

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

**Case No. RZ 22-02**

**Parcel #: 078B-28-010-00**

**WHEREAS**, a request was filed with the Department of Development Services 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 Tupelo Planning Committee's regularly scheduled meeting on Monday, March 7, 2022; and

**WHEREAS**, the Tupelo Planning Committee recommended approval of the proposed zoning change at said meeting; and,

**WHEREAS**, the Tupelo City Council conducted a public hearing, with notice published in the Northeast Mississippi Daily Journal and sent to the surrounding property owners and posted on the property to be rezoned at least 7-days prior to said meeting, at its regularly scheduled meeting on Tuesday, May 17, 2022, 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 character of the neighborhood has changed to such an extent as to justify rezoning and that public need exists for rezoning; and

**WHEREAS**, the Tupelo 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 Zoning Map, 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 Tupelo City Council are hereby incorporated herein.
2. The portions of the following described property which are currently zoned Medium Density Residential, (“MDR”), are hereby amended to be zoned Low Density Residential, (“LDR”):

Sixty (60) acres described as follows:

100 acres on the west side of the Northeast Quarter of Section 28, Township 9, Range 5 East, Lee County, Mississippi, except 40 acres on the north side, and being the same land as intended to be described in deed of record in Book 274, Page 316, deed records of said county.

LESS AND EXCEPT: Beginning at the Southwest corner of the Northeast Quarter of Section 28, Township 9 South, Range 5 East and run North 468.5 feet; thence run East 175 feet to the center line of a ditch; thence run along the center line of said ditch in a Southwesterly direction 506 feet to the South boundary of said Northeast Quarter; thence run West 27 feet to the Point of Beginning. Containing 1.1 acre, lying and being in the Northeast Quarter of Section 28, Township 9 South, Range 5 East, Lee County, Mississippi.

ALSO, LESS AND EXCEPT: Commencing at the Northwest corner of the Northeast Quarter of Section 28, Township 9 South, Range 5 East, Lee County, Mississippi; thence South 00 degrees 29 minutes 05 seconds East 1056.00 feet to the Southwest Corner of Southron Subdivision; thence North 89 degrees 13 minutes 03 seconds East along an old fence 1644.08 feet to an iron pin on an old fence; thence South 00 degrees 23 minutes 27 seconds East along said fence 674.00 feet to an iron pin, for a point of beginning; thence South 00 degrees 23 minutes 27 seconds East along said fence 295.20 feet to an iron pin; thence West 295.20 feet to an iron pin; thence East 295.20 feet to the point of beginning, and containing 2.00 acres lying and being in the Northeast Quarter of Section 28, Township 9 South, Range 5 East, City of Tupelo, Lee County, Mississippi.

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 Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, and after discussion, no council member having called for a reading, was brought to a vote as follows:

Councilmember Chad Mims voted	_____
Councilmember Lynn Bryan voted	_____
Councilmember Travis Beard voted	_____
Councilmember Nettie Davis voted	_____
Councilmember Buddy Palmer voted	_____
Councilmember Janet Gaston voted	_____
Councilmember Rosie Jones voted	_____

**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 7<sup>th</sup> day of June, 2022.

CITY OF TUPELO, MISSISSIPPI

By: \_\_\_\_\_  
BUDDY PALMER, City Council President

ATTEST:

\_\_\_\_\_  
MISSY SHELTON, Clerk of the Council

APPROVED:

\_\_\_\_\_  
TODD JORDAN, Mayor

\_\_\_\_\_  
DATE