



**ST. TAMMANY PARISH**

**DEPARTMENT OF PLANNING**  
P. O. Box 628  
COVINGTON, LA 70434  
PHONE: (985) 899-2829  
FAX: (985) 899-3003  
e-mail: [planning@stpgov.org](mailto:planning@stpgov.org)

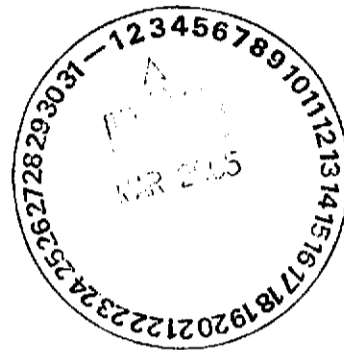
*Kevin Davis*  
*Parish President*

*Appeal #12*  
*ZC denied 3/1/2005*

**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: 3/1/05



**CP05-03-024 - Use: Cellular Tower**  
Zoning: R (Rural) District  
Use Size: 3,750 sq.ft.  
Petitioner: Jeffrey Schoen  
Owner: Dan R. Singletary  
Location: Parcel located on the north side of Doug Crowe Road, east of LA Highway 41, 841, T&S, R14E, Ward 6, District 6  
Council District: 6

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

(SIGNATURE)

Jeffrey D. Schoen

P.O. Box 1810

Covington, LA 70434

PHONE #: 892-4801

892-4925 FAX

# CONDITIONAL USE PERMIT STAFF REPORT

Date: February 21, 2005  
CASE NO.: CP05-03-024  
Posted: February 10, 2005

Meeting Date: March 1, 2005  
Determination: Denied

PETITIONER: Jeffrey Schoen  
OWNER: Dan R. Singletary  
PROPOSED USE: Cellular Tower  
PREVIOUS/CURRENT USE: Residence  
SQ. FT. OF USE: 3,750 sq.ft.  
GROSS AREA LOT SIZE: 3,750 sq.ft.  
ZONING CLASSIFICATION: R (Rural) District  
LOCATION: Parcel located on the north side of Doug Crowe Road, east of LA Highway 41; S41, T6S, R14E; Ward 6, District 6

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## SITE ASSESSMENT

### ACCESS ROAD INFORMATION

Type: Parish 2- Lane Road Surface: Asphalt Condition: Good

### LAND USE CONSIDERATIONS

#### Surrounding Land Use and Zoning:

Direction	Land Use	Zoning
North	Undeveloped	R (Rural) District
South	Undeveloped	R (Rural) District
East	Mobile Home's	R (Rural) District
West	Undeveloped	R (Rural) District

Existing development? Yes

Multi occupancy development? Yes

### STAFF COMMENTS:

Petitioner is requesting a Conditional Use permit for a Cellular Tower. The site is located on the north side of Doug Crowe Road, east of LA Highway 41. The proposal is to locate the tower on a property that has an existing residence on it. There are two other towers in the area approximately 1 mile or more from the subject site. These towers however are not of sufficient height for adequate signal coverage for LA Highway 41. The Highway 41 fire station tower is only 70' in height, and the tower located on Edgar Kennedy Road is over a mile from Highway 41. The petitioner is proposing a tri pole tower 250 feet tall. The height of the tower will require lighting. A revised plot showing the shrubs to be at least 4' tall instead of 3' tall shall be provided. The tower is set back at least 290 feet from Doug Crowe Road.

The petitioner is requesting a waiver of the required east side from 250' to 110', on the west side from 250' to 25' and on the north side from 250' to 25'. Staff feels that, because of the rural nature of the site and the fact of no other development is surrounding the site, the requested variance should be granted.

As required, a statement prepared by a professional registered engineer licensed to practice in the State of Louisiana, has been submitted, which through rational engineering analysis certifies the tower's compliance with applicable standards as set forth in the Building Code and any associated regulations and describes the tower's capacity.

The proposed 250 foot tower is in compliance with the Federal Aviation Administration regulations and with the rules and regulations of the other federal and state agencies that regulate the tower sitting, design and construction. The tower is also in compliance with the current radio frequency emissions standards of the Federal communications Commission. The tower will not interfere with any public safety communications and the usual and customary transmission or reception of radio and television services enjoyed by the adjacent residential and non-residential properties. In fact, the tower is prepared to offer adequate space for other wireless service providers.

### STAFF RECOMMENDATIONS:

The staff recommends approval of this proposal, subject to all applicable regulations and the following conditions:

1. Provide a 6' tall fence with a 70% opaque screen of evergreen shrubs. Note that the planting area shall provide 1 Class C tree every 10 feet, with a minimum height of 4' tall.
2. During construction, planting or open ground areas surrounding preserved trees shall be wired off with a properly flagged, reinforced & rolled wire mesh.
3. Required plant materials must be maintained and replaced.
4. Mobile or immobile equipment not used in direct support of a tower facility shall not be stored or parked on the site of the tower, unless repairs to the tower are being made.
5. No portion of the tower shall be used for advertising.
6. The tower shall be constructed of galvanized metal or metal painted in a color that is harmonious with the surrounding environment.
7. All abandoned or unused tower facilities shall be removed by the tower owner/operator within one-hundred eighty (180) days of the cessation of use
8. A statement shall be provided and signed by a registered engineer certifying the tower's capacity to support a minimum of three users.
9. Any building on site shall conform with the setback requirements for the SA district.
10. The proposal shall meet Parish requirements for obstruction lighting.
11. Approval of requested rear and sides variances of the required setbacks.

### NOTE TO PETITIONER

There is a 10 day appeals period following the Zoning Commission decision. If the request is approved, permits will not be issued until this 10 day period has elapsed. The petitioner shall have one year to obtain the appropriate building permits or occupy the site from the date of approval of the St. Tammany Parish Zoning Commission, unless otherwise stipulated by the St. Tammany Parish Zoning Commission.

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