



ST. TAMMANY PARISH

DEPARTMENT OF PLANNING
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COVINGTON, LA 70434
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Kevin Davis
Parish President

Appeal #7

A PETITIONER OR ANY AGGRIEVED PROPERTY OWNER HAS TEN (10) DAYS IN WHICH TO FILE AN APPEAL REGARDING A DECISION OF THE PLANNING COMMISSION. APPEALS MUST BE FILED WITH THE ST. TAMMANY PARISH DEPARTMENT OF PLANNING ON OR BEFORE THE TENTH DAY.

(NOTE: FINAL SUBDIVISION APPROVAL CANNOT BE APPEALED EXCEPT BY THE DEVELOPER)

APPEAL REQUEST LETTER

DATE: 05/15/08
TO: ST. TAMMANY PARISH COUNCIL
FROM: Staci Erickson
RE: AGGRIEVED BY DECISION MADE BY THE ST. TAMMANY PARISH PLANNING COMMISSION

I, Staci Erickson, hereby request that the St. Tammany Parish Council review the below mentioned case and consider reversing the decision made by the St. Tammany Parish Planning Commission at their Council meeting.

The case for which I am aggrieved by, as depicted on the docket of the Planning Commission is as follows:

RS08-05-049

Fern Creek Estates, lot 8 into lots 8-A and 8-B, Ward 4, District 10

Petitioner: Staci Erickson Surveyor: John E. Bonneau & Associates, Inc.

Owner: Staci Erickson Parish Council District Representative: Hon. Henry Billiot

I therefore, respectfully request that the St. Tammany Parish Council consider my appeal at their next appropriate regularly scheduled meeting.

This letter shall suffice as official notice to be placed on the docket of the next appropriate regularly scheduled meeting of the St. Tammany Parish Council; whereby, I shall give truthful testimony and present evidence to support my appeal request.

(PLEASE PRINT THE FOLLOWING INFORMATION)

APPELLANT'S NAME: STACI ERICKSON

ASSOCIATION TO CASE (PLEASE CHECK ONE): Developer Neighbor Group

ADDRESS: 11 FERN PLACE

CITY: MANDRILLE STATE: LA ZIP: 70471 PHONE NO: 727 4836

SIGNATURE: Staci Erickson

XC: ALL ST. TAMMANY PARISH PLANNING COMMISSIONERS

REC'D
MAY 15 2008

RESUBDIVISION STAFF ANALYSIS REPORT

CASE FILE NO: RS08-05-049

NAME OF SUBDIVISION: FERN CREEK ESTATES

LOTS BEING DIVIDED: Lot 8 into lots 8-A and 8-B

SECTION: 41

WARD: 4

TOWNSHIP: 8 South

PARISH COUNCIL DISTRICT: 10

RANGE: 11 East

PROPERTY LOCATION: The property is located at the far eastern end of Fern Place east of Brookside Drive and west of Chinchuba Drive, north of Mandeville, Louisiana.

ZONING: A-2 Suburban

PROPERTY OWNER: Edward & Staci Erickson

STAFF COMMENTARY:

This resubdivision request was scheduled to be reviewed by the commission once before back in February of 2003; however, the owner at the time (Alex Balducci, Jr.), withdrew his application due to public opposition. Now the current owner of the property wishes to try to resubdivide the property as was originally intended and proposed by the former owner.

The owner is proposing to resubdivide lot 8 into two (2) smaller parcels, lot 8-A which will be 2.05 acres in size, and lot 8-B which will be 1.0 acres in size. Lot 8-A will have road access to Fern Place and lot 8-B to Chinchuba Drive. Currently the lot accesses only Fern Place.

The reason why a public hearing is required for this proposed resubdivision request is due to the fact that the owner wants to access lot 8-B via Chinchuba Drive which has a 50 foot no-cut buffer established along the northeast perimeter of the proposed lot where the access would be provided.

Additionally, restrictive covenant No. 13. cited on the recorded subdivision plat of Fern Creek Estates, strictly prohibits lot 8 from accessing Chinchuba Drive. Also, restrictive covenant No. 19. requires the resubdivision approval besides the Parish, of the Fern Creek Homeowners Association, the Forest Park Estates Property Owners Association and the Chinchuba Gardens Homeowners Association.

However, it should be noted that the aforementioned restrictions, although cited on the recorded subdivision plat, were not required by the Parish as a condition of final subdivision approval, and are therefore not required to be enforced by the Parish. Preferably said restrictions should be enforced either through civil action or mitigation by the homeowners associations and boards involved.

