

**AGENDA MEETING  
ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING  
MARCH 7, 2023 – 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 FEBRUARY 7, 2023 MINUTES**

**1- BOA CASE NO. 2023-3229-BOA**

Request by applicant in a HC-3 Highway Commercial Zoning District & RBCO Regional Business Corridor Overlay for:

- a waiver of the required east side yard buffer and required number of Class A & Class B trees.
- a reduction of a portion of the required 10 foot east side buffer to allow for the placement of the dumpster within the buffer.
- the removal of more than 50% of the protected trees.

The property is located: 69280 Highway 21, Covington, Louisiana

Applicant & Representative: Burger Engineering, LLC. – Bryan Burger

**2- BOA CASE NO. 2023-3244-BOA**

Request by applicant in an A-3 Suburban Zoning District for a waiver of the required north and south side planting buffers and required number of Class A & Class B trees.

The property is located: 59424 N. Pearl Drive, Slidell, Louisiana

Applicant & Representative: Earl & Nancy Morrison

**OLD BUSINESS**

**NEW BUSINESS**

**ADJOURNMENT**

**MINUTES**  
**ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING FEBRUARY 7, 2023**  
**ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING A**  
**21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS**  
**MANDEVILLE, LOUISIANA**

The February 7, 2023 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, Mr. Spies, Mr. Blache, Mr. Daly, Mr. Sanders, Mrs. Thomas.

ABSENT: Mr. Swindell

STAFF PRESENT: Mrs. Lambert, Mrs. Couvillion, Mr. Liner, Ms. Contois

**APPROVAL OF THE MINUTES**

Moved by Mr. Blache and seconded by Mr. Daly to accept the January 3, 2023 minutes.

**MOTION CARRIES UNANIMOUSLY**

**1- BOA CASE NO. 2022-3095-BOA**

Request by applicant in a NC-4 Neighborhood Commercial District to reduce the required setbacks for an existing cellular tower to 40.43 feet & 74.77 feet on the south side, 50.47 feet on the west side and to 15 feet on the east side.

The property is located: 23305 LA Highway 1088, Mandeville, Louisiana

Applicant: Moore 59, LLC – Paul Damian Reese

Representative: Paul J. Mayronne

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

Paul Mayronne: The property is a 21 acre parcel of land located along Highway 1088, zoned NC-4 Neighborhood Institutional District. Proposing to developed a small commercial park. There is an existing cellular tower on the site since 2001. Tried to obtain information regarding the tower and fall/fold over zone but the information is not available. As a result, revised plan submitted to accommodate the 250 foot fall zone. Parish regulation requires that no property line be located within the fall distance of the tower or 250 foot radius. Revised plan shows that no structure can be built within the 250 foot fall zone radius. Two points that still give rise for the need for a variance. The first one is that the southern property line is within the 250 feet, but by creating a greenspace on the south side, it will encompass the 250 foot fall radius. If the tower falls, it will fall within the greenspace. Second variance is due to Moore Park Drive being located within the 250 foot fall radius. Many other structures are allowed surrounding a roadway that are more vulnerable than the tower, such as electric poles and poles for traffic signals. Also, Moore Park Drive is not a major thoroughfare versus Highway 1088. For all the reasons presented, and the fact that no structures or improvements will be constructed within the fall radius besides park and Moore Park Drive, requesting approval of the variances. As per the staff report, agree to the request to preserve parcel G-1 as greenspace. If the request approved is by the Board, all approved



Tentative, Preliminary and Final plans will identify parcel G-1 as greenspace and no build parcel, to encompass the tower fall zone. It will allow to confirm that it will remain as a greenspace, as a no build parcel. It will run with the land and recorded with the parcel with the final plat. Plat amendment would require public hearing in front of the Planning Commission.

Mr. Blache: Have variance been granted where, if a tower falls, it could cross the roadway?

Mrs. Lambert: Yes, the Board has granted similar variances.

Mr. Blache: Lots of safety issues have been taken off. More than likely, there will not be a lot of traffic during a storm.

Mr. Spies: Could an engineer provide information regarding the fall radius of the tower?

Paul Mayronne: Attempted to obtain from tower provider. Could get information from 3<sup>rd</sup> party engineer: however, It would have been a time constraint.

Mr. Spies: Being an industrial development, some employees will be working in the buildings?

Paul Mayronne: The parcels will be developed with Commercial or Office Spaces. There are 9 usable parcels.

Mr. Daly: Tower has been in place for more than 20 years. Will all the parcels will have direct access from Moore Park Drive? Would also add as part of the motion that no driveway be constructed within the greenspace.

Paul Mayronne: All parcels will be accessed from Moore Park Drive. No objection to have no driveway within the greenspace.

Motion by Mr. Daly seconded by Mrs. Thomas to approve the requested variance as amended, subject to all approved Tentative, Preliminary and Final plans identifying parcel G-1 as greenspace, no driveway allowed within the greenspace and no building constructed on parcel G-1, reserved to encompass the tower fall zone.

4 YEAS

1 NAY

**MOTION CARRIES**

**2- BOA CASE NO. 2023-3208-BOA**

Request by applicant in an A-6 Multiple Family Residential Zoning District to reduce the required rear yard pool setback from 5 feet to 2 feet.

The property is located: 449 Marina Front Drive, Mandeville, Louisiana

Applicant & Representative: FKC Investments LLC – Franklin Kyle

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

Franklin Kyle: Owner of the property. Small unit – pad, difficult to fit pool, reasonable request because it faces the river, no abutting neighbor in the rear. Three (3) foot setback variance request.

Mr. Ballantine: Question the bulkhead and once the pool is filled with water, what will be the loading on that bulkhead, the pilings are going to change. Are you considering this issue?

Franklin Kyle: Yes, the pool is be supported by pilings just like the house. Also, the bulkhead is not on the property line, it is 12 feet past the property line.

Mrs. Thomas: No objection letter submitted by HOA provided. Beautiful area to be build a house.

Mr. Daly: Is the Bulkhead maintained by the HOA?

Franklin Kyle: The Bulkhead has been maintained by the Marina. Now the Bulkhead will be maintained by the homeowners facing the river.

