



Staff Report
Expanded Conditional Use
Case #: Z-2022-10-00114

Attachments: Staff Report, Application, Survey, Site Photos, Email, Aerial Map, Zoning Map

Zoning Commission Public Hearing: Thursday, November 10, 2022

City Council Introduction: Tuesday, November 15, 2022

City Council Final: Tuesday, December 13, 2022

City Council Request (Ordinance): Introduction of an ordinance to approve a request by Eric Long (owner) for Ariel McGowan, his daughter, to allow for a mobile home located at 1400 Apple Street per survey by Richmond Krebs, PLS, dated 6/3/19; Zoned RS-3 (Z-2022-10-00114) with the following conditions:

1. This is a personal right and expires upon a change in ownership of the property from the person originally granted the conditional use;
2. It meets all the requirements in the Unified Development Code Article 3, Section 3.4; and
3. The survey submitted is signed and recorded for the official lot of record.

Site Information:

Location (Address): 1400 Apple Street

Council District: City Council District 1

Existing Zoning: RS-3

Future Land Use: Low Density Residential

Existing Land Use: Vacant

Site Description: This vacant site has been recently cleared. The owner has purchased two lots that will need to be combined for the placement of the mobile home such that the front door faces Apple Street. Once combined, the total frontage along Apple Street is 130 feet.

Adjacent Land Use and Zoning:

<u>Direction:</u>	<u>Land Use/Zoning:</u>
North	Single-family home, RS-3
South	Single-family home, RS-3
West	Vacant, RS-3
East	Vacant, RS-3, Proposed Mobile Home Area

Additional Information: This site's eastern boundary is located adjacent to a Proposed Mobile Home Area with several Expanded Conditional Uses for Mobile Homes in the district that are not in Proposed Mobile Home Areas (814 Hoover, 1104 Harvey, 504 E Michigan). All Mobile Home requirements in UDC Section #3.4 must be met. This site is in flood zone AE and will require an elevation certificate.

Public Hearing:

For: Eric Long (owner) – during the public hearing, it was learned that Mr. Long is applying for his daughter, Ariel McGowan, to be able to live in the mobile home. Shawanda Long also spoke in favor.

Against: Paula Perez email on behalf of adjacent property owner, Reginald Reed, Jr. (1314 Apple). Email was read and is part of the record.

Commission Recommendation:

Motion by: Kylan Douglas to recommend approval of an Expanded Conditional Use request by Eric Long (owner) for Ariel McGowan, his daughter, to allow for a mobile home located at 1400 Apple Street per survey by Richmond Krebs, PLS, dated 6/3/19; Zoned RS-3 (Z-2022-10-00114) with the following conditions:

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3. The survey submitted is signed and recorded for the official lot of record.

Seconded by: Ron Matthews

For: Matt Sandifer, Kylan Douglas, Monica Perez, Ron Matthews, Trey St. Romain

Against: None

Abstain: None

Absent: None

Ordinance to Read:

WHEREAS, on November 10, 2022, the Hammond Zoning Commission held a public hearing and recommended approval of an Expanded Conditional Use request by Eric Long (owner) for Ariel McGowan, his daughter, to allow for a mobile home located at 1400 Apple Street per survey by Richmond Krebs, PLS, dated 6/3/19; Zoned RS-3 (Z-2022-10-00114) with the following conditions:

4. This is a personal right and expires upon a change in ownership of the property from the person originally granted the conditional use;
5. It meets all the requirements in the Unified Development Code Article 3, Section 3.4; and
6. The survey submitted is signed and recorded for the official lot of record.

NOW, THEREFORE, BE IT ORDAINED, the City Council of Hammond, hereby approves an Expanded Conditional Use request by Eric Long (owner) for Ariel McGowan, his daughter, to allow for a mobile home located at 1400 Apple Street per survey by Richmond Krebs, PLS, dated 6/3/19; Zoned RS-3 (Z-2022-10-00114) with the following conditions:

1. This is a personal right and expires upon a change in ownership of the property from the person originally granted the conditional use;
2. It meets all the requirements in the Unified Development Code Article 3, Section 3.4; and
3. The survey submitted is signed and recorded for the official lot of record.

