

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

PETITION AND APPLICATION FOR DIMENSIONAL VARIANCE

(Official Form February 2014)

COMES NOW, School Street Crossing LP & Samco Properties LTD, (the "Petitioner") and
[Name of Petitioner(s)]

respectfully petitions the Mayor and Board of Aldermen of the City of Ridgeland, Mississippi, to grant a dimensional variance from those requirements as set forth in Section 600.08 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 School Street Crossing LP & Samco Properties LTD
(hereinafter referred to as "Petitioner").
2. The Petitioner's mailing address is 6190 Cochran Suite A
Solon Ohio 44139 and the Petitioner's attorney or
representative's mailing address is 6190 Cochran Rd Suite A Solon OH 44139.
3. The Petitioner's phone number is 440-914-9000 and the Petitioner's
attorney's phone number is (if applicable) _____.
4. The record title holder of the property is School Street Crossing LP & Samco Properties LTD
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 N/A

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: 398 Highway 51

 Ridgeland, Mississippi 39157

(and/or) Tax Parcel ID Number(s): 64-0848491

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

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-2A , according to the official zoning map of Ridgeland, Mississippi.

11. Petitioner requests that it be granted a dimensional variance from the dimensional requirements as set forth in Section 410,04E of the Zoning [Section of ordinance containing dimensional requirements]

Ordinance of the City of Ridgeland, Mississippi, which requires A 50' Landscaped

 Green space buffer and therefore also (legal) nonconforming.



12. Petitioner intends to use the subject property for the following purpose(s) in accord with its present zoning classification:

same as being used now a strip center

13. A site plan for development of the property as required by Section 600.08 of the Zoning Ordinance is attached as Exhibit "E". N/A

14. Petitioner requests a dimensional variance to change the dimensional requirements to:

Reduce the 50-foot landscaped open space requirement to 2' for paved areas and 19' for buildings

(see survey exhibit c)

15. The variance from the dimensional setback requirements is requested so that the Petitioner can:

Simply obtain a variance

16. The conditions and circumstances which have caused this request are not the result of actions of the Petitioner, but result from:

The property was constructed this way over 20 years ago.

17. No special privilege will be granted to the Petitioner by the approval of this dimensional variance which is not enjoyed by other property owners within this use district classification (zoning district). Other properties which enjoy the requested dimensions within the same zoning district are:

637 Hwy. 51 -- 51 Place Shopping Center (2010)

587 Hwy 51-- Oak Place Shopping Center (2011)

18. Petitioner believes that the reasons set forth in this Petition justify the granting of the variance, and the requested variance constitutes the minimum allowable deviation from the dimensional requirements of the Zoning Ordinance, while at the same time allowing for responsible use of the property as:

continued same use as a strip center

19. Petitioner would show that the planned use of the property and the requested variance would be in harmony with the general purpose and intent of the Zoning Ordinance, and would not be injurious to the neighborhood, the adjoining property, or detrimental to the public welfare.

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

Respectfully submitted,



PETITIONER *DAVE Richards*

1/12/18

DATE

DOC 01 TY W BOOK 2549 PAGE 627
INST # 621477 MADISON COUNTY MS.
This instrument was filed for
record 6/21/10 at 11:04:21 AM
ARTHUR JOHNSTON, C.C. BY: BJA D.C.

SPECIAL WARRANTY DEED

THIS INSTRUMENT PREPARED BY:

Carnegie Properties, Inc.
Carnegie Corporate Plaza
6190 Cochran Road, Suite A
Solon, OH 44139
Telephone: (440) 914-9000
Fax: (440) 914-9100

INDEXING INSTRUCTIONS:

Located in the SW ¼ of Sec. 30, T7N, R2E,
and being a part of Lots 1 and 2,
Block 24, Highland Colony Subdivision,
City of Ridgeland, Madison County, Miss.

