

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

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

PETITIONER:

Bennett Group Consulting, Holly Knight

PETITION TO REZONE AND RECLASSIFY REAL PROPERTY

Comes now Bennett Group Consulting, 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 2 parcels of land situated in Section Seven, Township 9 North, Range 3 East, Madison County, Mississippi, more particularly described as follows, to-wit:

SEE EXHIBIT A

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

1. The subject property consists of 2 parcels. Parcel 1 has 3.7 acres and parcel 2 has .5 acres.
2. The zoning proposed is in compliance with the adopted Land Use and Transportation Plan of Madison County, and recommending residential as the highest and best use.
3. List of changes or conditions that support rezoning:

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 Residential zoning, and reclassifying this property from its present Commercial District classification to a Residential District.

Respectfully submitted, this the 31st day of December, 2014.

Bennett Group Consulting,  
Holly Knight  
Petitioner

## EXHIBIT A

### As recorded in Deed Book 2739 at Page 367 in the office of the Chancery Clerk of Madison County

#### **RECORD DESCRIPTION:**

**PARCEL NO. 1:** A parcel of land fronting 312 feet on the west side of Mississippi Highway No. 16 situated partly in the NW ¼ of SW ¼ and partly in the NE ¼ of SW ¼ of Section 7, Township 9 North, Range 3 East, more particularly described as BEGINNING at a point that is 1267 feet west of and 278 feet north of the southeast corner of the NE ¼ of SW ¼ of said Section 7, and from said point of beginning run thence west for 589 feet to the east right-of-way line of the Illinois Central Railroad, thence North 10 degrees 25 minutes east for 312.2 feet along said right-of-way line, thence east for 460.5 feet to the west right-of-way line of said Mississippi Highway No. 16, thence south 10 degrees 47 minutes east for 312.0 feet along said right-of-way line of said highway to the point of beginning, and containing in all 3.7 acres, more or less.

**PARCEL NO. 2:** Beginning at a point on the west right-of-way line of Mississippi Highway No. 16, which said point of beginning is the northeast corner of that certain tract of land conveyed by M.E. Ragsdale to L.H. McMullen by deed dated January 2, 1954, which deed is recorded in Book 57 at page 355 of the records of the Chancery Clerk of Madison County, Mississippi, and from said point of beginning run thence in a Northerly direction 140 feet, more or less, along the west right-of-way line of said Mississippi State Highway No. 16, to the middle of the driveway, said driveway being the present driveway to the front of Hight Store, thence run West 140 feet, thence run South 140 feet, more or less, to the north line of said L.H. McMullen lot, thence run East 140 feet, more or less, to the point of beginning, all lying and being situated in the W ½ of Section 7, Township 9 North, Range 3 East, Madison County, Mississippi.

#### **AND ALSO SOMETIMES DESCRIBED AS FOLLOWS:**

##### **SURVEY DESCRIPTION**

A parcel of land containing 4.09 acres (178,312.66 square feet), more or less, being situated in the North ½ of the Southwest ¼ of Section 7, Township 9 North, Range 3 East, Madison County, Mississippi, and being more particularly described by metes and bounds as follows: Commence at a found concrete monument marking the Southeast corner of the Northeast ¼ of the Southwest ¼ of the Southwest ¼ of said Section 7; run thence West for a distance of 1265.87 feet (deed 1267 feet); thence North for a distance of 272.29 feet (Deed 278 feet) to a point on the Western right-of-way line of Mississippi Highway No. 16 and the Point of Beginning for the parcel herein described; from said point of beginning, leave said right-of-way and run West for a distance of 576.72 feet (Deed 589 feet) to a point on the Eastern right-of-way line of the Illinois Central Railroad; thence run along said railroad right-of-way North 10 degrees 25 minutes 00 seconds East for a distance of 312.20 feet; thence leave said right-of-way and run East for a distance of 319.49 feet; thence North 11 degrees 11 minutes 53 seconds West for a distance of 140.00 feet; thence East for a distance of 140.00 feet to the Western right-of-way line of Mississippi Highway No. 16; thence run along said right-of-way South 11 degrees 11 minutes 53 seconds East for a distance of 140.00 feet; thence continue along said right-of-way line South 11 degrees 11 minutes 53 seconds East for a distance of 313.01 feet (Deed S 10 degrees 47 minutes East 312 feet) to the Point of Beginning.



