

Reso.

2009-0357

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PLANNING & ZONING)**

**RESOLUTION NO. 5689**

A resolution providing mandatory supporting authorization to Michelle Schubert, (for property owned by Andre Perilloux), to endorse the positive Planning & Zoning Commission decision regarding PZS-2009-29 for resubdivision of Portion of Lot 5 of Bobercy Plantation (Cecil Perilloux Tract) into Parcel A (batture) and Lots 5D & 5E. in Section 7, T12S R7E, Montz, St. Charles Parish, La. by approving a waiver to the major subdivision approval requirements with stipulations.

**WHEREAS,** the St. Charles Parish Zoning Ordinance of 1981 (as amended) requires both Planning & Zoning Commission approval and a supporting resolution of the Parish Council to waive major subdivision approval requirements; and,

**WHEREAS,** Michele Schubert, on behalf of property owner Andre Perilloux, wishes approval of resubdivision of Portion of Lot 5 of Bobercy Plantation (Cecil Perilloux Tract) into Parcel A (batture) and Lots 5D & 5E. in Section 7, T12S R7E, Montz, St. Charles Parish, La. with a waiver to the major subdivision approval requirements; and,

**WHEREAS,** the St. Charles Parish Planning Commission passed this request with the stipulations that prior to the sale of any lots, the applicant grant a servitude for maintenance and drainage purposes along the drainage feature and that the Planning Department has the ability to review and approve the purchase and sale agreements with respect to location and screening of outdoor storage behind existing lots on Evangeline Road and to ensure that the purchase and sale agreement prohibits fencing across the drainage servitude.

**NOW, THEREFORE, BE IT RESOLVED THAT THE ST. CHARLES PARISH COUNCIL,** does hereby provide this supporting resolution to Michelle Schubert for Andre Perilloux to endorse the positive Planning & Zoning Commission decision regarding PZS-2009-29 for resubdivision of Portion of Lot 5 of Bobercy Plantation (Cecil Perilloux Tract) into Parcel A (batture) and Lots 5D & 5E. in Section 7, T12S R7E, Montz, St. Charles Parish, La. by approving a waiver to the major subdivision approval requirements with the following stipulations:

1. Prior to execution of the Resubdivision Plat, the applicant shall grant thereon A servitude for maintenance and drainage purposes along the drainage feature.
2. The Owner shall establish and file deed restrictions for the property regarding outdoor storage behind existing lots on Evangeline Road.
3. The Owner shall establish and file deed restrictions prohibiting fencing across the drainage servitude required to be established herein. A gate may be installed provided it spans the servitude and drainage feature provided that it remain unlocked for Parish maintenance access and provided that drainage is not impeded.

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

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, COCHRAN, NUSS

NAYS: NONE

ABSENT: HOGAN, LAMBERT

And the resolution was declared adopted this 2nd day of November, 2009, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]

SECRETARY: [Signature]

DLVD/PARISH PRESIDENT: November 3, 2009

APPROVED: [Signature] DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: November 3, 2009

AT: 4:34 pm RECD BY: [Signature]