



Staff Report
Rezoning
Case #: Z-2023-10-00126
Uses

Attachments: Staff Report, Application,
Legal Description, Survey, Site Photos,
Aerial Map, Zoning Map, UDC Allowed

Public Hearing: Thursday, November 9, 2023
City Council Introduction: Tuesday, November 28, 2023
City Council Final: Tuesday, December 12, 2023

City Council Request (Ordinance): Introduction of an ordinance to approve a rezoning request by Jeremy Sims (Z-2023-10-00126) to rezone 311 North Holly St. per survey by McLin & Associates, Inc. dated 06/08/09 from RS-5 to MX-C. (District 1).

Site Information:

Location (Address): 311 North Holly St

Council District: City Council District 1

Existing Zoning: RS-5

Future Land Use: Low Density Residential

Existing Land Use: Multi-Family Dwelling

Site Description: 75 X 150 Lot

Adjacent Land Use and Zoning:

<u>Direction:</u>	<u>Land Use/Zoning:</u>
North	MX-C Single Family Residence & I-L Abandoned Warehouse
South	RS-5 Single Family Residence
West	MX-C Multi-Family Dwelling
East	RS-5 Single Family Residence

Additional Information:

This property has operated as a multi-family dwelling since 1992 with three units in the main house and one accessory dwelling in the back.

New property owner, Sims, made this request to bring the property into zoning compliance.

Public Hearing:

For: Jeremy Sims, Applicant/Owner

Against: Maria McClellan (309 N Holly) stated that she wants the property improved and has concerns if the property becomes commercial or retail. It needs to remain residential. She has spoken with Sims and appreciates that he is improving the property and all that he has done so far.

Commission Recommendation:

Motion by: Trey St. Romain to recommend approval of the rezoning request by Jeremy Sims (Z-2023-10-00126) to rezone 311 North Holly St. per survey by McLin & Associates, Inc. dated 06/08/09 from RS-5 to MX-C. (District 1).

Seconded by: Monica Perez

For: Monica Perez, Trey St. Romain, Trey Tycer, Ron Matthews

Against: None

Abstain: None

Absent: Kylan Douglas

Ordinance to Read:

WHEREAS, on November 9, 2023, the Hammond Zoning Commission held a public hearing and recommended approval of the rezoning request by Jeremy Sims (Z-2023-10-00126) to rezone 311 North Holly St. per survey by McLin & Associates, Inc. dated 06/08/09 from RS-5 to MX-C. (District 1).

NOW, THEREFORE BE IT ORDAINED, the Hammond City Council approves a rezoning request by Jeremy Sims (Z-2023-10-00126) to rezone 311 North Holly St. per survey by McLin & Associates, Inc. dated 06/08/09 from RS-5 to MX-C. (District 1).

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: 10/4/23

PERMIT# 2-2023-10-00126

The next Zoning Commission Meeting will be held on NOV 9, 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: [X] REZONING [] CONDITIONAL USE [] EXPANDED -OR- [] RESTRICTED [] INITIAL ZONING/ANNEXATION

REZONING FEE: [X] 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# 2736701212
SITE ADDRESS: 311 N Holly St, Hammond LA 70401
Legal Description or Survey 75X150
PROPERTY OWNER NAME: Jeremy L Sims
Owner Address: 1929 Monroe St Mandeville LA 70448
Telephone: () or Cell #: (571) 699 4025

PLEASE READ AND SIGN BELOW

APPLICANT NAME: Same as above
COMPANY NAME:
Applicant Mailing Address:
Applicant Telephone: () or Cell #: ()

PERMIT INFO-ADDITIONAL INFO
PRESENT ZONING: 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-L
REASON FOR REZONING: Bring into compliance operated as such since 1992 per seller.
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 1755 District to a MC-X 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 02 OCT 2023 DATE
X [Signature] OWNER(S) SIGNATURE 02 OCT 2023 DATE
X CITY PLANNER DATE

AMOUNT PAID \$ 120.00 CHECK# 1518 CASH [] DATE PAID 10/3/23

herein present, accepting and purchasing for their heirs and assigns, and acknowledging due delivery and possession thereof, all and singular the following described property:

ALL THAT CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes and appurtenances thereunto belonging or in anywise appertaining, **and more fully described as follows, to-wit:**

Said property is described in the chain of title as follows:

A parcel located in Square 44 of the Hyer Survey of the City of Hammond, more particularly described as follows:

The N ½ of the NE Quarter of Square 44 of the Hyer Survey of the City of Hammond, with all improvements located thereon more particularly described as commencing at a point which is the Intersection of the S right-of-way line of East Church Street and the W right-of-way line of North Holly Street, being the NE corner of Square 44 of the City of Hammond; thence, S 75 deg. 30 min. W 150' to a point and corner; thence S 14 deg. 30 min. E 75' to a point and corner; thence, N 75 deg. 30 min. E to a point on the W right-of-way line of Holly Street and corner; thence N 14 deg. 30 min. W 75' to the point of beginning.

