

**AGENDA MEETING**  
**ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING**  
**MARCH 5, 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 FEBRUARY 6TH, 2024 MINUTES**

**BOA CASE NO. 2024-3713-BOA**

Request by applicant in a HC-3 Highway Commercial District to reduce the required side yard buffer planting area from 10 feet to 4' 6" to allow for an addition to an existing patio.

The property is located: 206 Lake Drive, Suite 15, Covington, Louisiana, Ward 3, District 5

Applicant: Ruddigore, LLC – Barry Spizer

Representative: Jeffrey Shoen

**OLD BUSINESS**

**NEW BUSINESS**

**ADJOURNMENT**

**MINUTES**  
**ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING**  
**FEBRUARY 6TH, 2024**  
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**21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS**  
**MANDEVILLE, LOUISIANA**

The February 6, 2024 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, Mr. Blache, Mrs. Thomas & Mr. Sanders

ABSENT: N/A

STAFF PRESENT: Mrs. Lambert, Mrs. Couvillion

**APPROVAL OF THE MINUTES**

Moved by Mr. Swindell and seconded by Mr. Daly to approve the December 5<sup>th</sup>, 2023 minutes, subject to correction of the vote for case.

**MOTION CARRIES UNANIMOUSLY**

**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

Robert Mitchell: I just recently bought this house, probably 7 months ago and I was looking for a property that would allow this size building. When I checked with the Parish, at first they said the building could not be larger than my home under roof. I thought it was the only stipulation. When I spoke to Mrs. Lambert, I found out otherwise and that it cannot be larger than 7.5% of your property size. I was already locked in the house and I'm going to be working from home. We have a three-bedroom house, me and my fiancé, we have two kids and she is sharing an office with one of the kids. We want to build a 300 square foot office and have storage.

Mr. Ballantine: Is there a homeowner's association?

Richard Mitchell: No

Mr. Ballantine: Any of your neighbor object to this?

Robert Mitchell: I have no objection petitions from the three surrounding neighbors.

Mr. Daly: Question for staff: Are the required side and rear yard: 10 feet?

**MINUTES**  
**ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING**  
**FEBRUARY 6TH, 2024**  
**ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING A**  
**21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS**  
**MANDEVILLE, LOUISIANA**

Mrs. Lambert: Correct.

Mr. Blache: I'm not sure that I have any issue or problem with it especially the with the neighbors surrounding seem to be unaffected. Generally speaking we make these zoning laws and these regulations to try and protect everyone in the surrounding area. I will be voting for this in the affirmative. If you would like I will go ahead and make a motion.

Mr. Ballantine: Is the purpose of this accessory building for an office?

Robert Mitchell: There is going to be two offices in there and storage. I will be working from home.

Mr. Ballantine: Some of the storage will be for the business. I was wondering why you needed an accessory building of that size for an office. Please make your motion.

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

**MOTION CARRIES UNANIMOUSLY**



**MINUTES**  
**ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING**  
**FEBRUARY 6TH, 2024**  
**ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING A**  
**21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS**  
**MANDEVILLE, LOUISIANA**

**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

Bryan Burger: Civil engineer for Chick-fil-A. The reason we are before you today is to request a variance to add a second dumpster bay to the current dumpster enclosure that has been approved. Currently, the store is closed for the remodel. Previously that dumpster was being dumped at a minimum of once a day sometimes twice a day, depending on the volume. With the remodel we would like to increase that to two dumpsters to try to reduce the number of trips that are being made to empty that dumpster.

Mr. Swindell: This request is to allow for two dumpsters?

Bryan Burger: Yes, that's correct.

Mr. Swindell: It is the same number of trips? It is just that they would not have to dump as often?

Bryan Burger: It will allow to reduce the number of trips to every other day, depending on the volume. Possibly once a day on the weekends rather than twice. It gives us additional volume, so that it's not full before somebody does come to dump.

Mr. Swindell: Did you consider other options, such as a compactor or something else? There's lots of ways to reduce the numbers of trips.

Bryan Burger: That would be another option, I don't know if we've looked at that or not. Chick-Fil-A's standard, at 95% of our locations, there are two dumpsters. I am not sure why it was originally built with one dumpster.

