

AMENDED ZONING ORDINANCE

(BirdDog Realty-113 Briscoe)

WHEREAS authority was granted unto the City of Saltillo, Mississippi pursuant to and in accordance with §17-1-1, et. seq., of the Mississippi Code Annotated (1972, as amended), to provide and allow for the adoption, amendment and revision of a zoning ordinance and zoning map covering all properties, buildings, structures and uses located and situated within the said municipal limits;

WHEREAS said zoning ordinance and zoning map were previously passed and adopted by the City of Saltillo and have been amended and revised, as necessary, in accordance with state law;

WHEREAS the Vice-Mayor (Mayor recusal) and Board of Aldermen have considered a proposed amendment to the official zoning ordinance and zoning map of the City of Saltillo wherein land parcel number 054R-20-004-00, located at or near 113 Briscoe Street, would be re-zoned from that of R-2 Low-Density Residential to R-3 Medium-Density Residential. As such, the Board of Aldermen duly noticed a public hearing, in accordance with the city zoning ordinance and state law, which took place on July 16, 2019 at 5:30 PM at Saltillo City Hall, at which time no protest or dissent to the requested change was heard or received;

WHEREAS the Vice-Mayor and Board of Aldermen have maturely considered the issues aforesaid and have found and determined by clear and convincing evidence that the proposed amendment meets the changing needs of the surrounding community; is in the overall best interest of the city and its citizens; is permissible according to the official zoning ordinance of the city, including Sections 4.1.1 through 4.1.6 and/or similarly adopted provisions; and is otherwise permissible pursuant to state law;

NOW, THEREFORE, BE IT ORDAINED by the Vice-Mayor and Board of Aldermen of the City of Saltillo, Mississippi, as follows:

1. The prefatory statements contained above and the statements contained in the Minutes for the public hearing of July 16, 2019 and for the special meeting of the Board of Aldermen of July 17, 2019, taken as specific findings of fact and conclusions of the Board of Aldermen, are incorporated herein by reference.

2. The current zoning ordinance and official zoning map of the City of Saltillo, including all duly passed amendments and revisions thereto, are incorporated herein by reference.

3. The current zoning ordinance and official zoning map of the City of Saltillo, Mississippi, as duly amended and revised, which is fully incorporated herein by reference as if copied or reproduced herein in its entirety, shall remain the same and otherwise in full force and effect, except for the specific changes or amendments thereto which are specifically contained herein below.

4. Land parcel number 054R-20-004-00, PPIN 016679, located at or near 113 Briscoe Street, at the request of the owner, BirdDog Realty, LLC, shall be hereby re-zoned from the current status of R-2 Low-Density Residential to that of R-3 Medium-Density Residential

and the official zoning map of the City of Saltillo shall be amended in conformity herewith, with all else remaining the same, as stated above. The primary purpose in the board approving this request was based upon the proposed plan of the owner to create two (2) additional R-3 specification residential lots upon the subject property. The city shall have final site approval for all such new construction.

5. Severability. Should any section, clause, paragraph, provision, or part of this ordinance for any reason be held invalid or unconstitutional by any court of competent jurisdiction, this act shall not affect the validity of any other section, clause, paragraph, provision, or part of this ordinance. All provisions of this ordinance shall be considered separate provisions, and completely severable from all other portions.
6. Conflict. In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the City of Saltillo, Mississippi, existing on the effective date of the ordinance, the provisions of this ordinance shall take precedence.
7. Effective Date. This Ordinance shall be official upon publication and after the passage of one (1) month from the date hereof.
8. Publication & Recording. The City Clerk is instructed to publish the substance of this ordinance one (1) time in the Northeast Mississippi Daily Journal, pursuant to and in accordance with Mississippi Code Section 21-17-19 (1972, as amended), and to obtain proof of publication thereof and record this ordinance in the city ordinance book. Said ordinance shall also be posted at the Saltillo, Mississippi City Hall and in at least one (1) other public place in a conspicuous manner and shall otherwise be available for review, upon request, along with a copy of the original zoning ordinance and the official zoning map of the City of Salitllo, Mississippi.
9. Adoption and Certification.

UPON MOTION of Alderman Driskill, duly seconded by Alderman Cullum, the aforesaid ordinance was put to a vote with Aldermen voting as follows:

Donald Cullum: YEA
Copey Grantham: YEA
Craig Sanders: (recused/absent)
Malcomb Driskill: YEA
Terry Glidewell: Non-Voting (Vice-Mayor)

ORDAINED AND ADOPTED this the 17th day of July, 2019, at the Special Meeting of the Vice-Mayor and Board of Aldermen of the City of Saltillo, Mississippi.

Terry Glidewell, Vice-Mayor
City of Saltillo, Mississippi

Mary Parker, City Clerk
City of Saltillo, Mississippi

(SEAL)

NOTE: This ordinance was approved and adopted by the Vice-Mayor and Board of Alderma at theirSpecial Meeting on July 17, 2019 and appears in Minute Book _____ at Pages _____.