

**ST. CHARLES PARISH
PLANNING BOARD OF COMMISSIONERS
September 7, 2023
6:00 P.M.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

- 1 **2023-19-HOP** requested by **Charlene Jacobs** for a home occupation – “Fruits Galore LLC” (mobile food trailer) – at **1017 Kinler Street, Luling**. Council District 7. **Requires Planning Commission approval.**

- 9 **2023-12-MIN** requested by **Louis G. Authement** for a resubdivision of one lot into five, **Grand Bayou Road, Des Allemands**. Zoning District R-1A(M). Council District 4. **Requires Planning Commission approval and a supporting resolution from the Parish Council.**

- 26 **2023-12-R** requested by **Arthur and Barbara Blue** for a change of zoning from C-2 to R-3 on Lots M-1, M-2, and M-3, Tracts 8, 9, and 10, Elkinsville Subdivision, **First Street, St. Rose**. Council District 5. **Requires Planning Commission recommendation and Parish Council approval.**

- 34 **2023-13-R** requested by **Roger Landry** for a change of zoning from R-1A to R-1A(M) on Lot 1B1, **519 Willow Street, Boutte**. Council District 4. **Requires Planning Commission recommendation and Parish Council approval.**

- 43 **2023-14-R** requested by **Ashton Plantation Estates, LLC** for a change of zoning from C-3 to R-1A on Lot 118A, **Ashton Plantation Boulevard, Luling**. Council District 7. **Requires Planning Commission recommendation and Parish Council approval.**

- 52 **2023-4-SPU** requested by **Drake Badeaux** for an R-1A use in a C-3 zoning district at **16528 Highway 90, Des Allemands**. Council District 4. **Requires Planning Commission approval.**

- 63 **2023-2-ORD** requested by **Matthew Jewell, Parish President / Dept. of Public Works** to amend the Subdivision Regulations of 1981 to update the requirements for street light fixtures. **Requires Planning Commission recommendation and Parish Council approval.**

**UNFINISHED BUSINESS-
NEW BUSINESS-
MINUTES – (August 3, 2023)
ADJOURN-**



Department of Planning & Zoning Staff Report – Home Occupation Case No. 2023-19-HOP

APPLICATION INFORMATION

- **Applicant / Business Location**
Charlene Jacobs
1017 Kinler Street
Luling, LA 70070
504.416.1840; hairaffair76@yahoo.com

BUSINESS INFORMATION

- **Name & Description**
Fruits Galore LLC; mobile food unit/trailer
- **Licensing & Permits**
Permit to operate a Mobile Food Establishment from the Louisiana Department of Health (LDH)
- **Vehicles & Equipment**
The business utilizes a towable 7 ft. x 12 ft. FUD trailer. Supplies will be stored in the trailer.

SITE INFORMATION

- **Current Use**
Single-family house
- **Surrounding Zoning & Uses**
R-1A; the house is located in a developed single-family residential neighborhood.
- **Traffic Access & Parking**
The house is developed with driveway access to Kinler Street and a single-car garage. The driveway can accommodate three (3) passenger vehicles.

There is no space at the residence to store the trailer in a zoning compliant manner.
- **Utilities**
Standard utilities serve the site.

APPLICABLE REGULATIONS

Appendix A. Section XXII. - Regulations for Home Occupations.

Purpose: It is the intent of this section to regulate home occupations in residential uses. A home occupation is an accessory use of a dwelling unit, conducted by one (1) or more persons who reside at the property. The home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the appearance or character thereof or adversely affect neighboring. The intent of these regulations is to preserve the character of the neighborhood, to limit activities that may adversely impact the area, such as increasing noise, traffic, dust, smoke, emissions, and electromagnetic interference; and to foster the growth of small businesses in the community.

- A. When in compliance with the requirements of this section, a home occupation shall be similar in type or character, but not limited to the following uses: Art studio, Child care for not more than five (5) children, contracting services, Cosmetology, Crafting, Dressmaking, Alterations, Tailoring, Internet based sales, Professional offices, Teaching or tutoring inclusive of arts.
- B. *Permit Process:*
 1. Pre-Application Meeting: The Planning Director, or his designated staff, shall advise applicants of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish Code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
 2. Application: A citizen who proposes appropriate activities at a residence that is not in violation of the Code of Ordinances may apply for a permit for a home occupation. The applicant must agree to follow operational regulations listed in Section C. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.

