AGENDA MEETING

ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING FEBRUARY 6, 2024 – 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 DECEMBER 5th, 2023 MINUTES

1- BOA CASE NO. 2023-3674-BOA

Request by an applicant in an A-3 Suburban District to exceed the total allowable size of all accessory buildings and structures on a lot above 7.5% of the area of the lot on which the main building is situated.

The property is located: 39 Mary Street, Madisonville, Louisiana, Ward 1, District 4

Applicant & Representative: Robert Mitchell

2- BOA CASE NO. 2023-3679-BOA

Request by an applicant in a HC-3 Highway Commercial District to increase the size of the proposed dumpster enclosure within the existing & required landscape buffer resulting in a reduction of a portion of the required buffer.

The property is located: 69280 LA Highway 21, Covington, Louisiana, Ward 1, District 1

Applicant: Strategic Reinvestment, Restaurant Development – Daniel Carper

Representative: Burger Engineering – Bryan Burger

3- BOA CASE NO. 2024-3683-BOA

Request by applicant in an A-1 & A-3 Suburban Districts to increase the maximum allowable length of an accessory building from 50 feet to 65 feet.

The property is located: 115 Live Oak Drive, Slidell, Louisiana, Ward 8, District 13

Applicant & Representative: Wendy Siegel

4- BOA CASE NO. 2024-3687-BOA

Request by applicant in an I-2 Industrial District to allow for three two-way driveways through the required the street planting area.

The property is located: Southwest corner of Fabrication Row & Airport Road, Covington, Louisiana, Ward 3. District 2

Applicant: Favret Investments, LLC - Uncas B Favret, Jr

Representative: Matthew J. Organ

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING DECEMBER 5TH, 2023

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

The December 5th, 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. Daly, Mr. Swindell & Mrs. Thomas

ABSENT: Mr. Blache & Mr. Sanders

STAFF PRESENT: Mrs. Lambert, Mrs. Couvillion, Mrs. Cook

APPROVAL OF THE MINUTES

Moved by Mr. Swindell and seconded by Mr. Daly to approve the November 1st, 2023 minutes.

MOTION CARRIES UNANIMOUSLY

1- BOA CASE NO. 2023-3535-BOA

Request by an applicant in an A-4 Single-Family Residential District to reduce the northern side yard setback and the western rear yard setback from 10 feet to 3 feet to allow for the construction of an accessory structure.

The property is located: 917 Crestwood Drive, Covington, Louisiana, Ward 3, District 2

Applicant & Representative: Jeffery Lasseigne

POSTPONED FROM OCTOBER 10, 2023 MEETING

Mrs. Lambert informs the Board that the owner is requesting to postpone the variance request until the January 3rd, 2024 meeting.

Motion by Mrs. Thomas seconded by Mr. Swindell to postpone until the January 3, 2023 meeting.

MOTION CARRIES UNANIMOUSLY

ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING DECEMBER 5TH, 2023

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

2- BOA CASE NO. 2023-3613-BOA

Request by an applicant in a HC-3 Highway Commercial District to increase the maximum allowed square footage of a monument sign from 32 square feet to 52 square feet.

The property is located: 4095 LA Highway 59, Mandeville, Louisiana, Ward 4, District 5

Applicant: Waring Oil Company, LLC – Charles Wilson Representative: Munn Enterprises, Inc. -Kerri McAlpin Little

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

Kerri McAlpin Little: Representative from Munn Enterprises, Inc, manufacturer and installation Company. Asking to have variances granted as requested. Lots of existing trees on the property where the sign is proposed to be located. Asking for variance for a little bit more than 20 square feet to make the sign more visible. It is a Texaco gas station and their Techron branding needs more square footage for the night vision. The dual vinyl makes a contrast and the 52 square foot will allow to achieve the visibility. The branding of the company has to be meet and visible. The changeable message sign with LED gas prices is just under half.

Mrs. Thomas: We have looked at these types of signs before and approved similar variances based on current technology and it is safer for the drivers.

Mr. Swindell: I struggle with this variance request. Parish adopted the Unified Development Code many years ago for a reason. The reason is to carry us into a much different style and preserve trees and do all these other things. A lot of the reasoning in the documentation that was submitted was all about what other people have done in the area. All are legal non-conforming signs but the standards are different now and as a parish, we cannot start granting variances that does not meet current code just because others didn't have to do it 10 years ago. I'll be honest I like the layout of the sign and it seems appropriate. You are asking for 20 more square feet but that's 60% larger than what the unified development code allows. Changeable message portion can't be less than one half the total area of the sign face but if we grant you the ability to go 60% larger essentially now we're giving you 60% more for changeable space. I struggle with what we're charged with, which is upholding this unified development code that was all done for a reason and we have to start somewhere.

Mr Daily: I echo what Mr. Swindell said. As we evolved and regulation changes, there will be some non-conforming uses out there but we need to stick to the code. My question is about the exceedance. It looks like it's mostly the bottom part, the Techron branding. You probably can't have it without that but is it fair to say that's pretty much what's causing the in exceedance and that the normal Texaco and the gas price changeable section is sort of within the code?

Kerri McAlpin Little: It definitely is and Techron is one of the things that they require. The Texaco stations is required to have the Techron and it has to be a certain a certain size for visibility.

ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING DECEMBER 5TH, 2023

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

Mr. Swindell: Reminds the Board members that he is going to make a motion to approve this variance as requested so that this is in the affirmative.

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

Motion Failed.

Mr. Swindell, Mr. Daly: YEAS

Mr. Ballantine & Mrs. Thomas: NAYS

3- **BOA CASE NO. 2023-3619-BOA**

Request by an applicant in a NC-4 Neighborhood Institutional District for an after the fact variance request to replace existing trees, originally planned to be maintained within the street planting area and the side buffer planting areas, with equally credited trees.

The property is located: 222 LA Highway 21, Madisonville, Louisiana, Ward 1, District 1

Applicant: Ellison Holdings, LLC - Wayne Krentel Representative: Jones Fussell – Jeffrey Shoen

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

Jeffrey Shoen: Jones Fussell Law Firm. Representing Ellison Holdings LLC which is the owner of the property and McDaniel Dermatology Skin Surgery Institute which will be the occupant of this facility. With me Wayne Kentel, general contractor and Dr. Brianna McDaniel who is the dermatologist currently doing business in Ashland Business Park. Will be moving obviously from that location to this new location. I have John Catalanotto with Fairway engineering who is the professional involved with some of the site plan elements. Giving a brief history, as staff has stated, property located on Highway 21. Needed a zoning change to facilitate this use but also because it was in the Highway 21 Corridor we needed to have a Planned Corridor review and both of those elements were presented to the zoning commission. As part of the plan corridor review you submit a landscape plan that gets approved as well as your site plan. This project is about 98% complete with about a \$3.5 million investment in the ground. A building that is soon to be ready for occupancy as my client's lease ends at the end of this month December and her plan is to occupy and open for business in January 2024.

