



# Minutes

September 29, 2016  
Alexandria, Louisiana

The City of Alexandria Board of Adjustments and Appeals met in the Council Chambers at 4:00 PM, **September 12, 2016** pursuant to requests for multiple "SPECIAL EXCEPTIONS."

PRESENT: Mr. Mike Bordelon, Chairperson  
Mr. Tim Dousay  
Mr. Bryon Salazar

Jill Brittain, Zoning Analyst  
Jamie Yaeger, Zoning Analyst  
Robert Bussey, Legal Counsel

The Chairperson, Mr. Bordelon, opened the meeting at 4:02 PM. Roll call was taken by Ms. Brittain who announced a quorum. Mr. Bordelon starts the meeting and announces that Item #1 and Item #2 withdrew their requests for Special Exceptions. Mr. Bussey mentioned that anyone in the audience present for either of those requests did not have to stay for the meeting. Mr. Bordelon introduced Item #3, asking whomever represented Mr. Rod Noles to approach the podium. No one was present to represent Mr. Noles. Mr. Salazar made a motion to move to Item #4 on the agenda. Mr. Dousay seconded the motion. Motion carried. Mr. Bordelon introduces Item #4.

**ITEM #4    The application of Mark Gravel, requesting a SPECIAL EXCEPTION to City Code Section 28, Article 2, Family, to allow an increase in the number of persons living together as stated in the definition of family for reasonable accommodations under The Fair Housing Act. This property is located at 1910 White Street---PT LOTS 8&9, SQ 52, WHITE ADDN; FRTG 88.3' ON WHITE STREET(2240 IMP 21328)(CB 1518-230 BRUMFIELD)(CB 1518-315 JUDGEMENT)(CB 1743-470 EAKIN)(CB 1833-804DON:HOFFMAN CONSULTING)(CB1838-921 2008 3<sup>RD</sup> PARTY PARISH TAX SALE)PARCEL I.D.# 24-39-9670-58\*\*\*(1910 WHITE STREET),-LOT 10&6' OF LOT 9, SQ. 52, WHITE ADDN(1000 DP 3500)---(CB 1518-232 BRUMFIELD)(CB1518-315 JUDGEMENT)(CB 1833-804**



**DON:HOFFMAN CONSULTING)(CB 1838-921 20080 3<sup>RD</sup> PARTY PARISH TAX SALE)(CB 1846-574 GRESHAM)(CB 1847-712 REDEMPTION OF 2008 3<sup>RD</sup> PARTY PARISH TAX SALE)\*\*\*PARCEL I.D. #24-39-9670-59\*\*\* (1904, 1906 WHITE ST & 916, 918 BLYTHE ST), Alexandria, Rapides Parish, Louisiana, located within the zoning district zoned as "SF-2", Single Family Moderate Density District.**

Mr. Mark Gravel comes forward to speak on behalf of his application.

MR. GRAVEL: How are you doing today?

MR. BORDELON: If you would state your name and address please.

MR. GRAVEL: Mark Gravel, 1500 South City Park, Alexandria. I want to address a few items today. As we all know, the Oxford House on White Street and I am sure other areas in Alexandria have been a hot issue in regard to a request for a variance. As neighborhood groups and neighbors became aware of the variance request there has been a lot of dialogue to say the least. I want to address and give my personal opinions and thoughts to some of the issues that have concerned many in the neighborhood. I believe there is a lot of misunderstanding in regard to the Oxford House especially as it relates to the Fair Housing Act. Our opinions may differ however I respect the dialogue, especially when it is based on fact. What makes things difficult for me is the misunderstanding that the Oxford House and its program, things taken out of context and sadly some exaggerations to make a point. The Oxford House has had up to 8 people for the last year. So, really there is no change. The Oxford House is asking for a variance from a City Ordinance which only allows 6 people. The Oxford House is protected by the Fair Housing Act and is asking for reasonable accommodations from 6 to 8 people. The City had requested we file for a variance, since the City's Ordinance only allows for 6 people. To bring this to a resolution, rather than a court battle, I filed on behalf of the Oxford House a request for a reasonable variance from 6 to 8 people. During the past year many of you had no knowledge there was an Oxford House in the neighborhood until this recent week or two. That in itself says a lot to me. Which leads to the question, what are the real issues many have in regard to the Oxford House? Is it parking, is it the concern of home ratings, worried about opening doors to other issues or other issues that have been discussed recently? I personally have not had any issues brought to my attention about the individual tenants or anything in regard to the Oxford House on White Street until now. If I had, I would have addressed any legitimate concern immediately. What I have read and heard this week is eye opening. I want to address some of your concerns from perspective and my observation. People in the neighborhood are concerned that their home values will go down and I certainly understand and respect that point of view. However, I do not agree with this argument of diminished home value. I actually have some facts. I just had my home refinanced. I had about 40 appraisals, 13 of them in the immediate area of both Albert and White Street. My appraisals have gone up in value, not decreased. When selling a property -- if you're concerned about selling a



