

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4863

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/BRISTER

PROVIDED BY: PLANNING

INTRODUCED BY: MR. CANULETTE

SECONDED BY: MR. BELLISARIO

ON THE 10 DAY OF SEPTEMBER , 2012

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE SOUTH SIDE OF US HIGHWAY 190, EAST OF NESLO ROAD AND WHICH PROPERTY COMPRISES A TOTAL 2.027 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-2 (SUBURBAN DISTRICT) TO AN HC-2 (HIGHWAY COMMERCIAL DISTRICT). (WARD 9, DISTRICT 14) (ZC12-08-071)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC12-08-071, 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-2 (Suburban 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 A-2 (Suburban 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 4 DAY OF OCTOBER , 2012 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: AUGUST 30 , 2012

Published Adoption: _____, 2012

Delivered to Parish President: _____, 2012 at _____

Returned to Council Clerk: _____, 2012 at _____

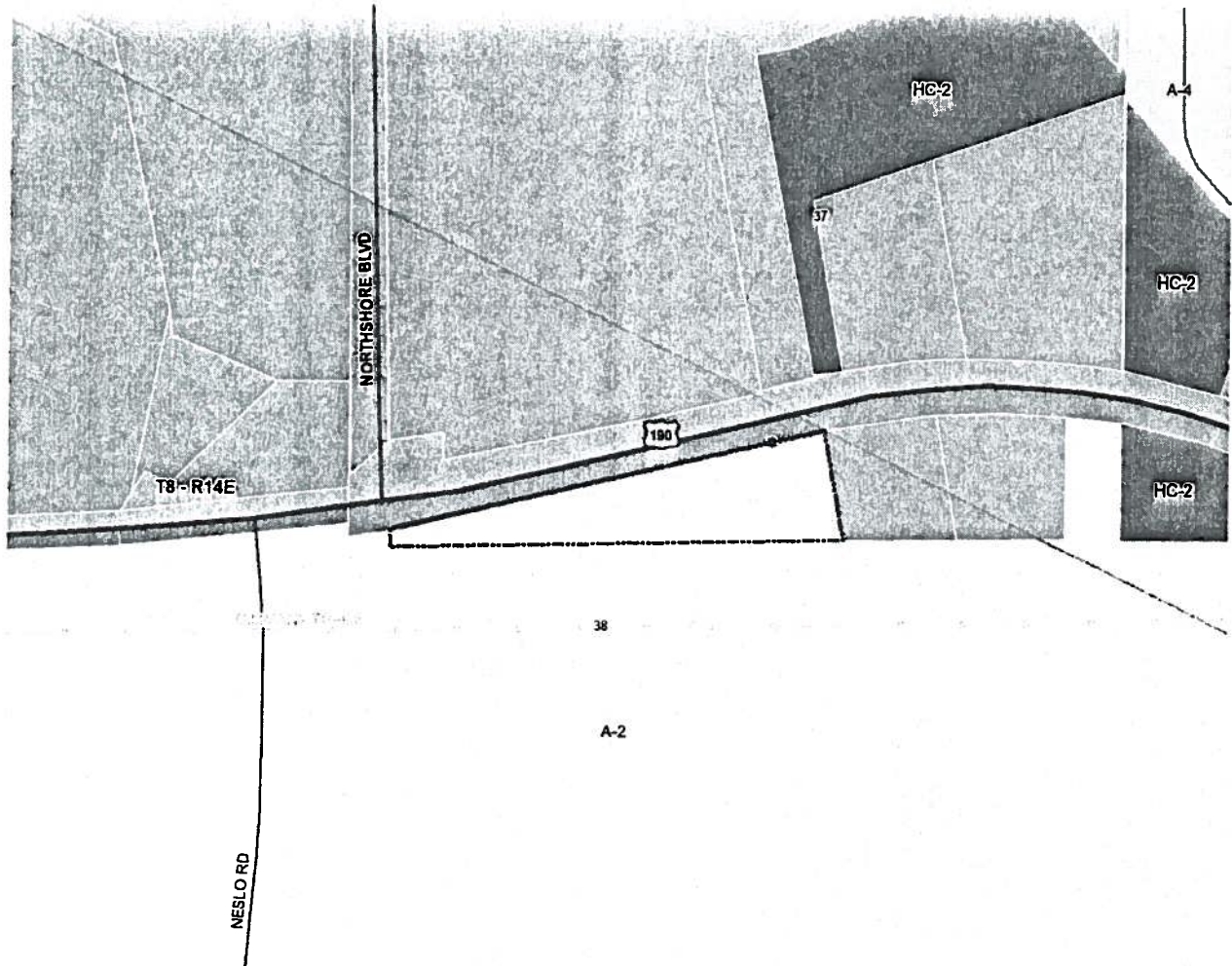
EXHIBIT "A"

