

**Zoning Commission
Public Hearing
October 23, 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, Jeff Lahasky and Bill Sones

Absent: Simmie Fairley

Also Present: Louise Scott, Director, Planning Department

Mr. Blache 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 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 that updated plans had been submitted for discussion.

The adjacent properties to the east and north began the R-1 Single Family Residential Zoning District. These residences were addressed as 1923 Claiborne Street to the east and 228 Marigny Avenue to the north. There was a deep lot on Marigny Avenue to rear of this property which was zoned R-1. These were two lots of record in single ownership for many years. The house had flooded and was abandoned since Hurricane Katrina and would be required to be elevated. The lot to west, which was the proposed event center, was vacant at this time. The applicant was requesting a Special Use Permit for Indoor Entertainment and variances to the site development regulations. The proposed Bed and Breakfast Inn could house up to six rooms, but they were only proposing four rooms which were allowed by right.

It was discussed at the work session that the existing house would be elevated with a rear porch addition. The newly constructed structure would contain one unit for the bed and breakfast and one unit for the operator. The landscaped area included a pond and an area for events. The original plan proposed four parking spaces, and an exception for the remaining required parking spaces. As a result of the work session, the applicant had submitted revised plans. The revised proposal was submitted on October 18th and in summary proposed a 2,300 square foot courtyard which was 100 square feet less than originally submitted. The revisions added 15 parking spaces being 12 on-site and 3 spaces on the street. They were also proposing 14 spaces at 137 Girod Street and 7 spaces at 235 Girod Street which were both office buildings. The request was for a 10 space exception. It was noted that the parking calculation submitted was for the events use since this was a mixed use site. The Inn space was a 7 space requirement and it was stated these would be the same people attending the events and it was a concurrent use. The concurrent parking use could be authorized through a Special Use Permit and findings.

The applicant was proposing 14 spaces in the rear of 137 Girod Street which was privately owned. There was an existing travel agency on the corner adjacent to 137 Girod Street. When 137 Girod Street was approved for a variance, the land use was four apartments and 1,953 square feet of offices. At this time, there were no apartments and the entire building contained offices. The building located at 235 Girod Street was also an office building and the applicant was proposing 7 parking spaces. There was no site plan for 235 Girod Street, but the

design standards were not met. At this time, there were no lease agreements submitted. The two City parking lots across the street contained 22 spaces and 24 parking spaces.

Mr. Adams clarified the people attending an event would walk down the driveway to Girod Street and then down Claiborne Street to the site. He asked how many feet was the distance? Ms. Scott said she did not have the linear measurement, but estimated a distance of 250' and the length of two 100' lots. The building at 235 Girod Street had a long driveway with rear parking.

Parking

The Bed and Breakfast Inn required 7 spaces.

Event use was 1:4 fixed seats or 50 square feet of space with a proposal of 2,300 square feet of assembly for recreation or 46 spaces. They were requesting it be a concurrent use with the Inn. Added together there were 53 spaces. In summary there would be 15 spaces on site, 14 spaces at 137 Girod Street, 7 spaces at 235 Girod Street, 36 spaces provided and 10 spaces as an exception. If the spaces were counted individually, the site was 17 spaces deficient.

The staff had requested the applicant utilizing off site spaces to provide the characteristics of the uses on the other lots and a projected peak usage. The parking lots to be leased would require the parking spaces to be dimensioned and there was no summary of the uses. CLURO Section 9.1.3 stated required parking spaces for civic, commercial and industrial uses shall be located six hundred (600) feet of the principal public entrance, and the spaces were within 600'. Also, where required off-street parking was located on a lot other than the lot occupied by the use requiring it, site plan approval for both lots shall be required. There was an existing site plan for 137 Girod Street.

CLURO Section 9.1.1.5 stated when required accessory off-street parking facilities are provided elsewhere than on the lot in which the principal use served is located, the properties shall be in the same ownership or control as the property occupied by such principal use either by deed or lease the term of which approximates the expected life of the use to which the parking facilities are accessory. There were no lease agreements provided.

The site plan for 137 Girod Street was approved in September, 2017 for 16 parking spaces. At that time, the variance was granted for four apartments and 1,953 square feet of office space. At this time, it was all office space so there must be a review of the use and parking compliance.

