



DEPARTMENT OF PLANNING
 P. O. Box 6325
 COVINGTON, LA 70434
 PHONE: (985) 885-0325
 FAX: (985) 885-0003
 e-mail: planning@stpp.gov.org

Krista Davis
 Parish President

*Appeal 11
 2 denied 4/15/05*

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: 4/6/05



CP05-04-045 - Use: Deliquiri Shop

Zoning: C-2 (Highway Commercial) District
 Use Size: 3,250 sq. ft.
 Petitioner: Gause West Properties, L.L.C./ Faye Wagner
 Owner: Gause West Properties, L.L.C./ Faye Wagner
 Representative: Jeff Schoen
 Location: Parcel located on the north side of US Highway 190, west of Camp Salmen Road, east of Northshore Blvd. S37, T8S, R14E, Ward B, District 11
 Council District: 11

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)
Jeff D. Schoen, Attorney for
P. O. Box 1810
Covington, LA 70434
 PHONE #: 842 4801

*Gause West
 Properties, L.L.C*

CONDITIONAL USE PERMIT STAFF REPORT

Date: March 28, 2005
CASE NO.: CP05-04-045
Posted: 03/14/05

Meeting Date: April 5, 2005
Determination: Denied

PETITIONER: Gause West Properties, L.L.C./ Faye Wagner
OWNER: Gause West Properties, L.L.C./ Faye Wagner
PROPOSED USE: Daiquiri Shop
PREVIOUS/CURRENT USE: Vacant
SQ. FT. OF USE: 3,250 sq. ft.
GROSS AREA LOT SIZE: 1.24 acres
ZONING CLASSIFICATION: C-2 (Highway Commercial) District
LOCATION: Parcel located on the north side of US Highway 190, west of Camp Salmen Road, east of Northshore Blvd; S37, T8S, R14E; Ward 9, District 11

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: Federal

Road Surface: 3 lane asphalt

Condition: Good

LAND USE CONSIDERATIONS

Surrounding Land Use and Zoning:

Direction	Land Use	Zoning
North	Residential/ Undeveloped Tammany Trace	A-4 (Single Family Residential) District M-1 (Light Industrial) District
South	Single Family Residence	C-2 (Highway Commercial) District
East	Single Family Residence	C-2 (Highway Commercial) District
West	Single Family Residence	C-2 (Highway Commercial) District

Existing development? Yes

Multi occupancy development? Yes

STAFF COMMENTS:

Petitioner is requesting a Conditional Use permit for a Daiquiri Shop. The daiquiri shop will be located within a new strip shopping center, on the north side of US Highway 190, west of Camp Salmen Road, east of Northshore Blvd. The establishment will be open 7 days a week from 11AM to 2AM, with a maximum of 3 daytime employees and 5 employees in the evenings. The Daiquiri shop will not be located less than 500 feet from a Church, a Park or a School as required under the Parish Code of Ordinances.

The required number of parking spaces for a daiquiri shop has been provided as shown on the site plan. Even if the business will be open during day time, most of the activities will be taking place in the evening, after the other businesses of the strip shopping center will be closed. The additional parking spaces, provided on the site for the other businesses, will then be available for the patrons of the daiquiri shop.

A site and landscape plan has been provided for further review. The petitioner is requesting to remove the majority of the existing Pine trees located in the front of the property and replace the trees with 6 Shumard Oak and 14 Queen Palm Trees. Only 2 large Pine trees would remain in the front planting area. Under the Parish Ordinance, Queen Palm trees are considered as a Class A or a Class B tree. Considering that Palm trees are not considered as a Class A or Class B trees, staff feels that the current existing trees have to remain on site. The proposed palm trees can be planted on the site. However, the trees will not be considered as part of the required number of trees to meet the Parish Landscaping requirements.