Motion by Mrs. Thomas seconded by Mr. Spies to approve the variance as requested.

**MOTION CARRIES UNANIMOUSLY**

**3- BOA CASE NO. 2023-3210-BOA**

Request by applicant in an A-1 Suburban Zoning District for an after the fact request for a reduction of a portion of the required 50 foot no cut buffer to 5 feet.

The property is located: 289 Shenandoah Lane, Covington, Louisiana

Applicant & Representative: Angelina Burst

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

Paul Mayronne: The property is located within a low density 15 home development and was cleared in the past. Historically, it was cleared and it was used as pasture land to run cattle, and later on replanted with plantation pines, intended to harvest. There is a provision under the A-1 Suburban District that a 50 foot no cut buffer be maintained along the perimeter. Driveway was recently placed within the 50 foot no cut buffer. Only 2 neighbors affected and there is no objection to replanting with bamboo. Many other driveways placed within the 50 foot no cut buffer, some run along the property line, since some parcels are still pasture. The property line in question, where the clearing took place, is approximately 875 foot long. Request a variance of 300 feet of the 875 feet, relatively short stretch encroaching in the buffer. Looking at the areal included in the packet, site outline in blue, referring to the west side of the property line, there is a remaining treed buffer to be enhanced with bamboo to be planted. Even if the driveway in currently location, there is still a large buffer on the opposite parcel. The trees within the subdivision have been damaged



by Hurricane Ida, and had to be removed. After discussion with neighbor, suggesting to preserve the remaining trees and plant clumping bamboo within the remaining 20 foot buffer, which will provide a better buffer once the bamboo is mature. Request to have planting completed prior to certificate of occupancy to make sure survival of the bamboo since the driveway will also require some more work. Final inspection will have to take place prior to occupancy, and the replanting could be inspected at the same time.

Mr. Ballantine: There are still trees leaning due to the hurricane. Since Bamboo is intrusive can the pine trees survive?

Paul Mayronne: I believe that the bamboo will survive. Ask to be able to review the letter/email received in objection to the requested variance.

Mr. Daly: Clumping bamboo does not spread.

Ms. Contois: Clumping bamboo is a grass, it becomes a maintenance problem since it leans over. It is not native, it is not on our plant list and it is not a one to one replanting compared to what would normally be suggested. It is a fast growing tall grass.

Paul Mayronne: Ask to address the letter/email received by adjacent neighbor Mr. Lagalante. Ask that bamboo be planted along his property line and he would not be in objection to the request. Bamboo was planted along the property line on 02/05/2023. Mr. Lagalante confirm to Mr. Mayronne that the bamboo was planted to his request, according to agreement. That was the basis of comment regarding no objection earlier in presentation

Mr. Blache: Ask Mr. Mayronne to explain the reason for the applicant not being aware of the required 50 foot no cut buffer and that contractors involved should have known about the buffer requirements.

Paul Mayronne: The property owners hired contractor to install driveway. Both property owners and contractors were not aware of required 50 foot no cut buffers along the property line. Violation reported to the Parish. Contractor worked on other houses and installed other driveways within the 50 foot no cut buffer.

Mr. Blache: Was a permit applied for, for the construction of the driveway?

Paul Mayronne: No driveway permit applied for.

Mr. Blache: Is a permit required for a driveway?

Mrs. Lambert: Only if fill is placed on the property.

Mr. Blache: Similar variances applied for in the past and it is almost like if there is a request for forgiveness. Rules are in place for a reason and contractor should have been aware of the regulation.

Paul Mayronne: Not aware of the 50 foot no cut buffer along all sides of the property.

Mr. Blache: What is the recommendation from Landscape Architect?

Ms. Contois: If the Board does not object to the driveway remaining in current location, there is a 20 foot area available for replanting. It would be preferable to replant with a mixture of native trees. It would better serve the benefit of the homeowners in the long term. Bamboo is not a native tree and it will become a maintenance issue with time.

Paul Mayronne: No objection to the request to replant with native trees and will submit replanting plan including spacing and species of trees to be reviewed by Regan Contois.

Mr. Daly: Ask question regarding the location of the driveway, along the property line. Unusual division of the property, at a point where the driveway enters the property.

Paul Mayronne: One shared driveway in the middle which provides access to the three parcels. Driveway of the parcel in question, comes in the corner of the property.

Motion by Mr. Blache seconded by Mr. Spies to approve the requested variance subject to submitting a replanting plan of native trees and shrubs, approved by landscape architect and allowing driveway to remain 20 feet from the property line.

## **MOTION CARRIES UNANIMOUSLY**

### **4- BOA CASE NO. 2023-3211-BOA**

Request by applicant in a NC-6 Public, Cultural & Recreational Zoning District for a reduction of the required 30 foot buffer on portions of the eastern buffer and a portion of the southern buffer.

The property is located: US Highway 190, Slidell, Louisiana

Applicant: Jubilee RV, LLC

Representative: Jeffrey Schoen and Sean Burkes

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

Jeffrey Shoen: Explains history of mobile home park previously located on the property, destroyed by Hurricane Katrina. Client wants to construct first class R.V & camping area by using the same footprint of the previous mobile home subdivision. No mobile homes will be placed within the development, only R.V. which will allow for evacuation in case of a storm coming. Zoning Commission and Council approved zoning change to NC-6 to allow for the RV park. Prior park was developed with 250 mobile home sites. The property was recently resubdivided in 3 large lots to be developed with R.V. sites and one lot for the utility area. Wants to create site for R.V. and use most of the existing infrastructure, layout, including the roads. The staff report indicates the 3 requested variances. Pond, utilities and road too close to the property lines. Refers to the letter from Burkes and attached plan, shows designation in red where adjustments are needed. Abutting properties are undeveloped. Requested variance should not impact anyone in the area. Hoping to obtain Preliminary Subdivision approval from Planning Commission in March and will have to go back and make some changes and upgrades to the infrastructure. New R.V. Park will attract people



from all over the country.

Mr. Ballantine: Appreciate the effort of the developer to redevelop a previously existing subdivision.

Motion by Mrs. Thomas and seconded Mr. Blache by to approve variances as requested.

