

Mr. Gibbs: Next item on the agenda is PZR-2014-11 requested by Curtis P. Dufrene for a change in zoning classification from R-1A to R-1A(M) at (Part of Farm Lots 34 & 35, Ellington Plantation) at 138 Schmill St., Boutte Council District 4. Ms. Stein.

Ms. Stein: Thank you Mr. Chair. The applicants request an extension of the R-1A(M) zoning district that covers the vast majority of Schmill Street to encompass the entire property their house sits on, Lot B-1, 20,720 square feet. The stated intent is to “add a mother-in-law-residence” or second dwelling unit, which would be permitted on a lot that size for family and relatives on unsubdivided property on a non-rental basis for a period of two- years, in the R-1A(M) zoning district. Schmill Street is a narrow street right of way serving a neighborhood that is characterized by lots that are wide and shallow, most measuring 70’ deep. Most are developed with residential mobile homes and there are some site-built houses as well.

The R-1A and R-1A(M) zoning districts on the property were created with the 1981 comprehensive rezoning. The applicants have owned property on Schmill Street since the 70’s, buying and exchanging different portions of ground over the years. In 2000, they combined several different lots to create Lot B-1, so their property has been split-zoned since that time.

In order to receive a recommendation for approval, a rezoning request must meet all of the criteria of at least one of three evaluation tests. As an expansion of an R-1A(M) zone to eliminate a split-zone, this application meets all the criteria of the third test.

The third test is designed to ensure the rezoning is not capricious or arbitrary and does not create a spot zone which would inhibit the maintenance and enjoyment of neighboring properties. Neighboring properties to the north and west already are zoned R-1A(M) and developed with a mix of site-built residences and residential mobile homes. Eliminating the split-zone on this property, even for the stated intent of developing an accessory dwelling unit is not capricious or arbitrary in nature or intent, not does it create a monopoly, or limit the value or usefulness of neighboring residentially developed properties that are zoned R-1A(M). It should not adversely affect the reliance that neighboring property owners or occupants have placed upon the existing zoning pattern—which is R-1A(M) on the entire street except on the developed portion of Lot B-1 where property is zoned R-1A. In fact, it could be considered arbitrary that this single property on Schmill Streets is zoned R-1A and eliminating the zig-zag of the R-1A district onto Schmill Street, and the applicants request, corrects that.

The Department recommends approval.

Mr. Gibbs: Thank you Ms. Stein. This is a public hearing for PZR-2014-11 anyone in the audience care to speak in favor or against? Is the applicant here? State your name and address please.

Curtis Dufrene, 138 Schmill Street.

Mr. Gibbs: Mr. Dufrene this is very self-explanatory. I really don’t have any questions. Commission members any questions? I just wish you good luck.

Mr. Dufrene: Thank you very much.

Mr. Gibbs: This is a public hearing for PZR-2014-11 anyone else in the audience care to speak in favor or against? Commission members any questions? Comments? Cast your vote please

YEAS: Pierre, Loupe, Gibbs, Foster, Booth Frangella, Galliano

NAYS: None

ABSENT: None

Mr. Gibbs: That passes unanimously.

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