



Staff Report

Rezoning Case#RZ2012-11-2

Attachments: Application, Property Information Sheet, Zoning Map, Aerial Map, Future Land Use Map, Photos, Letters of Objection

Zoning Commission Public Hearing: Thursday December 6, 2012
City Council: Introduction - 12/18/2012 Final - 01/02/2013

CITY COUNCIL AGENDA REQUEST: (Ordinance)

Approval of a rezoning request by Karen Ott & Pamela Wall to rezone Lots 4&5 in Square 2 of the Magnolia Ridge Subdivision located at 2 Whitmar Drive from R11 to RA (RZ2012-11-1) recommended denial by the Zoning Commission

SITE INFORMATION:

Location (Address): 2 Whitmar Drive

COUNCIL DISTRICT: 5-Mike Williams

Site Description: 2 lots with house fronting on Whitmar Drive. Bound on the east by Ponchatoula Creek

Existing Zoning: R11-Residential District
Existing Land Use: Single family Residential

Proposed Zoning: RA-Apartment District
Future Land Use Map: Low-Density Residential

ADJACENT LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use/Zoning</u>
North:	Single Family Residential/R11 (across Whitmar Dr)
South:	Multi-Family Residential/RA
East:	Multi-Family Residential/RA (across Ponchatoula Creek)
West:	Single Family Residential/R11 & RA

ADDITIONAL INFORMATION:

The house was built over the lot lines.

ZONING COMMISSION PUBLIC HEARING:

Speaking in favor: Pamela Wall (owner), Jim Ledford (adjoining property owner), Jerry Wall

Speaking Against: Duncan Kemp (Atty for Georgia Russell and Mr. & Mrs. Earl Corkern)
Jan Lobue (51 Whitmar Drive)
Carol Corkern (204 N. Oak St)
Barbara McKaskle (5 Marta Dr)
Earl Corkern (2004 N. Oak St)

REZONING FINDINGS:

- 1) Will this diminish the value of the surrounding properties? Yes No
- 2) Will this alter the essential character of the neighborhood? Yes No
- 3) Will granting this request be detrimental to the public welfare? Yes No
 - a. Light & Air? Yes No
 - b. Traffic congestion or hazard? Yes No
 - c. Overburden existing drainage or utilities? Yes No
 - d. Emissions of odors, fumes, gasses, dust, smoke? Yes No
 - e. Noise & Vibrations? Yes No

ZONING COMMISSION RECOMMENDATION:

Motion: Sam McClugage recommends denial

For: Stanley Young, Ralph Ross, Jimmy Meyer, Sam McClugage **Against:** None

Absent: William Travis

ORDINANCE TO READ: (IF Approved)

WHEREAS, on December 6, 2012 the Zoning Commission recommended denial of the rezoning request by request by Karen Ott & Pamela Wall to rezone Lots 4&5 in Square 2 of the Magnolia Ridge Subdivision located at 2 Whitmar Drive from R11 to RA (RZ2012-11-1) and their recommendation has been forwarded to the Hammond City Council for Final Approval.

NOW, THEREFORE, BE IT ORDAINED, that the City Council of Hammond, Louisiana hereby approves the rezoning request request by Karen Ott & Pamela Wall to rezone Lots 4&5 in Square 2 of the Magnolia Ridge Subdivision located at 2 Whitmar Drive from R11 to RA

From: Josh Taylor, City Planner,

Josh Taylor

APPLICATION FOR REZONING, CONDITIONAL USE, OR INITIAL ZONING

CITY OF HAMMOND
219 East Robert Street, HAMMOND, LA 70401 / PHONE: (985) 277-5640 - FAX: (985) 277-5637

FILING DATE: 11/7/12 PERMIT# R2 2012-11-1

The next Zoning Commission Meeting will be held on Dec. 4, 2012 6:50pm in the City Council Chambers, 312 E. Charles Street. Application to be submitted to Zoning Commission must be filed with the City at least 21 days before the date of the next Public Meeting.

