

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5808

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 54, EDEN ISLES SUBDIVISION, 238 LAKEVIEW DRIVE, SLIDELL; S32, T9S, R14E AND WHICH PROPERTY COMPRISES A TOTAL OF 13,300 SQ FT OF LAND MORE OR LESS, FROM ITS PRESENT A-6 (MULTIPLE FAMILY RESIDENTIAL DISTRICT) TO A-4A (SINGLE-FAMILY RESIDENTIAL DISTRICT) , (WARD 9, DISTRICT 13). (2017-570-ZC)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. 2017-570-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:

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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 _____

ZONING STAFF REPORT

Date: 3/27/2017
Case No.: 2017-570-ZC
Posted: 03/22/17

Meeting Date: 4/4/2017
Determination: Approved

GENERAL INFORMATION

PETITIONER: Jimmy & Connie Adcock
OWNER: Jimmy & Connie Adcock
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 54, Eden Isles Subdivision, 238 Lakeview Drive, Slidell; S32, T9S, R14E; Ward 9, District 13
SIZE: 13,300sqft

GENERAL INFORMATION

ACCESS ROAD INFORMATION

Type: Parish Road Surface:2 lane asphalt Condition: Good

LAND USE CONSIDERATIONS
SURROUNDING LAND USE AND ZONING:

Direction	Surrounding Use	Surrounding Zone
North	Undeveloped	PUD Planned Unit Development Overlay
South	Residential	A-4A Single Family Residential District
East	Undeveloped	A-6 Multiple Family Residential District
West	Residential	A-6 Multiple 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 54, Eden Isles Subdivision, 238 Lakeview Drive, Slidell. The 2025 Future Land Plan calls for the area to be developed with residential uses. Staff has not 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.: 2017-570-ZC

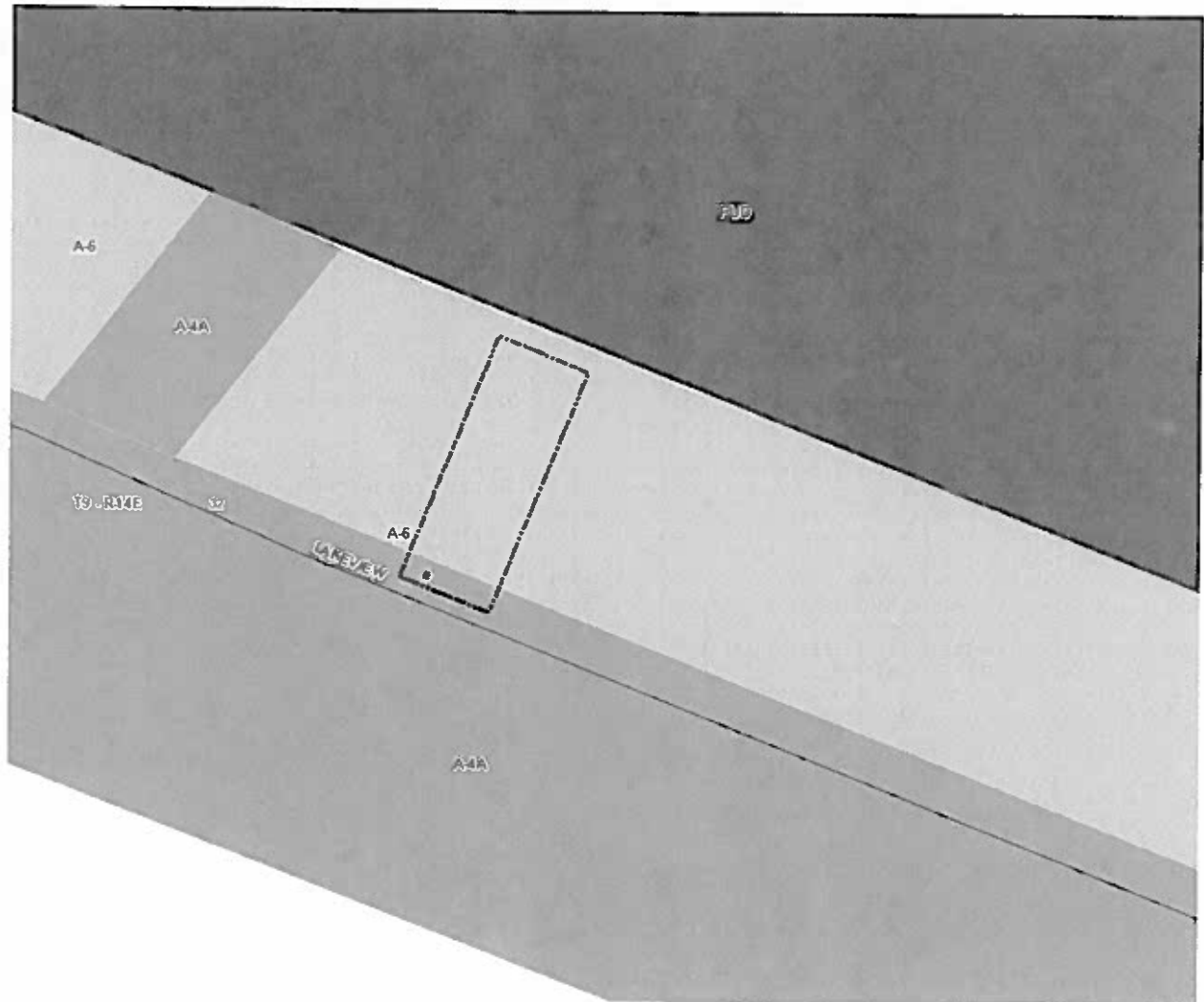
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ST. TAMMANY PARISH
PATRICIA P. BRISTER
PARISH PRESIDENT

