

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5037

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 SOUTH SIDE OF LA HIGHWAY 36, EAST OF ABITA AIRPORT, WEST LA HIGHWAY 434 AND WHICH PROPERTY COMPRISES A TOTAL 100 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT TND-1 (TRADITIONAL NEIGHBORHOOD DISTRICT) TO AN I-2 (INDUSTRIAL DISTRICT), WARD 6, DISTRICT 7). (ZC13-06-043)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC13-06-043, 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 TND-1 (Traditional Neighborhood District) to an I-2 (Industrial 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 I-2 (Industrial 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 TND-1 (Traditional Neighborhood District) to an I-2 (Industrial 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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"

ZC13-06-043

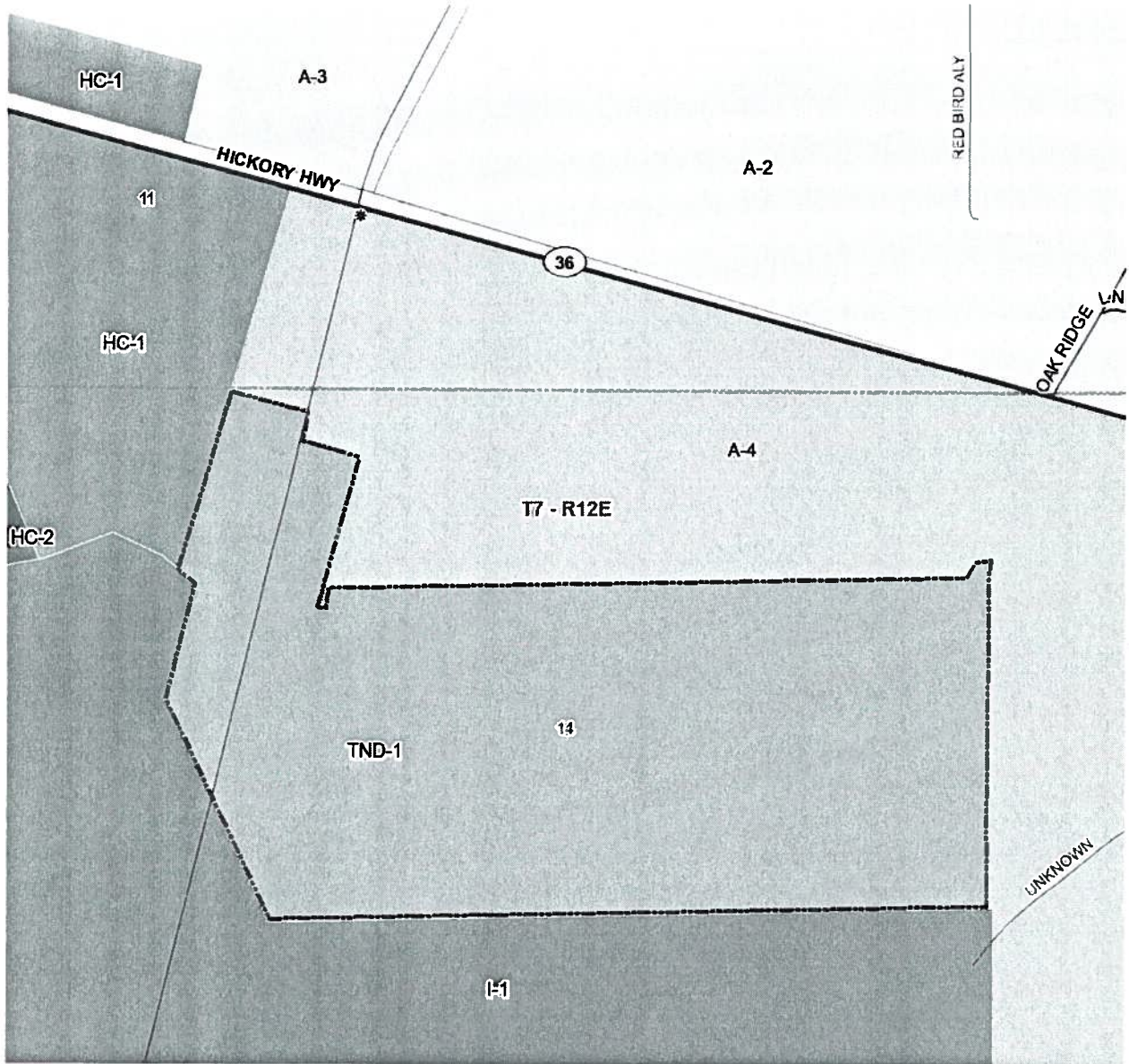
A CERTAIN PIECE OR PORTION OF LAND containing 100.00 acres situated in Section 14, Township 7 South, Range 12 East, St. Tammany Parish, Louisiana and being more fully described as follows:

Commencing from the corner common to Sections 10, 11, 14 & 15, Township 7 South, Range 12 East, St. Tammany Parish, Louisiana run along the south line of Section 11 South 89 degrees 51 minutes 36 seconds East for a distance of 215.58 feet to a point on the South line of Section 11, thence leaving the South line of Section 11 run South 25 degrees 52 minutes 24 seconds East for a distance of 689.10 feet to a point; thence run North 63 degrees 44 minutes 00 seconds East for a distance of 150.30 feet to a point; thence run South 85 degrees 22 minutes 36 seconds East for a distance of 74.21 feet to a point; thence run South 47 degrees 52 minutes 07 seconds East for a distance of 167.27 feet to a point; thence run South 69 degrees 42 minutes 13 seconds East a distance of 102.45 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING run North 13 degrees 32 minutes 41 seconds East for a distance of 710.90 feet to a point; thence run South 76 degrees 27 minutes 19 seconds East for a distance of 300.00 feet to a point; thence run South 13 degrees 32 minutes 41 seconds West for a distance of 104.52 feet to a point; thence run South 76 degrees 27 minutes 19 seconds East for a distance of 269.30 feet to a point; thence run South 13 degrees 32 minutes 41 seconds West for a distance of 607.30 feet to a point; thence run South 74 degrees 54 minutes 08 seconds East for a distance of 37.08 feet to a point; thence run North 26 degrees 26 minutes 27 seconds East for a distance of 95.68 feet to a point; thence run North 88 degrees 15 minutes 31 seconds East for a distance of 808.69 feet to a point; thence run North 89 degrees 28 minutes 36 seconds East for a distance of 1635.90 feet to a point; thence run North 33 degrees 02 minutes 30 seconds East for a distance of 58.26 feet to a point; thence run North 83 degrees 51 minutes 26 seconds East for a distance of 55.78 feet to a point; thence run South 00 degrees 00 minutes 15 seconds West for a distance of 1353.26 feet to a point; thence run West for a distance of 2852.35 feet to a point on the East line of a 105 foot wide southern natural gas line right-of-way; thence run along said right-of-way North 25 degrees 52 minutes 24 seconds West for a distance of 961.33 feet to a point; thence leaving said right-of-way North 13 degrees 32 minutes 41 seconds East for a distance of 465.12 feet back to the POINT OF BEGINNING.

