



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbp.net

#17

Guy McInnis
Councilman
at Large

George Cavignac
Councilman
at Large

Ray Lauga, Jr.
Councilman
District A

Nathan Gorbaty
Councilman
District B

Richard "Richie" Lewis
Councilman
District C

Casey W. Hunnicutt
Councilman
District D

**Manuel "Monty"
Montelongo III**
Councilman
District E

Roxanne Adams
Clerk of Council

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY MARCH 3, 2015 AT SEVEN O'CLOCK P.M.

On motion of Mr. Montelongo, seconded by Mr. Lauga, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #1619-03-15

Summary No. 3199

Planning Commission recommended **APPROVAL with conditions** on 1/27/15

Introduced by: Administration on 2/3/15

Executive/Finance Committee recommended **Approval** on 2/10/15

Public hearing held on 2/18/15

Tabled on 2/18/15 until 3/3/15

AN ORDINANCE TO APPROVE **DOCKET Z-2015-001**, PETITION OF JAMES ACOSTA, JR., KAREN ACOSTA REID, AND LISA ANN ACOSTA BEING REPRESENTED BY JAMES ACOSTA, JR., FOR A CONDITIONAL USE PERMIT IN AN A-1 (RURAL) ZONING DISTRICT. PROPERTY IS DESIGNATED AS LOTS D-1, H-1, J-1, AND JA- SITUATED IN THE PARISH OF ST. BERNARD, OLIVIER PLANTATION.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That **DOCKET Z-2015-001**, petition of James Acosta, Jr., Karen Acosta Reid and Lisa Ann Acosta being represented by James Acosta, Jr, for a conditional use permit in an A-1 (Rural) zoning district is hereby granted for the following described property:

Property is designated as Lots D-1, H-1, J-1, and JA- situated in the Parish of St. Bernard, Olivier Plantation. Property Location: North Side of E. La Hwy 46 approximately 0.3 Miles North of Florrisant Hwy.

Planning Commission recommended **APPROVAL** with the following waiver and conditions:

Waiver:

1. The applicant shall be granted a waiver of Section 5-41(h) – Construction Regulations for Borrow Pits which requires maximum hours of operation from 8am to 7pm Monday through Saturday to permit maximum hours of operation from 7am to 7pm Monday through Saturday.

Conditions:



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1. No building permits or licenses for this project shall be issued until final development plans are approved and recorded. Site plan approval shall become null and void in one (1) year from the date of approval if the activities have not commenced and the site plan shall be considered to be disapproved per Section 22-10-1.3(h) of the Zoning Code.
2. The applicant shall comply with all state and federal requirements including but not limited to the provisions of existing permits for site operations.
3. The applicant shall demonstrate and comply with Section 5-41 – Construction Regulations for borrow pits in its entirety except for Part (c) provided the existing fencing and gates securing the site are maintained, Part (j) as a result of the permitting of a retention pond provided a bond is secured to ensure it being filled with tidally influence water, and the adjusted hours of operation.

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

NAYS: None

ABSENT: None

The Council Chair, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of March, 2015.



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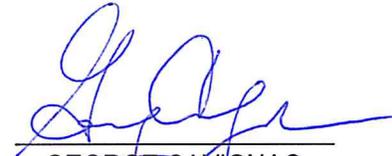
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ROXANNE ADAMS
CLERK OF COUNCIL


GEORGE CAVIGNAC
COUNCIL CHAIRMAN

Delivered to the Parish President

3/6/15 9:45am
Date and Time

Approved

Vetoed

Parish President


David E. Peralta

Returned to Clerk of the Council

3/6/2015 9:50am
Date and Time

Received by

