

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF MADISON  
STATE OF MISSISSIPPI

IN THE MATTER OF REZONING OF  
CERTAIN LAND SITUATED IN  
SECTION 16, TOWNSHIP 8 NORTH  
RANGE 1 EAST  
MADISON COUNTY, MISSISSIPPI

PETITIONER:

LARRY DALE WILSON

PETITION TO REZONE AND RECLASSIFY REAL PROPERTY

Petitioner Larry Dale Wilson ("Petitioner") submits this Petition to the Board of Supervisors of Madison County, Mississippi, to rezone and reclassify a tract or parcel of land situated in Section 16, Township 8 North, Range 1 East, Madison County, Mississippi, more particularly described as follows:

SEE EXHIBIT A

from its present Zoning District Classification of a Sing-Family Residential District to a General Commercial District. In support of his Petition, Petitioner states as follows:

1. The subject property consists of 3.52 acres.
2. The zoning proposed is not in conformance with the adopted Land Use and Transportation Plan of Madison County, but is the highest and best use.
3. See Exhibit B for a list of changes and/or conditions that support rezoning.
4. See Exhibit C for further supporting documentation.

THEREFORE, for these reasons Petitioner respectfully requests that the Board of Supervisors of Madison County enter an order amending the land use plan to reflect General Commercial zoning, and reclassifying this property from its present classification of Low Density Residential to General Commercial.

This the 2<sup>nd</sup> day of ~~November~~ <sup>DECEMBER</sup>, 2013.



William C. Smith III  
*Attorney for Petitioner*

### Exhibit A

The following description is based on the Mississippi State Plane Coordinate System, West Zone, NAD 83/93, grid values, using a combined scale factor of .999939268 and a convergence angle of 00 degrees 04 minutes 34 seconds developed at the Point of Beginning, derived from multiple 2 hour plus GPS static observations adjusted to CORS stations MSYZ and MSJK.

### **3.52 ACRES**

Commencing at the northeast corner of Section 16, being represented by a long standing 6" round concrete monument, said point having a value of N:1107967.76, E:2340185.26 on the above referenced coordinate system thence run South 0 degrees 41 minutes 00 seconds West a distance of 3720.68 feet to a 1/2" rebar set on the south line of a 200 foot wide power line easement, said point having a value of N:1104247.34, E:2340140.89 on the above referenced coordinate system and being the Point of Beginning of the herein described tract:

From the Point of Beginning run thence South 00 degrees 41 minutes 00 seconds West a distance of 598.93 feet to the north line of the Stribling Road right of way as found in book 267, page 164, of the land records of Madison County, thence run along said right of way in a curve to the right a distance of 20.21 feet, said curve having a radius of 4165.00 feet, a delta angle of 0 degrees 16 minutes 41 seconds and a chord bearing South 68 degrees 41 minutes 23 seconds West for 20.21 feet; thence South 68 degrees 49 minutes 42 seconds West a distance of 137.84 feet to a point having a value of N:1103591.32, E:2339986.38 on the above referenced coordinate system; thence North 78 degrees 50 minutes 46 seconds West a distance of 79.31 feet to an existing concrete right of way marker on the east side of Highway 463; thence leave the right of way of Stribling Road and run along the east right of way of Highway 463, North 34 degrees 33 minutes 26 seconds West a distance of 298.26 feet to an iron pin set on its intersection with the south line of the previously referenced 200 foot power line easement; thence leave the highway right of way and run along the south line of said easement, North 45 degrees 27 minutes 55 seconds East a distance of 563.26 feet to the Point of Beginning, containing 3.52 acres, more or less, and situated in the East Half (E 1/2) of the Southeast Quarter (SE 1/4) of Section 16, Township 8 North, Range 1 East, Madison County, in the Great State of Mississippi.

## Exhibit B

A number of changes have occurred in the Mannsdale area in recent years, which have created a need for a local veterinary clinic. These changes include the development of numerous subdivisions within a short distance of the property described in Exhibit A, and they have significantly increased the population within the Mannsdale Historical District. These developments include include:

1. Hatheway Lake,
2. Hartfield,
3. Devlin Springs,
4. John Stone,
5. Ashbrooke, and
6. Lake Caroline.

This population growth has brought with it many pet owners, who would likely benefit from the services of a nearby veterinary clinic. And although such use of the property described in Exhibit A does not conform to the current Light Residential zoning designation, a decision by the Board of Supervisors to rezone the property to a General Commercial designation would be consistent with prior decisions. On a number of occasions, the Board has seen fit to grant several petitions requesting it to rezone residential property in the Mannsdale Historical District to commercial property, and these decisions were based upon the Board's recognition that the needs of a growing community tend to evolve over time. Among the recent commercial developments located in the Mannsdale area are Livingston Township, Kid's World Center, and Mannsdale Elementary School.

