

APPEAL # 3

PC APPROVED: 9/12/17



ST. TAMMANY PARISH  
PATRICIA P. BRISTER PARISH  
PRESIDENT

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 DEVELOPMENT ON OR BEFORE THE TENTH DAY.

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

APPEAL REQUEST LETTER

DATE: 9/19/2017

TO: ST. TAMMANY PARISH COUNCIL

FROM: Diane Weigand

RE: AGGRIEVED BY DECISION MADE BY THE ST. TAMMANY PARISH PLANNING COMMISSION

I, Diane Weigand, 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 September 12, 2017 meeting.

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

Entering Parish Right-of-Way (Riverhill Court Extension), Ward 3, District 2  
Request to enter Parish right-of-way for the purpose of gaining access to property  
Debtor: Diane Weigand Parish Council District Representative: Hon. David Fitzgerald

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: Diane Weigand

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

ADDRESS: 19317 W. Piney Point Ave.

CITY: Baton Rouge STATE: LA ZIP: 70817 PHONE NO: (225) 328-9212

SIGNATURE: Diane Weigand

XC: ALL ST. TAMMANY PARISH PLANNING COMMISSIONERS



ST. TAMMANY PARISH

PATRICIA P. BRISTER  
PARISH PRESIDENT

September 5, 2017

St. Tammany Parish Planning Commission  
P. O. Box 628  
Covington, LA 70434

Re: Enter the Parish R.O.W.  
Riverhill Court (Extension)  
Abita River Estates, Phase II

Honorable Commissioners:

Ms. Diane Weigand has petitioned the Planning Commission to enter the Parish Right of Way to gain access to her property. She is requesting that a waiver be granted for the construction of the roadway to asphalt standards; see attached email dated August 24, 2017 from Ms. Weigand.

The resolution has been prepared in accordance with Parish Ordinance which requires asphalt roadway.

The Performance Obligation and the Warranty Obligation are the minimum required for either surface for this short distance of roadway. However, if the waiver is approved, the following will be added to the resolution: "The petitioner must agree to participate in a front foot assessment in upgrading the road to a hard surface standard meeting Parish requirements in the future".

Therefore, should the Planning Commission grant the request, a resolution adopted by not less than a two-thirds majority (2/3) affirmative vote of the Planning Commission membership will be required.

Sincerely,

Jay B. Watson, P.E.  
Lead Development Engineer

xc: Honorable David Fitzgerald  
Mr. Sidney Fontenot  
Ms. Erin Stair  
Mr. Earl J. Magner, P.E., P.L.S.  
Mr. Ron Keller  
Ms. Diane Weigand

(DRAFT DATE SEPTEMBER 12, 2017)

ST. TAMMANY PARISH PLANNING COMMISSION

RESOLUTION

RESOLUTION PLANNING COMMISSION SERIES NO. \_\_\_\_\_

**TITLE: A RESOLUTION AUTHORIZING MS. DIANE WEIGAND TO ENTER PARISH RIGHT-OF-WAY.**

**SUB-TITLE: A RESOLUTION GRANTING MS. DIANE WEIGAND, 19317 WEST PINEY POINT AVENUE, BATON ROUGE, LA 70817; PERMISSION TO ENTER PARISH RIGHT-OF-WAY, SPECIFICALLY THE PORTION OF RIVERHILL COURT, WEST OF JOSEPHINE ROAD; ABITA RIVER ESTATES, PHASE II, FOR THE PURPOSE OF GAINING ACCESS TO PROPERTY.  
WARD 3 DISTRICT 2**

NOW, THEREFORE, BE IT RESOLVED, by the St. Tammany Parish Planning Commission that it hereby grants permission to the aforementioned petitioner to enter Parish right-of-way for the aforementioned purposes, subject to the following conditions:

1. That the improvements that will be undertaken will be at the sole expense of the petitioner.
2. That the petitioner agrees to accept full responsibility, financial and all other, for the damage and/or relocation of utilities currently located within Parish right-of-way.
3. That the petitioner shall submit plans prepared by a licensed engineer to the Department of Engineering for review and approval. The drainage and road design with soil borings must meet the asphalt road standards as established under the "Subdivision Regulatory Ordinance". The Parish's engineer may require additional off-site work to minimize the potential impact of the proposed construction with special emphasis regarding drainage. The plans must include sewerage and water systems, where applicable. Upon approval of plans and specifications by the Director of Engineering, the petitioner must notify the Department of Engineering prior to the commencement of any activity.
4. That should the petitioner commence work thereon, petitioner by such act acquiesces and acknowledges thereby that he will hold this Parish, its officials, agents, servants, and employees free and harmless from any liability or responsibility whatsoever in connection with the construction of the project. Petitioner will provide copy of Liability Insurance Policy including the naming of the Parish as an insured party. The insurance will remain in effect until the Parish takes over the maintenance.
5. That nothing herein shall be construed as a revocation of the dedication of the aforementioned right-of-way.
6. That no maintenance nor financial nor material nor assistance shall be provided by the Parish for the project nor the maintenance thereof, except for the inspection of the plans and specifications by the Department of Engineering to insure the construction complies with Parish specifications.

(DRAFT DATE SEPTEMBER 12, 2017)

RESOLUTION P.C. NO.

PAGE NO. 3 OF 3

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

MOVED FOR ADOPTION BY \_\_\_\_\_, SECONDED BY \_\_\_\_\_; A VOTE THEREON RESULTED IN THE FOLLOWING:

YEA:

NAY:

ABSTAIN:

ABSENT:

AND THIS RESOLUTION WAS DECLARED DULY ADOPTED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT A REGULAR MEETING OF THE PLANNING COMMISSION, A QUORUM OF THE MEMBERS BEING PRESENT

\_\_\_\_\_  
DAVID G. MANNELLA, CHAIRMAN  
ST. TAMMANY PARISH PLANNING COMMISSION

ATTEST:

\_\_\_\_\_  
RON KELLER, SECRETARY  
ST. TAMMANY PARISH PLANNING COMMISSION

Revised 8/11/2016

## Shelby R. Vorenkamp - Development

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**From:** Jay Watson  
**Sent:** Thursday, August 24, 2017 6:36 AM  
**To:** Shelby R. Vorenkamp - Development  
**Subject:** Fwd: Enter Parish ROW Request  
**Attachments:** image003.png


FYI


JBW  
Sent from my iPhone

Begin forwarded message:

**From:** Diane Weigand <[dianeweigand@outlook.com](mailto:dianeweigand@outlook.com)>  
**Date:** August 24, 2017 at 12:03:16 AM CDT  
**To:** Jay Watson <[jwatson@stpgov.org](mailto:jwatson@stpgov.org)>  
**Subject:** **Re: Enter Parish ROW Request**

Diane Weigand has shared OneDrive files with you. To view them, click the links below.

 Image (87).jpg

 Image (86).jpg

Mr. Watson: I am requesting to be placed on the PC agenda for the next meeting. Please find attached a plat of our property. We would like to petition the council to allow us to build a gravel road and grant us permission to enter the parish right-of-way by means of such road, thereby allowing us to access our property. Please let me know if you need any additional information prior to this meeting.

Thank you.

