

**Planning Commission
Public Hearing
February 11, 2020**

The meeting was called to order by Chairwoman Rebecca Bush and the secretary called the roll.

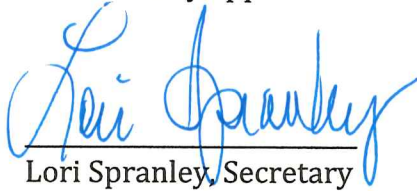
Present: Bill Sones, Nixon Adams, Ren Clark, Simmie Fairley, Brian Rhinehart, Jeff Lahasky, and Rebecca Bush

Absent: None

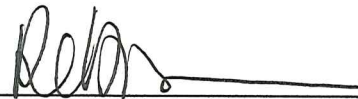
Also Present: Louissette Scott, Director, Planning Department and Cara Bartholomew, Planner, Planning Department

Mr. Sones moved to adopt the minutes of January 28, 2020 seconded by Mr. Rhinehart and was unanimously approved.

Mr. Lahasky moved to adjourn the meeting, seconded by Mr. Sones and was unanimously approved.



Lori Spranley, Secretary



Rebecca Bush, Chairwoman
Planning Commission

**Zoning Commission
Public Hearing
February 11, 2020**

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

Present: Nixon Adams, Ren Clark, Simmie Fairley, Bill Sones, Brian Rhinehart, Jeff Lahasky and Rebecca Bush

Absent: None

Also Present: Louissette Scott, Director, Planning Department; Cara Bartholomew, Planner, Planning Department

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 V20-02-05 Lynn Brayton requests a variance to Section 7.5.10.3, B-3 Site Development Regulations and Section 8.1.1.4, Allowed Setback Encroachments, lot 16, square 18, 429 Lafitte Street, zoned B-3

Ms. Scott presented that the property was located at 429 Lafitte Street between Madison and Monroe Streets and was zoned B-3, Old Mandeville Business District. The lot measured 63.95' on Lafitte Street by a depth of 202.5' and was improved with a single family residence.

The applicant was requesting to re-construct an exterior staircase on the north side of the existing structure extending from the second floor to the ground. There was an existing balcony on the second floor, measuring 4.6' wide by 5.4' deep that serviced a door to a second-floor office. The interior was accessed by a spiral staircase. Years ago, an exterior staircase had existed that stepped down towards the front of the house. It was unclear when or why the staircase was removed.

The proposed exterior staircase would be 3' wide (per building code), and 24.7' long from the base to the balcony. This placed the proposed stairs approximately 1' from the property line at the base (toward rear of structure) and 2' from the property line at the front. The stairs did not encroach any further out then the existing balcony at any point in the flight.

The applicant was requesting a variance to the 15' minimum side yard setback to allow the encroachment of the stairs into the south side yard setback a distance of 14' in front and 13' in rear. This was an existing structure and could not comply without moving the structure.

Lynn Brayton, applicant, said she spoke with her neighbors who had no opposition.

Mr. Clark moved to grant the variance, seconded by Mr. Sones and was unanimously approved.

The next case discussed was V20-02-06 Coleman Hardin/Jennifer Peters requests an exception to Section 7.5.18.4, Town Center District Parking Requirements, square 47, lot 47-3, 624 Girod Street, zoned TC

Ms. Scott presented that the applicant was proposing to construct a new building for Varsity Sports, a commercial retail use, on lot 47-3, forming the corner of Woodrow and Girod Streets. The lot measured 70' front on Woodrow Street and 105.79' in depth along Girod Street and was zoned TC, Town Center. The commercial use proposed was classified under CLURO Section 6.4.38 General Retail Sales (Convenience) and was a permitted use by right.

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The site plan prepared by Lynn Mitchell Architects dated January 3, 2020 indicated the new building consisted of ~2,503 square feet with a wraparound porch continuing from Woodrow to Girod Streets, with the main entry facing the corner. In accordance with the Town Center requirements, a rear alley was proposed for service and 2 parking spaces on-site accessible from the alley. There were no improved parking spaces on Girod Street and five improved parking spaces immediately adjacent to the site on Woodrow Street. The Certificate Of Appropriateness was approved at last week's Historic Preservation Commission meeting.

The applicant was requesting an exception to the Town Center Parking requirements. The minimum parking requirement for the Town Center District was in accordance with CLURO Section 6.4.70.1 Neighborhood Shopping Center, four (4) spaces per 1,000 sq. ft. of gross floor area. This coordinated with peak demand times.

The Town Center District allowed any on-street parking adjacent to the site was being counted by right. In this case, the applicant was permitted to count five (5) angled parking spaces on Woodrow Street. The site plan also included two (2) spaces on-site. Therefore, the applicant was requesting an exception of 3 parking spaces, to allow construction of the proposed building with 7 spaces instead of the 10 required.

The CLURO contains a provision for Parking Reduction by Exception:

b. Parking Reductions by Exception. In the T-C District, parking requirements for non-residential uses may be reduced or waived by the Zoning Commission in conjunction with a Special Use Permit application and based on the findings of the Zoning Commission that the reduction or waiver does not adversely affect surrounding commercial or residential uses and:

(1) Existing public parking within the area is sufficient to accommodate the proposed use; or

(2) The person receiving an exception to reduce the number of spaces agrees to contribute to the Optional Parking Mitigation Fund established for the purpose of providing public parking and pedestrian amenities in accordance with a Master Plan of the B-3 District in accordance with section 9.3 of this Code; or

(3) The person receiving the exception has agreed to provide public improvements that mitigate the parking reduction within six hundred (600) feet of where the proposed use is located and the installation of sidewalks or pedestrian ways between the parking and the site.

b. Parking Reductions by Exception. In the T-C District, parking requirements for non-residential uses may be reduced or waived by the Zoning Commission in conjunction with a Special Use Permit application and based on the findings of the Zoning Commission that the reduction or waiver does not adversely affect surrounding commercial or residential uses and:

(1) Existing public parking within the area is sufficient to accommodate the proposed use; or

(2) The person receiving an exception to reduce the number of spaces agrees to contribute to the Optional Parking Mitigation Fund established for the purpose of providing public parking and pedestrian amenities in accordance with a Master Plan of the B-3 District in accordance with section 9.3 of this Code; or

(3) The person receiving the exception has agreed to provide public improvements that mitigate the parking reduction within six hundred (600) feet of where the proposed use is located and the installation of sidewalks or pedestrian ways between the parking and the site.

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Traditionally in the Town Center the commission had felt the existing parking was sufficient. The Mitigation Fund was for the B-3 zoning district and many parking lots were purchased with these funds.

Lynn Mitchell, architect, said the Town Center was based on the shopping center district criteria with the Trailhead acting as an anchor. There was one large parking lot and the area not just adjacent to the store could be counted. Aerially you would see 58 parking spaces on Woodrow Street which would equate to 15,000 square feet of space that it would support. With Varsity Sports and Rieger's on the Trace there was about 10,000 square feet by calculation. This business would fit in the spirit of what was to be accomplished by the Town Center.

Mr. Clark said progressive towns were reducing parking requirements. Retail models were changing and people would walk or run to this store.

Mr. Clark moved to approve the exception, seconded by Mr. Fairley and was unanimously approved.

The last case discussed V20-02-07 Lee "Tony" Spencer requests a variance to Section 8.1.3, Supplemental Fence and Wall Regulations, lot 82, Phase 2, Chateau Village Subdivision, 555 Casey Drive, zoned R-1

Ms. Scott presented that the applicants lived in the Chateau Village Subdivision on the corner of Casey and Cedarwood Drives. The property fronted on Casey Drive with a 90' frontage and depth along Cedarwood Drive of ~115'. The property was zoned R-1, Single Family Residential and was constructed in 1990. The street side yard setback (Cedarwood Drive) was a minimum of 90'. Additionally, there was an existing utility servitude located along the entire perimeter of the property.

The applicant had constructed a covered patio in 2018 and now desired to construct a new 6' cedar wood fence for the purpose of enclosing the back yard for both privacy and protection of property. The fence was proposed to be located "just inside" the property line and within the 15' street side yard setback along Cedarwood Drive for a length of ~60'.

An issue presented by the Public Works Department was a concern of approval on behalf of other utilities and then not having access with the fence. All of the properties had a 10' utility servitude in Phase 2 of Chateau Village Subdivision.

Mr. Spencer had submitted additional information indicating a survey to place the fence parallel to Cedarwood Drive. The utilities ran parallel to Cedarwood as marked by 811. Cleco was located 8' from the corner closest to the house, and Mr. Spencer had obtained a letter from Cleco of no objection with the understanding that the fence would be removed if service was needed at the responsibility of the owner. The Public Works Department's original comment was to allow the fence 2' inside of the servitude.

