

2019-15-SPU requested by Kenneth & Diandray Martin Jr. for a single-family dwelling with a waiver from spatial requirements on proposed Lot L1-A-1, Riverview Estates Subdivision, 87 Riverview Dr., St. Rose. Zoning District CR-1. Council District 5.

Ms. Stein: Thanks Mr. Chair. This is a request for a single family house on a property that's zoned CR-1. It's a companion application with the resubdivision and 2 other requests for single family houses. This one in particular is on an irregularly shaped lot that has a request for an encroachment into the front yard on River Road. We do recommend approval contingent upon a waiver from the front yard setback requirement and also approval of the resubdivision.

Commissioner Frangella: Is the applicant present and want to speak? Anything you want to add?

Ms. Martin: I'm sorry I thought you were about to ask me questions. Pretty much we would like to have 3 residential homes on these 3 lots, again the width is 35 ft. wide and they have 10 as offset so we do comply with all the offsets and the setbacks. The only thing is that corner property which is irregular, however the very beginning of it it has a substantial amount of space as well as Ms. Marny said about 40 ft. so I'm asking that you vote as well in favor of the 3 residential homes. Thank you.

Commissioner Frangella: Any questions? Thank you. Open public hearing for 2019-15-SPU anyone to speak for or against?

Vicki Smith, 90 Riverview Dr. This is the lot that I was questioning because of where they actually have to go into the setback 11 ft. which is putting the house actually closer to River Road and also the way that lot is cornered, they're saying that this lot is compatible with the rest of the lots in the area, no it's not, because none of the lots go into an angle like this one. None of us has ever had to go off into a setback or whatever, especially 11 ft. Again, it's more of not the other lots, but this particular lot because it is so close to the River Road and it is going to be a problem no matter how yall look at it, it is going to be a safety issue for blind spots coming into Riverview, going out of Riverview because that house is so close to the intersection. There is no other house in any other subdivision in St. Rose that is that close to the street and when I talk about street I'm not talking about Riverview I'm talking about River Road, you got busses passing back and forth coming into the subdivision and this house is sitting right there on that lot and you're pushing it even closer to the street which is giving you more of a blind spot coming in. I don't care how yall look at it but it is what it is. That's another thing, even though yall passed it, the lots that were built back in the '80's, Planning & Zoning passed them to go at 5000 but now the requirement in St. Charles parish is 6000 sq. ft. so I don't even know how yall let those 2 lots pass anymore because 5000 isn't the limit for now, it's 6 so I don't understand how yall let that go like that on 3 lots when your own ordinance require a lot to be 6000 sq. ft. now. That's all.

Commissioner Frangella: Thank you. Open public hearing

Milton Alleman, Hahnville. I want a little clarification on this. So when I look at this drawing, what you all have in front of you. Am I not to believe this is supposed to be semi accurate so a person can use their intelligence and make a logical decision? The applicant said the houses would be 30 ft. wide. The lot in the middle there, Lot L1-A-2 is 50 ft. wide and they've got a setback from the edge of the slab to the property line of 7.5 ft. on each side, that's 15 ft. last time I figured so that house is going to be bigger than 30 ft. Just for a little clarification how do you all make your decision if you don't have accurate information? It's troubling. Now on the other one and Marny can help us with this one, on this irregular shaped lot when the line says River Road, that's not the actual edge of the River Road. There's a boundary marker there, usually out of cement, they use other things but it's usually out of cement. So we're going to be if you approve this like this, we're going to be a little more than 8 ft. protruding onto a state highway servitude. How does that make any sense? Is that true? Help me out here.

Commissioner Frangella: You have the servitude from the state highway and then the property line and you'll be 8 ft in the property line

Mr. Alleman: So what is the servitude for? What is the servitude for? This shows the drawing protruding into the servitude. Am I reading this wrong? Or the drawing is wrong?

Commissioner Galliano: it's protruding into the setback not the servitude.

Mr. Alleman: Why do we have setbacks? Setbacks are there to protect everyone, the neighbor and the existing neighbor. So when we remove setbacks, we're eliminating that green space or whatever you want to call it protecting one neighbor from the other and in this case it's going to be this neighbor from the state highway. I don't think we ought to be doing this kind of stuff in this parish, we ought to be better than this. We ought to move forward and get this stuff right. Thank you.

