

ORDINANCE 2019-1033

AN ORDINANCE AMENDING TITLE 14, ZONING AND LAND USE CONTROL, CHAPTER 2, ZONING ORDINANCE, OF THE MOUNT PLEASANT MUNICIPAL CODE, THE SAME BEING THE ZONING ORDINANCE FOR THE CITY OF MOUNT PLEASANT, TENNESSEE, INCLUDING THE MUNICIPAL ZONING MAP INCORPORATED THEREIN BY REZONING THREE PARCELS OF PROPERTY.

WHEREAS, Title 14, Zoning and Land Use Control, Chapter 2, Zoning Ordinance, of the Mt. Pleasant Municipal Code (hereinafter referred to as the “Zoning Ordinance”) constitutes the comprehensive zoning ordinance for the City of Mount Pleasant, Tennessee, and incorporated therein is the Municipal Zoning Map; and

WHEREAS, The City Commission of Mount Pleasant, Tennessee has broad discretion to change or amend the Zoning Ordinance for the purpose of promoting the health, safety, prosperity, morals and general welfare of the City; and

WHEREAS, Teresa Benderman and Robert Steven McCain submitted an application to the Mount Pleasant Planning Commission staff and the City of Mount Pleasant requesting that said Zoning Ordinance be amended by rezoning certain property identified as Tax Map 150B, Parcel A 012.00, more fully described below from R1 (Low Density Residential) to CH (Highway Commercial) to correct an oversight in translating zoning designations from the prior zoning map during the MPZC update; and

WHEREAS, Kevin and Sarah Brooks submitted an application to the Mount Pleasant Planning Commission staff and the City of Mount Pleasant requesting that said Zoning Ordinance be amended by rezoning certain property identified as Tax Map 150B, Parcel A 011.00, more fully described below from R1 (Low Density Residential) to CH (Highway Commercial) to correct an oversight in translating zoning designations from the prior zoning map during the MPZC update; and

WHEREAS, Robert and Regina Jandreau submitted an application to the Mount Pleasant Planning Commission staff and the City of Mount Pleasant requesting that said Zoning Ordinance be amended by rezoning certain property identified as Tax Map 133O, Parcel D 024.00, more fully described below from R1 (Low Density Residential) to IL (Light Industrial) to correct an oversight in translating zoning designations from the prior zoning map during the MPZC update; and

WHEREAS, upon consideration of the foregoing the Mount Pleasant Planning Commission found that the proposed amendments are in agreement with the land use plan for the respective areas, that there would be no adverse effect upon adjoining property owners, that the proposed amendments would benefit the general public, and has recommended the requested rezoning for each of the three properties.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MOUNT PLEASANT, TENNESSEE, AS FOLLOWS:

Section 1. That Title 14, Zoning and Land Use Control, Chapter 2, Zoning Ordinance, of the Mount Pleasant Municipal Code, and the Municipal Zoning Maps incorporated therein and

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made a part hereof are hereby amended as applicable by rezoning the property identified as **Tax Map 150B, Parcel A 012.00** more fully described as follows, to-wit:

Located in the Seventh (7<sup>th</sup>) Civil District of Maury County, Tennessee, and described as follows, to wit:

Beginning at an iron pin on the East of Highway 43 and Main Street which is the SW corner of Marshall Shelton and the NW corner of tract herein conveyed and from said iron pin South 67 deg. 48 min. East, 244.40 feet to a building; thence North 14 deg. 20 min. 5 sec. East. 13.91 feet; thence South 77 deg. 13 min. 06 sec. East. 45.99 feet to a corner of a building; thence South 14 deg. 20 min. 05 sec. West 21.50 feet; thence South 67 deg. 48 min. East. 456.36 feet to a point in the center of a railroad bed; thence South 41 deg. 54 min. 23 sec. West. 160.85 feet to an iron pin; thence North 60 deg. 58 min. 50 sec. West. 257.13 feet to a point; thence South 22 deg. 47 min. 52 sec. West. 69.40 feet to an iron pin; thence North 51 deg. 12 min. 21 sec. West. 150.58 feet to an iron axle; thence South 25 deg. 22 min. 10 sec. West, 78.19 feet to a point; thence South 5 deg. 21 min. 42 sec. West 63.57 feet; thence North 82 deg. 57 min. 32 sec. East, 150 feet to an iron pin; thence North 82 deg. 58 min. 32 sec. West, 112.91 feet to a point located on Highway 43, Main Street, Mt. Pleasant, Tennessee; thence along Highway 43 207.46 feet to the point of beginning and said tract containing 2.772 acres more or less.

