



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

APPLICATION FOR CONDITIONAL USE

Case Number: 202000481

Date 11-3-2020

Applicant: MARGARET F NUTKINS

Applicant's Address: 7604 FAIRWAY DRIVE DIAMONDHEAD MS 39525

Applicant's Email Address: MARGAR1000@yahoo.com

Applicant's Contact Number: (Home) _____ (Work) _____ (Cell) 407-342-7865

Property Owner: MARGARET F NUTKINS

Owner's Mailing Address: 7604 FAIRWAY DR DIAMONDHEAD MS 39525

Owner's Email Address MARGAR1000@yahoo.com

Owner's Contact Number: (Home) _____ (Work) _____ (Cell) 407-342-7865

Tax Roll Parcel Number: 067P-0-35-066.000

Physical Street Address: 7604 FAIRWAY DRIVE DIAMONDHEAD MS 39525

Legal Description of Property: LOT 6 FAIRWAY ESTATES #1

Zoning District: R-1

State Purpose of Request: VACATION RENTAL

Statement -- 7604 Fairway Drive is my primary residence. Upon occasion, I would like the opportunity to rent to vacationers to our City. I am applying for a Conditional Use Variance for such purposes.

E -- The Site Plan is attached, which shows the existing structure and the parking availability.

E iv -- There will be NO proposed site improvements that include parking and loading areas, pedestrian, and vehicular access, landscaping areas, utility or service areas, fencing and screening and lighting.

E v -- The nature of the operation will be to occasionally host guests visiting the Diamondhead community and provide them with quality accommodations and a pleasurable experience.

E vii -- The entrance to the two-car garage and the circular driveway can spaciously accommodate 5 full size vehicles.

A -- The States of California, Texas and the California Coastal Commission, have all found and upheld appeals that define vacation rentals as a residential use. Therefore, conformance with regulations and standards established by the Zoning Regulations is satisfied.

B -- Since this facility is a residential home, it is compatible with existing abutting sites.

C -- There are no unfavorable effects or impacts on other residential properties in the area.

D -- There are no modifications being done to the property that would be harmful to public health, safety, morals or general welfare.

E -- There will be no significant increase of vehicular or pedestrian traffic to the area other than regular residential activity.

F -- There will be no need for protection of persons and property from flood or water damage, odors, fire, noise, glare and similar hazards or impacts other than any residential property.

G -- There will be no additional lighting, signs or traffic control that will have an adverse affect on my property or adjacent properties.

H -- There will be no need for loading facilities and there is ample space for parking for 5 full size automobiles. There will be no need for on street parking.

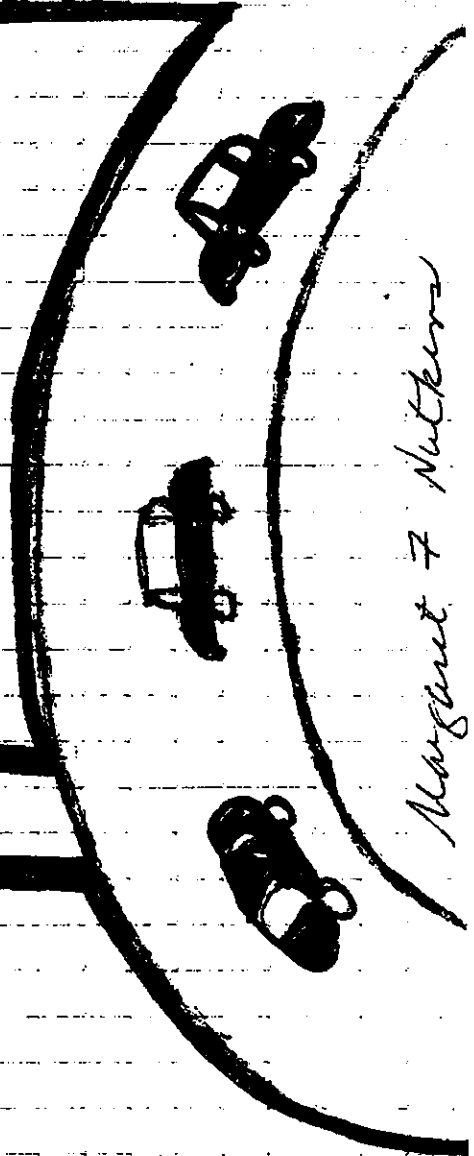
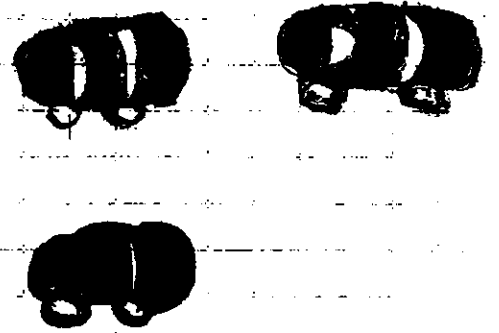
J -- The proposed use is for residential use of property for vacation purposes and is harmonious and complimentary to existing and adjacent land use.

