

AGENDA

Mayor Depreo
Councilmember L'Ecuyer At-Large
Councilmember Finley Ward 1
Councilmember Moran Ward 2
Councilmember Morgan Ward 3
Councilmember Clark Ward 4

REGULAR MEETING OF THE CITY COUNCIL

Tuesday, February 02, 2021 6:00 PM CST

Council Chambers, City Hall and via teleconference, if necessary

Call to Order.

Invocation

Pledge of Allegiance

Roll Call

Confirm or Adjust Agenda Order

Presentation Agenda.

Council Comments.

- a. The next Regular Council Meeting will be held Wednesday, February 17, 2021 in Council Chambers at City Hall located at 5000 Diamondhead Circle.
- b. City Hall will be closed Monday, February 15, 2021 for President's Day and Tuesday, February 16, 2021 for Mardi Gras.
- Frank Bordeaux, BXSI Insurance Update.

City Manager's Report.

Public Comments on Agenda Items.

Policy Agenda.

Minutes:

<u>1.</u> Approval of February 2, 2021 Regular Meeting Minutes.

Ordinances:

Resolutions:

- 2021-035: Motion to adopt Resolution 2021-004 thereby abandoning a 5' drainage/utility easement on each side of the common property line between lots 7 and 8, Devil's Elbow, Phase 1. The physical address is #7 Devil's Elbow; parcel number is 068Q-2-41-009.000. (Geier)
- **3. 2021-037:** Motion to adopt Resolution 2021-005 requesting matching funds up to \$2 million dollars from the Hancock County Board of Supervisors for capital drainage projects in the City of Diamondhead and for other related purposes.

Consent Agenda:

4. 2021-018: Motion to declare police unit #350 (VIN#119350) surplus, establish the salvaged value at \$1.00 and proceed with disposal of same by sale to the Hancock Sheriffs Department.

- **2021-025:** Motion to adopt the Extended Emergency Paid Sick Leave Policy thereby extending the Families First Coronavirus Response Act (FFCRA).
- **2021-026:** Motion to approve Payment No. 1 in the amount of \$168,962.25 to TetraTech for debris monitoring services for the period ending December 25, 2020.
- 7. 2021-0027: Motion to accept and award bids received for Roadway Improvements Ph. 3.
- **8. 2021-028:** Motion to approve payments to Pickering Firm in the amount of \$245.00 for the NRCS Grant Channel Stabilization Project at Alkii Way and \$577.00 for services relating to the Strategic Initiative & Project Agreement.
- **9. 2021-029:** Motion to approve proposed agreement with Orion Planning & Design in the amount not to exceed \$2,900 for dog park design.
- 2021-031: Motion to accept and approve the proposal from Orion Planning & Design for Project 2 Aloha Commercial District Urban Design in the amount of \$8,250, Project 3 Aloha Commercial District Regulating Plan, Form-based Code Rewrite and Design Standards in the amount of \$27,880, Project 5 Design-Protected Multi-Modal Lanes in the amount of \$5,114 and further authorizing the City Manager to execute agreement and issue notice to proceed for same.
- **2021-032:** Motion to accept the donation of Stump-N-Grind for services valued at \$3,200 for the removal of 16 stumps throughout the City.
- **12. 2021-038:** Motion to approve Budget Amendments 2021-12, 2021-13 and 2021-14.
- **2021-039:** Motion to authorize Master Service Agreement Work Assignment with Digital Engineering in the amount of \$20,000 for plan and spec review services as needed.

Action Agenda.

- **2021-034:** Motion to approve the recommendation of the Planning Commission to approve the variance as modified to construct a 6' wood privacy fence within 18' of the southwest property along leke Drive and extending beyond the front facade of the house 18'.
- **15. 2021-036:** Motion to approve the recommendation of the Planning Commission in the matter of Case File 202000481 to allow Ms. Margaret F. Nutkins a Conditional Use Permit in accordance with the Zoning Ordinance Table 4.2, Article 4.21.1 (C) and Article 2.5 to allow short term vacation rental for 30 days or less in a R-1 district at 7604 Fairway Drive (Tax parcel number is 067P-0-35-066.000) with conditions that parking would be limited to no more than 5 vehicles at one time during a rental, should three or more complaints against the property result in guilty verdicts in municipal court, the permit shall be rescinded, owner must be a resident of Diamondhead, occupancy is limited to no more than 10 people, renters must be provided with city's parking and noise ordinance, renters must be provided information on garbage collections and dates, permit is valid for 1 year from date of issuance, unless the ordinance has changed by allowing rentals without a Conditional Use permit.

Routine Agenda.

Claims Payable

16. Motion to approve the Docket of Claims (DKT158074 - DKT158097) in the amount of \$277,719.68.

Public Comments on Non-Agenda Items.

Executive Session - If Necessary

Adjourn/Recess.

NOTE: THE CITY OF DIAMONDHEAD WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES WHERE NECESSARY TO AFFORD INDIVIDUALS WITH DISABILITIES AN EQUAL OPPORTUNITY TO SERVICES AND ACTIVITIES OF THE CITY. A WRITTEN REQUEST BY OR ON BEHALF OF QUALIFYING INDIVIDUALS SHALL BE SUBMITTED IN A TIMELY MANNER TO THE CITY CLERK.



Mayor Depreo Councilmember L'Ecuyer Councilmember Finley Councilmember Moran Councilmember Morgan Councilmember Clark

Item No.1.

Ward 1 Ward 2 Ward 3 Ward 4

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

Tuesday, January 19, 2021 6:00 PM CST

Council Chambers, City Hall

Call to Order.

At 6:00 p.m., Mayor Depreo called the meeting to order.

Invocation

Councilmember Moran.

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo Councilmember-At-Large Lindsay L'Ecuyer Ward 1 Shane Finley Ward 2 Alan Moran Ward 3 Jamie Morgan Ward 4 Charles Clark

Confirm or Adjust Agenda Order

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to amend the agenda as follows and approve as amended:

add 7.1 2021-024 Motion to authorize travel and related expenses for the City Manager and Council to travel to Jackson for legislative matters as necessary.

Voting Yea: Mayor Depreo, Councilmember-At-Large L'Ecuyer, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Presentation Agenda.

Council Comments.

The next City Council meeting will be held February 2, 2021 at 6:00 p.m. in Council Chambers.
 City Hall will be closed Monday, February 15, 2021 for President's Day and February 16, 2021 for Mardi Gras.

City Manager's Report.

Public Comments on Agenda Items - None.

Policy Agenda.

Minutes:

1. Motion to approve the January 5, 2021 Regular Meeting Minutes.

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large L'Ecuyer to approve the January 5, 2021 Regular Meeting Minutes with a correction to reflect the correct payment to Holliday Construction in the amount of \$1,278,263.50.

Voting Yea: Mayor Depreo, Councilmember-At-Large L'Ecuyer, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Consent Agenda:

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large L'Ecuyer approve the following agenda items by consent:

- **2. 2021-013:** Motion to approve payments to James J. Chiniche in the amount of \$468.75 for Noma Drive conceptual (tidelands), \$1,000 for Shephards Square Design, \$2,837.50 Montjoy Creek Improvements (Tidelands).
- **3. 2021-014:** Motion to approve payments to Digital Engineering in the amount of \$1,455 for GIS Maintenance, \$3,231.50 for Plan/Spec Review, \$1,000 for Roadway Improvements Phase 3, and \$1,092 for Roadway Improvements Project Phase 1.
- **4. 2021-015:** Motion to authorize advertisement for depository services for a two (2) year period commencing March 2021.
- **5. 2021-017:** Motion to approve the agreement with Election Systems & Software in the total amount of \$18,891.00 for Municipal Election Support for the 2021 Primary and General Elections.
- **6. 2021-022:** Motion to approve Budget Amendment 2021-022.
- **7. 2021-023:** Motion to approve interfund transfers for FY20 project and year-end closeout.
- **7.1 2021-024:** 024 Motion to authorize travel and related expenses for the City Manager and Council to travel to Jackson for legislative matters as necessary.

Voting Yea: Mayor Depreo, Councilmember-At-Large L'Ecuyer, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Action Agenda.

8. 2021-020: Motion for possible action regarding correspondence from Diamondhead Water & Sewer District requesting payment in the amount of \$32,670 for sewer main repairs.

Motion made by Ward 3 Morgan , Seconded by Ward 4 Clark to authorize the City Manager and Legal Counsel to communicate with Diamondhead Water & Sewer District regarding the matter and further to seek an Attorney General's Opinion as to the City's responsibility for the sewer main repairs.

Page 3

Voting Yea: Mayor Depreo, Councilmember-At-Large L'Ecuyer, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

9. 2021-021: Motion to authorize the Planning and Zoning Commission to advertise and hold a public hearing on the proposed text amendment for Article 14: Land Alterations and Disturbances to include "no net fill" regulations.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 3 Morgan to authorize the Planning and Zoning Commission to advertise and hold a public hearing on the proposed text amendment for Article 14: Land Alterations and Disturbances to include "no net fill" regulations.

Voting Yea: Mayor Depreo, Councilmember-At-Large L'Ecuyer, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Routine Agenda.

Claims Payable

10. Motion to approve the Docket of Claims (Claims DKT158039 - DKT158073) in the amount \$167,424.31.

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to approve the Docket of Claims (Claims DKT158039 - DKT158073) in the amount \$167,424.31.

Voting Yea: Mayor Depreo, Councilmember-At-Large L'Ecuyer, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Department Reports

Motion made by Ward 2 Moran, seconded by Ward 4 Clark to accept the following reports as presented:

- a. Privilege License
 Building Department
 Police Department
 Code Enforcement
 Solid Waste
- b. December 2020 Financials

Voting Yea: Mayor Depreo, Councilmember-At-Large L'Ecuyer, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Public Comments on Non-Agenda Items.

None.

Adjourn/Recess.

Page 4 Item No.1.

At 6:23 p.m. and with no further business to come before the Council, motion made by Ward 4 Clark, seconded by Ward 1 Finley to adjourn.

Voting Yea: Mayor Depreo, Councilmember-At-Large L'Ecuyer, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Nancy Depreo
Mayor

Jeannie Klein
City Clerk

Resolution 2021-004 Agenda Item 2021-035

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE CITY), TO VACATE AND/OR ABANDON A 5' DRAINAGE/UTILITY EASEMENT ON EACH SIDE OF THE COMMON PROPERTY LINE BETWEEN LOTS 7 and 8, DEVIL'S ELBOW PHASE 1, HANCOCK COUNTY LOCATED WITHIN THE CITY

WHEREAS, the Mayor and City Council (the Governing Body) of the City of Diamondhead, Mississippi (the City), acting for and on behalf of the City, hereby finds and determines as follows:

- 1. The City currently has a 5' drainage/utility easement on each side of the common property line between Lots 7 and 8, Devil's Elbow Phase 1, (see attached survey from Duke Levy as Exhibit A).
- 2. Donald G. Geier is the owner of Lots 7 and 8, Devil's Elbow Phase 1. The parcel number is 068Q-2-41-009.000. The physical street address is 7 Devil's Elbow.
- 3. Further, the City hereby abandons and/or vacates the drainage/utility easements for the full width and length as petitioned except for the front and rear drainage and utility easement. These drainage/utility easements are 5' drainage and utility easements on each side of the common property line between Lots 7 and 8, Devil's Elbow Phase 1.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

SECTION 1. That the Governing Body of the City will hereby abandon the selected drainage/utility easements with respect to Lots 7 and 8 described in bullet #3. The Diamondhead Public Works, Diamondhead Water & Sewer and CEPA do not have any objections.

SECTION 2. It is agreed and understood that Donald G. Geier or his representative will be responsible for the filing of all necessary documents with the Chancery Clerk of Hancock County, Mississippi.

The above and foregoing	resolution,	after hav	ng been	first	reduced	to	writing,	was
introduced by Councilmember	nember_							
and the question being put to a roll	call vote, the	e result w	as as foll	ows:				

Resolution 2021-004 Agenda Item 2021-035

	Aye	Nay	Absent	 	•
Councilmember Finley					
Councilmember Moran					
Councilmember Morgan					
Councilmember Clarke					
Councilmember L'Ecuyer					
Mayor Depreo					
The motion having received the a Governing Body, the Mayor declared the day of, 2021.					
		MAY	OR		_
ATTEST:					
CITY CLERK					
(SEAL)					

I DONALD G. GEIER agree with the Mem No.2.

easement abandonment between lots 7+8,

Devil's Elbow, Phase 1, Diamonhead

DONALD G. GEIER Donald & Geier (985) 966-2789



CHB=N 38°32'1" W Item No.2. DEVIL'S ELBOW CHD=50.41 CONCRETE ON CORNER ASPHALT SURFACE R=43.32 _ L=53.81 89.00' APS S 02°57'06" E SA SA ∞ 1/2" REBAR FOUND 107 20' ASPHALT SURFACE DEVIL'S ELBOW 9,112.5Sq.Ft.± Parcel Area 0.21Ac.± LOT 7 No. Solvery No. N.74°0400"W 40.54'APS -N 64°07'17" W 15.00'APS N 25°52'43" E -3.00'APS 1/2" REBAR FOUND 1/2" REBAR SET 1/2" REBAR SET 77 00, 77" 1/2" REBAR A 42.56' APS N 1/2" REBAR FOUND CHB=S 76°10'57" W N 24°27'16" W COMMON AREA 1/2" REBAR FOUND CHD=22.29_ 2.00.75 20.75 R=22.46 L=23.32 1/2" REBAR FOUND 1/2" REBAR FOUND 9 LO7 PINE TREE ON CORNER CHB=N 49°24'38" E. 1) DEED BOOK 2015 PAGE 2281 2) PLAT OF DEVIL'S ELBOW SUBDIVISION, PHASE 1 CHD=15.35 R=118.00 7=15.36 FENCE CORNER POST RON PIPE FOUND IRON ROD FOUND AS PER RECORD AS PER SURVEY IRON ROD SET POWER POLE CENTERLINE REFERENCES: EGEND: APS APR Page 11 Ø H

LEGAL DESCRIPTION:

A survey of a Lot 7, a part of the common area and a part of Lot 8, all in D Elbow Subdivision, Phase 1, City of Diamondhead, Hancock County, Miss and being more particularly described as follows, to-wit:

Commencing at a nail found with cap at the southeast corner of Lot 8, Dev ∃lbow Subdivision, Phase 1; thence N 02°57'06" W 9.55 feet to a 1/2" rebε and being the Point of Beginning; thence N 64°07'17" W 84.84 feet to a 1/2 set; thence N 24°27'16" W 42.56 feet to a 1/2" rebar found; thence N 25°52 36.00 feet to a ½" rebar found; thence N 64°07'17" W 15.00 feet to a ½" re found; thence N 25°52'43" E 3.00 feet to a 1/2" rebar found; thence N 64°0' 21.08 feet to a pine tree found at the property corner; thence 15.36 feet alc curve to the left having a radius of 118.00 feet and also having a chord bea and distance of N 49°24'38" E 15.35 feet to a 1/2" rebar found; thence 23.3 along a curve to the right having a radius of 22.46 feet and also having a cl pearing and distance of N 76°10'57" E 22.29 feet to a 2" rebar found; ther 74°04'00" E 40.54 feet to a ½" rebar found; thence 53.81 feet along a curv ight having a radius of 43.32 feet and also having a chord bearing and dist of S 38°32'01" E 50.41 feet to a corner in concrete; thence S 02°57'06" E eet to the Point of Beginning. Said parcel of land contains 9,112.5 square t nore or less.



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 #1722

7'06" W 'APS DUKE LEVY & ASSOCIATES, F



1711 WAVELAND AVENUE WAVELAND, MS 39576 (228) 467-5212 PHONE

SCALE:	1" = 20'	DATE:	12-18-1
DRAWING:	WO# 17-248-C	CLIENT:	Greg Ge

Pat Rich

From:

Butch Walton

Sent:

Thursday, January 28, 2021 10:37 AM

To:

Pat Rich

Cc:

Butch Walton

Subject:

City of Diamondhead has no drainage between lot 7 & 8 of Devil Elbow in

Diamondhead

Sent from my iPhone



Headquarters 18020 Highway 603 Kiln, MS 39556 PO Box 2430 Bay St. Louis, MS 39521 228-363-7000 1-877-769-2372

www.coastepa.com

Abandonment of Easement Request

Pat,

I have reviewed the request to abandon the easement between lots 7 & 8, Devil's Elbow, Phase 1. Coast Electric agrees to abandon the easement between lots 7 & 8.

If you have any questions, please give me a call.

Thanks,

Kendall Ladner

Director of System Engineering

Kendall Ladner

(228) 216-8889

DIAMONDHEAD WATER & SEWER DISTRICT

REQUEST FOR AN ABANDONMENT OF EASEMENT

DATE: 1 7 21
PROPERTY OWNER OR OWNERS: DONALD G GELER
PHONE NUMBER: (989) 966 - 278 9
EMAIL ADDRESS: eecgreg@ bell south.net
DESIRE TO HAVE UTILITY EASEMENT ABANDONED BETWEEN:
PROPERTY DESCRIPTION: PHASEUNITBLOCKLOT
PHASE UNIT BLOCK LOT 8
PHASEUNITBLOCKLOT
PROPERTY ADDRESS: Lot's 7+8, Devils Elbow Phase 1
CUSTOMER SIGNATURE: Dovald & Guest
OFFICE USE ONLY:
DATE APPROVED: 17 2021
APPROVED BY:
ABANDONMENT FEE: \$50.00 17/21 PG
APPROVED BY BOARD:
EMAILED COPY: (SIGN/DATE)

Item No.3.