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## EXHIBIT B

The two parcels of land in which Bennett Group Consulting is seeking to make residential will be put to best and highest use in accordance with the Madison County Comprehensive Plan adopted March 2012. This petition seeks to zone the site as residential for lease to purchase homeownership.

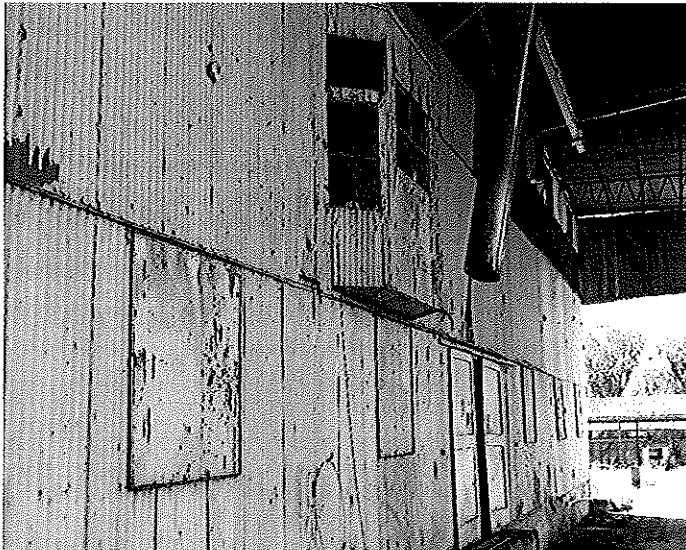
While the site is currently commercial, it has not attracted a commercial opportunity and has been deteriorating due to lack of an occupant or land utilization. The current property has dilapidating buildings that include a former cotton gin, storage sheds, and motorized equipment storage structures, and a wooden structure that was used as a store. The former cotton gin has been stripped of equipment and has not operated commercially for an extended period of time. This site has evidence of unauthorized use. There are broken bottles and trash that appear to be from local foot traffic and unauthorized visitors. There are various structures on the property that house aged farm work vehicles. The building used as a former store is being used by locals as a hang out with picnic benches and a barbeque pit situated under the tree next to the store. The building that was the store is beginning to lean to one side.

The two parcels of land are surrounded by residential districts. The use of this site as residential would support Madison county goals of "through new development to make the community a healthy, safe and convenient place, and to provide a pleasant and attractive atmosphere for living."

The zoning of the two parcels as residential would also meet the Madison County Residential Goals. The plan would be to develop approximately 10 units of single family homes and amenities exclusively for the homeowners. This development would support the residential goal of establishing a residential density pattern that will produce desirable concentrations of residences and will not overburden the County's public facilities or cause traffic congestion. The site is located on Highway 16 West and would have adequate infrastructure and is located on a road that can accommodate the higher traffic generations rates of higher density residential development. The residential zoning is in line with the neighborhood as well as compatible with the existing neighboring residential land use. The residential zoning may also support the Madison County Comprehensive policy of preventing commercial creep within residential areas.

