

BY COUNCIL MEMBER ELLIS (Case No. RZ-4-17)

CITY OF CENTRAL  
ORDINANCE NO. 2017-16

AN ORDINANCE GRANTING A REZONING OF AN APPROXIMATELY 0.235 ACRE  
PARCEL FROM R-2 TO B-1 TO BUILD A NEW DENTAL OFFICE WITH DEVIATIONS  
FROM REQUIRED SETBACKS  
(Record Dental)

WHEREAS, application has been made by Benjamin R. Record, DDS to rezone an approximately 0.235 acre parcel located on the east side of West Brookside Drive, south of Wax Road and south of his existing dental office (15110 Wax Road) from R-2 (Single-Family Residence District) to B-1 (Neighborhood Business District) in order to construct a new dental office building; and

WHEREAS, the purpose of the rezoning is to build a new dental office building and tear down the current medical office building, using that property as parking for the new building; and

WHEREAS, the subject property is in a mixed-use area with adjacent medium density single-family residential uses, office and public utility uses; and

WHEREAS, while the proposed use is not consistent with the Master Plan, subject to the conditions set forth in this ordinance, the proposed use is consistent with the zoning and uses of the properties in the area and is suitable for the purposes for which it is proposed to be used; and

WHEREAS, a public hearing was held on May 25, 2017 before the City of Central Zoning Commission; and

WHEREAS, the Zoning Commission, on a 6-0 vote, recommended approval of the rezoning subject to certain conditions.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:

Section 1: That the property that is the subject of this Ordinance is legally described in Exhibit A attached hereto and made a part hereof.

Section 2: That the subject property is hereby rezoned from R-2 (Single-Family Residence District) to B-1 (Neighborhood Business District) and side and rear yard deviations are hereby granted to permit building setbacks of 20 feet along West Brookside Drive and the southern lot line and 15 feet along the eastern lot line subject to the terms and conditions set forth

in this Ordinance. Such documents and modifications thereto which condition this approval and to which the rezoning is subject are the following:

- A. "Record Dental Site" Site Plan, undated, by Ritter Maher Architects, submitted to Zoning Commission and part of May 25, 2017 Commission packet.

Section 3: Approval of the rezoning and deviation is further subject to the following terms and conditions:

- A. The existing wooden fence along the southern property line shall be extended to the edge of the roadway right-of-way to screen the property from neighboring residences.
- B. Prior to issuance of building permits, applicant shall present the City with a plat of consolidation (to be administratively approved) joining the subject property with the property to the north to be used for parking. Said plat shall be recorded by applicant prior to issuance of an occupancy permit.
- C. Applicants construction plans shall be consistent with the architectural design standards required by the Corridor Overlay District.

Section 4: The specific terms and conditions of this Ordinance shall prevail against other ordinances of the City to the extent that there may be any conflict. Except for the foregoing, the development of the subject property is subject to the terms of all applicable ordinances and regulations of the City of Central, including any amendment thereto.

Section 5: Severability. If any section, subsection, sentence, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

Section 6. Effective Date. This Ordinance shall be effective upon publication.

Introduced before the Council on June 13, 2017.

This Ordinance having been submitted to a vote, the vote thereon was as follows:

For: Ellis, Evans, Fralick, Messina, Vance  
Against: None  
Absent: None

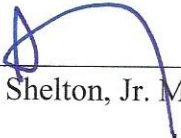
Adopted the 27<sup>th</sup> day of June, 2017.

Signed the 29<sup>th</sup> day of June, 2017.

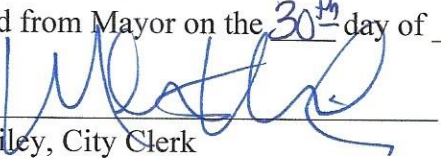
Delivered to the Mayor on the 30<sup>th</sup> day of June, 2017.

  
\_\_\_\_\_  
Mark Miley, City Clerk

Approved:

  
\_\_\_\_\_  
I.M. Shelton, Jr. Mayor

Received from Mayor on the 30<sup>th</sup> day of June, 2017:

  
\_\_\_\_\_  
Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 8<sup>th</sup> day of July, 2017

EXHIBIT A

Lot B-2, Biltmore Subdivision. This property is located on the southeast corner of Wax Road and West Brookside Drive in Section 9, T6S, R2E, GLD, EBR, LA.

4821-1446-8425, v. 1