I -- There will be no changes to the structure of the building, which is compatible with adjacent structures, being residential homes.

K -- There should be no further conditions to approve the variance since there are no unfavorable impacts on surrounding areas.

L -- Nothing in the conditional use of the property can be determined to be a detriment to the public health, safety or welfare or materially injurious to properties in the vicinity.

**SITE PLAN
7604 FAIRWAY DRIVE**



Margaret F. Nutkins

STATEMENT OF UNDERSTANDING

As the applicant or owner/s for the requested Conditional Use 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 request 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 to the Planning Commission for review.

The Public Hearing will be held on Dec 8, 2020 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.

Margaret F. Nutkins
Signature of Applicant

Signature of Property Owner

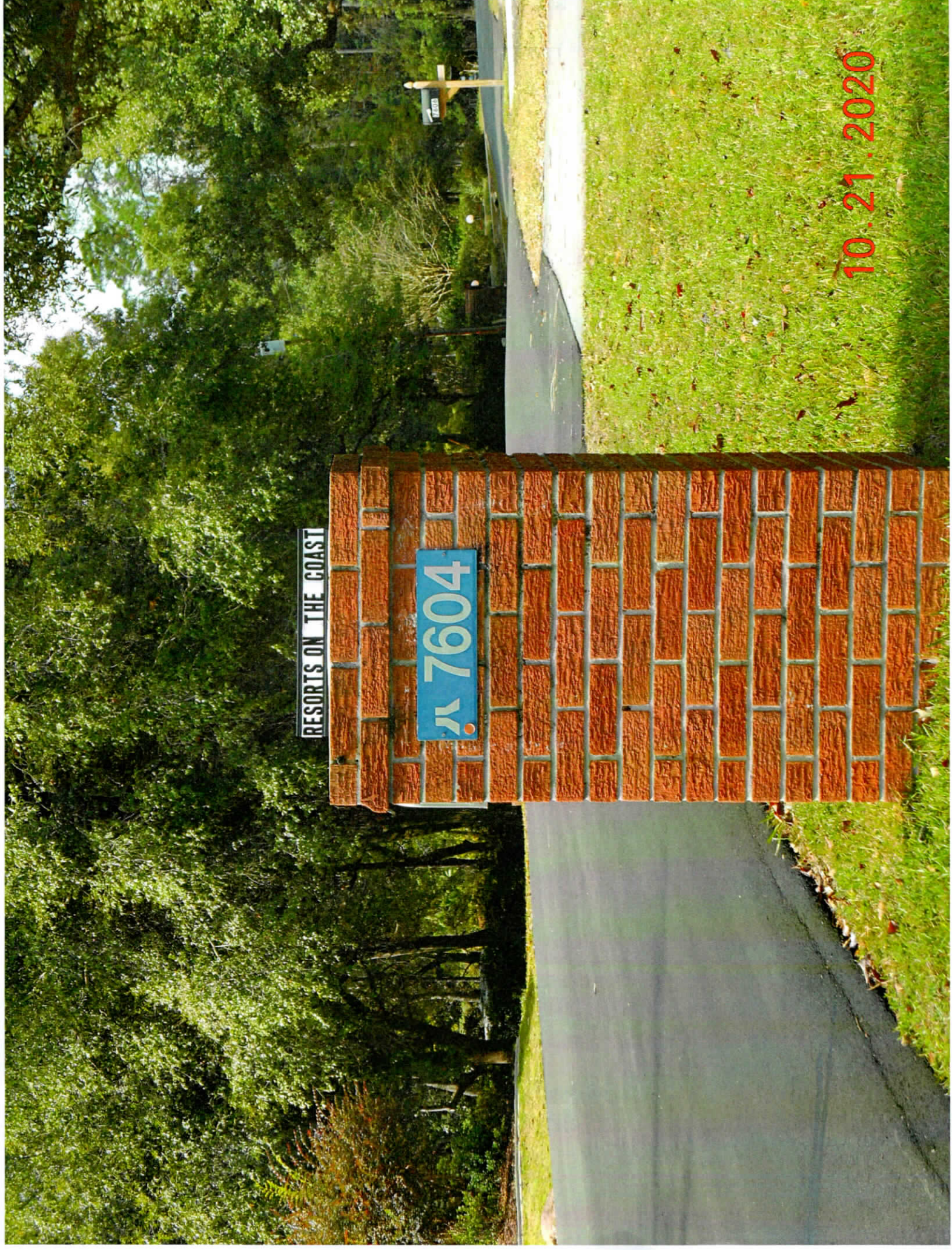
_____ For Official Use Only _____

- \$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

RESORTS ON THE COAST

7604

10.21.2020





11.03.2020



11.03.2020



11.03.2020



11.03.2020

Prepared By:
The Casano Law Firm, P.A.
4403 West Aloha Drive
Diamondhead, MS 39525
228-255-0035
File No: 20-0588

Return To:
The Casano Law Firm, P.A.
4403 West Aloha Drive
Diamondhead, MS 39525
228-255-0035

**STATE OF MISSISSIPPI
COUNTY OF Hancock**

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 which are hereby acknowledged, we

Charles P. Sites and Karen J. Sites , Grantors
1401 Sussex Avenue
Ocean Springs, MS 39564
Phone: 228-314-0338

Do hereby sell, convey, bargain and warrant to

Margaret Fewell Nutkins , Grantee
7604 Fairway Drive
Diamondhead, MS 39525
Phone: 407-342-7865

