



Commissioner Bennett  
Commissioner Brewer  
Commissioner DeBrow  
Commissioner Flowers  
Commissioner Harwood  
Commissioner Layel  
Commissioner Nicaud

## **MINUTES**

### **PLANNING AND ZONING COMMISSION**

**Tuesday, September 26, 2023**

**6:00 PM CST**

Council Chambers, City Hall  
and via teleconference, if necessary

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#### **Call to Order**

Chairman Flowers 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 Nicaud led the Pledge of Allegiance.

#### **Roll Call**

Present at the meeting were: Commissioners DeBrow, Nicaud, Harwood, and Chairman Flowers. Absent were: Commissioners Layel, Bennett, Brewer.

Also present were City Attorney, Derek Cusick, Development Coordinator, Pat Rich, Building Official, Beau King, and Minute Clerk, Tammy Braud.

#### **Confirmation or Adjustments to Agenda**

Commissioner DeBrow made a motion, second by Commissioner Harwood to accept the Agenda as presented.

#### **Motion Passed Unanimously**

#### **Approval of Minutes**

1. Approval of August 22, 2023 minutes.

Commissioner Nicaud made a motion, second by Commissioner DeBrow to accept the Minutes as presented.

#### **Motion Passed Unanimously**

#### **New Business**

2. Public hearing on a proposed Text Amendment to the Code of Ordinances Appendix A – Zoning. The proposed text amendment is a comprehensive revision of the Zoning Ordinance to reflect Envision Diamondhead 2040, the city’s Comprehensive Plan. Case File Number is 202300448.

Development Coordinator, Pat Rich spoke to Commissioners about the purpose of the text amendment.

Bob Barber from Orion Planning presented a draft of the purposed revision of the Zoning Ordinance.

Chairman Flowers asked for Public Comments.

Jim Jelinski spoke to commissioners about concerns he had.

Building Official, Beau King spoke on flood zones.

3. Mike Scardino has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a fence within 5’ of the front property line. The property address is 10846 Koloa Street. The tax parcel number is 067H-2-25-141.000. The property is in an R-2 zoning district. The front yard setback is 20’. The variance requested for the fence is 15’. The Case File Number is 202300416.

Development Coordinator, Pat Rich spoke and answered questions from the commissioners.

Mike Scardino was presented at the meeting.

Development Coordinator , Pat Rich read the staff report recommending approving the variance as petitioned.

Commissioner Nicaud made a motion, second by Commissioner DeBrow to approve the variance as petitioned to the City Council.

**Motion Passed Unanimously**

4. D. R. Horton has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a residence within 15’ of the rear property line. The property address is 87134 High Point Drive. The legal description is The Preserve Phase 1, Lot 7. The property is in an R-2 zoning district. The rear yard setback is 20’. The variance requested is 5’. The Case File Number is 202300389.

Development Coordinator, Pat Rich spoke and answered questions from commissioners.

Joey Taylor with D.R. Horton was present at the meeting.

Development Coordinator, Pat Rich read the staff report recommending approving the variance as petitioned with reasons listed in report.

Commissioner Harwood made a motion, second by Commissioner Nicaud to approve the variance as petitioned to the City Council.

**Motion Passed Unanimously**

5. Crawfish Max, LLC, represented by Betsy and Shane Miller has filed an application requesting a Conditional Use Permit in accordance with the Zoning Ordinance Table 4.2, Article 4.21.1 (C) and Article 2.5 to allow a mobile food vendor in a C-2 district. The tax parcel number is 132J-1-10-002.400. The proposed location is at the northwest corner of Yacht Club Circle and Airport Drive. Development Coordinator, Pat Rich, spoke and answered questions from the Commissioners. Betsy Miller owner of Crawfish Max spoke and answered questions from Commissioners. Development Coordinator, Pat Rich read staff report recommending approving the application with modifications listed in the report. Commissioner DeBrow made a motion, second by Commissioner Harwood to approve the Planning Commission Review to City Council.

**Motion Passed Unanimously**

6. Cure Land Company, LLC, represented by Carlene Alfonso has filed an application requesting a map amendment (Rezoning) in accordance with the Zoning Ordinance Article 2.8 (Amendment (Rezoning Procedure)). The Case File Number is 202300417. Cure Land Company, LLC desires to change the current zoning from C-1 (General Commercial District) to R-3 (High Density Single Family Residential). The physical address is 5410 Gex Drive. The tax parcel number is 132A-2-03-028.000. The purpose of the zoning change is for condominium development. Development Coordinator, Pat Rich, spoke and answered questions from commissioners. Carlene Alfonso with Alfonso Reality, Frank Genzer, Architect and P.J.Mauffry Attorney for Cure Land Company spoke and answered questions from commissioners. Chairman Flowers asked for Public Comments. Paul Brown, spoke on concerns he had. Development Coodinator, Pat Rich, read the staff report recommending to approve the rezoning to Town Center District Mixed Use based on facts listed in report. Commissioner Nicaud made a motion, second by Commissioner DeBrow to approve the rezoning to the City Council.

**Motion Passed Unanimously**

**Unfinished Business**

7. The Tree Ordinance recommended by the Planning Commission was returned to the Planning Commission for changes and revisions. Development Coordinator, Pat Rich told the Commissioners that the Tree Ordinance was sent back to us by the City Council for further review. This will be on next months agenda.

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

None

**Commissioners' Comments**

None

**Communication / Announcements**

8. The next City Council meeting is Tuesday, October 3, 2023.

The next Planning Meeting is Tuesday, October 24, 2023.

**Adjourn or Recess**

Commissioner Harwood made a motion, second by Commissioner DeBrow to adjourn the meeting at 7:35 p.m.

**Motion Passed Unanimously**

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H. Flowers, Chairman  
Planning & Zoning