



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

Kevin Davis
Parish President

Appeal 6

**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: 10-04-06

ZC05-01-001
Existing Zoning: R (Rural) District
Proposed Zoning: PUD (Planned Unit Development) District
Acres: 4.9 acres
Petitioner: Leroy Cooper
Owner: A. David Aymond, Aymond Contractors, Inc.
Location: Parcel located on the south side of Fox Branch Subdivision and Sand Fox Run, being the future phases 3A & 3B of Fox Branch Subdivision, S9, T7S, R10E, Ward 1, District 1
Council District: 1

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)

Paul J. Mayronne

P.O. Box 1810

Covington, LA 70434

PHONE #: 985/892-4801

ZONING STAFF REPORT

Date: September 22, 2006
Case No.: ZC05-01-001
Posted: 09/15/06

Meeting Date: October 3, 2006
Determination: Denied

GENERAL INFORMATION

PETITIONER: Leroy Cooper
OWNER: A. David Aymond, Aymond Contractors, Inc.
REQUESTED CHANGE: From R (Rural) District to PUD (Planned Unit Development) District
LOCATION: Parcel located on the south side of Fox Branch Subdivision and Sand Fox Run, being the future phases 3A & 3B of Fox Branch Subdivision; S9, T7S, R10E; Ward 1, District 1
SIZE: 4.9 acres

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: Parish Road Surface: 2 lane asphalt Condition: Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Residential	PUD (Planned Unit Development) District
South	Residential	PUD (Planned Unit Development) District
East	Residential	PUD (Planned Unit Development) District
West	Residential	A-3 (Suburban) District

EXISTING LAND USE:

Existing development? No Multi occupancy development? Yes

COMPREHENSIVE PLAN:

Residential Infill – New residential uses developed on undeveloped tracts within existing residential districts that are compatible with, or improve upon, those existing uses. Such uses may be allowed a greater density of use, in exchange for public benefits that would be provided.

STAFF COMMENTS:

The petitioner is requesting to change the zoning from R (Rural) District to PUD (Planned Unit Development) District. The site located on the south side of Fox Branch Subdivision and Sand Fox Run, being the future phases 3A & 3B of Fox Branch Subdivision. The development consists of 18 lots with an average lot size of approximately 5227 square feet (0.14 acres) with the density of the development being 3.67 lots per acre. The proposal indicates that the PUD will be developed in two phases, with construction beginning in January 2007 and January 2008 respectively.

GENERAL PUD CRITERIA

Required information	Staff Comments
Title of the project, name of the developer, legal description	Provided as Required
Existing Land Use within 500' of all boundaries on the plan	Provided as Required
Minimum front, side, & rear setbacks & maximum height	Provided as Required
Restrictive Covenants	Provided as Required
Water & Sewer facilities	Provided as Required
Wetland Delineations	Provided as Required
Flood Zone Demarcation Lines	Provided as Required
Ultimate Disposal of Surface Drainage	Provided as Required
Environmental Assessment Data Form	Provided as Required
Phasing	Provided as Required.

GREENSPACE

A total of 2.11 acres (43%) of greenspace is proposed to be provided on the site (9% is dedicated to active space & 34% is dedicated to passive space) on the plan submitted for the phase 3A and 3B of Fox Branch. The plan submitted shows the location of a walking path and gazebo, located behind the proposed residences, however, no active recreational amenities are provided on site. A picnic area and pool and cabana were provided during the earlier phases of the development.

