



*Appeal #6*

**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. A COPY OF THE APPEAL REQUEST IS PROVIDED BELOW.**

**APPEAL REQUEST**

DATE: November 2, 2005

ZC 05-10-071

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 PRINT NAME, MAILING ADDRESS AND PHONE NUMBER BELOW

SIGNATURE

(SIGNATURE) JEFFREY D. SCHOEN

Attorney for MICHAEL H. FITZPATRICK

P. O. Box 1810

Covington, LA 70434

PHONE #: 985-892-4801



**ZC05-10-071**

Existing Zoning:	SA (Suburban Agricultural) District
Proposed Zoning:	PUD (Planned Unit Development) District
Acres:	14.5 acres
Petitioner:	Michael H. Fitzpatrick
Owner:	Maxulus Properties, LLC
Location:	Parcel located on the west side of Rapatel Street, north of US Highway 190, S45 & 46, T8S, R12E, Ward 4, District 7
Council District:	7



## **GENERAL PUD CRITERIA**

The title of the project, name of the developer, legal description, and the existing land use within 500 feet of all boundaries have been provided on the plot plan. The minimum front, side, and rear setbacks and maximum height of the buildings are indicated on the proposed site plan, as required.

A copy of the restrictive covenants has been provided as required. Central water and sewerage underground facilities will be provided on site, as stated on the plan. The applicants have submitted a copy of the environmental assessment data form and information as to the ultimate disposal of surface drainage, as required by the PUD guidelines. The flood demarcation lines and the wetlands delineation have been provided as required.

The subdivision is proposed to be developed in approximately 2 phases as identified on the plan. The approximate date when construction of each phase will be taking place has also been provided on plan.

