

THE FOLLOWING RESOLUTION WAS INTRODUCED BY CITY COUNCIL MEMBER MCGUIRE; AND SECONDED FOR INTRODUCTION BY COUNCIL MEMBER _____

ORDINANCE NO. 23-03

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MANDEVILLE TO REZONE A PORTION OF BLOCK 69 & 70 OF THE CITY OF MANDEVILLE, ST. TAMMANY PARISH, STATE OF LOUISIANA, FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO B-1 NEIGHBORHOOD BUSINESS DISTRICT; AND PROVIDING FOR FURTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the property to be rezoned is described as a portion of Block 69 & 70, City of Mandeville, St. Tammany Parish, State of Louisiana, containing approximately 49,742.4 square feet as per the survey prepared by Kelly J. McHugh & Assoc., Inc and dated May 19, 2022; and

WHEREAS, William Ellis and Miltenberger Properties, LLC, duly organized, validly existing and in good standing under the laws of the State of Louisiana, purchased the property on October 28, 2022; and

WHEREAS, William Ellis and Miltenberger Properties, LLC, has requested to rezone the Property from its current zoning of R-1, Single Family Residential, to B-1, Neighborhood Business District; and

WHEREAS, the property was zoned B-1 in 1993 during the Comprehensive Rezoning of the City; and

WHEREAS, the City of Mandeville was not able to find evidence of the intentional rezoning of the property from B-1 Neighborhood business District to R-1 Single Family Residence, therefore determining the zoning of the property from B-1 to R-1 is an error of the Zoning Map; and

WHEREAS, the Zoning Commission voted unanimously in support of correcting the error

BE IT ORDAINED by the City Council of the City of Mandeville that Lot Three of Square One as described below shall hereafter be zoned as B-1, Neighborhood Business District:

A CERTAIN PIECE OR A PORTION OF GROUND, All that certain tract of portion of land, together with all buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the Town of Mandeville, St. Tammany Parish, State of Louisiana, and according to a survey of Land Surveying, Inc. of Jeron R. Fitzmorris, Surveyor, dated April 8,

1975, said portion of ground is designated as a part of Blocks 69 and 70 of the Town of Mandeville, forms the corner of Monroe Street and Lambert Street, and measures 92.8 feet front on Monroe Street, with a width in the rear of 92.6 feet, with a depth and front on Lambert Street of 258 feet and an equal depth of 258 feet on the opposite side line.

AND

A CERTAIN PORTION OF GROUND, situated in Lot No. 69, Town of Mandeville, Parish of St. Tammany, Louisiana, which portion of ground measures commencing at a distance of 211.87 feet from the corner of Monroe and Kleber Sts., 100 feet front on Monroe St., by a depth between equal and parallel lines of 258 feet.

Being the same property acquired by Hem Enterprises, Inc. from George A. Broom, Sheriff, by virtue of Partition by Licitation in the matter of Succession of Zacharia Sharp, No. 4935, dated October 1, 1969, recorded COB 549 folio 155 of the records of St. Tammany Parish, Louisiana.

BE IT FURTHER ORDAINED that the Clerk of this Council be and she is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:

NAYS:

ABSENT:

ABSTENTIONS:

and the ordinance was declared adopted this ____ day of _____ 2023

Kristine Scherer
Clerk of Council

Rick Danielson
Council Chairman



MANDEVILLE

A Historic Lakefront Community

Planning and Zoning Commission

KAREN GAUTREAUX, CHAIRWOMAN
PLANNING COMMISSION

BRIAN RHINEHART, CHAIRMAN
ZONING COMMISSION

CARA BARTHOLOMEW, AICP
DIRECTOR, DEPT. OF PLANNING & DEVELOPMENT

MEMBERS:
SCOTT QUILLIN
SIMMIE FAIRLEY
NIXON ADAMS
CLAIRE DURIO
MIKE PIERCE

CITY OF MANDEVILLE PLANNING AND ZONING COMMISSION RECOMMENDATION TO THE CITY COUNCIL REGARDING A REQUEST TO REZONE PORTIONS OF SQUARE 69 & 70, CITY OF MANDEVILLE

The City of Mandeville Dept. Of Planning and Development received an application request to rezone a portion of square 69 & 70 City of Mandeville on November 16, 2022. Case No. Z22-12-05 was heard at the December 13, 2022 work session and the January 10, 2023 voting meeting. The applicant applied for a zoning change to correct an error on the adopted Zoning Map. The applicant's property was zoned B-1 as apart of the Comprehensive Rezoning of the City of the Mandeville. There has been no application to rezoning the property since 1993, the City believes the property was rezoned as a mapping error.

