

**RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION  
CITY OF DIAMONDHEAD, MS  
FOR SUBDIVISION REPLAT FOR FAIRWAY VILLAS  
CASE NO. 2013-08**

**WHEREAS**, the Diamondhead Planning and Zoning Commission held a public hearing on July 31, 2013; and

**WHEREAS**, an application was filed by **Fairway Villas** for approval of a Subdivision Replat for Fairway Villas identified on the official plat map dated May 31, 2012 as "FAIRWAY VILLAS, SITUATED IN SECTION 35-7-14, DIAMONDHEAD, A RESUBDIVISION OF LOTS 13 THROUGH 19 OF THE FINAL PLAT OF FAIRWAY VILLAS"  
The property is located on Golf Club Drive and Fairway Villas Circle and lies in an R-3 District. This property bears the following parcel number 067P-0-35-186.000; and

**WHEREAS**, Mr. David Malley represented Fairway Villas submitted a replat of land identifying lot sizes on street frontage. Mr. Malley stated that the lot sizes on street frontage as well as their minimum size, are within the City Ordinance requirements; and

**WHEREAS**, the Commission did accept public testimony at the hearing; and

**WHEREAS**, there was no one in opposition of the application, and

**WHEREAS**, proper publication and notice were served on the affected landowners and other persons throughout the City of Diamondhead, and

**WHEREAS**, the Commission members moved to **accept** the application as submitted for Subdivision Replat for Fairway Villas.

**NOW THEREFORE BE IT RESOLVED** by the Diamondhead Planning and Zoning Commission, upon motion by Commissioner Parker and seconded by Commissioner Hensley, the Diamondhead Planning and Zoning Commission voted to recommend **approval** of Case No. 2013-08 to the City Council.

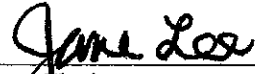
A vote was called for with the following results:

Voting Yea: Denise Catone  
Nita Hensley  
Jane Lee  
Norman Parker  
Roger Smith

Voting Nay: None

Absent: None

Dated the 31<sup>st</sup> day of July, 2013

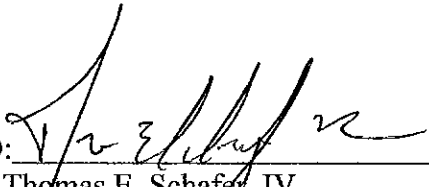


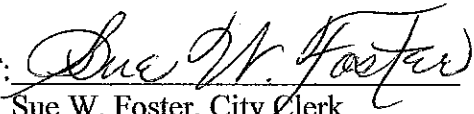
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Jane Lee, Chairman  
Diamondhead Planning and Zoning Commission

After the foregoing Planning and Zoning Recommendation was reduced to writing, Councilmember Knobloch moved, seconded by Councilmember Lopez, to accept the Planning and Zoning Commission recommendation to approve the Application for Subdivision Replat submitted by Fairway Villas, Case #2013-08.

	Aye	Nay	Absent
Councilmember Lopez	<u>✓</u>	_____	_____
Councilmember LaFontaine	<u>✓</u>	_____	_____
Councilmember Sislow	<u>✓</u>	_____	_____
Councilmember Rech	<u>✓</u>	_____	_____
Councilmember Knobloch	<u>✓</u>	_____	_____
Mayor Schafer	<u>✓</u>	_____	_____

APPROVED:   
Thomas E. Schafer, IV  
Mayor

ATTEST:   
Sue W. Foster, City Clerk

SEAL

THIS IS TO CERTIFY THAT THE FOREGOING RESOLUTION WAS ADOPTED BY THE CITY OF DIAMONDHEAD, MISSISSIPPI, ON THE 19<sup>th</sup> DAY OF August, 2013.

  
CITY CLERK

# PURCELL CO., INC.

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June 14, 2013

Deonne Olier, Zoning Administrator  
Planning and Zoning Department  
City of Diamondhead  
5000 Diamondhead Circle  
Diamondhead, MS 39525

RE: Application For Subdivision Replat – Fairway Villas  
Tax Parcel # 067P-0-35-186.000 – Zone R-3

File: DH 4061

Dear Ms. Olier:

Please be advised that Purcell Co., Inc. (formerly Diamondhead Corporation) conveyed the above referenced property to Fairway Villa, LLC by Warranty Deed dated July 13, 2006, and retained architectural approval for any structures placed upon said property. Purcell Co., Inc. has reviewed the application and revised plat of Fairway Villas submitted by David Malley which is scheduled for consideration by the Planning and Zoning Department at public hearing on June 26, 2013, and we approve said proposed replat. We encourage the Planning and Zoning Commission to approve Mr. Malley's requested subdivision replat since we strongly believe the proposed development is in the best interests of the residents of the City of Diamondhead. Thank you for your anticipated cooperation.

