

**APPLICATION FOR REZONING**  
**R-2 Residential to C-2 Commercial**

<b>Name and Address of Applicant:</b> Percy Grant 4280 Hwy 51 North Canton, MS 39046	<b>Street Address of Property (if different address):</b> 1365 Hwy 16 West Canton, MS 39046
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APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
12-01-2020	R-2	See (Exhibit A)	093C-07C-080/00.00	X	See (Exhibit B)

**Other Comments:** As per Article 806 of the Madison County Zoning Ordinance.

Comments

Respectfully Submitted

\_\_\_\_\_  
 Percy Grant



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 THE COUNTY OF MADISON  
STATE OF MISSISSIPPI

IN THE MATTER OF REZONING OF  
CERTAIN LAND SITUATED IN SECTION 7  
TOWNSHIP 9 NORTH, RANGE 3 EAST  
MADISON COUNTY, MISSISSIPPI

PETITIONER: Percy Grant

PETITION TO REZONE AND RECLASSIFY REAL PROPERTY

Comes now Percy Grant, owner of the hereinafter described land and property, and files this petition with the Board of Supervisors of Madison County, Mississippi, to rezone and reclassify a tract or parcel of land situated in Section 7 Township 9 N, Range 3 East, Madison County, Mississippi, more particularly described as follows, to-wit:

SEE EXHIBIT A

from its present Zoning District Classification of R-2 District to a C-2 District, in support thereof would respectfully show as follows, to-wit:

1. The subject property consists of Lot 9 Sims Subdivision.
2. The zoning proposed **is not** in compliance with the adopted Land Use and Transportation Plan of Madison County, but is the highest and best use.
3. List of changes or conditions that support rezoning:

This property has been a store in the community for many years.

The store closed and unbeknownst to the owner this property the store would be classified as a nonconforming use of major structure and land in combination, is discontinued or abandoned for six consecutive months.

Property across the road belonging to Reginald Robinson was rezoned from R-2 Residential to C-2 Commercial on August 8, 2003 by the Madison County Board of Supervisors. This property is currently used as a body shop / salvage yard.  
( See Exhibit C)

4. Plat of property.

SEE EXHIBIT B

WHEREFORE, PREMISES CONSIDERED, Petitioners respectfully request that this petition be received, and after due consideration, the Board of Supervisors of Madison County will enter an order amending the land use plan to reflect C-2 zoning and reclassifying this property from its present R-2 District classification to a C-2 District.

Respectfully submitted, this the 1<sup>st</sup> day of December, 2020.

Percy Grant, Petitioner

BEFORE THE PLANNING AND ZONING COMMISSION AND THE  
BOARD OF SUPERVISORS OF  
MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE REZONING  
OF CERTAIN LAND SITUATED IN  
SECTION 7, TOWNSHIP 9 NORTH,  
RANGE 3 EAST, MADISON COUNTY,  
MISSISSIPPI

Percy Grant

PETITIONER

NOTICE OF HEARING

TO: Surrounding Property Owners

PLEASE TAKE NOTICE that Percy Grant has filed a Petition to rezone and reclassify Lot 9 Sims Subdivision located at 1365 Hwy 16 West situated in Section 7, Township 9 North, Range 3 East, Madison County, Mississippi. The petition and legal description of the subject property is attached hereto and made part of this Notice.

The subject property is currently zoned R-2 Residential. The Petitioner has thus filed a Petition to rezone and reclassify the subject property from its present classification to a classification of C-2 Commercial.

Please take notice that the Madison County Planning and Zoning Commission will conduct a public hearing on the said Petition in the Board of Supervisors Hearing Room in the Madison County Administrative Office Building, located at 125 West North Street, Canton, Mississippi at 9 a.m. on Thursday, January 14th, 2021,

or on a subsequent date to which the matter may be continued.

As the owner of the property located within 160 feet of the subject property (excluding the right of ways for streets and highways), you have the right to offer any objection to or support of the Petition. However, you are not required to be present.

