

BY COUNCIL MEMBER FRALICK (Case No. RZ-8-17)

CITY OF CENTRAL  
ORDINANCE NO. 2018-01

AN ORDINANCE GRANTING A REZONING FROM B-5 TO R-1 of FOUR (4) LOTS IN A  
NEWLY CREATED 5 LOT SUBDIVISION  
(Joor Road Between Gurney Road and Hooper Road)

WHEREAS, application has been made by Herb Cornelius to rezone approximately 3.78 acres from B-5 (Large Scale Commercial/Business District) to R-1 (Single Family Residence District) in order to develop four single family residents in a five (5) lot subdivision (with the lot with Joor Road frontage remaining B-5); and

WHEREAS, on November 16, 2017 the City of Central Planning Commission approved the subdivision of the subject from property from a larger property creating five (5) lots (B-1, B-2, B-3, B-4 and B-5); and

WHEREAS, the area around the subject property is comprised of vacant and low density residential uses; and

WHEREAS, subject to the conditions set forth in this ordinance, the proposed single family lots are consistent with the uses of the properties in the area and are suitable for the purpose of developing four single family residences; and

WHEREAS, a public hearing was held on November 16, 2017 before the City of Central Zoning Commission; and

WHEREAS, the Zoning Commission recommended approval of the rezoning.

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 B-5 (Large Scale Commercial/Business District) to R-1 (Single Family Residence District) in order to develop four single family residents on lots B-2 through B-5 of the subdivision described herein subject to the terms and conditions set forth in this Ordinance. Such documents and modifications thereto which condition this approval are the following:

1. Map Showing Resubdivision of Lot B, Formerly the Hidegard Danburg Property into Tracts B-1 thru B-5, dated October 24, 2017 by Alvin Fairburn & Associates, LLC. ("Resubdivision Plat").
2. Prior to issuance of building permits, the Resubdivision Plat must be corrected to clearly identify that the forty (40') foot wide servitude, including the twenty-two (22') foot paved portion thereof is not publicly dedicated, but instead is a private servitude for access, drainage and utilities.
3. Also prior to issuance of building permits, the Resubdivision Plat must be corrected to include the required language setting forth that all five (5) lots served by the forty (40') foot wide servitude are jointly responsible to maintain the servitude.

Section 3: 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 4: 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 5. Effective Date. This Ordinance shall be effective upon publication.

Introduced before the Council on December 12, 2017.

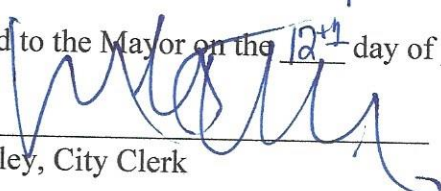
This Ordinance having been submitted to a vote, the vote thereon was as follows:

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

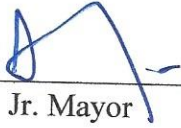
Adopted the 9<sup>th</sup> day of January, 2018.

Signed the 12<sup>th</sup> day of January, 2018.

Delivered to the Mayor on the 12<sup>th</sup> day of January, 2018.

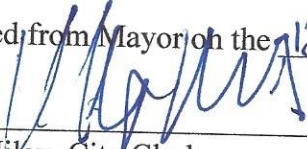
  
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Mark Miley, City Clerk

Approved:



I.M. Shelton, Jr. Mayor

Received from Mayor on the 12<sup>th</sup> day of January, 2018:



Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 31<sup>st</sup> day of January, 2018

EXHIBIT A

A portion of Lot B (proposed lots B-2, B-3, B-4 and B-5) of the former Hildegard Danburg property. This property is located on the east side of Joor Road between Gurney Road to the north and Hooper Road to the south in Section 6, T6S, R2E, GLD, EBR, LA

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