AGENDA
ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING
TUESDAY, JULY 1, 2014 - 3:00 P.M.
ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING
21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS
MANDEVILLE, LOUISIANA

CALL TO ORDER

ROLL CALL

APPROVAL OF THE JUNE 3, 2014 MINUTES

PUBLIC HEARINGS

BOA CASE NO. 14-07-019
Request by applicant for variances for the following: reductions in the east side planting buffer and trees; of the south side planting buffer; of the north side planting buffer and trees; increase in the size and height of one monument sign and a request for an additional monument sign; the location of both signs to the property line; and the elimination of a parking island, located in a HC-2 Highway Commercial district. The property is located at 79005 Highway 40, Covington, Louisiana.
Applicant: Executive Holdings, L.L.C.

BOA CASE NO. 14-07-020
Request by applicant for a variance of a side yard setback in an A-2 Suburban zoning district from 15' required to approximately 10'-9 1/4". The property is located at 315 Shady Oak Lane, Mandeville, Louisiana.
Applicant: Glenn Mesman

BOA CASE NO. 14-07-021
Request by applicant for a variances in a HC-3 Highway Commercial district to eliminate north and south side yard planting buffers and trees between proposed property lines. The property is located 301 N. Highway 190, Covington, Louisiana.
Applicant: CIA, L.L.C.

OLD BUSINESS

BOA CASE NO. 14-04-007
Request by applicant for variances for an “after the fact” boathouse relative to the length of the structure from a maximum of 50' permitted to 62' requested, the size from a maximum of 800 square feet permitted to approximately 1340 square feet requested, and to permit the structure to extend beyond the bulkhead in an A-4 Single Family Residential district.
Applicant: Phillip John Clesi
(Request for an extension of time pending new legislation for boat houses)

NEW BUSINESS

ADJOURNMENT
MINUTES
ST. TAMMANY PARISH BOARD OF ADJUSTMENTS MEETING
3:00 PM - TUESDAY, JUNE 3, 2014
LA HIGHWAY 59/KOOP DRIVE ADMINISTRATIVE COMPLEX BUILDING
MANDEVILLE, LOUISIANA

The June 3, 2014 meeting of the St. Tammany Parish Board of Adjustments was called to order by the Chairman, Mr. Tim Fandal.

The roll was called as follows:

PRESENT: Mr. Fandal, Mr. Brookter, Mr. Schneider, Mr. Gordon and Mr. Ballantine

ABSENT: None

STAFF PRESENT: Mr. Keller and Mr. Hand

APPROVAL OF THE MINUTES

Moved by Mr. Ballantine and seconded by Mr. Brookter to accept the May 6, 2014 minutes as typed and delivered.

MOTION CARRIED UNANIMOUSLY

BOA CASE NO. 14-05-013
Request by applicant for variances for the north and east planting buffers from 10' and 20' required to approximately 4' and 10' requested respectively, and for a one-way driveway width from 15' required to 18' requested, in a HC-2 Highway Commercial zoning district.
Applicant: Executive Holdings, L.L.C.

(Mr. Keller stated that the applicant withdrew his case, which therefore requires that no action to be taken by the board, in favor of filing a new application for variances for the July meeting, which omits and adds some additional variance requests from this case.)

BOA CASE NO. 14-06-018
Request by applicant for variances for an “after the fact” boathouse relative to the width of the structure from a maximum of 20' permitted to 30' requested and the size from a maximum of 800 square feet permitted to approximately 1080 square feet requested, in an A-4 Single Family Residential district.
Applicant: John Roberts

(Mr. Keller stated that he will dispense from reading the staff report because the applicant has requested that his case be postponed pending outstanding legislation that may render this case moot.)
Jeff Schoen, with the law firm of Jones Fussell, L.P., P.O. Box 1810, Covington, Louisiana, appeared on behalf of the applicant and made the following initial comments:

- The boathouse is larger than what the code permits.
- In April, you had a similar case with a Mr. Clesi.
- Richard Artigue is going to introduce an ordinance that will deal with the size of boathouses.
- The ordinance could be adopted by September.
- We want to put this case on hold until we see what they will do.

Mr. Fandal: Can we postpone this case?

Mr. Hand: Yes we can. I see no reason not to be able to do.

Mr. Gordon: This is an “after the fact” case, so did someone file a compliant?

Mr. Schoen: I’m not sure, but I believe it was discovered by your code enforcement people.

