

**APPLICATION FOR REZONING
R-1 Residential to C-1 Commercial**

RECEIVED

MAY 25 2018

Name and Address of Applicant: Ricky Norton 160 Nutmeg Lane Canton, MS 39046	Street Address of Property (if different address): 2220 HWY 51 N
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APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
May 25, 2018	R-1 Residential	See (Exhibit A)	082F-14 -018/00.00	X	See (Exhibit C)

Other Comments: As per Article 2606 of the Madison County Zoning Ordinance.

Comments

Respectfully Submitted

Ricky Norton

By: *[Signature]*
Don A. McCraw, Jr., His Attorney

.....

Petition submitted to Madison County Planning and Development Commission on _____

Recommendation of Madison County Planning and Development Commission on Petition _____

Public Hearing date as established by the Madison County Board of Supervisors _____

Final disposition of Petition _____

**BEFORE THE BOARD OF SUPERVISORS
OF MADISON COUNTY, MISSISSIPPI**

**IN THE MATTER OF REZONING OF CERTAIN LAND
SITUATED IN SECTION 14, TOWNSHIP 8 NORTH,
RANGE 2 EAST, MADISON COUNTY, MISSISSIPPI**

RICKY NORTON

PETITIONER

**PETITION TO REZONE AND RECLASSIFY REAL PROPERTY
AND AMEND THE LAND USE PLAN**

COMES NOW Ricky Norton, Owner of the hereinafter described land and property, and files this his Petition with the Board of Supervisors of Madison County, Mississippi, to rezone and reclassify a tract or parcel of land situated in Section 14, Township 8 North, Range 2 East, Madison County, Mississippi, and to amend the Land Use Plan, and shows as follows:

1. Ricky Norton, Petitioner, is the Owner of the following described parcel,
to wit:

Starting at the NW corner of Section 14, T8N, R2E, Madison County, Mississippi, proceed Southerly along Section line, 1320.0 feet, more or less to a point; thence South 89 degrees 56 minutes East, 1230.0 feet more or less to a point; thence South 00 degrees 03 minutes West, 280.0 feet more or less to the Point of Beginning; thence North 89 degrees 56 minutes West, 525.0 feet more or less to an iron pin, said iron pin being on the East right-of-way line of U.S. Highway 51; thence North 23 degrees 39 minutes East 305.5 feet more or less along said right-of-way line to an iron pin; thence South 89 degrees 56 minutes East 402.6 feet more or less to an iron pin; thence South 00 degrees 03 minutes West 280.0 feet more or less to the Point of Beginning, containing 3.0 acres more or less.

A copy of the Warranty Deed to Petitioner is attached hereto as **EXHIBIT "A"**.

2. Petitioner requests that the parcel be rezoned from its present Zoning District Classification of Residential Estate (R-1), to a General Commercial District (C-1).
3. The zoning proposed is not in compliance with the adopted Land Use and

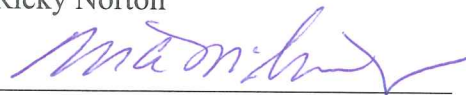
Transportation Plan of Madison County which depicts the property as “High Intensity Commercial”, but “General Commercial” is the highest and best use.

4. A list of changes or conditions that support the rezoning are as follows:
 - (a) The subject property is three (3) acres, more or less, and presently has a residential dwelling located on it.
 - (b) The properties joining the southerly and easterly borders of the subject property and across HWY 51 from the subject property are currently zoned C-2.
 - (c) There has been an obvious change in the neighborhood since the original zoning. Petitioner’s plan is to possibly use the dwelling located on the property as office space.
 - (d) The character of the neighborhood has changed to such an extent as to justify reclassification, and there is a public need for the rezoning.
5. The Land Use and Transportation Map of Madison County, Mississippi will need to be amended to reflect the property as “General Commercial”. It is presently designated “High Intensity Commercial”.
6. A map showing the location of the property is attached as **EXHIBIT “B”**.
7. A plat of the property is attached hereto as **EXHIBIT “C”**.
8. Petitioner is notifying the surrounding land owners owning property within 160 feet of the property described herein, and the City of Canton, Mississippi whose corporate boundaries are within one mile of the subject property, of the hearing date for this Petition.

