

HOUSE SIZE 2,583 SQFT
ACCESSORY ST. MAX 775 (30%)
SQFT

5000 Diamondhead Circle
Diamondhead, MS 39525
Ph: 228-222-4626
FX: 228-222-4390



APPLICATION FOR VARIANCE REQUEST

Case Number: 2021000668

Date 8/18/20

Applicant: Steven Ricks

Applicant's Address: 7440 Mahalo Hui Dr, Diamondhead, MS 39525

Applicant's Email Address: [REDACTED]

Applicant's Contact Number: (Home) N/A (Work) N/A (Cell) [REDACTED]

Property Owner: Steven and Sandra Ricks

Owner's Mailing Address: 7440 Mahalo Hui Dr, Diamondhead, MS 39525

Owner's Email Address: [REDACTED]

Owner's Contact Number: (Home) N/A (Work) N/A (Cell) [REDACTED]

Tax Roll Parcel Number: 067N-2-35-069.000

Physical Street Address: 7440 Mahalo Hui Dr., Diamondhead, MS 39525

Legal Description of Property: S/T/R: 35/72/14W 129-130 BLK 3 UN 10 PH 2 Diamondhead

Zoning District: R-2 Medium Density Single Family (Now E-6)

State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)
(Signage-Size-Height) The homeowner is requesting a Variance to Diamondhead City Code of Ordinance, Appendix A, Article 4, Subsection 4.6.5, Par. E (iii) which requires a 20 foot minimum setback for rear yards. Spacial accommodation is required for the addition of an RV/Golf Cart storage building, to match the principal dwelling for positive aesthetic affect.

To accommodate the footprint, and RV storage alignment with the proposed driveway, an 8' setback from the southern- REAR
most property line is requested. A Variance is also requested for 58 sq. ft. over requirement of Subsection 4.18 (D)(ii)(d).

83

HOUSE SIZE 2,583 sqft.
ACCESSORY STRUCTURE
775 sqft MAX

REQUIRED ITEM A

Property Owner Steven and Sandra Ricks

Street Address 7440 Mahalo Hui Dr., Diamondhead, MS 39525

Statement Describing Variance Request

To accommodate the proposed building footprint, and RV storage space alignment with the proposed additional driveway, an ^{12.5} 8' rear/side yard setback is requested.

12 FT

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: The subject property comprises two consolidated lots situated on the corner of Kome Dr. and Mahalo Hui Dr. The consolidated lots provide sufficient space for the footprint of the proposed building, however the corner lot street-side setbacks limit the building placement. No surrounding property has this configuration.

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

Response: In the property owner's opinion, rear yards for corner properties effectively replace the side yard function due to line-of-sight access to the side street. Consequently the 10' setback, as enjoyed by properties not located on street corners, would be in keeping with the general residential building layout.

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

Response: Diamondhead City Code of Ordinance, Appendix A, Article 4, Subsection 4.6.5, Par. E (iii) requires a 20 foot minimum setback for rear yards, with no distinction for corner lots. The building footprint of 858 sq. ft. is the absolute minimum square footage that would accommodate the anticipated RV size and storage needs.

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

Response: The variances would not provide benefits beyond what is necessary to address unique (such as being a corner lot with consolidated parcels) constraints of the property, ensuring that other owners with comparable circumstances could receive similar consideration in alignment with community standards.

REQUIRED ITEMS:

- A. A statement describing the variance request and all the reasons why it complies with the criteria for variances provided in Section 2.6.5, specifically.
THE CONDITIONS FOR GRANTING A VARIANCE: (SEE ATTACHED SHEET #4)
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?
 2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?
 3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?
 4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?
- B. The property address and the name and mailing address of the owner of each lot within 300 feet of the subject property and a map with parcels keyed to the ownership and address data.
- C. Site plans, preliminary building elevation, preliminary improvement plans, or other maps or drawings, sufficiently dimensioned as required to illustrate the following, to the extent related to their variance application:
- i. Existing and proposed location and arrangement of uses on the site, and on abutting sites within 100 feet.
 - ii. Existing and proposed site improvements, buildings, and other structures on the site, and any off-site improvements related to or necessitated by the proposed use. Building elevations shall be sufficient to indicate the general height, bulk, scale, and architectural character.
 - iii. Existing and proposed topography, grading, landscaping, and screening, irrigation facilities, and erosion control measures.
 - iv. Existing and proposed parking, loading, and traffic and pedestrian circulation features, both on the site and any off-site facilities or improvement related to or necessitated by the proposed use.
 - v. The Zoning Administrator may request additional information necessary to enable a complete analysis and evaluation of the variance request, and determination as to whether the circumstances prescribed for the granting of a variance exist.
 - vi. A fee established by the City Council shall accompany the application. A single application may include request for variances from more than one regulation applicable to the same site, or for similar variances on two or more adjacent parcels with similar characteristics.
- D. Payment of fee for Variance request: \$100.00 as per Ordinance 2012-020

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 SEPT 22, 2026 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
- ☐ Parking Spaces
- ☐ List of Property Owner

- ☐ Application Signed
- ☐ Written Project Description
- ☐ Drainage Plan NA ☐
- ☐ Notarized Statement NA ☐

- Scale = $\frac{3}{32}'' = 1'$
- Existing Structures and Lines
 - Proposed Driveway, Pole Barn (First Priority)
 - Proposed New Fence (Second Priority) Installed 2006
 - Potential Replacement to existing Driveway
 - Existing Tree (To Remain)

