

# APPLICATION FOR CONDITIONAL USE

Name and Address of Applicant:

Benton T. Moseley  
324 N. Church St. Florence MS

Street Address of Property (if different address):

466 VANDELL RD  
CANTON MS

APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
4-1-2022	A-1 & R-1	See (Exhibit A)		X + AE	See (Exhibit B)

Other Comments: As per Article 805 of the Madison County Zoning Ordinance.

Comments Pumpkin Patch + Farm open to the Public

Tax Parcels 082F-23-019/00.00  
082F-24-001/03.00

Respectfully Submitted

*Benton T. Moseley*

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 \_\_\_\_\_

Indexing Instructions:

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WESTERN ½ OF THE SOUTHWEST 1/4 OF SECTION 24, AND THE EASTERN ½ OF THE SOUTHEAST 1/4 OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 2 EAST, MADISON COUNTY, MISSISSIPPI

WARRANTY DEED

565295

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which are hereby acknowledged, the undersigned BRENDA KAYE YARBRO, GRANTOR, does hereby sell, convey, and warrant unto STEPHEN YEH, and wife, KYOUNG H. YEH, GRANTEES, as joint tenants with full rights of survivorship, the following described land and property situated in Madison County, Mississippi to-wit:

**SEE ATTACHED EXHIBIT "A"**

The warranty of this conveyance is subject to prior reservations of minerals, rights-of-way, easements, zoning ordinances and restrictive covenants of records.

Ad valorem taxes covering the above described property for the current year have been prorated as of the date of this instrument 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 Grantees or its assigns any deficit on an actual proration. Likewise, Grantees agree to pay to said Grantor or its assigns any deficit on an actual proration.

WITNESS MY SIGNATURE, this the 22nd day of June, 2008.

  
BRENDA KAYE YARBRO

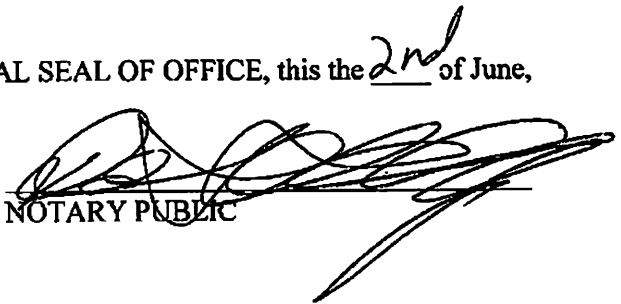
STATE OF MISSISSIPPI

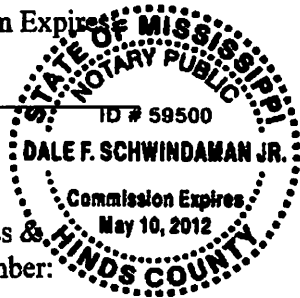
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COUNTY OF HINDS

PERSONALLY appeared before me, the undersigned authority, in and for the State and County aforesaid, the within-named BRENDA KAYE YARBRO, who acknowledged before me that she signed and delivered the above and foregoing instrument of writing on the day and year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 2nd of June, 2008.

  
NOTARY PUBLIC

My Commission Expires \_\_\_\_\_  
  
Grantor Address & Telephone Number:

Brenda Kaye Yarbro  
466 Yandell Road  
Canton, MS 39046  
(601) 856-9271

Grantees' Address & Telephone Number:

Stephen & Kyoung H. Yeh  
238 Forest Lake Drive  
Madison, MS 39110  
(601) 918-5140

Prepared by:  
Dale F. Schwindaman, Jr.  
112 Byram Pkwy.  
Suite A  
Byram, Mississippi 39272  
Telephone: (601) 502-0955  
Telecopier: (601) 502-0956

303-13

**LEGAL DESCRIPTION**

A parcel of land containing 29.08 acres (1,266,605.78 square feet), more or less, being situated in the Western ½ of the Southwest ¼ of Section 24, and the Eastern ½ of the Southeast ¼ of Section 23, Township 8 North, Range 2 East, Madison County, Mississippi, and being more particularly described by metes and bounds as follows:

Commence at a found 2 inch flat iron at the Northwest corner of the Price Property, said corner being 293.92 feet East and 2968.80 feet North of the Southwest corner of Section 24, per that deed recorded in Book 19 at Page 591 of the Madison County Land Records;

run thence South 00 degrees 05 minutes 06 seconds East for a distance of 613.48 feet to a found iron pin;

thence North 89 degrees 25 minutes 49 seconds West for a distance of 920.55 feet to a found iron pin;

thence South 00 degrees 07 minutes 24 seconds East for a distance of 389.55 feet;

thence continue South 00 degrees 07 minutes 24 seconds East for a distance of 557.29 feet to the centerline of an existing ditch and the POINT OF BEGINNING for the parcel herein described;

thence run along said centerline of ditch South 74 degrees 20 minutes 55 seconds East for a distance of 230.33 feet;

thence North 88 degrees 59 minutes 08 seconds East for a distance of 141.96 feet;

thence North 86 degrees 02 minutes 40 seconds East for a distance of 325.32 feet;

thence North 83 degrees 57 minutes 14 seconds East for a distance of 98.80 feet;

thence North 82 degrees 48 minutes 12 seconds East for a distance of 135.04 feet;

thence leave said centerline of ditch and run South 00 degrees 07 minutes 23 seconds East for a distance of 1411.61 feet to the Northern Right of Way line of Yandell Road;

thence run along said right of way North 89 degrees 12 minutes 04 seconds West for a distance of 300.30 feet;

thence North 89 degrees 28 minutes 48 seconds West for a distance of 620.26 feet;

thence leave said right of way and run North 00 degrees 07 minutes 24 seconds West for a distance of 1411.63 feet to the POINT OF BEGINNING.

LESS and EXCEPT

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**Access Easement**

An ingress/egress easement covering the following described land:

A parcel of land containing 1.93 acres (84,209.32 square feet), more or less, being situated in the Eastern 1/2 of the SouthEast 1/4 of Section 23, Township 8 North, Range 2 East, Madison County, Mississippi, and being more particularly described by metes and bounds as follows:

Commence at a found 2" flat iron at the NorthWest corner of the Price Property, said iron being 293.92 feet East and 2968.80 feet North of the SouthWest corner of Section 24, per that deed recorded in Book 19 Page 591 of the Madison County Land Records; run thence South 00 degrees 05 minutes 06 seconds East for a distance of 613.48 feet to a found iron pin; thence run North 89 degrees 25 minutes 49 seconds West for a distance of 920.55 feet to a found iron pin; thence South 00 degrees 07 minutes 24 seconds East for a distance of 946.84 feet to the centerline of a ditch and the POINT OF BEGINNING for the access easement herein described; thence run along said centerline of ditch South 74 degrees 20 minutes 55 seconds East for a distance of 62.35 feet; thence leave said centerline and run South 00 degrees 07 minutes 24 seconds East for a distance of 1395.35 feet; thence North 89 degrees 28 minutes 48 seconds West for a distance of 60.00 feet; thence North 00 degrees 07 minutes 24 seconds West for a distance of 1411.63 feet to the POINT OF BEGINNING.

LESS and EXCEPT

A PARCEL OF LAND CONTAINING 2.34 ACRES (101,913.16 SQUARE FEET), MORE OR LESS, BEING SITUATED IN THE WESTERN 1/2 OF THE SOUTHWEST 1/4 OF SECTION 24, AND IN THE EASTERN 1/2 OF THE SOUTHEAST 1/4 OF SECTION 23, ALL IN TOWNSHIP 8 NORTH, RANGE 2 EAST, MADISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT A FOUND 2" FLAT IRON AT THE NORTHWEST CORNER OF THE PRICE PROPERTY, SAID CORNER BEING 293.92 FEET EAST OF AND 2968.80 FEET NORTH OF THE SOUTHWEST CORNER OF SECTION 24, PER THAT DEED RECORDED IN BOOK 19 AT PAGE 591 OF THE MADISON COUNTY LAND RECORDS; RUN THENCE S00°06'46"E FOR A DISTANCE OF 2275.08 FEET TO THE CENTERLINE OF AN EXISTING CREEK AND THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED; FROM SAID POINT OF BEGINNING RUN THENCE S00°07'23"E FOR A DISTANCE OF 697.57 FEET TO A FOUND IRON PIN ON THE NORTH RIGHT OF WAY LINE OF YANDELL ROAD; THENCE RUN ALONG SAID RIGHT OF WAY N89°12'04"W FOR A DISTANCE OF 300.30 FEET TO A FOUND IRON PIN; THENCE N89°28'48"W FOR A DISTANCE OF 33.01 FEET TO THE CENTERLINE OF AN EXISTING CREEK; THENCE LEAVE SAID RIGHT OF WAY OF YANDELL ROAD AND RUN ALONG SAID CENTERLINE OF CREEK N34°04'52"E FOR A DISTANCE OF 205.09 FEET; THENCE N24°11'26"E FOR A DISTANCE OF 317.30 FEET; THENCE N20°26'38"E FOR A DISTANCE OF 168.52 FEET; THENCE N20°14'15"E FOR A DISTANCE OF 80.83 FEET TO THE POINT OF BEGINNING.