WHEREFORE PREMISES CONSIDERED, Petitioner respectfully requests that this Petition be received, and after due consideration, the Board of Supervisors of Madison County will amend the Land use plan to reflect the subject property as General Commercial, and reclassify this property from its present Residential Estate District Classification (R-1) to a General Commercial District (C-1).

RESPECTFULLY SUBMITTED, this the 25 day of MAY 2018.

Ricky Norton

By: 

Don A. McGraw, Jr.,
His Attorney

Don A. McGraw, Jr. MSB #2621
Montgomery McGraw, PLLC
P.O. Box 1039
Canton, MS 39046
Telephone: 601-859-3616
Facsimile: 601-859-3622
E-Mail: Dmcgraw@montgomerymcgraw.com
Attorney for Petitioner

EXHIBIT "A"

BOOK 3595 PAGE 894 DOC 01 TY W
INST # 838075 MADISON COUNTY MS.
This instrument was filed for
record 5/01/18 at 1:45:13 PM
RONNY LOTT, C.C. BY: ILB D.C.

Document Prepared by and Return to:
Renfroe & Perilloux, PLLC
648 Lakeland E. Drive, Suite A
Flowood, MS 39232 (601-932-1011)

1200(E)
#615

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned

Ira L. Morgan, a single person
5013 Dr Brock Road
Meridian, MS 39307
(601) ~~250~~ - 7785

does hereby sell, convey, and warrant unto

Ricky Norton
160 Nutmeg Lane
Canton, MS 39046
(601) 519-5533

the following land and property located and situated in Madison County, State of Mississippi, and being more particularly described as follows:

INDEXING INSTRUCTIONS: NE 1/4, SW 1/4, NW 1/4, Section 14, T8N, R2E

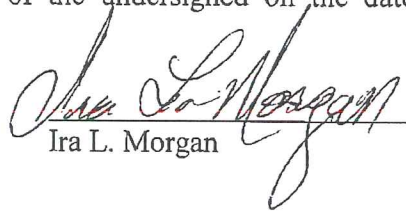
LEGAL DESCRIPTION: **SEE ATTACHED EXHIBIT "A"**

18-16721/ng

It is agreed and understood that taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, then the Grantor agrees to pay to said Grantee or his/her assigns any deficit on an actual proration. In the event that the proration based on the estimated tax is determined to be greater than the actual proration necessary, the Grantee agrees to refund to said Grantor the difference between the estimated proration and the actual proration.

THIS CONVEYANCE is subject to any and all restrictive covenants, easements, liens, dedications, rights-of-way, and oil, rights or mineral reservations or conveyances of record pertaining or affecting the usage of the herein described property.

WITNESS the respective hand and signature of the undersigned on the date herein acknowledged.

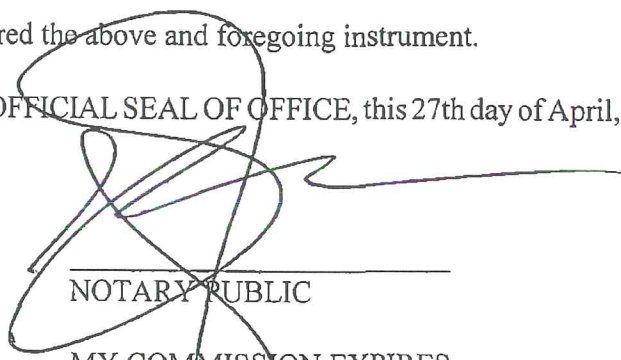

Ira L. Morgan

STATE OF MISSISSIPPI

COUNTY OF RANKIN

Personally appeared before me, the undersigned authority in and for the said county and state, on this 27th day of April, 2018, within my jurisdiction, the within named Ira L. Morgan who acknowledged that he/she executed and delivered the above and foregoing instrument.