This property being a portion of the property acquired by Teresa Benderman and Robert Steven McCain, as equal tenants in common, by deed of record appearing in Deed Book 1284, Page 455, Register's Office of Maury County, Tennessee.

**From R1 (Low Density Residential) to CH (Highway Commercial).**

Said amendment shall be reflected on said zoning map from and after the effective date of this ordinance.

Section 2. That Title 14, Zoning and Land Use Control, Chapter 2, Zoning Ordinance, of the Mount Pleasant Municipal Code, and the Municipal Zoning Maps incorporated therein and made a part hereof are hereby amended as applicable by rezoning the property identified as **Tax Map 150B, Parcel A 011.00**, more fully described, to-wit:

LOCATED in the Seventh (7<sup>th</sup>) Civil District of Maury County, Tennessee and being Lot 2 of the Marshall Shelton Subdivision, as shown on plat of record in Plat Book 9, Page 221, Register's Office of Maury County, Tennessee.

This property being a portion of the property acquired by Kevin Lee Brooks and Sara Marie Brooks, husband and wife, as tenants by the entirety by deed of record appearing in Deed Book R2396, Page 1413, Register's Office of Maury County, Tennessee.

**From R1 (Low Density Residential) to CH (Highway Commercial).**

Said amendment shall be reflected on said zoning map from and after the effective date of this ordinance.

Section 3. That Title 14, Zoning and Land Use Control, Chapter 2, Zoning Ordinance, of the Mount Pleasant Municipal Code, and the Municipal Zoning Maps incorporated therein and made a part hereof are hereby amended as applicable by rezoning the property identified as **Tax Map 1330, Parcel D 024.00**, more fully described as follows, to-wit:

SITUATE in the SEVENTH (7<sup>th</sup>) Civil District of Maury County, Tennessee and being more particularly described as follows:

Being a tract or parcel of land located on the North side of Scotts Mill Road, also known as Blue Grass Avenue and Bigbyville Road, containing approximately three-fourths (3/4) acres, more or less, and being more particularly described as follows:

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Bounded on the North by Willie Fitzpatrick; East by Sugar Creek (Luther McKnight); South by Scotts Mill Road; and West by Louisville & Nashville Railroad right of way (Mt. Pleasant Lumber Co.)

This property being a portion (Tract 3) of the property acquired by Robert L. Jandreau, IV and wife Regina L. Jandreau by deed of record appearing in Deed Book R2051, Page 1409, Register's Office of Maury County, Tennessee.

**From R1 (Low Density Residential) to IL (Light Industrial).**

Said amendment shall be reflected on said zoning map from and after the effective date of this ordinance.

Section 4. The Board of Commissioners specifically finds that each of the amendments is in agreement with the land use plan for the respective areas, that there will be no adverse effect upon adjoining property owners, and that the proposed amendments will benefit the general public.

Section 5. If any one or more of the provisions of this Ordinance, or any exhibit or attachment thereof, shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, or of any exhibit or attachment thereto, but this Ordinance, and the exhibits and attachments thereof, shall be construed the same as if such invalid, illegal, or unenforceable provision had never been contained herein, or therein, as the case may be.

Section 5. This Ordinance shall take effect upon final passage.

Approved and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
WILLIAM F. WHITE, JR., MAYOR

ATTEST:

\_\_\_\_\_  
RECORDER

LEGAL FORM APPROVED:

\_\_\_\_\_  
ATTORNEY

PASSED ON FIRST READING: \_\_\_\_\_

PASSED ON SECOND READING: \_\_\_\_\_

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