

2023-16-R requested by Kim Trahan and Justin Gonzalez for a change of zoning from R-1A to R-1A(M) on Lot 27A-1, Square 33, New Sarpy Subdivision, 545 W. McAdoo Street, New Sarpy. Council District 6.

Mr. Welker – yea for this rezoning as typical the parish make a recommendation based on 3 specific criteria the department can only recommend for a request if it meets 2 of the 3 rezoning criteria because this was found to not meet any of the 3 rezoning criteria the department cannot recommend for this request and recommends denial. To go over our findings on that the first guideline discussed is whether or not the proposed rezoning conforms to the land use development pattern established by this comprehensive plan future land use map and does not create a spot zoning that is incompatible with the surrounding neighborhood. The proposed R-1AM zoning does conform to the future land use map which is low to moderate residential in this area, this includes R-1AM as a recommended zoning district that fits within the description but it does not meet this first guideline the R-1AM zoning would be considered a spot zone in this area everything in this neighborhood or vast majority of the zoning in this neighborhood on River Road to the railroad tracks R-1A single family which is for site built homes there are couple of R-1AM spot zones in the area including within the immediate vicinity of this site but those couldn't really be used to justify expanding R-1AM within the R-1A area so it's still considered a spot zone and because of that does not meet the first guideline. The second guideline is whether or not the land use pattern or character is changed to the extent that the existing zoning no longer allows reasonable use of the applicants property the R-1A zoning in the area dates back to at least 1981 there are four R-1AM spot zones in the area, in the neighborhood 3 which are occupied with manufactured homes right now the last R-1AM spot zone was approved in 1990 there is a larger presence of non-conforming manufactured homes in the area including each of the dwellings that occupy the 500 block W. McAdoo St. where the subject site is located but the majority of the neighborhood still consist of site built houses that's permitted in the R-1A zoning that's found in the area there's been a lack of activity for new manufactured houses in this area and there's no indication that there's any kind of shift in land use pattern in the neighborhood character as a whole it might be hyper specific to where this subject site is within this particular block but looking at again the entire area that we kind of look at from River Road to railroad tracks it's still largely site build single family neighborhood. So, we did not find there was a shift to justify any kind of change and the applicant, the use of the property for a site built single family house is reasonable, so the second criteria is not met. The third criteria is potential use permitted by the proposed rezoning will not be incompatible with the existing neighborhood character or over burden public facilities. There wouldn't be any kind of burden to public facilities but still a single family structure that could be permitted right now so there is no difference there but kind of the same thing as before while there are R-1AM spots zones in the area and non-conforming manufactured homes in the area including the immediate vicinity of the subject site looking at the neighborhood as a whole it would still be out of step with the larger character of site built houses including some that are immediately adjacent or across the street. So we do not find the third criteria to be met, as once again because of not meeting any of them we would have to recommend denial and just iterate how this process works were issuing a

recommendation, your vote tonight would also be a recommendation this would go to parish council regardless of whether you recommend yay or nay tonight, so and they would make the final decision.

Applicant – Justin Gonzalez 545 W. McAdoo St. – me and my mom been there for 27 years my moms been there a lot longer it's family land, everybody around us is family we lost our home in the storm my family's done gotten a lot bigger and we still living in a camper right now trying to do the best I can for my family and provide for my family, my mom's retired she doesn't make that much and that's the only option we had was to get what we have it's already on the property I've spent a good almost 30 grand already into it and I was doing everything with the parish first and then they kind of messed up on their end told us that we had to come to this, trying to do the right thing. I do have some letters from the neighbors and a bunch of other people I don't know if yall want to check that out. We've been in the camper going on 3 years now trying to do better for my family it's miserable.

Commissioner Petit- Thank you. One question, is the camper removed now or plan to be removed?

Mr. Gonzalez- yes, as soon as we can get to it.

Commissioner Petit – is the trailer placed on the property do you know if it's within setbacks from property lines.

Mr. Gonzalez – everything meets, meets the requirements for the, it's 16 foot off the back gate, 6th Street it's 25, and the front I want to, I can't remember it's 30 something, 39 foot I believe.

Commissioner Petit- off of McAdoo St.

Mr. Gonzalaz – yes sir. And it's just our front door is facing our street that our address is, instead of facing 6th.

Commissioner Keen – real quick sorry, you already have utilities hooked up to the home.

Mr. Gonzalez – the only thing that I have right now is we have water and sewer tapped into thing and that's already been, I done had the parish come out and passed that so everything is good with that. The only thing I don't have now is the Energy and I can't do that till I have a permit.

The public hearing was open and closed, no one spoke for or against.

Mr. Albert – Only to slightly contest the idea that there was an era from the permitting officials. When this first came up about a direct replacement from Ida that's a permitted thing that we can do and the initial contact to the office said that the mobile home could be replaced, which it could of several months later when the actual information came in it

turned out it was not a single wide, it was a double wide, it was much larger and that's an intensification went beyond what we could do and the non-conformities section of code so this escalated very quickly after we got actual information about what the intent was after we started the conversation the unit was already in production and everyone in the situation was far behind the 8 ball trying to catch up an assist. We looked at trying to make sure that this could even be permitted properly at that time and did everything possible to see if there were any options to get it on site, but the rezoning is the only remedy that the parish has for this situation that is generated around the replacement.

The public hearing was open and closed, no one spoke for or against.

Commissioner Keen made a motion to approve, seconded by Ross.

YEAS: Price, Keen, Frangella, Folse, Petit

NAYS: Ross

ABSENT: Kracjer, Jr.

PASSED