

The meeting was called to order at 6:00pm by Planning Chairwoman Karen Gautreaux

The secretary called the roll.


Commissioners Present: Brian Rhinehart, Nixon Adams, Simmie Fairley, and Claire Durio

Absent: Scott Quillin and Mike Pierce

Also Present: Cara Bartholomew, Director Planning Department; Lauren Brinkman, Planner; David Parnell, City Attorney; Alex Weiner, Secretary

Mr. Rhinehart made a motion to adopt the minutes from the November 8, 2022; December 13, 2022; January 10, 2023; and January 24, 2023 meetings. Ms. Durio seconded, and all were in favor.

As there was no further business for the Planning Commission Ms. Gautreaux moved to the Zoning Commission.

  
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Alex Weiner, Secretary  
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Karen Gautreaux, Chairwoman  
Planning Commission

Brian Rhinehart commenced the Zoning Commission Meeting.

Mr. Rhinehart read the announcement 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.

New Business

**V23-02-03** – Juan Fonseca requests a variance to CLURO Section 8.1.3. Supplemental Fence and Wall Regulations, Square H Lot 99A, R-1 Single Family Residential District, 499 Devon

Mr. Rhinehart asked if this was already built, Ms. Bartholomew replied that it was, and said this was after the fact.

Mr. Adams said that there is a subdivision fence already located there, and this extra fence takes away from the look. It could be set back 15' at the current height, or limited in height so that the current subdivision fence blocks it.

Ms. Durio asked if the new fence was touching the existing fence, and if water could pool in between the two. Ms. Bartholomew said there looks to be a 1.5' gap between the two fences.

Ms. Durio asked why it was higher than the existing fence, Ms. Bartholomew said she would defer to the applicant for that answer. She said that the City Code Enforcement officer went to the site to measure the fence and it was all supposed to be 7'. There is some variation in grade along the location of the subdivision fence.

Ms. Durio asked if it was obvious when it was going up, Ms. Bartholomew said it was and a stop work was issued.

Ms. Durio asked what the progress was when the stop work was issued. Ms. Bartholomew said she did not know. She said that she visited the site with Ms. Brinkman and met with the applicant around the holidays to discuss a compromise and the applicant decided to submit for a variance.

Juan Fonseca, 499 Devon, Applicant: The fence is for safety for his daughters, and it looks better than the current subdivision fence. The new fence measures 6'-11" while the subdivision fence is between 5'-4" to 5'-6". He can see people at the light on the corner from his yard. He came into the office and was told that he could do any type of fence under 7'.

Mr. Adams said it can only be 4' on the street side and asked why not put it behind the other fence. Mr. Fonseca said that his fence is lower than 7' and he was told he cannot have something higher than 7'. The subdivision fence is lower.

Mr. Adams said the subdivision fence is higher than 4' though. It might be needing some repairs, but the new fence is taking away some of the character of the area. It could have been hidden behind the subdivision fence or moved 15' back to be 7'. Mr. Fonseca said if it was moved 15' back it would be in the house.

Ms. Durio said that it sticks up over the existing fence and is visible to the neighbors. Mr. Fonseca said there is only the highway on the other side of the fence, no neighbors. Ms. Durio said that it still has a different look than the existing fence.

Mr. Fonseca said that he offered to fix the fence but was told no and to put a fence next to it.

Ms. Gautreaux asked if the HOA told him not to repair it, Mr. Fonseca said it was a neighbor not the HOA.

Mr. Fonseca said that he was told any type of fence was ok when he came in for a permit. He said he can put a wood fence at the corner to hide the new fence.

Ms. Durio asked what percentage of completion the fence was at when the stop work order was issued. Mr. Fonseca said it was done. Ms. Durio said she thought it was not complete, Mr. Fonseca said there was just painting left. He said that an inspector from the City came by and had him drop the fence by 6".

Ms. Durio asked if the fence was attached to the subdivision fence, Mr. Fonseca said that it is braced only, and he can remove them.

Ms. Gautreaux said it looks attached in the pictures; Ms. Durio agreed.

Ernest Burguieres, 241 Wilkinson: He does not condone breaking rules and doing things without a permit. His biggest objection is with the color. He suggested looking at changing the rules to allow 7' fences. Dogs can get over a 5' fence and there should be some consideration for flexibility in certain areas.

Dennis Horchoff, 455 Devon: It is very confusing when talking about the subdivision fence and the homeowner fence with regard to the heights of both. The relationship between the two is important. The dimensions submitted in this statement were relative to the public side of the fence. The new fence is about 8"-17" higher than the existing fence. The issue is the spacing between the two fences, which is about 24".