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: ___/___/___ PERMIT# _____

The next Zoning Commission Meeting will be held on _____, 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 *ECU FOR MOBILE HOME*

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: 1400 APPLE ST Hammond, LA 70401
STREET # & STREET NAME
Legal Description or Survey _____

PROPERTY OWNER NAME: Eric D Long Sr.
First Name MI Last Name
Owner Address: 1400 APPLE ST Hammond LA 70401
Street Name/Street Number City State Zip
Telephone: () _____ or Cell #: (985) 502-3138

PLEASE READ AND SIGN BELOW

APPLICANT NAME: Eric D Long Sr.
First Name MI Last Name
COMPANY NAME: _____ Owner Other
Applicant Mailing Address: _____
Street Name/Street Number City State Zip
Applicant Telephone: () _____ or Cell #: (985) 502-3138

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: mobile home
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 _____ District to a _____ District. I/We fully understand and agree to abide by the zoning restrictions for a _____ 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).

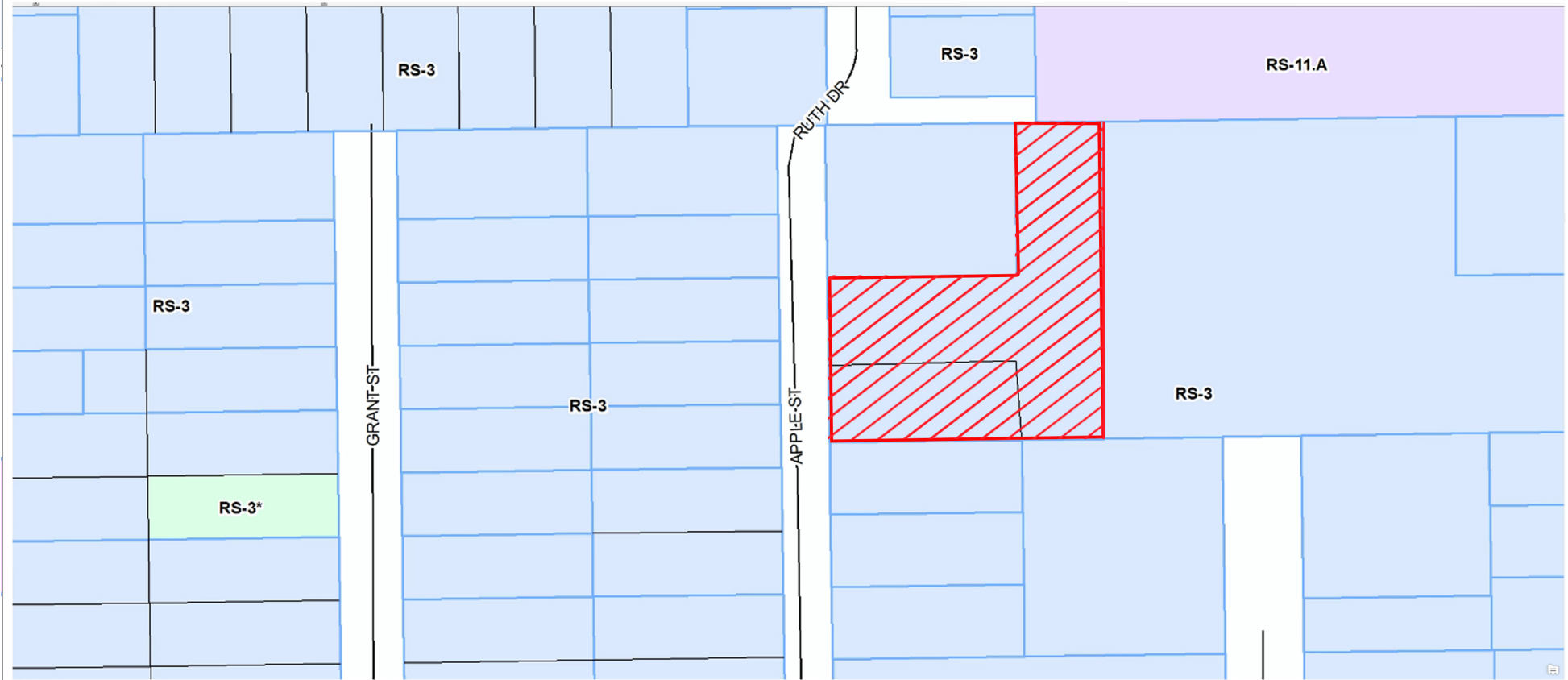
ALL INFORMATION ON THIS APPLICATION MUST BE COMPLETE, ALL FEES PAID, AND ALL REQUIRED DOCUMENTS RECEIVED BEFORE THIS APPLICATION WILL BE ACCEPTED ON THE AGENDA FOR THE CITY OF HAMMOND ZONING COMMISSION.