MAHALO HUI DRIVE



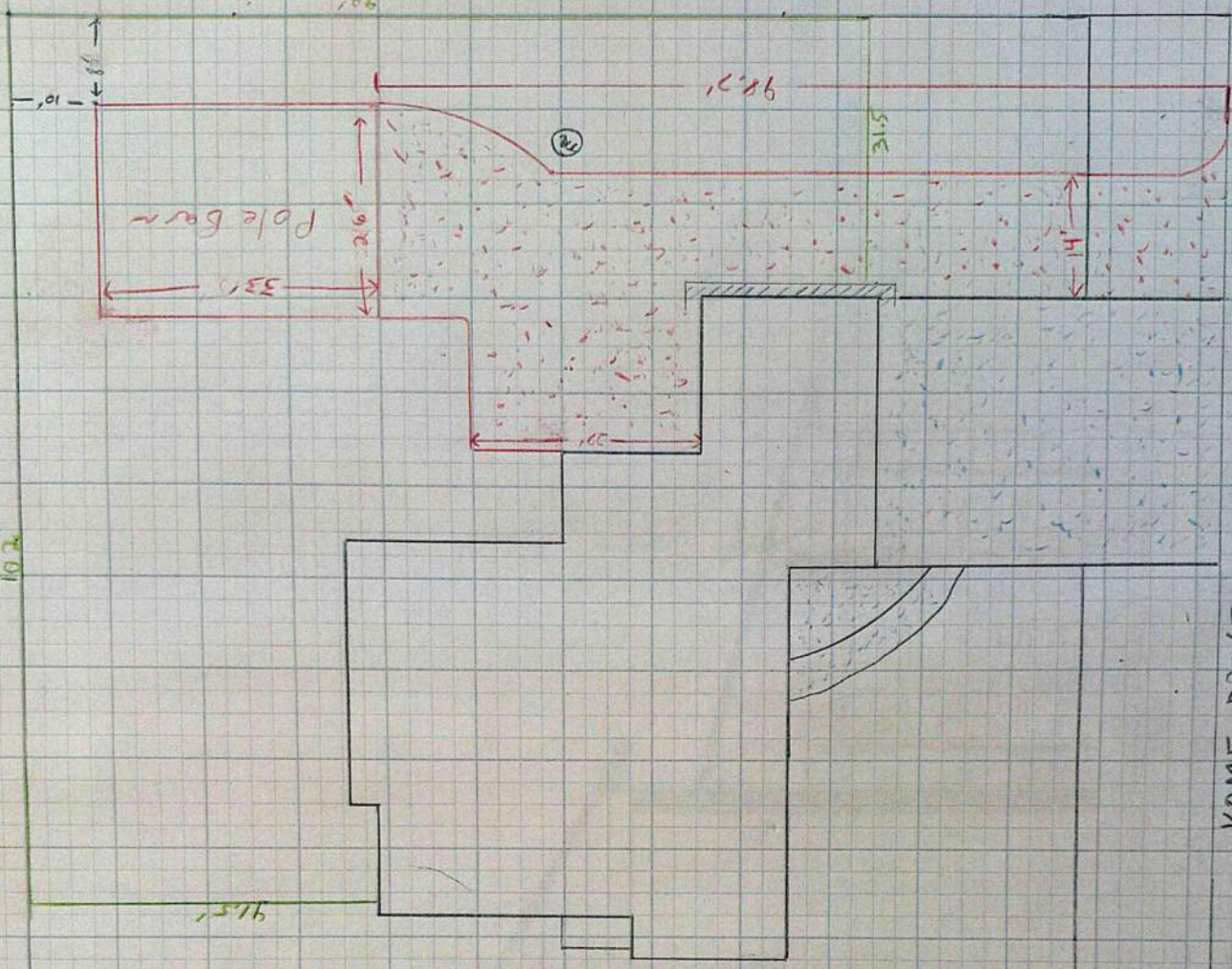
FRONT

KOME DRIVE

SIDE

REAR

SIDE

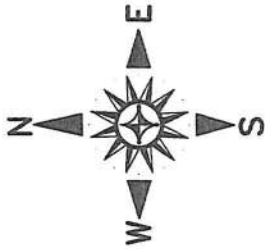


BOUNDARY SURVEY

MAHALO HUI DRIVE

LEGAL DESCRIPTION:

A survey of Lots 129 & 130, Block 3, Unit 10, Diamondhead, Phase 2, City of Diamondhead, Hancock County, Mississippi.



LEGEND:

- CL CENTERLINE
- OR IRON ROD FOUND
- IR IRON ROD SET
- FC FENCE CORNER POST
- PP POWER POLE
- FH FIRE HYDRANT
- AS APS AS PER SURVEY
- AR AS PER RECORD
- UE UTILITY EASEMENT
- DE DRAINAGE EASEMENT
- EOP EDGE OF PAVEMENT



In consideration of the fee paid, I declare that this survey made by me or under my immediate supervision is true and correct to the best of my professional knowledge, information, and belief.