Mr. Adams asked if the space in between the fences would be maintained. Mr. Horchoff said that is why he proposed access panels as maintenance is not possible with the open end.

Mr. Horchoff said that portions of the fence were in disrepair, but the fence boards were replaced until they could not go any further due to existing bamboo on the property from the previous owners.

Ms. Durio said that in the statement it was said that the fence is braced on the fence and trees, was that talking about the subdivision fence, Mr. Horchoff said that was correct. Ms. Durio asked what trees it was braced on, Mr. Horchoff said they were random trees which could have been temporary, but the braces are still there.

Ms. Durio asked if the area between the fences would be maintained by the subdivision, Mr. Horchoff said it was private property. It was part of the yard which was abandoned for privacy.

Skelly Kreller: This is located in his District, District II, in Golden Glen. He is aware of the history of the fence. Around Thanksgiving there was no permit received initially to begin construction. He inquired with the department and kept an eye on it. The owner had opportunities to mitigate. He has been contacted by many homeowners. This is a CLURO violation and the only way to control this is to fall back on the CLURO and to abide by the law in effect. He hopes for common ground and for this to be solved without any litigation. He feels the height should be reduced to not be seen at any street. This is the gateway to Golden Glen and is seen by everyone. He said that solid metal fences are not allowed. Ms. Bartholomew interjected that only barb wire fences are prohibited. Mr. Kreller said that he hopes the commission does not allow it and it is corrected as soon as possible.

**V23-02-04** – Cayman Sinclair requests a variance to CLURO Section 8.1.3. Supplemental Fence and Wall Regulations, Square 87A Lot 15A, R-1 Single Family Residential District, 2640 Monroe

Ms. Durio asked what side the fence was on. Ms. Bartholomew said it was on Monroe. She added that fences along the streetside are required to be 4' in height or set back 15'. She is unaware of the date of construction.

Mr. Rhinehart asked if there was a permit for this, Ms. Bartholomew said it was after the fact.

Cayman Sinclair, 2640 Monroe, Applicant: The house has 32 doors and 45 windows, so it is basically all glass. You can see into the house from Monroe Street. He added the fence to prevent traffic coming into the driveway. There was an existing fence from the 60's which was unchanged. The house is a fishbowl and a 4' fence would be an invasion of privacy. There are 9 fences over 6' in four blocks. He wants to feel safe and secure in his home and likes to have privacy. He thinks it looks great and has had people come up to ask who built it.

Ms. Gautreaux asked why he did not check with the City if he had done other restoration work around the area. Mr. Sinclair said that there was an existing fence except for this area which is already 6'.

Ms. Durio asked what the measurement of the small run between the two driveways was, Ms. Bartholomew said she can get that measurement.

Mr. Sinclair said that a 4' fence is horrible and he cannot plant trees instead due to the existing live oaks.

Mr. Adams said the fence is in keeping with the section of Monroe Street and a 4' fence would not look right. He said that they did the Hermitage not too long ago and their fence was over 6' and was required to have a special design because of it.

Ms. Durio said she was concerned about setting a precedence for the street of only seeing fences. Mr. Sinclair said that there is only one subdivision fence, the rest are not.

Sarah Sinclair: said they have a son and he cannot play in the front yard without a fence. It was a matter of safety, comfort, and wellbeing for them. Mr. Rhinehart said a fence would be allowed, but not necessarily at the height they had. Ms. Sinclair asked if Mr. Rhinehart would put a seven-year-old on Monroe Street without protection at that height. Mr. Rhinehart said he would be comfortable with a 4' fence. He has four children and five grandchildren and is comfortable with how he raised his kids.

Ms. Durio said they could build the fence 4' or 15' back. A 4' fence will stop a car from pulling in, and she is not aware of any issues with transients hopping fences or cars going through them or issues with fences in locations that were permitted. In order to put your fence in a location different from the code, you have to demonstrate why your situation is different than the other people in your area. Some of the fences were built before the rules came into effect and there is nothing they can do about them.

Mr. Sinclair said he has a yard on Monroe Street, that is the different situation. A 4' fence could be seen over.

Mr. Rhinehart says he lives on Carondelet with big windows. He does not want fences all along the streets for that reason.

Ms. Durio added that they would not want to see fences along Lakeshore or the main thoroughfare like Girod.

Mr. Sinclair said that he cannot curtain every window in the house. He could plant big trees instead of a fence but that would kill the oak trees already in place.

