



Commissioner Bennett  
Commissioner Brewer  
Commissioner Debrow  
Commissioner Flowers  
Commissioner Harwood  
Commissioner Layel  
Commissioner Nicaud

## **AGENDA**

### **PLANNING AND ZONING COMMISSION**

**Tuesday, June 25, 2024**

**6:00 PM CST**

Council Chambers, City Hall  
and via teleconference, if necessary

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#### **Call to Order**

#### **Statement of Purpose**

1. 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**

#### **Roll Call**

#### **Confirmation or Adjustments to Agenda**

#### **Approval of Minutes**

#### **New Business**

2. Election of Chairperson and Vice Chairperson
3. Patricia Bryant, represented by Jassby Custom Homes, has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow the addition of an attached screened porch within 15' of the rear property line on the golf course. The property address is 7428 Turnberry Way. The tax parcel number is 067N-1-35-083.000. The property is in the R-10 zoning district. The rear setback is 20'. The variance requested is 5'. The Case File Number is 202400258.

#### **Unfinished Business**

#### **Open Public Comments to Non-Agenda Items**

#### **Commissioners' Comments**

#### **Communication / Announcements**

4. The next City Council meeting is Tuesday, July 2, 2024.  
The next Planning Commission meeting is Tuesday, July 23, 2024.

#### **Adjourn or Recess**



5000 Diamondhead Circle ·  
Diamondhead, MS 39525-3260  
Phone: 228.222.4626 Fax: 228-222-4390  
www.diamondhead.ms.gov

TO: Patricia Bryant, Jassby Custom Homes and adjacent property owners

FROM: J. Pat Rich, Development Coordinator *J. Pat Rich*

DATE: June 7, 2024

SUBJECT: Variance request before the Planning & Zoning Commission

Patricia Bryant, represented by Jassby Custom Homes, has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow the addition of an attached screened porch within 15' of the rear property line on the golf course.

The property address is 7428 Turnberry Way. The tax parcel number is 067N-1-35-083.000. The property is in the R-10 zoning district. The rear setback is 20'. The variance requested is 5'. The Case File Number is 202400258.

In accordance with the Comprehensive Zoning Ordinance Article 9.8.6, the Planning Commission may recommend to the Mayor and City Council a variance be granted as the variance was applied for or in a modified form or subject to conditions or the application may be denied. A variance may be revocable, may be granted for a limited period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, June 25, 2024, at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend. This meeting will also be live streamed for your convenience at <https://www.youtube.com/@cityofdiamondhead3502/streams>.

If you have any questions or comments or would like to review the application, you may contact J. Pat Rich, Development Coordinator, at [p\\_rich@diamondhead.ms.gov](mailto:p_rich@diamondhead.ms.gov) or 228-242-1613.

**NOTICE OF PUBLIC HEARING  
PLANNING AND ZONING COMMISSION  
DIAMONDHEAD, MS**

Patricia Bryant, represented by Jassby Custom Homes, has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow the addition of an attached screened porch within 15' of the rear property line on the golf course.

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The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, June 25, 2024, at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend. This meeting will also be live streamed for your convenience at <https://www.youtube.com/@cityofdiamondhead3502/streams>.

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202400258

Item No.3



5000 Diamondhead Circle  
Diamondhead, MS 39525  
Ph: 228-222-4626  
FX: 228-222-4390

APPLICATION FOR VARIANCE REQUEST

Case Number: 202400258

Date 5/1/24

Applicant: Patricia Bryant represented by Jessy Custom Homes

Applicant's Address: 7428 Turnberry Way

Applicant's Email Address: \_\_\_\_\_

Applicant's Contact Number: (Home) \_\_\_\_\_ (Work) 228-255-3400 (Cell) 228-216-0900

Property Owner: Patricia Bryant

Owner's Mailing Address: \_\_\_\_\_

Owner's Email Address \_\_\_\_\_

Owner's Contact Number: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Cell) \_\_\_\_\_

Tax Roll Parcel Number: 067N-1-35-083.000

Physical Street Address: \_\_\_\_\_

Legal Description of Property: \_\_\_\_\_

Zoning District: R-10 Adjacent to Golf Course (Cardinal #6 Tee box)

