



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

1. Chairman Bice called the meeting to order at 6:00 p.m. CST.
2. Commissioner Rubar recited the Statement of Purpose.
3. Chairman Bice led the Pledge of Allegiance.

Present: Commissioners Rubar, Torguson, Bice, Layel, and Bower. Absent: Hourin, Hector

Also present, City Attorney Derek Cusick, Building Official Ronald Jones, Building Inspector Beau King, Minutes Clerk Tammy Braud

4. Confirmation of the Agenda

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

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

MOTION CARRIED UNANIMOUSLY

5. Approve Minutes. –

Commissioner Bower moved, second by: Commissioner Torguson to accept the minutes of May 26, 2020

Approved: **Unanimously**

6. New Business –

Planning & Zoning Minutes 07.28.2020

Case File Number 202000247

Ms. Ann Marie Petrovich Bonnette has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 L iii) to construct a black metal fence on the property line as well as on the side property lines within the 10' setback.

The property address is 57143 Diamondhead Drive East. The tax parcel number is 131C-1-13-117.001. The legal description is Diamondhead Subdivision Phase 1, Block 8, Lot 24. The property is located in a R-2 zoning district. The fence is required to be set back 10' from the rear property line due to being located on the golf course.

Chairman Bice asked if anyone was present to represent Ann Marie Petrovich Bonnette.

Ann Marie and Patrick Bonnette answered questions from the Commissioners.

Ronald Jones, Building Official, proposed a recommendation to deny the request of constructing a black metal fence due to conditions listed in his staff report .

Chairman Bice asked if there were any public comments. None

Commissioner Bower made a motion, seconded by Commissioner Layel, to recommend to deny to the City Council the matter in the Case File Number 202000247 as recommended by Ronald Jones.

A Roll Call Vote Was Taken:

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

MOTION CARRIED UNANIMOUSLY

Case File Number 202000223

Tammy Fields has file an application requesting a variance from the Zoning Ordinance (Article 4.6.5 E iii) to allow an existing carport recently constructed within 3'1" of the rear property line. The edge of the roof is 32" from the rear property line. The Case File Number is 202000223.

The property address is 8912 Anahola Court. The tax parcel number is 067J-3-36-143.000. The legal description is Diamondhead Subdivision Phase 2, Unit 7A, Block 1, Lots 75. The property is located in a R-2 zoning district. The minimum rear yard setback is 20 feet.

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

Planning & Zoning Minutes 07.28.2020

At this time Chairman Bice asked if anyone was present to represent Tammy Fields. Tammy Fields answered questions from the commissioners. The builder, Ishmael Ortega, was also present to answer questions from the commissioners.

Ronald Jones, Building Official, proposed a recommendation to deny the application request based on the findings listed in the staff report.

Chairman Bice asked for any public comments.

Patricia Arroyo spoke in behalf of her father, Elliott N. Arroyo, opposing the carport.

Commissioner Bower made a motion, second by Commissioner Torguson to approve the request to the City Council.

A roll call was taken:

Ayes: Bower Torguson , Nays: Rubar, Bice, Layel Absent: Hourin, Hector

Motion Failed

Text Amendment to the Flood Damage Prevention Ordinance; Elimination of Freeboard

The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text amendment to the Flood Damage Prevention Ordinance (Chapter 14 in Municode). The proposed text amendment would eliminate the 18 inches of freeboard required above the base flood elevation.

Ronald Jones, Building Official explained the text language and recommended approval.

Commissioner Rubar made a motion, second by Commissioner Layel to approve the amendment to the City Council.

Chairman Bice asked for public comments. None

A roll call was taken:

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

Motion Carried Unanimously

Subdivision Regulations – City of Diamondhead

The City of Diamondhead represented by Ronald Jones ,Building Official is considering the adoption of the proposed subdivision regulations to guide land development.

City Attorney, Derek Cusick and Building Official Ronald Jones, gave a brief explanation of a subdivision regulations

Chairman Bice asked for any public comments: None

Commissioner Rubar made a motion, second by Commissioner Bower to recommend approval of the proposed subdivision regulations as presented by Ronald Jones, Building Official to City Council.

Roll Call was Taken:

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

Motion Carried Unanimously

Tax Increment Financing Redevelopment Plan- City of Diamondhead

The City of Diamondhead is preparing to adopt a Tax Increment Financing (TIF) Redevelopment Plan. As part of the requirement, a statement is needed from the Planning Commission that the TIF Redevelopment Plan is in conformance with the Comprehensive plan.

Ronald Jones, Building Official read a proposed letter addressed to Mayor Schafer from the Planning and Zoning Commission that the TIF Redevelopment Plan is in conformance with the Comprehensive Plan.

Commissioner Bower made a motion, second by Commissioner Layel to confirm the TIF Redevelopment Plan is in conformance with the Comprehensive Plan.

Motion Carried Unanimously

Unfinished Business – None

8. Open Public Comments to Non-Agenda Items: Mike Reso, City Manager reminded everyone about the Special Call Meeting August 5 at 6:00 pm.

Planning & Zoning Minutes 07.28.2020

9. Commissioners' Comments: Chairman Bice commended Mike Reso on a job well done.

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

11. Adjourn – Commissioner Bower moved, seconded by Layel, to adjourn at approximately 7:24 p. m. cst.

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

MOTION CARRIED UNANIMOUSLY

EJ Bice, Chairman

Planning & Zoning