



Commissioner Flowers
Commissioner Layel
Commissioner Debrow
Commissioner Torguson
Commissioner Hector

AGENDA
PLANNING AND ZONING COMMISSION
Tuesday, May 24, 2022
6:00 PM CST
Council Chambers, City Hall
and via teleconference, if necessary

Call to Order

Statement of Purpose

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

Pledge of Allegiance

Roll Call

Confirmation or Adjustments to Agenda

Approval of Minutes

2. Approval of March 22, 2022 minutes.
3. Approval of March 23, 2022 minutes.

New Business

4. Taco Bell represented by Gulf South Signs, LLC, has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a monument sign within 0' of the property line; 2 (two) wall mounted signs not on building frontage. The property address is 4500 East Aloha Drive. The tax parcel number is 131E-1-13-006.002. The property is in a C-1 zoning district. The setback for monument signs is 10'. The variance requested is 10'. Wall mounted signs are only allowed on building frontage. The variance requested is to allow 2 (two) wall mounted signs on non-frontage walls. The Case File Number is 202200200.
5. Bryon Griffith has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a 2nd accessory building (utility shed). The property address is 79326 Diamondhead Drive East. The tax parcel number is 067J-3-36-071.000. The property is in a R-2 zoning district. There shall only be one accessory structure on a property. The variance requested is to allow a second accessory structure. The Case File Number is 202200206.

Unfinished Business

Open Public Comments to Non-Agenda Items

Commissioners' Comments

Communication / Announcements

6. The next City Council Meeting is Tuesday, June 7, 2022.

The next Planning Commission meeting is Tuesday, June 28, 2022.

Adjourn or Recess



MINUTES
PLANNING AND ZONING COMMISSION
Tuesday, March 22, 2022
6:00 PM CST
Council Chambers, City Hall
and via teleconference, if necessary

Call to Order

Chairman Flowers called the meeting to order at 6:04 p.m.

Roll Call

Commissioner Debrow, Flowers, Hector , Torguson Absent: Layel

Also present City Attorney Derek Cusick, Development Coordinator, Pat Rich.

Adjourn or Recess

Comissioner Debrow made a motion, second by Commissioner Torguson, to recess meeting unit 6:00 p.m.
March 23,2022

Motion Passed Unanimously



MINUTES
PLANNING AND ZONING COMMISSION
Wednesday, March 23, 2022
6:00 PM CST
Council Chambers, City Hall
and via teleconference, if necessary

Call to Order

Chairman Flowers reconvene the recess meeting of March 22,2022 on March 23,2022 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 Torguson read the Statement of Purpose.

Pledge of Allegiance

Commissioner DeBrow led the Pledge of Allegiance.

Roll Call

Commissioners DeBrow, Torguson, Flowers, Hector Absent: Layel

Also present City Attorney Derek Cusick, Development Coordinator Pat Rich, Building Official Ronald Jones

Confirmation or Adjustments to Agenda

Commissioner DeBrow made a motion, second by Commissioner Torguson to approve the Agenda as presented.

Roll Call

Ayes: Flowers, Torguson, DeBrow, Hector Absent: Layel

Motion Passed Unanimously

Approval of Minutes

1. Approval of February 22, 2022 minutes.

Commissioner DeBrow made a motion, second by Commissioner Torguson to accept the minutes of February 22,2022

Roll Call

Ayes : DeBrow, Flowers, Hector, Torguson Nays : None Absent: Layel

Motion Passed Unanimously

New Business

- 2. Robert Barber with Orion Planning is presenting their recommendation for short term rental ordinance.

Robert Barber with Orion Planning presented recommendations for short term rentals. He spoke about the the meaning of short term rentals, table of uses reviewed in all residential uses, and set conditions A - K. Chairman Flowers asked to clarify on radial, Commissioner Debrow asked about measures from the building, City Manager Mike Reso asked about HOA rules, and City Attorney Derek Cusick asked about enforcement.

Development Coordinator Pat Rich read into record a letter received by Margaret Nutkins

- 3. The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text amendment to correct an inconsistency in the Zoning Ordinance (Ord. 2012-019). Case File Number is 202200081. The proposed text amendment will make the following change to Zoning Ordinance Article 5 - General Regulations, Article 5.6.4 - Ownership, - add "not" after "shall" in the last sentence to read, "A nonconforming use of land or structure shall not lose its nonconforming status upon the sale to a new owner".

Development Coordinator Pat Rich presented the case to the commissioners..

Chairman Flowers asked for any comments.

Commissioner Torguson made a motion, second by Commissioner Hector to correct the amendment as petitioned

Roll Call

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

Motion Passed Unanimously

- 4. Prest Prop, LLC, represented by Robert Thirstrup, Managing Member, has filed an application requesting Planning Commission Review as required by the Zoning Ordinance (Article 4.21.1 B) to allow the operation of a drive-in restaurant (PJ's Coffee) within the planned Prestige Fitness Club and Spa. The property address is 4422 Kalani Drive. The tax parcel number is 132A-2-03-024.000. The property is in a C-1 General Commercial zoning district. Drive-in restaurants are considered permitted uses with the review and approval of the Planning Commission (Article 2.4). The Case File Number is 202200117.

Development Coordinator Pat Rich presented the case to the Commissioners.

Chairman Flowers asked for public comments. None

Development Coordinator Pat Rich read the staff report recommending approving site plans for PJs Coffee as it relates to parking requirements, traffic flow, and traffic standards.

Commissioner Torguson made a motion, second by Commissioner Hector to accept the recommendation and finding listed in the staff report.