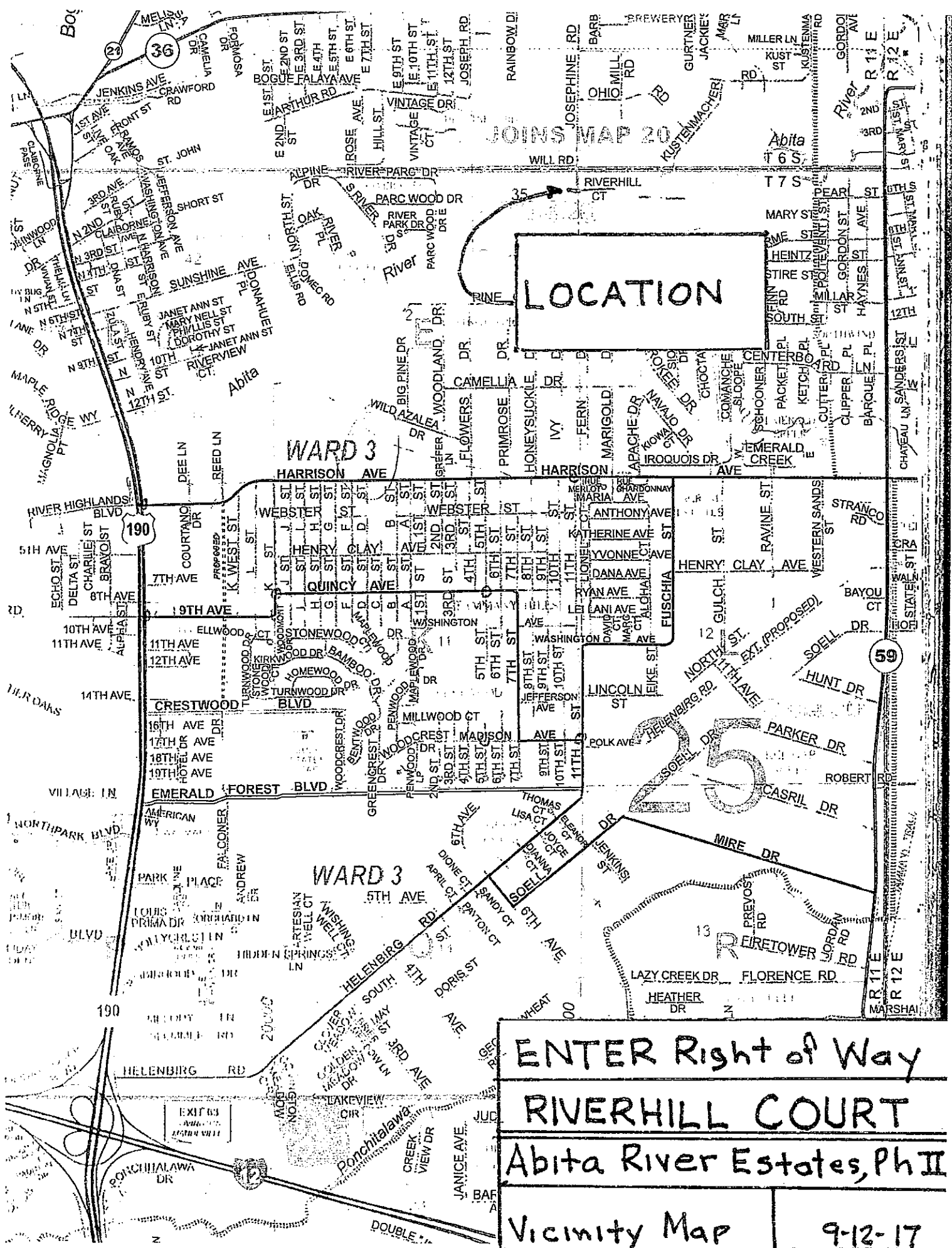
Sincerely,

Diane Weigand

(225) 328-9212

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**From:** Jay Watson <[jwatson@stpgov.org](mailto:jwatson@stpgov.org)>  
**Sent:** Monday, August 21, 2017 11:18 AM  
**To:** [dianeweigand@outlook.com](mailto:dianeweigand@outlook.com)  
**Cc:** Shelby R. Vorenkamp - Development  
**Subject:** Enter Parish ROW Request



ENTER Right of Way  
 RIVERHILL COURT  
 Abita River Estates, Ph II  
 Vicinity Map | 9-12-17

This map is in accordance with the standard detail requirements Pursuant to the accuracy standards of a C. survey and the applicable Standards of practice cited in LAC 46:151