ZC12-08-071

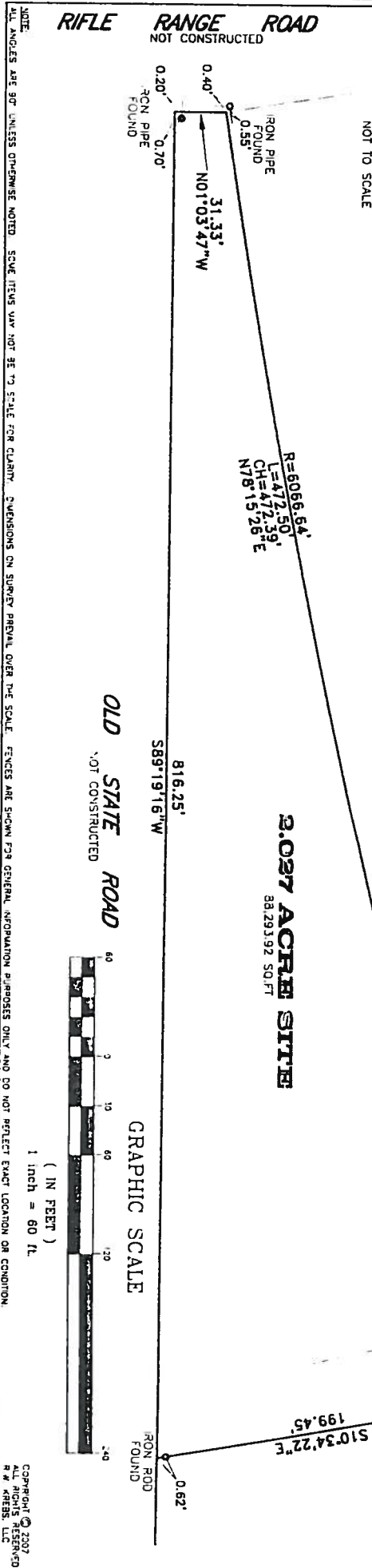
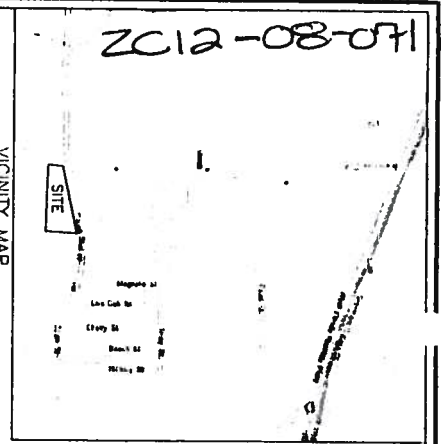
A CERTAIN PORTION OF GROUND, together with all buildings and improvements thereon, and all the rights, ways, servitudes, privileges and advantages thereunto belonging or in anywise appertaining, being a portion of former Portion of Plot I, located in Section 37, T 8 S, R 14 E, St. Tammany Parish, Louisiana, as shown on a survey made by J.J. Krebs & Sons, Inc., dated December 6, 1983 according to which, said portion of ground comprising 2.027 acres is more particularly described as follows:

Commence at the southwest intersection of Rifle Range Road and U.S. Highway 190, the POINT OF BEGINNING; thence in an easterly direction along a curve fronting on U.S. Highway 190 having a radius of 6,066.64', 472.50' to a point; continue N 76°01'35" E 280.50' to a point; continue along a curve having a radius of 1,454.02', 46.69' to a point and corner; thence in a southerly direction S 10°34'22" E 199.45' to a point and corner; thence in a westerly direction along Old State Road S 89°19'16" W 816.25' to a point and corner; thence along Rifle Range Road N 01°03'47" W 31.33' to a point, the POINT OF BEGINNING.

