

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5476 ORDINANCE COUNCIL SERIES NO: _____
COUNCIL SPONSOR: MR. GOULD PROVIDED BY: COUNCIL OFFICE
INTRODUCED BY: MR. GOULD SECONDED BY: MR. THOMPSON
ON THE 1 DAY OF OCTOBER , 2015

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE NORTH SIDE OF HIGHWAY 1088, LOCATED IN SECTION 6, TOWNSHIP 8 SOUTH, RANGE 12 EAST, MANDEVILLE AND WHICH PROPERTY COMPRISES A TOTAL OF 6.30 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-3 (SUBURBAN DISTRICT) TO NC-3 (LODGING DISTRICT), (WARD 4, DISTRICT 5).

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law 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 NC-3 (Lodging 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 NC-3 (Lodging 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-3 (Suburban District) to NC-3 (Lodging 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 14 DAY OF JANUARY , 2016 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

 , COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: SEPTEMBER 24 , 2015

Published Adoption: _____, 2015

Delivered to Parish President: _____, 2015 at _____

Returned to Council Clerk: _____, 2015 at _____

Theresa L. Ford

From: Carl Cleland
Sent: Friday, September 18, 2015 11:47 AM
To: Theresa L. Ford
Subject: RE: Zoning Classification
Attachments: Ord. Cal. No. 5476 Exhibit.pdf

Theresa,

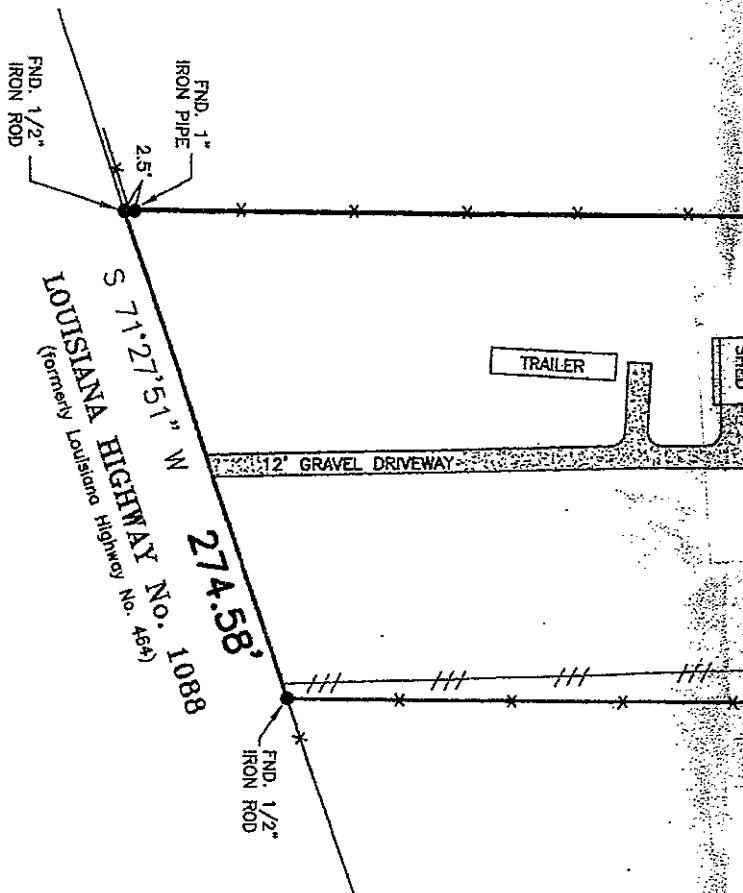
The subject property is zoned A-3.



Carl Cleland
Land Use Planner
St Tammany Parish Dept. of Development
21454 Koop Drive, Suite 1B
Mandeville, LA 70471
Tel: 985-898-2529
Fax: 985-898-3003
Email: ccleland@stp.gov

DISCLAIMER: Any e-mail may be construed as a public document, and may be subject to a public records request. The contents of this e-mail reflect the opinion of the writer, and are not necessarily the opinion or policy of St. Tammany Parish Government.