3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed use complies with the operational regulations of this section.
 4. **Public Notice and Comment:**
 - a. Once the Planning Director has determined that the proposed use meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
 - b. If objections to the proposed activity are submitted to the Planning Director, the application will be forwarded to the Planning Commission for public hearing and consideration.
 5. **Determination:** The Planning Director, or his/her designee, shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
 - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state or federal permits or licenses.
 - b. Forward applications requiring state or federal permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and decision.
 - c. Deny the application.
- C. **Operational Regulations:**
1. No dump truck, bus, construction vehicle, semi-truck, or vehicle of similar nature shall be permitted to park on the subject property as part of a home occupation. Any vehicle or trailer that will be used in the operation of a home occupation must be documented with photographs as part of the application process.
 2. There shall be no signs posted which indicate the existence of the home occupation.
 3. No non-resident employees or contractors associated with the home occupation will visit the home for business purposes—this includes, but is not limited to picking up work assignments, materials, or payment.
 4. There shall be no outdoor storage of materials or products on the premises.
 5. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
 6. The home occupation shall not eliminate or impede required off-street parking.
 7. The home occupation shall not cause any external effect such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential area, or in violation of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
 8. The resident or residents engaged in the home occupation shall possess all required licenses including a St. Charles Parish Occupational License"; Department of Health and Hospitals; and other state or federal permits or licenses.
 9. No alcoholic beverages shall be sold, offered, or provided in a commercial capacity in the home where the occupational license is held, in connection with the operation of a home occupation.
 10. Home occupation permits are not transferrable as to person or location.
 11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit.
- D. **Revocation of Home Occupation Permit:**
1. A home occupational permit may be revoked by the Planning Director upon violation of any requirement of this Code, or of any condition or requirement of any permit granted, unless such violation is corrected within five (5) days of notice of such violation.
 2. Any such permit may be revoked after three (3) violations of any requirements of this section, or of the conditions of such permit, or where the Planning Director finds that the continuation of the home occupation permit will have a detrimental effect upon the surrounding subdivision or neighborhood.
 3. The Planning Director may conduct a public hearing on the revocation of a home occupation permit.
- E. **Appeal:** Any and all appeals to the decision of the Planning Director/Planning Commission shall be to the St. Charles Parish Board of Adjustments in accordance with the provisions of section XIII of this Code.

FINDINGS

This request comes before the Planning Commission due to requiring a permit to operate a Mobile Food Establishment (MFE) from the Louisiana Department of Health (LDH).

The business utilizes a towable 7 ft. x 12 ft. FUD trailer as the MFE. The owner has arranged the use of a commissary at 15805 River Road, Hahnville as required by LDH for the storage of product and cleaning of the MFE.

The residence is developed with a driveway with room to accommodate at least three (3) passenger vehicles. But there is no identifiable space to store the trailer at the residence in a zoning compliant manner.

The applicant has acknowledged the Home Occupation Operational Regulations. No complaints or violations are on file for the property or the business owner.

DEPARTMENT RECOMMENDATION

If the request is approved, the department recommends the following stipulations:

- **Food preparation shall not take place at the residence.**
- **Food sales shall not take place at the residence.**
- **Trailer must be parked in a zoning compliant location.**

A copy of the Louisiana Department of Health permit must be provided to the Department of Planning and Zoning for issuing of the certificate of occupancy.

Buy Monday 8/7



St. Charles Parish
Department of Planning & Zoning
14996 River Rd / P.O. Box 302 • Hahnville, LA 70057
Phone (985) 783-5060 • Fax (985) 783-6447
www.stcharlesparish-la.gov

Permit/Case #: 2023-19-HOP
Receipt #: 12781115
Application Date: 8/7/23
Zoning District: R-1A
FLUM Designation: Low-Med
Date Posted:

APPLICATION FOR HOME OCCUPATION PERMIT

Administrative: \$25
State or Federal Permits/Licenses Required: \$200

Home Occupation: A business, profession, occupation, or trade conducted within the principle structure of a residential use by residents of the dwelling which is incidental and secondary to the residential use of the dwelling, does not change the essentially residential character of the use, and which complies with the requirements of Section XXII, Home Occupations, of the Zoning Ordinance.

Applicant: CHARLENE JACOBS

Home address: 1017 KINLER ST. Luling, LA 70070

Mailing address (if different):

Phone: 504-416-1840 Email: hairaffair76@yahoo.com

Property owner: CHARLENE JACOBS

Name of proposed business: FRUITS GATORS LLC

Are state or federal permits/licenses required for your proposed business? YES/NO

If yes, please list the agency/office involved: Health Dept., St. Charles Parish License

Description of proposed business/business-related activities: MOBILE TRAILER

How many people will be employed by the proposed business? 2

Please list all vehicles/trailers associated with your proposed business, including the year/make/model. Please also indicate where each will be parked/stored. Pictures of each vehicle/trailer must also be supplied.

