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.

ST. TAMMANY PARISH BOARD OF ADJUSTMENT STAFF ANALYSIS REPORT

Case File Number:

Date of Report:

BOA Case No. 14-07-019

Initial Hearing Date:

July 1, 2014 June 10, 2014

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.

BOA CASE NO. 14-07-019 (for office use only)

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

(Please print on the fo	llowing lines below. If a comp	pany, please incli	ude a contact person name also.)
APPLICANTS NAME	COREY J. SMITH D.B.A.	"EXECUTIVE H	HOLDINGS, LLC" (DEVELOPER)
MAILING ADDRESS	311 TELLY ROAD		
CITY/STATE/ZIP:	PICAYUNE, MS 39466		
PHONE NUMBER:	601-798-4000		
	(Home Phone #)	(Cell)	Phone #)
PROPERTY LOCATI	ON FOR VARIANCE REQUE	ESTED: ZONI	NG: HC-2
79055 HIGHWAY 40	COVINGTON	LA	
Address	City	State	Subdivision (if applicable)
(Pleases check the app	olicable boxes below:)		
Vandscape buffers (re	Development Code) "REQUESTED: eduction of front, side and/or reduction of front, side and/or reduction of the number	ar yard buffer set	
	ments (reduction of parking sta s (increase of sign area and/or s		
□ other(Specify other	r variance/appeal on line above)	
Example: Applicant is the parish, to approxin	nately 20' requested.	• •	variance/appeal:) equirement from 25' required by
SEE ATTACHED APPEN	DIX FOR FULL LISTING.		
Mars I C	7	6-3-20	014
SIGNATURE OF AND	PLICANT		E OF APPLICATION

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".
- 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 difficultly or unnecessary hardship would be imposed if a variance/appeal was not granted, then the board may consider granting the variance/appeal request.

ALL VARIANCE REQUESTS ARE THE RESULT OF PUSHING IMPROVEMENTS EAST AND NORTH TO SAVE THE LARGE LIVE OAK TREE ON THE SOUTHWEST CORNER OF THE PROPERTY.

- 4. Does the variance/appeal request impose an adverse effect on the adjacent neighbors property or surrounding neighborhood?

 If the variance/appeal request adversely effects 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.

APPENDIX - EXECUTIVE HOLDINGS, LLC - VARIANCE REQUEST ITEMS

No island at corner of building	6' wide x parking space length	Landscape island dimensions	7.0109C1	10
20'	9' maximum	Height of monument sign	7.0204D3	9
70 square feet	32 square feet	Area of monument sign	7.0204D2	8
0' from property line	5' back from property line	Location of monument signs	7.0204C	7
1 per street frontage	1 per 100 street frontage	Number of monument signs	7.0204B	6
2 type A trees, 2 type B trees	8 type A trees, 8 type B trees	North side buffer planting area	7.0107E	5
3' width	10' width	North side buffer planting area	7.0107B	4
2' width	20' width	South side street planting area	7.0106B	3
2 type A trees, 2 type B trees	7 type A trees, 7 type B trees	East side street planting area	7.0106F	2
4' width	20' width	East side street planting area	7.0106B	1
REQUEST	STANDARD	DESCRIPTION	ORDINANCE	ITEM



