



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

DATE: August 29, 2025

SUBJECT: 6810 Apona St. Side Yard Setback Variance

- 4' SYSB variance requested for carport addition.
- Swale added between properties.
- Gutters and downspouts will be installed.
- Minimal additional runoff.
- No objections.

The Planning & Zoning Commission voted 5-0 to recommend.



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www.diamondhead.ms.gov

STAFF REPORT TO PLANNING COMMISSION

DATE: August 26, 2025

NATURE OF REQUEST: Albert Chase has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow a carport addition within 6' of the side yard property line. The property address is 6810 Apona St. The tax parcel number is 131A-0-01-064.000. The property is in a R-6 zoning district. The side yard setback for an addition is 10'. The variance requested is 4'. The Case File Number is 202500503.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: August 26, 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. *Lot is only 75' wide.*
- 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 lots in this district have carports.*
- C. That special conditions and circumstances, if any, *do not* result from the actions of the applicant. *Conditions are created by lot design.*
- 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. *There are many residents in the R-6 District that have been granted a variance to allow carports.*
- 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.



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APPLICATION FOR VARIANCE REQUEST

Case Number: 202500503

Date 08/01/25

Applicant: Albert Chasse

Applicant's Address: 6810 Apona st

Applicant's Email Address: Chassealbert@gmail.com

Applicant's Contact Number: (Home) _____ (Work) 2283635514 (Cell) _____

Property Owner: _____

Owner's Mailing Address: _____

Owner's Email Address: _____

Owner's Contact Number: (Home) _____ (Work) _____ (Cell) _____

Tax Roll Parcel Number: 131A-0-01-064.000

Physical Street Address: _____

Legal Description of Property: _____

Zoning District: R-6

State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)
(Signage-Size-Height) Attaching Carport w/in 6' of SYSB

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 August 26/25 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

N/A (☐) Parking Spaces

(☒) List of Property Owner

(☒) Application Signed

(☒) Written Project Description

(☒) Drainage Plan NA ()

N/A (☒) Notarized Statement NA ()

REQUIRED ITEM A

Property Owner Albert Chase

Street Address 6810 Apona St.

Statement Describing Variance Request

4' Variance to 10' SYSB to construct
Attached Carport

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: Yes, need additional Covered Parking

2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLIANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?

Response: Yes, Many R-6 zoned residences have Attached
Carports

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

Response: Yes, Lots in the area are 75x140, Long &
Narrow

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

Response: Yes

August 8, 2025 at 10:55 AM
6812 Apona St
Diamondhead MS 39525



NOTICE OF PUBLIC HEARING

PLANNING AND ZONING COMMISSION

DIAMONDHEAD, MS

Albert Chase has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow a carport addition within 6' of the side yard property line .

The property address is 6810 Apona St. The tax parcel number is 131A-0-01-064.000. The property is in a R-6 zoning district. The side yard setback for an addition is 10'. The variance requested is 4'. The Case File Number is 202500503.

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, August 26, 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 or 228-242-1613.



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Diamondhead, MS 39525-3260
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TO: Albert Chase and adjacent property owners

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: August 5, 2025

SUBJECT: Variance request before the Planning & Zoning Commission

Albert Chase has filed an application requesting a variance from the Zoning Ordinance (Article 3.4.7) to allow a carport addition within 6' of the side yard property line. The property address is 6810 Apona St. The tax parcel number is 131A-0-01-064.000. The property is in a R-6 zoning district. The side yard setback for an addition is 10'. The variance requested is 4'. The Case File Number is 202500503.

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.

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