



**ST. TAMMANY PARISH**

DEPARTMENT OF PLANNING

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*Kevin Davis*

*Parish President*

*Appeal # 5*

**A PETITIONER OR ANY AGGRIEVED PROPERTY OWNER HAS TEN (10) DAYS IN WHICH TO FILE AN APPEAL REGARDING A DECISION OF THE PLANNING COMMISSION. APPEALS MUST BE FILED WITH THE ST. TAMMANY PARISH DEPARTMENT OF PLANNING ON OR BEFORE THE TENTH DAY.**

**(NOTE: FINAL SUBDIVISION APPROVAL CANNOT BE APPEALED EXCEPT BY THE DEVELOPER)**

**APPEAL REQUEST LETTER**

DATE: 6.10.2008

TO: ST. TAMMANY PARISH COUNCIL

FROM: Autumn Creek Homeowners

RE: AGGRIEVED BY DECISION MADE BY THE ST. TAMMANY PARISH PLANNING COMMISSION

I, Dan Covey, hereby request that the St. Tammany Parish Council review the below mentioned case and consider reversing the decision made by the St. Tammany Parish Planning Commission at their ~~July~~ JUNE 10th meeting.

The case for which I am aggrieved by, as depicted on the docket of the Planning Commission is as follows:

<u>SD-08-028P2</u>	<u>Autumn Creek II</u>	<u>PH2</u>
<u>SD-06-09-032P3</u>	<u>" "</u>	<u>PH3</u>
<u>*SD-06-06-020P</u>	<u>" "</u>	

I therefore, respectfully request that the St. Tammany Parish Council consider my appeal at their next appropriate regularly scheduled meeting.

This letter shall suffice as official notice to be placed on the docket of the next appropriate regularly scheduled meeting of the St. Tammany Parish Council; whereby, I shall give truthful testimony and present evidence to support my appeal request.

(PLEASE PRINT THE FOLLOWING INFORMATION)

APPELLANT'S NAME: DANIEL S. COVEY

ASSOCIATION TO CASE (PLEASE CHECK ONE): Developer  Neighbor  Group

ADDRESS: 308 Autumn Creek Dr.

**PRELIMINARY SUBDIVISION STAFF ANALYSIS REPORT**  
*(As of June 03, 2008)*

CASE NO.: SD06-06-020P

SUBDIVISION NAME: Autumn Creek II *(Resubmitted)*

DEVELOPER: Autumn Creek, LLC

ENGINEER/SURVEYOR: Cooper Engineering, Inc.

SECTION: 15 & 42  
TOWNSHIP: 7 South  
RANGE: 10 East

WARD: 1  
PARISH COUNCIL DISTRICT: 1

TYPE OF DEVELOPMENT:         URBAN (Residential lots less than 1 acre)  
                                       SUBURBAN (Residential lots between 1-5 acres)  
                                       RURAL (Residential Farm Tract lots 5 acres plus)  
                                       OTHER (Multi family, commercial or industrial) PUD

TOTAL ACRES IN DEVELOPMENT: 45.58

NUMBER OF LOTS: 98                      AVERAGE LOT SIZE: 80 x 130

SEWER AND WATER SYSTEMS: Central Water & Community Sewage

ZONING: PUD

FLOOD ZONE DESIGNATION: "C"

TENTATIVE APPROVAL GRANTED: June 13, 2006

**STAFF COMMENTARY:** This subdivision received Preliminary approval on September 12, 2006. However, no work order was issued within one (1) year. Therefore, resubmittal is required.

**Department of Engineering**

1. The Preliminary plans and hydrologic study have been reviewed by this office and an inspection was made of the site.
2. It is recommended that Preliminary submittal be approved subject to the following:
  - a. This plan appears to comply with Parish drainage requirements.
3. A funded Maintenance Obligation in the amount of \$10,000 is required in accordance with Subdivision Ordinance #499; Section 40.061.08 funded letters of credit for existing Parish roads to ensure the repair of any damage to the Parish roads resulting from construction activity connection with the subdivision.

4. Mandatory Developmental fees will be required at Final Submittal in accordance with Ordinance No. 04-0990 since no public hearing was held prior to January 1, 2005.

**Department of Environmental Services**

1. By letter dated May 29, 2008, Guste Island Utility Company (GIU) indicated that they, "...have no knowledge of any agreement with the developer and/or any other party to accept sewage from these developments." This Department cannot approve the submitted plans until such time as the developer comes to an agreement with GIU or provides another means of sewage treatment for this development.
2. Plans and specifications for the construction of the project's water distribution lines and sewage collection lines have not yet been approved by the Department of Health and Hospitals as required.

No work order will be issued until the submitted plans and specifications are approved by the DHH.

**Department of Planning**

1. A "preliminary draft" copy of the declaration of covenants and restrictions should be submitted prior to the developer filing for preliminary subdivision review. Said covenants and restrictions should include, but are not limited to, the following: (a) language that establishes the rights of the developer and the homeowner, (b) entity or entities responsible for enforcement of the covenants and restrictions; and c.) language relative to any amenities that are being provided, inclusive of a time schedule for their development, and the entity or entities whom shall be responsible for the liability and maintenance thereof.
2. The playground area on the revised plat has been omitted, and therefore needs to be added back to the plat as per the original submission.
3. The developer has depicted greenspace and amenities within the development pursuant to parish code requirements. Therefore, the developer should be prepared to present a "**Recreational Development Plan**" for staff review and approval prior to the developer receiving a "work order" in conjunction with the preliminary subdivision approval process. Said plan should be presented in document form inclusive of the amenities that are being provided, a landscape plan if applicable, a time schedule for development, and the entity or entities whom shall be responsible for the liability and maintenance of the greenspace areas.