



**Staff Report**  
**Right of Way Revocation**  
**Case #: ROW-2021-07-00011**

**Attachments:** Staff Report, Application,  
Survey, Proposed Ordinance, Site Photos,  
Aerial Map, Zoning Map

**Zoning Commission Public Hearing:** Thursday, January 6, 2022

**City Council Introduction:** Tuesday, January 25, 2022

**City Council Final:** Tuesday, February 8, 2022

**City Council Request Ordinance:** Introduction for an Ordinance by Adrien & Vanessa Wells & Lillie Scott to revoke a portion of Kansas Street right of way, and resubdivide 2 lots in Block 5 into Lots 14A & 26A, Colonial Place Subdivision, located at 707 and 809 Mooney Ave in accordance with survey by William J. Bodin, PLS; zoned RM-2

**Site Information:**

**Location (Address):** 707 & 809 Mooney Ave

**Council District:** City Council District 3

**Existing Zoning:** RM-2

**Future Land Use:** Low Density Residential

**Existing Land Use:** Right of Way is undeveloped

**Site Description:** Vacant Land

**Adjacent Land Use and Zoning:**

<b><u>Direction:</u></b>	<b><u>Land Use/Zoning:</u></b>
North	RM-2/Single Family Residence
South	RM-2/ Single Family Residence
West	RS-3/ Single Family Residence
East	RM-2/Vacant Land

**Additional Information:** Kansas Street was not developed through to Mooney Ave. There is an existing water servitude going through the property. The city will reserve a 10-foot servitude.

**Commission Recommendation:**

**Motion:** to recommend approval to revoke a portion of Kansas Street right of way, and resubdivide 2 lots in Block 5 into Lots 14A & 26A, Colonial Place Subdivision, located at 707 and 809 Mooney Ave

**For:** Matt Sandifer, Kylan Douglas, Monica Perez, Ron Mathews

**Against:** None

**Abstain:** None

**Absent:** None

**Ordinance to Read:**

WHEREAS on January 6, 2022, the Hammond Zoning Commission held a public hearing and recommended approval of a revoke a portion of Kansas Street right of way, and resubdivide 2 lots in Block 5 into Lots 14A & 26A, Colonial Place Subdivision, located at 707 and 809 Mooney Ave in accordance with survey by William J. Bodin, PLS; zoned RM-2

NOW, THEREFORE BE IT ORDAINED, the Hammond City Council approves a rezoning request by Adrien & Vanessa Wells & Lillie Scott to revoke a portion of Kansas Street right of way, and resubdivide 2 lots in Block 5 into Lots 14A & 26A, Colonial Place Subdivision, located at 707 and 809 Mooney Ave in accordance with survey by William J. Bodin, PLS; zoned RM-2

**RIGHT OF WAY REVOCATION APPLICATION**  
**CITY OF HAMMOND** ROW-2021-07-00011  
**FILING DATE** 12/21/21 **PERMIT#** \_\_\_\_\_

The next Planning Commission Meeting will be held on \_\_\_\_\_, at 5:00pm in the City Council Chambers, 312 E. Charles Street. Application to be submitted to Planning Commission must meet the 21 day deadline for the next meeting.

**ABANDONMENT OF A RIGHT OF WAY INCLUDING SUBDIVISION PLAT**

This request will follow Ordinance#14-5364 Article 2.3.6 Right of Way Revocation

**PARCEL #** \_\_\_\_\_ (Please verify address w/City of Hammond GIS Dept.)

**SITE LOCATION OR LEGAL DESCRIPTION:** \_\_\_\_\_  
Ass# 1486101

Where did you get this address?  Post Office  City Building Dept.  911 Office  Other \_\_\_\_\_

**List all current property owners:**

PROPERTY OWNER: Adrien & Vanessa Walls PHONE: (985) 969-7048

ADDRESS: 811-B Mooney Ave. Hammond LA. 70403  
Street or PO Box City State Zip

**APPLICANT/DEVELOPER:** Adrien M. Walls Sr.  
First Name MI Last Name

**COMPANY NAME:** M+O Const. L.L.C  Owner  Contractor  Other

Applicant Mailing Address: 811-B Mooney Ave Ham LA. 70403  
Street or PO Box City State Zip

