

Dr. Pat Fitzpatrick
180-B Lakeview Drive
Slidell, LA 70458
April 29, 2013

Dear President Pat Brister:

The Lakeview Residents Association (LRA), located on Lake Pontchartrain east of HWY 11, has worked hard to recover from Hurricane Katrina as well as Hurricanes Gustav and Isaac. The Parish has made considerable progress, and we also appreciate the recent cleanup efforts from Isaac. However, problems still linger 8 years later, and we request the Parish addresses them. Issues include:

- Unkempt lawns
- Sunken boats in the canal (as well as hurricane-deposited boats near HWY 11)
- Abandoned pilings in Lake Pontchartrain
- Littering
- The abandoned post-Katrina timeshare property on North Shore Drive, which also includes a retention pond full of debris.

In the past, per LRA and residents' requests, St. Tammany has followed the Parish Code of Ordinances (<http://www.stpgov.org/code/content.php?parent=253>) procedures in Section 1-011 and issued citations. In some cases, this has been either completely ineffective or only temporarily successful. In particular, it is perplexing to us that apparently no monetary penalties have been issued for continuing non-compliances (Section D). Some overgrown lots, abandoned boats, and in particular the abandoned time-share property, could also be deemed "dangerous conditions" (Section f), for which the required action is (Section F3) "if.....remedial action has not taken place, the Director of Development, Director of Permits and Inspections or the Director of Public Works will request that the District Court issue an order that the activity be enjoined and/or any other order necessary to abate, contain or remove the dangerous condition."

We request that the Parish first take inventory of past file numbers (Section D1), and provide us written documentation of which violations have been corrected in the past two years (Section E1). The LRA will visit these locations and assess whether compliance has continued. For the cases with no proof of corrections, please inspect these properties in the next few weeks and re-assess the situation. If new citations are issued, please be firm in enforcing the 5 working day deadlines and assess penalties or injunction. Please also be bold in defining dangerous situations, since this should provide the proper authority to remove lingering hurricane impacts (i.e., unkempt abandoned properties, sunken boats). We've worked hard to recover and rebuild and now need your assistance to complete the task.

In the last few years, Vicki Tosh has obtained information about the North Shore time-share property. She has also spoken to numerous parish representatives (code enforcement and at the parish president level) since 2009 and as recently as October 2012. Ted Modica also showed overhead photos. These efforts have prompted visual inspections, comments that the situation was appalling, and promises for action from the parish legal department, but no apparent action has occurred.

The owners and legal representation are in Utah and unresponsive to the situation. As a result, debris exists both in the pond and on its shoreline. It also attracts litter and garbage. The overgrown brush has been a magnet for wildlife, and in particular for a pack of coyotes since last summer. Because the coyotes have been killing pets, the LRA has taken action by hiring a professional trapper, and we have captured two of the coyotes. Pictures of this effort are included in this letter. There are still more coyotes, and our efforts are continuing. But, the best solution is to confiscate the property and sell to new landowners. Enforcement with the current landowners will achieve little, although we understand you have to take a series of steps legally. We will now include suggestions to accelerate enforcement.

[Recipient Name]

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The retention pond violates Appendix F (Coastal Zone Management Regulations) of the Parish Code of Ordinances, probably has an expired permit, and is violating numerous ordinances. Appendix F states, "violation or failure to comply with the provisions of this Ordinance or the terms or conditions of any coastal use permit shall be punishable by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or ninety (90) days imprisonment, or both. Each day for which the violation continues shall constitute a separate offense."

Here is the pertinent contact information:

North Harbor III, 123 Northshore Wide, Slidell LA 70458

Owners' Resorts & Exchange, Inc., 404 East 4500 South, Ste A-34, Salt Lake City, Utah 84107
801-269-1322 or 800-440-9950, Pam Boudreaux, Resort Manager @ x 142

Trustee for North Harbor III: Jeri Crook, Legal Assistant for Robert W. Hughes, 438 East 200
South, Salt Lake City UT 84111

Ph: 801-364-9075 - Fax: 801-364-9081 - E-Mail: Jeri@RHughesAttorney.com

Assessment Number: 137-109-3142

Property Description: THREE BUILDINGS BEING BLDG 1 UNITS 12A 12B 13A 13B BLD 2
UNITS 6A 6B 1 2 3 4 11A 11B BLDG 3 UNITS 7A 7B 5 8 9 10 NORTH HARBOR III CONDOS
CB 1081 615 CB 1034 196 CB 1081 730 CB 1529 326 346 CB 1532 33 53-78 [NORTH HARBOR
CONDOS/EDENISLES]

Since no progress has been made on this property since Katrina from the out-of-state owners, St. Tammany can assume continued non-cooperation, and should take stern legal action such as penalties, property seizure, and imprisonment after one more attempt to get a response from the owner. .

Regarding the lake pilings, we know there are special circumstances for their persistence. Senator A.G. Crowe, with the cooperation of the state Department of Natural Resources (DNR), had set aside \$100,000 to begin removal last year. However, the department secretary quit his post, and the funding got lost. He is attempting again to obtain funds. We request St. Tammany request a meeting with Senator Crowe to facilitate this process. Since the legislature is now in session, this effort needs to be done immediately. If Senator Crowe is unsuccessful, removal is still needed and alternatives explored. They are a boating hazard, are unsightly, lower property values, and violate several state and federal laws.

Finally, on a positive note, with the assistance of Senators A.G. Crowe and David Vitter, efforts to build momentum on construction of a Lake Pontchartrain surge barrier are underway. We are now part of our neighbor's Eden Isles Homeowners Association Flood Committee. We'd like to give you a briefing and obtain your support for this effort.

Feel free to call me at 985-788-9486 and discuss further. We can also meet in your office.

Sincerely,

Pat Fitzpatrick, LRA representative



Figure 1. Coyote in trap on abandoned timeshare property. Note trees destroyed while in trap. They can be dangerous when cornered. This was a female and we believe recently had a litter.



Figure 2. Trapper John Schmidt snaring another coyote, about to safely put in a carry-away box. Also shown is Lakeview resident Michelle Duffour, who has endured the coyotes near her house since Summer 2012.