

MEMO

To: Madison County Board of Supervisors

From: Carl Allen

Subject: Rezoning request of Peter DeBeukelaer (informational update/NO public hearing)

Date: November 16, 2016

This rezoning request was originally filed on January 28, 2016 and at the May 16, 2016, Board of Supervisors Meeting was subsequently tabled to give the petitioner and opponents a chance to form a consensus on development plans.

I wish to inform the Supervisors of my investigation into this matter and offer suggestions as to how it may be brought back to you for final decision regarding this proposed development.

SUPERVISORS' MINUTES, MADISON COUNTY May TERM 1985

D. P. CO. 53-7989

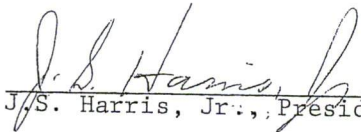
In the Matter of the Approval of 16th Section - TXP Operating Co. - Section 16, T9N, R1W, Madison County, Mississippi.

WHEREAS, the Madison County Board of Education has approved a 16th Section Oil and Gas Mineral lease with the TXP Operating Company, said parcel located in Section 16, T7N, R1W, Madison County, Mississippi, and

WHEREAS, said lease agreement is for the sum of \$35,520.00 covering some 320 acres for a period of three years, with royalty provisions of 3/16th of all oil and gas produced from the aforementioned land; and

WHEREAS, the Madison County Board of Education has unanimously approved said lease, the Madison County Board of Supervisors do hereby unanimously approve and do hereby concur with the aforementioned lease, a copy of which may be found in the May, 1985 Miscellaneous Minutes of said Board of Supervisors as well as the Land Records of Madison County, Mississippi.

Ordered by the Board that the Board does now recess until Friday, May 17, 1985 at 9:00 o'clock A.M.


J.S. Harris, Jr., President

The Board of Supervisors reconvened on Friday, May 17, 1985 at 9:00 o'clock A.M. with all members present except Mr. Harris. Also present were Billy Cooper, Chancery Clerk; and Bob Montgomery, Board Attorney.

In the Matter of an Ordinance by the Board of Supervisors of Madison County, Mississippi Amending the Madison County Zoning Ordinance and the Madison County Zoning Map - DeBeukelaer, et al.

ORDINANCE BY THE BOARD OF SUPERVISORS OF
MADISON COUNTY, MISSISSIPPI, AMENDING THE
MADISON COUNTY ZONING ORDINANCE

WHEREAS, Farm and Food Corporation, DeBeukelaer Corporation and Farm and Food, N.V., by and through Peter DeBeukelaer did file an Application to rezone and an Amended Application requesting the rezoning of certain property from its present A-1 Agricultural Use District Classification to an R-1 Single Family Residential in part, C-1 General Classification to an R-1 Single Family Residential in part, C-1 General Commercial in part and R-3 Multi-Family Residential in part; and,

WHEREAS, a Hearing was set for the 17th day of May, 1985, at 10:00 o'clock A.M. and the Clerk did cause Notice to said Hearing to be published in the Madison County Herald, a newspaper published and of general circulation in Madison County, Mississippi, in the manner and for the time required by law; and,

WHEREAS, the hour of 10:00 o'clock A.M. the 10th day of May, 1985, did arrive; and,

WHEREAS, there were no objections; and,

WHEREAS, the matter was presented to the Board of Supervisors and after discussion thereof Supervisor Richardson offered the following Ordinance and moved that it be adopted, to wit:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That the following described tract of real property, be and the same hereby is rezoned from its present A-1 Agricultural District Classification to R-1 Single Family Residential Use District Classification, to wit:

The following described real property lying and being situated in Madison County, Mississippi, to wit:

SUPERVISORS' MINUTES, MADISON COUNTY May TERM 1985

D. P. CO. 88-7989

TRACT 1: NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28, Township 8 North, Range 1 East.

TRACT 2: NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of Section 28, Township 8 North, Range 1 East.

