

CASE SUMMARY SHEET**CASE NUMBER: V23-04-12****DATE RECEIVED: March 6, 2023****DATE OF MEETING: April 11, 2023 and April 25, 2023****Address: 1617 Lakeshore****Subdivision: Old Town of Mandeville, Square 5 Lot 6A****Zoning District: R-1 Single Family Residential****Property Owner: Allison and Brian Froeba****REQUEST: V23-04-12 – Allison and Brian Froeba request a variance to CLURO Section 9.2.5.2. Vegetation Protection Zones, Square 5 Lot 6A, R-1 Single Family Residential District, 1617 Lakeshore Drive****CASE SUMMARY:**

The applicant owns the property at 1617 Lakeshore Drive located east of Foy St., and west of Jackson Ave. The lot measures 65' x 506.25' containing 32,906 square feet per the site plan prepared by Allison Froeba and dated 02.15.23. The property is currently unimproved with plans for a single-family residence to be constructed.

There are two live oaks on the property, one in the front of the lot measuring 30" and the second located behind the proposed structure measuring 56". There is an existing concrete drive located to the west of the 30" live oak at the front of the property. The applicants are requesting to connect to the proposed new driveway with crushed stone. The new driveway addition would be located inside the 82% dripline of the live oak. The driveway will encroach 26 sq ft into the 82% drip line.

The staff arborist visited the site and had the following recommendations.

1. Curbing shall be installed at grade and anchored into the ground with material such as rebar. No digging shall be done to install curbing.
2. Driveway materials shall be laid directly on top of the uncompacted soil. No digging or compacting of the soil shall be allowed under the canopy of the live oak.
3. A maximum height clearance should be established based on the lowest limb to ensure that vehicles or equipment do not damage any of the limbs of the tree.
4. The aggregate limestone driveway should be size #57 or a comparable product, to be approved by the Landscape Inspector.

CLURO SECTIONS:**9.2.5.2. Vegetation Protection Zones**

An area extending at least fifteen (15) feet in all directions from the trunk of any tree required or proposed to be preserved to meet the requirements of this or encompassing a minimum of two-thirds (2/3) of the entire canopy area of the tree, whichever is greater, shall be required to be maintained undisturbed under the provisions of this Article. This area is defined as the **Vegetation Protection Zone**. Exception: The Vegetation Protection Zone for live oaks will be a circle with a radius which is eighty-two (82) percent of the canopy of the tree, measured from the trunk to the drip line. A barrier shall be erected and maintained around this area at all times during construction. No soil deposits, construction materials, equipment, or other materials shall be temporarily or permanently stored in locations within or immediately adjacent to the Vegetation Protection Zone which would cause suffocation of root systems of trees required or proposed to be preserved. No paving with concrete, asphalt, or other impervious material shall be allowed within the Vegetation Protection Zone. No structure shall be placed or constructed at any time within the Vegetation Protection Zone.



DRAFT

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MEMO

OFFICE

To: Cara Bartholomew
From: Catherine Fuselier
Date: April 11, 2023
Subject: V23-04-12

The driveway encroachment in question is to be constructed of a pervious material that is labeled as limestone gravel. While the limestone drive is pervious and allows for water infiltration and minimal compaction there are five areas of concern and recommendations.

- 1) Most contractors will dig down to install a curbing to keep the gravel from spreading out from within the perimeter of the driveway. This can be corrected as simple as installing a landscape edging or by using a curbing that lies on top of the ground and anchored into the ground with a material such as rebar.
- 2) Normal practice of driveways is to compact the soil with red clay before laying the gravel. This step will need to be skipped completely and the gravel should be laid directly on top of the uncompacted soil.
- 3) As the existing driveway is also the access into the site the drivers of all heavy equipment, machinery, and vehicles will need to take extreme caution when driving under and around the live oaks to make sure they do not damage any of the branches or the root systems when entering or exiting the lot. A maximum

height clearance should be established based on the lowest limb to ensure that vehicles or equipment do not damage any of the limbs of the tree. While the driveway is feasible from a normal day to day access it could run into problems being the access drive during construction. If the homeowners/contractors take extreme caution while around this tree and follow a proper tree preservation plan it is possible for the driveway to work. If extreme caution is not taken then the trees could potentially be damaged by tall trucks accessing the site or the soil could be deeply compacted if proper tree protection fencing is not used.

- 4) The aggregate limestone driveway should be size #57. This sizing offers multiple aggregate sizing that are the least likely to compact. Aggregates of the same size can over time compact down and cause the same issues that a non-pervious material type can cause. The use of multiple aggregate sizing will help prevent this from happening and should be used.

Simplified Notes for Conditions:

1. Curbing shall be installed at grade and anchored into the ground with material such as rebar. No digging shall be done to install curbing.
2. Driveway materials shall be laid directly on top of the uncompacted soil. No digging or compacting of the soil shall be allowed under the canopy of the live oak.
3. A maximum height clearance should be established based on the lowest limb to ensure that vehicles or equipment do not damage any of the limbs of the tree.
4. The aggregate limestone driveway should be size #57 or a comparable product, to be approved by the Landscape Inspector.

CASE SUMMARY SHEET

CASE NUMBER: V23-04-14

DATE RECEIVED: March 13, 2023

DATE OF MEETING: April 11, 2023 and April 25, 2023

Address: 2816 South

Subdivision: West Beach Parkway, Square 1 Lots 13 & 14

Zoning District: R-1 Single Family Residential

Property Owner: John Keller

REQUEST: V23-04-14 – John Keller requests a variance to CLURO Section 8.1.1.4. Allowed Setbacks Encroachments, Square 1 Lots 13 & 14, R-1 Single Family Residential District, 2816 South Street

CASE SUMMARY:

The applicant owns the property at 2816 South St., located on the south side South St., west of West Beach Pkwy., and south of West St. The property measures 100'x150' per a survey prepared by Kelly McHugh & Assoc., Inc. and has a square footage of 15,000. A permit for new residential construction has been issued and the residence is currently under construction (Permit #22-8074).

The applicant is requesting an exception to encroach into the west side yard setback to place a generator. The lot has a frontage of 100' requiring side yard setbacks of 16'. The west side setback is currently 11.3' and the east side setback measures 21' due to the allowed 30% flex. The proposed location of the generator would encroach 8' into the west side setback, leaving a remaining setback of 3.2'

The applicant submitted a statement with the application which includes the following: *"The neighbors to the west have located their AC units and generator on the east side of their house. As a result, our units would be in the same area."*

CLURO SECTIONS:**8.1.1.4. Allowed Setbacks Encroachments**

Every part of a required setback shall be open to the sky and unobstructed by accessory structures except:

4. **Mechanical Equipment.** Except as authorized for the elevation of existing structures, or where there is existing mechanical equipment located within the side setback, heating, ventilation, air conditioning, generator, or pool equipment shall not encroach into any required front or side setback.

7.5.1.3. R-1 Site Development Regulations

Each development site in the R-1 Single-Family Residential Zoning District shall be subject to the following site development regulations in addition to any regulations applicable under the provisions of Article 8. The Planning Director may grant exceptions to the following standards pursuant to section 4.3.5

| | |
|-------------------------------------------------|-----------------------------------------------------------------------|
| 1. Minimum lot area | 10,800 Square feet (except for legal non-conforming lots as provided) |
| 2. Minimum building area (Square feet per unit) | 1,200 Square feet |
| 3. Minimum lot width | 90' |
| 4. Minimum lot depth | 120' |
| 5. Minimum Yard Setback Requirements | |
| a. Front yard | 25' |
| b. Interior side yard* | |
| i. Frontage up to 50' | 8' each side |
| ii. Frontage between 51' – 60' | 10' each side |
| iii. Frontage between 61' – 75' | 12' each side |
| iv. Frontage between 76' – 80' | 13' each side |
| v. Frontage between 81' – 90' | 15' each side |
| vi. Frontage between 91' – 100' | 16' each side |
| vii. Frontage between 101' – 110' | 18' each side |
| viii. Frontage between 111' +' | 20' each side |
| c. Street side yard | 15' |
| d. Rear yard | 30' |
| 6. Maximum Height of Structures | 35' |
| 7. Maximum Impervious Site Coverage | 45% |

*The side yard setbacks of the site may be shifted into the opposite yard up to 30% so long as the area lost in one required side yard is provided in the opposite side yard and the total minimum setback of the site is provided.



John and Midge Keller
2816 South Street
Mandeville, LA 70448

State the *Variance/Exception Requested: *A Statement identifying the practical difficulties applicable to the variance request is required:

We are requesting a Variance/Exception on the new build at 2816 South Street regarding the placement/location of the AC units and generator. We want to locate them on the western side of the house. The distance between the side of the house and property line is only 11 feet 3 inches. We need a variance or exception that would allow us to place the platform and units closer to the property line.

It makes much more sense to locate the AC units and generator on the east side of our home since both the subject home and the house located on the adjacent lot to the west are both located near the property line. The east side of the house to our west is anywhere from 8 feet to 12.5 feet from the property line. I calculated this from Mandeville's GIS Map. We don't anticipate using the west side of our property next to the house. I suspect that the property owners to the west do not use their property on the east side of their home since the home is so close to the property line.

More importantly, the neighbors to the west have located their AC units and generator on the east side of their house. As a result, our units would be in the same area.

The best place to hide the units is clearly on the western side of the house.

If located on the eastern side of our house, the units and raised platform would not only be much more visible but may also make it more difficult for use to park our vehicles under the house.

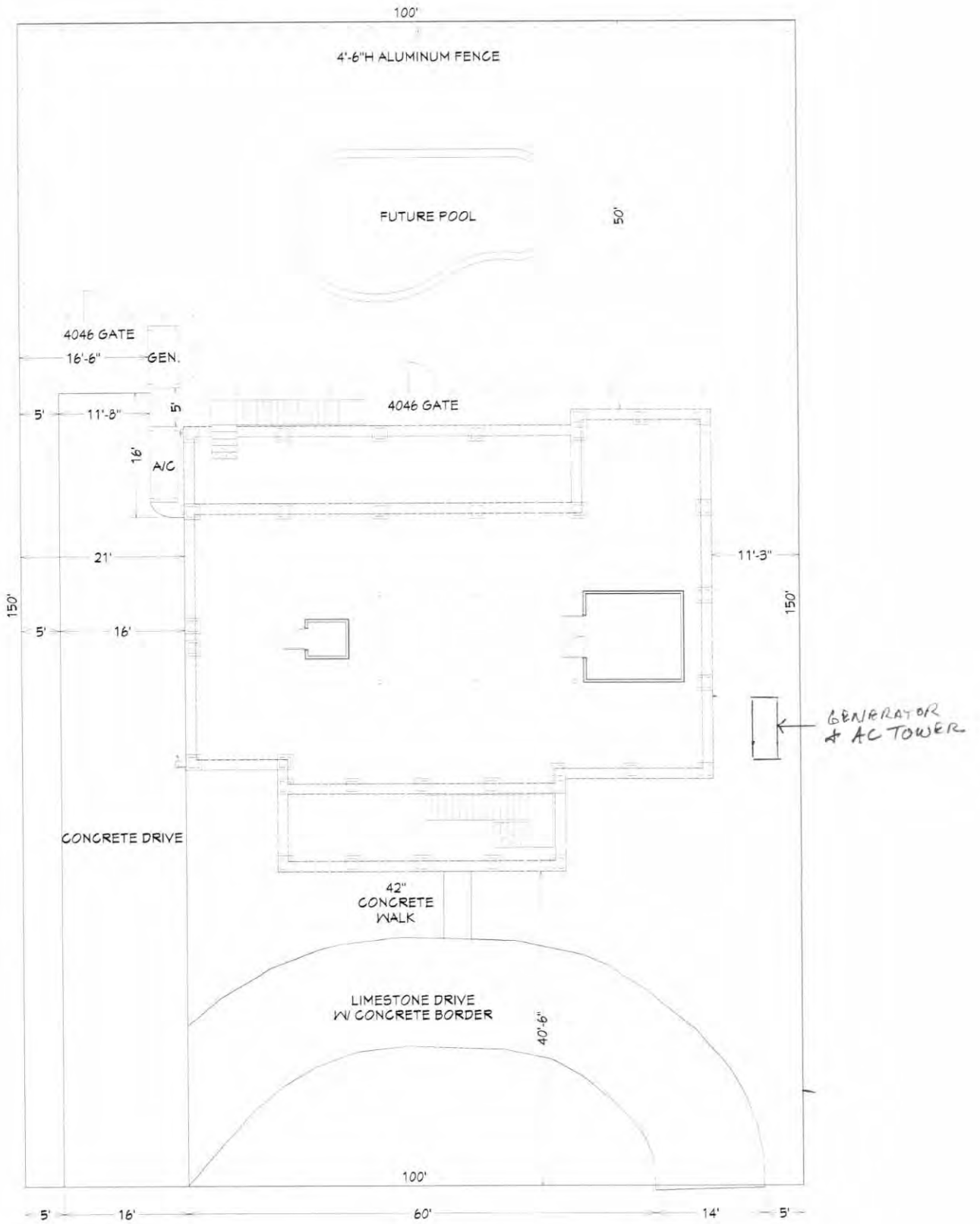
If it is located on the eastern side of the house, the units would be visible to our neighbors to the east while using their back yard and back balcony.

