

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4991

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: BINDER/BRISTER

PROVIDED BY: DEVELOPMENT

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 2 DAY OF MAY, 2013

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE EAST SIDE OF ATWOOD ROAD, WEST OF LEE ROAD, BEING 19423 ATWOOD ROAD, COVINGTON AND WHICH PROPERTY COMPRISES A TOTAL 5.31 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-1A (SUBURBAN DISTRICT) TO AN A-2 (SUBURBAN DISTRICT), (WARD 2, DISTRICT 2). (ZC13-04-016)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC13-04-016, 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-1A (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-1A (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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 6 DAY OF JUNE, 2013; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: APRIL 25, 2013

Published Adoption: _____, 2013

Delivered to Parish President: _____, 2013 at _____

Returned to Council Clerk: _____, 2013 at _____

EXHIBIT "A"

ZC13-04-016

A CERTAIN PIECE OR PARCEL OF LAND, 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 SECTION 27, TOWNSHIP 5 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA, and being more fully described as follows, to-wit:

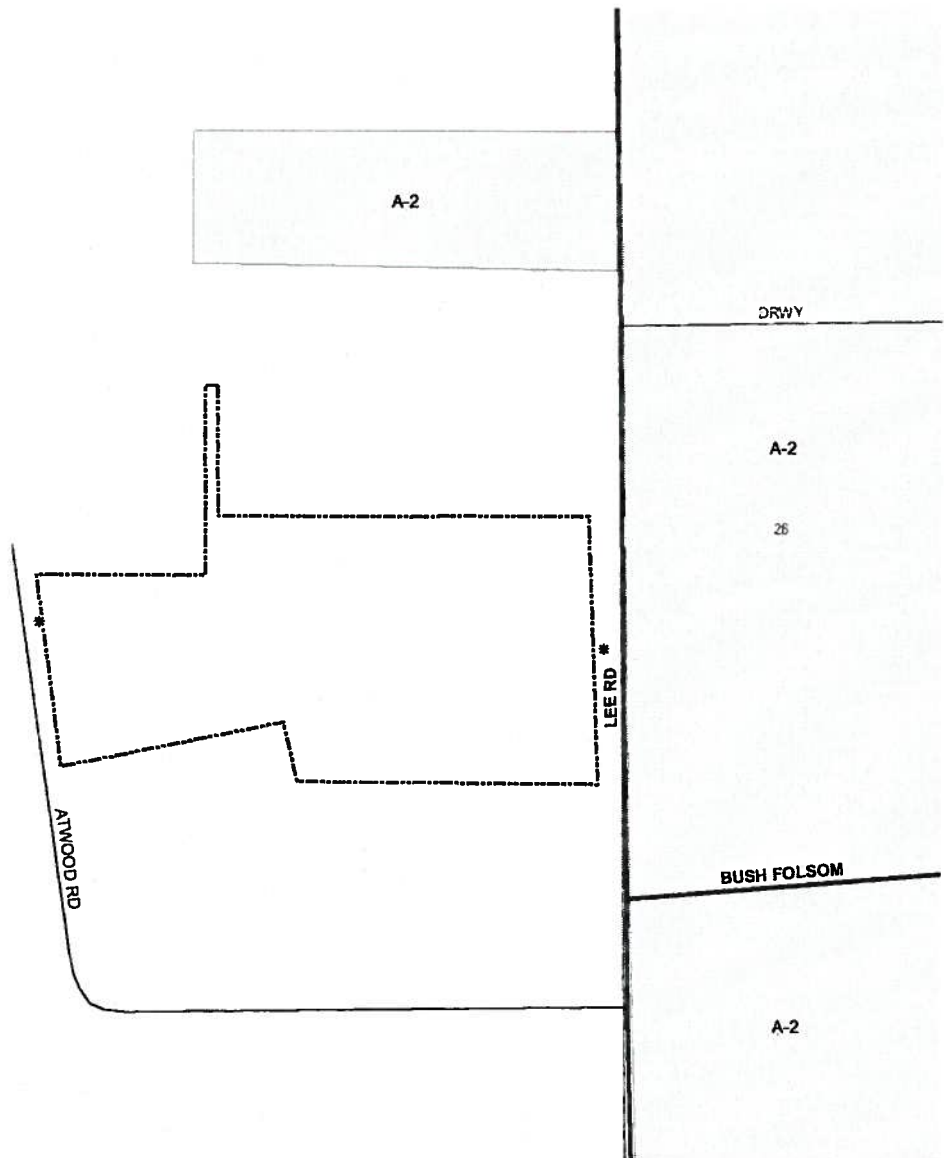
From the quarter corner common to Sections 26 and 27, Township 5 South, Range 11 East, St. Tammany Parish, Louisiana, go West a distance of 40.0 feet to a point on the West right-of-way line of La. Highway 437 (Lee Road) and the Point of Beginning.

