



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

MINUTES

PLANNING AND ZONING COMMISSION

Tuesday, June 29, 2021

6:00 PM CST

Council Chambers, City Hall
and via teleconference, if necessary

Call to Order

Chairman Rubar called the meeting to order at 6:00 p.m.

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.

Commissioner Debrow read the statement of Purpose.

Pledge of Allegiance

Commissioner Flowers led The Pledge of Allegiance.

Roll Call

Commissioner Flowers, Layel, Debrow, and Chairman Rubar. Commissioner Hector joined the meeting at 6:08 p.m.

Also present were City Attorney, Derek Cusick, Building Official, Ronald Jones, Code Enforcement Officer, Pat Rich, Building Inspector Beau King, and Minute Clerk, Tammy Braud.

Confirmation or Adjustments to Agenda

Commissioner Flowers made a motion, second by Commissioner Layel to approve the Agenda as presented.

Motion Carried Unanimously

Approval of Minutes

1. Approval of May 25, 2021 minutes.

Commissioner Debrow made a motion, second by Commissioner Flowers to approve the Minutes of May 25, 2021.

Roll Call

Ayes : Flowers, Debrow, Hector, Layel, Rubar
Torguson

Nays: None

Absent: Hourin,

New Business

2. Public Hearing to consider a recommendation to the City Council regarding the Diamondhead Comprehensive Plan (Envision Diamondhead 2040). Presentation by Robert Barber with Orion Planning.

Mr. Bob Barber with Orion Planning joined via Zoom and presented an over view of Envision Diamondhead 2040 which is being recommended as the Comprehensive Plan for Diamondhead.

Building Official, Ronald Jones, presented the Staff Report to the Commissioners . In the staff report he made a recommendation to adopt Envision Diamondhead 2040 , and to begin to follow and implement the plan each year by allocating the necessary resources for specific projects in the budget.

Chairman Rubar asked for any public comments.

City Manager, Michael Reso spoke in favor ,and thanked the community for their input.

Code Enforcement Officer, Pat Rich read letters of concerns from residents:

Mindy, had concerns with downtown, 2 & 3 story residential , stating they could cause problems.

Ms. Dutton 's letter was read, and Mr. Barber read adjusted comments to her concerns.

Mr. Dan Seliga spoke in favor of Envision Diamondhead.

Commissioner Debrow made a motion, second by Commissioner Layel to recommend that the council accepts the Comprehensive Plan.

Ayes: Flowers, Debrow, Layel, Hector, Rubar Nays: none Absent: Torguson, Hourin

Motion Passed Unanimously

Diamondhead Community Church, represented by Bob Chalmers, has filed an application requesting a variance from the Zoning Ordinance (Article 10.7.d) to place a directional sign at the intersection of Noma Drive and Oak Park Drive that has a copy area of 12 square feet. Maximum copy area is 6 square feet. The variance requested is 6 square feet. The property is located at 5301 Diamondhead Circlet. The tax parcel number is 132A-2-03-027.000. The legal description is PT. NE ¼ Sec. 3-8-14. The property is located in a PFR- Public Facilities & Recreation zoning district. Maximum copy area is 6 square feet. The Case Number is 202100177.

Code Enforcement Officer, Pat Rich, addressed and answered questions from the Commissioners.

Chairman Rubar asked if anyone was present to represent Diamondhead Community Church.

Bob Chalmers spoke and answered questions from the Commissioners.

Chairman Rubar asked for any Pubic Comments

Greg Cullone spoke in favor of the variance.

L. K. " Skip" Giffin Jr. was opposed of the variance.

Code Enforcement Officer, Pat Rich, presented the Staff Report to the Commissioner with a recommendation to deny the request.

Commissioner Layel made a motion, second by Commissioner Hector to accept the recommendation to deny the request to the City Council.

