

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5578

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

COUNCIL SPONSOR: DEAN/BRISTER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

ON THE 5 DAY OF MAY , 2016

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE SOUTH SIDE OF HIGHWAY 22, WEST OF DALWILL DRIVE, EAST OF WEST CAUSEWAY APPROACH AND WHICH PROPERTY COMPRISES A TOTAL OF .791 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT NC-5 (RETAIL AND SERVICE DISTRICT) TO AN HC-2 (HIGHWAY COMMERCIAL DISTRICT), (WARD 4, DISTRICT 10). (2016-183-ZC)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2016-183-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 NC-5 (Retail and Service District) to an HC-2 (Highway Commercial 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 HC-2 (Highway Commercial 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 NC-5 (Retail and Service District) to an HC-2 (Highway Commercial 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 2 DAY OF JUNE , 2016 ; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
MARTY DEAN, COUNCIL CHAIRMAN

ATTEST:

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

\_\_\_\_\_  
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: APRIL 28 , 2016

Published Adoption: \_\_\_\_\_, 2016

Delivered to Parish President: \_\_\_\_\_, 2016 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2016 at \_\_\_\_\_

## Exhibit "A"

### 2016-183-ZC

All that certain tract or portion of land, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in Section 54, Township 7 South, Range 11 East, Greenburg District, St. Tammany Parish, Louisiana, more fully described as follows; to-wit:

From the corner common to Sections 33, 37 and 54 of the above mentioned Township and Range run South 25 degrees and 15 minutes West 1077.1 feet to an iron corner on the South side of Highway No. 190 for the point of beginning.

From the said point of beginning run along the line between Section 33 and 54 South 25 degrees and 15 minutes West 955.7 feet to an iron corner; thence run North 29 degrees and 05 minutes West 127.38 feet to an iron corner; thence run North 25 degrees and 15 minutes East 873.8 feet to an iron corner on the South side of U.S. Highway No. 190; thence run along the South side of U.S. Highway 190 South 69 degrees and 15 minutes East 103.62 feet to the point of beginning, containing 2.18 acres according to map and blue print of survey of Robert A. Berlin, Surveyor, dated July 31, 1969, a copy of which annexed hereto.

Being the same property acquired by Miss Mary Catherine Regan from Fletcher A. Blalock by Cash Sale by Private Act last dated September 6, 1996, duly recorded at COB 546, folio 3 of the official records of St. Tammany Parish, Louisiana.

#### *LESS AND EXCEPT:*

*ALL THAT CERTAIN PIECE OF PORTION OF LAND, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions appurtenances and advantages thereunto belonging or in anywise appertaining thereto, situated in Section 54 Township 7 South, Range 11 East, Parish of St. Tammany, State of Louisiana, and being described as follows, to-wit:*

*Commencing at the Section Corner common to Sections 33, 37, and 54, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, and measure South 25 degrees 15 minutes West, a distance of 1,077.1 feet to the southern right-of-way line of LA Highway 22; thence departing from the southern right-of-way of LA Highway 22, South 25 degrees 16 minutes 18 seconds West (Title South 25 degrees 15 minutes West) a distance of 377.25 feet to the POINT OF BEGINNING.*

*From The POINT OF BEGINNING continue South 25 degrees 16 minutes 18 seconds West a distance of 618.29 feet (Title South 25 degrees 15 minutes West); thence North 28 degrees 46 minutes 53 seconds West, a distance of 127.27 feet (Title North 29 degrees 05 minutes West, a distance of 127.38 feet); thence North 25 degrees 15 minutes East, a distance of 543.54 feet; thence South 64 Degrees 45 minutes 00 seconds East, a distance of 103.24 feet to the POINT OF BEGINNING and containing 1,375 acres of land, more or less.*

*As more fully shown on survey of Kelly J. McHugh & Associates, Inc., dated February 28, 2003, under NO.03-039.*