From the Point of Beginning go North 02 degrees 08 minutes 23 seconds West along the West right-of-way line of La. Highway 437 (Lee Road) a distance of 357.91 feet to a 3/4 inch iron pipe found; thence run South 89 degrees 49 minutes 33 seconds West a distance of 500.00 feet to a fence post; thence run North 00 degrees 03 minutes 16 seconds West a distance of 174.00 feet to a 1/2-inch iron pipe found; thence South 89 degrees 46 minutes 06 seconds West a distance of 17.40 feet to a 1/2-inch iron pipe found; thence South 00 degrees 16 minutes 24 seconds East a distance of 252.10 feet to a 1/2-inch iron pipe found; thence South 89 degrees 46 minutes 04 seconds West a distance of 228.10 feet to a 1/2-inch iron pipe set; thence South 07 degrees 40 minutes 32 seconds East a distance of 258.52 feet along Atwood Road to a 1/2-inch iron rod found; thence North 78 degrees 30 minutes 02 seconds East a distance of 305.50 feet to a 1/2-inch iron rod found; thence South 13 degrees 24 minutes 35 seconds East a distance of 81.71 feet to a 1/2-inch iron pipe found; thence South 89 degrees 40 minutes 47 seconds East a distance of 404.99 feet to a 1/2-inch iron pipe found and the Point of Beginning.

