



DEPARTMENT OF PLANNING  
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Kevin Davis  
Parish President

*Appeal 4*

**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: 4-5-06

**CP06-04-089 - Use: Construction & Debris Landfill**

Zoning: R (Rural) District  
Use Size: 120 acres  
Petitioner: Steve Duvernay  
Owner: Hickory Oaks, L.L.C.  
Location: Parcel located on the east & west sides of Teal Road, north of Industry  
Plt Road, S9 & 10, T7S, R14E, Ward 6, District 6  
Council District: 6

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

*Steve Duvernay*  
(SIGNATURE)

Steve Duvernay

P.O. Box 3127

Slidell, La 70458

PHONE #: (985) 645-9646



# CONDITIONAL USE PERMIT STAFF REPORT

Date: March 27, 2006  
CASE NO.: CP06-04-069  
Posted: March 14, 2006

Meeting Date: April 4, 2006  
Determination: Denied

PETITIONER: Steve Duvernay  
OWNER: Hickory Oaks, L.L.C.  
PROPOSED USE: Construction & Debris Landfill  
PREVIOUS/CURRENT USE: Vacant  
SQ. FT. OF USE: 120 acres  
GROSS AREA LOT SIZE: 120 acres  
ZONING CLASSIFICATION: R (Rural) District  
LOCATION: Parcel located on the east & west sides of Teal Road, north of Industry Pit Road, S9 & 10, T7S, R14E; Ward 6, District 6

## SITE ASSESSMENT

### ACCESS ROAD INFORMATION

Type: 2 Lane Gravel Road Surface: Parish Condition: Good

### LAND USE CONSIDERATIONS

#### Surrounding Land Use and Zoning:

Direction	Land Use	Zoning
North	Undeveloped	R (Rural) District
South	Undeveloped/Mobile Homes	R (Rural) District
East	Old Pit	R (Rural) District
West	Undeveloped/ Rural Single Family	R (Rural) District

Existing development? No

Multi occupancy development? No

### STAFF COMMENTS:

Petitioner is requesting a Conditional Use permit for a Construction & Debris Landfill. The site is located on the east & west sides of Teal Road, north of Industry Pit Road. The site is surrounded by mobile homes, undeveloped land and an existing old pit to the east. Only a 21.2 acre non-wet portion of the site will be used for the C&D landfill. Considering the property is located within Flood Zone A in its entirety, it is subject to the no net fill ordinance.

The proposed site is access through a one lane gravel entrance currently and would need to be widened to two way traffic to Parish size requirements. The site also has may have possible access through other paths currently existing on property. Petitioner must state as to primary ingress and egress point, and any other points of access to the site. Any entrance and exist to the site must pass through wetlands area, and must receive all Federal, State and Parish permits to create and or widen. There is no proposed drives within the site to show traffic pattern. The petitioner has not stated whether or not any buildings will need to be built or placed on the property for operations of the site. No parking or stacking area has been provided to ensure all vehicles are not parking and or stacking on to Parish right of ways leading to property while waiting to utilize the site. The petitioner has not provided the location of the required 8' opaque fencing.

The petitioner is proposing to excavate a portion of the site to create a levee system on the parcel. The levees are identified on the plan, as temporary, and that the placement may change based on field conditions and actual waste amounts brought to site. The location of the levees, as proposed on the plan, shall be exact and should be in place permanently. Staff is concerned of the height of the levees and that there is no reference to the existing elevation and/ or mean sea level. After further review of the plan by the Department of Engineering, it has been determined that the elevations of the levees should be at least 4' above base flood elevation for the property and all elevations should be based on the mean of the sea level.

The petitioner has not provided elevations of the property, or current and proposed changes to drainage patterns required for all types of excavation and reclamation. Staff is concerned of the proximity of the site to the West Pearl Navigational Canal and the proposed outfall locations for the property in relation to drainage patterns.

### STAFF RECOMMENDATIONS:

The staff recommends tabling of this proposal.