We come to the table acknowledging that some trees were taken out of the buffers during the construction process. A variety of reasons as to why some of those trees were taken down: some in our view had failed and did not have good health, some had been struck by lightning, some quite frankly may have been taken out by mistake and error on our part to the extent there's a confession and an apology. I offer that sincerely but we knew that we would be required to meet of course the landscape plan that had been approved by the zoning commission and also landscape requirement that is set by code We appreciate the fact that staff, for the last 6 to 8 weeks has worked very closely with us, in identifying not only what was taken down but more importantly how we might replant to meet code. I would like to be a little more specific with regard to what we've presented

MINUTES ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING DECEMBER $5^{\rm TH}$, 2023 ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING A

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

you today. You probably read through the staff report in preparation for the meeting. Staff has clearly stated that the initial plan that we submitted to staff for this hearing, did in fact meet the minimum requirements and met code, but staff felt that because trees had been removed without permission that we should go beyond code and in fact replace one for one all trees that had been taken out unauthorized. We agree with that premise there is no push back so we submitted a plan two weeks or so ago for staff review that we thought would satisfy the one requirement. There was some discussion and we didn't get it quite right so we came back and made further adjustments on the plan that you was handed out this afternoon, which we believe meets not only code, It exceeds code. Most importantly I think it meets this idea of one for one meaning that whatever was taken has now in fact been replaced. With those things having been said and with a project that will soon be seeking a certificate of occupancy for a very good dermatologist that has a flock of patients that need to have a place to go in January, we respectfully request that you consider granting this after the fact variance, so that we can complete the planting plan as indicated and proceed toward finishing up what I think will be not only a good project for my client but one that's very handsome and fits into that Highway 21 Corridor. If you have further questions or comments that I or the consultant can address we'll be glad to do so during the hearing otherwise we would respectfully appreciate you grant the variance for the reason stated.

Mr. Ballantine: Is there anyone here in opposition to this case? Seeing none.

Mr. Swindell: I really appreciate the recognition of staff's comments and the work you guys did with the staff in order to get to the plan that was just put in front of us today. I had a page worth of notes, I was going to explain why I didn't feel like I was going to vote for this for this request. I'm now changing so at the end of this I will vote to support this request but I want to make sure that I state the reasons why I wouldn't have. When somebody in the future goes to look at our minutes or look at some history they understand the work that I think that should be done, as long as I'm on the board. I think you stated it just right Mr. Shoen, that you know the original revised plan that that we have in our packet according to the staff comments just didn't replant one for one. It may have met the code but it didn't replant one for one and I think, at least since I've been on this board, we've really set a standard about being not harder, but really paying particular attention to these after the requests. I think that it certainly is important that you guys made it to that mark of the one for one replanting despite the errors that were made with removal of those trees so I'll just say it again I appreciate the effort to get to that point. Erin, can you confirm that this does meet the one for one replanting that that you guys asked for in the comments?

Mrs. Cook: Yes sir it does.

Mrs. Thomas: I would totally agree with what Mr. Swindell said. I too was going to have to back off on that but since they have worked with it and I commend that. I do appreciate you all working with the staff because especially after the fact, we tend not to support.

ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING DECEMBER 5TH, 2023

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

Motion by Mr. Swindell seconded by Mr. Daly to approved the requested variance based on the plan submitted on December 1st, 2023

MOTION CARRIES UNANIMOUSLY

Mr. Ballantine: Recognize couple in the audience.

Charlie Clark: I live 21458 Casril Drive. I am a patient of McDaniel Dermatology and I was trying to make sure that I had a place to go in January. I appreciate who you are and what you've done and I certainly support what's going on here. I spent 31 years as a conservation officer with the Louisiana Department of Wildlife and Fishery so renewable natural resources are what I gave the best years of my life for and you're doing the right thing here and I appreciate it.

NEW BUSINESS

OLD BUSINESS

ADJOURNMENT: MR. TOM BALLANTINE, CHAIRMAN

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.



2023-3674-BOA

PLANNING & DEVELOPMENT

Ross Liner
Director

985-898-2529 21454 Koop Drive, Suite 1B, Mandeville, LA 70471

stpgov.org/planning

Location: 39 Mary Street, Madisonville, Louisiana, Ward 1, District 4

Applicant & Representative: Robert Mitchell **Posted:** January 23, 2024

Initial Hearing Date: February 6, 2024 **Date of Report:** January 30, 2024



Variance(s) Requested:

Request by an applicant in an A-3 Suburban District to exceed the total allowable size of all accessory buildings and structures on a lot above 7.5% of the area of the lot on which the main building is situated.

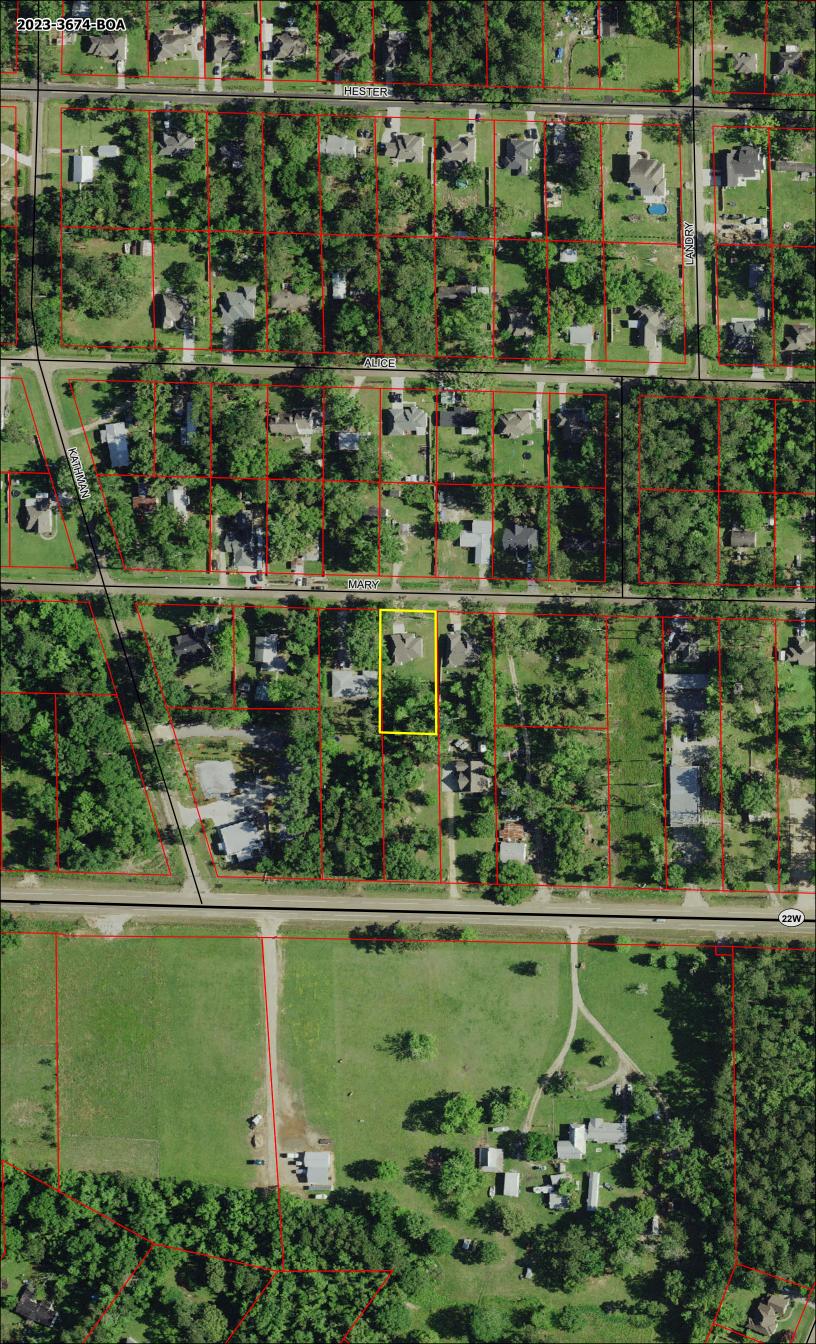
Zoning of Property:

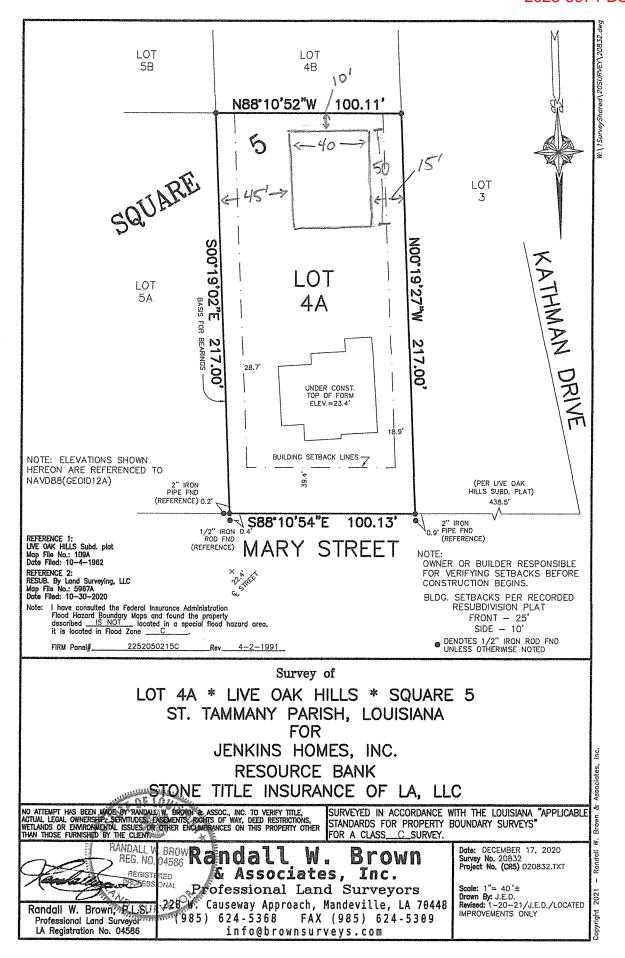
A-3 Suburban District

FINDINGS

Per the Unified Development Code Section 130-2127(c) – Accessory Building Standards, the size of any accessory buildings shall not exceed 7.5% of the area of the lot on which the main building is situated.

The subject parcel is 21,723 square feet which, per ordinance allows a total of 1,629 square footage of accessory structures on the property. The current request is for a 40'x50' accessory structure which exceeds the total allowable size by 371 sq. ft. The applicant has not provided factual documentation or evidence that a practical difficulty or unnecessary hardship exists. However, the applicant has provided no objection letters from all property owners that flank the subject property which are attached here within.





LETTER OF CONSENT/NON-CONSENT FROM ADJOINING NEIGHBORS FOR REQUEST OF BUILDING

PETITIONER

Owner: Robert Mitchell and Bray Danielle Bordelon Project Address: 39 Mary St, Madisonville, LA 70447

Request / Scope of Work: to allow build of a 40'x50' detached building behind main residential home

Owner Signature

NEIGHBOR

I, Margaret Whittington am the legal owner of property located at 37 Mary St, Madisonville, LA 70447, which is an adjoining properties to the project address. I am aware that a building permit is being applied for at the subject property to build a 40'x50' detached building. I have no objection to granting my consent for the aforementioned request for building.

Neighbor Signature

Margaret Whitington Neighbor Print Name

Date

LETTER OF CONSENT/NON-CONSENT FROM ADJOINING NEIGHBORS FOR REQUEST OF BUILDING

PETITIONER

Owner: Robert Mitchell and Bray Danielle Bordelon Project Address: 39 Mary St, Madisonville, LA 70447

Request / Scope of Work: to allow build of a 40'x50' detached building behind main residential home

Owner Signature

NEIGHBOR

1930

I, David Decareaux, am the legal owner of property located at 0 Hwy 22 W Highway, Madisonville, LA 70447, property description Lot 4B SQ 5 Live Oak Hills Cont .602, and 1930 Hwy 22 W, Madisonville, LA 70447, which are adjoining properties to the project address. I am aware that a building permit is being applied for at the subject property to build a 40'x50' detached building. I have no objection to granting my consent for the afgrementioned request for building.

Neighbor Signature

David Decare

Neighbor Print Name

12 189

Date

LETTER OF CONSENT/NON-CONSENT FROM ADJOINING NEIGHBORS FOR REQUEST OF BUILDING

PETITIONER

Owner: Robert Mitchell and Bray Danielle Bordelon Project Address: 39 Mary St, Madisonville, LA 70447

Request,/ Scope of Work; to allow build of a 40'x50' detached building behind main residential home

Owner Signature

NEIGHBOR

I, Timothy Murphy, am the legal owner of property located at 41 Mary St, Madisonville, LA 70447, which is an adjoining properties to the project address. I am aware that a building permit is being applied for at the subject property to build a 40'x50' detached building. I have no objection to granting my consent for the aforement oned request for building.

Neighbor Signature

Neighbor Print Name

Date



2023-3679-BOA

PLANNING & DEVELOPMENT

Ross Liner Director

985-898-2529 21454 Koop Drive, Suite 1B, Mandeville, LA 70471

stpgov.org/planning

Location: 69280 LA Highway 21 Covington, Louisiana, Ward 1, District 1

Applicant: Strategic Reinvestment, Restaurant Development – Daniel Carper

Representative: Burger Engineering – Bryan Burger **Posted:** January 19, 2024

Initial Hearing Date: February 6, 2024 **Date of Report:** January 30, 2024



Variance(s) Requested:

Request by an applicant in an HC-3 Highway Commercial District to increase the size of the proposed dumpster enclosure within the existing and required landscape buffer resulting in a reduction of a portion of the required buffer.