**MOTION CARRIES UNANIMOUSLY**

**5- BOA CASE NO. 2023-3213-BOA**

Request by applicant in a HC-3 Highway Commercial Zoning District for a waiver of the required 10 foot side yard buffers and a waiver of the required number of Class A & Class B trees.

The property is located: 61025 US Highway 11, Slidell, Louisiana

Applicant: Brown's Village Plaza, LLC

Representative: Vincent Wynne

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

Vincent Wynn: Representing Brown's Village Plaza, LLC. The property was acquired through a lawsuit 16 years ago. Was hopeful to developed property. No development happened, need to come up with a better plan, with smaller parcels. New plan shows 6 parcels. Interested parties to develop the site. It is a 30 year old site which is kind of an eye sore. Variance needed to remove some of the setback requirements. No objection to proposed required replanting. It is a large piece of concrete and has been for a long time. Will be on the Planning Commission agenda to get approval for the proposed minor subdivision.

Mr. Ballantine: Support proposed development. Lots of concrete on the parcel, will landscaping be added to the property?

Ms. Contois: It is my understanding that the staff report indicates that the required buffers along the interior property lines would be waived, and plant buffers along the side property lines and along the roads. Also to provide the required parking islands and required Class A trees. It is proposed to be developed more like one large development. Some of the existing paving along the road will have to be removed to meet the required planting buffers. Ask question regarding the proposed number of driveways as it may affect the configuration of the parcels and some of the required greenspace.

Vincent Wynn: Existing driveway on Hwy 11 will be maintained. Some of the property was taken by the Department of Transportation, relative to the widening of Hwy 11, resulting in one of the driveway being eliminated. Will meet with staff to show and confirm configuration of driveways.

Mr. Daly: How many parking islands are required to be added?

Mrs. Lambert: As per the requirements, every 12 spaces.

Ms. Contois: We previously meet with the owner and discuss the requirement to have 1 parking island every 12 spaces.

Mr. Spies: Does the code allow for the removal of the buffers?

Ms. Contois: The variance request is to allow for the waiver of the interior buffers and required setbacks. Drainage plan will also be required to be provided.

Jimmy Davis: Ask if the request is a financial hardship?

Ross Liner: Looking at a site that is approximately 30 years old to be brought back into commerce. Trying to work with applicant based on the fact that 30 years ago, the code was not the same.

Jimmy Davis: Requested variance is a mix of past code and new Code.

Ross Liner: Correct.

Mr. Blache: Need to encourage that type of development even more since it has become some sort of blight over the years. No reason to deny request and progress in the area.

Motion by Mr. Blache seconded by Mr. Spies to approved the requested variance subject to providing a landscape plan, before applying for the building permit for new commercial building, meeting the following requirements:

- Provide the required number of Class A & Class B trees and shrubs within the existing Hwy 11 planting area.
- Provide the required number of Class A & Class B trees within the north side planting area.
- Creation of a buffer along Brown's Village road and provide the required number of Class A & Class B trees and shrubs.
- Add landscape islands within the parking lot with required Class A tree.



**6- BOA CASE NO. 2023-3214-BOA**

Request by applicant in a HC-2 Highway Commercial Zoning District for the removal of 24" live oak tree.

The property is located: 67809 LA Highway 41, Pearl River, Louisiana

Applicant & Representative: Executive Holdings, LLC – Corey Smith

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

Corey Smith: Representative for the project. Request is to allow for the removal of a 24" live oak trees. There are several elements making the development of the property difficult. There is a 50 foot stream no cut buffer, which is irregular. There is also no public water and sewer on the site requiring installation of well and sewer treatment plant and there is a required setback between the utilities. Site is located not located in Flood zone currently but in a proposed Flood zone map and per FEMA map, it is required to meet the proposed flood map. There are also detention ponds required to be provided and landscape buffers. Number of factors limits the placement of the building. The existing live oak is located in the developable area of the property. Request is to allow for the removal of the live oak and to replace it not only with the required number of live oak but with an increased of caliper inches trees on the site.

Mr. Ballantine: The live oak tree is beautiful and there are other live oak trees in close proximity. There is concerted effort along Hwy 41 to preserve the live oak trees.

Mr. Spies: Proud of live oak trees in St. Tammany Parish, need to reconfigure the site plan to preserve the live oak tree.

Ms. Contois: Live Oak tree is graded as an A. It should be replaced with Cypress trees. Due to the required pond, there is no space to replace with live oak trees.

Mr. Blache: Is there a required buffer along the stream? Is it possible to flip the building? In regards to the water well, is it possible to move it to the west side, to allow to preserve the live oak tree?

Corey Smith: There is a required 50 foot no cut buffer along the stream.

Mr. Blache: Is it possible to flip the building? In regards to the water well, is it possible to move it to the west side, to allow to preserve the live oak tree?

Corey Smith: 4 to 5 foot Chain wall required along the stream. To meet the required flood zone fill mitigation even if the property is not in a flood zone, restrict where the building can be placed on the property.

Mr. Blache: Would be more in favor of granting some variance in other areas instead of the requesting to remove the live oak tree.

Corey Smith: Can the 50 foot stream buffer be adjusted or landscape buffers reduced if the live oak tree is proposed to be preserved?

Mr. Blache: I would be more in favor of such a requested variance.

Mrs. Thomas: Suggest to postpone the requested variance.

Mr. Daly: Is there a gravel road on the property?

Corey Smith: The plan is to donate the abutting neighbor who owns a single family residence in the rear of the property to allow the owner to maintain own driveway. Would like to request to postpone the variance request to look at other options to reconfigure the site.

Motion by Mr. Spies and seconded by Mrs. Thomas to postpone the request until the April 4<sup>th</sup>, 2023 BOA meeting.



## **OLD BUSINESS**

Mr. Daly: Discussion regarding Positive & negative vote.

Mr. Blache: Abstain from vote create issues at time, may create equal sided vote.

Mrs. Couvillion: Louisiana legislature changed the law to appointed boards and commission to allow to abstain in the event that there is a conflict under the governmental ethics. Abstention for other reasons could be included in the change of the By-Laws. I am not aware that it is an issue with this Board.

Mr. Blache: It happened in the past.

Mrs. Thomas: Wouldn't you recuse yourself in that case?