If located on the western side of the house the units really will not be visible to the neighbors to the west, since they don't use the eastern side of their property and there are only 2 small windows on the eastern side of their home which appear to be in their bathroom or bedroom.

Finally, it appears as though the electrical line is being run to the western side of the house.

Thanks,

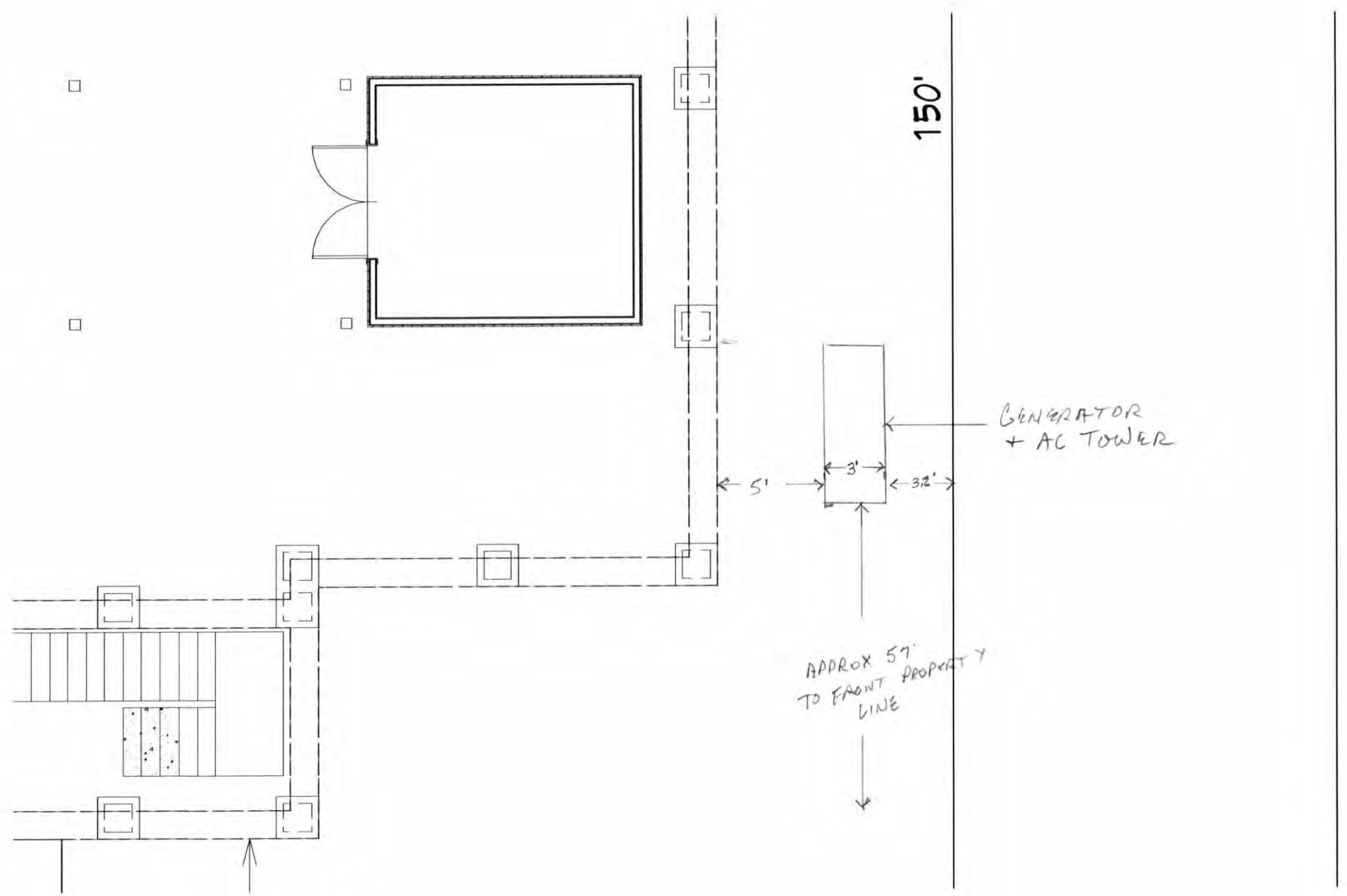
John Keller



SOUTH STREET

N

SITE PLAN
SCALE: 3/32" = 1'-0"



150'

GENERATOR + AC TOWER

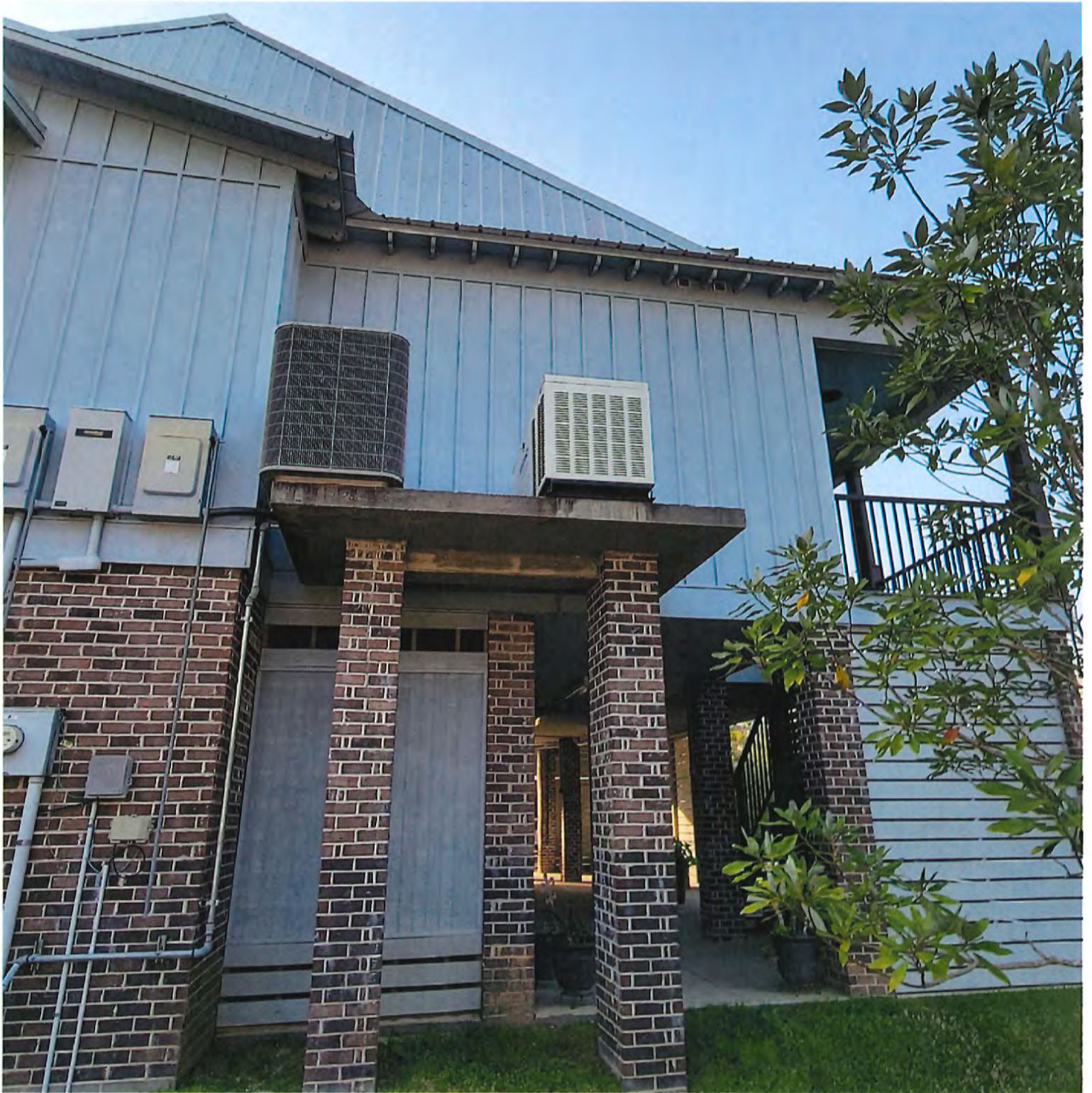
5'

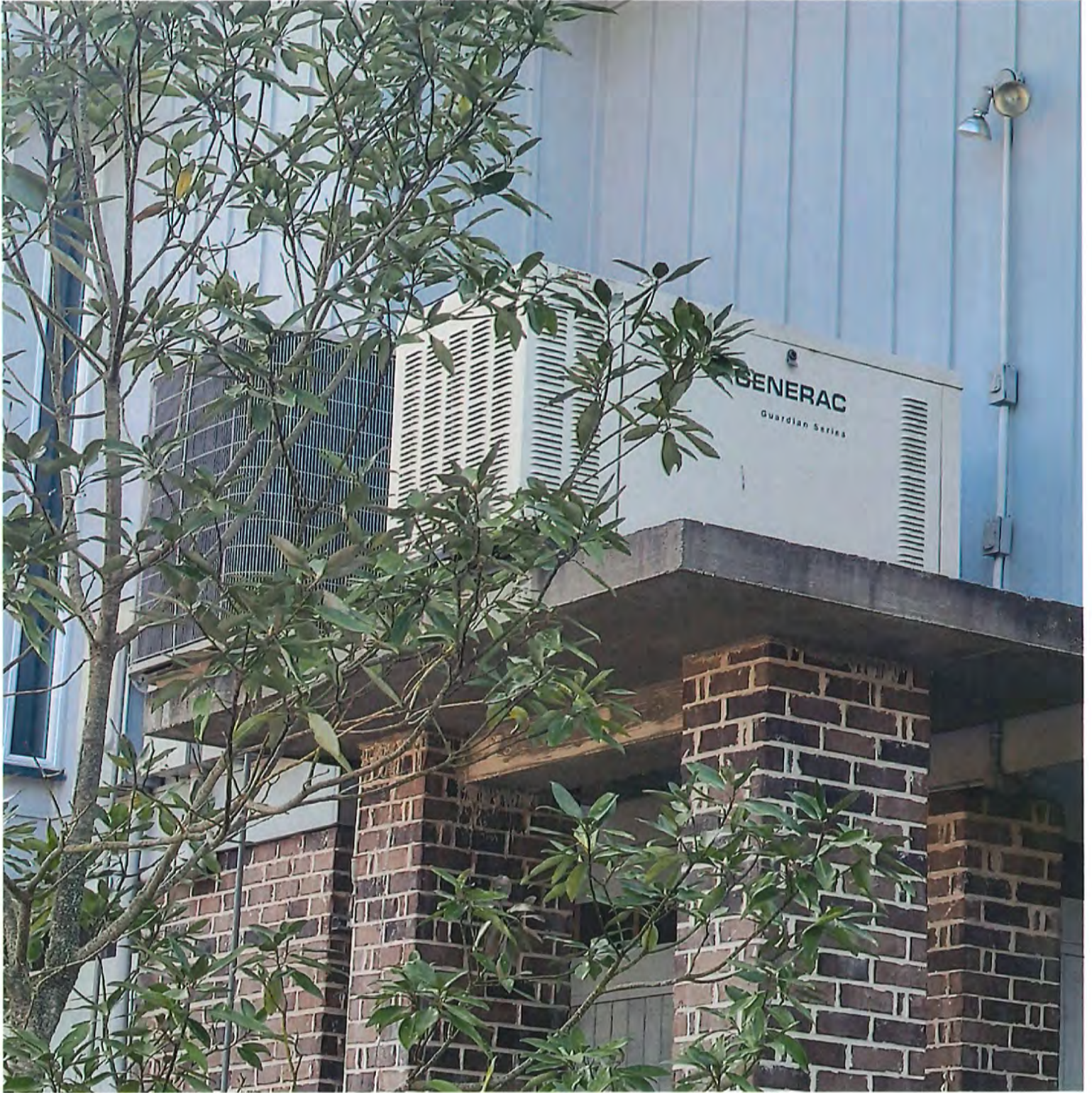
3'

