



5000 Diamondhead Circle • Diamondhead, MS 39525

Phone: 228.222.4626 Fax: 228-222-4390

TO: City Council and City Manager

FROM: J. Pat Rich, Development Coordinator

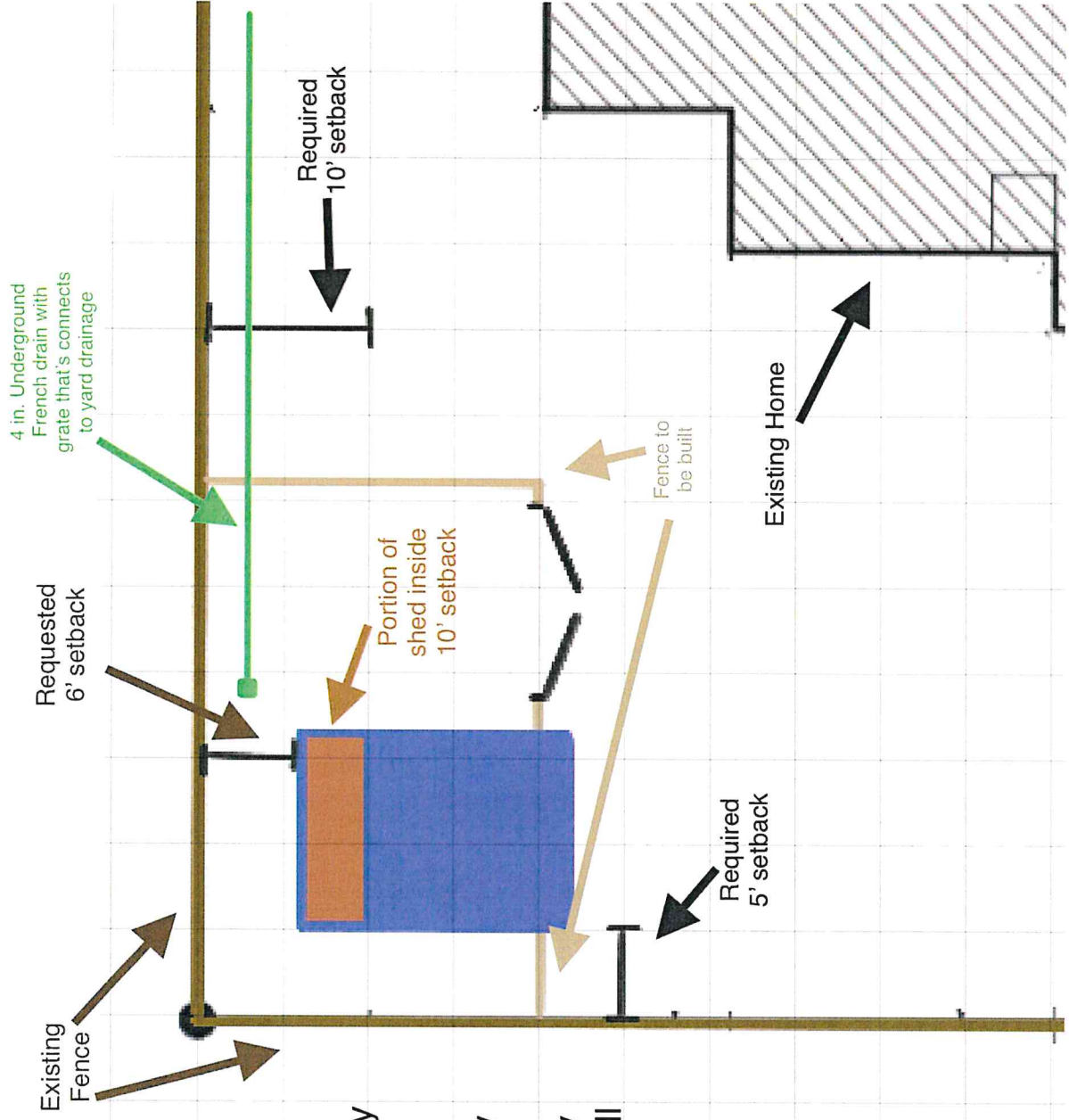
A handwritten signature in black ink, appearing to read "J. Pat Rich", is written over the printed name.

DATE: December 11, 2025

SUBJECT: 6410 Huko Court Rear Yard Setback Variance

- Storage shed within 6' of rear property line.
- Requesting 4' rear property line setback variance.
- Residence is built across 2 lots on a cul-de-sac and is positioned towards the rear to meet front yard setback.
- Runoff will be directed to French drain and then to drainage ditch.
- No objections.

The Planning & Zoning Commission voted unanimously to recommend to approve.



Scaled drawing of rear corner  
of 6410 Huko Ct.

Requesting a variance on the 10' rear set back required for auxiliary buildings by 4'. The proposed building would be 12'x16' and would be 6' off of the rear property line and surrounded by fencing all sides. Drainage will be provide by underground French drains that will connect to yard drainage system for the entire property.