property in the neighborhood because the Oxford House is located there, there's nothing on any disclosure form when selling a home that identifies neighbors. It's actually illegal to do that. I would like to know if anyone here can share with me any recent sale in the Garden District where the value of the sale was diminished due to the Oxford House. I'd love to talk about it. There are things I do believe could drive prices down in a neighborhood, misinformation and gossip. I will personally continue to speak about the positives in the neighborhood and its diversity. Parking complaints, my understanding that there no laws or ordinances that prohibit you from parking on a public street nor is there a law that restricts how many vehicles one can have in its own drive. Look up and down White Street, Albert Street, Marye Street, Polk Street cars can park in front of or across from houses up and down the street and always have been, including those that have made issues about parking. We have also seen recreational vehicles, flat-bed trailers et cetera and none have brought this much concern until this variance was requested. I personally do not believe it is the real issue. The Garden District has been like this for many, many years and I'm sure it will continue to be this way. Some are concerned what doors will be opened next - opened next if we allow the variance. There are concerns of double occupancy, triple occupancy or whatever was referred to in recent dialogue. The City already has ordinances in place to address your issues and concerns. The difference with the Oxford House is that, it is protected by the Fair Housing Act when seeking reasonable accommodations. Some have had concerns that proper procedures were not followed or permits obtained. There are no permits to be obtained or procedures to follow when renting a property by a lessor to a lessee for residential purposes. These individuals that are leasing the home, they are like anyone else that wants to lease a house. Some are concerned about some of the individuals may have done jail time related to their addiction. That is correct and those individuals in recovery are trying to turn their lives around. As mentioned in an attachment of the flyer, those in recovery prove daily that inmates can run the asylum and that's pretty good and it's been very successful. There are others in the Garden District that have been arrested for whatever reasons, drug related offenses, DWIs et cetera, including myself. I was arrested in my mid 20's and spent time in jail. I'm glad I had the support I had and I was able to turn my life around and be more productive. In regard to the profiteering suggested in recent dialogue, the Oxford House is a 503C non-profit. The Oxford Houses are self-funded by the tenants. And the recent flyer that was passed in the neighborhood it stated the Oxford House is asking to redefine the family ordinance. That is not the case. No one is requesting that the existing ordinance be changed or redefined. They are asking for a variance for reasonable accommodations. In the City there's a lot of passing of variances which explains the activity to those homes. If the variance is passed the City will only be following the Federal law against discrimination. If not, there is a good possibility the Oxford House Inc. will file a Federal lawsuit against the City for discrimination. This would be costly to the City in both legal costs and fines. And I'm sure the City knows there's precedence for what we're asking for. Also in the flyer it's asking you to attend a meeting to block this effort or it can happen next to you, with an exclamation point. I guess things have really not changed over the years and decades. I feel the real issue and concerns in regard to the Oxford House is being disguised as a parking issue, diminished value issue or other issues mentioned. I personally think it's, not in my neighborhood, issue. I'm sure everyone knows someone who has had an issue



