



# St. Charles Parish

## Meeting Agenda

### Parish Council

**Council Chairman Brian A. Fabre**  
**Councilmembers Lance Marino, Clayton "Snookie" Fauchaux,**  
**Desmond J. Hilaire, 'Ram' Ramchandran, Derryl Walls, April Black,**  
**Dickie Duhe, Barry Minnich**

St. Charles Parish Courthouse  
15045 Highway 18  
P.O. Box 302  
Hahnville, LA 70057  
985-783-5125  
www.stcharlesparish.gov

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Monday, June 5, 2006

6:00 PM

Council Chambers, Courthouse

Final

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### Minutes

#### ATTENDANCE

#### CALL TO ORDER

#### PRAYER

#### PLEDGE

#### SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

[2006-0175](#) In Recognition: Allen Braud, Zoning Board of Adjustment

**Sponsors:** Mr. Fabre

[2006-0167](#) In Recognition: Danielle Douglas, 2006 State Champion, Hahnville High School Track and Field Team

**Sponsors:** Mr. Hilaire

[2006-0168](#) In Recognition: Levi Gruwell, 2006 State Champion, Hahnville High School Wrestling Team

**Sponsors:** Mr. Fauchaux

**G Monday, June 19, 2006, 6:00 pm, Council Chambers, Courthouse, Hahnville**

[2006-0169](#) An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Section 15-5, Motor Vehicles and Traffic, of said Code, to provide for the installation of “**NO PARKING**” sign in front of 503 Paul Maillard Road in Luling.

**Sponsors:** Mr. Fauchaux

**Attachments:** [2006-0169 Final Ord 06-6-14](#)

[2006-0170](#)

**Sponsors:** Mr. Laque and Department of Legal Services

**Attachments:** [Listings.xls](#)  
[2006-0170 Final Ord 06-6-15 with Properties](#)

[2006-0171](#) An ordinance to approve and authorize the execution of an Agreement with Gilmore Auction & Realty Company to provide marketing services and to conduct multi-property real estate auctions of adjudicated properties.

**Sponsors:** Mr. Laque and Department of Legal Services

**Attachments:** [GILMORE CONTRACT 4-4-06.doc](#)  
[GILMORE CONTRACT 5-30-06 revised.doc](#)  
[2006-0171 Agreement-F](#)  
[2006-0171 Final Ord 06-6-16 with Agreement](#)

*Revised Contract (Regular Agenda - Page 23)*

[2006-0172](#) An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Section 15-5, Motor Vehicles and Traffic, of said Code, to provide for the installation of “**NO PARKING**” sign on Fourth Street in Luling.

**Sponsors:** Mr. Fabre

**Attachments:** [2006-0172 Final Ord 06-6-17](#)

[2006-0172](#) An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Section 15-5, Motor Vehicles and Traffic, of said Code, to provide for the installation of “**NO PARKING**” signs on the South side of Fourth Street from Paul Maillard Road to Ellington Avenue in Luling.

**Sponsors:** Mr. Fabre

**Attachments:** [2006-0172 Final Ord 06-6-17](#)

[2006-0176](#) An ordinance approving and authorizing the establishment of a Home Occupation under the operation of Shanna M. Marshall - "Simpli Sno" - a snowball stand at 722 Paul Maillard Road, Luling, La.

**Sponsors:** Mr. Laque and Department of Planning & Zoning

**Attachments:** [Simpli Sno application.pdf](#)  
[Simpli Sno Minutes.doc](#)  
[Simpli Sno parking permission.pdf](#)  
[Simpli Sno Rec.doc](#)  
[2006-0176 Final Ord 06-6-13](#)

**Legislative History**

5/2/06	Department of Planning & Zoning	Received/Assigned PH
6/1/06	Department of Planning & Zoning <i>The Planning Department does not make recommendations on home occupations.</i>	No Recommendation to the Planning Commission
6/1/06	Planning Commission	Recommended Approval to the Parish Council

[2006-0177](#) An ordinance approving and authorizing the establishment of a Home Occupation under the operation of Deborah Dallon - "Big Mama's Sweet Shop" - a sweet shop at 206 Adams Street, Killona, La.

**Sponsors:** Mr. Laque and Department of Planning & Zoning

**Attachments:** [Big Mama application.pdf](#)  
[Big Mama elevation.pdf](#)  
[Big Mama Recommendation.doc](#)  
[Big Mama site plan.pdf](#)  
[Big Mama Minutes.doc](#)

**Legislative History**

5/2/06	Department of Planning & Zoning	Received/Assigned PH
6/1/06	Department of Planning & Zoning <i>The Planning Department does not make recommendations on home occupations.</i>	No Recommendation to the Planning Commission
6/1/06	Planning Commission	Recommended Approval to the Parish Council

[2006-0178](#) 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 R-1A and C-2 to C-3 at 15255 Highway 90, (Proposed Lot 1A) Paradis, La. as requested by Travis S. Boatright.

