



City of Slidell, Louisiana
Board of Zoning Adjustment
Agenda

March 10, 2022 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 February 3, 2022 (p. 2-3)
4. **Public Hearings**
 - a. **V22-07:** A request for a variance from area regulations in the A-6 Single-Family Urban district; for property located 2926 Palm Cir; identified as Lot 86, Sq 2 Palm Lake Addition; by Acme House Raising, LLC (p. 4-8)
5. **Other Business**
6. **General and Public Comments**
7. **Adjournment**

The next Board of Zoning Adjustment meeting will be April 7, 2022.



City of Slidell, Louisiana
Board of Zoning Adjustment
Minutes

February 3, 2022 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 Jordan at 7:00 p.m.

Commissioners Present

Jim Timmons

Megan Haggerty

Daniel Laurant

Shane Jordan, Chair

Christy West, Vice Chair

René LeBreton

Commissioners Not Present

Staff Present

Melissa Guilbeau, Planning Director

2. **Pledge of Allegiance**

3. **Minutes.** Motion by Mr. LeBreton to approve minutes of January 6, 2022 as written; Mr. Jordan seconded. A vote of 6 YAYS, 0 NAYS, 0 ABSTAIN approved the minutes.

4. **Public Hearings**

- a. **V22-01:** A request for a variance from area regulations in the A-6 Single-Family Urban district; for property located at 1605 Rue Lemans; identified as Lot 221, Bon Village Subd.; by Burkhardt's AC

Chairperson Jordan opened the public hearing. Mr. Johnny Schmelling, applicant, stated that he has two customers that purchased generators in March of 2021 and he is asking the Board to approve his requested variances.

Mr. Jordan explained that there are restrictions on how close to a house and windows a generator can be placed for safety reasons, and there are set back requirements from lot lines. Mr. Schmelling confirmed the explanation and stated that because of the narrow lot size the generator would be 3 feet from the side property line.

Mr. Laurant asked Mr. Schmelling if he thought the additional cost of locating the generator somewhere else on the property would override safety and stated that he would not vote in favor of this variance because of safety.

Mr. Timmons made a motion to approve the variance as requested which was seconded by Mr. Jordan and passed by a vote of 4 YAYS, 2 NAYS, 0 ABSTAIN.

- b. **V22-02:** A request for a variance from area regulations in the A-6 Single-Family Urban district; for property located at 122 Bienville Dr; identified as Lot 120, Fountain Estates Subd.; by Burkhardt's AC

Chairperson Jordan opened the public hearing. Mr. Johnny Schmelling, applicant, explained that this request for a variance is similar to the previous variance request, except that there is a solid brick wall with no windows.

Mr. Jordan asked Director Guilbeau to confirm that if there were any letters or phone calls in support or against a request that she would inform them. Director Guilbeau responded yes, that she would make sure the Board was aware of that evidence.

Mr. Timmons made a motion to approve the variance as requested which was seconded by Mr. LeBreton and passed by a vote of 4 YAYS, 2 NAYS, 0 ABSTAIN.

5. **Other Business.** There was none.
6. **General and Public Comments.** There were none.
7. **Adjournment.** Meeting adjourned at 7:18 p.m. on motion by Mr. Jordan, second by Ms. West and a vote of 6 YAYS, 0 NAYS, 0 ABSTAIN.



