



Commissioner Bice
Commissioner Layel
Commissioner Bower
Commissioner Rubar
Commissioner Hourin
Commissioner Torguson
Commissioner Hector

MINUTES PLANNING AND ZONING COMMISSION

Tuesday, January 26, 2021
6:00 PM CST
Council Chambers, City Hall
and via teleconference, if necessary

Call to Order

Chairman Bice 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 Rubar read the Statement of Purpose

Pledge of Allegiance

Commissioner Torguson led the Pledge of Allegiance.

Roll Call

Commissioner Rubar, Bower, Torguson, Layel, Hourin, Bice. Absent: Hector

Also present City Attorney, Derek Cusick, Building Inspector, Beau King, Code Enforcement Officer, Pat Rich, and Minute Clerk, Tammy Braud.

Confirmation or Adjustments to Agenda

Commissioner Bower, made a motion, second by Commissioner Hourin to approve the Agenda as presented.

Motion Carried Unanimously

Approval of Minutes

Commissioner Bower made a motion, second by Commissioner Layel to approve the minutes of December 8, 2020.

Motion Carried Unanimously

New Business

2. Elliott Homes, LLC has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence within 10' of the southwest property along Ieke Drive and extending beyond the front façade of the house 14'.
The property address is 8454 Amoka Drive. The tax parcel number is 068J-1-41-325.000. The legal

description is Diamondhead Subdivision Phase #2, Unit 11, Block 7, Lot 4. The property is located in an R-2 zoning district. The fence is required to be set back 20' from the front property line but not any closer than the façade of the house.

Code Enforcement Officer, Pat Rich, addressed the Commissioners and answered questions.

Chairman Bice asked if anyone was here to represent Elliot Homes. No one was present.

Chairman Bice asked for any public comments.

Mr. Skip Marsh spoke and answered questions from the Commissioners.

Code Enforcement Officer, Pat Rich presented 3 statements that were opposing the variance.

He presented to the Commissioners a recommendation to approve the variance with modifications that are in the staff report.

Commissioner Hourin asked if all parties were satisfied with the modifications, and all agreed.

Commissioner Rubar made a motion, second by Commissioner Bower to approve the recommendation with modifications to the City Council.

Motion Carried Unanimously

Unfinished Business

3. Motion by City Council to return the matter regarding variance request of Margaret Nutkins for Conditional Use Permit to the Planning & Zoning Commission to provide the reason for its denial of the permit.

City Attorney, Derek Cusick, gave a recap to the Commissioner about the case. He also explained why the case was sent back from the City Council.

Ms. Nutkins read a statement to the Commissioners on why they should approve her Conditional Use permit.

Chairman Bice asked for any public comments

Lisa Vergano, Molly Jimenez, and Don Walter stated why they were opposed to the permit.

Commissioner Rubar made a motion, second by Commissioner Hourin to approve the Conditional Use Permit with conditions to the City Council.

1. Parking would be limited to 5 cars during a rental.
2. A Three Strike policy having complaints through City Court.
3. Owner must be a resident of Diamondhead.
4. Limited occupancy to 10 people.
5. Must provide renters with parking and noise ordinance.

6. Must provide information on garbage collections and dates.

7. Must re-apply for a Conditional Use permit in 1 year from now, unless the ordinance has changed by allowing rentals without a Conditional Use permit.

Roll Call

Ayes: Bice, Layel, Rubar, Hourin

Nays: Torguson, Bower

Motion Carried

Open Public Comments to Non-Agenda Items

Ms. C J Longenecker spoke to the Commissioner about an opened gate on her cul-de sac. She stated parts of the gate is missing and so is the sign.

Commissioners' Comments

None

Communication / Announcements

4. Next City Council meeting February 2, 2021

Next Planning Commission meeting February 23, 2021

Commissioner Torguson asked that everyone keep Mr. Ronald Jones and his Family in their prayers.

Adjourn or Recess

Commissioner Hourin made a motion, second by Commissioner Layel to adjourn this meeting at 7:22 p.m.

Motion Carried Unanimously

E J Bice, Chairman

Planning & Zoning