This is to certify that I have done an actual ground survey and found that no encroachments exist either way across any property lines except as shown.



LEGEND
● FOUND IRON
—///— ELECTRIC LINE

THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND CONTROL, AND THAT THE SURVEY WAS DONE ON THE GROUND AND IS IN ACCORDANCE WITH THE "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS ADOPTED BY THE STATE OF LOUISIANA, BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR A CLASS "D" SURVEY.

REFERENCE: Survey of a 7.38 acre parcel of land situated in Section 6, Township 8 South, Range 12 East; Survey by John E. Bonneau, for Stephanie Seemppa; Dated 21-June-2005; Drawing No. 05562.

NOTE: This is to certify that I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described is located in Flood Zone(s) "A" with a Base Flood Elevation of N/A in accordance with Community Panel No. 225205 0245 C; Revised: 10/17/1989

SURVEY MAP OF
A 6.30 ACRE TRACT OF LAND
situated in
SECTION 6, TOWNSHIP 8 SOUTH, RANGE 12 EAST
St. Tammany Parish, Louisiana
for
BRIAN E. CHOPIN

Survey No. 2005 654 Drawn by: BJO Scale: 1" = 100'
Date: 02-AUGUST-2005 Revised:

JOHN E. BONNEAU & ASSOCIATES, INC.

Professional Land Surveyors • Planners and Consultants
1011 N. CAUSEWAY BLVD. - SUITE 34 • MANDEVILLE, LA. 70471 (985)626-0808
SLIDELL (985)843-2508 • MANDEVILLE (985)626-3546 • N.O. (504)456-2042
HAMMOND (985)345-7641 • FAX NO. (985)626-0057 • e-mail: jebco1@bellsouth.net

NOTE: Servitudes shown hereon are not necessarily exclusive. Servitudes 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.

NOTE: Setback lines shall be verified by owner or contractor prior to any construction, as an abstract has not been performed by the undersigned.

This Survey is Certified True and Correct by

John E. Bonneau
Professional Land Surveyor
Registration No. 4423

TOWNSHIP 7 SOUTH
TOWNSHIP 8 SOUTH



FND. 1/2"
IRON ROD

3.42'

S 85°59'06" E 260.0'

FND. 1/2"
IRON PIPE

2.63'

822.4'

6

5

61.5'

31

32



1099.18'

6.30 ACRES

N 00°16'37" E (REFERENCE BEARING)

S 00°16'37" W 1011.82'



CASH SALE	*	UNITED STATES OF AMERICA
	*	
	*	STATE OF LOUISIANA
BY	*	
TERRI O. AND	*	PARISH OF ST. TAMMANY
DALE A. VIOLA, SR.	*	
	*	
	*	DT. REG # 888,909
TO	*	Inst # 1003672
LORI L. AND	*	FILED ST. TAMMANY PAR
BRIAN E. CHOPIN	*	06/28/199603:21:00PM TJF
*****	*	COE_X_ NOB___ MI___

BE IT KNOWN, That on this 28th day of June in the year of our Lord one thousand nine hundred and ninety six.
BEFORE ME, Oliver P. Carriere, Jr. a Notary Public, duly commissioned and qualified, and in the presence of the undersigned witnesses:

PERSONALLY CAME AND APPEARED,

TERRI OTT (SS # [REDACTED]-3176) wife of/and DALE A. VIOLA (SS # [REDACTED]-1334) both persons of the full age of majority, and residents of St. Tammany Parish, La. Terri Ott Viola declared that she has been married but four times; first to Walter Holt from whom she was divorced in proceedings No. 62670 of the 22nd Judicial District Court, St. Tammany Parish, La., second to Joseph Manuel Jr who is deceased, thirdly to Norris J. Foret Jr. from whom she was divorced in proceedings No. 9313503 of the 22nd Judicial District Court, St. Tammany Parish, La. and fourthly to Dale A. Viola with whom she is living and residing. Dale A. Viola declared that he has been married twice, first to Laura Ann Creel from whom he was divorced in proceedings No. 93-11727 of the 22nd Judicial Court, St. Tammany Parish, La and secondly to Terri Ott with whom he is living and residing.

