

City of Diamondhead  
5000 Diamondhead Circle  
Diamondhead, MS 39525



Office 228-222-4626  
Fax 228-222-4390  
www.Diamondhead.ms.gov

APPLICATION FOR ZONING CHANGE

CASE NO. 202300417

DATE 8-21-23

APPLICANT: MICHAEL D. CURE

APPLICANT'S ADDRESS: 106 YALBOROUGH PL. WARELAND, MS. 39596

APPLICANT'S TELEPHONE: (HOME) <sup>(228)</sup> 304-7157 (WORK) <sup>(228)</sup> 463-0050

PROPERTY OWNER: CURE LAND COMPANY LLC

MAILING ADDRESS: P.O. BOX 44 LAKESIDE, MS. 39558

TELEPHONE NUMBER: (HOME) <sup>(228)</sup> 304-7157 (WORK) 228-463-0050

TAX ROLL PARCEL NUMBER: # 132-A-2-03-028

STREET ADDRESS OR LEGAL DESCRIPTION OF PROPERTY: \_\_\_\_\_

5410 GEX DRIVE

ZONING CHANGE (FROM) C-1 (TO) R-3

STATE PURPOSE OF REZONING: CONDOMINIUM DEVELOPMENT

\_\_\_\_\_  
\_\_\_\_\_

STATEMENT OF UNDERSTANDING

As the applicant or owner/s for the requested Zoning Change in the City of Diamondhead, I (we) understand the following:

The application fee of ~~\$600.00~~ <sup>200.00</sup> 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 Further, that if the application is withdrawn for any reason that the application fee is forfeited to the City of Diamondhead.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 designated 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 change on his own behalf.

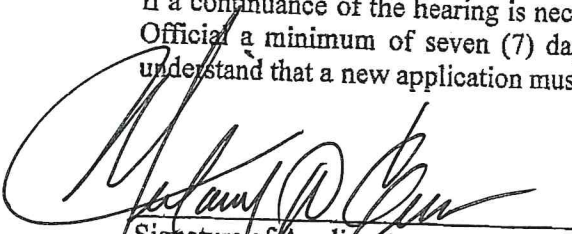
That all required attachments have been provided to the City of Diamondhead.

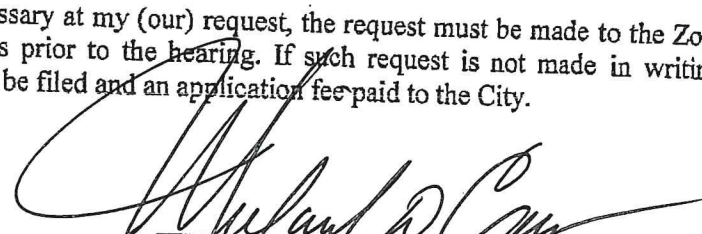
That additional information may be required by the Planning Commission prior to final disposition.

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 9/24/23 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.

  
Signature of Applicant

  
Signature of Property Owner

\_\_\_\_\_ For Official Use Only \_\_\_\_\_

- ~~\$600.00~~ <sup>200.00</sup>
- Copy of Deed, Lease or Contract
- Site Plan
- Parking Spaces
- List of Property Owners NA ( )

- Application Signed
- Written Project Description
- Drainage Plan NA ( )
- Notarized Statement NA ( )

January 11, 2023

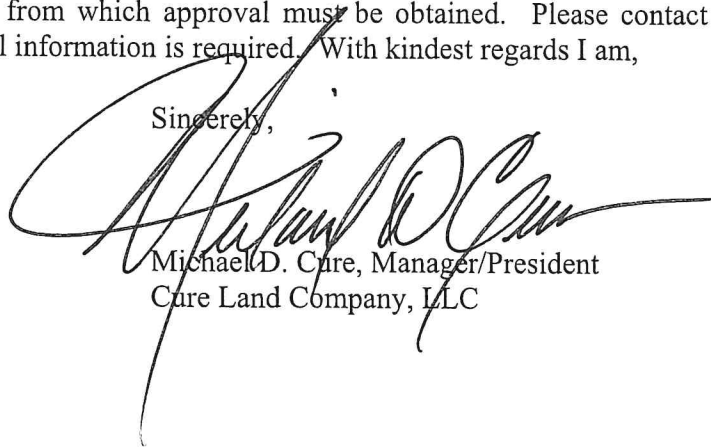
City of Diamondhead, Mississippi  
ATTN: Planning and Zoning  
5000 Diamondhead Circle  
Diamondhead, MS 39525