Said property is further described as follows:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes and appurtenances thereunto belonging or in anywise appertaining, located in Section 24, Township 6 South, Range 7 East, situated in the North Half of the Northeast Quarter of Square 44 of the Hyer Survey of the City of Hammond, Parish of Tangipahoa, State of Louisiana, and more fully described as follows, to-wit:

Commence at the Northeast Corner of Square 44 of the Hyer Survey of the City of Hammond, which is the intersection of the South Side of East Church Street and the West Side of North Holly Street and the POINT OF BEGINNING. From the Point of Beginning proceed along the West Right of Way Line of North Holly Street South 14°18'56" East 74.94' to a point and corner; thence proceed South 76°14'18" West 151.05' to a point and corner; thence North 14°35'24" West 74.14' to a point and corner on the South Right of Way Line of East Church Street; thence along the South Right of Way Line of East Church Street North 75°56'05" East 151.40' back to the Point of Beginning.

Said parcel contains 0.2588 acres, all as more fully shown by the survey of said parcel by Roy Edwards Land Surveying, Inc., Roy C. Edwards, Jr., Surveyor, dated January 21, 2004, a copy of which is attached hereto as Exhibit "1" and made a part hereof. Said parcel is further shown on the survey of the N ½ of the N.E. ¼ of Block 44, Hyer Survey, located in Section 24, Township 6 South, Range 7 East, Greensburg Land District, City of Hammond, Tangipahoa Parish, Louisiana by McLin & Associates, Inc., Lester A. McLin, Jr., Surveyor, dated June 8, 2009, No. 2090506, a copy of which is attached hereto as Exhibit "2" and made a part hereof.

Tax Assessment No: #1524100

THE FOLLOWING IS FOR INFORMATIONAL PURPOSES ONLY:

Municipal address: 311 North Holly Street, Hammond, LA 70401.

Being the same property acquired by Lila Tritico Hogan and Thomas J. Hogan, Jr. from Robert McComiskey by Cash Deed dated July 14, 1992 registered in the official records of Tangipahoa Parish, Louisiana on July 15, 1992 in COB 738, page 344; File No. 430263.

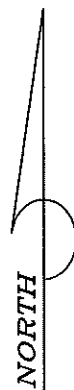
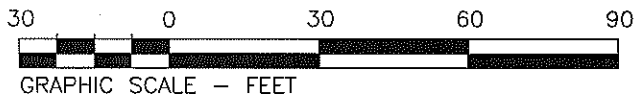
THIS ACT IS MADE, EXECUTED AND ACCEPTED SUBJECT TO THE FOLLOWING:

Any and all matters shown on the plan of the Hyer Survey of the City of Hammond referenced in the acts in the chain of title.

Any and all matters contained in the Consent Decree and Judgment fixing the common boundary line of the subject parcel with the boundary line of the parcel of Marvin Edwin Causey and as shown on the survey of Maurice O. Jordan dated June 5, 1974 referenced in the Consent Decree registered in the official records of Tangipahoa Parish, Louisiana in COB 395, Page 591 and in MI 255, Page 503.

