

**Planning Commission
Public Hearing
October 9, 2018**

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

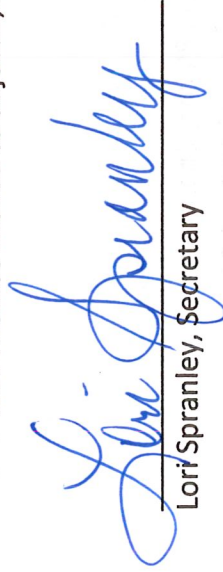
Present: Nixon Adams, Ren Clark, Simmie Fairley, Michael Blache, Rebecca Bush and Dennis Thomas

Absent: Bill Sones

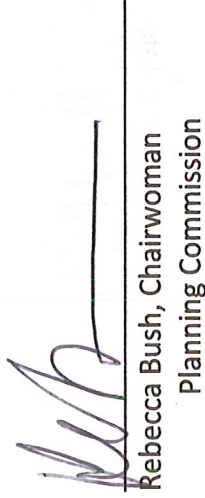
Also Present: Louise Scott, Director, Planning Department

Ms. Bush moved to adopt the minutes of September 11 and September 25, 2018, seconded by Mr. Blache and was unanimously approved.

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



Lori Spranley, Secretary



Rebecca Bush, Chairwoman
Planning Commission

**Zoning Commission
Public Hearing
October 9, 2018**

The meeting was called to order by Zoning Chairman Michael Blache and the secretary called the roll.

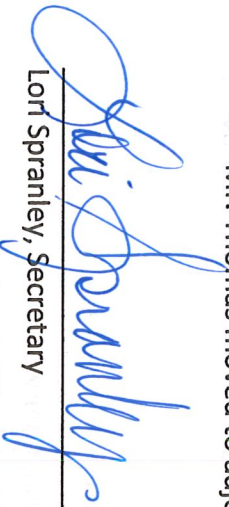
Present: Nixon Adams, Ren Clark, Simmie Fairley, Michael Blache, Rebecca Bush and Dennis Thomas

Absent: Bill Sones

Also Present: Louisette Scott, Director, Planning Department

Ms. Bush moved to adopt the minutes for September 11 and 25, 2018, seconded by Mr. Blache and was unanimously approved.

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



Lori Spranley, Secretary



Michael Blache, Chairman
Zoning Commission

**Zoning Commission
Work Session
October 9, 2018**

The meeting was called to order by Zoning Chairman Michael Blache and the secretary called the roll.

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

Absent: Bill Sones

Also Present: Louise Scott, Director, Planning Department

Mr. Blache 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 first case discussed was V17-09-27 (2018) Cayman Sinclair requests a variance to Section 8.1.5, Supplemental Regulation of Accessory Buildings and Structures, square 33, 300 Carroll Street, zoned R-1

Ms. Scott presented that the case was tabled on September 12, 2017 and an email request dated September 12, 2018 was received to place the request on the October agenda.

Mr. Clark asked if the deed restrictions were still in force. Ms. Scott said the previous owner had wanted to construct an addition to the house, and that area was removed from the deed restriction. Mr. Sinclair's original pool plan crossed the line where it was deed restricted so rather than lift the restriction, the owner worked with the contractor to put the pool edge up to the property line.

The applicant was requesting a variance to CLURO Section 8.1.5 Supplemental Regulations of Accessory Buildings and Structures, of approximately 31'3" to allow the pool/spa to be located 28'7" from the front property line, an encroachment of 312sf into the 60' distance from the front lot line for his accessory structure. It had been previously discussed that the front of the property was vegetated and the idea would be that the owners could not be seen using the pool and the staff would confirm the vegetation was still in place and maintained.

Mr. Adams said the commission needed to determine lot frontage. The lot frontage on Jefferson Street was 205' and Carroll Street was 210' so the frontage would be on Carroll Street. Ms. Scott clarified that the revised site plan showed the pool was located within the property line. It was deed restricted on the adjacent lot. A fence would be required to be constructed around the pool. Mr. Thomas asked for Ms. Casanova to look at the live oak tree.

Premier Pools and Spas, representing Ms. Sinclair, said the issue was only the location as shown on the proposed plan relocating the pool onto the single lot. The pool could not be located behind the 60' setback so the plan was designed to be 28.7' from the property line. Sara Sinclair, applicant, stated they had chosen the location because of flooding to the rear of the property. There was an existing white picket fence on the Carroll and Jefferson Street sides. Mr. Clark asked if there was a fence on the driveway, and Ms. Sinclair stated the fence on Carroll Street was located to the second lot and down to the water. Ms. Scott said she would verify the building code.