Zoning of Property:

HC-3 Highway Commercial District RBCO Regional Business Center Overlay

FINDINGS

The subject property is developed with an existing fast food restaurant (Chick-fil-A) which was granted the following variances in 2023 for the construction of a third drive through lane (Case No. 2023-3229-BOA):

- A variance to the east side yard buffer and required number of Class A and Class B trees
- A reduction of a portion of the required 10' east side buffer to allow for the placement of a dumpster
- The removal of more than 50% of the protected trees on site

When approved in 2023, the dumpster was 198 sq. ft. in size and encroached into the required 10 ft. buffer by 5 ft. The current request is for a 245 sq. ft. buffer encroachment into the required 10 ft. buffer by 7 ft. Staff has no objection to this request since it will not require the removal of any existing trees or shrubs.





Civil Consultants

December 11, 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 one specific variance related to the above existing Chick-fil-A restaurant. The requested variance is listed below:

1. Approval of a variance to increase the size of the proposed dumpster that is currently located within the existing 15' landscape and 10' building setback at the rear of the lot.

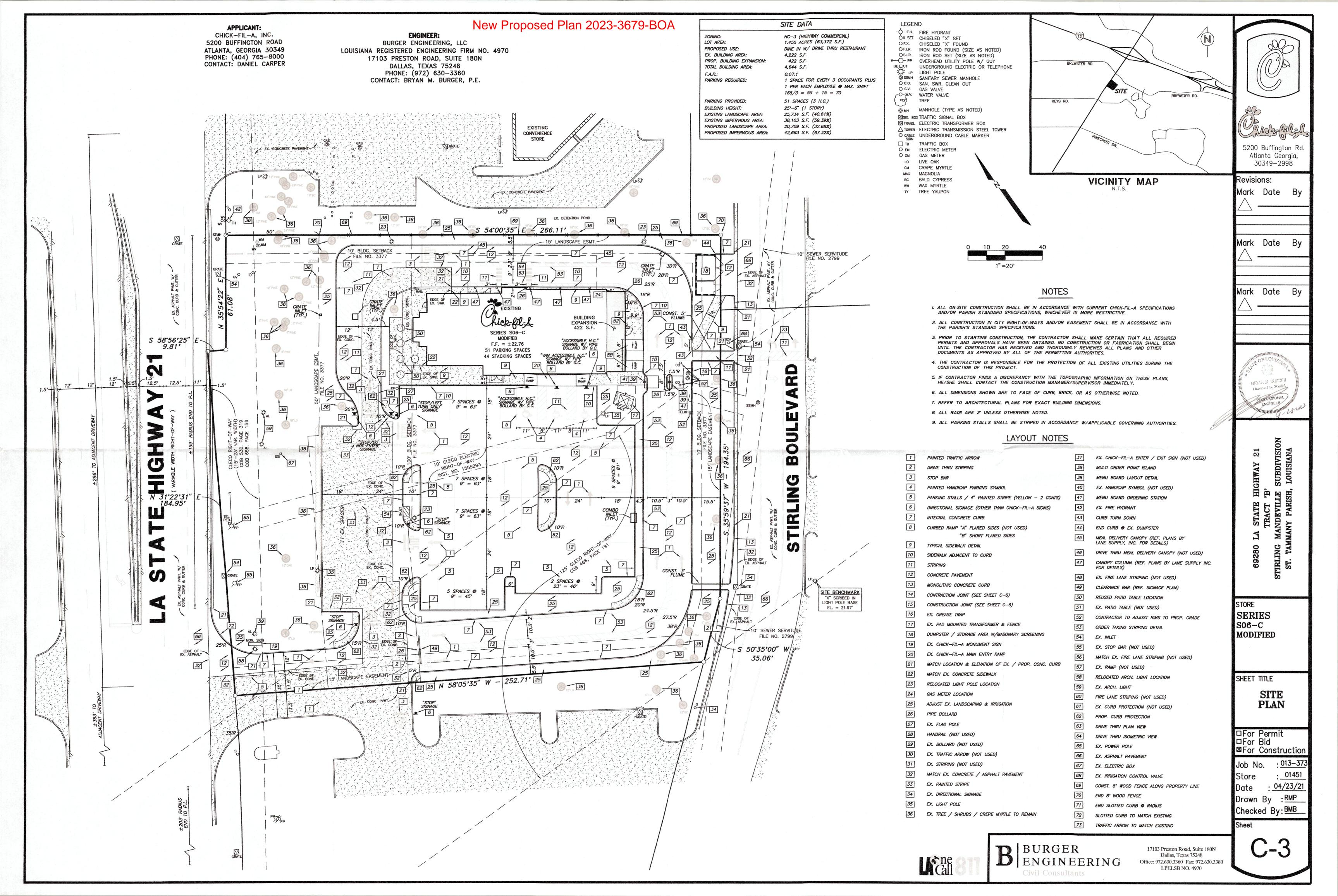
The requested variance will benefit the construction of a multi-lane order point and an approximate 400 square foot building expansion. The improvements will provide increased stacking for the drive-through as well as increase the speed of service for drive-through customers. The increased drive-through 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. The increased customer service created by the drive-through and building improvements creates the need for the increased dumpster size.

