



ST. TAMMANY PARISH

DEPARTMENT OF PLANNING
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COVINGTON, LA 70434
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Kevin Davis
Parish President

Appeal # 6
PC denied 2/19/05

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: February 10, 2005

(Reference Case on Zoning Commission Agenda)

REQUEST TO ENTER PARISH RIGHT-OF-WAY ROBINDALE SUBDIVISION, WARD 3, DISTRICT 3

Request to Enter Parish Right-of-Way (Desire, Estate, Homestead, Manor, Robert and Walker Streets) for the purpose of gaining access to the property.

Petitioner: CERP Development, L.L.C.

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)

PAUL J. MAYRONNE

P.O. BOX 1810

COVINGTON, LA 70434

PHONE #: 985/892-4801



ST. TAMMANY PARISH PLANNING COMMISSION

RESOLUTION

RESOLUTION PLANNING COMMISSION SERIES NO. _____

TITLE: A RESOLUTION AUTHORIZING MR. GORDON PHILIBERT, PRESIDENT - CERP DEVELOPMENTS, L.L.C., TO ENTER PARISH RIGHT-OF-WAY.

SUB-TITLE: A RESOLUTION GRANTING PERMISSION TO MR. GORDON PHILIBERT, PRESIDENT - CERP DEVELOPMENTS, L.L.C., 121 SEVEN PINES BOULEVARD, MANDEVILLE, LA 70471 TO ENTER PARISH RIGHT-OF-WAY, SPECIFICALLY THE UNOPENED PORTION OF DESIRE STREET, ESTATE STREET, HOMESTEAD STREET MANOR STREET, ROBERT STREET, AND WALKER STREET LOCATED WITHIN ROBINDALE SUBDIVISION, FOR THE PURPOSE OF GAINING ACCESS TO PROPERTY. WARD 3, DISTRICT 3.

NOW, THEREFORE, BE IT RESOLVED, by the St. Tammany Parish Planning Commission that it hereby grants permission to the aforementioned petitioner to enter Parish right-of-way for the aforementioned purposes, subject to the following conditions:

1. That the improvements that will be undertaken will be at the sole expense of the petitioner.
2. That the petitioner agrees to accept full responsibility, financial and all other, for the damage and/or relocation of utilities currently located within Parish right-of-way.
3. That the petitioner shall submit plans prepared by a licensed engineer to the Department of Engineering for review and approval. The drainage and road design with soil borings must meet the ASPHALT road standards as established under the "Subdivision Regulatory Ordinance". The Parish's engineer may require additional off-site work to minimize the potential impact of the proposed construction with special emphasis regarding drainage. The plans must include sewerage and water systems, where applicable. Upon approval of plans and specifications by the Director of Engineering, the petitioner must notify the Department of Engineering prior to the commencement of any activity.
4. That should the petitioner commence work thereon, petitioner by such act acquiesces and acknowledges thereby that he will hold this Parish, its officials, agents, servants, and employees free and harmless from any liability or responsibility whatsoever in connection with the construction of the project. Petitioner will provide copy of Liability Insurance Policy including the naming of the Parish as an insured party. The insurance will remain in effect until the Parish takes over the maintenance.
5. That nothing herein shall be construed as a revocation of the dedication of the aforementioned right-of-way.
6. That no maintenance nor financial nor material nor assistance shall be provided by the Parish for the project nor the maintenance thereof, except for the inspection of the plans and specifications by the Department of Engineering to insure the construction complies with Parish specifications.
7. That the petitioner post a Performance Letter of Credit in the amount of \$184,000 for a period of six (6) months.

8. That the petitioner agree to post a Warranty Obligation upon completion of the project.
9. That the petitioner and any assignees submit a Hold Harmless Agreement in connection with the construction of the project and utilization of the access by (an) individual (s) until the time that the access is upgraded to Parish standards and accepted into the Parish's Selective Road Maintenance System.
10. That the petitioner and any assignees agrees to provide maintenance for this access at his/hers own expense until such time as the Parish agrees to accept this portion of right-of-way into the Parish's Selective Road Maintenance System.
11. Petitioner acknowledges and accepts full responsibility for the installation and maintenance of drainage, specifically from the on-site mechanical sewerage treatment plants, on the public right of way he/she seeks permission to enter.
12. That the petitioner agrees to provide the Parish necessary servitudes along all roads for proposed and future utility and drainage requirements.
13. That the petitioner shall submit a copy of the current owner's deed.
14. That the petitioner shall produce proof that the right-of-way is dedicated to the Parish.
15. That the petitioner shall produce from the U.S. Army Corps of Engineers either: a written statement that the road is not in a wetland area, within the meaning of Section 404 of the federal "Clean Water Act" or a Section 404 Permit under the federal "Clean Water Act" authorizing the opening of the portion of the right-of-way in question.
16. That the petitioner shall submit a site plan of Petitioner's property and the unopened right-of-way.
17. Permission is valid for the issuance of residential building permits only, issued to AS INDICATED ABOVE, WARD 3, DISTRICT 3.
18. That the petitioner submit as-built drawings certifying that road is constructed within the parish right-of-way.
19. That the petitioner submit all documentation required within SIX (6) months from date of adoption, additionally petitioner has two (2) years to complete all work on this project, if not completed within two (2) years, approval of this work will be voided and petitioner will be required to reapply for permission.
20. That the petitioner, in accordance with action taken by the Planning Commission on February 10, 2004, be required to fulfill the following:
 - A. Construct raised houses;
 - B. No net fill allowed on all lots;
 - C. Furnish an engineering hydrologic study;
 - D. Design downstream improvements within Robindale Subdivision;
 - E. Participate in the drainage improvements.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY _____, SECONDED BY _____; A VOTE THEREON RESULTED IN THE FOLLOWING:

YEA:

NAY:

ABSTAIN:

ABSENT:

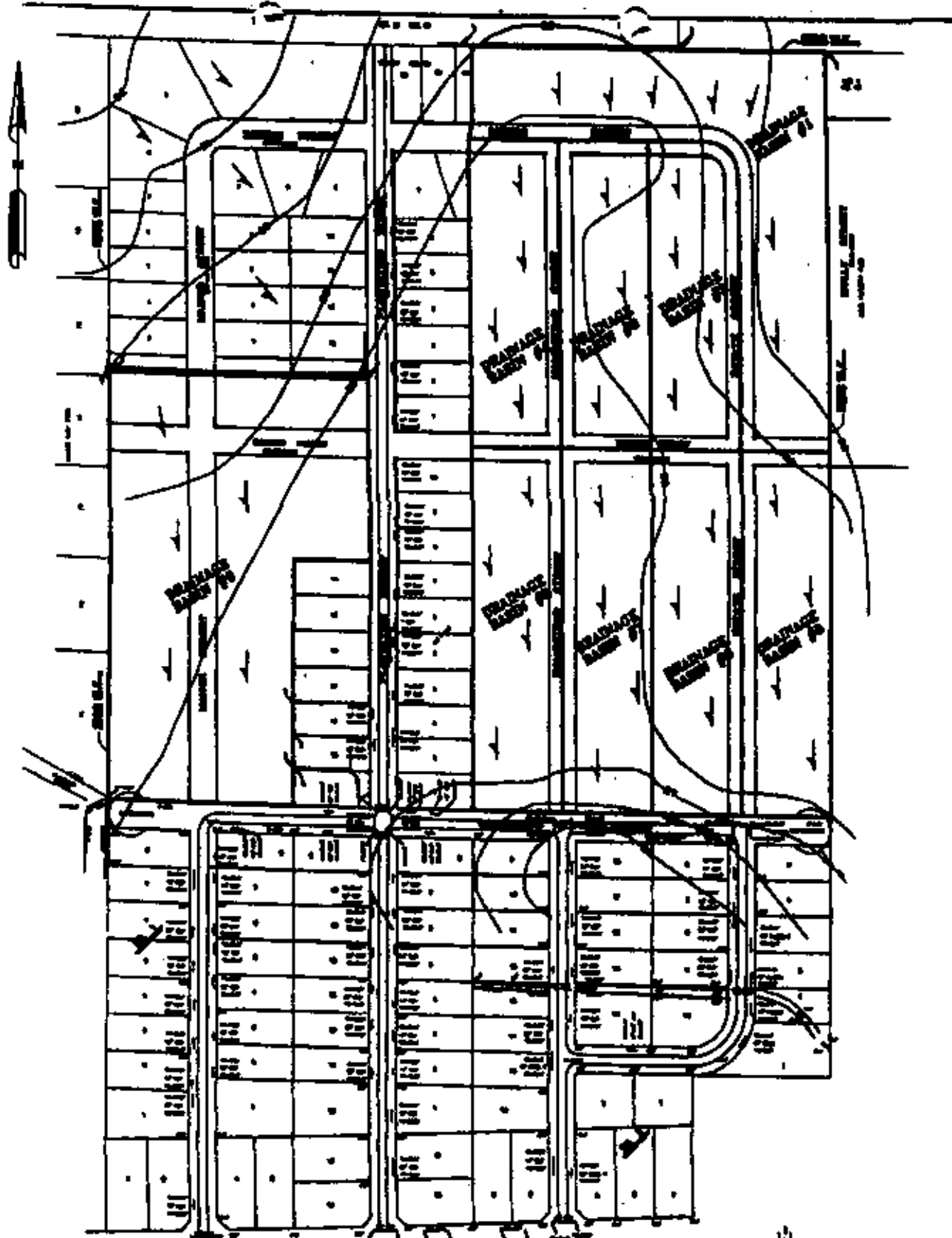
AND THIS RESOLUTION WAS DECLARED DULY ADOPTED ON THE _____ DAY OF _____, 2005, AT A REGULAR MEETING OF THE PLANNING COMMISSION, A QUORUM OF THE MEMBERS BEING PRESENT.