**Sponsors:** Mr. Laque and Department of Planning & Zoning

**Attachments:** [Boatwright LUR.doc](#)  
[Boatright survey.pdf](#)  
[Boatright Recommendation.doc](#)  
[Boatright owners endorsement.pdf](#)  
[Boatright Minutes.doc](#)  
[Boatright application Oct 2006.pdf](#)  
[Boatright owners endorsement Oct 2006.pdf](#)  
[Recommendation at a Glance.doc](#)  
[Minutes 11.02.06.doc](#)  
[survey.pdf](#)  
[LUR to C-2 Travis Boatwright.1.doc](#)  
[2006-0178 Failed Proposed Ordinance](#)  
[2006-0178 Final Ord 06-11-2](#)

**Legislative History**

4/25/06	Department of Planning & Zoning	Received/Assigned PH
4/25/06	Department of Planning & Zoning	Received/Assigned PH
6/1/06	Department of Planning & Zoning	Recommended Denial to the Planning Commission
6/1/06	Planning Commission	Recommended Denial to the Parish Council

[2006-0179](#) An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Section 15-5, Motor Vehicles and Traffic, of said Code, to provide for the installation of "No Left Turn" signs for trucks in excess of 5 tons crossing the Union Pacific Railroad on Gassen Street.

**Sponsors:** Mr. Laque and Department of Public Works

**Attachments:** [2006-0179 Final Ord 06-6-18](#)

[2006-0180](#) An ordinance approving and authorizing the execution of Change Order No. 1 - Final for Parish Project No. P030909, Gassen Street Railroad Crossing Resurfacing and Widening, to decrease the contract amount by \$58,466 and to increase the contract time by 2 days.

**Sponsors:** Mr. Laque and Department of Public Works

**Attachments:** [2006-0180 Change Order-F](#)  
[2006-0180 Final Ord 06-6-19 with Change Order](#)

[2006-0181](#) An ordinance to approve and authorize the execution of a Debt Collection Services Agreement with MAXIMUS, INC.

**Sponsors:** Mr. Laque and Department of Finance

**Attachments:** [Debt Collection Services - MAXIMUS.doc](#)  
[2006-0181 Agreement-F](#)  
[2006-0181 Final Ord 06-6-20 with Agreement](#)

[2001-0155](#) An ordinance to Amend Section 23-2 of the Parish Code of Ordinances, *Water Service Charges* to adjust the rates for various Waterworks Fees.

**Sponsors:** Mr. Laque and Department of Waterworks

**Attachments:** [2001-0155 Final Ord 06-6-21](#)

**Legislative History**

5/7/01	Parish President	Introduced
5/7/01	Parish Council	Publish/Scheduled for Public Hearing
5/21/01	Parish Council	Public Hearing Requirements Satisfied

*Reported:*

*Waterworks Department Recommended: Approval*

*Speakers:*

*Mr. Milton Allemand, Hahnville*

*Mr. Stanford Caillouet, New Sarpy*

*Ms. Thelma Schexnayder, Destrehan*

5/21/01	Parish Council	Tabled.
6/4/01	Parish Council	Removed from the Table 1
6/4/01	Parish Council	Accepted 1

*Reported:*

*Waterworks Department Recommended: Approval*

*Councilman Ramchandran moved to table File No. 2001-0155 and forward to the Legislative Committee.*

**VOTE ON THE MOTION:**

**YEAS: RAMCHANDRAN, HILAIRE, AUTHEMENT, MARINO**

**NAYS: FAUCHEUX, FABRE, BLACK, MINNICH**

**ABSENT: ABADIE**

*Motion failed for lack of a favorable majority.*

*Amendment: to accept the revised version of File No. 2001-0155*

6/4/01 Parish Council Public Hearing Requirements Satisfied  
 VOTE ON THE PROPOSED ORDINANCE AS AMENDED:  
 YEAS: FAUCHEUX, FABRE, BLACK, MARINO, MINNICH  
 NAYS: RAMCHANDRAN, HILAIRE, AUTHEMENT  
 ABSENT: ABADIE  
 Proposed ordinance failed for the lack of a 2/3 majority.

