

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5747

ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: /BRISTER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

ON THE 5 DAY OF JANUARY , 2017

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE SOUTH SIDE OF GAUSE BOULEVARD WEST, EAST OF CAMP SALMEN ROAD, WEST OF BANNER ROAD AND WHICH PROPERTY COMPRISES A TOTAL OF 2.81 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT HC-1 (HIGHWAY COMMERCIAL DISTRICT) TO AN HC-2 (HIGHWAY COMMERCIAL DISTRICT), (WARD 9, DISTRICT 14). (2016-458-ZC)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2016-458-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 HC-1 (Highway Commercial District) to an HC-2 (Highway Commercial 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 HC-2 (Highway Commercial 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 HC-1 (Highway Commercial District) to an HC-2 (Highway Commercial 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 2 DAY OF FEBRUARY , 2017 ; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
THERESA L. FORD, COUNCIL CLERK

\_\_\_\_\_  
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: DECEMBER 29 , 2016

Published Adoption: \_\_\_\_\_, 2016

Delivered to Parish President: \_\_\_\_\_, 2016 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2016 at \_\_\_\_\_

## Exhibit "A"

### 2016-458-ZC

ALL THAT CERTAIN TRACT OR PORTION OF LAND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in Section 5, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana, wherein subject property is more fully described as follows, to-wit:

Lot "B", consisting of 2.81 acres, as per resubdivision plat of R. James Tatum dated January 17, 2007 recorded as Clerk of Court Map File No. 4392B of the official records of St. Tammany Parish, Louisiana, said Lot "B" being more fully described as follows, to-wit:

From the corner common to the northeasterly corner of Lot "A" and the northwesterly corner of Lot "B" serving as the Point of Beginning, thence run along the southerly boundary of Gause Boulevard (U.S. Hwy. 190) South 71 degrees 04 minutes 28 seconds East a distance of 374.52 feet to an iron; thence run South 18 degrees 33 minutes 17 seconds West a distance of 349.11 feet to an iron; thence run North 64 degrees 02 minutes 02 seconds West a distance of 298.80 feet to an iron; thence go North 62 degrees 45 minutes 00 seconds West a distance of 81.09 feet to an iron; thence go North 18 degrees 55 minutes 32 seconds East a distance of 300.74 feet back to the Point of Beginning.

