

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

The secretary called the roll.

Commissioners Present: Claire Durio, Andrea Fulton, Karen Gautreaux, Scott Quillin, and Brian Rhinehart

Absent: Nicholas Cressy, Karen Gautreaux (Karen Gautreaux arrived at 6:14pm and Nicholas Cressy arrived at 6:15pm)


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

New Business

Mr. Quillin moved to have case R24-11-07 moved to the end of the agenda, Mr. Rhinehart seconded, and the motion passed unanimously.

Ms. Durio moved to the Zoning Commission.


Tina Myers, Secretary


Claire Durio, Chairwoman
Planning Commission

Brian Rhinehart commenced the Zoning Commission portion of the Public Hearing.

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

New Business

V24-11-31/R24-11-07 – Edward J. Laine, Jr. requests a variance to CLURO Section 7.5.1.3. R-1 Site Development Regulations, Section 4.2.4.5. Provisions for Legally Non-Conforming Lots-of-Record and to subdivide into Lots 3 & 4, West Beach Parkway, Square 8 Lots 3 & 4, R-1 Single Family Residential, 303 West Street

Ms. Durio noted that each of the emails received were all in opposition of this request.

Mr. Rhinehart said dividing that lot would be an anomaly from the surrounding residences.

Eddie Laine Jr., applicant 42366 Forest Ln, Hammond said his family purchased two lots, and pay taxes on two lots. If the variance is not granted, he will lose value, his estimation was seventy to hundred thousand dollars. There are at least two other lots that are the same size or smaller than his lot that he is asking for. Last time he had silent objectors, he had problems with them using the property to park on, even going in the gate. They also leave trash on his property. The gentleman that was concerned about the tree health, he wouldn't do anything to the tree. It is really about the value he would lose if this request is not granted.

Ms. Durio said currently with the contiguous lot rule, the value doesn't exist and the commission can't use financial means, money that could be made as a basis to grant the variance. We have to have a basis to grant it that is not about it increasing your value.

Mr. Laine Jr. said there is precedent. There is another property pretty close to my size, that was pointed out last meeting. They did grant the variance and there two other properties that are the same size.

Mr. Rhinehart said yes, we have granted variances, and we have denied them because the circumstances are usually unique from application to application.

Mr. Laine Jr., asked if there is a reason he is being taxed separately?

Ms. Durio said your tax is one tax bill. They do reference it as two lots, but it is not two tax bills on this. This one you're forty feet short for each lot plus you don't reach the full area of the lot, so you'd be deficient in lot size. Some are deficient in lot front but they're much larger deeper lots so they're at least sufficient in the complete lot area. You're deficient on both so it's definitely difficult especially if there are no other hardship or other factors than the financial component.

Mr. Laine Jr., said the only thing he would add is he can't meet the easement requirements in the fifty foot with a bigger house that someone pointed out but he could build a smaller house that meets all the requirements they are asking for on the easement side.

Ms. Bartholomew said Mr. Laine your recourse, should this get denied is to file an appeal to the district court, 22nd Judicial.

Mr. Quillin moved to deny request V24-11-31 and R24-11-07, seconded by Ms. Durio

Mr. Rhinehart said to just to be clear a yay vote denies.
Motion passed unanimously.

V24-11-32 - Jason Coffey requests a variance to CLURO Section 7.5.10.3. B-3 Site Development Regulations, Old Town of Mandeville, Square 11 Lot 11A, B-3 Old Mandeville Business District, 348 Girod Street

Mr. Quillin said on the Madison Street side with the utility box, it is deceptive where the lot line is in comparison to the street. It looks like the ownership of the yard is a lot larger than it effectively is but there are servitudes and utilities on the North side of the building, is that correct?

Karen Gautreaux arrived at this point

Ms. Bartholomew said yes, the property line is going to be to the interior of those utility boxes.

Nicholas Cressy arrived at this point

Ms. Durio said it looks like there is a lot more greenspace or at least property between the street and the building or between the street and the property line. The property line didn't go all the way to the sidewalk.

