



**ST. TAMMANY PARISH**

**DEPARTMENT OF PLANNING**

**P. O. Box 628**

**COVINGTON, LA 70434**

**PHONE: (985) 898-2529**

**FAX: (985) 898-3003**

**e-mail: [planning@stpgov.org](mailto:planning@stpgov.org)**

*Kevin Davis*

*Parish President*

*Appeal 16*

**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: June 14, 2006  
TO: ST. TAMMANY PARISH COUNCIL  
FROM: PHILLIP M. LYNCH, JR.  
RE: AGGRIEVED BY DECISION MADE BY THE ST. TAMMANY PARISH PLANNING COMMISSION

*REV. 06-06-006*

I, PHILLIP M. LYNCH, JR., 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 TUESDAY June 13, 2006 meeting.

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

REV06-06-006

Revocation of a portion of Dahlia Street located between Squares 19 & 20,

West Abita Springs Subdivision, Ward 10, District 3

Applicant: Phillip Lynch, Jr. & The Magee Family Charitable Trust

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: PHILLIP M. LYNCH, JR.

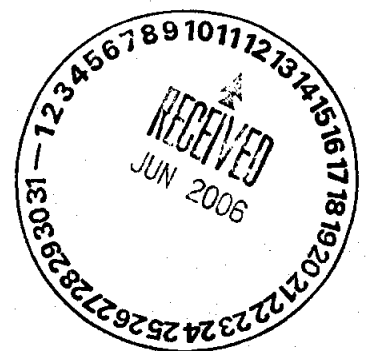
ASSOCIATION TO CASE (PLEASE CHECK ONE): Developer  Neighbor  Group  REP

ADDRESS: 1280 CAUSEL STREET

CITY: MANDRILL STATE: LA ZIP: 70448 PHONE NO: 985-626-9362

SIGNATURE:

XC: ALL ST. TAMMANY PARISH PLANNING COMMISSIONERS



## REVOCATION STAFF ANALYSIS REPORT

CASE NO.: REV06-06-006

NAME OF STREET OR ROAD: DALIA STREET

NAME OF SUBDIVISION: WEST ABITA SPRINGS

WARD: 10 PARISH COUNCIL DISTRICT: 3

PROPERTY LOCATION: The property is located on the south side LA Highway 36, west of Kustenmacher Road and east of Covington, Louisiana

SURROUNDING ZONING: Residential

PETITIONER/REPRESENTATIVE: Phillip Lynch & The Magee Family Trust

### **STAFF COMMENTARY:**

The petitioner is proposing to revoke a 22' x 200' strip of right-of-way in which they own property on both sides thereof.

