



Commissioner Bennett
Commissioner Brewer
Commissioner Parrish
Commissioner Peters
Commissioner Lawson
Commissioner Raymond
Commissioner Sutherland

AGENDA

PLANNING AND ZONING COMMISSION

Tuesday, September 23, 2025

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 August 26, 2025 minutes.

Architectural Review

New Business

3. Public hearing on a proposed Text Amendment to Article 4 – Uses and Use Conditions, 4.3.7 Residential Accessory Building. The proposed text amendment is to remove the 10 feet setback from the primary residence requirement. The case file number is 202500573.
4. Public hearing on a proposed Text Amendment to Article 9 – Administration, 9.7 Conditional Use Procedure. The proposed text amendment is to consolidate the timeframe for approval. The case file number is 202500574.
5. Public hearing on a proposed Text Amendment to Article 4 – Uses and Use Conditions, Table 4.1 Use Matrix. The proposed text amendment is to add additional requirements for Boat Storage uses.

Unfinished Business

Open Public Comments to Non-Agenda Items

Commissioners' Comments

Communication / Announcements

6. The next City Council meeting is Tuesday, October 8, 2025.
The next Planning Commission meeting is Tuesday, October 28, 2025.

Adjourn or Recess



Commissioner B
Commissioner B
Commissioner Parrish
Commissioner Peters
Commissioner Lawson
Commissioner Raymond
Commissioner Sutherland

Item No.2.

MINUTES

PLANNING AND ZONING COMMISSION

Tuesday, August 26, 2025

6:00 PM CST

Council Chambers, City Hall
and via teleconference, if necessary

Call to Order

Chairman Brewer call the meeting to order at 6:00 p.m.

Statement of Purpose

Commissioner Peters read The 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.
- 2.

Pledge of Allegiance

Commissioner Raymond led The Pledge of Allegiance.

Roll Call

Present at to nights meeting was : Commissioners Parrish, Bennett, Peters, Raymond and Chairman Brewer.
Absent were: Commissioners Lawson, and Southerland.

Also Present were: City Attorney, Derek Cusick, Development Coordinator, Pat Rich, Building Official, Beau King, Code Enforcement Officer Jasmin Seferovic, and Minute Clerk, Tammy Braud.

Confirmation or Adjustments to Agenda

Motion was made to accept the Agenda as presented by Commissioner Bennett, second by Commissioner Parrish.

Motion Passed Unanimously

Approval of Minutes

1. Approval of July 22, 2025 minutes.

Motion was made by Commissioner Parrish, second by Commissioner Peters to approve the Minutes of July 22, 2025 as presented.

Motion Passed Unanimously

Architectural Review

None

New Business

2. Joshua Matthews has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow an accessory structure (shed) within 4' of the residence. The property address is 96114 Kapalama Dr. The tax parcel number is 067F-1-26-056.000. The property is in a MH zoning district. The setback from the residence is 10'. The variance requested is 6'. The Case File Number is 202500447.

Development Coordinator, Pat Rich spoke to Commissioners about the Variance.

No one was present to represent Joshua Matthews.

Chairman Brewer asked for Public Comments

Ms. Lisa Clark who is the neighbor that owns the property behind Mr, Matthews spoke to Commissioners and answered their questions. She would like the Commissioners to Deny the request because it would lessen the value of her property.

Development Coordinator, Pat Rich asked the Commissioner to Table the Variance to discuss a different plan with Mr. Matthews that might not require a variance.

Motion was made by Commissioner Bennett, second by Commissioner Peters to Table this Variance.

Motion Passed Unanimously

3. Albert Chase has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow a carport addition within 6' of the side yard property line. The property address is 6810 Apona St. The tax parcel number is 131A-0-01-064.000. The property is in a R-6 zoning district. The side yard setback for an addition is 10'. The variance requested is 4'. The Case File Number is 202500503.

Development Coordinator, Pat Rich explained the reason for the variance to Commissioners.

Albert Chase was present at tonight's meeting and spoke and answered questions from the Commissioners.

Chairman Brewer asked for public comments. There were none.

Development Coordinator, Pat Rich read the Staff Report recommending approval of this Variance.

Motion was made by Commissioner Peters, second by Commissioner Raymond to accept the recommendation and approved to the City Council.

Motion Passed Unanimously

4. Reid A. Parker has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow an addition (covered patio) within 0' of the rear yard setback. The property address

is 3 Whispering Branch Way. The tax parcel number is 123A-3-03-028.000. The property is in a R-3 zoning district. The rear yard setback for an addition is 20'. The variance requested is 20'. The Case File Number is 202500448.