Roll call

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

Motion Passed Unanimously

Unfinished Business

None

Open Public Comments to Non-Agenda Items

None

Commissioners' Comments

None

Communication / Announcements

5. The next City Council meeting is April 5, 2022.
The next Planning Commission meeting is Wednesday, April 27, 2022.

Adjourn or Recess

Commissioner Debrow made a motion, second by Commissioner Torguson to adjourn the meeting at 6:58 pm

Motion Pass Unanimously

H. Flowers, Chairman
Planning & Zoning



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

Item No.4

APPLICATION FOR VARIANCE REQUEST

Case Number: 0000000000

Date 4-20-22 ^{T.B.}

~~Taco Bell Restaurant represented by~~

Applicant: Gulf South Signs, LLC for Taco Bell

Applicant's Address: 5836 Nature Trail Dr. Baton Rouge, LA 70817

Applicant's Email Address: Kimberly@gulfsouthsigns.com

Applicant's Contact Number: (Home) 8779177446 (Work) 9856620770 (Cell) 2252357332

*Kimberly
Gremillion*

Property Owner: Diamondhead Comm Dev, LLC

Owner's Mailing Address: 4405 Aloha Dr. Diamondhead, MS 39525

Owner's Email Address _____

Owner's Contact Number: (Home) (228) 216-6919 (Work) _____ (Cell) _____

Tax Roll Parcel Number: _____

Physical Street Address: 4405 Aloha Dr. Diamondhead, MS 39525

Legal Description of Property: _____

Zoning District: C-1

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

(Signage-Size-Height) Monument Sign - Due to the restricted space for monument sign placement, we are requesting zero setback.

Wall signs - we request additional wall signs not facing a street frontage to maximize visibility. Taco Bell's national standard is to have two signs on the tower and one over front entrance.

Parcel # 1
131E-1-13-006.002

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 5/27/02 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.

Kimberly Grumillion
Signature of Applicant

Signature of Property Owner

For Official Use Only

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

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

REQUIRED ITEM A

Property Owner Diamondhead Comm Dev, LLC

Street Address 4405 Aloha Dr. Diamondhead, MS 39525

Statement Describing Variance Request

Due to the restricted space, we are requesting zero setback for the monument sign. We request additional wall signs to maximize visibility.

The reasons why it complies with the criteria for variances:

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

Response: It only affects the land or structure in question.

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

Response: We believe in order to have fair competition with similar businesses we would need the extra signs & placement of the monument sign to be approved

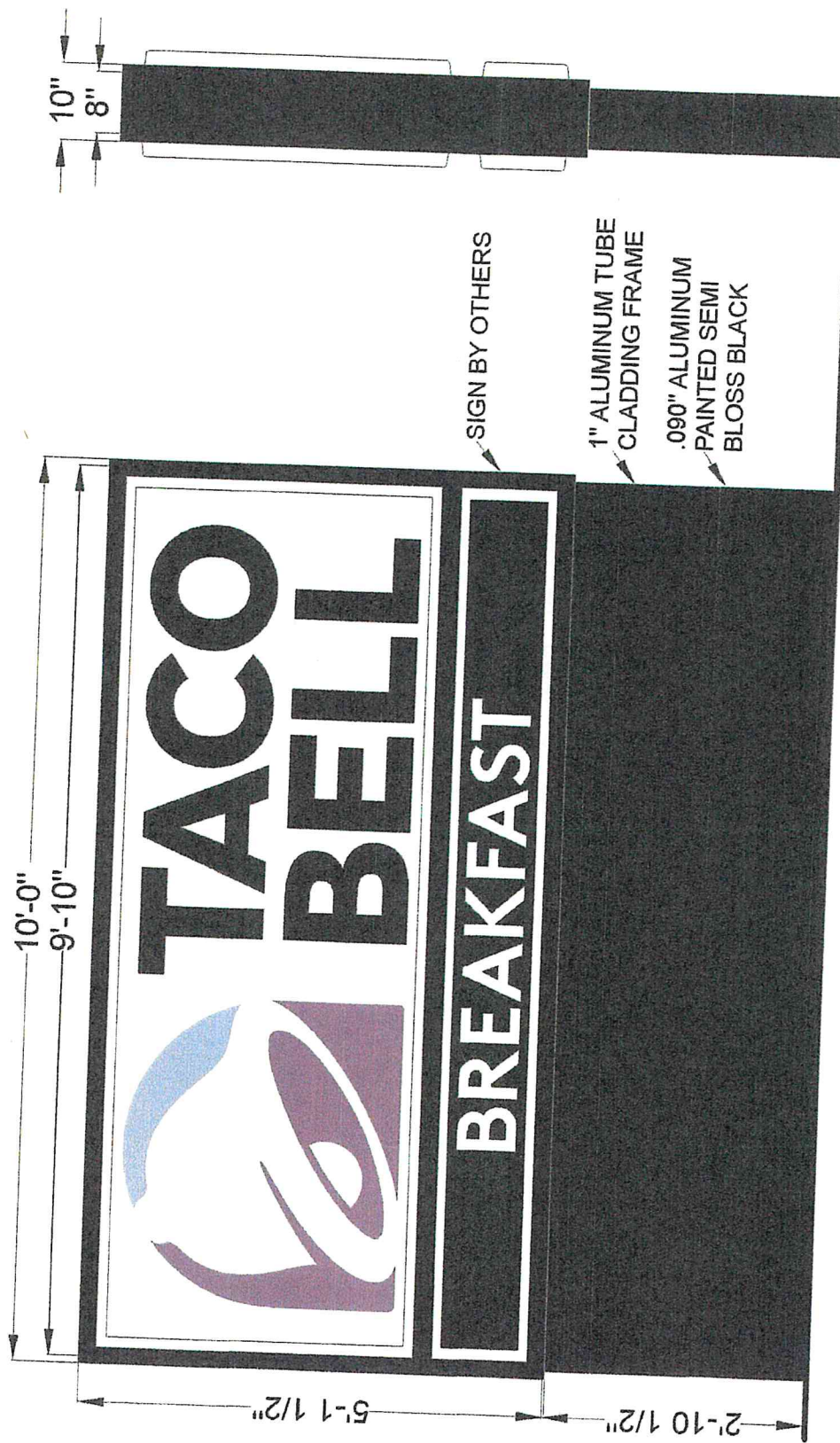
- 3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?


