

Houma-Terrebonne Regional Planning Commission

Robbie Liner.....	Chairman
Jan Rogers.....	Vice-Chairman
Barry Soudelier.....	Secretary/Treasurer
Terry Gold.....	Member
Clarence McGuire.....	Member
Angele Poiencot.....	Member
Travion Smith.....	Member
Wayne Thibodeaux.....	Member
Vacancy.....	Member

MAY 16, 2024, THURSDAY

6:00 P.M.

**TERREBONNE PARISH COUNCIL MEETING ROOM
Government Tower, 8026 Main Street, 2nd Floor, Houma, Louisiana**

A • G • E • N • D • A

I. CONVENE AS THE ZONING & LAND USE COMMISSION

A. INVOCATION & PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. CONFLICTS DISCLOSURE

D. APPROVAL OF MINUTES

1. Approval of Minutes of Zoning & Land Use Commission for the Regular Meeting of April 18, 2024

E. COMMUNICATIONS

F. PUBLIC HEARING:

1. Rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential); North Portion of Lot 17, Block D, Mechanicville Subdivision, 135A King Street; Ernest Davis, applicant (*Council District 1 / City of Houma Fire*)
2. Rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential); Lot 13, Block 1, Richard Subdivision, 2601 Payne Street; Shanita Watkins, applicant (*Council District 1 / City of Houma Fire*)

G. NEW BUSINESS:

1. Parking Plan:
Construction of 50 parking spaces for a proposed restaurant (Daybreaks Grill); 825 Saadi Street; Baudoin Construction, LLC, applicant (*Council District 1 / City of Houma Fire*)
2. Preliminary Hearings:
Rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential); Lots 21 & 22, Square 4, Barrowtown Subdivision, 2606 & 2608 Larry Street; Kirby Bonvillain, applicant; and call for a Public Hearing on said matter for Thursday, June 20, 2024 at 6:00 p.m. (*Council District 1 / City of Houma Fire*)

H. STAFF REPORT

1. *Public Hearing* Discussion and possible action regarding the Houma Restoration District and proposed overlay district

I. COMMISSION COMMENTS:

1. Zoning & Land Use Commissioners' Comments
2. Chairman Comments

J. PUBLIC COMMENTS

K. ADJOURN

II. CONVENE AS THE REGIONAL PLANNING COMMISSION

A. INVOCATION & PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. CONFLICTS DISCLOSURE

D. APPROVAL OF MINUTES:

1. Houma-Terrebonne Regional Planning Commission Minutes for the Regular Meeting of April 18, 2024

E. APPROVE REMITTANCE OF PAYMENT FOR THE MAY 16, 2024 INVOICES AND THE TREASURER’S REPORT OF APRIL 2024

F. COMMUNICATIONS

G. OLD BUSINESS:

1. a) Subdivision: Survey & Division of Property belonging to the Estate of D.C. McIntire, LLC into Lot 1 and Lot 2
Approval Requested: Process D, Minor Subdivision
Location: 6313 Mary Street, Gibson, Terrebonne Parish, LA
Government Districts: Council District 4 / Gibson Fire District
Developer: Estate of D.C. McIntire, L.L.C.
Surveyor: David A. Waitz Engineering & Surveying, Inc.
b) Variance Request: Variance from the drainage study
c) Consider Approval of Said Application
2. a) Subdivision: Lots A thru I, A Redivision of Property belonging to Paul Bartell Carter, et al
Approval Requested: Process D, Minor Subdivision
Location: Breakwater Drive & Bayou Sale, Terrebonne Parish, LA
Government Districts: Council District 8 / Little Caillou Fire District
Developer: Paul B. Carter
Surveyor: Keneth L. Rembert Land Surveyors
b) Public Hearing
c) Consider Approval of Said Application
3. a) Subdivision: Division of Lot 36, Block 3 to Henderson Park Subdivision belonging to Edgewood Holdings, LLC
Approval Requested: Process D, Minor Subdivision
Location: 237 Henderson Street, Terrebonne Parish, LA
Government Districts: Council District 2 / Bayou Cane Fire District
Developer: Edgewood Holdings, LLC, c/o Juan Clara Gomez
Surveyor: Charles L. McDonald Land Surveyor, Inc.
b) Public Hearing
c) Variance Request: Variance from the fire hydrant distance requirements
d) Consider Approval of Said Application

H. APPLICATIONS / NEW BUSINESS:

1. a) Subdivision: Division of Property belonging to Susan Mary Desselle Neil, et ux (Tracts A & B)
Approval Requested: Process D, Minor Subdivision
Location: 723 Grand Caillou Road, Terrebonne Parish, LA
Government Districts: Council District 8 / City of Houma Fire District
Developer: Susan Mary Desselle Neil
Surveyor: T. Baker Smith, LLC
b) Public Hearing
c) Consider Approval of Said Application
2. a) Subdivision: Survey of Lots 1-A thru 1-C, A Redivision of Lot 1, S & A Capital Investments, LLC
Approval Requested: Process D, Minor Subdivision
Location: 617 Bayou Dularge Road, Terrebonne Parish, LA
Government Districts: Council District 7 / Bayou Dularge Fire District
Developer: S & A Capital Investments, LLC
Surveyor: Keneth L. Rembert Land Surveyors
b) Public Hearing
c) Consider Approval of Said Application

3. a) Subdivision: Survey of Lots 3-A & 3-B, A Redivision of Lot 3 belonging to Perry J. Martin
 Approval Requested: Process D, Minor Subdivision
 Location: 122 & 123 Ellen Lane, Montegut, Terrebonne Parish, LA
 Government Districts: Council District 9 / Montegut Fire District
 Developer: Perry J. Martin
 Surveyor: Keneth L. Rembert Land Surveyors
 - b) Public Hearing
 - c) Consider Approval of Said Application
4. a) Subdivision: Lots 7-A & 7-B, A Redivision of Lot 7, Block 2 of Four Point Estates Subd.
 Approval Requested: Process D, Minor Subdivision
 Location: 972 & 973 Four Point Road, Dulac, Terrebonne Parish, LA
 Government Districts: Council District 7 / Grand Caillou Fire District
 Developer: Pamela Dupont
 Surveyor: Keneth L. Rembert Land Surveyors
 - b) Public Hearing
 - c) Consider Approval of Said Application
5. a) Subdivision: Survey of Tracts 3-A & 3-B, A Redivision of Property belonging to Lee M. Luke, et ux
 Approval Requested: Process D, Minor Subdivision
 Location: 464 Bayou Dularge Road, Terrebonne Parish, LA
 Government Districts: Council District 1 / Bayou Dularge Fire District
 Developer: Lee M. & Sarah Luke
 Surveyor: Keneth L. Rembert Land Surveyors
 - b) Public Hearing
 - c) Consider Approval of Said Application
6. a) Subdivision: Tracts 1 & 2, A Redivision of the Property of Evelyn Bergeron Autin
 Approval Requested: Process D, Minor Subdivision
 Location: 3221 & 3227 West Main Street, Gray, Terrebonne Parish, LA
 Government Districts: Council District 2 / Schriever Fire District
 Developer: Evelyn B. Autin
 Surveyor: Keneth L. Rembert Land Surveyors
 - b) Public Hearing
 - c) Variance Request: Variance from the fire hydrant distance requirements for Tract 1 to be 256' in lieu of the required 250' (within the 10% allowance)
 - d) Consider Approval of Said Application

I. STAFF REPORT

1. Discussion and possible action regarding the ratification of the 2023 HTRPC Annual Report

J. ADMINISTRATIVE APPROVAL(S):

1. Tracts 1-A and 1-B, A Redivision of Tract 1 and a certain Tract belonging to Amanda L. Charpentier, et al; Section 10, T17S-R18E, Terrebonne Parish, LA (111 Swamp Drive & 212 Nate Lane / Councilman Steve Trosclair, District 9)
2. Tracts 2 & 3, A Redivision of Property belonging to Debbie Ventura Yelverton, et al; Section 41, T17S-R18E, Terrebonne Parish, LA (4316 & 4320 Ferry Road / Councilman Steve Trosclair, District 9)
3. Lot Line Adjustment, Property belonging to A.K.C.C. Holdings, L.L.C.; Section 7 & 8, T16S-R17E, Terrebonne Parish, LA (2764 Coteau Road / Councilman John Amedée, District 4)
4. Lot Line Adjustment between Properties belonging to Paulette Chauvin Johnson, formerly the Estate of Paul Chauvin, Sr.; Section 55, T19S-R17E, Terrebonne Parish, LA (1636 Dr. Beatrous Road / Councilman Danny Babin, District 7)
5. Revised Tracts "A" & "B", A Redivision of Property belonging to Terrebonne Concrete, L.L.C.; Sections 39 & 105, T17S-R17E, Terrebonne Parish, LA (1001 Magnolia Avenue / Councilman Brien Pledger, District 1)

