



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

APPLICATION FOR VARIANCE REQUEST



Case Number: 202100031 BY: _____

Date 3-15-21

Applicant: Timothy & Gina Stockstill

Applicant's Address: 689 Oahu St

Applicant's Email Address: ginas1433@gmail.com

Applicant's Contact Number: (Home) _____ (Work) _____ (Cell) Tim 228-990-8764
Gina 228-216-1503

Property Owner: Timothy & Gina Stockstill

Owner's Mailing Address: 689 Oahu St

Owner's Email Address ginas1433@gmail.com

Owner's Contact Number: (Home) _____ (Work) _____ (Cell) 228-990-8764
228-216-1503

Tax Roll Parcel Number: 0672-0-36-090.000

Physical Street Address: 689 Oahu St

Legal Description of Property: DH PH 2 unit 3 BK 5 Lot 63 Port of 64

Zoning District: R-2

State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)
(Signage-Size-Height) Partially enclose the back deck 44'x20' area and
install A fitness swim Spa/Hot Tub on the deck. The enclose will
be 2'-4" from the Property line. Encloser will prevent wild life /Deer,
Kids and golf balls from inner the swim Spa.
Encloser will be a metal roof and screen wall's /sides.

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

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 April 27-2021 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.

Timothy Stewart
Signature of Applicant

Timothy Stewart
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 ()

REQUIRED ITEM A

Property Owner Timothy & Gina Stockstill

Street Address 689 Oak St

Statement Describing Variance Request

Requesting variance 1st We are beyond set backs - ENC/DSEB will be 2' 4 inch from property line. 2nd Safety - golf balls, Deer/wild life AND small children who just moved IN right next door.

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! What we are trying to do will not have any negative impact on golf course, Golfers or neighbors.

2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?

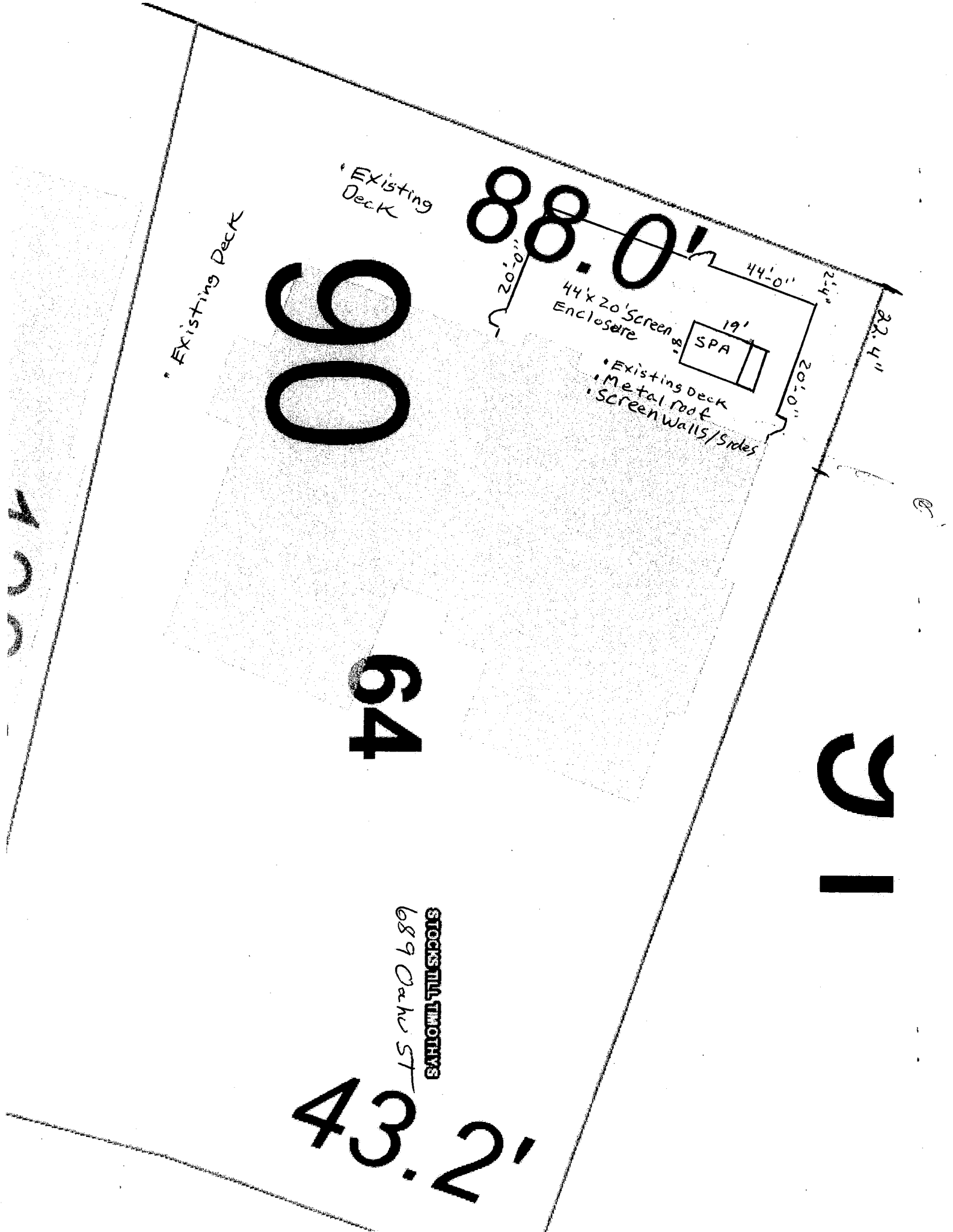
Response: yes it would affect us. we feel like its a safety ~~issue~~ issue. Other owners have enclosure.