Applicant Telephone: (985) 969-7048 Applicant Fax: (985) 402-3245

**PERMIT INFO-Additional** Check if you will be applying for:  SUBDIVISION  REZONING  VARIANCE

# of Acres: \_\_\_\_\_ # of Proposed Lots: \_\_\_\_\_

NAME OF DEVELOPMENT: \_\_\_\_\_

EXISTING ZONING: **MX-N MX-C MX-CBD C-N C-H C-R I-H I I-L**  
**RS-3 RS-5 RM-2 RS-8 RS-11 RM-3 RP RS-11.A S-1 S-2 SC**

CURRENT USE OF LAND: \_\_\_\_\_

INTENDED USE OF LAND:  
 Single Family Residential  Condominium/Townhouse  Multi-Family  Commercial  
 Industrial  Other (explain) \_\_\_\_\_

**SURVEYOR** \_\_\_\_\_ **PHONE** (\_\_\_\_) \_\_\_\_\_

**ATTENTION: APPLICANT**

NOTE: Six (6) copies of the complete plans and specifications and seven (7) additional copies of any property plat containing information pertaining to the attached check list shall be made part and submitted with the application for preliminary review.

**ALL INFORMATION ON THIS APPLICATION MUST BE COMPLETE AND ALL FEES PAID BEFORE THIS APPLICATION WILL BE ACCEPTED ON THE AGENDA FOR THE CITY OF HAMMOND PLANNING & ZONING COMMISSION.**

x <u>[Signature]</u>	<u>12/21/2021</u>
APPLICANT SIGNATURE	DATE
x <u>[Signature]</u>	<u>12/21/2021</u>
OWNER SIGNATURE	DATE
x _____	_____
CITY PLANNER	DATE

\*\*\*\*\* OFFICIAL USE \*\*\*\*\*  
 Fees for Revocation & Subdivision \$300.00 + \$5.00 for Each Lot = TOTAL DUE \$ \_\_\_\_\_

\*\*\*\*\*  
 AMOUNT PAID: \$ 310 CHECK# 1752 PAID CASH  DATE PAID / /

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**ADDITIONAL PROPERTY OWNERS:**

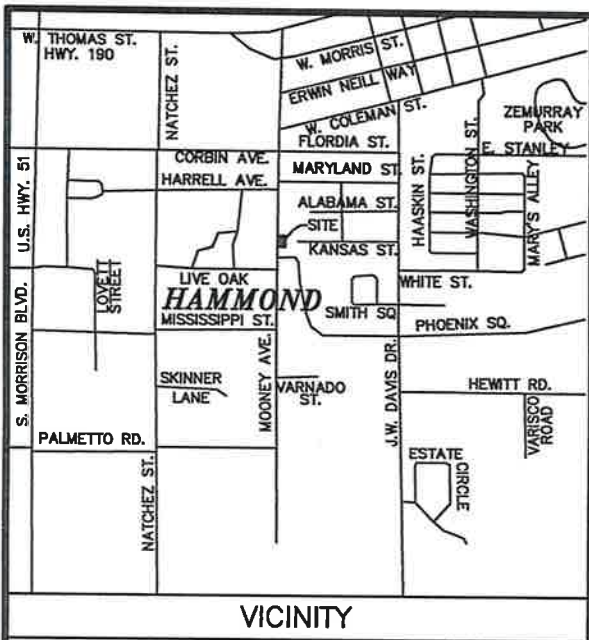
1) PROPERTY OWNER: Hillie Scott PHONE( ) \_\_\_\_\_

ADDRESS: 707 Mooney Ave Hammond LA 70403  
Street or PO Box City State Zip

2) PROPERTY OWNER: \_\_\_\_\_ PHONE( ) \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
Street or PO Box City State Zip

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**REVOCATION OF A PORTION OF KANSAS STREET RIGHT OF WAY, AND RESUBDIVISION OF LOT-14 BLOCK-5 & THE NORTH 83' OF LOT-26 BLOCK-4 COLONIAL PLACE SUBDIVISION INTO LOTS 14-A BLOCK-5 & LOT 26-A BLOCK-4 COLONIAL PLACE SUBDIVISION LOCATED IN BLOCK-4 AND BLOCK 5 OF COLONIAL PLACE SUBDIVISION, SECTION 26, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TANGIPAHOA, STATE OF LOUISIANA.**

