

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3713                      ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

COUNCIL SPONSOR MS. BRISTER                      PROVIDED BY: PLANNING

INTRODUCED BY: MS. BRISTER                      SECONDED BY: MR. STEFANCIK

ON THE 6<sup>TH</sup> DAY OF DECEMBER, 2007

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA, TO RECLASSIFY A CERTAIN PARCEL LOCATED SOUTH SIDE OF LA HIGHWAY 22, WEST OF PENNS CHAPEL ROAD AND WHICH PROPERTY COMPRISES A TOTAL OF 90.62 ACRES OF LAND MORE OR LESS, FROM ITS PRESENT SA (SUBURBAN AGRICULTURAL) DISTRICT TO A PUD (PLANNED UNIT DEVELOPMENT) DISTRICT, WARD 4, DISTRICT 4. (ZC07-10-059)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC07-10-059, has recommended Denial to the Council of the Parish of St. Tammany, Louisiana, that the zoning classification of the above referenced area remains SA (Suburban Agricultural) District.

Whereas, the St. Tammany Parish Council has held its public hearing in accordance with law:

Whereas, the St. Tammany Parish Council has found it necessary for the purpose of protecting the public health, safety and general welfare, to designate the above described property as PUD (Planned Unit Development) District.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, in regular session convened that:

SECTION I: The zoning classification of the above described property is hereby changed from its present SA (Suburban Agricultural) District to a PUD (Planned Unit Development) District (see Exhibit "A") for complete boundaries.

SECTION II: The official zoning map of the Parish of St. Tammany shall be and is hereby amended to incorporate the zoning reclassification specified in Section I hereof.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: \_\_\_\_\_, SECONDED BY: \_\_\_\_\_

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

Exhibit "A"