State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)  
(Signage-Size-Height) Addition of screened porch within 15' of the rear property line on the Golf course

**REQUIRED ITEM A**

Property Owner Patricia Bryant

Street Address 7428 Turnberry Way

Statement Describing Variance Request

Addition of screened porch within 5' of property line  
Requesting 5' variance to 20' Rearyard Setback

The reasons why it complies with the criteria for variances:

1. DO THE SPECIAL CONDITIONS AND/OR CIRCUMSTANCES EXIST WHICH AFFECT ONLY THE LAND OR STRUCTURE IN QUESTION AND NO OTHER SURROUNDING OR SIMILAR PROPERTIES?

Response: Yes. Irregular sloped Lot

2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLIANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?

Response: Many other lots on Golf Course have screened porches overlooking the course

3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?

Response: House placement to meet setbacks caused the special condition.

4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?

Response: See # 2

STATEMENT OF UNDERSTANDING

As the applicant or owner/s for the requested Variance in the City of Diamondhead, I (we) understand the following:

The application fee of \$100.00 must be paid prior to the acceptance of the application. Further, that if the application is withdrawn for any reason that the application fee is forfeited to the City of Diamondhead.

As the applicant or owner/s, I (we), or the designed representative, must be present at the public hearing.

That all information provided with this application is true and correct to the best of my knowledge.

That this application represents only property owned by me (us) and that any other adjoining property owners must apply for a Variance on his own behalf.

That all required attachments have been provided to the City of Diamondhead.

That additional information may be required by the Planning Commission prior to final disposition.

The City Council will not accept new case evidence once the recommendation has been made by the Planning Commission. If new evidence needs to be presented, the applicant will need to request that the matter be referred back to the Planning Commission for review.

The Public Hearing will be held on June 25th 2024 at 6 p.m. in the Council Chambers of the Diamondhead City Hall.

If a continuance of the hearing is necessary at my (our) request, the request must be made to the Zoning Official a minimum of seven (7) days prior to the hearing. If such request is not made in writing, I understand that a new application must be filed and an application fee paid to the City.

If the application is denied by the City Council, a new application for the subject property may not be submitted for one (1) year from the date of denial.

[Signature]  
Signature of Applicant

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
For Official Use Only

- \$100.00
- Copy of Deed, Lease or Contract
- Site Plan
- Parking Spaces
- List of Property Owner

- Application Signed
- Written Project Description
- Drainage Plan NA ( )
- Notarized Statement NA ( )





City of Diamondhead  
APPLICATION FOR BUILDING PERMIT

5000 Diamondhead  
Diamondhead, MS 39525  
Item No.3

Ph: 228-222-4626 FX: 228-222-43

Variance of ~~5~~ 5'

RECEIVED  
MAY 01 2024  
BY: \_\_\_\_\_

Estimated Valuation: 30,000

Single Family Res.  Multi Family Res.  Small Commercial  Large Commercial  Industrial

Project (ex: Waffle House): Screen Addition  
Use address if you don't have a project name

Address: 7428 Turnberry Way

Owner Information:  
Last Name: Bryant First: Petie Middle Initial: \_\_\_\_\_

Address: 7428 Turnberry Way

City: Diamondhead State: MS Zip: 39525 Phone: \_\_\_\_\_

Contractor Information:  
Contractor: Jassy Custom Homes  
Contractor Business Name

License #: R State/City (circle one) MS Expiration Date: 7/25

Address: P.O. Box 6411

City: Diamondhead State: MS Zip: 39525 Phone: 228-255-3400  
228-216-0900

Permit Information:  
Type of Work  New Const.  Addition  Remodeling  Demolition  Other

Description of Work: Screen room

Use of Building: Residential

Square Feet: \_\_\_\_\_ Number of Stories: \_\_\_\_\_ Number of Units: \_\_\_\_\_

Type of Construction:  Wood  Brick  Steel  Concrete  Stone Hardie Board  
Screen

Historical District: \_\_\_\_\_ Current Zoning: \_\_\_\_\_ Parcel#: 067N-1-35-083.000

Present Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_ Conforming:  Yes  No

I hereby make application for permit to perform the work as described herein and if permit is granted I agree to conform to all Regulations and ordinances of the City pertaining therein and in accordance with the plans submitted.