K. COMMITTEE REPORT:

1. Subdivision Regulations Review Committee

L. COMMISSION COMMENTS:

1. Planning Commissioners' Comments
2. Chairman's Comments

M. PUBLIC COMMENTS

N. ADJOURN

MINUTES
HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION
ZONING & LAND USE COMMISSION
MEETING OF APRIL 18, 2024

- A. The Chairman, Mr. Robbie Liner, called the meeting of April 18, 2024 of the HTRPC, convening as the Zoning & Land Use Commission, to order at 6:03 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Mr. Wayne Thibodeaux and the Pledge of Allegiance led by Mr. Travion Smith.
- B. Upon Roll Call, present were: Mr. Robbie Liner, Chairman; Mr. Clarence McGuire; Mr. Jan Rogers, Vice-Chairman; Mr. Travion Smith; Mr. Barry Soudelier; and Mr. Wayne Thibodeaux. Absent at the time of Roll Call was: Mr. Terry Gold and Mrs. Angele Poiencot. Also present were Mr. Christopher Pulaski, Director, Department of Planning & Zoning and Mr. Derick Bercegeay, Legal Advisor. *There were only eight (8) active members due to Mr. Kyle Faulk's position not being filled.*
- C. CONFLICTS DISCLOSURE: The Chairman reminded the Commissioners that if at any time tonight, a conflict of interest exists, arises or is recognized, as to any issue during this meeting, he or she should immediately disclose it, and is to recuse himself or herself from participating in the debate, discussion, and voting on that matter. *There were no conflicts to report.*
- D. APPROVAL OF THE MINUTES:
1. Mr. Rogers moved, seconded by Mr. Soudelier: "THAT the HTRPC, convening as the Zoning & Land Use Commission, accept the minutes as written, for the Zoning & Land Use Commission for the regular meeting of March 21, 2024."
- The Chairman called for a vote on the motion offered by Mr. Rogers. THERE WAS RECORDED: YEAS: Mr. McGuire, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: Mr. Gold and Mrs. Poiencot. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
- E. COMMUNICATIONS:
1. Mr. Pulaski discussed the technical difficulties in the meeting room and the lack of the PowerPoint presentation because of it.
- F. PUBLIC HEARING:
1. The Chairman called to order the Public Hearing for an application by Southland Dodge, Chrysler, Jeep, LLC requesting to rezone from R-1 (Single-Family Residential) to C-2 (General Commercial) Lots 6 through 9, Block 4, Crescent Park Addition, 509 Sunset Avenue.
 - a) Ms. Alisa Champagne, Charles L. McDonald Land Surveyor, Inc., discussed the applicant's request to rezone the property.
 - b) The Chairman recognized Ms. Ruth, on behalf of the Frank Bolden Estate, 619 Dupont Street, who was opposed of the rezone request.
 - c) The Chairman recognized Ms. Kellie Haddad, 500 Sunset Avenue, who was opposed of the rezone request due to the dumpsters and commercial facilities in a residential neighborhood.
 - d) The Chairman recognized Mr. Frank Teuton, applicant, 278 Destiny Place, who stated their commercial establishment was existing in that location for over 55 years prior to zoning.
 - e) The Chairman recognized Ms. Lisa Robichaux, 508 Sunset Avenue, who opposed of the rezone request due to dumpsters, loud cars, paint overspray, and the lack of safety to walk or ride bikes in the neighborhood.
 - f) Mr. Soudelier moved, seconded by Mr. Rogers: "THAT the Public Hearing be closed."

The Chairman called for a vote on the motion offered by Mr. Soudelier. THERE WAS RECORDED: YEAS: Mr. McGuire, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: Mr. Gold and Mrs. Poiencot. THE CHAIRMAN DECLARED THE PUBLIC HEARING CLOSED.

 - g) Mr. Pulaski discussed the Staff Report and stated the business was legal, non-conforming and could exist indefinitely regardless of the rezone request. He stated Staff would recommend approval of the rezone request.

- h) Discussion was held regarding the legal, non-conforming use, the proposed sale of property and benefit of rezoning as a conforming use for sale purposes, the existence of the business prior to the property being zoned, and the public hearing signage.
- i) Mr. Thibodeaux moved, seconded by Mr. McGuire: “THAT the HTRPC, convening as the Zoning & Land Use Commission, recommend denial of the request to rezone from R-1 (Single-Family Residential) to C-2 (General Commercial) Lots 6 through 9, Block 4, Crescent Park Addition, 509 Sunset Avenue and forward to the TPCG Council for final consideration.”
- j) Discussion ensued regarding if the property sells, another business with the same use could still occupy the space.

The Chairman called for a vote on the motion offered by Mr. Thibodeaux. THERE WAS RECORDED: YEAS: Mr. McGuire, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: Mr. Gold and Mrs. Poiencot. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

- 2. The Chairman called to order the Public Hearing for an application by Edgewood Holdings, LLC requesting to rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) Lot 35, Block 2 and Lot 36, Block 3, Henderson Park Subdivision, 237 Henderson Street.

- a) Mr. Juan Clara Gomez, 126 Henderson Street, discussed his request to rezone the property to R-2 like the rest of the street.
- b) The Chairman recognized Dolores Dubois, 141 LeCompte Lane, who owns property at the end of Henderson Street and was opposed of the rezone request. She stated they didn’t need a trailer park and Henderson Street was accessed one way in and out.
- c) The Chairman recognized Ms. Adriana Bravo, 234 Henderson Street, who was purchasing the property from Ms. Dubois and opposed of the rezone request due to the trailers lowering their property values and would disturb their peaceful neighborhood.
- d) Mr. Gomez stated he owns 9 properties on Henderson Street, that he grew up on Henderson Street, and now resides on Henderson Street. He stated he was not placing a mobile home park and the entire street was already zoned R-2.
- e) Mr. Thibodeaux moved, seconded by Mr. Rogers: “THAT the Public Hearing be closed.”

The Chairman called for a vote on the motion offered by Mr. Thibodeaux. THERE WAS RECORDED: YEAS: Mr. McGuire, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: Mr. Gold and Mrs. Poiencot. THE CHAIRMAN DECLARED THE PUBLIC HEARING CLOSED.

- f) Discussion was held regarding an application on the Planning Commission agenda to divide the property. Mr. Pulaski stated the division of property can still happen regardless of the rezone application.
- g) Mr. Pulaski discussed the Staff Report and stated the applicant would still need to go to the Board of Adjustment for a Special Exception to place mobile home(s) on the property in an R-2 zoning district and a mobile home park is not allowed to be accessed through a residential street. He stated the most he can have is a total of 3 mobile homes, one per lot, assuming the redivision of property gets approved. He stated Staff would recommend approval of the rezone request.
- h) Mr. Smith moved, seconded by Mr. Soudelier: “THAT the HTRPC, convening as the Zoning & Land Use Commission, recommend approval of the request to rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) Lot 35, Block 2 and Lot 36, Block 3, Henderson Park Subdivision, 237 Henderson Street and forward to the TPCG Council for final consideration.”
- i) The Chairman called for a vote on the motion offered by Mr. Smith. THERE WAS RECORDED: YEAS: Mr. McGuire, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: Mr. Gold and Mrs. Poiencot. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

G. NEW BUSINESS:

1. Home Occupation:

The Chairman called to order the application for a Home Occupation at 408 Buquet Street for a proposed barbershop.

- a) Ms. Deborah Authement, 408 Buquet Street, stated she had a shop on South Van Avenue that she sold because she couldn't keep employees and it was too expensive to keep up.
- b) There was no one from the public to speak on the matter.
- c) Mr. Pulaski discussed the Staff Report and stated Staff recommends approval of the home occupation application.
- d) Mr. Soudelier moved, seconded by Mr. Smith: "THAT the HTRPC, convening as the Zoning & Land Use Commission, grant approval of the Home Occupation application by Deborah Authement for a proposed barbershop at 408 Buquet Street."

The Chairman called for a vote on the motion offered by Mr. Soudelier. THERE WAS RECORDED: YEAS: Mr. McGuire, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: Mr. Gold and Mrs. Poencot. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

2. Planning Approval:

The Chairman called to order the application for Planning Approval at 960D Grand Caillou Road to establish a church in a C-3 (Neighborhood Commercial) zoning district.

- a) Mr. Jose Gonzalez' daughter, 1505 Lacroix Drive, discussed the application on behalf of her father who could not speak English.
- b) There was no one present to speak on the matter.
- c) Mr. Pulaski discussed the Staff Report and stated Staff would recommend approval of the request.
- d) Mr. Rogers moved, seconded by Mr. Smith: "THAT the HTRPC, convening as the Zoning & Land Use Commission, grant approval of the Planning Approval application by Jose Marquez Gonzalez to establish a church in a C-3 (Neighborhood Commercial) zoning district at 960D Grand Caillou Road."

The Chairman called for a vote on the motion offered by Mr. Rogers. THERE WAS RECORDED: YEAS: Mr. McGuire, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: Mr. Gold and Mrs. Poencot. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

3. Preliminary Hearing:

- a) Mr. Rogers moved, seconded by Mr. Thibodeaux: "THAT the HTRPC, convening as the Zoning & Land Use Commission, call a Public Hearing to for the request to Rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential) North Portion of Lot 17, Block D, Mechanicville Subdivision, 135A King Street; Ernest Davis, applicant and call a Public Hearing on said matter for Thursday, May 16, 2024 at 6:00 p.m."

The Chairman called for a vote on the motion offered by Mr. Rogers. THERE WAS RECORDED: YEAS: Mr. McGuire, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: Mr. Gold and Mrs. Poencot. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

- b) Mr. Rogers moved, seconded by Mr. Thibodeaux: "THAT the HTRPC, convening as the Zoning & Land Use Commission, call a Public Hearing to for the request to Rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) Lot 13, Block 1, Richard Subdivision; Shanita Watkins, applicant and call a Public Hearing on said matter for Thursday, May 16, 2024 at 6:00 p.m."

The Chairman called for a vote on the motion offered by Mr. Rogers. THERE WAS RECORDED: YEAS: Mr. McGuire, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: Mr. Gold and Mrs. Poencot. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

H. STAFF REPORT:

1. Mr. Soudelier moved, seconded by Mr. Thibodeaux: "THAT the HTRPC, convening as the Zoning & Land Use Commission, call a Public Hearing for the discussion and possible action regarding the proposed overlay district for the Houma Restoration District on Thursday, May 16, 2024 at 6:00 p.m."

The Chairman called for a vote on the motion offered by Mr. Soudelier. THERE WAS RECORDED: YEAS: Mr. McGuire, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: Mr. Gold and Mrs. Poencot. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

I. COMMISSION COMMENTS:

1. Zoning & Land Use Commissioners' Comments: None.
2. Chairman's Comments: None.

J. PUBLIC COMMENTS: None.

- K. Mr. Rogers moved, seconded by Mr. Thibodeaux: "THAT there being no further business to come before the HTRPC, convening as the Zoning & Land Use Commission, the meeting be adjourned at 6:54 p.m."

The Chairman called for a vote on the motion offered by Mr. Rogers. THERE WAS RECORDED: YEAS: Mr. McGuire, Mr. Rogers, Mr. Smith, Mr. Soudelier, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Mr. Liner; ABSENT: Mr. Gold and Mrs. Poencot. THE CHAIRMAN DECLARED THE MOTION ADOPTED.



Robbie Liner, Chairman
Zoning & Land Use Commission

Becky M. Becnel, Minute Clerk
Zoning & Land Use Commission

CERTIFICATION

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE PROCEEDINGS OF THE ZONING AND LAND USE COMMISSION MEETING OF APRIL 18, 2024.

**CHRISTOPHER PULASKI, PLA, DIRECTOR
PLANNING & ZONING DEPARTMENT**

*Houma-Terrebonne Regional Planning Commission
Zoning & Land Use Commission*

P.O. Box 1446

Houma, Louisiana 70361-1446

Bus (985) 873-6793 - Fax (985) 580-8141

ZLU 24/5

Dist. 1

COH Fire

Upon receipt of an application for amendment, the office of the Zoning Administrator shall examine the application and shall make such investigation as is necessary. Within fifteen (15) days of receipt of an application, the office of the Zoning Administrator shall transmit the application, together with its report and recommendation, to the Zoning Commission. The Zoning Commission then shall hold a preliminary hearing on the application within thirty-five (35) days after receipt of such application for amendment and shall notify the applicant and the office of the Zoning Administrator of the time and place of such hearing. After holding a preliminary hearing, the Commission shall certify the application for public hearing, and shall notify the applicant of the time and place of such public hearing. The Commission shall fix a reasonable time of a public hearing and shall give public notice, as required by law, as well as notice to the applicant and to the office of the Zoning Administrator.

