

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

The secretary called the roll.

Commissioners Present: Brian Rhinehart, Karen Gautreaux, Nixon Adams, Simmie Fairley, Mike Pierce, and Claire Durio

Absent: Scott Quillin

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

New Business

P23-03-01 – Recommendation to the City Council to effect the annexation of a portion of ground situated on the Southern Half of Square 76 into the corporate limits of the City of Mandeville designating and assigning the property for purposes of zoning as B-2 Highway Business District and providing for other matters in connection therewith

Ms. Bartholomew said that case Z23-03-02 would be heard along with this one.

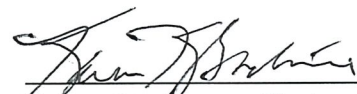
Mr. Adams said that B-2 zoning would be appropriate for the location. Ms. Bartholomew added that the commission said they would be approving the site plan along with the recommendation to rezone the property.

Mr. Adams made a motion to recommend approving the annexation, Mr. Rhinehart seconded, and the motion passed unanimously.

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



Alex Weiner, Secretary



Karen Gautreaux, Chairwoman
Planning Commission

Brian Rhinehart commenced the Zoning Commission 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.

Old 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. Adams asked if there had been any changes since the last meeting, Ms. Bartholomew said she was unaware of any changes other than additional public comments that were received.

Robert Barnett, P.O. Box 4269, Covington: There have been some additional facts. There was a misunderstanding at the start of all this. Mr. Fonseca thought he had permission to construct the fence and reached out to the HOA and neighbors to see how to fix the issue. The HOA said they did not have any money and did not own the fence. They have looked at plats and surveys to see who owns the outside fence. That fence will come down and it has already sunk down in several places. There are a number of different options to work something out. The HOA is not taking a position in favor or against it. Mr. Fonseca said he is willing to replace the existing exterior fence at 7' at his own expense, or he can add a cap to the fence. Another option would be to cut down the white fence by a foot.

Mr. Adams asked if the new wooden fence would look like the one in place now. Mr. Barnett said that was his understanding.

Mr. Fonseca said he spoke with Dennis Horchoff's wife, Ms. Maria, who said not to touch the fence. If he wanted to build a fence, he should do it on his property. Mr. Barnett added that Ms. Maria said not to touch the fence as it belongs to the HOA, but the HOA said that was not the case.

Mr. Adams asked if all the fences along Florida Street were 7' fences. Mr. Barnett said that was his understanding. Mr. Adams said there is no need for two fences, as there will be maintenance issues.

Mr. Barnett said the fence constructed by Mr. Fonseca is supporting the subdivision fence. Mr. Adams said that there were some trees supporting Mr. Fonseca's fence from what they saw at the last meeting.

Mr. Adams asked if the current subdivision fence was replaced as it would there be a case? Ms. Bartholomew said that if a couple boards or a section was replaced then it was not a new fence. If it came completely down then it would be a new fence. In this case that fence was allowed by the subdivision plat so it would not have to come before the commission.

Ms. Bartholomew said the reason they are here is a bit of a technicality as he put a fence in the interior.

Ms. Durio said they were here for the white fence. Is the applicant requesting to replace the wooden fence and seek the variance to keep the white fence in place? Mr. Barnett said that nobody knew who the wooden fence belonged to.

Ms. Durio asked what was being proposed for the white fence, Mr. Fonseca said he would like to keep it.

Ms. Gautreaux asked who Ms. Maria was. Mr. Fonseca replied that she was the wife of Mr. Dennis. Mr. Rhinehart asked if that was a neighbor, Mr. Fonseca said it was.

Mr. Adams asked what he was told when he went for a permit? Mr. Fonseca said he was told he could do anything below 7' and his fence is 6'-10". He does not want any trouble and wanted to fix the fence at the beginning but was told not to.

Ms. Bartholomew said they received a complaint, so Code Enforcement and the Building Official were sent out. Ms. Bartholomew also went out with Ms. Brinkman. They told Mr. Fonseca to submit for a permit and a variance.

Ms. Durio asked if the subdivision fence could be repaired and replaced at 7' if they choose, and it would not go before the commission. Ms. Bartholomew said they allow homeowners to repair sections and that some sections have already been repaired.

Mr. Adams said that the plat when the subdivision went in shows a fence along the property line. The only thing approved was a consistent fence along the entire length. Ms. Bartholomew said there is a wooden fence along the entire length. The plat does not mention any ownership.

Ms. Gautreaux asked if there was a possibility to shave the white fence down or if it would have to be taken down. Mr. Fonseca said that he put in a lot of work, and it did not seem right. He is willing to raise the subdivision fence to 7' which would hide his fence. Someone else would have to pay for the other fence.

Mr. Adams said the idea of another fence 1' – 2' behind the other fence is asking for maintenance problems.

