



Commissioner Bennett
Commissioner Brewer
Commissioner Cook
Commissioner Debrow
Commissioner Flowers
Commissioner Layel
Commissioner Nicaud

AGENDA

PLANNING AND ZONING COMMISSION

Tuesday, November 08, 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 October 25, 2022 minutes.

New Business

3. J. White Homes, LLC, represented by Jason White has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a single family residence within 9'3" of both side yard property lines. The property address is 982 Ala Moana Place. The tax parcel number is 067J-1-36-054.000. The property is in a R-2 zoning district. The side yard setbacks are 10'. The variance requested is 9" on each side yard for a total of 1'6". The Case File Number is 202200464.
4. Hasselvander, LLC, represented by Brian Hasselvander, has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a deck within 15'6" from the rear property line. The property address is 3416 Lumahai Place. The tax parcel number is 131M-2-11-050.000. The property is in a R-2 zoning district. The rear yard setback is 20'. The variance requested is 4'6". The Case File Number is 202200466.
5. Approval of the 2023 Planning & Zoning Commission Calendar.

Unfinished Business

Open Public Comments to Non-Agenda Items

Commissioners' Comments

Communication / Announcements

6. The next City Council meeting is Tuesday November 15, 2022.
The next Planning Commission meeting is December 13, 2022.

Adjourn or Recess



Commissioner B
Commissioner B
Commissioner Cook
Commissioner Debrow
Commissioner Flowers
Commissioner Layel
Commissioner Nicaud

Item No.2.

MINUTES

PLANNING AND ZONING COMMISSION

Tuesday, October 25, 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 6:05 p.m.

Statement of Purpose

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

Commissioner Debrow read the Statement of Purpose.

Pledge of Allegiance

Commissioner Cook led the Pledge of Allegiance

Roll Call

Present at the meeting were: Chairman Flowers, Commissioners Nicaud, Layel, Bennett, Debrow, Cook, Brewer. Also present were City Attorney, Derek Cusick, Building Official, Ronald Jones, Development Coordinator, Pat Rich, Minute Clerk, Tammy Braud.

Confirmation or Adjustments to Agenda

Commissioner Debrow made a motion, second by Commissioner Bennett to approve the Agenda as presented.

Motion Passed Unanimously

Approval of Minutes

1. Approval of September 27, 2022 minutes.

Commissioner Debrow made a motion, second by Commissioner Cook to approve the Minutes of September 27, 2022

Motion Passed Unanimously

New Business

2. Structures of Diamondhead, Inc. represented by Jimmy Grotkowski has submitted a Sketch Plat for "Townhouses at Highpoint" for review, consideration, and approval. The Sketch Plat is a 17-lot single-family attached townhouse unit subdivision on a 2.08 Acre tract of land, being 067L-0-35-089.000. The subject property is in PT SE1/4-NE1/4 35-7-14. The property is bordered on three sides by Highpoint Drive and homes along Golf Club on the southwest.

Development Coordinator Pat Rich spoke to Commissioners and answered their questions.

Chairman Flowers asked if anyone was present to represent Structures of Diamondhead.

Jimmy Grothowski representing Structures spoke to Commissioners and answered their questions.

The City Attorney explained to the Council , what is looked at for a sketch plat approval, which Structures meet.

Chairman Flowers asked for public comments.

Sandra Gray, Betsy Nolan, Charles Whitmore, Gerald Binninger, Cindy Sievert all stated their concerns.

Development Coordinator, Pat Rich read the staff report recommending to approve the sketch plat as petitioned with the following conditions:

1. Structures would be responsible for offsite drainage improvements
2. Fire Department access road (to access the storage shed.)
3. Adjust the property line so that the property line will not be in the roadway.

Commissioner Brewer made a motion, second by Commissioner Bennett to approve the recommendation to the City Council

Roll Call:

Ayes: Debrow, Nicaud, Brewer, Layel, Bennett, Flowers

Nays: Cook

Motion Passed

3. Elliott Homes, LLC. represented by Josh Fleming has submitted a request for a variance from the Subdivision Regulations (Article 308.6) to allow the construction of a cul-de-sac 723 feet in length. The variance requested is 123 feet. The property address is the proposed Hahalua Lane at Diamondhead Lakes Drive in the Diamondhead Lakes subdivision. The tax parcel number is 067L-0-35-012.000. The maximum length of a cul-de-sac is 600 feet. The variance requested is 123 square feet. The Case File Number is 202200448.

Development Coordinator, Pat Rich spoke to and answered questions from the commissioners.

Chairman Flowers asked if anyone was present to represent Elliott Homes.

Cara Wagner representing Elliott Homes spoke to commissioners , and answered their questions.

Chairman Flowers asked for any Public Comments

Peter Higgins, and Louis Ertel spoke against the variance.

Development Coordinator, Pat Rich read the staff recommendation to approve the variance as petitioned.

Commissioner Debrow made a motion, second by Chairman Flowers to approve the variance as petitioned to the City Council.

Roll Call:

Ayes: Debrow, Brewer, Cook

Nay: none

Abstain : Nicaud , Layel, Bennett, Flowers

Motion Failed

Case Number 202200448 will be sent to City Council without an recommendation.

