

The meeting was called to order at 6:00pm by Planning Chairwoman Claire Durio

The secretary called the roll.

Commissioners Present: Nicholas Cressy, Claire Durio, Andrea Fulton, Karen Gautreaux, Mike Pierce, Scott Quillin, and Brian Rhinehart

Absent: None

Also Present: Cara Bartholomew, Director Planning Department; David Parnell, City Attorney; Tina Myers, Secretary; Clif Siverd, Public Works

New Business

With no new business for the Planning Commission, Ms. Durio moved to the Zoning Commission portion of the meeting.



Alex Weiner, Secretary



Claire Durio, Chairwoman
Planning Commission

Brian Rhinehart commenced the Zoning Commission portion of the Meeting.

Announcement that written notice of decisions regarding zoning variances will be filed in the Commission's office the following day of this meeting at which time applicable appeal time will begin to run.

New Business

SUP24-03-03 – Cayman Sinclair requests a revision to Special Use Approval Z15-08-09 per CLURO Section 4.3.2.11. Amendments to Special Use Permit Approvals, City of Mandeville, Square 2 Lot 2A, B-3 Old Mandeville Business District, 1943 Lakeshore Drive

Mr. Pierce said he wants something to happen to this property, but does not want it to remain a zero lot line if the structure goes away and asked if there was a way for this to be granted but if the whole building gets washed away the next building does not get to stay a zero lot property.

Ms. Bartholomew said that variances are set up to run with the land, and she has never seen a case where a variance does not run with the land. Mr. Pierce asked if this would have to be rewritten as a conditional variance.

Mr. Parnell said that there are some provisions about when a use is abandoned or lost, but he would not want to make the variance conditional on a certain ownership.

Mr. Rhinehart asked if that was a state law or something with the CLURO. Ms. Bartholomew said she has work all over the state and variances always run with the land.

Mr. Quillin moved to approve the request as submitted, Ms. Durio seconded, and the motion passed unanimously.

V24-03-11 – Modesto Posas requests a variance to CLURO Section 10.8.2.6. Land Uses located in B-1, B-2, B-4, O/R, PM-1, PM-2, M-1, and M-2 Districts, City of Mandeville, Square 83 Lot 30A, B-2 Highway Business District, 2660 Florida Street Ste F

Ms. Durio said the revision was much improved.

Mr. Rhinehart said that he appreciates the applicant working with the commission.

Ms. Fulton asked if the percentage that exceeded the maximum was noted. Ms. Bartholomew said it was 14.75 square feet.

Mr. Quillin said it was a little under 1/6 so around 15%.

Ms. Gautreaux asked why it could not be reduced if it was just that little bit over. She also apologized that she was not present at the last meeting. Ms. Bartholomew said that there is a defined circle on the building and the recommendation at the previous meeting was to keep it in that circle area.

Mr. Cressy said that the applicant did exactly what was suggested by the commission.

Ms. Fulton requested that they eliminate the green area by the "food mart" which would bring them into compliance and would still enable them to stand out. She went out to the site and think that this will still stand out.

Ms. Bartholomew said that if they got rid of the green at the bottom they could still make the letters green.

Ms. Fulton said giving it the blue background at the top helps a lot and would allow them to achieve what they are trying to achieve.

Mr. Cressy said that they did exactly what was contemplated at the last meeting, and it would be arbitrary to go different than that if you compare the minutes of the two meetings.

Mr. Rhinehart said he agreed and likes what they presented this time around.

Mr. Pierce said that the numbers were unknown at the last meeting. Mr. Cressy said it was what the commission liked aesthetically.

Ms. Fulton said she does not think they did what was asked. She said the commission asked them to go back to the drawing board and do something different with the colors, and that end result should be in compliance if possible. She believes that it is possible to come into compliance.

Mr. Cressy said he disagreed and said that it was Ms. Fulton who suggested painting the semicircle. Ms. Fulton said her suggestion was only the semicircle. Mr. Cressy said that the green area is part of the semicircle.

Mr. Quillin said that looking at the measurements the 96 square feet was for if it was a rectangle. Ms. Bartholomew said that the measurements were provided by the applicant.

Mr. Quillin said that without knowing how tall the green portion is, and not including the white as it is not signage, calculations would be needed but if the numbers are what they say it is a lot less than 96 square feet.

