



DEPARTMENT OF PLANNING
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COVINGTON, LA 70434
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Kevin Davis
Parish President

Appeal 8

**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: 4-4-06

(Reference Case Number)

CP 06-03-060

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

Duane Bowser
Alie Bowser and et al

(SIGNATURE)

Alie Bowser
29458 Paquet Rd
Lacombe, La. 70445

PHONE #: 1 985 882-3539



CP06-03-060 - Use: Land Excavation & Land Reclamation

Zoning: A-2 (Suburban) District

Use Size: 1000 sq. ft.

Petitioner: James Russell

Owner: James Russell

Location: Parcel located on the west side of Bayou Paquet Road, south of Chene Drive, S5, T9S, R13E, Ward 7, District 7

Council District: 7

CONDITIONAL USE PERMIT STAFF REPORT

Date: March 27, 2006
CASE NO.: CP06-03-060
Prior Action: Tabled (03/07/06)
Posted: 03/14/06

Meeting Date: April 4, 2006
Determination: Approved with staff comments

PETITIONER: James Russell
OWNER: James Russell
PROPOSED USE: Land Excavation & Land Reclamation
PREVIOUS/CURRENT USE: Residential
SQ. FT. OF USE: 1000 sq. ft.
GROSS AREA LOT SIZE: 5.1 acres
ZONING CLASSIFICATION: A-2 (Suburban) District
LOCATION: Parcel located on the west side of Bayou Paquet Road, south of Chene Drive ; S5, T9S, R13E; Ward 7, District 7

SITE ASSESSMENT

ACCESS ROAD INFORMATION

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

LAND USE CONSIDERATIONS

Surrounding Land Use and Zoning:

Direction	Land Use	Zoning
North	Undeveloped/ Single Family	A-2 (Suburban) District
South	Single Family	SA (Suburban Agriculture) District
East	Undeveloped	SA (Suburban Agriculture) District
West	Undeveloped	A-2 (Suburban) District

Existing development? Yes

Multi occupancy development? No

STAFF COMMENTS:

Petitioner is requesting a Conditional Use permit for Land Excavation & Land Reclamation. The site is located on the west side of Bayou Paquet Road, south of Chene Drive. The proposal consists of digging a new pond in order to fill in two existing ponds on the property. The existing ponds were silted due to the hurricane, and the petitioner would like to fill them in to resolve some safety issues. The new pond would be located on the north side of the property approximately 5' from the property line. The proposed pond will only be 10' in deep.

The petitioner has given a time frame of 60 days for the work to be completed. No additional fill will be brought on site to fill in the existing ponds as proposed. The dirt dug out for the new pond will sufficient to fill in the existing ponds.

After inspection of the site, the Department of Engineering determined that the excavated area must be filled back to the previous elevation for the entire area excavated. The Engineering Department will allow the petitioner under the direction of their department, to bring fill in from offsite to fill in the two existing ponds to there static elevation. However, at no point shall existing dirt from the site be relocated within the site for the purpose of filling in the two existing ponds or raising the base elevation of the site.

STAFF RECOMMENDATIONS:

The staff recommends approval of the land reclamation, and denial of the land excavation.

