

**ORDINANCE NO. 1644**

**AN ORDINANCE ZONING FIFTY-SIX AND SIXTY HUNDREDTHS (56.60) ACRES OWNED BY ALLAN HOWARD AND WIFE, MARILYN J. HOWARD, RECENTLY ANNEXED INTO THE CITY AS R-4 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 Fifty-Six and Sixty Hundredths (56.60) acres owned by Allan Howard and wife, Marilyn J. Howard, 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 February 21, 2022, considered the zoning request that the property owned by Allan Howard and wife, Marilyn J. Howard, described below, when annexed into the City, be zoned R-4 Residential and voted to send that request to the Board with a positive recommendation; 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-4 Residential to the following described property owned by Allan Howard and wife, Marilyn J. Howard:

**Being a tract of land lying in the 1<sup>st</sup> Civil District of Coffee County, Tennessee, generally bounded on the south by Bashaw Creek Road (50-ft. R/W) and Colburn (WDB 395, pg. 622), on the west by the remaining Howard (WDB 393, pg. 106), on the north by Gipson Construction, LLC (WDB 401, pg. 82), on the east by Jones (WDB 209, pg. 812), and being more particularly described as follows:**

**Beginning at a ½-inch capped rebar set in the north margin of Bashaw Creek Road, being the southwest corner of Jones and the southeast corner of the property herein described; thence proceeding along the margin of said road, the following calls: thence S 77° 01' 33" W, 118.15 ft.; thence with a curve turning to the right with a delta angle of 43° 36' 40"; an arc length of 123.66 ft., a radius of 162.46 ft., a chord bearing of N 81° 10' 07" W, and a chord length of 120.69 ft.; thence N 59° 21' 47" W, 104.46 ft.; thence with a curve turning to the left with a delta angle of 24° 16' 08", an arc length of 128.79 ft., a radius of 304.06 ft., a chord bearing of N 71° 29' 51" W, and a chord length of 127.83 ft.; thence N 83° 37' 55" W. 122.01 ft.; thence N**

84° 09' 58" W, 371.30 ft.; thence with a curve turning to the left with a delta angle of 12° 41' 40", an arc length of 164.88 ft., a radius of 744.20 ft., a chord bearing of S 89° 29' 12" W, and a chord length of 164.55 ft.; thence S 83° 08' 22" W, 259.23 ft.; thence S 82° 45' 47" W, 112.87 ft. to an axle found, the southeast corner of Colburn; thence leaving the margin of said road and proceeding around said Colburn, the following calls: N 06° 32' 29" W, 250.00 ft. to a ½-inch capped rebar set; thence S 83° 27' 31" W, 350.00 ft. to an axle found; thence S 06° 32' 28" E, 250.00 ft. to an axle found in the north margin of Bashaw Creek Road; thence proceeding along the margin of said road, the following calls: thence S 83° 28' 51" W, 87.42 ft.; thence S 84° 54' 08" W, 115.83 ft. to a ½-inch capped rebar set; thence leaving the margin of said road and proceeding along the new severance line, as per this survey, between the remaining Howard and the property herein described, the following calls: thence N 06° 32' 23" W, 44.72 ft. to a ½-inch capped rebar set; thence N 00° 40' 37" W, 702.75 ft. to a ½-inch capped rebar set; thence N 14° 06' 25" E, 119.86 ft. to a ½-inch capped rebar set; thence N 29° 31' 24", 149.10 ft. to a ½-inch capped rebar set; thence N 63° 39' 12" E, 215.71 ft. to a ½-inch capped rebar set; thence N 30° 40' 53" E, 482.73 ft. to a ½-inch capped rebar set, the southwest corner of Gipson and the northwest corner of the property herein described; thence proceeding along the south line of Gipson, the following calls: S 66° 33' 16" E, 287.77 ft. to a ½-inch capped rebar set; thence S 67° 41' 16" E, 289.57 ft. to a ½-inch capped rebar set; thence S 66° 15' 16" E, 270.66 ft. to a capped rebar set; thence S 84° 32' 16" E, 785.87 ft. to a ½-inch capped rebar set; thence S 83° 58' 16" E, 167.60 ft. to a ½-inch capped rebar set; the northwest corner of Jones and the northeast corner of the property herein described; thence proceeding along the west line of Jones, the following calls: thence S 09° 38' 52" W, 68.46 ft. to a metal fence post; thence S 07° 10' 16" W, 51.71 ft. to a wood fence post; thence S 04° 46' 01" E, 361.78 ft. to a wood fence corner post; thence S 22° 34' 21" W, 456.52 ft. to a wood fence post; thence S 23° 36' 34" W, 130.11 ft. to a wood fence post; thence S 13° 55' 25" W, 91.35 ft. to the point of beginning, containing 56.60 acres, as surveyed by Northcutt and Associates Land Surveying, Inc., 409 Woodbury Highway, Manchester, TN, 37355, Job # 22C-119, dated 01-31-2022, and being the property described in WDB 393, pg. 106, 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-4 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 positive recommendation of the Manchester Regional Planning Commission obtained at its meeting February 21, 2022.

PASSED FIRST READING: \_\_\_\_\_ April 5 \_\_\_\_\_, 2022

PASSED SECOND AND FINAL READING: \_\_\_\_\_ May 3 \_\_\_\_\_, 2022

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Mark Messick, Vice-Mayor Acting as Mayor

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Bridget Anderson, Finance Director