

MINUTES
HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION (HTRPC)
ZONING & LAND USE COMMISSION
MEETING OF FEBRUARY 17, 2011

- A. The Chairman called the meeting of February 17, 2011 of the HTRPC, convening as the Zoning and Land Use Commission, to order at 6:00 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Dr. L.A. “Budd” Cloutier and the Pledge of Allegiance led by Mr. Richard Elfert.
- B. Upon Roll Call, present were: Mrs. Beryl Amedée; Mr. Daniel Babin, Chairman; Dr. L.A. “Budd” Cloutier, Jr., Vice-Chairman; Mr. Richard Elfert; Mr. Keith Kurtz; Mr. Alex Ostheimer; and Mrs. Marsha Williams, Secretary/Treasurer. Absent at the time of Roll Call was: Mr. James Erny and Mr. John Navy. Also present were Jennifer Robinson, Senior Planner, Department of Planning & Zoning and Laddie Freeman, Legal Advisor.
- C. Dr. Cloutier moved, seconded by Mrs. Williams: “THAT the HTRPC, convening as the Zoning & Land Use Commission, accept the minutes, as written, for the Zoning and Land Use Commission for the regular meeting of January 27, 2011.”

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Mrs. Amedée, Dr. Cloutier, Mr. Elfert, Mr. Kurtz, Mr. Ostheimer, and Mrs. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Mr. Erny and Mr. Navy. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

D. COMMUNICATIONS:

1. Mrs. Robinson, on behalf of Pat Gordon, invited the members to the Community Planning Luncheon Meeting to be held on Wednesday, February 23, 2011 at 11:30 a.m. at the Waterlife Museum and encouraged them to attend.

E. OLD BUSINESS:

Dr. Cloutier moved, seconded by Mrs. Williams: “THAT the HTRPC, convening as the Zoning & Land Use Commission, remove Old Business Item 1 from the table to be considered.”

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Mrs. Amedée, Dr. Cloutier, Mr. Elfert, Mr. Kurtz, Mr. Ostheimer, and Mrs. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Mr. Erny and Mr. Navy. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

1. The Chairman stated the next item on the agenda under Old Business was an application by Charles Johnson requesting to rezone from R-1 (Single-Family Residential District) to R-2 (Two-Family Residential District) Lot 13, Square 2, Barrowtown; NE corner of Isaac & West Streets.
 - a) Mr. Charles Johnson, 4024 Country Drive, applicant, stated he wished to build a duplex on a vacant lot at the corner of Isaac and West Streets and further discussed his plans.
 - b) Mrs. Robinson discussed the Staff Report and stated Staff recommended approval of the rezoning request.
 - c) Discussion was held with regard to a clarification of the lot number, variances that would be needed as well, there being mostly R-1 in the area and this request changing the character of the area, and responsible tenants.
 - d) Mrs. Robinson stated there were numerous non-conforming uses in the area.
 - e) Discussion ensued with regard to “responsible tenants” and whether the homes in the area were mostly rental homes or owner-occupied.
 - f) Mr. Johnson stated he had another duplex similar to the one he is proposing in the area and discussed his desire to help clean up the neighborhood.
 - g) Discussion was held with regard to setting precedence and having other applicants come forward for rezoning if this one is approved.

James Erny arrived at the meeting at this time – 6:19 p.m.

- h) Discussion ensued with regard to a trend in the neighborhood with regard to duplexes, expectations of property owners in a neighborhood, adjacent property owners’ concerns of proposed tenants, possible rezoning of entire block if that’s what it mostly consists of, and considering each application on an individual basis as to not set precedence.

- i) Mrs. Amedée moved, seconded by Mr. Erny: “THAT the HTRPC convening as the Zoning and Land Use Commission, recommend the application to rezone from R-1 (Single-Family Residential District) to R-2 (Two-Family Residential District) Lot 13, Square 2, Barrowtown; NE corner of Isaac & West Streets be approved and forward to the Terrebonne Parish Council for further consideration.”

The Chairman called for a vote on the motion offered by Mrs. Amedée. THERE WAS RECORDED: YEAS: Mrs. Amedée and Mr. Erny; NAYS: Mr. Elfert, Mr. Kurtz, Mr. Ostheimer, and Mrs. Williams; ABSTAINING: Mr. Babin and Dr. Cloutier; ABSENT: Mr. Navy. THE CHAIRMAN DECLARED THE MOTION FAILED.

- j) Mr. Freeman stated the motion to recommend approval of the rezoning request failed, but the Commission had to make some form of recommendation to the Terrebonne Parish Council.
- k) Mr. Ostheimer moved, seconded by Mr. Elfert: “THAT the HTRPC convening as the Zoning and Land Use Commission, recommend the application to rezone from R-1 (Single-Family Residential District) to R-2 (Two-Family Residential District) Lot 13, Square 2, Barrowtown; NE corner of Isaac & West Streets be denied and forward to the Terrebonne Parish Council for further consideration.”
- l) Discussion was held with regard to proposing the entire area to be rezoned to R-2 (Two-Family Residential District) considering the area mostly consisted of the same.
- m) Mr. Elfert offered a substitute motion, seconded by Mr. Ostheimer: “THAT the HTRPC convening as the Zoning and Land Use Commission, recommend the application to rezone from R-1 (Single-Family Residential District) to R-2 (Two-Family Residential District) Lot 13, Square 2, Barrowtown; NE corner of Isaac & West Streets be denied and forward to the Terrebonne Parish Council for further consideration and request Staff to look at the entire neighborhood and possibly rezone to R-2 (Two-Family Residential District).”

The Chairman called for a vote on the substitute motion offered by Mr. Elfert. THERE WAS RECORDED: YEAS: Mrs. Amedée, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Ostheimer, and Mrs. Williams; NAYS: None; ABSTAINING: Mr. Babin and Dr. Cloutier; ABSENT: Mr. Navy. THE CHAIRMAN DECLARED THE SUBSTITUTE MOTION ADOPTED.

F. NEW BUSINESS:

1. Preliminary Hearings:

- a) Dr. Cloutier moved, seconded by Mrs. Amedée and Mrs. Williams: “THAT the HTRPC, convening as the Zoning and Land Use Commission, call a Public Hearing for an application by Danny & Lisa Luke to rezone from R-1 (Single-Family Residential District) to C-3 (Neighborhood Commercial District) 7097 Park Avenue, for Thursday, March 17, 2011 at 6:00 p.m.”

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Mrs. Amedée, Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Ostheimer, and Mrs. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Mr. Navy. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

- b) Mrs. Amedée moved, seconded by Dr. Cloutier: “THAT the HTRPC, convening as the Zoning and Land Use Commission, call a Public Hearing for an application by Vincent Wolfe, Jr. to rezone from R-1 (Single-Family Residential District) to R-2 (Two-Family Residential District) Lot 46, Block "B", Mechanicsville; 112 Banks Street, for Thursday, March 17, 2011 at 6:00 p.m.”

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Ostheimer, and Mrs. Williams; NAYS: None; ABSTAINING: Mrs. Amedée and Mr. Babin; ABSENT: Mr. Navy. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

G. STAFF REPORT:

- 1. Mrs. Robinson stated Councilman Tillman requested more clarification/comments on the matter regarding the prohibition of portable storage units as residential accessory structures. She addressed the changes made and requested comments [See ATTACHMENT A].

H. COMMISSION COMMENTS:

1. Planning Commissioners' Comments: None.
2. Chairman's Comments: None.

I. PUBLIC COMMENTS: None.

- J. Dr. Cloutier moved, seconded by Mrs. Williams: "THAT there being no further business to come before the HTRPC, convening as the Zoning and Land Use Commission, the meeting be adjourned at 6:57 p.m."

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Mrs. Amedée, Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Ostheimer, and Mrs. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: Mr. Navy. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

Daniel J. Babin, Chairman
Zoning & Land Use Commission

Becky M. Becnel, Minute Clerk
Zoning & Land Use Commission

CERTIFICATION

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE PROCEEDINGS OF THE ZONING AND LAND USE COMMISSION MEETING OF FEBRUARY 17, 2011.

**PATRICK GORDON, DIRECTOR
PLANNING & ZONING DEPARTMENT**

ATTACHMENT A

Changes to Chapter 28, Section 28-74(e) “Supplementary Yard Regulations”

(e) Accessory structures. In any business or industrial district no accessory structure shall occupy any part of the required rear yard, except that in the C-4 Districts an accessory structure for parking facilities, where the main building is a dwelling, may occupy not more than thirty (30) percent of the required rear yard; in any residential district, no accessory structure shall occupy more than thirty (30) percent of a required rear yard; and in no district shall an accessory structure occupy any part of a required front or side yard.

1. *Side yard and rear yard requirements.* No accessory structure shall be erected or altered so that it is closer to any side or rear line than five (5) feet.
2. *Corner building site.* No accessory structure on a corner building site having to its rear a building site facing toward the intersecting or side street shall be erected or altered nearer to the intersecting or side street line than the front building line to be observed by any structure on the building site to the rear of the corner building site.
3. *Residential Accessory Structures.* Portable storage units shall not be permitted as permanent accessory structures in residential districts or on a property used for residential purposes. Portable storage units may be permitted at the time of building permit application for construction or renovation of residential property. Such units shall be removed in a timely manner, not to exceed thirty (30) days, after the termination of the construction or renovation. Portable storage units not affiliated with construction, renovation or relocation that remain on residential property for more than thirty (30) days shall apply for and obtain a permit from the planning department prior to placement.

ATTACHMENT B

Update to Chapter 28, Section 28-1 “Definitions” to include the following definition:

Portable Storage Units. Transportable units designed and used primarily for temporary storage of building materials, household goods, personal items and other materials for use on a limited basis on residential property.