



Staff Report
Re-Zoning
Case #: Z-2022-10-00113

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 B, Block 1 of Pine Ridge Addition, located at 706 Magazine St. from RS-3 to MX-N in accordance with a survey by William Bodin, PLS dated 1/31/22 (Z-2022-10-00113) with the following conditions:

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

Site Information:

Location (Address): 706 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 | Abandoned single-family home (one parcel) and Vacant (second parcel), RS-3 |
| South | Vacant lot owned by Mr. Ruffin, RS-3 |
| West | Single-family home, RS-3 |
| East | Vacant lot owned by Mr. Ruffin, RS-3 |

Additional Information: 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.

Two other rezonings of a residential property to MX-N or MX-C have been approved with similar circumstances when the adjacent lots have residential zoning – at 807 East Church (2020) and at 402 Washington Avenue (2021).

Public Hearing:

For: Christopher Ruffin (owner). The same people were in the audience related to the first rezoning request of 712 Magazine Street, but no one spoke on this case. Mr. Ruffin’s petition of signatures supporting the rezoning is included in the record.

Against: Mary Short (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 B, Block 1 of Pine Ridge Addition, located at 706 Magazine St. from RS-3 to MX-N in accordance with a survey by William Bodin, PLS dated 1/31/22 (Z-2022-10-00113) with the following conditions:

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

Seconded by: Matt Sandifer

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 B, Block 1 of Pine Ridge Addition, located at 706 Magazine St. from RS-3 to MX-N in accordance with a survey by William Bodin, PLS dated 1/31/22 (Z-2022-10-00113) 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 B, Block 1 of Pine Ridge Addition, located at 706 Magazine St. from RS-3 to MX-N in accordance with a survey by William Bodin, PLS dated 1/31/22 (Z-2022-10-00113) 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-2022-10-00113

The next Zoning Commission Meeting will be held on Nov 10, 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: 706 Magazine St
STREET # & STREET NAME

Legal Description or Survey See attached assessment

PROPERTY OWNER NAME: Christopher Jamar Ruffin
First Name MI Last Name

Owner Address: PO Box 4117, Hammond, LA 70404
Street Name/Street Number City State Zip

Telephone: (____) _____ or Cell #: (985) 662-6730

PLEASE READ AND SIGN BELOW

APPLICANT NAME: _____
First Name MI Last Name

COMPANY NAME: _____ Owner Other

Applicant Mailing Address: _____
Street Name/Street Number City State Zip

Applicant Telephone: (____) _____ or Cell #: (____) _____

PERMIT INFO-ADDITIONAL INFO

PRESENT ZONING: RS-3 MX-N MX-C MX-CBD C-N C-H C-R I-H I I-L
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 of 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 _____ DATE _____
APPLICANT SIGNATURE

X _____ DATE _____
OWNER(S) SIGNATURE

X [Signature] 10.25.2022
CITY PLANNER DATE

***** FOR OFFICIAL USE *****

AMOUNT PAID \$ 120.00 CHECK# _____ CASH DATE PAID ___ / ___ / ___

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 | 715-502-068 | ✓ | |

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.

