

Ordinance No. 2022-10

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF GLUCKSTADT, MADISON COUNTY, MISSISSIPPI AMENDING THE OFFICIAL ZONING ORDINANCE AND MAP OF THE CITY OF GLUCKSTADT, MISSISSIPPI TO REZONE REAL PROPERTY LOCATED ALONG HIGHWAY 51, IDENTIFIED AS TAX PARCEL NOS. 082H-28-014/01.01 and 082H-27-003/01.01, IN THE CITY OF GLUCKSTADT, MADISON COUNTY, MISSISSIPPI, BY CHANGING THE USE DISTRICT CLASSIFICATION FROM (R-1) TO (C-2)

WHEREAS, Morgan Properties 51, LLC (the "Applicant") did file an Application to rezone certain property described herein from its present (R-1) Classification to (C-2) Classification (the "Application"); and,

WHEREAS, the Mayor and Board of Aldermen referred the Application to the Planning and Zoning Commission of the City of Gluckstadt, which Commission scheduled a hearing on said Application for August 23, 2022, at 6:00 o'clock p.m.; and,

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Gluckstadt were accomplished – the City Clerk did cause notice of the August 23, 2022, hearing to be published in the Madison County Journal, a newspaper of general circulation in the City of Gluckstadt, Madison County, Mississippi, in the manner and for the time required by law, and the Zoning Administrator did post notice of same upon the affected property in the manner and for the time required by Section 811.02 of the Zoning Ordinance of the City of Gluckstadt and by law; and,

WHEREAS, the Applicant did provide evidence that Applicant had mailed notice of the hearing to adjoining property owners; and,

WHEREAS, the Planning and Zoning Commission did conduct a full and complete hearing on the Application at the August 23, 2022 meeting, and at said hearing the said Planning and Zoning Commission received comments and heard evidence presented by the Applicant and all

others who appeared at said hearing and thereafter recommended that the Application be granted;
and,

WHEREAS, the Mayor and Board of Aldermen are familiar with the property and existing land uses within the City of Gluckstadt and in the area of the City where the property is located, and in acting on the Ordinance, have duly considered the matters and facts within their personal knowledge as same affect the land uses requested in the Application filed herein; and,

WHEREAS, the matter was presented to the Mayor and Board of Aldermen along with the recommendation of the Planning and Zoning Commission, and after discussion thereof, Alderman

Taylor offered the following Ordinance and moved that it be adopted, to-wit:

NOW, THEREFORE, be it ordained by the Mayor and Board of Aldermen of the City of Gluckstadt, Madison County, Mississippi as follows, to-wit:

SECTION 1. That the matters and facts stated in the preamble hereof are found, determined and adjudicated to be true and correct.

SECTION 2. That it is hereby found and determined that the conditions precedent to the granting of an Application to amend the City of Gluckstadt Official Zoning Map as required by Section 806 et seq. of the City of Gluckstadt Zoning Ordinance of December 16, 2021, exist and have been satisfied in regard to the granting of the Application, and specifically, the Mayor and Board of Aldermen do hereby find and determine that the character of the neighborhood where the property is located has changed to such an extent as to justify the reclassification of the property, and that there is a public need for the rezoning and the land use requested in the Application.

SECTION 3. That the Use District Classification of the following described property be, and same is hereby changed from its present (R-1) Classification to (C-2) Classification as to the

following described property (the "property"), to-wit:

30 +/- acres out of South End of Tax Parcel Nos. 082H-28-014/01.01 and 082H-27-003/01.01

SECTION 4. That the City of Gluckstadt Zoning Ordinance of December 16, 2021, and the Official Zoning Map be, and same are hereby amended to effectuate this change in zoning classification.

SECTION 5. This ordinance shall be effective thirty (30) days after its passage and after publication of same as required in § 21-13-11 Mississippi Code of 1972.

ORDAINED, ADOPTED AND APPROVED by the Mayor and Board of Aldermen of the City of Gluckstadt, Madison County, Mississippi at a regular meeting thereof held on the 8 day of September, 2022.

The motion for adoption was seconded by Alderman Powell, and the foregoing Ordinance having been first reduced to writing, was submitted to the Board of Aldermen for passage or rejection on roll call vote with the following results:

Alderman Bates voted:

Aye / Nay

Alderman Powell voted:

Aye / Nay

Alderman Slay voted:

Aye / Nay

Alderman Taylor voted:

Aye / Nay

Alderman Williams voted:

Aye / Nay

WHEREUPON, the Mayor declared the Motion had carried and that the Ordinance was adopted.

SO ORDAINED, ADOPTED, AND APPROVED by the Mayor and Board of Alderman of the City of Gluckstadt, Madison County, Mississippi at its regular meeting held on the 8 day of September, 2022.

CITY OF GLUCKSTADT, MISSISSIPPI

BY: Walter Morrison
WALTER C. MORRISON, IV, MAYOR

ATTEST:

BY: Lindsay Keenum
LINDSAY KEENUM, CITY CLERK