2011 HONDA PILOT
PARKED IN FRONT MY HOUSE

What materials and equipment will be used in the proposed business? Where will these items be stored?

ITALIAN ICE
CUPS, SPOONS
INSIDE THE TRAILER IN AN ICE CREAM COOLER

If the applicant does not own the property, the property owner(s) must sign and notarize below to indicate their approval/understanding of the proposed business.

Charlene Jacobs
(Property owner - Signature)

8-7-23
(Date)

Charlene JACOBS
(Property owner - Print Name)

(Notary signature & seal)

(Date)

Permit/Case #:

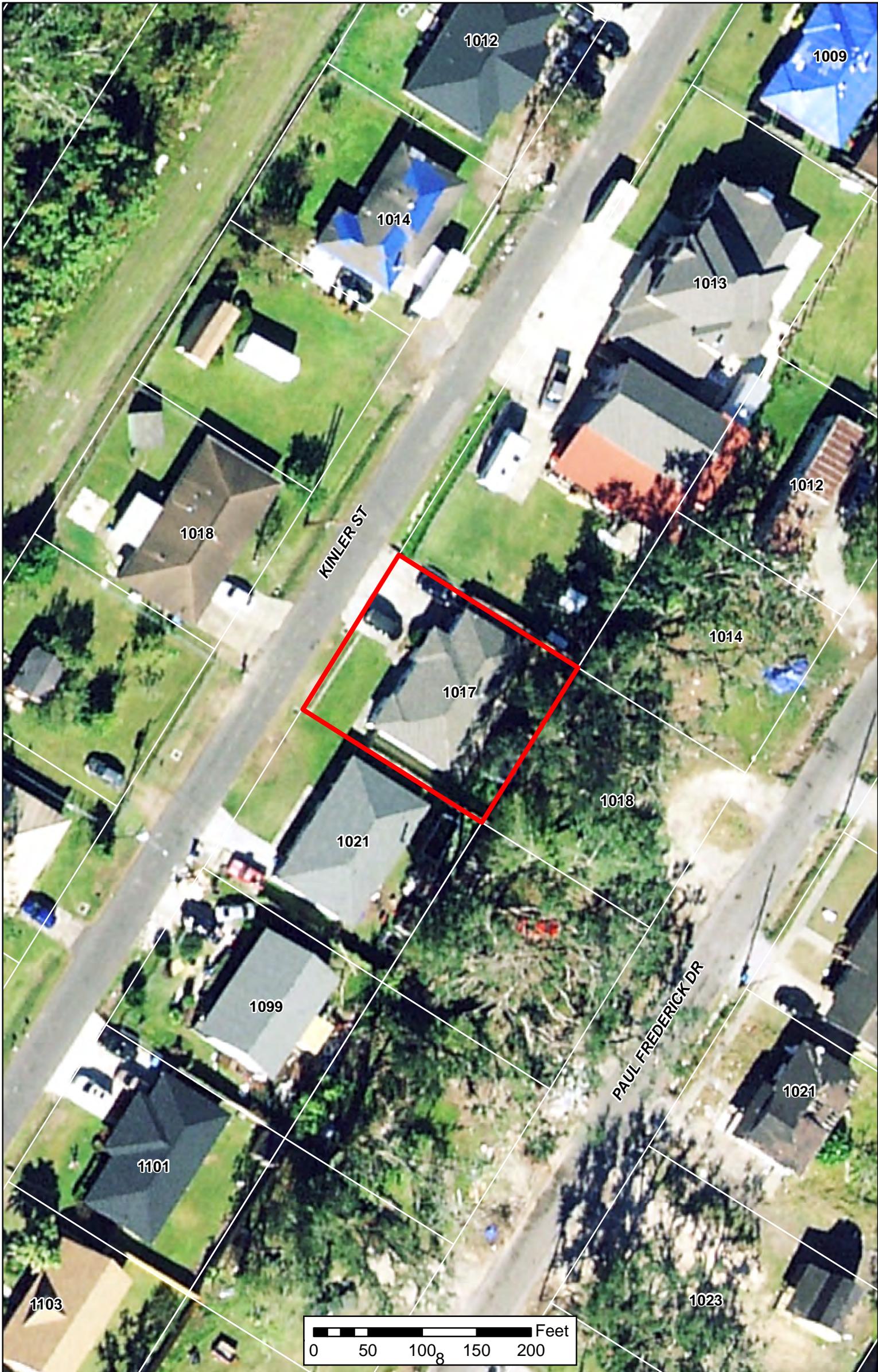








2023-19-HOP
Fruits Galore, LLC





**Department of Planning & Zoning
Staff Report – Minor Resubdivision
Case No. 2023-12-MIN**

APPLICATION INFORMATION

- **Submittal Date:** 7/7/23
- **Applicant / Property Owner**
Louis G. Authement
13919 River Road, Suite 300
Luling, LA 70070
985.785.8481; louis@lgalaw.com
- **Request**
Resubdivision of a Portion of Lot 156 of Coteau De France Subdivision into lots 156A, 156B, 156C, 156D, and 156E with a waiver from the Subdivision Regulations, Section III. C. 1 Size.