You are given this Notice in accordance with Section 806.05 of the Madison County Zoning Ordinance, adopted December 2019. This the 28th day of December, 2020

By: Percy Grant

Contact Information

Percy Grant

4280 Hwy 51 North

Canton, MS 39046

601-260-7159

**Percy Grant**

**List of owners within 160 feet of subject property**

1. Reginald Robinson  
1360 Hwy 16 W  
Canton, MS 39046
  
2. Bryant Lamone Robinson  
1366 Hwy 16 W  
Canton, MS 39046
  
3. Mack and Janice Robinson  
1369 Hwy 16 W  
Canton, MS 39046
  
4. Jeffery Robinson – Ard  
1388 Hwy 16 W  
Canton, MS 39046
  
5. Latoya Sierra Sims  
1399 Hwy 16 W  
Canton, MS 39046
  
6. Velva Ann Nichols and Stella Goss  
106 Oil Mill Quarters  
Canton, MS 39046
  
7. Walter Lee Taylor  
1392 Hwy 16 W  
Canton, MS 39046
  
8. Willie and Lovella Potts  
1389 Hwy 16 W  
Canton, MS 39046
  
9. Floria Bradfield  
1387 Hwy 16 W  
Canton, MS 39046
  
10. Gloria Gowdy  
1385 Hwy 16 W  
Canton, MS 39046
  
11. Janet Rae Barnett  
100 Green Drive  
Jackson, MS 39211



Mack + Janice Robinson  
1368 Hwy 16 west  
Canton, MS 39046

Velva Ann Nichols  
+ Stella Goss  
106 Oil Mill Quarters  
Canton, MS 39046

**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.

1. Article Addressed to:

Gloria Gowdy  
1385 Hwy 16 west  
Canton, MS 39046

3. Service Type  
 Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery  
 Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Signature Confirmation™

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name)  Address

C. Date of Delivery

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

**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.

1. Article Addressed to:

Velva Ann Nichols  
+ Stella Goss  
106 Oil Mill Quarters  
Canton, MS 39046

3. Service Type  
 Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery  
 Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Signature Confirmation™

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name)  Address

C. Date of Delivery

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

**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.

1. Article Addressed to:

Gloria Gowdy  
1385 Hwy 16 west  
Canton, MS 39046

2. Article Number (Transfer from service label)  
7019 1640 0001 8780 2189

PS Form 3811, July 2020 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.

1. Article Addressed to:

Walter Lee Taylor  
1392 Hwy 16 west  
Canton, MS 39046

2. Article Number (Transfer from service label)  
7019 1640 0001 8780 1502

PS Form 3811, July 2020 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.

1. Article Addressed to:

Latoya Sierra Sims  
1399 Hwy 16 west  
Canton, MS 39046

2. Article Number (Transfer from service label)  
7019 1640 0001 8780 2177

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Address

B. Received by (Printed Name)  Date of Delivery

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  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Signature Confirmation  
 Signature Confirmation Restricted Delivery

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Address

B. Received by (Printed Name)  Date of Delivery

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  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Signature Confirmation  
 Signature Confirmation Restricted Delivery

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Address

B. Received by (Printed Name)  Date of Delivery

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  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Signature Confirmation  
 Signature Confirmation Restricted Delivery

0500 0100 6207 0274 0200 01

3. Service Type  
 Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery

Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Signature Confirmation™

9590 9402 6307 0274 0201 17

3. Service Type  
 Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery

Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Signature Confirmation™



Domestic Return Receipt

Domestic Return Receipt

Domestic Return Receipt

Exhibit "A"

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In consideration of the sum of Three Hundred Dollars cash in hand paid to the undersigned grantor by Andrew Lee Robinson and Katie Lay Robinson, the receipt whereof is hereby acknowledged, I hereby convey and warrant unto the said Andrew Lee Robinson and Katie Lay Robinson the following describe lots of land lying, being and situated in Madison County, Mississippi, to-wit:

Lots Nine and Ten in Block "B" of and according to the Plat of Sims Subdivision now on file in the Chancery Clerk's Office of said County and State; said lots fronting on Highway Number 16.

Witness my signature this the 21 day of Debruary, A.D., 1949.

*Lemuel Jones*  
Lemuel Jones



State of Mississippi  
Madison County.

Personally came and appeared before the undersigned officer within and for said County and State, the within named Lemuel Jones, who acknowledged to me that he signed and delivered the foregoing deed on the day and year therein mentioned, as his own free act and deed.

Given under my hand and official seal this the 21 day of February, A.D., 1949.

*J. P. Anderson*  
Notary Public  
My Comm. expires

STATE OF MISSISSIPPI, County of Madison:

I, A. C. Alsworth, Clerk of the Chancery Court of said County, certify that the within instrument was filed for record in my office this 21 day of February, 1949, at 11 o'clock A.M., and was duly recorded on the 21 day of February, 1949, Book No. 42 on Page 313 in my office.

Witness my hand and seal of office, this the 21 day of February, 1949.