Response: They are not caused by the owner.

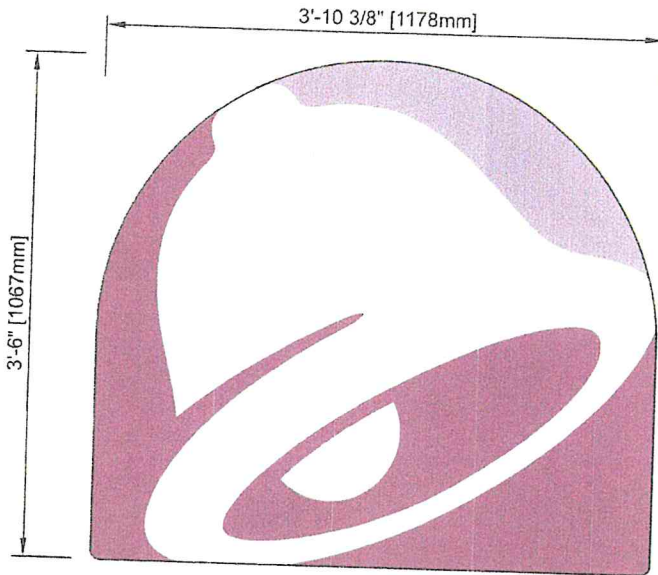
- 4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?

Response: The approval of this variance would give the owner fair competition.

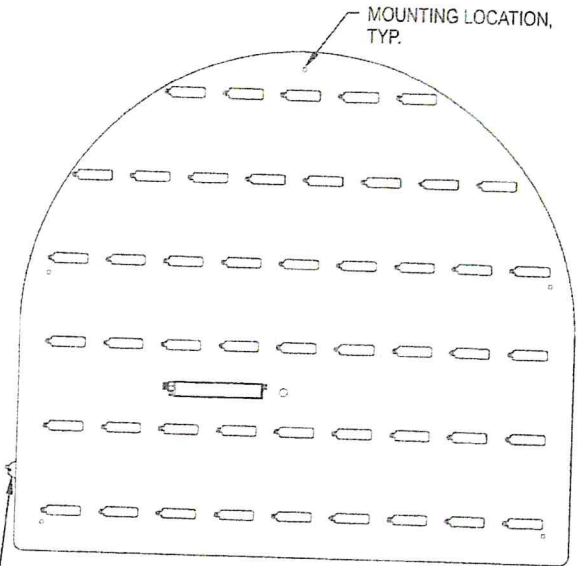
released to outside parties. If no contract is initiated with Gulf South Signs, LLC, this concept and artwork is the exclusive property of Gulf South Signs, LLC and is for the sole purpose of viewing by recipient. It is not to be used for any other purpose without the written consent of Gulf South Signs, LLC. Any duplication and/or copying of these drawings in part or whole is prohibited. Any violation of these terms will result in penalties and prosecution under current copyright laws and/or be subject to full reimbursement of any and all associated design and production fees.



 GULF SOUTH SIGNS, LLC 5836 Nature Trail Drive Baton Rouge, LA 70817 PH 318-709-1024 FAX 225-448-3039	Start Date: 4-7-22 Last Revision: 4-7-22 Job#: 220407A Drawing#: 1A	Client Approval: Landlord Approval:	Sales Rep: Jack G... Jack@gulfsouthsigns.com Designer: Todd D...
	Item No. 4.		

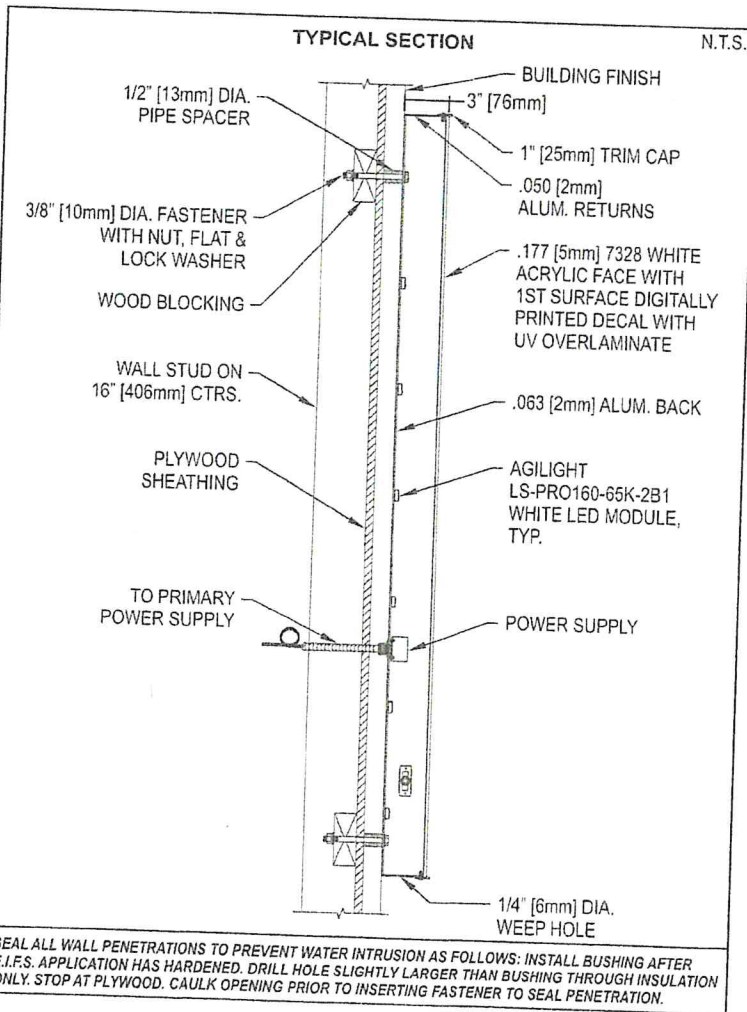


FRONT VIEW



ILLUMINATION LAYOUT

LED quantities and spacing may vary based on system used.



