

**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 SECTIONS 21, 22, 27 AND 28, T4N-R1W IN THE CITY OF  
BYRAM, HINDS COUNTY, MISSISSIPPI, BY CHANGING THE  
USE DISTRICT CLASSIFICATION FROM (R-E) TO (R-1)**

WHEREAS, Red Oak Development, Inc. (the "Petitioners") did make a request to rezone certain property described herein from its present (R-E) Residential Estate Classification to (R-1) Single-Family Residential Classification (the "Petition"); and,

WHEREAS, the City of Byram did cause notice of the June 14, 2018, public hearing 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 May 30, 2018; and,

WHEREAS, the Petitioners did provide evidence to the Byram Planning and Zoning Commission that all notice requirements had been met of both statute and as provided under the Zoning Ordinance of the City of Byram; and,

WHEREAS, at the time, date and place specified in the notice, on June 14, 2018, 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 Petitioners 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 June 14, 2018, the Planning and 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 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 City of Byram Zoning Ordinance adopted June, 2011 and 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 the character of the neighborhood where the property is located has changed to such an extent as to justify the reclassification of the property, and that there is a public need for the rezoning and the land use requested in the Petition.

SECTION 3. That certain property as described below owned by Red Oak Development, Inc. be re-zoned from R-E (Residential Estate) to R-1 (Single-family Residential 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 (R-1) Classification as to the following described property (the "property"), to-wit:

A certain parcel of land being situated in the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 21, the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 22, the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  and the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 27, the

Northeast ¼ of the Northeast ¼ and the Southeast ¼ of the Northeast ¼ of Section 28 and situated behind Byram Estates and Brannon Ridge

SECTION 5. That the City of Byram Zoning Ordinance adopted June, 2011 and Amended July 2012, and the Official Zoning Map be, and same 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 12TH day of July, 2018.

The motion for adoption was seconded by Alderman C. CAMPBELL, 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 Janice Moser (Ward 1) voted:	<u>AYE</u>
Alderman Diandra Hosey (Ward 2) voted:	<u>AYE</u>
Alderman Charlie Campbell (Ward 3) voted:	<u>AYE</u>
Alderman Teresa Mack (Ward 4) voted:	<u>AYE</u>
Alderman Wanda Smith (Ward 5) voted:	<u>AYE</u>
Alderman David Moore (Ward 6) voted:	<u>AYE</u>
Alderman Richard Cook (At large) voted:	<u>AYE</u>

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

SO RESOLVED, ADOPTED, AND APPROVED by the Mayor and Board of Aldermen of

the City of Byram, Hinds County, Mississippi at its regular meeting held on the 12TH day of July, 2018.

CITY OF BYRAM, MISSISSIPPI

BY: 

RICHARD WHITE, MAYOR

ATTEST:

BY:   
ANGELA RICHBURG, CITY CLERK

[SEAL]