

**Planning Commission  
Public Hearing  
September 27, 2016**

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

Present: Michael Blache, Dennis Thomas, Ren Clark and Simmie Fairley, Nixon Adams, and Bill Sones

Absent: Rebecca Bush

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

Adoption of the minutes of September 13, 2016 was deferred until the next meeting.

Mr. Blache moved to defer the election of Chairman until the next meeting, seconded by Mr. Thomas and was unanimously approved.

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

  
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Lori Spradley, Secretary

  
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Dennis Thomas, Chairman  
Planning Commission

**Zoning Commission  
Public Hearing  
September 27, 2016**

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

Present: Michael Blache, Dennis Thomas, Ren Clark and Simmie Fairley, Nixon Adams, and Bill Sones

Absent: Rebecca Bush

Also Present: Louissette Scott, Planning Director; and Council Member Laure' Sica

The board expressed their appreciation and presented a plaque to outgoing board member Scott Quillin.

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.

Adoption of the minutes of September 13, 2016 was deferred until the next meeting.

Mr. Blache moved to defer the election of Chairman until the next meeting, seconded by Mr. Thomas and was unanimously approved.

The first 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 case that was deferred because Mr. Lee was out of town. As previously discussed, the request was to construct a raised deck to the rear of the property attached to the master bedroom. The house was elevated at 9'7" above grade with the deck to measure 20' deep x 17' wide and constructed at the house height. The house was built to the 30' rear yard setback and the request was for a 20' encroachment. Mr. Lee also proposed to construct a 4' rail around the deck to screen it and provide privacy. The adjacent neighbor had a 7' fence and a pool in their rear yard. There would be additional screening along the south side of the deck.

Mr. Adams said the concerns were that the request was a large variance and an intrusion on the east neighbor's privacy. It had been suggested to move the deck to the north or south side of the house, which the neighbor was not in agreement to the location.

Ed Lee, applicant, said the deck would be for privacy and the rear neighbor's house was raised 4' with a pool in the yard. He had further discussed the issue with his neighbor who had changed their objection with the agreement to lowering the deck fence and adding terra cotta planters with plants. To the north side there was neighbor who had a deck of similar size facing Mr. Lee's pool. On the north side, the deck would go over his driveway. There was a new neighbor to the right and they were 150' away and he also had a raised deck in their rear yard overlooking his house. Mr. Adams asked if the decks were in the rear yard setbacks and Mr. Lee did not know if they encroached into the rear yard setback. Mr. Lee had discussed the deck with his neighbors who had no objection. He had measured the property and it was at 36' which differed from the previous survey. He had a pool pump in the rear yard that he would like to cover with the deck.

Mr. Blache stated the board was consistent about retaining the rear yard setbacks and he did not see a hardship. Mr. Adams said the request appeared to be for the convenience of the applicant. Mr. Lee asked if the board would consider a smaller setback encroachment and Mr. Blache said the board was consistent about retaining the rear yard setbacks.

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Mr. Blache moved to deny the request for a 20' encroachment into the rear yard setback, seconded by Mr. Clark and was unanimously approved.

The next case discussed was SUP16-09-06 Cleco Power LLC requests a Special Use Permit to Section 8.1.1.7(3), Exceptions to Height Provisions, lot 76A, Magnolia Ridge Subdivision, Phase 1B, 2900 E. Causeway Approach, zoned B-1

Ms. Scott presented a request to the height provisions to replace an existing 60' wood pole with an 85' metal pole and communications antennae. At the work session, a clarification and interpretation was discussed if this was a telecommunication system and it was determined that the request fell under the Exceptions to the Height Provisions. The discussion had been about any adverse effects on the surrounding properties. Cleco had stated there was a similar pole at the substation on Lambert Street. The Magnolia Ridge Subdivision was a residential use located to the rear of the property. The new pole would be in the same location at 74' above the ground.

Danny Schaus, Cleco, said the rear of the property was wooded so there was no visibility to the Magnolia Ridge Subdivision. The entrance of the Magnolia Ridge Subdivision was also wooded. Robert Matthews, Cleco representative, had researched colors and it was possible to paint the pole brown. It was noted that the pole would be the same height as the utility poles on East Causeway Approach. Mr. Sones said there were options of poles that were brown to blend in if there was a concern.