4. Craig Bergeron has filed an application requesting a variance from the Zoning Ordinance (Article 4.5.5 G) to allow the construction of a 1,706 square foot residence on a lot designated 2,000 square foot minimum. The variance requested is 294 square feet. The property address is 6410 Huko Court. The tax parcel number is 131D-2-13-009.000. The property is in a R-1 zoning district. The minimum square footage for this lot is 2,000. The variance requested is 294 square feet. The Case File Number is 202200450.

Development Coordinator Pat Rich presented the case and answered question from the commissioners.

Chairman Flowers asked if anyone was present to represent Mr Bergeron.

Craig Bergeron spoke and answered questions from the commissioners.

Chairman Flowers asked for public comments. None

Development Coordinator, Pat Rich read the staff report recommending to deny the variance for reasons listed in the report.

Commissioner Bennett made a motion , second by Commissioner Debrow to allow a variance of 200 square feet.

Motion Passed Unanimously

Unfinished Business

None

Open Public Comments to Non-Agenda Items

None

Commissioners' Comments

Communication / Announcements

5. The next City Council meeting is Tuesday, November 1, 2022, at 6pm.

The next Planning Commission meeting is Tuesday, November 8, 2022, at 6pm.

Adjourn or Recess

Commissioner Brewer made a motion, second by Commissioner Nicaud to adjourn the meeting at 7:52 p.m.

Motion Passed Unanimously

H. Flowers, Chairman
Planning & Zoning



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

APPLICATION FOR VARIANCE REQUEST

Case Number: 202200464

Date 10/6/2022

Applicant: J White Homes, LLC Jason J White M.M

Applicant's Address: 296 Beauvoir Rd Ste 100-173

Applicant's Email Address: jwhite2030@bellsouth.net

Applicant's Contact Number: (Home) Same (Work) (Cell) 985-209-0835

Property Owner: J White Homes, LLC Jason J White M.M

Owner's Mailing Address: 296 Beauvoir Rd Ste 100-173

Owner's Email Address jwhite2030@bellsouth.net

Owner's Contact Number: (Home) Same (Work) Same (Cell) 985-209-0835

Tax Roll Parcel Number: 0675-1-36-054.000

Physical Street Address: 982 Ala Moana Place

Legal Description of Property: 22 BLK 1 Diamondhead Phase II 2 Unit #7

Zoning District: R-2

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

(Signage-Size-Height) Applying for 9 inches variant on the left and right side. Please reference sheet 1

10' SYSB 9'3" on each side

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 November 8, 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.

Jan J White M.M.
Signature of Applicant

J White Homes, LLC
Signature of Property Owner

____ For Official Use Only ____

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

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

REQUIRED ITEM AProperty Owner J White Homes, LLCStreet Address 982 Ala Moana Place

Statement Describing Variance Request

Applying for a 9 inch Variance on the left and right side set back. I designed this house when the set back where were 8 feet. With this approval I would be able to build a brick house

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 the new code changed to a 10 side set back on September 7th 2021.

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: Other properties where able to build with 8 foot side set back prior to September 7, 2021.

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

Response: Yes. I started the design before purchasing the lot from the seller. The purchase was delayed by uncontrollable factor from the seller

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

Response: By providing the 9 inch variance, ^{this} would allow J White Homes to build a house with Bricks. This would be better for the Diamondhead Community aesthetics.

To Whom It Concerns

J White Homes, LLC is applying for a 9 inches variant side set back on the left and right side for 982 Ala Moana Place. The parcel # is 067J-1-36-054.000. The reason I am applying for this variance is because I started designing this house plan before the side set back changed from 8 feet to 10 feet. The side set back changed to 10 feet on September 7, 2021. I started the purchase process of 982 Ala Moana Place back on March 2021. The closing was delayed due to some uncontrollable reason from the seller. The right side of this lot faces the back yard of two homes which have 20 feet set-backs. The left side is vacant lot. This lot is not a square lot. It provides 38 feet of buildable area in the front and 32.3 in the rear. Several houses in the surrounding area have 8 feet side set- backs.

I appreciate your consideration in this matter.

Thanks

Jason J White M.M

J White Homes, LLC

NECAISE DESIGN
228-493-1046

NECAISE DESIGN NOT BEING AN ARCHITECTURAL OR ENGINEERING FIRM ASSURES NO LIABILITY FOR THE STRUCTURAL OR ARCHITECTURAL DESIGN OF THIS BUILDING. EVERY EFFORT HAS BEEN MADE TO ENSURE ALL DIMENSIONS ARE CORRECT AND ALL FEDERAL, STATE AND LOCAL CODE ORDINANCES, REGULATION, ETC. ARE MET. IF AN ERROR OR OMISSION DOES OCCUR, IT IS THE RESPONSIBILITY OF THE OWNER/ CONTRACTOR TO CORRECT THE ERROR AND / OR OMISSION AT HIS/HER EXPENSE, AND IS NOT THE RESPONSIBILITY OF NECAISE DESIGN.