Mr. Adams said the intent of the 60' setback was that accessory structures would not overpower the house since it was an ancillary use. In this case, the pool was at ground level behind a fence with vegetation. Ms. Sinclair said standing at the mailbox, no one could not see

into the yard. One of the neighbors had a pool that anyone could see through the iron gate. Mr. Clark said he knew there was no other place to place the pool since it was a swampy area. He said with the pool being an allowable ancillary structure, the land was a hardship. Mr. Thomas asked if there would be a separate pump room, and it was answered that it would be on the side of the house. It was further discussed that the apron would be at grade, there would be no trees cut, and the pump was located near the air condition unit. Mr. Clark said with the pool on grade there would be an exchange of water from time to time with the surrounding land. It was discussed that this would be a saltwater pool with a cartridge filter and no backwash line. It would be unusual to take water out of the pool. In this system, the filter would be opened and cleaned once a year.

Rebecca Rohrbough, 2525 Lakeshore Drive, said she was opposed to the setback variance and she thought 60' was a good rule. She was distressed about any deed restriction being lifted for any construction. The property came to the City with a "no building restriction" and it provided a drainageway when the ravine filled up. The property on Monroe Street with the front yard pool was unsightly and detracted from the building. The Sinclair's lived across the street from a major school facility increasing the possibility of an attractive nuisance that could be a safety hazard to the children.

The next case discussed was V18-10-19 Lovell Family Irrevocable Trust/Kerry and Diana Lovell request a variance to Section 8.1.5, Supplemental Regulations on Accessory Buildings and Structures, lot 46 and a portion of lots 45 and 47, square 36, 541 Oak Street, zoned R-1X60

The applicants owned lot 46 and a portion of lots 45 and 47 which was improved with a single family dwelling and was zoned R-1X60, Single Family Residential. The lots, together, measured 103.33'x120, in accordance with the Drainage Plan by Kelly J. McHugh & Assoc., Inc.

The applicants were proposing to construct a detached carport/pavilion (accessory structure) on the south side of their residence. The dimensions of the proposed detached carport were 24'x24' (576sf). There was an existing gazebo on the site, located to the rear of the proposed carport, and the applicant would like to preserve the gazebo, so they were proposing the new carport/pavilion to be placed in front of the existing gazebo.

The Drainage Plan indicated that the proposed detached carport/pavilion would be located 5' from the front facade which was 40'1" from the front property line. A variance was being requested to allow a 19'11" deficiency. The applicant had discussed attaching the carport, but with the house siding they were advised that was not a good option. If the carport was attached to the house it would meet the requirements. The carport would be constructed only a few inches off the house structure.

The proposed structure was located behind the 25' front yard setback and 25'9" from the side yard setback, where an accessory structure can be placed not less than 3' from the nearest interior side lot line.

The applicant has indicated the reason for the carport was that the existing driveway was only wide enough for a single vehicle. There was a large oak tree adjacent to the driveway and Mr. Lovell had been parking his truck under the tree. He was proposing to provide a limestone connection to the carport then pour a concrete slab underneath the carport.

Mr. Blache agreed that a gutter would eliminate the request. Ms. Scott said the structure must be physically attached. Mr. Clark was concerned about the paving and would it affect the pervious/impervious calculation. Ms. Scott said the paved area was outside of the

dripline. The poured concrete would be at grade at 6". Mr. Thomas said there appeared to be a gas meter adjacent to the structure and it would have to be moved to park two cars.



Kerry Lovell, 541 Oak Street, said the gas meter was moved back because it was under the tree. They would set back the structure far enough not to have an issue with the meter. The intent was to cover a side door. There would be two cars parked under it with the 22' dimension. Attaching the carport was considered, but with the type of material and stresses with the house they decided it was better not to connect it. Mr. Adams said it would look the same either way. Mr. Clark asked if he had talked to the neighbors and Mr. Lovell said they were in favor of taking the car off the street area. There was a discussion that the water oak tree was healthy, and in order to minimize any impact on the oak tree they would use limestone.

