



APPEAL # 5

ST. TAMMANY PARISH

MICHAEL B. COOPER
PARISH PRESIDENT

ZC DENIED: 07/06/21

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 & DEVELOPMENT. A COPY OF THE APPEAL REQUEST IS PROVIDED BELOW.

APPEAL REQUEST

DATE: 7/12/2021



2021-2408-ZC

Existing Zoning:	A-3 Suburban District
Proposed Zoning:	HC-2 Highway Commercial District
Location:	Parcel located on the north west corner of Louisiana Highway 22 and Louisiana Highway 1085; being Lot 21, Square 5, Live Oak Hills Subdivision; Madisonville; S18, T7S, R10E; Ward 1, District 1
Acres:	.69 acres
Petitioner:	Jeffrey Schoen
Owner:	Kathryn Merlo
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 SIGN YOUR NAME, PRINT NAME UNDERNEATH THAT AND PUT MAILING ADDRESS AND PHONE NUMBER BELOW PRINTED NAME.

(SIGNATURE)

PRINT NAME: Jeffrey D. Schoen

ADDRESS: P.O. Box 1810 Covington, LA 70434

PHONE #: 985-892-4801

ZONING STAFF REPORT

Date: June 28, 2021
Case No.: 2021-2408-ZC
Posted: June 23, 2021

Meeting Date: July 6, 2021
Determination: Denied

GENERAL INFORMATION

PETITIONER: Jeffrey Schoen
OWNER: Kathryn Merlo
REQUESTED CHANGE: From A-3 Suburban District to HC-2 Highway Commercial District
LOCATION: Parcel located along the north west corner of Louisiana Highway 22 and Louisiana Highway 1085; being Lot 21, Square 5, Live Oak Hills Subdivision; Madisonville; S18, T7S, R10E; Ward 1, District 1
SIZE: .69 acres

GENERAL INFORMATION

ACCESS ROAD INFORMATION

Type: State Highway **Road Surface:** 2 Lane Asphalt **Condition:** Fair

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Surrounding Use</u>	<u>Surrounding Zone</u>
North	Residential	A-3 Suburban District
South	Residential	A-4 Single-Family Residential District
East	Residential	A-3 Suburban District
West	Residential	A-3 Suburban 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 classification from A-3 Suburban District to HC-2 Highway Commercial District. The site is located along the north west corner of Louisiana Highway 22 and Louisiana Highway 1085; being Lot 21, Square 5, Live Oak Hills Subdivision; Madisonville. The 2025 Future Land Use Plan designates the site to be developed with residential uses that vary in site design and density.

The subject site is currently developed with an existing mobile home and is flanked by property that conforms to the A-3 Suburban District. There are existing properties to the west of the subject site which have been rezoned to accommodate various levels of commercial zoning classifications along the north and south sides of Highway 22. The applicant has submitted a concurrent request to rezone the 1.9 acres to the east of the subject property (2021-2414-ZC) that, if rezoned will make up the total 2.59-acre development site. This proposed development site will abut the intersection of Louisiana Highway 1085 and Louisiana Highway 22, which has been slated for the development of a future round-about to help traffic concerns through the Louisiana Department of Transportation and Development. A change in zoning will allow the site to be developed with moderately scaled retail, office, and service uses, generally located along major collectors and arterials. The reason for the request is to accommodate a proposed gas station.

Allowable uses within the HC-2 Highway Commercial District are as follows: All uses permitted in the HC-1 Highway Commercial District and Banks and financial institutions (greater than 3,000 square feet), Convenience stores (with gas), when the criteria of section 130-2213(51) are met, Drive-in restaurants, Liquor stores, Any private office use that is a permitted use in the NC district over 20,000 square feet, Clubs, lodges, fraternal and religious institutions, meeting halls (over 20,000 square feet), Veterinary clinics (with outdoor kennels), Parcel post delivery stations, Mini-warehouses, Commercial kennels, Outdoor storage yards that do not occupy an area greater than 50 percent of land area, and are enclosed by an eight-foot opaque perimeter fence, located on the same parcels, and are accessory to an existing mini-warehouse, not to be located on the street side, Lodging, 100 rooms or less (including apartments, hotels, motels), Automotive repair and service facilities not to exceed 10,000 square feet, Automotive sales not to exceed two acres of display and storage, Outdoor retail sales and storage yards, Portable storage containers used for storage, and Outdoor display area of pre-assembled building, pool and playground equipment.

Case No.: 2021-2408-ZC

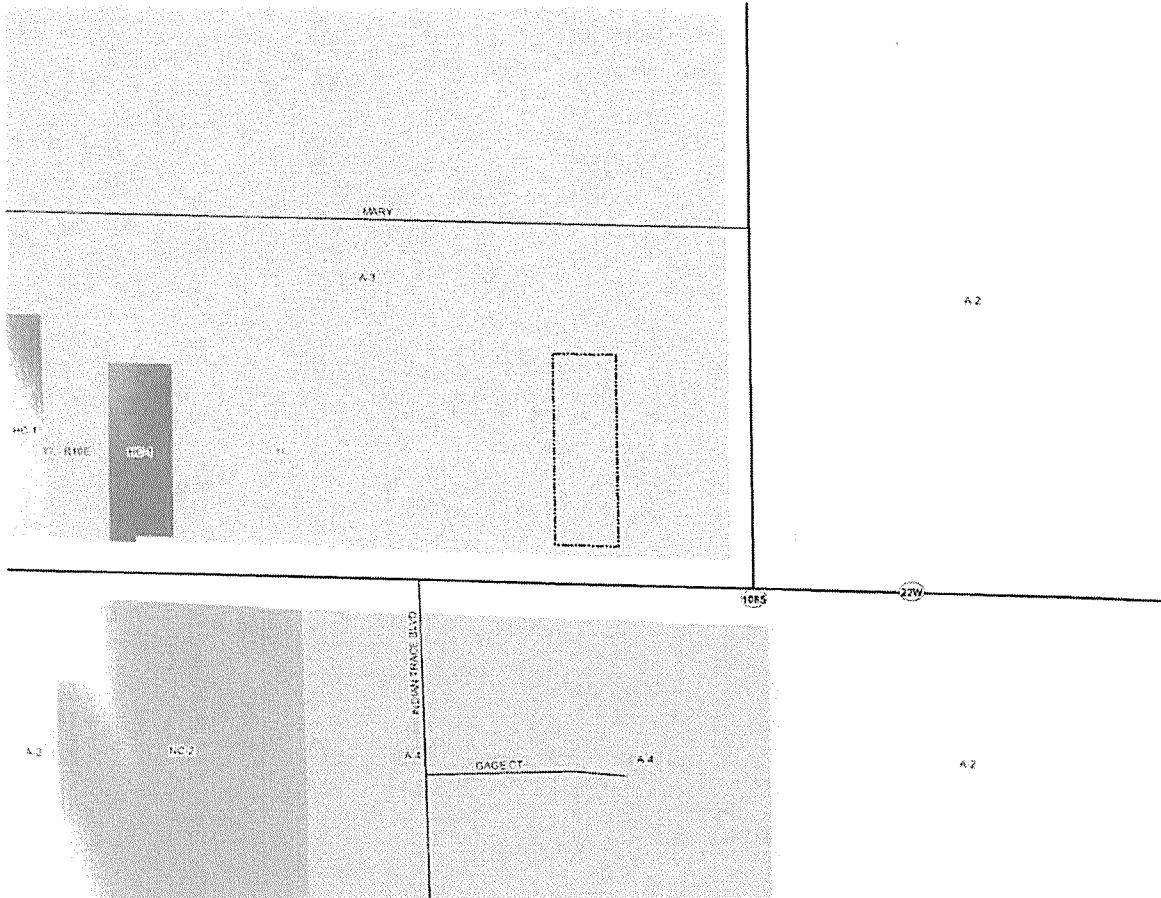
PETITIONER: Jeffrey Schoen

OWNER: Kathryn Merlo

REQUESTED CHANGE: From A-3 Suburban District to HC-2 Highway Commercial District

LOCATION: Parcel located along the north west corner of Louisiana Highway 22 and Louisiana Highway 1085; being Lot 21, Square 5, Live Oak Hills Subdivision; Madisonville; S18, T7S, R10E; Ward 1, District 1