Mr. Adams said that putting a 4' fence in the area would be more out of character than what is in place now. Mr. Adams said the reason the ordinance was passed not too long ago was to prevent a wall of fences that would not be maintained and fall into disrepair.

Mr. Sinclair said there are no fences on the north side of the street, there are fences along the south side from their lot until past Our Lady of the Lake. He can provide the addresses of the houses with 6'-8' fences.

Rebecca Rohrbough, 2525 Lakeshore: She is not in favor of this. There is not a hardship and there is no advantage to the City, it is a detriment. There are no other front yard fences on Monroe above 4' with one exception being on the corner of Galvez and Monroe. All the other fences are rear yard fences which was common before the CLURO change. She said the house was bought from the original owners who never had a fence in place by the driveway. The fact that it is already constructed should not be considered. The house is located in the Historic District, and she thinks the case should be heard by the Historic District Commission as well as it does not fit in any of their regulations.

**V23-02-05** – Cayman Sinclair requests a variance to CLURO Section 8.1.3. Supplemental Fence and Wall Regulations, Square 87A Lot 21A, R-1 Single Family Residential District, 2646 Monroe

Cayman Sinclair, 2646 Monroe, Applicant: The request is for 6' in height for a short distance to block the side yard.

Leonard Rohrbough, 2525 Lakeshore: There was a 3' or 4' picket fence a couple months ago, and he asked why the corner visibility was non-compliant. The fence was done without a permit, and you have to come to the edge of Monroe to see down the street. Lower cars cannot see over the fence which he believes is not legal.

Mr. Adams said that needs to be addressed.

Ms. Durio asked if the sight triangle could be checked, Ms. Bartholomew said it is measured from the pavement and she would be happy to remeasure.

Rebecca Rohrbough, 2525 Lakeshore: Objects to the height increase for the reasons stated for the other case. This house is also in the Historic District and it had a picket fence until it was removed without a permit. The new fence is wood, but not a picket fence. The new fence should be traditional or similar that would match the aesthetic. She urges for this case to go before the Historic District Commission for the style of the fence. There is no privacy issue with the side yard.

Ms. Bartholomew stated that the Historic District does not have purview over fences.

Mr. Adams asked if the previous case went before the Historic District Commission, Ms. Bartholomew said it did not.

Ms. Rohrbough said there is something wrong with the ordinance when the design guidelines do not apply. She said the one good thing with Port Marigny was that they proposed houses which would open up Monroe Street.

Nicholas Cressy, 2711 Monroe: He has a Miata which is lowered 2" and he can see over the fence on the corner.

Ms. Bartholomew said the only additional information requested was the sight triangle measurement.

**V23-02-06** – Layton Fernandez requests a variance to CLURO Section 5.2.3.2. Drainage Overlay District and Fill Sub-Area A, Square 47 Lot 47C1A, TC Town Center District, 2032 Woodrow

Ms. Bartholomew said that while reviewing the plan for the submitted variance the pervious/impervious calculations were way off, with the impervious coverage being at

96% which is over the 75% allowed maximum. That variance would have to be added to the case, and due to advertising constraints, would have to be voted on at the March 14<sup>th</sup> meeting.

Mr. Rhinehart recalled the previous case and thought the pervious/impervious percentage was discussed. Ms. Bartholomew said the calculations appeared correct, but included vehicular use which would not be counted as pervious. It was not mentioned in the presentation or by any commission members. She is just making sure all required variances are being asked for.

Mr. Rhinehart said he thought he remembered talk of a balcony being shifted to address issues with the pervious coverage. Ms. Bartholomew said it was never brought up. Mr. Adams said there was a similar case on General Pershing which is what Mr. Rhinehart could be remembering.

Ernest Burguières, 241 Wilkinson: There is no contour map to show the drainage direction of the water. Ms. Bartholomew said there were elevation shots on the plans showing the existing elevations and proposed elevations. The red is existing, and the black is proposed. Mr. Burguières said he is looking for the natural contours which he is not seeing. Ms. Bartholomew said the City Engineer may not require contour shots if the site is all within 1'. Town Center is different as it has to meet Base Flood Elevation (BFE) without pier construction and drains to the alley in the back. Mr. Burguières asked if a contour map could be provided between the next hearing, Ms. Bartholomew said she could check there may be a contour map of the City she can provide.

Mr. Adams asked if the rear alley was still required, Ms. Bartholomew said there is a 12' servitude in the rearm but it was never established which direction it had to run. Mr. Adams said that was a key point of the Town Center Plan.