Exhibit C

SUPPORTING DOCUMENTATION

## Petitioner's Explanation for Rezoning Request

### Land location

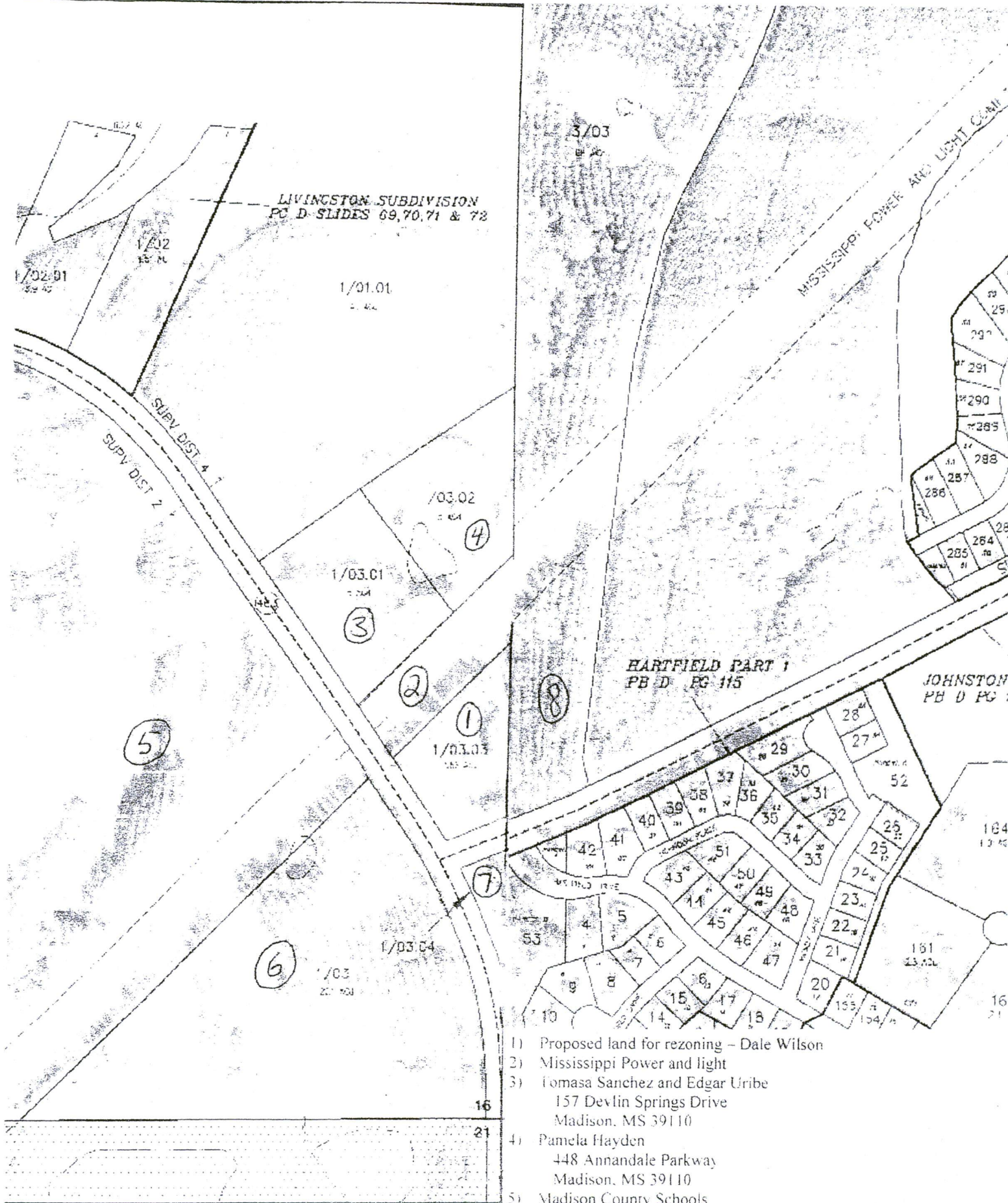
Approximately 3.9 acres at northeast corner of Highway 463 and Stribling road

The focus of this proposed site of rezoning is on the City of Madison population west of interstate 55 and the surrounding Madison County region. There are approximately 10,000 moderate-income residents inside the target area. There are approximately 30,000 residents within the trade area according to a demographic study done by the shopping center development at Gluckstadt road and Highway 463. Many of these residents are families with multiple pets. Mannsdale Elementary School alone has approximately 660 parent-driven students and 50 daily employees that will travel past this location daily; Many of these parents desire our services based on convenience.

Currently, the two closest full service veterinary clinics are 5.8 and 6.6 miles away. If traveling on Highway 463 specifically, the nearest clinics would be accessed 6.6 miles away. Mannsdale is a rapidly growing community and its veterinary needs are growing proportionally along with it.