Mr. Blache: Correct.

Mrs. Couvillion: Mr. Daly wanted to discuss to always make positive motion.

Mr. Ballantine: Yes, but also the fact that we need 4 affirmative votes for a motion to pass. Uncomfortable with arrangement. Difficult when there is a motion to approve but all the members are against the request. Motion can always be made affirmatively also according to staff comments.

Mr. Daly: It is also beneficial to confirm the reason for the vote or explain the motion.

Mr. Spies: Uncomfortable of always making a favorable motion.

Mr. Ballantine: Mrs. Couvillion clearly explained the reason for making a positive motion at the last meeting.

## **NEW BUSINESS**

**ADJOURNMENT:** Mr. Ballantine, CHAIRMAN

**MOTION CARRIED UNANIMOUSLY**

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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**

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Case File Number:	BOA Case No. 2023-3229-BOA
Initial Hearing Date:	03/07/23
Date of Report:	02/28/23

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**GENERAL INFORMATION**

Applicant:	Burger Engineering, LLC
Representative:	Bryan Burger
Location of Property:	69280 Hwy 21, Covington, Louisiana
Zoning of Property:	HC-3 Highway Commercial District & RBCO Regional Business Corridor Overlay
Variance(s) Requested:	A waiver of the required east side yard buffer and required number of trees, a reduction of a portion of the required 10 ft buffer and removal of more than 50% of the protected trees.

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**OVERVIEW**

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

- a waiver of the required east side yard buffer and required number of Class A & Class B trees.
- reduction of a portion of the required 10 foot east side buffer to allow for the placement of the dumpster within the buffer.
- removal of more than 50% of the protected trees.

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**STAFF COMMENTS**

As per the Unified Development Code Sec. 130-1977. - Side and rear buffer planting area requirements.

- (a) *Definition.* A buffer planting area is defined as an area of land located along the side and rear property lines, common to adjacent properties, designated for the preservation of trees and landscaping. Buffer planting areas terminate at, and do not include any area within, street planting areas. Buffer planting areas shall be designed to provide a horizontal distance and landscaped open space between properties.
- (b) *Buffer planting area width.* Buffer planting area width shall be a minimum of ten feet, except that buffer planting area width for an industrial use abutting a non-industrial use shall be a minimum of 25 feet.
- (e) *Planting requirements in buffer planting areas.*
- (1) *Trees required if unencumbered by utility servitude.* Subject to the reduction and credit for existing trees as set forth in section 130-1975, the following minimum number of trees shall be planted in the buffer planting areas which are not encumbered by a servitude or easement:

Category	Number
Class A trees	One for each 30 linear feet of the buffer planting area
Class B trees	One for each 30 linear feet of the buffer planting area



There is also an approved RBCO Regional Business Center Overlay for the River Chase Development which allows for flexible design standards without regard for the location of internal property lines and other limiting factors. The approved RBCO for the River Chase Development allows for the removal of live oak and cypress trees and replanting in the Tree Mitigation Areas established within the RBCO.

The objective of the requested variances is to allow for:

- the construction of a 3<sup>rd</sup>/multi-lane order point to increase the speed of service for the customers using the drive-thru.
  - a 400 square foot addition to the existing building
  - the dumpster enclosure/storage room to encroach into the required 10 foot buffer.
1. In July 2022, the Board of Adjustment granted a variance to reduce the required southern side yard buffer to allow for the construction of a 2<sup>nd</sup> drive-thru lane. While the objectives of the construction of the 3<sup>rd</sup> drive-thru lane are similar to the objectives of the 2<sup>nd</sup> drive-thru lane, which is to increase the speed of customer service and reduce the length of staking, no traffic study has been provide to confirm the need for a 3<sup>rd</sup> drive-thru lane.

As shown on the attached drawing, the construction of the 3<sup>rd</sup> drive-thru lane would require the removal of a portion of the existing 5 foot buffer on the east side of the property and the removal of existing magnolia & crape myrtle trees. The magnolia trees are proposed to be replaced with 7 Class B trees/Crape Myrtle and shrubs/dwarf wax myrtle, within the abutting River Chase right of way. Note that the objective of the landscaping ordinance is to encourage the preservation of existing trees and buffers.

2. The addition of the 3<sup>rd</sup> drive-thru also triggers the request for the removal of:
  - trees within the southern buffer.
  - more than 50% of the existing protected trees (live oaks and cypresses) on the overall site, in conjunction between the previously approved variance to remove cypress and oak trees for the 2<sup>nd</sup> drive thru lane and the current variance request.

Additional trees are proposed to be planted within the existing buffers and the parking area to mitigate the removal of some of the trees. As stated above, the RBCO allows for the removal of live oak and cypress trees and replacement within the Tree Mitigation Areas and elsewhere on the property. As per the tree preservation plan identified as Sheet TP-1 (see attached), one live oak and one cypress are requested to be removed and replaced within the RBCO communal greenspace/Tree mitigation area.

The removal of the existing live oaks and cypress trees do not only defeat the objective of the RBCO, which is to provide for a high quality design, but also the objective of the landscaping ordinance, which is to encourage the preservation of existing trees and buffers.

3. The existing dumpster located on the site will remain in its current location; however, since it will be increased in size, there is a request to reduce the size of the existing 10 foot buffer to accommodate the larger dumpster. There is no objection to the request, since it will not require the removal of any existing trees and additional shrubs are proposed to be planted in the rear of the dumpster.





2023-3229-BOA

BREWSTER

BELLE VU

MAISON

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STIRLING

STIRLING

BREWSTER

BREWSTER



**B** | BURGER  
ENGINEERING  
Civil Consultants

January 24, 2023

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

Re: Variance Request  
Chick-fil-A  
69280 L.A. State Highway 21  
Covington, Louisiana  
B.E. No. 013-373

Dear Department of Planning & Development,

Please accept this letter as our formal request for two specific variances related to the above existing Chick-fil-A restaurant. The requested variances are listed below:

1. Approval of a variance to reduce the landscape buffer along the east property line from the required 5' to 0'. Plantings within the provided landscape buffer will be provided as shown on the conceptual landscape plan.
2. Approval of a variance to allow an unoccupied structure (dumpster enclosure/storage room) to encroach within the required 10' building setback at the northeast property corner.
3. Approval of a variance to allow removal of more than 50% of the protected trees onsite.