Applicant's Signature: \_\_\_\_\_ Approved by: \_\_\_\_\_

Remarks: \_\_\_\_\_



**FINAL SURVEY**

**LEGAL DESCRIPTION:**

A survey of Lot 170A, Replat of Glen Eagle Subdivision, Phase 1, City of Diamondhead, Hancock County, Mississippi.

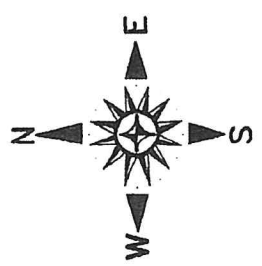
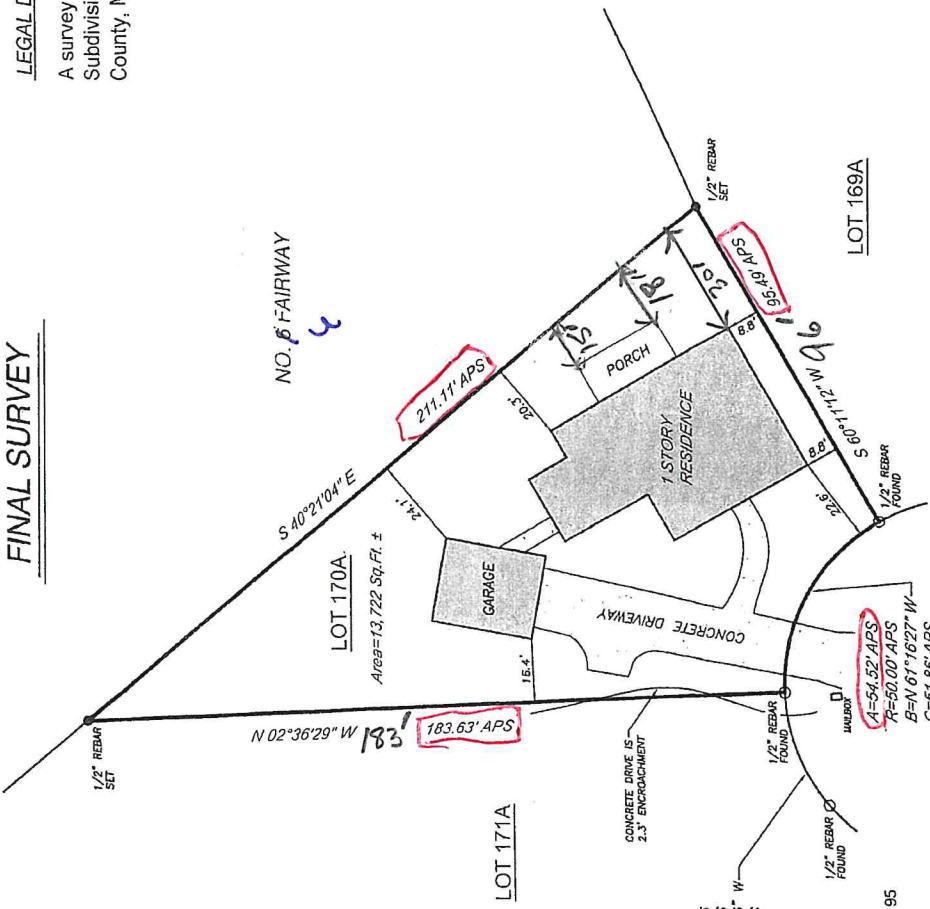


THIS SURVEY IS CERTIFIED TO:  
 1) JON AND PATRICIA BRYANT  
 2) WHITNEY BANK dba HANCOCK BANK  
 3) CASANO LAW FIRM  
 4) OLD REPUBLIC TITLE INSURANCE COMPANY

In consideration of the fee paid, I declare that this survey made by me or under my immediate supervision is true and correct to the best of my professional knowledge, information, and belief.

