

BEFORE THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF RIDGELAND, MADISON COUNTY, MISSISSIPPI

**PETITION AND APPLICATION FOR
CONDITIONAL USE PERMIT**

(Official Form February 2014)

COMES NOW, KENNETH COBER, (the "Petitioner") and
[Name of Petitioner(s)]

respectfully petitions the Mayor and Board of Aldermen of the City of Ridgeland, Mississippi, to grant a conditional use permit as set forth in Section 600.09 of the City of Ridgeland Zoning Ordinance of February, 2014, as more specifically described in this Petition for that real property described in this Petition, and in support of this Petition would show as follows:

1. The name of the Petitioner is KENNETH COBER
(hereinafter referred to as "Petitioner").
2. The Petitioner's mailing address is 108 Huntington View
Brandon MS 39047 and the Petitioner's attorney or
representative's mailing address is _____.
3. The Petitioner's phone number is 601 462-3807 and the Petitioner's
attorney's phone number is (if applicable) _____.
4. The record title holder of the property is R. Lee Davis and Sue V. Davis
and a copy of the property deed with legal description is attached hereto as Exhibit "A".
Additionally, digital text version of the legal description shall be provided to the Zoning
Administrator for use in advertising the public hearing.

5. If the Petitioner is not the owner of the property, the owner's address and phone number

is 25 Avery Circle
Jackson, MS 39211

6. A copy of the written authority of the owner's representative to act on behalf of the Owner is attached hereto as Exhibit "B", if applicable.

7. The street address of the property is: 646 Ridgewood Road

Ridgeland, Mississippi 39157

(and/or) Tax Parcel ID Number(s): 072I-31B-017/00.00

8. A copy of a plat or map of the property certified by a licensed land surveyor is attached as Exhibit "C".

9. A vicinity map or plat depicting an area of at least 300' surrounding the subject property in all directions is attached to this Petition as Exhibit "D". The vicinity map includes the current zoning classification of all lands within 160' of the subject property.

10. The property is presently zoned C-4, according to the official zoning map of Ridgeland, Mississippi.

11. Petitioner requests that it be granted a conditional use permit as authorized by

Section 600.09 of the Zoning Ordinance of the City of Ridgeland, Mississippi, dated February, 2014. **(Section of ordinance authorizing the specified conditional use).**

12. Petitioner intends to use the subject property for the following purpose(s) in accord with

requested classification: ARTS TRAINING & ATHLETIC TRAINING

13. A site plan for development of the property as required by Section 600.09 of the Zoning Ordinance is attached as Exhibit "E".

14. Petitioner acknowledges that in order to assure consideration of the request contained in this Petition, Petitioner must present proof as to all matters required to be proved by Section 600.09 of the Zoning Ordinance. Petitioner must answer the following questions before filing this petition. The petition will not be accepted unless petitioner responds to each of the following questions:

a. Why does the Petitioner claim that the requested land use fits the site and is compatible with adjacent properties?

The area is a commercially zoned area &
will be used as a business to provide a service
that compatible to some other businesses in the area.

b. How will the proposed use impact traffic on adjacent streets and highways?

The use of the facility will have a minimal
impact on traffic.

- c. Will the requested land use cause an adverse effect (noise, glare, odor, traffic, use, encroachment, etc.) on abutting property or the permitted use thereof? Please explain.

The use will not cause any adverse effect on abutting properties.

- d. What provision(s) have been made for ingress and egress to the subject property and structures located thereon with particular reference to automobile and pedestrian safety, traffic flow, and fire protection?

Because the site has been developed, the provisions are already existing.

- e. What provision(s) have been made to provide adequate off-street parking and loading areas in conformance with Section 37.02 Off-Street Parking of this Ordinance?

A parking area already exist. Adequate parks have been allotted for the purpose of passing all city codes.

- f. What provision(s) have been made for refuse storage areas and service areas to be screened from adjoining properties, and are the proposed improvements in conformance with Section 36.07 and Appendix 'D'?

