

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4748

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/BRISTER

PROVIDED BY: PLANNING

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. ARTIGUE

ON THE 5 DAY OF APRIL , 2012

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY CERTAIN PARCELS LOCATED ON THE NORTH & SOUTH SIDES OF SLOAT ROAD, EAST OF VINCENT ROAD AND WHICH PROPERTY COMPRISES A TOTAL 14.24 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-3 (SUBURBAN DISTRICT) TO I-3 (HEAVY INDUSTRIAL DISTRICT-2.95 ACRES), I-2 (INDUSTRIAL DISTRICT- 6.5 ACRES), HC-1 (HIGHWAY COMMERICAL DISTRICT - 3.2 ACRES) AND A-3 (SUBURBAN DISTRICT - 1.6 ACRES) (WARD 9, DISTRICT 12). (ZC12-02-012)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC12-02-012, 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 A-3 (Suburban District) to I-3 (Heavy Industrial District-2.95 acres), I-2 (Industrial District- 6.5 acres), HC-1 (Highway Commerical District - 3.2 acres) and A-3 (Suburban District - 1.6 acres) see Exhibit "A" for complete boundaries; 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 I-3 (Heavy Industrial District-2.95 acres), I-2 (Industrial District- 6.5 acres), HC-1 (Highway Commerical District - 3.2 acres) and A-3 (Suburban District - 1.6 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 A-3 (Suburban District) to I-3 (Heavy Industrial District-2.95 acres), I-2 (Industrial District- 6.5 acres), HC-1 (Highway Commercial District - 3.2 acres) and A-3 (Suburban District - 1.6 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 3 DAY OF MAY , 2012 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: March 29 , 2012

Published Adoption: _____, 2012

Delivered to Parish President: _____, 2012 at _____

Returned to Council Clerk: _____, 2012 at _____

Exhibit "A"

ZC12-02-012

I-3 (Heavy Industrial District-2.95 acres)

A certain parcel of land lying and situated in Section 9, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana and more fully described as follows.

*Commence from the Quarter Section corner common to Sections 9 & 10, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana run South 64 Degrees 45 Minutes West a distance of 1161.60 feet to a point; Thence run South 35 Degrees West a distance of 705.5 feet to a point; Thence run South 55 Degrees 30 Minutes East a distance of 130.0 feet to a ½" iron rod found and the **Point of Beginning**.*

*From the **Point of Beginning** run South 76 Degrees 13 Minutes 54 Seconds East a distance of 99.32 feet to a point; Thence run South 82 Degrees 22 Minutes 18 Seconds East a distance of 104.02 feet to a point; Thence run South 74 Degrees 06 Minutes 47 Seconds East a distance of 304.97 feet to a point on the right descending bank of Bayou Bonfouca; Thence follow said right descending bank of Bayou Bonfouca the following calls; South 50 Degrees 20 Minutes 36 Seconds West a distance of 30.69 feet; South 78 Degrees 25 Minutes 47 Seconds West a distance of 38.97 feet; South 21 Degrees 53 Minutes 29 Seconds West a distance of 107.88 feet; South 39 Degrees 36 Minutes 52 Seconds West a distance of 163.30 feet; South 31 Degrees 32 Minutes 26 Seconds West a distance of 38.74 feet to a point; Thence leaving said right descending bank of Bayou Bonfouca run North 72 Degrees 00 Minutes West a distance of 261.99 feet to a point; Thence run North 14 Degrees 00 Minutes East a distance of 107.25 feet to a point; Thence run North 75 Degrees 54 Minutes West a distance of 99.30 feet to a ½" iron rod found; Thence run North 15 Degrees 00 Minutes East a distance of 205.00 feet and back to the **Point of Beginning**.*

Containing 2.953 acres of land more or less, and situated in Section 9, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana

I-2 (Industrial District)

A certain parcel of land lying and situated in Section 9, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana and more fully described as follows.

*Commence from the Quarter Section corner common to Sections 9 & 10, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana run South 64 Degrees 45 Minutes West a distance of 1161.60 feet to a point; Thence run South 35 Degrees 00 Minutes 00 Seconds West a distance of 198.01 feet to a point and the **Point of Beginning**.*

*From the **Point of Beginning** run South 55 Degrees 30 Minutes 00 Seconds West a distance of 1014.49 feet to a point on the right descending bank of Bayou Bonfouca; Thence follow said right descending bank of Bayou Bonfouca the following calls; South 27 Degrees 39 Minutes 11 Seconds West a distance of 33.14 feet to a point; South 23 Degrees 31 Minutes 34 Seconds West a distance of 15.57 feet to a point; South 62 Degrees 49 Minutes 26 Seconds West a distance of 26.53 feet; North 56 Degrees 41 Minutes 02 Seconds West a distance of 103.15 feet; North 59 Degrees 48 Minutes 56 Seconds West a distance of 139.12 feet; North 62 Degrees 15 Minutes 54 Seconds West a distance of 84.95 feet; South 56 Degrees 52 Minutes 09 Seconds West a distance of 16.14 feet to a point; North 71 Degrees 39 Minutes 43 Seconds West a distance of 16.03 feet; South 57 Degrees 47 Minutes 07 Seconds West a distance of 129.32 feet; South 40 Degrees 16 Minutes 41 Seconds West a distance of 96.12 feet; Thence leaving said right descending bank of Bayou Bonfouca run North 74 Degrees 06 Minutes 47 Seconds West a distance of 304.97 feet to a point; Thence run North 82 Degrees 22 Minutes 18 Seconds West a distance of 104.03 feet to a point; Thence run North 76 Degrees 13 Minutes 54 Seconds West a distance of 99.32 feet to a point; Thence run North 55 Degrees 30 Minutes 00 Seconds West a distance of 129.99 feet to a point; Thence run North 35 Degrees 00 Minutes 00 Seconds East a distance of 507.49 feet and back to the **Point of Beginning**.*

Containing 6.9241 acres of land more or less, and situated in Section 9, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana

EXHIBIT "A"

ZC12-02-012 CONT'D

HC-1 (Highway Commercial -3.2 acres)

A certain parcel of land lying and situated in Section 9, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana and more fully described as follows.

*Commence from the Quarter Section corner common to Sections 9 & 10, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana run South 64 Degrees 45 Minutes West a distance of 1161.60 feet to a point; Thence run South 35 Degrees 00 Minutes 00 Seconds West a distance of 64.00 to a point and the **Point of Beginning**.*

*From the **Point of Beginning** run South 55 Degrees 30 Minutes 00 Seconds East a distance of 1073.14 feet to a point on the right descending bank of Bayou Bonfouca; Thence follow said right descending bank of Bayou Bonfouca the following calls: South 60 Degrees 05 Minutes 48 Seconds West a distance of 140.49 feet to a point; Thence run South 27 Degrees 39 Minutes 11 Seconds West a distance of 7.35 feet to a point; Thence leaving said right descending bank of Bayou Bonfouca run North 55 Degrees 30 Minutes 00 Seconds West a distance of 1014.49 feet to a point; Thence run North 35 Degrees 00 Minutes 00 Seconds East a distance of 134.01 feet and back to the **Point of Beginning**.*

*Containing **3.2 acres of land more or less**, and situated in Section 9, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana*

A-3 (Suburban District 1.6 acres)

A certain parcel of land lying and situated in Section 9, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana and more fully described as follows.

