

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4863

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

COUNCIL SPONSOR: GOULD/BRISTER

PROVIDED BY: PLANNING

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

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

ON THE 6 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REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 \_\_\_\_\_

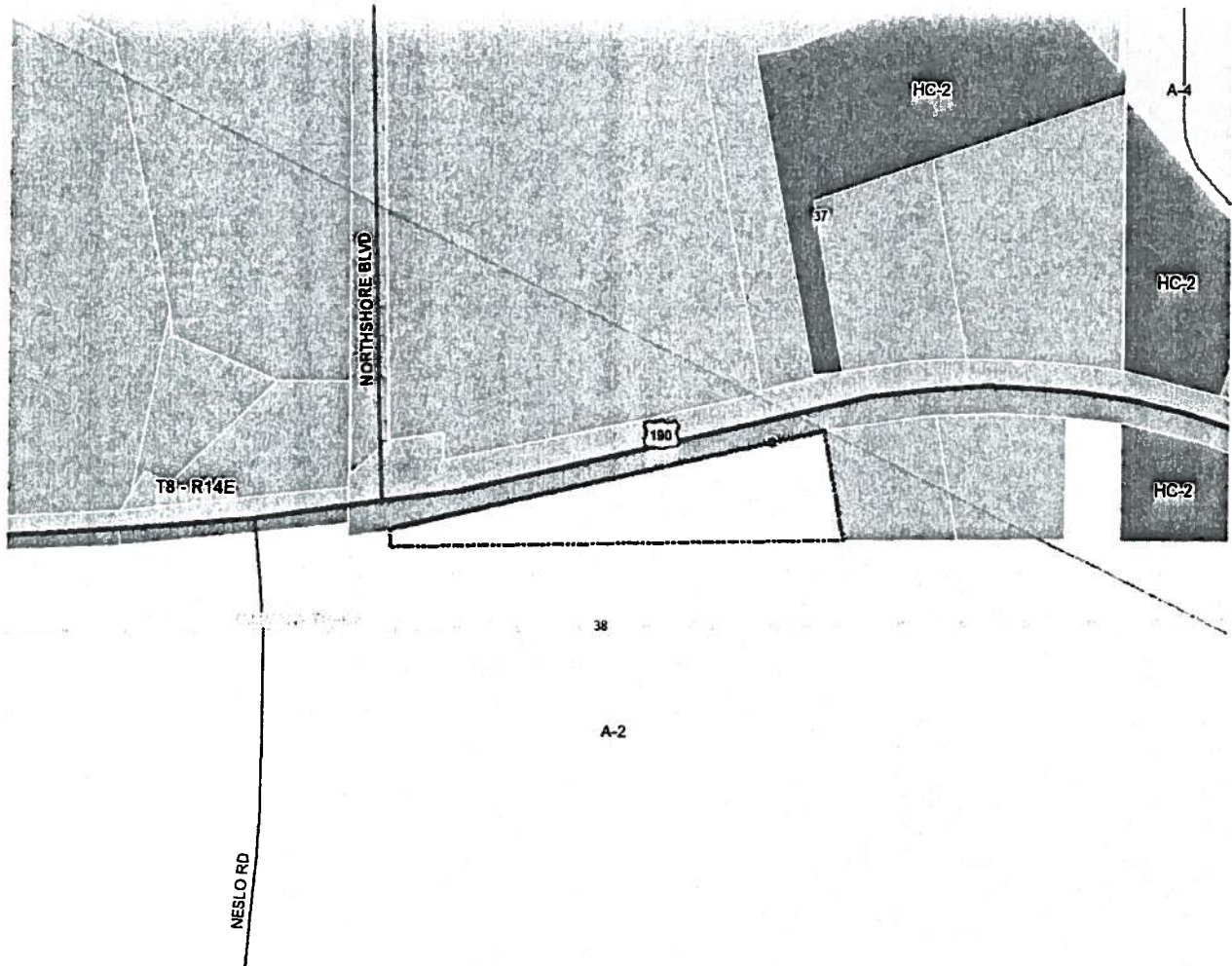
**EXHIBIT "A"**

**ZC12-08-071**

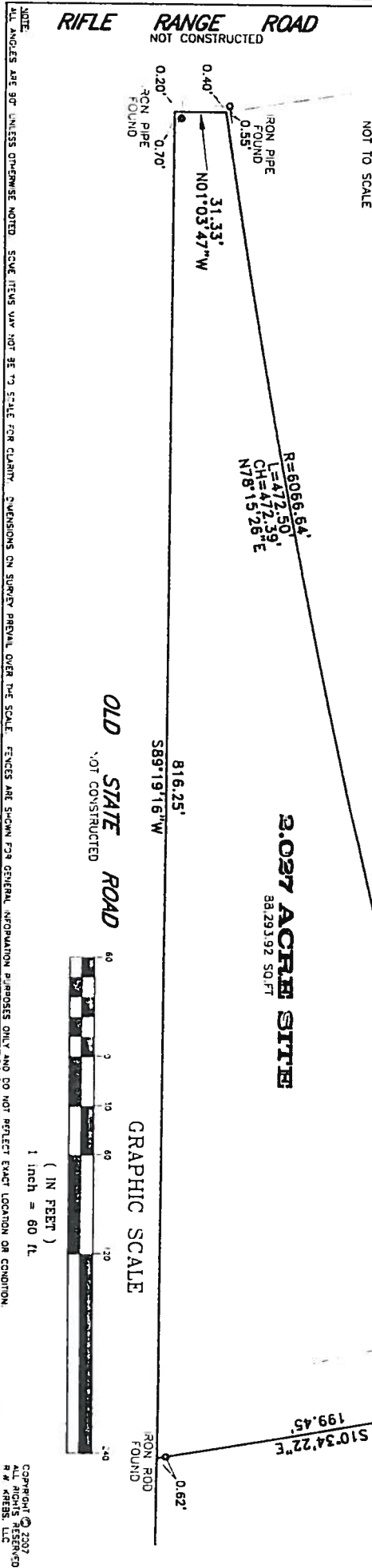
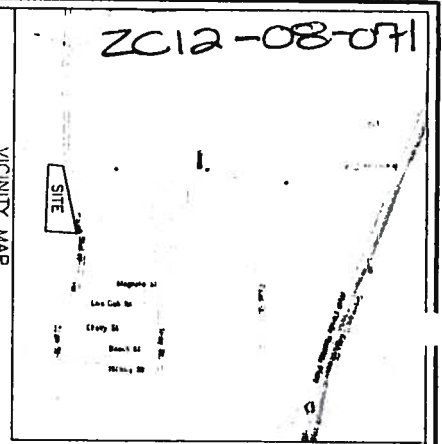
A CERTAIN PORTION OF GROUND, together with all buildings and improvements thereon, and all the rights, ways, servitudes, privileges and advantages thereunto belonging or in anywise appertaining, being a portion of former Portion of Plot I, located in Section 37, T 8 S, R 14 E, St. Tammany Parish, Louisiana, 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



( IN FEET )  
1 inch = 60 ft.

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R. W. KREBS, LLC

**GENERAL NOTES**

THE SEPARATES S-GOWN ON THIS SURVEY ARE LIMITED TO THOSE FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SEPARATES ARE REFLECTED OR S-GOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPLYING THE DATA FOR THIS SURVEY.  