Mr. Austin, Engineer on the Project: The fill is based on getting the water from the back alley to the street to drain, and the parking is sloped to get back to the building.

**V23-02-07** – Nicholas and Jessika Cressy request a variance to CLURO Section 9.2.5.2. Vegetation Protection Zones, Square B Lot 23A, R-1 Single Family Residential District, 2711 Monroe

Mr. Rhinehart clarified the City Arborist inspected the tree and it looked healthy, Ms. Bartholomew said that was correct.

Mr. Adams said he estimated the canopy at about 5,000 sqft and after measuring based on Google Earth it came to about 8,000 sqft. 56 sqft is not extreme.

Nicholas Cressy, 2711 Monroe, Applicant: This is their first home, they had Malcolm Guidry come out and inspect the tree when the house was purchased, and it was in good condition. The tree is the main feature of the house they liked as it seems like what you would associate with Louisiana.

**V23-02-08** – Allison and Heath Moss request a variance to CLURO Section 5.2.3.2. Drainage Overlay District and Fill Sub-Area A, Square 8 Lot 6, R-1 Single Family Residential District, 216 Lamarque

Mr. Adams said this is a familiar request.

Corey Theriot, Pool Contractor: Only the pool structure is raised, the deck is at ground level. The pool measures 14'x30' and is designed with 5" of freeboard in the pool so it will capture 5" of rainwater and slowly release it. It is designed to hold about 1,300 gallons of rainwater. It will fit the pervious/impervious requirements and the watershed dynamics will not be changed.

**Z23-02-01** – Allen and Selene Tingle requests the rezoning of two lots designated B-1 Neighborhood Business District to R-3 Multi-Family Residential District, Square 76 Lots 76-C-1 and 76-C-2, B-1 Neighborhood Business District, Square 76 Lots 76-C-1 and 76-C-2.

Mr. Rhinehart said this is going from B-1 to R-3 and he tends to have no objection with changing a commercial zoning to a residential zoning, but he thinks the property is currently zoned what it should be.

Mr. Adams said this piece of property has been talked about in the past. It is the main entrance to the subdivision and is located in a weird place as it is not on East Causeway, but on a side street. It is not a good location for commercial property as it is not easy to get to. B-1 does not allow for automotive uses, however people do not like multi-family.

Mr. Rhinehart restated that he thinks the current zoning is good for the property.

Mr. Adams said that something would be built on the site, and it would just need to be decided if B-1 or R-3 was the more favorable zoning.

Ms. Bartholomew said the five units per lot is the maximum allowable per the calculations, but they would have to meet the site development criteria as well.

Charles Guinchard, 635 Carroll: Asked if this could be considered spot rezoning. Mr. Adams said this would not be considered spot rezoning as there is consistent development on either side, either all residential or all commercial. Mr. Rhinehart added there is an overlap of zoning in the area. Mr. Guinchard said he had heard in prior cases against rezoning one spot, and this looks like spot zoning to him. Mr. Adams said that was not the case here and added that spot zoning was technically illegal.

Sean Raymond, 881 Magnolia Ridge Drive: There are good commercial neighbors currently around the area. There are no development plans to look at currently for the proposed change. Mr. Adams said that someone could come in with a permitted use in B-1 that complied with all requirements and the Commission would never see it. Mr. Raymond said they are looking for a good partnership with the owners and mentioned that they did not speak with anyone in the area about the plans. Mr. Rhinehart said the use table can show what is permitted by right which would not have to come before the Commission and to decide what use is less intrusive to the area.

Mr. Adams asked if the list of uses comparing B-1 to R-3 could be supplied.

Ms. Bartholomew said that whatever was built there would have to go before design review. She added that as this level proposed drawings are not requested as this is the starting level of the process.

Mr. Adams said the comparison of the uses could be sent out.

Michael Greer, 745 Massena: Agree with Sean, they would like something similar to the surrounding businesses that do not bring a lot of street traffic. He is concerned about asking for a zoning variance without knowing what would be going in. Mr. Adams clarified that this was a request for rezoning. Mr. Greer said they have a vested interest in the value of their property. There are the same issues as Port Marigny with the kind of residents it would attract. He is willing to keep the B-1 zoning and take a chance.

Mr. Adams said this is a rare case where an entire subdivision is affected and there could be a case made for either zoning.

Mr. Rhinehart said this level is just a rezoning.

Samuel Burguieres, 754 Magnolia Ridge Drive West: R-3 has no restrictions and is too broad.

