

AGENDA
ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING
TUESDAY, SEPTEMBER 2, 2014 - 3:00 P.M.
ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING
21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS
MANDEVILLE, LOUISIANA

CALL TO ORDER

ROLL CALL

APPROVAL OF THE AUGUST 5, 2014 MINUTES

PUBLIC HEARINGS

BOA CASE NO. 14-09-028

Request by applicant for variances for the reduction of some perimeter landscaping and planting buffer requirements in a HC-2 Highway Commercial zoning district. The property is located at 203 Florida Street, Mandeville, Louisiana.

Applicant: Pelican Pointe Carwash

BOA CASE NO. 14-09-029

Request by applicant for a variance of a side yard landscaping and planting buffer requirement in an I-2 Industrial zoning district from 10' required to approximately 8' requested. The property is located at 242 & 246 General Patton Avenue, Covington, Louisiana.

Applicant: I FOR Properties, L.L.C./Blanchard & Sons, L.L.C.

BOA CASE NO. 14-09-030

Request by applicant for a variance of a north street side landscaping and planting buffer requirement in a HC-3 Highway Commercial zoning district from 20' required to approximately 15' requested. The property is located at 1412 N. Highway 190, Covington, Louisiana.

Applicant: Frank Nuccio

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

MINUTES

ST. TAMMANY PARISH BOARD OF ADJUSTMENTS MEETING

3:00 PM - TUESDAY, AUGUST 5, 2014

**LA HIGHWAY 59/KOOP DRIVE ADMINISTRATIVE COMPLEX BUILDING
MANDEVILLE, LOUISIANA**

The August 5, 2014 meeting of the St. Tammany Parish Board of Adjustments was called to order by the Chairman, Mr. Tim Fandal.

The roll was called as follows:

PRESENT: Mr. Fandal, Mr. Brookter, Mr. Gordon, Mr. Ballantine and Mr. Perry

ABSENT: Mr. Schneider

STAFF PRESENT: Mr. Keller

APPROVAL OF THE MINUTES

Moved by Mr. Ballantine and seconded by Mr. Brookter to accept the July 1, 2014 minutes as typed and delivered.

MOTION CARRIED UNANIMOUSLY

BOA CASE NO. 14-08-022

Request by applicant for a variance in a HC-2 Highway Commercial zoning district in order to relocate trees from a side yard buffer to another area on the property.

Applicant: Liberty Storage

(Mr. Keller read the staff report into the record...)

Mr. Jeff Schoen with the Jones Fussell law firm, P.O. Box 1810, Covington, LA, appeared on behalf of the petitioner and made the following initial comments:

- Mr. Keller summed up our request and I'm here to answer any questions if I can.

Moved by Mr. Ballantine and seconded by Mr. Brookter to approve the variance request as requested.

MOTION CARRIED UNANIMOUSLY

BOA CASE NO. 14-08-023

Request by applicant for a variance in a HC-1 Highway Commercial zoning district for the elimination of the south side buffer and plantings and a portion of the west side buffer.

Applicant: Zoomtech Automotive

(Mr. Keller read the staff report into the record...)

Mr. Bret Gioe and Keith Moffett appeared and made the following initial comments:

- We are just trying to get some parking for our business.
- We're using the site where a building burned down.
- It's impractical for us to plant in this location.

Mr. Ballantine: Do you have a letter from Mr. Rabin (next door neighbor)?

Mr. Moffett: No.

Mr. Gioe: We will plant the other plants that are required elsewhere on the property.

Moved by Mr. Ballantine and seconded by Mr. Brookter to approve the variances subject to the applicant planting the total required number of trees elsewhere on the property.

MOTION CARRIED UNANIMOUSLY

BOA CASE NO. 14-08-024

Request by applicant for a variance in an A-2 Suburban zoning district for the height of an accessory structure from approximately 15' permitted to 22.5' requested.

Applicant: David W. Gauthier

(Mr. Keller read the staff report into the record...)

The applicant appeared on his own behalf and made the following initial comments:

- I have a neighbor here who does not have any objection to my request.
- I still have a way to go to finish the structure.

Mr. Gordon: So you built without a permit?

Mr. Gauthier: I asked my builder about it and he said that everything was fine and no permit was needed for structures under 1000 square feet in area. My builder mislead me and I ask for mercy.

Mr. Brookter: This is "after the fact" and you need to get a permit.

Mr. Gauthier: Yes.

(Mr. Clint Bravo, 75397 River Road, Covington, LA appeared on behalf of the applicant in

support of the variance request.)

Mr. Ballantine: How do you build and not know that you needed a permit?

Mr. Gordon: Your contractor needs to be reported to the licensing board.

Mr. Gauthier: I will definitely get a licensed contractor to finish the job.

(The board "huddled" and deliberated in open forum to discuss the merits of the variance request...)

Moved by Mr. Ballantine and seconded by Mr. Gordon the grant the variance subject to the applicant filing for a building permit and complying with all parish requirements.

MOTION CARRIED UNANIMOUSLY

BOA CASE NO. 14-08-025

Request by applicant for a variance in an A-4 Suburban zoning district for a side yard setback requirement or a residence from 10' required to approximately 5' 2" requested.

Applicant: Ken Bower

(Mr. Keller read the staff report into the record...)

Mr. Gordon: There are certain circumstances where we can grant variances and this is exactly a good reason to grant a variance.

Moved by Mr. Gordon and seconded by Mr. Brookter to grant the variance as requested.

MOTION CARRIED UNANIMOUSLY

BOA CASE NO. 14-08-026

Request by applicant for a variance in an A-4 Suburban zoning district for a front yard setback requirement for a residence from 30' required to approximately 25' requested

Applicant: Stephen Ploue Construction

(Mr. Keller read the staff report into the record...)

The applicant appeared on his own behalf and made the following initial comments:

Mr. Ballantine: This lot is in the beginning of a cul-du-sac so the house would not look that odd.

Moved by Mr. Ballantine and seconded by Mr. Brookter to approve the variance as requested.

MOTION CARRIED UNANIMOUSLY

BOA CASE NO. 14-08-027

Request by applicant for a variances in a HC-2 Highway Commercial zoning district for either and/or the elimination, relocation or shifting of interior landscape buffers and plantings.

Applicant: BCS, L.L.C.

(Mr. Keller read the staff report into the record...)

Mr. Jeff Schoen with the Jones Fussell law firm, P.O. Box 1810, Covington, LA, appeared on behalf of the petitioner and made the following initial comments:

- Mr. Keller summed up our request and we are in agreement with his staff comments.

Mr. Ballantine: is this the Madisonville Market Place?

Mr. Schoen: No, this is the property right next door to the south of that development.

Moved by Mr. Ballantine and seconded by Mr. Brookter to grant the variances requested subject to staff comments.

