

A TEXT AMENDMENT TO THE ZONING ORDINANCE  
AMENDING RESIDENTIAL ACCESSORY STRUCTURES

A resolution of the Mayor and City Council of the City of Diamondhead amending Ordinance No. 2012-019 as amended (Zoning Ordinance) (Article 4.18.3 D. RESIDENTIAL ACCESSORY BUILDING, STRUCTURE OR USE; SUBSECTION ii Structures) to increase the area limitations, height and setbacks.

WHEREAS, The current and proposed text amendments are as follows:

CURRENT TEXT: Article 4.18.3 D.

ii. Structures. Structures (such as bathhouses, greenhouses, and storage sheds) not otherwise addressed herein shall not exceed 144 square feet in total area, shall not exceed fifteen (15') feet in height, and shall not be located in front of nor within ten (10') feet of the principal building and not within five (5') feet from a side lot line, nor within ten (10') feet of a rear lot line. 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.

PROPOSED TEXT CHANGE TO Article 4.18.3 D. ii: delete in its entirety; insert the proposed text amendment as follows:

- ii. Structures.
  - (a) Uses: A principal structure shall be already constructed on the same lot.
  - (b) Use Limitation: Accessory structures shall not be used as a habitable dwelling unit.
  - (c) Types of structures i.e. bathhouses, greenhouses, outdoor kitchens, storage sheds, detached decks, pergolas and RV/camper storage etc. not otherwise addressed herein.
  - (d) Area limitation: Accessory structures shall be limited to 30% of the footprint of the primary structure but not to exceed 800 square feet whichever is less.
  - (e) Maximum height: The maximum height shall not exceed twenty-five (25') feet. However, the height of the accessory structure shall not exceed the height of the primary structure. The accessory structure shall not exceed one (1) story (see f).
  - (f) Setbacks: The structure shall not be located in front of nor within ten (10') feet of the principal building and not within five (5') feet from a side lot line, nor within ten (10') feet of a rear lot line. If the height exceeds fifteen (15') feet, the accessory structure shall meet the required setbacks of the primary structure.
  - (g) Types of Materials: To insure architectural compatibility, building design shall be in keeping with the design patterns and architectural features consistent with the primary structure.
  - (h) Number of structures: There shall only be one accessory structure on a property.

WHEREAS, the Mayor and City Council has reviewed the application, related materials and public comments from the public hearing held by the Planning and Zoning Commission on September 27, 2016 and finds that it would be in the best interest of the health, safety and welfare of the citizens of Diamondhead to amend Article 4.18.3 D. ii.

NOW, THEREFORE, BE IT RESOLVED the Mayor and City Council of the City of Diamondhead do hereby amend Ordinance No. 2012-019 as amended (Zoning Ordinance) (Article 4.18.3 D. RESIDENTIAL ACCESSORY BUILDING, STRUCTURE OR USE; SUBSECTION ii Structures) to increase the area limitations, height and setbacks.

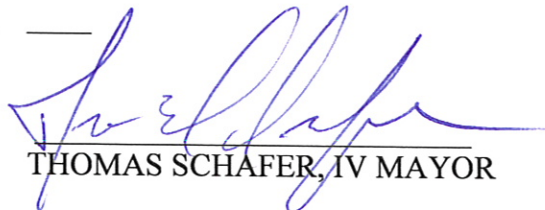
Delete in its entirety the current text of Article 4.18.3 D. ii; insert the proposed text amendment as follows:

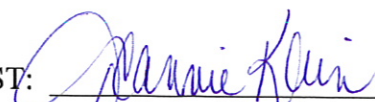
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  - (a) Uses: A principal structure shall be already constructed on the same lot.
  - (b) Use Limitation: Accessory structures shall not be used as a habitable dwelling unit.
  - (c) Types of structures i.e. bathhouses, greenhouses, outdoor kitchens, storage sheds, detached decks, pergolas and RV/camper storage etc. not otherwise addressed herein.
  - (d) Area limitation: Accessory structures shall be limited to 30% of the footprint of the primary structure but not to exceed 800 square feet whichever is less.
  - (e) Maximum height: The maximum height shall not exceed twenty-five (25') feet. However, the height of the accessory structure shall not exceed the height of the primary structure. The accessory structure shall not exceed one (1) story (see f).
  - (f) Setbacks: The structure shall not be located in front of nor within ten (10') feet of the principal building and not within five (5') feet from a side lot line, nor within ten (10') feet of a rear lot line. If the height exceeds fifteen (15') feet, the accessory structure shall meet the required setbacks of the primary structure.
  - (g) Types of Materials: To insure architectural compatibility, building design shall be in keeping with the design patterns and architectural features consistent with the primary structure.
  - (h) Number of structures: There shall only be one accessory structure on a property.

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS ADOPTED IN THE AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE 4th DAY OF OCTOBER, 2016.

	Aye	Nay	Absent
Mayor Schafer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Knobloch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nancy Depreo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Woolbright	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Rech	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Sislow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



  
 THOMAS SCHAFER, IV MAYOR

ATTEST:   
 Jeannie Klein, City Clerk