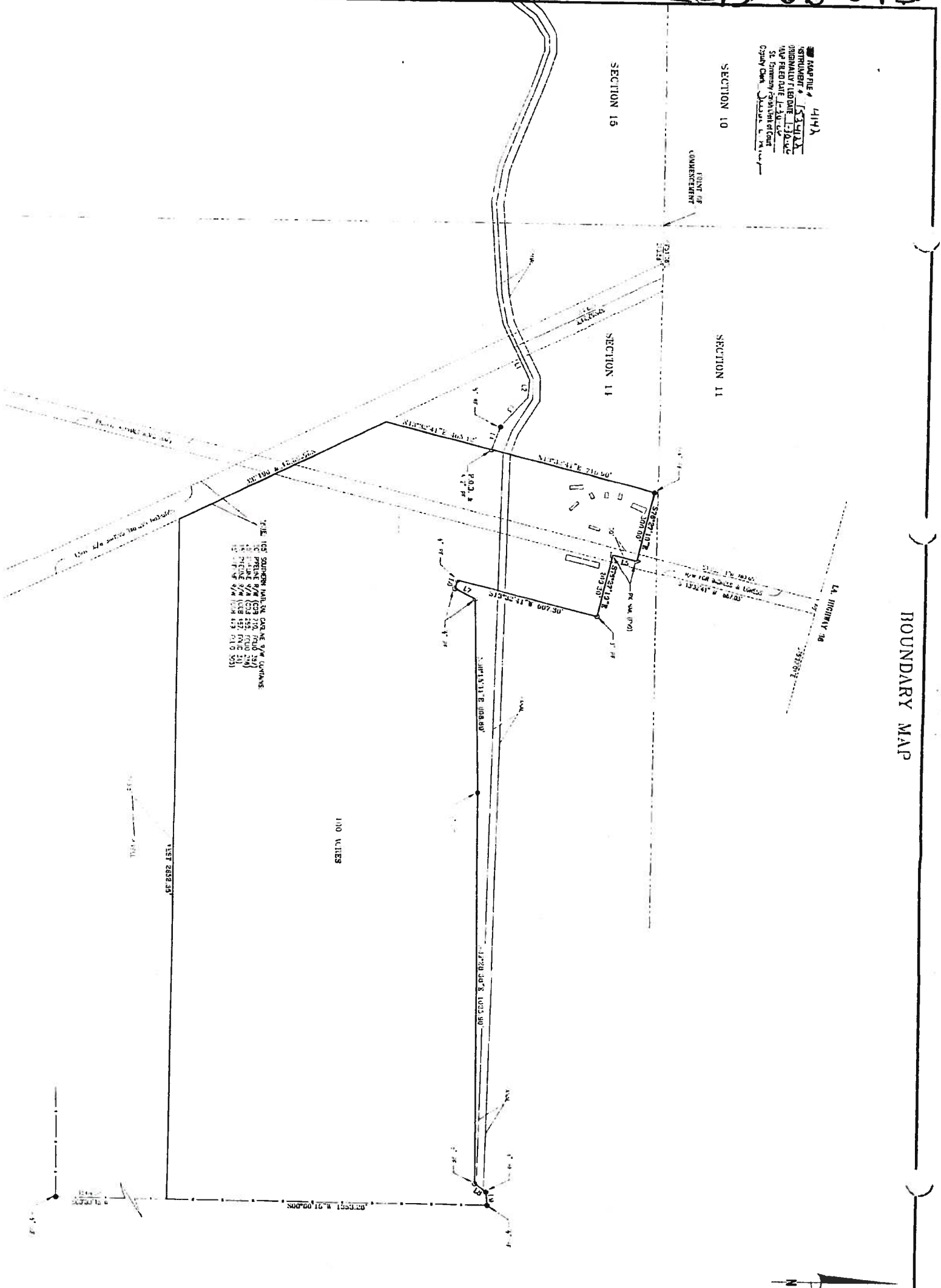
Said parcel contains 100.00 acres or 4,356,043.80 Sq. Ft. more or less. All in accordance with Survey of John E. Bonneau & Associates, Inc., dated October 17, 2005.

CASE NO.: ZC13-06-043
PETITIONER: Steve Duvernay
OWNER: Toby Lowe
REQUESTED CHANGE: From TND-1 (Traditional Neighborhood District) to I-2 (Industrial District)
LOCATION: Parcel located on the south side of LA Highway 36, east of Slidell Airport, west LA Highway 434; S14,T7S, R11E; Ward 6, District 7
SIZE: 100 acres

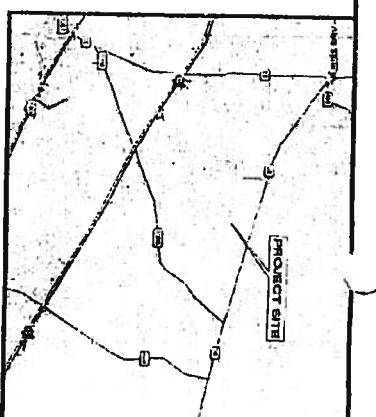


BOUNDARY MAP

MAP FILE # 4114
 INSTRUMENT # 153111
 ORIGINAL FLD DATE 1-10-02
 MAP FILED DATE 1-10-02
 ST. JAMES COUNTY, MISSISSIPPI
 COUNTY CLERK, JAMES L. HAYNES



NOTE: 100' SQUARE METERS CAN BE 9.76' SQUARE FEET
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 3. 100' SQUARE METERS CAN BE 9.76' SQUARE FEET
 4. 100' SQUARE METERS CAN BE 9.76' SQUARE FEET
 5. 100' SQUARE METERS CAN BE 9.76' SQUARE FEET