Case No.: 2016-458-ZC

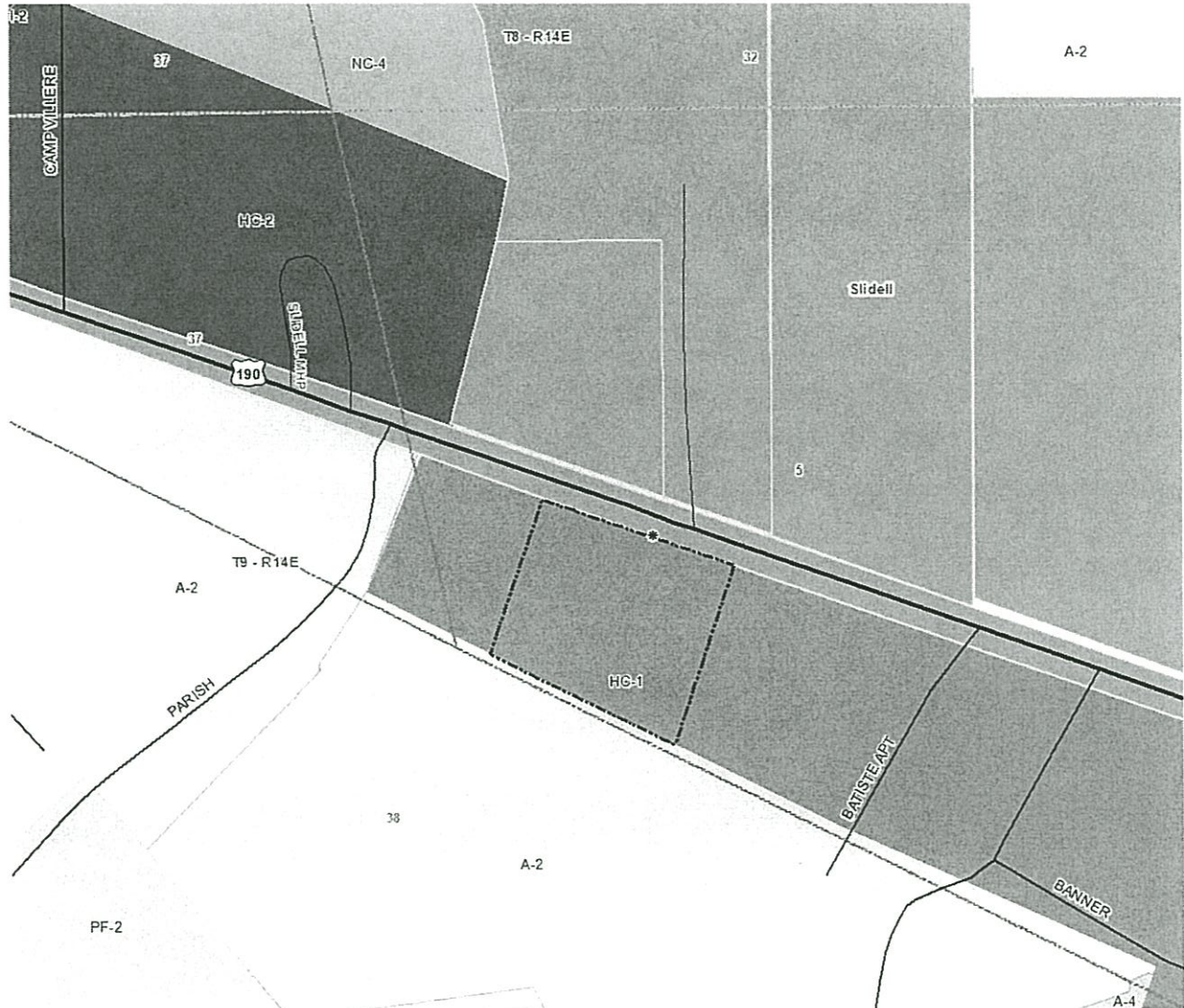
PETITIONER: Jones Fussell, LLP - Jeffrey D. Schoen

OWNER: Dr. Nick & Mrs. Marilyn Milazo - Dr. Nick & Mrs. Marilyn Milazo

REQUESTED CHANGE: From HC-1 Highway Commercial District to HC-2 Highway Commercial District

LOCATION: Parcel located on the south side of Gause Blvd West, east of Camp Salmen Road, west of Banner Road ; S5, T9S, R14E; Ward 9, District 14

SIZE: 2.81 acres





**GENERAL NOTES:**  
 ZONING: G2 - COMMERCIAL  
 STREET: EXISTING ASPHALT HIGHWAY WITH OPEN DITCH  
 SEWER: NO EXISTING SANITARY SEWER SERVICE  
 WATER: BAYOU LIBERTY WATER ASSOCIATION  
 ELECTRIC: CLECO POWER  
 GAS: ANIOS ENERGY  
 TELEPHONE: BELLSOUTH  
 FIRE DEPT.: ST. TAMMANY FIRE DISTRICT 1

**FLOOD ZONE NOTES:**  
 F.I.R.M. PANEL: 225205-0420-E (4-21-1999)  
 FLOOD ZONE: C  
 ADJACENT BASE FLOOD ELEV.: 11.0'  
 INUNDATION ELEVATION: N/A  
 THE BASE FLOOD ELEVATIONS ARE SUBJECT TO CHANGE AND THE CURRENT BASE FLOOD ELEVATIONS SHOULD BE VERIFIED WITH THE ENGINEERING DEPARTMENT.  
**\*\* BASIS OF BEARING:**  
 THE LINE COMMON TO SECTIONS 5, 37 AND 38 FROM REF. MAP 2.

**NOTES:**

THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXISTING UTILITIES AND STRUCTURES AND SHALL BE LIABLE FOR ANY DAMAGE CAUSED BY THE FAILURE TO DO SO.  
 NO ATTEMPT HAS BEEN MADE BY R. JAMES TATUM, INC. TO VERIFY TITLE, ACTUAL, LEGAL, OWNERSHIP, SERVITUDES, EASEMENTS, RIGHTS-OF-WAYS, OR OTHER BURDENS ON THE PROPERTY OTHER THAN THAT FURNISHED BY THE CLIENT AND/OR HIS REPRESENTATIVE.

