AGENDA MEETING ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING OCTOBER 4, 2022 – 2PM

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

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

APPROVAL OF THE SEPTEMBER 6, 2022 MINUTES

1- BOA CASE NO. 2022-3050-BOA

Request by applicant in a PUD Planned Unit Development Overlay for a reduction of the required front yard setback from 20 feet to 15 feet to allow for the construction of a single family residence and extend the length of the driveway.

The property is located: 181 Bald Eagle Drive, Abita Springs, Louisiana

Applicants & Representatives: Peace Enterprises – Greg Peace

2- BOA CASE NO. 2022-3052-BOA

Request by applicant in an A-2 Suburban & CBF-1 Community Based Facilities Districts to reduce the required side yard no cut buffer from 50 feet to 20 feet to allow for the construction of a single family residence.

The property is located: 75290 River Road, Covington, Louisiana

Applicants & Representatives: Murray Cleveland, Jr.

3- BOA CASE NO. 2022-3053-BOA

Request by applicant in a PF-1 Public Facilities District to remove 4 live oak trees to allow for the construction of a Fire Station.

The property is located: 92 Judge Tanner Blvd, Covington, Louisiana

Applicants & Representatives: St. Tammany Parish Fire Protection District #4 – Kenneth Moore

4- BOA CASE NO. 2022-3059-BOA

Request by applicant in an A-2 Suburban District for after the fact variance to increase the maximum allowable length of an accessory building from 50 feet to 72.5 feet and to reduce the required side yard setback from 10 feet to 8.5 feet.

The property is located: 123 Setter Lane, Pearl River, Louisiana

Applicants & Representatives: Lester Ralph Jr.

5- **BOA CASE NO. 2022-3062-BOA**

Request by applicant in a HC-2 Highway Commercial District to remove all pine trees and sweet gum trees located within the street, sides and rear buffers.

gum trees located within the street, sides and rear buffers.
The property is located: 21485 Mire Drive, Abita Springs, Louisiana Applicants & Representatives: CHC II Properties, LLC – Chad Roig

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

MINUTES

ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING SEPTEMBER 6, 2022 ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING A 21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS MANDEVILLE, LOUISIANA

The September 6, 2022 meeting of the St. Tammany Parish Board of Adjustment was called to order by the Chairman, Mr. Ballantine.

The roll was called as follows:

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

ABSENT: Mr. Daly & Mr. Swindell

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

APPROVAL OF THE MINUTES

Moved by Mrs. Thomas and seconded by Mr. Blache to accept the August 2, 2022 minutes.

MOTION CARRIES UNANIMOUSLY

1- BOA CASE NO. 2022-2978-BOA

Request by applicant in an A-1 Suburban Zoning District for after the fact waivers of the required pond setbacks and of the required 50 foot no cut buffers along the east and west sides of the common property line.

The property is located: 20247 Tammany Avenue, Covington and 20140 Walden Street, Covington, Louisiana

Applicants & Representatives: Larry Aleman & Sherrel Philips

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

Larry Aleman: Always looked at both parcels as one residential development of 30 acres. We were informed of the violation because the pond is crossing the property line.

Sherrel Philips: It was always a dream to have a common pond to help with the drainage. It is not possible to drive from one property to another or ride horses or use any equipment because it was always wet.

Larry Aleman: Areas where the ponds are dug, unusable for almost 8 months out of the year.

Sherrel Philips: Live stock on the property which will use the pond. Some of the native trees and bushes will be replaced.

Larry Aleman: Used dirt from the pond for the house pad.

Mr. Spies: Staff requested to submit plan. Do you agree to submit plan?

Sherrel Aleman: We agree to submit replanting plan.

Mr. Blache: Could replanting plan be submitted to staff in order to avoid having them comeback to the Board for approval?

Mrs. Lambert: Suggest to impose a timeline to complete the replanting?

Sherrel Philips: Not sure what a reasonable timeline would be since some of the trees are not available at this time. Informed by Parish Landscape Architect that Class A & Class B trees would have to be planted. Would like to be able to plant during planting season.

Mrs. Lambert: Suggest to have the replanting completed by April 2023.

Motion by Mr. Blache and seconded by Mr. Spies to approve the variances as requested subject to:

- 1. Submit landscape plan showing the proposed replanting.
- 2. Allow until 04/01/23 for replanting to be completed.
- 3. Apply for pond permit and submit maintenance agreement.

MOTION CARRIES UNANIMOUSLY

2- BOA CASE NO. 2022-3006-BOA

Request by applicant in an A-2 Suburban Zoning District to reduce the required 50 foot no cut buffer to 25 feet on a portion of the north and south sides of the property and on the east side of the property.

The property is located: 292 Perrilloux Road, Madisonville, Louisiana

Applicant & Representative: Kimberly Autin

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

Bobby & Kimberly Autin: Ditch crossing the property, dividing property in half. Due to the required 50 feet no cut buffers and setbacks, it leaves about 1 acre for shed and residence. Explains variance requests to reduce size of the required buffers on the north, south and east sides.

Ryan Logston: From Robert Barrilleaux & Associates, hired to provide the no fill plan and design the pond as shown on the plan. Explains the requested variances to reduce the buffers. Still wants to keep some of the buffers for drainage in the area.

Mr. Spies: How is the water going to run?

Ryan Logston: Natural drainage going to canal. Hydrological study submitted and will not increase the flow of the drainage. Will use dirt from the pond to mitigate dirt for pads.

Mr. Ballantine: Inquire about the review of the plan by the Parish.

Ryan Logston: Plans submitted to the Parish Engineering Department were review and approved.

Mr. Blache: Similar cases along Brewster Road, not close to other cases used in the past where buffers were cleared before permit was issued. This case is true hardship, no issue with requested variances.

Motion by Mrs. Thomas and seconded by Mr. Spies subject to approval of drainage plan and land clearing permit.

MOTION CARRIES UNANIMOUSLY

3- **BOA CASE NO. 2022-3012-BOA**

Request by applicant in a HC-3 Highway Commercial Zoning District for:

- a waiver of a portion of the required 10 foot planting buffers on the north, east and west sides of the property.
- a waiver of the required buffers and required number of Class A & Class B trees within the interior required planting buffers of the newly created property.
- a reduction of the required street planting buffer.
- approval of the proposed landscape plan.

The property is located: 50 Park Place, Covington, Louisiana

Applicant: Rouse/Kingmill, LLC

Representative: Gulf States Development Services, LLC – Jason Reibert

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

Michael Saucier: Describe location of the site and presence of existing grocery story on site. Site is proposed to be developed with new businesses. Describe new businesses to be located on the site. Site was developed prior to the adoption of the Unified Development Code. Plans approved by abutting commercial business/Home Depot. Submitted revised site and landscape plan. Meets the Parish Parking requirements and future business parking requirements. Request not to have provide additional parking islands and to plant additional trees within the parking lot, since there is no sprinkler system on the property. Propose to add 44 trees to the site. New lighting will be provided within the parking lot. Explain the need for outparcel shown on the site plan.

Mr. Ballantine: Drive thru restaurant planned for the site?

Michael Saucier: 1800 square foot tenant has not been officially identified at this time. Provide additional information regarding the interior renovation for the new business to be located inside of Rouses. Additional parking spaces may be necessary.

Mr. Ballantine: Ask question regarding new proposed tenant: Urban Air?

Michael Saucier: Bowling, Jumping, Family Entertainment Business.

Mr. Spies: Will some of the trees be cut down?

Michael Saucier: Dead trees will be replaced and new trees will be planted. Existing trees will be trimmed. Tree survey done. New trees to be planted.

Mrs. Thomas: Staff recommends that new parking islands with Class A trees be provided. Do you agree to provide?

Michael Saucier: Would like to have as many parking spaces as possible and not have to provide the required islands and trees.

Mr. Blache: Will there be a parking problems? Do you meet the minimum number of parking spaces?

Michael Saucier: Required number of parking spaces will be provided. Will meet Parish requirements and Urban Air requirements.

Mr. Liner: Board is to make the determination regarding the request from staff to provided additional parking spaces and trees versus the request from the applicant.

Mr. Blache: Additional parking spaces may be necessary instead of providing additional islands and trees. Could the proposed trees to be planted be larger than the minimum standards?

Mrs. Lambert: Do not recommend to require to plant larger trees because larger trees are difficult to obtain.

Mr. Blache: I would be in favor of requiring payment to the tree bank.

Michael Saucier: Would be more in favor to pay into the tree bank, than planting additional trees in the parking lot due to the fact that there is no sprinkler system. Will make an effort to plant larger trees within the parking lot and existing buffers.

Motion by Mr. Spies and seconded by Mrs. Thomas to approved the variance subject to the revised landscape plan submitted, 5 additional Class A trees to be planted onsite within the parking lot or pay to the tree bank.

MOTION CARRIES UNANIMOUSLY

OLD BUSINESS

- 1. Mr. Ballantine: Would like the Board members to note that today was the first after the fact variance request submitted since the fee increase/within the past 3 months.
- 2. Mr. Ballantine: Discuss regarding proposed compensation for Board members took place during meeting with Ross Liner, Director of Planning & Development. Mrs. Couvillion drafted resolution currently distributed to you. Board members will have to vote on the proposed resolution.

