

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6124 ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: LORINO/BRISTER PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. CANULETTE SECONDED BY: MR. SMITH

ON THE 3 DAY OF JANUARY , 2019

(2018-1217-ZC) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE WEST SIDE OF BIGNER ROAD, SOUTH OF LA HIGHWAY 22 AND WHICH PROPERTY COMPRISES A TOTAL OF 2.97 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-1 (SUBURBAN DISTRICT) & A-4 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO AN A-3 (SUBURBAN DISTRICT), (WARD 4, DISTRICT 4). (2018-1217-ZC)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2018-1217-ZC, 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-1 (Suburban District) & A-4 (Single-Family Residential District) to an A-3 (Suburban District), 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 A-3 (Suburban District).

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-1 (Suburban District) & A-4 (Single-Family Residential District) to an A-3 (Suburban District).

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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 7 DAY OF FEBRUARY , 2019 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: DECEMBER 26 , 2018

Published Adoption: _____ , 2019

Delivered to Parish President: _____ , 2019 at _____

Returned to Council Clerk: _____ , 2019 at _____

Exhibit "A"

2018-1217-ZC

THAT CERTAIN LOT OR PARCEL OF GROUND, together with all the buildings and improvements thereon, and all rights, ways, privileges, servitudes, advantages and appurtenances thereunto belonging, or in anywise appertaining, situated in the Parish of St. Tammany, Louisiana, in WARD 4, SECTION 54, TOWNSHIP 7 SOUTH, RANGE 11 EAST, more fully described as follows:

From the Northwest corner of Section 38, Township 7 South, Range 11 East, run South 22 degrees, 15 minutes West, 180.7 feet to a point; thence North 68 degrees, 45 minutes West, 11,134.3 feet to a point; thence South 09 degrees, 55 minutes West, 804.1 feet to a point; thence South 07 degrees, 30 minutes East, 109.1 feet to a point; thence South 31 degrees, 15 minutes West, 647.2 feet to a point; thence South 02 degrees, 35 minutes East, 268.2 feet to a point; thence North 59 degrees, 07 minutes, 31 seconds West, 44.88 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING, run N01th 59 degrees, 07 minutes, 31 seconds West, 252.12 feet to a point thence North 31 degrees, 09 minutes, 26 seconds East, 168.50 feet to a point; thence South 61 degrees, 52 minutes, 45 seconds East, 35.69 feet to a point thence North 31 degrees, 09 minutes, 26 seconds East, 45.13 feet to a point thence South 58 degrees, 54 minutes, 29 seconds East, 85.26 feet to a point; thence South 00 degrees, 18 minutes, 52 seconds East, 251.34 feet back to the POINT OF BEGINNING, containing 0.88 acre, all as per the survey of Jeron R. Fitzmorris, of Land Surveying, Inc., dated January 21, 1993, designated as LOT E.

THAT CERTAIN LOT OR PARCEL OF GROUND, together with all the buildings and improvements thereon, and all rights, ways, privileges, servitudes, advantages and appurtenances thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, Louisiana, in WARD 4, SECTION 54, TOWNSHIP 7 SOUTH, RANGE 11 EAST, more fully described as follows:

From the Northwest corner of Section 38, Township 7 South, Range 11 East, run South 22 degrees, 15 minutes West, 180.7 feet to a point; thence North 68 degrees, 45 minutes West, 11,134.3 feet to a point; thence South 09 degrees, 55 minutes West, 804.1 feet to a point; thence South 07 degrees, 30 minutes East, 109.1 feet to a point thence South 31 degrees, 15 minutes West, 647.2 feet to a point thence South 02 degrees, 35 minutes East, 268.2 feet to a point; thence North 59 degrees, 07 minutes, 31 seconds West, 297.0 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING, run North 59 degrees, 07 minutes, 31 seconds West, 12.34 feet to a point; thence North 60 degrees, 54 minutes, 47 seconds West, 209.74 feet to a point; thence North 62 degrees, 54 minutes, 49 seconds West, 317.98 feet to a point; thence North 31 degrees, 09 minutes, 26 seconds East, 170.11 feet to a point; thence South 61 degrees, 52 minutes, 45 seconds East, 539.88 feet to a point; thence South 31 degrees, 09 minutes, 26 seconds West, 168.50 feet back to the POINT OF BEGINNING, containing 2.06 acres, all as per the survey of Jeron R. Fitzmorris, of Land Surveying, Inc., dated January 21, 1993, designated as LOT F.