The requested variances will allow for the construction of a multi-lane order point and an approximate 400 square foot building expansion. The improvements will provide increased stacking for the drive-through as well as increase the speed of service for drive-through customers. The increased drive-through capacity will also reduce the current traffic back-up that exists on L.A. State Highway 21 due to the existing single lane drive-through.

Please contact our office if you have any questions or comments.

Sincerely,



Bryan M. Burger, P.E.

BRYAN M. BURGER, P.E.

17103 Preston Road, Suite 180N | Dallas, Texas 75248 | Office: 972.630.3360 | Fax: 972.630.3380

**B**

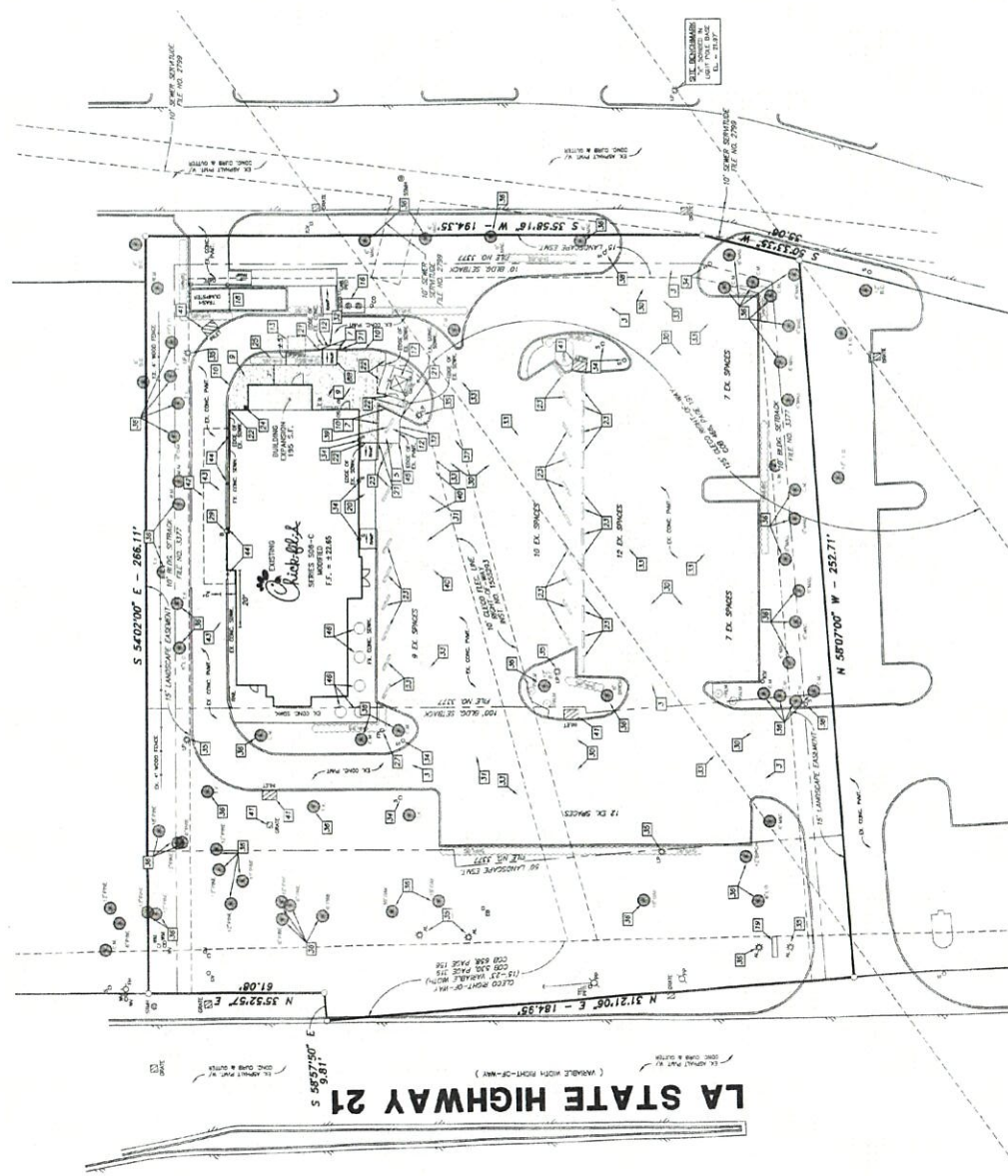






# NOTES

1. ALL ON-SITE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS STANDARD SPECIFICATIONS FOR CONSTRUCTION.
2. ALL CONSTRUCTION IN CITY RIGHT-OF-WAYS AND/OR EASEMENTS SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS STANDARD SPECIFICATIONS.
3. PRIOR TO ANY CONSTRUCTION, THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS AND THE TEXAS DEPARTMENT OF TRANSPORTATION.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES DURING THE CONSTRUCTION OF THIS PROJECT.
5. ALL DIMENSIONS SHOWN ARE TO FACE OF CURB, BRICK, OR AS OTHERWISE NOTED.
6. ALL DIMENSIONS SHOWN ARE TO FACE OF CURB, BRICK, OR AS OTHERWISE NOTED.
7. REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS.
8. ALL PARKING SPACES SHALL BE STIPED IN ACCORDANCE WITH APPLICABLE GOVERNING AUTHORITIES.



SITE DATA	
OWNER:	CHICK-FIL-A, INC.
PROJECT:	5300 PRESTON ROAD
LOCATION:	ATLANTA, GEORGIA 30334
DATE:	07/22/18
DESIGNED BY:	CHICK-FIL-A, INC.
DRAWN BY:	BURGER ENGINEERING, LLC
CHECKED BY:	BURGER ENGINEERING, LLC
DATE:	07/22/18
PROJECT NO.:	17103 PRESTON ROAD, SUITE 100N
CLIENT:	CHICK-FIL-A, INC.
CONTACT:	BRYAN M. BURGER, P.E.

## VICINITY MAP

N.T.S.

