

AGENDA

CITY OF CENTRAL CONSTRUCTION BOARD OF APPEALS

Wednesday, February 18, 2015 at 2:00pm

Central Municipal Services Building

6703 Sullivan Rd

Central, LA 70739

1. Call to Order
2. Roll Call
3. Approval of the minutes from the January 21, 2015 Construction Board of Appeals meeting

PUBLIC HEARING CASES (NEW BUSINESS):

4. **CBOA-03-15**

Michael T. Carl

17011 Hooper Road, Greenwell Springs, LA

The applicant requests a variance of Title 8, Chapter 15, Section 8:15 52(2) & (6) for a new accessory building for storage and workshop

OTHER BUSINESS:

5. Announcements
6. Adjourn

MINUTES
CITY OF CENTRAL CONSTRUCTION BOARD OF APPEALS

Wednesday, January 21, 2015 at 2:00pm

Central Municipal Services Building

6703 Sullivan Rd

Central, LA 70739

1. Call to Order - *Meeting was called to order by Mr. Pete Firmin*
2. Roll Call - *Present – Bobby Eller, Pete Firmin, Buddy Ragland, and Craig Simoneaux*
Absent – Mike Stein, Jim Stevens, and Charlie Wroten
3. Approval of the minutes from the November 19, 2014 Construction Board of Appeals meeting

Bobby Eller moved to approve the minutes from the November 19, 2014 Construction Board of Appeals meeting. The motion was seconded by Craig Simoneaux. There were no objections, motion passed.

PUBLIC HEARING CASES (NEW BUSINESS):

4. **CBOA-01-15**

Kenya Green

11826 Alamo Drive

Lot 57-A, Cimarron Subdivision

The applicant requests a variance of Building Code 8:852(5)(2) and (e)(b) for a private home / brick veneer / slab

Buddy Ragland moved to approve the variance with the stipulation that the owner must have a Hold Harmless and Indemnity Agreement completed and signed by the owner and recorded with the East Baton Rouge Parish Clerk of Court before the permit can be issued. Craig Simmoneaux seconded the motion with the stipulations. There were no objections, motion passed.

5. *Bobby Eller moved to amend the agenda to add Case CBOA-02-15 from applicant Russell Starkey – Starkey Builders, LLC. The motion was seconded by Buddy Ragland. There were no Objections, motion passed.*

CBOA-02-15

Russell Starkey, Starkey Builders, LLC

12156 Morganfield Ave

Lot 6, Morgan Place West

The applicant requests a variance of Title 8, Chapter 15, Section 8:1552(4)R(6) for construction of a new detached carport and storage room

Craig Simoneaux moved to approve the variance with the stipulations that all items used for construction below the one foot of freeboard be water resistant materials, such as no insulation, no sheetrock materials that could hold water and/or mildew if they had gotten wet, and all electrical above. The owner must have a Hold Harmless and Indemnity Agreement completed and signed by the owner and recorded with the East Baton Rouge Parish Clerk of Court before

the permit can be issued. Bobby Eller seconded the motion with the stipulations. There were no objections, motion passed.

OTHER BUSINESS:

6. Announcements

None

7. Adjourn

Motion to adjourn was made by Buddy Ragland. Pete Firmin adjourned the meeting at 2:25 p.m.

CB0A-03-15

BUILDING VARIANCE REQUEST
CONSTRUCTION BOARD OF APPEAL
City of Central
6703 Sullivan Rd Central, LA 70739

1. Name of Applicant : Michael T. Carl
Current Mailing Address: 17011 Hooper Rd, Greenwell Spgs., LA 70739
street city state zip
Phone Number: 225-276-8961
day phone number

2. Name of Owner : Michael T. Carl
Current Mailing Address: 17011 Hooper Rd, Greenwell Spgs, LA 70739
street city state zip
Phone Number: 225-276-8961

3. Name of Business : Residence - Accessory Building
Location of Property: 17011 Hooper Rd, Greenwell Spgs, LA 70739
municipal address number
13.62 Acre T.V. Carl Property
lot and/or tract number subdivision
Project/Permit Number CC-15-02-0016

4. Type of Construction: Residential Remodel
 Commercial New
 Mobile Home
 Other
Describe Project: New accessory building for storage and workshop

Size of Proposed Project: 1800 square feet
Size of Existing Structure: NA square feet

5. Building Code: Title 8, Chapter 15
(Standard Building or CABO Code)
Section Number: 8:15 52(2) & (6)

6. Signature of Applicant: *Michael T. Carl*

2/13/2015
date

Michael T. Carl
17011 Hooper Rd
Greenwell Springs, LA 70739
Home – 225-261-2409
Cell – 225-276-8961

Building Official
Attn: Chairman of the Construction Board of Appeals
6703 Sullivan Rd.
Central, LA 70739

RE: Permit # CC-15-02-0016
Dear Sir or Madam:

I am requesting a variance to Building Code
Title 8, Chapter 15,
Section Number 8:15 52(2) & (6)

The above permit number is for an accessory building to be constructed at the above address. The building will be of wooden pole / truss construction with metal surface exterior walls and roof. It will be a total of 1800 sf (1200 enclosed with an open attached wing of 600 sf).

