

Board of Adjustments
Public Hearing Minutes
November 3, 2014
5:45 p.m.
St. Mary Parish Courthouse Fifth Floor
Franklin, Louisiana

The Board of Adjustments met in Regular Session on this date with Chairman Rodney Olander presiding, and the following members present: S. Clevelin Broussard, Matthew Williamson, Larry Hotard, John P. Davis Scott Berry and Wynord Thomas, Sr.

The purpose of the hearing was to receive written and/or oral comments relative to the following proposed subdivision/rezoning of property:

Nonconforming Use Variance for Ronald Blasingame represented by Tim Cheramie for a Side Yard Setback Variance from the Required 20 ft. to 5 ft. and a Rear Yard Setback Variance from the Required 20 ft. to 5 ft. in a Light Industrial (LI) Zoned District located at 502 Lassus St., Patterson, LA. Sec. 50 T16S R11E. -2924281035.00-1.369 Ac Tract being that por Lot 1 Crescent Acres Subd. Blk. A described as 2.00 Ac Tract "KCDEFGHLK" per Plat 38H 250287 situated in Sec. 50 T16S R11E Acq 45N 279581 & -2894281189.00-Lot Tract being that por Lot 1 Crescent Acres Subd Blk A described as Tract "KCDEFGHLK" per Plat 38H 250287 situated in Sec. 49 T16S R11E Acq. 45N 279581.

Mr. Tim Cheramie stated that he is representing Mr. Blasingame and that he is requesting a Side Yard Setback Variance from the Required 20 ft. to 5 ft. and a Rear Yard Setback Variance from the Required 20 ft. to 5 ft. for the construction boat storage units. Mr. Cheramie explained that Phase I will be a 12 ft. x 30 ft. metal building on a cement slab that will consist of 10 units. Mr. Cheramie stated that the adjacent property owner, Mr. Darren Robicheaux, does not object to the request and intends to place storage units on his property in the future.

Mr. Cheramie stated that the impact that the new construction may have on drainage has been discussed. Mr. Cheramie stated that he has agreed to install a drainage ditch the full length of the property that will connect to an existing drainage ditch.

Mr. Olander questioned the reason for the request.

In response to Mr. Olander's inquiry, Mr. Cheramie stated that the property is currently zoned to allow storage units. The reason for the request is that Mr. Robicheaux's property is not large enough to have the storage units with the current setback requirements. Mr. Cheramie stated that the proposed property meets the current setback requirements. However, Mr. Cheramie stated that it would not be as productive and would not be able to have the number of storage units that he intends to place on the property. Mr. Cheramie stated that he researched from New Iberia to Houma and only found one (1) boat storage unit to offer residents. Mr. Cheramie stated that he feels that this is something that is needed in the area.

Mr. Cheramie stated that each phase will have 10 units. Mr. Cheramie stated that there is an existing pipeline near the railroad tracks. Mr. Cheramie further stated that he contacted the railroad company and was told that they did not have any objection to the proposed project.

Mr. Davis questioned who Mr. Cheramie spoke to concerning the drainage.

Mr. Cheramie stated that he spoke with Mr. Robicheaux concerning drainage.

Mr. Davis questioned the installation of drainage.

Mr. Cheramie stated that he intends to install the drainage and connect it to a public ditch on the corner of Bessie St.

Mr. Broussard questioned whether the drainage ditch is capable of handling the additional drainage due to the installation of cement that will cause more water to flow from the property.

Mr. Cheramie questioned whether there will be additional water flowing whether it was falling off the roof or falling on cement rather than natural ground.

Mr. Broussard stated that the natural ground would absorb some of the water.

Mr. Cheramie stated that natural ground would absorb some water. However, the drainage that he intends to install will be adequate for proper drainage.

Mr. Thomas questioned whether a 10 ft. setback variance would be useful instead of requesting the 5 ft. variance.

Mr. Cheramie stated that a 10 ft. setback variance would not be useful. Mr. Cheramie stated that Mr. Robicheaux intends to request a 5 ft. setback variance in the future and that he feels that there is no reason to have 20 ft. between both buildings on each property.

Mr. Williamson questioned whether the request for 5 ft. is on the side of Bessie St.

Mr. Cheramie stated that the request is not for 5 ft. from Bessie St. The request is to place the storage units 5 ft. from Mr. Robicheaux's side and rear property.

