



Staff Report
Rezoning
Case #: Z-2022-04-00107

Attachments: Staff Report, Application, Survey, Site Photos, Future Land Use Map, UDC MX-N, Aerial Map, Zoning Map

Zoning Commission Public Hearing: Thursday, August 11, 2022

City Council Introduction: Tuesday, August 23, 2022

City Council Final: Tuesday, September 13, 2022

City Council Request (Ordinance): Introduction to an Ordinance to approve a rezoning request by Meshach F. Samuel (owner) to rezone a 0.313 acres of land from RS-3 to MX-N, located at 1102 N Cherry St. per survey by William J Bodin, PLS dated 2/8/2022; Zoned RS-3 (Z-2022-04-00107)

Site Information:

Location (Address): 1102 N. Cherry St.

Council District: City Council District 1

Existing Zoning: RS-3; Vacant Lot

Future Land Use: High Density Residential

Existing Land Use: Vacant lot, there is an existing slab

Site Description: This site is located on the eastern side of N Cherry St approximately 1,000 feet south of the intersection of N Cherry St and E Crystal St.

Adjacent Land Use and Zoning:

<u>Direction:</u>	<u>Land Use/Zoning:</u>
North	Residential Single Family House; RS-3
South	Vacant; RS-3
West	Vacant; RS-11.A
East	Residential Single Family House; RS-3

Additional Information: The owner would like to use the property for a car lot. This request goes against the Future Land Use Map.

Public Hearing

For: Meshach F. Samuel (owner)

Against: NONE

Commission Recommendation:

Motion By: Matt Sandifer recommended approval of an Expanded Conditional Use with the following conditions;

1. The approval shall be with the understanding that such use is a personal right that expires upon a change in occupancy or ownership of Meshach Samuel,
2. Limited to 10 vehicles for sale at a time

3. No mechanic work done on premises
4. Vehicles are to be stored behind a fence
5. The fence is to be four sided with screening
6. Meshach Samuel must obtain state sales license
7. Building and Parking must comply with ADA regulations

Seconded By: Monica Perez

Vote:

For: Matt Sandifer, Kylan Douglas, Monica Perez, Ron Matthews

Against: Trey St. Romain

Ordinance to Read:

WHEREAS, on August 11, 2022 the Hammond Zoning Commission held a public hearing and recommended approval of an Expanded Conditional Use in favor of Meshach F. Samuel (owner) to allow a car lot on 0.313 acres of land, located at 1102 N Cherry St. per survey by William J Bodin, PLS dated 2/8/2022, Zoned RS-3 with the following conditions;

1. The approval shall be with the understanding that such use is a personal right that expires upon a change in occupancy or ownership of Meshach Samuel,
2. Limited to 10 vehicles for sale at a time
3. No mechanic work done on premises
4. Vehicles are to be stored behind a fence
5. The fence is to be four sided with screening
6. Meshach Samuel must obtain state sales license
7. Building and Parking must comply with ADA regulations

NOW, THEREFORE, BE IT ORDAINED, the City Council of Hammond, hereby approves an Expanded Conditional Use in favor of Meshach F. Samuel (owner) to allow a car lot on 0.313 acres of land located at 1102 N Cherry St. per survey by William J Bodin, PLS dated 2/8/2022, Zoned RS-3, with the following conditions;

1. The approval shall be with the understanding that such use is a personal right that expires upon a change in occupancy or ownership of Meshach Samuel,
2. Limited to 10 vehicles for sale at a time
3. No mechanic work done on premises
4. Vehicles are to be stored behind a fence
5. The fence is to be four sided with screening
6. Meshach Samuel must obtain state sales license
7. Building and Parking must comply with ADA regulations

APPLICATION FOR REZONING, CONDITIONAL USE, OR INITIAL ZONING

CITY OF HAMMOND

219 E. ROBERT ST, HAMMOND, LA 70401 / PHONE: (985) 277-5649 – FAX: (985) 277-5638

FILING DATE: 4/18/22

PERMIT# 22022-04-00107

The next Zoning Commission Meeting will be held on June 2, 2022, at 5:00pm in the City Council Chambers, 312 E. Charles Street. Application to be submitted to the Planning Department according to the deadline schedule.