This ordinance, including the zoning map, is based on comprehensive studies, and is intended to carry out the objective of a sound, stable, and desirable development.

Please return the application and supporting plans to the office of the Zoning Administrator.

PLEASE COMPLETE THE FOLLOWING - NO APPLICATION ACCEPTED UNLESS COMPLETE

Date: March 27, 2024

Ernest Davis

Applicant's Name

135 A King St. Houma LA 70363

Address

City

State

Zip

(985) ~~860-1802~~ 628-2046

Telephone Number (Home)

(Work)

Eva Thibodaux Louis, c/o Isella Smith

Interest in Ownership (Owner, etc.)

North portion of Lot 17, Block D, Mechanicville Subdivision

Address of Property to be Rezoned & Description (Lot, Block, Subdivision)

135 A King Street

Zoning Classification Request:

From:

R-1

To:

R-3

Previous Zoning History:

X

No

Yes

If Yes, Date of Last Application:

n/a

AMENDMENT POLICY

1. **REASONS FOR THIS AMENDMENT:**

It is recognized that casual change of the ordinance would be detrimental to the achievement of stable development. It is public policy, therefore, to amend this ordinance only when one or more of the following conditions prevail:

PLEASE CHECK ONE OR MORE:

_____ **ERROR.** There is a manifest error in the ordinance.

X _____ **CHANGE IN CONDITIONS.** Changed or changing conditions in a particular area or in the metropolitan area generally make a change in the ordinance necessary and desirable.

_____ **INCREASED NEED FOR SITES FOR BUSINESS OR INDUSTRY.** Increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to rezone an area or to extend the boundaries of an existing district.

_____ **SUBDIVISION OF LAND.** The subdivision or eminent subdivision of open land into urban building sites make reclassification necessary and desirable.

2. Please state on a separate sheet why this proposal complies with either one or more of the above checked conditions for rezoning. *Attached*

EXHIBITS REQUIRED

1. **LEGAL PLAT OF PROPERTY TO BE REZONED:** On the required plat, please include:

- a. Land area to be affected;
- b. Present zoning classification of area to be affected and zoning classification of abutting districts;
- c. Public rights-of-way and easements bounding and intersecting the designated area and abutting districts;
- d. All existing and proposed structures with supporting open facilities;
- e. The specific ground area to be provided and continuously maintained for the proposed structure or structures.

2. List names and addresses or property owners within three hundred (300') feet of the fronting corners of the property to be rezoned.

3. **Legal Description:** The legal description of only the property to be rezoned.

4. **Market Information:** Applicable only if the following conditions are met:

- a. If the proposed amendment would require rezoning an area from an existing residential district to a freestanding commercial district;
- b. If the proposed amendment would require more than double the area of an existing district existing totally surrounded by residential districts;
- c. Finally, if the proposed amendment would enlarge an area of existing commercial district by more than eight (8) areas;

The market information shall include a written description of the market area to be served by the development, the population thereof, the effective demand for the proposed facilities and any other information describing the relationship of the proposed development to the needs of the applicable area.

5. Development Schedule: Indicate a time schedule for the beginning and completion of development planned by the applicant:

Attached

6. Effect of the Amendment: On a separate sheet, include a report giving the nature, description, and effect of the proposed amendment on surrounding land use and properties. Attached

SIGNATURES REQUIRED

1. Names and addresses along with interest of every person, firm, or corporation represented by the applicant:

Eva Thibodaux Louis, c/o Isella Smith (33%)

4928 Bayou Side Drive, Chauvin, LA 70344

2. The undersigned is owner(s) of the entire land area included within the proposed district and, in signing, indicates concurrence with application:

X *Eva A. Louis*

3. Signatures and addresses of all holders of encumbrances, liens, mortgages, etc.:

n/a

4. Signature of applicant indicates that the applicants are all the owners and encumbrance holders of the designated area, and have both the means and ability to undertake and complete the proposed development:

X *Eva A. Louis*

APPLICATION FEE SCHEDULE

The City of Houma has adopted the following fee schedule:

- 1. Map Amendment: \$25.00 / first acre
\$ 3.50 / every acre thereafter, up to fifteen (15) acres

Minimum Charge - \$25.00;

Maximum Charge - \$100.00

I (We) own <1 acres. A sum of \$25.00 dollars is enclosed and made a part of this application.

DECLARATION

I (We) declare that, to be the best of my (our) knowledge and belief, all matters stated herein are true and correct.

X *Eva A. Louis*

Signature of Owner or Authorized Agent

**135A King Street
North Portion of Lot 17, Block D, Mechanicville Subdivision
Ernest Davis, Applicant**

Request to Rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential)

Amendment Policy

2. Reasons For This Amendment

Change in Conditions

Over the past few decades, numerous properties in the Mechanicville Subdivision have either undergone similar rezonings or have legal, nonconforming structures on them, in particular mobile homes. For many residents, mobile homes are the only affordable housing option. In 2020, TPCG Staff at the request of the Councilman and based on a recommendation by the Zoning & Land Use Commission applied to rezone all of the R-1 lots within Mechanicville to R-2. At the public hearing, several residents spoke in opposition and the Zoning & Land Use Commission recommended that the application be denied and let proposed rezones happen on a case-by-case basis.

Limitations On Proposed Amendments

The adjacent property at 135B King Street is currently zoned R-3 (Multi-Family Residential) so the proposed rezone is exempt from the minimum size requirement.

Exhibits Required

3. Legal Description

North portion of Lot 17, Block D, Mechanicville Subdivision

4. Market Information

N/A

5. Development Schedule

Immediately after approval, if granted.

6. Effect of Amendment

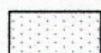
Many properties in this subdivision have legal, nonconforming mobile homes existing and this change would not alter the aesthetics with the addition of another mobile home.

135A King Street
North Portion of Lot 17, Block D, Mechanicville Subdivision
Ernest Davis, Applicant

Request to Rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential)



LEGEND:

-  INDICATES AREA ZONED C-2
-  INDICATES AREA ZONED R-2
-  INDICATES AREA ZONED R-3

**Houma-Terrebonne Regional Planning Commission
Zoning & Land Use Commission**

P.O. Box 1446
Houma, Louisiana 70361-1446
Bus (985) 873-6793 - Fax (985) 580-8141

ZLU24/6
Dist. 1
COH Fire

Upon receipt of an application for amendment, the office of the Zoning Administrator shall examine the application and shall make such investigation as is necessary. Within fifteen (15) days of receipt of an application, the office of the Zoning Administrator shall transmit the application, together with its report and recommendation, to the Zoning Commission. The Zoning Commission then shall hold a preliminary hearing on the application within thirty-five (35) days after receipt of such application for amendment and shall notify the applicant and the office of the Zoning Administrator of the time and place of such hearing. After holding a preliminary hearing, the Commission shall certify the application for public hearing, and shall notify the applicant of the time and place of such public hearing. The Commission shall fix a reasonable time of a public hearing and shall give public notice, as required by law, as well as notice to the applicant and to the office of the Zoning Administrator.

This ordinance, including the zoning map, is based on comprehensive studies, and is intended to carry out the objective of a sound, stable, and desirable development.

Please return the application and supporting plans to the office of the Zoning Administrator.

PLEASE COMPLETE THE FOLLOWING - NO APPLICATION ACCEPTED UNLESS COMPLETE

Date: 4/3/2024

Shanita Watkins
Applicant's Name

2628 Daniel Turner Ct. Houma LA 70363
Address City State Zip

985-266-5707
Telephone Number (Home) (Work)

heir of father's share (Joseph Watkins)
Interest in Ownership (Owner, etc.)

2601 Payne St. Lot 13 Block 1 Richard Subd.
Address of Property to be Rezoned & Description (Lot, Block, Subdivision)

Zoning Classification Request:

From: R-1 To: R-2

Previous Zoning History: X No Yes

If Yes, Date of Last Application: n/a

AMENDMENT POLICY

1. **REASONS FOR THIS AMENDMENT:**

It is recognized that casual change of the ordinance would be detrimental to the achievement of stable development. It is public policy, therefore, to amend this ordinance only when one or more of the following conditions prevail:

PLEASE CHECK ONE OR MORE:

_____ **ERROR.** There is a manifest error in the ordinance.

X_____ **CHANGE IN CONDITIONS.** Changed or changing conditions in a particular area or in the metropolitan area generally make a change in the ordinance necessary and desirable.

_____ **INCREASED NEED FOR SITES FOR BUSINESS OR INDUSTRY.** Increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to rezone an area or to extend the boundaries of an existing district.

_____ **SUBDIVISION OF LAND.** The subdivision or eminent subdivision of open land into urban building sites make reclassification necessary and desirable.

2. Please state on a separate sheet why this proposal complies with either one or more of the above checked conditions for rezoning.

EXHIBITS REQUIRED

1. **LEGAL PLAT OF PROPERTY TO BE REZONED:** On the required plat, please include:

- a. Land area to be affected;
- b. Present zoning classification of area to be affected and zoning classification of abutting districts;
- c. Public rights-of-way and easements bounding and intersecting the designated area and abutting districts;
- d. All existing and proposed structures with supporting open facilities;
- e. The specific ground area to be provided and continuously maintained for the proposed structure or structures.

2. List names and addresses or property owners within three hundred (300') feet of the fronting corners of the property to be rezoned.

3. **Legal Description:** The legal description of only the property to be rezoned.

4. **Market Information:** Applicable only if the following conditions are met:

- a. If the proposed amendment would require rezoning an area from an existing residential district to a freestanding commercial district;
- b. If the proposed amendment would require more than double the area of an existing district existing totally surrounded by residential districts;
- c. Finally, if the proposed amendment would enlarge an area of existing commercial district by more than eight (8) areas;

The market information shall include a written description of the market area to be served by the development, the population thereof, the effective demand for the proposed facilities and any other information describing the relationship of the proposed development to the needs of the applicable area.

5. Development Schedule: Indicate a time schedule for the beginning and completion of development planned by the applicant:

6. Effect of the Amendment: On a separate sheet, include a report giving the nature, description, and effect of the proposed amendment on surrounding land use and properties.