Mrs. Tammy Luke, Director of Planning & Zoning, stated that currently there are existing buildings on the property. The property does not have enough space to place buildings on the side of Bessie St.

Mr. Broussard questioned access to the buildings.

Mrs. Luke stated that the buildings will be accessed by the current property. Mr. Robicheaux will access his property through his own property. Therefore, that is why Mr. Robicheaux's property is an "L" shaped property that fronts on Bessie St.

Mr. Broussard stated that the request and discussion is not about Mr. Robicheaux's property.

Mr. Cheramie stated that Mr. Robicheaux has no objection to his request.

Mr. Williamson questioned if Mr. Robicheaux would request a 5 ft. variance it would be 5ft. from the road.

Mrs. Luke stated that Mr. Robicheaux would not have adequate space to request 5 ft. off the road, it is a point of access. Mrs. Luke indicated Mr. Robicheaux's property line on the attached map.

Mr. Cheramie stated that Mr. Robicheaux intends to access his property via Mr. Cheramie's property.

Mrs. Luke explained that you need adequate radius to be able to turn to access the storage units.

Mrs. Luke stated that currently Johnny's Propeller Shop occupies the front buildings on Mr. Blasingame's property. Johnny's Propeller Shop is in the process of constructing a new building at a different location. Mrs. Luke stated that she believes that Mr. Cheramie intent is to convert these buildings into some type of storage also.

Mr. Cheramie stated that once the two (2) buildings that Johnny's Propeller Shop occupies are vacant, they intend to convert those buildings into storage units to store Recreational Vehicles (RV). Mr. Cheramie stated that the intention is not to have these storage units store "junk". Mr. Cheramie stated that boats have a value of \$20,000.00 to \$40,000.00 and Recreational Vehicles (RV) have a value of \$150,000.00 to \$250,000.00.

Mr. Broussard questioned whether the tenants will have a 24 hour access and whether there will be a grounds keeper.

Mr. Cheramie stated that there will not be anyone on site. However, a keypad will be issued with a new code every first of the month, once payment is received, that will allow 24 access.

Mr. Broussard questioned whether the property will be gated.

Mr. Cheramie stated that the property will be fenced in along with lights and a security system installed.

Mrs. Luke stated that the use in which Mr. Cheramie intends to use it for is allowed with the current zoning. Mr. Cheramie is asking for the setback requirements to be different so that he has the turn radius that is needed to access the storage units.

Mrs. Kathleen Louviere appeared before the Planning & Zoning Board to express opposition in regards to the request for a Variance for Ronald Blasingame represented by Tim Cheramie for a Side Yard Setback Variance from the Required 20 ft. to 5 ft. and a Rear Yard Setback Variance from the Required 20 ft. to 5 ft. in a Light Industrial (LI) Zoned District located at 502 Lassus St., Patterson, LA. Mrs. Louviere stated that she resides in the subdivision. Mrs. Louviere stated that approximately two (2) years ago a request for a manufactured home park was submitted to the board that she believes is the same piece of property as tonight's request. Mrs. Louviere stated that her concern is the size of the property and that the subdivision has one (1) way in and one (1) way out access. Mrs. Louviere also stated that old pecan trees were cut down in order to construct the new storage units. Mrs. Louviere stated that her property also has drainage issues. Mrs. Louviere stated that she was not aware that there was going to be boat storage, only Recreational Vehicle (RV) storage. Mrs. Louviere stated that her concern is that people will choose to live in the Recreational Vehicles (RV).

Mrs. Luke stated that the current zoning does not allow for anyone to reside on the property.

Mrs. Louviere stated that there was a request a few years ago to operate a manufactured home park.

Mrs. Luke stated that Mr. Cheramie intends to build storage building similar to those near Highway 317 in Centerville, LA. There is no intention of anyone residing on the property. The buildings will be locked and used for storage purposes only.

Mrs. Louviere stated that she is also concerned of the increase in traffic that this will create. Mrs. Louviere also indicated that there is a railroad track that you have to cross in order to enter or exit the subdivision onto Highway 90 and is concerned that when you have something as large as a truck pulling a boat or Recreational

Vehicle (RV) it will congest traffic, especially in a hurricane evacuation. The owners of the boats or Recreational Vehicles (RV) will not want to leave them in a storage unit.

Mrs. Luke stated that the drainage issue will be researched. Mrs. Luke explained that usually in a mandatory evacuation where people are exiting that subdivision, no one is allowed to enter the subdivision.