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,

President/CEO

Tuesday, April 08, 2014

Ethel Lanaux 232 Lake Marina Dr 12C New Orleans, LA70124

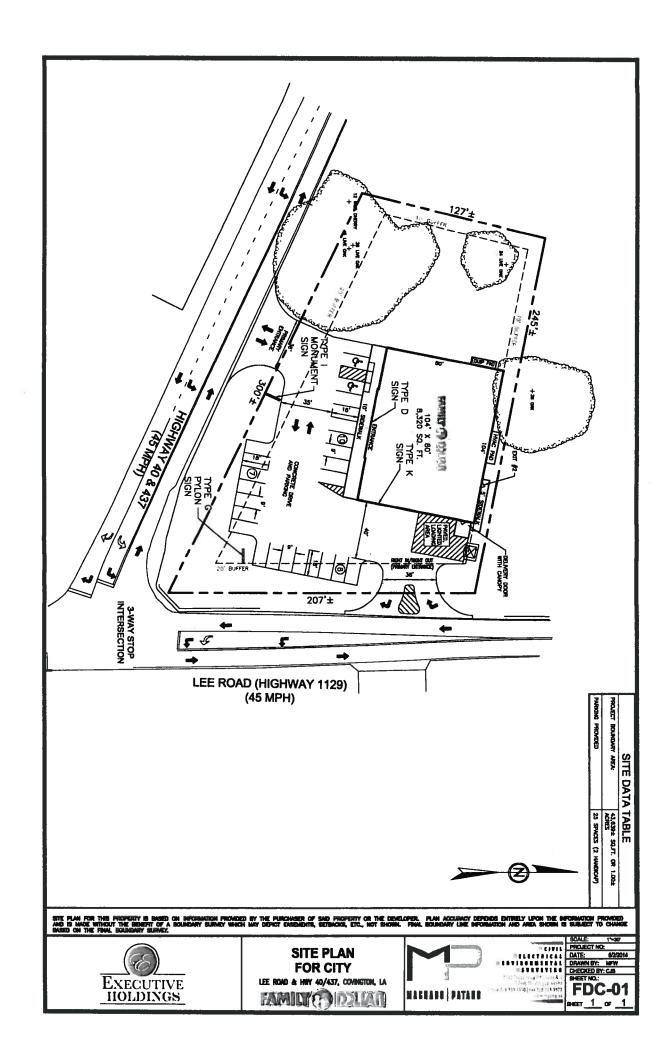
Executive Companies 311 Telly Road Picayune, MS 39466

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 June 10, 2014

Date of Report:

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. <u>Administration and Enforcement</u>, Section 3.0104 <u>Board of Adjustment</u>, Paragraph (B.) <u>Powers of the Board</u>, 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. 14-07-020 (for office use only)

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

(Please print on the fol	lowing lines be	elow. If a company	, please inc	lude a contact person name also.)
APPLICANTS NAME:	<u>6/en</u>	in Mesm	an	
MAILING ADDRESS:	315	SHADYO	PAK	LANE
CITY/STATE/ZIP:	MAN	DEVILLE	W	7047/
PHONE NUMBER:	985-7	192-0439		985-320-3849
	(Home Phone	#)	(Cell	Phone #)
PROPERTY LOCATIO	ON FOR VARI	ANCE REQUESTI	ED: ZON	ING: <u>4-2</u>
SAME	AS	ABOV,	5	
Address		City	State	Subdivision (if applicable)
(Pleases check the app	licable boxes b	elow:)		
REQUEST FOR :		of the (Unified Dev	-	•
		n adverse decision i		arish official(s) al(s) of the (Unified
	Developme		arisii officia	n(s) of the (Office
VARIANCE/APPEAL	<u>REQUESTED</u>	•		
building setbacks (rec	duction of front	t, side and/or rear ya	ard setbacks)
□ landscape buffers (red □ landscaping within bu				
□ parking area requiren				
□ signage requirements	(increase of sig	gn area and/or sign	height, light	ing, coloring, etc)
□ other				
(Specify other	variance/appea	l on line above)		
(Please state on the following				
<u>Example</u> : Applicant is r the parish, to approxima			ırd setback i	requirement from 25' required by
SEE A	TACHE	DETTE	R	
side y	and 10.15	ALK	•	
				6/2/4/
SIGNATURE OF APP	LICANT		DAT	FOF APPLICATION

MESMAN RESIDENCE

Glenn and Elaine Mesman 315 Shady Oak Lane Mandeville, La 70471

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'-0' 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,