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

Response: not cause by us. the original Builder, Built to far back on lot IN 1980.

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

Response: No, other home owners have it.



Existing Deck

Existing Deck

88.0'

44'-0"

2'-4"

82.4"

44' x 20' Screen Enclosure

19'

SPA

20'-0"

- Existing Deck
- Metal Rod
- Screen Walls/Sides

90

64

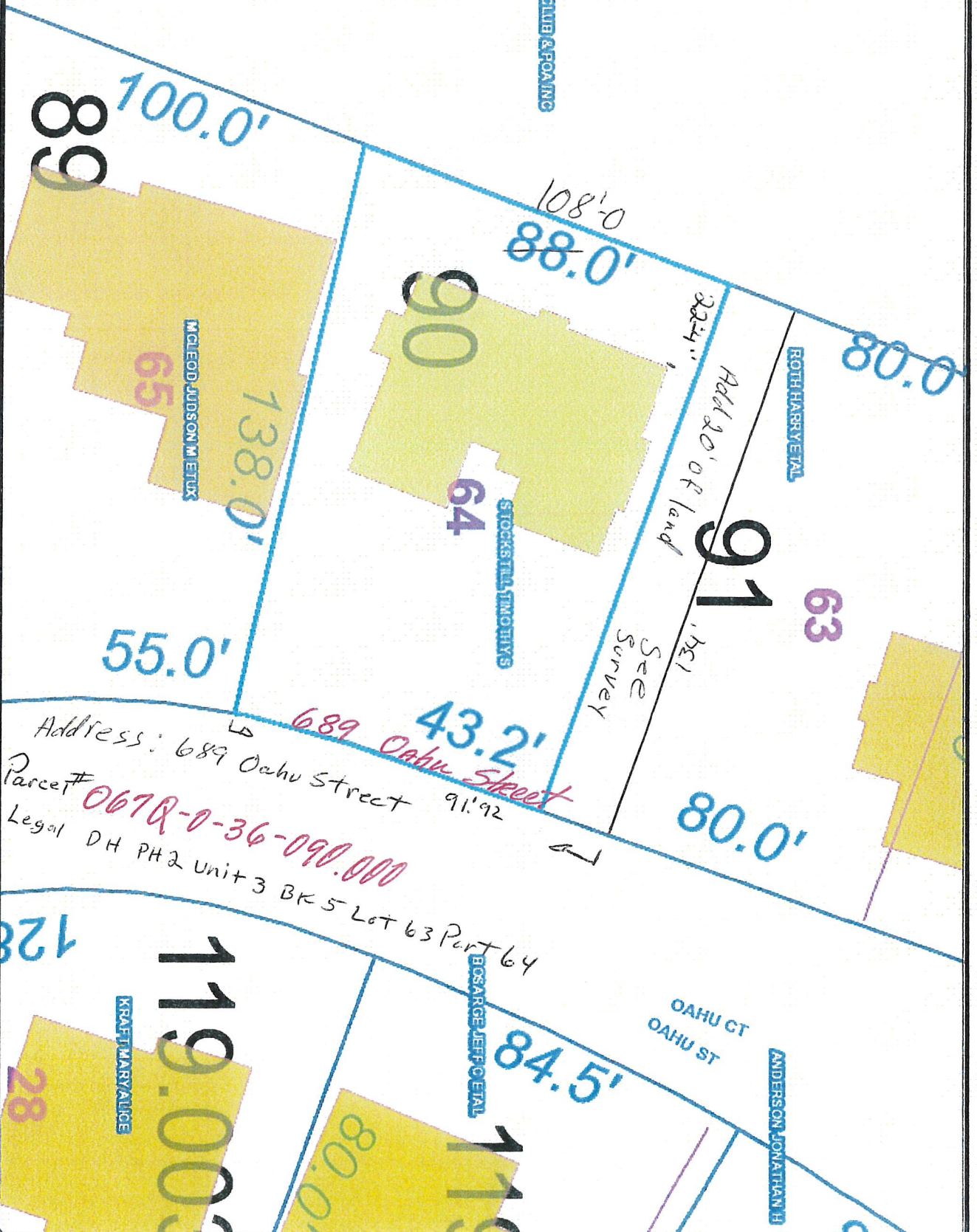
91

689 Oak St
STOCKS TILL TIMOTHYS

43.2'

Warranty deed for
20' on Lot 63 part

DIAMOND HEAD COUNTRY CLUB & POA INC



ROTH HARRY ET AL

63

91

80.0'

STOCKS TULL TIMOTHYS

64

90

BOSARGE JEFF C ETAL

119

MCLEOD-JUDSON M ETUX

138.0'

89

55.0'

KRAFT MARY ALICE

119.000'

128

28

OAHU CT
OAHU ST

ANDERSON JONATHAN H

Address: 689 Oahu Street
Parcel # 067Q-0-36-090.000
Legal DH PH2 Unit 3 BK 5 Lot 63 Part 64

Add 20' of land
See Survey

DISCLAIMER: Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider carefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn from, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.



March 9, 2020



City of Diamondhead
APPLICATION FOR BUILDING PERMIT

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