Being the same property acquired from Frederick P. Heisler by act before Charles E. McHale, Jr., Notary Public dated February 24, 1993 and registered in COB 1541 FOLIO 759 of the records of St. Tammany Parish.

Exhibit "A"

2018-1217-ZC cont'd

THAT CERTAIN LOT OR PARCEL OF GROUND, together with all the buildings and improvements thereon, and all rights, ways, privileges, servitudes, advantages and appurtenances thereunto belonging, or in anywise appertaining, situated in the Parish of St. Tammany, Louisiana, in WARD 4, SECTION 54, TOWNSHIP 7 SOUTH, RANGE 11 EAST, more fully described as follows:

From the Northwest corner of Section 38, Township 7 South, Range 11 East, run South 22 degrees, 15 minutes West, 180.7 feet to a point; thence North 68 degrees, 45 minutes West, 11,134.3 feet to a point; thence South 09 degrees, 55 minutes West, 804.1 feet to a point; thence South 07 degrees, 30 minutes East, 109.1 feet to a point; thence South 31 degrees, 15 minutes West, 647.2 feet to a point; thence South 02 degrees, 35 minutes East, 268.2 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING, run North 59 degrees, 07 minutes, 31 seconds West, 44.88 feet to a point thence North 00 degrees, 18 minutes, 52 seconds West, 46.60 feet to a point; thence South 59 degrees, 07 minutes, 31 seconds East, 14.65 feet to a point thence South 03 degrees, 09 minutes, 51 seconds East, 6.11 feet to a point thence South 24 degrees, 47 minutes, 21 seconds East, 61.71 feet back to the POINT OF BEGINNING, containing 0.03 acre, all as per the survey of Jeron R. Fitzmorris, of Land Surveying, Inc., dated July 9, 1993.

Being the same property acquired from Successions of Frances Moore Taylor and Juanita Taylor Hicks by act before Terry D. Patrick and Charles E. McHale, Jr., Notaries Public dated September 20, 1995 and registered in INST. 971148 of the records of St. Tammany Parish.

