ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5810

INTRODUCED BY: MR. THOMPSON

COUNCIL SPONSOR: STEFANCIK/BRISTER

SECONDED BY: MR. DEAN

ORDINANCE COUNCIL SERIES NO:

PROVIDED BY: PLANNING DEVELOPMENT

ON THE 4 DAY OF MAY, 2017

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE NORTH SIDE OF LAKEVIEW DRIVE, EAST OF US HIGHWAY 11, BEING LOT 55, EDEN ISLES SUBDIVISION, 240 LAKEVIEW DRIVE, SLIDELL; S32, T9S, R14E AND WHICH PROPERTY COMPRISES A TOTAL OF 8306 SQ FT OF LAND MORE OR LESS, FROM ITS PRESENT A-6 (MULTIPLE FAMILY RESIDENTIAL DISTRICT) TO TO A-4A (SINGLE-FAMILY RESIDENTIAL DISTRICT), (WARD 9, DISTRICT 13). (2017-563-ZC)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2017-563-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-6 (Multiple Family Residential District) to A-4A (Single-Family Residential 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-4A (Single-Family Residential 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-6 (Multiple Family Residential District) to A-4A (Single-Family Residential 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 <u>1</u> DAY OF <u>JUNE</u>, <u>2017</u>; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published	Introduction:	APRIL 26	, 2017
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Published Adoption: _____, 2017

Delivered to Parish President: _____, 2017 at _____

Returned to Council Clerk: _____, 2017 at _____

ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: 3/27/2017 Case No.: 2017-563-ZC Posted: 03/23/17

Meeting Date: 4/4/2017 Determination: Approved

GENERAL INFORMATION

PETITIONER: Scott Martin

OWNER: Scott Martin

REQUESTED CHANGE: From A-6 Multiple Family Residential District to A-4A Single-Family Residential District

LOCATION: Parcel located on the north side of Lakeview Drive, east of US Highway 11, being lot 55, Eden Isles Subdivision. 240 Lakeview Drive, Slidell; S32, T9S, R14E; Ward 9, District 13 SIZE: 8306 sq.ft.

GENERAL INFORMATION

ACCESS ROAD INFORMATION

Type: Parish

Road Surface: 2 lane concrete

Condition: Good

LAND USE CONSIDERATIONS SURROUNDING LAND USE AND ZONING:

	Direction	Surrounding Use	Surrounding Zone
	North	Undeveloped	PUD Planned Unit Development Overlay
South Residential A-6 Multiple Family Residential District	South	Residential	A-6 Multiple Family Residential District
East Undeveloped A-6 Multiple Family Residential District	East	Undeveloped	A-6 Multiple Family Residential District
West Undeveloped A-4A Single-Family Residential District	West	Undeveloped	A-4A Single-Family Residential District

EXISTING LAND USE:

Existing development: No

Multi occupancy development: No

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-6 Multiple Family Residential District to A-4A Single-Family Residential District. This site is located on the north side of Lakeview Drive, east of US Highway 11, being lot 55, Eden Isles Subdivision, 240 Lakeview Drive, Slidell. The 2025 Future land use plan calls for the area to be developed with residential uses. Staff has no objection to the request.

STAFF RECOMMENDATION:

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

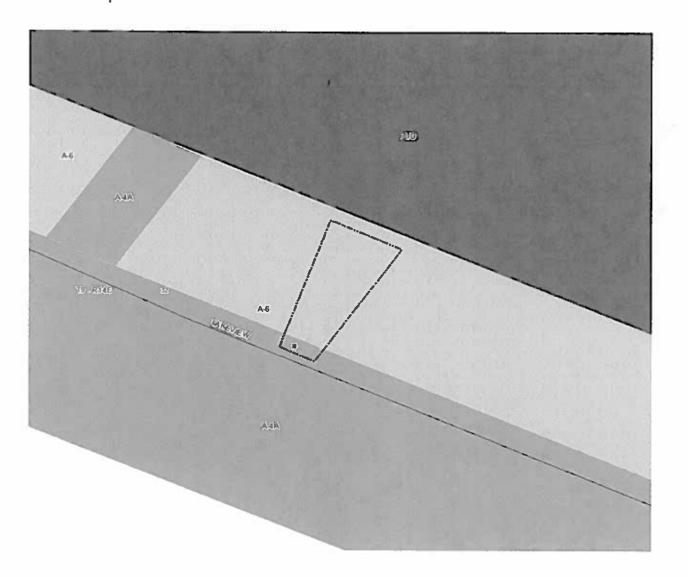
Case No.: 2017-563-ZC

PETITIONER: Scott Martin

OWNER: Scott Martin

REQUESTED CHANGE: From A-6 Multiple Family Residential District to A-4A Single-Family Residential District

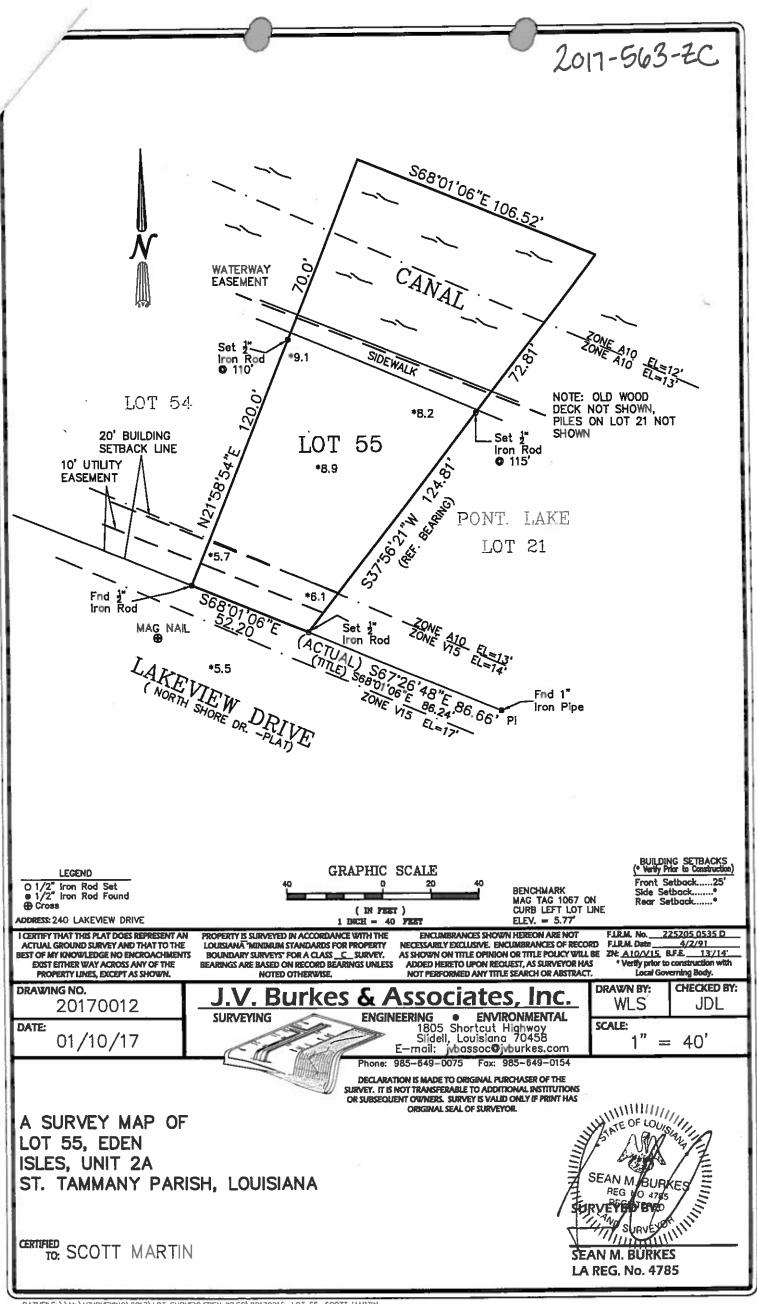
LOCATION: Parcel located on the north side of Lakeview Drive, east of US Highway 11, being lot 55, Eden Isles Subdivision, 240 Lakeview Drive, Slidell; S32, T9S, R14E; Ward 9, District 13 SIZE: 8306 sq.ft.





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PATHFILE: \\M: \ISURVEYING\2017\LOT SURVEY\EDEN "SLES\20170012, LOT 55, SCOTT MARTIN

