#### AGENDA MEETING

# ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING NOVEMBER 9, 2021 – 2PM

# ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING A 21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS MANDEVILLE, LOUISIANA

NOTE: This meeting will be open to the public. Seating may be restricted due to COVID19 capacity guidelines. Attendees will be required to wear a face mask or covering.

### CALL TO ORDER

#### ROLL CALL

#### **ANNOUNCEMENTS**

- Please silence all phones and electronic devices
- Appeals
- Speaker Cards
- Public Speaking Ten (10) minutes each side and five (5) minutes for rebuttal
- Please exit the building

#### **ELECTION OF OFFICERS**

#### APPROVAL OF THE OCTOBER 5, 2021 MINUTES

#### **PUBLIC HEARINGS**

#### 1- BOA CASE NO.2021-2573-BOA

Request by applicant in an A-4 Single Family Residential Zoning District to waive the required 5 foot rear yard setback for a pool.

The property is located: 14089 S. Lakeshore Drive, Covington, Louisiana

Applicant & Representative: Matthew B. Champagne

# 2- BOA CASE NO. 2021-2574-BOA

Request by applicant in an HC-3 Highway Commercial District to appeal the decision made by Parish Officials that an existing sign has lost its legal nonconforming status due to the sign being abandoned for a period of more than 180 days, being altered to make the sign less in compliance with the requirements, and changing the sign face to differ from the original sign message. Additional variance requests: increase the maximum allowable square footage of a single occupancy sign from 32 square feet to 126 square feet, increase the maximum allowable height from 9 feet to 22 feet, and increase the maximum allowable changeable message sign dimensions from half of the sign face to the entire sign face.

The property is located: 1001 N. Highway 190, Covington

Owner: T, J & C Real Estate Holdings, LLC

Representative: Coogan & Coogan, Inc - Jerry Coogan

## 3- BOA CASE NO. 2021-2575-BOA

Request by applicant in an A-4 Single Family Residential Zoning District to reduce the required front setback from 25 feet to 6 feet to allow for the construction of a front porch with stairs.

The property is located: 220 Jacqueline Drive, Slidell, Louisiana

Owner & Representative: Charles David

# 4- BOA CASE NO. 2021-2578-BOA

Request by applicant in an E-4 Estate Zoning District to allow for the construction of an accessory structure within the front yard.

The property is located: North side of Bricker Road, being Parcel D-1, Covington, Louisiana Applicant & Representative: Tom L. Sullivan, Jr.

# 5- BOA CASE NO. 2021-2581-BOA

Request by applicant in an A-4 Single Family Residential Zoning District to reduce the required front yard setback from 30 feet to 25 feet to allow for the construction of a single family residence. The property is located: 14324 S. Lakeshore Drive, Covington, Louisiana

Applicant & Representative: William Bruce & J. Renee Sofge

# 6- BOA CASE NO. 2021-2582-BOA

Request by applicant in an A-4A Single Family Residential & A-2 Suburban Zoning Districts to reduce the required front yard setback from 25 feet to 20 feet and the rear yard setback from 24 feet to 20 feet as follow:

Square 2, Lots 1-10: Front Setback 20ft.

Square 2, Lots 11-16: Front Setback 20 ft., Rear Setback 20 ft.

Square 3, Lots 1-16: Front Setback 20 ft., Rear Setback 20 ft.

Square 4, Lots 9-16: Front Setback 20 ft., Rear Setback 20 ft.

Square 10, Lots 11-14, 19: Front Setback 20 ft., Rear Setback 20 ft.

Square 11, Lots 1-6, 11-18: Front Setback 20 ft., Rear Setback 20 ft.

Square 12, Lots 1-16: Front Setback 20 ft., Rear Setback 20 ft.

The property is located: River Park Estates Phase 2 Subdivision, Covington, Louisiana

Applicant & Representative: River Park Estates, LLC

# 7- BOA Case No. 2021-2588-BOA

Request by an applicant in an A-2 Suburban District to waive the required 25 foot setback for a pond on the southern rear property line for Parcel A-1 and the northern front property line for Parcel A-2.

The property is located: 515 Brewster Road and 519 Brewster Road, Madisonville, Louisiana Applicant and Representative: Karin and Ervin Robinson, Jr. and Jennifer and John Martinez, Jr.

#### **OLD BUSINESS**

#### **NEW BUSINESS**

#### ADJOURNMENT

#### MINUTES

# ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING OCTOBER 5, 2021 ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING "A" 21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS MANDEVILLE, LOUISIANA

The October 5, 2021 meeting of the St. Tammany Parish Board of Adjustment was called to order by the Vice Chairman, Mr. Ballantine.

The roll was called as follows:

PRESENT: Mrs. Thomas, Mr. Ballantine, Mr. Daly, Mr. Blache, Mr. Spies (voting member).

ABSENT: Mr. Brookter

STAFF PRESENT: Mr. Liner, Mrs. Lambert, Mrs. Couvillon

# APPROVAL OF THE MINUTES

Moved by Mrs. Thomas and seconded by Mr. Blache to accept the August 3, 2021 minutes.

#### MOTION CARRIES UNANIMOUSLY

# 1- BOA CASE NO.2021-2480-BOA

Request by applicant in an A-2 Suburban Zoning District for an after the fact variance to reduce the required rear yard setback from 19.3 feet to 11.3 feet to allow for the completion of the construction of a single family residence.

The property is located:314 Fountain Street, Mandeville, Louisiana

Applicant: Cassandra Luquet Representative: Ricky Landry

(Mrs. Lambert read the staff report into the record...)

Ricky Landry: Representative for the owner. Moved stairs to the side to reduce the requested setback variance in the rear.

Mr. Blache: Variance request was modified from 19 feet to 11 feet in the rear. Originally, there were some issues from rain run off from the roof as stated in the letter in opposition submitted.

Ricky Landry: It should not have any adverse impact from run off from the roof.

Mr. Daly: Neighbor to the rear has a structure on the property line. Will gutters be installed on the sides?

Ricky Landry: There are some swales on each side, which is adequate to meet the required drainage.

Moved by Mrs. Thomas and seconded by Mr. Spies to approved with stairs moved to the side.

3 Yeas

2 Nays

#### MOTION FAILED

# 2- BOA CASE NO. 2021-2504-BOA

Request by applicant in a HC-2 Highway Commercial Zoning District for:

- A waiver of the required 5 foot setback.
- A variance to increase the maximum allowable height of the sign from 9 feet to 13.4 feet.
- An increase in the maximum allowable square footage of a monument sign from 32 square feet to 50 square feet.

The property is located: 2009 Ronald Regan Hwy, Covington, Louisiana

Owner: Thomas Mincher

Applicant: American Hunter – Ronnie Alpha

Representative: Vincent F. Wynne, Jr.

(Mrs. Lambert read the staff report into the record...)

Vincent F. Wynne, Jr.: Representative for the owner and the applicant for the case. The sign has been in place for more than 40 years. The business has been rebranded. Sign was removed and replaced. Owner of the business indicated that impediment to vision and do not want to cut oak tree. Abutting property is not maintained making it difficult see the sign from the road. Easement was more than likely moved back. Sign is currently in State Right of Way. Would like to keep size of the sign because of the distance from the road. Proposed size of the sign will make it easier for customers to find the location.

Mr. Spies: Was a complaint filed?

Mrs. Lambert: Correct, a complaint was filed. Owner reached out to the Planning Department to file the variance.

Mr. Blache: Concur with Mr. Wynne, the property is low and it is difficult to see. Size of the sign add to safety to make it easier to find business.

Vincent F. Wynne, Jr.: The business is hard to find. Safety hazard. Reducing the size of the sign will make it hard to see the sign.

Moved by Mr. Blache and seconded by Mr. Spies to approved the variances as requested.

#### MOTION CARRIES UNANIMOUSLY

# 3- BOA CASE NO. 2021-2509-BOA

Request by applicant in an A-4 Single Family Residential Zoning District to reduce the required front setback from 25 feet to 18 feet and the required rear setback from 20 feet to 10 feet.

The property is located: 62230 N. 14th Street, Slidell, Louisiana

Applicant & Representative: Ashley Cannon

(Mrs. Lambert read the staff report into the record...)

Ashley Cannon: Property owner. Bought the property from family member. I own the mobile home. Was not aware of the required setbacks.

Mrs. Thomas: Was there a mobile home on the property in the past?

Ashley Cannon: There was an old mobile home. It was removed and I am replacing it with a new mobile home.

Mr. Liner: The request is consistent with the area.

Moved by Mr. Blache and seconded by Mrs. Thomas to approved the variance as requested.

#### MOTION CARRIES UNANIMOUSLY

#### 4- BOA CASE NO. 2021-2510-BOA

Request by applicant in a HC-2 Highway Commercial Zoning District to reduce the required side landscape buffer on the north side of the property from 10 feet to 3.6 feet for approximately 181 feet and to replace the required number of Class A & Class B trees.

The property is located: 70487 Highway 21, Covington, Louisiana

Applicant & Representative: PPCW, LLC - Ronnie Bonner & Todd Heiden

(Mrs. Lambert read the staff report into the record...)

Ronnie Bonner: Owner and representative for the request. When property was purchased there was originally a 50 foot right of way planned to connect to Greenbriar Blvd. First one present to developed site. Other businesses on each side of our property choose not to maintain the 50 foot right of way. We have given up 50 feet of the rear property and we are trying to get it back.

Mrs. Thomas: Will all trees removed be replaced?

Ronnie Bonner: We are committed to replant as required, on the site.

Mrs. Lambert: As stated on the staff report, you will be able to replace the trees anywhere on the property, within the front, sides or rear plantings. Lots of remaining existing trees to take into consideration.

Mr. Spies: Who ensures that the trees are replaced?

Mr. Liner: Planning & Development review plans and make sure all trees are replaced.

Moved by Mr. Spies and seconded by Mr. Daly to approved the variance as requested and per staff comments.

#### MOTION CARRIES UNANIMOUSLY

#### 5- BOA CASE NO. 2021-2512-BOA

Request by applicant in an A-1 Suburban Zoning District to:

- Reduce the required 50 foot no cut buffer to 10 feet on the east side of the property, for a
  distance of approximately 50 feet from LA Tung Road, to allow for the placement of a
  driveway.
- Reduce the required 50 foot no cut buffer along the natural drainage crossing the property.

The property is located: 18001 LA Tung Road, Covington, Louisiana

Applicant & Representative: Roxanne Lepre

Roxanne Lepre & Russell Taylor: Owners and representatives. Hoping

Mr. Blache: Was there a gravel entrance to the site?

Mrs. Lepre: No.

Mr. Blache: The objective of the request is not to have to cross the natural waterway. The structure to be constructed on the property is to be located on the eastern side?

Mr. Taylor: Correct. The objective is to construct a driveway straight to the new home site.

Moved by Mrs. Thomas and seconded by Mr. Daly to approved the variance as requested.

#### MOTION CARRIES UNANIMOUSLY

#### 6- BOA CASE NO. 2021-2515-BOA

Request by applicant in a CBF-1 Community Based Facilities Zoning District for a waiver of the required 8 foot opaque fence on the north and east sides of the property where abutting A-2 Suburban Zoning District.

The property is located at 24401 Highway 190, Lacombe, Louisiana.

Applicant & Representative: Chad Almquist

(Mrs. Lambert read the staff report into the record...)

Chad Almquist: Would like to have the variance approved as requested.

Moved by Mrs. Daly and seconded by Mr. Spies to approved the variance as requested.