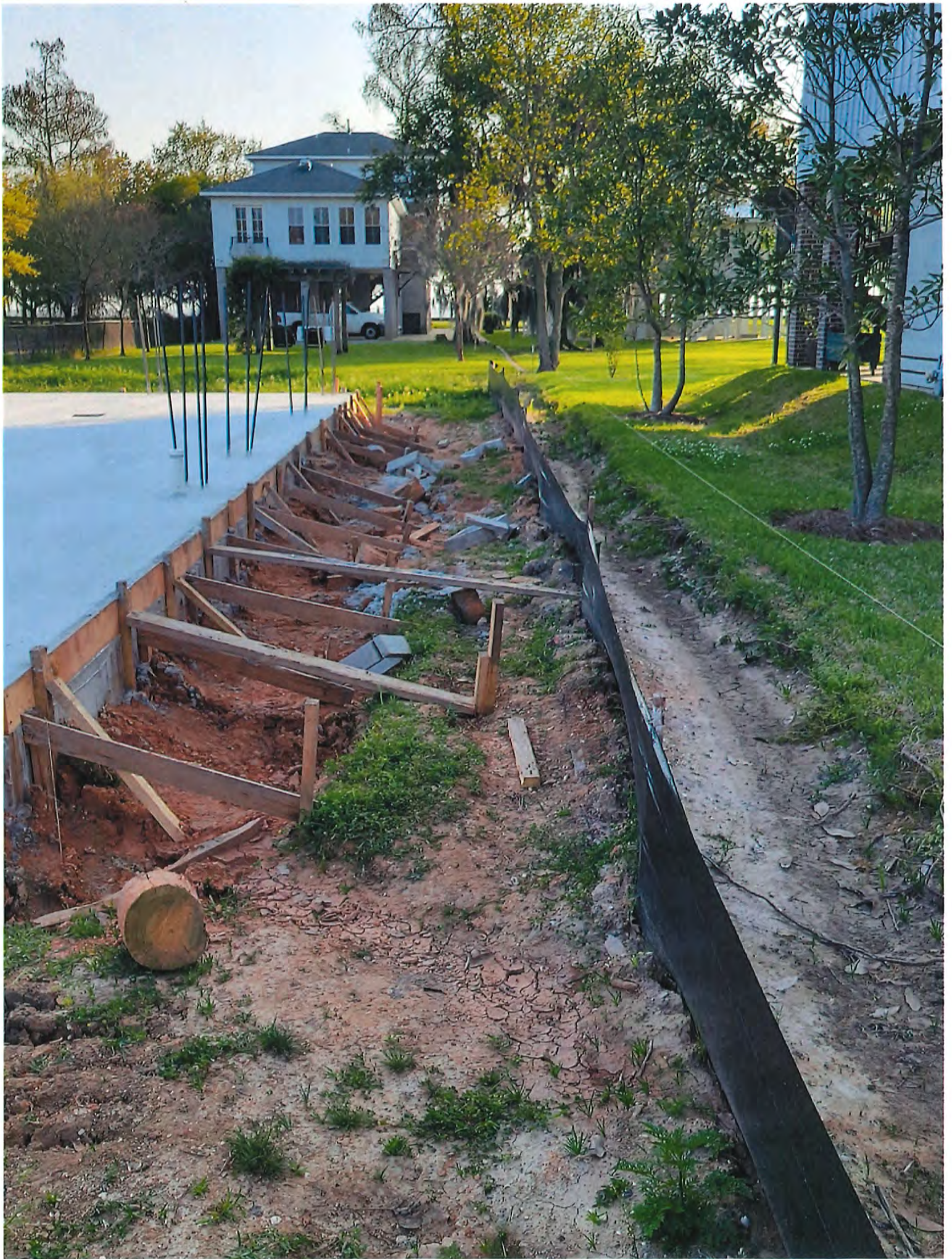
32'

APPROX 57'
TO FRONT PROPERTY
LINE

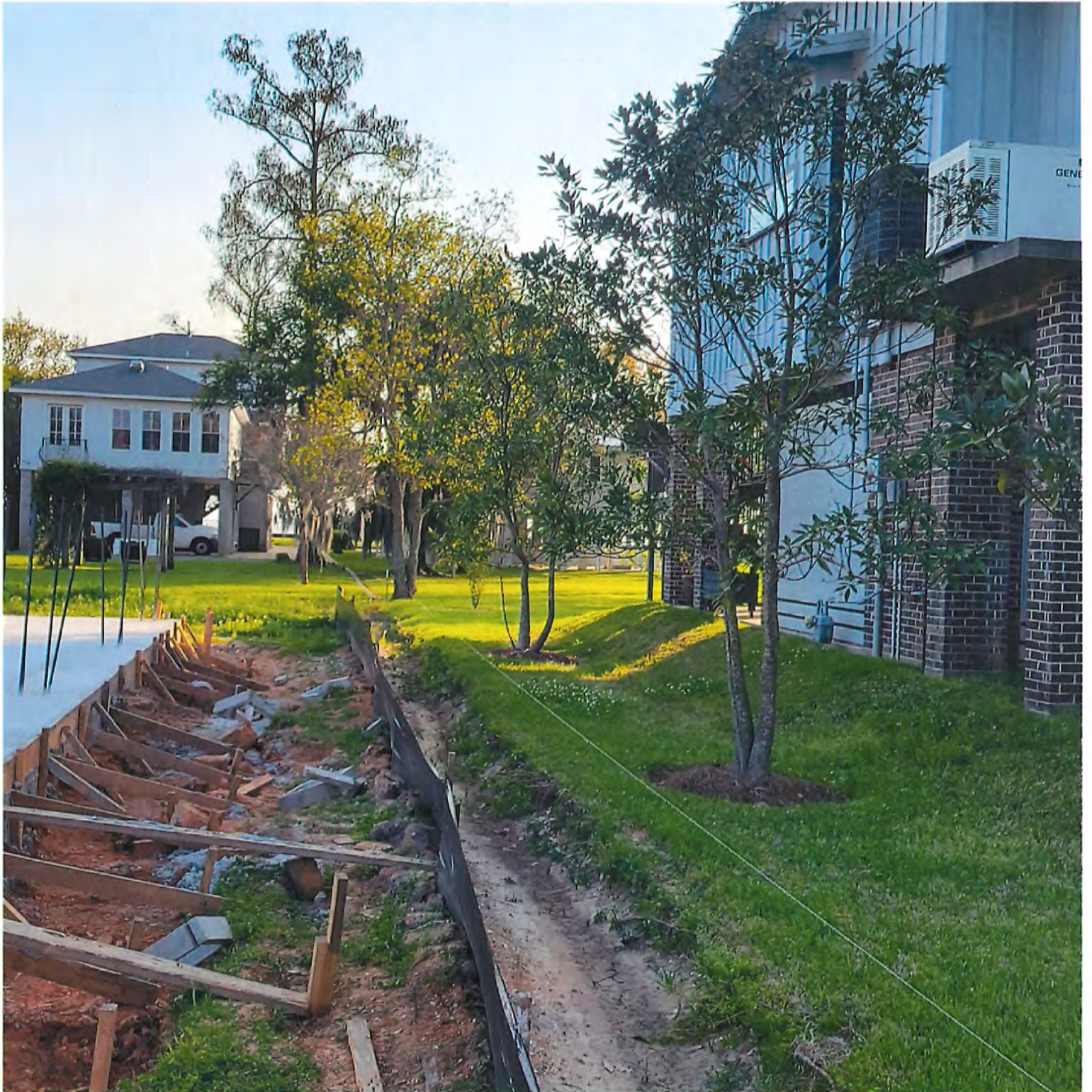
FRONT











CASE SUMMARY SHEET

CASE NUMBER: V23-04-15

DATE RECEIVED: March 17, 2023

DATE OF MEETING: April 11, 2023 and April 25, 2023

Address: 418 Lafitte

Subdivision: Town of Mandeville, Square 34 Lot D1-A

Zoning District: B-3 Old Mandeville Business District

Property Owner: Lynn Brayton

REQUEST: V23-04-15 – Lynn Brayton requests a variance to CLURO Section 7.5.10.3 B-3 Site Development Criteria – Setback Encroachment, Square 34 Lot D1-A, B-3 Old Mandeville Business District, 418 Lafitte Street

PREVIOUS CASES: V22-05-16 – Live oak encroachment
V21-05-15 – Setback Encroachment

CASE SUMMARY:

The applicant owns the property located at 418 Lafitte St., being Sq 34 Lot D1-A. The lot is located south of Monroe St., north of Madison St., and east of Carroll St. The property measures 98’x120’ with a square footage of 11,760. The property is improved with a single-family residence.

The applicant is requesting to construct a two-story garage and guest suite being 985 sqft. The B-3 District allowed for an accessory dwelling unit. The proposed structure is in accordance with Section 8.1.14 Supplemental Regulations for Accessory Dwelling Units. Should the building be converted into Commercial uses the State Fire Marshall requires a 10’ setback between buildings. To maintain the required 10’ of space between the two buildings, the guest suite will encroach into the south setback by 5’-4”.

The lot has a frontage of 98’ requiring 16’ side setbacks. In an updated site plan submitted by KVS architecture on April 19th the proposed garage and guest suite would encroach into the setback by 5’-4” leaving a setback distance of 10’-8”. The building can not utilize the flex due to the existing buildings encroachment into the setback. The accessory structure would be compliant with the flexibility.

The proposed building will require Historic Preservation District Commission approval should the variance be approved.

CLURO SECTIONS:

8.1.1.3. Multiple Structures Allowed

More than one (1) main institutional, public or semi-public or commercial or industrial building may be located upon a lot or tract in districts that permit such uses provided that no such building or portion thereof shall be located outside of the buildable area of the lot and no building shall be closer than ten (10) feet to any other building unless approved by the State Fire Marshall in conformance with applicable fire codes.

6.2.4. Two-Family Residential

The use of a site for two dwelling units, other than mobile homes, each in a separate building.

8.1.14.

For purposes of these Land Use Regulations, an accessory dwelling unit shall be incidental to the primary residential use of a single-family residence and shall be subject to the following standards:

- Number of Units.** Not more than one (1) accessory dwelling unit, attached or detached, may be allowed as an accessory use in conjunction with any single-family structure.
- Unit Types.** Mobile homes, trailers or manufactured homes may not be used as accessory dwelling units.
- Owner Occupancy Required.** Either the primary residence or the accessory unit must be occupied by an owner of the property.
- Subdivision Not Allowed.** Accessory units shall not be subdivided or otherwise segregated in ownership from the principal building.
- Parking Required.** There shall be two (2) off-street parking spaces designated for the accessory unit in addition to the spaces required for the primary dwelling unit. Said space may be in a carport, garage, or designated space provided for the accessory unit, but shall be located behind the front building line on the lot. All parking spaces must be independently accessible, allowing access to each required parking space on the lot without having to move vehicles parked in other spaces.
- Minimum Lot Size.** Accessory units may only be located on lots meeting the following minimum lot area standards for attached and detached accessory dwelling units:

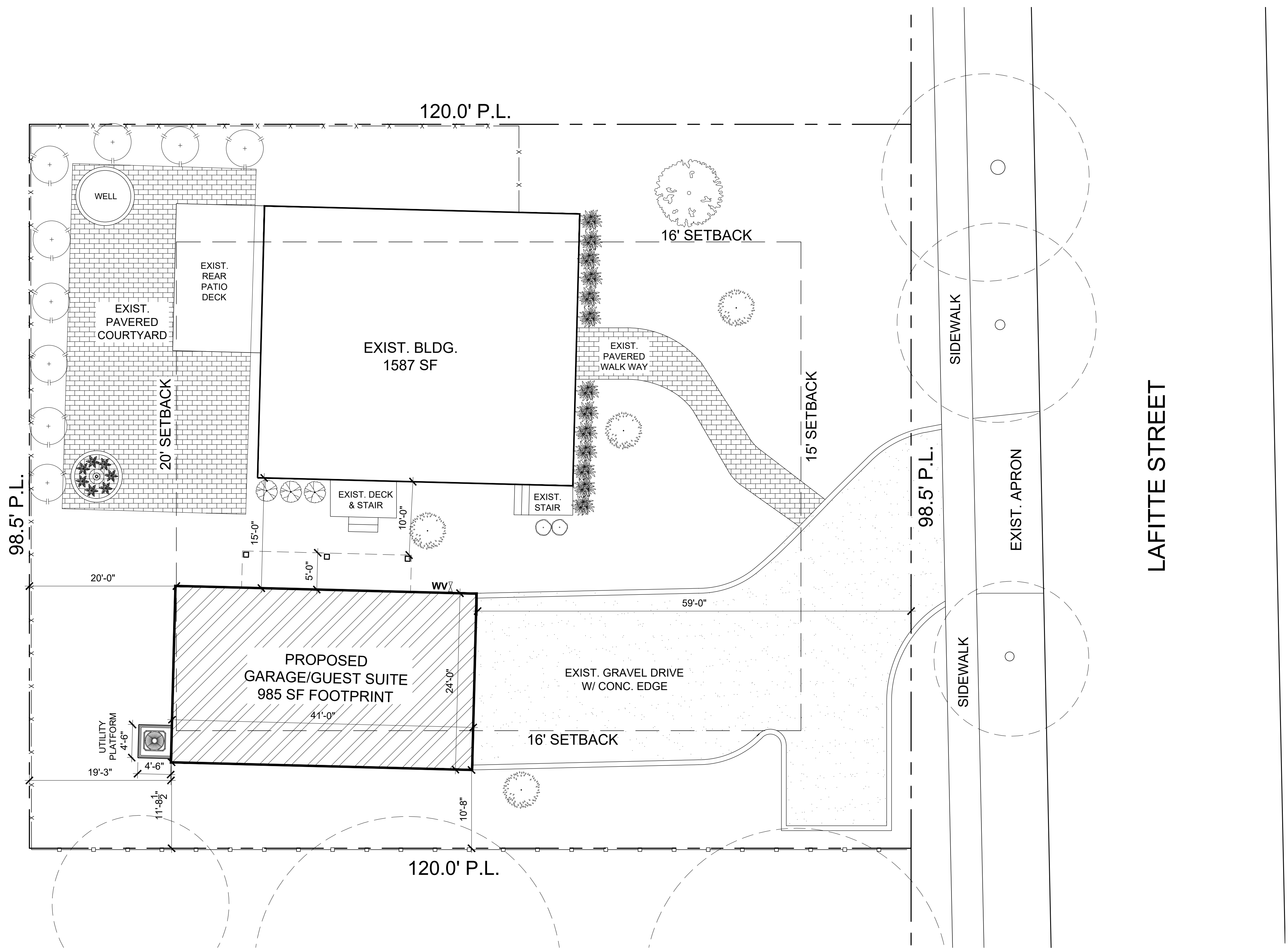
| Zoning District | Minimum Lot Areas | |
|-----------------|-------------------|----------------|
| | Attached Units | Detached Units |
| R-1 | | + 2,000 |
| R-2 | 9,000 | 11,000 |