with drugs, alcohol, prescription pill addiction et cetera. It could be your son, your daughter, your friend, your relative in recovery. I'm sure you would want the best for them, a good place for them to live. As with other disabilities, I'm sure you would also want the best available for your loved ones or the people you know. About 5 years ago I started to rehab a number of houses in the Garden District. Many individuals in the neighborhood at that time were opposed because I was renovating homes to lease. They wanted only homeowners in the neighborhood not renters as they felt it would drive down home values. That has not been the case. Many were upset with me initially and, in fact, to some degree I was vilified, possibly still so, sure it's still so. There were many initially opposed to a coffee house in the neighborhood. I think most will agree the coffee house has been an asset to the neighborhood. Regardless, I proceeded to continue rehab - rehabbing 17 properties in the Garden District, 15 between White Street and Albert Street. I believe I made a positive impact in the Garden District on home values -- on home values. I have leased properties to doctors, large corporations, young professionals, Rabbis and to friends of yours who called me and asked me to find a place for them in the Garden District. Many are now your neighbors and friends and I feel they have made a great impact in the Garden District. Many of those houses that I rehabbed were previously crack houses, dilapidated homes or those in need of major repairs. Like many of you, I have invested a large amount of money in the Garden District. I do not think I would jeopardize your property values or mine. It would make no sense financially for me to lease to the Oxford House if I thought that were the case. Many would say I was crazy, I don't disagree. For me, I got -- I got caught up making a difference in the neighborhood, which I personally feel I have. Paul Smith got me involved in the tax credit program. It was not about the almighty buck as some suggested during the past week of dialogue. It actually makes me feel good when I drive by these properties because I know what shape they were in previously. I see the difference I made and I believe many of you have, too. The tax credit program is what made it possible for me to rehab these homes. Some of you are not aware but the tax program required these homes be income producing for 5 years, in other words, rental property. And in some cases it is not necessarily very profitable for me as I tend to do more in the homes than I should. Over the past couple of years that I got involved leasing two of my properties to the Oxford House. I did not do it because it was more profitable. I charge similar rents for other houses in the neighborhood. I do not get more or less money based on the number of occupants. I did it because I believe it is a great program to help people in recovery. I have been touched by loved ones, family, friends and acquaintances that have struggled with addiction. Recovery works and I've seen it firsthand. I am proud to say that my son has turned a life of misery into a very productive life. He has turned low self-esteem into an unimaginable level of confidence. He is a proud father of 3 beautiful children and a beautiful wife. I see my son's eyes - - I see in my son's eyes something that I have never seen in a very long time. I am very proud of my son and what he has accomplished, it was not easy. So, I know recovery can work with support. For those of you who do not know the Oxford House is strict. You must work, which means, you must pay taxes into the community. You must attend meetings and you cannot relapse. If you do, you are removed from the house. It is a stellar program. The Oxford House is not an abuse center, halfway house, shelter nor a community care facility. The Oxford House is nowhere different from any other single



family home that is rented by a group of individuals. They take pride in the properties they rent. I can vouch for how they maintain my properties. What those in recovery need is acceptance and support. Addiction is a disease and I do not wish the disease on anyone. Recovery also works right here in our neighborhood. Many of you know individuals in the neighborhood that went through recovery and are successful. To live in a good community or neighborhood during recovery has been proven to be more successful in the Oxford House Program. The Oxford House is a good - - in a good neighborhood gives those in recovery a sense of pride and confidence. Those in recovery feel better about themselves and feel like a part of a community. It will always be a struggle for those in recovery as most diseases and disabilities are. The success rates in the Oxford House are some of the highest in regard to recovery. I saw a post this weekend on Facebook -- this weekend was from a friend of mine, a former renter, and now a homeowner in the Garden District. She stated, we need to show our world that there is hope and the lie about recovery is dead, we do recover, she challenges those with addiction to be brave. If you really believe people are irredeemable then we are in a very dark place in society. What those in recovery need is our support. I hope that any animosity that has been caused or fueled through misinformation and lack of understanding will subside and we can show our more acceptance. It can only make our community and neighborhoods better. Thank you.

MR. DOUSAY: You want to address any questions?

MR. BORDELON: Hold on one second.

MR. DOUSAY: Why is there a need to go from 6 people to 8 people?

MR. GRAVEL: It's been proven in the Oxford Houses that the bigger the group is the more success we have. You know if you have two people it's not -- there's only so many that's communicating. And all that are there are helping each other, the more the better is what it is. And I think 6 to 8 is a reasonable request.

MR. DOUSAY: And there's 6 there now?

MR. GRAVEL: There have been 8 there for the last year -- up to 8 but, you know, there may have been times when it's been up to 8 for the entire year. Actually, there's really no change other than the City brought to my attention that a variance needed to be done and filed for it, the request for reasonable and we feel it's protected under the Fair Housing Act.

MR. DOUSAY: What is the parking capacity of this house?

MR. GRAVEL: What is what?

MR. DOUSAY: The parking capacity?

MR. GRAVEL: It's not a -- it's not a commercial building that requires a parking capacity.

MR. DOUSAY: Is it 1, 2?

MR. GRAVEL: The driveway -- well, I tell you actually prior to this coming up, I had met with them and what they are doing. They are in the process of moving a portable building that's in the back -- at the end of the driveway further back where they can add additional space. So, right now as it is there's probably 1, 2, 3, 4, 5 on the sides and you have 2 or 3 in the driveway.