Mrs. Couvillion: Suggest to the Board members to take a few minutes to review the resolution and advise if some changes should be made. Then vote on the resolution. If the resolution is approved, it will be placed on the Council Agenda for consideration.

Mr. Liner: Would the Alternates also be compensated?

Mrs. Couvillion: Since the Alternates are not required to attend the meetings, the Board will have to decide if they would like to have compensation provided to the Alternates. The Bylaws does not require the Alternates to attend the meeting. The Bylaws could be amended.

Mr. Ballantine: If the Bylaws do not require the Alternates to attend the meeting, I would suggest to change the Bylaws to require the Alternates to attend the meetings.

Mrs. Couvillion: They are not required by law or by statutes to attend. The Alternates are required to attend according to the St. Tammany Parish Board of Adjustment Bylaws.

Mr. Blache: Today's meeting is a perfect example of the need for an alternate.

Mr. Liner: Should the alternates be compensated if they are participating as voting members?

Mr. Ballantine: Alternates should be required to attend the meetings and should be compensated if they attend the meeting.

Motion by Mr. Ballantine seconded by Mr. Spies to approved the resolution to have the Board members and alternates compensated at a rate of \$50 per meeting. Will attend the Council when the resolution is on the agenda.

NEW BUSINESS

Mr. Ballantine: 5 voting members and 4 votes required to pass a cases. In the event that only 4 Board members are present, and one Board member does not vote in favor, the requested variance is denied. Could we expend the total number of sitting Board members to 7 members and 2 Alternates? 4 members would be simple majority when voting.

Mrs. Couvillon: State Legislation would have to amended. According to State Law only a maximum of 5 members can sit on the Board of Adjustment.

Mr. Ballantine: Could we change the vote for simple majority?

Mrs. Couvillon: I would have to check the States Statute to determine if the vote can be changed by the Council.

Mrs. Thomas: I have at times felt uncomfortable regarding the vote when only 4 Board members were present to vote. Would be in favor of simple majority.

Additional discussion among Board members takes place regarding voting requirements.

ADJOURNMENT: Mr. Ballantine, CHAIRMAN

MOTION CARRIED UNANIMOUSLY

MR. TOM BALLANTINE, 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. 2022-3050-BOA

Initial Hearing Date: 10/04/2022 Date of Report: 09/26/2022

GENERAL INFORMATION

Applicant & Representative:

Peace Enterprises – Greg Peace

Location of Property:

181 Bald Eagle Drive, Abita Springs, Louisiana

Zoning of Property: Variance(s) Requested: PUD Planned Unit Development Overlay

Reduction of the required front yard setback.

OVERVIEW

Request by applicant in a PUD Planned Unit Development Overlay for a reduction of the required front yard setback from 20 feet to 15 feet.

STAFF COMMENTS

As per the Money Hill Plantation, Phase 6, PUD Planned Unit Development Overlay, there shall be a front yard setback of a minimum of 20 feet from the front property line.

The objective of the request is to allow for the construction of a single family residence and extend the length of the driveway. While a longer driveway will provide additional space for off street parking, off the alleyway, the requested variance is a personal preference rather than a property hardship. The size of the residence could be reduced to allow for a longer driveway.



(Please state on the following times below your specific request for a variance/appear:)				
Requesting the Fron	+ setback changed			
from 20' to 15'- 9	llowing more off-stree	1		
parking of the allerway				
Ing Peace	8/31/22			
SIGNATURE OF OWNER/APPLICANT	DATE 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:

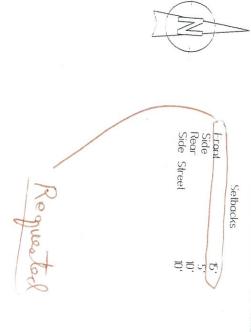
- 1. Is the variance/appeal request self-imposed?

 Variances/appeals may not be granted by the board if the request is considered a "personal preference".
- 2. 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.
- 4. Does the variance/appeal request impose an adverse effect on the adjacent neighbor's 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 effect 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.



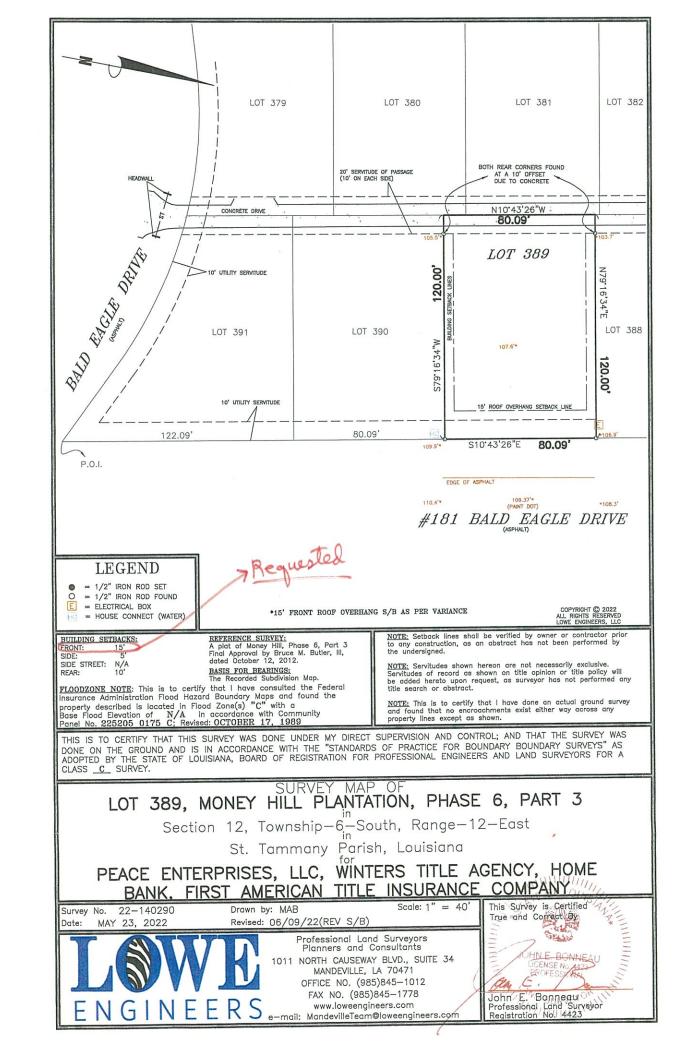


PLOT PLAN SCALE 1" - 20' 0"

The Setbacks And Restrictions Shown On This Plot Plan Are Limited To Those Set Forth In The Description Furnished To Us.

It Is Recommended That Setbacks And Lot Dimensions Be Confirmed By Professional Land Surveyor And, Owner Before Location Of Building Is Established.

Plans For: Peace Enterprises





826 Union Street • Suite 200 • New Orleans LA 70112 504-528-7028

Variance Agreement for Lots 386-391

The Money Hill ARC will grant a variance for lots 386-391. This variance will modify the front setback line from 20 feet to 15 feet. This modification is being approved to accommodate designs that will result in increased parking capacity off the alley. The change in setback applies to the roof overhang. This variance remains in effect for all of the lots, even if these lots are not developed by Greg Peace, for consistency in this section of the neighborhood.

Brian Baughman, ARC Representative

Greg Péace, Developer

Tim Carroll, Property Manager

ST. TAMMANY PARISH BOARD OF ADJUSTMENT STAFF ANALYSIS REPORT

Case File Number:

BOA Case No. 2022-3052-BOA

Initial Hearing Date:

10/04/2022

Date of Report:

09/26/2022

GENERAL INFORMATION

Applicant & Representative:

Murray Cleland, Jr.

Location of Property:

75290 River Road, Covington, Louisiana

Zoning of Property:

A-2 Suburban District & CBF-1 Community Based

Facilities District

Variance(s) Requested:

Reduce the required side yard no cut buffer from 50 feet to

20 feet.

OVERVIEW

Request by applicant in an A-2 Suburban District to reduce the required side yard no cut buffer from 50 feet to 20 feet.

