

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4591

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

COUNCIL SPONSOR: GOULD/DAVIS

PROVIDED BY: PLANNING

INTRODUCED BY: DEAN

SECONDED BY: THOMPSON

ON THE 2 DAY OF JUNE, 2011

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY CERTAIN PARCELS LOCATED ON THE NORTH SIDE OF BREWSTER ROAD, WEST OF POWERLINE ROAD, BEING PARCELS A & B AND WHICH PROPERTY COMPRISES A TOTAL 2 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-2 (SUBURBAN DISTRICT) TO AN A-5 (TWO FAMILY RESIDENTIAL DISTRICT). (WARD 1, DISTRICT 1) (ZC11-05-038)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC11-05-038, has recommended Denial to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area remains A-2 (Suburban District); and

WHEREAS, the St. Tammany Parish Council has held its public hearing in accordance with law; and

WHEREAS, prior to the comprehensive rezoning, the construction of a duplex on parcels A, B, C and D of the minor subdivision approved August 13, 2009 (File No. 4816B) was a permitted use, the owner had previously constructed a duplex on parcels C and D, and had paid all of his fees and obtained valid building permits to construct a duplex on parcels A and B; and

WHEREAS, the owner has voluntarily determined to record restrictive covenants on Parcel A and Parcel B of the aforesaid minor subdivision, limiting the use thereof to one duplex on each parcel and providing that the two duplexes shall only be accessed by a single common driveway. The restrictive covenants are to run in favor of property owners in the immediate vicinity as more particularly described therein; 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-5 (Two Family Residential District) (see Exhibit "A") for complete boundaries.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, in regular session convened that:

SECTION I: The zoning classification of Parcel A and Parcel B of the minor subdivision approved August 13, 2009, File No. 4816B (See attached Exhibit "A") is hereby changed from its present A-2 (Suburban District) to an A-5 (Two 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 7 DAY OF July, 2011; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

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

\_\_\_\_\_  
KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: \_\_\_\_\_, 2011

Published Adoption: \_\_\_\_\_, 2011

Delivered to Parish President: \_\_\_\_\_, 2011 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2011 at \_\_\_\_\_

EXHIBIT "A"

ZC11-05-038

**Parcel A**

A parcel of land located in Section 9, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, and more fully described as follows:

Commencing from the Section Corner common to Sections 9, 10, 15, & 16, in said township and range,  
Thence North 00 degrees 40 minutes West 25.0 feet to a one inch by two inch metal bar found on the North Side of Brewster Road  
Thence South 89 degrees 45 minutes West 750.52 feet along the north side of said road to a ½ inch iron rod set being the **POINT OF BEGINNING**,

Thence South 89 degrees 45 minutes West 150.0 feet along the North Side of Brewster Road to a ¾ inch iron pipe found,  
Thence North 00 degrees 17 minutes 42 seconds West 300.0 feet to a ½ inch iron rod set,  
Thence North 89 degrees 45 minutes East 150.0 feet to a ½ inch iron rod set,  
Thence South 00 degrees 17 minutes 42 seconds East 300.0 feet to the **POINT OF BEGINNING**, containing 1.033 Acres.

