



Staff Report
Re-Zoning
Case #: Z-2022-05-00110

Attachments: Staff Report, Application, Survey, Site Photos, Petition, Emails, Aerial Map, Zoning Maps

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 Christopher Ruffin (owner) to rezone Lot A, Block 1 of Pine Ridge Addition, located at 712 Magazine St. from RS-3 to MX-N in accordance with a survey by William Bodin, PLS dated 1/31/22 (Z-2022-05-0010) with the following conditions:

1. No alcohol sales.
2. No marijuana sales.

Site Information:

Location (Address): 712 Magazine 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 is located at the southwest corner of the intersection of Magazine Street and MC Moore Road.

Adjacent Land Use and Zoning:

<u>Direction:</u>	<u>Land Use/Zoning:</u>
North	Single-family home (one parcel) and Vacant (second parcel), RS-3
South	Vacant lot owned by Mr. Ruffin and next south lot is mobile home, RS-3
West	Vacant, RS-3
East	Mobile home, RS-3
Northeast	Vacant, MX-C

Additional Information: The owner proposes to build a restaurant on this parcel, which is southwest of a parcel zoned MX-C. The MX-N zoning would allow for restaurants. Additional parcels are zoned MX-C a block to the east from this parcel, a block to the north from this parcel, and three blocks to the west from this parcel. Magazine Street is a more heavily travelled corridor (considered a Collector in the city’s Major Street Plan) that is similar to other city corridors with MX-N and MX-C parcels.

On **October 20, 2022**, the Zoning Commission recommended to deny the request to rezone from RS-3 to MX-N. An adjacent property owner, Mary Short, voiced opposition to rezoning as MX-N. Mr. Ruffin had a

petition with names supporting the rezoning to MX-N. The commission also discussed an Expanded Conditional Use; however, there was no voting related to that since the owner did not want the ECU.

In **2020**, the Zoning Commission recommended approval (2-1) and the City Council approved (3-1) Tee-Pee's Grill & Catering to rezone from RM-2 Expanded Conditional Use to MX-C that is located at 807 East Church. This location was zoned incrementally from Snowball/Prepared Food, ECU, to MX-C to accommodate food deliveries and the desire for his heirs to be able to inherit the business without future approvals needed. In 2021, several lots at 402 Washington Avenue were approved to rezone to MX-C.

In **November 2022**, Councilman Kip Andrews facilitated a meeting among property owners to discuss this request. The outcome of that meeting was that the adjacent property owners would be in favor of the rezoning if the owner would agree to the restrictive conditions of no alcohol or marijuana sales.

Public Hearing:

For: Christopher Ruffin (owner), Pastor Samuel Brown (as long as no alcohol) representing Mt Vernon Baptist Church owning adjacent property at 1011 Lavanner Brown and 703 Magazine, Councilman Kip Andrews (as long as no alcohol or marijuana sales), Dewayne Long of 17106 Magazine, Earline Dangerfield of 801 Hope, Alesa Dangerfield, and Lynn Matthews of 703 MC Moore. Mr. Ruffin also presented a petition of signatures supporting the rezoning.

Against: Mary Short, adjacent property owner of 719 Magazine, (email, but she was included in the meeting after she sent the email and according to those who attended the meeting, she agreed to rezoning with the restrictive conditions). Her email remains in the record.

Commission Recommendation:

Motion by: Trey St. Romain to recommend approval of the rezoning request by Christopher Ruffin (owner) to rezone Lot A, Block 1 of Pine Ridge Addition, located at 712 Magazine St. from RS-3 to MX-N in accordance with a survey by William Bodin, PLS dated 1/31/22 (Z-2022-05-0010) with the following conditions:

1. No alcohol sales.
2. No marijuana sales.

Seconded by: Kylan Douglas

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 the rezoning request by by Christopher Ruffin (owner) to rezone Lot A, Block 1 of Pine Ridge Addition, located at 712 Magazine St. from RS-3 to MX-N in accordance with a survey by William Bodin, PLS dated 1/31/22 (Z-2022-05-00110) with the following conditions:

1. No alcohol sales.
2. No marijuana sales.

NOW, THEREFORE, BE IT ORDAINED, the City Council of Hammond, hereby approves the rezoning request by by Christopher Ruffin (owner) to rezone Lot A, Block 1 of Pine Ridge Addition, located at 712 Magazine St. from RS-3 to MX-N in accordance with a survey by William Bodin, PLS dated 1/31/22 (Z-2022-05-00110) with the following conditions:

1. No alcohol sales.
2. No marijuana sales.

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# Z-2022-05-00110

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

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# 2746672 1005-00
SITE ADDRESS: 712 Magazine St Hammond CA
Legal Description or Survey Lot - A
PROPERTY OWNER NAME: Christopher Jamar Ruffin
Owner Address:
Telephone: 985 662-6730

PLEASE READ AND SIGN BELOW

APPLICANT NAME: Christopher Jamar Ruffin
COMPANY NAME:
Applicant Mailing Address:
Applicant Telephone: () or Cell #: ()

PERMIT INFO-ADDITIONAL INFO
PRESENT ZONING: RS-3
REQUESTED ZONING: MX-N
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

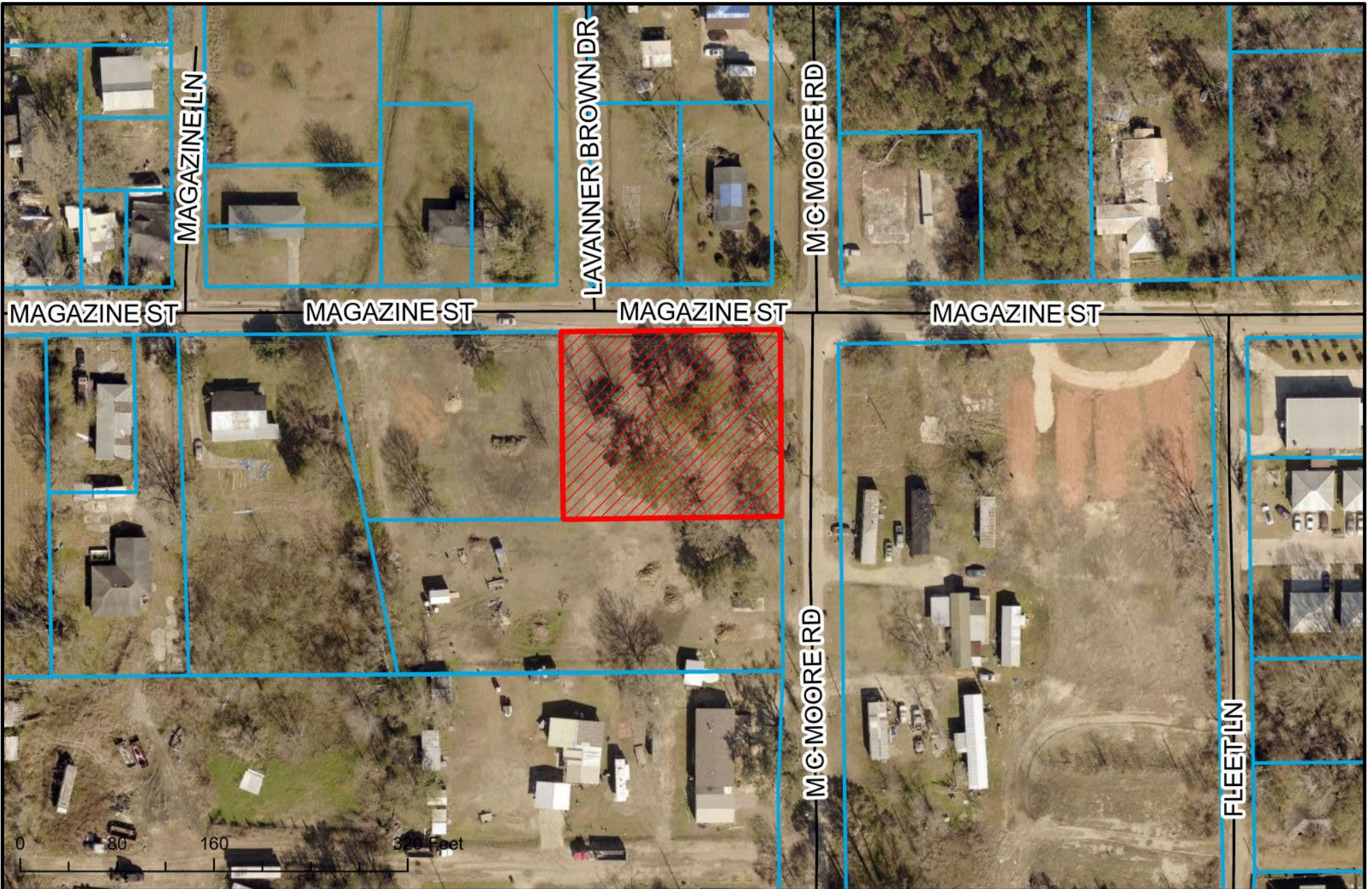
I/We being the legal owner(s) request zoning of my property from a ___ District to a ___ District. I/We fully understand and agree to abide by the zoning restrictions for a ___ District. I am including with this application a copy of any covenants or restrictions and deeds governing this property.

