

**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 IN THE  
SW ¼ OF SW ¼ OF SECTION 28, AND IN THE SE ¼ OF SE ¼ OF  
SECTION 27 ALL IN TOWNSHIP 4 NORTH, RANGE 1 WEST, FIRST  
JUDICIAL DISTRICT OF HINDS COUNTY, BYRAM, MISSISSIPPI, BY  
CHANGING THE USE DISTRICT CLASSIFICATION FROM (RE) TO (I-1)**

WHEREAS, Delta Industries, Inc. (the "Petitioner"), did file a Petition to rezone certain property described herein from its present (RE) Classification to (I-1) Classification (the "Petition"); and,

WHEREAS, the Mayor and Board of Aldermen referred the Petition to the Planning and Zoning Commission of the City of Byram (the "Zoning Commission"), which Commission scheduled a hearing on said Petition for June 8, 2017, at 6:00 o'clock p.m.; and,

WHEREAS, at said hearing, the Petitioner did provide evidence that the Petitioner had provided notice of the hearing to adjacent property owners by certified mail, as required by 5.600.21 of the City's Zoning Ordinance; and,

WHEREAS, at said hearing, evidence was provided that notice of the hearing was further accomplished by physical posting, as required by 5.600.21 of the City's Zoning Ordinance; and,

WHEREAS, at said hearing, evidence was provided that notice of the hearing was further accomplished by publication in a newspaper of general circulation in Byram, Hinds County, as required by section 17-1-15 of the Mississippi Code of 1972 (as amended); and,

WHEREAS, at the time, date and place specified in the notice, the Zoning Commission did conduct a full and complete hearing as required by Miss. Code Ann. § 17-1-17, et seq., on the Petition, and at said hearing the said Zoning Commission received comments and heard evidence presented by the Petitioner and all others who appeared at said hearing and thereafter recommended that the

Petition be granted; 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 Zoning Board, and after discussion thereof, Alderman Smith 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 2011 Zoning Ordinance of the City of Byram, Mississippi, as amended, exist and have been satisfied in regard to the granting of the Petition, and specifically that all criteria and threshold standards contained within section 5.600.21 of the City's Zoning Ordinance exist. Further, the Mayor and Board of Aldermen do hereby specifically find and determine that there exists a mistake in the form of a clerical/scrivener's error as to justify the reclassification of the property.

SECTION 3. That the Use District Classification of the following described property be, and same is hereby changed from its present (RE) Classification to (I-1) Classification as to the following described property (the "property"), to-wit:

BEG 157.96 FT NELY INT W/L NEW HWY 55 & S/L SEC 26 NELY 213.02 FT W  
264.63 FT N 288.07 FT E 369.41 FT NELY 200 FT W 1478.35 FT S 494.41 FT E  
962.64 FT SWLY 186.75 FT E 300 FT TO POB IN SW 1/4 SEC 26 & SE 1/4  
SEC 27 T4N R1W TOWN OF BYRAM

SECTION 4. That the 2011 Zoning Ordinance of the City of Byram, Mississippi, as amended, and the Official Zoning Map be, and same are hereby amended to effectuate this change in zoning classification.

SECTION 5. This ordinance shall be effective thirty (30) days after its passage and after publication of same as required in section 21-13-11 of the Mississippi Code of 1972.

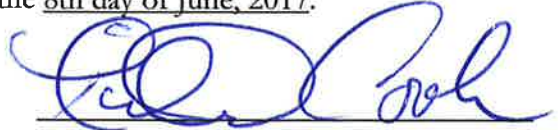
ORDAINED, ADOPTED AND APPROVED by the Mayor and Board of Aldermen of the City of Byram, Hinds County, Mississippi at a regular meeting thereof held on the 8<sup>th</sup> day of June, 2016.

The motion for adoption was seconded by Alderman Moser, 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 (Ward 1) voted:	<u>yea</u> /nay
Alderman Hosey (Ward 2) voted:	<u>yea</u> /nay
Alderman Marble (Ward 3) voted:	<u>yea</u> /nay
Alderman Mack (Ward 4) voted:	<u>yea</u> /nay
Alderman Smith (Ward 5) voted:	<u>yea</u> /nay
Alderman Ford (Ward 6) voted:	absent
Alderman Cook (At large) voted:	presiding as Mayor

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

The foregoing Ordinance is approved, this the 8th day of June, 2017.



RICHARD COOK, Mayor Pro Tem of the  
City of Byram, Mississippi

ATTEST:

  
Angela Richburg, City Clerk

[ S E A L ]

THIS IS TO CERTIFY that the aforementioned Ordinance was adopted at the regular meeting of the Mayor and Board of Aldermen of the City of Byram, Mississippi, held on June 8, 2017 and duly recorded in Minute Book 5, Page 3707 thereof.