An alternate site plan submitted indicated additional parking on site. This was not reviewed, but it was to show that additional parking could be provided on the site. Mr. Blache asked if that met the requirements and it was answered no. Mr. Adams asked about the 2,300 square feet being the only area that was patron area. Ms. Scott said that was the remainder of the site. Mr. Adams said parking was considered impervious and Ms. Scott said they were proposing gravel. Mr. Clark asked this area was low being about 6'.

Ms. Scott said the plan was submitted to show if the off-site parking was approved with the alternate sites then the original request would be compliant. The original plan required a 20' buffer along the R-1 single family property which was still an intact with the exception of the proposed addition. The variance request was an encroachment of 10' into the setback and buffer. The proposed rear construction and other areas adjacent to the R-1 zoning district met the buffer requirement. It was previously discussed that the depth of the lot required a 22' requirement to the rear which was amended. On the west side of the property, a 20' buffer was previously proposed and it was revised to be reduced to a 5' buffer which was a minimum requirement adjacent to properties with a Special Use Permit to another property in the B-3.

However, the commission could increase the buffer requirement. The buffer requirement on the west side required fencing and it was amended to include a 4' and then a 6' fence. The pervious/impervious coverage required a maximum of 75% maximum and the site was at 50%.

Mr. Blache said there were no lease agreements. Ms. Scott said the staff had a previous site plan for 137 Girod but not for 235 Girod Street. Mr. Adams said the commission calculated gravel as being impervious. It was stated that the courtyard would be pavers. Mr. Adams asked how would it be known if the off-site parking was being used. The parking requirement was 53 spaces if the bed and breakfast use was not counted concurrently. Mr. Blache said if someone was hosting the event they were probably staying on-site. Ms. Scott said based on the site plan and the off street parking there would be a remainder of 10 spaces and the applicant was requesting an exception if counted as a concurrent use.

Mr. Lahasky asked if the commission was using the alternate plan of 25 on-site spaces for consideration. Ms. Scott said that was up to the applicant. The preferred plan was the plan leasing additional parking spaces. Mr. Clark asked in determining the findings, how should it be reviewed with the general purpose of the B-3 district. It raised a question of relative compatibility. Mr. Clark said the project was not very pedestrian friendly. Mr. Lahasky said noise and the proposed design of the use could not have negative impacts to the adjacent properties and it would be difficult to get over those issues for this use. Mr. Adams asked how this was different from other similar properties in B-3 with adjacent residential uses. The noise was controlled by the noise ordinance and was enforced by the police. Mr. Blache said additionally the property was butting up to the R-1 district. Mr. Adams said how could the owner control how many people attended the party. Mr. Clark said with young people on a nice evening with beverages, it could become hard to control. Mr. Adams said he was happy to see the property back in commerce and a bed and breakfast was a good use. The property was large enough for multiple uses, but he did not feel this would work out and could have potential noise and parking problems.

Vaughan Sollberger, 235 Girod Street and representing the owner, stated after the last meeting it was evident that the major discussion was about parking. They were providing fewer spaces on-site and many similar exceptions had been granted. It seemed like the right thing to do. Events discussed were boutique events of small weddings and it would be marketed to stay at the facility and hold the event on-site. After the discussions, he knew it was critical to have parking addressed. He prepared a plan mathematically including a courtyard that would meet the requirements for parking. The math of a 2,400 square foot courtyard required 48 spaces that were not being met. He measured Mr. Wolfe's property at 137 Girod Street, and documented the public parking spaces to create real numbers of parking spaces. The alternative parking plan was to show that they were not overbuilding. With a 2,300 square foot courtyard, they could meet the parking requirements with two private parking leases within walking distance. His office could hold more than 7 spaces, but it was far enough from the property that realistically the attendees would not be using his parking but it would be employees and servers for the event.

The 2,300 square foot courtyard would be for events and they were asking for a 10 space exception. There were over 100 spaces available in the neighborhood parking. He spoke with the local businesses who stated there had not been a parking problem. He met with Mr. Wolfe to discuss what could be offered in a long term lease agreement. Both buildings did not provide specific evening hours. The pervious coverage was large and he thought it would not be an issue. They had moved the courtyard installing a brick wall to control sound.

Mr. Lahasky asked how the visitors would know where to park off site. Mr. Sollberger said that would be handled by the on-site manager and the information would be provided to

the people renting the site. Mr. Lahasky asked about the term of the proposed lease. Mr. Sollberger said the neighbors wanted a long term lease.

Ms. Scott said the commission would determine the term and review process as part of the Special Use Permit. If the lease was not renewed, the commission would discuss the issue or the use could not continue. Mr. Clark said that was issue raised with 137 Girod Street now being a different use. Ms. Scott said that site had been approved as apartments which were a 24 hour service on the parking spaces, but there must be a determination of how the office use changed the parking requirements.

Mr. Sollberger said there were three other businesses that were given 20 parking space opportunities in this area. That was why he thought 10 spaces was an acceptable request. Mr. Clark said parking was based on the idea of a specific use.

Mr. Blache said he was concerned there were no leases. Mr. Sollberger asked the commission to use the 15 spaces on-site with a 2,300 square foot courtyard. Ms. Scott said the lease agreement was required, but the applicant did not want to acquire a lease without knowing the ability to move forward.

Mr. Lahasky thought the plan revision was a great job, but he agreed information was needed about a long term lease. He had recently attended an event and everyone used the street parking and not the valet parking. The current adjacent conforming uses were residential and he had a hard time making a decision on a Special Use Permit that this venue met the guidelines in addition to the parking questions. Mr. Sollberger said there were four other restaurants within 100' of this site and this project met and exceeded the parking for the four restaurants. He agreed that the restaurants were his problems on Girod Street. He believed they had brought forth the best use of the property getting back into commerce with the least amount of impact. Mr. Lahasky said the rendering was beautiful and the idea was good for the community having the property back into commerce. His question was on the special use fitting the CLURO guidelines. Mr. Clark said it was how heavy was the footprint. The house could be elevated and it could be a family home with a great yard. The B-3 zoning district was a movement of use without changing the footprint. Maison Lafitte was adjacent to a church and to the rear was 200 years of undisturbed land. This was a higher intensity use and it did not fit the purpose of the B-3 district with the uses and the footprint. The bed and breakfast concept was fine in Old Mandeville. Mr. Sollberger said the intent was small boutique events. If there was no exception, the alternate plan would provide 46 spaces. Mr. Clark asked how many people come in 46 cars on a beautiful summer evening. Mr. Sollberger said the CLURO did not define that. Mr. Adams said the formula was based on square footage.

Claire Durio, representing several neighbors, said the application specifically stated that the applicant must demonstrate an unusual hardship and in the application there was nothing provided for a single reason of a hardship. This was a blank slate on two large lots. There was no hardship to the lots, and profit cannot be the justification. Variances were not to be convenient, but to alleviate an undue hardship. The proposal was something dramatic on an open slate of property.

One of the variances requested was to expand the encroachment to the east. The proposed elevation and expansion with the porches would place the house close to the adjacent neighbor. The request would overshadow her home. The house was existing and the B-3 zoning line was moved so there were different setbacks. Another variance request was for 53 parking spaces which was extreme. Leasing parking spaces was not an unusual situation. Typically what was required for the bank was a 99 year lease or servitude, especially if there was a loan on the property. The lease should be with the expectancy of the property being in

**Zoning Commission
Public Hearing
October 23, 2018
Page 5**

existence for more than 5 years. The variances granted remained with the property. The commission would not want another condition similar to 137 Girod Street where the use changed unbeknownst to anyone. Couples were not going to place information on their wedding invitations to park behind 137 Girod Street being away from the venue. The property at 137 Girod Street was a co-working space with 24 hour access, showers and restrooms. It was geared toward millennials. It was a high intense use for people to work on laptops and have meetings. The Assessor's Office listed three other entities with assessment for furniture and fixtures at this location with significant tax assessments for the business use. She doubted a review of the parking would be adequate based on the desks and chairs.

In ruling on variances, the CLURO stated variances were granted when it was not feasible or an unreasonable hardship. With this request there was no hardship, but an opportunity and advantage for this business. The Bed and Breakfast use was not opposed by the neighbors, just strictly the opposition to the event venue. In reviewing the alternate plan, Ms. Durio measured the green space between houses at 2,000 square feet. The drawings were highlighting green space, the pond and the rear entrance showing no delineation except where the pavers ended. There was no ability to contain people to a designated area. Adding those spaces, the site would be another 40 parking spaces short. She did not think there would be an ability to sign a valid lease for Mr. Wolfe's lot based on the use with 24 hour access. Millennials work differently with numerous jobs and work in an environment like this. They had a right to have access to their premise 24 hours a day. She asked the commission to consider the additional space to be used. The parking spaces at 235 Girod Street were dark, non-standard and tight. It would be difficult to maneuver the parking in the dark.

The Bed and Breakfast Inn criteria met the parking requirements for the use. The accessory event parking must be in place. If you think of this lot as a blank slate, it was surrounded by residential houses. The current plan had 10 spaces adjacent to a residence and the buffer was reduced to 5' instead of 20' with a fence. The buffer would be adjacent to a bedroom window with a 4' fence. The proposed brick wall further down the lot only blocked the sound from the courtyard and the rear yard funneling the noise in all directions.

The 2,300 square feet was the size of a small rear yard with 100-120 people that would not stay in that area and would mitigate to all space which should be counted. The cars would be parked on the street. She mentioned many meeting attendees were in opposition and those citizens that were in support of the project were not adjacent neighbors. Ms. Durio had moved to Mandeville so she could walk everywhere with a pedestrian atmosphere.

Fernanda Christiana, the adjacent neighbor at 1941 Claiborne Street, said she had raised her house after Hurricane Katrina. She had talked to Mr. Sutton from her deck to the area where he proposed his wedding venue. She was grateful to have the property back in commerce, but she was opposed to the wedding venue. The music could not be contained. Every weekend she lost the parking in front of her house because people do not always use the corner parking lots.

Vickie Gerald, 53 Barbados Court, moved back to the area and chose Old Mandeville because it was special. Her concern was the character of the community and how an event venue would change that character. The idea of a bed and breakfast was fantastic. The last small wedding she attended had 200 people which would be 100 cars. She asked where they would all park. She had been told this would be a similar venue in one in New Orleans which was booked years in advance. Everyone needed to be long sighted in planning and the impact on the community. She asked to deny the special use permit.

Zoning Commission
Public Hearing
October 23, 2018
Page 6

Cindy Touchstone, 124 Lafitte Street, owned and operated a bed and breakfast. It would be awesome and was a needed use. She received calls for the use as a venue that she turned down because of the parking. Everyone ended at Barley Oak and she often had a blocked driveway. Parking was a problem in Old Mandeville.

Shane Mutter, 136 Lafitte and 531 Coffee Streets, had been a resident to the area for 4 years. He lived two doors from the Touchstones. The applicants were good people and he thought the idea was exciting. The initial idea was brilliant and it would help with the congestion for staycationers. As a father of two kids, he had concerns with parking and that had been stated. Looking forward to 10 years out, he asked what precedent was being set. He was worried about the McGuire property renovation and was in agreement with the proposals. Barley Oak had an on-site parking lot which was used from other events. It was too much when it was causing fatigue on the neighbors and he believed everyone could live and work together but there was a point where the businesses would overwhelm the residences. The bed and breakfast use could do well. Maison Lafitte did a good job and it was located off the beaten path with on-site parking. The church had its own parking problems. Another venue may be too much.

Susie Hardin, 230 Marigny Avenue, said her property was located behind Mr. Sollberger's business. She agreed with the need for the bed and breakfast use. She asked if there was a number limitation for small weddings and what would be the hours for the events. Her main concern was the hard surface and flooding. Parking for daytime events may not be available. If there were many events at one time, the areas would be inundated and people would park where it was most convenient for them. Her issues were the hard surface and the general impact of the residential area losing its charm.

John Sutton, owner, said he had told his wife that he would make this work. The majority of the money being made would be between 30-75 people at a function. He did not want to have 200-250 people. He was looking for small to medium sized weddings because most events were between 25 and 150 people. He was a 12 year police officer and he knew how stupid people could be. He said you could control crowds and where they should park by showing the places to park. He asked Mr. Sollberger what Mandeville wanted in a business. He was told that Mandeville wanted people to park, to walk, go to businesses, enjoy the outdoors and not encroach on each other. He wanted to have company parties inside the house. He needed to come up with other uses for what people in the area wanted besides the bed and breakfast use. He wanted butterfly gardens, a waterfall, and a small courtyard area. He did not want people roaming all over the property. He wanted a wedding with grandparents to stay on-site; the couple spending night and leaving the next day on their honeymoon. He had told his children that you play by the rules and get treated equal like everyone else. That was all he asked for. There were other businesses in the B-3 district that had been granted larger variances. He wanted to contribute to the neighborhood. This business was for the weekends. He thought it was a beautiful project. It was a B-3 district property so there could be many different uses. He would be fair to the neighbors and it would add to Mandeville. He did not want garbage in people's front yards. He wanted to walk through the neighborhood and keep it that way.

Mr. Adams said he felt there was too much taking place on the lot. It had been pointed out that parking exceptions had been granted and he wanted to bring the property back into commerce, but the commission did not want to create a new 2,300 square foot activity area. This would be new traffic on a 53' street. This was why this project was different and it seemed to be too much use on the property. A 50 square foot requirement for each person was a large demand for the neighborhood. Mr. Sutton said that was the reason why he went to Mr. Wolfe and Mr. Sollberger for parking leases. Mr. Adams said it might be the employees parking in

**Zoning Commission
Public Hearing
October 23, 2018
Page 7**

those lots. Mr. Sutton said the event could make them park where they needed to park if it was done right. Mr. Adams said it would require a lot of enforcement activity by the City and the City did not have the resources to do that.

Mr. Clark said relative compatibility was a concern. This was a difficult problem in that this was essentially a residential portion of the B-3 district. He felt the neighbor's view of relative compatibility was well defined and these events were not relatively compatible.

Mr. Sones asked what the alternative was if the parking was not granted. Mr. Sutton said the side yard would be a large parking area. There was also the permeable surfacing that could be used. Ms. Scott said the alternative plan was presented which required the off-site parking. Mr. Sutton said it would not be often for the need for the additional parking.

Ms. Bush asked if having the bed and breakfast only was feasible. Ms. Scott said that use was permitted by right. Mr. Sutton presented what were you doing to a restaurant if they were told they could not serve over 10 guests. This was the same thing to him. He stated he would have 30-60 people and it would not be every weekend.

Mr. Lahasky said looking from everyone's perspective; he could not have more than 5 units and an operator. Ms. Scott said the Inn allowed up to 6 rooms with an operator on the premise. Mr. Lahasky asked this being separate lots, could Mr. Sutton have two separate bed and breakfast inns making the community happy and generating revenue. Mr. Sutton said he would have to look at the numbers. Thirty people at a party could make \$5,000 and he would not make that amount with renting the rooms. Mr. Lahasky said the proposal sounded good, but there was no way to monitor the amount of people at the events. Mr. Sutton said he could not tell anything for sure, but he was stating his passion and plan.

Mr. Adams moved to deny the Special Use Permit for the Special Event Center based on the concerns of parking, the location of the parking, and the increased activity on a small street, seconded by Mr. Clark. The motion was unanimously approved to deny the request.

There was also the variance request for the elevation, front stair encroachment of 100 square feet, front yard setback, east side proposed porch encroachment of 9' 2" and 20' buffer for a length of 40', and the site development related to the elevation of the structure and stairs. Ms. Scott said this would be in relation to the house elevation. Mr. Adams moved to approve the variance request, seconded by Ms. Bush and was unanimously approved.

The next 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 the property formed the northwest corner of Carroll and Jefferson Streets with the property owner also owning adjacent Lots 4 and 5, all located in Sq 33. The City owned lots 1 and 3. The previous owner had a portion of the property removed from the deed restriction for a house addition. The applicant desired to construct an in-ground pool, located 31' from the front property line. The stated hardship was that the property was located in the floodplain and was usually wet. While they owned lot 5, the remainder of the lot was deed restricted and the plan was amended not to encroach into that area. The front of the property was heavily vegetated and the pool would not be visible from Carroll Street.

Mr. Clark asked if the applicant had a right to build a pool. This area was the only place where the pool could be located. Ms. Scott said this was the reason for variance requests. Mr. Clark said from his observation this made sense. Ms. Scott said the building code required

security with fencing. Mr. Clark said his concern was the location being in a grove of trees and would they cut the roots and have the trees die. He asked if the apron would be at grade. Ms. Scott said there were fill requirements and it would be reviewed as part of the permit requirement.

Mr. Lahasky said he agreed with the request if this was the only location where the pool could be placed. He would not want the pool to exceed the front of the structure.

Sarah Sinclair, owner, said she also considered the placement of the pool. The Jefferson Street side of the property had bamboo for screening. There was a fence on the front and left side of the house, the rear was fenced by the creek, and the right side was landscaped. Ms. Scott said the creek did not count as a fence.