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).

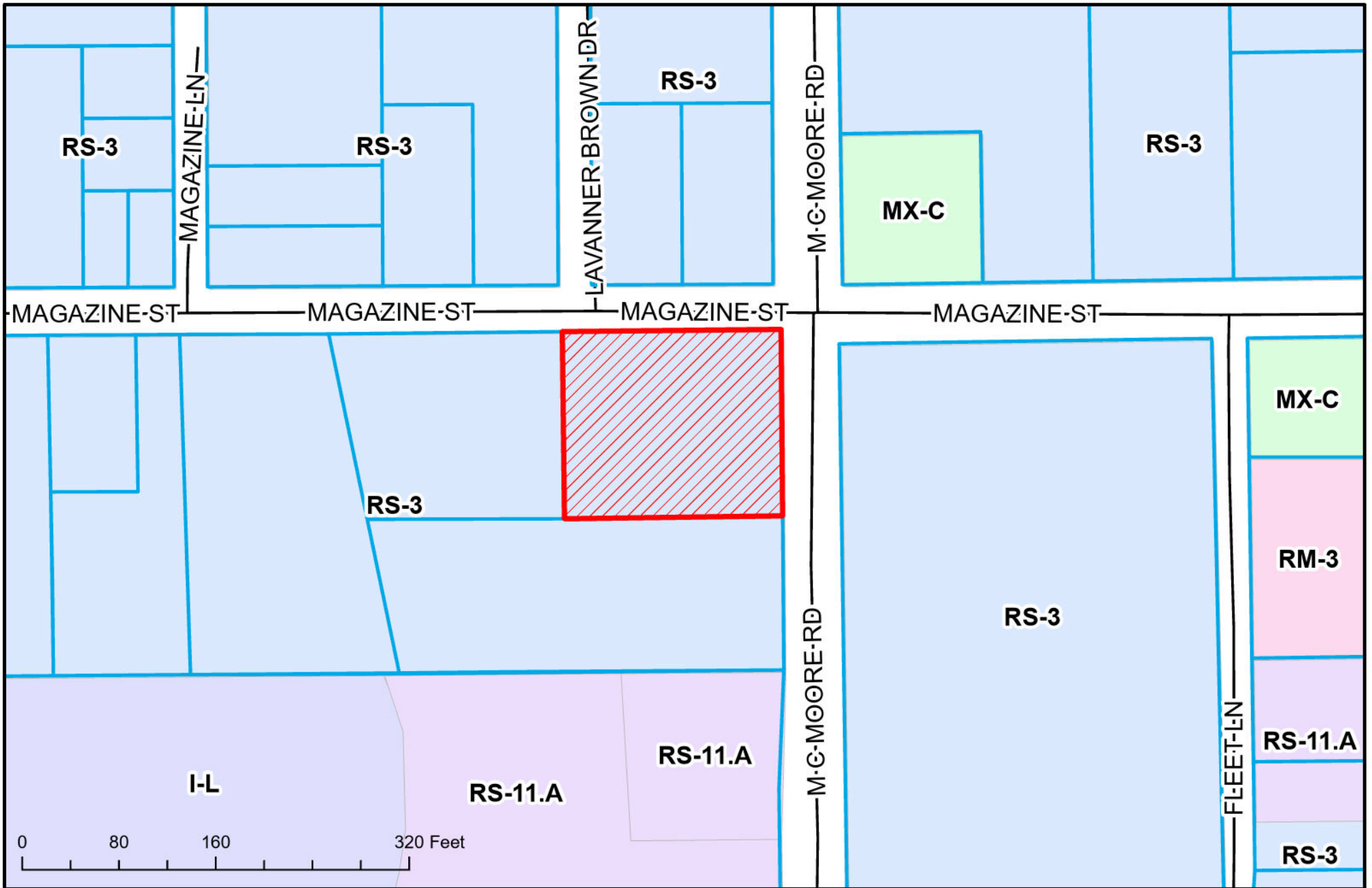
ALL INFORMATION ON THIS APPLICATION MUST BE COMPLETE, ALL FEES PAID, AND ALL REQUIRED DOCUMENTS RECEIVED BEFORE THIS APPLICATION WILL BE ACCEPTED ON THE AGENDA FOR THE CITY OF HAMMOND ZONING COMMISSION.