The recommended number of patients per veterinarian is currently 5,000 visits per year. With 6 other small animal veterinarians in the outbound region of focus that is enough to handle 30,000 visits per year. Current statistics from the AVMA (american veterinary medical association) show that 66.9% of households own a small animal. Of these households each has an average of 2.1 pets per house and these pets average 2.1 visits to the veterinarian every year. The local veterinary community is already functioning at maximum capacity and this fact is backed up by residents' personal experiences of increasing veterinary wait times and reduced ability to schedule boarding when needed. This shortage is not as large of an issue when scheduling vaccinations, but is serious when your pet becomes ill and needs immediate care.

As you can see and have probably experienced, there is a definite need for convenient and high quality pet care in our immediate are. Mannsdale is a rapidly growing community and its veterinary needs are growing proportionally along with it. Even though we are a fast moving society we still demand the best services available. Our mission is to provide the best care and service to clients and patients in order to generate higher levels of human-animal bonding, while providing employees with desirable, fulfilling and financially rewarding employment. We value the relationship, continued trust, and goodwill we establish with our clients and look forward to servicing the area.



- 1) Proposed land for rezoning - Dale Wilson
- 2) Mississippi Power and light
- 3) Tomasa Sanchez and Edgar Uribe  
157 Devlin Springs Drive  
Madison, MS 39110
- 4) Pamela Hayden  
448 Annandale Parkway  
Madison, MS 39110
- 5) Madison County Schools
- 6) Entergy Mississippi
- 7) Hartfield subdivision
- 8) Lakeland Development Corporation  
2950 Layfair Drive suite 103  
Flowood, MS 39232

MADISON COUNTY, MISSISSIPPI  
**MAP 081E-16**

LOCATED

10	11	12
21	22	23
31	32	33
41	42	43
51	52	53



### Zoning of Surrounding Property

The property described in Exhibit A and all surrounding property, included in the map on the preceding page, is listed below by owner along with its current zoning designation.

1. Sherry Sims – Agricultural (A-1)
2. Mississippi Power and Light Company – Agricultural (A-1)
3. Tomasa Sanchez and Edgar Uribe – Agricultural (A-1)
4. Pamela Hayden – Agricultural (A-1)
5. Madison County Board of Education – Special Use (SU1)
6. Entergy Mississippi, Inc. – Agricultural (A-1)
7. Hartfield Homeowners Association – Planned Unit Development (P-1)
8. Lakeland Development Corporation – Agricultural (A-1)

February 11, 2014

To: Brad Sellers, Planning and Zoning Administrator

From: Rita McGuffie, Manssdale-Livingston Heritage Preservation District Commission

Re: Findings and Recommendations for Rezoning Property for Veterinary Clinic

Dear Mr. Sellers:

The Manssdale-Livingston Heritage Preservation District Commission held its regularly scheduled meeting on February 10, 2014, at the Chapel of the Cross in Madison, Mississippi. Members present were: Ken Primos, Michael Yerger, Guy Bowering, Grant Brabham, David Landrum, Donnie Young and Rita McGuffie. Dale and Whitney Wilson, William Smith and Bailey Fair were also in attendance and presented their proposal for the rezoning of property on the corner of Highway 463 and Stribling Road to C-1 for the purpose of establishing a veterinary clinic.

FINDINGS:

- 1) The property for the proposed veterinary clinic is 16th Section land currently zoned R1A. The property surrounding the proposed veterinary clinic is currently zoned Residential and Special Use. Manssdale Elementary School and Kids World Day Care are zoned Special Use. Veterinary clinic property would be the only Commercial zoning in that immediate area. Petitioners did not expand on verbiage within their petition to make their case for a material change in the area to support rezoning.
- 2) The MLHPD Commission had concerns about the negative impact of the noise inherent in this type of business and discussed in length the importance of this issue. The petitioners agreed that noise reducing measures will be employed in order to meet the standards of the MLHPD.
- 3) The required 80 foot buffer appeared to be adequate, however, it was not specifically identified on the site plan. Petitioners agreed to amend the site plan to show the required 80 foot buffer.
- 4) Twelve parking spaces were shown on the site plan, but Dale Wilson stated that he would be meeting with you to make certain that parking requirements for the County would be met and that the site plan would be amended to show any changes.
- 5) The veterinary clinic will have the capacity to board 40 animals.
- 6) The petitioner has not gotten approval from MDOT for their access plan.
- 7) The Commission found that the presentation was preliminary and inadequate in many areas and



was not ready for review for a Certificate of Appropriateness. Commission members explained the Certificate review requirements in detail and tabled the Certificate review until the petitioner can provide a complete proposal. The veterinary clinic will be required to comply with all sections of Article 16, Zoning Ordinance for Madison County, to receive a Certificate of Appropriateness.