#### MOTION CARRIES UNANIMOUSLY

#### 7- BOA CASE NO. 2021-2529-BOA

Request by applicant in an A-2 Suburban Zoning District for a waiver of the required 50 foot no cut buffer on the east side of the property.

The property is *located* on the north side of Perrilloux Road, Madisonville, Louisiana.

Applicant & Representative: William P. Holliday

(Mrs. Lambert read the staff report into the record...)

William P. Holliday: Would like to have the variance approved as requested. There is an existing fire hydrant, sign and light pole and guide wire holding the pole. To the east side, only 70 foot left. Would like to clear approximately 30 feet for the driveway.

Mrs. Lambert: How many feet will you stay from the east property line? What would be the remaining width of the no cut buffer.

William P. Holliday: It would be 10 feet.

Mr. Daly: Just want to clarify that motion will be made based on the request to maintain a 10 foot no cut buffer. Want to confirm with applicant that it is sufficient.

William P. Holliday: It is since we will only clear 30 feet.

Moved by Mr. Spies and seconded by Mr. Blache to approved the variance with a 10 foot no cut buffer remaining on the east side.

#### MOTION CARRIES UNANIMOUSLY

# 8- BOA CASE NO. 2021-2533-BOA

Request by applicant in a PBC-1 Public Business Campus Zoning District for an after the fact request to replace the required trees to be preserved within the street planting buffer area and within a 154 foot portion of the south side buffer planting area, with the required number of Class A & Class B trees.

The property is located at 64231 Highway 434, Lacombe, Louisiana.

Applicant: Phiski LLC – John Malinski

Representative: C M Combs Construction, LLC – Christopher Combs

(Mrs. Lambert read the staff report into the record...)

Kevin Marino: Site Superintendent representing the owner. Understand that the need to replant the trees removed.

Mr. Ballantine: The building appears to be located inside the setbacks and very close to the adjacent Social Security Building.

Kevin Marino: Property corners have been marked and the building meets the setback requirements. Explain the location of the building versus the location of the existing Social

Security building.

Mr. Blache: Can you explain how the cutting of the trees happen?

Kevin Marino: It was unintentional. The machine operator cut too many trees.

Moved by Mr. Daly and seconded by Mrs. Thomas to approved the variance subject to staff comments.

#### MOTION CARRIES UNANIMOUSLY

#### 9- BOA CASE NO. 2021-2554-BOA

Request by applicant in an A-5 Two-Family Residential Zoning District for a reduction of the required minimum width for a two-way driveway from 24 feet to 16 feet.

The property is located at 72194 Formosa Drive, Covington, Louisiana.

Applicant & Representative: Steve Blanc

(Mrs. Lambert read the staff report into the record...)

Dell Cardwell: Engineering for the project. Representing Mr. Blanc.

Mr. Liner: Mr. Cardwell is representing Mr. Blanc, the owner of the existing and proposed duplex.

Dell Cardwell: Correct. There is an existing duplex on the site and currently applying for a building permit for to construct another duplex on the same site.

Mr. Blache: Is the existing duplex located on the property, a non-conforming building?

Mr. Liner: It is a conforming building. The owner & Mr. Cardwell have been working with the Planning & the Engineering Departments to come up with an agreeable solution.

Mr. Blache: I read on the staff report some recommendation. It makes it clearer since it would have been a non-conforming use, would not want to make it even more non-conforming.

Mr. Liner: The recommendations are the best solutions to the problems.

Mr. Spies: How long is the driveway?

Dell Cardwell: 20 feet.

Moved by Mr. Blache and seconded by Mr. to approved the variance subject to the three staff comments.

#### MOTION CARRIES UNANIMOUSLY

#### **OLD BUSINESS**

#### **NEW BUSINESS**

Mr. Ballantine: Votes from Ballantine is recorded as Jules Guidry, since sitting in his seat.

Mr. Liner: Announce require training: Sexual Harassment, Ethics & Cyber Security.

Mrs. Lambert: Next meeting will be on November 9th, 2021

ADJOURNMENT: Mr. Ballantine, VICE CHAIRMAN

#### MOTION CARRIED UNANIMOUSLY

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MR. TOM BALLANTINE, VICE-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: BOA Case No. 2021-2573-BOA

Initial Hearing Date: 11/09/2021 Date of Report: 11/01/2021

#### GENERAL INFORMATION

Applicant & Representative: Matthew B. Champagne

Location of Property: 14089 S. Lakeshore Drive, Covington, Louisiana Zoning of Property: A-4 Single Family Residential Zoning District

Waiver of the required rear yard setback. Variance(s) Requested:

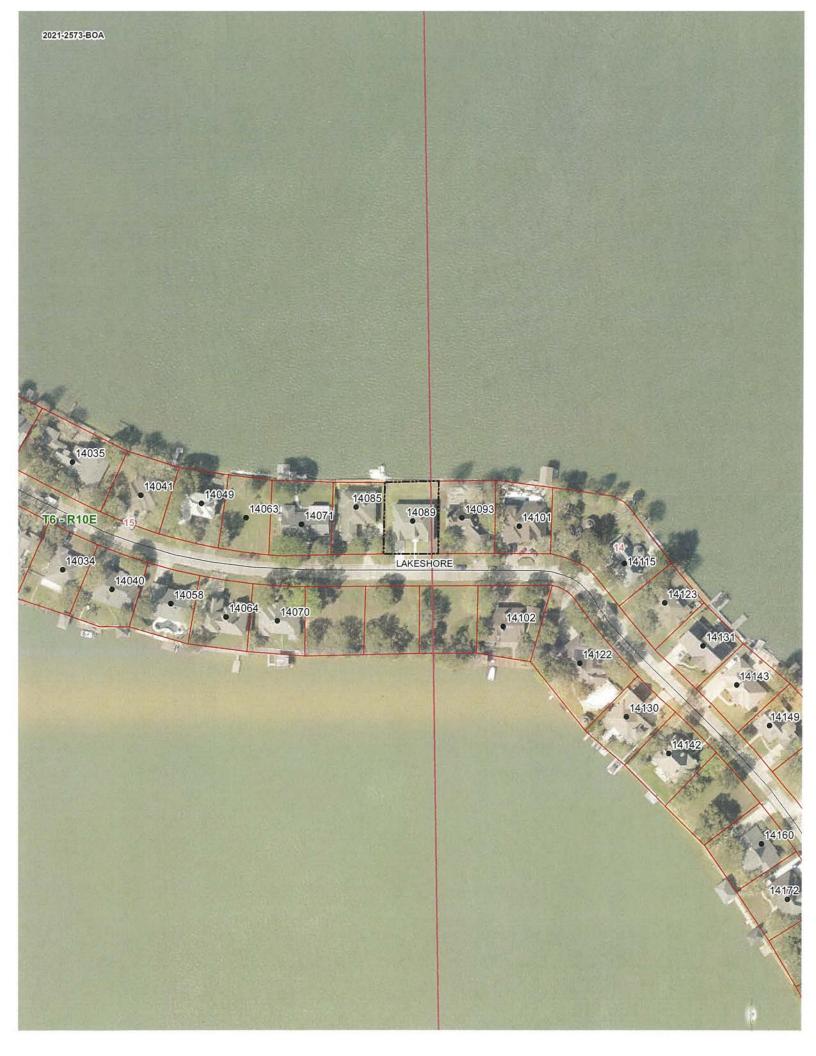
#### **OVERVIEW**

Request by applicant to waive the required 5 foot rear yard setback for a pool.

# STAFF COMMENTS

As per the Unified Development Code Sec. 130-2213 (35) swimming pools e. In-ground swimming pools (less than 12 inches above grade) can only be located on the property in either a side or rear yard area. The inside edge, lip or structure of each swimming pool shall be set back at least five feet from the side property line and five feet from the rear property line. However, in no instance shall a swimming pool be located within any documented servitude or easement.

The objective of the request is to allow for the installation of a 260 square foot (13 foot wide X 20 foot long) pool up to the rear property line. Although the property extends 19 feet beyond the rear property line, before reaching the existing bulkhead (see attached survey), the requested variance is a personal preference rather than a property hardship.



# Matthew B. Champagne

ATTORNEY AT LAW

221 East Kirkland Street, Covington, Louisiana 70433

Phone: (985) 249-6100

mbc6119@yahoo.com

Fax: (985) 249-5900

September 28, 2021

Dept. of Planning and Development c/o Subdivision Coordinated P.O. Box 628 Covington, LA 70434

RE: Variance of setback line

Ladies and Gentlemen,

Enclosed herewith is the "Variance/Appeal Application Form" signed and dated. I have attached the following applicable information to the application per the printed instructions.

- 1. Copy of the survey for Lot 35, with the proposed pool drawn by the surveyor of record.
- 2. Two (2) page narrative.
- 3. One (1) original letter of no objection from the owner of Lot 36, Lake Ramsey Subdivision
- 4. Exhibits "A", "B", "C", "D"," E" and "F".

Your consideration in this matter will be greatly appreciated.

Sincerely

Matthew B. Champagne, Esq.

MBC/jjw

Encl

#### NARRATIVE

It is my desire to obtain a variance from St. Tammany Parish to have a pool installed on the rear property line in my backyard by a professional contractor. The rule requiring that the pool be setback at least five (5) feet from the rear property line is an arbitrary restriction under the circumstances presented here. The spirit of the law, rather than the letter of the law, is the more appropriate application due to the impossibility of a neighbor ever appearing to the rear of my home. Thus, there is no justification for prohibiting me from building a pool on my property line other than strict compliance with a rule that does not serve its intended purpose under the circumstances presented here. In other words, where nothing is accomplished or protected by enforcement of a rule, continued enforcement is subjecting me to the unnecessary hardship of enforcement for the sake of enforcement rather than for a legitimate cause.

In 1983, Joseph Varisco, Jr. prepared the subdivision plat map for Lake Ramsey Subdivision, Phase One. The Subdivision consisted of water front lots along the street known as South Lakeshore Drive. These lots were sold to individuals who, at some time prior to the sale, walked the properties and got a feel for the lifestyle offered by the development. It has proven unlikely that anyone ever took a measurement of the actual depth of those properties or verified that legal property descriptions matched the amount of dirt between the street and water's edge.