GRANTOR CONTACT INFORMATION:

Carnegie Properties, Inc.
Carnegie Corporate Plaza
6190 Cochran Road, Suite A
Solon, OH 44139
Telephone: (440) 914-9000
Fax: (440) 914-9100

RETURN TO:

~~Michael D. Goler, Esq.
Miller Goler Faeges LLP
100 Brievew Plaza, 27th Floor
Cleveland, OH 44114-1835
Telephone: (216) 696-3366~~

Return To: First American Title Insurance Company
4780 I-55 North, Suite 400, Jackson, MS 39211
601-366-1222

13⁰⁰⁰
#003

GRANTEE CONTACT INFORMATION:

Samco Properties, Ltd.
Carnegie Corporate Plaza
6190 Cochran Road, Suite A
Solon, OH 44139
Telephone: (440) 914-9000
Fax: (440) 914-9100

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, the undersigned, **CARNEGIE PROPERTIES, INC.**, an Ohio corporation, as Grantor, does hereby grant, bargain, sell, convey and warranty specially unto **SAMCO PROPERTIES, LTD.**, an Ohio limited liability company, as Grantee, a 49% undivided interest in and to the following described land and property located in Madison County, Mississippi, and being more particularly described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

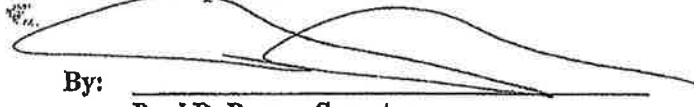
This conveyance is made subject to, and excepted from the warranty are, all leases, building restrictions, release of damages, restrictive covenants, easements and rights-of-way of record pertaining to the above described property.

This conveyance is further made subject to, and excepted from the warranty are, any prior reservations or conveyances of oil, gas and other minerals lying in, on and under the above described property.

Grantee assumes and agrees to pay its proportionate share of ad valorem taxes from the date hereof and for all subsequent years.

WITNESS THE SIGNATURE OF THE GRANTOR, this 21 day of May, 2010.

CARNEGIE PROPERTIES, INC.
an Ohio corporation



By: _____
Paul D. Pesses, Secretary

STATE OF OHIO
COUNTY OF CUYAHOGA

Personally appeared before me, the undersigned authority in and for the said county and state, on this 21 day of May, 2010, within my jurisdiction, the within named **Paul D. Pesses**, who acknowledged that he is the Secretary of Carnegie Properties, Inc., an Ohio corporation and that as the act and deed of Carnegie Properties, Inc., he executed the above and foregoing instrument, after first having been duly authorized by Carnegie Properties, Inc. so to do.

Given under my hand and official seal this the 21 day of May, 2010.

Lucia T. Vila



Lucia T. Vila
Resident Summit County
Notary Public, State of Ohio
My Commission Expires:

My Commission Expires:
1-10-12

A certain parcel of land being situated in the Southwest $\frac{1}{4}$ of Section 30, T7N-R2E, City of Ridgeland, Madison County, Mississippi, and being a part of Lots 1 and 2, Block 24, Highland Colony Subdivision, City of Ridgeland, Madison County, Mississippi and being a part of that parcel of land as described in deed recorded in Deed Book 317 at Page 135, and being more particularly described as follows:

3280

Begin at a $\frac{1}{2}$ " iron pin marking the Point of Intersection of the South line of Lot 2, Block 24, Highland Colony Subdivision, a subdivision according to the map or plot thereof, on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi, as now recorded in Plat Book 1 at Page 6 with the easterly right-of-way line of U.S. Highway 51 (as now laid out and improved); run thence North 32 degrees 22 minutes 35 seconds East along said easterly right-of-way line of U.S. Highway 51 for a distance of 545.25 feet to an existing "pk" nail; run thence North 57 degrees 24 minutes 44 seconds East along said easterly right-of-way line of U.S. Highway 51 for a distance of 24.69 feet to an existing "pk" nail; leaving said easterly right-of-way line of U.S. Highway 51, run thence South 85 degrees 30 minutes 52 seconds East for a distance of 74.77 feet to an existing "pk" nail; run thence North 89 degrees 51 minutes 24 seconds East for a distance of 137.11 feet to an existing "pk" nail marking the Point of Curvature of a 477.46472 degree curve bearing to the left having a central angle of 94 degrees 36 minutes 52 seconds and a radius of 12.00 feet; run thence along the arc of said curve an arc length of 19.81 feet to an existing "pk" nail; said curve having a chord bearing of North 42 degrees 33 minutes 09 seconds East and a chord distance of 17.64 feet; said "pk" nail marking the Point of Reverse Curvature of a 34.61972 degree curve bearing to the right having a central angle of 26 degrees 49 minutes 14 seconds and a radius of 165.50 feet; run thence along the arc of said curve an arc length of 77.48 feet to an existing "pk" nail; said curve having a chord bearing of North 18 degrees 13 minutes 32 seconds East and a chord distance of 76.77 feet; said "pk" nail marking the Point of Reverse Curvature of a 44.24389 degree curve bearing the left having a central angle of 27 degrees 18 minutes 30 seconds and a radius of 129.50 feet; run thence along the arc of said curve on arc length of 61.73 feet to a set "pk" nail on the new South right-at-way line of East School Street (as now laid out and improved); said curve having a chord bearing of North 17 degrees 58 minutes 54 seconds East and a chord distance of 61.14 feet; run thence South 89 degrees 32 minutes 25 seconds East