This Application for: REZONING CONDITIONAL USE: EXPANDED -OR- RESTRICTED INITIAL ZONING

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# 01032305
SITE ADDRESS: 2 Whitmar Dr.
STREET # & STREET NAME
Legal Description or Survey: see attached legal description

PROPERTY OWNER NAME: Pamela H. Wall and Karen H. O++
First Name MI Last Name
Owner Address: P.O. BOX 767 ST. FRANCISVILLE, LA 70775
Street Name/Street Number City State Zip
Telephone: (225) 635-4024 or Cell #: (225) 278-6693

PLEASE READ AND SIGN BELOW

APPLICANT NAME: Pamela H. Wall and Karen H. O++
First Name MI Last Name
COMPANY NAME: Owners Other
Applicant Mailing Address: P.O. BOX 767 ST. FRANCISVILLE, LA 70775
Street Name/Street Number City State Zip
Applicant Telephone: (225) 635-4024 or Cell #: (225) 278-6693

PERMIT INFO-ADDITIONAL INFO
PRESENT ZONING IS: AL B1 B2 C1 C2 C3 C4 C4A H I L R4 R5 R5S R8 R11 RA RP RS S
REQUESTED ZONING IS: AL B1 B2 C1 C2 C3 C4 C4A H I L R4 R5 R5S R8 R11 RA RP RS S
REASON FOR REZONING: Future Development
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.

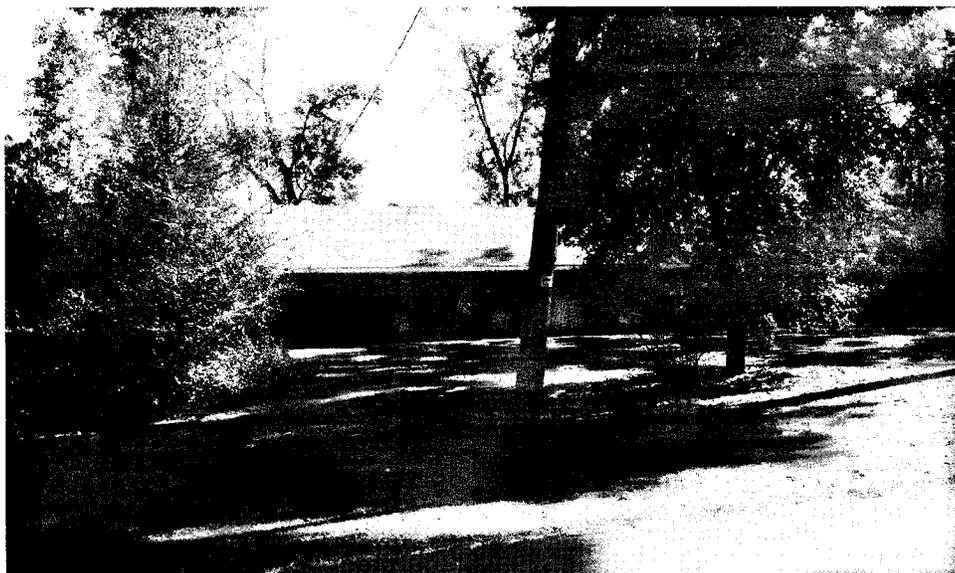
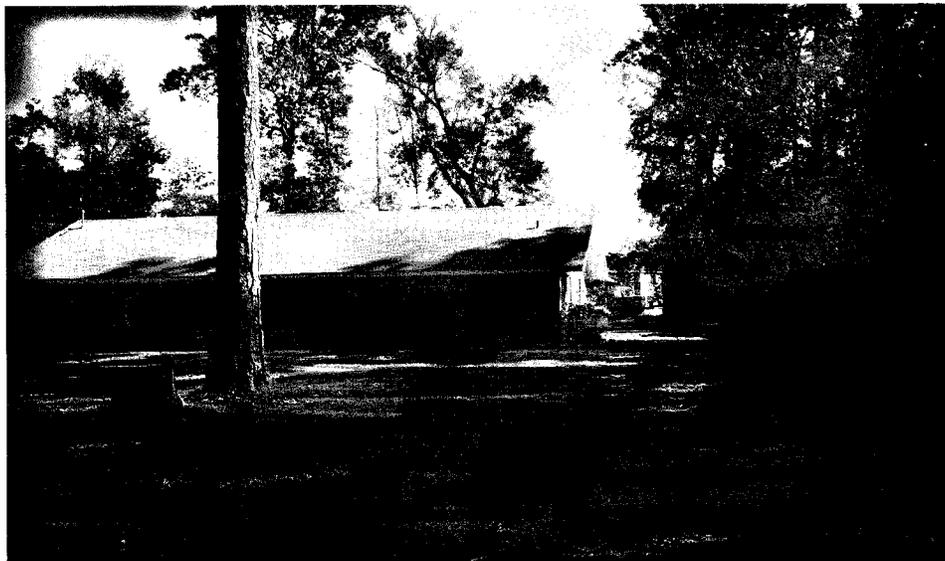
I/We being the legal owner(s) request zoning of my property from a KA District to a KA District. I/We fully understand and agree to abide by the zoning restrictions for a KA District. I am including with this application a copy of any covenants or restrictions and deeds governing this property.
If there 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 AND ALL FEES PAID BEFORE THIS APPLICATION WILL BE ACCEPTED ON THE AGENDA FOR THE CITY OF HAMMOND PLANNING & ZONING COMMISSION.

