

**ORDINANCE REZONING PROPERTY AND AMENDING THE OFFICIAL ZONING
MAP OF THE CITY OF TUPELO, MISSISSIPPI**

Case No. RZ 20-01

Parcel #: 113M-08-009-00

WHEREAS, a request was filed with the Department of Planning and Community Development to change the zoning on certain pieces of property; and,

WHEREAS, the request was reviewed by the Tupelo Planning Committee which reviewed and considered information regarding the rezoning and conducted a public hearing with notice sent to the surrounding property owners, at the Planning Committee's regularly scheduled meeting on Monday, November 2, 2020. The Planning Committee recommended approval of the proposed zoning change; and,

WHEREAS, the Tupelo City Council conducted a public hearing, with notice published in the Northeast Mississippi Daily Journal, at its regularly scheduled meeting on Tuesday, December 1, 2020, to review and consider recommendations proposed by the Tupelo Planning Committee concerning the proposed zoning change at which time no sufficient protest was received; and,

WHEREAS, the City Council finds and determines that pursuant to the authority granted under Miss. Code Anno. Sec. 17-1-3 (1972 as amended), it is necessary to protect the public health, safety, morals and general welfare to amend the current Development Code, and the provisions below are enacted pursuant to the procedures set forth in the Development Code of the City of Tupelo, and are necessary, fair and reasonable.

NOW, THEREFORE, BE IT ORDAINED by the Tupelo City Council as follows:

1. The prefatory sentences, as findings of the City Council are hereby incorporated herein.
2. The portions of the following described property which are currently zoned Industrial, are hereby amended to be zoned Mixed Use Residential:

Commencing at the Northeast Corner of the Northeast Quarter of Section 8, Township 10 South, Range 6 East, Lee County Mississippi; thence South 00 degrees 42 minutes West 6.28 feet to the South right of way of Eason Boulevard; thence South 00 degrees 42 minutes West 1963.40 feet to the South line of a railroad spur and Northeast corner of the Mississippi National Guard property; thence South along Canal Street 349.60 feet to the Southeast corner of said property, for a point of beginning. Thence South along South Canal Street 237.00 feet to an iron pin at the Northeast corner of the Deviney Construction Company lot; thence North 89 degrees 39 minutes 53 seconds West along a chain link fence 486.60 feet to the East right of way of the Burlington-Northern Railroad; thence North 28 degrees 55 minutes 39 seconds West along said East line 267.53 feet to

an iron pin; thence East along a chain link fence on the South line of the Mississippi National Guard property 616.00 feet to the Point of Beginning, and containing 2.98 acres. Lying and being in the Northeast Quarter of Section 8, Township 10 South, Range 6 East, City of Tupelo, Lee County, Mississippi.

Subject to the prescriptive easement of South Canal Street.

3. The official Zoning Map shall be amended to reflect this change. The City Clerk shall cause this amendatory ordinance to be published according to law.

The foregoing Ordinance was proposed in a motion by Councilman _____, seconded by Councilman _____, and was brought to a vote as follows:

_____ Councilman Markel Whittington
_____ Councilman Lynn Bryan
_____ Councilman Travis Beard
_____ Councilman Nettie Davis
_____ Councilman Buddy Palmer
_____ Councilman Mike Bryan
_____ Councilman Willie Jennings

Whereupon, the ordinance having received a majority of affirmative votes, the President of the Council declared that the Ordinance had been passed and adopted on this the 1st day of December, 2020.

CITY OF TUPELO, MISSISSIPPI

BY: _____
Mike Bryan, President

ATTEST:

Missy Shelton, Clerk of the Council

APPROVED:

Jason L. Shelton, Mayor

DATE:

December 1, 2020