John Wood, 673 Maple: Asking for this to stay with the current zoning. He said the use matrix would only apply if the rezoning was granted. Mr. Rhinehart said there were use matrixes for both B-1 and R-3. Ms. Durio added that they permitted uses in B-1 may not be agreeable.

Mr. Wood said the current businesses there have nominal hours with no cars cutting through Maple Street and no added traffic.

Kristi King, 811 Magnolia Ridge: Her property backs up to the CLECO property and has line of sight to the property in question. She has privacy concerns along with height concerns.

Mike Broussard, 3080 Villere: From East Causeway to Monroe there is one duplex, everywhere else is single family. There is a duplex across the street and the police are called there more times than everywhere else combined. There would be an increase in activity if there was an apartment.

Mr. Adams said there is space for a small commercial development and that you cannot prejudge the neighbors. Mr. Broussard said apartments would affect the property values. The DonahueFavret property is similar sized. He strongly urges to keep the property B-1.

Robert Rhea, 764 Magnolia Ridge Drive: The access is a nightmare and apartments would make it worse. Prefer to keep it B-1.

Elizabeth Coogan, 724 Magnolia Ridge Drive: Everyone signed on for the current zoning when they bought their property, a new zoning would be without their consent.

William McCoy, 801 Massena: Keeping it as is would be less intrusive. Appreciates the neighbors coming to express their opinions.

Lea Westlake, 840 Magnolia Ridge Drive: Moved to Mandeville for the complete beauty and this would impact that natural beauty. The current nearby commercial buildings are single story and hidden by the woods. This is the heart of Mandeville, and a two-story structure would change the face of Mandeville.

Mr. Adams said the height would not change depending on the zoning, Ms. Bartholomew added that 35' is the maximum height.

Mr. Westlake said he is here to voice his opinions and would like anything but apartments or townhomes. The main draw is the beauty of Mandeville.

Seth Cunningham, 651 Magnolia Ridge Drive: Asked what the setbacks would be if rezoned to R-3, Ms. Bartholomew said they are on a sliding scale based on frontage with a rear setback of 20'. Mr. Cunningham asked if the 15' greenspace was mandatory, Ms. Bartholomew said it was on all street frontages. Mr. Cunningham said if they were going to put a single residence then they would have asked for R-1, asking for R-3 for as many spaces as possible. There is an issue with privacy and matching the surrounding area.

Brenna Wood, 673 Maple: The applicant is not here which shows they do not care, and it does not impact them. Mr. Rhinehart said that this would get developed unless it was turned into greenspace. Ms. Wood asked what would happen to the entrance sign, if it would be moved back. Mr. Adams asked if that was on the City Right of Way, Ms. Bartholomew said she would check.

Gail Turndola, 850 Magnolia Ridge Drive: Why not put homes there, it is a nice entrance for homes. With regards to the townhomes what about parking? There is no area for company



to park, would they spill into and along the street? Ten units is a lot to put there. Is it two acres? Ms. Bartholomew said it was 30,000 sqft so a little under an acre. Ms. Turndola said that is enough for one home. Mr. Adams said it would have to be rezoned to R-1 to allow that. Ms. Turndola thought they were R-1, Ms. Bartholomew said the property is B-1 which does not allow residential uses. She added that R-3 does allow for single family homes by right.

Ms. Turndola said the parking is unfathomable and wondered where the entrance to the site would be, Mr. Adams said that would have to be presented before a permit is issued.

Caroline Guidry, 701 Magnolia Ridge Drive: Asked if B-1 definition was read into the record, Ms. Bartholomew read B-1 purpose, which is as follows: The purpose of the B-1 neighborhood business district shall be to provide sites for small-scale service and retail establishments to support adjacent residential neighborhoods. This district includes personal service and retail or office establishments, which are 3,000 square feet or less, which conduct all business operations within an enclosed facility, and which do not present any adverse impact on the peace, appearance or value of adjacent residential areas.. Ms. Guidry said B-1 supports adjacent neighborhoods, Mr. Adams said that is the general purpose but the specific allowed uses are different. Ms. Guidry said they should leave it what the residents want. Ms. Bartholomew clarified that the 3,000 sqft requirement for B-1 is per use, there is a 15,000 sqft maximum building requirement. Ms. Guidry said so a building can be 15,000 total square feet with the sub offices each being 3,000 sqft.