Duke Levy, RLS #1722

DUKE LEVY & ASSOCIATES, P.A.
4412 LEISURE TIME DRIVE
DIAMONDHEAD, MS 39525
(228) 343-9691 PHONE

SCALE: 1" = 30'	DATE: 11-24-2025
DRAWING: WOH# 2025-302	CLIENT: STEVEN RICKS

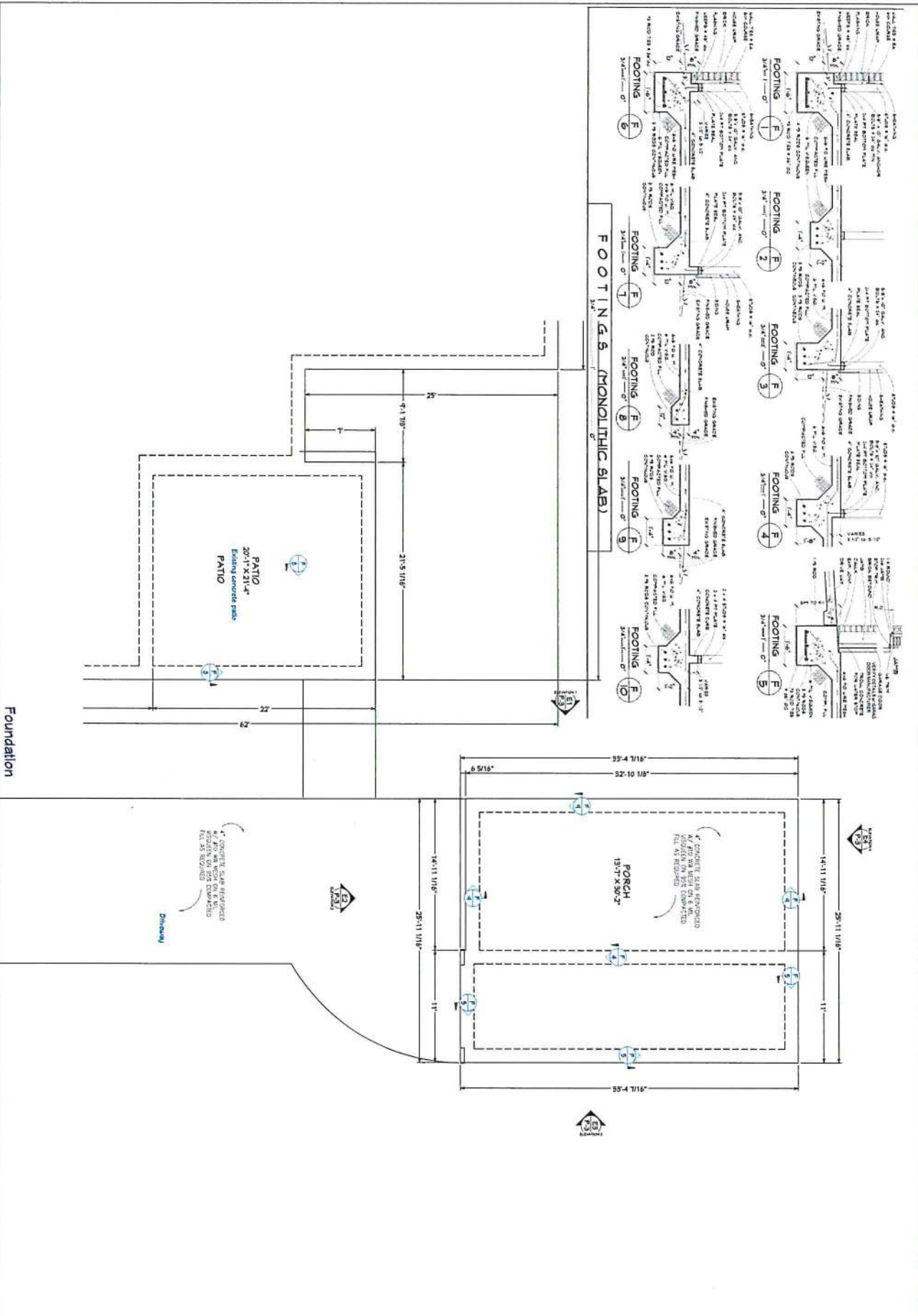
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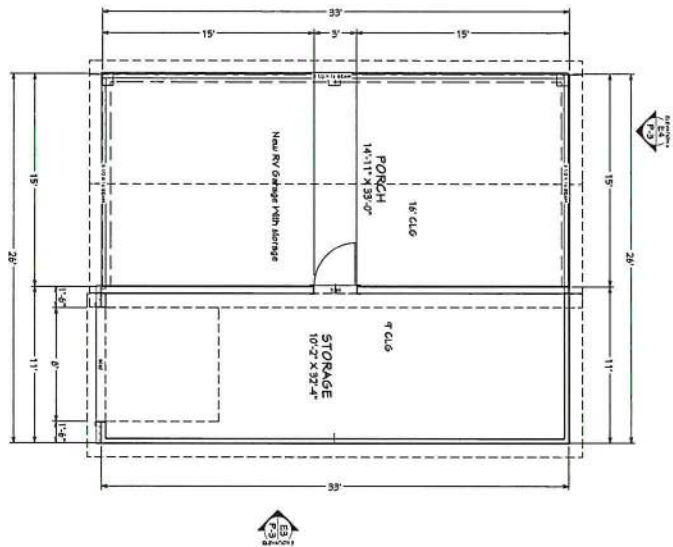
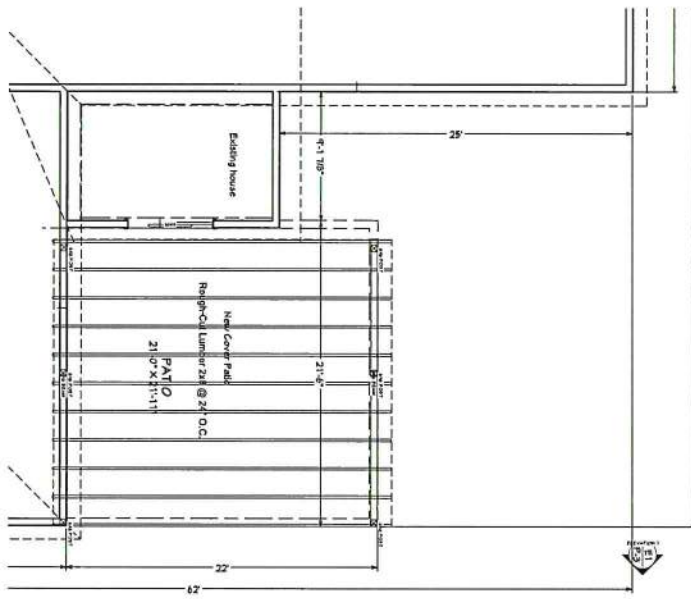
BEARINGS REFERENCED TO GEODETIC BY GPS OBSERVATIONS