RESOLUTION OF THE CITY OF DIAMONDHEAD REQUESTING MATCHING FUNDS FOR CAPITAL DRAINAGE PROJECTS FROM THE HANCOCK COUNTY OF SUPERVISORS.

WHEREAS, The Hancock County Board of Supervisors recently engaged Waggoner Engineering to perform a county-wide "Watershed Based Stormwater Assessment and Management Plan" hereinafter referred to as the "Plan". The completed plan was presented to the board of supervisors in December of 2019 identifying 95 critical sites in the county; and

WHEREAS, the study concluded eighteen (18) of the ninety-five (95) critical sites are located in the City of Diamondhead at an estimated cost in the amount of \$12,200,436; and

WHEREAS, all projects were intensely scrutinized during which those projects in Diamondhead scored as follows: 7 scored as High Priority, 8 scored Medium Priority and only 3 scored as Low Priority with The High Priority Projects total \$2,640,423; the Medium Priority Projects total \$4,235,072; and the Low Priority Projects total \$5,324,941.

WHEREAS, Hancock County has approximately \$12 million dollars earmarked for drainage projects to address areas outlined in the Plan and the City of Diamondhead is considering general obligation bond financing with approximately \$2 million dollars designated for capital drainage projects within the City; and

WHEREAS, the City would like to leverage local funding with county, state and federal sources to maximize efforts to improve drainage in and around the City; and

WHEREAS, the City has engaged the professional services of Pickering Firm to identify, solicit and secure state and federal funding opportunities for these projects, and

WHEREAS, the City is seeking from the Hancock County Board of Supervisors matching funds for drainage projects within the City.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE

CITY OF DIAMONDHEAD, MISSISSIPPI, AS FOLLOWS:

SECTION I. The City may consider \$2 million dollars through General Obligation Bonds specifically earmarked for capital drainage improvements.

SECTION II. The City is requesting the Hancock County Board of Supervisors set aside \$2 million dollars as dollar-for-dollar match to the City of Diamondhead for drainage projects in the City identified in its Watershed Based Stormwater Assessment and Management Plan and further commit to said matching funds to the City of Diamondhead, and

SECTION III. It is the intent of the City to leverage both City and County-match funding to further maximize state and federal funding opportunities for the capital drainage project.

CITY OF DIAMONDHEAD INTRODUCED BY COUCUNCILMEMBER VOTE, I HEREBY CERTIF	O, AFTI JNCILI FY THA MATI	ER HAV MEMBI AT THE VE BY	VING FIIERE ABOVE	UTION OF THE CITY COUNCIL OF THE RST BEEN REDUCED TO WRITING, WAS, SECONDED BY, SECONDED BY AND THE MATTER BEING PUT TO E AND FOREGOING RESOLUTION WAS OLLOWING VOTE OF COUNCIL OF THE
CITT OF DIAMONDILLAL	ONI	11L	_DAI(Jr, 2021.
	Aye	Nay	Abstair	n
Mayor Depreo				
Councilmember L'Ecuyer				
Councilmember Finley				
Councilmember Moran				
Councilmember Morgan				
Councilmember Clark				
Attest:				NANCY DEPREO, Mayor
Jeannie Klein, City Clerk				

RESOLUTION 2021--00 AGENDA ITEM 2021-035

BOARD OF SUPERVIORS, AFTE INTRODUCED BY DISTRICT	R HAV	ING FI	ADOPTED BY THE HANCOCK COUNTY RST BEEN REDUCED TO WRITING, WAS, SECONDED BY DISTRICT BEING PUT TO VOTE, I HEREBY CERTIFY
THAT THE ABOVE AND FO	REGO! .OWIN	ING R	ESOLUTION WAS ADOPTED IN THE ΓΕ OF BOARD OF SUPERVISORS OF
	Aye	Nay	Abstain
DISTRICT 1 RYAN			
DISTRICT 2 SHAW			
DISTRICT 3 KOENENN			
DISTRICT 4 ADAM			
DISTRICT 5 LADNER			
			PRESIDENT, HANCOCK COUNTY BOARD OF SUPERVISORS
Attest:			

SEAL

Jeannie Klein

From: AJ Gambino <AJ.Gambino@co.hancock.ms.us>

Sent: Thursday, January 14, 2021 4:02 PM

To: Jeannie Klein

Subject: 350

The 2013 Ford Taurus unit #350 is in poor running condition and can no longer suitable or used for patrol purposes. The Hancock County Sheriff's Office has expressed interest in the vehicle to use as a non-patrol vehicle. I'm recommending the city take appropriate action to declare this vehicle surplus and proceed with the sale of the vehicle to the Hancock County Sheriff's Office.



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Extended Emergency Paid Sick Leave for COVID-19

CITY OF DIAMONDHEAD

Effective Date: 01/01/2021

The City of Diamondhead will voluntarily extend the Families First Coronavirus Response Act (FFCRA) for employees who have not previously used the FFCRA leave. Some employees may be eligible for extended emergency paid sick leave in certain situations related to COVID-19 through March 31, 2021. This is an extension of the mandatory Families First Coronavirus Response Act (FFCRA) that expired on December 31, 2020 and is now voluntarily extended by the City of Diamondhead to March 31, 2021.

Basic Leave Entitlement:

Full-time employees may use up to 80 hours of paid sick leave dependent on their hours worked over a 6-month period. Part-time employees may use paid sick leave in the amount of the average number of hours they work over a two-week period.

- Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay where the
 employee is unable to work because the employee is quarantined (pursuant to Federal, State or
 local government order or advice of health care provider), and/or experiencing COVID-19
 symptoms and seeking a medical diagnosis; or
- Two week (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State or local government order or advice of health care provider), or care for a child (under 18 years of age) whose school, or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor.
- Up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay where an employee, who has been employed is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19. To be eligible for this leave, an employee must be employed with the City of Diamondhead for at least 30 days prior to requesting leave.

Use of Emergency Paid Sick Leave:

Employees may use the leave when they are unable to work (or telework) because of the following reasons:

- 1. The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19 or is caring for an individual who is subject to such an order.
- 2. The employee has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19
- 3. is caring for an individual who has been advised to self-quarantine.
- 4. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.

- 5. The employee is caring for a son or daughter if their school or place of care has been closed, or their childcare provider is unavailable, due to COVID-19 precautions.
- 6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

For leave to take care of an individual in quarantine, isolation, or self-quarantine, the individual must be an employee's immediate family member, a person who regularly resides in the employee's home, or someone whom the employee cares for on a regular basis. An employee may take emergency paid sick leave under this provision if the individual depends on the employee to care for them and is either:

- Subject to a quarantine or isolation order (as defined); or
- Has been advised to self-quarantine by a health care provider because of a belief that the individual has, or may have, COVID-19, or is particularly vulnerable to COVID-19.

Note: Employees won't be required to use other paid leave provided by the City of Diamondhead before they use emergency paid sick leave available under this policy, however, normal leave policies of the City of Diamondhead will be applicable upon the exhaustion by the employee or expiration of this policy whichever occurs first.

Duration of Leave:

For reasons (1) - (4) and (6): A full-time employee is eligible for up to 80 hours of leave, and a part-time employee is eligible for the number of hours of leave that employee works on average over a two-week period.

For reason (5): a full-time employee is eligible for up to 12 weeks of leave at 40 hours a week, and a part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

Pay During Leave:

For leave reasons (1), (2), and (3): employees will be paid their regular rate of pay or the applicable minimum wage, whichever is higher, up to a maximum of \$511 per day and \$5,110 in the aggregate (over a 2-week period).

For leave reason (4) and (6); employees taking leave shall be paid at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).

For leave reason (5): employees taking leave shall be paid at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period – two weeks of paid sick leave followed by up to 10 week of paid expanded family and medical leave.

Employee Documentation:

As soon as practical, an employee taking leave must provide documentation containing the:

- Employee's name;
- Date(s) for which leave is requested
- Qualifying reason for the leave; and
- Oral or written statement that the employee is unable to work because of a qualified reason.

Additional documentation is required depending on the reason for the need for leave:

- For a quarantine or isolation order, the employee must also provide the name of the government entity that issued the order.
- If a healthcare provider advised self-isolation, the employee must also provide the a written statement from the healthcare provider.
- To care for a child, an employee must also provide the name of the child; the name of the school, place of care, or child care provider that has closed or become unavailable; and a statement that no other suitable person will be caring for the child during the period for which the employee takes leave under this policy. Additionally, a note from the daycare/school provider or published statement regarding the closure or quarantine must be provided prior to the leave being granted.

The City of Diamondhead may also request an employee to provide additional material not referenced above to support a request for tax credits under federal law.

It is the intent of the City of Diamondhead to follow the extension of the Families First Coronavirus Response Act (FFCRA); therefore, if there are any omissions or contradictions herein the FFCRA requirements and regulations shall take precedent. The City of Diamondhead reserves the right to terminate this policy at any time.

If you have questions about this policy, contact your supervisor or Human Resources.



FAMILIES FIRST CORONAVIRUS RESPONSE ACT: EMPLOYER PAID LEAVE REQUIREMENTS

The Families First Coronavirus Response Act (FFCRA or Act) requires certain employers to provide their employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19. [1] The Department of Labor's (Department) Wage and Hour Division (WHD) administers and enforces the new law's paid leave requirements. These provisions will apply from the effective date through December 31, 2020.

Generally, the Act provides that covered employers must provide to all employees: [2]

- Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
- Two weeks (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor.

A covered employer must provide to employees that it has employed for at least 30 days: [3]

Up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay
where an employee is unable to work due to a bona fide need for leave to care for a child whose school or child care provider
is closed or unavailable for reasons related to COVID-19.

Covered Employers: The paid sick leave and expanded family and medical leave provisions of the FFCRA apply to certain public employers, and private employers with fewer than 500 employees. [4] Most employees of the federal government are covered by Title II of the Family and Medical Leave Act, which was not amended by this Act, and are therefore not covered by the expanded family and medical leave provisions of the FFCRA. However, federal employees covered by Title II of the Family and Medical Leave Act are covered by the paid sick leave provision.

Small businesses with fewer than 50 employees may qualify for exemption from the requirement to provide leave due to school closings or child care unavailability if the leave requirements would jeopardize the viability of the business as a going concern.

Qualifying Reasons for Leave

Under the FFCRA, an employee qualifies for paid sick time if the employee is unable to work (or unable to telework) due to a need for leave because the employee:

- 1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- 2. has been advised by a health care provider to self-quarantine related to COVID-19;
- 3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
- 4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
- 5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
- **6.** is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

Under the FFCRA, an employee qualifies for expanded family leave if the employee is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19.

Page 23

^[1] Wage and Hour Division does not administer this aspect of the law, but notes that every dollar of required paid leave (plus the cost of the employer's health insurance premiums during leave) will be 100% covered by a dollar-for-dollar refundable tax credit available to the employer. For more information, please see the Department of the Treasury's website.

^[2] Employers of Health Care Providers or Emergency Responders may elect to exclude such employees from eligibility for the leave provided under the Act.

^[3] Employers of Health Care Providers or Emergency Responders may elect to exclude such employees from eligibility for the leave provided under the Act.

^[4] Certain provisions may not apply to certain employers with fewer than 50 employees. See Department FFCRA regulations (expected April 2020).

Duration of Leave

For reasons (1)-(4) and (6): A full-time employee is eligible for up to 80 hours of leave, and a part-time employee is eligible for the number of hours of leave that the employee works on average over a two-week period.

For reason (5): A full-time employee is eligible for up to 12 weeks of leave at 40 hours a week, and a part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

Calculation of Pay [5]

For leave reasons (1), (2), or (3): employees taking leave shall be paid at either their regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate (over a 2-week period).

For leave reasons (4) or (6): employees taking leave shall be paid at $\frac{3}{2}$ their regular rate or $\frac{3}{2}$ the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).

For leave reason (5): employees taking leave shall be paid at $\frac{2}{3}$ their regular rate or $\frac{2}{3}$ the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period—two weeks of paid sick leave followed by up to 10 weeks of paid expanded family and medical leave). [6]

Tax Credits: Covered employers qualify for dollar-for-dollar reimbursement through tax credits for all qualifying wages paid under the FFCRA. Qualifying wages are those paid to an employee who takes leave under the Act for a qualifying reason, up to the appropriate per diem and aggregate payment caps. Applicable tax credits also extend to amounts paid or incurred to maintain health insurance coverage. For more information, please see the Department of the Treasury's website.

Employer Notice: Each covered employer must post in a conspicuous place on its premises a notice of FFCRA requirements. [7]

Prohibitions: Employers may not discharge, discipline, or otherwise discriminate against any employee who takes paid sick leave under the FFCRA and files a complaint or institutes a proceeding under or related to the FFCRA.

Penalties and Enforcement: Employers in violation of the first two weeks' paid sick time or unlawful termination provisions of the FFCRA will be subject to the penalties and enforcement described in Sections 16 and 17 of the Fair Labor Standards Act. 29 U.S.C. 216; 217. Employers in violation of the provisions providing for up to an additional 10 weeks of paid leave to care for a child whose school or place of care is closed (or child care provider is unavailable) are subject to the enforcement provisions of the Family and Medical Leave Act. The Department will observe a temporary period of non-enforcement for the first 30 days after the Act takes effect, so long as the employer has acted reasonably and in good faith to comply with the Act. For purposes of this non-enforcement position, "good faith" exists when violations are remedied and the employee is made whole as soon as practicable by the employer, the violations were not willful, and the Department receives a written commitment from the employer to comply with the Act in the future.

RESOURCES

For additional information or to file a complaint:

1-866-487-9243 | TTY: 1-877-889-5627

dol.gov/agencies/whd

^[5] Paid sick time provided under this Act does not carry over from one year to the next. Employees are not entitled to reimbursement for unused leave upon termination, resignation, retirement, or other separation from employment.

^[6] An employee may elect to substitute any accrued vacation leave, personal leave, or medical or sick leave for the first two weeks of partial paid leave under this section.

^[7] The Department will issue a model notice no later than March 25, 2020.



January 20, 2021

City of Diamondhead, Mississippi Attn: Jeannie Klein, City Clerk 5000 Diamondhead Circle Diamondhead, MS 39525-3260

Subject: 105S017505 Diamondhead MS DMS 2020 Zeta

Enclosed is Tetra Tech Invoice No. 51693015 for services provided through December 25, 2020. If you should have any questions regarding this invoice please do not hesitate to email karen.hayne@tetratech.com or call me at (407) 968-1650.

Sincerely,

Tetra Tech, Inc.

Haren Hayna

Karen Hayne Senior Billing Specialist

Enclosed: Invoice



Bill To: ATTN: Tetra Tech Inc. 2301 Lucien Way Suite 120

Maitland, FL 32751

(321)-441-8500

City of Diamondhead, Mississippi

Jeannie Klein, City Clerk 5000 Diamondhead Circle

Diamondhead, MS 39525-3260

INVOICE NUMBER:

51693015

INVOICE DATE: FEDERAL TAX ID#:

1/26/2021 95-4148514

BILLING PERIOD:

12/25/2020

PROFESSIONAL SERVICES: 105S017505 Diamondhead MS DMS 2020 Zeta

LABOR				
Billing Title	Hours	Rate		Amount
Debris Management Consultant	47.50 \$	75.00	\$	3,562.50
Project Manager	364.75 \$	75.00	\$	27,356.25
Debris Monitor Supervisor	532.50 \$	48.00	\$	25,560.00
Debris Monitors	3594.25 \$	29.50	\$	112,483.50
Grand Total	4539.00		\$	168,962.25
	TOTAL AMOUNT DUE THIS INVOICE:			168,962.25

REMIT PAYMENT TO:

Wells Fargo Bank
ROUTING TRANSIT #121000248
TETRA TECH ACCOUNT #41331-60325

OR

Tetra Tech Inc. PO Box 911642 Denver, CO 80291-1642

To ensure accurate posting, please note the invoice number on your check. Interest will be charged on all past-due amounts per contract terms and conditions.



