

City of Slidell, Louisiana
Board of Zoning Adjustment
Agenda

December 1, 2022 at 7:00pm

Council Chambers, 2045 2nd St, Slidell, LA

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

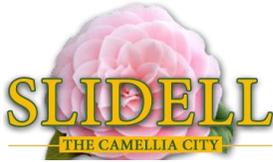
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email BZA1@cityofslidell.org or call (985) 646-4320 (M-F 8am to 4:30pm)



SCAN ME
for the
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1. **Call to Order and Roll Call**
2. **Pledge of Allegiance**
3. **Minutes.** Review and approve minutes from November 3, 2022
4. **Public Hearings**
V22-28: A request for a variance from area regulations in the A-6 Single-Family Urban district; for property located at 203 Woodcrest Drive; identified as Lot 78 of Yester Oaks Subdivision; requested by Maurer Investments
5. **Other Business**
Presentation by City of Slidell Building Official, Joe France, discussing permitting system and practices.
6. **General and Public Comments**
7. **Adjournment**

The next Board of Zoning Adjustment meeting will be January 5, 2023.



City of Slidell, Louisiana
Board of Zoning Adjustment
Minutes

November 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 7:13 p.m.

Board Members Present

Shane Jordan, Chair
Patrick Brady
Daniel Laurant
Billy Provenzano

Commissioners Not Present

Christy West, Vice Chair
Jordan Granier
René LeBreton

Staff Present

Theresa Alexander, Planner
Eric Smith, Planning
Eric Lundin, Desire Line

2. **Pledge of Allegiance**

3. **Minutes.** Motion by Board Member Brady to approve minutes of October 6, 2022 as written; Chairperson Jordan seconded. A vote of 4 YAYS, 0 NAYS, 0 ABSTAIN approved the minutes as written.

4. **Public Hearings**

- a. V22-27: A request for a variance from area regulations in the A-6 Single-Family Urban district; for property located at 615 Highlands Dr.; identified as Lot 49, Square 1, Tanglewood Crossings Subdivision, by Travis and Jennifer Berger.

Chairperson Brady introduced the item and asked if anyone from the public wished to speak on the matter.

Mrs. Jennifer Berger, the homeowner, rose to speak in favor of granting the variance. Mrs. Berger stated

- There was a miscommunication with contractor and she and her husband were not aware the permit for placing the generator in the side yard had been denied.
- Thought the issue had been resolved and there was no issue with the generator in the side yard.
- Was fully in support of adhering to rules and regulation.
- Has spoken with neighbors and none were concerned about the generator location.
- Pointed out the adjoining property on that side was owned by the Home Owners Association, that the Association did not plan to build anything there, and that the area was not a buildable lot.
- Asked the Board to approve the variance.

Mr. Ainsworth rose to speak in favor of granting the variance. Mr. Ainsworth stated

- He lives across the street, and the front of his house faces the generator. He has no problem with the generator's location.
- He spoke with the Home Owner's Board and confirmed that they did not plan to build anything on their property adjacent to the generator.
- Spoke with fellow neighbors and none were complaining about the generator.

- Offered that if you tried to remove it, it would not be possible.

Mr. Scott Oestricher rose to speak in favor of granting the variance. Mr. Oestricher stated

- He was an electrical engineer with experience installing generators.
- Lived next door.
- Stated placement along rear elevation would not be allowed by manufacturer's specifications due to presence of windows and doors.
- Stated that placing the generator in the back yard would be an eyesore.

Mr. Russell Lapryroose rose to speak in favor of granting the variance. Mr. Lapryroose stated

- He lives across the street.
- He has no problem with the generator in its current location.

Chairperson Jordan asked the staff to make their report and recommendation.

Eric Lundin provided the administrations report stating:

- 615 Highlands was a standard sized lot that conforms with the area regulations for the zoning district and has no anomalies or abnormal situations.
- Generator was installed in a location that had been denied.
- There is insufficient space in either side yard for a generator to be installed and comply with building regulations and zoning setback requirements.
- Other homeowners in same situation have placed the generator in the rear yard away from the building, to include homeowners in the same neighborhood.
- The homeowner associations owned property next door could be configured into a buildable lot. The current association statement that they do not intend to build does not preclude them changing their mind in the future. There are numerous examples of other homeowner associations that after years of maintain a community area decided that maintaining the community space was no longer cost effective and sold if off. Many of these areas subsequently had homes built on them.
- Administration was recommending the variance be denied.

Board Member Laurant asked the Administration if the City was considering changing the side yard setback regulations as there are so many variances for stairs and such. Eric Lundin responded that stair encroachment into the side yard due to elevations of the structure was entirely different from tonight's issue. Stair access to an elevated doorway is necessary while the location of this generator was a preference. Also, in this case, the generator was denied and installed in a side yard anyway. Eric Lundin further stated City is not considering amending the side yard setback regulation as it was considered necessary and was not excessive, in fact Slidell's requirement is consistent with other communities throughout the country.

Board Member Laurant and Brady both expressed concern over why the board continued to see after the fact variance applications and why they are so common. Eric Lundin responded that the Board of Adjustments only sees those issues that cannot be resolved. The vast majority of homeowners apply for permits and build to City requirements. Some have permits denied then make corrections to meet City requirements and resubmit. A very few build incorrectly, are

cited, and make corrections. This leaves a very small percentage that seek resolution from the Board.

Commissioner Laurant inquired why homeowners could apply to the Board if their action was contrary to the ordinance. Eric Lundin said that the law afforded the property owner the right to appeal the Administration's decision or seek a variance from the Board. Only the Board of Adjustments can grant a variance; administration is expressly not allowed. The authority and process for granting a variance is generally the same in any community throughout the United States, though the name of the Board varies. So, there are boards throughout the country dealing with the same or similar issues as Slidell's Board every month.

With no further comments or discussion Board Member Laurant made a motion to approve the variance as requested; Chairperson Jordan seconded. A vote was taken and with the result of 4 YAYS, 0 NAYS, 0 ABSTAIN the motion was approved.

5. Other Business

- a. Required training: Theresa Alexander reminded the Board Members that their annual ethics training must be completed by December 31, 2022; earlier is better.

6. General and Public Comments.

- a. Draft Meeting Calendar for 2023. Theresa Alexander informed the Board that the draft 2023 meeting calendar will be on the agenda for the December 1, 2022 meeting for approval.
- b. Election of Officers. Theresa Alexander informed the Board that they will need to elect officers at the December 1, 2022 meeting.
- c. Eric Lundin asked the Chair if he wanted staff to coordinate having the City's Chief Building Official to come before the Board to explain the permit process so that the Board members have a better understanding. Chairperson Jordan so directed.

7. **Adjournment.** Meeting adjourned at 7:50 p.m. on motion by Chairperson Jordan, second by Board Member Brady, and a vote of 4 YAYS, 0 NAYS, 0 ABSTAIN.