AGENDA
ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING
TUESDAY SEPTEMBER 3RD, 2019 - 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 AUGUST 6TH, 2019 MINUTES

PUBLIC HEARINGS

BOA CASE NO. 2019-1569-BOA
Request by applicant in an A-4 Single Family Residential Zoning District to reduce the required street side yard setback from 20 feet to 12 feet.
The property is located at 61525 N. 7th Street, Slidell, Louisiana.
Applicant & Representative: Daniell Garnett

BOA CASE NO. 2019-1580-BOA
Request by applicant in an A-2 Suburban Zoning District to reduce the required rear yard setback from 20 feet to 3.6 feet, the required northern side yard setback from 5 feet to 4.4 feet and to waive the required southern side yard setback.
The property is located at 57573 Baldwin Drive, Slidell, Louisiana.
Applicant & Representative: Tania Miller

BOA CASE NO. 2019-1582-BOA
Request by applicant in an A-4 Single Family Residential District, an after the fact variance, to reduce the required side yard setback from 5 feet to 4.5 feet.
The property is located at 437 Colonial Court, Mandeville, Louisiana.
Applicant & Representative: Stephanie M. Reese

BOA CASE NO. 2019-1584-BOA
Request by applicant in a PBC-2 Planned Business Campus Zoning District to remove 2 existing trees from the front landscaping buffer & 1 existing trees from the side landscaping buffer.
The property is located at 1550 Ochsner Blvd, Covington, Louisiana.
Applicant: Resource Bank
Representative: Trula Remson

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT
The August 6th, 2019 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. Schneider, Mr. Gordon, Mr. Brookter & Mr. Ballantine

ABSENT: Mrs. Thomas & Mr. Guidry

STAFF PRESENT: Mrs. Lambert & Mrs. Riles

APPROVAL OF THE MINUTES

Moved by Mr. Brookter and seconded by Mr. Ballantine to accept the July 2nd, 2019 minutes.

MOTION CARRIED UNANIMOUSLY

PUBLIC HEARINGS

BOA CASE NO. 2019-1526-BOA

Request by applicant in an A-4 Single Family Residential Zoning District to waive the required 25 foot front yard no cut buffer, and the required 50 foot sides and rear yard no cut buffers to allow for the property to be developed as a hay field.

The property is located on the east side of Javery Road, Slidell, Louisiana.

Applicant & Representative: Clarence V. Lambert Jr.

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

Clarence V. Lambert Jr.: Identify himself as the representative & the property owner. Stated that he wanted to develop the site as a hay field & described the uses on the adjacent properties. Asked staff to confirm that if the property would be less than 3 acres or if he would subdivide the property, he would not have to keep the buffers or apply for a land clearing permit.

Mr. Fandal: Asked staff to confirm the regulation regarding buffers & land clearing permit.

Mrs. Lambert: Explained the regulation.

Mr. Gordon: When did you buy the land?

Clarence V. Lambert Jr: It was a donation from family.

Mr. Gordon: I understand that you were planning on cutting the trees, selling the timber and develop the property with a hay field, but it is not a permitted use on the site.
Mr. Gordon: Asked staff to check if it would be allowed for the site to be developed as hayfield, only for personal use. Could a zoning change request be submitted?

Mrs. Lambert: A Rural Overlay would be required to develop the site with any type of agricultural uses. A zoning change request would have to be submitted.

Mr. Gordon: Offers the owner to apply for zoning change and comeback to the board for the variance.

Mr. Lambert: Not in favor of asking for zoning change.

Moved by Mr. Gordon and seconded by Mr. Schneider to deny the requested variance.

MOTION CARRIED UNANIMOUSLY

BOA CASE NO. 2019-1527-BOA

Request by applicant in a PF-1 Public Facilities Zoning District to reduce the required setbacks on the north side from 199 feet to 33.1 feet, on the east side from 199 feet to 36.8 feet, on the west side from 199 feet to 30 feet, on the south side from 199 feet to 30 feet and for a waiver of the required planting area and the required number of Class C/Shrubs, to allow for the property to be developed with a cellular tower.

The property is located on the west side of East 1st Street, Covington, Louisiana.


