



Staff Report

Expanded Conditional Use Case#ECU2013-8-2

Zoning Commission Public Hearing: Thursday September 5, 2013

City Council: Introduction – 9/17/2013 Final – 10/01/2013

Attachments: Application, Property Information Sheet, Zoning Map, Aerial Map, Photos, 1970 Zoning Map

CITY COUNCIL REQUEST: (Ordinance)

Approval of Expanded Conditional Use request by Jenny E. Reyna (occupant/applicant) and Jimmy Nguyen (owner) to allow consumption of alcohol in Jovanni’s Food Mart LLC in a B2 & C2 District located at 605 Pecan St. (ECU2013-8-2) recommended denial by the Zoning Commission

SITE INFORMATION:

Location (Address): 605 Pecan St.

COUNCIL DISTRICT: 4-Lemar Marshall

Site Description: This lot was previously smaller that followed the B2 Zoning Line. This is a corner lot located on Blackburn and Pecan Street.

Existing Zoning: B2 & C2

Existing Land Use: Food Mart/Restaurant

Proposed Land Use: Restaurant w/consumption of alcohol

ADJACENT LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use/Zoning</u>
North:	Vacant Land (City Property) & Apartment Complex/R5 (across Blackburn Rd.)
South:	Commercial Building/C2
East:	Vacant Lot/R5 (Across Pecan St)
West:	Single Family Residential/R5

ADDITIONAL INFORMATION:

- This location is currently operating as the Jovanni’s Food Mart/Restaurant
- Survey is required due to resubdivision without City approval makes this an unrecognized lot. If survey is provided the property owner may have to address setback issues.

EXPANDED CONDITIONAL USE 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

PUBLIC HEARING:

For: Jenny E. Reyna

Against: None

ZONING COMMISSION RECOMMENDATION:

Motion: McClugage to recommend denial

For: Ross, Travis, Meyer

Against: None **Absent:** Stanley Young

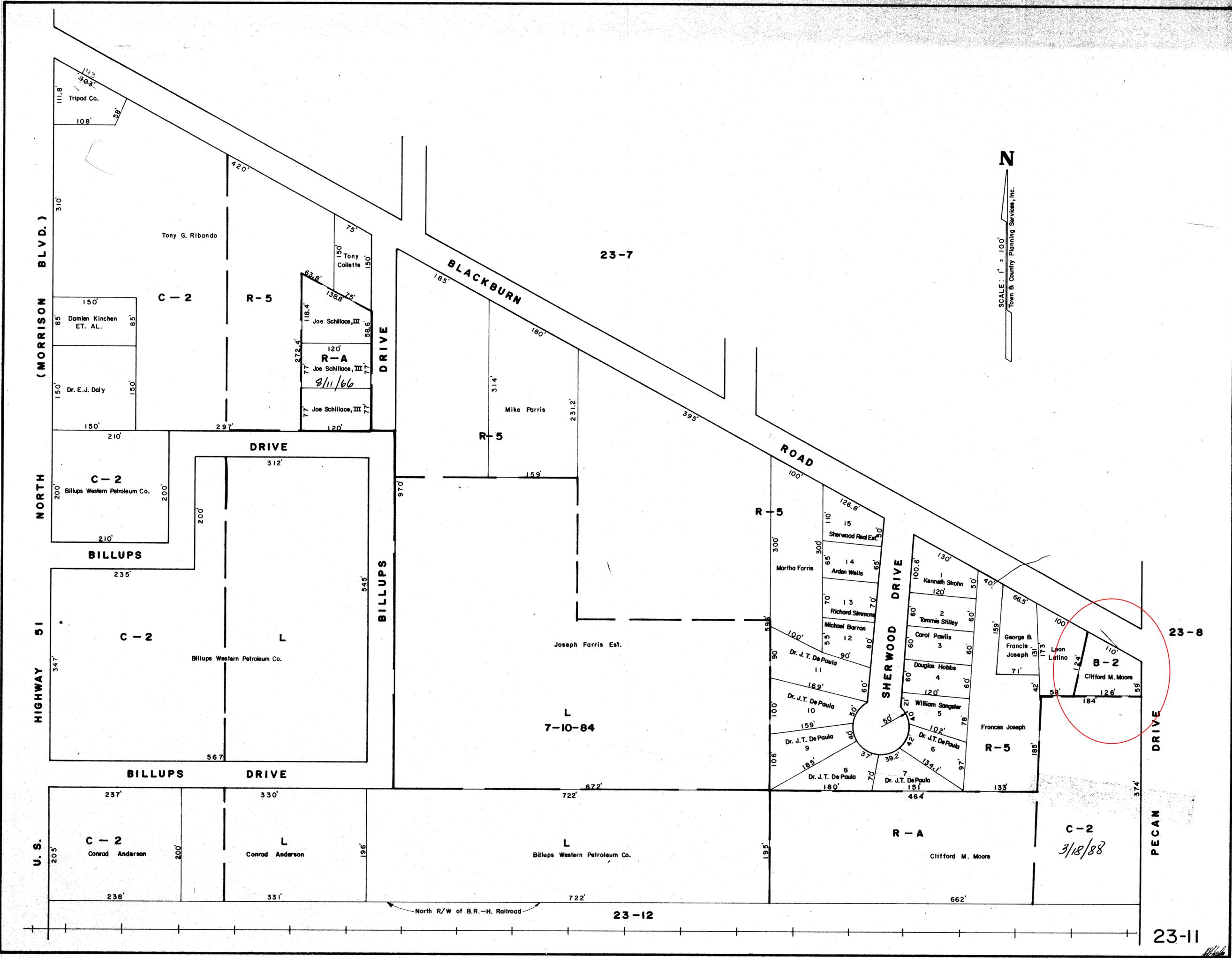
ORDINANCE TO READ: (if approved)

