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**PUBLISHED JANUARY 29, 2004 AND POSTED AT PARISH COMPLEXES FEBRUARY 3, 2004**

**AGENDA**

**ST. TAMMANY PARISH COUNCIL MEETING**

**THURSDAY, FEBRUARY 5, 2004 AT 6:00 P.M.**

**Call to Order by Honorable Patricia Brister, Chairman**

**Invocation by**

**Pledge of Allegiance by**

**Roll Call: Marty Dean**

**Russell Fitzmorris**

**James A. "Red" Thompson**

**Marty Gould**

**Gary Singletary**

**Joe Impastato**

**Patricia Brister**

**Steve Stefancik**

**Chris Canulette**

**Barry D. Bagert**

**Henry Billiot**

**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 15, 2004**

**Council Committee Meetings January 28, 2004**

**ORDINANCES FOR INTRODUCTION**

**(Public Hearing March 4, 2004)**

**1) Ord. Cal. No. 2771 - Ordinance amending official zoning map of St. Tammany to reclassify land at northeast corner of Orleans Street and Lafitte Street, containing 1.535 acres, from A-2 Suburban to A-4 Single Family Residential for 0.81 acres and LC Light Commercial for 0.73 acres.**

**(Ward 4, District 10) (ZC 03-12-075) (Zoning Commission approved 1/6/2004)**

**2) Ord. Cal. No. 2772 - Ordinance amending official zoning map of St. Tammany to reclassify parcels along Riverlake Drive (Lots 81A through 81F and 80A through 80F of Parcel A-1, Lake**

**Ramsey Subdivision, Phase 2 and Lots 51A through 51FF and Lots 52AA through 52F of Parcel D, Lake Ramsey Subdivision, Phase 2), containing 11.53 acres, from A-6 General Multiple Family to A-4 Single Family Residential. (Ward 3, District 3) (ZC 03-12-083)  
(Zoning Commission approved 1/6/2004)**

**3) Ord. Cal. No. 2773 - Ordinance amending official zoning map of St. Tammany to reclassify land on east side of Highway 11, north of Eden Isles Drive and south of Oak Harbor Boulevard, being Lots 20, 21 and 22 of Eden Isles Subdivision, containing 1.14 acres, from C-1 Neighborhood Commercial and A-6 General Multiple Family to C-2 Highway Commercial. (Ward 9, District 13) (ZC 04-01-001) (Zoning Commission approved 1/6/2004)**

**4) Ord. Cal. No. 2774 - Ordinance amending official zoning map of St. Tammany to reclassify land west of Trapagnier Road on the south side of Highway 22, containing 359.147 acres, from C-2 Highway Commercial and R-Rural to a PUD. (Ward 1, District 1) (ZC 04-01-003)  
(Zoning Commission approved 1/6/2004)**

**5) Ord. Cal. No. 2775 - Ordinance to extend for an additional 30 days the emergency moratorium imposed January 15, 2004 by Ordinance C.S. No. 04-0819 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) (SUSPEND RULES TO ADOPT)**

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**6) Ord. Cal. No. 2776 - Ordinance to extend for an additional 30 days the emergency moratorium imposed January 15, 2004 by Ordinance C.S. No. 04-0820 on receipt of submissions by the Parish Zoning/Planning Commissions for rezoning or resubdivision of property and/or issuance of permits for construction or placement of building structures on property within a certain area of Ward 1, District 1. (SUSPEND RULES TO ADOPT)**

**7) Ord. Cal. No. 2777 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for the construction or placement of building structures on certain property within unincorporated St. Tammany Parish abutting a portion of Highway 22. (Ward 4, District 4)**

**8) Ord. Cal. No. 2778 - Ordinance to amend the Parish Code, Chapter 16, Article XVII, Recreation District No. 15, Section 16-036.03 Commissioners, to provide for an increase in the members of the Board of Commissioners from five (5) to seven (7) members.**

**9) Ord. Cal. No. 2779 - Ordinance to amend the Code of Ordinances, Chapter 7, Article V and Article VII, providing for the amendment of the boundaries of Gravity Drainage District No. 4 and Gravity Drainage District No. 5, and directing Council Chairman to give due notice thereof.**

## **RESOLUTIONS**

**10) Resolution C.S. No. C-1010 - Resolution providing for canvassing returns and declaring result of special election held Saturday, January 17, 2004, to authorize the levy of a special tax (Open Land Preservation)**