STAFF RECOMMENDATIONS:

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

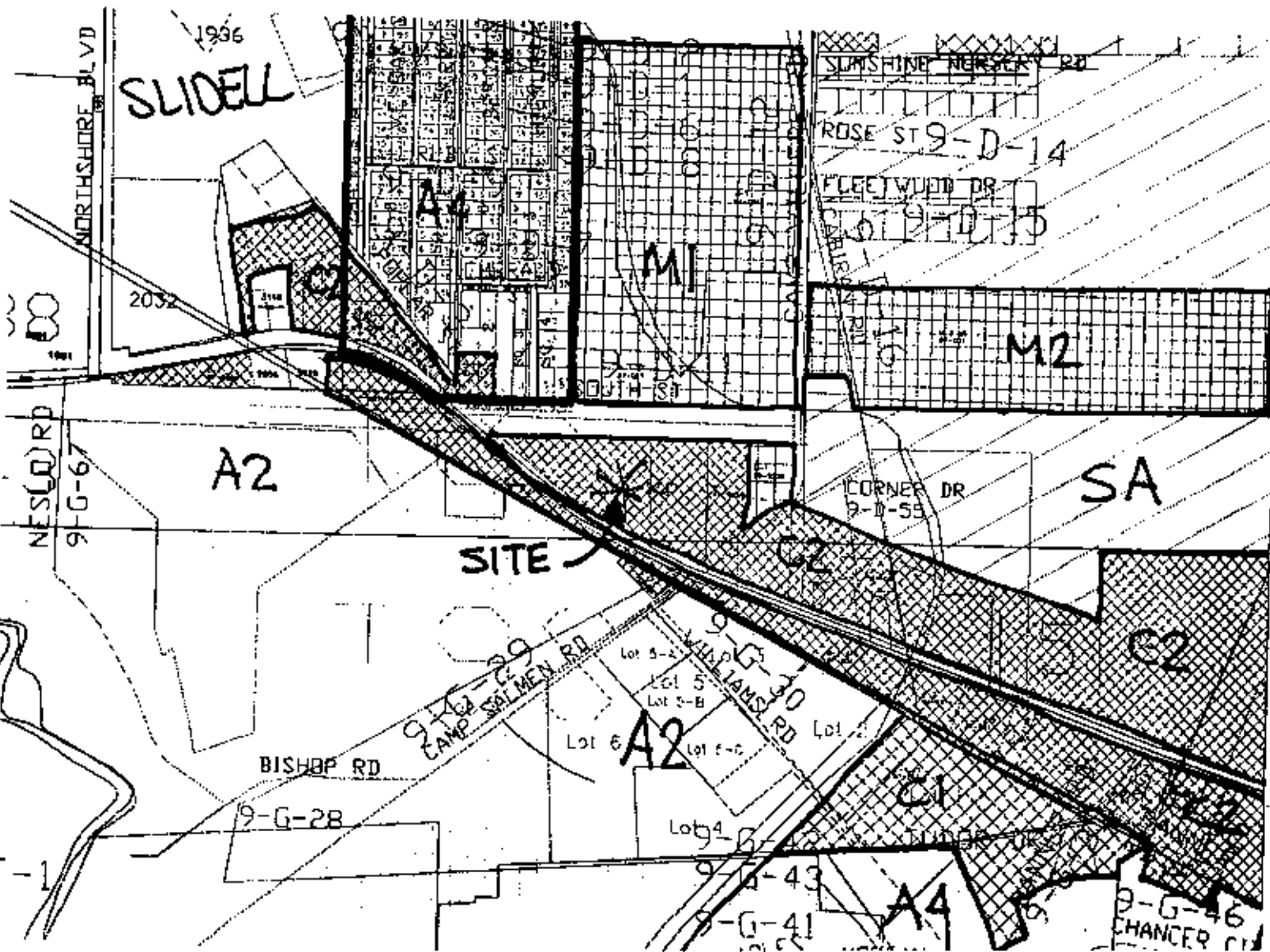
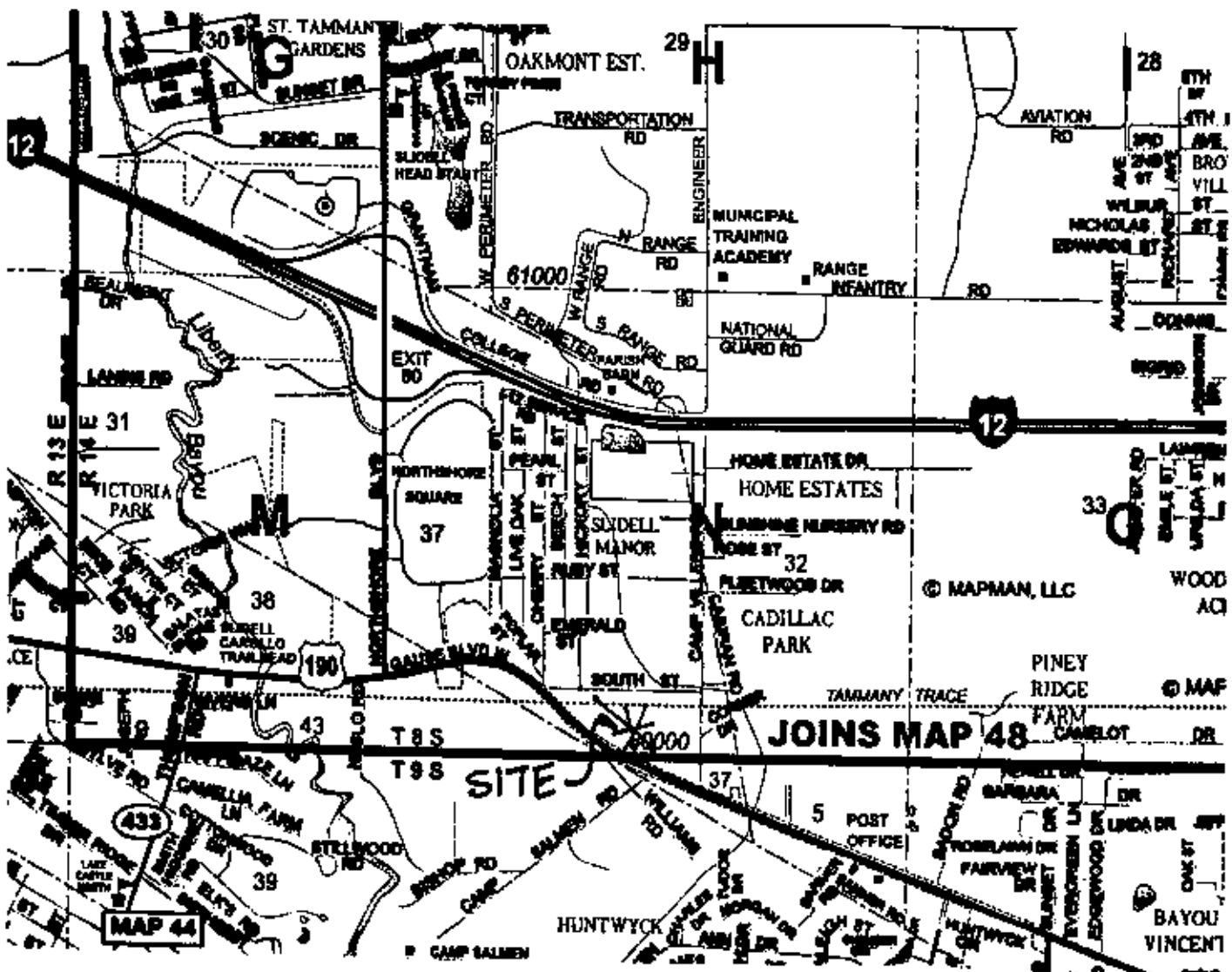
1. Existing trees in the front planting area must remain on site, as required.
2. Hours of operation shall be limited to 11AM to 2AM.
3. Colored drawing showing the proposed Fascia & monument signs must be submitted to the Planning Department for review and approval.
4. Any square footage addition, change in hours of operation or activities in the bar must be approved through a conditional use permit.
5. Petitioner shall be responsible for the maintenance and the replacement of the required plant materials.
6. During construction, planting or open ground areas surrounding preserved trees shall be wired off with a properly flagged, reinforced & rolled wire mesh.
7. Provide an exterior lighting plan so all exterior lighting shall be shaded or inwardly directed in such a manner so that no direct lighting or glare is cast beyond the property line. The intensity of such lighting shall not exceed one foot candle as measured at the abutting property line. Outdoor lighting illumination shall follow the recommended guidelines for the luminescence as established in the IESNA Lighting Handbook.