Mr. Schoen: A permit was procured for this structure, but was not built according to the plans.

Moved by Mr. Gordon and seconded by Mr. Ballantine to postpone this case pending the outcome of the ordinance for expanding the size of boathouses.

MOTION CARRIED UNANIMOUSLY

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

MR. TIM FANDAL, CHAIRMAN
ST. TAMMANY PARISH BOARD OF ADJUSTMENTS

Disclaimer: These minutes are intended to represent an overview of the meeting and general representation of the testimony given; and therefore, does not constitute verbatim testimony or a transcription of the proceedings.
GENERAL INFORMATION

Applicant(s) Name: Executive Holdings, L.L.C.
Location of Property: 79055 Highway 40, Covington, Louisiana
Zoning of Property: HC-2 Highway Commercial
Variance(s) Requested: Planting buffers, trees, signs & planting island

OVERVIEW

The applicant is requesting multiple variances for a Family Dollar store, all for the purpose of preserving a majestic large mature live oak tree located at the southwest corner of the property. The variances requested are itemized pursuant to the attached table.

STAFF COMMENTS

The staff has been working with the applicant through several plan revisions of the site in order to come up with the least invasive plan relative to meeting parish code in order to save the live oak tree.

The staff has no objection to Item (1.) assuming that the required number of trees and shrubs are planted within said buffer. We also have no objections to Items (2.), and Item (3.) again, assuming that the required number of trees and shrubs are planted within said buffer. Also, we have no objections to Items (4.), (5) and (10.).

However, the staff does take issue with Items (6.), (7.), (8.) and (9.) relative to the requests for monument signs, there locations and size. Parish code only permits one monument sign for this property and limits the size to 32 square feet, a 9' maximum height, and a minimum setback of 5' from the property line. However, since this property is on a corner lot abutting two state highways, the staff would support the location of the two monument signs, one on each highway frontage, if they meet parish code; or either the location of one modestly modified monument sign to be located at the southeast corner of the property where the two state highways intersect.
Therefore, if the board decides to grant some or all of the variances requested, the applicant should pay for plant mitigation to the St. Tammany Parish Tree Mitigation Bank for the number of trees and shrubs that would normally be planted within the east street side buffer (5 Class A, 5 Class B and 21 shrubs); the north side buffer (6 Class A and 6 Class B trees); and for the elimination of one parking island and planting (1 Class A tree), which constitutes a total of 21 Class A trees, 11 Class B trees and 21 shrubs, for a total cash amount of $5,280.00, which payment is based on $100.00 per caliper inch of tree and $30.00 per shrub, which is inclusive of the cost for the trees and shrubs and the labor required to plant.
ST. TAMMANY PARISH BOARD OF ADJUSTMENT
(VARIANCE/APPEAL APPLICATION FORM)

(Please print on the following lines below. If a company, please include a contact person name also.)

APPLICANTS NAME: COREY J. SMITH D.B.A. "EXECUTIVE HOLDINGS, LLC" (DEVELOPER)

MAILING ADDRESS: 311 TELLY ROAD

CITY/STATE/ZIP: PICAYUNE, MS 39466

PHONE NUMBER: 601-798-4000
(Home Phone #) (Cell Phone #)

PROPERTY LOCATION FOR VARIANCE REQUESTED: ZONING: HC-2

79055 HIGHWAY 40 COVINGTON LA
Address City State Subdivision (if applicable)

(Please check the applicable boxes below:)

REQUEST FOR:

✓ A variance of the (Unified Development Code)
✓ Appeal of an adverse decision made by a parish official(s)
✓ Appeal the interpretation by a parish official(s) of the (Unified Development Code)

VARIANCE/APPEAL REQUESTED:

✓ building setbacks (reduction of front, side and/or rear yard setbacks)
✓ landscape buffers (reduction of front, side and/or rear yard buffer setbacks)
✓ landscaping within buffers (reduction of the number of trees, bushes and/or shrubs)
✓ parking area requirements (reduction of parking stalls, parking greenspace islands, etc...)
✓ signage requirements (increase of sign area and/or sign height, lighting, coloring, etc...)
✓ other

(Specify other variance/appeal on line above)

(Please state on the following lines below your specific request for a variance/appeal:)

Example: Applicant is requesting a variance for a front yard setback requirement from 25' required by the parish, to approximately 20' requested.

