



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

APPLICATION FOR VARIANCE REQUEST

Case Number: 202600509

Date 6/25/2026

Applicant: Fred and Sandra Walters

Applicant's Address: 5626 Ahuli Pl, Diamondhead, MS 39525

Applicant's Email Address: [REDACTED]

Applicant's Contact Number: (Home) _____ (Work) _____ (Cell) [REDACTED]

Property Owner: Fred and Sandra Walters

Owner's Mailing Address: 5626 Ahuli Pl, Diamondhead, MS 39525

Owner's Email Address [REDACTED]

Owner's Contact Number: (Home) _____ (Work) _____ (Cell) [REDACTED]

Tax Roll Parcel Number: 1310-1-13-136000

Physical Street Address: 5626 Ahuli Pl, Diamondhead, MS 39525

Legal Description of Property: LOT 41 BLK 9 DIAMONDHEAD PH1 UN1

Zoning District: R-10

State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)
(Signage-Size-Height) See attached

REQUIRED ITEM A

Property Owner Fred and Sandra Walters

Street Address 5626 Ahuli Pl, Diamondhead, MS 39525

Statement Describing Variance Request

Due to existing deck, we're requesting
use of additional 10 feet easement to install
a 4 foot metal, black, security fence at rear 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: Yes. This property only

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

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

Response: Correct

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

Response: It would not.

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 Further, that if the application is withdrawn for any reason that the application fee is forfeited to the City of Diamondhead.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 JULY 28TH at 6 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 of Applicant



Signature of Property Owner

_____ For Official Use Only _____

- ☒ \$100.00
- ☒ Copy of Deed, Lease or Contract
- ☒ Site Plan
- ☒ List of Property Owner

N/A

() Parking Spaces

- ☒ Application Signed
- ☒ Written Project Description

N/A () Drainage Plan NA ()

N/A () Notarized Statement NA ()

Purpose of Variance is necessary due to the usage easement requirement of 10' across the rear of the property. The easement would restrict the installation of a 4' security fence across the rear of the property due to an existing deck. We have two German Shepherd dogs that serve as service/protection for me and my wife. The dogs need access to the yard for health reasons. Additionally there is 15 feet of green space and 4 large trees along with a golf course drainage ditch which is approximately 4 feet wide and 2 feet deep. All of this belongs to the DGC. Yet I am the one that maintains their land. What I am asking is for permission to use my own property.



PREPARED BY AND RETURN TO:
Brad D. Wilkinson Esq. (MS Bar # 10285)
511 Keywood Circle, Flowood, MS 39232
Phone 601-355-0005
File #: MR-BR-8660756 / 2024-4297

INDEX: LOT 41, BLOCK 9, DIAMONDHEAD SUBD.
HANCOCK COUNTY, MISSISSIPPI

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which are hereby acknowledged, the undersigned,

GRANTORS

JAIME MORGAN and DANIEL WAYNE MORGAN, wife and husband
5626 Ahuli Place
Diamondhead, MS 39525-3414
PH (573) - 620-1258

DO HEREBY SELL, CONVEY AND WARRANT UNTO

GRANTEES

SANDRA WALTERS AND FRED I WALTERS SR, WIFE AND HUSBAND
5626 Ahuli Place
Diamondhead, MS 39525-3414
PH (601) 498-2715

JOINT TENANCY WITH RIGHT OF SURVIVORSHIP, all their right, title and interest in and to the following described land and property situated in Hancock County, State of Mississippi, to-wit:

Lot 41, Block 9, Diamondhead Subdivision, Phase 1, Unit 1, a subdivision, according to a map or plat thereof which is on file of record in the office of the Chancery Clerk of Hancock County, MS, reference to which is hereby made in aid of and as a part of this description.

Subject to easements, restrictions, covenants, agreements, and mineral exceptions, if any, of record.

Ad valorem taxes are being prorated between the parties as of this date.

