MEMBERS

Pete Konos, Chair       David Tauzin, Vice Chair
Joe Harris       Matthew Chatagnier
Willie Newton, Secretary      Natalie Pittman-Lirette, Alternate

NOTICE TO THE PUBLIC: If you wish to address the Board, please notify the Chairman prior to the beginning of the meeting. Individuals addressing the Board should be respectful of others in their choice of words and actions. Please silence all cell phones, pagers or electronic devices used for communication for the duration of the meeting.

HOUMA BOARD OF ADJUSTMENT
MEETING NOTICE

ALL ATTENDEES will be required to have their temperatures taken prior to entering the proceedings. Anyone with a temperature higher than 100.4 will not be allowed to enter.

ALL ATTENDEES MUST WEAR MASKS.

DATE: Tuesday, November 17, 2020
TIME: 5:00 PM
PLACE: Houma Civic Center, 346 Civic Center Blvd., Houma, LA 70360 and Facebook (information on how to view is included on subsequent pages in this agenda)

A • G • E • N • D • A

1. Pledge of Allegiance
2. Roll Call
3. Announcements: Appointment of Natalie Lirette as alternate member
4. Approve Minutes: of October 19, 2020
5. Old Business:
   a. Structure Variance: Rear yard setback from 30’ to 6’ for placement of two (2) mobile homes on two (2) separate lots in an R-3 zoned district located at 1113 and 1115 Roussel St.; (Council District 1; City of Houma Fire District); Vernon Alvis, Jr., applicant.
6. New Business:
   a. Structure Variance: (1) Rear yard setback variance from 25’ to 9’ (397 Tulip Dr) and; (2) rear yard setback variance from 25’ to 22’ (389 Tulip Dr) for two new residential structures in R-1 zoned district located on separate lots at 389 and 397 Tulip Drive; (Council District 7; City of Houma Fire District); Nicola H. Ladner, applicant.
7. Next Meeting Date: December 21, 2020
8. Board of Adjustment Member Comment
9. Public Comment
10. Adjourn

Following the Declaration of Public Health Emergency, La RS 29:766, by the Governor of the State of Louisiana, John Bel Edwards, and pursuant to Proclamations 27-JBE-2020, the Parish President for Terrebonne Parish, Gordon E. Dove, has declared a State of Emergency within Terrebonne Parish.
1. Meeting will be held in-person at the Houma Civic Center 346 Civic Center Blvd., Houma, LA at 5:00 p.m. and is open to the public to attend as per COVID-19 best practices and requirements as described on the meeting agenda.

2. Facebook
The Public may view the meeting over live video stream on the Terrebonne Parish Facebook page. The public can access the page by searching for “Terrebonne Parish” or by typing this link into your browser: https://www.facebook.com/tpcg.org.

The Facebook page will be used for viewing purposes only. The comments section will be disabled.
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 Tauzin

2. Upon Roll Call, those members present were Mr. Pete Konos, Mr. Willie Newton, Mr. Matthew Chattagnier and Mr. David Tauzin. 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 Poiencot 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, Tauzin
   NAYS: NONE
   ABSTAINED: None
   NOT VOTING: Konos

5. OLD BUSINESS: Election of Vice Chair:

   Motion to elect MR. David Tauzin as Vice Chair was made by Mr. Willie Newton, SECONDED by Mr. Matthew Chattagnier.
   
   ROLL CALL VOTE:
   YEAS: Newton, Chattagnier, Tauzin
   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’ to 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.
A site visit was performed and all property owners adjacent to and within a 250’ radius of the subject property have been notified. Staff received no calls regarding the request. Staff recommends APPROVAL of the request.

A MOTION to APPROVE was made by Mr. David Tauzin, SECONDED by Mr. Matt Chatagnier.

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

Chair declared the MOTION APPROVED.

b. Structure Variance: Rear yard setback variance from the required 30’ to 6’ for placement of two mobile homes on two separate lots.

Chair recognized Mrs. Gloria Alvis who stated that they are asking for permission to put 2 mobile homes on this property. The family wishes to be next to each other in order to care for their disabled brother.

Chair recognized Mr. Christopher Pulaski 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 on two separate lots in an R-3 zoned district. Mobile homes are a permitted use in R-3 zoning districts. However, the lots are approximately 107’ deep so they are requesting a rear yard setback in order to be able to maintain the side and front setback requirements. When zoning was created in this area in 1976, mobile homes were not as long so the lot sizes may have allowed for the 30’ setback without the need for a variance. There is a mobile home with what appears to be a setback less than 30’ one block over on Daspit, but there are no mobile homes in that block of Roussel or the adjacent Goode, Church, and Grinage Streets. The Board has approved similar variance requests for other R-3 zoned lots for placement of mobile homes with setbacks ranging from 5’ to 25’. A site visit was performed and all property owners adjacent to and within a 250’ radius of the subject property have been notified. Staff received 2 calls opposing the request. The immediate adjacent neighbor (1007 Roussell St.) has submitted the attached statement and she has requested it be distributed to all board members since she lives out of state and cannot attend the meeting. She has also requested that we include a picture of her home next door to applicant’s property.

No variance shall be authorized unless the board shall find that all of the following conditions exist:

a. That the variance 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 variance is sought;
b. That the development or use of the property for which the variance is sought, if limited by a literal enforcement of the provisions of this chapter, cannot yield a reasonable return in service, use or income as compared to adjacent conforming property in the same district;
c. That the plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, that the unique circumstances were not created by the owner of the property and are not due to or the result of general conditions in the district in which the property is located;
d. That the variance will not substantially or permanently injure the appropriate use of adjacent conforming property in the same district;
e. That the variance will not alter the essential character of the district in which is located the property for which the variance is sought;
f. That the variance will not weaken the general purposes of this chapter or the regulations herein established for the specific district;
g. That the variance will be in harmony with the spirit and purposes of this chapter;
h. That the variance will not adversely affect the public health, safety or welfare or the master plan.

While the depth of the lot is less than those of modern-day subdivisions, the depth is the same as many of the lots along that stretch of Roussel and Daspit. However, other lots and blocks in the vicinity have lots that are deeper and some more shallow, so the general conditions of the district vary. While there may not be many mobile homes in the area there are a number of traditional frame houses and other structures with similar setbacks and what is being requested is a setback...
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 TABLING 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 Tauzin.

ROLL CALL VOTE:
YEAS: Newton, Chattagnier, Tauzin
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 Aysenne, 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. Aysenne 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 provisions 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;
h. That the exception will not adversely affect the public health, safety or welfare or the master plan.
The use as a school is listed amongst the allowed uses in a C5 district and would serve many of the children who live in the surrounding residential areas. The expansion is needed to increase classrooms and provide additional support such as the cafeteria, parking and drop off/pick up staging areas, and an outdoor multipurpose athletic field. The school has been in the area for many years and has become an essential fixture of the community and the identity of the neighborhood. Living Word Church of Houma’s good neighbor efforts include limiting outdoor activities to daylight hours, storm detention to reduce runoff, preservation of trees and improved circulation and additional off-street stacking and parking to reduce traffic congestion. There appears to be enough of a buffer zone to help diffuse some of the visual and audio disturbances.

A site visit was performed and all property owners adjacent to and within a 50’ radius of the subject property have been notified. Staff received one call of objection and one call of no objection. Staff recommends APPROVAL.

After a brief discussion, A MOTION was made by Mr. Matt Chattagnier, SECONDED by Mr. David Tauzin to APPROVE.

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

Chair declared the MOTION APPROVED
d. Interpretation: Of Overlay District regulations pertaining to the installation of 19’ pylon signage.

Chair recognized Dawn Becker, 312 Bayou Gardens Blvd., who stated that she is representing the owner of the property pertaining to approval of placement of 19’ pylon signage on the soccer fields.

Chair recognized Mr. Christopher Pulaski who stated that historically, the interpretation of the overlay district zoning is that monument signs are the only detached sign type to be allowed but the regulations also listed the maximum height for detached signs as 25’. When asked, staff had been told that it was a typo and it was unclear as to how this should be resolved. When approached by the applicant regarding this particular sign, it was explained that this type of sign is a pylon sign- not a pole sign or a monument sign. Staff then noted that pylon sign is not listed amongst the prohibited detached signs in the overlay district.

Sec. 28-178(2)f the Parish Code of Ordinances states that one of the powers of the Board of Adjustment is “to interpret the zoning map and to pass upon disputed questions as they arise in the administration of the zoning regulations”. Staff has brought this matter to the Board for their interpretation of the signage regulations and will either continue with the historic interpretation or modify going forward to allow for pylon signs at 25’ or less.

A site visit was performed and all property owners adjacent to and within a 250 radius of the subject property have been notified. Staff received one call of no objection regarding the request. Staff has interpreted the zoning to mean that pylon signs are a permitted sign type in the overlay district. Staff would recommend that the Board concur with this interpretation.

A MOTION was made by Mr. Willie Newton, SECONDED by Mr. Matt Chattagnier, that pylon signs are a permitted sign type in the overlay district.

ROLL CALL VOTE:
YEAS: Newton, Chattagnier, Tauzin
NAYS: NONE
ABSTAINED: None
NOT VOTING: Konos
7. Adjourn:
A MOTION was made by Willie Newton, SECONDED Matt Chattagnier to ADJOURN.