**Case No.:** 2016-183-ZC

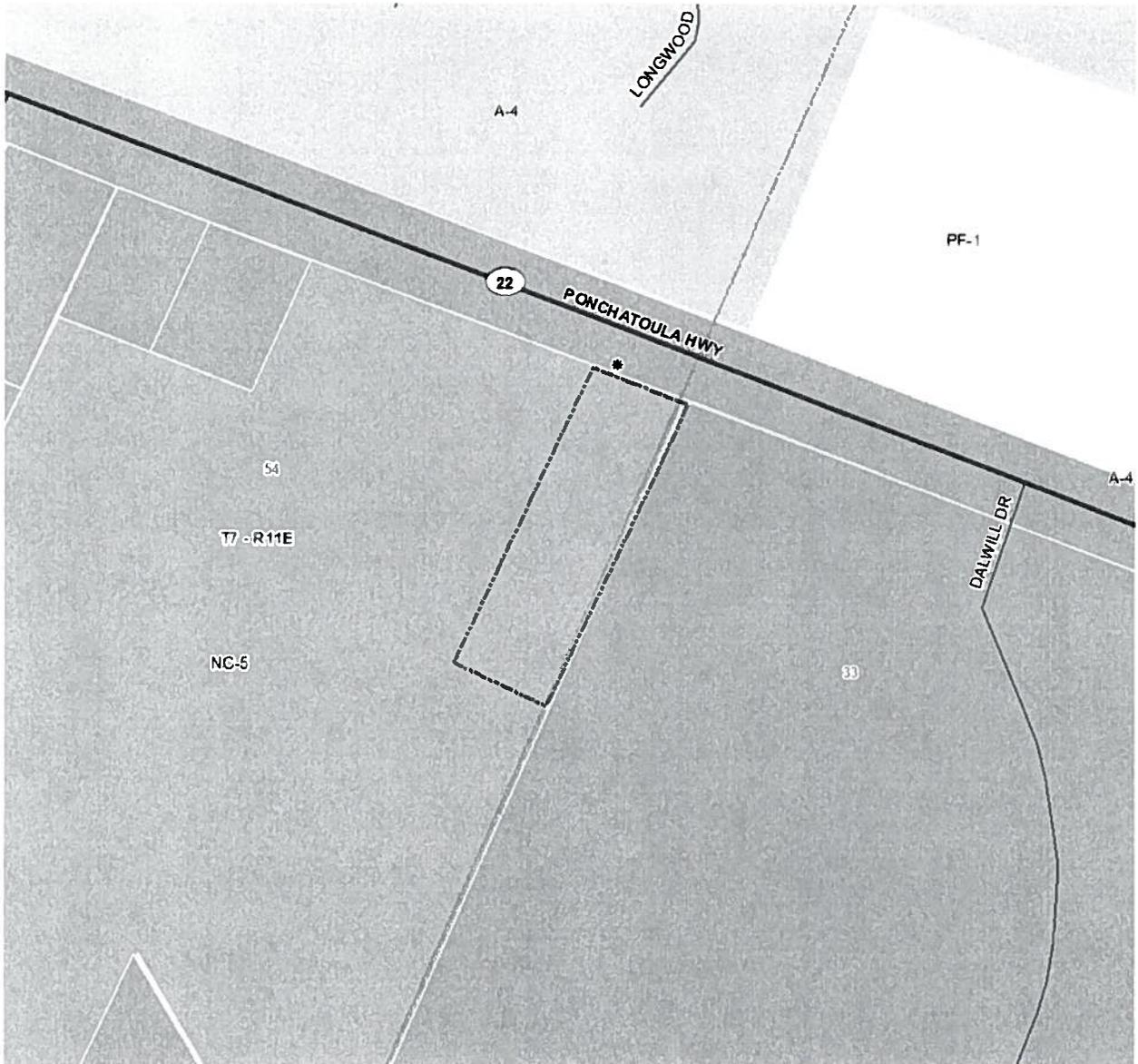
**PETITIONER:** Justin B. Schmidt

**OWNER:** Marilyn B. Wenzel

**REQUESTED CHANGE:** From NC-5 Retail and Service District to HC-2 Highway Commercial District

**LOCATION:** Parcel located on the south side of LA Highway 22, west of Dalwill Drive, east of West Causeway Approach; S54, T7S, R11E; Ward 4, District 10

