

Commissioner Petit: First on the agenda tonight we have 2021-6-MIN requested by Sunset Ridge Development, LLC for resubdivision of five lots into six in Sunset Drainage District #1, near 350 Grand Bayou Rd., Bayou Gauche. Zoning District O-L. Council District 4.

Mr. Welker: The applicant requested a subdivision of 5 large tracts into 6 lots in the OL zoning district. Each lot exceeds the minimum 20,000 sq. ft. area required for lots in the OL district. However, the 5 of the proposed lots are not arranged with the required 50 ft. width on a developed street. The applicant has requested a waiver from this requirement. The plat shows a 75 ft. wide access and utility servitude extending south from the curve of Grand Bayou Road through proposed Lots 1-5. Proposed Lots 2-5 would be on 150 ft. wide on the servitude and proposed Lots 26A-1 would be at the end of the servitude as the remainder lot. The servitude is not developed with a permanent surface or infrastructure for water, gas, electricity or telecommunication services and community sewer is not available in the area. Each proposed lot is 150 ft. by 1500 ft. more or less totally over 220,000 sq. ft. each. Each of the proposed lots could be divided into 11 lots and meet the required area but not the arrangement on the developed street. The result would be 55 lots with inadequate access to infrastructure like streets, water, gas, electricity and telecommunications and all served by individual sewer treatment. All zoning permits additional dwellings for family on unsubdivided property at the rate of 1 dwelling for each 10,000 sq. ft. of lot area, not to exceed 4. It also permits dwellings without street frontage if a permanent access servitude to the dwellings is recorded. Considering these provisions the current development's potential without resubdividing is 20 dwelling units. If the subdivision is approved the development potential for the proposed lots under this provision increases only slightly to 24 units. If this subdivision is approved and future owners request the same waivers to divide their lots to allow resubdivision into the maximum number of lots, the development potential is 132 dwelling units. One hundred thirty-two dwelling units on 25 acres, the area comprised by proposed lots 1-5 is approximately 5 dwelling units per acre. That density is comparable to the Future Land Use recommendation but land should not be divided without the infrastructure to support the permitted uses. The Parish recently adopted a rule that will prohibit any of the proposed 6 lots from being divided further for a period of 2 years without special consideration of the Planning Commission. If the subdivision is approved, the area could not be divided further even if by different owners before 2023 without special consideration. So because the potential for this to increase significantly in development potential without going through a more formal major subdivision process or having all the infrastructure in place the department can't support the waiver and recommends denial of the subdivision.

Commissioner Petit: Thank you. Is the applicant here and does he wish to speak?

Cecil Sumners, 317 N. Fremont St., Matthew SC. Since we have a large agenda, I'll keep it brief. I think that Chris handed out a sheet that I put together that will explain what I will talk about tonight and I want to address 1 thing that Chris mentioned, the last thing that he said was there is a possibility of resub and resub and resub for a total of 132 dwelling units, that's not going to happen. We kind of addressed this back in 2004

when we did our first bunch of ranchettes on Grand Bayou Road. We made a fairly restrictive bunch of covenants and restrictions that would allow only 1 resub, basically the same thing here giving them 2 resubs because the ranchettes were 2 acres, these guys are 5.5 acres roughly so I'm giving them a chance to do 2 resubs which in total if everybody did the resub after 2 years there would be a total of 15 houses. That's not going to happen, we have people that want to buy 2 of the lots now for 2 houses. I've got to tell you guys that it could be that many but hopefully not, we try to keep it down on the ranchettes and no one has resubdivided on the ranchettes yet. I'm asking for a waiver on the frontage of the road, this is to allow people to get to their lots in the back. When I saw you ladies and gentlemen back in January, I think I mentioned that I was going to do large lots for people that had approached my family to do like to the north of me, people for horses and cattle, mostly for horses, a couple of neighbors to the north of me. We're trying to position this as horse farms and think about putting a fence that's good for horses, that kind of a thing, but it's good for that particular set of customers that are interested in having a large piece of property, it's the best property that we got to tell you the truth, beautiful live oak trees, there's 90 of them in that section of the 25 acres, they are all on that particular piece of Grand Bayou. I'd like to mention that other gravel roads in the same format are on Grand Bayou Road too, north of me. They have a gravel road that goes down into the pasture there but people have developed using the gravel road as a main access to Grand Bayou Road and it's essentially what I'm going to do, it's going to be one main access with 5 different gravel roads that go into my gravel road, I guess that's the best way to describe it. I will be happy to entertain any questions you may have.

Commissioner Petit: any questions quickly before we open the public hearing?