Although the preliminary site plan presented was incomplete, based upon the petitioner's agreement to amend the site plan to show the 80 foot buffer and the actual parking, the Commission moved forward and voted on the appropriateness of rezoning property to C-1 for the sole purpose of establishing a veterinary clinic. The Commission tabled the request for a Certificate of Appropriateness until petitioner can provide required information for review.

RECOMMENDATIONS:

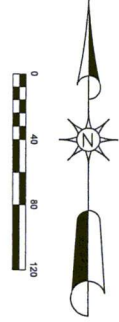
The MLHPD Commission voted 6 to 1 to recommend that for the sole purpose of establishing a veterinary clinic as per the amended site plan and per the understanding that the project shall meet all requirements set forth in Article 16, Zoning Ordinance for Madison County, this use is appropriate. This recommendation is contingent upon MDOT approval of ingress and egress and also upon the approval of a stamped engineered site and drainage plan and approval by the County Engineer. A site plan that reflects the basis for this recommendation must be attached to this letter of findings and recommendations for inclusion in County records. The amended site plan will, therefore, be forwarded to you as soon as it is received by MLHPD and, ideally, before presentation to Planning and Zoning and the Board of Supervisors.

Sincerely,

Rita McGuffie, Chairman

Attachment: Rezoning Petition

( Amended Site Plan to be forwarded upon receipt)



Wilson Clinic

N 45°27'55" E 563.26'

EXISTING VEGETATION

SOIL BORING #5

EXISTING VEGETATION

ANIMAL CLINIC

H/C

SOIL BORING #4

SOIL BORING #3

NEW DRIVE

NEW DRIVE

EXISTING VEGETATION

SOIL BORING #2

SOIL BORING #1

N 88°49'42" E 137.84'

STIRLING ROAD ROW  
BOOK 267, PAGE 164 (R1)

EXISTING VEGETATION

S 78°50'46" E 79.31'

GAS LINE IN YELLOW

S 34°33'26" E 298.26'