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.

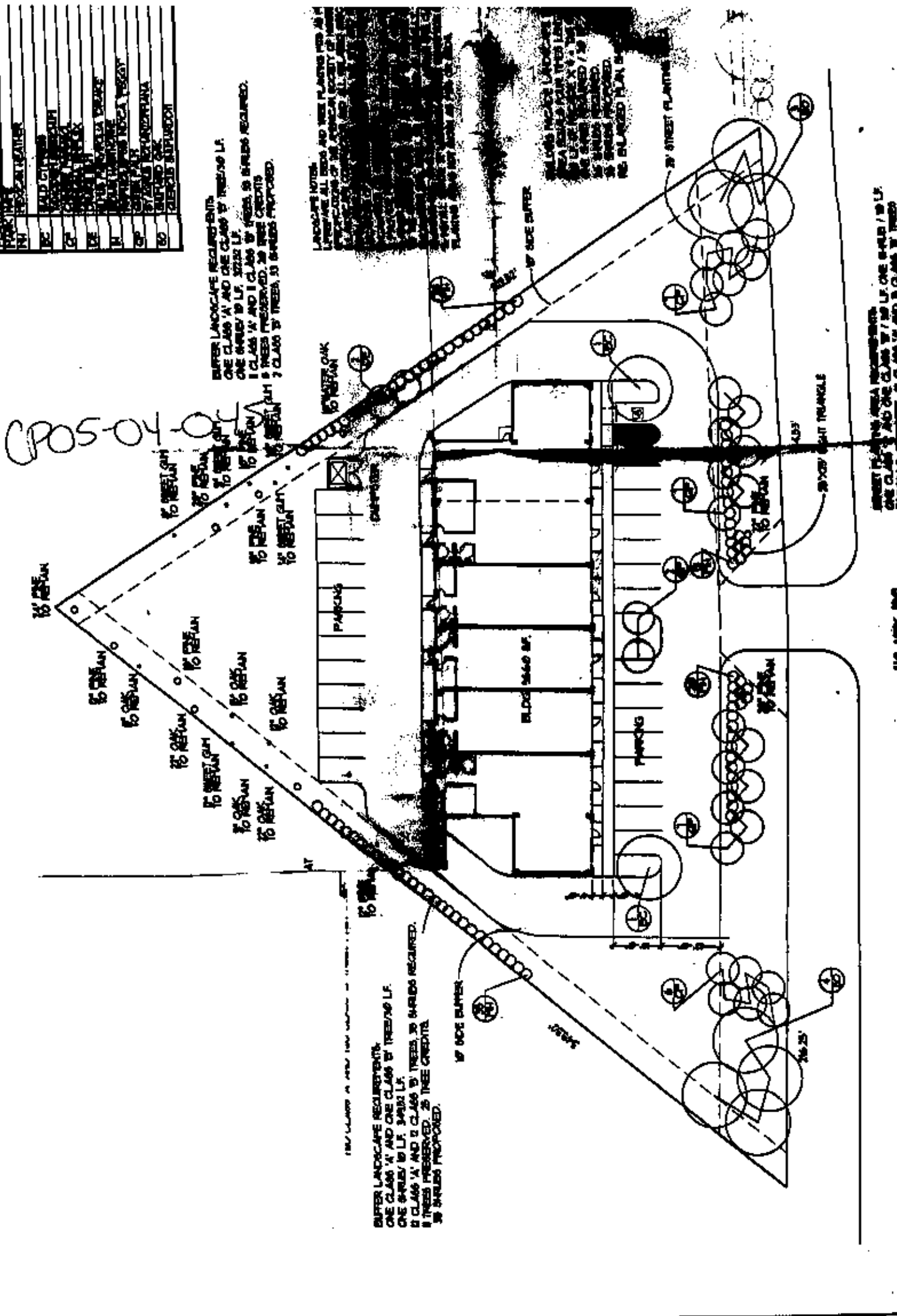
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PLANTING	PLANTING
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CP05-04



