

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4748

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/BRISTER

PROVIDED BY: PLANNING

INTRODUCED BY: _____

SECONDED BY: _____

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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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

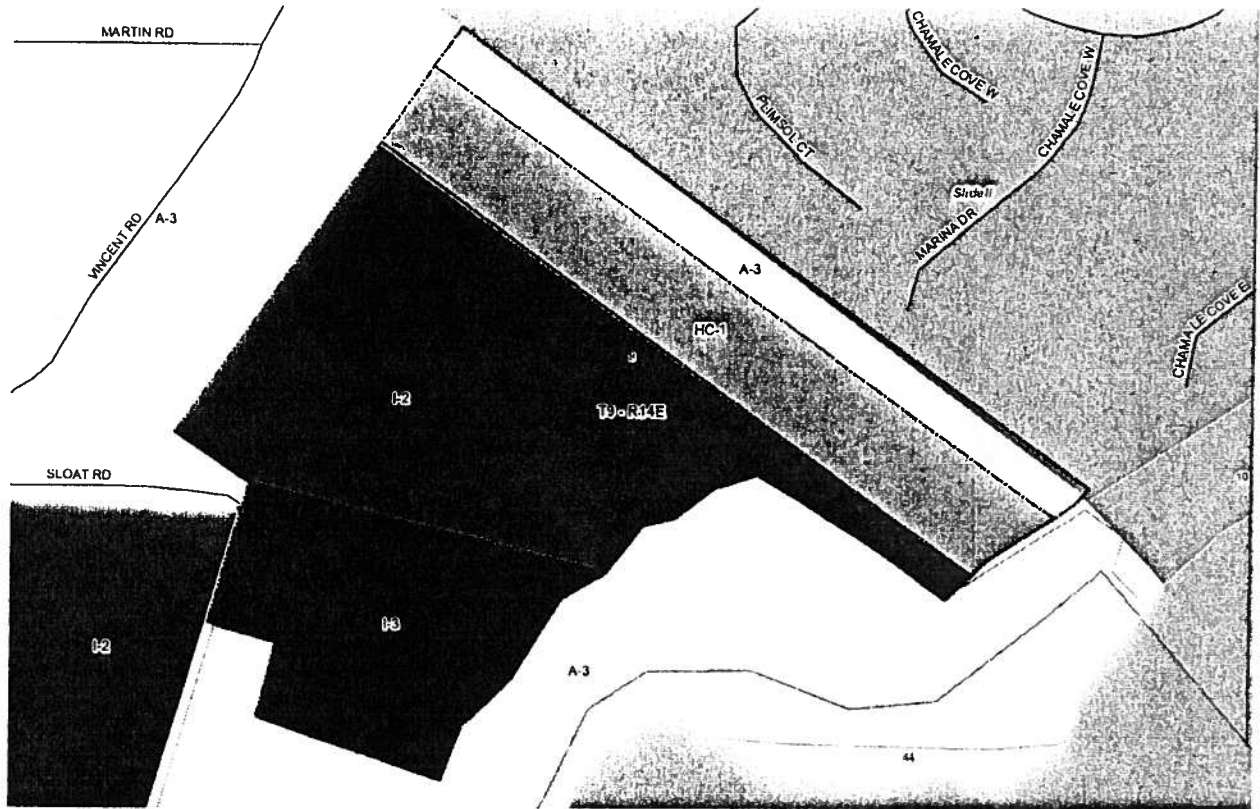
- Legal Description will be forwarded.