Development Coordinator , Pat Rich explain the Variance request to the Commissioners.

Chairman Brewer asked for Public Comments. There was None.

Reid Parker was present at the meeting , and spoke to Commissioners, and answered their questions.

Development Coordinator read the staff report with the recommendation to deny the request.

Motion was made by Commissioner Raymond, second by Commissioner Bennett to accept the recommendation and Deny the Variance as petitioned.

Motion Passed Unanimously

5. The City of Diamondhead will hold a public hearing on a proposed Text Amendment to the Sign Ordinance Article 8, Table 8.3.a – Open House or Real Estate Signs. The proposed text amendment is to remove Special Condition “Permitted only on weekends from Friday 5 pm until 30 minutes after sunset on Sunday”. The Case File Number is 202500501.

Chairman Brewer opened the Public Hearing at 6:50 p.m.

Chairman Brewer asked for Public Comments. They had None.

Chairman Brewer closed the Hearing at 6:51 p.m.

Staff had no recommendation.

Motion was made by Commission Bennett, second by Commissioner Peters to Change the Ordinance letting Real Estate signs and Open House signs stay up 7 days a week , 24 hrs a day to the City Council

All Commissioner voted yea except for Commissioner Parrish who voted Nay.

Motion Passed

6. The City of Diamondhead will hold a public hearing on a proposed Text Amendment to Article 3 – Districts and 4.3.7 Residential Accessory Building, Structure or Use. The proposed text amendment is to change the rear yard setback in residential districts where the property abuts canals or waterways to 10' building and 5' for accessory structures. The Case File Number is 202500501.

Chairman Brewer opened the Public Hearing at 7:04 p.m.

Chairman Brewer asked for Public Comments. They had None.

Chairman Brewer closed the hearing at 7:05 p.m.

Development Coordinator , Pat Rich read the recommendation to Approve the changes

Commissioner made a motion, second by Commissioner Parrish to accept the recommendation and approve the request to City Council.

Motion Passed Unanimously

7. The City of Diamondhead will hold a public hearing on a proposed Text Amendment to Article IX – Low-speed Vehicles and Golf Carts, Section 30-293 d. The proposed text amendment is to remove “, cross Interstate Highway 10 at the exit 16 overpass or”. The intent is to allow these vehicles to cross Exit 16 overpass of Interstate Highway 10. The Case File Number is 202500500.

Chairman Brewer open the Public Hearing at 7:06 p.m.

Chairman Brewer asked for any Public Comments. They had None.

Chairman Brewer closed the hearing at 7:07 p.m.

Development Coordinator, Pat Rich read the recommendation to approve the change once pathway is opened and safe.

Commissioner Parrish made a motion, second by Commissioner Bennet to accept the recommendation and approve to City Council.

Motion Passed Unanimously

Unfinished Business

None

Open Public Comments to Non-Agenda Items

None

Commissioners' Comments

None

Communication / Announcements

8. The next City Council meeting is Tuesday, September 2, 2025.

The next Planning Commission meeting is Tuesday, September 23, 2025.

Adjourn or Recess

Commissioner Raymond made a motion, second by Commissioner Peters to adjourn the meeting at 7:14 p.m.

Motion Passed Unanimously

S. Brewer, Chairman
Planning & Zoning

Proposed changes in Red.

4.3.7 Residential Accessory Building, Structure or Use.

b) General Accessory Structures.

v. Setbacks: The structure shall not be located in front of ~~nor within 10 feet~~ of the principal building and not within five feet from a side lot line, nor within 10 feet of a rear lot line. If the height exceeds 15 feet, the accessory structure shall meet the required setbacks of the primary structure.

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

20250923

The City of Diamondhead will hold a public hearing on a proposed Text Amendment to Article 4 – Uses and Use Conditions, 4.3.7 Residential Accessory Building. The proposed text amendment is to remove the 10 feet setback from the primary residence requirement.

In accordance with Article 9.10.6, the City Council shall have jurisdiction with respect to all Text Amendments and Rezoning. The Planning Commission shall review and submit a recommendation to the City Council on Text Amendments and Rezoning.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, September 23, 2025, 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 J. Pat Rich, Development Coordinator, at prich@diamondhead.ms.gov or 228-242-1613.

Proposed changes are in Red.

9.7 Conditional Use Procedure.

9.7.1 Purpose. The purpose of this procedure is to provide for review and discretionary approval of uses typically having unusual site development features or unique operating characteristics requiring special consideration so that they may be located, designed, and operated compatibly with uses on surrounding properties. The Conditional Use Procedure process is intended to ~~encourage broad public review and to~~ ensure adequate mitigation of potentially unfavorable impacts. **9.7.2 Jurisdiction.** The Zoning Administrator shall be responsible for administration of the Conditional Use procedure, and the Planning Commission shall be responsible for review, evaluation, and recommendation to the Mayor and City Council. Final action, approval and imposition of conditions shall lie with the Mayor and City Council.