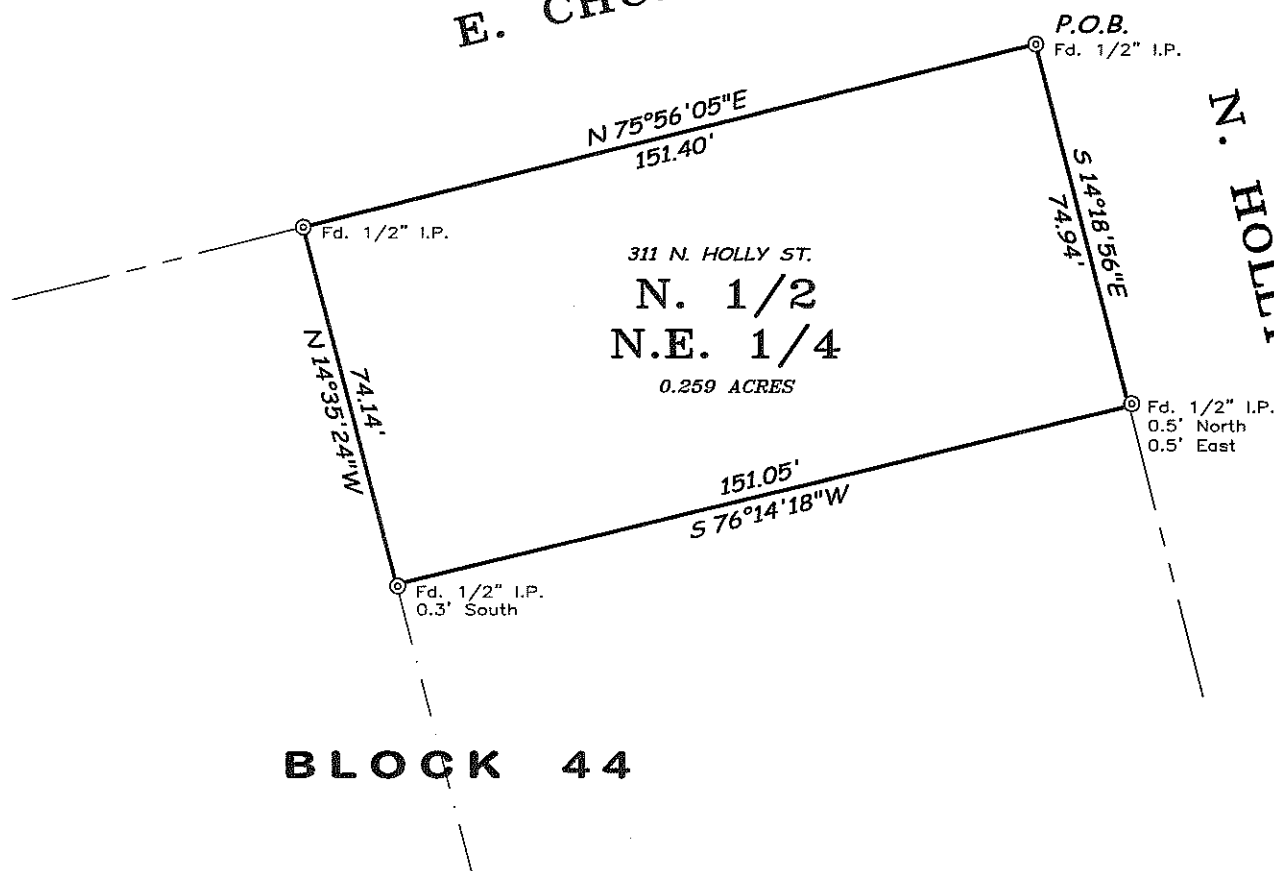
REFERENCE:

1. PLAT OF SURVEY SHOWING PROPERTY IN N 1/2 OF THE NE 1/4 BLOCK 44, HYERS SURVEY, CITY OF HAMMOND BY ROY C. EDWARDS, JR., R.L.S., DATED 1-21-04



E. CHURCH ST.

N. HOLLY ST.



BLOCK 44

MAP SHOWING SURVEY OF THE N. 1/2 OF THE N.E. 1/4 BLOCK 44, HYERS SURVEY

LOCATED IN SECTION 24, T 6 S-R 7 E, GREENSBURG LAND DISTRICT CITY OF HAMMOND TANGIPAHOA PARISH, LOUISIANA

OWNER(S)/BUYER(S)

THOMAS J. HOGAN, JR.

BASE BEARING: N 75°56'05"E (REF. #1)
 FLOOD ZONE: N/A BASE FLOOD ELEVATION: N/A
 F.E.M.A. F.I.R.M. PANEL NO. N/A DATED: N/A

DRAWN BY:	CTM
CREW CHIEF:	BAS
TECHNICIAN:	CTM
CHECKED BY:	<i>[Signature]</i>
CHECKED BY:	<i>[Signature]</i>

THIS SURVEY WAS PREPARED AT THE REQUEST AND FOR THE EXCLUSIVE USE OF **THOMAS J. HOGAN, JR.** THE PURPOSE AND INTENTION OF THIS SURVEY IS TO DETERMINE WHETHER ENCROACHMENTS EXIST ACROSS PROPERTY LINES AND IS FOR MORTGAGE PURPOSES ONLY. THIS FIRM WAS NOT CONTRACTED TO PERFORM A COMPLETE TITLE ABSTRACT OF THE PROPERTY SHOWN HEREON. BE AWARE THAT THE SERVITUDES SHOWN HEREON WERE TAKEN FROM REFERENCE DATA AND THAT OTHER SERVITUDES, ENCUMBRANCES OR RESTRICTIONS, EITHER VISIBLE OR NOT VISIBLE, MAY AFFECT THE SUBJECT PROPERTY. ALSO, A WETLANDS INVESTIGATION WAS NOT REQUESTED AND IS NOT A PART OF THIS SURVEY.

CERTIFICATION:

I HEREBY CERTIFY THAT THIS FIRM MADE A FIELD SURVEY OF THE PROPERTY SHOWN HEREON AND THAT THIS MAP IS MADE IN ACCORDANCE WITH FIELD NOTES OF SAID SURVEY RECORD PLATS AND/OR DESCRIPTIONS. THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES, UNLESS OTHERWISE SHOWN. THIS SURVEY IS IN ACCORDANCE WITH THE APPLICABLE STANDARDS OF PRACTICE ESTABLISHED BY THE STATE OF LOUISIANA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, TITLE 46: CHAPTER 25 (PROFESSIONAL AND OCCUPATIONAL STANDARDS) AND MEETS THE REQUIREMENTS FOR A CLASS "C" SURVEY.



