

Introduced July 24th, 1979 by
Councilman Martin; seconded by
Councilman Throop

Item Number 79-7-81

ORDINANCE NO. 1198

An Ordinance amending Ordinance number 1063, by clarifying the status of certain property fronting on Gause Boulevard in the City of Slidell, Louisiana.

WHEREAS, E. L. Canulette, Grace Canulette Cusimano, Eugenie Canulette Richmond, Mayo A. Canulette, Lois Canulette Baker and Frank R. Canulette are the owners of certain property fronting on Gause Boulevard in the City of Slidell, Louisiana as described hereinafter; and

WHEREAS, in January, 1970 Ordinance No. 831 of the City of Slidell was adopted including with the City of Slidell a parcel of land "660 feet by 660 feet, being the southwest one-quarter of the southwest one-quarter of the southwest one-quarter of Section 1, Township 9, Range 14 (Estate of F. N. Canulette)" a parcel "110 feet fronting of Gause Road, by 250 feet, (Mayo Canulette)", and a parcel "150 feet fronting on Gause Road by 250 feet (W. A. Baker)"; and

WHEREAS, the zoning ordinance (No. 795, dated July 9, 1978) of the City of Slidell, Section 1.104, at the time provided that:

"Classification of annexed territory - areas not shown shall be classified A-2 Single Family unless zoned differently on the parish map in which case it shall continue the parish zoning designation until otherwise amended."; and

WHEREAS, in 1978 the owners requested that the balance of the 78.2 acres owned by them be included in the City of Slidell and be zoned C-4 Highway-Commercial with the exception of 12.7663 acres which was to be zoned A-9; and

WHEREAS, the Planning Commission at its meeting on March 20, 1978, considered the matter and in its minutes recommended that 58 acres, more or less, located at "Gause Boulevard, east to I-10, north to drainage canal and west to boundary of Heritage Estates", and recommended that all of the property be included within the City and be zoned C-4, Highway-Commercial, rather than C-4 and A-9 as requested. (Copy of plot plan was submitted); and

WHEREAS, on April 11, 1978, the City Council of the City of Slidell took up the matter of the annexation and zoning of the property, and finally adopted Ordinance number 1063 of the City in which it annexed to the City only three (3) descriptions of property, which amounted to a total of 58.1737 acres, although the same plot plan indicating the 78.2 acres was submitted at the time of the hearing; and

WHEREAS, the plan presented to the City and the Planning Commission indicated the entire property of 78.2 acres; and

WHEREAS, the report of the meeting appearing in the public press indicated that 78.2 acres had been annexed and had all been classified as C-4 Highway-Commercial, and had all been included within the City; and

WHEREAS, the preponderance of the decisions in this state have indicated that where there is doubt or a difference between the description presented and the plat submitted therewith, the plat will prevail; and

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2 WHEREAS, under its zoning ordinance the City is required
3 to keep an updated zoning map at the City Hall, which map "shall be
4 the final authority as to the current zoning status of land,
5 building, and other structures of the City . . ." (Paragraph 1.103);
6 and
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8 WHEREAS, no official map is located in the City Hall of
9 the City of Slidell, and no modifications of the zoning map have
10 been made, and therefore there is confusion as to the classification
11 of properties within the City; and
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13 WHEREAS, in the first approach to the City, the owners of
14 the property and their prospective purchaser were informed that the
15 property was zoned C-4 Highway-Commercial; and
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17 WHEREAS, the owners and their prospective purchaser have
18 entered into an agreement for the purchase and sale of the 78.2
19 acres and the proper zoning classification and inclusion in the
20 City's boundaries are important to both parties before the act of
21 sale can be consummated; and
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23 WHEREAS, it is necessary that a conclusive and definitive
24 definition of the nature of the property must be made;
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26 NOW THEREFORE BE IT ORDAINED by the City Council of the
27 City of Slidell, acting as governing authority of the City;
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29 SECTION 1. In accordance with the recommendation of the
30 Slidell Planning Commission adopted at its meeting on July 20, 1979,
31 the following described property is declared to be within the limits
32 of the City of Slidell and is zoned C-4 Highway-Commercial, and
33 Ordinance number 1063 of the City is hereby amended to show the
34 description of the property as included in the description prepared
35 and certified by Borgen Engineering attached hereto and made a part
36 hereof.
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38 This Ordinance having been submitted to a vote, the vote
39 thereon was as follows:
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41 YEAS: 7

42 NAYS: 2 (Martinez - Wood)

43 ABSENT: 0
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48 ADOPTED this 14th day of August 1979.
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51 DELIVERED 8-17-79

52 11:30^A to the Mayor

53 RECEIVED 8-17-79

54 2:50^P from the Mayor
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John Swenson CMC
Clerk of Council

Joe Martinez
Councilman-at-Large
President of the Council

M. W. Hart
Mayor