Exhibit A

along said South right-of-way line of East School street for a distance of 31.06 feet to a set "pk" nail marking the Point of Curvature of a 35.69833 degree curve bearing to the right having a central angle of 28 degrees 03 minutes 23 seconds and a radius of 160.50 feet; run thence along the arc of said curve an arc length of 78.60 feet to an existing "pk" nail; said curve having a chord bearing of South 17 degrees 36 minutes 28 seconds West and a chord distance of 77.81 feet; said "pk" nail marking the Point of Reverse Curvature of a 42.59917 degree curve bearing to the left having a central angle of 24 degrees 35 minutes 05 seconds and a radius of 134.50 feet; run thence along the arc of said curve an arc length of 57.71 feet to an existing "pk" nail; said curve having a chord bearing of South 19 degrees 20 minutes 40 seconds West and a chord distance of 57.27 feet; said "pk" nail marking the Point of Reverse Curvature of a 477.46472 degree curve bearing to the left having a central angle of 106 degrees 58 minutes 46 seconds and a radius of 12.00 feet; run thence along the arc of said curve an arc length of 22.40 feet to an existing "pk" nail marking the Point of Tangency of said curve; said curve having a chord bearing of South 36 degrees 39 minutes 50 seconds East and a chord distance of 19.29 feet; run thence North 89 degrees 51 minutes 24 seconds East for a distance of 201.19 feet to a set "pk" nail on the new West right-of-way line of Wheatley Street (as now laid out and improved); run thence South 00 degrees 08 minutes 36 seconds East along said new West right-of-way line of Wheatley Street for a distance of 483.91 feet to an existing iron pin on the South line of the aforesaid Lot 1, Block 24, Highland Colony Subdivision; run thence North 88 degrees 54 minutes 07 seconds West for a distance of 781.84 feet to the POINT OF BEGINNING, containing 307,121 square feet or 7.05 acres, more or less.

3280

PLAT 0340 PAGE 592

This instrument prepared by:
Mark T. Davis, Esq.
Wackins Ludlam & Stennis
P. O. Box 427
Jackson, MS 39205
601-949-4900

145955

INDEXING INSTRUCTIONS:
Part of SW 1/4 of Section 30,
T7N, R2E, Madison County,
Mississippi, and part of
Lots 1 and 2, Block 24,
Highland Colony Subdivision,
City of Ridgeland, Madison
County, Mississippi

ASSUMPTION WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN and NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, and for the further consideration of the assumption of and agreement to pay the indebtedness represented by that certain Deed of Trust executed by Mattiace Properties, Inc. to Sunburst Bank, dated May 21, 1993, and recorded in Book 827 at Page 664 in the office of the Chancery Clerk of Madison County, Mississippi, as may have been or may be hereafter renewed, modified, supplemented or extended, which Deed of Trust was assigned to Protective Life Insurance Company, by Assignment of Loan Documents, dated as of July 26, 1994, and recorded in Book 215 at Page 72 in the office of the aforesaid Chancery Clerk, Mattiace Properties, Inc., a Mississippi corporation, Grantor, does hereby grant, bargain, sell, convey and warrant to School Street Crossing, L.P., a Mississippi limited partnership, grantee, the following described property situated in Madison County, Mississippi, to-wit:

A parcel of land located in the Southwest 1/4 of Section 30, Township 7 North, Range 2 East, Madison County, Mississippi, and being part of Lots 1 and 2, Block 24, Highland Colony Subdivision, City of Ridgeland, Madison County, Mississippi and being part of a parcel of land as described by deed recorded in Deed Book 317, Page 135, and being more particularly described as follows:

Beginning at a 1/2" iron pin found marking the intersection of the South line of Lot 1 and Lot 2, Block 24, Highland Colony Subdivision as recorded in Plat Book 1, Page 6, in the Chancery Clerk's office of said county, with the Easterly right-of-way line of U.S. Highway No. 51 as it is now laid out and exists;

Thence N32°22'35"E, along said Easterly right-of-way line, a distance of 545.25 feet to a "P.K." nail found;

MTD:02513MTD (4655.96770)

Thence continuing along said Easterly right-of-way line, N57°24'44"E, a distance of 24.69 feet to a "P.K." nail found;

Thence departing said Easterly right-of-way line, S85°30'52"E, a distance of 74.77 feet to a 5/8" iron pin found;

Thence N89°51'24"E, a distance of 137.11 feet to a 5/8" iron pin found at the point of curvature of a curve to the left;

Thence along the arc of said curve to the left, a distance of 19.81 feet to a 5/8" iron pin found at the point of reverse curvature of a curve to the right. Said curve to the left having a radius of 12.00 feet, and a chord bearing N42°33'09"E, a distance of 17.64 feet;

Thence along the arc of said curve to the right, a distance of 77.48 feet to a 5/8" iron pin found at the point of reverse curvature of a curve to the left. Said curve to the right having a radius of 165.50 feet, and a chord bearing N18°13'32"E, a distance of 76.77 feet;

Thence along the arc of said curve to the left, a distance of 61.73 feet to a 5/8" iron pin found on the new South right-of-way line of East School Street. Said curve to the left having a radius of 129.50 feet, and a chord bearing N17°58'54"E, a distance of 61.14 feet;

Thence S89°32'25"E along the new South right-of-way line of said East School Street, a distance of 31.06 feet to found "X" chiseled in concrete at the point of curvature of a curve to the right;

Thence departing said new South right-of-way line, run along the arc of said curve to the right, a distance of 78.60 feet to a "P.K." nail found at the point of reverse curvature of a curve to the left. Said curve to the right having a radius of 160.50 feet, and a chord bearing S17°36'28"W, a distance of 77.81 feet;

Thence along the arc of said curve to the left, a distance of 57.71 feet to a "P.K." nail found at the point of compound curvature of another curve to the left. Said curve to the left having a radius of 134.50 feet, and a chord bearing S19°20'40"W, a distance of 57.27 feet;

Thence along the arc of said curve to the left, a distance of 22.40 feet to a "P.K." nail found at the point of tangency. Said curve to the left having a radius of 12.00 feet, and a chord bearing S36°39'50"E, a distance of 19.29 feet;

Thence N89°51'24"E, a distance of 201.19 feet to a 5/8" iron pin found on the new West right-of-way line of Wheatley Street;

Thence S00°08'36"E along the new West right-of-way line of said Wheatley Street, a distance of 483.91 feet to a 5/8" iron pin found on the south line of the aforementioned Lot 1, Block 24;

Thence N88°54'07"W, a distance of 781.84 feet to The Point of Beginning, and containing 7.05 acres (307,121 square feet), more or less.


This conveyance is made subject to, and there is excepted from the warranty hereof, the following:

1. Any and all prior reservations or conveyances of oil, gas and other minerals in, on or under the subject property; and
2. Any and all leases, easements, rights-of-way, restrictive covenants or building restrictions pertaining to the subject property.

Ad valorem taxes for the current year have been prorated between Grantor and Grantee. Grantee assumes and agrees to pay ad valorem taxes for the current year and all subsequent years.

IN WITNESS WHEREOF, this instrument has been executed as of the 26th day of July, 1994.

MATTIACE PROPERTIES, INC.,
a Mississippi corporation

BY: 
T. Andrew Mattiaca, President

STATE OF Mississippi
COUNTY OF Hinds

BOOK 0340 PAGE 595

Personally appeared before me, the undersigned authority in and for the said county and state, on this 28th day of July, 1994, within my jurisdiction, the within named T. Andrew Mattiace, duly identified before me, who acknowledged that he is President of Mattiace Properties, Inc., a Mississippi corporation, and that for and on behalf of said corporation, and as its act and deed, he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

Dona L. Shoud
NOTARY PUBLIC

My Commission Expires:
My Commission Expires July 30, 1994

(Affix official seal)

ADDRESS OF GRANTOR:
Mattiace Properties, Inc.
1818 Crane Ridge Drive
Jackson, Mississippi 39216
Attention: Mr. T. Andrew
Mattiace
BUSINESS PHONE: 982-1818
RESIDENCE PHONE: None

ADDRESS OF GRANTEE:
School Street Crossing, L.P.
1818 Crane Ridge Drive
Jackson, Mississippi 39216
Attention: Mr. T. Andrew Mattiace
BUSINESS PHONE: 982-1818
RESIDENCE PHONE: None

-4-

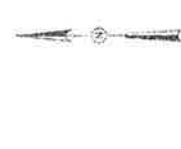


STATE OF MISSISSIPPI, COUNTY OF MADISON:

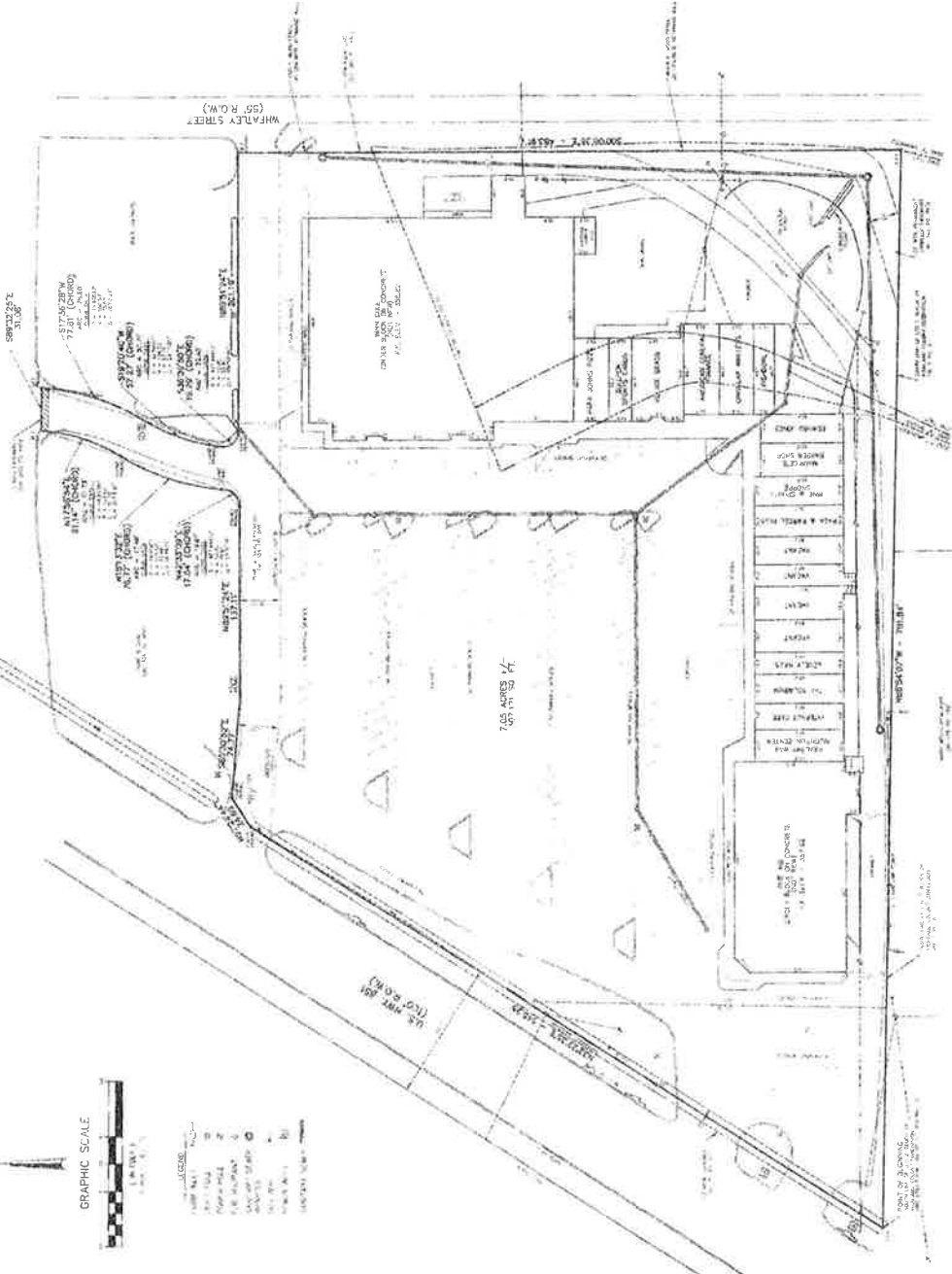
I certify that the within instrument was filed for record in my office this 28 day of July, 1994, at 1:55 o'clock P.M., and was duly recorded on the JUL 28 1994, Book No. 340, Page 592.