 INVOICE NUMBER:
 51693015

 INVOICE DATE:
 1/26/2021

 FEDERAL TAX ID#:
 95-4148514

 BILLING PERIOD:
 12/25/2020

PROFESSIONAL SERVICES: 105S017505 Diamondhead MS DMS 2020 Zeta

Billing Title	Emp Name	Hours	Rate	Amount
Debris Management Consultant	BENVENUTTI, BEN	33.50	\$ 75.00	\$ 2,512.50
	Carlyle, Simon D (Simon)	5.00	\$ 75.00	\$ 375.00
	Mooneyham, Matthew R (Matthew)	9.00	\$ 75.00	\$ 675.00
Debris Management Consultant Total		47.50		\$ 3,562.50
Project Manager	DeRouen, Cara C (Cara)	226.75	\$ 75.00	\$ 17,006.25
	Simpson, James S (Scott)	132.50	\$ 75.00	\$ 9,937.50
	Taylor, Katie R (Katie)	5.50	\$ 75.00	\$ 412.50
Project Manager Total		364.75		\$ 27,356.25
Debris Monitor Supervisor	Bates, Kricinda (Cindy)	234.50	\$ 48.00	\$ 11,256.00
	Benarroch, Joseph H (Joe)	18.00	\$ 48.00	\$ 864.00
	Bosques, Ricardo A. (Ricardo)	1.50	\$ 48.00	\$ 72.00
	BROWN, AARON	31.50	\$ 48.00	\$ 1,512.00
	Carline, Ryan Hunter (Ryan)	71.25	\$ 48.00	\$ 3,420.00
	Sun, Hong (Hong)	2.50	\$ 48.00	\$ 120.00
	Trahan, Jacque Q. Trahan (Jacque)	161.00	\$ 48.00	\$ 7,728.00
	Tran, Victor (Victor)	4.50	\$ 48.00	\$ 216.00
	Yao, Oliver J (Oliver)	1.00	\$ 48.00	\$ 48.00
	Zlacki, Tristan S (Tristan)	6.75	\$ 48.00	\$ 324.00
Debris Monitor Supervisor Total		532.50		\$ 25,560.00
Debris Monitors	ALEXANDER, JEFFERY	189.25	\$ 29.50	\$ 5,582.88
	ANDERSON , KEITH	38.75	\$ 29.50	\$ 1,143.13
	ANDERSON, DENISE	7.75	\$ 29.50	\$ 228.63
	ANDERSON, ZACORI	110.75	\$ 29.50	\$ 3,267.13
	ARMSTRONG, ANTHONY	43.25	\$ 29.50	\$ 1,275.88
	BATES, CHRISTIAN	10.75	\$ 29.50	\$ 317.13
	BENNETT, LUCAS	4.75	\$ 29.50	\$ 140.13
	Bolden, LyRic (LyRic)	5.50	\$ 29.50	\$ 162.25
	BRECHTEL, MIKE	55.00	\$ 29.50	\$ 1,622.50
	BROWN, AARON	82.50	\$ 29.50	\$ 2,433.75
	BROWN, ANTONIO	139.25	\$ 29.50	\$ 4,107.88
	BROWN, RICARDO	10.50	\$ 29.50	\$ 309.75
	Carter, Justin (Justin)	47.50	\$ 29.50	\$ 1,401.25
	COLEMAN JR., DEMRTRIUS	62.75	\$ 29.50	\$ 1,851.13
	Conant, Bruce Randall (Bruce)	209.00	\$ 29.50	\$ 6,165.50
	COSPELICH, CHRISTOPHER	4.00	\$ 29.50	118.00
	DAVIS, AUDREY	78.00	\$ 29.50	\$ 2,301.00
	DAVIS, DEVION	13.00	\$ 29.50	\$ 383.50
	Davis, Joshua (Josh)	140.50	\$ 29.50	4,144.75



 INVOICE NUMBER:
 51693015

 INVOICE DATE:
 1/26/2021

 FEDERAL TAX ID#:
 95-4148514

 BİLLING PERIOD:
 12/25/2020

PROFESSIONAL SERVICES: 105S017505 Diamondhead MS DMS 2020 Zeta

Billing Title	Emp Name	Hours	Rate	Amount
	DAY, TILFORD	49.50	\$ 29.50	\$ 1,460.25
	DEDEAUX, ABEL	62.00	\$ 29.50	\$ 1,829.00
	ESPEY, NEASYA	23.50	\$ 29.50	\$ 693.25
	Frieze, Matthew Scott (Matt)	2.75	\$ 29.50	\$ 81.13
	Hare, Tedra (Tedra)	144.25	\$ 29.50	\$ 4,255.38
	HAYES, DERRYL	8.50	\$ 29.50	\$ 250.75
	HOLMES, CASEY	27.50	\$ 29.50	\$ 811.25
	Hutchison, Joshua Michael (Josh)	43.50	\$ 29.50	\$ 1,283.25
	Jenkins, Shelia Denise (Shelia)	225.25	\$ 29.50	\$ 6,644.88
	JOHNSON, ANTHONY	26.50	\$ 29.50	\$ 781.75
	Johnson, Terrance Darnell (Terrance)	70.50	\$ 29.50	\$ 2,079.75
	JONES, CEDRIC	22.50	\$ 29.50	\$ 663.75
	KEYS, KATARINA	11.00	\$ 29.50	\$ 324.50
	LANG, LAQUIS	47.75	\$ 29.50	\$ 1,408.63
	Lazenby, Chantal (Chantal)	92.25	\$ 29.50	\$ 2,721.38
	LOTT, LINDSEY	59.00	\$ 29.50	\$ 2,109.25
	MARCHANT, KIMBERLEIGH	56.75	\$ 29.50	\$ 1,947.00
	Martin, Tedrick Bernard (Tedrick)	11.25	\$ 29.50	\$ 331.88
	MCHUGH, WILLIAM	192.25	\$ 29.50	\$ 6,490.00
	MOODY, SHAVON	65.00	\$ 29.50	\$ 2,433.75
	Moore, Sheila K. (Sheila)	66.00	\$ 29.50	\$ 1,947.00
	Motter, Taltha Chollet (Taltha)	1.50	\$ 29.50	\$ 44.25
	NEALE, JASE	10.25	\$ 29.50	324.50
	NECAISE, JACOB	54.50	\$ 29.50	1,622.50
	OWENS, HALEY	129.50	\$ 29.50	\$ 4,543.00
	Parish, Sommer H (Sommer)	3.00	\$ 29.50	\$ 88.50
	PERKINS, RILEY	118.75	\$ 29.50	\$ 4,380.75
	Peterson, Mercedes (Mercedes)	6.75	\$ 29.50	\$ 199.13
	PIERCE, JENNIFER	122.50	\$ 29.50	\$ 4,056.25
	PRYEAR, STEVEN	3.75	\$ 29.50	\$ 162.25
	Remus, Oscar (Oscar)	1.50	\$ 29.50	\$ 44.25
	RUTLEDGE, JOSEPH	186.25	\$ 29.50	\$ 6,165.50
	Saucier, Ambreana L (Ambreana)	95.75	\$ 29.50	\$ 2,824.63
	Scalzo, Alisha Nicole (Alisha)	11.00	\$ 29.50	\$ 324.50
	Schroeder, Michelle (Shellie)	5.50	\$ 29.50	\$ 162.25
	Teasley, Amy Victoria (Amy)	14.75	\$ 29.50	\$ 435.13
	Todd, Jessica Easley (Jessica)	165.75	\$ 29.50	\$ 4,889.63
	Walls, Tyler Michael (Tyler)	0.25	\$ 29.50	\$ 7.38
	WIMBISH, DENISE	49.50	\$ 29.50	\$ 1,784.75
	YORK, DEONDRAE	48.25	\$ 29.50	1,622.50
	ZATOPAK, JESSICA	5.00	\$ 29.50	1,298.00



INVOICE NUMBER:

51693015

INVOICE DATE:

1/26/2021

FEDERAL TAX ID#:

95-4148514

BILLING PERIOD:

12/25/2020

PROFESSIONAL SERVICES: 105S017505 Diamondhead MS DMS 2020 Zeta

Billing Title	Emp Name	Hours	Rate	Amount
Debris Monitors Total		3594.25	\$	112,483.50
Grand Total		4539.00	\$	168,962.25





INVOICE

Pickering Firm, Inc.
Facility Design ● Civil Engineering ● Surveying ●

Transportation . Natural / Water Resources 2001 Airport Road, Suite 201, Flowood, MS 39232 PH 601.956.3663 FAX 601.956.7817 www.pickeringfirm.com

City of Diamonhead

5000 Diamondhead Circle

Diamondhead, MS 39525

January 11, 2021

Project No:

25748.00

Invoice No:

0088428

NRCS Grant - Channel Stabilization at Diamondhead Drive @ Alkii Way Work Assignment No. 00-01-2021

Professional Services from November 22, 2020 to January 2, 2021

001

Survey

Fee

Total Fee

1,500.00

Percent Complete

0.00 Total Earned

0.00

Previous Fee Billing

0.00

Current Fee Billing

0.00

Total Fee

0.00

Total this Task

Total this Task

0.00

002

003

004

Environmental Permitting

Fee

Total Fee

5,000.00

Percent Complete

0.00 Total Earned

Previous Fee Billing

0.00 0.00

Current Fee Billing

0.00

Total Fee

0.00 0.00

Fee

Engineering Design

Total Fee

13,850.00

Percent Complete

0.00 Total Earned

0.00

Previous Fee Billing

0.00

Current Fee Billing

0.00

Total Fee

0.00

Total this Task

0.00

Fee

Total Fee

4.000.00

Bid Phase Services

** PLEASE NOTE OUR NEW ADDRESS EFFECTIVE 6-27-2020:

6363 POPLAR AVE, STE 300, MEMPHIS, TN 38119

PAYMENT DUE ON RECEIPT

Page 30

Project	25748.00	Diamondhead	I EWP Alkii Way		Invoid	ce 0088	Item No.8.
Perce	nt Complete	0.00	Total Earned		0.00		
	•		Previous Fee Bill	ling	0.00		
			Current Fee Billin	_	0.00		
			Total Fee	•		0.00	
				Total thi	s Task	0.00	
	005	CEI					
Profession	nal Personnei						
			Hours	Rate	Amount		
RESI	DENT PROJECT R	REPRESENTATIVE					
El	lis, Ronald		3.50	70.00	245.00		
	Totals		3.50		245.00		
	Total La	abor				245.00	
				Total this Task		\$245.00	
				Total this I	nvoice	\$245.00	

^{**} PLEASE NOTE OUR NEW ADDRESS EFFECTIVE 6-27-2020: 6363 POPLAR AVE, STE 300, MEMPHIS, TN 38119

			· · · · · · · · · · · · · · · · · · ·	Item No.8.	
Project	25748.00	Diamondhead EWP Alkii Way	Invoice 0088		

Billing Backup

Pickering

Tuesday, January 12, 2021

Invoice 0088428 Dated 1/11/2021

Total this Report

4:04:17 PM

\$245.00

005

CEI

Professional Personnel

Protessi	onai Personnei					
			Hours	Rate	Amount	
RESI	DENT PROJECT RE	PRESENTATIVE				
02098	Ellis, Ronald	11/10/2020	3.50	70.00	245.00	
	Totals		3.50		245.00	
	Total Lab	or				245.00
				Total thi	is Task	\$245.00
				Total the	Project	\$245.00

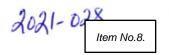
Detailed Timesheet for the Period Ending 11/14/2020

Tuesday, January Item No.8.

Pickering

Employee	02098	Ellis, Rona	ld								
			Total Hr	Sun 11/8	Mon 11/9	Tue 11/10	Wed 11/11	Thu 11/12	Fri 11/13	Sat 11/14	
25748.00 005	Diamondhe CEI	ad EWP Alkii Way				<u> </u>	<u> </u>		Clie	nt: City	of Diamondhead
	89365	Reg	3.50			3.50					

11/10 PRE DESIGN PHOTOS





INVOICE

Pickering Firm, Inc.
Facility Design • Civil Engineering • Surveying • Transportation • Natural / Water Resources 2001 Airport Road, Suite 201, Flowood, MS 39232 PH 601.956.3663 FAX 601.956.7817 www.pickeringfirm.com

January 11, 2021

Project No:

25742.00

Invoice No:

0088430

City of Diamonhead 5000 Diamondhead Circle Diamondhead, MS 39525

City of Diamondhead Strategic Initiatives & Project Agreement

Purchase Order # 2020-0489

Professional Services from November 22, 2020 to January 2, 2021

Professional Personnel

Professional Personner	Hours	Rate	Amount	
ENGINEER Phelan, Andy Totals	5.50 5.50	105.00	577.50 577.50	
Total Labor				577.50
Billing Limits	Current	Prior	To-Date	
Total Billings	577.50	0.00	577.50	
Limit			35,000.00	
Remaining			34,422.50	
		Total this	Invoice	\$577.50



^{**} PLEASE NOTE OUR NEW ADDRESS EFFECTIVE 6-27-2020: 6363 POPLAR AVE, STE 300, MEMPHIS, TN 38119

Detailed Timesheet for the Period Ending 12/5/2020

Tuesday, January 12 Item No.8.

Pickering

Employee	01551	Phelan, An	dy								
			Total Hr	Sun 11/29	Mon 11/30	Tue 12/1	Wed 12/2	Thu 12/3	Fri 12/4	Sat 12/5	
25742.00	Diamondhe	ead - Strategic Initia	ic Initiatives Client: City of Diamond								of Diamondhead
	89006	Reg	4.50			3.50	1.00				

12/1 meeting with Mike, NRCS letter

12/2 corres with Reso

Detailed Timesheet for the Period Ending 12/19/2020

Tuesday, January 12 Item No.8.

Pickering

Employee	01551	Phelan, A	Andy								
			Total Hr	Sun 12/13	Mon 12/14	Tue 12/15	Wed 12/16	Thu 12/17	Fri 12/18	Sat 12/19	
25742.00	Diamondhead - Strategic Initiatives								Clie	nt: City	of Diamondhead
	89006	Reg	1.00			1.00					

12/15 prep for/review for meeting

MR. MIKE RESO

City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS, 39525



January 29, 2021

RE: Proposal for Concept Design and Renderings for 2 ac. Dog Park

Dear Mike.

Thank for the opportunity to provide the aforementioned planning and design services for the City of Diamondhead. As discussed, we are providing you with the following estimate for the conceptual design of the dog park and accompanying renderings.

THE FOLLOWING SERVICES WILL BE PROVIDED FOR A FEE NOT TO EXCEED \$2900:

- Base map production
- Concept design for a two-acre dog park
- > Rendered site plan of the dog park and amenities
- (I) perspective rendering illustrating the overall character of the park
- Marketing board(s) that will include the illustrative site plan, perspective rendering, precedent imagery for amenities, and other pertinent information that would provide a visual overview of the project
- (I) Zoom or other online presentation of the concept to interested parties

Services and fee structure have been determined with the following assumptions:

- Design services are provided at \$165/hr unless otherwise specified.
- The estimated fee is subject to increase or decrease based upon actual efforts and a change in the scope of services as determined by the client.
- > This fee does not include multiple iterations beyond the original concept presented or substantial changes in direction once started.

We hope you find the estimate provided is satisfactory please let me know if you have any questions about our proposal. I have included a sample perspective rendering and rendered site plan that would are representative of the products we would produce for your project. Once again, we thank you for the opportunity to work with you and the City of Diamondhead again.

Sincerely,

Best regards,

Oliver Seabolt

Partner





ORION PLANNING + DESIGN





Boulder, CO Hernando, MS Huntsville, AL Missoula, MT St. Simons Island, GA Sheridan, WY

JAN 22, 2021

SUBMITTED BY:



Ron Slade Partner



Orion Planning + Design www.orionplanningdesign.com



509 Magnolia Street St. Simons Island, GA, 31522



912-580-7719



Ron@OrionPlanningDesign.com

PROJECT 2 - ALOHA COMMERCIAL DISTRICT URBAN DESIGN

SCOPE OF SERVICES AND ESTIMATED FEE

14 - 25

TASK	DESCRIPTION	FEE ESTIMATE
ı	 Conceptual Design Create basemapping (site survey by others) Review and provide comments of civil engineers design currently underway for compliance with Orion's conceptual design Client-consultant brainstorming sessions Exploration of fundamental relationships of space and layout Programmatic and creative visualization of an overall Aloha Commercial District urban design plan depicting conceptual design to include site furnishings, sidewalk pavers and hard-scape, landscape planting and lighting Public presentation of concept (I day trip) 	\$8,250
	PROJECT TOTAL	\$8,250

Client Signature - Project 2	Date

PROJECT 3 - ALOHA COMMERCIAL DISTRICT REGULATING PLAN, FORM BASED CODE REWRITE, AND DESIGN STANDARDS

SCOPE OF SERVICES AND ESTIMATED FEE

TASK	DESCRIPTION	FEE ESTIMATE
1	Regulating Plan Create a conceptual site plan depicting a 'Main Street' concept that will serve as a regulating plan to guide the redevelopment and suburban retrofit of the East Aloha Commercial District to include proposed lot layout and recommended subdivision of commercial and mixed use lots throughout the district with detailed site plans on each parcel, proposed buildings and their relationship to the street, plazas and common areas, parking as well as pedestrian, multi-modal and vehicular circulation Revise the conceptual site plan to respond to City and owner comments to then create and adopt the final site plan intended to guide and govern how future development is to occur within the district Prepare color rendering suitable for presentation Public presentation (1 day trip) Optional Services: Develop a 3-dimensional model of the final site plan (Fee - \$3,960) Develop 2 photo realistic simulations of key project areas to visualize the approved design	\$9,060
2	as to be built (Fee - \$2,640) Form Based Code Rewrite Audit existing zoning code currently governing the East Aloha Commercial area Establish the East Aloha Commercial area as a zoning district and develop a form-based zoning code with 3-dimensional graphics for this district based upon the design criteria established within the regulating plan including allowable building types, site design criteria and parking requirements, street types, and detailed landscape and signage design standards Public presentation of final document (1 day trip)	\$9,900
3	Design Standards > Create architectural design alternatives for the existing strip commercial building facades depicting a redevelopment and redesign of the three large commercial buildings so that they will present an improved aesthetic and more appropriately contribute to the overall East Aloha District concept > Public presentation of design alternatives (I day trip)	\$8,920
	PROJECT TOTAL	\$27,880

Client Signature - Project 3	Date

Item No.10.