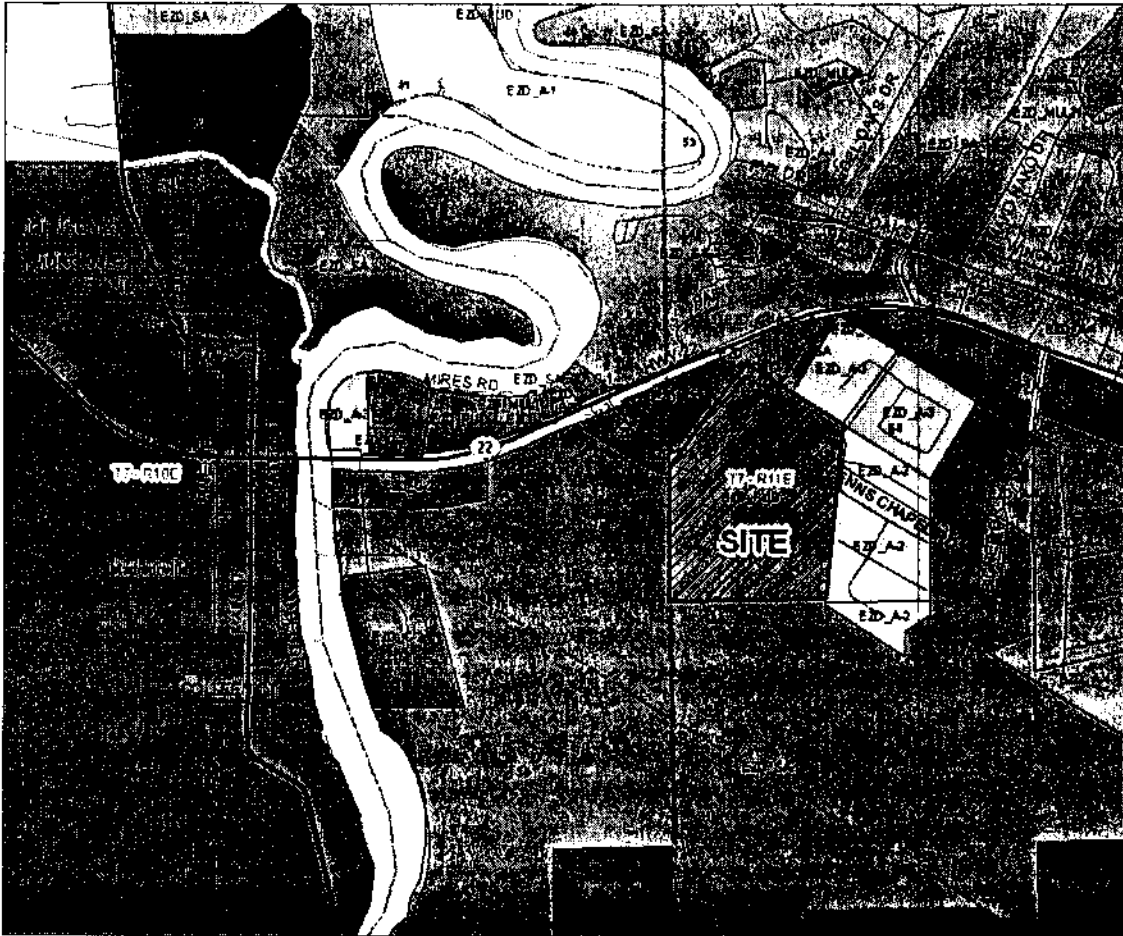
ZC07-10-059

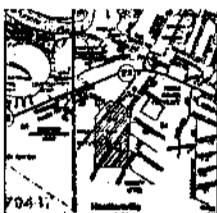
A parcel of land located in Section 54, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, more fully described as follows, to-wit;

Commence at a point heretofore described as being south 1986.17 feet, of the one-half (1/2) mile post north of the fifth mile post between Township 7 South, Range 10 East and Township 7 South, Range 11 East, to the **POINT OF BEGINNING**, thence

North 37 degrees 39 minutes 07 seconds East, 1401.95 feet, thence  
South 58 degrees 26 minutes 52 seconds East, 1247.95 feet, thence  
South 05 degrees 30 minutes 00 seconds West, 1946.71 feet, thence  
North 89 degrees 36 minutes 07 seconds West, 1716.00 feet, thence  
North 00 degrees 40 minutes 31 seconds West, 1468.98 feet, to the  
**POINT OF BEGINNING**, containing 90.62 acres

**CASE NO.:** ZC07-10-059  
**PETITIONER:** Ned Wilson  
**OWNER:** Favret Investments, LLC  
**REQUESTED CHANGE:** From SA (Suburban Agricultural) District to PUD (Planned Unit Development) District  
**LOCATION:** Parcel located south side of LA Highway 22, west of Penns Chapel Road; S40, T7S, R10E & S54, T7S, R11E; Ward 4, District 4  
**SIZE:** 90.62 acres





