

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5806

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

COUNCIL SPONSOR: STEFANCIK/BRISTER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MR. THOMPSON

SECONDED BY: MS. O'BRIEN

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 EAST SIDE OF GOTTSCHALK ROAD, SOUTH OF BREEN ROAD, BEING 10121 GOTTSCHALK ROAD, COVINGTON; S19, T6S, R10E AND WHICH PROPERTY COMPRISES A TOTAL OF 12.03 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-1 (SUBURBAN DISTRICT) TO A1-A (SUBURBAN DISTRICT), (WARD 1, DISTRICT 3). (2017-569-ZC)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2017-569-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) to A1-A (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 A1-A (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) to A1-A (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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 1 DAY OF JUNE, 2017; 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

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.: 2017-569-ZC  
Posted: 03/22/17

Meeting Date: 4/4/2017  
Determination: Amended to I-2 Industrial District

GENERAL INFORMATION

PETITIONER: William & Patricia Bloecher

OWNER: William & Patricia Bloecher

REQUESTED CHANGE: From A-1 (Suburban District) to A-2 (Suburban District)

LOCATION: Parcel located on the east side of Gottschalk Road, south of Breen Road, being 10121 Gottschalk Road, Covington; S19, T6S, R10E; Ward 1, District 3

SIZE: 12.03 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 & Undeveloped	A-1 Suburban District
South	Residential & Undeveloped	A-1 Suburban District
East	Residential & Undeveloped	A-1 Suburban District
West	Residential & Undeveloped	Tangipahoa Parish

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 to A-2 Suburban District. This site is located on the east side of Gottschalk Road, south of Breen Road, being 10121 Gottschalk Road, Covington. The 2025 future land use plan calls for the area to be developed with residential uses at a similar density with the surrounding area. Staff feels that there is no compelling reason to recommend approval since the area is surrounded by undeveloped land and large parcels developed with residential uses.

STAFF RECOMMENDATION:

The staff recommends that the request for an A-2 Suburban District designation be denied.

