

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5007

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

COUNCIL SPONSOR: BINDER/BRISTER

PROVIDED BY: DEVELOPMENT

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

ON THE 6 DAY OF JUNE , 2013

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCELS LOCATED ON THE WEST SIDE OF 9TH STREET AND ON THE EAST SIDE OF 10TH STREET, LOTS 9, 10, 11, 12, 13, 28, 29, 30, 31, 32, SQUARE 28, CHINCHUBA SUBDIVISION AND WHICH PROPERTY COMPRISES A TOTAL 0.826 ACRE OF LAND MORE OR LESS, FROM ITS PRESENT A-5 (TWO FAMILY RESIDENTIAL DISTRICT) & HC-2 (HIGHWAY COMMERCIAL DISTRICT) TO AN HC-1 (HIGHWAY COMMERCIAL DISTRICT) (LOTS 9, 10, 11, 30, 31, 32) & HC-2 (HIGHWAY COMMERCIAL DISTRICT) (LOTS 12, 13, 28 & 29), (WARD 4, DISTRICT 4). (ZC13-05-027)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC13-05-027, 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) & HC-2 (Highway Commercial District) to an HC-1 (Highway Commercial District) (lots 9, 10, 11, 30, 31, 32) & HC-2 (Highway Commercial District) (lots 12, 13, 28 & 29) 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) (lots 9, 10, 11, 30, 31, 32) & HC-2 (Highway Commercial District) (lots 12, 13, 28 & 29).

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) & HC-2 (Highway Commercial District) to an HC-1 (Highway Commercial District) (lots 9, 10, 11, 30, 31, 32) & HC-2 (Highway Commercial District) (lots 12, 13, 28 & 29).

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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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