9.7.2 Jurisdiction. The Zoning Administrator shall be responsible for administration of the Conditional Use procedure. ~~, and the Planning Commission shall be responsible for review, evaluation, and recommendation to the Mayor and City Council.~~ Final action, approval and imposition of conditions shall lie with the ~~Mayor and City Council~~ Zoning Administrator. An aggrieved party may appeal such decision to the Planning Commission and, if necessary, to the City Council.

~~**9.7.4 Staff Review.** Within 10 days of the receipt of an application for Conditional Use, the Zoning Administrator shall transmit a full and complete copy of the application and provide any reports, comments, or recommendations made during staff review regarding the subject application to the Planning Commission.~~ **9.7.5 Public Hearing and Notice.**

9.7.5 Public Hearing and Notice.

~~a) At its next regular meeting following the receipt of an application for Conditional Use, but in any event within 45 days of receipt of such application by the Zoning Administrator, the Planning Commission shall recommend approval or disapproval the application along with any conditions related thereto.~~

~~b) The Planning Commission shall hold a public hearing on each application for a Conditional Use Permit. Notice shall be given as prescribed in Article. At the public hearing, the Commission shall review the application and shall receive pertinent evidence concerning the proposed use and the proposed condition under which it would be operated or maintained, particularly with respect to the findings prescribed in this section. The applicant is required to be present at the public hearing.~~

~~**9.7.6 Action by the Planning Commission.** The Commission may recommend approval of a Conditional Use Permit as the permit was applied for or in a modified form or subject to conditions, or may recommend denial of the application.~~

9.7.7 Review and Evaluation Criteria. The Zoning Administrator ~~and the Commission~~ shall review and evaluate and make the following findings before ~~recommending~~ approval of a Conditional Use Permit application using the following criteria:

9.7.8 Conditions of Approval. The ~~Planning Commission~~ Zoning Administrator may establish conditions of approval. Conditions may include but shall not be limited to: requirements for special setbacks, open spaces, buffer, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and dedications, regulation of vehicular ingress and egress, and traffic circulation; regulation of signs; regulation of hours or other characteristics of operation; requirements for maintenance of landscaping and other improvements; establishment of development schedules or time limits for performance or completion; architectural conditions; and such other conditions as the ~~Commission~~ Zoning Administrator may deem necessary to ensure compatibility with surrounding uses.

9.7.9 Renewal or Lapse of a Conditional Use Permit.

b) A Conditional Use Permit subject to lapse may be renewed by the ~~City Council~~ Zoning Administrator for an additional period of 1 year, provided that prior to the expiration date, a written request for renewal is filed with the Zoning Administrator.

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

The City of Diamondhead will hold a public hearing on a proposed Text Amendment to Article 9 – Administration, 9.7 Conditional Use Procedure. The proposed text amendment is to consolidate the timeframe for approval.

In accordance with Article 9.10.6, the City Council shall have jurisdiction with respect to all Text Amendments and Rezoning. The Planning Commission shall review and submit a recommendation to the City Council on Text Amendments and Rezoning.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, September 23, 2025, 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 J. Pat Rich, Development Coordinator, at prich@diamondhead.ms.gov or 228-242-1613.

Camper/Boat/RV Storage. C-1, C-2, PFR, ADWF Districts

The following vehicles shall be screened from view from the street and adjacent property:

The following vehicles shall be parked behind the front line of the existing house and screened from view from the street and adjacent property, including golf course areas:

- i. Vehicles that exceed seven (7) feet six (6) inches in height above grade.
- ii. Lawn maintenance equipment.
- iii. All trailers used to transport equipment or construction vehicle parked for more than 24 hours.
- iv. Individual recreational vehicles such as boats, jet skis, all-terrain vehicles (ATV), or similar vehicles.

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

The City of Diamondhead will hold a public hearing on a proposed Text Amendment to Article 4 – Uses and Use Conditions, Table 4.1 Use Matrix. The proposed text amendment is to add additional requirements for Boat Storage uses.

In accordance with Article 9.10.6, the City Council shall have jurisdiction with respect to all Text Amendments and Rezoning. The Planning Commission shall review and submit a recommendation to the City Council on Text Amendments and Rezoning.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, September 23, 2025, 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 J. Pat Rich, Development Coordinator, at prich@diamondhead.ms.gov or 228-242-1613.