**DESCRIPTION OF LOT 26-A**

A 0.099 ACRE PARCEL OF LAND, LOCATED IN SECTION 26, T6S-R7E, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE N.E. CORNER OF LOT-26 OF PHASE 2 OF COLONIAL PLACE SUBD. WHICH POINT IS THE POINT OF BEGINNING;  
 THENCE S 00°31'51" E A DISTANCE OF 82.99 FEET;  
 THENCE S 89°39'43" W A DISTANCE OF 40.87 FEET;  
 THENCE N 00°42'00" E A DISTANCE OF 108.31 FEET;  
 THENCE N 89°39'43" E A DISTANCE OF 38.50 FEET;  
 THENCE S 00°37'46" E A DISTANCE OF 25.31 FEET;  
 BACK TO THE POINT OF BEGINNING CONTAINING 4,299.385 S.F., 0.099 ACRES, ALL LOCATED IN SECTION 26, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TANGIPAHOA, STATE OF LOUISIANA. THIS DESCRIPTION IS BASED ON THE BOUNDARY SURVEY AND PLAT MADE BY MAX J. BODIN, PROFESSIONAL LAND SURVEYOR, DATED 5-5-2021.

**REVISION**  
 REVISED 9-30-21  
 TO LOCATED WATER LINE

*Max J. Bodin Jr.*

**APPROVAL OF RESUBDIVISION**

PLANNING COMMISSION	DATE
CITY COUNCIL PRESIDENT	DATE
BUILDING OFFICAL CITY PLANNER	DATE

**OWNERS SIGNATURE**

ADRIEN M. WELLS	DATE
VENESSA K. WELLS	DATE
LILLIE D. SCOTT	DATE

**RECORDING INFORMATION**

BOOK	PAGE
RECORDED BY:	DATE

**ORDINANCE #**

ZONING LOT 14-A RM-2  
 LOT 26-A RS-3

**REFERENCE PLAT #1**  
 PLAT OF LOT-26 BLOCK-4 OF COLONIAL PLACE SUBD. BY CLIFFORD G. WEBB DATED 2-8-1964

