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AGENDA

**ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, FEBRUARY 1, 2007 AT 6:00 P.M.
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.**

Call to Order by Honorable Barry Bagert, Chairman

Invocation by

Pledge of Allegiance by

**Roll Call: Marty Dean
Russell Fitzmorris
James A. "Red" Thompson
Patricia P. Brister
Marty Gould
Gary Singletary
Barry Bagert
Al Hamauei
Chris Canulette
Henry Billiot
Steve Stefancik
Jerry Binder
Joe "Coach" Thomas
Ken Burkhalter**

CONSENT CALENDAR

Any items not pulled from the consent calendar are automatically approved in whole by one vote. Items pulled from Consent Calendar are discussed and voted upon individually.

MINUTES

Regular Council Meeting	January 4, 2007
Special Council Meeting	January 24, 2007
Council Committee Meeting	January 24, 2007

ORDINANCES FOR INTRODUCTION

(Public Hearing March 1, 2007)

1) Ord. Cal. No. 3492 - Ordinance authorizing Parish President to negotiate the purchase and/or expropriation of 4.514 acres, currently owned by the Faciane Family Trust, for the purpose of road improvements in connection with the Camp Salmen Project. (Bagert/Davis)

2) Ord. Cal. No. 3493 - Ordinance authorizing Parish President to purchase that portion of land and improvements commonly referred to as Parish Concrete, 401 West 28th Avenue, Covington. (Ward 3, District 1) (Bagert/Davis)

3) Ord. Cal. No. 3494 - Ordinance authorizing Parish President to negotiate the purchase and/or expropriation of 1.756 acres, currently owned by the Marquer Family Trust, for the purpose of road improvements in connection with the Camp Salmen Project. (Bagert/Davis)

4) Ord. Cal. No. 3495 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on property within a portion of The Birg Boulevard Subdivision. (Ward 3, District 5) (Gould)

5) Ord. Cal. No. 3496 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on property within a portion of Tammany Forest Subdivision. (Ward 7, District 7) (Hamauei)

6) Ord. Cal. No. 3497 - Ordinance to extend for an additional six (6) months the moratorium on placement of fill on undeveloped property within a portion of Tammany Hills Subdivision. (Ward 3, District 5) (Gould)

7) Ord. Cal. No. 3498 - Ordinance to extend for an additional six (6) months the moratorium on receipt of submissions by Parish Zoning/Planning Commissions for rezoning or resubdivision of property, not previously applied for, located north of I-12 and abutting or having access to Airport Road, within unincorporated Ward 9, District 11. (Stefancik)

8) Ord. Cal. No. 3499 - Ordinance to amend Ord. C.S. No. 02-0470, adopted May 2, 2002, amending the official zoning map of St. Tammany to reclassify 50.105 acres on the west side of Perrilloux Road, north side of Stelly Road, from Rural to PUD, to provide major amendments to original PUD plan. (Ward 1, District 1)(ZC02-02-010) (Zoning Commission approved 1/3/2007) (Bagert/Davis)

9) Ord. Cal. No. 3500 - Ordinance to amend Code, Appendix B, Subdivision Regulatory Ord. 499, Section 40-050.0 Tentative Subdivision Review, Subpart 4, Paragraph 2 - Exemption. (Planning Commission approved 1/9/2007) (Bagert/Davis)

10) Ord. Cal. No. 3501 - Ordinance amending zoning of 7.82 acres from A-6 to A-3. (Ward 4, District 5) (Gould)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the northwest end of Tolawa Lane, east of Highway 190 North, south of Ponchitalawa Creek, containing 7.82 acres, from A-6 Multiple Family Residential to A-3 Suburban District.