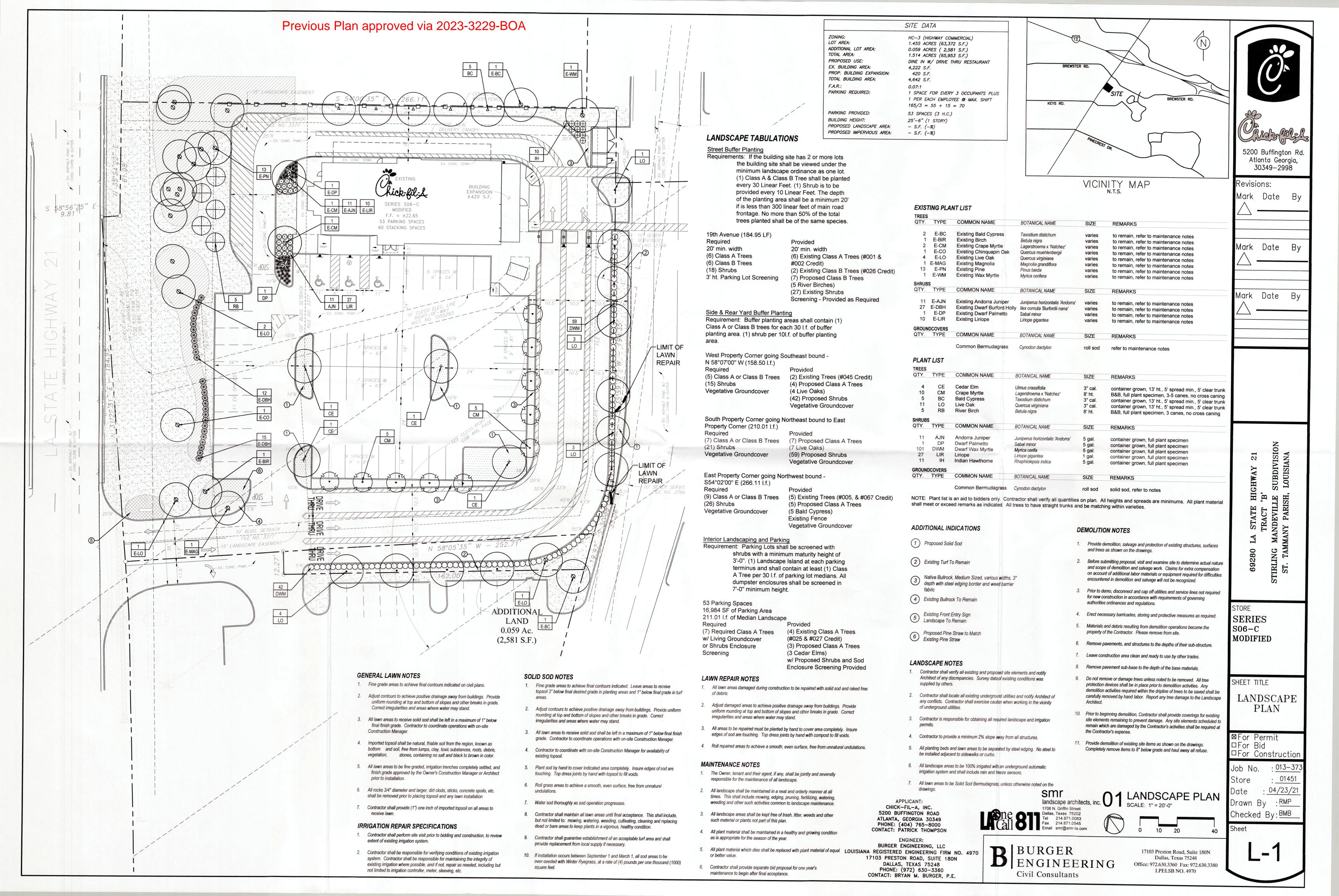
Please contact our office if you have any questions or comments.

Sincerely,

Bryan M. Burger, P.E.









2024-3683-BOA

PLANNING & DEVELOPMENT

Ross Liner Director

985-898-2529 21454 Koop Drive, Suite 1B, Mandeville, LA 70471

stpgov.org/planning

Location: 115 Live Oak Drive, Slidell, Louisiana, Ward 8, District 13

Applicant & Representative: Wendy Siegel **Posted:** January 23, 2024

Initial Hearing Date: February 6, 2024 Date of Report: January 30, 2024



Variance(s) Requested:

Request by applicant in an A-1 & A-3 Suburban Districts to increase the maximum allowable length of an accessory building from 50 feet to 65 feet.

Zoning of Property:

A-3 Suburban District

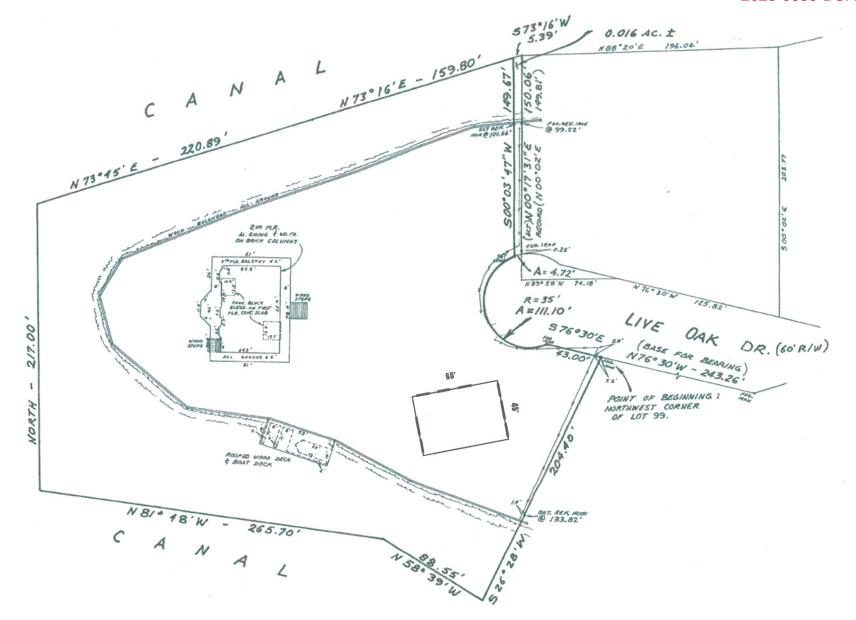
FINDINGS

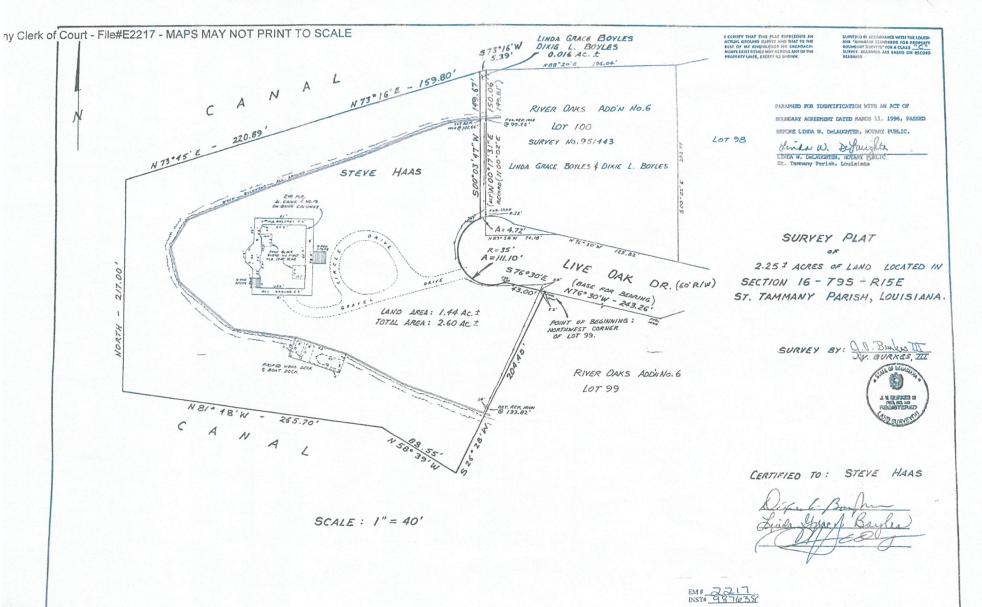
As per Sec. 130-2127(g) of the Unified Development Code, the combined length of an accessory structure shall not exceed 50 ft. in all residential districts.

The objective of the request is to allow for the construction of a 45'x 65' accessory structure. Although no hardship has been demonstrated, staff is not opposed to this request considering that the accessory structure will be located on a 1.44 acre tract of land and will not likely impose adverse impacts to adjacent neighbors.