Estimated Valuation: \$ 10,000 Date: 3-11-21

Single Family Res. Multi Family Res. Small Commercial Large Commercial Industrial

Project (ex: Waffle House): Partially, enclose the back deck 44'x20' area
Use address if you don't have a project name

Address: _____

Owner Information:

Last Name: Stockstill First: Tim Middle Initial: Gina

Address: 689 Oahu St

City: Diamondhead State: MS Zip: 39525 Phone: 228-990-8764

E-mail: gina.s.1433@gmail gina 228-216-1503

Contractor Information:

Contractor: Tim Stockstill
Contractor Business Name

License #: _____ State / City (circle one) _____ Expiration Date: _____

Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

E-mail: _____

Permit Information:

Type of Work: New Const. Addition Remodeling Demolition Other

Description of Work: Partially enclose the back deck 44'x20' area and install a fitness swim spa/hot tub on the back deck.

Use of Building: out door living and fitness Metal Roof and Screen wall's / side.

Square Feet: 880 Number of Stories: 1 Number of Units: _____

Type of Construction: Wood Brick Steel Concrete Stone Screen

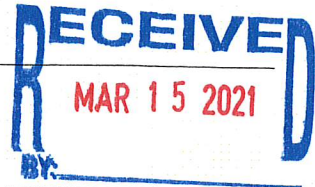
Historical District: _____ Current Zoning: Residential Parcel#: DH PH 2 UNIT 3 BK 5 LOT 63 and Part 64