*Duke Levy, RLS #17728*

DUKE LEVY & ASSOCIATES, P.A.	
4412 LEISURE TIME DRIVE DIAMONDHEAD, MS 39525 (228) 467-5212 PHONE	
DATE: 11-26-19	REVISOR: 08-13-2020
SCALE: 1" = 30'	CLIENT: Jon & Patricia Bryant
DRAWING: WO# 2020-223	



**LEGEND:**

- ☐ CENTERLINE
- IRON ROD FOUND
- IRON ROD SET
- ⊙ IRON PIPE FOUND
- ⊞ FENCE CORNER POST
- ⊘ POWER POLE
- APS AS PER SURVEY
- APR AS PER RECORD

**REFERENCES:**

- 1) REPLAT OF GLEN EAGLE SUBDIVISION, PHASE 1
- 2) DEED BOOK 2015 AT PAGE 2294
- 3) PRIOR SURVEY BY DUKE LEVY & ASSOC. WO# 16-0185

**NOTES:**

Surveyor has made no investigation or independent search for encumbrances of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title abstract may disclose. No attempt has been made as a part of this survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or municipal/public service facility. This survey meets Mississippi minimum requirements for a class "B" survey. Survey is valid only if print has original seal and signature of surveyor. No flood zone determination was performed as a part of this survey. An accurate determination can be made by obtaining a FEMA Elevation Certificate.

BEARINGS REFERENCED TO GEODETIC BY GPS OBSERVATIONS

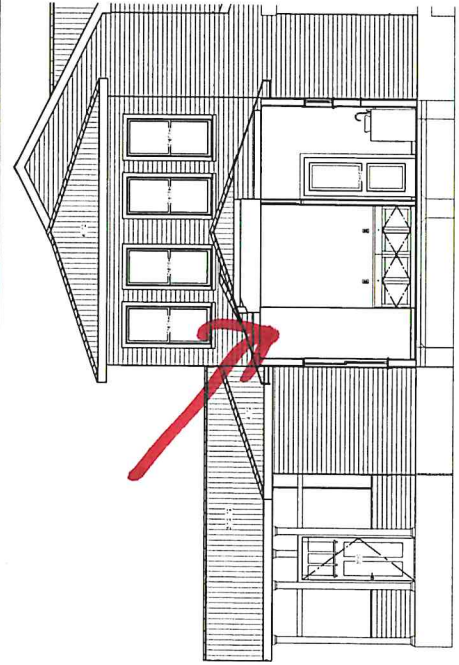


REVISION	DATE	REVISION	DESCRIPTION

Pelle New Porch

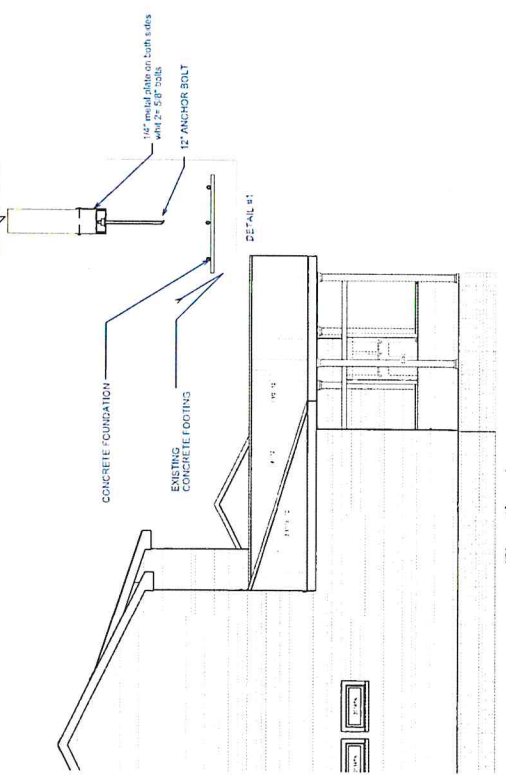
832-428-0178  
 Ruby Construction, LLC  
 Home Construction & Remodeling

