

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF BYRAM, MISSISSIPPI,
AMENDING THE OFFICIAL ZONING MAP TO REZONE REAL PROPERTY
LOCATED AT PARCEL NUMBERS 4851-245, 4851-246 (7512 Siwell Rd.), and
4851-247 (7516 Siwell Rd.) IN THE CITY OF BYRAM,
HINDS COUNTY, MISSISSIPPI, BY CHANGING THE
USE DISTRICT CLASSIFICATION FROM (R-E) TO (C-4)**

WHEREAS, J. D. Dudley and Steven Granado (the "Petitioners") did make a request to rezone certain property described herein from its present (R-E) Residential Estate Classification to (C-4) Major Thoroughfares Commercial District (the "Petition"); and,

WHEREAS, the Petitioners did submit their Petition to the Zoning Administrator who determined the adequacy of the application and then forwarded it to the Development Review Committee ("DRC");

WHEREAS, at its meeting held on July 1, 2020, the DRC did review the application, along with all materials submitted by the Petitioners, including but not limited to a site plan, and the DRC did forward the Petition to the Mayor and Board of Aldermen along with its recommendation for approval;

WHEREAS, the City of Byram did cause notice of the July 9, 2020, 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 June 24, 2020; and,

WHEREAS, all notice was provided in accordance with 5.600.21 of the Zoning Ordinance, and notice to adjacent property owners was also provided in accordance with section 5.600.16 (E);

WHEREAS, the Petitioners did provide evidence to the Byram Board of Aldermen that the statutory notice requirements had been met; and,

WHEREAS, at the time, date and place specified in the notice, on July 9, 2020, at its regular

public meeting established in accordance with the law, the City of Byram's Mayor and Board of Aldermen did recognize and hear the Petitioners in a public hearing, and at said meeting, the Board of Aldermen received comments and heard evidence presented by the Petitioner and all others who appeared at said meeting / public hearings; 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 DRC, and after discussion thereof, Alderman Cook 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 the threshold standards under section 5.600.16 (B)(1)(a) of the Zoning Ordinance are met, i.e., that the proposal is not a small parcel of land singled out for special and privileged treatment; that the proposed change is in the public interest and not only for the benefit of a land owner(s); and that the proposed change is consistent with the Comprehensive Plan.

SECTION 3. 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(C) of the City of Byram's Official Zoning Ordinance of May 23, 2019, 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 4. That certain property located on Siwell Road owned by J. D. Dudley and Steven Granado be re-zoned from R-E (Residential Estate) to C-4 (Major Thoroughfares Commercial District), and that the property which is also located within the overlay (S-2) Special Planned Highway Corridor District shall remain within the overlay.

SECTION 5. That the Use District Classification of the following described property be, and same is hereby changed from its present (R-E) Classification to (C-4) Classification as to the following described property (the "property"), to-wit: Hinds County Tax Parcel Nos. 4851-245, 4851-246 (7512 Siwell Rd.), and 4851-247 (7516 Siwell Rd.). (See also Exhibit "A," plat of the parcels, attached hereto, which shows the three parcels as parcel "A," "B," and "C," respectively.)

SECTION 6. That the City of Byram's Official Zoning Map be, and is hereby amended to effectuate this change in zoning classification.

SECTION 7. This ordinance shall be effective one (1) month 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 9th day of July, 2020.

The foregoing Ordinance, having been reduced to writing, Alderman Cook moved that said Ordinance be adopted. 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 Janice Moser (Ward 1) voted:	Aye
Alderman Diandra Hosey (Ward 2) voted:	Aye
Alderman Charlie Campbell (Ward 3) voted:	Aye
Alderman Teresa Mack (Ward 4) voted:	Aye
Alderman Wanda Smith (Ward 5) voted:	Aye
Alderman David Moore (Ward 6) voted:	Absent
Alderman Richard Cook (At large) voted:	Aye

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

The foregoing Ordinance is approved, this the 9th day of July, 2020.

CITY OF BYRAM, MISSISSIPPI

BY: _____
RICHARD WHITE, MAYOR

ATTEST:

BY: _____
ANGELA RICHBURG, CITY CLERK

[SEAL]

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 July 9, 2020, and duly recorded in Minute Book _____, Page _____ thereof.