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

John F. Leyens Jr.: Representative for project. Provided background regarding the need for a cellular tower in the area. Explained that tower technology has changed, new towers are made to collapse and not fall, as stated in the attached letter from engineer.

Mr. Ballantine: This type of monopole is designed to fall within a 30 foot radius. However, it also suggests that it is the kind of tower that can lean over and bend over.

John F. Leyens Jr: Confirmed Mr. Ballantine’s statement and provided additional explanations.

Mr. Ballantine: According to the letter there is a safety factor of 25%.

John F. Leyens Jr: There is a buffer in addition of meeting the code.

Mr. Ballantine: The house across the street is not 200 feet away from the proposed tower.

John F. Leyens Jr: The information provided is based on the engineering’s measurements. I did not visit the site.

Mr. Ballantine: The house is right across the site and I feel that the information presented is not correct.

John F. Leyens Jr: Explained that the fall would take place within a 30’ radius.

Mr. Gordon: Does the map you presented show the coverage from other carriers?

John F. Leyens Jr: It is just AT&T, for approximately 5-6 towers.

Mr. Gordon: Do you have a contract with a manufacturer? Does the drawing only certify the design of the tower shown on the plan?

John F. Leyens Jr: The tower builder would works with the engineers and the same tower shown on the plan would be built.
Mr. Gordon: The verbiage in the letter appears to have open ended responses, no guaranty on any particular aspects. Are there any other uses on the property?

John F. Leyens Jr: There are some light agricultural uses on the property. Provided additional information for choosing the proposed location.

Mr. Gordon: Do you know if the owner would sign an agreement stating that no other uses would take place on the property? If the property is developed with other single family residential uses, it could become an issue.

John F. Leyens Jr: I would have to consult with the owner if he would agree to sign such agreement.

Mr. Schneider: What is the minimum and maximum distance between 2 towers?

John F. Leyens Jr: We search for land that would allow the placement of a tower between ¼ to 2 miles radius from another tower. A lot of study takes place before a site is selected. Additional information/explanation provided.

Moved by Mr. Ballantine and seconded by Mr. Schneider to deny the requested variance based on the proximity of the adjacent residence.

Mr. Fandal informed the board members that a motion would have to be made to continue the discussion.

Moved by Mr. Ballantine and seconded by Mr. Brookter to open for discussion.

MOTION CARRIED UNANIMOUSLY

Mr. Gordon: I am no in favor. Moving the tower is not going to resolve the situation.

Mrs. Lambert: Is there a possibility to move the tower further away in the rear of the site & the equipment to the front?

John F. Leyens Jr: Could be an option.

Mr. Fandal: Would they have to expend the fall area for the tower? Was the zoning change only for that portion of the property?

Mrs. Lambert: Zoning change would have to be requested if the tower would be moved outside of the area already zoned.

Mr. Gordon: Question the location of the tower and proposed changes.

Mrs. Lambert: Confirmed that a variance would still be necessary.

Mr. Brookter: Could the owner allow for the tower be moved to another side of the property?

John F. Leyens Jr: It would first require another zoning change request.

Mr. Ballantine: Stated that he feels the distance between the existing residences and the site is too short.

Mr. Fandal: Questioned if the Zoning Commission asked the proposed use of the property and if it would fit on the property.

Mrs. Lambert: The proposed use of the property was stated in the staff report; however, no details/drawings regarding the tower and/or the potential need for variance was provided, since it is not required.

Mr. Ballantine: Do we have a motion on the floor.
Mr. Fandal: We do have a motion and a second. We can vote.
Mr. Fandal: Motion Failed. Explained the vote and asked to revote.