Mailing address is declared to be 1003 SMOKETREE DRIVE,
COVINGTON, LA 70433.

Who declare that they do by these presents grant, bargain, sell, convey, transfer, assign, setover, abandon and deliver, with all legal warranties and with full substitution and subrogation in and to all the rights and actions of warranty which they have or may have against all preceding owners and vendors, unto

LORI LINDHORST WIFE OF/AND BRIAN ERIC CHOPIN, both persons of the full age of majority and residents of St. Tammany Parish, Louisiana who declared unto me, Notary, that they have been married once and then to each other and that they are presently living and residing together.

SS# HIS [REDACTED]-8247 HERS [REDACTED]-1311

MAILING ADDRESS: 242 DEVAL DR. MANDEVILLE, LA. 70471

here present, accepting and purchasing for their heirs and assigns, and acknowledging due delivery and possession thereof, all and singular the following described property to wit;

THAT CERTAIN LOT OR PORTION OF GROUND, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, advantages and appurtenances thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, State of Louisiana, located in Section 6, Township 8 South, Range 12 East. Greensburg Land District, and is more fully described as follows, to-wit:

From the Northeast corner of Section 6, Township 8 South, Range 12 East, go South 89 degrees 48 minutes, 44 seconds West, a distance of 822.64 feet, actual, (South 89 degrees. 45 minutes West, a distance of 759.0 feet, Title) to an iron pipe, the Point of Beginning.

6/28/96 #1003672

From the Point of Beginning, go South 0 degrees, 14 minutes, 22 seconds West, a distance of 1009.59 feet; thence go South 71 degrees, 28 minutes, 52 seconds West, a distance of 274.58 feet to an iron rod; thence go North 0 degrees, 14 minutes, 22 seconds East, a distance of 1095.95 feet to an iron rod; thence go North 89 degrees, 48 minutes, 44 seconds East, a distance of 260.00 feet to an iron pipe. the Point of Beginning. Said parcel contains 6.284 acres.

All as more fully shown on survey of Cary E. Smith, Professional Land Surveyor, dated February 9, 1994, Drawing No. 94-220, a copy of which is annexed hereto, and all in accordance with Affidavit of Surveyor by Cary E. Smith dated May 19, 1994, filed with the Clerk of Court for St. Tammany Parish, Louisiana.

The property is subject to a Servitude of Drainage as follows:

Being all that portion of the property lying within of 30.00 feet and being 15.00 feet left and 15.00 feet right of the centerline of said drainage servitude, beginning at a point in the northerly required right of way limits of Parcel N. 2-36 hereinabove described, which point is located opposite Highway Survey Station 103 + 38 and extending in a northeasterly direction at said width of 15.00 feet left and 15.00 feet right of said drainage servitude centerline a distance of 1,100.00 feet, said parcel containing an area of 0.76 of an acre, more or less.

Said Servitude of Drainage is contained in act recorded with the Clerk of Court for St. Tammany Parish, Louisiana in COB 637, folio 96.

ACQUIRED-INSTRUMENT NO. 907167

To have and to hold the above described property unto the said purchaser and their heirs and assigns forever.

This sale is made and accepted for and in consideration of the price and sum of SIXTY FIVE THOUSAND AND NO/100 (\$ 65,000.00) DOLLARS which the said purchaser(s) LORI L AND BRIAN E. CHOPIN have well and truly paid, in ready and current money to the said Vendor(s) who hereby acknowledge the receipt thereof and grant full acquittance and discharge therefor.

The parties to this act are aware of the fact that the mortgage, conveyance and Tax certificates are waived, and relieve and release me, Notary, from all responsibility and liability in connection therewith.

