



898
2529

St. Tammany Parish
Department Of Planning
P. O. Box 628
Covington, LA 70434
Phone: (985) 898-2529
Fax: (985) 898-3003
e-mail: planning@stp.gov

Appeal # 7
Kevin Davis
Parish President

A PETITIONER OR ANY AGGRIEVED PROPERTY OWNER HAS TEN (10) DAYS IN WHICH TO FILE AN APPEAL REGARDING A DECISION OF THE PLANNING COMMISSION. APPEALS MUST BE FILED WITH THE ST. TAMMANY PARISH DEPARTMENT OF PLANNING ON OR BEFORE THE TENTH DAY.
(NOTE: FINAL SUBDIVISION APPROVAL CANNOT BE APPEALED EXCEPT BY THE DEVELOPER)

APPEAL REQUEST LETTER

DATE: 6/16/05
TO: ST. TAMMANY PARISH COUNCIL
FROM: Ugo Iovenitti
RE: AGGRIEVED BY DECISION MADE BY THE ST. TAMMANY PARISH PLANNING COMMISSION



I, Ugo Iovenitti, hereby request that the St. Tammany Parish Council review the below mentioned case and consider reversing the decision made by the St. Tammany Parish Planning Commission at their 6/14/05 meeting.

The case for which I am aggrieved by, as depicted on the docket of the Planning Commission is as follows:

Listed under petitions (1st on docket) 50
Town of Mandeville, Square ~~294~~^{260A}, lot ~~22~~⁵⁰, Ward 4, District 10
Substandard lot of record located on Habarre St.
Petitioner: Ugo Iovenitti Rep: Hon. Henry Billiot
*NOTE: The square and lot here are incorrect. It is actually Square 260A, lot 50

I therefore, respectfully request that the St. Tammany Parish Council consider my appeal at their next appropriate regularly scheduled meeting.

This letter shall suffice as official notice to be placed on the docket of the next appropriate regularly scheduled meeting of the St. Tammany Parish Council; whereby, I shall give truthful testimony and present evidence to support my appeal request.

(PLEASE PRINT THE FOLLOWING INFORMATION)

APPELLANT'S NAME: Ugo Iovenitti

ASSOCIATION TO CASE (PLEASE CHECK ONE): Developer Neighbor Group

ADDRESS: 1575 Lafitte St.

CITY: Mandeville STATE: LA ZIP: 70448 PHONE NO: 727-0117
504-251-8159 (cell)

SIGNATURE: Ugo Iovenitti

XC: ALL ST. TAMMANY PARISH PLANNING COMMISSIONERS

STAFF ANALYSIS REPORT
BUILDABLE SUBSTANDARD LOT OF RECORD

PROPERTY DESCRIPTION: Lot 50, Square 260A, Town of Mandeville Subdivision

SECTION: 38

WARD: 4

TOWNSHIP: 8 South

PARISH COUNCIL DISTRICT: /0

RANGE: 11 East

PROPERTY LOCATION: The property is located on the north side of Labarre Street, north of U.S. Highway 190, east of Mandeville, Louisiana

ZONING: A-2 Suburban Agriculture

PETITIONER: Ugo Iovenitti

CONDITIONS FOR APPROVAL:

Pursuant to Section 40-034.01 Contiguous Lot Rule, of Subdivision Regulatory Ordinance No. 499, the planning commission is responsible for reviewing all requests for building on buildable substandard lots of record.

In order to approve a request for building on a buildable substandard lot of record, the planning commission must determine that:

- a.) the petitioner obtained, owned or purchased the lot from the former owner whom did not own any contiguous property prior to 1971;
- b.) the petitioner does not own any adjacent property that can be joined in order to comply with parish code;
- c.) the lot was created prior to the passage of this ordinance (October 2, 2003); and
- d.) the proposed building setbacks comply with parish code.

Staff Comments:

The petitioner has satisfied all of the above referenced items except for item (a). Therefore, upon providing the staff with proof of ownership in compliance with item (a), the staff has no objections to the request.

May 10, 2005

Reference: Lot 50, Square 260A, City of Mandeville

Mr. Ron Keller
St. Tammany Parish Planning Commission
Department of Planning
21490 Koop Drive
Mandeville La 70471

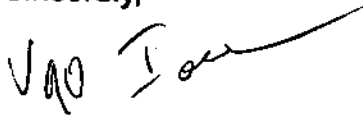
Dear Mr. Keller:

My wife and I have purchased the above-referenced lot, located on Labarre Street, as of April 28, 2005 (please see enclosed documentation). We would like to apply for a zoning code variance on this lot. The lot is only thirty feet wide, but we would like to construct a house on the property. We have blueprints for a house that would fit perfectly, meeting all required setbacks.