## PLANNING AND ZONING PETITIONS

[2006-0160](#) An ordinance approving and authorizing the establishment of a Home Occupation under the operation of Manuel Rodriguez - "Mago Construction, Inc." - general construction, roofing, remodeling at 96 Lorraine Drive, Destrehan, La.

**Sponsors:** Mr. Laque and Department of Planning & Zoning

**Attachments:** [Manuel Rodriguez application.pdf](#)  
[Manuel Rodriguez inspection report.pdf](#)  
[Manuel Rodriguez Recommendation at a Glance.doc](#)  
[Manuel Rodriguez signature page.pdf](#)  
[Manuel Rodriguez minutes.doc](#)  
[Sample Lot Layouts.pdf](#)  
[2006-0160 Failed Proposed Ordinance](#)

### **Legislative History**

3/20/06	Department of Planning & Zoning	Received/Assigned PH
5/11/06	Department of Planning & Zoning	No Recommendation to the Planning Commission <i>The Planning Department does not make recommendations on home occupations.</i>
5/11/06	Planning Commission	Recommended Denial to the Parish Council
5/15/06	Parish President	Introduced
5/15/06	Parish Council	Publish/Scheduled for Public Hearing

[2006-0161](#) An ordinance approving and authorizing the establishment of a Home Occupation under the operation of Delbert L. Burris - "Burris Carpentry." - trim, carpentry / cabinet installations at 208 River Village Drive, Destrehan, La.

**Sponsors:** Mr. Laque and Department of Planning & Zoning

**Attachments:** [Delbert Burris application.pdf](#)  
[Delbert Burris Recommendation at a Glance \(2\).doc](#)  
[Delbert Burris signature page \(3\).pdf](#)  
[Delbert Burris minutes \(1\).doc](#)  
[2006-0161 Final Ord 06-6-1](#)

### **Legislative History**

3/29/06	Department of Planning & Zoning	Received/Assigned PH
5/11/06	Department of Planning & Zoning <i>The Planning Department does not make recommendations on home occupations.</i>	No Recommendation to the Planning Commission
5/11/06	Planning Commission	Recommended Approval to the Parish Council
5/15/06	Parish President	Introduced
5/15/06	Parish Council	Publish/Scheduled for Public Hearing

2006-0162

An ordinance approving and authorizing the establishment of a Home Occupation under the operation of Donna Fremen - "Donna\$ Due\$." - a beauty shop at 330 St. Anthony Street, Luling, La.

**Sponsors:**

Mr. Laque and Department of Planning & Zoning

**Attachments:**

[Donna Fremen application.pdf](#)

[Donna Fremen Recommendation at a Glance \(5\).doc](#)

[Donna Fremen signature page \(6\).pdf](#)

[Donna Fremen site plan.pdf](#)

[Donna Fremen minutes \(2\).doc](#)

[2006-0162 Final Ord 06-6-2](#)

**Legislative History**

4/4/06	Department of Planning & Zoning	Received/Assigned PH
5/11/06	Department of Planning & Zoning <i>The Planning Department does not make recommendations on home occupations.</i>	No Recommendation to the Planning Commission
5/11/06	Planning Commission	Recommended Approval to the Parish Council
5/15/06	Parish President	Introduced
5/15/06	Parish Council	Publish/Scheduled for Public Hearing

[2006-0163](#)

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 C-2 to C-3 at property measuring 74.12 ft. front on LA Hwy. 18 by a depth along Paul Maillard Road of 116.86 ft. by a width of 70.79 ft. on its southern boundary line and a depth of 97.41 ft. on its western boundary line (the corner of River Road and Paul Maillard Road), as requested by Gregory Mollere.

**Sponsors:** Mr. Laque and Department of Planning & Zoning

**Attachments:** [Mollere application.pdf](#)

[Mollere LUR.doc](#)

[Mollere Recommendation at a Glance \(7\).doc](#)

[Mollere survey.pdf](#)

[Mollere minutes \(3\).doc](#)

[2006-0163 Final Ord 06-6-3](#)

**Legislative History**

3/22/06	Department of Planning & Zoning	Received/Assigned PH
5/11/06	Department of Planning & Zoning	Recommended Approval to the Planning Commission
5/11/06	Planning Commission	Recommended Approval to the Parish Council
5/15/06	Parish President	Introduced
5/15/06	Parish Council	Publish/Scheduled for Public Hearing

[2006-0164](#)

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 R-1A to C-2 at Lot 1112A, Townsite of Paradis (15305 Highway 90), as requested by Sara E. Sims.