SIGNATURES REQUIRED

1. Names and addresses along with interest of every person, firm, or corporation represented by the applicant:

Manuel Watkins, deceased

heirs: Shanita Watkins & Joelle Watkins

2. The undersigned is owner(s) of the entire land area included within the proposed district and, in signing, indicates concurrence with application:

X Shanita Watkins

X Joelle Watkins

3. Signatures and addresses of all holders of encumbrances, liens, mortgages, etc.:

n/a

4. Signature of applicant indicates that the applicants are all the owners and encumbrance holders of the designated area, and have both the means and ability to undertake and complete the proposed development:

X Shanita Watkins

X Joelle Watkins

APPLICATION FEE SCHEDULE

The City of Houma has adopted the following fee schedule:

- 1. Map Amendment: \$25.00 / first acre
\$ 3.50 / every acre thereafter, up to fifteen (15) acres

Minimum Charge - \$25.00;

Maximum Charge - \$100.00

I (We) own < 1 acres. A sum of 25⁰⁰ dollars is enclosed and made a part of this application.

DECLARATION

I (We) declare that, to be the best of my (our) knowledge and belief, all matters stated herein are true and correct.

X Shanita Watkins

Signature of Owner or Authorized Agent

**2601 Payne Street
Lot 13, Block 1, Richard Subdivision**

Request to Rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential)

Amendment Policy

2. Reasons For This Amendment

Change in Conditions

Over the past few decades, numerous properties in the immediate area have either undergone similar rezonings or have legal, nonconforming structures on them, in particular mobile homes. For many residents, mobile homes are the only affordable housing option.

Limitations On Proposed Amendments

The adjacent property at 2603 Payne Street is currently zoned R-2 (Two-Family Residential) so the proposed rezone is exempt from the minimum size requirement.

Exhibits Required

3. Legal Description

Lot 13, Block 1, Richard Subdivision

4. Market Information

N/A

5. Development Schedule

Immediately after approval, if granted.

6. Effect of Amendment

Many properties in this subdivision have legal, nonconforming mobile homes existing and this change would not alter the aesthetics with the addition of another mobile home.



2601 Payne Street
Lot 13, Block 1, Richard Subdivision

R-1

Rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential)

*Houma-Terrebonne Regional Planning Commission
Zoning & Land Use Commission*

ZLU24/10
Dist.1/COH

P.O. Box 1446
Houma, Louisiana 70361-1446
Bus (985) 873-6793 - Fax (985) 580-8141

**Zoning & Land Use Commission
Application**

Name: Daybreaks Grill

*Baudoin Construction, LLC
P.O. Box 397, Lockport LA 70374
(985) 537-6744*

Address: 825 Saadi Street, Houma, LA 70363

Phone: 985-665-7081

Application For: _____ Planning Approval \$10.00/application _____ Home Occupation \$10.00/application
_____ X _____ Parking Plan \$50.00/plan _____ Special Plan \$10.00/application

The premises affected are situated at 825 Saadi Street, Houma, LA 70363 in a I1 (Light Ind.) Zoning District. The legal description of the property involved in this application is: 825 Saadi Street, Houma, LA 70363

Has any previous application been filed in connection with these premises? _____ Yes X No

Applicant's interest in the premises affected: General Contractor

Approximate cost of work involved: \$879,000.00

Explanation of property use: Restaurant

Plot Plan attached: X Yes _____ No Drainage Plan attached: _____ Yes X No

Ground Floor Plan and Elevations attached: X Yes _____ No

Address of adjacent property owners:

- | | |
|----------------------------------|---------------------------------|
| 1. <u>Coastline Crane Repair</u> | 2. <u>Pneumatic Specialties</u> |
| <u>821 Saadi Street</u> | <u>829 Saadi Street</u> |
| <u>Houma, LA 70363</u> | <u>Houma, LA 70363</u> |

3. _____

Ben L Baudoin
Signature of Applicant or Agent

985-665-7081
Phone Number

The undersigned is the owner of the entire land area included in the proposal and, in signing, indicates concurrence with the application.

Ben L Baudoin
Signature of Applicant or Agent

04/24/2024
Date

PROJECT NO.	PARISH	SHEET NO.
23-80	TERREBONNE	1

PROPOSED ASSEMBLY GROUP A-2 FACILITY FOR:

DAYBREAKS

BAR & GRILL

825 SAADI ST. HOUMA, LA. 70363

23-80

INDEX TO SHEETS

SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	SITE PLAN
3	FLOOR PLAN
4	EXTERIOR ELEVATIONS
5	BUILDING SECTIONS
6	STAIR & HANDICAP RAMP DIMENSIONS
7	CEILING & LIGHTING FLOOR PLAN
8	POWER FLOOR PLAN
9	PLUMBING FLOOR PLAN



PROJECT SITE

REVIEWED FOR
STATE FIRE MARSHAL
AS PER REVIEW LETTER
BY: STEPHANIE MAGEE

Stephanie Magee

CURRENT Codes - with Louisiana Amendments:
2015 NFPA 101 Life Safety Code
2021 International Building Code (IBC) not including Chapters 1, 11, 27, and 29;
2021 International Existing Building Code (IEBC) not including Chapter 1;
2021 International Mechanical Code (IMC);
2021 International Plumbing Code (IPC);
2021 International Fuel Gas Code (IFGC);
2020 National Electric Code (NEC);
2021 International Energy Conservation Code (IECC);
2010 ADA-ABA Accessibility Guidelines

VICINITY MAP

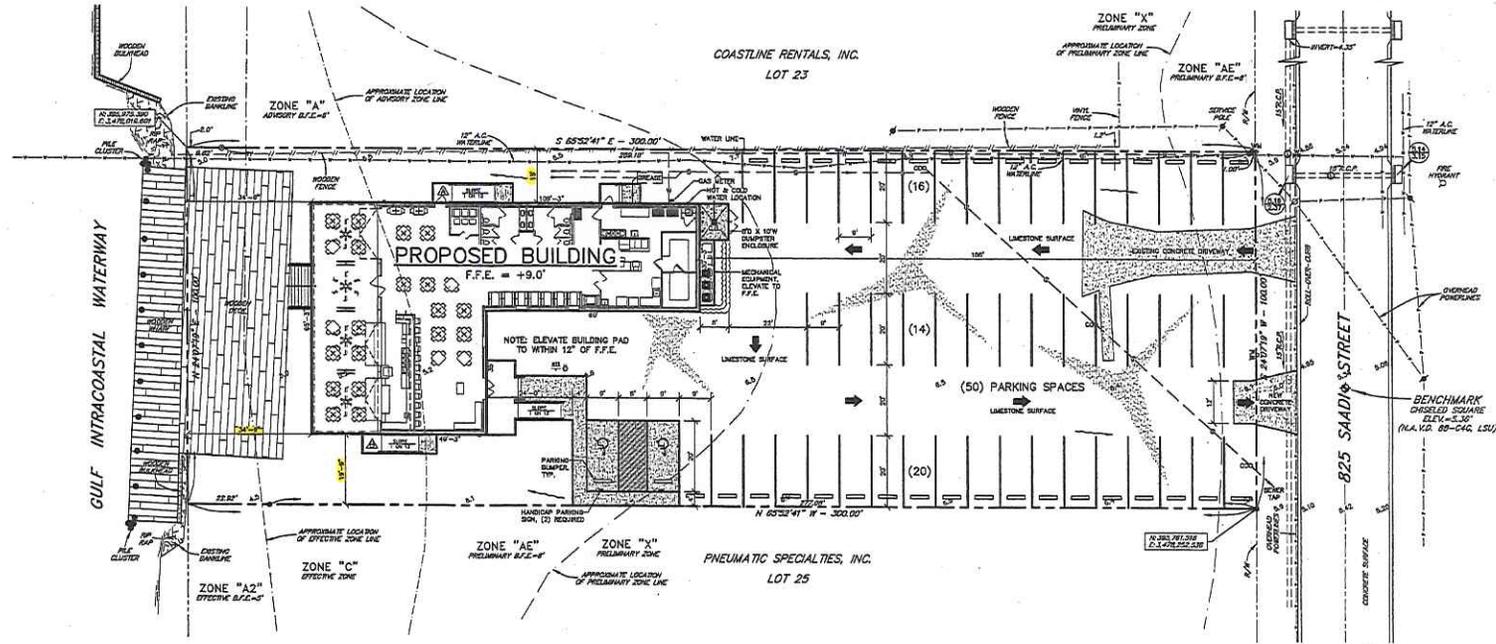


A PROJECT OF:

Baudoin Construction, LLC

NO.	DATE	REVISION	BY
08NOV21		ADD SECONDARY MEANS ACCESSIBLE EGRESS FROM PATIO	S.M.
08NOV23		ADD SECONDARY MEANS ACCESSIBLE EGRESS FROM DINING	S.M.

CAD # 2320-COVER



- LEGEND:**
- INDICATES 5/8" IRON ROD SET
 - INDICATES 1" IRON PIPE FOUND
 - EXISTING SERVICE POLE
 - EXISTING POWER POLE WITH LIGHT
 - EXISTING FIRE HYDRANT
 - INDICATES SPOT ELEVATION
 - INDICATES WATER METER
 - INDICATES WATER VALVE
 - INDICATES L.I.V. MANHOLE
 - INDICATES CATCH BASIN
 - INDICATES DRAINAGE FLOW

LOT 24 OF HONDURAS PLANTATION SUBDIVISION
 TERREBONNE PARISH, LOUISIANA

SITE PLAN
 Scale: 1/8" = 1'-0"

PROPERTY AREA	=	30,000	SQ. FT.
BUILDING AREA	=	4,985	SQ. FT.
CONCRETE PAVING AREA	=	2,495	SQ. FT.
TOTAL IMPERVIOUS AREA	=	7,480	SQ. FT. 25%
TOTAL PERVIOUS AREA	=	22,520	SQ. FT. 75%

