

BENTON-PARISH BOARD OF ADJUSTMENTS

MINUTES

Thursday, August 20, 2015 – 7:00 P.M.
Town Council Chambers – Benton Town Hall
105 Sibley Street, Benton, Louisiana

MEMBERS PRESENT

Doyle Adams
Fred Rankin
Michael Acurio
Nancy Penwell

OTHERS PRESENT

Sam Marsiglia
Shanna Lafield
Jack Lafield
Mark Hotard
Danny Pendergrass
Shawn Hotard
Mary Stokes

MEMBERS ABSENT

Jim Morris

Doyle Adams, Chairman, called the meeting to order,

(A) Sam Marsiglia, Director called the roll and stated a quorum was present.

(B) Special Exception Use

1. The application of Jack and Shanna Lafield to request Special Exception Use approval to place a 32' x 80' manufactured home on a 1.00 acre tract of land located at 110 Foley Trail Benton, LA.

The applicant's Shanna and Jack Lafield were present to answer any questions.

Mrs. Lafield stated that she purchased an acre of land at 110 Foley Trail and would like to place a 32' x 80' manufactured home on the property.

Mr. Adams asked if the manufactured home would be her primary home.

Mrs. Lafield stated that it would indeed be her primary home.

Mr. Adams asked for any additional comments from the board.

Mr. Rankin asked if the minor plat application is pending.

Mrs. Lafield said yes.

Mr. Adams called for comments from the public.

Mr. Mark Hotard, a representative from the public, stated that he lives at 210 Twin Lake Drive which is north of the Lafield's property. Mr. Hotard stated that everyone in the area has acres, and no one has one acre to his knowledge. The Lafield's property is in the middle of all their big acreage and subdividing will pull down all the equity in their property. He stated that he has been living in the area longer than anyone. Initially there were two (2) manufactured homes on the Lafield's property and now there will be four (4) manufactured homes in an area. The Lafield's eventually cut a trail through the property that they call Foley Trail.

Mr. Hotard then questioned if the road was legal.

Mr. Marsiglia stated that the Police Jury is looking into that as the plat is being reviewed but the official determination of the road has not been decided at this time.

Mr. Hotard stated that if Foley Trail is not a legitimate road, how can addresses be issued. If the Lafield's get approved for their manufactured home, they should have a Twin Lake Drive address like everyone else because their lot faces Twin Lake Drive and that's where the address should be. I need to know as a resident that the minor plat has been approved. I have all that I own in my home and on today's market it would go for \$240,000 dollars with six (6) acres. On the other end of the street there are \$300,000 dollar homes. My son has a home worth 160,000 and another property owner's home is worth \$160,000 and \$185,000 respectively. This is where I choose to spend the rest of my life and I don't want people subdividing and putting manufactured homes right next to me which would devalue my property.

Mr. Rankin asked Mr. Hotard, when you purchased your property did you realize that there were no covenants. When one buys into a subdivision like that, people can do whatever they want. Most subdivisions have covenants that would restrict this.

Mr. Hotard stated that he was aware that there are no covenants but stated that there were some rules in the beginning that didn't allow multiple manufactured homes on one lot.

Mr. Rankin stated that the applicant has put in an application to subdivide the property and that the application is pending.

Mr. Hotard stated that if someone comes out and looks, everyone has large lots and these lots look smaller than the norm.

Mr. Rankin stated that he understands the concerns but with no covenants, these people can do whatever they want with their property as long as they are legal.

Mr. Hotard asked that since he has six (6) acres, can he subdivide and put six (6) manufactured homes on his property.

Mrs. Penwell stated yes, you just have to subdivide it and that's what the applicants are applying for.

Mr. Rankin stated that the only way to prevent this from happening is for the subdivision to write covenants.

Mr. Hotard stated that they are at the end of the subdivision and that it's private land, but that the neighborhood would appreciate the manufactured home lining up with everyone else's in addition to having a Twin Lake Drive address.