REFERENCES:

- 1) DEED BOOK 2021; PAGE 13290
- 2) PLAT OF UNIT 10, PHASE 2
- 3) HANCOCK COUNTY TAX MAP
- 4) PREVIOUS SURVEY BY DUKE LEVY WOH# 2025-132; DATED 08-19-2025

NOTES:
Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose. No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or municipal/public service facility. This survey meets Mississippi minimum requirements for a class "B" survey. Survey is valid only if print has original seal and signature of surveyor. No flood zone determination was performed as a part of this survey. An accurate determination can be made by ordering a FEMA Elevation Certificate.





AREA
550 SQ FT

1st Floor

P-3

SHEET:

1/4"=1'

SCALE:

7/6/2026

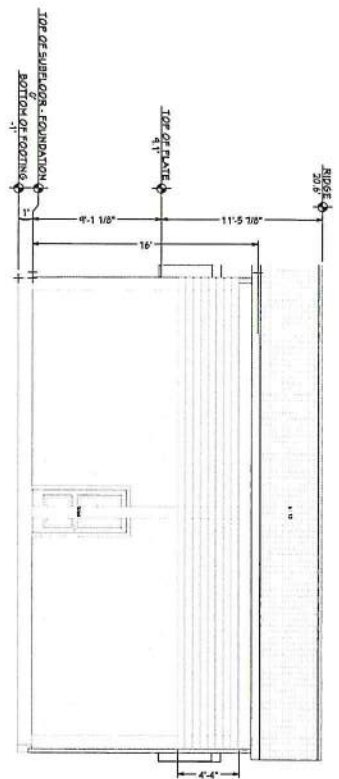
DATE:

DRAWINGS PROVIDED BY:
832-428-0978
Unsubstantiated Call Center
Ruby Construction, LLC
New Construction & Remodeling