MOTION CARRIED UNANIMOUSLY

BOA CASE NO. 2019-1532-BOA
Request by applicant in an A-4A Single Family Residential Zoning District to reduce the required front yard setback from 25 feet to 15 feet to allow for the construction of a single family residence on the property.
The property is located at 255 Clara Drive, Slidell, Louisiana.
Applicant & Representative: Wilhelm & Renee Schober

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

Wilhelm Schober: Owner & representative explained that the typical front setback in the area is 15 feet. Since the rear of the property is in the water, meeting the front yard setback would bring the rear wall of the residence on the bulkhead.
Mr. Ballantine: I am opposed to the request, since some of the houses appear to meet the minimum front yard setback and some extend into the water.
Mr. Fandal: It appears that you will have to remove a tree, will it require a permit?
Mrs. Lambert: No permit will be required to remove trees.
Mr. Gordon: The board approved other variances in the area. Additional explanations referring to the pictures. There is consistency in regards to the front setback and the other residences.
Mr. Fandal: The pictures in our packet are pictures that you provided of the neighborhood?
Wilhelm Schober: Yes, I provided the pictures. Provided additional information regarding the neighborhood.
Mr. Ballantine: Will the front of your house will be similar to the other houses?
Wilhelm Schober: Yes, it will.

Moved by Mr. Gordon and seconded by Mr. Schneider to approve the requested variance.

Mr. Ballantine voted to deny the requested variance.

MOTION PASSED
BOA CASE NO. 2019-1545-BOA

Request by applicant in a HC-2 Highway Commercial Zoning District to allow for the reduction of the required number of parking spaces to allow for the construction of a 5,400 sq.ft. commercial building on the property.

The property is located at 2316 Gause Blvd East, Slidell, Louisiana.

Applicant & Representative: Gary Dragon

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

Gary Dragon: Explain that he is a physical therapist, not a physician. The ration of number of patient per physical therapist is regulated. Explained that he needs space for the equipment more than for the number of patients treated. To that effect, the request to reduce the number of parking spaces from one spot should not be an issue.

Mr. Gordon: Will the footprint of the building affect the required number parking spaces? Would the footprint of the building/concrete be the same?

Mr. Burkes: The square footage of the building would have to be reduced to meet the parking requirements. However, the footprint/concrete area would be the same.

Mr. Charles Lamarche: Representative regarding the letter sent in opposition. Request to deny the variance due to drainage problems and parking issues in the area. The drainage problems got worse since all the trees have been removed, mainly on the adjacent properties.

Mr. Fandal: We cannot address issues regarding the drainage, we are here to address a request a parking variance.

Mr. Ballantine: I thought the request was for parking variance? Is there a landscaping plan?

Mrs. Lambert: A landscape plan was provided and reviewed.

Mr. Gordon: I questioned Mr. Burkes regarding the footprint, and it is not going to change. Retention pond & Hydro study are required for the site. The proposal is legal besides the request for variance of the parking.

Mr. Lamarche: Concerned that the construction of an additional building will not improve the drainage in the area. Property was used as a natural retention pond.

Mr. Schneider: If the square footage of the building is reduce, no variance would be required? Correct?

Mrs. Lambert: Reduction of the square footage of the retail space or the physical therapy would be required to avoid variance.

Mr. Fandal: Did you do the study for the required pond? Is subsurface drainage a possibility?

Mr. Burkes: Explained that he is engineer for the site and that other variances have been requested. Explained the drainage pattern and that subsurface drainage is provided for a portion of the site.

Mr. Gordon: My concern regarding the parking count is mostly regarding the retail space, not knowing the retail use that would occupy the suite.

Mr. Dragon: Explain the type of use he is expecting to occupy the suite. Stated the number of parking spaces used where his current practice is located.

Melissa Dragon: Will a reduction of 1 parking spot make a big difference? We are aware that we will be limited regarding the uses we will allow in the adjacent suite.
Mr. Ballantine: I am not concerned about the parking variance, but I am concerned about the drainage complaint/concern from the adjacent homeowners.

Mrs. Lambert: Code Enforcement & Engineering Department involved and are working on resolving issue.

Mr. Brookter: The requested variance is for parking not drainage.

Mr. Fandal: Can the square footage of the building be reduced?

Mr. Dragon: It would be possible to go back to the drawing board.

Mr. Burkes: This process has been going on for 1.5 years. We have already been in front of you 3 times. If we would have known, we would have asked for all variances at the same time.

Mr. Fandal: We do not make the rules or regulations.

Mr. Gordon: Sean, can the detention pond be bigger?

Mr. Burkes: If the pond is bigger, we will need landscape variance.

