



Pat Brister  
Parish President

# St. Tammany Parish Government

Department of Development

P. O. Box 628  
Covington, LA 70434  
Phone: (985) 898-2529  
Fax: (985) 898-3003  
Email: [planning@stpgov.org](mailto:planning@stpgov.org)

## APPEAL # 4

ZC Recommended Denial :

4/7/15

**THE PETITIONER OR ANY AGGRIEVED PERSON HAS TEN (10) DAYS TO APPEAL THE DECISION OF THE ZONING COMMISSION. APPEALS MUST BE FILED WITH THE ST. TAMMANY PARISH DEPARTMENT OF PLANNING. A COPY OF THE APPEAL REQUEST IS PROVIDED BELOW.**

### APPEAL REQUEST

DATE: 4/15/15

ZC15-04-035

**Petitioner:** Brian Intravia  
**Owner:** Trepagnier, L.L.C. & Wanda and Kevin Wager

ZC15-04-035

Proposed Zoning: PUD (Planned Unit Development Overlay)  
Acres: 71 acres  
Petitioner: Brian Intravia  
Owner: Trepagnier, L.L.C. & Wanda & Kevin Wager  
Representative: Brian Intravia  
Location: Parcel located on the south side of Highway 22, west of Trepagnier Road and east of Helen Drive, S16 & 21, T7S, R10E, Ward 1, District 4.  
Council District: 4

We are hereby appealing to the St. Tammany Parish Council at its next appropriate regular scheduled meeting on the above referenced matter of an adverse decision of the St. Tammany Parish Zoning Commission.

This letter shall serve as official notice to put the above referenced matter on the Parish Council agenda.

Sincerely,

PLEASE PRINT NAME, MAILING ADDRESS AND PHONE NUMBER BELOW  
SIGNATURE

YANIN, LLC

BY: [Signature]  
BRIAN INTRAVIA

P.O. Box 609

Covington, LA 70434

\_\_\_\_\_

PHONE # 985-966-3636



RECEIVED

APR 16 2015  
Per [Signature]

# ZONING STAFF REPORT

Date: March 30, 2015

Meeting Date: April 7, 2015

Case No.: ZC15-04-035

Determination: Denied

Posted: 03/19/15

## GENERAL INFORMATION

**PETITIONER:** Brian Intravia  
**OWNER:** Trepagnier, L.L.C. & Wanda & Kevin Wager  
**REQUESTED CHANGE:** From to PUD (Planned Unit Development Overlay)  
**LOCATION:** Parcel located on the south side of Highway 22, west of Trepagnier Road and east of Helen Drive; S16 & 21, T7S, R10E; Ward 1, District 4  
**SIZE:** 71 acres

## SITE ASSESSMENT

### ACCESS ROAD INFORMATION

Type: State Road Surface: 2 lane asphalt Condition: Good

### LAND USE CONSIDERATIONS

#### SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Residential & Commercial	HC-1 & HC-2 Highway Commercial District & NC-4 Neighborhood Institutional District
South	Undeveloped	A-1 Suburban District
East	Residential & Undeveloped	A-1 Suburban District
West	Undeveloped/ Guste Island Subdivision	PUD Planned Unit Development District

#### EXISTING LAND USE:

Existing development? No Multi occupancy development? Yes

#### COMPREHENSIVE PLAN:

**Planned Districts** - Coordinated development on several parcels, usually at a higher density – but not in all cases - than other parcels in the proximity, planned in an integrated fashion as single units including residential, commercial and possibly other (institutional, recreational, *e.g.*) uses, as well as the supporting infrastructure and public services they will require (*See “Small Area Plans,” below*). Generally, such developments improve environmental qualities, preserve natural environments, provide for open space and recreational uses, and for residential as well as commercial uses, and are equipped with central utility systems and efficient and effective internal and external transportation access in multiple modes.

**Single Family Residential – Conservation** - These planned districts would include clustered single family residential uses, at a density – within the overall tract – which is similar to that of adjoining residential uses, and conservation areas, following a Small Area Plan, and providing for balance, compatibility and integration of uses and all supporting infrastructure. Such individual Planned Residential – Conservation developments should aim to achieve contiguity among adjoining conservation areas in adjacent developments.

#### STAFF COMMENTS:

The petitioner is requesting a PUD (Planned Unit Development Overlay). The site is located on the south side of Highway 22, west of Trepagnier Road. The site is proposed to be developed as a single family residential subdivision of a total of 149 lots (see chart, below). Note that a zoning change (ZC15-04-036) to A-4 Single Family Residential District has also been requested for the same site.

Lot size	Number of lots	Lot size
Single Family Residence	87 lots	90' X 150'
Garden homes	62 lots	45' X 150'

#### ACCESS

The site is proposed to be accessed from a two lane boulevard type entrance from Hwy 22.

Considering that the site is directly abutting Trapagnier Road, staff feels that a second access should definitely be provided.