**Sponsors:** Mr. Laque and Department of Planning & Zoning

**Attachments:** [George & Sara Sims application.pdf](#)

[George & Sara Sims LUR.doc](#)

[George & Sara Sims Recommendation at a Glance \(9\).doc](#)

[George & Sara Sims survey \(11\).pdf](#)

[George & Sara Sims minutes \(4\).doc](#)

[2006-0164 Final Ord 06-6-4](#)

**Legislative History**

4/3/06	Department of Planning & Zoning	Received/Assigned PH
5/11/06	Department of Planning & Zoning	Recommended Approval to the Planning Commission
5/11/06	Planning Commission	Recommended Approval to the Parish Council

5/15/06	Parish President	Introduced
5/15/06	Parish Council	Publish/Scheduled for Public Hearing

[2006-0129](#) 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 M-1 to R-1AM at Lots 79A, 79B, 79C, 81A, 81B, 81C, 81D, 83A, 83B, 83C, 83D, 91A, 91B, 93A, 93B, 93C, 95A, 95B, 95C, 95D, 97A and 97B of the Ranson Tract, Coteau De France, Section 39, T14S R20E, Des Allemands, St. Charles Parish, La as requested by Councilman District IV, Derryl Walls for Chevron USA.

**Sponsors:** Mr. Walls

**Attachments:** [Derryl Walls-Chevron Recommendation.doc](#)  
[Derryl Walls-Chevron minutes \(25\).doc](#)  
[Derryl Walls-Chevron map North.pdf](#)  
[Derryl Walls-Chevron map South.pdf](#)  
[Derryl Walls-Chevron LUR.doc](#)  
[2006-0129 Final Ord 06-6-5](#)

**Legislative History**

4/6/06	Department of Planning & Zoning	Recommended Approval to the Planning Commission
4/6/06	Planning Commission	Recommended Approval to the Parish Council
5/1/06	Parish President	Introduced
5/1/06	Parish Council	Publish/Scheduled for Public Hearing
5/15/06	Parish Council	Publish/Scheduled for Public Hearing
5/15/06	Parish Council	Rmv'd and Reintroduced

*Discussion: to remove and reintroduce File No. 2006-0129 for Public Hearing on Monday, June 5, 2006*

**ORDINANCES SCHEDULED FOR PUBLIC HEARING  
(INTRODUCED AT PREVIOUS MEETING)**

[2006-0147](#) An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Section 15-5, Motor Vehicles and Traffic, of said Code, to provide for the installation of “**NO PARKING**” signs on Vans Lane in New Sarpy between the railroad track and the River Road.

**Sponsors:** Mr. Duhe

**Attachments:** [2006-0147 Final Ord 06-6-6](#)

**Legislative History**

5/15/06	Council Member(s)	Introduced
5/15/06	Parish Council	Publish/Scheduled for Public Hearing

[2006-0042](#) An ordinance to amend Appendix C of the Code, St. Charles Parish Subdivision Regulations of 1981, Ordinance No. 81-8-2 to require a Traffic Impact Analysis for certain developments within St. Charles Parish.

**Sponsors:** Mr. Ramchandran

**Attachments:** [Traffic Impact Analysis minutes \(26\).doc](#)  
[Traffic Impact Analysis Recommendation.doc](#)  
[2006-0042 Failed Proposed Ordinance](#)

**Legislative History**

1/23/06	Council Member(s)	Introduced
1/23/06	Parish Council	Publish/Scheduled for Public Hearing
2/6/06	Parish Council	Public Hearing Requirements Not Satisfied
	<i>Reported:</i>	
	<i>Councilman Ramchandran Recommended:</i>	<i>Approval</i>
2/6/06	Parish Council	Removed and Referred to the Department of Planning & Zoning
	<i>Discussion:</i>	<i>to remove File No. 2006-0042 from consideration and forward to the Department of Planning &amp; Zoning</i>
4/6/06	Department of Planning & Zoning	No Recommendation to the Planning Commission
4/6/06	Planning Commission	Recommended Denial to the Parish Council
5/15/06	Council Member(s)	Introduced
5/15/06	Parish Council	Publish/Scheduled for Public Hearing

[2006-0156](#) An ordinance to approve the resubdivision of Lots 751 - 757, Sunset Drainage District into Lots A - Z, AA, and Remainder of Lots 751A - 757A, Sections 38 & 39, T14S-R20E, Paradis, St. Charles Parish, Louisiana, and waiver to hard-surface frontage on Lots X, Y, and Z, as requested by Chevron USA, Inc.