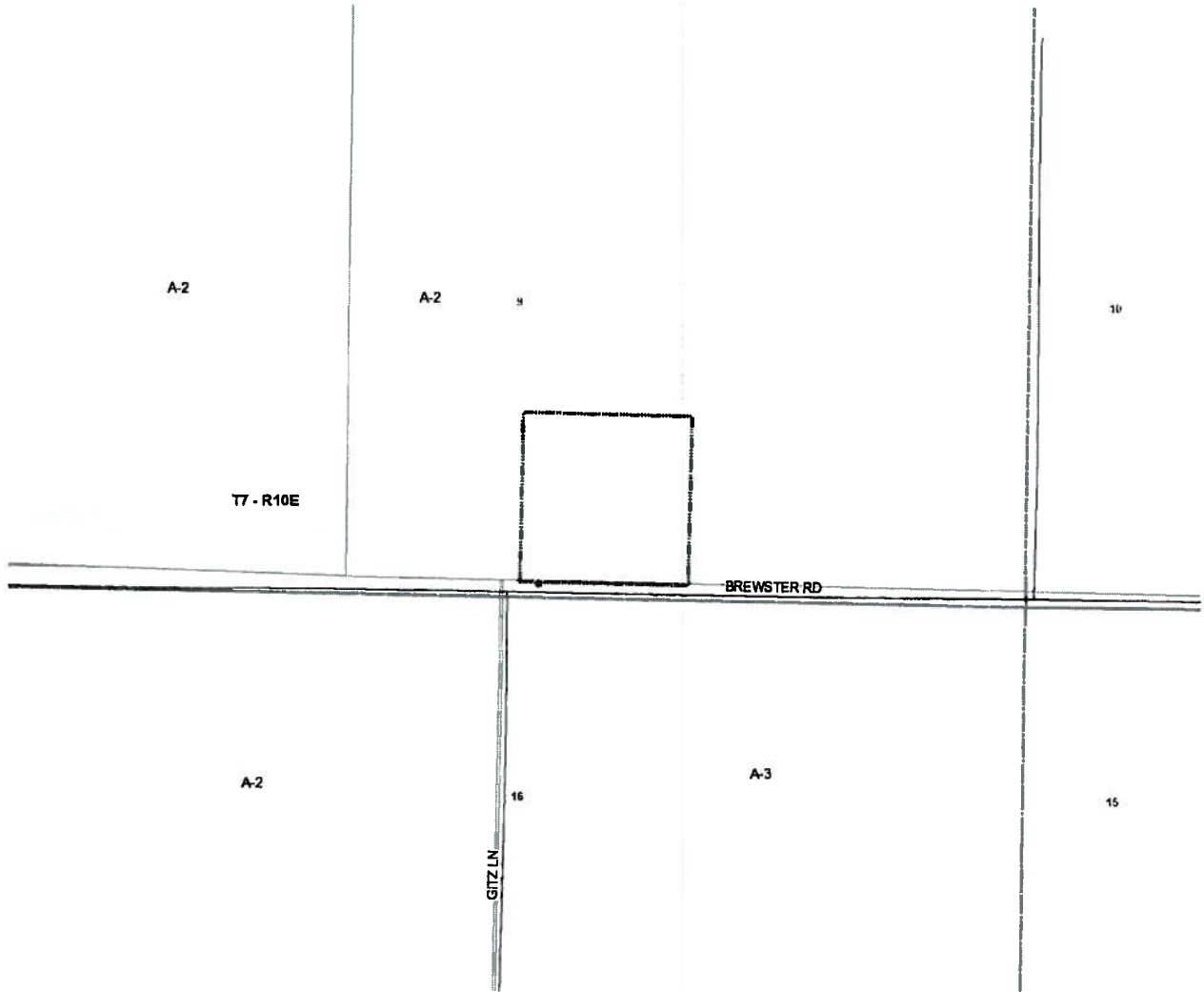
**Parcel B**

A parcel of land located in Section 9, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, and more fully described as follows:

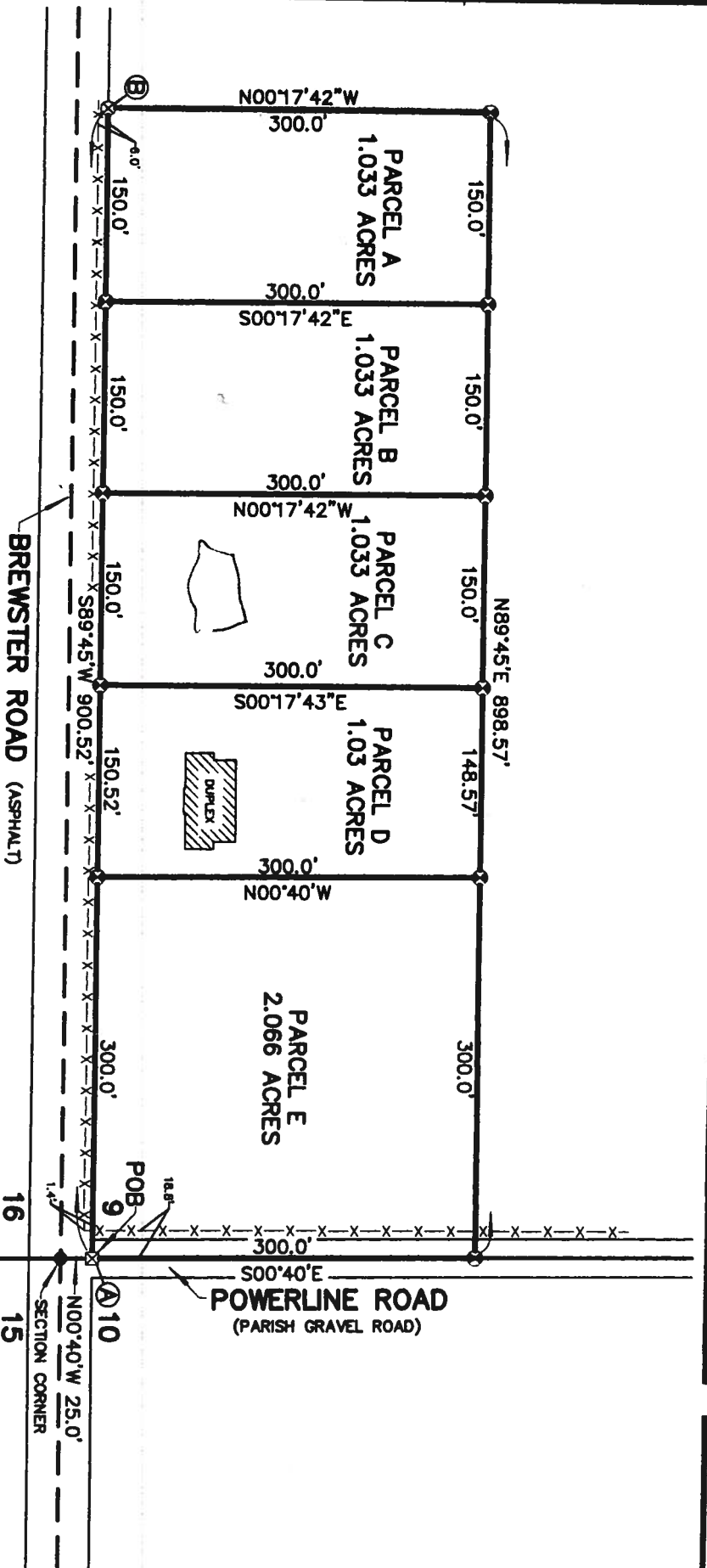
Commencing from the Section Corner common to Sections 9, 10, 15, & 16, in said township and range,  
Thence North 00 degrees 40 minutes West 25.0 feet to a one inch by two inch metal bar found on the North Side of Brewster Road  
Thence South 89 degrees 45 minutes West 600.52 feet along the north side of said road to a ½ inch iron rod set being the **POINT OF BEGINNING**,

