

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-1677

COUNCIL SPONSOR: STEFANCIK/DAVIS

PROVIDED BY: CAO

RESOLUTION TO CONCUR/NOT CONCUR WITH THE CITY OF MANDEVILLE ANNEXATION AND REZONING OF A .8 ACRE OF LAND MORE OR LESS FROM PARISH C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO CITY OF MANDEVILLE B-2 HIGHWAY BUSINESS DISTRICT WHICH PROPERTY IS LOCATED AT LOT 74, FOREST PARK ESTATES SUBDIVISION, WARD 4, DISTRICT 10.

WHEREAS, the CITY OF MANDEVILLE is contemplating annexation of a .8 acre of land more or less owned by Diane Buquoi, and located at Lot 74, Forest Park Estates Subdivision, Ward 4, District 10 (see attachments for complete description); and

WHEREAS, the proposed annexation is consistent with the Annexation Agreement entered into by the CITY OF MANDEVILLE and St. Tammany Parish effective April 1, 2003; and

WHEREAS, the property requires rezoning from Parish C-1 Neighborhood Commercial District to CITY OF MANDEVILLE B-2 Highway Commercial District which is an intensification of zoning; and

WHEREAS, the property is not developed and the proposed annexation would result in a split of the sales tax revenues.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES to Concur/Not Concur with the CITY OF MANDEVILLE annexation and rezoning of a .8 acres of land more or less, located at Lot 74, Forest Park Estates Subdivision from Parish C-1 Neighborhood Commercial District to CITY OF MANDEVILLE B-2 Highway Commercial District in accordance with the April 1, 2003 Annexation Agreement between the Parish and the CITY OF MANDEVILLE.

BE IT FURTHER RESOLVED that should this property be annexed, the St. Tammany Parish Council requires that the CITY OF MANDEVILLE review any development proposals utilizing the applicable Parish Drainage Model and compliance with Parish Drainage Regulations.

BE IT FURTHER RESOLVED that the St. Tammany Parish Council requires that the CITY OF MANDEVILLE require a Traffic Impact Analysis be performed and that the Parish Department of Engineering be consulted on the traffic and access impacts of any proposed development.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY _____, SECONDED BY _____

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE ____ DAY OF _____, 2006, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, CLERK OF COUNCIL (MN2006-01)

City of Mandeville
Planning and Zoning Commission

MN2006-01

C-1677

ANTHONY MARCIANTE, CHAIRMAN
PLANNING COMMISSION

NIXON ADAMS, CHAIRMAN
ZONING BOARD

LOUISETTE L. KIDD, DIRECTOR
DEPT. OF PLANNING & DEVELOPMENT



MEMBERS

LEONARD ROHRBOUGH
JOHN MOORE
JEAN CHAMPAGNE
RON E. GREEN
DENNIS THOMAS

February 8, 2006

FEB 13 2006

Councilman Henry Billiot
St. Tammany Parish Council
P.O. Box 628
Covington, LA 70434

RE: City of Mandeville, Ordinance 06-07

Dear Councilman Billiot:

Enclosed please find for your records, a copy of Ordinance 06-07, effecting the annexation of Lot 74, Forest Park Estates Subdivision, which is currently vacant. The requested zoning is B-2, Highway Business District. The ordinance is scheduled to be introduced at the City Council meeting on February 9, 2006 and will be placed on the February 14th and March 7th Planning Commission meetings for recommendation to the City Council for adoption at their March 9th meeting.

If you have any questions, please call me.

Sincerely,

Lori H. Spranley
Planning Secretary

attachment

cc: Sidney Fontenot
Robert Thompson

MN 2006-01

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We, the undersigned, being all of the owners of the below described immovable property hereby request, pursuant to the Constitution and laws of the State of Louisiana, including, specifically, La. Revised Statutes 33:171, et seq., that the following described immovable property be annexed by the City of Mandeville and become a part of the corporate limits of the City of Mandeville.