RE: Developer: Carlene Alfonso, and/or Assigns  
Property: Pt. (8.72 ac) JOHN B. LADNER CLAIM, Sec. 13, Ts. 8-S, R. 14-W,  
Diamondhead, Hancock Co., MS  
Parcel No.: 132A-2-03-028.000  
Address: 5410 Gex Drive (n/k/a Diamondhead Drive North)

To whom it may concern:

Please be advised that the above-named Developer is presently in the process of negotiating an agreement with Cure Land Company, LLC, as owner of the above-referenced property, which I represent herein as Manager/President. Such agreement involves the purchase and/or development of said property which will be made contingent on certain matters, including approval by the City of Diamondhead for the intended use and/or change to the current zoning. Please accept this correspondence as proof of the pending agreement with the Developer, and for authorization for the Developer to act on behalf of the Company. Such shall include, but not be limited to, the authority to make application, on behalf of Cure Land Company, LLC for approval by the City for such use and/or zoning change, and to represent the company in regard to such application before the City of Diamondhead and/or any other entities, departments, boards, or commissions from which approval must be obtained. Please contact me with any questions, or if additional information is required. With kindest regards I am,

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Michael D. Cure". The signature is written over the typed name and title.

Michael D. Cure, Manager/President  
Cure Land Company, LLC



DIAMONDHEAD CONDOMINIUM  
ZONING REQUEST CHANGE FROM C-1 TO R-3  
REQUIRED ITEMS

August 11, 2023

- i. Zoning request from C-1 to R-3/ATTACHED.
- ii. The attached Site plan shows the location of the proposed site of 8.31 acres located on Diamondhead Drive North (Gex Drive) with a 3-4 story residential condominium structure of 58 units with parking garage for 30 cars/golf carts with a total of 119 additional parking spaces/ATTACHED.
- iii. It is estimated that construction will begin in 2024 and be completed in the 2025 or the early spring of 2026.
- iv. The proposed 58 unit luxury condominium development will be located adjacent to Gex Drive buffered from Gex Drive by existing wetlands which will be left intact with the exception of an entry drive. The attractiveness of the wetlands and the existing lake will not be altered but will be insured by the site planning being proposed. A 20ft landscaped buffer is proposed on the perimeter of the site. Landscaping reflective of the wetlands will be incorporated in the community as a buffer. Further a nature preserve with walking trail will be designed to further buffer the adjacent/existing single family residences. This buffer will surround the development to provide attractive privacy and screening for both the condominium residents and adjoin residential and commercial properties. Our proposed condominium development's, existing site consists of 8.72 acres located at 5410 Gex Drive. The property is adjacent to the main entrance road into Diamondhead and is surrounded by commercial structures and C-1 zoning, as well as R-3 residential. The condominium property is roughly one half wooded wetlands and one half cleared uplands that as immediately adjacent to property zoned C-1 (vacant land) and R-3 (land developed). The wetlands are a tremendous asset to both Diamondhead and the condominium development the developer will not develop or intrude into the wetlands with the exception of building an entry drive adjacent to a portion of the wetlands and were previously filled.
- v. The proposed zoning charge from C-1 to R-3 allows for a condominium community of 8 units per acre. This zoning change allows for the development of a condominium community which matches the recommendations of future land use as identified in ENVISION DIAMONDHEAD 2040 (a plan for long term future and sustainable development adopted by the City Council July, 2021 ).

DIAMONDHEAD CONDOMINIUM  
ZONING REQUEST CHANGE FROM C-1 TO R-3  
REQUIRED ITEMS/page 2  
August 11, 2023

The existing zoning of C-1 allow development of use by right without planning oversight of some uses that may not or are not compatible with adjoining single family residences. It is acceptable planning practice to provide a transitional zone or buffer zone of multifamily land use between residential and additional residential commercial developments. This zoning “step down” insures the viability of adjacent single family residences. The developer is are proposing to build a Condominium Community on this property located between the properties zoned C-1, General Commercial, and R-3, Low Density Single Family Residential Homes. Between these two zoned districts, Standard Planning Practices would expect a transitional zone or transitional development to provide a development Buffer zone to protect integrity of the existing Residential Homes from the C-1 uses that I Have listed above.

The current zoning (C-1) allows by “use by right” some of the following land uses. These uses do not require planning oversight as implied by “use by right”.

