

Agenda Item 2016-020

25 October 2016

To: The City of Diamondhead

From: Ron Thorp

Subject: Participation in the 90 Day Committee to Analyze Potential Cost Savings of Consolidation of the Bay Waveland and Hancock County School Districts

1. The attached proposal was presented at a previous meeting.
2. I hope that you have had time to absorb this information and discuss it with your fellow Board Members.
3. I am requesting to be on the agenda at your next meeting and to have two members of the Diamondhead Administration be appointed to participate in the 90 day committee commencing in January 2017. Or if you wish to follow the City of Waveland you can appoint two citizens from Diamondhead to represent you.
4. Thank you and I look forward to your participation.

Ron Thorp

Po Box 4434

Bay St. Louis, Ms. 39521

228-467-2349 or cell 601-569-9002

RECEIVED

OCT 26 2016

*J. Klein*



TO: Mayor, City Council and City Manager  
FROM: Ronald Jones *Ronald*  
DATE: October 28, 2016  
SUBJECT: Recommendation from Planning Commission Variance Request  
Michael Casano; Case File Number 2016-00261

At its regular meeting on Tuesday, October 25, 2016, the Planning and Zoning Commission voted to approve the variance request as petitioned. The draft minutes and application are attached for your review.

Michael J. Casano filed an application requesting a variance from the Zoning Ordinance (Article 4.10.5 F iii) to allow the construction of a second story addition on a commercial building within 4.2' of the property line. The addition will extend vertically one story on the south side of property.

The property address is 4403 West Aloha Drive. The tax parcel number is 131E-1-13-006.000. The property is located south of and adjacent to West Aloha Drive. The property is located in an C-1 zoning district. The minimum rear yard setback is 10 feet. The Case File Number is 201600261.

attachments



## MINUTES

PLANNING AND ZONING COMMISSION  
Diamondhead, Mississippi  
Diamondhead City Hall Council Chambers  
October 25, 2016  
5:30 p.m. CST

1. Chairman Hensley called the meeting to order at 5:30 p.m. CST.
2. Statement of Purpose and Pledge of Allegiance were dispensed.
3. Clerk Tammy Garber called roll- Present: Commissioners Bice, Garrison, Hensley, Williams, Bowers and Commissioner Milton present via teleconference. Absent: Crosby.

Also present: City Attorney Sean Tindell, Ron Jones Building Official, Joshua Hayes Deputy Building Official and Minutes Clerk Tammy Garber.

**4. Confirmation of the Agenda**

Commissioner Williams moved, seconded by Commissioner Garrison, to approve the agenda as presented.

Ayes: Bice, Garrison, Hensley, Williams, Bowers and Milton Nays: None. Absent: Crosby.

**MOTION CARRIED UNANIMOUSLY**

**5. Approve Minutes. –**

Commissioner Garrison moved, seconded by Commissioner Milton, to approve the Minutes of September 27, 2016 as presented.

Ayes: Bice, Garrison, Hensley, Williams, Bowers and Milton Nays: None. Absent: Crosby.

**MOTION CARRIED UNANIMOUSLY**

## 6. New Business –

### **CASE FILE NUMBER 2016-00261**

Michael J. Casano has filed an application requesting a variance from the Zoning Ordinance (Article 4.10.5 F iii) to allow the construction of a second story addition on a commercial building within 4.2' of the property line. The addition will extend vertically one story on the south side of property.

The property address is 4403 West Aloha Drive. The tax parcel number is 131E-1-13-006.000. The property is located south of and adjacent to West Aloha Drive. The property is located in an C-1 zoning district. The minimum rear yard setback is 10 feet. The Case File Number is 201600261.

Michael Casano presented the proposed variance request and answered questions from the commissioners.

At this time, Commissioner Hensley called for any public comments or questions in reference to this variance request with none presented.

Commissioner Williams moved, seconded by Commissioner Bice to approve the variance in the matter of Case File Number 2016-00261 as requested.

Ayes: Bice, Garrison, Hensley, Williams, Bowers and Milton Nays: None. Absent: Crosby.

### **MOTION CARRIED UNANIMOUSLY**

## 7 Unfinished Business Open Public Comments to Non-Agenda items –

Ron Jones discussed part of the original text regarding accessory structures to be made a part of the revised amendment. "Accessory structures shall not be utilized for the parking of automobiles and shall not contain a doorway large enough for an automobile to pass through.