The following described real property situated and located in **Hancock** County, Mississippi, more particularly and certainly described as follows:

Lot 6, Fairway Estates, Diamondhead, according to the map or plat thereof recorded in Plat Book 5, at pages 20-22, inclusive, in the office of the Chancery Clerk of Hancock County, MS.

Together with all and singular the rights, privileges, improvements and appurtenances to the same belonging or in any wise appertaining.

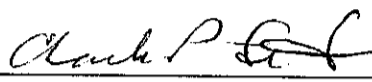
This conveyance is made subject to any and all reservations, restrictions, easements, exceptions, covenants and conditions of record, including any mineral, oil or gas reservations and any covenants or restrictions of record.

If bounded by water, the warranty granted herein shall not extend to any part of the above described property which is tideland or coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act and this conveyance includes any natural accretion and is subject to any erosion due to the action of the elements.

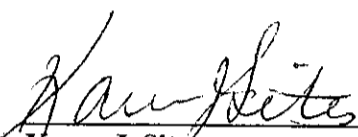
The Grantors hereincertify that the property herein above conveyed forms no part of the homestead of said Grantors.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years taxes are specifically assumed by Grantee herein.

WITNESS OUR SIGNATURES, this the 31st day of August, 2020.



Charles P. Sites

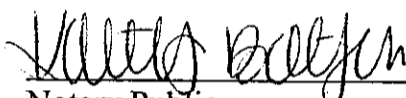


Karen J. Sites

**STATE OF MISSISSIPPI
COUNTY OF HANCOCK**

Personally came and appeared before me, the undersigned authority in and for the aforesaid County and State on this the 31st day of August, 2020, Charles P. Sites and Karen J. Sites, who acknowledged that they signed and delivered the foregoing instrument of writing on the day and year therein mentioned.





Notary Public
My Commission Expires:

