

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6776

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: LORINO/COOPER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. CANULETTE

SECONDED BY: MR. AIREY

ON THE 29 DAY OF SEPTEMBER , 2021

AN ORDINANCE TO REVOKE AN UNOPENED PORTION OF CAROLINE STREET, LOCATED EAST OF SOULT STREET AND WEST OF MOLITOR STREET, BETWEEN SQUARE 166 AND SQUARE 175 IN THE TOWN OF MANDEVILLE SUBDIVISION, MANDEVILLE, LOUISIANA, WARD 4, DISTRICT 7. (REV 21-07-003)

WHEREAS, the petitioner, who owns property abutting the aforementioned Parish street right-of-way, has petitioned the St. Tammany Parish Council to revoke/alienate a portion of the dedication, specifically a portion of Caroline Street located east of Soult Street and west of Molitor Street, between Square 166 and Square 175 in the Town of Mandeville Subdivision, Mandeville, Louisiana; and

WHEREAS, the Department of Public Works, and Department of Planning & Development have reviewed and researched said request and have reported their findings to the St. Tammany Parish Planning Commission; and

WHEREAS, the St. Tammany Parish Planning Commission, upon review of said petition, and after having considered all of the facts relevant to this request, has concluded that said portion of said street right-of-way is no longer needed for public purposes as defined pursuant to statutory law, and therefore recommends to the Parish Council the adoption of the proposed revocation request.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it hereby concurs with the findings of the Planning Commission and therefore grants approval of the revocation/alienation request for the portion of the street right-of-way as referred to above, subject to the following:

SECTION I: The petitioners, or any other adjacent property owner who wishes to participate, if any, shall enter into a private cash sale with the Parish to conclude the revocation/alienation process as set forth in St. Tammany Parish Code of Ordinances Section 35-1, and in accordance with the provisions of La. R.S. 48:701, et seq. and/or La. R.S. 48:711, et seq.

SECTION II: Following execution of the private cash sale(s), the petitioners shall assimilate the right-of-way into its abutting lots through the Parish’s administrative resubdivision process.

SECTION III: All subsurface mineral rights therein shall be retained by St. Tammany Parish, unless otherwise stated within this Ordinance; and the Parish shall reserve the right to retain any easements and/or servitudes existing at the time of revocation and/or may also require the establishment of same if the Parish deems it necessary

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 4 DAY OF NOVEMBER , 2021 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

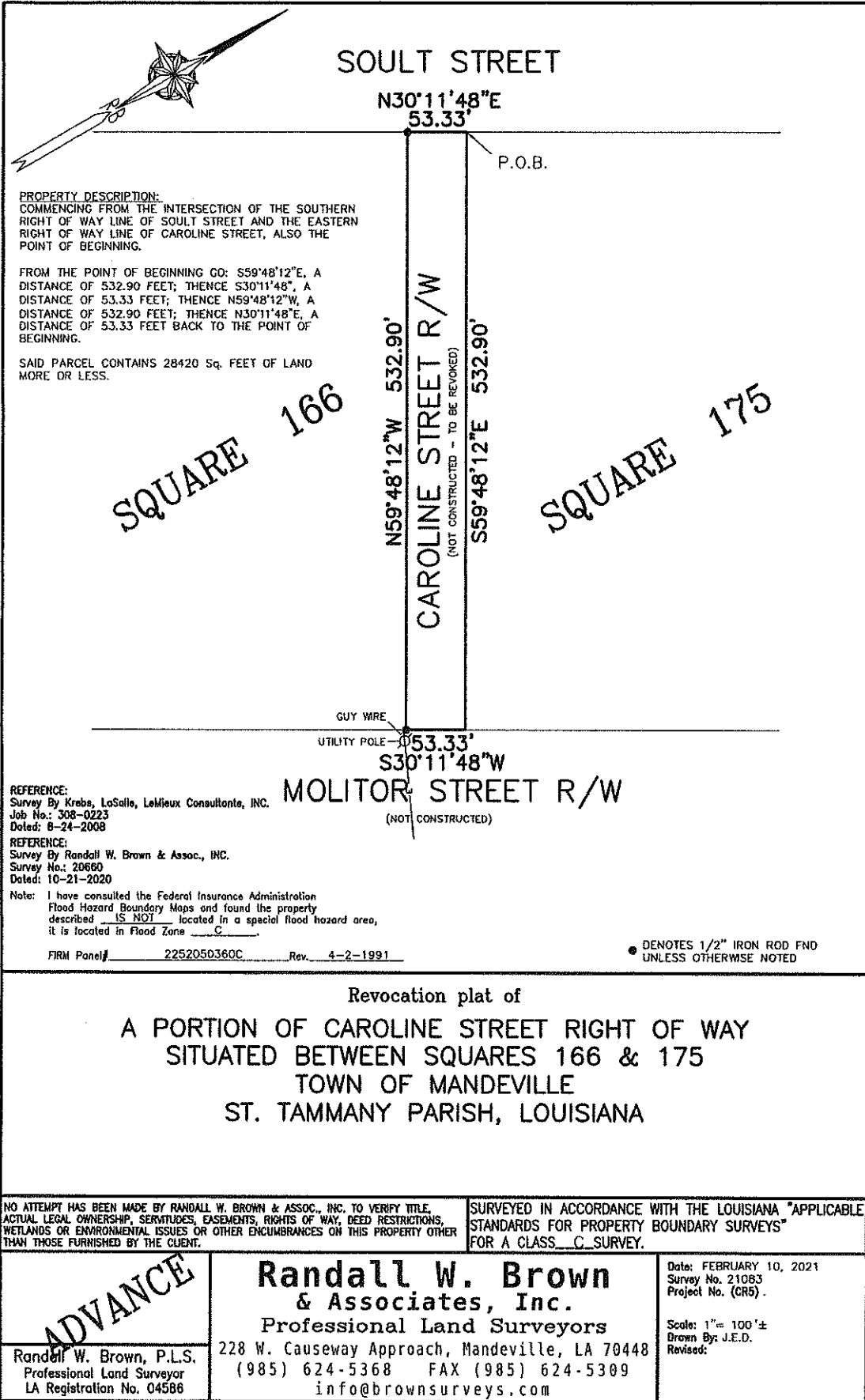
MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: AUGUST 25 , 2021

Published Adoption: _____ , 2021

Delivered to Parish President: _____ , 2021 at _____

Returned to Council Clerk: _____ , 2021 at _____



Administrative Comments

CASE NO.: REV21-07-003

NAME OF STREET OR ROAD: Unopened portion of Caroline Street

NAME OF SUBDIVISION: Town of Mandeville Subdivision

WARD: 4 PARISH COUNCIL DISTRICT: 7

PROPERTY LOCATION: The property is located east of Sout Street and west of Molitor Street, between Square 166 and Square 175 in the Town of Mandeville Subdivision, Mandeville, Louisiana, Ward 4, District 7.

SURROUNDING ZONING: A-4 Single Family Residential District

PETITIONER/REPRESENTATIVE: Bruce M. Ennis

STAFF COMMENTARY:

Department of Planning & Development Comments:

The applicant is requesting to revoke an unopened portion of Caroline Street, to assimilate this property into an adjacent residential property.

Recommendation:

Staff believes that the proposal is consistent relative to the Louisiana Revised Statutes governing the revocation of immovable property since the right-of-way does not appear to serve any public use or benefit, other than to the applicant. Therefore, staff has no objections to the requested revocation request subject to the applicant assimilating the portion of the right-of-way into their adjacent properties through the parish's resubdivision process.