4/7/2017

Jimmy & Connie Adcock
49 Longbow Drive
Picayune, MS 39466

RE: 2017-570

Dear Jimmy & Connie Adcock:

On April 4, 2017 the Zoning Commission, in regards to the above captioned case, recommended that the requested zoning changing from A-6 Multiple Family Residential District to A-4A Single-Family Residential District be approved.

Since the case was approved, it goes to the Council Meeting for adoption. The remainder of this process takes about 1 1/2 to 2 months for the change to become effective. Zoning cases typically become effective upon publication in the official Parish journal.

Should you have any questions, please call me at (985) 898-2529.

Sincerely,

A handwritten signature in cursive script that reads "Helen Lambert".

Helen Lambert
Assistant Director

2017-570-ZC

PUD

A-6

T9 - R14E 32

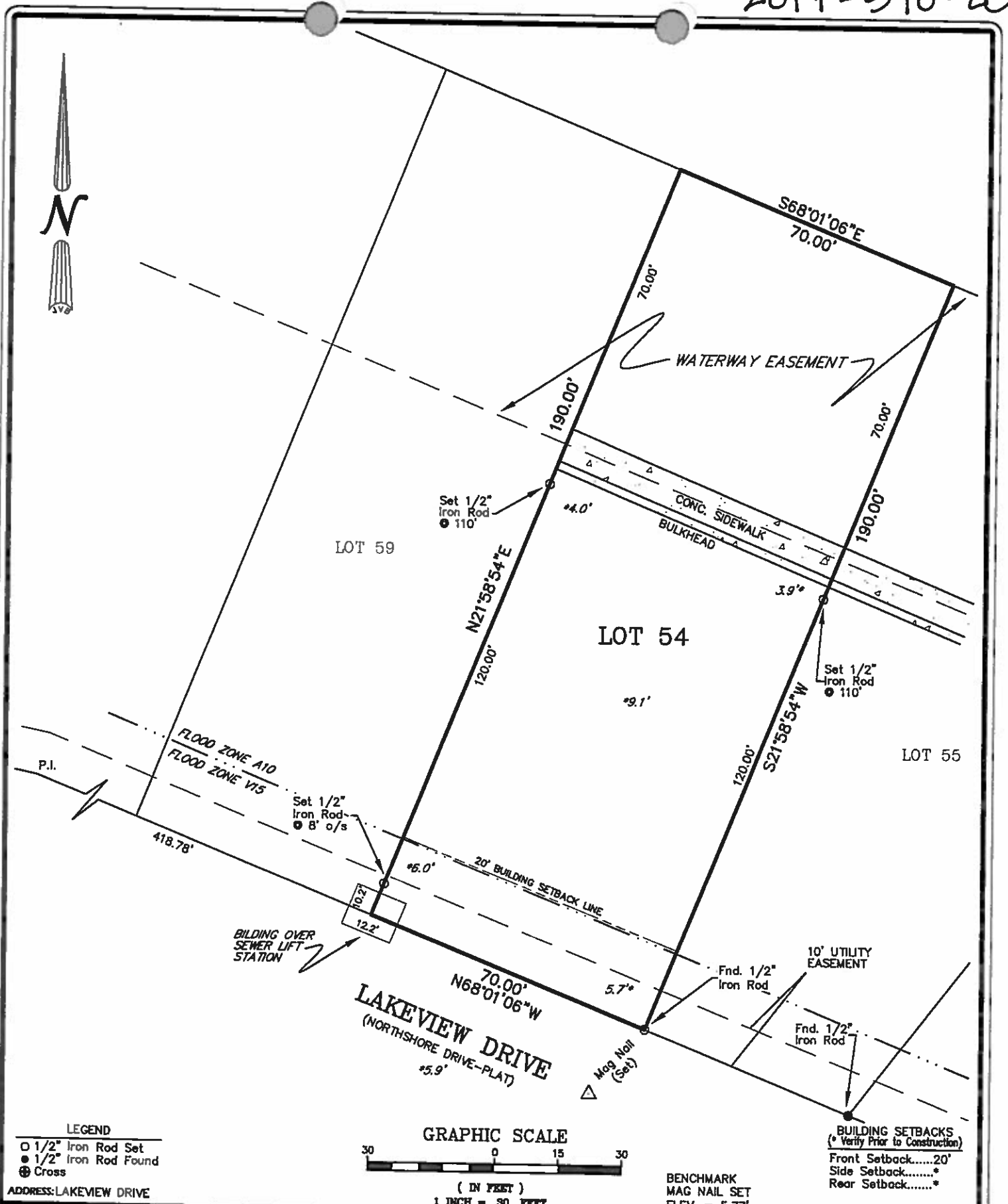
LAKEVIEW

A-4A

0 200 Feet

N





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.

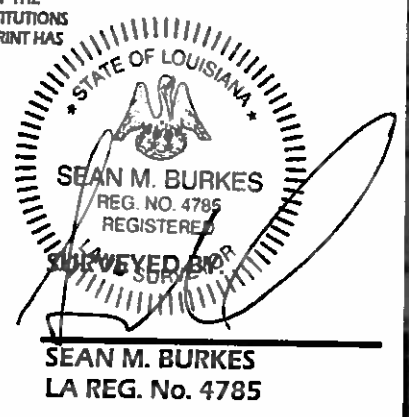
ENCUMBRANCES SHOWN HEREON ARE NOT NECESSARILY EXCLUSIVE. ENCUMBRANCES OF RECORD AS SHOWN ON TITLE OPINION OR TITLE POLICY WILL BE ADDED HERETO UPON REQUEST, AS SURVEYOR HAS NOT PERFORMED ANY TITLE SEARCH OR ABSTRACT.