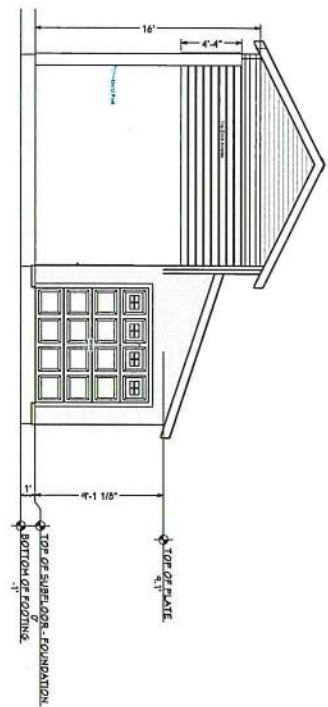
7440 Mahalo Hui Dr

REVISION TABLE			
NUMBER	DATE	REVISOR	DESCRIPTION

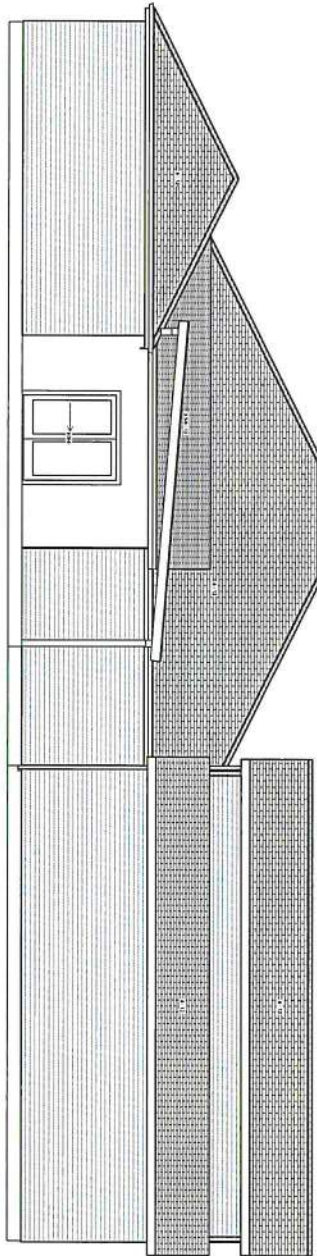




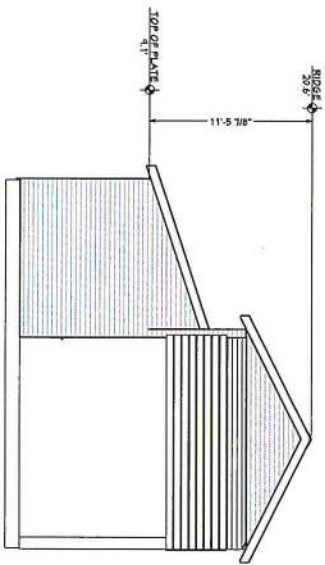
Elevation 1



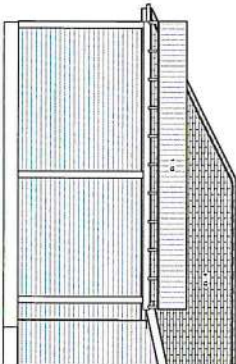