Refuse storage areas and services are already existing as the site is already developed.

- g. What provision(s) have been made for controlling drainage and erosion on/from the proposed site?

The proper drainage structure already exists.

- h. What provision(s) have been made for the availability and connection of utilities?

The utilities are already connected.

- i. What provisions(s) have been made for signage and lighting at the proposed site?

This site already has existing lighting. Proper sign permits will be obtained prior to installation to meet the city requirements.

- j. Does the proposed land use comply with required yards, Landscape Ordinance, and Tree Ordinance? If not, please explain:

There has been no improvement because this is an existing developed site.

- k. What provision(s) have been made with respect to hours of operation so as not to cause an adverse effect on neighboring properties?

Hours of operation will be normal business hours (Monday-Friday: 5am-9pm).

1. What provision(s) have been made to adequately address any concern for safety?

Any improvements will follow city code and will be permitted through the city.

m. What provision(s) have been made to address any negative impact on the capacity of public facilities?

There will be no negative impact on the capacity of public facilities.

n. What provision(s) have been made to minimize negative environmental and economic impacts?

There will be no negative environmental nor economic impacts.

o. Does the proposed land use encroach upon flood hazard zones or airport approach zones?

No, the land use doesn't encroach upon flood hazard zones nor airports.

p. Are there any additional issues that should be addressed in this application?

NO

15. Petitioner acknowledges that prior to approving any petition, a public hearing must be held in accordance with Section 600.15 of the Zoning Ordinance. At the public hearing the petitioner will be required to provide proof in the form of testimony and documents as to each of the matters listed in paragraph 14 of this petition.

16. Petitioner believes that the reasons set forth in this petition justify the granting of the conditional use permit.

17. Petitioner would show that the planned use of the property and the conditional use permit would be in harmony with the general purpose and intent of the land uses permitted in the use district where the property is located, and would not be injurious to the neighborhood or detrimental to the public welfare.

18. The required \$150.00 filing fee has been paid with the filing of this Petition.

Respectfully submitted,

Kenneth H. Cooper
PETITIONER

3/9/17
DATE



336045

BOOK 0486 PAGE 542

INDEXING INFORMATION:

Parcel 1: Pt. of West ½ of the SE¼ of Section 20, Township 7 North, Range 2 East;

Parcel 2: Pt. of Lot 4, Block 30, Highland Colony Subdivision;

Parcel 3: Pt. of Lot 4, Block 30 of Highland Colony Subdivision; 3340

Parcel 4: Pt. of Southeast Quarter of Section 14, Township 7 North, Range 1 East;

Parcel 5: Pt. of Southeast Quarter of Section 14, Township 7 North, Range 1 East;

Madison County, Mississippi.

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100's Dollars (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged R. LEE DAVIS does hereby sell, convey and warrant that certain property lying and being situated in Madison County, Mississippi, unto R. LEE DAVIS and SUE V. DAVIS, Trustees, or their successors in trust, under THE R. LEE AND SUE V. DAVIS REVOCABLE TRUST dated the 8th day of May, 2001, and any amendments thereto, said property being more particularly described as follows, to-wit:

- Parcel 1: Commencing at a point, said point being the section corner and being common to Sections 20, 21, 29 and 28, Township 7 North, Range 2 East, run South eighty-nine degrees fifty-five minutes West 1,202.06' to the point of beginning of this description; thence North 1333.14 feet to the North line of the SE¼ of the SE¼ of Section 20, Township 7 North, Range 2 East; thence South eighty-nine degrees fifty-seven minutes East 555.46 to an iron axle; thence South 1095.14' to a point; thence South fifty-five degrees forty-one minutes West 424.2' to a point; thence South eighty-nine degrees fifty-five minutes West 205.16' to the point of beginning, said tract being in the West ½ of the SE¼ of Section 20, Township 7 North, Range 2 East, Madison County, Mississippi.
- Parcel 2: Commence at an iron pin marking the Southwest corner of the Alperin Enterprises, Inc., properties (now being Columbus Mobile Home Park, Inc.) as recorded in Book 83 at page 284, in the office of the Chancery Clerk of Madison County, being the point of beginning of the land herein described.

