

BOARD OF ADJUSTMENT

Monday, June 15, 2020

6:00PM

REGULAR MEETING MINUTES

CITY COUNCIL CHAMBERS

222 EAST KIRKLAND STREET

Covington, Louisiana

THE COMPLIANCE WITH PHASE 2 OF GOVERNOR EDWARDS REOPENING OF THE STATE PRACTICING SOCIAL DISTANCING AND RECOMMENDING FACE MASK TO BE WORN IN THE COUNCIL CHAMBER WAS ENFORCED DURING THIS MEETING.

BOA Members

JAN BUTLER – CHAIRPERSON
THOMAS HUVAL- VICE CHAIRPERSON
EDMOND d’HEMECOURT
JOSEPH CUNNINGHAM
KEITISHA YOUNG

Staff

NAHKETAH BAGBY, CITY PLANNER
JULIAN“ROD” RODRIGUE, CITY ATTORNEY
JOANN RUCKER, SECRETARY
CHRISTOPHER BROWN, BUILDING OFFICIAL
BOB MOEINIAN, CITY ENGINEER

Commissioner Jan Butler called the meeting to order at 6:00PM

Ms. Butler	Yes
Mr. Cunningham	Yes
Mr. d’Hemecourt	Yes
Mr. Huval	Yes
Ms. Young	Yes

Commissioners Present: Commissioner Butler, Commissioner Huval, Commissioner d’Hemecourt, Commissioner Young and Commissioner Cunningham

Commissioners Absent: None

Staff Present: Nahketah Bagby, City Planner, Rod Rodrigue, City Attorney and JoAnn Rucker, Secretary.

A Moment of Silence was observed.

The Pledge of Allegiance was led by Commissioner Jan Butler.

Commissioner Young made a motion to approve the May 18, 2020 meeting minutes.

Commissioner Huval seconded the motion.

VI BOA CASES:

1. Case No. 20-06-05BOA - Request: A series of variance requests from Appendix B – Comprehensive Zoning Ordinance Part 3- Use Districts -Sec. 3.10.3.8 RS-2 single-family residential. 3.1006. Performance standards (1) Lot Area, (2) Lot Width, (3) Lot Depth, (4) Front yard Setbacks and (5) Side Yard Setbacks for proposed Lot 4-A and Lot 5-A in conjunction with the re-subdivision request to resub-divide Lots 4 & 5 into Lots 4-A and 5-A Sq. 3 Division of Spring Covington; City of Covington, Tammany Parish.

The property is located at the corner of S. Jahncke Ave. and 17th Ave. Municipal addresses 502 S. Jahncke Ave., 508 S. Jahncke Ave., and 514 S. Jahncke Ave.

Petitioner: E & F Properties Inc.

Owner: Robenia Burns

Commissioner Butler questioned the petitioner, Mrs. Burns on the reasoning and explanation for the variance request. **Rod Rodrigue, City Attorney** responded to her question.

Rod Rodrigue, City Attorney stated if the commissioners would look at the resubdivision plat, all of the original subdivision improvements predated any of the City of Covington Zoning or Subdivision Regulations. The property is composed of Lots 1-2 and a small portion of Lot 3 in the Division of Springs. So you have a grandfathered parcel of property that is roughly 145 feet from Jahncke by 120” feet deep on which three houses were constructed prior to any Zoning regulations. In their current format they are grandfathered. Mrs. Burns apparently tends to try to sell the property and believes her ability to sell the property would be facilitated by having one residence on one lot and two residence on one lot. She is not able to do any extensive renovation to these properties, so she has chosen to try to sell them in order that the subsequent buyer would be able to renovate or tear down and build a new house. This is her thought process in trying to create two lots, one with a house and one with two houses. One other issue to point out is that this is not an uncommon occurrence on some of the older construction. It has been somewhat of an issue for the Public Works Department and that is because all of the utility lines for sewer and water for all three houses go basically underneath all three houses to a sewer and water tie end on 17th Avenue. So, there have been new merest issues with that situation arising. If there is a sewer issue on a adjoining property that requires maintenance and there has been a problem with the property owners attempting to deny access to their property for their adjoining property to repair their utilities because technically they do not have a utility servitude.

Commissioner Butler asked if that is the case on this property.

Rod Rodrigue, City Attorney stated that is why we have required Mrs. Burns to create a 15 foot utility servitude across the rear of lot 5A so that in the future, the structures on 4A will have to relocate their sewer and water lines to the rear of lot 5A to provide appropriate utility servitude for future maintenance. Although this is not particularly in the BOA Commissions league and if the board decides to grant the variance, it will have to be brought up to the Planning Commission relative to the proposed resubdivision and require or suggest that added to the subdivision plat that specifically provided that any sale of Lot 4A or any building permit issued for lot 4A include the requirements that those utility lines be moved to the appropriate utility servitude.

Commissioner Butler asked if the cost of this would be on the person who buys the lot.

Rod Rodrigue, City Attorney stated that Mrs. Burns does not have the funds to move the lines now but we will burden her title with that requirement so anyone who purchases the property will be made aware of the fact that it is a requirement of their lot. Lot 5A would become a lot of record 49.48 feet with frontal on Jahncke with one house on it. Lot 4A would become a 95” lot with two houses on it. Right now there is one lot not numbered with the 145 foot parcel with three houses on it.

Commissioner Cunningham made a motion to approve Case #20-06-05BOA. **Commissioner Butler** seconded the motion.

Roll call:

Ms. Butler	No
Mr. Cunningham	Yes
Mr. d’Hemecourt	No
Mr. Huval	No
Ms. Young	No

Case # 20-06-05BOA was denied by the BOA Commission.

Other Business- Nahketah Bagby, City Planner announced that there are no BOA meeting scheduled for July 2020.

There being no further business the meeting was adjourned at 6:25pm.