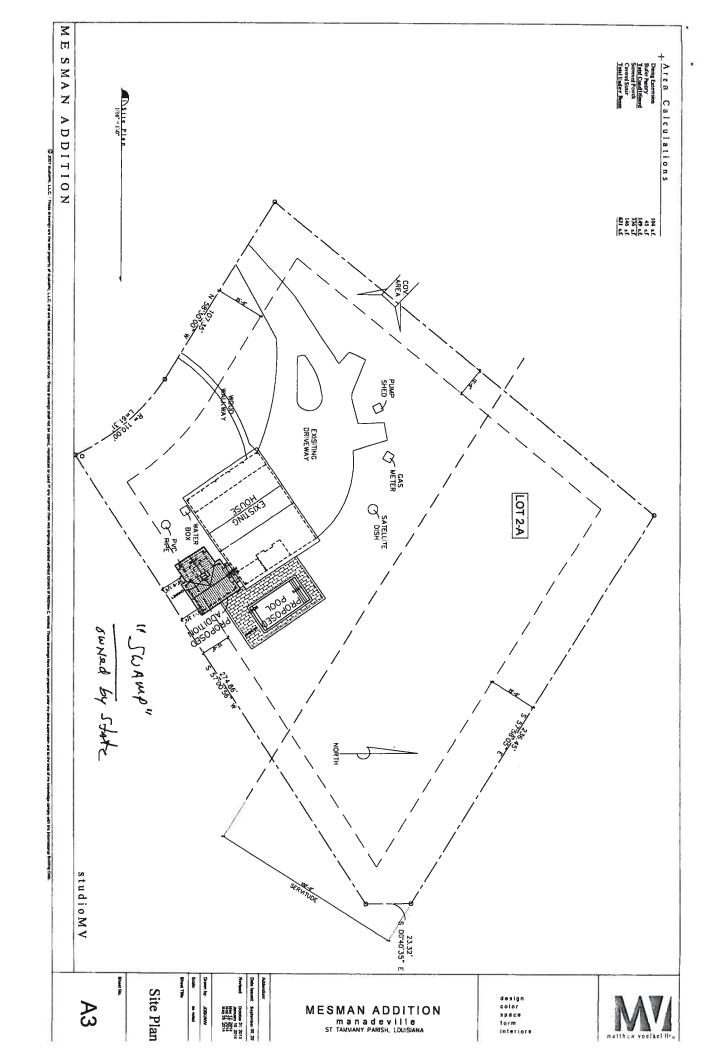
Jessica Walker, Architect

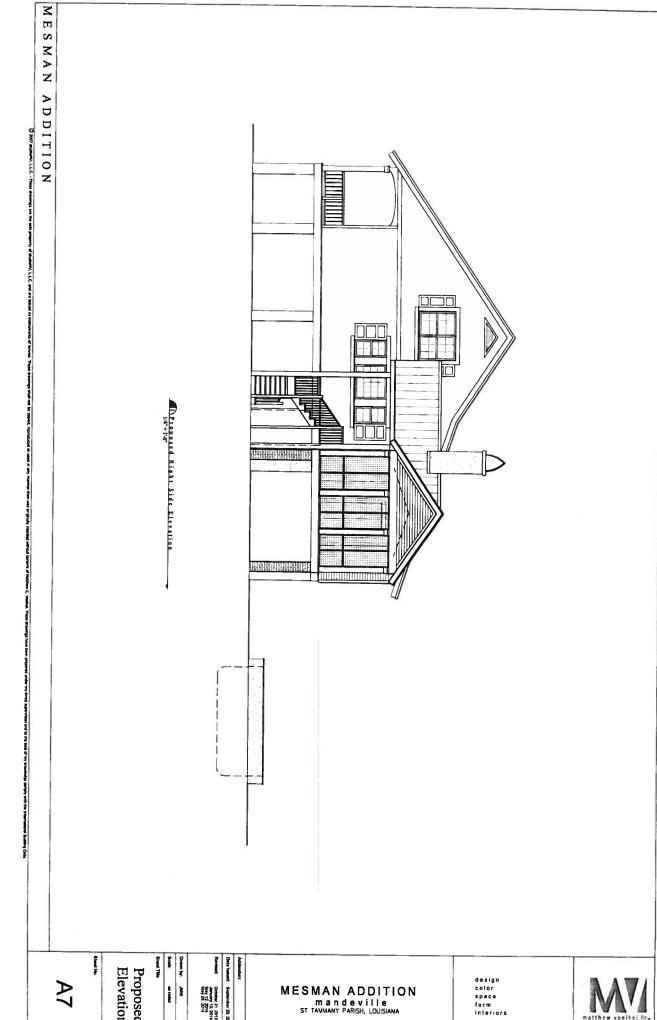
Matt Voelkel, Principal Designer/Owner

StudioMV

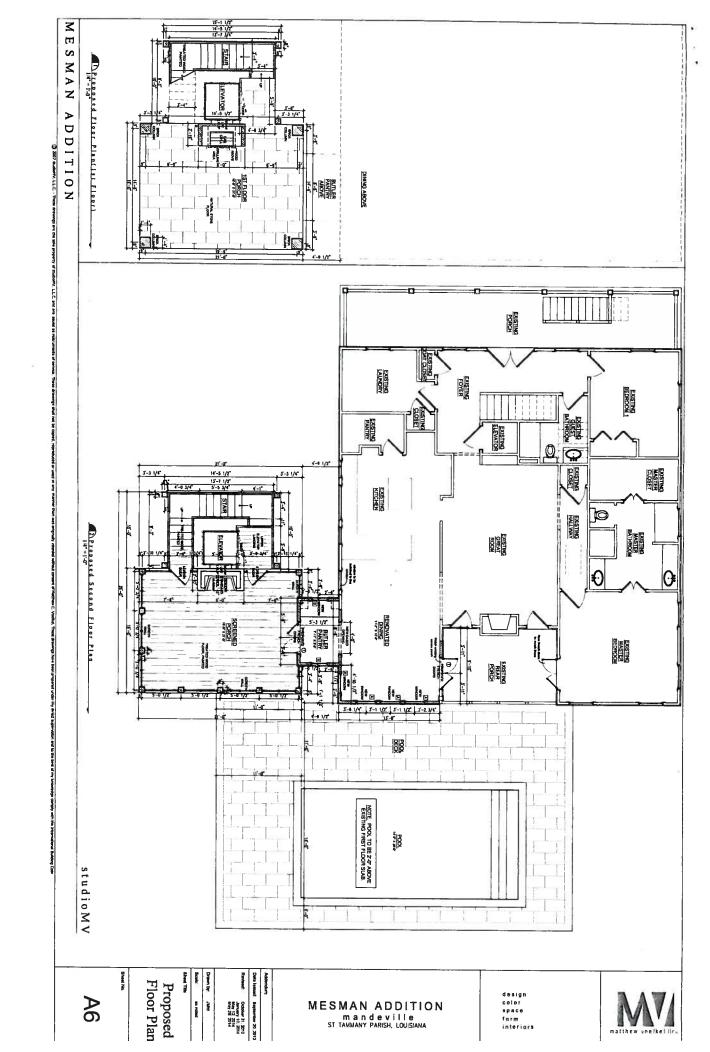
985.867.5601

jessica@studiomvdesigns.com matthew@studiomvdesigns.com





Proposed Elevation



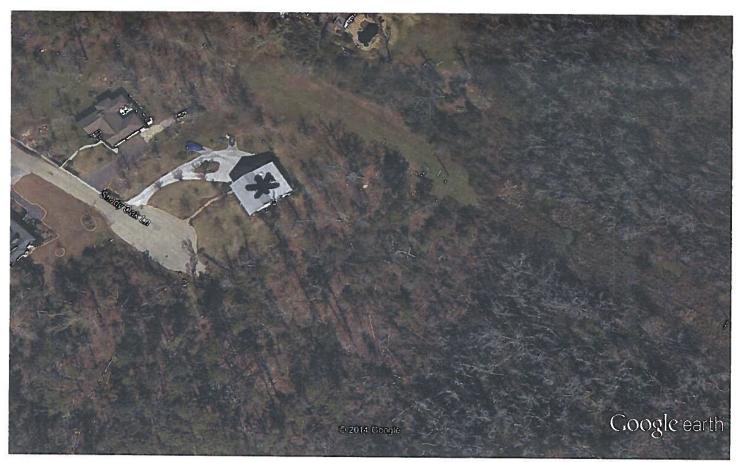


Google earth

feet ______1000 meters 400