MR. BORDELON: So, typically every tenant has a car?

MR. GRAVEL: Not necessarily no.

MR. BORDELON: Okay. What's the -- as far as the time, how long are the tenants -- how long do they typically stay in the...

MR. GRAVEL: The tenants are not required to stay any length of time.

MR. BORDELON: Okay.

MR. GRAVEL: They suggest a year or so. Some stay longer, some stay less. If you relapse you're out immediately. Like I was saying earlier, if there's a concern that someone has with a tenant or with the house I've never received a call. Everybody knows me in that neighborhood and all they have to do is pick up the phone and call me and I'll address it immediately. I have no issue with that. I'm not -- you know, I've got a lot invested in the neighborhood also.

MR. BORDELON: How long has the Oxford House occupied the property?

MR. GRAVEL: A little over a year.

MR. SALAZAR: How many bedrooms is the house?

MR. GRAVEL: The house is 3500 square feet and that's 3 bedrooms downstairs and I will call it could be as many bedrooms as you wanted upstairs. I forget the fellow's name that had it before, this photographer, he used it for a dark room but it's probably at least 1200 square feet upstairs. It probably...

MR. BORDELON: Okay. Any other questions?

MR. DOUSAY: What is a typical day like for the residents?

MR. GRAVEL: They get up they go to work and they come home in the evenings. They have meetings amongst themselves. You know, it's just like any other family



except nobody wants to use that word but it is like a family. You bond with these people. If you've known people that have gone through recovery and suffer with addiction it's a bonding group. You know, they support each other. It's what makes it successful.

MR. DOUSAY: Do any of the residents have legal issues outside of their drug addiction, alcohol addiction?

MR. GRAVEL: I would not know that nor would I know if any of my neighbors on White Street or Albert Street have the same.

MR. SALAZAR: Is your lease typically with each individual occupant or is your lease with the Oxford House?

MR. GRAVEL: It's been both ways. It's been with the individuals and it's also been with the Oxford House.

MR. SALAZAR: What is it on this house?

MR. GRAVEL: I believe I received a check from the Oxford House, they pay into the Oxford House.

MR. SALAZAR: So, you're not having to go around and separately negotiating 6 or 8 leases?

MR. GRAVEL: No, no. I did that initially.

MR. SALAZAR: And now you just deal with the Oxford House?

MR. GRAVEL: Well, they send a check, they collect it from the people. They're required to pay each one of them, so much per month -- per week, toward the cost of the house and the -- all the incidentals that's needed in the house.

MR. SALAZAR: And if one person is removed is there an obligation on the part of them to replace it for you or do you have to go out and do that?

MR. GRAVEL: I have nothing to do with that. They -- it's self-monitoring generated among themselves. They are the tenants. There's a democratic deal with them signed. They decide who comes in and who doesn't come in. They decide when somebody needs to leave. If somebody relapses they're automatically out. If someone is disruptive, they ask them to leave. It's really a strong program. It's not like your halfway houses and any other things I'm sure all the people thinking this is. It's just a very successful program and something I'm very much for. And I can understand other people's views. I really can.

MR. SALAZAR: Are the leases typically long term in nature or?

MR. GRAVEL: A year's leases just like my other leases.

MR. SALAZAR: One year at a time?

MR. GRAVEL: Yeah. And it goes 30 days month to month after that.

MR. SALAZAR: How do you determine that there is a need for one of these homes?

MR. GRAVEL: How do I determine there's a need?

MR. SALAZAR: Yes.

MR. GRAVEL: Because I got approached that they were looking for to rent a house - approached by the Oxford House. And so there is need, there's needs all over about this. It's not that it gets to a -- it gets to a certain point I'm sure at times from the experiences I've seen that, you know, they don't - they have more houses than they need. So, they back down. They don't -- it's all based on the few that are going through these programs. People go into rehab facilities, one of the main things they suggest in getting out when you go 60 days, 90 days to a rehab like up in Rayville, they suggest you go live in an Oxford House for a year. Get your feet on the ground don't just go straight out into, I guess, you could call society out there. You know, get your feet on there, get to work, you know, stay among the group. The thing that makes things work in recovery is support. And as long as they've got that self-support until they get a good hold of things, you know, that's what they do and so, it's successful. I mean, who wouldn't want somebody to be successful? I don't get it.

MR. BORDELON: How many Oxford Houses - I'm not that familiar with this program...

MR. GRAVEL: Yes, sir.

MR. BORDELON: .. how many Oxford Houses are in Central Louisiana?