ST. TAMMANY PARISH PATRICIA P. BRISTER PARISH PRESIDENT
LAND USE REVIEW APPLICATION
Type of Request: 2017-563-2C Planned Review Administrative Permit Submittal Deadline: FEB, 1, 2017 Hearing Date: APRIL 4, 2017 Payment Method: CHECK 1371
Request: <u>Change</u> <u>H</u> - <u>(e Multi Family</u> 7 <u>A</u> - <u>4</u> <u>A</u> Is this proposed use temporary? [] Yes [MNo If so when will it be removed? <u>M/A</u> Location of property (General Description): <u>25/8 Lake View Device off Hwy 11 Stabell</u>
Present Zoning Classification: Multi themilish 6 "Existing Use: Multi themilish 6 "Existing Use: Ward: 9 District: 13 Proposed Use: Simple: STR: LAKEWIEW DRIVE \$32T9R14E Square FL of Proposed Use: 1542 Subdivision: EDENTS/65' Acreage or Sq. FL of Site: 880 C Previous Use: Multi tamilish Proposed Hours of Operation: Multi Maximum Height of Structure(s); Number of Employees (Max. Shift): Multi Adjacent Uses Mugte tamily (MacAnt) Sign Type, Size and Location: Multi
 IMPORTANT NOTES: Due to advertising and public hearing deadlines, all applications must be submitted by 11:30 A.M. of the deadline date to assure compliance with notice requirements. The Petitioner or Representative must be present at the Zoning Commission Meeting to address any questions or comments relative to the project. Applicant must appear at hearing to request tabling of a case. All appeals of an action of Planning and Zoning Commission must be submitted within 10 days of said action. It is recommended that the Applicant, or a duly appointed representative, contact the Department of Planning & Development prior to submitted of this application to discuss the details of this proposal.
NOTE: THIS DOCUMENT MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC. By my signature below. I certify that all information submitted to the Department of Planning & Development is TRUE and CORRECT,
and understand that failure to submit TRUE and CORRECT information can result in delay or denial in this application. I further certify that I have read and understand the above important notes relative to the submission of this application. Property Owner(a) Name: Scott MARTIN Name: Contact Person Date: Contact Person Da
BEFORE ME, the undersigned authority, personally appeared the persons whose signatures are affixed above, all of full age and majority, who declared to me. Notary, that they are the owners or duly authorized representatives of all that certain lot, piece, or parcel of land located as set forth in this application, that their signatures were executed freely and voluntarily and that they are duly qualified to sign. SWORN TO AND SUBSCRIBED before me this 124 day of 50, 2017
Julie C. Flanagan #12204 LA Civil Law Notary Public St. Tammany Parish, LA My commission is for life

DEPARTMENT OF PLANNING & DEVELOPMENT P.O. BOX 628 | COVINGTON, LOUISIANA | 70434 | PLANNING@STPGOV.ORG | 985-898-2529 WWW.STPGOV.ORG Crescent Title, LLC 7835 Maple Street New Orleans, LA 70118 File No.: 165500

CASH SALE

Sale of Property

by:

208 Lakeview Homeowners, L. L. C.

to:

Scott D. Martin

United States of America State of Louisiana Parish of St. Tammany

BE IT KNOWN That on this 13th day of January, 2017

KIRK J. FROSCH

BEFORE ME, ________ a notary public, duly commissioned and qualified, in and for the Parish of St. Tammany and in the presence of the witnesses hereinafter named and undersigned. Personally Came and Appeared,

208 Lakeview Homeowners, L. L. C. (Tax ID# 20-4103311), a limited liability company, organized and operating under the laws of the State of Louisiana, herein represented by Roger W. Moore, its Member/Manager, duly authorized by virtue of Unanimous Consent annexed hereto;

MAILING ADDRESS: P. O. Box 743, Slidell, LA 70459

Who declare that they do by these presents, grant, bargain, sell, convey, transfer, assign, setover, abandon and deliver, with all legal warranties as to title only, but 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,

Scott D. Martin (SS# XXX-XX-0991), a person of the full age of majority and a resident of the Parish of St. Tammany, State of Louisiana, who declared unto me, Notary, that he has been married but twice, first to Julia Reardon who is deceased and second to Gail Lougue, from whom he was divorced and that he has not since remarried;

MAILING ADDRESS: 124 Lighthouse Point Drive, Slidell, LA 70458

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

"Description of Property"

THAT CERTAIN PIECE OR PORTION OF GROUND, together with all buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining more fully described as follows, to-wit:

Lot Number 55, situated in EDEN ISLES SUBDIVISION, UNIT 2A, a subdivision located in St. Tammany Parish, Louisiana, according to the plan of said subdivision prepared by Lester G.

St. Tammany Parish 2081 Instruct #: 2050524 Registry #: 2477457 cbi 1/18/2017 12:24:00 PM MB CB X MJ UCC



High, registered Civil Engineer, consisting of two sheets, and recorded in Plat File No. 1297 of the records of St. Tammany Parish, Louisiana. All in accordance with a survey by Ivan M. Borgen, Land Surveyor, dated November 11, 1982.

Being the same property acquired by 208 Lakeview Homeowners, LLC from Cory Neal Green by act before Howard F. Fussell, Notary Public, dated December 28, 2005 and recorded in Instr. #1530103, Registry #1564693 on January 3, 2006 in the records of the St. Tammany Parish, Louisiana.