| | | |
|-----|--------|--------|
| R-3 | 9,000 | 11,000 |
| B-1 | 10,000 | 10,000 |
| B-2 | 15,000 | 15,000 |
| B-3 | 8,000 | 10,000 |
| B-4 | 30,000 | 30,000 |
| O/R | 15,000 | 15,000 |

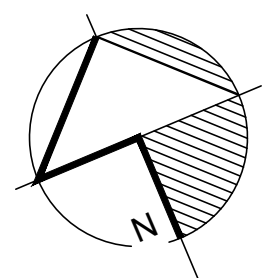
7. **Maximum Unit Size.** Whether attached or detached, the square footage of the accessory unit shall not exceed one thousand 1,000 square feet, excluding any garage or patio area.
8. **Minimum Unit Size.** The accessory unit shall contain no less than three hundred (300) square feet, excluding any related garage or patio area.
9. **Height.** New accessory dwelling units shall be located on the ground floor and shall not include more than one story. Where required to be elevated, the lowest floor elevation shall not be more than one foot above the elevation required by adopted city standards, except that where buildings are required to be elevated at least five (5) feet above grade, they may be elevated to allow for creation of one or more eight (8) foot tall parking spaces. Building height shall not be more than 14 feet above the lowest floor elevation.
10. **Minimum Setbacks.** Minimum building setbacks shall conform to those for the principal building whether the accessory dwelling unit is attached or detached.
11. **Required Facilities.** All accessory dwelling units shall include: a kitchen sink, cooking appliance, refrigeration facilities; a separate bathroom containing a sink, toilet and bathtub or shower.
12. **Building Design.** The architectural character of the single-family dwelling shall be preserved whether the accessory unit is detached or attached. Consistent design for multiple structures on the property will be employed. A unifying design element such as material, color, or form should be used for all structures.

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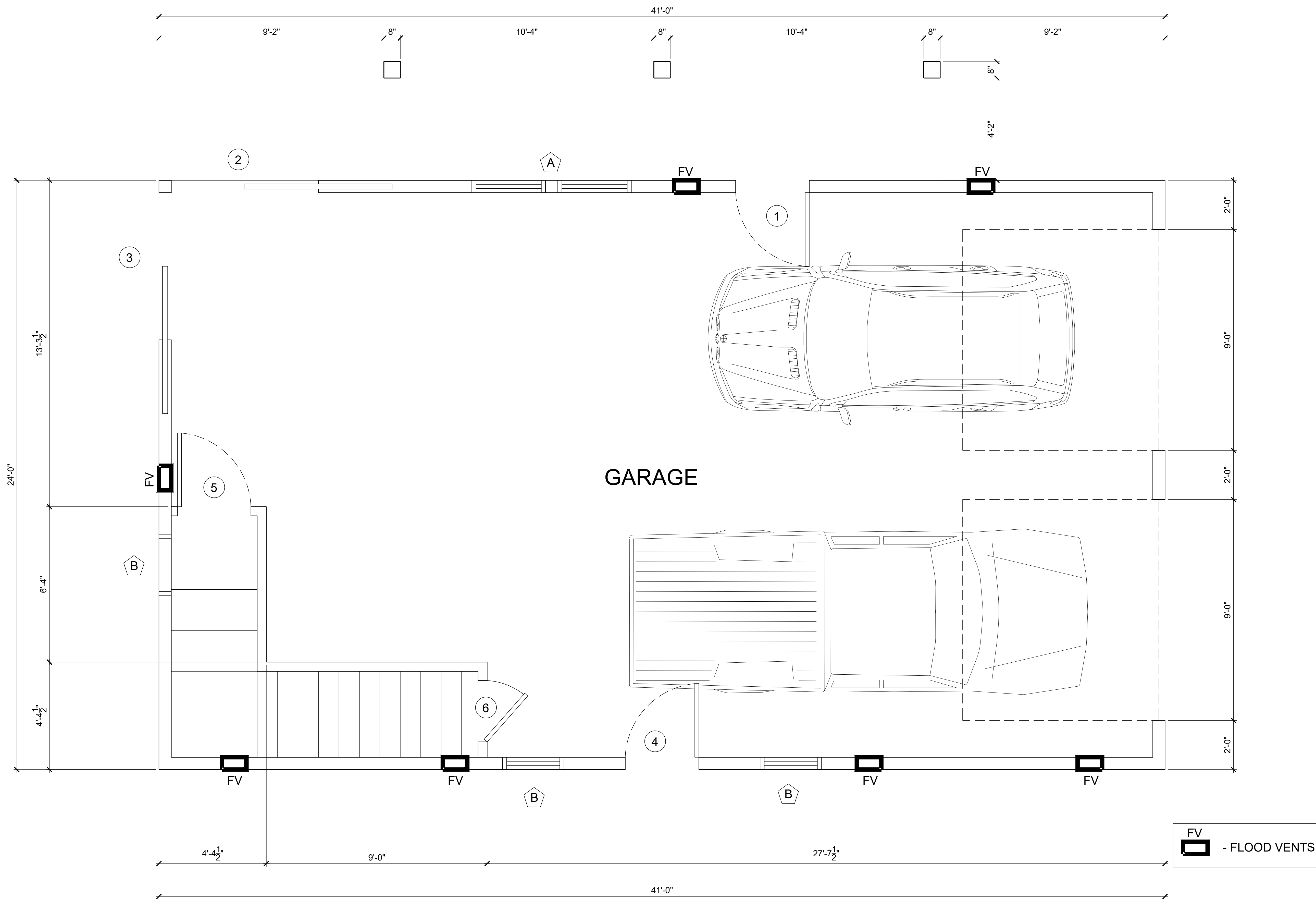




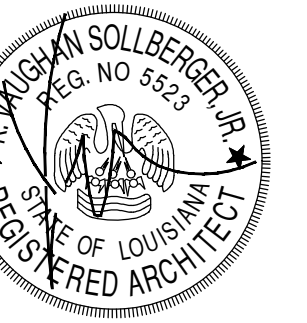
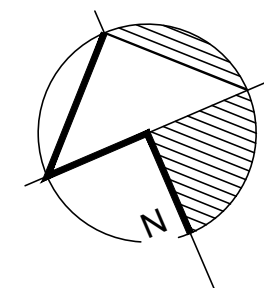
1 SITE PLAN
1/8" = 1'-0"



| |
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| REVISIONS: |
| DATE: 3.13.23 |
| PROJECT No: 23009 |
| DRAWING: |



1 FIRST FLOOR PLAN
1/2" = 1'-0"



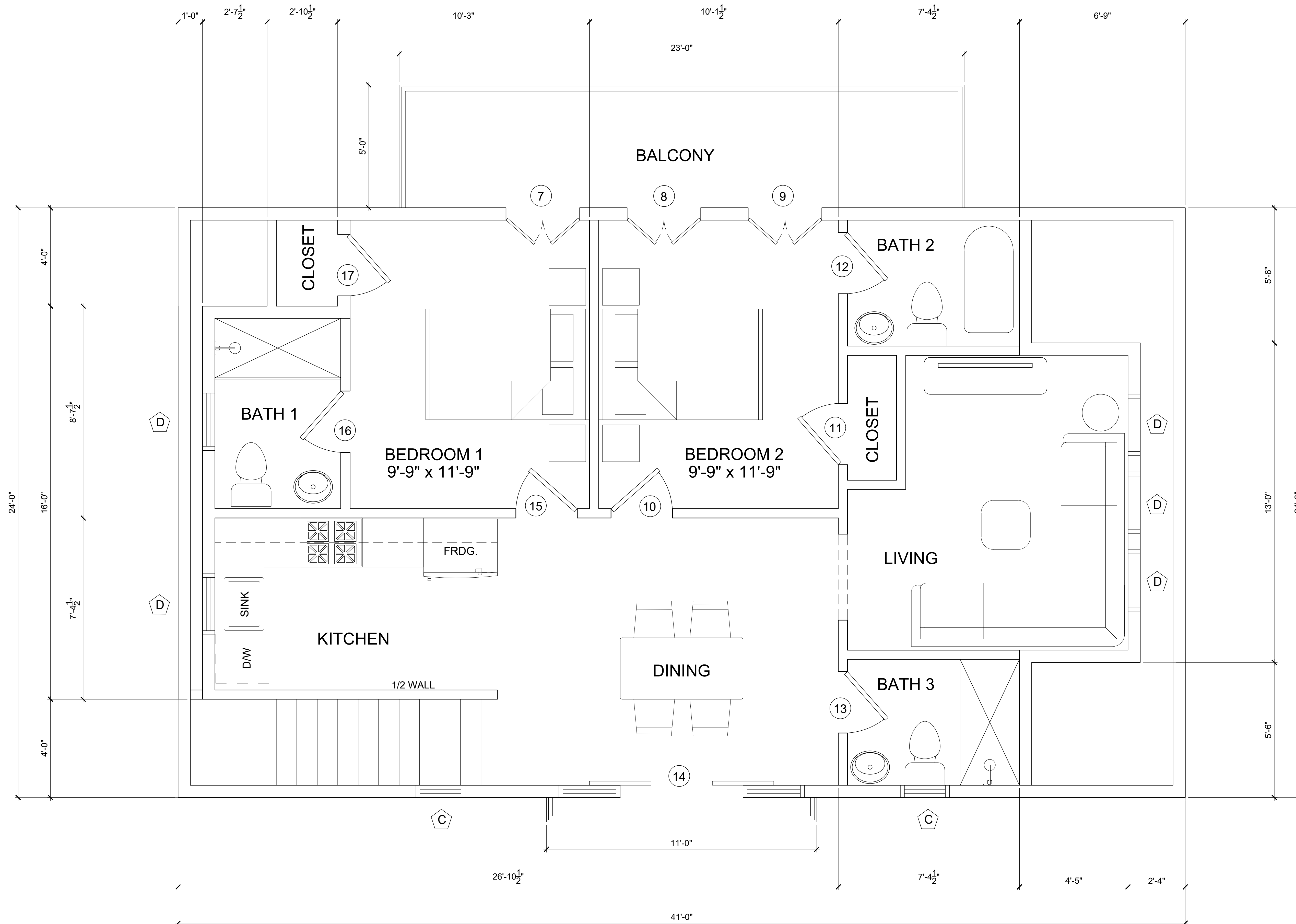
REVISIONS:

DATE:
3.13.23

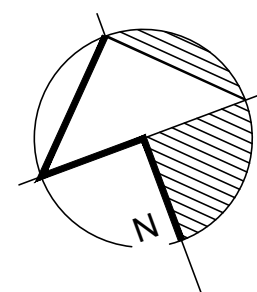
PROJECT No:
23009

DRAWING:

A2.0



1 SECOND FLOOR PLAN
1/2" = 1'-0"



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| REVISIONS: |
| DATE: 3.13.23 |
| PROJECT No: 23009 |
| DRAWING: |