Commissioner Garrison moved to insert the above statement into the accessory structure article.

### **MOTION DIED FOR LACK OF A SECOND**

8. Commissioners' Comments

-None

9. Communication / Announcements. –

None

10. **Adjourn** - Commissioner Williams moved, seconded by Commissioner Milton, to adjourn at approximately 5:55 p.m. CST. .

Ayes: Bice, Garrison, Hensley, Williams, Bowers and Milton Nays: None. Absent: Crosby.

**MOTION CARRIED UNANIMOUSLY**

---

Nita Hensley, Chairman  
Planning & Zoning  
City of Diamondhead, MS



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

APPLICATION FOR VARIANCE REQUEST



Case Number: 201600261

Date 10.3.16

Applicant: Michael J. Casano

Applicant's Address: 4370 Leisure Time Dr., Diamondhead, MS 39525

Applicant's Email Address: MCASANO1@AOL.COM

Applicant's Contact Number: (Home) (228) 860-5004 (Work) (228) 255-0035 (Cell) (228) 860-5004

Property Owner: Michael J. Casano

Owner's Mailing Address: 4370 Leisure Time Dr., Diamondhead, MS 39525

Owner's Email Address MCASANO1@AOL.COM

Owner's Contact Number: (Home) (228) 860-5004 (Work) (228) 255-0035 (Cell) (228) 860-5004

Tax Roll Parcel Number: 131E-1-13-006.000

Physical Street Address: 4401-B East Aloha Drive

Legal Description of Property: PT JB LADNER CLAIM SEC 13 T8N R14 W1NE COR D'HEAD

Zoning District: C-1

State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)  
(Signage-Size-Height) Existing buildings subdivided for sale and do not comply with rear setback requirements. Request variance for setback to be within 4.2' of the south wall. Building purchased from adjacent landowner (Porcell Co., Inc.) which does not oppose variance.

## 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 Oct. 25 at 5:30 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]  
Signature of Applicant  
Michael J. Casano

[Signature]  
Signature of Property Owner  
Michael J. Casano

\_\_\_\_\_ 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 Michael Casano

Street Address 4401-B East Aloha Drive

Statement Describing Variance Request

Existing buildings do not comply with rear setback  
requirements after subdivision of property

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: There will be no affect on surrounding or  
similar properties.

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 The building has been in the current  
location for 20+ years with the same proximity  
to adjacent properties and buildings.

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

Response: The building has been in this location for  
20+ years. Modifications do not appreciably alter the  
current footprint.

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

Response: None known about



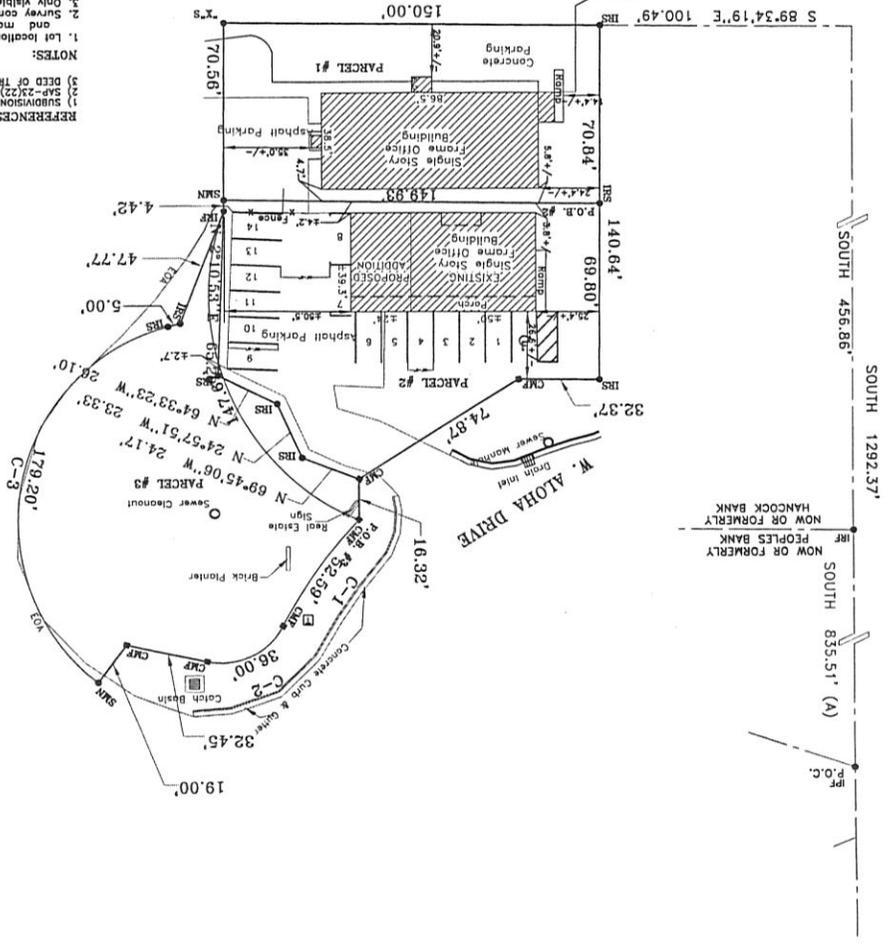
4403?