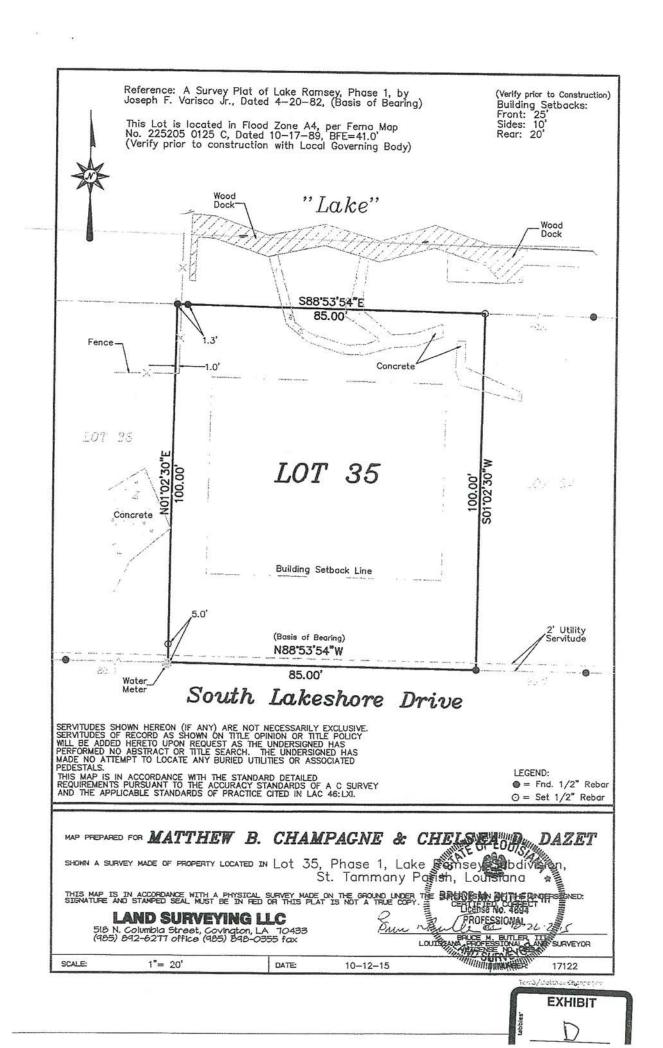
- 1. Exhibit "A". Lot 33, a pool, hot tub, and boathouse has been constructed well BEYOND the rear property line; Lot 34 has permanent fencing, permanent lighting, decking and a bulkhead BEYOND the rear property line; Lot 36 has the home constructed ON the property line with decking and bulkhead constructed BEYOND the rear property line; Lot 37 is owned by an HOA member who serves on the architectural control committee who enjoys a boat house, a bulkhead and permanent fencing BEYOND her rear property line. All of this, as can be seen by measurements from Google Earth, is made possible by every house having more than 20 feet behind it.
- 2. Exhibit "B". Sidney Campbell was the original owner of Lot 34. He purchased the property in January of 1983 and built his home thereon. In his mortgage filed of record in instrument 629342 on 8-25-1986, a survey was attached. The survey dated May 25, 1986, prepared by Gilbert, Kelly & Couturie, Inc., shows that Lot 34 is approximately 20 feet deeper than the plat states. This is evidenced by Mr. Campbell's construction of wooden decks and a wooden bulkhead along the water's edge, approximately 20 feet beyond the rear property line. It also indicates that adjoining lots 35 and 33 enjoyed the same additional depth.
- 3. Exhibit "C". Sidney Campbell purchased Lot 33 on February 5<sup>th</sup>, 1988. As can be seen in a comparison of Exhibit "A" and Exhibit "C", Mr. Campbell eliminated the boat launch in the center of Lot 34, fabricated a concrete launch at the easterly end of Lot 33 beyond the rear property line, and extended his existing concrete sidewalks from Lot 34 onto Lot 33. Moreover, as evidenced by the survey prepared on June 2, 2015, by Kelly J. McHugh & Assoc. Inc, Mr. Campbell built a concrete boat launch straddling the

rear property line of Lot 33. Again, it is recognized by a different survey crew that the wooden docks, bulkhead and the lake are approximately 20 feet beyond the rear property line.

- 4. Exhibit "D". Lot 35 was also purchased by Sidney Campbell. He extended the concrete sidewalks from his home on Lot 34 onto Lot 35 beyond the rear property line the full 20 feet to the water's edge. On the easterly boundary line of Lot 35, and approximately 20 feet beyond the rear property line, he constructed another concrete pad where a gazebo stood until 2015. Additionally, he extended the wooden dock and bulkhead along the water's edge to the property line common between Lot 35 and 36.
- 5. Exhibit "E". Lot 36 was acquired by Mr. William Oiler on July 24, 2001. On January 7, 2004, the Oilers entered into a building contract with Don McMath. As per survey prepared by BFM Professional Land Surveyors, bearing number 9116, dated September 9, 2015, Mr. Oiler was allowed to build his home **ON** the property line. All of the wooden deck and bulkhead adjacent to Lot 36 is located in the 20 feet beyond the rear property line. Whatever justification there was to allow a home to be built on the rear property line applies to a request to build a pool on the rear property line.
- 6. Exhibit "F". Close to the entrance of Lake Ramsey Subdivision, on South Lakeshore Drive, two pools were built to the property's edge on opposite sides of the street. This is a great example of why the rule requiring that pools be setback at least five (5) feet from the rear property line is an arbitrary restriction for lakefront property. Under these circumstances, a rear setback is unnecessary because there is never going to be a neighbor to the rear of these homes. Exhibit "F", in conjunction with Exhibit "E", further show that St. Tammany Parish has recognized the practical difficulties and unnecessary hardships presented by strict enforcement of rear setback lines on lakefront lots in Lake Ramsey Subdivision.

As proposed, the pool measures a distance of 20 feet long. This means that the pool would extend only to the rear property line, leaving a distance of approximately 19 feet of green space to the existing bulkhead. Please see the attached drawing of the pool. In the grand scheme of things, this is already a very small pool in those 10 feet of the 20-foot length is a tanning deck and steps, which actually leaves you only 10 feet for "bobbing" as opposed to any swimming.

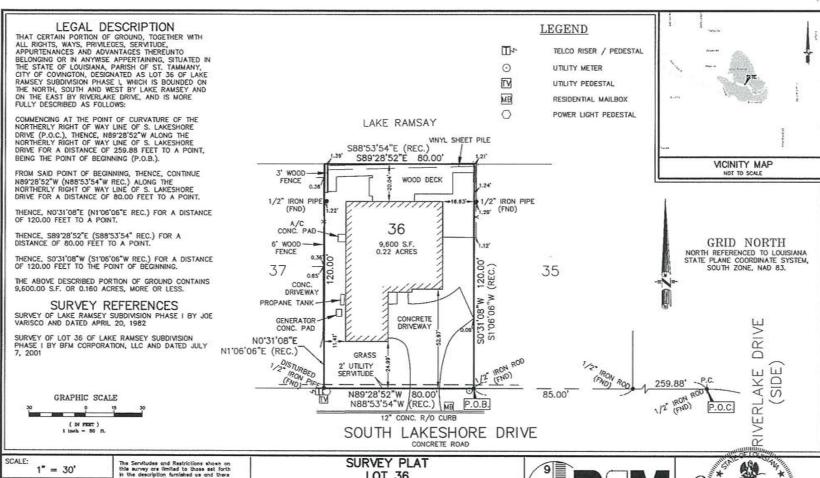
Accordingly, it is my desire to obtain a variance from St. Tammany Parish to have a pool installed on the rear property line in my backyard by a professional contractor. As has been shown, allowing a pool to be constructed on the rear property line of lakefront property creates no risk or interruption to anyone now or in the future. Additionally, St. Tammany Parish has permitted entire homes to be built on the rear property line next door to where I would like to build a pool. Third, building the pool on the rear property line of my lot still leaves approximately 20 feet of green space before the water's edge is reached. Fourth, nothing is accomplished or protected by requiring that the pool be setback at least five (5) feet from the rear property line when dealing with lakefront properties. Ultimately, and for the reasons aforesaid, the 5-foot rule is an unnecessary hardship being imposed where I am truly just asking for equal treatment under the law.

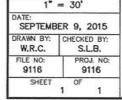


Reference: A Survey Plat of Lake Ramsey, Phase 1, by Joseph F. Varisco Jr., Dated 4-20-82, (Basis of Bearing) This Lot is located in Flood Zone A4, per Fema Map No. 225205 0125 C, Dated 10-17-89, BFE=41.0' (Verify prior to construction with Local Governing Body) Elevations Refer to NAVD 88 GEOID 128 TBM # 2430 40d set in 22" Water Oak, TBM is for reference only and does not represent an actual Elevation to build to "Lake" Bulkhead S88'53'54"E 85.00 Proposed Pool 90.0 Water 1.3 Fence 20.4 eature NO1'02'30"E-100.00" LOT 36 LOT 35 .02'30"W-100.00 Residence Elev=48.6 Concrete LOT 3.1 Building 5.0 Con. Sidewalk TBM ∦2430 Drive 2' Utility Servitude Ø N88'53'54"W-85.00" (Based Bearings) 80.0 Woter 90.0  $^{ ext{\tiny ter}}_{ ext{\tiny 44.0}}$  imes South  $^{ ext{\tiny 44.2}}$  Lakeshore Drive  $^{ ext{\tiny 44.3}}$ SERVITUDES SHOWN HEREON (IF ANY) ARE NOT NECESSARILY EXCLUSIVE. SERVITUDES OF RECORD AS SHOWN ON TITLE OPINION OR TITLE POLICY WILL BE ADDED HERETO UPON REQUEST AS THE UNDERSIGNED HAS PERFORMED NO ABSTRACT OR TITLE SEARCH. THE UNDERSIGNED HAS MADE NO ATTEMPT TO LOCATE ANY BURIED UTILITIES OR ASSOCIATED LEGEND: (Verify prior to Construction) PEDESTALS. Building Setbacks: Front: 25' Sides: 10' Rear: 20' • = Fnd. 1/2" Rebar THIS MAP IS IN ACCORDANCE WITH THE STANDARD DETAILED REQUIREMENTS PURSUANT TO THE ACCURACY STANDARDS OF A C SURVEY AND THE APPLICABLE STANDARDS OF PRACTICE CITED IN LAC 46:LXI. O = Set 1/2" Rebar 00 0' × = Elevation LOUIS MAP PREPARED FOR MATTHEW B. CHAMPAGNE SHOWN A SURVEY MADE OF PROPERTY LOCATED IN Lot 35, Phase 1, Lake Ramsey Subdivision, St. Tammany Parish, Louisiana BRAUCE M. BUTLER, 18 THIS MAP IS IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND UNDER THE SUPERVISION OF THE UNDERSIGNED SIGNATURE AND STAMPED SEAL MUST BE IN FIED OR THIS PLAT IS NOT A TRUE COPY. LAND SURVEYING LLC

518 N. Columbia Street, Covington, LA 70433
(985) 892-6277 office (985) 898-0355 fax

Revised: 8-23-16 (Fill Plan) 9-1-2017 (Form), 7-12-2018(Res.), 06-29-2021 (Prop. Pool) SCALE: DATE: 10-12-15 NUMBER: 17122





The Servitudes and Restrictions shown on this survey ore limited to those set forth in the description furnished us and there in the description furnished us and the service of this survey. The service of the service of this survey has the service of this survey.

I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found this property <u>lis in</u> a Special Flood Hazard Area.

FIRM ZONE: A4

# LOT 36 LAKE RAMSEY PHASE I ST. TAMMANY PARISH COVINGTON, LOUISIANA

I certify that this plot represents an actual ground survey made by me or under my direction, and it does conform to the requirements for the literarum Standards for Property Soundary Surveys as found in Lockiese Administrative Code 3111.4 dt. LDC, Opplet 25 for a Class Q survey.

