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Kyrin 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: 5/2/07

CP07-05-063 - Use: Gravel and Sand Pit
 Zoning: R (Rural) District
 Use Size: 198 acres
 Petitioner: Elite Gravel Products, LLC/Jeff Schoen
 Owner: Kivett and Reel LLC
 Location: Parcel located at the end of Fisherman's Landing Road, east of LA Highway 41, S46, T5S, R13E, Ward 5, 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

Jeffrey D. Schoen

(SIGNATURE)

Jeffrey D. Schoen

P. O. Box 1810

Covington, LA 70434

PHONE #: 890 - 4801



CONDITIONAL USE PERMIT STAFF REPORT

Date: May 1, 2007
CASE NO.: CP07-05-063
Posted: April 11, 2007

Meeting Date: May 1, 2007
Determination: Denied

PETITIONER: Elite Gravel Products, LLC/Jeff Schoen
OWNER: Kivett and Reel LLC
PROPOSED USE: Gravel and Sand Pit
PREVIOUS/CURRENT USE: None
SQ. FT. OF USE: 198 acres
GROSS AREA LOT SIZE: 198 acres
ZONING CLASSIFICATION: R (Rural) District
LOCATION: Parcel located at the end of Fisherman's Landing Road, east of LA Highway 41; S46, T5S, R13E; Ward 5, District 6

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: Parish

Road Surface: 2 lane asphalt

Condition: Fair

LAND USE CONSIDERATIONS

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Undeveloped	R (Rural)
South	Undeveloped	R (Rural)
East	Undeveloped	R (Rural)
West	Undeveloped	R (Rural)

Existing development? No

Multi occupancy development? No

STAFF COMMENTS:

Petitioner is requesting a Conditional Use permit for a gravel and sand pit. The project consists of a proposed sand and gravel dredging operation on 198 acres. The hours of operation will be from approximately 5:00 a.m. to 8:00 p.m. The petitioner requests a waiver of the perimeter fencing and signage requirements due to the remoteness of the area. The petitioner also requests a waiver of the 3:1 slope requirement. The site will be accessed via a pontoon bridge crossing the Pearl River Canal. The site is located at the end of Fisherman's Landing Road, east of LA Highway 41. The proposed site is contiguous to the Bogue Chitto National Wildlife Refuge.

After further review of the case, no traffic study will be required.

STAFF RECOMMENDATIONS:

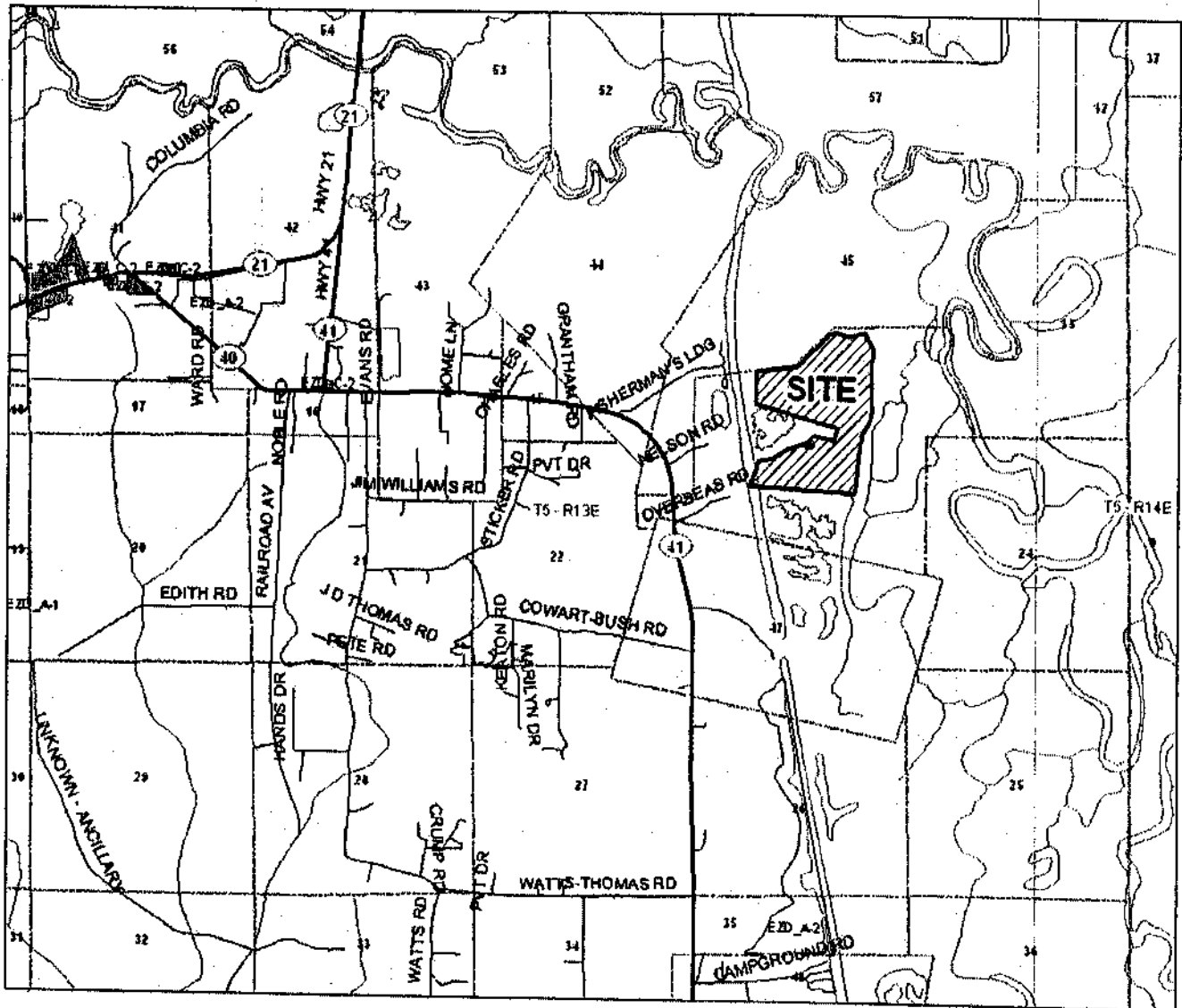
The staff recommends approval of this proposal, subject to all applicable regulations and the following conditions:

1. Meeting all traffic improvement required by the Engineering Department.
2. Bond must be posted with the Department of Public Works.
3. No portion of the excavation activities shall occur within the boundaries of the Bogue Chitto National Wildlife Refuge.
4. The perimeter of the excavation shall not be nearer than two hundred (200') feet to the front, sides and rear property lines.
5. The property shall be kept posted with warning signs set no further than fifty (50') feet apart and clearly visible.
6. The perimeter of the land containing the excavation 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.
7. 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.

