

**Zoning Board
Public Hearing
March 26, 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 and Michael Blache.

Absent: Rebecca Bush

Also present: Louisette Kidd, Planning Director and Mayor Donald Villere

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 V13-02-04 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

Mr. Quillin moved to table the case at the request of applicant, seconded by Mr. Thomas and was unanimously approved.

The next public hearing cases discussed 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. There was also a work session case discussed being V13-04-08 William Smith IV/Jacourt LLC requests a variance to Article 8.1.3, Supplemental Fence and Wall Regulations, Square 34, 448 Lafitte Street, zoned B-3. The work session case was V13-04-08 William Smith IV/Jacourt LLC requests a variance to Article 8.1.3, Supplemental Fence and Wall Regulations, Square 34, 448 Lafitte Street, zoned B-3.

Ms. Kidd presented that the property was located at 448 Lafitte Street in the B-3 zoning district and the request was for a zoning permit to allow for a doggy daycare. The applicant recently leased the building for a dog rehabilitation center whose hours would be from 6 a.m. to 7 p.m. At this time, it was purely a daytime operation. Site plans were previously approved for Period Millworks and the applicant was proposing to modify the area of the existing parking in the yard for a dog yard. There were existing mini storage units on the site that were accessed from Monroe Street, but were double fronted. There was also parking available along Monroe Street. There was a building that was removed and the foundation could be used for parking. The adjacent property on Lafitte Street was listed for sale and there was an uncompleted fence between the two properties.

Ms. Smith, applicant, had received an email from the owner that the barn would be demolished. Mr. Adams said whatever action was taken could be contingent upon the demolition. Ms. Kidd said there was an existing chain-link fence and the applicant was proposing to replace it with a wooden fence in the same location. Mr. Adams said the existing fence was located on the property line and there was a discussion at the work session about relocating the fence.

Ms. Kidd said 19 parking spaces were required; seven spaces on the interior would no longer be available for use. There were 8 parking spaces on the street and the applicant was allowed to count four spaces. The variance request was for 15 parking spaces. The business plan proposed only a drop off/pick up criteria so there could be sufficient parking. Mr. Adams said there was a discussion about having a fence on the property line. Ms. Smith suggested putting in planters to hide

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the fence. Mr. Adams said a 4' fence was allowed in the front yard and any taller fencing would create a wall. They would install plants. Mr. Adams said he understood dogs could leap over fences. Ms. Kidd said the fence was proposed to be set back approximately 10' from the property line. She suggested splitting the difference of the existing fence and the adjacent house to either allow planting or parking. Mr. Adams said the adjacent neighbor would not want to see an 8' fence. Ms. Smith said the across the street neighbor was Band's Grocery.

Mr. Adams asked what was the objection to moving the fence. Ms. Smith said they wanted to retain as much yard space as possible for the play area. She was renting the property for the yard. Ms. Kidd said they would be able to cross the sidewalk and not block it. Mr. Adams asked if the applicant had considered limiting the number of dogs in the yard to five at a time. Ms. Smith said there would be large and small dogs rotated because there was a need for personnel with the dogs. She would not want to push the fence back because the rehabilitation area was near the windows and she did not want to disrupt the dogs on a treadmill. Mr. Adams said it could be a planted area, but the board was trying to avoid a wall. Ms. Smith suggested leaving the chain-link fence in its present location. Ms. Kidd said it would be a 4' fence and Mr. Smith said it was not plausible at that height. Mr. Smith asked how far back the fence would be required to be relocated and it was answered to move it back about 10'.

Mr. Adams said in the B-3 district there were specific locations for fences and the applicant could work with the staff about the location. Mr. Clark clarified that the fence was to keep dogs in and people out. Ms. Smith proposed repairing the chain-link fence at its present location. She would place planting behind the fence with mobile fencing behind the planting to keep the animals away from the existing fence. The existing fence was approximately 5' in height. There was some type of existing barbed wire to the top for an additional 1'.