CASE NO.: ZC12-02-012

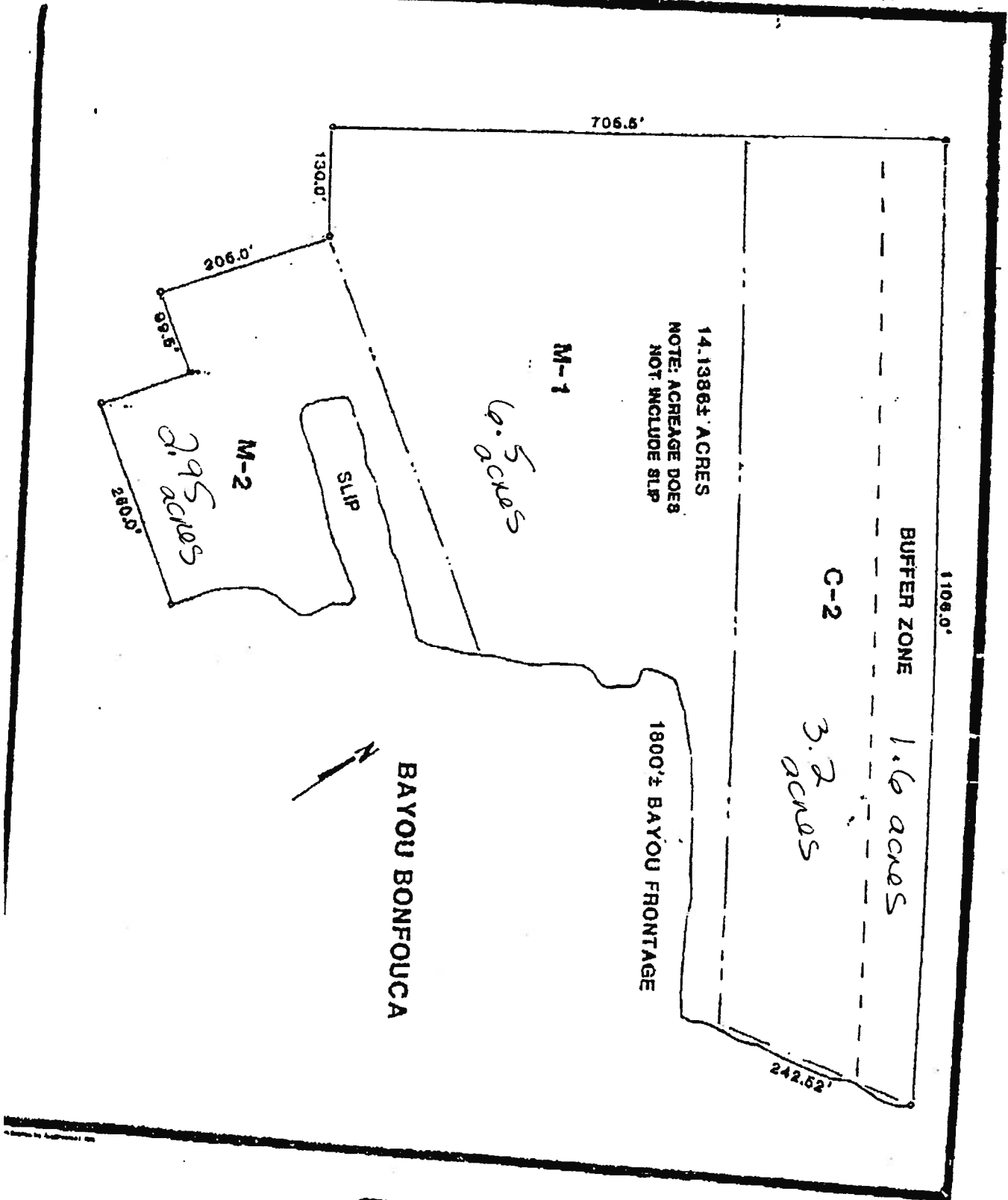
REQUESTED CHANGE: From A-3 (Suburban District) to I-3 (Heavy Industrial District 2.95 acres), I-2 (Industrial District 6.5 acres), HC-1 (Highway Commercial District 3.2 acres), A-3 (Suburban District 1.6 acres)

