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

Brian Rhinehart commenced the Public Hearing portion of 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

V25-04-06 – Dylan Realty Development, LLC, represented by Kent Design Build, request a variance to CLURO Section 9.2.5.2. Vegetation Protection Zones, Old Town of Mandeville, Square 109 Lots 1-A & 2-A, B-2 Highway Business District, 2445 Florida Street

Mr. Rhinehart: This is an encroachment as opposed to a removal.

Mr. Quillin: This is along the lines of a hardship case as well because of the DOTD requirements for their driveway and has no issue with keeping the tree and accepting the encroachment of approximately 51 square feet, with the recommendations by the arborist being adhered to as well.

Mr. Quillin moved to accept the variance with the additional notation of the recommendations as shown by the arborist Ladson Pool of ArborWorks, Ms. Durio seconded, and the motion passed unanimously.

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Tina Myers, Secretary

Brian Rhinehart, Chairman
Zoning Commission

Claire Durio commenced the Work session portion of the Planning Commission Meeting.

Mr. Rhinehart moved to adopt the minutes from the January 14 and 28, 2025 and the February 11 and 25, 2025 meetings; Mr. Quillin seconded, and the motion passed unanimously.

New Business

P25-05-03 – A text amendment to CLURO Article 9, Sections 9.2.5.7, 9.2.3 and 9.2.5.14 to amend regulations relative to Protected Trees, Tree Pruning, and Tree Removal Permit Requirements.

Ms. Bartholomew asked the commission if they would like to move this to the end.

Mr. Quillin moved to adjust the agenda to review the CLURO amendment to the end of this meeting, Mr. Rhinehart seconded, all were in favor.

This matter was taken up at 6:53pm

Mr. Cressy: Referenced his submitted comments, that are attached.

Mr. Rhinehart: I want to have it cleared up front before we go any further with city council, whether you consider this legally flawed and constitutionally infirm. Before we go any further we need to settle that question.

Mr. Parnell: We were consulted; we had a couple of meetings to help draft this. Mr. Parnell responded to some of Mr. Cressy's comments.

Mr. cressy: What would your health, safety and welfare, how would you articulate those?

Ms. Durio: A tree seminar that was done as part of the APA for our continuing education requirement went through all the scientific benefits of the tree.

Mr. Cressy: Specifically, regarding Cypress trees. I read plenty of scholarly articles on trees generally and specifically the Oak tree does a lot of what you're saying.

Mr. Rosenow: What does this mean to landowners in our community?

Mr. Cressy: It's going to encumber a lot of that lot because you won't be able to build within those driplines.

Mr. Parnell: It's not just the adding of the two protected trees.

Mr. Rhinehart: There's basically four takeaways. You have updated penalties, dead tree removal process, and the enhanced construction protections as well as the expansion of the additional two trees.

Mr. Parnell: This is scaled down, there's also an aspect to our current CLURO provisions that we left dealing with Public Works and kind of allowances. It may give Public Works a little more leeway on projects if you include these other trees, and it may administratively help residents deal with removal of trees in some aspects.

Mr. Rosenow: Would you yank those trees out of class A definitions, would there be changes to other parts of the recs?

Ms. Bartholomew: Thinks the Class A definition is just a arbor, not necessarily our definition.

Mr. Weiner: Class A and Class B is just about how tall the tree grows, protected trees can still be Class A.

Buck Abbey 1129 Villere: Would like to talk about quality of life. What makes Mandeville wonderful is we value our trees. Mr. Abbey explains the colors he sees when he looks at Mandeville and where.

Ms. Durio: Could you tell us your thoughts about the Magnolia and the Cypress as far as protection?

Mr. Abbey: Yes. Those are all three of our most dominant urban forest trees and all of them are worth protecting, saving and planting. You have the most dominant tress of your community being Live Oaks, Southern Magnolia and Cypress trees, you have to appreciate that. They really add to our urban forest canopy and that's where the quality of life comes in. We need that canopy to cool this city and to provide a whole list of resources, not just for people but for the creatures that live with us, that live in our wetlands.

Ms. Durio: What specifically about the Magnolia and the Cypress do you think warrants protection like a Live Oak?

Mr. Abbey: Southern Magnolias have been around for a long time. The city owns a natural Magnolia grove between Atalin and Albert Street. We need the type of canopy we need to provide us all the resources that trees provide us.

