

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4938

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/BRISTER

PROVIDED BY: DEVELOPMENT

INTRODUCED BY: MR. DEAN

SECONDED BY: MR. SHARP

ON THE 3 DAY OF JANUARY , 2013

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE WEST SIDE OF US HIGHWAY 11, SOUTH OF CARR DRIVE, BEING 4961 PONTCHARTRAIN DRIVE, SLIDELL AND WHICH PROPERTY COMPRISES A TOTAL 10,340 SQ.FT. OF LAND MORE OR LESS, FROM ITS PRESENT CB-1 (COMMUNITY BASED FACILITIES DISTRICT) TO A HC-1 (HIGHWAY COMMERCIAL DISTRICT). (WARD 9, DISTRICT 13) (ZC12-12-121)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC12-12-121, has recommended to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area be changed from its present CB-1 (Community Based facilities District) to an HC-1 (Highway Commercial District) see Exhibit "A" for complete boundaries; and

WHEREAS, the St. Tammany Parish Council has held its public hearing in accordance with law; and

WHEREAS, the St. Tammany Parish Council has found it necessary for the purpose of protecting the public health, safety and general welfare, to designate the above described property as HC-1 (Highway Commercial District).

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, in regular session convened that:

SECTION I: The zoning classification of the above described property is hereby changed from its present CB-1 (Community Based facilities District) to an HC-1 (Highway Commercial District).

SECTION II: The official zoning map of the Parish of St. Tammany shall be and is hereby amended to incorporate the zoning reclassification specified in Section I hereof.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 7 DAY OF FEBRUARY , 2013 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: DECEMBER 27 , 2012

Published Adoption: _____, 2013

Delivered to Parish President: _____, 2013 at _____

Returned to Council Clerk: _____, 2013 at _____

Exhibit "A"

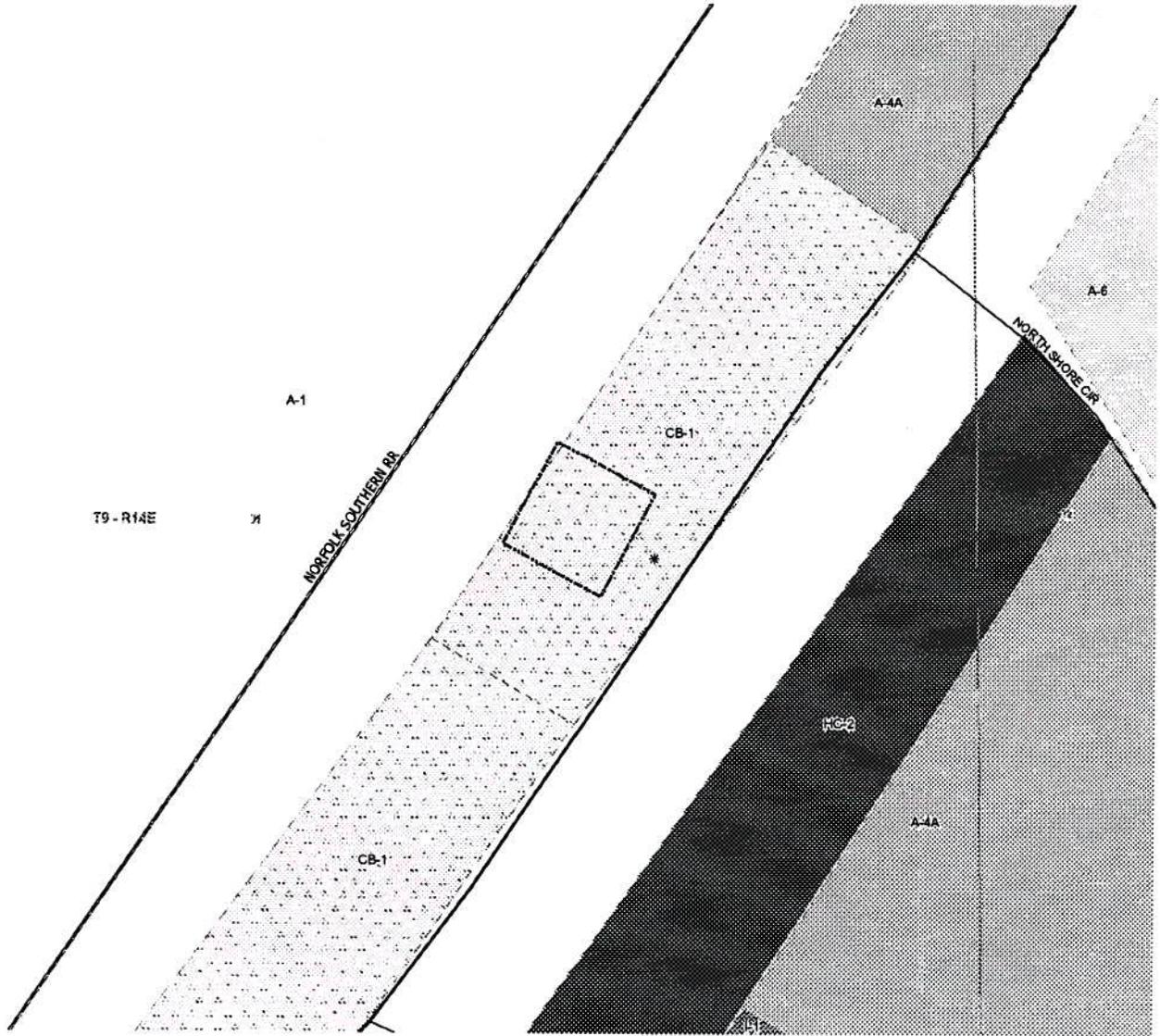
ZC12-12-121

A certain portion of ground, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in Section 31, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana, which said tract of land is more particularly described as per survey made by R. P. Rordan, C.E., dated September 14, 1937, and according to which, said tract of land is situated and measures as follows, to-wit:

Beginning at a point designated by the Letter "Y" on the Westerly line of the Pontchartrain Bridge Right-of-Way which said point is situated 225.7 feet in a Northerly direction (North 28 degrees 26 feet East) of a point designated by the letter "F" on ward Westerly line of the Pontchartrain Bridge Right-of-Way; thence from said point "Y" run North 28 degrees, 26 minutes East a distance of 200 feet to the point of beginning.

Thence continue North 28 degrees, 26 minutes East 103 feet 4 inches; thence go North 61 degrees 34 minutes East 100.0 feet to the East line of the Southern Railroad right-of-way; thence go South 28 degrees, 26 minutes East 103 feet 4 inches to a point; thence go South 61 degrees 34 minutes east 100 feet to the point of departure. Also in accordance with Survey by Lester H. Martin Jr., PLS, CFM,

CASE NO.: ZC12-12-121
PETITIONER: Michael A. Segrave
OWNER: Michael A. Segrave & Michele Renee Jordan
REQUESTED CHANGE: From CB-1 (Community Based facilities District) to HC-1 (Highway Commercial District)
LOCATION: Parcel located on the west side of US Highway 11, south of Carr Drive, being 4961 Pontchartrain Drive, Slidell; S31, T9S, R14E; Ward 9, District 13
SIZE: 10,340 sq.ft.



2012-12-121

DATE OF SURVEY: 6/14/2009

REFERENCE MATERIAL:

A SURVEY OF THE PONCHARTRAIN BRIDGEHEAD & APPROACH AT NORTHSIDE BY FRANK M. WADKILL DATED OCTOBER 26, 1936.

A LEGAL DESCRIPTION OF THE PROPERTY PROVIDED BY CLIENT.

A SURVEY BY R.P. AGRDAH DATED SEPTEMBER 14, 1917.

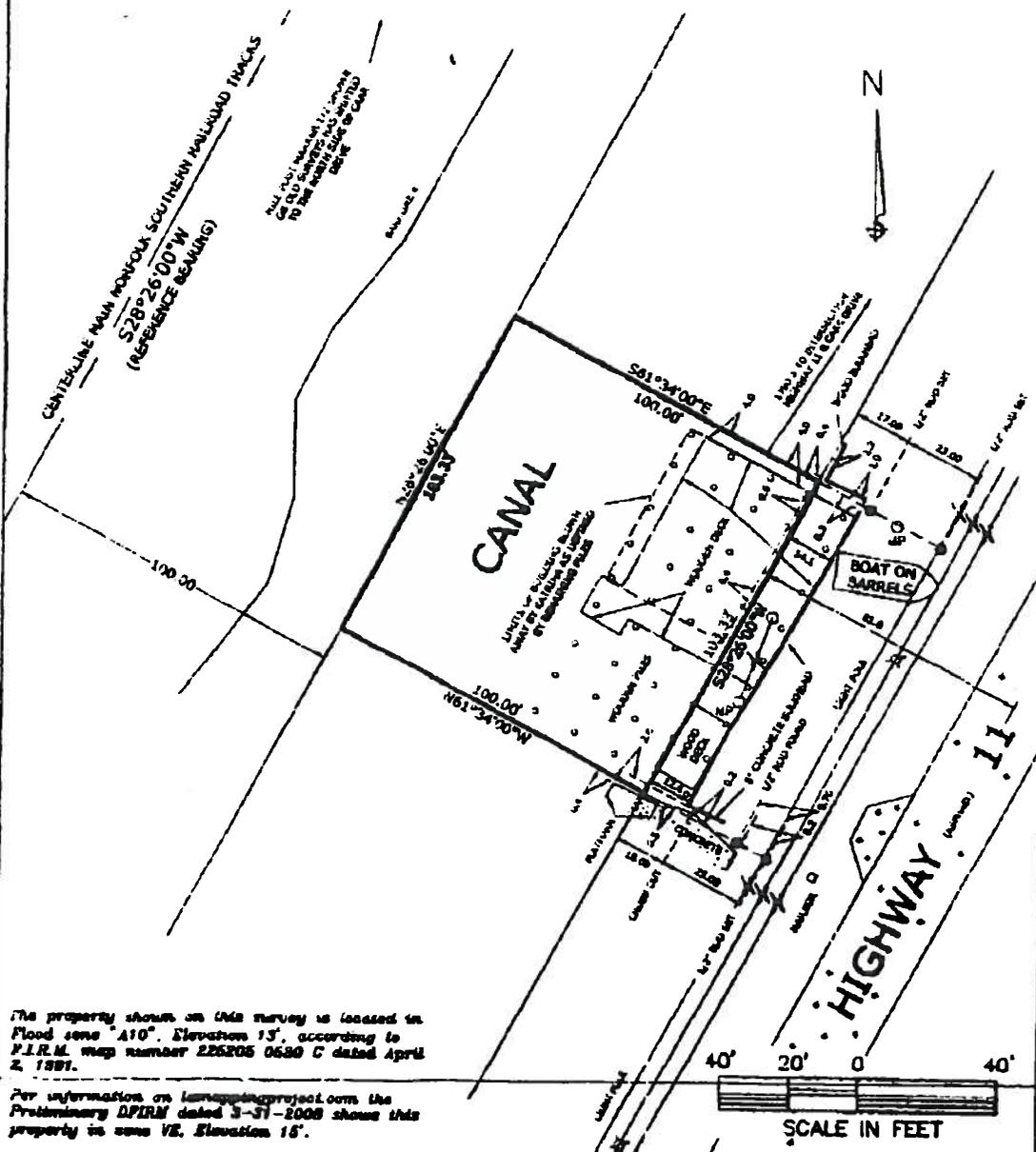
A SURVEY BY R.P. AGRDAH DATED JULY 30, 1936.

SURVEYED IN ACCORDANCE WITH THE LOUISIANA MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR A CLASS C SURVEY.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH

BEARINGS ARE BASED ON RECORD BEARINGS.

THE SERVITUDES AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED ME AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES AND RESTRICTIONS ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.



The property shown on this survey is located in Flood zone "A10". Elevation 15', according to F.I.R.M. map number 226205 0630 C dated April 2, 1991.

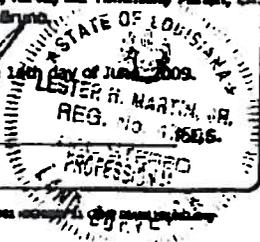
For information on lmsurveyingproject.com the Preliminary DPIRM dated 3-31-2008 shows this property is zone VE, Elevation 15'.

SURVEYOR'S CERTIFICATE
STATE OF LOUISIANA
PARISH OF ST. TAMMANY

I, Lester H. Martin Jr. Professional Surveyor do hereby certify that I have surveyed, computed and plotted the property shown hereon located in Section 31, T9S, R14E, St. Tammany Parish, LA. Surveyed at the request of Diane Brund.

Witness my signature on this day 14th day of June, 2009.

Lester H. Martin Jr.
License #4750



SURVEY OF A PORTION OF
SECTION 31
TOWNSHIP 9 SOUTH - RANGE 14 EAST
ST. TAMMANY PARISH, LOUISIANA

DATE: 6/14/09 SCALE: 1" = 40' JOB #: 0813-0000 DWG. BY: LMJ



LESTER H. MARTIN JR. PLS. CFM
Land Surveying Services
822 Koenigsmeyer Avenue
Slidell, Louisiana 70458
Mobile: (504) 451-6658 Fax: 1 (208) 279-0235
E-mail: lmsurveying@aol.com

ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: November 26, 2012
Case No.: ZC12-12-121
Posted: 11/15/12

Meeting Date: December 4, 2012
Determination: Approved

GENERAL INFORMATION

PETITIONER: Michael A. Segrave
OWNER: Michael A. Segrave & Michele Renee Jordan
REQUESTED CHANGE: From CB-1 (Community Based facilities District) to HC-1 (Highway Commercial District)
LOCATION: Parcel located on the west side of US Highway 11, south of Carr Drive, being 4961 Pontchartrain Drive, Slidell; S31, T9S, R14E; Ward 9, District 13
SIZE: 10,340 sq.ft.

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: Federal Road Surface: 2 lane asphalt Condition: Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Vacant	CB-1 (Community Based facilities District)
South	Vacant	CB-1 (Community Based facilities District)
East	Undeveloped	HC-2 (Highway Commercial District)
West	Undeveloped	A-1 (Suburban) District

EXISTING LAND USE:

Existing development? No Multi occupancy development? No

COMPREHENSIVE PLAN:

Residential - Areas that provide for dwelling units. Such areas may vary in site design, structure design, and in the density of units per acre. Certain areas such as "village or town residential" may include mixed uses and would have the highest number of units per acre, while "Rural residential" would have the lowest number of units per acre, and may include agricultural or open space uses as well. In between these two types of residential areas would be varying levels of single-family detached dwellings, multi-family attached residential, and planned subdivisions for manufactured homes.

STAFF COMMENTS:

The petitioner is requesting to change the zoning from CB-1 (Community Based Facilities District) to HC-1 (Highway Commercial District). The site is located on the west side of US Highway 11, south of Carr Drive, being 4961 Pontchartrain Drive, Slidell. The 2025 Future Land Use Plan calls for the area to be developed with residential uses. The site and the abutting properties were rezoned to CB-1 during the comprehensive rezoning. Staff sees no compelling reason to recommend approval of this request.

STAFF RECOMMENDATION:

The staff recommends that the request for a HC-1 (Highway Commercial District) designation be denied.