TYPICAL SECTION

N.T.S.

SEAL ALL WALL PENETRATIONS TO PREVENT WATER INTRUSION AS FOLLOWS: INSTALL BUSHING AFTER E.I.F.S. APPLICATION HAS HARDENED. DRILL HOLE SLIGHTLY LARGER THAN BUSHING THROUGH INSULATION ONLY. STOP AT PLYWOOD. CAULK OPENING PRIOR TO INSERTING FASTENER TO SEAL PENETRATION.

SPECIFICATIONS

DESIGN PARAMETERS

- Structural adequacy shall be the manufacturer's responsibility using the following criteria:
- 100 MPH 3 second gust wind speed per ASCE 7-05 (130 MPH - ASCE 7-10). Category II, Exposure C. Components & Cladding, Zone 5.
- Attachment may vary based on wall conditions.
- Compliant with national building codes and standards (IBC 2009, IBC 2012, AISC 14th Edition, ASCE 7-05, ASCE 7-10, ACI & Aluminum Design Manual).
- Refer to written documentation for material specifications.

Materials

- Cabinet: .050 [2mm] aluminum returns w/ black finish
- .063 [2mm] aluminum back
- 1" [25mm] black trim cap
- Face: .177 [5mm] 7328 white acrylic with 1st surface digitally printed decal with UV overlaminate

Area

- Squared: 13.53 sf • Actual: 11.92 sf

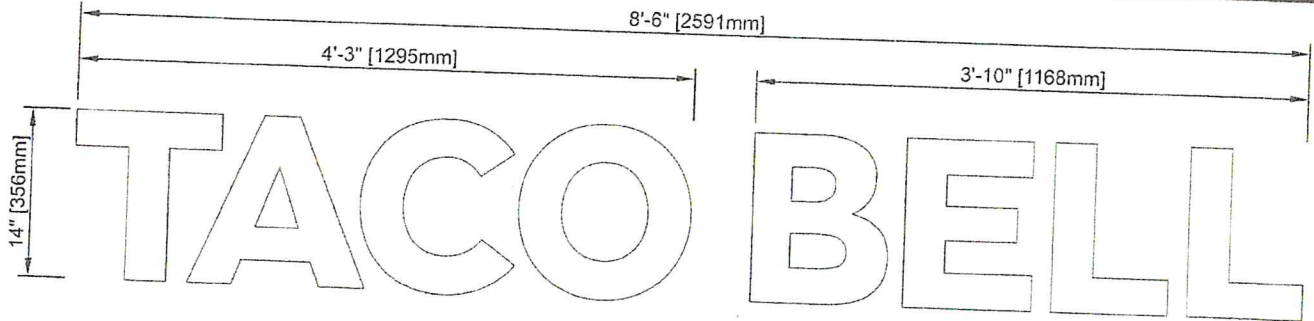
ELECTRICAL/ PERFORMANCE SPECIFICATIONS

- UL & NEC approval required
- 12V, Class II UL approved system
- If alternate LED's are used:
 - 50,000 hour system where no greater than 30% lumen depreciation is experienced at 50K hours
 - Thermally managed surface mount devices (SMD)

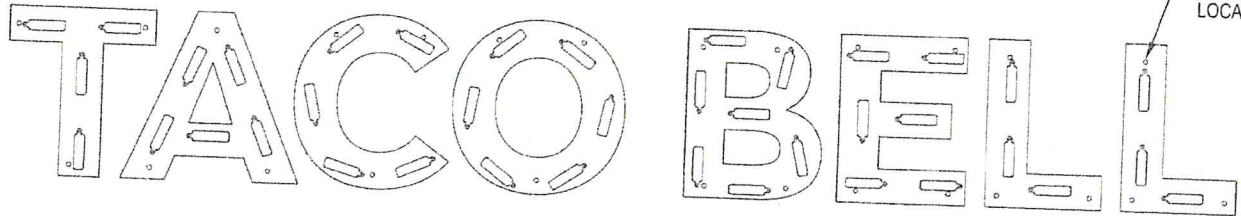
LED(s): (49) AgiLight LS-PRO160-65K-2B1 White (6500K) LEDs (25 ft) or equivalent - pre-approval required
 Power Supply: (1) 12V/60W LED Power Supply @ 0.9 amps
 Total Load: 0.9 amps
 Circuits(s): (1) 20 amp-120V

GRAPHIC & COLOR SPECIFICATIONS

COLOR	PANTONE	PAINT
① Dark Purple	PMS 2603C	
② Light Purple	PMS 2577C	
③ Black	Pantone Black	
④ White	Pantone White 3M 3630-20	SW2123
⑤ TB Bronze Tiger Drylac	49-66230 C33	

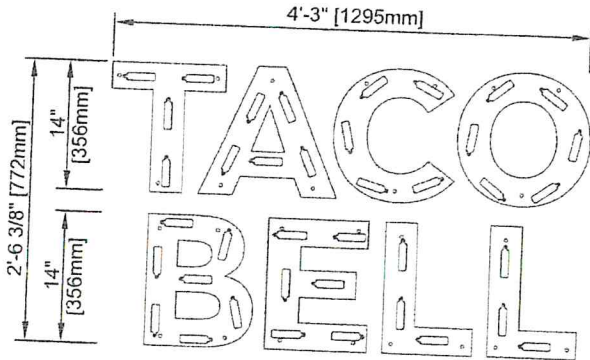


FRONT VIEW



ILLUMINATION LAYOUT

LED quantities and spacing may vary based on system used.



