



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

#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

zc Denied  
 5/5/09

DATE: 5-12-09

CP09-05-048 - Use: Church

Zoning: SA (Suburban Agricultural) District  
 Use Size: 1792 sq.ft.  
 Petitioner: Brenda G. Holden  
 Owner: Living Waters, Jesus Name Church LLC  
 Location: Parcel located on the east side of 7th Street & east of US Highway 11, being 706 7th Street, Pearl River. lot 12A, Square 30, Village Guthrie, S13, T8S, R14E, Ward 8, District 9  
 Council District: 9

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

Brenda G. Holden  
 (SIGNATURE)

BRENDA G. HOLDEN, LIVING WATERS, JESUS NAME CHURCH LL

642 6TH ST.

PEARL RIVER LA 70452

PHONE #: 985-290-1189  
985-863-9076

RECEIVED  
 MAY 15 2009  
 PLANNING  
 DEPT.

# CONDITIONAL USE PERMIT STAFF REPORT

Date: April 27, 2009  
CASE NO.: CP09-05-048  
Posted: 04/15/09

Meeting Date: may 5, 2009  
Determination: Denied

**PETITIONER:** Brenda G. Holden  
**OWNER:** Living Waters, Jesus Name Church LLC  
**PROPOSED USE:** Church  
**PREVIOUS/CURRENT USE:** Vacant  
**SQ. FT. OF USE:** 1792 sq.ft.  
**GROSS AREA LOT SIZE:** 12,024 sq.ft.  
**ZONING CLASSIFICATION:** SA (Suburban Agricultural) District  
**LOCATION:** Parcel located on the east side of 7th Street & east of US Highway 11, being 706 7th Street, Pearl River. lot 12A, Square 30, Village Guthrie; S13, T8S, R14E; Ward 8, District 9

## SITE ASSESSMENT

### ACCESS ROAD INFORMATION

Type: Parish Rd. (7<sup>th</sup> Street)  
Parish Rd. (Avenue D)

Road Surface: Asphalt  
Asphalt

Condition: Fair  
Fair

### LAND USE CONSIDERATIONS

#### Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Undeveloped property	SA (Suburban Agricultural) District
South	Residential	SA (Suburban Agricultural) District
East	Residential	SA (Suburban Agricultural) District
West	Undeveloped property/Railroad line	SA (Suburban Agricultural) District

Existing development? Yes

Multi occupancy development? No

### STAFF COMMENTS:

Petitioner is requesting a Conditional Use permit for a 1792 sq.ft. Church, that will have a maximum seating capacity of 56 members. The proposed hours of operation are Monday through Friday, 5:00 pm to 9:00 pm and 9:00 am to 9:00 pm on Saturday and Sunday. There will not be any paid employees; the church only has volunteers and there will be no more than eight (8) volunteers per shift. Note: The building is already on site.

The petitioner is requesting some variances to reduce the required street planting buffer on 7<sup>th</sup> Street and Avenue D from 20' to 15', and reduction in the required number of parking spaces. Note that the proposed parking space, located along Avenue D, will have to be removed considering that no required back out space is proposed to be provided on the site.

### STAFF RECOMMENDATIONS:

The staff recommends denial of this proposal. Staff feels that the site is not appropriate for the church considering the small size, the requested variances and the reduction in the number of parking spaces.

Should the Commission wishes to recommend approval, it should be subject to all applicable regulations and the following conditions:

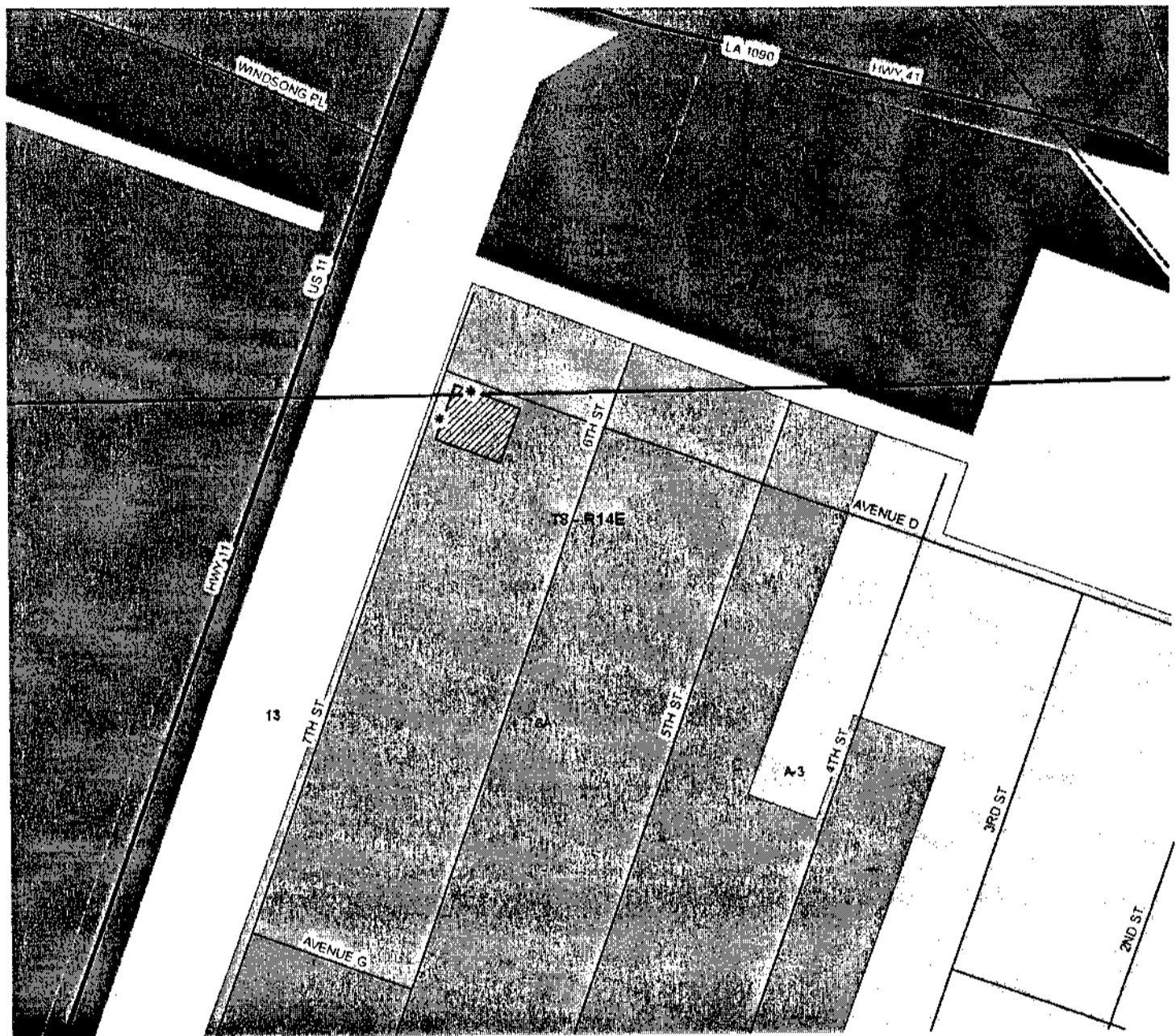
- Note that the proposed access on 7<sup>th</sup> Street must be increased to a minimum of 24' for a 2 way drive or reduce to a maximum of 12' for a one way drive. Access ways through the periphery of an off-street parking or other vehicular use area shall be a minimum of 24' to a maximum of 35' wide for 2-way traffic; and a minimum of 12' to 15' wide for one-way traffic.
- Remove proposed parking space along Avenue D.
- Provide 1 additional island at the end of the parking row, along 7<sup>th</sup> Street.
- Provide a revised landscape plan showing the size and location of all existing trees to be preserved and any new plant materials to meet the applicable landscaping requirements. Provide the size, caliper and species of the proposed trees on the revised landscape plan. Note that Class A trees have to be a minimum of 10' to 12' high & Class B trees have to be a minimum of 8' to 10' high after planting. The caliper of Class A trees has to be a minimum of 2½" and the caliper of Class B trees has to be a minimum of 1½" measured at 1½ feet above the ground.
- If a dumpster is required, provide the location and the required screening.
- The property owner shall be responsible for the maintenance and the replacement of the required plant materials.
- During construction, planting or open ground areas surrounding preserved trees shall be wired off with a properly flagged, reinforced & rolled wire mesh.
- Provide an exterior lighting plan so all exterior lighting shall be shaded or inwardly directed in such a manner so that no direct lighting or glare is cast beyond the property line. The intensity of such lighting shall not exceed one foot candle as measured at the abutting property line. Outdoor lighting illumination shall follow the recommended guidelines for the luminescence as established in the IESNA Lighting Handbook.