**GENERAL PUD CRITERIA**

Required information	Staff Comments
Title of the project, name of the developer, legal description	Provided as Required
Existing Land Use within 500' of all boundaries on the plan	Provided as Required
Restrictive Covenants	Provided as Required
Minimum front, sides & rear yard setbacks & maximum height	Provided as Required
Water & Sewer facilities	Provided as Required (to be located off site)
Wetland Delineations	Provided as Required
Flood Zone Demarcation Lines	Provided as Required
Ultimate Disposal of Surface Drainage	Provided as Required
Environmental Assessment Data Form	Provided as Required

**DENSITY**

As required under Section 6.0103 A.4. of the Planned Unit Development Overlay, the net density shall be provided, based upon the underlying zoning classification, utilizing the formula (Total Area x .75 = \_\_\_\_\_ x maximum net density = \_\_\_\_\_ lots (units)), or the number of lots/units may be established by a yield plan.

Current gross density of this property, under the A-2 Suburban District is at 1 units per acre, which would allow for a maximum of 69 lots. According to the requested zoning change to A-4 Single Family Residential District the gross density would be of 4 units per acre, which would allow for 279 units. The net density would allow for 209 units. The proposal is for 149 units with a net density would be 2.135 units per acre.

**GREENSPACE**

A total of 21 acres of greenspace (30%) is proposed to be provided throughout the subdivision, including non disturbed wetlands area, an active recreation area and some other small passive greenspace area. The total acreage dedicated to active recreation is 1.53 acres, consisting of playground equipments and half basketball court. The total acreage dedicated to passive recreation is 19.47 acres consisting of open space, walking trail (pervious pavement), shade structure, vegetable garden and benches.