RESOLUTIONS

11) Resolution C.S. No. C-2005 - Resolution approving issuance of \$160,000 Limited Tax Certificates of Indebtedness, Series 2007 of Fire Protection District No. 3. (Bagert/Davis)

12) Resolution C.S. No. C-2006 - Resolution stating Council endorsement of Semolina (Covington) for participation in benefits of Louisiana Enterprise Zone Program. (Bagert/Davis)

13) Resolution C.S. No. C-2007 - Resolution stating Council endorsement of Wood & Company, LLC, for participation in benefits of Louisiana Enterprise Zone Program. (Bagert/Davis)

14) Resolution C.S. No. C-2008 - Resolution stating Council endorsement of Enviro-Tech Systems, LLC, for participation in benefits of Louisiana Enterprise Zone Program. (Bagert/Davis)

15) Resolution C.S. No. C-2009 - Resolution authorizing an application with La DOTD for a grant under 49 CFR 5311, Non-Urbanized Area Formula Program, and/or 49 CFR 5309, Discretionary Capital Program. (Bagert/Davis)

16) Resolution C.S. No. C-2010 - Resolution to concur/not concur with the Town of Abita Springs annexation and rezoning of 1.377 acres known as Lots 1 - 24, Square 35, Abita Springs Annex, from Parish C-2 Highway Commercial to Town of Abita Springs C-2 Commercial. (Ward 4, District 7) (Bagert/Davis)

17) Resolution C.S. No. C-2011 - Resolution establishing warranty obligations. (Bagert/Davis)
WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
ENTER THE PARISH R.O.W 10TH ST/CHINCHUBA S/D AMOUNT: \$5,600 EXPIRES: MARCH 10, 2007 WARD: 4 DISTRICT: 4	RELEASE L.O.C. UPON EXPIRATION TO BE BROUGHT INTO SELECTIVE PARISH MAINTENANCE SYSTEM
ANGELIC ESTATES S/D, PH 1 (a/k/a The Birg) AMOUNT: \$13,000 EXPIRES: MARCH 9, 2007 WARD: 3 DISTRICT: 5	CALL L.O.C. TO BE BROUGHT INTO SELECTIVE PARISH MAINTENANCE SYSTEM

END OF CONSENT CALENDAR

APPEALS

1) Alejandro Flores (Krebs, LaSalle, Lemieux) appealing the Zoning Commission DENIAL on December 5, 2006 to rezone 8.06 acres on the west side of Galatas Cemetery Road, north of Highway 22, south of Dummyline Road, from Rural to A-4 Single Family Residential. (Ward 1, District 1) (ZC06-10-093) (Applicant Rick Perez) (TABLED 1/4/2007)

Note: To concur with Zoning denial, a simple majority vote is required and adoption of a resolution.

Note: To override Zoning denial, a majority vote of the entire Council is required and introduction of an ordinance.

2) Dawn M. Kahl appealing the Zoning Commission APPROVAL on December 5, 2006 to rezone 2.24 acres at the southeast corner of the intersection of Transmitter Road and Highway 190 from SA Suburban Agriculture to C-2 Highway Commercial. (Ward 7, District 7) (ZC06-12-115) (Applicant Stephen C. Aertker, Jr.) (TABLED 1/4/2007)

Note: To concur with Zoning approval, a simple majority vote is required and introduction of an ordinance.

Note: To override Zoning approval, a majority vote of the entire Council is required and adoption of a resolution.

3) Applicant Thomas Meredith appealing the Zoning Commission DENIAL on December 5, 2006 for issuance of a conditional use permit for a 2,178 sq. ft. bar on the west side of Pontchartrain Drive (Hwy. 11) and south of Spartan Drive. (Ward 9, District 13) (CP06-12-208) (TABLED 1/4/2007)

Note: To concur with Zoning denial, a simple majority vote is required and adoption of a resolution.

Note: To override Zoning denial, a majority vote of the entire Council is required and adoption of a resolution.

4) Paul Mayronne, on behalf of applicant Fred Sigur, appealing the Zoning Commission DENIAL on January 3, 2007 for major amendment to PUD (Rigolets Estates, Phase 3) containing 188.54 acres on the south side of Highway 433. (Ward 8, District 13) (ZC83-07-076).

Note: To concur with Zoning denial, a simple majority vote is required and adoption of a resolution.

Note: To override Zoning denial, a majority vote of the entire Council is required and introduction of an ordinance to amend PUD.

5) Paul Lombard, as owner and on behalf of applicant, appealing the Zoning Commission DENIAL on January 3, 2007 to rezone 1.147 acres on the east side of Highway 434, south of Phillip Street, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 7, District 7) (ZC06-11-111)

Note: To concur with Zoning denial, a simple majority vote is required and adoption of a resolution.

Note: To override Zoning denial, a majority vote of the entire Council is required and introduction of an ordinance.