Danny Pendergrass, a representative from the public, stated that he lives at 2005 Twin Lake Drive. Mr. Pendergrass said that the Lafield's are already his neighbors and I moved there three (3) years ago. The problem I have is with reducing the acreage.

Mr. Rankin asked the representative if he was indeed William D. Pendergrass.

Mr. Pendergrass stated yes.

Mr. Pendergrass stated that by allowing them to subdivide, sets a precedent.

Mr. Rankin stated that the legal way to prevent that is to have covenants.

Mr. Pendergrass said that he understood but if someone purchased a lot, you can't just add covenants before you get in.

Mrs. Penwell stated that that's true, but we have to abide by the laws.

Mr. Adams made a statement, for future reference, you will need to organize your neighborhood and come up with covenants. Most subdivisions have covenants on file at the courthouse and they are able to be viewed before someone purchases property.

Mr. Pendergrass, stated that the letter that was mailed to him should have stated that the applicant needs to abide by all the rules and regulations and that there is no need for him to show up.

Mrs. Penwell stated that we do not know anything other than what's going on right now for this Special Exception Use. The road is being checked out and it will be reviewed with the plat application. So there will be a decision made on the road by the Parish and the MPC.

Mr. Pendergrass stated, that there was no need for him to show up because he doesn't have any interest in this.

Mr. Adams reiterated that the only way to solve this is for the subdivision to have covenants.

Mr. Pendergrass stated so that's the only way to approve it.

Mr. Adams stated yes.

Shawn Hotard, a representative from the public, stated that he is all about privacy and he respects people's property and is not at the meeting to make enemies. He stated that he is not against what they are wanting to do if it is done within the limits of the law. It would be a bonus if they kept their property up. Mr. Hotard stated that he wants to be able to at least sell his home for what he paid for it.

Mr. Rankin stated that requiring one to keep their property nice would fall under the covenants.

Mrs. Penwell stated that the Parish does have a Property Standards department.

Mr. Rankin stated that requiring one to keep their property nice would fall under the covenants.
Mrs. Penwell stated that the Parish does have a Property Standards department.
Mr. Hotard stated that he is in law enforcement and that he missed out on a night assignment to be at the meeting. But for future instances a simple letter would've sufficed because he didn't think he needed to be at the meeting.

Mrs. Penwell stated that we are required by law to do certain things and there are certain things that we can't do by law but until we get here and hear the whole story and see what's exactly going on, we don't know whether we are going to approve it or not. This isn't anything that we make a decision on until we have all the information. Therefore if the public doesn't show up, and the applicant tells us something false, then we can only make decisions based off of that information.

Mrs. Penwell stated that she was sorry that he had to miss work.

Mr. Hotard stated that as a man of the law he respects anyone that acts within the law. And if they go through all the right processes then he has no complaints.

Mr. Penwell stated that she had a question about the address and how it was obtained.

Mrs. Lafield stated that she received the address from 911.

Mr. Adams asked for additional comments.

A motion was made by Mr. Acurio to approve the application contingent upon the plat being approved.

Mr. Rankin seconded that motion.

The motion passed unanimously.

Mary Stokes, a representative from the public stated that she wanted to clear up some misunderstandings about the property. She stated that she owned eight (8) acres at the beginning and that there are many one acre tracts of land out there. She stated that 911 didn't have a Twin Lake Drive address available to give Shanna.

REGULAR MEETING

1. Approval of Minutes

Having no corrections, the minutes were approved unanimously.

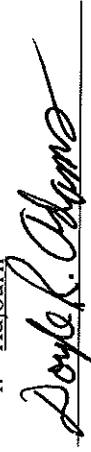
2. Old Business

None

3. New Business

Mr. Rankin welcomed the new board member, Mr. Scott Alexander.

4. Adjourn



Mr. Doyle Adams, Chairman

Chairman: Mr. Doyle Adams

Vice Chairman: Mr. Fred Rankin