MOTION CARRIED UNANIMOUSLY

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

MR. TIM FANDAL, CHAIRMAN
ST. TAMMANY PARISH BOARD OF ADJUSTMENTS

Disclaimer: These minutes are intended to represent an overview of the meeting and general representation of the testimony given; and therefore, does not constitute verbatim testimony or a transcription of the proceedings.

**ST. TAMMANY PARISH BOARD OF ADJUSTMENT
STAFF ANALYSIS REPORT**

Case File Number: BOA Case No. 14-09-028
Initial Hearing Date: September 2, 2014
Date of Report: August 22, 2014

GENERAL INFORMATION

Applicant(s) Name: Pelican Pointe Carwash
Location of Property: 203 Florida Street, Mandeville, Louisiana
Zoning of Property: HC-2 Highway Commercial
Variance(s) Requested: Landscape and planting buffers

OVERVIEW

The applicant is asking for variances of landscape and planting buffers in order to fit a carwash on the property in question. The applicant is claiming a hardship (see narrative attached) due to the fact that some of his property has been expropriated by the State for right-of-way purposes on both sides of his frontages (LA Highway 190 & LA Highway 59).

STAFF COMMENTS

Although a portion of the property has been expropriated by the State, the fact remains that the property, being .69 acres in size, is still large enough to support several other types of businesses on the commercial property. Perhaps the applicant should seek alternative properties that can adequately support a carwash business, or try to reduce the imprint of the site on the property in order to comply with parish code.

Therefore, for the reasons as stated above, the staff does not support the variances requested.

BOA CASE NO. 14-09-028 (for office use only)

**ST. TAMMANY PARISH BOARD OF ADJUSTMENT
(VARIANCE/APPEAL APPLICATION FORM)**

(Please print on the following lines below. If a company, please include a contact person name also.)

APPLICANTS NAME: Pelican Pointe Carwash, Ronnie Bonner

MAILING ADDRESS: 70487 Hwy 21

CITY/STATE/ZIP: Covington, LA. 70433

PHONE NUMBER: 504-885-8694 985-960-2122
(Home Phone #) (Cell Phone #)

PROPERTY LOCATION FOR VARIANCE REQUESTED: ZONING: HC-2

203 Florida St. Mandeville LA. n/a
Address City State Subdivision (if applicable)

(Please check the applicable boxes below:)

REQUEST FOR:

- ☒ A variance of the (Unified Development Code)
☐ Appeal of an adverse decision made by a parish official(s)
☐ Appeal the interpretation by a parish official(s) of the (Unified Development Code)

VARIANCE/APPEAL REQUESTED:

- ☒ building setbacks (reduction of front, side and/or rear yard setbacks)
☒ landscape buffers (reduction of front, side and/or rear yard buffer setbacks)
☐ landscaping within buffers (reduction of the number of trees, bushes and/or shrubs)
☐ parking area requirements (reduction of parking stalls, parking greenspace islands, etc...)
☐ signage requirements (increase of sign area and/or sign height, lighting, coloring, etc...)

☐ other _____
(Specify other variance/appeal on line above)

(Please state on the following lines below your specific request for a variance/appeal:)

Example: Applicant is requesting a variance for a front yard setback requirement from 25' required by the parish, to approximately 20' requested.

(See separate attached)

Ronald H

SIGNATURE OF APPLICANT

8/4/14
DATE OF APPLICATION

August 4, 2014

Members of the Board,

The following hardship is due to the states widening of the roadways of Gerard Street and Florida Street. As a result of the widening; this parcel of land lost approximately 20' in depth on the (south) Florida Street side, approximately 21' in width on the Gerard Street side and the square corner is now on an angle.

In an effort to meet all parish criteria, applicants have looked at many options for this project with the minimum effect on the corner of Gerard Street and Florida Street. Applicants have used the minimum size building; driveways and parking spaces allowed and have incorporated 2266 sq. ft. of green space on the interior, and an additional 5446 sq. ft. of green space in the right of way. Applicants are in need of the following three variances:

1. Applicant is requesting a variance for a (north) rear building set back requirement from 10' required by the parish, to approximately 3' requested.

Applicant's request to move the building back is to accommodate the necessary parking spaces, driveways and turning radii. As a concession to the request, appicate has increased green space at the rear of the building, east towards Gerard Street; in an effort to beautify that corner, which is the most visible to the public. Behind the building, there is an existing driveway that leads from Gerard Street to McDonalds and an unmaintained ditch full of overgrown weeds, which will be landscaped, sodded, and meticulously maintained.

2. Applicant is requesting a variance for a (west) side landscape buffer requirement of 10' required by the parish, to approximately 6' requested.

Applicant's request for a 6' landscape buffer on the west side adjacent to McDonalds is to meet the minimum required turning radius and driveway existing the building. Request is also in an effort to minimize the impact on the (east) Gerard Street side, and maintain that 20' setback on the more visible side to the public. The applicant has also increased the more visible 20' setback to 20' 11".

3. Applicant is requesting a variance for a (south) front landscape buffer requirement of 20' required by the parish, to approximately 11' 4" requested.

Applicant's request for the front 11' 4" landscape buffer on the south side is to meet the minimum requirements for necessary parking spaces, driveways, turning radii and interior green spaces. As a concession to this request, applicant is removing 3 existing driveways and replacing them with new landscape and sod which will increase the total square footage of green space and have a more substantial beautification impact on the entire corner.

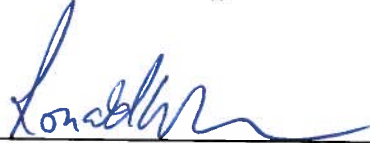
Applicants are willing to donate to the tree bank for any additional trees that may not fit into the green spaces.

Applicants would also like to thank you for your time and consideration to the three mentioned requests.

Sincerely,

Pelican Pointe Carwash

By



Ronald Bonner

By

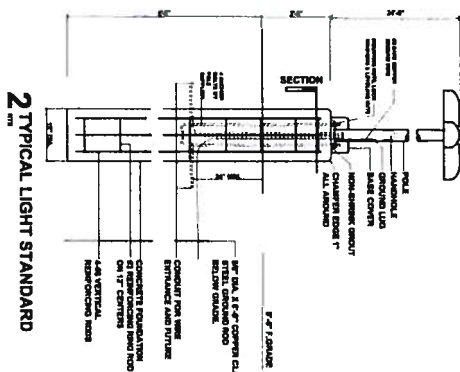


Todd Heiden

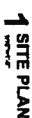
MC 2886 - TYPE 88 CONSTRUCTION
- FACTORY GROUP M4 OCCUPANCY
MFA 07 - INDUSTRIAL CLASSIFICATION

MOIST ROOMS LOUD - 30 PIP LINE LOAD
FLOOR DESIGN LOAD - 30 PIP LINE LOAD
BROWN LOUD FACTOR - 1.0 PIP

BASIC - 3000 PIPES ROOMS LOADING 120 MPa, 3 SEC. QUART
WAS IMPORTANCE FACTOR - 1.0
OCCUPANCY CATEGORY -
WAS EXPOSURE
PROCESSING EQUIPMENT - AS
CONCRETE
CONCRETE AND CALCIUM - 1000
DESIGN METHOD - Analytical Procedures



