

MINUTES OF THE ST. TAMMANY PARISH SPECIAL COUNCIL MEETING

WEDNESDAY, AUGUST 26, 2020 AT 7:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

***** The location of the August 26, 2020 Special meeting may change due to COVID-19 restraints. Please check the Parish website (www.stpgov.org) for the most up to date information.*****

Call to Order by Honorable Michael R. Lorino, Jr., Chairman

Pledge of Allegiance by Mr. Toledano

Invocation by Mr. Davis

**Roll Call: Marty Dean ABSENT
David Fitzgerald
Martha Jenkins Cazaubon
James "Jimmie" Davis, III
Cheryl Tanner
Rykert O. Toledano, Jr.
Michael R. Lorino, Jr.
Christopher Cannulate
Michael "Mike" Maxwell Smith
Maureen "MO" O'Brien
Steve Stefancik
Jerry Binder
Jacob "Jake" Airey
Thomas (T.J.) Smith, Jr. ABSENT**

Lorino – explained the appeals process.

APPEALS: Speaking time per side – 10-minute; 3-minute rebuttal; 2-minute conclusion.

APPEALS

Lorino - 1. Stephen Mott appealing the Zoning Commission APPROVAL on March 3, 2020 to rezone 98 acres located on the east side of LA Highway 1081, south of Smith Road, north of Thibodeaux Road, Covington from A-1 (Suburban District) to A-2 (Suburban District). (Ward 3, District 2) (Petitioner: Kenneth Lopiccolo, Sr.) (2019-1753-ZC) (Postponed 5/27/2020) (Postponed 7/9/2020)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and introduction of an ordinance.

NOTE: To override Zoning APPROVAL, a majority vote of the entire Council is required and adoption of a resolution.

Fitzgerald – explained that appeals #1 and #2 will be postponed pending a traffic study.

Fitzgerald – moved to postpone, seconded by Toledano. Unanimous with 2 absent (Dean, T. Smith).

Lorino - 2. Stephen Mott appealing the Zoning Commission APPROVAL on March 3, 2020 to rezone 141 acres located on the east side of LA Highway 1081, south of Smith Road, north of Thibodeaux Road, Covington from A-2 (Suburban District) to PUD (Planned Unit Development Overlay). (Ward 3, District 2) (Petitioner: Kenneth Lopiccolo, Sr.) (2019-1754-ZC) (Postponed 5/27/2020) (Postponed 7/9/2020)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and introduction of an ordinance.

NOTE: To override Zoning APPROVAL, a majority vote of the entire Council is required and adoption of a resolution.

Fitzgerald – moved to postpone, seconded by Canulette. Unanimous with 2 absent (Dean, T. Smith).

Lorino - 3. Darling Design Homes, LLC by James C. Coate appealing the Planning Commission DENIAL on June 9, 2020 to enter the Parish right-of-way, specifically the unopened portion of Partridge St., South of Sparrow St., East of Egret St., Dove Park Subdivision, for the purpose of gaining access to property. (Ward 4, District 5) (Petitioner: McCalman, LLC c/o Mr. McCalman “Sam” Camp)

NOTE: To concur with Planning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Planning DENIAL, a 2/3 majority vote of the entire Council is required and introduction of an ordinance.

Paul Mayronne - speaking on behalf of the LLC/appellant. They are requesting to enter Partridge St. to gain access to lots. They are not asking to create a lot, dedicate a right-of-way, or approve a subdivision. They are only asking to start the process to gain access to their property (hire a licensed engineer, create plans, etc.) to ultimately build a Parish road. There is no justification to not approve the starting of the process. They understand that there are drainage concerns, but they have to be allowed to start the process to address those issues. They are requesting approval of the request to enter the right-of-way to gain access to their property.

Eric Pitts – 206 Partridge St. – The area has critical drainage concerns. It is very wet. It is a challenge living on the street. Doesn't feel as though lots comply with the Parish requirements. Someone was allowed to build on a 50 ft. lot when the requirements are 75 ft. The lots in question are 50 ft. This will impact the current drainage issues. Resolve current issues before building is allowed.