PURCHASER(S) herein declared that all future notices of ad valorem tax bills and special assessments for the above described property presently for the tax year of 2017 bearing Tax Assessment No. 1378073591 are to be forwarded to:

Scott D. Martin 124 Lighthouse Point Drive, Slidell, LA 70458

THIS ACT IS MADE, EXECUTED AND ACCEPTED SUBJECT TO THE FOLLOWING:

1. Any and all restrictions, overlaps, overhangs, servitudes and/or easements, rights of ways and outstanding rights of record which might be shown on a current survey of the property.

THE PARTIES HERETO TAKE COGNIZANCE THAT NO SURVEY ON THE HEREIN DESCRIBED PROPERTY IN CONNECTION WITH THE ACT OF SALE HAS BEEN MADE NOR HAS ONE BEEN PRODUCED OR ATTACHED AND THE PARTIES DO HEREBY RELIEVE AND RELEASE ME, NOTARY, FROM ANY AND ALL LIABILITY, RESPONSIBILITY OR DAMAGE INCLUDING COURT COSTS AND ATTORNEYS FEES IN CONNECTION THEREWITH.

The parties to this act take cognizance of the fact that no mortgage, conveyance, paving, sewerage and water lien ordinance research or tax sale certificates in connection with this Act of Sale have been made, nor were produced or attached and the parties do hereby relieve and release me, Notary, for any and all liability, responsibility or damage, including court costs and attorney's fees in connection herewith.

See WAIVER OF WARRANTY and REDHIBITION RIGHTS ADDENDUM attached hereto and made a part hereof.

To have and to hold the above described property unto the said purchaser(s) themselves, their heirs and assigns forever.

This sale is made and accepted for and in consideration of the price and sum of Forty-One Thousand And No/100 Dollars (\$41,000.00) which the said purchaser(s) have well and truly paid, in ready and current money to the said vendors who hereby acknowledge the receipt thereof and grant full acquittance and discharge therefore.

All State and City taxes up to and including the taxes due and exigible for the current tax year are paid as per a research of the tax rolls for the year 2016. The 2017 taxes have been prorated to the date of this act of sale. Payment for all future taxes is assumed by purchaser herein.

By reference to the research of the Registrar of Conveyances and Recorder of Mortgages in and for the Parish of St. Tammany, it does not appear that said property has been heretofore alienated by the Vendor.



WAIVER OF WARRANTY AND REDHIBITION RIGHTS ADDENDUM

It is expressly agreed that the immovable property herein conveyed and all improvements and component parts, plumbing, electrical systems, mechanical equipment, heating and air conditioning systems, built-in appliances, and all other items located hereon are conveyed by Seller and accepted by Purchaser "AS IS, WHERE IS," without any warranties of any kind whatsoever, even as to the metes and bounds, zoning, operation, or suitability of the property for the use intended by the Purchaser, without regard to the presence of apparent or hidden defects and with the Purchaser's full and complete waiver of any and all rights for the return of all or any part of the purchase price by reason of any such defects.

Purchaser acknowledges and declares that neither the Seller nor any party, whomsoever, acting or purporting to act in any capacity whatsoever on behalf of the Seller has made any direct, indirect, explicit or implicit statement, representation or declaration, whether by written or oral statement or otherwise, and upon which the Purchaser has relied, concerning the existence or non-existence of any quality, characteristic or condition of the property herein conveyed. Purchaser has had full, complete and unlimited access to the property herein conveyed for all tests and inspections which Purchaser, in Purchaser's sole discretion, deems sufficiently diligent for the protection of Purchaser's interests.

Purchaser expressly waives the warranty of fitness and the warranty against redhibitory vices and defects, whether apparent or latent, imposed by Louisiana Civil Code Articles 2520 through 2548, inclusive, and any other applicable state or federal law and the jurisprudence thereunder.

Purchaser also waives any rights Purchaser may have in redhibition to a return of the purchase price or to a reduction of the purchase price paid pursuant to Louisiana Civil Code Articles 2520 to 2548, inclusive, in connection with the property hereby conveyed to Purchaser by Seller. By Purchaser's signature, Purchaser expressly acknowledges all such waivers and Purchaser's exercise of Purchaser's right to waive warranty pursuant to Louisiana Civil Code Article 2520 and 2548, inclusive.

208 Lakeview Homeowners, L. L. C. Q BY Roger W. Moore

Ð ott N Scott D. Martin

PGR-415 (R6/04)

Member

St Tanmany Parish Clerk of Court - p 4 of 4

Thus Done and Passed, in my office in Mandeville, Louisiana in the presence of the competent witnesses, who hereunto sign their names with the said appearers, and me, Notary, after reading the whole.