Commissioner Frangella: Open hearing for 2019-15-SPU, anyone here to speak for or against?

Carol Purcello, 209 Riverview Drive. I guess I'm tired, I'll be honest with you. The only thing I have a problem with now that I see what they're talking about as far as the house, I pull out there every morning to go to work and if there's a house right there, there's kids right there, the road's right there, that's kind of scary, I'll be honest with you and I work for the police department and I can't understand why this is going on like this. I'm a little worried about this and the busses, we got a lot of kids in our neighborhood and we got busses that come down, they can't even pass so how are the busses are going to be able to venture out, I'm serious, venture out pass that house to see both ways of what's coming with our kids on the bus, that's all I'm saying, that's my only problem I'm having. As far as anything else, the heck with it but the safety of all of us from this house being there, can I ask one thing, what is a waiver? Why do they need a waiver, I'm confused? What is a waiver that's all I want to know? What's that mean? I'm really ignorant to that I don't know what that means.

Commissioner Petit: It grants a special circumstance and in this case their asking for a waiver from the setback. The setback as Marny mentioned is 20 ft. from the road, so the house would be 20 ft. off of Riverview Drive. If you look at the plans there's a servitude between the actual property line and River Road, it will still be more than 20 ft. between River Road and the actual house. There's a servitude between the River Road and the property line.

Ms. Purcello: I guess my only deal was if they had enough room why did they need a waiver, that's basically all I was asking. Thank yall very much I didn't understand, thank you for spending your time.

Commissioner Frangella: The house is going to be way inside where that fence is. If you look on the other side of the street, there's actually a car parked in the yard that's closer than where the house will be

Ms. Purcello: I just want everybody to be safe that all.

Jay Smith again St. Rose. Maybe I'm not looking at the same picture yall are looking at but what it's saying on this and I'll be happy to show yall this, he's proposing to go 11.5 ft. into the 20 ft. to the River Road. Any of yall ever been on Riverview Drive?

Ms. Stein: yes

Mr. Smith: You've seen when you get to the corner where the sidewalk is, so it's pretty close, the sidewalk is pretty close to River Road. Again you got a sidewalk, a ditch, River Road, the cow doesn't change his colors, it is what it is, so you put something closer to that street, just like this lady mentioned here, now you got people pulling up to River Road to look to see what's coming.

Commissioner Frangella: I got a question right now because I don't live there, but everytime you pull up you got a big brick post with a fence right?

Mr. Smith: That was there from Riverview Estate

Commissioner Frangella: No so when you pull up you're on the back side of it and you're kind of looking through the trees and fence?

Mr. Smith: No it's behind the sidewalk, that gate is behind the sidewalk

Commissioner Frangella: I'm on Google right now so when you pull up right now, you're looking through the brick post through the fence through the trees or you pull up equal to it?

Mr. Smith: You're making more of a visual hazard at this point

Commissioner Frangella: The house is going to be at least 8 ft. on the inside of that fence. I'm just trying to understand

Mr. Smith: Now you're talking about 8 ft., 8 ft. is not much, you're talking about 5 ft. servitude between the 2 houses

Commissioner Granier: You got 20 from the River Road

Mr. Smith: If you measure from River Road to that property.

Commissioner Frangella: I'm just trying to understand

Mr. Smith: I'm trying to explain it to you and unless you live there and deal with it on a daily basis and see. You're making a good point there is a gate there and a fence you can see through, it's not like it's a blocked vision, you can see through that fence and that fence in fact since you brought it up back when we moved in it was Riverview Estates that had 2 fences on each side that got in a car wreck and they never replaced it, that belongs to the people on Riverview Estates. So my question to you and my answer to you is yeah they got the fence there, they got wrought iron gate, you can see River Road before you get to it. Thank you.

Commissioner Frangella: Open public hearing for 2019-15-SPU anyone here to speak for or against? Seeing none, the public hearing is closed. We're voting on the lot closest to River Road. Any questions, comments, clarifications? Call for the vote.

YEAS: Petit, Granier, Richard, Frangella, Galliano

NAYS: Dunn

ABSENT: Gordon

Commissioner Frangella: That passes with Mr. Dunn voting nay.