- LEGEND
- 1. EXISTING ROAD
  - 2. EXISTING SIDEWALK
  - 3. EXISTING DRIVE
  - 4. EXISTING UTILITY
  - 5. EXISTING TREE
  - 6. EXISTING FENCE
  - 7. EXISTING SIGN
  - 8. EXISTING LIGHT
  - 9. EXISTING CURB
  - 10. EXISTING PAVEMENT
  - 11. EXISTING GRAVEL
  - 12. EXISTING DIRT
  - 13. EXISTING SAND
  - 14. EXISTING ROCK
  - 15. EXISTING BRICK
  - 16. EXISTING CONCRETE
  - 17. EXISTING ASPHALT
  - 18. EXISTING GRASS
  - 19. EXISTING TREES
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  - 747. EXISTING GRAVELS
  - 748. EXISTING DIRTS









**B**

ENGINEER:  
BURGER ENGINEERING, LLC  
REGISTERED ENGINEERING FIRM NO. 49770  
103 PRESTON ROAD, SUITE 180N  
DALLAS, TEXAS 75248  
PHONE: (972) 630-3360  
CONTACT: BRYAN W. BURGER, P.E.



NOT TO SCALE



PROTECTION FENCE B

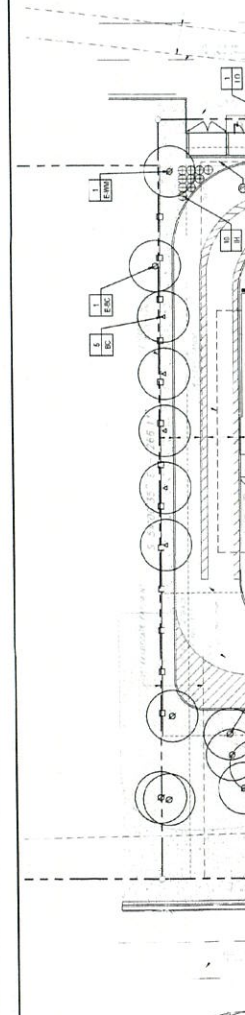


NOTE:  
FENCING SHOWN ABOVE IS DIAGRAMMA  
AND WILL CONFORM TO THE DRIP LINE  
TO PROJECT BOUNDARY



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Revisions:

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<p>minimum landscape ordinance:</p> <p>(1) Class A and Class B Trees          every 30 linear feet (1) Small          every 30 linear feet (1) Small          of the planting area shall be          if it is less than 300 linear feet          forage. No more than 50% of          trees planted shall be of the</p>	<p>18th Avenue (184.95 LF)          Required          20' min. width          (9) Class A Trees          (6) Class B Trees          (16) Shrubs          2" Pl. Parking Lot Screening</p>	<p>Howards          20' min. width          (9) Class A Trees          (6) Class B Trees          (16) Shrubs          2" Pl. Parking Lot Screening          (5) Plant          (27) E.T.          Score</p>	<p>Side &amp; Rear Yard Buffer Planting          Requirements: Buffer planting shall be          Class A and Class B trees for each 30' of          planting area.</p>
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	21 HIGHWAY 12 B' E SUBDIVISION H. LOUISIANA
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GENOTYPE NAME	SEX	RELATIVE TO MAINTENANCE ROOTS
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planting area. (1) shrub per 10L1 of area.	West Property Corner going Southeast N 68°10'00" W (159.50 11)	Provided (2) Elm (4) Pine (4) Live (42) P (42) P Vegetative Groundcover	Northwest Provided (7) Pine (7) Live (59) P (59) P Vegetative Groundcover
planting area. (1) shrub per 10L1 of area.	South Property Corner going Northeast Property Corner (210.01 11)	Required (7) Clives A or Class B Trees (21) Shrubs (21) Vegetative Groundcover	East Property Corner going Northwest S54°00'00" E (206.11 11)

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69280 LA STATE	TRACT	STIRLING MANDEVILL	ST. TAMMANY PARIS
STORE	SERIES	S06-C	MODIFIED

1. Periodic demolition, salvage and production of reusable materials, surface and finish to be shown on the drawing.
2. Before salvaging proposed, and to ensure access to all structural steel members and to facilitate the removal of the same, the contractor shall demolish the existing structure in accordance with the following:
  - a. Demolition shall be done in a systematic manner so that the structure is demolished in a controlled manner and the debris is kept in a designated area.
  - b. Demolition shall be done in a manner that will not cause damage to the structure to be salvaged.
  - c. There is to be no demolition and repair activities until work is required to be done on the structure.
  - d. Demolition shall be done in a manner that will not cause damage to the structure to be salvaged.
3. Demolition shall be done in a manner that will not cause damage to the structure to be salvaged.
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10. Demolition shall be done in a manner that will not cause damage to the structure to be salvaged.

**NOTE:** Fertilizer will not be sold to holders of retail certificates or to anyone who cannot provide a valid receipt for material intended for use in a regulated area.

**ADDITIONAL INDICATIONS**

- (1) Phosphate Soluble Soil
- (2) Existing Turf To Revitalize
- (3) Native Grasses, Medium Soils, Various Types of Lawns, Pastures, Golf Courses, etc.  
Use with sand during initial soil work.
- (4) Existing Bulbs To Nurture
- (5) Existing Turf Entry Signs  
Grasslands In Transition
- (6) Existing Trees To Nurture  
Existing Pine Shrub

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SHEET TITLE	LANDSCAPE PLAN
<input checked="" type="checkbox"/> For Permit <input type="checkbox"/> For Bid <input type="checkbox"/> For Construction	Job No. : 013-3731 Store : 01451 Date : 04/23/21 Drawn By : RMP Checked By: BMB

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**LANDSCAPE NOTES**

1. **Planting and Care:** Plant in full sun. Water regularly, especially during the first year. Prune in late winter or early spring.
2. **Companion Planting:** Good with other flowering shrubs and perennials.
3. **Soil Requirements:** Well-drained, slightly acidic soil.
4. **Pruning:** Prune in late winter or early spring to maintain shape.
5. **Propagation:** Can be propagated by cuttings or layering.
6. **Uses:** Suitable for hedges, borders, and as a specimen plant.
7. **Seasonal Interest:** Provides year-round interest with its dense foliage and occasional flowers.
8. **Health and Safety:** Non-toxic to humans and animals.
9. **Availability:** Widely available at nurseries and garden centers.
10. **Additional Notes:** This plant is a good choice for low-maintenance landscaping.

