

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3717

ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR MR. HAMAUEI

PROVIDED BY: PLANNING

INTRODUCED BY: MR. HAMAUEI

SECONDED BY: MR. STEFANCIK

ON THE 6TH DAY OF DECEMBER, 2007

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE NORTH SIDE OF US HIGHWAY 190, EAST OF NORTH OAKLAWN DRIVE, WEST OF NORTH MILL ROAD AND WHICH PROPERTY COMPRISES A TOTAL OF 2.79 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT SA (SUBURBAN AGRICULTURAL) DISTRICT TO A LC (LIGHT COMMERCIAL) DISTRICT WARD 7, DISTRICT 7. (ZC07-11-061)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC07-11-061, has recommended Denial to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area remains SA (Suburban Agricultural) 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 SA (Suburban Agricultural) 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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:

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Exhibit "A"

ZC07-11-061

A CERTAIN PIECE OR PARCEL BEING A PORTION OF LOTS 362 AND 363, NORTH OAKLAWN, SITUATED IN SECTION 39, TOWNSHIP 8 SOUTH, RANGE 13 EAST, ST. TAMMANY PARISH, LOUISIANA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

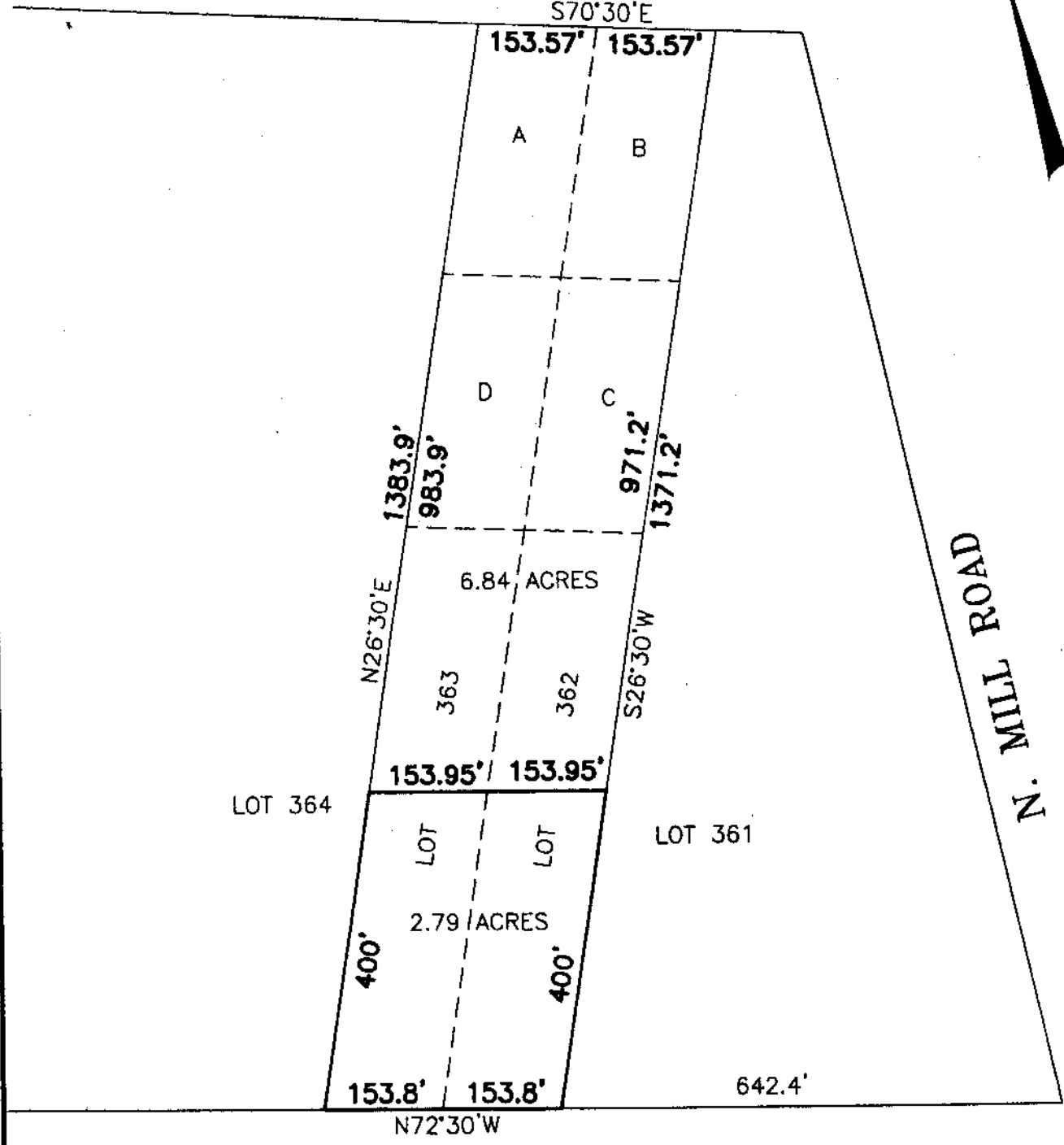
FROM THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 190 AND THE WESTERLY RIGHT OF WAY LINE OF NORTH MILL ROAD, ST. TAMMANY PARISH, LOUISIANA, RUN WESTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 190 A DISTANCE OF 642.4 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING RUN ALONG THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 190 NORTH 72 DEGREES 30 MINUTES WEST A DISTANCE OF 307.6 FEET TO A POINT; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 190 RUN NORTH 26 DEGREES 30 MINUTES EAST A DISTANCE OF 400 FEET TO A POINT; THENCE RUN SOUTH 72 DEGREES 30 MINUTES EAST A DISTANCE OF 307.9 FEET TO A POINT; THENCE RUN SOUTH 26 DEGREES 30 MINUTES WEST A DISTANCE OF 400 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.79 ACRES MORE OR LESS.

