

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3816 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR MR. DEAN PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: MR. BURKHALTER SECONDED BY: MR. STEFANCIK

ON THE 1ST DAY OF MAY, 2008

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ST. TAMMANY PARISH, LA., TO RECLASSIFY A CERTAIN PARCEL OF LAND LOCATED ON THE SOUTHEAST SIDE OF TANTELLA RANCH ROAD AND NORTH OF HIGHWAY 1077, WHICH PROPERTY COMPRISES A TOTAL OF 80.83 ACRES, FROM ITS PRESENT SA (SUBURBAN AGRICULTURAL) DISTRICT TO A PLANNED UNIT DEVELOPMENT (PUD) DISTRICT. WARD 1, DISTRICT 1. (ZC05-03-013)

Whereas, the Zoning Commission of the Parish of St. Tammany after hearing in accordance with law, Case No. ZC05-03-013, has recommended Denial to the Council of the Parish of St. Tammany, Louisiana, and that the zoning classification of the above referenced area remains SA (Suburban Agricultural) District; and

Whereas, the St. Tammany Parish Council held its public hearing in accordance with law and adopted Resolution C-1470, concurring with the Zoning Commission's recommendation; and

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 a Planned Unit Development (PUD) District. See Exhibit "A" for complete boundaries and conceptual plan.

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

SECTION I: Resolution C-1470 is hereby rescinded and the zoning classification of the above described property is hereby changed from its present SA (Suburban Agricultural) District to a Planned Unit Development District (PUD) District, contingent on making the originally proposed soccer field part of Phase II and extending the walking paths through the entire subdivision.

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REPEAL: All Resolutions, Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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

3816
ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-1470

COUNCIL SPONSOR: MR. DEAN

PROVIDED BY: COUNCIL OFFICE

RESOLUTION TO CONCUR WITH THE ZONING COMMISSION DENIAL ON JUNE 7, 2005 TO REZONE 80.83 ACRES OF LAND ON THE SOUTHEAST SIDE OF TANTELLA RANCH ROAD, NORTH OF HIGHWAY 1077, FROM SA SUBURBAN AGRICULTURE DISTRICT TO A PLANNED UNIT DEVELOPMENT (PUD). WARD 1, DISTRICT 1 (ZC 05-03-013)

WHEREAS, the St. Tammany Parish Zoning Commission denied an application by Leroy Cooper to rezone 80.83 acres of property on the southeast side of Tantella Ranch Road from SA to a PUD; and

WHEREAS, the Parish Council received an appeal on the decision, and after hearing the appeal, determined that the denial should be upheld.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that it concurs with the Zoning Commission denial on June 7, 2005 to rezone 80.83 acres of land on the southeast side of Tantella Ranch Road, north of Highway 1077, from SA Suburban Agriculture District to a Planned Unit Development (PUD) in Ward 1, District 1. (ZC 05-03-013).

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY MR. CANULETTE, SECONDED BY MR. BURKHALTER

YEAS: DEAN, FITZMORRIS, THOMPSON, BRISTER, GOULD, SINGLETARY, IMPASTATO, CANULETTE, BAGERT, BILLIOT, STEFANCIK, BINDER, THOMAS AND BURKHALTER (14)

NAYS: 0

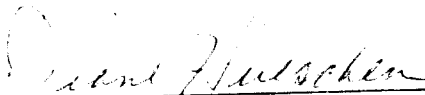
ABSTAIN: 0

ABSENT: 0

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 7TH DAY OF JULY 2005 AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.


STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:


DIANE HUESCHEN, COUNCIL CLERK

ZONING STAFF REPORT

Exhibit "A"
(8 pages)

Date: June 6, 2005
Case No.: ZC05-03-013
Prior Action: Tabled (05/03/05)
Posted: 05/11/05

Meeting Date: June 7, 2005
Determination: Denied

GENERAL INFORMATION

PETITIONER: Leroy Cooper
OWNER: Aymond Development, L.L.C.
REQUESTED CHANGE: From SA (Suburban Agricultural) District to PUD (Planned Unit Development) District
LOCATION: Parcel located on the southeast side of Tantella Ranch Road, north of LA Highway 1077; S5 & 8, T6S, R10E; Ward 1, District 1
SIZE: 80.83 acres