We hope you will consider granting this variance, as this property has been a lot of record for many years and has always been this size. If we cannot build a house on the property, we will not be able to use it. We hope that you will see fit to let us build a very nice house (plans enclosed) and put the land to good use. We have already received verbal approval from State Investors Bank as far as the financing is concerned.

Thank you for your time and consideration in this matter. If you have any further questions or need any more information, please contact me at 504-251-8159 (my cell) or at 985-727-0117 (home).

Sincerely,



Ugo Iovenitti

Encl.

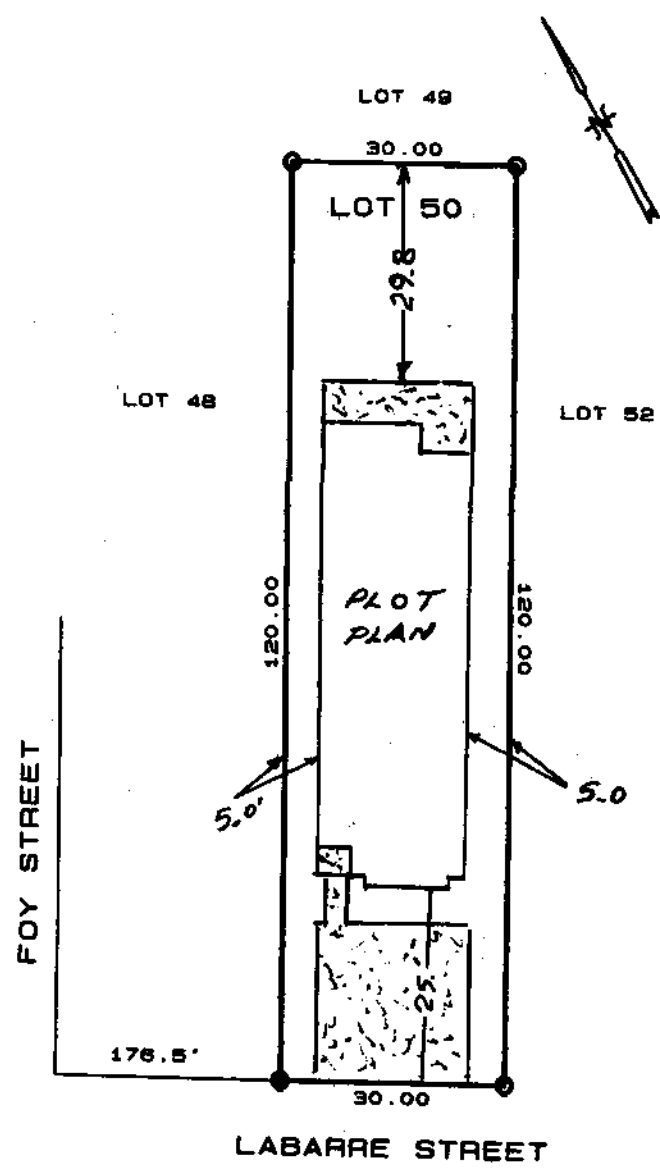
On the lot to the left of our lot is a lot of a with a house on it. To the right is an empty lot owned by someone else. The previous owner that sold the lot to us did not own either adjacent lot.

1575 LAFITTE ST.
MANDEVILLE, LA 70448

*We will build a house on the lot to rent or sell.
Prob. is Iovenitti & " " "*

LEGAL DESCRIPTION:

LOT 50, SQUARE 260A, TOWN OF MANDEVILLE, according to the survey by E. J. Champagne dated July 30, 1956.



CERTIFIED TO:
UGO IOVENITTI

PRIOR TO CONSTRUCTION, OWNER OR BUILDER MUST VERIFY SETBACK LINES AND BASE FLOOD ELEVATIONS WITH THE APPROPRIATE CITY/PARISH GOVERNING OFFICIALS.

- LEGEND:**
- SET 1/2" IRON ROD
 - FOUND IRON ROD
 - FOUND OLD WOOD
 - x--- FENCE
 - BEARINGS: ASSUMED
 - SETBACK LINES
 - FRONT
 - REAR
 - SIDES
 - STREET

This survey is based upon the description furnished by the client. There may be other restrictions not shown on this plat that may exist in the public records. There are no visible encroachments existing except where shown hereon. If not otherwise noted, Elevations refer to NGVD 1929 datum.

I hereby certify that this plat is based on a physical survey made on the ground in accordance with the standards of a professional survey and the applicable standards of practice of the State of Louisiana. Signature must be in ink and sealed by the undersigned for this plat to be certified correct.