The next case discussed was V18-10-20 Carole C. Pettit and Robert L. Pettit, Jr. Irrevocable Inter Vivos Trusts No. 1, No. 2 and No. 3 for the benefits of Peyton Crowell Petit Trust; the Robert L. Petit, III Trust and the Mary Luckett Petit Trust/Hancock Bank of Louisiana requests variances to Article 10, Sign Codes, 3210 Highway 190, zoned B-2

Ms. Scott presented that the Hancock Whitney Bank was located at 3201 Hwy 190 at the northwest corner of Asbury Drive and was zoned B-2 Highway Business District. Hancock Whitney Bank desired to construct an internally illuminated monument sign at a height of 8' 9", in accordance with the Sign Elevation Drawing by Mitchell Signs dated 11-28-17. The maximum height allowed under code was 7'; however, there was an exception to the rule when the grade was significantly different from the center line of the street. The maximum size for a monument sign was 50 square feet, but when it was a multi-occupant center the size is allowed up to 120 square feet with a street frontage of 430' or greater. The size appeared to be 65 square feet with a base of 8' x 5' and the logo was 5' x 5'.



The variance application includes a statement from the applicant as follows:

The Hancock Whitney Bank located at 3201 Hwy. 190 sits at the intersection of Hwy. 190 and Asbury Drive. The property lies approximately 5' +/- BELOW the level of Hwy. 190 which makes any ground mounted sign difficult to see. In addition, the road slopes to the south, away from the bank property, so visibility is further compromised. These conditions are not conducive to allowing any passing vehicles an easy line of sight to a ground mounted sign.

Ms. Bush asked if the clock would remain and Ms. Scott answered that it would remain in its present location. Mr. Adams said Hancock Whitney was well known that it would be more directional. Mr. Thomas said as part of the previous variance case, an extensive landscape plan would be developed. Ms. Scott said there was a revised landscape plan and they were working with DOTD. Mr. Adams asked if could be in conjunction with the sign. Ms. Scott said it must be installed prior to the final certificate of occupancy.



Mark Tramontana, Mitchell Signs, said the bank was rebranding with a new image. The road level was 5' higher than the grade. There was also a proposed sign across the front of the building. He stated there was a weed problem on Highway 190 to be dealt with.

The next two cases were discussed in conjunction and were V18-10-21 Blue Infinity LLC requests a variance to Section 7.5.10.3, B-3 Site Development Regulations and Article 9, Parking and Landscaping, lot 2 and a part of lots 1, 20 and 19, square 9, 1929 Claiborne Street, zoned B-3 and SUP18-10-07 Blue Infinity LLC requests a Special Use Permit to Section 6.4.41, Lodging, Bed and Breakfast Inn, and Section 6.4.26, Commercial Recreation/Indoor Entertainment, lot 2 and a part of lots 1, 20 and 19, square 9, 1929 Claiborne Street, zoned B-3

Ms. Scott presented Blue Infinity LLC, represented by John S. Sutton, its Manager, who purchased lot 2 and a portion of lots 1, 20 and 19, in Square 9 addressed 1929 Claiborne Street on April 19, 2018. The lot dimensions were 114.45' x 252.32' x 63.80' x 58.69' x 51.95' x 191.85' (25,832 sf). The property was zoned B-3, Old Mandeville Business District and had been in use as a single family residence and was vacant since Hurricane Katrina.

The adjacent properties immediately to the east and north began the R-1 Single Family Residential Zoning District.

These were two lots of record in single ownership for many years. The garage had been demolished. The bed and breakfast use was allowed by right.

Proposal by applicant for Special Use Permit - 1929 Claiborne Street

submitted drawings prepared by KVS architecture dated 9.06.18 and 9.20.18:

1. Current existing building is a 1,254 sf Single Family Residence.
2. We are proposing to elevate and preserve the historic features of this building, adding required new features of columns, skirting, stairs and screen walls that complement the building design.
3. We are proposing the building use to be changed to Lodging, Bed & Breakfast Inn with four bedrooms without cooking facilities.
4. We are proposing a new 960 sf building in the back of the property that will have two separate units, one with cooking facilities as the Owner's unit, and the second unit will be Lodging, Bed & Breakfast Inn with one bedroom without cooking facilities.
5. Proposed site's primary use will be Lodging, Bed & Breakfast Inn with five rentable bedrooms, and one apartment unit for the Owner/Caretaker.
6. The buildings and grounds will have numerous landscape features and gathering areas including a paved courtyard, two fountains, and an outdoor living room and kitchen. 4 on-site parking spaces can easily be provided adjacent to the existing concrete driveway. 3 parking spaces are provided on Claiborne Street in front of this property.
7. Another use for this property along with Lodging, Bed & Breakfast Inn is to host gatherings, meetings, weddings, etc. for the visitors to the Inn. An example is that a wedding party could rent all 5 rooms at the Inn and host the wedding and reception there in the courtyard or on the grounds. This additional use is characteristic of Commercial, Indoor Recreation. The parking requirements for Commercial, Indoor Recreation cannot be supported on site unless all or most of the grounds was used for that parking. We are requesting the public parking areas along Girod Street and at the corner of Girod and Claiborne Streets approximately 200' away be used toward that parking requirement.
8. Food and Beverage Services would be from an off-site caterer, and we would provide storage / staging area underneath the front building for that support.