This Application for: ☒ **REZONING** ☐ **CONDITIONAL USE**: ☐ **EXPANDED --OR--** ☐ **RESTRICTED**
☐ **INITIAL ZONING/ANNEXATION**

REZONING FEE: ☒ **Single Lot \$120.00** ☐ **Block or Area \$250.00** (Fees are not refundable based on decisions)
 Fifty percent (50%) of fee is refundable if application is withdrawn before first newspaper notice is filed.

PARCEL#

SITE ADDRESS: 1102 N. Cherry St
STREET # & STREET NAME

Legal Description or Survey _____

PROPERTY OWNER NAME: Meshach F Samuel
First Name MI Last Name

Owner Address: 14441 W. David Dr. Hammond La. 70401
Street Name/Street Number City State Zip
 Telephone: () or Cell #: (985) 956-1817

PLEASE READ AND SIGN BELOW

APPLICANT NAME: Meshach F Samuel
First Name MI Last Name

COMPANY NAME: Jack Auto Sales LLC ☒ Owner ☐ Other

Applicant Mailing Address: 14441 W. David Dr. Hammond La. 70401
Street Name/Street Number City State Zip

Applicant Telephone: () or Cell #: (985) 956-1817

PERMIT INFO-ADDITIONAL INFO

PRESENT 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

REQUESTED 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

REASON FOR REZONING: _____

SPOT ZONING NOTE: Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect or furthering the comprehensive zoning plan. Spot zoning is discouraged in Hammond

I/We being the legal owner(s) request zoning of my property from a RS-3 District to a CN District. I/We fully understand and agree to abide by the zoning restrictions for a CN District. I am including with this application a copy of any covenants or restrictions and deeds governing this property.

If there is more than one owner or a corporation is the owner of the property, each owner or authorized agent of the corporation must sign. If conditional zoning, submit in writing an explanation for this request on separate sheet. If you are applying for an area or block zoning furnish a map of area or block and a petition signed by at least 50% of the property owners in the area (including their addresses).

ALL INFORMATION ON THIS APPLICATION MUST BE COMPLETE, ALL FEES PAID, AND ALL REQUIRED DOCUMENTS RECEIVED BEFORE THIS APPLICATION WILL BE ACCEPTED ON THE AGENDA FOR THE CITY OF HAMMOND ZONING COMMISSION.

X [Signature]
 APPLICANT SIGNATURE

4.18.22
 DATE

X [Signature]
 OWNER(S) SIGNATURE

4.18.22
 DATE

X [Signature]
 CITY PLANNER

4-18-22
 DATE

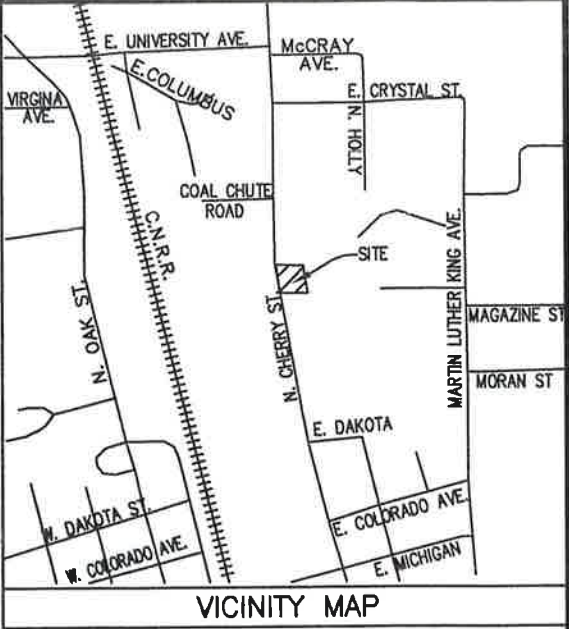
***** FOR OFFICIAL USE *****
 AMOUNT PAID \$ 120 CHECK# CASH ☒ DATE PAID 4/18/22