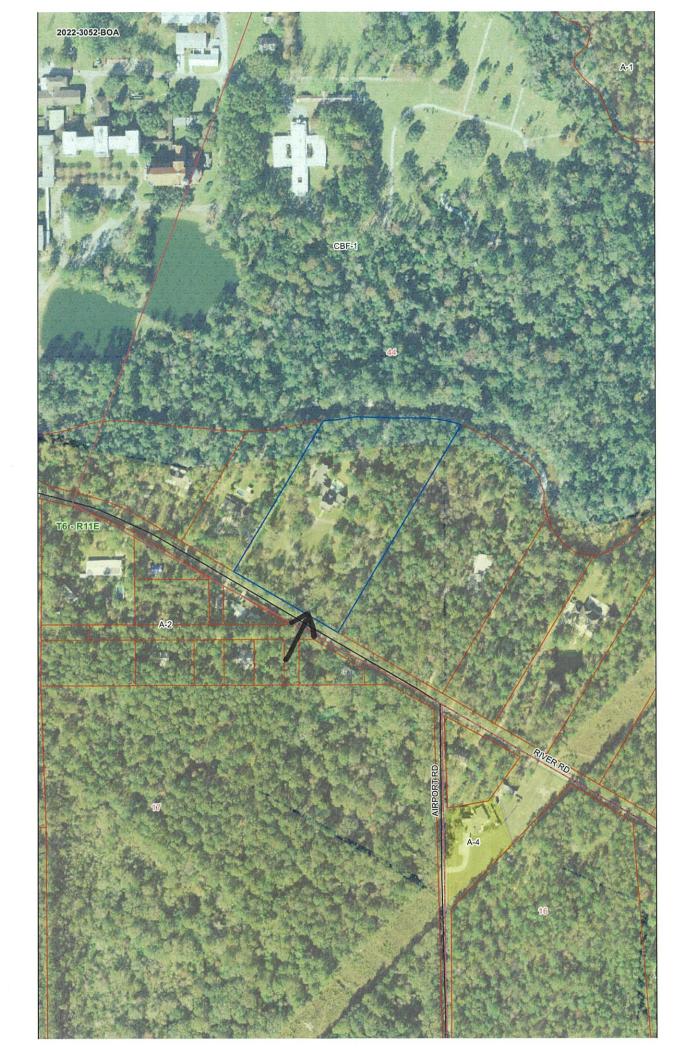
STAFF COMMENTS

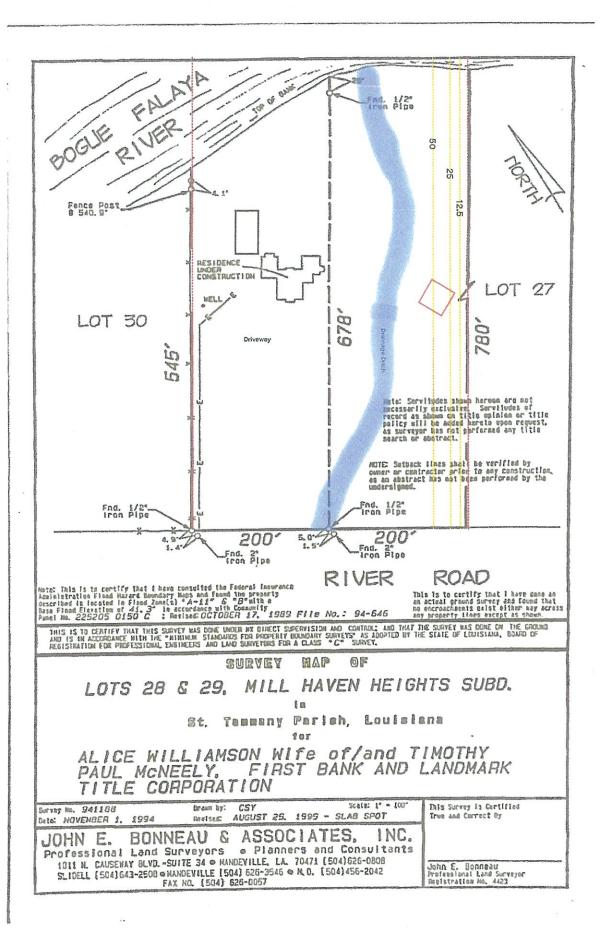
As per the Unified Development Code Sec. 130-2250. (b) (2) A minimum uncut buffer of 50 feet in depth shall be required adjacent to residential zoning district.

The objective of the request is to reduce the 50 foot side yard no cut buffer to 20 feet, along a portion of the southern property line, to allow for the construction of a single family residence. There is no objection to the request considering that there is an existing Parish Maintained Ditch crossing the entire property. While the Department of Public Works only requires a 20 foot maintenance servitude along the ditch, the reduction of the no cut buffer will allow for the residence to be located further away from the ditch and facilitate maintenance of the ditch.

Should the Board be in favor of the request, it should be subject to:

- Providing the length of the area to be cleared/where 50 foot no cut buffer will reduced to 20 feet.
- Submit Land Clearing permit application form.





ST. TAMMANY PARISH BOARD OF ADJUSTMENT STAFF ANALYSIS REPORT

Case File Number: BOA Case No. 2022-3053-BOA

Initial Hearing Date: 10/04/2022 Date of Report: 09/26/2022

GENERAL INFORMATION

Applicant & Representative: St. Tammany Parish Fire Protection District #4 – Kenneth

Moore

Location of Property: 92 Judge Tanner Blvd, Covington, Louisiana

Zoning of Property: PF-1 Public Facilities District

Variance(s) Requested: Remove 4 live oak trees to allow for the construction of a

Fire Station.

OVERVIEW

Request by applicant in a PF-1 Public Facilities District to remove 4 live oak trees to allow for the construction of a Fire Station.

STAFF COMMENTS

As per the Unified Development Code Sec. 130-1975 (b) (1) *Preservation of live oak trees*. All live oak trees over six inches DBH shall be preserved wherever they may be located on the property and even if they are located between the property line and the roadway surface.

The objective of the request is to allow for the removal of 4 existing live oak trees. While the property is over 1 acre in size, the 4 live oak trees are located almost in the center of the property creating a hardship to develop the site with the proposed Fire Station

The Department of Planning and Development inspected the site and graded the 4 protected live trees requested to be removed, based on existing condition. Note that the grade determines the number of mitigation inches required and the mitigation is based on the average quality of the tree.

Live Oaks	Inches	Grade	Replacement
1	15"	В	(poor form) 75 percent replacement
2	48"	В	(poor form) 75 percent replacement
3	20"	С	Grade C (ailing/diseased): 50 percent replacement.
4	24"	С	Grade C (ailing/diseased): 50 percent replacement.

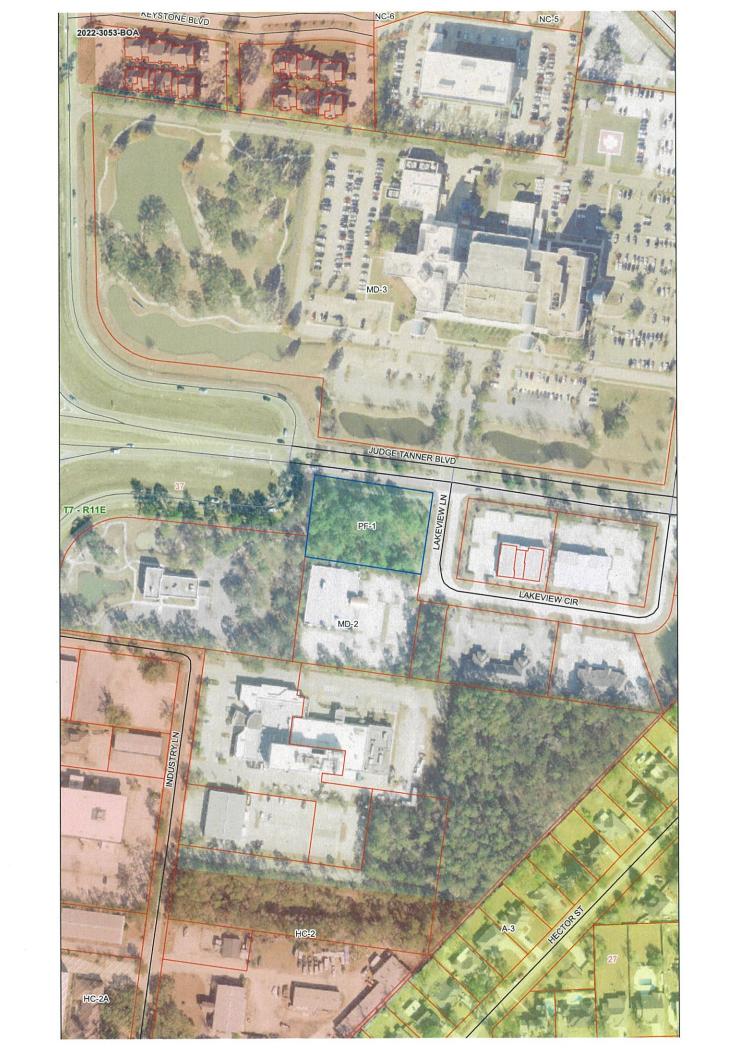
Proposed Mitigation	Inches	Method live oaks & other Class A trees
Onsite	27.3"	(4) 3" Live Oak trees
		(1) 3" Class A tree
		(4) 2.5" Class A tree
Tree Bank	41"	Payment to the tree bank
Total of inches of Live Oak trees to be Mitigated	68.25"	

There is no objection to request of the removal of Live Oaks 3 & 4 and the proposed onsite mitigation with a variety of species of trees. However, attempt should be made to preserve Live Oak Trees 1 & 2 by either relocating the building further to the east and/or reconfigured the site, as proposed/shown on the attached drawing (see in red proposed location of the building). Also, it may be possible to trim a portion of Live Oak trees 1 & 2 and/or allow a portion of the building to impede within the drip line.

Should the Board be in favor of the proposed mitigation from the applicant, it should be subject to:

• Landscape plans submitted and payment to the tree bank before issuance of the permit.

Should the Board be in favor of the proposed reconfiguration of the site, staff suggest that the case be postponed to allow the applicant to submit a revised site and landscape plan.



