

ORDINANCE 2019-1041

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 A PROPERTY FROM RESIDENTIAL LOW DENSITY (R1) TO NEIGHBORHOOD COMMERCIAL (CN).

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, Judith E. Vestal and Kittrell Properties 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 133J G, Parcel 025.00, 306 N. Main St., more fully described below from R1 (Low Density Residential) to CN (Neighborhood Commercial). This property adjoins properties that are currently zoned neighborhood commercial and, as is, does not meet the current lot size requirements for residential zone; 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 133J G, Parcel 025.00** more fully described as follows, to-wit:

Located in the First (1st) Ward of the City of Mt. Pleasant and in the Seventh (7th) Civil District of Maury County, Tennessee, and lying on the East side of North Main Street. Said lot fronts 80 feet on North Main Street and extends back eastwardly approximately 310 feet, and being more particularly described as follows:

Beginning at a point in the sidewalk, the Northwest corner of the herein described lot, thence with the East margin of the sidewalk in a southerly direction 80 feet to a point, the Southwest corner of the herein described lot; thence with Ben Childs, West Point Baptist Church, and Robert Harris, in an easterly direction 310 feet to a point in Chavers line, the Southeast corner of the herein described lot; thence in a northerly direction with Chavers 25 feet to a point, the Northeast corner of the herein described property; thence with Pearl Williams in a westerly direction 101.60 feet to a point, thence with Terry J. Kelly in a westerly direction 91 feet to a point, thence in a northerly direction 8.50 feet to a point, and continuing with Kelly in a westerly direction 116.63 feet to the point of beginning, and being property known as 306 North Main Street, Mt. Pleasant, Tennessee.

Being the same property acquired by George W. Vestal and wife, Judith E. Vestal, as tenants by the entirety, by deed of record in Book 849, Page 472, in the Register's Office of Maury County, Tennessee, the said George W. Vestal being deceased, leaving Judith E. Vestal as the surviving tenant by the entirety and the sole owner of the described property.

From R1 (Low Density Residential) to CN (Neighborhood Commercial)

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

Section 2. The Board of Commissioners specifically finds that this amendment 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 3. 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 4. This Ordinance shall take effect upon final passage.

Approved and adopted this ____ day of _____, 2019.

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WILLIAM F. WHITE, JR., MAYOR

ATTEST:

LORETTA GARNER, RECORDER

LEGAL FORM APPROVED:

KORI BLEDSOE JONES, ATTORNEY

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

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