MR. GRAVEL: I don't -- I think ..

MR. BORDELON: Do you have any idea?

MR. GRAVEL: .. there's around 7 or 8 in Alexandria. I don't know an exact number, somewhere around that but State-wide it's about 220.

MR. DOUSAY: Do the residents have a formal screening program or is it ..

MR. GRAVEL: It's all done within the Oxford House.

MS. BRITAIN: Mr. Bordelon... Mr. Bordelon, now there are 18.



MR. BORDELON: 18?

MS. BRITTAIN: Yes, sir.

MR. GRAVEL: In Alexandria?

MS. BRITTAIN: Yes, sir.

MR. SALAZAR: Mr. Bussey, just to be clear, the variance is simply to go from 6 people to 8 people, is that correct?

MR. GRAVEL: That's correct.

MR. BUSSEY: Yeah -- yeah, because under our current code we can have 6 unrelated people fall within the family, we've had that with group homes and community homes before.

MR. BORDELON: Any other questions? Thank you, Mr. Gravel.

MR. GRAVEL: Sure.

MR. SALAZAR: Mr. Gravel, so do you think that if the variance were denied, would the Oxford House - does having 6 people in the house does it just not work with their model, would they ..

MR. GRAVEL: I think -- I think their model works better with 8 or more, I really do. The most they would have in this house is 8 people.

MR. SALAZAR: Do you think they would discontinue, however, if they were limited to 6?

MR. GRAVEL: You would have to ask them that. I think more than likely, if denied, they'll probably file some kind of discrimination suit.

MR. BORDELON: Thank you. With -- I see the entire neighborhood here. I don't know if - I don't know if you've appointed someone to speak on your behalf or if someone would like to speak on your behalf if you're opposed to this. Yes, ma'am, please. If you would please state your name and your address.

MS. WELLINGER: Julie Wellinger, 1920 White Street. I live right next door. So, the Fair Housing Act mandate prohibiting discrimination against disabled veterans and individuals is not a blanket waiver of local regulations. In fact, the FHA says that numerical limitations of some sort are expressly allowed and numerical regulation is not forbidden. It is not considered discrimination for the zoning to restrict the number of residents within reason, as stated in Elliott versus the City of Athens in which the Eleventh Circuit Court upheld a local limit of 4 unrelated persons as reasonable. The

Supreme Court has recognized that a nuisance is presented by more intensive use of a property and I quote, more people occupy a given space, more cars rather continuously pass by, more cars are parked, noise travels with crowds. The Supreme Court considers these as legitimate concerns and not necessarily deemed to be discriminatory. Both the Oxford House and the Federal guidelines for start-up loans permit the establishment of recovery homes with as few as 6 residents. In the *United States versus Village* ruling it states that beyond this number of 6, the assertion that residents must share houses is economic, not implicating therapeutic concerns. Numbers over 6 are not justified for economic reasons under the FHA which states that an economic argument is not relevant to the disability and should not be a factor in allowing a non-conforming use unless it can be shown that smaller less expensive homes are unavailable. As for the therapeutic justification for having a larger number of residents, even the Oxford House's co-founder and CEO, J. Paul Molloy, stated in an interview in 2011 that as few as 6 individuals can form an effective group, thus the 6 number threshold are required to form an Oxford House charter. Oxford House versus the City of St. Louis discussed conditional uses versus variances. It stated that the variance process should not be used to spot zone certain homes as adequate for recovery home purposes. Instead, they should have to be permitted for conditional and be subject to certain conditions including parking and safety improvements. Such permitting has been ruled as not discriminatory per se, as long as applicants are required -- applications are required of other similarly situated groups of unrelated people. This has been deemed as a legitimate means of control unsupervised group homes and is consistent with the majority of state statutes. Before you consider a variance of the Oxford House I would like to know if they have provided any paperwork or documentation proving that they qualify as a recovery home. Do their handicaps meet the threshold under the FHA? Have they had prior convictions that would exempt them from protection under the Act? The *Oxford House Incorporated versus the City of Virginia* stated that it may be, as the Oxford House litigators suggest, that the locality is powerless to exclude them but the locality should not be powerless to know who and where they are and require some evidence of declaration that the residents indeed are handicapped within the meaning of the FHA. In summary, there is nothing about the current zoning of 6 unrelated to a household that precludes the Oxford House from having a charter or from being in our neighborhood. Thus, they are not being discriminated against. There is no reason to allow a variance for additional people as that would potentially impede the surrounding neighbors' legal right of enjoyment of property, which is the purpose behind zoning laws. Instead, the City should institute procedures and ordinances for such homes. The goal should be to structure something that would allow the effective use of the recovery home model while retaining some measure of control over regulation of such homes. We could have a program of registration and licensing for recovery homes. At the very least we should recognize recovery homes by definition in the zoning code. This would provide a basis for determining the exact limits of the numerical and functional family definitions. A new zoning use could be created with the particular needs of recovery homes in mind.