**Sponsors:** Mr. Laque and Department of Planning & Zoning

**Attachments:** [Sunset Drain application.pdf](#)  
[Sunset Drain-Chevron LUR.doc](#)  
[Sunset Drain-Chevron Minutes.doc](#)  
[Sunset Drain-Chevron Recommendation.doc](#)  
[Sunset Final Plat Revision .pdf](#)  
[owners endorsement.pdf](#)  
[2006-0156 Final Ord 06-6-7](#)

**Legislative History**

12/13/05	Department of Planning & Zoning	Received/Assigned PH
3/2/06	Department of Planning & Zoning	Recommended Approval to the Planning Commission

3/2/06	Planning Commission	Recommended Approval to the Parish Council
5/15/06	Parish President	Introduced
5/15/06	Parish Council	Publish/Scheduled for Public Hearing

[2006-0157](#)

An ordinance to approve the resubdivision of Lots 79, 81, and 83 into Lots 79A, 79B, 81A, 81B, 81C, 83A, 83B, 83C and 83D of the Ranson Subdivision of Coteau De France, Section 39, T14S-R20E. Des Allemands, St. Charles Parish, Louisiana with waiver to minimum square footage for Lot 83A and minimum hard-surface frontage on Lot 83B, as requested by Chevron USA, Inc.

**Sponsors:**

Mr. Laque and Department of Planning & Zoning

**Attachments:**

[Coteau-Chevron Recommendation.doc](#)

[Coteau-Chevron Minutes.doc](#)

[Coteau-Chevron LUR.doc](#)

[Coteau Final Plat Revision.pdf](#)

[Coteau-Chevron application.pdf](#)

[owners endorsement.pdf](#)

[2006-0157 Final Ord 06-6-8](#)

*Revised Version of Ordinance (Regular Agenda - Page 97)*

**Legislative History**

12/13/05	Department of Planning & Zoning	Received/Assigned PH
3/2/06	Department of Planning & Zoning	Recommended Approval to the Planning Commission
3/2/06	Planning Commission	Recommended Approval to the Parish Council
5/15/06	Parish President	Introduced
5/15/06	Parish Council	Publish/Scheduled for Public Hearing

2006-0158

An ordinance to approve the resubdivision of Lots 91, 93, 95, and 97 into Lots 91A, 91B, 93A, 93B, 93C, 95A, 95B, 95C, 95D, 97A and 97B of the Ranson Subdivision of Coteau De France, Section 39, T14S-R20E, Des Allemands, St. Charles Parish Louisiana, with waivers to minimum frontage and square footage on Lot 95A as requested by Chevron USA, Inc.

**Sponsors:** Mr. Laque and Department of Planning & Zoning

**Attachments:** [Ranson Final Plat Revision.pdf](#)  
[Ranson Subdivision-Chevron application.pdf](#)  
[Ranson Subdivision-Chevron LUR.doc](#)  
[Ranson Subdivision-Chevron Minutes.doc](#)  
[Ranson Subdivision-Chevron Recommendation.doc](#)  
[owners endorsement.pdf](#)  
[2006-0158 Final Ord 06-6-9](#)

**Legislative History**

12/13/05	Department of Planning & Zoning	Received/Assigned PH
3/2/06	Department of Planning & Zoning	Recommended Approval to the Planning Commission
3/2/06	Planning Commission	Recommended Approval to the Parish Council
5/15/06	Parish President	Introduced
5/15/06	Parish Council	Publish/Scheduled for Public Hearing

**2006-0165**

An ordinance to amend the St. Charles Code of Ordinances, Appendix A, Zoning Ordinance by establishing zoning districts for single-family residential patio home development.

**Sponsors:** Mr. Laque and Department of Planning & Zoning

**Attachments:** [Patio Home Recommendation at a Glance \(16\).doc](#)  
[Patio Home minutes \(6\).doc](#)  
[Patio Home Sample Lot Layouts.pdf](#)  
[Council Memo Patio Homes.pdf](#)

*Revised Version of Ordinance/Additional Data (Regular Agenda - Page 123)*

**Legislative History**

5/11/06	Department of Planning & Zoning	Recommended Approval to the Planning Commission
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5/11/06

Planning Commission

Rcmnd'd Approval w/Stip. to the Parish  
Council*Approval with the following amendments:***SECTION I:**

- *In Policy Statement: to change "on the opposite lot side." to "between adjacent structures.";*
- *In 2. Area regulations c. Minimum setbacks: (1): change "fifteen (15)" to "twenty (20)";*
- *In 2. Area regulations c. Minimum setbacks: (2): change "twenty-five (25)" to "twenty (20)";*
- *In 2. Area regulations c. Minimum setbacks: (3): change "opposite side" to "between adjacent structures.";*
- *In 4. Other provisions d. Buffer Requirements.: change "residential" to "commercial";*
- *Insert after 4.d.:*