MISS. HIGHWAY 463  
(100' R.O.W.)  
HIGHWAY PROJECT # S-0516(4)A

1 Architectural Site Plan W/ Boring locations  
A101 1:20

NOTES:  
SOIL BORING LOCATIONS

NOT FOR CONSTRUCTION

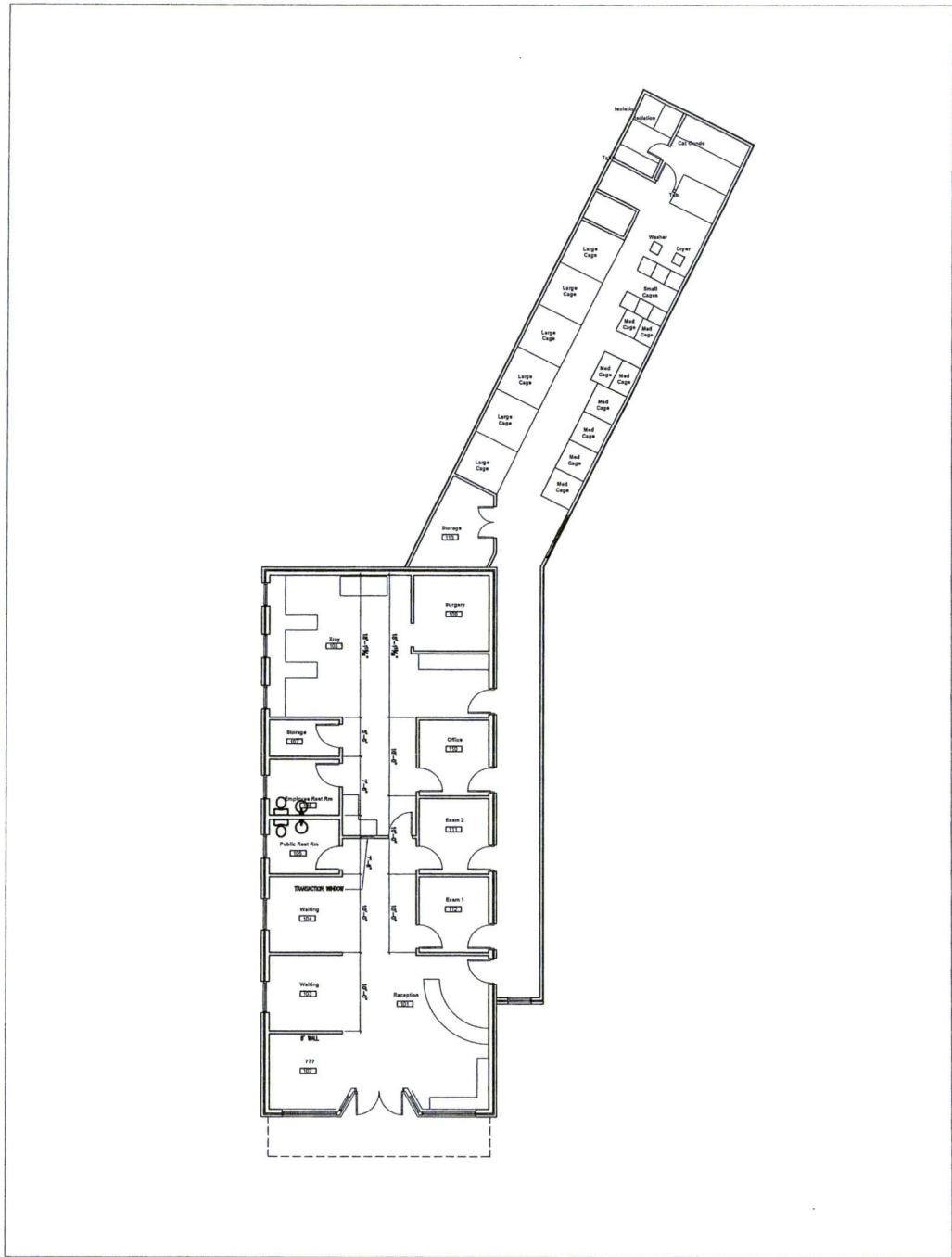
Revisions	By

ANIMAL CLINIC

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Designer