Mr. Swindell: When they pull the dumpster to go dump it, they either have to drop one off or they are without a dumpster until they bring that one back.

Bryan Burger: I believe they just dump it and put the dumpster back. I am just not sure how that store operates but we are just trying to increase the capacity.

Mr. Ballantine: I had the same kind of feeling as Mr. Swindell, why can't you make the dumpster taller instead of going to two dumpsters and then put a little stairway up.

**MINUTES**  
**ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING**  
**FEBRUARY 6TH, 2024**  
**ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING A**  
**21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS**  
**MANDEVILLE, LOUISIANA**

Mr. Swindell: What I struggle with is that with increasing the size of this dumpster, it means that they can't plant trees or bushes in that same space. I realize there aren't any trees there right now but how does the increase of the size of this dumpster help to make up for what's getting displaced?

Bryan Burger: We are basically talking about a 10' X 10' area roughly that is currently today on the approved landscape plan. We would not be removing any plantings or trees it would just be turf.

Mr. Swindell: This is more a matter of convenience for the store and the employees there than it is a real improvement for the public. My difficulty is where do we draw the line. We get these requests from lots of businesses. Last meeting it was somebody wanted a bigger sign than what we allow. We have these standards that we're charged with upholding and It is just a struggle.

Bryan Burger: What we are trying to do is when the trucks do come to pick, they are blocking that access road behind us in order to pick up. The preference would be to try to keep them to only once a day and maybe every other day if possible, which would allow better circulation within that area and allow the extra capacity for us.

Mr. Daly: I was going to bring up what Mr. Burger just brought up, which is the configuration of the site with the dumpster, where usually those dumpsters are accessed on site. This one is accessed from a road but it is at least a road within the complex of the shopping center and potentially reducing a vehicle stopping in the middle of that road would be helpful again.

Mr. Blache: I don't see an issue with it at this point in time. If it does involve potentially safety issues.

Mr. Swindell: I would like to clarify, I think you're right, they are going to reduce trips because of these types of dumpsters. I would agree that it is probably a benefit that is worth approving.

Mrs. Thomas: I too was questioning that a little but staff recommends it and it is going to be helpful to your customer base.

Bryan Burger: What we are hoping with the new configuration when you're out there it would help with that isolated drive-thru. Customers do not have to cross the drive-thru in order to get into the building so I think what's happening out there right now along with this dumpster enclosure enlargement is really going to help with the trips and just the congestion that that site does have during peak periods.

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

**MOTION CARRIES UNANIMOUSLY**



**MINUTES**  
**ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING**  
**FEBRUARY 6TH, 2024**  
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**MANDEVILLE, LOUISIANA**

**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

Wendy Siegel: We bought the house and it has no garage. We have multiple vehicles we would like to house. I am only requesting for something a little bit over what could be built. The thought in doing that, we didn't want to just build a square prefab metal. The building we wanted to build is really nice and upscale and we want to add value. It will cost us over \$100,000 to do this. It would cost us about \$30,000 to do a little prefab metal building or 50' by 50'. We were trying to add value to our property and add value to the neighborhood.

Jerry Whitman: I am here as the president of River Oaks Homeowners association and we are here in opposition because of the structure size and the architecture. I am speaking for the association as well as several members. I think you probably have letters in your possession that is against. I outlined in a piece of correspondence to you our objections. It does not fit within the community and it does not add anything. As a matter of fact it detracts from that particular piece of property. The neighbors are joining and the association as a whole, we are opposed to it. I would ask you to review the document that I sent forward.

Cynthia Prevost: I do not feel that this construction will benefit our neighborhood or increase anyone's property value.

Wendy Siegel: I'm confused how that expensive of a building would not add value to a property that sat for years with nothing but a field of weeds. Second of all, I have consulted realtors on whether or not that would raise the property value and they said it definitely would. If I raise the property value which I've done nothing but do since I bought this house. As for the HOA, the house was sold, it was advertised and sold to me as having no HOA. I have papers showing that there's no mention of an HOA anywhere. The prior owner said he lived there for 20 years with no mention of a HOA. I've been there for over a year and no mention of an HOA and no bill from a HOA. When I looked it up the HOA was revoked so I have the paperwork showing that.

