



Commissioner Flowers  
 Commissioner Layel  
 Commissioner Debrow  
 Commissioner Rubar  
 Commissioner Hourin  
 Commissioner Torguson  
 Commissioner Hector

## AGENDA PLANNING AND ZONING COMMISSION

Tuesday, May 25, 2021

6:00 PM CST

Council Chambers, City Hall  
 and via teleconference, if necessary

### Call to Order

### Statement of Purpose

1. May our decisions today be made with wisdom, careful deliberation and in the best interest of the City of Diamondhead. May we display patience and kindness in our dealings with each other and all who are in attendance and may any decisions made today promote the health, safety and welfare of the citizens of Diamondhead and the enhancement of the City as a whole.

### Pledge of Allegiance

### Roll Call

### Confirmation or Adjustments to Agenda

### Approval of Minutes

2. Approval of April 27, 2021 minutes

### New Business

3. The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text amendment to eliminate Coastal AE Zones from the Flood Damage Prevention Ordinance (Ord. 2012-006). Case File Number is 2021000132. The proposed text amendments would remove "Coastal AE Zone" from Chapter 14: Flood Damage Prevention. Section 14-105 (15) – General standards for all zones; remove "and coastal AE zone". Section 14-106 – Specific standards for riverine zones; remove "and coastal AE zones" from the first paragraph. Section 14-110 – Coastal high hazard areas; remove "coastal AE zones and" from the first paragraph, (1) remove "coastal AE zones and", (3) delete, (4) renumber as (3), (5) renumber to (4) and remove "coastal AE zones and", (6) renumber to (5), (7) renumber to (6) and remove "coastal AE zones and", (8) renumber to (7), (9) renumber to (8), (10) renumber to (9), (11) renumber to (10) and remove "coastal AE zones and", (12) renumber to (11), (13) renumber to (12) and remove "coastal AE zones and".

*APPROVED  
5-0*

*Denied 4/  
APPROVED  
5-0*

Elliott Homes, LLC has filed an application requesting a variance from the Zoning Ordinance (Article 4.6.5) to construct a residence on a corner lot with a front yard setback of 17.1' from the south property line. The variance requested is 2.9'. The property is located at 9846 Kaimuki Court. The tax parcel number is 067H-2-25-219.000. The legal description is Diamondhead Subdivision Phase 2, Unit 7, Block 6, Lot 49. The property is located in an R-2 zoning district. The front yard setback is back 20' from the front property line. The Case Number is 202100077.

### Unfinished Business

### Open Public Comments to Non-Agenda Items



# City of Diamondhead

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## STAFF REPORT TO PLANNING COMMISSION

DATE: May 24, 2021

CASE FILE NUMBER: 2021000132

APPLICANT: City of Diamondhead

PROPERTY OWNER:

TAX PARCEL NUMBER:

PHYSICAL STREET ADDRESS:

LEGAL DESCRIPTION:

ZONING DISTRICT: A11

TYPE OF APPLICATION: Text Amendment

NATURE OF REQUEST: The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text amendment to eliminate Coastal AE Zones from the Flood Damage Prevention Ordinance (Ord. 2012-006). Case File Number is 2021000132.

The proposed text amendments would remove “Coastal AE Zone” from Chapter 14: Flood Damage Prevention. Section 14-105 (15) – General standards for all zones; remove “and coastal AE zone”. Section 14-106 – Specific standards for riverine zones; remove “and coastal AE zones” from the first paragraph. Section 14-110 – Coastal high hazard areas; remove “coastal AE zones and” from the first paragraph, (1) remove “coastal AE zones and”, (3) delete, (4) renumber as (3), (5) renumber to (4) and remove “coastal AE zones and”, (6) renumber to (5), (7) renumber to (6) and remove “coastal AE zones and”, (8) renumber to (7), (9) renumber to (8), (10) renumber to (9), (11) renumber to (10) and remove “coastal AE zones and”, (12) renumber to (11), (13) renumber to (12) and remove “coastal AE zones and”.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: M a y 2 5 , 2 0 2 1

ACTION BY THE PLANNING COMMISSION: In accordance with Article 2.8.2, the City Council shall have jurisdiction with respect to all Text Amendments and Rezoning. The Planning Commission shall review and submit a recommendation to the City Council on Text Amendments and Rezoning.

RECOMMENDATION TO PLANNING COMMISSION: To **approve** the text amendments as petitioned.

The staff recommends to approve the text amendments based on the following findings of fact:

- A. The Coastal AE Zone has the same requirements and prohibitions as the VE Zone, ie,
  - No fill except for minor drainage
  - Enclosures below Base Flood Elevation (BFE) must be engineered breakaway wall and no larger than 299 square feet
  - Structure must be elevated to the lowest horizontal structural member (no 18" freeboard)
- B. The Coastal AE Zone classification impedes development.
- C. The Coastal AE Zone classification is optional, not required by FEMA and does not affect the City's FEMA rating.

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

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The proposed text amendments would remove "Coastal AE Zone" from Chapter 14: Flood Damage Prevention. Section 14-105 (15) – General standards for all zones; remove "and coastal AE zone". Section 14-106 – Specific standards for riverine zones; remove "and coastal AE zones" from the first paragraph. Section 14-110 – Coastal high hazard areas; remove "coastal AE zones and" from the first paragraph, (1) remove "coastal AE zones and", (3) delete, (4) renumber as (3), (5) renumber to (4) and remove "coastal AE zones and", (6) renumber to (5), (7) renumber to (6) and remove "coastal AE zones and", (8) renumber to (7), (9) renumber to (8), (10) renumber to (9), (11) renumber to (10) and remove "coastal AE zones and", (12) renumber to (11), (13) renumber to (12) and remove "coastal AE zones and".

The City Council shall have jurisdiction with respect to all Text Amendments. The Planning Commission shall review and submit a recommendation to the City Council on Text Amendments.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, May 25, 2021 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 the Building Department at the above address and/or at 228-222-4626.