

**Planning Commission
Public Hearing
March 12, 2013**

The meeting was called to order by Zoning Chairman Nixon Adams and the secretary called the roll.

Present: Nixon Adams, Dennis Thomas, Simmie Fairley, Ren Clark, Scott Quillin, Rebecca Bush, and Michael Blache.

Also present: Louissette Kidd, Planning Director and Council Member Rick Danielson

Absent: None

Ms. Bush moved to adopt the minutes of March 27 and April 17, 2012, seconded by Mr. Quillin and was unanimously approved.

Mr. Quillin moved to adjourn the meeting, seconded by Ms. Bush and was unanimously approved.



Lori Spranley, Secretary



Dennis Thomas, Chairman

**Zoning Board
Public Hearing
March 12, 2013**

The meeting was called to order by Zoning Chairman Nixon Adams and the secretary called the roll.

Present: Nixon Adams, Dennis Thomas, Simmie Fairley, Ren Clark, Scott Quillin, Rebecca Bush, and Michael Blache.

Also present: Louisette Kidd, Planning Director and Council Member Rick Danielson

Absent: None

Mr. Adams announced that written notice of decisions regarding variances will be filed in the Board's office the following day of this meeting at which time applicable appeal time will begin to run

The first case discussed was V13-02-02 Prieto Marina, LLC requests a variance to Section 5.2.3, Grading Supplement, 200 section of Prieto Marina, 1298 Madison Street, zoned PM-1

Ms. Kidd presented a proposed renovation to the Prieto Marina to include the renovation of an existing bulkhead and to allow the dredge material to be placed on the site. Two areas were designated to be utilized away from the existing trees. The Madison Street right-of-way would no longer have an encroachment. There was a discussion at the work session about the area and amount of fill after it had settled in six to eight months would be reduced in volume by 1/3 to 1/2. It was also discussed that the fill would be allowed to be placed with tree protection for a period of time and then revisit the case to see if the fill could be spread further on the site and reduced to 8". Another alternative for consideration would be to have the material removed at that future time. Either decision did not affect any drainage issues.

Mr. Adams suggested reviewing the settling after one year. He also asked about a ruling on the bulkhead repair. Ms. Kidd said the staff did not look at it as a placement of fill, but as a repair of the bulkhead. Backfill in the bulkhead had eroded and the proposal would bring it even with the existing ground. Mr. Adams said the request was to haul in material for backfill. Mr. Clark asked why Mr. Doolittle would not use the spoil. Bob Doolittle, representative, said the mud and clay would not compact. A compactible material with sandy clay was needed. Mr. Clark asked about the Corps of Engineers permit. Mr. Doolittle had received permits except for the reclamation. Ms. Kidd said that was not part of this case. Mr. Clark said the beginning height would be 1.9' at the time of dumping. Mr. Doolittle agreed that there would be about 1' at the end of the settling. Mr. Adams reiterated that the spoil was being placed only in the area shown on plan.

Mr. Blache moved to approve the variance for one year to review the spoil settlement and decide if it would remain in the location and allow the backfilling behind the bulkhead with a material suitable for the project, seconded by Mr. Fairley. Mr. Clark asked if the threshold of one year was sufficient for settling. Ms. Kidd said if it was not, the mud could be hauled off. The vote was unanimously approved.

Mr. Doolittle asked if the board would approve the renovation to the marina as the last step of the permit process. Ms. Kidd suggested a board resolution for the next step following local approval. David Lamulle, contractor, said they would require a letter of no objection. Ms. Kidd said the governing body was the City Council. Mr. Adams said the board had no objection to the reclamation. Mr. Doolittle had used a survey from the original purchase in 1979 and the engineer had

**Zoning Board
Public Hearing
March 12, 2013
Page 2**

identified the property line. Ms. Kidd said the board had approved the variance which allowed the issuing of the permit including the reclamation as long as all other items were in order. Mr. Lamulle said in the parish, the Permit Department issued letter of no objection. They would meet with Ms. Kidd to finalize any letters.