TRACT 3: SE $\frac{1}{4}$ and 6 acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$, being the same property conveyed to Garrett Goodloe by deed dated March 1, 1858, being recorded in Book 0 at Page 557 thereof, being described therein as Six and One-Fourth (6-1/4) acres, more or less, off the SW corner of the W $\frac{1}{2}$ of NE $\frac{1}{4}$, of Section 28, being in front of Garrett Goodloe's house not enclosed by Susan J. Hodge, the Grantor in said deed; all in Section 28, Township 8 North, Range 1 East, Madison County, Mississippi.

LESS AND EXCEPT:

A parcel described as commencing at the SE corner of Section 28, Township 8 North, Range 1 East, Madison County, Mississippi, and run West along the south line of said Section 28 for 2040 feet to the Point of Beginning, run thence East for 960 feet to a point; run thence North for 960 feet to a point; run thence East for 720 feet to a point; run thence South for 1920 feet to a point on the South line of said Section 28, run thence West for 1680 feet to the point of beginning all of said property being situated in the SE $\frac{1}{4}$ Section 28, Township 8 North, Range 1 East, Madison County, Mississippi.

ALSO LESS AND EXCEPT:

The NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 8 North, Range 1 East, Madison County, Mississippi.

TRACT 5: SW $\frac{1}{4}$, Section 28, Township 8 North, Range 1 East, less and except four acres, more or less, described as commencing at the SW corner of said Section 28, and run thence East 632.4 links, run thence North 632.4 links, run thence West 632.4 links, run thence South 632.4 links, to the Point of Beginning.

TRACT 6: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28, Township 8 North, Range 1 East.

2. That the following described tract of real property, be and the same hereby is rezoned from its present A-1 Agricultural District Classification to C-1 General Commercial Use District Classification, to wit:

The following described real property lying and being situated in Madison County, Mississippi, to wit:

TRACT 3 (in part):

The NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 8 North, Range 2 East, Madison County, Mississippi.

TRACT 7: Commencing at a one-inch iron pipe marking the southeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 32, Township 8 North, Range 1 East, Madison County, Mississippi, thence run North for 458.7 feet; thence run West for 582.4 feet; thence run North $05^{\circ}13'$ East for 197.26 feet to the POINT OF BEGINNING of the following described property; thence run North $67^{\circ}26'$ East for 609.54 feet; thence run North $03^{\circ}15'$ East for 306.28 feet; thence run North $86^{\circ}52'$ West along a fence for 594.51 feet; thence run South $00^{\circ}33'$ West for 387.85 feet; thence run South $05^{\circ}17'$ East for 185.08 feet to the point of beginning, and containing 5.9 acres, more or less; ALSO, a tract of land described as follows: Commencing at a one-inch iron pipe marking the Southeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 32, Township 8 North, Range 1 East, Madison County, Mississippi, thence run North for 458.7 feet; thence run West for 582.4 feet to the Northwest corner of a 1-acre tract belonging to Holly Adams, said point being the POINT OF BEGINNING of the following described property; thence run North $05^{\circ}13'$ East along the west line of a 10-acre tract for 297.26 feet; thence run North $05^{\circ}17'$ West for 185.08 feet; thence run North $00^{\circ}33'$ East for 287.85 feet to a point on the South line of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$; thence run North $87^{\circ}21'$ West along a fence for 60 feet to a fence corner; thence run South $00^{\circ}33'$ West along a fence for 387.85 feet; thence run South $05^{\circ}17'$ East for 185.08 feet; thence run South $05^{\circ}13'$ West for 284.56 feet; thence run South $75^{\circ}18'$ East for 284.56 feet; thence run South $75^{\circ}18'$ East for 60.77 feet to the Point of Beginning and containing 1.2 acres, more or less.

All of the above described property is located in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 32, Township 8 North, Range 1 East, Madison County, Mississippi and containing in the aggregate of 7.1 acres, more or less.

