

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3083 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR STEFANCIK/PRESIDENT PROVIDED BY: PLANNING

INTRODUCED BY: MR. DEAN SECONDED BY: MS. BRISTER

ON THE 5TH DAY OF MAY, 2005

An Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the west side of LA Highway 1077, north of the intersection of LA Highway 1077 and US Highway 190 and which property comprises a total of 78.7 acres of land more or less, from its present R (Rural) and SA (Suburban Agricultural) Districts to a PUD (Planned Unit Development) District, Ward 1, District 1. (ZC04-06-047)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC04-06-047, has recommended Denial to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area remain R (Rural) and SA (Suburban Agricultural) Districts.

Whereas, the St. Tammany Parish Council has held its public hearing in accordance with law:

Whereas, the St. Tammany Parish Council has found it necessary for the purpose of protecting the public health, safety and general welfare, to designate the above described property as PUD (Planned Unit Development) District (see Exhibit "A") for complete boundaries.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, in regular session convened that:

SECTION I: The zoning classification of the above described property is hereby changed from its present R (Rural) and SA (Suburban Agriculture) Districts to a PUD (Planned Unit Development) District.

SECTION II: The official zoning map of the Parish of St. Tammany shall be and is hereby amended to incorporate the zoning reclassification specified in Section I hereof.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

Urg. 300-
Ord. 3083

EXHIBIT "A"

ZC04-06-047

A PARCEL OF LAND, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions, appurtenances and advantages thereunto belonging or in anywise appertaining thereto, situated in Section 17, Township 6 South, Range 10 East, Parish of St. Tammany, State of Louisiana, and according to plat showing survey by Robert A. Berlin, Registered Surveyor, dated October 5, 1964, No. J-64-976, and on current survey of Wilson-Pope, Inc., Bruce W. Pope, II, Registered Land Surveyor, dated November 21, 2003, under No. 10089, said property is described as follows, to-wit:

Commence at the Quarter corner common to Sections 17 and 18, Township 6 South, Range 10 East, and run North 89 degrees 34 minutes 53 seconds East, 1,325.06 feet to the POINT OF BEGINNING; thence run North 00 degrees 04 minutes 33 seconds West, 1327.80 feet (Title=North 09 degrees 15 minutes West, 1,328.81 feet); thence North 89 degrees 33 minutes 27 seconds East, 1000.38 feet (Title=North 89 degrees 38 minutes East); thence South 30 degrees 59 minutes 47 seconds East, 630.95 feet; thence South 00 degrees 01 minutes 36 seconds East, 785.01 feet (Title=South 09 degrees 12 minutes East); thence South 89 degrees 34 minutes 53 seconds West, 1323.92 feet (Title=South 89 degrees 38 minutes West, 1328.27 feet); to the POINT OF BEGINNING and containing 38.36 acres.