The base flood elevation at the building site is 66 feet. The actual elevation was surveyed to be 64.2 feet. The permit was approved at this elevation without requiring a Flood Elevation Certificate due to the intended use of the building and with the use of two appropriately sized flood vents in two different walls. There will not be any plumbing and the electrical will be greater than 1 foot above the BFE. The building will be used for storage and as a workshop. It will never be occupied as a residence and a Nonconversion Agreement has been recorded and is documented with the permit package.

I am requesting an exception to the exclusion of fiberglass wall insulation below the BFE. The walls will not be enclosed with any wooden or gypsum wallboard. I have lived on this property for 60 years and this site has never flooded. Additionally, I've been advised by Natalia and others that when FEMA approves the "new" survey maps, my location will no longer be subject to these flood restrictions.

I realize that no one knows when FEMA will approve the maps. However, due to the likelihood of eventual approval, and the fact that the insulation restriction will negatively impact the interior appearance of the building, as well as interior temperature, I request that an exception be granted. Because of the manner in which the building is constructed, it will be impossible to insulate the walls at a later time in such a way to be consistent in appearance.

Should this request be granted, considering a hold harmless agreement has already been furnished to the Board of Adjustments, will another recorded agreement be required?

Thank you for your consideration of this request.



Michael T. Carl
Attachments:
Building Variance Request
Hold Harmless Agreement – Board of Adjustments
Nonconversion Agreement

HOLD HARMLESS AND INDEMNITY AGREEMENT

ORIG: 771 ENCL: 12626
1/4/2015 11:22:03 AM

CITY OF CENTRAL
6703 Sullivan Road
CENTRAL, LA 70739
225-262-5000



FILED AND RECORDED
EAST-BATON ROUGE PARISH, LA
DONG WELBORN
CLERK OF COURT AND RECORDER

Tract	13.62 Acre
Subdivision	UNIVERSAL PROPERTY FOR
Address	17011 Hobbs Rd
Applicant	Michael T. Carl
Case #	DEPT. OF CLERK AND RECORDER

RE: BOARD OF ADJUSTMENTS

KNOW ALL MEN BY THESE PRESENTS, that I, we, or all of us, as owner(s), do hereby agree and declare that we will hold the City of Central, and City of Baton Rouge, Parish of East Baton Rouge, any employees, agents or assigns thereof, including business officials and/or Planning Commission or Board of Adjustment persons, all free and harmless from any future claims that may arise as a result of the granting of the following waiver of the Zoning Ordinance:

Description of item(s) subject to Hold Harmless and Indemnity Agreement:

A waiver of Section 2.2 D (4) of the Comprehensive Zoning Code to allow an accessory building that exceeds 1,600 square feet in the Rural/Agricultural Zoning District in order to construct a 2,100 square foot structure has been granted by the Board of Adjustments on December 18, 2014.

WE FURTHER CERTIFY that the Board of Adjustment has reviewed the above mentioned item(s) and has granted the respective variances, all at our request. In doing so, we certify that these special conditions and circumstances are exceptions that are in harmony with the general intent and purpose of the code(s) as adopted by the City of Central and City-Parish, and that they will not be detrimental to the public health, safety and general welfare.

AS MENTIONED HEREIN ABOVE, in consideration of the granting of said variance(s), we do agree to hold the City of Central and its employees, all as are above stated, free and harmless from any claim and/or demand of every kind and character that may arise as a result of the variance(s) having been granted. In addition to the above and foregoing agreement to indemnify the City of Central and/or its agents, employees, etc. from any damages that may be suffered as a result of the granting of the variance(s), we will likewise reimburse them any expenses that may be incurred as a result of any legal proceedings that may be filed, including, but not limited to reasonable attorneys fees for outside counsels representation and all court costs and expenses, etc. incurred in connection therewith.