Joseph Ferry – 241 Partridge St. – Shares the same concerns as Mr. Pitts. He has lived there for 13 years. He knew that development would come. His concern is that the owner is only concerned with his properties and not the others. He is concerned that the builder will compound those problems before fixing the existing problems. Will the Parish fix the? existing problems before adding to them?

Sonya Stricklin – She is expressing the same concerns. The ditches on Sparrow St. have standing water. This can bring severe effects to the neighboring streets, not just Partridge. She doesn't know the effects that the new developments can bring to the area. She hopes that her concerns be heard and they consider the residents of Partridge St. and nearby streets.

REBUTTAL

Mayronne – Remember that we are not here asking to create a subdivision or lots. He believes that his client has a right to access his property as long as he meets the requirements of the Parish ordinances. It would be inappropriate for the Council to deny his clients access to his property because of what another developer has done. He respects the concerns of the individuals, but he is confident that they will be in compliance.

Pitts – Understands someone’s right to build on their property, but lets finish other projects.

Toledano – How much distance is the petitioner asking for? Mayronne – 560 ft.

Toledano – Does Mr. Camp own both sides of the street? Mayronne – Yes.

Council discussion ensued.

Toledano – moved to override Planning denial, seconded by Canulette. Motion passes with 11 yeas, 1 nay (Lorino), and 2 absent (Dean, T. Smith).

Toledano – moved to introduce an ordinance, seconded by O’Brien.

Lorino - 4. Carlo Hernandez appealing the Zoning Commission APPROVAL on June 23, 2020 to make a major amendment to the PUD Planned Unit Development Overlay on 161 acres located at the northwest corner of the intersection of I-12 and LA Highway 1088, Mandeville. (Ward 4, Districts 5 and 7) (Petitioner: Jones Fussell, LLP-Paul Mayronne) (ZC01-03-028)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and introduction of an ordinance.

NOTE: To override Zoning APPROVAL, a majority vote of the entire Council is required and adoption of a resolution.

Carlo Hernandez – spoke regarding permitted uses of certain zoning classifications.

Paul Mayronne – He is asking to add a strip of greenspace and 2 permitted use changes. He is asking to relocate a strip of green space. He is also the approval of transportation terminal and warehouse/distribution. He asks for consideration of this because it is appropriate.

Canulette – has a problem with the buffer.

Cazaubon – asked Mayronne questions. She agrees with the PUD change.

Davis – doesn’t have a problem with this. Adding 2 uses is proper.

Davis – moved to concur with the Zoning approval, seconded by M. Smith. Unanimous with 3 absent (Dean, Toledano, T. Smith).

Davis-moved to introduce an ordinance, seconded by Stefancik; becomes Ordinance Cal. No. 6481.

Lorino - 5. Eric Penton appealing the Zoning Commission DENIAL on June 24, 2020 to rezone 1.38 acres located on the east side of Blueberry Loop, north of Archie Singletary Road, Pearl River from A-2 (Suburban District), MHO (Manufactured Housing Overlay) & RO (Rural Overlay) to A-3 (Suburban District), MHO (Manufactured Housing Overlay) & RO (Rural Overlay). (Ward 6, District 6) (2020-1849-ZC) (Petitioner: Eric Penton)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and introduction of an ordinance.

Eric Penton - He bought the property as an investment. He doesn’t care if the zoning change is approved or not. He is only there because the person who opposes this accused him of trying to steal their property.

Pat and Janet Fisher - They are opposing the change. The Law states that the property needs city water/drainage to subdivide. They don’t believe he has enough property.