### 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.

CASE NO.:  
PETITIONER:  
OWNER:  
PROPOSED USE:  
PREVIOUS/CURRENT USE:  
SQ. FT. OF USE:  
GROSS AREA LOT SIZE:  
ZONING CLASSIFICATION:  
LOCATION:

CP09-05-048  
Brenda G. Holden  
Living Waters, Jesus Name Church LLC  
Church  
Vacant  
1792 sq. ft.  
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Parcel located on the east side of 7th Street & east of US Highway 11, being 706 7th Street, Pearl River. lot 12A, Square 30, Village Guthrie; S13, T8S, R14E; Ward 8, District 9





# 7TH STREET (40' R/W)

S18°40'15"W - 100.00'

## LOT 10

## LOT 12-A

GRAVEL DRIVE

64' x 28' MOBILE HOME

AVENUE D  
(40' R/W)

NOTE\*\*  
ALTHOUGH FEMA HAS NO BASE FLOOD REQUIREMENT, THE RESTRICTIVE COVENANTS FOR THIS SUBDIVISION CALL FOR A FINISHED FLOOR ELEVATION OF 10.0'

10' ALLEY

S18°42'10"W - 100.20' ACTUAL  
S18°40'15"W PLAN

## LOT 3

## LOT 2

## LOT 1

PARKING  
14 SPACES INCLUDING 1 HANDICAP

THIS PROPERTY IS CURRENTLY ZONED SA - SUBURBAN AGRICULTURAL

### LEGEND

- 1/2" Iron Rod Set
- 1/2" Iron Rod Found
- ⊕ Cross

### GRAPHIC SCALE



( IN FEET )

1 INCH = 30 FEET

### BUILDING SETBACKS (\* Verify Prior to Construction)

- Front Setback..... \*
- Side Setback..... \*
- Rear Setback..... \*

ADDRESS: AVENUE D

I CERTIFY THAT THIS PLAT DOES NOT REPRESENT AN ACTUAL GROUND SURVEY AND THAT TO THE BEST OF MY KNOWLEDGE NO ENCROACHMENTS EXIST EITHER WAY ACROSS ANY OF THE PROPERTY LINES, EXCEPT AS SHOWN.

PROPERTY IS NOT SURVEYED IN ACCORDANCE WITH THE LOUISIANA "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS." BEARINGS ARE BASED ON RECORD BEARINGS UNLESS NOTED OTHERWISE.

ENCUMBRANCES SHOWN HEREON ARE NOT NECESSARILY EXCLUSIVE. ENCUMBRANCES 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.

DRAWING NO.  
20081270 PP

## J.V. Burkes & Associates, Inc.

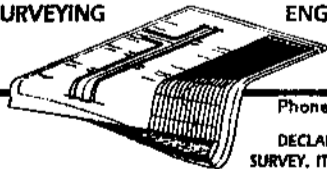
DRAWN BY: BC  
CHECKED BY: SB

DATE:  
10/14/08

SURVEYING ENGINEERING • ENVIRONMENTAL  
1805 Shortcut HWY.  
Slidell, Louisiana 70458  
E-mail: jvbassoc@jvburkes.com

SCALE:  
1" = 30'

REVISED: REVISED PLOT PLAN, BPT, 12/8/08  
REVISED PLOT PLAN, DLT, 3/13/08  
REVISED PLOT PLAN, BC, 3/06/09



Phone: 985-649-0075 Fax: 985-649-0154  
Mississippi Phone: 228-435-5800  
DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL OF SURVEYOR.