Should the Board be in favor of the requested variance, it should be subject to meeting the required minimum front yard setback of 40 feet and the required side yard setback of 10 feet.







NOTE: PROPERTY IS LOCATED IN FLOOD HAZARD ZONE "AIO", 192FT. M.S.L. REF: COMM. NAP No. 223205-0440C (10-17-89)

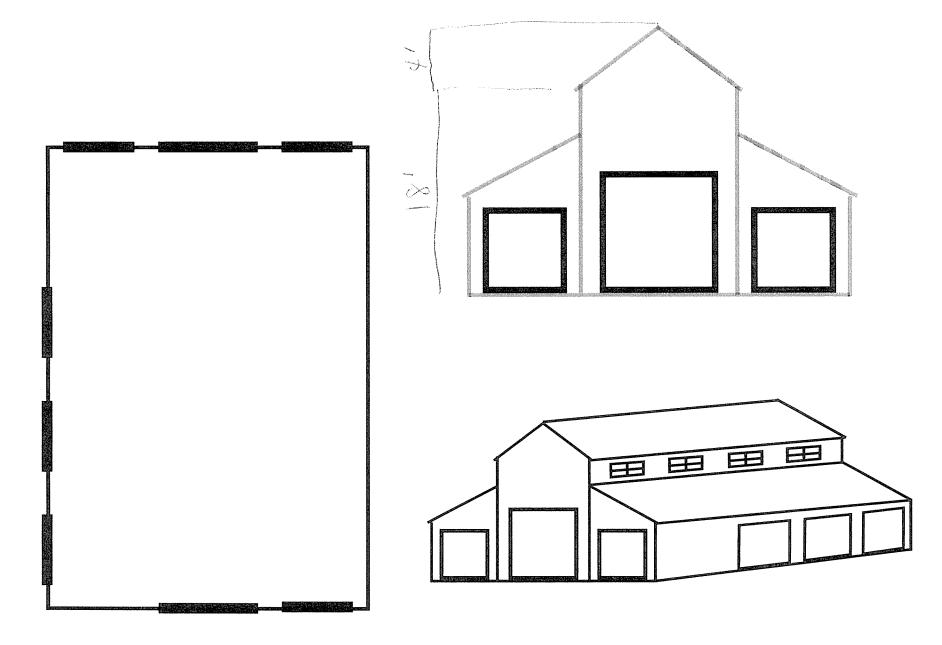
MUNICIPAL ADDRESS: 115 LIVE OAK DR.

J.V. BURKES & ASSOC., INC. 2990 GAUSE BLVD. EAST, STE. 8 . SLIDELL, LA 70461 504 + 649 + 0075

BILL GERCKES

128.13, 1996

UPDATE: MAR. 5, 26: No. 960433 Na No. 960285





2024-3687-BOA

PLANNING & DEVELOPMENT

Ross Liner Director

985-898-2529 21454 Koop Drive, Suite 1B, Mandeville, LA 70471 stpgov.org/planning

Location: 18001 Fabrication Row Covington, Louisiana, Ward 3, District 2

Applicant: Favret Investments, LLC - Uncas Favret, Jr.

Representative: Matthew J. Organ **Posted:** January 25, 2024

Initial Hearing Date: February 6, 2024 Date of Report: January 30, 2024



Variance(s) Requested:

Request by applicant in an I-2 Industrial District to allow for three two-way driveways through the required the street planting area.

Zoning of Property:

I-2 Industrial District

FINDINGS

As per Sec. 130-1976.c. of the Unified Development Code, *Driveways through street planting areas*. For street frontage of 200 linear feet but less than 600 linear feet, one additional two-way driveway or two additional one-way driveways, of the minimum and maximum width specified, are permitted. Similarly, one additional two-way driveway or two additional one-way driveways, of the minimum and maximum width specified, are permitted for each additional 400 linear feet of frontage beginning with and in excess of 600 linear feet.

Request	Allow for an existing third two-way driveway to remain on an industrial
	property with a width of 476.58 feet.
As per UDC Sec.	A lot width of a minimum of 600 feet is required to allow for a third
130-1976.c. Current	driveway.
Regulation allows	
Characteristics of the	The three two-way driveways were constructed in 2009. No driveway
site	is allowed from Airport Road due to the presence of 35 foot drainage
	and utility servitude

Board of Adjustments February 6, 2024 Department of Planning and Development St Tammany Parish, Louisiana