THUS DONE AND PASSED, at 900 N. Causeway Blvd. Mandeville, La. 70448 on the day, month and year herein first above written, in the presence of the undersigned competent witnesses, who hereunto sign their names with the said appearers, and me, Notary, after reading of the whole.

WITNESSES:

Audrey B.
Chris Paul

Terry O. Viola
TERRY O. VIOLA
Dale A. Viola Sr.
DALE A. VIOLA, SR.
Lori L. Chopin
LORI L. CHOPIN
Brian E. Chopin
BRIAN E. CHOPIN

[Signature]
NOTARY PUBLIC

BOUNDARY AGREEMENT

UNITED STATES OF AMERICA

BY: HAZEL HUNT POITEVENT, widow of
ROBERT L. POITEVENT, SR.

STATE OF LOUISIANA

TO: LORI LINDHORST CHOPIN, wife of/and
BRIAN ERIC CHOPIN

PARISH OF ST. TAMMANY

BE IT KNOWN, that on this 21st day of December, 2000;

BEFORE ME, ERNEST PRIETO, a Notary Public duly commissioned and qualified
in and of the parish and state aforesaid, and in the presence of the undersigned witnesses,
personally came and appeared:

HAZEL HUNT POITEVENT, of lawful age and domiciled in Jefferson
Parish, Louisiana, who declares under oath that she has been married but once
and then to Robert L. Poitevent, Sr., deceased; that she has not remarried, and
whose permanent mailing address is 721 Henry Landry Avenue, Metairie,
Louisiana 70003; and

LORI LINDHORST CHOPIN, wife of/and BRIAN ERIC CHOPIN, both of
lawful age and domiciled in St. Tammany Parish, who declare under oath that
they have been married but once and then to each other, and whose permanent
mailing address is 242 DeVal Drive, Mandeville, Louisiana 70471.

Appearer HAZEL HUNT POITEVENT declares that she and her now deceased
spouse ROBERT L. POITEVENT, SR. acquired the following described property from J.
CLAY PRIETO, *et al.* by act dated July 14, 1962, registered as COB 329, fo 623, further
acquired by Judgment of Possession from the Succession of Robert Leonard Poitevent, Sr.,
No. 546822 of the 24th Judicial District Court for Jefferson Parish, Louisiana by judgment
dated November 24, 1999, to wit:

THAT CERTAIN LOT OR PORTION OF GROUND, together with all the
buildings and improvements thereon, and all of the rights, ways, privileges,
servitudes, advantages and appurtenances thereunto belonging or in anywise
appertaining,

Located in Section 6, Township 8 South, Range 12 East, St. Tammany Parish,
Louisiana.

From the corner common to Sections 5 and 6, Township 8 South, Range 12
East, St. Tammany Parish, Louisiana, measure South 89 degrees 45 minutes
West, 1296.6 feet to an iron post, the point of beginning.

From the point of beginning measure North 89 degrees 45 minutes East, 227.6
feet to an iron post; thence South 1111.5 feet to an iron post in the Northerly
R/W line of Louisiana State Highway No. 464; thence with said R/W line,
South 71 degrees 10 minutes West, 298.0 feet to an iron post; thence North
1206.0 feet to the point of beginning.

This tract contains 7.39 Acres.

Ernest Prieto
A Law Corporation
2900 E. Causeway Blvd.
Suite D
Mandeville, LA
70448
PH: (504) 626-7363

St. Tammany Parish
Instrument #: 1226557
Register #: 1020989 GGH
12/27/2000 11:22:00 AM
MB GB X MI UCC

Appearers LORI LINDHORST CHOPIN, wife of/and BRIAN ERIC CHOPIN
declare that they acquired the following described property from TERRI O. and DALE A.
VIOLA, SR. by deed dated June 28, 1996, recorded as COB _____, to wit:

THAT CERTAIN LOT OR PORTION OF GROUND, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, advantages and appurtenances thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, State of Louisiana, located in Section 6, Township 8 South, Range 12 East, Greensburg Land District, and is more fully described as follows, to-wit:

From the Northeast corner of Section 6, Township 8 South, Range 12 East, go South 89 degrees 48 minutes, 44 seconds West, a distance of 822.64 feet, actual, (South 89 degrees, 45 minutes West, a distance of 759.0 feet, Title) to an iron pipe, the Point of Beginning.