Signed for identification: Brenda Kaye Jenkins

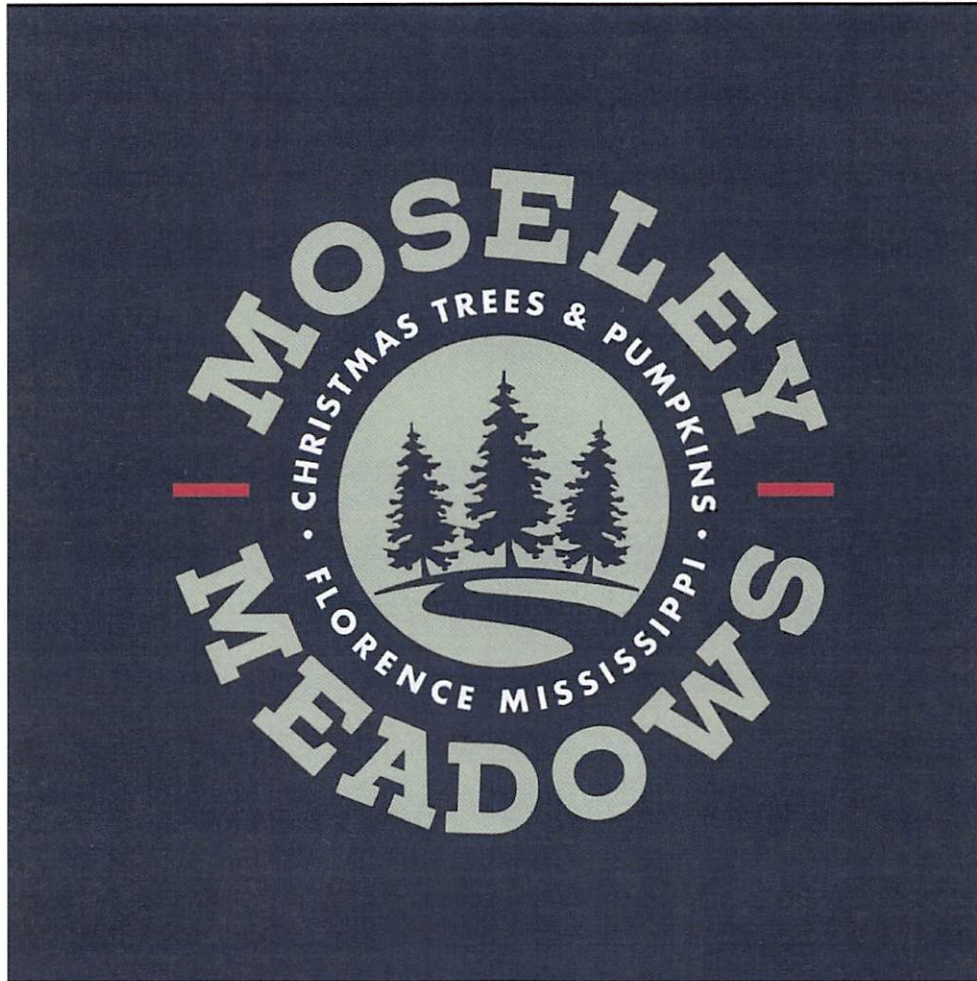
MADISON COUNTY MS This instrument was filed for record June 4, 2008, at 8:00 A.M.

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ARTHUR JOHNSTON, C. C.

BY: [Signature] D.C.



Attachment C



**Moseley**  **Meadows**

Attachment D



## Site Plan Review for Moseley Meadows

### 809.01 Site Plan Specifications

A. Lot lines (property lines) – See Diagram

B. The zoning of adjacent lots - See Diagram

C. The names of owners of adjacent lots

1. North – Taylor and Catherine Sledge
2. South Twisted Oak LLC & Hampton Hills Homeowners Association
3. West – Coventry Subdivision
4. East – Christopher Price & Innis Price

D. N/A

E. Access ways, curb cuts, driveways and parking (including number of parking spaces to be provided and loading areas – See Diagram

-Existing gravel parking in front of current structure as well as proposed added parking on East side of property (See Diagram)

F. All existing and proposed easements

1. There are 2 existing easements on the property. Taylor and Catherine Sledge have an easement on the West property line. Denbury Onshore, LLC has a 50 foot easement on the East side of property. See Attachment A.