# HOULTONVILLE ESTATES

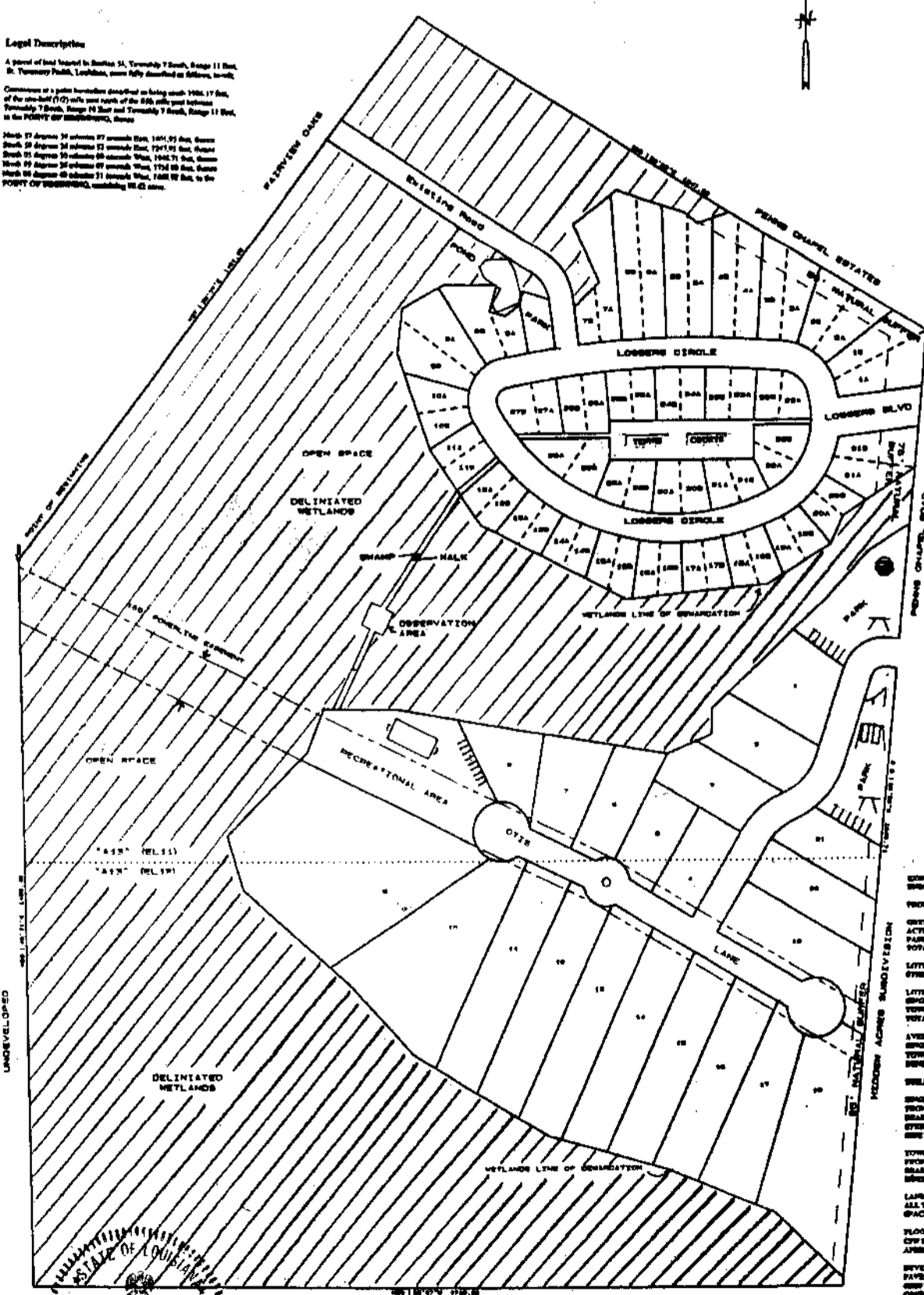
A PLANNED UNIT DEVELOPMENT  
SECTION 24, TOWNSHIP 7 SOUTH, RANGE 11 EAST  
WARD 4, DISTRICT 4, ST. TAMMANY PARISH, LOUISIANA

### Legal Description

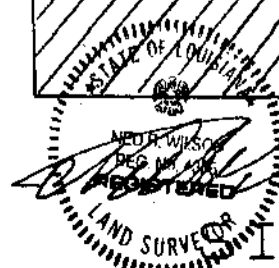
A parcel of land located in Section 24, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, more fully described as follows, to-wit:

Commence at a point hereinafter described as being south 1000.17 feet, of the one-half (1/2) mile road north of the 5th mile road between Township 7 South, Range 11 East and Township 7 South, Range 11 West, in the Parish of St. Tammany, Louisiana, to-wit:

North 87 degrees 34 minutes 37 seconds East, 1041.97 feet, Corner  
South 89 degrees 34 minutes 37 seconds East, 1247.97 feet, Corner  
South 85 degrees 30 minutes 40 seconds West, 1440.71 feet, Corner  
North 89 degrees 30 minutes 40 seconds West, 1732.00 feet, Corner  
North 89 degrees 30 minutes 31 seconds West, 1440.71 feet, to the POINT OF BEGINNING, containing 16.62 acres.



EXISTING BUILT UP DEVELOPMENTS	0.00 AC
PROPOSED DEVELOPMENT	
OPEN SPACE	
ACTIVE	0.21 AC
PASSIVE	1.24 AC
TOTAL	1.45 AC (8.7%)
LOTS	168 AC (84%)
STREETS	0.92 AC (5.5%)
TOTAL	1.37 AC (8.2%)
AVERAGE LOT AREA	0.0083 AC
SINGLE FAMILY LOTS	168
TOWNSHIP	168
DENSITY	122.62 LOTS/AC
WALKING DISTANCES	
SINGLE FAMILY	20'
BIAS	10'
STREET FRONT	10'
STREET WIDTH	10'
STREET CURB	10'
TOWNSHIP	20'
BIAS	10'
BIAS	10'
BIAS	10'
LANDSCAPING	
ALL TREES WITHIN GREEN SPACE TO BE SAVED	
FLOOD ZONE "A1"	
OFF DESIGNER'S C	
APRIL 1, 1991	
DEVELOPER	
PAVING CONTRACTOR, S.L.C.	
CONTRACTOR, S.L.C.	
CONTRACTOR, S.L.C.	
CONTRACTOR, S.L.C.	