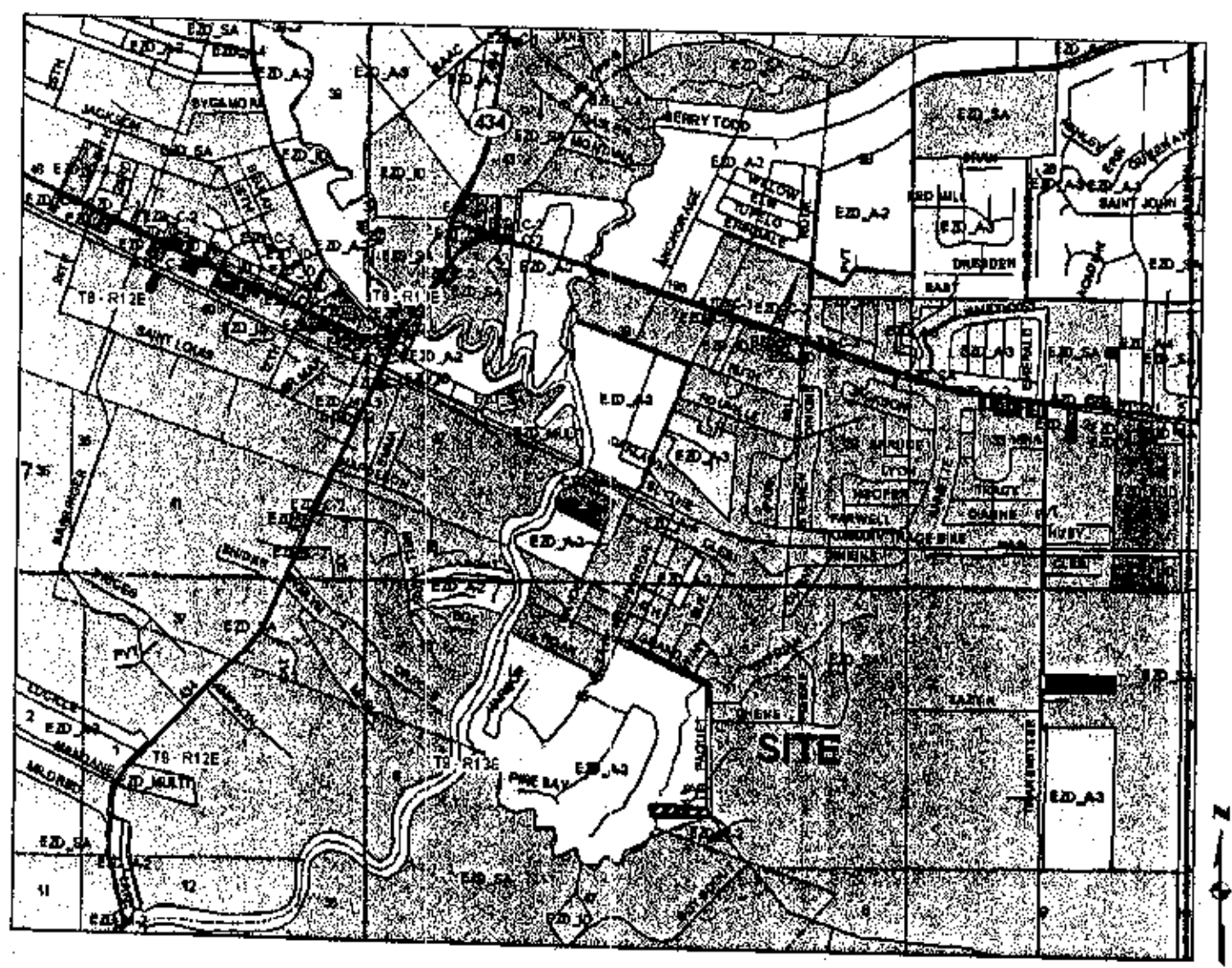
If the commissions wishes to recommend approval of the proposal staff recommends the following conditions:

1. All site work must be conducted under the supervision of the Parish Department of Engineering.
2. Only one pond can be filled in with material from offsite (large existing pond as shown on plan).
3. No digging of any new ponds on the property.
4. Recently dug out pond must be filled back in with removed material and compacted back to original elevation.
5. All work must done within 60 days.
6. Filled in ponds may only be brought up to base site elevation and erosion control plantings must be placed per Engineering.
7. Operation will only take place Monday to Friday from 8AM to 5PM. No operations shall take place on Sunday.
8. The perimeter of the land containing the excavation shall be fenced by a wire mesh fence or as determined by the Department of Planning of not less than four (4') feet tot he front, sides and rear property lines.
9. During construction, planting or open ground areas surrounding preserved trees shall be wired off with a properly flagged, reinforced & rolled wire mesh.
10. The property shall be kept posted with warning signs set no further than fifty(50') apart and clearly visible, indicating that the property is an excavation site.
11. Note that backfilling of excavations not made to a water producing depth, shall be made with non-noxious, nonflammable, noncombustible solids 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 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.
12. Road bond must be secured prior to any work being done, if required by the Department of Public Works.

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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NOTICE: SURVEY BY C. L. BONNEAU, DATE 12/20/88, REVISED 6/14/94, FOR BONNETT & BIRD MGMT.

Fnd. 3/4" Iron Pipe @ 1083.8'

THE P.O.B. IS ADJUSTED TO BE CORNER 2677'. THESE WEST 1121.4' TO A POINT ON THE WESTERN EDGE OF A PUBLIC ROAD, BEING SOUTHWEST ALONG THE WESTERN EDGE OF THE PUBLIC ROAD 1500' FROM THE QUARTER SECTION CORNER TO SECTION 5 & 6, T-9-S, R-13-E, ST. TAMMANY PARISH, LOUISIANA.

