



Tuesday, December 08, 2009

AGENDA

6:00 PM

The rules for conducting such public hearings are as follows:

- 1) The applicant will speak first for a period not to exceed 10 minutes. Other proponents will speak next, then the opponents. Each speaker will be allowed not more than three minutes. The speakers are requested to limit their remarks and to avoid duplication in their presentations.
- 2) The proponents will be allowed three minutes for rebuttal.
- 3) The Council Members may ask questions and make comments but are urged to cooperate in an effort to spend not more than 30 minutes on any one matter before the Council.

I. Preliminary Business

- (1) Call to Order
- (2) Invocation and Pledge of Allegiance
- (3) Roll Call
- (4) Approval of minutes from the November 17, 2009 council meeting.

II. Unfinished Business

None

III. New Business

- 1) Mayor's report and presentations.
- 2) Presentation of annual audit report by Faulk & Winkler.
- 3) Introduction of the following item(s) (with public hearing to be held at the December 15, 2009 council meeting)
 - (a) An ordinance to enact Chapter 30 of Title 11 relative to Electronic Speed Enforcement, to create the Central Traffic Safety Fund and to provide for related matters. (by Council members Lansing and Moak)

- 4) Discussion and action regarding the following instrument(s):
 - (a) An [ordinance](#) to enact Chapter 12 of Title 12 relative to administrative hearings of alleged violations of ordinances regulating public health, environment, housing, building codes and fire code and to provide for related matters. (By Council member Ross)

IV. Zoning Cases

- (1) Introduction of the following item(s) (with Public Hearing to be held at the December 8, 2009 council meeting):

None

- (2) Discussion and Action regarding the following case(s):

- (a) **RZ-06-09 Rezoning** This property is located at 11415 Blackwater Road on the north side of Blackwater Road just east of the intersection of Talmadge Crumholt Road, on Lots A-2-B, to rezone from Rural to M-1 (Light Industrial), in Section 60 T-6-S, R-1-E, GLD. EBR. LA. This is for the expansion of an existing metal fabrication shop. (Applicant: Clifford George) (**Deferred From October 22, 2009**)

The applicant is requesting a waiver of Section 8.211 of the UDC that requires all operations to be enclosed by a solid fence or wall not less than six feet in height, where adjacent to or across the street from a residential zoning district.

Zoning Commission Action: *Mr. Paul Burns stated that he would not support rezoning of this site and recommended withdrawal. Mr. Michael Blough stated that this proposed rezoning would constitute a spot zone and spoke against the proposed waiver for a fence. After further discussion, Mr. George withdrew his application*

- (b) **RZ-07-09 Rezoning** This property is located at 9718 Sullivan Road on the east side of Sullivan Road south of the Brent Avenue intersection on Lot R-2 of Old McDonald Farm Subdivision. Applicant is requesting to rezone from Rural to LC-1 (Light Commercial One) for an existing child care center. (Applicant: William Chenevert)

Zoning Commission Action: *Mr. Graydon Walker made a motion to approve this item, seconded by Mr. Wilson Reado. Vote: 5 yeas, 0 nays.*

- (c) **RZ-08-09 Rezoning** This property is located at 14455 Wax Road, Suite U of Central Plaza Retail Center in the northwest corner of Wax Road and Willowbrook Drive on Lot B-2-B-1-A of Central Woods Subdivision located in Section 8 & 68, Township 6 South, Range 2 East, GLD. EBR. LA. The applicant is requesting to rezone Suite U of subject property from C-2 (Heavy Commercial) to C-AB-2 (Commercial-Alcoholic Beverages Two) for a daiquiri shop. (Applicant: Jonathan Starns)

Zoning Commission Action: *Mr. Paul Burns made a motion to approve this item, seconded by Mr. Michael Blough. Vote: 5 yeas, 0 nays.*

- (d) **RZ-09-09 Rezoning** This property is located on the southern portion of Lot 4A-1-A, as advertised, being on the north side of Wax Road east of the Willow Brook Drive intersection in Section 8, T-6-S, R-2-E, GLD, EBR, LA. Commencing at a point in East Baton Rouge Parish, 290 feet east of the Willow Brook Drive eastern right-of-way line, on the northern right-of-way line of Wax Road, said point being the Point of Beginning, thence proceed N 03°58' 10' E for a distance of 186.00 feet, thence proceed N 90°00'00" E for a distance of 165.68 feet, thence proceed S 00°04'50" E for a distance of 185.55 feet, thence proceed S 90°00'00" W for a distance of 178.82 feet back to the point of beginning, containing .73 acres. Applicant is proposing to rezone from Rural to HC-1 (Heavy Commercial One) for a proposed pre-owned car dealership. (Applicant: Michael Word)

Zoning Commission Action: *Mr. Graydon Walker made a motion to defer this item, seconded by Mr. Michael Blough. Vote: 5 yeas, 0 nays.*

- (e) **SPUD-02-09 Small Planned Unit Development. The Gates at Burlington.** This property is located on Lot A2 on the north side Wax Road east of the Durmast Drive intersection in Section 66, T -67-S, R-2-W, GLD, EBR, LA. Applicant is proposing a 53-lot private gated community and is requesting a waiver from Ordinance 2009-08 requiring all major residential subdivisions to connect to public sanitary sewer. (Applicant: Jeff Couvillion)

Zoning Commission Action: *Mr. Graydon Walker made a motion to approve the rezoning and waiver with the stipulation that the applicant set aside money to pay for future sewer connectivity and only persons 55 years or older could purchase and/or live in the development. Mr. Michael Blough seconded the motion. Vote: 3 yeas (Mr. Walker, Mr. Blough, Mr. Reado), 2 nays (Mr. Bonvillain, Mr. Burns). The motion failed.*

A substitute motion was made by Mr. Paul Burns to approve the rezoning with the stipulation that only persons 55 years and older could purchase and/or reside in the development and deny the waiver. Mr. Michael Blough seconded the motion. Vote: 5 yeas. 0 nays. Motion Passed.

V. Other Business

- (1) Announcements
- (2) Adjournment