

BY COUNCIL MEMBER ELLIS (Case No. RZ-2-16)

CITY OF CENTRAL  
ORDINANCE NO. 2016-55

AN ORDINANCE GRANTING A REZONING OF AN APPROXIMATELY 2.3 ACRE PARCEL FROM R-1 TO R-2 TO CONSTRUCT FOUR HOMES AND A DEVIATION OF THE REQUIRED FRONT YARD SETBACK FROM 35 FEET TO 17.5 FEET FOR THREE OF THE LOTS  
(SUN COURT)

WHEREAS, application has been made by Larry K. Sullivan for a rezoning from R-1 (Single Family Residential District) to R-2 (Single Family Residential District) to construct four homes along with a deviation of the required 35 foot front yard setback to 17.5 feet for three of the lots; and

WHEREAS, in Case No. SS-15-16 the Planning Commission granted preliminary approval to a subdivision of the subject property into four residential lots on Sun Court (Lots Z-4-A through Z-4-D) and one utility use lot (Z-4-E); and

WHEREAS, the property is in an area of residential and vacant residentially zoned property; and

WHEREAS, the proposed use is consistent with the use and zoning of the surrounding property and the Master Plan (that calls for medium density residential uses); and

WHEREAS, granting the deviation to the front yard setback for the lots on the cul-de-sac will permit a consistent front building line with the existing homes on the Sun Court cul-de-sac; and

WHEREAS, 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 October 27, 2016 before the City of Central Zoning Commission; and

WHEREAS, the Zoning Commission recommended approval of the rezoning and deviation 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-1 (Single Family Residential District) to R-2 (Single Family Residential District) and a deviation of the front setback to permit the houses on the Sun Court cul-de-sac (Lots Z-4-A through Z-4-C) to be constructed only 17.5 feet from the front lot line is hereby granted subject to the terms and conditions set forth in this Ordinance. Such documents and modifications thereto which condition this approval and to which the conditional use permit is subject are the following:

- A. Map Showing Subdivision of Tract Z-4, Bellingrath Estates Subdivision, Third Filing by Evan-Graves Engineers, Inc. dated 10-12-16.

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

- A. Lot Z-4-E shall not be used for construction of a residence.
- B. None of the residences to be constructed shall have front loading garages that are more than forty (40%) percent of the façade of the home.
- C. Notwithstanding the deviation granted herein, the minimum setback for a front loading garages shall be 40 feet.

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 November 8, 2016.

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 22<sup>nd</sup> day of November, 2016.

Signed the 23<sup>rd</sup> day of November, 2016.

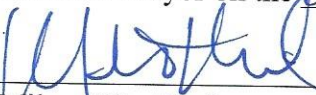
Delivered to the Mayor on the 29<sup>th</sup> day of November, 2016.

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

Approved:

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

Received from Mayor on the 29<sup>th</sup> day of November, 2016:

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

Adopted Ordinance published in The Advocate on the 12<sup>th</sup> day of December, 2016

EXHIBIT A

LOCATION This property is located at the end of Sun Court intersection near the Abundance Drive intersection on Tract Z-4 in Section 73, T6S, R2E, GLD, EBR, LA.