

Planning & Zoning Commission
Regular Meeting
April 21, 2014
6:00 p.m.
St. Mary Parish Courthouse Fifth Floor
Franklin, Louisiana

The Planning & Zoning Commission met in Regular Session on this date with Chairman Paul Gil presiding and the following members present: Margie Luke, Barry Druilhet, James Bennett, Jr., Jimmy Wiley and Dean DeMers. Absent was Deborah Tabor.

Mr. Barry Druilhet led the Invocation and the Pledge of Allegiance.

Mr. Barry Druilhet moved that the reading of the minutes of the Regular Meeting, March 17, 2014 be dispensed with and that the same be approved. Mr. Dean DeMers seconded the motioned, which carried.

Chairman Paul Gil read the request for Preliminary & Final Subdivision Approval Request for a Subdivision of Property for New 90, LLC in a High Density Residential Zoned District located at 120 Hwy. 3215, Franklin, LA; Sec 11 T15S R10E; Parcel Id#2354524018.00; 58.46 Ac Tract por of Rem 529.72 Ac Tract situated in Sec 11 T15S R10E BD Williams in and Sterling Sugars Inc-Sutter-Et Al-Teche-Sutter Et Al Acq 184 303579.

Mr. Len Klutts stated that he recently purchased property and constructed a home across from the proposed property. Mr. Klutts stated that he did not receive notification and that he is in opposition to the request.

Mrs. Tammy Luke, Planning & Zoning Director, stated that the rules have been changed for notification. Mrs. Tammy Luke stated that the previous guidelines required notification to adjacent property owners. The current guidelines will require notification to property owners within 200 ft. of the proposed property.

Mr. Klutts questioned whether a sign is required to be placed on the proposed property.

Mrs. Tammy Luke stated that the property has been rezoned and that the request is for a subdivision, which does not require a sign to be placed on the property.

Mr. Klutts stated that the neighbors are not in favor of an apartment complex. However, they are in favor of single family homes. Mr. Klutts' concern is that an apartment complex will decrease his property value.

Mrs. Tammy Luke stated that at this point the request is for a subdivision. The developmental stage will require showing the number of units and the layout of the units.

Mr. Klutts suggested placing the apartment complex away from Hwy. 182.

Mr. James Bennett, Jr. questioned the number of property owners in the area.

Mr. Klutts stated that four (4) property owners are present. However, there are several property owners in the area that are not present.

Mr. Jimmy Wiley stated that this project has been ongoing for approximately ten years, it is nothing new.

Mrs. Tammy Luke stated that because this proposal is old business, notices are not required to be sent out again.

Mr. David Hanagriff, Parish Council District 3, stated that the new ordinance was passed in March 2014 which approved the new Unified Development Code. The concern is the notification process.

Mrs. Tammy Luke stated that the current requirement for a subdivision request does not require a sign and that property owners within 200 ft. are notified by a certified letter. Mrs. Luke explained that when the initial subdivision was applied for, the new Unified Development Code was not adopted. Unfortunately, there was a transition stage due to this. In the development stage, property owners within 200 ft. will be notified by certified letter.

Mr. Jeff Daigle suggested constructing the apartment complex further back on the property. Mr. Daigle stated that he is not against development but no one would want to reside across from an apartment complex. Mr. Daigle stated that it is his understanding that if the developer decides that they do not want to put up a gated community or place a gate or swimming pool, there is nothing that the department can do to enforce it.

Mrs. Tammy Luke stated that the department does not have regulations that state what has to be constructed or put in place. However, whatever is submitted and approved at the developmental stage is what has to follow through. Mrs. Luke stated that she does not know what the developmental stage consists of because nothing has been submitted. At this point the request is to subdivide out ten acres of property. Mrs. Luke stated that she believes that it has been considered to do the subdivision 200 feet back from Hwy. 182 and allow the 200 feet on Hwy. 182 to become subdivision lots to construct houses.