Elevation 2



Elevation 3

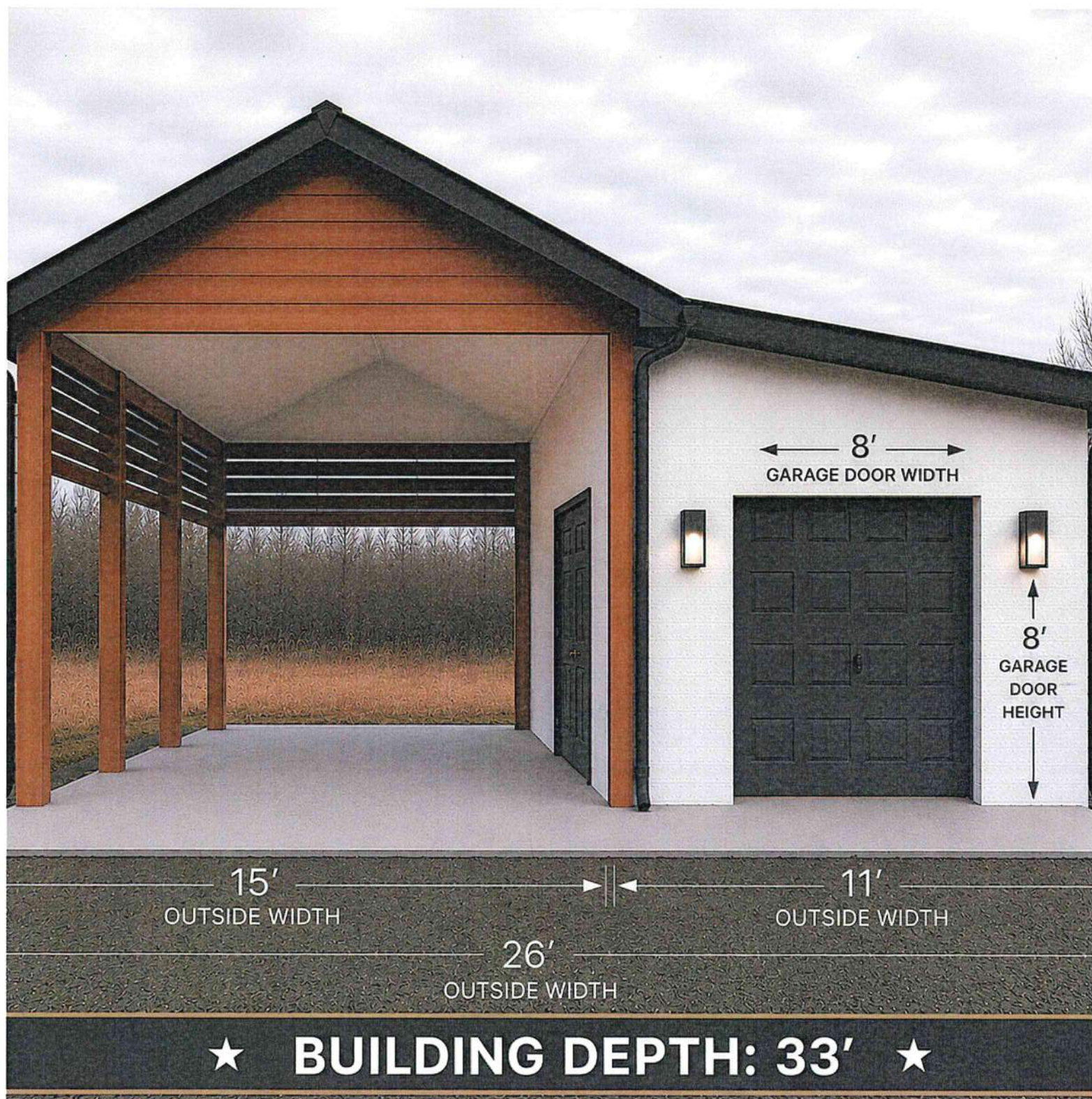


Elevation 4



September 4, 2026 at 4:00 PM
7437 Mahalo Hui Dr
Diamondhead MS 39525





← 8' →
GARAGE DOOR WIDTH

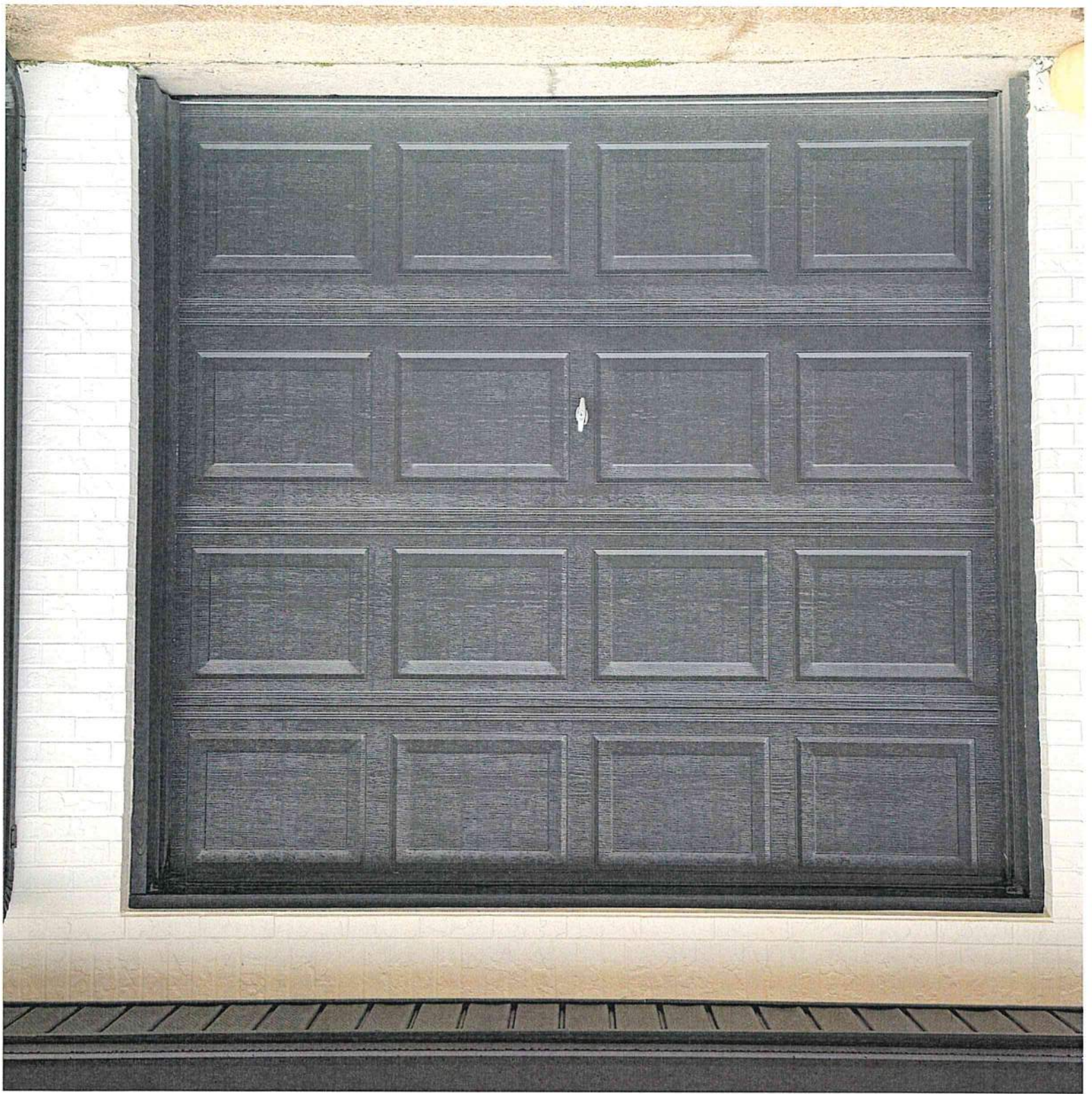
↑ 8' ↓
