

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5065

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: BINDER/BRISTER

PROVIDED BY: DEVELOPMENT

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 5 DAY OF SEPTEMBER , 2013

(ZC13-08-065) 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 21, SOUTH OF BRADY ISLAND LANE AND WHICH PROPERTY COMPRISES A TOTAL 3.812 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-1 (SUBURBAN DISTRICT) TO AN NC-1 (PROFESSIONAL OFFICE DISTRICT), (WARD 1, DISTRICT 1). (ZC13-08-065)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC13-08-065, 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 NC-1 (Professional Office 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 NC-1 (Professional Office 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 NC-1 (Professional Office 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 3 DAY OF OCTOBER , 2013 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: August 29 , 2013

Published Adoption: _____, 2013

Delivered to Parish President: _____, 2013 at _____

Returned to Council Clerk: _____, 2013 at _____

Exhibit "A"

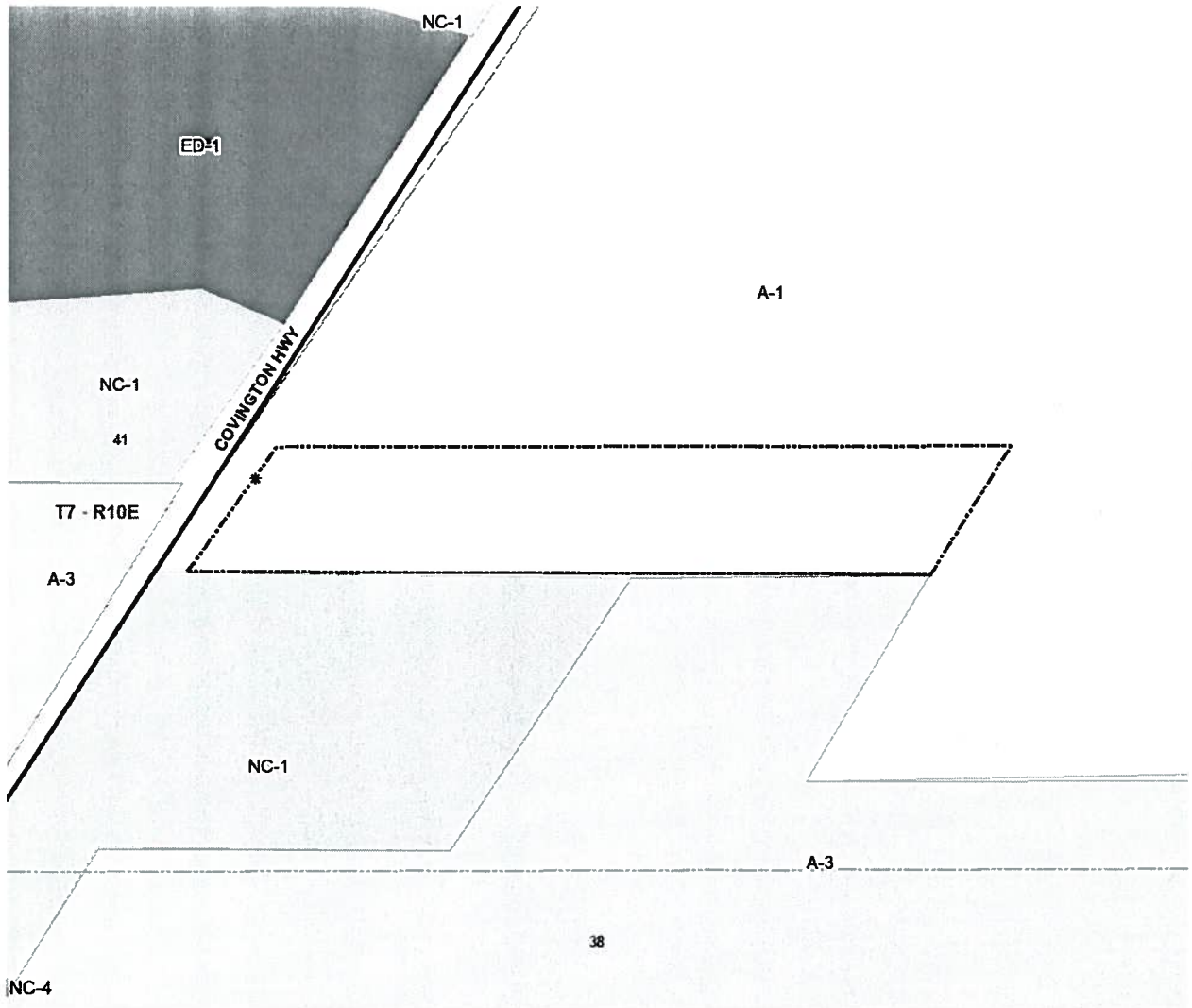
ZC13-08-065

ALL THAT CERTAIN PIECE OR PORTION OF GROUND together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions, appurtenances and advantages thereunto belonging or in anywise appertaining situated in Section 41, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, all in accordance with survey of Land Surveying, Inc., Jeron R. Fitzmorris, Surveyor, dated June 29, 1977, recorded as Page 8 of Instrument No. 388072 as follows, to-wit:

From the Northeast corner of Section 38, Township 7 South, Range 10 East, go West 574.8 feet to an iron stake; thence go North 32 degrees 29 minutes East 429.6 feet to a wooden stake, that being the POINT OF BEGINNING.