X E Long Sr. 9/26/2022
APPLICANT SIGNATURE DATE
X E Long Sr. 9/26/2022
OWNER(S) SIGNATURE DATE
X _____
CITY PLANNER DATE

***** FOR OFFICIAL USE *****
AMOUNT PAID \$ 120.00 CHECK# _____ CASH DATE PAID / /



 Proposed Mobile Home Area



1400 APPLE



Legend
 Case Parcel



Lacy Landrum <landrum_l@hammond.org>

NOTICE: Objection to Expanded Conditional Use of 1400 Apple Street ; Z-2022-10-00114

1 message

Paula Perez <paula@pauladperezlaw.com>
To: "planning@hammond.org" <planning@hammond.org>
Cc: Reggie Reed <reed.reggie@gmail.com>

Wed, Nov 9, 2022 at 10:49 PM

Please allow this email to serve as notice on behalf of the property owner at 1314 Apple Street, of the property owner's objection to the rezoning and expanded conditional use of 1400 Apple Street. Not only will a mobile home negatively impact the value of surrounding properties, but it brings an unwanted stigma associated with its existence and potential tenants.

Reginald Reed, Jr., is unable to attend the public hearing and asks that his objection be taken into consideration, and/or the hearing delayed for the following week to allow his travel to Hammond.

If you have any questions regarding this correspondence, please contact my office at (210) 729-2029.

Respectfully,



PAULA D. PEREZ
Attorney

6128 Banderera Road
San Antonio, Texas 78238
PH: (210) 729-2029
FAX: (210) 729-7130
ESERVICE: service@pauladperezlaw.com
WEB: www.pauladperezlaw.com

The information contained in this communication is a transmission from ATTORNEY PAULA D. PEREZ/LAW OFFICE OF PAULA D. PEREZ AND ANY OF ITS REPRESENTATIVES, and is information protected by the attorney/client and/or attorney/work product privilege. It is intended only for the personal and confidential use of the recipient/s named in the communication, and the privileges are not waived by virtue of this having been sent by electronic mail. If the person receiving this communication or any other reader of the communication is not the named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this

11/10/22, 8:19 AM

CITY OF HAMMOND Mail - NOTICE: Objection to Expanded Conditional Use of 1400 Apple Street ; Z-2022-10-00114

communication in error, please immediately notify us by telephone 210.729.2029 and delete the original message from your system. Thank you.



Facing 1400 Apple – vacant lot – facing east



West of 1400 Apple – vacant lots across the street



South of 1400 Apple



North of 1400 Apple

CASH SALE

**STATE OF LOUISIANA
PARISH OF TANGIPAHOA**

HX3, LLC

TO

Eric Darnell Long & Shywanda Evette Long

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified, in and for the aforesaid Parish and State, and in the presence of witnesses hereinafter named and undersigned, personally came, and appeared.