2024-3687-BOA

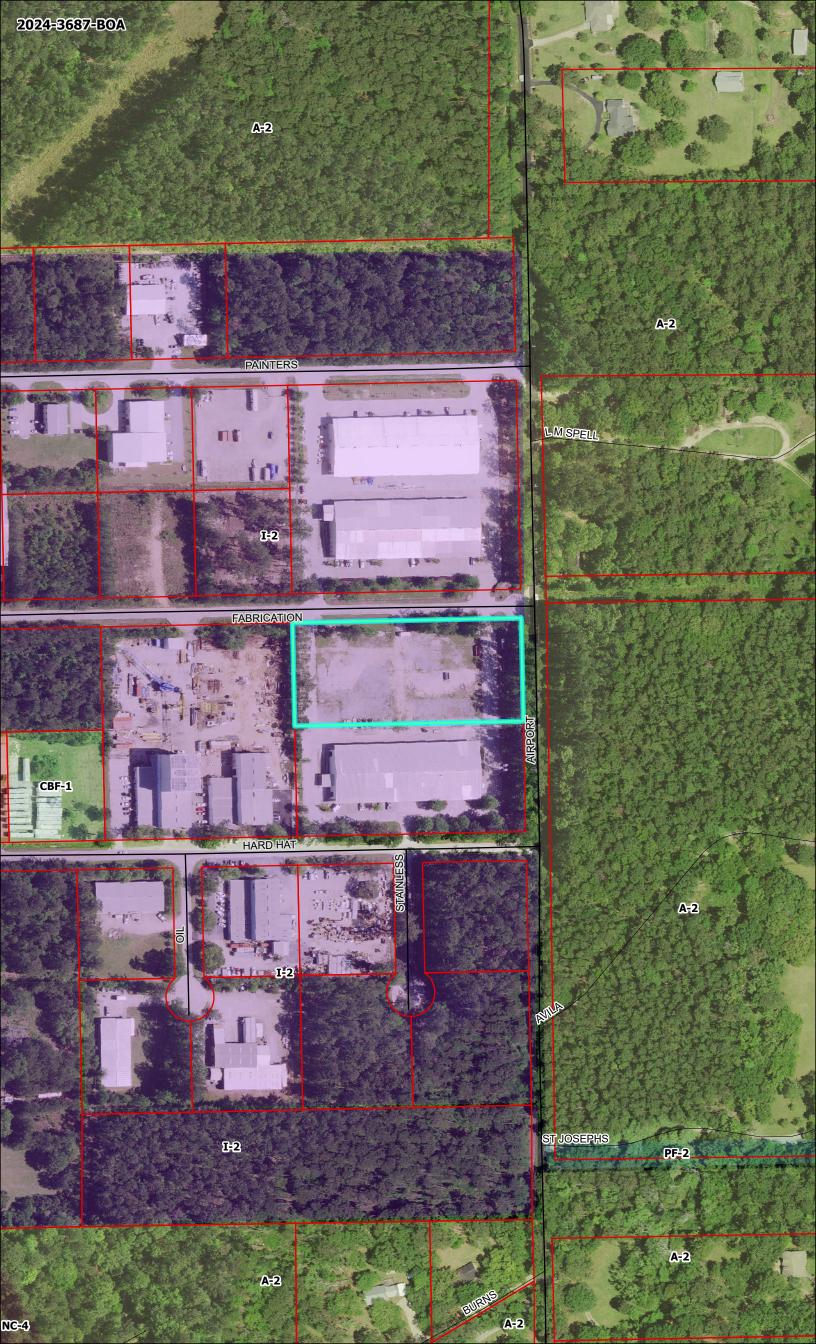


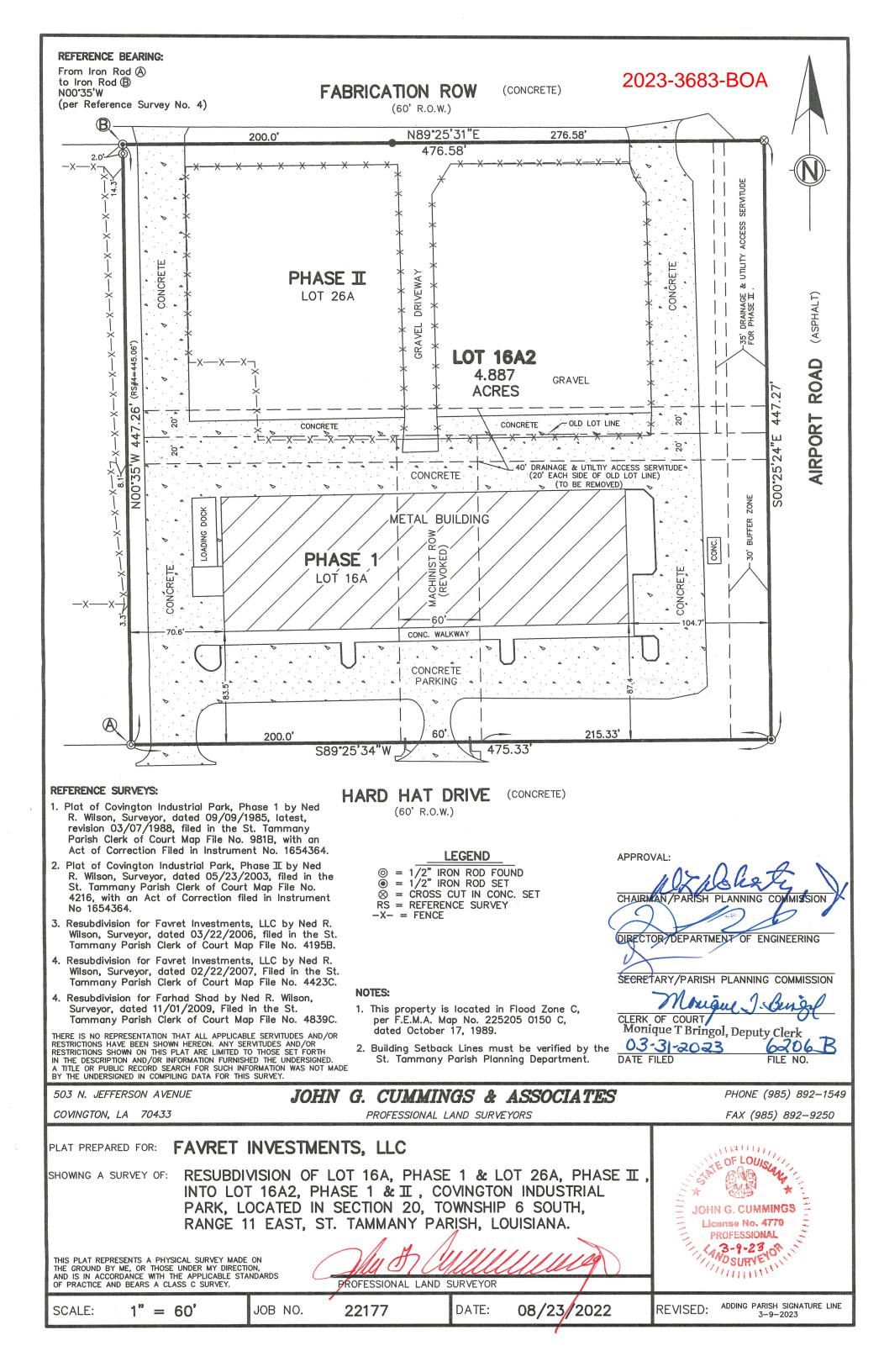
2024-3687-BOA

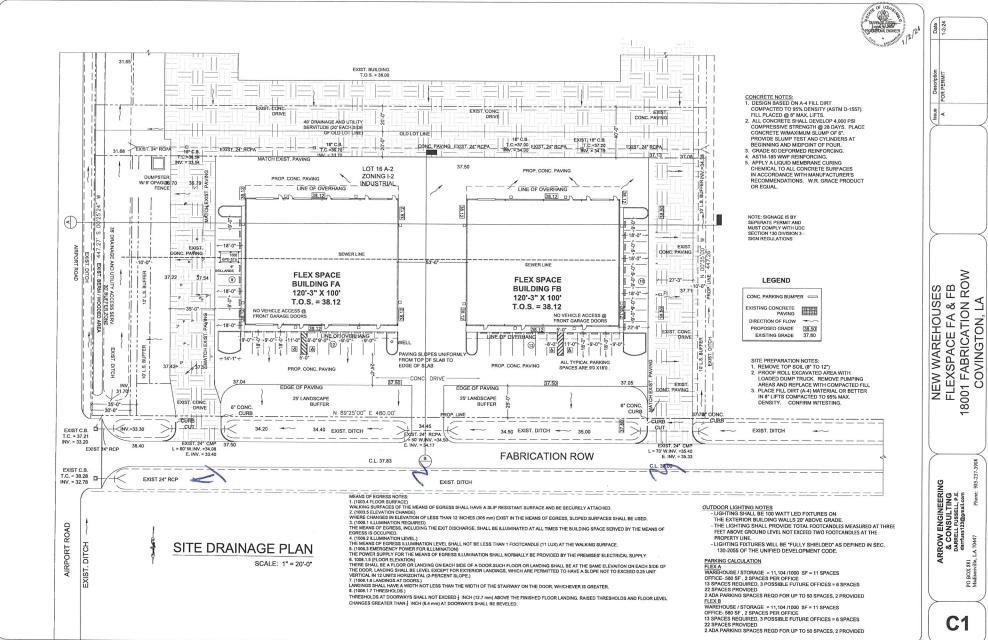
PLANNING & DEVELOPMENT

Ross Liner Director

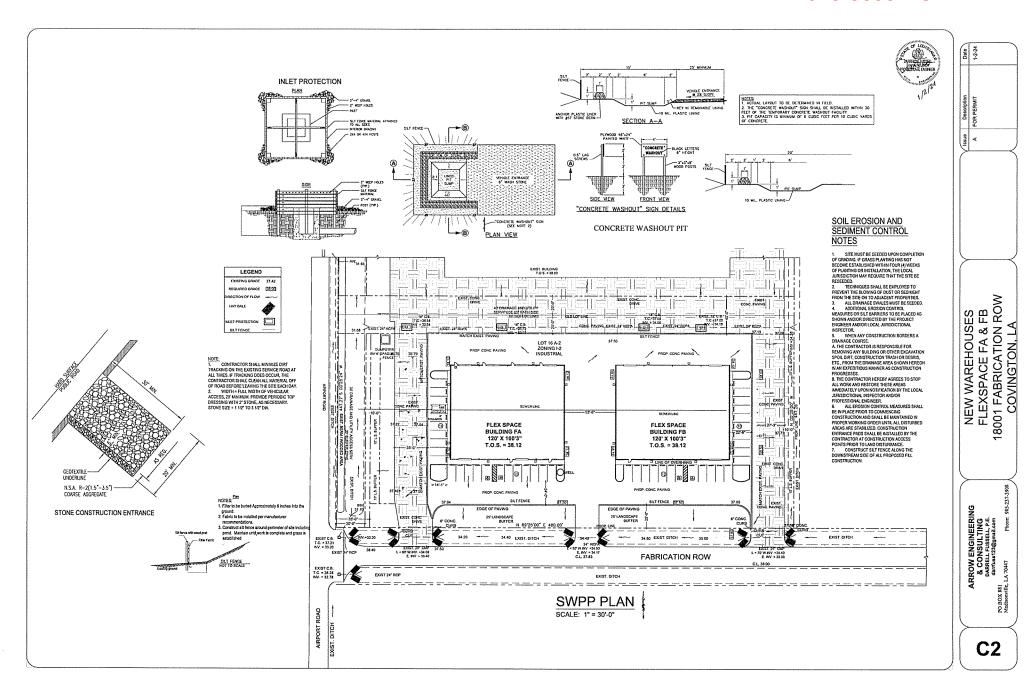
The variance is being requested considering that there is an existing