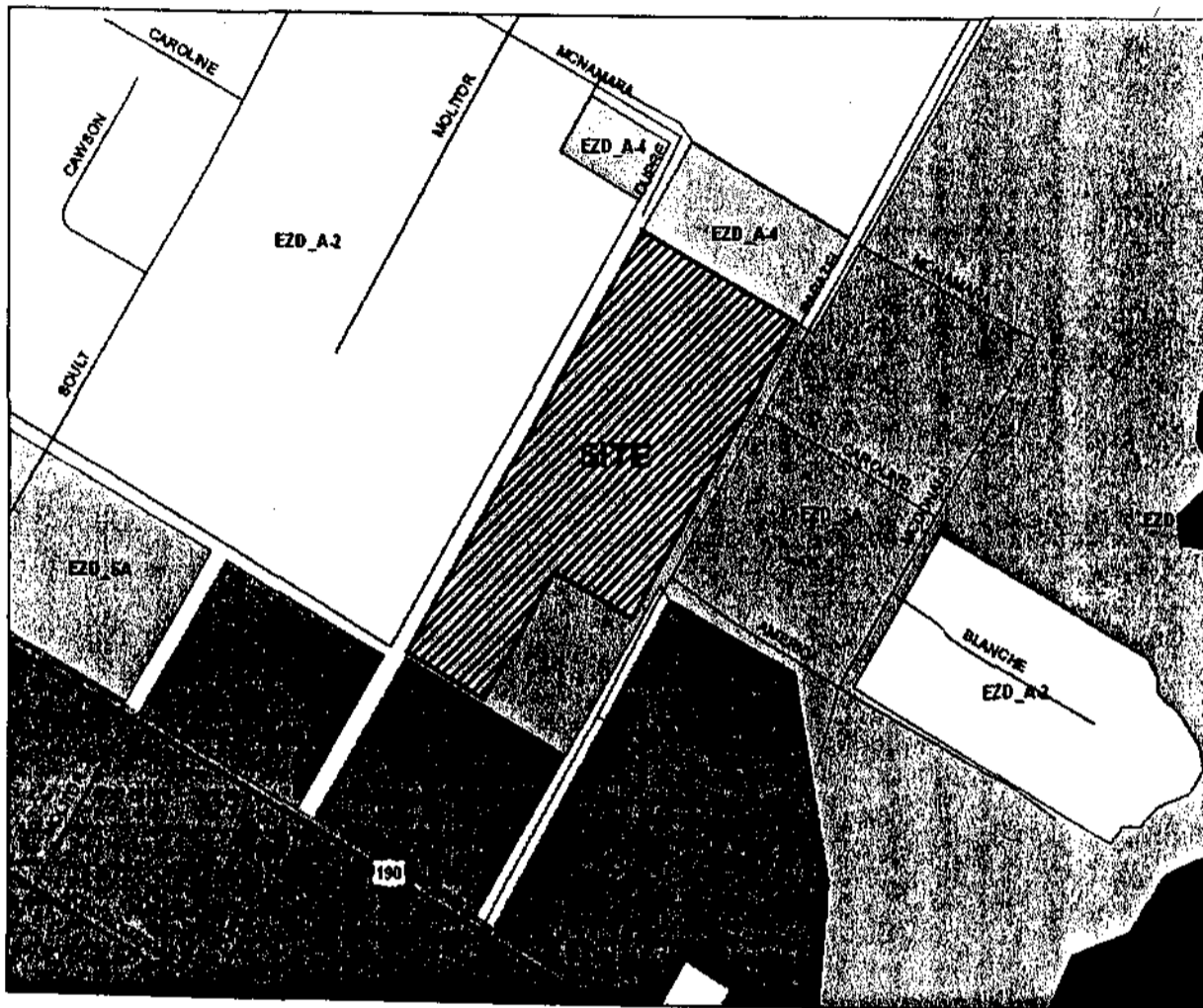
## **COMPREHENSIVE PLAN ANALYSIS**

The 2025 land use map designates this area for residential development. The proposed PUD meets the definition of this land use classification, considering that it provides a high number of residential units per acre. The proposed development will also provide a different type of housing in the area and definitely improve the quality of the site.

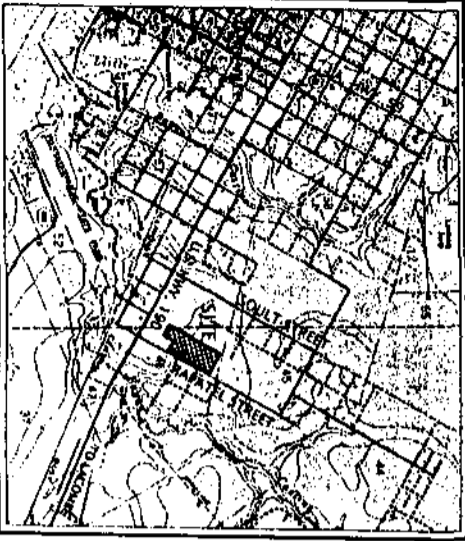
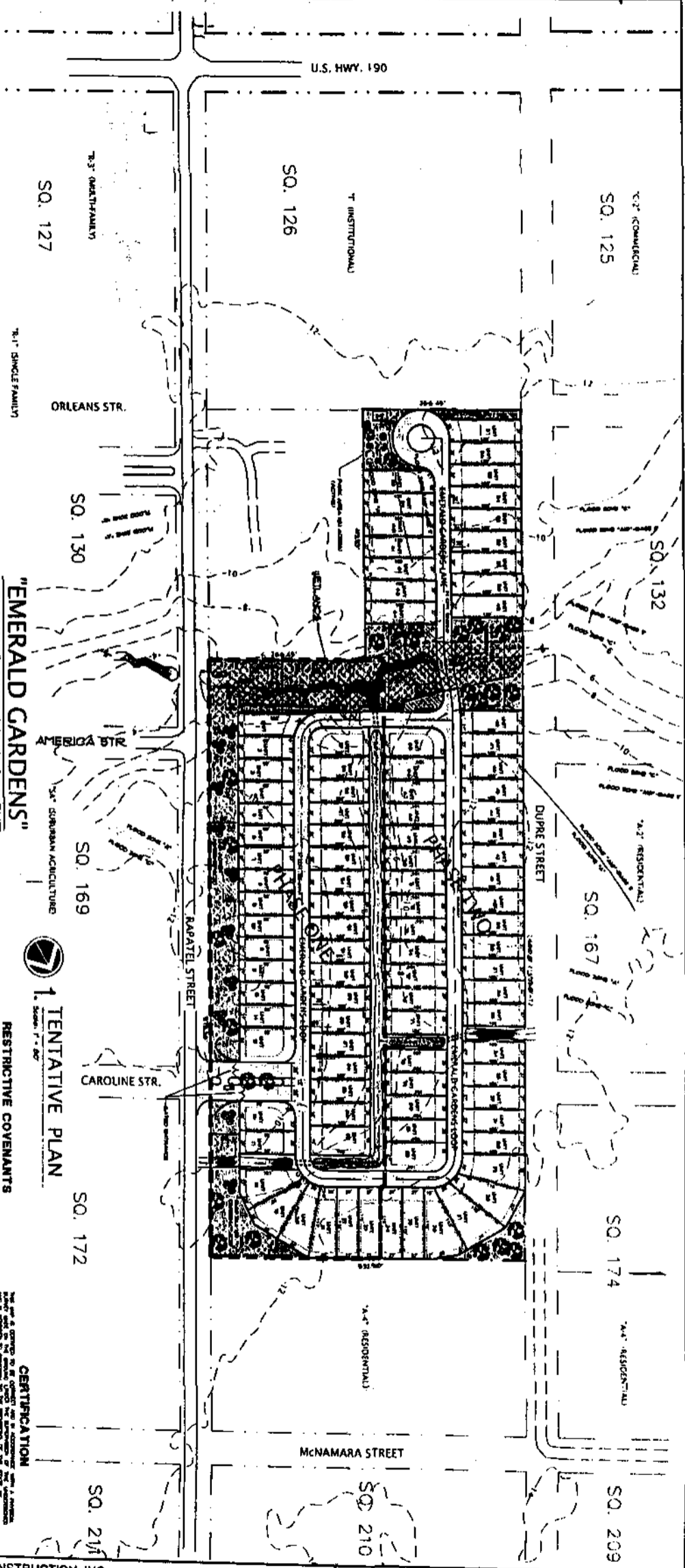
## **STAFF RECOMMENDATION:**