Mr. Matthews said there were two towers in the area that were galvanized at 200' in height. Ms. Scott said they were telecommunication towers. It was discussed that Cortens was a brand to be considered. Mr. Sones felt adding height was for the betterment of the customers and blending into the environment would be good. There was a discussion that burying the line instead of a pole would be cost prohibitive. Mr. Clark asked what would happen if the pole fell. Mr. Matthews said it would fall into the Cleco or adjacent building, but there was nothing else 85' away in that area. It was unlikely that the wind would blow over a single pole.

Councilwoman Laure' Sica said she was concerned about the aesthetics. She was concerned about other poles and felt it was a poor reflection on Mandeville where trees were to be the dominant focus. The building and pole was near the area where the Parks and Parkways Commission would be implementing a tree program. She heard the applicant say there could be other options and asked was there a justification for allowing the additional height. Mr. Adams asked how tall the trees were to the south, and Mr. Matthews answered that the trees were taller than 85'. Ms. Scott said the pines were generally 70-80' and the other telecommunication towers were taller. Mr. Matthews said the T1 was not sufficient to serve the customers so they pursued another option. The only other option was ATT and there was a reliability issue of failure repairs taking for days. Mr. Adams said it was for the public good to have customer service. Mr. Blache asked about the tower on Lambert Street being a good representative to the height of the trees, and Mr. Matthews agreed that it would be similar.

Mr. Blache moved to approve the Special Use Permit for an exception to the height stipulated that the pole must be masked or camouflaged with the surrounding color with a suggestion of using Cortens or Valmont for color, not to exceed 74' in height above the ground and to blend into the neighborhood, seconded by Mr. Fairley. Mr. Thomas asked for an amendment that the pole be removed if it became obsolete and the dish also be camouflaged. Mr. Clark asked about the bandwidth and Mr. Matthews said it would be 10 megabits. Mr. Clark asked if it became redundant could the pole be removed and Mr. Matthews was in agreement. The amendment was seconded by Mr. Clark and accepted by Mr. Blache and Mr. Fairley. The motion was unanimously approved. Mr. Matthews stated if Cleco ever relocated, they would remove the pole.

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The next case discussed was V16-09-25 Carl and Jill Buhler request a variance to Sections 7.5.4.3, R-3 Site Development Regulations, and Section 8.1.5, Supplemental Regulations of Accessory Buildings and Structures, lots 30, 32 and 34, square 39, zoned R-3. The work session case of SUP16-10-07 Carl and Jill Buhler requests a Special Use Permit to Section 6.2.4, Two-Family Residential, lots 30, 32 and 34, square 39, zoned R-3 was also discussed.

Ms. Scott presented a variance request to the accessory building and a Special Use Permit discussion under the work session. The property was located on the corner of Livingston and Ramon Streets. As requested at the work session, a rendering of the accessory structure was provided. There were two live oak trees on the site and the two units were positioned around the trees. There were setback challenges and the board had agreed that the setback requests could be handled through the exception process. The variance request would require actions for the accessory structure not being located 60' from the front property line. At the work session, the definition of an accessory structure was discussed which was incidental to the principle building or use and contributed to the comfort of the principle building and was located on the same lot. The applicants indicated the accessory building was to house equipment from flooding at their home on Lakeshore Drive as well as space for their tenant's use.

Mr. Adams asked about the size of the accessory building, and Mr. Buhler stated it would be 12' wide and he would only use it for storage if there was a hurricane. It would be primarily for the tenant's use. The building was proposed to be 12' wide by 22' deep with the dog leg as a side load to have the appearance of a building. The garage would be placed behind existing trees that would be preserved. Mr. Adams said he was concerned about the accessory building not being subordinate to the primary structure since it not be placed 60' from the property line. There was a discussion that the accessory building definition was that it served the principle use on the same site. Mr. Buhler stated he could create a wall separation for the tenant usage. Mrs. Buhler stated that Unit 2 would be approximately 1,200 square feet with the garage being 300-350 square feet. Mr. Adams asked about screening the garage. Mr. Buhler said it would be screened by the existing tall trees. Mr. Adams said there would be a landscape plan required indicating the screening. Mr. Blache said this was the type of case for an exception because of the location of trees to be preserved. With the structure being walled off, it could be considered a maintenance structure for the whole project.