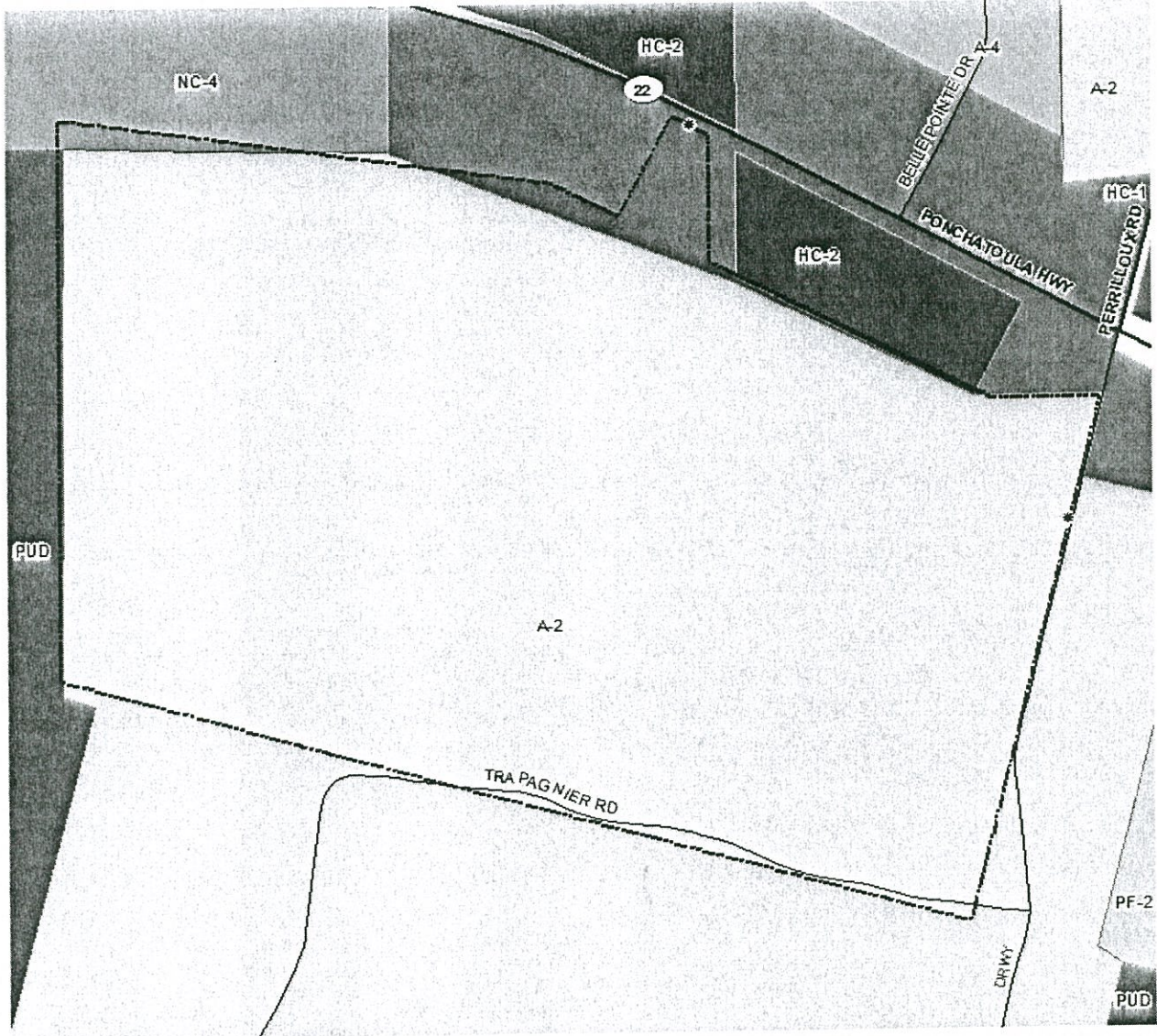
**COMPREHENSIVE PLAN ANALYSIS**

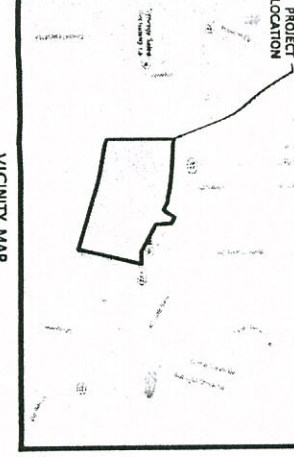
The 2025 future land use plan calls for the site to be developed as a planned district with single family residences and conservation area. The proposed development meets some of the objectives of the 2025 future land use plan. However, staff is concerned by the fact that a large portion of the site is covered with wetlands and that almost half of proposed number of lots are entirely or partially located within the wetland area. For that reason, staff feels that a lower density would be more suitable for the development of the site.

**STAFF RECOMMENDATION:**

The staff recommends that the request for a PUD (Planned Unit Development Overlay) designation be denied. As stated above, an additional access should be provided from Trapagnier Road and a lower density would be more suitable for the development of the site.

**CASE NO.:** ZC15-04-035  
**PETITIONER:** Brian Intravia  
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**SIZE:** 71 acres





**ITA CALCULATION**

<b>149</b>	<b>55</b>	<b>35</b>	<b>GREEN SPACE PROVIDED</b>
RESIDENTIAL UNDISTURBED	PERCENT TOTAL GREEN SPACE	PERCENT TOTAL GREEN SPACE	PERCENT TOTAL GREEN SPACE
149	13	21	21%
45.4%	10%	10%	

<b>150</b>	<b>55</b>	<b>35</b>	<b>GREEN SPACE PROVIDED</b>
RESIDENTIAL UNDISTURBED	PERCENT TOTAL GREEN SPACE	PERCENT TOTAL GREEN SPACE	PERCENT TOTAL GREEN SPACE
150	13	21	21%
45.4%	10%	10%	