Mr. Jeff Daigle suggested subdividing more than 200 feet from Hwy. 182.

Mrs. Tammy Luke stated that in keeping with the 200 feet from Hwy. 182, it is consistent with the current lots in the area. Mrs. Luke questioned how far back the residence would like to see the subdivision.

Mr. Jeff Daigle stated as close to Hwy. 90 as possible.

Mr. James Bennett, Jr. stated that his concern is for residence of the neighborhood.

Mr. David Hanagriff stated that his concern is the process and to try to find a happy medium for everyone.

Mr. Paul Gil read the request for Preliminary & Final Subdivision Approval Request for a Subdivision of Property for New 90, LLC in a High Density Residential Zoned District located at 120 Hwy. 3215, Franklin, LA; Sec 11 T15S R10E; Parcel Id#2354524018.00; 58.46 Ac Tract por of Rem 529.72 Ac Tract situated in Sec 11 T15S R10E BD Williams in and Sterling Sugars Inc-Sutter-Et Al-Teche-Sutter Et Al Acq 184 303579.

Mr. Lamon Miller, Miller Engineer & Associates, stated that he represents the request for Preliminary & Final Subdivision Approval Request for a Subdivision of Property for New 90, LLC. Mr. Miller stated that it is his understanding that a compromise was met to locate the project 200 feet from Hwy. 182.

Mr. James Bennett, Jr. questioned the agreement of 200 feet from Hwy. 182.

Mr. Frank Fink, Director of Economic Development for St. Mary Parish, stated that the concept is that this will be upscale apartments in a gated community which will be shown in the developmental stage. The request is for a subdivision, to allow a landowner to sell his property. Mr. Fink stated that he has worked with the developer, the owner, Mr. Bailey and Mr. David Hanagriff and the decision of a compromise of 200 feet was met. The intention is that the 200 feet would be rezoned into single family lots. The intention is to attract professionals and their families to St. Mary Parish. Once the development is presented, questions and suggestions can be made to the developer. Mr. Fink stated that this will be a professional development for housing that will lead to other developments due to the location being close to the interstate.

Mrs. Margie Luke questioned the number of lots that the 200 foot property along Hwy. 182 would present.

Mrs. Tammy Luke stated that approximately six (6) or seven (7) lots can be subdivided out of the 200 foot property along Hwy. 182 and that this subdivision/rezone request would have to be presented before the Planning & Zoning Board.

Mrs. Margie Luke made a motion to approve the request for Preliminary & Final Subdivision Approval with the 200 foot setback for a Subdivision of Property for New 90, LLC in a High Density Residential Zoned District located at 120 Hwy. 3215, Franklin, LA; Sec 11 T15S R10E; Parcel Id#2354524018.00; 58.46 Ac Tract por of Rem 529.72 Ac Tract situated in Sec 11 T15S R10E BD Williams in and Sterling Sugars Inc-Sutter-Et Al-Teche-Sutter Et Al Acq 184 303579 until they get more information as far as the new ordinance. Mr. Jimmy Wiley seconded the motion which carried with the following 4-1-0-1 Roll Call Vote:

Yeas: Barry Druilhet, Margie Luke, Jimmy Wiley and Dean DeMers

Nays: James Bennett, Jr.

Abstained: None

Absent: Deborah Tabor

Chairman Paul Gil read the request for Rezoning of Property by Diane Matthews Representing Peter Louis located at 144 Yellow Bayou Rd., Centerville, LA from Single Family (SR) Residential Zoned District to Existing Neighborhood (EN2) Zoned District. Sec. 37 T15E R10E; -2474541004.00-Lot REM Por No 50 Sennett Place Subd Blk 6 Acq 15J 138348 Improvements, -2474541005.00-Lot REM Por No 49 Sennett Place Subd Blk 6 Acq 15J 138348' -2474541081.00-Lot Por No 49 Sennett Place Subd Blk 6 Acq 10N 104401 and -2474541082.00-Lot Por No 50 Sennett Place Subd Blk 6 Acq 10N 104401.