Mr. Barnett said there is about a 2' gap between the fences. Mr. Adams asked if there would be openings every 3' for access. Mr. Barnett said they could put weed killer in between them.

Mr. Rhinehart asked why have two fences, Mr. Adams said the original fence should have been allowed to be repaired or replaced.

Mr. Barnett said the subdivision fence could be taken down and replaced with the white fence. Ms. Durio said that would not look consistent and wondered if it could even be used as the subdivision fence.

Mr. Rhinehart said that CLURO section 8.1.3 says that a fence cannot exceed 4' in height and asked if this was a legal nonconforming fence. Ms. Bartholomew said it was approved with the subdivision.

Mr. Barnett asked if the fence could be rebuilt at 7'. Mr. Pierce said that would not need commission approval.

Ms. Bartholomew said that the subdivision fence was approved. Any other fence would have to be 4' in height or set back 15'.

Mr. Adams said that fences mean a lot to a subdivision, and this is not a trivial matter. He is not sure about the look with the white fence behind.

Ms. Durio asked if there would be an issue with replacing the perimeter fence or if the issue is with the white fence. Ms. Bartholomew said the City does not have an issue with replacing the subdivision fence.

Mr. Rhinehart said the applicant spoke with the HOA and asked if Mr. Kreller had spoken with the HOA.

Skelly Kreller, 280 Dona: He did not talk with the HOA and neither did the applicant. There was not a meeting of the HOA, it was just a board meeting and all that was said was they

would not write a letter in favor of the request as there was a split. There is a covenant in place that says all fences on the perimeter are 6', no higher. Mr. Fonseca built his fence with material from a construction site and brought it to the stone post. The most important thing he thinks is that there was no permit. It was built with no permit and now wants to do a mea culpa and get the commission to approve it. The fence is on private property, and it looks horrible on 190 North and coming in on Florida. The problem is a CLURO violation.

There was one stop work order and then he was told to come in and get a permit. This started around thanksgiving. There were opportunities to mitigate, and he did not. His position as a resident and as the city council representative for District 2 is to follow the CLURO. The fence should be cut down so it is not seen above the subdivision fence, and the connecting piece to the stone post should be removed. This is not personal; it is just a matter of law.

Mr. Rhinehart read CLURO section 8.1.3 which states that: Fences or walls located in the rear or side yards shall not exceed seven feet (7') in height and asked whether the covenant or the CLURO would take precedence. Ms. Bartholomew said that the City does not uphold private covenants.

Mr. Barnett said that the applicant has agreed to remove the area connected to the stone post. They also reached out to the HOA and the HOA chose not to do a pro vs con list.

Mr. Adams said the existing fence was already approved, could they replace it with the same material? Is the sole problem to replace what is there?

Mr. Barnett asked if they could replace the fence at a height of 7'. Mr. Adams thought that the fence was 6' around the subdivision. The commission can approve at whatever height is along the subdivision.

Mr. Barnett said that if the existing fence is replaced at a height of 6' then the white fence would still be showing. Mr. Adams said the applicant could move it back 15', Mr. Barnett said that would look more stupid if it was moved 15' back.

Dennis Horchoff, 455 Devon: There is one thing that is different about the section of the fence from the stone pylon to the corner of North Causeway is that it is a combination of wooden fence and some brick panels that are capped by stone. The height of the brick panels are generally 6' and the crown is a little higher. The fence measures 6' plus 2" in some places and minus 6" in others. He does not have a suggestion on how to make the wooden fence taller and not swallowing the masonry material. He wanted to make sure the commission was aware that it was not just a wooden fence.

Chris Bodet, 18 Piper Lane: He is an investigator by trade. He understands that the commission does not want something different, and they do not want what happened to Beau Chene to happen here. The applicant is asking to refurbish the existing fence at his own expense. He understands why the commission would ask about the need for two fences. It is on his property; would it be ok if he had shrubs or other barriers? It is his property, and he has to maintain it.

Mr. Adams said he can have what is allowed by the Code. The white above the existing fence is unattractive.

Mr. Bodet asked if he cut the fence down to 6', removed the connecting piece from the stone post, and did not fix the subdivision fence what would that solve? He understands that having the second fence is an issue for the commission, but at that point is it not an accessory to the property? The councilman mentioned that there was no permit or permission to construct it, but we are not looking to penalize people. What was the spirit of the intention. He is not trying to do something to make it worse.

Mr. Adams asked if it would be an accessory structure if he cut it down, Ms. Bartholomew said it would still be considered a fence.

Mr. Bodet asked if it had to be 15' back from the roadway, Ms. Bartholomew said it had to be from the property line.

Mr. Bodet said the original plat approved in 1974 showed the fence on the property line. It seems an atrocity to Mr. Fonseca to ask him to replace the subdivision fence at his own expense and cut down the white fence. The applicant mentioned that he constructed the fence for safety and security and was doing what he had been told, Mr. Bodet is not sure who told him that.

