



ST. JOHN
PLANNING & ZONING

PRIVATE STREET APPLICATION

TO SUBMIT APPLICATION ONLINE VISIT WWW.MYGOVERNMENTONLINE.ORG

OFFICE USE ONLY

| | |
|------------------------------------|------------------------|
| Docket No: _____ | Date Requested: _____ |
| Receipt No: _____ | Zoning District: _____ |
| Parcel #: _____ | Flood Zone: _____ |
| Council District / At Large: _____ | |
| Lot, Sq., Subdivision: _____ | |

APPLICANT INFORMATION

Name: _____

Mailing Address: _____

Phone: _____ Email: _____

STREET LOCATION

Address: _____

Subdivision : _____ Block: _____

Private street details: _____

Applicant's Signature

Date



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SUBMITTAL REQUIREMENTS

- Completed and signed application.
- Five (5) stamped copies of the survey of the street including legal description of the property and plotting of all utilities. The survey must be certified by a state registered engineer or land surveyor and stamped with an official seal. The survey should include signature lines for the Parish President, Public Works Director, Planning & Zoning Director, and Clerk of Court, date and file number.
- A cover letter (typed) indicating who is requesting the abandonment, closing or revocation; the full name, mailing address and phone number of the applicant, and the reasons for submission of the application.
- Notarized letters of no objection (typed) from all current property owners whose property abuts the street, road or alley which is intended to be abandoned, closed or revoked. The letter must include the names and addresses of those property owners.
- Notarized letters of no objection (typed) from all utilities whose facilities are located in the parish street, road or alley.
- Payment of fees; payable by credit card, check or money order to: "St. John Parish Council".

FEE SUMMARY

| | |
|-----------------------|----------|
| 1. Base | \$500.00 |
| 2. Administrative Fee | \$125.00 |
| 3. Advertising Fee | \$ 25.00 |
| 4. Technology Fee | \$ 10.00 |

NOTE: St. John the Baptist Parish has not examined nor reviewed the title of any portion of land in this application, or any restrictive covenants or restrictions placed on said property. Any action of the Parish in this matter does not: (1) imply that the applicant's title or ownership is valid, (2) that there are or are not any restrictive covenants or other restrictions on said property, or (3) that any restrictive covenants or restrictions that may be on said property are enforceable or are not enforceable.

NOTE: Within sixty (60) days of submission of minimum application requirements, this application will become null and void. By signature of this application, the applicant agrees and understand that all permit fees are non-refundable.

NOTE: This request MUST be approved by Council.

Applicant's Signature

Date



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CHAPTER 36: STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

ARTICLE I: IN GENERAL

(a) *Definitions.* The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Closings mean that the street, road or alley or portion thereof is no longer needed for public use at that particular time, upon the review and findings of fact by the Parish Planning Commission and the Parish Council. Said street, road or alley may be declared private and therefore restricted in use and maintained in common by the private property owners abutting said street, road or alley. Closings may be declared by ordinance for an indefinite period of time or reviewed on an annual basis for reconsideration.

Parish Planning and Zoning Department is an extension of and creation of the parish council, in which said board will initially review applications for abandonment, closing or revocations.

Parish road maintenance system, for the purposes of this section, means those roads, streets and alleys which have been placed on a roster or list as adopted by the parish council by ordinance, signifying that said roads, streets and alleys are to be maintained by the Parish Public Works Department.

Revocation means the surrender of any rights, titles and interests by the parish in any public road, street or alley and the improvements thereunto.

Street, road or alley, for the purposes hereof, means any public way set aside for public use and travel which was dedicated to or acquired by the parish to provide means of access to abutting property. It is not necessary that any formal act of acceptance should have occurred, and it is immaterial whether or not said street, road or alley has ever been opened, used or accepted into the parish road maintenance system. For the purposes herein, the terms "street", "road" and "alley" may be used interchangeably.