Ms. Durio asked if there were any objections received. Ms. Bartholomew said no.

Mr. Rhinehart asked Ms. Fulton if she was requesting to remove the "food mart" verbiage or just remove the green background.

Ms. Fulton said she was recommending it be unchanged from how it originally was. She thinks they can achieve what they are trying to achieve with the blue semicircle.

Mr. Pierce said that to him it was not about the color palate, but if they get a larger sign than allowed. He agrees with Ms. Fulton that they can get a sign that achieves what they are trying to do and stay compliant.

Mr. Quillin asked what the limit of the sign was. Ms. Bartholomew said the limit was 81.25 square feet.

Mr. Quillin said if the green food market sign is 2'x12' then they just make it. The upper half circle is 56.52 square feet assuming that it is 6' tall. Ms. Bartholomew said she can double check the measurements with Bluebeam.

Ms. Durio asked if in the event that it is barely over they can still vote on the variance just in case. Ms. Bartholomew said a number would be needed as a threshold.

Mr. Pierce asked if a number was needed today or if they could say as shown. Ms. Bartholomew said they could say as submitted.

Ms. Durio moved to approve the request as submitted. Ms. Fulton seconded, and the motion passed unanimously.

V24-03-12 – Brian and Robyn Jackson request a variance to CLURO Section 8.1.1.4. Allowed Setbacks Encroachments, Old Town of Mandeville, Square 48 Lot 12-A-1, R-1 Single Family Residential District, 604 Marigny Avenue

Mr. Quillin said his biggest concern was the neighbor which was addressed.

Ms. Durio said with the overall shape of the lot and the historic aspect of the house this makes the most sense if the neighbor has no objection.

Rosalie Van Duyne: How many variances will the commission allow for this one piece of land. There have already been three or four. She read the following "You came here from there because you did not like it there. And now you want to change here to be like there. You are welcome here. Only do not try to make here like there. If you want to make here like there you should not have left there."

If you look at the house across from her it has four roof lines. They were denied to build three different houses but they found a way. Ms. Bartholomew said it was a single-family residence. Ms. Van Duyne said it had four different roof lines. Ms. Bartholomew said that may be, but it was still a single family residence.

Ms. Van Duyne said she was thoroughly disgusted. Everything is changing. Is there not anything they can do.

Mr. Rhinehart said he understands, but it is not just new people coming before the commission, but long term residents as well. They have to address what is in front of them tonight, but it is not just new people who come and ask for variances.

Brian Jackson, 604 Marigny, Applicant: He grew up in Mandeville and adores it and wants it to be historically accurate and are willing to comply with any restrictions the commission asks.

Mr. Cressy confirmed that it was only HVAC location before them today. Mr. Jackson said that was correct.

Robyn Jackson, 604 Marigny, Applicant: They live full time in Charlottesville currently, but they really love Mandeville. She hopes that their home will benefit the community.

Mr. Pierce said he feels the pain for the amount of variances. In this case they are trying to save an old house. He believes that this case could go without a variance. He does not think that the HVAC in the side yard screened by a fence is not a huge ask either.

Ms. Durio said that sometimes variances are needed to get things right with historic homes. This location will be hidden from the neighbors, and the location permitted by right in the rear may affect the neighbors more than this location.

Mr. Cressy moved to approve the request as submitted, Ms. Durio seconded, and the motion passed unanimously.

V24-03-13 – Johnny Swiger requests a variance to CLURO Section 5.2.3.2. Drainage Overlay District and Fill Sub-Area A, City of Mandeville, Square 5 Lot 5A, R-1 Single Family Residential District, 1623 Lakeshore Drive

Ms. Durio said that there were a number of people who lived on Foy St. at the last meeting who said that the water floods over to the back of Foy asked if this will increase any of the water that is plaguing them.

Clif Siverd, Public Works: Going up one foot would be 10,000 gallons of water. Mr. Rhinehart asked what direction. Mr. Siverd said it would be within the floodplain. He added that stormwater is already being shed from the roof and flowing into Bayou Castine.

Ms. Gautreaux asked if there were many instances where homes have to get coastal use permits when they are doing fill. Mr. Siverd said that generally residential construction is exempt. He does not have any recent experience with a coastal use permit for a accessory structure, but being close to a waterway one could be required. Being located within the

drainage overlay is what requires that permit. Ms. Bartholomew added that anything under the 5' contour line they ask to go see if they need one.

