



Commissioner Flowers
Commissioner Layel
Commissioner Debrow
Commissioner Rubar
Commissioner Hourin
Commissioner Torguson
Commissioner Hector

AGENDA

PLANNING AND ZONING COMMISSION

Tuesday, July 27, 2021

6:00 PM CST

Council Chambers, City Hall
and via teleconference, if necessary

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

2. Approval of June 29, 2021 minutes.

New Business

3. Anthony Diaz has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence starting 40' from the southeast corner of the house towards Amoka Drive, extending 10' towards Ieke Drive then along Ieke Drive to the southwest rear property line. The variance requested is 40' from the front façade of the house (southeast corner) and 6' from the front property line (Ieke Drive side). The property address is 8454 Amoka Drive. The tax parcel number is 068J-1-41-325.000. The legal description is Diamondhead Subdivision Phase #2, Unit 11, Block 7, Lot 4. The property is located in an R-2 zoning district. Corner lots have two front yard setbacks and two front facades (along each street). The fence is required to be set back 20' from the front property line but not any closer than the façade of the house.
4. Structures of Diamondhead represented by Jim Grotowski, owner, and Duke Levy, engineer, has submitted "the Sketch Plat for The Preserve Subdivision Phase 2" for review, consideration and approval. The Sketch Plat is a 24 lot development having lot sizes ranging from the smallest lot of 7,025 sf to the largest lot of 12,906 sf. The total number of acres is approximately 8.97 acres as part of a larger parcel of 28 acres. The current zoning of lots is R-2 medium Density single Family. The property is generally located north of and adjacent to The Preserve Subdivision Phase 1.
5. MDGA, LLC represented by Michael Casano and Kyle Ladner has submitted a Sketch Plat for a new subdivision for review, consideration, and approval. The Sketch Plat is for a 76 single family lot subdivision on a 19.86 Acre tract of land, parcel number 132A-01-03-113.000. The subject property is in NW ¼ of Section 2 Township 8S Range 14W. The lot sizes range from the smallest of

6,000 sf to the largest lot of 13,368 sf. The property is located East of Kalipekona Way and Kaiki Drive, West of Pine Golf Course Hole # 15 & 16, North of Kaiki Drive and south of Kalipekona Way. Entrances will be the south end of Iona Street, south end of Koula Drive and east end of Hoaka Lane. The case file number is 202100189.

6. The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text amendment to require all drawings to be computer aided design (CAD) in the Subdivision Regulations (Ordinance Number 2020-001). The proposed text amendment shall add to Article 301.4. "All drawings shall be computer aided design (CAD)". The proposed text amendment shall also add to Article 302.1. "All drawings shall be computer aided design (CAD)". The proposed text amendment shall also add to Article 304.1. "All drawings shall be computer aided design (CAD)". Article 304.1 b shall also be amended. After "The plans and specifications shall be prepared in accordance with good engineering practice and City of Diamondhead's design standards". Insert "All drawings shall be computer aided design". The case file number is 202100267.

Unfinished Business

Open Public Comments to Non-Agenda Items

Commissioners' Comments

Communication / Announcements

Adjourn or Recess



Commissioner F
Commissioner
Commissioner Debrow
Commissioner Rubar
Commissioner Hourin
Commissioner Torguson
Commissioner Hector

Item No.2.

MINUTES

PLANNING AND ZONING COMMISSION

Tuesday, June 29, 2021

6:00 PM CST

Council Chambers, City Hall
and via teleconference, if necessary

Call to Order

Chairman Rubar called the meeting to order at 6:00 p.m.

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.

Commissioner Debrow read the statement of Purpose.

Pledge of Allegiance

Commissioner Flowers led The Pledge of Allegiance.

Roll Call

Commissioner Flowers, Layel, Debrow, and Chairman Rubar. Commissioner Hector joined the meeting at 6:08 p.m.

Also present were City Attorney, Derek Cusick, Building Official, Ronald Jones, Code Enforcement Officer, Pat Rich, Building Inspector Beau King, and Minute Clerk, Tammy Braud.

Confirmation or Adjustments to Agenda

Commissioner Flowers made a motion, second by Commissioner Layel to approve the Agenda as presented.

Motion Carried Unanimously

Approval of Minutes

1. Approval of May 25, 2021 minutes.

Commissioner Debrow made a motion, second by Commissioner Flowers to approve the Minutes of May 25, 2021.

Roll Call

Ayes : Flowers, Debrow, Hector, Layel, Rubar
Torguson

Nays: None

Absent: Hourin,

New Business

2. Public Hearing to consider a recommendation to the City Council regarding the Diamondhead Comprehensive Plan (Envision Diamondhead 2040). Presentation by Robert Barber with Orion Planning.

Mr. Bob Barber with Orion Planning joined via Zoom and presented an over view of Envision Diamondhead 2040 which is being recommended as the Comprehensive Plan for Diamondhead.

Building Official, Ronald Jones, presented the Staff Report to the Commissioners . In the staff report he made a recommendation to adopt Envision Diamondhead 2040 , and to begin to follow and implement the plan each year by allocating the necessary resources for specific projects in the budget.

Chairman Rubar asked for any public comments.

City Manager, Michael Reso spoke in favor ,and thanked the community for their input.

Code Enforcement Officer, Pat Rich read letters of concerns from residents:

Mindy, had concerns with downtown, 2 & 3 story residential , stating they could cause problems.

Ms. Dutton 's letter was read, and Mr. Barber read adjusted comments to her concerns.

Mr. Dan Seliga spoke in favor of Envision Diamondhead.

Commissioner Debrow made a motion, second by Commissioner Layel to recommend that the council accepts the Comprehensive Plan.

Ayes: Flowers, Debrow, Layel, Hector, Rubar Nays: none Absent: Torguson, Hourin

Motion Passed Unanimously

Diamondhead Community Church, represented by Bob Chalmers, has filed an application requesting a variance from the Zoning Ordinance (Article 10.7.d) to place a directional sign at the intersection of Noma Drive and Oak Park Drive that has a copy area of 12 square feet. Maximum copy area is 6 square feet. The variance requested is 6 square feet. The property is located at 5301 Diamondhead Circlet. The tax parcel number is 132A-2-03-027.000. The legal description is PT. NE ¼ Sec. 3-8-14. The property is located in a PFR- Public Facilities & Recreation zoning district. Maximum copy area is 6 square feet. The Case Number is 202100177.

Code Enforcement Officer, Pat Rich, addressed and answered questions from the Commissioners.

Chairman Rubar asked if anyone was present to represent Diamondhead Community Church.

Bob Chalmers spoke and answered questions from the Commissioners.

Chairman Rubar asked for any Pubic Comments

Greg Cullone spoke in favor of the variance.

L. K. " Skip" Giffin Jr. was opposed of the variance.

Code Enforcement Officer, Pat Rich, presented the Staff Report to the Commissioner with a recommendation to deny the request.

Commissioner Layel made a motion, second by Commissioner Hector to accept the recommendation to deny the request to the City Council.

Roll Call

Ayes: Flowers, Layel, Hector, Debrow, Rubar Nays: None Absent: Hourin, Torguson

Motion Carried Unanimously

4. Phillip Sutton has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence starting 8.5' from the southeast corner of the house, continuing toward Pokai Street for 24' and then continuing east along Pokai Street for 48'. This is a corner lot with 2 front setbacks and 2 front facades. The Ordinance states a privacy fence cannot extend beyond the front façade of the house. The variance requested is 8.5' from the front façade (southeast corner) and 24' towards Pokai Street. The property address is 97440 Diamondhead Drive West. The tax parcel number is 067K-1-36-0567.000. The legal description is Diamondhead Subdivision Phase #2, Unit 4A, Block 5, Lots 5 & 6. The property is located in a R-2 zoning district. The fence is required to be set back 20' from the front property line but not any closer than the façade of the house.

Code Enforcement Officer, Pat Rich spoke to and answered questions from Commissioners. Mr. Rich read the staff report which gave a recommendation to deny .

Chairman Rubar asked if anyone was present to represent Mr. Sutton.

Mr. Sutton spoke and answered questions from the Commissioners.

A discussion took place ,and the staff recommendation was modified to starting 8.5' from the southeast corner of the house ,continuing towards Pokai St. for 11' and continuing east along Pokai St. at a 90 degree angle 48' or longer.

Chairman Rubar asked for Public Comments.

Commissioner Flowers made a motion, second by Commissioner Hector to approve the modified recommendation to the City Council.

Roll Call

Ayes: Flowers, Layel, Hector, Debrow, Rubar

Nays: None

Absent: Hourin, Torguson

Motion Carried Unanimously

5. Timothy and Gina Stockstill have filed an application requesting a variance from the Zoning Ordinance (Article 4.6.5 E iii) to allow the construction of a screened enclosure of an existing deck which is 4 feet 4 inches from the rear property line. The rear yard setback is a minimum of 20 feet. The variance requested is 17 feet 8 inches. The property address is 689 Oahu Street. The tax parcel number is 067Q-0-36-090.000. The legal description is Diamondhead Subdivision Phase 2, Unit 3, Block 5, Lot 63 and a portion of Lot 64. The property is located in a R-2 zoning district. The case file number is 202100165.