X [Signature] APPLICANT SIGNATURE DATE
X [Signature] OWNER(S) SIGNATURE DATE
X CITY PLANNER DATE

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



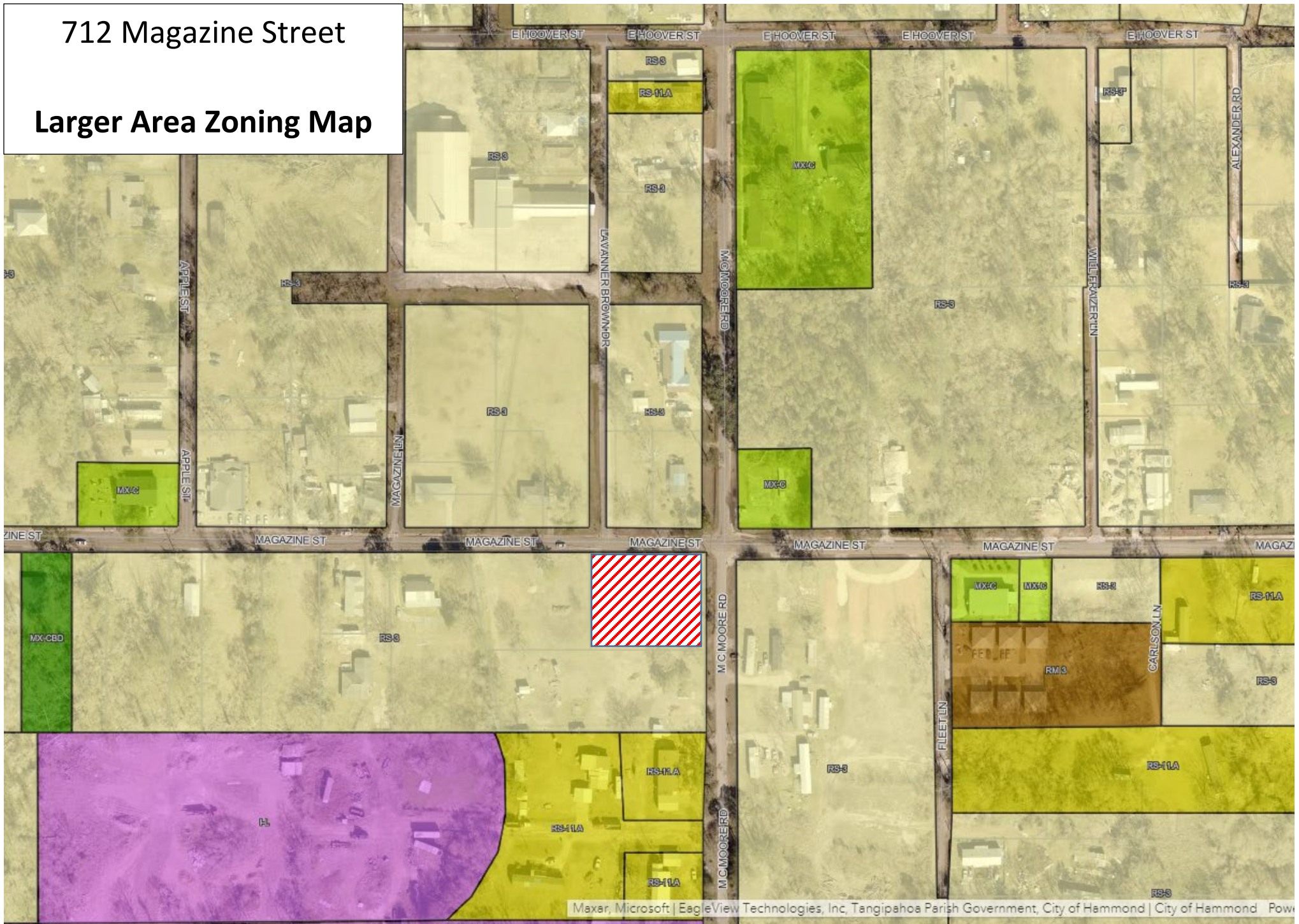
712 Magazine St



712 Magazine St

712 Magazine Street

Larger Area Zoning Map



Christopher Ruffin ----- Rezone lots 712 Magazine St. from RS-3 to MX-N

NAME	ADDRESS	PHONE	YES	NO
Willie GRAVIS	716 E HOOPER ST HAMMOND LA 70401	985-730-0603	✓	
Kevin	106 NORTH Grant ST-	985-351-7109	✓	
ALBERT Edward	1007 N. Apple St. Hammond LA	985-320 4267	✓	
Stephanie Kelly	1007 MILK Hammond LA	985-351- 5295	✓	
Derrick Stellasterat	107 Magazine Street Hammond LA,	985 320-6440	✓	
Stella stewart	CAIT JARLTON	315 415 8448	✓	
Derrick Stewart	1302 Sun Land Street Hammond LA,	985 320-6440	✓	
Jessie Abbott	1203 MILK Blvd Hammond LA	985 551-6616	✓	
Archie Andrews	912 ML King Hammond LA	715-502-0688	✓	

