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PUBLISHED JUNE 30, 2005 AND POSTED AT PARISH COMPLEX JULY 1, 2005

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, JULY 7, 2005 AT 6:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Steve Stefancik, Chairman

Invocation by

Pledge of Allegiance by

Roll Call:

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

PRESENTATIONS

1) Proclamation of Achievement to Maura Donahue. (Stefancik/Davis)

CONSENT CALENDAR

(PAGE 1 THROUGH 5)

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 June 2, 2005
Council Committee Meetings June 29, 2005

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ORDINANCES FOR INTRODUCTION

(Public Hearing August 4, 2005)

1) [Ord. Cal. No. 3111](#) - Ordinance amending zoning of 1.588 acres from Rural to C-2.
(Ward 6, District 6) (ZC 05-06-037) (Zoning Commission approved 6/7/2005)(Stefancik/President)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the southeast corner of Highway 435 and Hillcrest Blvd., west of Par Street, being Lots 1 & 2, Sq. 9, Hillcrest Country Club, containing 1.588 acres, from R Rural to C-2 Highway Commercial.

2) [Ord. Cal. No. 3112](#) - Ordinance amending zoning of 1.32 acres from A-2 to C-2.
(Ward 3, District 5) (ZC 05-06-038) (Zoning Commission approved 6/7/2005) (Stefancik/President)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of 14th Street, south of 13th Street, being Squares 134 and 135, Town of Alexiusville, containing 1.32 acres, from A-2 Suburban to C-2 Highway Commercial.

3) [Ord. Cal. No. 3113](#) - Ordinance amending zoning of 4.63 acres from SA to C-2.
(Ward 7, District 7) (ZC 05-06-039) (Zoning Commission approved 6/7/2005)(Stefancik/President)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Highway 434, south of I-12, containing 4.63 acres, from SA Suburban Agriculture to C-2 Highway Commercial.

4) [Ord. Cal. No. 3114](#) - Ordinance amending zoning of 270.651 acres from C-2, M-1 and M-2 to a PUD. (Ward 9, District 13) (ZC 05-06-041) (Zoning Commission approved 6/7/2005)
(Stefancik/President)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of I-10 Service Road, containing 270.651 acres, from C-2 Highway Commercial, M-1 Light Industrial and M-2 Intermediate Industrial to a PUD Planned Unit Development.

5) [Ord. Cal. No. 3115](#) - Ordinance to amend the Parish Code, Chapter 2, Sec. 2-009.00, Parish Fees and Service Charges, to include Subsection G(1) for the cost and production of maps obtained from the Department of Management Information Services. (Stefancik/President)

6) [Ord. Cal. No. 3116](#) - Ordinance to amend Parish Code, Appendix B, Subdivision Reg. Ord. 499, Section 40-020.0 Exemptions (minimum parcel size and road frontage). (Planning Commission approved 6/14/2005) (Stefancik/President)

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- 7) [Ord. Cal. No. 3117](#) - Ordinance to amend Parish Code, Chapter 2, Sec. 2-009.00, Parish Fees and Service Charges, Appendix B, Subdivision Reg. Ord. 499, and Appendix C, Land Use Ord. 523, relative to Transportation Impact Analysis Regulations. (Stefancik/President)
- 8) [Ord. Cal. No. 3118](#) - Ordinance to correct the Parish Road Inventory to include Harbor Center Boulevard. (Ward 9, District 13) (Stefancik/President)
- 9) [Ord. Cal. No. 3119](#) - Ordinance accepting finalized subdivisions into the Parish Road & Drainage Inventories, specifically Tallow Creek, Phase 1D; Allison Park, Phase 2; Kingspoint, Phase 8Q7; Fairfield Oaks, Phase 2; and Forest Brook, Phase 4C3.(Wards 1, 7 & 8, Districts 1, 6 & 13) (Stefancik/President)
- 10) [Ord. Cal. No. 3120](#) - Ordinance amending Ord. C.S. No. 05-1101, which accepted various subdivisions into the Parish Road & Drainage Inventory, to provide for clerical corrections. (Wards 8 & 9, Districts 8 & 12) (Stefancik/President)
- 11) [Ord. Cal. No. 3121](#) - Ordinance to amend Parish Code to include requirements relating to any and all real estate transfers. (Stefancik/President)
- 12) [Ord. Cal. No. 3122](#) - Ordinance to ratify action of Parish President to accept donation of property, machinery and equipment related to the Sewerage and Water Distribution System in Taylor Trace Development. (Ward 8, District 13) (Stefancik/President)
- 13) [Ord. Cal. No. 3123](#) - Ordinance to rename Oakie Bob Road as Wonie Cousin Road. (Ward 7, District 7) (Impastato)

