



MINUTES
PLANNING AND ZONING COMMISSION
Diamondhead, Mississippi
Diamondhead City Hall Council Chambers
December 10, 2019
6:00 p.m. CST

1. Chairman Milton called the meeting to order at 6:00 p.m. CST.
2. Chairman Milton recited the Statement of Purpose.
3. Commissioner Torguson led the Pledge of Allegiance.

Present: Commissioners Rubar, Hourin, Torguson, Bice, Milton, and Bower. Absent: Hector

Also, present, City Attorney Derek Cusick, Building Official Ronald Jones, Minutes Clerk Tammy Braud, and Building Inspector Dennis Arceneaux.

4. Confirmation of the Agenda

Commissioner Bower moved, second by Commissioner Bice to approve agenda as presented.

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

MOTION CARRIED UNANIMOUSLY

5. Approve Minutes. –

Commissioner Bower moved, second by: Commissioner Rubar to accept minutes of November 12,2019

Approved: **Unanimously**

6. New Business –

Case File Number 201900479

Structures of Diamondhead represented by Jim Grotowski has filed an application requesting to change the current zoning district classification from R-1 (Low Density Single Family) to R-2 (Medium Density Single Family) accordance with the Zoning Ordinance (Article 2.8) for the purpose of constructing homes for residential sales.

The tax parcel number is 067K-2-36-156.000 in part. The property is located south of and adjacent to Diamondhead Drive West, west of and adjacent to Lot 9 Golf Terrace Estates (067K-2-36-156.009), north of the 16th Fairway on the Cardinal course, south of the intersection of Poaki Street and Diamondhead Drive West. The case file number is 201900479. Part of this property that is legally described below has already been changed from PFR to R-2 by the City Council on 8-20-19.

Chairman Milton asked if anyone was present to represent Structures of Diamondhead.

Jim Grotowski answered questions from the Commissioners .

Ronald Jones, Building Official, proposed a recommendation to approve the application request in the matter of Case File Number 201900479 .

Chairman Milton asked if there were any public comments. Ms. Candy Gemmel spoke and opposed the request.

Commissioner Torguson moved, seconded by Chairman Milton, to recommend approval to the City Council the matter in the Case File Number **201900479** as recommended by Ronald Jones.

A Roll Call Vote Was Taken:

Ayes: Hourin, Torguson, Bower and Milton. Nays: Bice, Rubar . Absent: Hector

MOTION CARRIED

Case File Number 201900480

The City of Diamondhead represented by Ronald Jones, Building Official has filed an application requesting a text amendment in accordance with the Zoning Ordinance Article 2.8 (Amendment (Rezoning Procedure). The proposed text amendment is to add 5.4.2 H as set forth below.

PROPOSED TEXT AMENDMENT FOR FRONT YARD SETBACK VARIATION UNDER DEVIL'S ELBOW COVENANTS

5.4 SPECIAL LOT AND YARD REQUIREMENTS

5.4.2 Exceptions to Minimum Lot Areas, Lot Widths and Yards

ADD PROPOSED TEXT AMENDMENT

H. Front Yard Variation under Devil's Elbow Property Owners Association Covenants

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Although the provision of this ordinance are specific as they relate to front yard setbacks, the City of Diamondhead recognizes that certain front yard variations were allowed and granted by the Devil's Elbow Property Owners' Association over the course of time preceding the adoption of this ordinance. Therefore, any residential lot having been previously platted, approved or developed with a front yard setback less than required by this ordinance shall hereafter develop in conformance with those front yard setbacks as heretofore approved. In no case, however, shall A front yard be less than 10 feet unless otherwise specifically allowed by this ordinance.

At this time Chairman Milton asked if anyone present had comments. None present

Dennis Arceneaux, Building Inspector, proposed a recommendation to approve the application request in the case matter of Case File Number 201900480.

The staff recommends to approve the application request as presented.

Commissioner Hourin moved, second by Commissioner Bower.

A roll call was taken:

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

Motion Carried Unanimously

CASE FILE NUMBER 201900481

The Diamondhead Property Owners Association represented by David Cardin, General Manager, with the Diamondhead Water and Sewer District has filed an application requesting Planning Commission Approval in accordance with the Zoning Ordinance Article 2.4 for the construction of a "new" sewer lift station facility in a R-2 district. The tax parcel number is 067R-2-36-038.000. The address of the property is 796 Ewa Place. The property is legally described as Diamondhead Subdivision, Phase 2, Block1, Unit 3, Lot 27. The property is in a R-2 zoning district.

Chairman Milton asked Mr. Cardin to address the commissioners .

Dennis Arceneaux , Building Inspector proposed a recommendation to approve the application with condition of a concrete driveway.

At this time Chairman Milton asked for public comments.

Tom Janky
Sandra Marshall
R.B Smith

Lisa Wisniewski
Mike Sandler
Elise Breen
Janis Floyd

All spoke and asked questions. All were opposed to the application.
The staff recommends to approve with conditions as presented by the Building Inspector in case file number 201900481.

Commissioner Hourin moved, second by Commissioner Bower.

A roll call was taken:

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

Motion Carried Unanimously

7. Unfinished Business – None

8. Open Public Comments to Non-Agenda Items

None

9. Commissioners' Comments:

None

10. Communication / Announcements. – Ronald Jones, Building Official, informed commissioners of a possible cases for our next meeting January 28,2020

11. Adjourn – Commissioner Hourin moved, seconded by Commissioner Bice, to adjourn at approximately 7:35 p.m. CST.

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

MOTION CARRIED UNANIMOUSLY

Dempsey Milton, Chairman
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