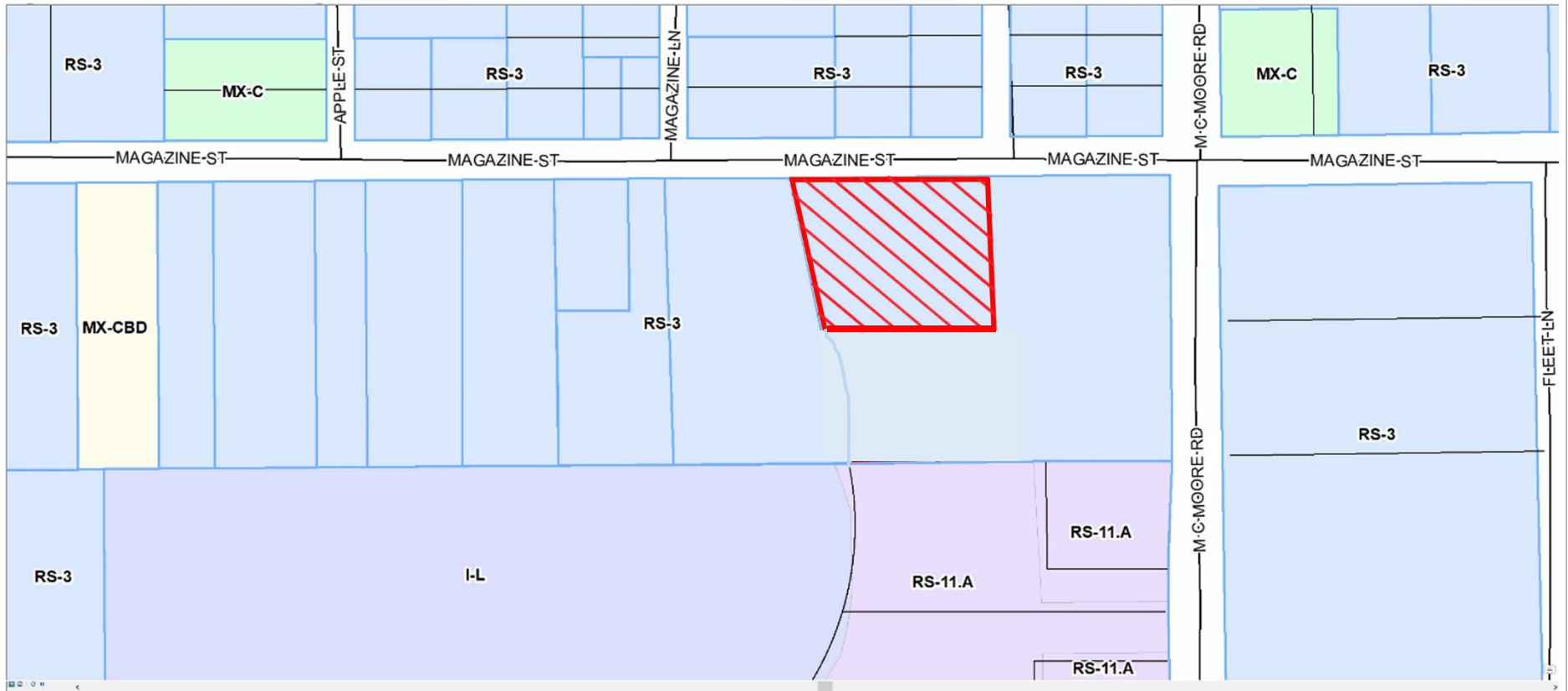
No alcohol sales
No marijuana sales

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





706 MAGAZINE



Legend
 Case Parcel



Facing 706 Magazine – vacant lot and showing south of 706 Magazine



East of 706 Magazine (also owned by Mr. Ruffin and considered for rezoning)



West of 706 Magazine



Facing North of 706 Magazine – across street



Also facing North of 706 Magazine – across street

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.

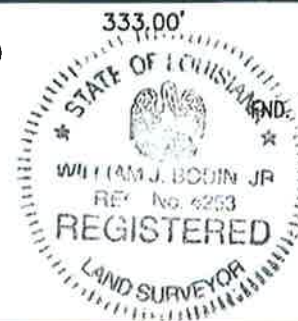
THIS PERIMETER SURVEY SHALL NOT CONSTITUTE A LEGAL OPINION OF TITLE, AND SHALL NOT BE RELIED UPON FOR THAT PURPOSE. THERE IS NO WARRANTY THAT IT CONFORMS TO A LEGAL TITLE AND WAS MADE SOLELY ACCORDING TO INFORMATION PROVIDED TO THE SURVEYOR. MADE AT THE REQUEST OF CHRIS RUFFIN.