11) Resolution C.S. No. 1011 - Resolution to concur/not concur with City of Mandeville annexation and rezoning of 1.52 acres located on the east side of Elmwood Place, being Lots 69 and 70, Forest Park Estates Subdivision, from Parish C-1 Neighborhood Commercial to City of Mandeville B-2 Neighborhood Business District. (Ward 4, District 10)

12) Resolution C.S. No. C-1012 - Resolution to concur/not concur with City of Mandeville annexation and rezoning of 2.958 acres approximately 450 feet south of Brookside Drive on the east side of North Causeway Boulevard, from Parish C-1 Neighborhood Commercial to City of Mandeville B-2 Neighborhood Business District. (Ward 4, District 10)

13) Resolution C.S. No. C-1013 - Resolution stating Parish Council endorsement of Bollinger Shipyards Lockport, LLC, for participation in the benefits of Louisiana Enterprise Zone Program.

14) Resolution C.S. No. C-1014 - Resolution establishing Warranty Obligations.

### WARRANTY

#### NAME OF SUBDIVISION RECOMMENDATION

COVINGTON MEADOWS, PHASE 1      CALL L.O.C.  
 AMOUNT: \$28,000                      TO BE BROUGHT INTO THE  
 EXPIRES: MARCH 2, 2004              MAINTENANCE SYSTEM  
 WARD 3, DISTRICT 5

LAKEVIEW REGIONAL MEDICAL CTR. S/D    EXTEND FOR ONE (1) YEAR  
 PHASE 3                                  OR UNTIL WORK SATISFACTORILY  
 AMOUNT: \$13,700                      ACCOMPLISHED  
 EXPIRES: MARCH 20, 2004  
 WARD 4, DISTRICT 5

TURTLE CREEK SUBDIVISION, PH. 5-1    EXTEND FOR ONE (1) YEAR  
 AMOUNT: \$16,400                      OR UNTIL WORK SATISFACTORILY  
 EXPIRES: MARCH 18, 2004              ACCOMPLISHED  
 WARD 8, DISTRICT 9

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#### WARRANTY OBLIGATIONS CONTINUED:

#### NAME OF SUBDIVISION RECOMMENDATION

VINEYARDS SUBDIVISION, PHASE 1      EXTEND FOR ONE (1) YEAR  
 AMOUNT: \$14,100                      OR UNTIL WORK SATISFACTORILY  
 EXPIRES: March 21, 2004              ACCOMPLISHED  
 WARD 3, DISTRICT 3

15) Resolution C.S. No. C-1015 - Resolution to support Parish Government application for assistance from U.S. Fish and Wildlife Service North American Wetlands Conservation Fund for

the purpose of conserving wetlands.

16) Resolution C.S. No. C-1016 - Resolution to support Parish Government application for assistance from Office on Violence Against Women for the purpose of funding a One-Stop Family Justice Center.

17) Resolution C.S. No. C-1017 - Resolution of intention to amend the boundaries of Gravity Drainage District No. 4 and Gravity drainage District No. 5, and directing the Council Chairman to give due notice thereof.

18) Resolution C.S. No. C-1018 - Resolution to review conditional use permit #CP 02-11-101 authorized by Resolution C.S. No. C-0699, adopted January 9, 2003, for an apartment complex on Park Place Drive in Ward 3, District 5.

19) Resolution C.S. No. C-1019 - Resolution to perfect the transfer of funds in escrow from Council District to Council District. (Tabled 1/15/2004)

### END OF CONSENT CALENDAR

### APPEALS

1) Applicant Ray A. Alfred appealing the Zoning Commission DENIAL on January 6, 2004 to rezone 2 acres of land on the west side of Allen Road, south of Highway 190(Business) from A-3 Suburban to C-2 Highway Commercial. (Ward 8, District 14) (ZC 04-01-002)

2) J. D. Ward, Sheryl Rowland, Karen Cureaux and Jan Niemeck appealing the Zoning Commission conditions of APPROVAL on January 6, 2004 for issuance of a conditional use permit for a 375 sq. ft. kennel on the east end of Bocage Drive (Lot 60, Magnolia Forest Subdivision, Phase IV) located in an A-2 Suburban District. (Ward 8, District 9) (CP 04-01-004)

3) Applicant Gerard Frey appealing the Zoning Commission DENIAL on January 6, 2004 for conditional use permit for a 3,600 sq. ft. cellular tower (180') on the south side of Surgi Drive east of Highway 59, in a C-2 Highway Commercial District.(Ward 4, District 10) (CP 03-12-155)