**REFERENCE PLAT #3**  
 PLAT OF COLONIAL PLACE SUBD. BY C.M. MOORE DATED 6-17-1911

**REFERENCE PLAT #2**  
 PLAT OF 10 ACRES BY C.M. MOORE DATED 12-14-1971

**REFERENCE BEARING**  
 N 00°42'00" E AS PER REFERENCE PLAT #2

**LEGEND:**  
 ● = 1" IRON PIPE SET  
 ⊙ = FOUND CORNER

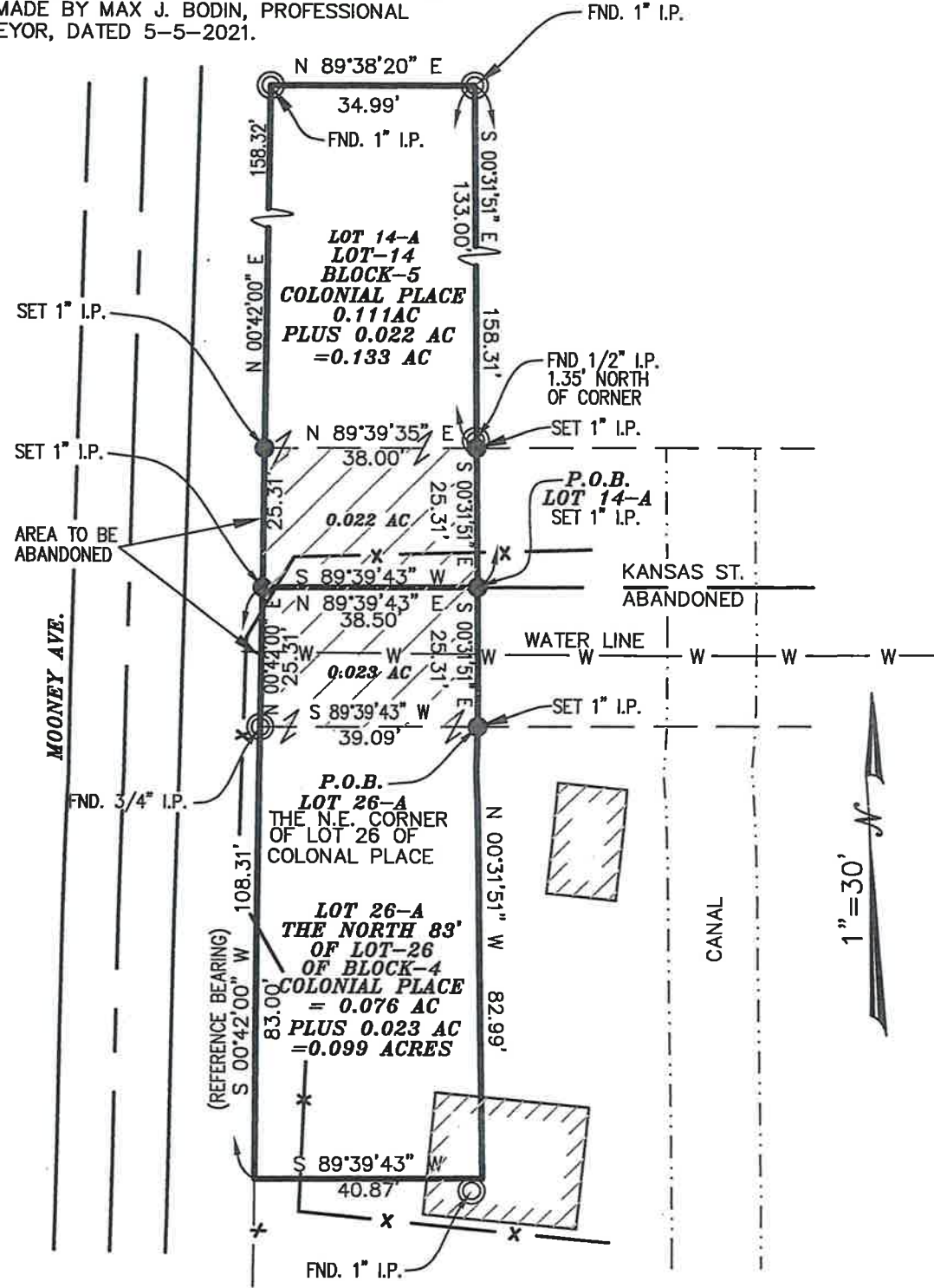
THIS SURVEY WAS PERFORMED BY MYSELF OR UNDER MY DIRECT SUPERVISION AND CONTROL AND REPRESENTS AN ACTUAL GROUND SURVEY OF A 0.099 & 0.140 ACRE PARCEL OF LAND CERTIFYING THAT NO ENCROACHMENTS WERE FOUND TO EXIST EITHER WAY ACROSS ANY PROPERTY LINES OTHER THAN SHOWN, ALL LOCATED IN SECTION 26, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TANGIPAHOA, STATE OF LOUISIANA.

**MAY 5, 2021**

**CERTIFICATION:** THIS IS TO CERTIFY THAT THIS MAP IS MADE IN ACCORDANCE WITH LOUISIANA REVISED STATUTES 33:5051 AND CONFORMS TO ALL PARISH ORDINANCES GOVERNING THE SUBDIVISION OF LAND. THIS MAP IS MADE IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS AND IS CLASSIFIED AS A CLASS "C" SURVEY.

THIS PERIMETER 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 A LEGAL TITLE AND WAS MADE SOLELY ACCORDING TO INFORMATION PROVIDED TO THE SURVEYOR. MADE AT THE REQUEST OF ADRIEN WELLS.