Under C-1 Zoning

- Bowling Alley
- Cabinet Shop
- Construction Office
- Feed & Seed Store
- Furniture Store
- Grocery Store
- Landscape Garden Sales
- Parking Garage
- Pest Control
- Short Term Rental
- Restaurant
- Seafood Shop
- Water Elevated Store (Water Tank)

The addition of the condominium community will increase the housing opportunities of residents either moving into Diamondhead or wishing to move from Apartment or single family homes within Diamondhead. The appeal of Diamondhead continues to increase as additional residential and as commercial development increases; this condominium as additional residential and allow

DIAMONDHEAD CONDOMINIUM  
ZONING REQUEST CHANGE FROM C-1 TO R-3  
REQUIRED ITEMS/ Page 3  
August 11, 2023

Condominium it's residents to walk to current and proposed downtown shopping opportunities. The condominium units will serve a population wanting to reside in Diamondhead but are not interest in rental apartments or single family residences with individual yards & structures requiring upkeep and maintenance. The proposed zoning charge would positively affect adjoining residential properties by providing a buffer from future commercial development. Again to protect the "Character" of existing neighborhood there should be a step down of transitioning zoning from the C-1 zoning down or transition in zoning from C-1 zoning to R-3, then down to the R-1 zoning. Again transitional zoning is standard zoning practice. Secondly, we believe that there is A "Public Need" for owner occupied permanent market rate housing in this area.

When you consider the uses allowed by right by the current zoning ordinance, along with uses allowed by Planning Commission and by Conditional Use. This condominium development would provide those businesses with a regular and consistent client base that could request those businesses from a walking distance!

- vi. The incorporation of the land use proposed as a outlined in ENVISION DIAMONDHEAD 2040, changing the existing land use from C-1, general commercial, to R-3, high density single family, will allow the addition of a high end residential community along Diamondhead Drive North (GEX-Drive) is which is consistent with the overall master plan and will prevent the intrusion of commercial development that could result in lower residential property values.
- vii. -Tax Parcel Map/Attached.
- viii. As previously stated the zoning change from C-1 (commercial) to R-3 (condominium residential) will provide another type of housing for people desiring to live in Diamondhead. We have designed the development so that the structure is architecturally appealing and consistent with Design Standards of the City of Diamondhead, ENVISION DIAMONDHEAD 2040. Significant green space has been preserved on site and we have provided for a large landscape buffer between our developments to provide added protection for the single family neighborhood. In every aspect of our design we have made every effort to comply with the Master Plan for the City of Diamondhead, but also with standard zoning practices that compliment the surrounding area while protecting the single family residential neighborhood.





REVISIONS	NO.	DATE:



**FRANK GWIZDER JR. ARCHITECT**  
 16 E. Main St. F. 202.374.2264  
 22337-2264  
 BIRMINGHAM, AL 35202

DISCLAIMER: THE ARCHITECT'S RESPONSIBILITY IS TO DESIGN AND CONSTRUCT THE BUILDING AS SHOWN ON THESE PLANS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF ANY OTHER WORKS OR FOR THE PERFORMANCE OF ANY OTHER WORKS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AS SHOWN ON THESE PLANS.