2nd TYPICAL LIGHT STANDARD



SITE DATA:

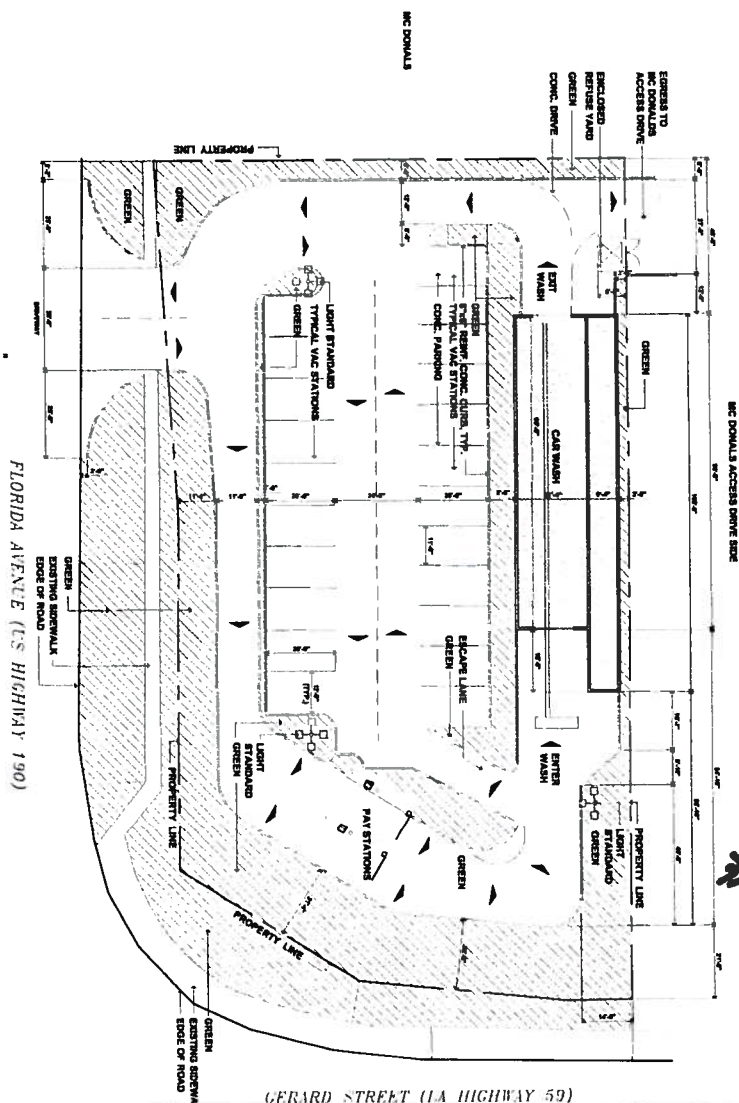
30,345 sf LOT SIZE (.69 ACRE)

2,868 sf AREA OF BUILDING

18,686 sf OF PAVING INTERIOR OF LOT

6,811 sf OF GREEN INTERIOR OF LOT (25% OF LOT GREEN)

5,446 sf GREEN RIGHT OF WAY



GERARD STREET (LA HIGHWAY 59)

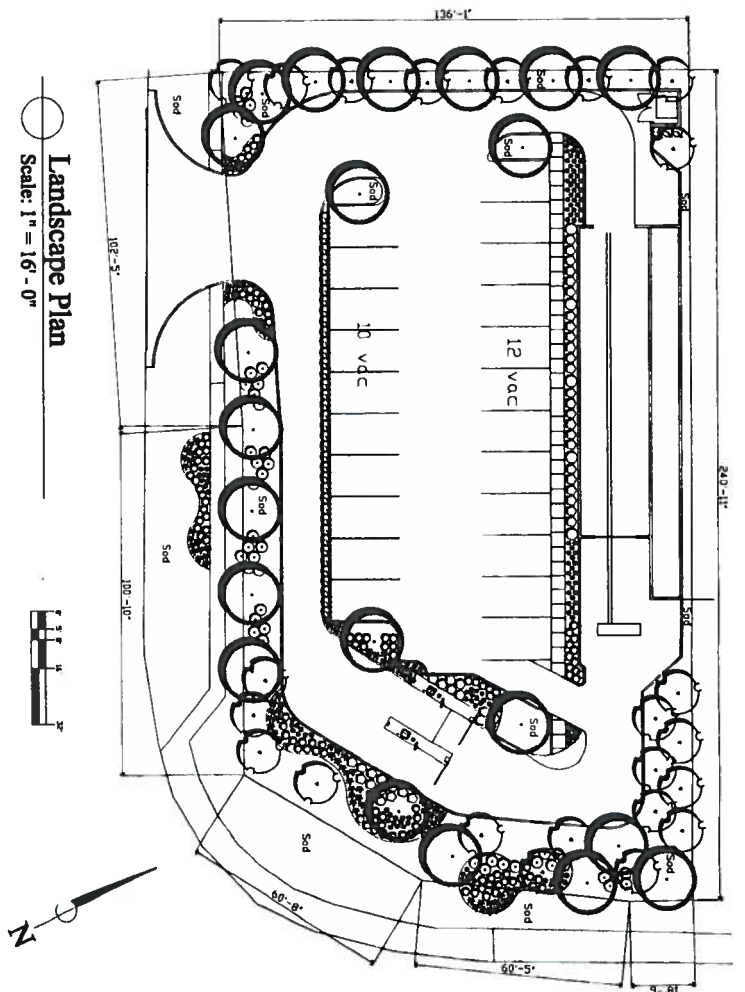
NEW CAR WASH FOR:
PELICAN POINTE CAR WASH
FLORIDA AVENUE AT GERARD STREET, MANDEVILLE, LOUISIANA

1050 FLORIDA BOULEVARD BATON ROUGE, LA, 70802 www.sauviacanddang.com
225.338.0040 craig@sauviacanddang.com ldang@sauviacanddang.com

ARCHITECTURAL DESIGN

A1.0

DATE 08/02/2014
SHEET



Landscape Plan
Scale: 1" = 16' - 0"

Symbol	Common Name	Latin Name	Size	Qty.
○	Class A - Pond Cypress	<i>Taxodium ascendens</i>	10-12' ht. - 2.5" cal.	21
○	Class B - Yaupon Holly	<i>Ilex vomitoria</i>	6-8' ht.	23
○	Camellia Sasanqua	<i>Camellia sasanqua</i>	7 gal.	5
○	Cleome	<i>Temnostylis gymnanthera</i>	3 gal.	37
○	Azalea George Taber	<i>Rhododendron indica 'George Taber'</i>	3 gal. - 2' ht.	44
○	Indian Hawthorne 'Clara'	<i>Raphiolepis indica 'Clara'</i>	3 gal.	48
○	Dianella Flax Lily	<i>Dianella tasmanica</i>	3 gal.	105
○	Shore Juniper	<i>Juniperus conferta</i>	3 gal.	109
○	Louisiana Iris	<i>Iris nelsonii</i>	1 gal.	152

- Screening/Buffer shrubs along the front must be 2' high at time of planting.
- Owner is responsible for maintaining and/or replacing any materials in the buffer area per ordinance.