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: Parish **Road Surface:** Asphalt **Condition:** Good

LAND USE CONSIDERATIONS

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Residential/Agriculture	SA (Suburban Agricultural) District
South	Rural residential	SA (Suburban Agricultural) District
East	Rural residential	SA (Suburban Agricultural) District
West	Mobile homes	SA (Suburban Agricultural) District

EXISTING LAND USE:

Existing development? Yes **Multi occupancy development?** No

COMPREHENSIVE PLAN:

Single Family Residential – Conservation Design - These planned districts would include clustered single family residential uses, at a density – within the overall tract – which is similar to that of adjoining residential uses, and conservation areas, following a Small Area Plan, and providing for balance, compatibility and integration of uses and all supporting infrastructure. Such individual Planned Residential – Conservation developments should aim to achieve contiguity among adjoining conservation areas in adjacent developments

Residential – Areas that provide for dwelling units. Such areas may vary in site design, structure design, and in the density of units per acre. Certain areas such as “village or town residential” may include mixed uses and would have the highest number of units per acre, while “Rural residential” would have the lowest number of units per acre, and may include agricultural or open space uses as well. In between these two types of residential areas would be varying levels of single-family detached dwellings, multi-family attached residential, and planned subdivisions for manufactured homes.

STAFF COMMENTS & ANALYSIS:

This case has originally been tabled in order to meet with the interested parties and the Zoning Commission Committee. The petitioner is requesting to change the zoning from SA (Suburban Agricultural) District to PUD (Planned Unit Development) District. The site is located on the southeast side of Tantella Ranch Road, north of LA Highway 1077. The surrounding area is predominately rural in character and consists of large lots with single family homes, agricultural uses and mobile homes.

A revised plan has been submitted reducing the number of lots from 105 to 80 lots at a density of approximately 0.99 lot per acre. Only two different type of lot sizes are now being proposed: 19 Estate lots with an average of 22,210 sq.ft. & 60 Premier lots with an average of 10,000 sq.ft.

GREENSPACE

The proposed development would provide approximately 40.1 acres of open space or 50% of the total site, which would include 1 large ponds, park & playground and open fields. A total of 0.92 acre of the open space has been designated for active recreational areas and 39.18 acres has been designated for passive recreational areas. The revised site plan shows the location the walking path and gazebos. However, the originally proposed soccer/playing field has been removed from the proposed subdivision plan. Staff feels that the proposed soccer field should be provided and that the walking path should be extended through the entire subdivision.

COMPREHENSIVE PLAN ANALYSIS

The 2025 land use map designates this area for "Single Family Residential - Conservation Design," and "Residential". The proposed PUD complies with the definition of this land use classification. Also, all of the building pads are located in Flood zones B and C and the 50 % of the project has been designated as open green space.

GENERAL PUD CRITERIA

The title of the project, name of the developer and legal description have been provided on the plot plan. The existing land use within 500 feet of all boundaries has been provided. The minimum front, side and rear yard setbacks are indicated on the proposed plot plan as required.

