

HOUMA BOARD OF ADJUSTMENTS

**Official Proceedings
of
June 15, 2009**

***Government Tower
2nd Floor, Terrebonne Parish Council Meeting Room***

1. The Chairman, Ms. Katie Sims, called the June 15, 2009, meeting of the Houma Board of Adjustments to order at 2:07 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, Mr. David Blum and Mr. Herman Torregano. Members absent were alternate member Mr. Richard Diggs. Also present was Mr. Patrick Gordon, Planning & Zoning Director and Ms. Jennifer Robinson, Senior Planner of the Department of Planning and Zoning for the Terrebonne Parish Consolidated Government.
3. ANNOUNCEMENTS:

The Chairman recognized Ms. Robinson who stated that the Ordinance previously sent to the Parish Council to amend the Parish Code, Chapter 28 "Zoning", Section 28-178 "Board of Adjustment" to create a section "(h) Application Process" has been approved by the Council and ratified by the Parish President.

Discussion was held concerning the Board of Adjustment expanding its notification process by following the same guide lines set forth by the Zoning Commission.

Mr. Gordon stated that the ordinance regarding this process is currently under consideration by the Parish Council.

Mr. Gordon stated that he could submit a letter to the Parish Council letting them know the Board of Adjustment's intentions regarding the notification process.

It was moved by Mr. Torregano, seconded by Mr. Harris, "THAT the Board of Adjustment is in agreement with the Parish Council to amend Parish Code, Chapter 28 "Zoning, Section 28-178 "Board of Adjustment" (h) "Application Process" to notify adjacent property owners and property owners within a 250' radius by certified mail".

ROLL CALL VOTE:

YEAS: Blum, Konos, Harris and Torregano

NAYS: None

ABSTAINED: None

NOT VOTING: Sims

ABSENT: None

THE CHAIRMAN DECLARED THE MOTION ADOPTED.

4. AGENDA ITEM 4, APPROVAL OF MINUTES OF MAY 18, 2009.

The Chairman stated that the Minutes of May 18, 2009 need to be amended due to the Raymond Street item not having a majority vote to either approve or deny the item and the application is still actively on the board.

It was moved by Mr. Harris, seconded by Mr. Blum, that the minutes of the May 18, meeting be amended to reflect that the Raymond Street did not have a

majority vote to either approve or deny the item and the application is still actively on the board. THERE BEING NO OPPOSITION, THE MOTION PASSED UNANIMOUSLY.

5. AGENDA ITEM 5, OLD BUSINESS:

A. Structure Variance

1. Double Variance: Front yard variance from the required 25' to 10'; and rear yard variance from 30' to 10' for the accommodation of mobile homes in Mulligan Mobile Home Park, property located at 146 Raymond Street; *Aaron Mulligan, applicant.*

The Chairman recognized Mr. Terrell Martin of G.S.E. Associates who is representing Mr. Mulligan. Mr. Martin stated that the application previously submitted was revised to show six (6) mobile homes instead of seven (7) with a front and rear setback of 10'.

The Chairman recognized Mr. Robinson who stated that a revised site plan has been resubmitted showing the revisions to the variance request. Mr. Robinson also stated that the property owner has been issued two (2) separate notices of violation for the subject property concerning the placement of mobile homes on the property without obtaining building permits. Ms. Robinson stated that staff would recommend approval conditioned that the unpermitted mobile homes, which are not in compliance with the approved setbacks, be removed from the property.

The Chairman questioned why two (2) mobile homes were placed onsite without building permits.

The Chairman recognized Mr. Aaron Mulligan who stated he didn't receive a letter notifying him of the violation.

Ms. Robinson stated that at the end of the last meeting the applicant arrived and was informed about the violation and the request to move the existing mobile home to meet the setback requirements and apply for a building permit.

Discussion has held concerning the length and placement of mobile homes on the property.

Mr. Torregano moved to approve the variance request conditioned that the mobile home in space 7 be removed. The motion failed due to the lack of a second.

Mr. Konos move to deny the variance request. The motion failed due to the lack of a second.

Mr. Gordon stated that upon approval by the Houma-Terrebonne Regional Planning Commission it was required that Mr. Mulligan installs a fire hydrant for this development. Mr. Gordon noted that currently there are no fire hydrants on Raymond Street.

The Chairman stated due to the lack of a vote, she would have to declare the application denied.

Mr. Terrell Martin stated that this property is located in a designated flood zone and each mobile home would have to be certified by his firm once it is in place. A measurement of the mobile home could be obtained and noted on the elevation certificate which is needed when applying for a building permit.

Subsequent to discussion among the members of the Board, Mr. Torregano moved, seconded by Mr. Harris, "THAT the Houma Board of Adjustments approve the request for the variance conditioned that the mobile home currently

situated in space number 7 be removed and the elevation certificate state the size of the mobile home when applying for a building permit”.

ROLL CALL VOTE:

YEAS: Torregano, Harris and Sims

NAYS: Konos

ABSTAINED: Blum

NOT VOTING: None

ABSENT: None

THE CHAIRMAN DECLARED THE MOTION ADOPTED AND THE APPLICATION APPROVED.