Pictures of current commercial land and buildings:

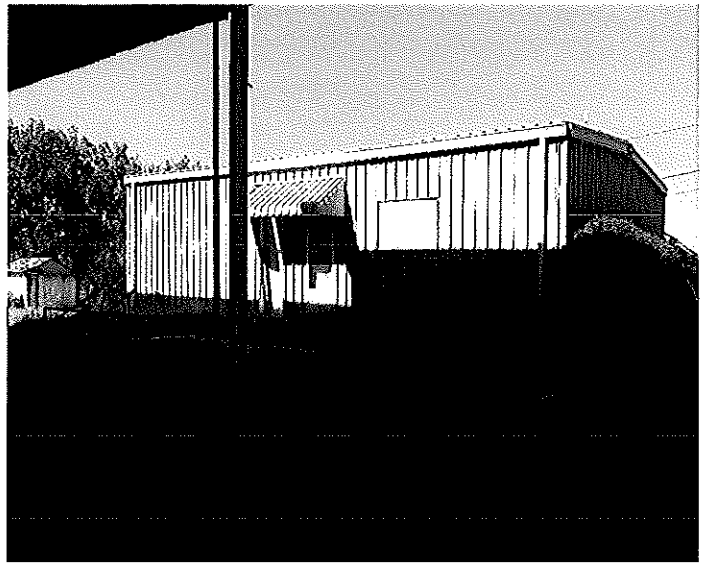
Abandoned gin building



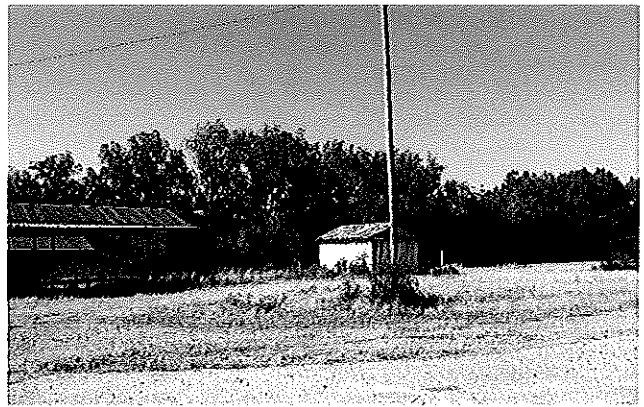
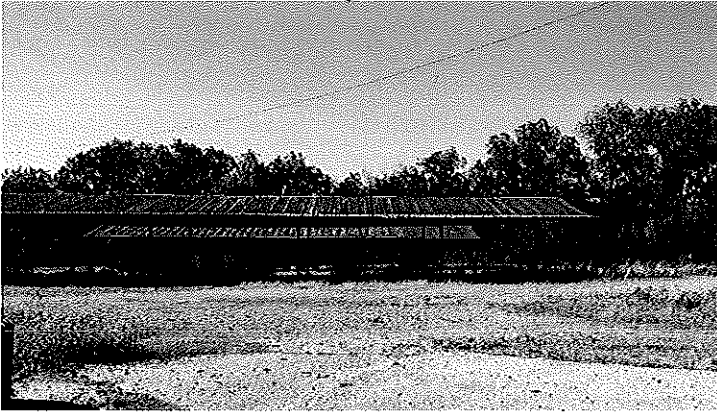
Behind the gin