jackauto@att.net

DESCRIPTION OF THE 0.313 ACRES

A 0.313 ACRE PARCEL OF LAND, LOCATED IN SECTION 24, T6S-R7E, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE N.E. CORNER OF THE N.W. 1/4 OF SECTION 24, T6S-R7E, THENCE PROCEED 133.34' SOUTH AND 1134.24' WEST, TO THE POINT OF BEGINNING; THENCE S 89°38'00" W A DISTANCE OF 119.59 FEET; THENCE N 07°15'04" W A DISTANCE OF 119.59 FEET; THENCE S 88°04'19" E A DISTANCE OF 115.58 FEET; THENCE S 09°32'45" E A DISTANCE OF 115.58 FEET; BACK TO THE POINT OF BEGINNING CONTAINING 13,645.214 S.F., 0.313 ACRES, ALL LOCATED IN SECTION 24, T6S-R7E, GREENSBURG LAND DISTRICT, PARISH OF TANGIPAHOA, STATE OF LOUISIANA. THIS DESCRIPTION IS BASED ON THE BOUNDARY SURVEY AND PLAT MADE BY WILLIAM J. BODIN, JR. PROFESSIONAL LAND SURVEYOR, DATED 1-28-2022.

0.313 ACRES LOCATED IN SECTION 24, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TANGIPAHOA, STATE OF LOUISIANA.



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

REFERENCE PLAT
PLAT OF DI VENCENTI PROPERTY
BY ROBERT G. BARRILLEAUX
DATED 6-15-1983

REFERENCE BEARING
N 89°38'00" E AS PER
REFERENCE PLAT

THIS SURVEY WAS PERFORMED BY MYSELF OR UNDER MY DIRECT SUPERVISION AND CONTROL AND REPRESENTS AN ACTUAL GROUND SURVEY OF A 0.313 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 24, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TANGIPAHOA, STATE OF LOUISIANA.