curb cut in the center of the property, which is requested to be maintained to help with traffic flow coming in and out of the property



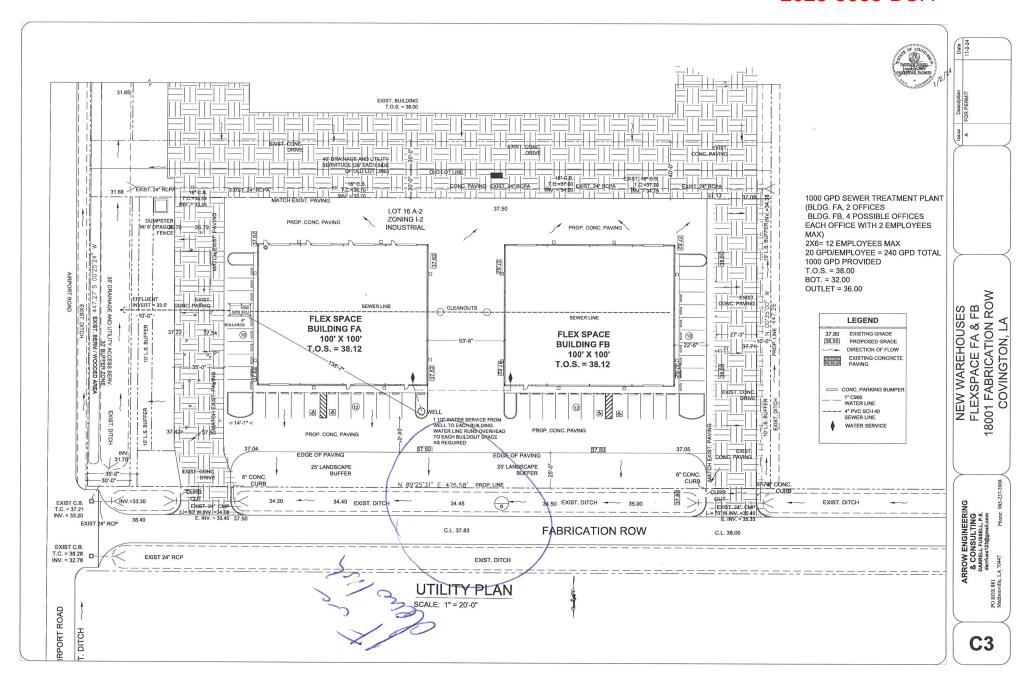




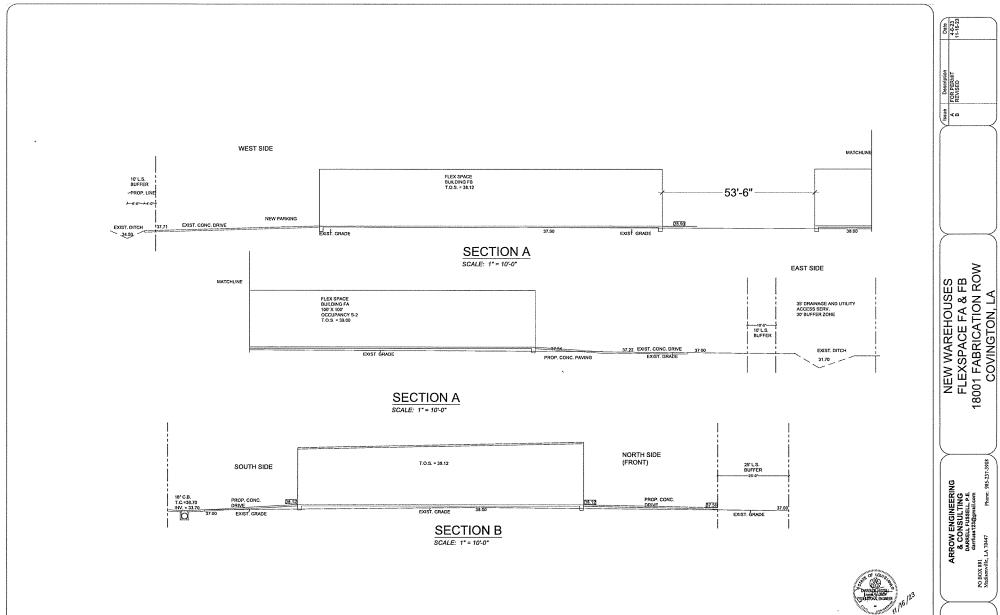
PO BOX 881 Madisonville,



2023-3683-BOA



2023-3683-BOA



C4

2023-3683-BOA