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

___________________________________
Mr. Willie Newton, Secretary
TERREBONNE PARISH CONSOLIDATED GOVERNMENT
URBAN SERVICES DISTRICT

BOARD OF ADJUSTMENT

P.O. BOX 2768
HOUMA, LA 70361

NO APPLICATION ACCEPTED UNLESS COMPLETE

Complete the following:

☐ Special Exception ☑ Structure Variance ☐ Administrative Appeal

2. Applicant’s Name: vernon C. Alvis Jr. / Paule J. Colangarelli

3. Applicant’s Address:
   395 Monarch Dr. Apt C
   Houma LA 70363
   390 Monarch Dr. Apt D
   Houma LA 70363

4. Applicant’s Phone: (985) 854-1996 (985) 360-6787

5. Physical Address
   Of request:
   113 Roux St. Houma LA
   115 Roux St. Houma LA

6. Interest in Ownership: Future Owner

7. Date of Application:

8. Explanation of Request:

POLICY

Special Exception

to hear and decide, in accordance with the provisions of this chapter, requests for special exceptions upon which the Board is authorized by this chapter to pass. Special Exceptions shall be subject to such terms and conditions as may be fixed by the Board. No exception shall be authorized unless the Board shall find that all of the following conditions exist:

a) That the exception will not authorize 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 property 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 ordinance or the regulations herein established for the specific district;
g) That the exception will be in harmony with the spirit and purposes of this ordinance;
h) That the exception will not adversely affect the public health, safety, or welfare, or the Master Plan.
Variance

Where by reasons of exceptional narrowness, shallowness or shape of a specified piece of property at the time of enactment of the ordinance from which this section derives or by reason of exceptional topographic conditions or other extraordinary or exceptional characteristics of such piece of property, the strict application of any regulation in this chapter would result in peculiar and exceptional or undue hardship upon the owner of such property, the Board may authorize, upon an appeal relating to such property, a variance from such strict application so as to relieve such difficulties or hardship, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. Variances shall be subject to such terms and conditions as may be fixed by the Board. No variance shall be authorized unless the Board shall find that all of the following conditions exist:

a) That the variance will not authorize of a use other than those uses specifically enumerated for the district in which is located the property for which the variance is sought;
b) That the development or use of the property for which the variance is sought, if limited by a literal enforcement of the provisions of this chapter, cannot yield a reasonable return in service, use or income as compared to adjacent conforming property in the same district;
c) That the plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, that the unique circumstances were not created by the owner of the property and are not due to the result of general conditions in the district in which the property is located;
d) That the variance will not substantially or permanently injure the appropriate use of adjacent conforming property in the same district;
e) That the variance will not alter the essential character of the district in which is located the property for which the variance is sought;
f) That the variance will not weaken the general purposes of this chapter or the regulations herein established for the specific district;
g) That the variance will be in harmony with the spirit and purposes of this chapter;
h) That the variance will not adversely affect the public health, safety, or welfare or the master plan.

Application Fee: Make checks payable to TPCG.

Structure Variance: $ 20.00 per application + cost of certified mailings.
Special Exception: $ 10.00 per application + cost of certified mailings.

Signature of Applicant or Agent

The undersigned certifies one of the following by placement of their initials:

\[ \checkmark \quad 1. \text{That he/she is the owner of the entire land area included in the proposal and in signing indicates concurrence with the application; or,} \]

\[ 2. \text{That he/she has submitted with this Application a complete, true and current listing of all owners of the entire land included within the proposal, that each of the listed owners concur with this Application, and that he/she has been given specific authority by each listed owner to submit and sign this Application on their behalf.} \]

Signature of Owner

Date

9. Adjacent Property Owners:

Please provide a list of property owners located within 250 feet radius of the subject property along with this application. These property owners shall be notified in the following manner:
Notification shall be sent by Parish Staff by certified mail to the applicant and to the adjacent property owners and by first class mail to all remaining property owners within a two hundred fifty-foot (250') radius. The notice shall advise the purpose, date, time and place of the hearing. The cost of any certified mail postal fees associated with the notification process shall be borne by the applicant. Cost for each mail will be consistent with the USPS current rates. Application fees are non-refundable once public notices have been issued.
PERMIT #2020-89932 shows right setback as 51' which includes width of lot e 1115 ROUSSEL ST.
A Kodi
Attachment: 1 Image
TERREBONNE PARISH CONSOLIDATED GOVERNMENT
URBAN SERVICES DISTRICT

BOARD OF ADJUSTMENT
P.O. BOX 2766 HOUMA, LA 70361
(985) 879-6599

NO APPLICATION ACCEPTED UNLESS COMPLETE

1. Indicate Type of Request:
   - [ ] Special Exception
   - [ ] Structure Variance
   - [ ] Administrative Review
   - [ ] Interpretation
   - [ ] Use Variance
   - [ ] Non-Conforming Structure Variance

