



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

APPLICATION FOR VARIANCE REQUEST

RECEIVED  
OCT 22 2020  
BY: \_\_\_\_\_

Case Number: \_\_\_\_\_

Date 10-22-2020

Applicant: Ray Sheward + Scott King

Applicant's Address: 17911 Lanai St. D'Head, MS 39525

Applicant's Email Address: 14126kscottking@gmail.com

Applicant's Contact Number: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Cell) 504-236-6788

Property Owner: Ray Sheward + Scott King

Owner's Mailing Address: \_\_\_\_\_

Owner's Email Address: SAME

Owner's Contact Number: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Cell) \_\_\_\_\_

Tax Roll Parcel Number: 0607N-1-35-0-093.000

Physical Street Address: 1420 Turnberry Way D'Head, MS 39525

Legal Description of Property: Lot 174A Replat of Glen Eagle Phase 1

Zoning District: R 1

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

To build a single family home within 6.8 ft of the South property line. In accordance with article 5.4.2 G the zoning ordinance allows to follow the plated covenants. A combination lot allows a minimum of 5ft on one side yard and 10ft on other side yard having a total combination side yard of 15ft.

## REQUIRED ITEMS:

- A. A statement describing the variance request and all the reasons why it complies with the criteria for variances provided in Section 2.6.5, specifically.
- THE CONDITIONS FOR GRANTING A VARIANCE: (SEE ATTACHED SHEET #4)**
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?
  2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?
  3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?
  4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?
- B. The property address and the name and mailing address of the owner of each lot within 300 feet of the subject property and a map with parcels keyed to the ownership and address data.
- C. Site plans, preliminary building elevation, preliminary improvement plans, or other maps or drawings, sufficiently dimensioned as required to illustrate the following, to the extent related to their variance application:
- i. Existing and proposed location and arrangement of uses on the site, and on abutting sites within 100 feet.
  - ii. Existing and proposed site improvements, buildings, and other structures on the site, and any off-site improvements related to or necessitated by the proposed use. Building elevations shall be sufficient to indicate the general height, bulk, scale, and architectural character.
  - iii. Existing and proposed topography, grading, landscaping, and screening, irrigation facilities, and erosion control measures.
  - iv. Existing and proposed parking, loading, and traffic and pedestrian circulation features, both on the site and any off-site facilities or improvement related to or necessitated by the proposed use.
  - v. The Zoning Administrator may request additional information necessary to enable a complete analysis and evaluation of the variance request, and determination as to whether the circumstances prescribed for the granting of a variance exist.
  - vi. A fee established by the City Council shall accompany the application. A single application may include request for variances from more than one regulation applicable to the same site, or for similar variances on two or more adjacent parcels with similar characteristics.
- D. Payment of fee for Variance request: \$100.00 as per Ordinance 2012-020

**REQUIRED ITEM A**

Property Owner Ray Sheward + Scott King

Street Address 7420 Turnberry Way D'Head, MS 39525

Statement Describing Variance Request

To build a single family home within 6.8 ft of the south property line.

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: See attached paperwork for responses below.

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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Response: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Response: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 Dec. 8 at 2 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.

Chester Ray Sheward  
Signature of Applicant

Chester Ray Sheward  
Signature of Property Owner

\_\_\_\_\_ For Official Use Only \_\_\_\_\_

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

- Application Signed
- Written Project Description
- Drainage Plan NA ( )
- Notarized Statement NA ( )