June 25, 2026 at 2:48 PM
5626 Aboli Pl
Diamondhead MS 39525



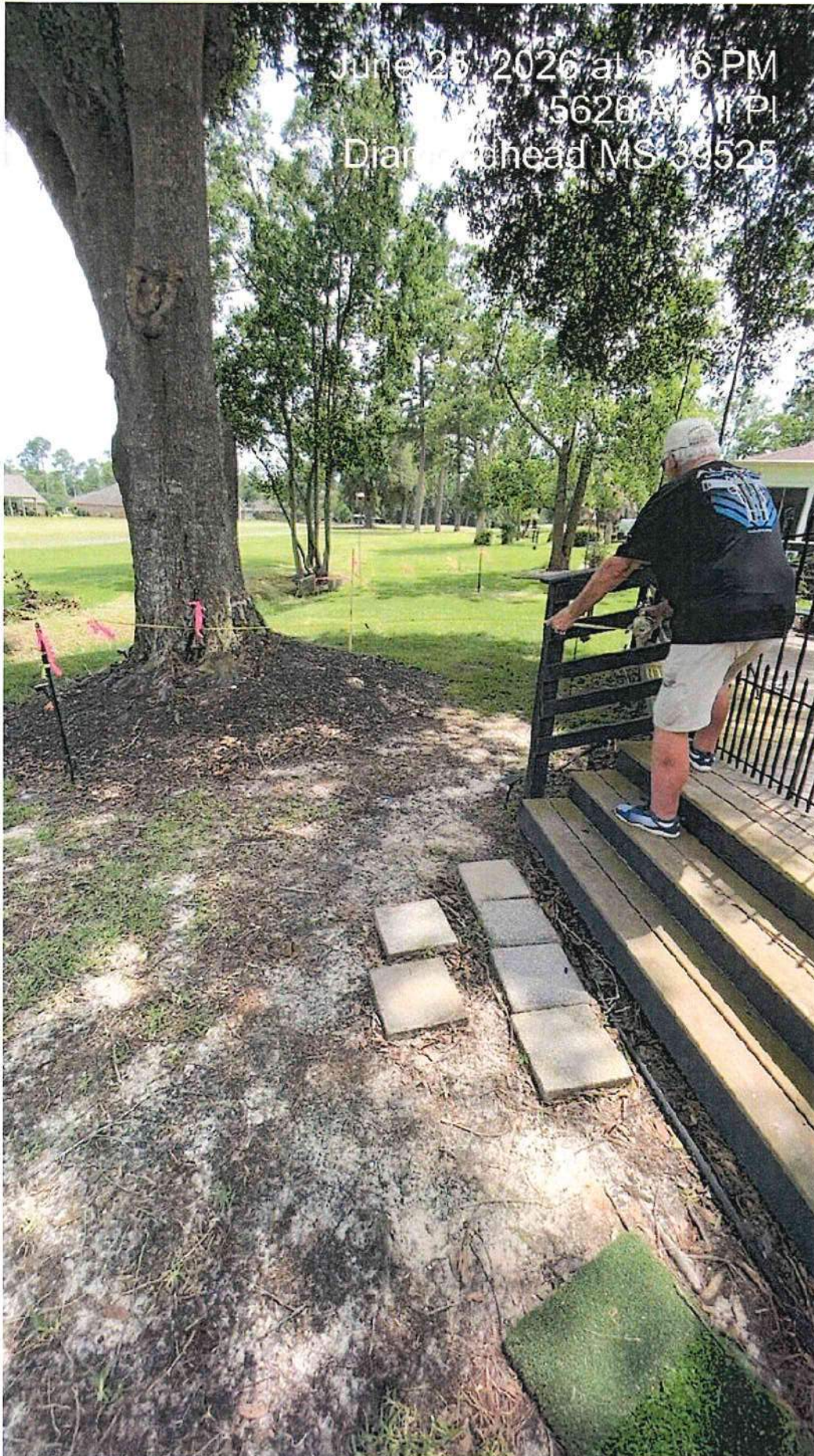
June 25, 2020 at 2:48 PM
5626 Ahuli Pl
Diamondhead MS 39525



June 25, 2026 at 2:47 PM
5626 Ahuli Pl
Diamondhead MS 39525



June 25, 2026 at 2:16 PM
5628A WILP
Diana Cohead MS 39525



June 25, 2026 at 2:45 PM
5626 Ahuli Pl
Diamondhead MS 39525



June 25, 2026 at 2:48 PM
5626 Ahuli Pl
Diamondhead MS 39525



**NOTICE OF PUBLIC HEARING
PLANNING AND ZONING COMMISSION
DIAMONDHEAD, MS**

Fred and Sandra Walters have filed an application requesting a variance from the Zoning Ordinance Article 4.3.10 to allow a fence within 10' of the property line adjoining the golf course.