HX3, LLCTAX ID#: XX-XXX9272, a Louisiana Limited Liability Company, represented herein by its Member Ricky M. Hogan, by authority of the resolutions attached hereto and made a part hereof, whose permanent mailing address is 813 Barber Road, Paradis, LA 70080;

herein called SELLER, who declared that for the price of **TWENTY THREE THOUSAND AND 00/100 DOLLARS (\$23,000.00)** cash, receipt of which is acknowledged, SELLER hereby sell and deliver with full warranty of title and subrogation to all rights and actions of warranty SELLER may have, unto:

Eric Darnell Long SS#: XXX-XX-3268 & Shywanda Evette Long (Born Cooper) SS#: XXX-XX-5710, both persons of the full age of majority, domiciled in the Parish of Tangipahoa, who declared that they are married, currently living, and residing together, with a mailing address of 1633 M C Moore Road Hammond, LA 70401;

herein called BUYER, the following described property, the possession, and delivery of which BUYERS acknowledge:

A CERTAIN PARCEL OF LAND located in Section 24, Township 6 South, Range 7 East, Town of Hammond, Louisiana, more particularly described as LOT 1-A-1 and LOT 1-A-2, containing a total of 0.83 Acres, according to a map plat by Richmond W. Krebs & Associates, LLC Professional Land Surveying dated June 3, 2019 and recorded on September 17, 2019 at COB 1519, Page 823, file #1035731 of the official records of Tangipahoa Parish, Louisiana.

Taxes or special assessments which are shown or not shown as existing liens by the public records.

Any lien, or right to a lien, for services, labor or material imposed by law either shown or not shown by the public record.

Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises.

Easements, or claims of easements not shown by public records.

Discrepancies or shortage in the square footage, acreage or area of the land.

The property sold herein is conveyed "AS IS" and "Where IS", Purchaser hereby acknowledging that it has relied solely on its own inspection of the Property and not on any warranties or representations from the Vendor. Vendor has made no representations or warranties with respect to the property, including without limitation, the income derived therefrom or expenses to be incurred with respect thereto or with respect to information or documents previously furnished to Purchaser or furnished to Purchaser pursuant to this agreement; and Purchaser acknowledges that there are no agreements, warranties or representations expressed or implied, affecting the Property relating to title, merchantability, conditions or fitness for a particularly purpose or quality, design, condition, capacity, suitability or performance all of which are hereby disclaimed by Vendor and expressly waived by Purchaser. Additionally, Vendor does not warrant that the property is free from redhibitory or latent defects or vices and Purchaser hereby expressly waives all rights in redhibition pursuant to Louisiana Civil Code article 2520, et seq., as well as the warranty imposed by Louisiana Civil Code article 2475 and releases Vendor from any liability for redhibitory or latent defects or vices under Louisiana Civil Code articles 2520 through 2548. However, the Vendor hereby subrogates the Purchaser in and to all rights and actions in warranty that the Vendor has or may have against previous owners and vendors of the property.

All parties signing the within instrument have declared themselves to be of full legal capacity.

All taxes assessed against the property herein conveyed for 2021 have been paid. Taxes for the year of 2022 shall be pro-rated, assessment #1368605.

All agreements and stipulations herein contained, and all the obligations herein assumed shall inure to the benefit and be binding upon the heirs, successors, and assigns of the respective parties, and the BUYER(S), their heirs and assigns shall have and hold the described property in full ownership forever.

The certificate required by Article 3364 of the Revised Civil Code of this State is waived by the parties, who agree to hold me, Notary, harmless for the non-production thereof.

THUS DONE, read, and passed at my office in Hammond, Parish of Tangipahoa, Louisiana, in the presence of me, Notary, and the undersigned competent witnesses who have signed in the presence of the parties and me, Notary, on this 12th day of September 2022.