The staff recommends that the request for a PUD (Planned Unit Development) District designation be approved. However, staff feels that additional passive and active recreational amenities should be provided.

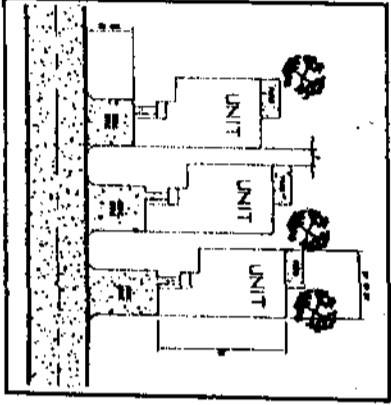
**CASE NO.:** ZC05-10-071  
**PETITIONER:** Michael H. Fitzpatrick  
**OWNER:** Maxulus Properties, LLC  
**REQUESTED CHANGE:** From SA (Suburban Agricultural) District to PUD (Planned Unit Development) District  
**LOCATION:** Parcel located on the west side of Rapatel Street, north of US Highway 190; S45 & 46, T8S, R12E; Ward 4, District 7  
**SIZE:** 14.5 acres



2005-10-071



2 VICINITY MAP



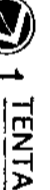
3 TYPICAL UNIT LAYOUT

**"EMERALD GARDENS"  
A PLANNED UNIT DEVELOPMENT**

BEING SQUARE 168, A PORTION OF SQUARES 131 & 173 AND A PORTION OF ORLEANS & AMERICAN STREETS (CLOSED), TOWN OF MANDEVILLE (NOT IN CORPORATE LIMITS), SECTIONS 45 & 46, TOWNSHIP 8 SOUTH, RANGE 12 EAST, ST. TAMMANY PARISH, LOUISIANA