Christopher Ruffin ----- Rezone lots 712 Magazine St. from RS-3 to MX-N

NAME	ADDRESS	PHONE	YES	NO
Sylvester matthae	605. mc moore rd	985-415 1312	✓	
James Dillon	108 Felder Dr	985 517 8060	✓	
Anthony moore	605 mc moore	985-269 5250	✓	
Raneil Wilson	819 M.C. Moore Rd	985 351-1729	✓	
Samuel Wilson	900 mc moore Rd	985-634 6226	✓	
Richardson	Hoover St	503	✓	
Timon Johnson	113 Lavanner Brown Dr.	985-320- 5205	✓	
Robert Henderson	900 mc moore	634-6988	✓	
Tasha Robinson	Hammond/A 712 Illinois St	5514110	✓	

Christopher Ruffin ----- Rezone 712 Magazine St. from RS-3 to MX-N

NAME	ADDRESS	PHONE	YES	NO
Melvin Reed	1311 W.C. Moore Rd. Hammond, La. 70401	985 662 2689	✓	
Wilbert Ruffin	207 W. 11 Frazarville LA	985-474-6521	✓	
Stephen Stone	1209 E. Church St Hammond, LA 70401	985-278-4422	✓	
Birdie Matthews	615 Mc Moore Rd Hammond, LA	985 687 7451	✓	
DEVONA BOURGEOIS	55254 N RAILROAD AVE INDEPENDENCE LA 71443	(504) 915- 3387	✓	
Purnell Orter	54080 Hologne Rd Louisiana	985 208 0046	✓	
Lynn Matthews	703 Mc Moore Hammond, La. 70401	(985) 687 3914	✓	
Tammy Matthews	703 Mc Moore Hammond, LA 70401	(985) 215- 3242	✓	
Frank Matthews	685 mc moore Rd Hammond	985 662 1982	✓	
Ryan Dryer	216 Kansas St Hammond, LA	985 510-9507	✓	



Lacy Landrum <landrum_l@hammond.org>

Z-2022-05-00110 and Z-2022-10=00113Rezone Request by Christopher Ruffin

1 message

Mary C. Short <mshort7@bellsouth.net>
To: "planning@hammond.org" <planning@hammond.org>

Mon, Nov 7, 2022 at 1:12 AM

To City of Hammond Zoning Commission::

Larry and myself are out of town November 7th-11th, 2022. We are unable to attend the meeting. Z-2022-05-00110 rezoning request was denied for 712 Magazine St on October 20, 2022 by a 3 to 2 vote. Thans On November 10, 2022 You have the same request to rezone the same property again with the connecting lot 706 Magazine Z-2022-10-00113 rezoning request is included. We are asking the 3 who said no the 1st time to say no again and asking Mr Matthew and Mr Douglas to rethink their decision for the following reasons. We have lived on the 10 lots directly in front of 712 Magazine St for 50 years. On the eastside we agreed to a restauarant after rezoning it became Touchdown Bar & Lounge no food with so many murders later on the same eastside Two Brothers was suppose to be a sweet shop after rezoning it's a bar room with loud music concerts cars down Magazine St & M C Moore Rd blocking driveways until towed away in the back of the 10 lots is Michael Long Barber shop (We have no problems) Next to barbershop on the corner is Chocolate Dip Thrift Store car blocking the street that you can't pass by easely A posting of a fight & damaging of property that was caught on camera & posted on facebook It was unbeliveable To the west is Magazine Street Store (grandfathered) These businesses you m have allowed in the neighborhood saying one thing then it become something else Because of these businesses we have crimes murders, drug trafficking protitution people with guns running other people who knocking on our door to get in blocked driveways Now Chris is asking for rezoning south of our property This would mean we are surrounded by businesses north south east & west Tell me who on the commission have this in their neighborhood We are asking that you denie rezoning to a business & offer him the same as before allow the restuarant & if he decide not to do it or close He come back to the Zoning Commission again Let him take it or reject it as he did before This is what the Zoning Commission did for us Birdies Plants & Florist who is grandfathered We were serious so we excepted & still in business today since 1987 We had a meeting wiith Chris Friday November 4th Larry, myself Ms Ruth Bean councilman Kip Andrews stating these concerns ajsio Chris has signatures of his closest neighbors who are in agreement with restaurant for cooking which is what he does but for nothing else per my conversation with them also Annie Collins who own the vacant lot in front of property also agree for restaurant nothing else No Magazine Store or Two Brothers I am asking Mr Matthews to consider our concerns and not say yes this time because Chris is a tax paying citizen who is buying up Hammond & that he has a banker & a surveyors That's all good but irreverent My husband myself & my sons have a total of 8 different businesses in Hammond we have 35 plus properties we have Bankers We have use various surveyors & pay a lot of taxes on these businesses & properties But That Has nothing To do with This situation! Again We are asking that you denie the rezoning as before with the exception to allow the restaurant because he can not have alcohol because the church (Greater Mt Vernon has 2 lot less than 200ft from his property allow the restaurant in the now zoning and if he wants something else later or sell it It has to come back to the Zoning Commission Thank Larry and Mary Short