AND

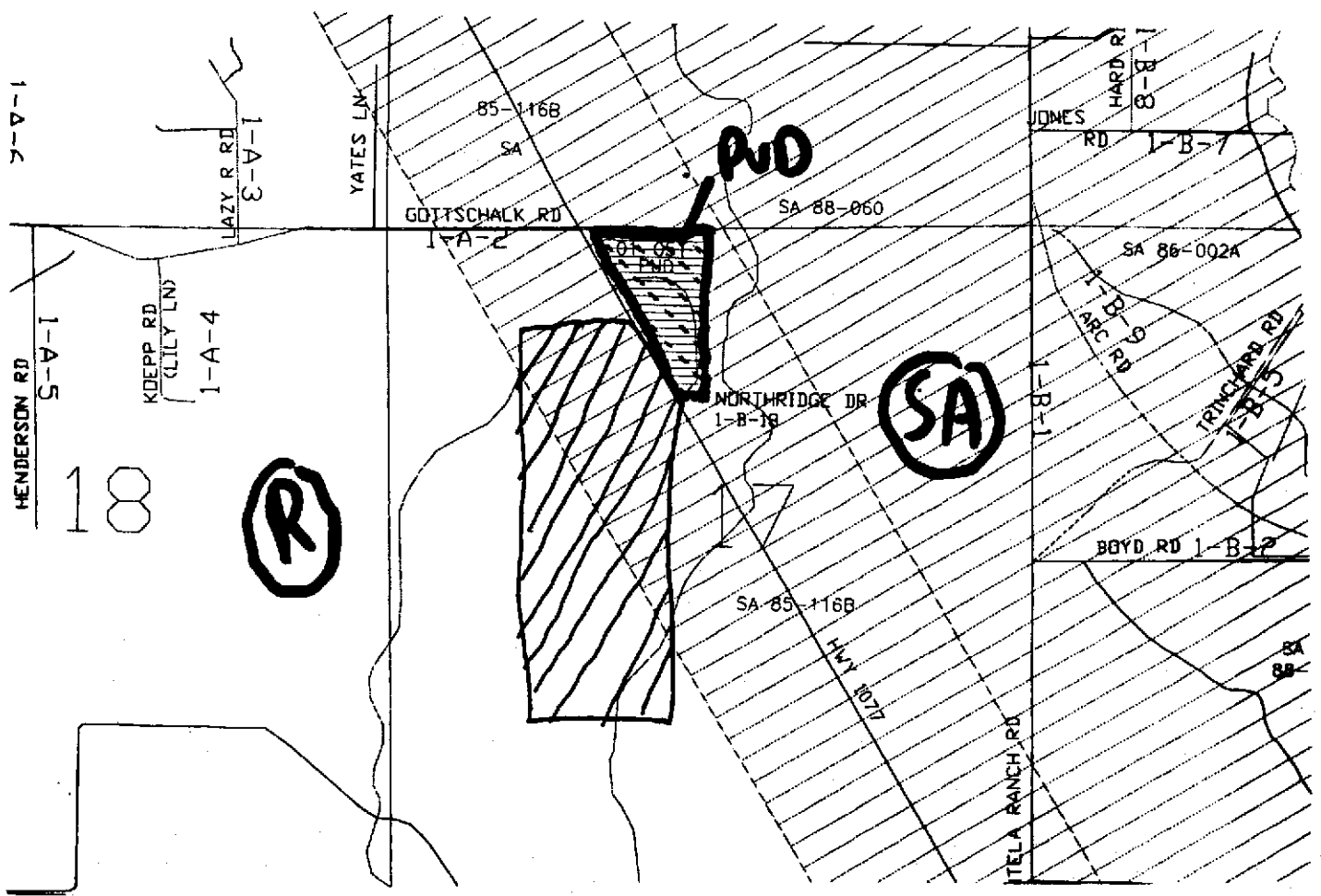
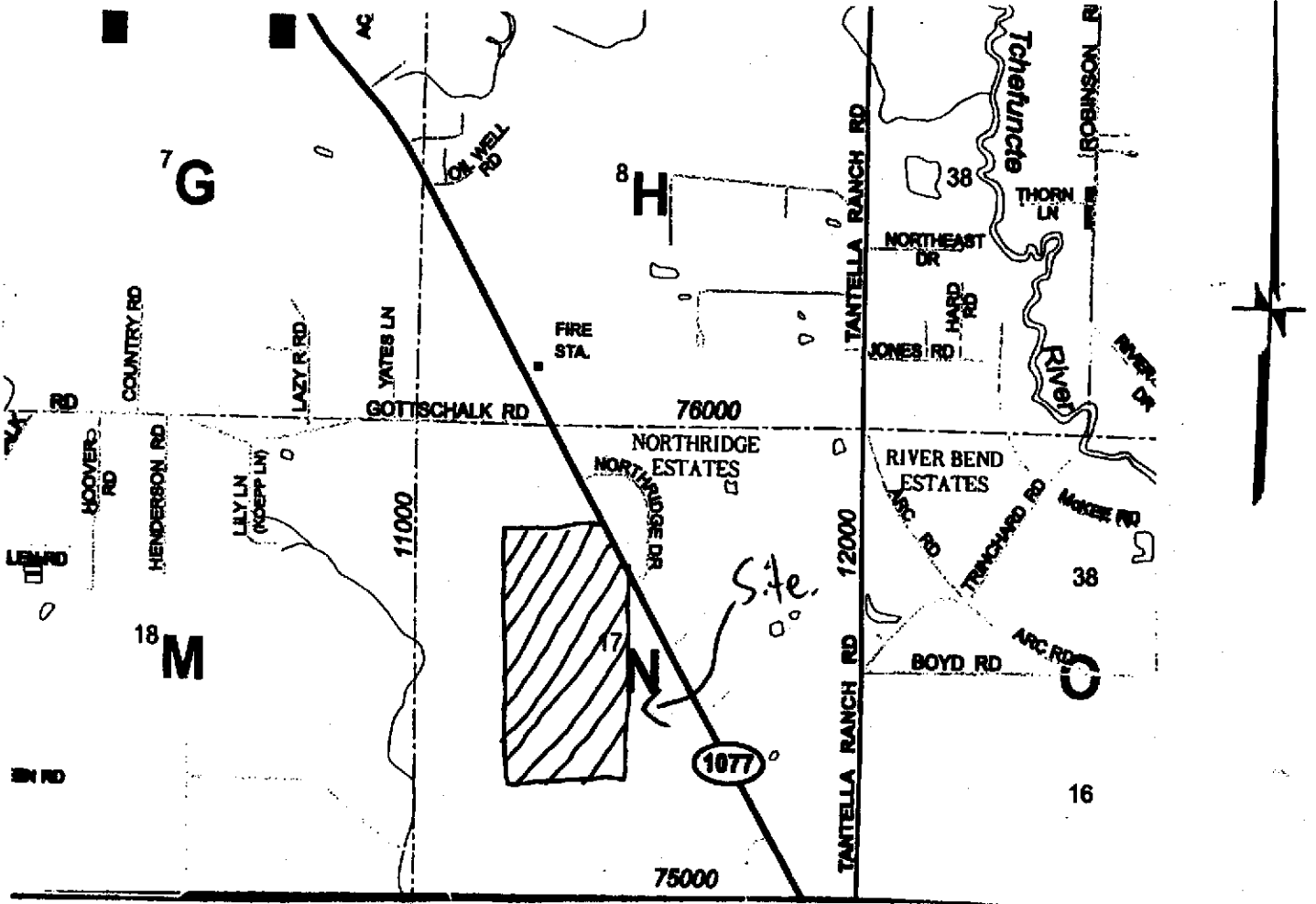
A PARCEL OF LAND, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions, appurtenances and advantages thereunto belonging or in anywise appertaining thereto, situated in Section 17, Township 6 South, Range 10 East, Parish of St. Tammany, State of Louisiana, and according to plat showing survey by Robert A. Berlin, Registered Surveyor, dated October 5, 1964, No. J-64-976, and on current survey of Wilson-Pope, Inc., Bruce W. Pope, II, Registered Land Surveyor, dated November 21, 2003, under No. 10089, said property is described as follows, to-wit:

Commence at the Quarter corner common to Sections 17 and 18, Township 6 South, Range 10 East, and run North 89 degrees 34 minutes 53 seconds East, 1325.06 to the POINT OF BEGINNING; thence North 89 degrees 34 minutes 53 seconds East, 1323.92 feet (Title=North 89 degrees 38 minutes East, 1328.27 feet); thence South 00 degrees 01 minutes 36 seconds East, 1328.36 feet (Title=South 00 degrees 12 minutes West, 1331.07 feet); thence South 89 degrees 36 minutes 19 seconds West, 1322.78 feet (Title=South 89 degrees 39 minutes West, 1329.18 feet); thence North 00 degrees 04 minutes 33 seconds West, 1327.80 feet (Title=North 00 degrees 13 minutes East, 1331.23 feet) to the POINT OF BEGINNING and containing 40.35 acres.

Being the same property acquired by George E. Burch, III from the Succession of George E. Burch by Judgment of Possession dated December 28, 1987, recorded at COB 1334, folio 20; from Vivian Burch by Act dated December 4, 1992, recorded at COB 1537, folio 687; from Vivian Burch Martin, et al, by Act dated December 15, 1982, recorded at COB 1537, folio 709 and by Ratification of Act of Sale dated August 21, 2003, recorded at COB Instrument #1397364 of the official records of St. Tammany Parish, Louisiana.