The next case discussed was V13-02-03 Brad Rogers requests a variance to Section 8.1.5(3), Supplemental Regulations of Accessory Buildings and Structures and Section 7.5.1.3(7), R-1 Site Development Regulations, Maximum Impervious Site Coverage, square 52, 1842 Montgomery Street, zoned R-1

Ms. Kidd said Mr. Rogers had met with the Design Review Committee and there were three variances requested. There was an existing house and driveway with a pad at the rear of the property on the site. The pad would be used for the base construction of a double carport with a constructed area above. The Design Review Committee had reviewed the proposal for total square footage, and it was determined that a variance would be required for the total impervious site coverage, accessory structure located in the rear yard setback and the accessory height over 14'. At the meeting options were discussed for appropriateness for the site and neighborhood as well as meeting the applicants need for storage.

The plan was amended to eliminate the connection between the proposed construction. This changed the impervious site coverage to 45% down from 51%. The second variance was for the accessory structure that would be constructed 6' from the property line. The rear yard measured 30' x 60'. There was no other house immediately adjacent to the rear so the construction would be located 20' off the rear property line. The adjacent properties had a side yard accessory structure on one side and a two story residence to the other side. The third variance request would be to the height of the proposed garage. Traditionally there would be two story garages in a historic area. The plan was reviewed to be historically correct and the Design Review Committee was in agreement that it was appropriate for the height on the garage.

Mr. Clark asked what would be the actual height of the garage and Mr. Rodgers answered 23'. Mr. Clark asked Mr. Mitchell if Mr. Pons had the same kind of garage, and Mr. Mitchell answered yes that it was a similar structure. Mr. Clark asked if there was a design precedent in Old Mandeville, and Mr. Mitchell answered yes. Ms. Kidd said along West Beach Parkway and on Carondelet Street there were cottages and garages. The area above the carport would match the house. The shop would meet the height requirement.

Mr. Adams said there was no privacy issue to the rear and the adjacent two story residence was taller than what was being proposed. Mr. Blache reiterated that the Design Review Committee agreed that the garage was similar to those traditionally constructed in Old Mandeville. He asked if this should be considered for a CLURO change, and Mr. Adams answered that he thought this was a unique situation. Mr. Blache asked about the construction being within 6' of the property line. Ms. Kidd said buffering to the rear could be considered. Mr. Rodgers said he was trying to purchase the property to the rear. The house on the rear property faced Marigny Avenue. Mr. Clark said Mr. Rodgers had worked with everyone to reduce the percentage out of compliance for impervious coverage, the height was in tolerance and the shop would be used for storage.

Mr. Quillin moved to approve the variance for 1% from the impervious coverage requirement, the height for the two story garage because it created no privacy issues and the Design Review Committee was in agreement with the proposal, the placement of the buildings on the plan, the carport would not be taller

**Zoning Board
Public Hearing
March 12, 2013
Page 3**

than 14', it was in keeping with the neighborhood, and the elimination of the breezeway from the plan, seconded by Ms. Bush. Mr. Adams suggested requiring a buffering at the rear property line, and Mr. Thomas suggested planting bamboo if Mr. Rodgers was not able to purchase the lot. It was suggested to construct a window on the rear. Mr. Thomas suggested planting a screening on the side by the neighbor. Mr. Rodgers stated the plans indicated the installation of windows on the front and interior sides, and he agreed to plant bamboo on the side for screening. The friendly amendment of buffering was accepted and seconded. The vote was unanimously approved.

The next case discussed was V13-02-04 Wimberly--Haddad, LLC/Bi Guo Zheng requests a variance to Article 10, Sign Codes, parcel in Plot 2, Virginia Heights, 1633 N. Causeway Boulevard, zoned B-2

Ms. Kidd presented a variance request for an additional 42 square feet of attached signage. As discussed at the work session, the property was granted variances to allow the freestanding pole sign to remain. Under current regulations, monument signs were required in the Gateway Overlay District. Single tenant premises with a freestanding sign were required to install either the pole sign or the attached signage. At this time, the allowable square footage was installed on the pole sign. The restaurant had changed ownership and the pole sign, attached sign and neon on the building was installed without a permit.

There were discussions at the work session that if the pole sign height was reduced to a monument sign, the tenant could retain a portion of the attached signage.

Kenny Cann, American Express Sign Company, had installed all of the signage without a permit. Mr. Adams stated that if the pole sign was reduced to a monument sign, the 20% bonus toward attached signage would allow 13 square feet. In addition, there was neon installed along the building which was considered signage and added to the overage.