WHEREAS, on September 5, 2013 the Zoning Commission held a public hearing on Case#ECU2013-8-2 request for Expanded Conditional Use by Jovanni's Food Mart LLC (applicant and occupant) to allow the consumption of alcohol (High) at a restaurant in the B2 District located at 605 Pecan St. and

WHEREAS, the Zoning Commission recommended denial of this Expanded Conditional Use request.

NOW, THEREFORE, BE TO ORDAINED, that the City Council of Hammond, Louisiana hereby approves the Expanded Conditional Use request to allow the consumption of alcohol (high) in a restaurant being Jovanni's Food Mart LLC (applicant and occupant) in the B2 District located at 605 Pecan St. with the condition that approval shall be with the understanding that such use is a personal right that expires upon a change in occupancy of the property from the occupant, Jovanni's Food Mart.

From: Josh Taylor, City Planner _____ **Date:** _____



N
SCALE: 1" = 100'
Town & Country Planning Services, Inc.

(MORRISON BLVD.)

NORTH

HIGHWAY 51

U.S.

23-7

23-8

23-12

23-11

BLACKBURN ROAD

SHERWOOD DRIVE

PECAN DRIVE

Tony G. Ribando

Damien Kinchen ET. AL.

Dr. E. J. Daly

Billups Western Petroleum Co.

Billups Western Petroleum Co.

Conrad Anderson

Conrad Anderson

Billups Western Petroleum Co.

Clifford M. Moore

3/18/88

R-A
Joe Schillace, III
8/11/66

- 15 Sherwood Real Est.
- 14 Arden Wells
- 13 Richard Simmons
- 12 Michael Barron
- 11 Dr. J. T. De Paula
- 10 Dr. J. T. De Paula
- 9 Dr. J. T. De Paula
- 8 Dr. J. T. De Paula
- 7 Dr. J. T. De Paula
- 6 Dr. J. T. De Paula
- 5 William Sangster
- 4 Douglas Hobbs
- 3 Carol Pawlis
- 2 Tammie Stille
- 1 Kenneth Strahn

B-2
Clifford M. Moore

L
7-10-84

C-2

R-5

R-5

R-5

R-5

R-A

C-2

North R/W of B.R.-H. Railroad



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: 8/8/13

PERMIT# ECU 2013-8-2

The next Zoning Commission Meeting will be held on Sept. 5, 2013 at 5:00pm 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: [X] EXPANDED --OR-- [] RESTRICTED [] INITIAL ZONING

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# 2616701108.00 Ass# 4922204
SITE ADDRESS: 605 Pecan Street
Legal Description or Survey
PROPERTY OWNER NAME: Jimmy Nguyen
Owner Address: 6740 Winbourne Ave Baton Rouge LA 70805

PLEASE READ AND SIGN BELOW

* APPLICANT NAME: Jenny E Reyna
COMPANY NAME: JOVANNI'S Food Mart
Applicant Mailing Address: 1401 W Church St. Hammond LA 70401
Applicant Telephone: (985) 429-9114 or Cell #: (985) 520-1818

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:

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 AND ALL FEES PAID BEFORE THIS APPLICATION WILL BE ACCEPTED ON THE AGENDA FOR THE CITY OF HAMMOND PLANNING & ZONING COMMISSION.