BILL OILER



5.34 WILLIAMS BOULEVARD E-moli: bifmcorp@filmcorporation.com (504) 468-8800 Fox No. (504) 467-0065 CITY OF KEINER JEFFERSON PARISH, LOUISIANA, 70062

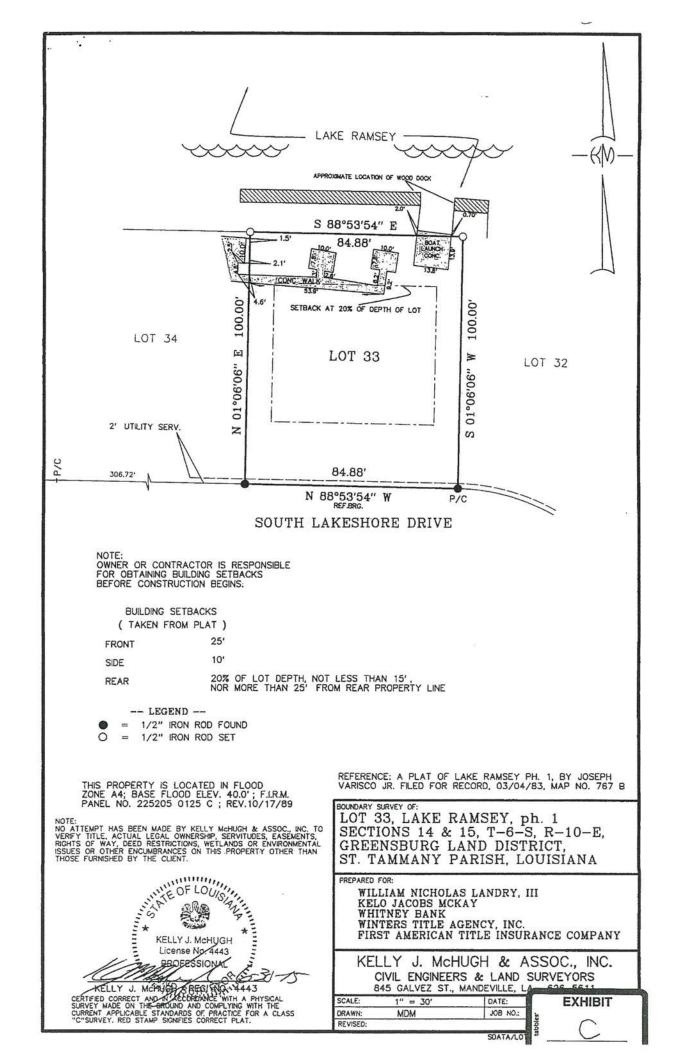


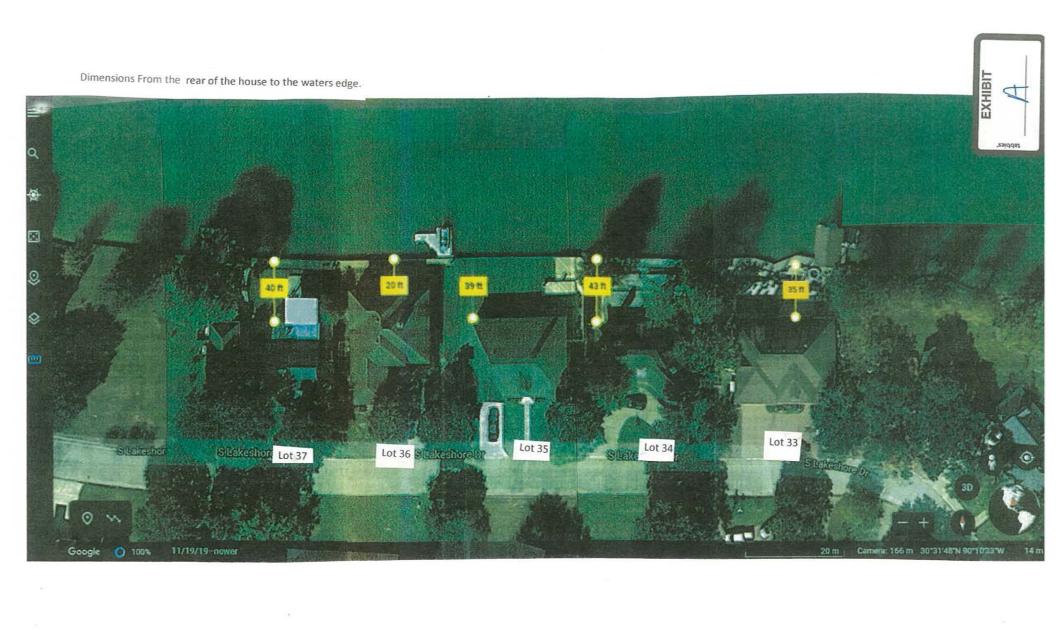
PROFESSIONAL LAND SURVEYOR RALPH P. FONTCUBERTA JR. REGISTRATION NO. 4329 EXHIBIT EXHIBIT

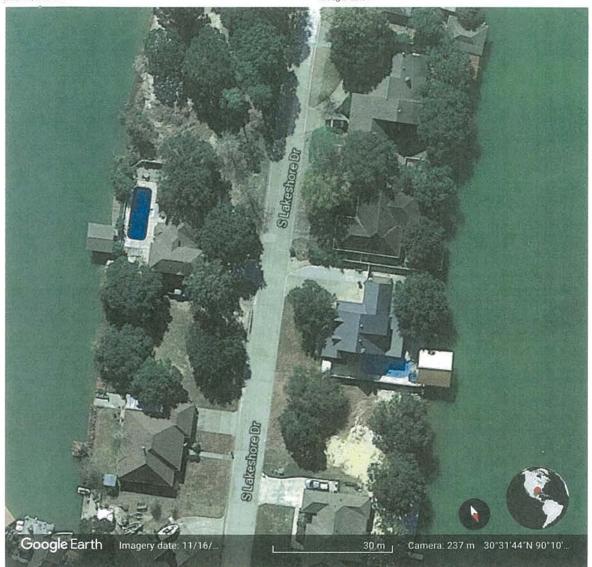
LAKE RAMSEY ST. TAMMANY PARISH, LA. 100' 2'Servitude Wood Dock 90' Wood Deck S EVERETT V. TREIGLE, JR. REG. NO. 4359 REGISTERED SURVE New Orleans, La. May 25, 1986 **EXHIBIT** May 25, 1986

Survey certified correct. Made of the rest of Mr. Compbell

Gilbert, Kelly & Couturie; Inc., Surveying & Engineering Surveying & Couturies.









# Bonnie and Mike Darensbourg 14085 S. Lakeshore Dr. Covington, LA 70435

September 23, 2021

St. Tammany Department of Planning & Development P.O. Box .628 Covington, LA 70434

Attn: Board of Adjustment

Variance/Appeal Request

Ladies and Genlemen,

It is my understanding that Mr. Matthew B. Champagne, owner of 14089 S. Lakeshore Dr., and my neighbor, is applying for a variance to have a swimming pool built on his property. The pool will be approximately 13 feet wide and 20 feet long and will extend from the rear of his home to the property line. There will be a large green space left between our properties.

This pool will not obstruct my views, nor will it encroach on my enjoyment of my property in the least. Therefore, any variance he requests should be permitted.

Michael Mirensbrouse

# ST. TAMMANY PARISH BOARD OF ADJUSTMENT STAFF ANALYSIS REPORT

Case File Number: BOA Case No. 2021-2574-BOA

Initial Hearing Date: 11/09/2021 Date of Report: 11/01/2021

GENERAL INFORMATION

Applicant: T, J & C Real Estate Holdings, LLC Representative: Coogan & Coogan, Inc - Jerry Coogan

Location of Property: 1001 N. Highway 190, Covington, Louisiana Zoning of Property: HC-3 Highway Commercial Zoning District

Variance(s) Requested: Increase the maximum allowable square footage of a

monument sign and of a changeable message sign

#### OVERVIEW

Request by applicant to appeal the decision made by Parish Officials that an existing sign cannot be altered to become less in compliance with the requirements by increasing the maximum allowable changeable message sign dimensions from half of the sign face to the entire sign face.

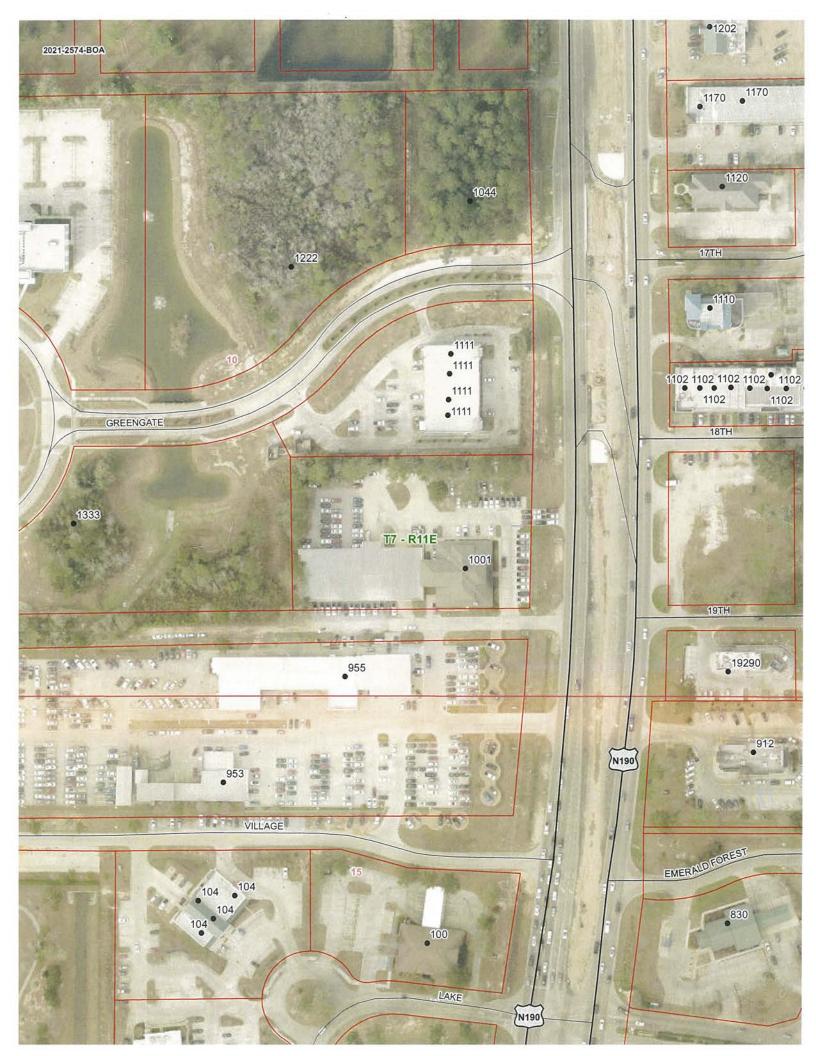
# STAFF COMMENTS

The "Times Picayune" sign located at 1001 N. Highway 190, Covington has been in existence for at least 17 years and is the subject of a request to replace the sign face to include a 126 sq. ft. changeable message sign.

Although the subject sign does not conform to the height and dimension allowances for the current Unified Development Code, per Sec. 130-2024, the sign is considered legal nonconforming and is permissible in its current state. As per the Civil Division of District Attorney's counsel, the legal nonconforming sign cannot be considered abandoned and therefore no longer requires a variance to maintain the existing height or square footage as previously advertised.

Per Sec. 130-2024(b)(1), a legal nonconforming sign shall immediately lose its legally nonconforming status if the sign is altered in any way which tends to make the sign less in compliance with the Unified Development Code sign requirements. Per Sec. 130-2011(6), changeable message components must occupy less than one-half the total area of the sign face. The applicant is requesting to completely replace the existing 126 sq. ft. sign face with a 126 sq. ft. changeable message sign to remain on the existing 22 ft. pole. Parish Officials have determined that per Sec. 130-2024(b)(1), this request will cause the sign to lose its legal nonconforming status and is not permitted.

A favorable vote for the requested variance will allow a 126 sq. ft. changeable message sign on the existing 22 ft. pole. An unfavorable vote will require the sign to abide by the current sign code which allows a maximum of half of the sign face to consist of a changeable message component.







