

**ORDER: APPROVE REZONING OF LAFAYETTE COUNTY PARCEL 185Y-21-023
FROM LOW DENSITY RESIDENTIAL (R-1) DISTRICT TO MEDIUM DENSITY
RESIDENTIAL (R-2) DISTRICT**

Motion was made by Brent Larson, duly seconded by Larry Gillespie, to approve rezoning of Lafayette County Parcel 185Y-21-023 from Low Density Residential (R-1) District to Medium Density Residential (R-2) District.

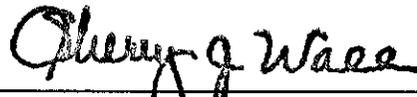
The vote on the motion was as follows:

Supervisor Brent Larson, voted yes
Supervisor Larry Gillespie, voted yes
Supervisor David Rikard, voted yes
Supervisor Chad McLarty, recused
Supervisor Mike Roberts, voted yes

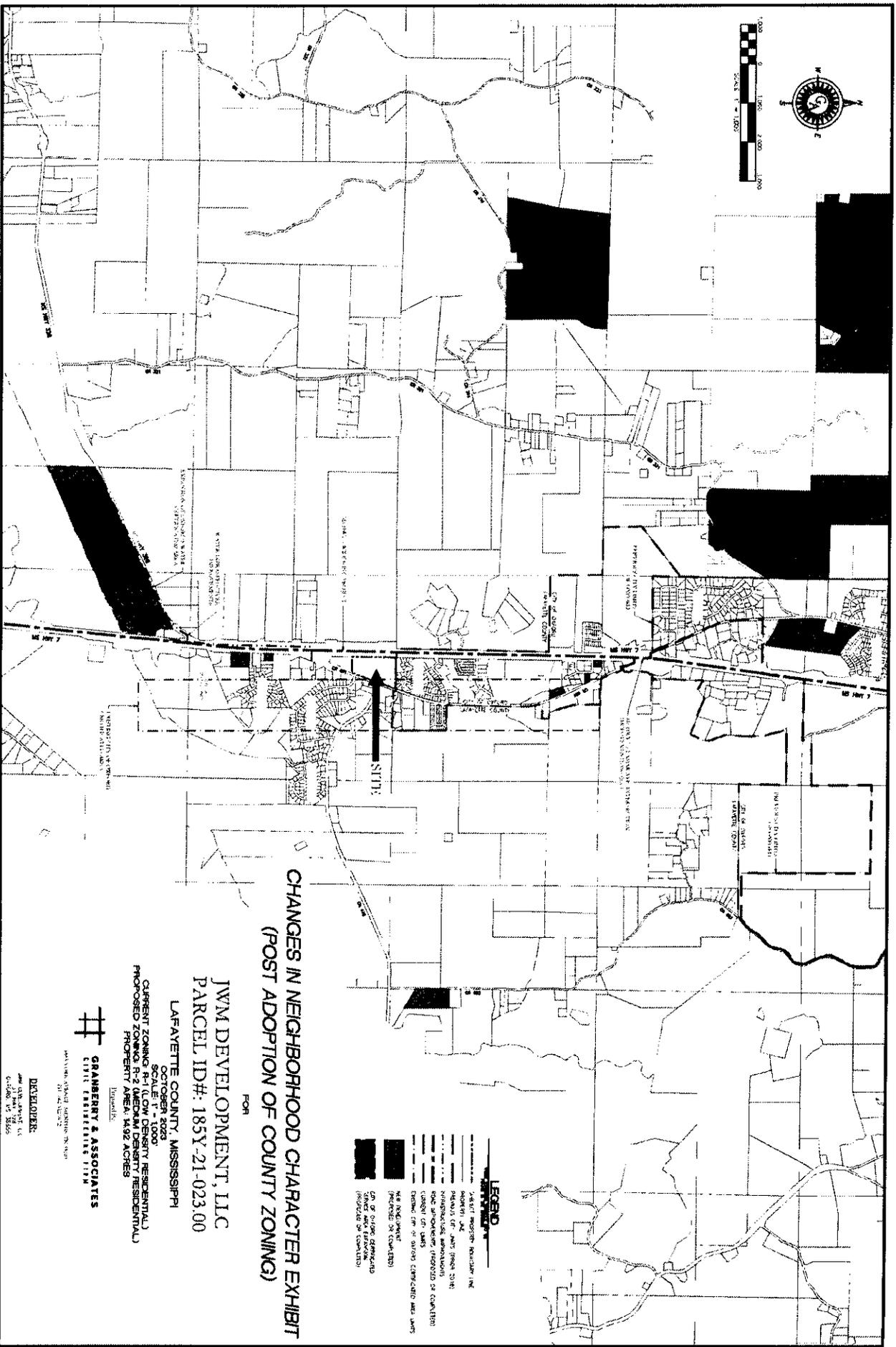
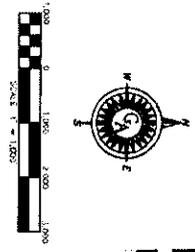
After the vote, President Roberts, declared the motion carried, this the 18th day of December, 2023.