*Commence from the Quarter Section corner common to Sections 9 & 10, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana run South 64 Degrees 45 Minutes West a distance of 1161.60 feet to a point and the **Point of Beginning**.*

*From the **Point of Beginning** run South 55 Degrees 30 Minutes 00 Seconds East a distance of 1106.00 feet to a point on the right descending bank of Bayou Bonfouca; Thence run along said right descending bank of Bayou Bonfouca the following calls; South 58 Degrees 57 Minutes 56 Seconds West a distance of 58.55 feet to a point; Thence run South 78 Degrees 19 Minutes 58 Seconds West a distance of 11.65 feet to a point; Thence run South 60 Degrees 05 Minutes 48 Seconds West a distance of 2.55 feet to a point; Thence leaving said right descending bank of Bayou Bonfouca run North 55 Degrees 30 Minutes 00 Seconds West a distance of 1073.14 feet to a point; Thence run North 35 Degrees 00 Minutes 00 Seconds East a distance of 64.00 feet and back to the **Point of Beginning**.*

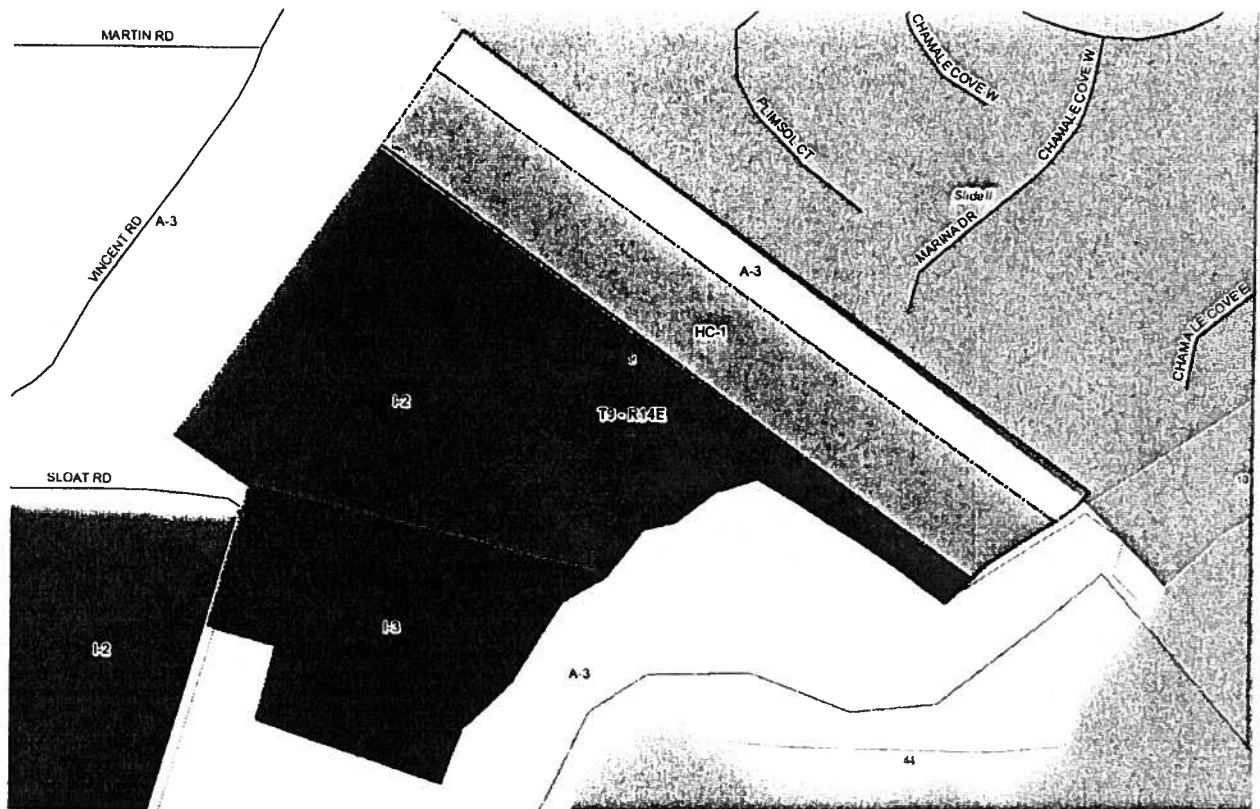
*Containing **1.6 acres of land more or less**, and situated in Section 9, Township 9 South, Range 14 East, Saint Tammany Parish, Louisiana*