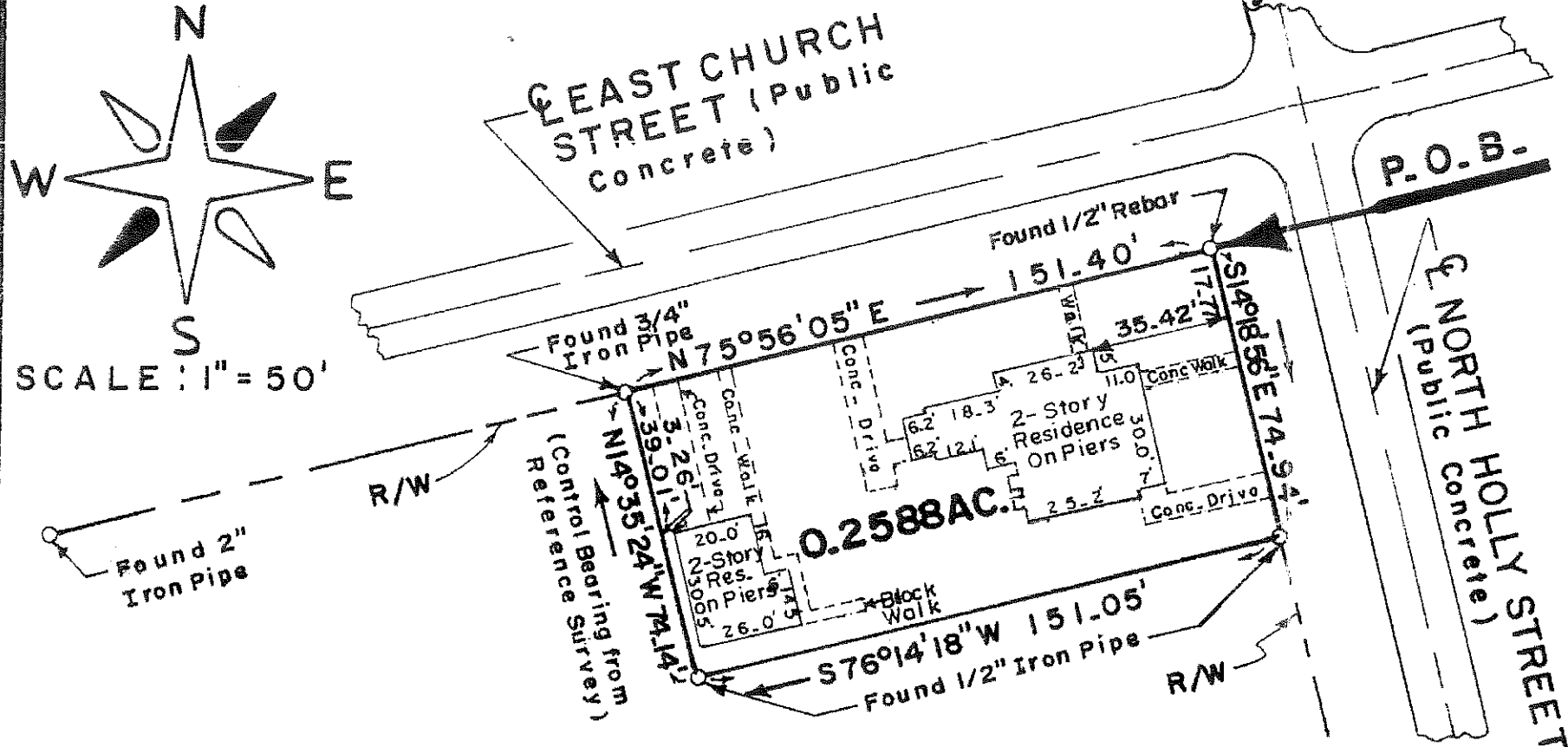
[Signature]
LESTER A. McLIN, JR.
 PROFESSIONAL LAND SURVEYOR
 REG. #4470



DATE: 6/08/09

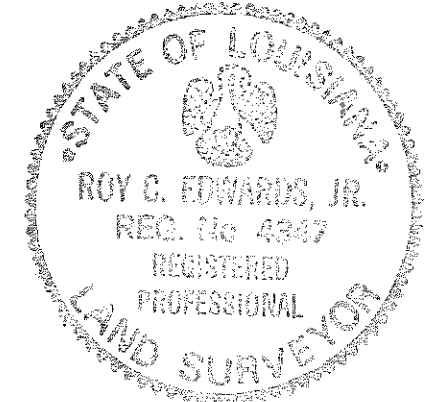
W.O. # 2090506

PLAT OF SURVEY SHOWING PROPERTY LOCATED IN THE NORTH 1/2 OF THE NORTHEAST QUARTER OF SQUARE-44, OF THE HYER SURVEY OF THE CITY OF HAMMOND, PARISH OF TANGIPAHOA, STATE OF LOUISIANA.



