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**THE FOLLOWING ORDINANCE WAS SPONSORED BY COUNCIL MEMBERS JASON ZUCKERMAN AND KEVIN VOGELTANZ; MOVED FOR ADOPTION BY COUNCIL MEMBER \_\_\_\_\_, SECONDED FOR ADOPTION BY COUNCIL MEMBER \_\_\_\_\_.**

**ORDINANCE NO. 26-02**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF MANDEVILLE AMENDING ARTICLE 4, SECTION 4.3.3.5, 4.3.3.7, 4.3.3.9, 4.3.3.10, and 4.3.3.11 PROCEDURES AND FEES FOR CONDITIONAL USE PERMITS AND PLANNED DISTRICT ZONING, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH**

**WHEREAS**, the City Council of Mandeville is vested by Section 2-1 of the Mandeville Charter with the legislative power of the city government and has the authority to enact ordinances which have the force of law;

**WHEREAS**, the City Council of Mandeville is empowered by Section 2-10 (A)(14-15) of the Mandeville Charter to utilize its policing power to adopt or modify the zoning plan, maps and regulations and amend or repeal any ordinance previously adopted;

**WHEREAS**, the City of Mandeville's Comprehensive Land Use Regulations Ordinance (CLURO) was adopted on June 25, 2015, rev. through October 23, 2025, and provides for procedures and fees for Conditional Use Permits and Planned District Zoning in Article 4.3.3.5, 4.3.3.7, 4.3.3.9, 4.3.3.10, and 4.3.3.11;

**WHEREAS**, the City of Mandeville desires to ensure adequate public notice of any requests for conditional use permits or Planned District zoning that are considered by the Planning and Zoning Commissions for recommendations to the City Council, and desires to require that all applications reviewed by the Planning and Zoning Commissions be accompanied by a proposed Ordinance for City Council consideration outlining the details of the applicant's requested development plan and proposed uses as well as any variances required for each proposed use within the development site, such that the City Council is presented with a proposed ordinance that contains information, applicant requests, and application details and criteria that was provided to the Planning and Zoning Commissions for the allowance of adequate review and public comment.

**WHEREAS**, the City of Mandeville desires that any recommendations made by the Planning and Zoning Commission regarding Conditional Use Permits and Planned District applications be provided to the City Council with a proposed ordinance for the purpose of eliminating any potential circumstance where recommendations made by the Commissions are not also wholly contained in an ordinance presented to the Council.

**WHEREAS**, the City of Mandeville desires to provide full transparency in the enactment of all ordinances for Conditional Use Permits and Planned District Zoning by providing that the City Council first publish a proposed ordinance, introduced by the Council Member of the district of the subject property and seconded by the Council Chair, so that all applications that meet the application requirements are procedurally introduced by the City Council before being reviewed

and evaluated by the Planning Commission who will make a recommendation of action to be taken by the City Council following the public hearing.

**WHEREAS**, the City of Mandeville also desires to confirm that an application will only need to be resubmitted to the City Council for original introduction and resubmission to the Planning Commission in the circumstance where an amendment to the proposed ordinance made by the applicant or the Planning Commission during the consideration of the application and proposed ordinance nullifies the purpose of the proposed ordinance or adds an additional use or variance request that was not subject to Planning Commission consideration, evaluation and public notice and review.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** by the City Council of the City of Mandeville that CLURO Section 4.3.3.5, 4.3.3.7, 4.3.3.9, 4.3.3.10, and 4.3.3.11 be amended as follows:

**4.3.3.2. *Jurisdiction***

The Planning Director shall be responsible for administration of the Conditional Use and Zoning Amendment Procedures and for reviewing the application to ensure adherence to the application requirements. An application, in the form of a proposed ordinance, shall be placed on the agenda of the City Council following notice from the Planning Director that the applicant has met the application requirements of Article 4.3.3.4. The Council Clerk shall prepare a proposed ordinance for introduction based on the zoning and variance requests of the applicant and shall publish a City Council agenda containing the proposed ordinance to be introduced. At the meeting of the City Council, the proposed ordinance shall be introduced by the Council member from the Council District of the subject property, and such introduction shall be seconded by another Council Member or the, in the event it is not seconded by another Council Member, the Council Chair shall second the introduction. After introduction of the proposed ordinance, the City Council shall notify the Planning Commission of the introduction and the proposed ordinance shall be placed on the agenda of the Planning Commission. The Planning Commission shall be responsible for review, evaluation, and recommendation of action to be taken to the City Council on all applications for a Conditional Use Permit.

**4.3.3.3. *Concurrent Applications***

Application for a Conditional Use Permit and for Rezoning or Planned District zoning for the same property may be made concurrently, subject to the fees applicable to a rezoning or Planned District zoning only. Following introduction of the proposed ordinance that includes the details of the zoning and variance requests of the applicant by the City Council, the Planning Commission and Zoning Commission may hold the public hearing on the Rezoning and the Conditional Use Permit at the same meeting and may combine the two hearings. The City Council likewise may hold the two public hearings in combination and may approve both the Conditional Use and Zoning Amendment or Planned District zoning by one ordinance.

...

**4.3.3.5. *Public Hearing and Notice***

At the regularly scheduled meeting following the City Council's introduction of a proposed ordinance, the Planning Commission shall hold a public hearing on each application for a

Planned District zoning or amendment or for a Conditional Use Permit. Public notice shall be given as required for zoning amendments. At the public hearing, the Commission shall review the application and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, with respect to the findings prescribed herein. An amendment to the proposed ordinance made by the applicant or the Planning Commission that does not nullify the purpose of the proposed ordinance nor add an additional use or variance request will not require resubmission to the Planning Commission or reintroduction of the proposed ordinance.

...

#### ***4.3.3.7. Action by the Planning Commission***

The Planning Commission shall act on the application not more than twenty (20) days following the closing of the public hearing on a Planned District zoning or Conditional Use Permit application. The Commission may recommend granting a Conditional Use Permit or approve a Planned District zoning or amendment as applied for or in a modified form or subject to conditions, or may recommend denial of the application to the City Council. If the Commission recommends a permit be granted as applied for or in modified form, the Commission may, but is not required to, provide proposed language for any condition or modification as part of its recommendation report to the City Council . The Commission shall notify the applicant of its recommendation by mail.

...

#### ***4.3.3.9. Conditions of Approval***

The Planning Commission may recommend, and the City Council may establish, conditions of approval. Conditions may include, but shall not be limited to, requirements for special yards, open spaces, buffers, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and dedications, regulation of vehicular ingress and egress, and traffic circulation; regulation of signs; regulation of hours or other characteristics of operation; requirements for maintenance of landscaping and other improvements; establishment of development schedules or time limits for performance or completion; and such other conditions as the Commission or City Council may deem necessary to insure compatibility with surrounding uses to preserve the public health, safety, and welfare, and to enable the Commission to make the findings required by the preceding Section. Any conditions of approval recommended by the Planning Commission shall be fully set forth in the proposed ordinance provided to the City Council contemporaneously with the recommendation of the Planning Commission.

#### ***4.3.3.10. Planning Commission Recommendations to the City Council***

The recommendations of the Planning Commission, as well as the proposed language setting forth all uses, variances, and other planning considerations in the event of a recommendation of approval as applied for or in modified form, shall be forwarded to the City Council within 10 days after the date on which action is announced.

