



**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Diamondhead, Mississippi**  
**Diamondhead City Hall Council Chambers**  
**APRIL 23, 2019**  
**6:00 p.m. CST**

1. Commissioner Bice called the meeting to order at 6:02 p.m. CST.
2. Commissioner Bower recited the Statement of Purpose.
3. Commissioner Bice led the Pledge of Allegiance.
4. Present: Commissioners Bice, Hourin, Hector, Milton was present via teleconference and Bower.  
Absent: Rubar, Torguson.

Also, present Assistant City Attorney Kimber Roten, Building Official Ronald Jones, Building Inspector Dennis Arceneaux and Minutes Clerk Tammy Braud.

**5. Confirmation of the Agenda**

Commissioner Bower made a motion to amend the Agenda to table the Tree Ordinance discussion until the next meeting, seconded by Commissioner Hourin.

A roll call was taken:

Ayes: Bice, Milton, Hourin, Hector and Bower. Nays: None. Absent: Rubar and Torguson.

**MOTION CARRIED UNANIMOUSLY**

**6. Approve Minutes. –**

Commissioner Bower moved, seconded by Commissioner Hourin, to approve the Minutes of March 26, 2019 as presented.

Ayes: Bice, Milton, Hourin, Hector, and Bower. Nays: None. Absent: Rubar and Torguson.

**MOTION CARRIED UNANIMOUSLY**

**7. New Business –**

**Case File Number 201900060**

Arthur and Patricia Burgoyne have filed an application requesting a variance from the Zoning Ordinance.

(Article 4.5.5 E iii) to build a 16'X24' deck with a prefabricated Savannah Pavilion (10'x13') on top of the deck within 12' of the rear property line on parcel 067R-1-36-056.000.

The property address is 6830 Awini Street. The tax parcel number is 067R-1-36-056.000.

The legal description is Diamondhead Phase 2 Unit 5 Block 6 Lot 39. The property is located in an R-1 Zoning district. The minimum rear yard setback is 20 feet.

Mr. Burgoyne answered questions asked by Commissioners.

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

Ronald Jones, Building Official, then proposed a recommendation finding to approve the application request as presented in the matter of Case File Number 201900060

Commissioner Hourin moved, seconded by Commissioner Bower, to accept Ronald Jones's findings and submit a recommendation to the City Council to approve the variance request in Case File Number 201900060 .

A Roll Call Vote Was Taken:

Ayes: Bice, Milton, Hourin, Hector, and Bower. Nays: None. Absent: Rubar and Torguson

**MOTION CARRIED UNANIMOUSLY**

**Case File Number 201900126**

Gem City Properties represented by Jimmy Cantrelle with Just 4 Him has filed an application requesting a variance from the Sign Ordinance ( Article 10.6 #6 ) to allow a wall mounted sign (4'x6') on the side of the building without street frontage.

The property address is 4402 East Aloha Drive, Suite 0. The tax parcel number is 131E-1-13-007.000. The property is located in an C-1 zoning district. Wall mounted signs are only allowed on building having frontage on the street.

At this time Commissioner Bice asked if anyone was here to represent or speak on behalf of Just 4 Him with none presented.

Ronald Jones, Building Official then proposed a recommendation finding to deny the application request in the matter of Case File Number **201900126**.

Commissioner Bower moved, seconded by Commissioner Milton to accept Ronald Jones's finding and submit a recommendation to City Council to deny the variance request in t Case File Number **201900126** .

A roll call was taken:

Ayes: Bice, Milton, Hourin, Hector, and Bower. Nays: None. Absent: Rubar and Torguson.

## **8. Unfinished Business**

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

Peggy Dutton asked about getting agenda out earlier .

Karen Rice spoke about the tree ordinance, stating " Clear cutting is never good , and about leaving Matured Trees ."

Commissioner Bower reminded the public of the items that were being discussed regarding the tree ordinance.

1. Defining what is meant by unnecessary trimming of trees.
2. Protected trees should be Live Oaks and Southern Magnolias only.
3. Protected trees fees.
4. No clear cutting before a building permit is approved.
5. Penalties/Consequences.
6. When is a permit required.
7. Making the Ordinance short and simple.

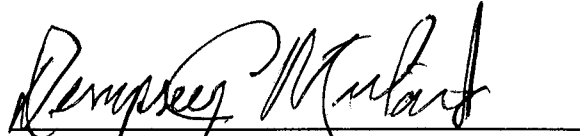
**10. Commissioners' Comments**

**11. Communication / Announcements. –**

**12. Adjourn –** Commissioner Hourin moved, seconded by Commissioner Bower, to adjourn at approximately 6:42 p.m. CST.

Ayes: Bice, Milton, Hourin, Hector, and Bower. Nays: None. Absent: Rubar and Torguson

**MOTION CARRIED UNANIMOUSLY**

A handwritten signature in black ink, appearing to read "Dempsey Milton", written over a horizontal line.

Dempsey Milton, Chairman  
Planning & Zoning  
City of Diamondhead, MS