Mrs. Lambert: A separate variance request would have to be submitted. Explain the requested variance.

Mrs. Riles: Confirmed.

Mr. Gordon: Asked questions regarding the possibility of building a 2 story building and additional questions regarding the site plan.

Mr. Dragon: Stated that it is not an option he explored and explained previous changes made to the site plan.

Mr. Schneider: Will the building be 5400 square feet?

Mr. Gordon: The site plan shows 18 parking spaces.

Mr. Dragon: Correct, this is the site plan I am requested to have approved and the square footage will be the same.

Mr. Lamarche: Explained the issues regarding the parking in the area in general.

Mr. Gordon: What is the process to work with the landscape requirements? Deadline to submit? They could make pond bigger & reduce the required landscaping.

Mrs. Lambert: Any type of landscaping variance would have to be submitted separately. Deadline is today for the September meeting.

Mr. Fandal: The use could change anytime and the required number of parking spaces may not be the same.

Mr. Gordon: Mr. Lamarche, what are your thoughts?

Mr. Lamarche: I like the idea of making the pond bigger for more retention and help with the drainage issues.

Mr. Gordon: Choice is to take away one spot or maybe in the future they can come back and ask for landscape variance to make pond bigger.

Moved by Mr. Ballantine and seconded by Mr. Brookter to approve the requested variance.

MOTION CARRIED UNANIMOUSLY
BOA CASE NO. 2019-1549-BOA
Request by applicant in a PUD Planned Unit Development Overlay to allow for the reduction of the required front setback from 35 feet to 17 feet to allow for the construction of a single family residence.
The property is located at 4104 Marina Villa East, Slidell, Louisiana.
Applicant: Rod Warren Willhoft II
Representative: Savoie Construction-Brent Savoie

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

Brent Savoie: Representing the owner Rod Warren Willhoft II. Error on the originally submitted variance application form. Variance requested is from 35 feet to 25 feet. Explained the issue with the elevation of the adjacent properties. Neighbors built at different elevations and did not bring the same amount of fill. Property is 2 feet above sea level. When we lay out the property, and brought in the fill, the elevation changed. To resolve the issue, HOA suggested to move the house 10 feet and granted the variance. HOA signed on the site plan to confirm approval of variance. Written approval in support of the request from abutting neighbors provided.

Mr. Gordon: What are the side yard setbacks?
Mr. Savoie: 9 feet on one side & 4 feet on the other side.

Mr. Gordon: The houses are like large garden homes? The letter from the HOA is what I usually base my recommendation on.

Mr. Savoie: Correct. Also, if we would move the house back, due to the elevation, we would need to build retaining wall.

Mr. Ballantine: At 25 feet from the front property line, will the house be sticking out compared to the other one? What is the square footage of the house?

Mr. Savoie: Not at all, this is the 1st house in the cul de sac, the neighbor is 15 feet forward. The house will be 2400 square feet.

Mr. Brookter: Will the 10 foot variance bring the house out of the canal?

Mr. Savoie: The house is not abutting a canal.

Moved by Mr. Gordon and seconded by Mr. Ballantine to approve the requested variance.

MOTION CARRIED UNANIMOUSLY
OLD BUSINESS
Mr. Ballantine: Could a HOA approval check box/adjacent homeowners approval be added to the application form?
Mrs. Lambert: Attached to the application form, it states that additional documents can be provided in support of the request.
Mrs. Riles: The Board cannot request to make changes to the form.

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

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<th>Case File Number:</th>
<th>BOA Case No. 2019-1569-BOA</th>
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<td>Initial Hearing Date:</td>
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<tr>
<td>Date of Report:</td>
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### GENERAL INFORMATION

- **Applicant(s) Name & Representative:** Daniell Garnett
- **Location of Property:** 61525 N. 7\(^{th}\) Street, Slidell, Louisiana
- **Zoning of Property:** A-4 Single Family Residential Zoning District
- **Variance(s) Requested:** Reduce the required street side yard setback.

### OVERVIEW

The applicant is requesting to reduce the required street side yard setback from 20 feet to 12 feet to allow for the construction of a single family residence.