#### **Public Comment**

Ms. Bartholomew said the dates for the next LSU Health Foundation meeting were not quite ready yet but looking at the 1<sup>st</sup> or 3<sup>rd</sup> Wednesday in March. She will send it out when it is finalized. Mr. Rhinehart asked when the voting meeting would be, Ms. Bartholomew said maybe the April agenda. Mr. Rhinehart clarified he was asking when the voting meeting would be for the cases heard tonight, Ms. Bartholomew said that would be February 28<sup>th</sup>.

Mr. Adams brought up the earlier fence cases on Monroe and said they should have been reviewed by the Historic District Commission, Ms. Bartholomew reiterated that the Historic District Commission does not have purview over fences. She added that the issue has come up in the past and the Historic District Commission has said that they do not want to see fences unless the structure is marked as significant or a landmark site.

Mr. Rhinehart asked if the structures on Monroe would be contributing at most, Ms. Bartholomew said that was correct.

Mr. Adams said that leaves a lot of stuff open but they made the decision and it keeps with their charter. Ms. Bartholomew said it was the same with accessory structures, they do not review them unless it is on a significant or landmark site due to the sheer volume that comes through.

Ms. Bartholomew said she would get back about the dates, and the May dates may have to be moved but those have not been confirmed yet. Ms. Gautreaux said it was difficult to have meetings two nights in a row and asked if that could be avoided, if possible, Ms. Bartholomew agreed but mentioned that Thursdays were totally booked with the City Council and Historic District Commission meetings.

Ms. Gautreaux motioned to adjourn the meeting, Ms. Durio seconded, and all were in favor. The meeting was adjourned at 8:06pm.

  
Alex Weiner, Secretary

  
Brian Rhinehart, Chairman  
Zoning Commission

February 13, 2023

Planning and Zoning Commission  
City of Mandeville  
3101 East Causeway Approach  
Mandeville, LA 70448

Re: Case Number: V23-02-03  
499 Devon Drive  
Height Variance to CLURO Section 8.1.3. Supplemental Fence and Wall Regulations

Dear Commission Members:

Please be aware that there are a number of issues relative to this Case that are not apparent from, or are in supplement to, or are at variance with the information provided in the information packet, as follows:

1. The existing subdivision fence along Florida Extension follows the slope of the ground and has a uniform height of approximately 6'-2"; the adjacent Homeowner's fence has a level top (i.e., does not follow the ground slope) and the height increases going east to west from approximately 6'-10" to 7'-9". *[Images 1, 2 and 3, attached]*
2. The existing subdivision fence along N. Causeway has a uniform height of approximately 6'-5"; the adjacent Homeowner's fence has a uniform height of approximately 7'-6". *[Images 4, 5 and 6, attached]*
3. There is a dead space approximately 24" wide between the fences described in Items 1 & 2 above. *[Images 7 and 8, attached]*
4. The Homeowner's fence described in Items 1 & 2 above is not self-supporting, but is instead braced back to the subdivision fence and/or the adjacent trees. *[Images 9 and 10, attached]*
5. Going from west to east, the fence section along the north side of Lot 99A decreases in height from approximately 7'-6" to 6'-10"; the fence section along the east side of Lot 99A is approximately 7'-0" high. In both of these fence sections, the original 6 foot high subdivision fence was increased in height by simply scabbing on new wood framing to the top of the existing fence posts; new fence posts were not installed. *[Images 11 and 12, attached]*
6. As noted in the Case packet, the existing subdivision fence at the west end of Florida Extension is in a state of disrepair. However, that condition is largely the result of excessive pressure put on the fence by two large stands of bamboo previously located on the Homeowner's property that he removed last year, and impact damage to the fence that occurred when the Homeowner later removed two large water oaks from the same vicinity. *[Image 13, attached]*
7. The Homeowner began constructing his fence without a permit. When notified by the City that a permit was required for that work, he did apply for the permit, but continued working on the fence and completed his work without receiving a permit or addressing the City's permit review comments. *[Images 14, 15 and 16, attached]*

After careful review of the City-provided information packet and in light of the seven Items noted above, I would like to see Case Number V23-02-03 resolved as follows:

1. The subdivision fence along Florida Extension starts with a brick fence panel near Devon Drive, and the space between that panel and the stone entrance column at Devon Drive (a distance of about 10 feet) has always been open. *[Image 17, attached]* The Homeowner's fence in this previously-open space should be cut down to a height of 4' to comply with CLURO 8.1.3.1.d, or preferably removed in its entirety.
2. The portion of the Homeowner's fence adjacent to the brick fence panel referenced above should be reduced in height so that at no point does the height of the new fence exceed the height of the existing brick fence, or preferably removed in its entirety as it does not improve the privacy, security, or sound control provided by the existing brick fence. *[Image 18, attached]*
3. The remainder of the Homeowner's fence along Florida Extension and N. Causeway should be reduced in height so that at no point does the height of the new fence exceed the height of the immediately adjacent existing subdivision fence (strict compliance with the CLURO height limit of 4 feet for these two fence sections serves no useful purpose.)