Code Enforcement Officer , Pat Rich , spoke to and answered questions from the Commissioners.

Chairman Rubar asked if anyone was present to represent the Stockstill's.

Gina Stockstill spoke and answered questions from the Commissioners.

Chairman Rubar asked for any public comments.

Penny Crawford, was opposed to the variance. A letter from Charlette Crow and Marlene Johnson opposing the variance was also read. Jeff B. and John Anderson also sent letters in in favor of the variance.

Code Enforcement Officer Pat Rich read the Staff Report recommending to deny the request for reasons listed .

Commissioner Debrow made a motion, second by Commissioner Layel to accept the recommendation and deny the request to the City Council.

Roll Call

Ayes: Flowers, Debrow, Layel, Hector, Rubar Nays: None Absent: Hourin, Torguson

Motion Carried Unanimously

Unfinished Business

None

Open Public Comments to Non-Agenda Items

None

Commissioners' Comments

Chairman Rubar thanked everyone for their patience .

Communication / Announcements

Next City Council meeting July 6, 2021.

Next Planning Commission meeting is July 27, 2021.

Building Official, Ronald Jones asked for a text amendment to the R-2 Zoning Ordinance. The Ordinance would change the side set-backs from 8' to 10'.

Commissioner Flowers made a motion, second by Commissioner Debrow to allow a public hearing for changing the text amendment in an R-2 zoning side set-back ordinance.

Roll Call

Ayes : Flowers, Debrow, Layel, Hector, Rubar Nays: None Absent: Hourin, Torguson

Motion Carried Unanimously

Adjourn or Recess

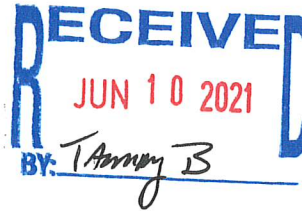
Commissioner Flowers made a motion, second by Commissioner Debrow to adjourn the meeting at 8:03 p.m.

Motion Carried

John Rubar, Chairman
Planning & Zoning

202100212

Item No.3.



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

APPLICATION FOR VARIANCE REQUEST

Case Number: 2021-00212

Date 6-7-21

Applicant: Anthony Diaz

Applicant's Address: 8454 Amoka Dr.

Applicant's Email Address: advantagefive whe @ bell south.net

Applicant's Contact Number: (Home) _____ (Work) _____ (Cell) 985-290-8925

Property Owner: Anthony Diaz

Owner's Mailing Address: 8454 Amoka Dr.

Owner's Email Address advantagefive whe @ bell south.net

Owner's Contact Number: (Home) _____ (Work) _____ (Cell) 985-290-8925

Tax Roll Parcel Number: 0108J-1-41-325.000

Physical Street Address: 8454 Amoka Dr.

Legal Description of Property: _____

Zoning District: _____

State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)

(Signage-Size-Height) Requesting to move fence on the left side to fence in window for better security of the Home.

REQUIRED ITEMS:

- A. A statement describing the variance request and all the reasons why it complies with the criteria for variances provided in Section 2.6.5, specifically,
THE CONDITIONS FOR GRANTING A VARIANCE: (SEE ATTACHED SHEET #4)
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?
 2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?
 3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?
 4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?
- B. The property address and the name and mailing address of the owner of each lot within 300 feet of the subject property and a map with parcels keyed to the ownership and address data.
- C. Site plans, preliminary building elevation, preliminary improvement plans, or other maps or drawings, sufficiently dimensioned as required to illustrate the following, to the extent related to their variance application:
- i. Existing and proposed location and arrangement of uses on the site, and on abutting sites within 100 feet.
 - ii. Existing and proposed site improvements, buildings, and other structures on the site, and any off-site improvements related to or necessitated by the proposed use. Building elevations shall be sufficient to indicate the general height, bulk, scale, and architectural character.
 - iii. Existing and proposed topography, grading, landscaping, and screening, irrigation facilities, and erosion control measures.
 - iv. Existing and proposed parking, loading, and traffic and pedestrian circulation features, both on the site and any off-site facilities or improvement related to or necessitated by the proposed use.
 - v. The Zoning Administrator may request additional information necessary to enable a complete analysis and evaluation of the variance request, and determination as to whether the circumstances prescribed for the granting of a variance exist.
 - vi. A fee established by the City Council shall accompany the application. A single application may include request for variances from more than one regulation applicable to the same site, or for similar variances on two or more adjacent parcels with similar characteristics.
- D. Payment of fee for Variance request: \$100.00 as per Ordinance 2012-020

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. *7 (+1.00 A/H fee) - total of 101.00*

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 July 27, 2021 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 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 ()

REQUIRED ITEM AProperty Owner Anthony DiazStreet Address 8454 Amoka Dr., Diamondhead

Statement Describing Variance Request

Requesting to move fence installation 10'
on the left side of home to secure the window
within the fence for security + privacy.

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: this would only affect the land and
structure, no other surroundings

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

Response: Safety + privacy

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

Response: the conditions are not caused by
the owner

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

Response: It would not give the owner special
privileges or rights.



5000 Diamondhead Circle • Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

TO: Anthony Diaz and adjacent property owners

FROM: J. Pat Rich, Planning and Zoning Administrator

A handwritten signature in black ink, appearing to read "J. Pat Rich", is written over the printed name.

DATE: July 9, 2021

SUBJECT: Notice of Public Hearing

Anthony Diaz has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence starting 40' from the southeast corner of the house towards Amoka Drive, extending 10' towards Ike Drive then along Ike Drive to the southwest rear property line. The variance requested is 40' from the front façade of the house (southeast corner) and 6' from the front property line (Ike Drive side).

The property address is 8454 Amoka Drive. The tax parcel number is 068J-1-41-325.000. The legal description is Diamondhead Subdivision Phase #2, Unit 11, Block 7, Lot 4. The property is located in an R-2 zoning district. Corner lots have two front yard setbacks and two front facades (along each street). The fence is required to be set back 20' from the front property line but not any closer than the façade of the house. The file case number is 202100212.

In accordance with the Comprehensive Zoning Ordinance Article 2.6.4, 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 time 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, JULY 27, 2021 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.

If you have any questions or comments or would like to review the application, you may contact the Building Department at the above address and/or at 228-222-4626.

NOTICE OF PUBLIC HEARING
PLANNING AND ZONING COMMISSION
DIAMONDHEAD, MS

Anthony Diaz has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence starting 40' from the southeast corner of the house towards Amoka Drive, extending 10' towards Ikeke Drive then along Ikeke Drive to the southwest rear property line. The variance requested is 40' from the front façade of the house (southeast corner) and 6' from the front property line (Ikeke Drive side).

The property address is 8454 Amoka Drive. The tax parcel number is 068J-1-41-325.000. The legal description is Diamondhead Subdivision Phase #2, Unit 11, Block 7, Lot 4. The property is located in an R-2 zoning district. Corner lots have two front yard setbacks and two front facades (along each street). The fence is required to be set back 20' from the front property line but not any closer than the façade of the house.

In accordance with the Comprehensive Zoning Ordinance Article 2.6.4, 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 time period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

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If you have any questions or comments or would like to review the application, you may contact the Building Department at the above address and/or at 228-222-4626.

SOUTHERN EXTERIORS FENCE CO

COMMERCIAL • RESIDENTIAL • INDUSTRIAL • ACCESS CONTROL

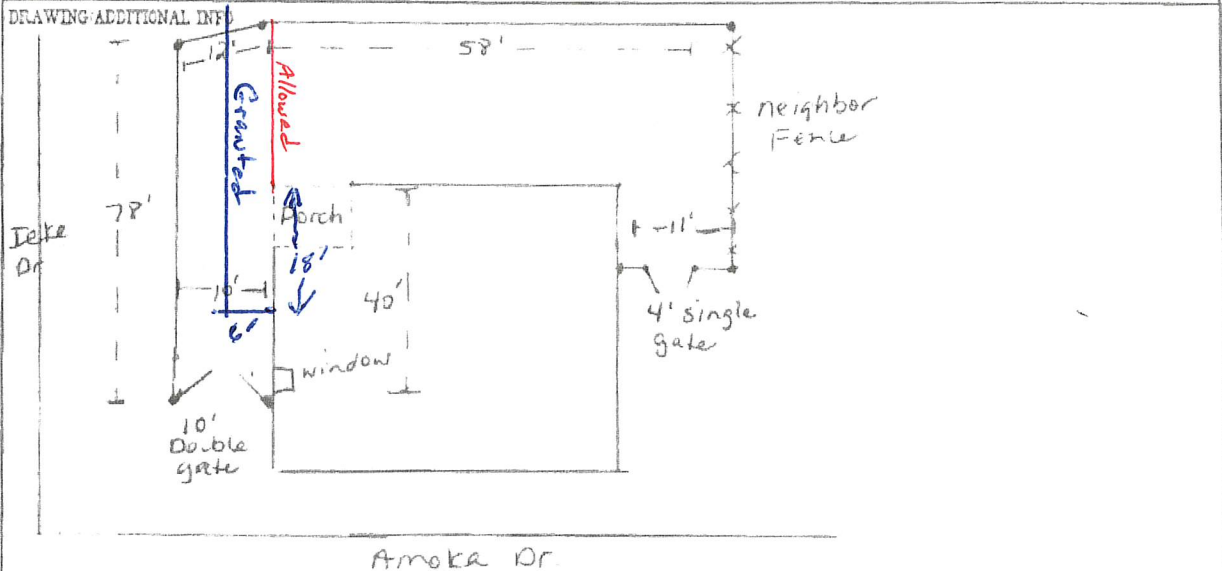
31023 Crane Creek Rd.
Perkinston, MS 39573Office: 228 586 2110
Fax: 228 255 6747