Mr. Adams asked what would have happened if he had gone through the process. Mr. Bodet thinks that the ownership of the wooden fence would have been brought up, and if the HOA was not willing to repair it then he would be told to go ahead and repair it.

Mr. Pierce said that seems to be the direction they are headed in now. He does not think he should be punished, but he also does not think that the denial of a variance would be a punishment.

Mr. Bodet said he is not suggesting that. Mr. Pierce said that a 4' fence is within the rules and a 7' fence is not.

Mr. Bodet said Mr. Fonseca has offered to cut the fence down to 6' which would still require a variance.

Mr. Adams said this is the first case where they have run into this but there are many old subdivisions with fences and as they age, they look awful. There needs to be a change in the code for them to be repaired consistently.

Mr. Bodet said that is something to add to the rules later on, but this one is out of the bag. There is an 8' fence by the traffic light by East Approach. Mr. Adams said there are places where the ground level varies.

Mr. Bodet said he hopes that Mr. Fonseca can repair the subdivision fence and keep some portion of the white fence.

Mr. Rhinehart asked if there was anyone present from the HOA. Mr. Adams said that it is not an HOA issue as they were divided. This is a major roadway that people see.

Mr. Kreller said he lives in New Golden Shores and has the same problem. There is an old fence on East Causeway. As president he had to check who owned the fence. The survey he checked showed some variances with the fence being on the property or not. He brought up State Statute 685 that a fence or boundary is presumed to be common unless there is proof to the contrary, therefore part ownership is the City and part is the homeowner. He said that the City would never pay for a fence along a neighborhood so maintenance would fall to the homeowner. He heard that the fence looks beautiful, maybe from the applicant's property but from East Causeway and Monroe it looks bad. It does not need to be taken down; it just needs to be cut down. If this is approved, it is a slippery slope as then anyone could build a 8' or 10' fence. He is opposed to this as a resident and as a councilman for District 2.

Ms. Durio said that she understands cutting the fence down but if the outer fence is not replaced then the fence will be seen again. Ms. Bartholomew said repair of the exterior fence would be allowed. Ms. Durio said he would not be required though. Mr. Rhinehart said he thought the applicant volunteered to repair it at least once.

Mr. Fairley agreed with Ms. Durio. If nothing is done to the exterior fence, then the white

fence is still there.

Mr. Adams thinks this should be removed from the agenda as it would be allowed normally. Ms. Bartholomew said there is an application before the commission for a 7' fence on the interior of the property line. If the owner decides to repair the subdivision fence, then he does not need to come before the commission. They still need to approve or deny the application.

Mr. Rhinehart made a motion to approve the case as submitted. No second was made so the motion failed.

Mr. Adams made a motion to deny the request, Ms. Durio seconded, and the motion passed unanimously.

Mr. Barnett asked if the board would allow a substitute for him to reduce it to the 6' level. Ms. Bartholomew said that any amendments would have to be refiled with the Planning Department.

New Business

SUP23-03-01 – Thomas and Lisa Keiffer request a Special Use Permit to allow an exception to the B-3 Sign Design Standards per CLURO Section 10.5.3.8.1, Sq. 25B Lot 10A, B-3 Old Mandeville Business District, 201 Carroll St.

Mr. Adams said the purpose of a sign is to sell a service, why is this not an architectural feature. Ms. Bartholomew said that when reviewing a sign, you cannot base it on the message.

Mr. Pierce said that if you cannot distinguish between art or a sign then treat it as a sign.

Mr. Rhinehart asked if the request was to exceed the height by 8', Ms. Bartholomew said that is correct. It is a repurposed existing sign.

Mr. Adams said the height is not an issue, Mr. Pierce asked what was. Mr. Adams said it was the size and location. Ms. Bartholomew said they are both compliant. They are only discussing the height.

Mr. Adams asked how many feet it was over, Mr. Rhinehart said it was 18' vs 10' so it was over by 8'.

Ms. Durio said there was one letter received in opposition and asked if it was a neighbor. Ms. Bartholomew said the applicant owned the building next door; it may be the next structure over.

Ms. Bartholomew clarified that there are three structures between the applicant and neighbor.

Mr. Pierce said the sign would be located behind the building so the applicant would most likely be the one to see it the most.

Ms. Gautreaux said the hours of operation were worth considering. Ms. Bartholomew said the application stated that the sign would be on a timer.

Thomas Keiffer, 219 Marigny, Applicant: The sign is on a dedicated timer. He would follow the rules that apply to the businesses. He added that there are many trees between the neighbor and the sign. The neighbors to the north and south have no objections. The sign will also be perpendicular to the building so the neighbor would see less of it.

Ms. Durio made a motion to approve the case as submitted, Ms. Gautreaux seconded, and

the motion passed unanimously.

SUP23-03-02 – Alpine Property Management, LLC requests Special Use Approval to allow Lodging (Transient) – Short Term Rental: Bed and Breakfast Residence per the Table of Permitted Uses, CLURO Section 7.8, Square 7 Lot D, R-1 Single Family Residential District, 1735 Claiborne

Mr. Rhinehart said there was talk at the last meeting of locking the doors.

Mr. Adams said that this would not fall under the limit of 10.

Vincent Jenkins, 1935 Claiborne, Applicant: They can turn the third bedroom into storage and not use it.

Ms. Durio brought up removing aspects of the kitchen and asked if the applicant would be willing to do that to make the kitchen unusable, Mr. Jenkins said he was.

Ms. Gautreaux asked if there was a similar situation in town or if this would be a precedent. Mr. Jenkins said there were two other properties in town. Ms. Bartholomew added that she is not aware of the addresses off the top of her head, but there are other two separate dwellings. The applicants would also be removing the stove to be compliant.

Mr. Jenkins said that Pontchartrain Winds and de la Blue are separate units, Ms. Bartholomew added that they were on the same property still.

Mr. Pierce pointed out that de la Blue was not in the R-1 District, but the B-3 District. Ms. Bartholomew said it was a B&B Inn which was allowed more than the two rooms in a B&B Residence.

Mr. Pierce said it was not an apples-to-apples comparison in his opinion.

Ms. Durio made a motion to approve the case with the conditions that the stove be removed and the third bedroom be locked and turned into storage. Ms. Gautreaux seconded, and the motion passed unanimously.

SUP23-03-03/V23-03-09 – CEL-ICE, LLC requests Special Use Approval for Outdoor Dining per CLURO Section 8.2.3.1 Outdoor Dining & a Variance to CLURO Section 9.1.4. Minimum Off-Street Parking Requirements by Use, Section 42 Lot B4, B-2 Highway Business District, 1200 West Causeway Approach Suite 19

Mr. Rhinehart said there were 212 parking spots required and they were requesting a waiver to 202. Ms. Bartholomew said that the existing site of 205 spots was granted a variance with a previous case, so they were going from 205 to 202.

Mr. Adams said there was discussion about the parking at the work session and the lot never comes to capacity. Mr. Rhinehart added that there were three spots that were unstriped and not being counted.

Mr. Pierce said he would rather see the three new spots striped, that way the applicant would not need to come before the commission for a variance. Ms. Bartholomew added that the commission would still have to approve the outdoor dining.

Ms. Gautreaux made a motion to approve the case as submitted, Mr. Fairley seconded, and the motion passed unanimously.

V23-03-10 – Wade Hickman Jr requests a variance to CLURO Section 7.5.1.3. R-1 Site Development Regulations, Square 88 Rear Portion of Lots 38 and 39, R-1 Single Family Residential District, 2635 Jefferson

Ms. Bartholomew said there were some letters received. Mr. Weiner said there was a letter received from the neighbor to the west and the applicant has provided a signed petition from the surrounding neighbors in favor of the request.

Mr. Adams said a comment was received asking why the stairs branched to both sides. Ms. Bartholomew said that Design Review went back and forth with the applicant on the stairs, and this was their recommendation.

Ms. Durio asked if the applicant would have to go back to Design Review if it was not approved, Ms. Bartholomew said they would.

Ms. Gautreaux made a motion to approve the case as submitted, Mr. Rhinehart seconded, and the motion passed unanimously.

V23-03-11 – Joe Sheffield requests a variance to CLURO Section 9.2.5.2. Vegetation Protection Zones, Square 9 Lots 4,5,6, R-1 Single Family Residential District, 206 Marigny Avenue

Mr. Adams asked what the total inclusion was, Ms. Bartholomew said it was 145 sqft. Mr. Adams said that was a miniscule amount compared to the overall canopy.

Ms. Gautreaux said there was one comment received in opposition and they were present tonight.

Mr. Rhinehart said the existing driveway was already 3' from the oak anyway.

Rebecca Rohrbough, 2525 Lakeshore: She sent in a letter and is opposed to this request. There have been too many oaks lost to construction. The 82% dripline is inadequate. This is a huge lot, there is no reason to encroach. Any construction traffic using the existing driveway will harm the root system. The north side is the only logical side to enter. There is an example at 1829 Lakeshore of what can happen to the oaks. Construction workers have no respect for the regulations of the City. The equipment will destroy the tree roots. She does not have any opposition to limestone after the fact. Roots go beyond the dripline and will be traumatized. The footprint of the house is huge and can be shifted.

Mr. Adams said he agrees with the comments on construction management, but the only thing before them is the gravel. They are not giving permission to drive over the roots. They cannot stop the project.

Ms. Rohrbough said that by allowing the 100 sqft can kill the tree. The 82% dripline needs to be extended and protected. The primary responsibility of the commission is to not allow McMansions but to protect live oaks.