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601.856.9598

Drawn By: LSB
Checked By: GA
Date 00/00/0000
Scale
Job No.
Sheet <b>AS101</b>



1 First Floor Plan  
 A101 1/8" = 1'-0"

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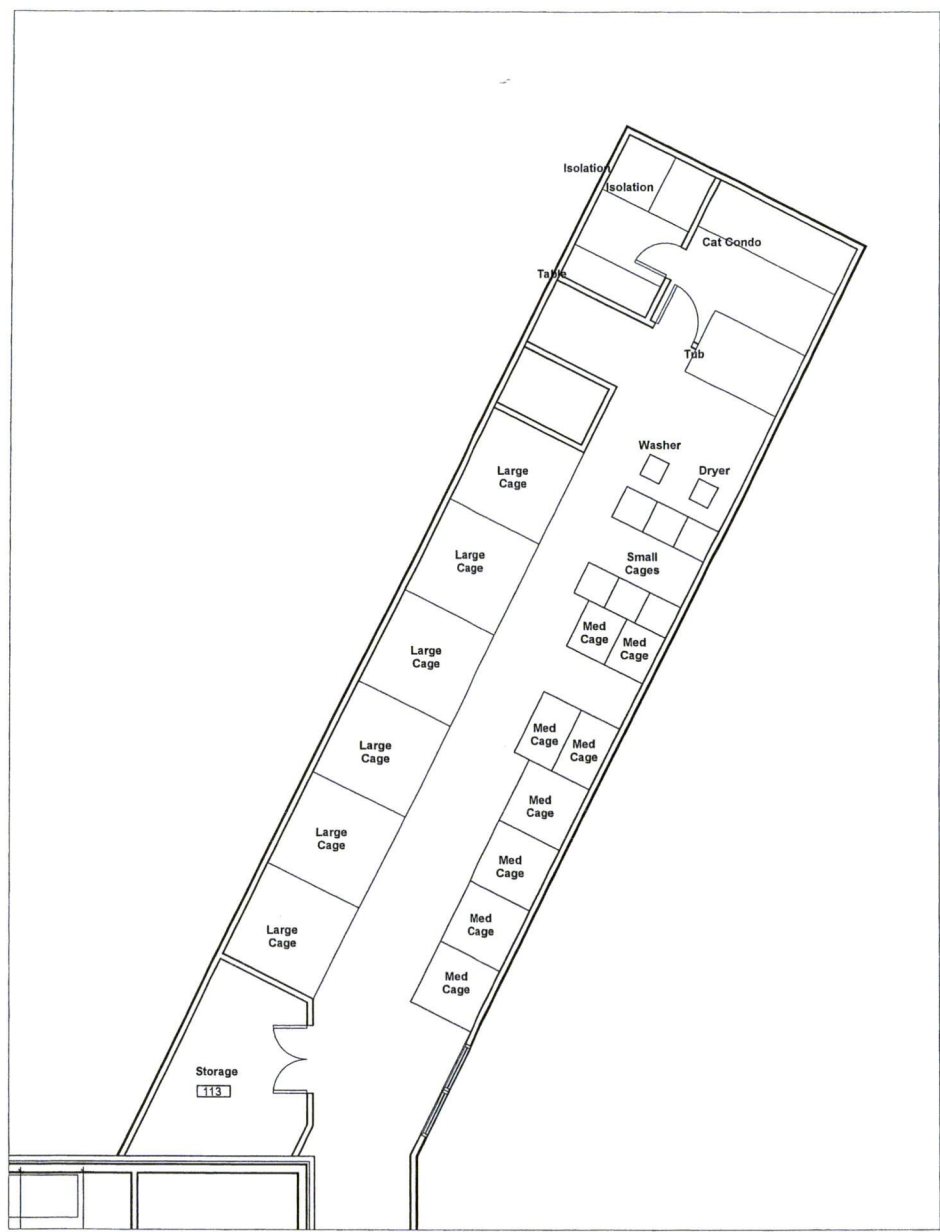
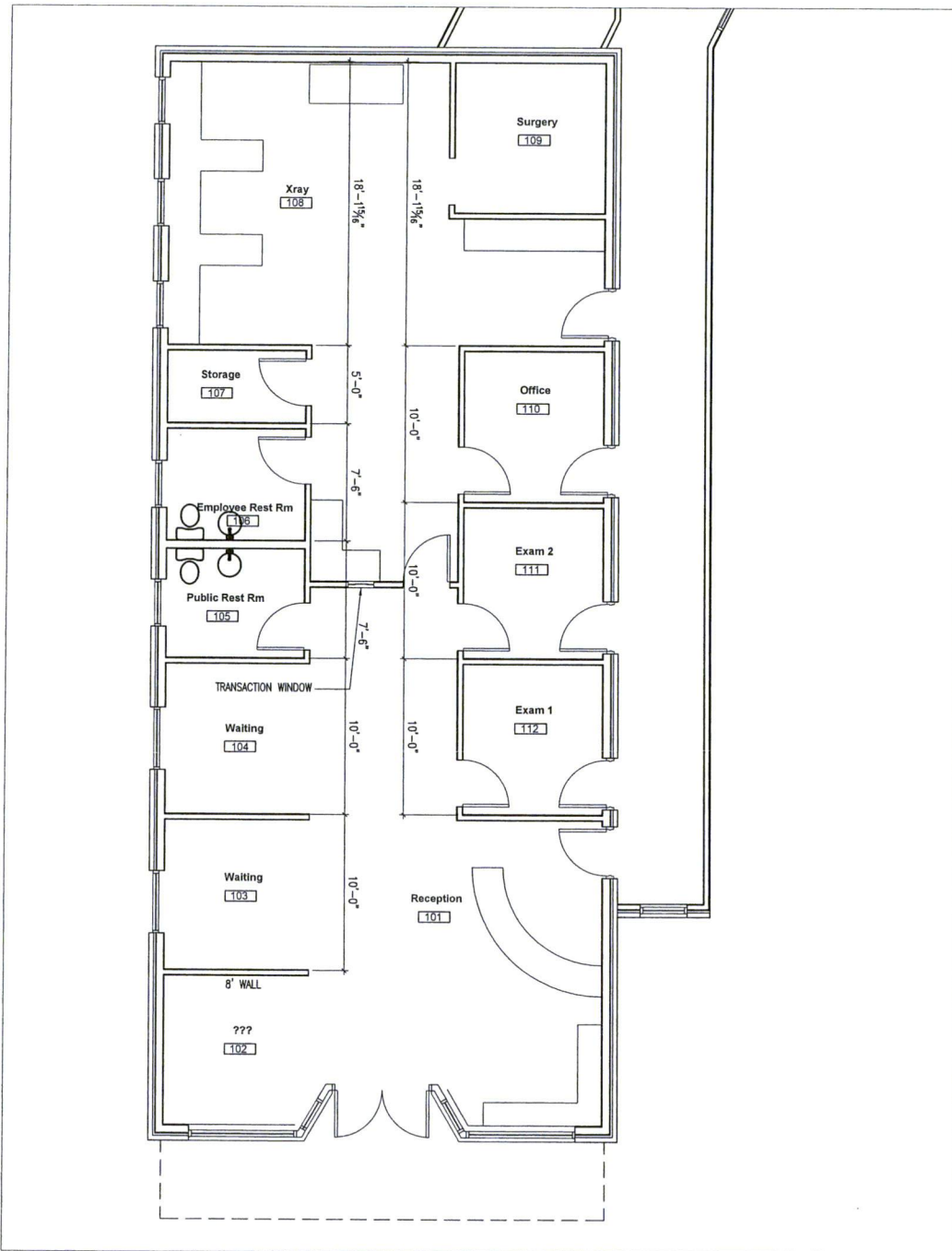
Revisions	By