PROPOSAL

TODAY'S DATE: 5-4-21

NAME: Anthony Diaz
 ADDRESS: 8454 Amoka Dr
 Diamondhead, MS
 PHONE: 228-366-4386
 EMAIL: advantagefirewheel@bellSouth.net

We hereby propose to furnish the materials and perform the labor necessary for completion of 6' High Shaverbox
 wood semi-private fence + gates



- ☐ Fence to be on ground - Buyer will fill in extreme low places. Top rail will follow contour of ground. Buyer initial _____
☐ Top rail to be straight - Fence will be off ground in low places. Buyer will fill in if desired. Buyer initial _____

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of _____

Dollars (\$ _____) with payments to be made as follows _____

Any alterations or deviation from above specifications involving extra cost will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Respectfully Submitted _____

Note - This proposal may be withdrawn by us if not accepted within _____ days

LIMITED WARRANTY

Seller warrants that it will repair or replace any defect resulting from labor or installation of the product sold, of which seller is given notice as hereinafter provided. Seller warrants that it will repair or replace any defective part of the fence sold, which defect arises within one year after installation of the fence sold. At the expiration of the time periods set out above, there are no warranties of merchantability or the product and no services rendered in connection with the sale evidenced by this contract. There are no warranties of any kind, express or implied, including implied warranties of merchantability or workmanship. No warranty of warping of wood products, including warping of wood gates. INITIAL _____

CONTRACT CONDITIONS

More of less material other than amount contracted for will be debited or credited at current rate acceptable - the above proposal when accepted by the company, at its main office, becomes a contract between two parties and is not subject to cancellation. Silence on the part of the company shall not be construed as an acceptance of this proposal. In case payment is not made as specified, the company reserves the right to repossess all materials used on this job without recourse. Buyer agrees to a charge of 1 1/2 percent per month or 18% annual percentage rate in past due balance and to pay a reasonable fee should it become necessary to refer this contract to an attorney for collection. Property owner is solely responsible for locating, staking and clearing fence line. Purchaser also agrees that the company will not be held responsible or liable for any damage of any nature to underground utilities & constructions.

NOTICE: If contract is changed after the erection crew leaves the material there will be a \$10.00 per hour charge for the time lost.

ACCEPTANCE OF PROPOSAL: The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made in full upon completion. DATE _____ SIGNATURE _____

FOR OFFICE USE ONLY

NO PROPERTY IN
 SUBTOTAL _____ TAX _____ TOTAL _____ SEPOC _____

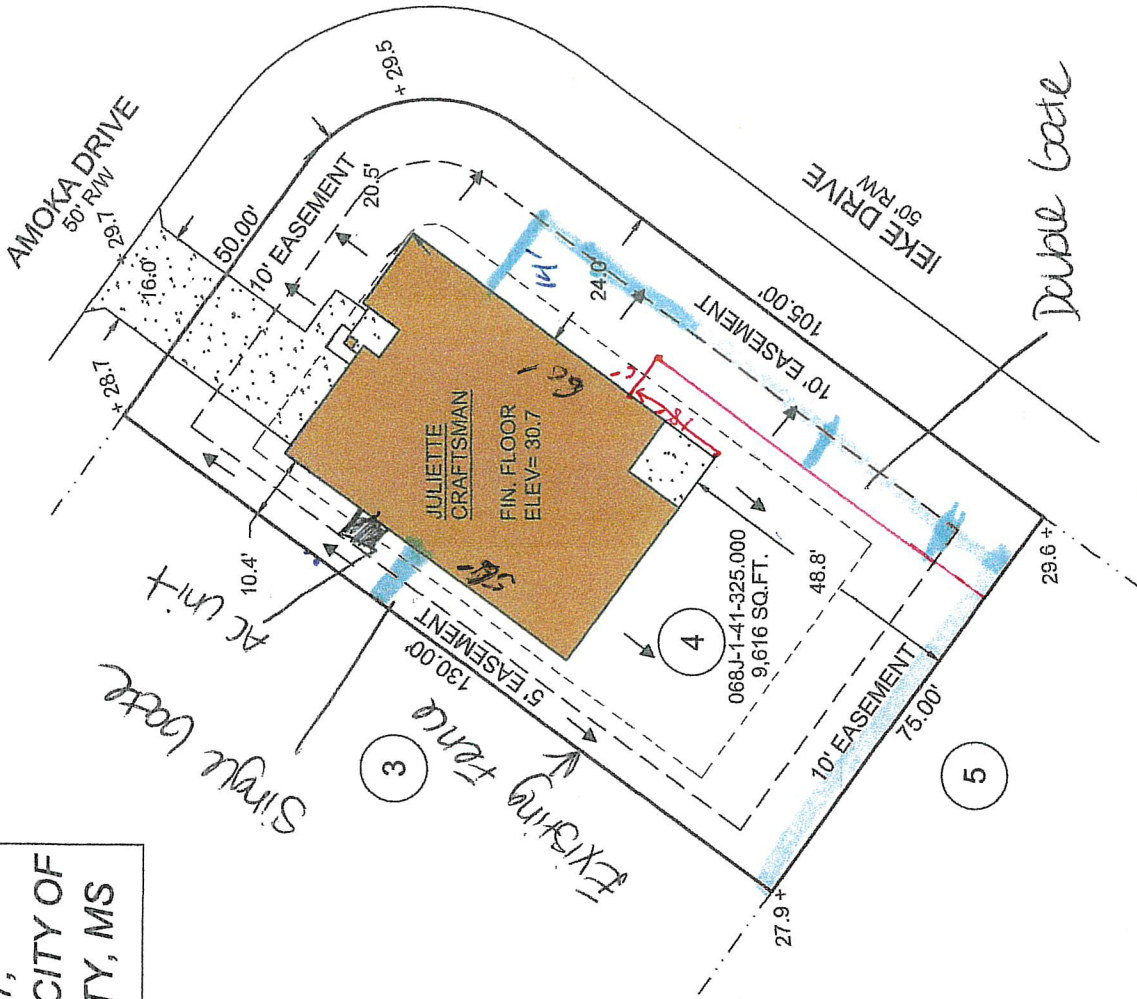
There is a plan for fence free in folder.

Please call after you complete variance form and we will construct the email together.

DH21107004

7,
CITY OF
ITY, MS

1. wanted 10' var FYSB
gave 60' 11 FYSB
2. wanted 40' var FYSB
gave 18 var 11



CROSBY SURVEYING

PROFESSIONAL LAND SURVEYING

716 LIVE OAK DRIVE

BILOXI, MISSISSIPPI 39532

PHONE: 228-234-1649

EMAIL: cliffordcrosby@cableone.net



ZONING ORDINANCE

ARTICLE 4: ZONING DISTRICTS AND USE REGULATIONS

City of Diamondhead, Mississippi

~~Access to D. Detention~~
~~Plant~~

4.19 CHART OF SETBACKS AND RELATED REQUIREMENTS

TABLE 4.1: ZONING DISTRICT SUMMARY SETBACKS AND RELATED REQUIREMENTS							
Summary Data Only - Refer to specific district text for full dimensional requirements and allowances							
Zoning District	Height ¹	Front Yard ²	Side Yard ²	Rear Yard ²	Lot Area ³	Lot Width ²	Density ⁴
R-1 Single-Family	35	20	10 ⁵	20	10,000	80 ⁶	4
R-2 Single-Family	25	35	20 ✓	810 ⁵ ✓	20 ✓	6,000 ✓	60 ⁷ ✓
R-3 Single-Family							
Single-Family Detached	35	20	5 ⁵	20	5,000	50	7
Single-Family 0-Lot Line	35	20	0 ⁵	20	5,000	50	7
Townhouse Units	35	20	0 ⁸	20	6,000 ⁹	14	8.5
All Other Uses	35	20	10 ⁵	20	6,000	60	7
R-4 Multi-Family							
Single-Family Detached	35	20	5 ⁵	20	5,000	50	7
Single-Family 0-Lot Line	35	20	0 ⁵	20	5,000	50	7
Townhouse Units	35	20	0 ⁸	20	6,000 ⁹	14	8.5
Two-Family (Duplex)	35	20	10 ⁵	20	6,000	60	8
Multi-Family	35 ¹⁰	20	10 ⁵	20	9,600 ¹¹	80	20
MH Manufactured Home	35	20	10 ⁵	20	5,000	40	8
C-1 General Commercial	35 ¹⁰	25	5 ^{12, 13}	10 ¹³	none	100	none
C-2 Interstate Commercial/ Gaming/Resort	50 ¹⁴	25	5 ^{12, 13}	10 ¹³	none	100	none
T Technology	35	25	5 ¹³	5 ¹³	none	none	none
I Industrial	35 ¹⁰	25	5 ^{12, 13}	5 ¹³	none	none	none
PR Preservation	35	25	5	5	none	none	none
PFR Public Facilities & Recreation	35 ¹⁰	25	10	25	none	none	none