6.4.41. Lodging (Transient) - Bed and Breakfast Inn

A dwelling unit having no more than one (1) culinary facility where no more than six guest rooms for short-term lodging and at least one (1) meal per day are provided for compensation and where the operator of the inn is a resident on the premises.

A Bed and Breakfast Inn is a Land Use that is Permitted by-right in the B-3 Zoning District, in accordance with 7.7.1., Table of Permitted Uses By Zoning District.

8.2.3.5. Lodging - Bed and Breakfast Inn Criteria

Bed and breakfast inns, as defined in Article 6, shall be subject to the following general requirements in addition to the parking and landscaping requirements as provided in Article 9 and the district regulations for the district in which the facility is located.

1. All of the required approvals shall be obtained prior to establishment of the use including an Administrative or Special Use Permit and Conditional Use approval depending upon the district in which the use is proposed to be located. In addition, an occupational license and a certificate of occupancy for the proposed use shall be obtained from the City. Any additional requirements of the state shall also be required to be satisfied.
2. Common bathroom facilities may be provided rather than private baths for each guest room.
3. No cooking facilities shall be permitted in the individual guest rooms.
4. A common dining area may be provided but cannot be leased for social events except when located in non-residential districts or the B-3 district and only where off-Street parking is provided in accordance with the requirements for meeting and reception facilities as set forth in Article 9.
5. No exterior signage shall be permitted except in accordance with the requirements set forth in Article 10, which are applicable to the district in which the bed and breakfast facility is located.

The applicant had submitted graphics explaining the proposal for the site. The existing structure was proposed to be elevated with a small addition of a rear porch. They would construct a new building in the rear and an outdoor events area. The submittal for the outdoor events courtyard and green space also proposed a reflecting pond/pool. Parking would be located close to Claiborne Street adjacent to the single family residential structure on the east and the west. The courtyard would contain 2,400 s/f, an outdoor living area containing 569 s/f, areas between the two buildings would be a landscaped area and would not be used for events. The R-1/B-3 zoning line was located along the east side of the property. The adjacent property was a duplex with a 10' setback and was a similar setback to the existing house. The west side elevation was the demolished garage. To the west was a single family residence.

PARKING

6.4.41 Lodging (Transient) –
Bed & Breakfast Inn 1 per guest room plus 2 spaces for resident occupants

6.4.26 Commercial Recreation –
Indoor Entertainment 1 per 4 fixed seats or 1 per 50 s.f. of Reception & Dance Halls, Theaters, Bingo, Convention assembly area where there are no fixed seats

Required:

B&B Inn = 1 per guest room: 5 spaces + 2 spaces for resident occupants = 7 spaces
requirement

Commercial Recreation – 1 per 50 s/f of assembly area: 2,400 sf/50 = 48 spaces
requirement

Proposed per Site Plan: 4 spaces on site + 3 spaces on street. = 7 total parking spaces.
Deficiency of 48 parking spaces. The applicant was requesting an exception to the remaining 48 parking spaces.

The CLURO included language for the reduction of parking by exception. In the B-3 zoning district, 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 existing public parking within the area was sufficient to accommodate the proposed use. There were existing public parking lots at the corner with 37 parking spaces.

The site was compliant with the greenbelt with 20' to the west side of the driveway, and 10' existing at the front of the existing house. In the B-3 zoning district being adjacent to the R-1 zoning district to the east and a portion of the north side, buffers were required as follows:

The east side buffer required to the R-1 zoning district was a proposed 20' buffer with the exception of the area of the existing house where there was a 10.8' buffer. The house encroached 303 square feet into the required buffer area. A rear porch addition was proposed to the existing house in the same line as the house which would also encroach into the 20' buffer. The rear of the side adjacent to the R-1 zoning district because of the property depth required additional buffering of 2.5' totaling 22.5'. The applicant proposed an additional 20' buffer around the perimeter which exceeded the 5' requirement.