Case No.: 2017-569-ZC

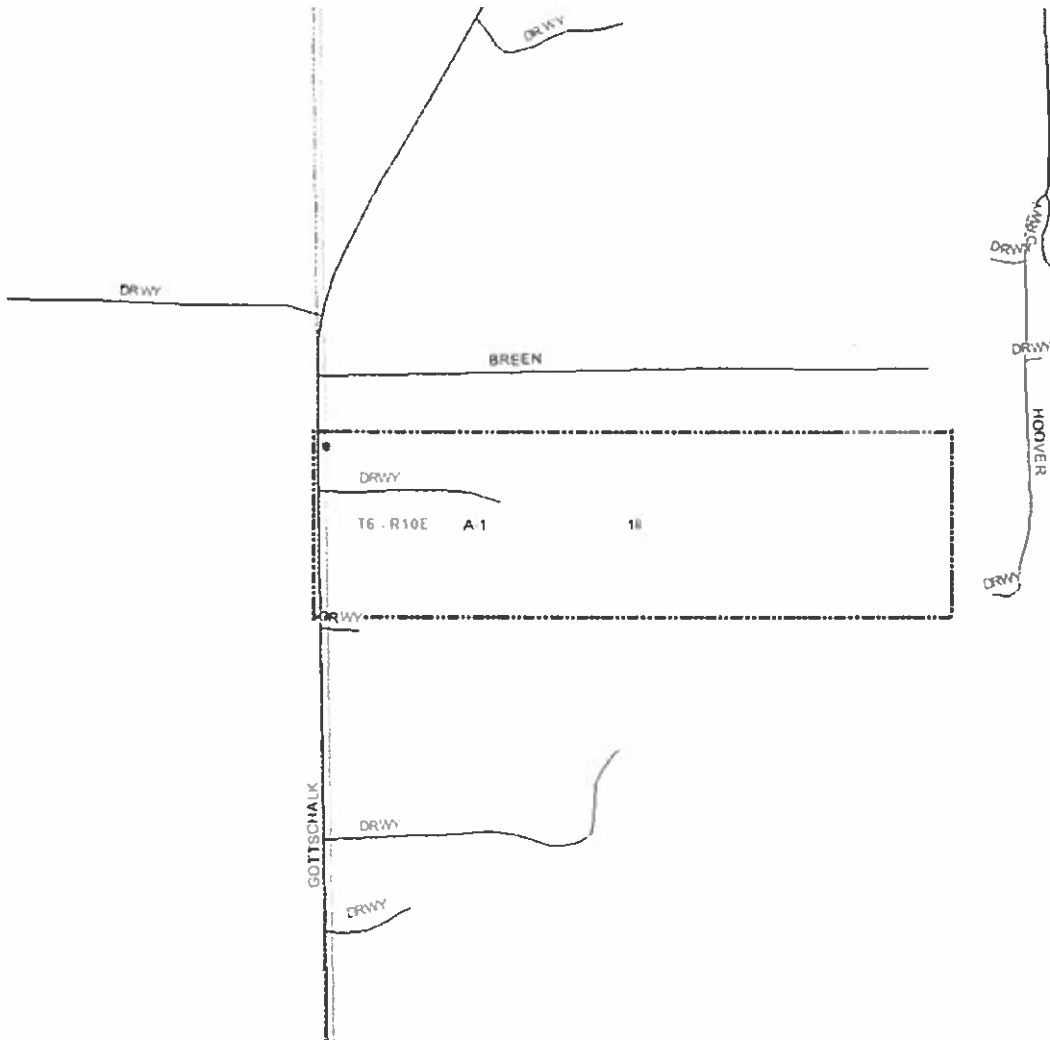
PETITIONER: William & Patricia Bloecher

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REQUESTED CHANGE: From A-1 Suburban District to A-1A Suburban District

LOCATION: Parcel located on the east side of Gottschalk Road, south of Breen Road, being 10121 Gottschalk Road, Covington; S19, T6S, R10E; Ward 1, District 3

