

ORDINANCE 2025-1135

AN ORDINANCE AMENDING TITLE 14, ZONING AND LAND USE CONTROL, CHAPTER 2, ZONING ORDINANCE, OF THE MOUNT PLEASANT MUNICIPAL CODE, THE SAME BEING THE ZONING ORDINANCE FOR THE CITY OF MOUNT PLEASANT, TENNESSEE, INCLUDING THE MUNICIPAL ZONING MAP INCORPORATED THEREIN BY A PROPERTY CONTINGENT UPON ANNEXATION

TO HIGH DENSITY RESIDENTIAL (R3)

ZONING UPON ANNEXATION – TROTWOOD/ZION

WHEREAS, Title 14, Zoning and Land Use Control, Chapter 2, Zoning Ordinance, of the Mt. Pleasant Municipal Code (hereinafter referred to as the “Zoning Ordinance”) constitutes the comprehensive zoning ordinance for the City of Mount Pleasant, Tennessee, and incorporated therein is the Municipal Zoning Map; and

WHEREAS, The City Commission of Mount Pleasant, Tennessee has broad discretion to change or amend the Zoning Ordinance for the purpose of promoting the health, safety, prosperity, morals and general welfare of the City; and

WHEREAS, John Maher Builders submitted an annexation request and zoning request of **R-3**, and a plan of services for property located South Cross Bridges Road. The property consists of three tracts being approximately 106 +/- and owned by Spencer M. Armstrong, Adaline A. Paser, and Dana McLendon. The properties are further identified as **Tax Map 111; Parcel 29.00**, recorded in Book 1983, Page 804; **Tax Map 111, Parcel 29.05**, recorded in Book 1358, Page 833; **and Tax Map 111, Parcel 29.06**, recorded in Book 2734, Page 1072, in the Register’s Office of Maury County, Tennessee. The property is being proposed for future residential development; and,

WHEREAS, the City of Mount Pleasant will set a public hearing on the proposed annexation by Resolution 2025-41, and if approved, will consider annexation by separate resolution at a later date; and,

WHEREAS, Section 5.4 of the City of Mount Pleasant’s Zoning Ordinance states, “Any territory annexed into the City, shall upon annexation, establish the zoning of annexed property simultaneous with annexation.”

WHEREAS, the Planning Commission considered the annexation request and zoning request of R-3, and a plan of services for property and held a public hearing on July 8, 2025, with notice of said hearing being published in Main Street Maury as required by the Zoning Ordinance. The Planning Commission recommended annexation of the property pursuant to the proposed plan of services; however, the Planning Commission **did not recommend** the property be zoned R-3. The Planning Commission passed Resolutions 2025-PC-04 and 2025-PC-05 and adopted the findings of fact contained therein. The resolutions are attached hereto as **Collective Exhibit A**.

WHEREAS, pursuant to section 4.7 of the Zoning Ordinance, the Commission specifically finds that:

1. The zone of R-3 is in agreement with the Land Use Plan for the area;
2. There will be no adverse effect upon adjoining property owners, unless such effect can be justified by the overwhelming public good or welfare;

- 3. No property owner or small group of property owners will benefit materially from the change to the detriment of the general public;
- 4. Conditions affecting the area have changed to a sufficient extent to warrant an amendment to the area’s Land Use Plan and subsequently, the zoning map.

The Commission also finds that:

_____.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MOUNT PLEASANT, TENNESSEE, AS FOLLOWS:

Section 1. That the properties identified as **Tax Map 111; Parcel 29.00, Tax Map 111, Parcel 29.05, and Tax Map 111, Parcel 29.06** and being located along **Trotwood and Zion Roads** is zoned **R3 (High-Density Residential) if annexed by the City of Mount Pleasant. The zoning of this property is contingent upon annexation.**

Said amendment shall be reflected on said zoning map from and after the effective date of this ordinance and annexation.

Section 2. The Board of Commissioners adopts the findings of the planning commission and the findings of fact and conclusions as stated in the body of this Ordinance.

Section 3. If any one or more of the provisions of this Ordinance, or any exhibit or attachment thereof, shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, or of any exhibit or attachment thereto, but this Ordinance, and the exhibits and attachments thereof, shall be construed the same as if such invalid, illegal, or unenforceable provision had never been contained herein, or therein, as the case may be.

Section 4. This Ordinance shall take effect upon final passage.

Approved and adopted this ____ day of _____, 2025.

WILLIAM F. WHITE, JR., MAYOR

ATTEST:

SHIPHRAH COX, RECORDER

LEGAL FORM APPROVED:

KORI BLEDSOE JONES, ATTORNEY

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____