MR. BORDELON: Thank you. Any questions? Thank you very much.

MS. WELLINGER: Uh-huh.



MR. BORDELON: Do we have any other comments from the audience? Yes, ma'am.

MRS. MIDDLETON: I'll come.

MR. BORDELON: Please if you'll step up to the podium.

MRS. MIDDLETON: My name is Sylvia Middleton. I think it's going to be hard to follow Ms. Wellinger.

MS. BRITAIN: If you would, please state your address.

MRS. MIDDLETON: 1744 White Street. I'm five houses down from the Oxford Home. I moved to this home in 1995. I felt it was important to renovate this historic home in this historic district. That might be meaningful to some and it might not be. I put money into this home and I've raised my children and I wanted like people in my neighborhood. I don't think it's because I want to discriminate. I would just like to live in a neighborhood unlike New Orleans where I feel my children are safe and cared for and I have meaningful friends. I don't want a neighborhood like New Orleans where the zoning is such that it can be a business or a restaurant to one side and a sex shop on the other side. And going around and round looking for a parking spot. I think we do need to be careful on how many residents are in a home and how many vehicles. It does make a difference. I have come down White Street in the evening when you have to maneuver carefully because there are so many cars in front of this home or another home. That's a good party. In fact, I'm not saying that that's the case all the time. I'm not saying I'm prejudiced against those who are in recovery. I have an alcoholic husband, I understand that dynamic. He's not one that feels the need to describe himself as a person with a disability. I don't think that just because you have that name or title that means that we should all have to not care for our own rights. I have rights in the street. I have the ability to voice my complaints or I can have a different opinion. I disagree with Mr. Gravel with his -- I wasn't sure what he meant by that the Oxford House has a success rate as higher than others. Well, what is that success rate? Because the success rate is pretty grim for recovering addictions. Sometimes it's pretty low. So, I would hope that these homes can have a higher success rate, it's just not often the case. We don't know the current background or these individuals that we feel safe to be near. Why can't we be cautious? If there is 50 percent success rate, is that good? That means 4 of these individuals are not going to make it. Where do they go, what do they do? So, I would just like to be able to have the freedom to be able to take care of my neighborhood, invest in my home. And in time, be able to sell my investment and feel good that when I do sell my home I'm selling it to someone who can also raise children and this is their home and take care of these homes. My home is a hundred years old. That's a big deal. I hope that the next people who live on the block live next door carry and value that and not turn it into a rental home and sell it for that and not care. Let's do care, let's do make a difference. We don't live in New Orleans. Let's make a difference when we drive down the street. We want there to be a wholesome success rate for those with this addiction issue. I don't have a problem with that. But, I do have a problem with 8 residents that are not related in one home. And I don't know why I can be villainized for that but -- that

mindset but that's what I do believe. I think it doesn't make for it to be such a safe place for young kids. That's my opinion. The success rate isn't always so great. Maybe it won't be this week or this month but there are children in the neighborhood that drive around. I'd like there to be people in this home that are a part of the school, a part of fundraisers and can give me a call if my child is not behaving so well. So, I hope you would take all that into consideration.

MR. BORDELON: Thank you very much. Can I hear a motion?

MR. BUSSEY: Yeah. I think you should give Gravel a chance to respond.

MR. BORDELON: Mr. Gravel, do you have any response to the...

MR. BUSSEY: Or is there someone else?

MR. GRAVEL: Look, I understand those concerns and I -- you know, I really do but, you know, what I said is that the Oxford House has the best success rate in the homes of its kind and it does, it really does. And I understand all the concerns they have and I respect that totally. But these people have been there a year and I don't think anyone can come up here and tell me anything that they've done. I mean, if you're talking about cars parked in the street, Sylvia, across from you two trucks park there every night. Do you have to go around those? Oh, yeah I go around just like you do around the neighborhood. You know, they park there that have access to a driveway but they still park on the street. It's a trouble parking it's been that way for many, many years. Again, not the real issue. It really isn't. You know and I -- people got to have a chance to recover. Otherwise, you go down to LSUA buy a bare piece of land throw a fence down there and say y'all go in there and figure out how to get sober and everything. It's always, not in my neighborhood. Someone's got to stand up and let it be okay. It's okay to want to better yourself, it really is. It's not anything wrong with it. And these people on this street have not done anything at all that's detrimental to any person in this neighborhood. So, I just don't get it, I really don't.