SIZE: 12.03 acres



2017-569-ZC

HOOVER

BREEN

T6-R10E

A-1

19

COITSCHALK

0 500 Feet

N

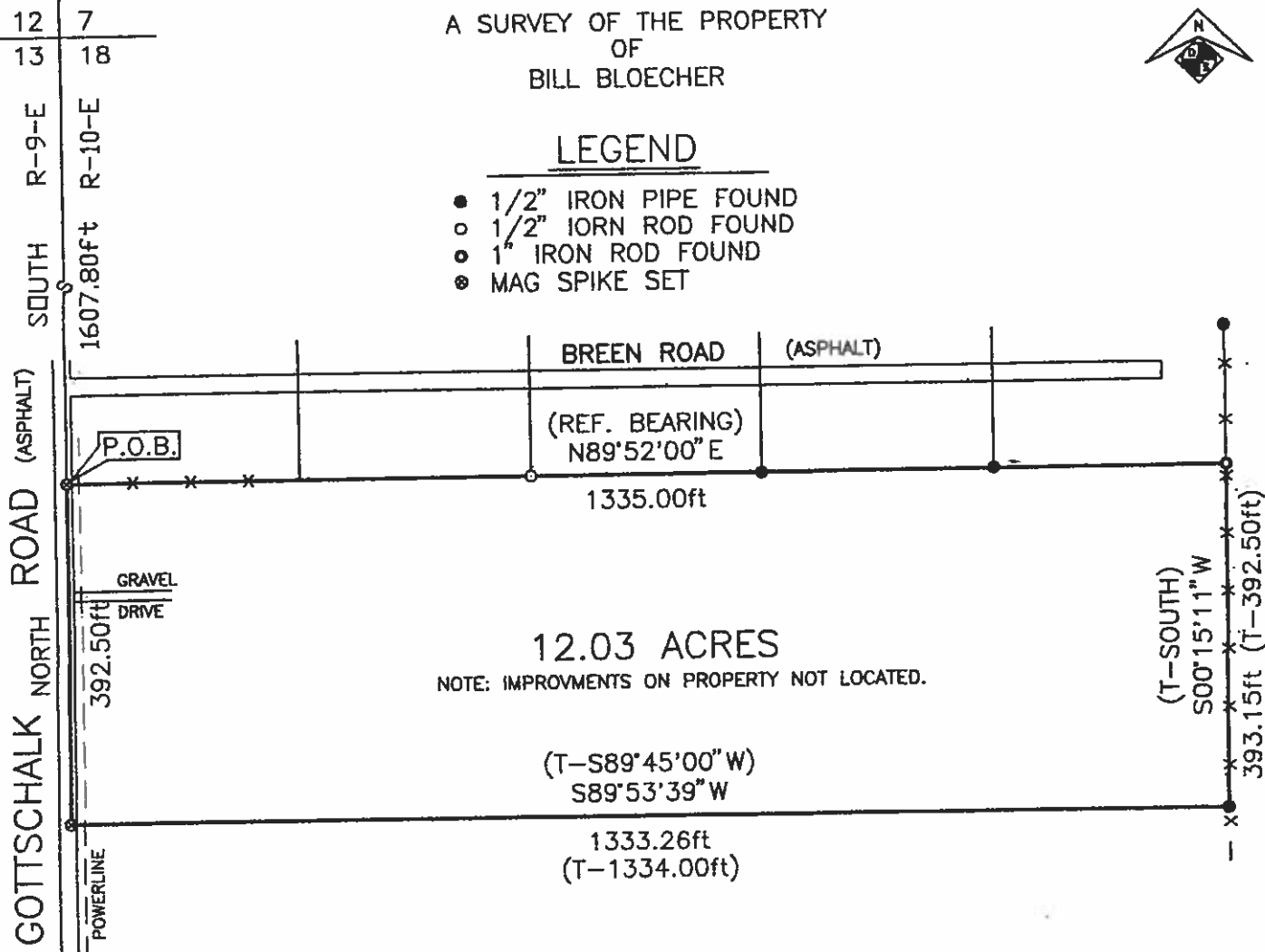


A SURVEY OF THE PROPERTY OF BILL BLOECHER



LEGEND

- 1/2" IRON PIPE FOUND
- 1/2" IRON ROD FOUND
- 1" IRON ROD FOUND
- MAG SPIKE SET



12.03 ACRES

NOTE: IMPROVEMENTS ON PROPERTY NOT LOCATED.

DESCRIPTION OF 12.03 ACRES

A CERTAIN PIECE OR PROTION OF GROUND SITUATED IN SECTION 18, TOWNSHIP 6 SOUTH, RANGE 10 EAST, ST. TAMMANY PARISH, LOUISIANA AND MORE FULLY DESCRIBED AS FOLLOWS.

FROM THE SECTION CORNER COMMON TO SECTIONS 12 & 13, T6S, R9E AND SECTIONS 7 & 18, T6S, R10E, ST. TAMMANY PARISH LOUISIANA. GO SOUTH 1607.80ft TO A MAG SPIKE LOCATED IN THE APPROXIMATE CENTERLINE OF GOTTSCHALK ROAD AND P.O.B.

FROM THE P.O.B. GO N89°52'E 1335.00ft TO A 1" IRON ROD; THENCE S00°15'11"W (T-SOUTH) 393.15ft (T-392.50ft) TO A 1/2" IRON PIPE; THENCE S89°53'39"W (T-S89°45'W) 1333.26ft (T-1334.00ft) TO A MAG SPIKE LOCATED IN THE APPROXIMATE CENTERLINE OF GOTTSCHALK ROAD; THENCE ALONG GOTTSCHALK ROAD NORTH 392.50ft TO A MAG SPIKE LOCATED IN THE APPROXIMATE CENTERLINE OF GOTTSCHALK ROAD AND THE POINT OF BEGINNING. SAID PROPERTY CONTAINS 12.03 ACRES.