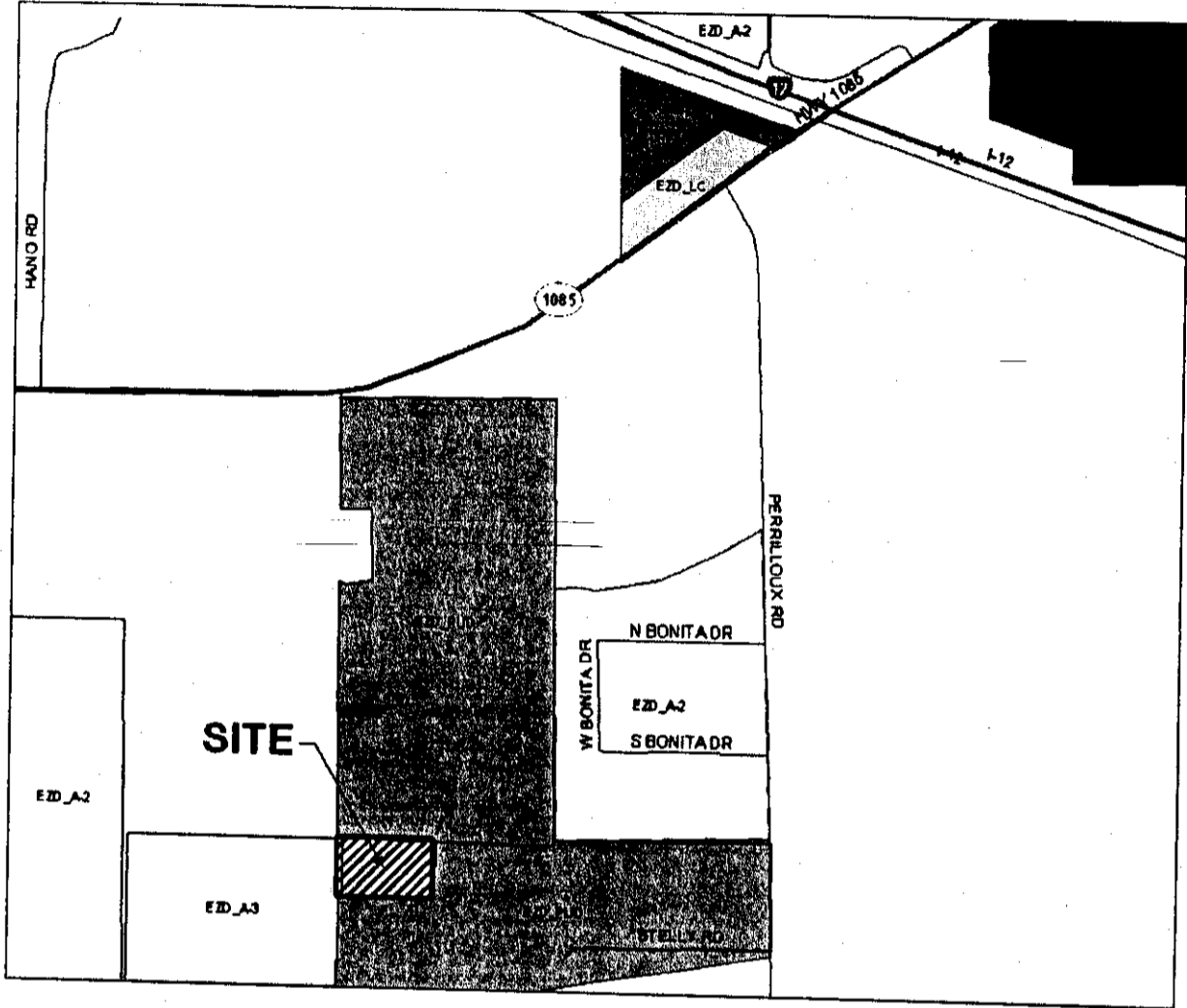
COMPREHENSIVE PLAN ANALYSIS

The 2025 land use plan designates the area for residential development. The proposed PUD is in accordance with the Land Use Plan and is appropriate for this area.

STAFF RECOMMENDATION:

The staff recommends that the request for an PUD (Planned Unit Development) District designation be approved.

CASE NO.: ZC05-01-001
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SIZE: 4.9 acres



DEVELOPER

AYMOND CONTRACTOR, INC.
1519 HIGHWAY 22 WEST, SUITE 7
MADISONVILLE, LA 70447
(985) 845-3414

MINIMUM SETBACK:

FRONT: 20'
REAR: 5'
SIDE: 5'

LANDSCAPING:

ALL EXISTING TREES ARE TO BE SAVED WITHIN
PARK & GREEN SPACES.