CASE NO.: ZC12-02-012

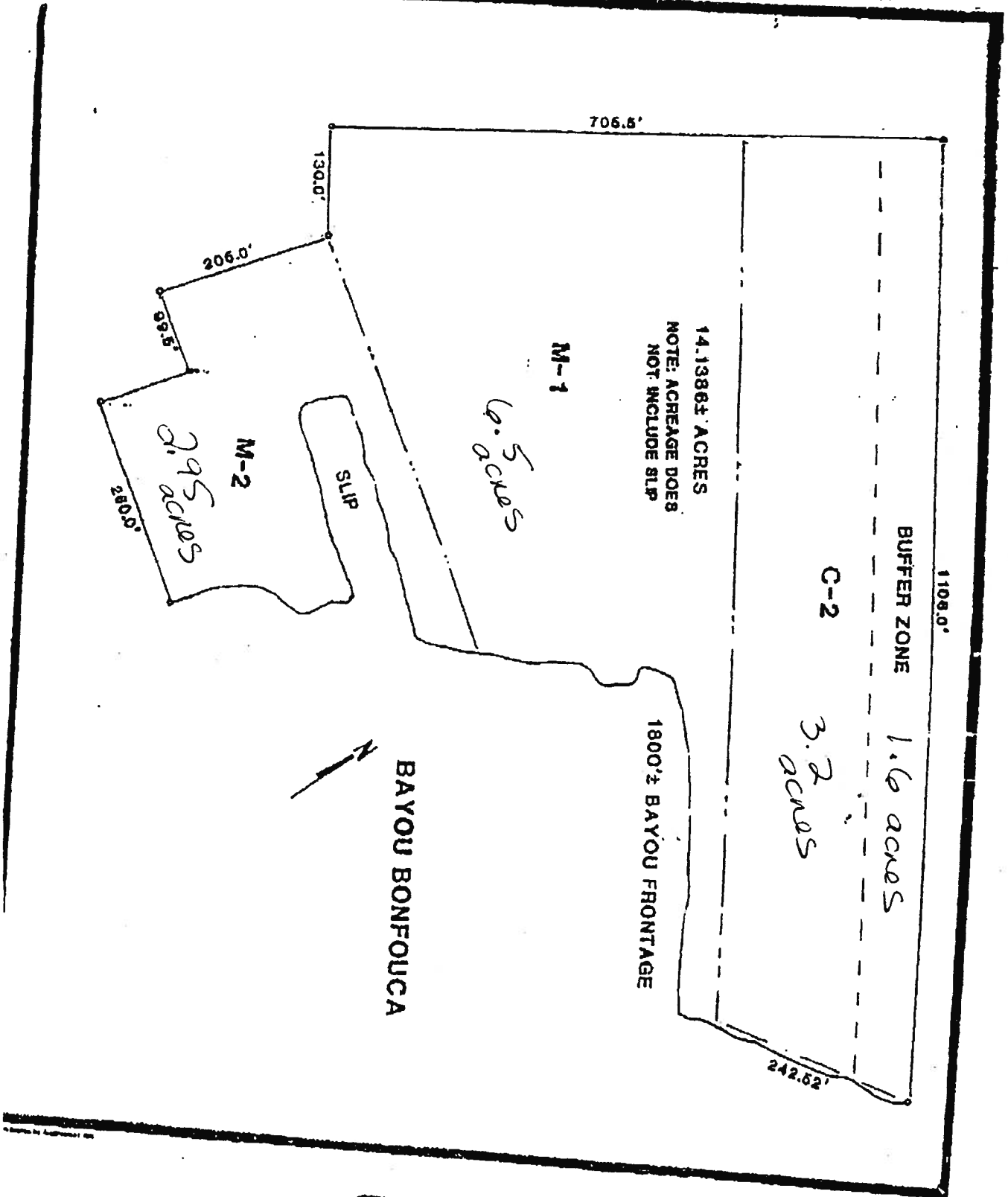
REQUESTED CHANGE: From A-3 (Suburban District) to I-3 (Heavy Industrial District 2.95 acres), I-2 (Industrial District 6.5 acres), HC-1 (Highway Commercial District 3.2 acres), A-3 (Suburban District 1.6 acres)