Mr. Adams said there were numerous 6' fences along the block. Ms. Scott said the homeowner association board stated the fence should be 20' from the edge of Cedarwood; and the plan indicated the corner post was 18'.

Mr. Spencer said fiber optics had been installed and they used a horizontal direction drilling. He had spoken with the fence builder who said the fence would be 6-7' from the corner of the house for gate to have access with lawn equipment. Mr. Spencer also said the homeowners association had no comment. Mr. Sones said if the electric company wanted access, they would get it and the owner would want to provide it. He took the Cleco letter as the fence not being a problem.

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There was a further discussion about deferring to all of the needs of the utilities for public safety. The fence would be located outside of site line. The CLURO required a fence height of 4' which typically came inside of the utility servitude. Hermitage on the Lake had recently requested a similar variance for a 6' fence. With other fences along this street being 6', the additional height would be consistent. Another reason for the 4' regulation was to prevent the appearance of a wall off the street. On corner lots it was a struggle to allow screening for the rear yard.


There was a 60' right of way which may be 20' from the edge of the street to the property line. Mr. Spencer stated the homeowner association was in support of the 6' fence and it would be 25' from the edge of Cedarwood Drive. Ms. Scott said the applicant must submit on the survey an exact location of the fence. Mr. Spencer said the fence builder would submit a detailed plan for permitting.

Mr. Sones moved to approve the variance with the condition there must be a submittal of a revised plan for permitting, seconded by Mr. Fairley and was unanimously approved.

Mr. Sones moved to adopt the minutes of January 28, 2020 seconded by Mr. Rhinehart and was unanimously approved.

Mr. Lahasky moved to adjourn the meeting, seconded by Mr. Sones and was unanimously approved.


Lori Spranley, Secretary


Nixon Adams, Chairman
Zoning Commission

**Planning Commission
Work Session
February 11, 2020**

The meeting was called to order by Chairwoman Rebecca Bush and the secretary called the roll.

Present: Bill Sones, Nixon Adams, Ren Clark, Simmie Fairley, Brian Rhinehart, Jeff Lahasky, and Rebecca Bush

Absent:

Also Present: Louissette Scott, Director, Planning Department; Cara Bartholomew, Planner

Ms. Bush 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 planning case also had a corresponding zoning case and both cases were discussed in conjunction. The planning case discussed was R20-03-01 Jason and Ashley Collier request a resubdivision of lot C-1, square 34, into lots C-1A and C-1B, 426 Lafitte Street, zoned B-3 and the corresponding zoning case was V20-03-10 Jason and Ashley Collier request an exception to Section 7.5.10.3, B-3 Site Development Regulations, lot C-1, square 34, 426 Lafitte Street, zoned B-3

Ms. Scott presented that the applicants purchased the property at 426 Lafitte Street, Lot C-1, Square 34 in April, 2015. The lot had a frontage of 113.21' on Lafitte Street and a depth of 212.45' on the north side, 124.63' across the rear and a depth of 214.69' on the south side. The lot contained 25,355.2 square feet and was improved with a single family residence. Square 34 was a double square and the property was located on the west side between Madison and Monroe Streets and was zoned B-3 Old Mandeville Business District.

The applicant was requesting to resubdivide Lot C-1 into two lots, C-1A and C-1B to allow for the construction of a new home to the rear of the property. Proposed lot C-1A was a flag lot configuration.

Proposed lots C-1A and C-1B measure as follows:

Proposed Lot	Frontage Required(R-1)	Proposed Frontage	Deficiency	Required /proposed Depth	Area Require	Proposed Area
C-1A	60'	18'	42'	214.69' south side/flag 82.39'	7200	12,524*flag portion included
C-1B	60'	95.21' Lafitte 102.12' rear	0	130.06' north 130.37' south	7200 sf	27,850

The B-3 Old Mandeville Business district allowed for Two Family residential on a single lot, permitted by right. However, the supplemental use criteria in article 8, section 8.2.1.2 stated that they were not eligible for subdivision into two separate parcels unless each meets all the site development criteria.

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The proposed resubdivision, creating a flag lot, did not meet the subdivision regulations and zoning regulations for minimum lot frontage creating remnant portions of a lot and not meeting minimum lot frontage.

A flag lot is defined under CLURO Section 3.3 (127) lot, Flag:

127. Lot, Flag. A lot having access to a street by means of a private driveway, access easement, or parcel of land not meeting the requirements of this Land Use Regulations ordinance for lot width but having a dimension of at least fifteen (15) feet at its narrowest point.