The property address is 5626 Ahuli Place. The tax parcel number is 131C-1-13-136.000. The property is in a R-10 zoning district. The setback for a fence from the golf course is 10'. The variance requested is 10'. The Case File Number is 202600509.

In accordance with the Comprehensive Zoning Ordinance Article 9.8, the Planning Commission may recommend to the Mayor and City Council a variance be granted as the variance was applied for or in a modified form or subject to conditions or the application may be denied. A variance may be revocable, may be granted for a limited period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, July 28, 2026, at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend. This meeting will also be live streamed for your convenience.

If you have any questions or comments or would like to review the application, you may contact Beau King, Building Official, at bking@diamondhead.ms.gov or 228-222-4023.

The Sea Coast Echo

POST OFFICE BOX 2009
BAY SAINT LOUIS, MS 39521-2009

PROOF OF PUBLICATION

STATE OF MISSISSIPPI
HANCOCK COUNTY

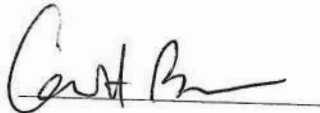
PERSONALLY appeared before me the undersigned authority in and for said County and State. GEOFF BELCHER, Publisher of THE SEA COAST ECHO, a newspaper published in the City of Bay Saint Louis, said County, who being duly sworn, deposes and says the publication of this notice hereunto annexed has been made in the said publication 1 week(s) to-wit:

On the 9 day of JULY 2026

On the _____ day of _____ 2026

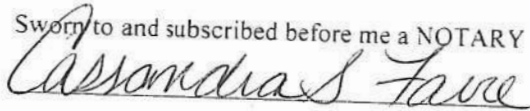
On the _____ day of _____ 2026

On the _____ day of _____ 2026



Publisher

Sworn to and subscribed before me a NOTARY PUBLIC



This 9 day of JULY 2026

(seal)



NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMISSION DIAMONDHEAD, MS

Fred and Sandra Walters have filed an application requesting a variance from the Zoning Ordinance Article 4.3.10 to allow a fence within 10' of the property line adjoining the golf course.