SITE INFORMATION

- **Location:** Down the Bayou Road and Schaubhut Road, Des Allemands
- **Size of Proposed Lots**
 - Lot 156A: 2,274 sq. ft.; 46.40 ft. wide
 - Lot 156B: 1,125 sq. ft.; 37.22 ft. wide
 - Lot 156C: 1,493 sq. ft.; 37.22 ft. wide
 - Lot 156D: 1,020 sq. ft.; 37.22 ft. wide
 - Lot 156E: 944 sq. ft.; 37.23 ft. wide
- **Current Zoning:** R-1A(M), Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes—Medium density
- **Current Use**
The proposed lots consist primarily of the Eastern shore of Bayou Des Allemands to the Eastern side of Down the Bayou Road.
- **Surrounding Zoning**
R-1A(M) zoning is found on to the East of Bayou Des Allemands. Wetlands zoning encompasses Bayou Des Allemands.
- **Surrounding Uses**
Surrounding area consists of Residential Uses.
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: AE +4
2013 Digital Flood Insurance Rate Map: AE +5
- **Plan 2030 Recommendation**
Low-to-Moderate Residential: Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections (over six dwellings per acre).
- **Traffic Access**
The subject site encompasses a portion of Down the Bayou Road, with “frontage” on Bayou Des Allemands.

▪ **Utilities**

The Parish’s GIS shows Parish utilities are available along Down the Bayou Road.

▪ **Development History**

Lot 156 was originally platted in 1869 as part of the Ranson Tract of the Coteau De France as shown on a map by Y.L. Freemanne. Original Lot 156 has been divided on different occasions, including for the development of Schaubhut Road in the late 1950s.

The subject site was part of a partition of Lot 156 as per an Amended Judgement of Possession dated November 8, 2018 and based on a 2017 survey by Riverlands Surveying Company. The judgment was amended on December 1, 2021 creating the current partition and ordering the property be resubdivided accordingly.

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| APPLICABLE REGULATIONS |
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Appendix A. Section VI. – Zoning District Criteria and Regulations

[II.] R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes—Medium density.

Policy statement: This district is composed of areas containing one-family dwellings constructed on a permanent foundation, connected to public utilities, and which meet the architectural and aesthetic standards of a permanent residence. Additionally, mobile homes which meet the special provisions below are allowed.

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) Site-built, single-family detached dwellings.
 - (2) Manufactured homes.
 - (3) Mobile homes.
 - (4) Accessory uses.
 - (5) Private recreational uses.
 - (6) Farming on lots of three (3) acres or more and at least one hundred fifty (150) feet frontage.
 - b. Special exception uses and structures include the following:
 - (1) Additional residences for family and relatives on unsubdivided property on a non-rental basis, and which meet the criteria outlined in Special Provisions [subsection 3].
 - (2) Parks, public libraries, fire stations, police or sheriff’s stations or substations, and sewer pumping stations.
 - (3) Showing and operation of historic buildings and/or sites and their related activities, provided a certificate from the United States Department of Interior is furnished by the owner verifying that the building and/or site is on the National Register of Historic Places.
 - (4) Accessory uses to golf courses and country clubs limited to the following:
 - Art studios
 - Churches and Religious Institutions
 - Commercial recreation facilities
 - Commercial schools
 - Personal service businesses, examples include but are not limited to beauty shops and barber shops, acupuncture, and massage services
 - Professional offices, examples include but are not limited to doctors, dentists, engineers, architects, landscape architects, plan services, realtors, insurance
 - Restaurants and cafeterias
 - c. Special permit uses and structures include the following:
 - (1) Child care centers.
 - (2) Public and private schools (except trade, business and industrial).
 - (3) Golf courses (but not miniature courses or driving ranges), country clubs, and accessory commercial uses on such properties.
 - (4) Educational, religious and philanthropic institutions. These buildings must be set back from all property lines a distance of at least one (1) foot for each foot of building height.
 - (5) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
 - (6) Accessory dwelling units upon approval by the Planning Commission and supporting resolution of the Council.
 - (7) Garden Home Developments in accordance with Section VII Supplemental Regulations upon review and recommendation of the Planning Commission and supporting resolution of the St. Charles Parish Council.
2. Spatial Requirements.
 - a. Minimum lot size: Five thousand (5,000) square feet per family; minimum width-fifty (50) feet.
 - b. Minimum yard sizes:
 - (1) Front—Fifteen (15) feet.
 - (2) Side—Five (5) feet.
 - (3) Rear—Five (5) feet.
 - (4) For lots with less than one hundred (100) feet depth, front setback shall be fifteen (15) percent of lot depth with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line.
 - (5) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, not withstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
 - c. Accessory buildings:
 - (1) The accessory building shall not exceed two-story construction.