Roll Call

Ayes: Flowers, Layel, Hector, Debrow, Rubar Nays: None Absent: Hourin, Torguson

Motion Carried Unanimously

4. Phillip Sutton has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence starting 8.5' from the southeast corner of the house, continuing toward Pokai Street for 24' and then continuing east along Pokai Street for 48'. This is a corner lot with 2 front setbacks and 2 front facades. The Ordinance states a privacy fence cannot extend beyond the front façade of the house. The variance requested is 8.5' from the front façade (southeast corner) and 24' towards Pokai Street. The property address is 97440 Diamondhead Drive West. The tax parcel number is 067K-1-36-0567.000. The legal description is Diamondhead Subdivision Phase #2, Unit 4A, Block 5, Lots 5 & 6. The property is located in a R-2 zoning district. The fence is required to be set back 20' from the front property line but not any closer than the façade of the house.

Code Enforcement Officer, Pat Rich spoke to and answered questions from Commissioners. Mr. Rich read the staff report which gave a recommendation to deny .

Chairman Rubar asked if anyone was present to represent Mr. Sutton.

Mr. Sutton spoke and answered questions from the Commissioners.

A discussion took place ,and the staff recommendation was modified to starting 8.5' from the southeast corner of the house ,continuing towards Pokai St. for 11' and continuing east along Pokai St. at a 90 degree angle 48' or longer.

Chairman Rubar asked for Public Comments.

Commissioner Flowers made a motion, second by Commissioner Hector to approve the modified recommendation to the City Council.

Roll Call

Ayes: Flowers, Layel, Hector, Debrow, Rubar

Nays: None

Absent: Hourin, Torguson

Motion Carried Unanimously

5. Timothy and Gina Stockstill have filed an application requesting a variance from the Zoning Ordinance (Article 4.6.5 E iii) to allow the construction of a screened enclosure of an existing deck which is 4 feet 4 inches from the rear property line. The rear yard setback is a minimum of 20 feet. The variance requested is 17 feet 8 inches. The property address is 689 Oahu Street. The tax parcel number is 067Q-0-36-090.000. The legal description is Diamondhead Subdivision Phase 2, Unit 3, Block 5, Lot 63 and a portion of Lot 64. The property is located in a R-2 zoning district. The case file number is 202100165.

Code Enforcement Officer , Pat Rich , spoke to and answered questions from the Commissioners.

Chairman Rubar asked if anyone was present to represent the Stockstill's.

Gina Stockstill spoke and answered questions from the Commissioners.

Chairman Rubar asked for any public comments.

Penny Crawford, was opposed to the variance. A letter from Charlette Crow and Marlene Johnson opposing the variance was also read. Jeff B. and John Anderson also sent letters in in favor of the variance.

Code Enforcement Officer Pat Rich read the Staff Report recommending to deny the request for reasons listed .

Commissioner Debrow made a motion, second by Commissioner Layel to accept the recommendation and deny the request to the City Council.

Roll Call

Ayes: Flowers, Debrow, Layel, Hector, Rubar Nays: None Absent: Hourin, Torguson

Motion Carried Unanimously

Unfinished Business

None

Open Public Comments to Non-Agenda Items

None

Commissioners' Comments

Chairman Rubar thanked everyone for their patience .

Communication / Announcements

Next City Council meeting July 6, 2021.

Next Planning Commission meeting is July 27, 2021.

Building Official, Ronald Jones asked for a text amendment to the R-2 Zoning Ordinance. The Ordinance would change the side set-backs from 8' to 10'.

Commissioner Flowers made a motion, second by Commissioner Debrow to allow a public hearing for changing the text amendment in an R-2 zoning side set-back ordinance.

Roll Call

Ayes : Flowers, Debrow, Layel, Hector, Rubar Nays: None Absent: Hourin, Torguson

Motion Carried Unanimously

Adjourn or Recess

Commissioner Flowers made a motion, second by Commissioner Debrow to adjourn the meeting at 8:03 p.m.

Motion Carried

John Rubar, Chairman
Planning & Zoning