

BY COUNCIL MEMBER EVANS (Case No. SS-4-19)

CITY OF CENTRAL  
ORDINANCE NO. 2019-14

AN ORDINANCE GRANTING A WAIVER TO PERMIT A PRIVATE WASTEWATER  
TREATMENT PLANT  
(Blackwater Cove Lane – Lots C-3-A, C-3-B and C-3-C of the R.B. Montelaro Property)

WHEREAS, as part of an application to subdivide an approximately 8.24-acre parcel on the west side of Blackwater Road south of Rathmoor Avenue and east of Ardoon Drive into three (3) residential lots with a private servitude of access that crosses two other lots, a request was made for a waiver of Sec. 7:14.3(1) of the Development Code to permit the development of the property without connection to sanitary sewer; and

WHEREAS, Lot C-3 was part of a previous subdivision that also created Lots C-1 and C-2 and all three lots received a waiver of Sec. 7:14.3(1); and

WHEREAS, the further subdivision of Lot C-3 into three (3) lots does not change the fact that, though the property is within 500 feet of a public sanitary sewer, it is a pressurized force main, and making such a connection is cost prohibitive for the development of the five (5) lots that are being created; and

WHEREAS, the Planning Commission held a public hearing on the subdivision of Lot C-3 on March 28, 2019 approving the subdivision and recommending approval of the sewer connection waiver; and

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:

Section 1: That the property that is the subject of this Ordinance is legally described in Exhibit A attached hereto and made a part hereof.

Section 2: That a waiver of Sec. 7:14.3(1) of the Development Code is hereby granted consistent with the “Boundary Survey of Lot C-1 & Lot C-2 Preliminary Resubdivision of Lot C-3 into Lots C-3-A, C-3-B and C-3-C RB Montelaro Property Section 80, T6S-R1E, GLD East Baton Rouge Parish, LA for Moody Carroll Investments, LLC” by Richard W. Krebs and Associates, LLC dated January 21, 2019 subject to the notes thereon being modified to include language required by the City’s subdivision regulations regarding private servitude maintenance.

Section 3: The specific terms and conditions of this Ordinance shall prevail against other ordinances of the City to the extent that there may be any conflict. Except for the foregoing,

the development of the subject property is subject to the terms of all applicable ordinances and regulations of the City of Central, including any amendment thereto.

Section 4: Severability. If any section, subsection, sentence, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

Section 5. Effective Date. This Ordinance shall be effective upon publication.

Introduced before the Council on April 9, 2019.


This Ordinance having been submitted to a vote, the vote thereon was as follows:

For: Evans, Freneaux, McKinney, Moak, Myer, Roy, Wells  
Against: None  
Absent: None

Adopted the 23<sup>rd</sup> day of April, 2019.

Signed the 25<sup>th</sup> day of April, 2019.

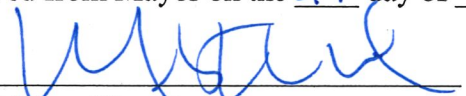
Delivered to the Mayor on the 29<sup>th</sup> day of April, 2019.

  
\_\_\_\_\_  
Mark Miley, City Clerk

Approved:

  
\_\_\_\_\_  
David Barrow, Mayor

Received from Mayor on the 29<sup>th</sup> day of April, 2019:

  
\_\_\_\_\_  
Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 2<sup>nd</sup> day of May, 2019

EXHIBIT A

Lot C-3, RB Montelaro Property, Section 80, T6S-R1E, GLD East Baton Rouge Parish, State of Louisiana.

4838-4255-2721, v. 1