

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5810 ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: STEFANCIK/BRISTER PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: _____ SECONDED BY: _____

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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 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.: 2017-563-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:

<u>Direction</u>	<u>Surrounding Use</u>	<u>Surrounding Zone</u>
North	Undeveloped	PUD Planned Unit Development Overlay
South	Residential	A-6 Multiple Family Residential District
East	Undeveloped	A-6 Multiple 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

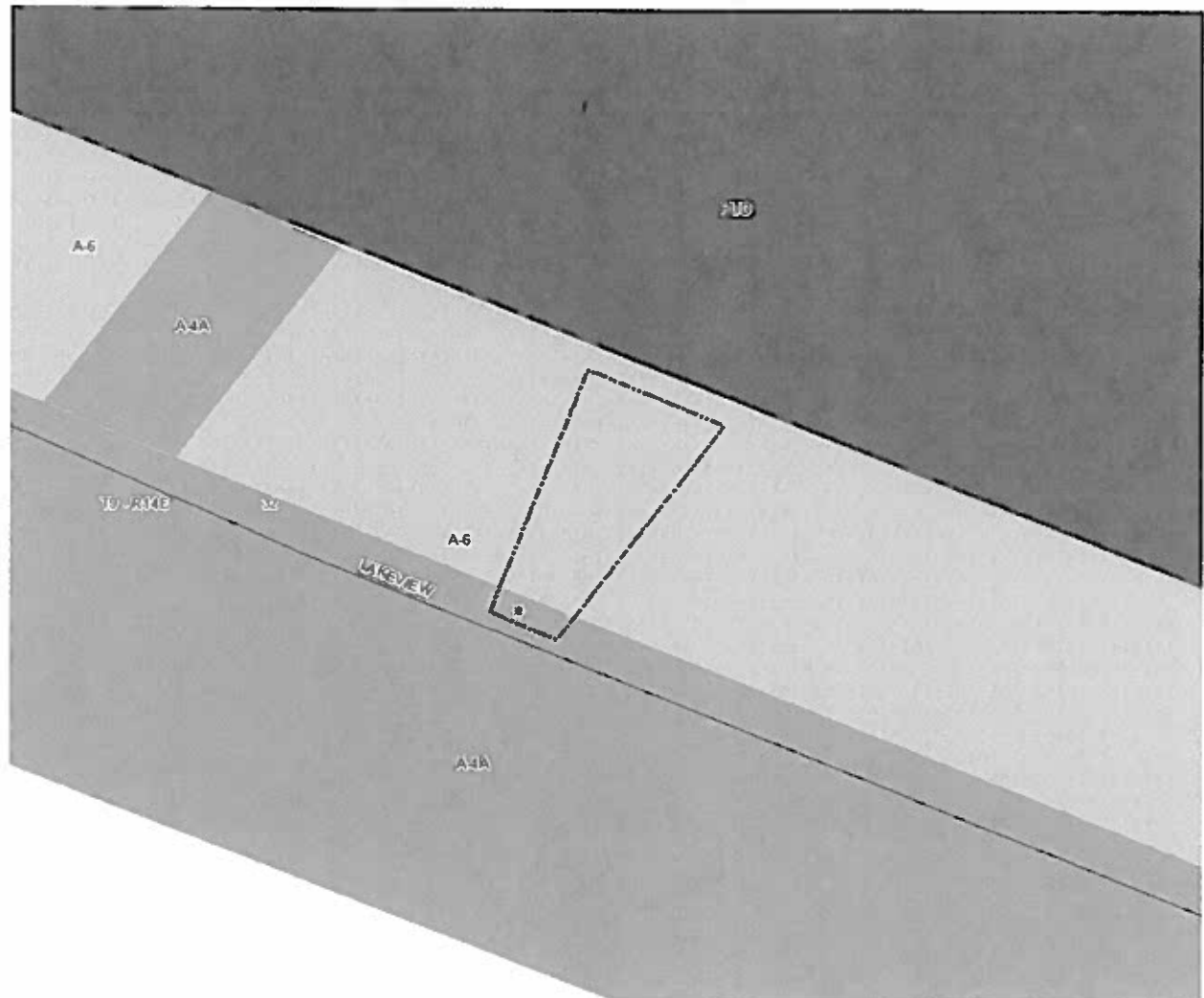
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2017-563-ZC