RESOLUTIONS

- 14) [Resolution C.S. No. C-1441](#) - Resolution to approve *New Directions 2025 - LA 21 Corridor and South Half of Ward 1 Small Area Plan* and to amend the Future Land Use Plan of the Land Use Element - Phase 1 of the Comprehensive Plan for St. Tammany Parish, including supporting map and guiding text document. (Tabled 6/2/2005)
- 15) [Resolution C.S. No. C-1457](#) - Resolution to release Lot 18A, Square 14A, from The Birg Boulevard Subdivision moratorium. (Ward 3, District 5) (Gould)

Resolution to vacate, in part, the moratorium established on issuance of building permits for construction or placement of building structures on property within a portion of The Birg Boulevard Subdivision.

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- 16) [Resolution C.S. No. C-1458](#) - Resolution supporting Sewer District No. 6 application for U.S.D.A. Farmers Home Loan/Grant Program to obtain additional resources to compliment the

LCDBG program for upgrades to its sewer system. (Stefancik/President)

17) [Resolution C.S. No. C-1459](#) - Resolution to amend Ord. C.S. No. 04-0988, the 2005-2009 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Stefancik/President)

18) [Resolution C.S. No. C-1460](#) - Resolution to declare certain items as surplus and authorizing sale of same. (Stefancik/President)

19) [Resolution C.S. No. C-1461](#) - Resolution supporting Parish Government application for assistance from DOTD Enhancement Grant Program for installing cross alert systems on the Tammany Trace. (Stefancik/President)

20) [Resolution C.S. No. C-1462](#) - Resolution supporting Parish Government application for financial assistance from Federal Aviation Administration and DOTD Division of Aviation for updating Action Plan, Airport Layout Plan, and preliminary land assessment for St. Tammany Regional Airport. (Stefancik/President)

21) [Resolution C.S. No. C-1463](#) - Resolution stating Council endorsement of Bad To The Bone Bar-BQ for participation in Louisiana Enterprise Zone Program. (Stefancik/President)

22) [Resolution C.S. No. C-1464](#) - Resolution stating Council endorsement of M & N Distribution, LLC, for participation in Louisiana Enterprise Zone Program. (Stefancik/President)

23) [Resolution C.S. No. C-1465](#) - Resolution stating Council endorsement of Platform Crane Services, Inc. for participation in Louisiana Enterprise Zone Program. (Stefancik/President)

24) [Resolution C.S. No. C-1466](#) - Resolution establishing Warranty Obligations. (Stefancik/President)

WARRANTY

NAME OF SUBDIVISION RECOMMENDATION

TURTLE CREEK, PHASE 5-1-B	RELEASE L.O.C.
AMOUNT: \$27,300	TO BE BROUGHT INTO THE PARISH
EXPIRES: SEPTEMBER 23, 2005	MAINTENANCE SYSTEM
WARD: 8 DISTRICT: 8	

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Warranty Obligations continued:

NAME OF SUBDIVISION RECOMMENDATION

LA CHENIER, PHASE 1	EXTEND FOR ONE (1) YEAR OR
AMOUNT: \$43,600	UNTIL WORK IS SATISFACTORILY
EXPIRES: AUGUST 2, 2005	ACCOMPLISHED
WARD: 8 DISTRICT: 9	