Buffer and Tree Count Requirements

East - Street Planting Buffer

- 136.42 Linear Feet/30 = 4.5
- 3 Class A required, 5 provided
- 5 Class B required, 5 provided
- 14 Shrubs screening required - 15 provided

South - Side Buffer Area

- 203.24 Linear Feet/30 = 6.7
- 7 Class A required, 7 provided
- 7 Class B required, 7 provided
- 21 Screening shrubs required, 29 provided

West - Side Buffer Area

- 136.08 Linear Feet/30 = 4.5
- 5 Class A required, 5 provided
- 5 Class B required, 5 provided

North - Side Buffer Area

- 240.92 Linear Feet/30 = 8.03
- 9 Class A required, 9 provided
- 9 Class B required, 9 provided
- Class B only are shown due to lack of buffer space along property line

PELICAN POINT CARWASH

Highway 190, MANDEVILLE, LA

LOUISIANA LANDSCAPE SPECIALTY, INC.
1000 Highway 190, Suite 100
Madisonville, Louisiana 70446
Phone: (504) 833-1111
Fax: (504) 833-1112
Email: info@lls.com

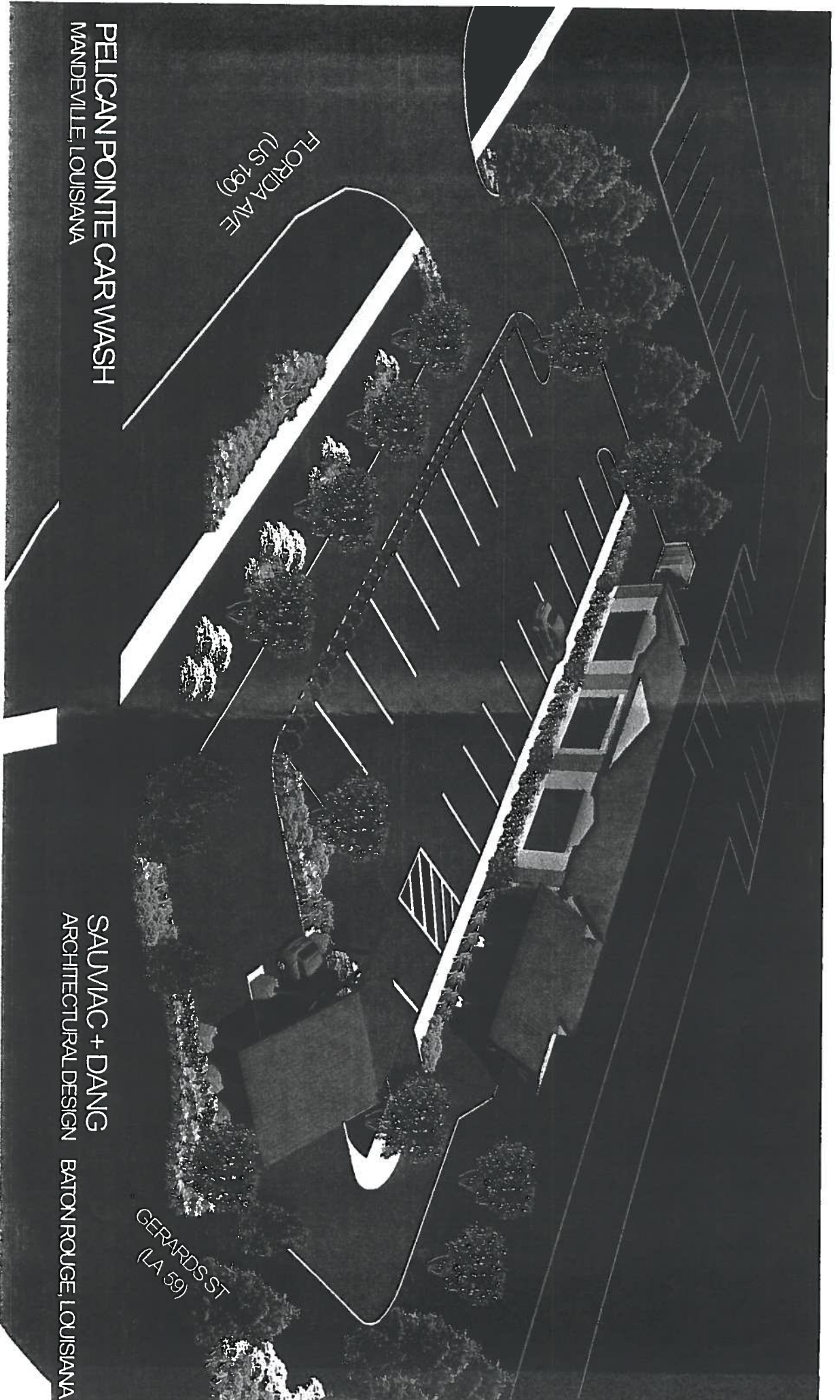
L-1.0

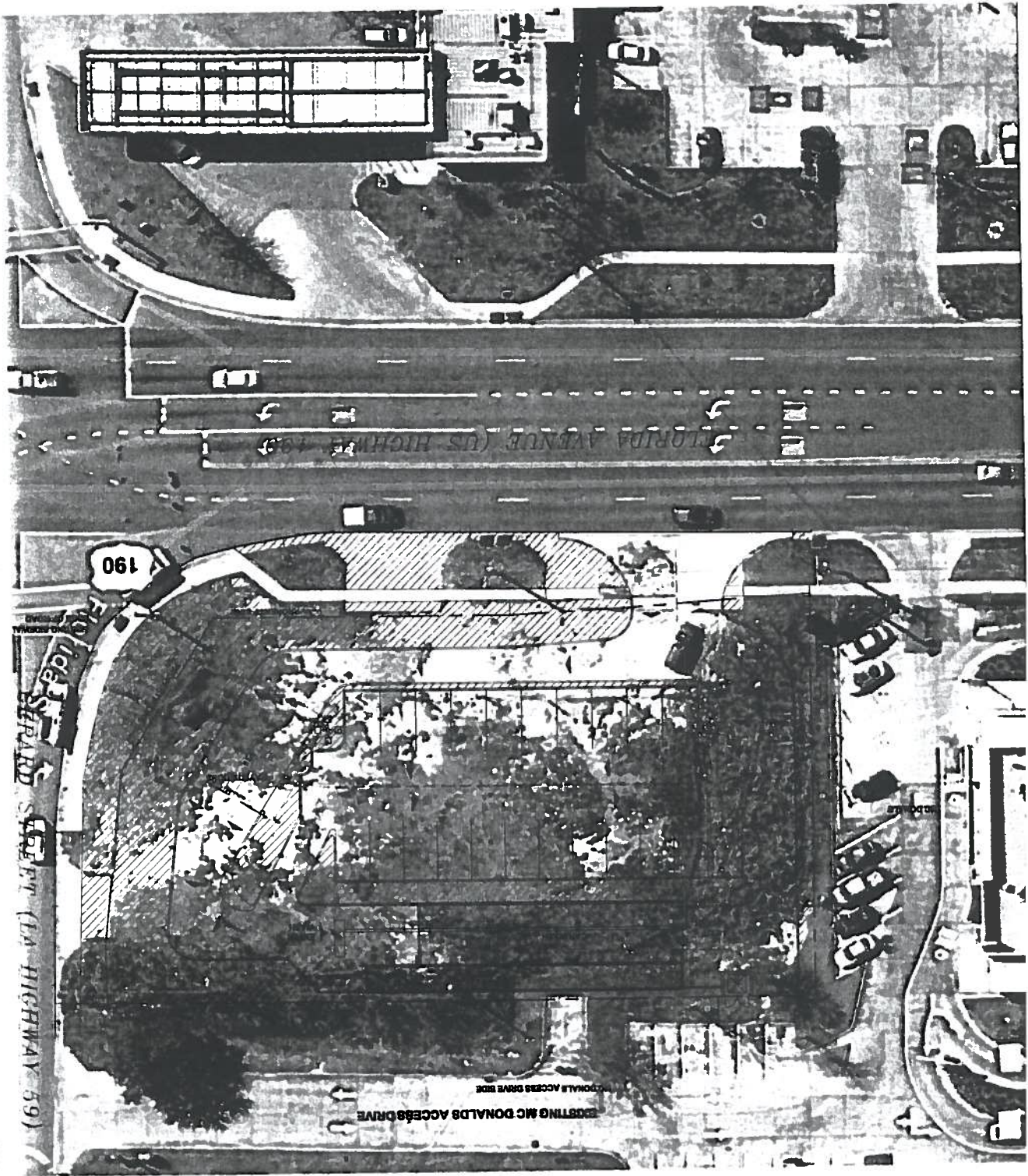
PELICAN POINTE CAR WASH
MANDEVILLE, LOUISIANA

FLORIDA AVE
(US 199)

GERARDS ST
(LA 59)

SAUVIAC + DANG
ARCHITECTURAL DESIGN BATON ROUGE, LOUISIANA





REAR PROPERTY LINE LOOKING EAST



WEST PROPERTY LINE – LOOKING NORTH



FLORIDA ST. - EAST TO WEST



FLORIDA ST. - WEST TO EAST



**ST. TAMMANY PARISH BOARD OF ADJUSTMENT
STAFF ANALYSIS REPORT**

Case File Number: BOA Case No. 14-09-029
Initial Hearing Date: September 2, 2014
Date of Report: August 22, 2014

GENERAL INFORMATION

Applicant(s) Name: I For Properties, L.L.C.
Location of Property: 246 General Patton Avenue, Covington, Louisiana
Zoning of Property: I-2 Industrial
Variance(s) Requested: Northern side yard landscape buffer setback

OVERVIEW

The applicant is asking for a variance for the existing building located on lots 26 and 27, and for the future extension of said building along the northern side yard side of lot 15, to the rear of the existing side, of approximately 8' in order to maintain consistency and fluidity with the building alignment along said side yard (see narrative attached).

STAFF COMMENTS

It appears that the parish did indeed issue a permit for the existing building with approximately an 8' to 9' side yard setback. Therefore, the staff has no objections to the variance request for lot 26 due to said fact. Furthermore, the staff has also has no objection to the extension of said building and setback request for lot 15 due to the fact that the approximate 2' variance request is negligible in terms of impact to the adjacent property. And we are assuming that the applicant should have no trouble in providing the required number of plantings with the buffer area.

BOA CASE NO. 14-09-029 (for office use only)

**ST. TAMMANY PARISH BOARD OF ADJUSTMENT
(VARIANCE/APPEAL APPLICATION FORM)**

(Please print on the following lines below. If a company, please include a contact person name also.)