Commissioner Bennett  
Commissioner Brewer  
Commissioner Parrish  
Commissioner Peters  
Commissioner Lawson  
Commissioner Raymond  
Commissioner Sutherland

## **AGENDA**

### **PLANNING AND ZONING COMMISSION**

**Tuesday, December 09, 2025**

**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 October 28, 2025 minutes.

#### **Architectural Review**

#### **New Business**

3. Shawn Botts has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow a storage shed within 6 feet of the rear yard property line. The address is 6410 Huko Ct. Tax parcel number is 131D-2-13-008.000. The property is in a R-10 zoning district. The rear yard setback for a storage shed is 10 feet. The variance requested is 4 feet. The Case File Number is 202500721.
4. Jessie Bryant has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow a carport addition within 5 feet of the side yard property line. The address is 842 Kipona Ct. Tax parcel number is 067M-1-35-275.000. The property is in a R-6 zoning district. The side yard setback for a carport addition 10 feet. The variance requested is 5 feet. The Case File Number is 202500732
5. Proposed Text Amendment to the Fence Ordinance Article 4.3.10. The amendment is to add "Residential Districts abutting Commercial Districts or the I-10 Walking Trail shall not exceed eight (8) in height for the section of the fence abutting the above. The Case File Number is 202500498.
6. Approval of Planning Commission 2026 calendar.

#### **Unfinished Business**

#### **Open Public Comments to Non-Agenda Items**

#### **Commissioners' Comments**



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

## STAFF REPORT TO PLANNING COMMISSION

DATE: December 9, 2025

NATURE OF REQUEST: Shawn Botts has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow a storage shed within 6 feet of the rear yard property line. The address is 6410 Huko Ct. Tax parcel number is 131D-2-13-008.000. The property is in a R-10 zoning district. The rear yard setback for a storage shed is 10 feet. The variance requested is 4 feet. The Case File Number is 202500721.

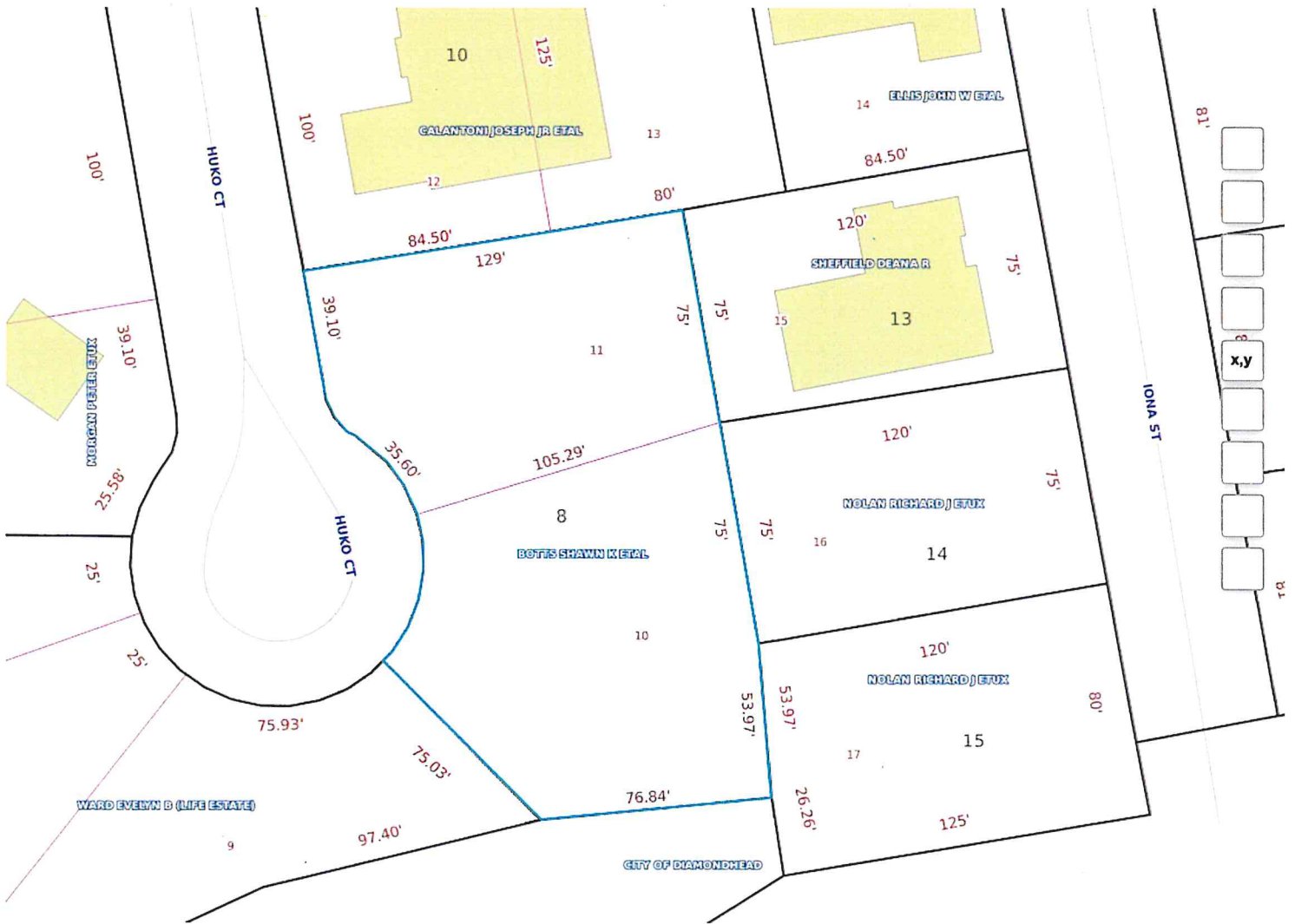
DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: December 9, 2025

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

The staff recommends approving the variance based on the following findings of fact.

