



STAFF REPORT

CASE # 21-015

Subject Matter: Amendments to the Official Zoning Ordinance

Planning Commission: July 26, 2021

Board of Aldermen
Public Hearing: August 16, 2021

Description:

Consideration of Amendments to the Official Zoning Ordinance: Community Development staff is recommending several amendments to the Official Zoning Ordinance, adopted on March 21, 2016, as amended (amendments last incorporated on April 6, 2020) as listed below:

2.15 ACCESSORY BUILDINGS OR USES SHALL BE SUBJECT TO THE FOLLOWING REQUIREMENTS:

- a. No accessory building or use shall be permitted in any required yard, other than a rear yard in all districts, except: ~~in the RR district, where accessory buildings shall be allowed in the required side yard.~~
 - i. When located in an RR district, accessory buildings may be permitted in the required side yard.
 - ii. When located in an R-12 district, accessory buildings, such as detached garages or carports, may be permitted in the required side yard only if the architecture of the accessory building matches the main dwelling and is constructed of like materials, finishes, and colors.

The rear yard is the area between the rear property line and the nearest vertical portion of the main building, and extending the full width of the lot.

- b. No accessory building or use shall be erected closer than five feet from another building.
- c. The maximum size and dimensional requirements for accessory buildings are specified in Table 2.16 Accessory Building Dimensional Requirements, below.

3.5.6 RH SUBURBAN HIGH DENSITY RESIDENTIAL (RH)

“Minimum floor area per dwelling unit (sf) 1400 (SF)”

TABLE 4.1 TABLE OF USES

Add “Psychic/Fortune Teller”, Add “P” in use table under I-2

4.4.9.20 Psychic, Palm Reader, Fortune Teller, or Similar Use

- i. Definition: Any person, business or establishment which practices the telling of fortunes, forecasting of futures, or reading the past, by means of any occult, psychic power, faculty, force, clairvoyance, cartomancy, psychometry, phrenology, spirits, tea leaves, tarot cards, scrying, coins, sticks, dice, sand, coffee grounds, crystal gazing or other such reading, or through mediumship, seership, prophecy, augury, astrology, palmistry, necromancy, mindreading, telepathy or other craft, art, science, talisman, charm, potion, magnetism, magnetized article or substance, or by any such similar thing or act. It shall also include effecting spells, charms,

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or incantations, or placing, or removing curses or advising the taking or administering of what are commonly called love powders or potions in order, for example, to get or recover property, stop bad luck, give good luck, put bad luck on a person or animal, stop or injure the business or health of a person or shorten a person's life, obtain success in business, enterprise, speculation and games of chance, win the affection of a person, make one person marry or divorce another, induce a person to make or alter a will, tell where money or other property is hidden, make a person to dispose of property in favor of another, or other such similar activity.

ii. Districts Permitted: I-2

iii. Parking: One space per 200 square feet of floor area.

iv. Loading: One loading space for 10,000 square feet of floor area.

v. Additional Standards: None.

- 4.4.9.~~20~~ 21 Restaurant with drive through
- 4.4.9.~~21~~ 22 Restaurant without drive through
- 4.4.9.~~22~~ 23 Retail stores
- 4.4.9.~~23~~ 24 Studios for work and/or teaching
- 4.4.9.~~24~~ 25 Tatoo parlor
- 4.4.9.~~25~~ 26 Tobacco and/or Beer Retailer
- 4.4.9.~~26~~ 27 Truck Stop

5.4 ORGANIZATIONAL PRINCIPLES AND DESIGN STANDARDS TABLE.

Remove "~~Accessory Uses and Equipment~~"

9.10.3 POSTING OF PROPERTY.

Any request for rezone, conditional use, or dimensional variance which is initiated by a property owner, or the property owner's designee, shall post notice on the subject property. The notice posted on the property involved shall consist of a sign with letters legible from the nearest street, using at least on sign for every 400 feet of frontage on a publicly dedicated street upon which the property abuts. The following format or a format determined by the Mayor and Board of Aldermen shall be used for these signs:

~~a. For any zoning action being considered.~~

PUBLIC NOTICE

ZONING ACTION

A PUBLIC HEARING WILL BE HELD CONCERNING THIS PROPERTY. FOR INFORMATION CONTACT THE CITY OF BRANDON.

~~b. For an amendment to the official zoning map (a rezoning), the following notice may be used:~~

~~PUBLIC NOTICE~~

~~THE PROPERTY IS BEING CONSIDERED FOR A REZONING. FOR INFORMATION CONTACT THE CITY OF BRANDON.~~

Planning Commission Recommendation:

Case Number 21-015: Consideration of City of Brandon Zoning Ordinance Amendments. TL Chandler made a motion to recommend approval of the zoning ordinance amendments pursuant to the staff report. The motion was seconded by David Stevens and carried by a vote of 4/0. *See "Planning Commission Minutes – July 26, 2021", Attached*

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Staff Recommendation:

City staff recommends the proposed amendments to the Official Zoning Ordinance as detailed in this staff report.

Notice Filed in Paper: July 28, 2021

Report Prepared By: Matthew Dodd, Community Development Director

Exhibits:

- A. Ordinance
- B. Planning Commission Minutes – July 26, 2021
- C. Proof of Publication

**MINUTES
REGULAR PLANNING COMMISSION MEETING
CITY OF BRANDON, MISSISSIPPI**

July 26, 2021
6:00 p.m.

A Regular Meeting of the Planning Commission of the City of Brandon was held at 6 o'clock on the evening of July 26, 2021 in the Brandon Municipal Complex Board Room, located at 1000 Municipal Drive in Brandon, Mississippi.

The meeting was led by Ronnie Adcock. Members present included David Stevens, TL Chandler, and Jim Brooks. Others present included Matthew Dodd representing the Community Development Department and Shirley Bogan Dean and Keith Dean, applicant.

Ronnie Adcock called the meeting to order at 6:12 p.m. Ronnie Adcock led the invocation and pledge.

(1)

Consideration of minutes of the Regular Planning Commission Meeting of May 24, 2021, attached hereto.

TL Chandler made a motion to approve the minutes. The motion was seconded by David Stevens and carried by a vote of 4/0.

Ronnie Adcock	AYE
TL Chandler	AYE
Suzanne Ross	ABSENT
David Stevens	AYE
Jim Brooks	AYE

(2)

Case Number 21-018: Consideration of a Conditional Use application request from Shirley Bogan Dean for 99 Diamond Street (Parcel #I8P-18). Jim Brooks made a motion to recommend approval of the conditional use request pursuant to the staff report. The motion was seconded by TL Chandler and carried by a vote of 4/0.

Ronnie Adcock	AYE
TL Chandler	AYE
Suzanne Ross	ABSENT
David Stevens	AYE
Jim Brooks	AYE

(3)

Case Number 21-015: Consideration of City of Brandon Zoning Ordinance Amendments. TL Chandler made a motion to recommend approval of the zoning ordinance amendments pursuant to the staff report. The motion was seconded by David Stevens and carried by a vote of 4/0.

Ronnie Adcock	AYE
TL Chandler	AYE
Suzanne Ross	ABSENT
David Stevens	AYE
Jim Brooks	AYE

TL Chandler made a motion to adjourn until Monday, August 23, 2021 at 6 o'clock pm, seconded by David Stevens. The meeting was adjourned by a vote of 4/0.