Mr. Ballantine: Mr. Whitman, I am going to ask for your rebuttal, I don't know whether you heard all that about the existence of Home Owners Association so if you could comment on that.

Jerry Whitman: My understanding that the parish has reviewed the drawings and the building is inconsistent with Parish standards, as I understand it but I don't know whether that's true or not. I would appreciate somebody informing me of that. The other thing is you have letters from I think three or four individuals who live on that street. All three are just adjacent to this piece of property. I have not seen any blueprints. I saw what I understood was a drawing or a picture it is a large

**MINUTES**  
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**FEBRUARY 6TH, 2024**  
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**21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS**  
**MANDEVILLE, LOUISIANA**

building that looks like a barn as I interpret. It is inconsistent with the structure and building standards within the subdivision.

Mr. Ballantine: Mr Whitman, in your letter you very eloquently talked about the fill that would be required. Could you address that? Mrs. Siegel raised a question about the existence of the Home Owners Association. Can you comment on that?

Jerry Whitman: We are the River Oaks homeowner's association. I am the president and Beth Dewinner is a vice president.

Mr. Ballantine: How long has it been in existence?

Jerry Whitman: Since the existence of the development and it was transitioned after the subdivision was finished over to the homeowners. I was down there three days ago and the water had not come up. The property in question is quite low along the bayou. As I understand the property takes on water. How much fill will it required to protect it from flooding? What is the Parish standards on fill?

Mr. Blache: My first question is in regards to the revocation of the homeowners Association. Is there any truth to that?

Wendy Siegel: I can show you what I have where it was advertised that it was revoked.

Mr. Blache: I also have a question for Mr. Whitman. Do you still have homeowner's association meetings?

Jerry Whitman: Yes. We have a president; a vice president and we have a committee for reviewing different structures and additions.

Mr. Blache. Are you aware of a revocation for this Homeowners Association at the parish level?

Jerry Whitman: No, I'm not. It has gone through some difficult times, as many people has, with the virus and we have not been as diligent I think probably as we should have and quite honestly our fees may have elapsed but we're still a membership. I can tell you that the that the subdivision is uniform in membership.

Mr. Blache: I'll just make a comment, I'm reminded of a case and I'll remind my fellow Commissioners here that we had a case just maybe six or eight months ago in Pearl River very similar in nature there was a metal building constructed in a subdivision with covenants and those covenants precluded metal buildings. It also exceeded the footprint size, I think it was around 70 feet and I think our requirements are 50 ft so it's very similar in nature to what we're looking at here. There were a lot of neighbors who were not in agreement with this and they came out to



**MINUTES**  
**ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING**  
**FEBRUARY 6TH, 2024**  
**ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING A**  
**21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS**  
**MANDEVILLE, LOUISIANA**

express their disagreement. I understand this is very similar. We've dealt with cases like this before and I will say that gentleman who owned that property did not prevail in the case and I'm so inclined to also agree with that.

Mr. Swindell: I just have a few comments: Mrs. Siegel, you know that you're only in front of us today because the size of the building exceeds the allowable length for the zone and that is the sole reason why you're in front of us today. The architectural style and those things are not a concern of this Board except as it may apply or be enforced by an HOA. I will not vote for this. I will vote to reject this solely because the neighbors do not want it and the reason why they don't want it is really not my concern I'm going to assume that it's just based on the length of the overall structure. But I think there's a path for you to do this that doesn't involve this Board and you're going to have to compromise on size probably.

Wendy Siegel: I would like to say that some of the things he said were incorrect. We did say we were considering a barn style but it was a high-end barn style. It is not going to be red and it's going to match our house. Our house is white with a green metal roof and it's all going to be coordinated.

Mr. Swindell: I'll be quite honest like the input from the HOA has no bearing on my on my decision to vote.

Wendy Siegel: My understanding is I still can build a 50' X 50' building according to the Parish ordinance.

Mr. Ballantine: I think we are voting today on whether the building can be built at all?

Wendy Siegel: No it's just a variance for a slightly larger size. It has no impact that there is no existing HOA?

Mrs. Couvillon: No

Wendy Siegel: Ok, I understand.