4. The remainder of the Homeowner's fence along Florida Extension and N. Causeway should also be reinforced as necessary to become completely freestanding, and all braces or attachments to the existing subdivision fence or trees removed.
5. The remainder of the Homeowner's fence along Florida Extension and N. Causeway should also be provided with easily-opened access panels installed at some reasonable spacing (maybe 30 feet apart maximum?) so that the dead space between the two fences can be cleaned and maintained by the Homeowner.
6. The modified subdivision fence sections along the north and east sides of Lot 99A were increased in height by the Homeowner, but the fence was not strengthened to resist the 36% greater wind loading created by that additional height. [Increase =  $(W \times 7 \times 3.5) \div (W \times 6 \times 3) = 36.1\%$ ] The Homeowner should provide documentation that the existing fence posts can resist the new loading, or should install new fence posts of sufficient length and embedment to resist the new loading.

Thank you for your consideration, and for your attention to my concerns in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dennis Horchoff", with a large, stylized flourish at the end.

Dennis Horchoff  
455 Devon Drive

IMAGE 1



IMAGE 2



IMAGE 3



IMAGE 4



IMAGE 5





IMAGE 6



IMAGE 7



IMAGE 8



IMAGE 9



IMAGE 10



IMAGE 11



IMAGE 12



IMAGE 13



OAK TREES

BAMBOO



IMAGE 14



FOR OFFICE USE ONLY	
DATE RECEIVED:	11/28/22
ACCEPTED BY:	JM
PERMIT NO.	22-8317

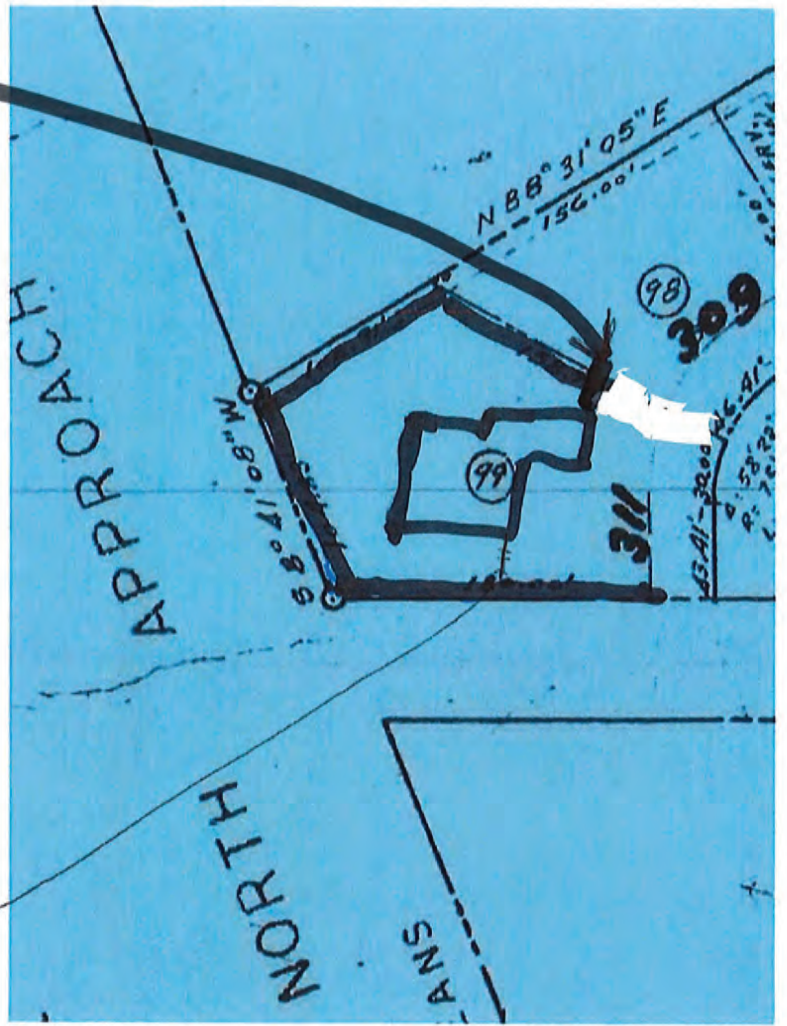
Revised 5.31.22

### Residential Building Permit Application

PROPERTY INFORMATION	
PROPERTY ADDRESS: 499-DEVON DR MANDEVILLE LA 70448	ZONING DISTRICT:  <input type="checkbox"/> Historic District Structure Rating: _____
SUBDIVISION/LOT/SQ.:  GOLDEN GLEN	CONSTRUCTION TYPE: <input type="checkbox"/> Single-Family <input type="checkbox"/> Duplex <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Fence <input type="checkbox"/> Accessory <input type="checkbox"/> Addition <input type="checkbox"/> Pool <input type="checkbox"/> Renovation <input type="checkbox"/> Elevation
ASSESSMENT NO.	FLOOD ZONE:
Building Height:	Total Square Footage:  Living: _____ Porches, etc: _____
Est. Cost of Construction:	Does a culvert need to be installed? <input type="checkbox"/> YES <input type="checkbox"/> NO

PROPERTY OWNER INFORMATION	
OWNER NAME: Juan Fonseca	CONTRACTOR COMPANY / CONTACT NAME:
SELF CONTRACTING: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	STATE LICENSE NO.
ADDRESS: 21226 soell dr Abita Springs LA 70420	ADDRESS:
PHONE: 985-966-0150	PHONE:
EMAIL: JFonseca300@yahoo.com	EMAIL:

Fence  
stop front of  
The house  
7' Foot  
meta fence



Back