A. C. ALSWORTH, Clerk  
By: *Adair T. Dunning* . D. C.



I, MARY CENTER, THAT HAVE SUB-DIVIDED THE WITHIN TRACT OF LAND, SITUATED NEAR CANTON, MADISON COUNTY, MISSISSIPPI, AND BEING DESCRIBED AS BEGINNING AT NW COR. 1/4 SEC. 14, AND RUNNING THENCE SOUTH FOR 805.7 FT., THENCE EAST FOR 259.5 FT. WEST R.O.W. OF MISS. 16 HIGHWAY, THENCE N11°15'W ALONG SAID R.O.W. FOR 822.16 FT., THENCE WEST FOR 112.2 FT., SECTION 7, T9R3E, MADISON COUNTY, MISSISSIPPI.

PLAT OF

# SIMS SUB-DIVISION

A SUB-DIVISION AS SHOWN NEAR CANTON, MADISON COUNTY, MISSISSIPPI.

AND SAID SUB-DIVISION TO BE KNOWN AS "SIMS SUB-DIVISION"

AND I FURTHER CERTIFY, THAT THE WITHIN PLAT OF SIMS SUB-DIVISION, NEAR CANTON, MADISON COUNTY, MISSISSIPPI, IS A TRUE AND CORRECT REPRESENTATION OF SAID SUB-DIVISION, THAT I SIGNED AS MY FREE ACT AND DEED.

LEMUEL JONES =||= OWNER

WITNESS MY HAND THIS THE 21 DAY OF February 1949

*M. H. James Jr.*  
M. H. JAMES, JR. SURVEYOR

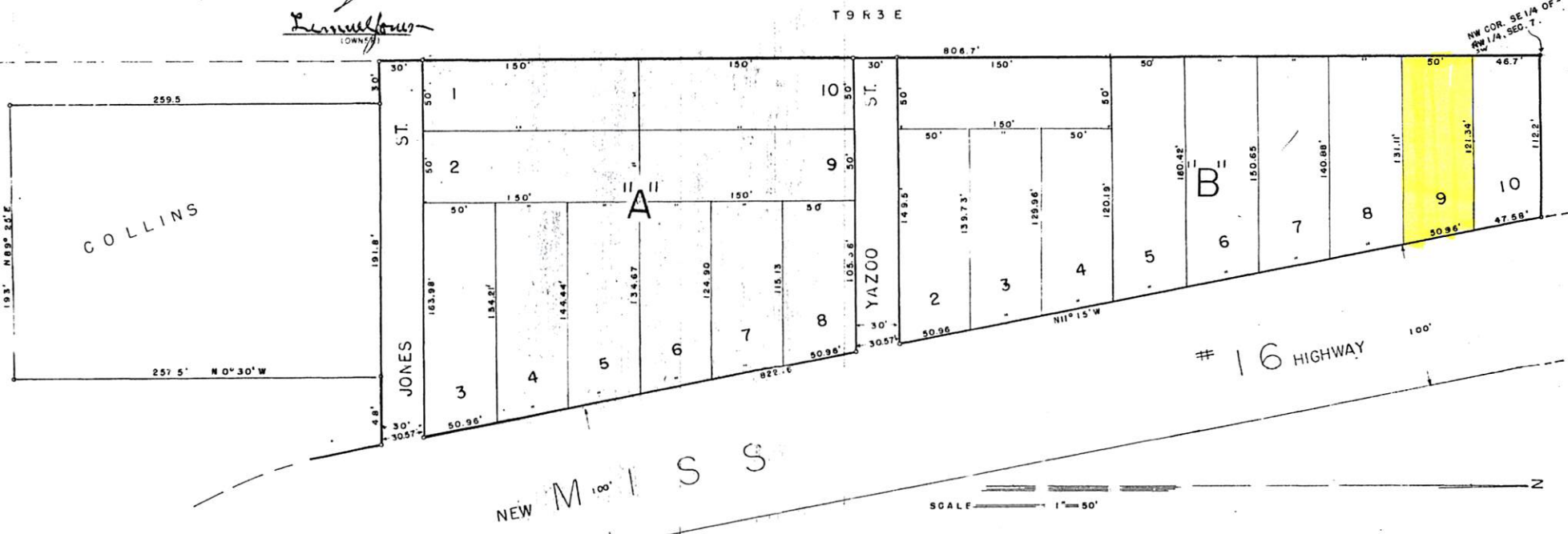
OWNERS CERTIFICATE

I, LEMUEL JONES, OWNER OF THE TRACT OF LAND DESCRIBED IN THE SURVEYORS CERTIFICATE ATTACHED HERETO, OF M. H. JAMES, JR. SURVEYOR, DO HEREBY CERTIFY THAT I HAVE CAUSED THE SAME TO BE SUB-DIVIDED AND PLATTED IN THE MANNER SHOWN ON THE WITHIN PLAT OF SIMS SUB-DIVISION AND THAT SAID SUB-DIVISION AND THE DEDICATION OF STREETS ARE AS MY FREE ACT AND DEED.

