

Mr. Gibbs: Next item on the agenda is PZO-2014-10 requested by Councilman Paul J. Hogan, District IV for an ordinance to amend the Code of Ordinances, Appendix A, St. Charles Parish Zoning Ordinance of 1981, Section VI. Zoning district criteria and regulations. B. Residential districts, [II.] R-1A(M) Single Family Residential Detached Conventional Homes, Manufactured Homes and Mobile Homes-Medium density., 3. Special Provisions, by amending c. and adding e. and f., for mobile home inspection and installation requirements for release of power and issuance of occupancy. Mr. Hogan.

Mr. Hogan: Thank you Mr. Chairman. This ordinance is a different version than what came before yall in the past. This particular ordinance right here has been revised in order to match the procedures that are currently being done by the Planning & Zoning Department during the permitting of trailers. You should have each received a letter at your house with a copy of the procedure dated April 14, 2014. If you read through it you would notice that there are some policies that are in place that are in violation of the code. What this does will make it part of the code so what's being done would no longer be improper. It also puts in provision to allow trailers to be permitted in place without having skirting provided certain conditions are met and the applicant does certain things in 6 months to get the skirting up and there are provisions on how this is addressed. Requires that the skirting is kept in good repair at all times. Any skirting that may be affected or destroyed by an act of God the individual would have a year to put it up. The way the codes are written right now an applicant can go and put up a trailer, put up the skirting his neighbor wants to put up a trailer next door, he can take the skirting off his trailer and put it on the trailer next door and get permitted and the trailer that no longer had skirting no longer has skirting. There is nothing in the code that requires skirting remains, it just requires that it's there when the permit is given. This will require once you put it up it has to stay up because the purpose of the ordinance is to make sure that aesthetic compatibility will be in the existing residential neighborhood. It also requires that driveways be in place to provide adequate off street parking as I stated earlier. The Department has in the past approved permits issued final occupancy without having driveways so residents were parking on the parish streets, this will make a requirement that with trailers you must have a driveway and all the requirements on the inspection checklist be in place prior to issuing final occupancy and it's listed in there the items specifically that are on the application checklist that the Department uses. Do you have any questions?

Mr. Frangella: You're saying here that there shall be no provision for temporary power to structures requiring skirting, so how do you expect for all of this to be done if you have no temporary power to get this work done? Wouldn't it be better if you limit the source of power to 30 amps or less or something like that to where they do have the opportunity to set a temporary pole, it's not enough power for air conditioner to the trailer but it is enough to make repairs and install the skirting on the property?

Mr. Hogan: Most of that stuff is done with hand held cordless drill and if they need power they have generators. Temporary power generally isn't a fix, generally you put temporary power when you're building a house, framing, for the concrete you need power, but a trailer comes pre-fab so the only thing you need power for is to put up the skirting, like I said most of that is done with a cordless drill. So when the trailer is set up, we grant power and the people move in. In this case we're providing an inspection, you take it where the skirting needs to be left off in order to hook up air conditioning or in cases where skirting was never purchased, there are circumstances where an applicant has bought the trailer, it's moved onto the site and they are in line to get the skirting done it's just they can't do it right now so in that case we'll give the applicant the ability, we'll go ahead and give them power and let them move in but the skirting must be done within 6 months, they have to provide a copy of that contract with the company that's actually doing it so that the Department can have evidence that they are contracted and they can be expect it to be done.

Mr. Gibbs: Mr. Hogan my personal opinion is to proceed without any additional regulations, the skirting ordinance is fine in my opinion. The thing that I was taken back on more than anything is all the other stipulations you've addressed, setback compliance, tie-downs, grade certificates, this was all about skirting and we have elevation, we have so many other issues with this, to me it's just quite a few other issues that you're addressing when it was supposed to be skirting.

Mr. Hogan: It's to put into the code the policy that the Department has in place of all the requirements that are required codifying it putting into the code what the Department is requiring

making it a clear part of the code exactly what items are needed in order to get the permit. It's not adding anything, all it's doing is putting it in the code what being done. It's actually giving the people more opportunity to do things that they currently don't have opportunity to do.

