

HOUMA BOARD OF ADJUSTMENTS

Official Proceedings of February 2, 2009

Government Tower 2nd Floor, Terrebonne Parish Council Meeting Room

1. The Chairman, Ms. Katie Sims, called the February 2, 2009, meeting of the Houma Board of Adjustments to order at 1:10 p.m., followed by the Pledge of Allegiance, led by Mr. David Blum.
2. Upon Roll Call, those members present were Ms. Katie Sims, Mr. Joe Harris, Mr. Pete Konos and Mr. David Blum. Members absent were Mr. Herman Torregano and Alternate Member, Mr. Richard Diggs. Also present was Mr. Mitch McDonald, Senior Planner, Jennifer Robinson, Senior Planner and Carl Hebert, Intern of the Department of Planning and Zoning for the Terrebonne Parish Consolidated Government.
3. ANNOUNCEMENTS:

The Chairman recognized Mr. Mitch McDonald who stated that the Planning Department has hired a new Senior Planner, Jennifer Robinson. He also stated that with the additional staff, new deadlines requirements for receiving applications would be implemented.

4. AGENDA ITEM 4, APPROVAL OF MINUTES OF JANUARY 12, 2009.

It was moved by Mr. Blum, seconded by Mr. Harris, that the minutes of the January 12, 2009, meeting be approved. THERE BEING NO OPPOSITION, THE MOTION PASSED UNANIMOUSLY.

5. AGENDA ITEM 5, OLD BUSINESS:
 - A. Structure Variance

1. STRUCTURE VARIANCE: Structure variance from the required minimum spacing between proposed structures located within the Belmere Luxury Apartments; Enterprise Drive Extension; *Coyle Engineering, Co., applicant.*

The Chairman stated that this application was voted on and approved at the January 12, 2009 meeting. She also apologized for some of the adjacent property owners not receiving their notifications until the day of the meeting. Ms. Sims stated that legally it is not require that notification be sent to adjacent property owners but the Board does this as a courtesy.

The Chairman recognized Mr. Mitch McDonald who translated the following from the Parish Code:

Sec. 28-178. Board of adjustment

- c) *Hearings.* The board shall fix a reasonable time for the hearing of an appeal, which hearing shall be open to the public. Public notice of the hearing shall be given, and notice shall be given to the appellant or applicant and to the office of zoning administration. The chairman or the acting chairman may administer oaths and compel the attendance of witnesses. Any interested person may appear in person or by agent or attorney.

The Chairman recognized Mr. David Blum who stated that to his understanding an adjacent property owner was in objection to not receiving his notification in a timely manner and brought this to the attention of a Zoning & Land Use Commission Member. Mr. Blum also stated that if this resident had any objection to this variance request, he or she could present himself or herself to the Board.

The Chairman recognized again recognized Mr. McDonald who stated that an adjacent property owner was in the audience.

The Chairman recognized Mr. Henry Richard of 1414 Savanne Road who stated that he did not have any objection to the variance request and he welcomes the development.

The Chairman stated that this item is to be considered as over and done with.

6. AGENDA ITEM 6, NEW BUSINESS:

A. Special Exception:

1. Request for special exception from the height requirement from 35' to 350' for the purpose of placing a TV transmission tower; western edge of Concord Road; *Martin Folse, applicant*.

The Chairman recognized Mr. Mitch McDonald who stated that Mr. Folse or a representative was not present.

Mr. McDonald also added that research was conducted due to Mr. Blum's concern regarding an applicant not being present for the meeting and it was determined that the applicant or agent is not required to be present.

The Chairman requested that Mr. McDonald represent the applicant and explain the variance request.

Mr. McDonald stated that this property is located in the vicinity of Lamar and Barrios Subdivision and was previously zoned R-1 (Single-Family Residential). He stated that the property was rezoned to C-3 (Neighborhood Commercial) and that there is a portion of this property that is zoned C-2 (General Commercial) where there is an existing tower. He also stated that as a courtesy notices were sent out and no objections were received and staff would recommend approval.

The Chairman addressed the audience to offer an opportunity to address this matter.

Mr. McDonald stated that the Fall Zone was measured out and found there to be no residential structures residing in that zone.

The Chairman stated that the tower height would start with 250'. Beyond that height, upon approval of the Board, it would be subject to approval from the FAA.

Subsequent to discussion among the members of the Board, Mr. Harris moved, seconded by Mr. Konos, "THAT the Houma Board of Adjustments approve the request for the variance".

ROLL CALL VOTE:

YEAS: Harris and Konos

NAYS: None

ABSTAINED: Blum

NOT VOTING: Sims

ABSENT: Torregano

THE CHAIRMAN DECLARED THE MOTION ADOPTED AND THE APPLICATION APPROVED.

7. OTHER BUSINESS: None

8. AGENDA ITEM 8, ADJOURNMENT:

Mr. Harris moved, seconded by Mr. Konos: "THAT, there being no further business to come before the Houma Board of Adjustments, the meeting be adjourned at 1:45.m."

NO OPPOSITION, MOTION CARRIED, CHAIRMAN DECLARED MOTION ADOPTED AND THE MEETING ADJOURNED.

Herman Torregano, Secretary-Treasurer