Michael Rice, 567 Wilkinson Street, was the adjacent property owner, and his concern was the drainage in the area. Mr. Adams said a drainage plan must be submitted at permitting for review and approval. Mr. Buhler said the drainage was on Ramon Street and not on Wilkinson Street. Mr. Rice said the concern was because Livingston Street had no subsurface drainage. Mr. Rice also said another problem was the location of the live oak trees on the lot and he wanted to make sure they were preserved.

Mr. Adams moved to approve the accessory building location variance based on the site plan and a landscape plan be submitted to show the screening for the accessory building. Mr. Clark said at a 9' ground elevation there was no reason for an elevated slab and he would want to see the drainage plan in detail and be guaranteed that it would work. Mr. Rice agreed because Livingston Street was a ditch dug with a shovel. Mr. Adams amended the motion that during construction all efforts would be made to protect the roots of the tree, seconded by Mr. Blache. Ms. Scott said the accessory building was the only variance because of the oak trees location as per the site plan. Mr. Clark said the hardship for the setback was because of the value of the tree canopy. The motion was unanimously approved. The Special Use Permit case would vote on at the October 11, 2016 meeting.

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The next case discussed was Reopen V06-06-12(2016) Florida Street Market LLC requests a variance to Article 9, Landscaping, and Section 7.5.9.3, B-2 Site Development Regulations, lot 30A, square 83, City of Mandeville, zoned B-2.

Ms. Scott presented the reopening of a previous case to approve a new landscape and parking plan. It was discussed at the work session that the plan was originally approved in 2007 and was revised to date. The area of the live oak tree was reduced, but a green area was increased at the greenbelt area along Florida Street. There was a discussion about planting additional live oak trees in the greenbelt or in the DOTD right-of-way which would dovetail into the Parks and Parkways Commission's live oak tree planting project.

Mr. Adams said there was a discussion at the work session about requiring the planting a street tree. Ms. Scott said it was also discussed with the approval of the site plan for the relocated green areas and the planting of additional live oak trees that there would be a maintenance agreement. Paul Lea, representative for the owner, was also in agreement to contract for a three year maintenance plan. He said there was more green space in the enlarged greenbelt and in the front of building, and they would participate in the Parks and Parkways Commission's tree planting program. They had identified two additional spaces for planting.

Mr. Thomas asked if the plan was net/net for the parking spaces in the 2015 plan. Mr. Lea said there was a loss of parking from the 2007 approved plan, but 4 spaces were installed for a net loss of 2 spaces. Ms. Scott said this had been checked and verified. Mr. Adams said it was a strange traffic flow in the parking lot, and suggested that the triangle green space could be incorporated into the large corner green area. Mr. Lea said they were ready to plant the additional trees. Mr. Clark asked about the size of the trees to be planted and Ms. Scott said they would be 2" dbh, 10' tall. Mr. Thomas said he would request the maintenance agreement be for 5 instead of 3 years. It was discussed that the original tree was mitigated and 36" of trees was planted as well as the payment of a \$2,000 mitigation cost for the additional 10".

Mr. Blache moved to approve the landscaping and parking plan with a 5 year landscape maintenance contract to be submitted to run with the property, and replant additional live oak trees at the recommendation of the arborist, seconded by Mr. Thomas and was unanimously approved.

The next case discussed was V16-09-26 Michael Burr requests a variance to Section 8.1.5, Supplemental Regulation of Accessory Buildings and Structures, lot 13A, Block 7, Weldon Park Subdivision, 223 Walnut Street, zoned PRD.

Ms. Scott presented a variance request to allow an accessory building to be located at a distance less than the required 60' setback. There was a lean-to carport that was destroyed by the neighbor's fallen tree. The proposed carport measured 18' x 21'. There was a chimney extending into the driveway and the applicant requested to install the new structure further into the front yard setback. The structure would be 43' from front property line. The carport would be placed 4' from the interior side yard setback and it was allowed to be placed up to 3' from that setback. Mr. Adams said it was discussed at the work session that the neighbor measured the carport to be 2' from his property line and there was a concern about run off.