2. Applicant's Name:
   Nicaa H. Labner
   Labner Builders

3. Applicant's Address:
   861 Baja Trail Ext
   Thibodaux, LA 70301

4. Applicant's Phone:
   985-491-0397

5. Applicant's Email:
   Labnerbuilders@yahoo.com

6. Physical Address
   Of Request:
   3891 Tulip Drive
   Houma, LA 70360

7. Interest in Ownership:
   [ ] 0%
   7. Date of Application: 10/14/10

8. Explanation of Request:
   1) 389 Tulip: Rear yd. setback variance from
      25' to 3' for new residential structure.
   2) 397 Tulip: Rear yd. setback variance from
      25' to 157' for new residential structure.

Review Criteria (See Sec. 28-178(f) of the Parish Zoning Code of Ordinances for more info)

Special Exception
To hear and decide, in accordance with the provisions of this chapter, requests for special exceptions upon which the Board is authorized by this chapter to pass. Special Exceptions shall be subject to such terms and conditions as may be fixed by the Board. No exception shall be authorized unless the Board shall find that all of the following conditions exist:

1. a) That the exception will not authorize a use other than those uses specifically enumerated for the
district in which is located the property for which the exception is sought;
2. b) That the full development is designed and intended to serve the district in which the development is sought
to be operated and maintained;
3. c) That the exception is essential to maintain the functional design and architectural integrity of the
development;
4. d) That the exception will not substantially or permanently injure the appropriated use of adjacent conforming
property in the same district;
5. 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;
6. f) That the exception will not weaken the general purposes of this ordinance or the regulations herein
established for the specific district;
7. g) That the exception will be in harmony with the spirit and purposes of this ordinance;
8. h) That the exception will not adversely affect the public health, safety, or welfare, or the Master Plan.
Variance

Where by reasons of exceptional narrowness, shallowness or shape of a specified piece of property at the time of enactment of the ordinance from which this section derives or by reason of exceptional topographic conditions or other extraordinary or exceptional characteristics of such piece of property, the strict application of any regulation in this chapter would result in peculiar and exceptional or undue hardship upon the owner of such property, the Board may authorize, upon an appeal relating to such property, a variance from such strict application so as to relieve such difficulties or hardship, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. Variances shall be subject to such terms and conditions as may be fixed by the Board. No variance shall be authorized unless the Board shall find that all of the following conditions exist:

a) That the variance will not authorize of a use other than those uses specifically enumerated for the district in which is located the property for which the variance is sought;
b) That the development or use of the property for which the variance is sought, if limited by a literal enforcement of the provisions of this chapter, cannot yield a reasonable return in service, use or income as compared to adjacent conforming property in the same district;
c) That the pight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, that the unique circumstances were not created by the owner of the property and are not due to the result of general conditions in the district in which the property is located;
d) That the variance will not substantially or permanently injure the appropriate use of adjacent conforming property in the same district;
e) That the variance will not alter the essential character of the district in which is located the property for which the variance is sought;
f) That the variance will not weaken the general purposes of this chapter or the regulations herein established for the specific district;
g) That the variance will be in harmony with the spirit and purposes of this chapter;
h) That the variance will not adversely affect the public health, safety, or welfare or the master plan.

Application Fee: Make checks payable to TPCG.

Variances: $20.00 per application + cost of certified mailings.
Special Exception, Interpretation, & Administrative Review: $10.00 per application + cost of certified mailings.

Signature of Applicant or Agent
Nicole H. Trudner
Print Name of Applicant or Agent

The undersigned certifies one of the following by placement of their initials:

1. That he/she is the owner of the entire land area included in the proposal and in signing indicates concurrence with the application; or,

2. That he/she has submitted with this Application a complete, true and current listing of all owners of the entire land included within the proposal, that each of the listed owners concurs with this Application, and that he/she has been given specific authority by each listed owner to submit and sign this Application on their behalf.

Signature of Owner
Nicole Feary
Printed Name of Owner
10-14-20

9. Adjacent Property Owners:

Please provide a list of property owners located within 250 feet radius of the subject property along with this application. These property owners shall be notified in the following manner:
Notification shall be sent by Parish Staff by certified mail to the applicant and to the adjacent property owners and by first class mail to all remaining property owners within a two hundred fifty-foot (250') radius. The notice shall advise the purpose, date, time and place of the hearing. The cost of any certified mail postal fees associated with the notification process shall be borne by the applicant. Cost for each mail will be consistent with the USPS current rates. Application fees are non-refundable once public notices have been issued.