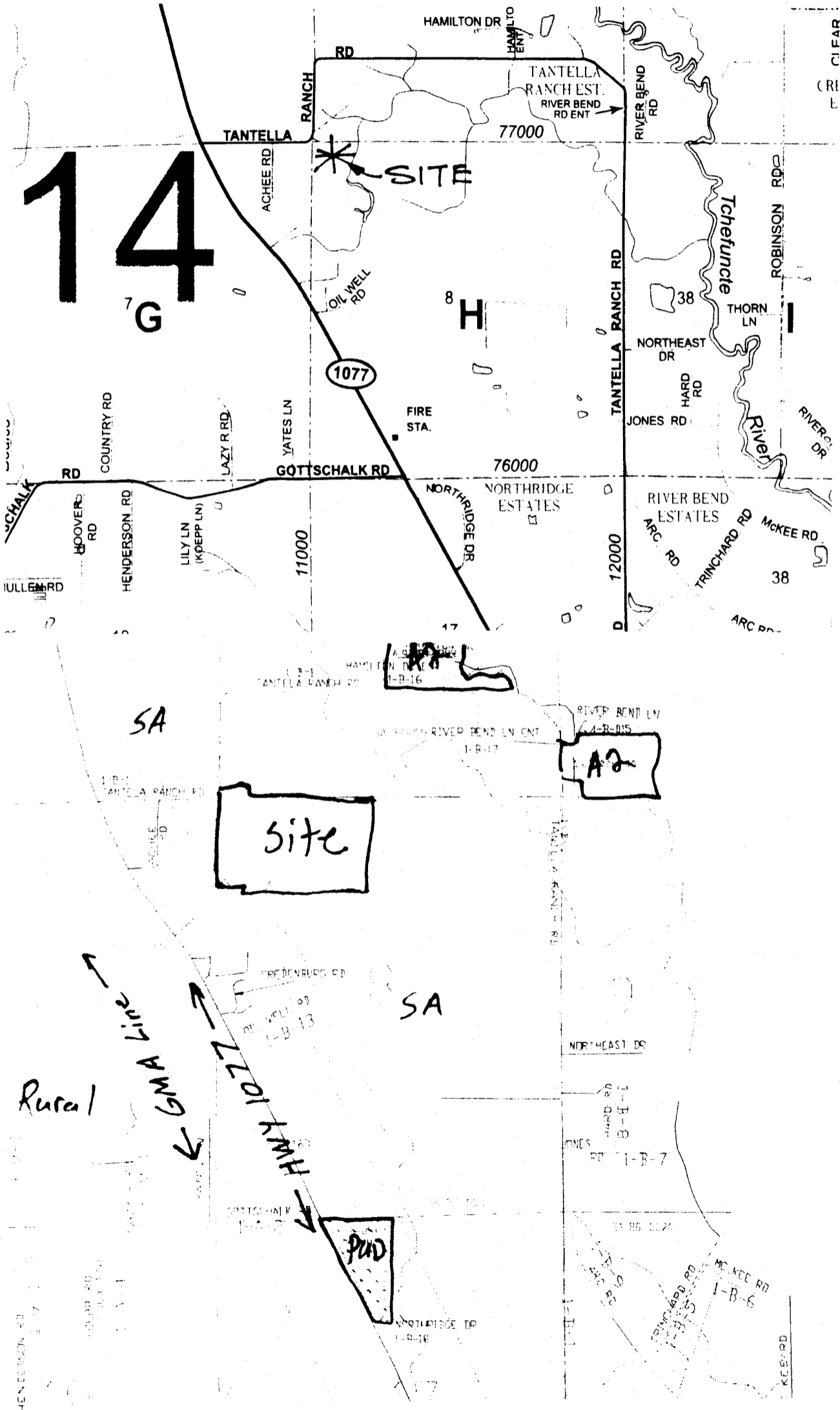
The restrictive covenants have been provided as required. The location of the central water and sewerage facilities are shown on the site plan. The applicant has submitted a copy of the environmental assessment data form and the flood zone designation of the property has been indicated on the site plan. The required information as to the ultimate disposal of the surface drainage has been provided as required by the PUD guidelines.

The PUD is proposed to be constructed in 2 phases. The phases are indicated on the plot plan with the approximate date as to when the construction of each phase of the development is expected to begin.

STAFF RECOMMENDATION:

The staff recommends that the request for a PUD (Planned Unit Development) District designation be approved contingent to the provision of the originally proposed soccer field and the extension of the walking path through the entire subdivision.

CASE NO.: ZC05-03-013
PETITIONER: Leroy Cooper
OWNER: Aymond Development, L.L.C.
REQUESTED CHANGE: From SA (Suburban Agricultural) District to PUD (Planned Unit Development) District
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SIZE: 80.83 acres



SA

site

A2

SA

PUD

Rural

GMA line

LA HWY 1077

DEVELOPER:

AYMOND DEVELOPMENT L.L.C.
1519 HWY. 22 WEST, SUITE 7
MADISONVILLE, LA 70447
(985) 845-3414

PROVIDED GREEN SPACE ACREAGE: ±40.10 ACRES - 50%
(PASSIVE-±39.18 ACRES ACTIVE-±0.92 ACRES)
PONDS ACREAGE: ±6.26 ACRES - 8%
LOTS ACREAGE: ±26.92 ACRES - 33%
RIGHT OF WAY ACREAGE: ±7.55 ACRES - 9%

