



Commissioner Brewer  
Commissioner Lawson  
Commissioner Parrish  
Commissioner Peters  
Commissioner Raymond  
Commissioner Sutherland  
Commissioner White

## **AGENDA**

### **PLANNING AND ZONING COMMISSION**

**Tuesday, April 28, 2026**

**6:00 PM CST**

Council Chambers, City Hall  
and via teleconference, if necessary

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#### **Call to Order**

#### **Statement of Purpose**

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

#### **Pledge of Allegiance**

#### **Roll Call**

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

#### **Approval of Minutes**

2. Approval of March 24, 2026 minutes.

#### **Architectural Review**

#### **New Business**

3. Public Hearing on a proposed text amendment to the Zoning Ordinance Articles 3, 4, and 5 to allow Aloha District Mixed Use, Live-Make, and Townhome Uses in the C-1 District.
4. SELA Construction, LLC, on behalf of John Kirschenbaum, has filed an application requesting a variance from the Zoning Ordinance Article 3.4.8 to allow a residence within 17' of a rear property line. The property address is 557 Golf Club Drive. The tax parcel number is 131C-2-13-092.000. The property is in a R-10 zoning district. The setback for a residence from the rear property line is 20'. The variance requested is 3'. The Case File Number is 202600241.
5. Doug Parker has filed an application requesting a variance from the Zoning Ordinance Article 4.3.6 to allow a swimming pool within 8' of a rear property line. The property address is 85007 Diamondhead Lakes Boulevard. The tax parcel number is 067M-2-35-032.000. The property is in a R-6 zoning district. The setback for a swimming pool from the rear property line is 10'. The variance requested is 2'. The Case File Number is 202600240.

#### **Unfinished Business**

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

#### **Commissioners' Comments**

#### **Communication / Announcements**

6. The next City Council meeting is Tuesday, May 5, 2026.

The next Planning and Zoning Commission Meeting is Tuesday, May 26, 2026.

**Adjourn or Recess**



Commissioner B  
Commissioner L Item No.2.  
Commissioner Parrish  
Commissioner Peters  
Commissioner Raymond  
Commissioner Sutherland  
Commissioner White

## MINUTES PLANNING AND ZONING COMMISSION

Tuesday, March 24, 2026

6:00 PM CST

Council Chambers, City Hall  
and via teleconference, if necessary

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### Call to Order

Jasmin Seferovic , Code Enforcement Officer, called the meeting to order at 6:00 p.m.

Motion was made by Commissioner White, second by Commissioner Lawson to appoint Commissioner Parrish to run the meeting tonight only.

### Motion Passed Unanimously

### Statement of Purpose

Commissioner White read the Statement of Purpose

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

Commissioner White read the Statement of Purpose

### Pledge of Allegiance

Commissioners led the Pledge of Allegiance.

### Roll Call

Present at the Meeting were: Commissioners Parrish. Peters, Lawson, Sutherland, and White. Absent were: Commissioner Raymond, and Chairman Brewer. Also present were: City Attorney, Derek Cusick, Building Official, and Development Coordinator , Beau King, Code Enforcement Officer, Jasmin Seferovic, and Minute Clerk, Tammy Braud.

Motion was made by Commissioner White, second by Commissioner Lawson to appoint Commissioner Parrish to run the meeting tonight only.

### Motion Passed Unanimously

### Confirmation or Adjustments to Agenda

Motion was made by Commissioner White, second by Commissioner Peters to accept the Agenda as presented.

**Motion Passed Unanimously**

**Approval of Minutes**

1. Approval of February 24, 2026 minutes.

Motion was made by Commissioner Sutherland, second by Commissioner Peters to accept the Minutes of February 24, 2026 as presented.

**Motion Passed Unanimously**

**Architectural Review**

None

**New Business**

2. Holly Raymond has filed an application requesting a variance from the Zoning Ordinance Article 3.4.8 to allow a residence with 16’ of a rear property line. The property address is 7442 Mahalo Hui Drive. The tax parcel number is 067N-2-35-071.000. The property is in a R-6 zoning district. The setback for a residence from the rear property line is 20’. The variance requested is 4’. The Case File Number is 202600131.

Development Coordinator , Beau King explained to Commissioners why a Variance was needed.

Holly Raymond was present at the meeting , she spoke and answered questions from Commissioners.

Commissioner Parrish asked for any Public Comments.

Shelly McDonald, and Don Savage spoke to commissioners about concerns they had about the Variance.

Development Coordinator, Beau King, read the staff recommendation which was to approve the Variance.

Motion was made by Commissioner Peters, second by Commissioner White to accept the recommendation to approve to the City Council.

**Motion Passed Unanimously**

3. Kathy LeRouge has filed an application requesting a variance from the Zoning Ordinance Article 4.3.10f)xv.c to allow a fence within 10’ of the property line adjoining the golf course. The property address is 7848 Moanalua Way. The tax parcel number is 067K-2-36-038.000. The property is in a R-6 zoning district. The setback for a fence on a property line adjoining the golf course is 10’. The variance requested is 0’. The Case File Number is 202600124.

Development Coordinator, Beau King, spoke to Commissioners.

Kathy LeRouge was present at the meeting, and spoke and answered questions from Commissioners.

Commissioner Parrish asked for Pubic Comments. None

Development Coordinator, Beau King read the staff's recommendation which was to approve the Variance as presented. He also stated he received one letter from the POA objecting to the Variance.

Motion was made by Commissioner White, second by Commissioner Peter to accept the recommendation and approve to the City Council.

**Motion Passed Unanimously**

- 4. Randolph Uren and Jeanne Uren have filed an application requesting a variance from the Zoning Ordinance Article 4.11.7b) to allow a short-term rental within 1,000 linear feet of another short-term rental. The property address is 5584 Diamondhead Drive East. The tax parcel number is 131D-2-13-161.000. The property is in a R-10 zoning district. The property is 875 linear feet from another short-term rental. The variance requested is 125 linear feet. The Case File Number is 202600133.

City Attorney, Derek Cusick spoke to Commissioners about this variance , and explain how this case will be handled.

Amber Rouse , representing Randolph and Jeanne Uren spoke to Commissioners.

Commissioner Parrish asked for Public Comments.