WITNESS OUR SIGNATURES AND OFFICIAL SEAL OF OFFICE, this 27th day of April, 2018.



NOTARY PUBLIC
MY COMMISSION EXPIRES:
8-20-18



EXHIBIT "A"

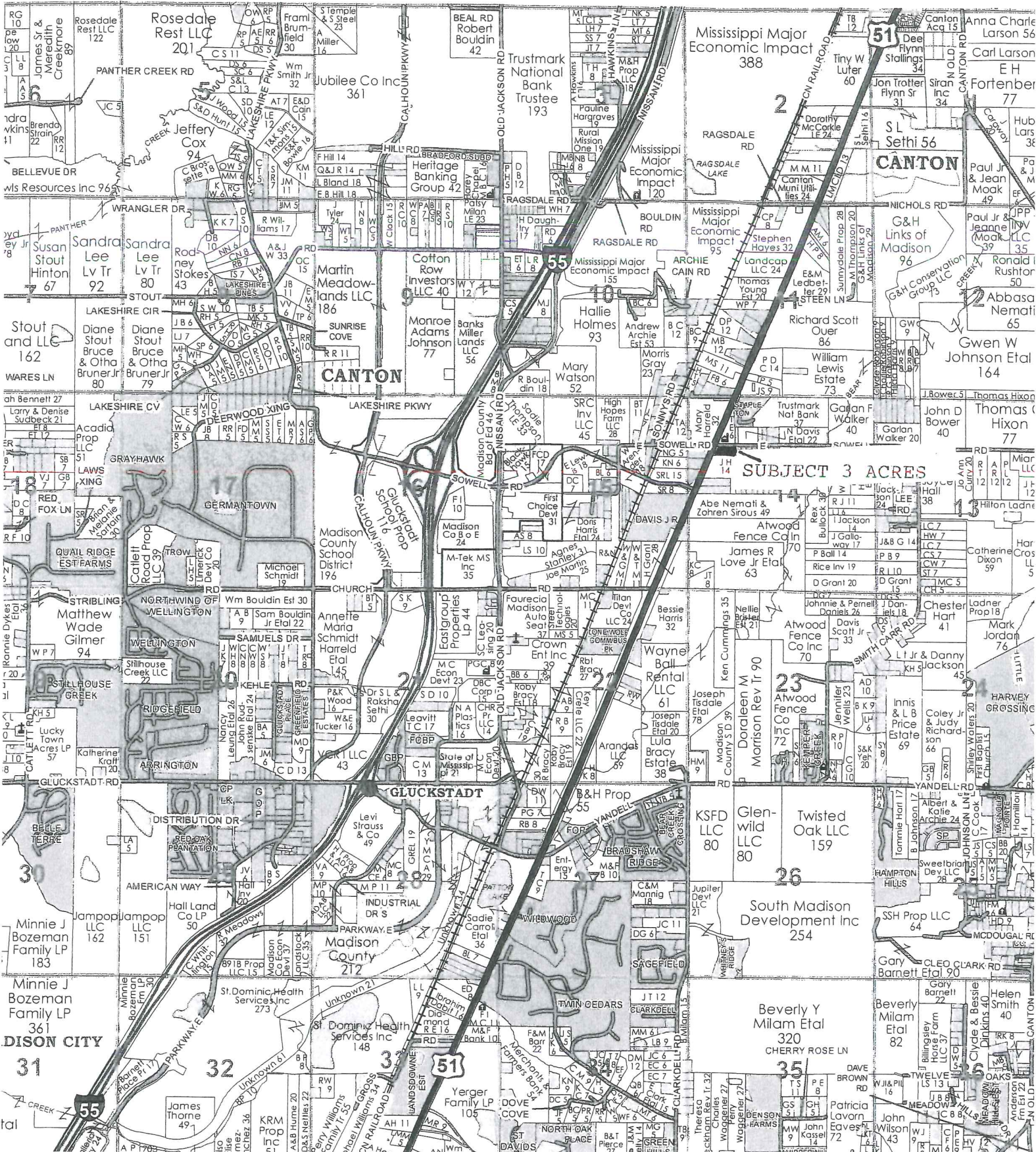
Starting at the NW corner of Sec. 14, T8N, R2E, Madison County, Miss., proceed southerly along section line, 1320.0 feet more or less to a point; thence S 89° 56' E, 1230.0 feet more or less to a point; thence S 00° 03' W, 280.0 feet more or less to the point of beginning; thence N 89° 56' W, 525.0 feet more or less to an iron pin, said iron pin being on the east right-of-way of U. S. Highway No. 51; thence N 23° 39' E 305.5 feet more or less, along said right-of-way to an iron pin; thence S 89° 56' E 402.6 feet more or less to an iron pin; thence S 00° 03' W, 280.0 feet more or less to the point of beginning, containing 3.0 acres more or less.