Mrs. Louviere stated that it was not conducted that way in the past evacuations and that it was very difficult to leave the subdivision and access Highway 90 due to traffic congestion.

Mrs. Luke stated that Highway 90 is a corridor for emergencies.

Mrs. Louviere stated that she feels that the property is a bad location that will add multiple people and increase traffic in an existing congested area.

Mrs. Luke stated that the reason for the request is to keep the tenants from backing in to units from Bessie St. The tenants will pull into the driveway and have the capability of being able to back up and access the units without being in the street blocking traffic.

Mr. Berry stated that he owns a 45 ft. motor home that he stores in a storage unit and that there is a large apron that is used to allow adequate space to turn around and not block the street, entrance or exit in order to access the storage units, which is also the intention of Mr. Cheramie.

Mrs. Louviere questioned whether a large apron is required to access the storage units.

Mrs. Luke again stated that the property is currently zoned to allow for storage units.

Mr. Broussard question Mrs. Louviere's residence in reference to the proposed property.

Mrs. Louviere stated that she resides on Louisa St., which is located in the rear of the subdivision. Mrs. Louviere stated that it does not matter how far back she resides. The concern is that she has one way in and one way out and that the additional traffic will pose an issue.

Mr. Broussard stated that he understands that Mrs. Louviere's concern is that traffic will bottle neck from the subdivision to Highway 90.

Mr. Olander stated that the request is for a setback variance. If the setback request is denied, Mr. Cheramie can still construct the storage units because the property is currently zoned to allow it.

Mrs. Louviere questioned the drainage issue.

Mr. Olander stated that the drainage issue needs to be addressed.

Mrs. Luke stated that she will discuss the drainage issue with the public works director. However, the drainage in the front should not impede the drainage in the rear where Mrs. Louviere resides.

Mrs. Louviere stated that the drainage from the front drains down to the rear of the subdivision where she resides because the drainage pumps are located in the rear of her property. Mrs. Louviere questioned whether the tenants will be allowed to wash boats or Recreational Vehicles (RV) on the property, which will add to the existing drainage issue and possibly have chemicals in the drainage as well.

Mrs. Louviere stated that Mr. Cheramie does not reside in Crescent Acres subdivision where the proposed property is located.

Mr. Kenny Smith appeared before the Planning & Zoning Board to express opposition in regards to the request for a Variance for Ronald Blasingame represented by Tim Cheramie for a Side Yard Setback Variance from the Required 20 ft. to 5 ft. and a Rear Yard Setback Variance from the Required 20 ft. to 5 ft. in a Light Industrial (LI) Zoned District located at 502 Lassus St., Patterson, LA. Mr. Smith stated that he resides in the subdivision and that his concern is that the more units that are allowed on the property will add to the existing drainage issues. Mr. Smith stated that his concern is that the boats and Recreational Vehicles (RV) will be larger than the average boat and Recreational Vehicles (RV), which will create a traffic issue especially with a railroad track at the entrance of the subdivision. Mr. Smith also stated that in the event of an evacuation, he feels that the owners will remove the boats or Recreational Vehicles (RV) from the storage units. Mr. Smith feels that Mr. Cheramie needs to abide by the current requirements.

Mr. Broussard questioned where Mr. Smith resides.

Mr. Smith stated that he resides on Henry St., which is half way down the subdivision and there is a drainage issue every time it rains. Mr. Smith stated that the ditches cannot handle the drainage in normal rain situations and that if Mr. Cheramie adds concrete to the property, it will only increase the amount of water that needs to drain. Mr. Smith feels that Mr. Cheramie cannot guarantee that only tenants who own \$30,000.00 to \$50,000.00 boats and Recreational Vehicles (RV) will rent a storage unit. Mr. Smith feels that he will rent to anyone that can afford to rent a storage unit and may possibly end up storing “junk” on the property. Mr. Smith stated that there are currently companies that have big trucks deliver to their business and if there is a train crossing the track it create a traffic issue. Mr. Smith stated that Mr. Cheramie does not reside in the subdivision and feels that Mr. Cheramie is not concerned with the issues that this may cause.

