

HOUMA BOARD OF ADJUSTMENTS

Official Proceedings of October 21, 2013

Government Tower 2nd Floor, Terrebonne Parish Council Meeting Room

1. The Vice Chairman, Mr. Willie Newton, called the October 21, 2013 meeting of the Houma Board of Adjustments to order at 2:00 p.m., followed by the Pledge of Allegiance, led by Mr. Joe Harris.
2. Upon Roll Call, those members present were Mr. Willie Newton, Mr. Pete Konos, Mr. Joe Harris, and Ms. Trudy Hebert. Members absent were Ms. Katie Sims and alternate member Mr. David Tauzin. Also present was Mr. Christopher Pulaski, Senior Planner for Terrebonne Parish Consolidated Government.
3. ANNOUNCEMENTS: None
4. AGENDA ITEM 4, APPROVAL OF MINUTES OF September 16, 2013.

It was moved by Mr. Harris, seconded by Mr. Konos, that the minutes of the September 16, 2013 meeting be approved. THERE BEING NO OPPOSITION, THE MOTION PASSED UNANIMOUSLY.

5. NEW BUSINESS:
 - a. Structure Variance: side yard setback variance from required 5' to 18" to construct 11'x21' enclosed carport on existing concrete driveway, property located at 514 Maple Avenue, (R-1, Single-Family Residential Zoning District), *Clay S. Landry, applicant.*

The Vice Chairman recognized Mr. Clay S. Landry of 514 Maple Avenue who stated he wanted to construct enclose a garage for his tools.

The Vice Chairman recognized Mr. Willard Dalton of 516 Maple Avenue who stated his objection to the variance. He stated that he feels that the garage will add extra clutter; it will not preserve the character of the neighborhood and believes it will diminish the value of his home. He also believes that it will create runoff issues for his property.

The Vice Chairman recognized Mr. Pulaski who stated that the applicant wishes to place the structure on the existing driveway along the left side within the existing fence enclosure. He stated that the proposed structure has a curved roofline where it transitions from the roof to the wall which should reduce or eliminate rainwater runoff directly onto the adjacent property. He stated that the maximum allowed height for fences in residential zones is 8'. Mr. Pulaski stated that an onsite inspection was conducted, adjacent property owners were notified, and 2 calls of no objection and 1 visitor to the office objecting to the request were received. He stated that Staff recommends approval of the variance request conditioned that the applicant agrees to raise the height of the fence and gate to 8'.

The Vice Chairman recognized Ms. Hebert who questioned the location of the proposed structure in relation to the existing house and fence.

Mr. Harris motioned to approve the variance request with the Parish's recommendation and the request died due to the lack of a second.

Ms. Hebert motioned to deny the variance request and the motion died due to the lack of a second.

The Vice Chairman recognized Mr. Pulaski who asked that he speak with the applicant about changes to the proposed structure.

The Vice Chairman recognized Mr. Pulaski again who stated that after discussion, the applicant has decided to change the material of the structure from corrugated metal to wood matching the color and style of the house. Mr. Pulaski stated that he would change the Staff recommendation to approve conditioned that the proposed structure be built out of similar material as the house and that the fence/gate could remain as is.

Subsequent to discussion among the members of the Board, Mr. Harris moved, seconded by Ms. Hebert, "THAT the Houma Board of Adjustments approve the request conditioned that the proposed structure be built out of similar material as the house".

ROLL CALL VOTE:

YEAS: Konos, Harris and Hebert

NAYS: None

ABSTAINED: None

NOT VOTING: Newton

ABSENT: Sims and Tauzin

THE VICE CHAIRMAN DECLARED THE MOTION ADOPTED AND THE APPLICATION APPROVED.

b. Structure Variance: rear yard setback variance from required 20' to 5' to place a 50.3' x 80.3' commercial structure property located at 817 Odette Street, (C-3, Neighborhood Commercial Zoning District, Low Density), *Raleigh Darcy, applicant*.

The Vice Chairman recognized Mr. Raleigh Darcy of 1803 Polk Street who stated he would like to place the storage building within the rear yard setback to allow for more room for trailers and vehicles to maneuver in the front yard/parking area. He stated that the variance would help to improve the flow of traffic at this location.

The Vice Chairman recognized Mr. Pulaski who stated that the applicant owns the adjacent lot to the rear and wishes to place the structure within the rear yard setback to allow for more room for trailers and vehicles to maneuver in the front yard/parking area. He stated that the site is actually two adjacent lots with a depth of 90' and the combined width varies from 100' to 123' in the rear. He stated that the proposed structure is in keeping with the commercial character of the surrounding properties and should not alter or negatively impact nearby residential areas. Mr. Pulaski noted that Odette Street has little vehicular traffic. He stated that an onsite inspection was conducted, adjacent property owners were notified and no calls of objection were received. He stated that Staff recommends approval of the variance request.