**4. PROJECT DATA**

- 1) TOTAL ACREAGE = 4.5
- 2) EXISTING ZONING = SA (SUBURBAN AGRICULTURE)
- 3) PROPOSED ZONING = PUD (PLANNED UNIT DEVELOPMENT)
- 4) NUMBER OF UNITS = 108
- 5) UNIT TYPES:
  - 1. 2-BEDROOM UNITS AVAILABLE
  - 2. 3-BEDROOM UNITS AVAILABLE
  - 3. SINGLE CAR GARAGE
  - 4. 1/2 BATH
  - 5. CENTRAL STOVE & WATER UNDERGROUND UTILITIES
- 6) STREETS = 20' WIDE CONC. ETC. W/ CURB & GUTTER AND SURFACE DRAINAGE
- 7) 1/4 ACRES RESERVED IN GREEN SPACE (OR 7% OF TOTAL AREA)
- 8) 1/4 ACRES RESERVED IN GREEN SPACE (OR 7% OF TOTAL AREA)
- 9) CLOSE TO OUTSTANDING SHOPPING
- 10) INDICATES AREA OF WETLANDS
- 11) ANTICIPATED START OF PHASE ONE = YEAR 2006



**TENTATIVE PLAN**

**RESTRICTIVE COVENANTS**

1. EACH LOT WILL NOT HAVE MORE THAN ONE ENCLAVE.
2. FRONT SETBACK WILL NOT BE LESS THAN 20 FEET FROM THE PROPERTY LINE.
3. SIDE SETBACK WILL NOT BE LESS THAN 10 FEET FROM THE PROPERTY LINE.
4. REAR SETBACK WILL NOT BE LESS THAN 10 FEET FROM THE PROPERTY LINE.
5. LOT AREA SHALL NOT BE LESS THAN 10% OF THE TOTAL LOT AREA.
6. LOT AREA SHALL NOT BE LESS THAN 10% OF THE TOTAL LOT AREA.
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19. LOT AREA SHALL NOT BE LESS THAN 10% OF THE TOTAL LOT AREA.
20. LOT AREA SHALL NOT BE LESS THAN 10% OF THE TOTAL LOT AREA.

**CERTIFICATION**

I, the undersigned, being a duly licensed Professional Engineer in the State of Louisiana, do hereby certify that the above is a true and correct copy of the original as shown to me by the applicant.

**APPROVAL**

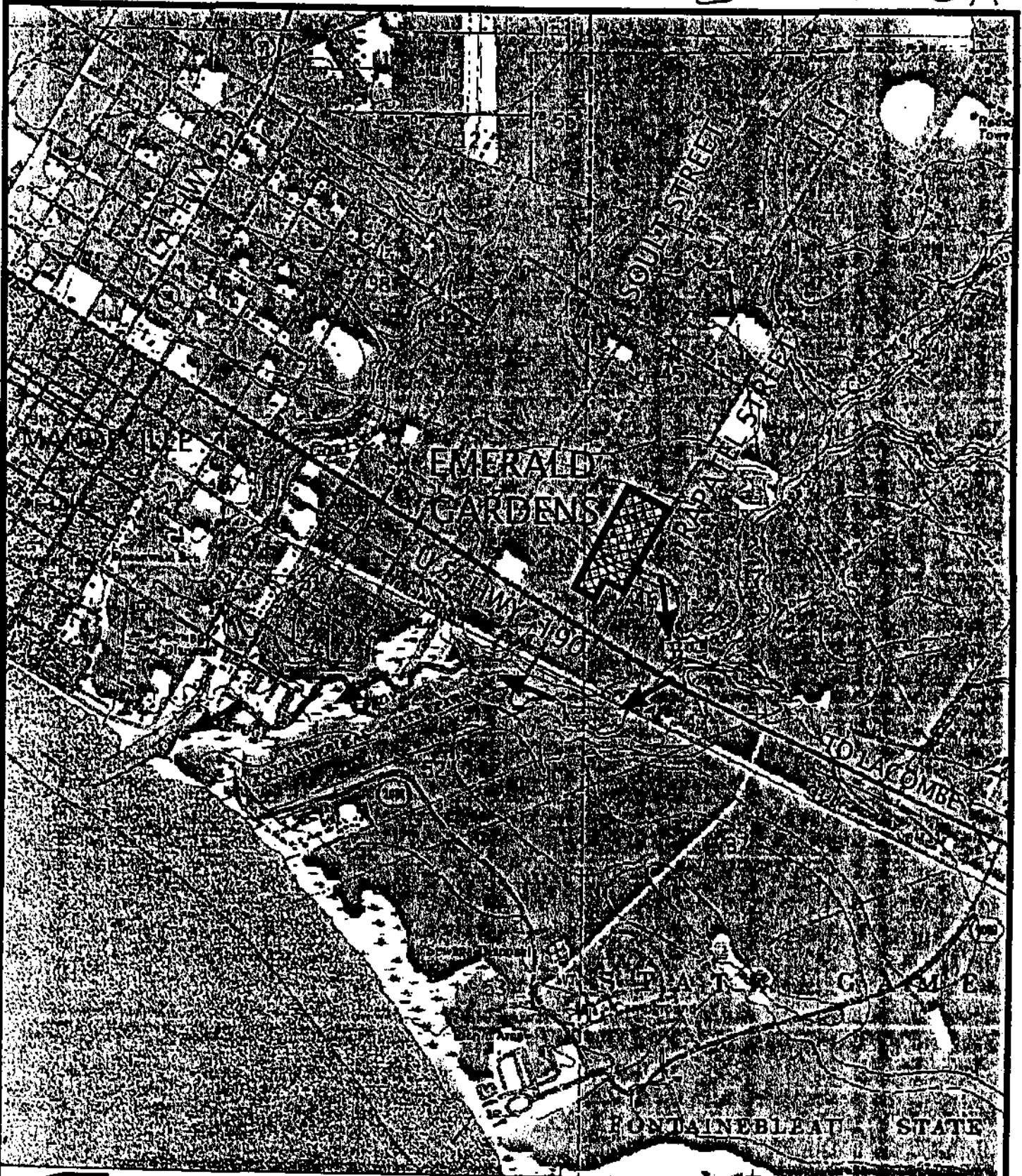
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CLIENT: FIRST CONSTRUCTION, INC.