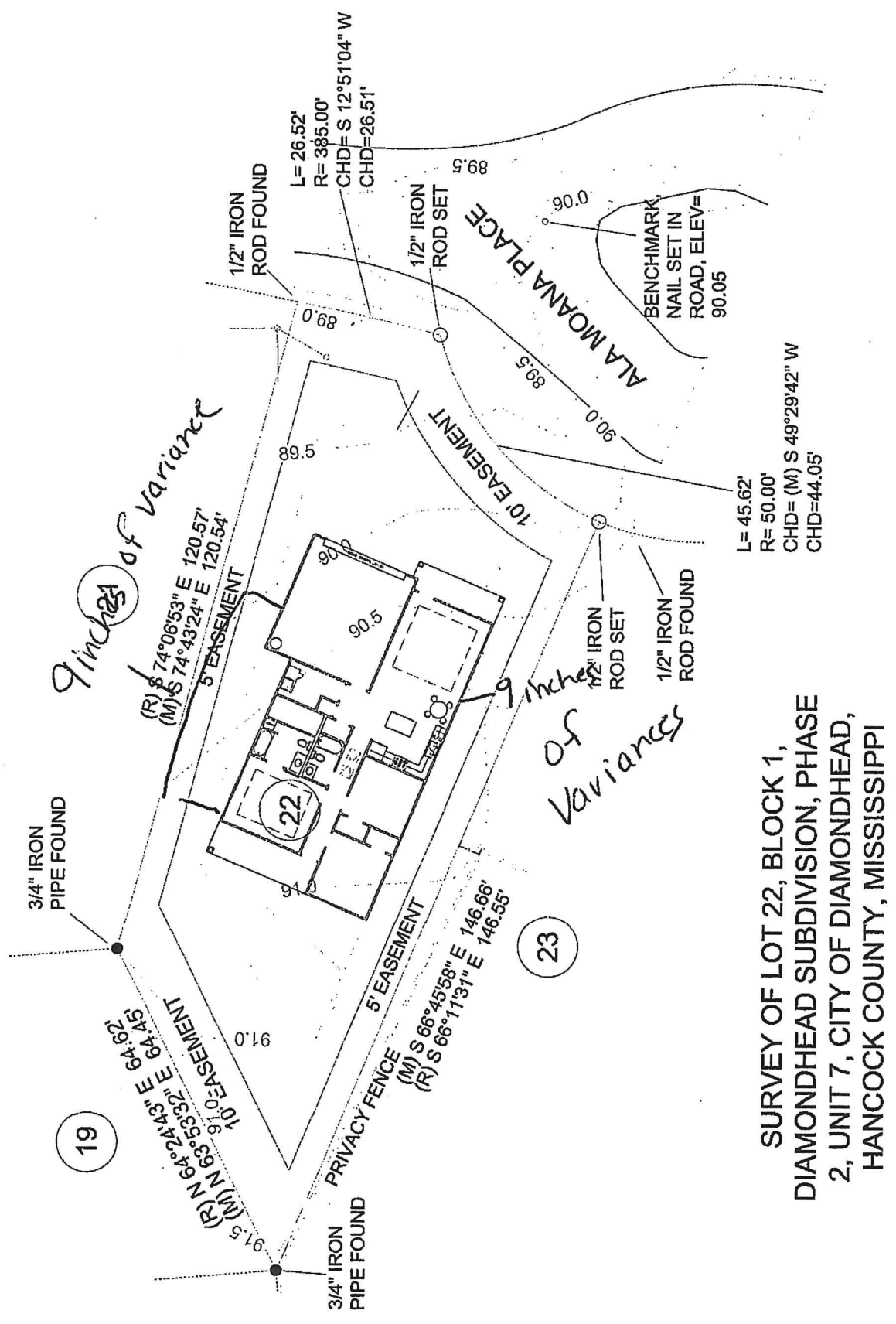
NECAISE DESIGN
228-493-1046

Revisions
Date Description

PLANS FOR
JASON WHITE
LOT 22

DRAWN BY : NK
DATE: 10-20-22
SCALE: 1/8" = 1'-0"

Item No.3.



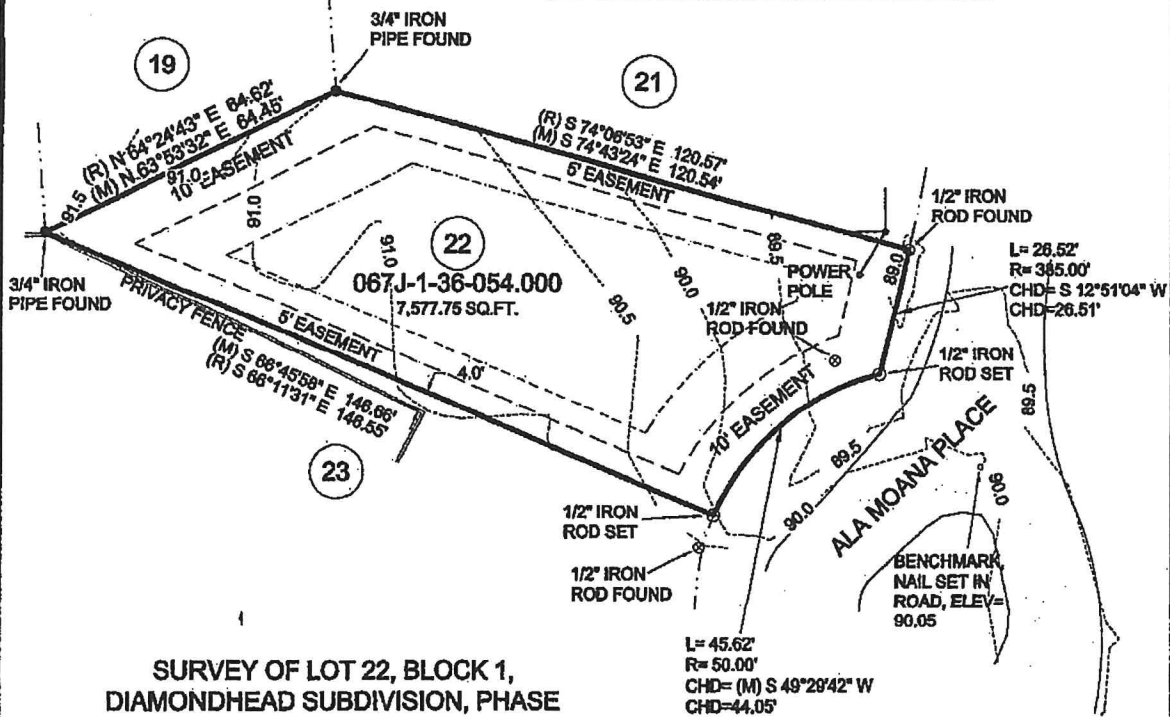
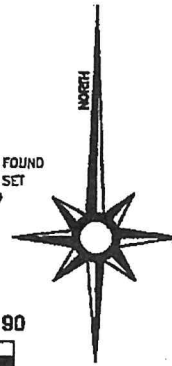
SURVEY OF LOT 22, BLOCK 1,
DIAMONDHEAD SUBDIVISION, PHASE
2, UNIT 7, CITY OF DIAMONDHEAD,
HANCOCK COUNTY, MISSISSIPPI

