

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3623

ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR MR. DEAN

PROVIDED BY: PLANNING DEPT.

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. DEAN

ON THE 2ND DAY OF AUGUST 2007

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED AT THE SOUTHEAST CORNER OF LA HIGHWAY 22 AND MITCHAM ROAD, WEST OF INDIAN TRACE BOULEVARD AND WHICH PROPERTY COMPRISES A TOTAL OF 4.78 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT LC (LIGHT COMMERCIAL) DISTRICT TO A C-1 (NEIGHBORHOOD COMMERCIAL) DISTRICT, WARD 1, DISTRICT 1. (ZC07-07-040)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC07-07-040, has recommended Denial to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area remains LC (Light Commercial) District; 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 C-1 (Neighborhood Commercial) District (see Exhibit "A") for complete boundaries.

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 LC (Light Commercial) District to a C-1 (Neighborhood Commercial) 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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:

EXHIBIT "A"

ZC07-07-040

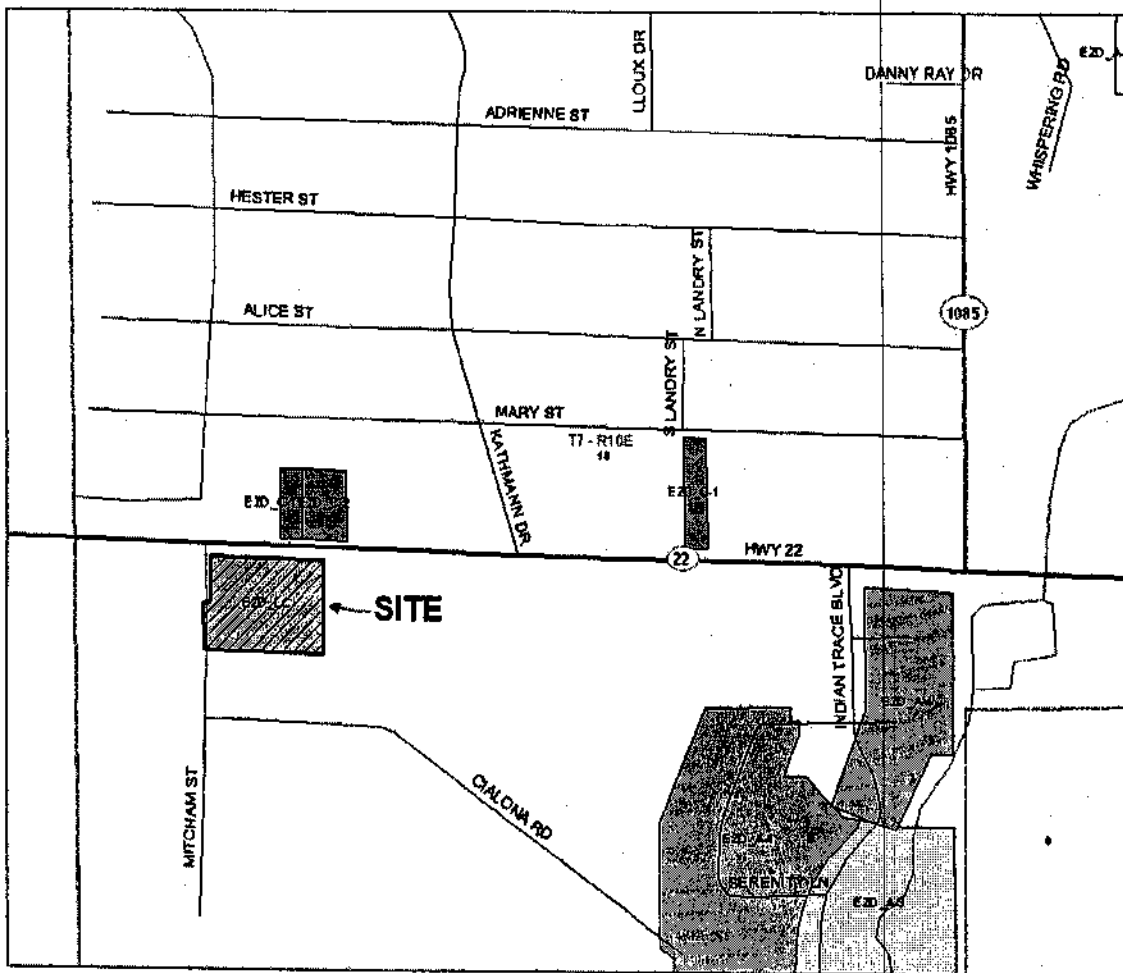
All that certain tract or portion of land, together with all the buildings and improvements thereon, and all the right, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in Section 18, Township 7 South, Range 10 East, St. Tammany Parish,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