Mr. Daly: The real issue is that there is no hardship. Is there a hardship to be limited to a 50' X 50' building?

Wendy Siegel: We have multiple vehicles. We are Corvette enthusiasts and we have jet skis, riding lawn mower, tools. We have things that need to be contained within that building and that's why that's the hardship for us.

Mrs. Thomas: I can see where you are in a quandary. We do often ask if the HOA has had looked at it. It is strictly a variance issue in terms of size and it's clearly not within our purview to approve



**MINUTES**  
**ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING**  
**FEBRUARY 6TH, 2024**  
**ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING A**  
**21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS**  
**MANDEVILLE, LOUISIANA**

it without meeting a hardship so I am inclined to have to say you can work with the parish on the right size.

Wendy Siegel: I wasn't informed.

Mr Swindell: It would be nice to point out that Mrs. Lambert or others within the parish permitting group can provide some guidance on this. There are other ways to work within the ordinances that Parish to get the size you are looking for.

Wendy Siegel: We just wanted a larger size and we wanted it not to be square. We were going to work with the neighbors to try to see if we can make them happy.

Motion by Mr. Daly seconded by Mr. Swindell to approved the variance as requested.

**MOTION FAILED**

**MINUTES**  
**ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING**  
**FEBRUARY 6TH, 2024**  
**ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING A**  
**21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS**  
**MANDEVILLE, LOUISIANA**

**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

Paul Mayronne: Representing Favret Investment in regards to the variance request. As Mrs. Lambert noted we are requesting a variance for the additional driveway. This property is part of Covington Industrial Park. Mr. Favret was the developer of the park and is still the primary land owner in the park. There are certainly a number of privately owned sites and businesses in there. This particular site has had these curb cuts constructed since 2009. If the variance is granted it will allow us to leave those in place rather than pulling one of the driveway up. I would respectfully suggest that leaving the drives in place will not have any negative impact on the area or the park and in fact will help the traffic flow from this site. It certainly makes sense to limit the number of curb cuts on what I'll just refer to generally a busy street. If this were to be on Highway 25 or Highway 190, then limiting the points of contact would makes perfect sense. That is not really what we have with Fabrication Row, It is internal to the Park, If you've been through the park there are other businesses on Fabrication Row, but it's a very quiet street and these uses are generally relatively quiet in that they're not huge traffic generators.

Having this additional curb cut in this location within this park will not create any kind of safety concerns or anything of that nature, but rather would help the general flow of this property and the flex space to be built or is built on the property. With that being said we'd respectfully request your consideration of the variance. It doesn't seem to have any negative impact on any of our surrounding neighbors or in the park generally or create any traffic or safety concerns and we would prefer to leave that curb cut in place so that the traffic flow for our site will work better. I'll be happy to answer any questions at the appropriate time. Thank you for your consideration.

Mr. Ballantine: As you head down on Fabrication Row, is it the first property off Airport Road on your right?

Paul Mayronne: If you are coming off Airport Road it is the first cleared lot, on your left.

Mr. Blache: What triggered this case from the beginning? This was done in 2009? Correct? Is that when the curb cuts were built?

Paul Mayronne: I am going to tell you what I believe to be the case but I wasn't involved in 2009. But looking at some of the materials and so forth, this is what has happened over the years. There have been some through streets that have been revoked and there have been some combining of lots, two lots or three lots to make larger lots. What I believe what happened was in 2009 the



**MINUTES**  
**ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING**  
**FEBRUARY 6TH, 2024**  
**ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING A**  
**21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS**  
**MANDEVILLE, LOUISIANA**

property was two lots and curb cuts that were built in consideration. Since that time the lots have been combined which is giving rise to the situation we find ourselves in 2024.

Mr. Daly: The site plan is showing two buildings and the three driveways would then allow access around each of the two buildings, just as a comment. It is one site with two buildings.

Motion by Mr. Daly seconded by Mr. Blache to approve the variance as requested.