### STAFF COMMENTS

The applicant is seeking a reduction of the street side yard setback to allow for the construction of a 2654 square foot single family residence. Although the property is triangular in shape, staff does not have any reason to be in favor of the requested variance, since the size of the single family residence could be reduced to meet the setback requirements.
A SITE PLAN FOR
LOT 13A, SQ. 61, ALTON SUBDIVISION
IN SECTION 26, T-8-S, R-14-E,
GREENSBURG LAND DISTRICT,
ST. TAMMANY PARISH, LOUISIANA
ST. TAMMANY PARISH BOARD OF ADJUSTMENT
STAFF ANALYSIS REPORT

Case File Number: BOA Case No. 2019-1580-BOA
Initial Hearing Date: 09/03/19
Date of Report: 08/23/19

GENERAL INFORMATION
Applicant(s) Name & Representative: Tania Miller
Location of Property: 57573 Baldwin Drive, Slidell, Louisiana
Zoning of Property: A-2 Suburban Zoning District
Variance(s) Requested: Reduction of the required rear & northern side yard setbacks &
waiver of the southern side yard setback.

OVERVIEW
The applicant is requesting to reduce the required rear yard setback from 20 feet to 3.6 feet, the
required northern side yard setback from 5 feet to 4.4 feet and to waive the required southern side
yard setback.

STAFF COMMENTS
The applicant is seeking setback variances to allow for the elevation an existing single family
residence to the minimum base flood elevation. As shown on the attached survey, the property is
located in Flood Zone “A10” with a Base Flood Elevation of 10 feet.

Since the residence is currently encroaching on the adjacent property, the owner explored options
to minimize the potential setback variance requests, such as the reduction of the square footage of
the residence and the possibility of moving the residence entirely on the property. However, as
stated in the attached narrative, the two options are not feasible since one would greatly affect the
size of one of the room, making it practically unusable, and the other option would make the
residence unstable due to the presence of an underground stream, crossing the property.

Finally, in order to submit the variance application form and to allow for the existing residence to
be elevated, maintained and repaired in its currently location, the owner acquired a perpetual
servitude agreement from the abutting property owner (see attached document).

Staff is in favor of the requested variances, considering that the residence has been affected by
flood water several times and that the main reason for the requests is to allow for the residence to
be elevated at the minimum base flood elevation.
2019-1580 BOA

This home never flooded before Katrina. The home on southerly portion of lot 26 was completely destroyed in that storm. Because of changes made since levees and flood gates have been installed, we flood with every storm that impacts our area. We cannot sell unless we elevate. In order to elevate, we have three options:

1) move the home two feet to the east
2) remove the two feet of the home encroaching on the other portion of lot 26
3) receive a variance for the not only the encroachment, but the other side and rear lot lines.

If we move the house over two feet, not only is it cost prohibitive, there is an underground stream that clips the rear, northwest corner of the house. Moving the house two feet in that direction would put it over the stream. While it was substantial before, it has become bigger and causing drastic changes to the yard and causing the house to sink on that side.

Removing two feet off from the south side of the house would decrease the utility/laundry room have a detrimental impact on usability. It would bring the interior width from six feet to less than four feet.

In hopes of securing a variance on the lot lines, the owners of the larger portion have granted a predial servitude (please see attached) for the encroachment along with an additional four feet for maintenance, repair, etc. In researching the property, the whole lot 26 was purchased in 1958 and homes were built on the larger, southerly portion and my portion shortly afterwards. (There were two separate foreclosures in 1960 – one for each portion of lot 26). This has been an existing condition for nearly sixty years.

I hope that this will help with the determination due to how long this condition has existed.

Thank you for your consideration in this matter.

Sincerely,

Tania Miller

57573 Baldwin Drive
Slidell LA 70460
SURVEY MAP OF
A PART OF LOT 26, WILDWOOD PARK
in St. Tammany Parish, Louisiana
for DAVIE SHORING, INC.