ALTERNATE LAYOUT CONFIGURATION

SPECIFICATIONS

DESIGN PARAMETERS

- Structural adequacy shall be the manufacturer's responsibility using the following criteria:
- 100 MPH 3 second gust wind speed per ASCE 7-05 (130 MPH - ASCE 7-10), Category II, Exposure C, Components & Cladding, Zone 5.
- Attachment may vary based on wall conditions.
- Compliant with national building codes and standards (IBC 2009, IBC 2012, AISC 14th Edition, ASCE 7-05, ASCE 7-10, ACI & Aluminum Design Manual).
- Refer to written documentation for material specifications.

Materials

- Cabinet: .040 [1mm] aluminum returns w/ black finish and .063 aluminum back
- 3/4" [19mm] black trim cap
- Face: .150 [4mm] 7328 white acrylic
- Removable face

Area

- Squared: 9.92 sf • Actual: 5.17 sf

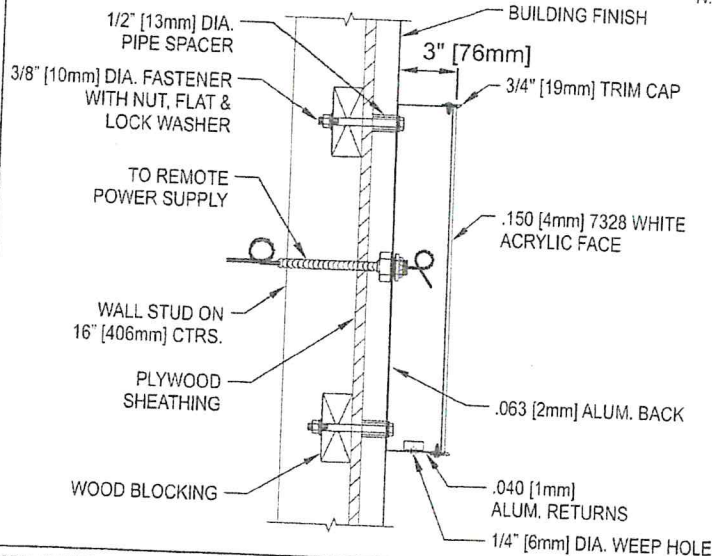
ELECTRICAL/ PERFORMANCE SPECIFICATIONS

- UL & NEC approval required
- 12V, Class II UL approved system
- If alternate LED's are used:
 - 50,000 hour system where no greater than 30% lumen depreciation is experienced at 50K hours
 - Thermally managed surface mount devices (SMD)

LED(s): (39) AgiLight LS-PRO160-65K-2B1 White (6500K) LEDs (20 ft) or equivalent - pre-approval required
 Power Supply: (1) 12V/60W LED Power Supply @ 0.9 amps - Remotely Located
 Total Load: 0.9 amps
 Circuits(s): (1) 20 amp-120V

TYPICAL SECTION

N.T.S.



SEAL ALL WALL PENETRATIONS TO PREVENT WATER INTRUSION AS FOLLOWS: INSTALL BUSHING AFTER E.I.F.S. APPLICATION HAS HARDENED. DRILL HOLE SLIGHTLY LARGER THAN BUSHING THROUGH INSULATION ONLY. STOP AT PLYWOOD. CAULK OPENING PRIOR TO INSERTING FASTENER TO SEAL PENETRATION.

GRAPHIC & COLOR SPECIFICATIONS:

COLOR	PANTONE	PAINT
1 Dark Purple	PMS 2603C	
2 Light Purple	PMS 2577C	
3 Black	Pantone Black	
4 White	Pantone White 3M 3630-20	SW2123
5 TB Bronze Tiger	Drylac 49-66230 C33	



Taco Bell
Restaurant
Diamondhead
 Diamondhead, Mississippi
 Estimator 2/21/02

for:
 B & C Capital and Golf
 Coast Ventures, LLC
 10000 Highway 90
 Morgan City, Louisiana 70381

Carl P. Blum
AIA
Architect

P. O. Box 2386
 900 Third Drive
 Morgan City, Louisiana 70381
 (504) 383-3279
 Fax (504) 383-3797
 www.carlplum.com
 info@carlplum.com

Consultants

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 Fax (504) 383-3797
 www.costengineers.com
 info@costengineers.com

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 Fax (504) 383-3797
 www.highriseconstruction.com
 info@highriseconstruction.com

M&B Consulting, Inc.
 10000 Highway 90
 Morgan City, Louisiana 70381
 (504) 383-3279
 Fax (504) 383-3797
 www.mandbconsulting.com
 info@mandbconsulting.com