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CASE NO.: ZC07-07-040
PETITIONER: Barbara and Charles Hasselbeck
OWNER: Barbara and Charles Hasselbeck
REQUESTED CHANGE: From LC (Light Commercial) District to C-1 (Neighborhood Commercial) District
LOCATION: Parcel located at the southeast corner of LA Highway 22 and Mitcham Road, west of Indian Trace Boulevard; S18, T7S, R10E; Ward 1, District 1
SIZE: 4.78 acres





P. O. Box 628
 COVINGTON, LA 70434
 PHONE: (985) 898-2529
 FAX: (985) 898-3003
 e-mail: planning@stpgov.org

Kevin Davis
 Parish President

Appeal # 3

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: 7/10/07

8. ZC07-07-040
 Existing Zoning: LC (Light Commercial) District
 Proposed Zoning: C-1 (Neighborhood Commercial) District
 Acres: 4.78 acres
 Petitioner: Barbara and Charles Hasselbeck
 Owner: Barbara and Charles Hasselbeck
 Location: Parcel located at the southeast corner of LA Highway 22 and Mitcham Road, west of Indian Trace Boulevard, 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

Barbara + Charles Hasselbeck
 (SIGNATURE)

BARBARA AND CHARLES HASSELBECK

1957 HWY 99 W.

MADISONVILLE, LA.

PHONE #: 985-845-4920



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ZONING STAFF REPORT

Date: June 22, 2007
Case No.: ZC07-07-040
Posted: June 13, 2007

Meeting Date: July 3, 2007
Determination: Denied

GENERAL INFORMATION

PETITIONER: Barbara and Charles Hasselbeck
OWNER: Barbara and Charles Hasselbeck
REQUESTED CHANGE: From LC (Light Commercial) District to C-1 (Neighborhood Commercial) District
LOCATION: Parcel located at the southeast corner of LA Highway 22 and Mitcham Road, west of Indian Trace Boulevard; S18, T7S, R10E; Ward 1, District 1
SIZE: 4.78 acres

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: State (Hwy 22) Parish (Mitcham Road) Road Surface: 2 lane asphalt 2 lane asphalt Condition: Good Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

Direction	Land Use	Zoning
North	Residential	R (Rural), C-1 (Neighborhood Commercial), C-2 (Highway Commercial) Districts
South	Residential	R (Rural) District
East	Residential	R (Rural) District
West	Residential	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 LC (Light Commercial) District to C-1 (Neighborhood Commercial) District. The site is located at the southeast corner of LA Highway 22 and Mitcham Road, west of Indian Trace Boulevard. The site is mostly surrounded by single family residential uses. The comprehensive plan calls for the property to be developed with residential uses. The Zoning Commission denied a previous request (ZC06-04-025) to rezone the subject property to C-1 (Neighborhood Commercial) District on April 4, 2006.

STAFF RECOMMENDATION:

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

AFFIDAVIT

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

BEFORE ME, the undersigned authority, personally came and appeared: CHARLES J HASSELBECK AND BARBARA A HASSELBECK depose and state, as follows:

We are the Owners of the Property located at: 1957 Hwy 22, Madisonville, Louisiana 70447, this property has the following zoning restrictions:

This property cannot be used for:
Schools, Restaurants, Bars, Auto Repair or Retail over 3,000 square feet, and a buffer is to be added along rear of property.

I certify that the above constitutes true and correct information.

Rw White
WITNESS RW WHITE

Charles J. Hasselbeck
CHARLES J. HASSELBECK

Angela Durrett
WITNESS ANGELA DURRETT

Barbara A. Hasselbeck
BARBARA A. HASSELBECK

Subscribed and Sworn before me, VANESSA T. EDWARDS a Notary Public for the State of Louisiana, on the 15th day of AUGUST, 2007.

[Signature]

NOTARY PUBLIC

VANESSA T. EDWARDS
NOTARY PUBLIC, ST. TAMMANY PARISH
My Commission Expires at Death
Commission #15154

Commission Expires: Lifetime Life

STATE OF LOUISIANA PARISH OF ST. TAMMANY
MALISE PRIETO CLERK OF COURT
I certify that this instrument was filed and recorded
8-15 2007 at 1:15 P.M.
Inst. # _____ of the official records.
[Signature]
DEPUTY CLERK