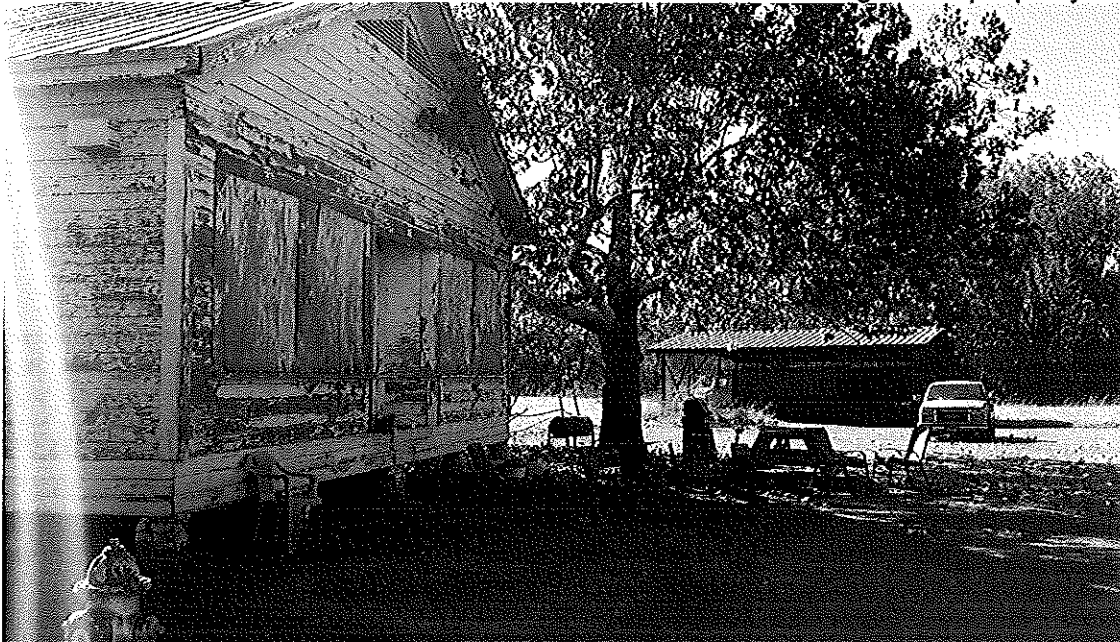
beside the gin



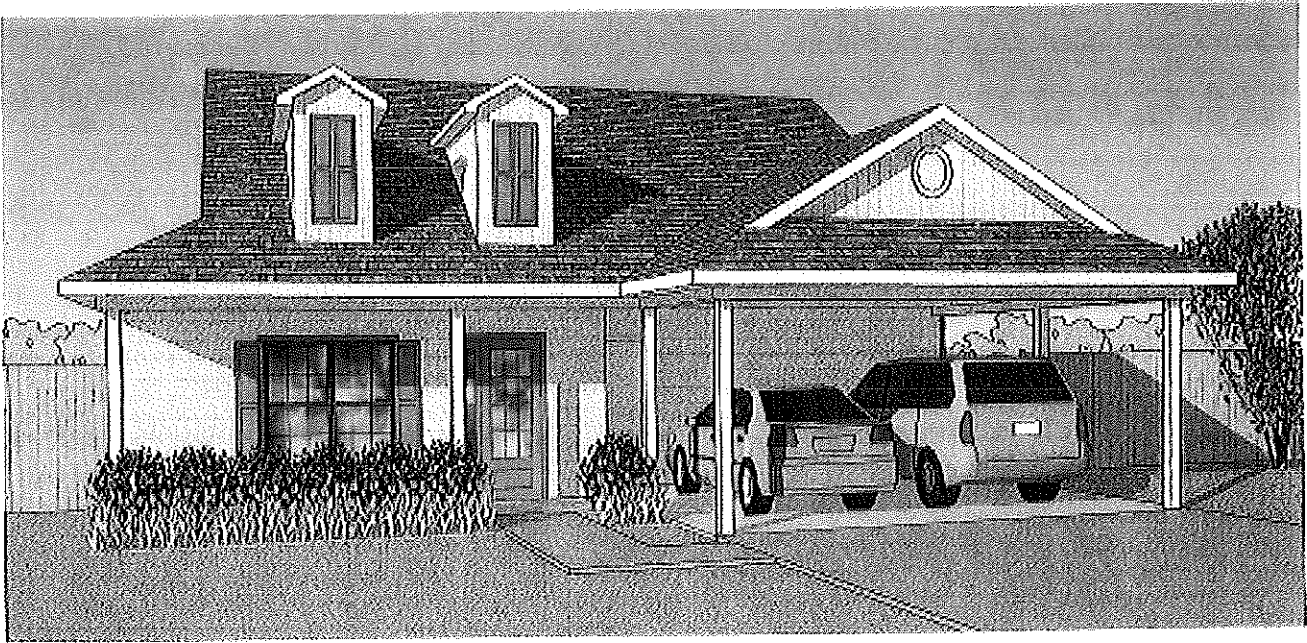
Additional structures on gin site