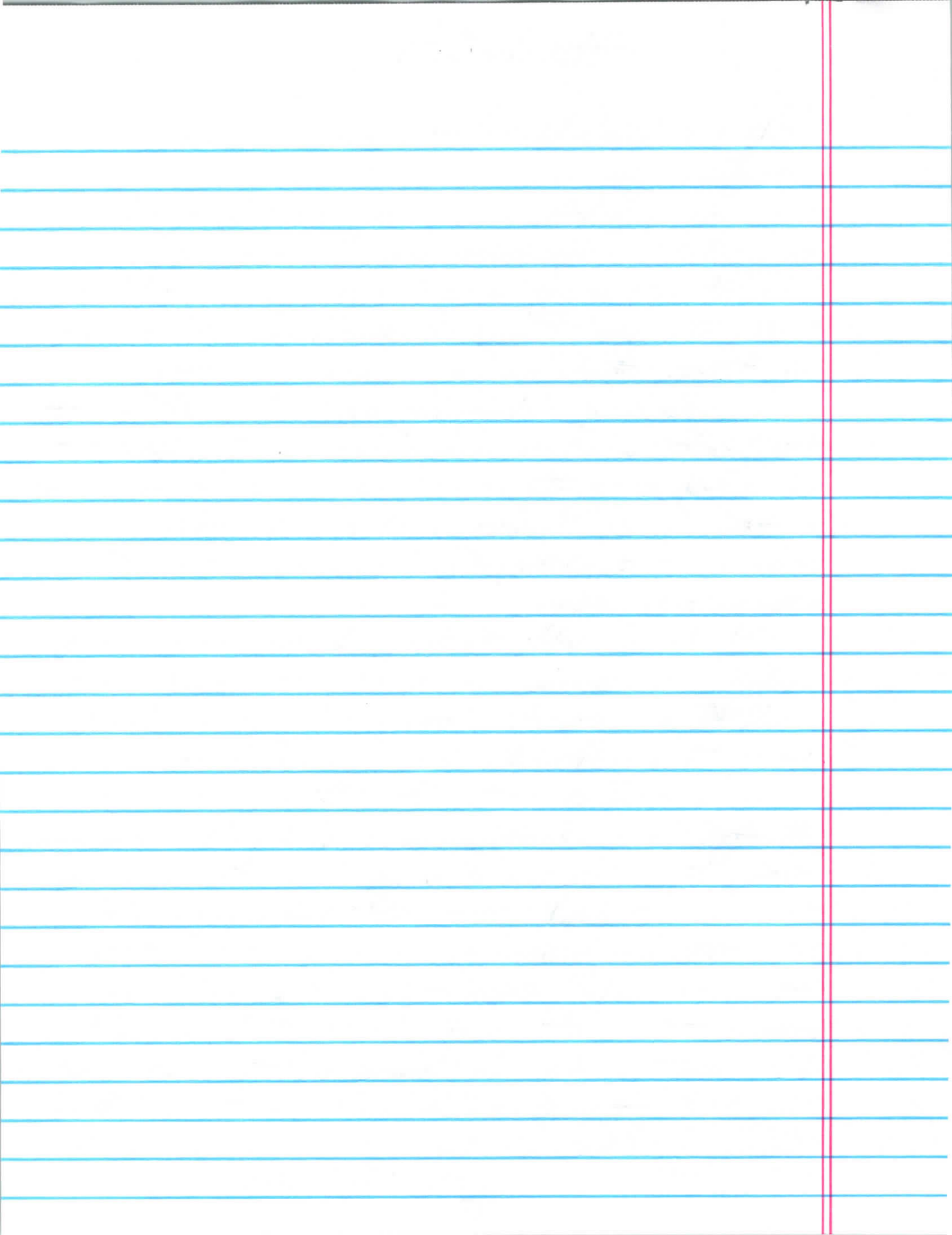
# Attachment

## City of Diamondhead Board Members

The applicants, Ray Sheward and Scott King, came to me, Hannah Home Builders, LLC, with plans already in existence for Lot 174A 1720 Turnberry Way, Glen Eagle. Unbeknownst to them, their house plans that they have been working diligently on, will not meet the set back requirements on the South side of property. The one applicant has a terminal illness and much time and money has already been spent on the plans process.

Working with Mr. Levy, the surveyor, even pushing the home back further will not benefit, due to the topography of the land and the wetlands being so close.