PROJECT 5 - MOD DESIGN-PROTECTED MULTI-MODAL LANES

SCOPE OF SERVICES AND ESTIMATED FEE

TASK	DESCRIPTION	FEE ESTIMATE
ı	Schematic Design > Schematic layout for protected multi-modal lanes > Alternatives for intersection design options	\$1,518
2	Design Development Cad design for protected multi-modal lanes	\$1,771
3	Construction Documentation Create construction document drawings, details, and specifications for project bidding	\$1,265
4	Bidding > Review of bids	\$560
	PROJECT TOTAL	\$5,114

Client Signature - Project 5	Date



Schematic Design

Orion Planning+Design (OPD) shall prepare schematic design drawings to satisfy overall program and design intent. Schematic design will align with the public requirements and approvals process.

OPD shall prepare schematic design drawings defining the general concept of landscape architectural design and development and a budgetary estimate of probable construction cost for that scope of work based upon the schematic design.

Design Development

Upon Client's authorization to commence design development, OPD shall prepare design development drawings and a preliminary estimate of probable construction cost for OPD's portion of the work. The design development plans will define the character and essentials of the project, including selection of materials.

OPD shall assist Client in filing the appropriate plans and documents which are required to secure the necessary design approvals from the various governmental agencies having jurisdiction over the project, but Client shall be solely responsible for securing all such approvals.

Construction Documentation

Upon Client's approval of the design development plans and preliminary cost estimate, OPD will develop working drawings and technical sections of specifications to construct the work and shall prepare a final estimate of probable construction cost. Technical sections of specifications shall be prepared in Construction Specifications Institute (CSI) MasterFormat. Client shall be responsible for Bidding Contract Requirements and General Requirements divisions of the specifications.

OPD shall prepare working drawings and technical sections of specifications to reasonably conform to applicable codes and regulations of governmental bodies having jurisdiction over the work at the time of preparation.

In developing working drawings and technical sections of specifications, OPD shall use its best efforts to coordinate its services with other consultants and to maintain a construction budget in accordance with the preliminary design estimate of probable construction cost accepted by Client at the end of the schematic design phase. When the final estimate of probable construction cost is one hundred ten percent (110%) of the preliminary design budget estimate, or less, the final estimate will be acceptable to Client.

Bidding or Negotiation Phase

If required by the Client, OPD shall assist Client in obtaining and evaluating bids or negotiating proposals, and assist in awarding and preparing contracts for construction. This service will be performed hourly as needed per the fees stated above.

Construction Observation

OPD shall be present for construction observation at intervals of substantial completion. Punch lists shall be provided to the client and contractor to ensure that the design intent is met to satisfaction. This service will be performed hourly as needed per the fees stated above.

Additional Services:

For any Additional Services as may be authorized by you, we are to be compensated either on an hourly basis or for a lump sum amount, as mutually agreed.

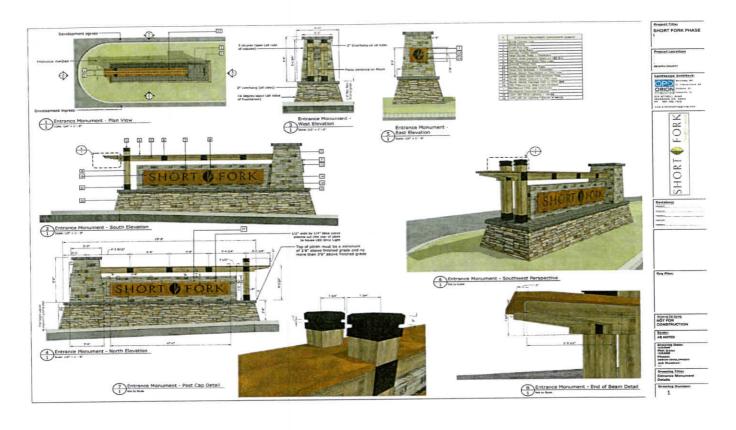
ORION PLANNING + DESIGN

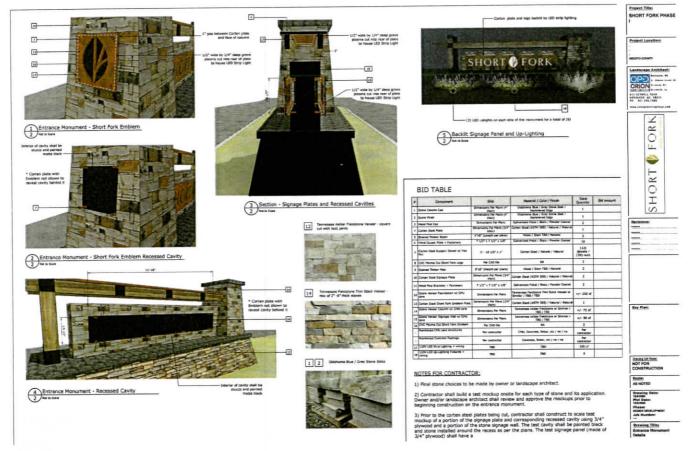
Reimbursable Expenses:

We are to be compensated for expenses incurred on behalf of the project in accordance with the Terms and Conditions identified below.

Payments to Orion Planning and Design shall be made no later than thirty (30) days after receipt of invoice. All expenses such as air fare, hotel, ground transportation, printing, outside consultant, postage, Federal Express and courier services will be billed at direct cost. All other services not itemized above, including but limited to any design revisions beyond what has been approved, or any services you may request, will be billed at our standard hourly rates.

Client Signature	Date		
By signing this page, client hereby agrees to	the terms and con	ditions contained	here within.
Ron Slade, ASLA Partner			
Best regards, Pa Slale.			
Thank you for allowing Orion Planning and	Design provide the	se design and cor	sulting services for you





ORION PLANNING + DESIGN -







ORION PLANNING + DESIGN

Location for stump to grind

location	number/s
DH DR East 88398 Median	1
DH DR East 88386 Median	1
DH DR East Circle Park	3
DH DR East 69243 Median	1
DH DR East 69226 Median	1
DH DR East 56101 Median	1
DH DR East 56100	. 1
DH DR North & Devils Elbow	
Entrance	1
DH DR West 8710 Median	2
Hilo Way 687 Median	1
Hilo Way 7933 Median	1
Maui Circle Park	2
	16

approx \$20000 lack

	101	2021	2021	2021	T	1	2021	2021-13	2021-13	T	1	2021-12	2021-12	2021-12	2021-12	NO. LINCOU	udget		For	Bu	Ω	e
		-14 00	14 00	-14 00											12 10	Cour	udget Entry	1	me risc	اد		No.1
		2021-14 001-000-252.00	2021-14 001-000-252-00	2021-14 001-301-683.00			001-301-602.00	001-653-601.00	001-140-604.00			104-301-912.00	104-301-602.00	104-000-340.00	104-000-260 00	Account	Account		al Year Endi	djustments	amondhead	
		Disaster Reimbursements	Disaster Reimbursements	Professional Fees - Debris Removal			Professional Fees - Engineering	Professional Fees - Consulting	Professional Fees - Architectural Ser			Capital Outlay - Streets/Drainage	Professional Fees - Engineering	Interest	MS Infrastructure Modification Revo		DESCRIPTION	ACCT	For the riscal Year Ending September 30, 2021			
		291,580.00	1,749,480.00	2,332,640.00			(54,500.00)	36,500.00	18,000.00			60,000.00	45,500.00	500.00	105,000.00		Amount	Adiustment				
291,580.00 Budget Amendment for ZETA Debris Removal	12.5% Deficiency will come from City's Emergency Contingency Fund Bank Account and show as a Deficient in the General rund	(291,580.00) 12.5% Reimbursement MEMA Funds	(1,749,480.00) 75% Federal Reimbursement	2,332,640.00 Cost of Zeta Debris Removal	Budget Amendment for ZETA Debris Removal	0.00 Reclass Engineering Expenses for other Projects	(54,500.00) Reclass Funds for other projects	36,500.00 East Aloha Commercial District Design & Plans	18,000.00 Buildout of Sanctuary for Building Department and other Future uses	Reclass Engineering Expenses for other Projects	0.00 Increase in expected MIMA Funds - Infrastructure Fund	60,000.00 Increase in expected MIMA Funds - Infrastructure Fund	45,500.00 Increase in expected MIMA Funds - Infrastructure Fund	(500.00) Increase in expected Fund Interest	(105,000.00) Increase in expected MIMA Funds - Infrastructure Fund	Increase in expected MIMA Funds - Infrastructure Fund	Budget Description	Effect on				
	k Account and show a	2/2/2021	2/2/2021	2/2/2021			2/2/2021	2/2/2021				2/2/2021	2/2/2021	2/2/2021	2/2/2021		Council	Form to				
	s a Deficie	1															Item	Agenda				
	nt in the General																Approval	Council				
	rund																Date	Posted to InCode				
																	Packet	InCode				
-																						

EXHIBIT "C"

WORK ASSIGNMENT

WORK ASSIGNMENT NO. 017 REVIEW DEVELOPER PLANS AND SPECIFICATIONS FY21

PROJECT NUMBER:						
		 	 _			

This Work Assignment is executed in accordance with the Master Services Agreement entered into by THE CITY OF DIAMONDHEAD and DIGITAL ENGINEERING, on the 29th day of October, 2018.

WHEREAS, each of said parties represents that it continues to have authority to execute this Work Assignment and that all certifications previously made in said Agreement remain in effect;

NOW THEREFORE, the parties hereto do further contract and agree to add the following items of work to the above Agreement under the additional terms and conditions as are hereinafter stated:

Work Assignment No. 017 is to review developer plans and specifications for general conformance with CITY criteria (commercial or residential). Digital Engineering will provide the City with written comments after each review.

WORK ASSIGNMENT TERM

No new Work Assignments shall be executed after October 28, 2021.

This WORK ASSIGNMENT shall be effective upon the latest date of execution hereof and continue for one year, at 11:59 P.M/ CDT. However, the Engineer may not begin work prior to receiving a Notice to Proceed.

DBE GOAL

The DBE goal established for this Work Assignment shall be 0%.

KEY PERSONNEL

L. Bruce Newton, PE

PRINCIPAL ENGINEER

SENIOR PROJECT MANAGER

John M. Stein, PE

PROFESSIONAL ENGINEER

CADD TECHNICIAN

Christina Wheeler-Shurley, PE

Michael Prine

CLERICAL

Candice Cox

SCHEDULE

Plans and specifications will be reviewed within 30 days of receipt.

MAXIMUM ALLOWABLE COST

Contract Maximums:

Under no circumstances shall the amount payable by the Owner for this assignment exceed \$20,000 (Total of all Charges) without the prior consent of both parties. The intention of this work assignment is to provide funding for multiple review assignments. An accounting of remaining funds in the budget will be required prior to the start of each assignment to ensure that adequate funds are available. The Labor Rate has been identified in Table 1: Rate Schedule for Labor Hours.

Table 1: Rate Schedule for Labor Hours

NAMES	LABOR CLASSIFICATION	RATE
L. Bruce Newton, PE	PRINCIPAL ENGINEER	\$ 135
John M. Stein, PE	SENIOR PROJECT MANAGER	\$ 105
Christina Wheeler-Shurley, PE	PROFESSIONAL ENGINEER	\$ 97
Michael Prine	CADD TECHNICIAN	\$ 50
Candice Cox	CLERICAL	\$ 43

Both parties hereto represent that they have authority to enter into this Work Assignment No. 017, as "Exhibit "C" of the Agreement executed by and between the City and Engineer to which is now made a part of said Agreement.

SO EXECUTED AND AGREED THIS T	HE, 2021.
	CITY OF DIAMONDHEAD
	Michael Reso, City Manager
WITNESS this my signature in execution he	ereof, this the agam day of January, 2021,
	DIGITAL ENGINEERING

By: L. Bruce Newton, PE., Executive Vice Presiden

ATTEST: Comdice N. Cox

Item No.14.



5000 Diamondhead Circle · Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

TO: Mayor, City Council and City Manager

FROM: J. Pat Rich

DATE: January 27, 2021

SUBJECT: Recommendation from Planning Commission Fence Variance Request Elliott Homes, LLC

Elliott Homes, LLC has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence within 10' of the southwest property along Ieke Drive and extending beyond the front facade of the house 14'. The Case Number is 202000592.

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. The fence is required to be set back 20' from the front property line but not any closer than the façade of the house.

At its regular meeting on January 26, 2021, the Planning Commission voted 6-0 to recommend approval to allow the variance as modified to construct a 6' wood privacy fence within 18' of the southwest property along Ieke Drive and extending beyond the front façade of the house 18'.





City of Diamondhead

5000 Diamondhead Circle, Diamondhead, MS 39525 Phone: (228) 222.4626 FAX: (228) 222-4390 www.diamondhead.ms.gov

STAFF REPORT TO PLANNING COMMISSION

DATE: January 25, 2021

CASE FILE NUMBER: 202000592

APPLICANT: Elliott Homes, LLC

PROPERTY OWNER: Elliott Homes

TAX PARCEL NUMBER: 068J-1-41-325.000

PHYSICAL STREET ADDRESS: 8454 Amoka Drive

LEGAL DESCRIPTION: Diamondhead Subdivision Phase 2, Unit 11, Block 7, Lot 4

ZONING DISTRICT: R-2

TYPE OF APPLICATION: Variance

NATURE OF REQUEST: Elliott Homes, LLC has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence within 10' of the southwest property along Ieke Drive and extending beyond the front façade of the house 14'.

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. The fence is required to be set back 20' from the front property line but not any closer than the façade of the house.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: January 26, 2021

ACTION BY THE PLANNING COMMISSION: 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.

FINDINGS: The Planning Commission may recommend granting a variance provided affirmative findings of fact are made on each of the following criteria:

A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district. By way of example, special conditions or

circumstances peculiar to land could include irregularity, narrowness, or shallowness of <u>lot</u> size or shape, or exceptional topographical or other physical conditions.

Item No.14.

- B. That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title.
- C. That special conditions and circumstances do not result from the actions of the applicant.
- D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district.
- E. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- F. The Variance would observe the spirit of the Ordinance and would not change the character of the district.
- G. The Variance would observe the spirit of the Comprehensive Plan.
- H. That the Variance requested will not result in any change in use or density of the subject property.

NOTES: In recommending that any variance be granted, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with the zoning ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the zoning ordinance and punishable as determined within the zoning ordinance.

Under no circumstances shall the Planning Commission or Mayor and City Council grant a variance to allow a use not permissible under the terms of the zoning ordinance in the district involved, or any use expressly or by implication prohibited by the terms of the zoning ordinance in said district.

RECOMMENDATION TO PLANNING COMMISSION: To **approve** the variance as modified; To construct a 6' wood privacy fence within 18' of the southwest property along Ieke Drive and extending beyond the front façade of the house 18'.

The staff recommends to approve the variance as modified based on the following findings of fact.

- A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structuresor buildings in the same district. The back porch opening on the leke drive side poses a danger for children and pets and does not afford privacy that most fenced properties provide.
- B. That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title. The lot on the opposite corner of Ieke Drive has a fence that is beyond the front façade.
- C. That special conditions and circumstances, if any, do result from the actions of the applicant.
- D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district. Each variance stands on it's own merits.
- E. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue. The modifications comply.
- F. The Variance observes the spirit of the Ordinance but it would not change the character of the district (area).
- G. The Variance would observe the spirit of the Comprehensive Plan.
- H. That the Variance requested will not result in any change in use or density of the subject property.



Ph: 228-222-4626 FX: 228-222-4390

Item No.14.

