HOUMA BOARD OF ADJUSTMENT
Official Proceedings of October 19, 2020

Houma Civic Center

The Chairman, Pete Konos, called the September 22, 2020 meeting of the Houma Board of Adjustments to order at 5:06 p.m.

1. Pledge of Allegiance: Mr. David Tausin

2. Upon Roll Call, those members present were Mr. Pete Konos, Mr. Willie Newton, Mr. Matthew Chattagnier and Mr. David Tausin. Also present was Mr. Christopher Pulaski, TPCG Planning Director. Mr. Joe Harris was absent due to surgery.

3. ANNOUNCEMENTS: Mr. Pulaski announced that Mr. Joe Harris has been re-appointed to the Board. He also announced that Mrs. Angele Poienocot has withdrawn her letter of interest due to ethical conflicts with her employment.

4. Approval of Minutes of September 22, 2020: MOTION was made by Mr. Willie Newton; SECONDED by Mr. Matthew Chattagnier, to approve the minutes of the September 22, 2020 meeting.

ROLL CALL VOTE:
YEAS: Newton, Chattagnier, Tausin
NAYS: NONE
ABSTAINED: None
NOT VOTING: Konos

5. OLD BUSINESS: Election of Vice Chair:

Motion to elect Mr. David Tausin as Vice Chair was made by Mr. Willie Newton, SECONDED by Mr. Matthew Chattagnier.

ROLL CALL VOTE:
YEAS: Newton, Chattagnier, Tausin
NAYS: NONE
ABSTAINED: None
NOT VOTING: Konos

6. NEW BUSINESS:

a. Structure Variance: Rear yard setback from required 25'-4"-2" and side yard setback from 5' to 4'-5" for existing garage located at 121 Meandering Way.

Chair recognized Mr. Mark Duplantis, 121 Meandering Way, who stated that years ago contractors built the garage on his property. He did not realize until he placed his home for sale that it was not in compliance with the setbacks. He is requesting approval of the setbacks so as not to cause problems for the buyers of his home.

Chair recognized Mr. Christopher Pulaski who stated that applicant is requesting rear yard setback variances from the required 25'-4"-2" and side yard setback from 5' to 4.5' for an existing garage in an R-1 zoned district. Applicant wishes to sell his house and he realized that the existing setbacks were in non-compliance with the parish zoning and he does not want to cause any problems for the buyers, so he is requesting that this matter be dealt with before the sale. In 2014, the applicant applied for and received a building permit for the detached garage (#2014-69821) and the setbacks on the site plan were 5' rear and 5' side as required. It would seem that during the construction process, the physical location was slightly off resulting in a minor encroachment of less than 1 foot. Because of the minimal nature of the encroachment, staff feels that the variances will not substantially or permanently injure the use of adjacent conforming properties in the same district nor would it alter the essential character of the district in which it is located.
Chair declared the MOTION APPROVED.

Chair recognized Mr. Christopher Polaski, who stated that the applicant is asking for a rear yard setback variance from the required 30' to 6' for placement of two mobile homes in an R-3 zone district. He also noted that the lot has a front yard setback of 20' and a rear yard setback of 10'. The applicant seeks to place two mobile homes on the property. The family lives nearby and would like to have their own mobile homes. The Board approved the variance.

A MOTION to APPROVE was made by Mr. David Taizin, seconded by Mr. Matt Chappel, to approve the variance for the applicant. The motion was approved by a vote of 5 to 0.


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A site visit was performed and all property owners adjacent to and within a 200' radius of the subject property have been notified. Staff received no calls regarding the request. Staff recommends APPROVAL of the request.
variance not a variance for a mobile home so the essential character in this instance has to do with the setback and not the type of structure.

Finally, with the Board granting similar variances for the mobile homes in R-3 districts, it would seem arbitrary and capricious to deny that request in this location.

With the complex nature surrounding these conditions for this particular request staff is requesting additional time to converse with the Parish Legal Department to review the application prior to making a recommendation. Staff recommends TABLEING the matter to the next regular meeting in November.

Mr. Pulaski read the letter submitted by Mrs. Augustine Taplett Kuntz opposing the request.

Chair recognized Mrs. Gloria Alvis again who stated that she has complied with everything legally required and that the mobile homes will not be unsightly.

A MOTION to TABLE was made by Mr. Matt Chattagnier, SECONDED by Mr. David Tausin.

ROLL CALL VOTE:
YEAS: Newton, Chattagnier, Tausin
NAYS: NONE
ABSTAINED: None
NOT VOTING: Konos

Chair declared the MOTION APPROVED and the matter TABLED until the next Board of Adjustment meeting.

c. Special Exception: For addition to an existing Elementary School.

Chair recognized Mr. Tommie Avesenne, AIA, with Duplantis Design Group who stated that they are requesting approval of this Special Exception in order to begin construction on an addition to the school on Valhi for the Living Word Church of Houma. Mr. Avesenne gave a detailed presentation as to the specifics of the addition.

Chair recognized Mr. Neal Shirer who asked about issues pertaining to setbacks.

Chair recognized Mr. Christopher Pulaski who explained that the purpose of this matter is not regarding setbacks. None are needed. The purpose of Board approval pertains to the school addition on a separate lot from the existing school.

Mr. Pulaski stated that the applicant is requesting a Special Exception to allow for an addition to an existing elementary school in a C-5 district.

Sec. 28-47(a)(1)(c) of the Parish Code of Ordinances requires that elementary schools in C-5 districts obtain a special exception for Board of Adjustment so that the Board may be able to determine if any terms or conditions may be required to ensure the best compliance with the previsions surrounding a special exception.

No exception shall be authorized unless the board shall find that all of the following conditions exist.

a. The exception will not authorize the operation of a use other than those uses specifically enumerated for the district in which is located the property for which the exception is sought;

b. That the full development is designed and intended to serve the district in which the development is sought to be operated and maintained;

c. That the exception is essential to maintain the functional design and architectural integrity of the development

d. That the exception will not substantially or permanently injure the appropriate use of adjacent conforming properties in the same district;

e. That the exception will not alter the essential character of the district in which is located the property for which the exception is sought;

f. That the exception will not weaken the general purposes of this chapter or the regulations herein established for the specific district

g. That the exception will be in harmony with the spirit and purposes of this chapter;
A MOTION was made by Mr. filled the current SECEDED by Mr.干旱 Chambers, that
7. Adjourn: A MOTION was made by Willie Newton, SECONDED by Matt Champagne to Adjourn.

ROLL CALL VOTE:

YEAS: Newton, Champagne, Tarver
NAYS: None
ABSTAINED: None
NOT VOTING: Koons

Mr. Willie Newton, Secretary