Mr. Thomas said he calculated a requirement of 66 spaces. Ms. Scott said the calculation was 48 spaces for the events plus 7 for the bed and breakfast inn. The 560 square feet was not included in the parking requirement. In discussion with the applicant, the plan appeared to confine the events to that area. Mr. Thomas said the proposed use appeared to use every parking space available for two blocks. Mr. Adams asked to clarify if there were one or two owner units.

Vaughan Sollberger, architect, 235 Girod Street, stated there was only one living unit with a kitchen facility in the rear building. The main house would have four units and one rental in the rear.

Mr. Thomas said there was not adequate parking and the use was taking up the space from the surrounding businesses. Weddings can start in the early afternoon when other businesses were in operation and he felt that was a major issue. Mr. Blache said during great weather periods the other businesses were full.

Mr. Sollberger said he walked Girod Street and counted the on-street parking and parking lots and he agreed there was a lot of activity. He had counted 102 spaces in the block. They understood there was a parking shortage. There was an agreement with Scott Wolfe's business to use his 12 parking spaces when the business was not open. In addition, Mr. Sollberger's office was in close proximity and he had seven parking spaces that he would consider renting.

Mr. Blache said with those spaces, the deficiency was still 22 parking spaces. Mr. Adams said in reality, parking should be as close to the structure as possible. Mr. Sollberger explained how the project had evolved. The applicant was interested in an investment property and the property was like a little museum of period "stuff". The house was rated Significant on the historical survey. Mr. Sutton approached him knowing it needed to be restored to get it back in commerce and it would need to be elevated. They focused their energy on making it as beautiful as possible. They looked at the grounds to bring them up to a level that complimented

the house to contribute to the neighborhood. They concluded that a bed and breakfast was a good use and would work with the character of the area. They looked at the interior and considered basic site amenities. There were many close restaurants and the lakefront, but they wanted an outdoor living area. Looking into the future they thought about who would be using the space. They thought about getting married on the lakefront and hanging out. Then they discussed the possibility of an on-site wedding venue. The intent was a bed and breakfast with size scaled gatherings on the site. Then they began working on the parking being in the neighborhood rather than taking up landscape area. They realized parking was tight in this area, but the frequency of a big event affecting the parking lots was hard to gauge.

Mr. Blache asked about anticipated numbers for marketing to certain groups. Mr. Sollberger said when designing as assembly occupancy, they were required to take the largest gathering area inside or outdoor and use that as the basis for parking. They could place any size courtyard since there was 2,400 square feet shown. It was not arbitrary and it did not have to be that, but in the design sense it fit well on the site. They were putting the project in a scale that worked. It would be the same people in the bed and breakfast using the grounds so that was redundant numbers. They estimated 100-125 people and it could not be more than that. Without the other amenities, he did not know if it would be competitive in that way.

Mr. Adams asked if there was an administrative resubdivision to create one lot. Ms. Scott said the property was two legal lots of record and could be separated. It was under single ownership. They were purchased separately. Under the contiguous lot law, they met the definition. If the property was developed altogether, it would be one development site.

Mr. Clark said in discussions over the last several meetings, did the commission specify the conditions of Inn as owner/occupancy. He asked if it must be an owner occupant or did the property have to be the homestead exemption of the operator. The commission was trying to differentiate from short term rentals. Ms. Scott said there were two bed and breakfast categories, one being a residence and it was asked if the owner had to be there and it was not clarified. In the bed and breakfast inn category, the definition stated the operator of the inn was a resident on the premise. Mr. Clark said it was more of a hotel. Ms. Scott said the differences of a hotel were that someone did not have to live on site, but an inn must have an operator on site. Mr. Clark said in the B-3 definition and rationale, two things in reading the two definition problems of small scale and relative compatibility. He lived by an event center and there was noise being 200-300' away. The issue of relative compatibility had specific meaning and he asked how to address it. Ms. Scott said that was the commission's discretion. The CLURO contained a definition of compatibility and compatible being:

Compatibility/Compatible. A condition in which land uses or conditions can coexist in a relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition. Compatibility does not require homogeneity, but does consider the relative scale, design and intensity of nearby structures, uses and activities.