Lacy Landrum <landrum_l@hammond.org>

Chris Ruffin

1 message

Kip Andrews <andrews_kd@hammond.org>
To: Lacy Landrum <landrum_l@hammond.org>

Tue, Nov 8, 2022 at 2:16 PM

Good afternoon Lacy, I wanted to know on his request for zoning if the following Stipulations could be added with his request.

No alcohol sales
No marijuana sales

Had a meeting with Chris and some members of the community and they came to an agreement to support his rezoning if that would be added.

--

Kip Andrews
City Council District 1
Office:(985) 277-5610
Email: andrews_kd@hammond.org

DESCRIPTION OF THE ENTIRE TRACT

A 2.234 ACRE PARCEL OF LAND, LOCATED IN SECTION 24, T6S-R7E, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE N.E. CORNER OF BLOCK-1 OF PINE RIDGE ADDITION TO THE CITY OF HAMMOND, WHICH POINT IS THE POINT OF BEGINNING; THENCE SOUTH A DISTANCE OF 280.00 FEET; THENCE WEST A DISTANCE OF 333.00 FEET; THENCE N 05°55'00" W A DISTANCE OF 281.50 FEET; THENCE EAST A DISTANCE OF 362.02 FEET; BACK TO THE POINT OR PLACE OF BEGINNING CONTAINING 97,302.601 S.F., 2.234 ACRES, ALL LOCATED IN BLOCK-1 OF PINE RIDGE ADDITION, SECTION 24, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TNAGIPAOHA, STATE OF LOUISIANA. THIS DESCRIPTION IS BASED ON THE BOUNDARY SURVEY AND PLAT MADE BY WILLIAM J. BODIN, JR. PROFESSIONAL LAND SURVEYOR, DATED 11-22-2021.

DESCRIPTION OF LOT-A

A 0.644 ACRE PARCEL OF LAND, LOCATED IN SECTION 24, T6S-R7E, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE N.E. CORNER OF BLOCK-1 OF PINE RIDGE ADDITION TO THE CITY OF HAMMOND, WHICH POINT IS THE POINT OF BEGINNING; THENCE SOUTH A DISTANCE OF 155.00 FEET; THENCE WEST A DISTANCE OF 181.00 FEET; THENCE NORTH A DISTANCE OF 155.00 FEET; THENCE EAST A DISTANCE OF 181.00 FEET; TO THE POINT OR PLACE OF BEGINNING CONTAINING 28,055.037 S.F., 0.644 ACRES, ALL LOCATED IN BLOCK-1 OF PINE RIDGE ADDITION, SECTION 24, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TNAGIPAOHA, STATE OF LOUISIANA. THIS DESCRIPTION IS BASED ON THE BOUNDARY SURVEY AND PLAT MADE BY WILLIAM J. BODIN, JR. PROFESSIONAL LAND SURVEYOR, DATED 11-22-2021.

REFERENCE DOCUMENT
C.O.B. 1591 PAGE 519

REFERENCE BEARING
WEST AS PER
REFERENCE DOCUMENT

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 2.234 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 TANGIPAOHA, STATE OF LOUISIANA.

NOVEMBER 22, 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.

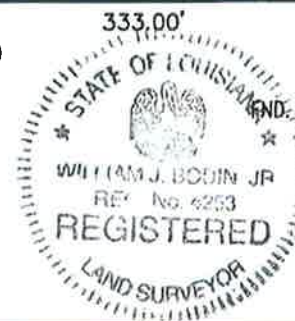
THIS PERIMETER SURVEY SHALL NOT CONSTITUTE A LEGAL OPINION OF TITLE, AND SHALL NOT BE RELIED UPON FOR THAT PURPOSE. THERE IS NO WARRANTY THAT IT CONFORMS TO A LEGAL TITLE AND WAS MADE SOLELY ACCORDING TO INFORMATION PROVIDED TO THE SURVEYOR. MADE AT THE REQUEST OF CHRIS RUFFIN.