Mr. Burr said he would amend the request to a 15' wide structure. The drainage on the driveway ran toward the street. The previous discussion was that the applicant would not have a watershed onto the neighbor. Mr. Burr said the carport would be square on the driveway and would butt up against the wall of the fireplace. The carport would be curved and the water would run down the side of the structure. Mr. Burr said measuring from the

fireplace, the structure would be behind the house walkway and would be 4' forward from the 25' front yard setback. The lean-to was attached to the building and this structure was not attached to the building. Mr. Burr said he was trying to provide a structure that would protect them from the weather when they were going in and out of the house.

Kenny Booth, 221 Walnut Street, stated it was his tree that blew down and damaged Mr. Burr's property. Because it was a green tree, Mr. Burr incurred the cost of the damage on his side of the property line. He and Mr. Burr had discussed a 15' structure and he was still concerned about water runoff. It would be 3' from the property line. Mr. Booth also stated that at the last meeting, Jack Hawkins had spoken of his concern about the appearance so close to the street. The 15' would fit within the driveway and he suggested that Mr. Burr could move it further back in the yard and be in compliance. He was the homeowner association president and stated that he had received calls from other neighbors that had expressed concerns.

Mr. Clark said there was a proposed structure with the opening would encroach 6-8' from the front of the house toward the street. Mr. Booth said he was concerned about his property line. Mr. Burr said it would be past the front of the house, but not past the walkway. Mr. Adams said if the structure was located even with the front of the house there would not appear to be any objection. Mr. Blache asked if both homes had the same front yard setback and it was stated they were both in line.

The board discussed that the being less than the 60' setback, but they would have considered it to the eave of the house. The applicant felt that would not provide protection from the weather. Mr. Burr said he felt the hardship was the location of the chimney and the board did not agree that it was a hardship.

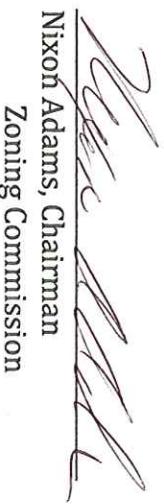
Mr. Blache to deny the variance request to allow an accessory structure being less than 60' setback requirement, seconded by Mr. Fairley and was unanimously approved.

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



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Lori Spranley, Secretary



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Nixon Adams, Chairman  
Zoning Commission

**Planning Commission  
Work Session  
September 27, 2016**

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

Present: Michael Blache, Dennis Thomas, Ren Clark and Simmie Fairley, Nixon Adams, and Bill Sones

Absent: Rebecca Bush

Also Present: Louise Scott, Planning Director; and Council Member Laure' Sica

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 only case discussed also had two corresponding zoning cases and all cases were discussed in conjunction. The planning case discussed was P16-10-04 Recommendation to the City Council regarding Ordinance 16-14 to effect the annexation of 6.365 acre tract of land known as the remainder of Square 118 and a portion of former Orleans Street (now closed) into the corporate limits of the City of Mandeville designating and assigning the property for purposes of zoning as B-2, Highway Business District and providing for other matters in connection therewith. The zoning cases discussed were Z16-10-02 Recommendation to the City Council regarding Ordinance 16-14 to effect the annexation of 6.365 acre tract of land known as the remainder of Square 118 and a portion of former Orleans Street (now closed) into the corporate limits of the City of Mandeville designating and assigning the property for purposes of zoning as B-2, Highway Business District and providing for other matters in connection therewith and V16-10-27 Keith and Lynda Young, Greystone Manor LLC, request a variance to Article 9, Parking and Landscaping, for a 6.365 acre tract of land known as the remainder of Square 118 and a portion of former Orleans Street (now closed), 935 Clausel Street, to be zoned B-2.