**APPLY TO:**  
**CHINA T. INC.**

**Address:** 1234 Main St., Suite 500, New York, NY 10001  
**Phone:** (212) 555-1234  
**Fax:** (212) 555-5678  
**Email:** info@china-t.com  
**Website:** www.china-t.com

1. All lower areas damaged during construction to be repaired.
2. Adjacent drainage areas to existing problem drainage areas, including all ditches and subdrains of ditches and embankments at least, where water may stand.
3. All areas to be repaired must be graded by hand to edge of cut and bedding. Top three feet by hand.
4. First repaired areas to be done a second, even so.

### GENERAL LAWN NOTES

1. Fertilizer granules to be applied. Soil nutrient indicated on seed package.
2. Fertilizer granules to be applied. Soil nutrient indicated on seed package. Provide instructions on how to apply fertilizer granules. Provide instructions on how to apply fertilizer granules. Provide instructions on how to apply fertilizer granules.
3. All other areas to be mowed and edged to be in a minimum of 1" above the final grade. Contact a local lawn care company for more information.
4. All other areas to be mowed and edged to be in a minimum of 1" above the final grade. Contact a local lawn care company for more information.
5. All other areas to be mowed and edged to be in a minimum of 1" above the final grade. Contact a local lawn care company for more information.
6. All other areas to be mowed and edged to be in a minimum of 1" above the final grade. Contact a local lawn care company for more information.
7. All other areas to be mowed and edged to be in a minimum of 1" above the final grade. Contact a local lawn care company for more information.

### SOLID SOIL NOTES

1. Fertilizer granules to be applied. Soil nutrient indicated on seed package.
2. Fertilizer granules to be applied. Soil nutrient indicated on seed package. Provide instructions on how to apply fertilizer granules. Provide instructions on how to apply fertilizer granules. Provide instructions on how to apply fertilizer granules.
3. All other areas to be mowed and edged to be in a minimum of 1" above the final grade. Contact a local lawn care company for more information.
4. All other areas to be mowed and edged to be in a minimum of 1" above the final grade. Contact a local lawn care company for more information.
5. All other areas to be mowed and edged to be in a minimum of 1" above the final grade. Contact a local lawn care company for more information.
6. All other areas to be mowed and edged to be in a minimum of 1" above the final grade. Contact a local lawn care company for more information.
7. All other areas to be mowed and edged to be in a minimum of 1" above the final grade. Contact a local lawn care company for more information.

Sheet  
L-1

**BURGER**  
**ENGINEERING**  
Civil Consultants

17401 Peacock Road, Suite 100N  
Orange, CA 92667-1000  
Phone: (714) 291-1000 Fax: (714) 291-1386  
E-Mail: [info@burger-ca.com](mailto:info@burger-ca.com)  
LPEL580 (NO. 079)

 811  
Call 811 to find out what's underground.  
Call 811 to find out what's underground.

**BURGER ENGINEERING, LLC**  
17153 PRESTON ROAD, SUITE 1800  
DALLAS, TEXAS 75248  
CONTACT: BRIAN M. BURGER, P.E.

3. All backache issues should be kept free of heavy, non-maintained or patients and part of this plan.
4. All patient material should be maintained in a healthy manner as is appropriate for this section of the plot.
5. All other material which does not fit the replacement will be better value.
6. Contractor should provide separate for personal and professional maintenance to begin after their acceptance.

[illegible]





**Burger Engineering**  
 5200 Burlington Rd.  
 Suite 200  
 Dallas, Texas 75254  
 972-443-8899

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**ST. TAMMANY PARISH BOARD OF ADJUSTMENT**  
**STAFF ANALYSIS REPORT**

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Case File Number:	BOA Case No. 2023-3244-BOA
Initial Hearing Date:	03/07/23
Date of Report:	02/28/23

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**GENERAL INFORMATION**

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Applicant & Representative:	Earl & Nancy Morrison
Location of Property:	59424 N. Pearl Drive, Slidell, Louisiana
Zoning of Property:	A-3 Suburban Zoning District
Variance (s) Requested:	A waiver of the required side planting buffers and required number of trees

---

**OVERVIEW**

Request by applicant in an A-3 Suburban Zoning District for a waiver of the required north and south side planting buffers and required number of Class A & Class B trees.

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**STAFF COMMENTS**

As per the Unified Development Code Sec. 130-1977. - Side and rear buffer planting area requirements.

- (a) *Definition.* A buffer planting area is defined as an area of land located along the side and rear property lines, common to adjacent properties, designated for the preservation of trees and landscaping. Buffer planting areas terminate at, and do not include any area within, street planting areas. Buffer planting areas shall be designed to provide a horizontal distance and landscaped open space between properties.
- (b) *Buffer planting area width.* Buffer planting area width shall be a minimum of ten feet, except that buffer planting area width for an industrial use abutting a non-industrial use shall be a minimum of 25 feet.
- (e) *Planting requirements in buffer planting areas.*
  - (1) *Trees required if unencumbered by utility servitude.* Subject to the reduction and credit for existing trees as set forth in section 130-1975, the following minimum number of trees shall be planted in the buffer planting areas which are not encumbered by a servitude or easement:

Category	Number
Class A trees	One for each 30 linear feet of the buffer planting area
Class B trees	One for each 30 linear feet of the buffer planting area

The objective of the requested waivers is to allow for the construction of a new limestone access drive which will extend approximately half of the property. The new driveway will provide access to a new building and additional parking spaces proposed to be located in the rear of the existing building (see attached plan). While the construction of the new driveway will require the removal of 4 of the existing oak trees, all the live oak trees and other trees located on the property will be preserved. A total of seven (7) parking islands with a Class A trees in each island are proposed to be provided to mitigate the removal of the 4 oak trees. There is no objection to the request considering that the additional trees and parking islands will definitely enhance the appearance of the front parking lot and the entire site.