SURVEY FOR:

CHRIS RUFFIN
712 MAGAZINE STREET
HAMMOND, LOUISIANA

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

Recorded 2-9-2022
COB 1602 Page 587
SUB. 2022-02-00174



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

01/31/22
DATE

DESCRIPTION OF LOT-B

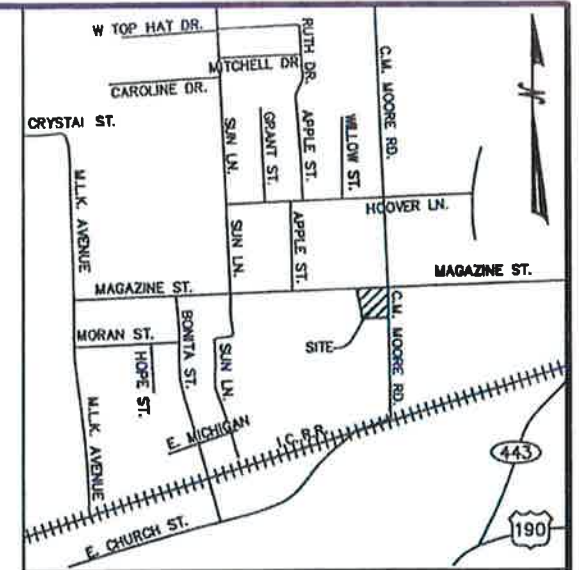
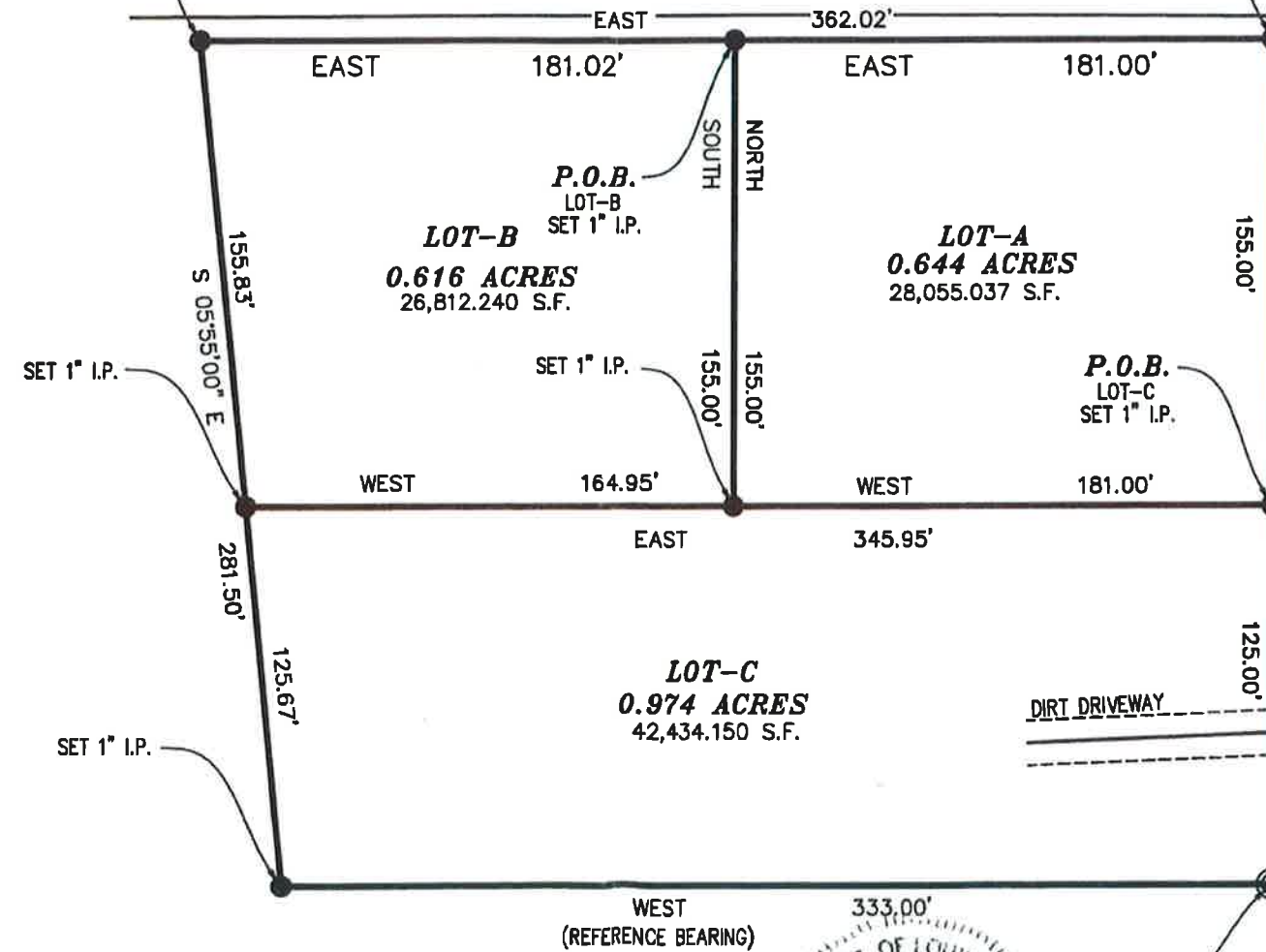
A 0.616 ACRE PARCEL OF LAND, LOCATED IN SECTION 24, T6S-R7E, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE N.E. CORNER OF BLOCK-1 OF PINE RIDGE ADDITION TO THE CITY OF HAMMOND, THENCE PROCEED 181.00' WEST TO THE POINT OF BEGINNING; THENCE SOUTH A DISTANCE OF 155.00 FEET; THENCE WEST A DISTANCE OF 164.95 FEET; THENCE N 05°55'10" W A DISTANCE OF 155.83 FEET; THENCE EAST A DISTANCE OF 181.02 FEET; BACK TO THE POINT OF BEGINNING CONTAINING 26,812.240 S.F., 0.616 ACRES, ALL LOCATED IN BLOCK-1 OF PINE RIDGE ADDITION, SECTION 24, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TANGIPAOHA, STATE OF LOUISIANA. THIS DESCRIPTION IS BASED ON THE BOUNDARY SURVEY AND PLAT MADE BY WILLIAM J. BODIN, JR. PROFESSIONAL LAND SURVEYOR, DATED 11-22-2021.