Betty Monroe, Katherine Buck spoke about their concerns on security, and maintenance of the house

Development Coordinator, Beau King read the Staff's report recommending to deny the variance for reasons in Ordinance. He also stated that he received 2 letters asking to deny the variance

Motion was made by Commissioner Lawson. second by Commissioner White to accept the recommendation of the staff and deny the variance

**Motion Passed Unanimously**

The Urens have the right to appeal to the City Council

- 5. BBA, LLC, represented by Kevin Ashy, has filed an application requesting a re-plat of Diamondhead, Phase 2, Unit 1 Block 11, Lots 48-52. The properties are located on the west side of the intersection of Kaumakapili Street and Kalaepohuku Drive.

Development Coordinator, Beau King presented the request to the Commissioners.

Kevin Ashy was not present at the meeting.

Commissioner Parrish asked for Public Comments. None

Development Coordinator, Beau King , read the staff's report recommending to approve the re-plat.

Motion was made by Commissioner White, second by Commissioner Peters to accept the recommendation of the staff and approve the re-plat to the City Council.

**Motion Passed Unanimously**

6. Further discussion of updating the City's official zoning map to ensure alignment with the Envision 2040 Comprehensive Plan, as directed by the City Council.

City Attorney, Derek Cusick, told the Commissioner that in April or May's meeting we should have updates on Zoning Maps and changing the Text Amendments to the mix use options in the Town Center. this will be done in 2 phases and with Bob Barber.

**Unfinished Business**

None

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

Don Duff asked if residents will be notified and can review plans

**Commissioners' Comments**

None

**Communication / Announcements**

None

7. The next City Council meeting is Tuesday, April 7, 2026.

The next Planning and Zoning Commission Meeting is Tuesday, April 28, 2026.

**Adjourn or Recess**

Motion was made by Commissioner White, second by Commissioner Peters to adjourn the meeting at 7:08p.m.

**Motion Passed Unanimously**

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**S. Brewer, Chairman  
Planning & Zoning**

### **1. C-1. Alternative Development Using Aloha District Standards**

- a. Purpose: The purpose of this section is to allow properties within the C-1 General Commercial District to be developed using the standards of the Aloha District, in order to encourage high-quality, mixed-use, and form-based development, without requiring rezoning.

### **2. Applicability**

- a. Properties zoned C-1 General Commercial may elect to be developed in accordance with the Aloha District standards as an alternative to the requirements of the C-1 District.
- b. The Aloha District shall remain a separate zoning district, and no rezoning shall be required to utilize its standards under this Section.
- c. This option shall apply only when affirmatively elected by the applicant and approved in accordance with this Section.

### **3. Election of Standards**

- a. An applicant may elect to utilize the Aloha District standards at the time of application for site plan approval, development plan approval, or planned development approval.
- b. The application shall clearly indicate the election to utilize Aloha District standards.
- c. The application shall include all materials required for development within the Aloha District, including:
  - i. Regulating plan (if applicable)
  - ii. Building form standards or exhibits
  - iii. Frontage and public realm plans

### **4. Effect of Election**

- a. Upon approval, the development shall be governed by the use, form, and design standards of the Aloha District.
- b. The underlying C-1 General Commercial zoning designation shall remain in place but shall not apply to those aspects of development regulated by the Aloha District standards.
- c. Where conflicts exist, the Aloha District standards shall control.

### **5. Relationship to C-1 and Other Regulations**

- a. The Aloha District standards shall replace the following for developments approved under this Section:
  - i. Permitted and conditional uses
  - ii. Dimensional standards
  - iii. Building form and design standards
  - iv. Streetscape and frontage standards

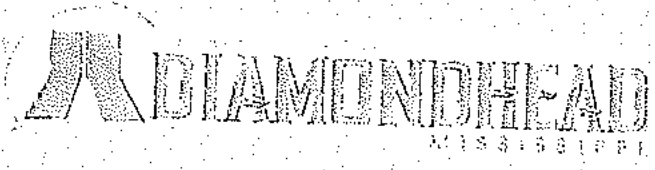
- b. Any standards not addressed by the Aloha District shall default to the requirements of the C-1 General Commercial District and other applicable provisions of this Ordinance.

**6. Approval and Vesting**

- a. Approval of a development under this Section shall establish the Aloha District standards as the governing regulations for the subject property.
- b. All subsequent development shall be consistent with the approved plans and Aloha District standards.
- c. Modifications shall be reviewed for consistency with the approved development.

**7. Continuation and Reversion**

- a. Once a property has been approved for development under this Section, the Aloha District standards shall continue to govern the property.
- b. The property shall not revert to the standard C-1 General Commercial regulations except through an amendment to the Official Zoning Map in accordance with the rezoning procedures of this Ordinance.



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

APPLICATION FOR VARIANCE REQUEST

Case Number: 2026000241  
Date 3/27/26

Applicant: SELA Construction, LLC

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

Applicant's Email Address: tgiaccrusso@sela-construction.com

Applicant's Contact Number: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Cell) 228.256.2010

Property Owner: John Kirschenbaum

Owner's Mailing Address: 557 Golf Club Dr

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

Owner's Contact Number: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Cell) 251 751 1487

Tax Roll Parcel Number: 131C-2-13-092000

Physical Street Address: 557 Golf Club Dr

Legal Description of Property: lot 13, Block 1, Diamondhead Subdivision Unit 1  
Phase 1, City of Diamondhead, Hancock County, Mississippi

Zoning District: R-10

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

- Golf Course Setback is 20'
- Purpose is to have overhead cover new patio encroaching setback approx 2-3' - leaving approx 17' of setback on property line to structure (attached)

**REQUIRED ITEMS:**

- A. A statement describing the variance request and all the reasons why it complies with the criteria for variances provided in Section 2.6.5, specifically.
- THE CONDITIONS FOR GRANTING A VARIANCE: (SEE ATTACHED SHEET #4)**
1. DO THE SPECIAL CONDITIONS AND/OR CIRCUMSTANCES EXIST WHICH AFFECT ONLY THE LAND OR STRUCTURE IN QUESTION AND NO OTHER SURROUNDING OR SIMILAR PROPERTIES?
  2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?
  3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?
  4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?
- B. The property address and the name and mailing address of the owner of each lot within 300 feet of the subject property and a map with parcels keyed to the ownership and address data.
- C. Site plans, preliminary building elevation, preliminary improvement plans, or other maps or drawings, sufficiently dimensioned as required to illustrate the following, to the extent related to their variance application:
- i. Existing and proposed location and arrangement of uses on the site, and on abutting sites within 100 feet.
  - ii. Existing and proposed site improvements, buildings, and other structures on the site, and any off-site improvements related to or necessitated by the proposed use. Building elevations shall be sufficient to indicate the general height, bulk, scale, and architectural character.
  - iii. Existing and proposed topography, grading, landscaping, and screening, irrigation facilities, and erosion control measures.
  - iv. Existing and proposed parking, loading, and traffic and pedestrian circulation features, both on the site and any off-site facilities or improvement related to or necessitated by the proposed use.
  - v. The Zoning Administrator may request additional information necessary to enable a complete analysis and evaluation of the variance request, and determination as to whether the circumstances prescribed for the granting of a variance exist.
  - vi. A fee established by the City Council shall accompany the application. A single application may include request for variances from more than one regulation applicable to the same site, or for similar variances on two or more adjacent parcels with similar characteristics.
- D. Payment of fee for Variance request: \$100.00 as per Ordinance 2012-020