Mr. Don Hernandez stated that the original judgment of possession of Margaret Johnson Louis included a reference to a usufruct. It was pointed out that this was an error. An amended judgment of possession made Mr. Peter Louis a fifty percent naked owner and the other half,

being undivided among the five (5) children. Mrs. Diane Matthews owns one fifth of one half of the property. Mr. Peter Louis is in opposition of the request.

Mrs. Tammy Luke explained that in our process, we have Mr. Louis as being an owner. We do not have access to legal documents. However, Mrs. Diane Matthews submitted a copy of the succession to us to show that she is an heir to the property.

Mr. Don Hernandez stated that Mr. Peter Louis, Jr., Johnny Louis, Jerry Louis and Rosemary Garrison are undivided owners of the property that are in opposition to Mrs. Diane Matthews's request.

Mr. Peter Louis stated that his concern is that a mobile home will not fit on one fifth share that Mrs. Diane Matthews owns. Mr. Louis is also concerned that the other heirs may want to place a mobile home on the property. Mr. Louis stated that he feels that the best thing to do is to get rid of the land and give each child their share. Mr. Louis stated that his son, Jerry Louis had a mobile home on the property but has since purchased property and has moved his mobile home off the proposed property.

Mr. Don Hernandez stated that Mr. Peter Louis will be filing to partition the property by elicitation. It simply states that due to the small size of the property and that the best use for the property cannot be decided. A judge will be asked to sign the order asking the sheriff to seize the property and divide the proceeds among the owners.

Mrs. Diane Matthews states that she and her disabled husband and grandchildren reside in the existing house that is located on the proposed property, which needs to be torn down. Mrs. Matthews stated that when she purchased the new manufactured home, she was not aware that she needed a permit until after all paperwork was signed at the dealership. Mrs. Matthews states that she has no other place to live.

Mr. Don Hernandez stated that he mailed a letter dated August 2013 to Mrs. Diane Matthews, offering for her buy the property. Mr. Hernandez stated that Mrs. Diane Matthews did not respond to the letter.

Mrs. Diane Matthews stated that her attorney spoke with Mr. Don Hernandez on the matter.

Mr. Barry Druilhet made a motion to Postpone the request for Rezoning of Property by Diane Matthews Representing Peter Louis located at 144 Yellow Bayou Rd., Centerville, LA from Single Family (SR) Residential Zoned District to Existing Neighborhood (EN2) Zoned District. Sec. 37 T15E R10E;

-2474541004.00-Lot REM Por No 50 Sennett Place Subd Blk 6 Acq 15J 138348 Improvements,

-2474541005.00-Lot REM Por No 49 Sennett Place Subd Blk 6 Acq 15J 138348'

-2474541081.00-Lot Por No 49 Sennett Place Subd Blk 6 Acq 10N 104401 and

-2474541082.00-Lot Por No 50 Sennett Place Subd Blk 6 Acq 10N 104401.

until all legal issues are resolved. Mr. Dean DeMers seconded the motion which carried with the following 5-0-0-1 Roll Call Vote:

Yeas: Barry Druilhet, Margie Luke, Jimmy Wiley, James Bennett, Jr.
and Dean DeMers

Nays: None

Abstained: None

Absent: Deborah Tabor

Chairman Paul Gil read the request for Preliminary & Final Subdivision/Development Approval for a subdivision of Property for Frances Martin Dupuy to be acquired by Jonathan Vining, 9794 Hwy. 182 w, Centerville, La. Sec. 10 T15S R10E; Parcel # 2444581010.00 & Parcel #2444581007.00.

-2444581010.00-Lot West 60 ft. of the South 270 ft. No C-1 Resubd No 3 Justine Pltn per Plat 5E 59452 Acq 32P 227588 Improvements,

-2444581007.00-Lot East 40 ft. of the South 270 ft. No D-1 Resubd No 2 Justine Pltn per Plat 5E 59452 Acq 32P 227588.