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<b>A101</b>



1 First Floor Plan  
 A102 1/4" = 1'-0"

NOT FOR CONSTRUCTION

Revisions	By

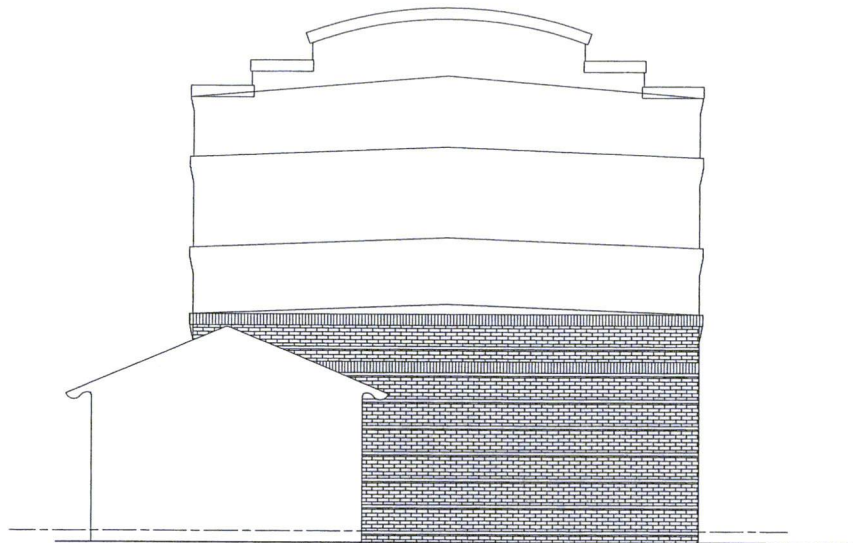
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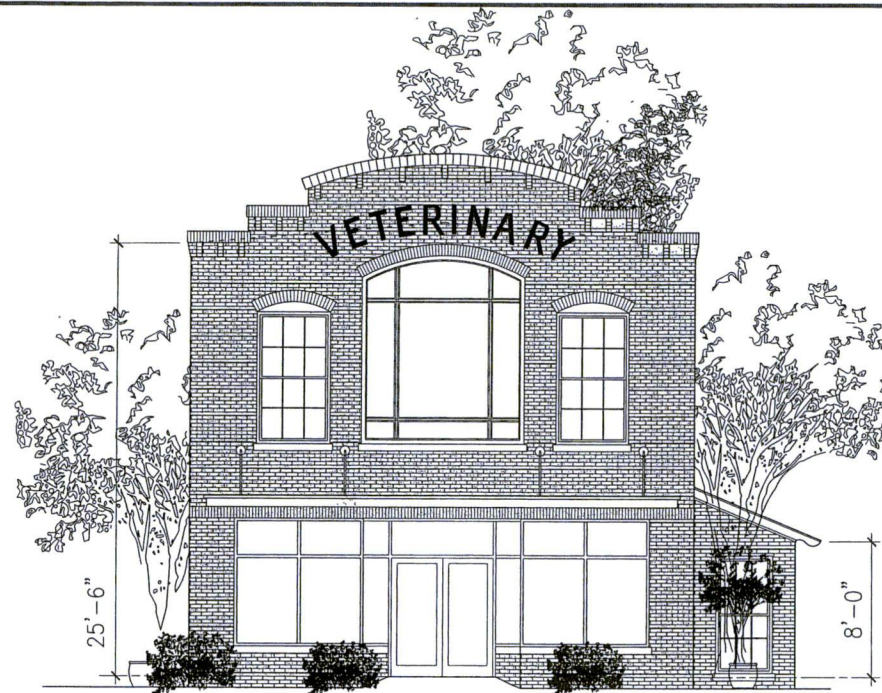
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A102



North Elevation  
SCALE 1/4" = 1'-0"



South Elevation  
SCALE 1/4" = 1'-0"



West Elevation  
SCALE 1/4" = 1'-0"

