

ORDINANCE NO. 1656

AN ORDINANCE ZONING ELEVEN AND 61/100 (11.61) ACRES OWNED BY JOHN KENNETH MCMAHAN AND ROBERT S. MCMAHAN 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 Eleven and 61/100 (11.61) acres owned by John Kenneth McMahan and Robert S. McMahan 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 John Kenneth McMahan and Robert S. McMahan, 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 John Kenneth McMahan and Robert S. McMahan:

Being a tract of land lying in the 1st Civil District of Coffee County, Tennessee, generally bounded on the south by Philips (WDB. 309, pg. 24) and the Murfreesboro Highway (Hwy. 41, 120-ft. R/W), on the west by Reynolds (WDB. 277, pg. 125), on the north by Mason (WDB. 213, pg. 487), on the east by Riddle (WDB. 244, pg. 730), and being more particularly described as follows:

BEGINNING at a rebar found in the north margin of Murfreesboro Highway, being the southeast corner of Reynolds and the southwest corner of the property herein described; thence leaving the margin of said road and proceeding along the east line of Reynolds, along a fence, the following calls: thence N 05° 44' 33" E, 208.39 ft. to a wood fence post; thence N 05° 53' 41" E, 186.36 ft. to a wood fence post; thence N 04° 50' 03" E, 142.33 ft. to a metal fence post; thence N 05° 44' 39" E, 366.16 ft. to a metal fence post; thence N 05° 16' 53" E, 101.07 ft. to a metal fence post; thence N 05° 39' 26" E, 126.44 ft. to a rebar found at fence corner, the southwest corner of Mason and the northwest corner of the property herein described; thence leaving the line of Reynolds and proceeding along the south line of Mason, along a fence, the following calls: thence S 83° 38' 57" E, 94.73 ft. to a metal fence post; thence S 81°

57' 46" E, 62.55 ft. to a wood fence post; thence S 83° 01' 53" E, 97.04 ft. to a 28-inch oak; thence S 84° 00' 48" E, 41.79 ft. to a 12-inch hickory; thence S 82° 58' 42" E, 51.22 ft. to a metal fence post; thence S 81° 04' 05" E, 66.66 ft. to a metal fence post; thence S 80° 45' 47" E, 87.52 ft. to a metal fence post; thence S 82° 59' 47" E, 57.61 ft. to a fence corner post in the west line of Riddle, being the southeast corner of Mason and the northeast corner of the property herein described; thence proceeding along the west line of Riddle, along a fence, the following calls: thence S 05° 01' 46" W, 21.32 ft. to a metal fence post; thence S 07° 00' 39" W, 211.65 ft. to a wood fence post; thence N 75° 42' 20" W, 37.78 ft. to a ½-inch capped rebar set; thence S 14° 08' 26" W, 123.83 ft. to a wood fence post; thence S 14° 05' 36" W, 384.56 ft. to a wood fence post; thence S 21° 24' 42" W, 33.75 ft. to a 40-inch oak; thence S 16° 38' 42" W, 199.15 ft. to a fence corner post; thence S 63° 02' 48" E, 30.55 ft. to an iron pipe found, the common corner of Riddle, Vasile, Philips, and the subject property; thence leaving the line of Riddle and proceeding around Philips, the following calls: thence N 86° 58' 17" W, 215.48 ft. to a rebar found; thence S 26° 41' 35" W, 221.51 ft. to a rebar found in the north margin of the Murfreesboro Highway, the southwest corner of Philips and the southeast corner of the property herein described; thence proceeding along the margin of said road, the following calls: thence N 57° 16' 59" W, 47.43 ft. to an axle found; thence N 53° 10' 01" W, 99.59 ft. to the POINT OF BEGINNING, containing 11.61 acres, as surveyed by Northcutt and Associates Land Surveying, Inc., 409 Woodbury Highway, Manchester, Tn, 37355, Job # 22C-131, dated 04-01-2022, and being the property described in WDB. 381, pg. 740, 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: _____ May 3rd _____, 2022

PASSED SECOND AND FINAL READING: _____ July 5 _____, 2022

Mark Messick, Vice-Mayor Acting as Mayor

Bridget Anderson, Finance Director