3. That the following described tract of real property, be and the same hereby is rezoned from its present A-1 Agricultural District Classification to a R-3 Multi-Family Residential Use District Classification, to wit:

The following described real property lying and being situated in Madison County, Mississippi, to wit:

SUPERVISORS' MINUTES, MADISON COUNTY May TERM 1985

D. P. CO. 88-7888

TRACT 3 (in part):

The following describe real property lying and situated in Madison County, Mississippi, and being more particularly described as follows, to wit:

A parcel described as commencing at the SE corner of Section 28, Township 8 North, Range 1 East, Madison County, Mississippi, and run West along the south line of said Section 28 for 2040 feet to the Point of Beginning, run thence North for 960 feet to a point; run thence East for 960 feet to a point; run thence East for 720 feet to a point; run thence South for 1920 feet to a point on the South line of said Section 28, run thence West for 1680 feet to the point of beginning, all of said property being situated in the SE 1/4 Section 28, Township 8 North, Range 1 East, Madison County, Mississippi.

TRACT 4:

E1/2 of NE1/4 of Section 32, and W1/2 of NW1/4 Section 33, all in Township 8 North, Range 1 East.

That the Madison County Zoning Ordinance be and the Zoning District may be and the same hereby are amended so as to reflect the foregoing changes in the zoning of the above described real property.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 17th day of May, 1985.

The motion for adoption was seconded by Supervisors McCullough and the foregoing Ordinance having been first reduced to writing was read, considered and approved Section by Section and then as a whole and was submitted to the Board of Supervisors for passage or rejection on roll call vote with the vote being as follows, to wit:

Supervisor Harris	<u>Absent</u>
Supervisor Banks	<u>Yea</u>
Supervisor Luckett	<u>Yea</u>
Supervisor McCullough	<u>Yea</u>
Supervisor Richardson	<u>Yea</u>

Whereupon the President of the Board of Supervisors declared the motion carried and that the Ordinance was duly passed and adopted.

In the Matter of the Authorization to Enter into Contract for Public Office Liability Insurance.

WHEREAS, the Madison County Board of Supervisors have previously requested the Clerk to seek quotes on Public Officers and Employees Liability Insurance, and

WHEREAS, requests were sought re: said liability coverage, with only one response, that being the Williams Marketing Associates, Inc. through its local agent, Roberts Insurance Agency, said quote being as follows, to wit:

- A. Coverage - Public Officials Liability
- B. Term - One Year
- C. Limits - \$1,000,000/\$1,000,000
- D. Premium - \$15,000
- E. Deductible - \$5,000/\$25,000
- F. Terms and Conditions -
 - (1) Service of Suit Endorsement
 - (2) Failure to Supply Utilities Endt.
 - (3) Discrimination Exclusion Endorsement
 - (4) Prior Litigation Endt.
 - (5) Failure to Maintain Insurance Endt.
 - (6) Interest-Trust Exclusion

After discussion re: the above items, Mr. Banks motioned, seconded by Mr. McCullough, said motion submitted to the Board for a vote, the voting being as follows, to wit:

A. Mr. Pat Luckett, Jr., - District I	-	<u>Yea</u>
B. Mr. J.S. Harris, Jr., - District II	-	<u>Absent</u>
C. Mr. David Richardson, - District III	-	<u>Yea</u>
D. Mr. Karl Banks - District IV	-	<u>Yea</u>
E. Mr. J.L. McCullough - District V	-	<u>-Yea</u>

WHEREUPON, the Presiding President declared the motion carried and the Plan was duly passed and adopted.

There being no further business, the Board does now recess until its next called meeting, on Monday, May 20, 1985 at 9:00 o'clock A.M.