WITNESS MY HAND THIS THE 21 DAY OF February 1949

*Lemuel Jones*  
LEMUEL JONES

Exhibit "B"



SCALE 1" = 50'

COUNTY OF STATE OF MISSISSIPPI

PERSONALLY APPEARED BEFORE ME, A. G. ALSWORTH, CHANCERY CLERK IN AND FOR MADISON COUNTY, MISS., AND LEMUEL JONES, WHO EXECUTED THE ATTACHED OWNERS CERTIFICATE, AND ACKNOWLEDGED THAT HE SIGNED AS HIS VOLUNTARY ACT AND DEED, AND THAT HE APPEARED M. H. JAMES, JR. WHO EXECUTED THE SURVEYORS CERTIFICATE, AND ACKNOWLEDGED THAT HE SIGNED THE SAME AS HIS FREE ACT AND DEED.

WITNESS MY HAND AND OFFICIAL SEAL, THIS THE 21 DAY OF February

SIGNED *A. G. Alsworth*  
A. G. ALSWORTH CHANCERY CLERK  
By *Bruce M. Bush D.C.*

BY, A. G. ALSWORTH, CHANCERY CLERK IN AND FOR MADISON COUNTY, MISS., AND M. H. JAMES, JR. SURVEYOR, DO HEREBY CERTIFY THAT WE HAVE CAREFULLY COMPARED THIS DUPLICATE PLAT OF THE SIMS SUB-DIVISION TO THE ORIGINAL PLAT AND IT IS AN EXACT COPY OF SAID PLAT.



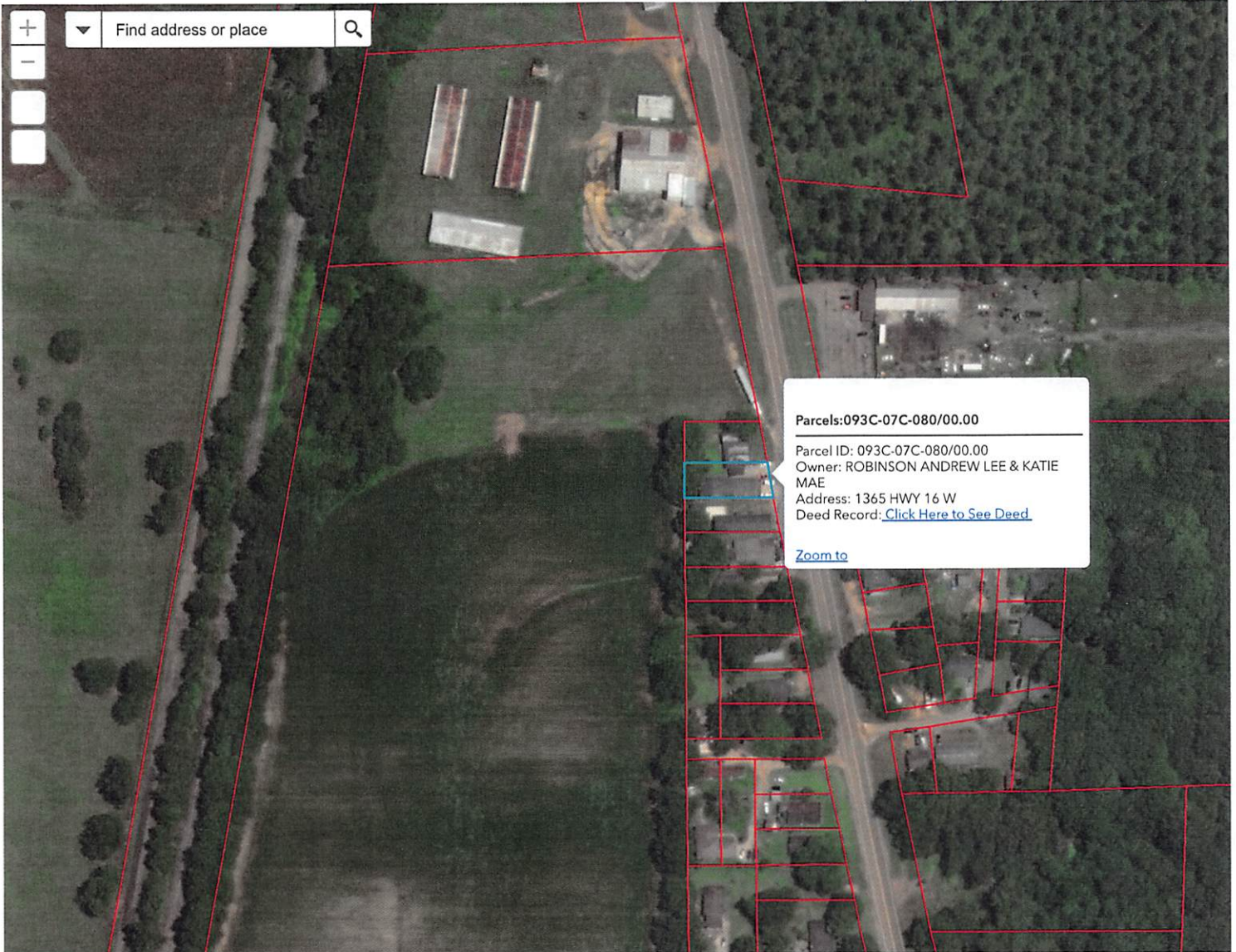
SIGNED *A. G. Alsworth* A. G. ALSWORTH CHANCERY CLERK  
*M. H. James Jr.*  
M. H. JAMES, JR. SURVEYOR

