



DEPARTMENT OF PLANNING
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Kevin Davis
 Parish President

Appeal 9

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: 3-8-06

CP06-03-054 - Use: Land Reclamation

Zoning: R (Rural) District
 Use Size: 86,000 sq. ft.
 Petitioner: Eva Cheramie
 Owner: Elvira & Henry Gaines
 Location: Parcel located on the east side of LA Highway 41, south of Howard O'Berry Road, S22, T7S, R14E, Ward 6, District 6
 Council District: 6

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

C. D. Pettis
 (SIGNATURE)

C.D. Pettis

Rt 1 Box 303-

PEARL RIVER 74165 Edgar Kennedy Road

EDGAR KENNEDY RD 70452

PHONE #: 963-2449



CONDITIONAL USE PERMIT STAFF REPORT

Date: March 1, 2006
CASE NO.: CP06-03-054
Posted: 02/14/06

Meeting Date: March 7, 2006
Determination: Approved with Staff Comments

PETITIONER: Eva Cheramie
OWNER: Elvira & Henry Gaines
PROPOSED USE: Land Reclamation
PREVIOUS/CURRENT USE: Pond
SQ. FT. OF USE: 86,000 sq. ft.
GROSS AREA LOT SIZE: 5.4 acres
ZONING CLASSIFICATION: R (Rural) District
LOCATION: Parcel located on the east side of LA Highway 41, south of Howard O'Berry Road; S22, T7S, R14E; Ward 6, District 6

SITE ASSESSMENT

ACCESS ROAD INFORMATION

Type: State

Road Surface: 2 lane asphalt

Condition: Good

LAND USE CONSIDERATIONS

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Single Family Residence	R (Rural) District
South	Single Family Residence	R (Rural) District
East	Undeveloped	R (Rural) District
West	Single Family Residence	R (Rural) District

Existing development? No

Multi occupancy development? No

STAFF COMMENTS:

Petitioner is requesting a Conditional Use permit for Land Reclamation. The site is located on the east side of LA Highway 41, south of Howard O'Berry Road. There is currently and existing approximately 2 acre excavated site on the property. A site plan has been provided as required showing the dept and dimensions of the excavated site. Additional information shall be provided concerning the proposed hours and days of operation and the time frame to complete the land reclamation.

STAFF RECOMMENDATIONS:

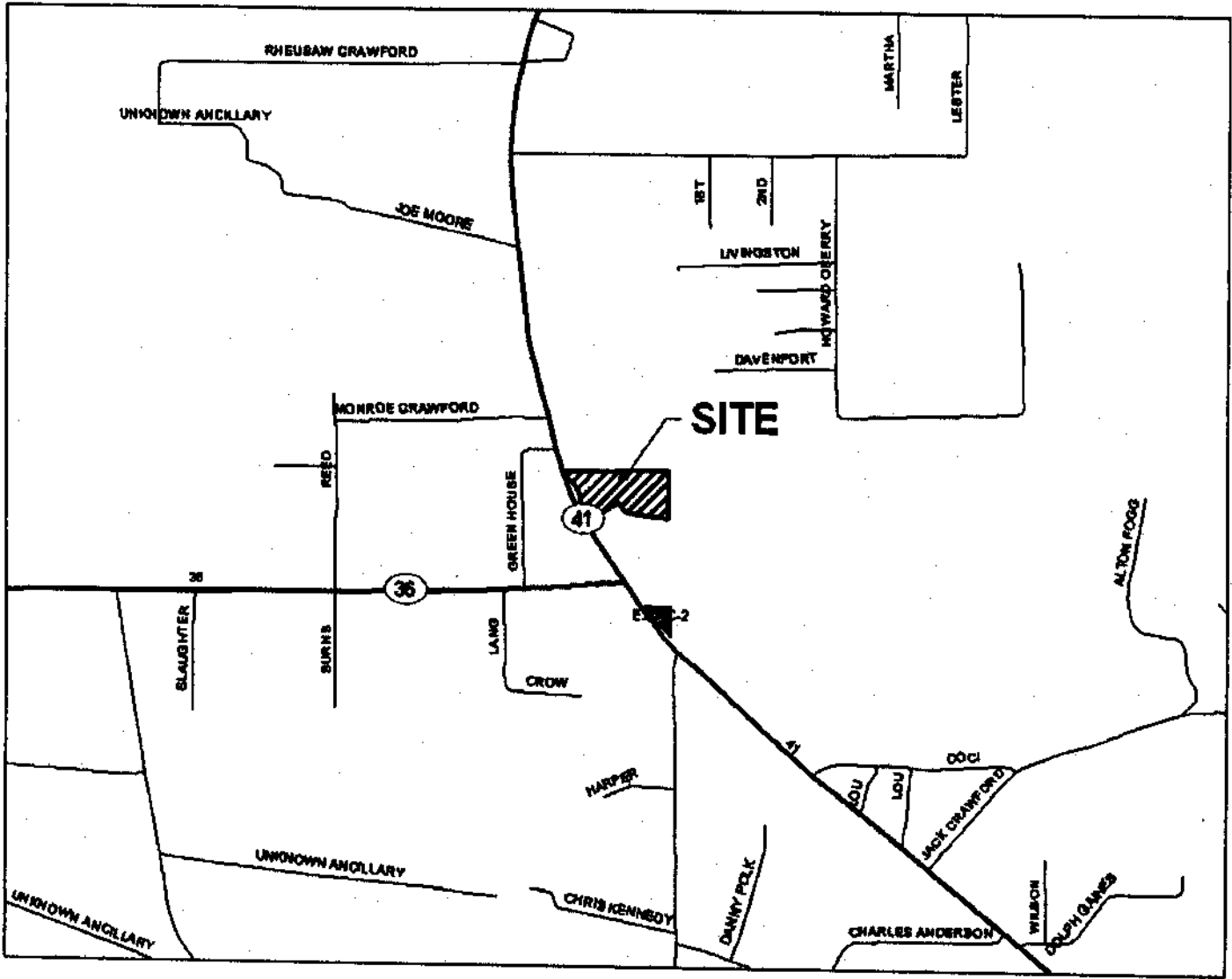
The staff recommends approval of this proposal, subject to all applicable regulations and the following conditions:

1. Provide the proposed hours and days of operation and the time frame to complete the pond.
2. The conditional use permit is granted for a period of one year maximum. An extension of the conditional permit must be requested before the expiration of the permit.
3. The perimeter of the reclamation site shall not be nearer than 200 feet to the front, sides and rear of the property lines.
4. The property shall be kept posted with warning signs set no further than 50' apart and clearly visible.
5. The perimeter of the land containing the reclamation site shall be fenced by a wire mesh fence or as determined by the Planning Department of not less than 4' in height and all gates or entrances shall be locked when not in use.
6. In all districts inside the Growth Management Area where filling of dirt, soil, clay, sand and/or gravel and/or earth may take place according to state regulations.
7. Backfilling of excavations not made to a water producing depth, shall be made with non-noxious, nonflammable, noncombustible soils including materials exempt from DEQ regulations, such as concrete, stumps, etc.. The graded or backfilled area(s) shall not collect and permit stagnant water to remain thereon. The peaks and depressions of the area shall be reduced to a surface which will result in a gently rolling topography in substantial conformity to the land area immediately surrounding in order to minimize erosion due to rainfall. The graded or backfilled area(s) shall be sodded or surfaced with soil of a quality at least equal to the topsoil of the land area immediately surrounding and to a depth of not less than the depth of the topsoil on surrounding land. Such topsoil shall be planted with trees, legumes, or grasses, upon the parts of such area where revegetation is possible.

NOTE TO PETITIONER

There is a 10 day appeals period following the Zoning Commission decision. If the request is approved, permits will not be issued until this 10 day period has elapsed. The petitioner shall have one year to obtain the appropriate building permits or occupy the site from the date of approval of the St. Tammany Parish Zoning Commission, unless otherwise stipulated by the St. Tammany Parish Zoning Commission.