PUD

T9-R14E 32

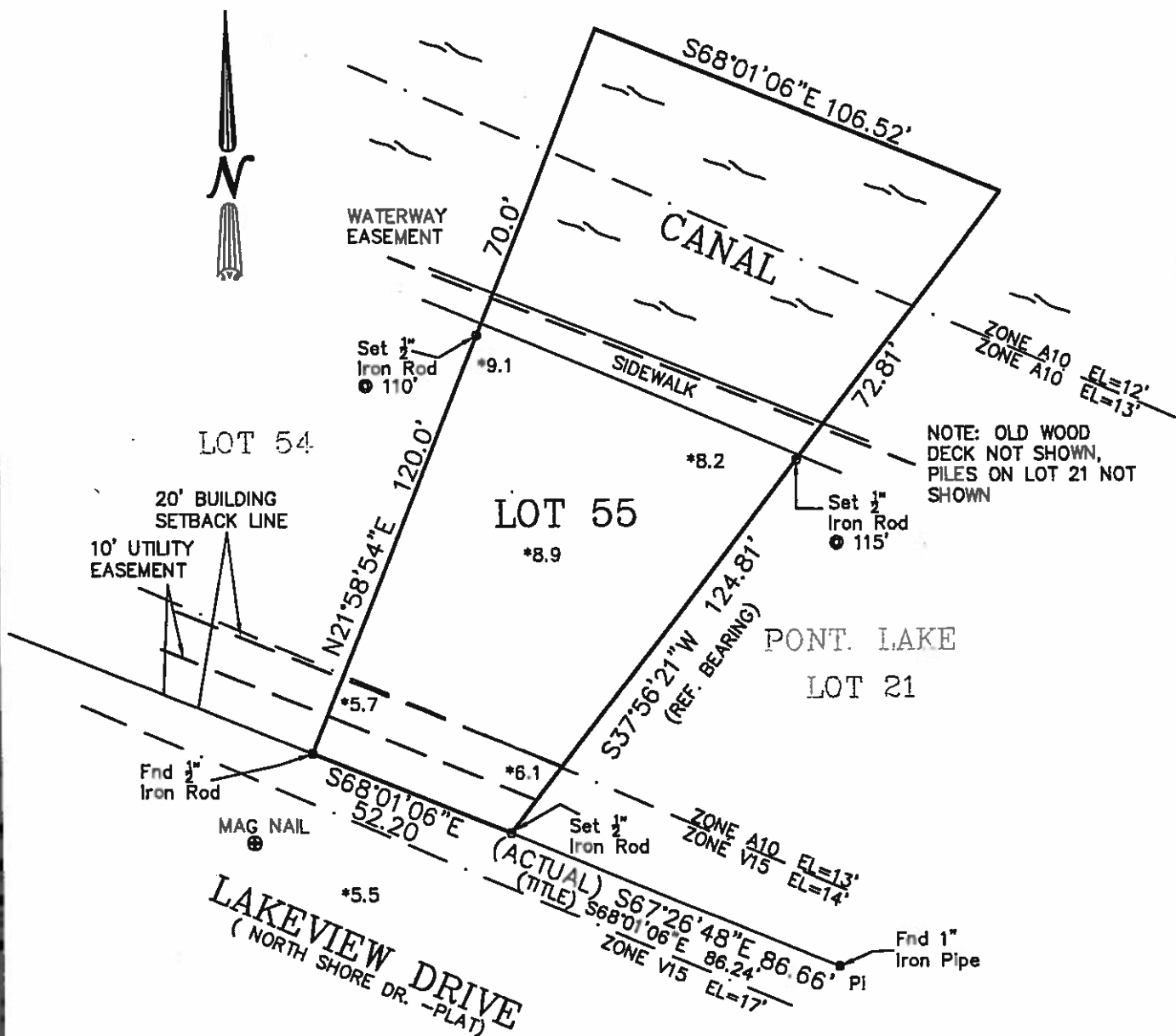
A-6

LAKEVIEW

A-4A



2017-563-ZC



LEGEND

○ 1/2" Iron Rod Set
● 1/2" Iron Rod Found
⊕ Cross

ADDRESS: 240 LAKEVIEW DRIVE

I CERTIFY THAT THIS PLAT DOES REPRESENT AN ACTUAL GROUND SURVEY AND THAT TO THE BEST OF MY KNOWLEDGE NO ENCROACHMENTS EXIST EITHER WAY ACROSS ANY OF THE PROPERTY LINES, EXCEPT AS SHOWN.