PROJECT AREAS:

PROVIDED GREEN SPACE: (ACTIVE - 6% PASSIVE - 28%)	±1.66 ACRES; 34%
LOT ACREAGE:	±2.52 ACRES; 51%
ROAD RIGHT OF WAY:	±0.72 ACRES 15%
TOTAL PROJECT ACERAGE:	±4.90 ACRES; 100%

EXISTING CONDITIONS:

RURAL

PHASES:

THIS PROJECT WILL BE 2 PHASES AS SHOWN.
PHASE 3A ±JAN. 2007 PHASE 3B ±JAN. 2008.

APPROXIMATE LENGTH OF ROADWAY: ±0.14 MILES
APPROXIMATE LENGTH OF WALKING PATH: ±0.14 MILES

WATER & SEWER:

COMMUNITY SEWER & WATER.

PERCENTAGE OF GREEN SPACE: 34%

TOTAL MAX. NUMBER OF RESIDENTIAL LOTS: 18
(ALL SINGLE FAMILY)

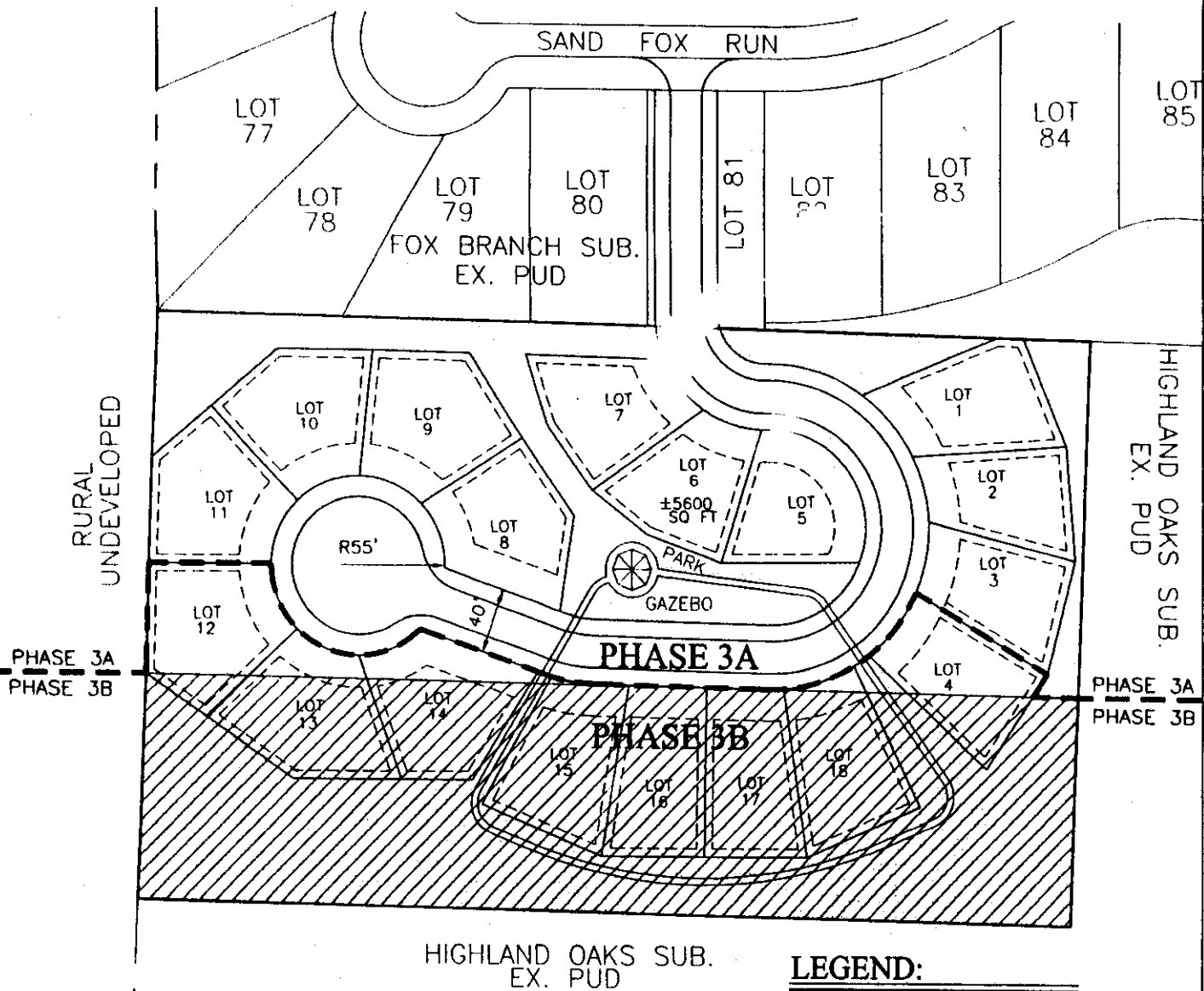
F.I.R.M. MAP

PANEL # 225205 0205C
ALL PROPERTY IN FLOOD ZONE "C".

AVERAGE LOT SIZE: ±5227 SQ FT (±0.14 ACRES)

MAX. BUILDING HEIGHT: 30'

DENSITY: 3.67 LOTS/ACRE



LEGEND:

- GREEN SPACE
- WETLANDS
- SETBACK LIMITS
- WALKING PATHS

ZONING PLAN

SCALE: 1" = 80'

04-012
Z-1
EV 9-25-06

FOX BRANCH ESTATES, PHASE 3
SECTION 9, TOWNSHIP 7 SOUTH, RANGE 10 EAST
ST. TAMMANY PARISH, LOUISIANA

CEI COOPER ENGINEERING, INC.
Civil Engineering • Planning • Environmental
P.O. Box 1870 Covington, Louisiana 70434 (985) 845-8155

RESTRICTIVE COVENANTS

1. Each lot will not have more than one dwelling.
2. Front setbacks will not be less than 20 feet from the property line. Side building setbacks will not be less than 5 feet from the interior side of the property line. Side street building setbacks will not be less than 5 feet from the property line. Rear building setbacks will not be less than 5 feet from the rear property line.
3. No certificate of occupancy shall be issued before the sewerage and water systems are installed and operable, or otherwise connected to a community (central) sewerage and/or water system(s), all as approved by the St. Tammany Parish Department of Environmental Services. Whenever a