#### ***4.3.3.11. Enactment by Ordinance***

The recommendation of the Planning Commission on an application for a Zoning Amendment, Conditional Use Permit, or Planned District shall be forwarded to the City Council as a recommendation to grant or deny after the Planning Commission holds a public

hearing thereon. In the event the Planning Commission recommends an application be granted as applied for or granted with conditions of modification, the details of the conditions or modifications, or proposed language, shall accompany the Commission's recommendation on the application in the form of proposed ordinance being submitted to the City Council. The City Council shall hold a public hearing on said application in the form of proposed ordinance. Notice of the public hearings before the Planning Commission and City Council shall be given in the same manner as the notice required for zoning amendments. In the event the application for a Conditional Use Permit Planned District is made for property that is contiguous to any property that is zoned for Residential uses, then such ordinance approving the Conditional Use or Planned District shall not be passed except by an affirmative vote of four-fifths majority of the Council membership. In the event the decision of the Planning Commission on the application for a Planned District or Conditional Use Permit is adverse thereto, or in the event a protest against the proposed Planned District or Conditional Use Permit is presented, in writing, to the City Council, duly signed and acknowledged by the owners of at least twenty (20) percent of the property situated in the area bounded by lines two hundred (200) feet in each direction and one each side of the area included in such proposed Planned District, such ordinance approving the Planned District shall not be passed except by an affirmative vote of a four-fifths (4/5) majority of the members of the City Council.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that the Clerk of this Council be and is hereby and is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:

NAY:

ABSTENTIONS:

ABSENT:

And the ordinance was declared adopted this \_\_\_\_ day of \_\_\_\_\_, 2026.

---

Alicia Watts  
Clerk of Council

---

Jason Zuckerman  
Council Chairman

**THE FOLLOWING ORDINANCE WAS SPONSORED BY COUNCIL MEMBERS JASON ZUCKERMAN AND KEVIN VOGELTANZ; MOVED FOR ADOPTION BY COUNCIL MEMBER \_\_\_\_\_, SECONDED FOR ADOPTION BY COUNCIL MEMBER \_\_\_\_\_.**

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**WHEREAS**, the City Council of Mandeville is empowered by Section 2-10 (A)(14-15) of the Mandeville Charter to utilize its policing power to adopt or modify the zoning plan, maps and regulations and amend or repeal any ordinance previously adopted;

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**WHEREAS**, the City of Mandeville desires to ensure adequate public notice of any requests for conditional use permits or Planned District zoning that are considered by the Planning and Zoning Commissions for recommendations to the City Council, and desires to require that all applications reviewed by the Planning and Zoning Commissions be accompanied by a proposed Ordinance for City Council consideration outlining the details of the applicant's requested development plan and proposed uses as well as any variances required for each proposed use within the development site, such that the City Council is presented with a proposed ordinance that contains information, applicant requests, and application details and criteria that was provided to the Planning and Zoning Commissions for the allowance of adequate review and public comment.

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**WHEREAS**, the City of Mandeville desires to provide full transparency in the enactment of all ordinances for Conditional Use Permits and Planned District Zoning by providing that the City Council first publish a proposed ordinance, introduced by the Council Member of the district of the subject property and seconded by the Council Chair, so that all applications that meet the application requirements are procedurally introduced by the City Council before being reviewed

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#### **4.3.3.2. Jurisdiction**

The Planning Director shall be responsible for administration of the Conditional Use ~~and Zoning Amendment~~ Procedures and for reviewing the application to ensure adherence to the application requirements. An application, in the form of a proposed ordinance, shall be placed on the agenda of the City Council following notice from the Planning Director that the applicant has met the application requirements of Article 4.3.3.4. The Council Clerk shall prepare a proposed ordinance for introduction based on the zoning and variance requests of the applicant and shall publish a City Council agenda containing the proposed ordinance to be introduced. At the meeting of the City Council, the proposed ordinance shall be introduced by the Council member from the Council District of the subject property, and such introduction shall be seconded by another Council Member or the, in the event it is not seconded by another Council Member, the Council Chair shall second the introduction. After introduction of the proposed ordinance, the City Council shall notify the Planning Commission of the introduction and the proposed ordinance shall be placed on the agenda of the Planning Commission. The Planning Commission shall be responsible for review, evaluation, and recommendation of action to be taken to the City Council on all applications for a Conditional Use Approval Permit.

**Commented [AW1]:** This language should be moved to Section 4.3.3.4. Application and Fee

#### **4.3.3.3. Concurrent Applications**

Application for a Conditional Use Approval Permit and for Rezoning or Planned District zoning for the same property may be made concurrently, subject to the fees applicable to a rezoning or Planned District zoning only. Following introduction of the proposed ordinance that includes the details of the zoning and variance requests of the applicant by the City Council, the Planning Commission and Zoning Commission may hold the public hearing on the Rezoning and the Conditional Use approval Permit at the same meeting and may combine the two hearings. The City Council likewise may hold the two public hearings in combination and may approve both the Conditional Use and Zoning Amendment or Planned District zoning by one ordinance.

#### **4.3.3.4. Application and Fee**

An application, in the form of a proposed ordinance, shall be placed on the agenda of the City Council following notice from the Planning Director that the applicant has met the application requirements of Article 4.3.3.4. The Council Clerk shall prepare a proposed

ordinance for introduction based on the zoning and variance requests of the applicant and shall publish a City Council agenda containing the proposed ordinance to be introduced. At the meeting of the City Council, the proposed ordinance shall be introduced by the Council member from the Council District of the subject property, and such introduction shall be seconded by another Council Member or the, in the event it is not seconded by another Council Member, the Council Chair shall second the introduction. After introduction of the proposed ordinance, the City Council shall notify the Planning Commission of the introduction and the proposed ordinance shall be placed on the agenda of the Planning Commission.

Applications for Conditional Use approvals and Planned District zoning approvals shall be filed with the Planning Director. The application shall include the following: ...

#### **4.3.3.5. Public Hearing and Notice**

At the regularly scheduled meeting following the City Council's introduction of a proposed ordinance, the Planning Commission shall hold a public hearing on each application for a Planned District zoning or amendment or for a Conditional Use ~~Approval Permit~~. Public notice shall be given as required for zoning amendments. At the public hearing, the Commission shall review the application and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, with respect to the findings prescribed herein. ~~An recommendation to amendment to the proposed ordinance made by the applicant or the Planning Commission that does not nullify the purpose of the proposed ordinance nor add an additional use or variance request will not require resubmission to the Planning Commission or reintroduction of the proposed ordinance.~~

...

#### **4.3.3.7. Action by the Planning Commission**

The Planning Commission shall act on the application not more than twenty (20) days following the closing of the public hearing on a Planned District zoning or Conditional Use ~~approval Permit~~ application. The Commission may recommend granting a Conditional Use ~~approval Permit~~ or approve a Planned District zoning or amendment as applied for or in a modified form or subject to conditions, or may recommend denial of the application to the City Council. If the Commission recommends approval a permit be granted as applied for or in modified form, the Commission may, but is not required to, provide proposed language for any condition or modification as part of its recommendation report to the City Council . ~~The Commission shall notify the applicant of its recommendation by mail.~~

...

#### **4.3.3.9. Conditions of Approval**

The Planning Commission may recommend, and the City Council may establish, conditions of approval. Conditions may include, but shall not be limited to, requirements for special yards, open spaces, buffers, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and dedications, regulation of vehicular ingress and egress, and traffic circulation; regulation of signs; regulation of hours or other characteristics of operation; requirements for maintenance of landscaping and other improvements; establishment of

**Commented [AW2]:** Some questions and concerns arise with the process of receiving application. Which deadlines do they follow? What agenda will they be placed on?

**Formatted:** Left

development schedules or time limits for performance or completion; and such other conditions as the Commission or City Council may deem necessary to insure compatibility with surrounding uses to preserve the public health, safety, and welfare, and to enable the Commission to make the findings required by the preceding Section. Any conditions of approval recommended by the Planning Commission shall be fully set forth in the proposed ordinance provided to the City Council contemporaneously with the recommendation of the Planning Commission.

#### 4.3.3.10. *Planning Commission Recommendations to the City Council*

The recommendations of the Planning Commission, as well as the proposed language setting forth all uses, variances, and other planning considerations in the event of a recommendation of approval as applied for or in modified form, shall be forwarded to the City Council within 10 days after the date on which action is announced.

