ST. TAMMANY PARISH COUNCIL

ORDINANCE

| ORDINANCE CALENDAR NO: <u>5030</u> | ORDINANCE COUNCIL SERIES NO: | |
|--|--|--|
| COUNCIL SPONSOR: BINDER/BRISTER | PROVIDED BY: <u>DEVELOPMENT</u> | |
| INTRODUCED BY: MR. SHARP | SECONDED BY: MR. THOMPSON | |
| ON THE $\underline{6}$ DAY OF $\underline{\text{JUNE}}$, $\underline{2013}$ | | |
| AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE EAST SIDE OF LA HIGHWAY 437, SOUTH OF BRUNNING ROAD AND WHICH PROPERTY COMPRISES A TOTAL 4.419 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT HC-1 (HIGHWAY COMMERCIAL DISTRICT) TO AN HC-2 (HIGHWAY COMMERCIAL DISTRICT), (WARD 2, DISTRICT 2). (ZC13-05-030) | | |
| WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, <u>Case No. ZC13-05-030</u> , 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 HC-1 (Highway Commercial District) to an HC-2 (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-2 (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 HC-1 (Highway Commercial District) to an HC-2 (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| REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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: | |
| | ULY ADOPTED AT A REGULAR MEETING OF JULY , 2013 ; AND BECOMES ORDINANCE |
| ATTEST: | JERRY BINDER, COUNCIL CHAIRMAN |
| ATTEST. | |
| THERESA L. FORD, COUNCIL CLERK | |
| | PATRICIA P. BRISTER, PARISH PRESIDENT |
| Published Introduction: $\underline{\text{JUNE } 20}$, $\underline{\text{2013}}$ | |
| Published Adoption: | |
| Delivered to Parish President:, 2013 | at |
| Returned to Council Clerk:, 2013 a | t |

EXHIBIT "A"

ZC13-05-030

A parcel of land located in Section 35, Township 5 South, Range 11 East, St. Tammany Parish, Louisiana, and more fully described as follows:

Commencing from the Section Corner common to Sections 26, 27, 34, & 35, in said township and range,

Thence South 00 degrees 35 minutes East 2922.99 feet to a point in Louisiana Highway Number 437;

Thence North 89 degrees 44 minutes 35 seconds East 30.0 feet to a ½ inch iron rod set on the East Side of said highway being the **POINT OF BEGINNING**;

Thence North 89 degrees 44 minutes 35 seconds East 400.0 feet to a ½ inch iron rod set; Thence South 00 degrees 36 minutes East 480.0 feet to a ½ inch iron rod set;

Thence South 89 degrees 44 minutes 35 seconds West 400.0 feet to a ½inch iron rod set on the East Side of Louisiana Highway Number 437;

Thence North 00 degrees 36 minutes West 480.0 feet along the east side of said highway to the **POINT OF BEGINNING**, containing 4.419 Acres.

CASE NO.:

ZC13-05-030

PETITIONER:

Andrew Klein

OWNER:

Mcubed Properties LLC

REQUESTED CHANGE:

From HC-1 (Highway Commercial District) to HC-2 (Highway

Commercial District)

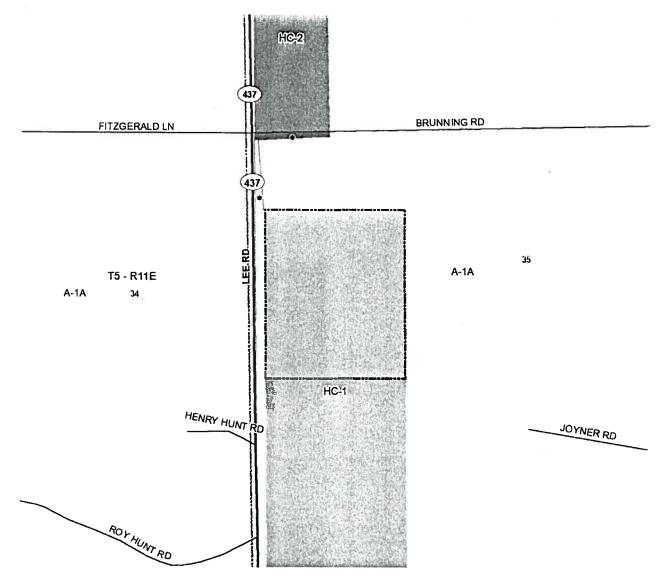
LOCATION:

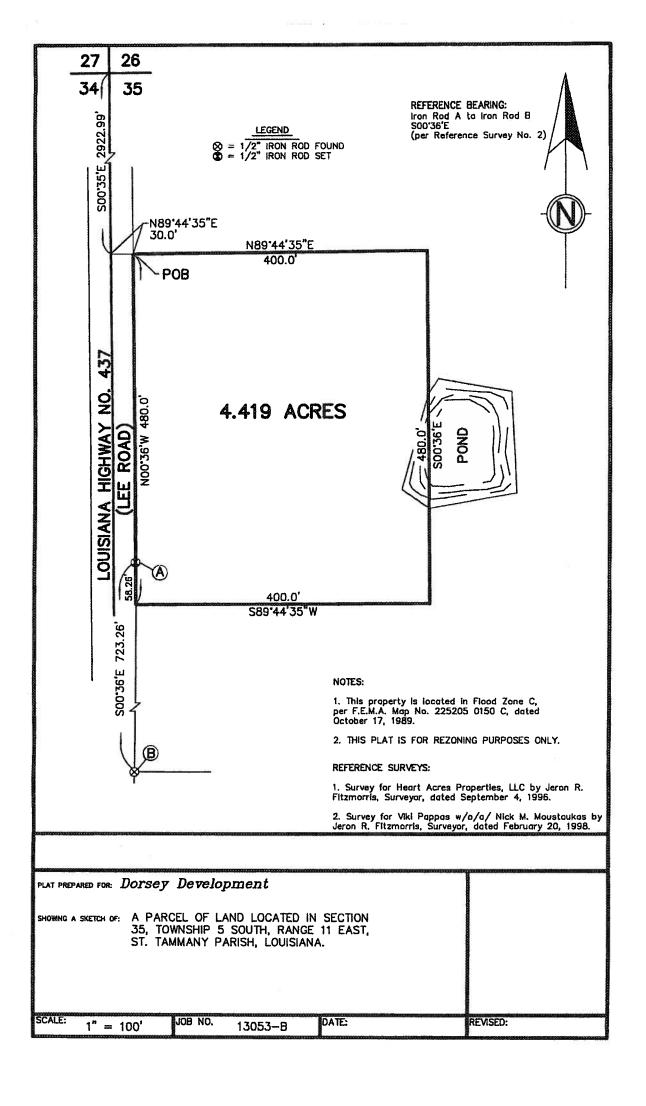
Parcel located on the east side of LA Highway 437, south of Brunning

Road; S35, T5S, R11E; Ward 2, District 2

SIZE:

4.419 acres





ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: April 29, 2013 **Meeting Date:** May 7, 2013

Case No.: ZC13-05-030 Determination: Approved as Amended to rezone 4.419 acres

Posted: 04/09/13

GENERAL INFORMATION

PETITIONER: Andrew Klein

OWNER: Mcubed Properties LLC

REQUESTED CHANGE: From A-1A (Suburban District) & HC-1 (Highway Commercial

District) to HC-2 (Highway Commercial District)

LOCATION: Parcel located on the east side of LA Highway 437, south of Brunning

Road; S35, T5S, R11E; Ward 2, District 2

SIZE: 4.419 acres

SITE ASSESSMENT

ACCESS ROAD INFORMATION

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

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

DirectionLand UseZoningNorthUndevelopedA-1A (Suburban District)

South Undeveloped HC-1 (Highway Commercial District)

East Residential A-1A (Suburban District)

West Undeveloped A-1A (Suburban District)

EXISTING LAND USE:

Existing development? No Multi occupancy development? No

COMPREHENSIVE PLAN:

Residential/ Agricultural - Agricultural and related or other active or passive uses that use or preserve the countryside, forests and other areas and rural residential uses — widely ranging in dwelling size or type, siting and organization; both of which are generally located some distance from more intense land uses. Permitted uses include single-family residential, and uses ancillary to either of these primary uses. Other uses require a change in zoning.

STAFF COMMENTS:

The petitioner is requesting to change the zoning from A-1A (Suburban District) & HC-1 (Highway Commercial District) to HC-2 (Highway Commercial District). The site is located on the east side of LA Highway 437, south of Brunning Road. The 2025 future land use plan calls for the area to be developed with agricultural and residential uses. The site was rezoned from Rural to A-1A Suburban & HC-1 Highway Commercial District, through the Comprehensive rezoning in 2010. Staff feels that the current zoning is appropriate for the area and that there is no compelling reason to increase the intensity of the zoning. Note that the area is currently surrounded with undeveloped land and single family residences on large parcels of land.

STAFF RECOMMENDATION:

The staff recommends that the request for a HC-2 (Highway Commercial District) designation be denied.