



DEPARTMENT OF PLANNING
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Kevin Davis
 Parish President

appeal 5

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: Nov 7, 2007


8. ZC07-11-064
 Existing Zoning: SA (Suburban Agricultural) District
 Proposed Zoning: C-1 (Neighborhood Commercial) District - *Amend to Light Commercial*
 Acres: 3.134 acres
 Petitioner: Jeff Birnbaum
 Owner: Shirley H. Kastrop/Julius Helfitsh
 Location: Parcel located at the southeast corner of Lonesome Road and U.S. Highway 190, S40, T8S, R11E, Ward 4, District 10
 Council District: 10

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


 (SIGNATURE) JEFF BIRNBAUM
P.O. Box 84273
BATON ROUGE LA
70884
 PHONE #: 225-413-0129
 or
225-413-0128



SL SHAW & ASSOCIATES, INC
 SLS DEVELOPMENT, LLC

4309 Bluebonnet Blvd.
 Baton Rouge, LA 70809
 ph: 225.766.5552
 fax: 225.761.1229
 cell: 225.413.0129
jeff@slsdev.com

EXHIBIT "A"

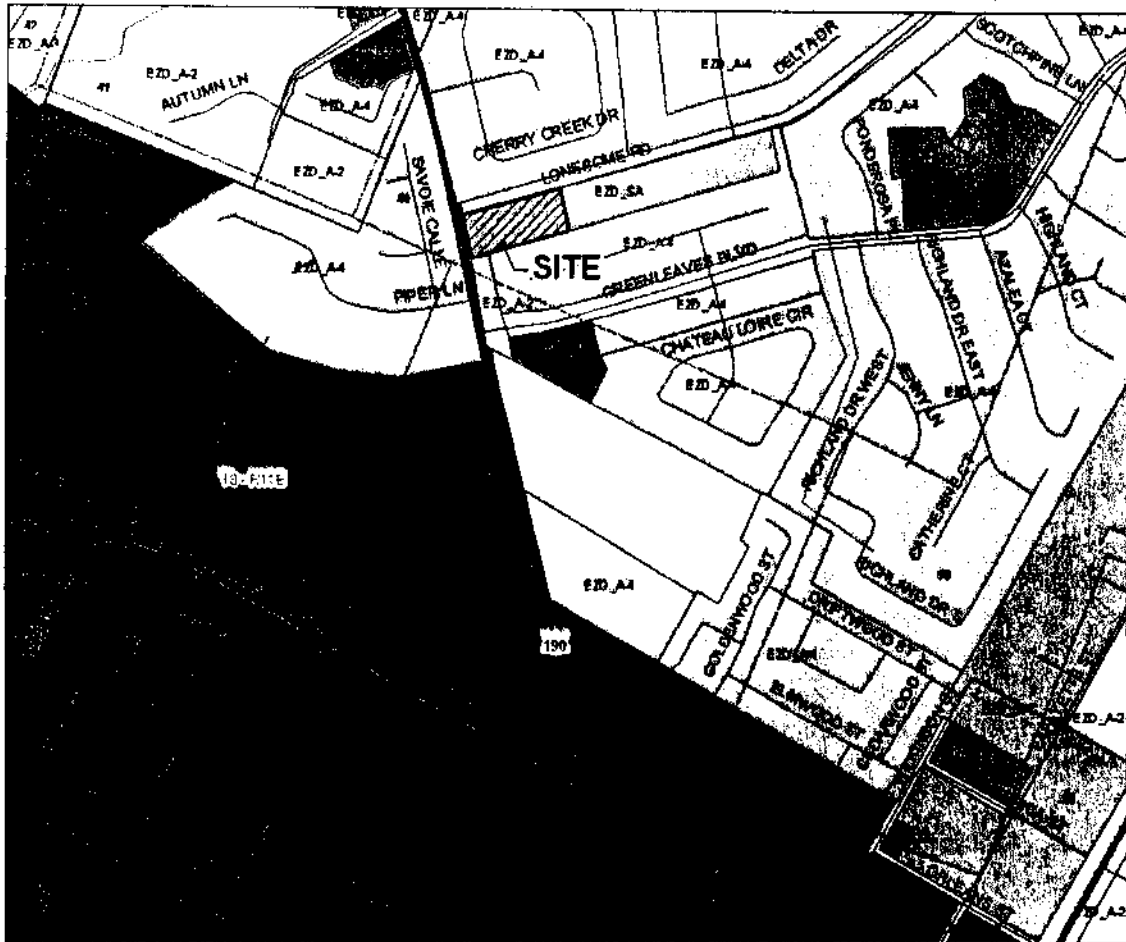
ZC07-11-064

A certain piece or parcel of land together with all the improvements thereon and all of the rights, ways, privileges and servitudes thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, State of Louisiana, and in Section 40, Township 8 South, Range 11 East, the boundary lines of which are more particularly described as follows:

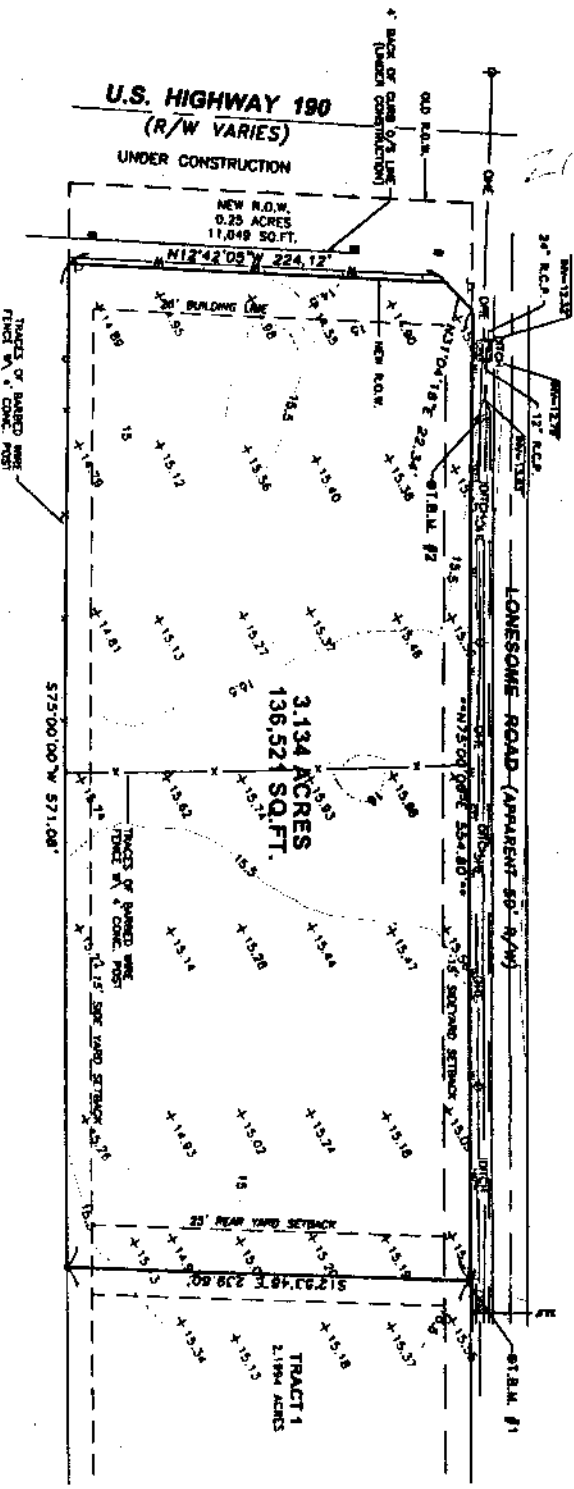
Commence at a point along the eastern right of way line of U.S. Highway 190, point also being The Point of Beginning.

Thence from Point of Beginning along the eastern right of way line of U.S. highway 190 N12°42'05"W a distance of 224.12 feet to a point and turn; thence N31°04'16"E a distance of 22.34 feet to a point along the southern right of way line of Lonesome Road and turn; thence leaving said eastern right of way line and continue on said southern right of way line N75°00'00"E a distance of 554.80 feet to a point and turn; thence S12°53'48"E a distance of 239.60 feet to a point and turn; thence S75°00'00"W a distance of 571.08 feet back to the Point of Beginning, containing within said bounds 3.134 acres or 136,521 square feet more or less.