#### 4.3.3.11. *Enactment by Ordinance*

The recommendation of the Planning Commission on an application for ~~a Zoning Amendment~~, Conditional Use ~~Approval Permit~~, or Planned District ~~Zoning~~ shall be forwarded to the City Council as a recommendation to grant or deny after the Planning Commission holds a public hearing thereon. In the event the Planning Commission recommends an application be approved granted as applied for or granted with conditions of modification, the details of the conditions or modifications, or proposed language, shall accompany the Commission's recommendation on the application in the form of proposed ordinance being submitted to the City Council. The City Council shall hold a public hearing on said application in the form of proposed ordinance. Notice of the public hearings before the Planning Commission and City Council shall be given in the same manner as the notice required for zoning amendments. In the event the application for a Conditional Use ~~approval Permit~~ Planned District is made for property that is contiguous to any property that is zoned for Residential uses, then such ordinance approving the Conditional Use or Planned District shall not be passed except by an affirmative vote of four-fifths majority of the Council membership. In the event the decision of the Planning Commission on the application for a Planned District or Conditional Use ~~Approval Permit~~ is adverse thereto, or in the event a protest against the proposed Planned District or Conditional Use ~~Approval Permit~~ is presented, in writing, to the City Council, duly signed and acknowledged by the owners of at least twenty (20) percent of the property situated in the area bounded by lines two hundred (200) feet in each direction and one each side of the area included in such proposed Planned District, such ordinance approving the Planned District shall not be passed except by an affirmative vote of a four-fifths (4/5) majority of the members of the City Council.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that the Clerk of this Council be and is hereby and is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:  
NAY:  
ABSTENTIONS:  
ABSENT:

**Commented [AW3]:** This language seems to conflict with the added language in Section 4.3.3.7. That language states that the Commission *may, but is not required* to provide proposed language for any condition or modification. This language requires it

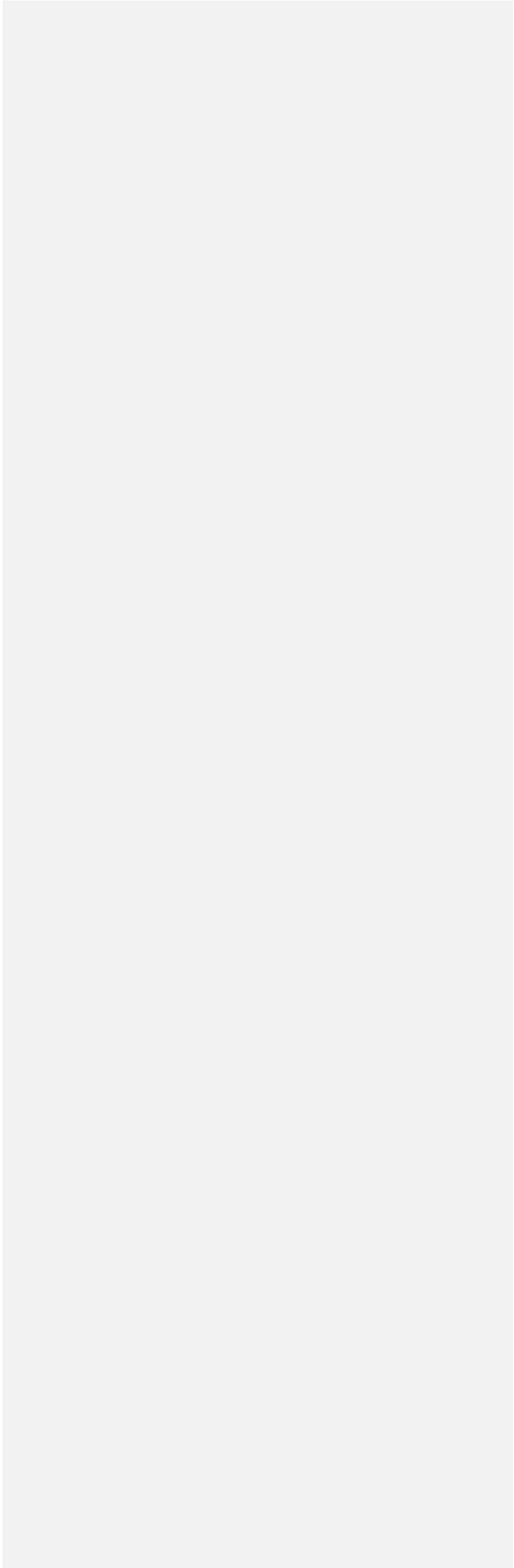
**Commented [AW4]:** Same potential conflict issue here as is 4.3.3.9.

**Commented [AW5]:** This language includes R-1, R-1X, R-2, R-3, B-3, MH, B-3, O/R, TC, PD, PM-1, PM-2

And the ordinance was declared adopted this \_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Alicia Watts  
Clerk of Council

\_\_\_\_\_  
Jason Zuckerman  
Council Chairman



**CASE SUMMARY SHEET****CASE NUMBER: V26-03-05****DATE RECEIVED: January 22, 2026****DATE OF MEETING: March 10, 2026 and March 24, 2026****Address: 2801 Lakeshore****Subdivision: West Beach Parkway, Square 1 Lot 1-A****Zoning District: R-1 - Single Family Residential District****Property Owner: William and Caroline Alquist**

**REQUEST: V26-03-05 – William and Caroline Alquist request a variance to CLURO Section 5.2.3.2. Drainage Overlay District and Fill Sub-Area A, Section 9.2.5.2. Vegetation Protection Zones, and Section 8.1.5. Supplemental Regulation of Accessory Buildings and Structures, West Beach Parkway, Square 1 Lot 1-A, R-1 - Single Family Residential District, 2801 Lakeshore**

**PREVIOUS CASE: V08-07-14/R08-07-04 – Resubdivision into two lots**

**CASE SUMMARY: Construct a raised pool within the street side setback and a live oak vegetation protection zone**

The property at 2801 Lakeshore Dr. is located on the corner of Lakeshore Dr. and West Beach Pkwy. The property measures 108' x 140' and contains 15,120 sqft per a survey prepared by Kelly McHugh & Associates and dated 2.20.2026. The property is improved with a single-family residence.

The applicant is requesting to construct a pool in the street side setback. As part of this construction the applicant is requesting variances for the pool location and pool height.

#### **Accessory Structure Location**

The pool is located in the street side yard 10' from the property line. Regulations require that accessory structures cannot be located within the street side yard. In the R-1 District the street side yard setback is required to be 15'. The pool would encroach 5' into the required setback area.

#### **Vegetation Protection Zone Encroachment**

There is a 27" live oak located on the east side of the property. The pool itself will be located outside of the vegetation protection zone, however a portion of the required fence barrier and some of the decking will be located within the vegetation protection zone. The applicant stated that there will be 6' of decking within the protection zone and the fence will be a 4' wrought iron fence.

#### **Additional Fill**

The applicant is requesting to construct the pool 2' above grade, with an additional 2'-6" on top of the pool coping on the street side for a waterfall feature. Public Works reviewed the request and had the following comments: *"The proposed height will need to be indicated if the variance is approved so Public Works can verify the as-built condition. According to the Elevation Certificate the bottom slab is at a height of 3.20 ft. The front coping should not exceed 5.2 and the "water wall" should not exceed 7.70 NAVD 88. These specifics should be part of the request. A drainage plan will need to be submitted at the time of permit to ensure proper storm water 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.
  - e. For lots and development sites in the D- O district that are greater than 20,000 square feet in area and located outside Fill Sub-areas A and B, fill and chain wall construction may be used under a slab foundation and the area under the principal structure is not subject to the above fill limitations. Attached garages and driveways may be established pursuant to section 5.2.3.4.1.g.

##### **9.2.5.2. Vegetation Protection Zones**

1. 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.
2. 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.
3. FEMA elevation exception. Any structure required to be elevated pursuant to application, participation, grant receipt or other involvement in any FEMA elevation program shall be permitted to construct or perform operations within the Vegetation Protection Zone after administrative review and written approval. Structures that are subject to this exception shall not be required to submit for any Vegetation Protection Zone variance and may be permitted for work after review and administrative approval. No work on any structure that asserts an entitlement to elevation within the Vegetation Protection Zone shall commence without written approval of the administration.