KINGSPPOINT, PHASE 8 Q-8	EXTEND FOR ONE (1) YEAR OR
AMOUNT: \$23,600	UNTIL WORK IS SATISFACTORILY

EXPIRES: AUGUST 4, 2005
WARD: 8 DISTRICT: 13

ACCOMPLISHED

ASHTON OAKS PHASE 4
AMOUNT: \$31,100
EXPIRES: AUGUST 10, 2005
WARD: 8 DISTRICT: 9

EXTEND FOR ONE (1) YEAR OR
UNTIL WORK IS SATISFACTORILY
ACCOMPLISHED

WINDMERE, PHASE 3
AMOUNT: \$28,300
EXPIRES: AUGUST 10, 2005
WARD: 1 DISTRICT: 1

EXTEND FOR ONE (1) YEAR OR
UNTIL WORK IS SATISFACTORILY
ACCOMPLISHED

TIMBERLANE, PHASE 1
AMOUNT: \$21,600
EXPIRES: AUGUST 12, 2005
WARD: 1 DISTRICT: 1

EXTEND FOR ONE (1) YEAR OR
UNTIL WORK IS SATISFACTORILY
ACCOMPLISHED

COVINGTON MEADOWS, PHASE 2
AMOUNT: \$21,900
EXPIRES: JULY 26, 2005
WARD: 3 DISTRICT: 5

EXTEND FOR ONE (1) YEAR OR
UNTIL WORK IS SATISFACTORILY
ACCOMPLISHED

COVINGTON MEADOWS, PHASE 3
AMOUNT: \$ 9,900
EXPIRES: JULY 26, 2005
WARD: 3 DISTRICT: 5

EXTEND FOR ONE (1) YEAR OR
UNTIL WORK IS SATISFACTORILY
ACCOMPLISHED

MARIGNY TRACE, PHASE 6-A & 6-B
AMOUNT: \$ 8,900
EXPIRES: AUGUST 12, 2005
WARD: 4 DISTRICT: 7

EXTEND FOR ONE (1) YEAR OR
UNTIL WORK IS SATISFACTORILY
ACCOMPLISHED

25) [Resolution C.S. No. C-1467](#) - Resolution to release 33.576 acres from the moratorium established on the receipt of submissions by the Parish Zoning Commission for rezoning of property within a certain portion of unincorporated St. Tammany Parish, Ward 1, District 1. (Dean)

26) [Resolution C.S. No. C-1468](#) - Resolution to release 4.50 acres from the moratorium established on the receipt of submissions by the Parish Zoning Commission for rezoning of property within a certain portion of unincorporated St. Tammany Parish, Ward 1, District 1. (Dean)

END OF CONSENT CALENDAR

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APPEALS

1) Bill Magee, Attorney for owners Bill and Shari Karanas, appealing the Zoning Commission DENIAL on April 5, 2005 for issuance of a conditional use permit for a 7,877 square foot Maternity Home to be located on the south side of Highway 1088, west of Forest Brook Boulevard, in an SA Suburban Agriculture District. (Ward 4, District 7)([CP05-02-017](#)) (TABLED 5/5/2005 and 6/2/2005)

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.

2) Michael J. Saucier appealing the Zoning Commission APPROVAL on May 3, 2005 to rezone 60.112 acres of land south of 3rd Avenue, north of I-12, from SA Suburban Agriculture to PUD (Planned Unit Development) (Ward 5, District 5) ([ZC 05-05-033](#)) (Applicant Gulf State Development Services, LLC) (TABLED 6/2/2005)

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 Christopher Pierson appealing the Zoning Commission APPROVAL on May 3, 2005 for issuance of a conditional use permit for a 286,670 square feet mercantile/storage warehouse to be located at the end of New Camellia Boulevard, east of Highway 1077, being Lot 8, Tammany West Multiplex, in an M-1 Light Industrial District. (Ward 1, District 1) ([CP 05-05-049](#)) (TABLED 6/2/2005)

NOTE: TO CONCUR WITH ZONING APPROVAL, A SIMPLE MAJORITY VOTE IS REQUIRED AND ADOPTION OF A RESOLUTION.

NOTE: TO OVERRIDE ZONING APPROVAL, A MAJORITY VOTE OF THE ENTIRE COUNCIL IS REQUIRED AND ADOPTION OF A RESOLUTION.

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4) Paul J. Mayronne, Attorney for applicant Leroy Cooper and owner Aymond Development, LLC, appealing the Zoning Commission DENIAL on June 7, 2005 to rezone 80.83 acres on the southeast side of Tantella Ranch Road, north of Highway 1077, from SA Suburban Agriculture to a PUD Planned Unit Development. (Ward 1, District 1) ([ZC 05-03-013](#))

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.

5) Applicant Franklin Kyle appealing the Zoning Commission DENIAL on June 7, 2005 to rezone 2.735 acres on the northwest corner of Highway 59 and Dove Park Road from M-2 Intermediate Industrial to C-2 Highway Commercial. (Ward 4, District 5) ([ZC 05-06-042](#))

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) Kathleen Schmidt appealing the Zoning Commission APPROVAL on June 7, 2005 to rezone 20,000 square feet of land at the southeast corner of Highway 59 and Bulldog Drive, being Lot 8, DeVal Estates, from A-3 Suburban to C-1 Neighborhood Commercial. (Ward 4, District 5) ([ZC 05-06-043](#)) (Applicant Bruce D. Cox, owner Right Choice Investments, LLC)

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.