**SURVEY FOR:**  
**ADRIEN WELLS**  
 MOONEY AVE.  
 HAMMOND, LOUISIANA



**DESCRIPTION OF LOT 14-A**

A 0.133 ACRE PARCEL OF LAND, LOCATED IN SECTION 26, T6S-R7E, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE N.E. CORNER OF LOT-26 OF PHASE 2 OF COLONIAL PLACE SUBD. THENCE PROCEED 25.31' N 00°31'51" E, TO POINT THE POINT OF BEGINNING;  
 THENCE S 89°39'43" W A DISTANCE OF 38.50 FEET;  
 THENCE N 00°42'00" E A DISTANCE OF 108.32 FEET;  
 THENCE N 89°38'20" E A DISTANCE OF 34.99 FEET;  
 THENCE S 00°31'51" E A DISTANCE OF 133.00 FEET;  
 BACK TO THE POINT OF BEGINNING CONTAINING 5,820.324 S.F., 0.133 ACRES, ALL LOCATED IN SECTION 26, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TANGIPAHOA, STATE OF LOUISIANA. THIS DESCRIPTION IS BASED ON THE BOUNDARY SURVEY AND PLAT MADE BY MAX J. BODIN, PROFESSIONAL LAND SURVEYOR, DATED 5-5-2021.



*Max J. Bodin Jr.*  
**BODIN & WEBB INC.**  
 ENGINEERS & SURVEYORS  
 1024 S. CYPRESS STREET  
 HAMMOND, LA. 70403  
 PROFESSIONAL LAND SURVEYOR  
 MAX J. BODIN  
 LICENSE NUMBER 5237

*10/14/21*  
 DATE

**FLOOD ZONE "A"**  
 (FLOOD PRONE)  
 COMMUNITY NO. 220208  
 MAP NO. 22105C0430F  
 DATED: 7-22-2010  
 PH # (985)345-3947 FAX # (985)345-0213

**CITY OF HAMMOND ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE TO ABANDON A PORTION OF KANSAS STREET WITH  
RESERVATION OF UTILITY SERVITUDE**

WHEREAS, Kansas Street has been dedicated to the City of Hammond as shown on the official maps of the City; and

WHEREAS, Kansas Street is intersected by a large drainage canal and is not continuous; and

WHEREAS, a portion of Kansas Street to the west of the drainage canal and at its intersection with Mooney Avenue is no longer need for a public purpose; and

WHEREAS, the City has underground utilities located beneath the surface of Kansas Street in the area to be abandoned; and

WHEREAS, the public interest is not impaired by the abandonment of a portion of Kansas Street in the location shown on the survey of Bodin & Webb, dated \_\_\_\_\_, 2021, subject to a reservation by the City of a servitude for underground utilities.

THEREFORE, BE IT ORDAINED by the Hammond City Council as follows:

That in accordance with Louisiana Revised Statute 48:701 and such other laws as may be applicable, that the dedication in favor of the City of Hammond of a portion of Kansas Street comprising .022 acres and .023 acres as shown on the survey of Bodin & Webb, dated \_\_\_\_\_, 2021 is hereby revoked and set aside and upon the final adoption of this ordinance all of the soil covered by and embraced in this portion of Kansas Street up to the center line thereof, shall revert to the then present owner or owners of the land contiguous thereto as shown in the public records of Tangipahoa Parish.

That this revocation of servitude be and is without any warranty of title to the property, but it is in the nature of a quitclaim deed pursuant to the provisions of Louisiana law. Upon passage of this Ordinance, the Mayor is authorized and directed to sign a document of revocation as set forth herein.

That the City of Hammond reserves the right to access all underground utility improvements, including but not limited to water and sewer improvements, situated within the abandoned portion of Kansas Street described above.

This Ordinance shall take effect immediately upon the signature of the Mayor.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on \_\_\_\_\_, 2021 of the Hammond City Council and discussed at a public meeting held on \_\_\_\_\_, 2021; after motion of \_\_\_\_\_ and second by \_\_\_\_\_ was submitted to the official vote of the Hammond City Council by the following roll call vote:

**Votes:** Kip Andrews ( ) Carlee White Gonzales ( ) Devon Wells ( ) Sam DiVittorio ( ) Steve Leon ( )

\_\_\_\_\_  
Kip Andrews  
President, Hammond City Council

\_\_\_\_\_  
Honorable Pete Panepinto  
Mayor, City of Hammond

\_\_\_\_\_  
Lisa Cockerham  
Clerk, Hammond City Council

809 Mooney Ave. ROW



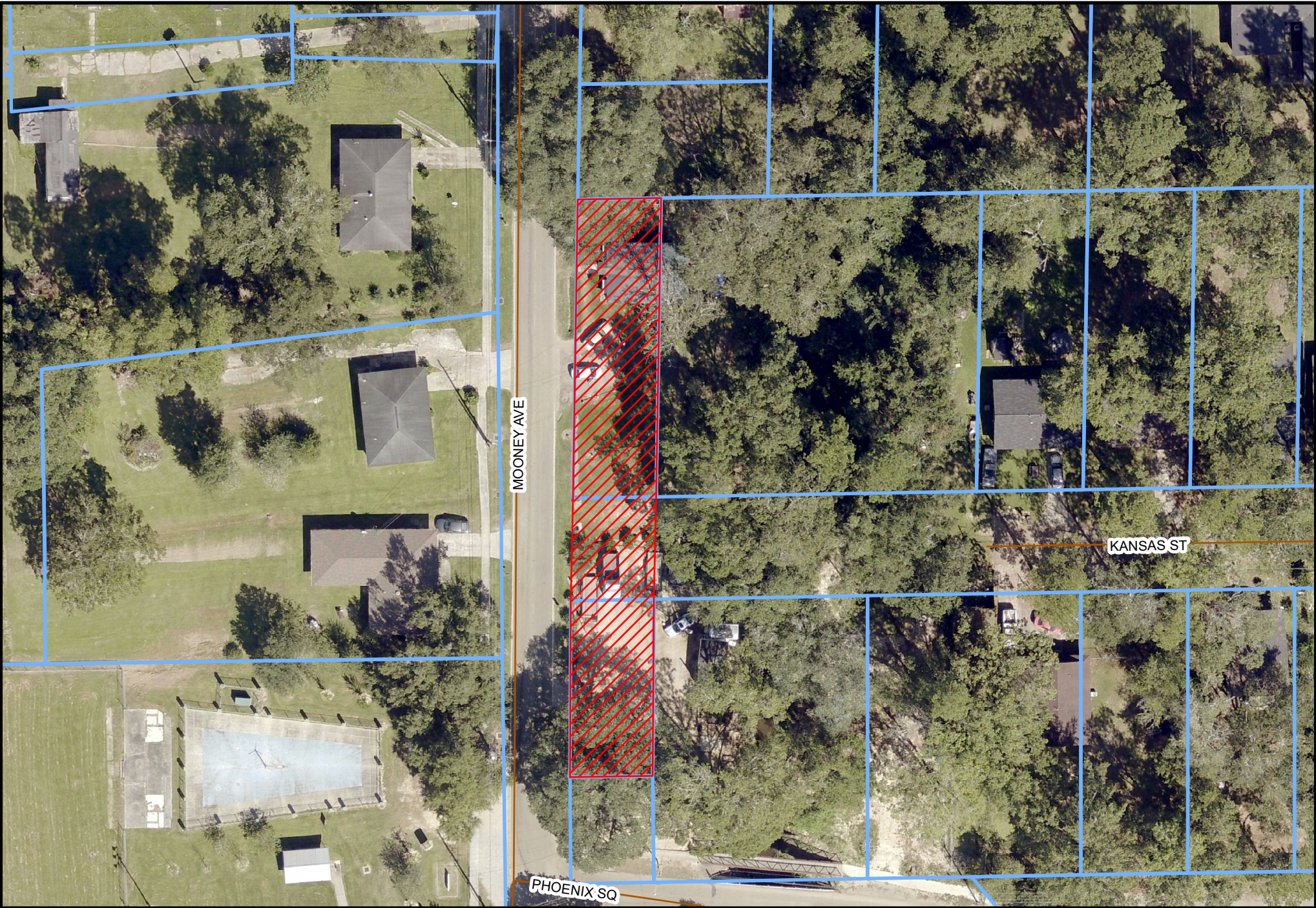
707 Mooney Ave.