Coogan & Coogan, Inc. 1590 West Causeway Approach, Suite 1 Mandeville, LA 70471

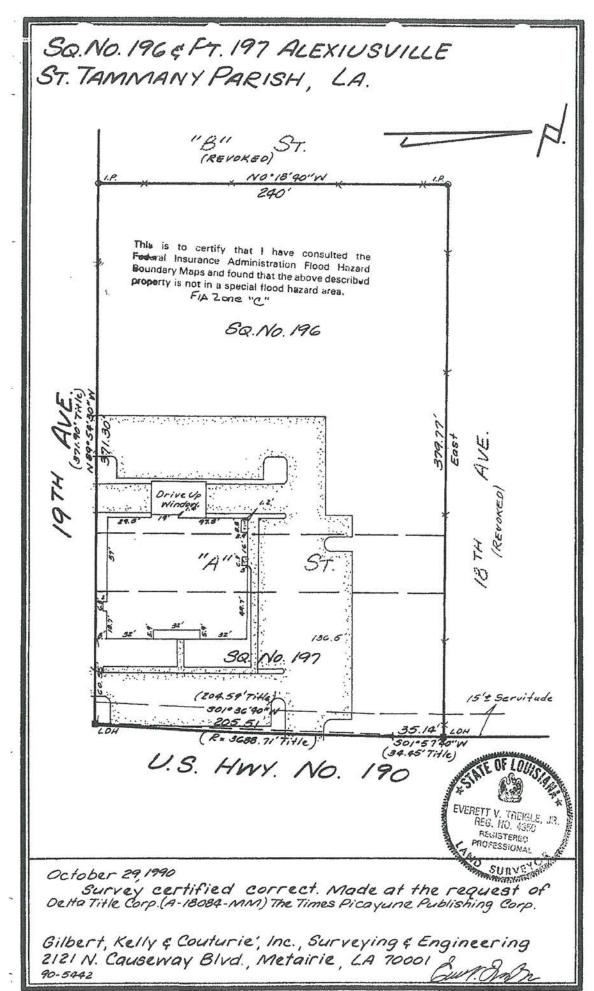
Jerry Coogan (985) 626-9570 cooganandcooganl@bellsouth.net

© Copyright 2017

#### **PRODUCT SPECIFICATIONS**

144 x 352 16mm RGB (Color) Video Display Cabinet Dimensions: 18'0"L x 7'0"H













Osbon Place





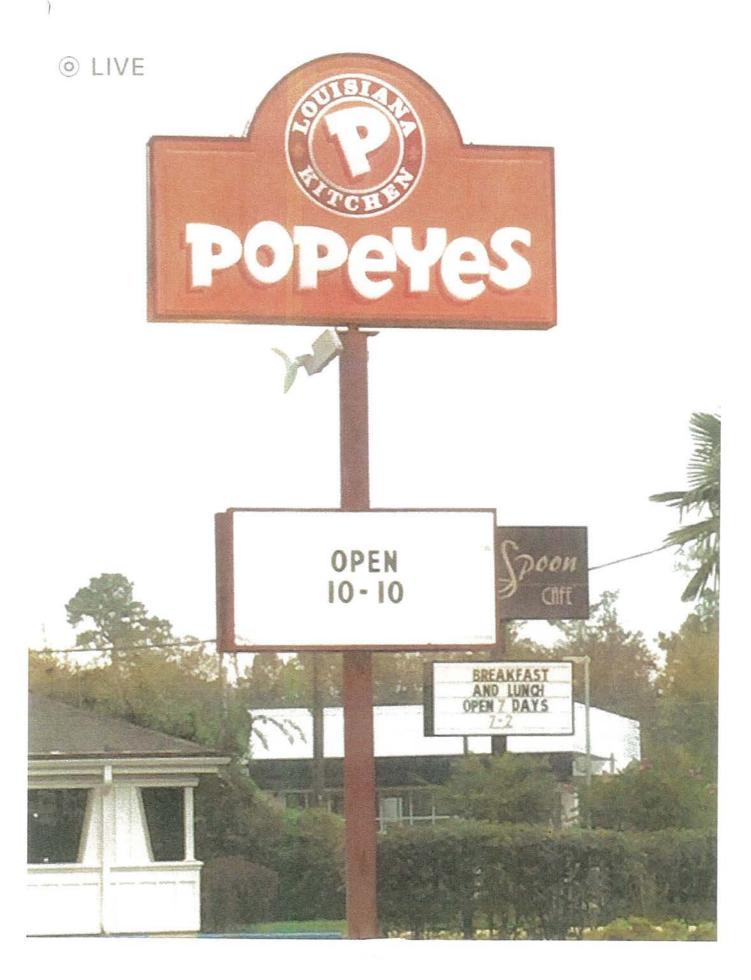






















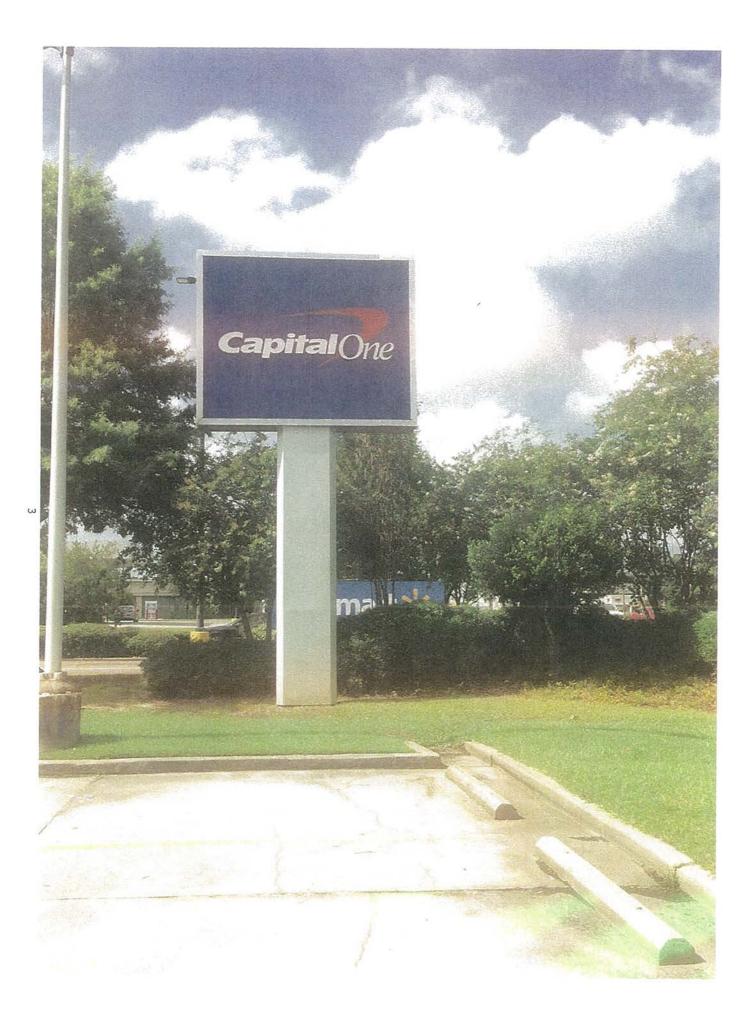
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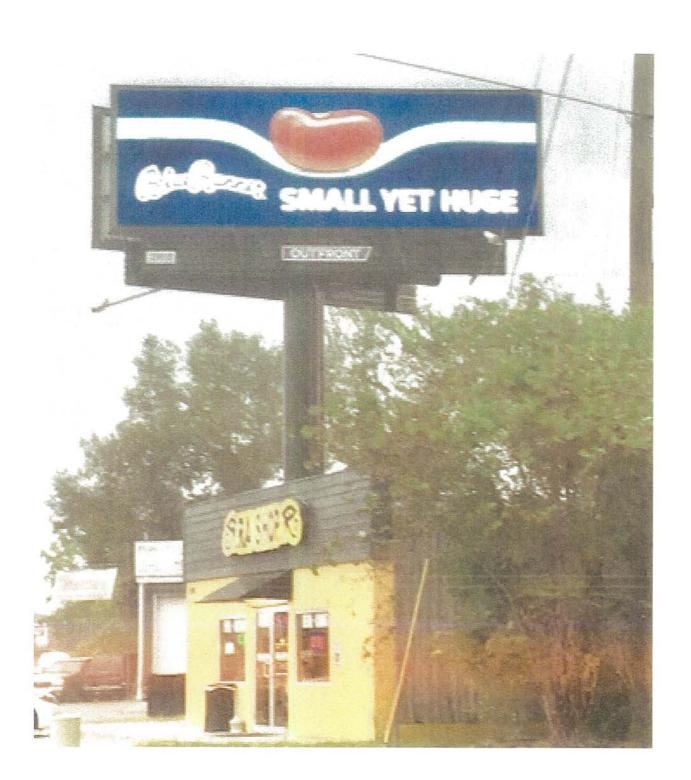




















Case File Number: BOA Case No. 2021-2575-BOA

Initial Hearing Date: 11/09/2021 Date of Report: 11/01/2021

GENERAL INFORMATION

Applicant & Representative: Charles David

Location of Property: 220 Jacqueline Drive, Slidell, Louisiana

Zoning of Property: A-4 Single Family Residential Zoning District

Variance(s) Requested: Reduce the front yard setback.

