



MINUTES
PLANNING AND ZONING COMMISSION
Diamondhead, Mississippi
Diamondhead City Hall Council Chambers
April 28, 2020
6:00 p.m. CST

1. Chairman Milton called the meeting to order at 6:04 p.m. CST.
2. Chairman Milton recited the Statement of Purpose.
3. Commissioner Rubar led the Pledge of Allegiance.

Present: Commissioners Rubar, Torguson, Bice, Milton, and Bower. Commissioner Hector (by tele-com) Absent: Hourin

Also, present, City Attorney Derek Cusick (by tele-com), Building Official Ronald Jones, Minutes Clerk Tammy Braud

4. Confirmation of the Agenda

Commissioner Bower moved, second by Commissioner Rubar to approve agenda as presented.

Ayes: Rubar, Torguson, Hector, Bice, Milton, and Bower. Nays: None. Absent: Hourin

MOTION CARRIED UNANIMOUSLY

5. Approve Minutes. –

Commissioner Bower moved, second by: Commissioner Torguson to accept the minutes of February 24 2020

Approved: **Unanimously**

6. New Business –

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Case File Number 202000070

Kenneth McGhee Jr. has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' in height wooden privacy fence extending beyond 7' from the facade of their house fronting on Koloa Street. The case file number is 202000070.

The property address is 10812 Pueo Ct. The tax parcel number is 067H-1-25-025.000. The legal description is Diamondhead Subdivision Phase # 1, addition to Unit 8, Block 4, Lots 69-72. The property is located in an MH zoning district. The minimum front yard setback is 20 feet. No fence shall be constructed closer to the street than the building facade.

Chairman Milton asked if anyone was present to represent Kenneth McGhee.

Kenneth McGhee answered questions from the Commissioners.

Ronald Jones, Building Official, proposed a recommendation to allow the construction of a 6'in height wooden privacy fence extending beyond 7' front the façade of their house extending to the common property line between lots 70 and 71 fronting on Koloa Street. Afterward the fence shall follow the loin of the façade of the house for lots 71,72, and 73.

Chairman Milton asked if there were any public comments. None

Commissioner Rubar made a motion, seconded by Commissioner Bice, to recommend approval to the City Council the matter in the Case File Number 202000070 as recommended by Ronald Jones.

A Roll Call Vote Was Taken:

Ayes: Bice, Torguson, Hector, Rubar, Bower and Milton. Nays: None Absent: Hourin

MOTION CARRIED UNANIMOUSLY

Case File Number 2020000115

Timothy and Gina Stockstill has file an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 4' in height a rod-iron fence extending 45' beyond the facade of their house fronting on Oahu Street. The Case File Number is 202000115.

The property address is 689 Ohua Street. The tax parcel number is 067Q-0-36-090.000. The legal description is Diamondhead Subdivision Phase 2, Unit 3, Block 5, Lots 63 in part and 64. The property is located in an R-2 zoning district. The minimum front yard setback is 20 feet. No fence shall be constructed closer to the street than the building façade.

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Ronald Jones, Building Official presented the case and answered questions from the commissioners.

At this time Chairman Milton asked if anyone was present to represent Timothy and Gina Stockstill. Timothy Stockstill answered questions from the commissioners. Gina Stockstill also spoke to commissioners.

Ronald Jones, Building Official, proposed a recommendation to deny the application request based on the findings listed in the staff report. Mr. Ronald Jones also mentioned there were 2 letters, one from Ms. Crawford, and Ms. Grimms that opposed the project.

Chairman Milton asked if anyone there any public comments. None

Commissioner Torguson made a motion, second by Commissioner Bice to allow the construction of a 4' in height wrought iron fence extending beyond 45' from the façade of their house having a gate. The fence will connect to the neighbor's (Mark Oster) front fence. The condition is the neighbor has to construct his fence first.

A roll call was taken:

Ayes: Bice, Torguson, Bower, Hector. Nays: Rubar, Milton Absent: Hourin

Motion Carried

The Preserve Subdivision Phase 1

The Sketch Plat is a 23 lot development having lot sizes ranging from the smallest lot of 7,042 sf to the largest lot of 18,042 sf. The total number of acres is approximately 6.9 acres as part of a larger parcel of 28 acres.

The property is generally located adjacent to Beaux Vue Subdivision Phase 1 on High Point Dr. The tax parcel number is 067L-0-35-012.00 in part.

Chairman Milton asked if anyone was present for Structures of Diamondhead.

Duke Levy representing Jim Grotowski, Structures of Diamondhead, answered questions from the commissioners.

Chairman Milton asked Mr. Jones to address the commissioners.