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,

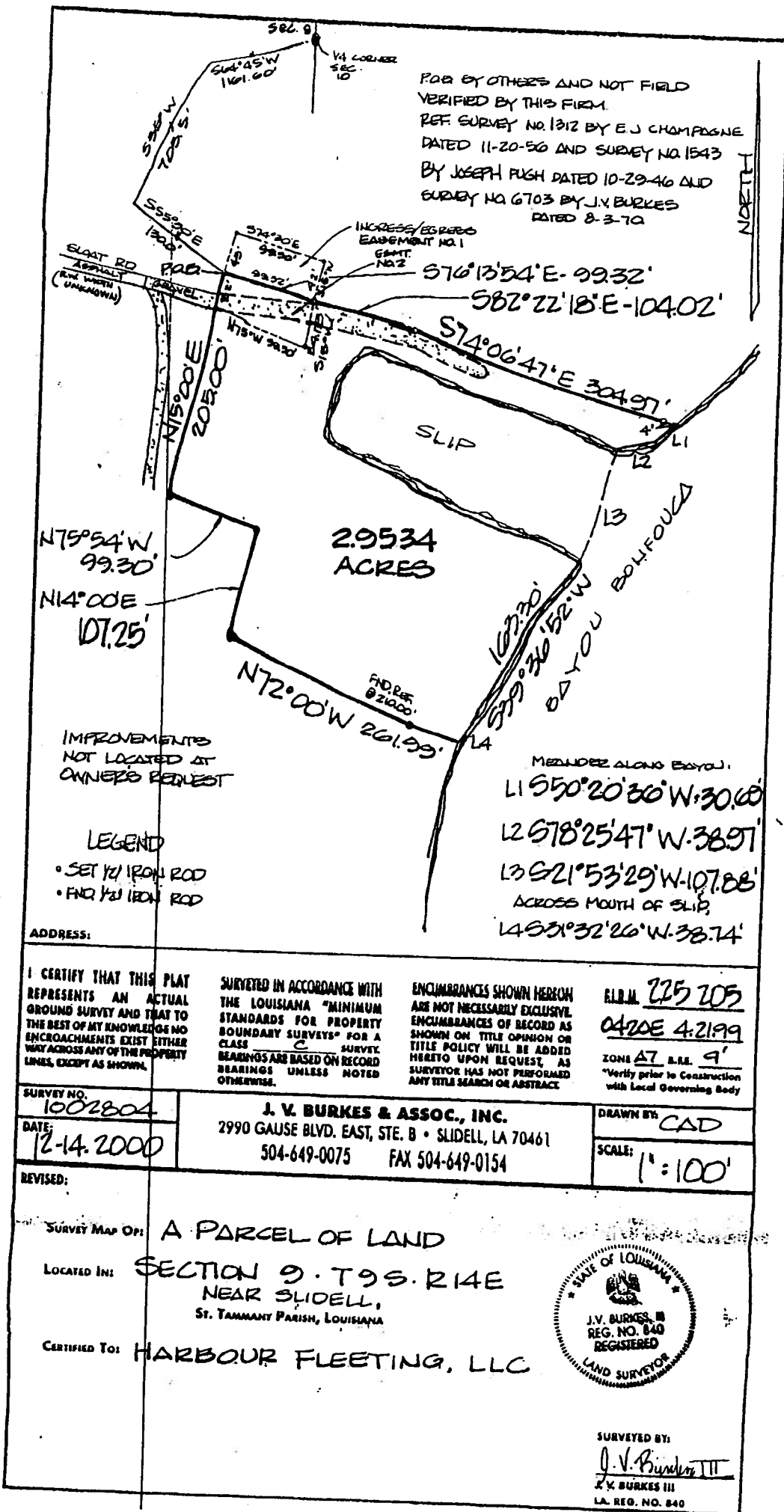
Harbour Fleeting LLC

Vesna Oelsner

Owner

Attachments:

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



FOR BY OTHERS AND NOT FIELD
 VERIFIED BY THIS FIRM.
 REF. SURVEY NO. 1312 BY E.J. CHAMPAGNE
 DATED 11-20-50 AND SURVEY NO. 1543
 BY JOSEPH RUSH DATED 10-29-46 AND
 SURVEY NO. 6703 BY J.V. BURKES
 DATED 8-3-70

IMPROVEMENTS
 NOT LOCATED AT
 OWNERS REQUEST

- LEGEND
- SET 1/4" IRON ROD
 - FIND 1/4" IRON ROD

ADDRESS:

I CERTIFY THAT THIS PLAT
 REPRESENTS AN ACTUAL
 GROUND SURVEY AND THAT TO
 THE BEST OF MY KNOWLEDGE NO
 ENCROACHMENTS EXIST EITHER
 WAY ACROSS ANY OF THE PROPERTY
 LINES, EXCEPT AS SHOWN.