1 FRONT ELEVATION
1/4" = 1'-0"



2 NORTH SIDE ELEVATION
1/4" = 1'-0"



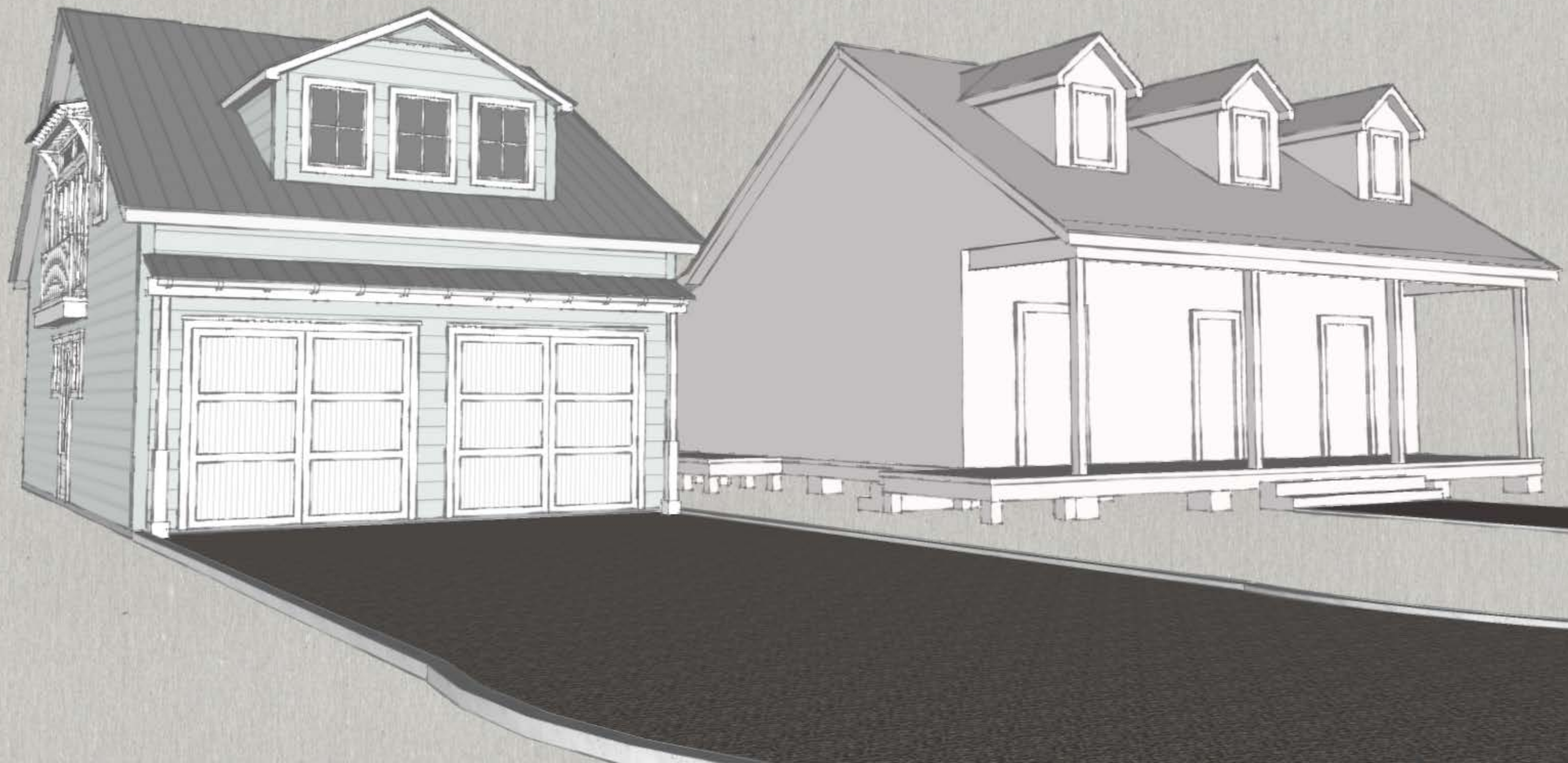
3 REAR ELEVATION
1/4" = 1'-0"



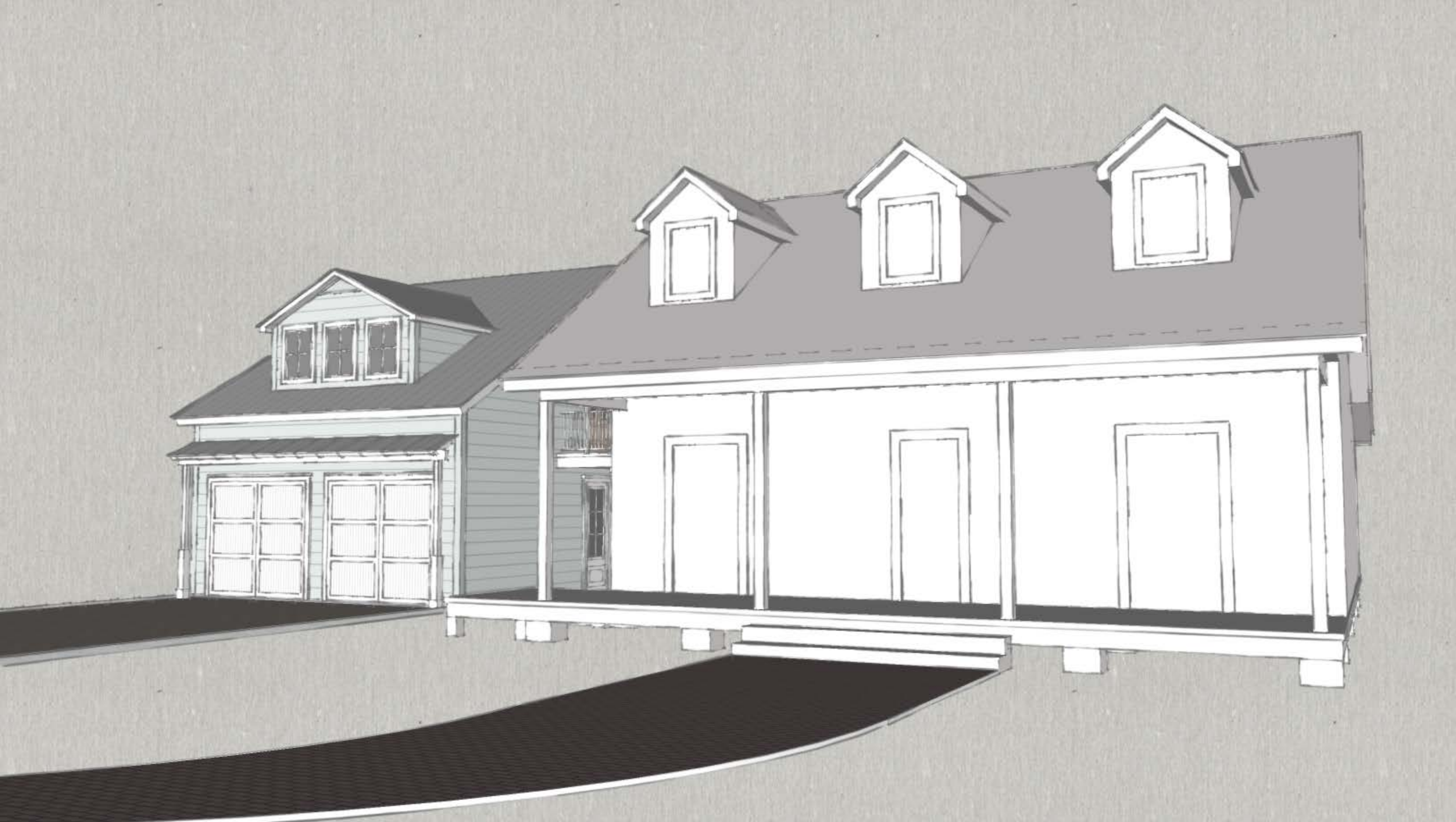
2 SOUTH SIDE ELEVATION
1/4" = 1'-0"



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| REVISIONS: |
| DATE: 3.13.23 |
| PROJECT No: 23009 |
| DRAWING: |









CASE SUMMARY SHEET**CASE NUMBER: V23-04-16****DATE RECEIVED: March 24, 2023****DATE OF MEETING: April 11, 2023 and April 25, 2023****Address: 1331 Madison****Subdivision: Old Town of Mandeville, Square 77 Lot 1B****Zoning District: R-1 Single Family Residential District****Property Owner: Brad and Dawn del Rio****PREVIOUS CASES: V22-01-02 – SETBACK ENCROACHMENT****V21-04-11 – Fill – Withdrawn****V21-07-17 – Fill – Withdrawn****REQUEST: V23-04-16 – Brad and Dawn del Rio request a variance to CLURO Section 5.2.3.2. Drainage Overlay District and Fill Sub-Area A, Square 77 Lot 1B, R-1 Single Family Residential District, 1331 Madison Street****CASE SUMMARY:**

The applicant owns the property located at 1331 Madison St., being parts of lots 2 and 15 in Sq 77. The property is located on the north side of Madison St., west of Albert St., and east of Atalin St. The property measures 75'x186' with a square footage of 13,950 according to a survey prepared by Randall W. Brown & Associates, Inc. and dated 2.10.21. A permit for new residential construction has been issued (Permit #21-7394).

The applicant is requesting to add additional fill under the front portion of the home. The lot has a steep slope downward, with the rear of the lot measuring 1.1' msl and the front of the lot is 4.9' msl. The additional fill in the front of the home would bring the height up to 5' msl. This would be an increase of 1' – 2' of additional fill as shown on the drainage plan prepared by J.V. Burkes & Associates, Inc. and dated 6.23.21. The additional fill will help combat the issue of swaying which has occurred per a letter from Warren L. Dietz Jr., P.E. and dated 2.21.23.

A retaining wall is being proposed along the rear edge of the area to be filled. This is to prevent any fill from running off from the placement area. The wall will run along the outer edge of the driveway, across the rear boundary of the fill area, and along the eastern side of the proposed fill area before ending. The top of the wall will have an elevation of 6' and the wall will have drainage outlets on the rear (north) side.

The applicant is requesting a variance to CLURO section 5.2.3.2 to add an additional 1' – 2' of fill to reach an elevation of 5' msl, and to construct a retaining wall measuring 6' to encapsulate the fill and prevent any runoff.

CLURO SECTIONS:**5.2.3.2. Drainage Overlay District and Fill Sub-Area A**

The following standards shall apply to all development falling within the mapped boundaries of the drainage overlay district as established in section 7.6.1 of this CLURO and fill sub-area A, which includes the areas located between Monroe Street, Bayou Castain, Lakeshore Drive and Galvez Street. Where the DO district overlaps with other areas described in this section 5.2.3, the provisions of the DO district shall apply.

1. Grading and Fill. No change in elevation from natural grades shall be allowed except follows:
 - a. Up to six (6) inches of fill may be placed under the perimeter of the soffit or roof line of structures to achieve positive drainage from under the structure.
 - b. Existing sites may be graded, or surface or subsurface conveyances may be established to meet the City's requirement to convey water to the City's stormwater management system.
 - c. Grading changes shall not have an adverse impact on adjacent properties in accordance with State law.
 - d. Fill shall not be allowed within the dripline of existing trees required to remain or any vegetative protection area.
3. Driveways.
 - a. Driveways shall be built at existing grade except that driveways may be elevated no more than six (6) inches if necessary to access a garage or parking areas beneath the building and to help convey water to the City's stormwater conveyance system.



WILLIAM J. JONES, JR.
JEFFREY D. SCHOEN
JOHN R. WALKER
MARGARET H. KERN
CALVIN P. BRASSEAU
THOMAS H. HUVAL
PAUL J. MAYRONNE
BAILEY DIRMAN MORSE

ANDREW J. WALKER
KATHERINE L. RIECKE

JONES FUSSELL, L.L.P.

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P.O. BOX 1810
COVINGTON, LOUISIANA 70434-1810

TELEPHONE (985) 892-4801
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HOWARD R. FUSSELL
(1937-2015)

March 24, 2023

City of Mandeville
Attn: Ms. Cara Bartholomew
Planning and Development Director
3101 East Causeway Approach
Mandeville, LA 70448

**Re: Application for Variance /Exception
Brad and Dawn Del Rio
1331 Madison Street, Mandeville, Louisiana**

Dear Cara:

As you are aware, I am representing Mr. and Mrs. Del Rio in regards to the above-referenced application. The purpose of this request is to allow my clients to place additional fill material under the front portion of their newly constructed home on Madison Street. For the reasons more particularly set forth below, we respectfully suggest that our request is reasonable, and will not have any negative impacts on my client's surrounding neighbors specifically, or the City of Mandeville, generally.