NOTES:

- 1.) FIELD SURVEY PERFORMED WITH A COMBINATION OF TOPCON GR5 GPS RECEIVER AND TOPCON GPT-9008A ROBOTIC TOTAL STATION.
- 2.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE DERIVED BY COMBINATION OF GPS STATIC OBSERVATION AND EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPC (2301 MS E).
- 3.) ELEVATIONS SHOWN ARE BASED ON NAVD83, GEOID 2008.
- 4.) THIS SURVEY HAS BEEN PREPARED BY INFORMATION PROVIDED BY CLIENT AND LIMITED RESEARCH IN COURTHOUSE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THIS SURVEY MAY NOT SHOW ALL EASEMENTS AND OTHER RESTRICTIONS OF RECORD. SURVEYOR WILL BE MADE AVAILABLE TO ADD SUCH FEATURES TO THIS SURVEY IF A CURRENT TITLE REPORT OR ABSTRACT OF TITLE IS PROVIDED TO HIM BY PROPER AUTHORITY.
- 5.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-227-6477.
- 6.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.

LEGEND:

- IRON ROD FOUND
- IRON PIPE FOUND
- IRON ROD SET
- SPIKE FOUND
- SPIKE SET
- CONCRETE MONUMENT FOUND
- CONCRETE MONUMENT SET
- LIGHTARD KNOT FOUND
- (M) --- AS MEASURED
- (R) --- AS PER RECORD
- APP --- AS PER PLAT
- IRF --- IRON ROD FOUND
- IRS --- IRON ROD SET



THIS IS TO CERTIFY THAT I HAVE MADE A SURVEY OF THE PROPERTY SHOWN HEREON AND THAT ALL DIMENSIONS AND OTHER DATA SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CLIFFORD A. CROSBY, P.L.S.

DATE

8/12/2022



THIS PROPERTY IS LOCATED IN F.I.R.M. ZONE "X" ACCORDING TO
MAP NUMBER 28045C0263D DATED OCTOBER 16, 2009

SURVEY CLASS -- "B"

SCALE: 1" = 30'

FOR:

J. WHITE HOMES

BEARINGS SHOWN HEREON ARE DERIVED BY:
GPS OBSERVATION, STATE PLANE GRID, MS EAST

DATE OF FIELD WORK: 8/5/2022

PARTY CHIEF: DM.

INSTRUMENT MAN: TM

RODMAN: DM

DRAWN BY: CAC

DRAWING NUMBER: 16154 LOT 22

REVISED:



CROSBY SURVEYING

PROFESSIONAL LAND SURVEYING

716 LIVE OAK DRIVE

BILOXI, MISSISSIPPI 39532

PHONE: 228-234-1649

EMAIL: cliffordcrosby@cableone.net

2022 1754
 Recorded in the Above
 Deed Book & Page
 02-02-2022 11:20:50 AM
 Timothy A Kellar
 Hancock County

Prepared by:
David B. Pilger
 Attorney at Law
 1406 Bienville Blvd., Suite 101
 Ocean Springs, MS 39564
 (228) 215-0011

Grantor:
Knight Investment Company, LLC
A Mississippi limited liability company
 987 Ana Hulu Street
 Diamondhead, MS 39525
 Telephone: (228) 493-9184

Return To:
David B. Pilger
 Attorney at Law
 1406 Bienville Blvd., Suite 101
 Ocean Springs, MS 39564
 (228) 215-0011

Grantee:
J White Homes, LLC
A Mississippi limited liability company
 296 Beauvoir Road, Suite 100-173
 Biloxi, MS 39531
 Telephone: (985) 209-0835

File No. B223121S

INDEXING INSTRUCTIONS: Lot 27, Blk 1, Diamondhead, Unit 7, Phase 2, Hancock County, MS

STATE OF MISSISSIPPI
 COUNTY OF HANCOCK

WARRANTY DEED

FOR AND IN CONSIDERATION OF the price and 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, **Knight Investment Company, LLC, a Mississippi limited liability company**, do hereby sell, convey and warrant unto **J White Homes, LLC, a Mississippi limited liability company**, as joint tenants with right of survivorship and not as tenants in common, all of that certain tract, piece or parcel of land situated in Hancock County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

Lot 27, Block 1, Diamondhead, Unit 7, Phase 2, a subdivision according to the map or plat thereof on file and of record in the office of the Chancery Clerk of Hancock County, Mississippi, in Plat Book 4, at Page 48.