#### **8.1.5. Supplemental Regulation of Accessory Buildings and Structures**

For purposes of these regulations accessory buildings include but are not necessarily limited to accessory storage buildings, pool cabanas, detached covered porches or decks, playhouses, private studios or craft buildings, and greenhouses and shall be regulated as follows:

1. Except on corner lots, any accessory building that is not a part of the main building may be built in a required side yard, provided such accessory building is not less than sixty (60) feet from the front lot line nor less than three (3) feet from the nearest interior side lot line and provided not more than one (1) accessory building covers any part of the required side yard.
2. On corner lots, accessory buildings are not permitted in required side yards on the side Street side or within any portion of the rear yard area which lies between the side Street and the prolongation of the required side yard line into the rear yard area.
3. Detached accessory buildings not exceeding one (1) story nor fourteen (14) feet in height may be built in required rear yards; provided, however, such accessory buildings shall not be located less than three (3) feet from either side or rear lot lines.
4. The combined gross area of all accessory buildings or portions thereof located in required side and rear yards shall not exceed thirty percent of the required rear yard area.
5. None of the provisions of this sub-section shall apply to the use, construction or location of antennas, aerials or satellite receiving stations.
6. Accessory recreational structures such as pools and tennis courts shall be subject to the locational requirements of this sub-section.
7. No accessory building or structure shall be constructed within a utility servitude without prior written approval of the affected utilities. Approval may be withheld by any utility upon its determination that the proper size or location of the accessory building or structure would adversely affect the operation, maintenance or function of the servitude. Approval of the construction by a utility shall create no obligation to repair or replace an accessory building or structure damaged or removed by the utility in the course of its lawful use of the servitude.



**From:** [Clifton Siverd](#)  
**To:** [Alex Weiner](#)  
**Subject:** RE: 2801 Lakeshore Variance Request  
**Date:** Friday, February 27, 2026 9:15:58 AM  
**Attachments:** [image001.png](#)

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Alex,

The proposed height will need to be indicated if the variance is approved so Public Works can verify the as-built condition. According to the Elevation Certificate the bottom slab is at a height of 3.20 ft. The front coping should not exceed 5.2 and the “water wall” should not exceed 7.70 NAVD 88. These specifics should be part of the request. A drainage plan will need to be submitted at the time of permit to ensure proper storm water runoff.

---

**From:** Alex Weiner <[aweiner@cityofmandeville.com](mailto:aweiner@cityofmandeville.com)>  
**Sent:** Friday, February 27, 2026 8:54 AM  
**To:** Clifton Siverd <[csiverd@cityofmandeville.com](mailto:csiverd@cityofmandeville.com)>  
**Subject:** 2801 Lakeshore Variance Request

Clif,

We had a variance request submitted for 2801 Lakeshore for a raised pool. Attached are the submitted documents. They are on the agenda for Tuesday, March 10<sup>th</sup>. Please let me know if you have any comments.

Thanks,



Alex Weiner, AICP, CFM

Planner I

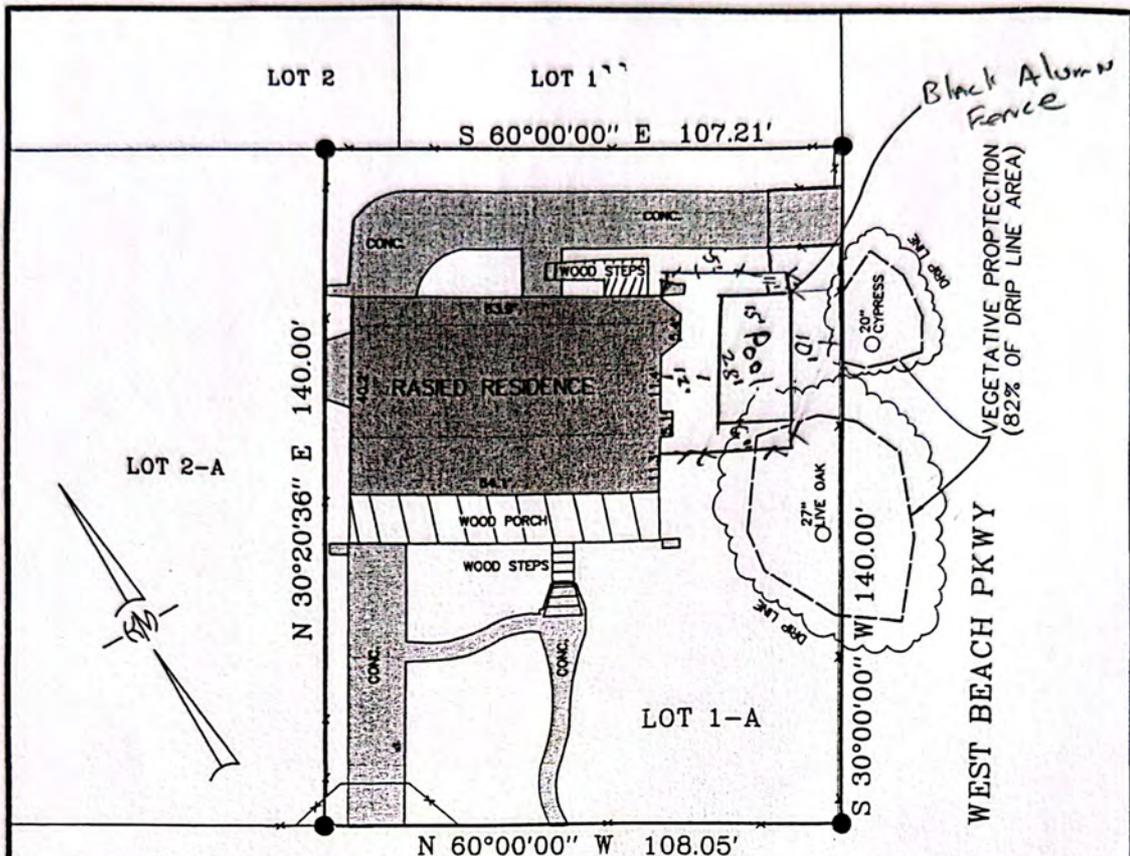
*Notary Public | Arborist*

Department of Planning & Development | City of  
Mandeville

**Office:** (985) 624-3103

**Direct:** (985) 624-3132

3101 E. Causeway Approach, Mandeville, LA 70448



LAKESHORE DR.

THIS PROPERTY IS LOCATED IN FLOOD ZONE VE; BASE FLOOD ELEV. 13.0'; F.I.R.M. PANEL NO. 220202 0427 D; REV. 05-16-2012

NOTE: OWNER OR CONTRACTOR IS RESPONSIBLE FOR VERIFYING BUILDING SETBACKS BEFORE CONSTRUCTION BEGINS.

- LEGEND ---
- = 1/2" IRON ROD FOUND
  - = 1/2" IRON ROD SET

REFERENCES:  
 PLAT OF RESUBDIVISION BY THIS FIRM DATED 06-11-2008, REVISED 07-30-08, FILED AS MAP FILE NO. 47600

NOTE: NO ATTEMPT HAS BEEN MADE BY KELLY McHUGH & ASSOC., INC. TO VERIFY TITLE, ACTUAL LEGAL OWNERSHIP, SERVITUDES, EASEMENTS, RIGHTS OF WAY, DEED RESTRICTIONS, WETLANDS OR ENVIRONMENTAL ISSUES OR OTHER ENCUMBRANCES ON THIS PROPERTY OTHER THAN THOSE FURNISHED BY THE CLIENT.



*[Signature]*  
 KELLY J. McHUGH REG. NO. 4443  
 CERTIFIED TO BE IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND AND COMPLYING WITH THE CURRENT APPLICABLE STANDARDS OF PRACTICE FOR A CLASS "C" SURVEY. RED STAMP SIGNIFIES CORRECT PLAT.