#57573 BALDWIN STREET

Survey No. 2019 145
Date: APRIL 03, 2019
Scale: 1" = 30'

JOHN E. BONNEAU & ASSOCIATES, INC.
Professional Land Surveyors • Planners and Consultants
1011 NORTH CAUSEWAY BLVD., SUITE 34 • MANDEVILLE, LA 70471
(985)845-1012 • (985)846-1013 • FAX NO. (985)845-1778
www.JEBCLandSurveying.com • e-mail: info@JEBCLandSurveying.com

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 PRACTICE FOR BOUNDARY SURVEYS AS ADOPTED BY THE STATE OF LOUISIANA. REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR A CLASSIFICATION OF SURVEYING.

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STATE OF LOUISIANA
PARISH OF ST. TAMMANY

PREDIAL SERVITUDE AGREEMENT

BE IT KNOWN, that on the below set forth dates, before the undersigned authorities, duly commissioned and qualified in and for the state and parish aforesaid, and in the presence of the undersigned good and competent witnesses, personally came and appeared:

Charlette M. Carob, wife of and Robert O. Bradley, both persons of the age of majority and residents of the Parish of St. Tammany, State of Louisiana, who declared under oath unto me, Notary, that they have been married but once and to each other and are presently living and residing together at 34129, Bayou Liberty Road, Slidell, LA 70460 hereinafter referred to as “GRANTOR”; and

Tania Douglas Miller, who declared unto me, Notary, that she has been married three times, first to David Gable, from whom she was divorces, second to Glen Aderhold, from whom she was divorced and third to Kirk Miller with whom she is presently living and residing and that her permanent mailing address is 57573 Baldwin Drive, Slidell, LA 70460

And

Kirk Miller, who declared unto me, Notary, that he has been married twice, first to Kimberly Frankie, from whom he was divorced and second to Tania Miller with whom he is presently living and residing and that his permanent mailing address is 57573 Baldwin Drive, Slidell, LA 70460 hereinafter referred to as “GRANTEE”; who after being duly sworn, did depose and say:

GRANTOR acquired the east portion of Lot 26, Wildwood Park in an act dated May 10th, 2005 and recorded under instrument number 1494260, Public Records of St. Tammany Parish, Louisiana. Taxed under assessment number 128-067-8392

GRANTEE acquired the west portion of Lot 26, Wildwood Park in an act dated October 23, 2006 and recorded under instrument number 1586125, Public Records of St. Tammany Parish, Louisiana. Taxed under assessment number 128-065-3896

STRUCTURES located on both properties were pre-existing when properties were purchased. A survey obtained in conjunction with the intention to elevate the home located on the west portion of Lot 26, Wildwood Park revealed an encroachment of the home by two feet, more or less, onto the east portion of Lot 26, Wildwood Park. Referencing LA Civ Code 670, GRANTOR and GRANTEE hereby enter into a Predial Servitude Agreement.
Predial Servitude

In consideration of the payment of $1,000.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by GRANTOR, GRANTOR does hereby sell, grant, deliver and convey to GRANTEE a perpetual servitude in, over and across the land more particularly described as follows:

A PORTION OF LOT 26, WILDWOOD PARK, SITUATED IN SECTION 38, TOWNSHIP 9 SOUTH, RANGE 14 EAST ST. TAMMANY PARISH, LOUISIANA, AND AS SHOWN ON PLAT BY H. G. FRITCHIE DATED MARCH 8, 1951 AND RECORDED AUGUST 9, 1951 AS MAP 3 202-42, PUBLIC RECORDS OF ST. TAMMANY PARISH, LOUISIANA, WHERE THE HOUSE ENCROACHES ONTO PROPERTY BY APPROXIMATELY TWO FEET (2') AND AN ADDITIONAL FOUR FEET (4') FOR ACCESS TO REPAIR, MAINTAIN AND ELEVATE IMPROVEMENTS AS SHOWN ON SURVEY ATTACHED

in order to elevate, maintain and repair structure, and for any and all related purposes therein reserving, however, to the GRANTOR, its heirs and assigns, all such rights and privileges in the land as may be used without interfering with or abridging the rights and servitude hereby granted; subject, however, to existing servitudes for public roads and highways, public utilities, railroads and pipelines.

GRANTOR reserves unto itself, its successors and assigns, and excepts from this transfer, all of the oil, gas and other minerals in and under the property conveyed, it being understood however that GRANTOR, its successors and assigns shall have the right to produce oil and gas or other minerals in and under the property conveyed by the use of directional drilling methods only, and thus hereby waives surface rights therein.

