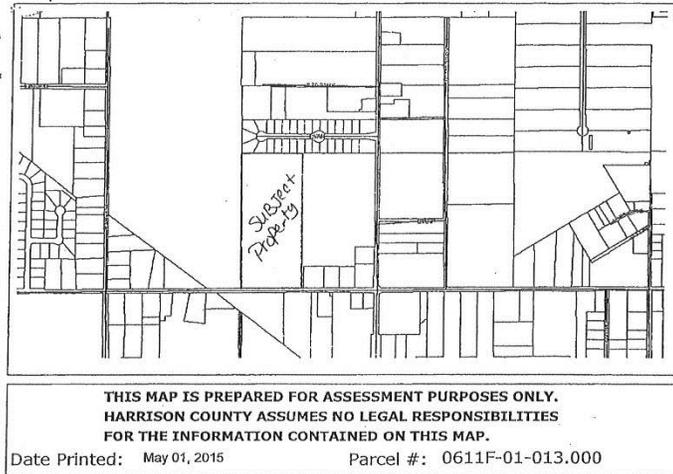
Additional Parcel Information	
Parcel #: 0611F-01-013.000	PPIN: 36861
Owner: CHARLESTOWNE LLC	
Location and Mailing Information	
Physical Address: 0 COMMISSION RD	
Mailing Address: 751 AVIGNON DR STE A	
State: MS	City: RIDGELAND Zip: 39157
Section: 2	Township: 8 Range: 12
Parcel Area Measurements	Assessment Values
Deed Acreage: (18.00 AC)	Land: 107806
Structure Sq. Ft.: 0	Improved: 0
Adjusted Sq. Ft.:	Total: 107806
2nd Floor Sq. Ft.:	Assessed:
Structure Year Built: 0	
Misc. Information	Assessment Information
Judicial District: 1	Homestead Code: 0
Subdivision:	Exemption Code: 0
Tax District: 3L	
THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY. HARRISON COUNTY ASSUMES NO LEGAL RESPONSIBILITIES FOR THE INFORMATION CONTAINED ON THIS MAP.	

M.B. 80  
REG:05.05.15

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Minutes of May 5, 2015  
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It was noted for the record that, during the comprehensive rezoning, very little consideration was given to establishing R-3 Districts.

After considerable discussion, Alderman Hammons made motion seconded by Alderman Parker and unanimously carried directing the Planning Commission to conduct a public hearing, Thursday, May 28, 2015, 5:00 o'clock p.m., City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to correct the zoning for property located at 0 Commission Road, Map Parcel #0612F-01-013.000, assessed to Charlestowne,

M.B. 80  
REG:05.05.15

Minutes of May 5, 2015  
Mayor and Board of Aldermen

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LLC, and to consider the application for case review set forth above, Zone Change Request from R-1 to R-3.

\*\*\*\*\*

The clerk reported that twenty-six (26) notices of public hearing were sent by certified mail, electronic return receipt, to property owners with two hundred feet (200') of the subject property,

# MINUTES OF MAY 28, 2015 PLANNING COMMISSION

notices were also posted on the bulletin boards at City Hall, the Building Official's office, and the Water Department, 201 Jeff Davis Avenue; and at the Long Beach Public Library, 207 Jeff Davis Avenue. Said return receipts were ordered as part of these proceedings:

## City of Long Beach

### BOARD OF ALDERMEN

Leonard G. Carrubba, Sr. - At-Large  
Gary J. Ponthieux - Ward 1  
Bernie Parker - Ward 2  
Kelly Griffin - Ward 3  
Ronnie Hammons, Jr. - Ward 4  
Mark E. Lishen - Ward 5  
Alan Young - Ward 6



WILLIAM SKELLIE, JR.  
MAYOR

CITY CLERK  
TAX COLLECTOR  
Rebecca E. Schruff

CITY ATTORNEY  
James C. Simpson, Jr.

### LEGAL NOTICE

#### PUBLIC HEARING

In accordance with Article XIX of the Comprehensive Long Beach Unified Land Ordinance (598) of the City of Long Beach, Mississippi (2013) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a **zoning map change**.