Case No.: 2018-1217-ZC

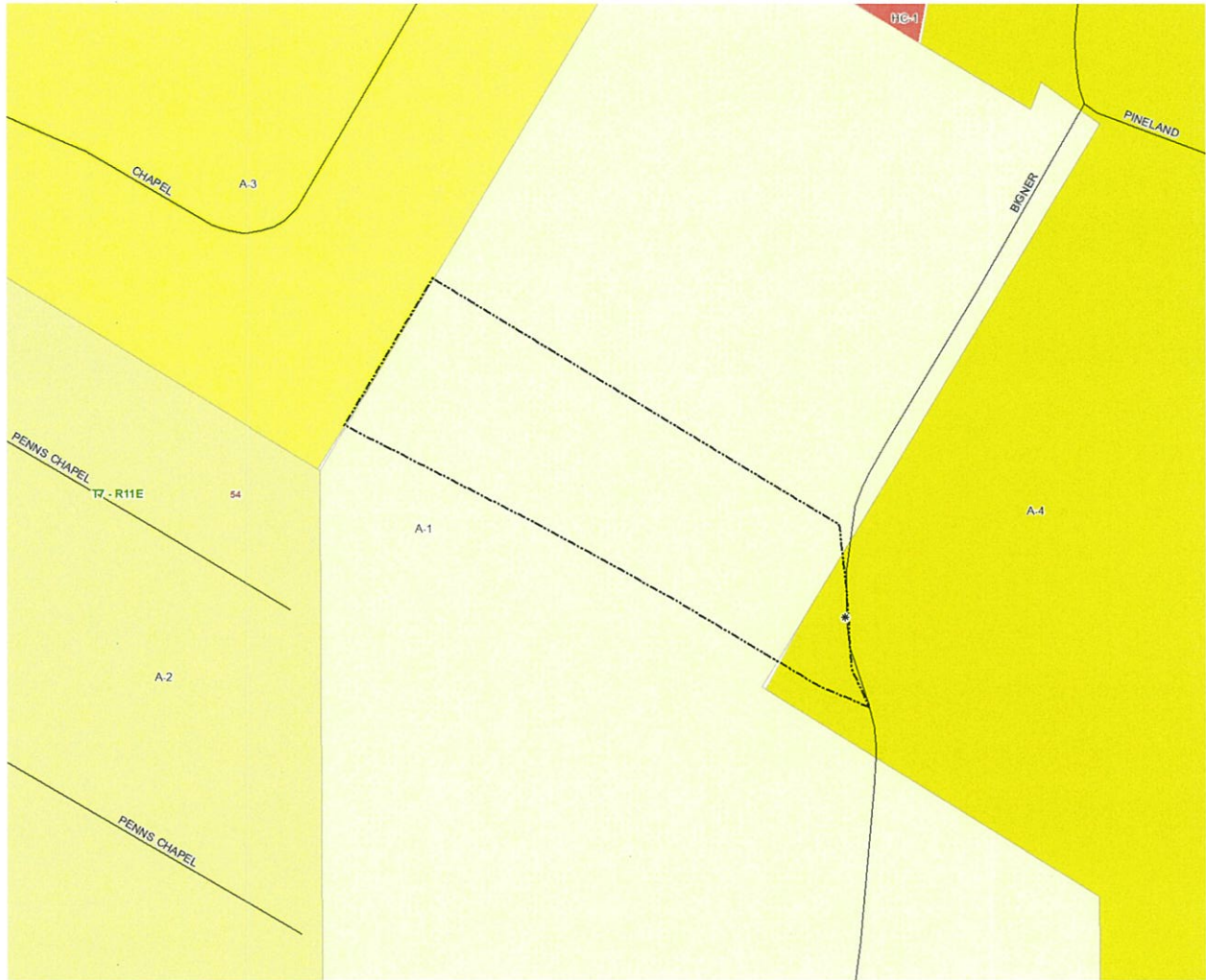
PETITIONER: Richard Levere & Julie Prinz Elliott

OWNER: Richard Levere & Julie Prinz Elliott

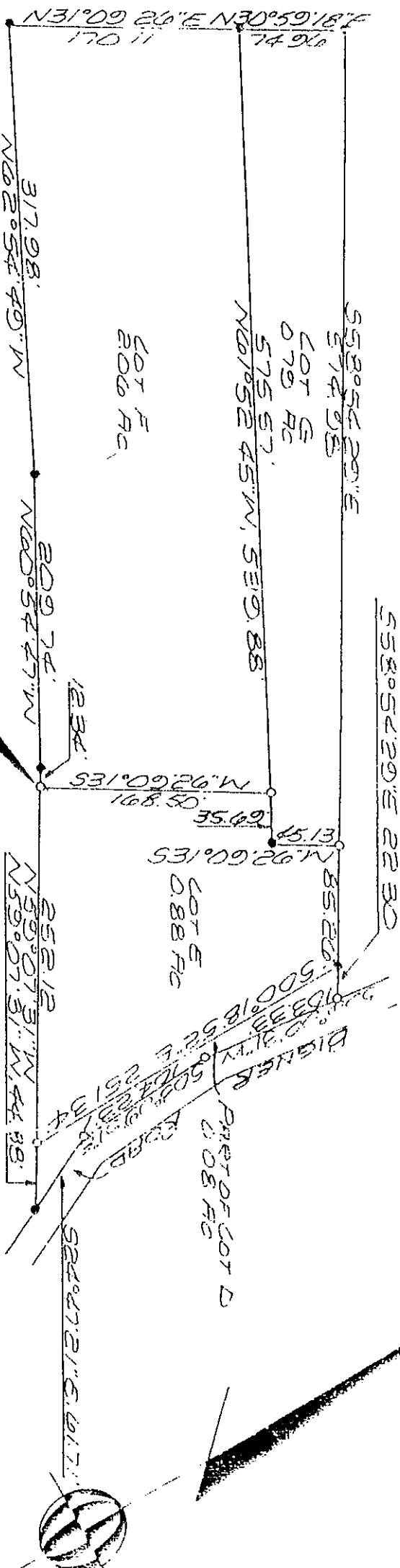
REQUESTED CHANGE: From A-1 Suburban District & A-4 Single-Family Residential District to A-3 Suburban District