Mr. Adams said converting the pole sign to a monument sign would be a goal of the City. The monument sign would require appropriate landscaping. He did not think the sign on the building was offensive with a monument sign. Mr. Adams said he understood there was a large investment of signage. The change from a pole sign to a monument sign would require the building owner's permission.

Mr. Cann said he had spoken with the landlord about the lowering sign. The issue was the location on the Service Road and with the existing landscaping, it would not be visible. Ms. Kidd said other centers along the same roadway had installed monument signs. Ms. Bush said she thought the attached signage was more visible than the pole sign. Mr. Clark said he needed additional information on how much the percentage increased with the neon.

Mr. Fairley moved to table the case, seconded by Ms. Bush and was unanimously approved.

The next case discussed was V13-02-05 Charles C Robert Children's Trust - Susan Burwell Trustee requests a Variance to Section 8.3.5.2(1), Specific Standards for Residential Construction, and Section 8.3.5.5, Coastal High Hazard Areas, a parcel of land in square 4, 1721 Lakeshore Drive, zoned R-1

Ms. Kidd presented a variance request to the specific standards under the Flood Hazard Prevention regulations to allow repairs to the applicant's house based

**Zoning Board
Public Hearing
March 12, 2013
Page 4**

on it being listed on the National Register of Historic Places. The structure was damaged during Hurricane Isaac and was listed on the severe repetitive loss list. Being listed as substantially damaged, technically the Permit Department could not issue a building permit without mitigation but FEMA allowed certain exemptions to historic structures with a variance. Mr. Brown was drafting language to allow this an exception without the variance procedure. Since the City had adopted the Historic Preservation District, if the property was locally designated or eligible to be locally designated it could also request relief. As a clarification, granting the variance did not grant relieve from the insurance rates. The variance allowed the City to issue permits to be repaired.

Mr. Clark said insurance rates were about to skyrocket. Ms. Kidd said there was information available about the Biggert Waters Act. If the property was sold and it was not elevated, the premium would be 100% of the actuarial cost, and if the property was retained there would be a 20% increase each year to reach the actuarial rates.

Mr. Quillin moved to approve the variance not to require the house to be elevated prior to beginning house repairs because the property was listed on the National Register of Historic Places, seconded by Ms. Bush and was unanimously approved.

Ms. Bush moved to adopt the minutes of March 27 and April 17, 2012, seconded by Mr. Quillin and was unanimously approved.

Mr. Thomas asked about the Lake House. Ms. Kidd said Mr. Sinclair was looking into several options for parking for the trucks. Mr. Clark asked if citations were put together for the property on Carroll Street and Ms. Kidd said it was waiting to be notarized.

Mr. Quillin moved to adjourn the meeting, seconded by Ms. Bush and was unanimously approved.


Lori Spranley, Secretary


Nixon Adams, Chairman

**Zoning Board
Work Session
March 12, 2013**

The meeting was called to order by Zoning Chairman Nixon Adams and the secretary called the roll.

Present: Nixon Adams, Dennis Thomas, Simmie Fairley, Ren Clark, Scott Quillin, Rebecca Bush and Michael Blache.

Also present: Louisette Kidd, Planning Director and Council Member Rick Danielson

Absent: None

The two cases were discussed in conjunction. The two cases were V13-03-06 William Smith IV/Jacourt LLC requests a variance to Article 9, Parking and Landscaping, square 34, 448 Lafitte Street, zoned B-3, and Z13-03-02 William Smith IV/Jacourt LLC requests a zoning permit to Section 6.4.7, Animal Sales and Service, square 34, 448 Lafitte Street, zoned B-3.

Ms. Kidd presented a variance request to parking. A variance was previously granted to the setback and landscaping requirements. The Zoning Permit would be to allow a doggy daycare. The property previously housed Period Millworks. The daycare would allow day care for animals recuperating from surgery and rehabilitation. The hours would be 6 a.m. to 7 p.m. with no overnight boarding. The parking would consist of drop off and leave. The building contained 3,769 square feet with an area of 50' x 200' for outdoor exercise. The applicant presented the site plan approved for Period Millworks, the mini-storage units, an old barn, and one building that had been demolished. The parking lot shown was not improved, but there was some gravel, and if cleaned could be utilized. The parking spaces indicated seven on-site parking spaces that would now be used for the outdoor dog area. There were about 12 parking spaces in the front of and along the side of the building by the mini-storage.