Ms. Durio: Are there other trees or do you think those specific trees, the Cypress, Magnolia specifically along with the Live Oak, do that?

Mr. Abbey: These are the main trees. There are other trees, but they're not the dominate species, not the ones that are sentimental to people in Mandeville.

Mr. Cressy: No one is looking to make it easier to cut down any of the trees. In fact our CLURO as is, is quite punitive. What is the difference between a Live Oak and a Bald Cypress and what is the difference between a Live Oak and a Magnolia, with how they grow, what's their lifespan, the conditions, are they as sensitive as an Oak tree? Why should they be treated equal to a Live Oak?

Mr. Abbey: They add to our urban forest canopy and part of protecting trees is acknowledging to the public, we know these are your most valuable trees.

Mr. Quillin: Would like to know the lifespan of the Magnolia versus the Cypress versus a Live Oak.

Malcolm Guidry City of Mandeville Consultant: Cypress live longer than Live Oak. Hurricane wise the three most stable trees are probably Cypress, Live Oak and Magnolia. Each tree has its own attributes and benefits. I think everybody understands the Live Oak tree, it is a premier tree. It's a coastal tree, research says it lives about 300 years. Doesn't mean it can't live 500 to 600, we don't know, you have to cut it down to find out. A Magnolia can live 200 to 300 years.

Ms. Durio: Do the root systems exceed beyond the dripline for Magnolias and Cypresses? For an Oak tree we protect it out to the dripline. Is that the same case for Magnolias and Cypress?

Mr. Guidry: If you do things that are destructive to the canopy, you affect the roots, you affect the roots you affect the canopy. The life of a tree is contingent on the soil food whip; that's the bacteria and all the organisms that live in the ground.

Mr. Rosenow: Are the best practices for protecting trees the same for the Oak, Magnolia,

Cypress?

Mr. Guidry: All trees are the same. An Azalea bush and a might Live Oak are the same thing, it's just scale.

Scott Discon 142 Carroll: Is doing this because when he moved her twenty years ago, they got hit with hurricane Katrina, all the trees are gone in Old Mandeville. Only three trees left, the Cypress tree, Live Oak and the Magnolia; all the Pine trees were gone. The Cypress tree gives good shelter, the animals love it, it provides shade. Four years ago, him and Cara drove around and looked at all the trees lost in Ida. Same thing Cypress, Live Oak and Magnolias. They did work heavily with the planning department on this; they had multiple meetings and really went through it.

Mr. Quillin: Suggests some re-wording to the twelve-gauge metal fencing and define what hard means in that definition because a hard metal fence is not something, from a construction standpoint you go out and buy.

Ms. Bartholomew: Email any questions and we'll get with Scott and work on any revisions that we may have.

CU25-05-01 – Randall and Teresa Hamilton request Conditional Use Approval to allow Lodging (Transient)— Short-term Rental Whole House per the Table of Permitted Uses, CLURO Section 7.8, Old Mandeville, Square 90B, Lot 4B, R-3 Multi-family Residential District, 1109 Villere

Mr. Rhinehart: Confirmation, it says three parking spaces are required and that they have a driveway and a carport. That provides or accommodates the three parking spaces, correct?

Mr. Weiner: Yes

Buck Abbey 1129 Villere: The driveways may fill up with four cars, he sees a musical chairs of parking, cars moving in and out, parking on the street and neighbors have no idea who's renting that how for how long, who are they, what they're up to. The city really needs to think about do we really need to have houses on every block rented out. Are we opening our city up to bringing in lots of people that nobody knows that nobody knows anything about? Do we really want to do that in this small little town?

Ms. Durio: As noted in the presentation in March of 2025, the City Council adopted an amendment to allow an additional ten whole house rentals. So, the total allowed in the entire City of Mandeville is twenty.

CU25-05-02 – Kingsmill Tchefunte Harbour, LLC represented by Beau Bryant request Conditional Use Approval to allow Lodging (Transient)— Short-term Rental Whole House per the Table of Permitted Uses, CLURO Section 7.8, Old Mandeville, Square 2, B-3 Old Mandeville Business District, 119 Girod

Mr. Rhinehart: This one has come before the commission once before and it was denied, the whole house permit, is that correct?

Mr. Weiner: Yes

Mr. Rhinehart: It's one slot short and it's been denied once before.

Mr. Weiner: He will pull the denial for the next meeting.