A

315 SHAOY BAK LANE MANDEVILLE LA 70471 MESMAN



Google earth

feet 300 meters 100

315 SHAOY OAK LANE MANDENILLE LA 70471 MESMAN



Google earth

feet 100 meters 30

A

315 SHADY OAK ZANE 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 June 10, 2014

Date of Report:

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

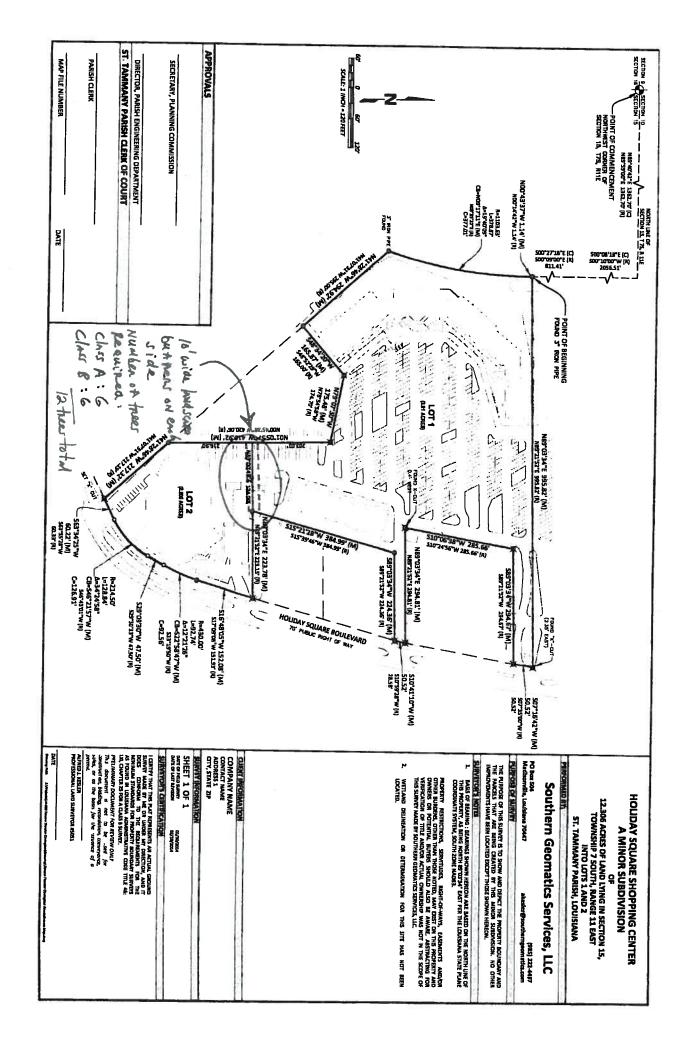
Due to the fact that a new internal property line will be created by result of a resubdivision of the property, technically, landscape and planting buffers will be created on both sides of said properties. However, in this instance, since the common property line will be used as a crossover shared parking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