GRANTOR acknowledges and agrees that the consideration provided herein constitutes full and final settlement for both the predial servitude herein granted and for any and all diminution in the value of GRANTOR’s remaining property as a result of the granting of this servitude.

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(Signature Pages to Follow.)
THUS DONE AND PASSED by GRANTOR(s) on the ___ day of ____, 2019, at Slidell, St. Tammany Parish, Louisiana in the presence of the undersigned competent subscribing witnesses and me, Notary Public, after reading of the whole.

WITNESSES:                           GRANTOR(S):

Print Name: CHARLETTE L. BRADLEY  Print Name: Shannon Davis

Print Name: Shannon Davis

Robert O. Bradley

Notary Name: Carol B. Heard

Bar Roll/Notary I.D. No. #18239
THUS DONE AND PASSED by GRANTEE on the 17th day of July 2019, at Livingland, St. Tammany Parish, Louisiana in the presence of the undersigned competent subscribing witnesses and me, Notary Public, after reading of the whole.

WITNESSES:

Chika Kilpatrick Harper
Print Name: Chika Kilpatrick Harper

By: Kirk Miller

Tania Miller
Print Name: Tania Miller

By: Tania Miller

NOTARY PUBLIC

Notary Name:___________________________
Bar Roll/Notary I.D. No.:__________________
ST. TAMMANY PARISH BOARD OF ADJUSTMENT
STAFF ANALYSIS REPORT

Case File Number: BOA Case No. 2019-1582-BOA
Initial Hearing Date: 09/03/19
Date of Report: 08/23/19

GENERAL INFORMATION
Applicant(s) Name & Representative: Stephanie M. Reese
Location of Property: 437 Colonial Court, Mandeville, Louisiana.
Zoning of Property: A-4 Single Family Residential Zoning
Variance(s) Requested: After the fact variance to reduce the required side yard setback

OVERVIEW
The applicant is requesting an after the fact variance to reduce the required side yard setback from 5 feet to 4.5 feet.

STAFF COMMENTS
The request is to allow for a partially constructed 384 square foot (25' X 17') pavilion to remain on the site, on an existing slab, approximately 4.5 feet from the property line. As shown on the attached plan, the purpose of the pavilion is to allow for an outdoor covered space area and for a small storage room. Although the owner was not aware of the required setback and that a building permit was required for the proposed pavilion, staff is not in support of the request variance considering that no evidence of hardship or practical difficulty has been demonstrated to support the encroachment within the required side yard setback.
NOTE: SETBACK LINES AS PER COB 1370
FOLIO 339 AND ARE IN ACCORDANCE
WITH A-2 ZONING.

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COLONIAL COURT

LEGEND

- 1/2' IRON ROD FOUND
- 6/8' IRON ROD FOUND

BUILDING SETBACK LINES
FRONT-25'
SIDE-5'
REAR-25'

This is to certify that I have done an
actual ground survey and found that
no setbacks exist other than what
are shown on property lines except as shown.

SURVEY MAP OF
LOT 1, COLONIAL VILLAGE SUBDIVISION

St. Tammany Parish, Louisiana

for

SHO-GOOD-LAND, INC. and
PARISH NATIONAL BANK

Survey No. 93033
Date: J A N U A R Y 5, 1993

JOHN E. BONNEAU & ASSOCIATES, INC.
Professional Land Surveyors, Planners and Consultants
430 N. NEW HAMPSHIRE, SUITE 103 • EDINBURG, PA 17024-3546 • N.O. (504) 526-3398
FAX NO. (504) 922-5320

This Survey is Certified
John E. Bonneau
Professional Land Surveyor
Registration No. 2476
437 Colonial Ct. Mandeville Lot #1 Colonial Village Subdivision

(25' x 17') Foundation/Slab:
- 18" chain wall around
- #6 rebar used throughout with #3 stirrups
- C25 concrete 19" depth on slab