Present Use: _____ Proposed Use: _____ Conforming: Yes No

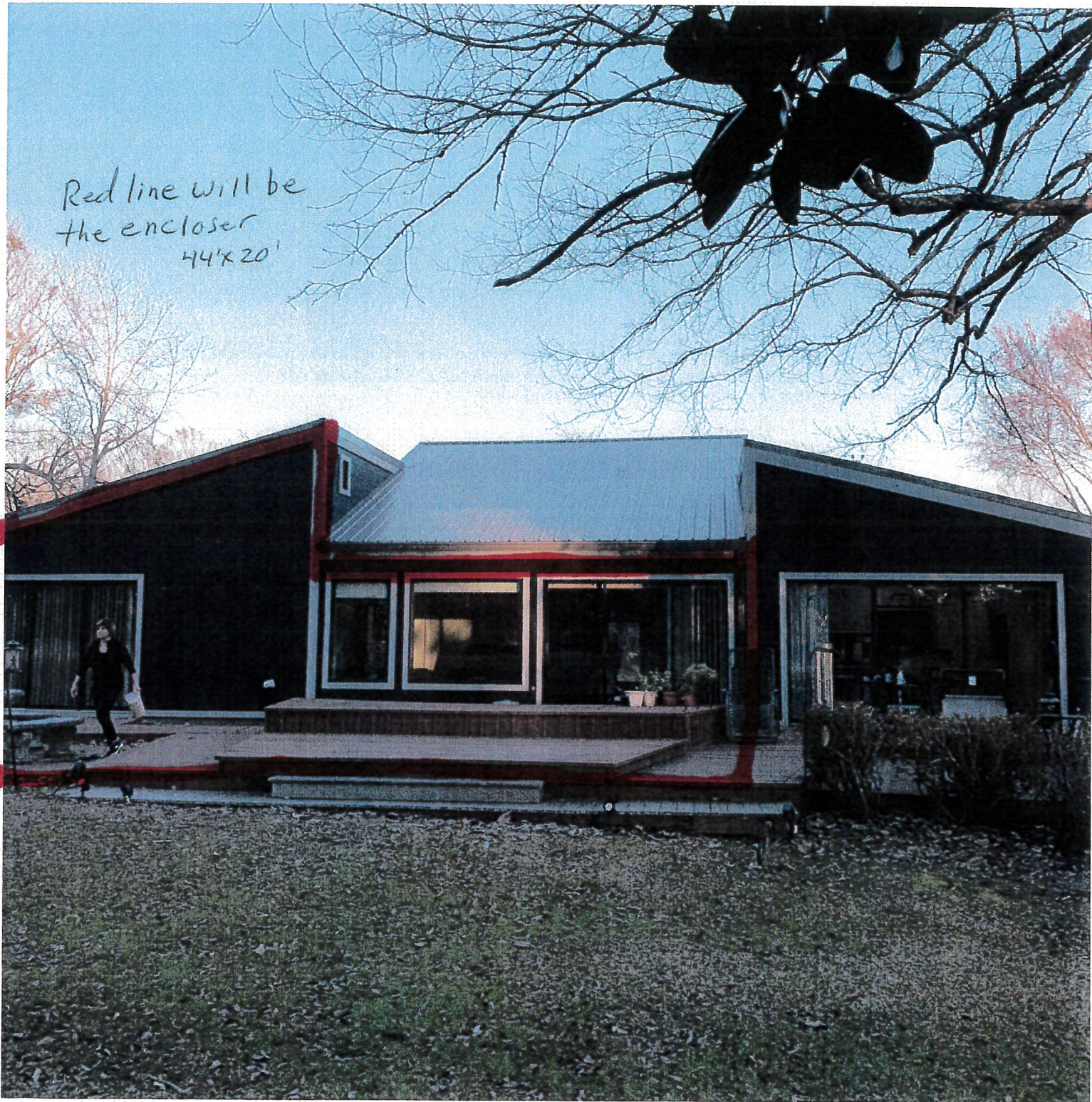
I hereby make application for permit to perform the work as described herein and if permit is granted I agree to conform to all Regulations and ordinances of the City pertaining therein and in accordance with the plans submitted.

Applicant's Signature: Tim Stockstill Approved by: _____

Remarks: _____



Red line will be
the enclosure
44'x20'



Red line will be the enclosure
44'x20'



"EXAMPLE"
of enclosure



BY MASTER SPAS



(<https://masterspas.com/?>

seg_id=fe2b44edd0f7aad285a92cb13d19b4b8.2145.1614119413703)

REQUEST PRICING (/GET-SWIM-SPA-PRICING)



Trainer 19 Swim Spa

High Performance, Air-injected VIP, Adjustable Speed



3.3 (9) [Write a review](#)

8'W
19 L

TWO BODIES OF WATER, TWO DIFFERENT TEMPERATURES Enjoy a swim and the full-body effects of aquatic exercise with water set to a personal comfort zone in the 80s. On the other side, settle into the hot tub with the temperature set up to 99°. This full-size hydrotherapy hot tub has 31 jets, ergonomic seating, and was designed to give your mind, body, and spirit a thorough rejuvenation. Say good-bye to the tensions, aches, and stresses of the day. The Trainer 19 is more than a sensation; it's your solution.