Exhibit 'A'

Thence run northerly along the west line of said Alperin Enterprises, Inc., property a distance of 110.4 feet to a point; thence turn left through a deflection angle of 91 degrees 15 minutes and run westerly for 260 feet, more or less, to the east line of Ridgewood Road; turn thence to the left through a deflection angle of 88 degrees 45 minutes and run southerly along the east line of Ridgewood Road a distance of 110.4 feet to a point; thence turn to the left and run easterly for a distance of 260 feet, more or less to the point of beginning. Said land is a part of Lot 4, Block 30, Highland Colony Subdivision according to a map or plat thereof on file and of record in the office of the Chancery Clerk of Madison County, Mississippi.

Parcel 3: Commence at an iron pin marking the Southwest corner of the Alperin Enterprises, Inc. properties (now being Columbus Mobile Home Park, Inc.) as recorded in Book 83 at Page 284, in the office of the Chancery Clerk of Madison County, and from this point run thence northerly along the west line of said property for 110.4 feet to the point of beginning of the land herein described.

Thence run northerly along the west line of the Alperin Enterprises, Inc., property for a distance of 75 feet to a point; thence turn left through a deflection angle of 91 degrees 15 minutes and run westerly for a distance of 278 feet, more or less, to the east line of Ridgewood Road; turn thence to the left through a deflection angle of 88 degrees 45 minutes and run southerly along the east line of Ridgewood Road for a distance of 75 feet to a point; thence turn to the left and run easterly for a distance of 278 feet, more or less, to the point of beginning. Said property is a part of Lot 4, Block 30 of Highland Colony Subdivision according to a map or plat thereof on file and of record in the office of the Chancery Clerk of Madison County, Mississippi.

Parcel 4: A parcel of land situated in the Southeast Quarter of Section 14, Township 7 North, Range 1 East, Madison County, Mississippi, and being described by metes and bounds, to-wit:

Commence at a point 566.04 feet East of and 1008.40 feet North of the Southeast corner of the Southwest Quarter of the abovementioned Southeast Quarter of Section 14, Township 7 North, Range 1 East, said point being on the West right-of-way line of a 60 foot private road; thence run Northerly along the said West right-of-way line for a distance of 455.5 feet to the POINT OF BEGINNING of the herein described property; thence leaving said West right-of-way line turn left 102 degrees 47 minutes and run Southwesterly 734.9 feet; thence turn right 119 degrees 43 minutes and run Northeasterly for a distance of 609.77 feet to a point on the South right-of-way line of the aforementioned 60 foot private road; thence turn

right 69 degrees 20 minutes and run Easterly along said South right-of-way line for a distance of 406.75 feet to the Point of Curvature of a curve bearing to the right, having a delta angle of 73 degrees 50 minutes and a radius of 507.43 feet; thence leaving said South right-of-way line of the private 60 foot road turn right 72 degrees 29 minutes and run Southeasterly a chord distance of 365.33 feet to the Point of Tangency of said curve, said Point of Tangency being on the aforementioned West right-of-way line of the private 60 foot road; thence turn right 21 degrees 15 minutes and run Southerly along the said West right-of-way line for a distance of 106.61 feet to the POINT OF BEGINNING, containing 6.95 acres.

