

FILED 3-12-18 @ 2:06 pm
Jasha W. Jordan
Deputy CITY CLERK
CITY OF VICKSBURG, MISS

Honorable, George Flaggs Jr, Mayor

Alderman Michael Mayfield

Alderman Alex Monsour

1401 Walnut Street

Vicksburg, MS 39180

Dear Mayor and Alderman,

On Tuesday March 6, the appeals board denied my request for a waiver that would allow me to continue to park my truck on my property and where I live at 102 Bering Street, at no cost and with no penalties'.

And after the hearing, I was told that I could appeal to you for a waiver that would allow me to continue to park at my resident at no cost.

Please accept this letter as my request for an appeal of the appeal board's decision. I am available for an appearance upon at least a five day advance notice.

I can be reached at 601-218-4536 or at 102 Bering Street.

I look forward to meeting with you.

Sincerely,

Demeche Braxton, Sr.

Demeche Braxton, Sr.

Residents of Bering Street

Petition to the city of Vicksburg

We the following citizens of the City of Vicksburg Mississippi, do hereby petition the city, to allow Demeche Braxton, Sr. who lives at and owns the property at 102 Bering St., to park no more than two trucks owned by Braxton and Braxton Trucking, LLC of which he is the operating partner and driver to park said truck or trucks on his property:

Name	Address	Telephone #	date
1 David LaBelle	103 Bering st	601-618-0836	2-4-18
2 Linda LaBelle	103 Bering St	601-218-2089	2-4-18
3 James Brown	104 Bering St	601-218-4126	2-4-18
4 Phil Salomon	106 Bering St.	601-630-7116	2-4-18
5 Shirley Buie	108 Bering St.	309-585-8037	
6 Mike Patrick	114 Bering St.	601-618-2753	
7 Pat Goany	116 Bering	601-636-5284	
8 Anna W. Duncan	115 Bering	601-636-1928	
9 Klementine Petersen	117 Bering	601-218-2734	
10 Leon Smith	117 Bering	" "	
11 Damontae Trevillion	117 Bering	" "	
12 Lawrence Young	117 Bering	" "	
13 Betty Sharpe	118 Bering St	218-3713	
14 Kevin Sharpe	118 BERING ST.	218-3713	
15 James Sharpe	119 Bering St	218-3718	
16 Anthony Phelps	120 Bering St	601-618-4517	
18 Lorene Hawkins	120 Bering St	601-618-1685	
19 Marie Brannon	121 Bering St	601-415-0604	
20 Susan K. Ditt	107 Bering	601-415-7009	

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Name	Address	Telephone #	date
1 Tracy Braxton	PO Box 320 MS 39156	601-415-0697	
2 Richard Carter	109 Bering St.	601-630 6351	
3 Demeche Braxton	122 Bering St.	601-415-4207	
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**CITY OF VICKSBURG
ZONING ACTION APPLICATION**

Select one or more of the following zoning requests by indicating with an "X".

- _____ Special Exception
_____ Variance
_____ Amendment
_____ Re-zoning from _____ to _____
☒ Administrative Review

Address of proposed zoning request 102 Bering St.

Name of Applicant Mr. Demetri Braxton

Address of Applicant 102 Bering St. Vicksburg Ms 39180

Contact Person Demetri M. Braxton

Phone No. 601-218-4536 Fax No. _____

Name of Property Owner Demetri Braxton

Address of Property Owner 102 Bering St. Vicksburg Ms 39180

Phone No. 601-218-4536 Fax No. _____

Name of Attorney N/A

Address of Attorney _____

Phone No. _____ Fax No. _____

Address of property proposed for zoning request or Legal Description of property and plat

Current Zoning Classification R-2 SINGLE FAMILY

Does this property have restrictive covenants? NA (If yes, please attach a true copy of the restrictive covenants).

Has any zoning action request for this property ever been made before? NO (If yes, please attach a true copy of all decisions of the Zoning Board of Appeals and of the Board of Mayor and Aldermen).

Planned use of property: PARK COMMERCIAL TRUCK
(Attach plans showing property boundaries, relation to streets, ingress and egress to the facilities and off street parking).

SPECIAL EXCEPTION

The Zoning Board of Appeals shall hear and decide only such Special Exceptions as the Board is specifically authorized to pass on by the terms of Ordinance No. 71-8.

The applicant for a Special Exception must indicate the section of Ordinance 71-8 under which the Special Exception is sought and state the grounds upon which it is requested.

Section _____ of Ordinance 71-8.

Grounds for request: (Attach additional pages, if necessary).

In granting any Special Exception, the Board may prescribe appropriate conditions and safeguards in conformity with the terms of the Ordinance.