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APR 20 2016

BY: [Signature]

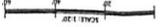
© JAMES T. CHAMBERLAIN, 2016



- NOTES:**
1. Lot location, orientation, & bearings indicated are based on recorded data and monumentation found available.
  2. Survey conducted a Class "B" survey.
  3. Only visible roads, lanes, driveways, drains, utilities, etc., over and across said premises are shown hereon.
  4. Values in ( ) per deed, subdivision plat, or as noted.
  5. This survey was prepared without a current title report nor were County records researched by this surveyor for easements.
  6. Revised 07/30/16 for legal description of Parcel 3 & revised layout for Parcel 2 only.
  7. Parking spots shall be 10'x20' clear inside W/4" stripes between spots.

- REFERENCES:**
- 1) SUBDIVISION PLAT OF RECORD
  - 2) 5A-23(22) HANCOCK COUNTY, SHEET NO. 4-C
  - 3) DEED OF TRUST BOOK:2014, PAGE 8158

- LEGEND:**
- IRF = 1/2" IRON ROD FOUND
  - IRP = 3/4" IRON PIPE FOUND
  - IRF = 1/2" IRON ROD FOUND
  - CMF = CONCRETE MONUMENTS
  - SMN = SET MAG NAIL
  - EOA = EDGE OF ASPHALT
  - "X" = SCRIBED
  - R/W = RIGHT-OF-WAY
  - P.O.B. = POINT OF BEGINNING
  - P.O.C. = POINT OF COMMENCEMENT
  - (P) = PLAT OF RECORD
  - (D) = DEED OF RECORD
  - (R) = AT&T RISER



Sheet No.	
Project No.	
Client	
Location	
Date	
Scale	
Author	
Checker	
Reviewer	
Approver	

CASANO SITE PLAN STRAIGHT PARKING

PROJECT TITLE

412 TRIPOLI, SUITE 2  
 BAY ST. LOUIS, MISS. 39220  
 OFFICE - (228) 487-8755  
 FAX - (228) 487-8755  
 EMAIL - jchamber@jtc-engineering.com  
 WWW - www.jtc-engineering.com



Agenda Item 2017-028



5000 Diamondhead Circle • Diamondhead, MS 39525-3260  
Phone: 228.222.4626 Fax: 228.222.4390  
[www.diamondhead.ms.gov](http://www.diamondhead.ms.gov)

October 28, 2016

Mayor and Council  
City of Diamondhead  
5000 Diamondhead Circle  
Diamondhead, MS 39525

Dear Councilmembers:

RE: Seymour Engineering Payments – Kayak Hiking Trail and East Aloha Access Road Alignment #2  
(Project SM-15-709)

Attached for your review and consideration are invoice #5981 in the amount of \$2,100 for professional services relating to the Kayak Hiking Trail (Tidelands) Project and invoice #5982 in the amount of \$4,000.00 for the East Aloha Access Road (SMLP). Total payment requested is \$6,100.00.

If you find these documents to be in order, please proceed with approval.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Reed", is written over the word "Sincerely,".