DESCRIPTION OF PROPERTY

An actual ground survey was made of a certain piece or parcel of land situated in the North 1/2 of the Northeast Quarter of Square-44 of the Hyer Survey of the City of Hammond, Parish of Tangipahoa, State of Louisiana, more fully described as beginning at the Northeast Corner of said Square-44; thence along the west right of way line of North Holly Street, S14°18'56"E 74.94'; thence S76°14'18"W 151.05'; thence N14°35'24"W 74.14' to the south right of way line of East Church Street; thence along said right of way line, N75°56'05"E 151.40' to P.O.B. Contains 0.2588 Acres, all as shown on plat.



ROY EDWARDS
LAND SURVEYING, INC.
POST OFFICE BOX 1414
PONCHATOULA, LOUISIANA 70454
PHONE: (985) 386-6495

NOTES:
1.) I certify that this plat is in accordance with the applicable standards of practice for a Class C survey.
2.) This perimeter survey shall not constitute a legal opinion of title, and was made solely according to the information provided to the surveyor.

REFERENCE: Survey and Plat by Roy Edwards Land Surveying, Inc., dated 4-24-2001.

[Signature]
ROY C. EDWARDS, JR.
PROFESSIONAL LAND SURVEYOR
DATE: 1 — 21 — 2004
DRAWN BY: Joseph L. Helg