DATE: 4/29/2024  
 SCALE: 1/4"=1'  
 SHEET: P-1

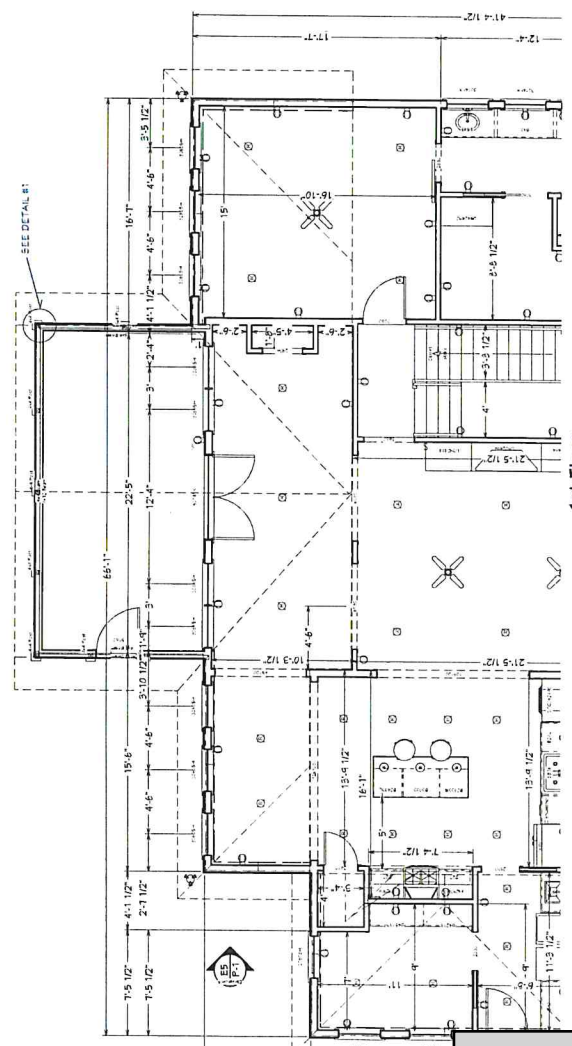


Elevation 5

- FINISH ROOFING
- ROOFING MEMBRANE
- FLASHING
- FASCIA
- SCOFFIT FLOORING
- SCOFFIT
- SCREENED VENT
- Vaulted Ceiling
- 2x8 RAFTER 24" O.C. with H2.5 wavy ribbed
- VENTED AIRSPACE
- FINISH SIDING
- INSULATION
- 1/4" metal plate on both sides with 2x 5/8" bolts
- 1/2" ANCHOR BOLT



Elevation 4



1st Floor



Elevation 2

ier X11  
Library 3D CAD Tools View Window Help  
[Navigation icons: Undo, Redo, Home, etc.]  
View Layer Set [checkbox]  
petie new... 1st Floor X    petie new porch option ... Elevation - Elevation 2 X    petie new porch option ... ull Overview - Camera 3 X    petie new porch option ... auto\_save\_bak: Orthographic Full Overview - Camera 3



