

ORDINANCE 2019-1042

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 LIGHT INDUSTRIAL (IL).

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, the Mount Pleasant Planning Commission staff administratively requested that said Zoning Ordinance be amended by rezoning certain property identified as Tax Map 150, Parcel 052.02, 1109 S. Main St., more fully described below from R1 (Low Density Residential) to IL (Light Industrial). This property adjoins properties that are currently zoned residential and industrial and, has historically been used as a commercial property.

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 made a part hereof are hereby amended as applicable by rezoning the property identified as **Tax Map 150, Parcel 052.02, 1109 S. Main St.**, more fully described as follows, to-wit:

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The following described tract or parcel of real estate located in the Seventh (7th) Civil District of Maury County, Tennessee, and more particularly bounded and described as follows:

Beginning at a railroad rail set at the northwest corner of Arlington Cemetery and at the southwest corner of the tract being described and in the east right of way of U.S. Highway No. 43; thence north 23 deg. 10 min. 50 east sec. 216.14 feet to a railroad rail set in the east right of way of said highway and in the south boundary of Morgan; thence with a fence line separating this tract from Morgan south 82 deg. 7 min. 29 sec. east 880.99 feet to an IAC marker set at Morgan's southeast corner and in the west boundary line of Clarence F. Alexander, Jr. and at the northeast corner of this tract; thence south 18 deg. 38 min. 20 sec. west 195.30 feet to a railroad rail set at the south boundary line of the original H. G. Kittrell farm and in the north boundary of IMCC Tract No. 7; thence with the north boundary of said Tract No. 7 north 83 deg. 10 min. 38 sec. west 78.17 feet to a railroad rail set at the northeast corner of Arlington Cemetery; thence with the north boundary of Arlington Cemetery north 83 deg. 10 min. 38 sec. west 823.45 feet, in all 901.62 feet to the point of beginning, and containing 4.02 acres.

This tract is subject to a revocable easement granted by Stauffer Chemical Company to Wayne H. Thompson during the year 1971 over a particular route described as follows:

Beginning the 2 feet immediately north of a line specified as beginning at a point in the east margin of U.S. Highway 43 at the northwest corner of Arlington Cemetery and the southwest corner of Stauffer Chemical Company's IMCC Tract No. 5 (H. G. Kittrell, et al) and running thence south 83 deg. 10 min 38 sec. east with the north boundary of Arlington Cemetery 823.45 feet to the northeast corner of said Arlington Cemetery, thence continuing south 83 deg. 10 min. 38 sec. east with Stauffer's IMCC Tract No. 7 (Orr Tract) 78.17 feet, in all 901.62 feet to a point, the same being the southeast corner of the 4.02 acre tract described.

Being the same property acquired by Joe G. Holt, John Robin Holt, Joe M. Holt and Mary N. Holt, d/b/a General Maintenance Contractors, by deed of record in Book 1182, Page 70, in the 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.

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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.

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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