LOCATION: Parcels located on the north & south sides of Sloat Road, east of Vincent Road; S9,T9S,R15E; Ward 9, District 12

SIZE: 14.24 acres



Zoning before Comprehensive Rezoning



Plat Map

February 9, 2012

Ms. Helen Lambert

Assistant Director of Zoning

St. Tammany Parish, LA

RE: Re-zoning of Harbor Fleeting LLC property to I-3 (previously zoned M-2)

Dear Mrs. Lambert,

As per our conversation, I wanted to request that our shipyard property, located at 36236 Sloat Road, Slidell LA, which was zoned M-2 since 1985, and then re-zoned recently by the Parish (without our knowledge) to A3 be re-zoned back to I-3, description of which is the closest to the original M-2 zoning.

The property in question sits on 2.95 acres of land that surround a 260 by 100 foot graving dock with a cement foundation. It is designed for use for ship building and repair.

We are requesting that our zoning be kept as I-3, comparable to its original M-2 designation, going back to 1985, due to the reasons of history of our property, the use and zoning of the surrounding areas as well as existing legal agreements between us and St. Tammany Parish.

HISTORY

As you might be aware, our property has been used for commercial, marine and industrial purposes going back at least a hundred years. At the turn of the century it was a brick manufacturing yard and a shipyard for wooden schooners. Later it became a lumber yard which supplied lumber to New Orleans. In the 1950-70s it was owned by Sloat Dredging Company and used as a barge slip and repair facility. At that time a 260 x 100 foot slip was added which could be closed off with sheet piles and the water pumped out in order to convert it into a dry dock. During 1970-90s Ingram Concrete Barge Company built the concrete barges for oil field production there. They added a very thick concrete slab to the bottom of the 260 x 100 ft slip for the purposes of making a foundation for concrete barge building. In the late 1980s and throughout 1990s the property was used for scrapping and repairing barges. And finally, in the last decade it was used for tugboat conversion and repair.

SURROUNDING AREA

The surrounding area is all industrial except for the subdivision to the northeast which is located 700 feet away. To the east, directly across the bayou is the Slidell Water Treatment facility. To their south are Omni Pinnacle and Pearl River Navigation companies and a marina with a dry dock. To our southwest, next to the Bayou Liberty bridge is Ozone Aggregates, Inc. , sand and gravel yard and Land and Marine Fabricators corp. (another shipyard). Northwest of us are several warehouses and Cleco's

electric substation. So on all sides, except north-east, we are surrounded by industrial and commercial properties.

ZONING AND LEGAL AGREEMENTS

We have discovered only recently that the Parish had changed the zoning for our property to A3, residential, which is not appropriate for our business needs. As I have explained over the phone, all the shareholders are located outside of Louisiana and we have not received any notice of zoning change from the Parish. As a matter of fact, our property taxes are still computed based on the original zoning designation.

As you can see from the attached copy of the Restrictive Covenants which have been filed in the Parish of St. Tammany at COB 1216, Folio 300, entry number 590659, the zoning cannot be changed, as per section 2.3:

Amendments to These Restrictions. The restrictions shall not be amended without the consent of all the following:

- (a) The majority vote of the governing body (presently the Police Jury) for the Parish of St. Tammany
- (b) The owners of 75% of the area of the Designated Property
- (c) The owners of 75% of the area of the property within 500 feet of that portion of the Designated Property concerned in such amendment.

We thus respectfully ask you to approve the I-3 zoning for our 2.95 acres of land, so that we can continue operating as a ship repair and building facility. Should you have any questions, I can be reached by phone at (561)719-1530.