WITNESSES:

Sign: [Signature]
Print: Lauren Edwards

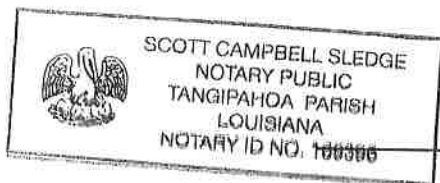
Sign: [Signature]
Print: Christy Gudy

HX3, LLC – Seller

[Signature]
By: **Ricky M. Hogan - Member**

[Signature]
Eric Darnell Long - Buyer

[Signature]
Shywanda Evette Long - Buyer



[Signature]
NOTARY PUBLIC

TAX NOTICES: BUYERS are responsible for the 2022 property TAXES. Tax Notices should be sent to Eric Darnell Long at 1633 M C Moore Road, Hammond, LA 70401.

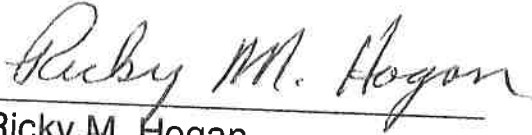
Title Ins. Prod.: Elite Title Solutions, LLC
Prod. License #: 900346
Title Opinion By: Christopher J Edwards Jr.

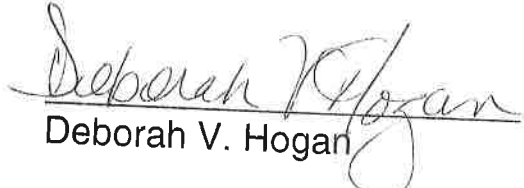
Address: 509 West Morris Avenue, Hammond, LA 70403
Title Insurance Underwriter: First American Title Insurance
LA Bar Roll#:35471


RESOLUTION OF HX3, LLC

BE IT KNOWN, that on the 8th day of September, 2022, a meeting of HX3, LLC., a Louisiana Limited Liability Company was held with all members present, where it was motioned by Paul J. Hogan and seconded by Deborah V. Hogan, that RICKY M. HOGAN be authorized to take any and all steps needed and to sign any and all documents needed in order to sell Lots 1-A-1 and 1-A-2 on Apple Street in Hammond, Louisiana for whatever sale amounts Ricky M. Hogan deems fair and reasonable.

Signed this 8th day of September 2022.


Ricky M. Hogan


Deborah V. Hogan


Paul J. Hogan

SITE DATA:
 TOTAL AREA BEING SUBDIVIDED --- 36250.00 SQ. FT. (0.8322 ACRES)
 TOTAL NUMBER OF LOTS ----- 2
 STREET ---- APPLE STREET (50' RIGHT OF WAY)

MINIMUM LOT REQUIREMENTS:
 BUILDING LINE - MINIMUM 40' FEET
 MINIMUM LOT SIZE - 3,000.00 SQ. FT.
 PRINCIPAL MINIMUM STRUCTURE SETBACKS: FRONT 10'
 SIDE STREET 8'
 SIDE INTERIOR 5'
 REAR 10'

GENERAL NOTES:
 ZONING DISTRICT: RS-3
 ACREAGE:
 INUNDATION LEVEL:
 LAND USE: SINGLE FAMILY RESIDENTIAL
 ELECTRIC COMPANY: ENTERGY
 SCHOOL DISTRICT: TANGIPAHOA PARISH PUBLIC SCHOOL SYSTEM
 GAS COMPANY: ATMOS ENERGY
 NEAREST 100 YEAR FLOOD ZONE:
 FEMA FLOOD ZONE: AE
 WATER DISTRICT: CITY OF HAMMOND
 SEWER DISTRICT: CITY OF HAMMOND
 FIRE DISTRICT: CITY OF HAMMOND
 FIRM BASE FLOOD ELEVATION: 42.0' NAVD 88

