

**Planning Commission
Public Hearing
January 26, 2016**

The meeting was called to order by Chairman Dennis Thomas and the secretary called the roll.

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

Absent: None

Also present: Louisette Scott, Planning Director; and Building Inspector Nic Leblanc

The only case discussed was P16-01-01 Recommendation to the City Council regarding Ordinance 15-34 approving a conditional use permit to allow outdoor dining within the public right-of-way under CLURO Section 8.2.3.1 for Lisa Keiffer, LLC for that certain property located in square 25-B in the City of Mandeville, zoned B-3 Old Mandeville Business District; and providing for other matters in connection therewith.

Ms. Scott presented a conditional use permit for outdoor dining in the public right-of-way. The applicant as proposing to open a candy shop and the remainder of the building contained offices. The land uses were permitted by right and the site met the parking with the previous variance. With the recent CLURO amendment, outdoor seating on the City right-of-way required a Cooperative Endeavor Agreement to evaluate the insurance. The City Attorney had reviewed the document and advised all was in order. There had been a previous restaurant that had operated in this method for several years. The insurance requirements were met and were included in the Cooperative Endeavor Agreement.

Mr. Quillin moved to recommend approval of the Conditional Use Permit to the City Council with the provisions that they met all of the insurance and City requirements, seconded by Mr. Thomas and was unanimously approved.

There was a discussion about changing the meeting date in April from the 12th to the 5th and with five weeks in March would still allow two weeks between meetings. Mr. Quillin moved to change the meeting date to April 5th, seconded by Mr. Thomas and was unanimously approved.

There was a request to hold an additional meeting in February for the Port Marigny project. Ms. Bush moved to add February 17th to the meeting scheduled, seconded by Mr. Thomas and was unanimously approved. Minutes

Adoption of the minutes was deferred until the next meeting.

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


Lori Spranley, Secretary


Dennis Thomas, Chairman

**Zoning Commission
Public Hearing
January 26, 2016**

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

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

Absent: None

Also present: Louisette Scott, Planning Director; Building Inspector Nic Leblanc; and Parks and Parkways Commission Members Nancy Clark, Scott Discon, and Anne Marie Fargason

Mr. Thomas announced that written notice of decisions regarding zoning 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 V16-01-01 Michele Buhler requests a variance to Section 7.5.2.3, R-1X Site Development Regulations, lot 54, square 32, 423 Adair Street, zoned R-1X

Ms. Scott presented the request for a variance from the 10' requirement to 5' on the northern side of the property. Ms. Buhler had stated the reasons for the request included concern of future the bte requirements and constructing at a higher elevation at this time. Prior to the 2015 CLURO amendments if a property was 6' above grade there was a 10' minimum setback. The adjacent neighbor at 419 Adair Street was elevated to 8' above the ground with a setback to the south being 7.5'. The benefit to the neighborhood would be raising the value of street and the area. This was a double frontage lots of both Adair and Depre Streets. The plans indicated the house would be 10' from the elevated house and 5' from an existing slab on grade house. The owner of 436 Depre Street had called the day of the meeting expressing concern about having a 5' side yard setback on his side. He was concerned about Ms. Buhler overlooking his house with site lines into his windows. He stated he would like a 10' setback, but could compromise to a 7.5' setback.

Mr. Quillin was concerned with a 7.5' setback and access to the back of the lot. Mr. Thomas said it was open on both streets. Ms. Scott said the rear yard access on Depre Street. Mr. Thomas said the house was not built and he did not feel there was a hardship. Mr. Blache said the driveway could be relocated to the other side and still have access. Mr. Thomas said as houses were raised the runoff from the roof if 5' setback would be in the neighbor's yard.

Michele Buhler, applicant, clarified that the porch ended to the rear end of the adjacent house. Ms. Scott pointed out that the fire place was to the setback line but there was a couple of feet to the end of the house. Mr. Thomas asked about the width of the house and was answered 35' on a 50' lot. He asked why it could not be a 30' house. Ms. Buhler said it would change the design significantly and it was designed long to make it look right. She thought being at the right height as her neighbor would balance the street out. Mr. Adams would rather have the house on the center of the lot and instal swales for drainage. She felt work force housing was needed in the town.

Mr. Blache moved to require a 7.5' setback on each side of the property. Mr. Quillin asked to amend the motion to include that the driveway access would be from Depre Street if there was a driveway along the house. The amendment was accepted and the motion was seconded by Mr. Quillin. The motion passed 6-1 with Mr. Clark moving against.

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The next case discussed was V16-01-02 Mike Mesa requests a variance to Section 9.2.5.7, Live Oak Protection Requirements, lot 14-A, square 3, 1829 Lakeshore Drive, zoned R-1

Ms. Scott presented a request to the live oak protection requirements initially to removal of a co-dominant 19.5" dbh live oak tree growing on the property line through the fence. The driveway was proposed to be located on the east side entering off Lakeshore Drive zoned R-1. Mr. Mesa had submitted an evaluation letter from E. J. Dennis and Dr. Malcolm Guidry had submitted a letter on behalf of the City. There were also two other substantial live oak trees and the house would be located behind those trees. It was discussed that it would be difficult to create a serpentine driveway and maneuver construction vehicles. Following the work session, the Parks and Parkways Commission had called a special meeting and adopted Resolution 16-01 following discussions with Mr. Mesa to recommend trimming the tree under the supervision of Dr. Guidry. Dr. Guidry and Zeigler Tree Service went out to the site to review the recommendation.