(Please state on the following lines below your specific	request for a variance/appeal:)				
REMOVAL Of 4 LIVE OAK TI	REES THAT WOOLD IMPEDE				
THE CONSTRUCTION of A NEW FIRE STATION					
Lung Mun	8/31/2022				
SIGNATURE OF OWNER/APPLICANT	DATE OF APPLICATION				

POWERS OF THE BOARD TO GRANT VARIANCES/APPEALS

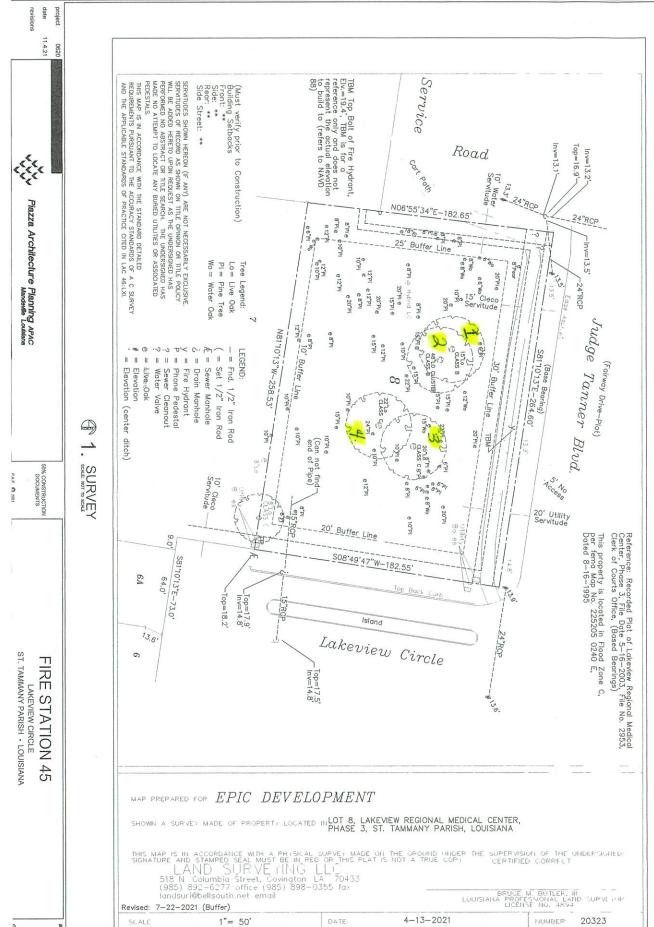
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- 1. Is the variance/appeal request self-imposed?

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- 2. Does the variance/appeal request constitute a financial hardship?

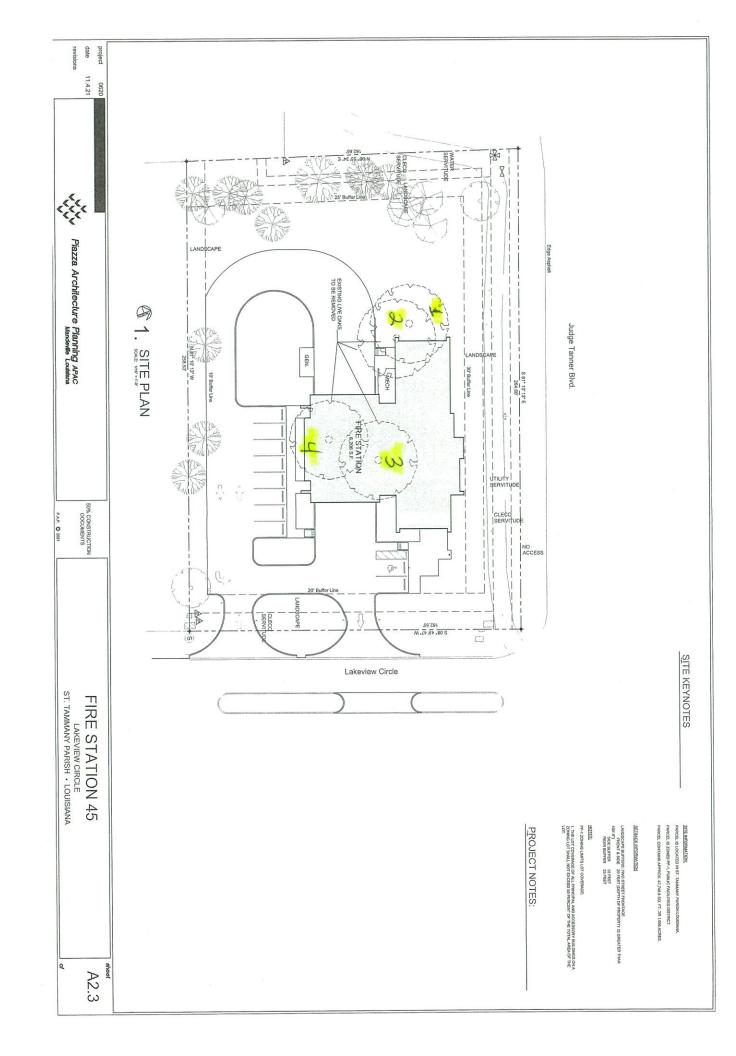
 Variances/appeals may not be granted by the board if the request is considered strictly a financial hardship.
- 3. Does the variance/appeal request present a practical difficulty or unnecessary hardship? If the applicant can prove through testimony and presentation of factual documentation and/or evidence 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.
- 4. Does the variance/appeal request impose an adverse effect on the adjacent neighbor's property or surrounding neighborhood?

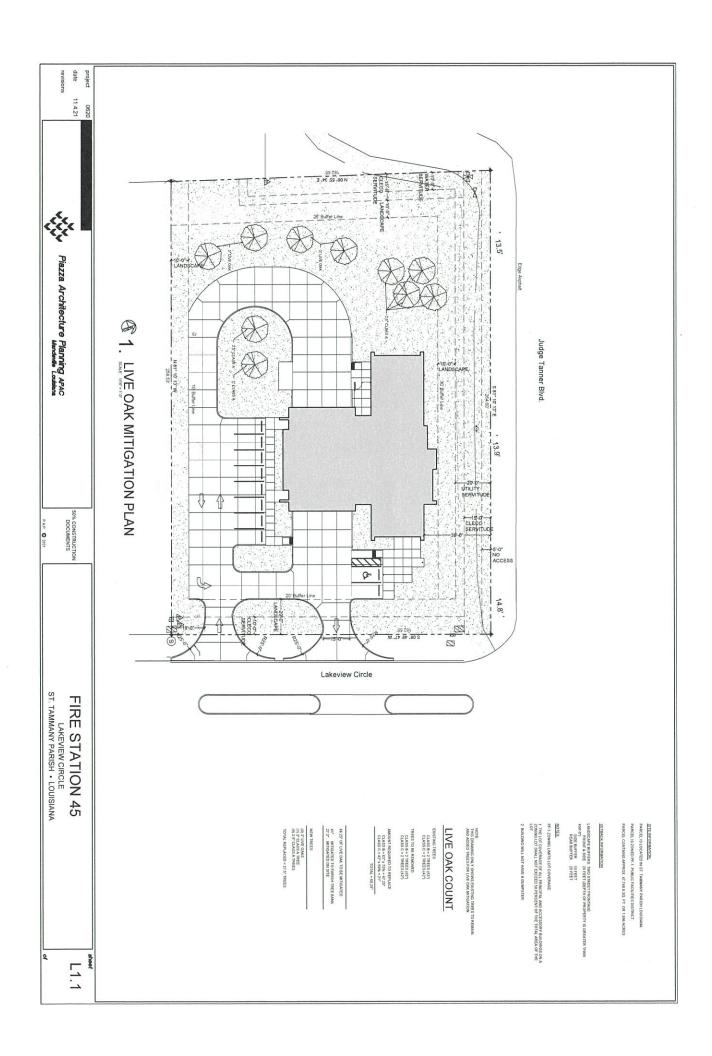
 If the variance/appeal request adversely effects an adjacent property owner and/or the surrounding neighborhood in general, and testimony is forthcoming from same that can be proven within reason that an adverse effect would be imposed, the board may decide not to grant the applicant's variance/appeal 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.

