



MINUTES

PLANNING AND ZONING COMMISSION
Diamondhead, Mississippi
Diamondhead City Hall Council Chambers
And
Roger Smith via teleconference
February 24, 2016
5:30 p.m. CST

1. Chairman Malley called the meeting to order at 5:31 p.m. CST.
2. Commissioner Hensley recited the Statement of Purpose.
3. Pledge of Allegiance was led by Commissioner Garrison.
4. Clerk Tammy Garber called roll- Present: Commissioners, Bice, Garrison, Hensley, Malley, and Bower. Commissioner Smith present via teleconference. Absent: Commissioner Miller.

Also present: City Attorney Derek Cusick, Ron Jones Building Official and Minutes Clerk Jeannie Klein and Tammy Garber.

5. Confirmation of the Agenda

Commissioner Bice moved, seconded by Commissioner Hensley, to approve the agenda with Case File 2016-00008 tabled and Case File 2016-00025 removed.

A roll call vote was taken as follows:

Ayes: Bice, Garrison, Smith, Hensley, Bower and Malley. Nays: None. Absent: Miller.

MOTION CARRIED

- 6. Approve Minutes.** - Commissioner Garrison moved, seconded by Commissioner Hensley, to approve the Minutes of January 1/26/16 as presented.

A roll call vote was taken as follows:

Ayes: Bice, Garrison, Smith, Hensley, Bower and Malley. Nays: None. Absent: Miller.

MOTION CARRIED

7. New Business –

Case File Number 2016-00008

Chairman Malley explained this Case File has been postponed until the March 22, 2016 meeting and advised that anyone who would like to speak at that meeting should be there. Chairman Malley also made a concession to hear public comments for those who cannot be at the March meeting and at this time Commissioner Hensley exited the room at 5:36 p.m. CST. for the proceeding comments:

Reid Parker, lives at #3 Whispering Branch, which is directly across the street from proposed project spoke in opposition of the JCE Properties proposal.

C.J. Longanecker addressed the commission in regards to POA legal authority to give road to City of Diamondhead and the legal authority for the City of Diamondhead to accept.

Harold Bevan spoke in opposition of the JCE Properties proposal.

Chairman Malley called for other public comments on the matter with none presented. At this time Commissioner Hensley re-entered the meeting at 5:42 p.m. CST.

• CASE FILE NUMBER 2016-00010

The Diamondhead Fire Protection District represented by Chief Jerry Dubuisson has filed an application requesting a variance from the Zoning Ordinance (Article 8.2.2) to allow the reduction of the required number of parking spaces from 10 to 7.

The property address is 4440 Kalani Drive. The tax parcel number is 131E-1-13-007.002. The property is located east of and adjacent to Kalani Drive and south of Diamondhead Drive East.

Jerry Dubuisson, Diamondhead Fire Chief explained the request for the proposed variance and answered questions proposed by the Commission relating to the proposed variance.

Chairman Malley called for public comments on the matter with the following addressing the commission.

Denise Catone spoke in support of the proposed variance.

Charles Reddien, Chair of Fire Commission spoke in support of the proposed variance.

Peggy Hollier addressed the commissioners in reference to a trailer that still remains at the Diamondhead Fire Department.

Commissioner Bower moved, seconded by Commissioner Bice, to approve the variance in the matter of Case File Number 2016-00010 as requested.

A roll call vote was taken as follows:

Ayes: Bice, Smith, Hensley, Bower and Malley. Nays: Garrison. Absent: Miller.

MOTION CARRIED

At this time Chairman Malley recused himself from the meeting, as he is represented in the next two agenda items. Case File Number 2016-00017 and Case File Number 2016-00018. Chairman Malley exited the room at 5:53 p.m.CST. Commissioner Hensley presided as Chairman.

CASE FILE NUMBER 2016-00017

Landmark Contractors, LLC represented by David Malley has filed an application requesting a variance from the Zoning Ordinance (Article 4.6.5 E.) to encroach within the 20' required front yard setback along Apaki Place by 3'7/8" for the construction of a single family home. In the application another variance is requested from the Zoning Ordinance (Article 9.8J) to encroach within the 20' required front yard setback along Apaki Place by 3' for the construction of 6' wooden privacy fence. The zoning district is R-2.

The property address is 796 Apaki Place. The tax parcel number is 067R-1-36-145.000. The legal description is Diamondhead Phase 2, Unit 5, Block 7, Lot 85. The property is located north of and east of and adjacent to Apaki Place (corner lot) and west of Diamondhead Drive East. The case file number is 2016-00017.

Janene Malley with Landmark Contractors presented proposed variance request and answered questions from the commissioners. Ms. Malley also stated that the variance to construct a 6' wooden privacy fence within the required front yard setback was withdrawn.

Vice-Chairman Hensley called for public comments on the matter with the following addressing the commission:

Norman Parker, Penny Crawford and Norris Crawford spoke in opposition to the proposed variance.

Smith moved, seconded by Garrison to decline variance in the matter of Case File Number 2016-00017.

A roll call vote was taken as follows:

- Ayes: Bice, Garrison, Smith, Hensley, and Bower. Nays: None. Recuse: Malley Absent: Miller.

MOTION CARRIED

CASE FILE NUMBER 2016-00018

Ms. Dorothy Mysing represented by David and Janene Malley with Landmark Contractors has filed an application requesting a variance from the Zoning Ordinance (Article 4.6.5 E.) to build a deck within 8.1' of the west property line. The required side yard setback is 10'. The zoning district is R-2.

The property address is 6816 Hilo Street. The tax parcel number is 131B-0-01-182.000. The legal description is Diamondhead Phase 2, Unit 3, Block 4, Lot 19. The property is east of and adjacent to Hilo Street and southeast of Oahu Street. The case file number is 201600018

At this time Chairman Malley remains absent from the room..

Janene Malley of Landmark Contractors presented on behalf of Ms. Dorothy Mysing for the proposed variance request and answered questions from the commissioners.

Vice Chairman Hensley called for public comments on the matter with none presented.

Commissioner Bower moved, seconded by Commissioner Bice, to approve the variance with clarification from Ron Jones, Building Official in the matter of Case File Number 2016-00018 as requested. Mr. Jones clarified that a roof will be constructed over the existing deck.

A roll call vote was taken as follows:

- Ayes: Bice, Hensley, and Bower. Nays: Smith and Garrison. Recuse: Malley Absent: Miller.

MOTION CARRIED

Chairman Malley re-enters the meeting at 6:22 p.m. CST

8. Unfinished Business Open Public Comments to Non-Agenda items –None

9. Commissioners' Comments – None

10. Communication / Announcements.

Chairman Malley discussed with Ron Jones, Building Official the possibility of conducting an online pole or workshop with the commissioners in reference to amending the zoning ordinances regarding accessory structures.

11. Adjourn - Commissioner Hensley moved, seconded by Commissioner Garrison, to adjourn at approximately 6:35 p.m. CST. .

A roll call vote was taken as follows:

Ayes: Bice, Garrison, Smith, Hensley, Bower and Malley. Nays: None. Absent: Miller.

MOTION CARRIED



David Malley, Chairman
Planning & Zoning
City of Diamondhead, MS