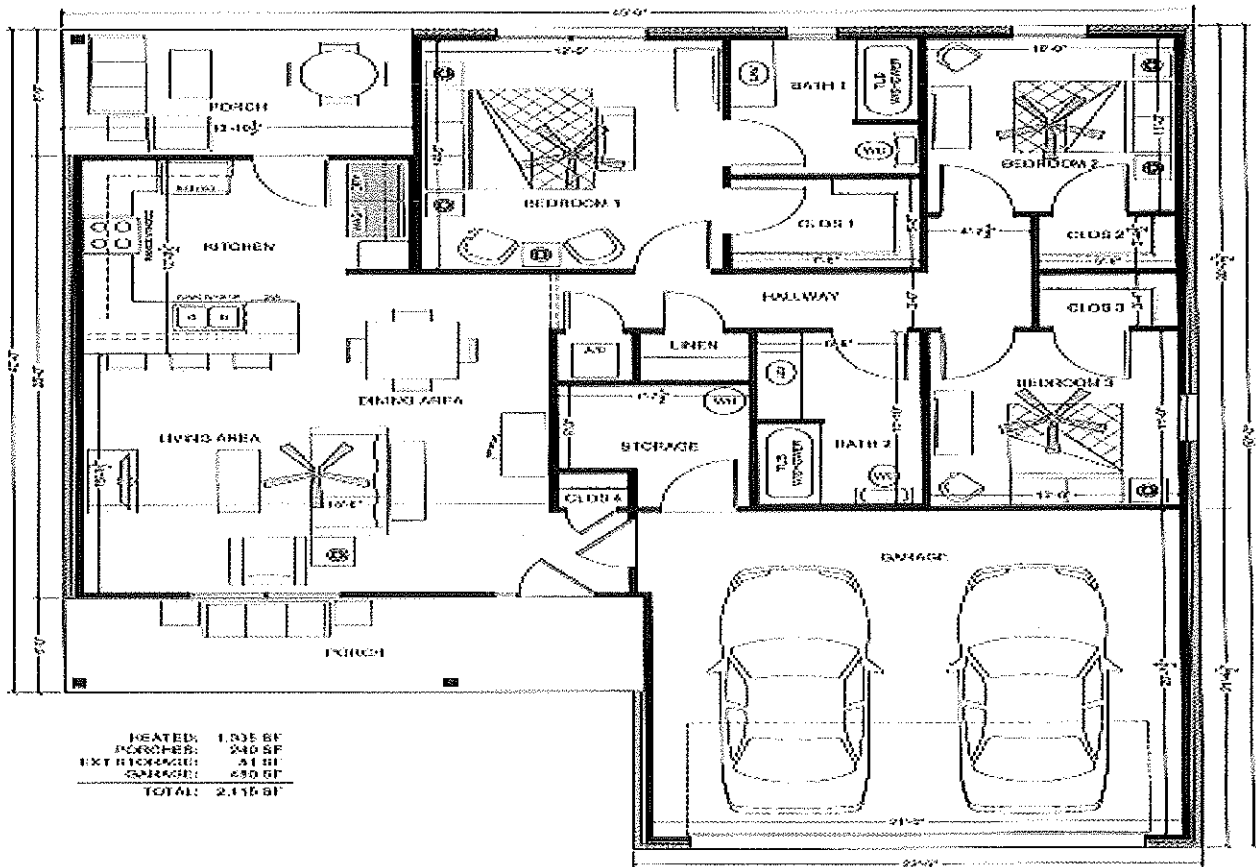
Old wood building. Evidence of an unauthorized use and hangout on property.