MR. BORDELON: Thank you very much.

MS. WELLINGER: I don't have a problem with the Oxford House or with them being next door at all. I meant that, I have no problem with this. I just have a problem with the change in zoning...

MR. GRAVEL: They're not changing the zoning...

MR. BORDELON: We're not changing the zoning.

MS. WELLINGER: .. or giving them a variance from 6 to 8, there's no need for one.

MR. GRAVEL: They've been there for a year next to you, Julie.



MS. WELLINGER: Okay. Right.

MR. GRAVEL: So, so which two are you going to ask to leave?

MS. WELLINGER: Well, that's not my problem.

MR. GRAVEL: I know.

MS. WELLINGER: So, and they've been in violation for a year.

MR. BORDELON: Thank y'all, thank you very much. Thank you. Do y'all have any questions? Okay. Do we accept the motion?

MR. SALAZAR: I think I would offer a motion to deny based on the parking issue.

MR. BORDELON: Okay. Do I have a second?

MR. DOUSAY: Second.

UNIDENTIFIED SPEAKER IN AUDIENCE: I'm sorry, did he say on parking?  
Because I ..

MR. GRAVEL: Can I address that ..

UNIDENTIFIED SPEAKER IN AUDIENCE: .. didn't hear.

MR. GRAVEL: .. can I address that please -- that question?

MR. BORDELON: I don't think at this time. Mr. Bussey -- let me - I'll get Mr. Bussey is our legal counsel so he's going to answer that question.

MR. BUSSEY: Yeah, you've already -- you've already been through the pros and the cons ..

MR. GRAVEL: Okay. Can somebody legally tell me if there's a law against the parking or an ordinance -- or an ordinance that refers to that?

MR. BUSSEY: Has engineering looked at whether there are any parking violations involved at this Oxford House?

MR. BUSSEY: Has engineering looked at this?

MRS. BREWER (Director of Planning): .. engineering hasn't, planning ..

MR. BUSSEY: Has planning looked at it?

MRS. BREWER: Parking on a public street is acceptable. I have people special park in my driveway and many times I have friends who come to my house, we have parties and I have meetings and we just have somebody drop buy and park on my street. So, I have a daughter who actually parks on the street. And there are three of us in the house. So, when you have 8 people, there are going to be possibly 8 vehicles. And I think I heard Mr. Gravel state that they were making accommodations to where they...

MR. GRAVEL: That is correct.

MRS. BREWER: .. can all park on his property. So, I don't think that's going to be an issue after these changes are being made.

MR. BUSSEY: I think that's correct unless you have a no parking sign on a city street you can park there.

MR. GRAVEL: And well if it doesn't - if you do the math, is everybody else that parks on the street have to remove their cars or is just these people?

MR. BORDELON: I understand your argument.

MR. GRAVEL: Yeah, I mean, that's as racist as racist gets.

MR. BORDELON: With that argument, would you like to withdraw your motion?

MR. SALAZAR: I'll withdraw the motion.

MR. BORDELON: We have a - that motion is withdrawn. Do we have a motion?

MR. SALAZAR: Yeah, Mike, I would make a motion that we deny the variance.

MR. DOUSAY: I'll second.

MR. BORDELON: We have a motion that -- from Mr. Salazar that the variance be denied and it was seconded by Mr. Dousay. I'd like to go -- for you to call the vote, please.

UNIDENTIFIED SPEAKER IN AUDIENCE: Is there no reason to deny, I mean, you're just giving it to vote to deny it, and not going to give any kind of justification for denial?

MR. BORDELON: The motion was for denial, it was seconded and now we're going to vote on it. If you would call the vote.

MS. BRITTAIN: Mike Bordelon?

MR. BORDELON: No.



MS. BRITTAIN: Bryon Salazar?

MR. SALAZAR: Yes.

MS. BRITTAIN: Tim Dousay?

MR. DOUSAY: Yes.

MR. BORDELON: Okay. It passes 2 to 1.

MS. BRITTAIN: Variance denied.