The City of Long Beach, P.O. Box 929, Long Beach, MS 39560, has filed an application for a Zone Map change in accordance with the Comprehensive Long Beach Unified Land Ordinance. Applicant is requesting to change the zoning classification From R-1, Single-Family Residential to R-3, High Density Multi-family Residential. The tax parcel number is 0611F-01-013.000. The property is generally described as running parallel with Commission Road and West of Klondyke Road. The legal descriptions as follows:

The West 595.7 feet to the SE ¼ of the SE ¼ of Section 2, Township 8 South, Range 12 West, less ½ of the right of way of Commission Road, Harrison County, First Judicial District, Mississippi.

The purpose of this proposed change is to promote uniformed development and improve public safety, thereby enhancing the quality of life for all Long Beach residents. A public hearing to consider the above zoning text change will be held in the City of Long Beach, Mississippi 39560, Thursday, May 28, 2015, at 5:30 p.m., in the Long Beach City Hall located on Jeff Davis Avenue.

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 28, 2015  
PLANNING COMMISSION

The Clerk reported that she did cause to be published in the Sun Herald, a newspaper with general circulation in the City of Long Beach, and published in Harrison County, Leal Notice and Public Hearing, as evidence by the Publisher's Proof of Publication as follows:

Proof of Publication

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Crista Brackett 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. 131 No., 219 dated 10 day of May, 2015
- 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\_\_\_\_

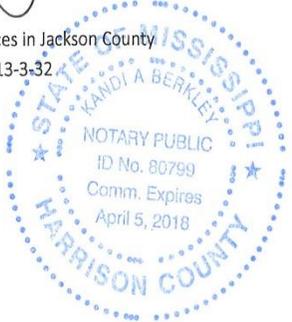
Affiant further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

MAY 12 2015 Crista Brackett  
Clerk

Sworn to and subscribed before me this 11 day of May, A.D., 2015  
Kandi A. Berkley  
Notary Public

LEGAL NOTICE  
PUBLIC HEARING  
In accordance with Article XIX of the Comprehensive Long Beach Unified Land Ordinance (598) of the City of Long Beach, Mississippi (2013) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a zoning map change.  
The City of Long Beach, P.O. Box 929, Long Beach, MS 39560, has filed an application for a Zone Map change in accordance with the Comprehensive Long Beach Unified Land Ordinance. Applicant is requesting to change the zoning classification From R-1, Single-Family Residential to R-3, High Density Multi-family Residential. The tax parcel number is 0611F-01-013.000. The property is generally described as running parallel with Commission Road and West of Klondyke Road. The legal descriptions as follows:  
The West 595.7 feet to the SE 1/4 of the SE 1/4 of Section 2, Township 8 South, Range 12 West, less 1/2 of the right of way of Commission Road, Harrison County, First Judicial District, Mississippi.  
The purpose of this proposed change is to promote uniformed development and improve public safety, thereby enhancing the quality of life for all Long Beach residents. A public hearing to consider the above zoning text change will be held in the City of Long Beach, Mississippi 39560, Thursday, May 28, 2015, at 5:30 p.m., in the Long Beach City Hall located on Jeff Davis Avenue.  
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  
ADV10,1SUN 1558227

\*The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



**MINUTES OF MAY 28, 2015  
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Commission Chairman called for anyone speaking in favor of the request, no one came forward to be heard.

Commission Chairman called for anyone speaking in opposition of the request, the following was made part of the record:

<b>PUBLIC COMMENTS <u>OPPOSED</u></b>	
PUBLIC HEARING SUBJECT MATTER: <u>City of Long Beach - Zone Map Change</u> <u>Tax Parcel # 011F-01-013-000 R-1 to R-3</u>	
<ul style="list-style-type: none"> <li>➤ All comments shall be directed to the Chairman when recognized.</li> <li>➤ Comments of a personal nature regarding individual members of the Planning / Zoning Board, City staff and/or personnel, other citizens, disruptive comments or improper actions will not be permitted.</li> <li>➤ Except as otherwise directed by the Chairman, public comments will not be permitted before or after the allotted time.</li> <li>➤ Disruption of the public hearing will be cause for removal from the public meeting.</li> </ul>	
PLEASE PRINT NAME / ADDRESS / PHONE	COMMENT
1 Jennifer Faya 17 Ryan Circle L.B. 228-3103-2052	Rodney Stevens 808 KLONDYKE RD
2 Kaylyn + Darrin Hill 2 Ryan Circle L.B. 228-546-7296	
3 24 Ryan Circle Betty Ladner 864-9127	
4 23 Ryan Circle Richard Turner	
5 9 RYAN L.A. CIRCLE 864-0673 D.J. Ziegler	
6 9 Ryan Cir 806-4128 Denise Costello	
7 12 Ryan Circle 334-546-0296 Sue Hodges	
8 12 Ryan Circle 334 580 2091 William Hodges	
9 FLOYD J RAY 19073 COMMISSION RD 228 863 0181	
10 Kamero Haverstic 18 Ryan Circle 304-2148	