PROPERTY IS SURVEYED IN ACCORDANCE WITH THE LOUISIANA "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS C SURVEY. BEARINGS ARE BASED ON RECORD BEARINGS UNLESS NOTED OTHERWISE.

ENCUMBRANCES SHOWN HEREON ARE NOT NECESSARILY EXCLUSIVE. ENCUMBRANCES 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.

F.I.R.M. No. 225205.0535 D
F.I.R.M. Date 4/2/91
ZN: A10/V15 BFE 13/14'
* Verify prior to construction with Local Governing Body.

DRAWING NO.
20170012

DATE:
01/10/17

J.V. Burkes & Associates, Inc.

SURVEYING

ENGINEERING

ENVIRONMENTAL

1805 Shortcut Highway

Slidell, Louisiana 70458

E-mail: jvbassoc@jvburkes.com

Phone: 985-649-0075 Fax: 985-649-0154

DRAWN BY:
WLS

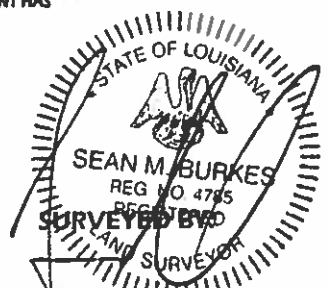
CHECKED BY:
JDL

SCALE:
1" = 40'

**A SURVEY MAP OF
LOT 55, EDEN
ISLES, UNIT 2A
ST. TAMMANY PARISH, LOUISIANA**

CERTIFIED TO: SCOTT MARTIN

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL OF SURVEYOR.



SEAN M. BURKES
LA REG. No. 4785



ST. TAMMANY PARISH
PATRICIA P. BRISTER
PARISH PRESIDENT

LAND USE REVIEW APPLICATION

Type of Request:

☒ Zoning Change
☐ Planned Review
☐ Administrative Permit

Case Number: 2017-563-2C

Submission Deadline: FEB. 1, 2017

Fees Due: \$315

Date Paid: 2/1/2017

Payment Method: CHECK 1371

Hearing Date: APRIL 4, 2017

Request: Change A-6 Multi Family → A-4A

Is this proposed use temporary? ☐ Yes ☒ No If so when will it be removed? N/A

Location of property (General Description): 240 LAKEVIEW DRIVE off Hwy 11 Slidell

Present Zoning Classification: <u>Multi Family A6</u>	Existing Use: <u>Multi Family</u>
Ward: <u>9</u> District: <u>13</u>	Proposed Use: <u>Single Family</u>
STR: <u>LAKEVIEW DRIVE S32T9B14E</u>	Square Ft. of Proposed Use: <u>1542</u>
Subdivision: <u>EDEN ISLES</u>	Acreage or Sq. Ft. of Site: <u>8806</u>
Previous Use: <u>Multi Family</u>	Proposed Hours of Operation: <u>N/A</u>
Maximum Height of Structure(s):	Number of Employees (Max. Shift): <u>N/A</u>
Adjacent Uses: <u>Single Family/VACANT</u>	Sign Type, Size and Location: <u>N/A</u>

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 submittal 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(s) Date: 1-12-17
Name: SCOTT MARTIN
Address: 124 LIGHTHOUSE POINT DR.
SLIDELL LA 70458
Phone: 504/912 7398
Signature: Scott Martin

Contact Person Date: 1-12-17
Name: SCOTT MARTIN
Address: 124 LIGHTHOUSE POINT DR
SLIDELL LA 70458
Phone: 504/912 7398
Signature: Scott Martin

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 12th day of Jan, 2017

Julie C. Flanagan
Notary Public

Julie C. Flanagan #12204
LA Civil Law Notary Public
St. Tammany Parish, LA
My commission is for life

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
Instrument #: 2050524
Registry #: 2477457 cbi
1/18/2017 12:24:00 PM
MR CB X MT 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.