VARIANCE

A Variance from the terms of Ordinance No. 71-8 shall not be granted by the Zoning Board of Appeals until the applicant has demonstrated that the following conditions are met:

- (1) that special conditions or circumstances exist which are peculiar to the land, structures or buildings in the same zone;
- (2) that special conditions and circumstances do not result from the actions of the applicant;
- (3) that the applicant will suffer some unusual hardship from the literal enforcement of the provisions of Ordinance 71-8 different from the greater than that suffered by other property owners in the same zone under the terms of the Ordinance;
- (4) that granting the Variance requested will not confer on the applicant any special use or other privilege that is denied by Ordinance 71-8 to other lands, structures or buildings in the same zone.

NOTE: The applicant must address each of the conditions above in the space provided below and/or attached pages. Non-conforming use of neighboring lands, structures or buildings in the same zone or permitted use of lands, structures or buildings in other zones shall not be considered grounds for the issuance of a Variance.

Grounds for request: (Attach additional pages, if necessary).

AMENDMENT/REZONING

For the purpose of establishing and maintaining sound, stable and desirable development within the City of Vicksburg, the Zoning Ordinance, No. 71-8, (as here used the term Ordinance shall be deemed to include the Official Zoning Map), shall not be amended except to correct a manifest error in the Ordinance or, because of changed or changing conditions in a particular area, to re-zone an area or to extend the boundary of an existing zone, or to change the regulations and restrictions thereof, only as reasonably necessary for the promotion of public health, safety or general welfare.

The applicant for an Amendment or Rezoning must, in writing below, state the purpose for the request, the grounds upon which the request is based, and the relationship of the request to the promotion of the public health, safety or general welfare of the City of Vicksburg.

Grounds for request: (Attach additional pages, if necessary).

ADMINISTRATIVE REVIEW

The Zoning Board of Appeals may hear and decide appeals where there is an alleged error in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of this Ordinance.

The applicant for Administrative Review must provide, in the space below or attachments hereto, the section of Ordinance 71-8 that is in question, the basis for the appeal and a copy of the Zoning Administrator's order, request, requirement, decision or determination being appealed.

Ground for request: (Attach additional pages, if necessary).

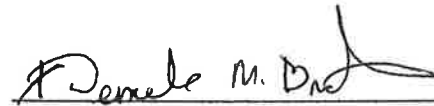
SEE ATTACHED LETTER

By signing this application, it is understood and agreed that permission is given the City of Vicksburg to place a sign on said property, giving notice to the public that said property is being considered for zoning action. It is further understood that after a hearing has been held or a determination made, that said sign may be removed from the owner's property by the City of Vicksburg, or it may remain until the case is finalized, if deemed necessary. Be it further understood by the applicant that removal of the sign before the hearing will constitute a withdrawal by the petitioner, and the case will not be heard.

It is further understood and agreed upon by the applicant, and permission is hereby granted to the Zoning Administrator, for inspections, investigations and/or evaluation reports pertaining to said property to be made by the appropriate agencies. In the event such investigations, etc., disclose this property does not meet the requirements for the proposed usage, then this request will be held in abeyance until such time as those requirements are met and/or evidence of such is submitted.

By signing this application, I acknowledge that the above information is true, correct and complete to the best of my knowledge.

Applicant



Property Owner

STATE OF _____
COUNTY OF _____

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named _____, who acknowledged that _____ signed and delivered the above and foregoing instrument of writing on the day and year therein mentioned.

GIVEN under my hand and official seal, this the _____ day of _____, 20____.

NOTARY PUBLIC

My Commission Expires:



Victor Gray-Lewis
Director

CITY OF VICKSBURG

Community Development Division

Zoning / Historic Preservation / Privilege License

819 South Street Vicksburg, MS 39180

(601) 634-4528 Fax (601) 638-4229

October 10, 2017

Demeche Braxton.
102 Bering Street
Vicksburg, MS 39180

Re: Commercial dump truck parked in a Residential zone.

Dear Property Owner:

This letter is in reference to several complaints that this office has received regarding a Zoning violation at your property and city property listed above. **The complaints are concerning the Commercial dump truck parked at this address which is zoned R-2 single - Family Residential zone as defined in Section 406.2.**

Note: This type of **Commercial Trucking Home Business** is not permitted. As stated in section **(404.10-4) Major Home Occupations** Ordinance 71-8 of the Code of Ordinances of the City of Vicksburg, as amended.

The owner, agent, lessee or occupant must be in compliance within ten days (10) days of the receipt of this letter by removing this Business use.

Failure to comply within the allotted time shall constitute a misdemeanor of the City of Vicksburg Code of Ordinances, Section 505 Penalties for violation. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than one hundred dollars (\$100.00) and, in addition, shall pay all costs and expenses involved in the case. Each day such violation continues following conviction shall be considered a separate offense.

Our office is open from 8:00 a.m. to 5:00 p.m. Monday through Friday. If you have any questions, please feel free to contact me at 601-634-4528.

Sincerely,


Dalton T. McCarty

Zoning Administrator