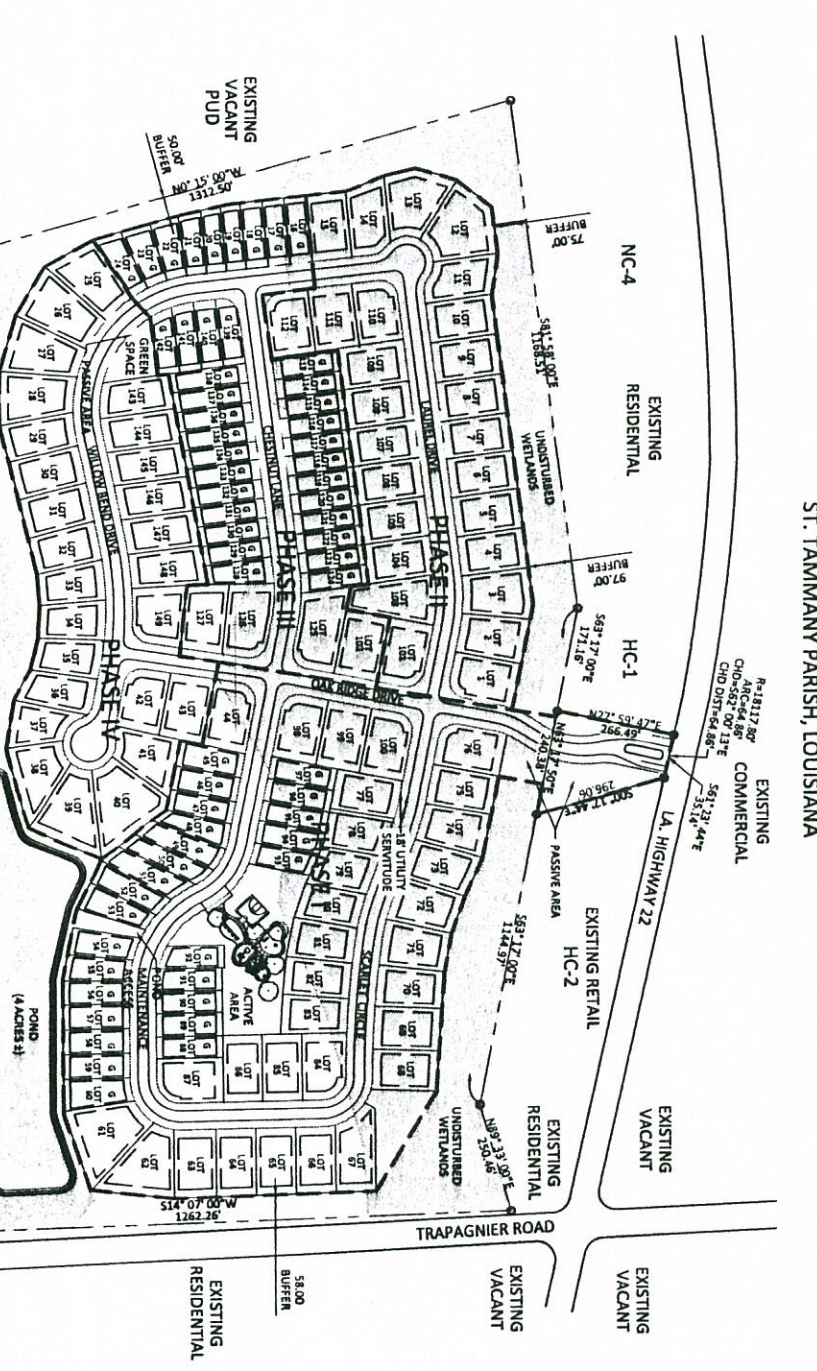
  

<b>907 X 150'</b>	<b>13,500 s.f.</b>	<b>13,500 s.f.</b>	<b>GREEN SPACE PROVIDED</b>
RESIDENTIAL UNDISTURBED	PERCENT TOTAL GREEN SPACE	PERCENT TOTAL GREEN SPACE	PERCENT TOTAL GREEN SPACE
907	13	21	21%
45.4%	10%	10%	

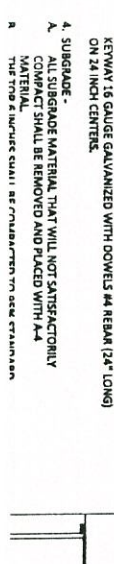
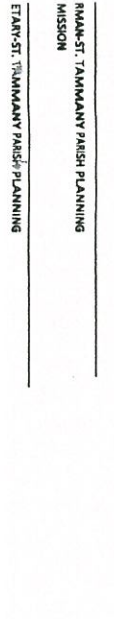
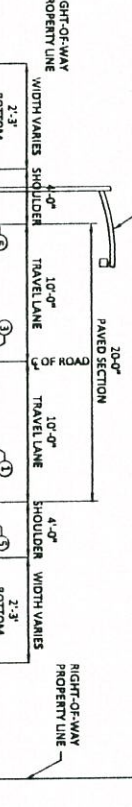
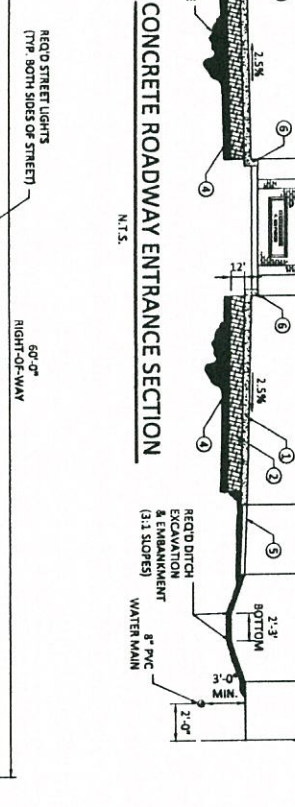
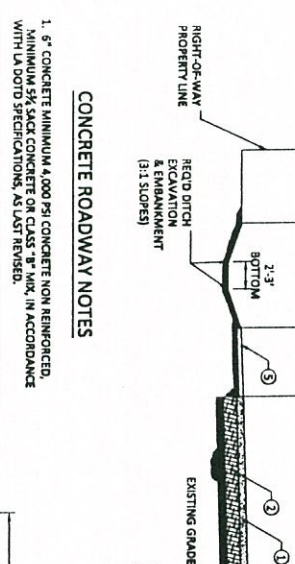
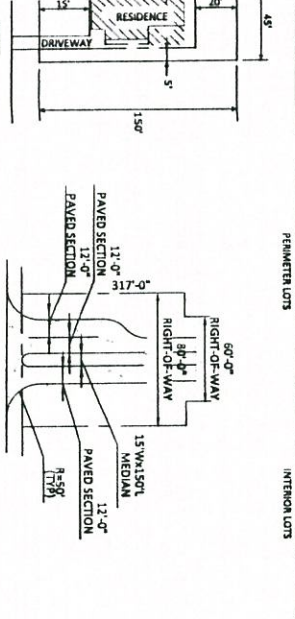
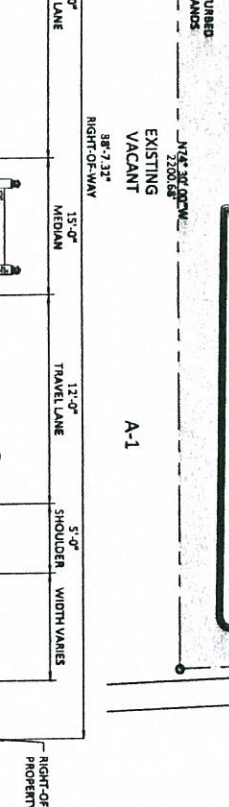
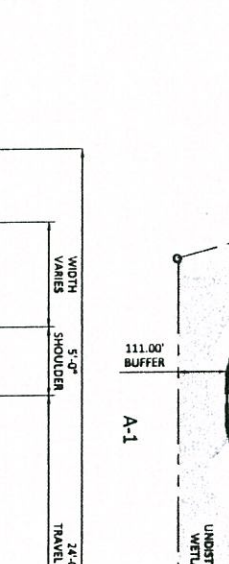
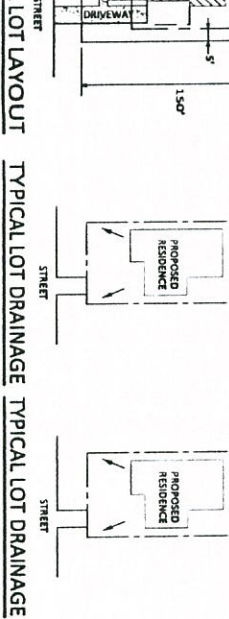
  