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PUBLISH DATE: 7/9/26

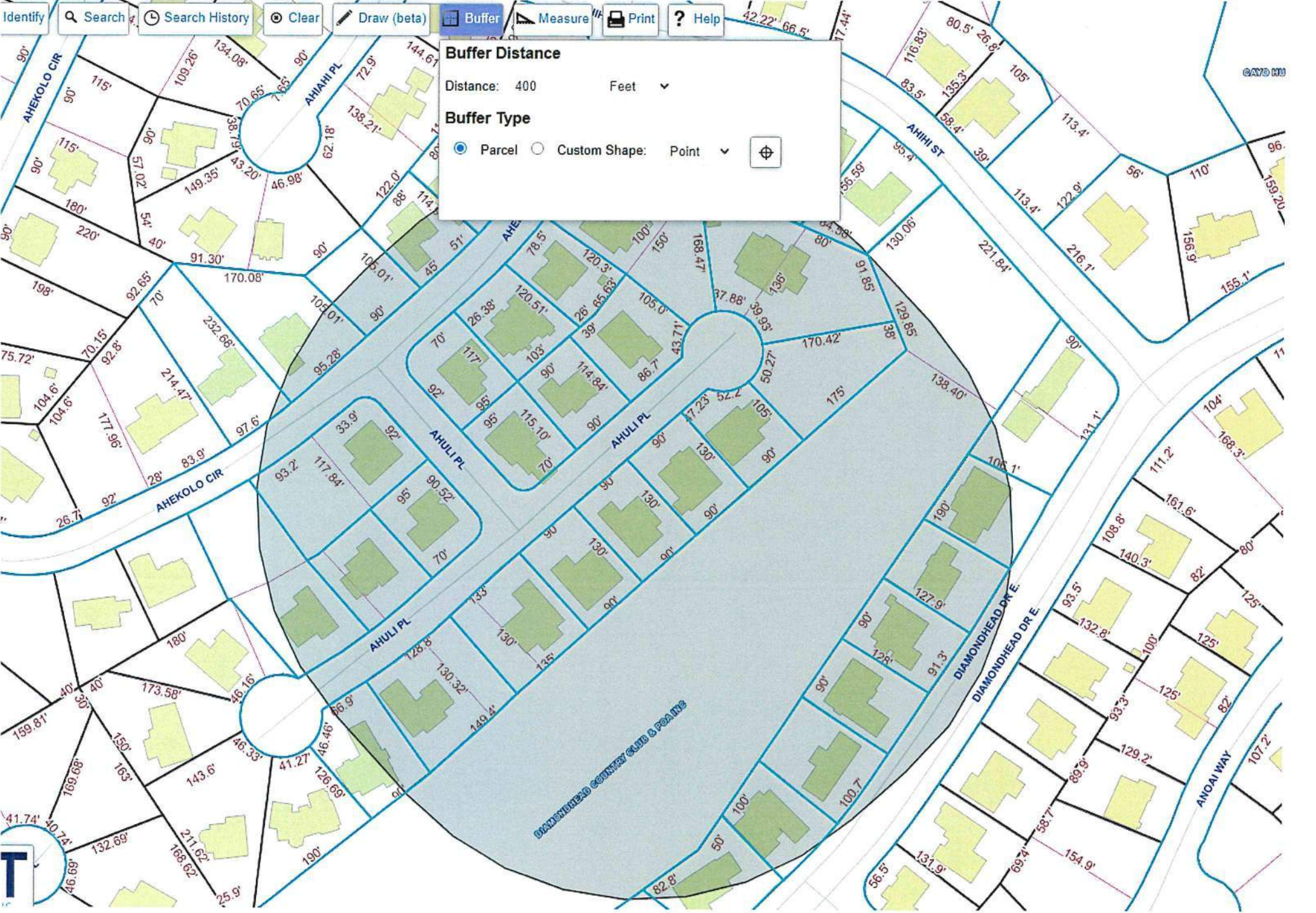
July 10, 2026 at 10:29 AM
5626 Ahuli Pl
Diamondhead MS 39525