NORTH

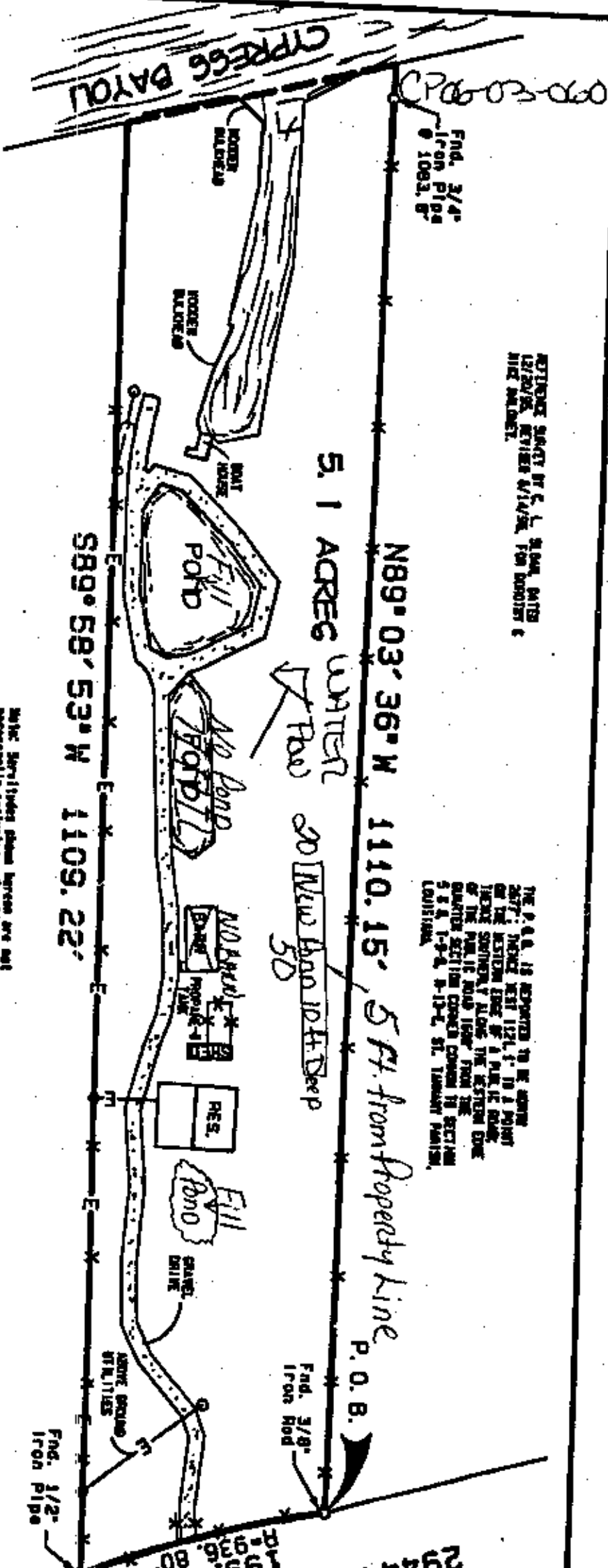
N89°03'36"W 1110.15' 5 Ft. from Property line P.O.B.

5.1 ACRE WATER

20' Wide Pond 10 ft Deep

29444 BAYOU PAQUET ROAD

S89°58'53"W 1109.22'



SURVEY MAP OF

A 5.1 ACRE TRACT OF LAND SITUATED

IN SECTION 5, T-9-S, R-13-E
St. Tammany Parish, Louisiana

MR. & MRS. FREDERICK R. CAMPBELL,
CAMPBELL, McCRANIE, SISTRUNK,
ANZELMO AND HARDY, WARREN MOULEDOUX
AND FIRST AMERICAN TITLE INSURANCE
COMPANY

NOTE: Surveyed shown herein are not necessarily existing. Surveys of record as shown on this plan or this policy will be added hereto upon request. A surveyor and not performed by title search or abstract.

NOTE: Setback lines shall be verified by owner or contractor prior to any construction, or an abstract has not been performed by the undersigned.

NOTE: This is to certify that I have examined the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described is located in Flood Hazard Area 100-yr. Flood Elevation of 10.0' in accordance with County Ordinance 225205 dated 4/24/94.

FILE: CAMPBELL

This is to certify that I have done an actual ground survey and found that no encroachments exist either on my property lines except as shown.

Survey No. 88023
Date: SEPTEMBER 12, 1988

Drawn by: J.B.

Scale: 1" = 100'

JOHN E. BONNEAU & ASSOCIATES, INC.
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