Mr. Thomas said every space in the parking lot was 23, all of the spaces on Claiborne Street and the 7 in front and on-site there were 44 spaces and they needed 55 spaces. Ms. Scott said it sounded like Mr. Thomas was struggling between the application and the availability of parking and that was a part of the findings. Mr. Sollberger said there was gravel parking on the City lots in several locations. There were three City lots with approximately 30 spaces in each location. Ms. Scott said the public parking space calculation would be reviewed. Mr. Adams said the request was asking the commission to reduce the requirements which it may or may not choose to do. Mr. Sollberger said he knew parking was an issue and that was why they were proposing to rent a private parking lot. Mr. Clark said he had a picture of the business on the weekends. There would be a war for parking. That was the question that the

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City must decide upon. The commission was not allowed to pursue their business model and profitability, but the commission must consider what would happen if the use was abandoned, resold and how it would be repurposed. Mr. Blache said it could be residential or another bed and breakfast. Mr. Adams said any other use would require a special use permit. Mr. Clark said the landscaping would be ripped up, and this was low land. He asked how hard were the surfaces. Mr. Sollberger said there were sidewalks in a few areas, the courtyard and a small outdoor living room about 3,000 square feet. Ms. Scott said the plan was compliant with the pervious/impervious calculations. Claiborne Street had deep ditches as well as on site drainage with a French drain collector that would triple it to the street during rainy time.

Mr. Thomas asked for a recap of the variances or exceptions granted for parking which included the Beach House, Vet Clinic, Scott Wolfe's office building, Marvela, Varsity Sports, and Lalou.

Claire Durio, 545 Coffee Street, stated she was speaking on behalf of three neighbors and others that had signed a petition. She said the proposed development was located in the middle of a residential block. All of the properties on Claiborne Street were residential except for one property facing Girod Street. All of the abutting properties on Marigny Avenue were private residences. Jefferson Street to the rear contained residences and five of the properties on Girod Street were residences. Compatibility was residences. There was a gallery and a barber shop which were low density uses for the number of people, parking and noise for the neighborhood. The neighbors were not opposed to the bed and breakfast use and thought the design was beautiful. She had contacted Mr. Sollberger after receiving a copy of the notice from Fernanda Cristiani, one of the immediate neighbors, and inquired if the removal of the recreation space was a consideration and she was told that would not be considered unless the commission denied the request. In discussing this project, she was referred to a New Orleans model known as Race and Religious which was a full time wedding venue that accommodated about 100-125 people. In looking at the parking spaces, she did not know how parking would not be considered for the other green spaces of the outdoor living area. She felt the parking requirement would be 66 spaces or more including all of the green space and she did not know how to contain it or prevent it. As a wedding venue there would be catering trucks and vehicles, florist, photographers, the wedding party and others all before the guests arrived. There would be far more than 66 vehicles. She understood Mr. Sollberger used more gravel and green area in counting the surrounding parking areas, but she had driven the area after the Dew Drop concert and at 9:00 p.m. there were only 10 spaces available. Surrounding Ms. Cristiani's residence at 1941 Claiborne there was parking all weekend from Lalou's. The proposal included 4 off-street parking spaces and that was assuming 3 spaces were available.

She had been told that the caretaker would live on site. It seemed that half of a 960 square foot building would be a small unit for someone living full time on the site. She did not know how that would work.

In regard to the frequency of events and being based on the New Orleans model, it was booked two years in advance. As a business owner, she was sure they would want to use the business to the fullest potential. On good weather days, there were cars parking everywhere. The code provided that events must end at 10 p.m. except weekends and holidays as well as outdoor speakers being shut down at 10 p.m. The activity was located 20' from a bedroom on one side and the other side only had a 10' buffer. There were many residences around the property, and the cars would be leaving late at night. She understood there were two private lots to be rented for parking, but a guest looking at their GPS would not find the lots that were a block away even if it was advertised as available. The lots were not being used now since they were too far from where people were going. In regard to permeability even though it was in

compliance, it was worth mentioning that it was low, there were ditches on the other side of the street, and would drain onto 1941 Claiborne Street.

If this use did not work out or if the property was resold, she asked what would happen to the variances, overlapping parking, and the City was setting a precedence allowing the creation of larger facilities on the edge of the B-3 zoning which were not compatible with the abutting properties. Currently it was two separate lots and there were other uses for these properties. The neighbors were not opposed to the bed and breakfast use. An entire residence could be constructed on the vacant second lot. There was no basis without commission approval for an outdoor venue. The owner did not want to use the site for parking since it was a large lot. There was no demonstrated hardship. The ordinance required a bed and breakfast use provide one meal. The only kitchen was located in the owner occupied unit and the ability to provide breakfast had not been provided for. It would have an enormous detrimental effect and emotional impact on the neighbors. The project would put a wedding and music next to Ms. Christiani's bedroom. The property values would be dramatically affected. She asked the commission to consider the project would be encroaching onto the B-3/R-1 buffer that would be increased with the expansion of the front and rear porches. It would have detrimental effects to some of the long term residents who were dedicated and loyal residents to the area. They have let the owner know through his architect that the bed and breakfast use was not opposed. The opposition was to the outdoor recreation with events and parking.