GARAGE DOOR HEIGHT

15'
OUTSIDE WIDTH

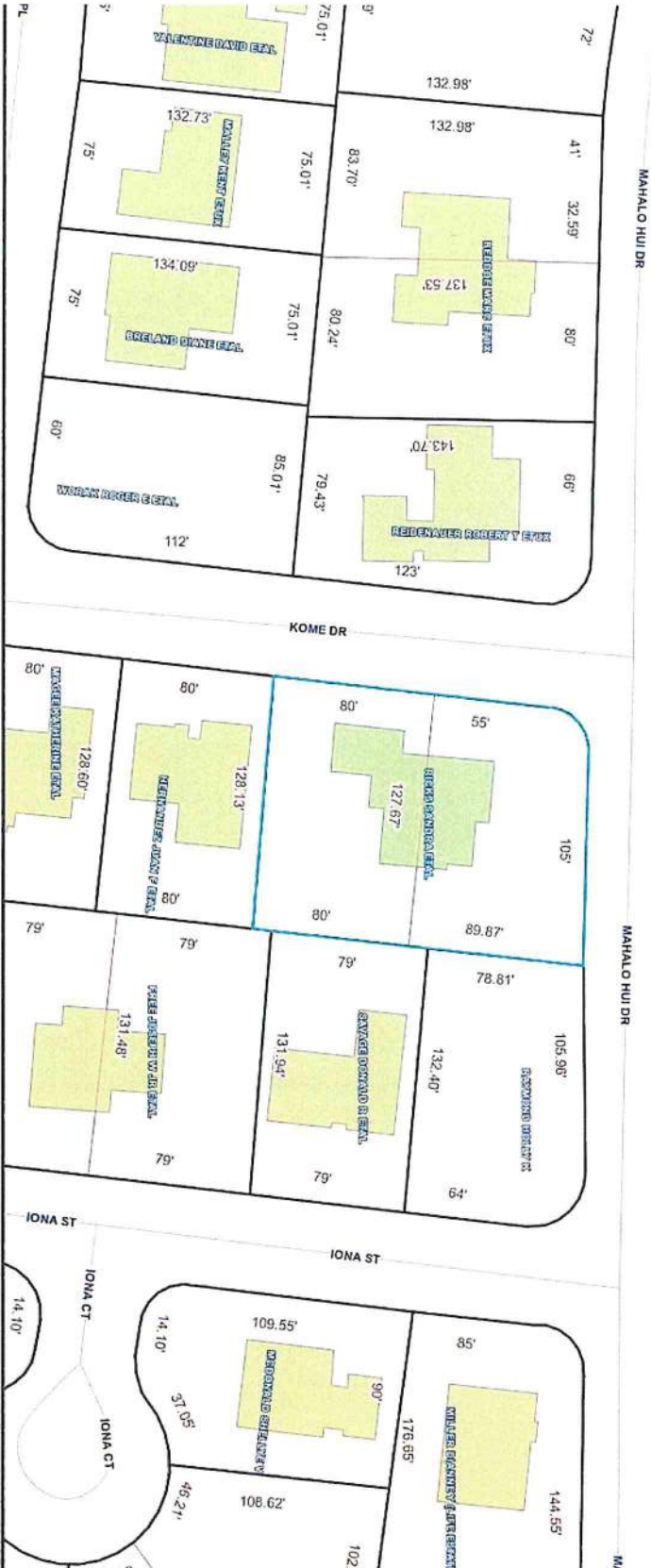
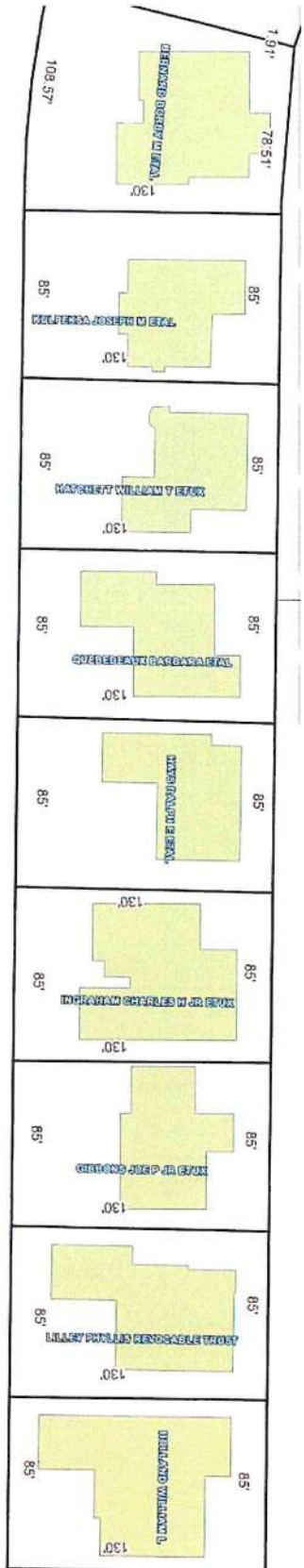
11'
OUTSIDE WIDTH

26'
OUTSIDE WIDTH

★ BUILDING DEPTH: 33' ★



Parcel Ownership Map Section 1



[illegible]

MAHALO HUI DR.