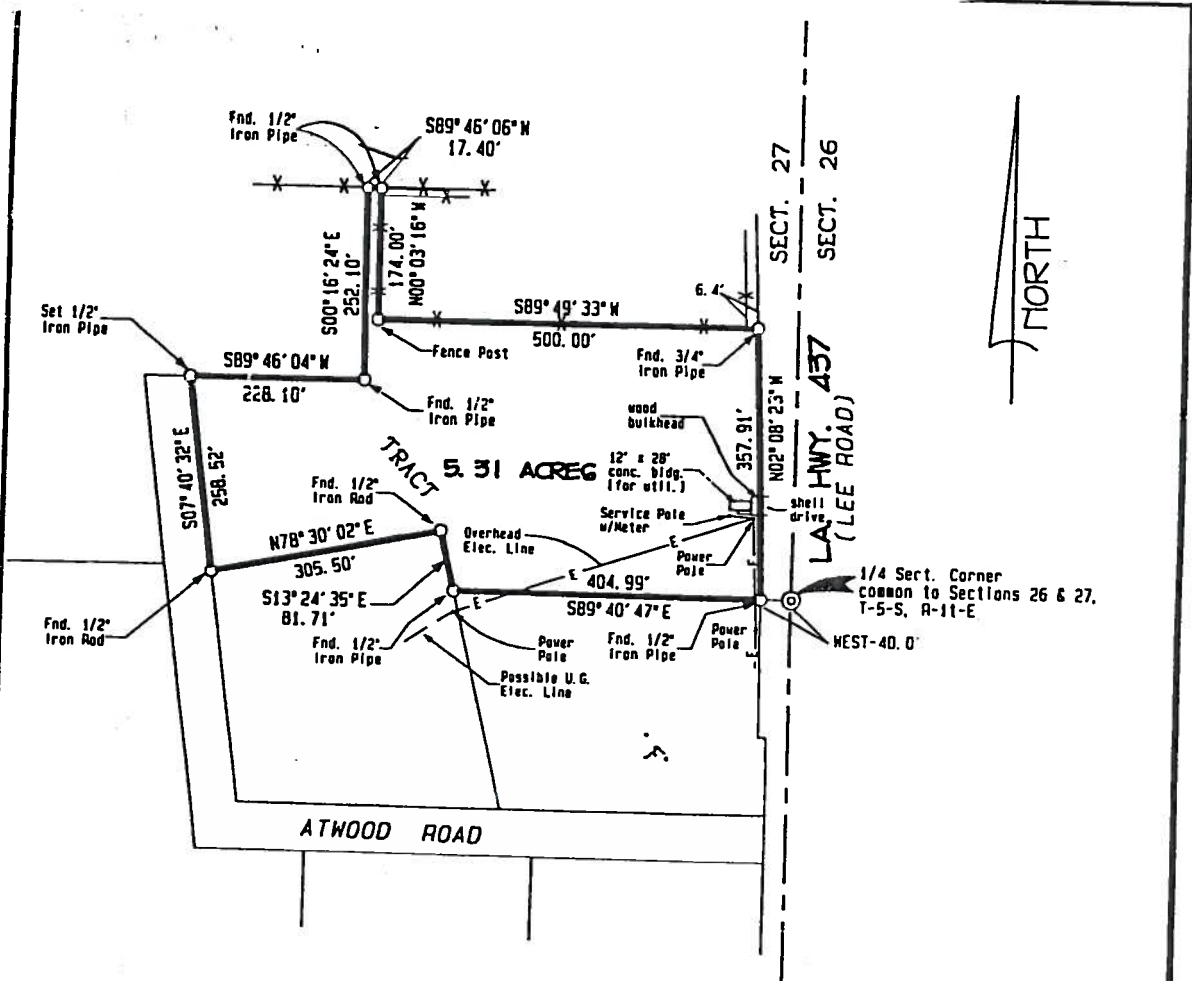
Said parcel contains 5.31 acres

CASE NO.: ZC13-04-016
PETITIONER: Robert & Melissa Ohara
OWNER: Robert & Melissa Ohara
REQUESTED CHANGE: From A-1A (Suburban District) to A-2 (Suburban District)
LOCATION: Parcel located on the east side of Atwood Road, west of Lee Road, being 19423 Atwood Road, Covington; S27,T5S,R11E; Ward 2, District 2
SIZE: 5.31 acres

T5 - R11E 27
A-1A



2013-04-016



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 0150 C. Revised: OCTOBER 17, 1989.

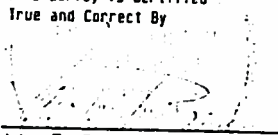
This is to certify that I have done an actual ground survey and found that no encroachments exist either way across any property lines except as shown.

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 "D" SURVEY.

SURVEY MAP OF
A 5.31 ACRE PARCEL OF LAND BEING A PORTION
OF TRACT "F", SECTION 27, T-5-S, R-11-E,
 in
St. Tammany Parish, Louisiana
 for
FIRST NATIONAL BANK OF COMMERCE,
RICHARD A. OTIS AND NANETTE M.
DE VILLIER OTIS

Survey No. 95039 Drawn by: PHK Scale: 1" = 200'
 Date: DECEMBER 29, 1994 Revised:

JOHN E. BONNEAU & ASSOCIATES, INC.
 Professional Land Surveyors • Planners and Consultants
 1011 N. CAUSEWAY BLVD. - SUITE 34 • MANDEVILLE, LA. 70471 (504) 626-0807
 SLIDELL (504) 643-2508 • MANDEVILLE (504) 626-3546 • N.O. (504) 456-2042
 FAX NO. (504) 626-0057

This Survey is Certified True and Correct By

 John E. Bonneau
 Professional Land Surveyor
 Registration No. 4423

Administrative Comment

ZONING STAFF REPORT

Date: March 25, 2013
Case No.: ZC13-04-016
Posted: 3/19/2013

Meeting Date: April 2, 2013
Determination: Approved

GENERAL INFORMATION

PETITIONER: Robert & Melissa Ohara
OWNER: Robert & Melissa Ohara
REQUESTED CHANGE: From A-1A (Suburban District) to A-2 (Suburban District)
LOCATION: Parcel located on the east side of Atwood Road, west of Lee Road, being 19423 Atwood Road, Covington; S27,T5S,R11E; Ward 2, District 2
SIZE: 5.31 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 | Cemetery | A-1A- Suburban District |
| South | Residential | A-1A - Suburban District |
| East | Residential | A-2 - Suburban District |
| West | Residential | A-1A- Suburban District |

EXISTING LAND USE:

Existing development? Yes **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) to A-2 (Suburban District). The site is located on the east side of Atwood Road, west of Lee Road, being 19423 Atwood Road, Covington. The 2025 Future Land Use Plan calls for residential and agricultural uses in the area. The surrounding area is mainly residential homes on large parcels. Staff sees no compelling reason to increase the density in the area.

STAFF RECOMMENDATION:

The staff recommends that the request for an A-2 (Suburban District) designation be denied.