Mr. Gibbs: Right. The last time you brought this in front of us I used this same exact example, most people that are moving into a trailer, into an area aren't as fortunate as you and I, many times they don't have the means. I don't think they are going to put skirting as a high, high priority when they have to put food on the table, when they have to maintain and most of the areas are maintained quite well. I do think that the vast majority would want to skirt, but if that is what's stopping them from getting a fresh start, moving a family in, I just couldn't imagine putting a family out because they don't have a skirt and turn their electricity off. It just seems a little bit harsh.

Mr. Hogan: If you want I can put provisions in there to get a credit application, get them to give us a copy of their bank account, show us their monthly income and then we can make a category where if you are below this particular level then we don't require skirting and if you're above this particular level then you do require skirting. If you want me to pursue that I think it's the wrong thing to do.

Mr. Gibbs: I really don't, like I said my personal opinion is I'd prefer to keep the ordinance the way it is.

Mr. Hogan: The way it is right now is skirting is a requirement.

Mr. Gibbs: It is a requirement that's correct, but there is a lot of discretion.

Mr. Hogan: a lot of discretion but what this is doing is giving them a 6 month grace period so if they can't do it right when they move their trailer in we can give them 6 months to make it happen, give them a break, right now they have no break, we have to help those people in those situations otherwise technically and legally they are not supposed to get a permit, they are not supposed to move into that trailer at all.

Mr. Gibbs: Any other questions?

Mr. Frangella: I guess what I'm saying is you give them a break but then if something happens in the meantime and they can't get that done financially then you're going to cut their power off and they are already in a hardship and you're going to make it harder on them.

Mr. Hogan: It will be something that they would agree to before they get in there. They would sign a document saying that I agree to have my skirting in within 6 months if not if the parish does take me to court to force compliance which is what they do in those situations they would plead no contest which the judge would then direct them to put the skirting. Once again, it's helping them, it's not hurting them. It's giving them the opportunity to move into their trailer and being given 6 months or otherwise they don't get into that trailer at all.

Mr. Gibbs: Thank you.

Mr. Hogan: Thank you.

Milton Alleman, Hahnville. Did I understand you correctly that there is an ordinance now that there be skirting or did I misunderstand that?

Mr. Gibbs: It's a requirement.

Mr. Alleman: It's a requirement. So I guess in a way this leads to my whole view of zoning. The system is broken, it's a requirement but we really can't enforce it, like he said, how do you enforce that? Most people starting out, people struggling to make ends meet, they probably don't want to be in that trailer so how do you force them to put up skirting when they probably need their money for other things, but we got it there it's a requirement, but we can't enforce it, but it leads my whole point to zoning, the whole system for the most part is broken. We got thousands, they can justify how thick their books are, their ordinances, rules and regulations and we really can't enforce too many of them consistently, we get sued because we do things that we think we can and we don't and then it costs the public money some kind of way, I don't care how you

look at, the whole plan of zoning is just it doesn't work too well. Zoning ought to be pretty simple, it ought to be cut and dry. Where do we go, what do we do to fix these problems we got? Zoning has always been a pet peeve of mine, because it shouldn't be this way, it should be cut and dry, it ought to be pretty simple, zoning ought to be there to help people, not to hurt them, not as a hindrance from whatever they are trying to do, but we just keep adding more and more and more rules that they can't enforce, they don't have the staff, they don't have the time. It's sad. Thank you.

Mr. Gibbs: Thank you. Any other questions, concerns? Mr. Hogan.

Mr. Hogan: All of our codes are enforceable, the Legal Department has the right to take anybody that's out of compliance with any code and take them to court. So all the codes are enforceable, but the problem that he's speaking about saying the system is broken, the system is broken when those rules aren't applied uniformly and fairly to everybody. When one person gets treated one way and another person gets treated a different way, that's when the system fails, that's when the people have no trust in the parish, it's what I call selective enforcement and interpretation of our rules and regulations, it depends on who you are, how you interpret it that's the problem, that's the part that Mr. Alleman is talking about is broken. If everybody is treated the same and uniformly the system works fine, favoritism, we're going to do it for you but we're not going to do it for that person and it happens all the time.

Mr. Gibbs: Commission members are there any other questions or concerns? This is a public hearing for PZO-2014-10 anyone else in the audience care to speak in favor of or against? Seeing none, cast your vote please.

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

Mr. Gibbs: And that fails with Mr. Loupe voting yea.