Mouse-Orbit Camera [Alt+O]    All Floors    Drawing

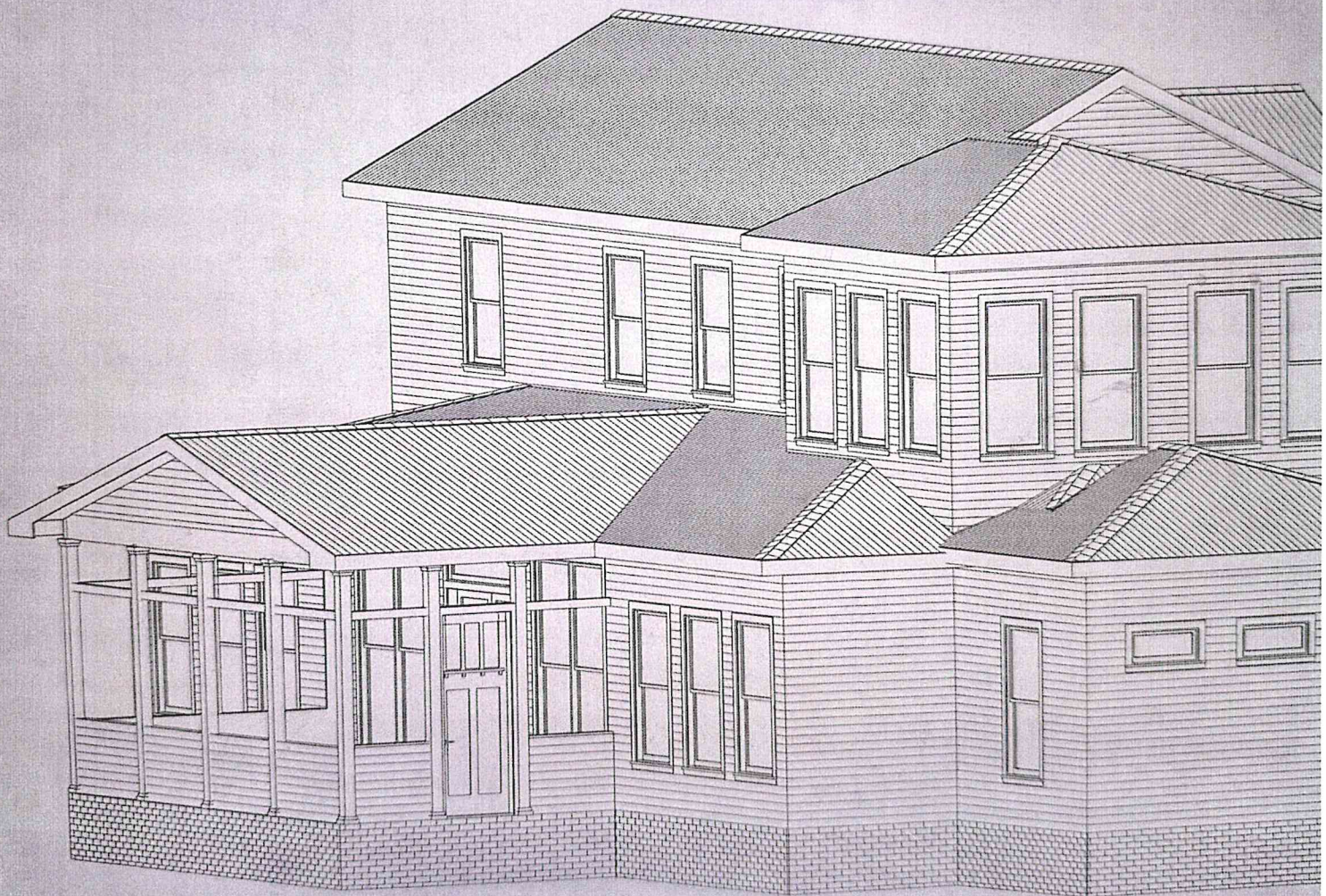
[Windows taskbar: Start button, Search, Task View, File Explorer, Microsoft Edge, etc.]

Window Help



petie new porch option...levation - Elevation 2 ×    petie new porch option ...ull Overview - Camera 3 ×    petie new porch option ...Elevation - Eleva

ull Overview - Camera 3



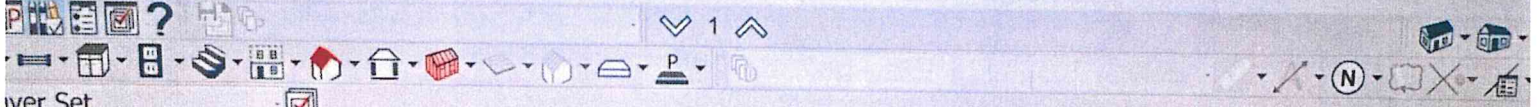
Select Objects [Space]