**Mike Roberts, President
Board of Supervisors**



Sherry Wall, Chancery Clerk



**CHANGES IN NEIGHBORHOOD CHARACTER EXHIBIT
(POST ADOPTION OF COUNTY ZONING)**

JWM DEVELOPMENT, LLC
PARCEL ID#: 185Y-21-023.00

LAFAYETTE COUNTY, MISSISSIPPI

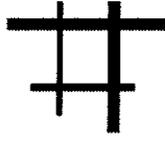
FOR
CURRENT ZONING R-1 (LOW DENSITY RESIDENTIAL)
PROPOSED ZONING R-2 (MEDIUM DENSITY RESIDENTIAL)
PROPERTY AREA: 14.92 ACRES

GRAMBERRY & ASSOCIATES
CIVIL ENGINEERING FIRM

DEVELOPER:
JWM DEVELOPMENT, LLC
1000 W. 10TH ST.
OSHTO, MS 38655

LEGEND

- Character property boundary line
- Adjacent parcel
- Parcel ID # and Area (2014)
- Neighborhood boundaries
- Zone boundaries (proposed or current)
- Current zone
- Non-inclusion area (proposed or current)
- On or close to historic sites and structures (proposed or current)



GRANBERRY & ASSOCIATES
CIVIL ENGINEERING FIRM

1685 York Avenue, Memphis, TN 38104
(662) 312-9672

October 12, 2023

Joel Hollowell
Lafayette County Planning/Building Department
300 North Lamar
Oxford, MS 38655

RE: REZONING REQUEST LETTER
14.92-Acre Property Located on MS Hwy 7 (Parcel ID# 185Y-21-023.00)
Lafayette County, MS

Dear Joel:

On behalf of JW McCurdy, we are submitting the attached Rezoning Application for a 14.92-acre parcel of land with Parcel ID#: 185Y-21-023.00. Mr. McCurdy currently owns the property outright and has all legal rights to rezone said property. The property is more specifically located south of Oxford, adjacent to the City Limits, east of MS Hwy 7 and at 134 CR 401 in Lafayette County.

According to Lafayette County's Zoning Map, the property is currently zoned R-1: Low Density Residential. We are requesting to rezone the property to R-2: Medium Density Residential. After rezoning, the current development plans are to request for a Conditional Use Permit to develop a common interest development which will consist of 48, one-bedroom units, constructed as 24 duplexes. The attached site plan shows a conceptual layout of this plan; however, the exact development of the property will be dictated by market demand and will conform to the Lafayette County requirements.

As required by Section 2406.03 of the Zoning Ordinance, rezoning must meet one of the following criteria:

- A. That there was a mistake in the original zoning.
- B. That the character of the neighborhood has changed to such an extent as to justify reclassification, and that there is a public need for the rezoning.

We do not believe that there was a mistake in the original zoning or future land use planning; however, we do believe that the character of the neighborhood in which this property is located has undergone significant changes, justifying its reclassification, and there is a clear public need for this rezoning, as evidenced by the recent expansion of the city limits and the ongoing widening of the adjacent highway. The key factors that support this request are as follows:

1. Shift in Neighborhood Character:

Over time, neighborhoods evolve, and it is crucial for zoning regulations to reflect these changes. In the case of the property in question, the character of the surrounding area has shifted substantially. The once-distant city limits have moved significantly closer, by approximately 1.3 miles. This change in itself signifies the extension of urban development and a need to adapt to the evolving landscape.

2. Widening of the Adjacent Highway (MS Hwy 7):

Another significant factor contributing to the changed character of the neighborhood is the planned widening of the adjacent MS Highway 7. The expansion of the roadway from a two-lane to a four-lane highway brings with it increased traffic flow, accessibility, and potential economic growth. Such infrastructure improvements alter the dynamics of the area, warranting a reevaluation of the current zoning designation.

3. Increased Demand and Public Need:

As the city limits have expanded and the highway is being widened, it is evident that there is a growing public need for suitable development in the area. Rezoning the property to accommodate the evolving demands of the community will contribute to the overall betterment of the neighborhood and support its growth. It will also provide an opportunity for economic development, job creation, and improved services that align with the changing needs of the population. With the City of Oxford and Lafayette County experiencing exponential growth and development, the demand for residential housing is outpacing the current supply, causing a housing shortage in the County.