From the Point of Beginning, go South 0 degrees, 14 minutes, 22 seconds West, a distance of 1009.59 feet; thence go South 71 degrees, 28 minutes, 52 seconds West, a distance of 274.58 feet to an iron rod; thence go North 0 degrees, 14 minutes, 22 seconds East, a distance of 1095.95 feet to an iron rod; thence go North 89 degrees, 48 minutes, 44 seconds East, a distance of 260.00 feet to an iron pipe, the Point of Beginning. Said parcel contains 6.284 acres.

All as more fully shown on survey of Cary E. Smith, Professional Land Surveyor, dated February 9, 1994, Drawing No. 94-220, a copy of which is annexed hereto, and all in accordance with Affidavit of Surveyor by Cary E. Smith dated May 19, 1994, filed with the Clerk of Court for St. Tammany Parish, Louisiana.

The property is subject to a Servitude of Drainage as follows:

Being all that portion of the property lying within of 30.00 feet and being 15.00 feet left and 15.00 feet right of the centerline of said drainage servitude, beginning at a point in the northerly required right of way limits of Parcel N. 2-36 hereinabove described, which point is located opposite Highway Survey Station 103 + 38 and extending in a northeasterly direction at said width of 15.00 feet left and 15.00 feet right of said drainage servitude centerline a distance of 1,100.00 feet, said parcel containing an area of 0.76 of an acre, more or less.

The hereinabove described properties are adjacent and contiguous, but differences have arisen between appearers as to the correct location and boundaries of their respective properties. The property of HAZEL HUNT POITEVENT has been recently surveyed by John Bonneau and Associates, being Plat 2000659, dated October 16, 2000, revised November 8, 2000, a copy of which is hereto attached.

Appearers now declare that in order to make an amicable settlement of their differences and to fix the boundaries of said properties so that there may be hereafter no further dispute or misunderstanding, and so that the same may be forever fixed, the common boundary between the POITEVENT property and the CHOPIN property shall hereafter be:

Ernest Prieto
A Law Corporation
2900 E. Causeway Blvd.
Suite D
Mandeville, LA
70448
PH: (504) 626-7363

Commence at the NE Corner of Section 6, Township 8 South, Range 12 East, St. Tammany Parish, Louisiana, as per the survey of John Bonneau & Associates, Inc. referred to above, and:

Run North 89 degrees 59 minutes 06 seconds West 1082.4 feet to the NE Corner of the Poitevent property and the point of beginning of the common boundary.

Thence run South 00 degrees 16 minutes 37 seconds West along the common boundary 1099.18 feet along an existing fence line to Louisiana Hwy. 1088 to a 5/8 inch I.R.F.

THUS DONE AND PASSED at Mandeville, Louisiana on the day and date first hereinabove written and in the presence of the undersigned witnesses who hereunto sign their names with the said appearers and me, Notary, after due reading of the whole.

WITNESSES:

Claire D. Spain

Hazel Hunt Poitevent
HAZEL HUNT POITEVENT
S.S.N. [REDACTED]-4645

Dora M. Sma

Lori Lindhorst Chopin
LORI LINDHORST CHOPIN
S.S.N. [REDACTED]-1311

Robert L. Poitevent, Jr.
ROBERT L. POITEVENT, JR.
S.S.N.

Brian Eric Chopin
BRIAN ERIC CHOPIN
S.S.N. [REDACTED]-8247

Ernest Prieto
ERNEST PRIETO, NOTARY PUBLIC

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Mandeville, LA
70448
PH: (504) 626-7363

SEE MAP FILE # 1886
INSTRUMENT # 1226557
ORIGINALLY FILED DATE 12-27-00
MAP FILED DATE 12-27-00
St. Tammany Parish Clerk of Court
Deputy Clerk Darwin Herrell