Site Location- Multifamily Housing



North of Site



Northeast of Site



East of Site



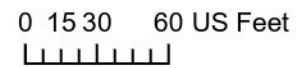
South of Site



West of Site

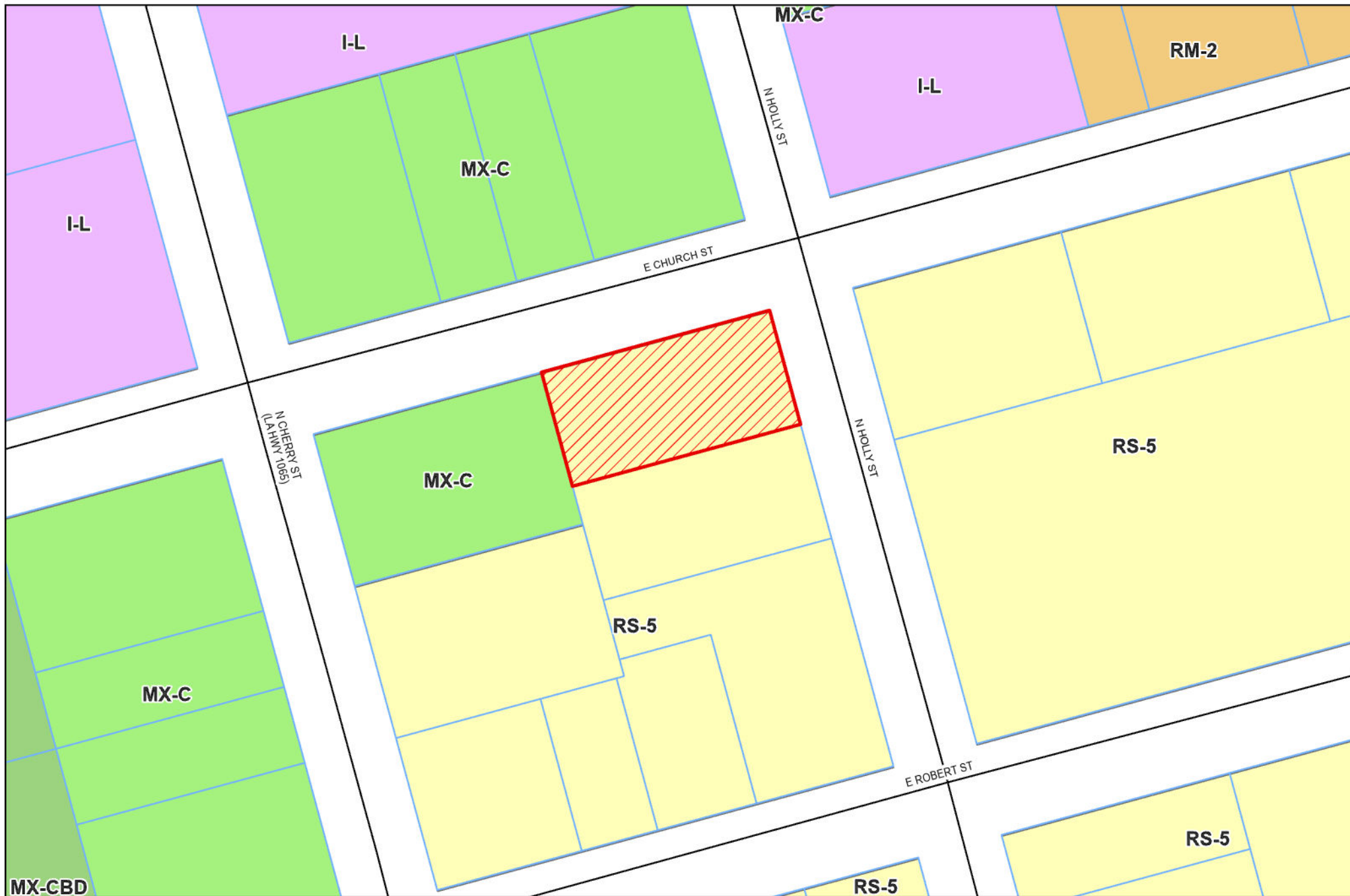


311 North Holly St
 Rezoning Z-2023-10-00126



Legend

- Road Centerlines
- Case Parcel
- City Lots
- City Limits



311 North Holly St
Rezoning Z-2023-10-00126



Legend

- Road Centerlines
- Case Parcel
- City Lots
- City Limits



CITY OF HAMMOND

PLANNING DEPARTMENT

P. O. BOX 2788 • HAMMOND, LOUISIANA 70404-2788
219 East Robert Street – Hammond, LA 70401
Phone (985) 277-5649 Fax (985) 277-5638

FAX

MAYOR
Pete Panepinto
panepinto_p@hammond.org

DIRECTOR OF ADMINISTRATION
Lacy Landrum
landrum_l@hammond.org

CITY OF HAMMOND ZONING COMMISSION PUBLIC HEARING REZONING REQUEST PUBLIC NOTICE

1 page

October 25, 2023

11/2/23

THOMAS & LILA HOGAN
309 E CHURCH ST
HAMMOND LA 70401

*NO OBJECTION,
Tom + Lila Hogan*

Dear Thomas and Lila Hogan,

We are required by state and city law to notify all adjacent property owners of any request for a public hearing. This public notice is to inform you that your property located at 309 E Church St and 310 N Cherry St are adjacent to the request below and it is scheduled for a Zoning Commission public hearing. The public is invited to attend the hearing or notify us of any comments.

Z-2023-10-00126 Rezoning request by Jeremy Sims to rezone 311 North Holly St. per survey by McLin & Associates, Inc. dated 06/08/09 from RS-5 to MX-C. (District 1)

**The public hearing will be held at 5:00PM on Thursday, November 9, 2023
in the City Council Chambers at 312 E. Charles St. in Hammond**

Comments or questions should be addressed to
The Planning Department 219 E. Robert St. Hammond, LA 70401,
by email to vito_am@hammond.org or by phone 985-277-5649.

6.1.1 Residential Single-Family

RS-5

A. Allowed Uses

1. Detached Single-Family Dwelling (including modular without chassis)
2. Gardens, growing of crops (noncommercial)
3. Parks and Open Space
4. Minor utilities
5. Civic Uses
6. Guest House
7. Cemeteries and/or Memorial Gardens

B. Conditional Uses

1. Day Care Facility

C. Accessory Uses

1. Home Occupations
2. Vegetable and Flower Gardens
3. Private Garages
4. Tennis court, swimming pools, garden houses, tool sheds, pergolas, barbecue ovens and similar uses customary accessory to residential uses
5. Accessory Places of Worship Uses that are not considered a nuisance to the neighborhood.
6. Raising and keeping of domestic animals but not on a commercial basis or on a scale objectionable to neighboring property owners.

6.1.3 Mixed Use

MX-C Commercial Mixed Use

A. Allowed Uses

1. Detached Living (Single-Family Dwelling)
2. Attached House 6-8
3. Modular without chassis
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. All 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 rentals
25. All water oriented sales and services
26. All light industrial
 - a. Bottling plant
 - b. Publishing establishment, printing plant
 - c. Canning and preserving foods
 - d. Lumber yard as part of retail establishment
 - e. Contractor's storage yard
 - f. Carpentry shop
 - g. Any retail or wholesale use not the storage above ground of petroleum and other inflammable liquids in excess of 100,000 gallons.
27. All research and development
28. All self-storage
29. All vehicle services
30. Off street parking
31. Reception/Banquet Hall
32. Cemeteries and/or Memorial Gardens

B. 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 6-9
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
7. Sale of alcohol in conjunction with a full-service restaurant