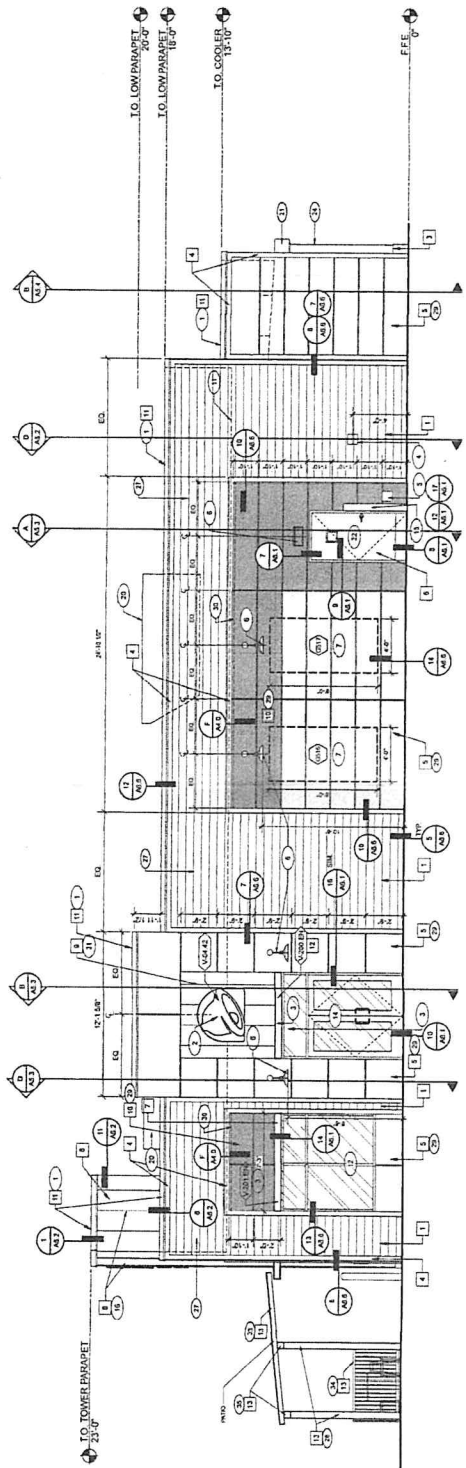
Drawn:
 CPM/BJ, RBJ
 Checked:
 CPM
 Revised:

Code:
 19-26
 Date:
 January 25, 2012

Exterior Elevations

A4.0
 32 of 83

Item No. 4.



FRONT ELEVATION 1/4" = 1'-0"

ARTWORK

NO.	NAME	QTY	UNIT	DATE OF ORDER	LOCATION
1	IMPRESSIONS WALL	1	0	0000	JA 1A 1A1
2	IMPRESSIONS WALL	2	0	0000	JA 1A 1A1

- PAINT NOTES**
1. PRIME TO MATCH EXISTING PAINT TO MATCH EXISTING BUILDING COLOR.
 2. APPLY LOW SOLIDS PRIMER TO ALL SURFACES.
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KEY NOTES

GENERAL NOTES

1. ALL MATERIALS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
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50. ALL MATERIALS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

GENERAL FINISH SCHEDULE

ITEM NO.	DESCRIPTION	UNIT	QTY
1	1/2\"/>		

LED WALL WASHER DETAIL

LED WALL WASHER DETAIL

ITEM NO.	DESCRIPTION	UNIT	QTY
1	1/2\"/>		

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

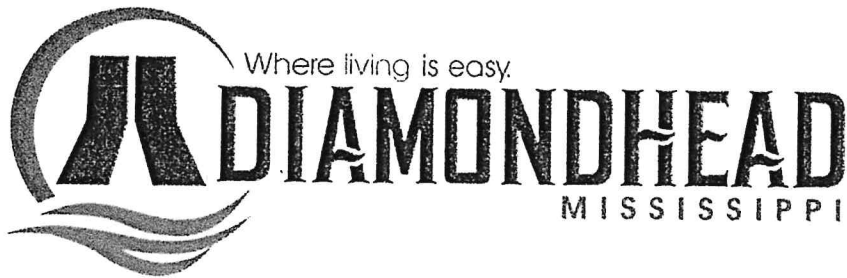
Taco Bell represented by Gulf South Signs, LLC, has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a monument sign within 0' of the property line; 2 (two) wall mounted signs not on building frontage.

The property address is 4500 East Aloha Drive. The tax parcel number is 131E-1-13-006.002. The property is in a C-1 zoning district. The setback for monument signs is 10'. The variance requested is 10'. Wall mounted signs are only allowed on building frontage. The variance requested is to allow 2 (two) wall mounted signs on non-frontage walls. The Case File Number is 202200200.

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, May 24, 2022, at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend. This meeting will also be live streamed for your convenience.

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



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

TO: Taco Bell and adjacent property owners

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

DATE: May 6, 2022

SUBJECT: Variance application request before the Planning & Zoning Commission

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

APPLICATION FOR VARIANCE REQUEST

Case Number: _____

Date 4/25/22



Applicant: Bryon Griffith

Applicant's Address: 79326 Diamondhead Drive East, Diamondhead MS 39525

Applicant's Email Address: Bgriffith.cr2@gmail.com

Applicant's Contact Number: (Home) _____ (Work) _____ (Cell) (228) 731-0023

Property Owner: Bryon Griffith

Owner's Mailing Address: 79326 Diamondhead Drive East, Diamondhead MS 39525

Owner's Email Address Bgriffith.cr2@gmail.com

Owner's Contact Number: (Home) _____ (Work) _____ (Cell) (228) 731-0023

Tax Roll Parcel Number: Bryon Griffith

Physical Street Address: 79326 Diamondhead Drive East, Diamondhead MS 39525

Legal Description of Property: Lots 22 & 23 Deer Run Estates

Zoning District: R2 – Medium Density Residential

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

Request for approval to construct 2nd Accessory Building (Utility Shed to be sited at right rear of property (over 200' from road front property line, and over 100' from rear of home). Homesite is atypical in size for this area of Diamondhead, Conjoined lots = 43478 sq. ft. (just shy of an acre), >4x size of surrounding lots.

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 May 24, 2022 at 6 p.m. in the Council Chambers of the Diamondhead City Hall.

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

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



Signature of Applicant



Signature of Property Owner

For Official Use Only

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

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

REQUIRED ITEM A

Property Owner Bryon Griffith

Street Address 79326 Diamondhead Drive E, Diamondhead MS 39525

Statement Describing Variance Request

My wife and I are requesting a one-time variance from the existing building ordinance pertaining to the limitation of only one accessory building per homesite. We are specifically requesting a variance to allow the construction of a 2nd Accessory Building (Utility Shed) to be sited at the right rear quadrant of the property. The property has a covered patio in the rear courtyard that was approved permitted and approved as the 1st accessory building.

