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Steve Tillis  
Karen Stennis

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Alderman Ward 2

Kevin Wade  
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Rob Blackman  
Julie Messenger

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### **STRUCTURE PLACEMENT - SETBACKS - SITE PLAN**

- The City of Ocean Springs requires a new structure or an addition to a new structure to submit a site plan that is required to demonstrate that you adhere to the development regulations.
- Please be advised that all structures on your lot are required to have a permit.
- The principal structure must follow the setbacks of that zoning districts.
- Permanent structures are not allowed to be constructed in an easement.
- There are primary structures and accessory structures that are allowed in both retail and commercial zoning designations.
- A primary structure is your residence or a primary commercial building.
- An accessory structure is ancillary or “accessory” structure to the principal structure.
- All accessory structures, other than fences located in compliance with this UDC, shall comply with all site design requirements except the side and rear yard setbacks. A single-story accessory building shall be located a minimum of five (5) feet from a side or rear yard line. An accessory building greater than one-story in height shall be located a minimum of ten (10) feet from a side or rear yard line.
- Where an accessory structure or use is located on a corner lot, no variation from the applicable district’s standard minimum side yard setback will be permitted on the street-facing side. No accessory buildings on a said corner lot shall project beyond the front yard line of the lot(s) abutting in the rear, nor shall an accessory building be erected, reconstructed, altered or enlarged less than ten (10) feet to the line of the abutting lot to the rear.
- Within single family residential zoning districts, accessory buildings may occupy not more than forty (40) per cent of the total rear yard (excluding fences and walls). All other zoning districts may have any number of accessory structures, so long as such structures are located in compliance with the site design requirements of the zoning district and the applicable requirements of this section.
- The aggregate area of all permissible accessory structures and accessory use shall consist of no more than 40% of the size and area of the principal use.
- All uses and structures accessory to single family detached dwellings shall cover no more than 25% of the area of the minimum required rear yard.
- Separate detached garages and separate accessory units are not permitted on the same lot. Accessory units may be created as a second story within detached garages if the height of the accessory unit and/or garage does not exceed the height of the principal structure on the lot.
- The Gross Floor Area (GFA) of an accessory dwelling unit shall not exceed 50% of the principal building’s floor area. The building footprint of the accessory dwelling unit shall not exceed 40% of the building footprint of the principal residence. The “building footprint” shall include patios but shall not include porches.
- No exterior stairway to the second floor is permitted at the front or side of the building.

- The property owner must occupy either the principal dwelling or the accessory dwelling as the permanent residence.
- The property owner shall not receive rent for the principal dwelling. For purposes of this section, “property owner” means the title holder and/or contract purchaser of the lot, and “owner occupancy” means that a property owner, as reflected in the title records, makes his/her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means.
- The property owner shall sign an affidavit before a notary public affirming that the owner occupies either the principal dwelling or the accessory dwelling. The Applicant shall provide a covenant suitable for recording with the recorder of deeds providing notice to future owners or long-term lessors of the subject lot that the existence of the accessory dwelling unit is predicated upon the occupancy of either the accessory dwelling or the principal dwelling by the person to whom the certificate of occupancy has been issued. The covenant shall also require any owner of the property to notify a prospective buyer of the limitations of this section, and to provide for the removal of improvements added to convert the premises to an accessory dwelling and the restoration of the site to a single-family dwelling in the event that any condition of approval is violated.
- The GFA of the accessory apartment shall not exceed 35% of the total floor area of the principal dwelling unit. Occupancy of the accessory apartment shall not exceed one person per 400 square feet of GFA.

**SAMPLE SITE PLAN**