STATEMENT OF UNDERSTANDING

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

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

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.

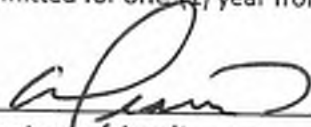
That additional information may be required by the Planning Commission prior to final disposition.


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 April 28<sup>th</sup> 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 John Kirschenbaum

Street Address 557 Golf Club Dr

Statement Describing Variance Request

20 set back on rear - Golf Course  
want to build a patio to encroach on setback  
approx 2-3' - Covered patio

The reasons why it complies with the criteria for variances:

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

Response: yes, setback is 20' on golf course - would still have approx 17' setback

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

Response: yes, the 20' setback would unnecessarily limit the customers use of his property. Due to home layout this would be needed to construct this addition

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

Response: yes, the need for variance is due to configuration & location of lot in relation to golf course, not due to actions by customer or applicant. These conditions are inherent to the property. not caused by owner

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

Response: yes, requested variance is minimal (3') & intended to allow reasonable use of property in similar situations.

**LEGAL DESCRIPTION:**

A survey of Lot 13, Block 1, Diamondhead Subdivision, Unit 1, Phase 1, City of Diamondhead, Hancock County, Mississippi.



- LEGEND:**
- ⊕ CENTERLINE
  - IRON ROD FOUND
  - IRON ROD SET
  - ⊗ IRON PIPE FOUND
  - ⊞ FENCE CORNER POST
  - ⊘ POWER POLE
  - APS AS PER SURVEY
  - APR AS PER RECORD
  - UTILITY EASEMENT
  - DRAINAGE EASEMENT
  - EDGE OF PAVEMENT
  - WATER METER
  - ELEC ELECTRIC
  - TEL PHONE SERVICE

**REFERENCES:**

- 1) DEED BOOK 2019 PAGE 8905
- 2) PLAT OF DIAMONDHEAD SUBDIVISION, UNIT 1, PHASE 1
- 3) PREVIOUS SURVEY BY DUKE LEVY  
DWG # 2020-233; DATED 08/17/2020

**NOTES:**

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

BEARINGS REFERENCED TO GEODETIC BY GPS OBSERVATIONS

As a consequence of the law (and) a regulation that has and may apply to this or other similar surveys, the surveyor is not permitted to be held liable for professional negligence, malpractice, or fraud.

Duke Levy, RLS #1722

**DUKE LEVY & ASSOCIATES, P.A.**  
 4412 LEISURE TIME DRIVE  
 DIAMONDHEAD, MS 39525  
 (228) 343-8891 PHONE



SCALE: 1" = 50'  
 DATE: 03/17/2026  
 CLIENT: KRISCHENBAUM  
 DRAWING: W/DW 2025-057

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

SELA Construction, LLC, on behalf of John Kirschenbaum, has filed an application requesting a variance from the Zoning Ordinance Article 3.4.8 to allow a residence within 17' of a rear property line.

The property address is 557 Golf Club Drive. The tax parcel number is 131C-2-13-092.000. The property is in a R-10 zoning district. The setback for a residence from the rear property line is 20'. The variance requested is 3'. The Case File Number is 202600241.

In accordance with the Comprehensive Zoning Ordinance Article 9.8, the Planning Commission may recommend to the Mayor and City Council a variance be granted as the variance was applied for or in a modified form or subject to conditions or the application may be denied. A variance may be revocable, may be granted for a limited period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, April 28, 2026, 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 Beau King, Building Official, at [bking@diamondhead.ms.gov](mailto:bking@diamondhead.ms.gov) or 228-222-4023.



# The Sea Coast Echo

POST OFFICE BOX 2009  
BAY SAINT LOUIS, MS 39521-2009

## PROOF OF PUBLICATION

STATE OF MISSISSIPPI  
HANCOCK COUNTY

PERSONALLY appeared before me the undersigned authority in and for said County and State. GEOFF BELCHER, Publisher of THE SEA COAST ECHO, a newspaper published in the City of Bay Saint Louis, said County, who being duly sworn, deposes and says the publication of this notice hereunto annexed has been made in the said publication 1 week(s) to-wit:

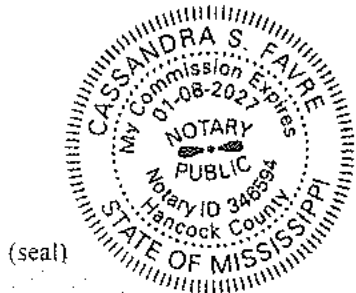
On the 9 day of April 2026  
On the \_\_\_\_\_ day of \_\_\_\_\_ 2026  
On the \_\_\_\_\_ day of \_\_\_\_\_ 2026  
On the \_\_\_\_\_ day of \_\_\_\_\_ 2026

Geoff Belcher  
Publisher

Sworn to and subscribed before me a NOTARY PUBLIC

Cassandra S Fave

This 9 day of April 2026



### NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMISSION

DIAMONDHEAD, MS  
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In accordance with the Comprehensive Zoning Ordinance Article 9.8, the Planning Commission may recommend to the Mayor and City Council a variance be granted as the variance was applied for or in a modified form or subject to conditions or the application may be denied. A variance may be revocable, may be granted for a limited period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

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If you have any questions or comments or would like to review the application, you may contact Beau King, Building Official, at [bking@diamondhead.ms.gov](mailto:bking@diamondhead.ms.gov) or 228-222-4023. PUBLISH DATES: 4/9/26