42 ADDRESSES

MCDONALD SHELLYE V
645 IONA ST
DIAMONDHEAD, MS 39525

FREE JOSEPH W JR ETAL
644 IONA ST
DIAMONDHEAD, MS 39525

INGRAHAM CHARLES H JR ETUX
7437 MAHALO HUI DRIV
DIAMONDHEAD, MS 39525

VALENTINE DAVID ETAL
646 OLIWA PLACE
DIAMONDHEAD, MS 39525

CRISS KATHLEEN
6414 IONA ST
DIAMONDHEAD, MS 39525

EVANS BARBARA J
7447 MAHALO HUI DR
DIAMONDHEAD, MS 39525

PASTORAL MARIA D ETAL
7425 MAHALO HUI DR
DIAMONDHEAD, MS 39525

LILLEY PHYLLIS REVOCABLE TRUS
7441 MAHALO HUI DR
DIAMONDHEAD, MS 39525

BARRIOS PETER ETAL
16200 WOODLAND TRL
BATON ROUGE, LA 70817

LAFONTAINE RONALD J ETUX
648 OLIWA PL
DIAMONDHEAD, MS 39525

BRELAND DIANE ETAL
642 OLIWA PL
DIAMONDHEAD, MS 39525

BERNARD BOBBY M ETAL
7427 MAHALO HUI DRIVE
DIAMONDHEAD, MS 39525

SIERVELD LEONARD R III TRUSTE
6458 KOME DR
DIAMONDHEAD, MS 39525

HATCHETT WILLIAM T ETUX
7431 MAHALO HUI DRIVE
DIAMONDHEAD, MS 39525

MILLER DIANNE Y (LIFE ESTATE)
7444 MAHALO HUI DR
DIAMONDHEAD, MS 39525

MAGEE KATHERINE ETAL
6462 KOME DR
DIAMONDHEAD, MS 39525

RAYMOND HOLLY K
756 SPYGLASS CRT
DIAMONDHEAD, MS 39525

HARDY STACY S
648 IONA STREET
DIAMONDHEAD, MS 39525

ESCOBEDO-ALVARADO GONZAL
7446 MAHALO HUI DRIVE
DIAMONDHEAD, MS 39525

KULPEKSA JOSEPH M ETAL
1901 MARILYN DR
CARUTHERSVILLE, MO 63830

HOLLAND WILLIAM L
7443 MAHALO HUI DR
DIAMONDHEAD, MS 39525

RICKS SANDRA ETAL
7440 MAHALO HUI DR
DIAMONDHEAD, MS 39525

QUIBODEAUX RODERICK L ETAL
6412 KIKO ST
DIAMONDHEAD, MS 39525

CRIMM DOUGLAS W ETAL
647 IONA STREET
DIAMONDHEAD, MS 39525

REIDENAUER ROBERT T ETUX
6438 MAHALO HUI DR
DIAMONDHEAD, MS 39525

HOLMES MICHAEL ETAL
6428 OLIWA PLACE
DIAMONDHEAD, MS 39525

HAYS RALPH E ETAL
7435 MAHALO HUI DRIVE
DIAMONDHEAD, MS 39525

WILLIAMS GARRETT W ETAL
5035 DEERFIELD DR
KILN, MS 39556

WORAK ROGER E ETAL
640 OLIWA PL
DIAMONDHEAD, MS 39525

HAPP TESSIE N
6429 KOME DR
DIAMONDHEAD, MS 39525

HERNANDEZ JUAN F ETAL
6464 KOME DR
DIAMONDHEAD, MS 39525

SNYDER SARAH
7445 MAHALO HUI DR
DIAMONDHEAD, MS 39525

GIBBONS JOE P JR ETUX
7439 MAHALO HUI DRIVE
DIAMONDHEAD, MS 39525

BEDDOE MARC ETUX
6434 MAHALO HUI DR
DIAMONDHEAD, MS 39525

HYDE SUZETTE ETAL
7430 MAHALO HUI DR
DIAMONDHEAD, MS 39525

CUDNEY SHELLEY L/E
6424 OLIWA PLACE
DIAMONDHEAD, MS 39525

COX JOHN C
6410 IONA ST
DIAMONDHEAD, MS 39525

MALLEY KENT ETUX
644 OLIWA PLACE
DIAMONDHEAD, MS 39525

PULLEN MICHAEL DARREN
6452 KOME DR
DIAMONDHEAD, MS 39525

SAVAGE DONALD R ETAL
642 IONA ST
DIAMONDHEAD, MS 39525

SANDERS JAMES D
649 IONA ST
DIAMONDHEAD, MS 39525

QUEBEDEAUX BARBARA ETAL
7433 MAHALO HUI DRIVE
DIAMONDHEAD, MS 39525



5000 Diamondhead Circle · Diamondhead, MS 39525

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

STAFF REPORT – 7440 MAHALO HUI DRIVE VARIANCE

TO: Planning & Zoning Commission

FROM: Beau King, Building Official

DATE: September 15, 2026

SUBJECT: Variance request before the Planning & Zoning Commission – 7440 Mahalo Hui Drive

NATURE OF REQUEST: Steven and Sandra Ricks has filed an application requesting a variance from the Zoning Ordinance Article 4.3.7 to allow an 858 square foot accessory structure within 8' of a rear property line. The property address is 7440 Mahalo Hui Drive. The tax parcel number is 067N-2-35-069.000. The property is in a R-6 zoning district. The setback for the accessory structure from the rear property line is 20'. The maximum square footage allowed is 775. The variance requested is 12' and 83 square feet.. The Case File Number is 202600668.

DATE OF PUBLIC HEARING: September 22, 2026, at 6:00 PM.

RECOMMENDATION: 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. *The lot is a corner lot which requires two front setbacks.*
- 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. *There are many homes on corner lots that have an accessory structure closer than 20' to a rear property line. Variances have been granted for larger structures.*
- C. That special conditions and circumstances, if any, *do not* result from the actions of the applicant. *Conditions are created by the house orientation on the corner lot.*
- 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. *Other similar variances have been granted.*
- 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. *Setbacks meet the requirement for accessory structures under 15' height. Extra square footage is open construction.*
- F. The Variance *does* observe the spirit of the Ordinance and *will not* change the character of the district (area). *Agreed*
- G. The Variance *will* observe the spirit of the Comprehensive Plan. *Observed.*
- H. That the Variance requested *will not* result in any change in use or density of the subject property. *No change in use or density.*

**NOTICE OF PUBLIC HEARING
PLANNING AND ZONING COMMISSION
DIAMONDHEAD, MS**

Steven and Sandra Ricks has filed an application requesting a variance from the Zoning Ordinance Article 4.3.7 to allow an 858 square foot accessory structure within 8' of a rear property line.

The property address is 7440 Mahalo Hui Drive. The tax parcel number is 067N-2-35-069.000. The property is in a R-6 zoning district. The setback for the accessory structure from the rear property line is 20'. The maximum square footage allowed is 775. The variance requested is 12' and 83 square feet.. The Case File Number is 202600668.

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, September 22, 2026, 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 the Building Department at the above address and/or at 228-222-4626.