Mr. Quillin said he does not have a particular issue with any of the encroachments, primarily due to effectively the placement, looking at it, it won't like it's hugging the fence or property line or anything, which is one of the reasons that he would consider denying it. How much on the Southside would there be footprint?

Mr. Weiner said one-foot to one-foot four inches approximately.

Public Comment

Jason Coffey, applicant asked if he needs to ask for all variances he may need now or does that go to another board?

Ms. Bartholomew said all variances come to this board, but because of our advertising requirements you can't just add anything. When it's time to do the exterior elevations, you will go to two Historic District Commission meetings, but this variance will carry to the meeting. So, if you are encroaching, they will be okay with it because that's already been approved.

Mr. Coffey asked if the staircase coming off the corner from Madison and Girod, if he had a staircase coming off the Madison side only also just to reach the bottom floor, just three or four steps, is that a problem? The primary entrance would be Madison and Girod, on the back left side, the Madison side would be just to reach the bottom floor.

Ms. Bartholomew said if it's less than she thinks thirty-six inches off the ground that is not counted as an encroachment.

Mr. Coffey said he believes it would be close to 52.

Ms. Bartholomew said when you decide if you want to do that it would be a variance, that he would need to come back for.

Mr. Coffey said he is not sure he will do that he just wanted to put it out there incase it was needed to discuss.

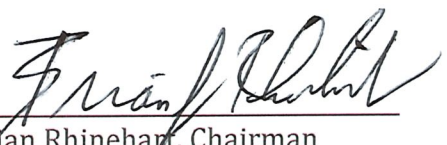
Ms. Bartholomew said yes, he will need to come back for that.

Ms. Durio said yes if it protrudes beyond the existing one today.

Ms. Durio moved to approve, seconded by Mr. Rhinehart, and the motion passed unanimously.

With no new business for the Planning Commission work session, Mr. Rhinehart moved into the Zoning Commission work session.


Tina Myers, Secretary


Brian Rhinehart, Chairman
Zoning Commission

Brian Rhinehart commenced the Work Session portion of the Zoning Commission meeting.

Notification of Filing Case Addendum - 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.

V24-11-33 – Kyle Schmidt requests a variance to CLURO Section 8.1.1.4. Allowed Setbacks Encroachments, Old Town of Mandeville, Square 8 Lot 2, R-1 Single Family Residential District, 1823 Claiborne

Ms. Durio asked with such a large lot why put that in the East Side setback, there is plenty of room in the rear.

Kyle Schmidt 305 Jackson Ave, applicant, the driveway is going on the left side of the house. He has a Live Oak in the front right corner of the property, and there are three or four trees on the driveway side impeding about three feet give or take. It's a raised home with parking underneath so maneuverability working with the trees on the property, he does not want to remove anymore trees if he doesn't have to. Last week went before the Historic Board and they suggested pulling the house forward which he believes he will do, so it will be a seventy-five-foot setback from the street not a hundred and five.

Ms. Durio asked if the encroachment of the HVAC is raised and mounted on side of the house how does that affect the maneuverability and the tree issue if it is on the rear?

Mr. Schmidt said he has a wall of windows going across the back breakfast and living room and a porch. He would essentially have to look at putting it on the roof but being that they are pretty sleek and non-invasive unit and that his building wouldn't encroach, he was hoping to not have to do that.

Ms. Durio asked if he has a neighbor on that side.

Mr. Schmidt said yes

Ms. Durio asked if he discussed it with them.

Mr. Schmidt said he has not. That is the person who sold him the lot and he is in good standing with him, so he can discuss that with them and see if they can write something up saying they okayed it.

Ms. Durio said yes, she just wants to be sure they don't have an objection because that puts another utility in their view and on the side when we currently provide for it to be in the rear. Especially the impacted neighbor on that side, she wants to know that they do not have an opposition to it.

Mr. Schmidt said if the variance is not granted, he would essentially keep it in the same spot and scoot his house in and potentially look at the driveway and maneuverability.