ITE PLAN

HOULTONVILLE ESTATES		
Section 24, Township 7 South, Range 11 East		
Ward 4, District 4, St. Tammany Parish, Louisiana		
SCALE: 1" = 100'	DATE: 2/28/91	DESIGNED BY: [Name]
BY: [Name]	CHECKED BY: [Name]	DATE: [Date]
PLAT: [Name]	BY: [Name]	DATE: [Date]

Mr. Uncas B. Favret, Jr., Manager  
Favret Investments, LLC  
Cell: (985) 807-5906  
Houltenville Estates

2007.10-059

## **RESTRICTIVE COVENANTS**

1. Each lot will not have more than one dwelling.
2. Front setbacks will not be less than 30 feet from the property line. Side building setbacks will not be less than 10 feet from the interior side of the property line. Side street building setbacks will not be less than 30 feet from the property line. Rear building setbacks will not be less than 25 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) sewerage and/or 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 servitude's 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. Driveways on corner lots shall not be located any closer than sixty (60) feet from a corner of said property closest to the intersection as measured from the corner of the property where the said two street right-of-ways intersect.
10. The Homeowners Association will be responsible for maintaining the green space areas within this development.
11. 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.
12. Roadside ditches must remain, subsurface drainage will not be allowed anytime in the future.
13. 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.
14. Lots may not be used for the storage of trash or junk vehicles.

ENVIRONMENTAL ASSESSMENT DATA FORM

Description of Project

Applicant's Name FAVRET INVESTMENTS, L.L.C.

Address 68359 TAULLA DR. COVINGTON, LA 70433

Attach area location Map showing the proposed development

Name of Development HOULTONVILLE ESTATES

Section 54 Township 7 SOUTH Range 11 EAST

Number of acres in Development 90.62

Type of streets CONCRETE

Type of water systems CENTRAL

Type of sewerage system CENTRAL

Ultimate disposal of wastes PRIVATE

Ultimate disposal of surface drainage VIA SWAMP -> TCHEFUNTA RIVER

Land form: Flat  Swamp  Rolling  Inundated  Marsh

Existing land use: Rural  Commercial  Residential  Industrial

Proposed land use: Rural  Commercial  Residential  Industrial

Conforms to Major Road Plan: Yes  No

Water frontage: Yes  No  if so how much

Name of Stream \_\_\_\_\_

Major highway frontage: Yes  No

Name of Highway \_\_\_\_\_

Is development subject to inundation in normal high rainfall and/or tide? Yes  No

Will canals be constructed into rivers or lakes? Yes  No

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 esthetics 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.