	OWNER_NAME	LRMADD	CITY_ST_ZIP_OWNR
1	TRUITT MARGARET F	6630 AHEKOLO CIRCLE	DIAMONDHEAD, MS 39525
2	CLEMENTE EDUARDO G ETAL	113 ELAINE DR	BAY ST LOUIS, MS 39520
3	HAYES DANIEL SETH ETAL	561 AHULI PLACE	DIAMONDHEAD, MS 39525
4	HUETE ROSA MARIA	564 AHULI PL	DIAMONDHEAD, MS 39525
5	JOHNSTON DON K ETAL	6623 AHEKOLO CIRCLE	DIAMONDHEAD, MS 39525
6	GENOIS EDMOND R ETAL	6636 AHULI PLACE	DIAMONDHEAD, MS 39525
7	SMITH RICHARD T ETAL	56131 DIAMONDHEAD DR E	DIAMONDHEAD, MS 39525
8	SCHINDLER HARVEY S ETAL	5628 AHULI PLACE	DIAMONDHEAD, MS 39525
9	ACQUISTAPACE HANS P ETAL	56137 DIAMONDHEAD DR E	DIAMONDHEAD, MS 39525
10	LOCKMON SAMUEL J JR ETAL	6634 AHEKOLO CIR	DIAMONDHEAD, MS 39525
11	BLACKWELL ROBERT C REVOCABLE TRUST	57145 DIAMONDHEAD DRIVE EAST	DIAMONDHEAD, MS 39525
12	MARK & JULIENNE SMITH RENTAL LLC	5125 ASHLEY LANE	LONG BEACH, MS 39560
13	ROSSER JIMMIE L ETAL	675 AHIHI ST	DIAMONDHEAD, MS 39525
14	DIAMONDHEAD COUNTRY CLUB & POA INC	5300 DIAMONDHEAD CIRCLE	DIAMONDHEAD, MS 39525
15	STEEN JERRY ETAL	5622 AHULI PLACE	DIAMONDHEAD, MS 39525
16	GOLLADAY JOHN DALE (RTODD)	6642 AHULI PL	DIAMONDHEAD, MS 39525
17	CRAWFORD BRYAN M ETAL	562 AHULI PLACE	DIAMONDHEAD, MS 39525
18	SMITH HERBERT F ETAL TRUSTEES	6628 AHEKOLO CIR	DIAMONDHEAD, MS 39525
19	MORGAN JAIME ETVIR	5626 AHULI PLACE	DIAMONDHEAD, MS 39525
20	KENDRICK FRANK H ETUX	56139 DIAMONDHEAD DR E	DIAMONDHEAD, MA 39525
21	LEAR GEORGE E JR ETAL	5618 AHULI PLACE	DIAMONDHEAD, MS 39525
22	GRILLO MARILYN D (LIFE ESTATE)	6629 AHEKOLO CIRCLE	DIAMONDHEAD, MS 39525
23	CITY OF DIAMONDHEAD	5000 DIAMONDHEAD CIR	DIAMONDHEAD, MS 39525
24	MS SELECT RIDGE LLC	P O BOX 1177	KILN, MS 39556
25	DERMODY STEPHEN G	2419 53RD ST CT NW	GIG HARBOR, WA 98335
26	JORDAN JOHN A ETAL	56133 DIAMONDHEAD DR E	DIAMONDHEAD, MS 39525
27	GULF SHIP LLC	16201 E MAIN ST	CUT OFF, LA 70345
28	FONTE STEPHEN J ETAL	566 AHULI PLACE	DIAMONDHEAD, MS 39525
29	MCKENZIE KENNETH L ETAL	6632 AHEKOLO CIRCLE	DIAMONDHEAD, MS 39525
30	SULLIVAN EUGENE & ETUX	560 AHULI PLACE	DIAMONDHEAD, MS 39525
31	EMPLOYEE LEASING INC	12025 HOME PORT DR	MAUREPNS, LA 70449
32	RAYNER KAREN	5630 AHULI PLACE	DIAMONDHEAD, MS 39525
33	JARRELL RICHARD P ETUX TRUSTEES	56135 DIAMONDHEAD DR E	DIAMONDHEAD, MS 39525
34	SMITH GERRITT R (RTODD)	6625 AHEKOLO CIR	DIAMONDHEAD, MS 39525
35	MITTERER ROBIN ETAL	6640 AHULI PLACE	DIAMONDHEAD, MS 39525
36	KNIGHT BRIAN J ETUX	6619 AHEKOLO CIRCLE	DIAMONDHEAD, MS 39525
37	KIRSCHENBAUM CAROL Y (RTODD)	5624 AHULI PL	DIAMONDHEAD, MS 39525
38	PAGE JUDTITH H ETAL (LIFE ESTATE)	67149 DIAMONDHEAD DR E	DIAMONDHEAD, MS 39525
39	BLACKWELL GARY ETAL	5616 AHULI PLACE	DIAMONDHEAD, MS 39525
40	KORNICK LANA V	56141 DIAONDHEAD DR EAST	DIAMONDHEAD, MS 39525

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5000 Diamondhead Circle · Diamondhead, MS 39525

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

STAFF REPORT – 5626 AHULI PLACE VARIANCE

TO: Planning & Zoning Commission

FROM: Beau King, Building Official

DATE: July 27, 2026

SUBJECT: Variance request before the Planning & Zoning Commission – 5626 Ahuli Place

NATURE OF REQUEST: Fred and Sandra Walters have filed an application requesting a variance from the Zoning Ordinance Article 4.3.10 to allow a fence within 10' of the property line adjoining the golf course. The property address is 5626 Ahuli Place. The tax parcel number is 131C-1-13-136.000. The property is in a R-10 zoning district. The setback for a fence from the golf course is 10'. The variance requested is 10'. The Case File Number is 202600509.