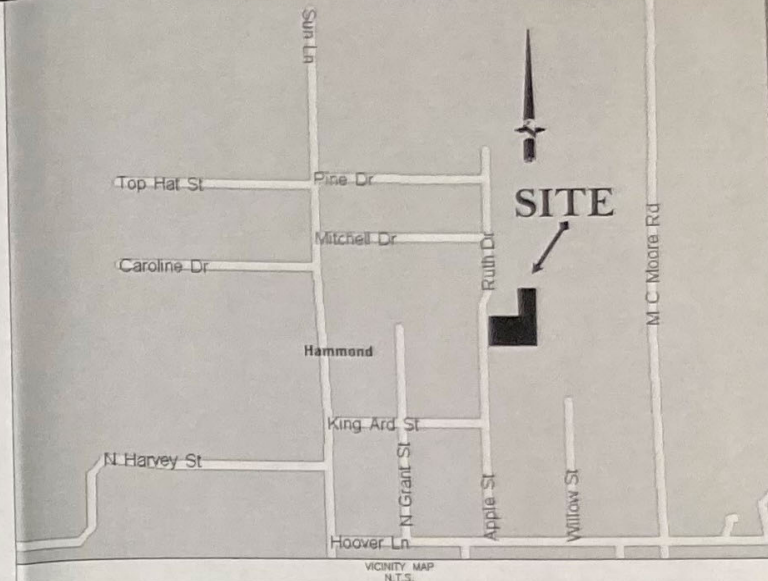
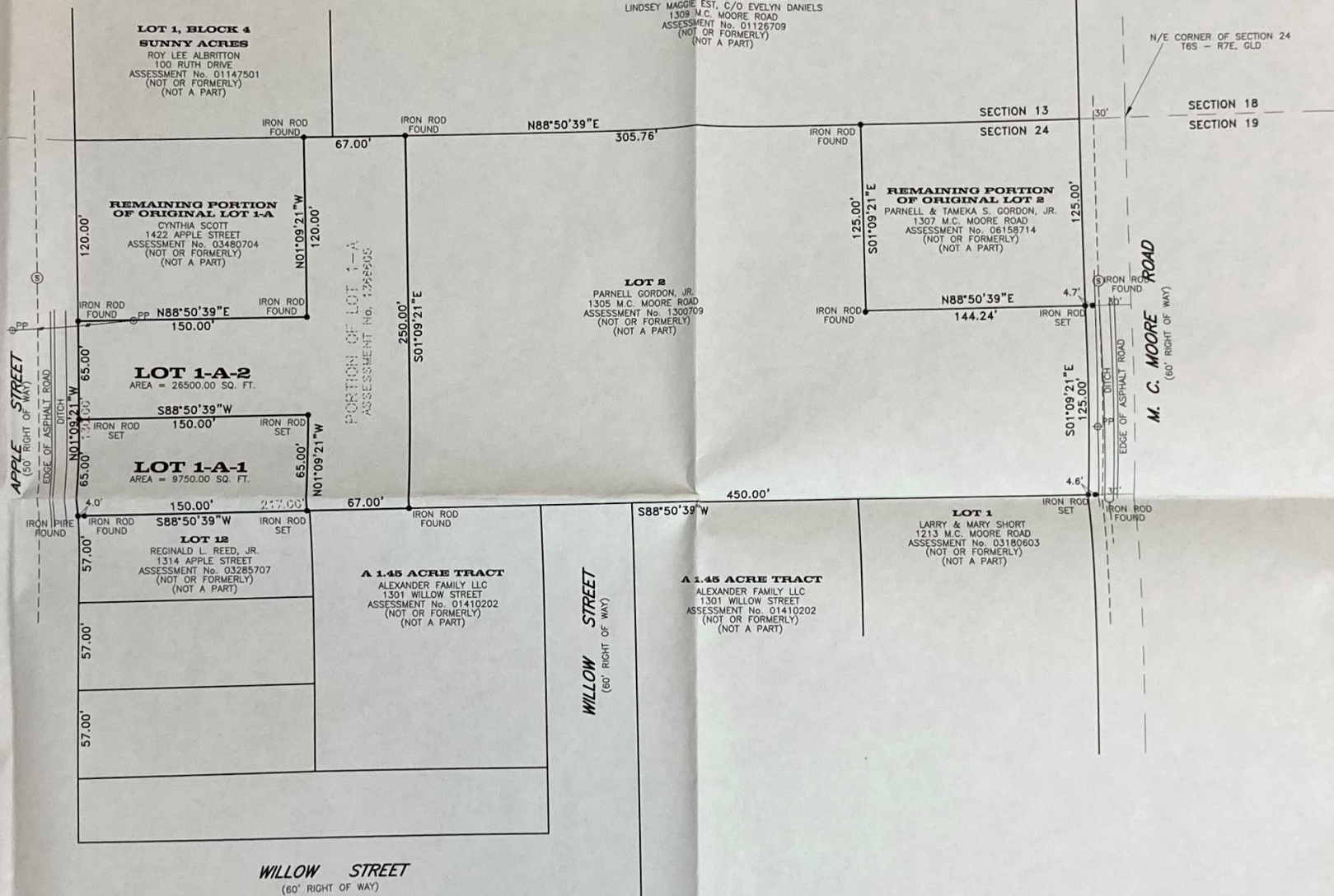
WETLANDS:
 A WETLANDS INVESTIGATION WAS NOT REQUESTED AND IS NOT PART OF THIS SURVEY