LANDSCAPE NOTES:
 1. PRESERVE ALL TREES AND TREE PLANTINGS WITHIN THE 20' SIDE BUFFER.
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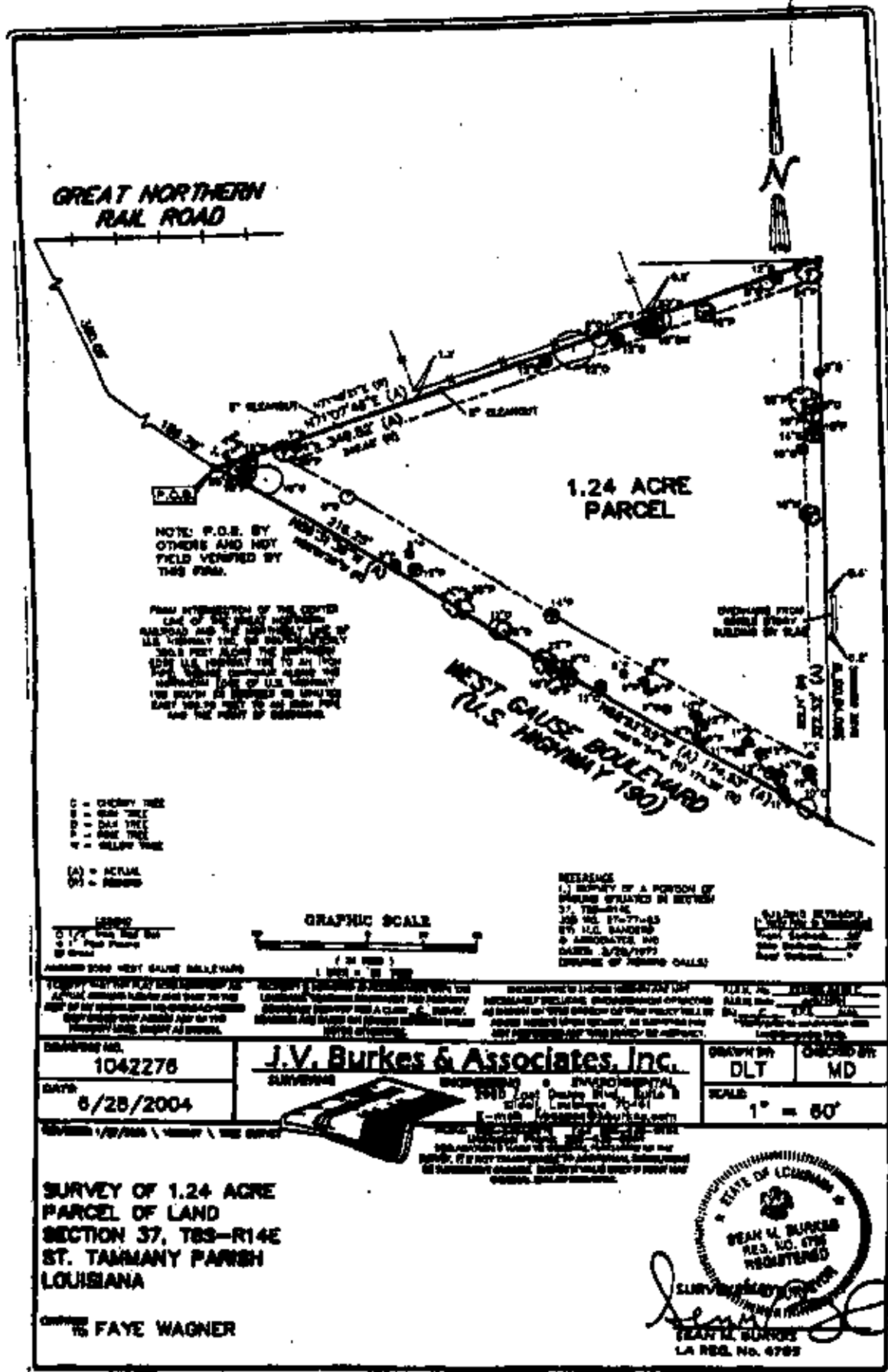
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U.S. NEST, INC.