Ms. Durio asked if there was any part of the house encroaching into the dripline, Ms. Bartholomew said there was not.

Ms. Durio said the driveway was a concern, is there any authority to limit access? Ms. Bartholomew said there is not, it is an existing driveway. Ms. Bartholomew added that the trees would have to be fenced with hard fencing along the dripline and imagined that there would not be much space to use the driveway.

Ms. Gautreaux said she understands the configuration, why not come in via Marigny for the construction? Ms. Durio added that a car weight was different than a construction vehicle weight.

Ms. Bartholomew said that was part of the landscape inspectors' job to review that at the permit level.

Joe Sheffield, 801 Coffee, Applicant: Bought the lot as he loves live oaks, and he does not want to hurt them. He will do whatever to stay off the roots. There was discussion about a driveway on the other side of the lot but there was concern with adding additional concrete.

Ms. Gautreaux asked if there was a possibility of entering through Marigny during construction. Mr. Sheffield said he was not sure if they can get through as there are some camellias located there. He envisions only a short distance being traveled by the construction vehicles as the hard fencing will be in place. He is happy to extend the fence if needed.

Buck Abbey, 1129 Villere: He is assuming this went to Design Review, but this is not a well thought out plan. It looks like it was just dropped onto the site. There is no thought on working with the trees. The arborist report is unacceptable. This site requires a better approach. It should be made compatible with the trees, not the tree being made compatible with the architecture. He is not sure if Design Review puts thought into vegetation. He would hate to be the landscape architect to design for the building with the stairs to the front line. That is an example of the architecture telling the sign plan. It should be put on hold and the architects asked to provide alternative designs.

Mr. Adams agreed with what was said about tree protection. They cannot get into controlling architecture. The variance is specific. If the Planning Department wants to hire someone else, they can. Barriers need to be more substantial, but the CLURO does not address ugly.

Ms. Bartholomew added that there are site development criteria that need to be met as well such as setbacks.

Ms. Durio said the fencing for live oaks cannot be the orange fencing, it has to be hard fencing.

Ms. Gautreaux asked if they could look at alternatives such as coming through Marigny. Ms. Bartholomew said that construction access is done through the permit process.

Ms. Durio asked if they could condition their approval on it? Ms. Bartholomew said that it was done in the past and has not worked out well. It can be conditioned but it is not possible. There will be every effort made to protect the live oaks.

Mr. Sheffield said he has spent a year getting this to fit on the lot. Three different arborists have visited the site. He agrees with the construction access as he does not want to damage the oaks.

Ms. Durio made a motion to approve the case with the condition that construction access through Marigny Avenue be considered, Ms. Gautreaux seconded, and the motion passed unanimously.

Z23-03-02 – Recommendation to the City Council to effect the annexation of a portion of ground situated on the Southern Half of Square 76 into the corporate limits of the City of Mandeville designating and assigning the property for purposes of zoning as B-2 Highway Business District and providing for other matters in connection therewith

This case was heard along with P23-03-01

Public Comment

Ms. Bartholomew said the APA conference is online at the end of the month, April 27th. There is a special meeting scheduled for April 18th for the sign code but there has been no

public comments received so far so they might just do it with the regular meeting.

Mr. Rhinehart said the draft has been posted on the website and shared on Facebook, he is not sure a special meeting is necessary.

Ms. Bartholomew said they can discuss on April 11th and make a recommendation on April 25th.

Ms. Bartholomew said there was a special meeting on April 17th about the LSU Health Foundation development.

Ms. Bartholomew said that there was discussion to move the first meeting in May from the 9th to the 2nd, it can stay on the 9th as she will not have a conflict anymore.

Ms. Gautreaux motioned to adjourn the meeting, Mr. Rhinehart seconded, and all were in favor. The meeting was adjourned at 7:47pm.



Alex Weiner, Secretary



Brian Rhinehart, Chairman
Zoning Commission

March 14, 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:

We submit our concerns and objections to the request by Juan Fonseca to grant a variance as contained in the above referenced matter.

We strongly object to the granting of any variance. The homeowner began to construct this fence without a permit. After receiving a notice from the city that a permit was required, he continued and completed construction of the fence without ever receiving the permit or addressing the city's permit application comments.

We refer to the letter submitted by Dennis Horchoff for further and specific reasons to support our objections. The construction work is sub-par. Furthermore, it places undue stress on the existing perimeter fence, which we believe will damage that fence. We contend it will not withstand the typical weather we experience in Louisiana and could pose a safety issue for citizens and property in the area.

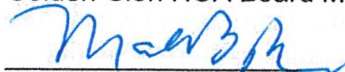
Additionally, the fence is aesthetically unsightly, and this is the primary entrance to our neighborhood.