1. Building height is in feet.

2. Units are in Feet (ft)

3. Units are in Square Feet (sf)

4. Dwelling Units per Acre (DUA)

5. On a corner lot street side yard = front yard

6. 100 ft for corner lots

7. 90' for corner lots

8. 20 ft between building clusters

9. First 2 units, 1,800 sf for each additional unit

10. 50 ft with conditional use approval

11. For first 3 units, 800 sf each additional unit

12. 0 ft is permissible with continuous facade

13. 15 feet when adjacent to a residential use
25 feet when adjacent to a property zoned R-1 or R-2

14. 100 ft with conditional use approval

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

Structures of Diamondhead represented by Jim Grotowski, owner, and Duke Levy, engineer, has submitted "the Sketch Plat for The Preserve Subdivision Phase 2" for review, consideration and approval.

The Sketch Plat is a 24 lot development having lot sizes ranging from the smallest lot of 7,025 sf to the largest lot of 12,906 sf. The total number of acres is approximately 8.97 acres as part of a larger parcel of 28 acres. The current zoning of lots is R-2 medium Density single Family. The property is generally located north of and adjacent to The Preserve Subdivision Phase 1

The Planning Commission shall review and submit a recommendation to the City Council.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, July 27, 2021, 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.

If you have any questions or comments or would like to review the application, you may contact the Building Department at the above address and/or at 228-222-4626.



5000 Diamondhead Circle · Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

TO: Structures of Diamondhead and adjacent property owners

FROM: J. Pat Rich, Planning and Zoning Administrator *J. Pat Rich*

DATE: July 9, 2021

SUBJECT: Notice of Public Hearing

Structures of Diamondhead represented by Jim Grotowski, owner, and Duke Levy, engineer, has submitted "the Sketch Plat for The Preserve Subdivision Phase 2" for review, consideration and approval.

The Sketch Plat is a 24 lot development having lot sizes ranging from the smallest lot of 7,025 sf to the largest lot of 12,906 sf. The total number of acres is approximately 8.97 acres as part of a larger parcel of 28 acres. The current zoning of lots is R-2 medium Density single Family. The property is generally located north of and adjacent to The Preserve Subdivision Phase 1

The Planning Commission shall review and submit a recommendation to the City Council.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, July 27, 2021 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.

If you have any questions or comments or would like to review the application, you may contact the Building Department at the above address and/or at 228-222-4626.

DIAMONDHEAD FIRE PROTECTION DISTRICT

4440 KALANI DRIVE, DIAMONDHEAD MS 39525

May 3, 2020

Re: The Preserve Phase 2 Sketch Plat

Mr. Ron Jones,

The Fire District's two main concerns with this project are access for fire apparatus and water supply. The reference material in evaluating these features is the International Fire Code 2012. Section 503 addresses Fire Apparatus Access Roads, the roads shall have an unobstructed width of not less than 20 feet and clearance of 13 feet 6 inches. I understand at this time there are only 25 plots shown for development and that falls under the requirement for dual access. The Fire District would like to make sure that we do not end up with a situation where that number is expanded past the 30 unit limit without a secondary access road or the buildings should be sprinklered. The other issue I could not evaluate from the sketch plan was the hydrant spacing and flow capability. Hydrants should not be more than 500' apart by road distance. This would be measured from the nearest hydrant on Diamondhead Drive West not the entrance to the development. The minimum flow requirements for hydrants, per section B105, is 1000 GPM for one and two family dwellings less than 3600 ft². Lastly, on access for turning around. The cul de sac needs to be at least 96 feet in diameter. The dead end either needs a temporary turn around, suitable for fire apparatus, until the street is finished through to Highpoint Dr or the bulge in the road near lots 2,3, and 4 needs to be large enough to allow our Ladder truck (36') to turn around in a "T" type maneuver (see attached graphic fig. D103.1). Thank you for keeping us in these discussions.

Sincerely,

Michael O. Munger

Fire Chief

dfd.munger@gmail.com

228-255-5560 (office)

APPENDIX D

FIRE APPARATUS ACCESS ROADS

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

SECTION D101 GENERAL

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code*.

SECTION D102 REQUIRED ACCESS

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).

SECTION D103 MINIMUM SPECIFICATIONS

D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1).

D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as *approved* by the fire chief.

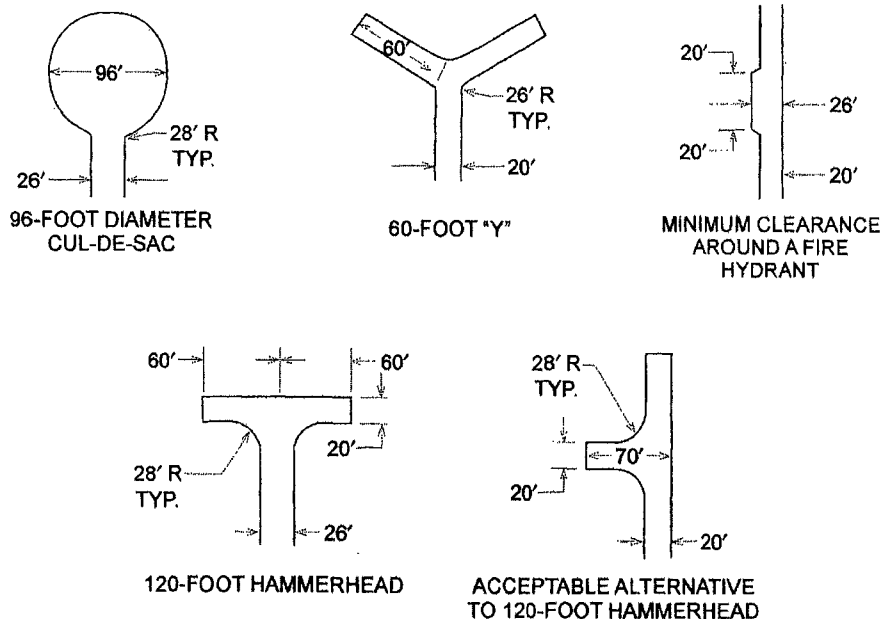
D103.3 Turning radius. The minimum turning radius shall be determined by the *fire code official*.

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

**TABLE D103.4
REQUIREMENTS FOR DEAD-END
FIRE APPARATUS ACCESS ROADS**

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

For SI: 1 foot = 304.8 mm.



For SI: 1 foot = 304.8 mm.

**FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND**

PLAN REVIEW

The Preserve PH 2 Sketch Plat

April 29, 2021

City of Diamondhead
Planning Department
Attn: Ronald Jones, Building Official
5000 Diamondhead Circle
Diamondhead, MS 39525

RE: Plan Review The Preserve PH 2 Sketch Plat

We have completed our review of the Sketch Plat for the above referenced project. Please see the list of items below that need to be provided or corrected. Please note, this review does not relieve the original engineer and/or surveyor of his/her responsibility to ensure that the drawings meet all subdivision regulations.

This review is based on the following codes:

- Subdivision Regulations of City of Diamondhead, Mississippi
July 15, 2020

Project Location:


NO ADDRESS PROVIDED
Diamondhead, MS 39525

PART A: Civil Review

- A1. Identify and delineate all special flood hazard areas.
- A2. Identify the street alignment and width of all public dedicated streets.
- A3. Identify all existing utilities.
- A4. Identify all regulatory wetlands.
- A5. Identify all adjoining landowners.
- A6. Provide a cul-de-sac at the southwest side of the subdivision, where the road appears to dead-end at the 16th Fairway. No dead-end streets will be allowed and the cul-de-sac shall be designed to meet the requirements of Section 308.6 of the Subdivision Regulations.
- A7. Ensure the cul-de-sac at the east end of the subdivision is designed to meet the requirements of Section 308.6 of the Subdivision Regulations.
- A8. Minimum radii of curvature on the center line for minor streets shall be one hundred (100) feet. Center line radius at Lot 11 appears to be less than 100 feet.
- A9. The tangent between reversed curves for minor streets shall be minimum fifty (50) feet long. It appears the tangent at the reversed curve at Lots 11 & 12 does not meet this requirement.

A10. Street corners of intersections of residential minor and cul-de-sac streets shall have a minimum radius of twenty-five (25) feet. Adjust all street corners to meet this requirement.