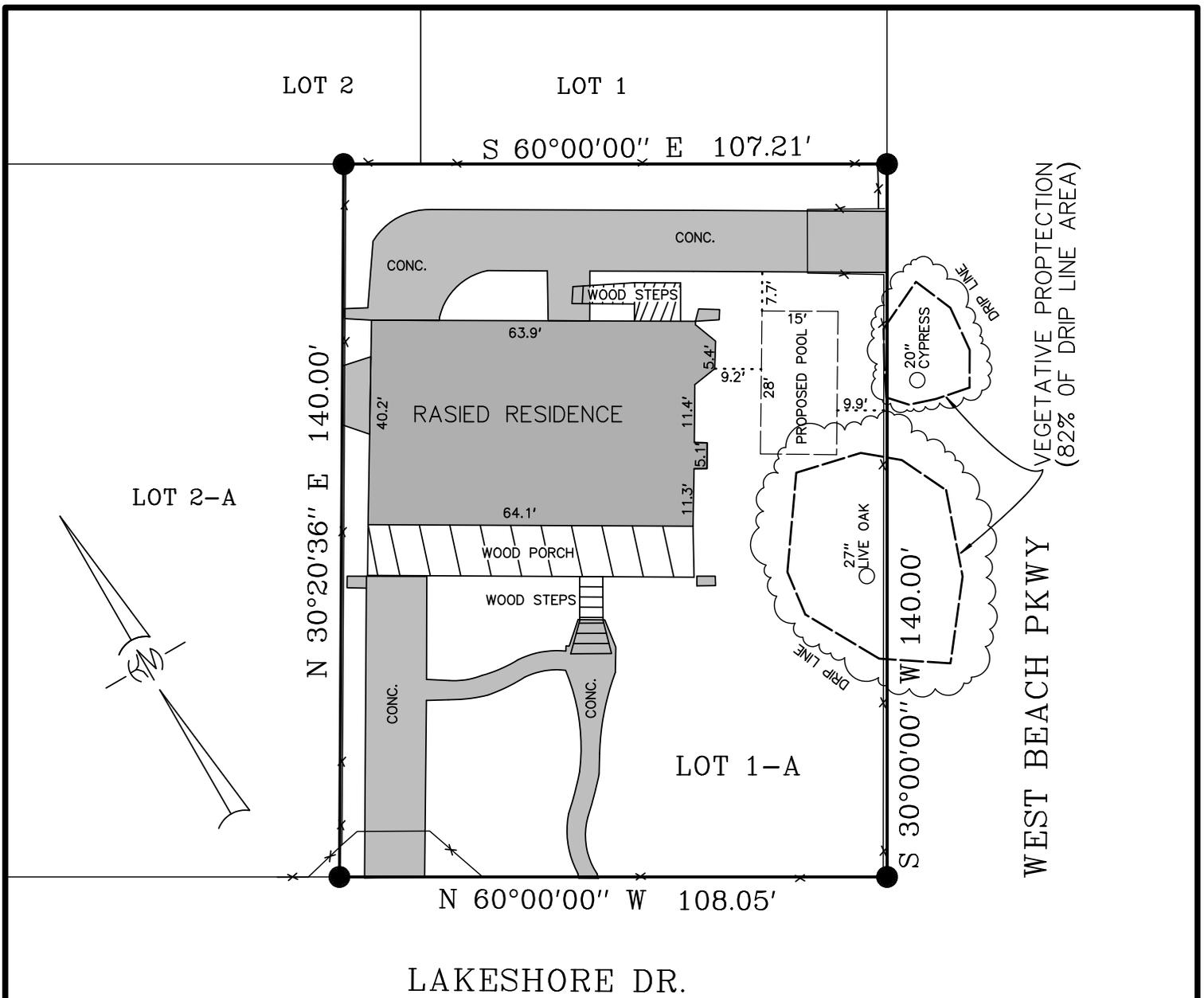
BOUNDARY SURVEY OF:  
**LOT 1-A, SQUARE 1  
 WEST BEACH PARKWAY  
 CITY OF MANDEVILLE  
 ST. TAMMANY PARISH, LA.**

PREPARED FOR:  
**MIKE ALLEN**

**KELLY J. McHUGH & ASSOC., INC.**  
 CIVIL ENGINEERS & LAND SURVEYORS  
 845 GALVEZ ST., MANDEVILLE, LA. 626-5611

SCALE: 1" = 30'	DATE: 02-20-26
DRAWN: CCM	JOB NO.: 07-074-1A
REVISED: 02-23-26	

1/2"=30' LOT 1-A, SQUARE 1 WEST BEACH PARKWAY, 2026



LAKESHORE DR.

THIS PROPERTY IS LOCATED IN FLOOD ZONE VE; BASE FLOOD ELEV. 13.0'; F.I.R.M. PANEL NO. 220202 0427 D; REV. 05-16-2012

NOTE: OWNER OR CONTRACTOR IS RESPONSIBLE FOR VERIFYING BUILDING SETBACKS BEFORE CONSTRUCTION BEGINS.

-- LEGEND --

- = 1/2" IRON ROD FOUND
- = 1/2" IRON ROD SET

REFERENCES:  
 PLAT OF RESUBDIVISION BY THIS FIRM  
 DATED 06-11-2008, REVISED 07-30-08,  
 FILED AS MAP FILE NO. 47600

NOTE:  
 NO ATTEMPT HAS BEEN MADE BY KELLY McHUGH & ASSOC., INC. TO VERIFY TITLE, ACTUAL LEGAL OWNERSHIP, SERVITUDES, EASEMENTS, RIGHTS OF WAY, DEED RESTRICTIONS, WETLANDS OR ENVIRONMENTAL ISSUES OR OTHER ENCUMBRANCES ON THIS PROPERTY OTHER THAN THOSE FURNISHED BY THE CLIENT.



KELLY J. McHUGH REG. NO. 4443 02-23-26

CERTIFIED TO BE IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND AND COMPLYING WITH THE CURRENT APPLICABLE STANDARDS OF PRACTICE FOR A CLASS "C" SURVEY. RED STAMP SIGNIFIES CORRECT PLAT.

BOUNDARY SURVEY OF:

LOT 1-A, SQUARE 1  
 WEST BEACH PARKWAY  
 CITY OF MANDEVILLE  
 ST. TAMMANY PARISH, LA.

PREPARED FOR:

MIKE ALLEN

KELLY J. McHUGH & ASSOC., INC.  
 CIVIL ENGINEERS & LAND SURVEYORS  
 845 GALVEZ ST., MANDEVILLE, LA. 626-5611

SCALE: 1" = 30'	DATE: 02-20-26
DRAWN: CCM	JOB NO.: 07-074-1A
REVISED: 02-23-26	

lots2007\LOT001-A SQUARE 1 WEST BEACH PARKWAY 2026.scf

## CASE SUMMARY SHEET

**CASE NUMBER: V26-03-06**

**DATE RECEIVED: January 28, 2026**

**DATE OF MEETING: March 10, 2026 and March 24, 2026**

**Address: 149 Coffee**

**Subdivision: Old Town of Mandeville, Square 26 Lot Z**

**Zoning District: R-1 Single Family Residential District**

**Property Owner: Josh & Luci Brandner**

**REQUEST: V26-03-06 – Josh & Luci Brandner requests a variance to CLURO Section 9.2.5.2. Vegetation Protection Zones, Old Town of Mandeville, Square 26 Lot Z, R-1 Single Family Residential District, 149 Coffee**

**Previous Cases: V22-04-12 – Live oak protection encroachment**

**CASE SUMMARY: Place a fence within the vegetation protection zone of a live oak**

The property at 149 Coffee is located on the east side of Coffee St., north of Lakeshore Dr., west of Carroll St., and south of Jefferson St. The property measures 280' x 180' and contains 50,400 sqft per a survey prepared by Randall Brown & Associates and dated 11.16.2022. The property is improved with a single-family residence.