Filed Feb. 21-1949  
at Alsworth Court  
Associating D.C.





200ft  
-90.033 32.637 Degrees



200ft  
-90.033 32.637 Degrees

Exhibit "C"

**In the Matter of the Adoption of an Ordinance Re-zoning  
Property for and on Behalf of Reginald Robinson**

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

WHEREAS, Reginald Robinson did file an Application to rezone certain property from its present R-2 Residential Use District Classification to C-2 Highway Commercial District Classification; and

WHEREAS, by Resolution properly adopted by the Board of Supervisors on the 16<sup>th</sup> day of May, 2003, a hearing was set for the 27<sup>th</sup> day of June, 2003, at 10:00 o'clock a.m., and the Clerk did cause Notice of 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. on the 27th day of June, 2003, did arrive; and

WHEREAS, there were no objections; and

WHEREAS, the Board of Supervisors closed said public hearing and tabled said matter;  
and

WHEREAS, the matter was presented to the Board of Supervisors and after discussion thereof Supervisor Paul Griffin 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 there has been a material change in the circumstances of the surrounding neighborhood and that there is a public need that the following described tract of real property be, and the same is hereby, rezoned from its present R-2 Residential Use District Classification to C-2 Highway Commercial District Classification, to wit:

Commencing at a concrete monument at the SE corner of the NE ¼ of the SW ¼ of Section 7, Township 9 North, Range 3 East, Madison County, Mississippi; thence West 180.50 feet to appoint in the center of a small ditch and the Point of Beginning; thence West 930.48 feet; partly along a fence line, to an iron pin on the Northeastern Right-of-Way of Highway 16; thence North 11 degrees 10 minutes 20 seconds West 230.00 feet, along said line, to an iron pin; thence East 1137.96 feet to a point in the center of a small drainage ditch; thence South 35 degrees 49 minutes 46 seconds West 278.31 feet to appoint and the point of Beginning, containing 5.36 acres, more or less.

That the Madison County Zoning Ordinance and Land Use Plan be and the Zoning District Map be and the same are hereby amended so as to reflect the foregoing change in the zoning of the above described real property and that the Petitioner submit covenants in a form acceptable to the Zoning Administrator.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, Mississippi, at a meeting thereof held on the 8<sup>th</sup> day of August, 2003.

That motion for adoption was seconded by Supervisor W.T. "Bill" Banks, 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

**President's Initials:** \_\_\_\_\_

passage or rejection on roll call vote with the vote being as follows, to wit:

Supervisor W. T. "Bill" Banks - District I	Voted: Aye
Supervisor Marc Sharpe - District II	Voted: Aye
Supervisor David H. Richardson - District III	Voted: Aye
Supervisor Karl M. Banks - District IV	Voted: Absent
Supervisor Paul Griffin - District V	Voted: Aye

The motion having received the affirmative vote of the Board members present, was declared by Mr. David H. Richardson, President of said Board as being duly carried on this the 8th day of August, 2003.

**President's Initials:** \_\_\_\_\_