

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF FLOWOOD, MISSISSIPPI AMENDING ARTICLE 2, SECTION 211 OF THE AMENDED ZONING ORDINANCE OF THE TOWN OF FLOWOOD, MISSISSIPPI TO PROVIDE THAT FENCES CONSTRUCTED AROUND AUTOMOBILE AND OTHER JUNK YARDS IN ACCORDANCE WITH ARTICLE 2, SECTION 211 SHALL BE CONSTRUCTED AT A UNIFORM HEIGHT, WITH UNIFORM MATERIALS AND THAT IF NOT CONSTRUCTED WITH WOOD THE UNIFORM MATERIALS USED SHALL BE SUBJECT TO APPROVAL OF THE MAYOR AND BOARD OF ALDERMEN PRIOR TO CONSTRUCTION

WHEREAS, on May 15, 1990 the Mayor and Board of Aldermen enacted in Ordinance amending the Zoning Ordinance of the Town of Flowood which provides, in part, that Section 211 be added to Article 2 of the Zoning Ordinance and that said Section provided for the screening of automobile and truck junk yards and other uses; and

WHEREAS, the Mayor and Board of Aldermen desire to amend said Amended Ordinance to provide that the fences so constructed shall be of uniform height, materials and shall be constructed of wood, or other materials as approved by the Mayor and Board of Aldermen.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Flowood, Mississippi that Article 2, Section 211 of the Amended Zoning Ordinance of the Town of Flowood, is hereby amended to read as follows:

Automobile and truck junk yards, crushing yards, used vehicle parts yards, salvage yards, wrecking yards and any other metal, automobile, truck salvage yards or other junk yards are specifically excluded as allowed uses in any Zoning District in the Town of Flowood, Mississippi; further, that all such uses presently existing within the Town and in operation prior to October 1, 1988, shall be allowed to remain as a nonconforming use, provided that said use shall not be expanded or enlarged without the approval of the Mayor and Board of Aldermen on application of the owner, which application shall be filed with the Zoning Administrator and acted on by the Mayor and Board of Aldermen without public hearing; provided, further, that all such uses shall only be allowed to remain if restrictively fenced from public view of any public highway, street, adjoining residence or commercial buildings by a fence at least six (6) feet in height, which fence shall be of uniform height, constructed with uniform materials and shall be constructed of wood and if not constructed of wood the construction materials desired to be used shall be approved by the Mayor and Board of Aldermen of the town of Flowood, prior to use. The Mayor and Board of Aldermen will consider any material which will screen the property from public view and be of a uniform height and materials and which will adequately shield or screen the premises from public view. It is the intent of the Mayor and Board of Aldermen that the fence be six (6) feet in height or of such height over six (6) feet as is necessary to shield the contents of the premises from public view. If any such use is not fenced from public view, as provided herein, within six (6) months of the effective date of this Ordinance, then said use shall be considered a nonconforming use and must be removed from the Town of Flowood within one (1) year of the expiration of the initial six (6) months period without exception. Time is of the essence in the compliance with this Ordinance. If this provision is not complied with, the owner or operators Privilege License will be revoked, or not renewed. In addition, the owner, operator

or violator of this provision shall be subject to the other enforcement provisions of this Ordinance.

SO ORDAINED, this the 4th day of September, 1990.

s/signed

Gary Rhoads, Mayor

ATTEST:

s/signed

Myra Dew, Town Clerk