



Appeal # 2

ST. TAMMANY PARISH
MICHAEL B. COOPER
PARISH PRESIDENT

APPEAL # 2

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 & DEVELOPMENT. A COPY OF THE APPEAL REQUEST IS PROVIDED BELOW.

APPEAL REQUEST

DATE: 10/20/21

We, Bogue Chitto Timber, LLC and Lacombe Properties, LLC - David Acquistapace, appeal the zoning commission's denial of our request # 2021-2489-ZC

2021-2489-ZC

Existing Zoning: A-2 Suburban District, RO Rural Overlay and MHO Manufactured Housing Overlay
Proposed Zoning: I-1 Industrial District
Location: Parcel located on the east side of Louisiana Highway 21, north of Louisiana Highway 41, and south of the Bogue Chitto River; Bush; S42, S43, and S44, T5S, R13E; Ward 5, District 6
Acres: 631.86 acres
Petitioner: Garrett Acquistapace
Owner: Bogue Chitto Timber, LLC and Lacombe Properties, LLC - David Acquistapace
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 SIGN YOUR NAME, PRINT NAME UNDERNEATH THAT AND PUT MAILING ADDRESS AND PHONE NUMBER BELOW PRINTED NAME.

(SIGNATURE)

PRINT NAME: Garrett Acquistapace

ADDRESS: 19400 Wildwood Ln Covington LA 70435

PHONE #: 985-630-1982

ZONING STAFF REPORT

Date: October 5, 2021
Case No.: 2021-2489-ZC
Posted: September 30, 2021

Meeting Date: October 19, 2021
Prior Determination: Postponed - September 7, 2021 (Hurricane IDA)
Determination: Denied

GENERAL INFORMATION

PETITIONER: Garrett Acquistapace
OWNER: Bogue Chitto Timber, LLC and Lacombe Properties, LLC - David Acquistapace
REQUESTED CHANGE: From A-2 Suburban District, RO Rural Overlay and MHO Manufactured Housing Overlay TO I-1 Industrial District
LOCATION: Parcel located on the east side of Louisiana Highway 21, north of Louisiana Highway 41, and south of the Bogue Chitto River; Bush; S42, S43, and S44, T5S, R13E; Ward 5, District 6
SIZE: 631.86 acres

GENERAL INFORMATION

ACCESS ROAD INFORMATION

Louisiana Highway 21:	Type: State Highway	Road Surface: 4 Lane Asphalt	Condition: Good
Grantham Road:	Type: Parish	Road Surface: 1 Lane Asphalt	Condition: Good
Fishermans Landing:	Type: Parish	Road Surface: 2 Lane Asphalt	Condition: Good

LAND USE CONSIDERATIONS

SURROUNDNG LAND USE AND ZONING:

<u>Direction</u>	<u>Surrounding Use</u>	<u>Surrounding Zone</u>
North	Bogue Chitto River	A-2 Suburban District, RO Rural Overlay, and MHO Manufactured Housing Overlay
South	Undeveloped and Residential	A-2 Suburban District, RO Rural Overlay, and MHO Manufactured Housing Overlay
East	Undeveloped	A-2 Suburban District, RO Rural Overlay, and MHO Manufactured Housing Overlay
West	Undeveloped	A-2 Suburban District, RO Rural Overlay, and MHO Manufactured Housing Overlay

EXISTING LAND USE:

Existing development: No

Multi occupancy development: No

COMPREHENSIVE PLAN:

Planned Districts - Coordinated development on several parcels, usually at a higher density – but not in all cases - than other parcels in the proximity, planned in an integrated fashion as single units including residential, commercial and possibly other (institutional, recreational, e.g.) uses, as well as the supporting infrastructure and public services they will require (See “Small Area Plans,” below). Generally, such developments improve environmental qualities, preserve natural environments, provide for open space and recreational uses, and for residential as well as commercial uses, and are equipped with central utility systems and efficient and effective internal and external transportation access in multiple modes.

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.

Residential/Agricultural – Agricultural and related or other active or passive uses that use or preserve the countryside, forests and other areas and rural residential uses – widely ranging in dwelling size or type, siting and organization; both of which are generally located some distance from more intense land uses. Permitted uses include single-family residential, and uses ancillary to either of these primary uses. Other uses require a change in zoning.