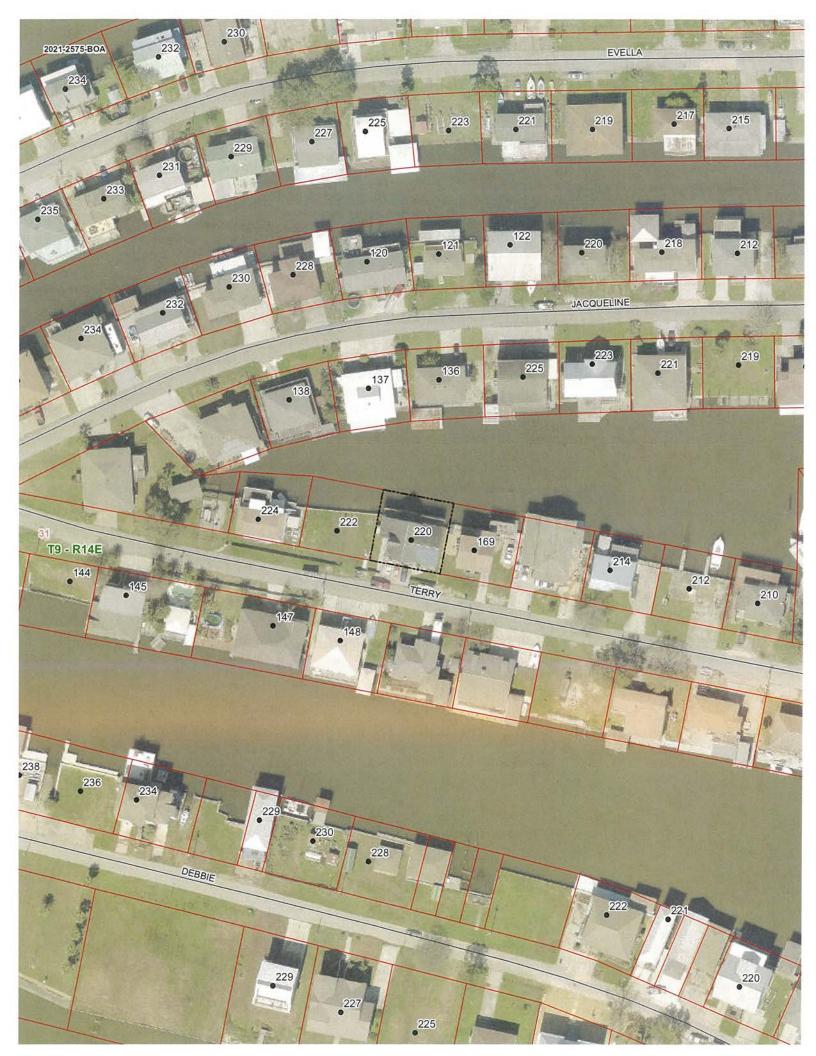
## OVERVIEW

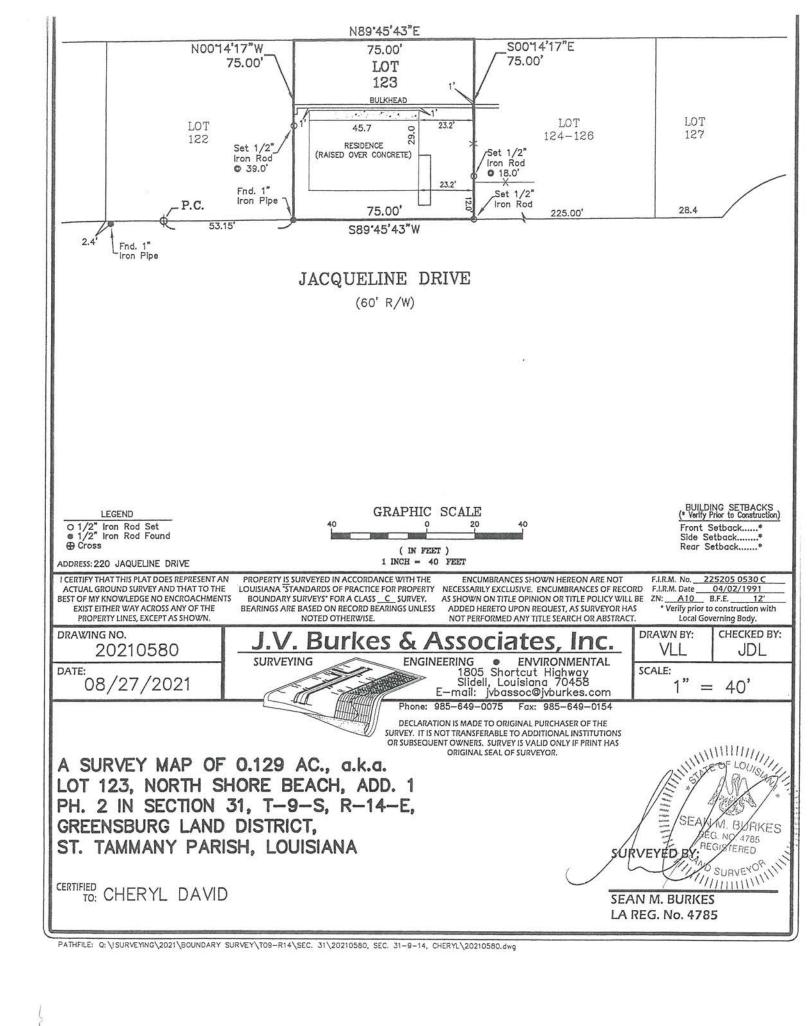
Request by applicant to reduce the required front yard setback from 25 feet to 6 feet.

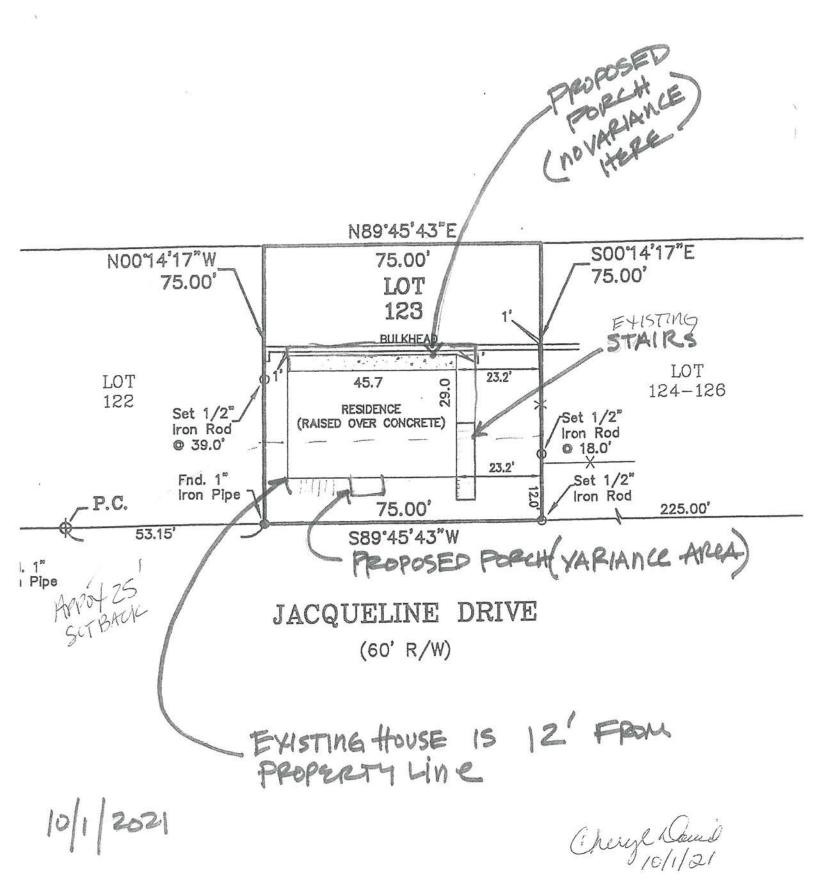
### STAFF COMMENTS

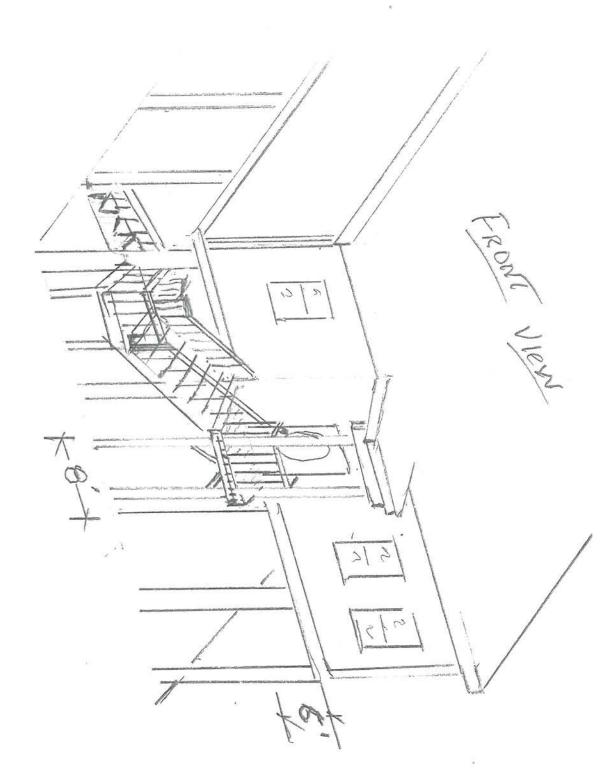
As per the Unified Development Code Sec. Sec. 130-2191. - Lot of record. (a) 1. A setback of 25 feet shall be provided from the front property line.

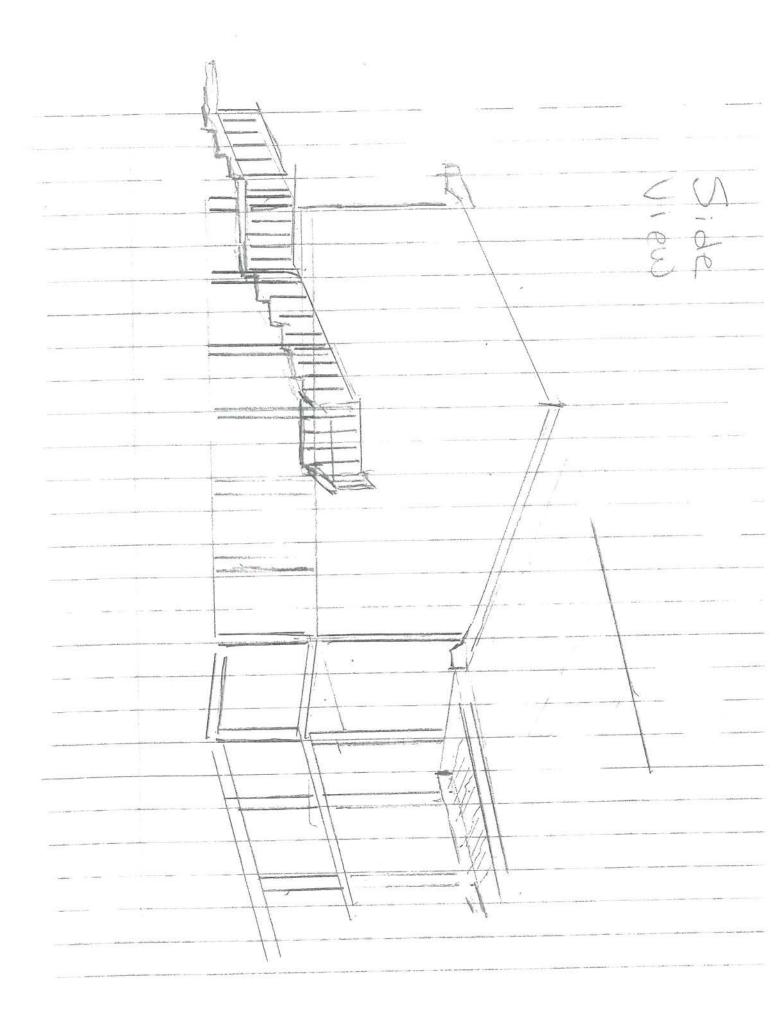
The objective of the request is to allow to allow for the construction of a 48 square foot (6 foot X 8 foot) front porch with stairs. As shown on the attached site plan, the existing residence is currently located 12 feet from the front property line. The proposed stair would impede 6 feet into the front setbacks, leaving a distance of 6 feet from the property line. There is no compelling reason to be in favor of the request considering that there is an existing stair case on the side allowing access to the residence. The requested variance is a personal preference rather than a property hardship.











Case File Number:

BOA Case No. 2021-2578-BOA

Initial Hearing Date: Date of Report: 11/09/2021 11/01/2021

GENERAL INFORMATION

Applicant & Representative:

Tom L. Sullivan, Jr.

Location of Property:

North side of Bricker Road, being Parcel D-1, Covington,

Louisiana

Zoning of Property:

E-4 Estate Zoning District

Variance(s) Requested:

Accessory structure within the front yard

## **OVERVIEW**

Request by applicant to allow for the construction of an accessory structure within the required front yard.

## STAFF COMMENTS

As per the Unified Development Code Sec.130-2127 (e) No accessory building may be located in a required front yard.

The objective of the request is to allow for the construction of an accessory structure/guest house within the front yard. While the property is 8.102 acres, allowing sufficient space for the construction of a main residence and accessory building, it is bisected by a number of ravines leaving minimal flat building area. As shown on the attached site plan, the proposed location will allow the accessory structure to be located outside of Flood Zone A and also to minimize the amount of dirt necessary to be brought on the property.