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

ROLL CALL VOTE:

YEAS: Harris and Hebert

NAYS: Konos

ABSTAINED: None

NOT VOTING: Newton

ABSENT: Sims and Tauzin

THE VICE CHAIRMAN DECLARED THE MOTION ADOPTED AND THE APPLICATION APPROVED.

c. Structure Variance: rear yard setback variance from required 25' to 5' for placement of 24' x 42' residence on lot, property located at 1105 Lee Avenue, (R-1, Single-Family Residential Zoning District), *Lenard Calloway, applicant*.

The Vice Chairman recognized Mr. Lenard Calloway of 437 Sugarland Street who stated the variance would be to allow for the placement of a relocated structure from another property.

The Vice Chairman recognized Mr. Pulaski who stated the applicant is considering placing a relocated structure from another property. He stated that the subject property is currently vacant except for an existing curb cut and driveway from the previous residential structure. He stated that the size and style of the structure to be relocated is modest and in keeping with the neighborhood character. He stated a site inspection was conducted, adjacent property owners were notified and no calls objecting to the request were received. Mr. Pulaski stated that Staff recommends approval of the variance request.

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

ROLL CALL VOTE:
YEAS: Konos, Harris and Hebert
NAYS: None
ABSTAINED: None
NOT VOTING: Newton
ABSENT: Sims and Tauzin

THE VICE CHAIRMAN DECLARED THE MOTION ADOPTED AND THE APPLICATION APPROVED.

d. Structure Variance: rear yard setback variance from required 25' to 22' for attached shed addition, property located at 4577 Glenfield Drive (R-1, Single-Family Residential Zoning District), *Byron Hutchinson, applicant*.

The Vice Chairman recognized Mr. Pulaski who stated he would speak on behalf of the applicant due to the applicant not in attendance due to his wife just having a baby. Mr. Pulaski stated that in September 2013 the applicant received a permit to begin construction of the single-family residence. He stated that since then the applicant has applied for a variance to place a shed addition to the garage. He stated that the rear yard setback is intended to preserve suitable area for families and children to recreate without the danger of residential traffic typical in front yards. He stated that site inspection was conducted, adjacent property owners were notified, and Staff received no comments regarding the request. Mr. Pulaski stated that Staff recommends approval of the variance request.

Ms. Hebert motioned to approve the variance request and the motion died due to the lack of a second.

Mr. Konos offered a substitute motion to table the request until the Board could hear from the applicant.

Subsequent to discussion among the members of the Board, Mr. Konos moved, seconded by Mr. Harris, "THAT the Houma Board of Adjustments table the request until the Board could hear from the applicant".

ROLL CALL VOTE:
YEAS: Konos, Harris and Hebert
NAYS: None
ABSTAINED: None
NOT VOTING: Newton
ABSENT: Sims and Tauzin

THE VICE CHAIRMAN DECLARED THE MOTION ADOPTED AND THE APPLICATION TABLED.

e. Structure Variance: rear yard setback variance from required 20' to 16' to place commercial structure, property located at 1133 Cottage Drive (C-3, Neighborhood Commercial Zoning District), *ABCC Storage, applicant*.

The Vice Chairman recognized Mr. Pulaski who stated the applicant was currently not in attendance but was on his way. Mr. Pulaski asked that the Board continue to the next item on the agenda to give the applicant enough time to arrive.

f. Special Exception: to construct shadow box fence 8' ht x 25' long over portion of existing public sidewalk, property located at 7832 Belanger (C-1, Business Commercial Zoning District), *Mahony's, applicant*.

The Vice Chairman recognized Mr. Gary Brown of 397 Marion Drive, Baton Rouge who stated that the reason for the variance is to put a cover around A/C units currently off backside of the building and to screen sewer pipes, provide a place to store garbage cans and generally improve the look of the building rear façade.

The Vice Chairman recognized Mr. V.J. Caro of 1315 Valhi Blvd who stated that he has no problem with the construction of the shadow box, he is only objecting the reduction of the three parking spaces next to the fence.

The Vice Chairman recognized Mr. Pulaski who stated the applicant wishes to improve the façade of their building by removing unnecessary wires, painting and lowering existing A/C units to the ground level. He stated that the applicant intends to construct a shadow box style fence to be used to screen the A/C units similar to those used along the Bayou Walk to screen the transformers. He stated that the sidewalk tapers into the existing building so there is little use of it. He stated that a site inspection was conducted, adjacent property owners were notified, and 1 call of no objection and 2 call of objecting with 1 specifically objecting to the loss of parking were received. Mr. Pulaski stated that Staff recommends approval of the variance request conditioned that the applicant receives approval from the Downtown Development Commission at a regular meeting, provide documentation from the State Fire Marshall and/or local fire district confirming the proposed fence does not violate fire and safety codes, and the Parish Council approves placement of a No Parking Zone along the same side of Belanger Street.