Ord. 3083

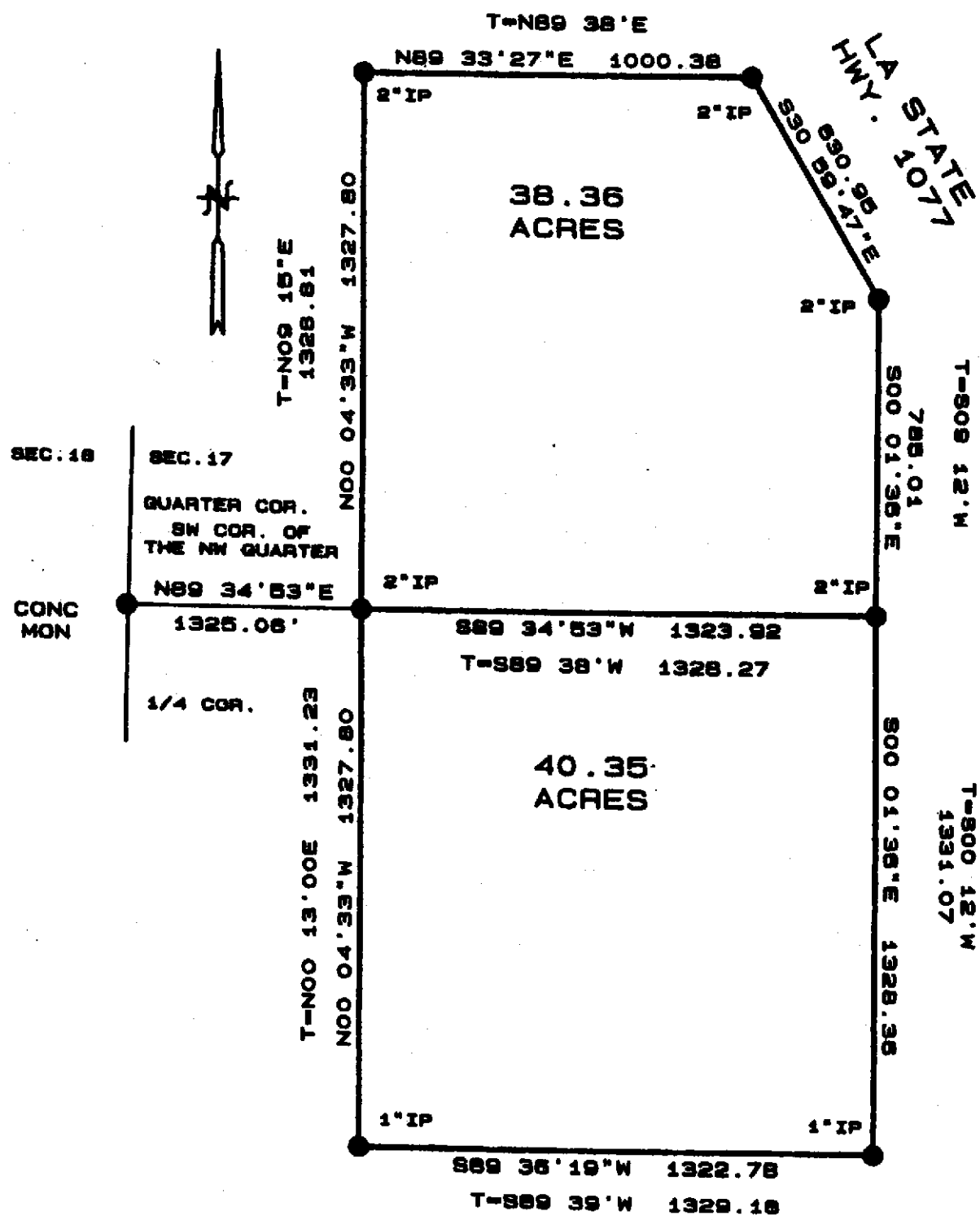
CASE NO.: ZC04-06-047
PETITIONER: Leroy J. Cooper
OWNER: Ruelle du Chene Developers, L.L.C.
REQUESTED CHANGE: From R (Rural) and SA (Suburban Agriculture) Districts to PUD (Planned Unit Development) District
LOCATION: Parcel located on the west side of LA Highway 1077, north of the intersection of LA Highway 1077 and US Highway 190; S17, T6S, R10E; Ward 1, District 1
SIZE: 78.7 acres



