

<p>TITLE</p> <p>A RESOLUTION WAIVING THE EFFECT OF CERTAIN PROVISIONS OF SECTION 78-359 OF THE CITY'S CODE OF ORDINANCES RELATIVE TO THE LENGTH OF A PIER AND BOATHOUSE ADJACENT TO 7411 MALLARD BAY DRIVE AND OTHERWISE PROVIDING WITH RESPECT THERETO</p>	<p>DATE</p> <p>11/7/13</p>	<p>ORIGINATING DEPT./DIV.</p> <p>Department of Engineering and Environmental Services</p> <p>SPONSOR OR COUNCIL MEMBER</p> <p>Councilman Everson</p>
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PURPOSE

To grant a request made by the owners of 7411 Mallard Bay Drive for a one-time waiver of the 300 foot limitation, contained in Section 78-359 of the Code of Ordinances, on the length of a pier and boathouse currently under construction in Cross Lake adjacent to that address.

This Ordinance or Resolution will have direct impact on Council District: **N/A**

BACKGROUND INFORMATION

The homeowners at 7411 Mallard Bay Drive have begun construction on a pier pursuant to a permit issued by the City. In order to reach open waters and complete the construction to the desired endpoint shown on the permit application, the total length will exceed the 300 foot limitation. Given the unique circumstances involved in the permitting process for the project and City staff's satisfaction that no environmental or safety concerns are presented by the request, and subject to the conditions listed in the resolution, City staff has no objection to this one-time waiver request.

TIMETABLE

Introduction: **November 26, 2013**

Final Passage: **December 10, 2013**

SPECIAL PROCEDURAL REQUIREMENTS

None

FINANCES

N/A

SOURCE OF FUNDS

N/A

CONCLUSION

FACT SHEET PREPARED BY: Wes Wyche, Environmental Services Manager

A RESOLUTION WAIVING THE EFFECT OF CERTAIN PROVISIONS OF SECTION 78-359 OF THE CITY'S CODE OF ORDINANCES RELATIVE TO THE LENGTH OF A PIER AND BOATHOUSE ADJACENT TO 7411 MALLARD BAY DRIVE AND OTHERWISE PROVIDING WITH RESPECT THERETO

By: Councilman Everson

Whereas, Section 78-359 of the City's Ordinance Code provides that piers and other facilities extending into Cross lake shall be limited to a maximum total length of 300 feet from the 172-foot contour line of the lake;

Whereas, the homeowners at 7411 Mallard Bay have begun construction on a pier pursuant to permit issued by the City, but in order to reach open waters and complete the construction to the desired endpoint shown on the permit application, the total length will exceed the 300 foot limitation;

Whereas, City staff has determined that completion of the improvements to the desired endpoint would not pose an environmental or safety concern; and

Whereas, given the unique circumstances involved in the permitting process for the project and the fact that no environmental or safety concerns are presented, City staff has no opposition to the completion of the construction to the desired endpoint, provided that the pier includes an elevated section that would allow for the possibility of boat access through an inner cove for the lot owner to the north;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the 300 foot limitation contained in Section 78-359 of the City's Code of Ordinances is hereby waived solely as pertains to the pier and boathouse currently under construction adjacent to 7411 Mallard Bay Drive, provided that all other aspects of the Cross Lake Construction Permit issued for the project are complied with, and further provided that the pier includes an elevated section that would allow for the possibility of boat access for the lot owner to the immediate north which is located, designed and built to the City's satisfaction.

BE IT FURTHER RESOLVED that if any provision of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

Approved as to legal form:

City Attorney's Office