15

| OWNER_NAME                           | LRMADD                      | CITY_ST_ZIP_OWNR         |
|--------------------------------------|-----------------------------|--------------------------|
| ✓ KIRSCHENBAUM JOHN L ETAL           | 557 GOLF CLUB DR            | BAY ST LOUIS, MS 39520   |
| ✓ WAGNER MARGUERITE A                | 238 MOLOKAI VILLAGE         | DIAMONDHEAD, MS 39525    |
| ✓ WEBO LLC                           | 1079 TINA VIC FAYE ROAD     | PASS CHRISTIAN, MS 39571 |
| ✓ SCARAMUZZO MICHELE                 | 25750 KARLY DR              | PICAYUNE, MS 39466       |
| ✓ HAUPTMANN MICHELE                  | 20099 ROAD 536              | KILN, MS 39556           |
| ✓ GOODSON GREG                       | 104 MOLOKAI VILLAGE         | DIAMONDHEAD, MS 39525    |
| ✓ MELTON WANDA L/E                   | 129 MOLOKAI VILLA BLDG G    | DIAMONDHEAD, MS 39525    |
| ✓ WAGONER GREGORY ETAL               | 5513 GOLF CLUB DR           | DIAMONDHEAD, MS 39525    |
| ✓ HAND SCOTT ETAL                    | 5583 DIAMONDHEAD RD E       | DIAMONDHEAD, MS 39525    |
| ✓ BAUMGARTNER JEANNE G ETAL TRUSTEE  | 83163 LOLA DRIVE            | DIAMONDHEAD, MS 39525    |
| ✓ STRUCTURES OF DIAMONDHEAD INC      | 758 AUGUSTA WAY             | DIAMONDHEAD, MS 39525    |
| ✓ BURGE JAMES M (RTODD)              | P O BOX 6444                | DIAMONDHEAD, MS 39525    |
| ✓ MADDIE SUSAN ETAL                  | 633 SANDBAR PT              | LAKE WYLIE, SC 29710     |
| ✓ SHIRAH MICHAEL                     | 213 MOLOKAI VILLAGE UN D    | DIAMONDHEAD, MS 39525    |
| ✓ HEADRICK JARED A                   | 126 MOLOKAI VILLAGE UNIT G  | DIAMONDHEAD, MS 39525    |
| ✓ ALLEN DALE N ETAL                  | 5524 ALAKOKO PL             | DIAMONDHEAD, MS 39525    |
| ✓ WILKERSON BURTON L SR ETAL         | 552 WEST JEFFERSON ST UN 10 | TUPELO, MS 38804         |
| ✓ HOLDER LAURIE H                    | 709 SEABISCUIT LOOP S       | MADISONVILLE, LA 70447   |
| ✓ PYLE ROBERT W & KAREN L TRUSTEES   | 144K MOLOKAI VLG            | DIAMONDHEAD, MS 39525    |
| ✓ SHEFFIELD MICHAEL T                | 227 MOLOKAI VILLAGE         | DIAMONDHEAD, MS 39525    |
| ✓ TEAM FLETCHER LLC                  | 9083 OLD RIVER ROAD, LOT 19 | PETAL, MS 39465          |
| ✓ LEE ROY D ETAL                     | 5516 ALAKOKO DRIVE          | DIAMONDHEAD, MS 39525    |
| ✓ BOURGEOIS LOUIS V JR ETUX          | 305 RAYWOOD DRIVE           | HOUMA, LA 70360          |
| ✓ SIMMONS JIMMY W ETAL               | 208 MOLOKAI VLG             | DIAMONDHEAD, MS 39525    |
| ✓ FOREMAN AARON                      | 241 MOLOKAI VILLAGE         | DIAMONDHEAD, MS 39525    |
| ✓ WILLEY JAMES S ETAL                | 230 MOLOKAI VILLAGE         | DIAMONDHEAD, MS 39525    |
| ✓ SOMERS KENNETH                     | P O BOX 6572                | DIAMONDHEAD, MS 39525    |
| ✓ COLLETT LARRY ETUX                 | 129 KELVIN DR               | CLINTON, MS 39056        |
| ✓ KILPATRICK ROBERT J ETAL           | 5581 DIAMONDHEAD DR E       | DIAMONDHEAD, MS 39525    |
| ✓ BURKE JO                           | 4535 LEO ST                 | MARRERO, LA 70072        |
| ✓ DESCHAMP CLYDE                     | 235 MOLOKAI VILLA           | DIAMONDHEAD, MS 39525    |
| ✓ FLOYD LIVING TRUST                 | 5592 E DIAMONDHEAD DR       | DIAMONDHEAD, MS 39525    |
| ✓ TEAM FLETCHER LLC                  | 9083 OLD RIVER RD LT 19     | PETAL, MS 39465          |
| ✓ LAIRD BERYL                        | 5517 GOLF CLUB DR           | DIAMONDHEAD, MS 39525    |
| ✓ HARWOOD JOSEPH ETAL                | 553 GOLF CLUB DRIVE         | DIAMONDHEAD, MS 39520    |
| ✓ WILSON JOHN K ETAL                 | 6450 MANSHIP RD             | BRANDON, MS 39047        |
| ✓ DIAMONDHEAD COUNTRY CLUB & POA INC | 7600 COUNTRY CLUB DR        | DIAMONDHEAD, MS 39525    |
| ✓ MARLOT-ALRED AMY ETAL              | 9312 HWY 22S                | MICHIE, TN 38357         |
| ✓ BAUER STEVEN T ETAL                | 5522 ALAKOKO PLACE          | DIAMONDHEAD, MS 39525    |
| ✓ DEARMAN SANDRA L                   | 293 VENCTIAN GDNS           | GULFPORT, MS 39507       |
| ✓ FRAZIER CORDELL                    | 505 BEACH LANE              | MT JULIET, TN 37122      |
| ✓ DSR998 LLC                         | 998 HALAWA CT               | DIAMONDHEAD, MS 39525    |
| ✓ RIEHLE SUSAN                       | 214 MOLOKAI VLG             | DIAMONDHEAD, MS 39525    |