Originally there were 12 on-site and 6 on street parking spaces. The variance would be for 15 parking spaces. Mr. Adams said it appeared the use would be two spaces plus employee parking. Mr. Blache asked if the board could make it specific to the use. It was confirmed that the barn was not being included in the calculation. Monroe Street was available for parking. Mr. Adams said the mini-storage did not contain driveways.

Marilyn Clark, applicant, said the mini storage had street parking, which was public parking. Ms. Kidd said there was a remaining slab where the building was removed. Mr. Clark stated the adjacent neighbor to the rear on Monroe Street was a child daycare.

Joe Marchetta, side yard neighbor, said one of the buildings to the rear was falling over and encroaching onto his property. Mr. Adams asked Mr. Brown to review the site. Mr. Adams said the yard should be fenced. Mr. Clark said the fence should enclose the entire yard perimeter from the neighbors.

Mr. Adams asked the applicant if any of the area could be used for parking. Mr. Clark, applicant, said the fence would be wooden to mimic Mr. Marchetta's fence. The property owner would need to decide about demolishing the barn. Ms. Clark said the owner wanted to remove the barn in the future. She also told the board that they would have double fencing since they do not want the dogs to get out of the yard or the building. Mr. Clark was concerned about children in the neighborhood.

Mr. Marchetta said he was trying to sell the adjacent residence and had lost two prospects because of the property condition. He was not against pets, but

**Zoning Board
Work Session
March 12, 2013
Page 2**

wanted to know how the structure and property would be used to explain it to potential buyers. He was concerned about noise and smell being factors.



Mr. Adams said operational restrictions could be added to the zoning permit. Ms. Kidd asked the Clarks how they would maintain the yard. Ms. Clark said there would be constant maintenance of the grounds. As a responsible owner of a business, dog owners want a clean place. She had seen cleaning agents with zero smell. Dog owners do not want fleas either. Ms. Kidd asked for a proposal of daily maintenance. Ms. Clark said she would provide it. Part of their business would be different because they would be providing a rehabilitation center with underwater treadmills inside of the building. They would also offer grooming. It was confirmed that there would be no overnight care. Mr. Fairley said dogs dig and asked how they would prevent that. Ms. Clark said they would install a bumper so the dogs could not dig out of the yard.

Mr. Adams requested a statement of the method of operation and maintenance, confirmation that no interior yard space would be used for determining the parking calculation, and the fenced area would mimic the south side fencing. There may be a variance requirement for the fence height. If the fence was located 25' from the property line, the height could be 7'. This setback could allow the placement of two parking spaces. Ms. Clark said the maximum number of clients would be 20-30 dogs. Mr. Clark said they would not all be outside at one time. The maximum in the retained yard area would 7-10 at one time. The clientele base would probably be people that worked in the city.



Ms. Bush asked if they were anticipating a large number of drop offs and pick-ups. Ms. Clark said they would also offer pick-up and delivery of the animals. The board requested that information be added to the operational report. Mr. Clark said he would prefer not to use any area in front of the fence for parking. Mr. Quillin said there was no hardship for the fence variance. Ms. Kidd said a wall on the street was not the appropriate appearance. Ms. Clark suggested using a softer structure being a landscaping buffer in front of the fence. Mr. Adams said since this was the B-3 district, the fence requirement might be less than 25'. Mr. Adams asked for a fence plan to review before the next meeting. Another issue was that the barn needed to be cleaned up. Ms. Kidd said typically in Old Mandeville, the barn should be repaired. Mr. Adams asked for a report from Mr. Brown. Mr. Marchetta said there appeared to be boat motors, old vehicles, and boats in the barn as well as it appearing to be termite ridden. This would need to be addressed with the property owner.

Mr. Adams summarized that a report was to be submitted before the next meeting. He asked about the operation of the mini storage. It appeared to have doors on both sides. Mr. Marchette said there were 2-3 units rented. Mr. Adams also asked for a letter or report on the mini storage and the barn. Ms. Clark asked if the real estate agent could represent the owner.



Mr. Quillin moved to adjourn the meeting, seconded by Ms. Bush and was

unanimously approved.


Lori Spranley, Secretary


Nixon Adams, Chairman