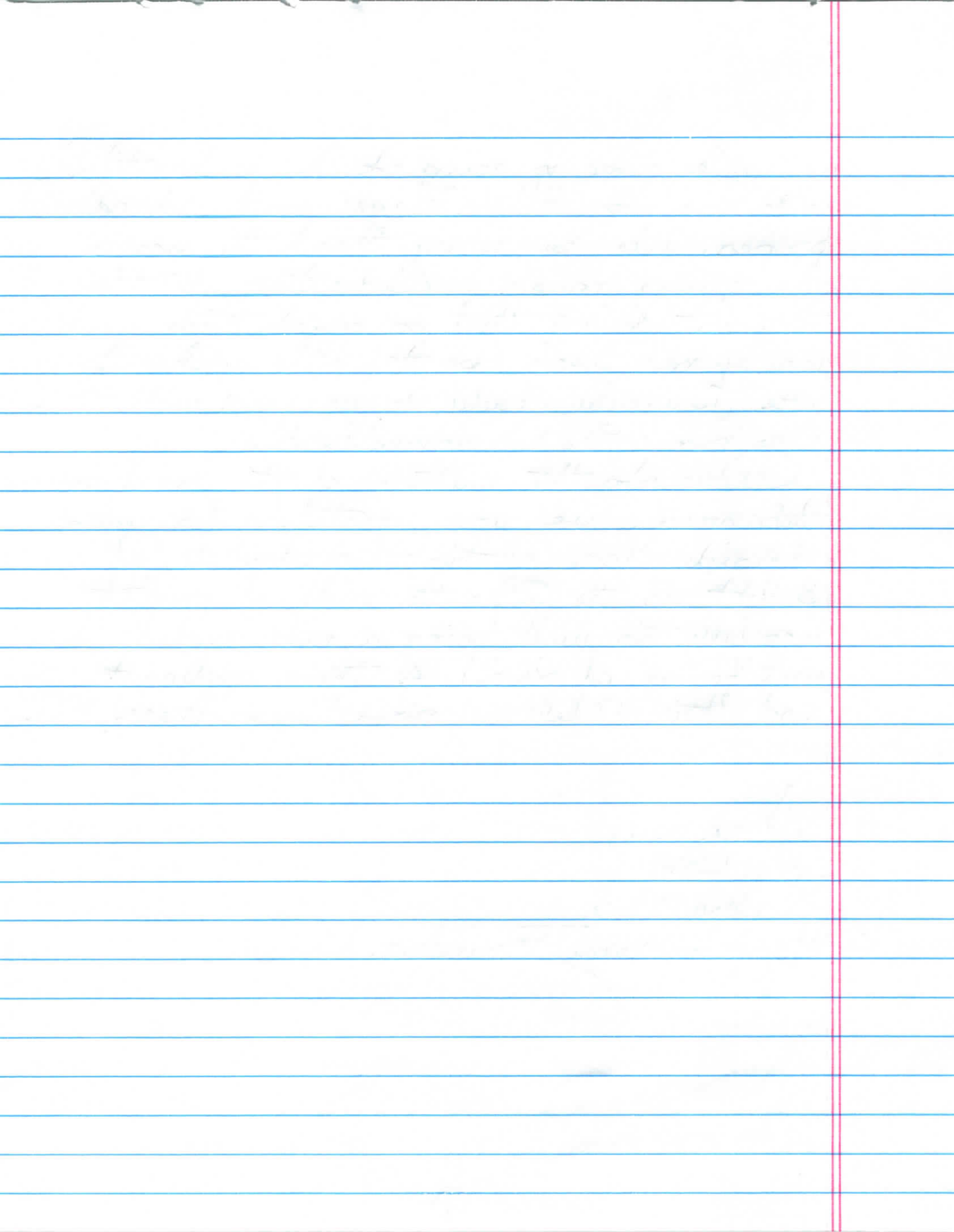
The neighbor on the South side has granted his blessing / approval for this variance. Also, the home will only be in the owners easement and does not interfere with the required drainage easement between the two said properties. The neighbor owns two lots and stated that he will be constructing his home in the center of his lot therefore will not create a "foot close of home" look.



The home is going to be a beautiful addition to Glen Eagle and Diamondhead proper. We sincerely thank the board for giving much consideration for this request being that so much time and money has been spent. The applicants are eagerly ready to proceed with their new home in Diamondhead?

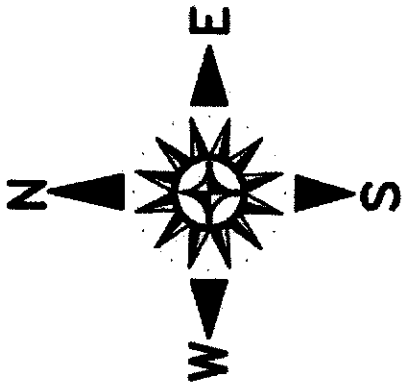
Due to the nature of the land in this area, we are grateful for your consideration of this variance of 3.2 ft on the South side of property. Hopefully this will bring a nice needed welcoming of 2021 to these applicants and their Welcome to Diamondhead, MS.