APPLICANTS NAME: I FOR Properties, L.L.C./Blanchard & Sons, L.L.C.

MAILING ADDRESS: 53 Mark Smith Drive

CITY/STATE/ZIP: Mandeville, LA 70471

PHONE NUMBER: (985) 626-0944
(Home Phone #) (Cell Phone #)

PROPERTY LOCATION FOR VARIANCE REQUESTED: ZONING: I2 - Industrial District
246 and 242 General Patton Avenue, Covington, LA Northshore Commercial Park
Address City State Subdivision (if applicable)

(Please check the applicable boxes below:)

REQUEST FOR: ☒ A variance of the (Unified Development Code)
☐ Appeal of an adverse decision made by a parish official(s)
☐ Appeal the interpretation by a parish official(s) of the (Unified Development Code)

VARIANCE/APPEAL REQUESTED:

- ☒ building setbacks (reduction of front, side and/or rear yard setbacks)
☐ landscape buffers (reduction of front, side and/or rear yard buffer setbacks)
☐ landscaping within buffers (reduction of the number of trees, bushes and/or shrubs)
☐ parking area requirements (reduction of parking stalls, parking greenspace islands, etc...)
☐ signage requirements (increase of sign area and/or sign height, lighting, coloring, etc...)

☐ other _____
(Specify other variance/appeal on line above)

(Please state on the following lines below your specific request for a variance/appeal:)

Example: Applicant is requesting a variance for a front yard setback requirement from 25' required by the parish, to approximately 20' requested.

Applicant is requesting a variance from a side yard setback requirement from
10 feet to 8 feet along the northern property lines of Lots 26 and 15, Northshore
Commercial Park. A more detailed explanation of the request and the reasons
behind the request are attached hereto.

SIGNATURE OF APPLICANT
I FOR Properties, L.L.C.

August 5, 2014
DATE OF APPLICATION

By: Anthony R. Pastorello

WILLIAM J. JONES, JR.
A. WAYNE BURAS
JEFFREY D. SCHOEN
JOHN R. WALKER
SAM J. COLLETT, JR.
MARGARET H. KERN
CALVIN P. BRASSEAU
PAUL J. MAYRONNE
BAILEY DIRMANN MORSE

JONES FUSSELL, L.L.P.
ATTORNEYS AT LAW
NORTHLAKE CORPORATE PARK, SUITE 103
1001 SERVICE ROAD EAST, HIGHWAY 190
P.O. BOX 1810
COVINGTON, LOUISIANA 70434-1810

TELEPHONE (985) 892-4801
FAX (985) 892-4925

August 5, 2014

St. Tammany Parish Planning Department
c/o Mr. Ron Keller
P.O. Box 628
Covington, Louisiana 70434

**Re: Variance Request
Lots 26 and 15, Northshore Commercial Park**

Dear Ron:

The purpose of this letter is to further explain the facts and circumstances surrounding this request. First, it is important to note that as is identified on the attached survey, a very high-end office/warehouse has been constructed on Lot 26. At this time, Lot 15 is vacant. Both parcels are located in Northshore Commercial Park, which is an industrial development located off of Marshall Road. Blanchard & Sons, L.L.C. has all of the properties subject to this variance request under contract and intends to purchase the properties if we are successful in achieving the variance requested.