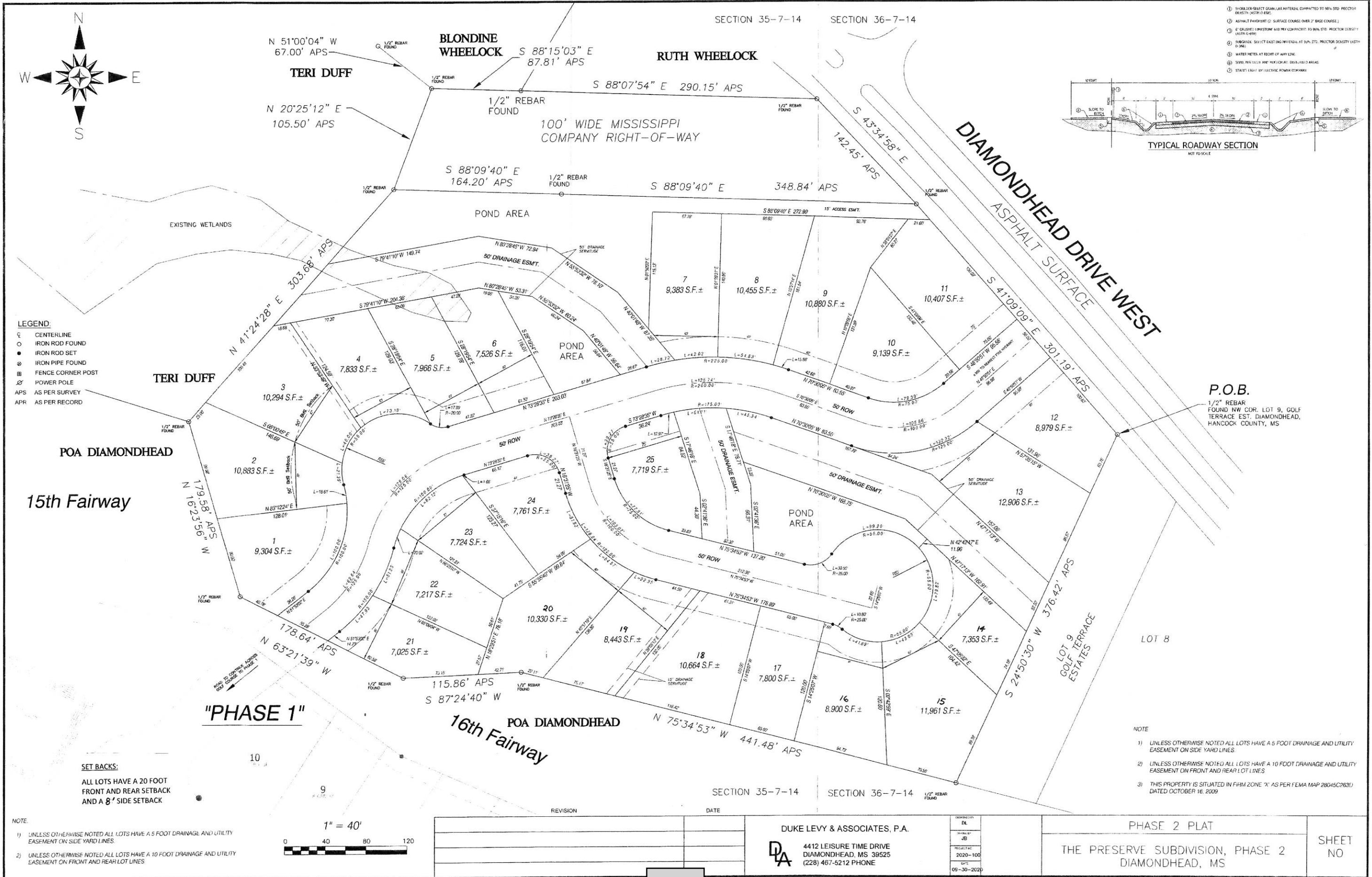
Sincerely,



Machado | Patano

Gerrod Kilpatrick, P.E.

Principal



ZONING ORDINANCE

ARTICLE 4: ZONING DISTRICTS AND USE REGULATIONS

City of Diamondhead, Mississippi

4.19 CHART OF SETBACKS AND RELATED REQUIREMENTS

TABLE 4.1: ZONING DISTRICT SUMMARY SETBACKS AND RELATED REQUIREMENTS****Summary Data Only - Refer to specific district text for full dimensional requirements and allowances****

Zoning District	Height ¹	Front Yard ²	Side Yard ²	Rear Yard ²	Lot Area ³	Lot Width ²	Density ⁴
R-1 Single-Fan	35	20/25	10 ⁵ ✓	20 ✓	10,000 ✓	80 ⁶ ✓	4 ✓
R-2 Single-Family	35	20/25	8/10 ⁵ ✓	20 ✓	6,000 ✓	60 ⁷ ✓	7
R-3 Single-Family							
Single-Family Detached	35	20	5 ⁵	20	5,000	50	7
Single-Family 0-Lot Line	35	20	0 ⁵	20	5,000	50	7
Townhouse Units	35	20	0 ⁸	20	6,000 ⁹	14	8.5
All Other Uses	35	20	10 ⁵	20	6,000	60	7
R-4 Multi-Family							
Single-Family Detached	35	20	5 ⁵	20	5,000	50	7
Single-Family 0-Lot Line	35	20	0 ⁵	20	5,000	50	7
Townhouse Units	35	20	0 ⁸	20	6,000 ⁹	14	8.5
Two-Family (Duplex)	35	20	10 ⁵	20	6,000	60	8
Multi-Family	35 ¹⁰	20	10 ⁵	20	9,600 ¹¹	80	20
MH Manufactured Home	35	20	10 ⁵	20	5,000	40	8
C-1 General Commercial	35 ¹⁰	25	5 ^{12, 13}	10 ¹³	none	100	none
C-2 Interstate Commercial/ Gaming/Resort	50 ¹⁴	25	5 ^{12, 13}	10 ¹³	none	100	none
T Technology	35	25	5 ¹³	5 ¹³	none	none	none
I Industrial	35 ¹⁰	25	5 ^{12, 13}	5 ¹³	none	none	none
PR Preservation	35	25	5	5	none	none	none
PFR Public Facilities & Recreation	35 ¹⁰	25	10	25	none	none	none

1. Building height is in feet.

2. Units are in Feet (ft)

3. Units are in Square Feet (sf)

4. Dwelling Units per Acre (DUA)

5. On a corner lot street side yard = front yard

6. 100 ft for corner lots

7. 90' for corner lots

8. 20 ft between building clusters

9. First 2 units, 1,800 sf for each additional unit

10. 50 ft with conditional use approval

11. For first 3 units, 800 sf each additional unit

12. 0 ft is permissible with continuous facade

13. 15 feet when adjacent to a residential use

25 feet when adjacent to a property zoned R-1 or R-2

14. 100 ft with conditional use approval



June 22, 2021

Mr. Ronald Jones
Building Official
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

RE: Casano - Koula Drive and Iona Street Development
Sketch Plat Review

Dear Mr. Jones,

As requested, we have reviewed the sketch plat for The Casano - Koula Drive and Iona Street Development and offer the following comments/questions:

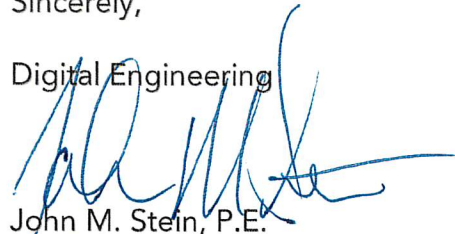
1. The proposed detention appears small. Plans shall, include detailed stormwater runoff control measures including retention and/or detention ponds capable of retaining both "during construction" and "post-construction" sediments and of holding a volume of stormwater equal to a five-year storm based on south Mississippi average rainfalls for urbanized areas wherein the rainfall duration is one (1) hour at a rainfall intensity of three (3) inches per hour. Runoff shall be drained on-site to retention ponds and allowed to discharge at a rate no greater than the average discharge prior to development. This the minimum size required.
2. How will all the storm water runoff be drained to the detention ponds?
3. Since the overall subdivision will be 19.86 acres; a large stormwater permit will be required to be submitted to MDEQ.
4. The extension of Koula St is skewed and does not match up well with the existing street. It appears to go through an existing driveway.
5. Site Data Table: RI-2 side yard setback is 8 feet, not 5 feet.
6. Numerous lots zoned RI-1 do not comply with the minimum lot width of 80' at the setback line.

digital engineering

Mr. Jones
June 22, 2021
Page 2 of 2

Sincerely,

Digital Engineering

A handwritten signature in blue ink, appearing to read 'John M. Stein', is written over the text 'Digital Engineering'.

John M. Stein, P.E.
Manager of Engineering Operations

DIAMONDHEAD FIRE PROTECTION DISTRICT

4440 KALANI DRIVE, DIAMONDHEAD MS 39525

June 24, 2021

Re: Casano Koula Drive

Mr. Ron Jones,

The Fire District's two main concerns with this type of development are access for fire apparatus and water supply. The reference material in evaluating these features is the International Fire Code 2012. Section 503 addresses Fire Apparatus Access Roads, the roads shall have an unobstructed width of not less than 20 feet and clearance of 13 feet 6 inches. As the project is drawn at this time, I do not see a problem with multi route access since they are proposing dual access on the first and second phases. I could not evaluate from the sketch plan hydrant spacing or flow capability. Hydrants should not be more than 500' apart by road distance. This would be measured from the nearest existing hydrant, not the entrance to the development. The minimum flow requirements for hydrants, per Section B105, is 1000 GPM for one and two family dwellings less than 3600 ft². Thank you for keeping us in these discussions.