**REFERENCE MAPS:**

1. MAP SHOWING SURVEY OF A 2.24 ACRE TRACT, LYN GOODWIN, BY T. W. BORKER, AND DATED 9-08-80.
2. MAP SHOWING SURVEY OF A 1.659 ACRE TRACT FOR DR. AND MRS. MILAZO, BY A. A. LOVELL, AND DATED 9-05-85.
3. MAP SHOWING SURVEY OF A 2.2410 ACRE TRACT, FOR ALBERTH TOMAS, BY T. V. BURKES & ASSOCIATES, INC., AND DATED 1-25-85.

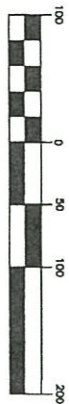
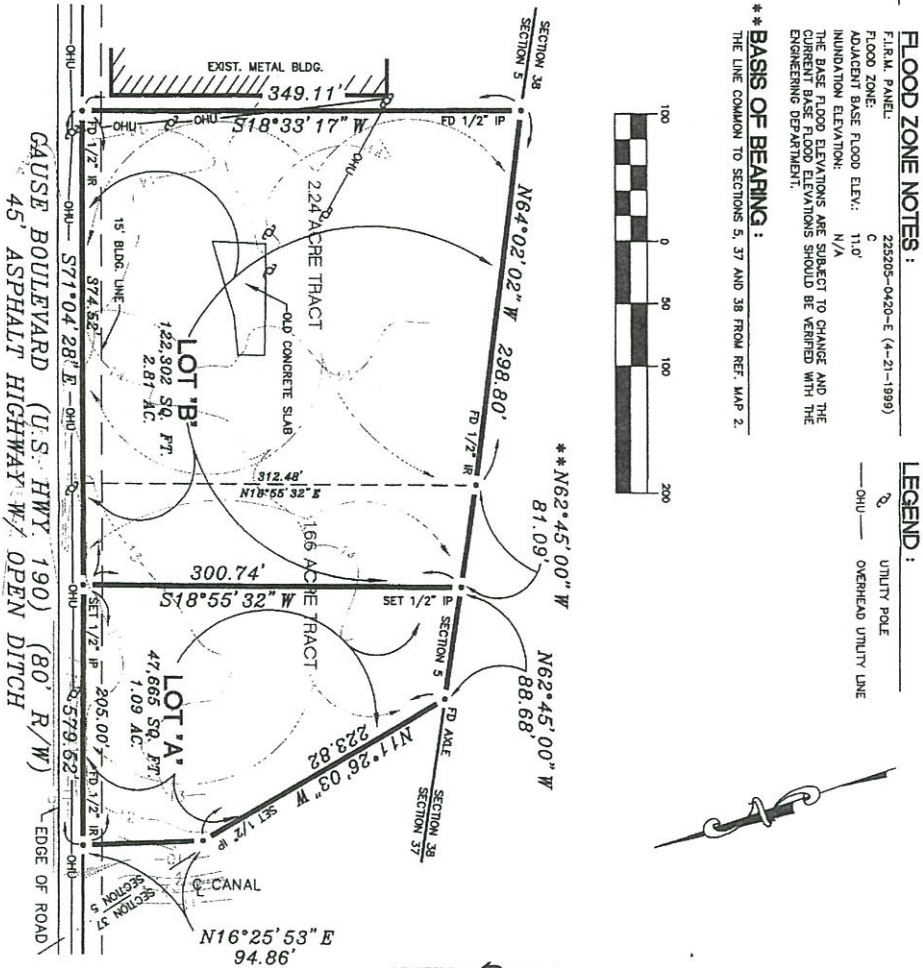
22-858-20  
 2016-4-58-20

**CERTIFICATION:**  
 I CERTIFY THAT THIS SURVEY WAS ACTUALLY MADE ON THE GROUND, AND FOR RECORD PURPOSES, EITHER WAY ACROSS PROPERTY LINES, UNLESS OTHERWISE NOTED. I ALSO CERTIFY THAT THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE APPLICABLE PROFESSIONAL AND OCCUPATIONAL ACTS PER LOUISIANA ADMINISTRATIVE CODE, TITLE 46, PART 141, CHAPTER 25.  
 THIS IS TO CERTIFY THAT THE MAP IS MADE IN ACCORDANCE WITH LA REVERSED STATUTES 33:5051 ET SEQ. AND ALSO CONFORMS TO ALL PARISH ORDINANCES GOVERNING THE SUBDIVISION OF LAND.