G. All existing and proposed water and sanitary sewer lines; also the location of all existing and proposed fire hydrants.

1. Existing Structure has water and sewer lines (See Diagram of Existing Barn)

H. N/A

I. N/A

J. Floodplain zone designations according to maps prepared by the Federal Emergency Management Agency, Federal Insurance Administration, and any proposed floodway modifications. See Attachment B.

K. Landscaped areas and planting screens

1. Landscaping around proposed signage to include mulch, flowers and greenery

L. Building lines and the location of all structures, existing and proposed. See Diagram

M. Proposed uses of land and building, if known.

Pumpkin Patch/Christmas Tree Farm/Agritourism Farm



N. Open and space and recreation areas, when required. See Diagram

O. Area (in square feet and/or acres) of parcel.

1. 27 + - Acres

P. Proposed gross lot coverage in square feet (i.e., that portion of a lot occupied by buildings and structures)

1. 2 Acres for existing plus proposed structure

Q. N/A

R. Location of sign structures and drawings, etc. in accordance with Section 701 of this Ordinance. See Attachment C

S. N/A

T. Any additional date necessary to allow for a thorough evaluation of the proposed use

1. This property will be a seasonal agritourism farm providing safe, outdoor, family friendly fun.

**809.02 Elevations and Associated Date Required:**

A. Proposed elevations indicating general design, style, and architecture of the building or structure

B. Proposed materials and color schemes to be utilized in the construction of the exterior of buildings and structures

C. Number of stories and total square feet, including a notation as to the square footage on each floor or level. See Attachment D.

1. One story building

2. 1980 Square Feet

3. Dimensions - 30 x 66

D. Proposed Height in Feet – 12 feet

**809.03 Other Exhibits:** Photographs, renderings, color slides, models and similar items may be presented by the applicant at his discretion

**809.04 Staging and Development Requires Development Plan – N/A**

SECTION 810 – CRITERIA FOR SITE PLAN REVIEW

**810.01 Consistency with Adopted Land Use Plan and Zoning Ordinance:** The proposed site plan shall be consistent with adopted Land Use and Zoning Ordinance (including the Official Zoning Map).

810.02 Vehicular Traffic Circulation and Parking: The following aspects of vehicular traffic circulation shall be reviewed:

A. N/A

B. Street network capacity: Is the street system in the vicinity capable of carrying traffic generated by the proposed development, according to the traffic projections developed by the County Engineer or consultant? Yes

C. Traffic engineering operation of adjacent streets: What traffic control devices are needed on adjacent streets? None

D. Compliance with Article V (Off Street Parking, Loading and Access Requirements)

E. N/A

**810.03 Utilities: The Following shall be evaluated with regard to utilities:**

A. Water and sewer system capacity and oversizing (future) needs

1. Water and sewer current capacities are sufficient for proposed use

B. On-site and off-site drainage requirements, including retention ponds

C. Are underground utilities required on the site?

Yes, water and sewer lines are already on site

D. N/A – If a garbage disposal is obtained in the future, it will be in accordance with Section 406.06

**810.04 Open Space, Landscaping and Screening Requirements:**

A. N/A

B. N/A

C. N/A

D. Preservation of Vegetation: Does the site plan propose the preservation of trees and other vegetation as much as possible?

1. Yes – Additional trees and vegetation will be added

E. Is proper use made of floodplains on this site? For example, for open space or passive recreational areas. Yes

### 810.05 Fire Safety

A. Are fire hydrants shown on the site plan and properly located to ensure fire protection for all structures?

Yes. The nearest fire hydrant is at New Mt. Zion Church. 1584 Feet away from property.

B. Are there at least two points of access/egress for apartment or condominium complexes, office parks, shopping centers, industrial parks, etc. to provide access for fire equipment and to provide for evacuation when necessary? Yes

C. Are buildings spaced in accordance with this Ordinance to prevent spread of fires? Yes

### 810.06 Signs

A. Do the proposed signs comply with Article VII of this Ordinance? Yes – See Attachment C

### 810.07 Elevations:

A. Will the proposed structures maintain harmony and continuity with similar existing uses within the district and considering other like structures within 500 feet of proposed structure as measured from each lot line of the proposed structure (excluding streets, alleys, and other public right-of-ways? Yes

B. Are the proposed structures incongruent or inharmonious in such a manner as to cause or provoke one or more opportunities for land use and development? No