Sincerely,



Michael O. Munger

Fire Chief

dfd.munger@gmail.com

228-255-5560 (office)



2020 3911
Recorded in the Above
Deed Book & Page
04-17-2020 03:43:19 PM
Timothy A Kellar
Hancock County

THIS INSTRUMENT PREPARED BY:

Carl Joffe, Attorney at Law
4401 East Aloha Drive
Diamondhead, MS 39525
228-255-9130
Mississippi Bar #3099

RETURN TO:

Casano Law Firm
4403 East Aloha Drive
Diamondhead, MS 39525
228-255-0035

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

WARRANTY DEED

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 which is hereby acknowledged,

PURCELL CO., INC., a Delaware Corporation,
(formerly Diamondhead Corporation), the "Grantor"
4401 East Aloha Drive
Diamondhead, Mississippi 39525
(228) 255-9130

acting by and through its undersigned duly authorized officers, does hereby, subject to all terms, reservations, conditions, exceptions, easements and restrictions hereinafter specified, sell, convey and warrant unto

MDGA, LLC, the "Grantee"
4403 East Aloha Drive
Diamondhead, Mississippi 39525
(228) 255-0035

that certain property situated in the City of Diamondhead, and being in Hancock County, Mississippi, more particularly described on Exhibit "A", which is attached hereto and made a part hereof.

INDEXING INSTRUCTIONS: NW ¼ of Section 2, Township 8 South, Range 14 West, Hancock County, Mississippi.

2020 3912
Deed Book & Page

By acceptance of delivery of this Deed, the Grantee accepts the property herein conveyed and all improvements thereon, without warranty of condition or representation as to condition, and accepts the property in its present condition.

This conveyance is made subject to: (1) the reservation of oil, gas and other minerals; (2) any unrecorded utility easements and all utility, drainage or other easements or restrictive covenants recorded in the Office of the Chancery Clerk of Hancock County, Mississippi; (3) the lien of the State of Mississippi, the City of Diamondhead and Hancock County for taxes for the current year which have been accrued but are not yet payable; and, (4) any improvements made to the afore described property including any signs located on the property, and any structures placed thereon by Grantee, its successors or assigns, shall only be made with the prior written architectural approval of Grantor, which approval shall not be unreasonably withheld.

Grantor warrants payment of all taxes up to and including the year 2019. Taxes for the current year shall be prorated at closing and assumed by the Grantee. All subsequent years' taxes are assumed by the Grantee herein.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed by its authorized officers this 15th day of April, 2020.



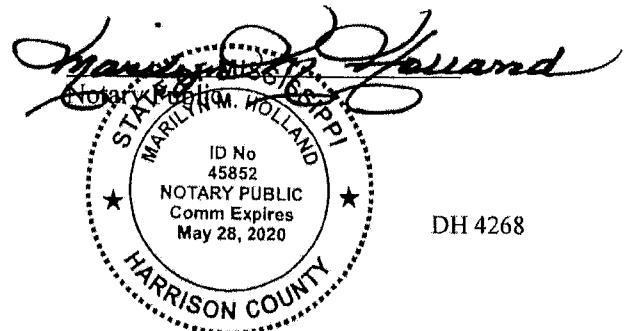
PURCELL CO., INC.

By: Artis E. James, Jr.
ARTIS E. JAMES, JR.
Vice President

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

Personally appeared before me, the undersigned authority in and for the said county and state, on this 15th day of April, 2020. within my jurisdiction, the within named ARTIS E. JAMES, JR. and CARL H. JOFFE, who acknowledged that they are the Vice President and Secretary, respectively, of PURCELL CO., INC., a Delaware corporation, and that for and on behalf of the said corporation, and as its act and deed they executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

My Commission Expires: 5/28/20



DH 4268

EXHIBIT "A"

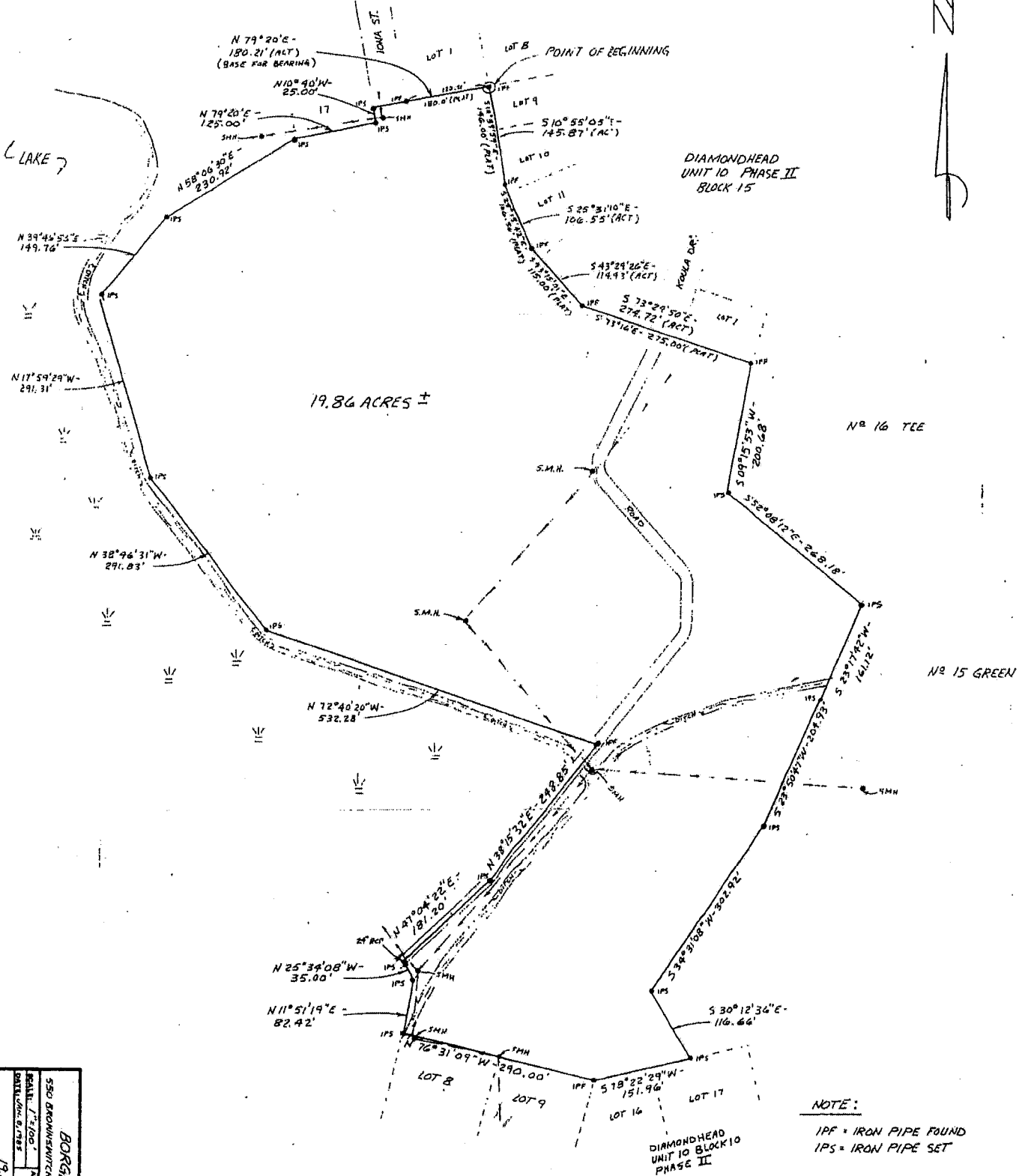
All that certain parcel of land being situated in Diamondhead, Section II, and the John B. Ladner Claim, Township 8 South, Range 14 West, Hancock County, Mississippi, being more fully described as follows:

Beginning at the Northwest corner of Lot 9, Block 13, Unit 10, Phase II, Diamondhead; said corner also being the point of beginning. Thence along the boundary of Block 13, Unit 10 and Phase II, S10°55'05"E a distance of 145.87' to a point; thence along the boundary of the above said Block, Unit, and Phase II, S25°31'10"E a distance of 106.55' to a point; thence along the boundary of above said Block, Unit and Phase, S43°29'26"E a distance of 114.93' to a point; thence along the boundary of above said Block, Unit and Phase, S73°29'50"E a distance of 274.72' to the Southeast corner of Lot 1, Block 15, Unit 10 and Phase II, Diamondhead; thence S09°15'53"W a distance of 200.68' to a point; thence S52°08'12"E a distance of 268.18' to a point; thence S23°17'42"W a distance of 161.12' to a point; thence S23°50'47"W a distance of 204.93' to a point; thence S34°31'08"W a distance of 302.92' to a point; thence S30°12'36"E a distance of 116.66' to the Northwesterly Boundary Line of Lot 17, Block 10, Unit 10, Phase II, Diamondhead; thence along the boundary line of Block 10, Unit 10, Phase II, S78°22'29"W a distance of 151.96' to a point; thence along the boundary of above the said Block 10, Unit 10, Phase II, N76°31'09"W a distance of 290.00' to a point; thence N11°51'19"E a distance of 82.42' to a point; thence N25°34'08"W a distance of 35.00' to a point; thence N47°04'22"E a distance of 181.20' to a point; thence N38°15'32"E a distance of 248.85' to a point; thence N72°40'20"W a distance of 532.28' to a point; thence N38°46'31"W a distance of 291.83' to a point; thence N17°59'29"W a distance of 291.31' to a point; thence N39°46'56"E a distance of 149.76' to a point; thence N58°06'30"E a distance of 230.92' to the Southwest corner of Lot 17, Block 12, Unit 10, Phase II, Diamondhead; thence N79°20'00"E a distance of 125.00' along the Southerly boundary line of Lot 17, Block 12 in the above mentioned Unit and Phase; thence N10°40'00"W a distance of 25.00' to the Westerly right-of-way line of Iona Street; thence North 79°20'00"E a distance of 180.21' to the point of beginning. Containing in all 19.86 acres of land, more or less.

BLOCK 12

BLOCK 13

Exhibit "A"



19.86 ACRES ±

N° 16 TEE

N° 15 GREEN

NOTE:
IPF = IRON PIPE FOUND
IPS = IRON PIPE SET

THIS SURVEY IS CERTIFIED TRUE &
CORRECT TO PURCELL CO., INC. BY:

DUKE LEVY JR.
MISS. REG. AND SURVEYOR N°1722

NOTE: THIS SURVEY INCLUDES
AND REPLACES BORGES. ENG.
DWG. NO. 41188

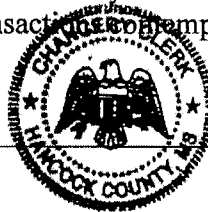
BORGES ENGINEERING
550 BROWNVIEW ROAD
SCALE: 1"=100'
DATE: 08/17/20
DRAWN BY: [Signature]
CHECKED BY: [Signature]
DIAMONDHEAD, HANCOCK COUNTY, MISSISSIPPI
PURCELL CO., INC.
42025

CERTIFIED COPY OF CORPORATE RESOLUTION

"RESOLVED, that the President or any Vice President of this Corporation be, and they are hereby authorized, empowered and directed in the name of and on behalf of this Corporation to convey any or all of the Corporation's interest in any residential lots, any residential lot improved with a residential shelter unit, or any commercial or other real property owned by the Corporation at such prices and upon such terms as said officer(s) deem advisable, situated in the following described real estate developments:

Diamondhead, Hancock County, Mississippi; Lake Arrowhead, Cherokee County, Georgia; Lake Forest, Baldwin County, Alabama; Newport on Lake Houston, Harris County, Texas; Sandpiper Cove, Okaloosa County, Florida.

BE IT FURTHER RESOLVED, that said officers be and they are hereby authorized to execute and deliver any and all sales contracts, deeds, seller's affidavits, settlement statements and any other instruments and to take any and all such actions as they in their sole discretion may deem necessary, appropriate or desirable in order to carry out the transactions contemplated by the foregoing resolution."



Hancock County
I certify this instrument was filed on
04-17-2020 03:43:19 PM
and recorded in Deed Book
2020 at pages 3911 - 3915
Timothy A Kellar

SECRETARY'S CERTIFICATE

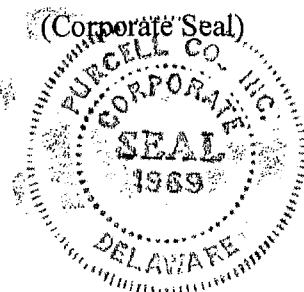
This is to certify that the foregoing is a true and correct copy of Resolutions adopted by the Board of Directors of Purcell Co., Inc., at a meeting held at the Corporation's office in Diamondhead, Mississippi on the 29th day of June, 1987; that the foregoing Resolutions were duly adopted, are incorporated in the minutes of said Corporation and are now in full force and effect.

This is to further certify that as of this date the following are duly elected and qualified officers of Purcell Co., Inc. who hold the said offices set opposite their names:

Larry D. Johnson, President
Artis E. James, Jr., Vice President
Steven C. Roe, Vice President
Kirk Boswell, Vice President & Treasurer

Billy G. Alexander, Assistant Treasurer
Carl H. Joffe, Secretary
Elizabeth F. York, Assistant Secretary

WITNESS my hand and seal of the Corporation on this the 15th day of April, 2020.




CARL H. JOFFE
Secretary



5000 Diamondhead Circle · Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

TO: MDGA, LLC and adjacent property owners

FROM: J. Pat Rich, Planning and Zoning Administrator *J. Pat Rich*

DATE: July 9, 2021

SUBJECT: Notice of Public Hearing

MDGA, LLC represented by Michael Casano and Kyle Ladner has submitted a Sketch Plat for a new subdivision for review, consideration and approval.

The Sketch Plat is for a 76 single family lot subdivision on a 19.86 Acre tract of land, parcel number 132A-01-03-113.000. The subject property is located in NW ¼ of Section 2 Township 8S Range 14W. The lot sizes range from the smallest of 6,000 sf to the largest lot of 13,368 sf. The property is located East of Kalipekona Way and Kaiki Drive, West of Pine Golf Course Hole # 15 & 16, North of Kaiki Drive and south of Kalipekona Way. Entrances will be the south end of Iona Street, south end of Koula Drive and east end of Hoaka Lane.

The Planning Commission shall review and submit a recommendation to the City Council.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, July 27, 2021 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.

If you have any questions or comments or would like to review the application, you may contact the Building Department at the above address and/or at 228-222-4626.

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

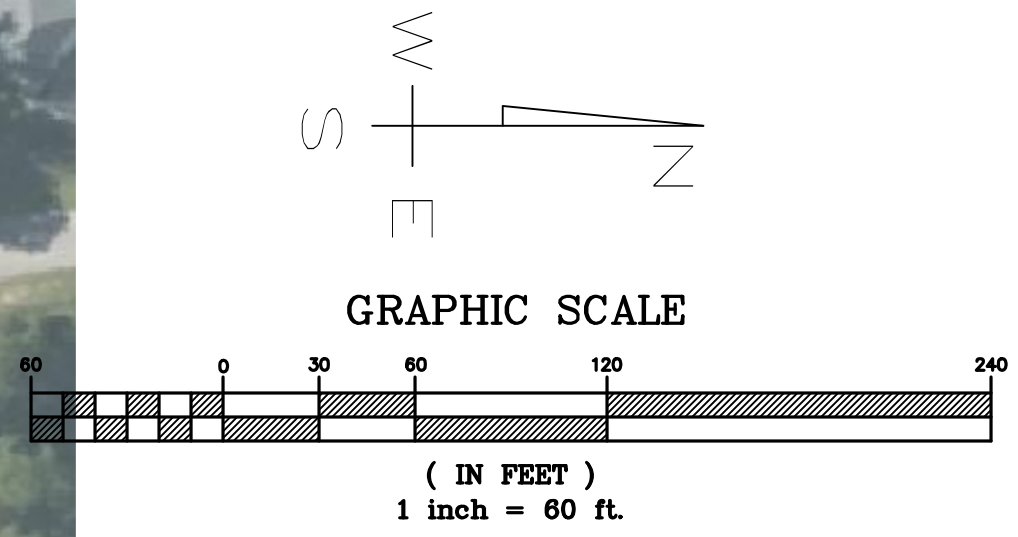
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If you have any questions or comments or would like to review the application, you may contact the Building Department at the above address and/or at 228-222-4626.



BOUNDARY AND TOPOGRAPHIC
INFORMATION BASED ON SURVEY BY
CASSADY-ACADIA LAND SURVEYING, LLC.

SUBJECT PROPERTY LIES WITHIN "X" &
"X500" FLOOD ZONES SHOWN HEREON
PER FEMA PANEL 28045C0244D AND
28045C0263D DATED OCTOBER 16, 2009

<u>SITE DATA TABLE</u>		
ZONING	R-1	R-2
ACREAGE	12.0 AC	7.85 AC = 19.85 AC
MIN. LOT SIZE	80' X 125'	60' X 100'
SETBACKS		
FYSB -	20 FT	20 FT
SYSB -	10 FT	8 FT
RYSB -	20 FT	20 FT

NOTES:

1. EXISTING UTILITIES AND/OR PROPOSED LOT LINE TO BE ADJUSTED TO AVOID CONFLICTS.
2. PERMIT REQUIRED BEFORE REMOVAL OF ANY PROTECTED TREES.
3. THIS LAYOUT IS FOR CONCEPTUAL PURPOSES ONLY.

