

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF BYRAM, HINDS COUNTY, MISSISSIPPI
AMENDING THE OFFICIAL ZONING ORDINANCE AND MAP OF
THE CITY OF BYRAM, MISSISSIPPI TO REZONE REAL PROPERTY
LOCATED ON SIWELL ROAD IN THE CITY OF
BYRAM, HINDS COUNTY, MISSISSIPPI, BY CHANGING THE
USE DISTRICT CLASSIFICATION FROM (R-E) TO (C-3)**

WHEREAS, the City of Byram (the "Petitioner") did make a request to rezone one parcel of certain property described herein from its present (R-E) Classification to (C-3) Classification (the "Petition"); and,

WHEREAS, the City of Byram did cause notice of the November 7, 2013, public hearings to be published in The Clarion Ledger, a newspaper published in the City of Byram, Hinds County, Mississippi, in the manner and for the time required by law on October 18, 2013; and,

WHEREAS, the Petitioners did provide evidence to the Byram Zoning and Planning Commission that the statutory notice requirements had been met; and,

WHEREAS, at the time, date and place specified in the notice, on November 7, 2013, at its regular public meeting established in accordance with the law, the Planning and Zoning Commission of the City of Byram did recognize and hear the Petitioner in a public hearing, and at said meeting, the said Zoning Commission received comments and heard evidence presented by the Petitioner and all others who appeared at said meeting / public hearings; and,

WHEREAS, at its regular public meeting held on November 7, 2013, the Zoning Commission voted to recommend the matter be directed to the Mayor and Board of Aldermen for approval, and thereafter voted to recommend that the Petition be approved; and,

WHEREAS, the Mayor and Board of Aldermen are familiar with the property and existing land uses within the City of Byram and in the area of the City where the property is located, and in acting on the Ordinance, have duly considered the matters and facts within their personal knowledge as same affect the land uses requested in the Petition filed herein; and,

WHEREAS, the matter was presented to the Mayor and Board of Aldermen along with the recommendation of the Planning and Zoning Commission, and after discussion thereof, Alderman Moser offered the following Ordinance and moved that it be adopted, to-wit:

NOW, THEREFORE, be it ordained by the Mayor and Board of Aldermen of the City of Byram, Hinds County, Mississippi as follows, to-wit:

SECTION 1. That the matters and facts stated in the preamble hereof are found, determined and adjudicated to be true and correct.

SECTION 2. That it is hereby found and determined that the conditions precedent to the granting of a Petition to amend the City of Byram Official Zoning Map as required by Section 5.600.16 of the City of Byram Zoning Ordinance adopted June 2011 (as amended July 2012), exist and have been satisfied in regard to the granting of the Petition, and specifically, the Mayor and Board of Aldermen do hereby find and determine that a mistake, as defined in the Zoning Ordinance, existed in the original zoning, as to justify the reclassification of the property requested in the Petition.

SECTION 3. That certain property located on Siwell Road owned by Hillcrest Motors be rezoned from R-E (Residential Estate) to C-3 (General Commercial District).

SECTION 4. That the Use District Classification of the following described property be, and same is hereby changed from its present (R-E) Classification to (C-3) Classification as to the following described property (the "property"), to-wit: (See Exhibit "A," description of the parcel, attached hereto.)

SECTION 5. That the City of Byram Zoning Ordinance adopted June 2011 (as amended July 2012), and the Official Zoning Map be, and are hereby amended to effectuate this change in zoning classification.

SECTION 6. This ordinance shall be effective thirty (30) days after its passage and after publication of same as required in § 21-13-11 Mississippi Code of 1972.

ORDAINED, ADOPTED AND APPROVED by the Mayor and Board of Aldermen of the City of Byram, Hinds County, Mississippi at a regular meeting thereof held on the 14th day of November, 2013.

The motion for adoption was seconded by Alderman Smith, and the foregoing Ordinance having been first reduced to writing, was submitted to the Board of Aldermen for passage or rejection on roll call vote with the following results:

Alderman Moser voted:	Aye
Alderman Hosey voted:	Aye
Alderman Marble voted:	Aye
Alderman Mack voted:	Aye
Alderman Smith voted:	Aye
Alderman Ford voted:	Aye
Alderman Cook voted:	Aye

WHEREUPON, the Mayor declared the Motion had carried and that the Ordinance was adopted.

The foregoing Ordinance is approved, this the 14th day of November, 2013.

Signed/By: Richard White
Mayor of the City of Byram, Mississippi

ATTEST:

Signed/By: Angela Richburg, City Clerk

[S E A L]