ERINDALE DRIVE

S70°30'E



LOT 364

LOT 361

N. MILL ROAD

U.S. HWY. 190

NOTE: NO ACTUAL FIELD WORK HAS BEEN DONE.

REFERENCE SURVEY: LOTS 362 & 363 NORTH OAKLAWN, ST. TAMMANY PARISH, LOUISIANA BY EDDIE J. CHAMPAGNE DWG. NO. 3163, DATED JUNE 24, 1970.

RE-ZONING MAP OF
 A PORTION OF LOTS 362 AND 363, NORTH OAKLAWN
 in
 SECTION 39, T-8-S, R-13-E
 St. Tammany Parish, Louisiana
 for

DONALD GEIER

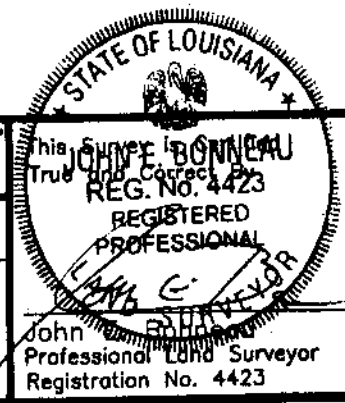
Survey No. 2007 698 A
 Date: JULY 18, 2007

Drawn by: SPH
 Revised:

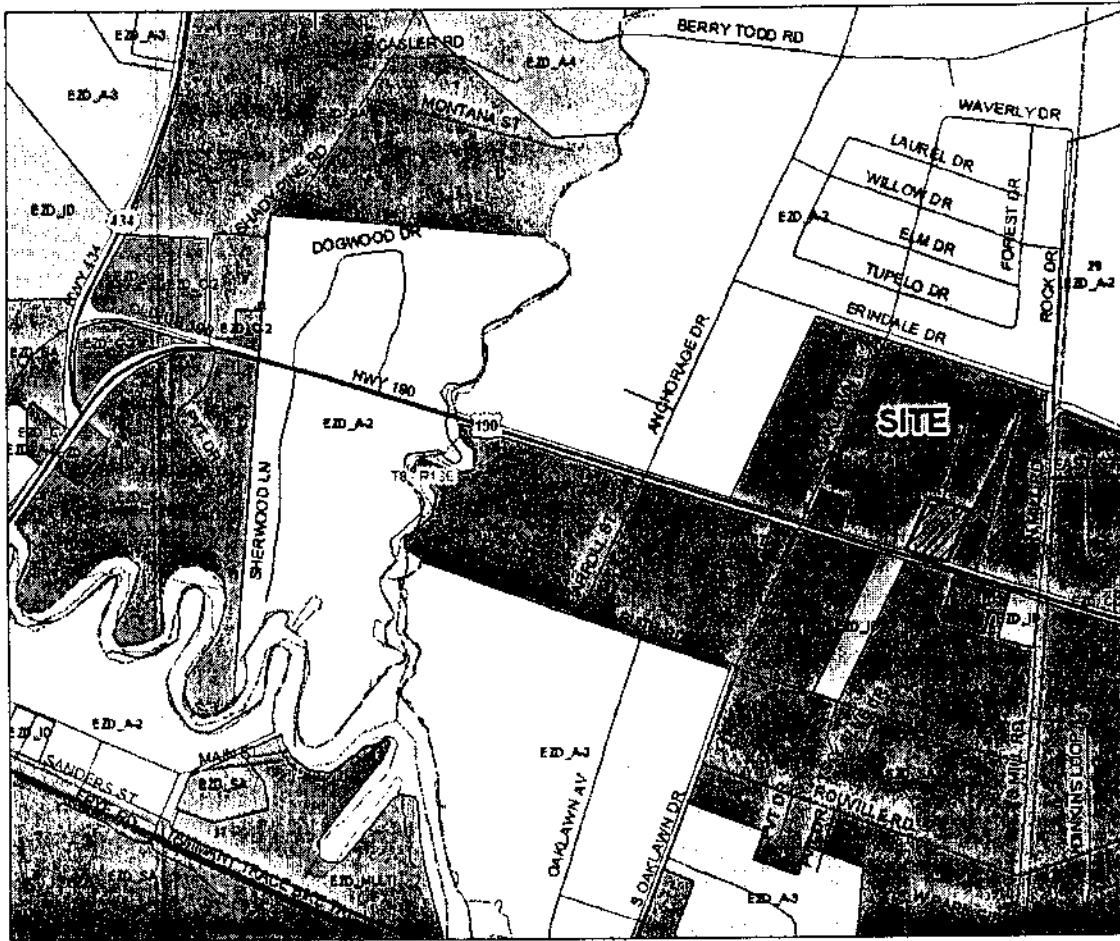
Scale: 1" = 200'