Ms. Scott presented an annexation request of 6.365 acres in the remainder of square 118 and a portion of former Orleans Street. Greystone Manor LLC acquired 935 Clausel Street and was petitioning for annexation for the use of a banquet hall and was submitted in accordance with the survey prepared by Randall Brown and Associates dated July 7, 2015. The site consisted of an existing barn, a small pond near the center of the property, a gazebo, a well and a larger pond in the corner. The existing residence was demolished with a permit issued by St. Tammany Parish. A building permit was issued by St. Tammany Parish and construction had begun of the new facility. Section 6.4.71, Special Event Center, was applicable as the principle use of the site. Jackson Avenue was a dedicated but unimproved street that was revoked in St. Tammany Parish.

With a site plan having been approved by the Parish, Cluro Section 5.2.3, Provisions for Legally Non-Conforming Development Sites, addressed annexations of constructed sites. As a condition of the City Council approval there must be a plan for conformance with a timeline schedule within 5 years.

There was a compliance review for parking in accordance with the plan prepared by KVS Architecture dated July 5, 2016 which identified a building area of 9,938 square feet with indoor congregation space of 4,430 square feet. The parking requirement would be a ratio of 1:50 or 89 spaces and 103 spaces were shown. The storage area of 500 square feet required 1 parking space. The office was 325 square feet, with a parking breakdown ratio of 1:250 which required 1 parking space. The kitchen was 1,000 square feet requiring 5 spaces. The total parking requirement was less than the total number of spaces being provided so no variances were required for parking spaces. Additionally with indoor and outdoor activity at the same function, the greater of the two areas was counted for parking

requirements. The plan would be amended to show the space for outdoor weddings, and it was thought that outdoors would not be greater than the indoor space. There was an existing driveway and the applicant was providing another driveway to allow one for ingress and one for egress. All driveways and parking spaces were proposed to be limestone surfacing. The variance would be to allow the driveways to remain aggregate except for a paved apron and curbing for containment.

The 25' greenbelt on Florida Street was provided. The 15' greenbelt on Clausel Street was also provided. The property to the rear was located in the Parish and would remain as an existing residence. The Parish only required a 10' buffer; however, the City required a 20' buffer adjacent to a residence and if it greater than 250' in depth an additional setback would be required which was increased to a 30' buffer. A variance was requested for the spaces located within the 30' buffer. On the Jackson Avenue side there was a 15' greenbelt requirement and a 10' buffer was provided. The CLURO included a section for flexibility of greenbelt and they could reduce it to 10' in that area and pick up other square footage on the property.

Mr. Adams said the property was located in the Priority 1 annexation area. The proposed B-2 zoning designation made sense on Highway 190. Mr. Clark asked what was the benefit to the City of the annexation. Mr. Adams said it was part of the Comprehensive Plan and this was a gateway entry to have protection under the City regulations. The variance request action would be subject to the approval of the annexation.

Vaughan Sollberger, architect, said there was a large existing barn that was preserved and the building was located on the existing home site. There was a large amount of existing landscape that was preserved. Mr. Sollberger said the parking spaces were placed in the buffer because those areas did not have any trees and it was a grassy lawn.

Ms. Scott said the applicant was proposing a 7' fence to provide a screening to the adjacent property owner. Landscaping within the 10' buffer would be required. Mr. Sollberger said there was an existing fence and they were proposing an opaque fence on their property edge with bamboo or grasses. Mr. Young said he had met the neighbor who stated the house was rental property. Mr. Adams said this was a low intensity use. Mr. Sollberger said the Lorenz family had done a great job with the site and the new owner wanted to hook into the City sewer and water and not discharge into a waterway.

Ms. Scott said a detailed landscape plan must be submitted for the buffering of the parking spaces, a fence and they could not do flexibility of the greenbelt on the rear buffer.

Keith Young, applicant, said they were excited about the property and wanted to maintain the integrity of the property. He said even though it was a 10' buffer, they tried to retain as much natural landscape as possible.

Mayor Villere said this was in the Priority One annexation area and the City had agreed to also run water and sewer in the front of the adjacent property for possible future annexation and development in the City. There was a cost to Mr. Young, but there was another property that would be set up for annexation. It would be positive economic value.

Mr. Adams clarified there should be a landscape plan for the next meeting. Mr. Sollberger said he would clarify some issues on the site plan with Ms. Scott, and that they had documents that field located the trees.

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



  
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Lori Spranley, Secretary

  
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Dennis Thomas, Chairman  
Planning Commission



