AGENDA
ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING
TUESDAY DECEMBER 4TH, 2018 - 3:00 P.M.
ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING “A”
21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS
MANDEVILLE, LOUISIANA

CALL TO ORDER

ROLL CALL

APPROVAL OF THE NOVEMBER 7TH, 2018 MINUTES

PUBLIC HEARINGS

BOA CASE NO. 2018-1294-BOA
Request by applicant for a waiver a portion of the required 10 foot side yard greenspace area and to encroach 3.9 feet over the property line, within the adjacent required 10 foot side yard greenspace area, to allow for the construction of a 450 square foot outdoor seating area. The property is located at 13130 Highway 1085, Suite 105, Covington, Louisiana.

Applicant & Representative: Copperstill Development LLC & CV Copperstill, LLC – Mike Saucier

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT
The November 7, 2018 meeting of the St. Tammany Parish Board of Adjustment was called to order by the Chairman, Mr. Fandal.

The roll was called as follows:

PRESENT: Mr. Fandal, Mr. Ballantine, Mr. Schneider and Mrs. Thomas.

ABSENT: Mr. Brookter, Mr. Gordon, and Mr. Guidry.

STAFF PRESENT: Mrs. Riles, Mrs. Lambert

APPROVAL OF THE MINUTES
Moved by Mr. Ballantine and seconded by Mrs. Thomas to accept the October 2, 2018 minutes with correction to add Mrs. Thomas as being present at the October meeting.

MOTION CARRIED UNANIMOUSLY

PUBLIC HEARINGS

BOA CASE NO. 2018-1249-BOA
Request by applicant for a variance to reduce the required rear landscaping buffer from 10 feet to 5 feet and to provide Class B trees & Shrubs, within the requested 5' greenspace, only along the parking area. The property is located at 4331 Iberville Street, Mandeville, Louisiana.
Applicant: Microland Computer Center - Tim Hymel
Representative: Centurion Builders, LLC – Tommy Meagher

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

Applicant Microland Computer Center – Mr. Tim Hymel identify himself as present for the request.

Mr. Ballantine: Is the number of parking spaces going to change? Is it a problem?

Representative: Centurion Builders, LLC – Tommy Meagher identify himself as the builder and stated that the required number of parking spaces will be provided.

Moved by Mr. Ballantine and seconded by Mr. Schneider to approve the variances as requested.

MOTION CARRIED UNANIMOUSLY
BOA CASE NO. 2018-1252-BOA
Request by applicant to waive the required 50 foot no cut buffers along the sides and rear of the property, to allow for the land clearing/clear cutting of all trees on the subject property, to comply with the wetland mitigation plan.
The property is located at 13330-13398 Boyd Road, Covington, Louisiana.
Applicant: Fifth Louisiana Resources, LLC – Richard Greig

Mrs. Lambert indicated that the representative was delayed and suggested to postpone the case to the end of the agenda.

Motion by Mrs. Thomas and seconded by Mr. Schneider to postpone the case to the end of the meeting.
BOA CASE NO. 2018-1261-BOA
Request by applicant for a waiver of the required 50 foot no cut buffers along the sides, to clear the pine trees, damage trees and underbrush, on a property having a width of 100 feet.
The property is located at 720 Orleans Avenue, Covington, Louisiana.
Applicants: Jimmy R. Rogers Jr. & Denise A. Hurstell

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

Applicants Denise A. Hurstell identify herself as the property owner.

Denise Hurstell: I would like to be able to use my 100’ wide property without having to meet the no cut setbacks.

Mr. Ballantine Other than removing the debris, why are you asking to cut the buffers and the pine trees?

Denise Hurstell: Property is located between 2 subdivisions. We sold the other end of the property. We are requesting to remove pine trees behind the abutting houses and the buffers, while we can still access it, before we start construction.

Mr. Ballantine: Is there an HOA for the abutting subdivision? Any objections from the adjacent neighbors?

Denise Hurstell: No HOA. We sent letters to the abutting neighbors to inform them that we are not taking down any of the hardwoods. If they have any damage trees, we can have the trees fall into our yard and have them removed? We had a responses from 2 neighbors.

Mr. Ballantine: Anyone here in objections? No one present!

Mr. Schneider: Will staff identify the hardwoods located on the site? Can damage hardwoods be removed?

Mrs. Lambert: Any damage or dead trees can be removed? Unless if we get a complaint, staff will not investigate or identify the hardwoods on the property.

Mr. Fandal: You understand that hardwoods cannot be removed?

Denise Hurstell: Yes, I understand.

Moved by Mr. Ballantine and seconded by Mrs. Thomas to approve the variances as requested.

MOTION CARRIED UNANIMOUSLY
BOA CASE NO. 2018-1264-BOA
Request by applicant for a reduction of the required front yard setback from 25 feet to 24.5 feet and a reduction of the required rear yard setback from 20 feet to 18.6 feet.
The property is located at 62132 N. 11th Street, Slidell, Louisiana.
Applicants: David & Velma Lewis
(Mrs. Lambert read the staff report into the record...)

