



DEPARTMENT OF PLANNING
 P. O. Box 628
 COVINGTON, LA 70434
 PHONE: (985) 898-2529
 FAX: (985) 898-3003
 e-mail: planning@stp.gov.org

Kevin Davis
 Parish President

Appeal d

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: 12-15-05

CP05-12-111 - Use: Auto Repair & Body Shop

Zoning: C-2 (Highway Commercial) District
 Use Size: 3840 sq. ft.
 Petitioner: Oliver J. Kerwin & Jennifer Kerwin
 Owner: Oliver J. & Jennifer Kerwin
 Location: Parcel located on the south side of US Highway 190, west of 24th Street, across from Henderson Road, S40 & 48, T8S, R12E, Ward 7, District.7
 Council District: 7

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

Oliver J. Kerwin
 (SIGNATURE)

24461 Lonard Dr
Lacombe LA 70445

PHONE # (985) 882-9693



CONDITIONAL USE PERMIT STAFF REPORT

Date: November 23, 2005
CASE NO.: CP05-12-111
Posted: 11/16/05

Meeting Date: December 6, 2005
Determination: Approved with staff comments

PETITIONER: Oliver J. Kerwin & Jennifer Kerwin
OWNER: Oliver J. & Jennifer Kerwin
PROPOSED USE: Auto Repair & Body Shop
PREVIOUS/CURRENT USE: Commercial
SQ. FT. OF USE: 3840 sq. ft.
GROSS AREA LOT SIZE: 0.74 acres
ZONING CLASSIFICATION: C-2 (Highway Commercial) District
LOCATION: Parcel located on the south side of US Highway 190, west of 24th Street, across from Henderson Road; S40 & 48, T8S, R12E; Ward 7, District 7

ACCESS ROAD INFORMATION

Type: Federal

SITE ASSESSMENT

Road Surface: 2 lane asphalt

Condition: good

LAND USE CONSIDERATIONS

Surrounding Land Use and Zoning:

Direction	Land Use	Zoning
North	Older Single Family	SA (Suburban Agricultural) District
South	Undeveloped	SA (Suburban Agricultural) District
East	Undeveloped	SA (Suburban Agricultural) District
West	Undeveloped	SA (Suburban Agricultural) District

Existing development? Yes

Multi occupancy development? No

STAFF COMMENTS:

Petitioner is requesting a Conditional Use permit for a Auto Repair & Body Shop. The site is located on the south side of US Highway 190, west of 24th Street, across from Henderson Road. A repair and body shop had previously been located on the site.

The petitioner shall provide a site and landscape plan meeting all the requirements.

STAFF RECOMMENDATIONS:

The staff recommends tabling of this proposal.

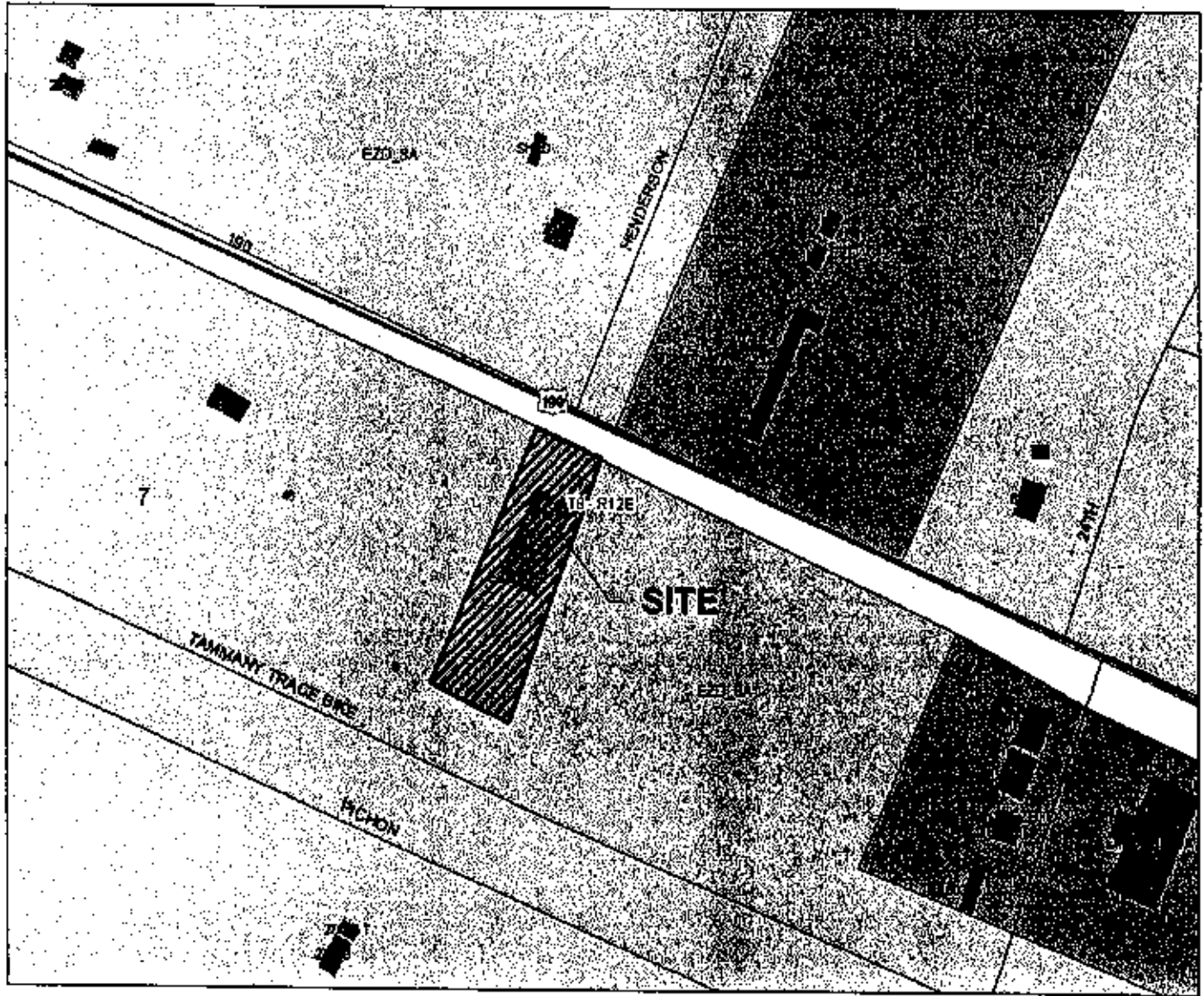
Should the commission decide to approve the proposal, Staff requests the proposal be subject to:

1. Provide 4 Class A and 4 Class B trees and 10 shrubs along the north street planting area.
2. Provide 4 Class A and 4 Class B trees along the south perimeter buffer area.
3. Provide 11 Class A and 11 Class B trees along the east perimeter buffer area.
4. Provide 11 Class A and 11 Class B trees along the west perimeter buffer area.
5. Provide 11 parking spaces with 1 Class A tree at end of each parking row.
6. Outside body work and painting or other repairs are not permitted.
7. The outdoor storage of junked, wrecked or abandoned vehicles stored on the premises solely for the purpose of using parts to repair other vehicles shall not be permitted.
8. All outdoor storage of vehicles awaiting repair shall be screened from public view by a 100% opaque six (6') foot tall non-living screen or a six (6') tall 70% opaque living screen. Objects shall be stored a minimum of five (5') feet from this screen.
9. Sale of two (2) or more vehicles or other similar commodities is prohibited.
10. Any fleet storage of vehicles utilized in connection with this use shall be screened by a six (6') foot high screen of either 100% opaque non-living material or 70% opaque evergreen plants or as determined by the Department of Development.
11. If this use abuts any residential district or use, a transitional yard shall be provided equal to the side or rear yard requirements of the residential zoning classification.
12. If an inoperable or wrecked motor vehicle remains outside on the premises for more than twenty-four (24) hours, the premises shall be considered an outside salvage or reclamation use and subject to violation. However, a premises is not an outside salvage or reclamation use if the premises stores inoperable or wrecked vehicles each having a valid state registration, current safety inspection certificate and documentary records of pending repairs or other disposition.
13. Access ways through the periphery of an off-street parking or other vehicular use area shall be a minimum of 24' to a maximum of 35' wide for 2-way traffic; and a minimum of 12' to 15' wide for one-way traffic.
14. Provide a landscape plan showing the size and location of all existing trees to be preserved and any new plant materials to meet the applicable landscaping requirements. Provide the size, caliper and species of the proposed trees on the revised landscape plan. Note that Class A trees have to be a minimum of 10' to 12' high & Class B trees have to be a minimum of 8' to 10' high after planting. The caliper of Class A trees has to be a minimum of 2 1/4" and the caliper of Class B trees has to be a minimum of 1 1/2" measured at 1 1/2 feet above the ground.
15. If a dumpster is required, provide the location and the required screening.
16. The property owner shall be responsible for the maintenance and the replacement of the required plant materials.
17. During construction, planting or open ground areas surrounding preserved trees shall be wired off with a properly flagged, reinforced & rolled wire mesh.
18. 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

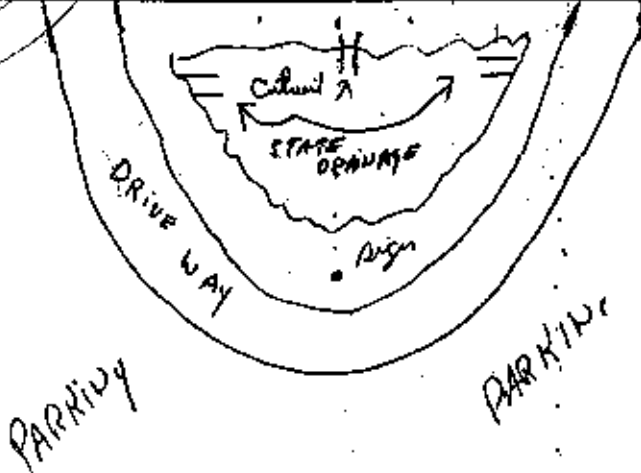
There is a 10 day appeals period following the Zoning Commission decision. If the request is approved, permits will not be issued until this 10 day period has elapsed. The petitioner shall have one year to obtain the appropriate building permits or occupy the site from the date of approval of the St.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