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7) Applicant Ugo Iovenitti appealing the Planning Commission DENIAL on June 14, 2005 for permission to construct a home on a buildable substandard lot of record, being Lot 50, Square 260A, Town of Mandeville Subdivision, on Labarre Street, north of Highway 190 and east of Mandeville, in an A-2 Suburban Agriculture District. ([Ward 4, District 10](#))

NOTE: TO CONCUR WITH PLANNING DENIAL, A SIMPLE MAJORITY VOTE IS REQUIRED AND ADOPTION OF A RESOLUTION.

NOTE: TO OVERRIDE PLANNING DENIAL, A MAJORITY VOTE OF THE ENTIRE COUNCIL IS REQUIRED AND ADOPTION OF A RESOLUTION.

ORDINANCES FOR ADOPTON

(Public Hearing)

1) [Ord. Cal. No. 3091](#) - Ordinance to amend Parish Code relative to qualifications for dispensing alcoholic beverages. (Introduced 6/2/2005)

Ordinance amending and reenacting the Parish Code of Ordinances, to amend subparagraph B of Section 3-193.00, Chapter 3, Article IX, which authorizes individuals holding a Special "BR"

License to be employed at qualifying restaurants, to also permit individuals to obtain such a Special Class "BR" License to be employed at qualifying country clubs.

2) [Ord. Cal. No. 3092](#) - Ordinance amending zoning of a portion of Red Gap Acres from SA to A-2. (Ward 3, Districts 3 & 5) (ZC 05-05-027) (Zoning Commission approved 5/3/2005) (Introduced 6/2/3005)

Ordinance amending the official zoning map of St. Tammany to reclassify all that property commonly known as Red Gap Acres, comprising any and all squares and lots which abut, in whole or in part, Soell Drive, Mire Drive, Casril Drive, Parker Drive and Hunt Drive , from SA (Suburban Agricultural) to A-2 (Suburban).

3) [Ord. Cal. No. 3093](#) - Ordinance amending zoning of 8.66 acres from C-2 to M-1. (Ward 1, District 1) (ZC 05-05-029) (Zoning Commission approved 5/3/2005) (Introduced 6/2/2005)

Ordinance amending the official zoning map of St. Tammany to reclassify land at the southern end of New Camellia Boulevard, east of Highway 1077, being lot 8, Tammany West Multiplex, containing 8.66 acres, from C-2 (Highway Commercial) to M-1 (Light Industrial).

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4) [Ord. Cal. No. 3094](#) - Ordinance amending zoning of 1.25 acres from R Rural to C-2. (Ward 5, District 2) (ZC 05-05-030) (Zoning Commission approved 5/3/2005) (Introduced 6/2/2005)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of Highway 21, east of Columbia Road, containing 1.25 acres, from R (Rural) to C-2 (Highway Commercial).

5) [Ord. Cal. No. 3095](#) - Ordinance amending zoning of 5 acres from R Rural to A-3. (Ward 2, District 2) (ZC 05-05-032) (Zoning Commission approved 5/3/2005) (Introduced 6/2/2005)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Lee Road, south of Brunning Road, north of Narrow Road, containing 5 acres, from R (Rural) to A-3 (Suburban).

6) [Ord. Cal. No. 3096](#) - Ordinance amending zoning of 8.25 acres from A-1 to A-2. (Ward 1, District 1) (ZC 05-05-035) (Zoning Commission approved 5/3/2005) (Introduced 6/2/2005)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Stanga Road, west of Highway 1077, north of Highway 1085, containing 8.25 acres, from A-1 (Suburban) to A-2 (Suburban).