Parcel 5: A parcel of land situated in the Southeast Quarter of Section 14, Township 7 North, Range 1 East, Madison County, Mississippi, and being described by metes and bounds, to-wit:

Beginning at a point 566.04 feet East of and 1008.40 feet North of the Southeast corner of the Southwest Quarter of the abovementioned Southeast Quarter of Section 14, Township 7 North, Range 1 East, said point being on the West right-of-way line of a 60 foot private road; thence leaving said West right-of-way line run Westerly along a projection line of the North line of the John Moon property and also the said North line itself for a distance of 823.98 feet; thence leaving said North line turn right 110 degrees 40 minutes and run Northeasterly 362.3 feet; thence turn right 60 degrees 17 minutes and run Easterly 734.9 feet to a point on the aforementioned West right-of-way line of the private 60 foot road; thence turn right 102 degrees 47 minutes and run Southerly along said West right-of-way line for a distance of 455.5 feet to the POINT OF BEGINNING, containing 6.95 acres.

THIS CONVEYANCE IS SUBJECT to any and all protective covenants, building restrictions, rights of way, easements, oil, gas, and other mineral reservations, unrecorded servitudes and conveyances applicable to the above described property.

WITNESS HIS SIGNATURE on this the 2nd day of May, 2001.



R. LEE DAVIS

STATE OF MISSISSIPPI
COUNTY OF MADISON

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the aforesaid jurisdiction, the within named R. LEE DAVIS, who acknowledged that he signed and delivered the above and foregoing Warranty Deed as his voluntary act on the day and year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 8th day of May, 2001.

[Handwritten Signature]
NOTARY PUBLIC

My Commission Expires:
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES JULY 19, 2002
BONDED THRU STEGALL NOTARY SERVICE



GRANTOR:
R. LEE DAVIS
25 Avery Circle
Jackson, MS 39211
h 956-1843
o none

TRUSTEES/GRANTEES:
R. LEE DAVIS and
SUE V. DAVIS, Trustees, or their successors in trust of
THE R. LEE AND SUE V. DAVIS REVOCABLE TRUST dated the 8th day of May, 2001, and
any amendments thereto
25 Avery Circle
Jackson, MS 39211
h 956-1843
o none

Prepared by: William B. Howell, P. O. Box 14, Jackson, MS 39205 (601) 978-1700 *[Signature]*

The preparer does not by this instrument certify validity of title nor the correctness of the description contained herein, which was furnished by or on behalf of the Grantors.

THE R. LEE AND SUE V. DAVIS REVOCABLE TRUST**Schedule A**

The sum of One Hundred Dollars (\$100.00) in cash.

Schedule B

The sum of One Hundred Dollars (\$100.00) in cash.

Schedule C**First Judicial District of
Hinds County, Mississippi:**

Lot 25, AVERY GARDENS, a subdivision according to a map or plat of which is on file and of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book 28 at page 44, reference to which is hereby made in aid of and as a part of this description.

Madison County, Mississippi:

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Newton County, Mississippi:

NE¼ of the SE¼ of Section 20, Township 8 North, Range 13 East; the N½ of the SW¼ and the NW¼ of the SE¼ of Section 21, Township 8 North, Range 13 East, containing a total of 160 acres, more or less.

STATE OF MISSISSIPPI, COUNTY OF MADISON



I certify that the within instrument was filed for record in my office this 11 day of May, 2001, at 9 o'clock a M., and was duly recorded on the MAY 11 2001, Book No. 486, Page 542.

STEVE DUNCAN, CHANCERY CLERK BY: S Cole D.C.

March 27th, 2017 To: Matt Dodd, City of Ridgeland

I authorize Kenneth Coger to act as Petitioner and to submit Petition and Application for Conditional Use Permit for my property located at 646 Ridgewood Road, Ridgeland, MS 39157.

Thanks,

A handwritten signature in blue ink that reads "R. Lee Davis". The signature is written in a cursive style with a large, prominent "D" at the end.