Waiver: CLURO Section 13.2.1.1:

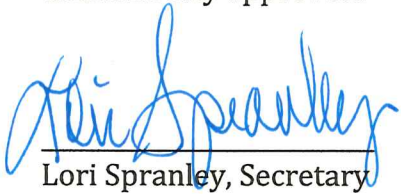
The applicant is also requesting an Exception to the min. lot frontage of 60' in the B-3 Zoning District to allow for a min. lot frontage of 18' (flag) – a deficiency of 42'. Additionally, a waiver to the subdivision regulations 13.2.1.1 Lot Arrangement, creating a lot that does not conform to lot requirements.

Mr. Adams said the commission had approved flag lots evaluating the request on a case by case. Ms. Scott said she would have Fire District 4 review the request since the owner might not own the property forever. It was discussed that the proposed depth of the rear lot was not in compliance.

Wayne Collier, representing the applicant, said it was an opportunity for a family to build dream home now that they had outgrown their present home. The most significant thing was looking at the site plan; the footprint would not have an intrusion since it was a double square lot. There would be two comfortable homes on the site and permit the opportunity for the family to move forward.

Mr. Adams said the commission must consider there was no guarantee that the structure would be a residence in the future. Mr. Collier said the front building could be an adaptive use, but the rear would have to be used as a residence.

Mr. Lahasky moved to adjourn the meeting, seconded by Mr. Sones and was unanimously approved.


Lori Spranley, Secretary


Rebecca Bush, Chairwoman
Planning Commission

**Zoning Commission
Work Session
February 11, 2020**

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

Present: Bill Sones, Nixon Adams, Ren Clark, Simmie Fairley, Brian Rhinehart, Jeff Lahasky, and Rebecca Bush

Absent: None

Also Present: Louissette Scott, Director, Planning Department; Cara Bartholomew, Planner

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Ms. Scott presented that the applicants purchased the property at 426 Lafitte Street, Lot C-1, Square 34 in April, 2015. The lot had a frontage of 113.21' on Lafitte Street and a depth of 212.45' on the north side, 124.63' across the rear and a depth of 214.69' on the south side. The lot contained 25,355.2 square feet and was improved with a single family residence. Square 34 was a double square and the property was located on the west side between Madison and Monroe Streets and was zoned B-3 Old Mandeville Business District.

The applicant was requesting to resubdivide Lot C-1 into two lots, C-1A and C-1B to allow for the construction of a new home to the rear of the property. Proposed lot C-1A was a flag lot configuration.

Proposed lots C-1A and C-1B measure as follows:

Proposed Lot	Frontage Required(R-1)	Proposed Frontage	Deficiency	Required /proposed Depth	Area Require	Proposed Area
C-1A	60'	18'	42'	214.69' south side/flag 82.39'	7200	12,524*flag portion included
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The B-3 Old Mandeville Business district allowed for Two Family residential on a single lot, permitted by right. However, the supplemental use criteria in article 8, section 8.2.1.2 stated that they were not eligible for subdivision into two separate parcels unless each meets all the site development criteria.

The proposed resubdivision, creating a flag lot, did not meet the subdivision regulations and zoning regulations for minimum lot frontage creating remnant portions of a lot and not meeting minimum lot frontage.

A flag lot is defined under CLURO Section 3.3 (127) lot, Flag:

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Waiver: CLURO Section 13.2.1.1:

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Mr. Adams said the commission had approved flag lots evaluating the request on a case by case. Ms. Scott said she would have Fire District 4 review the request since the owner might not own the property forever. It was discussed that the proposed depth of the rear lot was not in compliance.

Wayne Collier, representing the applicant, said it was an opportunity for a family to build dream home now that they had outgrown their present home. The most significant thing was looking at the site plan; the footprint would not have an intrusion since it was a double square lot. There would be two comfortable homes on the site and permit the opportunity for the family to move forward.

Mr. Adams said the commission must consider there was no guarantee that the structure would be a residence in the future. Mr. Collier said the front building could be an adaptive use, but the rear would have to be used as a residence.

The next case discussed was V20-03-08 Rockwell Builders LLC requests an exception to Section 7.5.1.3, R-1 Site Development Regulations, lots 24, 30, 40 and 49, Woodstone Subdivision, zoned R-1

Ms. Scott presented that the applicant, Rockwell Builders LLC, was requesting an exception to CLURO Section 7.5.1.3, R-1 Site Development Regulations regarding minimum side yard setbacks for four (4) lots located within the Woodstone Subdivision Ph. 2-C., zoned R-1, Single Family Residential.