By way of background, in 2009, I FOR Properties, L.L.C. contracted with Kent Construction to build a 42,000 square foot office and warehouse on Lots 26 and 27. As you may recall, during this time, the Parish was in the process of converting from Zoning Ordinance No. 523 to the Unified Development Code. This conversion seems to be the genesis of the problem that gives rise this variance request.

The architect on the project identified the property as being zoned M-1, under Ordinance No. 523, which was the zoning prior to the adoption of the Unified Development Code. Under the M-1 zoning, the side setback was 5 feet. Accordingly, plans were drawn, permit applications were submitted and a building permit was issued by the Parish of St. Tammany for the construction of the building on Lots 26 and 27 with a side setback of 9 feet. All parties at the time, including perhaps the Parish, was under the impression that the appropriate setback requirement was 5 feet. Ultimately, the building was completed, the Parish issued a Certificate of Occupancy and the building has been in use since 2010.

Mr. Ron Keller
August 5, 2014
Page 2

Several weeks ago, as part of the due diligence for Blanchard & Sons, L.L.C. acquisition of the properties, a survey was performed which indicated that the building on Lot 26 is 8.9 feet from the side property line. Upon investigation, we have now determined that the requisite setback is 10 feet, thus resulting in an inadvertent encroachment. While I am convinced that all parties involved in this matter conducted themselves in good faith, and that this encroachment was merely an error resulting from the transition from Ordinance No. 523 to the Unified Development Code, nonetheless the encroachment exists which creates a problem with financing the acquisition and ultimate enlargement of the building. It is for this reason that the variance request is being made with regards to Lot 26.

In regards to Lot 15, the purchaser intends to resubdivide all these lots and to extend the existing building onto what is now Lot 15 and for that reason we are asking that the setbacks (for Lot 26 and Lot 15) be consistent. If the setbacks are not consistent, this will require a "jog" in the location of the north wall of the building which will create aesthetic concerns as well as the practical and efficient use of the warehouse space.

We would respectfully suggest that granting the variance in this matter, which is quite minimal, will not have a negative or adverse impact on any adjacent property owner. In fact, we have submitted a letter from the adjacent property owner stating that they have no objection to the granting of the variance. I would also point out that when this industrial park was approved, the side setback line was, in fact, only 5 feet. Therefore, even with the variance, we have a side setback that will be 3 feet larger than that which was required at the time the development was approved. Finally, for the foregoing reasons and the convergence of these unusual circumstances, I would suggest that if the Board were to grant this request it would not set a precedent going forward. This case is quite unique and is clearly distinguishable on its facts.

In this case, I would respectfully suggest the errors were made by all involved. This includes the architect (believing Ordinance No. 523 was still in effect and drawing plans with a 5 foot side setback), the builder (for not revising the setback should be 10 feet) and the Parish (for issuing a building permit and certificate of occupancy without the appropriate setback). As mentioned above, I believe that all were acting in good faith but the encroachment exists nonetheless. I would submit that these errors can be corrected by the granting of the variance requested.

Thank you for your assistance in processing this matter and should you have any questions regarding our request, please do not hesitate to contact me.

Sincerely,



Paul J. Mayronne

PJM:tm

HI-ROLLERS INVESTMENT, L.L.C.
68417 Janice Avenue
Covington, Louisiana 70433

St. Tammany Parish Planning Department
c/o Mr. Ron Keller
P.O. Box 628
Covington, Louisiana 70434

Re: Variance Request
Lots 26 and 15

Dear Mr. Keller:

Please be advised that I am a member of Hi-Rollers Investment, L.L.C., which is the record owner of Lot 15, 16 and 25, in Northshore Commercial Park. Currently there is a variance request pending on behalf of I FOR Properties, L.L.C. and Blanchard & Sons, L.L.C. which would reduce the side setback line on Lots 26 and 15 from 10 feet to 8 feet. Hi-Rollers Investment, L.L.C. owns the adjacent parcels and has no objection whatsoever to the variance requested.

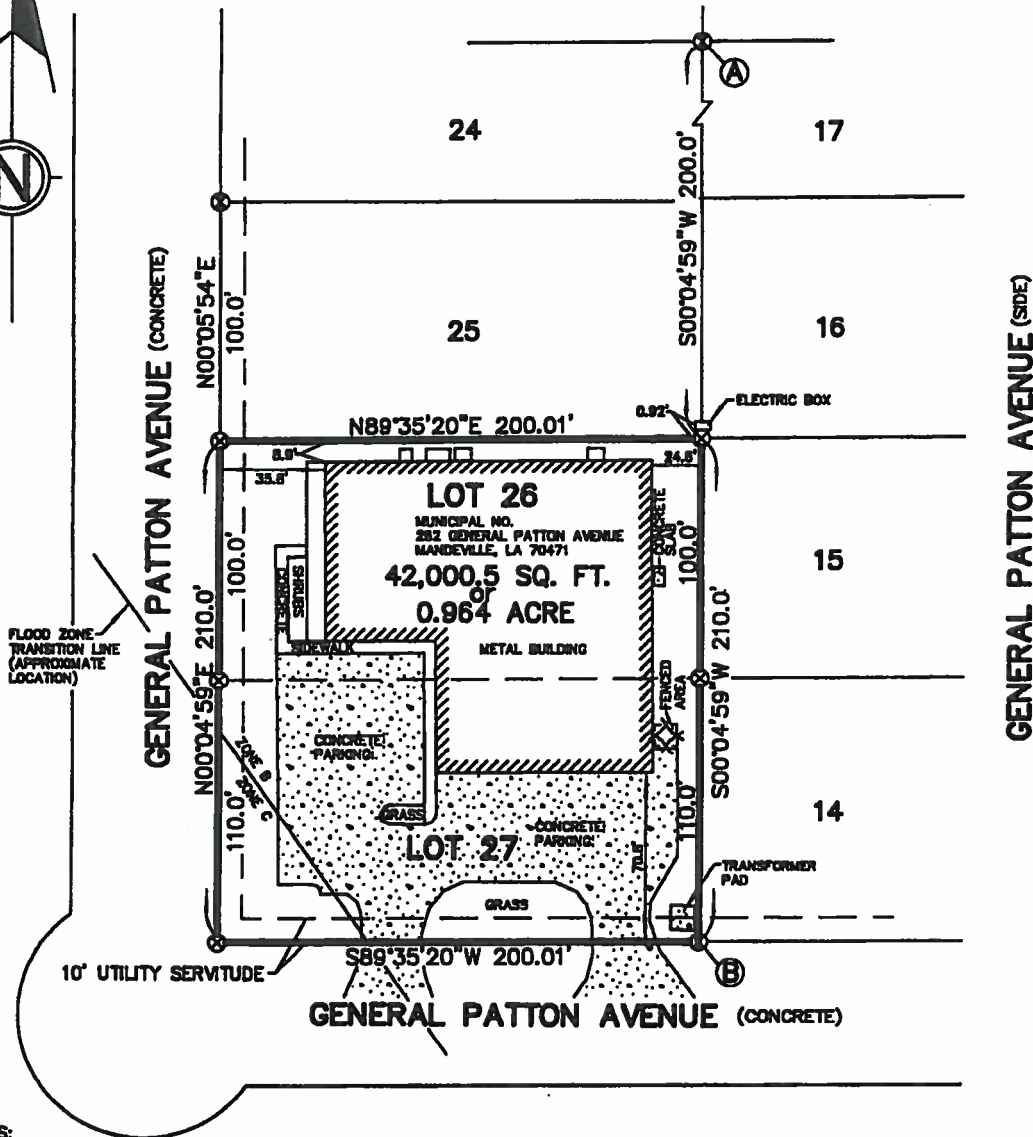
Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Hi-Rollers Investment, L.L.C.