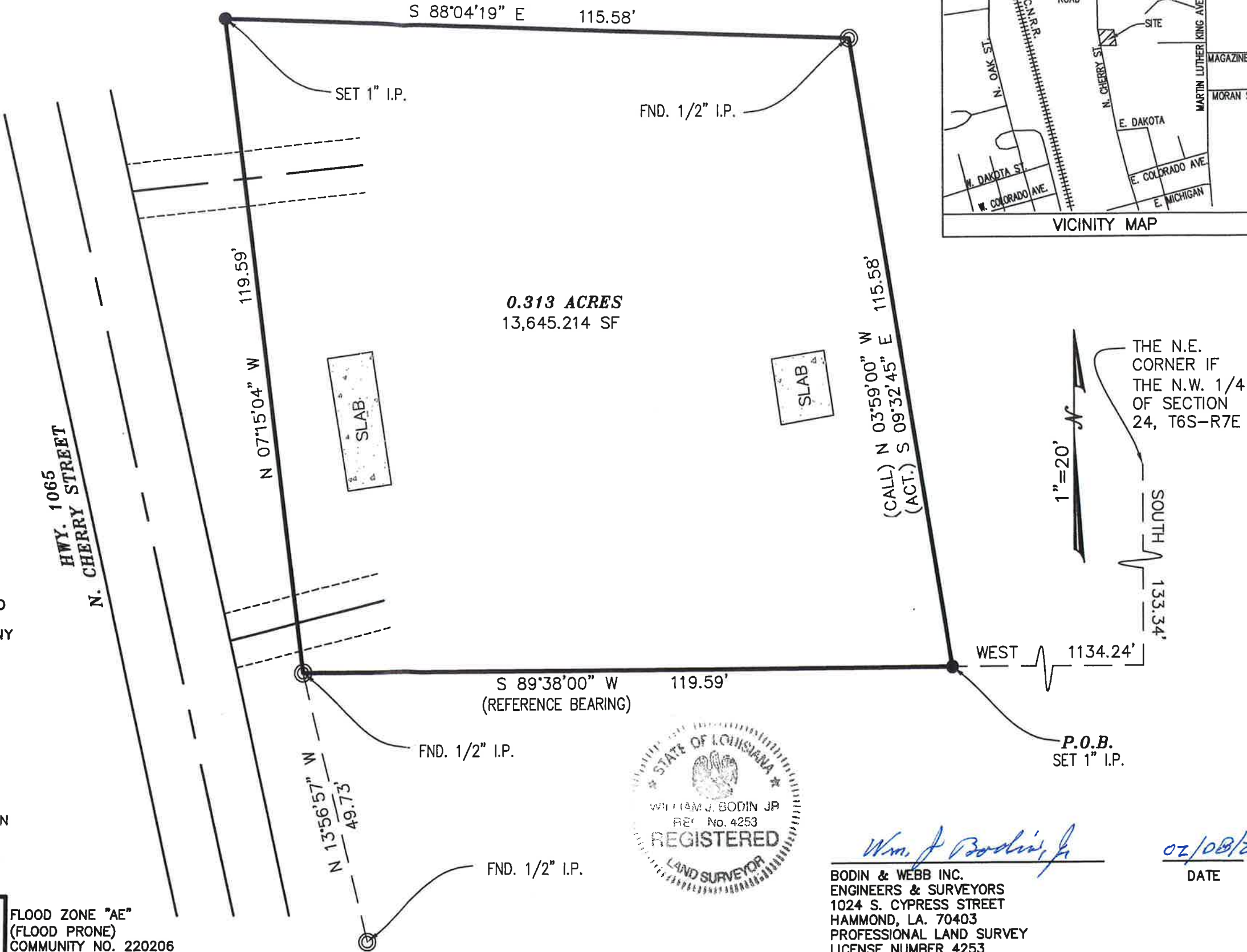
JANUARY 28, 2022

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 MESHACH SAMUEL.

SURVEY FOR:
MESHACH SAMUEL
1102 N. CHERRY STREET
HAMMOND, LOUISIANA

FLOOD ZONE "AE"
(FLOOD PRONE)
COMMUNITY NO. 220206
MAP NO. 22105C0340F
DATED: 7-22-2010



Wm. J. Bodin, Jr.

BODIN & WEBB INC.
ENGINEERS & SURVEYORS
1024 S. CYPRESS STREET
HAMMOND, LA. 70403
PROFESSIONAL LAND SURVEY
LICENSE NUMBER 4253
PH # (985)345-3947 FAX # (985)345-0213

