

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

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

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

Absent: None

Also Present: Louissette Kidd, Planning Director; and Mayor Donald Villere

Mr. Quillin moved to approve the minutes of March 30, 2016, seconded by Mr. Adams and was unanimously approved.

It was determined to defer the adoption of the April 5th minutes until the next meeting.

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



Lori Spranley, Secretary



Dennis Thomas, Chairman

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Absent: None

Also Present: Louisette Kidd, Planning Director; and Mayor Donald Villere

Mr. Adams 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 only case discussed was V16-04-14 A. J. Burmaster II requests a variance to Section 7.5.1.3, R-1 Site Development Regulations and Section 8.1.1.4, Allowed Setbacks Encroachment (4) Mechanical Equipment, lot 140, Woodstone Subdivision, Phase 2-B, 30 Bretton Way, zoned R-1.

Ms. Scott presented a variance request to allow the mechanical equipment to be installed in the side yard setback. The discussion at the work session was that a building permit was issued in October, 2015 and it was noted in the plan review that the submittal did not include mechanical plans, but that they must be compliance with the code. At the time of the inspection, the location of the equipment was noted and construction was stopped. Mr. Burmaster had submitted a second letter dated April 20, 2016 with additional reasons for the request.

Mr. Burmaster said he understood the reasons for the equipment location were noise, setbacks and emergency personnel access, but there was a fence between the houses and the equipment would be 20' apart. If the equipment was moved to the rear, it would be the same amount of noise. Mr. Burmaster felt the hardship was that all of the other houses' mechanical equipment was located in side yard setback with many in the 5' setback.

There was a discussion about the ongoing drainage issues between Mr. Burmaster and Mr. Lape that the excess material was not removed at this time but there were swales installed to keep the water off Mr. Lape's property. It was noted that the lawsuit was not part of the variance request.

There was a discussion that the request for equity of the neighborhood and if there was not a transitional time between Building Inspectors that this would have been seen earlier. Mr. Burmaster said it was not customary to submit mechanical drawings.

Ross Trenadeau, 18 Bretton Way, said his unit to the property line was 10' and the other side was 15'. He was opposed to granting the variance within the setback.

Trey Lape, 22 Bretton Way, said he had not spoken with the contractors since the last meeting and he was opposed to granting the variance. Mr. Blache asked Mr. Lape about his concern with the unit being in the 10' setback. Mr. Lape said he did not have any concerns and was present to monitor the proceedings. Mr. Blache asked Mr. Trenadeau about his concerns and he answered it was about the noise of three units.

Mr. Quillin moved to deny the request, seconded by Ms. Bush with a vote of 6-1 with Mr. Blache voting against the motion.

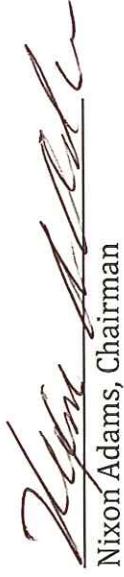
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It was decided to include Enforcement on the next agenda with a report on St. Timothy's landscaping, the oak tree at the Cella center and the brake tag site.

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


Lori Spranley, Secretary


Nixon Adams, Chairman