X Pamela H. Wall APPLICANT SIGNATURE
X Pamela H. Wall OWNER SIGNATURE
DATE: 11-6-12 DATE: 11-6-12

X CITY PLANNER
DATE

AMOUNT PAID \$ 250 CHECK# 113498727 DATE PAID 11/7/12
FOR OFFICIAL USE
NAMES & ADDRESSES OF ADJACENT PROPERTY OWNERS REQUIRED

2 Whitmar Drive



From: [Josh Taylor](#)
To: [Tracie Schillace](#)
Subject: Fwd: Re-zone on Whitmar Drive
Date: Monday, November 26, 2012 3:00:23 PM

Sent from my iPhone

Begin forwarded message:

From: Carl Speed <carlspeed32@gmail.com>
Date: November 26, 2012, 2:56:31 PM CST
To: <taylor_j@hammond.org>
Subject: Re-zone on Whitmar Drive

Please do NOT re-zone this piece of land. Neither Oak St. nor Whitmar Drive can sustain the traffic caused by additional Apartments. (Apartments have been a curse on this area for many years). Thank you. Carl Speed, 16 Whitmar Drive. 542-0355.

From: Josh Taylor
To: Tracie Schillace
Subject: FW: Zoning change request for 2 Whitmar Drive
Date: Monday, November 26, 2012 10:42:20 AM

From: Dana Fischetti [mailto:fischetid@gmail.com]
Sent: Monday, November 26, 2012 10:39 AM
To: Josh Taylor
Subject: Zoning change request for 2 Whitmar Drive

Dear Mr. Taylor,

I am writing to voice concern regarding the zoning change request for 2 Whitmar Drive, current owners - Karen Ott & Pamela Wall, subdivision - Magnolia Ridge, zoning request number - RZ2012-11-1. The owners of 2 Whitmar Drive have requested that the residential designation of their property be converted to commercial, which is a cause of concern for the residents of Whitmar Acres.

My husband, John, and I recently moved to Hammond and are residents of 3 White Drive, which we are currently leasing and plan to purchase once we close on the sale of our home in North Carolina. There has been a recent increase in criminal activity in the neighborhood, including a home invasion, a gun-related incident in the apartments on Whitmar Drive, and several thefts from cars, carports and sheds. We already have a large number of apartments and rental units nearby, and changing the zoning for 2 Whitmar Drive will result in more apartment buildings bordering our subdivision.

We oppose the idea of changing the zoning for 2 Whitmar Drive, and ask that the Hammond zoning board deny this request. Unfortunately, an increase in multi-family units bordering our neighborhood will most likely cause a continued increase in crime in the area. My family and our neighbors are concerned that our subdivision remain a safe environment in which to live, particularly for our elderly residents and young children.

This zoning change request is NOT in the best interest of the residents of Whitmar Acres. Thank you for your kind attention to this matter.

Sincerely,

Dana Fischetti
3 White Drive
910-431-6350 (cell)

From: [Josh Taylor](#)
To: [Tracie Schillace](#)
Subject: FW: Rezoning Request for 2 Whitmar Dr.
Date: Monday, November 26, 2012 10:42:12 AM

From: Jan Lobue House [mailto:janlobue@gmail.com]
Sent: Saturday, November 24, 2012 4:14 PM
To: Josh Taylor
Subject: Rezoning Request for 2 Whitmar Dr.

Mr. Taylor,

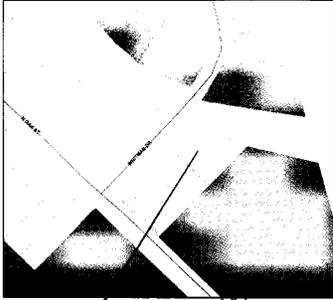
I would like to express my opposition to the following zoning request for 2 Whitmar Dr. The property is owned by Karen Ott & Pamela Wall. If I am reading the sign correctly, the request number is RZ 2012-11-1. I understand that the hearing is to be held on Thursday 12/6/12 in council chambers. Could you please advise me as to the correct protocol to be followed to file a formal opposition to this request?