STEVE DUNCAN, CHANCERY CLERK

BY: S. Cole D.C.



SAST SCHOOL STREET
(35' R.O.W.)



Description

A certain parcel of land being situated in the Southwest 1/4 of Section 30, Township 24 North, Madison County, Mississippi, and being a part of Lots 1 and 2, Base 24, Registered, Madison County, Mississippi, and being a part of the property described in Deed Book 117 of Page 154, and being more particularly described as follows:

Block 13, 1/4 of the north half of the southeast 1/4 of Section 30, Township 24 North, Madison County, Mississippi, and being a part of the property described in Deed Book 117 of Page 154, and being more particularly described as follows:

Block 13, 1/4 of the north half of the southeast 1/4 of Section 30, Township 24 North, Madison County, Mississippi, and being a part of the property described in Deed Book 117 of Page 154, and being more particularly described as follows:

Block 13, 1/4 of the north half of the southeast 1/4 of Section 30, Township 24 North, Madison County, Mississippi, and being a part of the property described in Deed Book 117 of Page 154, and being more particularly described as follows:

- NOTES:**
1. TITLE INFORMATION PROVIDED BY WATKINS, LUDLAM, WINTER & STEWIS, S.A.
 2. NORTH BASED ON EAST BROW OF U.S. HIGHWAY #51
 3. SURVEY OF ASSOCIATION "B"
 4. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACT OF 1897 AND IS SUBJECT TO THE PROVISIONS OF SAID ACT.
 5. FINISHED FLOOR ELEVATIONS ARE BASED ON REFERENCE MARK (B.M.) AS DESCRIBED BY THE F.I.R.M. COMMUNITY PANEL NO. 28010-0000-C, DATED SEPTEMBER 20, 1980, ELEVATION OF B.M. = 343.37 (N.C.T.S.)
 6. FINISHED FLOOR ELEVATIONS ARE BASED ON REFERENCE MARK (B.M.) AS DESCRIBED BY THE F.I.R.M. COMMUNITY PANEL NO. 28010-0000-C, DATED SEPTEMBER 20, 1980, ELEVATION OF B.M. = 343.37 (N.C.T.S.)

DATE	REVISION	BY
DATE: 12-12-2008		PLANNED BY: JSH
SCALE: 1" = 40'		
BOOKS		PAGE
PROJECT NO.: 08-189		

STATE OF MISSISSIPPI
COUNTY OF MADISON
CITY OF JACKSON

CLIENT: SCHOOL STREET CROSSING, L.P.

H D LANG AND ASSOCIATES, INC.
JACKSON, MISSISSIPPI 39206
1301-362-4866

Exhibit 'C'