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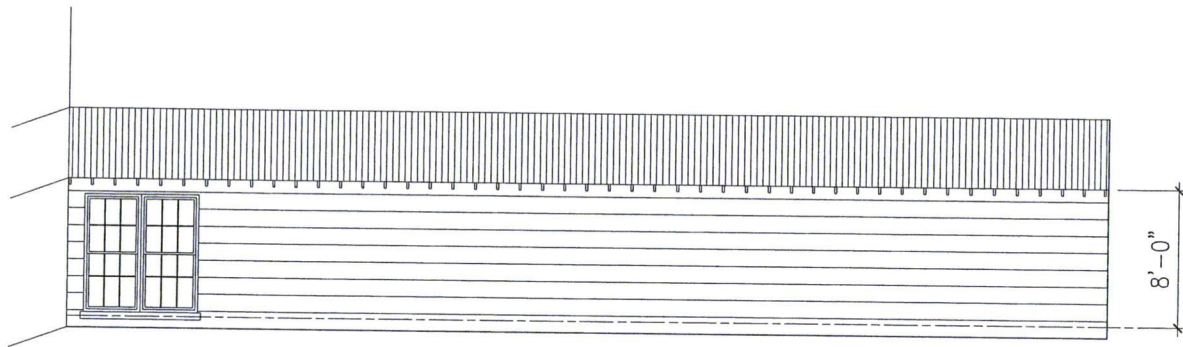
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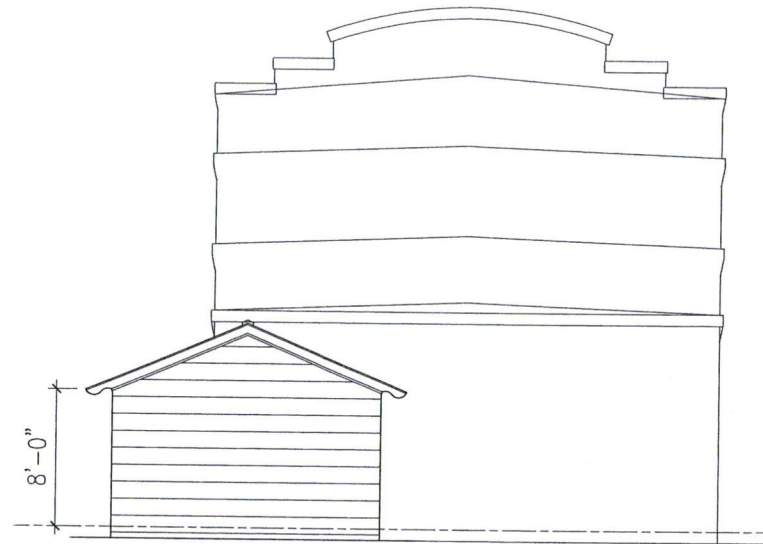
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A201

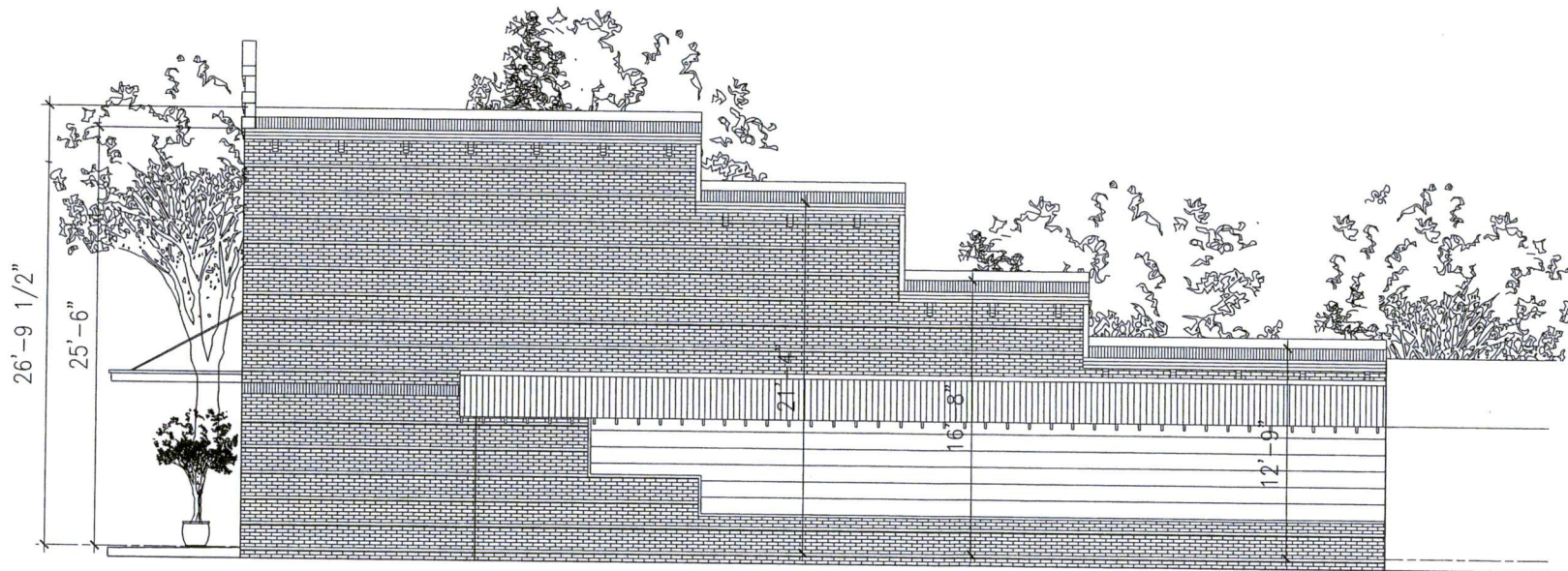
NOT FOR CONSTRUCTION



West Elevation  
SCALE 1/4" = 1'-0"



South Elevation  
SCALE 1/4" = 1'-0"



West Elevation  
SCALE 1/4" = 1'-0"

Revisions	By

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A202

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