Thank you,

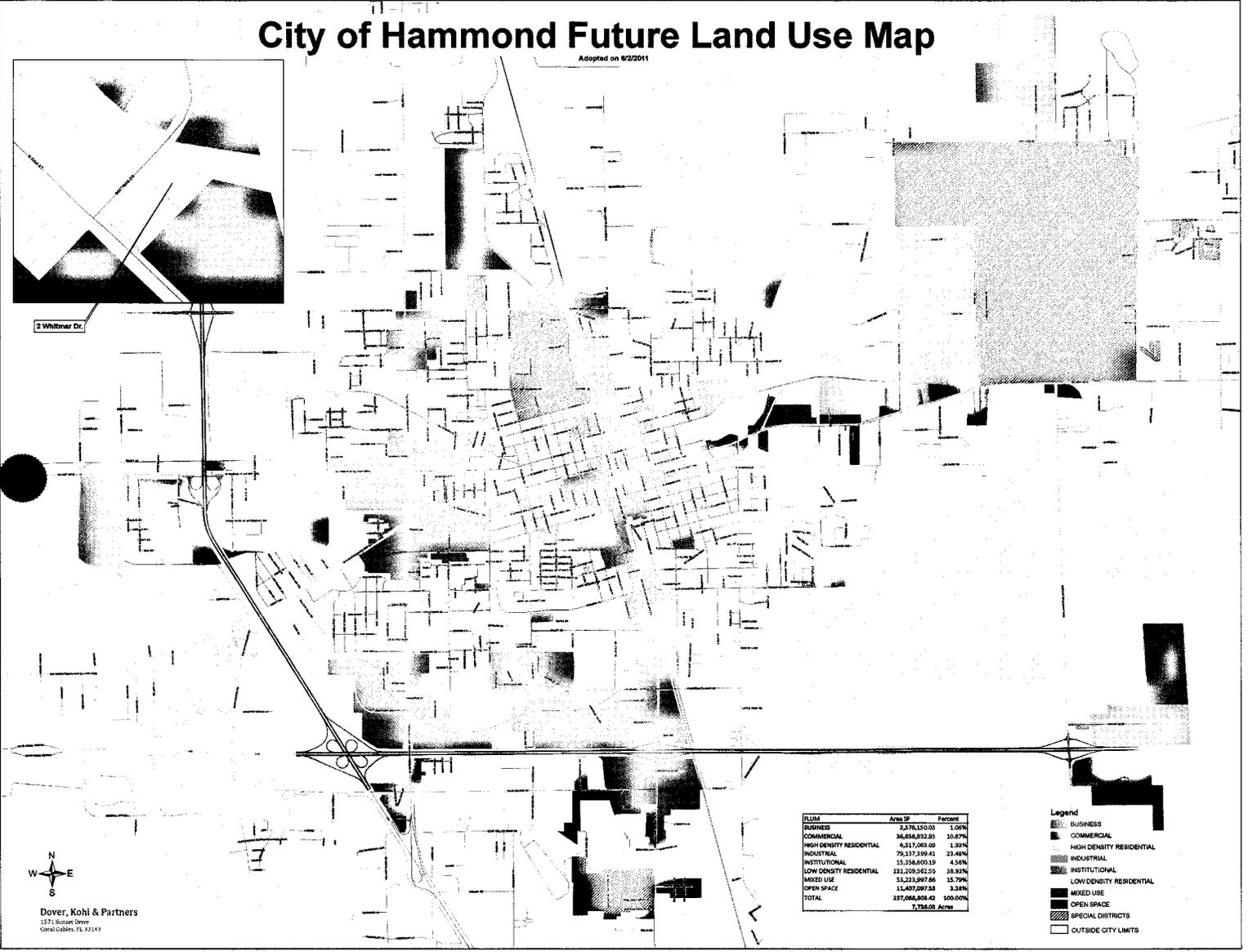
Jan Lobue
51 Whitmar Dr.
Secretary/Treasurer
Whitmar Acres Homeowner's Association

