

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5035

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: BINDER/BRISTER

PROVIDED BY: DEVELOPMENT

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 11 DAY OF JULY , 2013

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE NORTHEAST CORNER OF LA HIGHWAY 1080 & LA HIGHWAY 40 AND WHICH PROPERTY COMPRISES A TOTAL 4.39 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-1 (SUBURBAN DISTRICT) TO AN A-2 (SUBURBAN DISTRICT), (WARD 2, DISTRICT 3). (ZC13-06-040)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC13-06-040 , 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-1 (Suburban District) to an A-2 (Suburban 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 A-2(Suburban 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-1 (Suburban District) to an A-2 (Suburban 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 1 DAY OF AUGUST , 2013 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: JUNE 27 , 2013

Published Adoption: _____ , 2013

Delivered to Parish President: _____ , 2013 at _____

Returned to Council Clerk: _____ , 2013 at _____

EXHIBIT "A"

ZC13-06-040

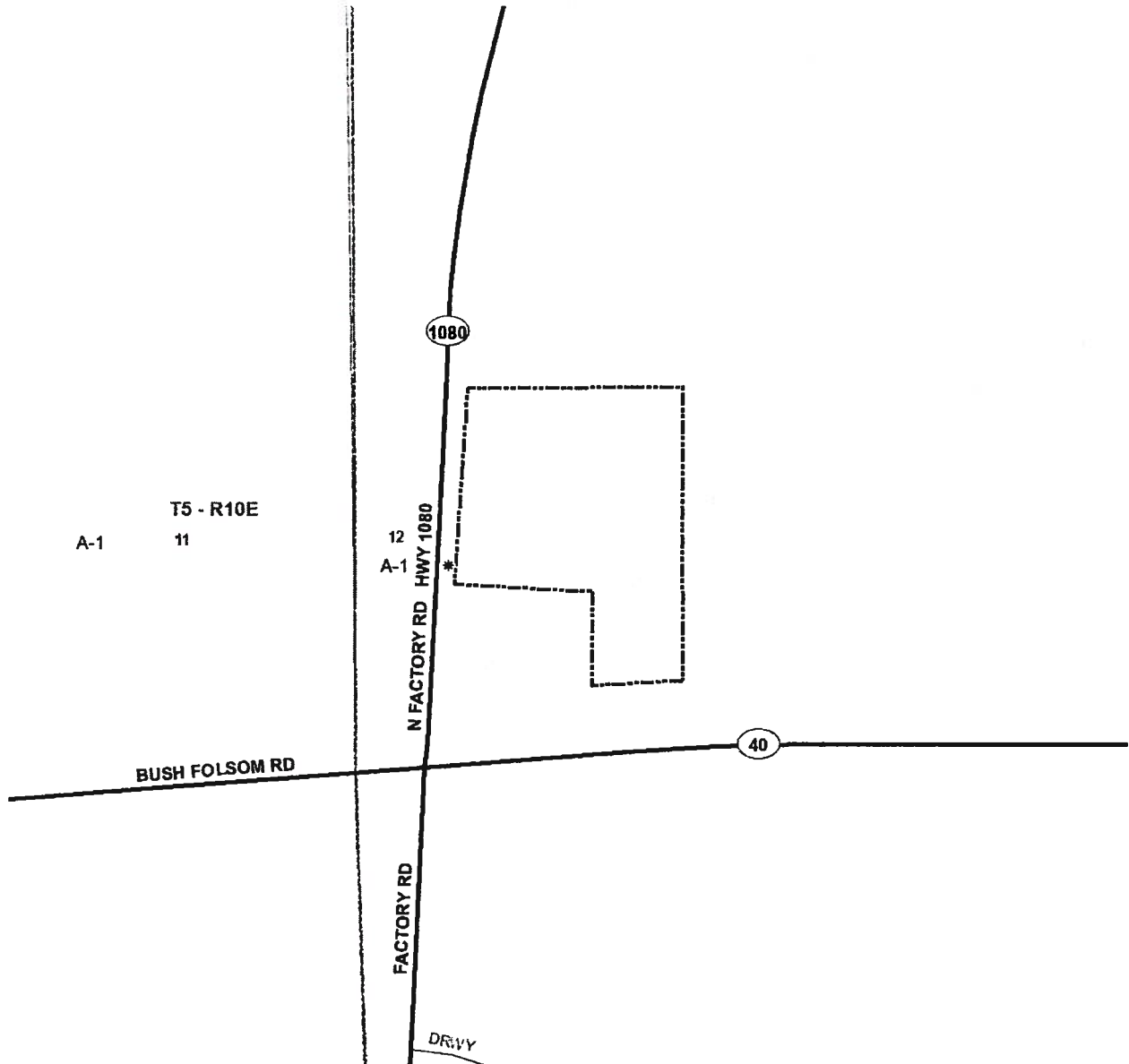
ALL THAT CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes and appurtenances thereunto belonging or anywise appertaining, situated in Section 12, Township 5 South, Range 10 East, St. Tammany Parish, Louisiana, and being more fully described as follows, to-wit:

From the Quarter Corner common to Sections 11 & 12, Township 5 South, Range 10 East, St. Tammany Parish, Louisiana, go North 68 degrees 04 minutes East, 210.9 feet; thence North 45 degrees 59 minutes 18 seconds West, 97.70 feet; thence North 45 degrees 59 minutes 18 seconds West, 11.48 feet; thence North 03 degrees 45 minutes 09 seconds East, 236.46 feet to the Point of Beginning.

From the Point of Beginning go North 03 degrees 45 minutes 09 seconds East, 370.06 feet to a ½ inch Rebar Set; thence North 89 degrees 32 minutes 00 seconds East, 410.11 feet to a ½ inch Rebar set; thence South 00 degrees 06 minutes 08 seconds East, 386.29 feet to a ½ inch Rebar found; thence go South 00 degrees 06 minutes 08 seconds East, 168.97 feet to a ½ inch Rebar found; thence South 86 degrees 38 minutes 22 seconds West, 173.43 feet to a 5/8 inch Rebar found; thence go North 177.73 feet to a ½ inch Rebar found; thence North 86 degrees 45 minutes 19 seconds West, 262.59 feet to the Point of Beginning.

Said property containing 4.39 acres, all as more fully set forth on the map and plat of survey by Land Surveying, Inc., dated September 19, 2003, a copy of which is attached hereto and made a part hereof.

CASE NO.: ZC13-06-040
PETITIONER: Michael Caruso
OWNER: Dale Michael Caurso
REQUESTED CHANGE: From A-1 (Suburban District) to A-2 (Suburban District)
LOCATION: Parcel located on the northeast corner of LA Highway 1080 & LA Highway 40; S12,T5S,R10E; Ward 2, District 3
SIZE: 4.39 acres