4. Compatibility with the Future Land Use Plan and Map:

Rezoning the property in line with the changing neighborhood character ensures compatibility with the surrounding areas and facilitates effective urban planning. The Future Land Use Plan and Map, which serves as a guide for long-term planning and development within the County, designates the property in question for the exact zoning classification we are requesting (R-2). The Future Land Use Plan is a comprehensive document that reflects the County's vision for growth, development, and land use patterns. It takes into account various factors, including population trends, infrastructure plans, and community needs. The fact that the property is already designated for the desired zoning classification on this map indicates that it aligns with the County's long-term vision and development goals.

By rezoning the property in accordance with the Future Land Use Map, we ensure consistency and adherence to the County's strategic planning. This approach fosters predictability and stability in land use decisions, instilling confidence among developers, businesses, and residents alike.

In conclusion, the changing character of the neighborhood, marked by the movement of City limits, rezoning and development of properties in close proximity to our property, and the widening of the adjacent highway, clearly justifies the rezoning of the property in question (See attached Exhibit showing the "Changes in Neighborhood Character"). This rezoning is not only essential to align with the evolving context but also addresses the public need for suitable development in the area. By embracing this change and engaging in comprehensive community discussions, we can create a neighborhood that meets the demands of its residents while fostering sustainable growth and development.

If any other information is needed, please do not hesitate to contact me.

Sincerely,


John Granberry, P.E.

REQUEST FOR REZONING APPLICATION

Name of Applicant: JWM Development, LLC

Property Address: 134 CR 401

Phone Number: (662) 816-2700 Email Address: jw@mrconstructionoxford.com

Current Zoning District: R-1: Low Density Residential

Please select the type of amendment requested

(1) Amendment to the text (2) Amendment to the Official Zoning Map

(Please circle YES or NO)

DOES THE PROPERTY HAVE RESTRICTIVE COVENANTS? YES NO

(If YES, please attach a copy of restrictive covenants)

HAS THERE BEEN A PREVIOUS REQUEST FOR ANY ZONING ACTIONS AT THIS PROPERTY BEFORE?

YES NO (If YES, please attach a copy of all decisions made by the Planning Commission and Board of Supervisors)

Requirements of Applicant:

1. Letter stating reason for requested zoning action
2. Copy of the written legal description
3. Site plan of property *(must be in accordance the Lafayette County Subdivision Regulations)*

Criteria for Rezoning: (Section 2406.03- Zoning Ordinance)

- A. That there was a mistake in the original zoning. "Mistake" in this context shall refer to a clerical or administrative error, such as a mistake of draftsmanship on the Official Zoning Map or incorrectly reflecting the Board of Supervisors' decision in the minutes. "Mistake" does not mean that the Board of Supervisors made a mistake in judgment in their prior zoning, such as not realizing the full import of the zoning classification or mistakenly placing the property in one classification when the evidence indicated that another would have been more appropriate.
- B. That the character of the neighborhood has changed to such an extent as to justify reclassification, and that there is a public need for the rezoning.

Applicant shall be present at the Planning Commission meeting. Documents shall be submitted thirty (30) days prior to the Planning Commission meeting. **Applicant is responsible for complying with all applicable requirements of the Zoning Ordinance.**

By signing this application, it is understood that permission is given to the Zoning Administrator to have a sign erected on subject property, given notice to the public that said property is being considered for rezoning.


JW McCurdy (Oct 12, 2023 08:40 CDT)

Signature

10/12/2023

Date

2023.10.12-JWM_DEVELOPMENT-PARCEL#1 85Y_21_023.00-REZONING_APPLICATION1

Final Audit Report

2023-10-12

Created:	2023-10-12
By:	John Granberry (jgranberry@mccartygranberry.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAo5ZP5sFklKrasv4DNlayMgCtyce7x042

"2023.10.12-JWM_DEVELOPMENT-PARCEL#185Y_21_023.00 -REZONING_APPLICATION1" History

-  Document created by John Granberry (jgranberry@mccartygranberry.com)
2023-10-12 - 12:57:15 PM GMT- IP address: 75.147.163.9
-  Document emailed to jw@mrconstructionoxford.com for signature
2023-10-12 - 12:57:37 PM GMT
-  Email viewed by jw@mrconstructionoxford.com
2023-10-12 - 1:09:26 PM GMT- IP address: 50.86.50.82
-  Signer jw@mrconstructionoxford.com entered name at signing as JW McCurdy
2023-10-12 - 1:10:00 PM GMT- IP address: 50.86.50.82
-  Document e-signed by JW McCurdy (jw@mrconstructionoxford.com)
Signature Date: 2023-10-12 - 1:10:02 PM GMT - Time Source: server- IP address: 50.86.50.82
-  Agreement completed.
2023-10-12 - 1:10:02 PM GMT