**DIAMONDHEAD CONDOMINIUMS**  
 DIAMONDHEAD, MISSISSIPPI

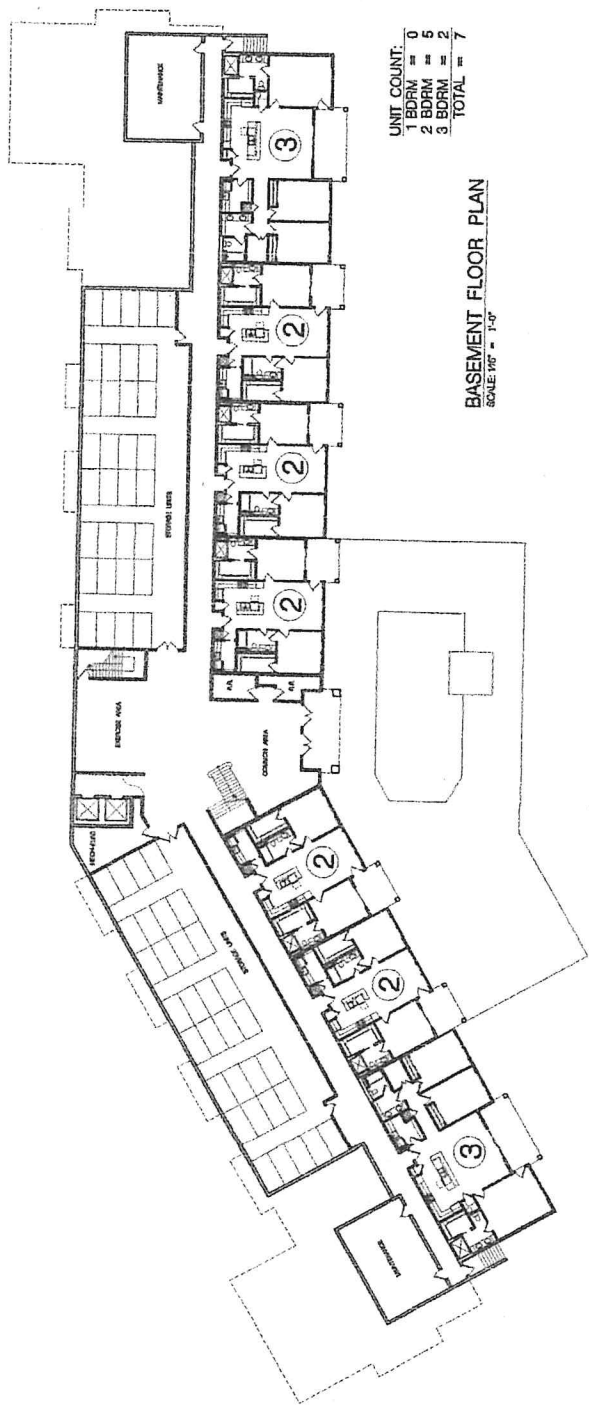
PROJECT:

SHEET TITLE:  
**BASEMENT & FIRST FLOOR PLANS**

DRAWING SUBMITTAL STATUS:  
 PRELIM. DES.  CODE REV.  
 DESIGN. CD.  CONST. DOC.  
 DATE: 06-12-23

DRAWN: T.A.  
 CHECKED: F.A.L.  
 FILE:  
 SHEET:

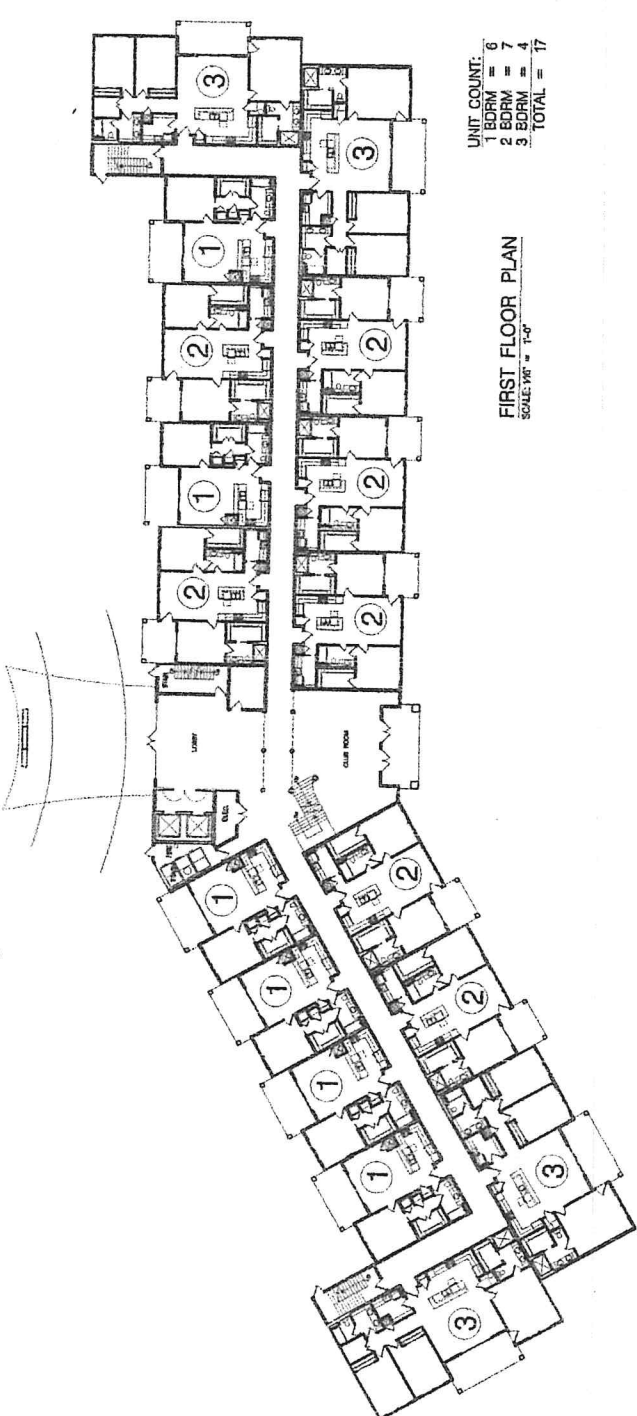
**A2.00** of



UNIT COUNT:

1 BDRM	=	0
2 BDRM	=	5
3 BDRM	=	2
<b>TOTAL</b>	<b>=</b>	<b>7</b>

**BASEMENT FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"



UNIT COUNT:

1 BDRM	=	6
2 BDRM	=	7
3 BDRM	=	4
<b>TOTAL</b>	<b>=</b>	<b>17</b>

**FIRST FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"

REVISIONS	NO.	DATE:



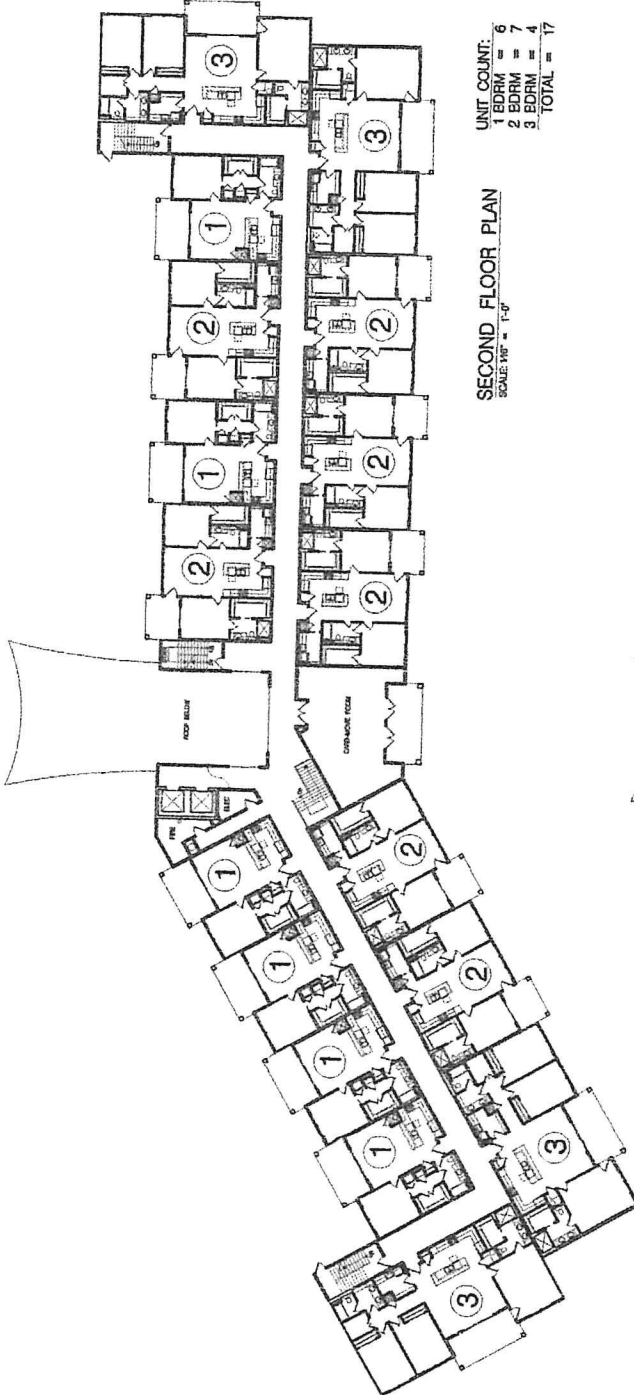
**FRANK GEVNER JR. AIA**  
**Architect**  
 200 N. LAMAR ST.  
 SUITE 1000  
 MEMPHIS, TN 38102  
 TEL: 901.525.1234  
 FAX: 901.525.1235