02/08/22
DATE

1102 N. Cherry St. Z-2022-04-00107

Street View facing North



Back of property facing West



Facing North

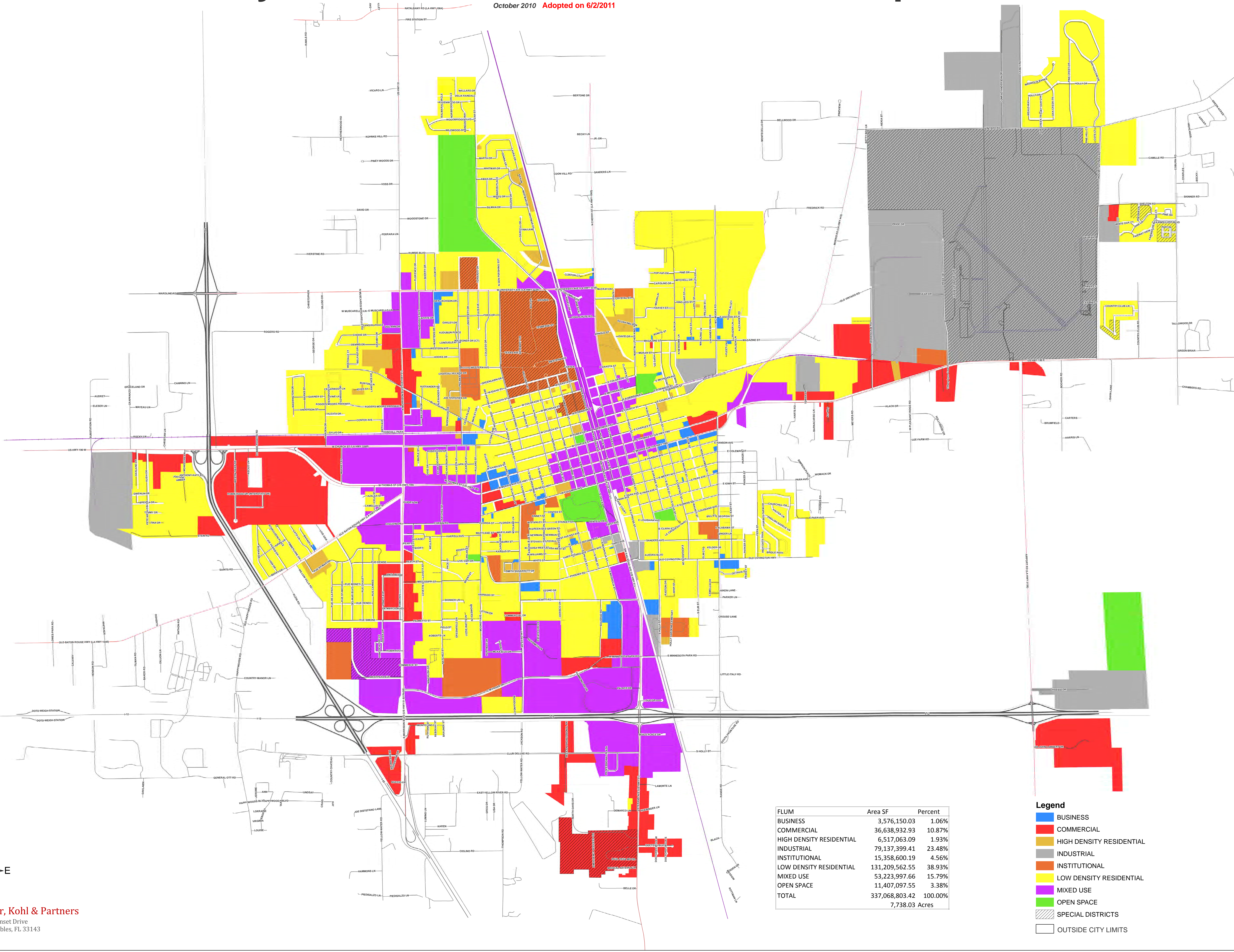


From Cherry St facing East



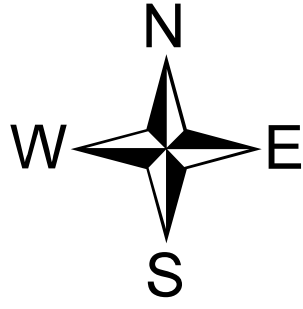
City of Hammond Future Land Use Map

October 2010 Adopted on 6/2/2011



FLUM	Area SF	Percent
BUSINESS	3,576,150.03	1.06%
COMMERCIAL	36,638,932.93	10.87%
HIGH DENSITY RESIDENTIAL	6,517,063.09	1.93%
INDUSTRIAL	79,137,399.41	23.48%
INSTITUTIONAL	15,358,600.19	4.56%
LOW DENSITY RESIDENTIAL	131,209,562.55	38.93%
MIXED USE	53,223,997.66	15.79%
OPEN SPACE	11,407,097.55	3.38%
TOTAL	337,068,803.42	100.00%
	7,738.03 Acres	

- Legend**
- BUSINESS
 - COMMERCIAL
 - HIGH DENSITY RESIDENTIAL
 - INDUSTRIAL
 - INSTITUTIONAL
 - LOW DENSITY RESIDENTIAL
 - MIXED USE
 - OPEN SPACE
 - SPECIAL DISTRICTS
 - OUTSIDE CITY LIMITS