*5. Usable Open Space Requirements. Each parcel of land, developed under RP-1 standards, shall provide usable open space totaling fifteen percent (15%) of the area of a RP-1 development. Such open space shall be exclusive of street and alley right-of-way, individually platted lots without open space easements, private yards, and patios. The fifteen percent (15%) shall be computed on the percentage of total platted area in a RP-1 subdivision excluding rights-of-ways for major and secondary thoroughfares. At the time of preliminary plat approval, the Planning & Zoning Commission may give full or partial credit for open areas that are otherwise unusable if it is determined that such areas are environmentally or aesthetically significant and that their existence enhances the development.*

*6. Maintenance Requirements for Common Open Space. In order to insure the long term maintenance of common land and facilities in RP-1 districts and prevent unexpected maintenance expenditures by the Parish, the following shall be required:*

- a. Plats and site plans in RP-1 districts shall be approved subject to the submission of a legal instrument(s) setting forth a plan or manner of permanent care and maintenance of open spaces, recreational areas, and other communally owned facilities. No such instrument shall be acceptable until approved by the Parish Attorney as to legal form and effect. A Homeowners Association (HOA) is the most widely accepted technique for managing commonly owned property.*
- b. The HOA shall be organized as a non-profit corporation with automatic membership in the HOA when property is purchased. This shall be specified in the covenants which run with the land, and which bind all subsequent owners. Covenants for maintenance assessments shall also run with the land. Assessments shall also be handled in covenant form rather than articles of incorporation since the latter may be easily amended. Included in the maintenance covenants shall be procedures for changing them at stated intervals since maintenance costs may change over time. Deeds shall also mention the rights and responsibilities of property owners to the HOA. The HOA shall be responsible for the maintenance of all commonly held facilities.*

**SECTION II:**

- *In Policy Statement: to change "on the opposite lot side." to "between adjacent structures.";*
- *In 2. Area regulations c. Minimum setbacks: (1): change "fifteen (15)" to "twenty (20)";*

- In 2. Area regulations c. Minimum setbacks: (2): change "twenty-five (25)" to "twenty (20)";
  - In 2. Area regulations c. Minimum setbacks: (3): change "opposite side" to "between adjacent structures.";
  - In 4. Other provisions d. Buffer Requirements.: change "residential" to "commercial";
  - Insert after 4.d.:
5. Usable Open Space Requirements. Each parcel of land, developed under RP-1 standards, shall provide usable open space totaling fifteen percent (15%) of the area of a RP-1A development. Such open space shall be exclusive of street and alley right-of-way, individually platted lots without open space easements, private yards, and patios. The fifteen percent (15%) shall be computed on the percentage of total platted area in a RP-1A subdivision excluding rights-of-ways for major and secondary thoroughfares. At the time of preliminary plat approval, the Planning & Zoning Commission may give full or partial credit for open areas that are otherwise unusable if it is determined that such areas are environmentally or aesthetically significant and that their existence enhances the development.
6. Maintenance Requirements for Common Open Space. In order to insure the long term maintenance of common land and facilities in RP-1A districts and prevent unexpected maintenance expenditures by the Parish, the following shall be required:
- a. Plats and site plans in RP-1A districts shall be approved subject to the submission of a legal instrument(s) setting forth a plan or manner of permanent care and maintenance of open spaces, recreational areas, and other communally owned facilities. No such instrument shall be acceptable until approved by the Parish Attorney as to legal form and effect. A Homeowners Association (HOA) is the most widely accepted technique for managing commonly owned property.
  - b. The HOA shall be organized as a non-profit corporation with automatic membership in the HOA when property is purchased. This shall be specified in the covenants which run with the land, and which bind all subsequent owners. Covenants for maintenance assessments shall also run with the land. Assessments shall also be handled in covenant form rather than articles of incorporation since the latter may be easily amended. Included in the maintenance covenants shall be procedures for changing them at stated intervals since maintenance costs may change over time. Deeds shall also mention the rights and responsibilities of property owners to the HOA. The HOA shall be responsible for the maintenance of all commonly held facilities.

5/15/06	Parish President	Introduced
5/15/06	Parish Council	Publish/Scheduled for Public Hearing

**2006-0166**

An ordinance approving and authorizing the execution of an Act of Dedication for Highland Oaks Phase 1 Subdivision, St. Rose, St. Charles Parish, LA.

