

**RESOLUTION DENYING PETITION TO AMEND THE CITY OF GLUCKSTADT,  
MADISON COUNTY, MISSISSIPPI OFFICIAL ZONING ORDINANCE AND  
MAP TO REZONE REAL PROPERTY LOCATED AT 154 CHURCH ROAD, TAX  
PARCEL NO. 082E-21-004/01.01, IN THE CITY OF GLUCKSTADT, MADISON  
COUNTY, MISSISSIPPI, BY CHANGING THE USE DISTRICT CLASSIFICATION  
FROM (R-1) TO (C-2)**

WHEREAS, William Weisenberger, Jr. and Emile Weisenberger (the "Petitioner") did file a Petition to rezone certain property described herein from its present (R-1) Classification to (C-2) Classification (the "Petition"); and

WHEREAS, the Mayor and Board of Aldermen referred the Petition to the Zoning Board of the City of Gluckstadt (the "Zoning Board"), which held a hearing on July 26, 2022, at 6:00 o'clock p.m. at Gluckstadt City Hall for said Petition and after giving all those present an opportunity to be heard, did consider all evidence presented and thereafter forwarded its recommendation thereon to the Mayor and Board of Aldermen; and

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Gluckstadt were accomplished – the City Clerk did cause notice of the July 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 inside City Hall and upon the affected property in the manner and for the time required by law; and

WHEREAS, the petitioner appealed the recommendation of the Planning and Zoning Commission, and a new public hearing was held before the Mayor and Board of Aldermen on September 8, 2022, at 6:00 o'clock p.m. at Gluckstadt City Hall; and

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Gluckstadt were accomplished – the City Clerk did cause notice of the September 8, 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 inside City Hall and upon the affected property in the manner and for the time required by law; 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 this Resolution, have duly considered the matters and facts within their personal knowledge as same affect the land uses requested in the Petition filed herein; and

WHEREAS, at the conclusion of the September 8, 2022 public hearing, after giving all those present an opportunity to be heard, did consider all evidence presented and the Mayor asked whether the Board of Aldermen desired to take any action regarding the Petition, and after discussion thereof, Alderman Slay 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 Petition to amend the City of Gluckstadt Official Zoning Map as required by Section 806 et seq. of the City of Gluckstadt Zoning Regulations Ordinance of December 16, 2021, do not exist, and have not been satisfied in regard to the granting of the Petition, 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 not changed to such an extent to justify the reclassification of the property, and that there is not a public need for the rezoning and the land use requested in the Petition.

SECTION 3. That the Petition to change the use district classification of the following described property from (R-1) Classification to (C-2) Classification, be and the same is hereby denied. The property referenced in the Petition (the "Property") is described as follows:

154 Church Road, Gluckstadt, Mississippi; Tax Parcel No. 082E-21-004/01.01.

SO RESOLVED 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 to adopt the above and foregoing Resolution was seconded by Alderman Williams, and the foregoing Resolution was submitted to the Board of Aldermen for passage or rejection on roll call vote with the following result:

- 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 RESOLVED, 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.

*Walter Morrison*

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Walter C. Morrison, Mayor of the  
City of Gluckstadt, Mississippi

ATTEST:

*Lindsay Kellum*  
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Lindsay Kellum, City Clerk