EMILE LOMBARD, CHAIRMAN
ST. TAMMANY PARISH PLANNING COMMISSION

ATTEST:

RON KELLER, SECRETARY
ST. TAMMANY PARISH PLANNING COMMISSION

C:\PHILLBERT\03-03\DRAWING STUDY\EXISTING DRAINAGE BASINS 8-3-04



EXISTING DRAINAGE BASINS

SCALE: 1" = 300'

03-037

H-1

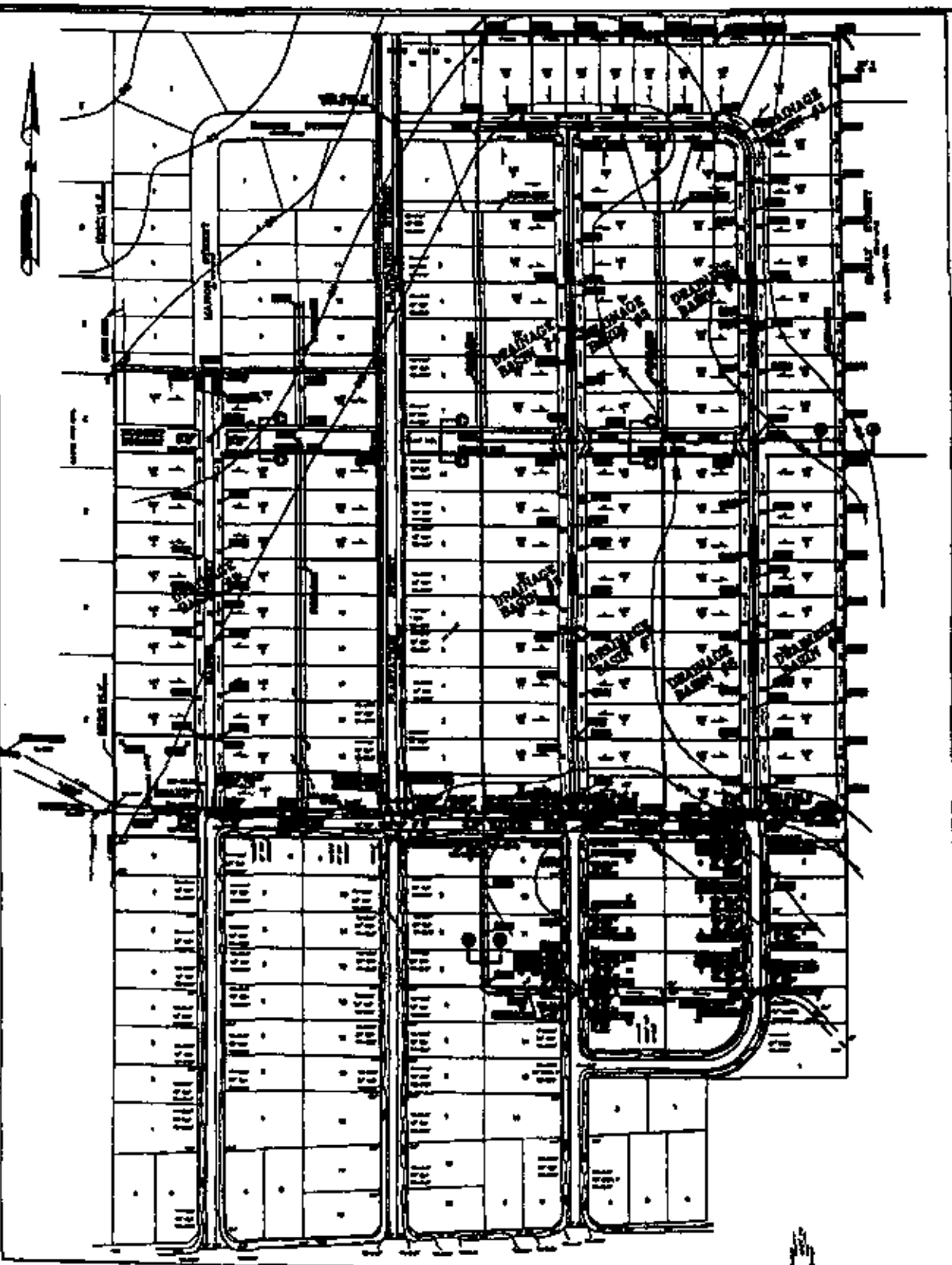
8-3-04

PLAN FOR
ROBENDALE SUBDIVISION
 SECTION 35&36, TOWNSHIP 6 SOUTH, RANGE 11 EAST
 ST. TAMMANY PARISH, LOUISIANA

CEI Cooper Engineering, Inc.

Civil Engineering • Planning • Environmental
 P.O. Box 5978 Orange, Louisiana 70054 (504) 845-4157

C:\PHILLBERT\03-837\0-1 DRAINAGE PLANS 8-23-04



DEVELOPED DRAINAGE BASINS

SCALE: 1" = 300'

03-037
H-2
 8-23-04

PLANS FOR
ROBINDALE SUBDIVISION
 SECTION 35&36, TOWNSHIP 6 SOUTH, RANGE 11 EAST
 ST. TAMMANY PARISH, LOUISIANA

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