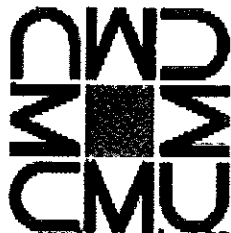
Proposed: Residential Land Use Structures



RENDERING ELEVATION "A"



FLOOR PLAN  
SCALE: 1/4" = 1'-0"



December 22, 2014

**CANTON  
MUNICIPAL  
UTILITIES**

**COMMISSIONERS**

**WIRIAM KOURY  
CHAIRMAN**

**JOHN NOBLE  
LONDON SMITH  
CHARLES WHEAMS  
JEWEL WILLIAMS**

**MANAGEMENT**

**JOHN WALLACE  
GENERAL MANAGER**

**SANDY SINCLAIR  
MANAGER**

Kendell's Place  
Holly Knight  
102 French Branch Cove  
Madison, MS 39110

Re: Kendell's Place  
10 Lease Purchase Homeownership Units  
Highway 16 West  
Canton, MS 39046

Dear Ms. Knight,

As per our conversation Canton Municipal Utilities will provide sewer, water and gas service to this project.

CMU looks forward to working with you on this project.

Sincerely,

Dan Holtsinger  
CMU Engineering Dept.  
601-855-5958



Entergy Distribution  
1165 Highway 51 North  
P.O. Box 550  
Madison, MS 39130-0550

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Bennett Group Consulting  
Holly Knight  
730 N. Dean Road, Suite 100  
Auburn, AL 36832

December 29, 2014

Mrs. Knight,

This letter serves as evidence that the property located off of MS Highway 16 as shown in the attached area map will be serviced by Entergy Corp of Mississippi.

Thank you,

A handwritten signature in black ink, appearing to read "Kevin Ables".

Kevin Ables  
Engineering Associate  
Entergy Mississippi Corp  
601-853-5906



David R. Cook  
Zoned R-1

Janet Rae Barnett  
Life Estate  
Zoned R-2

Janet Rae Barnett  
Life Estate  
Zoned R-2

Mardell Hudson  
Zoned R-2

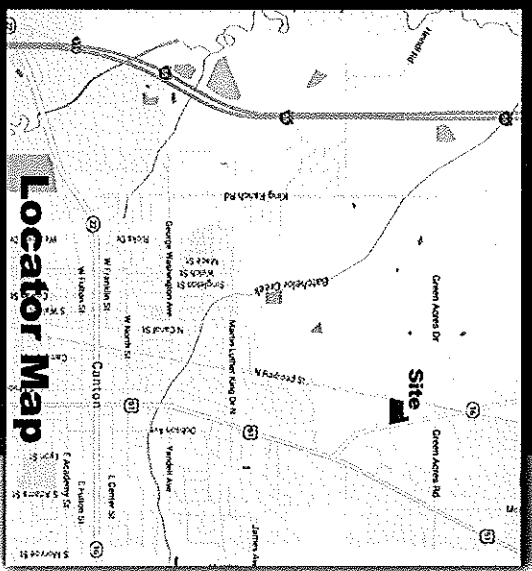
Scale: 1" = 30'



