

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3860

ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR MR. DEAN

PROVIDED BY: PLANNING

INTRODUCED BY: MR. DEAN

SECONDED BY: MR. STEFANCIK

ON THE 5TH DAY OF JUNE, 2008

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE SOUTHEAST SIDE OF LA HIGHWAY 1077 & LA HIGHWAY 1085 AND WHICH PROPERTY COMPRISES A TOTAL OF 8.92 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT SA (SUBURBAN AGRICULTURAL) DISTRICT TO A C-2 (HIGHWAY COMMERCIAL) DISTRICT (7.27 ACRES) AND C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (1.65 ACRES), WARD 1, DISTRICT 1. (ZC08-05-023)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC08-05-023, has recommended to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area be changed from its present SA (Suburban Agricultural) District to a C-2 (Highway Commercial) District (7.27 acres) and C-1 Neighborhood Commercial District (1.65 acres) (see Exhibit "A") for complete boundaries.

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 C-2 (Highway Commercial) District (7.27 acres) and C-1 (Neighborhood Commercial) District (1.65 acres).

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 C-2 (Highway Commercial) District (7.27 acres) and C-1 (Neighborhood Commercial) District (1.65 acres).

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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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

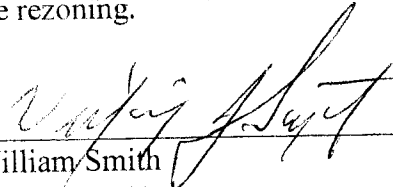
EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

June 5, 2008

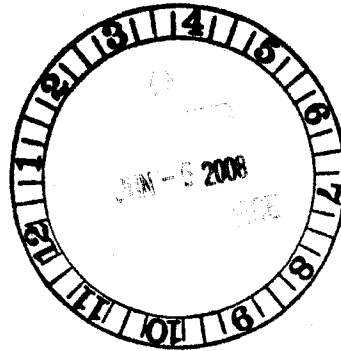
Re: APPEAL WITHDRAWAL

I William Smith desire to WITHDRAW my appeal on the Parish Council's Agenda for June 5, 2008. Appeal # ZC08-05-023. I understand this will result in an approval of the APPROVAL of the rezoning.



William Smith
985-892-5441

6-5-08
Date





ST. TAMMANY PARISH
 DEPARTMENT OF PLANNING
 P. O. BOX 628
 COVINGTON, LA 70434
 PHONE: (985) 898-2529
 FAX: (985) 898-3003
 e-mail: planning@stpgov.org

Kevin Davis
 Parish President

Memo

TO: Theresa Ford
 Council Clerk

DATE: May 19, 2008

RE: PLACEMENT OF ITEM(S) ON COUNCIL AGENDA

Please find transmitted items that are being requested to be placed on the **June 5, 2008** Council Agenda. The below listed items are saved on (Y:\Council Active Agenda\08-June\Planning).

Also, transmitted are copies of the marked up Zoning & Planning Commission Agendas for your file.

ORDINANCE(S) FOR INTRODUCTION

- 3840 ZC08-04-016
- 3841 ZC08-05-021
- 3842 ZC08-05-022
- ZC08-05-023 Appealed - Revised Legal Description to be provided by petitioner/owner
- 3843 ZC08-05-024
- 3847 ZC08-05-025
- ZC08-05-026 Appealed

APPEALS

ZONING CASES

ZC DECISION

APPELLANT(S)

- | | | |
|-----------------|---------------------|------------|
| #2 -ZC08-05-023 | Approved as Amended | Bill Smith |
| #3 -ZC08-05-026 | Approved | Bill Smith |

ZC
5/16/08

CONDITIONAL USE PERMIT

CASE #

ZC DECISION

APPELLANT(S)

- | | | |
|-----------------|-----------------------|------------------------|
| #7 -CP08-05-078 | Approved | Shannon Leger |
| #5 -CP08-05-093 | Denied | Byron Jones |
| #6 -CP08-05-072 | Approved w/conditions | Gayland & Michael Ford |

PLANNING COMMISSION - MAY 13, 2008 MEETING

RESUBDIVISION REVIEW

CASE #

PC DECISION

APPELLANT(S)

- | | | |
|--|--------|----------------|
| #7 RS08-05-049
Fern Creek Estates,
lot 8 into lots 8-A and 8-B,
Ward 4, District 10 | Denied | Staci Erickson |
|--|--------|----------------|

PC
5/13/08

CASE NO.: ZC08-05-023
PETITIONER: Benjamin C. Seeger
OWNER: The Goodbee Land Co., LLC
REQUESTED CHANGE: From SA (Suburban Agricultural) District to C-2 (Highway Commercial) & C-1 (Neighborhood Commercial) Districts
LOCATION: Parcel located on the southeast side of LA Highway 1077 & LA Highway 1085; S3, T7S, R10E; Ward 1, District 1
SIZE: 8.92 acres





ST. TAMMANY PARISH

DEPARTMENT OF PLANNING

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 #2

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: 5-6-08

ZC08-05-023

Existing Zoning:	SA (Suburban Agricultural) District
Proposed Zoning:	C-2 (Highway Commercial) District <i>re-Amended to</i>
Acres:	8.92 acres
Petitioner:	Benjamin C. Seeger <i>C-1 & C-2</i>
Owner:	The Goodbee Land Co., LLC
Location:	Parcel located on the southeast side of LA Highway 1077 & LA Highway 1085, S3, 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**

William J. Smith

(SIGNATURE)

BILL SMITH

71205 WHISKEY OAKS LAKE

COVINGTON, LA 70433

PHONE #: 985-892-5441

ZONING STAFF REPORT

Date: April 25, 2008

Meeting Date: May 6, 2008

Case No.: ZC08-05-023

Determination: Amended to C-1 (1.65 acres) & C-2 (7.27 acres)

Posted: 04/16/08

GENERAL INFORMATION

PETITIONER: Benjamin C. Seeger
OWNER: The Goodbee Land Co., LLC
REQUESTED CHANGE: From SA (Suburban Agricultural) District to C-2 (Highway Commercial) District
LOCATION: Parcel located on the southeast side of LA Highway 1077 & LA Highway 1085; S3, T7S, R10E; Ward 1, District 1
SIZE: 8.92 acres

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: State

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	School Under Construction	ID (Institutional) District
South	Mini Storage	C-1 (Neighborhood Commercial) District
East	Residential	A-1 (Suburban) District
West	Undeveloped	R (Rural) District

EXISTING LAND USE:

Existing development? No

Multi occupancy development? Yes

COMPREHENSIVE PLAN:

Commercial – Mixed Use/ Light - Multiple and complementary principal uses permitted to coexist within the same development program and area, typically more intense by land area than adjoining areas.

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 southeast side of LA Highway 1077 & LA Highway 1085. The 2025 future land use plan designates the area to be developed with residential uses and a mix of commercial uses. Staff feels that the request is appropriate for the area.

STAFF RECOMMENDATION:

EXHIBIT "A"

ZC08-05-023

**Legal Description for
A 7.27 Acre
Portion of Ground
(Proposed C2 Zoning)**

A Certain Piece or Portion of Ground situated in the Section 3, Township 7 South, Range 10 East, Parish of St. Tammany, State of Louisiana, and more fully described as follows:

Commence at the Section corner common to Sections 2, 3, 10, and 11, Township 7 South, Range 10 East, thence measure North 00 degrees 13 minutes West, a distance of 1336.6 feet to a point; thence measure South 88 degrees 58 minutes West, a distance of 1268.1 feet to a point located on the East line of La. Hwy. 1077 (Turnpike Road); thence measure North 23 degrees 48 minutes West, along the East line of La. Hwy 1077, a distance of 815.3 feet to the Point of Beginning.

From the Point of Beginning, continue North 23 degrees 48 minutes West, along the East line of La. Hwy 1077, a distance of 506.1 feet to a point; thence measure North 33 degrees 36 minutes East, along the East line of La. Hwy 1077, a distance of 85.1 feet to a point on the South line of Bootlegger Road (formerly La. Hwy 1085); thence measure South 89 degrees 24 minutes East, along the South line of Bootlegger Road, a distance of 120.3 feet to a point; thence measure North 89 degrees 44 minutes East, along the South line of Bootlegger Road, a distance of 500.0 feet to a point; thence leaving the South line of Bootlegger Road, measure South 04 degrees 02 minutes East, a distance of 534.0 feet to a point; thence measure South 89 degrees 44 minutes West, a distance of 500.8 feet back to the Point of Beginning, containing 7.27 acres.

**Legal Description for
A 1.65 Acre
Portion of Ground
(Proposed C1 Zoning)**

A Certain Piece or Portion of Ground situated in the Section 3, Township 7 South, Range 10 East, Parish of St. Tammany, State of Louisiana, and more fully described as follows:

Commence at the Section corner common to Sections 2, 3, 10, and 11, Township 7 South, Range 10 East, thence measure North 00 degrees 13 minutes West, a distance of 1336.6 feet to a point; thence measure South 88 degrees 58 minutes West, a distance of 1268.1 feet to a point located on the East line of La. Hwy. 1077 (Turnpike Road); thence measure North 23 degrees 48 minutes West, along the East line of La. Hwy 1077, a distance of 815.3 feet to a point; thence leaving the East line of La. Hwy 1077, measure North 89 degrees 44 minutes East, a distance of 500.8 feet to the Point of Beginning.

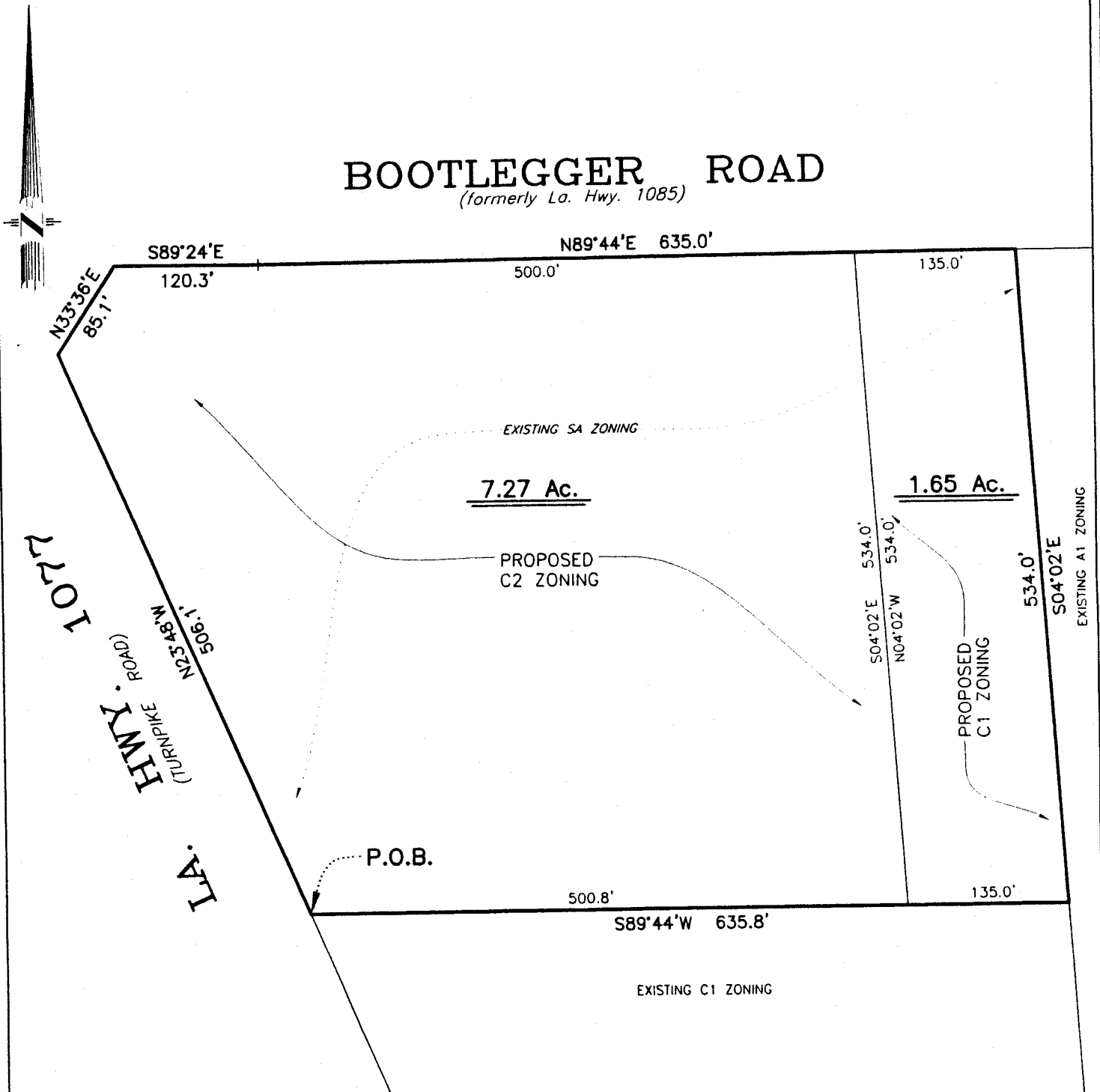
CASE NO.: ZC08-05-023
PETITIONER: Benjamin C. Seeger
OWNER: The Goodbee Land Co., LLC
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SIZE: 8.92 acres



2008-05-023

BOOTLEGGER ROAD

(formerly La. Hwy. 1085)



THE P.O.B. SHOWN HEREON IS DESCRIBED AS BEING LOCATED $N00^{\circ}13'W$, 1336.6'; $S88^{\circ}58'W$, 1268.1' AND $N23^{\circ}48'W$, 815.3' FROM THE CORNER COMMON TO SECTIONS 2, 3, 10, & 11, T7S, R10E, ST. TAMMANY PARISH, LA.

REFERENCE SURVEY AND BASIS FOR BEARINGS:

PLAT OF SURVEY BY LAND ENGINEERING SERVICES, INC, DATED 5-31-93.

NOTE:

ANY UTILITIES, DITCHES, FENCES, SERVITUDES, AND/OR IMPROVEMENTS OF ANY NATURE THAT MAY EXIST WITHIN THIS PROPERTY, IF ANY, ARE NOT SHOWN HEREON.

NOTE:

THIS SKETCH WAS PREPARED FROM EXISTING TITLE AND REFERENCE SURVEY INDICATED HEREON. THIS IS NOT A SURVEY.

THIS PLAT REPRESENTS A SKETCH ONLY AND DOES NOT REPRESENT A SURVEY. THIS SKETCH IS NOT IN ACCORDANCE WITH THE ADOPTED LOUISIANA MINIMUM STANDARDS OF PRACTICE FOR PROPERTY BOUNDARY SURVEYS.