

2024-17  
(Revested)

**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 BEING IDENTIFIED AS TAX PARCEL NOS. 082E-15-0037/00.00 and 082E-15-038/00.00, IN THE CITY OF GLUCKSTADT, MADISON COUNTY, MISSISSIPPI, BY CHANGING THE USE DISTRICT CLASSIFICATION FROM (R-1) TO (I-2)**

WHEREAS, Jernigan Copeland Attorneys, PLLC (the "Applicant") did file an Application to rezone certain property described herein from its present (R-1) Classification to (I-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 27, 2024, 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 27, 2024, 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 adjacent property owners within 160 feet of the subject property; and,

WHEREAS, the Planning and Zoning Commission did conduct a full and complete hearing on the Application at the August 27, 2024 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 approved; 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 (I-2) Classification as to the following

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

**Parcel One**

10.0 acres lying in the Southeast Quarter of Section 15, T-8-N, R-2-E of Madison County, Mississippi lying between the East R.O.W. of the I.C.G. Railroad R.O.W. and being more particularly described as follows:

Begin at the Southeast Corner of the Northwest Quarter of the Southeast Quarter of Section 15 and run West for a distance of 491.7 feet to the Easternmost R.O.W. line of the I.C.G. Railroad R.O.W.; thence

Northeasterly along said R.O.W. line for a distance of 717.0 feet; thence

East for a distance of 660.0 feet; thence

Southwesterly along a line parallel to the East R.O.W. line of the I.C.G. Railroad for a distance of 717 feet; thence

West for a distance of 188.3 feet to the Point of Beginning.

The herein described tract contains 10.0 acres more or less.

**Parcel Two**

A parcel of land lying and situated in the N1/2 of the SE1/4 of Section 15, Township 8 North, Range 2 East, Madison County, Mississippi, being more particularly described as follows:

Commence at a Cotton Picker Spindle representing the SW corner of Section 15, Township North, Range 2 East, Madison County, Mississippi and run thence N 89 degrees 32 minutes 45 seconds W for a distance of 3434.58 feet to a point; thence run N 0 degrees 27 minutes 15 seconds W for a distance of 33.43 feet to an iron pin; thence run N 12 degrees 06 minutes 00 seconds E for a distance of 1323.48 feet to an iron pin on the north line of the SW1/4 of the SE1/4 of Section 15; thence run S 89 degrees 32 minutes 45 seconds W along the north line of the SW1/4 of the SE1/4 of Section 15 for a distance of 246.03 feet to an iron pin of the easterly right of way of Illinois Gulf Central Railroad; thence run N 23 degrees 13 minutes 22 seconds E along said railroad right of way for a distance 717.00 feet to an iron pin which is the Point of Beginning of the parcel herein described. From the Point of Beginning run thence N 23 degrees 13 minutes 22 seconds E along said railroad right of way for a distance of 266.05 feet to a concrete monument which is the NW corner of Lot 4 J. R. Davis Subdivision the map or plat of which is of record and on file in the Office of the Chancery Clerk of Madison County, located in Canton, Mississippi; thence run S 89 degrees 53 minutes 23 seconds E along the North line of said lot 4 for a distance of 262.20 feet to an iron pin; thence run S 89 degrees 32

minutes 45 seconds W for a distance of 441.67 feet to the Point of Beginning. This parcel contains 2.45 acres, more or less.

**Parcel Three**

A parcel of land lying and situated in the N1/2 of the SE1/4 of Section 15, Township 8 North, Range 2 East, Madison County, Mississippi, being more particularly described as follows:

Commence at a Cotton Picker Spindle representing the SW corner of Section 15, Township 8 North, Range 2 East, Madison County, Mississippi and run thence N 89 degrees 32 minutes 45 seconds W for a distance of 3434.58 feet to a point; thence run N 0 degrees 27 minutes 15 seconds W for a distance of 33.43 feet to an iron pin; thence run N 12 degrees 06 minutes 00 seconds E for a distance of 1323.48 feet to an iron pin on the north line of the SW1/4 of the SE1/4 of Section 15; thence run S 89 degrees 32 minutes 45 seconds W along the north line of the SW1/4 of the SE1/4 of Section 15 for a distance of 246.03 feet to an iron pin of the easterly right of way of Illinois Gulf Central Railroad; thence run N 23 degrees 13 minutes 22 seconds E along said railroad right of way for a distance 717.00 feet to an iron pin; thence run N 89 degrees 32 minutes 45 seconds E for a distance of 660.00 feet to an iron pin which is the Point of Beginning of the parcel herein described. From the Point of Beginning continue thence N 89 degrees 32 minutes 45 seconds E for a distance of 709.96 feet to an iron pin on the westerly right of way of Highway 51; thence run S 23 degrees 42 minutes 33 seconds W along said right of way for a distance of 65.76 feet to a point; thence run S 89 degrees 32 minutes 45 seconds W for a distance of 709.35 feet to a point; thence run N 23 degrees 13 minutes 22 seconds E for a distance of 65.51 feet to the Point of Beginning. This Parcel contains .98 acres, more or less.

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 13 day of August, 2024.

The motion for adoption was seconded by Alderman Slay, 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 13 day of August, 2024.

CITY OF GLUCKSTADT, MISSISSIPPI

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

ATTEST:

BY: Lindsay Kellum  
LINDSAY KELLUM, CITY CLERK