CPOS-04-045

MAR-15-2006 THE LUCAS FINE PRINTING COMPANY



APPROVED FOR THE STATE OF LOUISIANA BY THE BOARD OF SURVEYORS AND LAND MANAGERS ON 6/28/2004

1042276
6/28/2004
J.V. Burkes & Associates, Inc.
SURVEYING
DRAWN BY DLT
CHECKED BY MD
SCALE 1" = 80'

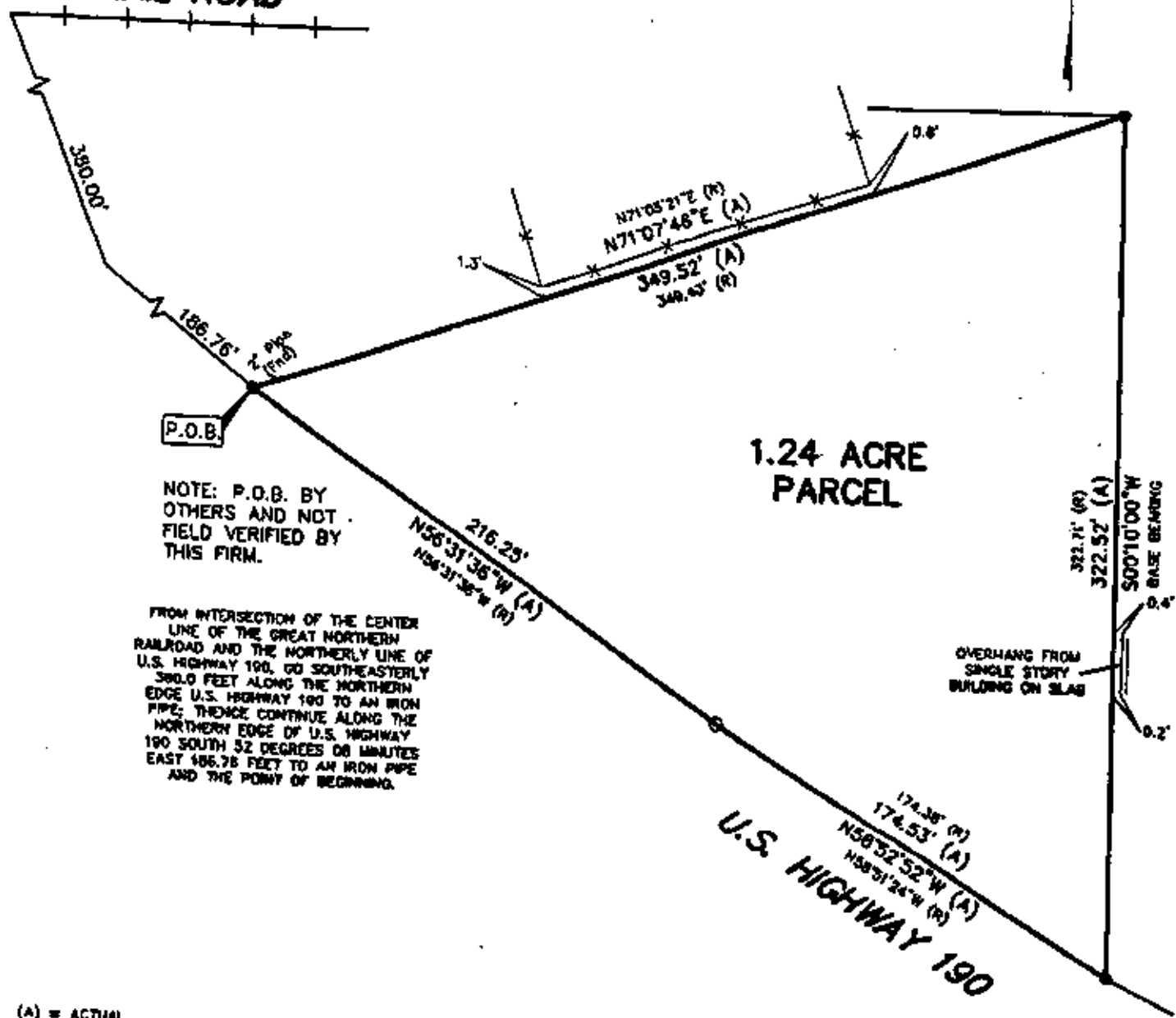
SURVEY OF 1.24 ACRE PARCEL OF LAND SECTION 37, T8S-R14E ST. TAMMANY PARISH LOUISIANA

OWNER: FAYE WAGNER

PRESERVE 28" DIA & 30" DIA - 6 CABBOTS
390.78' STREET FRONTAGE
16 CLASS B TREES &
13 CLASS A TREES REQUIRED.
40 SHRUBS REQUIRED.