**MOTION CARRIES UNANIMOUSLY**

**NEW BUSINESS**

**OLD BUSINESS**

**ADJOURNMENT: MR. TOM BALLANTINE, CHAIRMAN**

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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.*



## BOA STAFF REPORT

2024-3713-BOA

MICHAEL B. COOPER  
PARISH PRESIDENT

## PLANNING & DEVELOPMENT

Ross Liner  
Director

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

stpgov.org/planning

**Location:** 206 Lake Drive, Suite 15, Covington, Louisiana, Ward 3, District 5

**Applicant:** Ruddigore, LLC – Barry Spizer

**Representative:** Jeffrey Shoen

**Posted:** February 15, 2024

**Initial Hearing Date:** March 5, 2024

**Date of Report:** February 26, 2024



### Variance(s) Requested:

Request by applicant in an HC-3 Highway Commercial District to reduce the required side yard buffer planting area from 10 feet to 4' 5" to allow for an addition to an existing patio.

### Zoning of Property:

HC-3 Highway Commercial District

## FINDINGS

According to the St. Tammany Parish Unified Development Code Section 130-1977 – Side and Rear Buffer Planting Area Requirements: 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: One Class A and one Class B for each 30 linear feet of the buffer planting area.

The petitioned property has an existing patio which currently encroaches 1'1" into the required 10' side yard buffer. The petitioner is seeking a 4'5" variance to extend the existing patio into the required buffer, reducing the existing buffer from 8'11" to 4'6". The extension to the existing patio will allow for additional outdoor seating for the new restaurant. While no evidence of hardship or practical difficulties have been demonstrated to support the requested variance, additional planting is proposed to be provided. The applicant has proposed a continuation of box bushes and juniper



**BOA STAFF REPORT**

2024-3713-BOA

MICHAEL B. COOPER  
PARISH PRESIDENT

**PLANNING & DEVELOPMENT**

Ross Liner  
Director

bushes in the parking islands, around backflow equipment, and within the existing planting beds along the entrance of the site on Lake Drive.

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

- Apply for site work permit and meet all required drainage requirements.
- Provide a site and landscape plan showing the species of all bushes to be planted on the site and 3 additional Class A trees within the rear/western existing planting buffer.