Thomas Keiffer, 219 Marigny Avenue, echoed being in favor of the bed and breakfast use. He had a neutral stance on the entertainment deferring to the neighbors. Perhaps there could be some compromise, because it will improve the value of the property with a bed and breakfast. He asked to find a way to strike a balance.

John Sutton, owner, lived in Mandeville for 20 years. He fell in love with the property and bought it. He saw it as an opportunity to bring the businesses in area into his project. Hambone would provide his catering, and he had also talked to Lake House to provide catering. The main thrust of the proposal was the bed and breakfast use. He wanted his family to stay in Mandeville when visiting and there was no availability. His idea was to provide small weddings, and not large events. He had worked on this proposal for six months. The plan was modified to move the activities away from Ms. Christiani's house with that area being the parking with an additional buffer. There was an artesian well that would use as a water feature. Mr. Sutton had discussed renting parking from Scott Wolfe which could accommodate at least 12 spaces but felt there could be the use of 20 spaces. Mr. Sollberger said he had 7 spaces, but thought it could actually be 14 spaces. He could use golf carts to provide transportation to and from the area parking. He wanted to work out ventures with other local businesses for everyone to profit. There was a Mandeville Inn in the 1800s and he wanted to bring it back for families to stay and celebrate. His intent was to fit in the neighborhood and be an attribute. The model of Race and Religious was that it was an eclectic outdoor space. The project was estimated to be close to \$1 Million to bring out the character of the property. The big base of Old Mandeville was walking to the destinations. He did not want the project to be a nuisance, and he agreed to meet with the neighbors.

The next case discussed was V18-10-22 Jeffrey Charlet requests a variance to Section 7.5.1.3, R-1 Site Development Regulations and Section 8.1.5, Supplemental Regulation of Accessory Buildings and Structures, lot 193-A, Chateau Village Subdivision, 540 Dorado Drive, zoned R-1

The applicant was proposing to construct a pergola, which was considered a detached accessory structure, on his property located on 540 Dorado Drive. This was a corner lot (193A), and was zoned R-1 Single Family Residential with dimensions of 100' frontage on Dorado Drive

and 130' on Venus Drive, in accordance with the Resubdivision Plat by Kelly J. McHugh & Assoc., Inc. dated 01-04-17. The lot was located on the south east corner of Dorado and Venus Drives. Both streets dead end with Dorado Drive ending 1 block to the west at the old oxidation pond and Venus Drive ending ½ block at the boundary between Chateau Village and The Sanctuary Subdivisions.

The applicant desired to install a pergola (detached accessory structure) measuring 16'x20' (360sf) to shelter his parked cars. There was an existing open air concrete driveway, accessing from Venus Drive and terminating adjacent to the house.

The accessory structure was proposed to be located entirely within the (Venus) street side yard setback. It was setback 83' from the front lot line, which exceeded the minimum required 60' from the front property line.

Mr. Adams asked if there was a 30' rear setback from the property line and it was answered yes. Jeff Charlet, applicant, said the there was no garage and the driveway was constructed in 2010 having been designed for the future to allow a beam on the outside edge for the columns. The two columns were located on the property line 16' apart and were 23' to the edge of the street. The street only served one other property with subsurface drainage on both sides of the street. He felt it would increase the value with covered parking. He had discussed the cover with the affected neighbor which stated he had no objection. Mr. Thomas said the lot was previously resubdivided so there could be a potential effect to a rear structure.

The next case discussed was SUP18-10-08 First Bank and Trust/Brittany and Robert Steilberg, Jr. requests a Special Use Permit for Section 6.4.33, Day Care Centers –Commercial, lot 4, square 82, 1228 Florida Street, zoned B-1

The applicants, Brittany and Robert Steilberg, were proposing to open a commercial day care center with State licensing for a maximum of 12 infants. A Commercial Day Care Center in the B-1 Neighborhood Business District Zoning required a Special Use Permit. This site under Case Z96-03-02 was approved for a snowball stand in March 1996. In the last ten years, the building had been used as office space. The applicant had a purchase agreement on the property subject to approval.

The CLURO defined Day care centers under Section 6.4.33 and also includes special use criteria in Section 8.2.3.8 as follows:

6.4.33. Day Care Centers - Commercial

Private for-profit businesses, whether licensed by the state or not to provide daytime care of children or adults, excluding overnight care and public or private primary and/or secondary educational facilities. Typical uses include child care centers.

