

**MINUTES OF THE IBERIA PARISH ZONING COMMISSION MEETING CONDUCTED ON
THURSDAY, MARCH 21, 2013 AT 5:30PM IN THE IBERIA PARISH COUNCIL CHAMBERS
300 IBERIA STREET, NEW IBERIA, LOUISIANA 70560**

CALL TO ORDER: Chairman Dana Dugas determined there was a quorum and called the meeting to order.

MEMBERS PRESENT: Dana Dugas, Jane Braud, Lanie Borel, David Fangue, Perry Judice, Ronald Fremin and Butch Bourgeois

MEMBERS ABSENT: Barbara Laviolette and Nathaniel Mitchell

OTHERS PRESENT: John Raines and Julie Armentor

APPROVAL OF MINUTES: Butch Bourgeois made a motion to approve the February 21, 2013 minutes which was seconded by Perry Judice; the vote was unanimous.

DEVELOPMENT REVIEW I: Grand Prairie Subdivision – Located on Agnes Broussard Road - Approval for reclassification from Mixed Residential (R-2) to Single Family Residential (R-1).

John Raines gave an overview of the location of the property and explained that there were two mobile homes that moved into the area which are allowed under the Zoning Ordinance. Mr. Raines said that area residents contacted him and said that mobile homes were not allowed in their subdivision under the subdivision covenant. Mr. Raines explained that the Zoning Ordinance allows mobile homes in that area which led to a series of discussions with the mobile home owner. Mr. Raines said the owner did move one mobile home off and he is currently trying to sell the other one which is still on wheels so that it can be moved off the lot once sold. Mr. Raines said the neighborhood got together and requested the Parish Council to ask the Commission to reconsider the current zoning of the property Mixed Residential (R-2) to an (R-1) Single Family Residential, so that the zoning will match with the subdivision covenants. The Parish Council passed a resolution for the Commission to look at it for the possibility of changing the zoning or not. Mr. Raines also said he received a petition from most of the neighborhood in favor of rezoning the subdivision to (R-1).

Mrs. Norma Broussard addressed the Commission and said she lived in the neighborhood for twenty two years and asked why are they allowing mobile homes to come into the subdivision when the covenants state they are not allowed. Mrs. Broussard said that Mr. Raines told her that the zoning was changed to Mixed Residential (R-2) which allows mobile homes in that area. Mrs. Broussard said they were there to ask for a reclassification back to Single Family Residents (R-1).

After much deliberation, Jane Braud made a motion to approve the request which was seconded by Lanie Borel; the vote was unanimous.

DEVELOPMENT REVIEW II: Jack Brooks Subdivision – Located off Hwy 90 on Jack Brooks Road – Approval for reclassification from Mixed Residential (R-2) to Single Family Residential (R-1).

John Raines gave an overview of where the property was located and said this was the same situation as Grand Prairie Subdivision. Mr. Raines explained that Mr. Eric Istre had gone to the Planning Commission earlier to have his property subdivided in the Jack Brooks Subdivision. The neighbors were opposed to it because of the covenant restrictions and it was denied.

Shelby Derouen addressed the Commission and explained that their covenants were in existence for a while and they had an attorney review them in 1998. Mrs. Derouen said the issue they were having now is that an individual is requesting to subdivide his own property within the subdivision to put a gated community. She said based on the covenants it is currently zoned a Single Family Residence and the properties should not be subdivided. Mrs. Derouen had a petition from the subdivision property owners who were in favor of rezoning the subdivision ordinance to match the subdivision covenant.

Brenda Istre said that she owned her property and would like to do what she wants with her property. Mrs. Istre said that she would not do anything to devalue her property but if her children needed a mobile home and they could not afford anything else she would like to have the right to do that for them. Mrs. Istre said she had a petition from the neighbors and the neighbors that were at the meeting said the names were not from their own neighborhood.