Dover, Kohl & Partners
1571 Sunset Drive
Coral Gables, FL 33143

18. Publishing establishment, printing plant
19. Art studio/gallery
20. Convenience store without gas
21. Dry Cleaning
22. Taxi stand limited to five taxis
23. Wholesale business included within a building – not including warehouse
24. Reception/Banquet Hall
25. Cemeteries and/or Memorial Gardens

B. Accessory Uses

1. Home Occupations
2. Private Garages
3. Tennis court, swimming pools, garden houses, tool sheds, pergolas, barbecue ovens and similar uses customary accessory to residential uses
4. Accessory Places of Worship Uses that are not considered a nuisance to the neighborhood.
5. Raising and keeping of domestic animals but not on a commercial basis or on a scale objectionable to neighboring property owners.
6. Gardens for noncommercial uses
7. Incidental storage not to exceed 40% of the floor area
8. Sale of alcohol in conjunction with a full-service restaurant

C. Conditional Uses

1. Day Care Facility
2. Home occupations
3. Commercial Parking
4. Off street parking facility
5. Social services
6. Convenience store with gas
7. All vehicle sales and rentals
8. All water-oriented sales and services
9. Minor utilities

B. MX-N Neighborhood Mixed Use

The MX-N District is intended to provide appropriate areas for new and existing development that incorporates both small-scale residential and office uses within close proximity to one another and adjacent neighborhoods. The district is also intended to provide for live/work opportunities where people can live and work in the same physical space. The district can also be used as a transition between arterials or more intense commercial areas and established residential neighborhoods. Neighborhood Mixed Use is intended to provide for a variety of residential, retail, service and commercial uses all within walking distance of residential neighborhoods.

A. Allowed Uses

1. Detached Living (Single-Family Dwelling)
2. Modular without chassis
3. Attached House
4. Row Houses
5. Apartments (multi-family dwelling)
6. Group living
7. Social Services
8. Civic Uses
9. Parks and open space
10. Minor utilities
11. Day Care