Reference 1) DESCRIPTION AS PER MAP BY C. R. SCHULTZ, SURVEYOR, DATED AUG. 11, 1965. 2) DESCRIPTION AS PER MAP BY GERALD FUSSELL, DATED APR. 14, 1984. 3) SURVEY BY H. C. SANDERS, DATED JULY 3, 1987, JOB NUMBER ST-87-195. SAID DESCRIPTIONS AND SURVEY FILED IN THE OFFICIAL RECORDS OF THE ST. TAMMANY PARISH CLERK OF COURT AND WAS USED AS THE BASIS OF BEARINGS AND (T)TITLE CALLS SHOWN.

NOTE 1) Said property is located in Flood Zone "A" per the Insurance Rate Map for St. Tammany Parish, Community Panel # 225205 0125C Map Revised, OCT. 17, 1989 Base Flood Elevation AS PER PARISH

NOTE 2) The undersigned surveyor has not performed a title search or abstract. This survey was conducted using documents provided by the client or their agents. Servitudes shown are not necessarily exclusive. Servitudes of record will be added hereto upon request after a title opinion. Plat Revised

I certify this plat represents an actual ground survey in accordance with the applicable standards of practice as stipulated by the Louisiana State Board of Registration for Professional Engineers and Land Surveyors and bears a D survey classification.



WAYNE R. SIMKIN P.L.S. REG. # 4751

A SURVEY OF A PORTION OF GROUND SITUATED IN SECTION 18, TOWNSHIP 6 SOUTH, RANGE 10 EAST, ST. TAMMANY PARISH, LOUISIANA.



D & S SURVEYORS, INC.

PROFESSIONAL LAND SURVEYORS 228 WEST 21st AVENUE, COVINGTON, LOUISIANA 70433 OFFICE(985)892-2847~FAX(985)892-2806

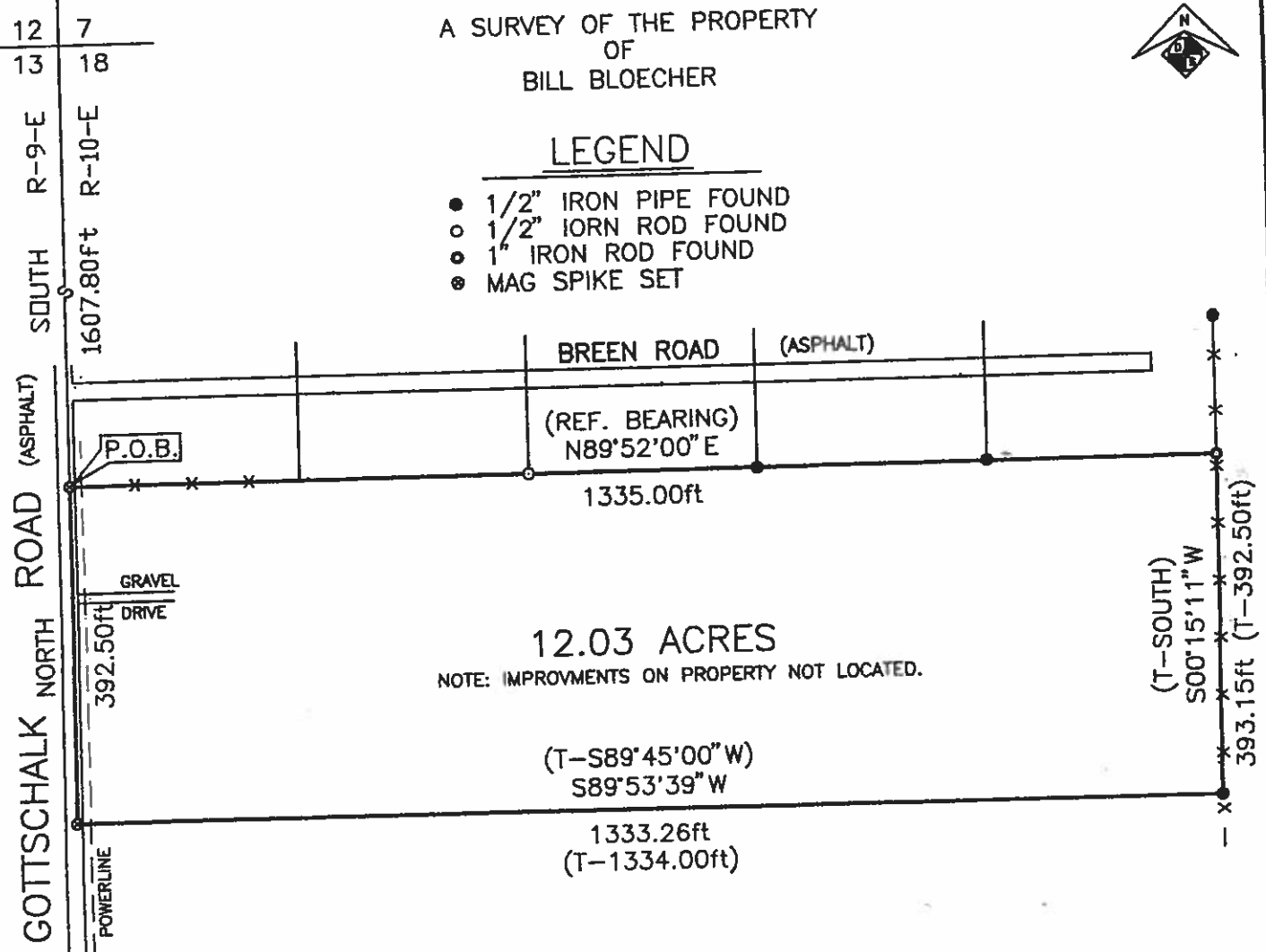
JOB NO.	DRAWN WRS	DATE	SHEET NO.
13-110	CHECKED WRS	11/08/2013	1 OF 1
		SCALE 1"=200'	