September 20, 2021

**Board of Adjustments** 

St. Tammany Parish Dept of Planning and Development

21454 Koop Drive Suite 1B

Mandeville, La. 70471

Re: Variance Request - Tom and Teri Sullivan - Bricker Road Parcel D-1 - Covington, La. 70433

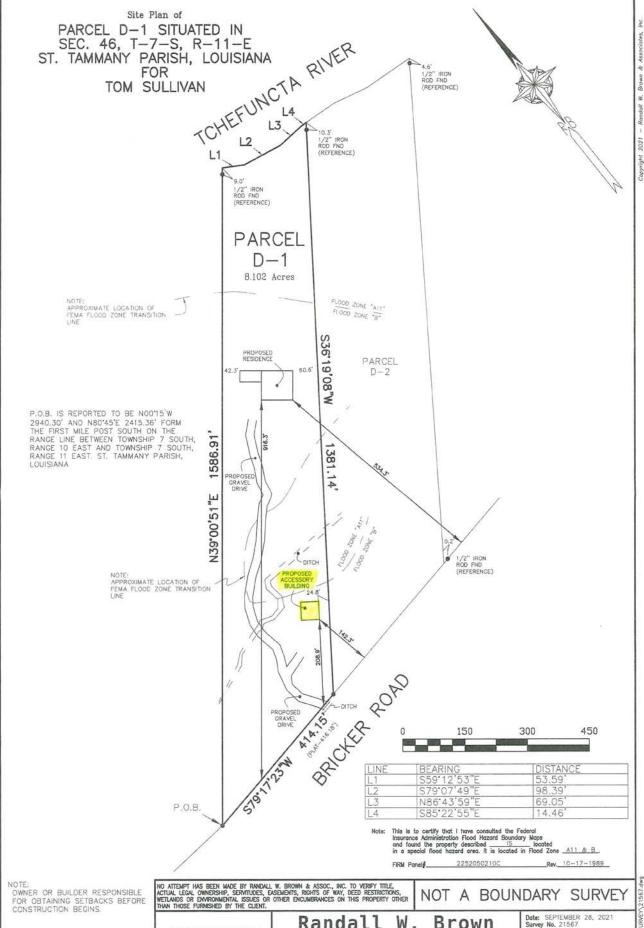
We have purchased an 8.0 acre tract on Bricker Road - - My wife and I are both retired and we moved here to help take care of our grandchildren - Our oldest grandchild requires assistance and we are attempting to build him a guest house on the property - While we would have liked to build his home to the rear of ours, the lot that we purchased although large in size, is dissected by a number of ravines and gives us minimal flat building areas - We are also trying to avoid any flood zones and not bring in any unnecessary fill - Based upon this, we are trying to construct our grandson's home on the front of our lot and the parish is requiring a variance to do so - We have included a recent plot plan of the property that shows the location of both proposed homes - We have also included a photo of a home that our plans were drawn on, along with letters of no objection from all of our adjoining homeowner neighbors - We are hopeful that you will grant our variance request and we look forward to building in St. Tammany Parish soon

Sincerely

Tom and Teri Sullivan

Thomas L. Sullivan, Jr.

Sarah G. (Teri) Sullivan



DENOTES 1/2" IRON ROD FND UNLESS OTHERWISE NOTED

REFERENCE: RESUB. By John G. Cumings & Assoc. Map File No.: 59858 Date Filed: 1-11-2021

## ADVANCE

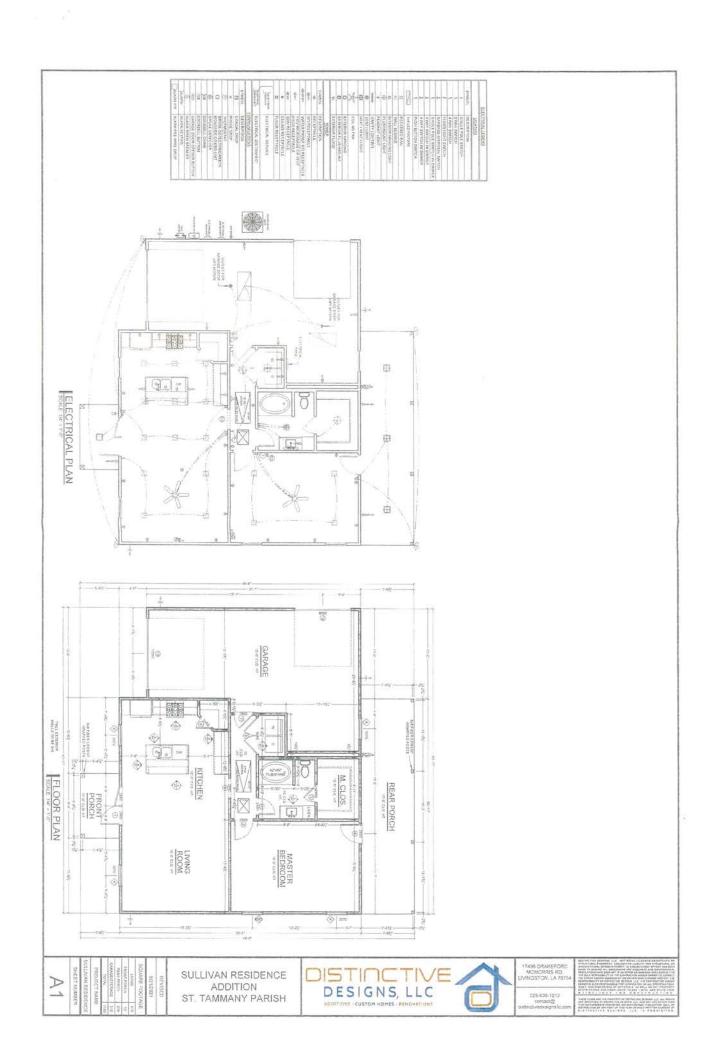
Randall W. Brown, P.L.S.

Professional Land Surveyor LA Registration No. 04586

## Randall W. Brown & Associates, Inc. Professional Land Surveyors

228 W. Causeway Approach, Mandeville, LA 70448 (985) 624-5368 FAX (985) 624-5309 info@brownsurveys.com

Scale: 1"=150"± Drawn By: J.E.D. Revised:





Charles and Anne Foy 16343 Bricker Road Covington, LA 70433

September 29, 2021

Board of Adjustments St. Tammany Parish Dept of Planning & Development 21454 Koop Drive, Suite 1B Mandeville, LA 70471

RE: Variance Request

Tom and Teri Sullivan Bricker Road, parcel D-1 Covington, LA 70433

## Dear Sir or Madam;

Our neighbor is applying for a variance on the above referenced property. We have reviewed the plans and understand that they need a variance related to the placement of the buildings due to the natural terrain of the land. We have no objection to their variance request and feel that it would not have an adverse effect on our property.

Sincerely,

Dr. Charles B. Foy, Jr.

Anne B. Foy

## September 30, 2021

Board of Adjustments
St Tammany Parish Dept of Planning and Development
21454 Koop Drive Suite 1B
Mandeville, LA 70471

Re: Variance Request

Tom and Teri Sullivan
Bricker Road Parcel D-1
Covington LA 70433

Our neighbor is applying for a variance on the subject property. We have reviewed the plans to construct two homes at separate locations on the property and have no objection to the variance

reques

Neil and Sharon Cary

16355 Bricker Road

Covington LA 70433

## September 29, 2021

**Board of Adjustments** 

St. Tammany Parish Dept of Planning and Development

21454 Koop Drive, Suite 1B

Mandeville, La 70433

Re: Variance Request

Tom and Teri Sullivan

Bricker Road, Parcel D-1

Covington, La. 70433

To Whom It May Concern:

We have reviewed the plans and maps for the Tom and Teri Sullivan property on Bricker Road and have no objection to their variance request and do not see any adverse effect it would have on our property

Sincerely,

Fred Rogers

Case File Number: BOA Case No. 2021-2581-BOA

Initial Hearing Date: 11/09/2021 Date of Report: 11/01/2021

GENERAL INFORMATION

Applicant & Representative: William Bruce & J. Renee Sofge

Location of Property: 14324 S. Lakeshore Drive, Covington, Louisiana Zoning of Property: A-4 Single Family Residential Zoning District Variance(s) Requested:

Reduce the required the front yard setback.

## OVERVIEW

Request by applicant to reduce the required front yard setback from 30 feet to 25 feet

### STAFF COMMENTS

As per the Unified Development Code A-4 Single Family Residential Zoning District Sec. 130-509 (b) (2) Front yard. Front building lines shall conform to the average building lines established in a developed block; in all cases, this front building line shall be set back a minimum of 30 feet from the front property line.

The objective of the request is to allow for the construction of a 5594 square foot (93.6 foot wide X 59.6 foot deep) single family residence. While the property is only 100 foot deep and slightly curved along the front/South Lakeshore Drive, meeting the required front setback will not prohibit the construction of a single family residence. The requested variance is a personal preference rather than a property hardship.

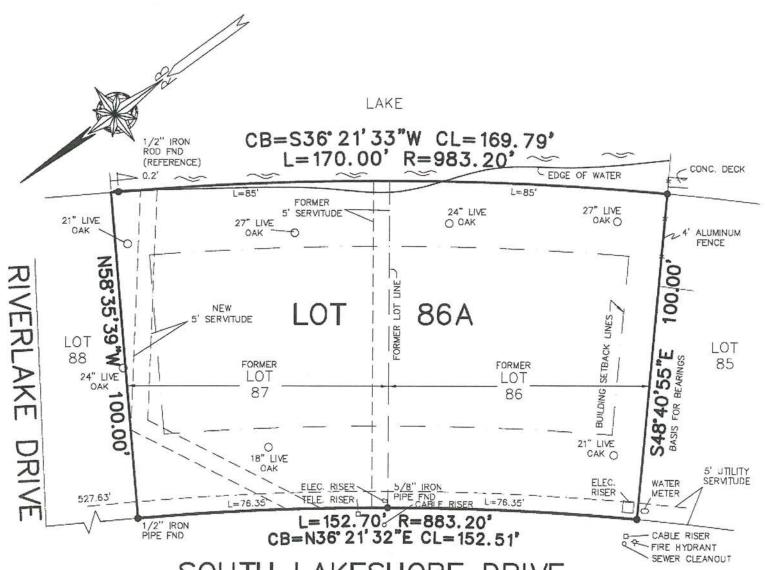


## Narrative – Specific circumstances for appeal

- The lot is only 100 ft deep.
- 25 ft front setback and 20 ft rear setback only leaves 55 ft for building.
- The lot lines are curved further reducing the available buildable space.
- But because the lot line is curved, the neighbor sightlines to the lake are minimally impacted. See photos provided.
- And since this is only an open porch in the setback, sight lines are even less impacted.
- Our floorplan is based on the <u>2020 HGTV Dream Home</u> and we really want to build this here.
  - (We've already reduced the front porch depth and moved the garage to try to make it fit)
  - <a href="https://www.hgtv.com/sweepstakes/hgtv-dream-home/2020/tour-hgtv-dream-home-2020-pictures">https://www.hgtv.com/sweepstakes/hgtv-dream-home/2020/tour-hgtv-dream-home-2020-pictures</a>

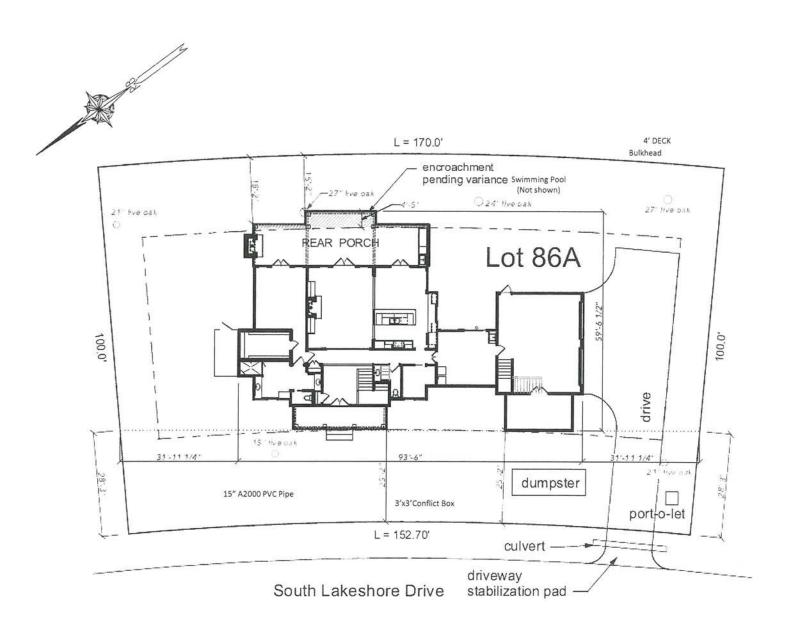
# Narrative – Specific circumstances for appeal

- We did not know that the front setback is changed due to combining the two lots.
- Building and foundation plans are complete assuming the 25 ft setback as per the survey.
- Building application has been submitted.