DATE OF PUBLIC HEARING: July 28, 2026, at 6:00 PM.

RECOMMENDATION: To **approve** the variance as petitioned.

The staff recommends approving the variance based on the following findings of fact.

- A. That special conditions and circumstances *do* exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district. *The position of the primary structure is close to the lot line, and the fence would have to be on the rear steps to be installed in the rear.*
- B. That literal interpretation of the provisions of this title *would* deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title. *Many golf course lots have fences.*
- C. That special conditions and circumstances, if any, *do not* result from the actions of the applicant. *Not applicable to this request.*
- D. That granting the variance requested *will not* confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district. *having a fenced rear yard is not a special privilege.*
- E. The variance, if authorized, *will* represent the minimum variance that will afford relief and *will* represent the least modification possible of the regulation in issue. *If not granted they could not have a rear fence without removing their existing deck.*
- F. The Variance *does* observe the spirit of the Ordinance and *will not* change the character of the district (area). *Agreed.*
- G. The Variance *will* observe the spirit of the Comprehensive Plan. *Agreed.*
- H. That the Variance requested *will not* result in any change in use or density of the subject property. *No change in use or density.*

New Business

2. Fred and Sandra Walters have filed an application requesting a variance from the Zoning Ordinance Article 4.3.10 to allow a fence within 10' of the property line adjoining the golf course. The property address is 5626 Ahuli Place. The tax parcel number is 131C-1-13-136.000. The property is in a R-10 zoning district. The setback for a fence from the golf course is 10'. The variance requested is 10'. The Case File Number is 202600509.

Beau King, Building Official, explained the request and answered questions from Commissioners.

Derek Cusick, City Attorney, explained that no questions about the request were received, but no opposition.

Fred Walters, the applicant, answered questions from Commissioners.

Motion made by Commissioner White, Seconded by Commissioner Raymond to accept the recommendation of the Building Official and to approve the recommendation to the City Council.
Voting Yea: Commissioner Brewer, Commissioner Parrish, Commissioner Raymond, Commissioner Sutherland, Commissioner White

MOTION CARRIED UNANIMOUSLY

3. A Plus Patio & Screen, LLC, on behalf of Raeana and Joe Yawn, has filed an application requesting a variance from the Zoning Ordinance Article 3.4.8 to allow a residence within 16' of a rear property line. The property address is 6624 Ahiahi Place. The tax parcel number is 131C-2-13-015.000. The property is in a R-6 zoning district. The setback for a residence from the rear property line is 20'. The variance requested is 4'. The Case File Number is 202600510.

Beau King, Building Official, explained the request and gave staff recommendation to Commissioners.

Josh Williams of A Plus Patio & Screen, LLC, explained the project to Commissioners.

Motion made by Commissioner Raymond, Seconded by Commissioner White to accept the recommendation of the Building Official and to approve the recommendation to the City Council.
Voting Yea: Commissioner Brewer, Commissioner Parrish, Commissioner Raymond, Commissioner Sutherland, Commissioner White

MOTION CARRIED UNANIMOUSLY

4. CAYO HUESO, LLC, represented by Michael Casano, has filed an application requesting a re-plat of 131E-1-13-006.009 to create two separate parcels. The property is located Veterans Dr. and is in the C1 – General Commercial District. The Case File Number is 202600521.

Beau King, Building Official, explained the request and answered questions from Commissioners.

Motion made by Commissioner White, Seconded by Commissioner Sutherland to approve the recommendation to the City Council.

Voting Yea: Commissioner Brewer, Commissioner Parrish, Commissioner Raymond, Commissioner Sutherland, Commissioner White

MOTION CARRIED UNANIMOUSLY

5. Discussion of potential future rezoning.