THIS PERMITS SURVEY SHALL NOT CONSTITUTE A LEGAL OPINION OF TITLE AND SHALL NOT BE RELIED 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.

**ELEVATION NOTES**

THIS IS CERTIFY THAT SUBJECT PROPERTY IS LOCATED IN THE FOLLOWING FLOOD ZONE, PER INSURANCE RATE MAP (FIRM) DATED: \_\_\_\_\_ FLOOD ZONE: \_\_\_\_\_ PER COMMUNITY PANEL # \_\_\_\_\_

**REFERENCE NOTES**

ANGLES AND/OR BEARINGS ARE BASED ON REFERENCE PLAN #1 REFERENCE PLAN #1: A PLAN OF SURVEY BY JJ KREBS AND SONS DATED DECEMBER 6, 1993

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, BY THE BOARD OF LAND SURVEYORS (LSB), CHAPTER 25 FOR A CLASS "C" (SUBURBAN) SURVEY.  
MADE AT THE REQUEST OF STEVEN REULTY REPERTO U SHOW VIGNETTE MAP AND SCALE MAY 18, 2012

BY: *[Signature]*



DATE: FEBRUARY 9, 2012 DRAWN BY: NDK  
SCALE: 1" = 60' CHECKED BY: \_\_\_\_\_  
JOB #: 120554 FILE # \_\_\_\_\_

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

**R. 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: rkrebs@rwwkllc.com  
WEB: www.rwwkllc.com

# 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

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### GENERAL INFORMATION

**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

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### 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.