6) Applicant Angela Unbehagen appealing the Zoning Commission DENIAL on January 3, 2007 for issuance of a conditional use permit for a 1,280 sq. ft. mobile home on the south side of Azalea Lane, east of Highway 434, in an A-2 Suburban District.(Ward 6, District 6) (CP07-01-008)

Note: To concur with Zoning denial, a simple majority vote is required and adoption of a resolution.

Note: To override Zoning denial, a majority vote of the entire Council is required and adoption of a resolution.

7) Applicant Lori Simpson-Winborn appealing the Zoning Commission DENIAL on January 3, 2007 for issuance of a conditional use permit for a 980 sq. ft. mobile home on the northeast corner of Henry Clay Avenue and Ravine Street, west of Western Sands Street. (Ward 3, District 3) (CP07-01-006)

Note: To concur with Zoning denial, a simple majority vote is required and adoption of a resolution.

Note: To override Zoning denial, a majority vote of the entire Council is required and adoption of a resolution.

8) William M. Stephens appealing the Planning Commission APPROVAL on December 12, 2006 for Tentative Subdivision Review of Penn Wheel Court, located on the north side of Penn Mill Road, east of the Tchefuncte River and north of Highway 190 West. (Applicant FMG-LTL, LLC) (Ward 3, District 3) (SA06-12-048)

Note: To concur with Planning approval, a simple majority vote is required and adoption of a resolution.

Note: To override Planning approval, a majority vote of the entire Council is required and adoption of a resolution.

ORDINANCES FOR ADOPTION

1) Ord. Cal. No. 3452 - Ordinance amending Code of Ordinances, Appendix B, to reenact Section 40-034.01, Contiguous Lot Rule, of Subdivision Regulatory Ord. 499, to clarify the definition provisions of a Buildable Substandard Lot, to provide additional requirements regarding construction and placement of fill on buildable substandard lots, and to provide more specific penalties and remedial measures in Paragraph 5 thereof. (Introduced 12/7/06) (Tabled 1/4/07) (Planning Commission approved 1/9/2007)

2) Ord. Cal. No. 3459 - Ordinance amending the official zoning map of St. Tammany to reclassify land at the end of Indian Trace, south of Highway 22, containing 81.69 acres, from Rural to A-4 Single Family Residential. (Ward 1, District 1) (ZC06-11-110) (Zoning Commission approved 11/8/06) (Introduced 12/7/06) (Tabled 1/4/07)

3) Ord. Cal. No. 3474 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Highway 1085, north of Brewster Road, across from Hough Road, containing 43.31 acres, from Rural to PUD (Planned Unit Development). (Ward 1, District 1) (ZC06-10-090) (Zoning Commission approved 12/5/06) (Introduced 1/4/07)

4) Ord. Cal. No. 3475 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of Highway 190, west of 21st Street, east of 22nd Street, (Lots 1-12, Sq. 115 of Lacombe Park Subdivision), containing 2.06 acres, from SA Suburban Agriculture to C-2 Highway Commercial. (Ward 7, District 7) (ZC06-12-114) (Zoning Commission approved 12/5/06) (Introduced 1/4/07)

5) Ord. Cal. No. 3476 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the northwest corner of Highway 36 and Opelousas Street (Lots 7 & 8, Square 8, Garlandville Subdivision), containing 1.74 acres, from SA Suburban Agriculture to C-2 Highway Commercial. (Ward 3, District 3) (ZC06-12-116) (Zoning Commission approved 12/5/06) (Introduced 1/4/07)

6) Ord. Cal. No. 3477 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Lakeview Drive, east of Highway 11 (Lots 40-43), containing 35,312.76 sq. ft., from SA Suburban Agriculture to C-2 Highway Commercial. (Ward 9, District 13) (ZC06-12-117) (Zoning Commission approved 12/5/06) (Introduced 1/4/07)

7) Ord. Cal. No. 3478 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the northeast corner of Highway 1085 and Highway 1077, containing 20 acres, from SA Suburban Agriculture to ID Institutional. (Ward 1, District 1) (ZC06-12-119) (Zoning Commission approved 12/5/06) (Introduced 1/4/07)