Our concern is the long-term impact to our property values. The fundamental purpose of zoning regulations and code enforcement is to protect the rights of *all* property owners. We believe that granting this variance to this singular homeowner would be detrimental to our community.

We urge the commission to deny this variance and strongly suggest that the remedy should be the complete removal of the fence and the unsound supports tied into the pre-existing subdivision fence.



Sharon Robinson
Golden Glen HOA Board Member



Malcolm B. Robinson, Jr.
249 Shaunell Drive
Mandeville, LA 70448

Alex Weiner

From: Sara Wood [REDACTED]
Sent: Thursday, March 23, 2023 8:07 PM
To: Alex Weiner
Subject: V23-02-03 Juan Fonseca 499 Devon Drive Golden Glen Subdivision

Case No. V23-02-03
Juan Fonseca
499 Devon Drive
Golden Glen Subdivision

To Whom It May Concern,

I am sending an email because the two meetings, where I planned to speak in favor of the above-referenced matter, were postponed and I have an unavoidable obligation on the evening of the next meeting on March 28th. I hope that my communication will be considered in the decision of the board and also that it is placed into the record of such matter.

I would like to inform you that as a resident of Golden Glen Subdivision since 2003, I am **in favor of the variance** for Mr. Fonseca's fence. I am not alone. I have spoken to a good number of residents who also have no problem with the fence as it currently exists and also feel that it is aesthetically pleasing. Some expressed concerns before it was finished but were pleased by the finished product. Many have even expressed gratitude for what Mr. Fonseca has done to that property overall because on the whole it is a wonderful asset to our subdivision. None with whom I have spoken have expressed displeasure.

It is unfortunate, but we do have an infinitesimally small number of individuals in Golden Glen, who seem to have nothing better to do than to constantly find themselves at the center of one complaint or another against this neighbor or that one, and Mr. Fonseca is their latest target. I only met Mr. Fonseca after the P&Z meeting where his attorney requested a continuance so it is not an acquaintance that compelled me. I am speaking out because frankly, I am fed up with the few busy bodies of our subdivision. The behavior of these busy bodies is antithetical to what it means to be a freedom loving American neighbor. It is truly sad and un-Christian. I thank God that this tiny minority has no power over the residences because our association is wholly voluntary. This fact, however, does not stop them because they hide behind and use the City's services to bully and harass neighbors, who have nice homes but who do not keep their homes in a manner these self-appointed meddlers approve. Since openly speaking out, I too have become a target so the aims of bullying and harassing are a reasonable conclusion.

Of important consideration is also the fact that to my knowledge, in all these months since the usual suspects complained, not even our voluntary association has taken a formal position on the matter. Thus, I would conclude that more residents favor the fence than disapprove. Furthermore and as an aside, I do not appreciate our Councilman Kreller taking sides on this neighborhood matter, and would hope that any influence from his presence at these meetings, along side the only opponent that I saw present when the meeting was postponed, will be completely disregarded.

I will conclude by stating that I truly believe in the sanctity of property ownership and minimal burden to that inalienable right, and I believe that Mr. Fonseca's property is uniquely situated on the corner of what has become two extremely busy roads since the inception of the governing guidance. These roads often have random individuals walking along either side, making the need for his fence at its current height an imperative as a guard against a safety issue, not to mention the noise nuisance. Thus, P&Z should grant the variance and allow Mr. Fonseca to enjoy his property fully and

safely, as the fence is beautiful and causing no harm, but is actually providing some protection to his home from vagrants walking in the area and from noise, improving the overall aesthetics of our subdivision.

I thank you for your time and pray that you will grant the variance.

Sara Wood
210 Shaunell Drive


Alex Weiner

From: jo may [REDACTED]
Sent: Tuesday, March 14, 2023 3:29 PM
To: Alex Weiner; Cara Bartholomew
Subject: Candy Bank Hotel

Afternoon to all Commission Members

Alex Weiner has informed me that the sign to be put up now for the hotel is not the large neon sign once proposed.

The packet says its an 18 foot tall sign with downward lighting. So is the hotel being called "The Old Towne Hotel"? In that case people will be going to Slidell. Whatever was discovered in research --Old Towne is recognized by most as a part of Slidell.

The 18 feet is not just a couple of feet bigger but well beyond the 10 foot limit and should be scaled down to the 10 foot requirement. Ten feet is plenty big enough.

I know it doesn't matter in this instance- well maybe it does- but that is one UGLY sign. No redeeming creative aspect or design to it at all and again serves no purpose unless that's the proposed name of the hotel.

Regards
Jo May
2125 Claiborne
[REDACTED]

[Sent from Yahoo Mail on Android](#)

Alex Weiner

From: jo may [REDACTED]
Sent: Monday, March 27, 2023 9:39 AM
To: Alex Weiner; Cara Bartholomew
Subject: Candy Bank Hotel sign

Morning Alex-If you would--- please send this email to the P&Z Commission Members. Thank you.