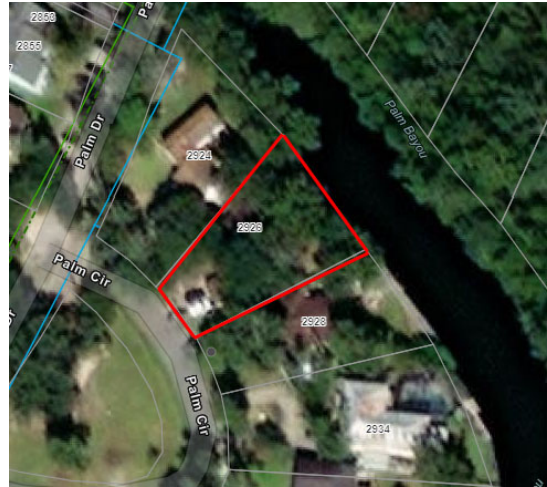
Planning Department

Staff Report

Case No. V22-07

Variance

for Front and Side Yard Setback at 2926 Palm Circle

985.646.4320 | 250 Bouscaren St, Ste 203, Slidell, LA 70458 | planningdept@cityofslidell.org | myslidell.com**Location:** 2926 Palm Cir (Figure 1)**Owner:** Donna Roberts**Applicant:** Acme House Raising LLC**Zoning:** A-6 Single-Family UrbanA-6 Single-Family UrbanChoose an item.**Request:** Variance from Sec. 2.904, Yard Area regulations for A-6 District**BZA Meeting:** 3/10/20223/10/2022*Figure 1. Location map***Current Conditions**

1. The subject property is developed with a single-family home (Figure 2). It is zoned A-6.
2. This property was awarded a FEMA grant through the City to elevate the house, all wall mounted, and the AC unit.
3. The house was originally constructed with the garage in front of the house, attached to the house by an enclosed passageway. (Figure 3)
4. The house, existing wood deck in rear, and garage are being elevated approx. 8.3 feet, with stairs added in the front and rear for access to the house and an access platform on the right side of the garage with stairs behind the garage providing access to the electric panel and other utilities located at the front corner of the garage. The A/C condenser unit is being elevated in its existing location on a new access platform that is an extension of the elevated deck in the rear yard. (Figure 4)
5. The A-6 district requires minimum setbacks. The new front and rear access stairs meet all setbacks. An existing encroachment into the front yard setback by the garage is considered legal non-conforming and is not part of this review. The new access platform on the right side of the garage do not meet minimum front and side yard setbacks (Table 1; Figure 5).
6. CLECO requires a minimum 4 ft landing and access stairs to service its wall mounted equipment.
7. Sec. 10.603 of the City's Code of Ordinances provides an exception for projections into yards for unroofed platforms and steps by 2 ft, as long as the minimum setback is no less than 3 ft.

*Figure 2. Subject property, street view (Jan. 2021)*

8. Applicant is requesting a variance for the electric access platform encroachment into the required front setback by 4.5 ft. Applicant is also requesting a variance for the access platform into the right side setback with an encroachment of 4 ft into the required yard (Table 1).

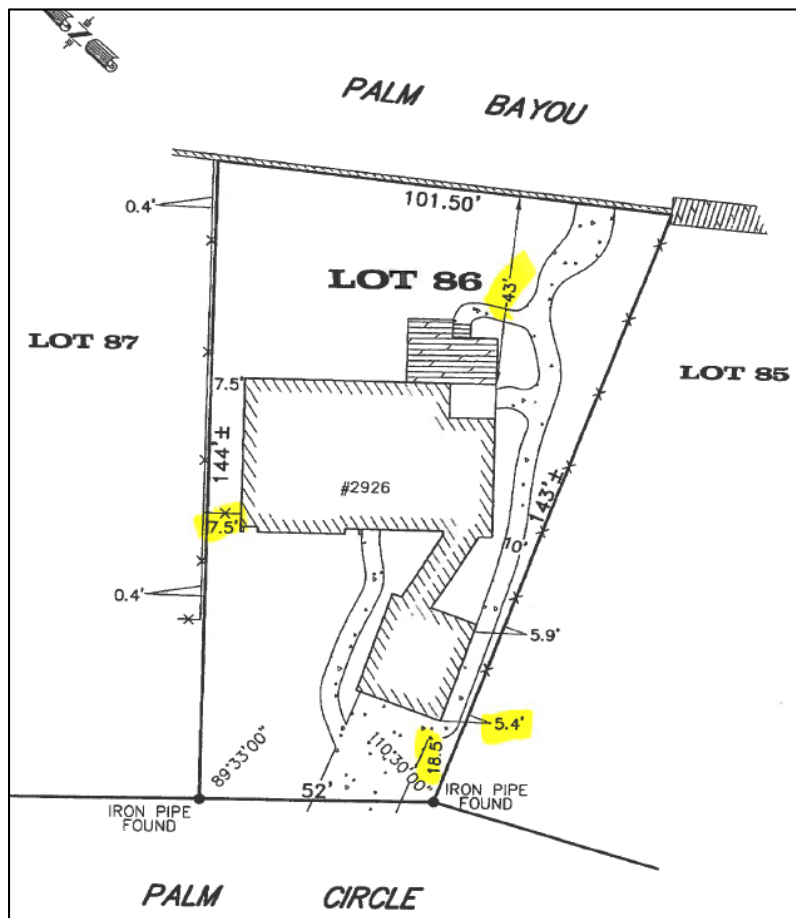


Figure 3. Survey (2021)

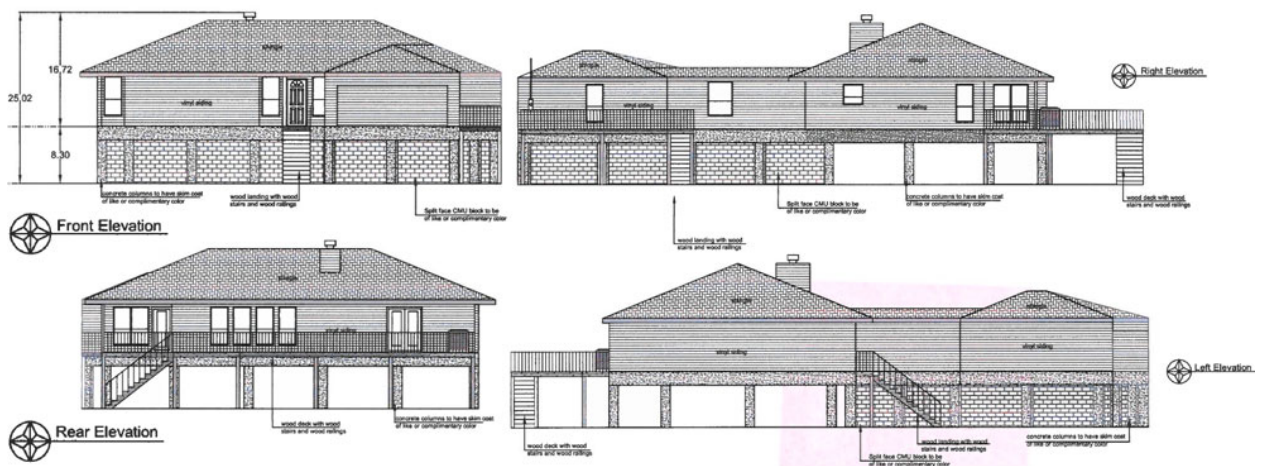


Figure 4. Post Construction Elevations

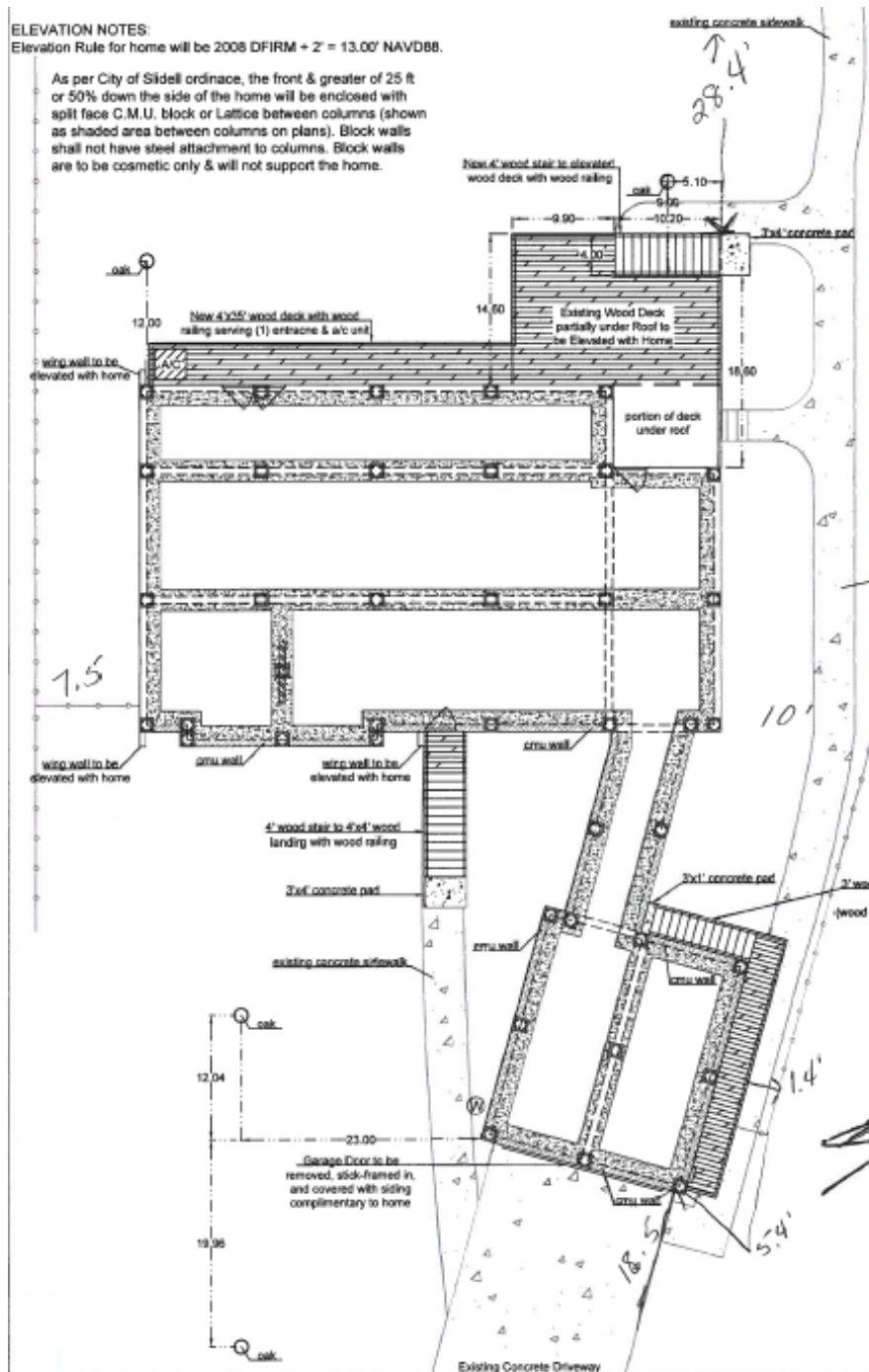


Figure 5. Proposed Site Plan

Descriptive Information provided by the Applicant:

"Home is being elevated and with it all utilities. CLECO requires access landing and stairs to service power which is located on the right side of the garage. Original setback is 5.4 ft. With 4 ft landing and stairs, remaining setback is 1.4 ft."

Table 1. Setbacks – App. A, Sec. 2.904		
Category	Required	Provided
Setback, front	Min 25 ft (garage) Min 25 ft (Access Platform)	18.5 ft (garage)* 18.5 ft (Access Platform)
Setback, rear	Min 25 ft (house) Min 10 ft (stairs)	43 ft (house) 28.4 ft (stairs)
Setback, left side	Min 7 ft (house)	7.5 ft (house)
Setback, right side	Min 7 ft (house & garage) Min 5 ft (Access Platform)**	10 ft (house) 5.4 ft (garage) 1.4 ft (Access Platform)
*Legal non-conforming **See finding 7.		

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: This variance was created by elevating the house to the required height by the City of Slidell and FEMA.

- 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: Correct, this variance is created by elevating the house to the required height by the City of Slidell and FEMA.

- 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: Correct, this variance is created by elevating the house to the required height by the City of Slidell and FEMA.

- 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: This variance will not be detrimental 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: This variance will (not) impair adequate light, increase congestion, danger of fire or endanger(sic) public safety. Elevation of this house will add value to the home and the neighborhood.

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

Applicant's response: Variance should not serve as a precedent.

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)).