Mr. Adams said the adjacent fence was lined up with the existing chain-link fence. Ms. Smith said the chain-link was not attractive. Ms. Kidd suggested moving the fencing to the next pole. Mr. Adams agreed that a wooden fence would be more appropriate, but not located on the front property line. Ms. Smith proposed placing nice planters in front of the wooden fence. They were considering oleander, but there was a concern that it was poisonous. They were looking for a soft scape that was not prickly. Ms. Kidd said there were two existing crepe myrtle trees that were required greenbelt trees. There was brush adjacent to the building and Ms. Smith said it would be cleaned up.

Mr. Thomas said he would prefer the installation of a wooden fence and the board offered a compromise of the installation at the next pole. The Smiths were in agreement with the compromise. The board requested planting in front of the fence. Mr. Blache said there was planting not installed. Ms. Kidd said they were interior plantings that at this time the board might not want planted. Ms. Smith would meet with the Landscape Inspector for suggestions of planting.

In summary, it was agreed to install a wooden fence at the next pole with plantings, complete the adjacent fencing all at the same height coming across at the mini-storage, a parking variance for 17 of the 19 spaces required for the entire facility. Mr. Blache said parking in the B-3 district needed to be eased. Ms. Kidd said the applicant had stated their business would be mostly dropping off and picking up of the animals. The board was in agreement that this would be sufficient parking. The parking was determined as counting 4 spaces in the rear on the site, counting an additional four spaces on the street for total of 8 spaces with a requirement of 21 spaces for a variance of 13 spaces. The Zoning Permit was for the

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operation of a doggy daycare and there were similar uses in the area with the B-3 district being a mixed use district. The applicant was willing to make accommodations for the neighborhood with fencing, the hours of operations would close at 7 p.m. and they would not be open on the weekends. Ms. Smith stated she did not want to give up the opportunity for future overnight care. Ms. Kidd presented at this time the request was for a day operation and the applicant could request to appear back before the board for any changes. Mr. Smith said Section 6.4.7 allowed for overnight care. Mr. Adams said the board reviewed many issues under the zoning permit process, and the descriptions were broad to see if the use was compatible with the neighborhood. Ms. Kidd said the veterinary clinic on Girod Street allowed kenneling, but there were sound controls that would need to be reviewed. Ms. Smith was in agreement with returning to the board with any changes in overnight kenneling. Ms. Kidd said she had received a copy of the cleaning protocol. Mr. Quillin asked about the fence issue, and the Smiths said it would be 5' in height.

Mr. Thomas asked if City collection allowed for biodegradable. Ms. Smith said they would contract for a dumpster with once a week pickup. Mr. Thomas asked about its location since there would be a fence. Mr. Smith said it would be located near the old foundation. Mr. Clark asked about the chemicals. Ms. Smith said there was nothing biohazardous and was within the protocol for veterinary clinics.

Mr. Clark moved to approve the zoning permit for a doggy daycare as stated with no overnight use, seconded by Mr. Blache and was unanimously approved. Mr. Quillin moved to approve the variance for the 13 parking space deficiency and for the installation of a wooden fence at the next post location on Lafitte Street and extending around the property to match, seconded by Mr. Thomas and was unanimously approved.

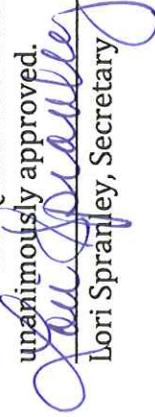
Discussion

Mr. Quillin moved to change the May meeting dates to May 7th and 21th, seconded by Mr. Thomas, and was unanimously approved.

Ms. Kidd said an ordinance would be introduced to allow the exception process on historic structures. Mr. Adams said the proposal to purchase property on Girod Street for parking was within the board's purview. The board was in agreement to send a Resolution in support to the City Council. The purchase was consistent with the subcommittee's plans. Mayor Villere said the proposal was in keeping with removing parking lots from corners in the B-3 district and placing parking on interior lots. Mr. Adams said this would re-establish two buildable lots south of the Broken Egg on the corner. This plan was consistent with the Comprehensive Plan and consistent with the parking studies to provide parking in Old Mandeville and relief for small businesses in the area. The proposal would also retain future connectivity to the Lake House.

Mr. Fairley moved to adopt a resolution to support the acquisition and development of the proposed lot being consistent with the B-3 Area Plan, the Comprehensive Plan, and parking plans to provide relief for small businesses, seconded by Mr. Blache and was unanimously approved.

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


Lori Spranley, Secretary


Nixon Adams, Chairman

**Zoning Board
Work Session
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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 and Michael Blache.

Absent: Rebecca Bush

Also present: Louissette Kidd, Planning Director and Mayor Donald Villere

Mr. Adams announced that any additional information determined to be needed by the Commission in order to make a decision regarding a case shall be required to be submitted to the Planning Department by the end of business on the Friday following the meeting at which the additional information was requested or the case will automatically be tabled at the next meeting.

The work session case was V13-04-08 William Smith IV/Jacourt LLC requests a variance to Article 8.1.3, Supplemental Fence and Wall Regulations, Square 34, 448 Lafitte Street, zoned B-3. The public hearing cases were discussed in conjunction. The public hearing cases discussed 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. There was also a work session case discussed being V13-04-08 William Smith IV/Jacourt LLC requests a variance to Article 8.1.3, Supplemental Fence and Wall Regulations, Square 34, 448 Lafitte Street, zoned B-3.

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The next case discussed was V13-04-07 Yolanda More request a variance to Section 8.1.5, Supplement Regulations to Accessory Buildings and Section 3.3.3, Accessory (Buildings or Use), square 294, zoned R-1.

Ms. Kidd presented the request for construction of an accessory building on square 294 adjacent to the Old Mandeville Woods Subdivision that was developed as a residential use. Square 294 was a whole square in single ownership and zoned for single family residential. The intent was to construct a single family residence in the future. Ms. Moore currently had a primary residence on 1623 Lakeshore Drive, which was a raised cottage. Most of the storage underneath that residence was miscellaneous items. With the periodic flooding in that area, Ms. Moore was obtaining storage in other places and desired to have all of her belongings in one location. The request was for a variance to construct an accessory building prior to the construction of a primary structure. There was an existing driveway. The parcel of land contained six acres. Mr. Adams confirmed there would be one building/residence on this large parcel.

Londi Moore, applicant, said her home on Lakeshore Drive was three houses from Little Bayou Castine and there was a cut in the bayou on the west side, which was on her side. She had lost so many tools with the floods and had no area to play with her dogs. She wanted a garden and flowers and a place to store her stuff. Mr. Adams asked that the accessory building only was purely temporary. Ms. Moore said it would be incorporated into the future house construction. She did not want to give up her home on Lakeshore Drive. Mr. Adams asked if there was a timeframe for construction. Ms. Moore said she would like to begin construction in about 24 months. Mr. Adams said the board was allowed to grant a time variance. Ms. Moore asked if she did not have the funds to begin construction within the stated time that she would not be forced to tear the structure down. Ms. Kidd said in an area with developed property that might be a consideration. Mr. Adams said she owned six wooded acres so the accessory structure would not be an imposition for the area.

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The reason the property's annexation was to follow the City regulations and retain the woods on Soult Street with the Old Mandeville Woods development.

Ms. Kidd said the existing drive snaked into the wooded property. There was an area cleared for the home site and it was set back significantly from the property line. The criteria for the Old Mandeville Woods Subdivision was to keep the setbacks natural. Mr. Adams said along Soult Street there were vast backyards in the Old Mandeville Woods Subdivision. Ms. Moore said they had received national recognition for this development. It was her intent to have the property remain natural and will construct a home on the site. She did not want to be forced into a sale for the house on the lakefront because of the market.