All Floors

Drawing Group: -

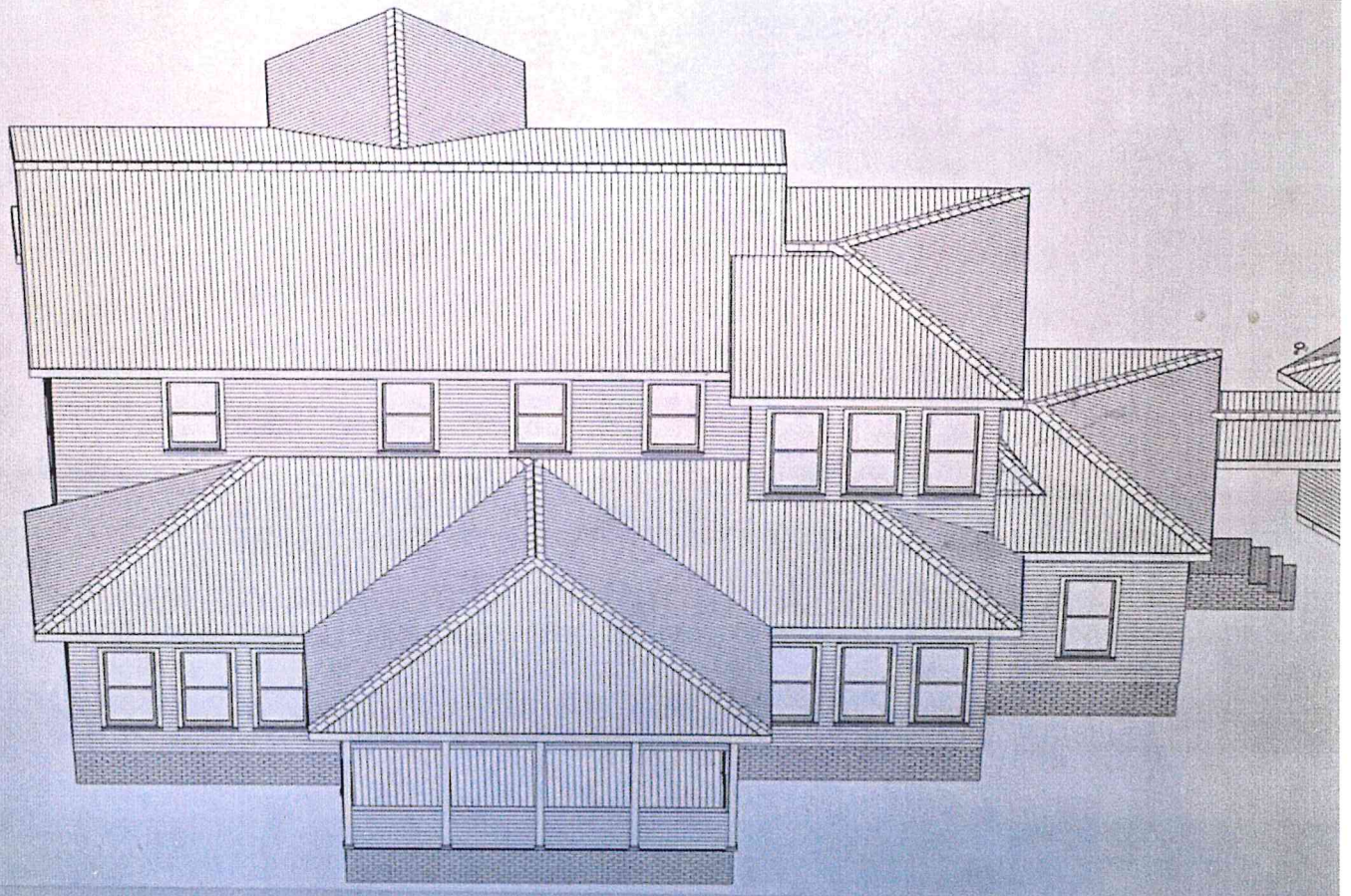


CAD Tools View Window Help



Layer Set

save\_bak: Layout X    petite new porch option 1\_auto\_save\_bak: 1st Floor X    petite new porch option 1\_auto\_save\_bak: Orthographic Full Overview - Camera 3 X  
bak: Orthographic Full Overview - Camera 3



Done: 171120 surfaces    All Floors    Drawing Group:

