

# APPLICATION FOR CONDITIONAL USE


<b>Name and Address of Applicant:</b> Myrtle Grate Sunnybrook 222 Sunnybrook Rd Ridgeland, MS 39157	<b>Street Address of Property (if different address):</b> 3841 Highway 22 Flora, MS 39071 <span style="float: right; margin-left: 20px;">                     3815 Highway 22                      Flora, MS 39071                 </span>
---	--

APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
4-1-2022	A1	See (Exhibit A)	0816-07-004/02.9 " / 97 " / 02.01 X		See (Exhibit B)

**Other Comments:** As per Article 005 of the Madison County Zoning Ordinance. 0726-054-001/00

Comments

Respectfully Submitted

  
 \_\_\_\_\_  
 \_\_\_\_\_



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 \_\_\_\_\_

## APPLICATION FOR CONDITIONAL USE

**To:** Madison County Zoning and Planning Commission

**From:** Sunnybrook Children's Home

**Date:** April 27, 2022

**Re:** Conditional Use Permit for Property on Highway 22, Flora MS

---

Sunnybrook Children's Home (hereinafter "Sunnybrook") requests a Conditional Use Permit regarding three adjacent parcels of property on Highway 22 in Flora, Mississippi. These three parcels consist of approximately 95 acres, situated among approximately 350 acres owned by Sunnybrook.

*Sunnybrook's mission is that every child and youth in Mississippi will experience the advantages associated with growing up in a healthy Christian family environment.* They intend to continue to pursue that mission by utilizing the property at issue.

Sunnybrook submitted the Application for Conditional Use and the property descriptions to Scott Weeks on April 13, 2022. The property descriptions are attached hereto as Exhibit A.

### A. Reason for Need

The current zoning of this land is A1 Residential. Sunnybrook seeks a conditional use deeming the property "quasi-public" under Section 402 of the Madison County Zoning Ordinance. According to Section 402, Sunnybrook will ensure the following:

1. That all applicable requirements of federal, state and county laws shall be met.
2. That all such proposed uses shall be subject to the procedures stated under Section 805 relative to Conditional Uses.
3. No public or quasi-public facility or utility shall be located in any area where the proposed use would be incompatible with surrounding land uses.

The relevant items listed in Section 805 are outlined in Part B below. The property will maintain compatibility with surrounding land use. Currently, there are two houses and one barn situated on these three parcels among many acres of open pastureland. This is consistent with the surrounding area and will not change.

Section 402 of the Madison County Zoning Ordinance pertaining to quasi-public facilities refers to the definition in Article III, which provides in relevant part:

***Public/Quasi-Public Facilities and Utilities:*** Any building, structure, system, use, or combination of uses, which is customarily and ordinarily provided by either public or private agencies, groups, societies, corporations, or organizations, whose

purpose is the provision of necessary and desirable goods and/or services for the general public health, safety, and welfare. Such uses shall include, but not be limited to [the following relevant examples]:

- Churches and other religious institutions.
- Convalescent homes or nursing homes.
- Civic organization buildings and major facilities.
- Buildings and facilities erected by charitable organizations.
- Public recreational or open space facilities.

Sunnybrook currently uses one home on the property to provide respite care to foster families, host meetings and events for charitable organizations, and minister to members of the foster community (e.g. Easter Egg Hunt, birthday parties, fellowship for foster moms, etc.). This use will continue. The second home on the property is currently vacant, and Sunnybrook will explore using it as a group home.

For nearly 60 years, Sunnybrook has provided care to orphaned and foster children. Sunnybrook's mission is that every child and youth in Mississippi will experience the advantages associated with growing up in a healthy Christian family environment.

Sunnybrook has been well known and respected in Madison County since they moved to Ridgeland in 1967. When Sunnybrook obtained the acreage and homes at issue, the intent was to continue their mission of caring for children in a group home setting. In 2020, Sunnybrook started a transitional living program on their Ridgeland campus. They continue to find new ways to serve Mississippi's vulnerable children.

If used as a group home, the house on Highway 22 would have no more traffic than a traditional large family residence. Staff would likely come and go, but with a three-car garage and being situated back from the road, additional personnel would not be noticeable or cause extra traffic. The home already has utilities, trash pick, and lawn maintenance. No additional parking would be needed.

## **B. Section 805 Requirements**

Sunnybrook has made provision for all items in Section 805 of the Madison County Zoning Ordinance as follows:

- 1. Ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.**

This property has two driveways for ingress and egress. This will not change. There will be no significant change in vehicular traffic other than use of the second home, which is currently vacant. There are no pedestrian safety concerns and this will not be a high traffic area where traffic control will be a problem. In the event of a fire or other catastrophe, access will be made to the property via either driveway.

- 2. Off-street parking and loading areas.**  
There will be no off-street parking or loading areas.
- 3. Refuse and service areas.**  
There is ample space for trash pick-up and utility services. The property already has utility services. There will be no dumping or other service area on the property.
- 4. Utilities, with reference to locations, availability, and compatibility.**  
The property is already equipped with all utilities. No changes will be made to utilities.
- 5. Screening and buffering with reference to type, dimensions, and character.**  
The property is fenced all the way around. Trees provide some screening from the road.
- 6. Required yards and other open space.**  
The three parcels at issue consist of approximately 95 acres. Much of the land is open pastureland. Two homes and one barn are on the property.
- 7. General compatibility with adjacent properties and other property in the district.**  
Sunnybrook owns 350 acres surrounding the 95 acres at issue, and the entirety of the land is compatible with surrounding land and adjacent property. The land has two residential homes and one barn, similar to surrounding property. There is no plan to construct additional buildings.

### **C. Site Plan**

A site plan is being submitted with this application in accordance with Sections 807 through 810 of the Madison County Zoning Ordinance. A small copy of the site plan is attached hereto as Exhibit B.

Buildings already constructed on the property are in accordance with the Madison County Zoning Ordinance and Standard Building Code. They conform with the existing surrounding property. No changes are proposed to the property other than indoor renovations, maintenance, and general upkeep.

The three parcels at issues are located in between other property owned by Sunnybrook. Most of the surrounding area is zoned Residential Estate. There are two commercial areas nearby, along with a small Public/Quasi Public area. A church is located to the west on Highway 22, and Livingston is located to the east at the corner of Highway 22 and Highway 463.

Nothing about the conditional use of the property would lower surrounding property values, decrease economic growth, or diminish future opportunities for land use and development to the surrounding property. In fact, because the property will largely stay the same, it will ensure that the property will be aesthetically pleasing and congruent with the surrounding area, which consists largely of large residential homes and pastureland.

There are no elevations to submit because Sunnybrook does not propose building any additional structures. The current homes on the property are large, two story homes. Photographs of the existing structures are attached hereto as Exhibit C.

Likewise, there is no development plan because new construction is not being proposed. Sunnybrook intends to renovate the interior of one home, but the exterior will remain the same.

There will be no additional parking needed. Use of the home will not result in increased traffic that would be problematic.

Utilities are already in place on the property. An alarm system will be installed. The home is already equipped with fire alarms, and fire safety will be ensured.

Landscaping will be improved and will render the second home more aesthetically pleasing from the road. There will not be any signs added to the property.

**Exhibit A**

**#1 -- Parcel number 081C-07-004/02.00**

**INDEXING INSTRUCTIONS:**

54.63 Ac. ± in E ½, Section 7, T8N-R1E, Madison County, MS

A parcel or tract of land containing 74.63 acres, more or less, lying and being situated in the East ½ of Section 7, Township 8 North, Range 1 East, Madison County, Mississippi, being a part of the John R. Anderson property as described in Deed Book 101 at Page 305 of the records of the Chancery Clerk of said Madison County at Canton, Mississippi, and being more particularly described as follows:

Commencing at an iron pin, said point lying at the SE corner of said Section 7, Township 8 North, Range 1 East; run thence

North 15 degrees 00 minutes 00 seconds West along the Westerly boundary of that property as described in Deed Book MM at Page 450 of the records of the Chancery Clerk of said Madison County, for a distance of 1867.08 feet to an iron pin and POINT OF BEGINNING of the herein described property; thence

Continue North 15 degrees 00 minutes 00 seconds West for a distance of 2067.28 feet to an iron pin, said point lying on the Southerly right-of-way of Mississippi Highway No. 22 (50 feet from the existing centerline), as it exists in March, 1993; thence

South 89 degrees 10 minutes 00 seconds West along said Mississippi Highway No. 22 right-of-way (50 feet from the existing centerline) for a distance of 18.61 feet to an existing concrete monument; thence

North 00 degrees 50 minutes 00 seconds West along said highway right-of-way for a distance of 20 feet to an iron pin, said point lying on the Southerly right-of-way of said Mississippi Highway No. 22 (30 feet from the existing centerline), thence

South 89 degrees 10 minutes 00 seconds West along the Southerly right-of-way of said Mississippi Highway No. 22 (30 feet from the existing centerline) for a distance of 896 feet to an iron pin; thence

South 87 degrees 30 minutes 30 seconds West along the Southerly right-of-way of said Mississippi Highway No. 22 (30 feet from the existing centerline) for a distance of 300.55 feet to an iron pin; thence

Leaving said highway right-of-way, run South 03 degrees 10 minutes 30 seconds East for a distance of 2467.84 feet to an iron pin; thence

North 73 degrees 38 minutes 30 seconds East for a distance of 1681.51 feet to the POINT OF BEGINNING of the above described tract or parcel of land.

**#2 -- Parcel number 081C-07-004/07.00**

**INDEXING INSTRUCTIONS:**

SE1/4 of NW1/4, SW1/4 of NE1/4, NE1/4 of SW1/4 and NW 1/4 of SE1/4 of Section 7, Township 8 North, Range 1 East, Madison County, MS

Commence at a point marking the southeast corner of Section 7, Township 8 North, Range 1 East, Madison County, Mississippi, run thence North 15 degrees 00 minutes 00 seconds West for a distance of 1867.08 feet to an iron pin; run thence South 73 degrees 38 minutes 30 seconds West for a distance of 1681.51 feet to an iron pin; run thence North 03 degrees 10 minutes 30 seconds West for a distance of 852.24 feet to the Point of Beginning of the parcel herein described.

From the Point of Beginning proceeds thence North 03 degrees 10 minutes 30 seconds West for a distance of 1613.34 feet to a point on the south right-of-way line of Mississippi Highway 22 as said right-of-way line is now laid out and established; run thence South 86 degrees 42 minutes 12 seconds West and along said south right-of-way line of Mississippi Highway No. 22 for a distance 540.0 feet to a point; run thence, leaving said south right-of-way line, South 03 degrees 10 minutes 30 seconds East for a distance of 1613.34 feet to a point; run thence North 86 degrees 42 minutes 12 seconds East for a distance of 540.0 feet to the Point of Beginning.

The above described parcel of land is located in the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4), the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4), the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) and the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) of Section 7, Township 8 North, Range 1 East, Madison County, MS

**#3 -- Parcel number 081C-07-004/02.01**

**INDEXING INSTRUCTIONS:**

In E ½, Section 7, T8N-R1E, Madison County, MS

A parcel or tract of land containing 20.00 acres, more or less, lying and being situated in the East ½ of Section 7, Township 8 North, Range 1 East, Madison County, Mississippi, and being more particularly described as follows:

Commencing at an iron pin, said point lying at the SE corner of said Section 7, Township 8 North, Range 1 East; run thence North 15 degrees 00 minutes 00 seconds West along the Westerly boundary of that property described in Deed Book "MM" at Page 450 of the Records of the Chancery Clerk of said Madison County in Canton, Mississippi, for a distance of 1867.08 feet to an iron pin and POINT OF BEGINNING of the herein described property; thence continue North 15 degrees 00 minutes 00 seconds West along said Westerly boundary for a distance of 536.25 feet to an iron pin; thence leaving said Westerly boundary, run South 73 degrees 38 minutes 30 seconds West for a distance of 1568.64 feet to an iron pin; thence South

03 degrees 10 minutes 30 seconds East for a distance of 550.61 feet to an iron pin; thence North 73 degrees 38 minutes 30 seconds East for a distance of 1681.51 feet to the POINT OF BEGINNING of the above described parcel or tract of land.

**#1 -- Parcel number 081C-07-004/02.00**



**#2 -- Parcel number 081C-07-004/07.00**



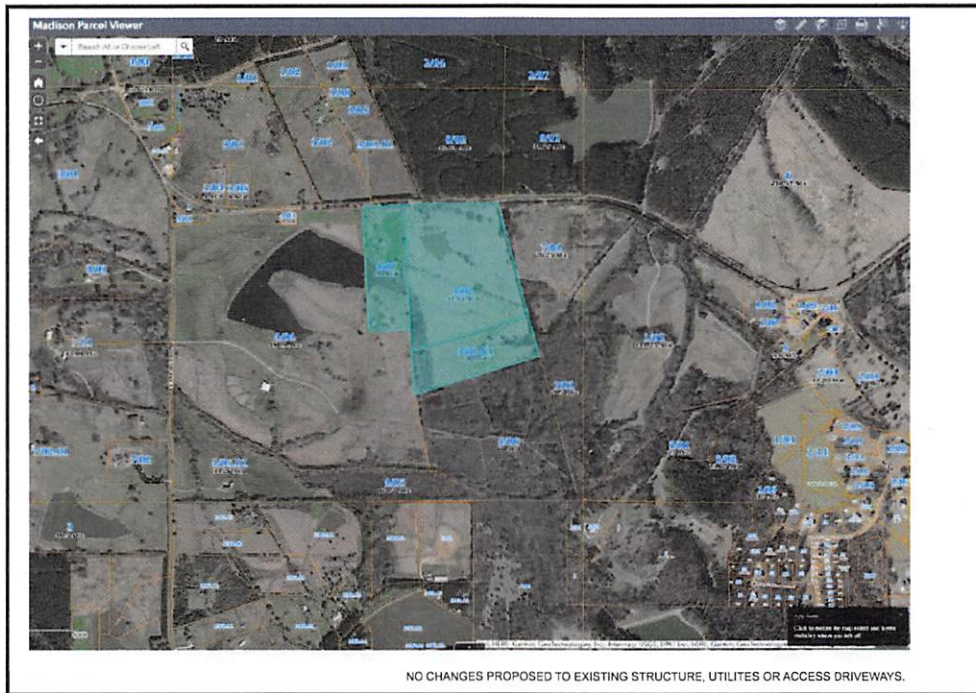
**#3 -- Parcel number 081C-07-004/02.01**





## Exhibit B

A full-scale image of the Site Plan is included at the back of this proposal. The three parcels at issues are located in between other property owned by Sunnybrook. Most of the surrounding area is zoned Residential Estate. There are two commercial areas nearby, along with a small Public/Quasi Public area. A church is located to the west on Highway 22, and Livingston is located to the east at the corner of Highway 22 and Highway 463.

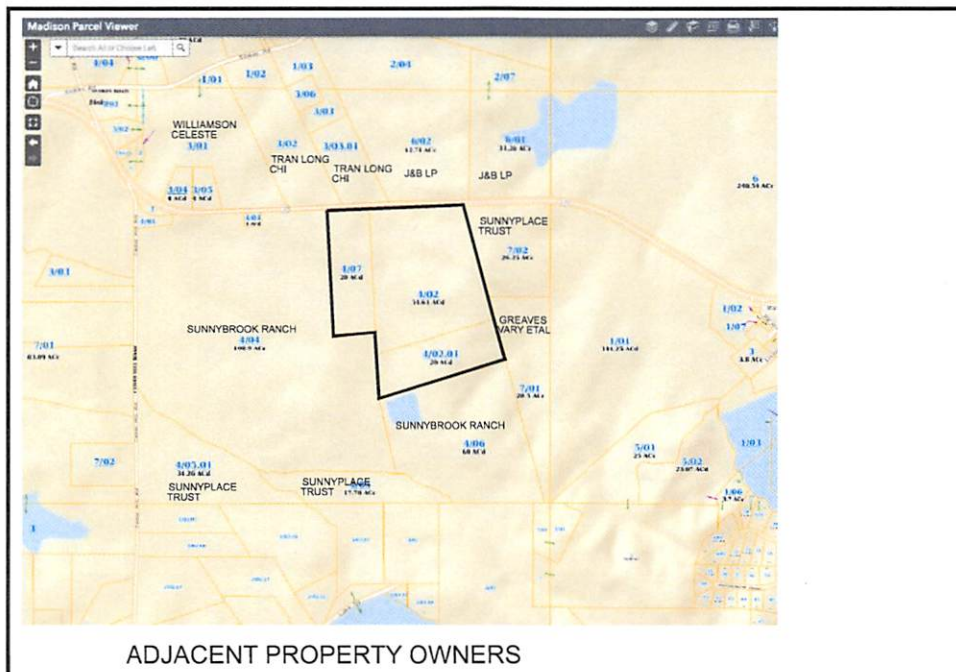


**architectonics**  
 THOMAS CAMPBELL STEWART - ARCHITECT  
 PROJECT ADDRESS: 11414 FARM ROAD, STARBUCKLE, MS  
 PHONE: 662-355-5886 FAX: 662-355-5887 EMAIL: TCS@ARCHITECTONICS.COM

FENCING AND ENTRY GATES  
 STARBUCKLE  
 STARBUCKLE HIGH SCHOOL  
 STARBUCKLE  
 OAKBROOK  
 CONSOLIDATED  
 SCHOOL DISTRICT  
 STARBUCKLE, MISSISSIPPI

DATE: 11/11/2014  
 TIME: 10:00 AM  
 PROJECT: 11414 FARM ROAD  
 SHEET: 11 OF 11  
 SCALE: 1" = 100'

**S1**



**architectonics**  
 THOMAS CAMPBELL STEWART - ARCHITECT  
 PROJECT ADDRESS: 11414 FARM ROAD, STARBUCKLE, MS  
 PHONE: 662-355-5886 FAX: 662-355-5887 EMAIL: TCS@ARCHITECTONICS.COM

FENCING AND ENTRY GATES  
 STARBUCKLE  
 STARBUCKLE HIGH SCHOOL  
 STARBUCKLE  
 OAKBROOK  
 CONSOLIDATED  
 SCHOOL DISTRICT  
 STARBUCKLE, MISSISSIPPI

DATE: 11/11/2014  
 TIME: 10:00 AM  
 PROJECT: 11414 FARM ROAD  
 SHEET: 12 OF 11  
 SCALE: 1" = 100'