4) Beverly Feigel appealing the Zoning Commission APPROVAL on January 6, 2004 for issuance of a conditional use permit for a 197,155 sq. ft. office/warehouse/distribution center in the southeast quadrant of I-12 and Highway 1077, being Lots 7-10 of Tammany West Multiplex, in C-2 Highway Commercial District. (Ward 1, District 1)(CP 04-010015)(Applicant Michael J. Saucier)

5) Hazel Sinclair appealing the Planning Commission APPROVAL on January 13, 2004 for Tentative Subdivision Review of Timber Branch II in Ward 1, District 1. (SD 04-01-003) (Developer/owner A. J. Hand, et al)

6) Linda Meiners appealing the Planning Commission APPROVAL on January 13, 2004 for Tentative Subdivision Review of The Fountains in Ward 4, District 5. (SD 04-01-005) (Developer/owner Arbor Holdings, LLC)

7) Bill Magee/Hickory Glade, Inc. appealing the Planning Commission APPROVAL on January 13, 2004 for Preliminary Subdivision Review of Bushwood Estates in Ward 5, District 6. (SD 03-09-11P) (Developer/owner Secret Cove, LLC)

### ORDINANCES FOR ADOPTION

1) Ord. Cal. No. 2683 - Ordinance to amend Code of Ordinances, Appendix C (Ord. No. 523 Land Use Regs), for additional requirements in zoning district standards regarding rezoning and conditional uses of property having reasonable potential to adversely affect natural and scenic rivers. (ZC 03-10-062) (Introduced 8/7/2003) (Tabled pending Zoning Commission recommendation)

2) Ord. Cal. No. 2742 - Ordinance to amend Code, Appendix C (Ord. 523 Land Use Regs), to establish Slidell Airport Hazard Overlay District and designate overlay on zoning base maps.(ZC 03-11-070)(Zoning Commission approved 11/5/2003)(Introduced 12/4/2003, tabled 1/15/2004)

3) Ord. Cal. No. 2746 - Ordinance to amend Parish Code, Appendix B (Ord. 499 Subdivision Regs), to create Section 40-045.0 Minor Subdivision Review and Subsection 40-045.01 Minimum Construction Standards for a Private Drive to provide for administrative review. (Introduced 1/15/2004)

4) Ord. Cal. No. 2751 - Ordinance amending official zoning map of St. Tammany to reclassify land on east side of Highway 21, north side of Pine Crest Drive, south of Christwood Boulevard, containing 139.206 acres, from SA Suburban Agriculture to PUD. (Ward 1, District 1) (ZC 03-11-073) (Zoning Commission approved 12/2/2003) (Introduced 1/15/2004)

5) Ord. Cal. No. 2752 - Ordinance to amend Code, Appendix C (Ord. 523 Land Use Regs), Section 3.03 Minimum Standards (AG) Swimming Pools. (ZC 01-11-076) (Zoning Commission approved 12/2/2003) (Introduced 1/15/2004)

6) Ord. Cal. No. 2753 - Ordinance amending official zoning map of St. Tammany to reclassify land north of 2nd Street, west of Washington Street, containing 1.525 acres, from SA Suburban Agriculture to C-1 Neighborhood Commercial. (Ward 3, District 3)(ZC 03-12-077) (Zoning Commission approved 12/2/2003) (Introduced 1/15/2004)

7) Ord. Cal. No. 2754 - Ordinance amending official zoning map of St. Tammany to reclassify land on west side of Highway 59, north of I-12, containing 6.1072 acres, from M-2 Intermediate Industrial to C-2 Highway Commercial. (Ward 4, District 5)(ZC 03-12-080) (Zoning Commission approved 12/2/2003) (Introduced 1/15/2004)

8) Ord. Cal. No. 2755 - Ordinance amending the official zoning map of St. Tammany to reclassify land at the north end of Foxfield Lane, south of I-12, containing 69.39 acres, from R-Rural to A-4 Single Family Residential. (Ward 1, District 1)(ZC 03-12-084) (Zoning Commission approved 12/2/2003) (Introduced 1/15/2004)

9) Ord. Cal. No. 2757 - Ordinance to amend Parish Code of Ordinances, Chapter 14, Article I, to amend and reenact Section 14-002.00 Illustrative Enumeration, and to create a new Section 14-010.00 entitled Prohibited Tree Cuttings and Associated Debris. (Introduced 1/15/2004)