By: 

REFERENCE BEARING:
Iron Rod A to Iron Rod B
S00°04'59"W
(per Reference Survey)



NOTES:

1. This property is located in Flood Zones B & C, per F.E.M.A. Map No. 225205 0245 C, dated October 17, 1989.
2. Building Setback Lines must be verified by St. Tammany Parish Planning Department.

LEGEND

- ⊗ = 1/2" IRON ROD FOUND
- ⊙ = 1/2" IRON ROD SET
- RS = REFERENCE SURVEY

REFERENCE SURVEY:

THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES AND/OR RESTRICTIONS HAVE BEEN SHOWN HEREON. ANY SERVITUDES AND/OR RESTRICTIONS SHOWN ON THIS PLAT ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION AND/OR INFORMATION FURNISHED THE UNDERSIGNED. A TITLE OR PUBLIC RECORD SEARCH FOR SUCH INFORMATION WAS NOT MADE BY THE UNDERSIGNED IN COMPLYING DATA FOR THIS SURVEY.

Plat of Northshore Commercial Park by Kelly J. McHugh, Surveyor, dated September 14, 2005, revised October 31, 2006, filed St. Tammany Parish Clerk of Court Map File No. 4342.

(985) 892-1549

John G. Cummings and Associates

FAX (985) 892-9250

803 N. JEFFERSON AVENUE

PROFESSIONAL LAND SURVEYORS

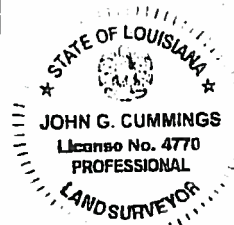
COVINGTON, LA 70433

PLAT PREPARED FOR: **Blanchard and Sons, LLC, Jones Fussell, LLC, & First American Title Insurance Company, Inc.**

SHOWING A SURVEY OF: **LOTS 26 & 27, NORTHSORE COMMERCIAL PARK, LOCATED IN SECTION 18, TOWNSHIP 7 SOUTH, RANGE 12 EAST, ST. TAMMANY PARISH, LOUISIANA.**

THIS PLAT REPRESENTS A PHYSICAL SURVEY MADE ON THE GROUND BY ME, OR THOSE UNDER MY DIRECTION, AND IS IN ACCORDANCE WITH THE APPLICABLE STANDARDS OF PRACTICE AND BEARS A CLASS B SURVEY.

John G. Cummings
PROFESSIONAL LAND SURVEYOR



SCALE: 1" = 60'

JOB NO. 14216

DATE: 7-23-2014

REVISED:

**ST. TAMMANY PARISH BOARD OF ADJUSTMENT
STAFF ANALYSIS REPORT**

Case File Number: BOA Case No. 14-09-030
Initial Hearing Date: September 2, 2014
Date of Report: August 22, 2014

GENERAL INFORMATION

Applicant(s) Name: Frank Nuccio
Location of Property: 1412 N. Highway 190, Covington, Louisiana
Zoning of Property: HC-3 Highway Commercial
Variance(s) Requested: Northern landscape buffer

OVERVIEW

The applicant is asking for a 5' landscape buffer variance for the northern property line in order to construct a Smoothie King business on the site. In the applicant's narrative (see attached) he states that he has the ability to comply with parish code for the setback in question, but wants to use the 5' for wider driving lanes.

STAFF COMMENTS

The applicant has clearly stated in his narrative that he can comply with parish code, but wants to expand his driveway widths for the benefit of the customers. The staff argues that this is a classic example of a "personal preference" versus a "hardship". Parish code that requires a 22' wide driveway width is more than adequate to safely allow for the maneuvering of vehicles on the property; therefore, the staff recommends denial of the proposed variance request based on the grounds that said request constitutes a "personal preference".

BOA CASE NO. 14-09-030 (for office use only)

**ST. TAMMANY PARISH BOARD OF ADJUSTMENT
(VARIANCE/APPEAL APPLICATION FORM)**

(Please print on the following lines below. If a company, please include a contact person name also.)

APPLICANTS NAME: ~~Frank Nuccio~~ Frank Nuccio

MAILING ADDRESS: 71236 Sloope Place

CITY/STATE/ZIP: Abita Springs, LA 70420

PHONE NUMBER: 985-966-5167 (Home Phone #) (or call agent Matt Orger @ 985-246-9715) (Cell Phone #)

PROPERTY LOCATION FOR VARIANCE REQUESTED: ZONING: AC-3 Highway Commercial

1412 N. Hwy 190 Covington LA 70433
Address City State Subdivision (if applicable)

(Please check the applicable boxes below:)

REQUEST FOR:

- ☒ A variance of the (Unified Development Code)
☐ Appeal of an adverse decision made by a parish official(s)
☐ Appeal the interpretation by a parish official(s) of the (Unified Development Code)

VARIANCE/APPEAL REQUESTED:

- ☒ building setbacks (reduction of front, side and/or rear yard setbacks)
☒ landscape buffers (reduction of front, side and/or rear yard buffer setbacks)
☐ landscaping within buffers (reduction of the number of trees, bushes and/or shrubs)
☐ parking area requirements (reduction of parking stalls, parking greenspace islands, etc...)
☐ signage requirements (increase of sign area and/or sign height, lighting, coloring, etc...)
☐ other _____
(Specify other variance/appeal on line above)

(Please state on the following lines below your specific request for a variance/appeal:)

Example: Applicant is requesting a variance for a front yard setback requirement from 25' required by the parish, to approximately 20' requested.