BY: _____

Roger W. Moore
Member


Scott D. Martin

PGR-415 (R6/04)

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:

Bryant Laiche
PRINT Bryant Laiche
Colleen Vallee
PRINT Colleen Vallee

SELLER(S):

208 Lakeview Homeowners, L. L. C.

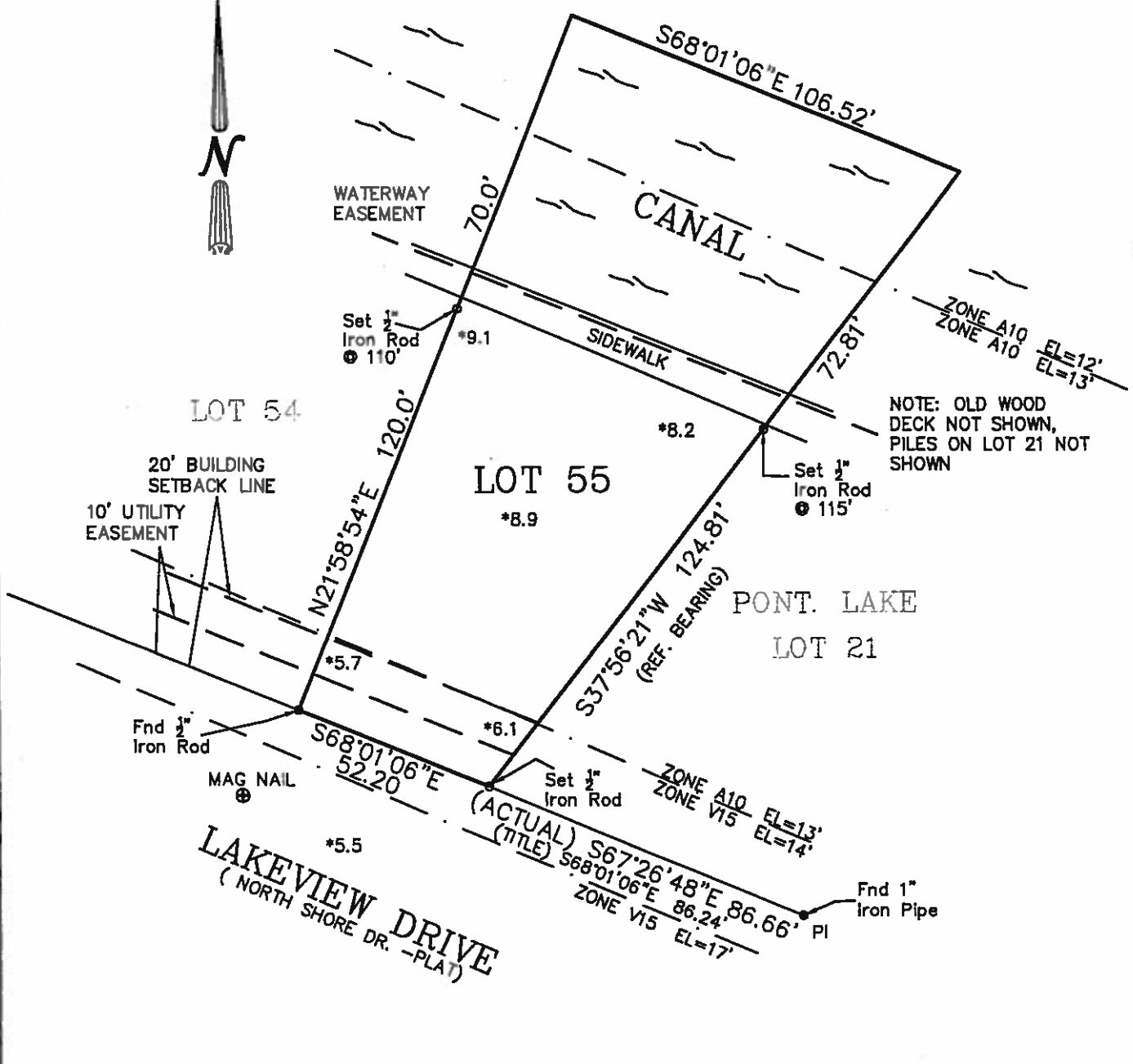
BY: Roger W. Moore
Roger W. Moore
Member

PURCHASER(S):

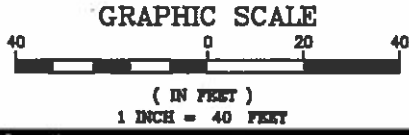
Scott D. Martin
Scott D. Martin

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

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



LEGEND
○ 1/2" Iron Rod Set
● 1/2" Iron Rod Found
⊕ Cross



BUILDING SETBACKS
(* Verify Prior to Construction)
Front Setback.....25'
Side Setback.....*
Rear Setback.....*

BENCHMARK
MAG TAG 1067 ON
CURB LEFT LOT LINE
ELEV. = 5.77'

ADDRESS: 240 LAKEVIEW DRIVE

I CERTIFY THAT THIS PLAT DOES REPRESENT AN ACTUAL GROUND SURVEY AND THAT TO THE BEST OF MY KNOWLEDGE NO ENCROACHMENTS EXIST EITHER WAY ACROSS ANY OF THE PROPERTY LINES, EXCEPT AS SHOWN.