LEGAL DESCRIPTION:

TWO PARCELS of land located in Section 17,
Township 6 South, Range 10 East, St. Tammany Parish,
Louisiana, as per survey by Robert A. Berlin dated
5 OCT 84, Job #J-84-978.

Ord. 3083



REFLECTED TO:
RUELLE DU CHENE DEVELOPERS, L.L.C.
WINTERS TITLE AGENCY, INC.

2004-06-047

LEGEND:
 ○ SET 1/2" IRON ROD
 ● FOUND IRON ROD
 ⊗ FOUND OLD WOOD
 FENCE ---X---X---
 BEARINGS: RECORD
 SETBACK LINES ---
 FRONT SIDES
 REAR STREET

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

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

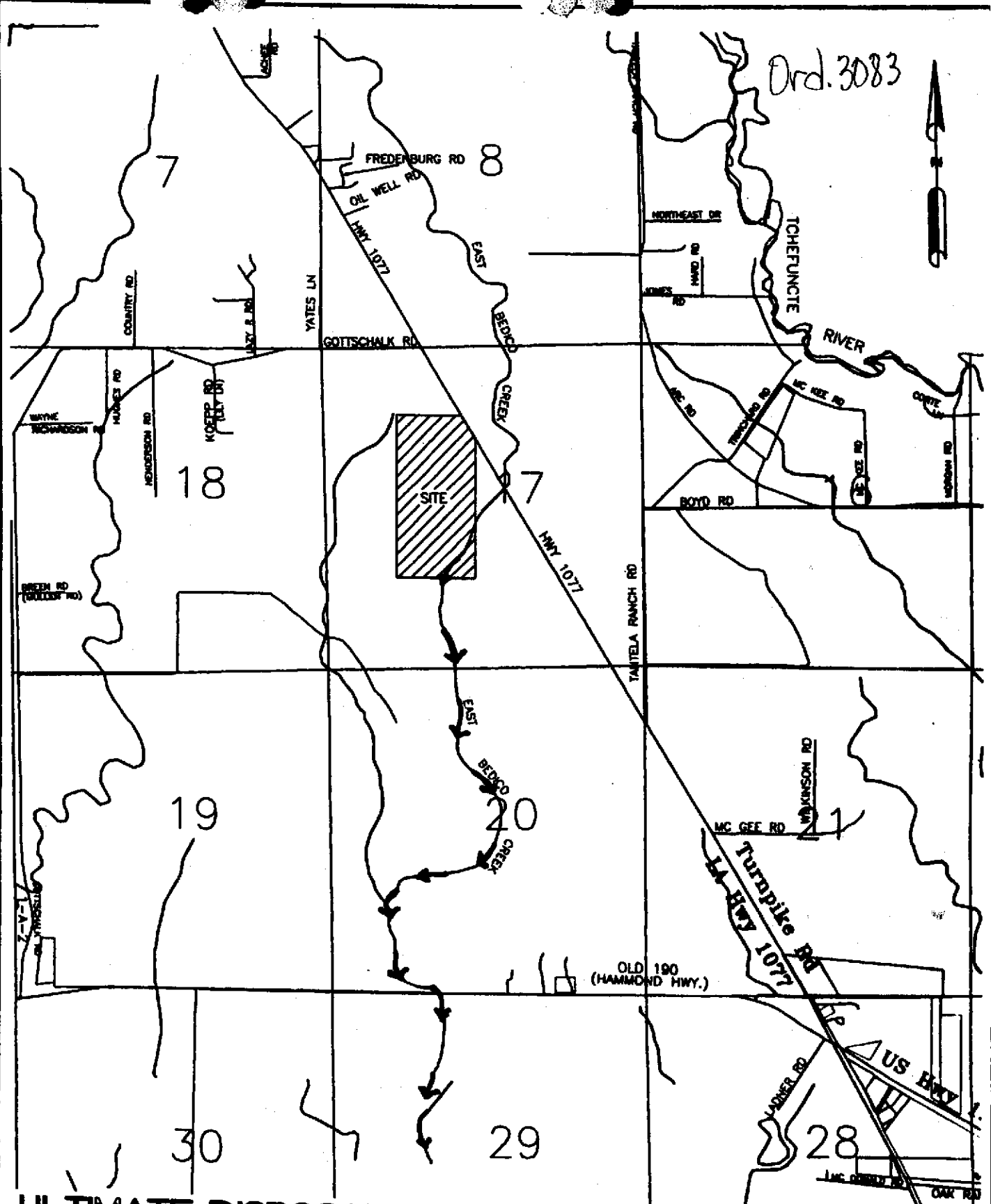
I, hereby certify that this plat is based on a physical survey made on the ground and in accordance with the standards of a PROFESSIONAL SURVEYOR and the applicable standards of practice set forth in LAC 48:XXI. Signature must be in red and filed by the undersigned for this plat to be certified correct.