Mr. Julius Istre spoke and said he thought they were talking about the wrong subdivision. Mr. Istre said they did not have restrictions in that part of the subdivision they were talking about because that was not part of the Jack Brooks Subdivision. Mr. Raines explained that the area they were talking about was Jack Brooks Subdivision.

Lanie Borel made a motion to approve the request which was seconded by Jane Braud; the vote was unanimous.

DEVELOPMENT REVIEW III: Everette Manual – Located of Neco Town Road – Approval for reclassification from Agricultural (A-1) to Manufactured Mobile Home Park (R-4).

John Raines explained that Mr. Manuel had been to the Zoning Commission earlier and the reclassification was denied. Mr. Raines also said that there is a provision in the ordinance that says once the Commission denies the request it cannot be considered again for a period of one year from the date of the public hearing. Legal Counsel was also in agreement with this. No action was taken.

DEVELOPMENT REVIEW IV: Roger Hebert – Located at 5500 Admiral Doyle Drive - No action taken at this time.

DEVELOPMENT REVIEW V: That Enterprises – J. P. Thibodeaux – Located at the intersection of W. Hwy 90 Frontage Road and Leonce Theriot Road – Approval for reclassification from Agricultural (A-1) to Commercial General Business (C-2).

John Raines gave an overview of where the property was located and said that the site was zoned Agricultural (A-1) and last summer there was permit that was issued for a new Kia dealership that should not have been allowed to be constructed under that classification. Mr. Raines said he contacted the owners and requested that they make the change to move forward. Mr. Raines said this was just correcting an existing situation since the Kia dealership is already under construction.

Mr. Bob Hutchinson addressed the Commission said that they agreed with the reclassification.

Randy Gonsoulin asked if from a procedural stand point whenever an oversight is noted if they had to go through all the procedures of posting signs, etc. and Dana Dugas said that they did have to go through all the procedures.

After further deliberation Ronald Fremin made a motion to approve the request which was seconded by Perry Justice; the vote was unanimous.

TEXT AMENDMENTS:

1. Alcohol sales in Neighborhood Business Zoning District - John Raines discussed with the Commission about where alcohol issues are allowed in the zoning classifications and about limitations. As the Zoning Ordinance has only two references to alcohol sales, in the General Business District, the Zoning Commission should not expand alcohol sales but leave the Ordinance as is and let other agencies handle the licensing of alcohol sales. Ronald Fremin made a motion to submit to Parish Council which was seconded by Butch Bourgeois; the vote was unanimous.
2. One Year Reversal on Industrial Zoning District – There is some confusion on whether or not the one year prohibition applies to any industrial reclassification or just to an industrial reclassification that includes hazardous chemicals and/or materials. The Commission discussed the propriety of creating a second industrial zoning classification which would address hazardous chemicals and/or materials.

After further deliberation, Jane Braud made a motion to remove the one year reversal in the industrial zoning district and to request the Staff to prepare an assessment on the propriety of creating a second industrial zoning district which would handle hazardous chemicals and/or materials, which was seconded by Ronald Fremin; the vote was unanimous.

3. Consent Agenda Process – Mr. Raines explained that currently all zoning and planning issues go to the Council for final approval after review and input by the Planning/Zoning Commission. He explained further that a Consent Agenda Process would allow the Planning/Zoning Commission to become the final authority on planning and zoning issues, subject to appeal to the Council under certain circumstances.

The Commission requested this to be submitted to the Parish Council.

DIRECTOR'S REPORT:

1. Cell Tower Regulations – John Raines explained that they would be looking at cell tower regulations. Mr. Raines also said the cell tower industry regulations say it can require limited improvements of a local nature but once they get their approvals you cannot stop a cell tower.
2. May Meeting Date – John Raines explained that the May Meeting Date was going to be changed to May 23, 2013.

OTHER BUSINESS: None at this time.

ADJOURNMENT:

There being no further business, David Fangué made a motion to adjourn which was seconded by Perry Judice; the vote was unanimous.

Submitted by John R. Raines
Director of Permitting, Planning and Zoning Department