# Kendall's Place

RESIDENTIAL DEVELOPMENT

16



C.R. Montgomery,  
Tomie Pace Sellers,  
& Thomas Leon Sellers  
Zoned R-2



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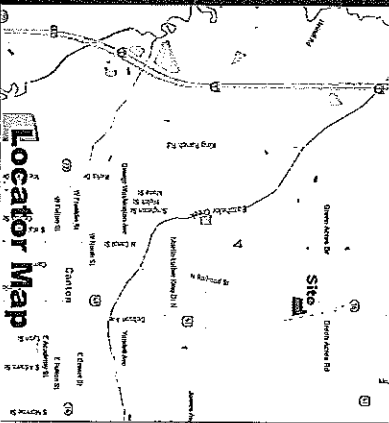
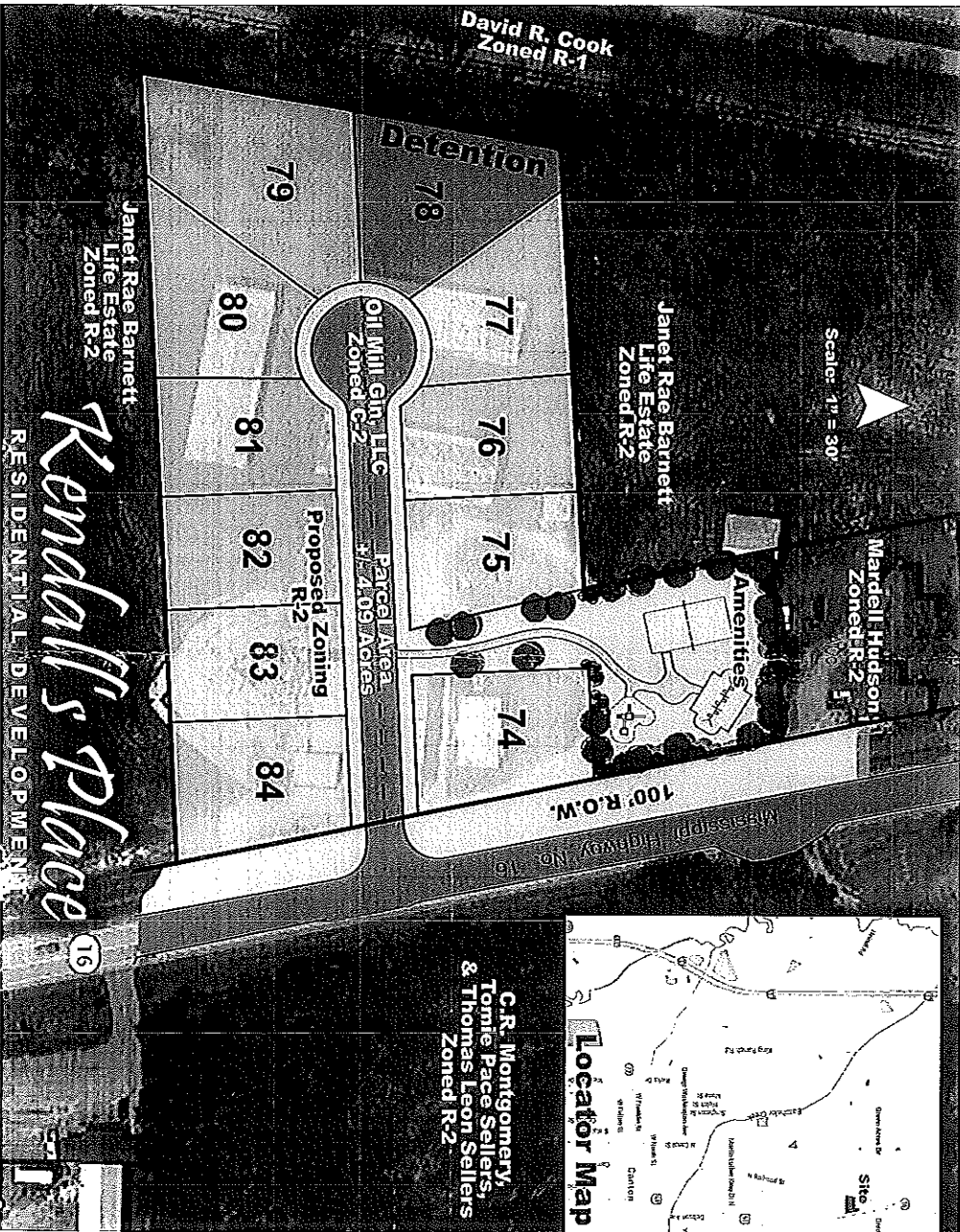
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**C.R. Montgomery,  
Tomie Pace Sellers,  
& Thomas Leon Sellers**  
Zoned R-2

**Rendall's Place**  
RESIDENTIAL DEVELOPMENT

**Janet Rae Barnett**  
Life Estate  
Zoned R-2

**16**