|   |                            |                          |
|---|----------------------------|--------------------------|
| ✓ CHATEAU CHARLOTTE LLC                 | 101 BRECKENRIDGE LOOP      | LAFAYETTE, LA 70506      |
| ✓ WILLIAMS MADELYN                      | 108 MOLOKAI VLG            | DIAMONDHEAD, MS 39525    |
| ✓ ROBSON ELIZABETH A                    | 239 J MOLOKAI VILLA        | DIAMONDHEAD, MS 39525    |
| ✓ MARSHALL GARY                         | 101 GRASS ST               | WAVELAND, MS 39576       |
| ✓ APS PROPERTIES CO LLC                 | 640 KOULA DR               | DIAMONDHEAD, MS 39525    |
| ✓ CLARK JAN M                           | 1116 GERRITS LANDING       | BRANDON, MS 39047        |
| ✓ THOMAS JOHN ETAL                      | 54 BREAKERS LANE           | RIDGELAND, MS 39157      |
| ✓ BIRCHALL PEGGY L                      | 130 MOLOKAI VILLAGE        | DIAMONDHEAD, MS 39525    |
| ✓ HOPKINS FRANK CRAIG ETAL              | 136 MOLOKAI VILLAGE        | DIAMONDHEAD, MS 39525    |
| ✓ MATTHEWS MICHAEL L                    | 8920 ANAHOLA PLACE         | DIAMONDHEAD, MS 39525    |
| ✓ MARTINEZ PERFORMANCE & PROPERTY SOLU' | 54 WOODLAKE DR             | STARKVILLE, MS 39759     |
| ✓ FLOY ADRIAN E                         | 706 W BEACH BLVD           | LONG BEACH, MS 39560     |
| ✓ GILBERT LORETTA ETAL                  | 5353 FIRETOWER RD          | KILN, MS 39556           |
| ✓ JOYCE KEVIN ETAL                      | 243 MOLOKAI VILLAGE BLDG K | DIAMONDHEAD, MS 39525    |
| ✓ MCGLYNN PATRICIA A ETAL               | 217 MOLOKAI VILLA BLDG D   | DIAMONDHEAD, MS 39525    |
| ✓ BROWN MARSHALL E JR ETAL              | 5515 GOLF CLUB DRIVE       | DIAMONDHEAD, MS 39525-   |
| ✓ KAHLMORGAN KIM T ETAL                 | 551 GOLF CLUB DR           | DIAMONDHEAD, MS 39525    |
| ✓ BLUM DAVID H ETAL                     | 505 RIDGELAKE DR           | METAIRIE, LA 70001       |
| ✓ VALENTI DAWN                          | 130 PIER AVE               | PISMO BEACH, CA 93449    |
| ✓ ZAZZARO CARMINE A                     | 125 MOLOKAI VILLAGE        | DIAMONDHEAD, MS 39525    |
| ✓ MARTIN ROBERT K ETAL                  | 559 GOLF CLUB DR           | DIAMONDHEAD, MS 39525    |
| ✓ CRAWLEY BRIAN                         | 114 D MOLOKAI VILLAGE      | DIAMONDHEAD, MS 39525    |
| ✓ LARSEN KENT P ETAL                    | 5579 DIAMONDHEAD DR E      | DIAMONDHEAD, MS 39525    |
| ✓ CAPLINGER GRETCHEN                    | 323 E NORTH STREET         | PASS CHRISTIAN, MS 39571 |
| ✓ MAD PROPERTIES LLC                    | 20581 SAUCIER FAIRLEY RD   | SAUCIER, MS 39574        |
| ✓ RYAN LANCE A                          | 117 MOLOKAI VILLAGE        | DIAMONDHEAD, MS 39525    |
| MOLOKAI VILLA CONDOMINIUMS              |                            |                          |
| ✓ POWELL NATHANIAL ETUX                 | 5512 ALAKOKO DRIVE         | DIAMONDHEAD, MS 39525    |
| ✓ KOON KELLI                            | 207 MOLOKAI VILLAGE        | DIAMONDHEAD, MS 39525    |
| ✓ DESCHAMP CLYDE                        | 159 WESTLAKE DR            | BRANDON, MS 39047        |
| ✓ KJAMM ENTERPRISE LLC                  | 507 NORTH AVENUE           | AMITE, LA 70422          |
| ✓ BELLANDE DIANE M                      | 131 MOLOKAI VILLAGE        | DIAMONDHEAD, MS 39525    |
| ✓ YOUNGBLOOD MICHAEL SCOTT ETAL         | 5594 DIAMONDHEAD DR EAST   | DIAMONDHEAD, MS 39525    |



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

## STAFF REPORT – 557 GOLF CLUB DRIVE - VARIANCE

TO: Planning & Zoning Commission

FROM: Beau King, Building Official

DATE: April 23, 2026

SUBJECT: Variance request before the Planning & Zoning Commission – 557 Golf Club Drive

NATURE OF REQUEST: SELA Construction, LLC, on behalf of John Kirschenbaum, has filed an application requesting a variance from the Zoning Ordinance Article 3.4.8 to allow a residence within 17' of a rear property line. The property address is 557 Golf Club Drive. The tax parcel number is 131C-2-13-092.000. The property is in a R-10 zoning district. The setback for a residence from the rear property line is 20'. The variance requested is 3'. The Case File Number is 202600241.

DATE OF PUBLIC HEARING: April 28, 2026, at 6:00 PM.

RECOMMENDATION: To **approve** the variance as petitioned.

The staff recommends approving the variance based on the following findings of fact.

- A. That special conditions and circumstances *do* 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. *The building is constructed 58.3' from the front property line and 22.9' from the rear property line.*
- 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. *There are many homes on the golf course that have covered patios closer than 20' to the rear lot line.*
- C. That special conditions and circumstances, if any, *do not* result from the actions of the applicant. *Conditions are created by existing building location.*
- 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. *Other similar variances have been granted.*
- 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. *3' variance is reasonable to the house and lot size.*
- F. The Variance *does* observe the spirit of the Ordinance and *will not* change the character of the district (area). *17' rear setback still gives ample setback.*
- G. The Variance *will* observe the spirit of the Comprehensive Plan. *Observed.*
- H. That the Variance requested *will not* result in any change in use or density of the subject property. *No change in use or dens*

J02AL000240



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

APPLICATION FOR VARIANCE REQUEST

Case Number: J02AL000240

Date 3-20-2026

Applicant: DOUG PARKER

Applicant's Address: 85007 DIAMONDHEAD BLVD. <sup>Lakes</sup> DIAMONDHEAD, MS, 39525

Applicant's Email Address: J0CAROLPARKER@GMAIL.COM

Applicant's Contact Number: (Home) 601-842-0020 (Work) SAME (Cell) SAME

Property Owner: DOUG & JO CAROL PARKER

Owner's Mailing Address: 85007 DIAMONDHEAD BLVD DIAMONDHEAD, MS.