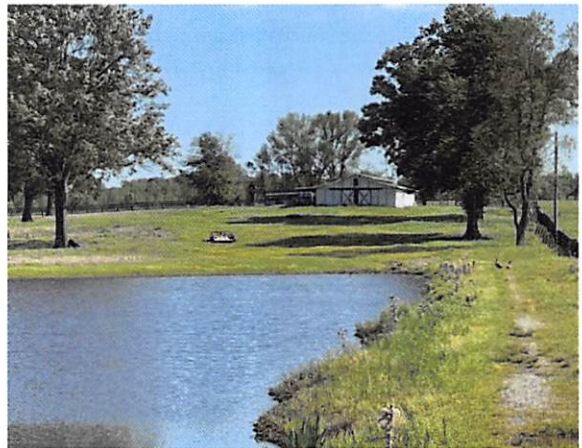
**S2**

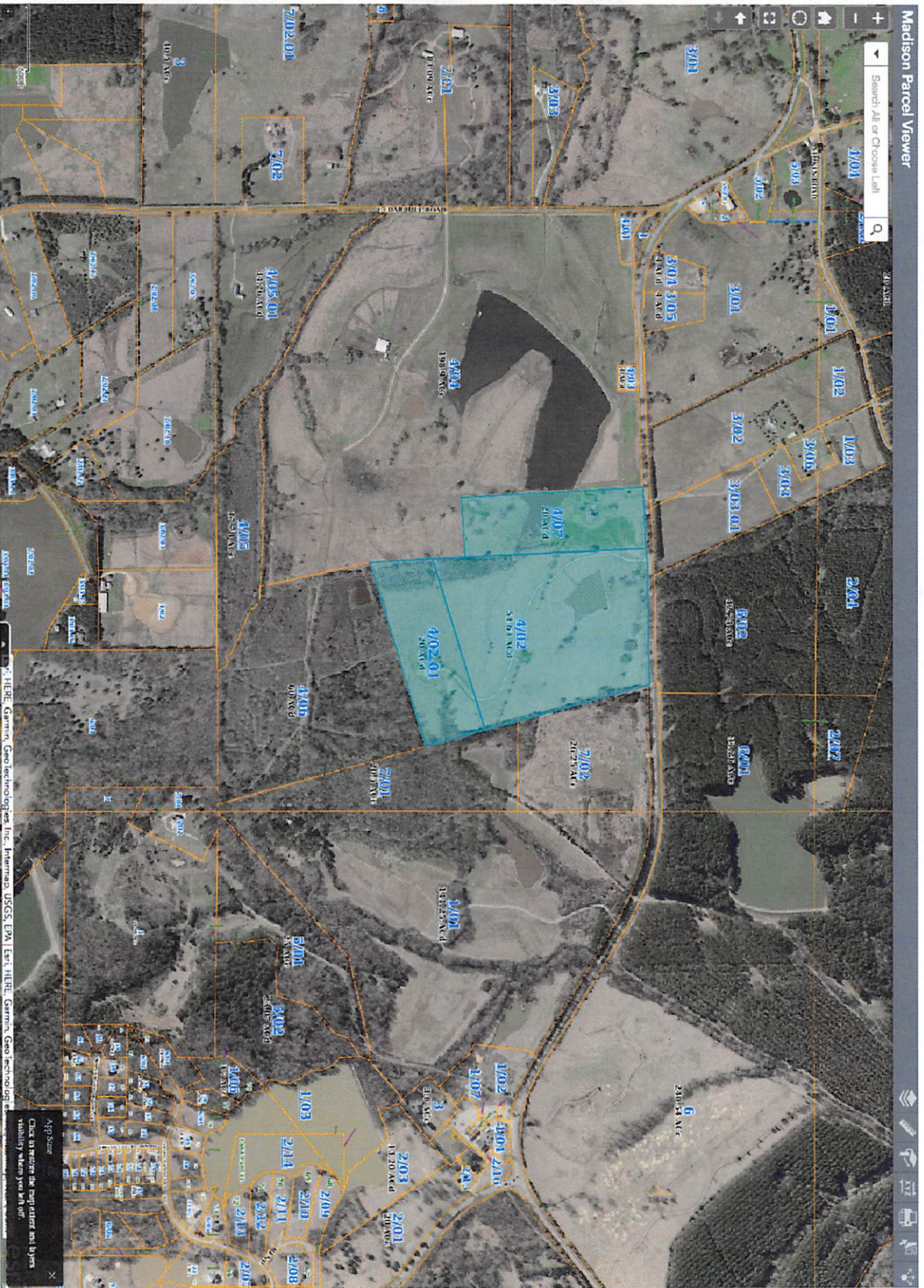
**Exhibit C**

**House 1**



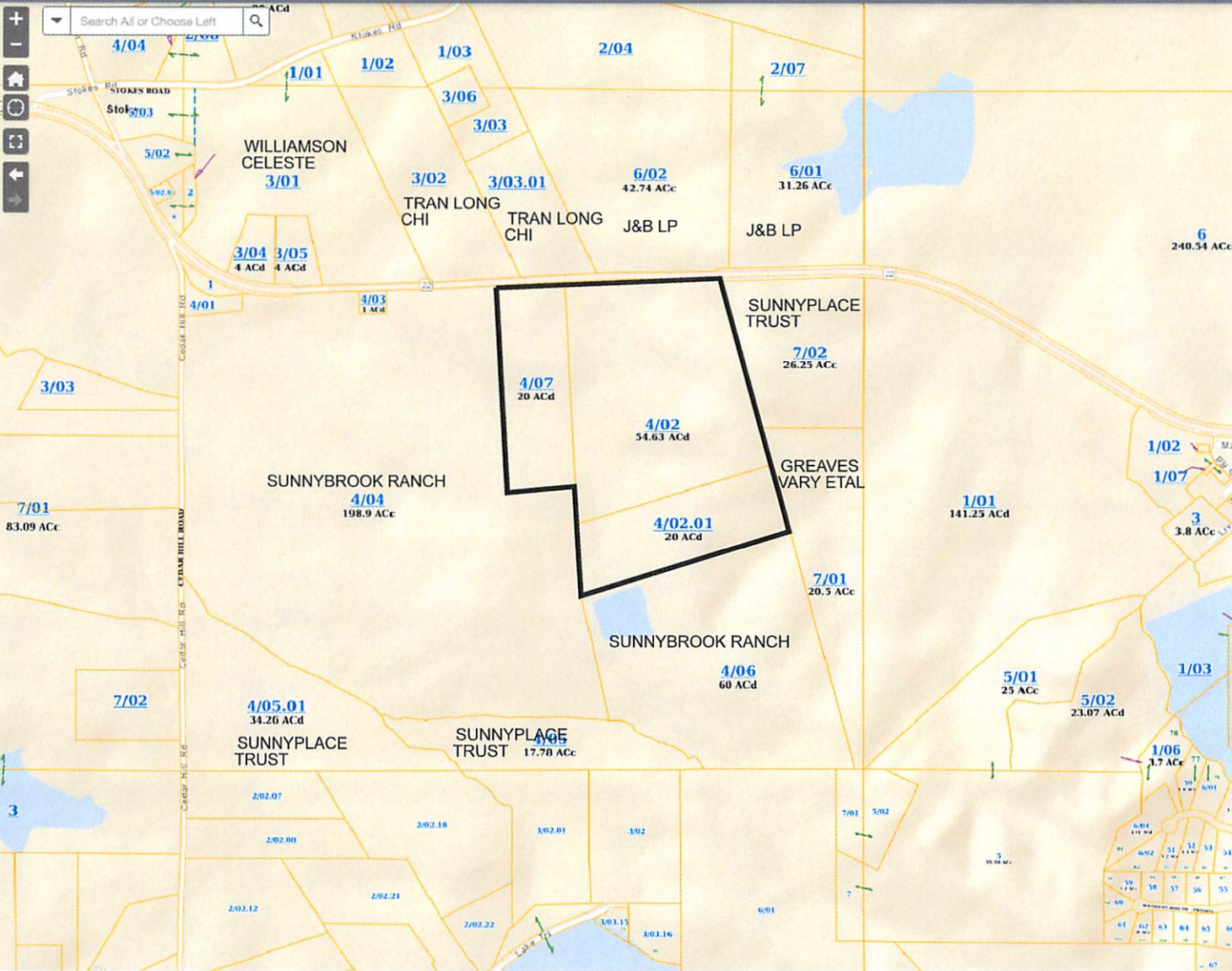
## House 2 and Barn





NO CHANGES PROPOSED TO EXISTING STRUCTURE, UTILITIES OR ACCESS DRIVEWAYS.

Madison Parcel Viewer



ADJACENT PROPERTY OWNERS



- FENCING AND ENTRY GATES
- STARKVILLE HIGH SCHOOL
- STARKVILLE OKTIBBEHA CONSOLIDATED SCHOOL DISTRICT
- STARKVILLE, MISSISSIPPI



REVISION	NOV 21	PROJECT#
	TCS	TCS
	DRAWN BY	CHECKED BY