

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

Susan Muth has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a carport within 7' of the side yard property line.

The property address is 10779 Lilinoe Way. The tax parcel number is 067G-1-25-285.000. The property is in a MH zoning district. The side yard setback is 10'. The variance requested for the carport is 3'. The Case File Number is 202300586.

In accordance with the Comprehensive Zoning Ordinance Article 2.6.4, 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, January 23, 2024, 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 J. Pat Rich, Development Coordinator, at 228-242-1613.



5000 Diamondhead Circle ·
Diamondhead, MS 39525-3260
Phone: 228.222.4626 Fax: 228-222-4390
www.diamondhead.ms.gov

TO: Susan Muth and adjacent property owners

FROM: J. Pat Rich, Development Coordinator *J. Pat Rich*

DATE: December 29, 2023

SUBJECT: Variance request before the Planning & Zoning Commission

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Diamondhead, MS 39525
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APPLICATION FOR VARIANCE REQUEST

Case Number: 202300586

Date 12/15/23

Applicant: Susan Muth

Applicant's Address: 10779 Lilinoe Way

Applicant's Email Address: sgmuth2@gmail.com

Applicant's Contact Number: (Home) _____ (Work) _____ (Cell) 504-458-2165

Property Owner: Same

Owner's Mailing Address: _____

Owner's Email Address _____

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

Tax Roll Parcel Number: 0676-1-25-285.000

Physical Street Address: _____

Legal Description of Property: _____

Zoning District: MH

State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)
(Signage-Size-Height) 3' SYSB Variance for Carport.

REQUIRED ITEM A

Property Owner Susan Muth

Street Address 10779 Lilinoe

Statement Describing Variance Request

3' SYSB Variance for Carport

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: Location of Manufactured ^{Home} did not follow Site plan

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: Carport is Required in MH District

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

Response: Caused by Manufactured Home installation Crew not following site plan

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

Response: Carports are required in MH District.

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 1/23/24 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.

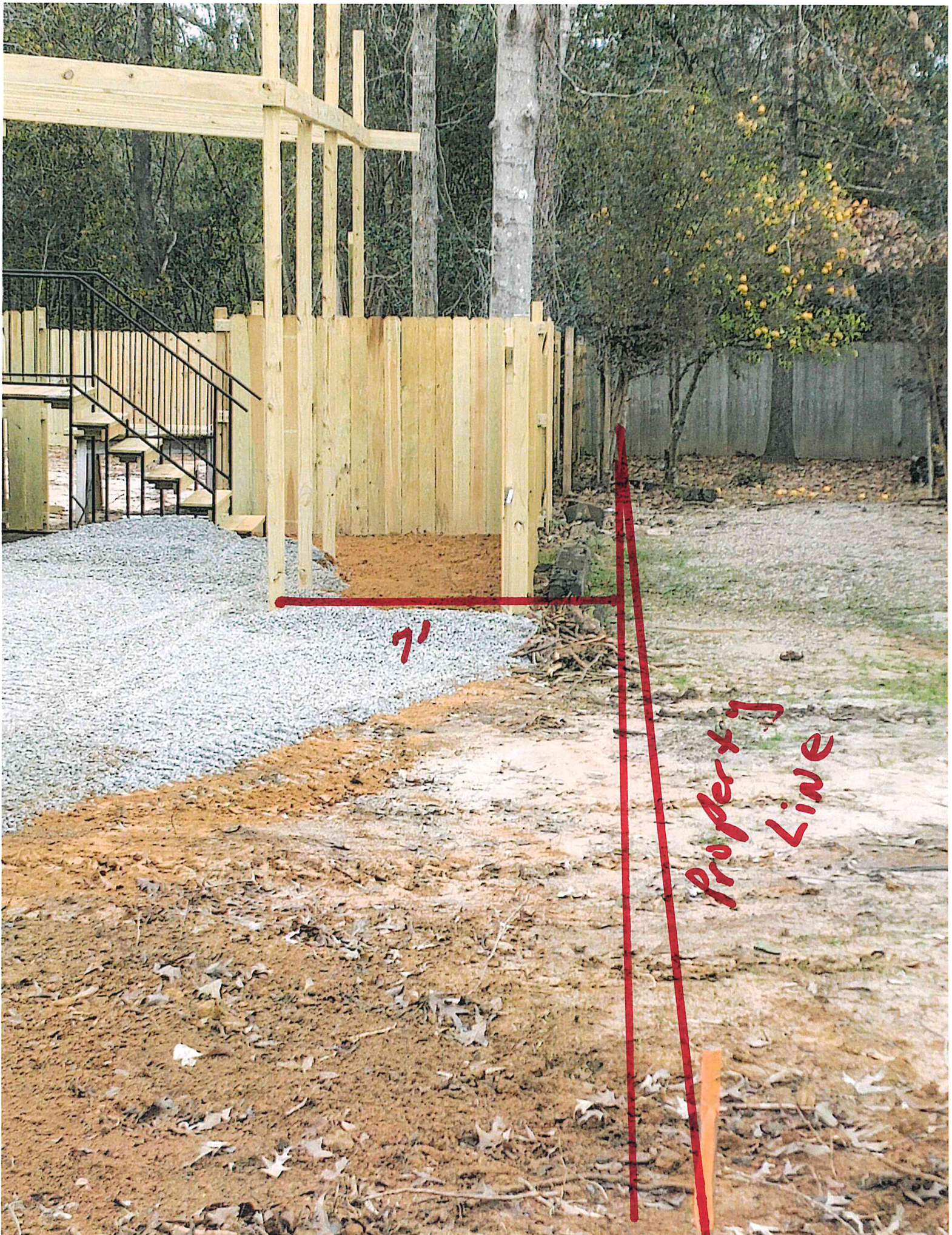
[Signature]
Signature of Applicant

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 ()



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Property Line