Rockwell Builders LLC, purchased four lots as follows:

Lot 49 on August 31, 2007

Lot 30 on September 30, 2011

Lot 24 on September 16, 2014

Lot 40 on January 3, 2018

These are the last four remaining unconstructed lots in the subdivision
Lot 40 was adjacent to the front park area.

When the subdivision plat was approved for the Woodstone Subdivision, the minimum side yard setbacks were 15' total combined with a minimum side yard setback of 5'. This subdivision had reversed the front and rear setbacks.

In May 2018, Ordinance 18-09 was adopted, increasing the minimum side yard setback requirements based on the frontage of the property for Residential Zoning Districts. Under the current regulations, the minimum side yard setback for Lots 24, 30, 40 & 49 are as follows:

<u>Lots:</u>	<u>Frontage</u>	<u>min. required</u>
Lots 24	90'	min. 15' each side (30' total)
Lot 30	90.03'	min. 15' each side (30' total)
Lot 49 -	90.53'	min. 15' each side (30' total)
LOT 40 -	95.90'	min. 16' each side (32' total)

The applicant was requesting an exception to allow the reduction of the minimum side setbacks from 15' each side for lots 24, 30 and 49 and 16' each side for lot 40, to the

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setbacks that were approved when the subdivision was platted, which is a total combined side yard setback of 15' and minimum side yard of 5'. The lots were the last remaining undeveloped lots.

It appeared that most were 10' and 5' side yards. Mark Smith Drive was the last street to be constructed in the subdivision and all other permits were issued prior to the side yard setback change. Since the Rockwell's own all four lots they made the request for the exception at one time. An exception for the placement of the mechanical equipment should also be considered. Mr. Rockwell said the equipment would be in the rear yard so the exception would not be required. Mr. Adams said the commission had previously granted this exception for consistency in the concept of the subdivision.

The last case discussed was V20-03-09 Tom and Jan Hunter request a variance to Section 7.5.1.3, R-1 Site Development Regulations, square 26, 220 Carroll Street, zoned R-1

Ms. Scott presented that the applicants purchased the property at 220 Carroll Street on June 12, 2015. The property was located on the west Side of Carroll Street between Claiborne and Jefferson Streets and was zoned R-1, Single Family Residential. The parcel measured 106' x 176' (18,656 sf/.41 acres), and was improved with a single family residence. The house had been vacant for quite a few years.

The existing structure was listed as a Contributing property on the Mandeville Historic Resource Survey, constructed between 1895 and 1905. The applicants were proposing to elevate and construct an addition to the rear of the existing structure. The proposed addition was in line with the existing south side elevation and created an "L" shape toward the northern property line. The south side property line was adjacent to an existing parking lot associated with a non-residential use (church parking).

The existing structure was located 7' 7" from the southern property line and ~ 66' on the north.

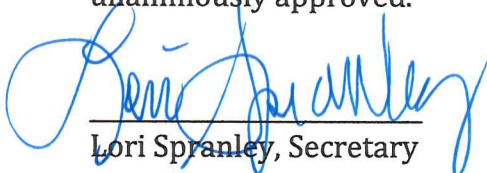
Side yard setbacks are as follows:

<u>sideyard</u>	<u>required</u>	<u>existing</u>	<u>proposed</u>	<u>deficiency/surplus</u>
Southside	18'(30% -5.4')	12.6' 7.7'	7.7'	-4' 11"
North side	18' (30%) + 5.4	23.4' ~66	55'	+31.6'

With a 106' frontage the minimum required side yard setback was 18' each side. The CLURO allowed for the setback to be shifted up to 30% (5.4') which allowed the south side to have a setback of 12'6" and increasing the north side to 23.4'. The applicant was requesting a variance to the south side setback of 4'11" (to allow for a shift in order to continue the existing footprint of the structure. The north side addition was setback 55' from the property line.

Mr. Clark asked about the oak tree and if the addition would be placed away from the tree. Ms. Scott said the intent was to park under the house. Ms. Scott there would probably be paved under the addition. Mr. Clark was concerned about additional impervious surface.

Mr. Lahasky moved to adjourn the meeting, seconded by Mr. Sones and was unanimously approved.


Lori Spranley, Secretary


Nixon Adams, Chairman
Zoning Commission