There are five live oak trees located on the property. In May 2022 a variance was approved to allow the construction of an addition to the main residence within the vegetation protection zones of two of the live oak trees. A permit was issued in 2023, and construction is in progress for the elevation of the main structure and construction of an addition.

Prior to the start of construction there was a wrought iron fence installed along the front property line and located within the vegetation protection zone of the live oak at the front of the property. The homeowners want to replace the fence with a new iron fence and brick columns. Per the submitted fence specifications there will be a 3 ½" concrete pad running underneath the length of the fence, with 12" footings located at the gate piers. The concrete pad has already been constructed without approval.

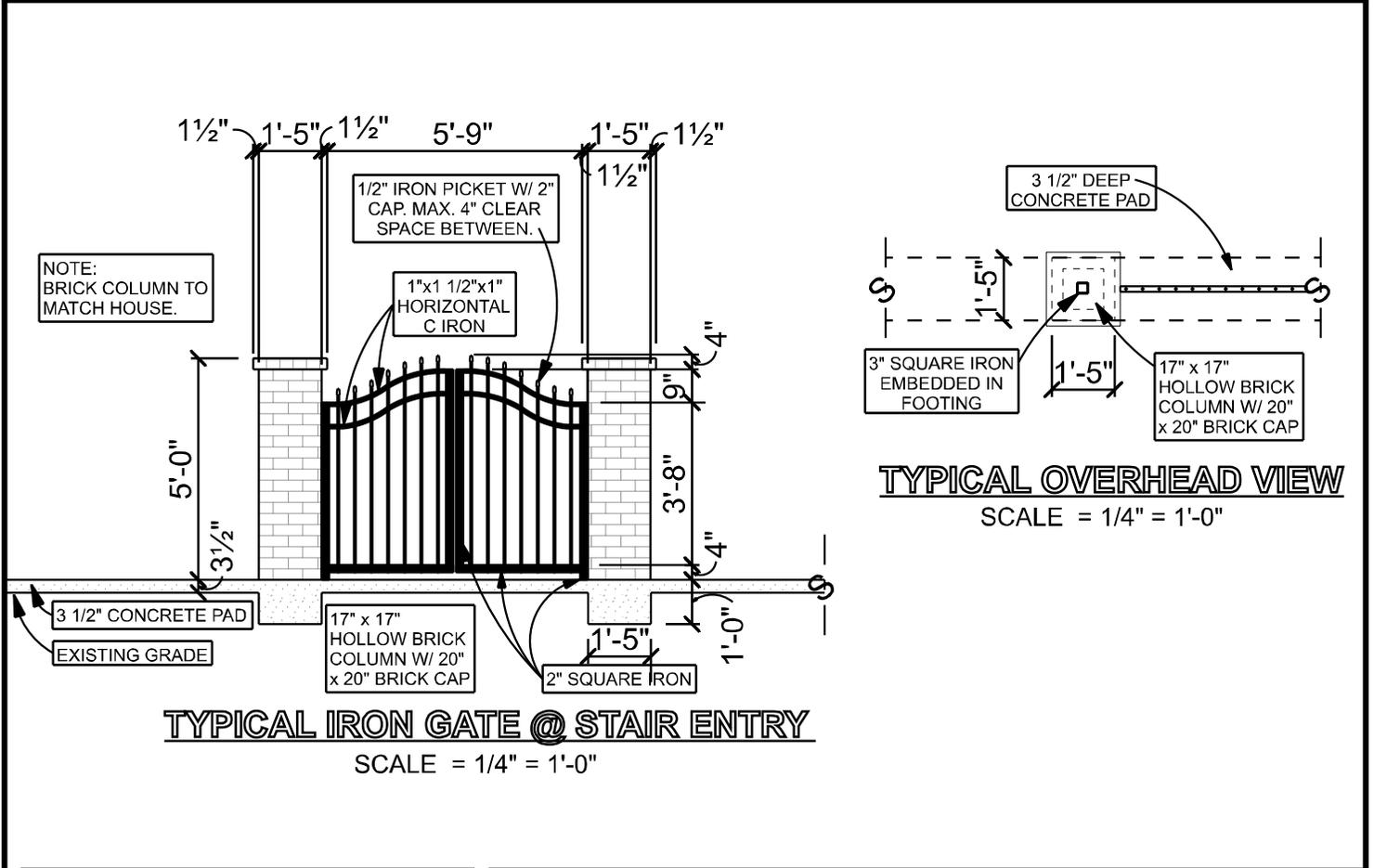
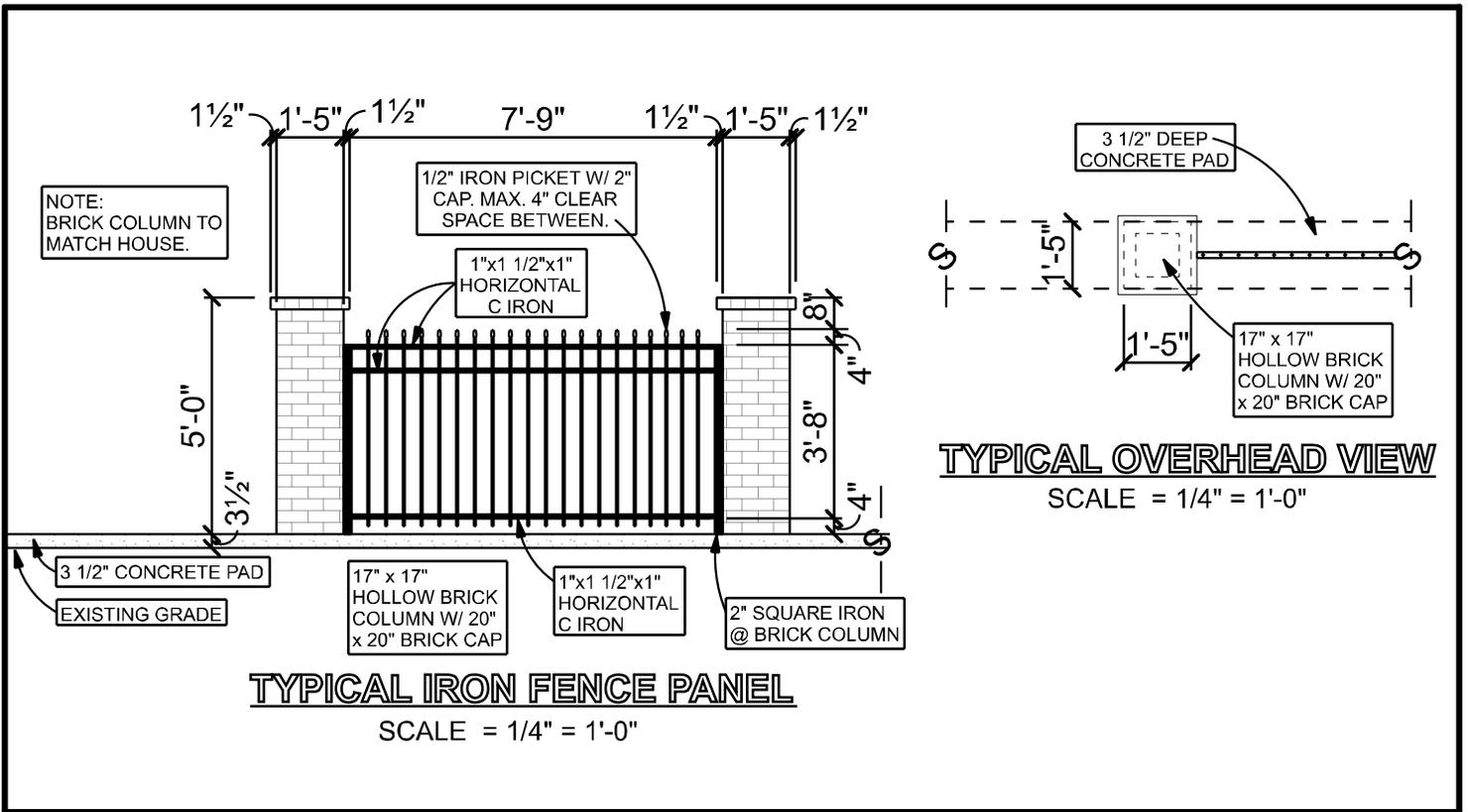
The City Arborist performed a site inspection and had the following comments: *"The owners of 149 Coffee installed a fence without first obtaining a permit. That permit could have been approved if it was submitted prior to the installation and showed that the soil disturbance was no greater than 3 inches deep within the dripline of the tree. This is a unique style of fence construction that appears to use footing rather than posts. After an onsite inspection, my assessment is that the tree roots were harmed. I measured about 12 inches of disturbance (depth) near the base of the tree and at least 5 inches in several other places. The CULRO - specifically article 9.1.2 - does not give me the power to approve of something with this much disturbance. Therefore, a variance is required for something of this depth within the dripline of the tree."*

