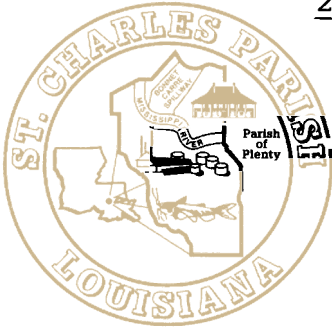


2006-0150



ST. CHARLES PARISH

OFFICE OF THE PARISH PRESIDENT

P.O. BOX 302 • HAHNVILLE, LOUISIANA 70057

(985) 783-5000 • FAX (985) 783-5005

Website: www.stcharlesgov.net • E-mail: alaque@stcharlesgov.net

ALBERT D. LAQUE
PARISH PRESIDENT

May 8, 2006

Hon. Brian Fabre, Chairman
St. Charles Parish Council
P.O. Box 302
Hahnville, LA 70057

Re: Veto of Ordinance No. 06-5-1



Dear Councilman Fabre,

On Monday, May 1, 2006 the Council approved Ordinance No. 06-5-1. The ordinance approved the change of zoning classification from W to R-1B even though this property is subject to frequent inundation by normal tidal exchange. Approximately two years ago, on June 7, 2004 the Council approved Ordinance No. 04-6-2, Kerry's Pointe Waterfront Community. Likewise, this property is subject to inundation from tidal exchange also. But that is where the similarities end.

In this post-Katrina era, we have all seen the substantial impact wrought on Louisiana, and particularly St. Charles Parish, from tropical systems as the storm surges generated threaten areas previously thought to be safe in years past. In fact, Hurricanes Katrina and Rita monumentally impacted our wetlands buffer. According to some published reports, these 2 storms did damage to our wetlands that would normally have taken 50 years to accomplish.

There was a great deal of discussion as to the ability of St. Charles Parish Government to ensure that future development at this location would be constructed to standards that would protect the investments and properties of the landowners. At this time, the parish is very limited as to what it can enforce in this type of proposed subdivision. Simultaneous to the writing of this correspondence, I am instructing the Planning and Zoning department to develop requirements governing allowed uses in this zoning classification so that our government has the necessary enforcement regulations to ensure the health, safety and welfare of our citizens, even those who develop in private subdivisions.

It is for these reasons that I have vetoed Ordinance No. 06-5-1

I humbly request that the Council sustain my veto.

Sincerely,

Albert D. Laque
Parish President

Cc: Parish Council

ORD

2006-0047

INTRODUCED BY: BARRY MINNICH, COUNCILMAN, DISTRICT VII
ORDINANCE NO. 06-5-1

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change of zoning classification from W to R-1B at property of Joseph Bernstein, Lohil, LLC, Tamara B. Mayer, David J. Bernstein located at 8.2 acres of vacant land at Bernstein Subdivision along Highway 90, Luling, La. Council District 2 as requested by Councilman Barry Minnich.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. An Ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981, to approve the change of zoning classification from W to R-1B at property of Joseph Bernstein, Lohil, LLC, Tamara B. Mayer, David J. Bernstein located at 8.2 acres of vacant land at Bernstein Subdivision along Highway 90, Luling, La. as requested by Councilman Barry Minnich.

SECTION II. To authorize the Department of Planning & Zoning to amend the official St. Charles Parish Zoning Maps to reflect this reclassification from W to R-1B at property of Joseph Bernstein, Lohil, LLC, Tamara B. Mayer, David J. Bernstein located at 8.2 acres of vacant land at Bernstein Subdivision along Highway 90, Luling, La.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: RAMCHANDRAN, WALLS, BLACK, DUHE, MINNICH

NAYS: MARINO, FAUCHEUX, HILAIRE, FABRE

ABSENT: NONE

And the ordinance was declared adopted this 1st day of May, 2006, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN:

SECRETARY:

DLVD/PARISH PRESIDENT:

APPROVED:

DISAPPROVED:

PARISH PRESIDENT:

RETD/SECRETARY:

AT: 3:15pm

RECD BY:

THIS ORDINANCE WAS RETURNED BY THE PARISH PRESIDENT ON MAY 8, 2006 AT 3:15 P.M. AND HAS BEEN DISAPPROVED BY THE PARISH PRESIDENT. THEREFORE, THIS ORDINANCE SHALL BE PRESENTED TO THE COUNCIL AT ITS NEXT REGULAR MEETING TO BE HELD ON MAY 15, 2006, AT 6:00 P.M.

ORDINANCE RECONSIDERED BY PARISH COUNCIL MAY 15, 2006
VOTE:

YEAS: RAMCHANDRAN, DUHE, MINNICH

NAYS: MARINO, FAUCHEUX, HILAIRE, FABRE, WALLS, BLACK

ABSENT: NONE

VETO OF THE PARISH PRESIDENT SUSTAINED.