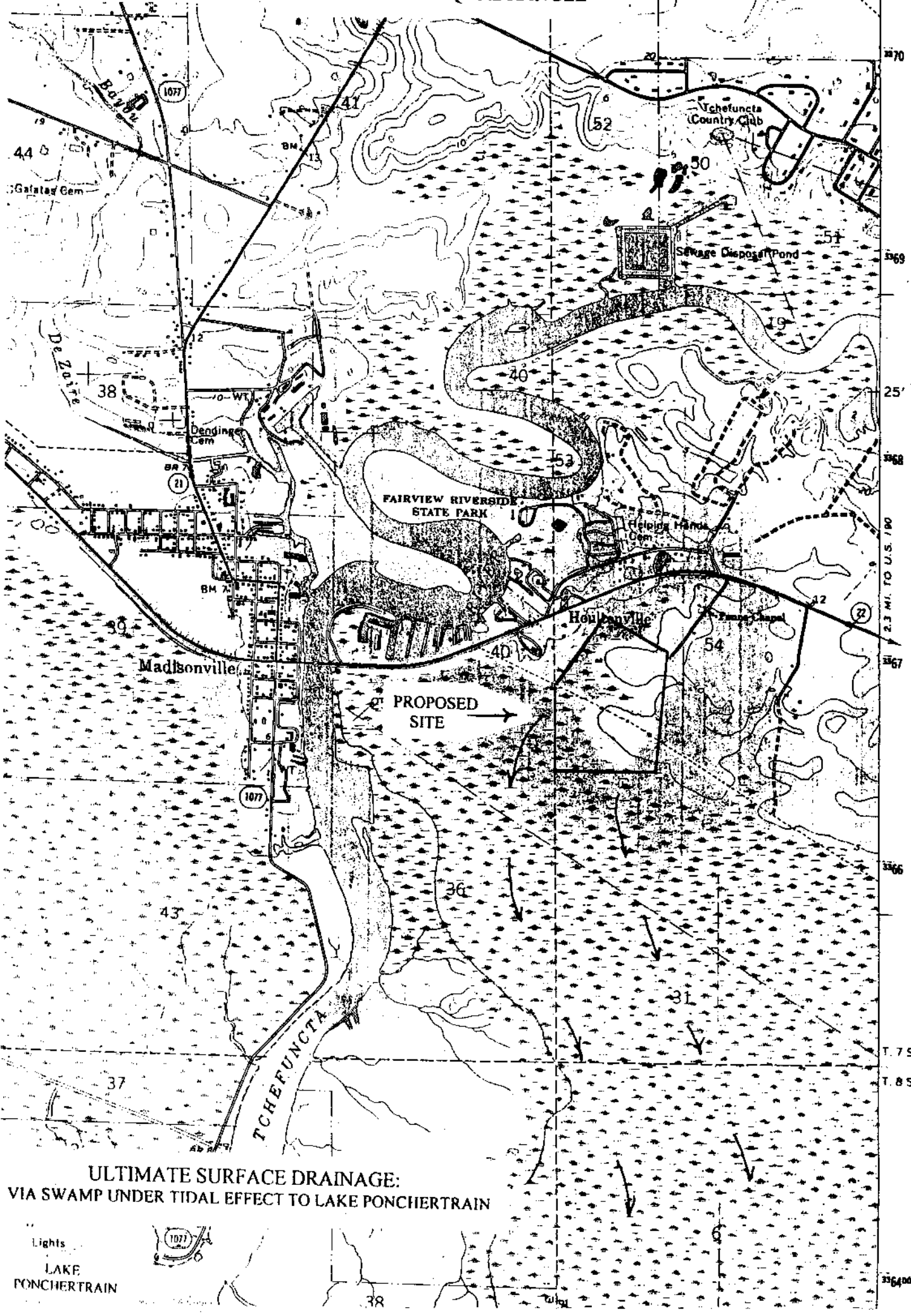
2. Attach specifications on the following, if applicable

- 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.  
*N/A*
- b. What will be the average noise level of the development during working hours.  
*No increase in noise levels / Residential*
- 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.







ULTIMATE SURFACE DRAINAGE:  
VIA SWAMP UNDER TIDAL EFFECT TO LAKE PONCHERTRAIN

Lights  
LAKE  
PONCHERTRAIN

2.3 MI. TO U.S. 190



**ST. TAMMANY PARISH**  
 DEPARTMENT OF PLANNING  
 P. O. BOX 628  
 COVINGTON, LA 70434  
 PHONE (985) 899-2829  
 FAX (985) 899-3003  
 e-mail: [planning@stpgov.org](mailto:planning@stpgov.org)

*Kevin Davis*  
 Parish President

**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: November 7, 2007

(Reference Case on <sup>Zoning</sup> Planning Commission Agenda)

ZC 07-10-059  
 Petitioner: Mr. Ned Wilson  
 Owner: Favret Investments, LLC  
 Requested Change: SA(Suburban Agriculture) to PUD (Planned Unit Development)

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 Planning 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

*Uncas B. Favret, Jr.*  
 (SIGNATURE)

Uncas B. Favret, Jr., Member

Favret Investments, LLC  
 68359 Taula Drive  
 Covington, Louisiana 70433

PHONE #: 985/892-8047



1. ZC07-10-059  
 Existing Zoning: SA (Suburban Agricultural) District  
 Proposed Zoning: PUD (Planned Unit Development) District  
 Acres: 90.62 acres  
 Petitioner: Ned Wilson  
 Owner: Favret Investments, LLC  
 Location: Parcel located south side of  
 LA Highway 22, west of Penns Chapel Road,  
 S40, T7S, R10E & S54, T7S, R11E, Ward 4, District 4  
 Council District: 4  
 (TABLED FROM 10/2/07 MEETING)

# ZONING STAFF REPORT

Date: October 26, 2007  
Case No.: ZC07-10-059  
Prior Action: Tabled (10/02/07)  
Posted: 10/17/07