STAFF COMMENTS:

The petitioner is requesting to change the zoning classification from A-2 Suburban District, RO Rural Overlay, and MHO Manufactured Housing Overlay TO I-1 Industrial District. The site is located on the east side of Louisiana Highway 21, north of Louisiana Highway 41, and south of the Bogue Chitto River; Bush. The 2025 Future Land Use Plan designates the site to be developed as a Planned District with an emphasis on conservation uses, agricultural uses, and residential dwellings that vary in site design and density.

The subject site is comprised of 397.37 acres of undeveloped property. The applicant is petitioning to rezone the subject property to I-1 Industrial District to excavate materials for the development of Louisiana Highway 3241, which is to be constructed by the Louisiana Department of Transportation and Development. While not subject to zoning regulations and not enforceable by the Parish, the applicant has signed an affidavit which "agrees to limit its industrial use of the property to the commercial excavation of said materials and agrees to cease excavation at project completion". A change in zoning will allow for the location of industrial uses of moderate size and intensity including the following:

1. Radio and television studios and broadcasting stations
2. Auto body shops
3. Outdoor storage yards and lots and contractor's storage yards in conjunction with an affiliated office provided that this provision shall not permit wrecking yards or yards used in whole or in part for a scrap or salvage operation.
4. Welding shops
5. Indoor recreational facilities including a restaurant without lounge.
6. Office warehouse
7. Portable storage containers use for storage.
8. Outdoor display pre-assembled building, pool and playground equipment
9. Specialty food processing
10. Crematorium

Commercial Excavation is a permitted use under the I-1 Industrial District subject to an administrative permit and the following minimum standards:

A site plan shall be submitted to the department of planning and development. The plan shall indicate, at a minimum:

1. Purpose and use of the excavation.
2. Location, size, setbacks and general shape of the excavation.
3. Indicate whether or not dirt will be removed from the site.
4. Hours and days of operation of heavy equipment must be limited to Monday to Saturday from 7:00 a.m. to 5:00 p.m.
5. Indicate timeframe to complete the excavation.
6. Show where the dirt removed from the excavation will be deposited on site and how it will be used.
7. Section through the excavation showing depth and slopes of excavation and levee. Depth of the excavation must show the depth measurements at different intervals around the excavation.
8. Indicate with arrows, the general drainage patterns onto and off the site.

b. *Criteria.*

1. All commercial excavations shall be set back a minimum of 100 feet from the front, sides and rear property lines of the site.
2. On sites where any property line abuts federal or state roadways, lands or waterways, or the Tammany Trace, the excavation shall be set back a minimum of 500 feet from the abutting property line. For purposes of this provision only, federal and state lands shall mean those lands owned by the United States government or the state and actively managed as a park, wildlife preserve or government facility. A waterway is a body of water such as a river, bayou, stream or improved canal whether navigable or non-navigable.
3. On sites which are traversed by a waterway or the Tammany Trace, the excavation shall also be set back a minimum of 500 feet from the nearest bank of the waterway or the centerline of the Tammany Trace.
4. The property shall be kept posted at all access points and on road frontage with warning signs set no further than 100 feet apart and clearly visible, indicating that the property is an excavation site.
5. Sloped sides at a 3:1 ratio.
6. The excavation shall be inspected and monitored in six-month intervals during operations and after final completion.
7. A road bond must be secured prior to excavation, if required by the parish department of public works.
8. A plot plan review and approval is required from the parish department of engineering.