LEGAL DESCRIPTION: Parcel 1

A parcel of land situated and being located in a part of Lot 63, Block 5, Diamondhead Subdivision, City of Diamondhead, Hancock County, Mississippi, and being more particularly described as follows, to-wit: Beginning at a 1/2" rebar found at the southeast corner of said Lot 63, Block 5, Diamondhead Subdivision; thence N 69°24'44" W 134.93 feet along the south line of said Lot 63 to a 1/2" rebar found at the southwest corner of said Lot 63; thence N 20°45'10" E 20.00 feet to a 1/2" rebar set; thence S 89°24'44" W 134.93 feet to a 1/2" rebar set; thence S 20°45'10" W 20.00 feet to the Point of Beginning. Said parcel of land contains 2,699 square feet, more or less.

LEGAL DESCRIPTION: Parcel 2

A parcel of land situated and being located in a part of Lot 61, all of Lot 62 and a part of Lot 63, all in Block 5, Diamondhead Subdivision, City of Diamondhead, Hancock County, Mississippi, and being more particularly described as follows, to-wit:

Commencing at a 1/2" rebar found at the southeast corner of said Lot 63, Block 5, Diamondhead Subdivision; thence N 69°24'44" W 134.93 feet along the south line of said Lot 63 to a 1/2" rebar found at the southwest corner of said Lot 63; thence N 20°45'10" E 20.00 feet to a 1/2" rebar set and being the Point of Beginning; thence continue N 20°45'10" E 176.95 feet to a 1/2" rebar found; thence S 68°52'45" E 130.88 feet to a 1/2" rebar found; thence 45.99 feet along a curve to the right having a radius of 215.00 feet and also having a chord bearing and distance of S 15°40'53" W 45.90 feet to a 1/2" rebar set; thence S 20°45'10" W 130.00 feet to a 1/2" rebar set; thence N 69°24'44" W 134.93 feet to the Point of Beginning. Said parcel of land contains 737.37 square feet, more less.

In consideration of the fee paid, I declare that this survey made by me or under my immediate supervision is true and correct to the best of my professional knowledge, information, and belief.

Duke Levy, RLS #1722

DUKE LEVY & ASSOCIATES, P.A.

4412 LEISURE TIME DRIVE
DIAMONDHEAD, MS 39525
(228) 467-5212 PHONE



SCALE: 1" = 30'