Commissioner Keen: you mention that you've had offers already for a couple of the 5 acres lots

Mr. Sumners: yes

Commissioner Keen: When you discuss with these persons and explain to them the limiting factors that's in you contract as listed before? A limitation of only subdividing 2 times.?

Mr. Sumners: Yes it's essentially the same things that we have on the ranchettes, except on the ranchettes, there's 26 of them now, they're only allowed 1 and it's only one so I think it may per restricted. The covenants will allow 1 resub and it has to be for hardship only. I'm not going to do that with these guys because they have 12 times the size of the 2 acre guys and as you've mentioned Jack I've already had a couple of folks saying I want to buy 2 from you and I want to bring my family and my horses. So that's essentially what we're trying to do to keep the look of the subdivision close to what you're used to back there with large lots, nice homes and we don't want a lot of homes back there.

Commissioner Keen: Is any of these limiting factors on record with the parish?

Mr. Sumners: Not yet. We will when we sell them, I'm working on them now and we had a meeting today with the real estate lady and the lawyer saying this is what we want, we want to have this and how many horses you can have, you can have chickens but no pigs, so we're trying to make it as easy as we can for the people to buy but yet still protecting the ranchettes people, folks that live on Grand Bayou Road too. We just want to fit in and offer a nice piece of land that had some water on it with the Old Grand Bayou and backs up to the Paradis Canal. I have a few left if you want one, but that's essentially what we're trying to do and I appreciate your help with it.

Commissioner Petit: Ok we're going to open the public hearing for 2021-6-MIN, anyone here wishing to speak for or against, please come to the podium. No one here? We're going to close the public hearing for 2021-6-MIN. Any additional questions from Commissioners for Mr. Sumners or the Planning & Zoning Dept.?

Commissioner Keen? Was there any public remarks via phone or email?

Mr. Welker: I got nothing for this.

Commissioner Keen: I got a couple of phone calls and said they started the process but it didn't get finished? I don't know who they talked to and it may not have been all the way truthful.

Ms. Stein: With complaints, I took a couple of calls from residents who were concerned but did not specifically object to anything. But I did want to note that if you did go forward with it, please go forward with a recommendation for the waiver from the required arrangement on a developed street.

Commissioner Petit: Ok.

Commissioner Keen: On yall side of the house, as long as he gets the legalese worked out, no more than 2 subdivisions, once he registers that with the parish is that an enforceable act or just a good faith act?

Ms. Stein: Good faith act. That would be a restrictive covenant that the parish would have no ability to enforce, however any resubdivisions in the future come forward.

Mr. Sumners: If I may, Jack the way I understand it is that once they're recorded, you're right, it's not your responsibility and Chris and the Planning and Zoning folks. You put up a homeowners association and they are the ones that say Michael you can't do that because you signed legal document that says you wouldn't and you can't take action against them, the best thing you could do is don't ever try to sell your house because I'll have a lien on it, they can put a lien on the house if they don't follow the covenants. So we're looking for a good homeowner association that will say this is the way we're going to do it. I haven't had any problems fortunately with the ranchettes. The people that have moved in are doing a good job and we haven't had any problems in that respect.

So hopefully people will live up to what they sign and it will be a nice place for people to live.

Commissioner Petit: Mr. Sumners a question for me, any specific development plans for Lot 26A or is it just planned to be one of the lots sold as part of this development?

Mr. Sumners: I think 26A we had to do that last time or the time before last, I forgot exactly what it was but 26A we had to do it last time, I don't remember what the ordinance was but we did it when we did the 4 ranchettes that we had left and we did the 26A, for some reason I really honestly don't remember what it was, it's great to get old, we did that because it met something that I don't know what it was.

Mr. Welker: In that case 26A is basically a remainder lot that is not part of the main development.

Mr. Sumners: Does that make any sense?

Commissioner Petit: I guess the question is that lot is not going to have no frontage, right? Potentially no road access unless you were to extend that gravel road into it.

Mr. Sumners: Probably not in my lifetime, I'm not that young. It's a big spot of, I love it, wetlands. The road goes into wetlands so I'm hoping for somebody to buy the whole thing from me.

Commissioner Petit: Thank you, any additional questions for Mr. Sumners? Ok the voting system is not working so I'm just going to ask for a show of hands. Do I have a motion to approve 2021-6-MIN with the waiver for the required footage on a developed street?

Commissioner Galliano moved to approve

Commission Keen second.

Commissioner Petit: All those in favor, a show of hands please?

YEAS: Ross, Petit, Schexnaydre, Keen, Galliano

NAYS: Dunn

ABSENT: Frangella

Commissioner Petit: That passes with Mr. Dunn in opposition.