Ms. Gautreaux asked if the coastal use permit has been granted yet. Ms. Bartholomew said they applied for one, and the engineer is here and can talk about the process. Typically, what is looked at is no adverse impact in the floodway.

Ms. Gautreaux said that she felt strange granting a variance without knowing the outcome of the coastal use permit. Ms. Bartholomew said that if they got denied on their coastal use application the City could not issue a permit.

Ms. Durio asked if there was anything that could be done for this to have less of an impact on the neighbors than is currently being done. Mr. Siverd said he did not believe so. He said he would not allow any excess fill outside of the carport envelope, and the walkway was removed which he did not think was necessary.

Ms. Bartholomew said that there were some additional elevations on the new drainage plan showing the property drains to the east and not to the rear and west.

Mr. Pierce said he is trying to figure out if this is a drainage problem or a flooding problem. If it is a drainage problem then the new swales may take care of the issue. This backs up to a main drainage artery for the City and he is not in favor of adding concrete to the main artery of drainage. If this is a flooding problem he has an issue with adding concrete.

Mr. Siverd said that with the existing elevations at 2.9' this is a flooding problem. He has been there during a rain event, but the main concern is tidal.

Mr. Pierce said he has sympathy with having to walk to the car in water as he has to deal with that as well, but adding concrete to the drainageway does not seem like the correct way to go.

Ms. Durio asked if the driveway by the house floods. Mr. Siverd said the applicant could clarify but looking at the elevations and known tidal events he would assume it floods as well.

Mr. Quillin said he agreed with Mr. Pierce that this is a flooding issue and not a drainage issue. The collective requests for fill add up. For other options the same problem would be present in that you would still be taking up some volume of water that would be held.

Mr. Rhinehart said he agreed with what both Mr. Quillin and Mr. Pierce said. He did mention that houses are raised to prevent flooding but there is no accommodation for the cars to get flooded. This seems to be partway of a solution being so close to the lakefront.

Johnny Swiger, 1623 Lakeshore, Applicant: This is a flooding issue. He works about 75-80 hours a week and is trying to avoid moving cars out of harm's way every time it rains, but he does not have a regular 9-5 job.

The footprint is what it is, and is a drop in the bucket when compared to the whole scope of the wetlands behind the property. He is trying to mitigate the frequency the flooding takes over the footprint.

The concrete is for two reasons, to elevate the cars and as a safety issue. He is currently trying to jack cars up on gravel. He is just looking for some relief for the frequency or amount of flooding.

Mr. Rhinehart said he believes a hardship was shown with the hours being worked.

Mr. Quillin asked what the current elevation of the limestone was in the garage area. Mr.

Siverd said it was 2.9' so the applicant could go up to 3.5 without a variance.

Mr. Quillin said they were looking at a six-inch request at the moment. Mr. Siverd said that was correct.

Ms. Gautreaux said she respects the demands of the medical profession, but she has a concern about making a decision about the floodplain based on someone's hours or something the like to do as a hobby.

Mr. Cressy said he agreed with the other commissioners, and added that the variance runs with the land and believes that this instance is a subjective hardship and not an objective hardship. He is sympathetic to the flooding as he has to move his car as well.

Mr. Quillin said if the applicant built to 3.5' there may be creative solutions to elevate without dealing with the commission. The difficulty the commission is having is that it is a bigger question than this specifically. They have to look out for the other residents in the area and the City.

Brian Froeba, 847 Galvez: During a flood event Old Mandeville is the floodplain at that point. The volume of the concrete being added is a drop in the bucket, and measuring the height difference is almost impossible. He can do it, but it will be such a small number as to be barely significant. Other variances have been approved for up to 3' for swimming pools previously.

Frank Simperi, 131 Foy: He and his wife have tried to get fill on their property and have always been told that they cannot fill there. He understands the predicament of the applicant. If this is granted, they will also want a variance, along with a number of neighbors. He does not know if approval was gotten for the wetlands.

Mr. Quillin moved to approve the request as submitted, Mr. Rhinehart seconded, and the motion failed 1-6 with commissioner Quillin voting for the motion, and all other commissioners voting against the motion.