DATE: 11-08-19

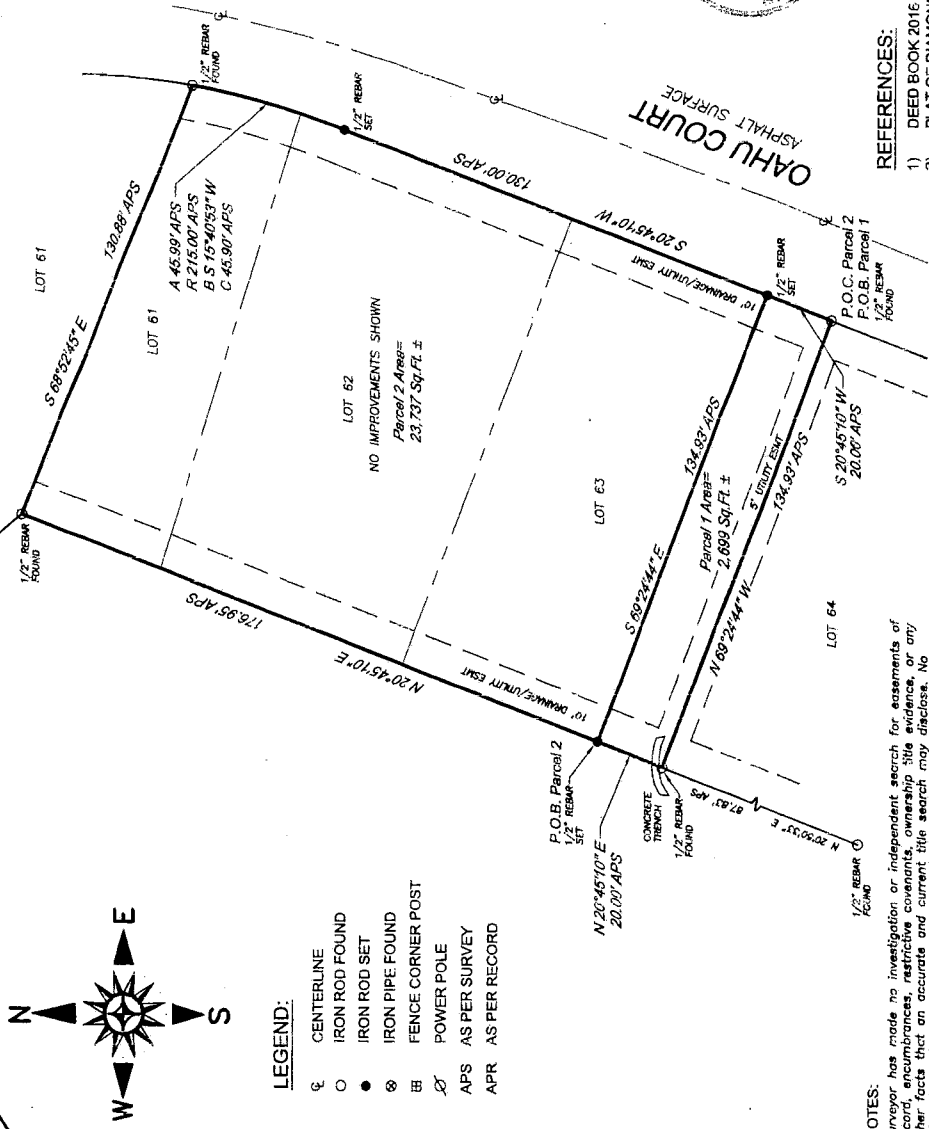
DRAWING: WO# 19-272 CLIENT: Mark Oster



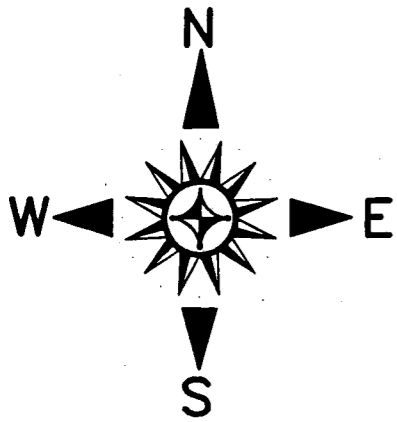
REFERENCES:

- 1) DEED BOOK 2016 PAGE 1729
- 2) PLAT OF DIAMONDHEAD, PH. 2, UNIT 3
- 3) DEED BOOK 2016 PAGE 7029
- 4) SURVEY BY DUKE LEVY & ASSOC. WO#19-148

BEARINGS REFERENCED TO GEODETIC BY GPS OBSERVATIONS



NOTES:
Surveyor has made no investigation or independent search for assessments of iron rods, iron pipes, or other evidence of ownership title, or any other facts that an accurate and current title boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or municipal/public service facility. This survey meets Mississippi minimum requirements for a class "B" survey. Survey is valid only if print has original seal and signature of surveyor. No flood zone determination was performed as a part of this survey. An accurate determination can be made by ordering a FEMA Elevation Certificate.