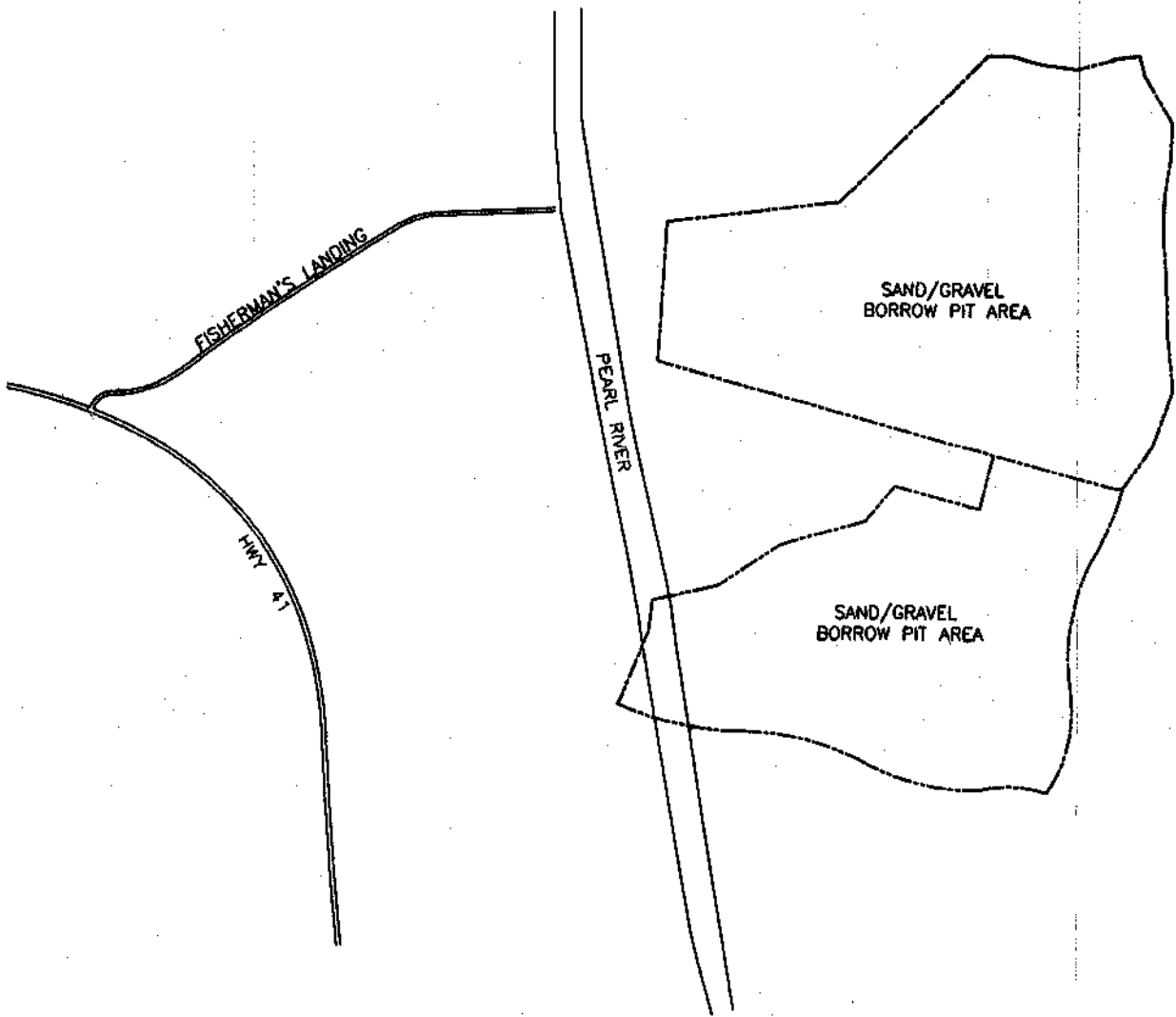
NOTE TO PETITIONER

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.

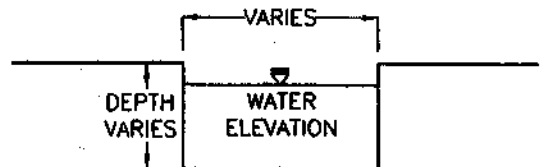
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CPO7-05-063



NOTE: ALL UNCLAIMED SAND TO BE PLACED BACK IN THE EXCAVATED HOLE.



TYPICAL CROSS SECTION SAND/GRAVEL BORROW PIT

NOT TO SCALE

CONDITIONAL USE PLAN

SCALE: 1" = 800'

07-005

C-1

**WEST PEARL RIVER GRAVEL/SAND PIT
SECTION 46, TOWNSHIP 5 SOUTH, RANGE 13 EAST
ST. TAMMANY PARISH, LOUISIANA**

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