To All Commission Members, Cara B , and A Weiner

Alex Weiner has informed me that the sign to be put up is no longer the proposed large neon sign. Good news for the neighborhood.

The packet online says its an 18 foot tall sign with downward lighting. So the Hotel is being called the "Old Towne"

I suppose which is a name that I think many more associate with Slidell but...

The 18 feet is not just a couple of feet beyond the CLURO limit as a variance request. ITS ALMOST TWICE THE LIMIT. That is not something that needs to be granted seeing as the sign serves no purpose. Its not there to direct people from a highway to the hotel location. It is in the middle of an exclusively historic neighborhood with no other businesses around the location. Keiffer got his Hotel and is using a residential yard for parking expansion- that's more than enough. This is NOT the Girod/Lafitte commercial corridor and the 10 foot limit is plenty for a purposeless sign lighting up my neighborhood. The limit should be enforced. This would be a bad precedent to set. Please deny this request.

And it may not be a factor but to me since I live in full view of the Bank building I have to say that is one ugly sign being proposed. It has no redeeming creative aspect or design to it at all and again --it serves no purpose.

Thanks
Sincerely
Jo May
2125 Claiborne Street

March 17, 2023

To: Planning and Zoning Commission

Attention: Alex Weiner, Secretary

On March 8, I received a letter from Mandeville's Planning and Zoning Commission concerning a variance requested by my neighbor Wade Hickman Jr. I spoke to Mr. Weiner on March 9 and told him the Hickmans and I had been neighbors for over 40 years and that they were great neighbors. Also, I have no objection -none- to Wade Jr's request for a variance to his house at 2635 Jefferson St. Wade Jr hopes to live in the house he grew up in, but in order to do that he must raise the house, which has flooded 3 times.

The city should help and encourage those who love Old Mandeville and want to live here.

Projects, such as the big development proposed for the Copeland property, will cause far more damage to the character of Old Mandeville than do minor variances to a small house on Jefferson St.

Marvel B. Zehender

2643 Jefferson St.

REBECCA ROHRBOUGH

2525 Lakeshore Dr
Mandeville, LA 70448
March 27, 2023

Mandeville Planning & Zoning Commission
City of Mandeville, Louisiana
Ref: V23-03-10. 2635 Jefferson St.
Site Development Regulations

Commissioners:

Applicant seeks a variance to setback requirements with the elevation of his residence. I wish to comment on one component of this request – the front staircase.

The request is to extend the front stairs to the front property line, utilizing the entire set back area. Notice that the stairs are designed with a north/south orientation, a landing, and from that point with split stairs running east and west (perpendicular to the stairs above). The split staircase and landing mean the encroachment will spread a total of 15' across a 70' wide lot (over 20% of the total width). This is a huge encroachment to which I wish to object.

In order to elevate his home, there are limited options for a staircase design and encroachment of the front yard setback is likely inevitable. The encroachment could be mitigated however. Since the stair case design has split east/west stairs at the point of landing, this presents an improved option. Instead of stairs from the landing running in both directions, the east side could be removed. The remaining stairs on the west side would give adequate access to the house from the driveway where most of the foot traffic would occur. By eliminating the east side, the encroachment across the front of the lot would be reduced by 5' (reducing the width encroachment to 14%). On such a narrow lot, this would be a big improvement.

Your case study notes the elevation with stairs was approved by the Historic Commission. I attended that meeting. That Commission was not presented any facts on the encroachments. Their approval was strictly architecturally. The Commission had a case at 210 Wilkinson a couple of years ago in which a similarly designed staircase was presented. The Commission approved instead the elimination of one side of the split staircase. It is highly likely the Commission would approve the east side elimination in this case if so requested given the similarities of the structures.

Please consider mitigating the front yard encroachment by eliminating the east side of the front stair case at the split. Thank you for your consideration.

Rebecca Rohrbough

Wade Hickman, Jr
STREET
 Petition for 2635 Jefferson , Mandeville, LA 70448 (V23-03-10, CLURO Section 7.5.1.3)

Support and/or no objection for:

1. First request is to raise the height of the house by 7 feet higher than it is currently.
2. Second request is for a variance for a split stairwell with a platform and steps that end up on two sides,
as recommended and approved by both the Historic Preservation District Commission and Planning Commission.
3. Third request is for a variance to replace the existing rear deck that is 24 by 15 feet.

Signature	Printed Name	Address
<i>Carol Zehender</i>	MARVEL ZEHENDER	3649 Gallopson St.
<i>Chuck & Susan Reynolds</i>	Chuck & Susan Reynolds	2640 Jefferson St.
<i>Henry Wimpfner</i>	Henry Wimpfner	2915 Carondelet St.
<i>Edward A. Wiedeman</i>	Edward A. Wiedeman	303 East St.
<i>Dennis P. Thomas</i>	Dennis P. Thomas	306 East St.
<i>Susan Wiedeman</i>	Susan Wiedeman	303 East St.