8.2.3.8 Day Care Centers Criteria

Day Care centers as defined in Article 6 shall be required to be established in accordance with the following criteria and in accordance with all other applicable regulations as provided in these Land Use Regulations and all other codes of the City or state. For purposes of these provisions activity area shall be defined as indoor space utilized for the activities of the participants in the day care program and shall not include any area utilized for administrative offices, kitchens, hallways, bathrooms or storage areas.

1. Applicants for proposed Day care centers shall be required to submit a floor plan and site plan which conform to the following standards:

- a. A minimum of 35 square feet of indoor activity area for each participant enrolled in the day care facility during any one time period or the minimum required for Class A state licensing, whichever is greater. (request license from state to be submitted)
 - b. In the case of day care centers for children, a minimum of seventy-five (75) square feet of outdoor play area for each participant enrolled in the day care facility during any one time period. (proposing 900 sf – with 12 infants, meets the min 75 sf per participant)
2. An area for the transfer of participants from vehicles to the facility shall be provided with a queue area for at least four vehicles in an area on-site and out of the right-of-way of any Street.(not compliant)
 3. Parking shall be in accordance with the requirements of Article 9.

The application included the following information:

- This site is located in Square 82, Lot 4, measuring approximately 53’x188’ (9,964sf)
- A site plan (sketch) that indicates that the property is improved with a building containing approximately 1,000 square feet and a covered carport that could be utilized as the transfer area. One of the challenges of the site was the carport area had no access to the rear yard and to complicate it there was a live oak tree in the rear. The carport could be a two que parking area but required it to be four cars. It was dimensioned at 10’ from the building to the property line and the site plan appeared to narrow as getting closer. Driveways must be located 5’ from the property line.
- Hand drawn Floor Plan showed a future office space and the three infant rooms measure approximately 504 square feet.

Ms. Scott said based on the parking requirements, the use required three parking spaces with two in the covered parking area. With the required queue there were challenges with no access to the rear. Mr. Adams asked if there were regulations that could control in and out access. Ms. Scott said that was part of the challenge with no rear paved area which was due to the live oak tree location. Mr. Adams said with his Subaru Forester, he had a hard time making a loop in the front of the building. Mr. Clark said the property needed a circular traffic flow. Ms. Scott said the regulations specifically stated a requirement of a queue area for four vehicles. Mr. Adams said no one could not back up onto Highway 190. Mr. Clark said it was an allowable use except for the circulation and queue lines.

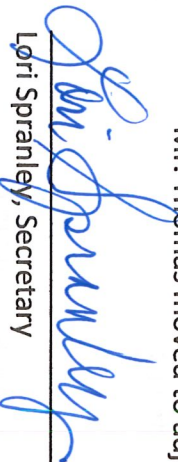
Brittany Steilberg, 12248 Forest Street, said she was the director of Kinder Haus Montessori School. When she initially submitted the application, she did not realize the overhang of the neighbor’s live oak tree would be a problem. Her present school started at one years old, so she wanted to start a school just for infants. The school would be accommodating the full time working parents with extended hours. They were hoping to use the carport as the queue area.

Mr. Blache asked how they would address the queue area. Ms. Steilberg said they were hoping to use the carport since they would have staggered times. Mr. Adams said making a turn in front of the property was difficult. Mr. Thomas said if the employees parked under the carport, the front spaces could be used for a tight circle drop off. Mr. Clark asked if there could be a drive along the side of the house and exit under the carport. Ms. Scott said the canopy of the live oak tree overhung the property. There was a play area in the rear. There would be three infant class employees and an office administrator. Mr. Clark asked if they talked to a traffic person to design the parking. Ms. Steilberg said she had not talked to someone. Mr. Adams said part of the problem was that the front of the lot was 53’. Ms. Bush said these were infants in carriers with bags and it took time to do drop off. Her experience was it was not like a car line and it was more important to have parking spaces.

Mr. Steilberg said there was a balance of licensing and the practical application. The licensing required a queue line. Mr. Adams asked if the applicant could use a cheaper property off of the highway visibility. Mr. Steilberg said the property became available and the price was right.

Mr. Blache asked looking at the west side of the property if the 10' was heavily wooded. Ms. Steilberg confirmed it was 10' and wooded. Ms. Scott said the dripline of the live oak tree must be submitted. Mr. Blache requested a plat confirming the setback. Mr. Clark suggested meeting with an expert to design the parking plan.

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


Lori Spranley, Secretary


Michael Blache, Chairman
Zoning Commission