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S65°26'E
100"

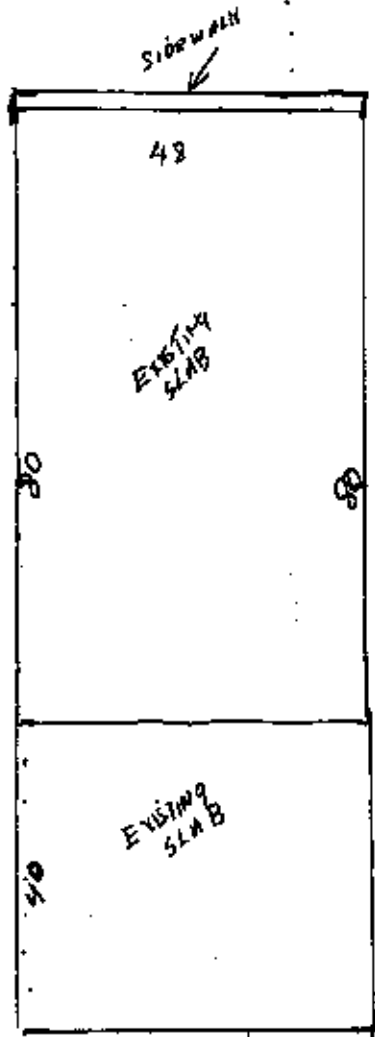
CPOS-12-111



N 21° 34' E

3285

PARKING



S 24° 34' W
3205

EXISTING
PAINT
BOOTH
AND
STORAGE

PLUMBING IN
EXISTING BUILDING

100

N 65° 26' W

APPENDIX A
CASE NO.: CP05-12-111
LANDSCAPE CHART
FOR COMMERCIAL/INDUSTRIAL/INSTITUTIONAL/MULTI-FAMILY USES ONLY

Affected Area	Minimum Requirements	Petitioner Provided	Staff Recommends
Street Planting 100 ft.	30' planting area 4 Class A 4 Class B	30' planting area 0 Class A 0 Class B	Provide 4 Class A and 4 Class B trees and 10 shrubs
South Perimeter Planting 100 ft.	10' planting area 4 Class A 4 Class B	10' planting area 0 Class A 0 Class B	Provide 4 Class A and 4 Class B trees
East Perimeter Planting 324.5 ft.	10' planting area 11 Class A 11 Class B	10' planting area 0 Class A 0 Class B	Provide 11 Class A and 11 Class B trees
West Perimeter Planting 324.5 ft.	10' planting area 11 Class A 11 Class B	10' planting area 0 Class A 0 Class B	Provide 11 Class A and 11 Class B trees
Parking Planting 11 Spaces Required, 0 Spaces Provided	1 Class A & 1 Class B in island at the end of each row and every 12 spaces 5th row divided by planting bed	None	Provide 11 parking spaces with 1 Class A tree at end of each parking row

Other Considerations:

Hours of Operation: 8:00 am - 5:00 pm

Number of Employees: 3 (max shift)

Noise Expected: Unknown

Tabled 1/5/06 Appeal #2

TOLEDANO, HERRIN & LOPEZ, A.P.L.C. *cc: Joe Impastato*
ATTORNEYS AND COUNSELORS AT LAW

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January 4, 2006



Via Facsimile #898-2593

Ms. Diane Hueschen
St. Tammany Parish Council Clerk
21490 Koep Drive
Mandeville, LA 70471

Re: Appeal Request by Oliver J. Kerwin
CPO5-12-111

Dear Ms. Hueschen:

This letter will serve to confirm that we have been recently retained to represent Oliver J. Kerwin in connection with his appeal of the landscaping staff recommendation under the case number referenced above.

The purpose of this letter is to request that this matter be tabled for the Council hearing scheduled for January 5, 2006 at 6:00 p.m. Having just been retained by Mr. Kerwin, we have not had sufficient opportunity to apprise ourselves of the facts and circumstances surrounding the case. Further, it is our understanding that Councilman Joe Impastato (District 7) has no objection to continuing this hearing.

Accordingly, we respectfully request that the Council hearing scheduled for January 5, 2006 at 6:00 p.m. regarding the above referenced case number be tabled and rescheduled to the next Council hearing date of February 2, 2006.

Thank you for your courtesies and cooperation.

With kind regards, I am,

Very truly yours,

Hector R. Lopez
HECTOR R. LOPEZ

HRL:ac

cc: Oliver J. Kerwin
Councilman Joe Impastato