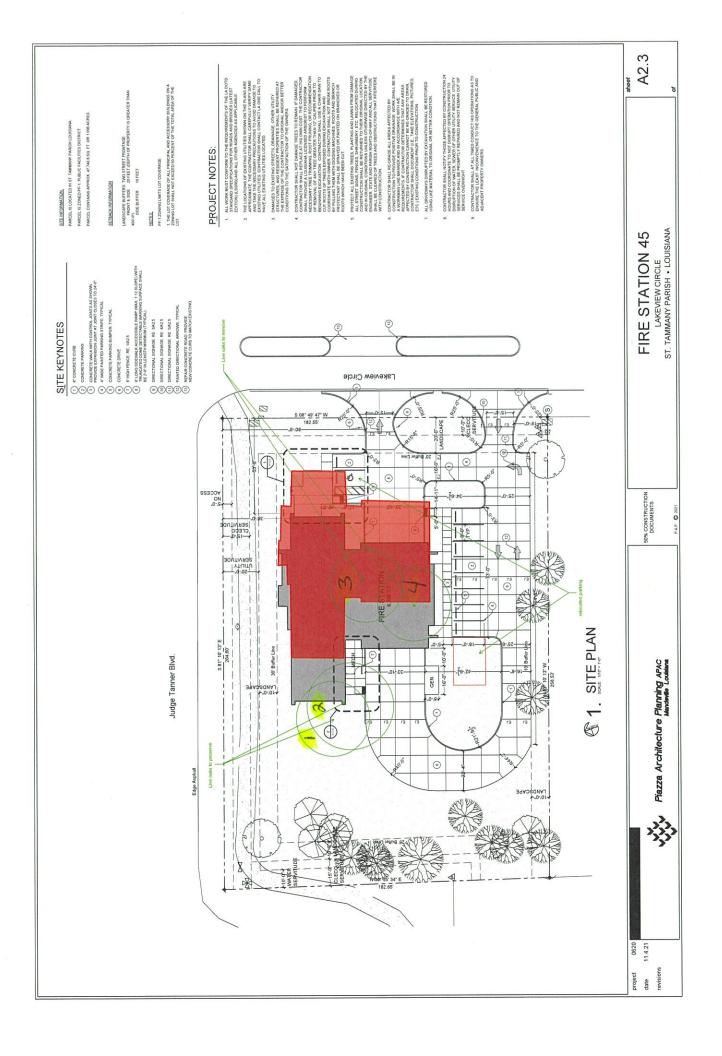


Terr3/EpicDevelopmentLot8Top

A2.1







ST. TAMMANY PARISH BOARD OF ADJUSTMENT STAFF ANALYSIS REPORT

Case File Number: BOA Case No. 2022-3059-BOA

Initial Hearing Date: 10/04/2022 Date of Report: 09/26/2022

GENERAL INFORMATION

Applicant & Representative:

Lester Ralph Jr.

Location of Property:

123 Setter Lane, Pearl River, Louisiana

Zoning of Property:

A-2 Suburban District

Variance(s) Requested:

After the fact variance to increase the maximum allowable length of an accessory building and to reduce the required

side yard setback.

OVERVIEW

Request by applicant in an A-2 Suburban District for after the fact variances to increase the maximum allowable length of an accessory building from 50 feet to 72.5 feet and to reduce the required side yard setback from 10 feet to 8.5 feet

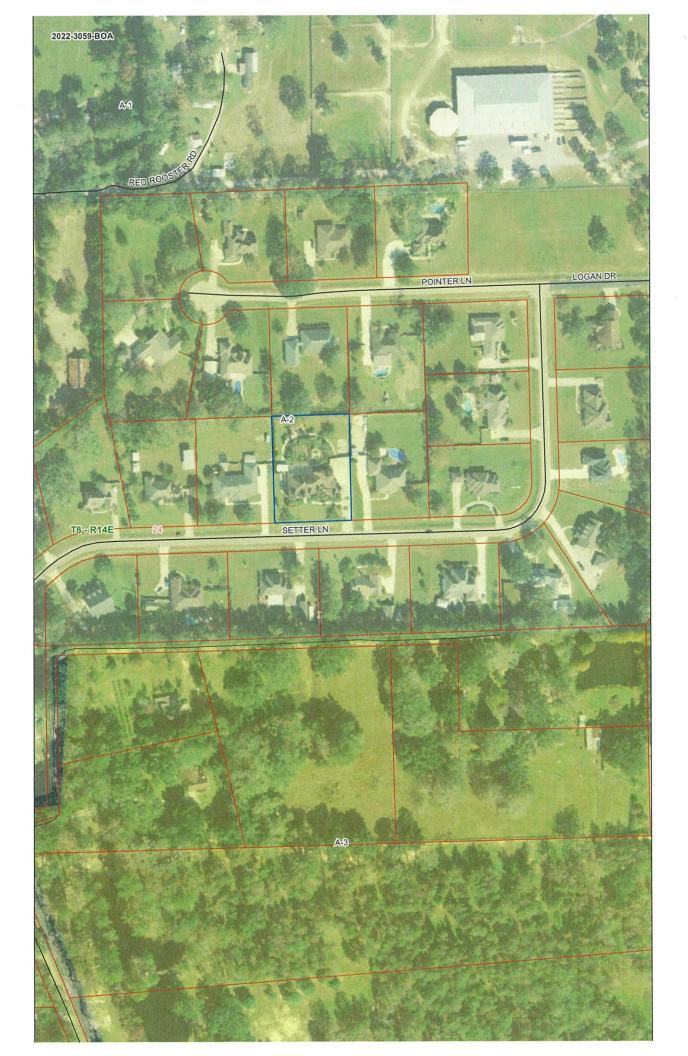
STAFF COMMENTS

As per the Unified Development Code Section 130-2127 (g) The combined length of an accessory structure shall not exceed 50 feet in all residential districts.

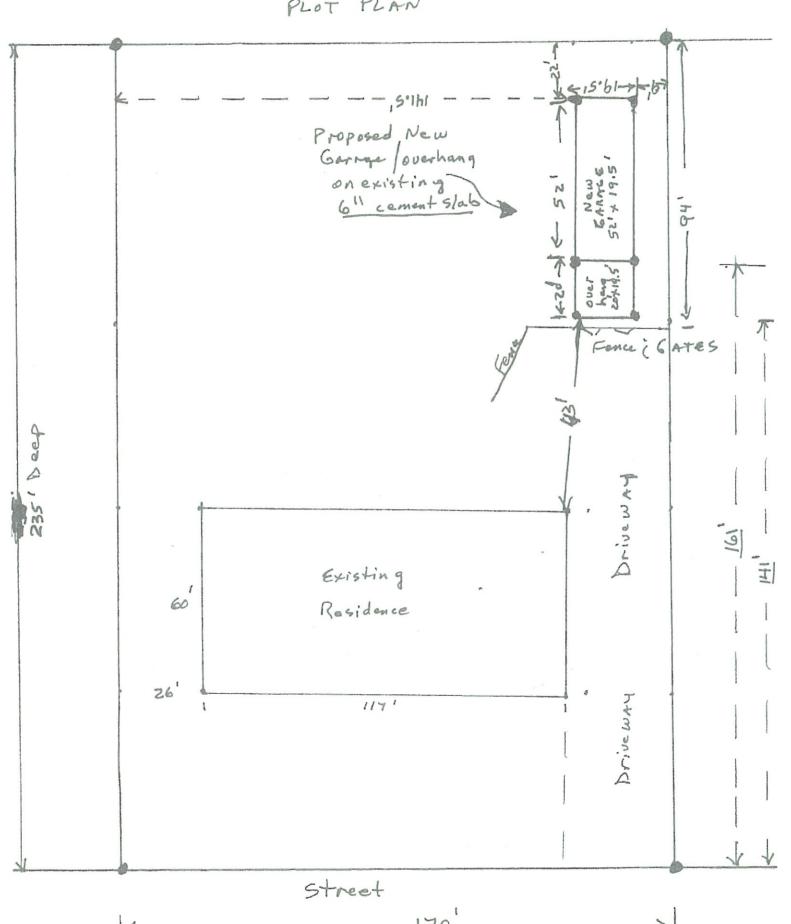
The objective of the request is to allow for the completion of the construction of 1450 square foot or 20 foot wide X 72.5 foot long accessory building. Although, no hardship has been demonstrated, staff is not opposed to this request considering that the accessory building is located on an 40,630 square foot parcel of land, and does not exceed the maximum allowable 7.5 percent of the area of the lot on which the main building is situated.

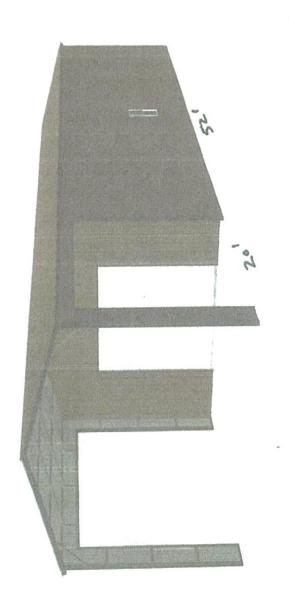
As per the Unified Development Code Section 130-2127 (a) Any accessory building may be built in a required rear yard. However, an accessory building must be located at least 40 feet from the front lot line, ten feet from an interior rear lot line, ten feet from the nearest interior side lot line and 15 feet from the nearest side street lot line.

The accessory building is currently located 8.5 feet from the property line. The requested side yard variance is a personal preference rather than a property hardship. There is sufficient space on the property to meet the required 10 foot setback.