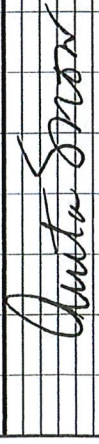

Wade Hickman, Jr

STREET

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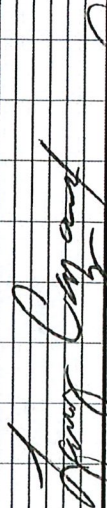
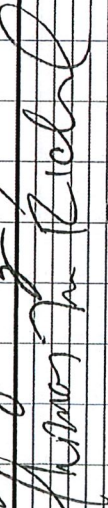



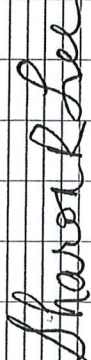
Signature	Printed Name	Address
	Michelle Carter	2635 Jefferson St
	Peter Klebba	2630 Jefferson St.
	James B. Kiffearher	2610 Jefferson St.
	Cathleen A. Kiffearher	2610 Jefferson St
	ANITA SNOW	295 Carondelet St
	Susan Cazady	225 East St

Wade Hickman, Jr

Petition for 2635 Jefferson ~~Street~~, Mandeville, LA 70448 (V23-03-10, CLURO Section 7.5.1.3)

Support and/or no objection for:

1. First request is to raise the height of the house by 7 feet higher than it is currently.
2. Second request is for a variance for a split stairwell with a platform and steps that end up on two sides,
as recommended and approved by both the Historic Preservation District Commission and Planning Commission.
3. Third request is for a variance to replace the existing rear deck that is 24 by 15 feet.

Signature	Printed Name	Address
	LANNY CAZAUX	225 EAST
	THOMAS M. RICHARD	215 EAST
	Zachary Warden	2704 South
	Adam Mandello	2724 South
	Mary Olson	2756 South
	Sharon R Lee	211 East St.

REBECCA ROHRBOUGH

2525 Lakeshore Dr

Mandeville, LA. 70448

March 27, 2023

Mandeville Planning & Zoning Commission

City of Mandeville, Louisiana

Ref: V23-03-11 206 Marigny Ave

Vegetation Protection Zones

Commissioners:

Applicant seeks variances for encroachment to 3 lovely live oak trees to build a new SFR at this site. There was a structure on this lot decades ago but has been vacant for an extended time. The trees have flourished during these years. The lot is very large - 25,547 sq. ft.

I am adamantly opposed to the variances proposed. The odds of those live oaks surviving the encroachment up to 82% of the drip line is low enough. To exceed the 82% is intolerable.

I note that City Arborist finds the gravel encroachment proposed to be added to the existing driveway could be done if materials and construction techniques follow precisely her recommendations. I do not disagree with this. It looks okay on paper. In practice, it is another story.

The CLURO requirement of protecting up to 82% of a live oak drip line has proved grossly inadequate over the years. But it is the only protection CLURO presently provides. I object to allowing ANY encroachment of this parameter. I urge P&Z to deny the variances as requested. This large lot can accommodate a large size house without pushing the envelope to encroach on these trees.

A recent case in point is 1829 Lakeshore where a SFR was constructed after coming before P&Z with live oak variance requests. The lot was possessed of two old, magnificent live oaks in the center of the lot and one small, slightly deformed oak on the front fence line. Applicant wanted to remove the small oak and run the driveway along the east fence line. The variance was denied and the usual requirements for protecting all 3 oaks was required. Drive by this address today. Due to over filling the lot, lack of strict adherence to disturbing the drip line, and lack of proper drainage, one of those magnificent live oaks is dead and gone and the other is in serious decline. Only the small deformed oak in the front corner of the lot survives. The site is the saddest thing on all Lakeshore Drive. The rules of protection were inadequate, enforcement of fill and drainage regulations was inadequate, and the abuse by workers on the site was commonplace. This is what happens when new construction is too large for the available space. Workers on a construction site don't give a hoot about our regulations and no job is ever supervised by a responsible manager all day every day. It won't be any better at 206 Marigny.

No variance should be allowed for the front of the house to encroach on the live oaks. If you even remotely want to consider the special gravel to extend off the existing driveway, it should be with the provision that NO construction machinery, equipment, or vehicles of any kind be allowed on that driveway for the duration of the construction period. All construction access should clearly be along the north property line where least impact to all the trees exists. Anything less is to sign the death warrant of those beautiful trees, which just make that lot the stunning spot it is today. Please do not allow another 1829 Lakeshore disaster.

Please protect these oaks with all the tools in your arsenal. Please enact better regulations to try and save what is left of Mandeville's signature oak trees and other significant vegetation.

Rebecca Rohrbough