WITNESSES:

Brothad PRINT Bryan Laiche d **Colleen Vallee** PRINT

SELLER(S):

PURCHASER(S):

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Ball

Scott D. Martin

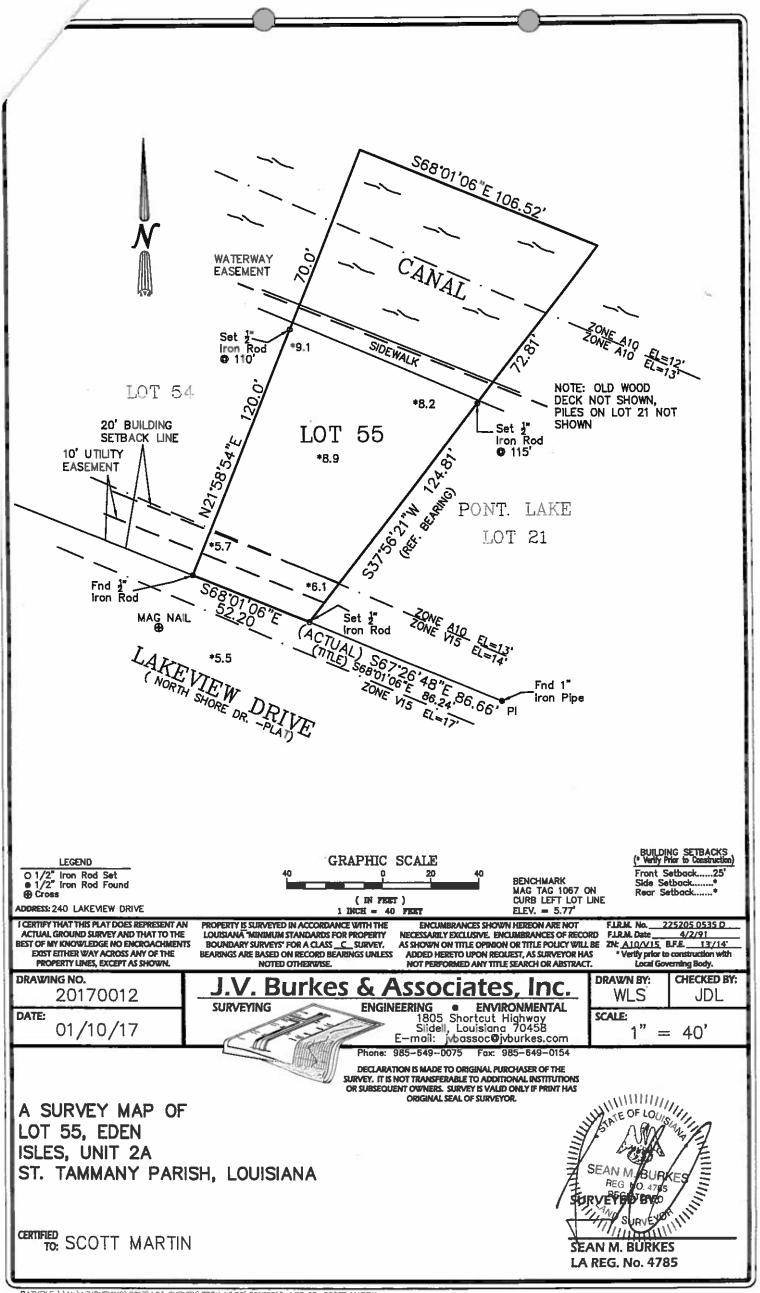
208 Lakeyiew Homeowners, L. L. C. BY: Roger W. Moore

Member

Kirk J. Frosch Attorney/Notary Public TD No.: State of Louisiana Notary ID# 52598 Notary Public My commission expires Bar Roll/ID No.: a expires with life

6-24

Title Ins. Prod.: Crescent Title, LLC Address: 7835 Maple Street, New Orleans, LA 70118 Prod. Lic #: 300974 Title Ins. Underwriter: First American Title Insurance Company of Louisiana Title Opinion by: Robert J. Bergeron La Bar Roll #: 20697



PATHFILE: \\M: \ISURVEYING 2017\LOT SURVEY\EDEN 'SLES 20170012, LOT 55. SCOTT MARTIN





Map data ©2017 Google 1000 ft



240 Lakeview Dr Slidell, LA 70458



Google Maps 240 Lakeview Dr



Map data ©2017 Google 1000 ft



240 Lakeview Dr Slidell, LA 70458