Mr. Quillin was in agreement with the temporary variance, but to hold the accessory structure as the only structure in perpetuity was something that did not fit the neighborhood. If Ms. Moore was not ready for the house construction in two years, she could appeal to the board and discuss an additional timeline. Ms. Moore said if area surrounding her home on the lakefront did not flood, she would not have a problem. She was concerned that in two years if she was not ready for construction and there may be different board members that they may force her into a sale on Lakeshore Drive. She suggested a five year variance and she would do her best to construct in three years. Mr. Adams said the structure would not be visible from the street. Mr. Clark said the board was concerned about setting a precedent. Mr. Adams said the board had created different times for different variances. Ms. Moore said she knew the bayou cut was man made and there were concerns about her land becoming a lake. Mr. Blache agreed that it would be temporary and renewable. Mr. Adams said the board was prohibited from granting a variance for financial issues. Mr. Blache said the area was secluded, and Mr. Clark said the hardship of her home on the lakefront was not of her making.

Larry Smith, 1830 Old Mandeville Lane, said the Sheriff's Office had been looking for drug paraphernalia in this area, and felt her property was unsecure. Ms. Moore was concerned about the property being an attractive nuisance. Mr. Smith said the kids come into his rear yard. Mr. Adams said he had been down that street, and with woods there would always be kids. Mr. Smith complained to the rear there were motorcycles and cursing. Mr. Adams said that was an enforcement issue. Mr. Smith said a building that was not being watched could be broken into since it was in the middle of nowhere and there would be no fence around the property. He had called the City twice about Labarre Street. He would like there to be a time limit. Ms. Moore said a fence would be installed. She had talked to the police about the motorcycles and heavy equipment having ruined her property. She would also be installing a camera with temporary electricity. She stated that she had spoken with her immediate rear neighbors who had no objection.

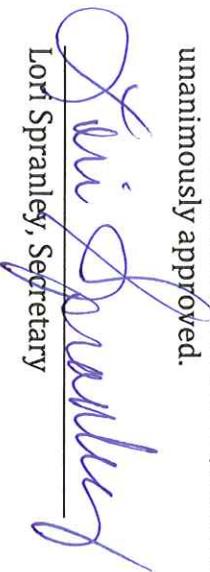
The next case discussed was V13-04-09 Bayou Marina Condo Association requests a variance to Section 7.5.13.3, PM-1 Site Development Regulations, lots 6-A and 6-B, a portion of square 103, 1025 Villere Street, zoned PM-1

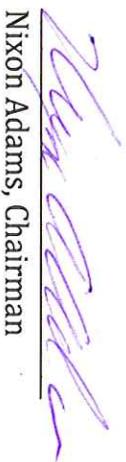
Ms. Kidd presented a variance request to the PM-1 Site Development Regulation for the front yard setback of 25'. The site consisted of two existing condominiums that were previously approved for a resubdivision into two lots. At this time, both buildings were being elevated. The original proposal was for the front building to have a front balcony and a single set of stairs to allow for parking under the building. There was a 25' setback requirement and the staff had requested a survey to determine the exact dimension for the variance.

Edward Lee, 1025 Villere Street, President of condo association, stated there were eight units with eight separate owners. The elevation company had drawn the stairs on the plan, but he had told them the design could change. Ms. Kidd said it appeared that the parking was dimensioned at 14'. There would be a variance of approximately 8' for the stair encroachment.

Mr. Adams asked if the car would back onto the street. Mr. Lee said the parking would be four 9' entrances for the condos, and drive straight in for 20'. They would like to install plants, but they would be potted. Mr. Blache asked about a side entrance. Mr. Lee said a side entrance would block passage for access to the rear condos. Mr. Adams asked if the Design Review Committee would be helpful in the design. Ms. Kidd asked for a better elevation drawing and would present it to the Design Review Committee.

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


Lori Spranley, Secretary


Nixon Adams, Chairman