

HOUMA BOARD OF ADJUSTMENTS

Official Proceedings

of

June 18, 2012

Government Tower

2nd Floor, Terrebonne Parish Council Meeting Room

1. The Chairman, Ms. Katie Sims, called the June 18, 2012 meeting of the Houma Board of Adjustments to order at 2:05 p.m., followed by the Pledge of Allegiance, led by Mr. Joe Harris.

2. Upon Roll Call, those members present were Ms. Katie Sims, Mr. Joe Harris, Mr. John Tipton, Jr., Mr. Pete Konos and alternate member Mr. Willie Newton. Members absent were Mr. David Blum. Also present was Mr. Christopher Pulaski, Senior Planner for Terrebonne Parish Consolidated Government.

3. ANNOUNCEMENTS:

The Chairman recognized Mr. Chris Pulaski who reminded the Board about taking the Mandatory Ethics Training.

4. AGENDA ITEM 4, APPROVAL OF MINUTES OF MAY 21, 2012.

It was moved by Mr. Harris, seconded by Mr. Tipton, that the minutes of the May 21, 2012 meeting be approved. THERE BEING NO OPPOSITION, THE MOTION PASSED UNANIMOUSLY.

5. OLD BUSINESS:

a. Special Exception: operation of a day care center in existing attached garage and two (2) rooms in residence, approximately 15 children, property located at 9 Summerfield Drive (R-1, Single-Family Residential Zoning District), *Brad Blanchard, applicant*.

The Chairman recognized Mr. Brad Blanchard of 9 Summerfield Drive who stated that he and his wife want to open a day care in their home.

The Chairman recognized Mr. Pulaski who stated that the proposed business would be located within the existing structure and rear yard. He stated that while the parish zoning ordinance and Department of Health regulations allow for the operation of child day care in a residence of no more than five (5) children, the applicant wishes to increase the number of the maximum allowed to fifteen (15). He stated that it is the opinion of staff that fifteen children would result in a large increase in traffic volumes consistent with a residential area especially at drop off and pick up times. Mr. Pulaski stated that a site visit was performed and all property owners within a 250' radius were notified. He stated that staff received two (2) calls of no objection regarding this request and two (2) calls of objection citing preservation of the residential character of the neighborhood, increase in traffic, and safety to neighborhood children with the increase in traffic and neighborhood outsiders. He stated that since the previous BOA Hearing, Staff received one (1) call of no objection and one (1) call of support from the adjacent property owner, Mr. Joe Waitz. Mr. Pulaski stated that Staff recommends approval of the request conditioned that the amount of children be limited to no more than eight (8), the yard be fenced as per the R-1 zoning regulations and no on-premise advertising be placed as stipulated in R-1 zoning district.

The Chairman recognized Mr. Konos who addressed an email between him and Mr. Patrick Gordon regarding Special Exceptions. He also asked Mr. Pulaski if he could explain the difference between a Special Exception and Structure Variance.

The Chairman recognized Mr. Pulaski who explained that a Structure Variance relates to building heights or setback requirements, driveway widths, etc. and Special Exceptions relates to the use of the property.

Mr. Konos asked for a copy of policy and procedure pertaining to this.

The Chairman recognized the applicant who stated that he would like to change the application from 15 children to 12 children.

Subsequent to discussion among the members of the Board, Mr. Harris moved, seconded by Mr. Konos "THAT the Houma Board of Adjustments approve the request conditioned that the amount of children be limited to no more than eight (8), the yard be fenced as per the R-1 zoning regulations and no on-premise advertising be placed as stipulated in R-1 zoning district".

ROLL CALL VOTE:

YEAS: Konos, Harris, Tipton and Newton

NAYS: None

ABSTAINED: None

NOT VOTING: Sims

ABSENT: Blum

The Chairman recognized Mr. Konos who wanted to make comments on child predators in the neighborhood.

The Chairman stated that the special exception had been voted on and could no longer be discussed.

6. NEW BUSINESS:

a. Structure Variance: rear setback variance from required 25' to 12'6" for placement of new residence with attached garage, property located at 115 Krumbhaar Circle (R-1, Single-Family Residential Zoning District), *Prosper Toups, applicant*.

The Chairman recognized Mr. Prosper Toups, III of 42 Cobblestone East, Land Surveyor representing the property owner Dr. Brian Benoit, who stated that the property owner would like to build his home to the rear of the property to minimize damage or stress to the existing trees.