SEE ATTACHED APPENDIX FOR FULL LISTING.
POWERS OF THE BOARD TO GRANT VARIANCES/APPEALS

The St. Tammany Parish Board of Adjustment is limited in its power to grant variance/appeal requests as mandated by State and Parish Law. The board must consider the following in order to determine if a variance/appeal is eligible for granting:

1. **Is the variance/appeal request self-imposed?**
   Variances/appeals may not be granted by the board if the request is considered a "personal preference".

2. **Does the variance/appeal request constitute a financial hardship?**
   Variances/appeals may not be granted by the board if the request is considered strictly a financial hardship.

3. **Does the variance/appeal request present a practical difficulty or unnecessary hardship?**
   If the applicant can prove through testimony and presentation of factual documentation and/or evidence to the board that a practical difficulty or unnecessary hardship would be imposed if a variance/appeal was not granted, then the board may consider granting the variance/appeal request.

4. **Does the variance/appeal request impose an adverse effect on the adjacent neighbors property or surrounding neighborhood?**
   If the variance/appeal request adversely affects an adjacent property owner and/or the surrounding neighborhood in general, and testimony is forthcoming from same that can be proven within reason that an adverse affect would be imposed, the board may decide not to grant the applicant’s variance/appeal request.

5. **Will the granting of the variance/appeal request constitute establishing a precedent?**
   The board may deny the granting of a variance/appeal request which may result in the establishment of a dangerous or unfavorable precedent to the parish.
| ITEM ORDER | O
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ITEM ORDINANCE</td>
<td>STANDARD</td>
<td>REQUEST</td>
<td>DESCRIPTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17.0106</td>
<td></td>
<td></td>
<td>BEastsidestreetplantingarea20width4'width</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27.0106</td>
<td></td>
<td></td>
<td>FEastsidestreetplantingarea7typeAtrees,7typeBtrees2typeAtrees,2typeBtrees</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37.0106</td>
<td></td>
<td></td>
<td>BSouthsidestreetplantingarea20'width2'width</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>47.0107</td>
<td></td>
<td></td>
<td>BNorthsidebufferplantingarea10'width3'width</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>57.0107</td>
<td></td>
<td></td>
<td>ENorthsidebufferplantingarea8typeAtrees,8typeBtrees2typeAtrees,2typeBtrees</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>67.0204</td>
<td></td>
<td></td>
<td>BNumberofmonumentsigns1per100treetfrontage1perstreetfrontage</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>77.0204</td>
<td></td>
<td></td>
<td>CLocationofmonumentsigns5'backfrompropertyline0'frompropertyline</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>87.0204</td>
<td></td>
<td></td>
<td>D2Areaofmonumentsign32squarefeet70squarefeet</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>97.0204</td>
<td></td>
<td></td>
<td>D3Heightofmonumentsign9'maximum20'</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>107.0109</td>
<td></td>
<td></td>
<td>C1Landscapeislanddimensions6'widexparkingspacelengthNoislandatcornerofbuilding</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
June 3, 2014

St. Tammany Parish – Department of Planning
Attn: Mr. Ron Keller
21454 Koop Drive
Suite 1B
Mandeville, LA 70471

RE: Proposed Family Dollar Store, Covington Louisiana - Variance Request

Mr. Keller,

Please find the enclosed application for variance and payment for the fees associated with this filing. As mentioned in our previous discussions, the variance is imperative in order for us to preserve a very substantial live oak tree located on the property.

The site plan submitted along with this application depicts the building and improvement layout being constructed entirely outside of the drip line of the tree, which we agree with your input, is critical in preserving the health and longevity of the existing live oak tree.

Should you have any questions with regard to our specific requests, or feel the need to discuss our application further, please do not hesitate to contact me on my cell phone at (601) 916-4000 or via email at corey@execreal.com. We look forward to working together with your staff to develop the property in harmony with the existing landscape and vegetation located on the site.

Kindest Regards,

Corey J. Smith
President/CEO
Tuesday, April 08, 2014

Ethel Lanaux
232 Lake Marina Dr 12C
New Orleans, LA 70124

Executive Companies
311 Telly Road
Picayune, MS 39466

To whom it may concern,

I, Ethel Lanaux, the owner of the property located at 79055 Hwy 40, Covington, LA 70435 (furthermore as the corner of Hwy 40 and Hwy 1129) give Executive Companies and their representatives to authority to apply for any and all variances and or permits associated with the planning, building, and or permitting process for their use on the above referenced property.

