Planning Commission
Public Hearing
August 23, 2016

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

Present: Michael Blache, Ren Clark and Simmie Fairley, Nixon Adams, and Scott Quillin

Absent: Dennis Thomas and Rebecca Bush

Also Present: Louisette Scott, Planning Director; Council Member Laure' Sica; and Mayor Donald Villere

The first case discussed was P16-08-03 Recommendation to the City Council regarding Ordinance 16-09, amending the Comprehensive Land Use Regulations Ordinance, including Section 5.2.3, Grading Supplement and providing for other matters in connection therewith

Ms. Scott presented a recommendation on Ordinance 16-09 to amend the Grading Supplement, Section 5.2.2.3.4, Remainder of the City, addressing the areas outside of Old Mandeville. The ordinance proposed to amend the grading, fill and driveway areas for lots 20,000 square feet to be reduced to 16,000 square feet. Section (4), detached garages, also contained a reduction in the lot size. Mr. Crosby said in the new phase of the Sanctuary Subdivision the minimum lot size was 16,000 square feet. The ordinance was discussed at the work session and the proposal did not change the tree protection.

Mr. Clark said there could be 7.5' of clay being the greater of 32". Ms. Scott said the request was only changing the lot size and not the amount of fill. Mr. Clark said the Short Term Work Program was to look at this in a holistic way and to amend the verbiage to strengthen what was weak.

Mr. Blache moved to recommend the adoption of Ordinance 16-09 as written, seconded by Mr. Quillin and passed 4-1 with Mr. Clark voting against

Mr. Quillin moved to adopt the minutes of August 9, 2016, seconded by Mr. Clark and was unanimously approved.

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

Lori Spranley, Secretary

Dennis Thomas, Chairman
Planning Commission

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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 first case discussed was V16-08-19 Harbor Market LLC/Milton E. Lavigne, III, Member requests a variance to Section 7.6.2.6, Gateway Overlay Site Development Regulations, Article 9, Parking and Landscaping and Section 7.5.9.3, B-2 Site Development Regulations, 3810 Highway 22, zoned B-2.

Ms. Scott presented a request for an outparcel of the Northlake Shopping Center to be redeveloped from the existing gas station into a two tenant center of a dentist and a restaurant. The plan indicated the closure of two existing driveways and a new driveway to the rear. The parking requirement was 1:150 for the dentist and 1:200 for the restaurant with adjustments for outdoor seating. The parking requirement was exceeded by five parking spaces. There was a 25' greenbelt requirement and the variance request was to allow for a portion of the greenbelt in the right-of-way. The Class A trees would be planted on the applicant's property. DOTD had issued a landscape permit which provided their permission. There had also been a discussion about future road expansion and there was a confirmation from DOTD that none was expected in the next two years.

Paul Mayronne, applicant's representative, said the property was an outdated gas station that would become a more viable use. The variances were for the Gateway Overlay District requirement of a 25' greenbelt and to the pervious/impervious requirements. There was a 5' greenbelt on the property and they would use 20' of the DOTD right-of-way. This was already permitted with the receipt of a vegetative permit. If approved, they would use that area in the pervious/impervious calculation to get to the required numbers. If they did not use the right-of-way, the site would still have more pervious area than currently existing. After the work session, they had followed up with Ben Tassin, DOTD, in Hammond who stated before the issuance of a vegetative permit there was a review, and he confirmed there were no roadway expansion plans.

There was a discussion about sidewalks, and Mr. Mayronne stated they would help facilitate it. With the closure of the second driveway on Highway 22 there would be additional green space. The calculations indicated the site was at 81% impervious. There had been questions about the monument sign and it would be located on the corner of the property.

Mr. Quillin moved to approve the landscape variance to allow a 5' greenbelt on the property and the remaining 20' would be located on the DOTD right-of-way with their permission, seconded by Mr. Fairley and was unanimously approved.

The next case discussed was V16-08-20 Maureen Connell requests a variance to Section 7.5.3.1, R-1 Site Development Regulations, a portion of lot 3, square 26, 124 Carroll Street, zoned R-1

Ms. Scott presented a variance to encroach into a side yard for the construction of a porch. The house was listed as a Contributing structure, which was being elevated with an addition. The porch would encroach 3'8" into the side yard setback and would be in line with the existing line of the house. The neighbor was also elevating and it had been related that she had no objection.