The Chairman recognized Mr. Pulaski who stated that the subject property contains several large live oak trees and in order to preserve these trees, the property owner is proposing to place the new residential structure towards the rear of the property. He stated that in doing so, this places a portion of the attached garage within the 25' setback. He stated that the location of the proposed attached garage should not negatively impact the adjacent properties and would not be directly visible from adjacent roadways. He stated that a site visit was performed and property owners within a 250' radius were notified. Mr. Pulaski stated that Staff received one (1) call and one (1) email of no objection. He stated that Staff recommends approval of the variance request.

Subsequent to discussion among the members of the Board, Mr. Harris moved, seconded by Mr. Tipton, "THAT the Houma Board of Adjustments approve the request".

ROLL CALL VOTE:

YEAS: Newton, Tipton, Harris, and Konos

NAYS: None

ABSTAINED: None

NOT VOTING: Sims
ABSENT: Blum

b. Structure Variance: driveway width variance from the required max of 30' to 42' at new residence, property located at 118 Mandalay East (R-1 Single-Family Residential Zoning District), *Mitchel, Jr. & Denise Bourg, applicants.*

The Chairman recognized Mr. Mitchel and Mrs. Denise Bourg of 1045 Bayou Blue Road who stated their request for the variance to allow for a 3 car garage.

The Chairman recognized Mr. Pulaski who stated that the variance is to allow for the construction of a new residence with an attached carport. He stated that the owner across the street contacted Staff and indicated that they had no objection to the request. He stated that a site visit was performed, property owners within a 250' radius were notified and Staff received one (1) call of no objection regarding this request. Mr. Pulaski stated that Staff recommends approval of the variance request.

Mr. Pulaski stated that Staff has acknowledged that in the last 8 months two driveway width variances have been issued for residences and both were to increase beyond the maximum of 30'. He stated that this item shall be addressed with the Subdivision Sub-Committee at the next meeting to see if any revisions to the ordinance need to be made to allow for this increasing trend.

Subsequent to discussion among the members of the Board, Mr. Harris moved, seconded by Mr. Tipton, "THAT the Houma Board of Adjustments approve the request".

ROLL CALL VOTE:

YEAS: Newton, Tipton, Harris, and Konos

NAYS: None

ABSTAINED: None

NOT VOTING: Sims

ABSENT: Blum

c. Structure Variance: sign height variance from max 7' to 14' to allow for placement of new monument sign, property located at 1846 Martin Luther King Blvd. (C-2, General Commercial Zoning, Overlay District), *Auto Spa Properties, applicant.*

The Chairman recognized Mr. Henry Marie of 106 Parlange Drive who stated he is asking for a sign height variance from 7' to 14'.

The Chairman recognized Mr. Pulaski who stated the variance is to allow for the placement of a new, on-premise, monument sign in the Overlay District. He stated that the property elevation is slightly lower than the crown of the road but the speeds at which drivers are passing the site are considerable. He stated that the sign meets all of the other Overlay District standards that pertain to coverage area and the digital message board. He stated that the height also includes a proposed 2' landscape berm and sign would be set back approximately 60' from the adjacent Martin Luther King Blvd. right of way. Mr. Pulaski stated that a site visit was performed, property owners within a 250' radius were notified and no calls regarding this request were received. He stated that Staff recommends approval of the variance request.

Mr. Pulaski stated that with the recent Overlay District modifications to the zoning ordinance to eliminate pole signs, an increase should have been made to the monument sign height requirements. He stated that this would also be discussed at the next Subdivision Sub-Committee meeting.

The Chairman commented on pole signs and monument signs. She also stated that she would not like to see monument signs become so large that they are as tall as pole signs.

The Chairman recognized Mr. David Saint with Auto Spa who commented on the sign height and speed limit being taken into consideration.

The Chairman recognized Mrs. Kathryn Marie with Auto Spa who stated that they are trying to comply with the regulations.

Discussion continued concerning the width of the sign from top to bottom.

The Chairman recognized Mr. Harris who asked if the berm height was part of the stone base of the sign and the applicant said yes that the berm and sign height together would be 14'.

The Chairman recognized the applicant to stated that the plans for the sign were drafted and construction began prior to the regulations being changed on pole signs.

Subsequent to discussion among the members of the Board, Mr. Harris moved, seconded by Mr. Tipton, "THAT the Houma Board of Adjustments approve the request".