**A 2.234 ACRE PARCEL OF LAND,
DIVIDED INTO LOT-A, B AND C,
LOCATED IN BLOCK-1 OF PINE RIDGE
ADDITION, SECTION 24, T6S-R7E,
GREENSBURG LAND DISTRICT,
CITY OF HAMMOND,
PARISH OF TANGIPAOHA,
STATE OF LOUISIANA.**

P.O.B.
THE ENTIRE TRACT &
LOT-A
THE N.E. CORNER OF
BLOCK-1 OF THE PINE RIDGE
ADDITION
SET 1" I.P.

SET 1" I.P.

MAGAZINE STREET



VICINITY MAP

DESCRIPTION OF LOT-C

A 0.974 ACRE PARCEL OF LAND, LOCATED IN SECTION 24, T6S-R7E, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE N.E. CORNER OF BLOCK-1 OF PINE RIDGE ADDITION TO THE CITY OF HAMMOND, THENCE PROCEED 155.00' SOUTH TO THE POINT OF BEGINNING; THENCE SOUTH A DISTANCE OF 125.00 FEET; THENCE WEST A DISTANCE OF 333.00 FEET; THENCE N 05°54'47" W A DISTANCE OF 125.67 FEET; THENCE EAST A DISTANCE OF 345.95 FEET; TO THE POINT OR PLACE OF BEGINNING CONTAINING 42,434.150 S.F., 0.974 ACRES, ALL LOCATED IN BLOCK-1 OF PINE RIDGE ADDITION, SECTION 24, T6S-R7E, GREENSBURG LAND DISTRICT, CITY OF HAMMOND, PARISH OF TNAGIPAOHA, STATE OF LOUISIANA. THIS DESCRIPTION IS BASED ON THE BOUNDARY SURVEY AND PLAT MADE BY WILLIAM J. BODIN, JR. PROFESSIONAL LAND SURVEYOR, DATED 11-22-2021.

M.C. MOORE ROAD

Chris Ruffin 1-31-22
OWNER: CHRIS RUFFIN DATE
Chris Ruffin 2/1/22
CITY PLANNER/BUILDING OFFICIAL DATE
NA
CITY COUNCIL PRESIDENT DATE
M. J. Bodin, Jr. 2-3-22
PLANNING COMMISSION CHAIRMAN DATE



Facing 712 Magazine



North of 712 Magazine



Northeast of 712 Magazine



East of 712 Magazine



West of 712 Magazine



South of 712 Magazine