Sincerely,

Ethel Lanaux
ST. TAMMANY PARISH BOARD OF ADJUSTMENT
STAFF ANALYSIS REPORT

Case File Number: BOA Case No. 14-07-020
Initial Hearing Date: July 1, 2014
Date of Report: June 10, 2014

GENERAL INFORMATION

Applicant(s) Name: Glenn Mesman
Location of Property: 315 Shady Oak Lane, Mandeville, Louisiana
Zoning of Property: A-2 Suburban
Variance(s) Requested: Side yard set back

OVERVIEW

The applicant is requesting a side yard setback in order to construct an addition to his residence consisting of an extension of the dining room, new butler pantry, raised screen porch (see letter attached from the applicant’s architect).

STAFF COMMENTS

The staff cannot support the variance request based on our opinion that the applicant has not demonstrated a practical difficulty or particular hardship as mandated for reasons to grant a variance pursuant to Article 3. Administration and Enforcement, Section 3.0104 Board of Adjustment, Paragraph (B.) Powers of the Board, Item (3.) of the St. Tammany Parish Unified Development Code.

However, it should be noted that the side yard abutting the applicant’s property is vacant lowland acreage that is owned by the State of Louisiana for which we believe is dedicated as a conservancy area. Therefore, the impact to said adjacent property or surrounding residences is negligible.
BOA CASE NO. 19-07-020 (for office use only)

ST. TAMMANY PARISH BOARD OF ADJUSTMENT
(VARIANCE/APPEAL APPLICATION FORM)

(Please print on the following lines below. If a company, please include a contact person name also.)

APPLICANTS NAME: Glenn Mesman

MAILING ADDRESS: 315 SHAY OAK LANE

CITY/STATE/ZIP: Mandeville LA 70447

PHONE NUMBER: 985-792-0439 (Home Phone #) 985-320-3849 (Cell Phone #)

PROPERTY LOCATION FOR VARIANCE REQUESTED: SAME AS ABOVE

ZONING: A-2

Address City State

(Specify other variance/appeal on line above)

REQUEST FOR:

☐ A variance of the (Unified Development Code)
☐ Appeal of an adverse decision made by a parish official(s)
☐ Appeal the interpretation by a parish official(s) of the (Unified Development Code)

VARIANCE/APPEAL REQUESTED:

☐ building setbacks (reduction of front, side and/or rear yard setbacks)
☐ landscape buffers (reduction of front, side and/or rear yard buffer setbacks)
☐ landscaping within buffers (reduction of the number of trees, bushes and/or shrubs)
☐ parking area requirements (reduction of parking stalls, parking greenspace islands, etc...)
☐ signage requirements (increase of sign area and/or sign height, lighting, coloring, etc...)
☐ other

(Please state on the following lines below your specific request for a variance/appeal:

Example: Applicant is requesting a variance for a front yard setback requirement from 25' required by the parish, to approximately 20' requested.

SEE ATTACHED LETTER.

SIGNATURE OF APPLICANT 6/2/14

DATE OF APPLICATION
May 30, 2014

Dear St. Tammany Parish Board of Adjustment,

I am writing on behalf of my clients, the Mesmans, who live in Hidden Acres Extension of Mandeville. They are currently trying to do an addition on the side of their home, based on our architectural plans provided. The addition is to include an extension of the Dining Room, new Butler Pantry, Raised Screened Porch with Stair and a Raised Pool at the rear yard.

In order to get the size screened porch they need to have appropriate room for outdoor furniture and fireplace, we are asking the board to grant us a variance on the right side setback. The adjacent property on that side of the lot is owned by the state of Louisiana, Department of Natural Resources. It was donated to the developers of the neighborhood in 1986; it is wooded and currently unused. The required side setback is 15’-O’ and we are asking to get a variance to allow us to have the building go to a setback of 10’-9.25”. This is a difference of 4’-2.75”.

We greatly appreciate your help with this project. Feel free to call or email with questions.