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

DRAWING NO. 20170066	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: JDL	CHECKED BY: RMK
DATE: 1/31/17		SCALE: 1" = 30'	

A SURVEY MAP OF
LOT 54, EDEN ISLES, UNIT 2A,
ST. TAMMANY PARISH, LOUISIANA

CERTIFIED
TO: JIMMY ADCOCK





ST. TAMMANY PARISH

PATRICIA P. BRISTER
PARISH PRESIDENT

LAND USE REVIEW APPLICATION

Type of Request:

- ☒ Zoning Change
☐ Planned Review
☐ Administrative Permit

Case Number:

2017-570-2C

Fees Due:

\$375

Submittal Deadline:

Feb. 13, 2017

Date Paid:

Payment Method:

Hearing Date:

April 4, 2017

Request: A-6 To A-4A 238 LAKEVIEW DR. SLIDELL LA.

Is this proposed use temporary? ☐ Yes ☐ No

If so when will it be removed?

Location of property (General Description):

SEE LEGAL DIS.

Present Zoning Classification:

A-6

Ward:

9

District:

13

STR:

S-32 T9 R14 E

Subdivision:

EDEN ISLES

Previous Use:

MULTI FAMILY

Maximum Height of Structure(s):

N/A

Adjacent Uses:

RES.

Existing Use:

VACANT

Proposed Use:

SINGLE FAM.