Ms. Fulton: Did the applicant offer any resolution, any attempt to do a drawing where it would be possible?

Mr. Weiner: That was all they stated.

Ms. Durio: Is there any other option as far as parking to have the two spaces?

Beau Bryant 15 Cherry Laurel Covington: We're with the architect trying to figure out the exact width to see if we can fit two cars down that alley.

Ms. Durio: Requested that information for the next meeting.

Ms. Bartholomew: A typical parking spot is going to be nine by twenty.

CU25-05-03 – Susan Cazaux request Conditional Use Approval to allow Lodging (Transient)— Short-term Rental Whole House per the Table of Permitted Uses, CLURO Section 7.8, Old Mandeville, Square 74, Planned Residential District, 252 Jackson

Ken Guidry 266 Jackson: In that compound there are now at least three short term transient rentals. The drive is limestone, runs about 600 feet to the back of the property. Parking is a problem; the road requires constant maintenance. There have been times he has had to ask them to move off his property and at least give him access to his drive. There's no turn around back there for emergency vehicles. Are there any provisions to rescind one of they have complaints on them?

Ms. Bartholomew: There are provisions to rescind one if they have complaints on them. They are required to renew every year with the city. So, if we log any complaints then we will address them but er haven't gotten any complaints on this property.

Mr. Guidry: He hasn't complained but has reached his peak.

Mr. Quill: Are there any other short-term rentals that are currently listed in this area?

Mr. Weiner: Believes it's three but will verify addresses for the next meeting.

Susan Cazaux East St: She lives on East Street but has been living on Jackson for two years. Ms. Cazaux asked if there have been any issues with the one, she owns. One event five years ago she had some bachelors stay there and she went online and expunged that, said not bachelor parties allowed, no bridesmaids allowed, no getting dressed for weddings with the photographers and hairdressers.

With new business concluded for the Planning Commission, Ms. Durio moved to the Zoning Commission portion of the meeting.

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Tina Myers, Secretary

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Claire Durio, Chairwoman
Planning 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.

New Business

V25-05-10 – Blaire Stroemple, requests a variance to CLURO Section 9.2.5.2. Vegetation Protection Zones, Old Mandeville, Square 31, Lot 31-X, R-1 Single Family Residential District, 311 Lafayette

Ms. Bartholomew: This is one of those properties that is required to be elevated per FEMA. We want to make sure the tree's protected by putting those notes on there, but they can't not elevate it.

Ms. Durio: Any tree pruning necessary in order to elevate it?

Mr. Weiner: That's already taken place.

Mr. Quillin: Request that there's some sort of fencing or anything of the sort around the tree protection zone as part of this to protect the roots of the tree more than anything.

Ms. Bartholomew: Yes, that'll be required before we issue the permit.

V25-05-11 – James & Andree Powell requests a variance to CLURO 7.5.1.3. R-1 Site Development Regulations, Woodstone, Phase 2B Lot 89, R-1 Single Family Residential District, 51 Tara Ln

Mr. Rhinehart: We're talking about an 80% encroachment, going from thirty down to six-foot setback.

Ms. Durio: That connects to the main portion of the house or to the garage?

Mr. Quillin: Connects to the garage

Mr. Cressy: What would the hardship be here?

Ms. Durio: Why it's connected to the garage versus the main house where you could meet the setback.

James Powell 51 Tara Ln: The plan is to create a pathway through the garage to get into the house. The only other place that it could possibly fit would be the Northeast corner outside of the setbacks, but there's nowhere to get directly into the house. It would be up against the master bathroom and there's plumbing and pool equipment in that area. He has talked to his neighbors and none of them has any issues with it. He has Crepe Myrtles on the front and a large Viburnum screen on the back.

Ms. Durio: I know it's not ideal but was there any consideration to using a portion of the garage space?

Mr. Powell: We considered that, but again it's not ideal. He has four children, one drives now and one's going to be driving in six months. If he were to lose any of the garage, then the street becomes a parking lot.

Ms. Bartholomew: If it's a detached accessory structure, it can be up to three feet from the property line. The attached and detached is what's causing the setbacks there.

Public Comment

Mr. Rhinehart motioned to adjourn the meeting, Ms. Fulton seconded, and all were in favor. The meeting was adjourned at 7:43pm

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Tina Myers, Secretary

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Brian Rhinehart, Chairman
Zoning Commission