



TERREBONNE PARISH CONSOLIDATED GOVERNMENT

MEMBERS

David Tauzin, Chair Willie Newton, Secretary Pete Konos Joe Harris, Vice Chair Matthew Chattagnier 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

DATE:

Monday, December 20, 2021

TIME:

5:00 PM

PLACE:

Terrebonne Parish School District Meeting Room

201 Stadium Drive, Houma, LA 70360

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- 1. Pledge of Allegiance
- 2. Roll Call
- 3. Announcements: Natalie Lirette Resignation
- 4. Approve Minutes of August 16, 2021
- 5. New Business:
 - a. Structure Variance: Front yard setback variance from required 20' to 12' for attached awning in an R-1 zoned district located at 307 Suthon Avenue: (Council District 5: City of Houma Fire District), *Francis Giroir, applicant*.
 - b. Structure Variance: Side yard setback variance from required 5' to 3' for detached carport in an R-3 zoned district located at 1715 Joshua Street; (Council District 6; City of Houma Fire District), *James Marmande, applicant*.
- 6. Next Meeting Date: **Tuesday, January 18,** 5:00 p.m TPSD, 201 Stadium Drive, Houma, LA Monday is MLK Day)
- 7. Board of Adjustment Member Comment
- 8 Public Comment
- 9. Adjourn

HOUMA BOARD OF ADJUSTMENT **Official Proceedings** August 16, 2021

Government Tower Council Meeting Room

The Chairman, David Tauzin, called the August 16, 2021 meeting of the Houma Board of Adjustments to order at 5:05 p.m..

- 1. Pledge of Allegiance: Mr. Pete Konos
- 2. Upon Roll Call, those members present were Mr. David Tauzin, Mr. Pete Konos, Mr. Matt Chattagnier and Mrs. Natalie Lirette. Also present was Mr. Christopher Pulaski, TPCG Planning and Zoning Director, Mr. Gary Williams, Parish Attorney., and Linda Henderson, BOA Minute
- 3. ANNOUNCEMENTS: Mr. Pulaski reminded Matt Chattagnier and David Tauzin of their September date for re-appointment.
- 4. Approval of Minutes of July 19, 2021.

MOTION was made by Mr. Matt Chattagnier, SECONDED by Mr. Pete Konos to APPROVE the minutes of the July 19, 2021 meeting.

ROLL CALL VOTE:

YEAS: Konos, Chattagnier, Lirette

NAYS: NONE ABSTAINED: None NOT VOTING: Tauzin

MOTION to take Old Business off the table was made by Mr. Matt Chattagnier, SECONDED by Mrs. Lirette.

Motion PASSED unanimously

5. OLD BUSINESS:

a. Special Exception: For a self-storage facility in a C-3 zoned district located at 135, 149 Valhi Lagoon Crossing.

Chair recognized Mr. Dustin Richard who stated that they are requesting a variance in order to construct a boat and R.V. storage unit.

Chair recognized Mr. Cyrus Theriot, 5150 Pinehurst Place, who voiced his objections to the storage unit on the basis of safety, home values and drainage.

Chair recognized Mr. John Blanchard, 5138 Pinehurst Place, who presented pictures reflecting the poor maintenance of other facilities by this applicant.

Chair recognized Mrs. Erika LeBoeuf, 149 Windsong Way who voiced her objection and requested that should this application be approved that the applicant make concessions regarding buffering, aesthetics and drainage.

Chair recognized Mr. Christopher Pulaski who stated that applicant is requesting a special exception to construct a boat and R.V. storage in a C-3 zoned district. Sec. 28-178(3) states that one of the powers of the Board of Adjustment is 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.

Sec. 28-47(a)(1)(c) of the Parish Code of Ordinances requires that self-storage warehouses with individual units not to exceed 750 sq ft in C-3 districts obtain a special exception form the 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

a. That 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 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 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 applicant is seeking to develop a 44 unit self-storage facility. The applicant currently owns and operates other similar facilities in the area. In Jan 2008, a similar request was made and to alleviate concerns of adjacent residential property owners, the applicant agreed to landscape the facility in an effort to improve the view from the street and the surrounding properties.

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 three calls and five emails objecting to this application citing concerns about the safety of children in the park, outsiders coming to the area, the look of the development, and potential impact on property values.