The reasons why it complies with the criteria for variances:

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

Response: _____

The requested variance (special condition) is unique to this homesite and, to the best of my understanding, will not affect surrounding or similar properties. Our homesite is comprised of 2 separate and atypically large building lots (collectively they represent 44,000 sq. ft. of land (just shy of 1 acre). We followed all of the legal processes to combine these lots in 2020. The point being that the construction of 2 separate accessory buildings would have been in direct compliance and allowed on this land area if the lots had remained uncombined. We fully support the primary intent of the City’s ordinance to help safeguard against overcrowding limited area building lots. We would like to point out that in this build, the shed will sit over 200’ from the front property lot line, and over 100’ from the rear of the house behind a standing grove of trees. Additionally, we would like to note that the combined square footage of the existing covered patio (336) and this utility shed (312) – (648 combined) would fall well below the 30% of living area square footage rules. Our home is currently 3300 sq. ft. living, 5000 sq. ft. under roof, which allows us up to 990 sq. ft. of accessory building per the current ordinance.

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

Response: Yes. Whether; (1) by virtue of grandfathered accessory structures prior to the Incorporation of Diamondhead as a City, (2) by the retention of separable and unique sub-lots on combined multi-lot build sites, or (3) by isolated approval of prior variance requests, numerous homesites throughout Diamondhead enjoy more than one accessory structure.

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

Response: No, we did not cause the special condition. The lots, though now conjoined, allow for the structure (shed) to be built without triggering the need For a variance. In point of fact, the 1st accessory structure (covered patio) sits entirely within the perimeter of Lot 22 , and this shed will sit entirely within the perimeter of Lot 23.

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

Response: No, we do not perceive that the variance we are requesting will give us any special privilege or rights not available to owners of similar properties given similar underlying structural circumstances.



16'x24' Utility Garden Shed – Custom Site Built

Standard 8' Walls, 4:12 Roof Pitch (approx. 12' Peak)

Slab Foundation, 10 ga. Highway wire steel reinforced

Hardi plank siding to match main house

Colors (White and Blue to match main house)

Roof, Silver Galvalume to match main house and patio cover

Shed Variance Application: 4/25/22

Bryon & Yvonne
79326 Diamondhead Dr. L
Diamondhead, MS 39525
(228) 731-0023

Item No.5.

Storm Drainage Canal

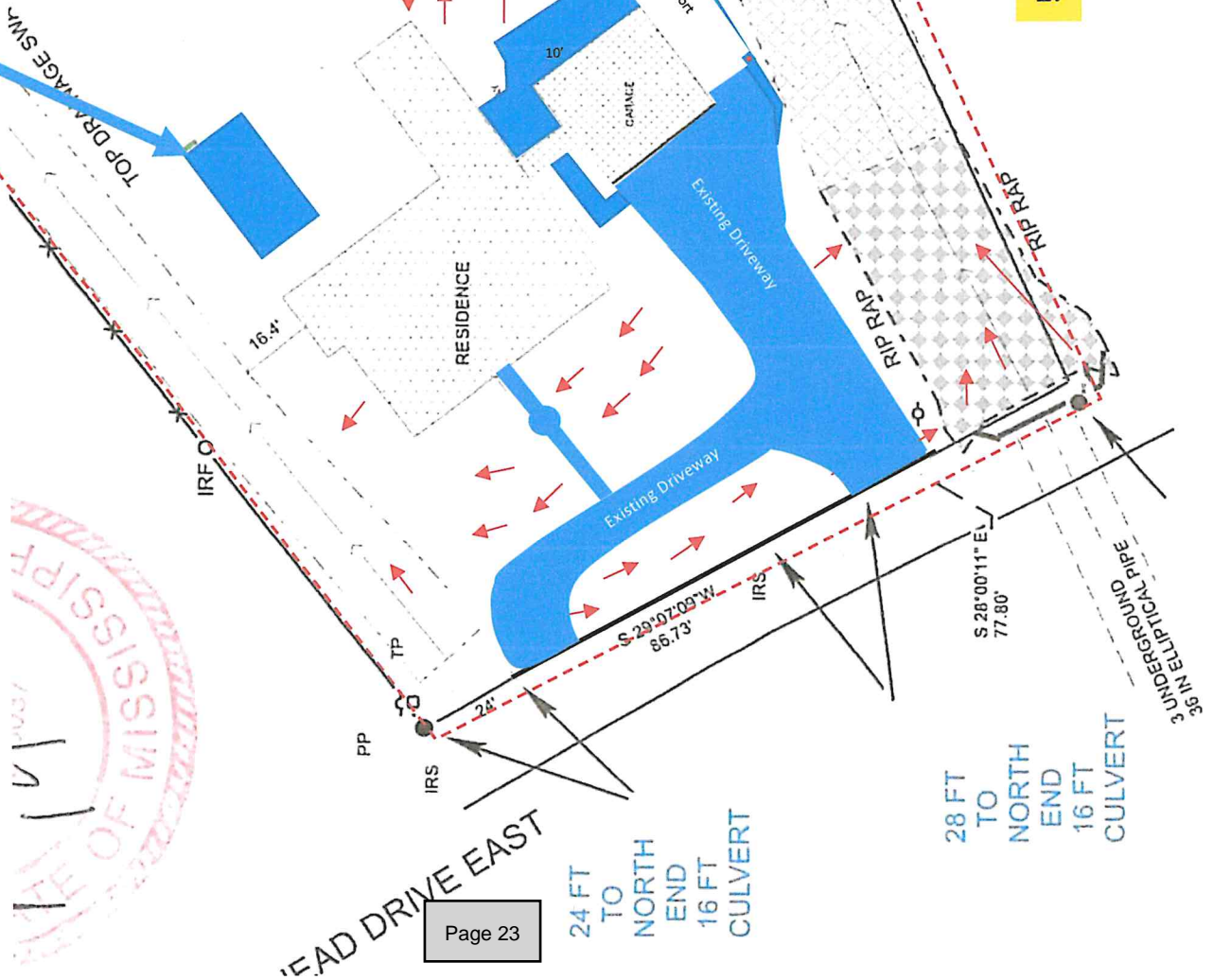
Requested Addition
of a 16' x 24'
Utility/Garden Shed
(Accessory Bldg. #2).

