

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF GLUCKSTADT, MADISON COUNTY, MISSISSIPPI  
DENYING A CONDITIONAL USE PERMIT FOR PROPERTY  
LOCATED ON HIGHWAY 51, BEING PARCEL NO. 082H-27-001/01.03, CITY OF  
GLUCKSTADT, MADISON COUNTY, MISSISSIPPI**

WHEREAS, Robbie Covington (the "Applicant"), did file a Petition and Application for a Conditional Use Permit for allowing the building of a firework stand on property described herein, which property is located in a C-2 Highway Commercial District Classification under the City of Gluckstadt Zoning Regulations Ordinance of Dec. 16, 2021, (the "Application"); and,

WHEREAS, Applicant now requests the governing authorities of City of Gluckstadt, Mississippi, to grant a Conditional Use as permitted by Section 2202 for the property described herein, which property is located in a C-2 Highway Commercial District, under the City of Gluckstadt's Official Zoning Ordinance of Dec. 16, 2021, to Applicant, allowing a fireworks stand in a district zoned C-2, specifically Parcel No. 082H-27-001/01.03, located on Highway 51 in the City of Gluckstadt; and

WHEREAS, the Applicant advises the City the real property is owned by Robbie Covington, and Applicant is planning a firework stand; and

WHEREAS, the City of Gluckstadt scheduled a public hearing on said Application for April 26, 2022, at 6:00 o'clock p.m. After review of the Application by the Planning and Zoning Commission of the City of Gluckstadt – the Board was advised that the Planning and Zoning Commission at its April 26, 2022, meeting, recommended denial of the Application; and

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Gluckstadt were accomplished – the City Clerk did cause notice of the April 26, 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 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, at the time, date and place specified in the City's public notice, the Planning and Zoning Commission of the City of Gluckstadt, Mississippi, did conduct a full and complete public hearing on the Application on April 26, 2022, and received comments and heard evidence presented by the Applicant and by all others desiring to be heard, whether in support of or in opposition to the Application; and

WHEREAS, the Planning and Zoning Commission upon conclusion of its April 26, 2022, meeting recommended denial; and

WHEREAS, the Mayor and Board of Aldermen are fully familiar with the request and 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 this Resolution, have duly considered the matters and facts within their personal knowledge as same affect the land uses required in the Application;

WHEREAS, at the conclusion of the discussion of the Planning and Zoning Commission's recommendation and concerns/findings, the Mayor asked whether the Board of Aldermen desired to take any action regarding the Application and any recommendation and concerns of the Planning and Zoning Commission and after discussion thereof, Alderman Williams offered the following Resolution and moved that it be adopted, to-wit:

IT IS, THEREFORE, RESOLVED 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 a Conditional Use Permit as required by Section 805 of the City of Gluckstadt Zoning Ordinance of Dec. 16, 2021, do not exist, and have not been satisfied by the Applicant regarding the granting of a Conditional Use Permit allowing the building of a fireworks stand in a district zoned C-2.

SECTION 3. That the Application to grant a Conditional Use Permit pursuant to Section 805 of the City of Gluckstadt Zoning Ordinance of Dec. 16, 2021, on the following described property allowing the building of a fireworks stand in a district zoned C-2, be and same is hereby denied. The property referenced in the Application (the "property") is known as Parcel No. 082H-27-001/01.03, located on Highway 51 in the City of Gluckstadt.

SO RESOLVED by the Mayor and Board of Aldermen of the City of Gluckstadt, Madison County, Mississippi, at a regular meeting held on 10 day of May 2022.

The motion for adoption was seconded by Alderman S. Slay, and the foregoing Resolution 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 Miya Warfield-Bates voted:

Aye

Alderman Jayce Powell voted:

Aye

Alderman Richard Wesley Slay voted:

Aye

Alderman John Taylor voted:

No

Alderman Lisa Williams voted:

Aye

Whereupon, the Mayor declared the motion carried and the Resolution adopted.

The foregoing Resolution is approved, this the 10 day of May 2022.

CITY OF GLUCKSTADT, MISSISSIPPI

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

ATTEST:

BY: Lindsay Kellum  
LINDSAY KELLUM, CITY CLERK