Tax Assessor
Platted as
per Legal
Description

GREENBRIER
© REU.
PB D PC

CARLYLE - 1
PB

5/01.22
9.5 ACd

ANNANDALE PARK
PB E PC 38-B
PB E PC 47-B
5/02
5 ACd

CHENAL (1ST REVISION)
PB F PC B-B

BRENTWOOD OF ANNANDALE
PART TWO
PB C PC 112B

BRENTWOOD OF ANNANDALE
PART ONE
PB C PC 107B

BRENTWOOD OF ANNANDALE
PART FIVE
PB C PC 134B

WHISPER LAKE
ESTATES OF ANNANDALE
PART FOUR
PB C PC 163B

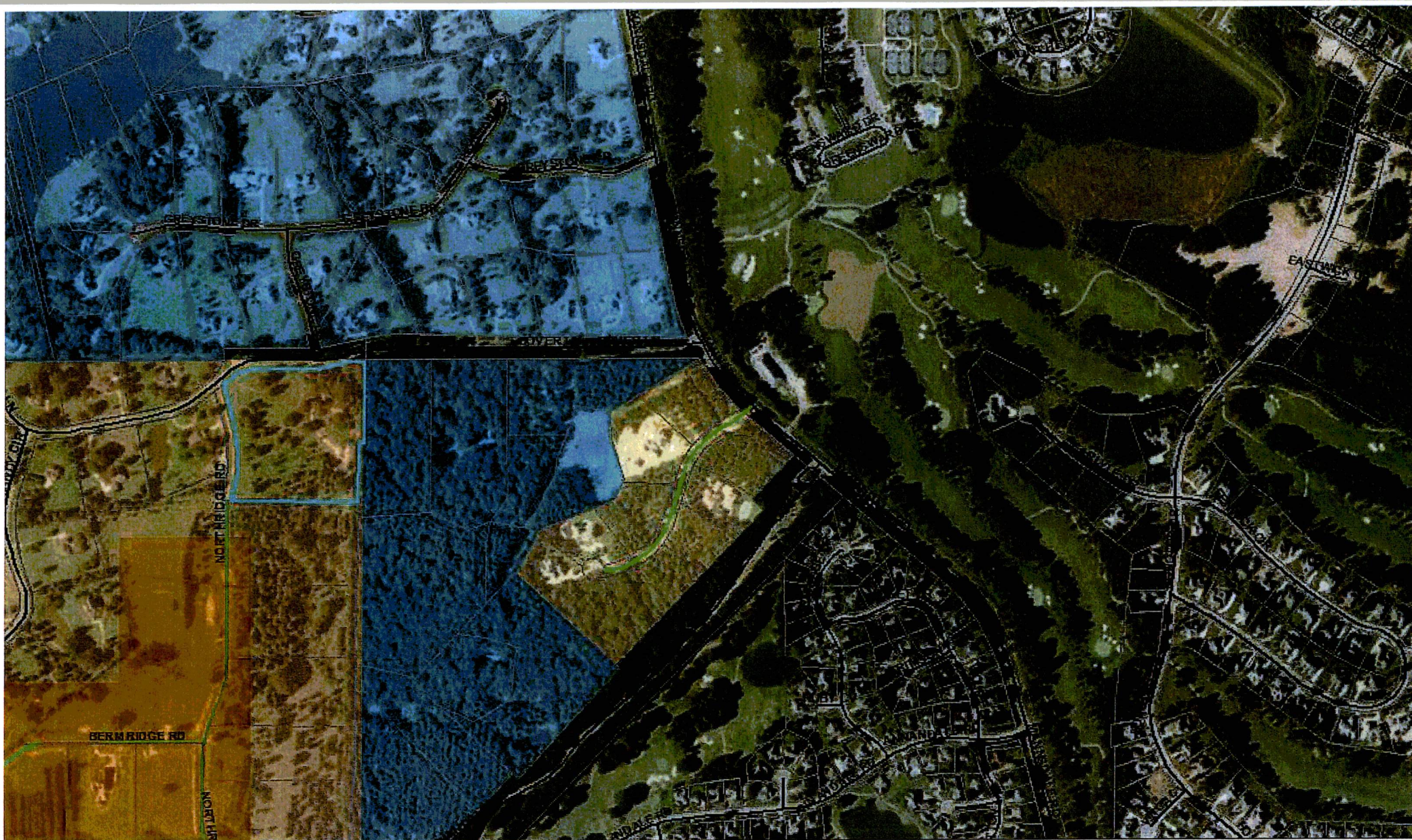
BRENTWOOD OF ANNANDALE
PART SIX
PB C PC 134B

WOODLAND HILLS
OF ANNANDALE
PART SIX
PB C PC 153B

3/06.02
15.8 ACd

1/07
6.7 ACd

WHISPER LAKE ESTATES

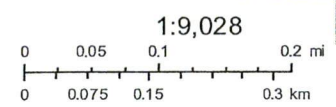


Madison County Web Map

Map reflects R-1 zoning in 2008 to present



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|----------|-----------|-----|
| Parcels | — PRIVATE | R1 |
| Roads | Zoning | R1A |
| — Public | A1 | R3 |