Mr. Ronald Sanders appeared before the Planning & Zoning Board to express opposition in regards to the request for a Variance for Ronald Blasingame represented by Tim Cheramie for a Side Yard Setback Variance from the Required 20 ft. to 5 ft. and a Rear Yard Setback Variance from the Required 20 ft. to 5 ft. in a Light Industrial (LI) Zoned District located at 502 Lassus St., Patterson, LA. Mr. Sanders stated that he resides in the front of the subdivision and that his concern is that there are big trucks currently park on the street and also back down the street to load and unload at Hydro Carbon, a current business in the area. Mr. Sanders stated that another concern is drainage. Mr. Sanders stated that another concern is that the boats and Recreational Vehicles (RV) will have gas in them that may be a hazard. Mr. Sanders stated that he is also concerned with the request to be 5 ft. from the property line.

Mr. Olander stated that the only reason Mr. Cheramie is requesting a 5 ft. setback variance is to have more radius for a turn around to access and park the boats and Recreational Vehicles (RV) in the storage units.

Mr. Broussard questioned how long Mr. Sanders has resided in the subdivision.

Mr. Sanders stated that he has resided at his residence in the subdivision for 20 years.

Mrs. Luke stated that she does not believe that zoning was in place when Hydro Carbon initially occupied the property.

Mr. Gilbert Blanchard, representing Central Baptist Church, which is located in the subdivision, appeared before the Planning & Zoning Board to express opposition in regards to the request for a Variance for Ronald Blasingame represented by Tim Cheramie for a Side Yard Setback Variance from the Required 20 ft. to 5 ft.

and a Rear Yard Setback Variance from the Required 20 ft. to 5 ft. in a Light Industrial (LI) Zoned District located at 502 Lassus St., Patterson, LA.

Mr. Broussard questioned the location of the church in reference to the proposed property is.

Mr. Blanchard stated that the church is located at 402 Bessie St. which is on the left corner of the subdivision's entrance. Mr. Blanchard stated that the proposed property is located on the right corner of the subdivision's entrance. Mr. Blanchard stated that the concern is that the use of the building or property will be utilized for uses other than storage (i.e. labor camps or to rent).

Mr. Olander stated that the current zoning does not allow any living structures on the property.

Mr. Blanchard questioned what would happen if Mr. Cheramie would later decide to allow for the building to become a living structure.

Mr. Olander stated that a rezone request would have to be submitted to the Planning & Zoning Board.

Mrs. Luke stated that if a rezone request is submitted, all property owners within 200 ft. of the request would be notified.

Mr. Olander questioned whether Mrs. Kathleen Louviere received notification.

Mrs. Luke stated that Mrs. Louviere is further than 200 ft. of the property. Therefore, she would not receive notification.

Mr. Blanchard stated that a labor camp was presented on the property several years ago. Mr. Blanchard stated that another concern is that of drainage and that the increase in traffic will affect the road conditions. Mr. Blanchard stated that he believes that the church is more than 200 ft. from the proposed property.

Mrs. Luke stated that Central Baptist Church is located within 200 ft. from the property and that a certified letter was mailed to notify the church of the setback request. Mr. Caleb Silvertooth signed and accepted the certified letter of notification.

Mr. Blanchard stated that Mr. Caleb Silvertooth is the Pastor of Central Baptist Church.

Mrs. Louviere questioned whether water, sewer or gas will be allowed to dump or drain on the property.

Mr. Berry stated that water, sewer or gas cannot legally be dumped on the property.

Mrs. Louviere feels that it will be done illegally.

Mr. Broussard questioned whether any of Mrs. Louviere's neighbors expressed concern about the request.

Mrs. Louviere stated that she noticed the sign on the property notifying of the request and meeting date and does not know if any neighbors were concerned with the request. Mrs. Louviere stated that one of her neighbors questioned whether the property would be a trailer park but did not express any other concern.

Mr. Cheramie stated that the request does not violate any regulations and that they do not intend on having any living structures on the property. Mr. Cheramie stated that a request for a Manufactured Home Park was proposed before the board and was denied several years ago. Mr. Cheramie stated that Mr. Sanders parks his

trucks on the Blasingame's property and that next time they will be towed at Mr. Sanders' expense. Mr. Cheramie stated that he had an arborist evaluate the pecan trees and suggested that they were no longer productive.

Mr. Olander stated that the pecan trees are irrelevant to the setback request.

Mr. Cheramie stated that the property owners were aware that there is a single entrance and that light industrial businesses were in the subdivision for over 30 years.

There being no further business, Chairman Rodney Olander adjourned the Public Hearing.

Chairman Rodney Olander
St. Mary Parish Board of Adjustments