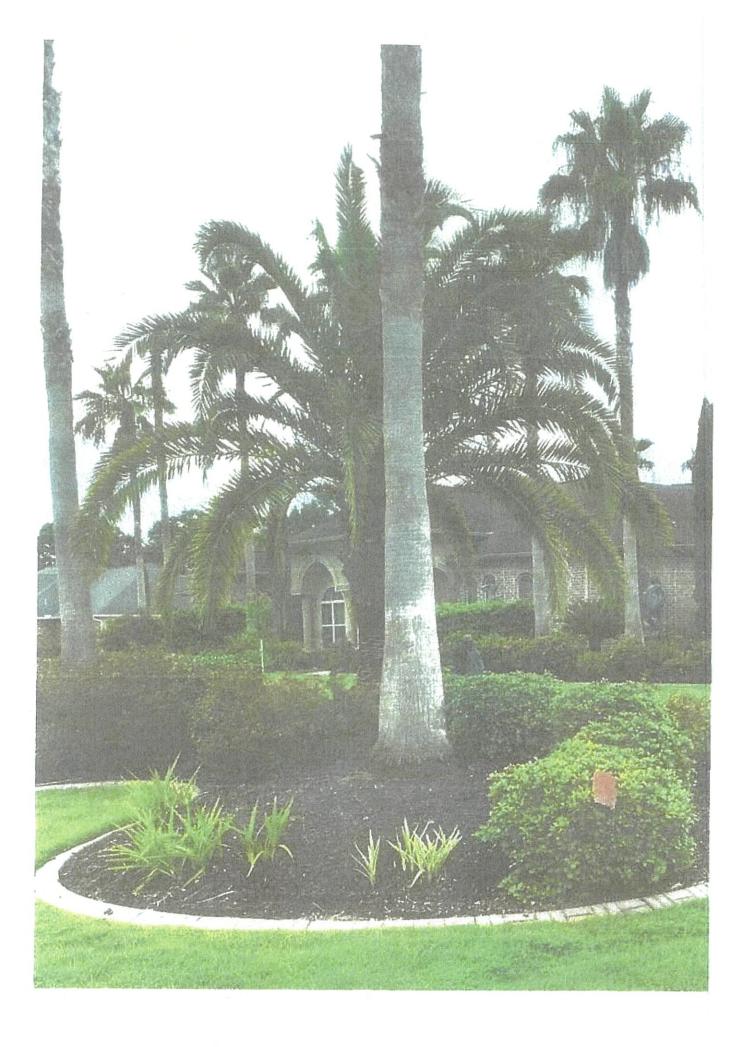


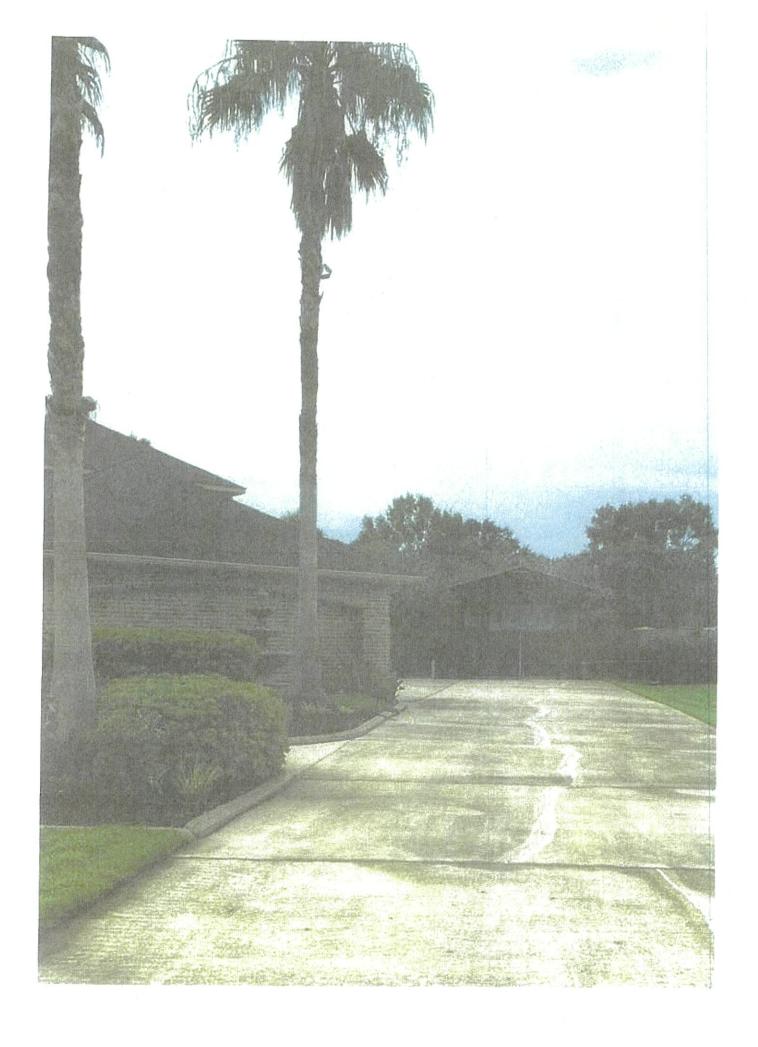
123 Setter Ln Pearl River, La. PLOT PLAN

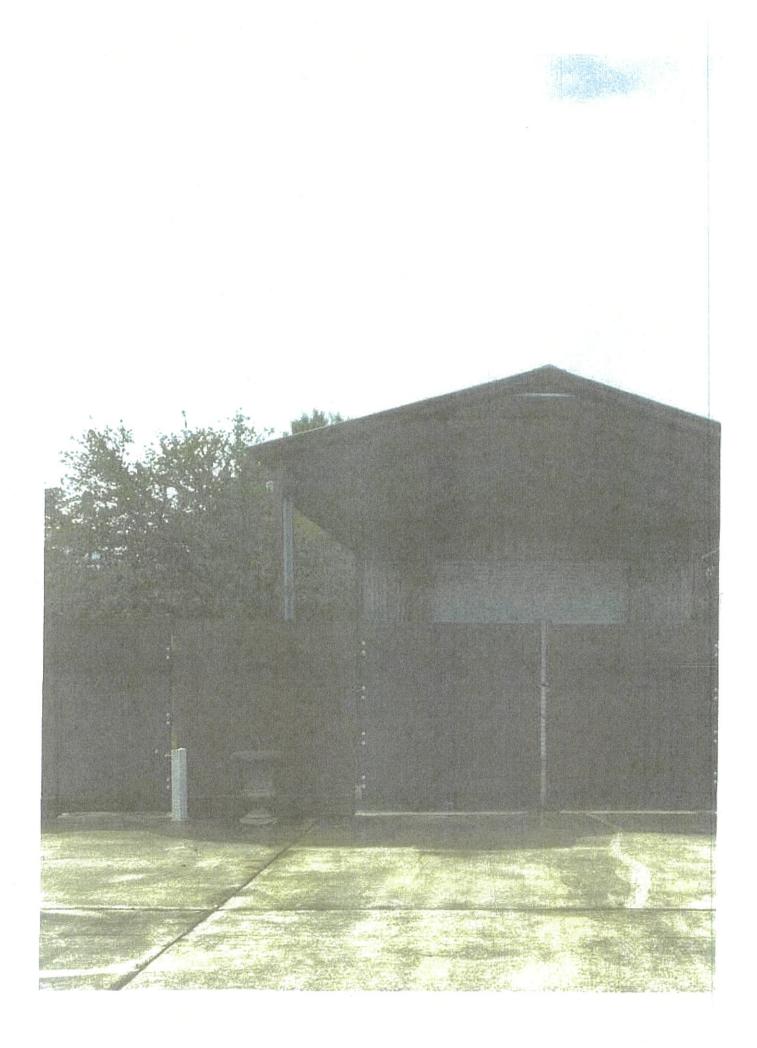


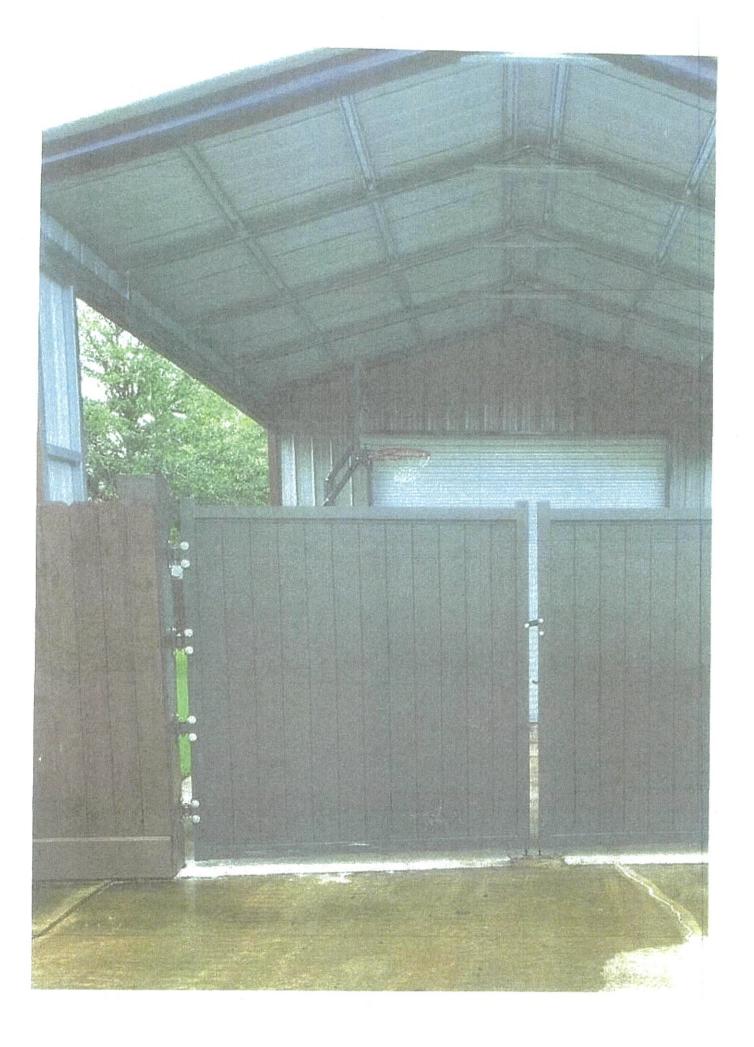


Standard 20'W x 海 L x 13'H















NO OBJECTION LETTER

TO THE BOARD OF DIRECTORS:

I have Reviewed the Variance Information and I Have No Objections.