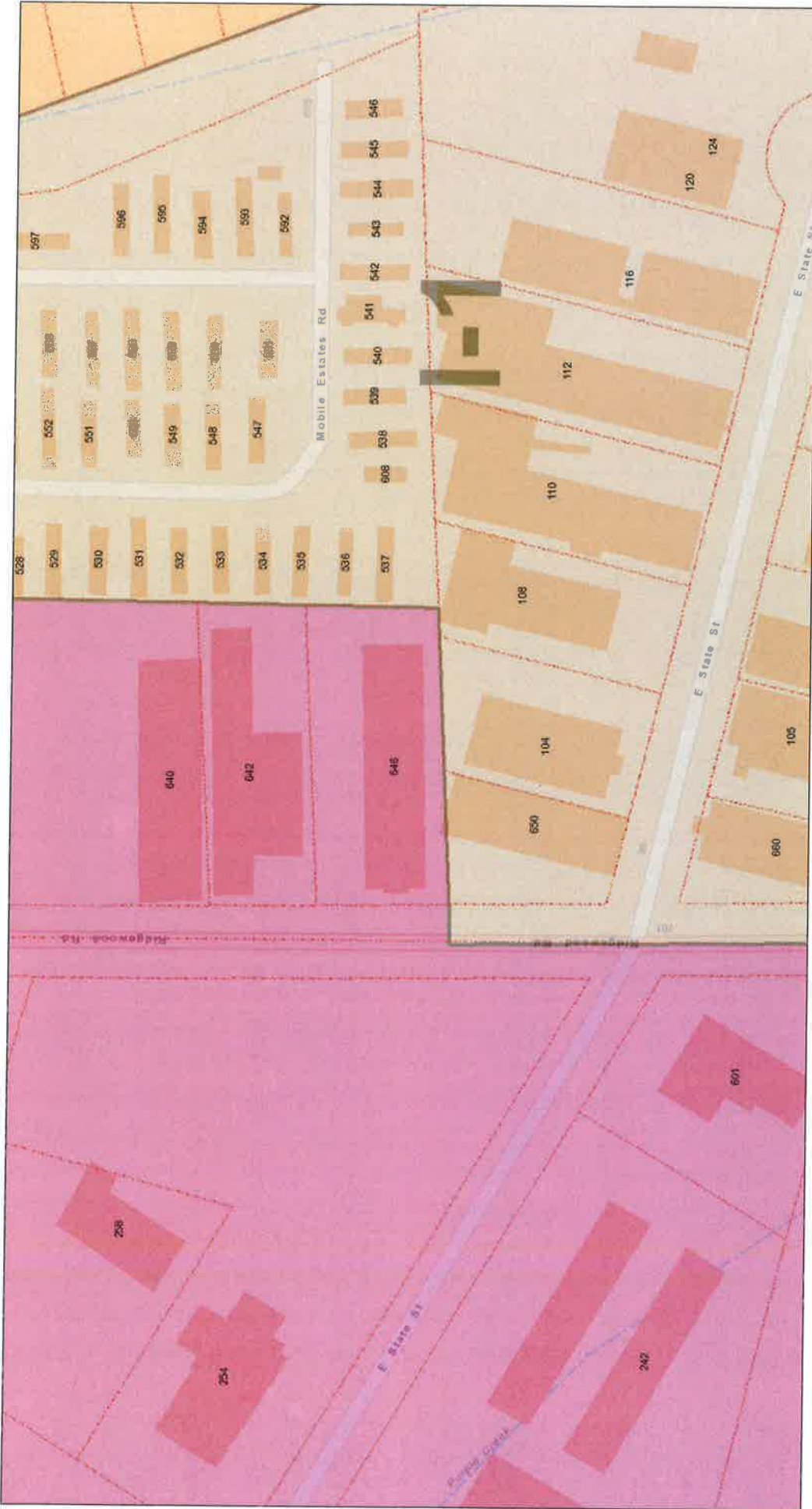
R. Lee Davis

Exhibit 'B'



Exhibit 'c'

City of Ridgeland - GIS Mapping Portal



March 7, 2017

Exhibit 'D'

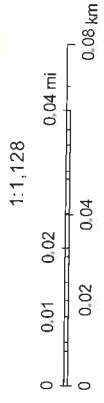
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

Exhibit 'D'

City of Ridgeland - GIS Mapping Portal



March 7, 2017



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Exhibit 'E'