A SURVEY OF THE PROPERTY  
OF  
BILL BLOECHER



**LEGEND**

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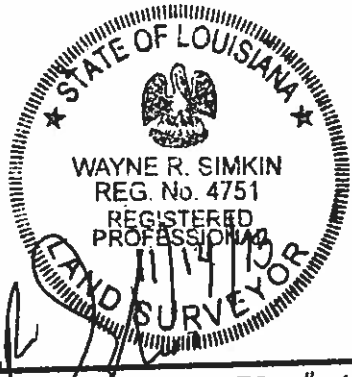
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JOB NO. 13-110	DRAWN WRS	DATE 11/08/2013	SHEET NO. 1 OF 1
	CHECKED WRS	SCALE 1"=200'	

**CASH SALE**

**Sale of Property**

by  
**FRANKIE A. ALLEN**

to  
**WILLIAM J. BLOECHER and PATRICIA  
COCKRAN BLOECHER**

**C-16-0368**

**United States of America**

**State of Louisiana**

**Parish of St. Tammany**

**BE IT KNOWN**, that on this 6<sup>th</sup> day  
of December, in the year of our Lord ;

**BEFORE ME**, the undersigned, a  
Notary Public, duly commissioned and  
qualified in and for the Parish of St. Tammany,  
State of Louisiana, and in the presence of the  
witnesses hereinafter named and undersigned:

**PERSONALLY CAME AND APPEARED:**

**FRANKIE A. ALLEN (SSN\*\*\*-\*\*-2586)** a person of the full age of majority  
and resident of and domiciled in St. Tammany Parish, Louisiana, who declared  
unto me, Notary, that he has been married but once to Margie Adams with whom  
he lives and resides, he appears herein to sell his separate and paraphernal  
property.

Mailing Address: 15 Greenleaf Lane, Covington, LA, 70435

hereinafter referred to as "Seller", who declared 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:

**WILLIAM J. BLOECHER (SSN\*\*\*-\*\*-5961) AND PATRICIA COCKRAN  
BLOECHER (SSN\*\*\*-\*\*-2933)** both persons of the full age of majority and  
residents of and domiciled in St. Tammany Parish, Louisiana, who declared unto  
me, Notary, that they have been married but once to each other.

