

ORDINANCE NO. 1642

**AN ORDINANCE ZONING TWENTY AND FORTY-SIX ONE-HUNDRETHS (20.46)
ACRES OWNED BY JUDITH DRIVER AND BOYD JACKSON, JR. RECENTLY
ANNEXED INTO THE CITY AS R-3 RESIDENTIAL**

Whereas, prior to 2012, cities were empowered to annex territory by ordinance; and

Whereas the Tennessee General Assembly revised the annexation statutes, which now provide that annexation by written consent be accomplished by resolution; and

Whereas the City of Manchester recently annexed Twenty and Forty-Six One-Hundredths (20.46) acres owned by Judith Driver and Boyd Jackson, Jr., by resolution, pursuant to their request; and

Whereas the City of Manchester has a currently enacted Zoning Ordinance and Zoning Map; and

Whereas, pursuant to Tennessee law, since the zoning of real estate is accomplished by ordinance; it must be amended by ordinance rather than resolution; and

Whereas the Manchester Planning Commission, at its meeting December 20, 2021, considered the zoning request that the property owned by Judith Driver and Boyd Jackson, Jr., described below, when annexed into the City, be zoned R-3 Residential and voted to send that request to the Board with a negative recommendation recommending, instead, that the property be zoned R-2A; and

Whereas it remains the prerogative of the Board of Mayor and Aldermen to zone any property in the City as it deems appropriate under the City's zoning ordinances; and

Whereas Code 14-604 requires the Board of Mayor and Aldermen to zone recently annexed property within one hundred twenty (120) days of annexation.

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that Title 14, Chapter 6, Section 1 of the Manchester Municipal Code be, and it is, hereby amended to apply the zoning classification of R-3 Residential to the following described property owned by Judith Driver and Boyd Jackson, Jr.:

Being a tract of land lying in the 1st Civil District of Coffee County, Tennessee, bounded on the north by Strickland (WDB 335, pg. 411), Country Lane (50-ft. R/W) and Riddle (WDB 399, pg. 844), on the east by Country Club Estates Phase 2 (TDB 173, pg. 82), on the south by the remaining Jackson/Driver property (WDB 288, pg. 637), Anderson (WDB 361, pg. 646), Graham (WDB 362, pg. 839), Boulding (WDB 357, pg. 322) and St. John (WDB 408, pg. 579), and on the west by Creekwood Subdivision (PCE 690B), and being more particularly described as follows:

Beginning at a rebar found at the southeast corner of the southerly terminus of Country Lane, being the southwest corner of Riddle and the northeast corner of the property herein described; thence along the south line of Riddle, S 35° 47' 32" E, 706.42 ft. to a capped rebar found in the west line of Country Club Estates Phase 2; thence proceeding along the west line of said Country Club Estates, S 04° 36' 42" W, 277.26 ft. to a capped rebar found; thence leaving said Country Club Estates and proceeding along the north line of the remaining Jackson/Driver property; the following calls: thence N 85° 23' 18" W, 175.00 ft. to a capped rebar found; thence S 04° 36' 42" W, 33.32 ft.; thence with a curve turning to the right with an arc length of 44.51 ft., a radius of 494.83 ft., a chord bearing of S 07° 11' 20" W, and a chord length of 44.50 ft.; thence N 84° 18' 37" W, 324.96 ft.; thence S 05° 41' 23" W, 100.16 ft. to a metal fence post, the northeast corner of Graham and the northwest corner of Anderson; thence proceeding along the north line of Graham, N 84° 24' 20" W, 315.40 ft. to a rebar found, the northeast corner of Boulding; thence proceeding along the north line of Boulding, N 82° 38' 29" W, 244.34 ft. to a rebar found, the northeast corner of St. John; thence proceeding along the north line of St. John, N 83° 22' 33" W, 44.51 ft. to a rebar found, the southeast corner of Creekwood Subdivision; thence proceeding along the east line of Creekwood, N 04° 55' 49" E, 999.39 ft. to a capped rebar found, the southwest corner of Strickland; thence proceeding along the south line of Strickland, S 82° 37' 40" E, 576.74 ft. to a capped rebar found, the southeast corner of Strickland and the southwest corner of the southerly terminus of Country Lane, thence proceeding along the southerly terminus of Country Lane, S 82° 37' 40" E, 48.25 ft. to the point of beginning, containing 20.46 acres, as surveyed by Northcutt & Associates Land Surveying, Inc., 409 Woodbury Highway, Manchester, TN 37355, Job # 17C-003, dated 10-20-2021, and being a portion of the property described in WDB 288., pg. 637, ROCCTn.

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that Title 14, Chapter 6, Section 2 of the Manchester Municipal Code entitled "Zoning Map" be amended to show this property as R-3 Residential; and

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that this ordinance shall take effect on and after its publication and passage and public hearing, the public welfare of the City of Manchester, Tennessee requiring it and that all ordinances in conflict be repealed to the extent of this conflict.

This ordinance is presented and passed with the negative recommendation of the Manchester Regional Planning Commission obtained at its meeting December 20, 2021.

PASSED FIRST READING: _____ February 1 _____, 2022

PASSED SECOND AND FINAL READING: _____ March 1 _____, 2022

Marilyn Howard, Mayor

Bridget Anderson, Finance Director