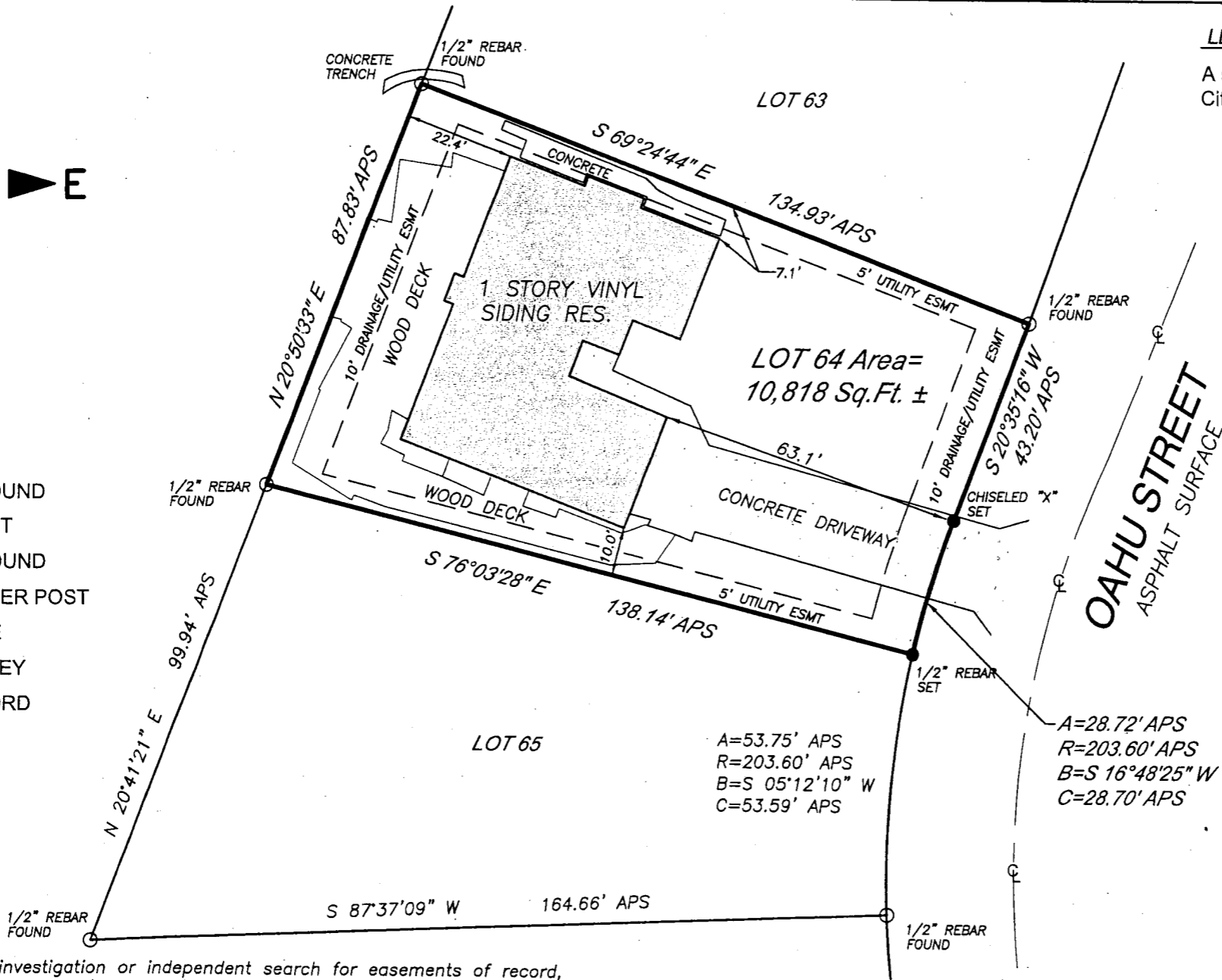


LEGEND:

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

NOTES:

Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose. No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or municipal/public service facility. This survey meets Mississippi minimum requirements for a class "B" survey. Survey is valid only if print has original seal and signature of surveyor. No flood zone determination was performed as a part of this survey. An accurate determination can be made by ordering a FEMA Elevation Certificate.



LEGAL DESCRIPTION:

A survey of Lot 64, Block 5, Diamondhead Subdivision, City of Diamondhead, Hancock County, Mississippi.



In consideration of the fee paid, I declare that this survey made by me or under my immediate supervision is true and correct to the best of my professional knowledge, information, and belief.

(Signature)

Duke Levy, RLS #1722

REFERENCES:

- 1) DEED BOOK 2016 PAGE 1729
- 2) PLAT OF DIAMONHEAD, PH. 2, UNIT 3

BEARINGS REFERENCED TO GEODETIC BY GPS OBSERVATIONS

DUKE LEVY & ASSOCIATES, P.A.



4412 LEISURE TIME DRIVE
 DIAMONDHEAD, MS 39525
 (228) 467-5212 PHONE

SCALE: 1" = 30'	DATE: 06-24-19
DRAWING: WO# 19-148	CLIENT: Timothy Stockstill