Applicants and property owners David & Velma Lewis identify themselves.

Mr. Ballantine: How did you find out that you needed a permit?

Mr. David Lewis: We were posted by Code Enforcement. Before Katrina, there was a mobile home on the property. Tree fell on older mobile home. We removed the trailer and trying to replace it.

Mr. Ballantine: Can you clarify the situation? Before Katrina, there was a mobile home on the property?

Mr. David Lewis: Correct.

Mrs. Thomas: Question to staff, are you in favor of the request?

Mrs. Lambert: No staff is not in favor. Explain the reason for not supporting the request and clarify the reason for the request.

Mr. Schneider: If centered the self-imposed hardship would be 6 inches inside the front and the rear setbacks.

Mr. Ballantine: Staff needs to indicate on the agenda that it is an after the fact request.

Mrs. Lambert: Will make sure it is stated in the future.

Mr. Fandal: Was the size of the mobile home that was located on the site prior to Katrina, the same as this one? I don’t have any problem with the request since it is a replacement of mobile home destroyed by Katrina

Mr. David Lewis: it was a bigger mobile home.

Moved by Mr. Ballantine and seconded by Mrs. Thomas to approve the variances as requested.

MOTION CARRIED UNANIMOUSLY
BOA CASE NO. 2018-1252-BOA
Request by applicant to waive the required 50 foot no cut buffers along the sides and rear of the property, to allow for the land clearing/clear cutting of all trees on the subject property, to comply with the wetland mitigation plan.
The property is located at 13330-13398 Boyd Road, Covington, Louisiana.
Applicant: Fifth Louisiana Resource, LLC – Richard Greig

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

Representative: Kristina Perres, Project Manager supporting Richard Greig in project. We are clearing an existing pine tree plantation to restore long leaf pine wetland savannah. Trying to restore what was there 100 years ago.

Mr. Ballantine: I do not feel I am qualified to comment or review the case. Shouldn’t it be reviewed by the Corps of Engineers? Why is the request in front of the BOA?

Mrs. Lambert: Explain that Land clearing permit is required. Since they are requesting to remove/clear the required buffers they have to come in front of the Board to request waiver. The request is allow them to be able to meet the mitigation requirements. Staff cannot waive the buffer requirements.

Mr. Ballantine: You are going to cut buffers to replant? I do not agree, it is a bad representation for Local Government. All existing trees on the site are native. It is a beautiful place.

Kristina Perres: There are some historic long leaf pines that we will preserve. Site is being reviewed by Army Corp. The site does not currently support the current historic hydrologic regime. By removing road pine trees and loblolly pines, which grow quickly, it will allow us to meet the requirements. Fire create habitat for wildlife. Explain requirements from Army Corps of Engineering to restore habitat and that the site is going to be beneficial and add to the wildlife management and to the Nature Conservancy.

Mr. Ballantine: I would like to inform the Board that there is berm, which serve for the purpose of water retention?

Kristina Perres: Not sure which berm you are referring to. There is Scenic River Ways that bisect the property. Wetland mitigation bank will allow water to flow away from neighbors. Since flood in 2016, we need more area for water to flow and wetlands are those places.

Mr. Ballantine: We are not doing anything on wetland mitigations. We are just discussing/reviewing the request to clear the buffers?

Mrs. Lambert: Correct

Kristina Perres: Part of the buffer will be used as a 20’ Fire break around the site, as part of long term maintenance plan. Leaving the buffers can cause problems in area. We want to be able to restore a grass buffer around the tract of land.

Mr. Ballantine: if it has to be review by Corp, should we wait on the review and approval from the Corp of Engineers?
Kristina Perres: Without the variance, the preservation of the buffers will take away from the site & areas to mitigate the corridor from I-12 to Bush.

Mr. Ballantine: I am opposed to this. Discuss the vote needed for approval.

Mr. Schneider: Ask staff the amount of discretion they have to send the request to the BOA versus this issue going back to the Corp? I am against taking property out of commerce for perpetuity. I am not opposed to the project but I am not sure if I would grant the variance.

Mrs. Thomas: I did some research online and read about what it takes for approval from the Corp. The project has already been through long study. Not too many companies go through the amount of work or the process of trying to build an area where water can go. I do not know what we are objecting to at this point. If I am not mistaking, it is difficult to get approval from the Corp. I would be in favor of the request.

Mr. Ballantine: Beautiful site. Burn & native trees, houses around. There is a 4’ high berm, obviously to keep water inside, to make sure that the water does not get on the adjacent properties.

Kristina Perres: If there is a berm on the site at this time, it may be proposed to be removed as part of the restoration plans. The mitigation site that we have design with LA DOT, we went above and beyond the Corp requirements. There is a public use component of this project, for citizens to walk and enjoy the property. We want to remove the buffers to maximize the use of the property.