Recommendation:

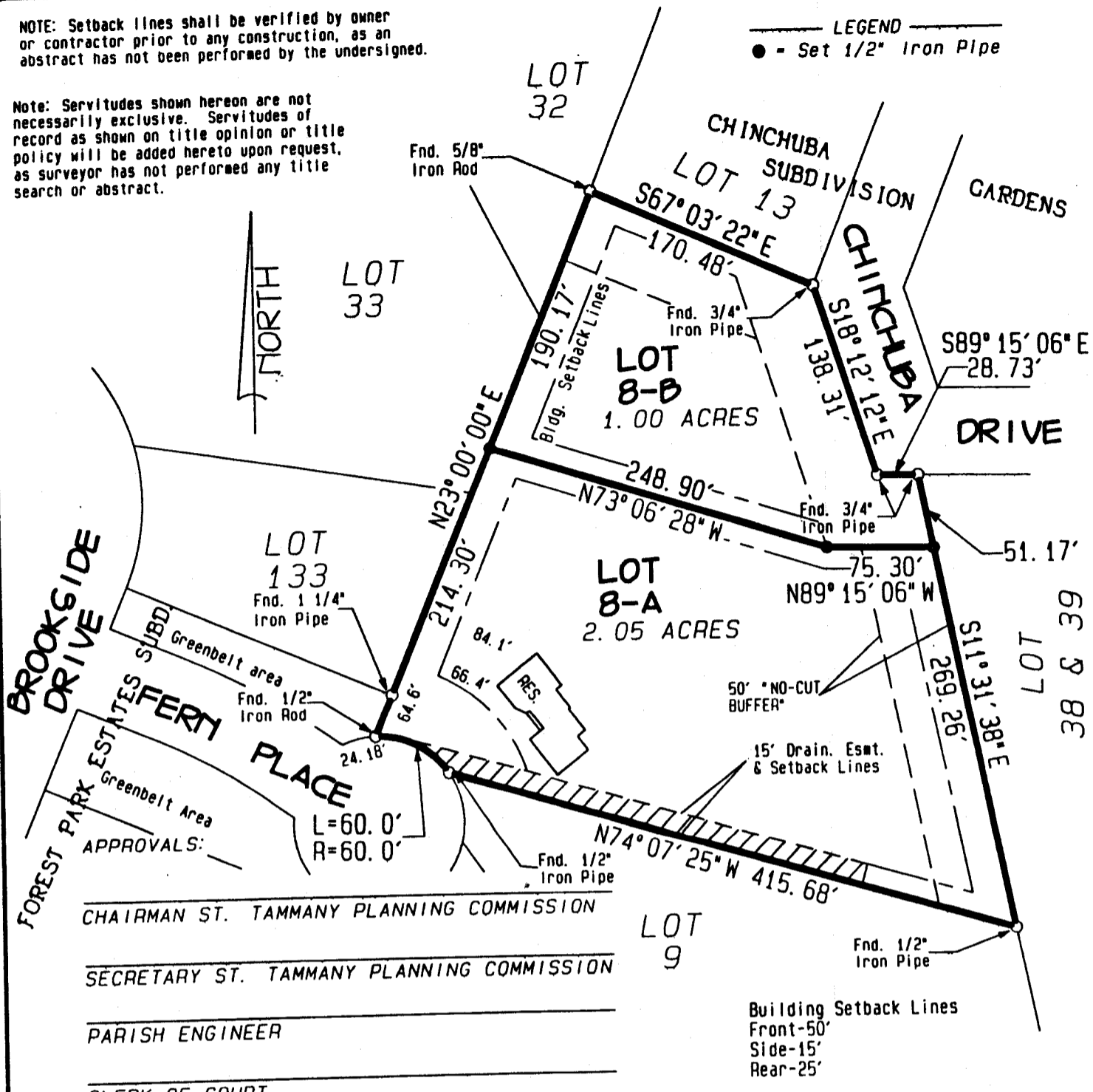
Since the proposed resubdivision meets all applicable requirements relative to lot size and width, the staff would have no objections to the proposed resubdivision request, subject to the granting of no more than a 20 foot wide driveway access servitude crossing the 50 foot wide no-cut buffer in favor of proposed lot 8-B.

If the commission decides to grant the resubdivision request, a waiver of the regulations is required pursuant to Section 40-100.0 Waiver of Regulations, of Subdivision Regulatory Ordinance No. 499, which requires a 2/3rds majority vote of the full membership of the commission (8 members) in order to grant said waiver.

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

Note: Servitudes shown hereon are not necessarily exclusive. Servitudes of record as shown on title opinion or title policy will be added hereto upon request, as surveyor has not performed any title search or abstract.

LEGEND
● - Set 1/2" Iron Pipe



CHAIRMAN ST. TAMMANY PLANNING COMMISSION
SECRETARY ST. TAMMANY PLANNING COMMISSION
PARISH ENGINEER
CLERK OF COURT

LOT 8-A = 89,145 SQ. FT.
LOT 8-B = 43,564 SQ. FT.

Note: This is to certify that I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described is located in Flood Zone(s) B & A-5 with a Base Flood Elevation of 14' in accordance with Community Panel No. 225205 0240 E ; Revised: AUGUST 16, 1995

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

THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND CONTROL; AND THAT THE SURVEY WAS DONE ON THE GROUND AND IS IN ACCORDANCE WITH THE "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS ADOPTED BY THE STATE OF LOUISIANA, BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR A CLASS "C" SURVEY.

**A RESUBDIVISION MAP OF
LOT 8, FERN CREEK ESTATES SUBDIVISION
Into
LOTS 8-A & 8-B FERN CREEK ESTATES SUBD.**

**in
SECTION 41, T-8-S, R-11-E
St. Tammany Parish, Louisiana**

**for
ALEX R. BALDUCCI, JR., KIMBERLY HOCUTT BALDUCCI**

Survey No. 2002 537
Date: JULY 29, 2002

Drawn by: RMK/JDL
Revised:

Scale: 1" = 100'

JOHN E. BONNEAU & ASSOCIATES, INC.
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