Requesting to reduce the northern property line setback
(landscaping and building) From 20' to 15' ~~to 20'~~

Matt Orger (Agent for Applicant)
SIGNATURE OF APPLICANT

8/5/14
DATE OF APPLICATION

August 5, 2014

St Tammany Parish Board of Adjustment
c/o: Ron Keller

Re: Landscaping buffer reduction request at 1421 N Hwy 190, Covington, LA - Future Smoothie King

Dear Mr. Keller,

My client, Frank Nuccio a local Smoothie King franchisee currently has the Lawn and Saw shop under contract. The property is being demolished and cleared by the current owner. Frank Nuccio's plans are to construct a Smoothie King Facility as per the attached layout.

The current drive ways are to parish minimums of 22'...however Smoothie King and my client would prefer to have a minimum of 24' for the two drives. This will provide the adequate drive lanes for parking customers to maneuver on the property to include turning around the building in the drive thru.

In order to accommodate this, we are requesting to reduce the northern property line landscaping setback from 20' to 15'.

Also, the northern boundary is located adjacent to an undeveloped street, known as 13th street. If this street right of way was not existent the setback would be 10'. The reduction of the 5' still allows for proper planting of green space and it will greatly enhance the drivers maneuvering within the property.

Please consider this variance request for approval.

Thank you,

In Christ Jesus.

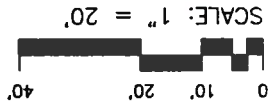


Matthew J. Organ, CCIM
Investments, Sales & Leasing
985-246-9715
organ@ccim.net

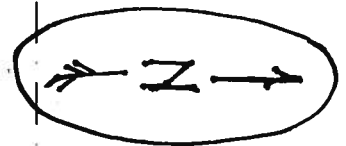
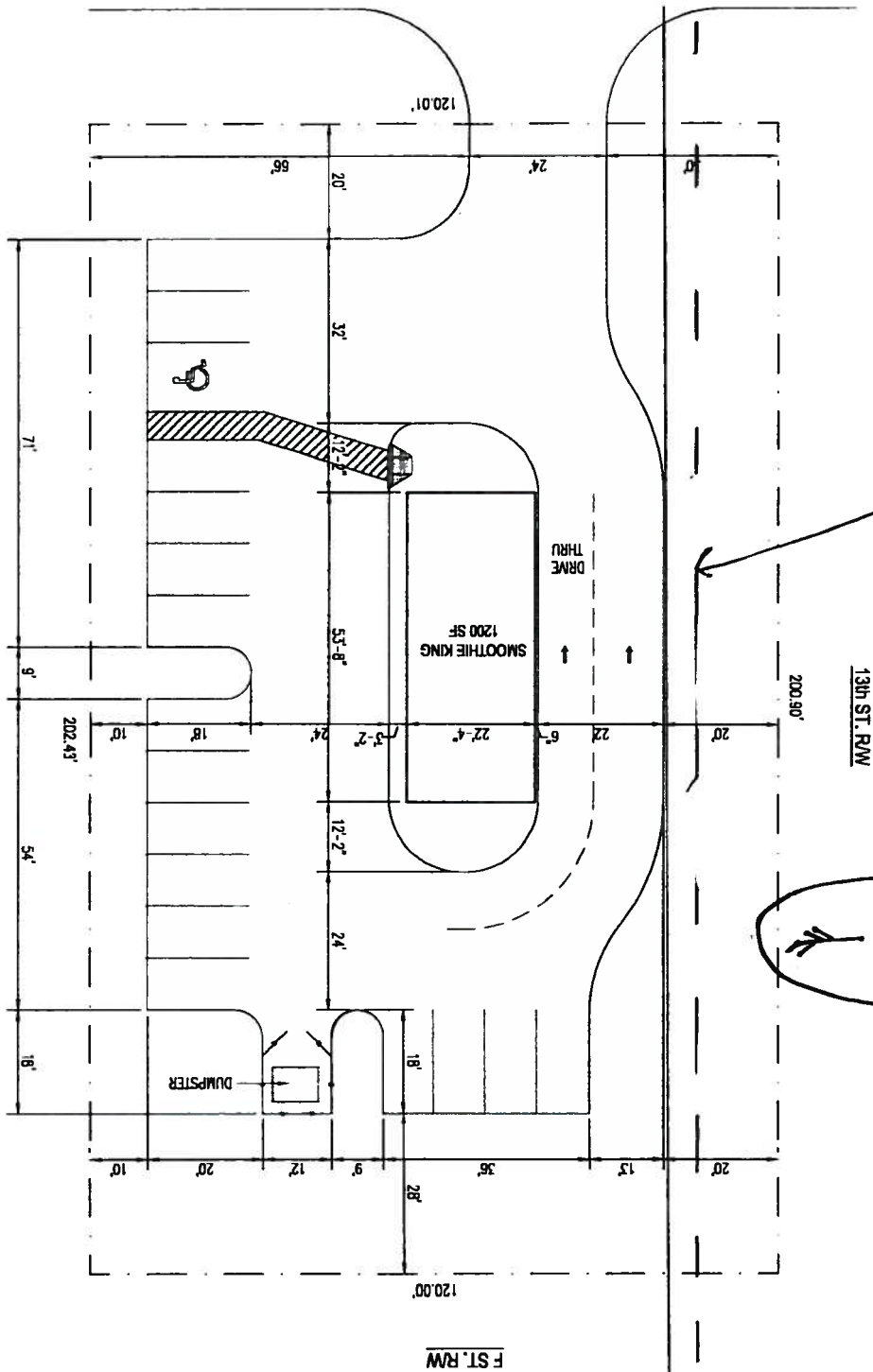
Smoothie King
will use the
5' on their
drive ways.

Requested
15'
Buffer

Existing
20'
Buffer



US HWY. 190



Reduce 20' landscaping Buffer to 15' Buffer
on the northern property line which abuts
the unimproved parish road 13th street.

* The Buildings on this lot are *
being 126 demolished.

SQ.

13th STREET R/W

U.S. HWY NO. 190

N00°43'51"W-120.01'

EAST-202.43'
(ACQUIRED & BASED FOR BEARDINGS)

3/4" IRON
PIPE FND

BLDG.

SHED

24,200 SQ.FT

SOUTH-120.00'
F STREET R/W

136

SQ.

137

SQUARE

WEST-200.90'
OLD WIRE FENCE

FENCE POST
(REFERENCE)

14TH ST. (SIDE)

Note: This is to certify that I have consulted the Federal
Emergency Administration Flood Hazard Boundary Maps
and found the property described is NOT located
in a special flood hazard area. It is located in Flood Zone C
FEMA Form 7-278 206 0240E Rev. 8-18-85

● DENOTES 1/2" IRON ROD FND
UNLESS OTHERWISE NOTED

Survey of

REMAINDER OF THE NORTH 1/2 OF SQUARE 137, ALEXIUSVILLE
SECTION 10, TOWNSHIP 7 SOUTH, RANGE 11 EAST
ST. TAMMANY PARISH, LOUISIANA