Z24-03-02 – A petition from the City Council of the City of Mandeville to amend the official zoning map of the City of Mandeville to rezone two lots designated R1-X Single-Family Residential-Existing Small Lots District to O Open Space/Recreation District, Old Town of Mandeville, Square 34 Lots 7A-1 & 7A-2

Ms. Gautreaux said that this used to be the site of a pond that was filled in, so she is happy to see this become open space.

Ms. Gautreaux moved to recommend approval, Mr. Cressy seconded, and the motion passed unanimously.

Z24-03-03 – A petition from the City Council of the City of Mandeville to amend the official zoning map of the City of Mandeville to rezone a lot designated PD Planned District to O Open Space/Recreation District, Old Golden Shores, Plot 12X Tract C

Ms. Durio said this one was real significant as when there was a petition to develop it, it was described as the gateway to Mandeville and she thinks that keeping it green is fabulous.

Mr. Rhinehart said he believes the intent is to turn this into a park as well. Ms. Durio said that the Parks and Recreation presentation was terrific.

Ms. Gautreaux said that she is glad the City is receiving CRS points for this as well.

Andrew Doyle, 151 Cindy Lou: He said a parks presentation was mentioned and asked if

there were any details on what is being done. Ms. Bartholomew said that a Parks and Recreation master plan was done and is posted on the City website. This was just high-level programming. When they go into more detail public meetings will be held to gather input.

Mr. Doyle asked if there would be any advisory committees, or anything done for this. Ms. Bartholomew said she was not sure if one would be done for this specific project or for the parks as a whole.

Mr. Doyle asked if Waggonner & Ball were contracted for detailed design services. Ms. Bartholomew said no, it was just for a high-level recreational master plan. The City has not yet identified who will program these parks. Mr. Doyle asked if there was an RFP or RFQ coming out for the detailed design work. Ms. Bartholomew said she would imagine so, but does not know a timeline.

Mr. Doyle wanted to thank the City for purchasing the property.

Mr. Quillin moved to recommend approval, Ms. Gautreaux seconded, and the motion passed unanimously.

Z24-03-04 – A petition from the City Council of the City of Mandeville to amend the official zoning map of the City of Mandeville to rezone two squares designated R-1 Single Family Residential & B-1 Neighborhood Business District to O Open Space/Recreation District, Old Town of Mandeville, Section 51 Squares 91 & 92

Ms. Gautreaux moved to recommend approval, Ms. Durio seconded, and the motion passed unanimously.

Z24-03-05 – A petition from the City Council of the City of Mandeville to amend the official zoning map of the City of Mandeville to rezone four parcels designated B-1 Neighborhood Business District to O Open Space/Recreation District, Old Town of Mandeville, Square 57 Parcels A, B, C, & D

Ms. Durio said that when Buck Abbey spoke at the last meeting there were many specific trees located on the property and recommended looking at the property to the east as well.

Ms. Gautreaux moved to recommend approval, Ms. Durio seconded, and the motion passed unanimously.

Public Comment

Ms. Bartholomew said the APA Conference is in Minneapolis and they would be leaving April 12th. If anyone wants to go let her know as she has to get approval from the council for out-of-state travel, and there is only one more council meeting before the conference. She added that the next meetings would be April 9th and 23rd.

Ms. Gautreaux moved to adjourn the meeting, Ms. Durio seconded, and all were in favor. The meeting was adjourned at 7:03pm



Alex Weiner, Secretary



Brian Rhinehart, Chairman
Zoning Commission

Alex Weiner

From: Jay Seastrunk [REDACTED]
Sent: Monday, March 11, 2024 6:44 PM
To: Alex Weiner
Subject: SUP 23-03-03 1943 Lakeshore

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Comment on SUP-03-03

Regarding the right of way drawings for the sidewalk and two street parallel parking spaces this area of concrete appears similar to what is there now - without physical obstructions such as curbs as seen along Girod Street (customary not trip hazards, fixed parking stops (trip hazards) the trucks who park perpendicular to the street to visit the Don's bar will continue to do so blocking the sidewalk.