Sincerely yours,



Holcomb Hector  
Vice President

HH:cj

CC: Mr. David Malley  
Richard Rose, City Manager

CITY OF DIAMONDHEAD

APPLICATION FOR SUBDIVISION REPLAT

DATE: 5/22/2013

1. NAME OF SUBDIVISION: Fairway Villas

2. NAME OF APPLICANT: David Malley PHONE: 228 669-4444

ADDRESS: 1079 Tina Ladner Vic Faye Rd Pass Christian Ms 39571  
(STREET NO. AND NAME) (POST OFFICE) (STATE) (ZIP CODE)

3. NAME OF LOCAL AGENT: None

ADDRESS:  
(STREET NO. AND NAME) (POST OFFICE) (STATE) (ZIP CODE)

4. OWNER OF RECORD: David Malley

ADDRESS: 1079 Tina Ladner Vic Faye Rd Pass Christian Ms 39571  
(STREET NO. AND NAME) (POST OFFICE) (STATE) (ZIP CODE)

5. ENGINEER: Reeves Consulting PHONE: (228) 860-6255

ADDRESS: 2953 Beville Blvd. #267 Ocean Springs Ms 39564  
(STREET NO. AND NAME) (POST OFFICE) (STATE) (ZIP CODE)

6. LAND SURVEYOR: Sidney Fournet PHONE: 228 255-5867

ADDRESS: 94171 Bayou Dr Diamondhead, Ms 39525  
(STREET NO. AND NAME) (POST OFFICE) (STATE) (ZIP CODE)

7. ATTORNEY: Michael Casano PHONE: 228 255-0096

ADDRESS: 4370 Leisure Fine Dr. Diamondhead, Ms 39525  
(STREET NO. AND NAME) (POST OFFICE) (STATE) (ZIP CODE)

8. SUBDIVISION LOCATION: on the South side of Golf Club Dr.  
at intersection of Country Club Dr. of (STREET)  
(DIRECTION) (STREET)

9. PARCEL NUMBER 067A-0-35-186.000

10. TOTAL ACREAGE: 5.9 ZONE: R-3 NUMBER OF LOTS: 30  
High Density Single Family

11. TAX MAP DESIGNATION:

SECTION: 35-7-14 LOT(S): \_\_\_\_\_

12. ARE ANY VARIANCES BEING REQUESTED CONCERNING THE SUBDIVIDED LOTS?

IF SO, DESCRIBE: side set back on lot five from 10' to 5'

② County Variance from 7 units/Acre to 8 units/Acre

*Please disregard. See Attachment A.*

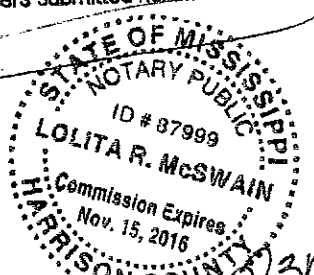
Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the book and page of each conveyance into the present owner as recorded in the Chancery Clerk's office. This affidavit shall indicate the legal ownership of the property, the contract owner of the property, and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers, stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

The applicant hereby consents to the provisions of the subdivision regulations providing that the decisions of the Planning Commission shall be made within thirty (30) days after the close of the public hearing on Final Plat approval.

STATE OF Mississippi  
COUNTY OF Hancock

[Signature] hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.



Mailing Address: David Malley  
1079 Tina Ladner Vic Faye Rd  
Pass Christian, MS 39571

Subscribed and sworn to before me this 03rd day of May, 2013.

Lolita McSwain  
NOTARY PUBLIC

My commission expires: November 15, 2016

<b>LANDMARK CONTRACTORS LLC</b>		1685
PO BOX 8558		88-368/655
DIAMONDHEAD, MS 39525		23
PH:228-255-5538		
Date: <u>5/22/2013</u>		
Pay to the Order of: <u>Diamondhead</u>	\$ <u>75-</u>	
<u>Security fee</u>		Dollars
<b>Hancock Bank.</b>		
Member FDIC/hancockbank.com A Hancock Holding Company		
For <u>replat application fee</u>		
⑆06550368⑆ 044214730⑆ 1685		