**DISCLAIMER**  
 THIS PLAN IS THE PROPERTY OF FRANK GEVNER JR. ARCHITECT AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO PART OF THIS PLAN IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF FRANK GEVNER JR. ARCHITECT. THE USER OF THIS PLAN AGREES TO HOLD FRANK GEVNER JR. ARCHITECT HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE ASSERTED AGAINST FRANK GEVNER JR. ARCHITECT BY ANY THIRD PARTY AS A RESULT OF THE USER'S USE OF THIS PLAN. THE USER OF THIS PLAN AGREES TO INDEMNIFY AND HOLD FRANK GEVNER JR. ARCHITECT HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE ASSERTED AGAINST FRANK GEVNER JR. ARCHITECT BY ANY THIRD PARTY AS A RESULT OF THE USER'S USE OF THIS PLAN.

**PROJECT**  
 DIAMONDHEAD CONDOMINIUMS  
 DIAMONDHEAD, MISSISSIPPI

**SHEET TITLE**  
 SECOND & THIRD FLOOR PLANS

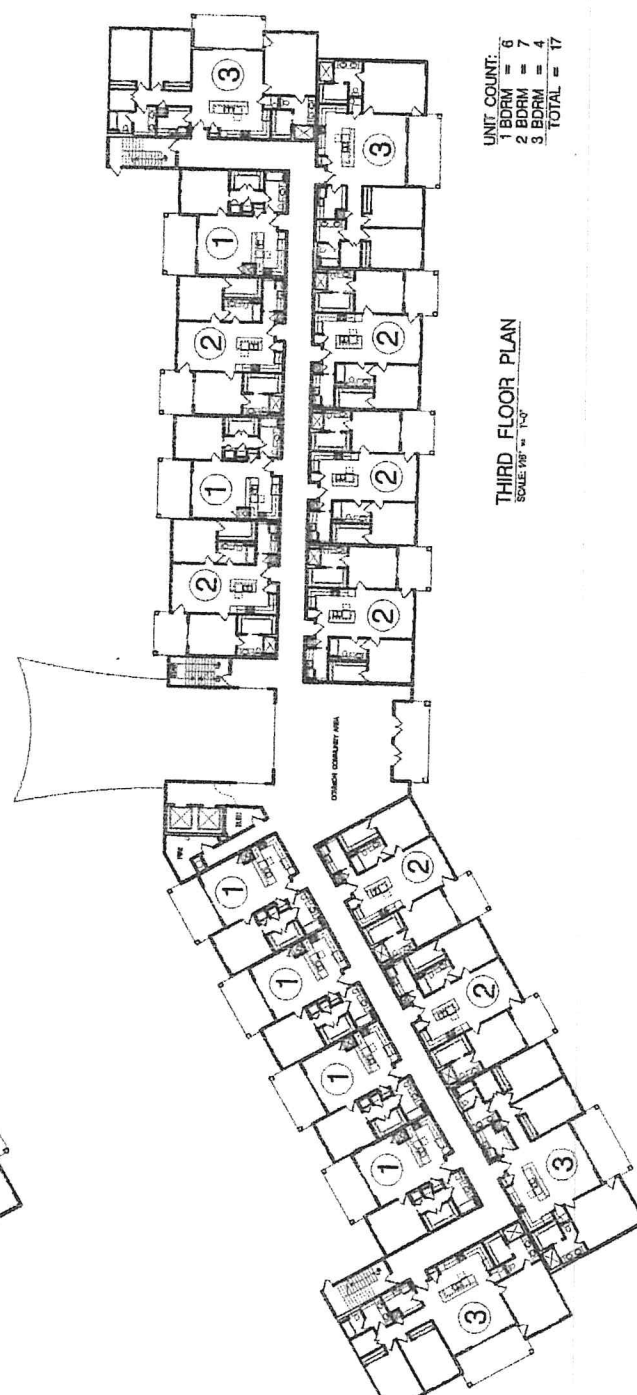
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 ISSUE/REV. NO.  CONST. DOC.  
**DATE:** 04-10-23  
**DRAWN:** T.H.L.  
**CHECKED:** F.G.J.  
**FILE**  
**SHEET**  
**A3.00**  
 OF



**SECOND FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"

**UNIT COUNT:**

1 BDRM	=	6
2 BDRM	=	7
3 BDRM	=	4
<b>TOTAL</b>	=	<b>17</b>



**THIRD FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"

**UNIT COUNT:**

1 BDRM	=	6
2 BDRM	=	7
3 BDRM	=	4
<b>TOTAL</b>	=	<b>17</b>