Clovis Reed  
City Manager

CR:jk

# SEYMOUR ENGINEERING

Engineering, Environmental and Professional Land Surveying

925 Tommy Munro Dr., Ste. G • Biloxi, Mississippi 39532 • Phone: 228-385-2350 • Fax: 228-385-2353

se@seymoureng.com • www.seymoureng.com

**SE**

## INVOICE

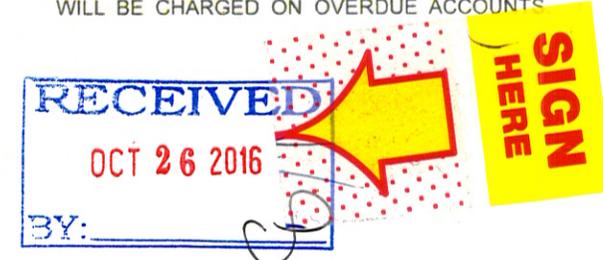
DATE	INVOICE #
10/24/16	5981

PLEASE REFER TO INVOICE NUMBER ON RETURN PAYMENT

PAYMENT TERMS ARE NET 30 DAYS  
A FINANCE CHARGE OF 1% (12% PER ANNUM)  
WILL BE CHARGED ON OVERDUE ACCOUNTS

CUSTOMER
CITY OF DIAMONDHEAD ATTENTION: MS. CONNIE SCOTT 5000 DIAMONDHEAD CIRCLE DIAMONDHEAD, MS 39525 RE: 15-070.02 KAYAK & HIKING TRAIL TDLNDS

Please remit to:  
P.O. Box 7000  
D'Iberville, MS 39540



JOB DESCRIPTION	JOB #	REP
KAYAK & HIKING TRAIL TDLNDS	15-070.02	RJD

DESCRIPTION	CONTRACT AMT	PRIOR %	CURRENT %	TO DATE %	AMT NOW DUE
DIAMONDHEAD KAYAK AND HIKING TRAILS - TIDELANDS					
ENGINEERING DESIGN AND CONSTRUCTION ADMINISTRATION	36,173.30	30.00%	0.00%	30.00%	0.00
SURVEYING	4,200.00	50.00%	50.00%	100.00%	2,100.00
RESIDENT PROJECT REPRESENTATIVE	13,680.00		0.00%	0.00%	0.00
WETLANDS DELINEATION	2,500.00	100.00%	0.00%	100.00%	0.00
CORPS OF ENGINEERS PERMITTING	5,000.00	50.00%	0.00%	50.00%	0.00
TIDELANDS LEASE	3,500.00		0.00%	0.00%	0.00

<b>Total</b>	\$2,100.00
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# SEYMOUR ENGINEERING

Engineering, Environmental and Professional Land Surveying

925 Tommy Munro Dr., Ste. G • Biloxi, Mississippi 39532 • Phone: 228-385-2350 • Fax: 228-385-2353

se@seymouren.com • www.seymouren.com



DATE	INVOICE #
10/24/16	5982

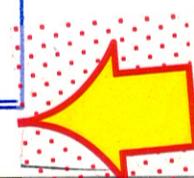
## INVOICE

PLEASE REFER TO INVOICE NUMBER ON RETURN PAYMENT

PAYMENT TERMS ARE NET 30 DAYS  
**A FINANCE CHARGE OF 1% (12% PER ANNUM)**  
 WILL BE CHARGED ON OVERDUE ACCOUNTS.

CUSTOMER
CITY OF DIAMONDHEAD ATTENTION: MS. CONNIE SCOTT 5000 DIAMONDHEAD CIRCLE DIAMONDHEAD, MS 39525 RE: 16-070.06 E ALOHA ACCESS RD ALIGN #2

Please remit to:  
 P.O. Box 7000  
 D'Iberville, MS 39540



**SIGN  
HERE**

JOB DESCRIPTION	JOB #	REP
E ALOHA ACCESS RD ALIGN #2	16-070.06	RJD

DESCRIPTION	CONTRACT AMT	PRIOR %	CURRENT %	TO DATE %	AMT. NOW DUE
EAST ALOHA ACCESS ROAD - ALIGNMENT NO. 2					
SOILS INVESTIGATION, RECOMMENDATION AND REPORT	4,000.00	100.00%	0.00%	100.00%	0.00
TOPOGRAPHIC SURVEY	5,000.00	100.00%	0.00%	100.00%	0.00
CIVIL ENGINEERING SERVICES	32,380.00	100.00%	0.00%	100.00%	0.00
CONSTRUCTION ADMINISTRATION; PROJECT REPRESENTATIVE	16,000.00	25.00%	25.00%	50.00%	4,000.00

*[Signature]*

				<b>Total</b>	\$4,000.00
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