Self-storage facilities are common in C-2 and C-3 zoning as many area residents have boats and RVs and need a place to store them so the proposed use would not alter the essential character of the district which the property is located in which is C-3. The applicant has indicated that while the development will not have a perimeter fence nor controlled access, it will have security cameras around the facility which should also serve as a deterrent to criminal activity. With respect to the look of the development, the applicant has proven themselves to construct and maintain attractive facilities. Given these determinations, the request would seem to meet with all of the above conditions with one caveat which is Condition d (restate). As stated earlier, a similar request on a property in close proximity to residential area such as this one resulted in a condition that the developer install landscaping to help improve the view and look of the development from the street as you enter the subdivision. While there are utility servitudes that must be accounted for, there appears to be sufficient space for a modest landscape buffer along the front of the development. With respect to the park, a buffer is required when a commercial development abuts residential however in this case the park is zoned Open Land (OL). Staff would encourage the applicant to work closely with the Rec District and perhaps a shared effort can be made to plant an evergreen hedge to act as a visual buffer.

Staff recommends APPROVAL on the CONDITION that the applicant install landscaping along the front of the development in a manner similar to the landscape requirements set forth in Sec. 28-76 Overlay District of the zoning ordinance.

Chair recognized Councilman Darin Guidry who recommended that the applicant partner with the Recreation District to plant a vegetation buffer.

Chair recognized Mr. Dustin Richard, applicant who stated that he would be willing to plant some vegetation, to use color tones that would be aesthetically pleasing to the neighborhood and place security cameras on the property.

After a brief discussion, **MOTION** to **APPROVE** with the following **CONDITIONS** was made by Natalie Lirette, SECONDED by Matt Chattagnier:

- 1. That the applicant install landscaping along the front of the development in a manner similar to the landscape requirements set forth in Sec. 28-76 Overlay District of the zoning ordinance.
- 2. The applicant uses colors reflective of the tones and colors in the surrounding residential area on the self-storage structure.
- 3. The applicant installs a landscape hedge along the rear property line of the lot at 149 Valhi Lagoon Crossing and if the applicant chooses not to put it on his property, that he be allowed to install it on the adjacent Rec District park property predicated on the applicant obtaining approval from the Rec District to install the landscape hedge and that either he or the Rec District agrees to maintain it.

ROLL CALL VOTE:

YEAS: Konos, Chattagnier, Lirette

NAYS: NONE ABSTAINED: None NOT VOTING: Tauzin

- 6. New Business:
- a. Structure Variance: Front setback variance from the required 21'-9" to 1'-11" for placement of a pylon sign in the Major Corridor Overlay District.

Chair recognized Mr. Peter Vicari, M&P Holdings, LLC, who stated that they are requesting a variance to place a pylon sign in front of their new business on MLK Blvd.

Chair declared opening of Public Hearing.

There being no one to speak on this matter, a **MOTION** to **CLOSE** Public hearing was made by Matt Chattagnier, SECONDED by Pete Konos. MOTION PASSED unanimously.

Chair recognized Mr. Christopher Pulaski who stated that the applicant is requesting a front setback variance from the required 21'-9" to 1'-11" for placement of pylon sign in the Major Corridor Overlay District.

Sec. 28-79(c)(6)(g)(2) states that detached signs shall be set back from all adjacent public street rights of way at a distance at least equal to the height of the sign. Applicant was informed of the requirement during the sign building permit process. The additional façade signs meet with Overlay District requirements as does the size and height of the proposed pylon sign. In order to provide safer access management, the developer has placed the proposed new driveway as far away from the existing Holiday Inn driveway, and the configuration and location have been approved by DOTD. The parking lot configuration and the multitude of utility servitudes in the area severely limit the potential locations for any detached sign. Similar variances such as height or size have been granted in recent years by this Board so the request would not seem to weaken the general purpose of the ordinance.

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 requesting explanation, with no objection.

Staff recommends APPROVAL of the request.

MOTION to APPROVE was made by Matt Chataginer, SECONDED by Pete Konos.