- (2) Minimum setback of accessory buildings shall be three (3) feet.
- (3) Nonresidential accessory buildings shall not be permitted.
- d. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front yard.
- 3. Special Provisions:
 - a. Additional dwellings on unsubdivided property:
 - (1) Additional dwellings on unsubdivided property referred to in 1.b(1) above will be permitted at the rate of one (1) dwelling unit for each seven thousand (7,000) square feet of lot area.
 - (2) The applicant for any additional dwellings on unsubdivided property shall submit a copy of all subdivision restrictions (covenants) which govern the property in order to protect the integrity of the neighborhood.
 - (3) Under no circumstances will the total number of dwellings per unsubdivided lot permitted under these provisions exceed four (4).
 - (4) Permits issued under this provision will be issued for a two-year period. At the expiration of this time, an investigation will be conducted by the Planning and Zoning Department to determine if this Code is complied with. Non-compliance will result in the revocation of the permit.
 - b. All manufactured housing and mobile homes shall be secured according to the Federal Emergency Management Agency's Sept. 1985 publication *Manufactured Home Installation in Flood Hazard Areas*.
 - c. *Reserved*.
 - d. All dwelling units shall be connected to utility systems which provide for health and safety under all conditions of normal use. Home utility services shall only be connected to the supply source by means of approved materials, and shall be inspected by the appropriate agency.

Appendix C. Section II. Subdivision Procedure

C. Minor Resubdivisions.

- 1. In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. The plan of resubdivision shall comply with requirements outlined in section II.C.3 of this section, and with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations. The Planning and Zoning Commission may approve or deny the application. The basis for denial shall be stated at the meeting and on the record of the Planning and Zoning Commission.
- 3. Subdivisions and resubdivisions which meet the guidelines contained in Section II.C. of these regulations shall be presented to the Department of Planning and Zoning in the form of a plan which conforms to the laws of the State of Louisiana governing surveying, platting, and subdivision of land. The proposed subdivision shall contain the following information:
 - a. Location of the property.
 - b. Name(s) and address(es) of the owners.
 - c. Name and address of the Land Surveyor preparing the plan as well as the date the survey was prepared. The survey shall be dated within one (1) year of the subdivision application date.
 - d. Existing property lines and lot numbers, including names and width of adjoining streets.
 - e. Proposed property lines and revised numbers of proposed lots.
 - f. Location and dimensions of existing buildings.
 - g. Layout and dimensions of all existing, proposed, and required servitudes and rights-of-way, including but not limited to servitudes for sidewalks, utilities, access, drainage ditches, and canals.
 - h. Existing lakes and ponds.
 - i. North arrow and scale.
 - j. The following note shall be added to all resubdivision maps: All necessary sewer, water and/or other utility extensions, relocations or modifications shall be made solely at the lot owner's expense.
 - k. Stormwater Pollution Prevention Plan. For Minor Subdivisions that involve more than one (1) acre, the MS4 Administrator may require the submittal of a Stormwater Pollution Prevention Plan and/or Post Construction Stormwater Permit, including all required documentation, in accordance with Chapter 25—Stormwater Management and Erosion and Sedimentation Control.
 - l. The following note shall be added to resubdivision maps that result in a net increase of lots: No lot created by this act of subdivision shall be divided in such a way that another net increase in the number of lots occurs for a period of two years.

Appendix C. Section III. Geometric Standards C. Lots

- 1. Size. The width, depth, area, and minimum building setback line shall conform to the St. Charles Parish Zoning Ordinance for the type of development.
 - b. Width. The lot width at the minimum building setback line shall not be less than that specified by the St. Charles Parish Zoning Ordinance.

Appendix C. Section V. Administrative

B. Variations and Exceptions

- 1. The regulations contained herein may be varied or modified where the literal enforcement of one or more provisions of the ordinance (i) is impracticable, or (ii) will exact undue hardship because of peculiar conditions pertaining to the land in question. Financial hardships shall not be considered as valid criteria for any such waiver or modification of existing regulations. The Planning Commission, with a supporting resolution of the Council, may grant such a waiver or modification of these regulations only when such requests meet the conditions of this subsection and are not detrimental to the public interest.

