

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5005

ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: BINDER/BRISTER

PROVIDED BY: DEVELOPMENT

INTRODUCED BY: MR. GOULD

SECONDED BY: MR. TANNER

ON THE 6 DAY OF JUNE , 2013

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE EAST SIDE OF 10TH STREET AND ON THE WEST SIDE OF 9TH STREET, NORTH OF LASALLE STREET, SOUTH OF MARQUETTE STREET, BEING LOTS 5,6,7,8,33,34,35 & 36, SQUARE 28, CHINCHUBA SUBDIVISION AND WHICH PROPERTY COMPRISES A TOTAL 28,800 SQ.FT. OF LAND MORE OR LESS, FROM ITS PRESENT A-5 (TWO FAMILY RESIDENTIAL DISTRICT) TO AN NC-1 (PROFESSIONAL OFFICE DISTRICT), (WARD 4, DISTRICT 4). (ZC13-05-025)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC13-05-025, 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 A-5 (Two family Residential District) to an NC-1 (Professional Office 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 NC-1 (Professional Office 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 A-5 (Two family Residential District) to an NC-1 (Professional Office 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 11 DAY OF JULY, 2013; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
THERESA L. FORD, COUNCIL CLERK

\_\_\_\_\_  
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: MAY 30, 2013

Published Adoption: \_\_\_\_\_, 2013

Delivered to Parish President: \_\_\_\_\_, 2013 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2013 at \_\_\_\_\_

EXHIBIT "A"

ZC13-05-025

LEGAL DESCRIPTION

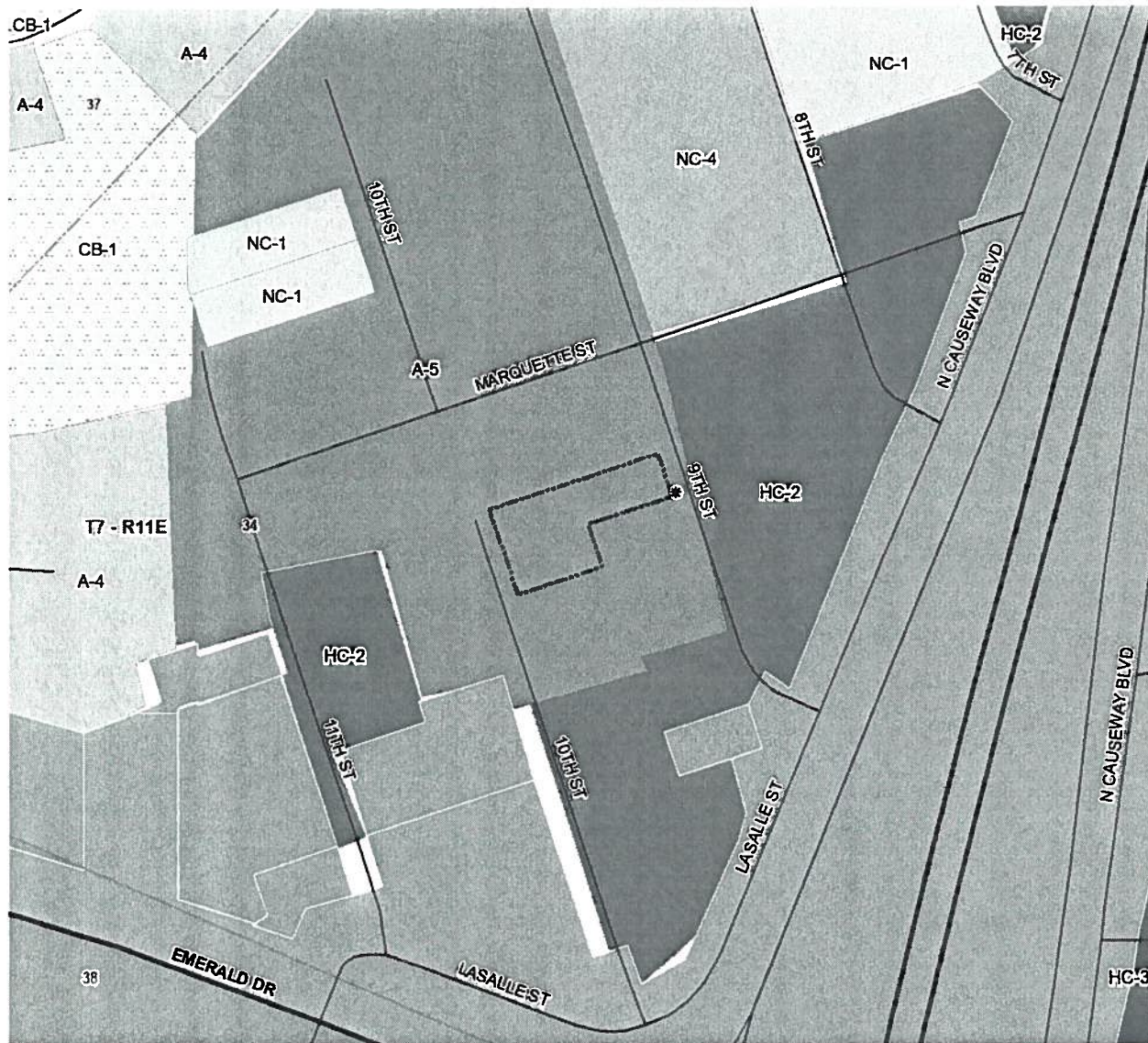
THOSE CERTAIN LOTS OR PARCELS OF LAND, lying and being situated in the Parish of St. Tammany, State of Louisiana, in that portion known as "CHINCHUBA" being the subdivision of the west fractional half of Section thirty-four (34) Township Seven (7) South, Range Eleven (11) East, Greensburg District as per plan of Preston Herndon of date April 16, 1916 and of record in the Office of the Clerk of Court and Ex-Officio Registrar of Conveyances for St. Tammany Parish, Louisiana, and more particularly described as follows:

SQUARE TWENTY-EIGHT (28) - LOTS FIVE (5), SIX (6), THIRTY-THREE (33), THIRTY-FOUR (34), THIRTY-FIVE (35) AND THIRTY-SIX (36).

ALL THAT CERTAIN TRACT OR PORTION OF LAND, 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 the Parish of St. Tammany, State of Louisiana, and more fully described on a plan of Preston Herndon, Surveyor, as being in the west fractional half of Section 34, Township 7 South, Range 11 East, and more particularly described as follows:

LOT NOS. 7 AND 8, SQUARE 28 OF CHINCHUBA SUBDIVISION, each lot measures 30 feet front on Ninth Street, and have a depth of 120 feet between equal and parallel lines.

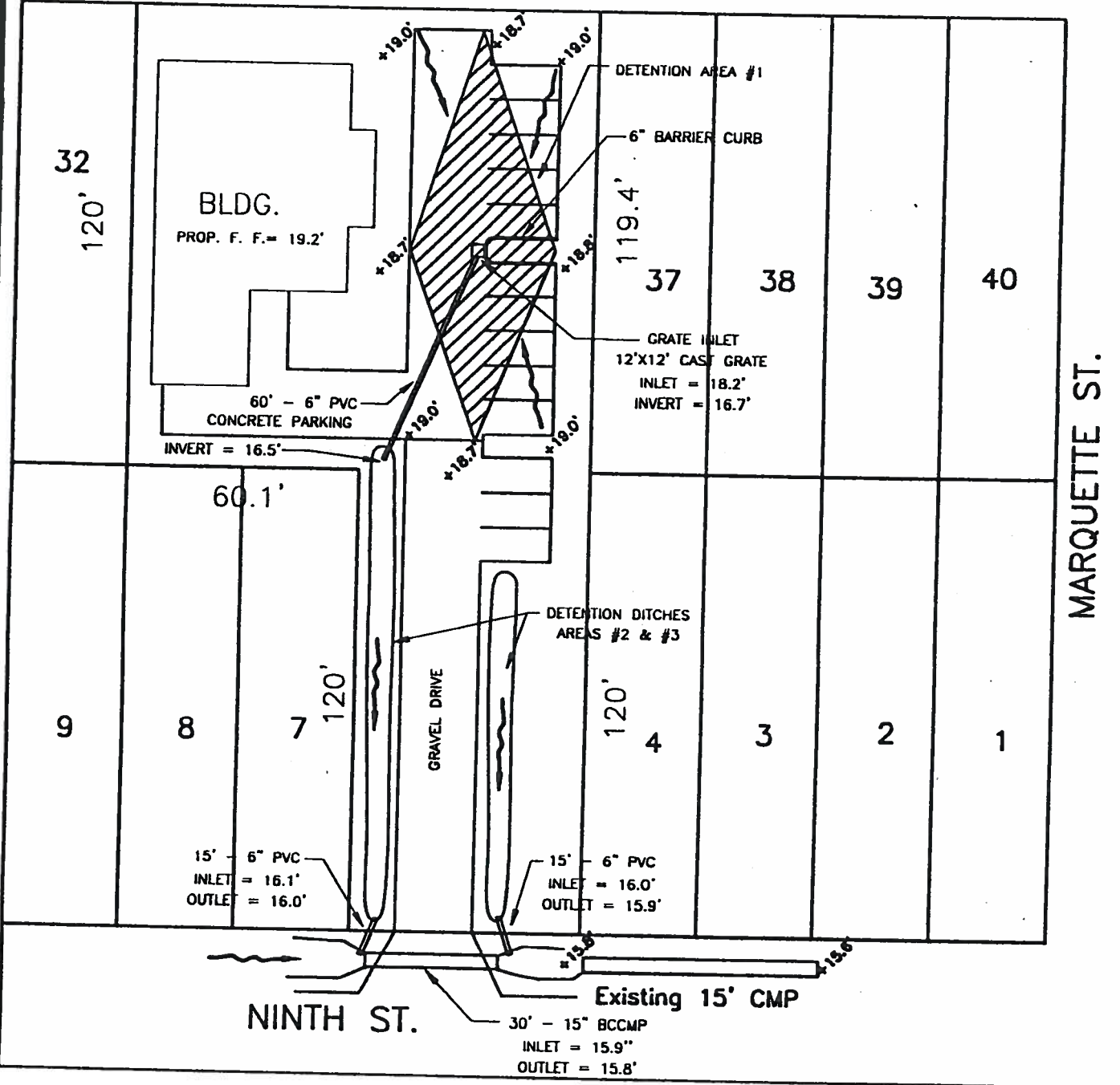
**CASE NO.:** ZC13-05-025  
**PETITIONER:** Dennis R. & Rosana C. Preau  
**OWNER:** Dennis R. & Rosana C. Preau  
**REQUESTED CHANGE:** From A-5 (Two family Residential District) to NC-1(Professional Office District)  
**LOCATION:** Parcel located on the east side of 10th Street and on the west side of 9th Street, north of LaSalle Street, south of Marquette Street, being lots 5,6,7,8,33,34,35 & 36, Square 28, Chinchuba Subdivision; S34,T7S,R11E; Ward 4, District 4  
**SIZE:** 28,800 sq.ft.



ZC13-05-025



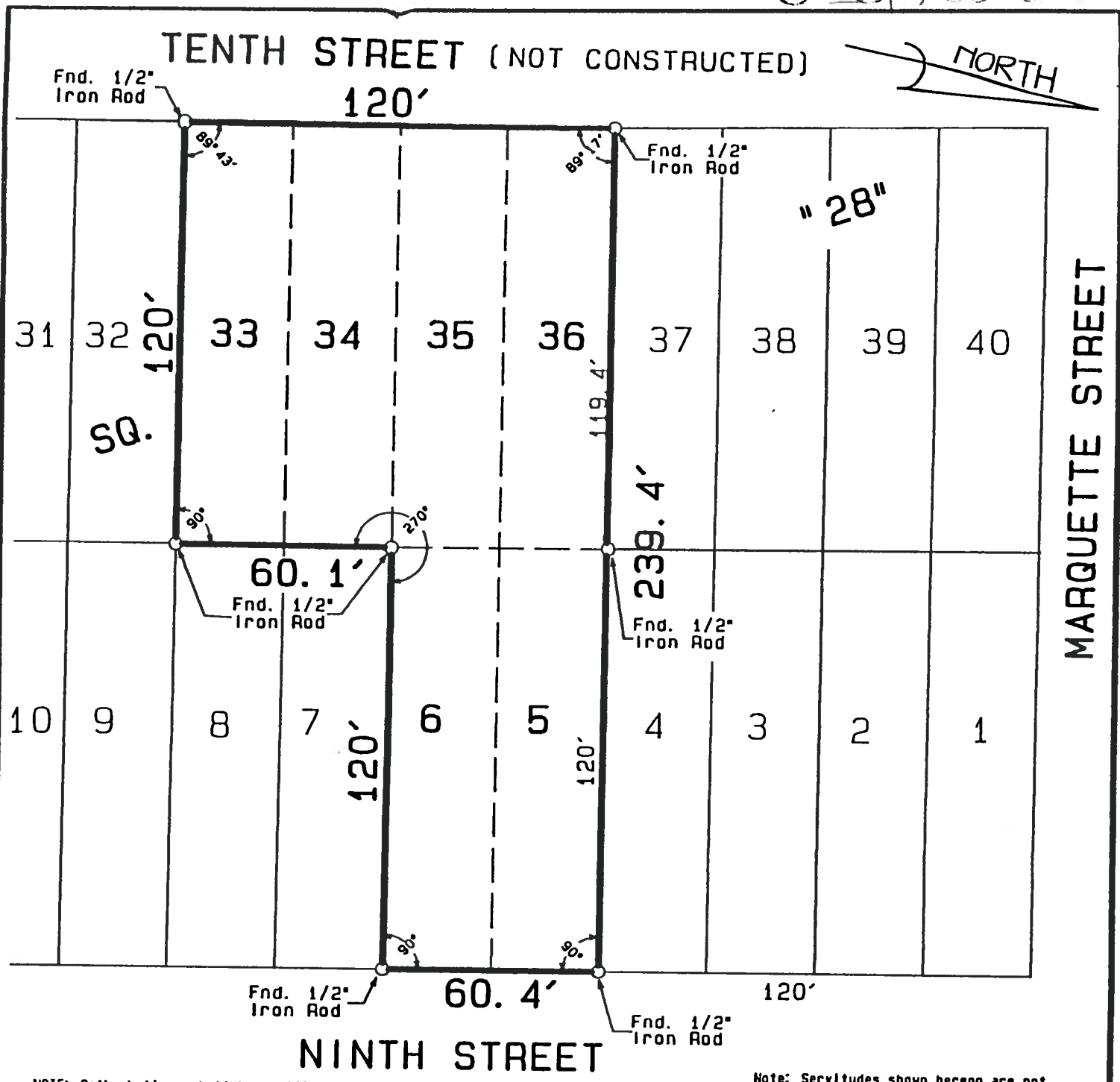
TENTH ST. (not constructed)  
120'



PROPOSED SITE PLAN  
PREAU DENTAL OFFICE  
SCALE 1" = 40'



2013-05-005



NOTE: Setback lines shall be verified by owner or contractor prior to any construction, as an abstract has not been performed by the undersigned.

Note: Servitudes shown hereon are not necessarily exclusive. Servitudes of record as shown on title opinion or title policy will be added hereto upon request, as surveyor has not performed any title search or abstract.

Note: This is to certify that I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described is located in Flood Zone(s) "C" with a Base Flood Elevation of N/A. In accordance with Community Panel No. 225205 0240 E ; Revised: AUGUST 16, 1995

This is to certify that I have done an actual ground survey and found that no encroachments exist either way across any property lines except as shown.

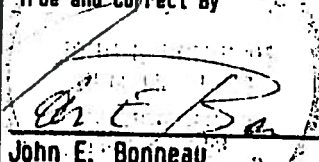
THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND CONTROL; AND THAT THE SURVEY WAS DONE ON THE GROUND AND IS IN ACCORDANCE WITH THE "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS ADOPTED BY THE STATE OF LOUISIANA, BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR A CLASS "C" SURVEY.

**SURVEY MAP OF**  
**LOTS 5, 6, 33, 34, 35 & 36, SQUARE 28,**  
**CHINCHUBA SUBDIVISION**

In  
 St. Tammany Parish, Louisiana

for  
**ROSANA COLLINS wife of/and DENNIS R.**  
**PREAU, D. D. S. AND STEWART TITLE**  
**OF LOUISIANA**

Survey No. 97731      Drawn by: JEB      Scale: 1" = 40'  
 Date: SEPTEMBER 5, 1997      Revised:

This Survey is Certified True and Correct By  
  
 John E. Bonneau  
 Professional Land Surveyor  
 Registration No. 4423

**JOHN E. BONNEAU & ASSOCIATES, INC.**  
 Professional Land Surveyors • Planners and Consultants  
 1011 N. CAUSEWAY BLVD. -SUITE 34 • MANDEVILLE, LA. 70471 (504)626-0808  
 SLIDELL (504)643-2508 • MANDEVILLE (504) 626-3546 • N. O. (504)456-2042  
 FAX NO. (504) 626-0057

# ADMINISTRATIVE COMMENT

## ZONING STAFF REPORT

**Date:** April 29, 2013

**Meeting Date:** May 7, 2013

**Case No.:** ZC13-05-025

**Determination:** Amended to NC-1 Professional Office District

**Posted:** 4/10/13

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### GENERAL INFORMATION

**PETITIONER:** Dennis R. & Rosana C. Preau  
**OWNER:** Dennis R. & Rosana C. Preau  
**REQUESTED CHANGE:** From A-5 (Two family Residential District) to HC-1 (Highway Commercial District)  
**LOCATION:** Parcel located on the east side of 10th Street and on the west side of 9th Street, north of LaSalle Street, south of Marquette Street, being lots 5,6,7,8,33,34,35 & 36, Square 28, Chinchuba Subdivision; S34,T7S,R11E; Ward 4, District 4  
**SIZE:** 28,800 sq.ft.

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### SITE ASSESSMENT

#### ACCESS ROAD INFORMATION

**Type:** Parish

**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	Residential	A-5 Two Family Residential District
South	Undeveloped	A-5 Two Family Residential District
East	Commercial	HC-2 Highway Commercial District
West	Undeveloped	A-5 Two Family Residential District

#### EXISTING LAND USE:

**Existing development?** Yes

**Multi occupancy development?** No

#### COMPREHENSIVE PLAN:

**Commercial** - Sales outlets for goods and services. Several levels or forms of commercial structures include: limited or specialty; neighborhood service centers; generous "highway commercial" uses; offices; public uses; planned mixed commercial and residential centers, and the traditional village or town central business district.

#### STAFF COMMENTS:

The petitioner is requesting to change the zoning from A-5 (Two family Residential District) to HC-1 (Highway Commercial District). The site is located on the east side of 10th Street and on the west side of 9th Street, north of LaSalle Street, south of Marquette Street, being lots 5,6,7,8,33,34,35 & 36, Square 28, Chinchuba Subdivision. The 2025 Future Land Use Plan designates this area to be developed with commercial uses. There is an existing dental office on the site. Staff does not object to the request to rezone the property to commercial; however, a less intense classification of zoning would be more appropriate and would allow a dental office.

Note that the site was zoned C-1 Neighborhood Commercial, prior to the Comprehensive Rezoning.

#### STAFF RECOMMENDATION:

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