The Commission made a motion to recommend approval, the motion passed unanimously. The Commission found the property was erroneously zoned R-1, and supported correcting the Zoning Map.

Attached:

Case Summary

Survey

1993 Comprehensive Zoning Map

12/9/2022

CASE SUMMARY SHEET

CASE NUMBER: Z22-10-05

DATE RECEIVED: October 24, 2022

DATE OF MEETING: December 13, 2022 and January 10, 2023

Address: Portion of Blocks 69 and 70

Subdivision: Old Town of Mandeville

Zoning District: R-1 Single Family Residential

Property Owner: William Ellis and Miltenberger Properties, LLC

REQUEST: Z22-12-05 – William Ellis and Miltenberger Properties, LLC request the rezoning of a lot designated R-1 Single Family Residential District to B-1 Neighborhood Business District, Portion of Blocks 69 and 70, R-1 Single Family Residential District, Corner of Monroe St. and Lambert St., Portion of Blocks 69 and 70

CASE SUMMARY:

The applicant owns the property at the corner of Monroe St. and Lambert St. The property measures 192.60'x258' having a square footage of 49,690 per a survey prepared by Kelly McHugh & Assoc. Inc. and dated 05.19.22. The lot is currently unimproved.

There are multiple copies of the 1993 Official Zoning Map, with one showing the property as zoned B-1 and another showing the property as being zoned R-1. An appraisal report prepared by Deano and Associates and dated September 15, 1997 was submitted by the applicant and has the zoning listed as B-1. A map attached with ordinance 09-29, the rezoning of Sq. 44, has the property zoned as B-1.

The City has no record of the property being rezoned from B-1 to R-1. The latest adopted zoning map Ordinance 21-24 shows that property as R-1.

The applicants are requesting to formally have the property designated as B-1.

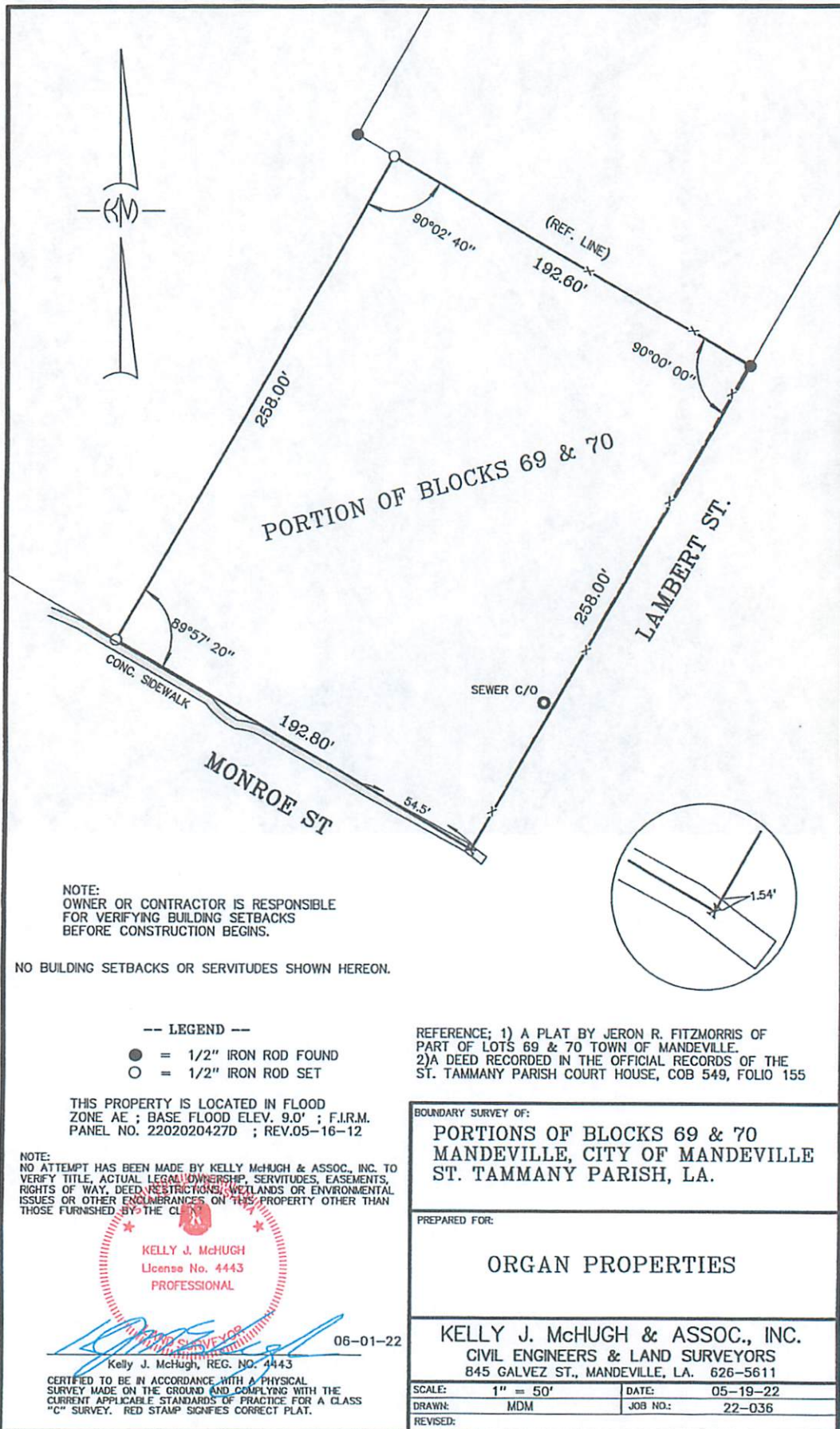
CLURO SECTIONS:

7.5.8. B-1 - Neighborhood Business District

7.5.8.1. Purpose of the B-1 Neighborhood Business District

The purpose of the B-1 neighborhood business district shall be to provide sites for small-scale service and retail establishments to support adjacent residential neighborhoods. This district includes personal service and retail or office establishments, which are 3,000 square feet or less, which conduct all business operations within an enclosed facility, and which do not present any adverse impact on the peace, appearance or value of adjacent residential areas.





NOTE:
OWNER OR CONTRACTOR IS RESPONSIBLE
FOR VERIFYING BUILDING SETBACKS
BEFORE CONSTRUCTION BEGINS.

NO BUILDING SETBACKS OR SERVIDUES SHOWN HEREON.

--- LEGEND ---

- = 1/2" IRON ROD FOUND
- = 1/2" IRON ROD SET

THIS PROPERTY IS LOCATED IN FLOOD
ZONE AE ; BASE FLOOD ELEV. 9.0' ; F.I.R.M.
PANEL NO. 2202020427D ; REV.05-16-12

NOTE:
NO ATTEMPT HAS BEEN MADE BY KELLY McHUGH & ASSOC., INC. TO
VERIFY TITLE, ACTUAL LEGAL OWNERSHIP, SERVIDUES, EASEMENTS,
RIGHTS OF WAY, DEED RESTRICTIONS, WETLANDS OR ENVIRONMENTAL
ISSUES OR OTHER ENCUMBRANCES ON THIS PROPERTY OTHER THAN
THOSE FURNISHED BY THE CLIENT.

KELLY J. McHUGH
 License No. 4443
 PROFESSIONAL
 CIVIL ENGINEER & LAND SURVEYOR
 06-01-22
 Kelly J. McHugh, REG. NO. 4443

CERTIFIED TO BE IN ACCORDANCE WITH A PHYSICAL
SURVEY MADE ON THE GROUND AND COMPLYING WITH THE
CURRENT APPLICABLE STANDARDS OF PRACTICE FOR A CLASS
"C" SURVEY. RED STAMP SIGNIFES CORRECT PLAT.

REFERENCE; 1) A PLAT BY JERON R. FITZMORRIS OF
PART OF LOTS 69 & 70 TOWN OF MANDEVILLE.
2) A DEED RECORDED IN THE OFFICIAL RECORDS OF THE
ST. TAMMANY PARISH COURT HOUSE, COB 549, FOLIO 155

BOUNDARY SURVEY OF:

PORTIONS OF BLOCKS 69 & 70
MANDEVILLE, CITY OF MANDEVILLE
ST. TAMMANY PARISH, LA.

PREPARED FOR:

ORGAN PROPERTIES

KELLY J. McHUGH & ASSOC., INC.
CIVIL ENGINEERS & LAND SURVEYORS
845 GALVEZ ST., MANDEVILLE, LA. 626-5611

SCALE: 1" = 50'	DATE: 05-19-22
DRAWN: MDM	JOB NO.: 22-036
REVISED:	



FONTAINEBLEAU STATE PARK

LAKE PROSPERITY

Official Zoning Map