SEWERAGE:
 NO PERSON SHALL PROVIDE OR INSTALL A METHOD OF SEWAGE DISPOSAL OTHER THAN CONNECTION TO AN APPROVED SANITARY SEWER SYSTEM, UNTIL THE METHOD OF SEWAGE TREATMENT AND DISPOSAL HAS BEEN APPROVED BY LOUISIANA DEPARTMENT OF HEALTH.

OWNER(S) & APPLICANT(S)
 HX3, LLC
 813 BARBER ROAD
 PARADIS, LA 70080

Paul J. Hogan
 PAUL J. HOGAN, MEMBER

9-6-19
 DATE



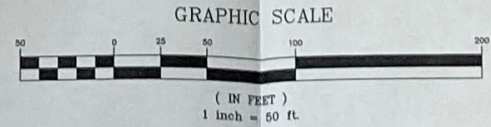
LEGEND

⊕	S	SEWER MANHOLE, SEWER LINE
⊕	W	WATER MANHOLE, WATER LINE
⊕	D	DRAIN MANHOLE, DRAIN LINE
⊕	D	DRAIN INLET, DRAIN LINE
⊕	G	GAS MANHOLE, GAS LINE
⊕	U	UTGEL, SCB MANHOLE, SCB LINE
⊕	E	POWER POLE / OVERHEAD LINES
⊕	T	ELECTRIC TELEPHONE, CABLE TV, ELEC. TOWER / OVERHEAD LINES
⊕	D	CULVERT, DRAIN LINE
⊕	CB	CATCH BASIN
⊕	GM	GAS METER
⊕	GV	GAS VALVE
⊕	WM	WATER METER
⊕	WV	WATER VALVE
⊕	DC	DRAIN CLEANOUT
⊕	SC	SEWER CLEANOUT
⊕	FH	FIRE HYDRANT
⊕	STLT	STREET LIGHT
⊕	TRLT	TRAFFIC LIGHT
⊕	+	ANCHOR
⊕	□	SIGN
⊕	•	GUARD POST
⊕	○	TREE
⊕	○	BUSH
⊕	X	FENCE