**Sponsors:** Mr. Laque and Department of Planning & Zoning

**Attachments:** [2006-0166 Act of Dedication-F](#)  
[2006-0166 Final Ord 06-6-10 with Dedication](#)

**Legislative History**

5/15/06	Parish President	Introduced
5/15/06	Parish Council	Publish/Scheduled for Public Hearing

[2006-0132](#) An ordinance to approve and authorize the execution of a Cash Sale by Chevron U.S.A., Inc. for certain property located in Estay Subdivision, Paradis.

**Sponsors:** Mr. Walls

**Attachments:** [2006-0132 Cash Sale-F](#)  
[2006-0132 Final Ord 06-6-11 with Sale](#)

**Legislative History**

5/1/06	Council Member(s)	Introduced
5/1/06	Parish Council	Publish/Scheduled for Public Hearing
5/15/06	Parish Council	Publish/Scheduled for Public Hearing
5/15/06	Parish Council	Rmv'd and Reintroduced

*Discussion: to remove and reintroduce File No. 2006-0132 for Public Hearing on Monday, June 5, 2006*

## ORDINANCES/RESOLUTIONS WHICH HAVE BEEN TABLED

[2006-0123](#) An ordinance approving and authorizing the establishment of a Home Occupation under the operation of Erin Murray Smith - "E & M Trucking, LLC." - a trucking business at 151 Van's Lane, Destrehan, La.

**Sponsors:** Mr. Laque and Department of Planning & Zoning

**Attachments:** [Erin Murray Smith Recommendation.doc](#)  
[Erin Murray Smith minutes \(3\).doc](#)  
[Erin Murray Smith application.pdf](#)  
[Erin Murray Smith signature page \(4\).pdf](#)  
[2006-0123 Final Ord 06-6-22](#)

**Legislative History**

2/3/06	Department of Planning & Zoning	Received/Assigned PH
4/6/06	Department of Planning & Zoning	No Recommendation to the Planning Commission <i>The Planning Department does not make recommendations on home occupations.</i>
4/6/06	Planning Commission	Recommended Denial to the Parish Council
5/1/06	Parish President	Introduced
5/1/06	Parish Council	Publish/Scheduled for Public Hearing

5/15/06	Parish Council	Public Hearing Requirements Satisfied
	<i>Reported:</i>	
	<i>P &amp; Z Department Recommended: No Recommendation The Planning Department does not make recommendations on home occupations.</i>	
	<i>Planning Commission Recommended: Denial</i>	
	<i>Speakers:</i>	
	<i>Ms. Donnel Faucheux, New Sarpy</i>	
	<i>Mrs. Avinell B. Emil, New Sarpy</i>	
	<i>Mr. Mark Smith, New Sarpy</i>	
5/15/06	Parish Council	Motioned 1
	<i>to extend Mr. Smith's time an additional three minutes</i>	
5/15/06	Parish Council	Public Hearing Requirements Satisfied
	<i>Speakers:</i>	
	<i>Ms. Erin Smith, New Sarpy</i>	
	<i>Mr. John Versher, New Sarpy</i>	
5/15/06	Parish Council	Tabled.

[2006-0134](#)

An ordinance to amend the Code of Ordinances to adjust the Motor Vehicle Office transaction fee to three dollars (\$3.00).

**Sponsors:** Mr. Laque

**Attachments:** [2006-0134 Final Ord 06-6-12](#)

**Legislative History**

5/1/06	Parish President	Introduced
5/1/06	Parish Council	Publish/Scheduled for Public Hearing
5/15/06	Parish Council	Public Hearing Requirements Satisfied
	<i>Reported:</i>	
	<i>Parish President Recommended: Approval</i>	
5/15/06	Parish Council	Tabled.

**RESOLUTIONS**[2006-0173](#)

A resolution offering full support in requesting the Pontchartrain Levee Board to video all meetings and forward a copy to all Parishes covered under the Levee District; Ascension, Iberville, St. Charles, St. James, and St. John the Baptist, for broadcast over their individual Parish channels.

**Sponsors:** Mr. Duhe

**Attachments:** [2006-0173 Final Reso 5350](#)

[2006-0174](#)

A resolution authorizing the Chairman or the Secretary to offer no objection to JJJ Development Partners, L.L.C., CUP P20060290 for a permit to develop the Hidden Oaks Subdivision, Phase II in Luling, in St. Charles Parish.