## IMAGE 16

Notes for 22-8317

### Setback Review Denied Requirement Note

12/05/2022 02:30 PM

Alex Weiner

#### Note:

Fence must be setback 25ft from Devon Dr. Fence cannot exceed the height of the current subdivision fence along Florida Extension and North Causeway. Fence cannot be more than 4ft in height if located in between the front of the structure and front property line. Please submit new sit plan reflecting the required changes

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IMAGE 17



IMAGE 18



## Alex Weiner

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**From:** Don Prieto [REDACTED]  
**Sent:** Thursday, January 26, 2023 12:12 PM  
**To:** Alex Weiner  
**Cc:** [REDACTED]  
**Subject:** Variance for 2023 Woodrow St.

I do give a variance/permission to fill and grade the South East corner of property at 2023 Woodrow St. This variant and or permission is in accordance with notations 2, 3, 4 and 5 on sheet C-4.0 page 6 of 12 of grading plan from Howard Engineering. The low area in question came about by a large tree that was destroyed in Hurricane Katrina.

The North West corner of my property borders the property in question.

Thanks, Don Prieto  
[REDACTED]

Sent from my iPhone



# MANDEVILLE

A Historic Lakefront Community

## Planning and Zoning Commission

KAREN GAUTREUX, CHAIRWOMAN  
PLANNING COMMISSION

BRIAN RHINEHART, CHAIRMAN  
ZONING COMMISSION

CARA BARTHOLOMEW, AICP  
DIRECTOR, DEPT. OF PLANNING & DEVELOPMENT

MEMBERS  
SCOTT QUILLIN  
SIMMIE FAIRLEY  
NIXON ADAMS  
CLAIRE DURIO  
MIKE PIERCE

### NOTICE OF PUBLIC HEARING

**TO:** ALL INTERESTED PROPERTY OWNERS

**FROM:** ALEX WEINER, SECRETARY

**RE:** Allison and Heath Moss request a variance to CLURO Section 5.2.3.2. Drainage Overlay District and Fill Sub-Area A, Square 8 Lot 6, R-1 Single Family Residential District, 216 Lamarque

*There will be a work session held at the Mandeville City Hall Council Chambers, 3101 E. Causeway Approach, Mandeville, LA 70448 on Tuesday, February 14, 2023 at 6:00 p.m. to discuss the above referenced subject.*

*There will be a public hearing at the same location on Tuesday, February 28, 2023 at 6:00 p.m. to discuss and vote on the above referenced subject.*

*You are encouraged to attend the work session and public hearing, or to write me at City Hall, to voice your opinion on this matter.*

*Should you need any additional information, you may contact me at 985-624-3103 or [aweiner@cityofmandeville.com](mailto:aweiner@cityofmandeville.com).*

*Please be advised that we have no objection to this variance request, and advise the Commission accordingly.*

*02/10/23*

*Sincerely,  
Sue & Jack McGuire  
SUE and JACK MCGUIRE  
129 Lamarque St.  
Mandeville, LA 70448*