10) Ord. Cal. No. 2758 - Ordinance to establish and validate rates and fees for sewerage and water services provided by such systems owned/operated by the Parish. (Introduced 1/15/2004)

11) Ord. Cal. No. 2759 - Ordinance to adopt Voluntary Developmental Agreement between Parish and Ruelle Du Chene Developers, LLC, developer of Beau Arbre Subdivision. (Ward 1, District 1) (Introduced 1/15/2004)

12) Ord. Cal. No. 2760 - Ordinance to adopt Voluntary Developmental Agreement between Parish and Oak Investments, Inc., developer of Tuscany Subdivision. (Ward 8, District 9) (Introduced 1/15/2004)

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13) Ord. Cal. No. 2761 - Ordinance to correct road inventory to include an extension of L. Crawford Road and Hurd Road; also correct drainage inventory to include an extension of lateral ditch #D01JW03011 located off Dummy Line Road. (Wards 1, 2 & 5, Districts 1, 2 & 6) (Introduced 1/15/2004)

14) Ord. Cal. No. 2762 - Ordinance amending official zoning map of St. Tammany to reclassify land on the north side of Highway 1088, south of I-12, containing 11.26 acres, from SA (Suburban Agricultural) to ID (Institutional) District. (Ward 4, District 5) (ZC 03-12-081) (Introduced from appeal 1/15/2004)

15) Ord. Cal. No. 2763 - Ordinance to amend Ord. C.S. No. 03-0806 to incorporate an additional condition agreed upon when approving rezoning of 6.577 acres of land on south side of Harrison Avenue, west of Fuchsia Street and east of 11th Street, from A-2 Suburban to PUD. (Ward 3, District 5) (ZC03-08-052) (Introduced 1/15/2004)

16) Ord. Cal. No. 2766 - Ordinance to impose a six (6) month moratorium on issuance of permits for construction or placement of building structures on property within The Birg Boulevard Subdivision. (Ward 3, District 5) (Introduced 1/15/2004) (Table to meet layover requirements)

17) Ord. Cal. No. 2768 - Ordinance to impose a six (6) month moratorium on receipt of submissions by the Parish Zoning/Planning Commissions for rezoning or resubdivision of property and/or issuance of permits for construction or placement of building structures on property within a certain area of Ward 1, District 1. (Introduced 1/15/2004)(Table to meet layover requirements)

18) Ord. Cal. No. 2769 - Ordinance to amend Parish Code, Chapter 2, Section 2-009.00 Parish Fees and Service Charges, to impose transportation impact fees. (Introduced 1/15/2004)

19) Ord. Cal. No. 2770 - Ordinance to vacate the moratorium established by Ordinance C.S. No. 03-0788 on issuance of building permits for construction or placement of building structures on property within a portion of Tammany Hills Subdivision (Ward 3, District 5)(Introduced 1/15/2004)

#### APPOINTMENTS

- 1) Resolution to appoint \_\_\_\_\_ to the St. Tammany Parish Development District. (Council has one remaining vacancy to fill) (Tabled 1/15/2004)
- 2) Resolution to appoint members to Board of Sewerage District No. 14. (Tammany Hills) (Council has 4 and President has 1 appointment) (Tabled 1/15/2004)
- 3) Resolution to appoint members to Board of Water District No. 15. (Tammany Hills). (Council has 4 and President has 1 appointment) (Tabled 1/15/2004)
- 4) Resolution to appoint members to the Parish Zoning Commission and Parish Planning Commission. (Council has 9 appointments) Nominations from Council 1/15/2004  
  
Jay de la Houssaye    Ray B. Willie, Jr.    Martha J. Cazaubon    Anthony Lang  
James Don Scroggins    Dewey R. Spies    Richard Dale Mackie    Kenneth A. Jones  
Brian T. Wans    Suzanne A. Crow    William M. Carrouche'    Anthony Goff
- 5) Resolution to appoint five members to the Mosquito Abatement District No. 2. (Parishwide appointment)
- 6) Resolution to appoint Paul Dyer, Belinda Tackaberry and Robert Bergeron and to appoint Thomas Laiver, III to replace Fannie M. Bennett (resigned) to Gravity Drainage District No. 5.
- 7) Resolution to appoint members to Community Action Agency Advisory Board as follows: five (5) elected officials, five (5) from private organizations, and five (5) representatives of low income groups. All terms coincide with those of parish elected officials. (Parishwide appointment)