

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4631

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/DAVIS

PROVIDED BY: PLANNING

INTRODUCED BY: CANULETTE

SECONDED BY: BELLISARIO

ON THE 1 DAY OF SEPTEMBER, 2011

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED ON THE SOUTH SIDE OF LA HIGHWAY 36, WEST OF GURTNER DRIVE AND WHICH PROPERTY COMPRISES A TOTAL 9.81 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT A-3 (SUBURBAN DISTRICT) TO AN I-2 (INDUSTRIAL DISTRICT). (WARD 3, DISTRICT 3) (ZC11-08-071)

WHEREAS, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC11-08-071, 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-3 (Suburban District) to an I-2 (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-2 (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 A-3 (Suburban District) to an I-2 (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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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.

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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 6 DAY OF OCTOBER, 2011; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: AUGUST 25, 2011

Published Adoption: _____, 2011

Delivered to Parish President: _____, 2011 at _____

Returned to Council Clerk: _____, 2011 at _____

EXHIBIT "A"

ZC11-08-071

ALL THAT CERTAIN PIECE OF LAND, WITH ALL IMPROVEMENTS THEREON, AND ALL RIGHTS, WAYS, PRIVILEGES, SERVITUDES, PRESCRIPTIONS, APPURTENANCES, ADVANTAGES AND OTHER THINGS THEREUNTO BELONGING OR APPERTAINING, DESCRIBED AS FOLLOWS:

A CERTAIN TRACT OF LAND SITUATED IN SECTION 36, TOWNSHIP 6 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA, DESCRIBED IN ACCORDANCE WITH A PLAT OF SURVEY BY L. E. CUMMINGS, REGISTERED SURVEYOR, DATED APRIL 9, 1955, ATTACHED TO COB 288, FOLIO 536 OF THE OFFICIAL RECORDS OF ST. TAMMANY PARISH, LOUISIANA AND MADE PART, AS FOLLOWS:

FROM THE QUARTER SECTION CORNER BETWEEN SECTIONS 35 AND 36 OF THE ABOVE TOWNSHIP AND RANGE RUN NORTH ALONG THE SECTION LINE 254 FEET, OR MORE, TO THE SOUTH LINE OF ABITA SPRINGS-COVINGTON HIGHWAY, THENCE ALONG SOUTH LINE OF SAID HIGHWAY NORTH 86 DEGREES 30 MINUTES EAST 1045 FEET TO NORTHWESTERLY CORNER OF PROPERTY ACQUIRED BY VENDEE FROM THOS C. GALLOWAY IN COB 233, FOLIO 157 OF ST. TAMMANY PARISH RECORDS, AND THENCE SOUTH 3 DEGREES 30 MINUTES EAST 600 FEET TO THE SOUTHWESTERLY CORNER OF ABOVE SAID PROPERTY OF VENDEE AND THE POINT OF BEGINNING OF PROPERTY HEREBIN CONVEYED, DESIGNATED "A".

FROM SAID POINT OF BEGINNING, RUN SOUTH 3 DEGREES 30 MINUTES EAST 236.6 FEET, OR MORE, TO THE NORTHERLY RIGHT OF WAY LINE OF G. M. & O. R. R. CO.

RECOMMENCED AT POINT OF BEGINNING, AND THENCE NORTH 86 DEGREES 30 MINUTES EAST ALONG SOUTH LINE OF VENDEES SAID PROPERTY A DISTANCE OF 400 FEET TO WESTERLY LINE OF 40 FEET STRIP MARKED ON SAID MAP; THENCE NORTH 3 DEGREES 30 MINUTES WEST ALONG WESTERLY SIDE OF SAID STRIP 600 FEET, OR MORE, TO COVINGTON-ABITA SPRINGS HIGHWAY; THENCE ALONG SAID HIGHWAY NORTH 86 DEGREES 30 MINUTES EAST 40 FEET TO WESTERLY LINE OF PROPERTY ACQUIRED BY VENDEE IN COB 226, FOLIO 193 OF ST. TAMMANY PARISH RECORDS; THENCE SOUTH 3 DEGREES 30 MINUTES EAST ALONG WESTERLY LINE OF SUCH PROPERTY 600 FEET; THENCE NORTH 86 DEGREES 30 MINUTES EAST ALONG REAR LINE OF SUCH PROPERTY 320 FEET; THENCE SOUTH 3 DEGREES 30 MINUTES EAST TO THE NORTHERLINE OF G. M. & O. R. R. WITH SUCH FOOTAGE AS MAY BE REQUIRED TO REACH SAID POINT; THENCE WESTERLY ALONG SAID RIGHT OF WAY LINE OF SUCH RAILROAD TO THE POINT HERETOFORE SET THEREON, WITH SUCH FOOTAGE AS MAY BE REQUIRED TO REACH SAID POINT.

