



City of Diamondhead

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STAFF REPORT TO PLANNING COMMISSION

DATE: April 27, 2021

CASE FILE NUMBER: 202100017

APPLICANT: Jeff Jassby, Jassby

Custom Homes

PROPERTY OWNER: Josh Shelton and

Courtney Jassby

TAX PARCEL NUMBER: 068R-1-41-071.000

PHYSICAL STREET ADDRESS: 7448 Turnberry Drive

LEGAL DESCRIPTION: Glen Eagle Phase 1, Lot 48 less 8 feet

ZONING DISTRICT: PFR Public Facilities & Recreation

TYPE OF APPLICATION: Rezoning

NATURE OF REQUEST: Josh Shelton and Courtney Jassby, represented by Jeff Jassby of Jassby Custom Homes, have filed an application requesting to change the current zoning district classification from PRF (public facilities and recreation district) to R-1 (low density single family residential district) in accordance with Zoning Ordinance (Article 2.8) for the purpose of constructing a single family residence. The property address is 7448 Turnberry Drive. The tax parcel number is 068R-1-41-071.000. The legal description is Glen Eagle Phase 1, Lot 48 less 8 feet. The case file number is 202100017.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: April 27, 2021

ACTION BY THE PLANNING COMMISSION:

FINDINGS: This ordinance, including the zoning map, is based on comprehensive planning studies and is intended to carry out the objectives of a sound, stable and desirable environment. It is recognized that casual amendments of the ordinance would be detrimental to the achievement of that objective, and it is therefore declared to be the public policy to amend this ordinance only when one or more of the following conditions prevail:

- A. Error: There was an error in the initial zoning of the property as it was brought into the city.
- B. Change in Condition: Changed or changing conditions in a particular area in the city or metropolitan area generally, resulting from changes in population, both of the area proposed to be rezoned and in the surrounding areas, or changes in existing road patterns or traffic, including traffic volumes, and also including the development of new roadways in the vicinity.

- C. Changes in whatever is classified as the "neighborhood" (which may not necessarily be limited to that of a relatively concise area), and which may include changes in population, development trends, and the existing character of nearby property and/or changes that have occurred in the character of nearby property.

RECOMMENDATION TO PLANNING COMMISSION: To **approve** the rezoning as petitioned;

The staff recommends to approve the rezoning based on the following findings of fact.

- A. Changes have occurred in the neighborhood resulting in the need for additional R-1 lots. Several developments that were proposed for R-1 became R-2.
- B. R-1 zoning is the most restrictive zoning and the rest of Glen Eagle is R-1.
- C. The more restrictive is at the request of the owner.
- D. Rezoning protects the neighborhood from more intrusive development, such as restaurants, municipal buildings, general business offices, etc.
- E. In the past, the City has allowed rezoning to a more restrictive use to ensure future development stays consistent with the neighborhood.
- F. As a condition for rezoning, in addition to a building permit, a development permit is also required.

