

The following minutes are from the Planning & Zoning Commission meeting on Thursday, June 24, 2021 in the Abita Springs Town Hall at 6:00 p.m.

Commissioner Gruning called the meeting to order, and all stood for the Pledge of Allegiance. Commissioners in attendance included Barbara Jackson, David Gruning, Bryan Gowland, and John Pierce. Eric Templet was absent. Leanne Schaefer and Mark Fancey were also present.

The Commission reviewed the draft minutes from the May 27, 2021 meeting. Commissioner Gruning noted a minor typo that was corrected. Commissioner Pierce said that he did not attend the meeting and a correction is needed. Commissioner Gowland motioned to accept the minutes of the May 27, 2021 meeting as amended. Commissioner Jackson seconded the motion. All commissioners were in favor.

## **Planning Commission**

No agenda items.

## **Zoning Commission**

### **Discussion:**

#### **Proposed subdivision – 22503 Level Street**

The property owner was not present. Commissioner Gruning motioned to table this item. Commissioner Jackson seconded the motion. All commissioners were in favor.

#### **Request to amend Code of Ordinances Section 9-231 – Short term rentals**

Lee Lukinovich presented a proposal to amend the short-term rental regulations to allow a rental on a property adjacent to that of the applicant. He is building a new residence across the street from his current home and would like to use his current home as a short term rental. Mr. Lukinovich said that the proposal would be in keeping with the intent of the law to minimize offsite impacts from use of a home as a short term rental. He feels that living adjacent to the property proposed for a rental he would be aware of any improper activity by renters. He suggested amending the ordinance to allow a short term rental within a certain proximity of the owner's residence, such as within a half block.

John Pierce asked if some type of variance process might be possible. Barbara Jackson said that she was part of the discussion when the ordinance was developed. She said it was not the type of ordinance that lends itself to a variance. Bryan Gowland said the only way available would be to amend the ordinance. He said it would be impossible to meet the standards for a variance where some type of stated hardship is necessary. Barbara Jackson said the ordinance had been fine tuned for the purpose of limiting the number of rentals. Jackson said there was concern homes would be purchased for the sole purpose of using them as commercial enterprises that would affect property values.

Discussion ensued regarding the proof of homestead exemption required by the ordinance and whether the owner was expected to be on-site. Bryan Gowland said the ordinance was designed to protect residential areas from loud parties. Leanne Schaefer said the intent of the ordinance was to prevent a large number of off-site rentals and to ensure that the owner of a rental would be responsive.

David Gruning asked if staff could look into this issue. He asked if he could contact the Town attorney for more information.

Lee Barrios said she came to the meeting to be part of the discussion and she has several points to discuss. First, she agreed that the Commission should get an opinion from the Town attorney. Second, she will request audio tapes of meetings when this issue has been discussed. She said one of the main concerns when the ordinance

was developed was that people would buy residential properties for commercial use as short-term rentals. She said the ordinance was meant to restrict homes from becoming full-time rentals. She cautioned the commission not to violate open meetings law.

**Request to amend Code of Ordinances Section 9-210(b) – Non-conforming lots and Section 9-223(a)(3) - Side yard setbacks**

Ray Pasqua made a request to reinstate lot of record provisions and repeal the contiguous lot law. He said that under current standards, full blocks with 10 platted lots can only be developed on six (6) lots. Bryan Gowland said the contiguous lot law did a lot for Abita Springs. He said the law requires that lots platted at 50 feet wide must be 75 feet wide to be considered a buildable lot. For lots platted at 60 feet wide, buildable lots must be 90 feet wide. Gowland said that at the time the law was enacted Abita springs was being overrun by growth. He said the ordinance was a growth management regulation.

Ray Pasqua responded that Abita Springs was built on small lots and times have changed. He said it is more expensive to extend utility lines to serve large lots and that larger lots encourage sprawl. Barbara Jackson said it would be useful to see the lots on a map.

David Gruning said that the Commission had discussed this item and no action would be taken at this time.

**Proposed amendments to Code of Ordinances Section 9-223 regarding side yard setbacks for corner lots**

The Commission reviewed a draft amendment that would reduce the required side yard setback for corner lots (street side) from 30 feet to 20 feet. Bryan Gowland made a motion to direct staff to schedule a public hearing to consider the proposed amendment. Barbara Jackson seconded the motion. All commissioners were in favor.

**Draft Stormwater Management Ordinance**

Discussion of the draft ordinance was deferred to the July 29, 2021 meeting.

Commissioner Gowland motioned to adjourn the meeting. Commissioner Jackson seconded the motion. All commissioners were in favor. The meeting adjourned at 7:10 p.m.

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Kristin M. Tortorich, Planning Director

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Date