Mr. Fandal: Will you replant a certain number of trees?

Kristina Perres: We will replant as many trees as it requires to restore the long leaf pine area. 350 trees per acre to make it look like the Nature Conservancy. It will be planted throughout the property, mainly pine savannah & some hardwoods.

Mr. Ballantine: Why cutting trees to replant?

Mr. Schneider: We can’t compare long leaf pines and slash and loblolly pines. They fall easily. Long leaf pines have a longer life expectancy. I am in favor.

Mr. Ballantine: explain that we need all to vote in favor for request to be approved.

Mr. Fandal: Permit is already issued for the clearing of the entire site. They are only requesting to cut 50 feet. I don’t have a problem. Replacing with better trees is a good option.

Moved by Mr. Schneider and seconded by Mrs. Thomas to approve the variances as requested.

MOTION CARRIED UNANIMOUSLY
OLD BUSINESS

NEW BUSINESS

ADJOURNMENT: Moved by Mr. Fandal

MOTION CARRIED UNANIMOUSLY

MR. TIM FANDAL, CHAIRMAN
ST. TAMMANY PARISH BOARD OF ADJUSTMENTS

Disclaimer: These minutes are intended to represent an overview of the meeting and general representation of the testimony given; and therefore, does not constitute verbatim testimony or a transcription of the proceedings.
ST. TAMMANY PARISH BOARD OF ADJUSTMENT
STAFF ANALYSIS REPORT

Case File Number: BOA Case No. 2018-1294-BOA
Initial Hearing Date: 12/04/18
Date of Report: 11/21/2018

GENERAL INFORMATION
Applicant(s) Name & Representative: Copperstill Development LLC & CV Copperstill, LLC – Michael Saucier
Location of Property: 13130 Highway 1085, Covington, Louisiana.
Zoning of Property: HC-2A Highway Commercial District
Variance(s) Requested: Waiver a portion of the required 10 foot side yard greenspace area and to encroach 3.9 feet over the property line

OVERVIEW
The applicant is requesting a waiver a portion of the required 10 foot side yard greenspace area and to encroach 3.9 feet over the property line, within the adjacent required 10 foot side yard greenspace area, to allow for the construction of a 450 square foot outdoor seating area.

STAFF COMMENTS
The request is to allow for a 450 square foot covered outdoor seating area to be placed within the required side yard greenspace and to encroach over the abutting side yard greenspace area. As stated in the attached narrative, the patio is part of the proposed restaurant business model, and will provide additional seating and an area to facilitate “pick up” orders. Staff is not in favor of the request, considering that no hardship or practical difficulty is being demonstrated to warrant support of the encroachment within the required greenspace areas. Moreover, the support or granting of such variance request may result in the establishment of a precedent in the parish.
November 5, 2018

Helen Lambert
St. Tammany Parish Planning
P. O. Box 628
Covington, LA  70434

Re: Application for Variance
Copperstill Marketplace

Dear Helen,

Attached is an application to the Board of Adjustments for a minor lot line encroachment at Copperstill Marketplace. Ballard Brands, who locally owns P.J.’s Coffee, has executed a lease at Copperstill for an end cap space in our small retail building adjacent to Rouse’s for their new WOW full service restaurant they are planning here. Their business model calls for a comfortable, open patio space to be constructed to allow for outdoor seating to facilitate “Pick Up” orders.

I have enclosed several pieces of information including a site plan, parcel map, elevations, and photographs of the area in question. Please also note that the applicant (Copperstill Development, LLC) owns both tracts IA and IIA that form the Copperstill Marketplace shopping center. The primary reason for having two separate lots of record is to comply with a lease requirement by Rouse to have their functional tract separately assessed.

As indicated on the attachments, the total patio encroachment equals only 450 square feet. Additionally, any improvements or changes to the site areas on the Rouses’ parcel, require Rouses’ approval, which we have also attached hereto.
Hopefully, this information will provide your office and the BOA with the necessary information to approve this minor change at the upcoming on December 4, 2018 meeting. However, should you have any questions or need further information at this time, please advise.

Thank you,

Sincerely,

Michael J. Saucier
President

Attachments

cc: Scott Ballard
    Mark Vergas
    Jason Reibert
PROPOSED ELEVATIONS

EXISTING SIDE ELEVATION
SCALE: 1/8" = 1'-0"

EXISTING FRONT ELEVATION
SCALE: 1/8" = 1'-0"

PROPOSED SIDE ELEVATION
SCALE: 1/8" = 1'-0"

PROPOSED FRONT ELEVATION
SCALE: 1/8" = 1'-0"

ENLARGED SIDE ELEVATION
SCALE: 1/8" = 1'-0"

ENLARGED FRONT ELEVATION
SCALE: 1/8" = 1'-0"