

HOUMA BOARD OF ADJUSTMENT
Official Proceedings
of
April 19, 2022

TPCG Council Meeting Room

The Chairman, David Tauzin, called the April 19, 2022 meeting of the Houma Board of Adjustments to order at 5:00 p.m..

1. Pledge of Allegiance: Mr. Willie Newton
2. Upon Roll Call, those members present were Mr. David Tauzin, Mr. Willie Newton, and Matt Chattagnier. Also present was Mr. Christopher Pulaski, TPCG Planning Director. Absent were Pete Konos and Joe Harris.

3. **ANNOUNCEMENTS:** NONE

4. **APPROVAL** of MINUTES of March 22, 2022.

MOTION was made by Mr. Willie Newton, **SECONDED** by Mr. Matthew Chattagnier to **APPROVE** the minutes of March 22, 2022 meeting.

ROLL CALL VOTE:

YEAS: Newton, Tauzin, Chattagnier

NAYS: NONE

ABSTAINED: None

NOT VOTING: None

6. New Business:

- a. Structure Variance: Rear yard setback variance from required 25' to 19' for residential new construction located at 320 Wilson Street.

Chair recognized Jason Gautreaux, applicant, who stated that he is requesting a rear yard setback from 25' to 9'.

Chair recognized Mr. Christopher Pulaski who stated that applicant is requesting a rear yard set back variance from required 25' to 19' for new residential construction in an R-1 zoned district. The lot size is 80' X 100' and although 8,000 sq. ft. is more than most lots, the depth of 100' makes it difficult to meet all of the zoning setback requirements. This subdivision was developed prior to zoning and although a corner lot, it is hard to remain compliant with zoning and modern home needs and special requirements. Many of the homes in this area have similar or less setbacks, so staff feels that approval of this variance will not alter the essential character of the district in which it is located nor will it adversely affect the public health, safety or welfare of the master plan. A 19' rear yard still seems adequate for recreation outside.

Staff recommends **APPROVAL** of the request.

MOTION was made by Willie Newton, seconded by Mr. Matt Chattagnier to **APPROVE**.

ROLL CALL VOTE:

YEAS: Newton, Tauzin, Chattagnier

NAYS: NONE

ABSTAINED: None

NOT VOTING :None

- b. Interpretation: To determine if fence, damaged by Hurricane Ida, can be re-built at same location, size and height in an R-1 zoned area located at 321 Hobson Street.

Chair recognized Mrs. Delphine Charles, applicant, who stated that she had a fence in the same location for 6 years without any complaints, but now she has someone complaining.

Chair recognized Mr. Christopher Pulaski who stated that applicant's fence was damaged by Hurricane Ida. Applicant built a new fence in the same location and same height as the original fence. Section 28-72(f) states that in any district, no fence, wall structure, tree, shrub or planting more than three (3) feet in height shall be erected, placed or maintained in such a manner as to prevent a clear, unobstructed view of approaching traffic for the driver of a vehicle within fifteen (15) feet from the driveway's street line. Section 28-15(c) states that a nonconforming structure damaged in any manner and from any cause whatsoever to the extent of not more than eighty (80) percent of its replacement cost may be restored, provided restoration is begun within one (1) year and completed within two (2) years of the date of the damage; provided further, that any structure so restored shall conform to the height, building site area and yard requirements of the district in which it is located and to the off street loading requirements of this chapter and provided that a structure damaged as the result of fire, flood, windstorm, earthquake or other unforeseen cause which was a conforming structure at the time of its erection, if erected after the effective date of the ordinance from which this section derives or a conforming structure when such ordinance became effective, if erected prior to such date, but which structure has since become nonconforming as the result of a change in this chapter or the zoning map, may be restored, regardless of the extent of damage thereto, if such structure can be legally restored under other applicable laws and ordinances and if restoration is begun within one (1) year and completed within two (2) years of the date of the damage. No permit record is available for the original fence to determine the date it was built, but we know it was after 2010. Since fence pre-exists storm, can it be replaced in same location? Which zoning ordinance prevails, Section 28-72(f) or Section 28-15(c)?

After a brief discussion, **MOTION** was made by Willie Newton, **SECONDED** by Matt Chattagnier to change the rear and Levron Street fence alignment 4 feet to 6 feet to allow for a more clear visibility for driveway egress and safety.

ROLL CALL VOTE:

YEAS: Newton, Tauzin, Chattagnier

NAYS: NONE

ABSTAINED: None

NOT VOTING: None

c. Structure Variance: Rear yard setback variance from 30' to 27' and front yard setback variance from 25' to 15' for placement of a mobile home in an R-3 zoned area located at 263 St. Peter Street.

Chair recognized Zaira Barajas, applicant, who stated that she was given a mobile home and placed it on this property. She did not know of setback requirements. She is asking for approval to keep the mobile home there.

Chair recognized Mr. Christopher Pulaski who stated that the applicant is requesting a rear yard setback variance from 30' to 27' and a front yard setback variance from 25' to 15' for placement of a mobile home in an R-3 zoned area located at 263 St. Peter Street.

The applicant's home was damaged during Hurricane Ida. She was given a mobile home by her employer and it was placed on site prior to permit issuance. Although there was a trailer previously, the new trailer is larger than the previous and will require setback variances. As the subdivision pre-dates zoning and other lots have similar or lesser setbacks, the variance would not seem to substantially or permanently injure the appropriate use of adjacent conforming property in the same district; nor will it adversely affect the public health, safety, welfare, or the Master Plan

A site visit was performed and all property owners adjacent to and within a 250' radius of the subject property have been notified. Staff received no calls regarding the request. Staff recommends **APPROVAL** of the request.

A **MOTION** was made by Willie Newton, **SECONDED** by Matt Chattagnier to **APPROVE** the request.

ROLL CALL VOTE:

YEAS: Newton, Tauzin, Chattagnier

NAYS: NONE

ABSTAINED: None

NOT VOTING: None

7. Next meeting date: Monday, May 16,2022 at the Government Tower, second floor Council Meeting Room.

8. BOA Member comments: NONE

9. Public Comments: NONE

10. Adjourn: **MOTION** was made by Mr. Willie Newton, **SECONDED** by Mr. Matt Chattagnier to adjourn. **MOTION** passed unanimously.

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Mr. Willie Newton, Secretary