2024-3713-BOA

ROW

GREENGATE

190

Parcel B

HC-3

PBC-1

VILLAGE

HC-3

LAKE

NORTH PARK

190

HC-3

HC-3

13

12

7

8

9

10

11

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58

6A

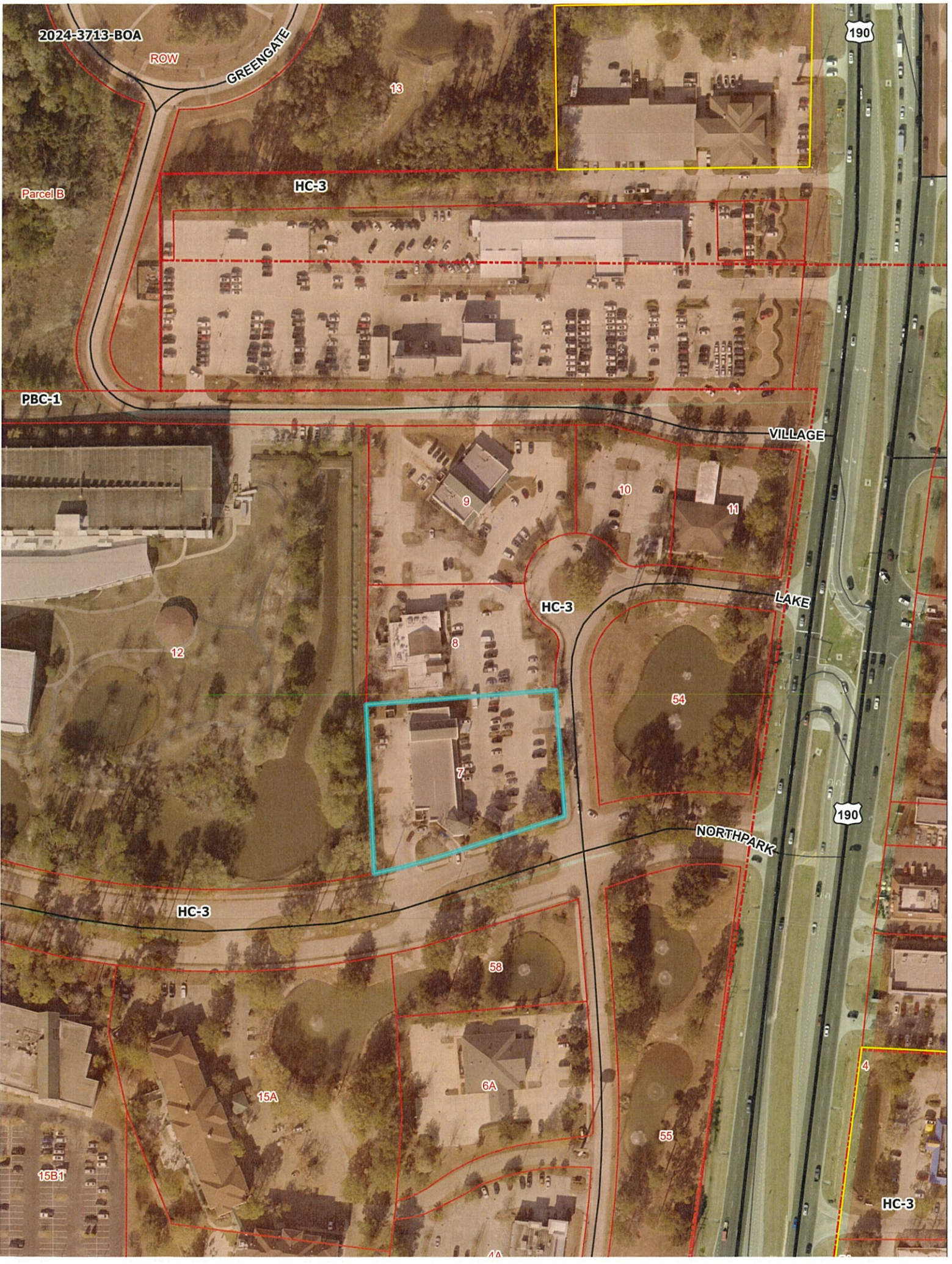