REVIEWED FOR
 STATE FIRE MARSHAL
 AS PER REVIEW LETTER
 BY: *Stephanie Magee*



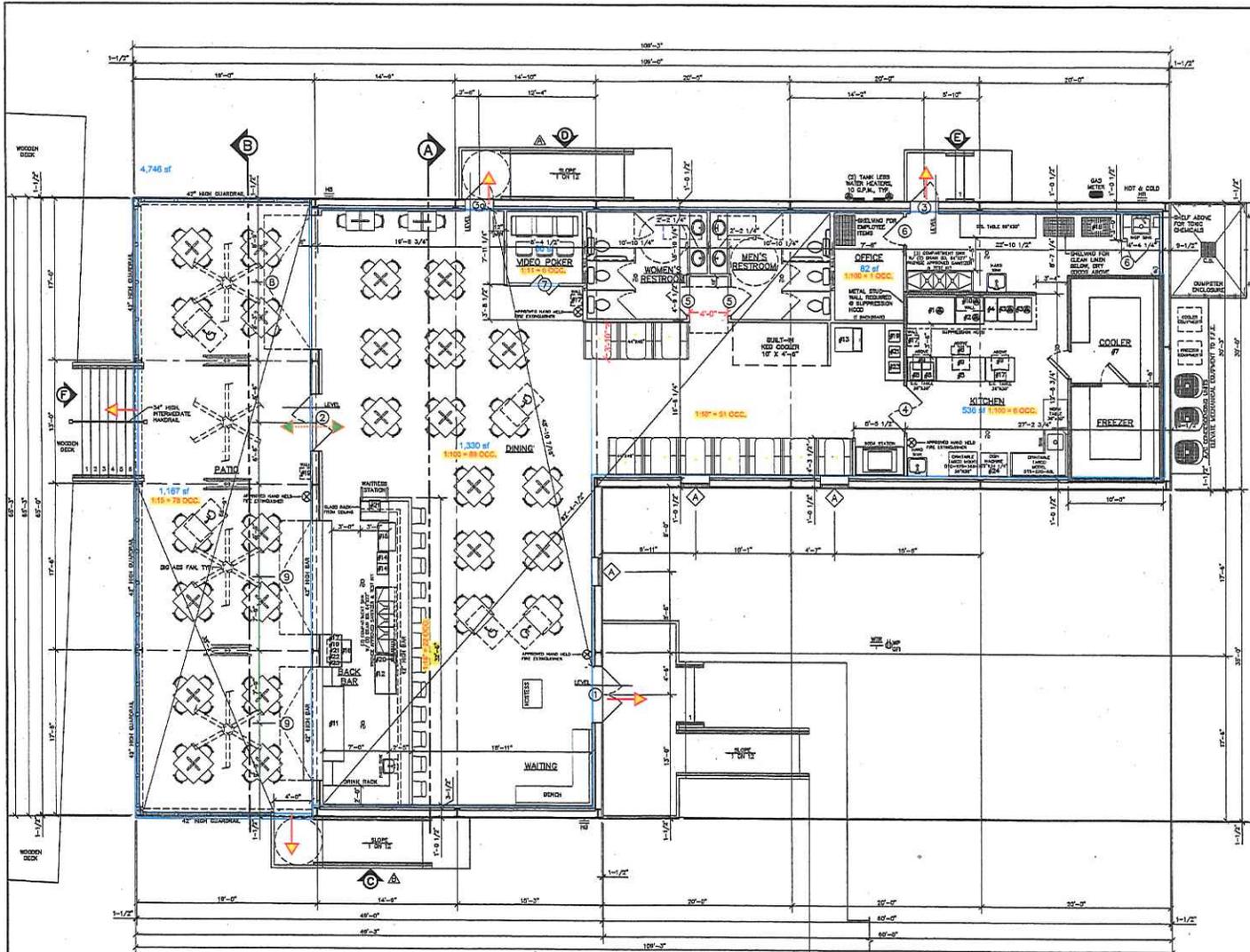
TYPICAL HANDICAP PARKING SIGN

NOV23	ADD SECONDARY MEANS ACCESSIBLE EGRESS FROM PATIO	S.M.
NOV23	ADD SECONDARY MEANS ACCESSIBLE EGRESS FROM DINING	S.M.
DATE	REVISION	BY



A PROJECT OF:
Boudoin Construction, LLC
 PROPOSED ASSEMBLY GROUP A-2 FACILITY FOR:
DAYBREAKS BAR & GRILL
 825 SAADI ST. HOUMA, LA. 70363

MILFORD & ASSOCIATES, INC. CONSULTING ENGINEERS HOUMA, LOUISIANA	DATE: 11/23/23
APPROVED BY: <i>[Signature]</i>	SCALE: NOTED
JOB # 23-80 CAD # 2320-SITE	FILE #



SCHEDULE OF OPENINGS

MARK	SIZE	DESCRIPTION
①	6'-0" X 7'-0" X 1-3/4"	PART 3, ALUMINUM FRAME INSULATED COMMERCIAL GLASS DOORS W/ CLOSER & PATRIC BAR
②	6'-0" X 7'-0" X 1-3/4"	PART 3, ALUMINUM FRAME INSULATED COMMERCIAL GLASS DOUBLE EGRESS DOORS W/ CLOSER & PATRIC BAR
③	3'-0" X 7'-0" X 1-3/4"	S.C. FLUSH METAL DOOR W/ CLOSER
④	3'-0" X 7'-0" X 1-3/4"	S.C. FLUSH METAL DOOR W/ PATRIC HARDWARE
⑤	6'-0" X 7'-0" X 1-3/4"	PART 307, STAINLESS STEEL DOUBLE-ACTION TRAFFIC DOORS W/ VIEW PANEL
⑥	3'-0" X 6'-0" X 1-3/4"	S.C. FLUSH WOOD DOOR
⑦	3'-0" X 6'-0" X 1-3/4"	PART 1-4, S.C. DOUBLE-ACTION WOOD CAFE DOORS
⑧	14'-0" X 10'-0" X 1-3/4"	NBD RATED OVERHEAD FOLDING GLASS PANEL GARAGE DOOR
⑨	12'-0" X 7'-0" X 1-3/4"	NBD RATED OVERHEAD FOLDING GLASS PANEL GARAGE DOOR
⑩	3'-0" X 7'-0" X 1-3/4"	S.C. FLUSH METAL DOOR W/ CLOSER & FIRE SET HARDWARE
⑪	3'-0" X 6'-0" DNG	ALUMINUM FRAME, FIXED INSULATED COMMERCIAL GLASS WINDOW

SCHEDULE OF EQUIPMENT

MARK	DESCRIPTION
#1	RANGE 3095-630CB (GAS)
#2	GRIDDLE 3048-300T (GAS)
#3	PIZZER #9890 (DNG) (GAS)
#4	FRY HOLDER #9794T-2415
#5	6" PREP COOLER #826-771 115/60Hz/1ph 5.5amp
#6	HEAT LAMP #714-104 120V/60Hz/1ph 400watts
#7	WINDLASS COOLER/FREEZER #70464-1 COOLER
#8	FOOD WARMER #28169 (20) 120V/60Hz/1ph 12.5amp
#9	MICROWAVE #210-071 (20) 120V/60Hz/1ph 15amp
#10	BROILER #915-281-NAT (GAS)
#11	BOTTLE COOLER #204-020-BLK 115V/60Hz/1ph 2.5amp
#12	GLASS CHILLER #876-125-BLK 115V/60Hz/1ph 7.9amp
#13	ICE MACHINE 120V/60Hz/1ph 18.5amp
#14	BLENDER #900-101 (20) 120V/60Hz/1ph 12.5amp
#15	ICE BIN #201-315
#16	BEER COUNTER COOLER #83877 115V/60Hz/1ph 5.8amp
#17	ORACLE KDS SYSTEM #701254
#18	SODA SYSTEM #020008337
#19	ORACLE POS #709KSTATION 620
#20	DRAFT BEER TOWER
#21	ORACLE RECEIPT PRINTER
#22	ORACLE CASH REGISTER
#23	COMPUTER BATTERY BACKUP BANK
#24	DESH MACHINE 208V/60Hz/1ph 75amp DR 230V/60Hz/1ph 60amp (VGRFY)

SCHEDULE ROOM OF FINISHES

ROOM	WALL	FLOOR	CEILING	BASE
KITCHEN	1	1	1	1
OFFICE	1	1	1	1
MEN'S RESTROOM	1	1	1	1
WOMEN'S RESTROOM	1	1	1	1
VIDEO POKER	1	1	1	1
DINING	1	1	1	1
WAITING	1	1	1	1
BACK BAR	1	1	1	1
PATIO	1	1	1	1

FLOOR PLAN

TENANT TO PROVIDE APPROVED BOTTLED WATER SYSTEM SUPPLIED IN LIEU OF DRINKING FOUNTAIN

SCHEDULE OF SYMBOLS

SYMBOL	DESCRIPTION
—H—	FREZZE PROOF, GARDEN HOSE FAUCET
⊗	NATURAL GAS LOCATION

FOOTAGE DATA

RESTAURANT / BAR	3,836	SQ. FT.
KITCHEN / COOLERS	641	SQ. FT.
PATIO	1,208	SQ. FT.
TOTAL	4,685	SQ. FT.

REVIEWED FOR STATE FIRE MARSHAL AS PER REVIEW LETTER BY: STEPHANIE MAGEE
Stephanie Magee



A PROJECT OF:
Baudoin Construction, LLC
PROPOSED ASSEMBLY GROUP A-2 FACILITY FOR:
DAYBREAKS BAR & GRILL
825 SAADI ST. HOUMA, LA. 70365

MILFORD & ASSOCIATES, INC.
CONSULTING ENGINEERS HOUMA, LOUISIANA

APPROVED BY: *[Signature]*

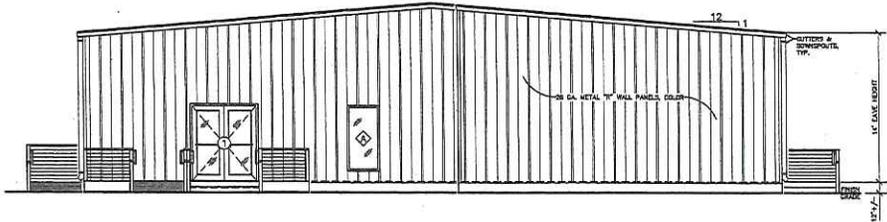
DATE: 11/4/2023

DRAWN: AMOS
CHKD: F.E.M. III
SCALE: NOTED
DATE: 11/4/2023

JOB # 23-80 CAD # 2320-FLOOR FILE #

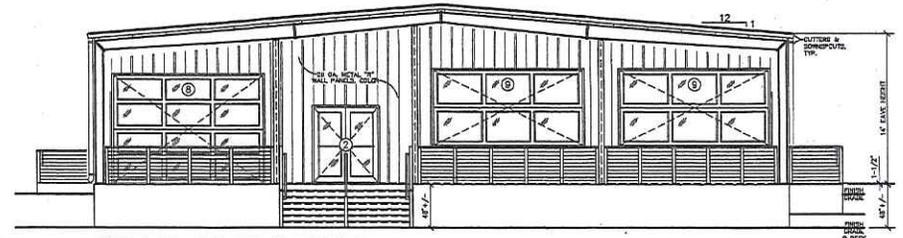
NOV23	ADD SECONDARY MEANS ACCESSIBLE EGRESS FROM PATIO	S.M.
NOV23	ADD SECONDARY MEANS ACCESSIBLE EGRESS FROM DINING	S.M.
DATE	REVISION	BY