X Jenny Reyna APPLICANT SIGNATURE 8-8-13 DATE
X OWNER SIGNATURE 8-7-13 DATE
X CITY PLANNER DATE

***** FOR OFFICIAL USE *****
AMOUNT PAID \$ 120.00 CHECK# CASH [X] DATE PAID 8/8/13

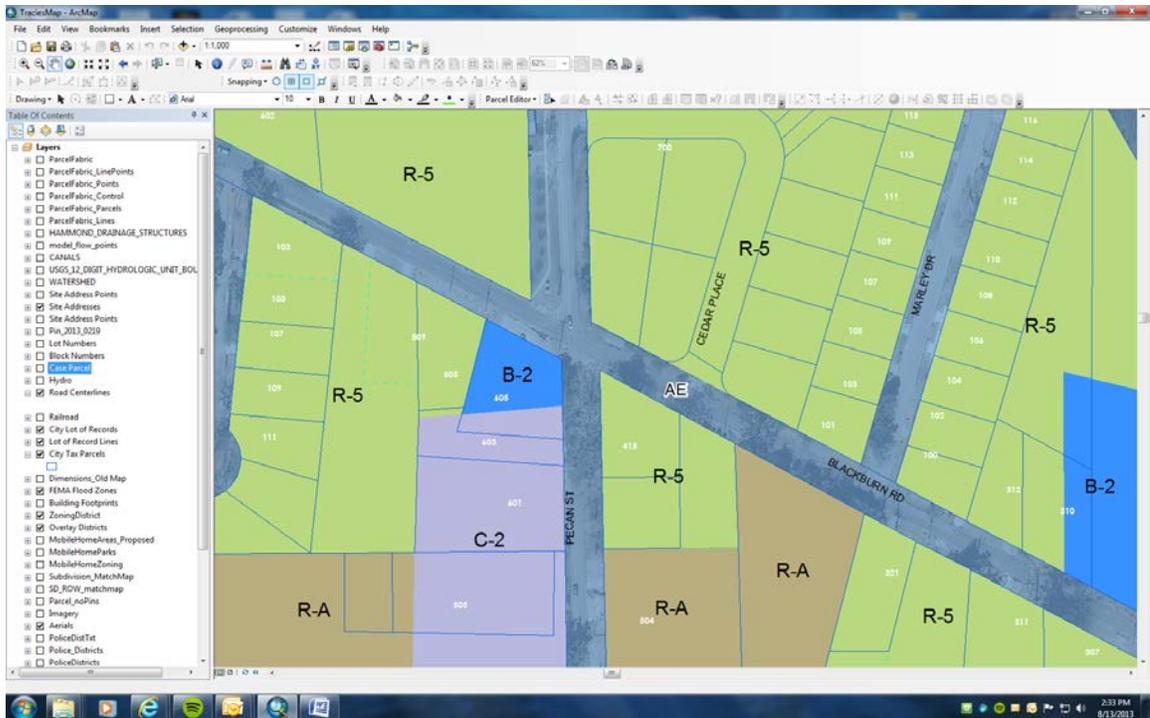
NAMES & ADDRESSES OF ADJACENT PROPERTY OWNERS REQUIRED

PROPERTY INFORMATION SHEET

<input type="checkbox"/>	Type of Permit	ECU	<input type="checkbox"/>	Date:	08/13/2013
<input type="checkbox"/>	Permit/Case #	ECU2013-8-2			
<input type="checkbox"/>	Parcel #	2676701108.00			
<input type="checkbox"/>	Address	605 PECAN STREET			
<input type="checkbox"/>	Owner	JIMMY NGUYEN			
<input type="checkbox"/>	Assessment #	4922204			
<input type="checkbox"/>	Zoning	B2 & C2			
<input type="checkbox"/>	Overlay District	NO			
<input type="checkbox"/>	Flood Zone	AE			
<input type="checkbox"/>	Flood Way	NONE			
<input type="checkbox"/>	Holdings/Taxes	UNAPPROVED SUBDIVISION/NONE			
<input type="checkbox"/>	Bldg Tax Value	(x 10% Res/15% Cml)	50% =		