TOTAL ACREAGE: ±80.83 ACRES - 100%

EXISTING ZONING:
S-A

F.I.R.M. MAP:

PANEL # 225205 0125C
FLOOD ZONES "A2, B & C"
OCTOBER 17, 1989

AVERAGE SIZE OF LOTS:

ESTATE LOTS (LOTS 1-19) - ±22,210 sq ft (AVERAGE)
PREMIER LOTS (LOTS 20-80) - ±10,000 sq ft (AVERAGE)
TOTAL UNITS: 80

DENSITY:

0.99 UNITS/ACRE

LANDSCAPING:

ALL EXISTING TREES ARE TO BE SAVED
WITHIN THE GREEN SPACES.

WALKING PATH

±0.28 MILES

EXISTING CONDITIONS:

RURAL

MINIMUM ESTATE LOT BUILDING SETBACKS:

FRONT: 30'
REAR: 25'
SIDES: 10'

MINIMUM PREMIER LOT BLDG. SETBACKS:

FRONT: 25'
REAR: 20'
SIDE STREET: 10'
SIDES: 5'

COMMUNITY SEWER & WATER:
COMMUNITY SEWER & WATER.

APPROXIMATE LENGTH OF DEDICATED ROADWAY: ±0.88 MILES

PERCENTAGE OF GREEN SPACE: 50%

TOTAL MAX. NUMBER OF LOTS: 80

MAXIMUM HEIGHT OF BUILDINGS: 35'


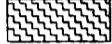


PHASES:

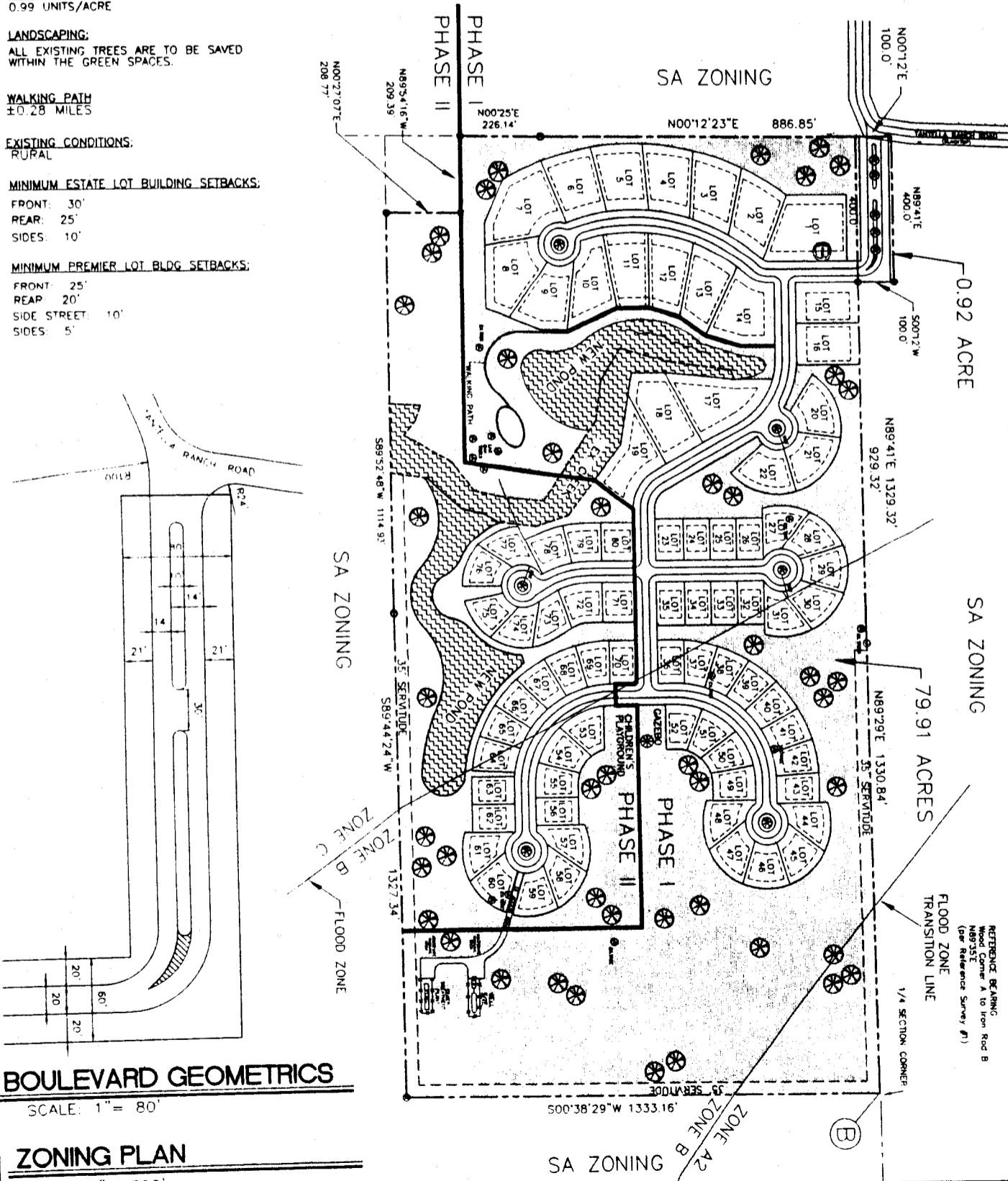
THIS PROJECT WILL BE DEVELOPED IN TWO PHASES.