LEGEND

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↓

— WETLANDS

5.56 AC

EXISTING WETLANDS TO BE MITIGATED
PRIOR TO ANY CONSTRUCTION.

PHASE 1(49 LOTS) –	<div></div>
PHASE 2(24 LOTS) –	<div></div>
<hr/>	
TOTAL LOTS –	73

SKETCH SITE PLAN

SCALE: 1" = 60'-0"

PRELIMINARY SUBDIVISION

HANCOCK COUNTY, MISSISSIPPI
73 SINGLE FAMILY LOTS

TME
TERRY MORAN
ENGINEERING & SURVEYING

n Association With

HEINRICH & ASSOCIATES
RESIDENTIAL & COMMERCIAL DESIGN
1806 23rd Avenue, Suite B - Gulfport, MS 39501
Ph (228) 896-6768

SKETCH SITE PLAN

PRELIMINARY SUBDIVISION
CITY OF DIAMONDHEAD
HANCOCK COUNTY, MS

Project No

21-071

Date

7-26-21

Drawn By

S.G.C

Check By

K.E.D.

REV

Project

DIAMONDHEAD PLANNING AND ZONING COMMISSION

MEETING JULY 27TH. 2021 IN REGARDS TO MDGA, DEVELOPMENT

CONCERNS BY :

JOHN D. THOMAS AND WIFE MIMI PARKER THOMAS 5430 KAIKI DRIVE DIAMONDHEAD, MS
39525 PH. 228-861-1316 CELL

OWNER OF LOTS : 20, 21, 22, 23, 24, 25 AND 26 SEC. 2

1 - DIRECT AND INDIRECT IMPACT OF DOWNHILL AND DOWNSTREAM STORM WATER FLOW AND THE CUMULATIVE EFFECTS ONTO MY PROPERTY - LOTS 20, 25 AND 26

2 - DIRECT AND INDIRECT IMPACT OF STORM WATER ON A HOUSE I PROPOSE TO BUILD ON LOT 26 AT THE END OF HOAKA LN.

3 - THE CHANGE OF ANY ELEVATIONS TO HOAKA LANE WILL DIRECTLY AND INDIRECTLY EFFECT MY EGRESS TO LOTS 25 AND 26 HOAKA LANE.

3 - THE CROSSING OF FEDERALLY PROTECTED WETLANDS WITH A ROAD.


4 - DIRECT IMPACT FROM MDGA DEVELOPMENT AND THE DEGRADATION AND LOSS OF THE WETLANDS FROM THE INCREASE IN STORM WATER FLOW RATES, POLLUTANT INPUTS AND FILL DIRT WILL BE THE DIRECT CAUSE OF INCREASED FLOODING IN THE AJOINING PROPERTIES.

5 - CHANGING ANY NATURAL ELEVATIONS, GRADES OR TOPOGRAPHY WILL CAUSE DIRECT AND INDIRECT WATER DAMAGE TO MY PROPERTY.

6 - DIRECT IMPACT FROM INCREASED WATER STORM FLOWS TO THE POOR CITIZENS THAT LIVE ON KALIPEKONA WAY THAT WERE SO AFFECTED BY FLOOD WATERS DURING KATRINA.

7 - IS THE DEVELOPHER ASKING FOR ANY VARIANCES.

THANKS FOR ALL YOUR CONSIDERATIONS,



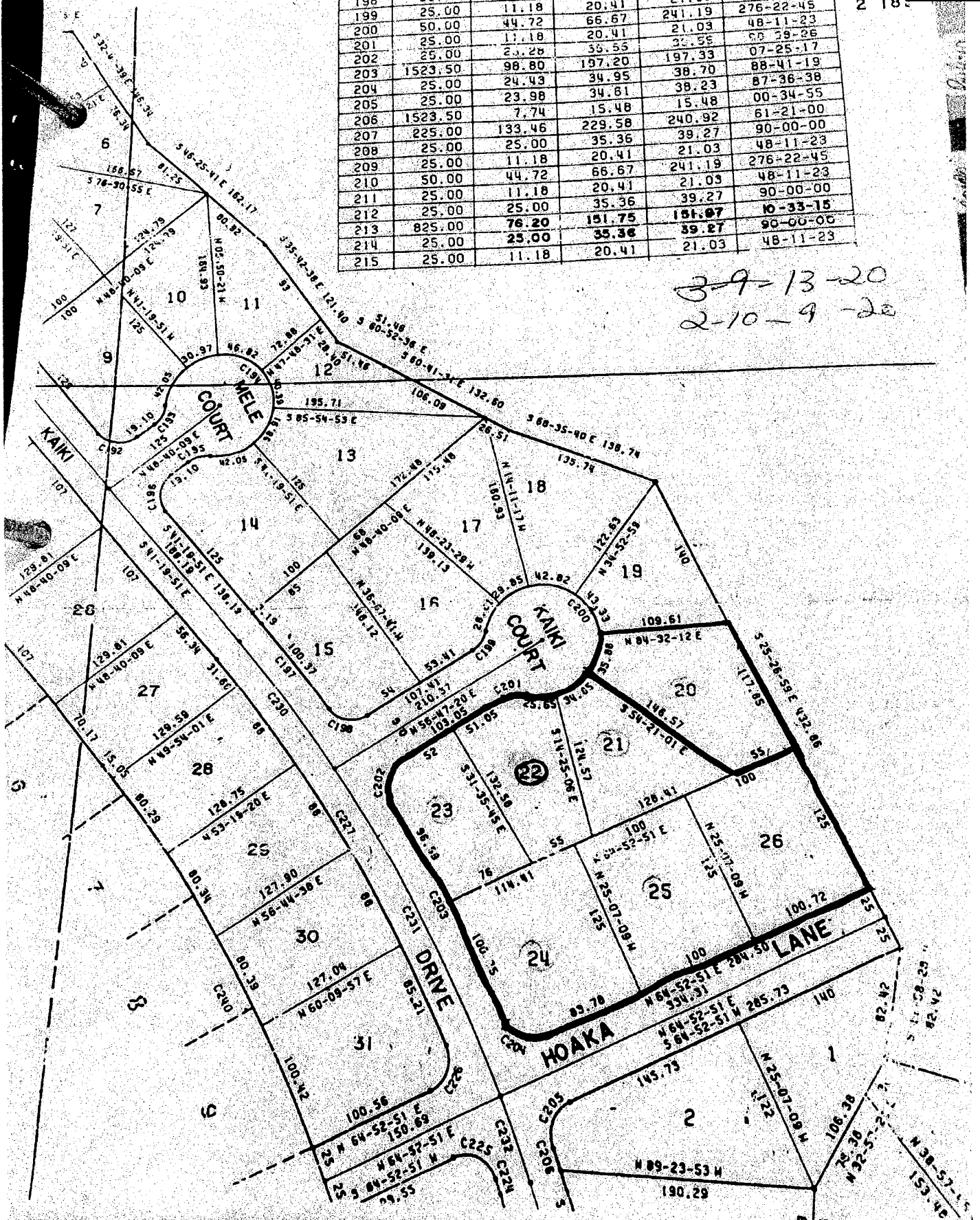
JOHN D. THOMAS



MIMI PARKER THOMAS

198	25.00	25.00	20.41	21.03	48-11-23
199	25.00	11.18	20.41	241.19	276-22-45
200	50.00	44.72	66.67	21.03	48-11-23
201	25.00	11.18	20.41	35.55	50-29-26
202	25.00	24.28	35.55	197.33	07-25-17
203	1523.50	98.80	197.20	38.70	88-41-19
204	25.00	24.43	34.95	38.23	87-36-38
205	25.00	23.98	34.81	15.48	00-34-55
206	1523.50	7.74	15.48	240.92	61-21-00
207	225.00	133.46	229.58	39.27	90-00-00
208	25.00	25.00	35.36	21.03	48-11-23
209	25.00	11.18	20.41	241.19	276-22-45
210	50.00	44.72	66.67	21.03	48-11-23
211	25.00	11.18	20.41	39.27	90-00-00
212	25.00	25.00	35.36	151.07	10-33-15
213	825.00	76.20	151.75	39.27	90-00-00
214	25.00	25.00	35.36	21.03	48-11-23
215	25.00	11.18	20.41		

3-9-13-20
2-10-9-20



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

The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text amendment to require all drawings to be computer aided design (CAD) in the Subdivision Regulations (Ordinance Number 2020-001).

The proposed text amendment shall add to Article 301.4. "All drawings shall be computer aided design (CAD)". The proposed text amendment shall also add to Article 302.1. "All drawings shall be computer aided design (CAD)". The proposed text amendment shall also add to Article 304.1. "All drawings shall be computer aided design (CAD)". Article 304.1 b shall also be amended. After "The plans and specifications shall be prepared in accordance with good engineering practice and City of Diamondhead's design standards". Insert "All drawings shall be computer aided design".

The City Council shall have jurisdiction with respect to all Text Amendments. The Planning Commission shall review and submit a recommendation to the City Council on Text Amendments.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, July 27, 2021 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.

If you have any questions or comments or would like to review the application, you may contact the Building Department at the above address and/or at 228-222-4626.