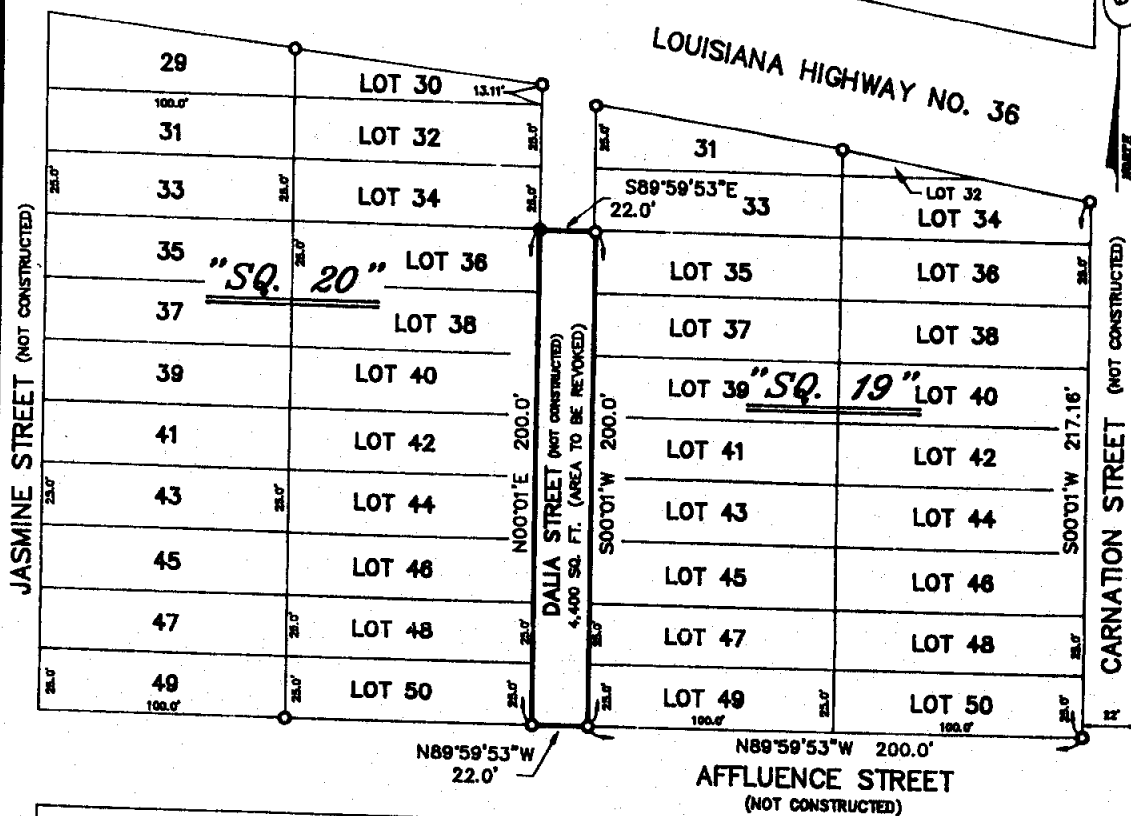
### **Recommendation:**

The staff recommends denial of the proposed revocation request based on the fact that if the property in question were to be revoked, then there would be no means of formal public road access afforded to lots 35, 37, 39, 41, 43, 45, & 47, Sq. 19, and lots 36, 38, 40, 42, 44, 46 & 48, Sq. 20, of West Abita Springs Subdivision. Furthermore, by revoking the right-of-way, a possible future north-south intersection tie-in from LA Highway 36 to Affluence Street and other roads south would be denied.

The staff is unclear as to the motives of the petitioner's request for revocation, but if the motive is to create a private servitude in lieu of a public one, the staff still would object to the proposal, because by creating a private servitude, the parish would not have the authority to apply public road construction standards if the servitude were ever constructed; nor would we be able to obtain the necessary property on either side of the substandard right-of-way in order to make improvements for said construction relative to traffic flow, traffic safety and drainage mitigation.

However, the staff would not oppose the revocation request if the petitioners were to combine the lots together that abut the right-of-way, along with other adjacent lots, through the parish's administrative resubdivision process, whereby alternative access to other public rights-of-way within the vicinity would be provided, such as LA Highway 36 and Carnation, Jasmine and Affluence Streets.

REFERENCE BEARING:  
ASTRONOMIC NORTH  
DETERMINED BY SOLAR  
OBSERVATIONS



**LEGEND**

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

THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES AND/OR RESTRICTIONS HAVE BEEN SHOWN HEREON. ANY SERVITUDES AND/OR RESTRICTIONS SHOWN ON THIS PLAT ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION AND/OR INFORMATION FURNISHED THE UNDERSIGNED. A TITLE OR PUBLIC RECORD SEARCH FOR SUCH INFORMATION WAS NOT MADE BY THE UNDERSIGNED IN COMPLETING DATA FOR THIS SURVEY.

NOTE: This property is located in Flood Zone C, per F.E.M.A. Map No. 225205 0235 C, dated October 17, 1989.

**REFERENCE SURVEY:**

Survey for William Magee and Phillip Lynch by Fred L. Tilley and Associates, dated November 19, 1994.

603 N. JEFFERSON AVENUE  
COVINGTON, LA 70433

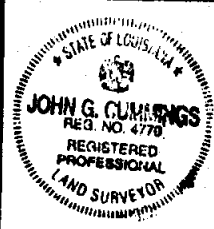
**John G. Cummings and Associates**  
Professional Land Surveyors in Louisiana & Mississippi

