

Jeannie Klein

From: Larry Mitrenga <larry@hyneman.com>
Sent: Sunday, December 26, 2021 10:50 PM
To: Jeannie Klein
Cc: Tammy Garber; Larry Mitrenga
Subject: Appeal Of a Determination of Violation
Attachments: sharp scanner_20211216_161245.pdf

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear MS. Klein,

I wish to be placed on the City Council agenda to appeal a determination of Violation of the City of Diamondhead Ordinance for Stormwater Runoff, Illicit Discharges and Illegal Connections.

I will submit written documentation that I am not in violation of the ordinance and had written permission to do what I am being accused of doing. Please send confirmation of receipt of this

request and an agenda date. See attached Notice

Respectfully,

Larry Mitrenga
larry@hyneman.com
228-596-8337



5000 Diamondhead Circle · Diamondhead, MS 39525

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

December 14, 2021

L and F Homes and Development, LLC dba Postwood homes
Larry Mitrenga, registered agent
895 On the Green
Biloxi, MS 39532

Re: 87005 Beau Vue Court; Beau Vue Subdivision Phase 2, Lot 18
Violation of the City of Diamondhead Ordinance for Stormwater Runoff, Illicit Discharges and Illegal Connections

Dear Mr. Mitrenga:

On or about June, 2021, a 24" ADS drainage pipe ~20' in length and inlet and inlet was installed in the drainage and utility easement at 87005 Beau Vue Court without approval and authority from the City of Diamondhead (see attached pictures). You are in violation of Section 24-15 of the above referenced ordinance.

To correct this violation, you are directed to remove the drainage pipe and inlet from the drainage easement and off the site. You shall also restore the ditch in accordance with the Beau Vue Subdivision drainage plan (ditch B). The ditch bottom elevation shall be 73.5. The bottom of the ditch shall be 2' in width and 2' 6" in depth having 3:1 slopes. The top of ditch shall be 7' in width. Rip rap shall also be placed with the ditch as in accordance with the subdivision drainage plan. You shall also install a flare with wings to receive the water surface runoff. This corrective action shall be completed by 5:00 p.m. on Wednesday, December 22, 2021.

We originally notified you on July 14, 2021 of the violation and since that time we have discussed several options. However, it is still the position of the City that the drainage culvert must be removed.

If this violation is not corrected within the specified time frame, the City will issue a municipal citation for violation of the ordinance. If found guilty of this violation, you will be subject to the penalty set forth in Section 1-14 (Municode) of City of Diamondhead.

Section 1-14 states "Whenever in this Code or in any ordinance of the city, any act is prohibited or is made or declared to be unlawful or an offense or the doing of any act is required or the failure to do any act is declared to be unlawful or a misdemeanor, where no specific penalty is provided therefor, the violation of any such provisions of this Code or ordinance of the city shall be punished by a fine not exceeding \$1,000.00 or by imprisonment not exceeding 90 days, or both. Every day any violation of this Code or any such ordinance shall continue shall constitute a separate offense."

You may file an appeal of the determination of violation to the City Council by filing a written notice of appeal within 30 days of service of notice of violation.

If you have any questions or comments, please advise. Thank you in advance for your immediate attention to these matters.

Sincerely,

A handwritten signature in cursive script that reads "Ronald R. Jones".

Ronald Jones, CBO
Building Official

attachments