Best regards,

Jessica Walker, Architect
Matt Voelkel, Principal Designer/Owner
StudioMV
985.867.5601
jessica@studiomvdesigns.com
matthew@studiomvdesigns.com
MESMAN ADDITION

LOT 24

Mansfield Parish, Louisiana

"SAP"P

Survey by Smith

NORTH
315 SHADY OAK LANE
MANDEVILLE LA 70471
MESMAN
* 315 Shady Oak Lane
Mandeville, LA 70471
Mesman
315 SHADY OAK LANE
Mandeville, LA 70471
Mesman
ST. TAMMANY PARISH BOARD OF ADJUSTMENT
STAFF ANALYSIS REPORT

Case File Number: BOA Case No. 14-07-021
Initial Hearing Date: July 1, 2014
Date of Report: June 10, 2014

GENERAL INFORMATION

Applicant(s) Name: CIA, L.L.C.
Location of Property: 301 N. Highway 190, Covington, Louisiana
Zoning of Property: HC-3 Highway Commercial
Variance(s) Requested: Landscape and planting buffers

OVERVIEW

The applicant is seeking to resubdivide their property into two commercial parcels, and in doing so, creates a new internal property line that separates said parcels that results in the creation of new landscape and planting buffers.

STAFF COMMENTS

Due to the fact that a new internal property line will be created by result of a resubdivision of the property, technically, landscape and planting buffers will be created on both sides of said properties. However, in this instance, since the common property line will be used as a crossover shared parking lot and driveway access for the commercial development, the need for landscape buffers and plantings is not required.

Therefore, the staff recommends approval of the proposed variances requested subject to the applicant mitigating this matter with the parish as a result of eliminating the buffers and plantings along the common property line between the two properties. Said mitigation should include the applicant either: planting the total required number of trees elsewhere on the property (6 Class A and 6 Class B); or by making payment to the St. Tammany Parish Tree Mitigation Bank for (½) of the required number of trees that would normally be planted within the buffer (3 Class A and 3 Class B) in the amount of $1,200.00; which payment is based on $100.00 per caliper inch of tree required, inclusive of the cost for the trees and the labor required to plant.
BOA CASE NO. 14-07-021 (for office use only)

ST. TAMMANY PARISH BOARD OF ADJUSTMENT
(VARIANCE/APPEAL APPLICATION FORM)

(Please print on the following lines below. If a company, please include a contact person name also.)

APPLICANTS NAME: CFA LLC

MAILING ADDRESS: No. David Persal P.O. Box 14208

CITY/STATE/ZIP: Baton Rouge, LA 70898

PHONE NUMBER: 225-762-0220 225-937-3137

(Home Phone #) (Cell Phone #)

PROPERTY LOCATION FOR VARIANCE REQUESTED: ZONING: HC-3 Highway Commercial

Address City State Subdivision (if applicable)

(Please check the applicable boxes below)

REQUEST FOR: □ A variance of the (Unified Development Code)
□ Appeal of an adverse decision made by a parish official(s)
□ Appeal the interpretation by a parish official(s) of the (Unified Development Code)

VARIANCE/APPEAL REQUESTED:

□ building setbacks (reduction of front, side and/or rear yard setbacks)
□ landscape buffers (reduction of front, side and/or rear yard buffer setbacks)
□ landscaping within buffers (reduction of the number of trees, bushes and/or shrubs)
□ parking area requirements (reduction of parking stalls, parking greenspace islands, etc...)
□ signage requirements (increase of sign area and/or sign height, lighting, coloring, etc...)

□ other (Specify other variance/appeal on line above)

(Please state on the following lines below your specific request for a variance/appeal)

Example: Applicant is requesting a variance for a front yard setback requirement from 25' required by the parish, to approximately 20' requested.

Applicant is requesting variances for the elimination of the 10' wide landscape buffers on each of the new property lines and for the removal of trees and to plant B trees.

SIGNATURE OF APPLICANT 6-2-14

DATE OF APPLICATION

FRANK S WONG
OLD BUSINESS
June 4, 2014

Philip J. Clesi
Associate of the Society of Actuaries
Master of Science in Mathematics
Enrolled Actuary #2918

Ron Keller, Senior Planner
Department of Development
St. Tammany Parish
P.O. Box 628
Covington, LA 70434

Re: Board of Adjustment Case No. 14-04-007
165-167 Carr Drive, Slidell

Dear Mr. Keller:

It is my understanding that legislation has been introduced relative to the maximum size of boat houses. Since this legislation could affect on the size of my boat house, and since the Board of Variance had previously requested that I reduce the size of my boat house by June 30, 2014, I would like to request an extension of time to comply with parish code - until after the status of such pending legislation is determined.

In this regard, I would appreciate your placing my request for an extension under OLD BUSINESS for the next meeting of the Board of Variance.

Thanks in advance for your assistance.

Sincerely yours,

Philip J. Clesi