

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4947

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: BINDER/BRISTER

PROVIDED BY: DEVELOPMENT

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 7 DAY OF MARCH , 2013

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE NORTH SIDE OF BROWNS VILLAGE ROAD, WEST OF US HIGHWAY 11 AND WHICH PROPERTY COMPRISES A TOTAL 19.748 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT HC-3 (HIGHWAY COMMERCIAL DISTRICT) TO AN I-1 (INDUSTRIAL DISTRICT), (WARD 9, DISTRICT 14). (ZC12-12-123)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC12-12-123, 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-3 (Highway Commercial District) to an I-1 (Industrial 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 I-1 (Industrial 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-3 (Highway Commercial District) to an I-1 (Industrial 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 4 DAY OF APRIL, 2013; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: JANUARY 30, 2013

Published Adoption: _____, 2013

Delivered to Parish President: _____, 2013 at _____

Returned to Council Clerk: _____, 2013 at _____

Exhibit "A"

ZC12-12-123

A certain parcel of land situated in Section 27, Township 8 South, Range 14 East, St. Tammany Parish, Louisiana and more particularly described as follows.

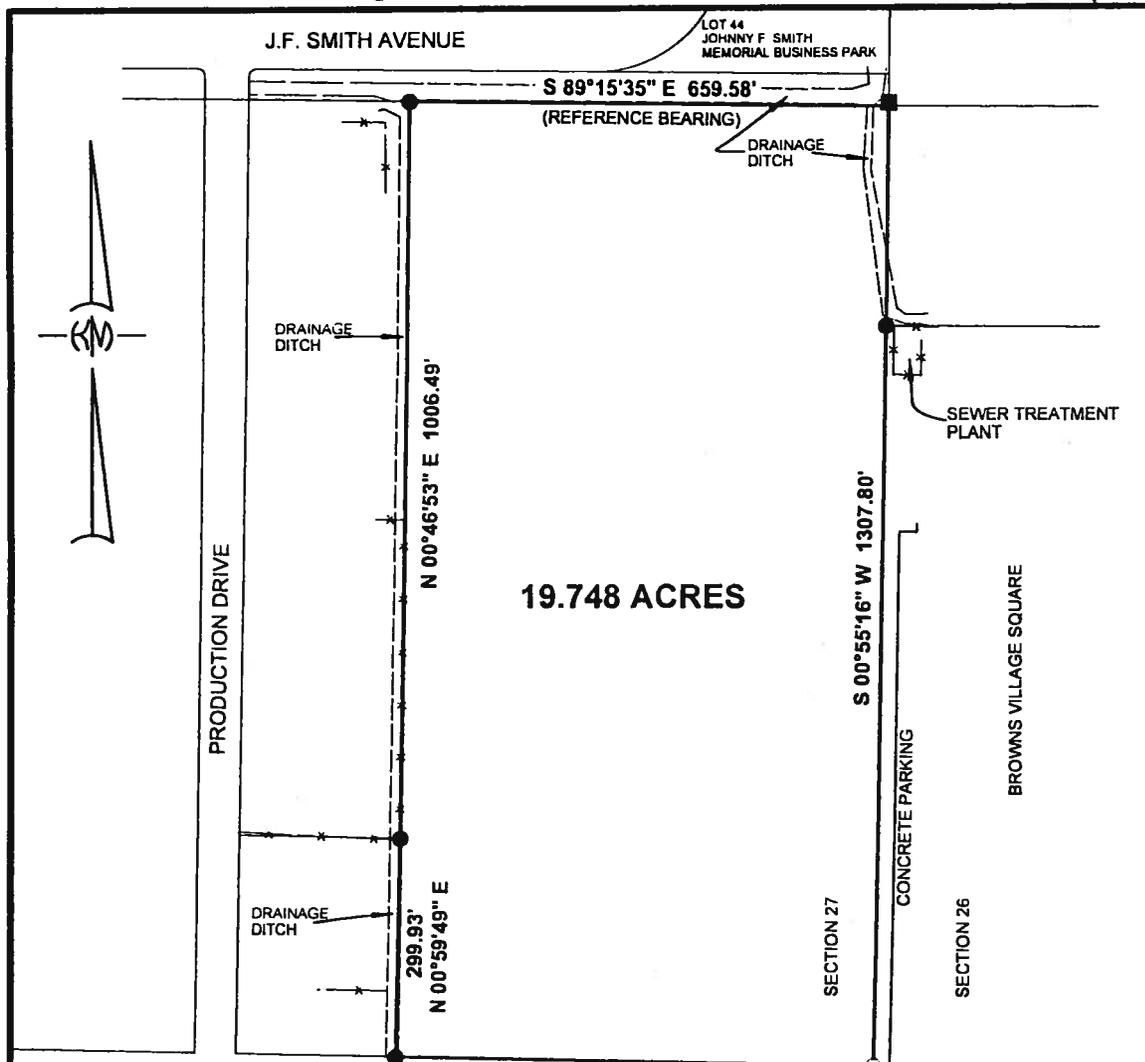
Commence at the corner common to Sections 27, 28, 33 and 34, Township 8 South, Range 14 East and measure EAST a distance of 2665.00 feet; thence North 00 degrees 13 minutes 16 seconds West a distance of 30.00 feet; thence EAST a distance of 1955.01 feet to a ½" iron rod and the POINT OF BEGINNING.