Owner's Email Address J0CAROLPARKER@GMAIL.COM

Owner's Contact Number: (Home) 601-842-0020 (Work) SAME (Cell) SAME

Tax Roll Parcel Number: 007M-2-35-032.000

Physical Street Address: 85007 DIAMONDHEAD BLVD. DIAMONDHEAD, MS, 39525

Legal Description of Property: SINGLE FAMILY DWELLING

Zoning District: \_\_\_\_\_

State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)  
(Signage-Size-Height) would like to put in a small swimming pool, 10ft x 30ft. Depth of lot makes the 10ft. width of the pool closer to back lot line than coverats allow.

**REQUIRED ITEM A**

Property Owner DOUG & JOCAROL PARKER

Street Address 85007 DIAMONDHEAD LAKES BLVD

Statement Describing Variance Request

SMALL BACKYARD WITH WETLANDS ON OUR LEFT & WOODS BEHIND OUR PROPERTY. WOULD LIKE TO BUILD A POOL, BUT NEED A VARIANCE OF A FEW FEET PUTTING POOL CLOSE TO REAR LINE.

The reasons why it complies with the criteria for variances:

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

Response: Yes

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: TO MY KNOWLEDGE ALL OTHER PROPERTIES HAVE LARGER BACKYARDS FROM THEIR HOME TO BACK PROPERTY LINE. THERE MAY BE SOME I HAVE NOT SEEN THOUGH.

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

Response: CORRECT

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

Response: NOT TO MY KNOWLEDGE



Site Calculations

|               |                          |
|---------------|--------------------------|
| SITE AREA     | 12,095,30ft <sup>2</sup> |
| PROPOSED AREA | 249,60ft <sup>2</sup>    |

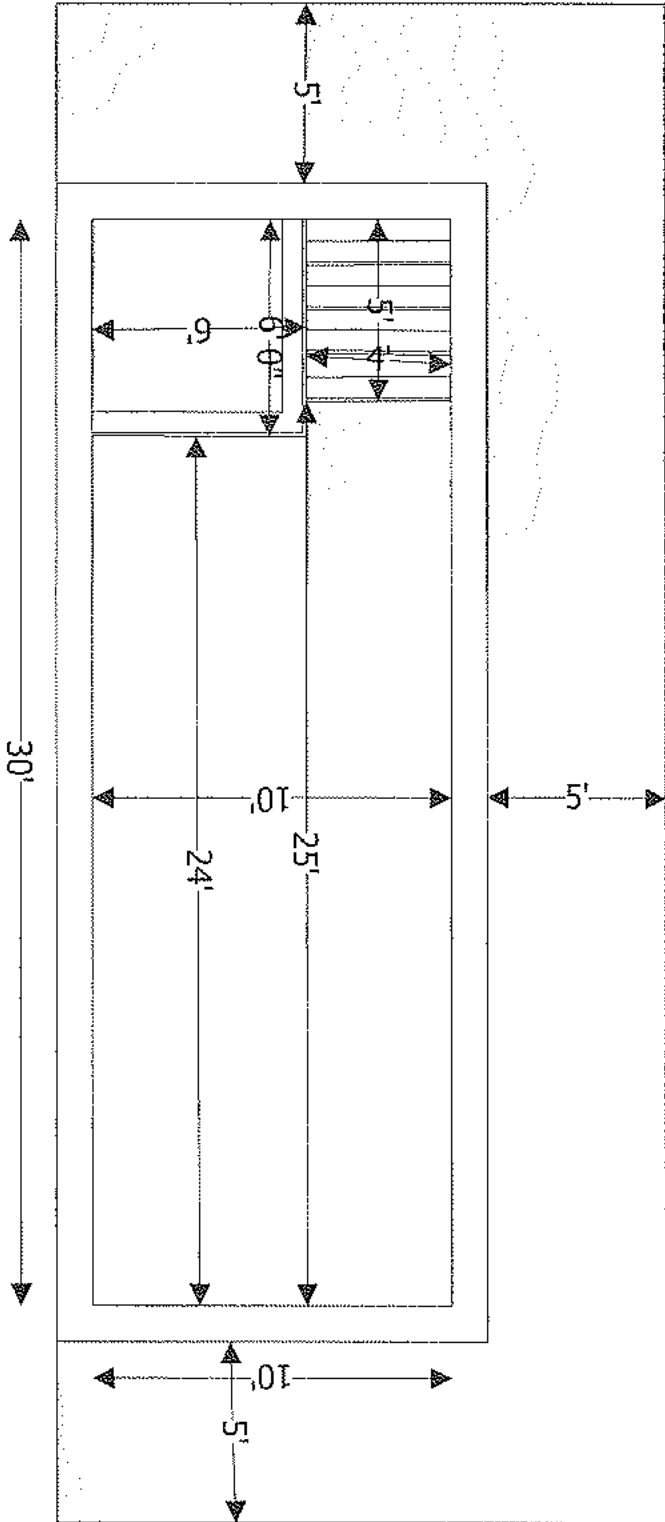


Disrupted by Canbuild



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 This is not an official document, and may not comply with current laws or industry standards. Seek independent advice before acting on this document.  
**ALL DIMENSIONS ARE IN FEET**

|  |                                      |                            |                                  |                                     |
|--|--------------------------------------|----------------------------|----------------------------------|-------------------------------------|
| Client Name: Jay Parker  | Client Email: jayparker@canbuild.com | Client Phone: 011-843-5032 | Signature: _____                 |                                     |
| Designed by: Jay Parker<br>jpark@canbuild.com  | Phone: +12020471120                  | Sheet Name: SDP Plan       | Sheet no.: 1                     | 1st rev.: 18/11/2025                |
| Property Details:<br>1000, 6-15-899 800, Shreveport, LA 70515, United States<br>APN: 0031-0-37-099-000 | Design:<br>Coral Cay 2P              | Scale:<br>3" = 40' @ A3    | 1" of section date:<br>9/28/2025 | Current section date:<br>11/27/2025 |
|  |                                      |                            |                                  | Version #: 5                        |



Scale: 3/16" = 1 ft.