Kansas St ROW to be divided







MOONEY AVE


KANSAS ST

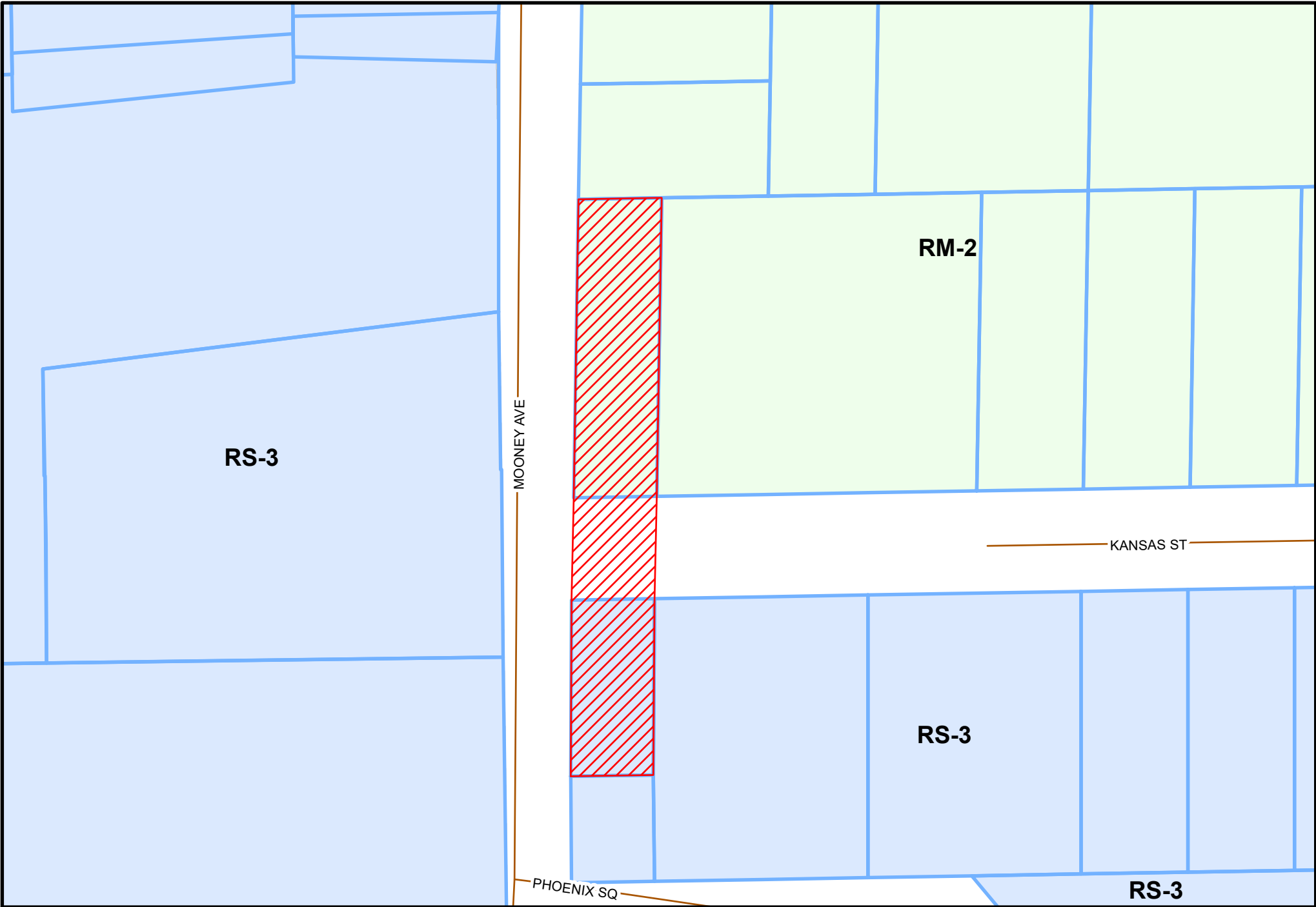
PHOENIX SQ

707 and 809 Mooney Ave.



**Legend**

 Case Parcel



707 and 809 Mooney Ave.



**Legend**

 Case Parcel