PHONE (908) 692-1848  
FAX (908) 692-9260

PLAT PREPARED FOR: **William M. Magee**

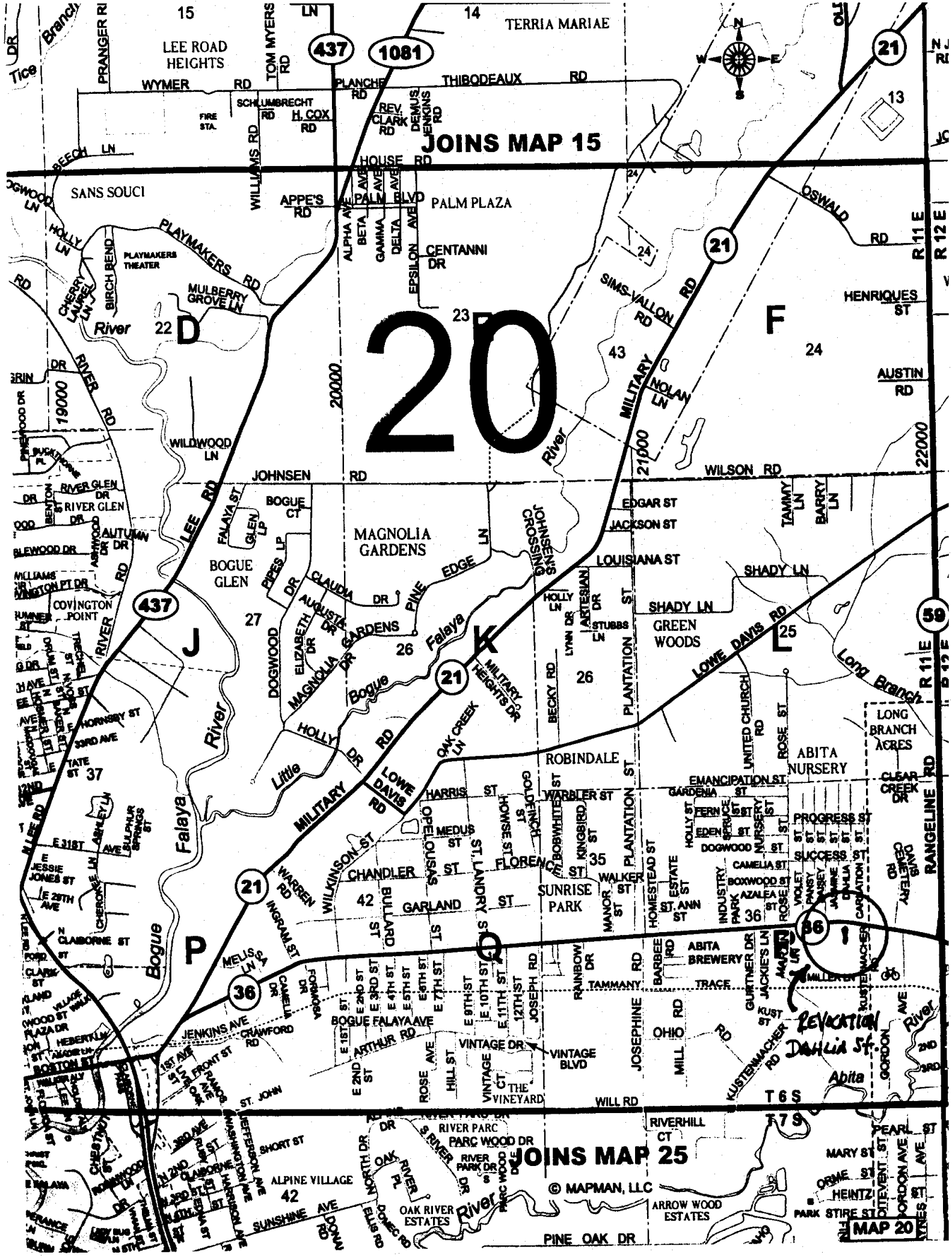
SHOWING A SURVEY OF: **A REVOCATION OF A PORTION OF DALIA STREET, BETWEEN A PORTION OF SQUARES 19 & 20, WEST ABITA SPRINGS SUBDIVISION, LOCATED IN SECTION 36, TOWNSHIP 6 SOUTH RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA.**

THIS PLAT REPRESENTS A PHYSICAL SURVEY MADE ON THE GROUND BY ME, OR THOSE UNDER MY DIRECTION, AND CONFORMS TO ALL APPLICABLE STANDARDS SET FORTH BY THE STATE OF LOUISIANA, AND BEARS A CLASS 0 SURVEY.



*John G. Cummings*  
PROFESSIONAL LAND SURVEYOR

|                 |                  |                      |          |
|-----------------|------------------|----------------------|----------|
| SCALE: 1" = 50' | NUMBER: 91-71-C1 | DATE: MARCH 31, 2006 | REVISED: |
|-----------------|------------------|----------------------|----------|



20

JOINS MAP 15

JOINS MAP 25

© MAPMAN, LLC

REVOLUTION  
Dahlia St.

MAP 20