From the POINT OF BEGINNING run North 00 degrees 59 minutes 49 seconds East a distance of 299.93 feet to a ½" iron rod; thence North 00 degrees 46 minutes 53 seconds East a distance of 1,006.49 feet to a ½" iron rod; thence South 89 degrees 15 minutes 35 seconds East a distance of 659.58 feet to a 1" iron pipe; thence South 00 degrees 55 minutes 16 seconds West a distance of 1,307.80 feet to a ½" iron rod and the northern right of way of Brown's Village Road; thence along said right of way North 89 degrees 08 minutes 23 seconds West a distance of 657.52 feet to the POINT OF BEGINNING, and containing 19.748 acres of land, more or less.

CASE NO.: ZC12-12-123
PETITIONER: Brian Rotolo
OWNER: Whitney Bank/Stephen P. Duffy
REQUESTED CHANGE: From HC-3 (Highway Commercial District) to I-1 (Industrial District)
LOCATION: Parcel located on the north side of Browns Village Road, west of US Highway 11; S27, T8S, R14E; Ward 9, District 14
SIZE: 19.748 acres



2012-12-123



THIS POINT DESCRIBED AS BEING EAST - 2665.00'; THENCE N 00°13'16\" W - 30.00'; THENCE EAST - 1955.01' FROM THE SECTION CORNER COMMON TO SECTIONS 27, 28, 33 & 34, T-8-S, R-14-E, ST. TAMMANY PARISH, LA

--- LEGEND ---

- = 1" IRON PIPE FOUND
- = 1/2" IRON ROD FOUND
- = 1/2" IRON ROD SET

THIS PROPERTY IS LOCATED IN FLOOD ZONE A1; BASE FLOOD ELEV. 18.0' M.S.L.; F.I.R.M. PANEL NO. 225205 0410 D; REV. APRIL 22, 1999

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.

N 89°08'23" W 657.52'

BROWN'S VILLAGE ROAD

REFERENCES

1. DEED FILED IN THE OFFICIAL RECORDS OF ST. TAMMANY PARISH, COB 320, FOLIO 393
2. SURVEY BY JOHN E. BONNEAU & ASSOC. INC. DATED 09-09-1996, SURVEY NO. 96963, FROM WHICH THE POINT OF BEGINNING WAS TAKEN.
3. PLAT OF JOHNNY F. SMITH MEMORIAL BUSINESS PARK, BY THIS FIRM, FILED 06-13-2006, MAP FILE NO. 4230, FROM WHICH THE BASIS OF BEARING WAS TAKEN.

BOUNDARY SURVEY OF:	
19.748 ACRES SECTION 27, T-8-S, R-14-E ST. TAMMANY PARISH, LA.	
PREPARED FOR:	
CENTER ACQUISITION, CORP.	
KELLY J. McHUGH & ASSOC., INC. CIVIL ENGINEERS & LAND SURVEYORS 845 GALVEZ ST., MANDEVILLE, LA. 626-5611	
SCALE: 1" = 200'	DATE: 08-16-2007
DRAWN: R.F.D.	JOB NO.: D7-226
REVISED:	

KELLY J. McHUGH REG. NO. 4443
CERTIFIED CORRECT AND IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND AND COMPLYING WITH THE CURRENT APPLICABLE STANDARDS OF PRACTICE FOR A CLASS "C" SURVEY. RED STAMP SIGNIFIES CORRECT PLAT.

ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: December 21, 2012

Meeting Date: January 2, 2013

Case No.: ZC12-12-123

Determination: Amended to I-1 (Industrial District)

Posted: Tabled (12/04/12)

Posted: 12/13/12

GENERAL INFORMATION

PETITIONER: Brian Rotolo
OWNER: Whitney Bank/Stephen P. Duffy
REQUESTED CHANGE: From HC-3 (Highway Commercial District) to I-2 (Industrial District)
LOCATION: Parcel located on the north side of Browns Village Road, west of US Highway 11; S27, T8S, R14E; Ward 9, District 14
SIZE: 19.748 acres

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: Parish

Road Surface: 2 lane asphalt

Condition: Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Industrial	I-1 (Industrial District)
South	Residential	A-4A (Single Family Residential District)
East	Commercial	HC-3 (Highway Commercial District)
West	Industrial	I-1 (Industrial District)

EXISTING LAND USE:

Existing development? No

Multi occupancy development? Yes

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-3 (Highway Commercial District) to I-2 (Industrial District). The site is located on the north side of Browns Village Road, west of US Highway 11. The 2025 future land use plan designates the site to be developed with commercial uses. The site is currently undeveloped and surrounded on the north and west sides by the J.F. Smith industrial park, on the east side by a commercial shopping center and on the south side by single family residences. Staff feels that the I-2 Industrial Zoning District may be too intense, considering the presence of single family residences on the south side of Browns Village Road. However, considering the intensity of the permitted uses listed under the existing HC-3 zoning district, staff would not object to the rezoning of the property to I-1 Industrial District.

STAFF RECOMMENDATION:

The staff recommends that the request for an I-2 (Industrial District) designation be denied.