TYPE	"D"	CPN: 225205 0125 C
DATE	21 NOV 03	FIRM DATE: 17 OCT 89
JOB		FIRM ZONE: "A/C"
REMARKS		BASE FLOOD:

BRUCE W. POPE, II
 REG. No. 4672
 REGISTERED PROFESSIONAL SURVEYOR

WILSON-POPE, INC.
 LOUISIANA REGISTERED LAND SURVEYORS

Ord. 3083



ULTIMATE DISPOSAL

NOT TO SCALE

03-074
U-1
 04-13-04

PLANS FOR
HWY. 1077 SUBDIVISION
 SECTION 17, TOWNSHIP 6 SOUTH, RANGE 10 EAST
 ST. TAMMANY PARISH, LOUISIANA

CEI COOPER ENGINEERING, INC.
 Civil Engineering • Planning • Environmental
 P.O. Box 1970 Covington, Louisiana 70434 (504) 835-0185

2004-06-047

RESTRICTIVE COVENANTS

Ord. 3083

1. Each lot will not have more than one dwelling.
2. Front setbacks will not be less than 30 feet from the property line. Side building setbacks will not be less than 10 feet from the interior side of the property line. Side street building setbacks will not be less than 30 feet from the property line. Rear building setbacks will not be less than 25 feet from the rear property line.
3. No certificate of occupancy shall be issued before the sewerage and water systems are installed and operable, or otherwise connected to a community (central) sewerage and/or water system(s), all as approved by the St. Tammany Parish Department of Environmental Services. Whenever a subdivision is served by a community (central) sewerage and/or water system supply, no private water supply may be drilled or otherwise constructed on any lot for the purpose of supplying potable 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).
4. No noxious or otherwise activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
5. Construction of any nature, including fences, is prohibited in Parish drainage servitude's and street easement.
6. No mobile homes will be permitted in this subdivision.
7. No lot shall be further subdivided without the approval of the St. Tammany Parish Planning Commission.
8. The front of each lot shall be subject to a 10-foot utility easement along all streets.
9. Driveways on corner lots shall not be located any closer than sixty (60) feet from a 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.
10. The Homeowners Association will be responsible for maintaining the green space areas within this development.
11. In addition to the foregoing minimum restrictive covenant, the developers have created by separate act recorded in original instrument No. _____ additional restrictive covenants which are applicable to the property being subdivided. The foregoing shall be a covenant running with each title and reference shall be made thereto in each title.
12. Roadside ditches must remain, subsurface drainage will not be allowed anytime in the future.
13. The minimum elevation for the lowest floor of all residences shall be determined from the latest revised FEMA flood insurance rate maps. The minimum elevation of the lowest floor in Flood Zone "A" shall be obtained from the Parish Engineering Department.
14. Lots may not be used for the storage of trash or junk vehicles.