This being the same property as that conveyed to Knight Investment Company, LLC, A Mississippi limited liability company, by instrument recorded in Deed Book BB 249, Page 407, Land Deed Records of Hancock County, Mississippi.

The Corporate Resolution of Knight Investment Company, LLC, a Mississippi limited liability company is attached hereto as Exhibit "A".

2022 1755
Deed Book & Page

If this property is bounded by water, this conveyance includes any natural accretion, and is subject to any erosion due to the action of the elements. Such riparian and littoral rights as exist are conveyed herewith but without warranty as to their nature or extent. If any portion of the property is below the mean high tide watermark, or is coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act it is conveyed by quitclaim only.

Grantor quitclaims any and all oil, gas, and other minerals owned, if any, to Grantee. No mineral search was requested or performed by preparer.

This conveyance is subject to any and all covenants, rights of way, easements, restrictions and reservations of record in the office of the Chancery Clerk of Hancock County, Mississippi.

It is agreed and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to make all necessary adjustments on the basis of an actual proration.

WITNESS MY SIGNATURE, on this the 25th day of January 2022.

Knight Investment Company, LLC
A Mississippi limited liability company

BY: Fred E. Bilbo, Member

CORPORATE ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named **Fred E. Bilbo**, the duly appointed member of **Knight Investment Company, LLC, a Mississippi limited liability company**, who acknowledged before me that he signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned, for and on behalf of the aforesaid entity, after first having been duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 25th day of January 2022.

(AFFIX SEAL)

My commission expires: _____



NOTARY PUBLIC

2022 1756
Deed Book & Page**CORPORATE RESOLUTION**

In a duly called meeting of all of the Members/Managers/Shareholders of the below named Company, it was unanimously approved by all of the Members/Managers/Board of Directors that **Fred E. Bilbo**, Member, has complete authority to execute any and all documents pertaining to the sale on behalf of the below name company for the property located at 9812 Ala Moana Place, Diamondhead, MS 39525 being described as:

Lot 27, Block 1, Diamondhead, Unit 7, Phase 2, Hancock County, Mississippi, a subdivision according to the map or plat thereof on file and of record in the office of the Chancery Clerk of Hancock County, Mississippi, in Plat Book 4, at Page 48.

So, approved and acknowledged this, the 25th day of January, 2022.

**Knight Investment Company, LLC
A Mississippi Limited Liability Company**


BY: Fred E. Bilbo, Member

CORPORATE ACKNOWLEDGMENT

STATE OF MS
COUNTY OF Hancock

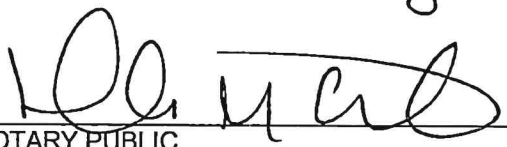
PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named **Fred E. Bilbo, Member of Knight Investment Company, LLC, a Mississippi Limited Liability Company**, who acknowledged before me that he signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned, for and on behalf of the aforesaid entity, after first having been duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this 25th day of January, 2022.

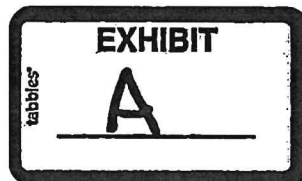
(AFFIX SEAL)

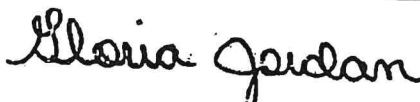


My commission expires:

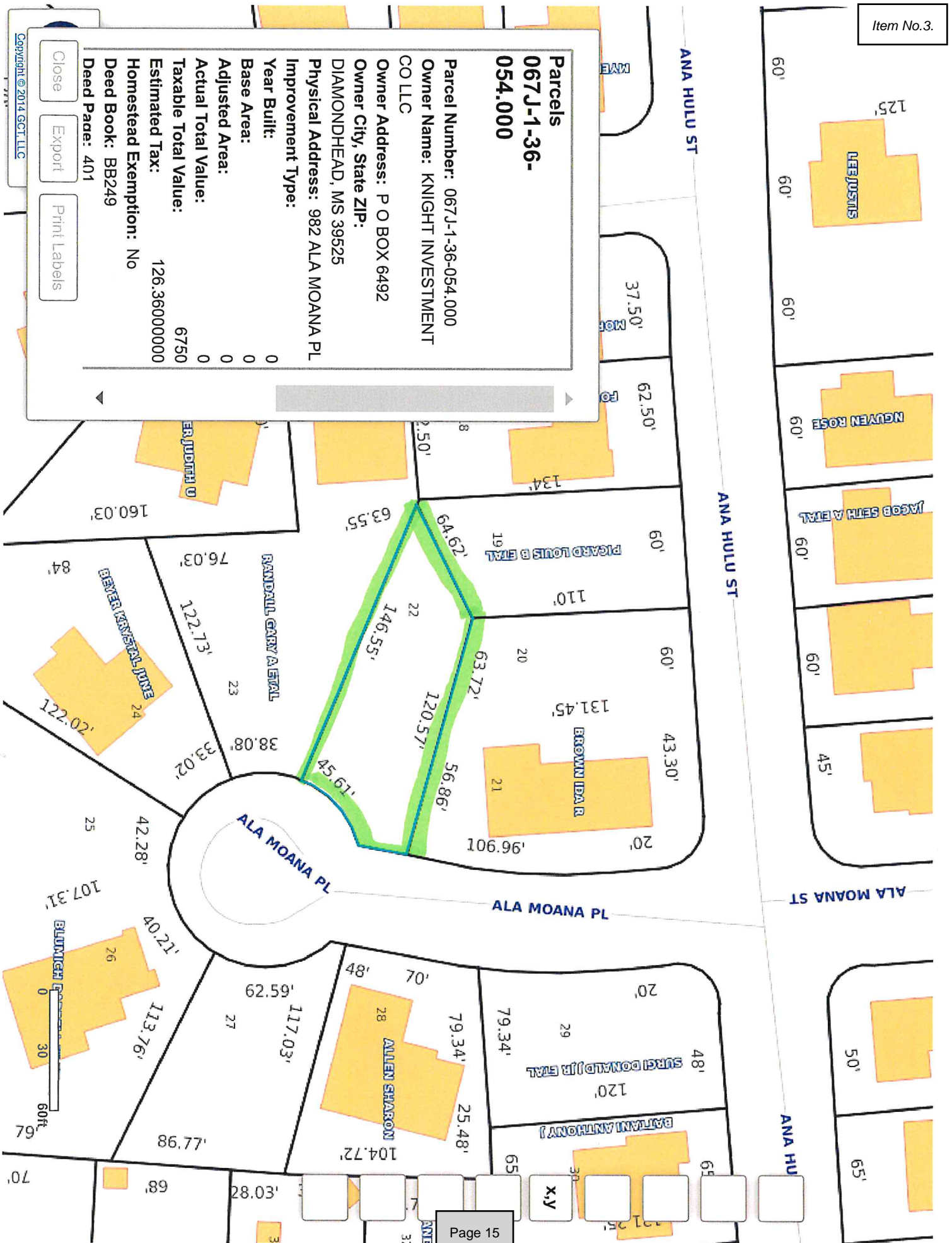

NOTARY PUBLIC

Hancock County
I certify this instrument was filed on
02-02-2022 11:20:50 AM
and recorded in Deed Book
2022 at pages 1754 - 1756
Timothy A Keller









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

J. White Homes, LLC, represented by Jason White has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a single family residence within 9'3" of both side yard property lines.

The property address is 982 Ala Moana Place. The tax parcel number is 067J-1-36-054.000. The property is in a R-2 zoning district. The side yard setbacks are 10'. The variance requested is 9" on each side yard for a total of 1'6". The Case File Number is 202200464.

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, 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, November 8, 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
Ph: 228-222-4626
FX: 228-222-4390

APPLICATION FOR VARIANCE REQUEST

Case Number: 202200466Date 10-10-22Applicant: Hasselvander LLC Brian HasselvanderApplicant's Address: 17 E Reservoir Rd Columbia, MS 39429Applicant's Email Address: bhassel65@gmail.comApplicant's Contact Number: (Home) _____ (Work) _____ (Cell) 601 441-2368Property Owner: Hasselvander LLCOwner's Mailing Address: 17 E Reservoir Rd Columbia 39429Owner's Email Address: bhassel65@gmail.comOwner's Contact Number: (Home) _____ (Work) _____ (Cell) 601 441-2368Tax Roll Parcel Number: 131M-2-11-050.000Physical Street Address: 3416 LUMAHAI PLACELegal Description of Property: DH PH 1, Unit 9, Block 1, Lot 9Zoning District: R-2State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)
(Signage-Size-Height) _____

Rear Left Gutter Liven Deck 21ft above ground
4'6" To 0 in 16ft 20ft set back Does not encroach
on any other properties marsh Behind House
15'6" from RPSB Rear Property Line Variance 4'6"

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 Nov 8, 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 AProperty Owner Hasselvander LLCStreet Address 3416 Lynahai Place

Statement Describing Variance Request

New Consturction

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:

Do not know others

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

Response:

NO

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

Response:

Do not know

101 SITE PLAN

SCALE ----- 1" = 10'