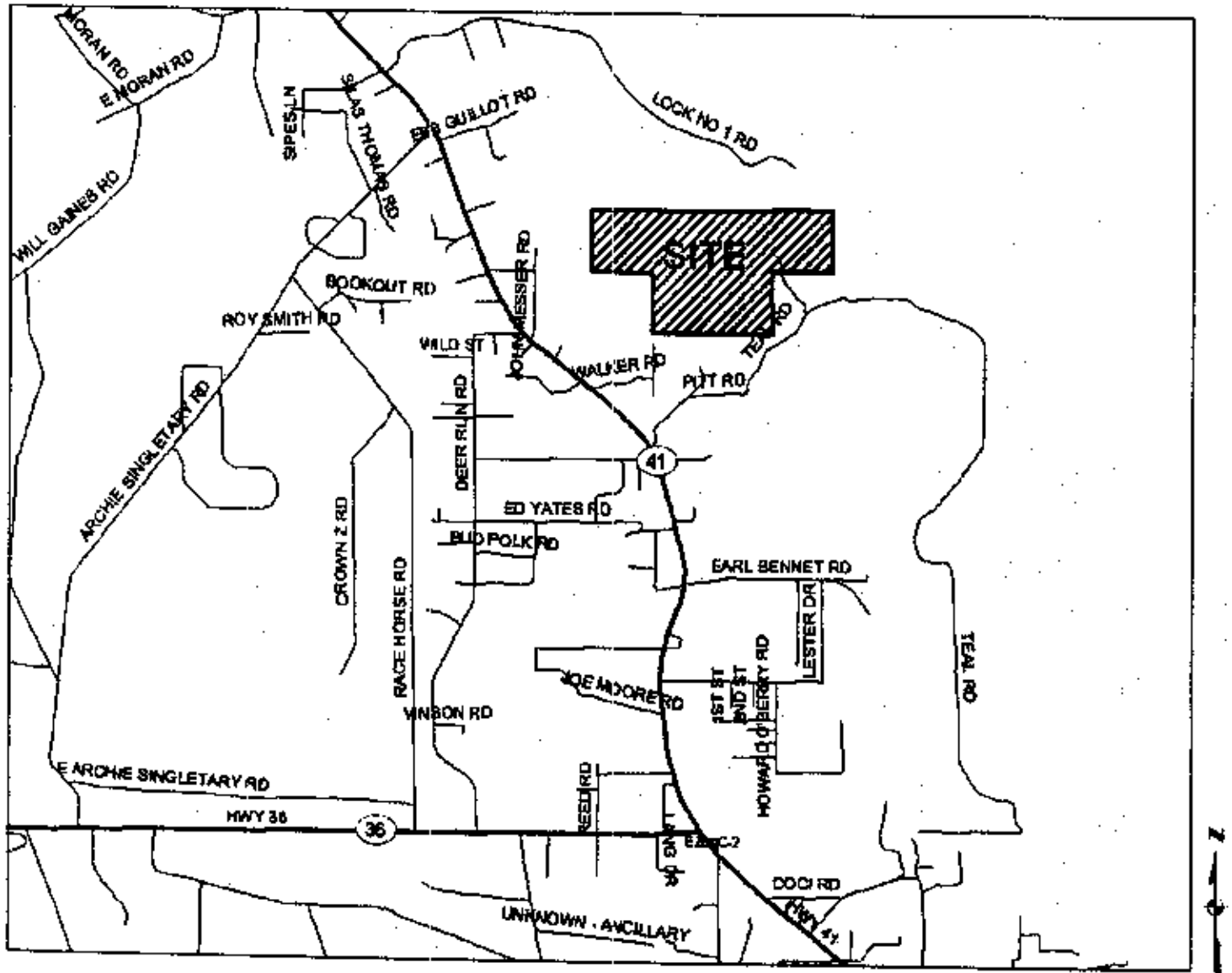
If the commission wishes to approve of this proposal it is recommended it be, subject to all applicable regulations and the following conditions:

1. Levee height and protection be at least 4' above Base Flood Elevation for the site, and noted as elevation in relation to Mean Sea Level.
2. Levees shall be permanent and not temporary as proposed.
3. All permits through Army Corps; and Parish, State, and Federal environmental agencies be obtained, and provided to Department of Engineering for record before starting operations.
4. Levee locations as shown on plot shall be actual built location, and not general location which may change as proposed.
5. A road bond and maintenance agreement must be obtained through the Departments of Public Works, and Engineering for all Parish roads leading and being utilized for the site.
6. Wetland areas of the property which boarder the site must be clearly marked during construction of levees and when any operations happen on, above, or outside the levee protection area to ensure no encroachment in to wetlands.
7. If a conditional use permit is granted for the reclamation use, the use shall be inspected and monitored at least once annually.
8. Provide the number of days and hours of operation to complete the land reclamation operations.
9. The perimeter of the reclamation site shall not be nearer than two hundred (200') feet to the front, sides and rear property lines.
10. The property shall be kept posted with warning signs set no further than fifty (50') feet apart and clearly visible.
11. The perimeter of the land containing the reclamation site shall be fenced by a wire mesh fence or as determined by the Department of Development of not less than four (4') feet in height and all gates or entrances shall be locked when not in use.
12. In all districts inside the Growth Management Area where filling of dirt, soil, clay, sand, gravel and/or earth may take place according to state regulations.
13. Backfilling of excavations not made to a water producing depth, shall be made with non-noxious, nonflammable, noncombustible soils including materials exempt from DEQ regulations, such as concrete, stumps, etc.. The graded or backfilled area(s) shall not collect and permit stagnant water to remain thereon. The peaks and depressions of the area shall be reduced to a surface which will result in a gently rolling topography in substantial conformity to the land area immediately surrounding in order to minimize erosion due to rainfall. The graded or backfilled area(s) shall be sodded or surfaced with soil of a quality at least equal to the topsoil of the land area immediately surrounding and to a depth of not less than the depth of the topsoil on surrounding land. Such topsoil shall be planted with trees, legumes, or grasses, upon the parts of such area where revegetation is possible.
14. Provide location of 8' opaque fence for the site.