APPROVED:
 CITY OF HAMMOND PLANNING COMMISSION
Jan Meyer
 CITY PLANNING COMMISSIONER
 DATE: 5-2-19

APPROVED:
 CITY OF HAMMOND PLANNER/BUILDING OFFICIAL
[Signature]
 CITY PLANNER/BUILDING OFFICIAL
 DATE: 9-12-19

APPROVED:
 CITY OF HAMMOND CITY COUNCIL
 OFFICIAL DESIGNEE
 DATE



Recorded 9-17-19
 C051519, page 823
 208-2019-06-00105

ELEVATION NOTES
 THIS IS CERTIFY THAT SUBJECT PROPERTY IS LOCATED IN THE FOLLOWING FLOOD ZONE, PER FLOOD INSURANCE RATE MAP (FIRM) DATED: JULY 22, 2010. FLOOD ZONE: AE
 BASE FLOOD ELEVATION: 42.0'
 COMMUNITY PANEL #: 220208 0340 F

GENERAL NOTES
 THE SERVITUDES SHOWN ON THIS SURVEY ARE LIMITED TO THOSE FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES ARE REFLECTED OR SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS 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 THE LEGAL TITLE, AND HAS MADE SOLELY ACCORDING TO THE INFORMATION PROVIDED THE SURVEYOR.
 THE LOCATIONS OF UNDERGROUND AND OTHER NONVISIBLE UTILITIES SHOWN HEREON HAVE BEEN DETERMINED FROM DATA EITHER FURNISHED BY THE AGENCIES CONTROLLING SUCH DATA AND/OR EXTRACTED FROM RECORDS MADE AVAILABLE TO US BY THE AGENCIES CONTROLLING SUCH RECORDS, WHERE FOUND THE SURFACE FEATURES OF LOCATIONS ARE SHOWN. THE ACTUAL NONVISIBLE LOCATIONS MAY VARY FROM THOSE SHOWN HEREON. EACH AGENCY SHOULD BE CONTACTED RELATIVE TO THE PRECISE LOCATION OF ITS UNDERGROUND INSTALLATION PRIOR TO ANY RELIANCE UPON THE ACCURACY OF SUCH LOCATIONS SHOWN HEREON, INCLUDING PRIOR TO EXCAVATION AND DIGGING.

REFERENCE NOTES
 BEARINGS BASED ON GPS OBSERVATIONS USING TOPCON TOPNET LIVE NETWORK
 DISTANCES BASED ON A SURVEY BY W.A. TYCER, C.E., DATED JULY 6, 1956 & PLAT OF SURVEY BY M.L. JOHNSON, DATED SEPTEMBER 3, 1977, PLAT OF SURVEY BY GEORGE D. SULLIVAN, DATED MARCH 7, 2005 AND VARIOUS LEGAL DESCRIPTIONS
 DATE: JUNE 3, 2019
 SCALE: 1" = 50'
 JOB #: 190403-A

THIS IS TO CERTIFY THAT THE PROPERTY BOUNDARY SURVEY RECORDED HEREON WAS MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, AND IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS AS STIPULATED IN LOUISIANA ADMINISTRATIVE CODE TITLE: 46:XX, CHAPTER 29 FOR A CLASS "C" (SUBURBAN) SURVEY.
 MADE AT THE REQUEST OF PAUL J. HOGAN, MEMBER - HX3, LLC
 BY: *Richmond W. Krebs, Sr.*
 RICHMOND W. KREBS, SR., PLS., No. 4836



RWK Richmond W. Krebs & Associates, LLC
 PROFESSIONAL LAND SURVEYING
 1211 NORTH RANGE AVENUE | SUITE B
 DENHAM SPRINGS, LA 70726
 PH. (225) 435-7010 | FAX (225) 435-7011
 www.rwkrebssurvey.com

PRELIMINARY PLAT OF THE RESUBDIVISION OF A PORTION OF LOT 1-A INTO LOT 1-A-1 & LOT 1-A-2 AFD SUBDIVISION SECTION 24, T6S - R7E, GLD TANGIPAHOA PARISH, LA FOR HX3, LLC