Mrs. Tammy Luke stated that Mr. Jonathan Vining is purchasing the home from his mother in law. The home has been built on the property for 26 years. The property was all family property before it was subdivided. Mr. Vining is complying with all the setback requirements before purchasing the home. The property line will run five (5) feet off the existing carport, which is connected to his house.

Mr. Barry Druilhet made a motion to approve the request for Preliminary & Final Subdivision/Development Approval for a subdivision of Property for Frances Martin Dupuy to be acquired by Jonathan Vining, 9794 Hwy. 182 w, Centerville, La. Sec. 10 T15S R10E; Parcel # 2444581010.00 & Parcel #2444581007.00.

-2444581010.00-Lot West 60 ft. of the South 270 ft. No C-1 Resubd No 3 Justine Pltn per Plat 5E 59452 Acq 32P 227588 Improvements,

-2444581007.00-Lot East 40 ft. of the South 270 ft. No D-1 Resubd No 2 Justine Pltn per Plat 5E 59452 Acq 32P 227588. Mr. Dean DeMers seconded the motion which carried with the following 5-0-0-1 Roll Call Vote:

Yeas: Barry Druilhet, Margie Luke, Jimmy Wiley, James Bennett, Jr.
and Dean DeMers

Nays: None

Abstained: None

Absent: Deborah Tabor

Mr. Barry Druilhet made a motion to expand the agenda to include Preliminary & Final Subdivision/Development Approval for a subdivision of Property for Sam Siracusa Estate, LLC, located at 8905 Hwy. 182, Siracusa, LA. Sec. 8T16S R13E; Lot por BD Ditch-Stansbury-Boeuf-Carr ling between RR and Hwy. 182 East of Progress Ln. Acq. 22Q 183253 improvements. Mr. James Bennett, Jr. seconded the motion which carried with the following 6-0-0-1 Roll Call Vote:

Yeas: Paul Gil, Barry Druilhet, Margie Luke, Jimmy Wiley, James Bennett, Jr.
and Dean DeMers

Nays: None

Abstained: None

Absent: Deborah Tabor

Chairman Paul Gil read the request for Preliminary & Final Subdivision/Development Approval for a subdivision of Property for Sam Siracusa Estate, LLC, located at 8905 Hwy. 182, Siracusa, LA. Sec. 8T16S R13E; Lot por BD Ditch-Stansbury-Boeuf-Carr ling between RR and Hwy. 182 East of Progress Ln. Acq. 22Q 183253 improvements.

Mr. Lamon Miller stated that Central Boat Rentals wants to purchase the property between Hwy. 182 and the railroad tracks. The road and the railroad come together in a point. Central Boat Rentals will buy from that point coming west and will also buy the building. The issue is that the property line goes through the building. A property line will be created 20 feet away from the building and Central Boat Rentals will buy Tract A B C D E.

Mrs. Margie Luke made a motion to approve Preliminary & Final Subdivision/Development Approval for a subdivision of Property for Sam Siracusa Estate, LLC, located at 8905 Hwy. 182, Siracusa, LA. Sec. 8T16S R13E; Lot por BD Ditch-Stansbury-Boeuf-Carr ling between RR and Hwy. 182 East of Progress Ln. Acq. 22Q 183253 improvements. Mr. Barry Druilhet seconded the motion which carried with the following 5-0-0-1 Roll Call Vote:

Yeas: Barry Druilhet, Margie Luke, Jimmy Wiley, James Bennett, Jr.
and Dean DeMers

Nays: None

Abstained: None

Absent: Deborah Tabor

There being no further business, Mr. Barry Druilhet moved for adjournment. Mrs. Margie Luke seconded the motion, which carried.

s/g Paul Gil

Chairman Paul Gil
St. Mary Parish Planning and Zoning Commission