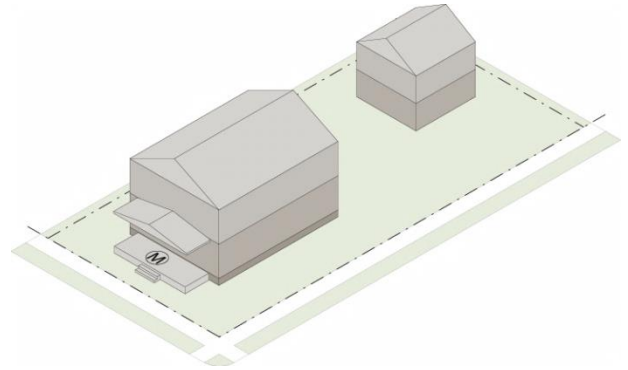
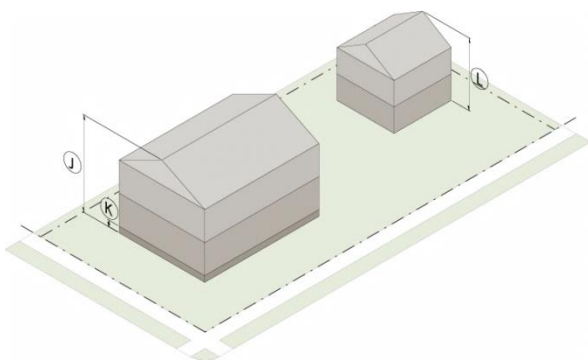
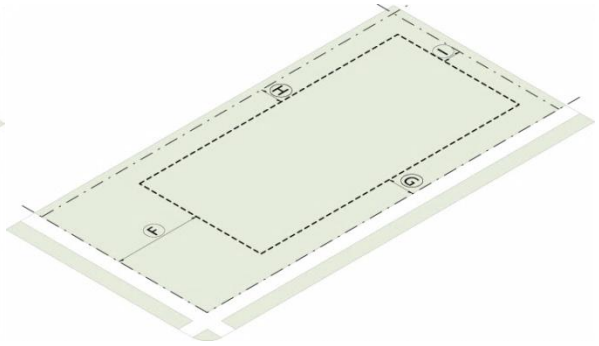
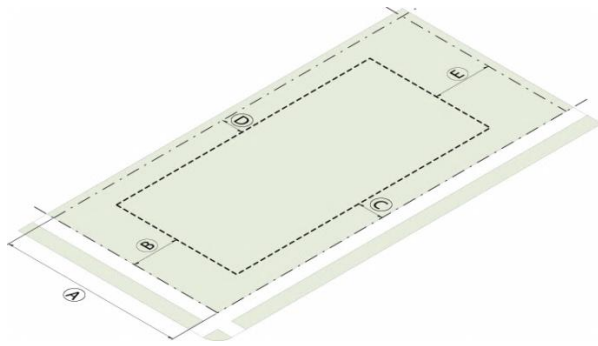
C. Conditional Uses

1. Tattoo parlor
2. Major utilities
3. Commercial parking lots and garages
4. All outdoor recreation
5. Sweet Shop

6.3 Building Types

6.3.1 Single-Family Residential Building Types

A. Single-Family House

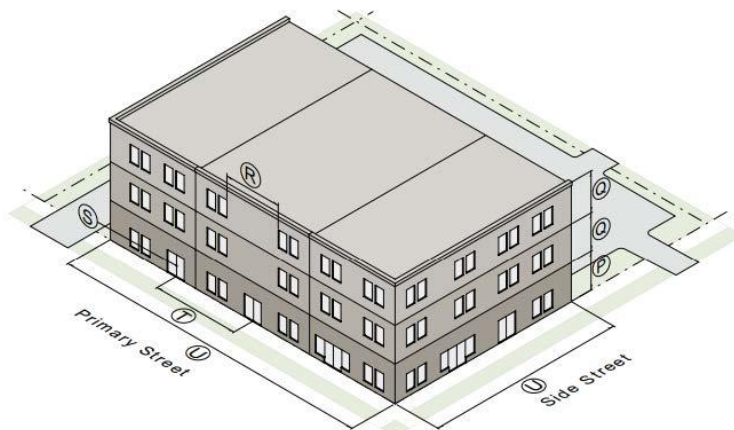
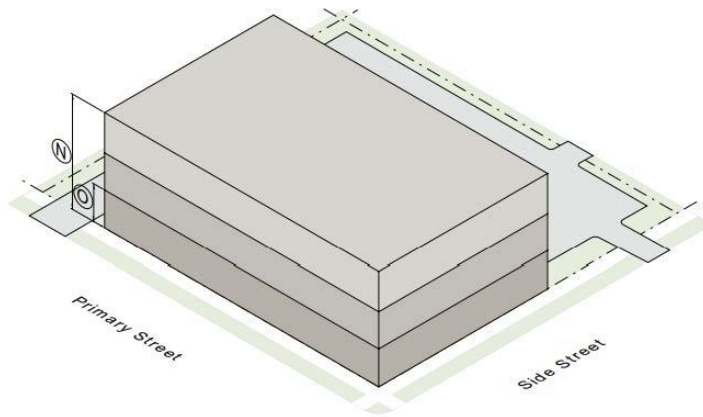
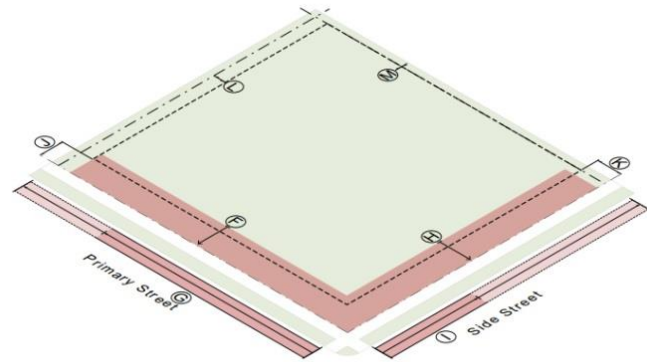
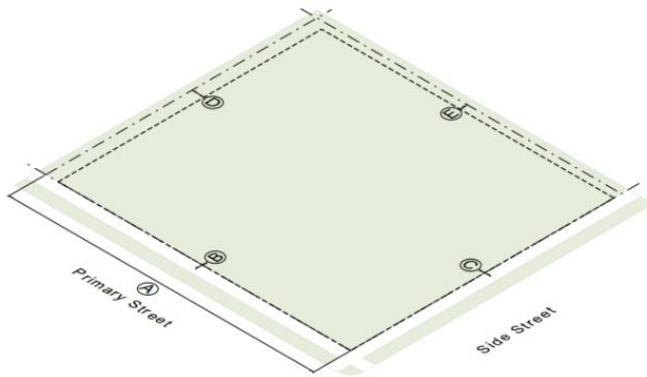