The Vice Chairman recognized Mr. Sammy Castalano of 300 Belanger Street who stated his concern is the smell of the garbage cans and the look of the back of the building. He stated he didn't have a problem with the fence. He also wanted to complement Mr. Brown for his positive improvements.

The Vice Chairman recognized Ms. Bonnie Siegrist of 119 Krumbharr Circle who stated that she owns the property across the street from Mahony's and concurs with Mr. Castalano. She also would like to see no parking along one side of Belanger Street.

Subsequent to discussion among the members of the Board, Mr. Konos moved, seconded by Mr. Harris, "THAT the Houma Board of Adjustments approve the request conditioned the applicant receives approval from the Downtown Development Commission at a regular meeting, provide documentation from the State Fire Marshall and/or local fire district confirming the proposed fence does not violate fire and safety codes, and the Parish Council approves placement of a No Parking Zone along the same side of Belanger Street".

ROLL CALL VOTE:

YEAS: Konos, Harris and Hebert
NAYS: None
ABSTAINED: None
NOT VOTING: Newton
ABSENT: Sims and Tauzin

THE VICE CHAIRMAN DECLARED THE MOTION ADOPTED AND THE APPLICATION APPROVED.

The applicant, Byron Hutchinson for the variance at 4577 Glenfield Drive entered the meeting at this time: 3:05 pm

The Vice Chairman proceeded to revisit item d. of the agenda. Mr. Pulaski noted for the record that there was no one from the public present to speak for or against the request when it was called earlier in the meeting and the public hearing portion had been closed.

d. Structure Variance: rear yard setback variance from required 25' to 22' for attached shed addition, property located at 4577 Glenfield Drive (R-1, Single-Family Residential Zoning District), *Byron Hutchinson, applicant.*

The Vice Chairman recognized Mr. Byron Hutchinson of 102 Wilson Avenue who stated the variance is to allow for an attached shed addition.

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

ROLL CALL VOTE:
YEAS: Konos, Harris and Hebert
NAYS: None
ABSTAINED: None
NOT VOTING: Newton
ABSENT: Sims and Tauzin

THE VICE CHAIRMAN DECLARED THE MOTION ADOPTED AND THE APPLICATION APPROVED.

The applicant ABCC Storage for the variance at 1133 Cottage Drive entered the meeting at this time: 3:18 pm.

The Vice Chairman proceeded to revisit item e. of the agenda.

e. Structure Variance: rear yard setback variance from required 20' to 16' to place commercial structure, property located at 1133 Cottage Drive (C-3, Neighborhood Commercial Zoning District), *ABCC Storage, applicant.*

The Vice Chairman recognized Mr. Alec Breaux of 176 Lane Penchant Court who stated the rear variance would allow for the placement of a commercial structure.

The Vice Chairman recognized Mr. Pulaski who stated that in April 2010 the applicant received Planned Building Group approval for three mini-storage structures on the condition that they include landscaping along the street front façade. He stated that no setback variances were required at that time. He stated that since April 2010 the applicant has constructed two of the structures and landscaping. He stated that the footprint of the third structure has been modified slightly from the original layout, but the applicant has agreed to keep the 25' required setback which is preferred by Staff. He stated that an inspection was conducted, adjacent property owners were notified and 1 call of no objection was received. He stated that Staff recommends approval of the variance request

conditioned that the applicant agrees to install landscaping similar to the other two existing mini-storage structures along the street façade of the proposed structure.

The Vice Chairman recognized Mr. Konos who questioned parking requirements and Mr. Pulaski answered that for mini storage units parking requirements are relative low and requirements have basically been met.

Subsequent to discussion among the members of the Board, Mr. Konos moved, seconded by Mr. Harris, "THAT the Houma Board of Adjustments approve the request conditioned that the applicant agrees to install landscaping similar to the other two existing mini-storage structures along the street façade of the proposed structure".

ROLL CALL VOTE:

YEAS: Konos, Harris and Hebert

NAYS: None

ABSTAINED: None

NOT VOTING: Newton

ABSENT: Sims and Tauzin

THE VICE CHAIRMAN DECLARED THE MOTION ADOPTED AND THE APPLICATION APPROVED.

6. NEXT MEETING DATE:

The next scheduled Board of Adjustments meeting will be held on November 18, 2013.

7. BOARD OF ADJUSTMENT MEMBER COMMENT: None

8. PUBLIC COMMENTS: None

9. Mr. Konos moved, seconded by Mr. Harris "THAT, there being no further business to come before the Houma Board of Adjustments, the meeting be adjourned at 3:20 p.m." NO OPPOSITION, MOTION CARRIED, CHAIRMAN DECLARED MOTION ADOPTED AND THE MEETING ADJOURNED.



Joe Harris, Secretary-Treasurer