6. AGENDA ITEM 6, NEW BUSINESS:

A. Structure Variance

1. Structure Variance: Variance from Section 28-136(b) of the Terrebonne Parish Zoning Code, which prohibits parking in the required front yard of an R-3 (Multi-Family Residential Zoning District) to allow parking in the front yard; property located at 193 Roy Street; *Jarrell P. Melancon, Sr., applicant.*

The Chairman recognized Mr. Jarrell P. Melancon, Sr. who stated he is requesting a variance to allow the placement of a doublewide mobile home at 193 Roy Street.

The Chairman recognized Ms. Angela Mullet of 164 Wayne Avenue who stated she was concerned about the mobile home being placed close to her fence.

The Chairman recognized Ms. Robinson who stated that as shown on the plat for this request the placement of the mobile home will allow for 25’ in the front and 50’ in the rear of the property. Ms. Robinson also stated that no objections were received concerning the parking variance request and Staff would recommend approval.

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

ROLL CALL VOTE:

YEAS: Harris, Torregano, Konos and Blum

NAYS: None

ABSTAINED: None

NOT VOTING: Sims

ABSENT: None

THE CHAIRMAN DECLARED THE MOTION ADOPTED AND THE APPLICATION APPROVED.

2. Structure Variance: Variance from the Section 28-74(g), “Supplementary Yard Regulations” from the required maximum height of three (3) and four (4) feet to six (6) feet in order to construct a fence in the front yard; property located at 402 Summerfield Drive; *Leland Crochet, Sr., applicant.*

The Chairman recognized Mr. Leland Crochet Sr. who stated the he would like to install a 6’ wooden privacy fence. Mr. Crochet also stated that the fence would conceal a 17x40 swimming pool in his rear yard.

The Chairman recognized Ms. Robinson who stated that adjacent property owners were notified and no objections were received. The applicant provided a signed letter from the adjacent property owner stating that they had no objections to the variance and Staff recommends approval for this request.

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

ROLL CALL VOTE:

YEAS: Blum, Konos, Harris and Torregano

NAYS: None

ABSTAINED: None

NOT VOTING: Sims

ABSENT: None

THE CHAIRMAN DECLARED THE MOTION ADOPTED AND THE APPLICATION APPROVED.

3. Structure Variance: Rear yard variance from the required 25' to 15' for the purpose of constructing a covered patio; property located at 103 Bryce Street; *Glenn and Merrill Matherne, applicant.*

The Chairman recognized Mr. Glenn Patrick Matherne who resides at 103 Bryce Street. Mr. Matherne stated that his request is to place a cover over his back patio.

The Chairman recognized Ms. Robinson who stated that all adjacent property owners were notified and no objections were received and Staff would recommend approval.

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

ROLL CALL VOTE:

YEAS: Konos, Blum, Torregano and Harris

NAYS: None

ABSTAINED: None

NOT VOTING: Sims

ABSENT: None

THE CHAIRMAN DECLARED THE MOTION ADOPTED AND THE APPLICATION APPROVED.

4. Structure Variance: Side yard variance from the required 15' to 1' for the purpose of constructing an open-air carport; property located at 1911 Tyler Avenue; *Francis Bourg; applicant.*

The Chairman recognized Ms. Robinson who stated on behalf of Mr. Francis Bourg that the applicant is requesting a variance for the purpose of constructing an open air carport. Ms. Robinson stated that all adjacent property owners were notified and no responses were received and Staff would recommend approval.

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

ROLL CALL VOTE:

YEAS: Harris, Torregano and Sims

NAYS: Blum and Konos

ABSTAINED: None

NOT VOTING: None

ABSENT: None

THE CHAIRMAN DECLARED THE MOTION ADOPTED AND THE APPLICATION APPROVED.

5. Structure Variance: Rear yard variance from the required 30' to 5' for the purpose of constructing a commercial addition; property located at 272 Enterprise Drive; *Rick Morales; applicant.*

The Chairman recognized Mr. Rick Morales of Safe Guard Alarm Systems who stated that they are requesting a variance to allow for an addition to the existing building.

The Chairman recognized Ms. Robinson who stated that an onsite inspection was conducted, adjacent property owners were notified, no objections were received and Staff recommends approval.

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

ROLL CALL VOTE:

YEAS: Blum, Harris, Konos and Torreganos

NAYS: None

ABSTAINED: None

NOT VOTING: Sims

ABSENT: None

THE CHAIRMAN DECLARED THE MOTION ADOPTED AND THE APPLICATION APPROVED.

7. OTHER BUISNESS: NONE

8. AGENDA ITEM 8, ADJOURNMENT:

Mr. Harris, Mr. Blum, Mr. Konos and Mr. Torregano moved; "THAT, there being no further business to come before the Houma Board of Adjustments, the meeting be adjourned at 3:10 p.m."

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

Herman Torregano, Secretary-Treasurer