subdivision is served by a community (central) water system supply, no private water supply may be drilled or otherwise constructed on any lot for the purpose of supplying potable water to any building or structure, except for the purpose of irrigation, and in no event shall there be a physical connection between any such source and any element of the community (central) water system (supply).
4. No noxious or otherwise activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
5. Construction of any nature, including fences, is prohibited in Parish drainage servitudes and street easement.
6. No mobile homes will be permitted in this subdivision.
7. No lot shall be further subdivided without the approval of the St. Tammany Parish Planning Commission.
8. The front of each lot shall be subject to a 10-foot utility easement along all streets.
9. The Homeowners Association will be responsible for maintaining the green space areas within this development.
10. In addition to the foregoing minimum restrictive covenant, the developers have created by separate act recorded in original instrument No. _____ additional restrictive covenants which are applicable to the property being subdivided. The foregoing shall be a covenant running with each title and reference shall be made thereto in each title.
11. Roadside ditches must remain, subsurface drainage will not be allowed anytime in the future.
12. The minimum elevation for the lowest floor of all residences shall be determined from the latest revised FEMA flood insurance rate maps. The minimum elevation of the lowest floor in Flood Zone "A" shall be obtained from the Parish Engineering Department.
13. Lots may not be used for the storage of trash or junk vehicles.

Description of Project

Applicant's Name Aymond Contractors, Inc.