Said parcel subject to the following easement recorded at the Madison County courthouse, Madison County, Miss.: Right-of-way to American Telephone and Telegraph Company recorded at Book 39, Page 34; Book 39, Page 388; and Book 38, Page 484.



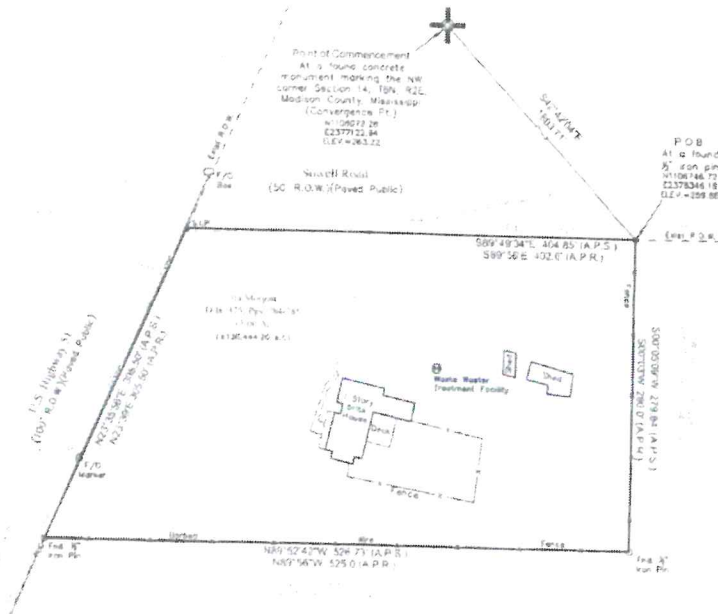


SEE PAGE 33



PLAT OF SURVEY MORGAN PROPERTY

SITUATED IN THE SW ¼ OF THE NW ¼ OF SECTION 14, T8N, R2E,
MADISON COUNTY, MISSISSIPPI



SCALE 1" = 100'
DATE OF FIELD SURVEY: 5/13/09
S.I.P. = SET 1/2" x 18" IRON PIN
DEED BOOK 375, PAGES 784-785

BEARINGS SHOWN HEREON ARE DERIVED FROM PERFORMING GPS OBSERVATIONS AND BASED UPON THE NORTH AMERICAN DATUM 1983 (NAD83), MISSISSIPPI STATE PLANE, GRID COORDINATE SYSTEM, WEST ZONE CONVERGENCE ANGLE DOT8726.19508" SCALE FACTOR 0.999957428 COMBINED FACTOR 0.999949040

CLASSIFICATION
THIS SURVEY MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN MISSISSIPPI FOR CLASS B SURVEYS AS ADOPTED BY THE MISSISSIPPI BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND SURVEYORS.

FLOOD NOTE:
THIS PARCEL IS LOCATED IN FLOOD ZONE X (NOT SHADED) ACCORDING TO FLOOD INSURANCE RATE MAP NO. 28121C0415F, COMMUNITY PANEL NO. 28022R 0415 F, EFFECTIVE DATE MARCH 17, 2010.