FINDINGS

This minor resubdivision request proposes dividing a Portion of Lot 156, Coteau De France containing a portion Down the Bayou Road into five (5) lots.

The request is prompted by a Judgement of Possession on November 8, 2018 and an Amended Judgement on December 1, 2021 which stated those taking ownership in the

proposed lots shall sign and file an application for resubdivision with Planning and Zoning.

The proposed lots consist of an undivided portion of Lot 156 between Bayou Des Allemands and the eastern edge of Down the Bayou Road and contain a portion of Down the Bayou Road itself.

None of the lots meet the minimum area or width requirements of the R-1A(M) zoning district and require a waiver from Subdivision Regulations item III.C.1. Size, which states:

- *The width, depth, area, and minimum building setback line shall conform to the St. Charles Parish Zoning Ordinance for the type of development.*

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| DEPARTMENT RECOMMENDATION |
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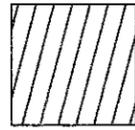
For this motion to pass as per the Amended Judgement signed December 1, 2021 the Planning Commission must approve the request with required waiver.

If the Planning Commission approves this request it will be forwarded to the Parish Council for consideration of a supporting resolution.

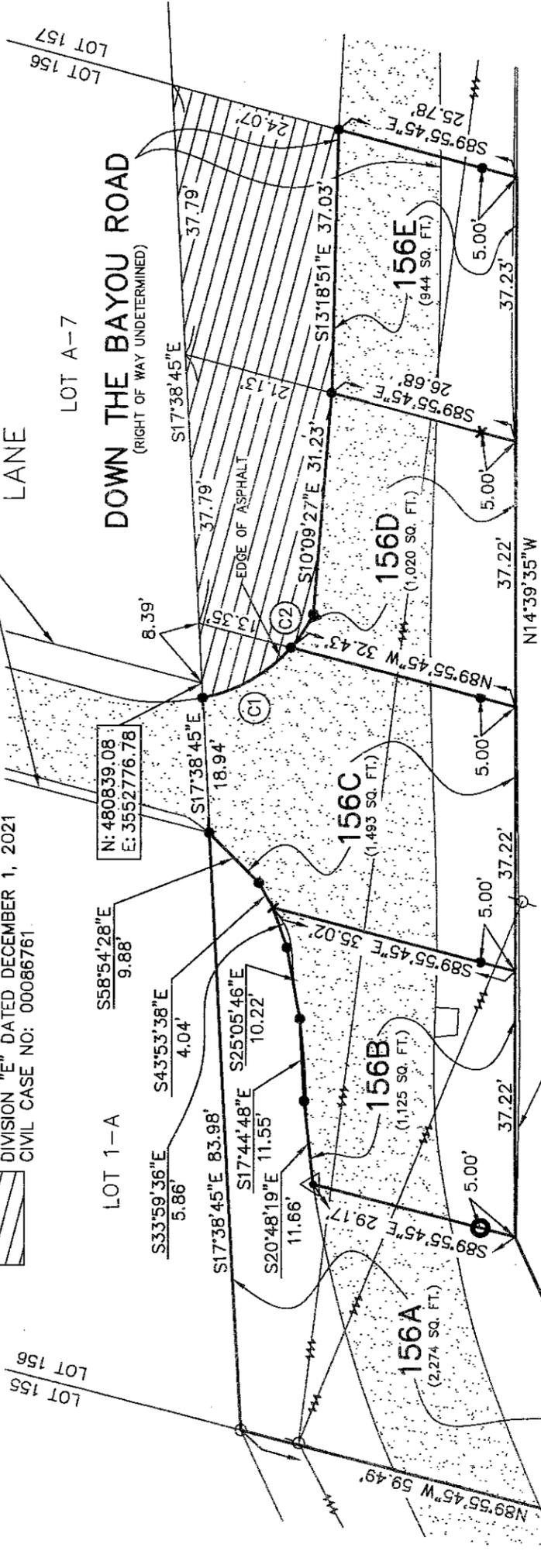
GRAND BAYOU ROAD - LA HIGHWAY 632 (SIDE)

DEVELOPER: JESSICA S. CORTIZ
217 SCHAUBHUT LANE
DES ALLEMANDS
985-758-2514

NOTE: HATCHED AREA NOT A PART OF RESUBDIVISION PER APPENDIX 1 OF AN AMENDED JUDGEMENT BY JUDGE TIMOTHY S. MARCEL, 29TH JUDICIAL DISTRICT COURT, DIVISION "E" DATED DECEMBER 1, 2021 CIVIL CASE NO: 00086761