City of Hammond Future Land Use Map

Adopted on 8/22/01



2 Whitmer Dr.

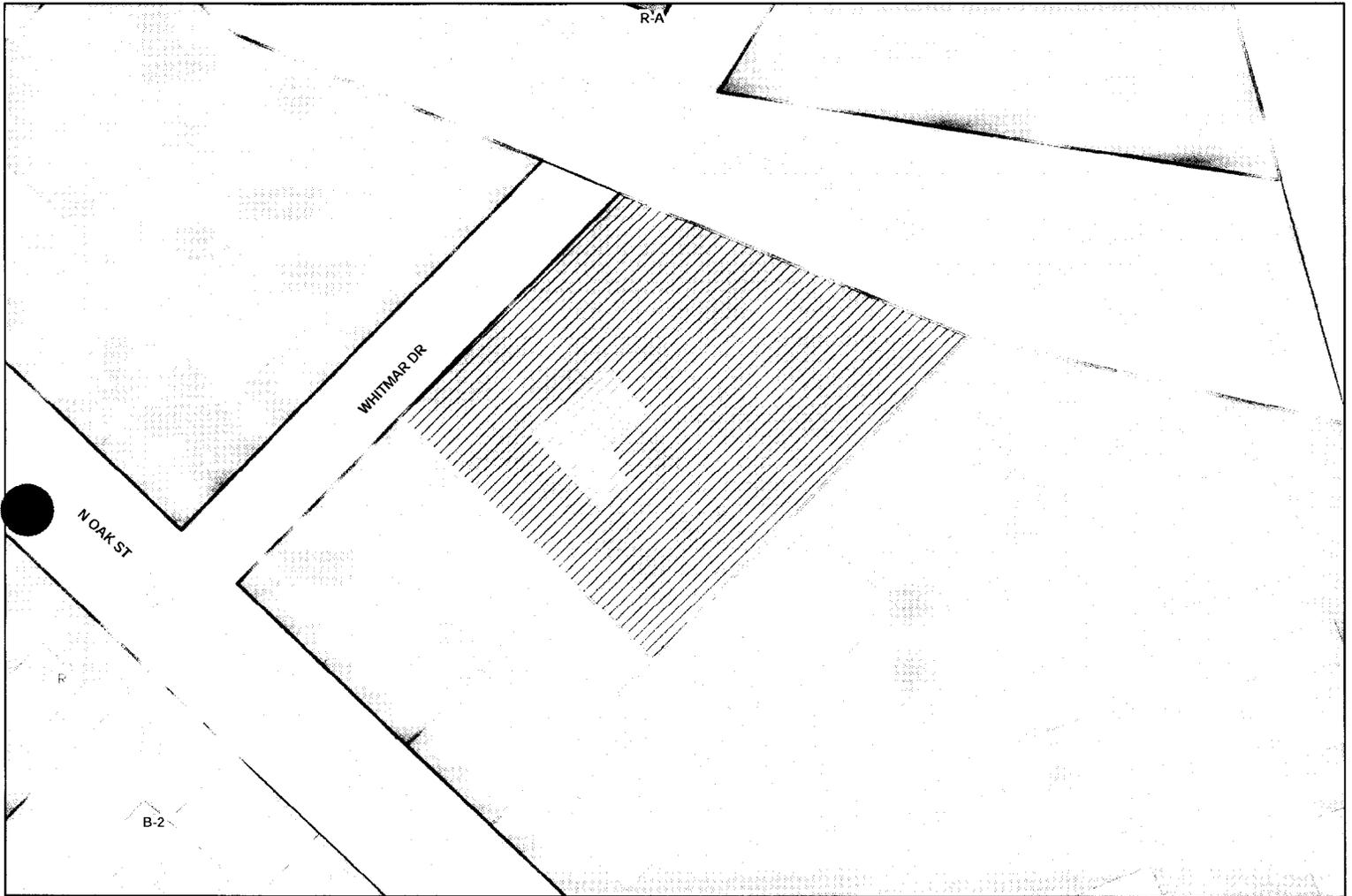


Dover, Kohl & Partners
1571 Sunset Drive
Coral Gables, FL 33149

PLUM	Area SF	Percent
BUSINESS	3,376,150.03	1.06%
COMMERCIAL	36,634,832.80	10.87%
HIGH DENSITY RESIDENTIAL	6,517,093.00	1.93%
INDUSTRIAL	79,137,399.41	23.48%
INSTITUTIONAL	15,334,600.19	4.56%
LOW DENSITY RESIDENTIAL	131,209,562.55	38.82%
MIXED USE	35,233,997.66	10.79%
OPEN SPACE	11,407,097.33	3.38%
TOTAL	337,068,808.42	100.00%
	7,728.08 Acres	