LOCATION: Parcel located on the west side of Bigner Road, south of LA Highway 22; S54, T7S, R11E; Ward 4, District 4

SIZE: 2.97 acres



02-7121-8102

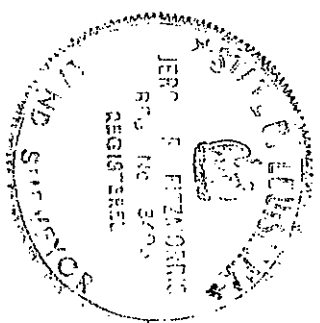


THIS POINT IS 5222.015' N, 1807', N08°45'W,
 11,134' 3, 5000.55' W, 834' 1, 507°30'E,
 1091', 531°15' W, 647.2', 502°35'E,
 2005.2', N59°07'31\" W, 297.0' FROM
 THE NORTHWEST CORNER OF SECTION 38
 T7S, R11E, ST TAMMANY PARISH, LOUISIANA

MAP PREPARED FOR

FREDERICK P. HEISLER

LOCATED IN SECTION 54 TOWNSHIP 7 SOUTH,
 RANGE 11 EAST, ST TAMMANY PARISH,
 LOUISIANA



THIS MAP IS IN ACCORDANCE WITH A PHYSICAL
 SURVEY MADE IN THE FIELD UNDER THE
 SUPERVISION OF THE UNDERSIGNED

Jerry F. Fitzgerald
 JERRY F. FITZGERALD
 LOUISIANA REGISTERED SURVEYOR

STAND
LAND
SURVEYING INC
COVINGTON LA
 SCALE: 1" = 40' DATE: 02/19/93 INC 59882

2018-1217-ZC

PUD

HC-1

CHAPEL

A-3

T7-R11E 54

PENNS CHAPEL

A-1

A-3

A-4

A-2

PENNS CHAPEL

BIGNER

0 280 Feet

N



ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: 10/26/2018
Case No.: 2018-1217-ZC
Posted:10/17/18

Meeting Date: 11/7/2018
Determination: Amended to A-3

GENERAL INFORMATION

PETITIONER: Richard Levere & Julie Prinz Elliott

OWNER: Richard Levere & Julie Prinz Elliott

REQUESTED CHANGE: From A-1 Suburban District & A-4 Single-Family Residential District to A-4 Single-Family Residential District

LOCATION: Parcel located on the west side of Bigner Road, south of LA Highway 22; S54, T7S, R11E; Ward 4, District 4

SIZE: 2.97 acres

GENERAL INFORMATION

ACCESS ROAD INFORMATION

Type: Parish **Road Surface:** 2 Lane asphalt **Condition:** Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Surrounding Use</u>	<u>Surrounding Zone</u>
North	Residential	A-1 Suburban District
South	Residential	A-1 Suburban District
East	Residential	A-4 Single Family Residential District
West	Residential	A-3 Suburban District

EXISTING LAND USE:

Existing development: No **Multi occupancy development:** Yes

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 from A-1 Suburban District & A-4 Single-Family Residential District to A-4 Single-Family Residential District. This site is located on the west side of Bigner Road, south of LA Highway 22. The 2025 future land use plan calls for the area to be developed with residential uses. Staff feels that there is no compelling reason to recommend approval of the request considering that the west side of Bigner Road is developed with residential use and undeveloped land zoned A-1 Suburban District.

STAFF RECOMMENDATION:

The staff recommends that the request for an A-4 Single-Family Residential District designation be denied.