Address 1519 Highway 22 West, Suite 7, Madisonville, LA 70447

Attach area location Map showing the proposed development

Name of Development Fox Branch 5 Acre Extension

Section 9 Township 7 South Range 10 East

Number of acres in Development ± 4.9 Acres

Type of Streets Asphalt Paving

Type of water system Community

Type of sewerage system Community

Ultimate disposal of wastes Unnamed ditch to Fox Branch, ultimately to Lake Pontchartrain

Ultimate disposal of surface drainage Unnamed ditch to Fox Branch, ultimately to Lake Pontchartrain

Land form: Flat X Rolling _____ Marsh _____
Swamp _____ Inundated _____

Existing land use: Rural X Residential _____
Commercial _____ Industrial _____

Proposed land use: Rural _____ Residential X
Commercial _____ Industrial _____

Conforms to Major Road Plan: Yes X No _____

Water frontage: Yes _____ No X If so how much _____

Name of Stream N/A

Major highway frontage: Yes _____ No X

Name of Highway N/A

Is development subject to inundation in normal high rainfall and/or tide?

Yes _____ No X

Will canals be constructed into rivers or lakes?

Yes _____ No X

ANSWER ALL QUESTIONS BY A CIRCLE AROUND YES OR NO

1. Does the proposed development:
 - a. Disrupt, alter or destroy an historic or archeological site or district? YES **NO**
 - b. Have a substantial impact on natural, ecological recreation, or scenic resources? YES **NO**
 - c. Displace a substantial number of people? YES **NO**
 - d. Conform with the environmental plans and goals that have been adopted by the Parish? **YES** NO
 - e. Cause increased traffic, or other congestion? YES **NO**
 - f. Have substantial aesthetic or visual effect on the area? YES **NO**

ANSWER ALL QUESTIONS BY A CIRCLE AROUND YES OR NO

- g. Breach national, state or local standards relating to:
 - (1) Noise YES **NO**
 - (2) Air Quality YES **NO**
 - (3) Water Quality YES **NO**
 - (4) Contamination of public water supply YES **NO**
 - (5) Ground water levels YES **NO**
 - (6) Flooding YES **NO**
 - (7) Erosion YES **NO**
 - (8) Sedimentation YES **NO**
- h. Affect rare or endangered species of animal or plant habitat or such a species YES **NO**
- i. Cause substantial interference with the movement of any resident or migratory fish or wildlife species YES **NO**
- j. Induce substantial concentration of population YES **NO**
- k. Will dredging be required YES **NO**

If yes, denote the area proposed for spoil placement and the anticipated volume in cubic yards.

2. Attach specifications of the following, if applicable:

- a. What types of materials will be disposed of as a result of the production of manufacturing process. If applicable explain where and in what manner disposal will occur.

None
- b. What work will be the average noise level be of the development during working hours.

Negligible
- c. Will any smoke, dust or fumes be emitted as a result of the operational process. If so, explain fully.

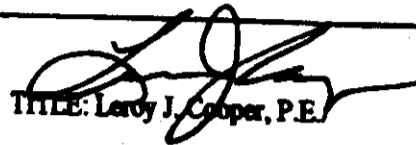
No

Explain in detail the items marked YES above indicating how you propose to reduce or eliminate the environmental problems caused by your development and explain how you will ultimately dispose of the surface water generated by your development including the route of the surface water into a major stream and if you propose a center sewerage system the ultimate disposal of the effluent produced.

Gentlemen:

I have completed the attached Environmental Impact Assessment Data Form and hereby certify that the information shown thereon is accurate and is based on a thorough study of the environmental impact by this development named:

DATE: October 14, 2004


TITLE: Leroy J. Cooper, P.E.

I have reviewed the data submitted and concur with the information with the following exceptions:

I recommend the following:

DATE: _____ PARISH ENGINEER: _____

I have reviewed the data submitted and concur with the information with the following exceptions:

I recommend the following:

DATE: _____ PARISH PLANNER: _____

I have reviewed the Environmental Assessment Data Form and concur with the information submitted with the following exceptions:

I recommend the following:

DATE: _____

POLICE JUROR: _____

WARD: _____