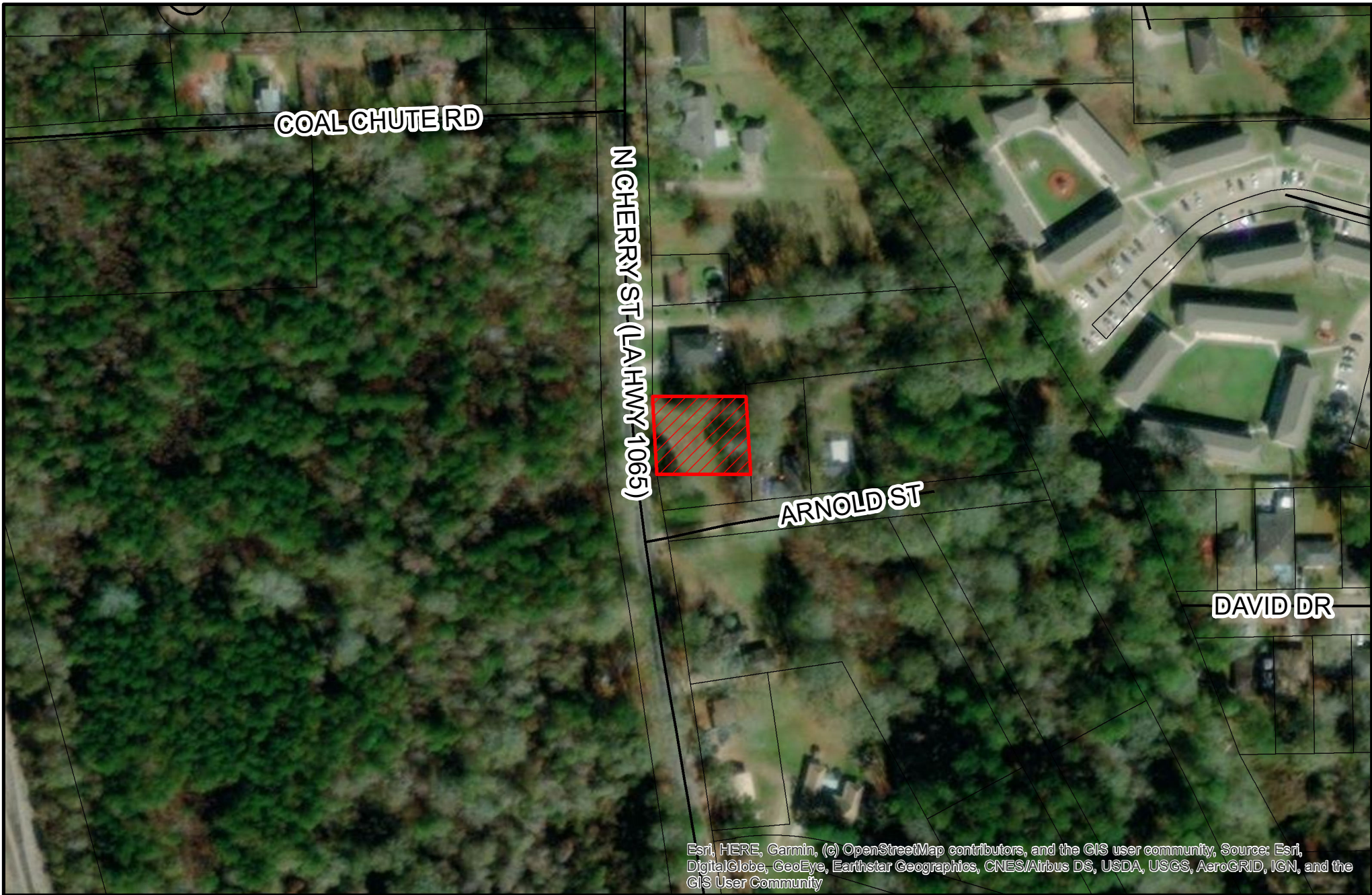
- 12. Country Club
- 13. All indoor recreation except sexually oriented business
- 14. All medical
- 15. All office
- 16. Overnight lodging
 - a. Bed and Breakfast
- 17. Services
 - a. All personal services
 - b. Tanning bed facilities
 - c. Barber and beauty shops
 - d. Florists
 - e. Mortuary
 - f. Real Estate office
 - g. Banks, financial institutions
 - h. Dry Cleaning
- 18. Animal Care
 - a. Animal hospital with side and rear yards of at least 20 feet each. The rear yard shall be at least 40 feet where there is adjacent residential zoning.
- 19. All restaurant
- 20. All retail sales
- 21. Art Studio/gallery, no including tattoo parlors
- 22. Convenience store without gas
- 23. Convenience store with gas
- 24. All vehicle sales and services
- 25. All water oriented sales and services
- 26. All research and development
- 27. All vehicle services
- 28. Off street parking
- 29. Reception/Banquet Hall
- 30. Cemeteries and/or Memorial Gardens
- B. Conditional Uses
 - 1. Tattoo parlor
 - 2. Major utilities
 - 3. Commercial parking lots and garages
 - 4. All outdoor recreation
 - 5. Sweet Shop
- C. Accessory Uses
 - 1. Gardens for non-commercial purposes
 - 2. Storage garages and parking lots for use solely by occupants and guests of the premises.
 - 3. Tennis courts, swimming pools
 - 4. Radio and television towers incidental to a permitted use
 - 5. Incidental storage not to exceed 40 percent of the floor area
 - 6. Home occupations

C. MX-C Commercial Mixed Use

MX-C is intended to provide for a variety of residential, retail, service, and commercial uses. While MX-C accommodates commercial uses, the inclusion of residential and employment uses are strongly encouraged in order to promote live-work and mixed use opportunities.