PROJECT DESCRIPTION: A PLANNED UNIT DEVELOPMENT IN SQUARES 168, A PORTION OF SQUARES 131 & 173 AND A PORTION OF ORLEANS, AMERICAN & CAROLINE STREETS (CLOSED), TOWN OF MANDEVILLE (NOT IN CORPORATE LIMITS), ST. TAMMANY PARISH, LOUISIANA

**Scalfano ENGINEERING, INC.**  
 28661 Recreational Road, Lake Charles, Louisiana 70645-3361  
 Ph: (985) 882-6361 Fax (985) 882-6322  
 Email: dev@scalfano-eng.net

2005-10-071



# Scalfano

ENGINEERING, INC.

28661 Krentel Road, Lacombe, Louisiana 70445

Ph.: (985) 882-6363-Fax (985) 882-6322

Email: david@northlake-eng.net

ULTIMATE DISPOSAL OF  
SURFACE DRAINAGE

Gentlemen:

I have completed the attached Environmental Impact Assessment Data Form and hereby certify that the information shown thereon is accurate and is based on a thorough study of the environmental impact by this development named:

EMERALD GARDENS "A PLANNED UNIT DEVELOPMENT"

*David Scottano*

DATE: 8/23/05

TITLE: ENGINEER

I have reviewed the data submitted and concur with the information with the following exceptions:

\_\_\_\_\_  
\_\_\_\_\_

I recommend the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_

PARISH ENGINEER: \_\_\_\_\_

I have reviewed the data submitted and concur with the information with the following exceptions:

\_\_\_\_\_  
\_\_\_\_\_

I recommend the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_

PARISH PLANNER: \_\_\_\_\_

I have reviewed the Environmental Assessment Data Form and concur with the information submitted with the following exceptions:

\_\_\_\_\_  
\_\_\_\_\_

I recommend the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_

POLICE JUROR: \_\_\_\_\_

WARD \_\_\_\_\_

2005-10-071

ENVIRONMENTAL ASSESSMENT DATA FORM

Description of Project

Applicant's Name FIRST CONSTRUCTION INC.

Address 1344 VILLEGE ST. MANDEVILLE, LA. 70448

Attach area location Map showing the proposed development

Name of Development EMERALD GARDENS

Section 45 & 46 Township 8 SOUTH Range 12 EAST

Number of acres in Development 14.5

Type of streets 24' CONCRETE (6" THK.)