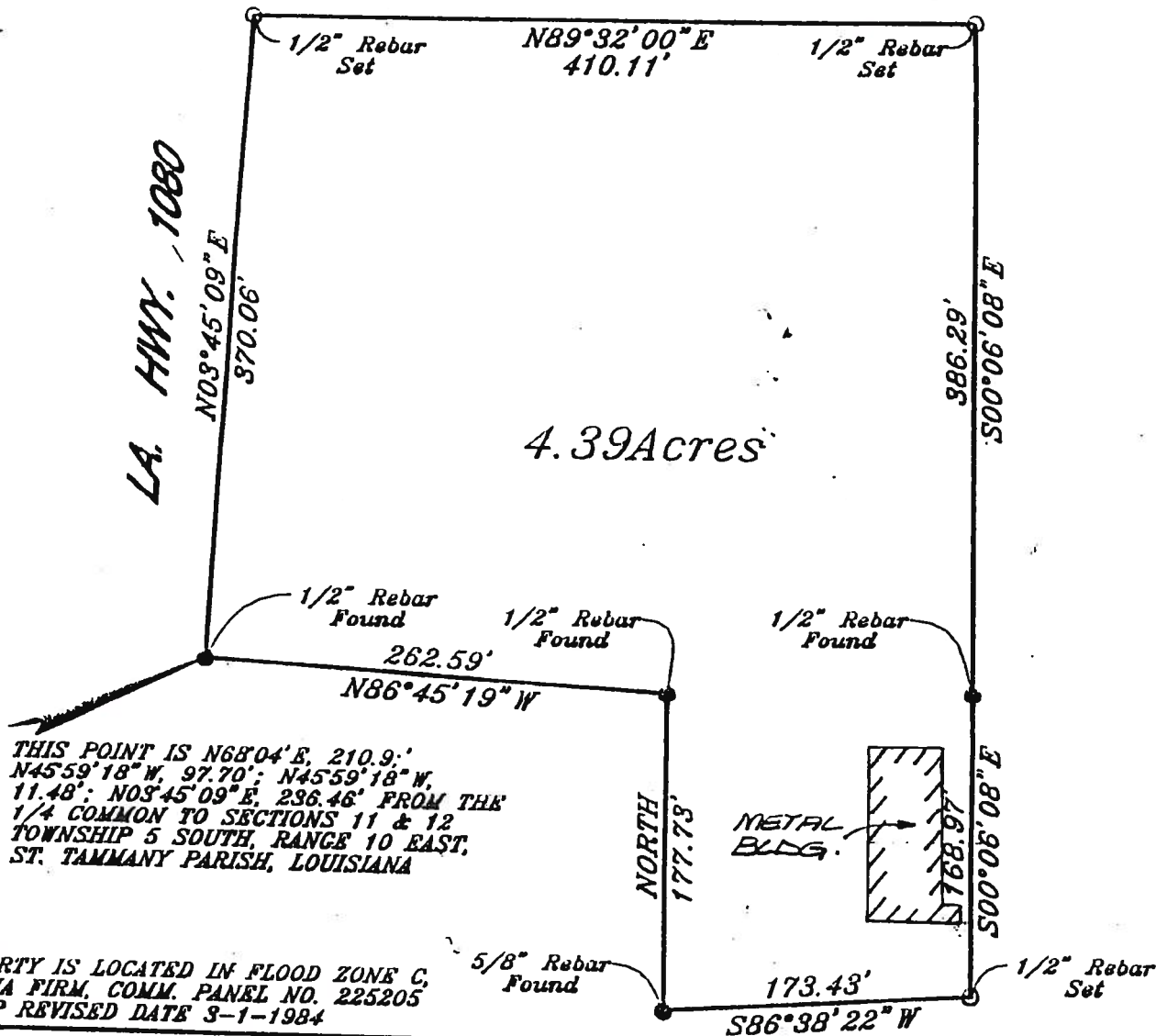


SERVITUDES SHOWN HEREON (IF ANY) ARE NOT NECESSARILY EXCLUSIVE. SERVITUDES OF RECORD AS SHOWN ON TITLE OPINION OR TITLE POLICY WILL BE ADDED HERETO UPON REQUEST AS THE UNDERSIGNED HAS PERFORMED NO ABSTRACT OR TITLE SEARCH. THE UNDERSIGNED HAS MADE NO ATTEMPT TO LOCATE ANY BURIED UTILITIES OR ASSOCIATED PEDESTALS.

THIS MAP IS IN ACCORDANCE WITH THE MINIMUM STANDARD DETAILED REQUIREMENTS PURSUANT TO THE ACCURACY STANDARDS OF A D SURVEY AND THE APPLICABLE STANDARDS OF PRACTICE CITED IN LAC 46:LXI.



LA. HWY. 1080



THIS POINT IS N68°04'E, 210.9'; N45°59'18"W, 97.70'; N45°59'18"W, 11.48'; N03°45'09"E, 236.46' FROM THE 1/4 COMMON TO SECTIONS 11 & 12 TOWNSHIP 5 SOUTH, RANGE 10 EAST, ST. TAMMANY PARISH, LOUISIANA

THIS PROPERTY IS LOCATED IN FLOOD ZONE C, AS PER FEMA FIRM, COMM. PANEL NO. 225205 0025 B, MAP REVISED DATE 3-1-1984

MAP PREPARED FOR

KATHERINE A. CARUSO WIFE OF / AND
D. MICHAEL CARUSO

SHOWN A SURVEY MADE OF PROPERTY LOCATED IN

Section 12 Township 5th South,
Range 10 East, St. Tammany Parish, Louisiana

THIS MAP IS IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND UNDER THE SUPERVISION OF THE UNDERSIGNED: SIGNATURE AND STAMPED SEAL MUST BE IN RED OR THIS PLAT IS NOT A TRUE COPY.

LAND SURVEYING Inc.

COVINGTON, LOUISIANA

CERTIFIED CORRECT

LOUISIANA REGISTERED LAND SURVEYOR
REG. NO. 3403

Revised: October 8, 2003 (Boundry) Oct. 15, 2003 (Bldg)

SCALE: 1" = 100'

DATE: September 19, 2003

NUMBER: 10,337

ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: May 27, 2013

Case No.: ZC13-06-040

Posted: 05/16/13

Meeting Date: June 4, 2013

Determination: Amended to A-2

GENERAL INFORMATION

PETITIONER: Michael Caruso
OWNER: Dale Michael Caurso
REQUESTED CHANGE: From A-1 (Suburban District) to A-3 (Suburban District)
LOCATION: Parcel located on the northeast corner of LA Highway 1080 & LA Highway 40; S12,T5S,R10E; Ward 2, District 3
SIZE: 4.39 acres

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-1 Suburban District
South	Residential	A-1 Suburban District
East	Residential	A-1 Suburban District
West	Undeveloped	A-1 Suburban District

EXISTING LAND USE:

Existing development? Yes **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 A-1 (Suburban District) to A-3 (Suburban District). The site is located on the northeast corner of LA Highway 1080 & LA Highway 40. The 2025 Future Land Use Plan calls for the area to be developed with residential uses. The site is surrounded by residential uses on properties of various sizes. However, staff does not have any compelling reason to recommend approval, considering that the surrounding area is zoned A-1 Suburban District.

STAFF RECOMMENDATION:

The staff recommends that the request for an A-3 (Suburban District) designation be denied.