SCHAUBHUT LANE



BAYOU DES ALLEMANDS

NOTE: ALL LOTS ARE SUBJECT TO A SERVITUDE TO MAINTAIN THE BULKHEAD ON BAYOU DES ALLEMAND. GRANTED TO ST. CHARLES PARISH ON OCTOBER 31, 1961 (COB 32, FOLIO 14)

| CURVE TABLE | | |
|-------------|--------|--------|
| CURVE | LENGTH | RADIUS |
| C1 | 14.50' | 21.78' |
| C2 | 5.58' | 21.78' |

LEGEND

- 1/2" IRON ROD SET
- ✕ CROSS CUT
- △ PK NAIL SET
- FENCE POST
- POWER POLE
- POWER LINE
- ⊙ 1/2" IRON ROD FOUND



DRAWN BY: KPB DRAWING NO. MM1576_W04545

RIVERLANDS SURVEYING COMPANY
505 HEMLOCK STREET
LAPLACE, LA. 70068
1-800-248-6982
985-652-6356

TITLE: SURVEY PLAT AND RESUBDIVISION OF A PORTION OF LOT 156 COUTEAU DE FRANCE SUBDIVISION INTO LOTS HEREIN DESIGNATED AS LOTS 156A, 156B, 156C, 156D & 156E OF A PORTION OF LOT 156 COUTEAU DE FRANCE SUBDIVISION SITUATED IN SECTION 43, T-14-S, R-20-E, DES ALLEMANDS, ST. CHARLES PARISH, LOUISIANA.

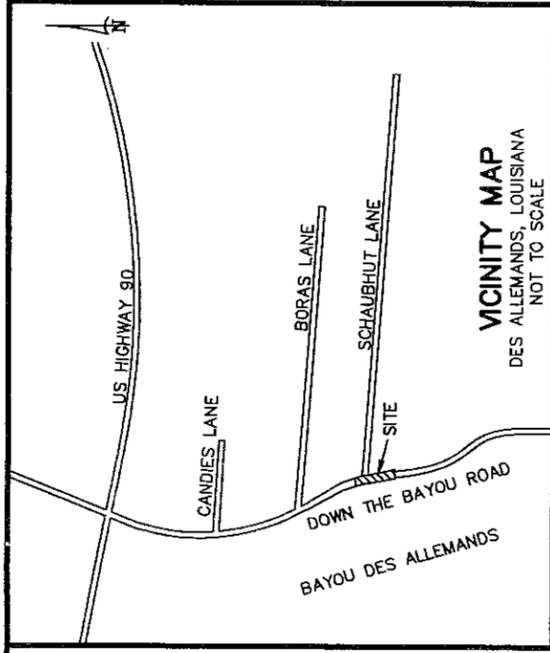
DATE: AUGUST 17, 2022

SURVEY REFERENCE: 1. PLAN SHOWING LOTS A-1, A-2, A-3, A-4, A-5, A-6, A-7, C-1 & C-2 OF LOT 156 OF COUTEAU DE FRANCE OR RANSON TRACT BY E.M. COLLIER, RLS DATED JUNE 15, 1955
2. SURVEY PLAN AND RESUBDIVISION OF LOTS 1-A & 2-A BY R.P. BERNARD, PLS DATED NOVEMBER 6, 2001

BASIS OF BEARING: BEARINGS HEREON ARE ESTABLISHED BY THE LOUISIANA STATE PLANE COORDINATE SYSTEM, LOUISIANA SOUTH ZONE 1702 USING LEICA SMARTNET SOLUTION 10/31/2017 NAD 83.

FLOOD NOTE: THE SURVEYED PARCEL IS IN ZONE "X" PER FEDERAL INSURANCE RATE MAP NUMBER 220160-0175C DATED 6/16/1992.

SURVEYOR'S NOTES: A. THIS PLAT IS CORRECT AND IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND UNDER THE DIRECTION OF THE UNDERSIGNED AND COMPLIES WITH THE REQUIREMENTS OF LOUISIANA'S "STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS" FOR A CLASS B SURVEY.
B. NO TITLE OPINION WAS PROVIDED TO THIS FIRM, THEREFORE NO CERTIFICATION IS GIVEN TO THE EXISTENCE OF OTHER SERVITUDES OR EASEMENTS WHICH MAY EXIST OTHER THAN THOSE SHOWN.
C. NO DITCHES, UNDERGROUND LINES OR CONDUITS SHOWN.
D. MINIMUM SETBACK LINES AND SERVITUDES SHOWN ARE BASED ON THE REFERENCED SURVEY PLAT. THE APPROPRIATE PARISH AUTHORITY OR NEIGHBORHOOD REGULATORY BOARD SHOULD BE CONSULTED FOR FINAL DETERMINATION.