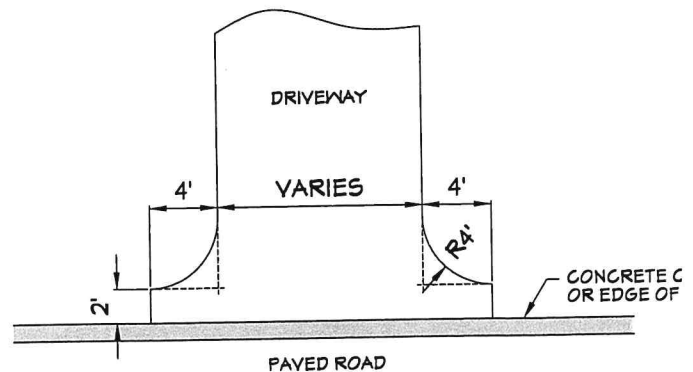
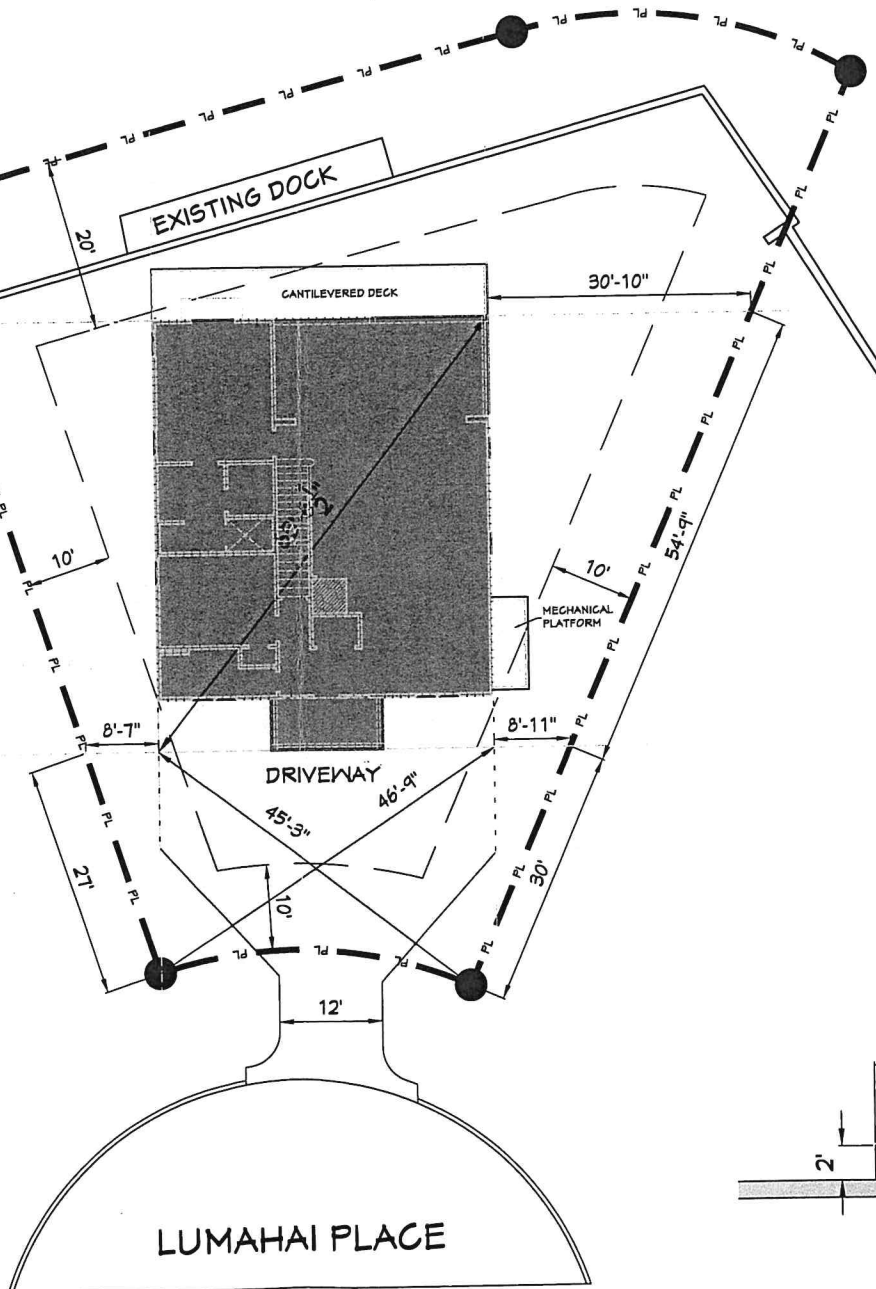
LOT 9, BLOCK 1
ZONE "VE"
(BFE 24')

LOT SETBACKS

FRONT: 10' 20
REAR: 20'
SIDES: 10'
OTHER: NA

SITE LEGEND

- PL PROPERTY LINE
- SETBACK LINE
- BATTER BOARD LINES
- CONCRETE
- OUTLINE OF RESIDENCE
- PAVED ROAD
- PROPERTY CORNER



102 DRIVEWAY DETAIL

SCALE ----- N.T.S.