Darren Plaia

127 Setters Ln

Duane Dendinger 208 Pointer Ln

APPROVAL LETTER

TO THE BOARD OF DIRECTORS:

Nature's Way Homeowners Association Hereby Approves the ACCESSORY BUILDING located at 123 Setter Ln by Mr. Lester Ralph Jr.

As a condition to our approval, Lester Ralph Jr. agrees to make adjustments to building exterior as follows:

- Add (2) Two Windows above Fence Line
- · Paint Front Door color of Home
- Install EFIS on Front and Right Side of Building

Nature's Way Home Owners Association

ST. TAMMANY PARISH BOARD OF ADJUSTMENT STAFF ANALYSIS REPORT

Case File Number:

BOA Case No. 2022-3062-BOA

Initial Hearing Date:

Date of Report:

10/04/2022 09/26/2022

GENERAL INFORMATION

Applicant & Representative:

CHC II Properties, LLC – Chad Roig

Location of Property:

21485 Mire Drive, Abita Springs, Louisiana

Zoning of Property:

HC-2 Highway Commercial District

Variance(s) Requested:

Remove all pine trees and sweet gum trees located within the

street, sides and rear buffers.

OVERVIEW

Request by applicant in a HC-2 Highway Commercial District to remove all pine trees and sweet gum trees located within the street, sides and rear buffers.

STAFF COMMENTS

As per the Unified Development Code Sec. 130-1975 (b) (2) Trees to be preserved in the street planting area and required buffers. In the street planting areas and required buffer planting areas, all trees over six inches DBH shall be preserved, except where the driveway is proposed to be located, trees that are unsound, hazardous, diseased or infested with insects and trees that are too close to a paved area or areas to have a reasonable probability of surviving, trees within a street planting area required to be removed for a retention/detention pond, provided that the aggregate of the trees removed for driveways and retention/detention ponds shall not exceed 50 percent of the trees in excess of six inches DBH.

The objective of the request is to allow for the removal of all pine trees and sweet gums located within the required buffers.

- 1- Street buffer: As per the UDC Section 130-1976 (a) (1) A street planting area is defined as the area along the street or road along which a property abuts which is designated for the preservation of trees/natural street buffer and for landscaping. There is no compelling reason to be in favor of the requested variance to remove all pine trees considering:
- The large density and cluster of the existing pine trees located within the street buffer, making the trees less prone to storm damage.
- The property is 3.22 acres allowing sufficient space to provide the required detention/retention ponds outside of the required 35 foot street buffer planting area.
- The front of the property is 320 foot wide allowing sufficient space to locate the driveway and preserve the existing trees within front buffer.
- 2- East side buffer: there is no objection to the request to remove the pine trees within the buffer considering the proximity to the existing abutting commercial buildings to the east, the requirement to provide an 8 foot opaque fence and the large spacing between the existing pine trees making the trees more prone to storm damage. All other existing species of trees shall be preserved, as shown on the attached landscape plan.

- 3- West side buffer: there is no objection to the request to remove the pine trees within the buffer and to remove the existing tallow trees. The large spacing between the existing pine trees make the trees more prone to storm damage. All other species of tree shall be preserved.
- 4- North side buffer: Since the existing pine trees appear to be in clusters, making the trees less prone to storm damage, there is no compelling reason to allow for the removal of the pine trees. All other species of tree shall be preserved.

Should the Board be in favor of the variances as requested by the applicant, it should be subject to:

• the attached landscape plan and submitting a revised site and landscape plan showing the location of the buildings and the species of trees and shrubs to be planted, before application for building permit is submitted.

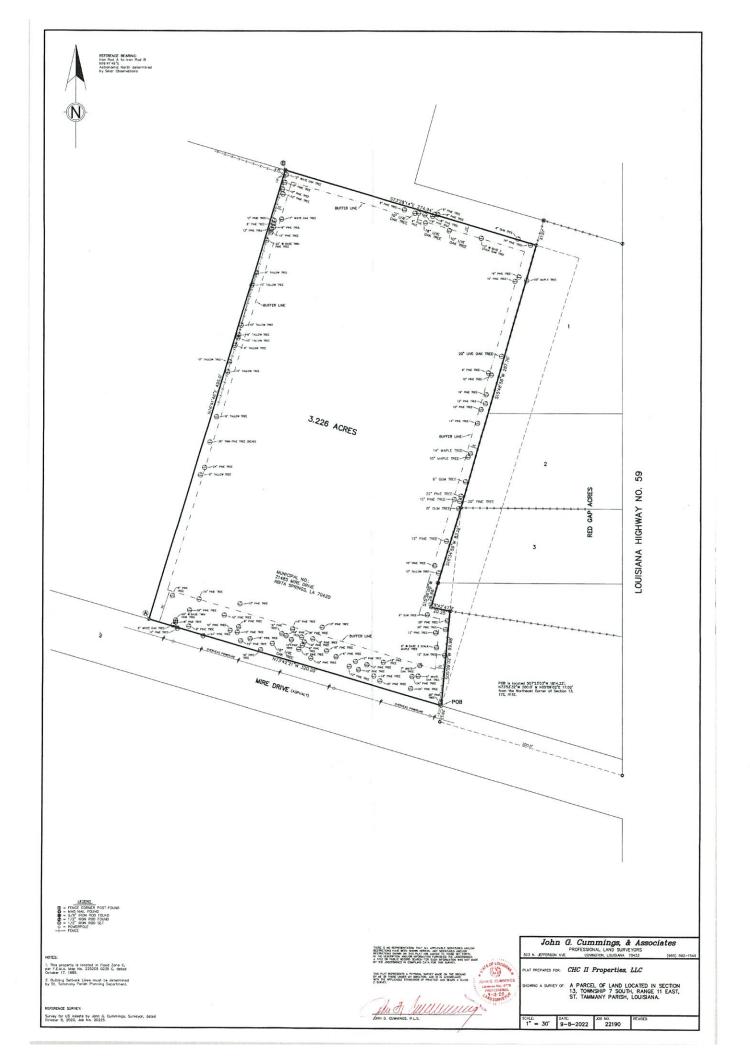
Should the Board be in favor of the preservation of the trees within the north and street buffers, it should be subject to:

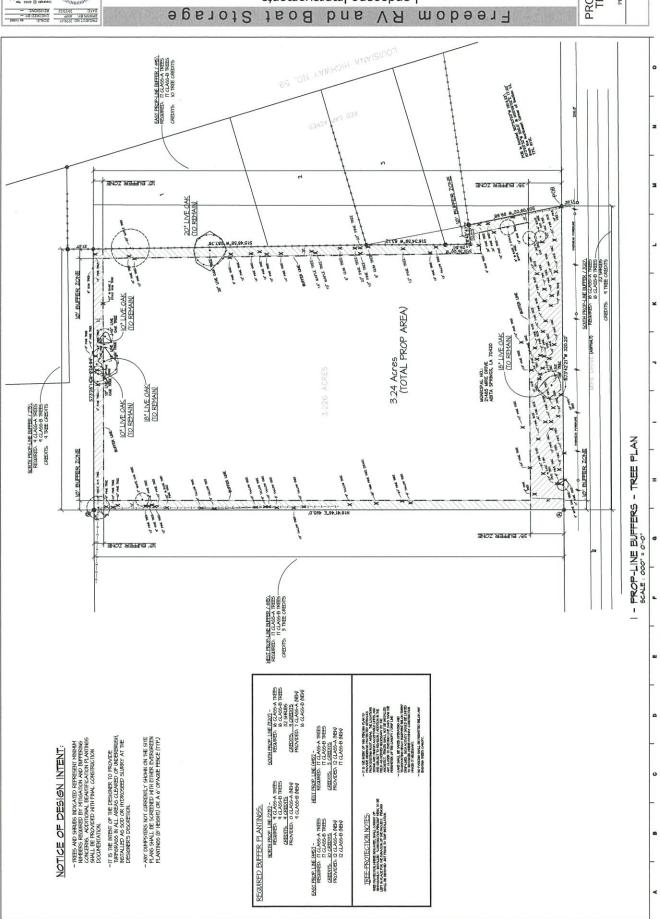
• submitting a revised landscape plan, showing the trees, caliper and species of trees to be preserved and submitting a site and landscape plan showing the location of the buildings and the species of trees and shrubs to be planted, before application for building permit is submitted.