My client's lot has a significant slope from Madison Street to the rear. The rear of the subject lot is very low and "swampy." Pursuant to our request, we are seeking to place additional fill material, at an elevation not to exceed five (5') feet, under the front portion of the residence, all as set forth on the Proposed Drainage Plan prepared J. V. Burkes & Associates, Inc., which is attached hereto. As you will note, even with the additional fill, this portion of the lot will remain at or below the existing elevation of Madison Street.

In addition to the foregoing, my client is also proposing to install a retaining structure along the limits of the fill, all as set forth on the plan by H & H Engineering, Inc., which is also attached hereto. As you will see, this barrier will extend along the boundaries of the additional fill material, and the driveway for the residence, to assure that the fill does not sluff off and/or migrate from the point of placement.

As I believe you are also aware, my client has experienced problems with his home swaying. I have attached hereto a letter by Warren L. Dietz, Jr., P.E., who has opined that this additional fill material will help address this issue. It is vitally important that we address the swaying of the home, because the swaying has resulted in several interior problems, such as cracking sheetrock.

Ms. Cara Bartholomew
March 24, 2023
Page 2 of 2

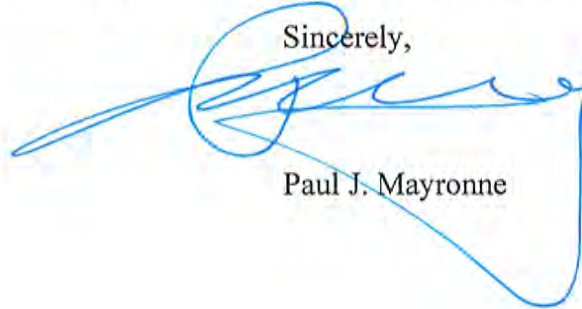
My client has also consulted with his neighbors, Mr. and Mrs. Amedee, and explained to them this request. As you will see from the attached letter, Mr. and Mrs. Amedee have no objection to our request being granted.

Finally, it is my understanding that similar requests, relating to the limited placement of fill under a raised home, have previously been approved within the city. We have consulted with our engineer who has opined that the placement of this limited fill, under the home as proposed, will have no detrimental impacts on our surrounding neighbors or the City of Mandeville in general.

For the foregoing reasons, we respectfully request the Planning Commission consider our application, and grant approval of the request.

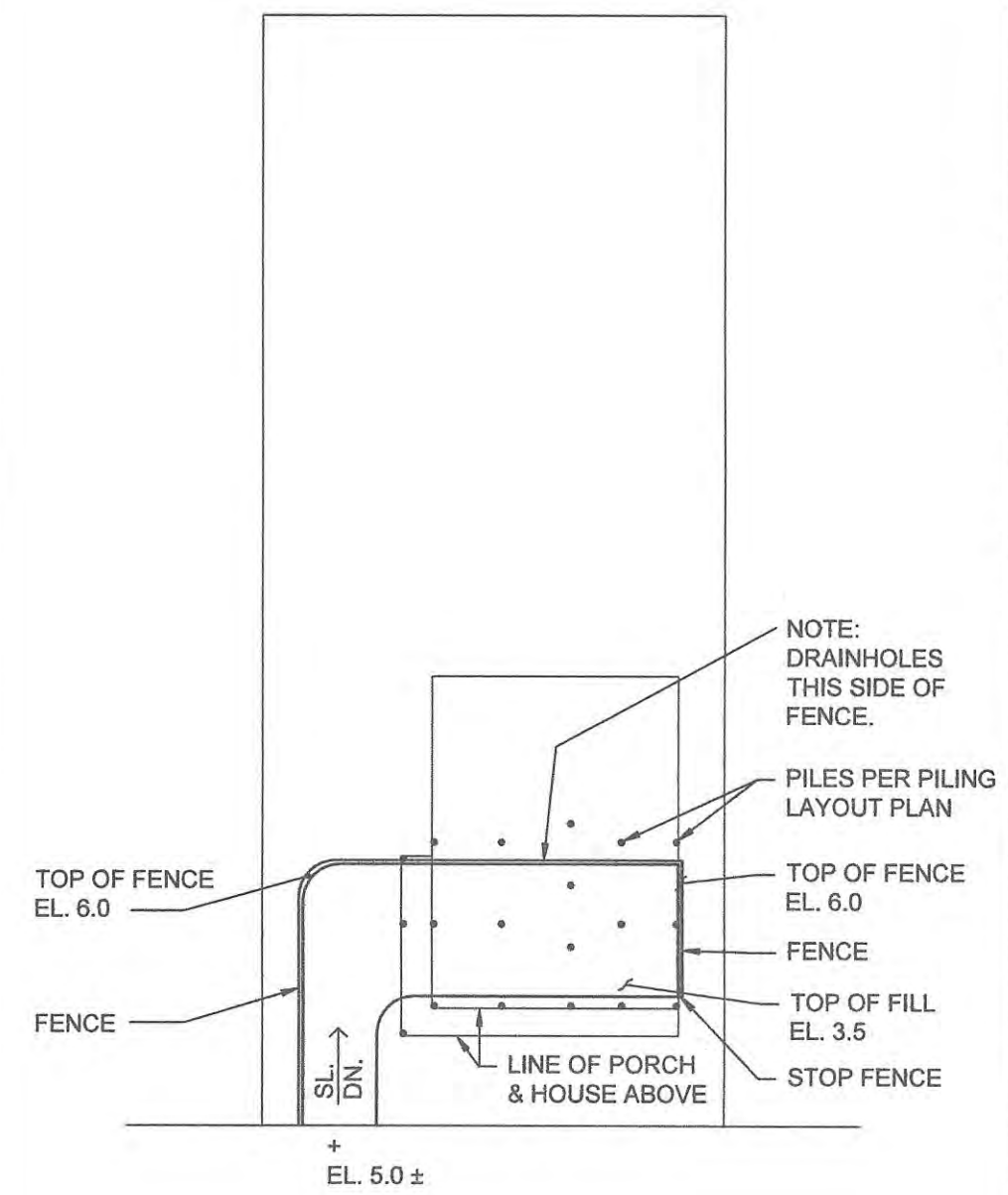
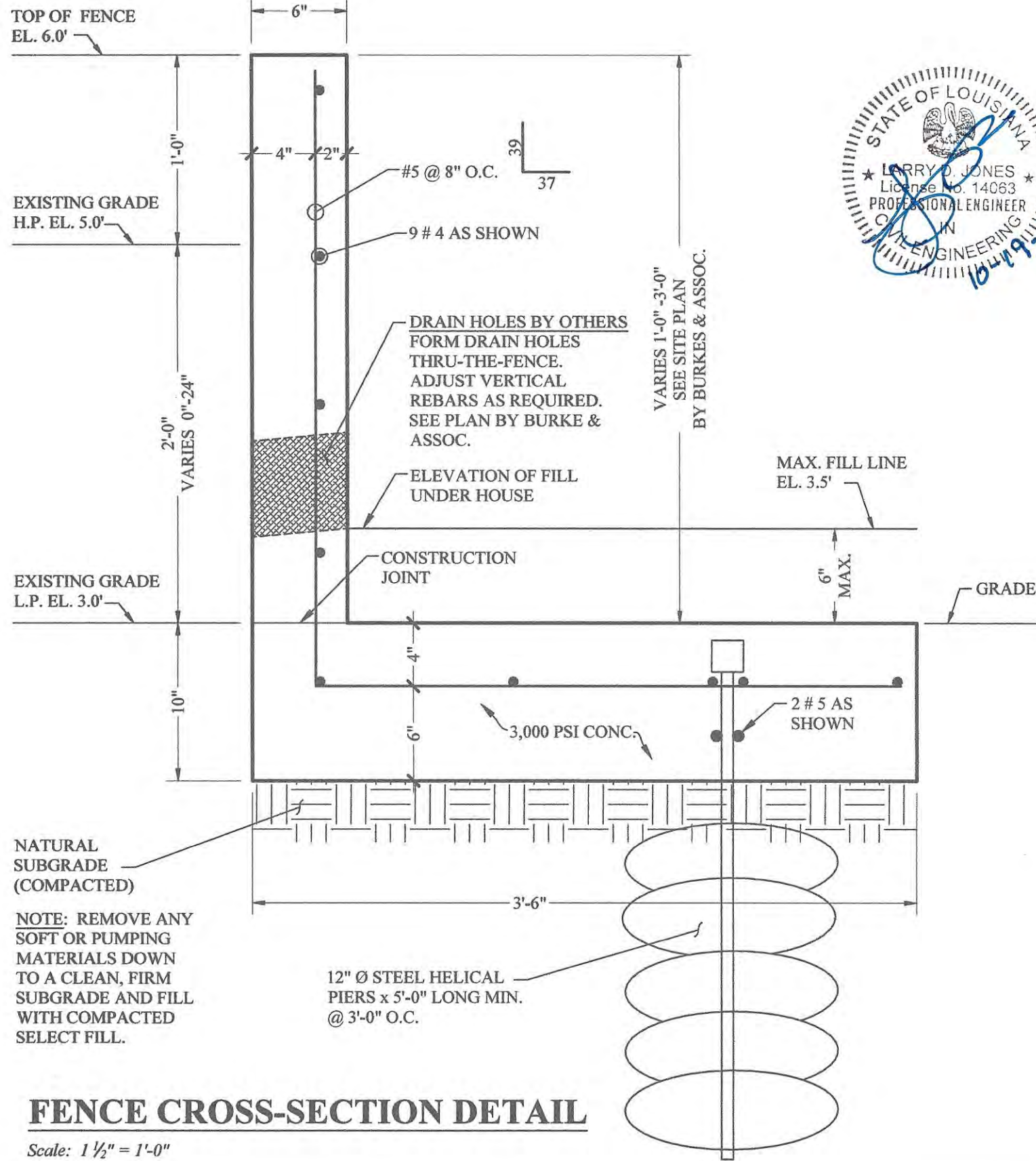
Thank you for your assistance in processing this application, and should you have any additional questions, or need any additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul J. Mayronne", is written over the typed name. The signature is fluid and cursive, with a large loop at the end.

Paul J. Mayronne

PJM/amh
Enclosures



SITE PLAN - FENCE

Scale: 1" = 30'

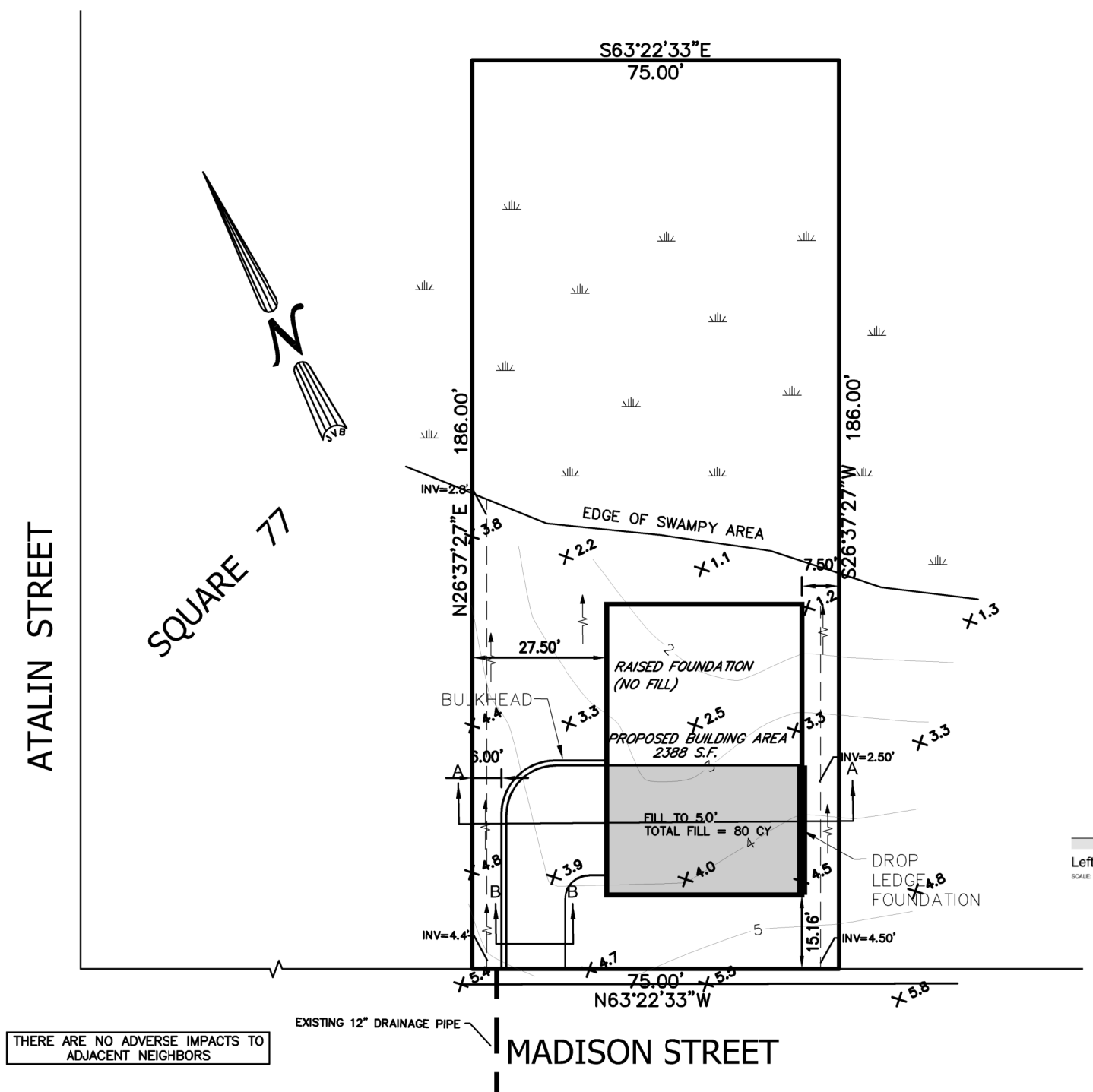
NOTE: TOP OF FENCE EL. 6.0 ALL AROUND THREE SIDES.