PROJECT NO.	PARISH	SHEET NO.
23-80	TERREBONNE	4



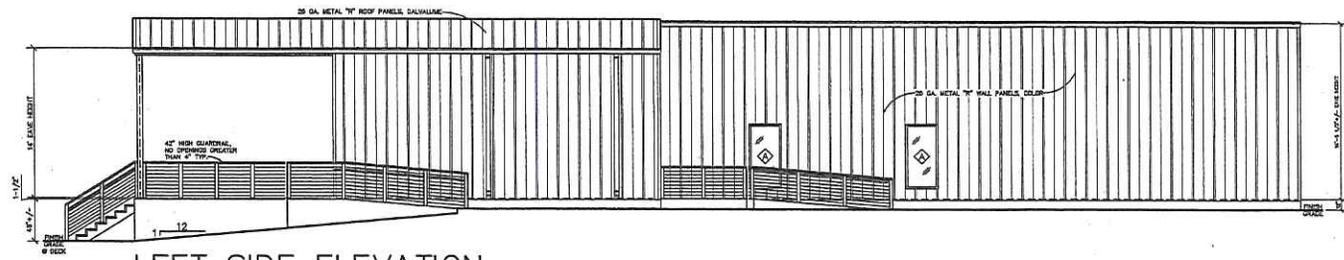
FRONT ELEVATION

Scale: 3/16" = 1'-0"



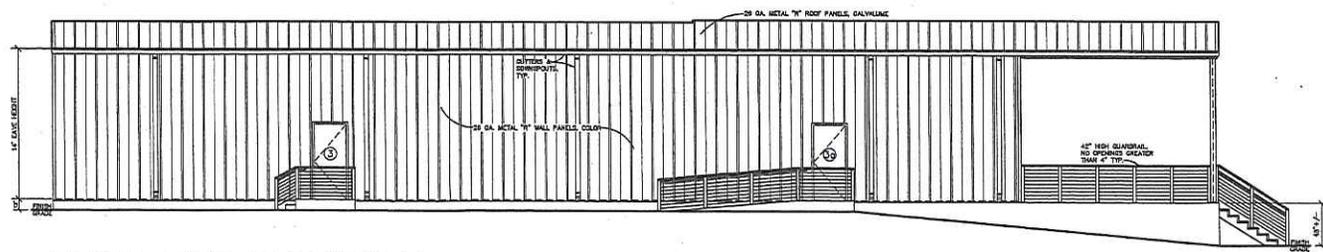
REAR ELEVATION

Scale: 3/16" = 1'-0"



LEFT SIDE ELEVATION

Scale: 3/16" = 1'-0"



RIGHT SIDE ELEVATION

Scale: 3/16" = 1'-0"

REVIEWED FOR
STATE FIRE MARSHAL
AS PER REVIEW LETTER
BY: STEPHANIE MAGEE
Stephanie Magee

NO.	DESCRIPTION	DATE	BY
01	ADD SECONDARY MEANS ACCESSIBLE EGRESS FROM PATIO		S.M.
02	ADD SECONDARY MEANS ACCESSIBLE EGRESS FROM DINING		S.M.



A PROJECT OF:
Baudoin Construction, LLC
PROPOSED ASSEMBLY GROUP A-2 FACILITY FOR:
**DAYBREAKS
BAR & GRILL**
825 SAADI ST. HOUMA, LA. 70363

MILFORD & ASSOCIATES, INC. CONSULTING ENGINEERS HOUMA, LOUISIANA	DRAWN: <i>MMG</i> CHECKED: F.E.M. III SCALE: NOTED DATE: 14APR23
APPROVED BY: <i>[Signature]</i>	JOB # 23-80 CAD # 2300-ELEV FILE #

**PRELIMINARY
HEARING
ONLY**

PUBLIC HEARING
scheduled for:

Thursday, June 20, 2024

@ 6:00 p.m.

ZLU/G.2

*Houma-Terrebonne Regional Planning Commission
Zoning & Land Use Commission*

ZLU 24/9

Dist. 1
COH Fire

P.O. Box 1446

Houma, Louisiana 70361-1446

Bus (985) 873-6793 - Fax (985) 580-8141

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This ordinance, including the zoning map, is based on comprehensive studies, and is intended to carry out the objective of a sound, stable, and desirable development.

Please return the application and supporting plans to the office of the Zoning Administrator.

PLEASE COMPLETE THE FOLLOWING - NO APPLICATION ACCEPTED UNLESS COMPLETE

Date: 4/8/2024

Kirby Bonvillain
Applicant's Name

201 Hollygrove Ave. Houma LA 70360
Address City State Zip

985 381-4899
Telephone Number (Home) (Work)

100%
Interest in Ownership (Owner, etc.)

2606 & 2608 Larry Street; lots 21 & 22, Square 4
Address of Property to be Rezoned & Description (Lot, Block, Subdivision)

Barrowtown Subdivision

Zoning Classification Request:

From: R-1 To: R-3

Previous Zoning History: X No _____ Yes

If Yes, Date of Last Application: n/a

AMENDMENT POLICY

1. **REASONS FOR THIS AMENDMENT:**

It is recognized that casual change of the ordinance would be detrimental to the achievement of stable development. It is public policy, therefore, to amend this ordinance only when one or more of the following conditions prevail:

PLEASE CHECK ONE OR MORE:

_____ **ERROR.** There is a manifest error in the ordinance.

X_____ **CHANGE IN CONDITIONS.** Changed or changing conditions in a particular area or in the metropolitan area generally make a change in the ordinance necessary and desirable.

_____ **INCREASED NEED FOR SITES FOR BUSINESS OR INDUSTRY.** Increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to rezone an area or to extend the boundaries of an existing district.

_____ **SUBDIVISION OF LAND.** The subdivision or eminent subdivision of open land into urban building sites make reclassification necessary and desirable.

2. Please state on a separate sheet why this proposal complies with either one or more of the above checked conditions for rezoning. *see attached*

EXHIBITS REQUIRED

1. **LEGAL PLAT OF PROPERTY TO BE REZONED:** On the required plat, please include:

- a. Land area to be affected;
- b. Present zoning classification of area to be affected and zoning classification of abutting districts;
- c. Public rights-of-way and easements bounding and intersecting the designated area and abutting districts;
- d. All existing and proposed structures with supporting open facilities;
- e. The specific ground area to be provided and continuously maintained for the proposed structure or structures.

2. List names and addresses or property owners within three hundred (300') feet of the fronting corners of the property to be rezoned.

3. **Legal Description:** The legal description of only the property to be rezoned.

4. **Market Information:** Applicable only if the following conditions are met:

- a. If the proposed amendment would require rezoning an area from an existing residential district to a freestanding commercial district;
- b. If the proposed amendment would require more than double the area of an existing district existing totally surrounded by residential districts;
- c. Finally, if the proposed amendment would enlarge an area of existing commercial district by more than eight (8) areas;

The market information shall include a written description of the market area to be served by the development, the population thereof, the effective demand for the proposed facilities and any other information describing the relationship of the proposed development to the needs of the applicable area.

5. Development Schedule: Indicate a time schedule for the beginning and completion of development planned by the applicant:

see attached

6. Effect of the Amendment: On a separate sheet, include a report giving the nature, description, and effect of the proposed amendment on surrounding land use and properties. see attached

SIGNATURES REQUIRED

1. Names and addresses along with interest of every person, firm, or corporation represented by the applicant:

Kirby W. & Tanga Bonvillain

201 Hollygrove Ave. Houma LA 70360

2. The undersigned is owner(s) of the entire land area included within the proposed district and, in signing, indicates concurrence with application:

X Kirby W. Bonvillain

3. Signatures and addresses of all holders of encumbrances, liens, mortgages, etc.:

n/a

4. Signature of applicant indicates that the applicants are all the owners and encumbrance holders of the designated area, and have both the means and ability to undertake and complete the proposed development:

X Kirby W. Bonvillain

APPLICATION FEE SCHEDULE

The City of Houma has adopted the following fee schedule:

- 1. Map Amendment: \$25.00 / first acre
\$ 3.50 / every acre thereafter, up to fifteen (15) acres

Minimum Charge - \$25.00;

Maximum Charge - \$100.00

I (We) own 21 acres. A sum of \$ 25.00 dollars is enclosed and made a part of this application.

DECLARATION

I (We) declare that, to be the best of my (our) knowledge and belief, all matters stated herein are true and correct.

X Kirby W. Bonvillain
Signature of Owner or Authorized Agent

**2606 & 2608 Larry Street
Lots 21 & 22, Square 4, Barrowtown
Kirby Bonvillain, Applicant**

Request to Rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential)

Amendment Policy

2. Reasons For This Amendment

Change in Conditions

Over the past few decades, numerous properties in the immediate area have either undergone similar rezonings or have legal, nonconforming structures on them, in particular mobile homes. For many residents, mobile homes are the only affordable housing option.

Limitations On Proposed Amendments

The adjacent property at 2612 Larry Street is currently zoned R-3 (Multi-Family Residential) so the proposed rezone is exempt from the minimum size requirement.