<b>507 X 150'</b>	<b>7,500 s.f.</b>	<b>7,500 s.f.</b>	<b>GREEN SPACE PROVIDED</b>
RESIDENTIAL UNDISTURBED	PERCENT TOTAL GREEN SPACE	PERCENT TOTAL GREEN SPACE	PERCENT TOTAL GREEN SPACE
507	13	21	21%
45.4%	10%	10%	

2015-04-035



- ARE INSTALLED AND OPERABLE OR OTHERWISE CONNECTED TO A COMMUNITY (CENTRAL SEWERAGE AND/OR WATER SYSTEMS) ALL AS APPROVED BY THE ST. TAMMANY PARISH DEPARTMENT OF ENVIRONMENTAL SERVICES. WHENEVER A SUBDIVISION IS SERVING A COMMUNITY (CENTRAL) WATER SYSTEM (SUPPLY), NO PRIVATE WATER SUPPLY MAY BE DULLED OR OTHERWISE CONSTRUCTED ON ANY LOT FOR THE PURPOSE OF SUPPLYING PORTABLE WATER TO ANY BUILDING OR STRUCTURE, EXCEPT FOR THE PURPOSE OF IRRIGATION, AND IN NO EVENT SHALL THERE BE A PHYSICAL CONNECTION BETWEEN ANY SUCH SOURCE AND ANY ELEMENT OF THE COMMUNITY (CENTRAL) WATER SYSTEM (SUPPLY).
3. BUILDING STRUCTURE ARE: FRONT 3'-0" SIDE STREET 1'-0" NO PERMANENT STRUCTURES (INCLUDING DRIVEWAYS) SHALL BE CONSTRUCTED WITHIN 20' OF THE TOP BANK OF A LATERAL DITCH.
  4. CONSTRUCTION OF ANY NATURE, INCLUDING FENCES, IS PROHIBITED IN DRAINAGE OR STREET EASEMENTS.
  5. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT. NOX SHALL BE DONE THERE ON WHICH MAY BE CHARGED AS A NUISANCE OR OTHERWISE BE CAUSE TO THE NEIGHBORHOOD, PARTICULARLY THE USE OF LOTS AS DUMPING OR JUNK CAR STORAGE.
  6. THE MINIMUM CULVERT SIZE IS 15 INCHES.
  7. NO MOBILE HOMES WILL BE PERMITTED IN THIS SUBDIVISION.
  8. NO LOT WILL BE FURTHER RESUBDIVIDED WITHOUT THE PRIOR APPROVAL OF ST. TAMMANY PARISH.
  9. EACH RESIDENCE OR ESTABLISHMENT WITHIN THE SUBDIVISION SHALL SUBSCRIBE AND BE SUBJECT TO THE WATER AND SEWERAGE SERVICES PROVIDED BY TAMMANY UTILITIES.
  10. DRIVEWAYS ON CORNER LOTS SHALL NOT BE LOCATED ANY CLOSER THAN THIRTY (30) FEET FROM THE CORNER OF SAID PROPERTY CLOSEST TO THE INTERSECTION AS MEASURED FROM THE CORNER OF THE PROPERTY WHERE THE SAID TWO STREET RIGHT-OF-WAYS INTERSECT.
  11. THE MINIMUM ELEVATION FOR THE LOWEST FLOOR OF ALL RESIDENCES SHALL BE DETERMINED FROM THE LATEST FEMA FLOOD INSURANCE RATE MAPS. THE PROPERTY IS LOCATED IN FLOOD ZONE C. THE FINAL PANEL NO. 223205 0205 C, DATED 10-17-89. MINIMUM FIRST FLOOR ELEVATION SHALL BE 12 INCHES ABOVE THE CROWN OF THE STREET OR THE CURRENT BASE FLOOD ELEVATION WHICHEVER IS GREATER.
  12. THE APPROPRIATED RESTRICTIONS SHALL BE DECETED IN EACH TITLE OR DEED IN ADDITION TO THE REQUIRED SETTING ON THE FINAL SUBDIVISION PLAN (LANDSCAPED BY OMO - 94-4142, ADOPTEED 12/21/94).
  13. ACCESSORY BUILDINGS WITH A SIZE OF LESS THAN 5% OF THE AREA OF THE LOT ON WHICH THE MAIN BUILDING IS SITUATED MAY BE LOCATED FIVE (5) FEET FROM THE NEAREST INTERIOR SIDE LOT LINE OR REAR LOT LINE, PROVIDED THE ACCESSORY BUILDING LENGTH DOES NOT EXCEED THIRTY (30) FEET AND THE BUILDING HEIGHT DOES NOT EXCEED NINETEEN (19) FEET.