RACTOR TO
QUATE ROOF
AS PER CODE

10'-6" RAFTER BEARING

FINISH FLOOR LINE

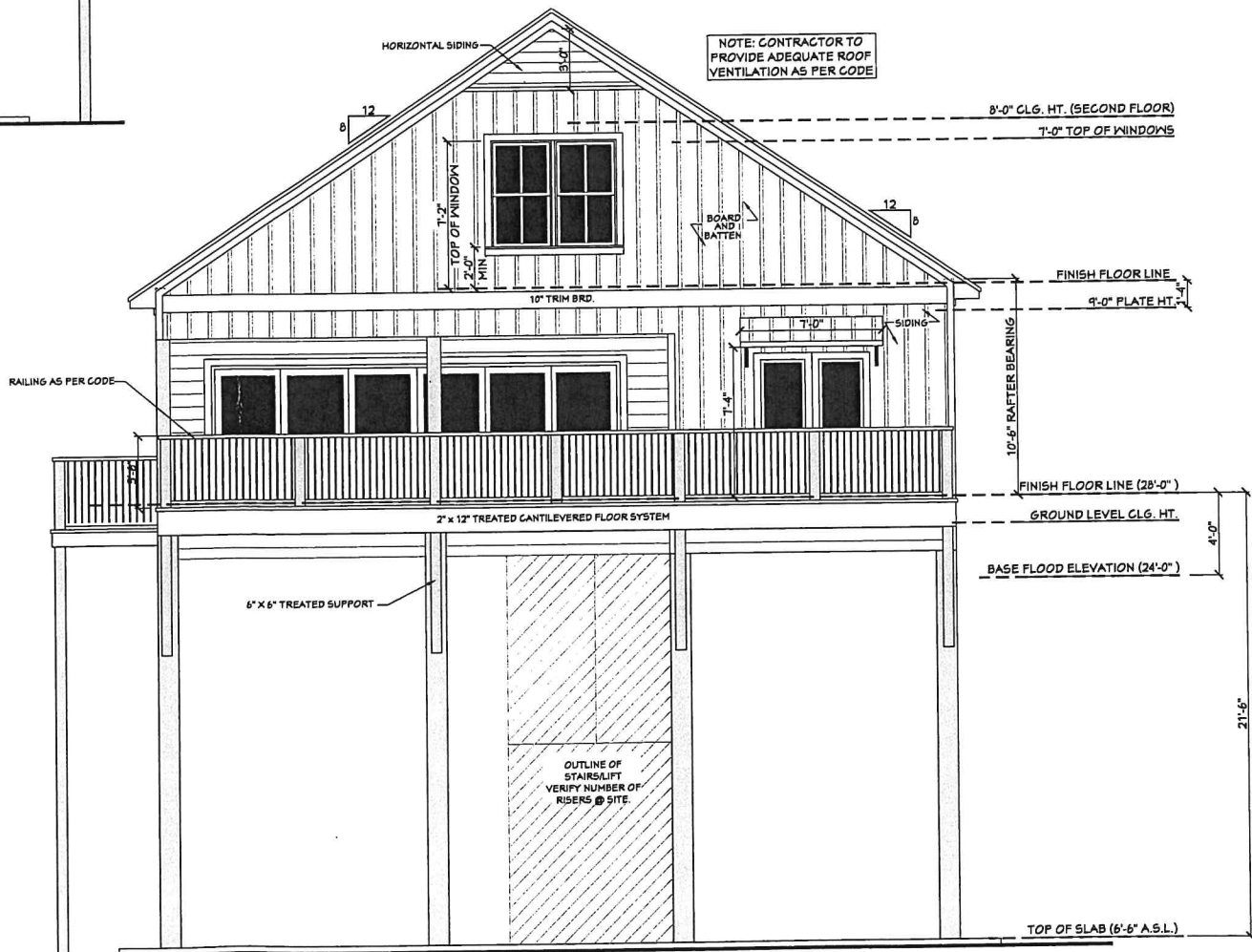
EXTERIOR ELEVATION NOTES:

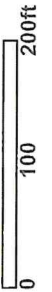
1. CONTRACTOR TO VERIFY ALL WINDOW AND DOOR STYLES AND SIZES WITH OWNER PRIOR TO CONSTRUCTION.
2. PROVIDE STEPS AND GUARD RAILS AS PER CODE BASED ON SITE CONDITIONS.
3. GROUND LINES SHOWN FOR REFERENCE ONLY AND VARY DEPENDING ON SITE CONDITIONS.
4. ALL FINISH MATERIALS TO BE VERIFIED WITH OWNER PRIOR TO CONSTRUCTION.
5. REFER TO TYPICAL WALL DETAIL FOR FRAMING METHODS AND OTHER MISC. INFORMATION.
6. CONTRACTOR TO PROVIDE ADEQUATE ROOF VENTILATION AS REQ'D BY CURRENT CODES.

NOTES:

1. STAIRS NOT SHOWN FOR CLARITY. VERIFY NUMBER OF RISERS REQ'D. AT SITE PROVIDE RAILING AS PER CODE.
2. RISERS TO BE CLOSED, OPEN RISERS ARE NOT PERMITTED.

BASE FLOOD ELEVATION - 24'-0"





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

Hasselvander, LLC, represented by Brian Hasselvander, has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a deck within 15'6" from the rear property line.

The property address is 3416 Lumahai Place. The tax parcel number is 131M-2-11-050.000. The property is in a R-2 zoning district. The rear yard setback is 20'. The variance requested is 4'6". The Case File Number is 202200466.

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, 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, November 8, 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.

2023

PLANNING & ZONING COMMISSION

CITY OF DIAMONDHEAD

ALL MEETINGS BEGIN AT 6:00 P.M. CST

<u>MEETING DATE</u>	<u>*APPLICATION DEADLINE</u>
January 24 ,2023	December 9,2022
February 28, 2023	January 13, 2023
March 28, 2023	February 10, 2023
April 25, 2023	March 10, 2023
May 23, 2023	April 7, 2023
June 27, 2023	May 12, 2023
July 25, 2023	June 9, 2023
August 22, 2023	July 7, 2023
September 26, 2023	August 11, 2023
October 24, 2023	September 8, 2023
November 14, 2023	September 29, 2023
December 12, 2023	October 27, 2023

* APPLICATION DEADLINE IS SUBMSSION OF THE COMPLETE APPLICATION TO BE HEARD AT THE FOLLOWING MONTH'S COMMISSION MEETING. DEADLINE FOR SUBMISSION IS 5:00 P.M. CST ON THE DATE SPECIFIED ABOVE.