Exhibits Required

3. Legal Description

Lots 21 & 22, Square 4, Barrowtown Subdivision

4. Market Information

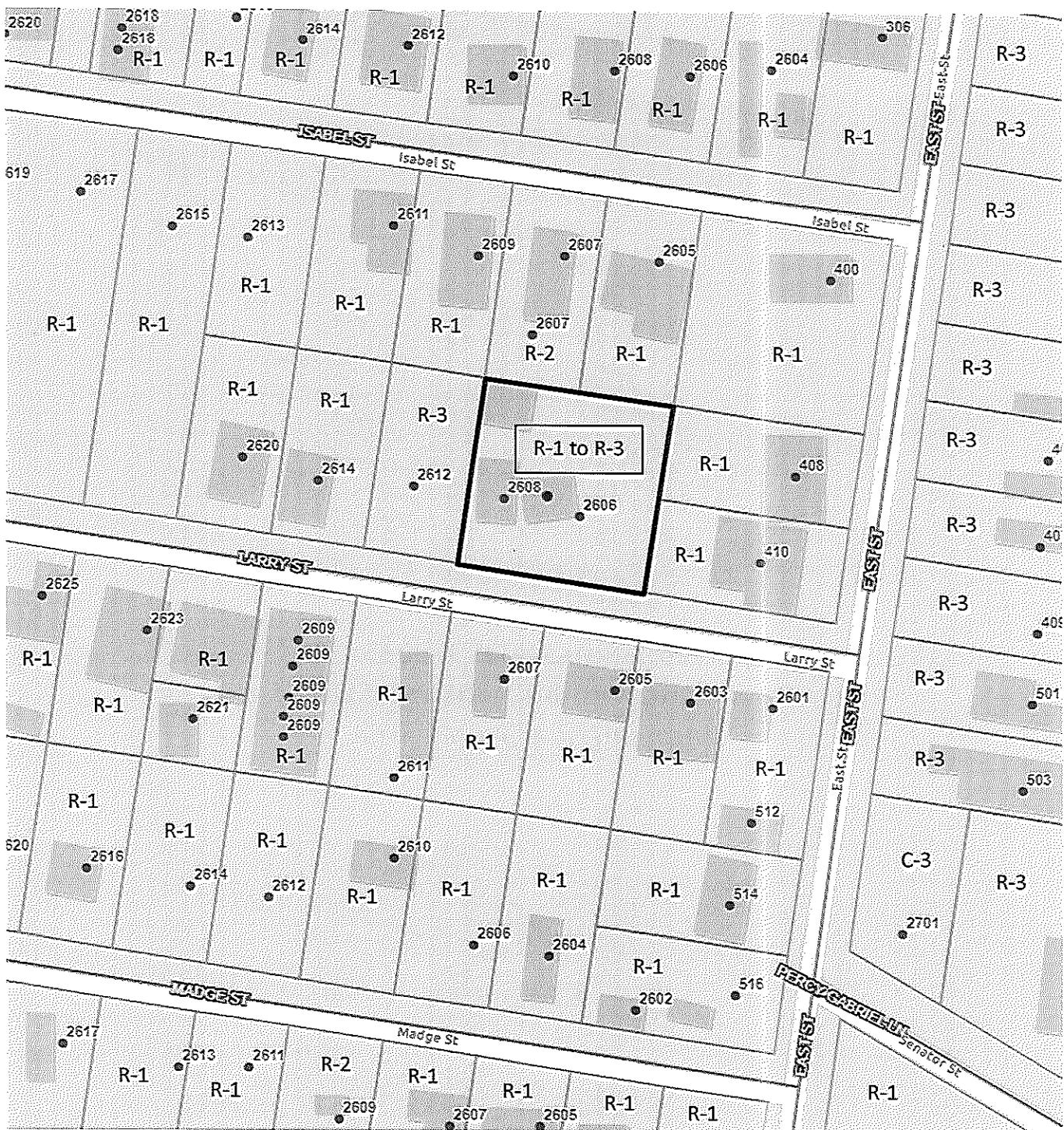
N/A

5. Development Schedule

Immediately after approval, if granted.

6. Effect of Amendment

Many properties in this subdivision have legal, nonconforming mobile homes existing and this change would not alter the aesthetics with the addition of another mobile home.



**2606 & 2608 Larry Street
Lots 21 & 22, Square 4, Barrowtown Subdivision
Kirby Bonvillain, Applicant**

OFFERED BY: _____

SECONDED BY: _____

ORDINANCE NO. _____

AN ORDINANCE TO ADOPT AND ENACT A NEW SECTION 28-82 IN ARTICLE IV, OF CHAPTER 28 OF THE TERREBONNE PARISH CODE OF ORDINANCES TO RECOGNIZE THE HOUMA RESTORATION DISTRICT (HRD), CREATE AN OVERLAY DISTRICT ENCOMPASSING THE HRD, TO ADOPT AND ENACT REGULATIONS FOR USES AND FOR VACANT COMMERCIAL PROPERTIES WITHIN THE DISTRICT; AND TO PROVIDE FOR OTHER MATTERS RELATIVE THERETO.

WHEREAS, LSA-Const. Art. 6, §4 states in its pertinent part that “Except as inconsistent with this constitution, each local governmental subdivision which has adopted such a home rule charter or plan of government shall retain the powers, functions, and duties in effect when this constitution is adopted. If its charter permits, each of them also shall have the right to powers and functions granted to other local governmental subdivisions.” and,

WHEREAS, LSA-Const. Art. 6, §17, entitled “Land Use; Zoning; Historic Preservation states in its pertinent part that “Subject to uniform procedures established by law, a local governmental subdivision may (1) adopt regulations for land use, zoning, and historic preservation, which authority is declared to be a public purpose;” and,

WHEREAS, Sec. 1-05 of The Home Rule Charter for a Consolidated Government for Terrebonne Parish states in its pertinent part that “The parish government shall have and exercise such other powers, rights, privileges, immunities, authority and functions not inconsistent with this charter as may be conferred on or granted to a local governmental subdivision by the constitution and general laws of the state, and more specifically, the parish government shall have and is hereby granted the right and authority to exercise any power and perform any function necessary, requisite or proper for the management of its affairs, not denied by this charter, or by general law, or inconsistent with the constitution.” and,

WHEREAS, Terrebonne Parish Council finds that the regulation of uses and non-residential vacant structures within the jurisdiction of the HRD will encourage the return of vacant structures in downtown Houma to commercial use, deter vagrancy, and improve the economic conditions of the area in promoting public health, safety, and welfare, and facilitate a more vibrant and active downtown Houma; and,

NOW THEREFORE, BE IT ORDAINED by the Terrebonne Parish Council, in due, regular, and legal sessions convened, that:

SECTION I

Section 28-82, of Article IV of Chapter 28 of the Terrebonne Code of Ordinances is hereby enacted as follows (pulling from the reserved numbers):

Sec. 28-82. Supplementary Houma Restoration Overlay District regulations.

- (a) **Boundaries.** The Houma Restoration Overlay District is that portion of the City of Houma encompassing the jurisdiction of the Houma Restoration District, as created and defined by Louisiana Revised Statute 33:4709.31, as may be amended.
- (b) **Purpose.** The purpose of this overlay district is to promote the revitalization of downtown Houma and surrounding areas within the overlay district; encouraging the reuse and revitalization of structures in the overlay district; deterring vagrancy; supporting economic development; and facilitating the creation of a more vibrant and active downtown.
- (c) **Applicability.**

- (1) Unless otherwise provided, this Section shall apply to all vacant structures on property zoned commercial or industrial, as defined in Chapter 28, Article III of this Code of Ordinances, which exist as of the effective date of this Section or which may hereafter be constructed or converted from other uses, and which are located within the boundaries of the Overlay District.
 - (2) This Section does not apply to the State of Louisiana or any other political subdivision of the State of Louisiana.
- (d) Authority of the Director. The Director is authorized to administer and enforce the provisions of this Section.
- (1) The Director shall have the authority to render interpretations of this Section and to adopt policies and procedures in order to clarify the application of its provisions and ensure the efficiency and effectiveness of its implementation.
 - (2) The Director may also enter into an agreement with a registered property owner to obtain compliance with this Section by a date certain in lieu of the deadlines otherwise provided by this Section.
 - (3) The Terrebonne Parish Consolidated Government may contract with the Houma Restoration District for enforcement of this Section under such terms and conditions agreeable to the Parish and the District.
- (e) Definitions. The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
- (1) "Hearing officer" shall mean a lawyer licensed to practice law in Louisiana for a period of at least two years.
 - (2) "Department" means the Planning and Zoning Department of the Terrebonne Parish Consolidated Government.
 - (3) "Director" refers to the Director of the Planning and Zoning Department of the Terrebonne Parish Consolidated Government.
 - (4) The "District" or "HRD" means the Houma Restoration District as defined in R.S. 33:4709.31.
 - (5) Lawful activity" means any legal or legally non-conforming use as defined in Terrebonne Parish Zoning Ordinance.
 - (6) "Owner" or "property owner" means any person, agent, firm, partnership, limited liability company, corporation, or other entity having a legal interest in the property.
 - (7) The "Overlay District" shall mean the physical location to which this Section applies, and within the boundaries defined by La. R.S. 33:4709.31(A)(2), as may be amended.
 - (8) "Secured", "secure", and "securing" shall have the same meanings and be subject to the same standards as set out in [Sec. 20-143. Standard of care for vacant properties.], unless expressly provided otherwise in this Section.
 - (9) "Structure" means a combination of materials forming an edifice or building of any kind, or any piece of work artificially built up or comprised of parts joined together in some definite manner, but excluding the following: retaining walls; fences not over six feet high; platforms or decks not more than thirty inches above grade and not over any basement or story below; utility mains, lines, and underground facilities; and yard and play equipment. Structure does not include vehicles, recreational vehicles, or campers.
 - (10) "Vacant structure" means that all active lawful commercial or residential activity has ceased, or reasonably appears to have ceased for a continuous period of one hundred and eighty (180) days. Storage or "warehousing" is not considered an active lawful commercial activity.
 - (10) "Violator(s)" means person(s), natural or juridical, who have been found liable for a Violation and/or ordered to correct a Violation in a written decision by the Terrebonne Parish Consolidated Government as directed by this Section.
- (f) Registration process and requirements.
- (1) The Department shall maintain and regularly update an Overlay District Structure List. The Department will, at its discretion, provide all commercial property owners on the list with updates on the state of the Overlay District, any project scheduled for construction, and commercial funding opportunities.

- (2) Voluntary Registration. The Owner of any structure within the Overlay District, whether vacant or occupied, may register the structure with the Department for inclusion on the Department's Overlay District Structure List.
 - (3) Mandatory Registration. The Owner of any vacant commercial structure shall, by January 1, 2025, register the structure with the Department for inclusion on the Department's Overlay District Structure List.
 - (4) Following the Mandatory Registration deadline, the Director, or designee, shall provide written notice to the property owner of any vacant commercial structure not properly registered, that such registration is required. Notice may be by means of personal delivery, or by certified mail to owner's last known address according to the records of the Terrebonne Parish Assessor's Office, and by posting on the property. The property owner shall comply with this Section within sixty (60) days from the date that written notice is issued to the property owner.
 - (5) Registration shall include the following information:
 - i. The address and legal description of the property;
 - ii. The current name, physical address, mailing address, telephone number, and email information for every owner with an ownership interest in the property. Entities shall submit the same information pertaining to the entity's registered agent, manager and/or owner.
 - iii. The contact information for a local manager of the property, as defined in subpart (g) below.
 - iv. Proof of general liability insurance in an amount no less than one hundred thousand dollars (\$100,000.00) covering the property.
 - v. If required by the Department, a comprehensive plan of action, detailing a timeline for rehabilitation or repairs to the structure, maintenance while vacant, permit compliance, and intended future use of the structure. The owner shall update the plan of action every six (6) months.
 - vi. A complete floor plan of the property for use by first responders in the event of a fire or other catastrophic event, except when that information is waived in writing by state or local fire officials authorized to act for their office.
 - vii. If available, an appraisal or market value report of the fee simple and/or lease value of the property, no older than one year from the date of registration.
 - viii. If available, a survey of the property and site.
 - (6) The Director may extend the deadline for mandatory registration up to an additional 180 days upon receipt of proof that the property is listed for sale or lease through a licensed real estate broker. No extension of time shall be available in the event the Director determines that the property is marketed for sale or lease at rates above appraisal or market value according to the reports submitted with registration.
 - (7) Registration shall be valid for a period of 365 days from the date registration is approved. The property owner must register the property annually on or before the anniversary of first registration until the structure is occupied and in compliance with this Section.
 - (8) Vacant structure property owners shall provide written notice to the Director, including providing a copy of any new deed, of any change in ownership of the property; or contact information for either the owner or the designated manager of the property. Written notice must be provided to the Department no later than thirty (30) days after such changes have occurred.
- (g) Local Property Manager as agent.
- (1) Owners of vacant commercial structures within the Overlay District shall designate a local property manager for each property and include the relevant contact information for the designated manager upon registering the property with the Department. Property managers shall act as agents for the property owner for purposes of accepting legal service of any notices, violations, and findings under this Section. The designation of a local property manager does not limit the responsibilities of the property owner under the provisions of this Section.
 - (2) The local property manager must be available at the number listed at all times in the event of an emergency or catastrophe.
 - (3) The name and telephone number of the local property manager must be posted at the front of the vacant structure, in large, legible print.