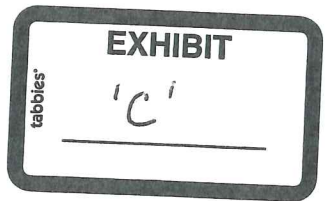
THIS PROPERTY MAY BE SUBJECT TO RECORDED, UNRECORDED OR MINOR EASE INSTRUMENTS WHICH WOULD BE DISCLOSED BY A TITLE EXAMINATION OF SAID PROPERTY.

I certify that the information on this plat is thorough and accurate to the best of my knowledge.



DATE:	4-16-18	DWG NO:	B-5447
DRAWN:	CHF	PRGJ NO:	B-5447
CHECKED:	MRL	CREW:	CHALK
REVISED:			

BENCHMARK
ENGINEERING & SURVEYING, LLC
101 Highpointe Court, Suite B, Brandon, Mississippi 39042
Office: 801-391-1077 Fax: 801-391-0711
E-mail: mtorva@benchmarkms.net



[s]RickyNorton
quleg-dsp
[bt

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that **Ricky Norton** has filed a petition with the Board of Supervisors of Madison County, MS, to request rezoning of certain property, pursuant to the Zoning Ordinance of Madison County, Mississippi, to amend the Zoning Maps adopted pursuant thereto, by rezoning **R-1 Residential to a C-1 Commercial District**, to-wit:

Legal Description

EXHIBIT "A"

Starting at the NW corner of Section 14, T8N, R2E, Madison County, Mississippi, proceed Southerly along Section line, 1320.0 feet, more or less to a point; thence South 89 degrees 56 minutes East, 1230.0 feet more or less to a point; thence South 00 degrees 03 minutes West, 280.0 feet more or less to the Point of Beginning; thence North 89 degrees 56 minutes West, 525.0 feet more or less to an iron pin, said iron pin being on the East right-of-way line of U.S. Highway 51; thence North 23 degrees 39 minutes East 305.5 feet more or less along said right-of-way line to an iron pin; thence South 89 degrees 56 minutes East 402.6 feet more or less to an iron pin; thence South 00 degrees 03 minutes West 280.0 feet more or less to the Point of Beginning, containing 3.0 acres more or less.

NOTICE IS FURTHER GIVEN that the Planning Commission of Madison County, MS, will meet **at 9 a.m. on July 12, 2018**, at the Madison County Complex Building, in the Board Room, located at 125 West North Street, Canton, Madison County, MS to consider and act upon the petition, and will at such time, date and place, hold and conduct a public hearing at which all parties in interest and citizens shall have an opportunity to be heard on the matter of the petition, either in person, by petition, or by attorney.

BY ORDER OF THE PLANNING COMMISSION OF MADISON COUNTY, MISSISSIPPI,
on this the **14th day of June, 2018.**

/s/Scott Weeks, Zoning Administrator

Publish: **June 21, 2018**

[et



Madison County Web Map

- Roads**
 - Public
- Parcels**
 - PRIVATE
 - PUD
 - TIP
- Zoning**
 - A1
 - I2
 - C1
 - C2
 - R1
 - R2

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

White Farms, LLC
180A Johnson Lane
Canton, MS 39046

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Address

B. Received by (Printed Name) Michael White C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Mail Restricted Delivery (500)

Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

Article Number (Transfer from service label)
7017 3380 0000 9715 2906

PS Form 3811, July 2015 PSN 7530-02-000-9053

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Carter and Murphy, LLC
P.O. Box 2794
Madison, MS 39130

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Address

B. Received by (Printed Name) Todd Carter C. Date of Delivery 11/16/2015

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Mail Restricted Delivery (500)

Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

Article Number (Transfer from service label)
7017 3380 0000 9715 2920

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

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 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

The Parveshk and Neelam Goyal
Revocable Trust
119 Quail Run Drive
Madison, MS 39110