Mr. Clark moved to approve the request for the pool to be less than 60' from the property line, seconded by Mr. Sones. Mr. Lahasky asked to include the requirement that the pool be placed at or behind the front of the Carroll Street fascia of the house. Mr. Clark and Mr. Sones agreed to the amendment. The motion was unanimously approved.

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

Ms. Scott presented there was a single loaded driveway and the other car parked in the front yard. The applicants were proposing to construct a detached carport/pavilion (accessory structure) on the south side of their residence behind the front fascia of the house. The owner would install a limestone connection and the pavilion would be wide enough for two vehicles.

Mr. Clark stated if the pavilion was attached there would not be a need for a variance. Mr. Adams said the commission would want to protect the tree. Mr. Lovell said there was no opposition from the neighbors.

Ms. Bush moved to approve the request as an exception, seconded by Mr. Lahasky, and was unanimously approved.

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 Pettit Trust; the Robert L. Pettit, III Trust and the Mary Luckett Pettit Trust/Hancock Bank of Louisiana requests variances to Article 10, Sign Codes, 3210 Highway 190, zoned B-2

Ms. Scott presented Hancock Whitney Bank was renovating the building and desired to construct an internally illuminated monument sign at a height of 8' 9". The sign was proposed to be 65 square feet where 50 square feet was allowed. Along Highway 190 in the green area, the highway profile was 5' lower than the highway being harder to see.

The CLURO, allowed for the Zoning Commission to approve an exception **allowing height to be increased if natural grade is 4 or more feet below the crown of the abutting street.**

Mark Tramontana, Mitchell Signs, said the designers of the new brand and logo designed all signs in proportion. There would be a green area around the base.

Mr. Adams moved to approve the exception for the height because the location was more than 4' below the crown of the street and allow the sign to be 15 square foot larger than

**Zoning Commission
Public Hearing
October 23, 2018
Page 9**

the allowed 50 square feet with the reason being safety purposes on a busy corner and the sign being more visible at eye level being more convenient, seconded by Jr. Clark and was unanimously approved.

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

Mr. Charlet presented his day to day entrance was on the side of the house with the front door facing Dorado Drive. The western sun set on the patio where they parked with a paved driveway. The proposed cover was called a pergola which was uncovered so it was more of a porte cochere to cover the cars. There was only one driveway past their home on Venus Drive. Venus Drive was less than a standard street that dead ended at the Sanctuary Subdivision. Nice azaleas were planted on the side yard. The cover would be the placement of two posts on the property line 85' from the front property line.

Ms. Scott said the CLURO stated the variance was to allow a covered structure in the street side yard setback. Mr. Clark asked if the driveway was legally located and it was answered yes. Mr. Clark said covering the driveway was not appreciably different from the previous request. This was a corner lot where the Oak Street case was an interior lot. Mr. Adams said this would be an exception. The only hardship would be if the rear lot was sold. Mr. Charlet said the property was uniquely situated with only one other property that could be affected which had no objection.

Mrs. Bush moved to approve the case as an exception, seconded by Mr. Clark and was unanimously approved.

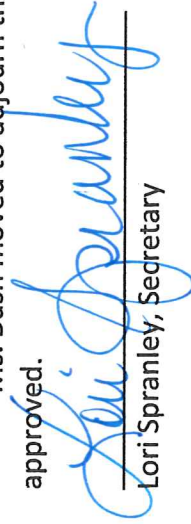
The next case discussed was SUP18-10-08 First Bank and Trust/Brittany and Robert Steilberg, Jr. requests a Special Use Permit for Section 6.4.33, Day Care Centers –Commercial, lot 4, square 82, 1228 Florida Street, zoned B-1

Ms. Scott said as discussed at the work session, the proposal was to have three infant rooms. The challenges for the site were the parking and queuing required. The area in the front had a potential queue with the covered carport. The rear of the property contained a large live oak tree so improvement would require additional variances for construction under the live oak tree. The commission had requested a new plan to functionally work with the front area. No plans had been submitted and the applicants were not present. There was a purchase agreement pending approval of the special use permit.

Mr. Adams moved to deny the request, seconded by Mr. Lahasky and was unanimously approved.

Approval of the July 24th minutes was deferred until the next meeting.

Ms. Bush moved to adjourn the meeting, seconded by Mr. Clark and was unanimously approved.


Lori Spranley, Secretary

Michael Blache, Chairman
Zoning Commission