Thence South 89 degrees 45 minutes West 150.0 feet along the North Side of Brewster Road to a ½ inch iron rod set,  
Thence North 00 degrees 17 minutes 42 seconds West 300.0 feet to a ½ inch iron rod set,  
Thence North 89 degrees 45 minutes East 150.0 feet to a ½ inch iron rod set,  
Thence South 00 degrees 17 minutes 42 seconds East 300.0 feet to the **POINT OF BEGINNING**, containing 1.033 Acres.

**CASE NO.:** ZC11-05-038  
**PETITIONER:** Anthony and Laurie Margiotta  
**OWNER:** Anthony and Laurie Margiotta  
**REQUESTED CHANGE:** From A-2 (Suburban District) to A-5 (Two Family Residential District)  
**LOCATION:** Parcels located on the north side of Brewster Road, west of Powerline Road, being parcels A & B; S9,T7S,R10E; Ward 1, District 1  
**SIZE:** 2 acres



ZC11-05-038



REFERENCE BEARING:  
Metal Bar A to Iron Pipe B  
S89°45'W  
(per Reference Survey)



**APPROVAL:**

A RESUBDIVISION OF 6.195 ACRES INTO PARCELS A, B, C, D, & E, LOCATED IN SECTION 9, TOWNSHIP 7 SOUTH, RANGE 10 EAST, ST. TAMMANY PARISH, LOUISIANA.

DIRECTOR OF THE DEPARTMENT OF ENGINEERING

SECRETARY/PARISH PLANNING COMMISSION

CLERK OF COURT

DATE FILED

FILE NO.

*John G. Cummings*  
8-13-2009 48172B

- LEGEND**
- ⊗ = 1" x 2" METAL BAR FOUND
  - ⊙ = 3/4" IRON PIPE FOUND
  - ⊕ = 1/2" IRON ROD SET

**NOTE:**  
This property is located in Flood Zone C, per F.E.M.A. Map No. 225205 0205 C, dated October 17, 1989.

**REFERENCE SURVEY:**

Survey for Laurie Gitz Marjotta by John G. Cummings, Surveyor, dated April 16, 2001

THERE IS NO REPRESENTATION THAT ALL APPLICABLE PERMITS AND/OR RESTRICTIONS HAVE BEEN SHOWN HEREON. ANY SETBACKS AND/OR RESTRICTIONS SHOWN ON THIS PLAT ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION AND/OR INFORMATION FURNISHED TO THE UNDERSIGNED BY THE UNDERSIGNED IN COMPLETING DATA FOR THIS SURVEY.



603 K. JEFFERSON AVE  
COTYNTONOK LA 70439  
John G. Cummings & Associates  
PROFESSIONAL LAND SURVEYORS IN LOUISIANA & MISSISSIPPI  
Phone (985) 882-3549  
Fax (985) 882-4200

PLAT PREPARED FOR: **Anthony & Laurie Gitz Marjotta**

SHOWING A SURVEY OF: **A RESUBDIVISION OF A PARCEL OF LAND LOCATED IN SECTION 9, TOWNSHIP 7 SOUTH, RANGE 10 EAST, ST. TAMMANY PARISH, LOUISIANA.**

THIS PLAT REPRESENTS A PROFESSIONAL SURVEY MADE ON THE GROUND BY ME OR THOSE UNDER MY SUPERVISION AND CONFORMS TO THE GENERAL STANDARD OF PROFESSIONAL BOUNDARY SURVEYS FOR THE STATE OF LOUISIANA AND BEARS A CLASS C SURVEY.

*John G. Cummings*  
PROFESSIONAL LAND SURVEYOR

SCALE: 1" = 100' DATE: JULY 24, 2009 JOB NO. 0111A1