R. JAMES TATUM, P.E./P.L.S.  
 LICENSE NO. 4834  
 6920 NORTH MERCHANT COURT  
 BATON ROUGE, LA 70809  
 (225) 752-5555 (FAX) 752-5556

*[Signature]*  
 DATE 1.17.07



**LEGEND:**  
 ○ UTILITY POLE  
 — OVERHEAD UTILITY LINE

**APPROVED:**  
 SECRETARY OF PLANNING COMMISSION: Ron Keller  
 PARISH ENGINEER: *[Signature]*  
 CLERK OF COURT: Pamela O. Beach  
 DATE FILED: 1-25-2007  
 FILE NO.: 4392 B

**MAP SHOWING RESUBDIVISION**  
 OF A  
 166 ACRE TRACT AND A  
 224 ACRE TRACT  
 INTO  
**LOTS "A" AND "B"**  
**NICHOLAS MILAZO PROPERTY**  
 LOCATED IN SECTION 5, TOWNSHIP 9 SOUTH,  
 RANGE 14 EAST, GREENSBURG LAND DISTRICT,  
 ST. TAMMANY PARISH, LOUISIANA  
 FOR  
**NICHOLAS AND MARILYN MILAZO**

LOCATION: 1931 GAUSE BLVD., SUITE 14, BATON ROUGE, LA	SHEET: 1
DATE: 01-17-07	TOTAL AREA: 198,987 SQ. FT. (4.50 AC)
SCALE: 1"=100'	DRAWN BY: TMO
COORDINATES: NAD 83 (2011) 200811282.DWG	CHECKED BY: RJT
W.A. # 206-112	OF 1

**TATUM** BATON ROUGE, LOUISIANA  
 ENGINEERS & SURVEYORS



37

T8-R14E

32

2016-458-ZC

NC-4

HC-2

SLIGHTS

37

5

190

HC-1

T9-R14E

PARISH

BATISTE APT

A-2

38

BANNER

2

A-4 MORGAN

ELIZABETH

0 300 Feet

N





ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: 11/28/2016  
Case No.: 2016-458-ZC  
Posted: 11/16/2016

Meeting Date: 12/6/2016  
Determination: Approved

GENERAL INFORMATION

**PETITIONER:** Jones Fussell, LLP - Jeffrey D. Schoen  
**OWNER:** Dr. Nick & Mrs. Marilyn Milazo - Dr. Nick & Mrs. Marilyn Milazo  
**REQUESTED CHANGE:** From HC-1 Highway Commercial District to HC-2 Highway Commercial District  
**LOCATION:** Parcel located on the south side of Gause Blvd West, east of Camp Salmen Road, west of Banner Road ; S5, T9S, R14E; Ward 9, District 14  
**SIZE:** 2.81 acres

GENERAL INFORMATION

ACCESS ROAD INFORMATION

**Type:** Federal                      **Road Surface:**3 Lane asphalt                      **Condition:** Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Surrounding Use</u>	<u>Surrounding Zone</u>
North	Undeveloped	City of Slidell
South	Undeveloped	A-2 Suburban District
East	Commercial	HC-1 Highway Commercial
West	Commercial	HC-1 Highway Commercial

EXISTING LAND USE:

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

COMPREHENSIVE PLAN:

**Commercial Infill** – New commercial uses developed on undeveloped tracts within existing commercial districts that are compatible with, or improve upon, those existing uses. Such uses may be allowed a greater density of use, in exchange for public benefits that would be provided.

STAFF COMMENTS:

The petitioner is requesting to change the zoning from HC-1 Highway Commercial District to HC-2 Highway Commercial District. This site is located on the south side of Gause Blvd West, east of Camp Salmen Road, west of Banner Road. The 2025 Future Land Use plan calls for the area to be developed with commercial uses. Although, the site is abutting HC-1 on the east and west sides of the site, staff does not have any objection to the request, considering that there are multiple more intense retail, office and service commercial uses in the area.

Note that the property was zoned C-2 Highway Commercial District before the comprehensive rezoning.

STAFF RECOMMENDATION:

The staff recommends that the request for a HC-2 Highway Commercial District designation be approved.