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

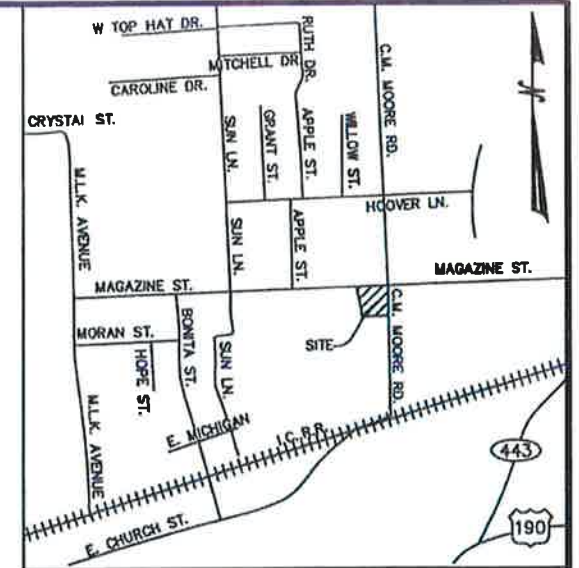
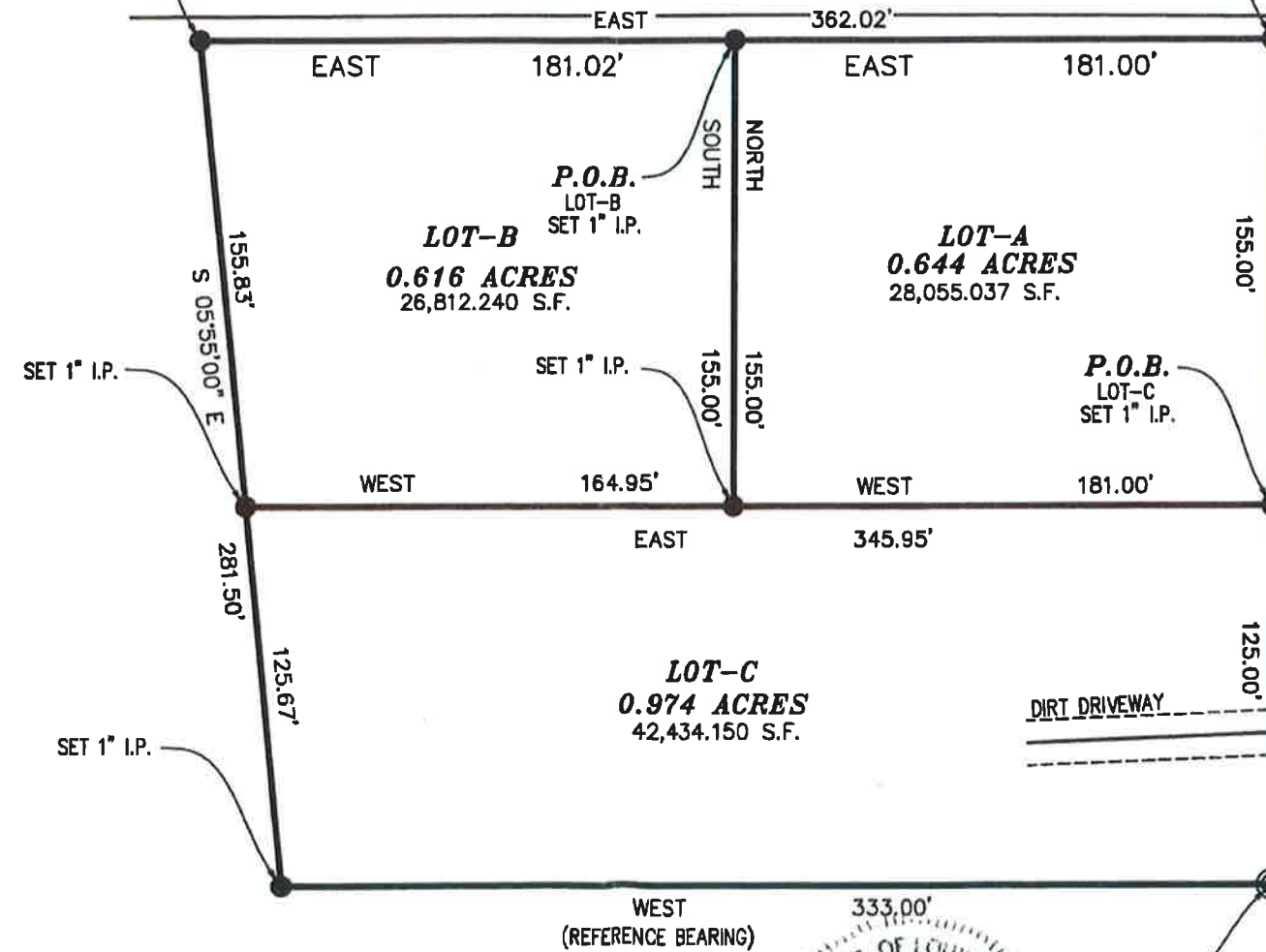
A 0.616 ACRE PARCEL OF LAND, LOCATED IN SECTION 24, T6S-R7E, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE N.E. CORNER OF BLOCK-1 OF PINE RIDGE ADDITION TO THE CITY OF HAMMOND, THENCE PROCEED 181.00' WEST TO THE POINT OF BEGINNING; THENCE SOUTH A DISTANCE OF 155.00 FEET; THENCE WEST A DISTANCE 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

[Signature] 2/1/22
CITY PLANNER/BUILDING OFFICIAL DATE

NA
CITY COUNCIL PRESIDENT DATE

[Signature] 2-3-22
PLANNING COMMISSION CHAIRMAN DATE