

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

Case No. RZ 21-04
Parcel #: 075U-21-00703

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 1, 2021. 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 7, 2021, 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 Mixed Use Commercial Corridor, are hereby amended to be zoned Low Density Residential:

Commencing at a (found) 5/8 inch re-bar marking the Northwest corner of Southern Subdivision which is officially recorded in Plat Cabinet B, Slide 15 in the Record of Plats and Maps in the Chancery Clerk's Office of Lee County, Mississippi, said point is also referenced as being the Northwest corner of the Northeast Quarter of Section 28,

Township 9 South, Range 5 East, City of Tupelo, Lee County, Mississippi on said Subdivision Plat; run thence North a distance of 774.28 feet to a point; thence East a distance of 1175.08 feet to a (found) ½ inch re-bar at the Northwest corner of the Mindelyn T. Austin Revocable Trust property (Deed # 2016011015). From said point, run North 33 Degrees 08 Minutes 35 Seconds East a distance of 359.43 feet to a (set) ½ inch re-bar on the South right-of-way line of West Jackson Street Extended (20 feet from centerline; run thence, along the South right-of-way line of West Jackson Street Extended, the following five (5) locative calls: North 80 Degrees 00 Minutes 00 Seconds East a distance of 120.74 feet to the existing zoning line between residential and commercial and the Point of Beginning; North 85 Degrees 55 Minutes 00 Seconds East a distance of 34.59 feet to a set iron pin; thence leaving said right of way run South 12 Degrees 39 Minutes 44 Seconds East 151.25 feet to a set iron pin; thence run South 33 Degrees 35 Minutes 59 Seconds West 57.26 feet to a set iron pin; thence run South 18 Degrees 05 Minutes 14 Seconds East 12.74 feet to a set iron pin; thence run South 198.19 feet to a set iron pin; thence run North 88 Degrees 08 Minutes 57 Seconds West 40.02 feet to a set iron pin; thence run North 405.13 feet to a set iron pin on the South right of way of West Jackson Street Extended and the Point of Beginning; this parcel of land is situated in the Southeast Quarter of Section 21, Township 9 South, Range 5 East, City of Tupelo, Lee County, Mississippi and contains 0.42 Acres.

3. The portions of the following described property which are currently zoned Medium Density Residential, are hereby amended to be zoned Low Density Residential:

Commencing at a (found) 5/8 inch re-bar marking the Northwest corner of Southron Subdivision which is officially recorded in Plat Cabinet B, Slide 15 in the Records of Plats and Maps in the Chancery Clerk's Office of Lee County, Mississippi, said point is also referenced as being the Northwest corner of the Northeast Quarter of Section 28, Township 9 South, Range 5 East, City of Tupelo, Lee County, Mississippi on said Subdivision Plat; run thence North a distance of 774.28 feet to a point; thence East a distance of 1175.08 feet to a (found) ½ inch re-bar at the Northwest corner of the Mindelyn T. Austin Revocable Trust property (Deed #2016011015) and the Point of Beginning. From said point of beginning, run North 33 Degrees 08 Minutes 35 Seconds

East a distance of 359.43 feet to a (set) ½ inch re-bar on the South right-of-way line of West Jackson Street Extended (20 feet from centerline); run thence, along the South right-of-way line of West Jackson Street Extended, the following five (5) locative calls: North 80 Degrees 00 Minutes 00 Seconds East a distance of 120.74 feet; North 85 Degrees 55 Minutes 00 Seconds East a distance of 197.44 feet to a set iron pin; thence leaving said right of way run South 163.50 feet to a set iron pin; thence run South 88 Degrees 35 Minutes 22 Seconds East 34.60 feet to a set iron pin; thence run South 12 Degrees 39 Minutes 44 Seconds East 151.25 feet to a set iron pin; thence run South 33 Degrees 35 Minutes 59 Seconds West 50.10 feet to a set iron pin; thence run South 216.25 feet to a set iron pin; thence run South 88 Degrees 08 Minutes 57 Seconds East 93.20 feet to a set iron pin; thence run South 18 Degrees 25 Minutes 56 Seconds West a distance of 46.70 feet to a (found) ½ inch re-bar; run thence South 41 Degrees 59 Minutes 15 Seconds West a distance of 40.52 feet to a (found) ½ inch re-bar; run thence South 74 Degrees 35 Minutes 31 Seconds West a distance of 38.98 feet to a (found) ½ inch re-bar; run thence North 86 Degrees 28 Minutes 12 Seconds West a distance of 41.89 feet to a (found) ½ inch re-bar; run thence North 44 Degrees 30 Minutes 55 Seconds West a distance of 120.40 feet to a (found) ½ inch re-bar; run thence North 86 Degrees 33 Minutes 57 Seconds West a distance of 54.66 feet to a point at a wooden fence intersection; run thence North 67 Degrees 39 Minutes 16 Seconds West a distance of 146.93 feet, along a common boundary line with the Mindelyn T. Austin Revocable Trust property (Deed #2016011015) and along a fence, to a fence corner; run thence North 00 Degrees 27 Minutes 24 Seconds East a distance of 96.84 feet, along a common boundary line with said Austin property and along a fence, to a fence corner; run thence North 71 Degrees 58 Minutes 11 Seconds West a distance of 248.29 feet, along a common boundary line with said Austin property and along a fence, to the Point of Beginning. Said property containing 5.29 Acres

4. 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 was brought to a vote as follows:

_____ Council Member Chad Mims
_____ Council Member Lynn Bryan
_____ Council Member Travis Beard
_____ Council Member Nettie Davis
_____ Council Member Buddy Palmer
_____ Council Member Janet Gaston
_____ Council Member Rosie Jones

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 7th day of December, 2021.

CITY OF TUPELO, MISSISSIPPI

Buddy Palmer, President

ATTEST:

Missy Shelton, Clerk of the Council

APPROVED:

Todd Jordan, Mayor
December 7, 2021