CASE NO.: ZC07-11-064
PETITIONER: Jeff Birnbaum
OWNER: Shirley H. Kastrop/Julius Helfitsh
REQUESTED CHANGE: From SA (Suburban Agricultural) District to LC (Light Commercial) District
LOCATION: Parcel located at the southeast corner of Lonesome Road and U.S. Highway 190; S40, T8S, R11E; Ward 4, District 10
SIZE: 3.134 acres



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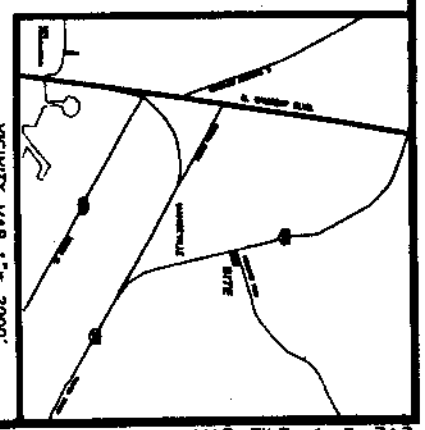


LEGEND

---	Property Line
---	Right-of-Way Line
---	Setback Line
---	Building Footprint
---	Survey Point
---	Corner Monument
---	Other

**C. MISTRIC
SURVEYORS, INC.**
17041 COLORECT BLVD. PHOENIX, ARIZONA 85024
BRUSH ROAD, TAMMANY PARISH, LOUISIANA 70560
Scale 1" = 50'

1. UNDER CERTAIN TITLE THE SURVEY SHOWN HEREON WAS PERFORMED UNDER THE SUPERVISION AND CONTROL AND IN ACCORDANCE WITH THE FIELD NOTES OF THE SURVEY.
NASSIR L. SHAW, SURVEYOR



GENERAL NOTES:
1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING AS ADOPTED BY THE LOUISIANA STATE BOARD OF REGISTRATION FOR SURVEYORS AND ENGINEERS.
2. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING AS ADOPTED BY THE LOUISIANA STATE BOARD OF REGISTRATION FOR SURVEYORS AND ENGINEERS.
3. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING AS ADOPTED BY THE LOUISIANA STATE BOARD OF REGISTRATION FOR SURVEYORS AND ENGINEERS.

FLOOD NOTE:
THIS TRACT IS LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON THE FLOOD HAZARD MAP OF TAMMANY PARISH, LOUISIANA, DATED 08-06-2002, REVISED 08-21-2002.

REFERENCE MAPS & BASIS FOR BEARINGS:
1. TAMMANY PARISH, LOUISIANA, SECTION 20, T8S-R11E, DATED 08-06-2002, REVISED 08-21-2002.
2. REPORT OF SURVEY AND STATE PROJECT NO. 015-12-004, COXSWA, SO. PROJECT NO. 015-12-004, SECTION 20, T8S-R11E, DATED 08-06-2002, REVISED 08-21-2002.

I.B.M. REFERENCES:
6 TAM 91 - APPROX. ON THE HYDRAULIC
ELEV. = 10.44'
6 TAM 92 - SET BACK WALL IN FRONT YARD
ELEV. = 11.25'

TOPOGRAPHIC SURVEY
OF
A CERTAIN 3.134 ACRE LOT
LOCATED IN SEC. 40, T8S-R11E, ST.
TAMMANY PARISH, LOUISIANA
FOR
S.L. SHAW & ASSOCIATES

ZONING STAFF REPORT

Date: October 26, 2007
Case No.: ZC07-11-064
Posted: October 17, 2007

Meeting Date: November 6, 2007
Determination: Amended to LC

GENERAL INFORMATION

PETITIONER: Jeff Birnbaum
OWNER: Shirley H. Kastrop/Julius Helfitsh
REQUESTED CHANGE: From SA (Suburban Agricultural) District to C-1 (Neighborhood Commercial) District
LOCATION: Parcel located at the southeast corner of Lonesome Road and U.S. Highway 190; S40, T8S, R11E; Ward 4, District 10
SIZE: 3.134 acres

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: Federal

Road Surface: 3 lane asphalt

Condition: Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Residential	A-4 (Single Family Residential) District
South	Residential	A-4 (Single Family Residential) District
East	Undeveloped	SA (Suburban Agricultural) District
West	Hwy 190	

EXISTING LAND USE:

Existing development? No

Multi occupancy development? Yes

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 SA (Suburban Agricultural) District to C-1 (Neighborhood Commercial) District. The site is located at the southeast corner of Lonesome Road and U.S. Highway 190. The proposed rezoning is not consistent with the 2025 Future Land Use Plan, which calls for the property to be developed with residential uses. The subject property is surrounded on all four sides by residentially zoned parcels.

Currently, the portion of Highway 190 between its intersection with Louisiana Highway 22 and Florida Street is heavily traveled and is experiencing high levels of traffic congestion. Considering the level of congestion, a zoning change to C-1 would not be appropriate. However, staff feels that a zoning change to LC (Light Commercial) District would be more appropriate for the area.

STAFF RECOMMENDATION:

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