Case No.: 2021-2489-ZC

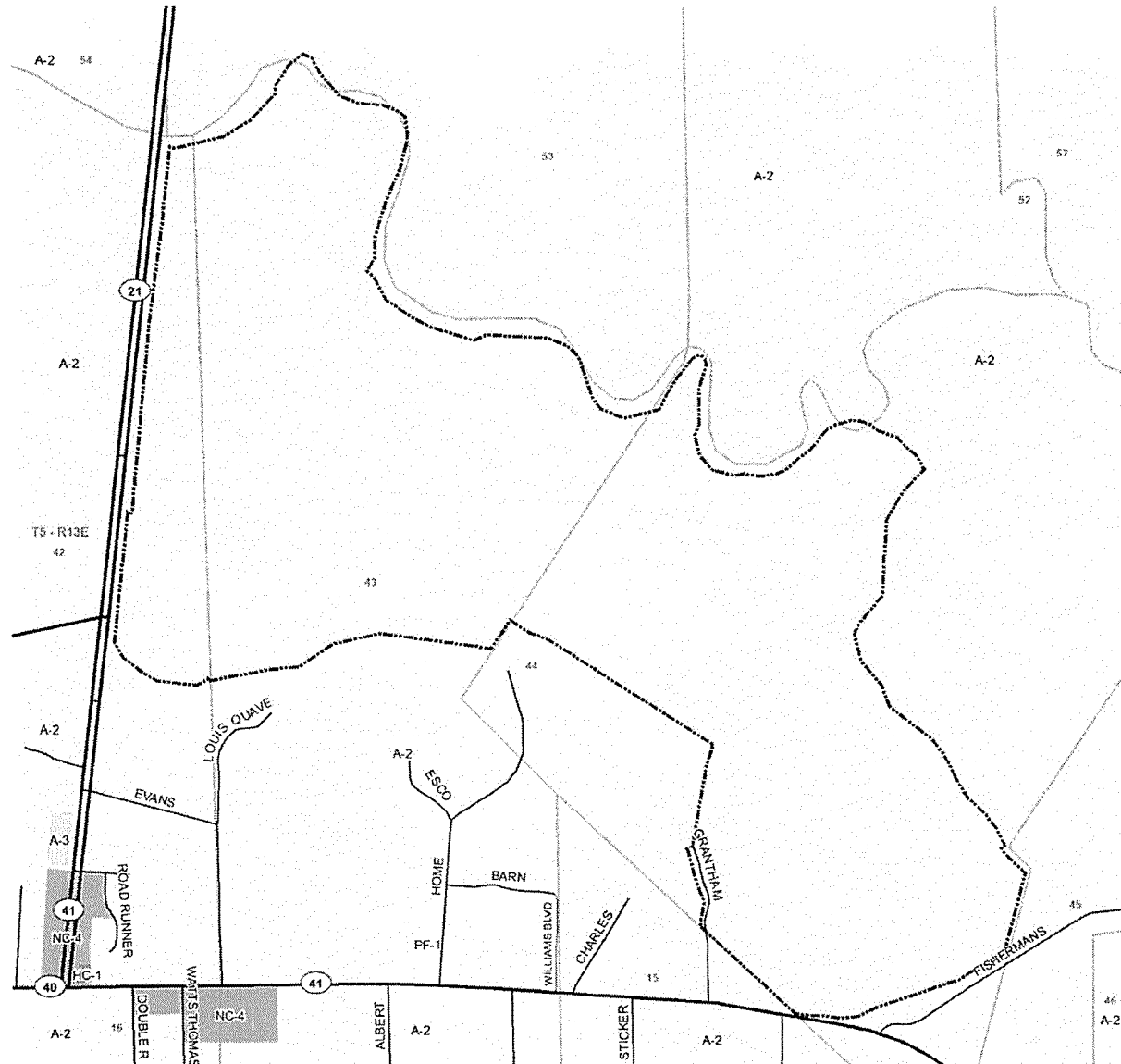
PETITIONER: Garrett Acquistapace

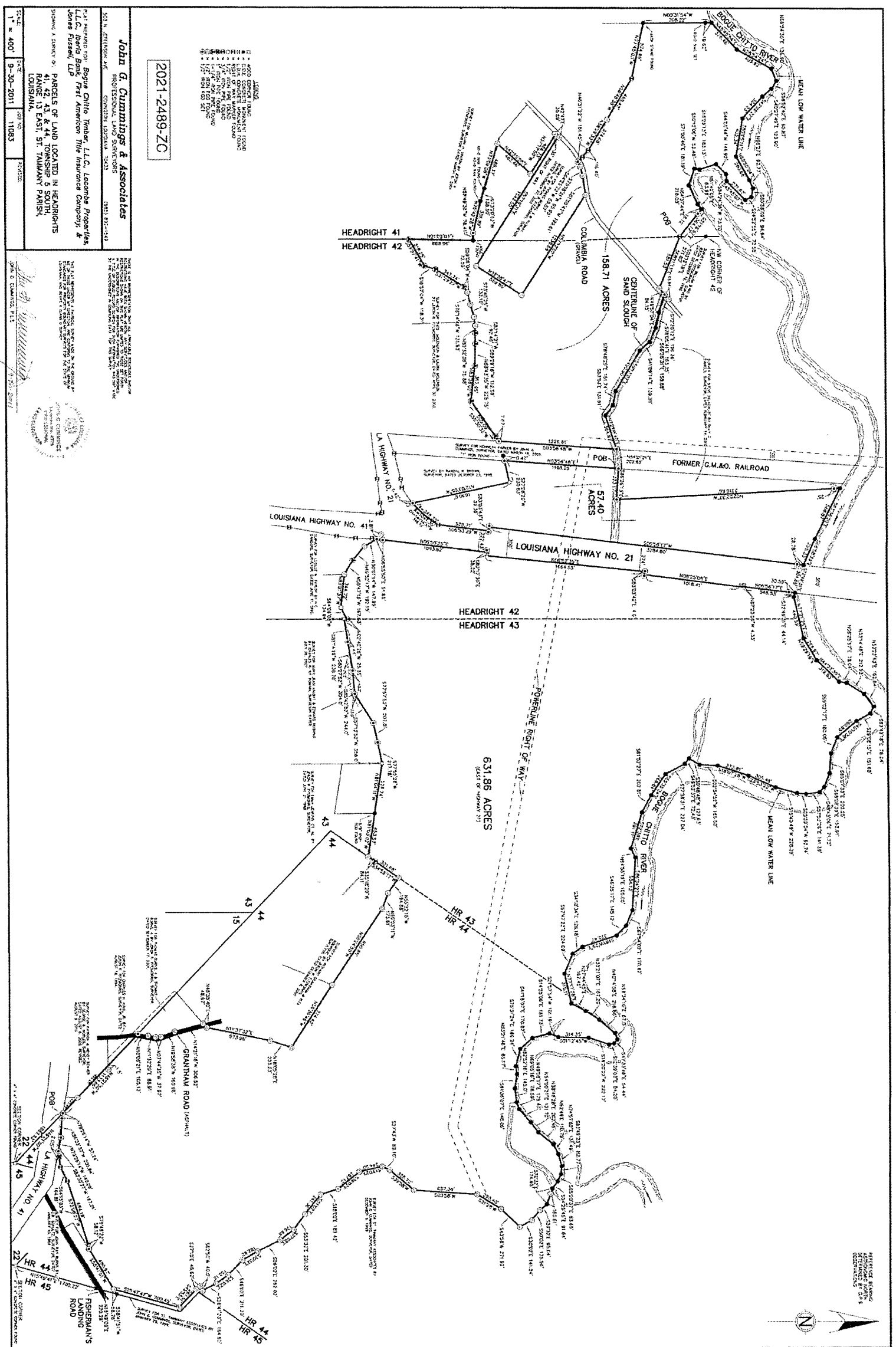
OWNER: Bogue Chitto Timber, LLC and Lacombe Properties, LLC - David Acquistapace

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SIZE: 631.86 acres





2021-2489-ZC

John G. Cummings & Associates

Professional Surveyors
 101 N. Jefferson Ave.
 Suite 100
 Metairie, Louisiana 70002
 (504) 885-1144
 Fax: (504) 885-1145
 www.jgca.com

Scale: 1" = 400'
 Date: 9-30-2011
 Project: 11083

PARCELS OF LAND LOCATED IN HEADRIGHTS
 41, 42, 43, 44, 45
 RANGE 13 EAST, 51 NORTH, ST. TAMMANY PARISH,
 LOUISIANA

THIS SURVEY WAS MADE FOR THE PURPOSE OF
 DIVIDING THE LANDS DESCRIBED IN THE
 ABOVE MENTIONED HEADRIGHTS INTO
 SEVERAL LOTS AND TRACTS OF LAND
 ACCORDING TO THE TERMS OF THE
 SAID HEADRIGHTS AND TO THE
 ORDINANCES OF THE BOARD OF
 SUPERVISORS OF ST. TAMMANY PARISH,
 LOUISIANA, IN THIS RESPECTIVE.



John G. Cummings, P.E.
 Surveyor

Headright 41
 Headright 42
 Headright 43
 Headright 44
 Headright 45

158.71 ACRES
 57.40 ACRES
 631.86 ACRES
 (LAST OF VOLUME 21)

LOUISIANA HIGHWAY NO. 21
 COLUMBIA ROAD
 FORMER G.M.&O. RAILROAD
 LA HIGHWAY NO. 21
 ROLET CHITTO RIVER
 CENTERLINE OF SAND SLOUGH
 MEAN LOW WATER LINE
 FISHBERMAN'S LANDING ROAD
 GRANTHAM ROAD (DEPART)

HEADRIGHT 41
 HEADRIGHT 42
 HEADRIGHT 43
 HEADRIGHT 44
 HEADRIGHT 45

