

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3286 ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

COUNCIL SPONSOR MARTY DEAN PROVIDED BY: PLANNING

INTRODUCED BY: MR. DEAN SECONDED BY: MR. GOULD

ON THE 4<sup>TH</sup> DAY OF MAY, 2006

An Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the southeast corner of LA Highway 22 & Mitcham Road and which property comprises a total of 4.78 acres of land more or less, from its present R (Rural) District to a LC (Light Commercial) District, Ward 1, District 1. (ZC06-04-025)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC06-04-025, has recommended Denial to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area remains R (Rural) District.

Whereas, the St. Tammany Parish Council has held its public hearing in accordance with law:

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 LC (Light Commercial) 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 R (Rural) District to a LC (Light Commercial) District (see Exhibit "A") for complete boundaries.

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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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

## EXHIBIT "A"

ZC06-04-025

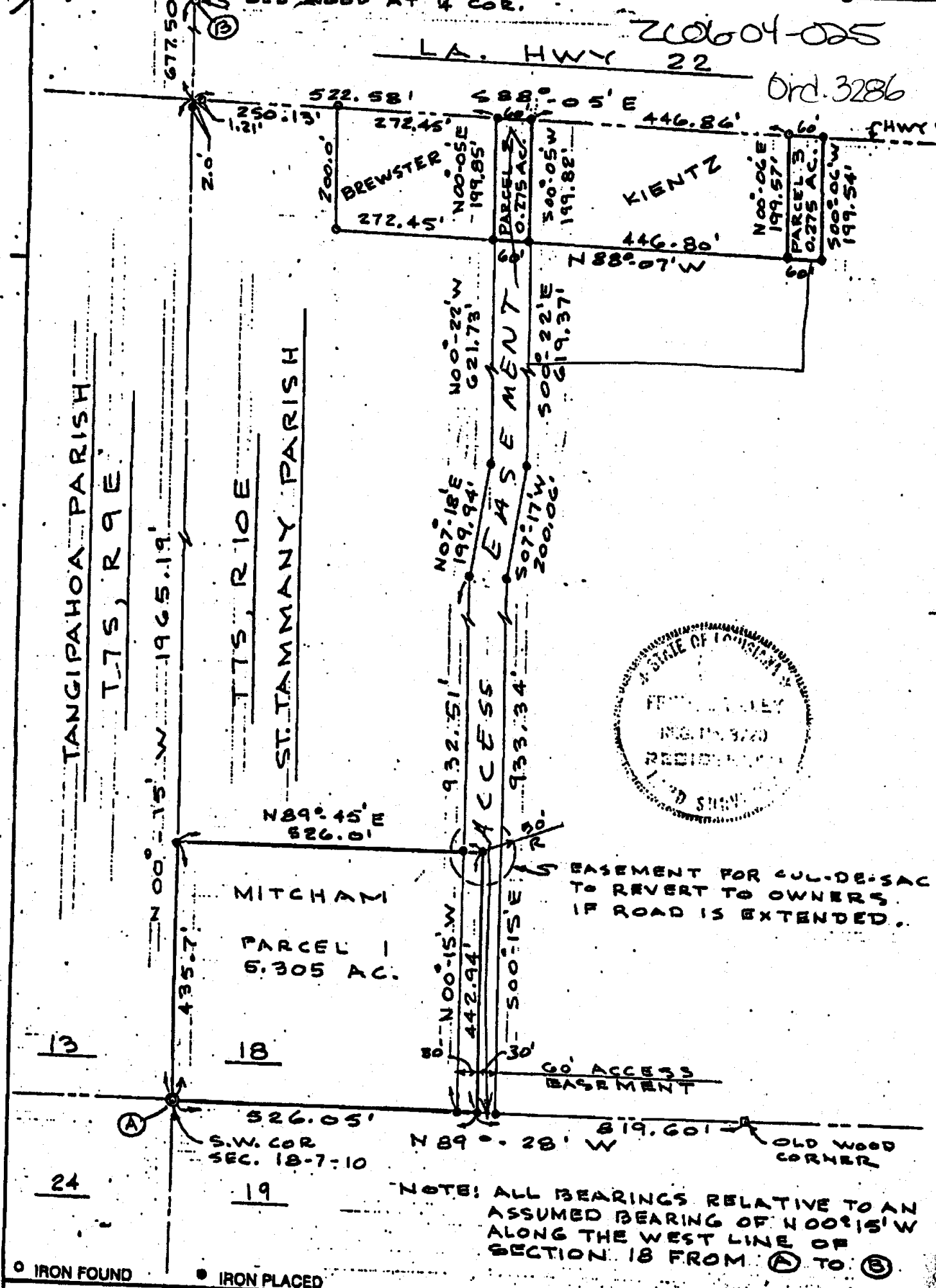
All that certain tract or portion of land, together with all the buildings and improvements thereon, and all the right, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in Section 18, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, and more fully described as follows:

Commencing at the Southwest corner of Section 18, go along the West line of Section 18 on an assumed bearing of North 00 degrees 15 minutes West 1965.19 feet to a point on the South line of the right-of-way of Louisiana Highway 22; thence along the said right-of-way South 88 degrees 05 minutes East 582.58 to an iron and the point of beginning.

Thence continue South 88 degrees 05 minutes East along the South line of the right of way of Louisiana Highway 22 a distance of 506.86 feet to an iron; thence South 00 degrees 6 minutes West 399.54 feet to an iron; thence North 88 degrees 07 minutes West, 535.21 feet to an iron; thence North 00 degrees 22 minutes West 200.06 to an iron; thence South 88 degrees 07 minutes East 30 feet to an iron; thence North 00 degrees 5 minutes East, a distance of 199.82 feet to an iron and the point of beginning heretofore set.

The property conveyed herein is composed of three parcels of ground, one being a part of the same property acquired by Norman J. Kientz, et ux by act of sale before Robert S. Black, Notary Public, dated October 4, 1974 and recorded in COB 741 folio 433, of the official records of the Parish of St. Tammany, one being the same property acquired by Althea L. Gebhardt, wife of/and Norman J. Kientz, by act of credit sale before Thomas S. Derveloy, Jr., Notary Public, dated December 29, 1986, recorded in COB 1289 folio 376, of the official records of the Parish of St. Tammany and the other being the same property acquired by Althea L. Gebhardt, wife of/and Norman J. Kientz, by act of exchange dated December 17, 1986 and recorded in COB 1287 folio 845 of the official records of the Parish of St. Tammany.

The above property description was prepared without the benefit of an actual current field survey but was based upon survey #86-63 and #86-63A by Fred L. Tilley & Associates dated November 7, 1986 and December 23, 1986 respectively. These two surveys are adopted herein by reference and are attached to the acts recorded at COB 1287 folio 845 and COB 1289 folio 376 of the official records of the Parish of St. Tammany.



**Fred L. Tilley and Associates**

MAP PREPARED FOR: MR. & MRS. BENJAMIN ROY MITCHAM, JR.  
SHOWING A SURVEY OF: 1.00

SHOWING A SURVEY OF: A PORTION OF SECTION 18  
TOWNSHIP 7 SOUTH RANGE 10 EAST  
ST. TAMMANY PARISH, LOUISIANA  
THIS MAP IS IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND

**CERTIFIED CORRECT:** \_\_\_\_\_

**CERTIFIED CORRECT:**

**REGISTERED LAND SURVEYOR**

SCALE: 1" = 200'

DATE: NOV. 7, 1986

NUMBER:.. 86-63



ST. TAMMANY PARISH  
DEPARTMENT OF PLANNING  
P. O. Box 688  
Covington, LA 70424  
Phone: (504) 835-6888  
Fax: (504) 835-6888  
e-mail: planning@sttppar.org

Kyle Davis  
Chief Executive

Ord. Cal. 3286

Appeal 6

THE PETITIONER OR ANY AGGRIEVED PERSON HAS TEN (10) DAYS TO  
APPEAL THE DECISION OF THE ZONING COMMISSION. APPEALS MUST BE  
FILED WITH THE ST. TAMMANY PARISH DEPARTMENT OF PLANNING.  
A COPY OF THE APPEAL REQUEST IS PROVIDED BELOW.

**APPEAL REQUEST**

DATE: 4/7/06

ZC06-04-025  
Existing Zoning: R (Rural) District  
Proposed Zoning: C-1 (Neighborhood Commercial) District LC  
Acres: 4.78 acres  
Petitioner: Charles J. & Barbara Hasselbeck  
Owner: Charles J. & Barbara Hasselbeck  
Location: Parcel located on the southeast corner of LA Highway 22 & Mitcham  
Road, S18, T7S, R10E, Ward 1, District 1  
Council District: 1

We are hereby appealing to the St. Tammany Parish Council at its next appropriate  
regular scheduled meeting on the above referenced matter of an adverse decision of  
the St. Tammany Parish Zoning Commission.

This letter shall serve as official notice to put the above referenced matter on the Parish  
Council agenda.

Sincerely,

PLEASE PRINT NAME, MAILING ADDRESS AND PHONE NUMBER BELOW  
SIGNATURE

Charles J. Hasselbeck Sr.  
(SIGNATURE)

CHARLES J. HASSELBECK

1957 Hwy 80 W

MADISONVILLE LA.

PHONE #: 985-845-4920

**ZC06-04-025**

Existing Zoning:

Proposed Zoning:

Acres:

Petitioner:

Owner:

Location:

Council District:

R (Rural) District

G-1 (Neighborhood Commercial) District

4.78 acres

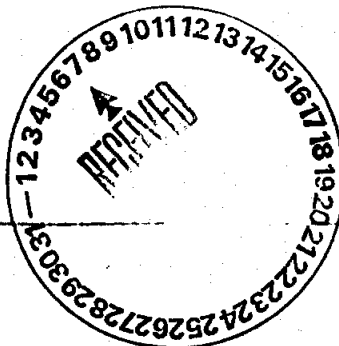
Charles J. & Barbara Hasselbeck

Charles J. & Barbara Hasselbeck

Parcel located on the southeast corner of LA Highway 22 &  
Mitcham Road, S18, T7S, R10E, Ward 1, District 1

1

LC Light Commercial



## ZONING STAFF REPORT

Date: February 27, 2006  
Case No.: ZC06-04-025  
Posted: March 15, 2006

Meeting Date: April 4, 2006  
Determination: Denied

### GENERAL INFORMATION

PETITIONER: Charles J. & Barbara Hasselbeck  
OWNER: Charles J. & Barbara Hasselbeck  
REQUESTED CHANGE: From R (Rural) District to C-1 (Neighborhood Commercial) District  
LOCATION: Parcel located on the southeast corner of LA Highway 22 & Mitcham Road; S18, T7S, R10E; Ward 1, District 1  
SIZE: 4.78 acres

### SITE ASSESSMENT

#### ACCESS ROAD INFORMATION

Type: 2 Lane State Road Surface: Asphalt Condition: Good

### LAND USE CONSIDERATIONS

#### SURROUNDING LAND USE AND ZONING:

Direction	Land Use	Zoning
North	Undeveloped/Closed Gas Station	R(Rural) & C-2(highway Commercial) District
South	Rural Single Family	R(Rural ) District
East	Rural Single Family	R(Rural ) District
West	Rural Single Family	R(Rural ) District

#### EXISTING LAND USE:

Existing development? Yes 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 R (Rural) District to C-1 (Neighborhood Commercial) District. The site is located on the southeast corner of LA Highway 22 & Mitcham Road. The site is mostly surrounded single family residential uses. The comprehensive plan calls for the property to be developed with residential uses.

#### STAFF RECOMMENDATION:

The staff recommends that the request for an C-1 (Neighborhood Commercial) District designation be denied.

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