Tanner – She just received word on this case. Moved to postpone, seconded by Canulette. Unanimous with 2 absent (Dean, T. Smith)

Lorino - 6. Don Hayes appealing the Zoning Commission DENIAL on June 23, 2020 to rezone 0.85 acres located on the south side of Titus Smith Road, east of Old Keller Road, Lacombe from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 6, District 11) (2020-1813-ZC)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

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Don Hayes – Titus Smith Rd. He is asking for a wavier based on hardship grounds for his son to move next to him. The road is a dead-end road off of Hwy 434. He thinks it is unfair that he is required to have a full acre when 1800 square homes are being built on small lots. He wants to keep his family together and take care of each other.

Michael O'Brien – Old Keller Rd. He has a petition signed by neighbors. They don't want their home values to decrease.

REBUTTAL

Hayes – Why didn't Mr. O'Brien raise an objection at the other meeting? He was previously okay with this but has since changed his mind.

O'Brien – They don't want trailers in the area.

Stefancik – He went down and looked at the area. There are lots of nice homes with the exception of one. He spent time talking to neighbors. They spoke highly of Mr. Hayes, but they don't want trailers.

Stefancik – moved to concur with the Zoning denial, seconded by O'Brien. Unanimous with 3 absent (Dean, M. Smith, T. Smith).

Stefancik – moved to adopt a resolution, seconded by Binder. Unanimous with 3 absent (Dean, M. Smith, T. Smith); becomes Resolution C. S. No. C-6329.

Lorino - 7. Jeffrey D. Schoen appealing the Zoning Commission DENIAL on June 23, 2020 to rezone 47.43 acres located on the west side of Carrol Road, south of Devon Drive and north of Viosca Street, Slidell from A-3 (Suburban District) to A-4 (Single-Family Residential District). (Ward 9, District 12) (2020-1816-ZC) (Petitioner: CKB Development, LLC-Kyle Bratton)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and introduction of an ordinance.

Jeff Schoen – requested to hear numbers 7 and 8 as 1 item.

Canulette – moved to combine numbers 7 and 8 to be heard as 1 item, seconded by O'Brien. Unanimous with 2 absent (Dean, T. Smith).

8. Jeffrey D. Schoen appealing the Zoning Commission DENIAL on June 23, 2020 to rezone 47.43 acres located on the west side of Carrol Road, south of Devon Drive and north of Viosca Street, Slidell from A-4 (Single-Family Residential District) to A-4 (Single-Family Residential District) & PUD (Planned Unit Development Overlay). (Ward 9, District 12) (2020-1817-ZC) (Petitioner: CKB Development, LLC-Kyle Bratton)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a 2/3 majority vote of the entire Council is required and introduction of an ordinance.

Jeff Schoen – requests to postpone until the September 23rd Special meeting. He has a substitute PUD plan that he is not formally asking to go into the record, but will provide to the Council and audience.

Binder – would like people who have come to speak to at least voice their concerns.

Canulette – says if we are going to postpone, then let's postpone.

Binder moved to postpone, seconded by O'Brien. Unanimous with 2 absent (Dean, T. Smith)

Schoen – client filed the case in March and it has been postponed four times. The client has come up with a new design. For those reasons, he is asking the Council to postpone.

Cazaubon – Is this a new plan that needs to go back to Planning?

Davis – Believes this should go back to Planning and Zoning.

Couvillion – made comments regarding if a case can go back to Planning and Zoning or not.

Council discussion ensued.

Sharon Newton – 35140 Garden Dr. She is giving her time to Lee Domain.

Lee Domangue – 34057 Bayou Liberty. He does not oppose postponement. Will a new project be discussed on September 23?

Jimmy Broadwell – He doesn't think postponement is a bad idea.

Kevin McDonald – He is not opposed to postponement.

Lorino - 9. Laurie Anne Metevier and Vickylee M. Clelland appealing the Zoning Commission DENIAL on June 23, 2020 to rezone 2.0 acres located on the southwest corner of Jarrell Road and Louisiana Highway 1129, being 19684 Jarrell Road, Covington from A-1A (Suburban District), MO (Manufactured Housing Overlay), & RO (Rural Overlay) to A-2 (Suburban District, MHO (Manufactured Housing Overlay), & RO (Rural Overlay). (Ward 2, District 2) (2020-1787-ZC) (Petitioner: Vickylee M. Clelland)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and introduction of an ordinance.

Laurie Metevier – Her deed says no trailers or mobile homes. She is trying to split the property because one day she may want to build a smaller house.

Fitzgerald – He has looked at this. A couple of spots already has A-2 zoning.

Fitzgerald - moved to override the Zoning denial, seconded by Toledano. Unanimous with 3 absent (Dean, Binder, T. Smith).

Canulette – moved to introduce an ordinance, seconded by Fitzgerald; becomes Ordinance Cal. No. 6482.

Lorino - 10. Sheryl Godwin appealing the Zoning Commission DENIAL on July 7, 2020 to rezone 1.03 acres located on northwest corner of Spruce Lane & Kay Drive, Lacombe from A-3 (Suburban District) to A-3 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 7, District 11) (2020-1844-ZC) (Petitioner: Jason Patrick Godwin)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and introduction of an ordinance.

Sheryl Godwin – This property is in the Pinegrove Subdivision. There was a 5-6 vote in the Zoning meeting. She has owned the lot since 1980. There were only 3-4 houses built in the past 10 years. This is not a desirable neighborhood. There are lots of mobile homes. A brand-new mobile home could look better than an old home that is not well maintained.

Ronald Hereford – 60306 East Spruce Ln. Ms. Godwin is misinformed. The last homes built are brick homes. His home is of value. He is highly offended by Ms. Godwin's speech. A mobile home will devalue property.

Alfred Kronlage – 60419 Kay Dr. This is a desirable subdivision. His home is over \$200,000. He checked zoning restrictions before purchasing the lot and was told that no mobile homes would be allowed. Is asking to please uphold the denial.

Glen Ruiz – This proposal is the beginning of a cancer. It sets a precedent. Property values will go down. Only the petitioner benefits from this zoning change. The benefits come at the expense of the homeowners.

Michael Young – There are 2 rundown trailers in the neighborhood. The neighborhood is not undesirable. He has a petition with 17 homeowners who do not want this change.

REBUTTAL

Godwin – There are 23 mobile homes and 16 houses. It was a mobile home dedicated subdivision. She doesn't know why it was changed. It is not fair to those who have a mobile home. She bought the lot 40 years ago and wants it to be zoned what it was 40 years ago. She says their hopes and dreams of an all stick-built neighborhood are bleak.

Herford – Anyone can go through the neighborhood with him and count houses.

Young – Only wants to improve the neighborhood.

Kronlage – It is an upcoming neighborhood. He wants to continue to make it upcoming.

Ruiz – This change would be setting a precedent. The lady's numbers are inaccurate.

Stefancik – You can not put another trailer if you pull one off. People did not want trailers in 2010.

Stefancik – Moved to concur with the Zoning denial, seconded by Canulette. Unanimous with 2 absent (Dean, T. Smith).

Stefancik – moved to adopt a resolution, seconded by Davis. Unanimous with 2 absent (Dean, T. Smith); becomes Resolution C. S. No. C-6330.

Binder – moved to open the Off-the-Floor Agenda, seconded by O'Brien. Unanimous with 2 absent (Dean, T. Smith).

ITEMS OFF-THE-FLOOR

Lorino - 1. Resolution to appoint two alternate members to the St. Tammany Parish Board of Zoning Adjustments. (Lorino/Toledano)

O'Brien moved to suspend the rules and appoint Michael Blache, seconded by Binder. Unanimous with 2 absent (Dean, T. Smith); becomes Resolution C. S. No. C-6331.

There being no further business, meeting adjourned at the call of the Chairman.



MICHAEL R. LORINO, JR., COUNCIL CHAIRMAN



KATRINA L. BUCKLEY, COUNCIL CLERK