PLOT PLAN FOR LOT 12-A, SQ. 30,  
VILLAGE OF GUTHRIE SUBDIVISION  
LOCATED NEAR THE TOWN OF PEARL RIVER  
IN SECTION 13, T-8-S, R-14-E,  
ST. TAMMANY PARISH, LOUISIANA

CERTIFIED TO: LIVING WATERS JESUS NAME CHURCH

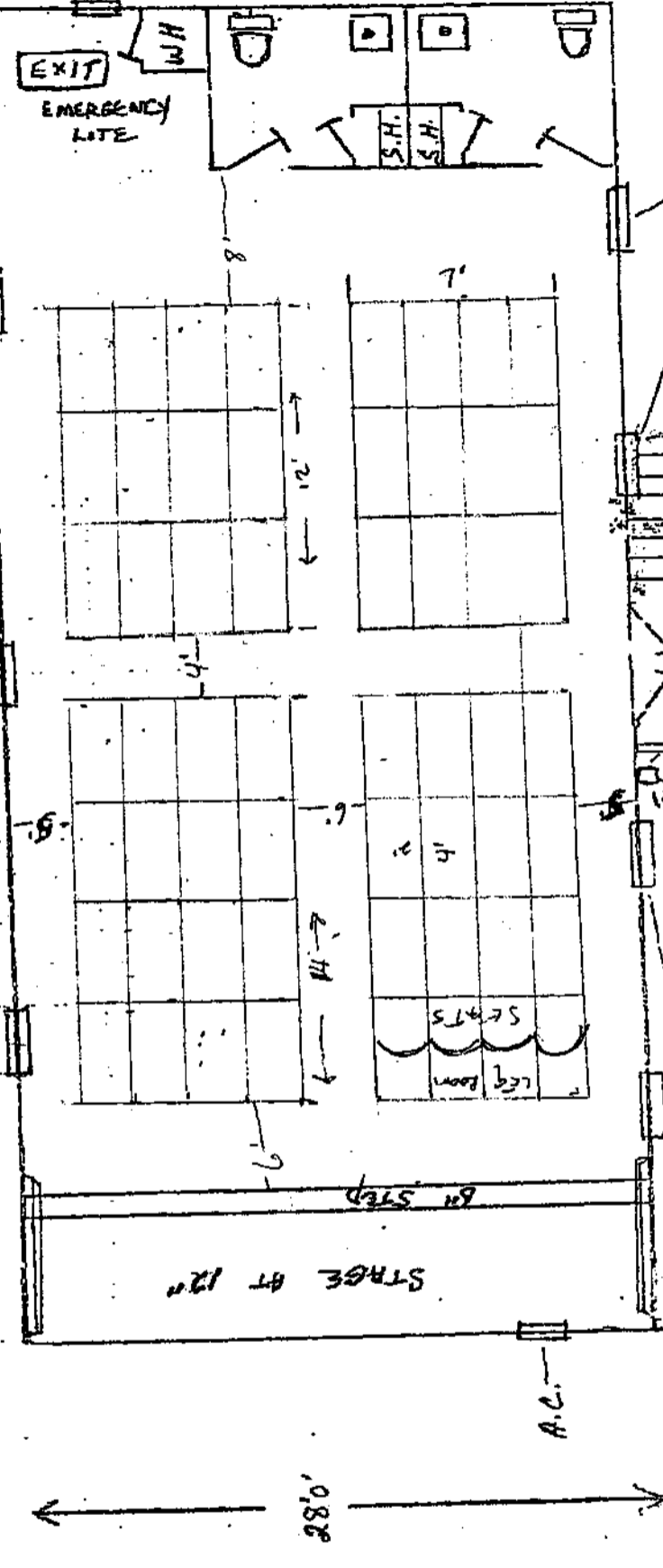
LIVING WATERS: JESUS NAME CHURCH  
 DOUBLE MODULAR BUILDING 1792 sq. ft.  
 7 7" RISERS  
 6 1 1/2" TREADS

NO SPRINKLES OR FIRE ALARM

12' 64' 0" 44' 8'