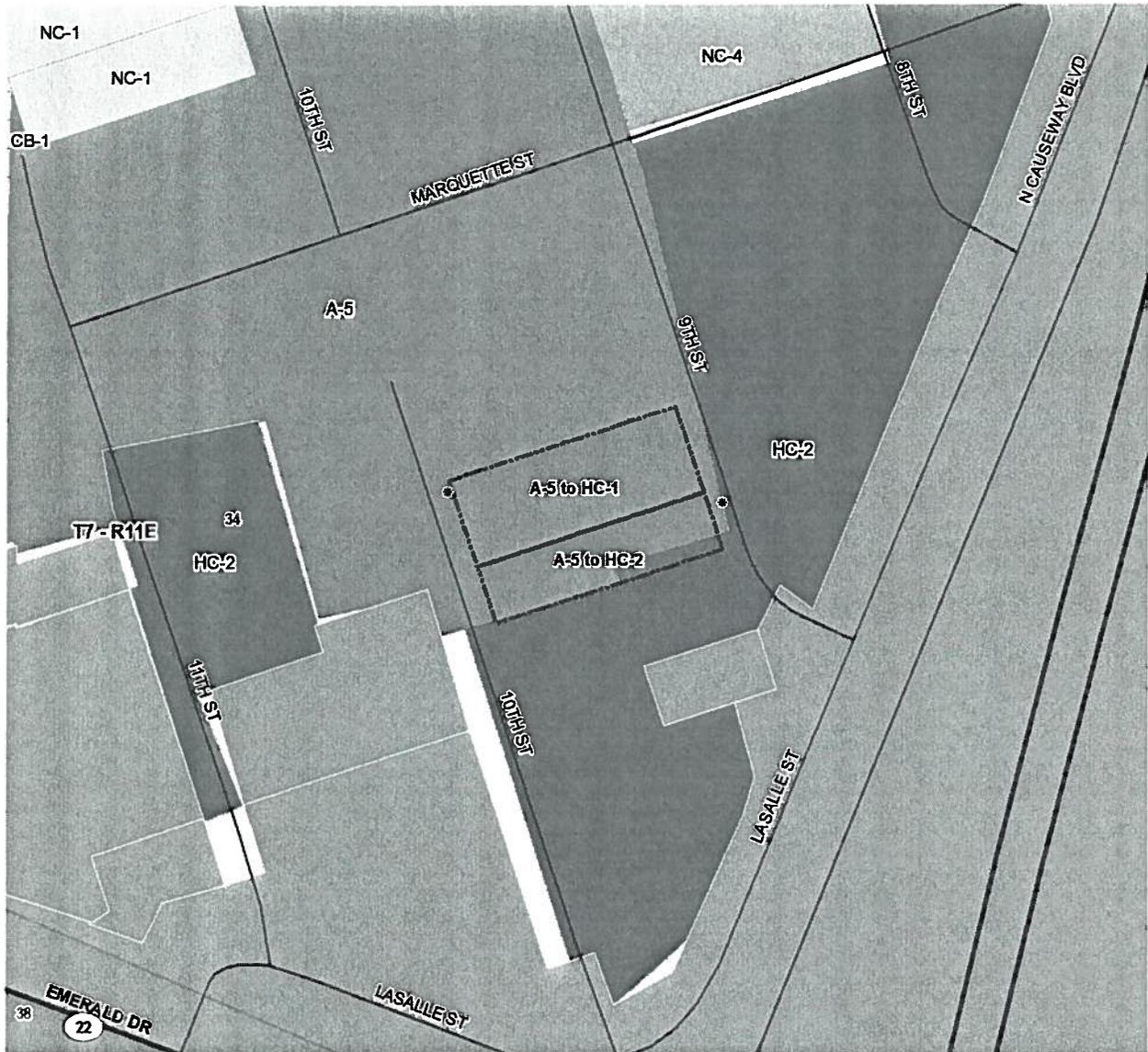
**EXHIBIT "A"**

**ZC13-05-027**

CERTAIN LOTS OF GROUND, together with all the buildings and improvements thereon, and all of 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:

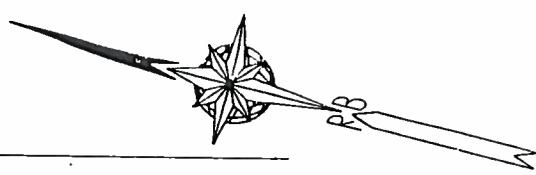
LOTS NOS. 9, 10, 11, 12, 13, 28, 29, 30, 31 AND 32, SQUARE 28 OF CHINCHUBA SUBDIVISION

**CASE NO.:** ZC13-05-027  
**PETITIONER:** Robert Hurst  
**OWNER:** Robert Hurst & Dorothy F. Authement  
**REQUESTED CHANGE:** From A-5 (Two Family Residential District) & HC-2 (Highway Commercial District) to HC-1 (Highway Commercial District) (lots 9, 10, 11, 30, 31, 32) & HC-2 (Highway Commercial District) (lots 12, 13, 28 & 29)  
**LOCATION:** Parcels located on the west side of 9th street and on the east side of 10th Street, lots 9, 10, 11, 12, 13, 28, 29, 30, 31, 32, Square 28, Chinchuba Subdivision; S34, T7S, R11E; Ward 4, District 4  
**SIZE:** 0.826 acre