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CP06-03-034

LA HWY #

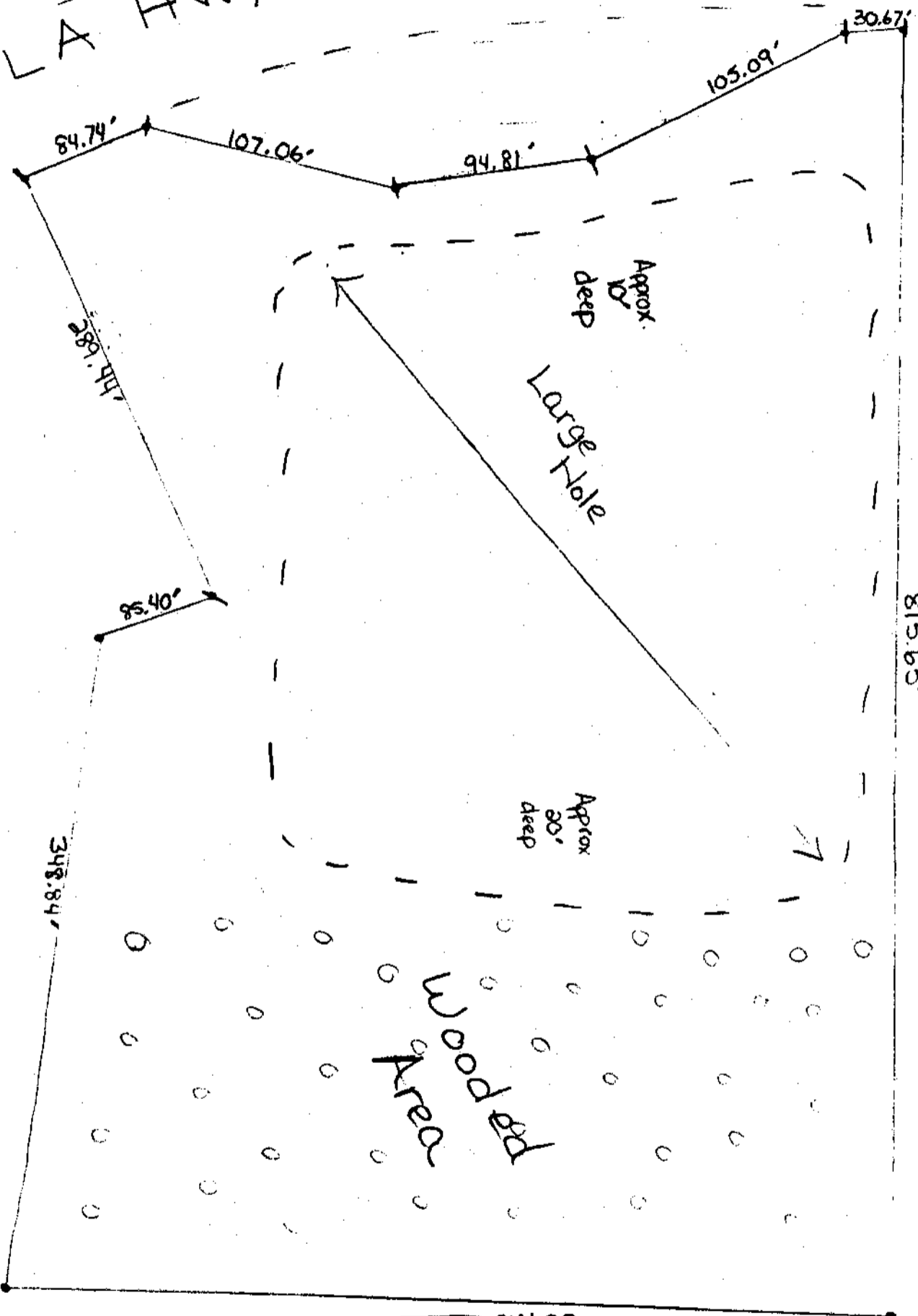


EXHIBIT A

Note: We propose to fill the hole to the height of the existing side properties, keeping with the natural drain

I-100Z