Type of water systems CENTRAL

Type of sewerage system CENTRAL

Ultimate disposal of wastes LAKE PONTCHARTRAIN

Ultimate disposal of surface drainage BAYOU CASTINE TO LAKE PONTCHARTRAIN

Land form: Flat  Rolling \_\_\_\_\_ Marsh \_\_\_\_\_  
Swamp \_\_\_\_\_ Inundated \_\_\_\_\_

Existing land use: Rural \_\_\_\_\_ Residential   
Commercial \_\_\_\_\_ Industrial \_\_\_\_\_

Proposed land use: Rural \_\_\_\_\_ Residential   
Commercial \_\_\_\_\_ Industrial \_\_\_\_\_

Conforms to Major Road Plan: Yes  No \_\_\_\_\_

Water frontage: Yes \_\_\_\_\_ No  if so how much \_\_\_\_\_

Name of Stream \_\_\_\_\_

Major highway frontage: Yes \_\_\_\_\_ No

Name of Highway \_\_\_\_\_

Is development subject to inundation in normal high rainfall and/or tide?

Yes \_\_\_\_\_ No

Will canals be constructed into rivers or lakes?

Yes \_\_\_\_\_ No

ANSWER ALL QUESTIONS BY A CIRCLE AROUND YES OR NO

1. Does the proposed development
  - a. Disrupt, alter or destroy an historic or archeological site or district. YES  NO
  - b. Have a substantial impact on natural, ecological recreation, or scenic Resources YES  NO
  - c. Displace a substantial number of people YES  NO
  - d. Conform with the environmental plans and goals that have been adopted by the parish. YES  NO
  - e. Cause increased traffic, or other congestion YES  NO
  - f. Have substantial esthetics or visual effect on the area YES  NO

Condt:

ANSWER ALL QUESTIONS BY A CIRCLE AROUND YES OR NO

- g. Breach national, state or local standards relating to
- |  |                           |                                     |
|--|---------------------------|-------------------------------------|
| (1) Noise                                | YES <input type="radio"/> | NO <input checked="" type="radio"/> |
| (2) Air Quality                          | YES <input type="radio"/> | NO <input checked="" type="radio"/> |
| (3) Water Quality                        | YES <input type="radio"/> | NO <input checked="" type="radio"/> |
| (4) Contamination of public water supply | YES <input type="radio"/> | NO <input checked="" type="radio"/> |
| (5) Ground water levels                  | YES <input type="radio"/> | NO <input checked="" type="radio"/> |
| (6) Flooding                             | YES <input type="radio"/> | NO <input checked="" type="radio"/> |
| (7) Erosion                              | YES <input type="radio"/> | NO <input checked="" type="radio"/> |
| (8) Sedimentation                        | YES <input type="radio"/> | NO <input checked="" type="radio"/> |
- h. Affect rare or endangered species of animal or plant habitat or such a species
- YES  NO
- i. Cause substantial interference with the movement of any resident or migratory fish or wildlife species
- YES  NO
- j. Induce substantial concentration of population
- YES  NO
- k. Will dredging be required
- YES  NO

If yes, denote the area proposed for spoil placement and the anticipated volume in cubic yards.

2. Attach specifications on the following, if applicable

- a. What types of materials will be disposed of as a result of the production of manufacturing process. If applicable explain where and in what manner disposal will occur. N/A
- b. What will be the average noise level of the development during working hours. N/A
- c. Will any smoke, dust or fumes be emitted as a result of the operational process, if so explain fully. N/A

Explain in detail the items marked YES above indicating how you propose to reduce or eliminate the environmental problems caused by your development and explain how you will ultimately dispose of the surface water generated by your development including the route of the surface water into a major stream and if you propose a center sewerage system the ultimate disposal of the effluent produced.

EXISTING WETLANDS WILL REMAIN UNTOUCHED.  
2.5 ACRES OF LANDSCAPED GREENSPACE WILL BE PROVIDED W/A DIVIDED ENTRANCE BLVD.

A TRAFFIC STUDY WILL BE PERFORMED BY DEVELOPER W/ RECOMMENDATIONS IMPLEMENTED AT/BEFORE FINAL APPROVAL.

ULTIMATE DISPOSAL OF SURFACE WATER & EFFLUENT PRODUCED WILL BE LAKE PONTCHARTRAIN. (SEE ATTACHED)