Legal Description

FEB 13 2006

By: Marie Bugner

MD2006-01

C-1677

FEB 13 2006

EXHIBIT "A"

THAT CERTAIN PIECE OR PORTION OF GROUND, together with all buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in Forest Park Estates Subdivision, in Section 42, Township 8 South, Range 11 East, St. Tammany Parish, Louisiana, as shown on a survey of C. R. Schultz, Surveyor, approved by the St. Tammany Parish Subdivision Regulatory Committee on October 1, 1955, and is further described on a survey of Robert A. Berlin, Surveyor, dated September 22, 1964, revised October 14, 1964, a copy of which is annexed to CoB 371, folio 384 of the records of St. Tammany Parish, and as further shown on a survey of Herbert C. Sanders, C. E., dated October 30, 1972, a copy of which is annexed to COB 878, folio 292 and more particularly described as follows, to-wit:

Lot 74 of said Subdivision. Said Lot 74 fronts 200 feet on Elmwood Place and fronts 180 feet along the side line common to Lots 72 and 74, and fronts 180 feet along the side line common to Lots 74 and 76, by a distance in the rear of 200 feet.

FOR INFORMATIONAL PURPOSES ONLY:

Being the same property acquired by Edna Blossman Buquoi from Georgyee Johnson Watson Burke by Act of Exchange dated May 30, 1978, recorded at COB 878, folio 292 of the official records of St. Tammany Parish, Louisiana.

Further acquired as follows:

Being a portion of the same property or the same property acquired by vendor herein by act dated October 10, 2000 and registered at COB Instrument Number 1217159 of the official records of the Clerk of Court in the Parish of St. Tammany, Louisiana.

P 06-03-03 / 206-03-01

MN2006-01

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THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER _____; SECONDED FOR INTRODUCTION BY COUNCIL MEMBER _____; MOVED FOR ADOPTION BY COUNCIL MEMBER _____; AND SECONDED FOR ADOPTION BY COUNCIL MEMBER _____

FEB 13 2006

ORDINANCE NO. 06-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO EFFECT THE ANNEXATION OF A PORTION OF GROUND, LOT 74, SITUATED IN FOREST PARK ESTATES SUBDIVISION, LOCATED IN SECTION 42, TOWNSHIP 8 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, INTO THE CORPORATE LIMITS OF THE CITY OF MANDEVILLE DESIGNATING AND ASSIGNING THE PROPERTY FOR PURPOSES OF ZONING AS B-2, HIGHWAY BUSINESS DISTRICT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the City Council has received a petition seeking the annexation into the corporate limits of the City of Mandeville; and

WHEREAS, the said petition is made and signed by all of the owners of the said property and there are no registered voters residing on the said property; and

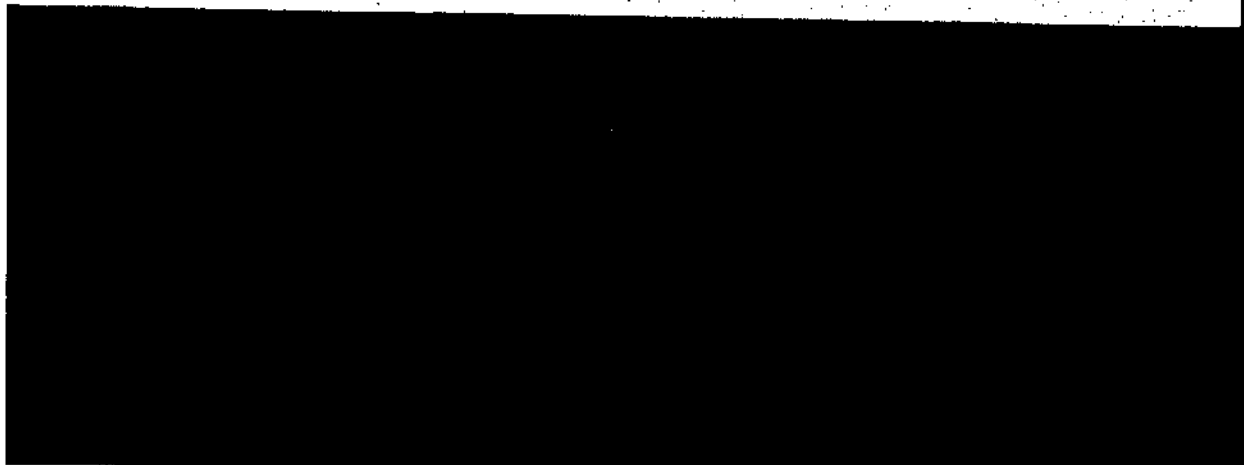
WHEREAS, the property is contiguous to the present boundaries of the City of Mandeville; and

WHEREAS, the proposed annexation will serve the best interests of the City of Mandeville and of its citizens by providing enhanced development of a major commercial area of the City, promoting additional tax revenues for the City and employment opportunity for area citizens; and

WHEREAS, the Mandeville Comprehensive Land Use Plan adopted August 1, 1989, states annexation of certain areas as an objective of the City's Growth Management Plan and this annexation does comply with that objective.

WHEREAS, this is a target area for annexation as part of the objective of the City's Growth Management Plan as defined by the Comprehensive Land Use Plan adopted in 1989; and

WHEREAS, St. Tammany Parish has recently adopted the City of Mandeville's Annexation/Growth Plan outlining priority and this is a Priority One area; and



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WHEREAS, the City Council has received _____ recommendations from the Mandeville Planning Commission regarding the proposed annexation and _____ recommendations of the Mandeville Zoning Board regarding the zoning designation of the property; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mandeville that the municipal limits of the City of Mandeville be and they are hereby enlarged to include the below described immovable property which is hereby annexed into the City of Mandeville.

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, together with all the buildings and improvements situated thereon, together with all the rights, way, privileges, servitudes, appurtenances and advantages thereunto beginning or in any wise appertaining, situated in Forest Park Subdivision, in Section 42, Township 8 South, Range 11 East, St. Tammany Parish, Louisiana, as shown on a survey of C. R. Schultz, Surveyor, approved by the St. Tammany Parish Subdivision Regulatory Committee on October 1, 1955, and is further described in a survey of Robert a. Berlin, Surveyor, dated September 22, 1964, revised October 14, 1964, a copy of which is annexed to COB 371, folio 384 of the records of St. Tammany Parish, and as further shown on a survey of Herbert C. Sanders, C.E., dated October 30, 1972, a copy of which is annexed to COB 878, folio 292, and more particularly described as follows, to-wit:

Lot 74 of said Subdivision. Said Lot 74 fronts 200 feet on Elmwood Place and measure 180 feet along the side line common to Lots 72 and 74; and measures 180 feet along the side line common to Lots 74 and 76, by a distance in the rear of 200 feet.

Said Lot 74 is also shown on a survey by Randall W. Brown & Associates, Inc. dated January 20, 2005.

Being the same property acquired by Edna Blossman Buquoi from (i) St. Tammany Homestead Association by sale dated November 10, 1972, recorded at COB 602, folio 563, (ii) Georgyee Johnson Watson Burke by Act of Exchange dated May 30, 1978, recorded at COB 878, folio 292, (iii) the Estate of David C. Blossman by exchange dated August 21, 1979, recorded at COB 940, folio 496, and (iv) Dorothy Louise Hammond Blossman by sale dated August 8, 1983, recorded COB 1113, folio 440.

Being further by Diane Buquoi by Judgement of Possession in the Succession of Edna Blossman Buquoi, No. 2000-30671 of the 22nd Judicial District Court, Parish of St. Tammany, State of Louisiana, dated October 10, 2000, recorded CN 1217159.

BE IT FURTHER ORDAINED, that upon annexation into the municipal limits of the



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City of Mandeville the above described property be designated for purposes of zoning as a B-2, Highway Business District, as defined and regulated by the provisions of The Comprehensive Land Use Regulations Ordinance of the City of Mandeville.

BE IT FURTHER ORDAINED, that following the annexation of the above described immovable property into the corporate limits of the City of Mandeville that the boundaries of the City of Mandeville shall thereafter be as set forth and described on the proces verbal attached hereto and made a part hereof.

BE IT FURTHER ORDAINED that the Clerk of this Council be and she is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:
NAY:
ABSTENTIONS:
ABSENT:

and the Ordinance was declared adopted this _____ day of _____, 20__

Lorraine Myhal
Clerk of Council

Tribby T. Lenfant
Mayor Pro Tem

SUBMITTAL TO MAYOR

The foregoing Ordinance was SUBMITTED by me to the Mayor of the City of Mandeville this _____ day of _____, 20__ at _____ o'clock a.m.

CLERK OF COUNCIL

APPROVAL OF ORDINANCE

The foregoing Ordinance is by me hereby APPROVED, this _____ day of _____, 20__ at _____ o'clock a.m.

EDWARD J. PRICE, III, MAYOR

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VETO OF ORDINANCE

FEB 13 2006

The foregoing Ordinance is by me hereby VETOED, this _____ day of _____, 20____, at _____ o'clock _____m.

EDWARD J. PRICE, III, MAYOR

RECEIPT FROM MAYOR

The foregoing Ordinance was RECEIVED by me from the Mayor of the City of Mandeville this _____ day of _____, 20____ at _____ o'clock a.m.

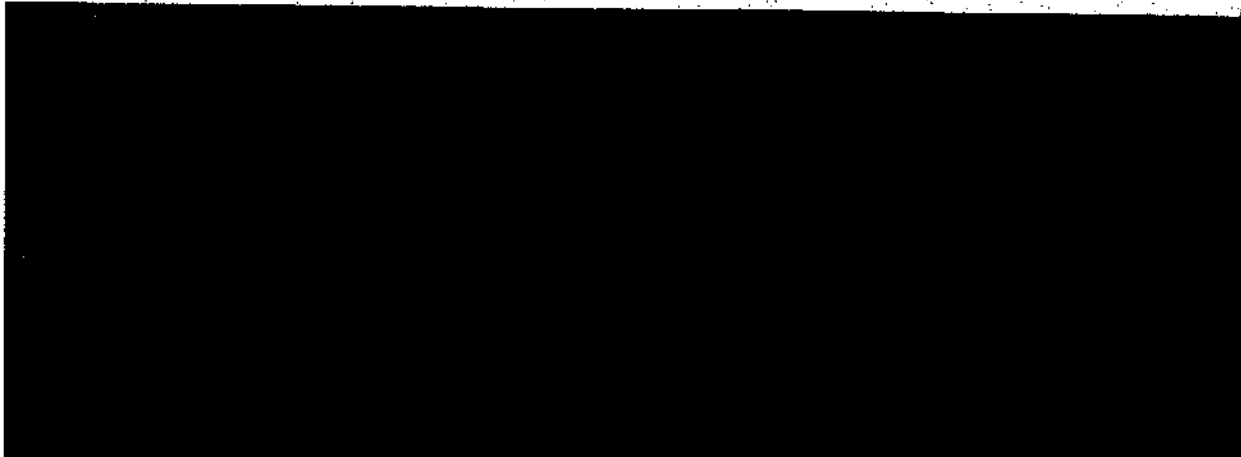
CLERK OF COUNCIL

CERTIFICATE

I, THE UNDERSIGNED Clerk of the City Council of the City of Mandeville do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of Mandeville at a duly noticed, called and convened meeting of said City Council held on the _____ day of _____, 20____, at which a quorum was present and voting. I do further certify that said Ordinance has not thereafter been altered, amended, rescinded, or repealed.

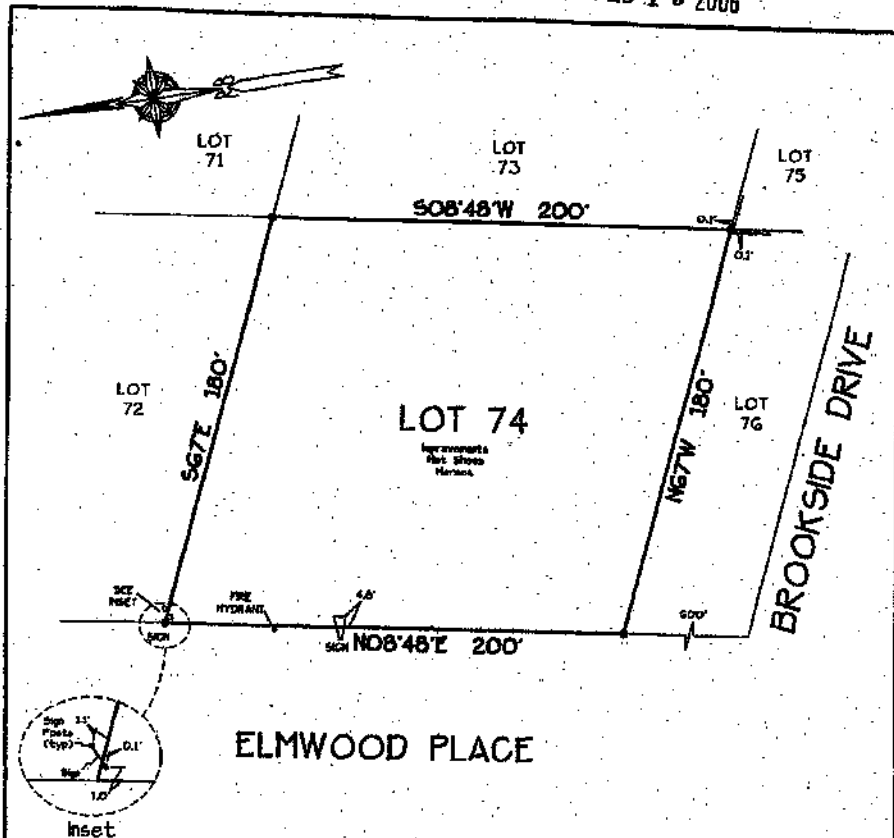
WITNESS MY HAND and the seal of the City of Mandeville this _____ day of _____, 20____.

CLERK OF COUNCIL



MA 2006-01
 FEB 13 2006

C-1677



REF: Plat by G.R. Schulte
 Dated: 10-1-58.

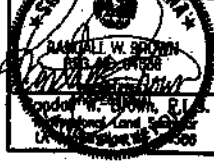
Note: This is to certify that I have consulted the Federal
 Insurance Administration Flood Hazard Boundary Maps
 and found the property described is not located
 in a special flood hazard area. It is located in Flood Zone 1.
 FPM Panel 228205 0240, E Rev. 8-16-95

NOTE:
 OWNER OR BUILDER RESPONSIBLE
 FOR OBTAINING SETBACKS BEFORE
 CONSTRUCTION BEGINS.
 * DENOTES 1" IRON PIPE END
 UNLESS OTHERWISE NOTED.

Survey of
LOT 74 * FOREST PARK ESTATES
ST. TAMMANY PARISH, LOUISIANA
 FOR
KEVIN MAHONY

THE SERVICES AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET
 FORTH IN THE INSTRUMENTS REFERENCED HEREIN AND THERE IS NO REPRESENTATION THAT ALL
 APPLICABLE REGULATIONS AND ORDINANCES ARE BEING COMPLIED WITH. THE SURVEYOR HAS MADE
 NO CLAIM AS TO THE ACCURACY OF THE DATA SHOWN IN COMPLYING WITH THE DATA FOR THIS SURVEY.

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

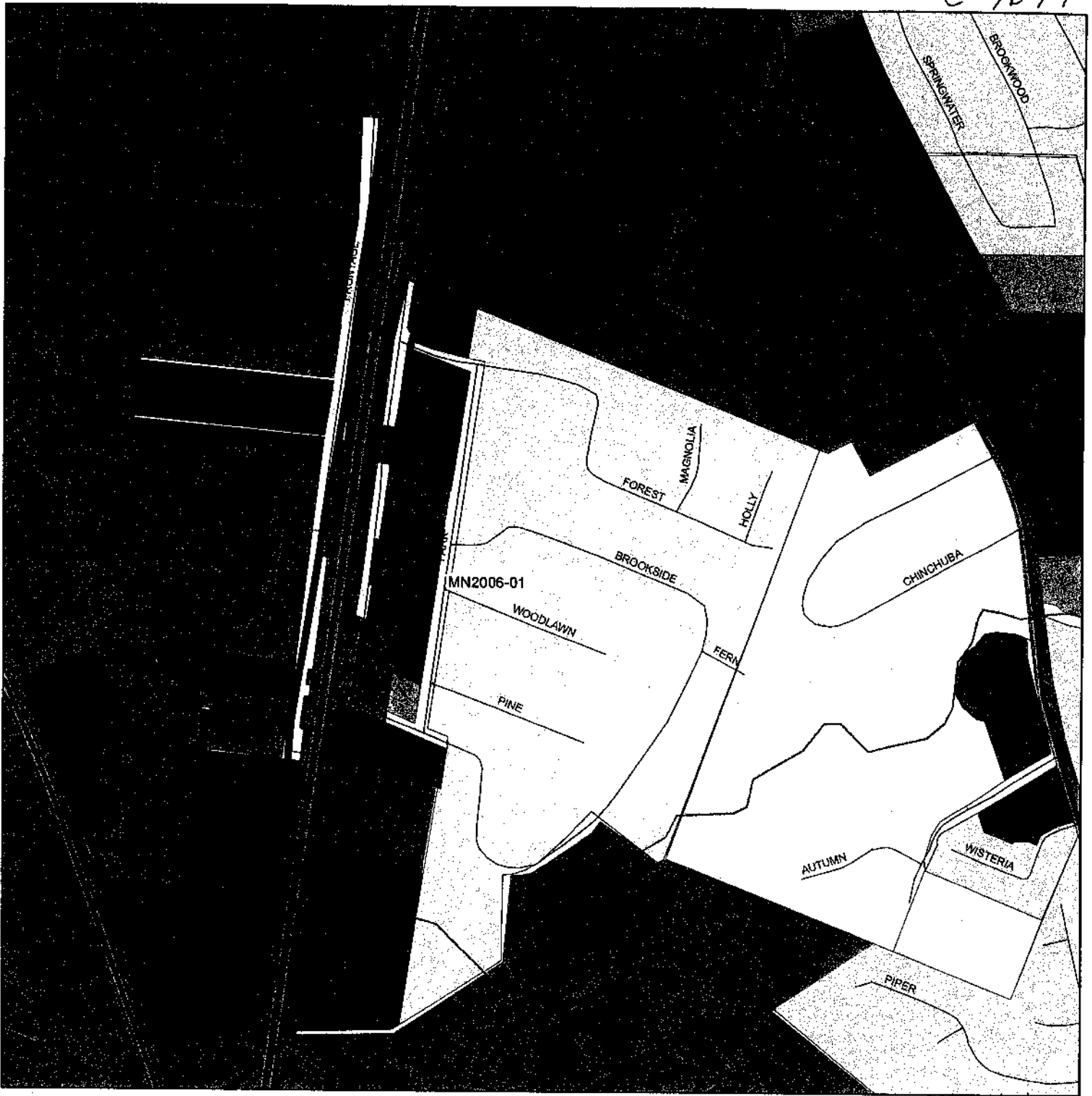


Randall W. Brown & Associates, Inc.
 Professional Land Surveyors
 Planners - Consultants
 228 W. Causeway App. Mandeville, LA 70448
 (985) 824-5348 FAX (985) 824-5309

Date: JANUARY 20, 2006
 Survey No. 09056A
 Project No. 905088
 Scale: 1"=50'±
 Drawn by: dsw
 Reduced

EXHIBIT
B

C-1671



Proposed Annexation



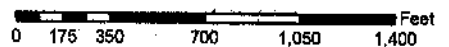
St. Tammany Parish Government
 P.O. Box 628
 Covington, LA 70434

Kevin C. Davis,
 President

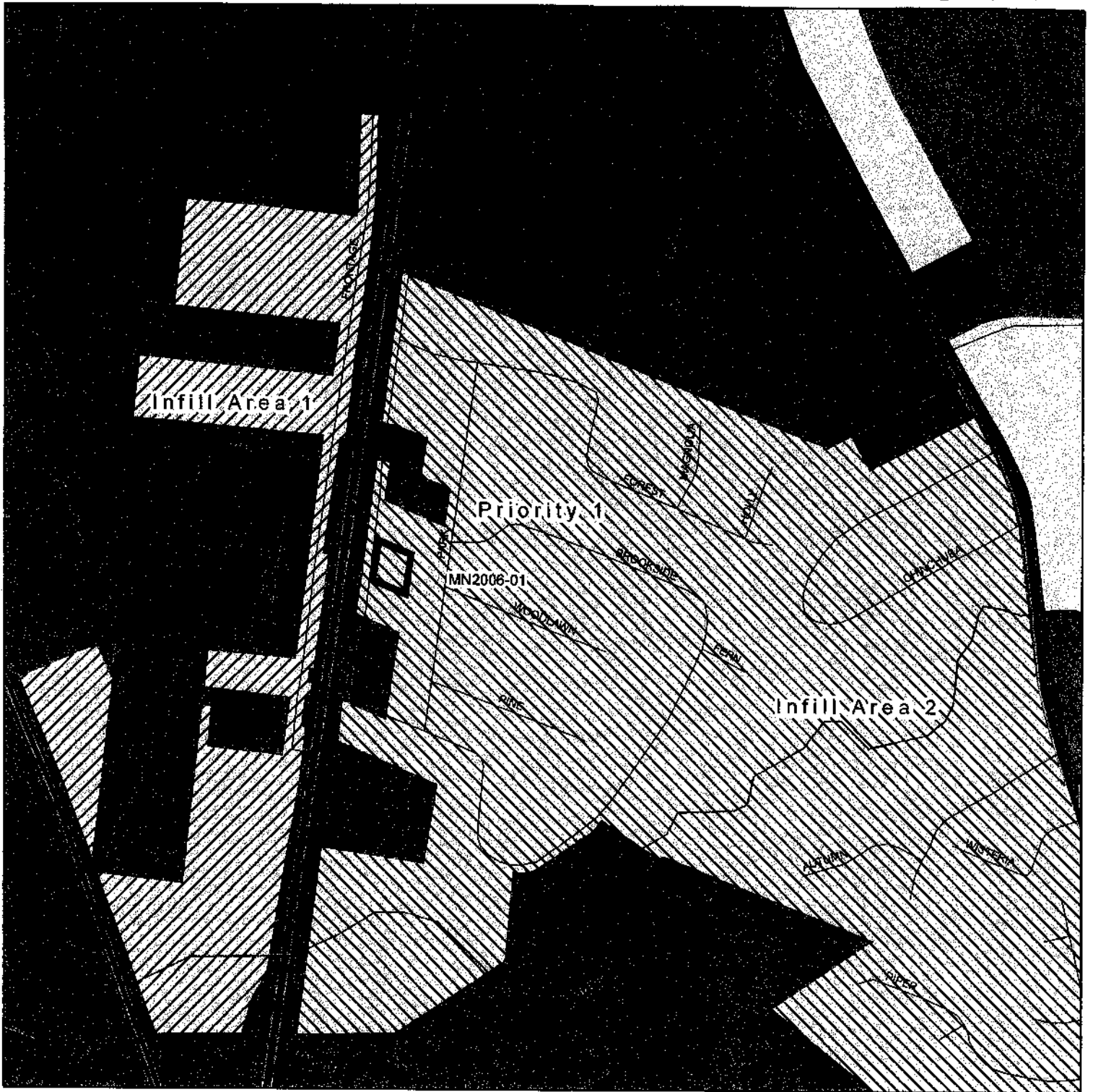
Legend

ap-mn2006-01	Rural	RC Recreation/Conservation	GMA
Streets	SA Suburban Agriculture	ID Institutional	MIC
City/Parish Area	A-1 Suburban	PUD Planned Unit Development	PCO
Type	A-2 Suburban	LC Light Commercial	SRO
Municipality	A-3 Suburban	C-1 Neighborhood Commercial	SSO
Unincorporated	A-4 Single Family Residential	C-2 Highway Commercial	Streets
Parish Land Outline	MH Mobile Home	C-3 Planned Commercial	
	A-5 Two Family Residential	M-1 Light Industrial	
	A-6 General Multiple Family	M-2 Intermediate Industrial	
	SD Special District	M-3 Heavy Industrial	

This map was produced by St. Tammany Parish Information Services.
 Note: This map is for planning purposes only. It is not a legally recorded plan, survey, official tax map or engineering schematic, and it is not intended to be used as such. Map layers were created from different sources at different scales, and the actual or relative geographic position of any feature is only as accurate as the source information.
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C-1611



Proposed Annexation

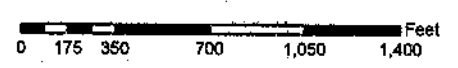


St. Tammany Parish Government
 P.O. Box 628
 Covington, LA 70434

Kevin C. Davis,
 President

- Legend**
- ap-mn2006-01
 - Streets
 - City/Parish Area**
 - Type**
 - Municipality
 - Unincorporated
 - Parish Land Outline
 - Streets
 - Mandeville_UG_Areas**
 - TAX_TYPE**
 - Infill Area 1
 - Infill Area 2
 - Priority 1
 - Priority 2
 - Growth Management

This map was produced by St. Tammany Parish Information Services.
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Ework Notes:

MN2006-01

Date	User	Note
2/15/2006	Rusty Waldrup	I think this is a real estate office. They are not requesting the ROW adjoining the property.
2/15/2006	Bob Thompson	All, please review for compliance and departmental impact.
3/10/2006	Sidney Fontenot	Does not appear to comply with State Revised Statutes relative to annexation.
3/20/2006	Bob Thompson	Did site visit and there is currently no existing business. Spoke to Milton Stiebing, Mandeville finance Director, and there use to be a real estate office on the property but that was over 3 years ago.

PR2006-01

Date	User	Note
3/7/2006	Bob Thompson	I did not receive any notification of this annexation until 3/7/2006
3/9/2006	Rusty Waldrup	This parcel is outside the enhancement area as defined in the agreement with the town. This means the town would see not monies from the annexation even if parish concurs.
3/15/2006	Sidney Fontenot	Proposal does not meet present Growth Management Agreement. Proposal does meet revised statutes relative to annexations.

PR2006-02

C-1677

Date	User	Note
3/7/2006	Bob Thompson	I did not receive any notification of this annexation request until 3/7/2006.
3/15/2006	Sidney Fontenot	Proposal meets Growth Management Agreements for 1 st 200 ft of property, does not meet agreements for remainder. Proposal meets Louisiana Statutes relative to annexation.