PHASE I: APPROX. MAY 2005.
PHASE II: APPROX. MAY 2006.

PLAYGROUND & WALKING PATH PART OF PHASE II.

LEGEND:

-  GREEN SPACE
-  PONDS
-  WALKING PATH
-  SETBACK LINES



BOULEVARD GEOMETRICS

SCALE: 1" = 80'

ZONING PLAN

SCALE: 1" = 300'

04-085
Z-1
REV 05-27-05
REV 03-23-05
01-14-05

BELLE MAISON ESTATES
SECTION 5 + 8 TOWNSHIP 6 SOUTH, RANGE 10 EAST
ST. TAMMANY PARISH, LOUISIANA

CEIC OOPER ENGINEERING INC.
Civil Engineering • Planning • Environmental
P.O. Box 1870 Covington, Louisiana 70404 (985) 845-8855

2005 03-013

RESTRICTIVE COVENANTS

1. Each lot will not have more than one dwelling.
2. **Minimum Lot Building Setbacks:**
Estate Lot Buildings: Front 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. Side building setbacks will not be less than 10 feet from the interior side of the property line. **Premier Lot Buildings:** Front setbacks will not be less than 25 feet from the property line. Rear building setbacks will not be less than 20 feet from the rear property line. Side street building setbacks will not be less than 10 feet from the property line. Side building setbacks will not be less than 5 feet from the interior side of the property line. **Garden Home Pads:** Front setbacks will not be less than 20 feet from the property line. Rear building setbacks will not be less than 10 feet from the rear property line. Side buildings will have 0 setbacks.
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. 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.

2005-03-013

Description of Project

Applicant's Name David Aymond

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

Attach area location Map showing the proposed development

Name of Development Belle Maison Estates

Section 5 & 8 Township 6 South Range 10 East

Number of acres in Development ± 80.83

Type of Streets Asphalt

Type of water system Community

Type of sewerage system Community

Ultimate disposal of wastes East Bedico Creek and ultimately to Lake Ponchartrain

Ultimate disposal of surface drainage East Bedico Creek and ultimately to Lake Ponchartrain

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

Existing land use: Rural Residential _____
Commercial _____ Industrial _____

Proposed land use: Rural _____ Residential
Commercial _____ Industrial _____

Conforms to Major Road Plan: Yes _____ X _____ No _____

Water frontage: Yes _____ No If so, how much?
Name of Stream _____ N/A _____

Major highway frontage: Yes _____ No
Name of Highway _____ N/A _____

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 aesthetic or visual effect on the area? YES **NO**

2005-03-013

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.

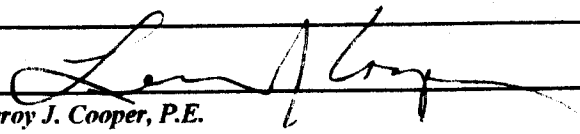
Negligible
- c. Will any smoke, dust or fumes be emitted as a result of the operational process. If so, explain fully.

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.

2005-03-013

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: 01-18-05

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:

2005-03-013