This Hold Harmless and Indemnity Agreement shall be subordinate to any subsequent mortgages, purchase money security deed or security deed representing a lien on the above described property. Sale or transfer of any portion of the real estate shall not affect this agreement other than as to payments which became due prior to such sale and/or transfer. The agreement shall remain and be binding upon the owners, subsequent owners, their heirs, successors and assigns.

THUS DONE AND SIGNED by the respective parties in the presence of the undersigned competent respective witnesses and notary, after due reading the whole on this 19th day of December, 2014.

Tricia Bennett
Witness TRICIA BENNETT

Michael T. Carl Michael T. Carl
Owner(s)

William R. Aaron
Witness WILLIAM R. AARON

Bruce K. Turner
Notary Public
Bruce K. Turner
Bar Roll No. 12962

PLEASE NOTE THAT A COPY OF THIS AGREEMENT IS TO BE FILED WITH THE CLERK OF COURT AND A CERTIFIED COPY WITH A RECORDING DATA AND FILING DATE IS TO BE FURNISHED TO THE INSPECTION & PERMIT DIVISION BEFORE THE PERMIT AND/OR CERTIFICATE OF OCCUPANCY WILL BE ISSUED.

**NONCONVERSION AGREEMENT
FOR CERTAIN STRUCTURES IN THE FLOODPLAIN**

ORIG: 084 BNDL: 12634
2/11/2015 8:19:44 AM

Application has been made for a Permit from City of Central [community name]

FILED AND RECORDED
CALIFORNIA PARISH, LA
DOUG WELBORN
CLERK OF COURT AND RECORDER

Permit # CC-15-02-0016

Property Owner Michael T. Carl

CUSTOMER PROVIDED COPY FOR
CERTIFIED TRUE COPY

Address 17011 Hooper Rd., Greenwell Springs Rd, LA 70739, T.V. Carl Property

BY Rauby
DEPUTY CLERK AND RECORDER

Deed dated _____, Recorded _____

Tax map _____, block _____, parcel 13.62 Acre

Base Flood Elevation at the site is 66 feet (NGVD).

Map Panel Number 22033C0185F, effective date June 19, 2012

In consideration for the granting of a Permit for the above structure, the Property Owner agrees to the following:

1. That the enclosed area below the base flood elevation shall be used solely for parking of vehicles, limited storage, or access to the building and will never be used for human habitation without first becoming fully compliant with the Flood damage prevention ordinance in effect at the time of conversion.
2. That all interior walls, ceilings, and floors below the Base Flood Elevation shall be unfinished or constructed of flood resistant materials.
3. That mechanical, electrical, or plumbing devices shall not be installed below the Base Flood Elevation.
4. The walls of the enclosed areas below the Base Flood Elevation shall be equipped with at least two vents which permit the automatic entry and exit of floodwater with total openings of at least one square inch for every square foot of enclosed area below flood level. The vents shall be on at least two different walls and the bottoms of the vents shall be no more than one foot above grade.
5. That any variation in construction beyond what is permitted shall constitute a violation of this agreement and Section 8:1552 of Ordinance # 2012-4.
6. That this Nonconversion Agreement becomes part of Permit # CC-15-02-0016

Michael T. Carl

Signature of Property Owner

Carol L. Davis

Witness

2/11/15

Date

At a minimum, the following has been recorded on the deed to the above property: "This structure has received special permission to be constructed in the Special Flood Hazard Area. The lowest floor shall not be finished or converted to a habitable space unless the enclosed area below the Base Flood Elevation becomes fully compliant with Ordinance # 2012-4 in effect at the time of conversion. At this site, the Base Flood Elevation is 66 feet, National Geodetic Vertical Datum."

Signature, Recorder of Deeds

Date

CLERK OF COURT
19TH JUDICIAL DISTRICT
EAST BATON ROUGE PARISH
HONORABLE DOUG WELBORN

MORTGAGE AND CONVEYANCE

SALES RECEIPT

Transaction #: 3195306
Account #:
Name: walk-in
Date: 2/11/2015 8:20:54 AM
Cashier: KPOPE Register #: POS-005C

Item	Description	Amount
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ORIG: 084	BNDL: 12634	
Pages: 1	Names: 4	
11.1	AGREEMENT CB	\$25.00
189	COPY @ .50 EA	\$0.50
193	CERTIFIED COPY	\$5.00
	Jud Judicial Fee	\$30.00
199	LA PORTAL	\$5.00

GRAND TOTAL: \$65.50

AMT RECEIVED: \$65.50

CHANGE DUE: \$0.00

PAYMENT / TRANSACTION LIST

Check | 9264 | \$65.50