APPLICATION FOR VARIANCE REQUEST

Case Number: <u>20200592</u>

Applicant's Address:1402 Pass Rd Gulfport MS 39501 Applicant's Email Address:angela@myelliotthome.com Applicant's Contact Number: (Home) (Work)(Cell) 228-366-4386 Property Owner: Elliott Homes LLC Owner's Mailing Address:1402 Pass Rd Gulfport MS 39501 Owner's Email Address				Date	11/30/2020		
Applicant's Email Address:angela@myelliotthome.com Applicant's Contact Number: (Home) (Work) (Cell) 228-366-4386 Property Owner:Elliott Homes LLC Owner's Mailing Address:1402 Pass Rd Gulfport MS 39501 Owner's Email Addressangela@myelliotthome.com Owner's Contact Number: (Home) (Work) (Cell)228-366-4386 Tax Roll Parcel Number:068F-1-41-325.000 Physical Street Address:8454 Amoka Dr. Diamondhead MS 39525 Legal Description of Property:Phase 2 Unit 11 Blk 7 Lot 4 Zoning District: R-2 State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage) (Signage-Size-Height)	Applicant:	Elliott Homes	LLC				
Applicant's Email Address:angela@myelliotthome.com Applicant's Contact Number: (Home) (Work) (Cell) 228-366-4386 Property Owner:Elliott Homes LLC Owner's Mailing Address:1402 Pass Rd Gulfport MS 39501 Owner's Email Addressangela@myelliotthome.com Owner's Contact Number: (Home) (Work) (Cell)228-366-4386 Tax Roll Parcel Number:068F-1-41-325.000 Physical Street Address:8454 Amoka Dr. Diamondhead MS 39525 Legal Description of Property:Phase 2 Unit 11 Blk 7 Lot 4 Zoning District: R-2 State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage) (Signage-Size-Height)	Applicant's Ac	ldress:	1402 Pass Rd Gu	ılfport MS	39501		
Applicant's Contact Number: (Home) (Work) (Cell) 228-366-4386 Property Owner:Elliott Homes LLC Owner's Mailing Address:1402 Pass Rd Gulfport MS 39501 Owner's Email Address angela@myelliotthome.com Owner's Contact Number: (Home) (Work) (Cell) 228-366-4386 Tax Roll Parcel Number: 068 / 1-41-325.000 Physical Street Address: 8454 Amoka Dr. Diamondhead MS 39525 Legal Description of Property: Phase 2 Unit 11 Blk 7 Lot 4 Zoning District: R-2 State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage) (Signage-Size-Height)				lliotthome.	com		
Owner's Mailing Address:				(Wo	rk)	(Cell)	228-366-4386
Owner's Mailing Address:1402 Pass Rd Gulfport MS 39501 Owner's Email Addressangela@myelliotthome.com Owner's Contact Number: (Home) (Work)(Cell)228-366-4386 Tax Roll Parcel Number:068F-1-41-325.000 Physical Street Address:8454 Amoka Dr. Diamondhead MS 39525 Legal Description of Property:Phase 2 Unit 11 Blk 7 Lot 4 Zoning District: R-2 State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage) (Signage-Size-Height)	Property Own	er:Elliott Ho	omes LLC				
Owner's Contact Number: (Home)	Owner's Mailir	ng Address:14					
Owner's Contact Number: (Home)	Owner's Email	Addressan	gela@myelliotth	nome.com			
Physical Street Address: 8454 Amoka Dr. Diamondhead MS 39525 Legal Description of Property: Phase 2 Unit 11 Blk 7 Lot 4 Zoning District: R-2 State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage) (Signage-Size-Height)	Owner's Conta	ct Number: (Hom	ie)	(Wo	rk)	(Cell)	228-366-4386
Physical Street Address: 8454 Amoka Dr. Diamondhead MS 39525 Legal Description of Property: Phase 2 Unit 11 Blk 7 Lot 4 Zoning District: R-2 State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage) (Signage-Size-Height)	Tax Roll Parcel	Number: 068J	-1-41-325.000		~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~		
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Zoning District: R-2 State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage) (Signage-Size-Height)	Legal Descripti	on of Property: _	Phase 2 Unit	11 Blk 7 Lc	ot 4		
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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 PRIVLEGES 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:
 - 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.

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 Saures 34,3021 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.

Angela Hayes	
Signature of Applicant	Signature of Property Owner
	official Use Only
(2) \$100.00	() Application Signed
() Copy of Deed, Lease or Contract	() Written Project Description
() Site Plan	() Drainage Plan NA ()
() Parking Spaces	() Notarized Statement NA ()
() List of Property Owner	

REQUIRED ITEM A

Property Owner	Elliott Homes LLC	
Statement Describ	ng Variance Request	n and submitted on fencing permit.
10 mstan o	wood privacy renee as draw	if and submitted on fencing permit,
	<u> </u>	<u>and the state of </u>
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The reasons why it	complies with the criteria	for variances:
		NSTANCES EXIST WHICH AFFECT ONLY THE LAND OR RROUNDING OR SIMILAR PROPERTIES?
Response:	The fence will no	t affect surrounding or similar properties.
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2. WOULD LITER	RAL INTERPRETATION OF THE ZOI MONLY ENJOYED BY OTHER PRO	NING ORDINANCE DEPRIVE THE OWNER/APPLIANT OF PERTIES IN THE SAME ZONING DISTRICT?
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3. ARE THE SPEC	CIAL CONDITIONS OR CIRCUMSTA	NCES NOT CAUSED BY THE OWNER/APPLICANT?
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	REQUESTED VARIANCE NOT GIVE SHARED BY OWNERS OF SIMILAR	THE OWNER/APPLICANT ANY SPECIAL PRIVLEGES OR PROPERTIES?
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5000 Diamondhead Circle · Diamondhead, MS 39525-3260 Phone: 228.222.4626 Fax: 228-222-4390

TO: Elliott Homes, LLC and adjacent property owners

FROM: Ronald R. Jones, Building Official Ronald R. Janes

DATE: December 28, 2020

SUBJECT: Notice of Public Hearing

Elliott Homes, LLC has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence within 10' of the southwest property along Ieke Drive and extending beyond the front façade of the house 14'.

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. 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.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on Tuesday, JANUARY 26, 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.

Prepared By and Return To: Schwartz, Orgler & Jordan, PLLC 12206 Hwy 49 Gulfport, MS 39503 (228) 832-8550

Indexing Instructions: Lot 4 Block 7 Unit 11 Phase 2

STATE OF MISSISSIPPI COUNTY OF HANCOCK

WARRANTY DEED

File# 191932A

THAT 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 all of which is hereby acknowledged,

Dennis Arceneaux, 1043 Edwin Ladner Road Pass Christian, MS 39571 (228) 493-2044

does hereby grant, bargain, sell, convey and warrant, unto

ELLIOTT HOMES, LLC, A Mississippi Limited Liability Company 1402 PASS RD. GULFPORT, MS 39501 228-257-9914

the following described property, together with the improvements, hereditaments and appurtenances thereunto situated and located in the County of Hancock, State of Mississippi, and more particularly described as follows, to-wit:

Lot Four (4), Block 7, Unit 11, DIAMONDHEAD, Phase 2, according to the map or plat thereof recorded in the Office of the Chancery Clerk of Hancock County, Mississippi.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and any prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners of subject property.

Estimated county ad valorem taxes have been prorated between the parties as a part of the consideration for this conveyance. In the event the estimates upon which such proration is based prove to be inaccurate for any reason, the Grantee agrees to refund any excess, and the Grantor

agrees to pay any deficiency, upon receipt of a copy of the tax statement for the current year and a computation of the true amount due, based on a 365 day year.

THIS CONVEYANCE is also subject to Zoning and/or other land use regulations promulgated by federal, state or local governments affecting the use or occupancy of the subject property.

WITNESS THE SIGNATURE of the Grantor on this the 4th day of October, 2019.

Dennis Arceneaux

STATE OF MISSISSIPPI COUNTY OF HARRISON

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Dennis Arceneaux, who acknowledged that he signed, executed and delivered the above and foregoing instrument as a voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 4th day of October, 2019.

NOTARY PUBLIC

(SEAL)

My Commission Expires:



MINUTES

PLANNING AND ZONING COMMISSION

Tuesday, January 26, 2021 6:00 PM CST

Council Chambers, City Hall and via teleconference, if necessary

Commissione Item No.14.
Commissioner Bower
Commissioner Rubar
Commissioner Hourin
Commissioner Torguson
Commissioner Hector

Call to Order

Chairman Bice 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 Rubar read the Statement of Purpose

Pledge of Allegiance

Commissioner Torguson led the Pledge of Allegiance.

Roll Call

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

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

Confirmation or Adjustments to Agenda

Commissioner Bower, made a motion, second by Commissioner Hourin to approve the Agenda as presented.

Motion Carried Unanimously

Approval of Minutes

Commissioner Bower made a motion, second by Commissioner Layel to approve the minutes of December 8, 2020.

Motion Carried Unanimously

New Business

2. Elliott Homes, LLC has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence within 10' of the southwest property along leke Drive and extending beyond the front façade of the house 14'.

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. 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, addressed the Commissioners and answered questions.

Chairman Bice asked if anyone was here to represent Elliot Homes. No one was present.

Chairman Bice asked for any public comments.

Mr. Skip Marsh spoke and answered questions from the Commissioners.

Code Enforcement Officer, Pat Rich presented 3 statements that were opposing the variance.

He presented to the Commissioners a recommendation to approve the variance with modifications that are in the staff report.

Commissioner Hourin asked if all parties were satisfied with the modifications, and all agreed.

Commissioner Rubar made a motion, second by Commissioner Bower to approve the recommendation with modifications to the City Council.

Motion Carried Unanimously

Unfinished Business

3. Motion by City Council to return the matter regarding variance request of Margaret Nutkins for Conditional Use Permit to the Planning & Zoning Commission to provide the reason for its denial of the permit.

City Attorney, Derek Cusick, gave a recap to the Commissioner about the case. He also explained why the case was sent back from the City Council.

Ms. Nutkins read a statement to the Commissioners on why they should approve her Conditional Use permit.

Chairman Bice asked for any public comments

Lisa Vergano, Molly Jimenez, and Don Walter stated why they were opposed to the permit.

Commissioner Rubar made a motion, second by Commissioner Hourin to approve the Conditional Use Permit with conditions to the City Council.

- Parking would be limited to 5 cars during a rental.
- 2. A Three Strike policy having complaints through City Court.
- Owner must be a resident of Diamondhead.
- 4. Limited occupancy to 10 people.
- 5. Must provide renters with parking and noise ordinance.

- 6. Must provide information on garbage collections and dates.
- 7. Must re-apply for a Conditional Use permit in 1 year from now, unless the ordinance has changed by allowing rentals without a Conditional Use permit.

Roll Call

Ayes: Bice, Layel, Rubar, Hourin

Nays: Torguson, Bower

Motion Carried

Open Public Comments to Non-Agenda Items

Ms. C J Longenecker spoke to the Commissioner about an opened gate on her cul-de sac. She stated parts of the gate is missing and so is the sign.

Commissioners' Comments

None

Communication / Announcements

4. Next City Council meeting February 3, 2021

Next Planning Commission meeting February 23, 2021

Commissioner Tourguson asked that everyone keep Mr. Ronald Jones and his Family in their prayers.

Adjourn or Recess

Commissioner Hourin made a motion, second by Commissioner Layel to adjourn this meeting at 7:22 p.m.

Motion Carried Unanimously

E J Bice, Chairman
Planning & Zoning



5000 Diamondhead Circle · Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

TO: Mayor, City Council and City Manager

FROM: J. Pat Rich

DATE: January 27, 2021

SUBJECT: Recommendation from Planning Commission Conditional Use Request Nutkins

Ms. Margaret F. Nutkins has filed an application requesting a Conditional Use Permit in accordance with the Zoning Ordinance Table 4.2, Article 4.21.1 (C) and Article 2.5 to allow short term vacation rental for 30 days or less in a R-1 district. The tax parcel number is 067P-0-35-066.000 The street address is 7604 Fairway Drive. Case file number is 202000481.

At its regular meeting on January 26, 2021, the Planning Commission voted 4-2 to recommend approving the request for a Conditional Use Permit with the following conditions:

- 1. Parking would be limited to no more than 5 vehicles at one time during a rental.
- 2. Should three or more complaints against the property result in guilty verdicts in municipal court, the permit shall be rescinded.
- 3. Owner must be a resident of Diamondhead.
- 4. Occupancy is limited to no more than 10 people.
- 5. Renters must be provided with city's parking and noise ordinance.
- 6. Renters must be provided information on garbage collections and dates.
- 7. Permit is valid for 1 year from date of issuance, unless the ordinance has changed by allowing rentals without a Conditional Use permit.



Diamondhead, MS 39525

Ph: 228-222-4626 FX: 228-222-4390

APPLICATION FOR CONDITIONAL USE

Case Number 20200481
Date
Applicant: MARGARET F NUTRINS
Applicant's Address: 7604 FAIRWAY DRIVE DIAMONDHEAD MS 39525
Applicant's Email Address: MARGAR 1000 @ yahoo, com
Applicant's Contact Number: (Home) (Work) (Cell) 407-342-7865
Property Owner: MARGARET F NUTKINS
Owner's Mailing Address: 7604 FAIRWAY DR. DIAMONDHEAD. MS 31525
Owner's Email Address MARGAN 1000 Q YALOO, COM
Owner's Contact Number: (Home) (Work) (Cell) <u>Hv7-34z-</u> 7865
Tax Roll Parcel Number: 067 P - 0 - 35 - 066,000
Physical Street Address: 7604 FAIRWAY DRIVE DIAMONDHEAD MS 39525
Legal Description of Property: LOT 6 FAIRWAY ESTATES #1
Zoning District: R-1
State Purpose of Request: Vacation Rental

Statement – 7604 Fairway Drive is my primary residence. Upon occasion, I would like the opportunity to rent to vacationers to our City. I am applying for a Conditional Use Variance for such purposes.

- E The Site Plan is attached, which shows the existing structure and the parking availability.
- E iv Thee will be NO proposed site improvements that include parking and loading areas, pedestrian, and vehicular access, landscaping areas, utility or service areas, fencing and screening and lighting.
- E v The nature of the operation will be to occasionally host guests visiting the Diamondhead community and provide them with quality accommodations and a pleasurable experience.
- E vii The entrance to the two-car garage and the circular driveway can spaciously accommodate 5 full size vehicles.
- A The States of California, Texas and the California Coastal Commission, have all found and upheld appeals that define vacation rentals as a residential use. Therefore, conformance with regulations and standards established by the Zoning Regulations is satisfied.
- B Since this facility is a residential home, it is compatible with existing abutting sites.
- C-There are no unfavorable effects or impacts on other residential properties in the area.
- D There are no modifications being done to the property that would be harmful to public health, safety, morals or general welfare.
- E There will be no significant increase of vehicular or pedestrian traffic to the area other than regular residential activity.
- F There will be no need for protection of persons and property from flood or water damage, odors, fire, noise, glare and similar hazards or impacts other than any residential property.
- G There will be no additional lighting, signs or traffic control that will have an adverse affect on my property or adjacent properties.
- H There will be no need for loading facilities and there is ample space for parking for 5 full size automobiles. There will be no need for on street parking.
- J The proposed use is for residential use of property for vacation purposes and is harmonious and complimentary to existing and adjacent land use.
- I There will be no changes to the structure of the building, which is compatible with adjacent structures, being residential homes.
- K There should be no further conditions to approve the variance since there are no unfavorable impacts on surrounding areas.
- L Nothing in the conditional use of the property can be determined to be a detriment to the public health, safety or welfare or materially injurious to properties in the vicinity.

**************************************					Item No.15.
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STATEMENT OF UNDERSTANDING

As the applicant or owner/s for the requested Conditional Use 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 request 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.

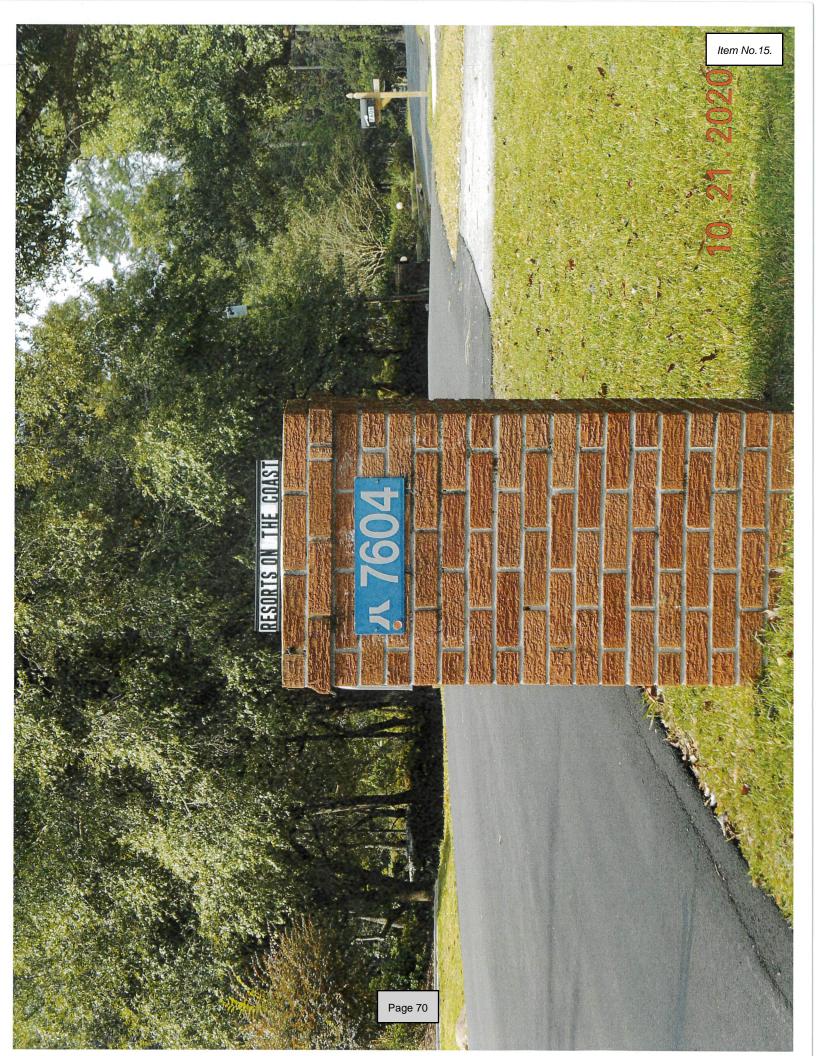
The City Council will not accept new case evidence once the recommendation has been made by the Planning Commission. If new evidence needs to be presented, the applicant will need to request that the matter be referred to the Planning Commission for review.