Ronald Jones, Building Official presented the case and recommended approval of the Sketch Plat of The Preserve Subdivision Phase 1 subject to addressing all of the comments mentioned at the DRC as well as meeting all the other adopted codes and regulations,

Chairman Milton asked if there were any public comments. None

Commissioner Bower made a motion, second by Commissioner Rubar to recommend approval of The Preserve Subdivision to the City Council.

A roll call was taken:

Ayes: Hector, Rubar, Bice, Torguson, Bower, and Milton. Nays: None Absent: Hourin

Motion Carried Unanimously

Case File Number 202000120

One Diamondhead LLC, represented by Kenneth Jones
Tax parcel number 067L-0-35-012.000 in part. Address not assigned yet.

One Diamondhead, LLC desires to change the current zoning from R-1(Low Density Single Family) to R-2(Medium Density Single Family) in part. The majority of the property is already R-2. The purpose of this map is to have the same zoning district classification for the proposed 11 lot subdivision on a 5.91 acre tract of land. Currently part of the proposed subdivision is zoned R-1 and R-2.

Chairman Milton asked if anyone was present to represent One Diamondhead LLC.
Kenneth Jones spoke through cell phone held to a microphone by Ronald Jones, Building Official.
Kenneth Jones answered questions from the commissioners.

Ronald Jones , Building Official ,presented and recommended changing the zoning district classification from R-1 to R-2 due to character of the area changing and there is a public need for additional lands based on supporting evidence.

Chairman Milton asked for Public Comments : None

Chairman Milton made a motion, second by Commissioner Bower to recommend approval of the map amendment to City Council for a zoning change from R-1 to R-2 as petitioned.

Roll Call was taken:

Ayes: Bice, Torguson, Hector, Bice, Bower, and Milton **Nays:** None

Motion Carried Unanimously

Deer Crossing Sketch Plat

One Diamondhead LLC represented by Kenneth Jones

The subject property is located in Section 35 Township 7S Range 14W. The property is located East of Diamondhead Dr. West, West of Cardinal Golf Course Hole # 12 & 13. North of Golf Course Hole # 7. Zoning District R-1 (Low Density Single Family) ;R-2 (Medium Density Single Family). Chairman Milton asked for Kenneth Jones to remain on the phone to answer questions.

Ronald Jones ,Building Official ,recommended approval of the Sketch Plat of Deer Crossing Subdivision subject to addressing all comments mentioned at the DRC as well as meeting all the other adopted codes and regulations. No variances have been requested.

Chairman Milton asked for public comments.

Llyod Ramirez asked questions to Mr. Kenneth Jones.
Mr. Wall also had concerns that was answered by the commissioners and Kenneth Jones.

Commissioner Ruber made a motion, second by Commissioner Bice to recommend approval of the Sketch Plat of Deer Crossing Subdivision subject to addressing all comments mentioned at the DRC and the other adopted codes and regulations.

Roll Call was Taken:

Ayes: Bice, Rubar, Hector,Torguson, Bower,and Milton **Nays:** None **Absent :** Hourin

Motion Carried Unanimously

Case File Number 202000095

The City of Diamondhead represented by Ronald Jones, Building Official , has filed an application requesting a text amendment in accordance with the Zoning Ordinance Article 2.8(Amendment Rezoning Procedure).The proposed text amendment would change the required off-street parking spaces in Table 8.1 for Restaurants without Drive-thru; medical dental office and clinic; assisted living facility; offices; retail stores-indoor; health fitness club; and hotels including amending 8.4.2 A for parking space for golf carts ,motorcycles and scooters.

Mr. Jones presented his case , and answered questions from the commissioners.

Chairman Milton asked for any Public Comments : None

Commissioner Torguson made a motion, second by Commissioner Rubar to recommend approval of the proposed text amendments as presented by Ronald Jones, Building Official to City Council.

Roll Call was Taken:

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Ayes: Bice, Rubar, Torguson, Bower, Hector, and Milton

Nays: None

Absent: Hourin

Motion Carried Unanimously

Unfinished Business – None

8. Open Public Comments to Non-Agenda Items: None

9. Commissioners' Comments: None

10. Communication / Announcements. – Ronald Jones, Building Official, informed commissioners of 1 case for next month's meeting

11. Adjourn – Commissioner Bower moved, seconded by Bice, to adjourn at approximately 8:04 p. m. CST.

12. Ayes: Rubar, Torguson Hector, Bice, Milton and Bower. **Nays:** None. **Absent:** Hourin

MOTION CARRIED UNANIMOUSLY

Dempsey Milton, Chairman

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