FENCE CROSS-SECTION DETAIL

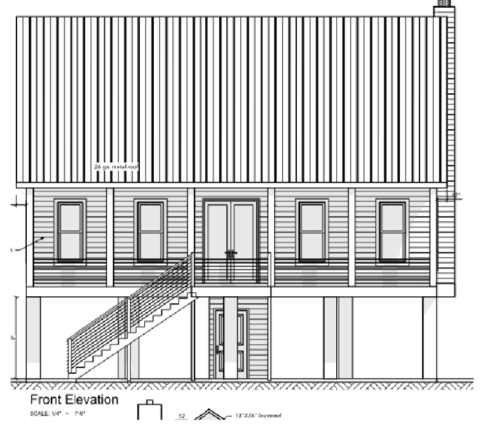
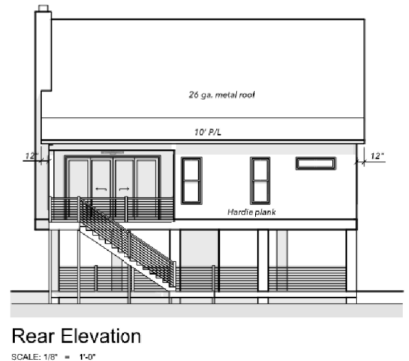
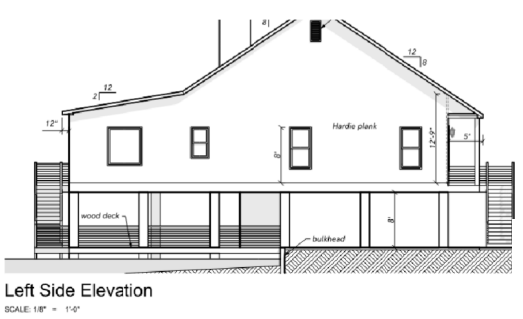
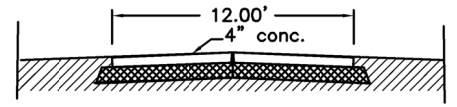
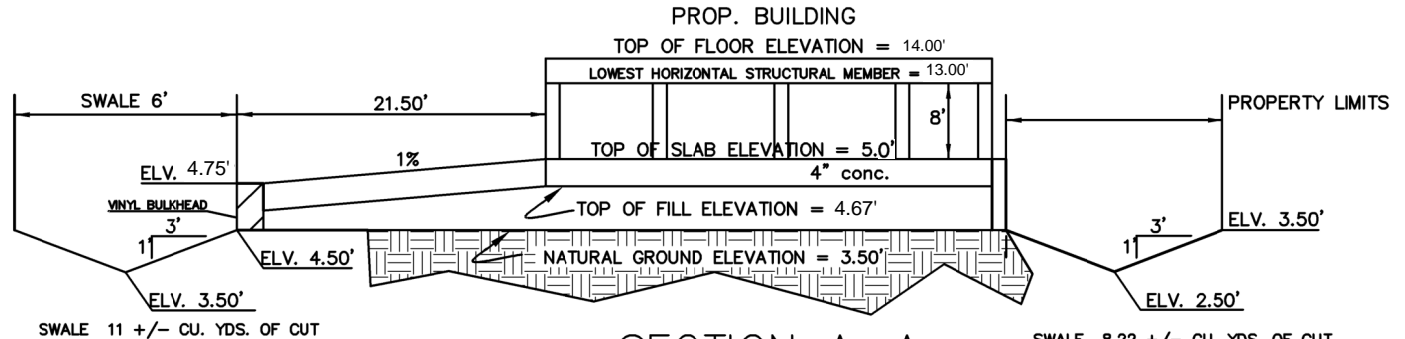
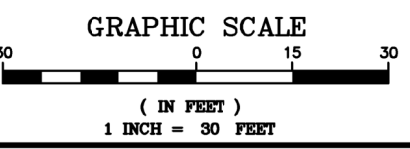
Scale: 1 1/2" = 1'-0"

| | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
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| DATE | 10-14-21 |
| DESCRIPTION/REVISIONS | |
| FOR APPROVAL AND COMMENT | |
| ISSUE | A |
| MR. & MRS. BRAD DELRIO 1331 MADISON STREET MANDEVILLE, LOUISIANA | |
| H & H ENGINEERING, INC. <small>Registered Professional Engineers National Design Consulting 100 Highland Park Drive Metairie, Louisiana 70002 Office: (504) 885-2124 Fax: (504) 885-2144 Email: info@hhanginc.com</small> | |
| SHEET | |
| S-1 | |

G:\SURVEYING\2017\LOT SURVEY\MANDEVILLE, TOWN OF\20170305, PORT. SQ. 77, COLLIER\dwg\20170305 fp.dwg



THERE ARE NO ADVERSE IMPACTS TO ADJACENT NEIGHBORS



Cut/Fill Summary Mitigate (ALLOWED 6" OF FILL FOR HOME (44 CY))

| Name | 2d Area | Cut | Fill | Net |
|---------------------|--------------|--------------|---------------------|------------------|
| Proposed Area/House | 1671 Sq. Ft. | 0.00 Cu. Yd. | 80 Cu. Yd. | 80 Cu. Yd.<Fill> |
| SWALE | | 20 Cu. Yd. | 0 Cu. Yd. | 20 Cu. Yd.<Fill> |
| TOTAL | | | 60 Cu. Yd.<Fill1/2> | |

HOME IS LOCATED IN DRAINAGE OVERLAY DISTRICT FILL SUBAREA A

- LEGEND
- 95 PROPOSED GRADE CONTOUR
 - X 95 EXISTING ELEVATION
 - FLOW ARROW
 - H.P. OR L.P. PROPOSED GRADED HIGH POINT OR LOW POINT
 - PROPOSED FILLED AREA FROM EXCAVATED POND FILL/MATERIAL

SCALE: 1" = 30

DATE: 6/23/2021

DRAWN BY: WSR CHECKED BY: SMB

DWG. NO: 20170305

SHEET 1 OF 1

I certify that this plat does represent an actual ground survey and that to the best of my knowledge no encroachments exist either way across any of the property lines, except as shown. Encumbrances shown hereon are not necessarily exclusive. Encumbrances of record as shown on title opinion or title policy will be added hereto upon request, as surveyor has not performed any title search or abstract.

A PROPOSED DRAINAGE PLAN FOR A PORTION OF SQUARE 77, TOWN OF MANDEVILLE, ST. TAMMANY PARISH, LOUISIANA

BRAD DEL RIO

J.V. Burkes & Associates, Inc.
SURVEYING ENGINEERING • ENVIRONMENTAL

1805 Shortcut Highway
Slidell, Louisiana 70458
E-mail: jvbassoc@jvburkes.com

Phone: 985-649-0075 Fax: 985-649-0154

STATE OF LOUISIANA
SEAN M. BURKES
REG. No. 27642
REGISTERED PROFESSIONAL

SEAN M. BURKES
LA REG. NO. 4785

DIETZ CONSULTING ENGINEERS, LLC
Warren L. Dietz Jr., P.E.
3605 Joyce Drive
Mandeville, Louisiana 70448
Cell: 504-512-2099

February 21, 2023

Planning and Zoning
City of Mandeville
St. Tammany Parish, Louisiana

Re: Del Rio Residence
1331 Madison Street
Mandeville, Louisiana

To whom it may concern,

The pilings for the supporting the foundation for the above referenced residence were designed to be driven into the ground a minimum of 35 feet. Mr. Del Rio reported to me that the pilings were driven between 25 feet and 27 feet as a result of encountering resistance at that depth. Mr. Del Rio also stated that his residence is swaying.

I have informed Mr. Del Rio that due to the pilings not being able to be driven to the designed 35 feet depth, he needs to install steel cables in an "X" pattern around the perimeter piles. This will help alleviate some of the swaying.

The foundation plans also calls for a 4 inch thick concrete mud slab to be installed. It is also recommended that 3 feet of fill be installed underneath the residence prior to installing the concrete mud slab. The placement of the fill, mud slab, and steel cables would help reduce the swaying.

Should you have any questions or need further assistance, please do not hesitate to contact me at the above listed telephone number.

Sincerely,
Warren L. Dietz Jr., P.E.
Louisiana Engineering Number 28536



March 22, 2023

To whom it my concern:

I am Mr. Del Rio's new neighbor, I reside at 415 Atalin Street, Mandeville, La. On this date I met with Mr. Del Rio and discussed his plan to add additional fill for parking under his new home.

After hearing his explanation as to what he plans to do I am not apposed to his proceeding with this project. I personally do not feel the additional fill will have any impact on the surrounding neighbors, of which I am one.

Sincerely yours,

Ambrose Amedee {c}985-630-1421

Juliane Amedee (c)985-630-1428

CASE SUMMARY SHEET**CASE NUMBER: V23-04-17****DATE RECEIVED: March 24, 2023****DATE OF MEETING: April 11, 2023 and April 25, 2023****Address: 2810 East Causeway Approach****Subdivision: Old Town of Mandeville, Square A80A Lot A****Zoning District: B-2 Highway Business District****Property Owner: East Approach LLC****REQUEST: V23-04-17 – East Approach LLC requests a variance to CLURO Section 9.2.5.7. Live Oak Protection Requirements, Square A80 Lot 80A, B-2 Highway Business District, 2810 East Causeway Approach****CASE SUMMARY:**

The applicant owns the property located at 2810 East Causeway Approach, being Sq A80 Lot 80A. The lot is located on the corner of Park Avenue and East Causeway Approach. The property measures 134.96'x211.97' with a square footage of 28,607 according to a survey prepared by Fontcuberta Surveys Incorporated, and dated 7.07.04, revised on 9.15.04. The property is improved with a commercial building, Ochsner Health Center.

There are two live oaks located on the eastern side of the property, the northern live oak measuring 19" dbh and the southern measuring 25" dbh, both trees are approximately 30' tall.

The applicant stated the following, *"I have two live oak trees on the east side of my building that have created a major problem because they are too close to the building. I had to replace all outside water lines that provide water to the building. My insurance company is threatening to cancel my insurance because of the trees hanging over building and tree roots are large and growing under the sidewalk and the foundation of the building. I am concerned that if I do not get a permit to remove the trees it will damage the concrete foundation to the building."*

The applicant submitted a report prepared by Ladson Poole of ArborWorks which states that the trees can be pruned to meet the insurance company's requirements however, due to the size of the branches and amount of foliage required to be removed the pruning would likely cause damage to the tree. This damage could decrease the tree's vitality and make it more susceptible to decay, disease, and pests. The report states that there is nothing that can be done to mitigate future damage caused by the root system.

The opinion of the report is that the best option would be to, at least, remove the southern live oak and replant a more suitable species in a better location. The report states that neither trees are located in a suitable location as both are located too close to the building.

After visiting the site, the staff arborist had the following comments. Based on the submitted documentation it does not appear that the removal of these two healthy live oaks will enhance the health, safety, and welfare of the public, or otherwise benefit the public interest. If the two trees are approved to be removed, they would require 7 2" caliper live oak replacement trees.

At the April 11th work session, it was requested to find the replacement if only one tree was removed. The staff arborist said that if only the southernmost 25" DBH live oak is removed they would require 4 2" caliper live oak replacements.