ROLL CALL VOTE:

YEAS: Konos, Chattagnier, Lirette

NAYS: NONE

ABSTAINED: None NOT VOTING: Tauzin

b. Structure Vaiance: Side yard setback variance from required 5' to 1' for open carport addition in an R-1 zoned district.

Chair recognized Mr. Jason Dunn, 606 Harding Drive, who stated that he recently purchased this home and he needs more area for parking he and his wife's vehicles.

Chair declared opening of Public Hearing.

There being no one to speak, MOTION to close public hearing was made by Mr. Matt Chatagnier SECONDED by Natalie Lirette. MOTION PASSED unanimously.

Chair recognized Mr. Christopher Pulaski who stated The applicant is requesting a side yard setback variance from required 5' to 1' for construction of an open carport addition in an R-1 zoned

Applicant recently purchased this home to have more room for his four children (another on the way). The development pre-dates zoning and the lot size only allows for one vehicle. He needs more room for placement of his wife's passenger van so that she doesn't have to park it in the street and hinder the safety of passengers traveling on Highland Drive. The addition includes an open carport as well as an awning on the side of the house equipped with a gutter system to direct water away from the adjacent property and direct it towards the street. The applicant has applied for a permit (#2021-92915) which does describe the inclusion of the gutter system. Many homes in the area have similar additions, so the request will not 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 one call in support of the request and several for more information.

Staff recommends APPROVAL of the request on the CONDITION that the applicant install the gutter system as specified in the building permit application.

MOTION to APPROVE with CONDITION that the applicant install the gutter system as specified in the building permit application, was made by Matt Chatagnier, SECONDED by Natalie Lirette.

ROLL CALL VOTE:

YEAS: Konos, Chattagnier, Lirette

NAYS: NONE ABSTAINED: None NOT VOTING: Tauzin

c. Special Exception: for placement of a mobile home in an R-2 zoned district.

Chair recognized Dorothy Lyons, daughter of the applicant, who stated that they are requesting approval of placement of a mobile home on their property at 110 Banks Avenue.

Chair opened the floor for Public Hearing.

There being no one to speak on this matter a MOTION to CLOSE Public Hearing was made by Matt Chatagnier **SECONDED** by Pete Konos.

Chair recognized Mr. Chris Pulaski who stated that the applicant is requesting a Special Exception to allow for placement of a mobile home in an R-2 zoned district. In an attempt to help a family with housing needs, applicants allowed the family to place a mobile home on their vacant property. Staff informed the applicant of the need for a mobile home permit; however, the property was zoned R-1 which prohibits mobile homes. Working with the Councilman and the Zoning and Land Use Commission, Staff had first sought to rezone many of the lots in the Mechanicville Subdivision since there seemed to be a desire and need amongst many of the property owners to allow for mobile homes which is a popular form of affordable housing. After a considerable amount of time and several public meetings, it was determined to continue with rezoning on an individual lot basis and in July 2021 the property was rezoned R-2. The lot size and the placement of the mobile home would meet setback requirements as identified in the site plan submitted under permit # 2021-92824. Staff feels that the exception will not alter the essential character of the district in which it is located since there are numerous mobile homes in the area. Nor would the exception substantially or permanently injure the appropriate use of adjacent conforming property in the same district in which it is located since there are numerous mobile homes in the area. Nor would the exception substantially or permanently injure the appropriate use of adjacent conforming property in the same district and would not adversely affect the public health, safety, or welfare of the district. 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.

ROLL CALL VOTE:

YEAS: Konos, Chattagnier, Lirette

NAYS: NONE ABSTAINED: None NOT VOTING: Tauzin

MOTION to APPROVE was made by Matt Chatagnier, **SECONDED** by Natalie Lirette.

CALL VOTE:

YEAS: Konos, Chattagnier, Lirette

NAYS:

ABSTAINED: None NOT VOTING: Tauzin

- 7. Next meeting date: Tuesday, September 20,2021 at the Government Tower, second floor Council Meeting Room.
- 8. BOA Member comments: NONE
- 9. Public Comments: NONE
- 10. Executive Session: A MOTION was made by Natalie Lirette, SECONDED by Matt Chatagnier to CONVENE TO EXECUTIVE SESSION.

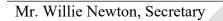
MOTION to approve to enter into negotiations to settle the TPCG and Terrebonne Parish Board of Adjustment/Cellco Lawsuit was made by Natalie Lirette, SECONDED by Matt Chatagnier.