#### **CLURO SECTIONS:**

##### **9.2.5.2. Vegetation Protection Zones**

1. 1.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.
2. 2.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.
3. 3.FEMA elevation exception. Any structure required to be elevated pursuant to application, participation, grant receipt or other involvement in any FEMA elevation program shall be permitted to construct or perform operations within the Vegetation Protection Zone after administrative review and written approval. Structures that are subject to this exception shall not be required to submit for any Vegetation Protection Zone variance and may be permitted for work after review and administrative approval. No work on any structure that asserts an entitlement to elevation within the Vegetation Protection Zone shall commence without written approval of the administration.






**CLARKE'S DESIGN  
SERVICE LLC**

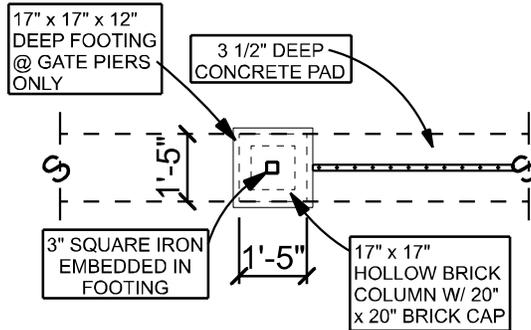
WWW.CLARKESDESIGN.COM

**CONTACTS**

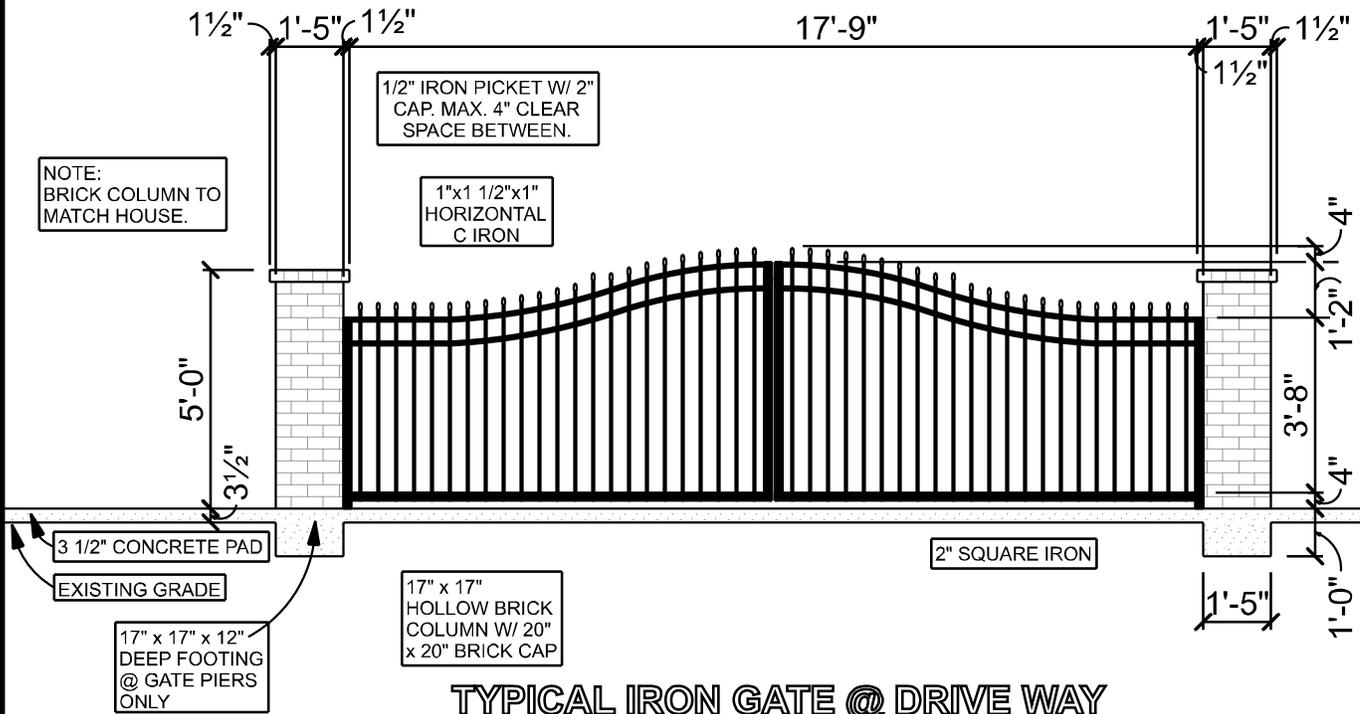
PH. (504) 723-0696  
PH. (985) 641-0531

149 COFFEE STREET  
CITY OF MANDEVILLE, LA

1 OF 2



**TYPICAL OVERHEAD VIEW**  
SCALE = 1/4" = 1'-0"



**TYPICAL IRON GATE @ DRIVE WAY**  
SCALE = 1/4" = 1'-0"



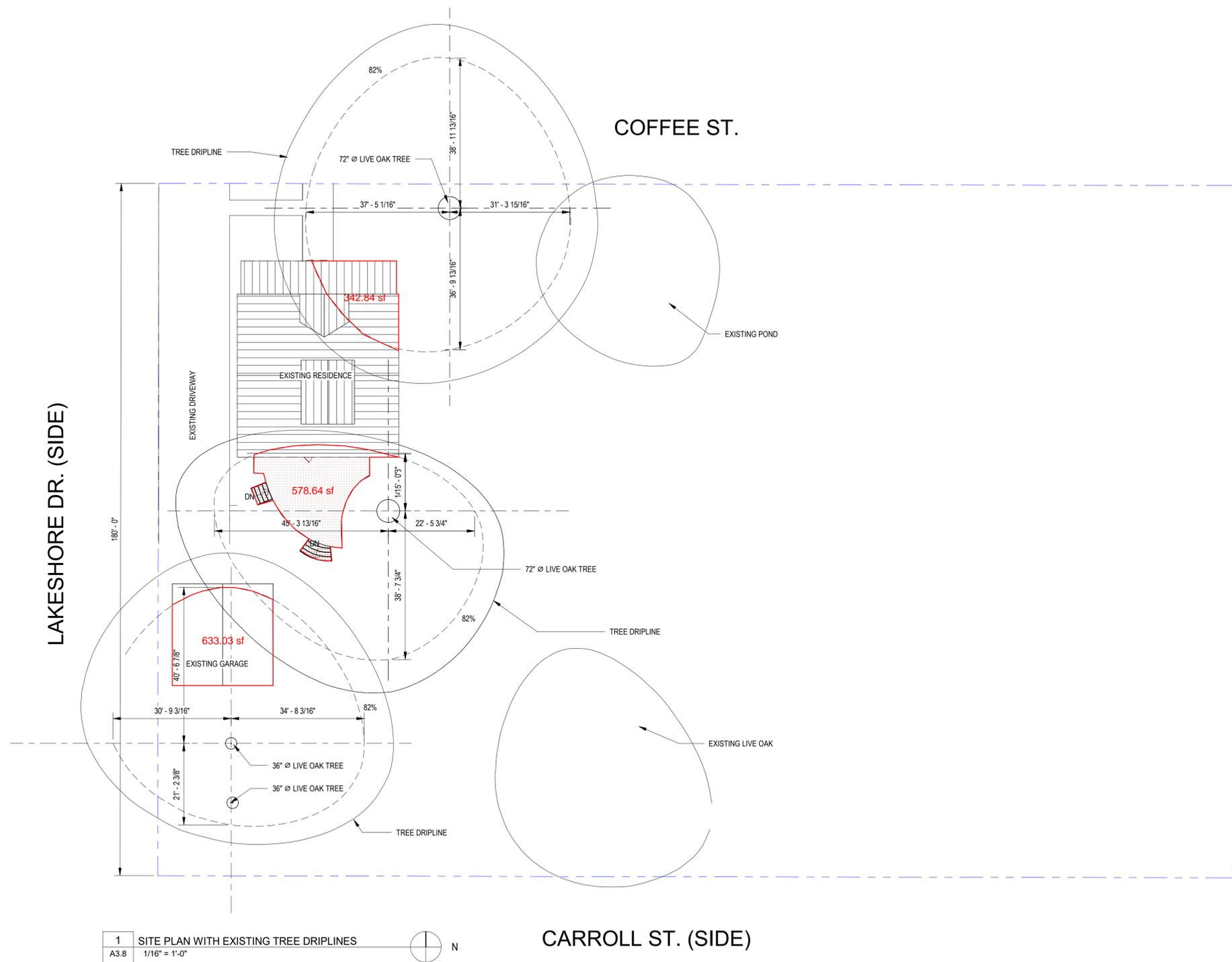
**CLARKE'S DESIGN  
SERVICE LLC**

[WWW.CLARKESDESIGN.COM](http://WWW.CLARKESDESIGN.COM)

**CONTACTS**

**PH. (985) 641-0531**

**149 COFFEE STREET  
CITY OF MANDEVILLE, LA**



1 SITE PLAN WITH EXISTING TREE DRIPLINES  
 A3.8 1/16" = 1'-0"



Project no.	21029
Drawn by:	JMD
Checked by:	JFD
Date:	3/21/22
Issued for:	PRELIMINARY

