



City of Slidell, Louisiana
Board of Zoning Adjustment
Agenda

December 2, 2021 at 7:00pm

Council Chambers, 2045 2nd St, Slidell, LA

Agenda packet available at myslidell.com/planning/boards/bza

For questions or to provide public comment before the meeting,
email BZA1@cityofslidell.org or call (985) 646-4320 (M-F 8am to 4:30pm)



SCAN ME
for the
BZA website

1. **Call to Order and Roll Call**
2. **Pledge of Allegiance**
3. **Minutes.** Review and approve minutes from October 7, 2021 (p. 2-3)
4. **Public Hearings**
 - a. **V21-13:** A request for a variance from area regulations in the A-6 Single-family Urban District (Sec. 2.904 of Appendix A of the City’s Code of Ordinances) for property located at 1527 11th St, by Frank Pecoraro (p. 4-6)
 - b. **V21-14:** A request for a variance from height and area regulations in the A-6 Single-family Urban District (Secs. 2.903 and 2.904 of Appendix A of the City’s Code of Ordinances) for property located at 225 W Camellia Dr, by Kenneth Snyder (p. 7-11)
 - c. **V21-16:** A request for a variance from area regulations in the A-6 Single-family Urban District (Sec. 2.904 of Appendix A of the City’s Code of Ordinances) for property located at 3071 S Palm Dr, by Gaynell Greig (p. 12-14)
5. **Other Business**
 - a. Adopt 2022 Regular Meeting Calendar
Meetings held at 7:00pm in the City Council Chambers at 2045 Second Street, Third Floor

January 6	April 7	July 7	October 6
February 3	May 5	August 4	November 3
March 10	June 2	September 1	December 1
 - b. Elect Chairperson for 2022
 - c. Elect Vice Chairperson for 2022
6. **General and Public Comments**
7. **Adjournment**

The next Board of Zoning Adjustment meeting will be January 6, 2022.¹

¹ Pending adoption of 2022 Regular Meeting Calendar



City of Slidell, Louisiana
Board of Zoning Adjustment
Minutes

October 7, 2021 at 7:00 p.m.

Council Chambers, 2045 2nd St, Slidell, LA

1. **Call to Order and Roll Call.** Meeting called to order by Chairperson Navarre at 7:00 p.m.

Commissioners Present

Megan Haggerty

Christy West

Gary Navarre, Chair

Shane Jordan, Vice-Chair

René LeBreton

Commissioners Not Present

Jim Timmons

Staff Present

Theresa Alexander, Planner

2. **Pledge of Allegiance**

3. **Minutes.** Motion by Mr. LeBreton to approve minutes of August 5, 2021 as written; Ms. West seconded. A vote of 5 YAYS, 0 NAYS, 0 ABSTAIN approved the minutes.

4. **Public Hearings**

- a. **V21-10:** A request for a variance from area regulations in the A-6 Single-family Urban District (Sections 2.904 of Appendix A of the City's Code of Ordinances) for property located at 2996 Camellia Dr, by Acme House Raising

Chairperson Navarre opened the public hearing recognizing Mr. Stinger, property owner, and Mr. Cousin of Acme House Raising. Mr. Cousin explained that the variance was needed because, when the house was raised, the steps came out farther than expected and code requires the steps to be 36 inches from the driveway. Mr. Cousin submitted to the Board a "Petition for 2996 Camellia Dr front stairs variance," signed by 15 individuals, that he said were neighbors that were not opposed to granting the variance request. Mr. Navarre closed the public hearing.

Mr. Jordan made a motion to approve which was seconded by Mr. Navarre and passed by a vote of 5 YAYS, 0 NAYS, and 0 ABSTAIN.

- b. **V21-11:** A request for a variance from area regulations in the A-6 Single-family Urban District (Sections 2.904 of Appendix A of the City's Code of Ordinances) for property located at 622 Bellingrath Ln, by John A. Benfatti

Chairperson Navarre opened the public hearing recognizing Mr. John Benfatti, property owner. Mr. Benfatti assured that where the generator being place is safe and secure. Mr. Navarre asked the type of generator; Mr. Benfatti responded that it was a Honeywell Generac with natural gas. Mr. Navarre said that the reason for the questions is for the neighbors' safety and that he did not want liability in approving the variance lying on the Board. Mr. Benfatti assured that a professional company was installing it and that a variance sign was posted on the property if neighbors had any concerns. Mr. Navarre closed public hearing.

Mr. LeBreton made a motion to approve which was seconded by Mr. Navarre and passed by a vote of 5 YAYS, 0 NAYS, and 0 ABSTAIN.

5. **Other Business.** There was none.
6. **General and Public Comments.** There were none.
7. **Adjournment.** Meeting adjourned at 7:24 p.m. on motion by Ms. West, second by Mr. Navarre, and a vote of 5 YAYS, 0 NAYS, 0 ABSTAIN.

DRAFT for Approval



Staff Report
Case No. V21-13
 Variance
 for Side Setback at 1527 11th St

985.646.4320 | 250 Bouscaren St, Ste 203, Slidell, LA 70458 | planningdept@cityofslidell.org | myslidell.com

Location: 1527 11th St (Figure 1)

Owner/Applicant: Frank Pecoraro

Zoning: A-6 Single-Family Urban

Request: Variance from Section 2.904(1) Area regulations for side yard setback for generator

BZA Meeting: 12/2/2021



Figure 1. Location map

Current Conditions

1. The subject property is developed with a single-family home (Figure 2).
2. The owner applied for a building permit to install a generator on the left side of the house next to the existing gas and electric services (Permit No. 21-2169).
3. The existing a/c condenser and pool pump are in the rear yard (Figure 4).
4. The A-6 District requires minimum setbacks. At 62.0 ft wide, this property requires minimum side setbacks of 5 ft on one side and 7.4 ft on the other. At 150 ft deep, this property requires a minimum rear setback of 30 ft. The existing house meets the side and rear setbacks (Figure 3, Table 1).



Figure 2. Subject property, street view (Jan. 2019)

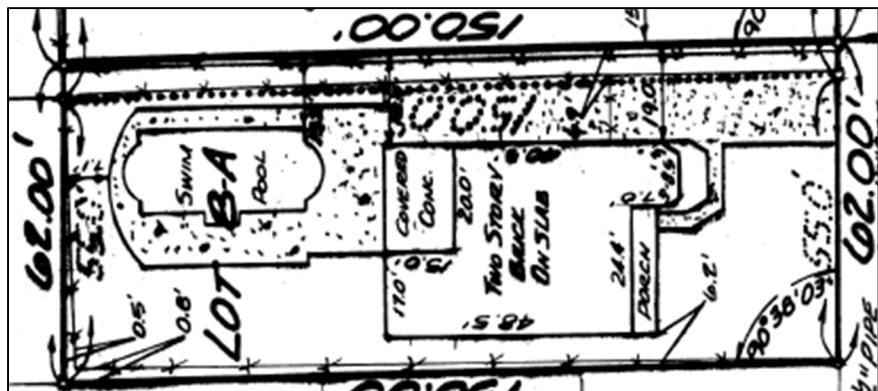


Figure 3. Snip of subdivision plat showing subject property (Map 2370B filed 6/19/2002)

5. The proposed generator is 2.08 ft wide and must be set at least 18 inches from the house. This would result in the generator being located 2.62 ft from the side property line (Figure 4). (Note that the plot plan shows the generator set back 3.5 ft from the property line instead of 2.62 ft; staff is unable to explain this discrepancy.)
6. The applicant requests a side setback variance of 2.38 ft (47.6%) to place a generator in the side yard.

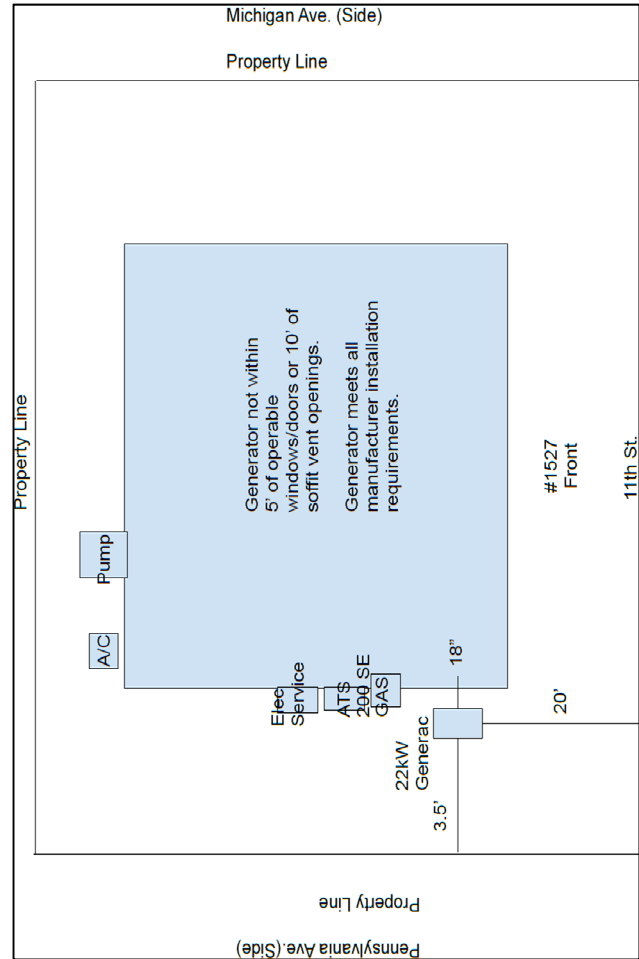


Figure 4. Plot plan showing location of proposed generator

Table 1. Setbacks – App. A, Sec. 2.904		
Category	Required	Provided
Setback, left side	Min 5 ft	6.2 ft (house) 4 ft x 2.08 ft (generator)
Setback, right side	Min 7.4 ft	19.0 ft (house)
Setback, rear	Min 30 ft	~62 ft (house)

Standards for Variances

The Board of Adjustment has the power to “hear and decide upon...appeals for variances where exceptional and peculiar hardship would be caused by enforcement of the regulations in this ordinance and where such variance would not substantially deviate from the intent of this ordinance but not otherwise.” The board is not authorized to grant a variance in the use of land or to take any other action resulting in the change of a district boundary. (App. A-Zoning, Part 7, Sec. 7.2 – Powers of the board)

The Board of Adjustment shall not vary the regulations of the ordinance unless it makes findings based on the evidence presented that each of the following standards are met (App. A, Part 7, Sec. 7.202 (B)):

- 1) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if a strict letter of regulations were not carried out.

Applicant's response: Home was build [sic] to code compliance, without consideration of a need for an emergency generator.

- 2) The conditions upon which the petition for a variation is based are unique to the property for which the variance is sought and are not applicable, generally, to other property within the same zoning classification.

Applicant's response: Home was build [sic] to code compliance, without consideration of a need for an emergency generator.

- 3) The alleged difficulty or hardship is caused by the ordinance and has not been created by any person presently having an interest in the property.

Applicant's response: Home was build [sic] to code compliance, without consideration of a need for an emergency generator.

- 4) The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

Applicant's response: The granting of the variance will not be detrimental to the public welfare. The granting of the variance will not cause injuriou [sic] to others property or improvements to the neighborhood.

- 5) The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property value within the neighborhood.

Applicant's response: The proposed variance will not impair supply of light and or air to adjacent property nor will it increase danger of fire or public saftey [sic]. It will not substantially siminish [sic] or impair property value.

- 6) The variation will not serve as a precedent which, in effect, will rewrite a provision of this ordinance.

Applicant's response: The variance will not rewrite provision of this ordinance.

It is within the board's authority to impose conditions and restrictions upon the premises subject to this variance request as necessary to comply with the standards established, to reduce or minimize the effect of variations upon other property within the neighborhood, and to better carry out the general intent of the ordinance (App. A, Part 7, Sec. 7.202(C)).



Staff Report

Case No. V21-14

Variance

for Side Yard Setback and Height at 225 West Camellia Dr

 985.646.4320 | 250 Bouscaren St, Ste 203, Slidell, LA 70458 | planningdept@cityofslidell.org | myslidell.com

Location: 225 W. Camellia Dr (Figure 1)**Owner/Applicant:** Kenneth Snyder**Zoning:** A-6 Single-Family Urban**Request:** Variance from Sec. 2.903 Height, and Sec. 2.904 Yard Area regulations for A-6 District**BZA Meeting:** 12/2/2021**Current Conditions**

1. The subject property is developed with a single-family home (Figure 2) located on the peninsula at the south of Palm Lake. It is zoned A-6.
2. This property was awarded a FEMA grant through the City to elevate the house and all ground-level equipment.
3. The existing house meets the A-6 height requirement and the front and rear setback requirements. The left side yard meets the 10 ft setback at the front building line, but has a setback of 9.5 ft at the rear building line, an encroachment of 0.5 ft. The house also has an existing encroachment of 0.5 ft into the right side yard setback. (Figure 3 – Survey)
4. The house is being elevated approx. 9 feet, with stairs added in the front and rear for access. The two A/C condenser units are being elevated in their existing location (interior right side) on an elevated deck that wraps around from the front porch and is at the same level as and accessed from the front stairs. (Figure 4 – site plan)
5. The A-6 district requires minimum setbacks. The setback along the left side and the proposed rear access stairs meet the setback requirement. The new access stairs in the front and the AC deck along the right side do not meet minimum setbacks (Table 1; Figure 4).



Figure 1. Location map



Figure 2. Subject property, street view (Jan. 2019)

6. The Director can approve encroachment of stairs needed for building elevation within up to 10 feet of front and rear property lines and within 2 feet of side property lines (App. A, Sec. 7.204).
7. The proposed front access stairs are within these allowances (Table 1). The Director approves this stair encroachment required for a building elevation with a setback of 23.18 ft.

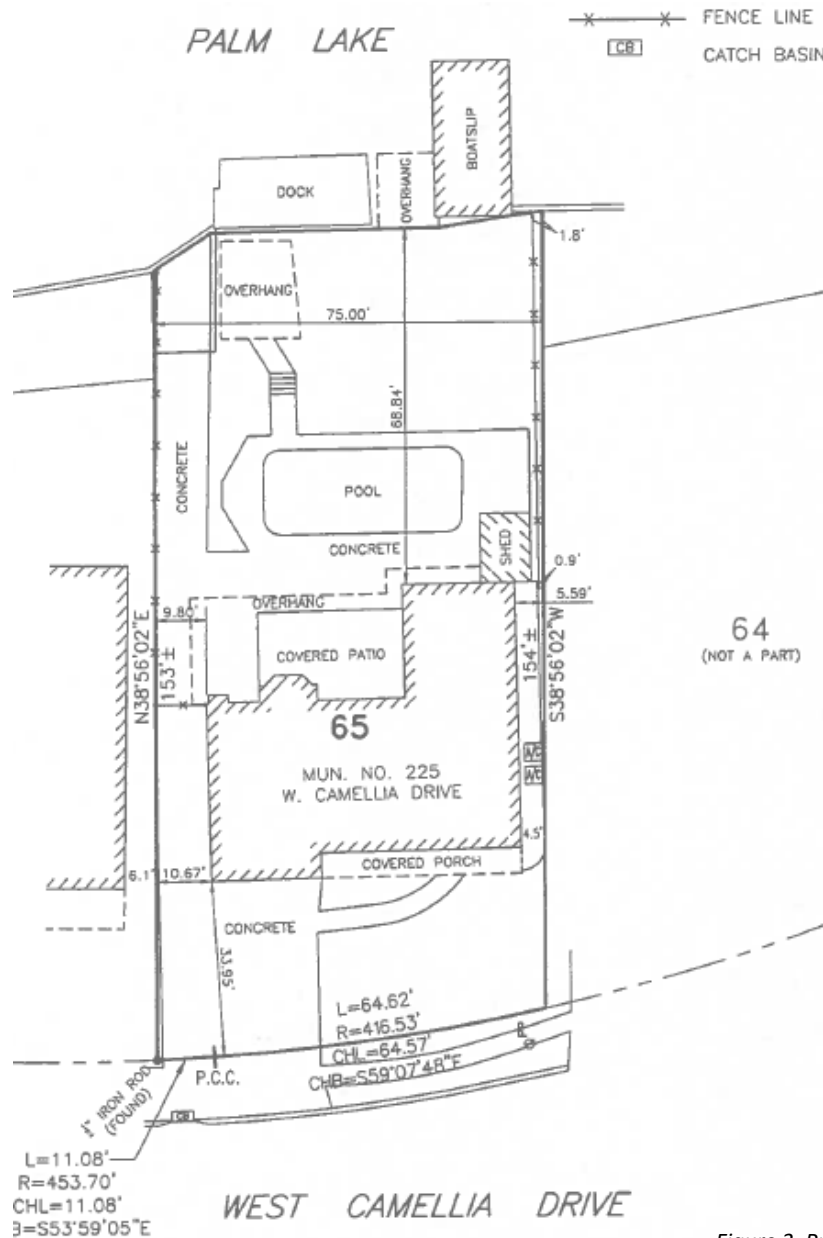


Figure 3. Property survey (9/2021)

8. The elevated deck for the A/C condenser unit is set back from the side property line 0.39 ft at the front building line and 0.95 ft at the rear and cannot be approved by the Director (Table 1). The applicant is requesting a variance of 4.61 ft (92.2%) for the setback for the elevated deck.
9. The existing house is built at-grade and has a height of 28.33 ft meeting the maximum height in A-6 at 35 ft. (Sec. 2.903). (Figure 5).

10. According to City Engineering, when elevating a structure, the Finished Floor Elevation (FFE) must be at or above the Base Flood Elevation (BFE) plus two feet of freeboard. This particular structure is in the Advisory Base Flood Elevation (ABFE) area, so the minimum FFE must be at the ABFE (10 ft) plus 2 ft of freeboard which equals 12 ft. With existing elevation at 6 ft, the house must be elevated at least 6 feet above the ground to meet Code.
11. The applicant proposes to elevate the home 8.47 feet, which will make the height of the home 36.9 ft where the maximum allowed is 35 ft. The applicant is requesting a variance of 1.9 ft (5.4%) for the height of the single-family dwelling.

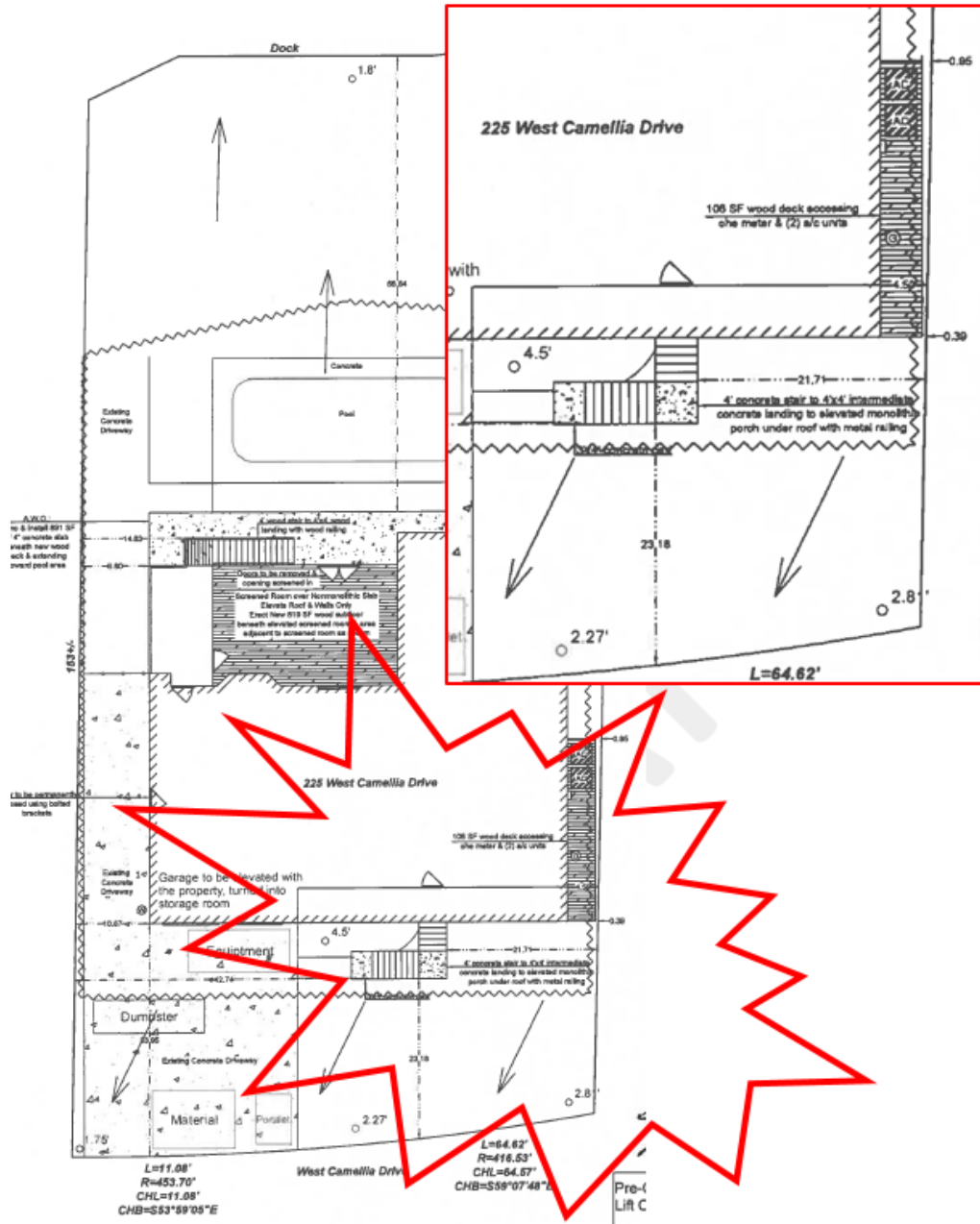


Figure 4. Proposed Plot Plan.

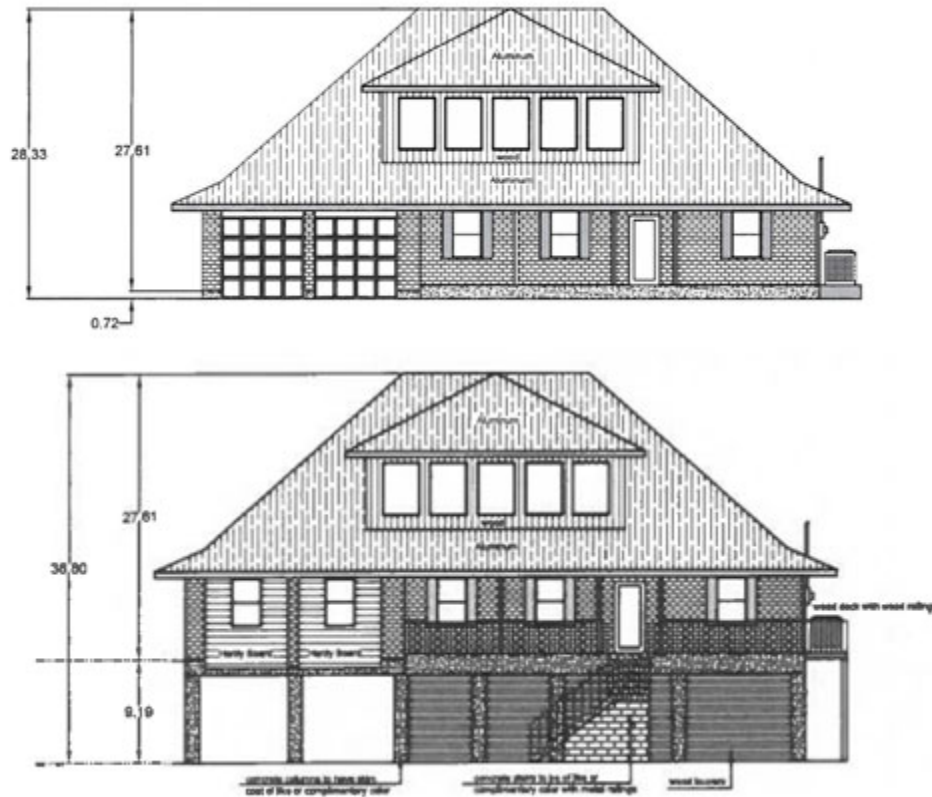


Figure 4. Elevations showing existing (top) and proposed (bottom) height

Table 1. Setbacks – App. A, Sec. 2.904		
Category	Required	Provided
Height (Sec. 2.903)	Max. 35 ft	36.8 ft
Setback, front (Sec. 2.904)	Min 25 ft (house) Min 10 ft (stairs)	33.95 ft (house) 23.18 ft (stairs)
Setback, rear	Min 25 ft (house) Min 10 ft (stairs)	68.84 ft (house) 68.84 ft (stairs)
Setback, left side	Min 10 ft (house)	9.5 ft (house) ¹
Setback, right side	Min 5 ft (house) Min 2 ft (AC deck)	4.5 ft (house) ² 0.39 ft (AC deck)

- Existing condition at rear left corner. Side yard setback at front left corner is 10.67 ft.
- Existing condition at front right corner. Side yard setback at back right corner is 5.59 ft.

Descriptive Information provided by the Applicant:

“Variance for the air condition units on the right side of the house. That side of the property has an encroachment with a setback of 4.5 ft and the current AC’s encroach into the required setback leaving maybe 1 ft setback before elevated. After elevation, whether lower than the house or not, they will still encroach leaving 0.5 ft setback.”

Standards for Variances

The Board of Adjustment has the power to “hear and decide upon...appeals for variances where exceptional and peculiar hardship would be caused by enforcement of the regulations in this ordinance and where such variance would not substantially deviate from the intent of this ordinance but not otherwise.” The board is not authorized to grant a variance in the use of land or to take any other action resulting in the change of a district boundary. (App. A-Zoning, Part 7, Sec. 7.2 – Powers of the board)

The Board of Adjustment shall not vary the regulations of the ordinance unless it makes findings based on the evidence presented that each of the following standards are met (App. A, Part 7, Sec. 7.202(B)):

- 1) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if a strict letter of regulations were not carried out.

Applicant’s response: Due to the requirement for right side access and original construction built at required setback additional encroachment is unavoidable.

- 2) The conditions upon which the petition for a variation is based are unique to the property for which the variance is sought and are not applicable, generally, to other property within the same zoning classification.

Applicant’s response: Due to the requirement for right side access and original construction built at required setback additional encroachment is unavoidable.

- 3) The alleged difficulty or hardship is caused by the ordinance and has not been created by any person presently having an interest in the property.

Applicant’s response: Due to the requirement for right side access and original construction built at required setback additional encroachment is unavoidable.

- 4) The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

Applicant’s response: No detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.

- 5) The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property value within the neighborhood.

Applicant’s response: It will not create a hazardous situation or substantially diminish or impair property value within the neighborhood.

- 6) The variation will not serve as a precedent which, in effect, will rewrite a provision of this ordinance.

Applicant’s response: No precedent set.

It is within the board’s authority to impose conditions and restrictions upon the premises subject to this variance request as necessary to comply with the standards established, to reduce or minimize the effect of variations upon other property within the neighborhood, and to better carry out the general intent of the ordinance (App. A, Part 7, Sec. 7.202(C)).



Staff Report
Case No. V21-16
 Variance
 for Side Yard Setback at 3071 S Palm Dr

985.646.4320 | 250 Bouscaren St, Ste 203, Slidell, LA 70458 | planningdept@cityofslidell.org | myslidell.com

Location: 3071 S Palm Dr (Figure 1)

Owner/Applicant: Gaynell Greig

Zoning: A-6 Single-Family Urban

Request: Variance from Sec. 2.904, Yard Area regulations for A-6 District

BZA Meeting: 12/2/2021

Current Conditions

1. The subject property is developed with a single-family home that was elevated at some point (Figure 2). It is zoned A-6.
2. The A-6 district requires minimum setbacks. The house meets all setbacks (Table 1; Figure 4).
3. When the house was elevated, the natural gas meter was elevated but the electric meter was not. For utilities to be covered by flood insurance, FEMA requires they be elevated.
4. The owner wants to elevate the remaining utilities 9 ft from their current location (right side of the house). CLECO requires a platform and stairs, with minimum dimensions, to access the electric meter (Figure 3).
5. The Owner proposes to construct a 4.5 ft by 20 ft platform at 9 ft high with stairs for access to the elevated utilities.
6. The Owner proposes this longer platform to allow space for a future generator, which would be placed on the platform and set back 2 ft from the side property line.
7. The applicant is requesting variances to allow a setback of: a) 1.0 ft (90% of the min. 10 ft) for the utility access stairs and platform; and b) 2 ft (80% of the min. 10 ft) for a future generator.



Figure 1. Location map



Figure 2. Subject property, street view (Jan. 2019)

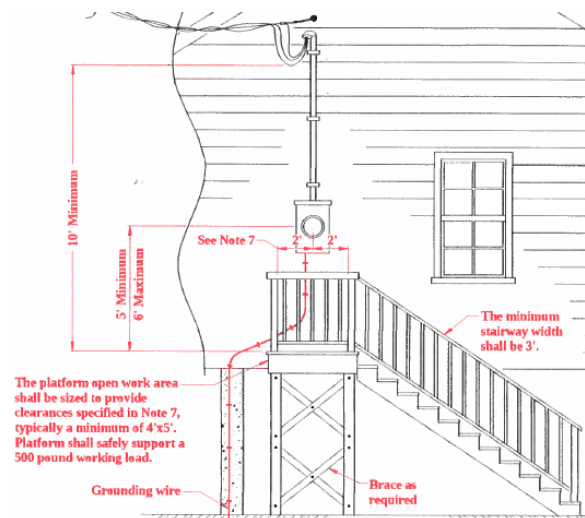


Figure 3. CLECO Access Standard Detail

Applicant's response: Without the variance, we will not be able to raise our electric meter to the level of our raised home because the raised platform required by Cleco for raised meters will occupy space beyond the city required setback for sideyards. Leaving the meter at its current height will make it vulnerable to flood damage and may effect(sic) our flood insurance costs in the future. If the meter and the panel flood there could be a lengthy(sic) certification process that would require us to abandon our home due to health risks of living in a home without power.

- 2) The conditions upon which the petition for a variation is based are unique to the property for which the variance is sought and are not applicable, generally, to other property within the same zoning classification.

Applicant's response: Our home is located 5 feet from the property line on the side where our meter is located. The required dimensions of the raised meter platform will cause that structure to extend 1 ft. from the property line.

- 3) The alleged difficulty or hardship is caused by the ordinance and has not been created by any person presently having an interest in the property.

Applicant's response: The home location and dimensions remain the same as when we purchased in 2015. We did not create the hardship.

- 4) The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

Applicant's response: Granting the variance will not effect(sic) the neighboring property or the neighborhood. The new structure will remain within our property lines, will be on the side of our house and will not extend beyond the front of our home.

- 5) The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property value within the neighborhood.

Applicant's response: The requested structure will not obstruct access or block air or light to the neighboring property. It will be in compliance with Cleco requirements and the recommendations for location by the generator manufacturer.

- 6) The variation will not serve as a precedent which, in effect, will rewrite a provision of this ordinance.

Applicant's response: As this home was constructed prior to the existing setback codes, allowing this variance should not influence provisions of this ordinance.

It is within the board's authority to impose conditions and restrictions upon the premises subject to this variance request as necessary to comply with the standards established, to reduce or minimize the effect of variations upon other property within the neighborhood, and to better carry out the general intent of the ordinance (App. A, Part 7, Sec. 7.202(C)).