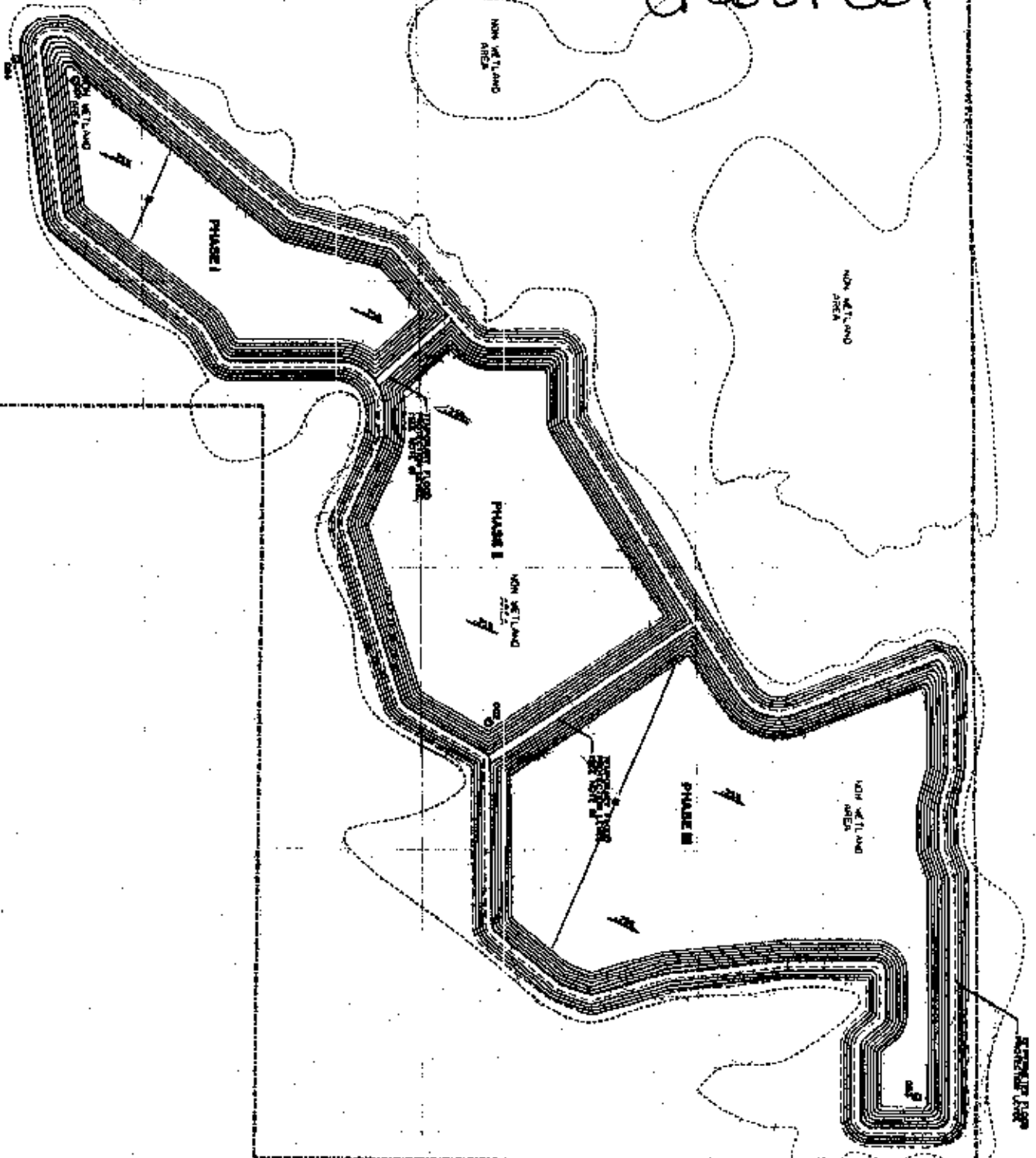
### NOTE TO PETITIONER

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.

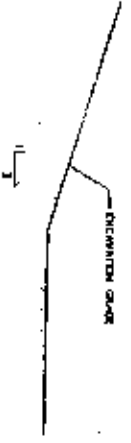
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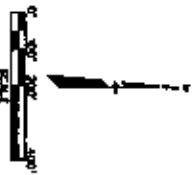
CP06-04-069



- LEGEND**
- PROPERTY BOUNDARY (SEE NOTE 1)
  - GRID COORDINATES
  - EXISTING & PROPOSED
  - PROPOSED EXCAVATION GRADES
  - EXISTING ROAD
  - PROPOSED LOT OR C&D
  - PROPOSED LOT OR C&D
  - PROPOSED ROAD BOUNDARY
  - NON-WETLAND AREA (SEE NOTE 4)
  - STREET LOCATION
  - PROPOSED SECTION LOCATION



EXCAVATION GRADE



NOTES:

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1. ALL EXCAVATIONS SHALL BE TO A MINIMUM OF 10 FEET DEPTH UNLESS OTHERWISE NOTED.
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<p>DATE: OCTOBER 2000</p> <p>PROJECT: 00</p> <p>CLIENT: HICKORY OAKS, LLC</p> <p>PROJECT NO: 00</p> <p>DATE: 10/10/00</p> <p>BY: J. D. 4</p> <p>PROJECT NO: 00</p>	<p>HICKORY OAKS, LLC</p> <p>ST. TAMMANT PARISH, LOUISIANA</p> <p><b>PROPOSED EXCAVATION GRADES</b></p>	<p>PROJECT NO: 00</p>	<p><b>IFC</b></p> <p>Copyright © 1999 IFC</p>	<p>Scale: 1" = 200'</p>	<p>Sheet: 00 of 00</p>	<p>Revised: 00/00</p>	<p>00/00</p>
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