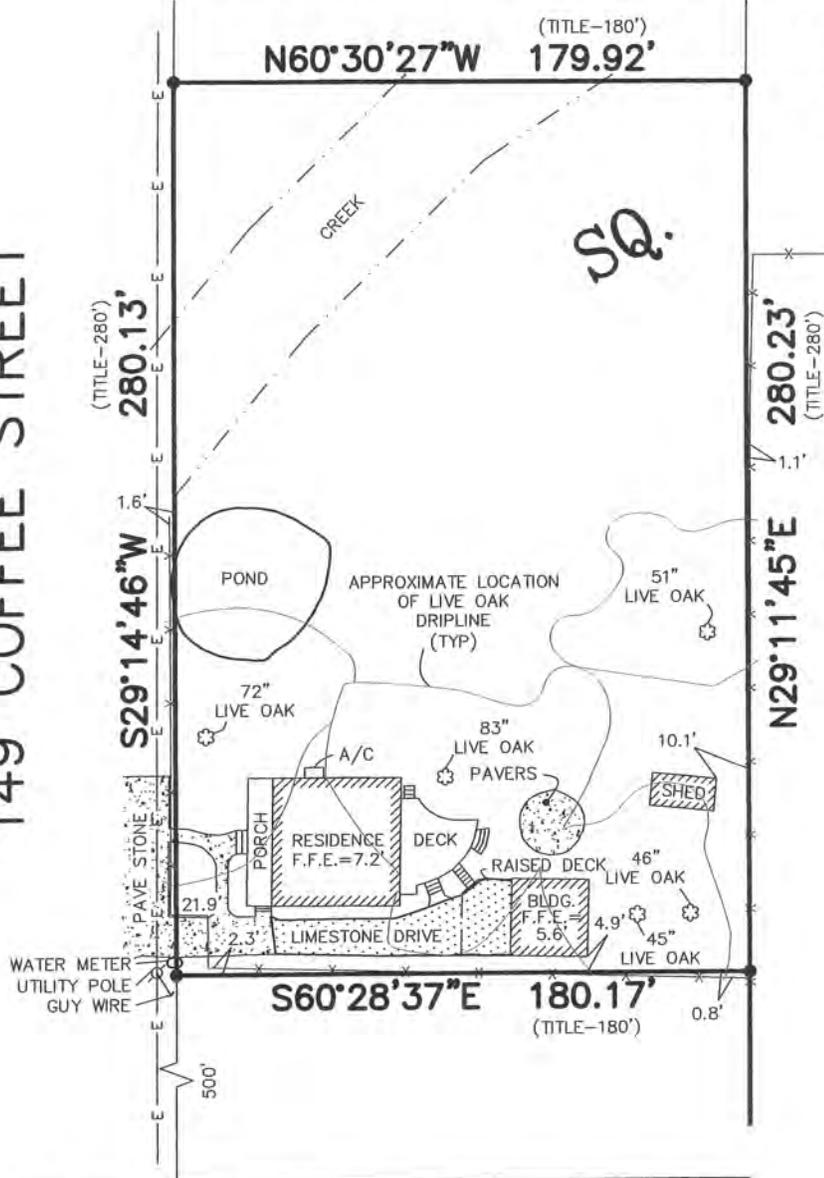
NO.	DESCRIPTION	DATE



# JEFFERSON STREET (SIDE)

149 COFFEE STREET

CARROLL STREET (SIDE)



NOTE:  
 BEARINGS SHOWN HEREON ARE REFERENCED TO LOUISIANA STATE PLANE COORDINATES. LA SOUTH ZONE 1702.

REFERENCE:  
 Survey By EDDIE J. CHAMPAGNE, PLS  
 Dwg. No.: 4063  
 Dated: 10-7-1976

Note: I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described IS located in a special flood hazard area, it is located in Flood Zone AE.

FIRM Panel# 2202020427D Rev. 5-16-2012

NOTE:  
 OWNER OR BUILDER RESPONSIBLE FOR OBTAINING SETBACKS BEFORE DESIGN OR CONSTRUCTION BEGINS.

● DENOTES 1/2" IRON ROD FND UNLESS OTHERWISE NOTED

Survey of  
 A PARCEL OF GROUND SITUATED IN  
 SQUARE 26 \* TOWN OF MANDEVILLE  
 CITY OF MANDEVILLE  
 ST. TAMMANY PARISH, LOUISIANA

NO ATTEMPT HAS BEEN MADE BY RANDALL W. BROWN & ASSOC., INC. TO VERIFY TITLE, ACTUAL LEGAL OWNERSHIP, SERVITUDES, EASEMENTS, RIGHTS OF WAY, DEED RESTRICTIONS, WETLANDS OR ENVIRONMENTAL ISSUES OR OTHER ENCUMBRANCES ON THIS PROPERTY OTHER THAN THOSE FURNISHED BY THE CLIENT.

SURVEYED IN ACCORDANCE WITH THE LOUISIANA "APPLICABLE STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS C SURVEY.

*[Signature]*  
 Randall W. Brown, P.L.S.  
 Professional Land Surveyor  
 LA Registration No. 04586

**Randall W. Brown**  
 & Associates, Inc.  
 REGISTERED PROFESSIONAL  
 Professional Land Surveyors  
 228 W. Causeway Approach, Mandeville, LA 70448  
 (985) 624-5368 FAX (985) 624-5309  
 info@brownsurveys.com

Date: NOVEMBER 16, 2022  
 Survey No. 22695  
 Project No. (CR5) D22695.TXT  
 Scale: 1" = 60' ±  
 Drawn By: J.E.D.  
 Revised: