

BENTON PARISH METROPOLITAN PLANNING COMMISSION

MINUTES

Monday, September 12, 2022 – 6:00 P.M.

Bossier Parish Courthouse

204 Burt Blvd.

Benton, LA 71006

MEMBERS PRESENT:

Martha Reyenga

Brian Kauffer

Steve Vercher

Wes Shepherd

OTHERS PRESENT:

Carlotta Askew-Brown

Carolina Zet Blunck

Jayne Gilmour

Jeff Raley

J. D. Gill

Darren Ellingwood

Micha Duffy

Billy Parks

Robert Aiello

MEMBERS ABSENT:

Michael Jorgenson

(A) Martha Reyenga called the meeting to order at 6:00 p.m.

(B) The invocation was led by Brian Kauffer.

(C) Pledge of Allegiance was led by Steve Vercher.

(D) Jayme Gilmour called roll and stated a quorum was present.

(E) A motion was made by Brian Kauffer and seconded by Wes Shepherd to approve the agenda.

The motion carried unanimously.

(F) PUBLIC HEARINGS

1. T 7-22 – The application of Ryan Estess, Raley and Associates, requesting a Zoning Amendment to change to the zoning classification of a tract of land being 5.683 acres, more or less, from R-A (Residence Agriculture District) to R-1 (One-Family Residence District) located in Section 20, Township 20 North, Range 20 West, for a proposed residential subdivision, North Benton Heights. (north and south of Palmetto Place Apartments) (Town Council District 1) (Police Jury District 3)

Jeff Raley was present.

Vercher: Are all the unresolved issues with the water and sewer access taken care of?

Raley: I think so. Ryan has been talking with Balar. He added them on the plat.

Reyenga: Unit 2 will have to be annexed into the Town of Benton, correct?

Vercher: It will require an extension at that time.

Raley: Correct.

As there were no further comments from the Board or the public, the Chairman called for a motion.

A motion to approve the application was made by Vercher and a seconded by Kauffer.

A roll call vote was held and the motion carried unanimously.

2. **BP-22-22** – The application of Saveco Masonry Services requesting Amended Plat approval for Willow Creek at Benton Unit 2A being 6.831 acres more or less, located in Section 24, Township 20 North, Range 14 West, Bossier Parish, Louisiana. (Police Jury District 3)

J. D. Gill was present.

Gill: It appears that in one of the transactions when Phase 1 was done, we had a lot 2000 out there. It was actually built under Phase 1 construction. It was designated as the drainage easement. Subsequently, some of the lots in Phase 1 were sold. My partner, Jerry Heartline, was handling those transactions and the construction of the pond. His health failed. Saveco had to buy him out. When that was done, Lot 2000 was not included in the buyout for some reason. What is causing the problem is, Mr. Ellingwood purchased a lot from a person who had purchased a lot from us. It was lot 20 on the map. Mr. Heartline built the pond and ran out of good dirt. At that time, that land had not been sold to anyone. Mr. Heartline moved over a little bit, about 10 or 12 feet, to get some clay to finish the levy. That encroached on another lot. Joey French replatted that and gave it to Mr. Heartline to record. He did not record the changes in the size of the lot. We did not find this out until a lady had purchased it from us and sold it to Mr. Ellingwood. It came about that the pond was encroaching on his property. We met with parish officials and Mrs. Brown and they decided that all building permits had to cease until that issue could be resolved. We are trying to replat the lots and get them like the legal description states. The sidewalk and the pond cannot be over on their private property.

Reyenga: This just resizes lot 20A and 19A and gives mores space to the lot 2000 where the detention pond was, correct?

Gill: Yes. I understand why it is causing a problem but I had not bought the land yet. The detention pond was sold to Saveco by a company that had run out of money. Mr. Heartline had taken it over. When his health failed, we bought him out. It was intended for me to buy it. I was actually one of the sellers so I am assuming my half of that liability. Mr. Heartline has not responded to me personally or to our attorney.

Reyenga: Are the owners of 19A and 20A satisfied with what the new survey is going to represent?

Gill: I think they are satisfied with the survey. We are still discussing the money end of it. I am going to do my best to make it right.

Vercher: They all have to sign off on this. They all will have to sign this plat. You have not reached an agreement yet?

Gill: No. I was just informed this week what the true status was. The bill of sale was in error.

Reyenga: 19A and 20A belong to different individuals?

Gill: Yes.

Reyenga: The detention acreage needs to be larger.

Vercher: Is the Police Jury good with this?

Blunck: They have sent their comments on the plat. They are ok with it. They need this in order to release the permits for construction.

Darren Ellingwood was present.

Ellingwood: We bought this to build our forever home. We went by the description of the buyer that bought from him. She got the description of the land bordered the edge of the pond. I assumed that when she bought it, she had the lot surveyed. When I went build and start my dirt work, I had it surveyed so I knew exactly where my lines were. At first, I thought I owned part of the pond because one of the lines came out almost the back middle of it. I've had this land for 9 months and I still can't build on it. I've got the purchase price for the land, I've done \$36,000 worth of dirt work, I've also paid for the plans for the house and the foundation drawings. I am at a standstill now. Through other's mistakes, this has become my problem. I am here to express that to you and I would also like to get my building permits. My builder ready to retire and this will probably be his last house. He is not sure how long he can wait.

Reyenga: Are you happy with the new survey and not having any of the detention pond?

Ellingwood: I cannot say that I am tickled to death with it but I have already signed the new plat so that it can be registered. I am working with Mr. Gill to come to an agreement over compensation for me giving up almost half an acre.

As there were no further comments from the Board or the public, the Chairman called for a motion.

A motion to approve the application contingent on the Police Jury approving the revised plat as well as the property owners of lots 19A and 20A was made by Vercher and seconded by Kauffer.

A roll call vote was held and the motion carried unanimously.

3. **BP-19-22** – The application of River Ranch Acres Company, LLC, requesting an Amended Plat, approval for Belmere Unit No. 6, being 24.191 acres, more or less, located in Section 4, Township 19 North, Range, 13 West, Bossier Parish, Louisiana. (Police Jury District 3)

Micha Duffy was present.

Duffy: One thing that came up last time was the date of the latest Master Plan. As part of the record, this was received by MPC in 2018. That is the latest approved Master Plan.

Vercher: I see your notes on the side here. What are you saying by this?

Duffy: All we have left on this Master Plan is Unit 6 and Unit 7 in Belmere. The Master Plan for Unit 6 showed 62 lots. What we are presenting today has 56 lots so it is lower density. We actually have an approved one before this was modified at 61 lots so the density is down.

Vercher: What about the gas main?

Duffy: The previously approved Master Plan had about 7 crossings for the gas pipeline. We have reduced that to 2. This is an improvement.

Vercher: Another thing I was looking at was drainage. I saw on the plat it has a 40' wide drainage easement. Why is there a draining easement on each one of these private properties and not a Lot 1000? You are going to give a concrete channel to every property?

Duffy: We are. Their fences will be built at the high bank. This is Police Jury drainage easement. The concrete channel will be per their requirements.

Duffy: In unit 1, there is a concrete drainage ditch set up the exact same way.

Vercher: It seems like it makes it more difficult when they need to work on it? Are you going to let them build closer to that fence?

Duffy: There is a note on the plat that says 25' rear yard setback.

Vercher: In theory, they could build 5' off that fence because 20 of it is on the other side of that fence.

Duffy: True. It hasn't come up in any of the reviews by the Police Jury. If that is something we need to put on the plat, we can.

Vercher: We don't sign the plats. I wanted to call it to your attention. I'd like for you to call it to Eric Hudson's attention if this moves forward.

Askew-Brown: For the record, can you note which lots?

Vercher: It bleeds over into two different plats. When you look at the channel, this is the drainage easement that takes water to the channel. We are looking at lots 214, 213, and 212.

Vercher: The long lots that we talked about to the north side, what kind of setback will you offer? That lot there is over 400' deep.

Duffy: We can have a restrictive 25' rear yard setback.

Vercher: That would serve as a buffer so they don't encroach on Bay Hills Unit 2.

Duffy: We can note on the plat that lots 195-200 will have 25" rear yard setback.

As there were no further comments from the Board or the public, the Chairman called for a motion.

A motion to approve the application but also including the 25' rear yard setback to lots 195 – 200 was made by Vercher and seconded by Shepherd.

A roll call vote was held and the motion carried unanimously.

4. **BP-18-22** – The application of River Ranch Acres Company, LLC, requesting a Final Plat approval for Belmere Unit No. 7, being 17.892 acres more or less, located in Section 4, Township 19 North, Range 13 West, Bossier Parish, Louisiana. (Police Jury District 3)

Micha Duffy was present.

Duffy: This is the final unit in the subdivision.

Vercher: Do you have an exhibit of the channel? What is your intent as far as boathouse and those type of things?

Duffy: The channel that goes into Black Bayou is 80'wide. It will have retaining walls on both sides. Lake Commission has allowed everyone to build a 25' x 25' boathouse or deck and that leaves a 30' lane for boats.

Reyenga: The unresolved issues with the CBB permit to alter the reservoir and the permits for the construction for the sea walls, are you working on that?

Duffy: We have approval from the lake commission. The detail and the permit to actually construct the wall will come at a later date. But the channel is approved.

Billy Parks was present.

Parks: I live at 300 Hilton Head Drive in Bay Hills. If you are going to alter the lake... I have been back there and I saw that huge hole. That pocket that comes in behind is isn't more than about 3 inches deep. How much of the lake is going to change when you dig a canal through there to fill that hole up you dug? How are you going to tie that into the lake?

Robert Aiello was present.

Aiello: I drove my Searay, which has an 18.5' Searay with an inboard/outboard motor, before all of the rain, from what I call the main lake into this new channel. The depth is sufficient. The depth of the channel is about 9 feet.

As there were no further comments from the Board or the public, the Chairman called for a motion.

A motion to approve the application was made by Shepherd and seconded by Vercher.

A roll call vote was held and the motion carried unanimously.

(G)PRELIMINARY HEARINGS

(H) REGULAR MEETING

1. Approval of Minutes

- a. A motion to approve the August 1, 2022 minutes was made by Kauffer and seconded by Vercher.

The motion passed unanimously.

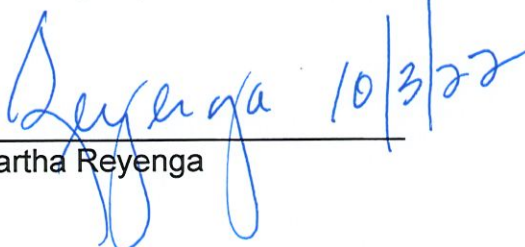
2. Old Business

3. New Business

Carlotta Askew-Brown stated that Mayor Horton has requested some additional information in regards to the budget and the budget workshop will be rescheduled soon.

4. Adjourn

Meeting adjourned at 6:42 pm.



Martha Reyenga