**OAK RIDGE SUBDIVISION LEGAL DESCRIPTION**

**1.034 ACRE PARCEL.**

FROM THE SECTION CORNER COMMON TO SECTIONS 16, 17, 20 & 21 GO NORTH 00° 15' WEST A DISTANCE OF 879.59 FEET; THENCE GO SOUTH 81° 51' 26" EAST A DISTANCE 412.65 FEET; THENCE GO SOUTH 82° 06' 21" EAST A DISTANCE OF 349.88 FEET; THENCE GO SOUTH 53° 17' 50" EAST A DISTANCE OF 164.36 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING GO NORTH 27° 59' 47" EAST A DISTANCE OF 266.49 FEET TO THE SOUTHERN RIGHT-OF-WAY LINE OF LOUISIANA HWY 22; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE 50 FEET; THENCE GO NORTH 00° 15' WEST A DISTANCE OF 114.37 FEET TO THE POINT OF BEGINNING.

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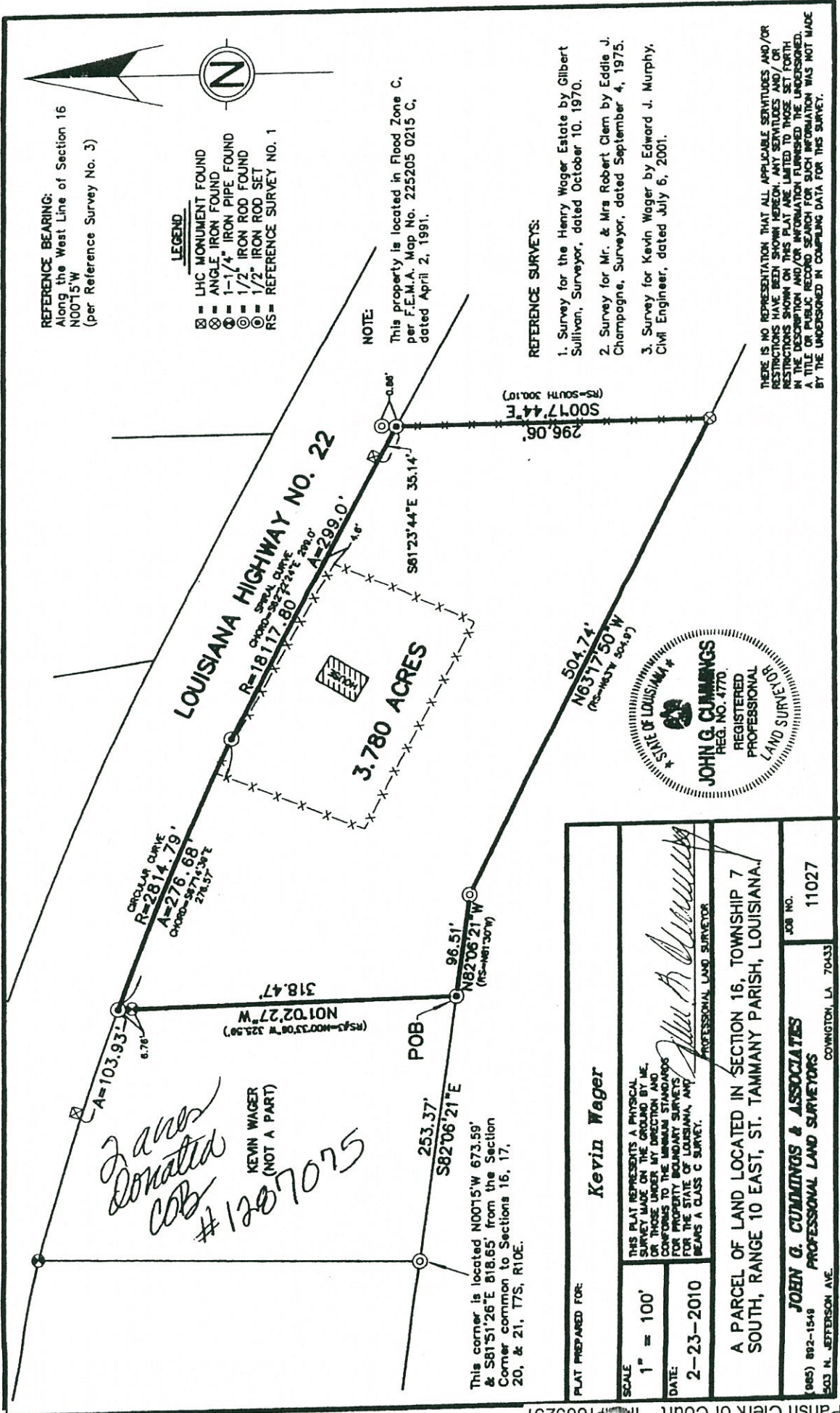
**NOTES**