From the POINT OF BEGINNING go South 89 degrees 54 minutes West 987.2 feet to a point; thence go Northeast along the easterly right of way line of Louisiana 21 North 36 degrees, 57 minutes 57 seconds East a distance of 15.72 feet to a point; thence go North 35 degrees 30 minutes 00 seconds East a distance of 187.82 feet to a point. Thence leaving said highway go North 89 degrees 52 minutes East 982.4 feet to a point; thence go South 32 degrees 7 minutes West 201.3 feet to the POINT OF BEGINNING containing 3.812 acres. All as per survey of Land Surveying, Inc., Jeron R. Fitzmorris, Registered Land Surveyor dated June 29, 1977, referenced above.

CASE NO.: ZC13-08-065
PETITIONER: David S. Derbes
OWNER: Omni Land Investments, LLC
REQUESTED CHANGE: From A-1 (Suburban District) to NC-1 (Professional Office District)
LOCATION: Parcel located on the east side of LA Highway 21, south of Brady Island Lane ; S41,T7S,R10E; Ward 1, District 1
SIZE: 3.812 acres



ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: July 29, 2013

Case No.: ZC13-08-065

Posted: 7/17/2013

Meeting Date: August 6, 2013

Determination: Amended to NC-1

GENERAL INFORMATION

PETITIONER: David S. Derbes
OWNER: Omni Land Investments, LLC
REQUESTED CHANGE: From A-1 (Suburban District) to NC-4 (Neighborhood Institutional District)
LOCATION: Parcel located on the east side of LA Highway 21, south of Brady Island Lane ; S41,T7S,R10E; Ward 1, District 1
SIZE: 3.812 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-1 Suburban District
South	Commercial	NC-1 Neighborhood Commercial District
East	Undeveloped	A-1 Suburban District
West	Commercial/Residential	NC-1 Neighborhood Commercial District and A-3 Suburban District

EXISTING LAND USE:

Existing development? No

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 NC-4 (Neighborhood Institutional District). The site is located on the east side of LA Highway 21, south of Brady Island Lane. The 2025 Future Land Use Plan recommends that the area be developed with residential uses. Staff feels that the NC-4 zoning may be too intense for the site. However, staff would not object to a request to rezone the site to NC-1, considering that the abutting parcels, to the south and across Hwy 21, are zoned NC-1.

STAFF RECOMMENDATION:

The staff recommends that the request for a NC-4 (Neighborhood Institutional District) designation be denied.