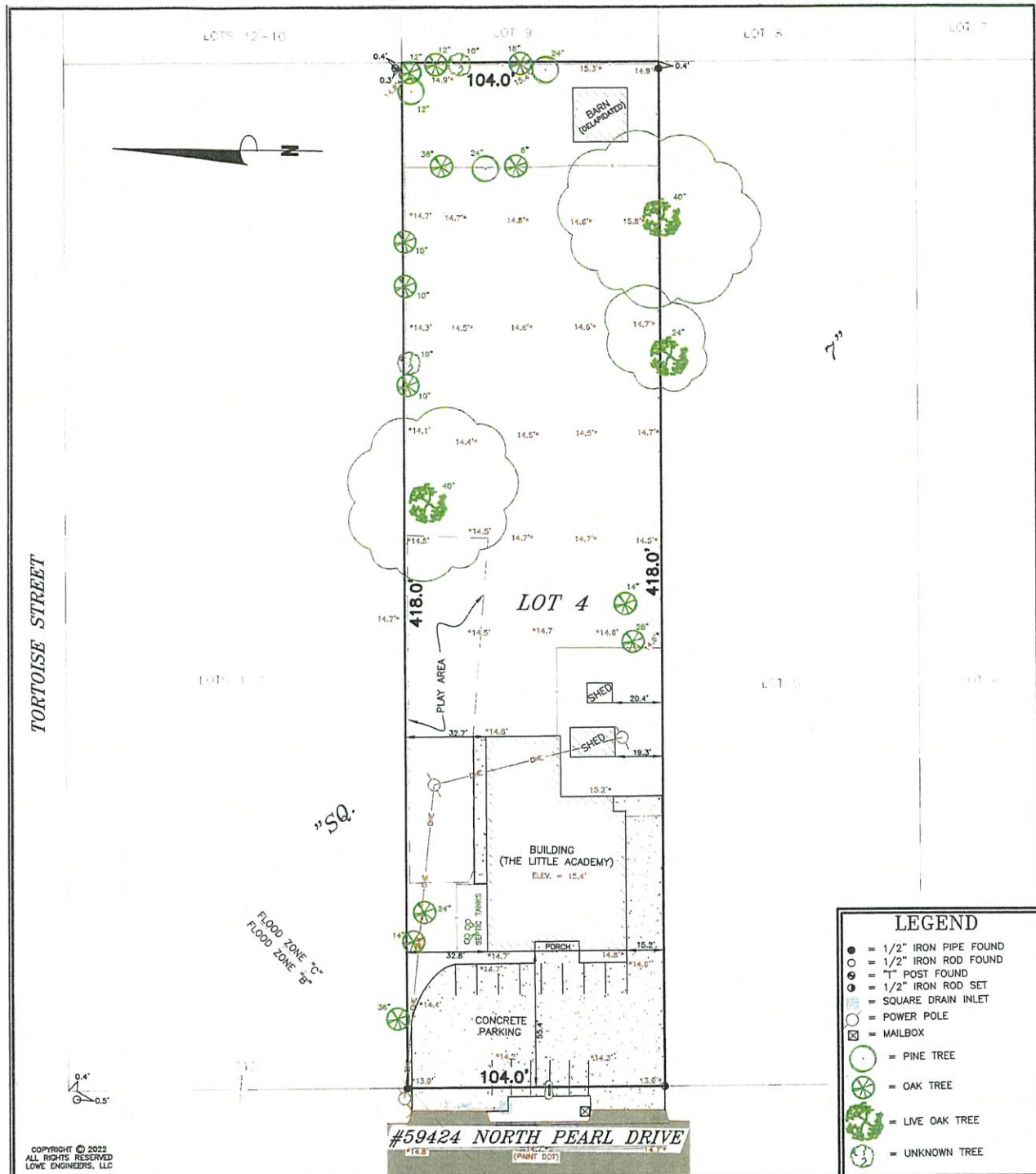
*Informational Items:*

- The daycare center was originally constructed in 1984 and subsequently increased in size as per a conditional use permit approved in 1993 (CP93-11-086).
- A zoning change request (2023-3223-ZC) to ED-1 Primary Educational District has also been submitted, to be heard at the 03/07/23 Zoning Commission meeting, which will allow to bring the use in compliance with appropriate the zoning district.









THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND CONTROL; AND THAT THE SURVEY WAS DONE ON THE GROUND AND IS IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS" AS ADOPTED BY THE STATE OF LOUISIANA, BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR A CLASS "C" SURVEY.

REFERENCE SURVEY: A Survey Map by Ivan M. Borgen dated July 13, 1983.  
NOTE: ALL INTERIOR ANGLES ARE 90°

BASIS FOR BEARINGS/ANGLES: The Recorded Subdivision map.

**FLOODZONE NOTE:** This is to certify that I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described is located in Flood Zone(s) B & C with a Base Flood Elevation of N/A in accordance with Community Panel No. 225205 0440 D. Revised: APRIL 21, 1999

Survey No. 22-140548 Drawn by: RAB Scale: 1" = 40'  
Date: NOVEMBER 21, 2022 Revised:

SURVEY MAP OF  
LOT 4, SQUARE 7, PEARL ACRES SUBDIVISION  
situated in  
SECTION 6, T-9-S, R-15-E  
St. Tammany Parish  
for  
EARL J MORRISON III AND  
NANCY WILLIS MORRISON

**LOWE**  
ENGINEERS

Professional Land Surveyors  
Planners and Consultants  
1011 NORTH CAUSEWAY BLVD., SUITE 34  
MANDEVILLE, LA 70471  
OFFICE NO. (985)845-1012  
FAX NO. (985)845-1778  
www.lowengineers.com  
e-mail: MandevilleTeam@lowengineers.com

**NOTE:** This is to certify that I have done an actual ground survey and found that no encroachments exist either way across any property lines except as shown.  
**NOTE:** Setback lines shall be verified by owner and/or contractor prior to any construction, as an abstract has not been performed by the undersigned.  
Servitudes shown hereon are not necessarily exclusive. Servitudes of record as shown on title opinion or title policy will be added hereto upon request, as surveyor has not performed any title search or abstract.

This Survey is Certified  
True and Correct By  
**John E. Bonneau**  
Professional Land Surveyor  
Registration No. 14423