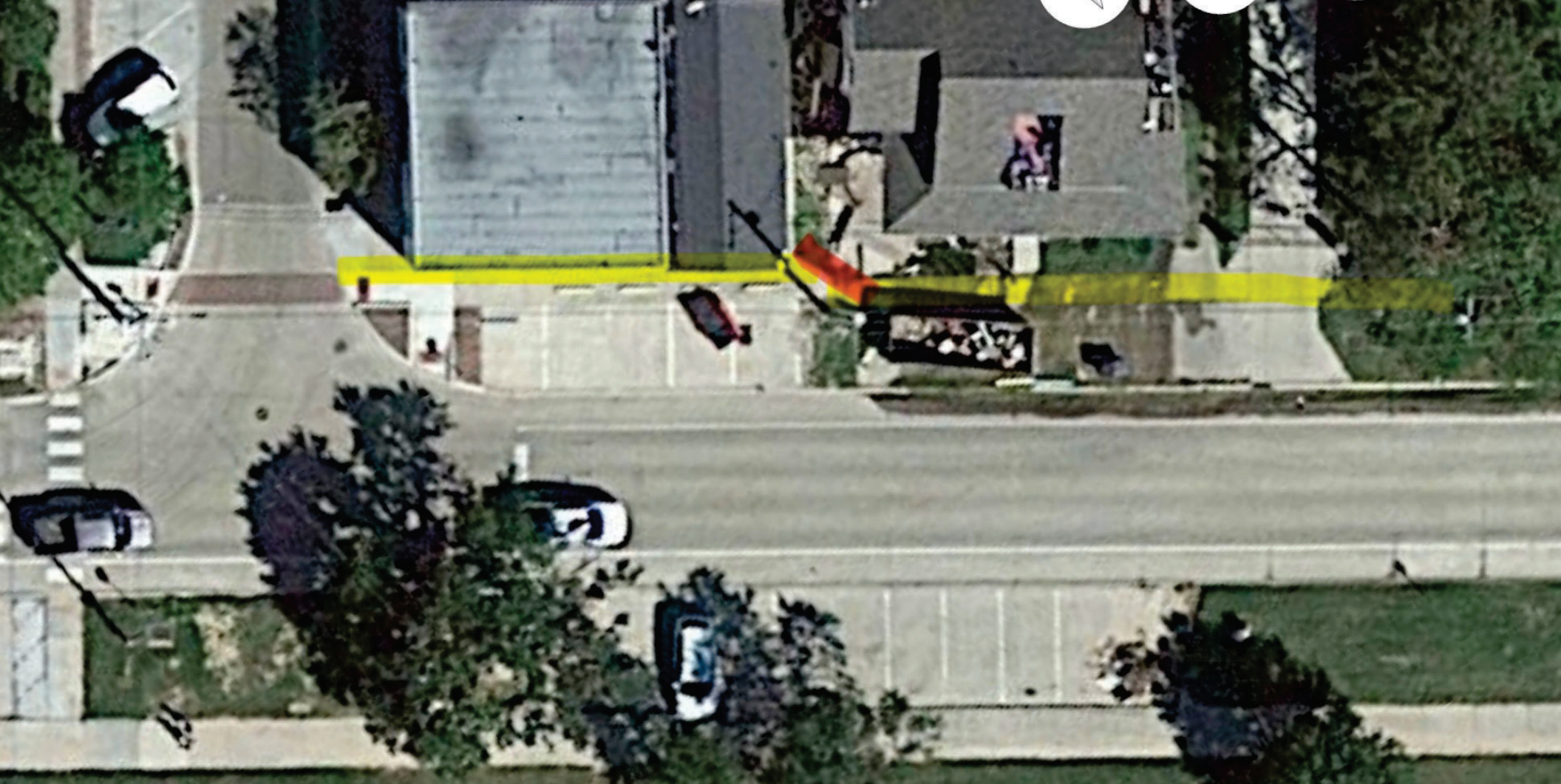
The Mandeville Police department has better things to do than parking enforcement of cars parking across sidewalks - a physical barrier should be provided to deter parking here across the sidewalk.

Attached are photos that show an aerial view and how the sidewalk offsets closer to the street in front of 1943 Lakeshore than it is in front of Don's. Also photos of cars blocking the sidewalk on a regular basis.

Please provide a curb as seen on Girod St spaces to define any street parking.

Best Regards,

Jay Seastrunk
1815 Lakeshore Drive







1945

FOR SALE
CALL [phone number]

