

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

The secretary called the roll.

Commissioners Present: Nicholas Cressy, Claire Durio, Andrea Fulton, Scott Quillin, Brian Rhinehart and Patrick Rosenow

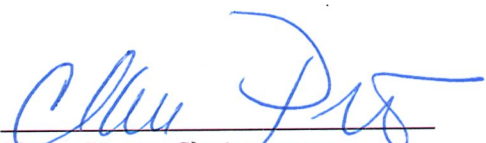
Absent: Karen Gautreaux

Also Present: Alex Weiner, Planner; Tina Myers, Secretary

New Business

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


Tina Myers, Secretary


Claire Durio, 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.

New Business

V25-01-01 – John Crosby requests a variance to CLURO Section 9.2.5.14. Tree and Shrub Pruning or Removal Permit Required, The Sanctuary, Lot 441, R-1 Single Family Residential District, 101 Juniper

Mr. Quillin: Looking at the image with the truck, if there are similar nuisances, he does not particularly have a problem with this.

Ms. Durio: We don't have any construction or development plans so we don't know what they would actually build.

Mr. Weiner: We don't, but they are allowed to remove all the trees in the maximum buildable area by right.

Ms. Durio: Even if they don't build on the maximum buildable area?

Mr. Weiner: They can preserve some if they would like to, but our regulations allow them to remove all trees in the buildable area

Ms. Durio: Is not sure what the procedure would be to remove trees without a building permit.

Mr. Weiner: If it's an undeveloped lot like this we would only be issuing a permit for dead or diseased trees, for live trees in this case they need to come before the commission

Ms. Durio: There is no indication there is anything wrong with these trees, they are just big and could hit a neighboring residence. She is concerned most people in Mandeville live where there is a tree that could hit the bedroom of their home. She does not know what the justification to remove it in this case and not remove every other tree in Mandeville.

Mr. Cressy: Trees one through four are in the buildable area so hypothetically those could be removed by right, correct.

Mr. Rhinehart: We have not had this specific scenario come across in the four years he has been here. Initially the concern is why do we have a tree ordinance that is to preserve the tree canopy. If we allow this to happen basically any house in Mandeville with a tree in striking distance would have a precedence to cut it down and that is a concern but looking at the contiguous lot cases that come in front of us, some are an anomaly to allow them to subdivide and some aren't so we settled on doing it on a case-by-case basis, perhaps this is something similar that going now and forward we have to look at this as a case-by-case basis. Since four if not five of them can be removed by right at some point in the future he isn't sure there's a whole lot to gain by saying no.

Mr. Cressy: Agrees with Brian this is very much distinguished from other people because a plan could be submitted where one through four get removed, and that makes a big difference in this case.

Mr. Quillin: This seems to be a reasonable request, with the request in front of us at present we would end up with other Class A trees on this property, which is beneficial for what we are trying to do in keeping a canopy.

Mr. Rosenow: One we have no reason to believe these trees are any more dangerous than any other trees, two they're in the area that if someone files to build, they can take them all out.

Alex Jones 105 Juniper Ct: He is the neighbor with the truck in the photo, him and his family are scared with the remaining trees. A tree being within striking distance of a home in Mandeville is not the same as what they have as an argument. It's a are the trees getting cut down now or later. On behalf of him and his family he would appreciate it if the commission would work with them.

Mr. Crosby 1 Juniper Ct.:(applicant): He wants to save the trees and created a ten-foot green space to help keep trees. These five trees will be gone when a house gets built, these trees are old and eight to a hundred feet tall. Mr. Crosby is offering to plant more trees than will be required when they get a building permit. It is not about just preserving trees it is just as important to plant new trees.

Ms. Durio: Any tree could hit a person in the yard if it doesn't hit the house, the tree that fell didn't hit the house it hit a vehicle that was way back in the driveway near the street. Any tree can cause damage, there needs to be a reason that is unique.

Mr. Crosby: What is unique is these trees can be taken down regardless, they can wait until a building permit is filed and comply with the CLURO or they can plant five extra trees.

Mr. Rhinehart: What would be the requirement of replacement for those five trees?

Mr. Weiner: Right now Mr. Crosby is offering to do a one-for-one replacement, the five trees that are coming down are going to be replaced with five two-inch diameter Class A trees. Typically for residential lots we don't differentiate Class A or Class B, either one would count for the tree requirement. In this case they guarantee they would be Class A trees you get higher quality trees. The standard replacement size is 10-feet tall, two inches in diameter.

Mr Rhinehart: There's no definitive timeline for when these trees could get replaced?

Alex Jones 105 Juniper Ct.: If timing is an issue, he will also plant five trees with a matter of months, on his property in addition to what Mr. Crosby would plant.

Mr. Quillin moved to approve the variance with the additional requested for five Class B trees on the adjacent lot owned by Mr. Jones, per the discussion at the meeting here.

Ms. Durio: Clarified, five Class A trees on the original lot and then five A or B trees on Mr. Jones's lot.

Mr. Quillin said the Class A trees on the lot under discussion would be when it is sold and built.

Mr. Quillin: Motion to approve the variance to remove the five trees per the survey with a planting of two-inch caliber Class A trees when the lot goes under construction with the addition of five Class A or B trees on the adjacent lot owned by Mr. Jones. Ms. Durio adds by the end of the year or within twelve months.

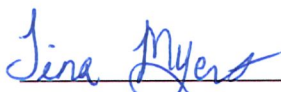
Mr. Rosenow confirms with Mr. Crosby and Mr. Jones they agree with the motion. Both agree.

Mr. Cressy seconds the motion; it unanimously passes.

Public Comment

Mr. Weiner reminded the commission about the APA Nation Conference in March.

Mr. Quillin moved to adjourn the meeting, Ms. Durio seconded, and all were in favor. The meeting was adjourned at 6:40pm


Tina Myers, Secretary


Brian Rhinehart, Chairman
Zoning Commission