(b) *Application requirements.* An application must be filed with the Planning and Zoning Department to initiate either the closing, abandonment or revocation of any parish street, road or alley. Said application shall contain the following information:

- (1) A cover letter (typed) indicating who is requesting the abandonment, closing or revocation; the full name, mailing address and phone number of the applicant, and the reasons for submission of an application.
- (2) Notarized letters of no objection (typed) shall be obtained by the applicant from all current property owners whose property abuts the street, road or alley which is intended to be abandoned, closed or revoked. For the purposes of this chapter, the term "abutting" means property immediately adjacent to or at the start or end of.
 - a. Said notarized letters must contain the names and addresses of those property owners whose property abuts the street, road or alley intended to be abandoned, closed or revoked.
 - b. If a notarized letter cannot be obtained from an adjacent property owner for reasons unknown, the parish shall contact said owner to solicit a response as to their failure to submit and sign said letter. If said owner does not respond to the parish solicitation within ten days after being contacted, the applicant shall be released from their obligation to supply said notarized letter of no objection. However, if the owner does respond and indicates, in writing, that they have or will have a valid use of the street, road or alley that abuts their property; the Planning Commission, may consider the facts regarding said response is substantiated, prior to voting on the recommendation.



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- (3) Five blue line or black line prints of a bona fide survey containing measurements, degrees and bearing cells. Inclusive of the plotting of all utilities located on the street must be obtained. Said survey must be certified by a state registered engineer or land surveyor and stamped with an official seal. Signature lines shall be placed on the survey for signatures by and for the Parish President, Public Works Director and the Planning and Zoning Director and Clerk of Court, date and file number.
- (4) A legal description (typed) describing the boundaries of the property to be abandoned, closed or revoked shall be submitted with the required survey.
- (5) Notarized letters of no objection (typed) shall be obtained by the applicant from all utilities whose facilities are located in the parish street, road or alley which is intended to be abandoned, closed or revoked.
- (6) The aforestated application requirements shall be presented to the Planning and Zoning Department for its review and consideration. The Planning Commission shall make a formal recommendation to the Parish Council at the earliest practicable date regarding the application request. Should the Planning Commission recommend closing, abandonment or revocation, same shall be transmitted to the Secretary of the parish council for him to initiate the review thereof by the parish council. If the Planning Commission recommends denial and the parish council concurs, the matter need not be introduced for public hearing, and if the Planning Commission's vote to deny is unanimous, the matter shall not be introduced except by majority vote by the parish council.

(c) *Advertising.* Notice of the proposed change and the time and place of the hearing before the Planning Commission shall have been published once a week for three weeks consecutively in the official journal of the parish. At least four days shall elapse between the last date of publication and the date of the hearing. A printed notice in bold type shall have been posted for not less than ten consecutive days prior to the public hearing conducted by the Planning Commission on a sign not less than one square foot in area, prepared, furnished and placed by Zoning regulatory administrator or his designee upon the principal and assessable rights-of-way adjoining the area proposed for a change in land use classification.

(d) *Ordinance provisions.*

- (1) All streets, roads or alleys declared by the parish governing authority as abandoned, closed or revoked shall be procured by separate ordinance.
- (2) All transfers of real property disposed of by the parish shall include a generally provision within the ordinance that all mineral rights shall be retained by the parish, unless otherwise specifically noted within said ordinance by act, agreement of placation.
- (3) The ordinance shall include provisions by which the parish shall retain servitudes or easements for future use to utilities and drainage.
- (4) The ordinance shall stipulate that the property was disposed of by a private cash sale as prescribed by statutory law.

e) *Method of disposal of immovable property.*

- (1) *Procurement.* Subsequent to the parish council adopting an ordinance to abandon, close or revoke a street, road or alley as set forth in subsection (d) of this section, the parish may initiate the sale of said property through procurement of the following:



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- a. The parish shall commission an appraisal of the property to be conducted by a certified appraiser to determine the fair market value of said property. An appraiser shall be chosen by the director of the Department of Planning and Zoning at the applicant's expense.
- b. After the appraisal has been procured and the fair market value of the property determined, through means of a private cash sale as permitted by statutory law. All sales of disposed property are final and will become effective upon the recordation of the sale and corresponding ordinance adopted by the parish council.

(2) *Utility servitude.* All transfers of the real property hereunder, when so ordered, shall reserve a servitude allowing the continued existence, maintenance and operation of any existing electric, gas, telephone and/or cable facilities under terms reasonably accepted to such utility.

(f) *Fees.* A fee of \$500.00 shall be submitted for each application received. A fee of \$125.00 shall be retained by the Department of development for administrative and recordation costs and \$25.00 shall be remitted to the designated administrative department to offset the cost of publication.