**SIZE:** 0.791 acres



2016-103-ZC

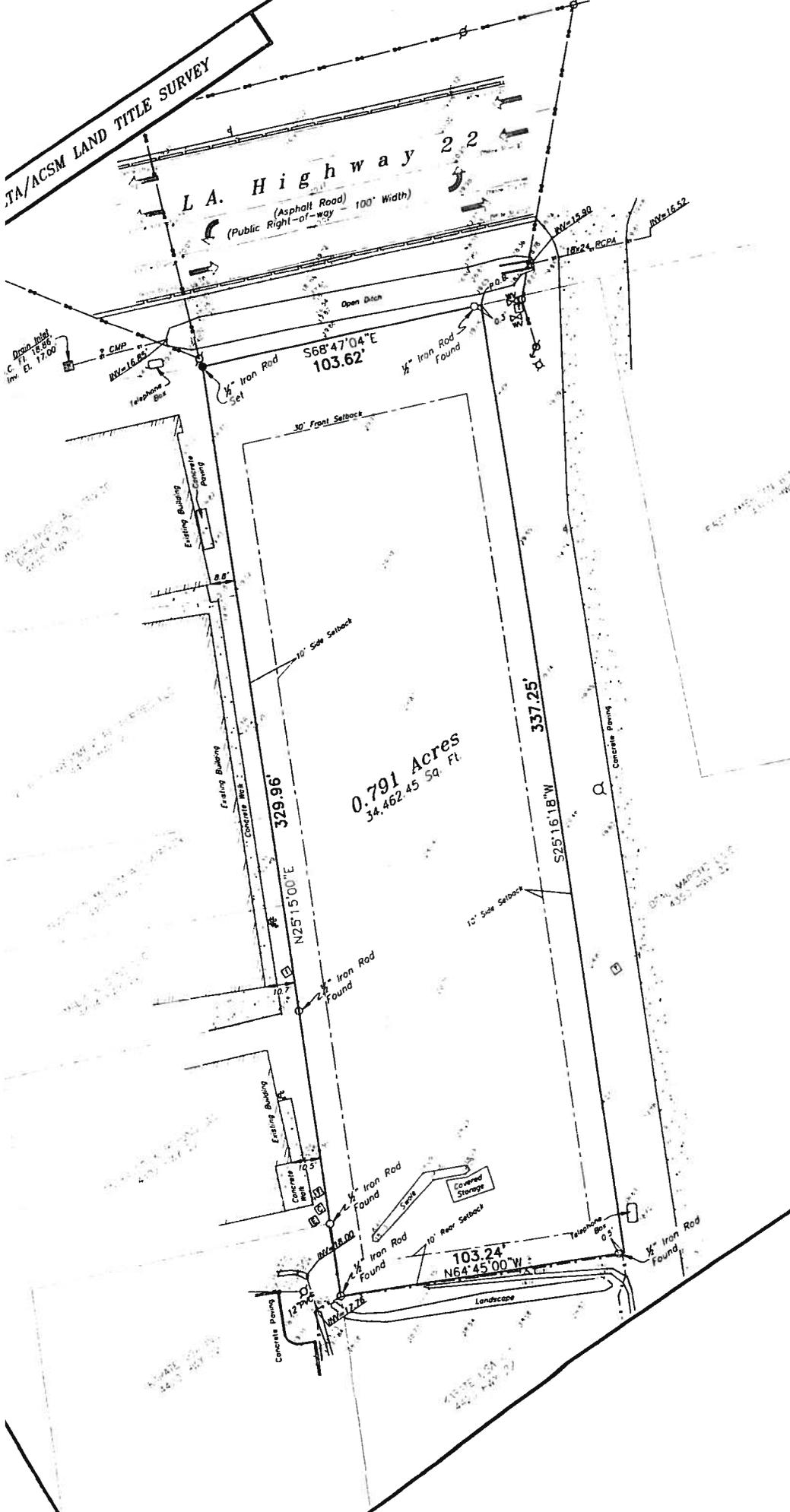
DRAWN BY	DPD
DATE	12/21/15
REV/ISSN	DATE