CPOS-04-045

GREAT NORTHERN RAIL ROAD



NOTE: P.O.B. BY OTHERS AND NOT FIELD VERIFIED BY THIS FIRM.

FROM INTERSECTION OF THE CENTER LINE OF THE GREAT NORTHERN RAILROAD AND THE NORTHERLY LINE OF U.S. HIGHWAY 190, GO SOUTHEASTERLY 380.0 FEET ALONG THE NORTHERN EDGE U.S. HIGHWAY 190 TO AN IRON PIPE, THENCE CONTINUE ALONG THE NORTHERN EDGE OF U.S. HIGHWAY 190 SOUTH 52 DEGREES 08 MINUTES EAST 186.76 FEET TO AN IRON PIPE AND THE POINT OF BEGINNING.

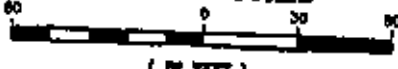
OVERHANG FROM SINGLE STORY BUILDING ON SLAB

(A) = ACTUAL
(R) = RECORD

LEGEND

- 1/2" Iron Rod Set
- 1" Pipe Found
- Cross

GRAPHIC SCALE



REFERENCE

1.) SURVEY OF A PORTION OF GROUND SITUATED IN SECTION 37, T8S-R14E JOB NO. ST-77-83 BY: H.C. SANDERS & ASSOCIATES, INC DATED: 3/25/1977 (SOURCE OF RECORD CALLS)

BUILDING SETBACKS

Front Setback.....
Side Setback.....
Rear Setback.....

ADDRESS: U.S. HIGHWAY 190
I CERTIFY THAT THIS PLAN DOES REPRESENT AN ACTUAL GROUND SURVEY AND THAT TO THE BEST OF MY KNOWLEDGE NO ENCUMBRANCES EXIST EITHER WAY ACROSS ANY OF THE PROPERTY LINES, EXCEPT AS SHOWN.

PROPERTY IS SURVEYED IN ACCORDANCE WITH THE LOUISIANA SURVEYING STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR A CLASS C SURVEY. BEARINGS ARE BASED ON RECORD BEARINGS UNLESS NOTED OTHERWISE.

ENCUMBRANCES SHOWN HEREON ARE NOT NECESSARILY EXCLUSIVE. ENCUMBRANCES OF RECORD AS SHOWN ON TITLE OPINION OR TITLE POLICY WILL BE ADDED HERETO UPON REQUEST, AS SURVEYOR HAS NOT PERFORMED ANY TITLE SEARCH OR ABSTRACT.

F.I.R.M. No. 2252052415 C
F.I.R.M. Date 4/22/2001
D/C C R.P.E. N/A
*Verify prior to construction with Local Governing Body.

DRAWING NO. 1042276
DATE: 6/28/2004

J.V. Burkes & Associates, Inc.

SURVEYING

ENGINEERING • ENVIRONMENTAL
2990 East Gause Blvd., Suite B
Shidell, Louisiana 70461
E-mail: jvbassoc@jvburkes.com

DRAWN BY: DT
CHECKED BY: MD

SCALE: 1" = 60'



Phone: 985-849-0078 Fax: 985-649-0154
Miscellaneous Phone: 228-455-5800
DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL OF SURVEYOR.

SURVEY OF 1.24 ACRE PARCEL OF LAND SECTION 37, T8S-R14E ST. TAMMANY PARISH LOUISIANA



SURVEYED BY: Sean M. Burkes
SEAN M. BURKES
LA REG. No. 4785

CERTIFIED TO: FAYE WAGNER