

MINUTES
HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION (HTRPC)
ZONING & LAND USE COMMISSION
MEETING OF MAY 20, 2010

A. The Chairman called the meeting of May 20, 2010 of the HTRPC, convening as the Zoning and Land Use Commission, to order at 6:02 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Dr. L.A. "Budd" Cloutier, Jr. and the Pledge of Allegiance led by Mrs. Marsha Williams.

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 were: Mr. James Erny and Mr. John Navy. Also present were Patrick Gordon, Director, and Jennifer Robinson, Senior Planner, Department of Planning & Zoning, and Laddie Freeman, Legal Advisor.

C. Dr. Cloutier moved, seconded by Mrs. Amedée: "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 April 15, 2010."

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: None.

Mr. James Erny arrived at the meeting at this time – 6:04 p.m.

E. OLD BUSINESS:

Dr. Cloutier moved, seconded by Mrs. Williams: "THAT the HTRPC, convening as the Zoning and Land Use Commission, remove Old Business Item E.1. from the table to be considered at this time."

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.

1. The Chairman stated the next item on the agenda under old business was an application by Sandra & Dean Johnson requesting home occupation approval for a proposed massage therapy business at 204 Carolyn Avenue.

- a) The Chairman recognized Mrs. Sandra Johnson who requested to convert a room in her home into a massage office.
- b) Mrs. Robinson discussed the Staff Report and stated this matter was tabled per the request of Councilman Alvin Tillman in order to allow the applicant's time to speak with the adjacent property owners concerning the request.
- c) Mrs. Johnson stated Councilman Tillman told her not to worry about the petition request.
- d) Mr. Ostheimer moved, seconded by Dr. Cloutier: "THAT the HTRPC, convening as the Zoning and Land Use Commission, grant approval of the home occupation application for a proposed massage therapy business at 204 Carolyn Avenue."

The Chairman called for a vote on the motion offered by Mr. Ostheimer. 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.

F. PUBLIC HEARING:

1. The Chairman called to order the Public Hearing for an application by Rev. Saul Thomas requesting to rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) Lots 23 & 24, Block A, Mechanicville; 210 Acklen Street.

- a) Mr. Ken Rembert, Keneth L. Rembert Land Surveyors, representing the applicant, discussed the rezoning request.
- b) No one from the public was present to speak.

- c) Dr. Cloutier moved, seconded by Mrs. Williams: “THAT the Public Hearing be closed.”

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 PUBLIC HEARING CLOSED.

- d) Mrs. Robinson discussed the Staff Report and stated one (1) call was received in opposition of the request. She stated Staff recommended approval of the rezoning request due to it appearing to meet the prescribed reasons needed to substantiate a change in zoning classification.
- e) Discussion was held with regard to only Lot 24 to be rezoned and the immediate adjacent property owners not in opposition of the rezoning request.
- f) Mr. Ostheimer moved, seconded by Mr. Erny: “THAT the HTRPC, convening as the Zoning and Land Use Commission, recommend approval of the request to rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) Lot 24, Block A, Mechanicville; 210 Acklen Street to the Terrebonne Parish Council for further consideration.”

The Chairman called for a vote on the motion offered by Mr. Ostheimer. 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.

- 2. The Chairman called to order the Public Hearing for an application by David Henthorn requesting to rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) Catherine Subdivision; 8958 Norman Street.

- a) Mr. Ken Rembert, Keneth L. Rembert Land Surveyors, representing the applicant, discussed the rezoning request.
- b) No one from the public was present to speak.
- c) Dr. Cloutier moved, seconded by Mrs. Amedée: “THAT the Public Hearing be closed.”

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 PUBLIC HEARING CLOSED.

- d) Mrs. Robinson discussed the Staff Report and stated no communications were received for this request. She stated Staff recommended approval of the rezoning request due to it appearing to meet the prescribed reasons needed to substantiate a change in zoning classification.
- e) Mr. Elfert moved, seconded by Dr. Cloutier: “THAT the HTRPC, convening as the Zoning and Land Use Commission, recommend approval of the request to rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) Catherine Subdivision; 8958 Norman Street to the Terrebonne Parish Council for further consideration.”
- f) Discussion was held with regard to existing mobile homes in the area and rezoning to R-2 rather than R-3 because of it being a more restrictive zoning district and the necessity of two (2) approval processes; by the Board of Adjustments and the Zoning and Land Use Commission.

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

- 3. The Chairman called to order the Public Hearing for an application by Fritz & Denise Dryden requesting to rezone from O-L (Open Land) to R-1 (Single-Family Residential) Lot 13, Block 1, Imperial Park Subdivision; 4852 Imperial Drive.

- a) The Dryden’s were not present to represent their application.
- b) No one from the public was present to speak.

- c) Dr. Cloutier moved, seconded by Mrs. Williams: “THAT the Public Hearing be closed.”

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 PUBLIC HEARING CLOSED.

- d) Mrs. Robinson discussed the Staff Report and stated no communications were received for this request. She stated Staff recommended approval of the rezoning request due to it appearing to meet the prescribed reasons needed to substantiate a change in zoning classification.