(24' x 16') Pavilion Materials:
- 10" x 10" x 9' beams (headers)
- Simpson Brackets Anchored 5/8 wedge anchors pre-drilled & bolted
- 3/4 tongue & groove decking
- hurricane straps
- 2" x 3" x 6" angle iron pre-drilled and bolted at every rafter
- 50 yr architectural shingles to match house

Height of Beams 9' +
Top of beams to
Pitch 5'2" = 14'2"
Walls
on 2 sides
(2 walls for storage)

- 384 sq ft.
- 172" slab 17' from FENCE

Property Line 6.5' FROM FENCE

Colonial Court

100'

Hickory Street
Case File Number: BOA Case No. 2019-1584-BOA
Initial Hearing Date: 09/03/19
Date of Report: 08/23/19

GENERAL INFORMATION
Applicant: Resource Bank
Representative: Trula Remson
Location of Property: 1550 Ochsner Blvd, Covington, Louisiana.
Zoning of Property: PBC-2 Planned Business Campus
Variance(s) Requested: Remove existing trees from front and side landscaping buffers.

OVERVIEW
The applicant is requesting to remove 2 existing trees from the front landscaping buffer & 1 existing trees from the side landscaping buffer.

STAFF COMMENTS
Staff does not object to the applicant's request to remove the dead 6” oak from the front buffer. No mitigation would be required due to sufficient credits to meet the front buffer per the Unified Development Code. In fact, no variance is required for this item.

The (2) pines requested for removal are not damaged and are protected by the UDC landscape regulations. While staff understands the applicant’s desire to remove the pines, there is no evidence of hardship to warrant removal of the trees. Should the board vote in favor of the request for removal of the (2) pines, staff suggest onsite mitigation with (4) Class ‘B’ trees, planted (2 trees in each buffer) in the same location as the pine trees.
Frond yard setback Landscape Analysis:

Trees Required: 133.95' of length
- Class A Trees: 15
- Class B Trees: 5

Shrub: 115

Tree Credits for Existing Trees (not including trees requested to be removed):
- 10' Pine: 3 credits
- 6' Oak: 2 credits
- 4' Oak: 1 credit
- 8' Pine: 2 credits

Total existing tree credits: 15 (10 total trees required)

It is recommended to remove the existing tree because it is too close to the building.

Formal Yard Setback Landscape Analysis:

Trees Required: 261.42' of length
- Class A Trees: 130
- Class B Trees: 50

Tree Credits for Existing Trees (not including trees requested to be removed):
- 6' Magnolia: 2 credits
- 24' Pine: 3 credits
- 30' Pine: 3 credits
- 14' Oak: 3 credits
- 17' Pine: 3 credits
- 6' Oak: 2 credits
- 6' Pine: 2 credits
- 8' Bay Magnolia: 2 tree credits

Total existing tree credits: 25 tree credits (18 trees required)

Requesting approval of Formal yard setback because 5 extra tree credits are provided after requested trees are removed.
To: St. Tammany Parish
   Board of Adjustment

Property: 1550 Ochsner Boulevard
           Covington, LA

Written Narrative

Resource Bank (represented by Architect Trula Remson) is coming before the Board of Adjustment to request the removal of three trees which are currently located in the front and side landscape buffers. Two of these trees are pine trees and located too close to the Owner’s (Resource Bank) building. The third tree is small, and it is dead.

Resource Bank recently renovated this building and did add landscaping (including trees) in the parking area. The site is heavily treed. Resource Bank also owns the property next door at 1598 Ochsner Boulevard, where their Operations Center is located.

As you will see on the submitted plans, if these trees are removed, there will still be enough trees in the Landscape Buffer Yard to exceed the St. Tammany Parish tree requirements.

In full disclosure, we will be asking to remove two additional pine trees on the site which are not located in the landscape buffer and therefore do not require Board of Adjustment Approval. We will be submitting a Land Clearing Permit to request permission to remove these trees. These two trees are also very close to the existing building.

If you have any questions or concerns, please contact:

Trula Remson, FAIA
RHH Architects, APAC
225.921.6137
Board of Adjustment Variance Request

Request to remove 5 trees
See attached Site Plan

Front Yard Setback

Side Yard Setback from Street
Side yard from rear of Lot