SOUTH LAKESHORE DRIVE

NOTE:







### Form 204

St. Tammany Parish Board of Adjustment

### NOTICE OF DISPOSITION

Applicant & Representative: William B. & J. Renee Sofge

RE: Board of Adjustment Case No. <u>2021-2367-BOA</u>- A Variance Request(s) for Property located: South side of South Lakeshore Drive, Covington, Louisiana

To Whom It May Concern.

Application was duly heard by the St. Tammany Parish Board of Adjustment at their <u>June 1, 2021</u> meeting in the Parish Council Chambers, at the St. Tammany Parish Highway 59-Koop Drive Administrative Complex Building, located at 21490 Koop Drive, Mandeville, Louisiana, 70471

#### REQUEST

Request by applicant in an A-4 Single Family Residential Zoning District to reduce the required rear yard setback from 20 feet to 15 feet to allow for the construction of a single family residence with an attached back porch.

#### MOTION:

Motion by Mr. Ballantine and seconded by Mrs. Thomas to approved as requested.

Voting Membership:		Vote:	Motion:
Mr. Daly	*****	YEA	1.11(11)
Mr. Ballantine	*****	YEA	(Motion Approved Unanimously)
Mrs. Thomas	*****	YEA	( commonly
Mr Brookter	****	YEA	
Mr. Guidry	44 - 4 + 4	YEA	

This action taken by the Board of Adjustment represents the final administrative disposition of said case. Any further appeal by the petitioner or aggreeved party from the decision made must be procured by individual action through the judicial court system as presembed by law and as authorized by State Enabling Act 518 of the 1954 session of the Louisiana Legislature.

MR. JULES GUIDRY. CHAIRMAN

ST. TAMMANY PARISH BOARD OF ADJUSTMENT

Case File Number: BOA Case No. 2021-2582-BOA

Initial Hearing Date: 11/09/2021 Date of Report: 11/01/2021

GENERAL INFORMATION

Applicant & Representative: River Park Estates, LLC

Location of Property: River Park Estates Subdivision Phase 2, Covington,

Louisiana

Zoning of Property: A-4A Single Family Residential & A-2 Suburban Zoning

Districts

Variance(s) Requested: Reduce the required the front & rear yard setbacks.

## **OVERVIEW**

Request by applicant to reduce the required front yard setback from 25 feet to 20 feet and the rear yard setback from 24 feet to 20 feet as follow:

Square 2, Lots 1-10: Front Setback 20ft.

Square 2, Lots 11-16: Front Setback 20 ft., Rear Setback 20 ft.

Square 3, Lots 1-16: Front Setback 20 ft., Rear Setback 20 ft.

Square 4, Lots 9-16: Front Setback 20 ft., Rear Setback 20 ft.

Square 10, Lots 11-14, 19: Front Setback 20 ft., Rear Setback 20 ft.

Square 11, Lots 1-6, 11-18: Front Setback 20 ft., Rear Setback 20 ft.

Square 12, Lots 1-16: Front Setback 20 ft., Rear Setback 20 ft.

## STAFF COMMENTS

The objective of the request is to allow for the construction of larger single family residence on each lot being 7200 square feet (60 feet X 120 feet). River Park Estates is a subdivision of record which was established/approved in the 1950's. Considering that for the most part, the lots do not meet the minimum square footage required under the A-2 Suburban Zoning, the lots of record setback requirements apply to the lots in question: Front yard setback: 25 feet.

Rear yard setback: Twenty percent of lot depth or 25 feet, whichever is the lesser.

There is no compelling reason to be in favor of the request considering that meeting the required front & rear setback requirements will not prohibit the construction of a single family residence on each lot. The requested variance is a personal preference rather than a property hardship.



October 4, 2021

St. Tammany Parish Board of Adjustments 21490 Koop Drive Mandeville, LA 70471

Re: Setback Variance, River Park Estates Phase 2

### To whom it concerns:

This letter serves as a request for a variance to the front and rear building setbacks required by the Unified Development Code (the "UDC") for River Park Estates, Phase 2 (the "Project"). In particular, we request the following:

6	Square 2, Lots 1-10:	Front Setback 20 feet, Rear Setback 25 feet
	Square 2, Lots 11-16:	Front Setback 20 feet, Rear Setback 20 feet
	Square 3, Lots 1-16:	Front Setback 20 feet, Rear Setback 20 feet
	Square 4, Lots 9-16:	Front Setback 20 feet, Rear Setback 20 feet
	Square 10, Lots 11-14, 19:	Front Setback 20 feet, Rear Setback 20 feet
	Square 11, Lots 1-6, 11-18:	Front Setback 20 feet, Rear Setback 20 feet
	Square 12 Lots 1-16:	Front Setback 20 feet, Rear Setback 20 feet

As you may know, the Project is a "subdivision of record" which was established in the 1950's, well before the UDC was adopted. Presently, the vast majority of the Project (all except for seven (7) lots located in the northwest corner of the Project) is zoned A-2 Residential. This zone requires a density of no greater than two (2) units per acre. However, lots within the project, are generally 60' x 120'. Therefore, the current zoning of the Project, and thus the required setbacks under the UDC, are inconsistent with the actual lots that were created within the Project back in the 1950's. This inconsistency is creating the hardship that gives rise to our request.

As currently zoned, the front setback for the lots within the Project is fifty (50') feet and the rear setback is twenty-five (25') feet. Given the size of the lots in the Project, these setbacks are excessive, unnecessary and unreasonably limit the size of house that can be constructed within the Project. Therefore, we are respectfully requesting that the front and rear setback within the Project be twenty (20') feet with the exception of lots 1-10 in Square 2. These lots require a drainage servitude along the rear and in order to accommodate the servitude we are proposing the rear setback be twenty-five (25') feet.

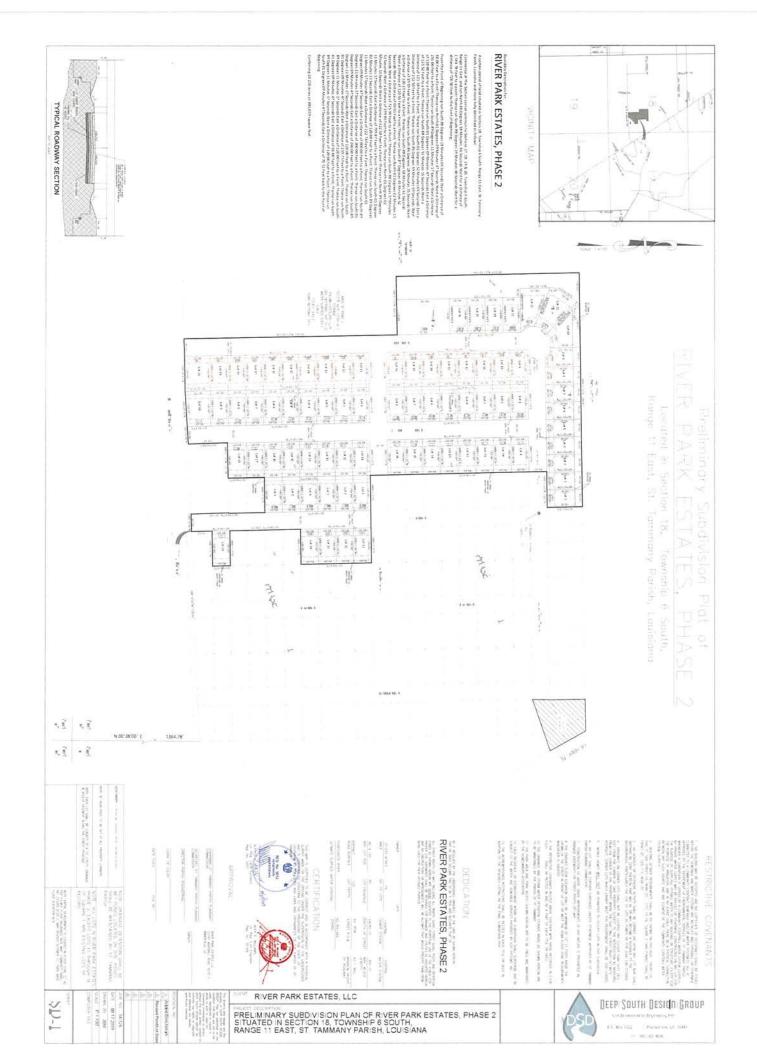
If our request is granted, we will able to construct larger homes on the lots within the Project while still having ample space between the homes and the front and rear property lines. Furthermore, given the unique situation where we have a "subdivision of record" that does not correspond to the zoning of the property, granting our variance will not establish a precedent with regards to other cases where a setback variance is requested. Finally, if our request is granted, the variance will have no negative impact on any surrounding residents or properties as it will allow the builder to build larger, more valuable homes.

Thank you for your consideration and if there should be any questions, please do not hesitate to contact me.

Regards,

Corie Herberger

Owner / Developer



Case File Number: BOA Case No. 2021-2588-BOA

Initial Hearing Date: 11/09/2021 Date of Report: 11/01/2021

GENERAL INFORMATION

Applicant & Representative: Karin and Ervin Robinson, Jr. and Jennifer and John

Martinez, Jr.

Location of Property: 515 Brewster Road and 519 Brewster Road, Madisonville,

Louisiana

Zoning of Property: A-2 Suburban Zoning District

Variance(s) Requested: Waive the required 25 foot setback.

## **OVERVIEW**

Request by applicant to waive the required 25 foot setback for a pond on the southern rear property line for Parcel A-1 and the northern front property line for Parcel A-2.

## STAFF COMMENTS

As per the Unified Development Code Sec. 130-2213. - Minimum standards. (47) *Agricultural and decorative ponds*. c. A pond shall be set back a minimum of 25 feet from the front, sides and rear property lines.

The objective of the request is to allow for the construction of a pond across the property line. There is no objection to the request since the proposed pond will provide adequate drainage for both parcels of land in a centralized location. Should the Board be in favor of the request, it should be subject to the following:

- Provide a maintenance agreement stipulating that the property owners are responsible for the maintenance of the pond.
- Meeting all minimum standard requirements for a pond and apply for permit.



Narrative for variance request for Pond:

Both property owners would like to request a variance to have one large pond as there is not enough space to place two ponds on each property (A-1 & A-2). We would like a large pond for recreational purposes (fishing etc) but also as retention pond and allow water to drain away from both dwellings on the property.