Sincerely,

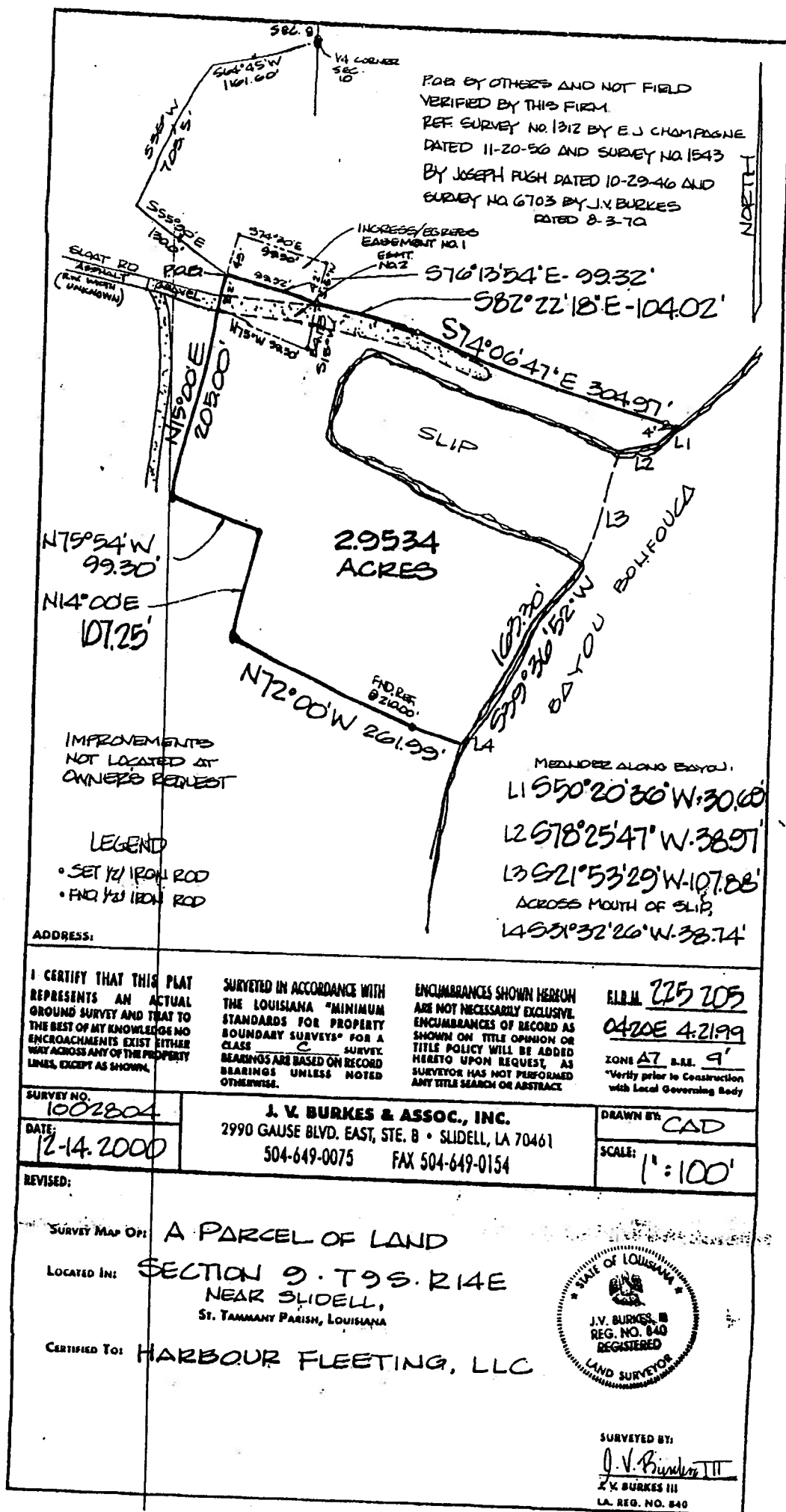
Harbour Fleeting LLC

Vesna Oelsner

Owner

Attachments:

1. Survey of property
2. Previous zoning – plat map
3. Requested zoning – map
4. Aerial map
5. Aerial photograph





ZC12-02-012

February 27, 2012

Ms. Helen Lambert

Assistant Director of Zoning

St. Tammany Parish, LA

RE: Re-zoning of G & M Barge property to I-2, CH-2 and A-3 (previously zoned M-1, C2 and rural)

Dear Mrs. Lambert,

As per our conversation, I wanted to request that our property, located at 36236 Sloat Road, Slidell LA, which consisted of 3 parcels: 6.5 acres zoned M-1, 3.2 acres zoned C-2 and 1.6 acres zoned rural (buffer) since 1985, and then re-zoned recently by the Parish (without our knowledge) to A3 be re-zoned back to respectively I-2, CH-2 and A-3, new zoning designations closest to the what we had originally.

We are requesting that our property be re-zoned due to the reasons of history of its use, zoning of the surrounding areas as well as existing legal agreements between us and St. Tammany Parish.

HISTORY

As you might be aware, our property has been used for commercial, marine and industrial purposes going back at least a hundred years. At the turn of the century it was a part of a brick manufacturing yard and a shipyard for wooden schooners. Later it became a lumber yard which supplied lumber to New Orleans. In the 1950-70s it was owned by Sloat Dredging Company and used as a repair facility. During 1970-90s Ingram Concrete Barge Company built the concrete barges for oil field production there. In the late 1980s and throughout 1990s the property was used for scrapping and repairing barges. And finally, in the last decade it was used for boat scrapping and repair.

SURROUNDING AREA

The surrounding area is all industrial except for the subdivision to the northeast which is separated with a 100 ft x 1,108 ft buffer of mature trees, on average 30- 40 feet in height. To the east, directly across the bayou is the Slidell Water Treatment facility. To their south are Omni Pinnacle and Pearl River Navigation companies and a marina with a dry dock. To our southwest, next to the Bayou Liberty bridge is Ozone Aggregates, Inc. , sand and gravel yard and Land and Marine Fabricators corp. (another shipyard). To our south is Harbour Fleeting LLC, a ship repair and building facility with a 260 ft x 100 ft graving dock. Northwest of us are several warehouses and Cleco's electric substation. So on all sides, except north-east, we are surrounded by industrial and commercial properties.

ZONING AND LEGAL AGREEMENTS

We have discovered only recently that the Parish had changed the zoning for our property to A3, residential, which is not appropriate for our business needs. As I have explained over the phone, all the shareholders are located outside of Louisiana and we have not received any notice of zoning change from the Parish. As a matter of fact, our property taxes are still computed based on the original zoning designation.

As you can see from the attached copy of the Restrictive Covenants which have been filed in the Parish of St. Tammany at COB 1216, Folio 300, entry number 590659, the zoning cannot be changed, as per section 2.3:

Amendments to These Restrictions. The restrictions shall not be amended without the consent of all the following:

- (a) The majority vote of the governing body (presently the Police Jury) for the Parish of St. Tammany
- (b) The owners of 75% of the area of the Designated Property
- (c) The owners of 75% of the area of the property within 500 feet of that portion of the Designated Property concerned in such amendment.

We thus respectfully ask you to approve the re-zoning for our 11.5 acres of land, as outlined in this letter. Should you have any questions, please do not hesitate to contact me at (281) 545-9279 or our attorney, Andrew Gibson . He will be representing us during March 6, 2012 meeting.