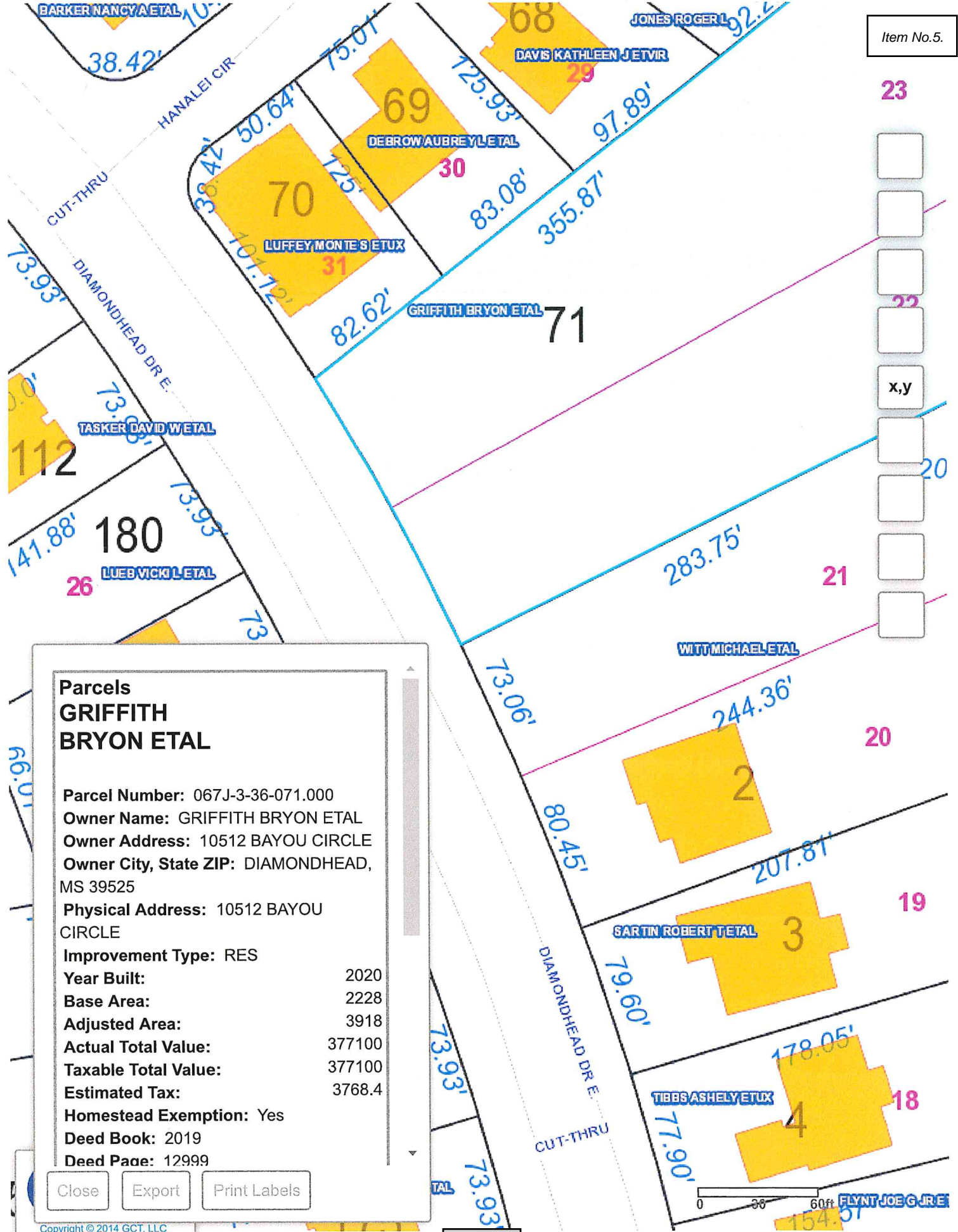
Shed will sit back 90' from
closest house corner.

Accessory Bldg.
#1 (Covered Patio)
Permitted
4/3/22)

TRI

1.





Item No.5.

23

22

x,y

20

21

Parcels
GRIFFITH
BRYON ETAL

Parcel Number: 067J-3-36-071.000
 Owner Name: GRIFFITH BRYON ETAL
 Owner Address: 10512 BAYOU CIRCLE
 Owner City, State ZIP: DIAMONDHEAD, MS 39525
 Physical Address: 10512 BAYOU CIRCLE
 Improvement Type: RES
 Year Built: 2020
 Base Area: 2228
 Adjusted Area: 3918
 Actual Total Value: 377100
 Taxable Total Value: 377100
 Estimated Tax: 3768.4
 Homestead Exemption: Yes
 Deed Book: 2019
 Deed Page: 12999

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

Bryon Griffith has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a 2nd accessory building (utility shed).

The property address is 79326 Diamondhead Drive East. The tax parcel number is 067J-3-36-071.000. The property is in a R-2 zoning district. There shall only be one accessory structure on a property. The variance requested is to allow a second accessory structure. The Case File Number is 202200206.

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