Mr. Blache moved to approve the encroachment for the porch to line up with the existing house, seconded by Mr. Quill and was unanimously approved.

The next case discussed was V16-08-21 Myia Dwyer requests a variance to Section 7.5.1.3, R-1 Site Development Regulations, lot 172, square 6, Old Golden Shores Subdivision, 3920 Monroe Street, zoned R-1.

Ms. Scott presented a variance request to the rear yard setback. There was a note on the plan indicating the pervious/impervious coverage would require a variance as well as the rear yard encroachment for the house. The applicant submitted she had a cochlear implant and hearing aid and would not want a two story house so she could hear her grandchildren. The minimum pervious coverage was 45% and the plan indicated 33.3%.

It was stated that the board could not grant a variance for health or personal problems. There was a discussion that the plan appeared to be too much house for the lot and while there had been side yard variances in the neighborhood for consistency in appearance, the board had consistently denied rear yard setback variances.

Ann Blossman, 200 Bayberry Drive, Covington, said all of Ms. Dwyer's neighbors were in agreement to a one story instead of two story house overlooking their one story homes. Ms. Dwyer said the house was 2,500 square feet and the porch and carport made it appear larger. It was suggested tabling the case until the next meeting when all of the board could be present for a vote.

Ms. Scott said the board must consider the request and asked Ms. Dwyer if there was a way to redesign the house to meet the setbacks.

Mr. Blache moved to table the case until the September 13th meeting, seconded by Mr. Clark and was unanimously approved.

The next case discussed was V16-08-22 Edward C. Lee, IV requests a variance to Section 7.5.1.3, R-1 Site Development Regulations and Section 8.1.3, Supplemental Fence and Wall Regulations, lots 20 and 21, square 4, West Beach Parkway Subdivision, 245 West Beach Parkway, zoned R-1

Ms. Scott presented a variance request to the 30' rear yard setback because the proposed deck was elevated to the height of the house.

Christine Bodenheimer, representing the applicant, said they re-measured the distance being 16' and there was existing bamboo for a screen. The neighbor had originally objected and they had all agreed on the installation of decorative planters on the deck and to have an existing telephone pole on the fence line removed.

There was a discussion about relocating the deck on the side of the house where they also owned the adjacent lot. Ms. Bodenheimer said the deck was to be located off of the master bedroom and there was a driveway on both sides of the house. With discussion of an agreement with the neighbors and less than a full board for a vote, there was a discussion of tabling the case until the next meeting. It appeared there was no compelling reason to encroach into the rear yard setback.

Mr. Clark moved to table until the September 13th meeting, seconded by Mr. Fairley and was unanimously approved.

The discuss case discussed was V16-08-23 Rockwell Builders LLC requests a variance to Section 7.5.2.3, R-1X Site Development Regulations and Section 5.2.3.2(3), Drainage Overlay District & Fill, SubArea A, lot 35, square 32, 415 Depre Street, zoned R-1X

Ms. Scott presented a variance request for a side yard setback and to Drainage Overlay Subarea A for the driveway location. Mr. Rockwell had purchased several lots and was constructing homes for his children. Lot 35 was zoned R-1X50 and measured 50' x 152'. The proposed structure measured 29.5' wide by 72' deep and the variance request was to encroach 4' into the 10' side yard on the north side of the property. There would be 10' on the south side for the driveway to allow for parking in the rear. One of the considerations for a driveway to encroach closer than 5' was for access to the rear yard for parking. The regulations state there must be independently accessible parking spaces.

There was a discussion about the pervious/impervious calculation of the property since it was a small lot. Since there were numerous 50' lots, the board should consider creating an exception process in the CLURO. Mr. Quillin calculated the percentage and stated it was less than 30% impervious. Ms. Scott said this was the third house in a row that Mr. Rockwell was constructing and there may another one or two homes.

Mr. Quillin moved to approve the variance pending the receipt of a revised site plan showing the driveway access to the rear yard parking, seconded by Mr. Fairley and was unanimously approved.

Mr. Quillin moved to adopt the minutes of August 9, 2016, seconded by Mr. Clark and was unanimously approved.

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

Lori Spranley, Secretary

Nixon Adams, Chairman
Planning Commission