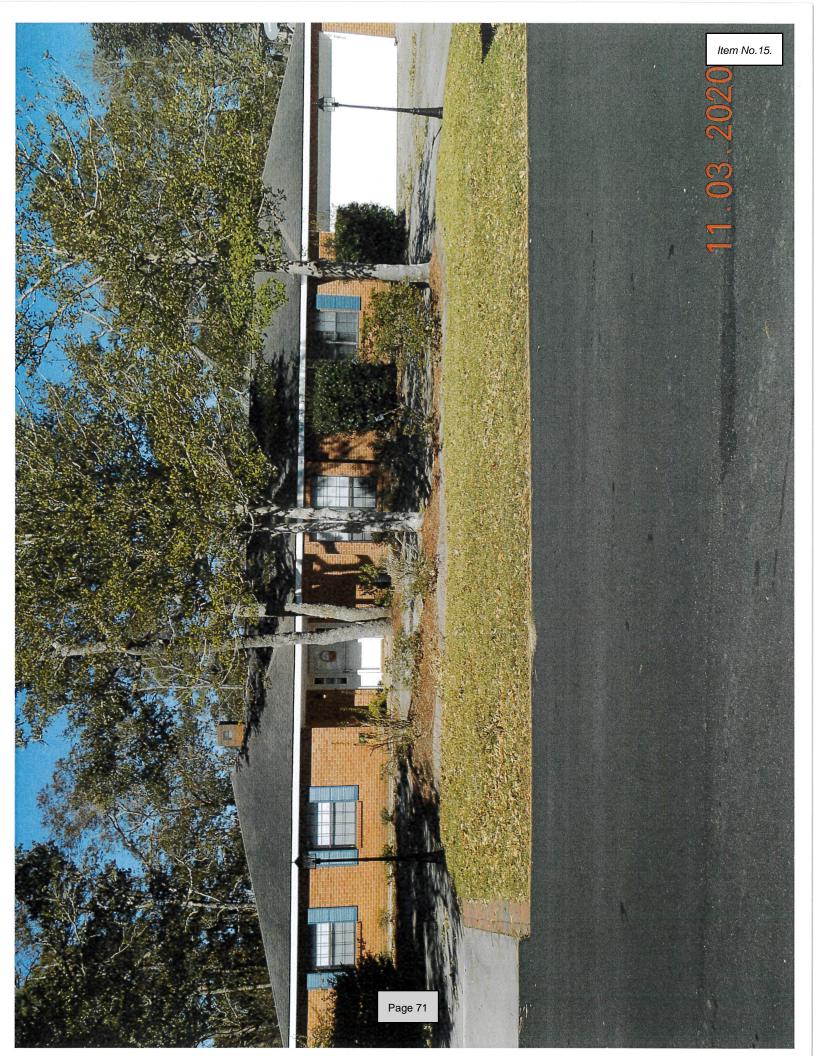
The Public Hearing will be held on ______ Dec 8, 2020 at 6 p.m. in the Council Chambers of the Diamondhead City Hall.

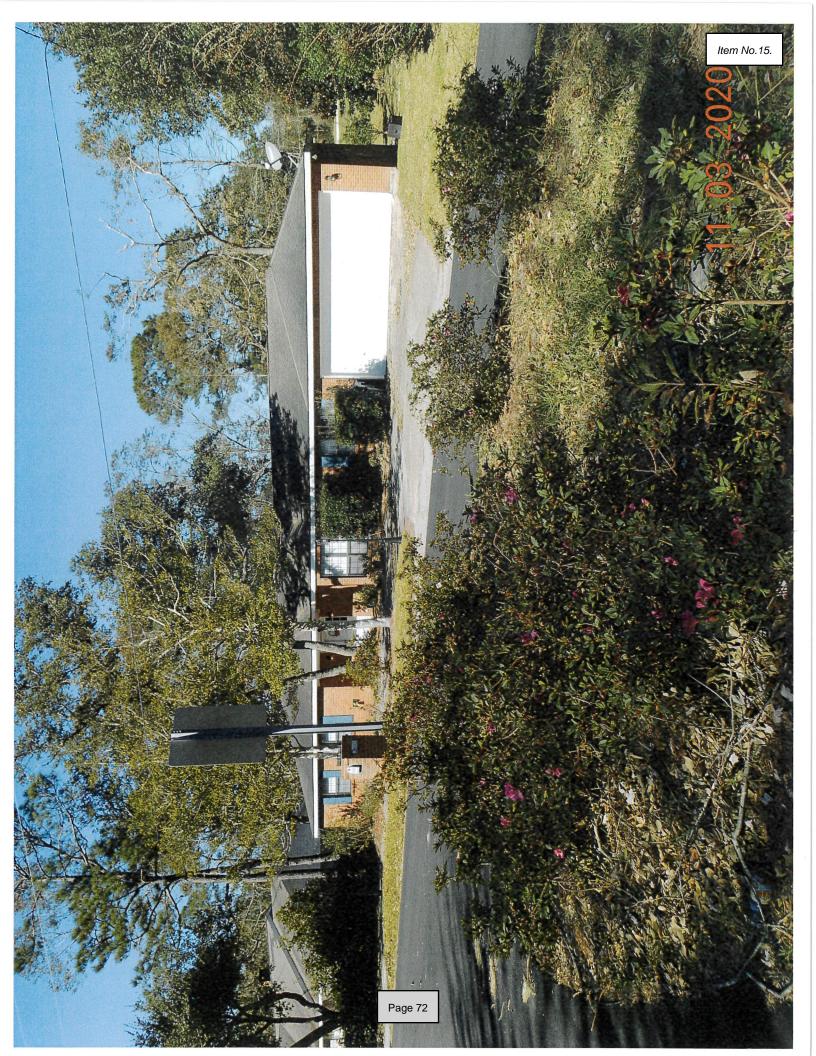
If a continuance of the hearing is necessary at my (our) request, the request must be made to the Zoning Official a minimum of seven (7) days prior to the hearing If such request is not made in writing, I understand that a new application must be filed and an application fee paid to the City.

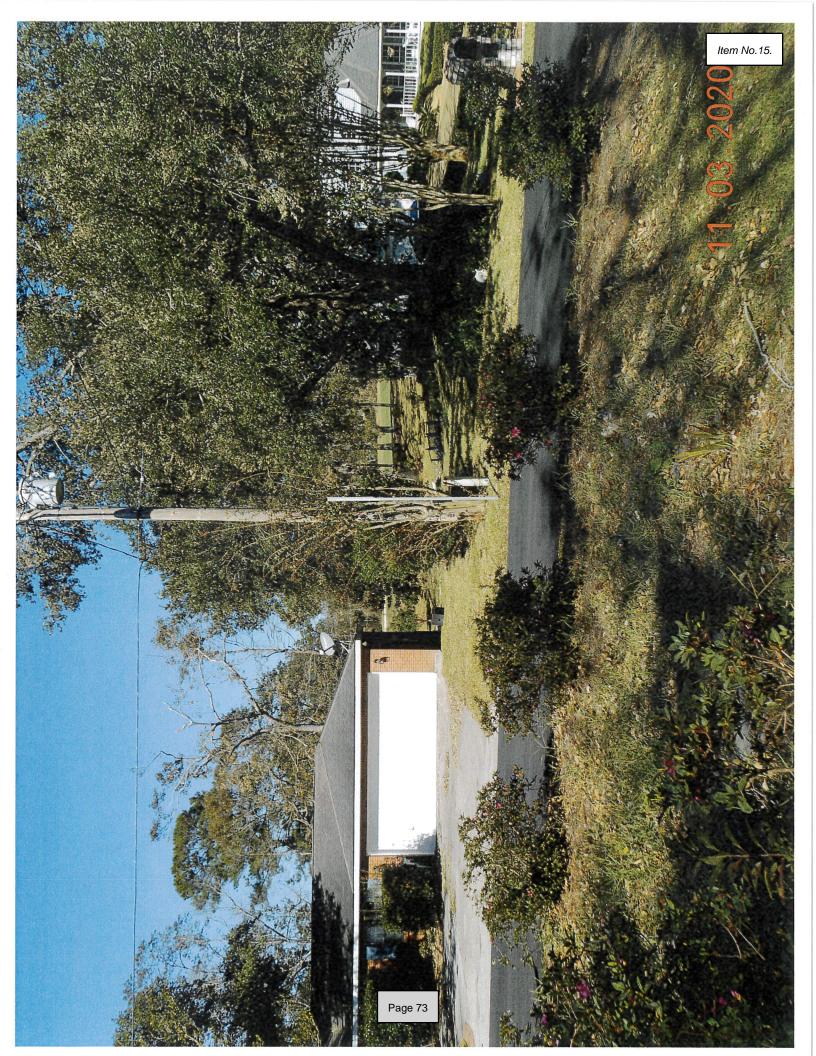
If the application is denied by the City Council, a new application for the subject property may not be submitted for one (1) year from the date of denial.

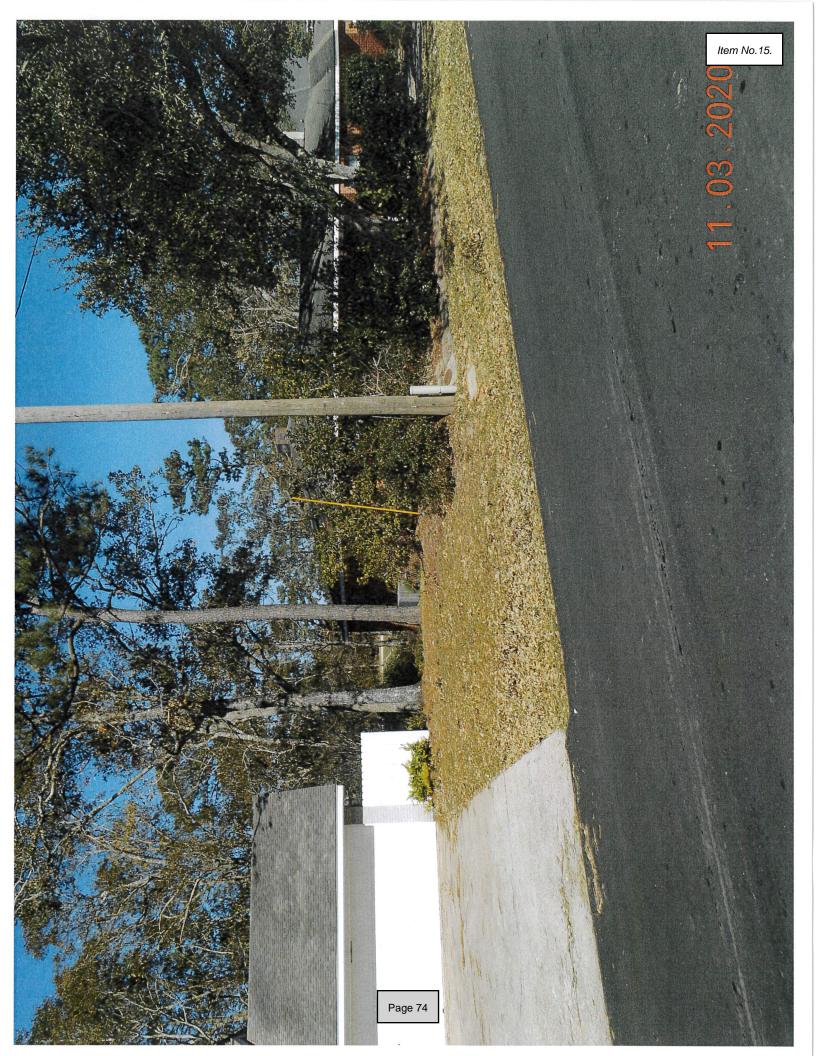
Margaret 7 Nutkins	
Signature of Applicant	Signature of Property Owner
For Official Use Only	
16 1	()
(/) \$100.00	() Application Signed
() Copy of Deed, Lease or Contract	() Written Project Description
() Site Plan	() Drainage Plan NA()
() Parking Spaces	() Notarized Statement NA ()
) List of Property Owner	











To: Ronald R. Jones and Pat Rich, CBO Building Officials

Subject: Request for Conditional Use Permit

First, I would like to thank you for the opportunity to obtain a Conditional Use Permit. Please allow me to share a little bit about me and my perspective on some of the issues that have come up.

I am an Army veteran, a registered nurse, a widowed, sole female proprietor who started a business to give people visiting Diamondhead a quality place to stay. I started my business "Resorts On The Coast" with my first townhouse in Highpoint. Even with the Covid-19 crisis, I found it to be hugely successful and the guests have been wonderful. I have had a variety of people come through such as couples visiting their grandchildren, couples just wanting a get-away together, families who were just interested in the nearby beaches, individuals who have contracts at Stennis and needed a place to stay and numerous guests who have come to golf. The one thing they all had in common when I spoke with them is that they were concerned that it was getting harder and harder to find nice accommodations in Diamondhead. This sparked my interest in being able to offer accommodations for more people who want to visit Diamondhead as a group. I have geared my marketing to Family Reunions, Off Campus Business Meetings, and golf groups coming for tournaments. I wanted a place where they could golf, relax, cook and eat together.

Mr. Donald Walter presented a petition to the neighbors and I have no idea how it was presented or what he told them. He certainly did not present it to me to give me the opportunity to vote no. So, I would like to speak to the most common objections of having a vacation rental in your neighborhood.

Mr. Walter describes the access to Fairway Estates. He states that short term rentals reduce the safety and convenience of vehicular and pedestrian circulation in the vicinity and that it generates additional traffic that presents a potentially dangerous traffic situation in front of 7604 near a blind section of Fairway Dr. The entrance is engineered for two directional traffic, separated by an island which creates a safety barrier. Regardless of how the entrance is described, it has no bearing on my situation. Apparently, Mr. Walter has no idea what a vacation rental is. This is not a retail store generating tons of traffic coming and going. The property has ample parking for 6 cars so there will never be any reason to park on the street. The vacation rental will not bring in any more traffic than if Mr. Walter had family come visit once-a-month. This is my home, and these are my guests. Vacation rentals do not generate pedestrian or vehicular traffic beyond that is reasonably expected to be generated by a residential unit. I have consulted with Leigh Simpson & Associates, a national company, who states traffic safety in front of 7604 Fairway is the least of this City's worries. No intersection in this City is busier than Aloha Drive and Gex Drive. There are double yellow lines on Aloha Drive, yet traffic can turn left into Bu crossing 2 lanes. At the very least Page 76 t left turn. People can enter Burger there should be some type of barrier preve

King on Gex Drive and also with a right-hand turn from Aloha Drive. Traffic safety definition lines to prevent head on collisions or accidents are not visible on the streets with the exception of one area of Golf Club Drive. Areas in the City need safety barriers to prevent vehicles from driving off the road and into the ditches. One example is on Alakoko Place where the ditch is not maintained because of its depth, which is at least 5-foot-deep on a curve.

Mr. Walter points out R-1 "Purpose" stating that short term rentals allow <u>use</u> of this property which does not perform a function appropriate to the Fairway Estates residential environment. Running a vacation rental out of one's home is no different than selling Amway or Avon from home or babysitting in the home. Since Covid-19 there are more businesses than ever running from homes. Furthermore, I am not conducting any business in the home at all. All business transactions are done on the internet. This is nothing more than a home occupation. In the February 28, 2019 version of the Code of Ordinances. Part II, Appendix A, Article 4.18 B states that home occupations are allowed withing the City of Diamondhead subject to securing a permit from the zoning administrator.

The Supreme Courts of Texas, in Tarr v Timberwood ruled that occupants to whom Tarr rented to, used the home for a 'residential purpose' no matter how short-lived.

Washington Supreme Court, Wilkinson v Chiwawa Communities Association, ruled that if a vacation renter uses a home for the purposes of eating, sleeping and other residential purposes, this use is residential, not commercial, no matter how short the rental duration. It also stated that the owner's receipt of rental income whether on short or long-term rentals in no way detracts or changes the residential characteristics of the use by the tenant. Nor does the payment of business and occupational taxes or lodging taxes detract from the residential character of such use to make the use commercial in character.

Again, a third ruling, in Florida's First District Court of Appeals in Santa Monica Beach POA v Acord, ruled in favor of the owner because the uses of the tenant were for residential use and not commercial. So, as you can see courts in Florida, Texas, and California, as well as the California Coastal Commission, have found and upheld appeals that define vacation rentals as a <u>residential use</u>, rather than a commercial one.

