

**Planning Commission
Public Hearing
June 9, 2015**

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

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

Absent: None

Also present: Louissette Scott, Planning Director

Mr. Thomas moved to approve the minutes of July 30, seconded by Ms. Bush and was unanimously approved.

Mr. Fairley moved to approve the minutes of September 23, seconded by Mr. Quillin and was unanimously approved.

The minutes of August 19, August 26, September 9 and October 21 were deferred until the next meeting.

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



Lori Spranley, Secretary



Dennis Thomas, Chairman

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

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

Absent: None

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

Mr. Adams announced that written notice of decisions regarding zoning applications 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 V15-06-08 Yolanda Moore requests a variance to Section 7.5.1.3, R-1 Site Development Regulations, square 294, 1900 Old Mandeville Lane, zoned R-1

Ms. Scott presented the variance request to allow the existing structure of 1,150 square feet to be used as a residence and not an accessory structure where 1,200 square feet was the minimum requirement. The variance was originally granted with a two year review for the construction of a permanent residence as it was built as an accessory structure.

Mr. Adams said several neighbors had expressed their concern at the work session. He thought it was a better option to leave the variance in place with a proviso that if the property was subdivided that every lot would meet the code.

Londi Moore, applicant, said she was requesting a 50 square foot variance. Keeping the building as an accessory structure was a hardship and she had no future plans for any resubdivision. The building was in the woods. She would like a residence and to insure it properly. Ms. Moore also asked about installing a pool. Ms. Scott said a pool was considered an accessory structure, and would be allowable if the variance was granted.

There was a discussion that the 1,150 square feet included the porch square footage. It was clarified that the variance request was to also change the designation from accessory structure to residence and there would be only one residence on the entire square. The original request was to allow storage since the primary residence's storage was frequently flooded on the lakefront and in the future would construct a permanent residence at this site.

Mark Cheek, 1850 Old Mandeville Lane, said there was a concern about any future development, and not the small square footage difference. Ms. Scott clarified for Mr. Cheek that the structure was listed as accessory structure and not a primary structure. The request was to reclassify the accessory unit as a primary structure.

Mr. Adams summarized the considerations could be to deny the request and remove the structure, have it remain as an accessory structure under some conditions for compliance, or make it a legal primary structure.

Mr. Clark moved to allow the variance for the 50 square footage deficiency. Mr. Blache said Ms. Moore wanted to install a stove, a pool and maybe a garage. He said the board did have to worry about the future. The City established a 1,200 square feet minimum and he wanted to continue the variance as an accessory structure with a time limit, and Ms. Bush was in agreement. Mr. Thomas suggested a 5-6 year time limitation. Ms. Scott said under this case the board could extend the

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time variance. Mr. Quillin said the easiest fix would be to add the required square footage to the primary structure. Mr. Blache moved to deny the request and continue the use as an accessory structure with a 5 year review, seconded by Ms. Bush, and was unanimously approved.

The next two zoning cases were discussed in conjunction. They were Z15-06-07 Tony Salvaggio requests a zoning permit to Section 6.4.65, Restaurant- Outdoor Fast Food, 500 Girod Street, zoned B-3, and V15-06-09 Tony Salvaggio requests a variance to Section 7.5.10.3, B-3 Site Development Regulations and Article 9, Parking, 500 Girod Street, zoned B-3.

Ms. Scott said a variance was advertised for the question about minimum dwelling size and this was not a dwelling unit. The regulations stated a maximum size for commercial uses, but not a minimize size. Mr. Sollberger said the proposal was for limestone parking, which was approved in the B-3 district.

Ms. Scott presented a submitted list of 13 items following the work session discussions.

- Rusty Pelican would have a tenant and be operated separately
- The person selling pralines and sweets would open in the kiosk
- Sale of prepackaged sweets and small retail merchandise that were all disposable
- Written agreement to use the restroom in the restaurant that would be acceptable to DHH
- Kiosk tenant would share parking on both properties and would meet the parking requirements
- Sale and display on moveable carts
- Nothing would be stored on site
- Openings of the kiosk would be secured with shutters
- Normal hours of operation except inclement weather would be 8 a.m.-5 p.m.
- Permanently fixed trash receptacles
- Electricity would be provided
- Ceiling fans would be provided

Mr. Sollberger said the owner had someone interested in leasing the kiosk. Ms. Scott said they should include a variety of uses so they would not have to come back before the board. The application included a request for outdoor fast food.

Mr. Sollberger said their process had been to only sell prepackaged sandwiches or salads, and then find a tenant.

Mr. Blache asked if the board had a right to ensure that the kiosk remained in commerce during the term of the permit. Mr. Thomas said the owner needed the right type of niche business. Mr. Quillin said the nature of the B-3 district was the ability to move between commercial and residential uses.

Ms. Scott asked the board for an interpretation of the minimum size or 800 square feet. Mr. Adams said the board would look at situations for different uses and make them more compatible. The zoning permit was a good idea. Mr. Blache said this furthered the B-3 Area Plan and created walkability to small businesses. He was in agreement to the variance since it was a small lot and would be put into commerce.

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Ms. Scott said a Zoning Permit was not needed for general retail sales. The second issue was whether a variance was required for a minimum size of the structure, and she asked for an interpretation of 800 square feet as a dwelling unit. Mr. Adams said he felt the 800 square feet applied to residential uses. Mr. Clark said the board wanted to encourage micro commerce on any small lot in the B-3 district. The board agreed there should be a review and include "dwelling" in the 800 square feet.

Mr. Blache moved to approve the Zoning Permit with the site plan for uses described, seconded by Mr. Thomas, and was unanimously approved.

Mr. Blache moved to remove the variance, seconded by Mr. Fairley and was unanimously approved.

Mr. Thomas moved to approve the minutes of July 30, seconded by Ms. Bush and was unanimously approved.

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Lori Spranley, Secretary


Nixon Adams, Chairman