Mr. Bordelon asked if anyone is present to represent Mr. Noles. Mrs. Brewer indicated that she spoke to Mr. Noles, who would not be coming to the meeting, but that he hoped his item would still be taken under consideration. Mr. Bordelon indicated that with the atmosphere, given that Mr. Noles did not come nor did he send a representative, the Board would not hear his item, and he could resubmit for the next meeting.

UNIDENTIFIED SPEAKER IN AUDIENCE: I just have one for clarification does -- the Board did not have to give any reason for denial or approval?

MR. BORDELON: No.

UNIDENTIFIED SPEAKER: They can was just say no we're not going to do it, and don't have to give any reason?

MR. BORDELON: No.

Mr. Bussey clarifies with Mr. Bordelon that Item #3 will be rescheduled if Mr. Noles wishes to be heard at the next meeting. Mr. Bordelon asks for the minutes from the previous meeting. Mr. Bussey asks for a formal vote to reschedule Mr. Noles' application. Mr. Salazar made the motion. Mr. Dousay seconded. Motion carried to reschedule Mr. Noles application (Item #3). Mr. Salazar made a motion to approve the minutes from the last meeting. Mr. Dousay seconded the motion. Motion carried. Mr. Bordelon said he was not present at the last meeting, so Mr. Salazar will sign the minutes.

MR. BUSSEY: You know, I hate to do this but, you know, you have to have a rational basis for - you just can't deny it without a reason. You're a governmental entity. I'm telling you that as your legal counsel. I'm suggesting you re-open it and give a rational basis for denying. I'm not telling you what to do, you've got to have a rational basis for it. Otherwise, these recovering alcoholics under the ADA and the Federal Fair Housing Act are considered a protected class. So, they've asked for a reasonable accommodation under both the ADA and the Federal Housing Act. So, you have to have a rational basis for denying it. What's -- what is your rational basis? What are you basing your denial on?

UNIDENTIFIED SPEAKER IN AUDIENCE: The will of the people.

MR. SALAZAR: I would bother to think that, you know...

MR. BUSSEY: Tell me to go jump in a lake that's fine.

MR. SALAZAR: ... my reasoning would be that the home is there, it's operational, it's going to continue to be there. It has every right to be there. We can't prevent it from being there. So, the question is 6 versus 8. That's really the only question we're here to talk about.

MR. BUSSEY: Okay.

MR. SALAZAR: And, you know, there may be people in the audience that think that we can prevent the home from being there, we can't. All we're talking about is 6 versus 8.

MR. BUSSEY: Okay.

MR. SALAZAR: And I think that -- I think that some of these folks have made a reasonable argument that 8 unrelated persons with 8 vehicles doing 8 different things, you know, not that that can't take place somewhere...

UNIDENTIFIED SPEAKER IN AUDIENCE: Just not (inaudible)

MR. SALAZAR: ...maybe in a different -- maybe in a different zoning area, maybe in a multi-family environment. The fact that they may not be able to have 8 people in that particular house doesn't prevent the Oxford House from having 8 people or 10 or 12 in a house somewhere else. So, I think, you know, it's not an easy black or white thing I don't think. I think that Mr. Gravel is extremely well-intentioned. He makes great arguments for why they should be able to have 8. I think that some of these folks make an equally strong argument that 8 is maybe too many. They can still have 6. Those are my thoughts.

MR. BORDELON: Okay.

MR. BUSSEY: Thank you.

Mr. Bordelon asked Mr. Salazar to sign the two sets of minutes from the last meetings. Under the signature line was Mr. Bordelon's name, not Mr. Salazar's for one set. Ms. Brittain indicated she could change that line and have the corrected minutes available for signature at the next meeting. The other set of minutes was signed. Mr. Bussey asks the crowd to allow the Board to finish their business.

MR. BORDELON: Are there any other --ma'am -- yes, ma'am?



UNIDENTIFIED SPEAKER IN AUDIENCE: I'd just like to ask this, many instances recovering alcoholics do not drive, their license has been taken away from them, so, can you tell me why a house full of recovering alcoholics have 6 cars?

MR. BORDELON: Ma'am, we've already -- thank you very much for your input. I appreciate it.

UNIDENTIFIED SPEAKER IN AUDIENCE: Do they drive, can you answer that?

MR. BORDELON: No.

Mr. Salazar made a motion to adjourn the meeting. Mr. Dousay seconded the motion. Motion carried. Meeting adjourned at 4:50 PM.

A handwritten signature in blue ink, appearing to read "Mike Bordelon", is written above a horizontal line.

**Chairperson, Mr. Mike Bordelon**