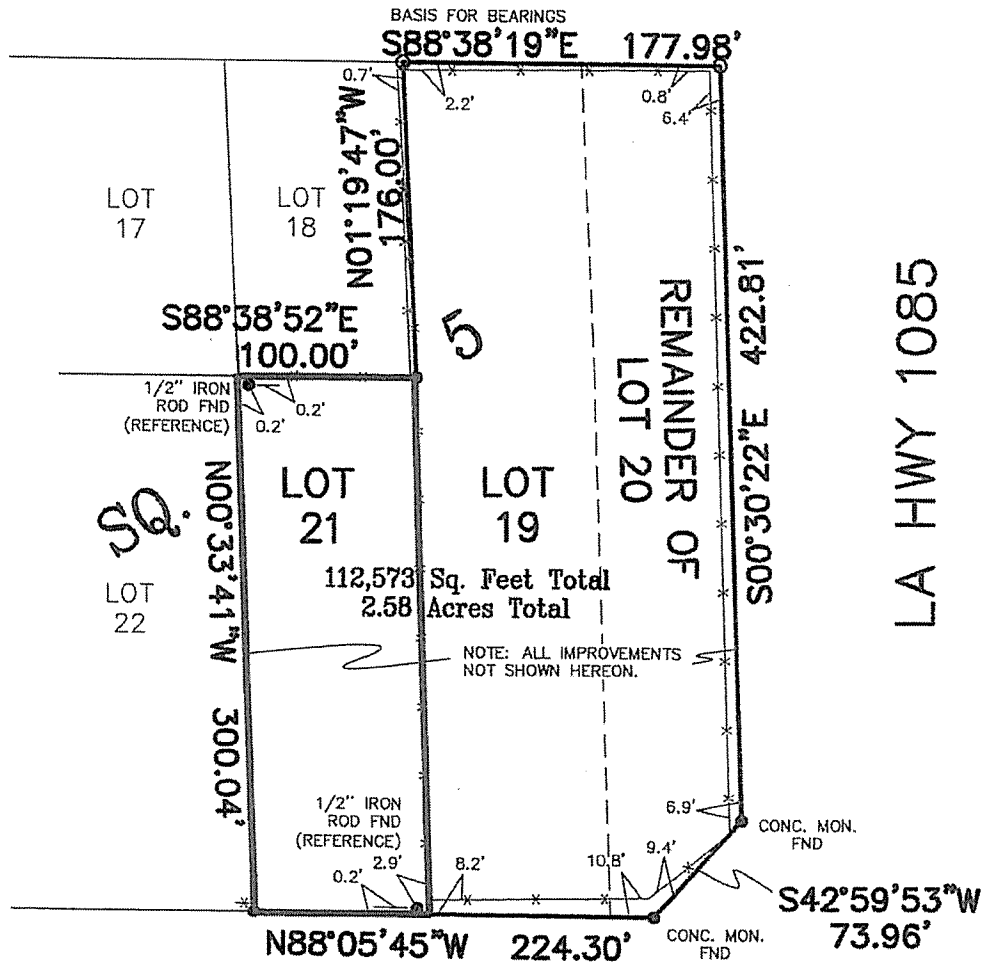
SIZE: .69 acres



2021-2408-ZC

MARY STREET

Subject Property



NOTE:
BEARINGS SHOWN HEREON ARE REFERENCED TO LOUISIANA STATE PLANE COORDINATES, LA SOUTH ZONE 1702.

REFERENCE 1:
LIVE OAK HILLS subd. plat
Map File No.: EM 203
Date Filed: 8-15-1983

REFERENCE 2:
SURVEY By John E. Bonneau & Assoc., INC.
Survey No.: 99443
Dated: 6-21-1999

Note: I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described IS NOT located in a special flood hazard area, it is located in Flood Zone C.

FIRM Panel# 2252050515C Rev. 4-2-1991

NOTE:
OWNER OR BUILDER RESPONSIBLE FOR OBTAINING SETBACKS BEFORE CONSTRUCTION BEGINS.

- DENOTES 1/2" IRON PIPE SET UNLESS OTHERWISE NOTED
- DENOTES 1/2" IRON ROD FND UNLESS OTHERWISE NOTED

Survey of
LOTS 19, 21 & THE REMAINDER OF LOT 20
LIVE OAK HILLS * SQUARE 5
ST. TAMMANY PARISH, LOUISIANA
FOR
DIAZ REALTY INVESTMENTS, LLC
HANCOCK WHITNEY BANK; JONES FUSSELL, L.L.P.
CHICAGO TITLE INSURANCE COMPANY

NO ATTEMPT HAS BEEN MADE BY RANDALL W. BROWN & ASSOC., INC. TO VERIFY TITLE, ACTUAL LEGAL OWNERSHIP, SERVITUDES, EASEMENTS, RIGHTS OF WAY, DEED RESTRICTIONS, WETLANDS OR ENVIRONMENTAL ISSUES OR OTHER ENCUMBRANCES ON THIS PROPERTY OTHER THAN THOSE FURNISHED BY THE CLIENT.

SURVEYED IN ACCORDANCE WITH THE LOUISIANA "APPLICABLE STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS C SURVEY.

[Signature]
Randall W. Brown, P.L.S.
Professional Land Surveyor
LA Registration No. 04586

Randall W. Brown & Associates, Inc.
Professional Land Surveyors
228 W. Causeway Approach, Mandeville, LA 70448
(985) 624-5368 FAX (985) 624-5309
info@brownsurveys.com

Date: APRIL 21, 2021
Survey No. 21247
Project No. (CR5) 14848.TXT
Scale: 1" = 100' ±
Drawn By: J.E.D.
Revised:

2021-2408-ZC

ALICE

A-3

MARY

18

PONCHATOULA HWY

22W

1085

BOOTLEGGERS RD

A-2

NC-2

A-4

INDIAN TRACE

GAGE

A-4

A-2

MISSIONARY

A-4

INDIAN TRACE

INDIAN TRACE

MISSIONARY