SURVEYED IN ACCORDANCE WITH
 THE LOUISIANA "MINIMUM
 STANDARDS FOR PROPERTY
 BOUNDARY SURVEYS" FOR A
 CLASS C SURVEY
 BEARINGS ARE BASED ON RECORD
 BEARINGS UNLESS NOTED
 OTHERWISE.

ENCUMBRANCES SHOWN HEREON
 ARE NOT NECESSARILY EXCLUSIVE.
 ENCUMBRANCES OF RECORD AS
 SHOWN ON TITLE OPINION OR
 TITLE POLICY WILL BE ADDED
 HERETO UPON REQUEST, AS
 SURVEYOR HAS NOT PERFORMED
 ANY TITLE SEARCH OR ABSTRACT

R.L.M. 725 205
 0420E 4:21:99
 ZONE AT R.M. 9'
 *Verify prior to Construction
 with Local Governing Body

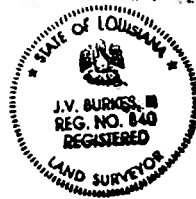
SURVEY NO.
 1002804
 DATE:
 12-14-2000

J. V. BURKES & ASSOC., INC.
 2990 GAUSE BLVD. EAST, STE. B • SLIDELL, LA 70461
 504-649-0075 FAX 504-649-0154

DRAWN BY: CAD
 SCALE: 1"=100'

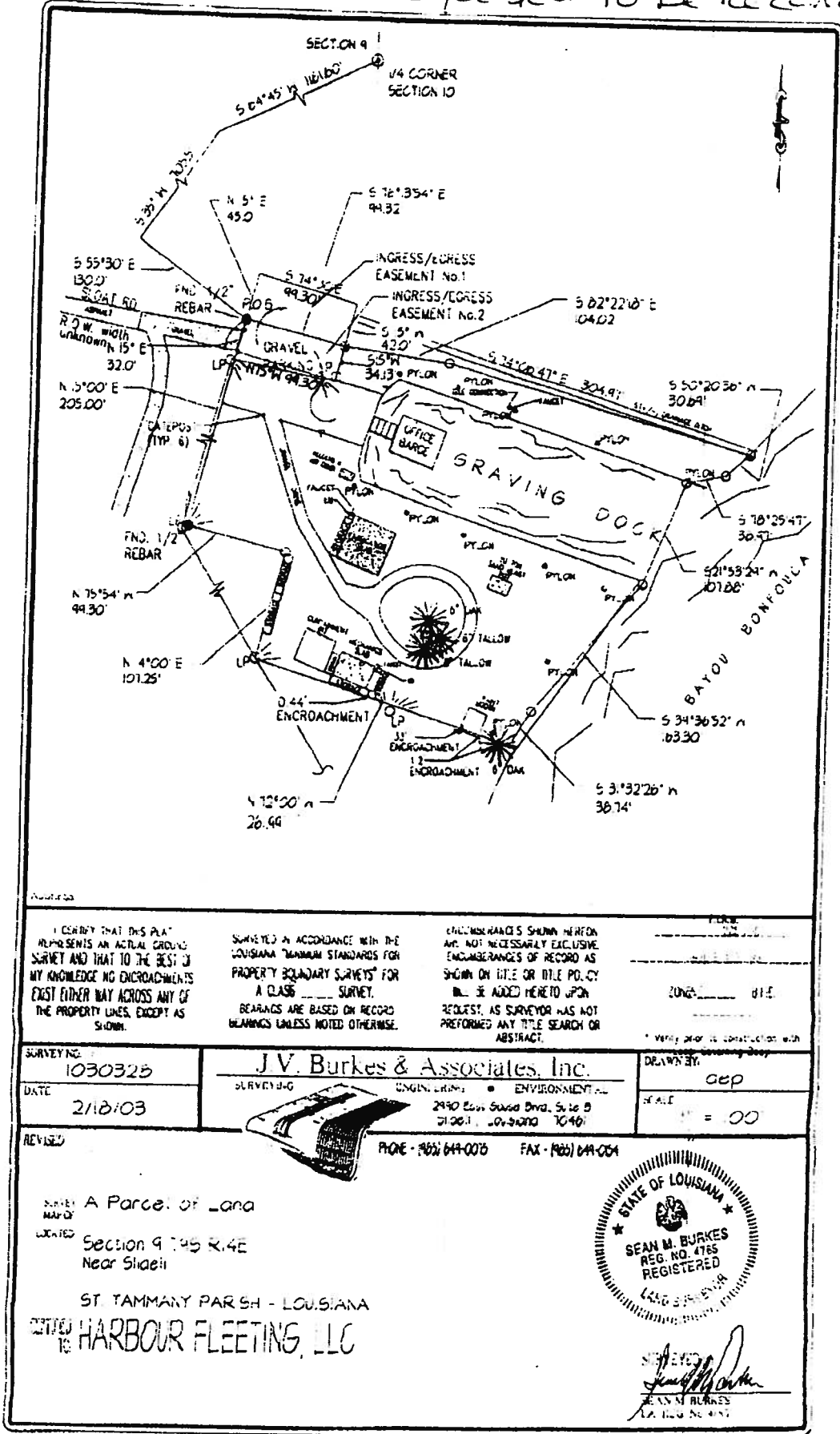
REVISED:

SURVEY MAP OF: A PARCEL OF LAND
 LOCATED IN: SECTION 9, T9S, R14E
 NEAR SLIDELL,
 St. TAMMANT PARISH, LOUISIANA
 CERTIFIED TO: HARBOUR FLEETING, LLC



SURVEYED BY:
 J.V. Burkes III
 J.V. BURKES III
 LA. REG. NO. 840

2.95 acres requested to be returned to I-3



I CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL GROUND SURVEY AND THAT TO THE BEST OF MY KNOWLEDGE NO ENCROACHMENTS EXIST EITHER WAY ACROSS ANY OF THE PROPERTY LINES, EXCEPT AS SHOWN.

SURVEYED IN ACCORDANCE WITH THE LOUISIANA "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS _____ SURVEY. BEARINGS ARE BASED ON RECORD PLANNINGS UNLESS NOTED OTHERWISE.

ENCROACHMENTS SHOWN HEREON ARE NOT NECESSARILY EXCLUSIVE ENCROACHMENTS OF RECORD AS SHOWN ON TITLE OR TITLE POLICY. TO BE ADDED HERETO UPON REQUEST, AS SURVEYOR HAS NOT PERFORMED ANY TITLE SEARCH OR ABSTRACT.

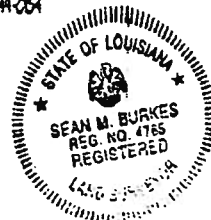
DATE: _____
 TIME: _____
 ZONE: _____
 * Verify prior to construction with _____

SURVEY NO. 1030325
 DATE 2/18/03

J.V. Burkes & Associates, Inc.
 SURVEYING • ENGINEERING • ENVIRONMENTAL
 2490 East Grand Blvd, Suite B
 Metairie, LA 70002-1046
 PHONE - (504) 884-0075 FAX - (504) 884-0074

DRAWN BY: cep
 SCALE: 1" = 100'

REVISED:
 NAME: A Parcel of Land
 MAP OF:
 LOCATED: Section 9 2.95 R.4E
 Near Slidell
 ST. TAMMANY PARISH - LOUISIANA
 SET BY: HARBOUR FLEETING, LLC



SEAN M. BURKES
 REG. NO. 4765
 REGISTERED
 LAND SURVEYOR
 STATE OF LOUISIANA

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

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- (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,