While a hotel is a hotel today and will be the same hotel tomorrow, a vacation rental could be occupied by resident owners this week, short-term renters over a holiday weekend, and then go back to being a full-time residence again. Vacation rentals are without question, a residential use, and enjoy this flexibility under the law. Attempts to commercialize or redefine vacation rentals as hotels are tantamount to a ban or severely limiting action by states and municipalities because commercialization could ultimately wipe out this activity due to zoning restrictions like yours in Diamondhead. It might also make other owners susceptible to infrastructure changes such as fire and safety upgrades, ADA requirements, and health inspections. Because vacation rentals are a residential use, the implementation of Page 77 cial requirements effectively changes the nature of the structure and would act as a deterrent to those looking to

offer their homes as a vacation rental accommodation for travelers. The City of Diamondhead is going to need to address this zoning restriction regardless of my asking for a variance. With that said, allowing vacation rentals in the R1 areas is no different than allowing them in the condominium complexes. There are full time residents in Highpoint as well as vacation rentals and long-term rentals. In fact, my neighbor, Mike Turner, is a full time resident and has had no concerns or complaints regarding my visitors. Having a vacation rental on Fairway Drive is no different than having one on Highpoint Drive.

Mr. Walter's first bullet point – that short term rentals in Fairway Estates would detract from the basic elements of this well balanced and attractive residential area. I have spent a quarter of a million dollars to make this happen at my Fairway property. It is a beautiful property that I am very proud of. I would be happy for each of you to visit the AIRbnb or VRBO website to view my property for yourselves. I have single handedly cleaned the yard after 2 hurricanes to include the area of the golf course all the way to the cart path. I have painted shutters and updated the interior of my home. Whether or not my home is my full-time residence, or a vacation rental does not change the attractiveness of my home. I have improved this property extremely from its dilapidated condition and I have only had it for 3 months. If Mr. Walter thinks that my residence detracts from the attractiveness of the neighborhood, then why did he not take it up with the previous owner?

Bullet point # 2 is that Mr. Walter thinks that a vacation rental will have a negative effect on property values. Craig Kalkut, vice president of government affairs at the American Hotel & Lodging Association states that a home with "rentable" features might sell for more money according to some realtors. He also said there is evidence that vacation home sales are going up because these sorts of platforms have become a more common way to book a vacation. There is not a lot of data regarding this argument but all you have to do is ask a local realtor what impact a "mother-in-law suite" or a "pool house" has on the value of a home and they will tell you that the value is increased because of the rental potential.

Vacation rentals can bring a positive economic impact to a city or county in several ways. For example, they can provide a city with an additional income through tax revenues. At the same time vacation rental guests can benefit the community in the terms of economic infusion because guests will spend their money in other visitor related amenities such as restaurants, bars and golf courses. This provides the tax revenue to operate this city. Additionally, it can help residents make ends meet or enable young families to go on a holiday while retirees stay in their home. Many cities are approving vacation rentals in the hope to attract tourists as they currently lack good lodging as is the case in Diamondhead.

Another argument is that many people think that vacation rentals are just party houses that create noise. Noise and parties were one of the reasons that I opted to use the house as a vacation rental instead of looking for a long-term tenant. I felt short-term guests would create less wear and tear and that I would have more control over who

was in the house. Platforms like AirBnB, VRBO and Home Away include rating systems that evaluate both guests and hosts. Hosts can set rules prohibiting parties and specifying parking rules. My rental has ample parking for 6 automobiles and there will not be parking on the street. Hosts who get loud or unruly guests can turn to the rental platforms for recourse; in dire cases, guests may be asked to leave the property. However, there is ample motivation for guests to be on their best behavior because they know hosts will rate them following their stay. Conversely, living next to a loud long-term renter can be a big problem, and it can take more than a year to evict an unneighborly tenant. In addition, the City of Diamondhead has a noise ordinance so my guest will be under even more supervision. Since I have been doing business, I have not had one complaint regarding my properties or guests.

Another argument is that some people think that living next to a vacation rental is like living next to a vacant house. The argument here is the lack of a consistent neighbor who is in the house every day. Most short-term guests stay over the weekend, so when a house is rented Thursday through Sunday each week, it is vacant Monday through Wednesday. The argument that the house is unoccupied half the time doesn't hold water for several reasons.

First, a vacation rental looks nothing like a vacant house. Vacant houses have peeling paint, overgrown yards. Vacant homes do not contribute to the neighborhood for example the home next to Patty Willis. That home has been vacant for years, is unsightly and is even a hazard due to a swimming pool. I could point out a few more Diamondhead houses that do not contribute to the neighborhood. My property has a maintained yard, new paint, clean windows. On the days it is unoccupied, I am cleaning and doing maintenance. I keep my properties in top condition because I want good ratings from my guests.

Second, the vacant-house argument reaches into the realm of trying to control how neighbors use their home. If the house was occupied by a long-term renter or owner who travels three days a week for a job, neighbors could not possibly expect the City to entertain complaints about the house being vacant.

I had put a sign on my mailbox. This is my residence and I do receive mail for Resorts On The Coast at this mailbox. I understand how that can be interpreted as advertising, so I have removed the sign. I was happy that I put the sign up as I have been up front about what I am trying to accomplish. I am not hiding anything from anyone.

In closing, I want to be among other people across the City operating short-term rentals that are not within the condominium complexes. At the time of this writing, there were at least 9 on the same websites as mine. Some were whole house rentals; some were private rooms for rent and one had a guest suite for rent. All I know is that we are all renting with care and thought. I am sensitive to my neighbor's concerns and I care about the neighborhood my home is in. I am asking for a variance but want you to know that this ordinance could prove costly for vacation rental owners and seemingly aims to force regular folks like me out. This Page 79 ave those out-of-town corporate hosts without local competition. Local hosts like me spend their money in

Diamondhead and we always recommend local businesses to our guests. If we are all driven away that will only leave corporations and money that does not go back into Diamondhead. As a vacation rental host and neighborhood advocate, I would like to see locals – not out of town corporations – flourish within neighborhoods and Diamondhead as a whole.

I would like to say that the granting of the proposed Conditional Use Variance will not be detrimental to the public health, safety and general welfare. It will not adversely affect the established character and planned character of the surrounding vicinity. It will not be injurious to the uses, planned uses, property, or improvements adjacent to, and in the vicinity of the home. The granting of the Variance is consistent and compatible with the intent of the goals, objectives and policies of the City's Comprehensive Plan. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced. The use will not introduce hazardous conditions at the site and there will be no public health, safety or community endangerment.

Please take into consideration my thoughts and concerns for a growing City of Diamondhead and a growing business called "Resorts On The Coast". Thank you.

Maigaice 7 Northerns Margaret F Nutkins

December 8, 2020

CC: Leigh Simpson & Associates

Ronald Jones

From:

Donald Walter <dwalter1126@cableone.net>

Sent:

Sunday, November 29, 2020 3:20 PM

To:

Ronald Jones; Pat Rich

Subject:

FAIRWAY ESTATES REQUEST TO DENY CONDITIONAL USE PERMIT AT 7604 FAIRWAY

DRIVE

Attachments:

Fairway_Dr_7604.pptx; Fairway_Petition_to_deny_7604_Signed_Nov2020.pdf

Mr. Jones and Mr. Rich:

As suggested by Mr. Jones and discussed with Mr. Rich, I am submitting the attached files for distribution to the Planning and Zoning (P & Z) Board Members prior to the scheduled P & Z public meeting scheduled for December 8, 2020 at 6 P.M.

The files provided include:

- 1) a petition signed by the owners of 40 of the 42 properties within the Fairway Estates community. All 40 owners request the denial of a conditional use permit applied for by the current owner(s) of 7604 Fairway Dr.
- 2) a power point file that presents geographic and background information for consideration by the P & Z Board and the City of Diamondhead relative to the Request for Conditional Use specifically in Fairway Estates.

I plan to bring the Petition with original signatures to your office on Monday morning (November 30) along with the additional documentation attached herein.

Please provide a formal response to this email to acknowledge receipt of the attached paperwork.

Thank you.

Respectfully,

Donald J. Walter 7608 Fairway Dr. Diamondhead, MS 39525

1	We, the property owners listed and signed below, hereby request that the Planning and Zoming Commision DENY the request for Conditional Use to allow short term vacation rentals for less than 30 days at 7604 Fairway Dr. (Tax Parcel Number 067P-0-35-066.000) as submitted by Ms. Margaret F. Nutkins.	
Property Address	Property Owner(s) Name (Printed)	Owner(s) Signature
7600 Fairway Dr.	Tranc Pittman	Trank tothman
7601 Fairway Dr.		1
7602 Fairway Dr.	Ton STOCKMAN	Ton Stocking.
7603 Fairway Dr.	VINCENT HANDY	2
7604 Fairway Dr.	Applicant by Contact	mat, Use Penm, +
7605 Fairway Dr.	Jame Kingston	Mille
7606 Fairway Dr.	ILIZabeth CHapman	Elizatus (()
7607 Fairway Dr.	CASEY BEARSS	Cory Benon ?
7608 Fairway Dr.	Donald J. Walter	you walto
7609 Fairway Dr.	STEPHANIE HARDESTY	Styling Hards to
7610 Fairway Dr.	EUGENE KELLY	Eugen tell
7611 Fairway Dr.	CAROL LILLEY	Caral Lilley
7612 Fairway Dr.	Elizabeth Gallinghouse	E. Bellingkous
7613 Fairway Dr.	Uwe A. Seitz	and
7614 Fairway Dr.	CLIFFORD Satterlee	Chford Satterla
7615 Fairway Dr.	Scott + Betzy Lyons	Beton Lyones
7616 Fairway Dr.	KEBERT SHAK	500 73 90
7617 Fairway Dr.	Mirole Brocker	Lysote Borsdore
7618 Fairway Dr.	Jeffery W. Wair	M&W. Win
7619 Fairway Dr.	BONA DECKER	Lona Decker
7620 Fairway Dr.	disa Vergano	KOA N. Vergano
7621 Fairway Dr.	Dena Burleson	Wyna Bulant
7622 Fairway Dr.	Richard Armstrong	Kishad Guntery
	<u> </u>	

A petition by Fairway	We, the property owners listed and		
Estates Property Owners to	signed below, hereby request that the		
Diamondhead Planning and	Planning and Zoming Commission DENY		
Zoning Commision	the request for Conditional Use to allow		
	short term vacation rentals for less than		
	30 days at 7604 Fairway Dr. (Tax Parcel		
	Number 067P-0-35-066.000) as		
	submittled by Ms. Margaret F. Nutkins.	,	
	Print	Sognatury	1 ·
7623 Fairway Dr.	JERRY PHILLIPS	Greny Phellyp	
7624 Fairway Dr.	Josefit BROCKHOEF	Joseph & Duack & Do	
7625 Fairway Dr.	PATRIUG IMENTE	Water plegale	
7626 Fairway Dr.	Theodore Parish	Thodre land	
7627 Fairway Dr.	FOR SALE / REMAX / Rotten		
7628 Fairway Dr.	ELAINE WILLING	Charge Wellers	
7629 Fairway Dr.	1)AUID BOSCET	1000	-
7630 Fairway Dr.	WILLIAM LEE	with Less	
7632 Fairway Dr.	D.R. YOUNG	Sign & Journal	
7634 Fairway Dr.	C. I LONGANECKER	yourgovecks	1 Allows
7635 Fairway Dr.	GASED by Alfan 50		LEASE
7636 Fairway Dr.	*Obetto Juever	MiliM greens	
7638 Fairway Dr.	DARBANA LINUILIG	Backura Serville	
7640 Fairway Dr.	Brant S. Mailho	Dent S. Marley	The second secon
7642 Fairway Dr.	I hompson, John	Mampor y	_
7631 Tahiti Circle	Donald Credeur	and Cila	ish
7632 Tahiti Circle	Maureen Criol/Harold Orl	of naureentral Hal	(JZ)
7634 Tahiti Circle	heighly naithan	Leggy Whylmyn	1
7636 Tahiti Circle	Richard landy	1 KTN I WIM	
	0	V	

to the request for a Conditional Use Permit Fairway Estates Response at 7604 Fairway Dr.

DENY the application for short term vacation rentals for less requesting that the Diamondhead Planning & Zoning Board Fairway Estates property owners have signed a petition than 30 days at 7604 Fairway Dr. in Fairway Estates

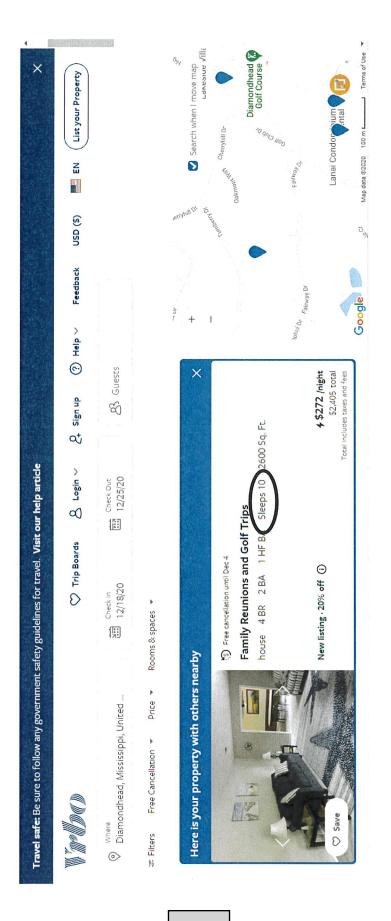
- Fairway Estates is an R-1 sub-community of Diamondhead that consists of 42 individual single family home sites on Fairway Drive and Tahiti Circle
- Access into Fairway Estates is provided via a one way entry onto Fairway Drive from Golf Club Drive with a separate one way exit out of Fairway Dr. onto Golf Club Dr.

R1 - "Purpose" (From Code of Ordnances - City of Diamondhead. MS)

and educational facilities normally required to provide the basic elements of dwellings situated upon larger lots along with related recreational, religious, a balanced and attractive residential area. These areas are intended to "This is the most restrictive district and least densely populated of the performing a function appropriate to the residential environment." residential districts. The principal use of land is for single-living unit be defined and protected from the encroachment of *u*ses not

Approval for short term rentals in Fairway Estates would;

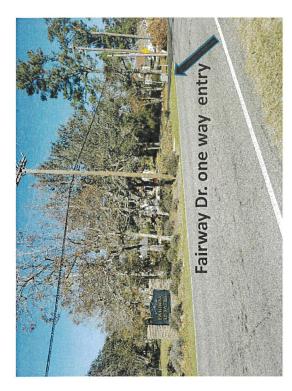
- detract from the basic elements of this well balanced and attractive residential area
- have a negative affect on property values in this area
- reduce the safety and convenience of vehicular and pedestrian circulation in the vicinity
- generate additional traffic that presents a potentially dangerous traffic situation in front of 7604 Fairway near a blind section of Fairway Dr.
- allow use of this property which does **not perform a function** appropriate to the Fairway Estates residential environment
- allow use of a confined entry area for operation of a business

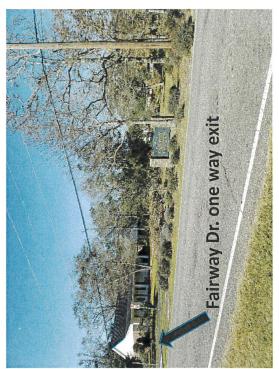




Location of 7604 Fairway Dr. (ref. Hancock County Geoportal) in Fairway Estates and triangular common area at entry/exit onto Golf Clu Dr..

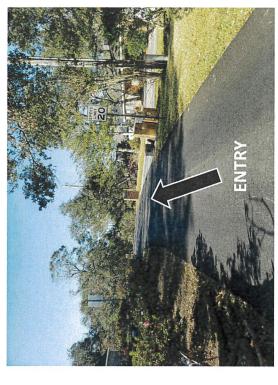
R1 Residential Community - Covenants expire September 7, 2028.





Entry into and exit from Fairway Estates from Golf Club Drive

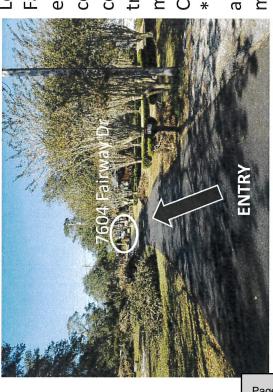






convergence with Location of 7604 common triangular area maintained by Fairway Dr. at City; *Business entry/exit

advertising on mailbox









City of Diamondhead

5000 Diamondhead Circle, Diamondhead, MS 39525 Phone: (228) 222.4626 FAX: (228) 222-4390 www.diamondhead.ms.gov

STAFF REPORT TO PLANNING COMMISSION

DATE: December 8, 2020

CASE FILE NUMBER: 202000481

APPLICANT: Margaret Nutkins

PROPERTY OWNER: same as

applicant

TAX PARCEL NUMBER: 067P-0-35-066.000

PHYSICAL STREET ADDRESS: 7604 Fairway Drive

LEGAL DESCRIPTION: Fairway Estates, Lot 6

ZONING DISTRICT: R-1

TYPE OF APPLICATION: Conditional Use Permit

NATURE OF REQUEST: Ms. Margaret F. Nutkins has filed an application requesting a Conditional Use Permit in accordance with the Zoning Ordinance Table 4.2, Article 4.21.1 (C) and Article 2.5 to allow short term vacation rental for 30 days or less in a R-1 district. The tax parcel number is 067P-0-35-066.000 The street address is 7604 Fairway Drive. Case file number is 202000481.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: December 8, 2020

ACTION BY THE PLANNING COMMISSION: In accordance with the Comprehensive Zoning Ordinance Article 2.5.5, 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.