Legend

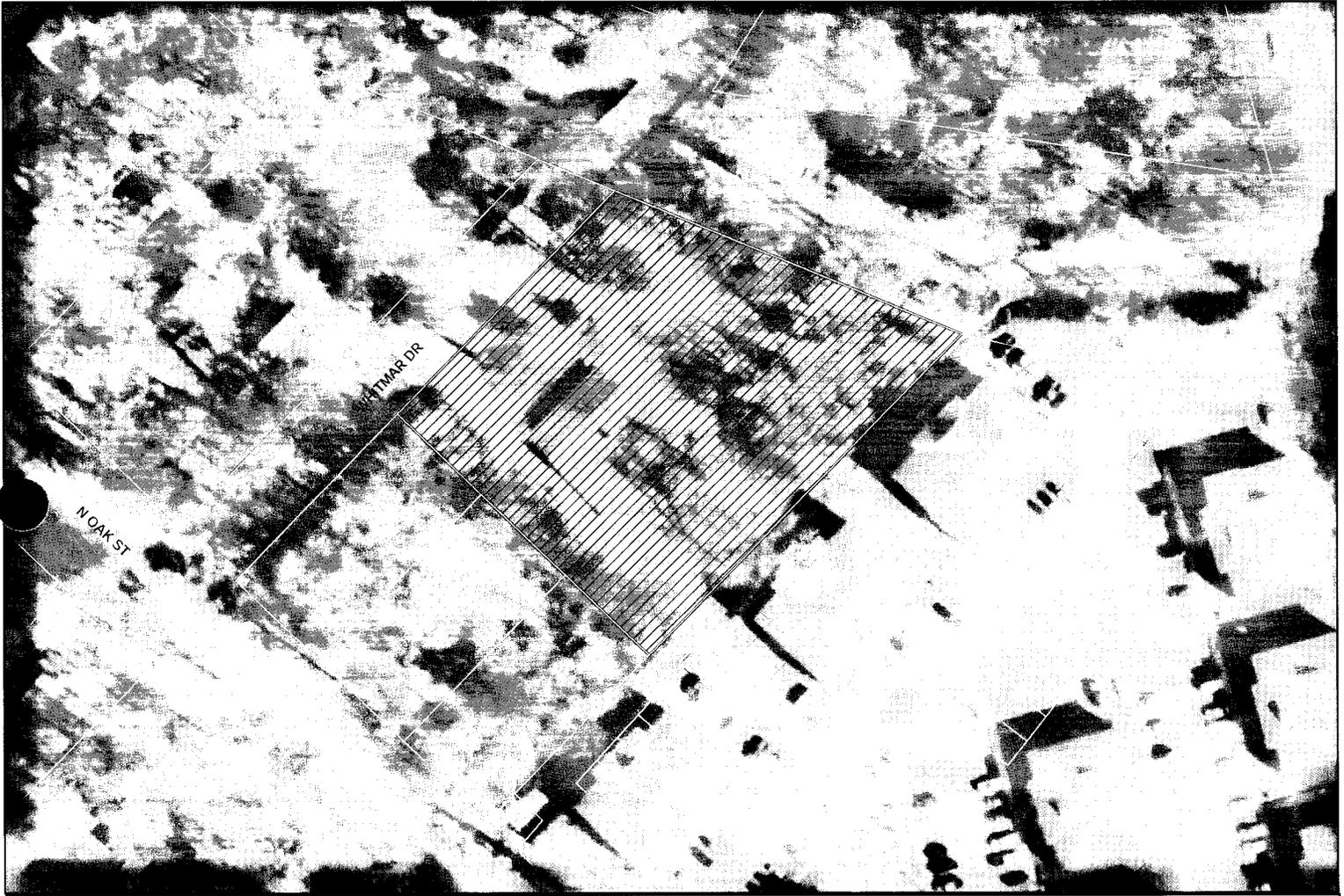
- BUSINESS
- COMMERCIAL
- HIGH DENSITY RESIDENTIAL
- INDUSTRIAL
- INSTITUTIONAL
- LOW DENSITY RESIDENTIAL
- MIXED USE
- OPEN SPACE
- SPECIAL DISTRICTS
- OUTSIDE CITY LIMITS



This Parcel Map is a
model of the area requested.
IT IS NOT A LEGAL SURVEY.

RZ2012-11-1
2 Whitmar Drive

- Legend
- Right_of_Way
 - Parcel
 - - Lot_of_Record
 - ▨ Case Parcel



This Parcel Map is a model of the area requested. IT IS NOT A LEGAL SURVEY.

RZ2012-11-1
2 Whitmar Drive

- Legend
- Right_of_Way
 - Parcel
 - - Lot_of_Record
 - ▨ Case Parcel