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Address

B. Received by (Printed Name) Red Pitts C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Mail Restricted Delivery (500)

Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

Article Number (Transfer from service label)
7017 3380 0000 9715 2944

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

MADISON, MS

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Judy Hunter
124 Sowell Road, East
Canton, MS 39046

1. Article Addressed to:

2. Article Number (Transfer from service label)
7017 3380 0000 9715 2913

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 B. Received by (Printed Name) *Judy Hunter* C. Date of Delivery *7/18/15*
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Priority Mail Express®
 Adult Signature Restricted Delivery
 Certified Mail®
 Collect on Delivery
 Mail Restricted Delivery (500)

Return Receipt for Merchandise
 Signature Confirmation Restricted Delivery

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Will Will Properties, LLC
25 Sunnydale Drive
Canton, MS 39046

1. Article Addressed to:

2. Article Number (Transfer from service label)
7017 3380 0000 9715 2876

Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 B. Received by (Printed Name) *Will Will Properties* C. Date of Delivery *7/15/15*
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Priority Mail Express®
 Adult Signature Restricted Delivery
 Certified Mail®
 Collect on Delivery
 Mail Restricted Delivery (500)

Return Receipt for Merchandise
 Signature Confirmation Restricted Delivery

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

THE ELDERS OF THE FELLOWSHIP CHURCH
P.O. BOX 250
CANTON, MS 39046

1. Article Addressed to:

2. Article Number (Transfer from service label)
7017 3380 0000 9715 2968

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 B. Received by (Printed Name) *Michael Wyles* C. Date of Delivery *7/18/15*
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Priority Mail Express®
 Adult Signature Restricted Delivery
 Certified Mail®
 Collect on Delivery
 Mail Restricted Delivery (500)

Return Receipt for Merchandise
 Signature Confirmation Restricted Delivery

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

owell Road, LLC
285 Quail Run Road
ackson, MS 39211

1. Article Addressed to:

2. Article Number (Transfer from service label)
7017 3380 0000 9715 2890

Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 B. Received by (Printed Name) *Michael Wyles* C. Date of Delivery *7/18/15*
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Priority Mail Express®
 Adult Signature Restricted Delivery
 Certified Mail®
 Collect on Delivery
 Mail Restricted Delivery (500)

Return Receipt for Merchandise
 Signature Confirmation Restricted Delivery

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Article Addressed to:

owell Road, LLC
285 Quail Run Road
ackson, MS 39211

1. Article Addressed to:

2. Article Number (Transfer from service label)
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 Certified Mail®
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285 Quail Run Road
ackson, MS 39211

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2. Article Number (Transfer from service label)
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3. Service Type
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owell Road, LLC
285 Quail Run Road
ackson, MS 39211

1. Article Addressed to:

2. Article Number (Transfer from service label)
7017 3380 0000 9715 2876

Form 3811, July 2015 PSN 7530-02-000-9053

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 If YES, enter delivery address below: No

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 Adult Signature Restricted Delivery
 Certified Mail®
 Collect on Delivery
 Mail Restricted Delivery (500)

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Donald Lawrence
City of Canton
P.O. Box 1605
Canton, MS 39046



9590 9402 3544 7305 3248 84

2. Article Number (transfer from service label)

7017 3380 0000 9715 2883

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X *Donald Lawrence* Addressee
B. Received by (Printed Name) Address
ZARK BICK C. Date of Delivery
7/13/18 Yes
D. Is delivery address different from item #? No
If YES, enter delivery address below: Yes

3. Service Type Priority Mail Express®
 Registered Mail™
 Adult Signature Restricted Delivery
 Registered Mail Restr. Delivery
 Certified Mail® Return Receipt for Merchandise
 Collect on Delivery Restricted Delivery Signature Confirmation
 Collect on Delivery Restricted Delivery Signature Confirmation
 Registered Mail Restricted Delivery Restricted Delivery

Domestic Return Receipt