ROLL CALL VOTE:

YEAS: Konos, Chattagnier, Lirette

NAYS: NONE ABSTAINED: None NOT VOTING: Tauzin

11. Adjourn: MOTION was made by Mr. Matt Chatagnier, SECONDED by Mr. Pete Konos to adjourn. MOTION passed unanimously.



TERREBONNE PARISH CONSOLIDATED GOVERNMENT URBAN SERVICES DISTRICT

BOARD OF ADJUSTMENT P.O. BOX 2768 HOUMA, LA 70361 (985) 873-6569

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:	Francis Giroir		
3.	Applicant's Address:	307 Suthon Ave Houma, LA 70364		
4.	Applicant's Phone:	985-647-2981		
5.	Applicant's Email:	Frang 43 @ hotmail, com		
6.	Physical Address Of Request:	Houma, LA 10364		
7.	Interest in Ownership:	7. Date of Application: 8/12/21		
8.	Explanation of Request:	I need Dermission That yd. Dethack		
F	4.82	I need permission that you settack Eo build an awning variance from hop so to 13, over my front door t for Attached nawing. Window to block the Sun		
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:

- 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 appropriated 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 regulationsherein 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.

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

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

Application Fee: Make checks payable to TPCG.

 ${\mathcal I}$ 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,

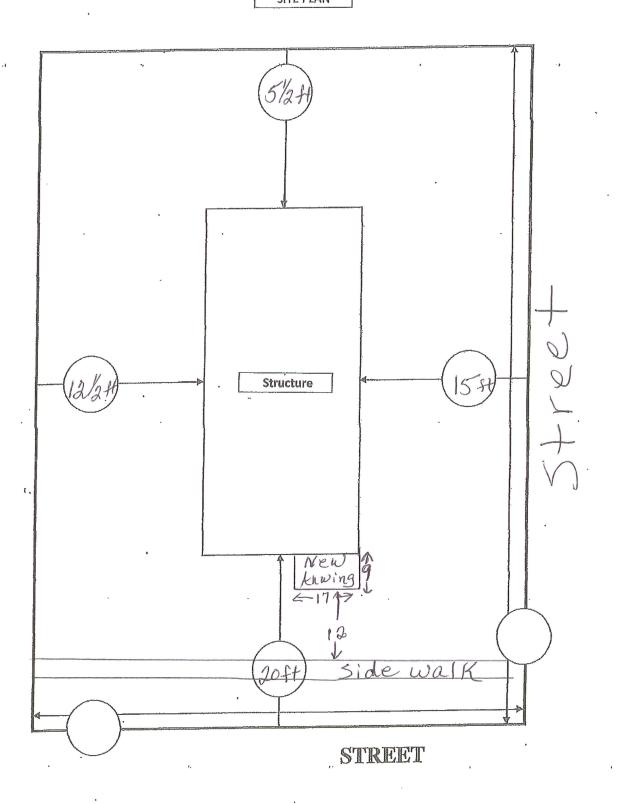
 ${\cal F}$ 2. That he/she has submitted with this Application a complete, true and current listing of all owners of the entire land included within the proposal, that each of the listed owners concurs with this Application, and that he/she has been given specific authority by each listed owner to submit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

> Nances Ho ran C/5
> Printed Name of Owner

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.







TERREBONNE PARISH CONSOLIDATED GOVERNMENT URBAN SERVICES DISTRICT

BOARD OF ADJUSTMENT

P.O. BOX 2768 HOUMA, LA 70361 (985) 873-6569

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:	JAMES MARMANDE
3.	Applicant's Address:	1715 Sos HUA DR.
4.	Applicant's Phone:	985 688-9180
5.	Applicant's Email:	jMARMAN de OBELLSOUTH. NET
6.	Physical Address Of Request:	1715 Joshun DR.
7.	Interest in Ownership:	7. Date of Application: 11-17-21
8.	Explanation of Request:	CARPORT FOR BOAT STOREDGE FOR EQUIPMENT
	* .	

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:

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

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 n the application; or,

2. That he/she has submitted with this Application a complete, true and current listing of all owners of the entire load 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

SAMES MARMONDE

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.