- e) Dr. Cloutier moved, seconded by Mr. Elfert: “THAT the HTRPC, convening as the Zoning and Land Use Commission, recommend approval of the request to rezone from O-L (Open Land) to R-1 (Single-Family Residential) Lot 13, Block 1, Imperial Park Subdivision; 4852 Imperial Drive to the Terrebonne Parish Council for further consideration.”

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.

G. NEW BUSINESS:

1. Planned Building Group:

- a) The Chairman stated the next item on the agenda was a planned building group application by Rev. Saul Thomas requesting the placement of an additional building at 210 Acklen Street.

- (1) The Chairman recognized Mr. Ken Rembert, representing Rev. Thomas, who discussed the planned building group request.

- (2) Mrs. Robinson discussed the Staff Report and stated Staff recommended approval of the request subject to the Terrebonne Parish Council’s final approval to rezone the subject property to R-2 (Two-Family Residential).

- (3) Mr. Kurtz moved, seconded by Dr. Cloutier: “THAT the HTRPC, convening as the Zoning and Land Use Commission, grant approval of the planned building group application for the placement of an additional building at 210 Acklen Street subject to the Terrebonne Parish Council’s final approval to rezone the subject property to R-2 (Two-Family Residential).”

The Chairman called for a vote on the motion offered by Mr. Kurtz. 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) The Chairman stated the next item on the agenda was a planned building group application by Joe Boudreaux, II requesting the placement of four (4) additional dwelling units at 379 Monarch Drive.

- (1) The Chairman recognized Mr. Joe Boudreaux who discussed his planned building group request.

- (2) Mrs. Robinson discussed the Staff Report and stated Staff recommended approval of the request.

- (3) Discussion was held with regard to Mr. Boudreaux owning 379 Monarch Drive and his father owning 371 Monarch Drive.

- (4) Dr. Cloutier moved, seconded by Mr. Erny: “THAT the HTRPC, convening as the Zoning and Land Use Commission, grant approval of the planned building group application for the placement of four (4) additional dwelling units at 379 Monarch Drive.”

- (5) Discussion was held with regard to lack of play area; whereas, there as place on the side as well as along a rear servitude.

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

- c) The Chairman stated the next item on the agenda was a planned building group application by Joe Boudreaux, II requesting the placement of two (2) additional dwelling units at 371 Monarch Drive.

- (1) The Chairman recognized Mr. Joe Boudreaux, on behalf of his father, who discussed the planned building group request.
- (2) Mrs. Robinson discussed the Staff Report and stated Staff recommended approval of the request.
- (3) Discussion was held with regard to setbacks and an existing shed that is to be removed.
- (4) Dr. Cloutier moved, seconded by Mrs. Amedée and Mr. Erny: “THAT the HTRPC, convening as the Zoning and Land Use Commission, grant approval of the planned building group application for the placement of two (2) additional dwelling units at 371 Monarch Drive.”

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

2. Preliminary Hearings:

- a) Dr. Cloutier moved, seconded by Mrs. Amedée: “THAT the HTRPC, convening as the Zoning and Land Use Commission, call a Public Hearing to rezone from R-3 (Multi-Family Residential District) to C-3 (Neighborhood Commercial District) Lot 20, Greenfield Subdivision, 2701 Senator Street; Charles E. Green, applicant, for June 17, 2010 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) Dr. Cloutier moved, seconded by Mrs. Amedée: “THAT the HTRPC, convening as the Zoning and Land Use Commission, call a Public Hearing to rezone from R-3 (Multi-Family Residential District) to C-1 (Central Business District) Lot 6, Block 76, Newtown Addition, 1016 Grinage Street; Whitney Management Corporation, applicant, for June 17, 2010 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.

- c) Dr. Cloutier moved, seconded by Mrs. Williams: “THAT the HTRPC, convening as the Zoning and Land Use Commission, call a Public Hearing to rezone from O-L (Open Land) to C-2 (General Commercial District) 4843 LA Highway 311; Christine Trahan, applicant, for June 17, 2010 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.

- d) Dr. Cloutier moved, seconded by Mrs. Williams: “THAT the HTRPC, convening as the Zoning and Land Use Commission, call a Public Hearing to rezone from O-L (Open Land) to R-1 (Single-Family Residential District) & C-2 (General Commercial District) Proposed Parkwood Place Subdivision; Westgate Development, Inc., applicant, for June 17, 2010 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.

H. STAFF REPORT: None.

I. COMMISSION COMMENTS:

1. Planning Commissioners' Comments:

a) Mr. Ostheimer stated that if variances were being consistently granted, a law may need to be changed such as lot lines by Board of Adjustments, and he recommended Staff to look into.

(1) He also questioned if the Planning Commission can object to the Board of Adjustments' approval of a variance. Mr. Freeman stated the Board of Adjustment's has the power to grant variances and has the right to do so. Mr. Gordon stated minimum lot size variances are approved by both the Planning Commission and the Board of Adjustments.

(2) Mr. Kurtz requested more reasoning on the variances that are granted by the Board of Adjustments.

(3) Mr. Gordon discussed their encouragement of in-fill development in the older areas as well as properties of condemned/demoed structures.

2. Chairman's Comments: None.

J. PUBLIC COMMENTS: None.

K. 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 6:50 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 MAY 20, 2010.

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