1. AT&T AND OTHER UTILITY

**LEGEND**

EXISTING WETLANDS

2015-04-035



PLAT PREPARED FOR:		Kevin Wager	
SCALE	1" = 100'	THIS PLAT REPRESENTS A PHYSICAL SURVEY MADE ON THE GROUND BY ME, OR THOSE UNDER MY DIRECTION AND CONTROL, AND CONFORMS TO THE HIGHEST STANDARDS FOR PROFESSIONAL SURVEYS FOR THE STATE OF LOUISIANA, AND BEARS A CLASS C SURVEY.	
DATE:	2-23-2010	A PARCEL OF LAND LOCATED IN SECTION 16, TOWNSHIP 7 SOUTH, RANGE 10 EAST, ST. TAMMANY PARISH, LOUISIANA.	
JOHN G. CUMMINGS & ASSOCIATES PROFESSIONAL LAND SURVEYORS 503 N. JEFFERSON AVE. COWBOYTON, LA. 70433		JOB NO. 11027	

**ENVIRONMENTAL ASSESSMENT DATA FORM**

Applicant's Name: BMI Construction, LLC

Developer's Address: 2895 Hwy 190, Suite 208 Mandeville, LA 70471  
Street City State Zip Code

Developer's Phone No. (985) 727-0790 (985) 966-3636  
(Business) (Cell)

Subdivision Name: Oak Ridge

Number of Acres in Development: 73 Number of Lots/Parcels in Development: 121

Ultimate Disposal of Surface Drainage: Lake Pontchartrain

Water Surface Runoff Mitigation Proposed: Detention Pond - 4 Acres

*(Please check the following boxes below, where applicable:)*

- Type of Sewerage System Proposed:  Community  Individual
- Type of Water System Proposed:  Community  Individual
- Type of Streets and/or Roads Proposed:  Concrete  Asphalt  Aggregate  Other
- Land Formation:  Flat  Rolling Hills  Marsh  Swamp  Inundated  Tidal Flow
- Existing Land Use:  Undeveloped  Residential  Commercial  Industrial  Other
- Proposed Land Use:  Undeveloped  Residential  Commercial  Industrial  Other
- Surrounding Land Use:  Undeveloped  Residential  Commercial  Industrial  Other
- Does the subdivision conform to the major street plan?  Yes  No
- What will the noise level of the working development be?  Very Noisy  Average  Very Little
- Will any hazardous materials have to be removed or brought on-site for the development?  Yes  No  
If yes, what are the hazardous materials? \_\_\_\_\_
- Does the subdivision front on any waterways?  Yes  No  
If yes, what major streams or waterways? \_\_\_\_\_

- Does the subdivision front on any major arterial streets?  Yes  No

If yes, which major arterial streets? \_\_\_\_\_

- Will any smoke, dust or fumes be emitted as a result of operational construction?  Yes  No

If yes, please explain? \_\_\_\_\_

- Is the subdivision subject to inundation?  Frequently  Infrequently  None at all

- Will canals or waterways be constructed in conjunction with this subdivision?  Yes  No

*(Does the proposed subdivision development...)*

- a.) have or had any landfill(s) located on the property?  Yes  No
- b.) disrupt, alter or destroy any historical or archeological sites or district?  Yes  No
- c.) have a substantial impact on natural, ecological recreation, or scenic resources?  Yes  No
- d.) displace a substantial number of people?  Yes  No
- e.) conform with the environmental plans and goals that have been adopted by the parish?  Yes  No
- f.) cause an unwarranted increase in traffic congestion within or near the subdivision?  Yes  No
- g.) have substantial esthetic or adverse visual impact within or near the subdivision?  Yes  No

h.) breach any Federal, State or Local standards relative to:

- air Quality .....  Yes  No
- noise .....  Yes  No
- water Quality .....  Yes  No
- contamination of any public or private water supply .....  Yes  No
- ground water levels .....  Yes  No
- flooding/inundation .....  Yes  No
- erosion .....  Yes  No
- sedimentation .....  Yes  No
- rare and/or endangered species of animal or plant habitat .....  Yes  No
- interfering with any movement of resident or migratory fish or wildlife species .  Yes  No
- inducing substantial concentration of population .....  Yes  No
- dredging and spoil placement .....  Yes  No

*I hereby certify to the best of knowledge and ability, that this subdivision development will not adversely impact the surrounding environment, inclusive of all the information contained herein; and further, said information provided and answered above is accurate, true and correct.*

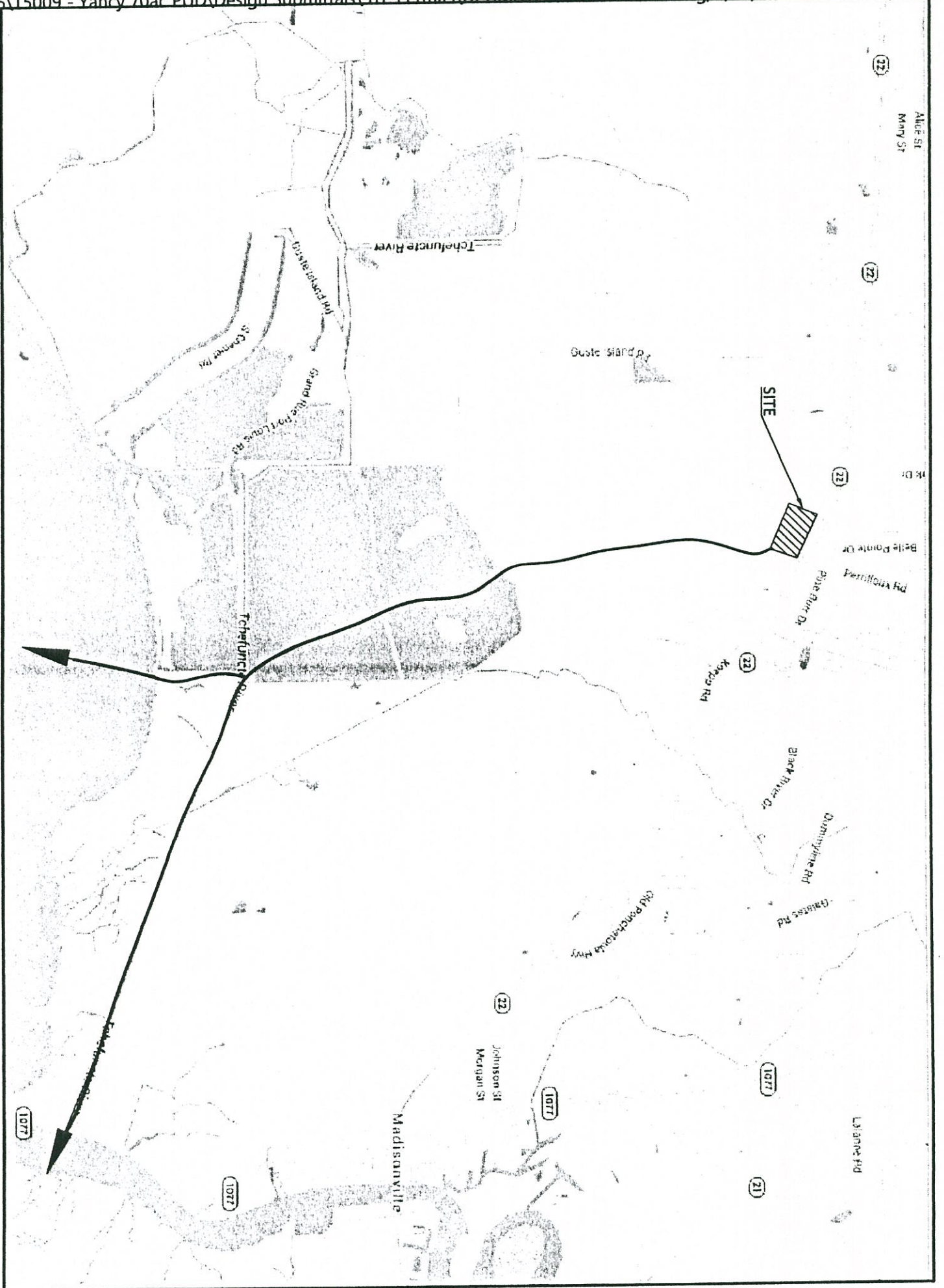
  
ENGINEER/SURVEYOR/OR DEVELOPER  
(SIGNATURE)

02/12/15  
DATE



ZC15-04-035

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ULTIMATE DISPOSAL MAP

N.T.S.