7013-05-027

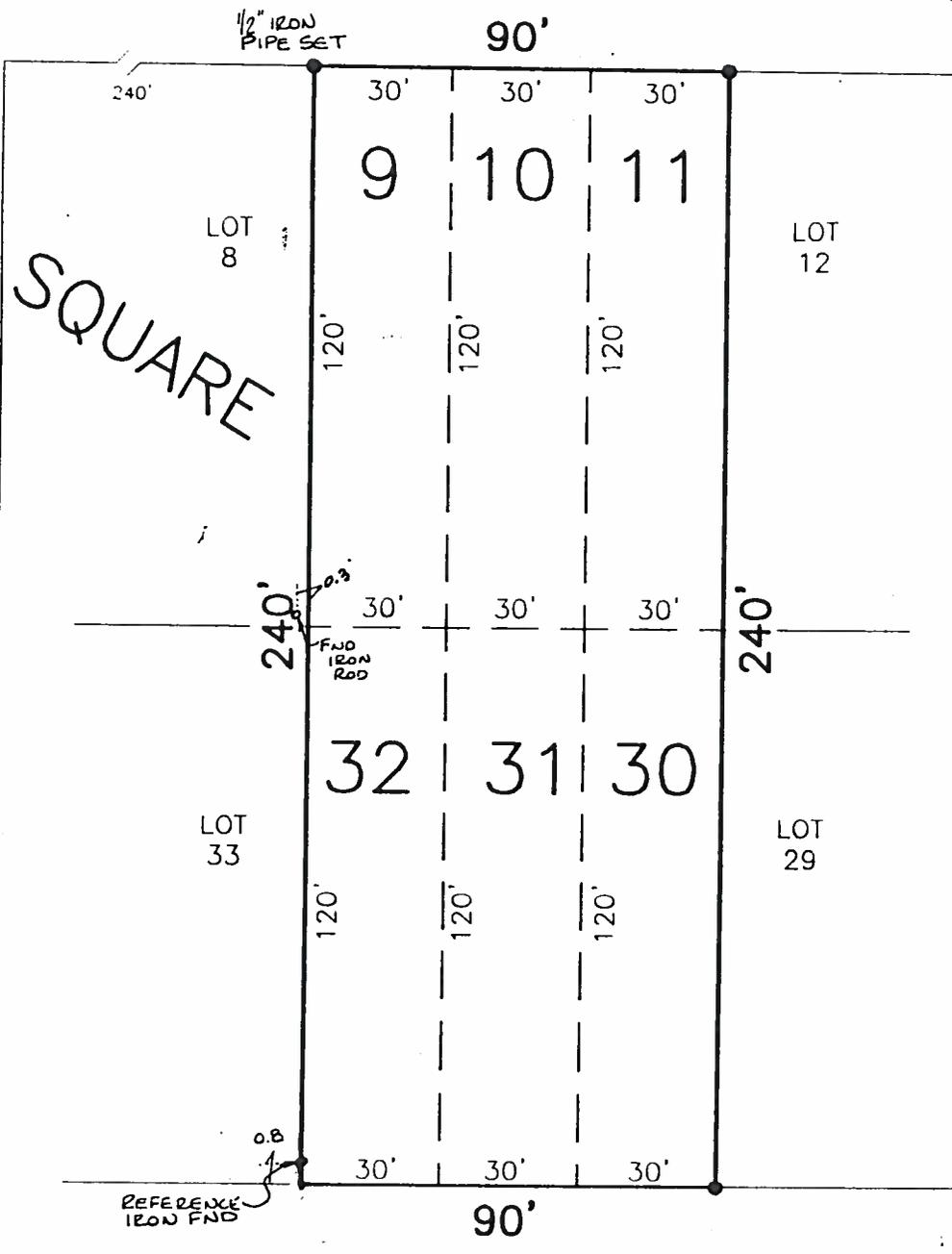
NINTH ST. R/W



MARQUETTE ST.

SQUARE

LASALLE ST. (SIDE)



"28"

TENTH ST. R/W

Note: This is to certify that I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described IS NOT located in a special flood hazard area. It is located in Flood Zone C.

FIRM Panel# 225 205 0240E Rev. 8-16-95

● DENOTES 1/2" IRON ROD FND UNLESS OTHERWISE NOTED

Survey of  
 LOTS 9,10,11,30,31 & 32 • SQUARE 28  
 CHINCHUBA SUBDIVISION  
 ST. TAMMANY PARISH, LOUISIANA  
 FOR  
 AUTHEMENT FAMILY TRUST; PBO, INC.;;  
 LAWYERS TITLE INSURANCE CORPORATION

THE SERVITUDES AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED US 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

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

Survey Certified True and Correct By  
  
 Randall W. Brown, P.L.S.  
 Professional Land Surveyor  
 LA Registration No. 04586

**Randall W. Brown & Associates, Inc.**  
 Professional Land Surveyors  
 Planners • Consultants  
 228 W. Causeway App. Mandeville, LA 70448  
 (504) 624-5368 FAX (504) 624-5309

Date: APRIL 23, 1998  
 Survey No. 98349  
 Scale: 1"=40'±  
 Drawn By: LAK  
 Revised:



**ADMINISTRATIVE COMMENT**

**ZONING STAFF REPORT**

**Date:** April 29, 2013

**Meeting Date:** May 7, 2013

**Case No.:** ZC13-05-027

**Determination:** Approved

**Posted:** 04/10/13

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**GENERAL INFORMATION**

**PETITIONER:** Robert Hurst  
**OWNER:** Robert Hurst & Dorothy F. Authement  
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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	Dental Office	A-5 (Two Family Residential District)
South	Commercial	HC-2 (Highway Commercial District)
East	Commercial	HC-2 (Highway Commercial District)
West	Commercial	A-5 (Two Family Residential District) & City of Mandeville

**EXISTING LAND USE:**

**Existing development?** No **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) & HC-2 (Highway Commercial District) to HC-1 (Highway Commercial District) (lots 9, 10, 11, 30, 31, 32) & HC-2 (Highway Commercial District) (lots 12, 13, 28 & 29). The parcels are located on the west side of 9th street and on the east side of 10th Street, lots 9, 10, 11, 12, 13, 28, 29, 30, 31, 32, Square 28, Chinchuba Subdivision. The 2025 future land use plan calls for the area to be developed with commercial uses. Since the site is surrounded by commercial uses, staff has no objections to the request.

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

**STAFF RECOMMENDATION:**

The staff recommends that the request for an HC-1 (Highway Commercial District) (lots 9, 10, 11, 30, 31, 32) & HC-2 (Highway Commercial District) (lots 12, 13, 28 & 29) designation be approved.