B. Allowed Uses

- 1. Detached Living (Single-Family Dwelling)
- 2. Attached House



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

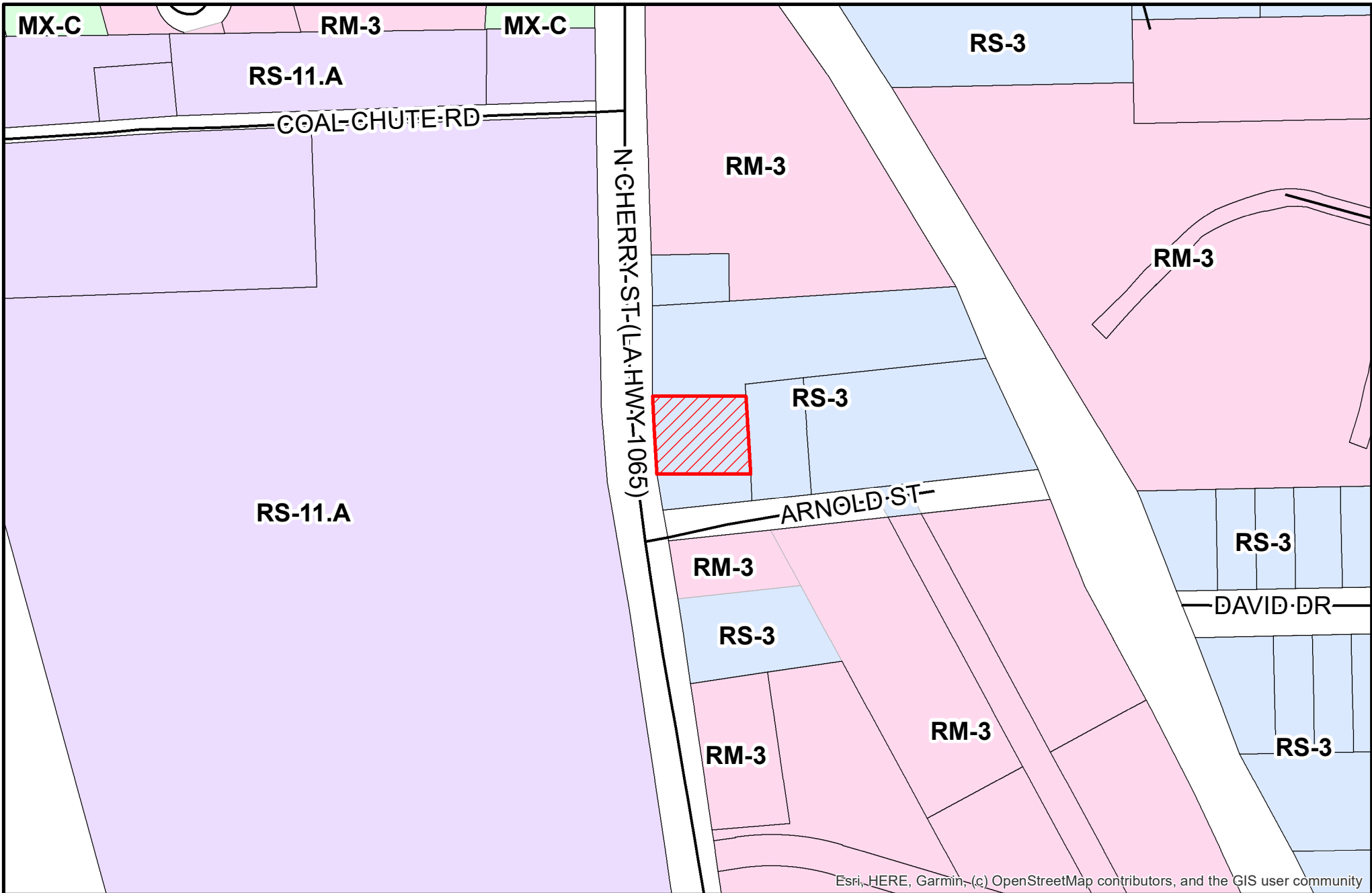


Z-2022-04-00107
Meshach F. Samuel

0 40 80 160 Feet
|-----|

Legend

 Case Parcel



Z-2022-04-00107
Meshach F. Samuel

0 40 80 160 Feet
[Scale bar]

Legend

 Case Parcel