Mailing Address: 75331 Hoover Road, Covington, LA 70435

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

St. Tammany Parish 2280  
Instrmnt #: 2046338  
Registry #: 2471419 pmt  
12/8/2016 10:01:20 AM  
MB CB X MI UTC



**ALL THAT CERTAIN PIECE OR PORTION OF GROUND**, together with all the buildings and improvements thereon, and all of the rights, ways, means, privileges, servitudes, advantages and appurtenances thereunto belonging or in anywise appertaining, situated in Section 18, Township 6 South, Range 10 East, St. Tammany Parish, Louisiana and more fully described as follows:

From the Section corner common to Sections 12 and 13, Township 6 South, Range 9 East and Sections 7 and 18, Township 6 South, Range 10 East, St. Tammany Parish, Louisiana, go South 1607.80 feet, to a mag spike located in the approximate centerline of Gottschalk Road and the Point of Beginning.

From the Point of Beginning go North 89 degrees 52 minutes 00 seconds East, 1335.00 feet to a 1 inch iron rod; thence South 00 degrees 15 minutes 11 seconds West (Title- South), 393.15 feet (Title - 392.50 feet) to a 1/2 inch iron pipe; thence South 89 degrees 53 minutes 39 seconds West (Title- South 89 degrees 45 minutes 00 seconds West), 1333.26 feet (Title 1334.00 feet) to a mag spike located in the approximate centerline of Gottschalk Road; thence along Gottschalk Road North 392.50 feet to a mag spike located in the approximate centerline of Gottschalk Road and the Point of Beginning.

Said property contains 12.03 acres.

Being a portion of the same property acquired by Frankie A. Allen from the Succession of Alan K. McMillian a/k/a Alan K. McMillin, by Cash Sale Deed, dated September 16, 2014, passed before Patrice A. Schalenko, Notary Public, and recorded with the Clerk of Court for St. Tammany Parish, Louisiana as COB Instrument Number 1958394.

**THIS ACT IS MADE AND ACCEPTED SUBJECT TO THE FOLLOWING:**



1. Any encroachments, overlaps, easements, rights of way, servitudes and all matters which might appear on a current survey of the property.
2. Any restrictions, covenants, easements, rights of way, servitudes, and set-back lines recorded in the official records of the Parish of St. Tammany, and on the plan of subdivision recorded, if any; but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry or source of income, as set forth in applicable state and/or federal laws, except to the extent that said covenant and/or restriction is permitted by applicable law.

**SALE IS "AS-IS" WITHOUT WARRANTIES:** SELLER and BUYER hereby acknowledge and recognize that the Property being sold and purchased is to be transferred in "AS-IS" condition and further BUYER does hereby waive, relieve and release SELLER from any claims or cases of action for redhibition pursuant to Louisiana Civil Code Article 2520, *et seq.* and Article 2541, *et seq.* or for reduction of Sales Price pursuant to Louisiana Civil Code Article 2541, *et seq.* Additionally, BUYER acknowledges that this sale is made without warranty of fitness for ordinary or particular use pursuant to Louisiana Civil Code Article 2524. SELLER and BUYER acknowledge that they have read the above and sought their own legal counsel and they hereby release and relieve 110 Title, LLC and/or Notary Public from any and all liability in connection therewith.

SELLER:

  
FRANKIE A. ALLEN

BUYER:

  
WILLIAM J. BLOECHER  
  
PATRICIA COCKRAN BLOECHER

**TO HAVE AND TO HOLD** the above described property unto the said Purchaser, Purchaser's heirs, successors and assigns forever.

This sale is made and accepted for and in consideration of the price and sum of **EIGHTY THOUSAND AND 00/100 (\$80,000.00) DOLLARS**, cash, which the said Purchaser has well and truly paid, in ready and current money to the Seller who hereby acknowledges the receipt thereof and grants full acquittance and discharge therefor.