Mr. Adams said agreed that it was a healthy tree but felt that pruning it would butcher it. Ms. Scott said that was a consistent opinion with both Dr. Guidry and Zeigler Tree Service. Mr. Clark asked about relocating the driveway to prevent any trimming or removal of the tree. Lynn Mitchell, architect, stated there were a number of reasons to consider. He was under the advice of E. J. Dennis and others that the tree was not a specimen. There were two specimen trees for preservation at all costs. He had chosen that location to downplay the driveway. There was an existing power pole and catch basin that they were trying to avoid. He was concerned about construction delivery and with a serpentine drive if they missed the curve they would tear up the roots of the two preserved trees. Mr. Thomas said it was a large open space. He suggested using the open space during construction and when nearing completion to construct driveway. Mr. Mitchell said an "s" turn would have to be larger and he was concerned about intruding into the oak trees.

Mr. Quillin asked about placing the driveway to the west. Mr. Mitchell said there were two magnolia trees to be preserved. Mr. Quillin asked about driving over the drain. Mr. Blache said magnolia trees were not protected so it went back to being a possible driveway. Mr. Thomas said his construction company moved 40' beams on his 50' lot without a problem.

Mr. Mitchell said he respected E. J Dennis and said it would not amount to more than it was cut down once and grew back. He agreed that the tree did have character, but the tree encroached on the sidewalk and would continue to be a liability because it was being forced to grow that way. He stated that the owner was giving up 135' of frontage to build behind the live oak trees.

Nancy Clark, 420 Carroll Street, said when the Parks and Parkways Commission had left their meeting she had felt encouraged about saving the tree through pruning. Ms. Clark said the board felt it was their responsibility to protect a decreasing number of trees despite replanting efforts. There was much discussion about the tree's health and it was healthy. There was some fencing that could be cut away and would not impair the health of the tree. Mr. Adams said two arborists said pruning would butcher the tree. Ms. Clark said in the best interest of this tree, it made sense to move the driveway. She agreed with Mr. Thomas of moving the construction driveway.

Scott Discon, Parks and Parkways Commission member, said the Carroll Street tree had fencing growing in it. He stated a subcommittee had been created with Cleco to create a situation for trees coexisting with power lines. He suggested

cutting a curve around the tree, leave the tree, cover the culvert, and have the City pay for moving the pole. The limbs could be lifted over the sidewalk. This was a survivor tree since it had been cut down once and still wanted to live.

Mr. Clark asked Mr. Discon what was the rationale for trimming the tree. Ms. Clark said the rationale was it being a compromise. It would about the driveway. Mr. Clark said the removal was to facilitate the ingress and egress of concrete trucks. Mr. Mitchell was in agreement with Ms. Clark and with the trimming and never felt the driveway should be a feature.

There was a discussion of some way to prune the tree with the applicant not want to remove the whole tree. If a pruning of 20 to 30% of the tree was allowed and the tree died, the owner would be responsible for an inch for inch replacement. Mr. Mitchell summarized that he looked at long term for this project and hoped it survived, but this was the best place for the driveway. There were two specimen trees being saved. He wanted to act quickly during the dormant time. There had been a consensus of agreement with the Parks and Parkways Commission to for the tree and having the driveway be a major design feature.

There was a further discussion about moving the power poles or driving over the drain. There was a concern of the applicant that the pole relocation would be costly. Mandeville loved their live oak trees and many had survived the constant risk of being lost with the weather. There was a consensus of the board that the tree should not be trimmed or removed.

Mr. Thomas moved to deny the request, seconded by Mr. Clark. The motion passed 6-1 with Mr. Adams voting against.

The next case discussed V16-01-03 Chris Marino, Sr. requests a variance to Section 7.5.2.3, R-1X Site Development Regulations, lot 10, square 32, 318 Coffee Street, zoned R-1.

Ms. Scott presented variance to the setback requirement to allow a combined side yard of 15' instead of the required 20'. The owner proposed to construct a new residence on a 50' lot. The proposal was for a single story residence with the reduction of side yard setback. The plan was discussed with the Design Review Committee who would prefer the scale of the street with this design rather than a full two story house meeting the setbacks.

There would be a carport under the house for parking. The width of the house was 35' on a 50' lot. There was a discussion that the house could not be centered on the lot because of an oak tree on the right side of the lot. There was a concern about only having 5' against the slightly raised house. There was a need to protect the oak tree on neighboring lot. With this site plan there would be no encroachment under the drip line of the tree.

Mr. Blache moved to grant variance based on a 10' setback on the north side of the property and a 5' setback on the south side of the property, seconded by Mr. Adams. The motioned passed 6-1 with Mr. Quillin voting against.