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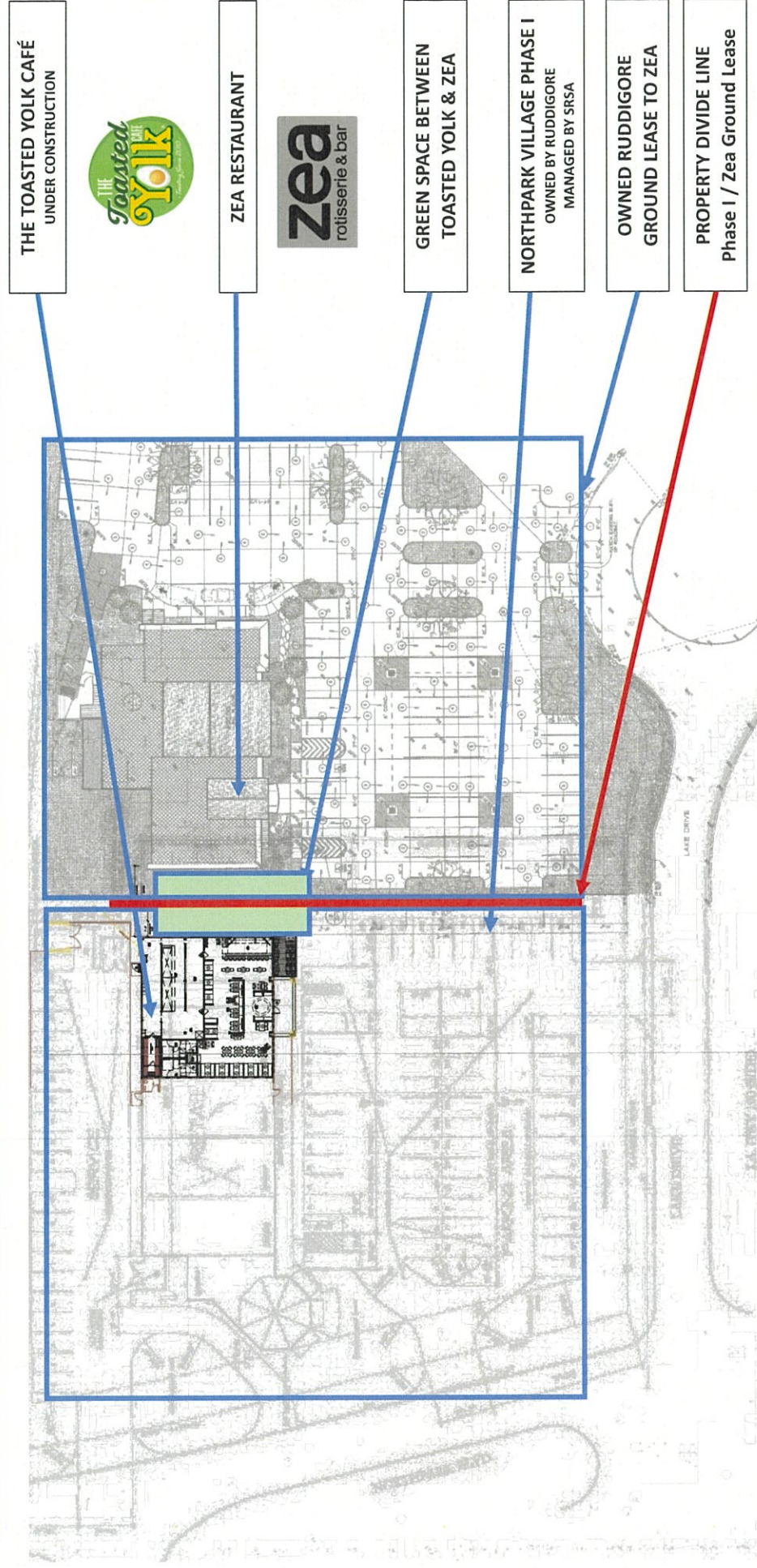
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**ST TAMMANY PARISH - NORTHPARK VILLAGE**  
**BOARD OF ADJUSTMENT VARIANCE/APPEAL REQUEST**  
**MARCH 6, 2024**