Madison County GIS
Madison County GIS

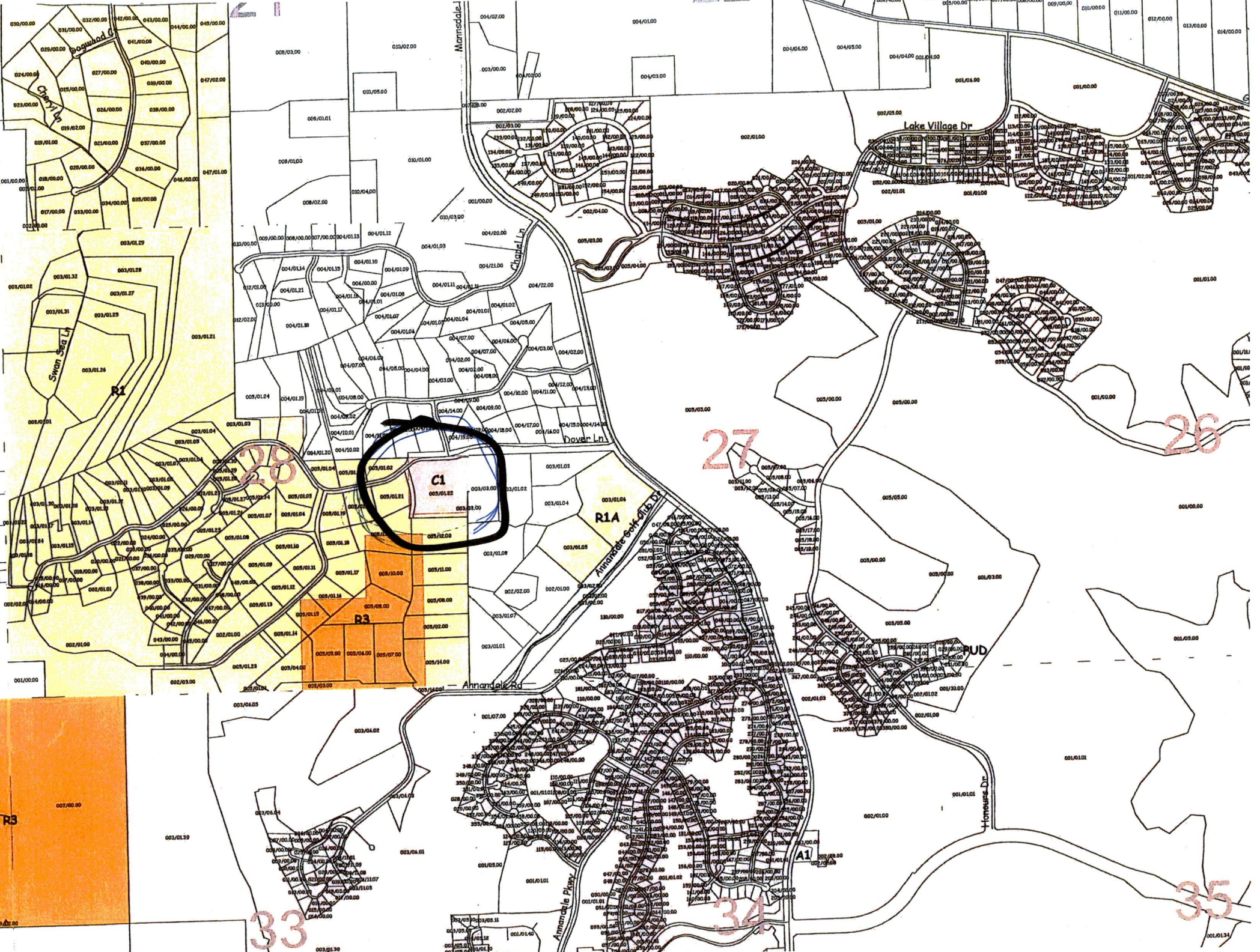
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Zoning MAP
From 2007

29

Gus Green Rd

32



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