**Sponsors:**

Mr. Laque and Coastal Zone Management Section

**Attachments:**

[Reccomend JJJ.pdf](#)

[2006-0174 Notice](#)

[2006-0174 Letter 5-3](#)

[2006-0174 Letter 6-8](#)

[2006-0174 Final Reso 5351](#)

*Additional Data (Regular Agenda - Page 189)*

**Legislative History**

4/5/06	Parish Council	Rcmd'ation Request Fwd'd to the Coastal Zone Management Section
5/3/06	Parish Council	Time Ext. Requested to the DNR
5/25/06	Coastal Zone Management Section	Recommended Approval to the Coastal Zone Advisory Committee <i>CZM Section would recommend a letter of No Objection be sent on this matter based on the surrounding development.</i>
5/25/06	Coastal Zone Advisory Committee	No Recommendation to the Parish Council <i>CZAC was unable to meet to discuss the permit.</i>

**APPOINTMENTS**[2006-0053](#)

A resolution appointing a member to the Library Services District Board of Control.

**Attachments:**[2006-0053 Final Reso 5371](#)

*Council Chairman will accept nominations to fill the vacancy created by the expiration of the term of Ms. Regenia Catlett Fortenberry. Five (5) year term to begin April 1, 2006 and expire April 1, 2011.*

**Legislative History**

3/19/01	Parish Council	Enacted Legislation <i>Ms. Regenia Catlett Fortenberry appointed to the Library Board of Control on March 19, 2001, per Resolution No. 4893 Term: April 1, 2001 - April 1, 2006</i>
2/6/06	Parish Council	Vacancy Announced
2/20/06	Parish Council	Deferred 1
3/20/06	Parish Council	Deferred 1
4/3/06	Parish Council	Deferred 1
5/1/06	Parish Council	Deferred 1
5/15/06	Parish Council	Deferred 1

**SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL**[2006-0154](#)

A resolution appointing an Official Journal to serve the Parish Council of St. Charles Parish for the period June 2006 through June 2007.

**Attachments:**[2006-0154 Final Reso 5352](#)**Legislative History**

5/15/06	Parish Council	Authorized 1
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2006-0137

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 M-1 to R-1A Portion of Lots 127, 129 & 131 Coteau de France or Ranson Tract (proposed Lots 1, 2, 3 and 5) of The Sunset Drainage District, Sec. 39, T14S R20E as requested by George and Sara Sims.

**Sponsors:** Mr. Laque and Department of Planning & Zoning

**Attachments:** [George & Sara Sims application.pdf](#)  
[George & Sara Sims LUR.doc](#)  
[George & Sara Sims Recommendation at a Glance.doc](#)  
[George & Sara Sims survey \(15\).pdf](#)  
[Sims M-1 to R-1A minutes \(5\).doc](#)  
[2006-0137 Final Ord 06-5-13](#)

*Under consideration for re-opening of a Public Hearing (Councilman Faucheux)  
 Ordinance No. 06-5-13*

**Legislative History**

4/4/06	Department of Planning & Zoning	Received/Assigned PH
5/1/06	Parish President	Introduced
5/1/06	Parish Council	Publish/Scheduled for Public Hearing
5/4/06	Department of Planning & Zoning	Recommended Approval to the Planning Commission
5/11/06	Department of Planning & Zoning	Recommended Approval to the Planning Commission
5/11/06	Planning Commission	Recommended Denial to the Parish Council
5/15/06	Parish Council	Public Hearing Requirements Satisfied

**Reported:**

*P & Z Department Recommended: Approval*

*Planning Commission Recommended: Denial*

**Speakers:**

*Ms. Sara Sims, Paradis*

*Ms. Bertha Barfield, Paradis*

*Reverend Mitchell Bolden, Jr., Boutte*

*Mr. Steve Naquin, Des Allemands*

*Mr. Stanley Hebert, Des Allemands*

*Ms. Tania Joseph, Hahnville*

*Ms. Shirley Scott, Des Allemands*

*Ms. Marcie Nacio, Des Allemands*

*Reverend Charles Temple, Ama*

*Mr. Ellis Sevin, III, Des Allemands*

*Ms. Brandy Sevin, Des Allemands*

5/15/06	Parish Council	Approved 1
5/19/06	Parish President	Approved by the Par. Pres.

**MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.****ADJOURNMENT**

*SUNSET DRAINAGE DISTRICT: Thursday, 6/8/06, 7PM, Council Chambers*

*911 COMMUNICATIONS DISTRICT: Monday, 6/12/06, 5PM, Council Chambers*

*COMMUNITY ACTION ADVISORY BOARD: Wednesday, 6/14/06 7PM, Courthouse Annex*

*ZONING BOARD OF ADJUSTMENT: Thursday, 6/15/06, 7:30PM, Council Chambers*

**Accommodations for Disabled**

St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5125 to discuss the particular accommodations needed.