**LEGEND**

○	OPEN WELLS
●	WELLS WITH
○	PIPE APPROX
○	CABLE BOX
○	MEASURE CONTROL POINT
○	POLE LINE
○	ELECTRIC POLE
○	DIS WIRE
○	OPEN OPTIC POST
○	OPEN WELLS
○	WELLS WITH
○	PIPE APPROX
○	CABLE BOX
○	MEASURE CONTROL POINT
○	POLE LINE
○	ELECTRIC POLE
○	DIS WIRE
○	OPEN OPTIC POST

SITE

VICINITY MAP  
NOT TO SCALE



0.791 Acres  
34,462.45 Sq. Ft.

<b>LEGAL DESCRIPTION - TITLE</b>	
<b>GENERAL NOTES</b>	
1	PROPERTY TYPED IN-5 METERS AND SURVEY DISTRICT
2	ADDRESS OF PROPERTY IS FROM LA. HIGHWAY 22
3	ALL LEGAL SURVEY INSTRUMENTS
4	DATE
5	DATE
6	DATE
7	DATE
8	DATE
9	DATE
10	DATE
11	DATE
12	DATE

<b>LEGAL DESCRIPTION</b>	
<p>THE SURVEYED PROPERTY IS DESCRIBED AS FOLLOWS:</p> <p>ACRES OF THE 2500' WIDE</p> <p>SECTION 10, T15N, R15E, E15</p> <p>PARCELS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25</p> <p>SECTION 10, T15N, R15E, E15</p> <p>PARCELS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25</p>	

2016-183-ZC

HAWTHORN

LOK

205

80

101

83

102

A-4

78

104

103

76

74

FONCHATOULA HWY

PF-1

4444

22

54

T7-R31E

NC-5

4420

33

4350

0 270 Feet



ADMINISTRATIVE COMMENT

ZONING STAFF REPORT

Date: 3/28/2016  
Case No.: 2016-183-ZC  
Posted: 03/17/16

Meeting Date: 4/5/2016  
Determination: Approved

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GENERAL INFORMATION

PETITIONER: Justin B. Schmidt

OWNER: Marilyn B. Wenzel

REQUESTED CHANGE: From NC-5 Retail and Service District to HC-2 Highway Commercial District

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GENERAL INFORMATION

ACCESS ROAD INFORMATION

Type: State

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	A-4 Single Family Residential District
South	Vacant	NC-5 Retail and Service District
East	Commercial	City of Mandeville
West	Commercial	NC-5 Retail and Service District

EXISTING LAND USE:

Existing development: No

Multi occupancy development: No

COMPREHENSIVE PLAN:

**Commercial** - Sales outlets for goods and services. Several levels or forms of commercial structures include: limited or specialty; neighborhood service centers; generous "highway commercial" uses; offices; public uses; planned mixed commercial and residential centers, and the traditional village or town central business district.

STAFF COMMENTS:

The petitioner is requesting to change the zoning from NC-5 Retail and Service District to HC-2 Highway Commercial District. This site is located on the south side of LA Highway 22, west of Dalwill Drive, east of West Causeway Approach. The 2025 future land use plan calls for the area to be developed with commercial uses at several levels of intensity. Staff does not have any objection to the request considering that most of the Highway 22 Corridor is developed with a variety of retail uses.

Note that the abutting parcel, to the east, is located inside the City limits of Mandeville and zoned B-2 Highway Business District. The B-2 zoning district allows most of the same permitted uses listed under the HC-2 zoning district.

STAFF RECOMMENDATION:

The staff recommends that the request for a HC-2 Highway Commercial District designation be approved.