	RS-11 RS-11.A	RS-8	RS-5	RS-3
Project				
Area (min acres)	n/a	n/a	n/a	n/a
Common Open Space (min)	n/a	n/a	n/a	n/a
Gross Density (max units/acre)	3.75	5.5	6.5	14.5
Lot				
Area (min square feet)	11,250	8,000	5,000	3,000
Building Coverage (max)	40%	45%	50%	65%
A Width (min)	75'	65'	50'	40'
Principal Structure Setbacks				
B Front (min)	25'	25'	25'	10'
C Side, street (min)	15'	15'	10'	8'
D Side, interior (min)	10'	10'	5'	5'
E Rear (min)	15'	15'	10'	10'
Accessory Structure Setbacks				
F Behind front façade of principal structure (min)	10'	10'	10'	10'
G Side, street (min)	15'	15'	10'	8'
H Side, interior (min)	10'	10'	5'	5'
I Rear, common lot line (min)	10'	10'	10'	5'
Principal Structure Height				
J Stories (max)	2	2	2	2
J Feet (max)	35'	35'	35'	35'
K Ground story elevation (min)	12"	12"	12"	12"
Bulk Plane				
Bulk Plane abutting RS-district (1:1 above 40')	n/a	n/a	n/a	n/a
Accessory Structure Height				
L Stories (max)	2	2	2	2
L Feet (max)	30'	30'	30'	30'
Building Entrance				
M Street facing entrance required	yes	yes	yes	yes
Building Elements Allowed				
Gallery	■	■	■	■
Awning	■	■	■	■
Double gallery	■	■	■	■
Porch, stoop	■	■	■	■
Balcony	■	■	■	■

- Ground Story Elevation is above Base Flood Elevation

6.3.3 Mixed Use Building Types

A. Mixed Use Building



Mixed Use		MX-CBD	MX-C	MX-N
Lot				
	Area (min square feet)	6,500	3,500	7,500
	Building footprint (max)	70%	80%	65%
A	Width (min)	65'	35'	75'
Principal Structure Setbacks				
B	Primary street (min)	0'	0'	0
C	Site street (min)	0'	0'	0
D	Setback abutting RS districts (min)	15'	15'	15'
D	Setback abutting any other districts (min)	0'	0'	0'
E	Setback abutting alley (min)	5'	5'	5'
Build-to Area				
F	Primary street build-to line (min/max)	0'/15'	0'/5'	0'/15'
G	Building façade on primary street build-to area (min % of lot width)	65%	85%	65%
H	Side street build-to line (min/max)	0'/15'	0'/5'	0'/15'
I	Building façade on side street build-to area (min % of lot depth)	30%	40%	30%
Parking Setbacks				
J	Primary street setback (min)	10'	10'	15'
K	Side street setback (min)	10'	15'	15'
L	Setback abutting RS district (min)	10'	10'	10'
L	Setback abutting any other district (min)	0'	0'	0'
M	Setback abutting alley (min)	0'	0'	0'
Height				
N	Stories (max)	3	3	3
N	Feet (max)	45'	45'	45'
O	Ground story height (min)	12'	12'	12'
Transparency				
P	Ground story (min)	55%	65%	45%
Q	Upper story (min)	20%	30%	20%
R	Blank wall area (max)	30'	30'	35'
Building entrance				
S	Street facing entrance required	yes	yes	yes
T	Entrance spacing (max)	100'	100'	100'
Building Mass				
U	Building length (max)	200'	200'	200'
Building Elements Allowed				
	Gallery, awning	yes	yes	yes
	Double gallery	yes	yes	yes
	Porch, stoop			
	Balcony	yes	yes	yes

- Ground Story Elevation is above Base Flood Elevation