ROLL CALL VOTE:

YEAS: Harris, Tipton, Newton, Tipton, and Konos

NAYS: None

ABSTAINED: None

NOT VOTING: Sims

ABSENT: Blum

d. Structure Variance: front yard setback variance from required 20' to 11.2', side yard variance from required 15' to 10' and rear yard variance from the required 25' to 10' to allow for placement of new residence, property located at 405 South Street (R-1, Single-Family Residential Zoning District), *Jared W. Granger, applicant.*

The Chairman recognized Mr. Jared Granger of 711 South Street who stated the variance is due to an irregular shaped lot.

The Chairman recognized Mr. Pulaski who stated that previously located on the subject lot was an electrical sub-station. He stated that recently the lot was sold at auction. He stated that Staff feels that the placement of a residential structure on the lot will improve the overall quality of the neighborhood and promote infill development while preserving the residential character of the subdivision. Mr. Pulaski stated that a site visit was performed, property owners within a 250' radius were notified and no calls were received regarding this request. He stated that Staff recommends approval of the variance request.

Subsequent to discussion among the members of the Board, Mr. Harris moved, seconded by Mr. Konos, "THAT the Houma Board of Adjustments approve the request".

ROLL CALL VOTE:

YEAS: Konos, Harris, Tipton, and Newton

NAYS: None

ABSTAINED: None

NOT VOTING: Sims

ABSENT: Blum

e. Structure Variance: building height variance from required max of 35' to 45', property located at 1154 Barrow Street (C-2, General Commercial Zoning District), *Regional Military Museum, applicant*.

The Chairman recognized Mr. John Lyons of GSE & Associates located at 991 Grand Caillou Road, representing the Regional Military Museum, who stated the height increase is to allow for exhibits in the museum.

The Chairman recognized Mr. Pulaski who stated that the subject property is currently a vacant lot that the Military Museum uses to place equipment exhibits. He stated that the Military Museum owns several lots in the immediate area. He stated that the applicant has been in contact with Staff and noted that the Museum's planners are looking at developing a large master plan that provides information pertaining to the future of the Military Museum and how they would like to develop their property and include additional parking and landscape features. Mr. Pulaski stated that a site visit was performed, property owners within a 250' radius were notified and one (1) call objecting to the request was received. He stated that Staff recommends approval of the variance request conditioned that the applicant provides an adequate landscape buffer of street trees along the property line adjacent to Daspit Street, size and type of trees should be as specified in Section 28-76(3) of the Parish Code, and number and placement of trees shall be such that will provide adequate screening to the homes along Daspit Street.

The Chairman recognized Mr. Lyons who stated that Mr. CJ Christ with the Military Museum received 2 calls from area residents in favor of the variance.

The Chairman recognized Mr. CJ Christ, CEO of the Museum, of 2121 Bayou Black Drive, who stated that the height variance is to allow for artifacts to be place in the building.

Subsequent to discussion among the members of the Board, Mr. Harris moved, seconded by Mr. Newton, "THAT the Houma Board of Adjustments approve the request conditioned that the applicant provides an adequate landscape buffer of street trees along the property line adjacent to Daspit Street, size and type of trees should be as specified in Section 28-76(3) of the Parish Code, and number and placement of trees shall be such that will provide adequate screening to the homes along Daspit Street".

ROLL CALL VOTE:

YEAS: Newton, Tipton, Harris, and Konos

NAYS: None

ABSTAINED: None

NOT VOTING: Sims

ABSENT: Blum

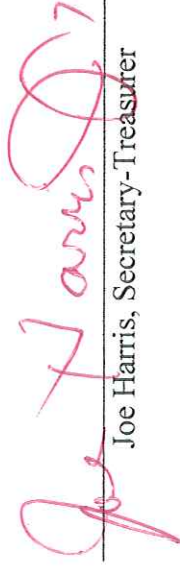
7. NEXT MEETING DATE:

The next scheduled Board of Adjustments meeting will be held on July 16, 2012.

8. BOARD OF ADJUSTMENT MEMBER COMMENT: None

9. PUBLIC COMMENTS: None

10. Mr. Harris, seconded by Mr. Tipton: "THAT, there being no further business to come before the Houma Board of Adjustments, the meeting be adjourned at 3:10 p.m." NO OPPOSITION, MOTION CARRIED, CHAIRMAN DECLARED MOTION ADOPTED AND THE MEETING ADJOURNED.



Joe Harris, Secretary-Treasurer