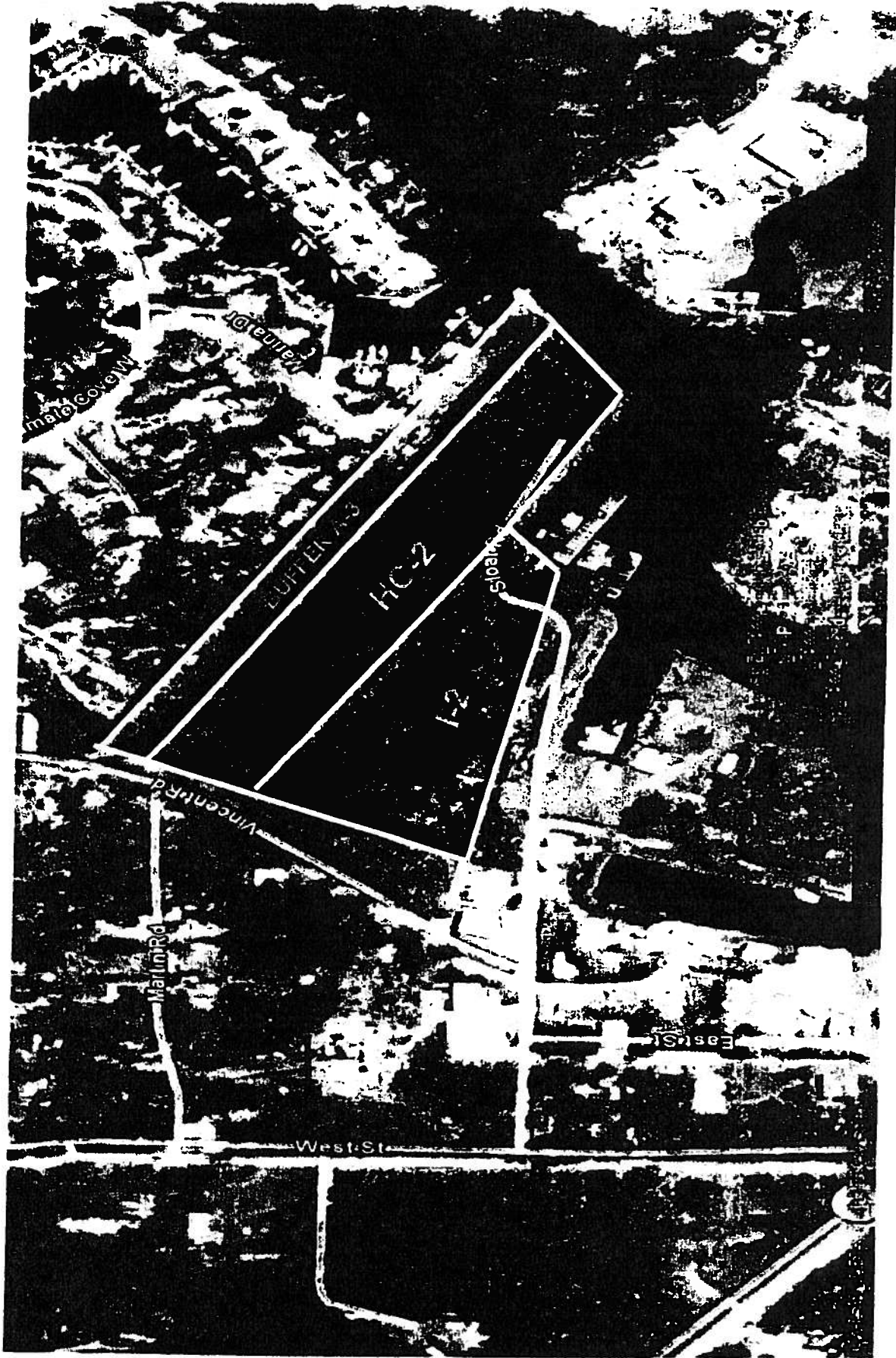
G & M Barge

Marcie Doss

Attachments:

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

2012-02-012



ZC12-02-012

ANGENT RD

WESTPORT CT

ALBERU DR

A-3

PUNSO CT

CHAMALE COVE W

A-3

MARTIN RD

MARINA DR

HC-2

T9-R14E

I-2

SLOAT RD

I-2

I-3

A-3

0

240

480 Feet

N