- (4) The name and telephone number of the property manager must be provided to the Director, and to the Houma Fire Department and Houma Police Department.
- (h) Standard of care for vacant commercial property.
- (1) In addition to the regulations established in other parts of the Terrebonne Parish Code of Ordinances, the standard of care for vacant commercial properties within the Overlay District shall be subject to approval by the Director, and shall include, but is not limited to:
 - (i) Aesthetic: Owners shall maintain and repair all exterior surfaces of the structure in good condition and protected from the elements and against decay or rust to maintain aesthetics of the structure in relation to the surrounding area.
 - (ii) Roof and drainage: Roof drains, gutters and downspouts shall be maintained in good repair, free from obstructions, and operational, and shall properly direct rainwater towards storm drains, and prevent ponding of water for an extended period of time.
 - (iii) Window, skylight and door: Owners shall repair any broken windows with glass and replace any missing windows with windows. Owners shall repair or replace any broken or missing doors with refurbished or new doors which shall be secured to prevent unauthorized entry. Owners shall maintain locks at all exterior doors, exterior attic access, windows, or exterior hatchways shall tightly secure the opening. Owners shall not secure windows and doors with plywood or other similar means mounted on the exterior except as a temporary securing measure, not to exceed a period of three (3) months.
 - (iv) Owner Inspections: Owners shall inspect vacant structures annually, or more frequent if necessary, to check exterior features, including, but not limited to, decorative installments, awnings, overhangs, decking, stairs, windows, trees, fire escapes, signs, marquees, gutters, downspouts, and structural supports, to ensure those features are safe, secure, structurally sound, and do not pose a hazard to the health and safety to people and other property.
 - (2) All required permits and final inspections prior to and/or following repairs shall be in accordance with applicable laws and ordinances.
 - (3) Failure to maintain the vacant structure to the standards of care required by this Section shall be a violation and subject to the provisions of Sec. 20-148. Jurisdiction, Enforcement and Penalties.
- (i) Department Inspections. The Department shall have authority to inspect any vacant commercial structures in the Overlay District for the purpose of enforcing or assuring compliance with the provisions of this Section. Upon request by the Director, or designee, a property owner must provide access to all interior and exterior portions of the vacant structure in order to permit a complete inspection. The Director may designate third party inspectors to conduct inspections.
- (j) Registration and inspection fees.
- (1) The Department shall not charge a registration fee. This does not absolve the owner of a vacant commercial property from the violations and penalties established in this Section.
 - (2) In the event the Department inspects the structure and finds it to be in violation of this Section, Owner shall pay an inspection fee of seventy-five dollars (\$75).
 - (3) The Owner shall pay seventy-five dollars (\$75) for each subsequent re-inspection, until a violation has been remedied.
 - (4) All inspection fees shall be used solely to offset the costs of this program, or to improve or promote the areas affected by these provisions in ways designed to improve the ability of property owners to sell, lease or develop the properties which are subject to this program.
- (k) Prohibited Uses. Except for those already in existence at the effective date of this Section, the following uses shall be prohibited within the Overlay District:
- (1) Warehouses or Storage Facilities
 - (2) Adult Night Clubs

- (3) Adult Uses/Materials
- (4) Boarding Houses
- (5) Car Washes
- (6) Congregate Housing
- (7) Flea Markets
- (8) "Vape" shops and the sale of mechanical vaping devices and accessories.
- (9) Car washes
- (10) Tattoo shops

In the event those grandfathered non-conforming structures become damaged and rendered unfit for use for any period of time and found to have sustained damages or are in need of repairs or renovations in an amount equal to or greater than 50% of the value of the existing structure, the owner shall be required to bring the structure into compliance with current state and local standards and regulations.

- (l) Civil Penalties, notices, enforcement.
 - (1) Civil penalties. Failure to comply with any mandatory regulations in this Section, including but not limited to, failure to complete mandatory registration of a vacant commercial structure with the Department, as is specified herein, is a violation of this Section. Any person found to have violated any provision of this Section following an Administrative Hearing in accordance with this Section shall be subject to a fine of not more than five hundred dollars (\$500.00) for each offense. Each day that a violation continues shall be deemed a separate offense. Total fines shall not exceed \$10,000.00 per property.
 - (2) The Director of the Department, under the direction of the Parish President, shall designate an Administrative Hearing Officer for the purposes of conducting administrative hearings in accordance with this Section. The Hearing Officer shall have jurisdiction to adjudicate any violations noticed by the Director. All decisions of the Hearing Officer shall be reduced to writing and mailed to the property owner via certified mail or posted on the property that is the subject of the violation.
 - (3) Notice of Violation. Whenever the Director determines that a violation exists, the Director shall first set the matter for administrative hearing and issue a written notice of violation to the Administrative Hearing Officer and the owner or manager of the property in violation, directing the owner to appear for an administrative hearing on the violation. A notice of violation shall:
 - (i) Be in writing;
 - (ii) Be mailed via certified mail to the address on file with the Terrebonne Parish Assessor's office or hand delivered at least 15 calendar days prior to the date of administrative hearing;
 - (iii) Be posted at the subject property at least 15 calendar days prior to the date of the administrative hearing;
 - (iv) Provide the municipal address of the cited property;
 - (v) Provide the date of the inspection, if any;
 - (vi) Provide a description of the alleged Violation;
 - (vii) Provide the mailing address and telephone number of the Department;
 - (viii) Provide the time, date, and location of the administrative hearing whereby the alleged Violation(s) shall be adjudicated;
 - (ix) Provide notice that the failure to appear at the hearing shall be considered an admission of violation;
 - (x) Provide the risk of fees, penalties, costs, and liens that may be imposed for continued violation; and
 - (xi) Provide the remedial measures that may be ordered to correct or abate the violation.
- (m) Sufficiency of Notice. When notice is made via mailing, including via certified mail, the date of the postmark shall be deemed to be the date of delivery. Any notification so mailed, when properly addressed and postage paid, and subsequently returned to sender, shall be considered as having fulfilled the notification requirement.

(n) Administrative Hearing and Appeal.

- (1) At the administrative hearing the Director or his designee shall present evidence of the violation. Any person charged with a violation may present any relevant evidence and testimony at such hearing and may be represented. Either party may make a record of the hearing using a certified court reporter and at that party's expense. The recording party shall make the recording or a transcript thereof available to the other, provided the other party agrees to share the expense.
- (2) Failure by the owner to appear for the administrative hearing after having received proper notice, shall result in a decision against the owner.
- (2) Within 10 calendar days following the hearing, the Hearing Officer shall issue a decision which either finds the property to be in violation or dismisses the notice of the violation if there is no finding of violation.
- (3) Any person aggrieved by a decision of the Administrative Hearing Officer shall have a right to appeal such decision through judicial review to the 32nd Judicial District Court for the Parish of Terrebonne within thirty (30) calendar days of the date the Hearing Officer mailed written notice of the decision. The decision of the 32nd Judicial District Court shall be final, and no appeal shall be available thereafter.
- (4) If the Administrative Hearing Officer finds the property to be in violation, and after all delays for appeals have expired, the Department shall assess civil penalties against the owner in accordance with this Section on a continuing basis until the property is brought into compliance. Civil penalties shall accrue commencing with the date of decision of the Administrative Hearing Officer, even in the case of judicial review resulting in favor of the Department.

(o) Lien and Privilege against Structure. The recordation of an affidavit of lien and privilege or notice of judgment by the Department in the mortgage records of the parish of Terrebonne shall constitute a lien and privilege against the immovable property in, on, or upon which violation has been found and on which civil penalties have been assessed. The lien and privilege shall secure all fines, fees, costs, and penalties that are assessed by the Department.. Any lien and privilege recorded against an immovable property under this Section shall constitute a statutory imposition and shall be assessed against the property in the next annual ad valorem tax bill.

(p) Severability.

If any section, subsection, sentence, clause or phrase of this Section is, for any reason, held unconstitutional or invalid, such decision or holding will not affect the validity of the remaining portions hereof. It being the intent of the Parish Council to enact each section and portion thereof, individually and each such section will stand alone, if necessary, and be in force not with the validity of any other division, section, subsection, sentence, clause, or phrase of these regulations.

SECTION II

If any word, clause, phrase, section or other portion of this ordinance shall be declared null, void, invalid, illegal, or unconstitutional, the remaining words, clauses, phrases, sections and other portions of this ordinance shall remain in full force and effect, the provisions of this ordinance hereby being declared to be severable.

SECTION III

This ordinance shall become effective upon approval by the Parish President or as otherwise provided in Section 2-13(b) of the Home Rule Charter for a Consolidated Government for Terrebonne Parish, whichever occurs sooner.

This ordinance, having been introduced and laid on the table for at least thirty days, was voted upon as follows:

THERE WAS RECORDED:
YEAS:

NAYS:
NOT VOTING:
ABSTAINING:
ABSENT:

The Chairman declared the ordinance adopted on this, the _____ day of _____, 2024.

CHAIR
TERREBONNE PARISH COUNCIL

COUNCIL CLERK
TERREBONNE PARISH COUNCIL

DRAFT

Date and Time Delivered to Parish President

Approved _____ Vetoed

Parish President
Terrebonne Parish Consolidated Government

Date and Time Returned to Council Clerk:

I, _____, Council Clerk for the Terrebonne Parish Council, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Assembled Council in Regular Session on _____, 20____, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____ DAY OF _____, 20____.

COUNCIL CLERK
TERREBONNE PARISH COUNCIL

DRAFT