WE ARE REQUESTING A VARIANCE TO REMOVE PINE TREES AND SWEET GUM TREES THAT ARE LOCATED IN THE 10 FOOT BUFFER ZONE SURROUNDING THE 3.22 ACRE PROPERTY ZONED HC-2. WE HAVE PROCURED SIGNATURES FROM 5 SURROUNDING LAND OWNERS THAT ALL HAVE COMMERCIAL METAL BUILDINGS ON THEIR PROPERTY WITH NO TREES OR LANDSCAPING IN THEIR RESPECTIVE BUFFER AREA. THEY HAVE BEEN SHOWN THE PRELIMINARY PLANS/LAYOUT WHICH GIVES A VISUAL OF THE FUTURE SITE WITH NEW FENCING AND PROPER DRAINAGE ALONG WITH ALL NEW LANDSCAPING. CURRENTLY, THERE IS AN OLD DILAPIDATED FENCING BORDERING BOTH THE EAST AND THE WEST SIDE OF THE PROPERTY LINES, WHICH WILL BE ALL REMOVED AND REPLACED. THERE ARE ALSO SEVERAL PINES THAT ARE LEANING DRASTICALLY TOWARDS OTHERS. STRUCTURES FROM HURRICANE IDA. WE ARE ASKING THE BOARD OF VARIANCES TO ALLOW US TO REMOVE THESE TREES THAT WILL BE SANDWICHED BETWEEN 2 COMMERCIAL STRUCTURES ONCE OUR BUILDINGS ARE CONSTRUCTED. THERE ARE 4 LIVE OAKS ,2 PIN OAKS, AND 1 WATER OAK IN THE BUFFER THAT WILL BE PROTECTED. OUR GOAL FOR THIS DEVELOPMENT IS TO BE A PREMIER RV AND BOAT STORAGE FACILITY AND FOR ITS EXISTENCE TO BE HIDDEN FROM SIGHT BOTH IN AND OUT.

RESPECTFULLY,
CHC II PROPERTIES LLC.





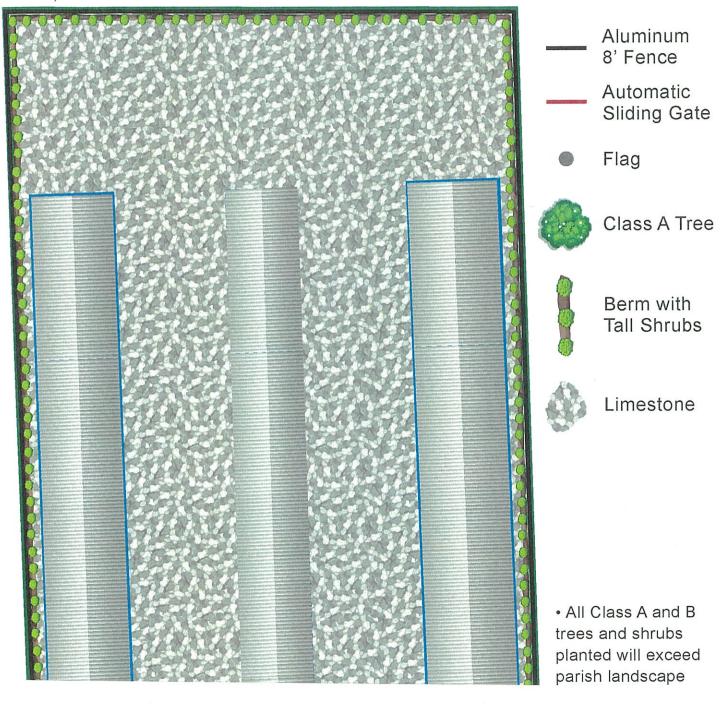


Louisiana

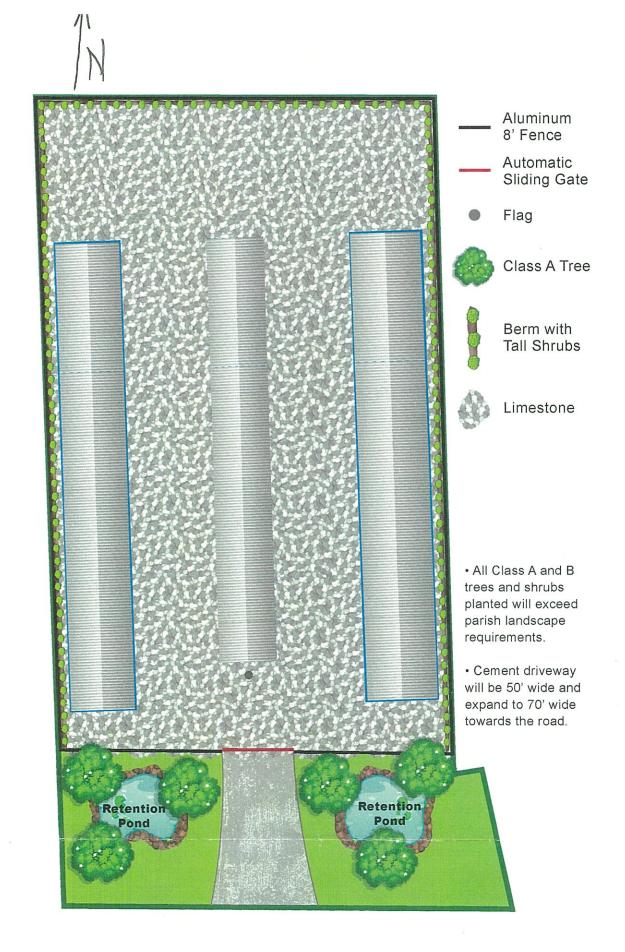
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COVINGTON

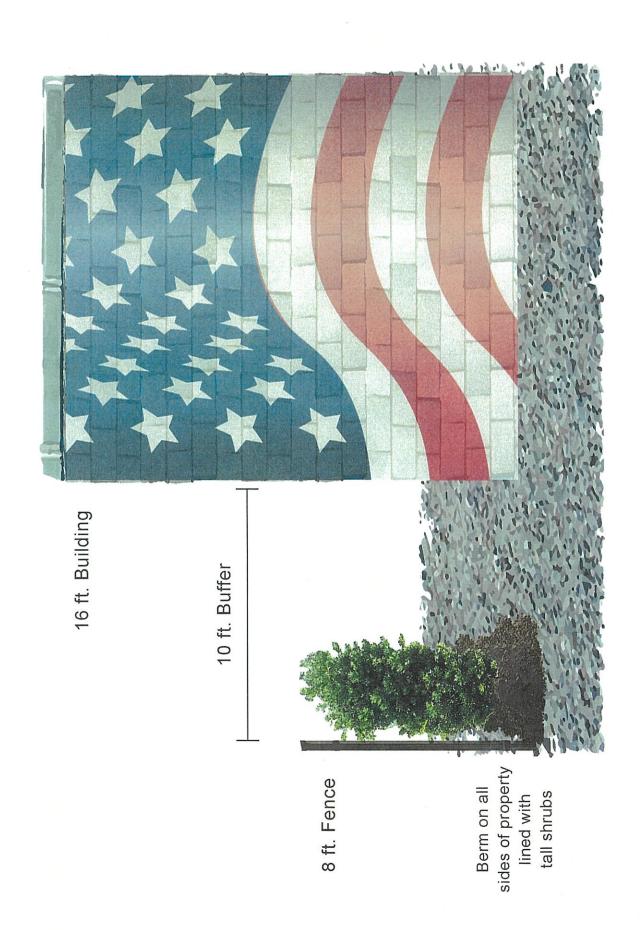




FREEDOM RV & BOAT STORAGE



FREEDOM RV & BOAT STORAGE
Aerial View



FREEDOM RV & BOAT STORAGE Side View

I, Haydee Belloni, Owner of property at 169345 Hours 59 Hours, located adjacent to 21485 Mire Dr. Abita Springs, La. 70420 Hereby agree in removing tree and brush within the 10 ft buffer zone in order to provide proper drainage along with new fencing and landscaping, all in compliance with parish ordinances etc.

Agent of Truster: Hay der Belloni Robert Billoni Trust fund

985-788-8693

I, <u>GEORGE SCHRIAND</u>, IRVS, Owner of property at <u>69291 Nwy 59</u>, <u>Abita Springs</u>, LA located adjacent to 21485 Mire Dr. Abita Springs, La. 70420 Hereby agree in removing tree and brush within the 10 ft buffer zone in order to provide proper drainage along with new fencing and landscaping, all in compliance with parish ordinances etc.

08/17/2022

504-577-5241

I, CARD HAMBACHEL , Owner of property at LA315 Ham 59 Abre Springs La 70420, located adjacent to 21485 Mire Dr. Abita Springs, La. 70420 Hereby agree in removing tree and brush within the 10 ft buffer zone in order to provide proper drainage along with new fencing and landscaping, all in compliance with parish ordinances etc.

504-416-5313

I, <u>Merter f. Burnella</u>, Owner of property at <u>(09311 Hwy 59 Cobita Springs, LA</u>, located adjacent to 21485 Mire Dr. Abita Springs, La. 70420 Hereby agree in removing tree and brush within the 10 ft buffer zone in order to provide proper drainage along with new fencing and landscaping, all in compliance with parish ordinances etc.

985-273-1231