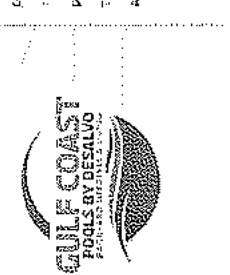
Site Calculations

SITE AREA 12,498.30ft<sup>2</sup>  
 PROPOSED AREA 53,980ft<sup>2</sup>

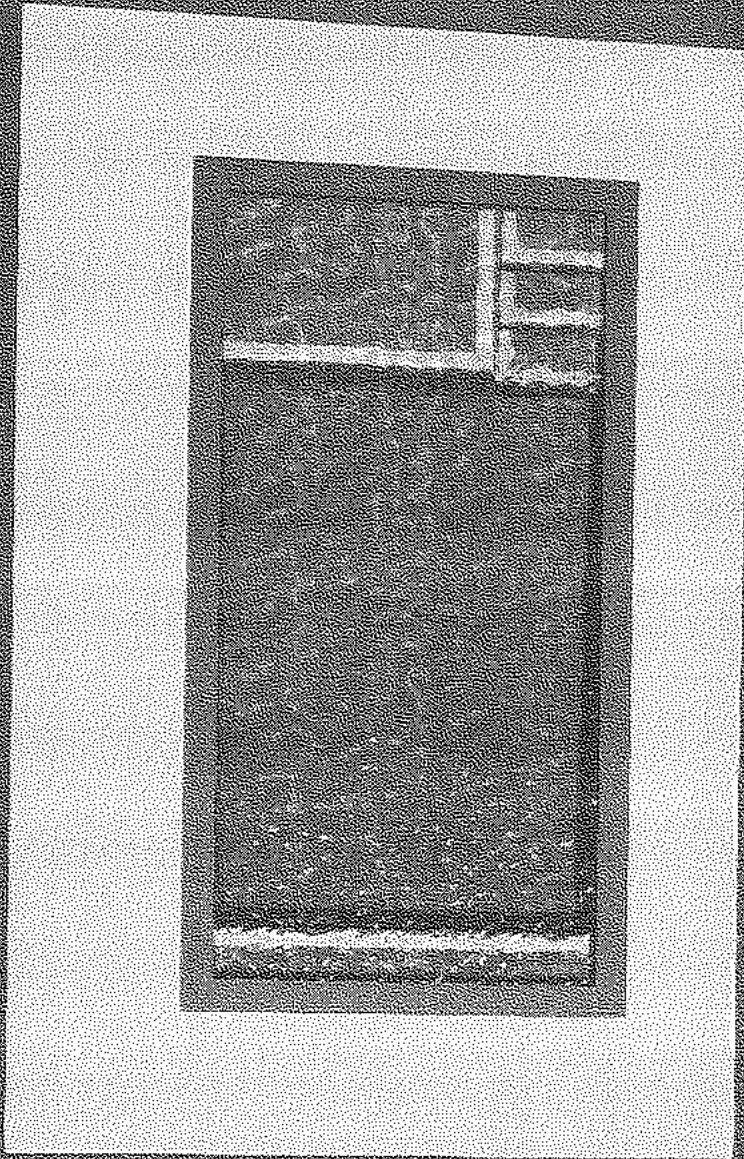


|                              |  |
|------------------------------|--|
| Job No.                      | 18282-01E  |
| Sheet No.                    | 2  |
| Sheet Name                   | Site Plan  |
| Project No.                  | 1703-04-573  |
| Project Name                 | Planned by West Virginia<br>Lakeshore Regional Park                          |
| Property Address             | 6574-18-01-002, Diamondville, MD 21531, on lot 5005<br>ATR: 01-18-01-002-002 |
| Design                       | Conrad July 2018   |
| 1 <sup>st</sup> version date | 9/19/2018  |
| Current revision date        | 3/4/2026   |

Client Name: [Redacted]  
 License No.: [Redacted]  
 Copyright Statement  
 This plan always remains the copyright of designer & shall not be used after 10th of the month of work without written consent by  
 Designer  
 This is not an official recording, and may not comply with zoning, state or county building codes, independent solvent before doing so. See 4-4-4-10.1  
 ALL DIMENSIONS ARE IN FEET



Item No. 5



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

Doug Parker has filed an application requesting a variance from the Zoning Ordinance Article 4.3.6 to allow a swimming pool within 8' of a rear property line.

The property address is 85007 Diamondhead Lakes Boulevard. The tax parcel number is 067M-2-35-032.000. The property is in a R-6 zoning district. The setback for a swimming pool from the rear property line is 10'. The variance requested is 2'. The Case File Number is 202600240.

In accordance with the Comprehensive Zoning Ordinance Article 9.8, the Planning Commission may recommend to the Mayor and City Council a variance be granted as the variance was applied for or in a modified form or subject to conditions or the application may be denied. A variance may be revocable, may be granted for a limited period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, April 28, 2026, 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 Beau King, Building Official, at [bking@diamondhead.ms.gov](mailto:bking@diamondhead.ms.gov) or 228-222-4023.

# The Sea Coast Echo

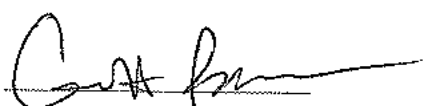
POST OFFICE BOX 2009  
BAY SAINT LOUIS, MS 39521-2009

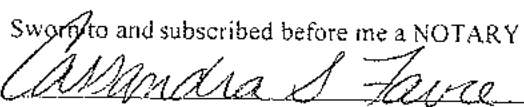
## PROOF OF PUBLICATION

STATE OF MISSISSIPPI  
HANCOCK COUNTY

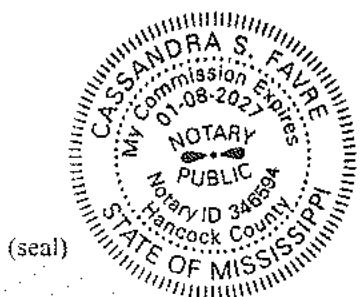
PERSONALLY appeared before me the undersigned authority in and for said County and State. GEOFF BELCHER, Publisher of THE SEA COAST ECHO, a newspaper published in the City of Bay Saint Louis, said County, who being duly sworn, deposes and says the publication of this notice hereunto annexed has been made in the said publication 1 week(s) to-wit:

On the 9 day of April 2026  
On the \_\_\_\_\_ day of \_\_\_\_\_ 2026  
On the \_\_\_\_\_ day of \_\_\_\_\_ 2026  
On the \_\_\_\_\_ day of \_\_\_\_\_ 2026