AND

ALL THAT CERTAIN PARCEL OF LAND, WITH ALL BUILDINGS AND IMPROVEMENTS THEREON, AND ALL RIGHTS, WAYS, PRIVILEGES, SERVITUDES, PRESCRIPTIONS, APPURTENANCES, ADVANTAGES, AND OTHER THINGS THEREUNTO BELONGING OR IN ANYWISE APPERTAINING, SITUATED IN ST. TAMMANY PARISH, LOUISIANA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

A CERTAIN TRACT OF LAND SITUATED IN SECTION 36, TOWNSHIP 6 SOUTH, RANGE 11 EAST, ABOVE SAID PARISH AND STATE, AND DESCRIBED AS COMMENCING AT A POINT ON THE SOUTH SIDE OF THE COVINGTON-ABITA SPRINGS HIGHWAY WHERE THE EAST LINE OF THE PROPERTY ACQUIRED BY MRS. CARRIE N. VOSS BY DEED OF RECORD IN COB 181, FOLIO 506, ORIGINAL ENTRY NUMBER 76967, INTERSECTS THE SOUTH LINE OF SAID HIGHWAY. THIS POINT OF BEGINNING OF THE PROPERTY HEREBIN CONVEYED, AS SHOWN BY THE BELOW MENTIONED SKETCH OF SURVEY, IS NORTH 254 FEET TO SOUTH LINE OF ABOVE SAID HIGHWAY AND THENCE NORTH 86 DEGREES 30 MINUTES EAST ALONG THE SOUTH LINE OF SAID HIGHWAY 1045 FEET FROM THE QUARTER SECTION CORNER BETWEEN SECTIONS 35 AND 36 OF THE ABOVE SAID TOWNSHIP AND RANGE.

FROM SAID POINT OF BEGINNING RUN ALONG THE SOUTH LINE OF SAID COVINGTON-ABITA SPRINGS HIGHWAY, NORTH 86 DEGREES 30 MINUTES EAST A DISTANCE OF 400 FEET TO THE WESTERLY LINE OF A 40 FOOT STRIP SHOWN ON MAP;

THENCE SOUTH 3 DEGREES 30 MINUTES EAST A DISTANCE OF 600 FEET, ALONG SAID WESTERLY LINE OF ABOVE MENTIONED 40 FOOT STRIP;

Exhibit "A"

ZC11-08-071-CONT'D

THENCE SOUTH 86 DEGREES 30 MINUTES WEST A DISTANCE OF 400 FEET TO THE EAST LINE OF PROPERTY NOW OR FORMERLY BELONGING TO CARRIE VOSS;

THENCE NORTH 3 DEGREES 30 MINUTES WEST A DISTANCE OF 600 FEET TO THE SOUTH LINE OF ABITA SPRINGS-COVINGTON HIGHWAY, ABOVE MENTIONED, AND THE POINT OF BEGINNING, SAME CONTAINING 5.51 ACRES.

ALL THAT CERTAIN PIECE OF GROUND, WITH ALL BUILDINGS AND IMPROVEMENTS THEREON, AND ALL RIGHTS, WAYS, PRIVILEGES, SERVITUDES, PRESCRIPTIONS, APPURTENANCES, ADVANTAGES AND OTHER THINGS THEREUNTO BELONGING OR IN ANYWISE APPERTAINING, LYING IN SECTION 36, TOWNSHIP 6 SOUTH, RANGE 11 EAST, 3RD WARD, ST. TAMMANY PARISH, LOUISIANA, AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE QUARTER SECTION BETWEEN SECTIONS 35 AND 36 OF THE ABOVE MENTIONED TOWNSHIP AND RANGE, THENCE NORTH 81 DEGREES 35 MINUTES EAST 1706.0 FEET TO THE POINT OF DEPARTURE, SAID POINT BEING 40 FEET NORTH 86 DEGREES 30 MINUTES EAST FROM THE NORTHEAST CORNER OF PROPERTY SOLD BY VENDOR TO T. C. GALLOWAY, SAID POINT ALSO BEING ON THE SOUTH SIDE OF STATE HIGHWAY NUMBER 58; THENCE, AT RIGHT ANGLES, TO SAID HIGHWAY, SOUTH 3 DEGREES 30 MINUTES EAST 600.0 FEET; THENCE NORTH 86 DEGREES 30 MINUTES EAST 320.0 FEET; THENCE NORTH 3 DEGREES 30 MINUTES WEST 600.0 FEET TO THE SOUTH LINE OF THE ABOVE MENTIONED HIGHWAY THENCED ALONG THE SOUTH EDGE OF SAID HIGHWAY SOUTH 86 DEGREES 30 MINUTES WEST 320.0 FEET TO THE POINT OF DEPARTURE OR BEGINNING, CONTAINING 4.41 ACRES OF LAND, AND ALL AS PER SURVEY OF LOWELL E. CUMMINGS, REGISTERED SURVEYOR, UNDER DATE OF SEPTEMBER 15, 1954, PROCESS VERBAL AND PENCIL SKETCH OF SAME BEING ATTACHED TO COB 288, FOLIO 536 OF THE OFFICIAL RECORDS OF ST. TAMMANY PARISH.

CASE NO.: ZC11-08-071
PETITIONER: Jeffrey D. Shoen Attorney for Abita Brewing Co. LLC
OWNER: Wilfred G. & Patricia T. Gallardo
REQUESTED CHANGE: From A-3 (Suburban District) to I-2 (Industrial District)
LOCATION: Parcel located on the south side of LA Highway 36, west of Gurtner Drive; S36, T6S, R11E; Ward 3, District 3
SIZE: 9.81 acres