- A. That special conditions and circumstances *do* exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district. *Residence is on a cul de sac on a lot which is wide but shallow.*
- B. That literal interpretation of the provisions of this title *would* deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title. *Many of the properties in this district have storage sheds.*
- C. That special conditions and circumstances, if any, *do not* result from the actions of the applicant. *Conditions are created by cul de sac.*
- D. That granting the variance requested *will not* confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district.
- E. The variance, if authorized, *will* represent the minimum variance that will afford relief and *will* represent the least modification possible of the regulation in issue.
- F. The Variance *does* observe the spirit of the Ordinance and *will not* change the character of the district (area).
- G. The Variance *will* observe the spirit of the Comprehensive Plan.
- H. That the Variance requested *will not* result in any change in use or density of the subject property.





### Parcels 131D-2-13- 008.000

Parcel Number: 131D-2-13-008.000  
 Owner Name: BOTTIS SHAWN K ETAL  
 Owner Address: 9526 LAA LA CT  
 Owner City, State ZIP: DIAMONDHEAD, MS 39525  
 Physical Address:  
 Improvement Type:  
 Year Built: 0  
 Base Area: 0  
 Adjusted Area: 0  
 Actual Total Value: 24000  
 Taxable Total Value: 0  
 Estimated Tax: 451.8  
 Homestead Exemption: No  
 Deed Book: 2023  
 Deed Page: 3594  
 Legal Description 1: 10-11 BI K 12 UN

Close Export



5000 Diamondhead Circle ·  
Diamondhead, MS 39525-3260  
Phone: 228.222.4626 Fax: 228-222-4390

TO: Shawn Botts and adjacent property owners

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

DATE: November 20, 2025

SUBJECT: Variance request before the Planning & Zoning Commission

Shawn Botts has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow a storage shed within 6 feet of the rear yard property line. The address is 6410 Huko Ct. Tax parcel number is 131D-2-13-008.000. The property is in a R-10 zoning district. The rear yard setback for a storage shed is 10 feet. The variance requested is 4 feet. The Case File Number is 202500721.

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, December 9, 2025, 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 or [prich@diamondhead.ms.gov](mailto:prich@diamondhead.ms.gov).

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

Shawn Botts has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow a storage shed within 6 feet of the rear yard property line. The address is 6410 Huko Ct. Tax parcel number is 131D-2-13-008.000. The property is in a R-10 zoning district. The rear yard setback for a storage shed is 10 feet. The variance requested is 4 feet. The Case File Number is 202500721.

Jessie Bryant has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow a carport addition within 5 feet of the side yard property line. The address is 842 Kipona Ct. Tax parcel number is 067M-1-35-275.000. The property is in a R-6 zoning district. The side yard setback for a carport addition 10 feet. The variance requested is 5 feet. The Case File Number is 202500732.

In accordance with the Comprehensive Zoning Ordinance Article 9.8, 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, December 9, 2025, 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 [prich@diamondhead.ms.gov](mailto:prich@diamondhead.ms.gov) or 228-242-1613.



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

## APPLICATION FOR VARIANCE REQUEST

Case Number: 202500721

Date 11/03/2025

Applicant: Shawn Botts

Applicant's Address: 6410 Huko Ct.

Applicant's Email Address: shawnbotts@icloud.com

Applicant's Contact Number: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Cell) 228-324-2176

Property Owner: Shawn Botts

Owner's Mailing Address: 9526 Loe Ln Ct. Diamondhead, MS 39525

Owner's Email Address shawnbotts@icloud.com

Owner's Contact Number: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Cell) 228-324-2176

Tax Roll Parcel Number: 131D-2-13-008 000

Physical Street Address: 6410 Huko Ct. Diamondhead, MS 39525

Legal Description of Property: \_\_\_\_\_

Zoning District: R-10

State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)

(Signage-Size-Height) Request of rear setback to be reduced from 10 feet to 6 feet for 12ft x 16ft garden shed



## 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 December 9th, 2025 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 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 ( )

**REQUIRED ITEM A**

Property Owner Shawn Botts

Street Address 6410 Huko Ct.

Statement Describing Variance Request

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: Due to the lot being on a cul-de-sac, the lot is not very deep. This pushed the house farther back than normal and made auxiliary shed pushed farther back.

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: Other cul-de-sac lots need variances to properly fit structures on their lots.

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

Response: The depth of the lot is because of the cul-de-sac caused all structures to be pushed back

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

Response: No