8) Ord. Cal. No. 3479 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Fox Branch Subdivision and Sand Fox Run (being future phases 3A & 3B of Fox Branch Subdivision), containing 4.9 acres, from Rural to PUD. (Ward 1, District 1) (ZC05-01-001) (Zoning Commission approved 12/5/06) (Application denied 10/3/06, appealed and referred back to Zoning Commission 11/2/06) (No appeal on rehearing) (Introduced 1/4/07)

9) Ord. Cal. No. 3480 - Ordinance to amend Parish Code, Chapter 18, Article VII, to create a Community Development District, specifically Section 18-086 Colonial Pinnacle-Community Development District. (Introduced 1/4/07)

10) Ord. Cal. No. 3481 - Ordinance to extend for six (6) months the moratorium on issuance of permits for construction or placement of building structures on property that abuts Highway 59, or is located within a distance of two hundred (200) feet of the center line of the Highway, and which property, being situated along said Highway, is in the area between the north side of Highway 1088 and the south side of I-12. (Ward 3, District 5) (Introduced 1/4/07)

11) Ord. Cal. No. 3482 - Ordinance to amend the Code of Ordinances, Chapter 20, Roads and Bridges, Article I, Section 20-010.03 Location and Placement (of Utilities), to add Paragraph (g) requiring utility companies, within thirty (30) days of a written request, to identify location and depth of subsurface utility line within Parish right of way, and Section 20-010.07(c), to provide penalties for noncompliance. (Introduced 1/4/07)

12) Ord. Cal. No. 3483 - Ordinance to adopt Voluntary Developmental Agreement between Parish and Terra Bella Group, LLC, developer of Terra Bella Subdivision. (Ward 1, District 1) (Introduced 1/4/07)

13) Ord. Cal. No. 3484 - Ordinance authorizing Parish President to accept dedication and donation of 328 acres by Abita Springs Timber Company, LLC. (Ward 4, District 7) (Introduced 1/4/07)

14) Ord. Cal. No. 3485- Ordinance authorizing Parish President to accept dedication and donation of Timbercreek Lane by Timbercreek Property Owners Association, Inc. and include same in the road maintenance system. (Ward 4, District 10) (Introduced 1/4/07)

15) Ord. Cal. No. 3486- Ordinance authorizing Parish President to accept donation of land from Pelican Park to Highway 1088 from David Moore and Margery Hanisee Moore and include same in the road maintenance system. (Ward 4, District 7) (Introduced 1/4/07)

16) Ord. Cal. No. 3487 - Ordinance to adopt The St. Tammany Parish Unified Development Code. (Introduced 1/4/07)

17) Ord. Cal. No. 3488 - Ordinance to amend Parish Code, Chapter 20, Article III, Road Lighting Districts, to add a new section creating Lighting District No. 15 for Ingram Estates Subdivision, Phase 2. (Ward 3, District 5) (Introduced 1/4/07)

18) Ord. Cal. No. 3489 - Ordinance to amend Ord. C.S. No. 05-1106, adopted May 2, 2005, amending the official zoning map of St. Tammany to reclassify 112 acres on the east side of Highway 1077, north of Highway 1085, across from Stanga Road, from SA Suburban Agricultural to PUD, to provide major amendments to original PUD plan. (Ward 1, District 1) (ZC04-11-093) (Introduced from appeal 1/4/2007)

19) Ord. Cal. No. 3491 - Ordinance to impose a six (6) month moratorium on the submission and review of Zoning and Conditional Use Permit applications, Planning Commission review, and on issuance of building permit applications, for the purpose of construction or placement of multi-family structures on property within unincorporated areas of Council Districts 12 and 13. (Introduced 1/4/07)

APPOINTMENTS

1) Resolution to appoint Paulette Barras or Alicia Irmischer to the Tourist and Convention Commission. (Parishwide) (Nominations made 1/4/2007) (Stefancik)

2) Resolution to appoint William Sifert to replace Lionel Booth (moved out of District) to Fire Protection District No. 9. (Districts 2 and 6 appointment) (Fitzmorris)

3) Resolution to appoint Otto Mehrgut, Andy Bumpas, Alain Flexer, John Lavanway and Steve Schuler to Board of Commissioners for Sub-Drainage District No. 2 of Gravity Drainage District No. 5 (Meadowbrook Subdivision) (District 5 appointment) (Gould)

4) Resolution to appoint Patricia Leary to the Board of Lakeshore Villages Master Community Development District. (Thomas)