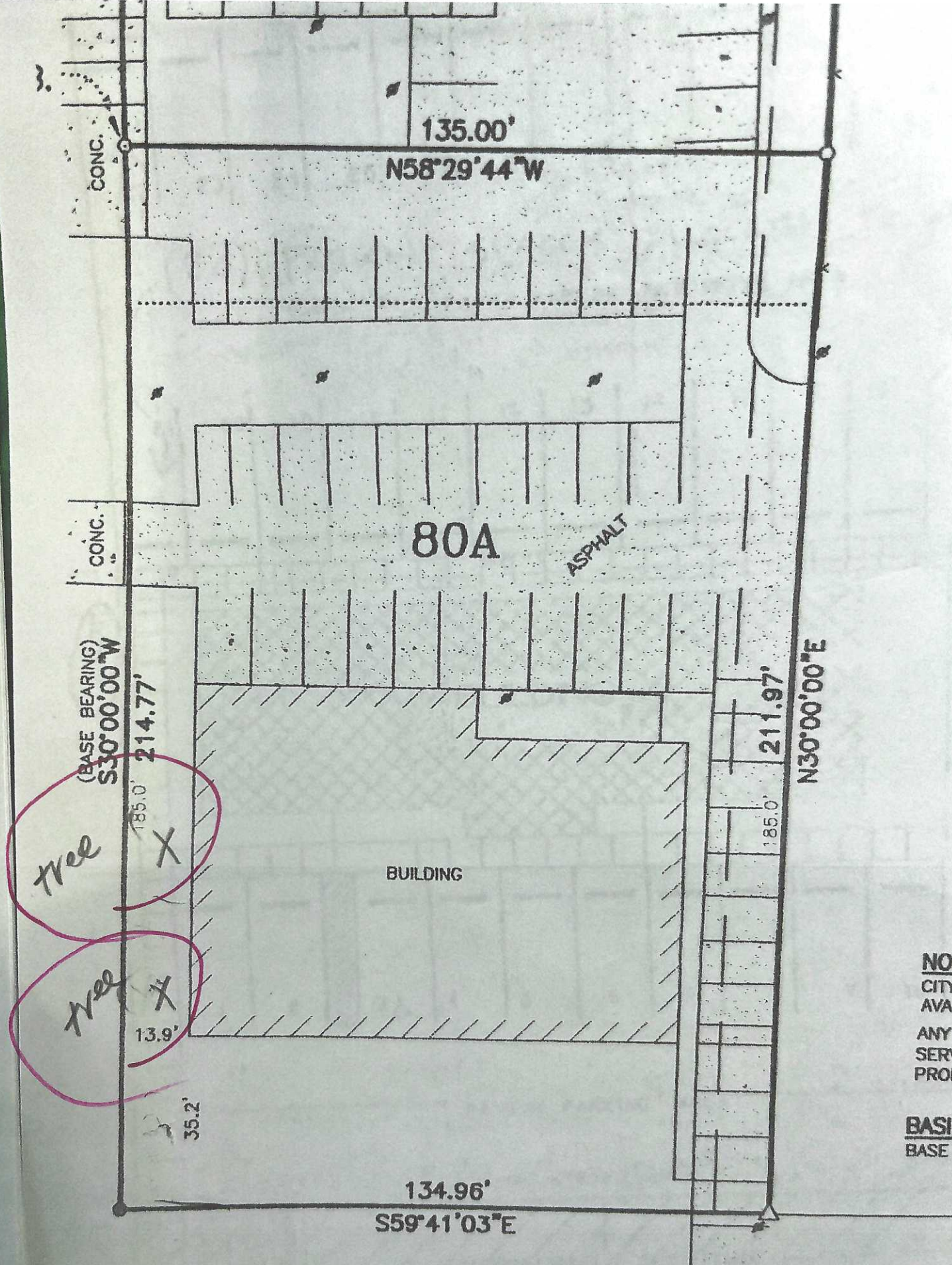
The applicant is requesting a variance to CLURO section 9.2.5.7 to remove two live oaks.

CLURO SECTIONS:**9.2.5.7. Live Oak Protection Requirements**

In all zoning districts, including the R-1, R-1X and R-2 districts, all live oak trees 6" dbh shall be protected as follows:

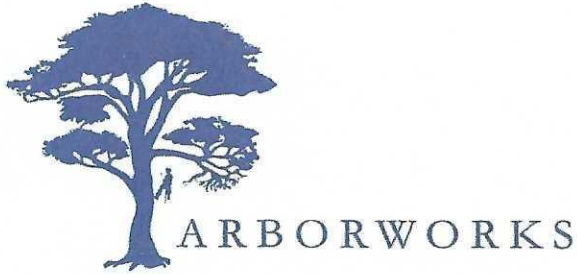
1. A tree removal permit shall be obtained from the Building Inspector prior to cutting, clearing or removing any live oak tree.
2. The applicant wishing to remove a live oak tree must state in writing that such activity will enhance the health, safety and welfare of the public, or otherwise benefit the public interest and the applicant must offer evidence to that effect. The Building Inspector is empowered to issue or deny the permit based on the application and the evidence. Prior to the issuance of a tree removal permit the applicant must submit a plan or written statement offering evidence of compliance with the tree replacement provisions of this Article.
3. It shall be unlawful for any person to place soil in such a way that would cause live oaks to become diseased or die. If filling with soil is necessary to properly drain the land, all efforts should be made to protect the area within the drip line of a live oak from the impact of such activity. Should all efforts fail and a tree removal permit be issued for the removal of the live oak the provisions of these regulations regarding replacement of trees shall be required to be met.
4. A tree removal permit will be required to prune the primary and secondary branches of any live oak tree 12" dbh or greater. Such pruning shall be required to be recommended in writing and supervised by a licensed arborist or a state forester.





EAST CAUSEWAY APPROACH
 [FLORIDA STREET]

NOT
 CITY
 AVAIL
 ANY
 SERV
 PROP
 BASIS
 BASE



ARBORICULTURAL REPORT PREPARED FOR - JACK CONDR

In March 2023, Mr. Jack Condra contacted ArborWorks concerning 2 live oak trees that are located at one of his commercial properties (Ochsner Clinic at 2810 E Causeway Approach Mandeville, LA 70448). The tree's roots had caused damage to the sidewalk and underground plumbing resulting in expensive repairs. In addition to the damage, Mr. Jack's insurance company recently contacted him threatening to cancel his coverage unless the live oaks were severely trimmed back. I visited the property on 3/17/23 to provide an assessment of the trees as well as discuss viable options that would alleviate the insurance company's concerns, as well as mitigate any potential future damage to the building's foundation and underground plumbing/piping. This report will cover my assessment of the 2 live oak trees and recommendations for moving forward.

- **2 LIVE OAK (*Quercus virginiana*) ON BUILDINGS RIGHT SIDE ALONG PARK AVE:**
 - Northernmost Live Oak - 19" DBH, approx. 30' tall
 - Southernmost Live Oak - 25" DBH, approx. 30' tall
 - **Recommendations** - Pruning the tree to meet the insurance company's requirements is possible and feasible. However, the size of the branches and the amount of foliage that would need to be removed would likely cause damage to the tree. This potential damage could significantly decrease the tree's vitality and vigor as well as make the tree more susceptible to decay/disease/pests. Long term, this could make the tree more of a liability to the surrounding structure than it currently is.

As far as the roots - there isn't anything that can be done to mitigate future damage caused by the tree's root system. Any attempt to stop or remove threatening roots would cause significant and irreparable damage to the tree's root-crown and open the tree up to root-rot/decay/disease/pests. Damaging the tree's roots in this way would cause the tree to become more and more of a liability to the surrounding structure as time went on. In my opinion, the roots will continue to be a threat to the structure.

In my opinion, the most cost-effective and best option would be to remove the southernmost live oak (at the very least) and replant a more suitable species in a more suitable location. Neither the northernmost or the southernmost tree are in a suitable location - both have been planted way too close to the building, with the biggest offender being the southernmost tree.

Best Regards,

Ladson Poole
LA Arborist Lic. 2469
ArborWorks LLC





FROM INS. INSPECTION 2-16-23

Construction/Common Hazard Recs- Trees

The movement of the trees can cause gouging of the roof material, puncturing of the shingles or roofing surface. Cut back the tree limbs to reduce the potential for damage to the building. Also, trees cause moisture to be trapped contributing to rotting roof structures and leaves can also be trapped in the gutters causing water to back-up damaging roof and exterior wall structures. If these are located on your neighbors property be sure to follow the proper notification and permission procedures before trimming the trees.

No Current Response

[Respond](#)

I LOVE LIVE OAKS AS WELL AS ANYONE.
THESE TWO LIVE OAKS ARE TOO CLOSE
TO BUILDING AND NEED TO BE
REMOVED.

JACK CONDRA
205-960-1000

Alex Weiner

From: Jack Condra <jackcondra@gmail.com>
Sent: Monday, April 17, 2023 12:59 PM
To: Alex Weiner; Ladson Poole
Subject: Re: Additional Information Requested
Attachments: Trees.pdf

Alex,

As per our discussion I am submitted the following information:

I had to replace the supply water line and repair the sidewalk to the building because the tree roots broke the supply line. It is just a matter of time until they break the new water supply line. The large roots are growing and over time they will damage the water line again.

I had to replace rotten boards because leaves backed up in the gutter and caused soffit damage.

The roots are growing toward the building and I am concerned that the roots will damage my walkways and the foundation to the building.

The insurance company has notified me of the danger of the large trees that are too close to the building. **Please see the attached letter.** They indicated that they could cancel my insurance if I do not correct the problem. As per your request I ask the insurance company to be more specific on the requirements. They will not provide any more specific advice on the trees. They simply said that the trees are creating a problem and if it is not corrected they could cancel my policy.

As you know I have an Arborist, Ladson Poole and he is representing me at the meetings. He has recommended that the trees be removed. He will be at the next meeting to answer any questions.

I love live oaks as much as anyone. These live oaks are too close to the building and are causing damage to my property.

I will be happy to plant some trees on public property to replace the ones that need to be removed from my property.

I appreciate your consideration.

Jack Condra



Burns & Wilcox Ltd.

Inspection Recommendations

Date: 2/16/2023
To: Erwin Insurance Agency
From: Peggy R Neilsen
Re: East Approach, LLC, Jack Condra
Policy No.: BWPF0075906

An inspection was conducted recently of the following Location:

2810 East Causeway Approach
Mandeville, LA, 70448

Please see the attached Recommendations from the Inspection Company.

Please Comply with these Recommendations within 30Days and confirm in writing or a Notice of Cancellation will be sent.

Sincerely,

Peggy R Neilsen

My (our) insurance policy has been issued and remains in force in reliance upon my (our) representation that the Recommendations has/have been corrected. If this representation is untrue, coverage under my (our) insurance may be void.

Jack Condra

Insured Signature

3-20-23
Date

Producer Signature

Date

2022-11-001

Risk Improvement

Issued / Open

AFIRM Property



Construction/Common Hazard Recs- Trees

The movement of the trees can cause gouging of the roof material, puncturing of the shingles or roofing surface. Cut back the tree limbs to reduce the potential for damage to the building. Also, trees cause moisture to be trapped contributing to rotting roof structures and leaves can also be trapped in the gutters causing water to back-up damaging roof and exterior wall structures. If these are located on your neighbors property be sure to follow the proper notification and permission procedures before trimming the trees.

No Current Response

[Respond](#)

INTER



MANDEVILLE
A Historic Lakefront Community

MEMO

OFFICE

To: Cara Bartholomew

From: Catherine Fuselier

Date: April 11, 2023

Subject: V23-04-17

A site inspection was performed to inspect the health of the two live oaks on the property and to evaluate the need for removal. The inspection found two live oak trees located within the Park Ave Greenbelt and measured 19" and 25" in DBH. The 25" live oak was found to be closest to the building and has a few branches growing over the building and has surface roots around the base of the tree up to the concrete walkway around the building. The 19" DBH live oak was found to be located closer to the street and with no visible surface roots or branches growing over the building. Both trees were found to be healthy and in good condition. The insurance note states that the trees should be cut back to reduce the potential for damage to the building but did not go into the extent that should be pruned to achieve this so it is not possible to know if the amount of pruning required would cause negative impacts to the tree or not. A meeting should be set for the insurance inspector to determine what work would be needed to allow continued insurance. Additionally, the arborist report referenced the trees roots causing damage to the structure, this would be extremely unlikely as generally roots do not grow under foundations. The majority of tree roots grow in the top 12" of soil and when the hit a

buildings foundation they generally turn and grow along, not under. More often than not if there is issue with the foundations it would be from the soil not a tree root. Based on the submitted documentation it does not appear that the removal of these two healthy live oaks will enhance the health, safety, and welfare of the public, or otherwise benefit the public interest. If the two trees are approved to be removed, they would require 7 2" caliper live oak replacement trees.

April 14, 2023 Update

If only the southern most 25" DBH live oak is removed they would require 4 2" caliper live oak replacements.