Sincerely,

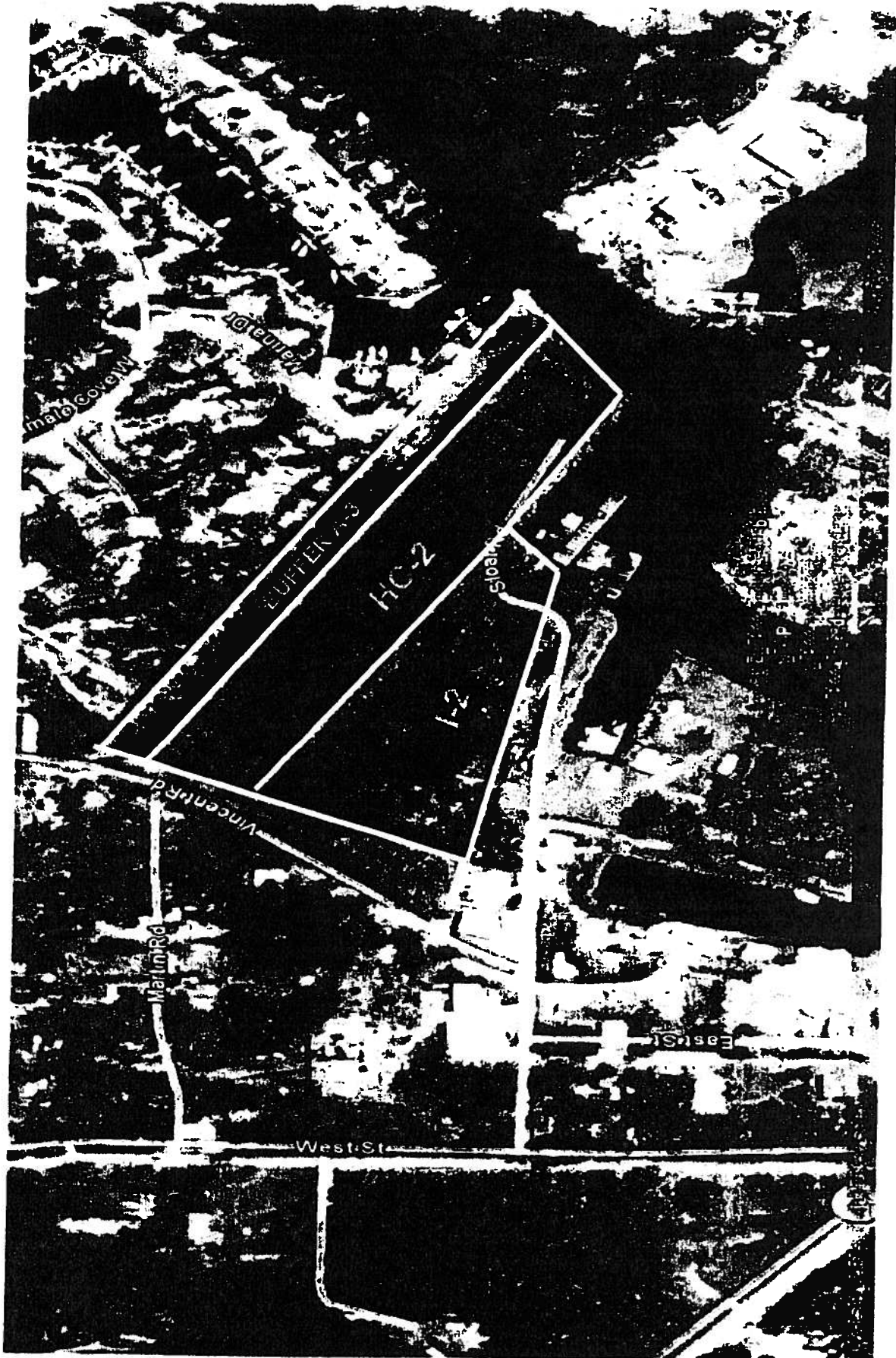
G & M Barge

Marcie Doss

Attachments:

- 1. Survey of property
- 2. Previous zoning – plat map
- 3. Requested zoning – map
- 4. Aerial photograph

ZC12-02-012



ZC12-02-012

VINCENT RD

WESTPORT CT

ALBER DR

A-3

PLIMSOL CT

CHAMPAINE COVE W

MARTIN RD

A-3

MARINA DR

HC-2

T9-R14E

I-2

SLOAT RD

I-2

I-3

A-3

0

240

480 Feet

N