Meeting Date: November 6, 2007  
Determination: Denied

## GENERAL INFORMATION

**PETITIONER:** Ned Wilson  
**OWNER:** Favret Investments, LLC  
**REQUESTED CHANGE:** From SA (Suburban Agricultural) District to PUD (Planned Unit Development) District  
**LOCATION:** Parcel located south side of LA Highway 22, west of Penns Chapel Road; S40, T7S, R10E & S54, T7S, R11E; Ward 4, District 4  
**SIZE:** 90.62 acres

## SITE ASSESSMENT

### ACCESS ROAD INFORMATION

Type: Parish (Penns Chapel Road)	Road Surface: 2 lane asphalt	Condition: Good
Type: State (Hwy 22)	Road Surface: 3 lane asphalt	Condition: Good

### LAND USE CONSIDERATIONS

#### SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Undeveloped	C-2 (Highway Commercial) District
South	Undeveloped	SA (Suburban Agricultural) District
East	Single Family Residence	A-2 & A-3 (Suburban) Districts
West	Undeveloped	SA (Suburban Agricultural) District

#### EXISTING LAND USE:

Existing development? No                      Multi occupancy development? Yes

#### COMPREHENSIVE PLAN:

**Conservation** - Areas designated for uses of land, water, flora and fauna that appear naturally. Such uses may include such activities as extraction or production for commerce; human enjoyment, hunting, fishing, or other recreation within natural landscapes; or preservation of natural systems. The concept of "conservation" includes a private landowner's understanding of responsibility to wisely manage that resource so that it remains in good condition for future generations (often simple referred to as "good stewardship"); this concept may also include the conservation of energy through efficient transportation options as well as through climate responsive building design, as well as the conservation of historic, scenic, or otherwise serviceable buildings and landscapes. Means to achieve conservation are myriad and include both private and public sector initiatives — such means will be considered in subsequent phases of the New Directions 2025 planning process.

#### STAFF COMMENTS:

A zoning change request to PUD was previously filled for the subject site (ZC04-10-087). The requested zoning change was approved by the Council. However, as a result of the ambiguous language within the PUD ordinance, the Court vacated the Council's decisions. In light of the amended language within the PUD ordinance, a zoning change request from SA (Suburban Agriculture) and C-2 (Highway Commercial) Districts to PUD (Planned Unit Development) District, has been resubmitted for the same site, to create a new single family residential and townhomes subdivision. The residential subdivision will consist of 21 single family residences and 64 townhomes. The average density of the entire development will be of 0.93 units per acre.

The Townhouse and single family portions of the development will be access through 2 separate roads from Penn's Chapel Road. The access through Fairview Oaks Business Park, will be considered as a secondary access, for emergency only.

**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 (to be located off site, as identified on plan)
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 (Spring 2008)

**COMPREHENSIVE PLAN ANALYSIS**

The site is located in a conservation area, as designated by the 2025 comprehensive plan. The comprehensive plan defines a conservation area as an area designated for uses of land, water, flora and fauna that appear naturally. The proposed layout contributes to the preservation and the conservation of wetlands. Also, the addition of raised decks and walkways, is considered as an important element contributing to the inclusion of the wetlands in the design of the subdivision. The design of the subdivision and the raised decks and walkways will promote human enjoyment, recreation within the natural landscapes and the preservation of natural systems.

**GREENSPACE**

As for the location of the required open space, a total of 63.06 acres (70%) of the site will be designated as open space. The passive recreational area consists of a total of 60.1 acres and the active recreational area consists of 2.96 acres. Some greenspace areas are being proposed at the entrance and exit to the subdivision. One of the greenspace area has been designated as a park with picnic tables, benches and Bar-B-Q pits. Also, a 50 foot no cut buffer has been provided on the northern side of the subdivision and a 25' no cut buffer along Penn's Chapel Road. A tennis court will be located in the in the southern portion of the development. A raised walking path and observation deck will be provide connection between the two phases of the subdivision.

Finally, staff suggests that the single family residences located in the southern portion of the portion of the subdivision be built on pilings.

**STAFF RECOMMENDATION:**

The staff recommends that the request for a PUD (Planned Unit Development) District designation be approved. The revised layout meets most of the criteria of the 2025 conservation designation. The proposed access from the townhouse development through Fairview Oaks Business Park, remains a concern and should be provided as a second entrance or exit in case Penn's Chapel Road is impassible or blocked. However, in light of the previous recommendation from the Council, requiring the use of Penn's Chapel Road as its main ingress/egress to the townhomes, and considering that the existing road is surrounded by highly sensitive and valuable wetlands that would be impacted, staff is in favor of the proposed development.