

RWD:

2010-0420

INTRODUCED BY: BILLY RAYMOND, SR., COUNCILMAN, DISTRICT I

RESOLUTION NO. 5792

A resolution authorizing the Chairman or the Secretary to offer an OBJECTION to Bayou Fleet, Inc., MVN-1997-5027-EQ, WQC #970925-03, for a permit to enlarge a sand stockpile pit, construct a dry dock, a machine shop, a hopper conveyor, and a tower crane at an existing facility in order to expand operations, in the Mississippi River, on the right descending bank at mile marker 125 and off LA Hwy. 18, Hahnville, in St. Charles Parish.

BE IT RESOLVED by the St. Charles Parish Council acting as the Governing Authority of the Parish:

SECTION I. That the Chairman or the Secretary be and is hereby authorized to offer an **OBJECTION** in connection with the application of Bayou Fleet, Inc., MVN-1997-5027-EQ, WQC #970925-03, for a permit to enlarge a sand stockpile pit, construct a dry dock, a machine shop, a hopper conveyor, and a tower crane at an existing facility in order to expand operations, in the Mississippi River, on the right descending bank at mile marker 125 and off LA Hwy. 18, Hahnville, in St. Charles Parish.

SECTION II. That the offer of **OBJECTION** is issued for the following reasons: The activities under consideration on the subject permit application exist as Legal Non-Conforming Uses on the subject property. Section IX of the St. Charles Parish Zoning regulations state that a nonconforming use shall not be extended or enlarged either in intensity of the activity or by physical extension. Specifically, the subject Corps application indicates that Bayou Fleet Inc. intends to "enlarge a sand stockpile pit, construct a dry dock, a machine shop, a hopper conveyor and a tower crane at an existing facility in order to expand operations." The enlargement of the sand stockpile pit, the new machine shop, the hopper conveyor and the tower crane would be considered physical expansions of the legal nonconforming uses. The subject property is currently zoned B-1, Non-Industrial Batture. Three attempts have been made to rezone the property to B-2, Industrial Batture, for expansion of the operation. These rezoning cases in 2003, 2009 and 2010 were all denied by the St. Charles Parish Council.

SECTION III. That a copy of this resolution shall be forwarded to all interested parties.

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

YEAS: SCHEXNAYDRE, RAYMOND, TASTET, BENEDETTO, HOGAN, COCHRAN, LAMBERT, NUSS
NAYS: AUTHEMENT
ABSENT: NONE

And the resolution was declared adopted this 6th day of December, 2010, to become effective five (5) days after publication in the Official Journal.

OBJECT. 2010-0420 Rev. Bayou Fleet, Inc.doc

CHAIRMAN: Billy Raymond, Sr.
SECRETARY: Burton Jacob Tucker
DLVD/PARISH PRESIDENT: December 7, 2010
APPROVED: [Signature] DISAPPROVED: _____
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: December 7, 2010
AT: 1:15 pm RECD BY: [Signature]