Square Ft. of Proposed Use:

N/A

Acreage or Sq. Ft. of Site:

13300 S/F.

Proposed Hours of Operation:

N/A

Number of Employees (Max. Shift):

N/A

Sign Type, Size and Location:

N/A

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:

2/8/17

Name:

Jimmy & Connie Adcock

Address:

49 Longbow DR
Picayune MS 39466

Phone:

601-799-9433

Signature:

[Signature]

Contact Person

Date:

2/8/17

Name:

Jimmy Adcock

Address:

49 Longbow DR
Picayune MS 39466

Phone:

601-799-9433

Signature:

[Signature]

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

day of

Feb

, 20

17

Notary Public



STAFF DETERMINATION:

☐ Approved

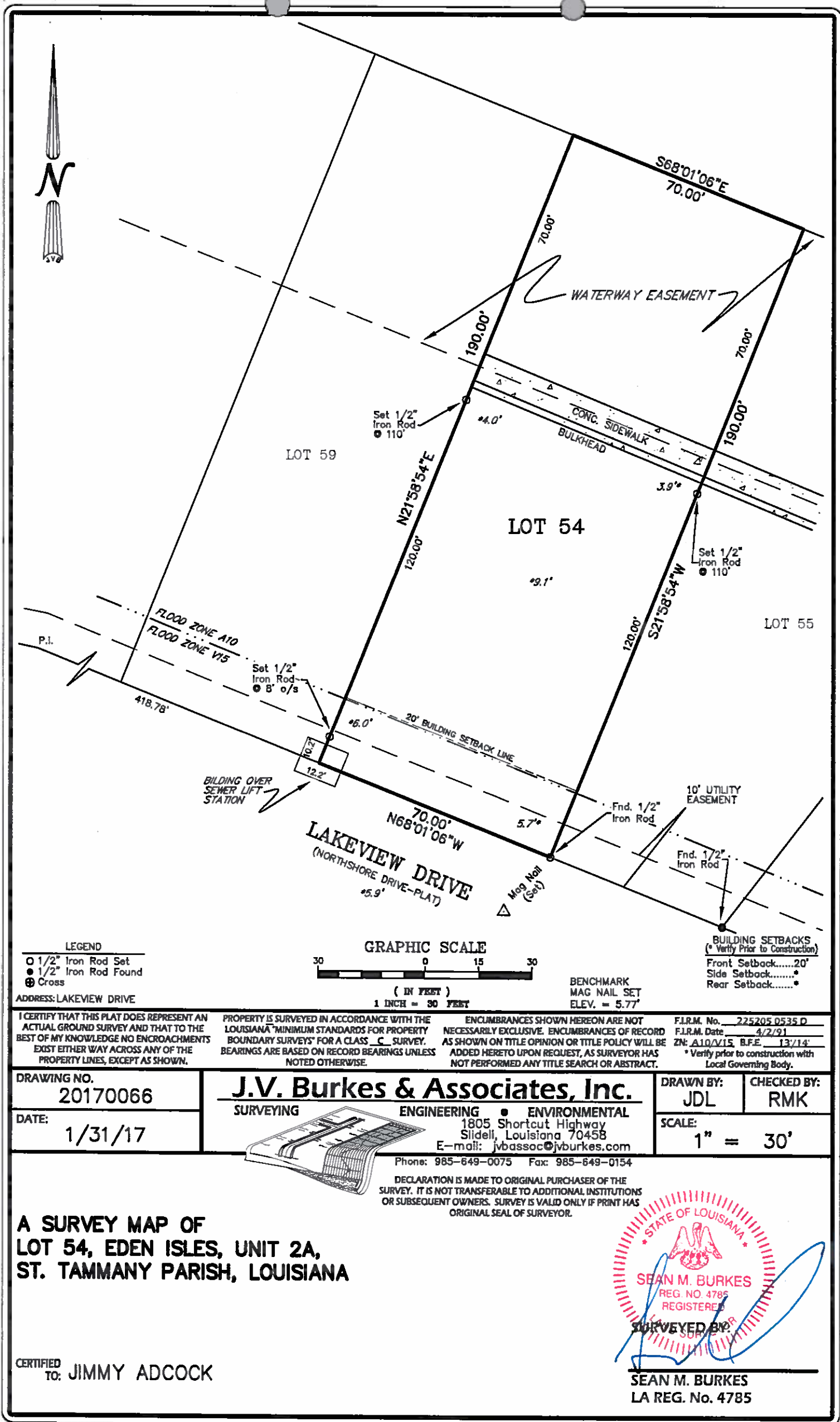
By: _____

Conditions: _____

☐ Denied

By: _____

Basis for Denial: _____



Crescent Title, LLC
 7835 Maple Street
 New Orleans, LA 70118
 File No.: 161361

CASH SALE

Sale of Property

by:

208 Lakeview Homeowners. L.L.C.

to:

Connie Lozier Adcock
 and Jimmy Don Adcock

***United States of America
 State of Louisiana
 Parish of St. Tammany***

BE IT KNOWN That on this 27th day of April, 2016

BEFORE ME, KIRK J. FROST
 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, duly authorized by virtue of original certificate of authority annexed hereto and made part hereof;

MAILING ADDRESS: 4631 St. Louis Street, New Orleans, LA 70119

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,

Connie Lozier Adcock (SS# XXX-XX-9420) and Jimmy Don Adcock (SS# XXX-XX-3538), both persons of the full age of majority and residents of the State of Mississippi who declared unto me, Notary, that Connie Lozier has been married but three times, first to Joseph A. Kinler from whom she was divorced, second to Donald Lemoine from whom she was divorced, third to Jimmy Don Adcock with whom she is presently living and residing; Jimmy Don Adcock has been married but twice, first to Terry Romano from whom he was divorced, second to Connie Lozier Adcock with whom he is presently living and residing;

MAILING ADDRESS: 49 Longbow Drive, Picayune, MS 39466

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,

St. Tammany Parish 1971
 Instrmnt #: 2020157
 Registry #: 2432455 pmt
 4/29/2016 10:00:00 AM
 ME CB X MI UCC

to-wit:

Lot Number 54, situated in EDEN ISLES SUBDIVISION, UNIT 2-A, a subdivision located in St. Tammany Parish, Louisiana, according to the plan of said subdivision prepared by Lester G. 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 in act dated December 28, 2005 and registered in CIN 1530103, records of 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 2016 bearing Tax Assessment No. 1378073593 are to be forwarded to:

Connie Lozier Adcock and Jimmy Don Adcock
49 Longbow Drive, Picayune, MS 39466

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 Fifty-Two Thousand And No/100 Dollars (\$52,000.00) 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 2015. The 2016 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

Handwritten signature of Connie Lozier Adcock in cursive script.

Connie Lozier Adcock

Handwritten signature of Jimmy Don Adcock in cursive script.

Jimmy Don Adcock

PGR-415 (R6/04)

**UNANIMOUS WRITTEN CONSENT
OF THE MEMBERS
208 Lakeview Homeowners LLC**

The undersigned, being the only member(s) of, 208 Lakeview Homeowners LLC, a Louisiana Limited Liability Company (the "Company"), do hereby vote for, consent to, authorize and adopt the following actions:

WHEREAS, the Company desires to authorize the Sale of the property located at, 238 Lakeview Drive, Slidell, LA 70458.

WHEREAS, the member of the Company desires to authorize Roger W. Moore, to execute all documents in connection with said sale on behalf of 208 Lakeview Homeowners LLC.

NOW THEREFORE, BE IT RESOLVED, AGREED AND CONSENTED, by the 208 Lakeview Homeowners LLC, that:

Section 1. Authorization for Sale

Roger W. Moore is/are hereby authorized and approved to sell the property located at, 238 Lakeview Drive, Slidell, LA 70458.

Section 2. Authorized Agent

Roger W. Moore, Member, is/are hereby authorized to transact all business on behalf of 208 Lakeview Homeowners LLC, with respect to the above described Sale and to execute any and all documents in connection with said Sale having such terms and conditions as they deem appropriate and in their sole discretion and to receive and receipt for the selling price.

Thus done and signed on this 27th day of April, 2016.



Roger W. Moore, Member

Sworn to and subscribed before me, Notary, this 27 day of April, 2016

NOTARY PUBLIC

Print Name

KIRK J. FROSCH

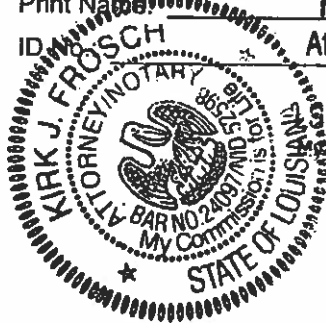
ID

Attorney/Notary Public

State of Louisiana

BA 24097-NID 52598

Commission expires with life.



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

[Signature]
PRINT LINDSEY RICHARD

SELLER(S):

208 Lakeview Homeowners. L.L.C.

BY: [Signature]
Roger W. Moore

PURCHASER(S):

[Signature]
Connie Lozier Adcock

[Signature]
Jimmy Don Adcock

[Signature]
KIRK J. FROSCH
Attorney/Notary Public
State of Louisiana
Bar Roll/ID No.: _____
Notary Public LSA 24097-NID 52598
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: Frank Battard
La Bar Roll #: 02850