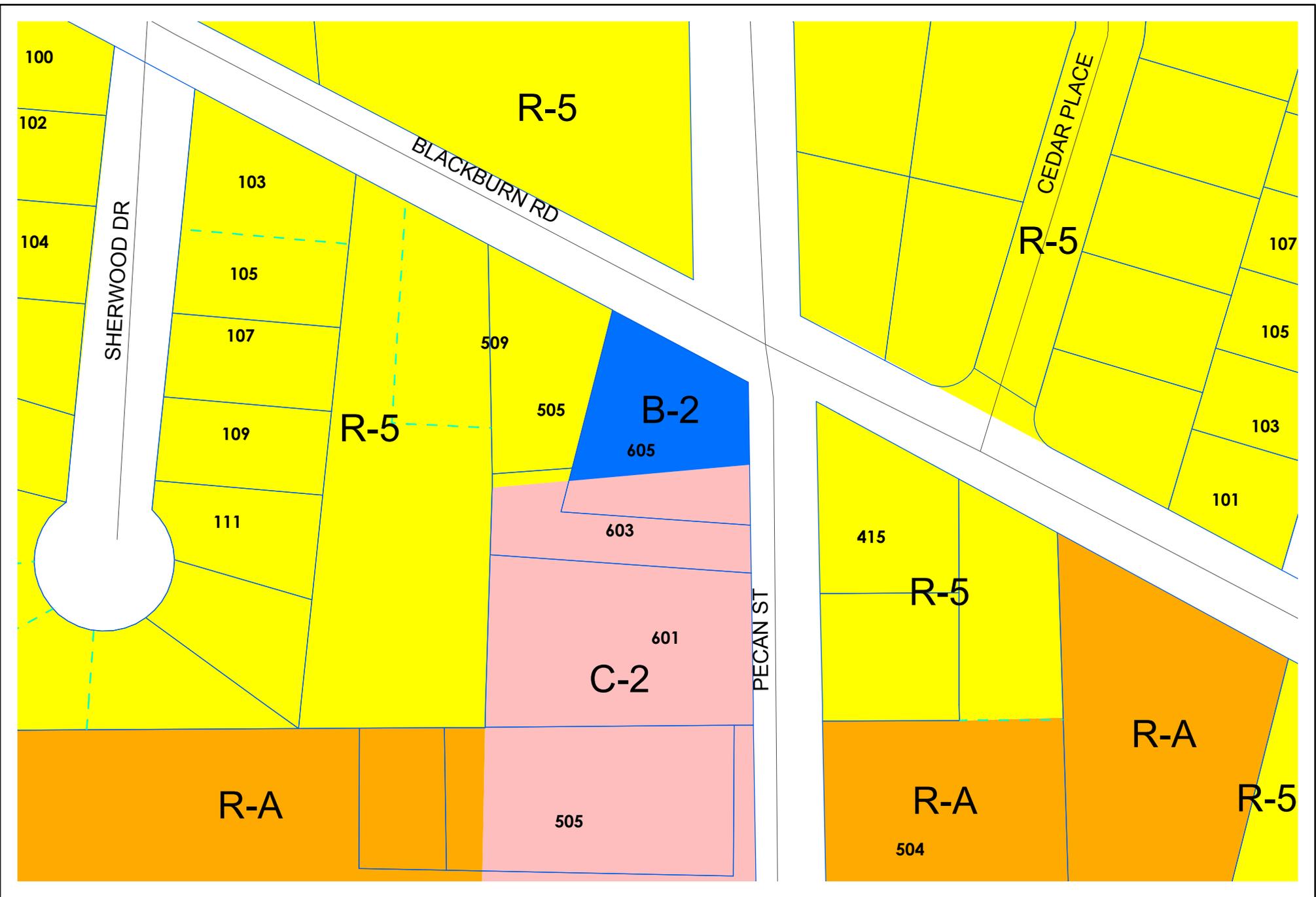
(Renovations/additions 50% or more of the bldg value for properties in a flood zone-see regulations)

Screen
Print



Preparer Initials _____

Reviewer Initials _____

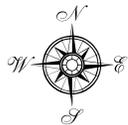


This Parcel Map is a model of the area requested. IT IS NOT A LEGAL SURVEY.

605 Pecan St.

Expanded Conditional Use #ECU2013-8-2

- Legend**
- Lot of Record
 - Lot of Record Historical
 - City Tax Parcels



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