PROPERTY IS SURVEYED IN ACCORDANCE WITH THE LOUISIANA "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS C SURVEY. BEARINGS ARE BASED ON RECORD BEARINGS UNLESS NOTED OTHERWISE.

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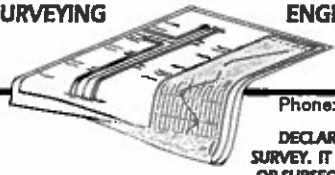
F.I.R.M. No. 225205 0535 D
F.I.R.M. Date 4/2/91
Z.N. A10/V15 B.F.E. 13/14
* Verify prior to construction with Local Governing Body.

DRAWING NO.
20170012
DATE:
01/10/17

J.V. Burkes & Associates, Inc.

SURVEYING ENGINEERING • ENVIRONMENTAL
1805 Shortcut Highway
Slidell, Louisiana 70458
E-mail: jvbassoc@jvburkes.com

DRAWN BY: WLS
CHECKED BY: JDL
SCALE: 1" = 40'

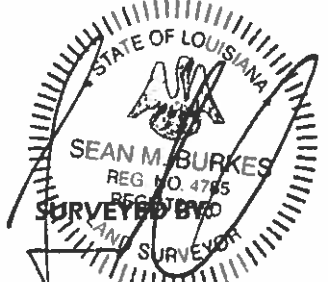


Phone: 985-649-0075 Fax: 985-649-0154

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL OF SURVEYOR.

A SURVEY MAP OF
LOT 55, EDEN
ISLES, UNIT 2A
ST. TAMMANY PARISH, LOUISIANA

CERTIFIED
TO: SCOTT MARTIN



SEAN M. BURKES
LA REG. No. 4785

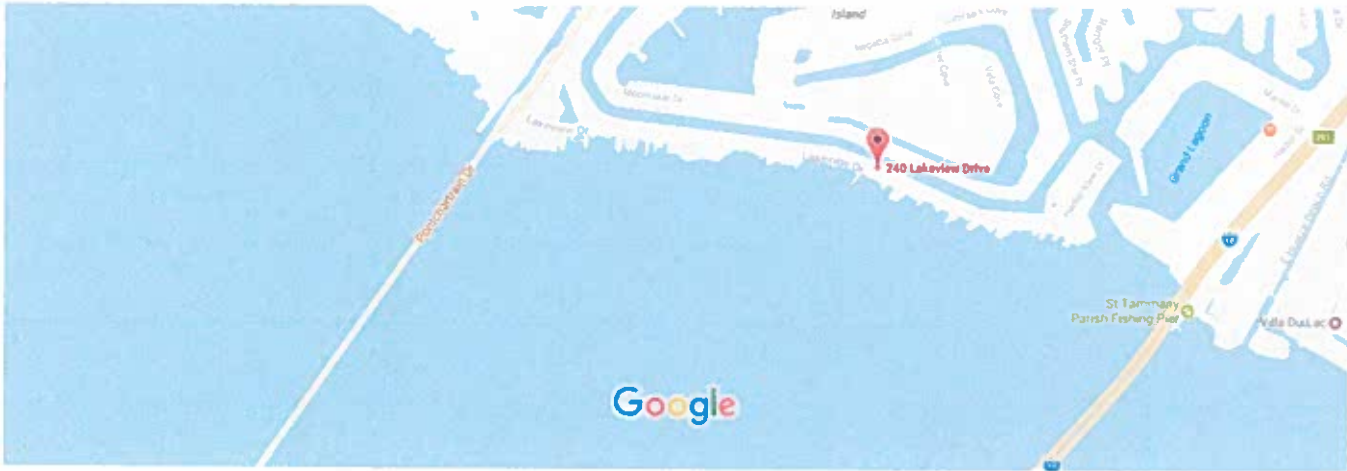


Map data ©2017 Google 1000 ft



240 Lakeview Dr
Slidell, LA 70458





Map data ©2017 Google 1000 ft

240 Lakeview Dr
Slidell, LA 70458



