

**ORDER APPROVING AND GRANTING AND ALLOWING A DIMENSIONAL  
VARIANCE ON APPLICATION OF SUNNY SETHI (HILTON HOME 2) FOR  
PROPERTY LOCATED CALHOUN STATION PARKWAY  
AND IDENTIFIED AS PARCEL NO. 082E-21-006,  
IN THE CITY OF GLUCKSTADT, MADISON COUNTY, MISSISSIPPI**

THERE CAME ON for consideration by Applicant Sunny Sethi the issue of whether a Dimensional Variance in a district zoned C-2 in the City of Gluckstadt, Mississippi, should be permitted. The Mayor and Board of Aldermen hereby find as follows:

WHEREAS, Applicant now requests the governing authorities of City of Gluckstadt, Mississippi, to grant a Dimensional Variance as permitted by Section 804 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 December 16, 2021, to Applicant Sunny Sethi to allow the development of a Hilton Home 2 to exceed the 3 story maximum to 4 stories but remaining under the 40' height requirement and to allow a variance in parking spaces from 136 spaces to 100 spaces on certain real property located on Calhoun Station Parkway and identified as Parcel No. 082E-21-006, in the City of Gluckstadt, Madison County, Mississippi; and,

WHEREAS, the Mayor and Board of Aldermen referred the Application to the Planning and Zoning Commission of the City of Gluckstadt (the "Zoning Commission"), which Commission scheduled a hearing on said Application for May 23, 2023, at 6:00 o'clock p.m.; and,

WHEREAS, the Zoning Commission upon conclusion of its May 23, 2023, meeting recommended in writing approval by the Board of Aldermen of the request for a Dimensional Variance, and that the recommendation be forwarded to the next meeting of the Mayor and Board of Aldermen for their consideration; and,

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Gluckstadt

were accomplished – the City Clerk did cause notice of the May 23, 2023, 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 May 23, 2023, 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 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 Order, have duly considered the matters and facts within their personal knowledge as same affect the land uses required in the Application.

BE IT HEREBY ORDERED by the Mayor and Board of Aldermen of the City of Gluckstadt, Mississippi, that the request of Applicant Sunny Sethi to grant a Dimensional Variance for real property located on Calhoun Station Parkway and identified as Parcel No. 082E-21-006, in the City of Gluckstadt, Madison County, Mississippi, is hereby granted, namely to allow the development of a Hilton Home 2 to exceed the 3 story maximum to 4 stories but remaining under the 40’ height requirement and to allow a variance in parking spaces from 136 spaces to 100 spaces on the subject property; such action is taken pursuant to the findings of fact set out as follows:

1. The Mayor and Board of Aldermen of the City of Gluckstadt, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinance.
2. The written recommendation of the Planning and Zoning Commission is advisory in nature.
3. The Mayor and Board of Aldermen have knowledge of the area involved and are aware of the need for the Dimensional Variance.
4. The requested designation meets the definitions of a Dimensional Variance of the Zoning Ordinance.
5. The subject property described herein, below, is within a zoning district zoned C-3:  
  
Tax Parcel No. 082E-21-006, located on Calhoun Station Parkway, in the City of Gluckstadt, Madison County, Mississippi.
6. The strict application of this Ordinance would result in peculiar and exceptional practical difficulties to or exceptional hardship upon the owner of the property at issue and granting the Variance request will not adversely affect the public interest or adjacent property. Future projects within the designation area will remain subject to the Zoning Ordinance and approval of site plans or other matter will allow the City to continue to monitor the area.
7. The reasons set forth in the application justify the granting of the variance, and the variance constitutes the minimum allowable deviation from the dimensional regulations of the Zoning Ordinance in order to make possible the responsible use of the land, building or structures. Further, the granting of the Dimensional Variance will be in harmony with the general purpose and intent of this Ordinance, and the

Variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

8. The Mayor and Board of Aldermen find that all portions of Sections 804.01 and 804.06 of the Zoning Ordinance have also been complied with and that all requirements of Sections 804.01 and 804.06 of the Zoning Ordinance are satisfied based upon the presentation of the applicant and all documents presented to the Zoning Commission and to the Mayor and Board of Aldermen. The site plan requirement has been met pursuant to Section 804.03 of the Zoning Ordinance.
9. The granting of this Dimensional Variance does not relieve the requested use from compliance with any applicable law, court order, covenants, or contracts.
10. The Dimensional Variance is granted.

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 13 day of June, 2023.

The foregoing Order, having been reduced to writing, Alderman Powell moved that said Order be adopted. Alderman Slay seconded. The vote was as follows:

Alderman Miya Warfield-Bates voted:

Aye

Alderman Jayce Powell voted:

Aye

Alderman Richard Wesley Slay voted:

Aye

Alderman John Taylor voted:

Aye

Alderman Lisa Williams voted:

Aye

Whereupon, the Mayor declared the Motion carried and the Order approved and adopted.

SO ORDERED, this the 13 day of June, 2023.

CITY OF GLUCKSTADT, MISSISSIPPI

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

ATTEST:

BY: Lindsay Keelum  
LINDSAY KELLUM, CITY CLERK