ZC04-06-047

Ord. 3083

ENVIRONMENTAL ASSESSMENT DATA FORM

Description of Project

Applicant's Name Ruelle du Chene Developers, L.L.C.

Address 17 Mister Drive, Mandeville, LA 70471

Attach area location Map showing the proposed development

Name of Development Highway 1077 Subdivision

Section 17 Township 6 South Range 10 East

Number of acres in Development 78.7 Acres

Type of Streets Asphalt

Type of water system Community

Type of sewerage system Community

Ultimate disposal of wastes East Bedico Creek, ultimately to Lake Pontchartrain

Ultimate disposal of surface drainage East Bedico Creek, ultimately to Lake Pontchartrain

Land form: Flat xx Rolling _____ Marsh _____
Swamp _____ Inundated _____

Existing land use: Rural xx Residential _____
Commercial _____ Industrial _____

Proposed land use: Rural _____ Residential xx
Commercial _____ Industrial _____

Conforms to Major Road Plan: Yes xx No _____

Water frontage: Yes _____ No xx If so how much _____

Name of Stream _____

Major highway frontage: Yes xx No _____

Name of Highway LA Highway 1077

Is development subject to inundation in normal high rainfall and/or tide?

Yes _____ No xx

Will canals be constructed into rivers or lakes?

Yes _____ No xx

ANSWER ALL QUESTIONS BY A CIRCLE AROUND YES OR NO

- 1. Does the proposed development:
 - a. Disrupt, alter or destroy an historic or archeological site or district? YES NO
 - b. Have a substantial impact on natural, ecological recreation, or scenic resources? YES NO
 - c. Displace a substantial number of people? YES NO
 - d. Conform with the environmental plans and goals that have been adopted by the Parish? YES NO
 - e. Cause increased traffic, or other congestion? YES NO
 - f. Have substantial aesthetic or visual effect on the area? YES NO

2004-06-047

ANSWER ALL QUESTIONS BY A CIRCLE AROUND YES OR NO

- g. Breach national, state or local standards relating to:
 - (1) Noise YES NO
 - (2) Air Quality YES NO
 - (3) Water Quality YES NO
 - (4) Contamination of public water supply YES NO
 - (5) Ground water levels YES NO
 - (6) Flooding YES NO
 - (7) Erosion YES NO
 - (8) Sedimentation YES NO
- h. Affect rare or endangered species of animal or plant habitat or such a species YES NO
- i. Cause substantial interference with the movement of any resident or migratory fish or wildlife species YES NO
- j. Induce substantial concentration of population YES NO
- k. Will dredging be required YES NO

If yes, denote the area proposed for spoil placement and the anticipated volume in cubic yards.

2. Attach specifications of the following, if applicable:

- a. What types of materials will be disposed of as a result of the production of manufacturing process. If applicable explain where and in what manner disposal will occur.
None
- b. What work will be the average noise level be of the development during working hours.
Negligible
- c. Will any smoke, dust or fumes be emitted as a result of the operational process. If so, explain fully.
No

Explain in detail the items marked YES above indicating how you propose to reduce or eliminate the environmental problems caused by your development and explain how you will ultimately dispose of the surface water generated by your development including the route of the surface water into a major stream and if you propose a center sewerage system the ultimate disposal of the effluent produced.

2004-06-047

Ord. 3083

Gentlemen:

Page 3 of 3

I have completed the attached Environmental Impact Assessment Data Form and hereby certify that the information shown thereon is accurate and is based on a thorough study of the environmental impact by this development named:



DATE: April 16, 2004

TITLE: Leroy J. Cooper, P.E.

I have reviewed the data submitted and concur with the information with the following exceptions:

I recommend the following:

DATE:

PARISH ENGINEER:

I have reviewed the data submitted and concur with the information with the following exceptions:

I recommend the following:

DATE:

PARISH PLANNER:

I have reviewed the Environmental Assessment Data Form and concur with the information submitted with the following exceptions:

I recommend the following:

DATE: _____

POLICE JUROR: _____

WARD: _____

2004-06-047