  
Publisher

Sworn to and subscribed before me a NOTARY PUBLIC  


This 9 day of April 2026



**NOTICE OF PUBLIC HEARING**  
**PLANNING AND ZONING COMMISSION**  
**DIAMONDHEAD, MS**  
Doug Park has filed an application requesting a variance from the Zoning Ordinance Article 4.3.6 to allow a swimming pool within 8' of a rear property line.  
The property address is 85007 Diamondhead Lakes Boulevard. The tax parcel number is 067M-2-35-032.000. The property is in a R-6 zoning district. The setback for a swimming pool from the rear property line is 10'. The variance requested is 2'. The Case File Number is 202600240.  
In accordance with the Comprehensive Zoning Ordinance Article 9.8, the Planning Commission may recommend to the Mayor and City Council a variance be granted as the variance was applied for or in a modified form or subject to conditions or the application may be denied. A variance may be revocable, may be granted for a limited period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on Tuesday, April 28, 2026, 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 Beau King, Building Official, at [bking@diamondhead.ms.gov](mailto:bking@diamondhead.ms.gov) or 228-222-4023.  
PUBLISH DATES: 4/9/26



| OWNER_NAME                    | LRMADD                       | CITY_ST_ZIP_OWNR      |
|-------------------------------|------------------------------|-----------------------|
| POWELL KENNETH O SR ETUX      | 85543 DIAMONDHEAD DR W       | DIAMONDHEAD, MS 39525 |
| PARKS BRAD ETUX               | 85019 POHAKU DR              | DIAMONDHEAD, MS 39525 |
| PARKER LEROY D ETAL           | 85007 DIAMONDHEAD LAKES      | DIAMONDHEAD, MS 39525 |
| DELANEY ROSE ETAL             | 85018 DIAMONDHEAD LAKES BLVD | DIAMONDHEAD, MS 39525 |
| WEERS GERALD VERNON           | 85012 DIAMONDHEAD LAKES BLVD | DIAMONDHEAD, MS 39525 |
| RUSSELL ROBERT O ETAL         | 7718 MOANALUA WAY            | DIAMONDHEAD, MS 39525 |
| BAYOUKAT LLC                  | 5352 RED CREEK RD            | LONG BEACH, MS 39560  |
| EMMER MICHAEL R ETUX          | 85551 DIAMONDHEAD DR W       | DIAMONDHEAD, MS 39525 |
| WILLIAMS MAX J ETUX           | 85013 DIAMONDHEAD LAKES BLVD | DIAMONDHEAD, MS 39525 |
| VALLEE ALEXANDER J JR ETAL    | 85016 DIAMONDHEAD LAKES BLVD | DIAMONDHEAD, MS 39525 |
| BOWMAN ROBERT ETUX            | 85010 DIAMONDHEAD LAKES BLVD | DIAMONDHEAD, MS 39525 |
| DIAMONDHEAD LAKES             | 1402 PASS RD                 | GULFPORT, MS 39501    |
| FIGORE KATHLEEN M             | 9568 LAA LA PLACE            | DIAMONDHEAD, MS 39525 |
| HUNTER DAVID J                | 85009 DIAMONDHEAD LAKES BLVD | DIAMONDHEAD, MS 39525 |
| HILL GERALD R ETAL            | 85545 DIAMONDHEAD DR         | DIAMONDHEAD, MS 39525 |
| GATWOOD MICHAEL W ETUX        | 85015 DIAMONDHEAD LAKES BLVD | DIAMONDHEAD, MS 39525 |
| SANCHEZ OSWALDO S             | 85014 DIAMONDHEAD LAKES BLVD | DIAMONDHEAD, MS 39525 |
| BOEHL EDWARD A JR ETAL        | 85533 DIAMONDHEAD DR W       | DIAMONDHEAD, MS 39525 |
| POWELL MARY ETAL              | 85543 DIAMONDHEAD DR W       | DIAMONDHEAD, MS 39525 |
| CORNELIUS WILLIAM ETUX        | 85020 DIAMONDHEAD LAKES BLVD | DIAMONDHEAD, MS 39525 |
| RAMIREZ LLOYD P JR ETAL       | 85547 DIAMONDHEAD DR W       | DIAMONDHEAD, MS 39525 |
| TENTONI JOSHUA ETUX           | 85011 DIAMONDHEAD LAKES BLVD | DIAMONDHEAD, MS 39525 |
| BAYOUKAT LLC                  | 5352 RED CREEK RD            | LONG BEACH, MS 39560  |
| ELLIOTT LAND DEVELOPMENTS LLC | 1402 PASS RD                 | GULFPORT, MS 39501    |
| LOUVIERE PAUL                 | 85017 POHAKU DR              | DIAMONDHEAD, MS 39525 |

25



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

STAFF REPORT – 85007 DIAMONDHEAD LAKES BOULEVARD - VARIANCE

TO: Planning & Zoning Commission

FROM: Beau King, Building Official

DATE: April 23, 2026

SUBJECT: Variance request before the Planning & Zoning Commission – 85007 Diamondhead Lakes Boulevard

NATURE OF REQUEST: Doug Parker has filed an application requesting a variance from the Zoning Ordinance Article 4.3.6 to allow a swimming pool within 8' of a rear property line. The property address is 85007 Diamondhead Lakes Boulevard. The tax parcel number is 067M-2-35-032.000. The property is in a R-6 zoning district. The setback for a swimming pool from the rear property line is 10'. The variance requested is 2'. The Case File Number is 202600240.

DATE OF PUBLIC HEARING: April 28, 2026, at 6:00 PM.

RECOMMENDATION: To **approve** the variance as petitioned.

The staff recommends approving the variance based on the following findings of fact.

- A. That special conditions and circumstances *do* 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. *The lot has an odd shaped rear lot line.*
- 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. *There are many homes in the zoning district with swimming pools.*
- C. That special conditions and circumstances, if any, *do not* result from the actions of the applicant. *Conditions are created by the lot shape.*
- 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. *Other similar variances have been granted.*
- 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 swimming pool is conservative in size compared to lot size.*
- F. The Variance *does* observe the spirit of the Ordinance and *will not* change the character of the district (area). *Observed.*
- G. The Variance *will* observe the spirit of the Comprehensive Plan. *Observed.*
- H. That the Variance requested *will not* result in any change in use or density of the subject property. *No change in use or density.*