7) [Ord. Cal. No. 3097](#) - Ordinance authorizing the Parish President to accept the Act of Dedication and Donation of a narrow strip of land in Section 11, Township 7 South, Range 11 East, described in Exhibit A, and to include same into the Road Maintenance System. (Ward 3, District 5) (Introduced 6/2/2005)

8) [Ord. Cal. No. 3098](#) - Ordinance authorizing the Parish President to accept the Act of Dedication and Donation of a portion of Falconer Drive, described in Exhibit A, and to include same into the Road Maintenance System. (Ward 3, District 5) (Introduced 6/2/2005)

9) [Ord. Cal. No. 3099](#) - Ordinance to authorize the Parish President to purchase a parcel of land commonly referred in Exhibit A as 4.0 acres Koop Drive Property. (Ward 4, District 7) (Introduced 6/2/2005)

10) [Ord. Cal. No. 3100](#) - Ordinance to amend Ordinance C.S. No. 92-1607 (Local Coastal Program) to provide consistency with the State Coastal Zone Management Act regarding appeals and compensatory mitigation. (Introduced 6/2/2005)

11) [Ord. Cal. No. 3101](#) - Ordinance to amend Ord. C.S. No. 03-0723, adopted July 10, 2003, to approve a change in Polling Booth Location for Precinct 205. (Introduced 6/2/2005)

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12) [Ord. Cal. No. 3102](#) - Ordinance amending zoning of 2.62 acres from LC to C-1. (Ward 4, District 4) (ZC 05-05-034) (Introduced from appeal 6/2/3005)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the northwest corner of Highway 190 Service Road and Fontainebleau Drive, being Parcel 38, Beau Chene subdivision, containing 2.62 acres, from LC Light Commercial to C-1 Neighborhood Commercial.

13) [Ord. Cal. No. 3103](#) - Ordinance amending zoning of 9.706 acres from A-2 to C-1/C-2. (Ward 1, District 1) (ZC 05-04-018) (Introduced from appeal 6/2/2005)

Ordinance amending the official zoning map of St. Tammany to reclassify land at the northeast intersection of I-12 Service Road & Highway 1077, south of Highway 1085, containing 9.706 acres, from A-2 Suburban to C-1 Neighborhood Commercial (4.777 acres) and C-2 Highway Commercial (4.929 acres).

14) [Ord. Cal. No. 3104](#) - Ordinance amending zoning of 0.527 acres from A-2 to LC. (Ward 4, District 10) (ZC 05-04-019) (Introduced from appeal 6/2/2005)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the southwest corner of Highway 59 and LaBarre Street, being a portion of Squar 235, Town of Mandeville, containing 0.527 acres, from A-2 Suburban to LC Light Commercial.

15) [Ord. Cal. No. 3105](#) - Ordinance to amend Parish Code, Appendix C, Land Use Ord. 523,

**Section 5.11 Side Yards, Section 5.13 Accessory Buildings & Structures.
(Introduced from appeal 6/2/2005)**

16) [Ord. Cal. No. 3106](#) - Ordinance to amend Parish Code to authorize administrative approval of conditional use permits for mobile homes in a subdivision that received prior Council approval for permit. (Introduced 6/2/2005)

Ordinance to amend Parish Code, Appendix C, Land Use Ord. 523, Section 3.03 Minimum Standards, Paragraph R, Manufactured Homes or Mobile Homes, subparagraph 5, Waiver of Public Hearing, to enact a new subparagraph 5b, to authorize administrative approval of conditional use permits for mobile homes in a subdivision that has received prior Council consideration and approval for issuance of an administrative permit, to reenact existing subparagraph 5b as subparagraph 5c, and further provide with respect thereto.

17) [Ord. Cal. No. 3108](#) - Ordinance to impose a six (6) month moratorium on the issuance of permits for construction or placement of building structures within an area of Ward 5, District 6. (Introduced 6/2/2005)

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18) [Ord. Cal. No. 3109](#) - Ordinance to rename Oak Harbor Boulevard East as Lakeshore Boulevard East. (Ward 9, District 13) (Introduced 6/2/2005)

19) [Ord. Cal. No. 3110](#) - Ordinance to rename Harbor Center Boulevard as Lakeshore Boulevard North. (Ward 9, District 13) (Introduced 6/2/2005)

AWARD OF BIDS

(Stefancik/President)

BID ITEM BID NUMBER FUND

[EOC Renovation](#) [322-00-05-12-2](#)

EXECUTIVE SESSION

(Stefancik/President at request of legal counsel)

Lawsuits entitled as follows:

- 1) "Anthony Louis Thiery vs. Jerry J. Glover, et al"
22nd JDC No. 2004-11011, Division F**
- 2) "Sandy Bertram, et al vs. Parish of St. Tammany"
22nd JDC No. 2004-12655, Division B**
- 3) "State Farm Mutual Insurance Company and**

**Sandy Feraci vs. St. Tammany Parish Council”
22nd JDC No. 2004-13178, Division I**