City of Long Beach  
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Date: 5/28/15

**MINUTES OF MAY 28, 2015  
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<b>PUBLIC COMMENTS <u>OPPOSED</u></b>		
PUBLIC HEARING SUBJECT MATTER: <u>City of Long Beach - Zone Map Change</u> <u>Tax Parcel # CALIF-01-013000 R-1 to R-3</u>		
<ul style="list-style-type: none"> <li>➤ All comments shall be directed to the Chairman when recognized.</li> <li>➤ Comments of a personal nature regarding individual members of the Planning / Zoning Board, City staff and/or personnel, other citizens, disruptive comments or improper actions will not be permitted.</li> <li>➤ Except as otherwise directed by the Chairman, public comments will not be permitted before or after the allotted time.</li> <li>➤ Disruption of the public hearing will be cause for removal from the public meeting.</li> </ul>		
<b>PLEASE PRINT</b>		
	<b>NAME / ADDRESS / PHONE</b>	<b>COMMENT</b>
1	<u>Todd Haverstick</u> <u>18 Ryan Circle</u> <u>304-2186</u>	
2	<u>Shirley Hardman</u> <u>25 Ryan Circle</u>	
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City of Long Beach  
Planning Commission – Public Hearing  
Date: 5/28/15

The following individuals came forward to be heard:

- Dennis Castello, opposed to rezoning, no need for multi-family housing.
- Jennifer Fava, decrease in property value and traffic concerns, no need for multi-family housing, City need commercial not residential.
- Carolyn Anderson, opposed to rezoning, no need for multi-family housing.
- Darrin Hill, opposed to R-3 zoning, Ryan Circle would have no privacy.
- Bill Hodges, opposed to rezoning. Concerned Long Beach is going to become like neighboring cities.
- D.J. Ziegler, opposed to rezoning.
- Mike Bertucci, opposed to rezoning, city needs more commercial.
- Tod Haverstick, opposed to rezoning, drainage concerns.

**MINUTES OF MAY 28, 2015  
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\* \*

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

\* \*

Based upon there being no definite development plans submitted to the Commission for review, Commissioner Yandell made motion seconded by Commissioner Heinzl and unanimously carried recommending denying the zone change request.

\*\*\*\*\*

Be it remembered that a regular meeting of Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 28<sup>th</sup> day of May 2015, in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed for holding said meeting.

There was present and in attendance on said Commission and at the meeting the following named persons Commission Chairman Frank Olaivar, Commissioners Donald Frazer, Randy Fischer, Jim Heinzl, Chris Carrubba, Jeff Hansen, Ron Robertson, Tonda Yandell, Planning Commission Consultant/Advisor Bill Hessel and minutes Clerk Veronica Howard.

Commissioner Nicholas Brown was absent the meeting.

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

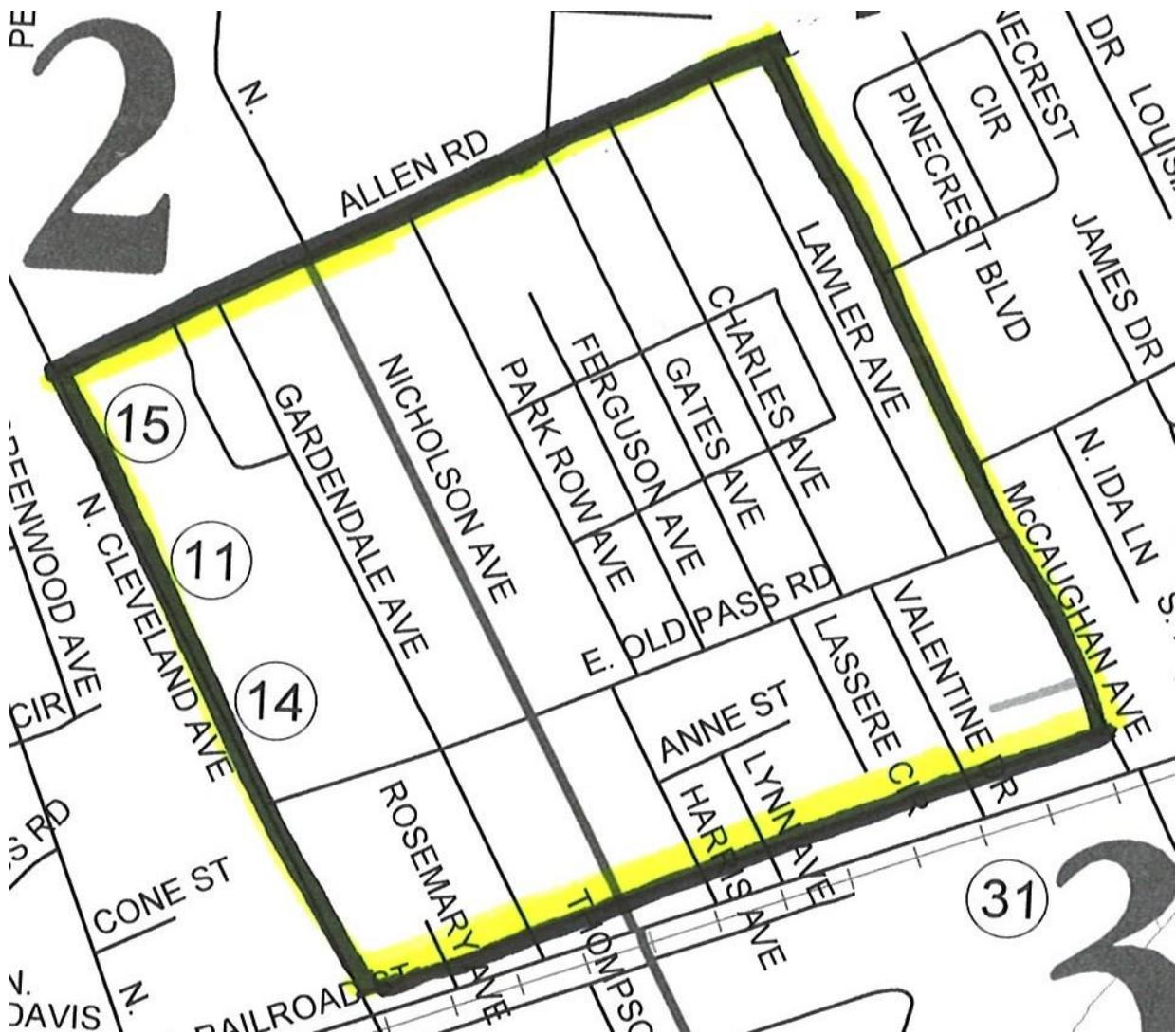
\*\*\*\*\*

Commissioner Carrubba made motion seconded by Commissioner Hansen and unanimously carried to approve the regular meeting minutes of May 14, 2015 as submitted.

\*\*\*\*\*

It came for discussion under UNFINISHED BUSINESS the rezoning of the East side of the City, areas east of the Long Beach High school (Nicholson Avenue, East to McCaughan Avenue; Allen Road, South to East Old Pass Road).

MINUTES OF MAY 28, 2015  
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**MINUTES OF MAY 28, 2015  
PLANNING COMMISSION**

Commissioner Carrubba made motion seconded by Commissioner Hansen and unanimously carried to schedule a public hearing for July 23, 2015; 5:30 p.m.; City Hall, Meeting Room; 201 Jeff Davis Avenue; Long Beach, MS, to consider a zone map change from R-1, Single Family residential to R-2, Low Density Multi-family for the aforementioned area of the City.

\*\*\*\*\*

The next agenda item was the directive from the Mayor and Board of Aldermen for the Planning Commission to review the sidewalk ordinance and the sidewalk regulations stated in the Subdivision Ordinance for clarification and continuity.

No action was taken.

\*\*\*\*\*

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

APPROVED:

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

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

ATTEST:

\_\_\_\_\_  
Veronica Howard, Minutes Clerk