The next case discussed was V16-01-04 Velma "Totsy" Brownson requests a variance to Article 9, Parking, especially Section 9.1.2 Construction Design Standards for Parking and Loading, lot 13-G, Potevant Tract, Florida Street Extension, zoned B-2.

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Ms. Scott presented a request for surfacing of the parking lot. A revised plan had been submitted which would allow for loose aggregate. The Landscape Inspector said there were no specimen trees on the lot. There was a landscape plan submitted by Randy Aultman. This was in single ownership and was one development site to allow for parking for the employees.

Mr. Clark asked why would the parking lot be all aggregate. Mr. Mitchell said there was a long term plan to expand and this was a temporary situation. The apron would be paved going onto the street. Approximately 1/3 of the lot would remain in its natural condition. They would upgrade for a handicap space.

Mr. Clark moved to approve the request for all of the parking to be of loose aggregate, seconded by Mr. Blache and was unanimously approved.

The next case discussed was V16-01-05 Rockwell Builders, LLC requests a variance to Section 5.2.3.2.1(a), Drainage Overlay District and Fill Sub-Area A, lot 34, square 32, 405 Depre Street, zoned R-1X

The applicant had complied with the regulations.

Mr. Quillin moved to remove the case from the agenda, seconded by Ms. Bush and was unanimously approved.

The last case discussed was SUP16-01-02 Scott Wolfe requests a Special Use Permit to Section 6.4.42, Lodging (Transient) – Bed and Breakfast Residence, part of lots 3 and 4, square 5, 1635 Lakeshore Drive, zoned R-1 .

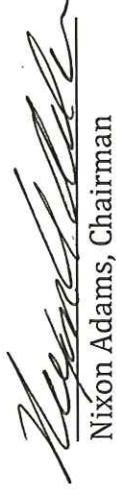
There was a request from the applicant to remove the request.

Mr. Quillin moved to remove the case from the agenda, seconded by Mr. Thomas and was unanimously approved.

Adoption of the minutes was deferred until the next meeting.

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


Lori Spranley, Secretary


Nixon Adams, Chairman

**Planning Commission
Work Session
January 26, 2016**

The meeting was called to order by Chairman Dennis Thomas and the secretary called the roll.

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

Absent: None

Also present: Louisette Scott, Planning Director; and Building Inspector Nic Leblanc

Mr. Thomas 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 first case discussed was S16-01-01 Crosby Development Co, LLC requests preliminary and final subdivision approval of Phase 4C, Sanctuary Subdivision, zoned R-1.

Ms. Scott presented the original application was submitted for both preliminary and final subdivision approval. The application was modified the only preliminary subdivision approval. The tentative approval was granted in December, 2015. The plans were forwarded to the City Engineer who was finalizing the outstanding issues. There must be a change to the name from private road.

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


Lori Spratley, Secretary


Dennis Thomas, Chairman

**Zoning Commission
Work Session
January 26, 2016**

The meeting was called to order by Chairman Dennis Thomas and the secretary called the roll.

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

Absent: None

Also present: Louissette Scott, Planning Director; and Building Inspector Nic Leblanc

The only case discussed was V16-02-06 Billy and Annette McDougal requests a variance to Section 8.3.5.2(1), Specific Standards, Residential Construction, part of lots 15 and 16, block 1, West Beach Parkway Subdivision, 130 West Beach Parkway, zoned R-1

Ms. Scott presented a request to Section 8.3.5.2.1 for specific standards for the freeboard requirement of 24". The City participated in the CRS program and required an additional 24" above the bfe. The applicant was proposing new construction at 130 West Beach Parkway and the property located in the velocity zone. With the requested waiver the bottom of the lowest horizontal beam would be 13.5'. The freeboard was listed under Element 340 and the City received additional points toward lower flood premiums. There could be sanctions from Fema for noncompliance. There was an exemption on historic properties, but this was new construction. The hardship stated was that columns were 12' and the house looked like a camp. The applicant felt the exterior was more appealing at a lower height and fit in with the beauty of other homes. The City was working with Dr. Sahada on plans to be submitted to Fema that might change the zone districts. While timing from Fema on action was uncertain, if approve would change this property from a V to an A zone.

The applicant did meet with the Design Review Committee asking for recommendations to close the gap and they offered ideas of decorative panels and screening.

Mr. Adams asked about the information to be submitted to Fema. Ms. Scott said the City would be submitting a LOMAR map revision in this area that would move this property into a different flood zone. Once the report was submitted, evaluation could take from a few weeks to six months for an answer. Mr. Blache asked how would Fema look at the City if a variance was granted. Mr. Leblanc, Building Inspector, said variances could harm the CRs and our CAV. If we did not enforce our regulations, it could jeopardize the flood insurance as a whole.

The board did not want to endanger the citizen's discounts. There was a discussion that Fema had 90 after the submittal to request additional information and they it would be a 3-6 month review process. There would be some other slight boundary changes from 9 to 10'. The permit was issued at the height compliance, and Mr. McDougal could continue compliance construction or wait for Fema approval.

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


Lori Spranley, Secretary


Nixon Adams, Chairman