CLASS/TYPE	"C"	CPI: 225205 0360 C
BOUNDARY	25 MAY 05	FIRM DATE: 2 APR 91
FORMBOARDS		FIRM ZONE: "C"
SLAB TIE		BASE FLOOD:
AS-BUILT		REVISED:
JOB NO.	11160	SCALE: 1 inch= 20ft

BRUCE W. POPE II
 REG. NO. 4672
 REGISTERED PROFESSIONAL SURVEYOR

WILSON POPE, INC.
 LOUISIANA REGISTERED LAND SURVEYORS NO. 338
 1990 SURGI DRIVE
 MANDEVILLE, LOUISIANA 70448
 TEL: (985) 626-5851 FAX: (985) 626-5626



CASH SALE

BE IT KNOWN that on this 28th day of April, 2005 before me, the undersigned Notary Public for the Parish of St. Tammany, State of Louisiana, and in the presence of the subscribing witnesses, personally appeared:

COUNTRYSIDE HOMES, LLC [REDACTED] a Louisiana Limited Liability Company, organized and doing business in the Parish of St. Tammany, herein represented by its duly authorized Managing Member, Judith D. James, by virtue of that Certificate of Authority attached hereto and a part hereof and whose mailing address is recited as follows: LMI 1

MAILING ADDRESS: 28877 BERRY TODD ROAD, LACOMBE LOUISIANA 70448

herein called Seller, who declared that for the price and sum of Sixteen Thousand and 00/100 (\$16,000.00) DOLLARS, cash, receipt of which is hereby acknowledged, seller does hereby sell and deliver, with full warranty of title and subrogation to all rights and actions of warranty Seller may have unto:

BOBBIE BAKER IOVENITTI [REDACTED], wife of/and **UGO D. IOVENITTI** (SS# 437-43-0166), both persons of the full age of majority, who declared unto me, Notary, that they have been married but once and then to each other, presently living and residing together and whose mailing address is recited as follows:

MAILING ADDRESS: 1575 LAFITTE STREET, MANDEVILLE LOUISIANA 70448

herein called buyer, resident(s) of and domiciled in the Parish of St. Tammany, Louisiana, the following described property, the possession and delivery of which Buyer acknowledges:

THOSE CERTAIN LOTS OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining thereto, situated in the City of Mandeville (but outside the corporate limits thereof), Ward 4-Rural, St. Tammany Parish, Louisiana, described as follows, to-wit:

LOT 50, SQUARE 260A, CITY OF MANDEVILLE, ST TAMMANY PARISH, LOUISIANA.

Being the same property acquired by Countryside Homes, LLC from William H. Johnson by an act passed before Michael T. Stone, Notary Public, dated July 7, 2004, recorded at CN 1444722 in the official records of the Parish of St. Tammany, Louisiana.

THIS PROPERTY IS SUBJECT TO THE FOLLOWING EXCEPTIONS:

1. The parties are aware that no survey has been made in connection with this transaction and hereby release and relieve Louisiana Land Title and me, Notary, from any and all liabilities which might have been disclosed by a current survey.
2. Restrictive covenants, servitudes, building setback lines, rights of way, greenbelts and dedications all as per chain of title.

Mortgage and Conveyance certificates are waived by the parties herein, who hereby exonerate me, Notary, from any and all liability on account of non-production of same.

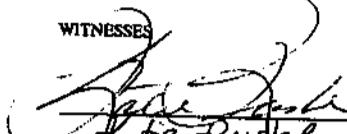
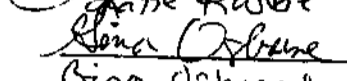
To have and to hold said property unto the buyer's heirs, successors and assigns, forever. All parties signing the within instrument, either as parties or witnesses, have declared themselves to be of full legal capacity.

All agreements and stipulations herein, and all the obligations herein assumed shall inure to the benefit of and be binding upon the heirs, successors, and assigns of the respective parties.

The certificate of mortgages required by Article 3364 of the revised Civil Code of Louisiana is dispensed with by the parties hereto. All taxes assessed against the property herein conveyed have been paid in the appropriate proportion by seller.

Thus done and signed at my office in Mandeville, Louisiana, on the date above written, in the presence of me, Notary, and the undersigned competent witnesses.

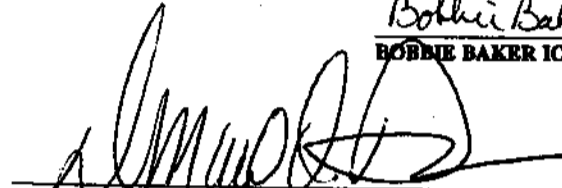
WITNESSES


Cherie Rusbl

Gina Osburn


COUNTRYSIDE HOMES LLC
JUDITH D JAMES MEMBER


UGO D IOVENITTI


BOBBIE BAKER IOVENITTI


Donald D. Bann, NOTARY PUBLIC

CERTIFIED TRUE COPY
OF SIGNED ORIGINAL


NOTARY PUBLIC