The parties hereby waive the production of a current survey and do hereby relieve and release me, Notary, and 110 Title, LLC from any and all liability in connection therewith, including, but not limited to matters of access, encroachments, servitudes, legal description, easements, etc., which might result from said nonproduction of survey.


All State, Parish and City taxes up to and including the taxes due and eligible in 2015 are paid, as per Parish and City tax researches. The 2016 are to be paid by the seller and taxes for 2017 have been prorated and are assumed by the Purchaser. The parties acknowledge that the Purchaser at the address set forth above are the proper recipients of all future notices of ad valorem tax bills and special assessments for the above described property, bearing Tax Assessment No. 1030025984.


Seller represents and warrants: (1) that no other sale or grant of interest in said property has been, or will be made by Seller, and (2) that said property is not, and will not become subject to any lien or encumbrance by act of omission of Seller, except as otherwise noted or excepted.

The masculine pronoun as used herein shall include the feminine; the singular shall include the plural.

**THUS DONE AND PASSED**, in my office at Mandeville, Louisiana, 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:**

  
Print Name: Ami Laluma

  
Print Name: Kurrie B. Simon

**SELLER:**

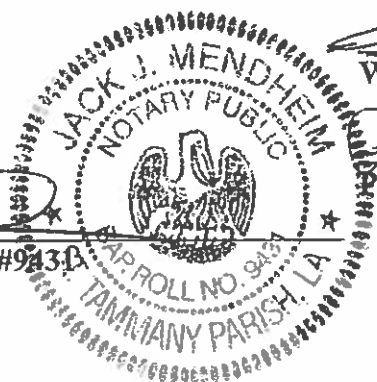
  
FRANKIE A. ALLEN

**PURCHASER:**

  
WILLIAM J. BLOECHER

  
PATRICIA COCKRAN BLOECHER

  
JACK J. MENDHEIM #9431  
NOTARY PUBLIC



JACK J. MENDHEIM  
Examining Attorney, LBR #9431  
Insurance Producer, LA License No. 557453  
Title Insurance Underwriter: First American Title Insurance Company of Louisiana

**AFFIDAVIT OF ACKNOWLEDGEMENT OF  
SEPARATION OF PROPERTY**

**C-16-0368  
STATE OF LOUISIANA  
PARISH OF ST. TAMMANY**

**BE IT KNOWN**, that on this 6<sup>th</sup> day of December, 2016, before me, the undersigned Notary Public, duly commissioned and qualified in and for the State and Parish, and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared:

**MARGIE ADAMS** "Appearer", a person of the full age of majority and resident of and domiciled in the State of Louisiana, who is married to Frankie A. Allen, with a mailing address of 15 Greenleaf Lane, Covington, LA 70435;

who appears herein for the limited purpose of acknowledging that the property being sold by Appearer's spouse, Frankie A. Allen is his separate property and is more particularly described as follows, to-wit:

**ALL THAT CERTAIN PIECE OR PORTION OF GROUND**, together with all the buildings and improvements thereon, and all of the rights, ways, means, privileges, servitudes, advantages and appurtenances thereunto belonging or in anywise appertaining, situated in Section 18, Township 6 South, Range 10 East, St. Tammany Parish, Louisiana and more fully described as follows:

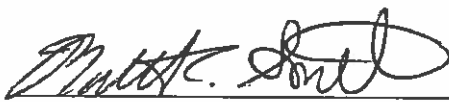
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Said property contains 12.03 acres.


**THUS DONE AND PASSED** in my office, in the City of Mandeville, Parish of St. Tammany, in the presence of the undersigned competent and attesting witnesses, who sign these presents with said Appearer and with me, Notary, on the date first above written, after a due reading of the whole.

**WITNESSES:**

  
\_\_\_\_\_

  
\_\_\_\_\_ **MARGIE ADAMS**

  
\_\_\_\_\_

  
  
\_\_\_\_\_ **NOTARY PUBLIC**

Printed Name: JACK J. MENDEHEIM, #9421