Thank you,  
Melissa Wood  
Hammeth Home Builders, LLC









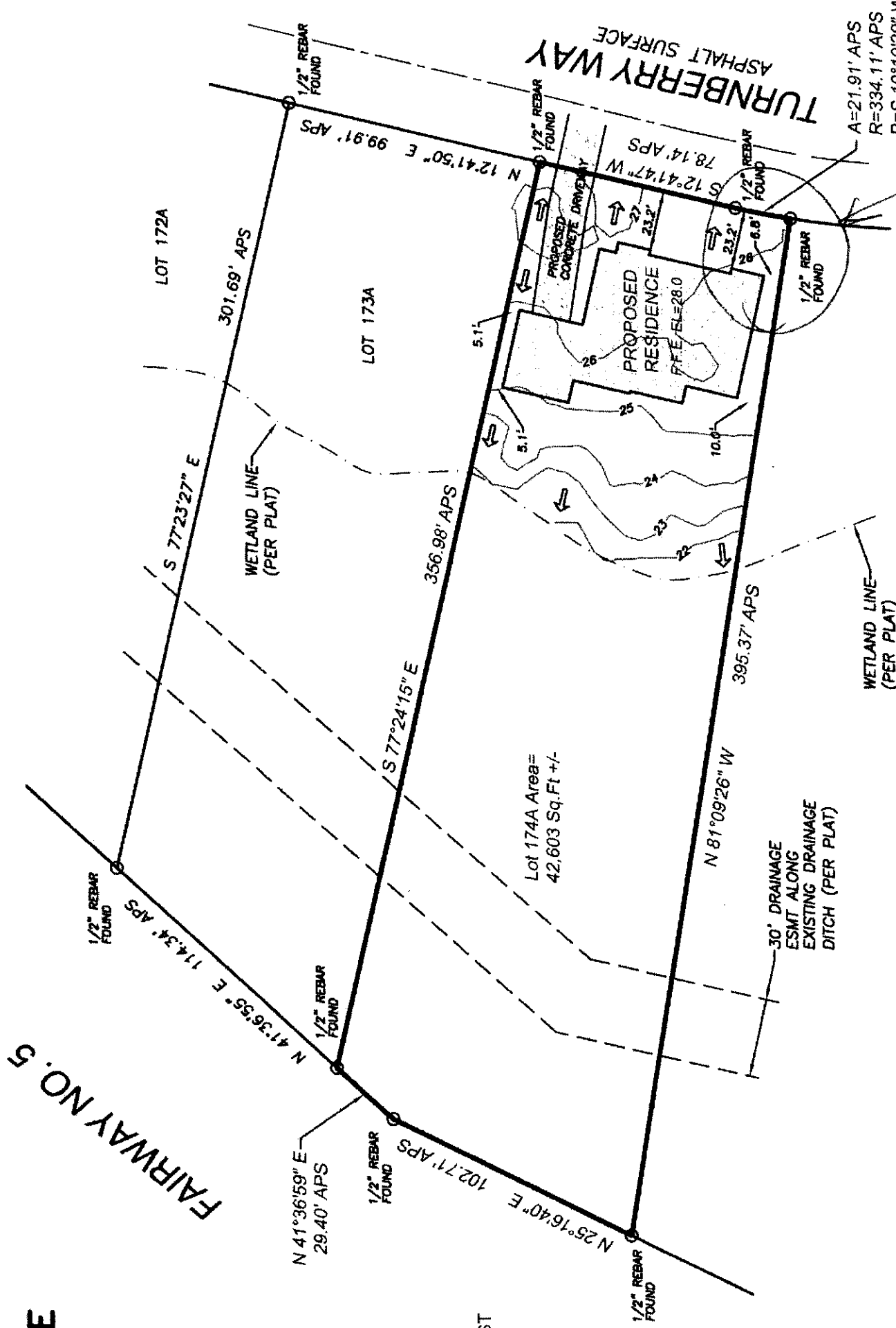
**LEGEND:**

- ☒ CENTERLINE
- IRON ROD FOUND
- IRON ROD SET
- ⊗ IRON PIPE FOUND
- ⊞ FENCE CORNER POST
- ⊘ POWER POLE
- APS AS PER SURVEY
- APR AS PER RECORD
- ↗ DRAINAGE FLOW

**DRAINAGE PLAN**

**LEGAL DESCRIPTION:**

A survey of Lot 174A, Repla Phase 1, City of Diamondhe.



In consider:  
this survey  
supervision  
professiona

Duke Le

A=21.91' APS  
R=334.11' APS  
R=C 10°10'20\"/>

Date: October 21, 2020

To: City of Diamondhead

Re: Application for variance request

---

I am in agreement that the proposed construction of a single dwelling residence to be located on lot 174A - 7420 Turnberry Way in the Glen Eagle section of Diamondhead, MS, may be constructed 5 feet from my property line (Lot 173A - 7434 Turnberry Way).

Signature: Kenneth J. Van Stelle

Date: 10-21-2020

Printed Name: Kenneth J. Van Stelle

Signature: Christy Van Stelle

Date: 10-21-2020

Printed Name: Christy Van Stelle

Signature: K. Scott King

Date: October 21, 2020

Printed Name: K. Scott King

Signature: C. Ray Sheward

Date: 10-21-20

Printed Name: C. Ray Sheward

Date: October 21, 2020

For: City of Diamondhead

Re: Application for variance request

---

I am in agreement that the proposed construction of a single dwelling residence to be located on lot 174A - 7420 Turnberry Way in the Glen Eagle section of Diamondhead, MS, may be constructed 5 feet from my property line (Lot 175A - Turnberry Way).

Signature: Chad Ambrose

Date: 10/21/20

Printed Name: Chad Ambrose

Signature: K. Scott King

Date: October 21, 2020

Printed Name: K. Scott King

Signature: C. Ray Sheward

Date: 10/21/20

Printed Name: C. Ray Sheward