JOHN E. BONNEAU & ASSOCIATES, INC.
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CASE NO.: ZC07-11-061
PETITIONER: Donald Geier
OWNER: Donald & Carol Geier & Tom & Rebecca Hutchinson
REQUESTED CHANGE: From SA (Suburban Agricultural) District to C-2 (Highway Commercial) District
LOCATION: Parcel located on the north side of US Highway 190, east of North Oaklawn Drive, west of North Mill Road; S39, T8S, R13E; Ward 7, District 7
SIZE: 2.79 acres





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DEPARTMENT OF PLANNING
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Kevin Davis
 Parish President

appeal 7

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: 11/14/07

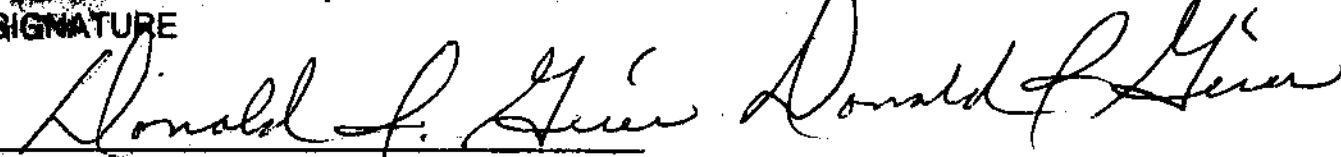
(Reference Case) ZC07-11-061
 Existing Zoning: SA (Suburban Agricultural) District
 Proposed Zoning: C-2 (Highway Commercial) District
 Acres: 2.79 acres
 Petitioner: Donald Geier
 Owner: Donald & Carol Geier & Tom & Rebecca Hutchinson
 Location: Parcel located on the north side of US Highway 190, east of North Oaklawn Drive, west of North Mill Road, S39, T8S, R13E, Ward 7 District 7

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)
DONALD I. GEIER
229 CAROLYN DR.
HARRAHAN, LA, 70123
 PHONE #: (504) 737-7617



ZONING STAFF REPORT

Date: October 26, 2007
Case No.: ZC07-11-061
Posted: October 17, 2007

Meeting Date: November 6, 2007
Determination: Denied

GENERAL INFORMATION

PETITIONER: Donald Geier
OWNER: Donald & Carol Geier & Tom & Rebecca Hutchinson
REQUESTED CHANGE: From SA (Suburban Agricultural) District to C-2 (Highway Commercial) District
LOCATION: Parcel located on the north side of US Highway 190, east of North Oaklawn Drive, west of North Mill Road; S39, T8S, R13E; Ward 7, District 7
SIZE: 2.79 acres

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: Federal

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	SA (Suburban Agricultural) District
South	Residential	SA (Suburban Agricultural) District
East	Undeveloped	C-2 (Highway Commercial) District
West	Residential	SA (Suburban Agricultural) 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 SA (Suburban Agricultural) District to C-2 (Highway Commercial) District. The site is located on the north side of US Highway 190, east of North Oaklawn Drive, west of North Mill Road. The proposed rezoning is not consistent with the 2025 Future Land Use Plan, which calls for the property to be developed with residential uses. However, considering the subject property's close proximity to several other commercially zoned properties, staff is not opposed to the rezoning request.

STAFF RECOMMENDATION:

The staff recommends that the request for a C-2 (Highway Commercial) District designation be approved.