FINDINGS: 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:

- A. Conformance with applicable regulations and standards established by the Zoning Regulations.
- B. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.
- C. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use.
- D. Modifications to the site or proposed use mitigate potentially unfavorable impacts, or Page 91 e necessary to conform to applicable regulation and standards and to protect the public health, safety, morals, and general welfare.

Item No.15.

- F. Protection of persons and property from flood or water damage, odors, fire, noise, glare, and similar hazards or impacts.
- G. Location, lighting, and type of signs; and relation of signs to traffic control and adverse effect on adjacent properties.
- H. Adequacy and convenience of off-street parking and loading facilities.
- I. That the proposed use is in accordance with the objectives of this Zoning Ordinance and the purposes of the district in which the site is located.
- J. That the proposed use and site development, together with any modifications applicable thereto, will be compatible with existing or permitted uses and structures in the vicinity, in accordance with the following standards:
 - i. The proposed use will be located within the district so as to be harmonious with and complimentary to adjacent and existing land uses.
 - ii. The structure resulting from the granting of a conditional use will be architecturally compatible with other existing or proposed structures in the neighborhood in which it is to be located. For the purpose of this criterion, the term "neighborhood" shall mean an area extending 750 feet in all directions from the lot line of the proposed structure.
 - iii. For the purposes of determining architectural compatibility, consideration shall be given to: building mass and style; roof types, pitch and material; façade treatment and materials; window and door styles; eaves and porches; trim; gables and dormers; gutters; chimneys; walls, fences, hedges and other landscape elements; colors; driveway material; signage; dimensional setbacks and building orientation on the lot; and other such features as may be appropriately considered by the Planning Commission.
 - iv. For the purpose of assessing the architectural compatibility, existing structures which may not be an architectural asset to the neighborhood shall not be considered in determining the appropriateness of a conditional use application.
- K. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.
- L. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

RECOMMENDATION TO PLANNING COMMISSION: To grant the Conditional Use Permit with the

following conditions:

- 1. No more than five cars can be parked on the premises.
- 2. Occupancy not to exceed ten people.
- 3. Additional conditions as required by the Commission.



MINUTES

PLANNING AND ZONING COMMISSION

Tuesday, January 26, 2021 6:00 PM CST

Council Chambers, City Hall and via teleconference, if necessary

Commissione Item No.15.
Commissioner Bower
Commissioner Rubar
Commissioner Hourin
Commissioner Torguson
Commissioner Hector

Call to Order

Chairman Bice 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 Rubar read the Statement of Purpose

Pledge of Allegiance

Commissioner Torguson led the Pledge of Allegiance.

Roll Call

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

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

Confirmation or Adjustments to Agenda

Commissioner Bower, made a motion, second by Commissioner Hourin to approve the Agenda as presented.

Motion Carried Unanimously

Approval of Minutes

Commissioner Bower made a motion, second by Commissioner Layel to approve the minutes of December 8, 2020.

Motion Carried Unanimously

New Business

2. Elliott Homes, LLC has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence within 10' of the southwest property along leke Drive and extending beyond the front façade of the house 14'.

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. 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, addressed the Commissioners and answered questions.

Chairman Bice asked if anyone was here to represent Elliot Homes. No one was present.

Chairman Bice asked for any public comments.

Mr. Skip Marsh spoke and answered questions from the Commissioners.

Code Enforcement Officer, Pat Rich presented 3 statements that were opposing the variance.

He presented to the Commissioners a recommendation to approve the variance with modifications that are in the staff report.

Commissioner Hourin asked if all parties were satisfied with the modifications, and all agreed.

Commissioner Rubar made a motion, second by Commissioner Bower to approve the recommendation with modifications to the City Council.

Motion Carried Unanimously

Unfinished Business

3. Motion by City Council to return the matter regarding variance request of Margaret Nutkins for Conditional Use Permit to the Planning & Zoning Commission to provide the reason for its denial of the permit.

City Attorney, Derek Cusick, gave a recap to the Commissioner about the case. He also explained why the case was sent back from the City Council.

Ms. Nutkins read a statement to the Commissioners on why they should approve her Conditional Use permit.

Chairman Bice asked for any public comments

Lisa Vergano, Molly Jimenez, and Don Walter stated why they were opposed to the permit.

Commissioner Rubar made a motion, second by Commissioner Hourin to approve the Conditional Use Permit with conditions to the City Council.

- Parking would be limited to 5 cars during a rental.
- 2. A Three Strike policy having complaints through City Court.
- 3. Owner must be a resident of Diamondhead.
- 4. Limited occupancy to 10 people.
- 5. Must provide renters with parking and noise ordinance.

- 6. Must provide information on garbage collections and dates.
- 7. Must re-apply for a Conditional Use permit in 1 year from now, unless the ordinance has changed by allowing rentals without a Conditional Use permit.

Roll Call

Ayes: Bice, Layel, Rubar, Hourin

Nays: Torguson, Bower

Motion Carried

Open Public Comments to Non-Agenda Items

Ms. C J Longenecker spoke to the Commissioner about an opened gate on her cul-de sac. She stated parts of the gate is missing and so is the sign.

Commissioners' Comments

None

Communication / Announcements

4. Next City Council meeting February 3, 2021

Next Planning Commission meeting February 23, 2021

Commissioner Tourguson asked that everyone keep Mr. Ronald Jones and his Family in their prayers.

Adjourn or Recess

Commissioner Hourin made a motion, second by Commissioner Layel to adjourn this meeting at 7:22 p.m.

Motion Carried Unanimously

E J Bice, Chairman Planning & Zoning

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T

City of Diamondhead, MS

Docket of Claims Register -

APPKT01413 - 02.02.2021 DOCKET

By Docket/Claim Number

Item No.16.

am	Vendor Name					Payme	nt Amount
Docket/Claim #	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	
DKT158074	Amazon com L	.LC					379.14
	02/02/2021	13R3-FXM1-P36X	SUPPLIES FOR CITY HALL KITCHEN	001-140-501.00	Supplies	38.98	
				001-140-510.00	Cleaning & Janitorial	139.00	
				001-140-501.00	Supplies	179.00	
				001-140-501.00	Supplies	8.48	
				001-140-501.00	Supplies	13.68	
DKT158075	BELL, MICHAE	L					2,124.93
	02/02/2021	52350	INSTALL NEW LIGHT SWITCHS IN POLICE DEPARTMENT	001-140-635.00	Professional Fees - Repair & Maint Outside Serv	424.93	
				001-140-635.00	Professional Fees - Repair & Maint Outside Serv	1,700.00	
DKT158076	Blossman Gas	Inc					822.50
	02/02/2021	15643040	PROPANE FOR PUBLIC WORKS	001-301-525.00	Fuel	822.50	
DKT158077	Coast Electric	Power Association	· · · · · · · · · · · · · · · · · · ·				39.92
	02/02/2021	JAN - 026	KAPALAMA & TINA VIC FAY ROAD	001-301-630.00	Utilities - Streetlights & Other	39.92	<u> </u>
DKT158078	CSpire Cell Se	rvice	.				1,100.97
	02/02/2021	110000110097	CELLULAR SERVICE FOR JANUARY	001-100-632.00	Telephone - Cell	47.15	
				001-140-632.00	Telephone - Cell	47.15	
				001-200-612.00	Internet	341.90	
				001-280-612.00	Internet	102.57	
				001-280-632.00	Telephone - Cell	91.25	
				001-301-632.00	Telephone - Cell	470.95	
DKT158079	Diamondhead	Water and Sewer District					596.64
	02/02/2021	11-100020-01 - JAN	DH CIRCLE BUILDING	001-140-630.00	Utilities - General	298.31	
		11-100021-01 - JAN	DH CIRCLE IRRIGATION	001-301-630.00	Utilities - Streetlights & Other	23.95	
		11-100170-01 - JAN	GEX DRIVE IRRIGATION	001-301-630.00	Utilities - Streetlights & Other	86.17	
		11-100830-01 - JAN	YACHT CLUB DRIVE IRRI	001-301-630.00	Utilities - Streetlights & Other	23.95	
		11-101120-01 - JAN	GUARD SHACK GEX	001-301-630.00	Utilities - Streetlights & Other	140.31	
		11-102070-00 JAN	94195 BAYOU DRIVE-KAYAK	001-301-630.00	Utilities - Streetlights & Other	23.95	
DKT158080	Dixie Decorati	ons					350.00
	02/02/2021	23474	MS FLAG	001-140-501.00	Supplies	350.00	

Docket of Claims Register - Council

APPKT01413 - 02.0 Item No.16.

	Vendor Name					•	nt Amoun
Docket/Claim #	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	
DKT158081	Duhon Machine	ery Company Inc					16,367.7
	02/02/2021	251	BOBCAT SKID-STEER LOADER	001-301-917.00	Capital Outlay - Mobile Equipment	-37,595.00	
				001-301-917.00	Capital Outlay - Mobile Equipment	53,962.79	
DKT158082	Eagle Energy						2,010.25
	02/02/2021	28863	FUEL FOR PUBLIC WORKS TANK	001-301-525.00	Fuel	775.98	
		28864		001-301-525.00	Fuel	6.77	
				001-301-525.00	Fuel	1,227.50	
DKT158083	Fuelman				,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	· · ·	930.93
	02/02/2021	NP59475319	FOR THE WEEK ENDING 01.17.2021	001-200-525.00	Fuel	431.56	
	,,	NP59494209	FOR THE WEEK ENDING 01.24.2021	001-140-525.00	Fuel	40.92	
				001-200-525.00	Fuel	458.43	
DKT158084	George Blair At	torney		17			1,000.00
	02/02/2021	DECEMBER 2020	PUBLIC DEFENDER FOR DECEMBER	001-110-603.00	Professional Fees - Legal	1,000.00	
DKT158085	Hancock Count	y Sheriffs Office					67,274.97
DK1130003	02/02/2021	2021-DHLE-001	INTERLOCAL AGREEMENT FOR WEEK ENDING 01.02.2021	001-200-690.00	Interlocal Agreement	961.54	
			WEER ENDING 01.02.2021	001-200-690.00	Interlocal Agreement	34,242.48	
		2021-DHLE-002	INTERLOCAL AGREEMENT FOR THE WEEK ENDED 01.16.2021	001-200-690.00	Interlocal Agreement	961.54	
			WEER ENDED 01.10.2021	001-110-681.00	Other Services & Charges	154.83	
				001-200-690.00	Interlocal Agreement	30,954.58	
DKT158086	JIMMY HANSH	ΔW IR					1,500.00
DK125000	02/02/2021	01262021	CASH BOND REFUND	650-110-110.00	Court Bond Holding	1,500.00	·
DKT158087	Kirks Tire Pros						1,253.75
	02/02/2021	45482	TIRES FOR UNIT #688	001-200-570.00	Repairs & Maintenance - Vehicle	593.00	
		48184	NEW TIRES FOR POLICE VEHICLE	001-200-570.00	Repairs & Maintenance - Vehicle	660.75	
DKT158088	Law offices of	Derek R Cusick PLLC				-	9,293.7
	02/02/2021	207	GENERAL MATTERS JANUARY	001-140-603.00	Professional Fees - Legal	5,387.50	
	, .	208	PLANNING AND ZONING JANUARY	001-280-603.00	Professional Fees - Legal	562.50	
		209	CITY PROSECUTOR JANUARY	001-110-603.00	Professional Fees - Legal	3,000.00	
		210	LONGANECKER VS CODH JANUARY	001-280-603.00	Professional Fees - Legal	343.75	
DKT158089	Pickering Firm	Inc	***				822.50
	02/02/2021	0088428	CHANNEL STABILIZATION	116-301-602.00	Professional Fees - Engineering NRCS-Emer Water	245.00	
	, ,	0088430	Strategic Initiatives & Project Agreement	001-301-601.00	Professional Fees - Consulting	577.50	

Docket	οf	Claims	Register	_	Council
DOCKEL	vı	CIGILLIA	REBISCO		COMITCH

APPKT01413 - 02.0: Item No.16.

Docket of Claims	Register - Counc	:II				APPK101413 - 02.03	11110.10.
	Vendor Name					Paymer	nt Amount
Docket/Claim #	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	
DKT158090	Sea Coast Echo	,					593.79
J. 130000	02/02/2021	01062021	ELLIOTT HOMES PUBLIC HEARING ADVERTISEMENT	001-280-620.00	Advertising	62.84	
		01062021-PAVING	PAVING ADVERTISEMENT	001-140-620.00	Advertising	193.96	
		01132021	BLOCK AD FOR ELECTION	001-140-693.00	Other - Elections	151.25	
		01202021	ADVERTISEMENT FOR RFQ FOR ENGINEERING SERVICES	001-140-620.00	Advertising	43.48	
		01272021	DEPOSITORY BID ADVERTISEMENT	001-140-620.00	Advertising	32.26	
		11252020	ELECTION ADVERTISEMENT	001-140-693.00	Other - Elections	110.00	
DKT158091	South MS Busin	ness Machines Gulfport					1,035.89
	02/02/2021	333768-28	PAYMENT 28 OF 60 BUILDING	001-280-642.00	Rent - Copier	281.28	
		351616-18	PAYMENT 18 OF 24 COURT	001-140-642.00	Rent - Copier	42.07	
		351617-19	PAYMENT 19 OF 24 POLICE DEPT	001-200-642.00	Rent - Copier	42.07	
		385262	PER COPY CHARGE FOR JANUARY	001-200-506.00	Copier Usage/Maintenance	92.82	
		385521		001-140-506.00	Copier Usage/Maintenance	64.92	
		385522		001-301-506.00	Copier Usage/Maintenance	51.62	
		385523		001-280-506.00	Copier Usage/Maintenance	50.00	
		385671		001-140-506.00	Copier Usage/Maintenance	141.93	
		AR295388-48	PAYMENT 48 OF 60 ADMIN	001-140-642.00	Rent - Copier	187.21	
		AR298523-46	PAYMENT 46 OF 60 PUBLIC	001-301-642.00	Rent - Copier	81.97	
DKT158092	Southern MS P	lanning and Development	District Inc				214.53
	02/02/2021	12229	ECONOMIC DEVELOPMENT	001-653-601.00	Professional Fees - Consulting	214.53	
DKT158093	TETRA TECH IN	IC					168,962.25
DATE SOUR	02/02/2021	51693015	DEBRIS MONITORING FOR HURRICANE ZETA	001-301-683.00	Professional Fees - Debris Removal	168,962.25	
DKT158094	UMB Card Sen	rices	•				412.05
	02/02/2021	2413746PGEJA2Q0ZY	FOOD FOR INSERVICE	001-140-501.00	Supplies	9.56	
				001-140-501.00	Supplies	7.50	
				001-140-501.00	Supplies	4.47	
				001-140-501.00	Supplies	3.00	
				001-140-501.00	Supplies	2.49	
				001-140-501.00	Supplies	11.97	
				001-140-501.00	Supplies	14.67	
				001-140-501.00	Supplies	5.98	
				001-140-501.00	Supplies	6.87	
				001-140-501.00	Supplies	249.42	
		2413746PHEJBKG6GP	MEAL FOR STAFF LUNCH	001-140-501.00	Supplies	36.13	
		244921502JHMF4Y2R	MONTHLY ZOOM CONTRACT	001-140-623.00	Membership Dues/Fees	14.99	
		2490641PX371JWNY0	CONSTANT CONTACT MONTHY CONTRACT	001-140-623.00	Membership Dues/Fees	45.00	

Docket of Claims	Register - Counc	il				APPKT01413 - 02.02 Iten	n No.16.
Vendor Name						Paymer	t Amount
Docket/Claim #	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	
DKT158095	UniFirst Corpor	ation					401.91
	02/02/2021	105 0915088	UNIFORM RENTAL FOR THE WEEK ENDING 12/21/2020	001-301-535.00	Uniforms	142.97	
		105 0919598	UNIFORM RENTAL FOR THE WEEK ENDING 01/18/2021	001-301-535.00	Uniforms	129.47	
		105 0920719	UNIFORM RENTAL FOR THE WEEK ENDING 01/25/2021	001-301-535.00	Uniforms	129.47	
DKT158096	Unifirst First Ai	d Corp					172.01
	02/02/2021	A600108	FIRST AID KIT SUPPLIES	001-140-501.00	Supplies	103.90	
	, ,			001-200-501.00	Supplies	68.11	
DKT158097	Waste Manage	ment		-			59.23
	02/02/2021	0733788-4768-2	DUMPSTER RENTAL FOR JANUARY	001-140-681.00	Other Services & Charges	59.23	

1/29/2021 1:03:45 PM

277,719.68

Total Payment Amount:

Total Claims: 24