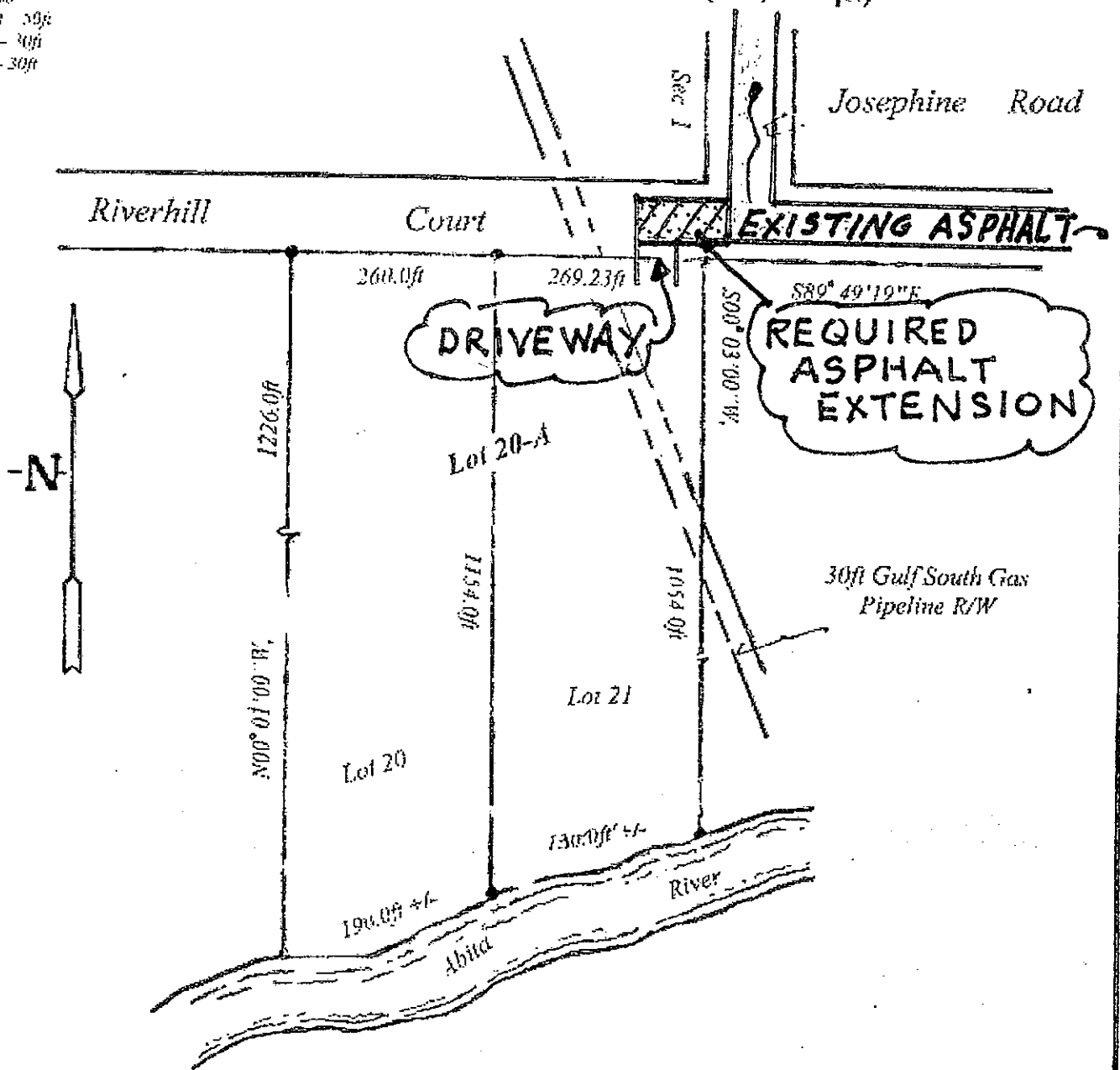
This map is in accordance with a physical survey made on the ground under the supervision of the undersigned.

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

Reference Survey: Survey for Michael & Diane Weigand by John C. Cummings & Assoc., Surveyor, 6/9/2017 Job Number 17120

Lot 20-A = Approximately 13.92 Acres (606,355sqft)

Setbacks  
 Front - 30ft  
 Rear - 30ft  
 Sides - 30ft



A Re-Subdivision of Lots 20 & 21, into Lot 20-A, Abita River Estates, Phase II  
 Located in Section 2, Township 7 South, Range 11 East, St. Tammany Parish, LA

ENTER Right of Way	
RIVERHILL COURT	
Abita River Estates, Ph II	
Sheet 1/1	9-12-17

## Shelby R. Vorenkamp - Development

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**From:** Shelby R. Vorenkamp - Development  
**Sent:** Friday, August 25, 2017 4:12 PM  
**To:** 'dianeweigand@outlook.com'  
**Cc:** Sidney Fontenot; Erin Stair; Jay Watson  
**Subject:** Enter the Parish Right of Way - Riverhill Court (Extension)

Ms. Weigand,

The enter the Parish right of way request for Riverhill Court (Extension) has been placed on the September 12, 2017 Planning Commission agenda.

Your presence is required at the 6:00pm meeting should the Commission have any questions regarding the request.



Sent on behalf of  
**Earl J. Magner, P.E., P.L.S.**  
Senior Subdivision Engineer  
Department of Planning and Development  
St. Tammany Parish Government  
21490 Koop Drive, Mandeville, LA 70471  
p: 985.809.7448 e [svorenkampdev@stpgov.org](mailto:svorenkampdev@stpgov.org)  
[www.stpgov.org](http://www.stpgov.org)

*Any e-mail may be construed as a public document, and may be subject to a public records request. The contents of this e-mail reflect the opinion of the writer, and are not necessarily the opinion or policy of St. Tammany Parish Government.*