FINISHED FLOOR IS 42" ABOVE GROUND

985-863-8351



Feb 13 09 12:13p

Michael Serpas

P 1



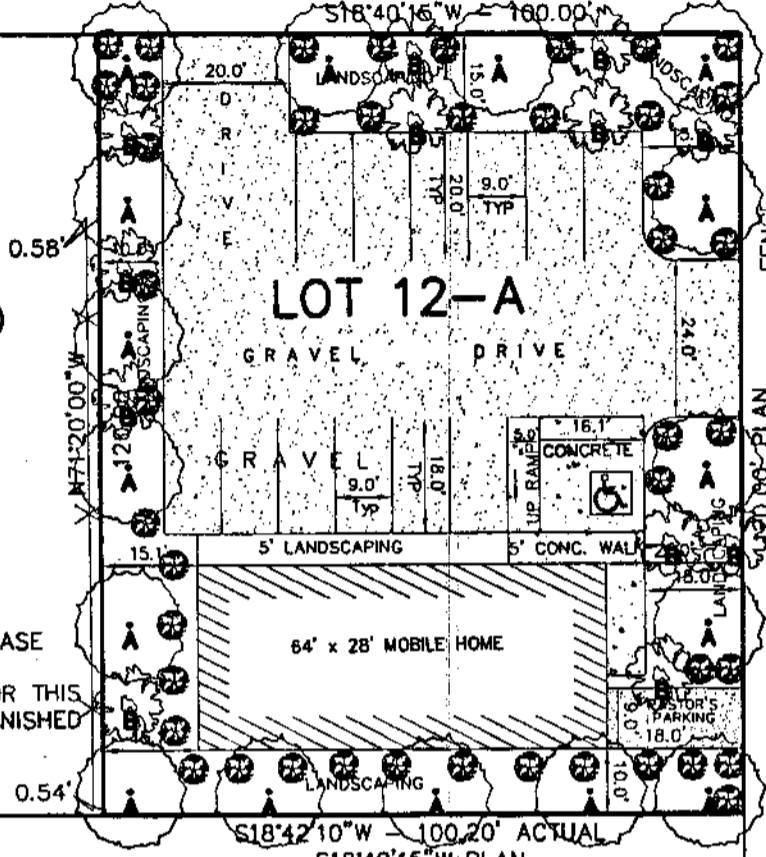
7TH STREET  
(40' R/W)

LOT 10

LOT 12-A

AVENUE D  
(40' R/W)

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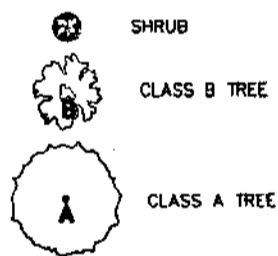


10' ALLEY

LOT 3

LOT 2

LOT 1



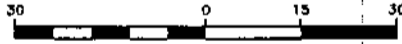
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(\* Verify Prior to Construction)  
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Side Setback..... \*  
Rear Setback..... \*

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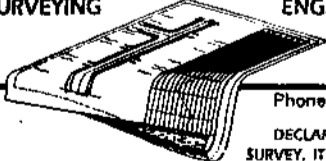
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REVISED PLOT PLAN, DLT, 3/13/08  
LANDSCAPE PLAN, BC, 3/26/08



Phone: 985-649-0075 Fax: 985-649-0154  
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ST. TAMMANY PARISH, LOUISIANA

CERTIFIED TO: LIVING WATERS JESUS NAME CHURCH

**APPENDIX A  
CASE NO.: CP09-05-048  
LANDSCAPE CHART**

**FOR COMMERCIAL/INDUSTRIAL/INSTITUTIONAL/MULTI-FAMILY USES ONLY**

Affected Area	Minimum Requirements	Petitioner Provided	Staff Recommends
Street Planting West Perimeter (7 <sup>th</sup> Street) 100' ft.	20' planting area 3 Class A 3 Class B 10 shrubs	15' planting area 3 Class A 4 Class B 12 shrubs	As petitioner proposes
South Perimeter 120' ft.	15' planting area 4 Class A 4 Class B	10' planting area 5 Class A 4 Class B	As petitioner proposes
North Perimeter Street Planting (Avenue D) 120' ft.	20' planting area 4 Class A 4 Class B 12 shrubs	15' planting area 4 Class A 4 Class B 12 shrubs	As petitioner proposes
East Perimeter Planting 100.20' ft.	10' planting area 3 Class A 3 Class B	10' planting area 4 Class A 0 Class B	Provide 4 additional Class B trees.
Parking Planting 14 Spaces Required 12 Spaces Provided (1 space per each 4 seats, based on total capacity).	1 Class A in island at the end of each row and every 12 spaces 5th row divided by planting bed.	None	Provide 1 landscape island at the end of the parking row located along 7 <sup>th</sup> Street. Remove proposed parking space located along Avenue D.

**Other Considerations:**

Hours of Operation: Monday through Friday  
5:00 pm to 9:00 pm  
Saturday and Sunday  
9:00 am to 9:00 pm

Number of Employees: eight (8) volunteers

Noise Expected: moderate