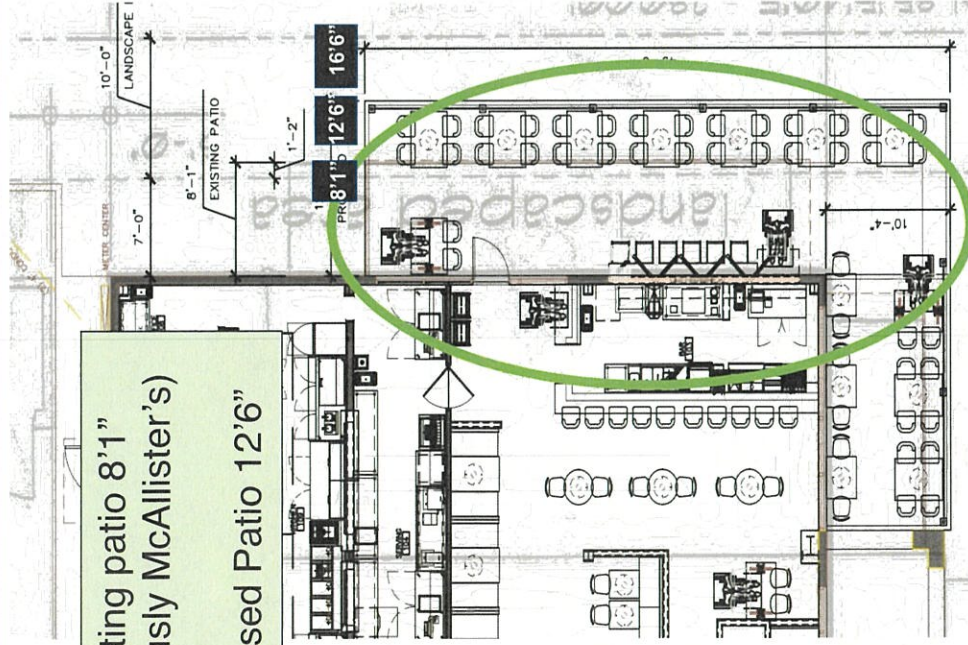
# Property Overview





# Proposed Patio

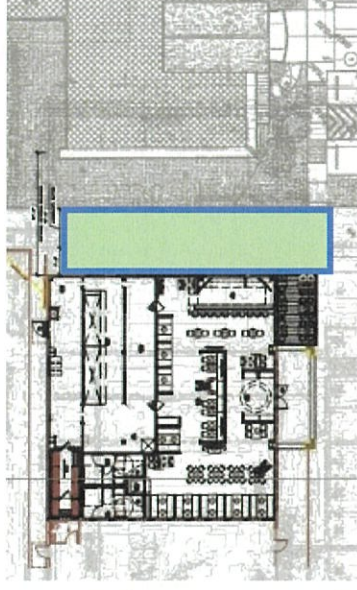
- Existing patio 8'1" (previously McAllister's)
- Proposed Patio 12'6"



Patio @ Toasted Yolk  
Mt Belvieu, TX  
Same Design for  
Covington location



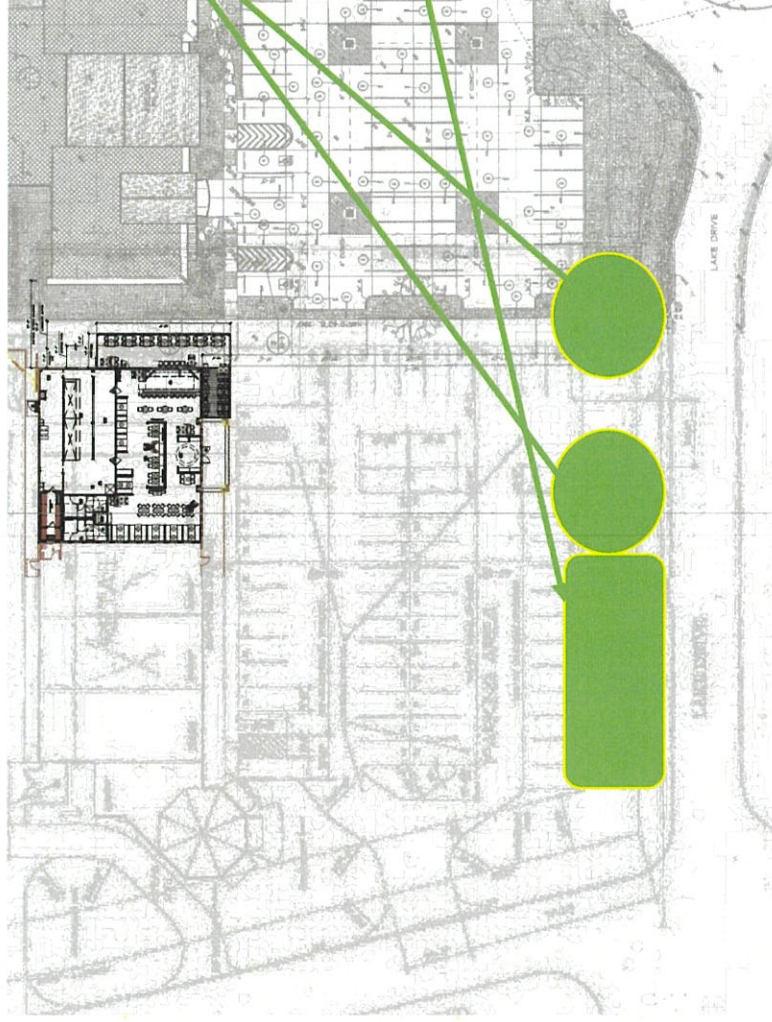
# Current Green Space



- Existing patio 8'1" (previously McAllister's)
- Distance to first stake / proposed patio: 12'6"
- Distance to second stake / property line: 16'6"
- Distance from Phase I to Zea Building: 32'
  - South wall of Zea building has no windows towards proposed patio
- Distance from Phase I to Zea landscaping: 24'



# Additional Beautification



Define entrance to Phase I parking lot with landscaping on each side; outline with box bushes to match islands.  
On the left (facing) side, beautify area around backflow prevention equipment with box bushes, assuming depth of pipe equipment allows.  
Second option, lattice work around equipment and cover in ivy.

Around large center, crown up the bed and extend the ground cover featuring Juniper bushes to address the existing bare spots.

# AREAS TO ADDRESS

