



Commissioner Bice
Commissioner Milton
Commissioner Bower
Commissioner Rubar
Commissioner Hourin
Commissioner Torguson
Commissioner Hector

MINUTES

PLANNING AND ZONING COMMISSION

Tuesday, July 28, 2020

6:00 PM CST

Council Chambers, City Hall
and via teleconference, if necessary

Call to Order

Commissioner Bice called the meeting to order at 6:00p.m.CST

Statement of Purpose

Commissioner Rubar recited the Statement of Purpose

May our decisions today be made with wisdom, careful deliberation and in the best interest of the City of Diamondhead. May we display patience and kindness in our dealings with each other and all who are in attendance and may any decisions made today promote the health, safety and welfare of the citizens of Diamondhead and the enhancement of the City as a whole.

Pledge of Allegiance

Chairman Bice led the Pledge of Allegiance.

Roll Call

Commissioner Rubar, Torguson, Bice, Layel, and Bower. Absent: Hourin, Hector

Also present City Attorney Derek Cusick, Building Official Ronald Jones. Building Inspector Beau King, Minutes Clerk Tammy Braud.

Confirmation or Adjustments to Agenda

Commissioner Bower moved, second by Commissioner Rubar to approve the agenda as presented.

MOTION CARRIED UNANIMOUSLY

Approval of Minutes

Commissioner Bower moved, second by Commissioner Torguson to accept the minutes of May 26, 2020

Motion Carried Unanimously

May 26, 2020

New Business

Ms. Anne Marie Petrovich Bonnette has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 L iii) to construct black metal fence on the rear property line as well as on the side property lines within the 10' setback area.

The property address is 57143 Diamondhead Drive East. The tax parcel number is 131C-1-13-117.001. The legal description is Diamondhead Subdivision Phase #1, Block 8, Lot 24. The property is located in a R-2 zoning district. The fence is required to be set back 10' from the rear property line due to being located on the golf course.

Chairman Bice asked if anyone was present to represent Ann Marie Petrovich Bonnette.

Ann Maire and Patrick Bonnette answered question from the Commissioners.

Ronald Jones , Building Official, proposed a recommendation to deny the request of constructing a black metal fence due to conditions listed in his staff report.

Chairman Bice if there were any public comments. None

Commissioner Bower made a motion,, second by Commissioner Layel, to recommend to deny to the City Council in the Case File Number 202000247 as recommended by Ronald Jones, Building Official.

A Roll Call Was Taken:

MOTION CARRIED UNANIMOUSLY

Ms. Tammy Simms Fields has filed an application requesting a variance from the Zoning Ordinance (Article 4.6.5E iii) to allow an existing carport recently constructed within 3'1" of the rear property line. The edge of the roof is 32" from the rear property line. The case file number is 202000223.

The property address is 8912 Anahola Court. The tax parcel number is 067J-3-36-143.000. The legal description is Diamondhead Subdivision Phase #2, Unit 7A, Block 1, Lot 75. The property is located in a R-2 zoning district. The minimum rear yard setback is 20 feet.

Ronald Jones ,Building Official presented the case and answered questions from the commissioners.

At this time Chairman Bice asked if anyone was present to represent Tammy Fields.

Tammy Fields answered questions from the commissioners. The builder, Ishmael Ortega, was also present to answer questions from the commissioners.

Ronald Jones, Building Official, proposed a recommendation to deny the application request based on the finding listed in the staff report.

Chairman Bice asked for any public comments. Patricia Arroyo spoke on behalf of her father , Elliott N . Arroyo, opposing the carport.

Commissioner Bower made a motion, second by Commissioner Torguson to approve the request to City Council.

A roll call was taken:

Motion Failed

The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text amendment to the Flood Damage Prevention Ordinance (Chapter 14 in Municode).

The proposed text amendment would eliminate the 18 inches of freeboard required above the base flood elevation . The proposed text language is stated below.

PROPOSED TEXT LANGUAGE

Article IV, Section 14-105 #5

Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding, such facilities shall be located at or above the base flood elevation.

Section 14-106 #1

Residential construction. New construction and substantial improvement of any residential building (including manufactured homes) shall have the lowest floor, including basement, elevated at or above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, flood openings sufficient to automatically equalize hydrostatic flood forces on exterior walls of enclosures that are subject to flooding shall be provided in accordance with standards of subsection (4) of this section. New development proposals will be designed, to the maximum extent practicable, so residential building sites, walkways, driveways, and roadways are located at natural grade with elevation not less than the base flood elevation and with evacuation routes leading directly out of the special flood hazard area.

Section 14-106 #2

Nonresidential construction. New construction and substantial improvement of any commercial, industrial, or nonresidential building (including manufactured buildings) shall have the lowest floor, including basement, elevated at or above the base flood elevation. Buildings located in all A zones may, together with attendant utility and sanitary facilities, be floodproofed in lieu of being elevated, provided that all areas of the building below the base flood elevation are watertight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. Dry floodproofing is allowed only where flood velocities are less than or equal to five feet per second. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. A flood emergency operation plan and an inspection and maintenance plan must be provided by the design professional for the building. Such certification shall be provided to the floodplain administrator. New development proposals will be designed, to the maximum extent practicable, so nonresidential building sites, walkways, driveways, and roadways are located at natural grade with elevation not less than the base flood elevation and with evacuation routes leading directly out of the special flood hazard area.

Section 14-106 #7 a 1.

Elevated on a permanent foundation to have its lowest floor elevated at or above the base flood elevation; and

Section 14-106 #7 b 1.

The lowest floor of the manufactured home is elevated at or above the base flood elevation and be securely anchored to an adequately anchored foundation support system to resist floatation, collapse, and lateral movement; or

Section 14-110 #1 a

The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is at or above the base flood level; and

Ronald Jones, Building Official explained the text language and recommended approval.

Commissioner Rubar made a motion, second by Commissioner Iayel to approve to the City Council.

Chairman Bice asked for any public comments. None

A roll call was taken:

Motion Carried Unanimously

The City of Diamondhead represented by Ronald Jones, Building Official, is considering the adoption of proposed subdivision regulations to guide land development.

City Attorney, Derek Cusick ,and Building Official, Ronald Jones gave a brief explanation of subdivision regulations.

Chairman Bice asked for any public comments. None

Commissioner Rubar made a motion, second by Commissioner Bower to recommend approval of the proposed subdivision regulations as presented by Ronald Jones, Building Official, to the City Council.

Roll call was Taken:

Motion Carried Unanimously

The City of Diamondhead is preparing to adopt a Tax Increment Financing (TIF) Redevelopment Plan. As part of the requirement, a statement is needed from the Planning Commission that the TIF Redevelopment Plan is in conformance with the Comprehensive Plan.

Ronald Jones, Building Official read a proposed letter addressed to Mayor Schafer from the Planning and Zoning Commission that the TIF Redevelopment Plan is in conformance with the Comprehensive Plan.

Commissioner Bower made a motion, second by Commissioner Layel to confirm the TIF Redevelopment Plan is in conformance with the Comprehensive Plan.

Motion Carried Unanimously

Unfinished Business

None

Open Public Comments to Non-Agenda Items

Mike Reso, City Manager reminded everyone about the Special Call Meeting August 5 at 6:00 pm.

Commissioners' Comments

Chairman Bice commended Mike Reso on a job well done.

Communication / Announcements

Ronald Jones, Building Official, informed commissioners of 1 case for next month's meeting.

Special called meeting of Commission for TIF Redevelopment Plan on Wednesday, August 5, 2020

Next meeting of the City Council is Tuesday, August 4, 2020

Adjourn or Recess

Commissioner Bower moved, seconded by Layel, to adjourn at approximately 7:24 p. m. cst.