CASE NO.: ZC12-08-071
PETITIONER: Marcus Buring
OWNER: Bayou Liberty Property, LLC
REQUESTED CHANGE: From A-2 (Suburban District) to HC-2 (Highway Commercial District)
LOCATION: Parcel located on the south side of US Highway 190, east of Neslo Road; S37,T8S,R14E; Ward 9, District 14
SIZE: 2.027 acres



ZC12-08-071



NOTE: ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED. SOME ITEMS MAY NOT BE TO SCALE FOR CLARITY. DIMENSIONS ON SURVEY PREVAL OVER THE SCALE. FIGURES ARE GIVEN FOR GENERAL INFORMATION PURPOSES ONLY AND DO NOT REFLECT EXACT LOCATION OR CONDITION.

GENERAL NOTES

THE SEMI-OWNED S-GOWN ON THIS SURVEY ARE LIMITED TO THOSE FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SEMI-OWNED ARE REFLECTED OR S-GOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPLYING THE DATA FOR THIS SURVEY.

ELEVATION NOTES

THIS SURVEYOR SHALL NOT CONSTITUTE A LEGAL OPINION OF TITLE AND SHALL NOT BE HELD UPON FOR THAT PURPOSE. THERE IS NO WARRANTY THAT IT CONFORMS TO THE LEGAL TITLE AND HAS MADE SOCIETY ACCORDING TO THE INFORMATION PROVIDED THE SURVEYOR.

REFERENCE NOTES

THIS IS CERTAIN THAT SUBJECT PROPERTY IS LOCATED IN THE FOLLOWING FLOOD ZONE, PER INSURANCE RATE MAP (FIRM) DATED: FLOOD ZONE: SHEET: ELEVATION: CONVICTION PANEL #:

THIS IS TO CERTIFY THAT THE PROPERTY BOUNDARY SURVEY RECORDED HEREON WAS MADE ON THE GROUND UNDER MY DIRECT PERSONAL SUPERVISION AND IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS AS ESTABLISHED IN LOUISIANA. I AM A MEMBER OF THE NATIONAL BOARD OF SURVEYING AND MAPPING (NBSM) (SUBSIDIARY) SURVEY MADE AT THE REQUEST OF STEVEN REULTY REPOSED TO SHOW VAINITY MAP AND SCALE MAY 18, 2012

BY: *[Signature]*



DATE: FEBRUARY 9, 2012 DRAWN BY: NDK
SCALE: 1" = 60' CHECKED BY:
JOB #: 120454 FILE #:

**BOUNDARY SURVEY OF
A 2.027 ACRE SITE
SECTION 37 T8S R14E
ST. TAMMANY PARISH, LA.**

F. W. KREBS, L.L.C.
PROFESSIONAL LAND SURVEYING
P.O. BOX 8844
METairie, LA. 70001-8844
PHONE: (504) 888-8818
FAX: (504) 888-0818
E-MAIL: fkrebs@fwkrebs.com
WEB: www.fwkrebs.com

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ADMINISTRATIVE COMMENTS

ZONING STAFF REPORT

Date: June 26, 2012
Case No.: ZC12-08-071
Posted: 07/11/12

Meeting Date: August 7, 2012
Determination: Approved

GENERAL INFORMATION

PETITIONER: Marcus Buring
OWNER: Bayou Liberty Property, LLC
REQUESTED CHANGE: From A-2 (Suburban District) to HC-2 (Highway Commercial District)
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SIZE: 2.027 acres

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: Federal

Road Surface: 3 lane asphalt

Condition: Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Commercial	City of Slidell
South	Undeveloped & Tammany Trace	A-2 (Suburban District)
East	Commercial	City of Slidell
West	Undeveloped	A-2 (Suburban 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 A-2 (Suburban District) to HC-2 (Highway Commercial District). The site is located on the south side of US Highway 190, east of Neslo Road. The 2025 future land use plan calls for the site to be developed with commercial uses. The site is surrounded by commercial uses on the north and east sides. Staff does not have any objections to the request.

STAFF RECOMMENDATION:

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