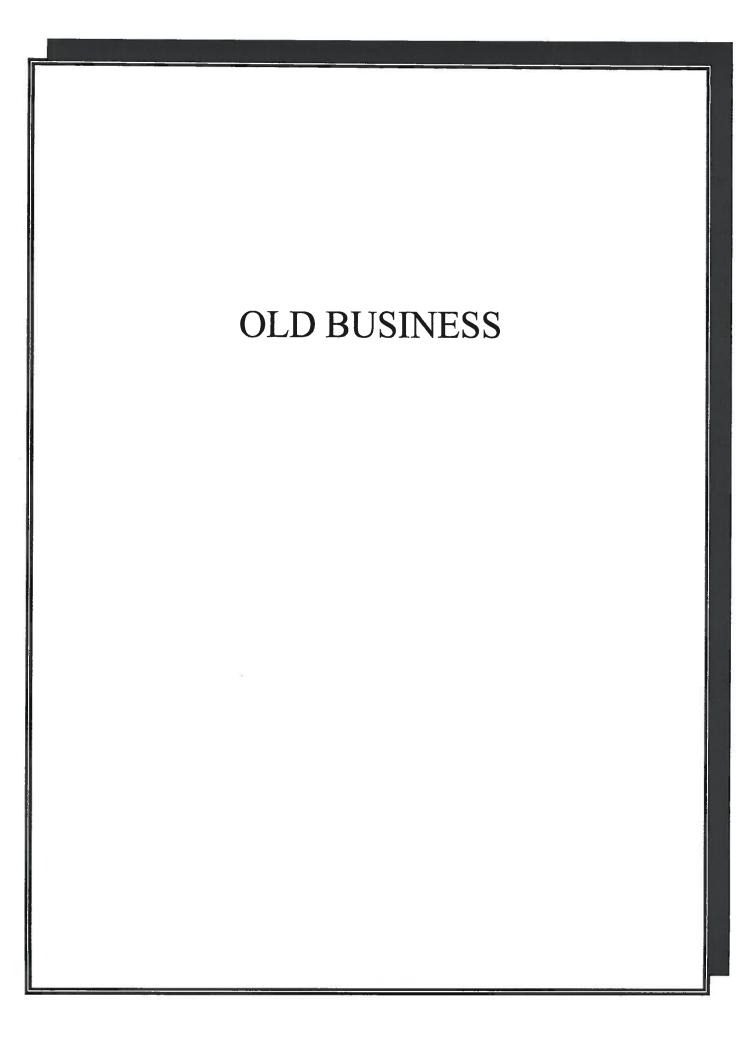
Therefore, the staff recommends approval of the proposed variances requested subject to the applicant mitigating this matter with the parish as a result of eliminating the buffers and plantings along the common property line between the two properties. Said mitigation should include the applicant either: 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. 14-07-02 (for office use only)

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

(Please print on the j	following lines below. If a company, please include a contact person name also.)
APPLICANTS NAM	
MAILING ADDRES	s. C/O David Persac P.O. Box 14208
CITY/STATE/ZIP:	Baton Royac LA 70898
PHONE NUMBER:	225 - 767 - 0270 275 - 937 - 3137 (Home Phone #) (Cell Phone #)
PROPERTY LOCATA	ION FOR VARIANCE REQUESTED: ZONING: HC-3 Highway Commercial
Address	301 N. Huy 190, Covington, 1. A 70433 (18t 2, Honday and Clty State Subdivision (if applicable)
(Pleases check the app	plicable 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)
<u>VARIANCE/APPEAL</u>	REQUESTED:
landscape buffers (relations landscaping within burnaring area requires	eduction of front, side and/or rear yard setbacks) eduction of front, side and/or rear yard buffer setbacks) suffers (reduction of the number of trees, bushes and/or shrubs) ments (reduction of parking stalls, parking greenspace islands, etc) s (increase of sign area and/or sign height, lighting, coloring, etc)
other (Sanifornia)	
(Please state on the foi	variance/appeal on line above) Ilowing lines below your specific request for a variance/appeal:) requesting a variance for a front yard setback requirement from 25' required by ately 20' requested.
Applicand	is regusesting variances for the
eliminat	ion of the 10' wide landscape buffers on each of
the new prop	erely lines and for le Coan A trees and le Clan B trees.
SIGNATURE OF APP	120112 6-2,14
FRANK G	5 VYONG







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

504.218.7899 504.218.4027 fax 504.638.6214 cell

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 maximium size of boat houses. Since this legislation could effect 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