LINE TABLE

LINE #	SECTION	START	END
1	10	100.00	100.00
2	10	100.00	100.00
3	10	100.00	100.00
4	10	100.00	100.00
5	10	100.00	100.00
6	10	100.00	100.00
7	10	100.00	100.00
8	10	100.00	100.00
9	10	100.00	100.00
10	10	100.00	100.00

LEGAL DESCRIPTION
 SECTION 11, TOWNSHIP 13 N, RANGE 13 E, MERIDIAN 11 W, MISSISSIPPI
 CONTAINING 360 ACRES, MORE OR LESS, AS SHOWN ON THE PLAT OF SECTION 11, TOWNSHIP 13 N, RANGE 13 E, MERIDIAN 11 W, MISSISSIPPI, AS FILED FOR RECORD IN THE OFFICE OF THE CLERK OF ST. JAMES COUNTY, MISSISSIPPI, ON 1-10-02.

GENERAL NOTES
 1. THE SURVEY WAS MADE BY JOHN E. SPURKLE, SURVEYOR, ON 1-10-02.
 2. THE SURVEY WAS MADE BY JOHN E. SPURKLE, SURVEYOR, ON 1-10-02.
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LEGEND
 ○ = NON PER
 ● = NON END
 △ = PER MARK
 — = TYPICAL LINE

GENERAL NOTES
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SURVEYOR'S CERTIFICATION
 I, JOHN E. SPURKLE, SURVEYOR, DO HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF MISSISSIPPI AND THAT I HAVE PERSONALLY CONDUCTED THE SURVEY DESCRIBED IN THE FOREGOING AND THAT THE SAID SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM AWARE OF THE CONTENTS OF THE SAID INSTRUMENT AND THAT I AM NOT PROVIDING ANY INFORMATION THAT IS FALSE OR MISLEADING.

JOHN E. SPURKLE
 SURVEYOR
 MISSISSIPPI

ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: May 27, 2013

Case No.: ZC13-06-043

Posted: 05/16/13

Meeting Date: June 4, 2013

Determination: Amended to I-2

GENERAL INFORMATION

PETITIONER: Steve Duvernay
OWNER: Toby Lowe
REQUESTED CHANGE: From TND-1 (Traditional Neighborhood District) to I-3 (Heavy Industrial District)
LOCATION: Parcel located on the south side of LA Highway 36, east of Abita Airport, west LA Highway 434; S14,T7S, R11E; Ward 6, District 7
SIZE: 100 acres

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: State

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	Undeveloped	A-4 Suburban District
South	Undeveloped	I-1 Industrial District
East	Undeveloped	A-4 Suburban District
West	Undeveloped	HC-1 Highway Commercial, I-1 Industrial

EXISTING LAND USE:

Existing development? No

Multi occupancy development? No

COMPREHENSIVE PLAN:

Agriculture (nursery, sod) - Use of land for horticulture, floriculture, and the necessary or associated uses for packing, treating, storing the produce or using it for education.

Conservation – Areas designated for uses of land, water, flora and fauna that appear naturally. Such uses may include such activities as extraction or production for commerce; human enjoyment, hunting, fishing, or other recreation within natural landscapes; or preservation of natural systems. The concept of “conservation” includes a private landowner’s understanding of responsibility to wisely manage land resources so that they remain in good condition for future generations (often simple referred to as “good stewardship”); this concept may also include the conservation of energy through efficient transportation options as well as through climate responsive building design, as well as the conservation of historic, scenic, or otherwise serviceable buildings and landscapes.

STAFF COMMENTS:

The petitioner is requesting to change the zoning from TND-1 (Traditional Neighborhood District) to I-3 (Heavy Industrial District). The site is located on the south side of LA Highway 36, east of Slidell Airport, west LA Highway 434. The 2025 Future Land Use Plan calls for the area to be developed with agricultural uses and as a conservation area. The site is surrounded by undeveloped land zoned A-4, I-1 & HC-1. At this time, staff sees no compelling reason to recommend approval of the request to rezone to I-3 Industrial District, considering that it would create a considerable increase in the intensity of the zoning in the area.

STAFF RECOMMENDATION:

The staff recommends that the request for an I-3 (Heavy Industrial District) designation be denied