Ms. Durio asked if they are permitted on the side if it fits within the encroachment? And that tree is basically going to block the view of it from the street?

Ms. Bartholomew said it's going to be seventy-five-foot back too

Mr. Quillin said the front of the house will be seventy-five-foot back. He would like to know where the HVAC will be in comparison to the neighbors, especially if there's windows or

anything of that sort. They will be listening to HVAC right next to them.

Ms. Durio said they don't look set back as far as you're planning.

Mr. Schmidt said they are about forty-to-forty-five-foot setback, he believes the back of their house is about 105 to 110 foot back.

Ms. Durio asked if this would be over their backyard?

Mr. Schmidt said essentially the front third of his house or almost the front half overlaps the back third of their house, then part of his house would fall behind the backside of their house.

Mr. Cressy said so the sound isn't going to be in their bedroom.

Mr. Schmidt said correct, guessing about forty to fifty foot behind the back of their house.

Ms. Bartholomew said we have a survey of the property next door and a site plan of this property; we can overlap them and show exactly where it's going to be.

Mr. Quillin said that would be great. What will be the elevation be of the first finished floor?

Ms. Bartholomew said next door is compliant so it will be the same.

Mr. Quillin said complaint or higher than needed is the question.

Ms. Bartholomew said eight and a half feet and Kyle yours is at?

Mr. Schmidt said he clears eight-foot on his CMU and with beam he is up about nine-foot four. Roughly around their same elevation.

Ms. Fulton said you're moving your house forward, right?

Mr. Schmidt said he was going to move the house from one hundred five foot to seventy-five-foot setback is what the Historic District was proposing.

Ms. Fulton said if you are considering doing that would you also consider moving it maybe a foot and a half more toward the other side, where you would be reducing the encroachment.

Mr. Schmidt said he would consider whatever the commission would be willing to work with him on. The more the merrier helps his cause with the maneuverability but whatever the commission is willing to work with him on.

Mr. Cressy said if the neighbor gave the commission a letter that would be useful.

Ms. Durio said yes an email or something and see where the two properties line up and knowing if there is any objection would be real helpful.

Ms. Fulton said that would be helpful but her concern is what they grant is in perpetuity. The house could be sold next door then somebody else has to suffer their decision.

Mr. Cressy said but they would buy the house subject to that knowledge.

Mr. Quillin said it would have been there. His question regarding the HVAC is, if there is allowable room by code putting it underneath it, that's why he was questioning what is the base flood elevation.

Mr. Schmidt said he thinks it is AE 10/11 that split somewhere in the front third of his

property, so he is required two-foot above flood. Give or take seven and a half to eight-foot off the dirty pretty much.

V24-11-34 – Bonvenu Bank, represented by Kalan Mason, requests a variance to CLURO Section 10.8.2.6. Land Uses located in B-1, B-2, B-4, O/R, PM-1, PM-2, M-1, and M-2 Districts, North Corporate Village, Lot P2A, PCUD Planned Combined Use District, 3481 E Causeway Approach

Ms. Durio asked if they are entitled to sign on the other roadway can they put up a fourth sign if the commission agrees to the third?

Ms. Bartholomew said they are allowed signage on the Northlake Parkway by right because it's a street side, but the orientation of the building is obviously funky. You could say the interior signage is approved with the condition that there's no signage on that side.

Mr. Rhinehart said he thinks that is a good compromise to flip it from that side to the other.

Mr. Quillin said it looks like something was there at one point

Ms. Durio and Ms. Bartholomew said yes, Chase had a sign there

Mr. Quillin said so we wouldn't be doing anything new necessarily if approving.

Public Comment

None

Ms. Bartholomew reminded the commission Sexual Harassment and Ethics training are due at the end of the year.

Mr. Weiner said comp plan survey is open until the end of the month, just spread the word and try to get more engagement if you can.

Mr. Quillin moved to adjourn the meeting, Ms. Durio seconded, and all were in favor. The meeting was adjourned at 6:38pm.


Tina Myers, Secretary


Brian Rhinehart, Chairman
Zoning Commission