VICINITY MAP
DES ALLEMANDS, LOUISIANA
NOT TO SCALE

APPROVED: _____ DATE _____
CHAIRMAN PLANNING AND ZONING COMMISSION

CHAIRMAN ST. CHARLES PARISH COUNCIL _____ DATE _____
PARISH PRESIDENT

CERTIFICATION: THIS IS TO CERTIFY THAT THIS PLAT IS MADE IN ACCORDANCE WITH LA. REVISED STATUTES 33:5051 ET. SEQ. AND CONFORMS TO ALL PARISH ORDINANCES GOVERNING THE SUBDIVISION OF LAND.

RECORDED IN THE CLERK OF COURT'S OFFICE

ST. CHARLES PARISH ON THE _____
DAY OF _____ IN BOOK _____
FOLIO _____ ENTRY # _____

ALL NECESSARY SEWER, WATER AND/OR OTHER UTILITY EXTENSIONS, RELOCATION'S OR MODIFICATIONS SHALL BE MADE BY AND SOLELY AT THE LOT OWNER'S EXPENSE

Stephen P. Flynn
STEPHEN P. FLYNN
P.L.S. LA. ST. REG. NO. 4668

THE LAW OFFICE OF LOUIS G. AUTHEMENT, LLC

One American Place
Suite 300
13919 River Road
Luling, Louisiana 70070

PHONE: (985) 785-8481
(985) 785-8492

FAX: (985) 785-9107

July 7, 2023

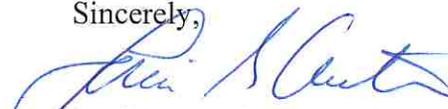
St. Charles Parish
Department of Planning & Zoning
P. O. Box 302
14996 River Road
Hahnville, LA 70057

RE: Application for Resubdivision

Dear Madam or Sir:

Enclosed for filing is an Application for Resubdivision to resubdivide a certain strip of waterfront property along Down the Bayou Road in Des Allemands. If you have any questions regarding this Application, please contact me, as I will be appearing at the public hearings on behalf of the applicants.

Sincerely,



Louis G. Authement

LGA/lga
Enclosures: As stated

**ST. CHARLES PARISH
DEPARTMENT OF PLANNING AND ZONING**

P. O. Box 302
Hahnville, LA 70047
Phone (985) 783-5060
Fax: (985) 783-6447

APPLICATION FOR RESUBDIVISION

PZS CASE: 2023-12-MIN RECEIPT: 11541384 DATE: 7/10/23

FLOODPLAIN DESIGNATION: _____ ZONING DISTRICT: _____

PROPERTY OWNERS:

MARY A. SCHAUBHUT

113 Schaubhut Lane
Des Allemands, LA 70030

PAM SCHAUBHUT PLAISANCE

212 Schaubhut Lane
Des Allemands, LA 70030
Represented by Louis G. Authement
13919 River Rd, Suite 300
Luling, LA 70070
Phone: (985) 785-8481
Email: Louis@lgalaw.com

JESSICA SCHAUBHUT CORTEZ

217 Schaubhut Lane
Des Allemands, LA 70030
Represented by Louis G. Authement
13919 River Rd, Suite 300
Luling, LA 70070
Phone: (985) 785-8481
Email: Louis@lgalaw.com

BARBARA FOLSE

8815 Pines Spring Road
Meridian, MS 39305
Represented by Louis G. Authement
13919 River Rd, Suite 300
Luling, LA 70070
Phone: (985) 785-8481
Email: Louis@lgalaw.com

MICHAEL FOLSE

4153 Country Drive,
Bourg, LA 70343

Represented by Louis G. Authement

13919 River Rd, Suite 300

Luling, LA 70070

Phone: (985) 785-8481

Email: Louis@lgalaw.com

RICHARD FOLSE

4112 Hwy. 90 East

Des Allemands, LA 70030

Represented by Louis G. Authement

13919 River Rd, Suite 300

Luling, LA 70070

Phone: (985) 785-8481

Email: Louis@lgalaw.com

JESSIE FOLSE

5024 Ford Drive

Raceland, LA 70394

Represented by Louis G. Authement

13919 River Rd, Suite 300

Luling, LA 70070

Phone: (985) 785-8481

Email: Louis@lgalaw.com

MUNICIPAL ADDRESS OF PROPERTY: NONE

TOWN: DES ALLEMANDS

GENERAL LOCATION: The property is located between the water's edge of Bayou Des Allemands and the western boundary of Lot 1-A (619 Down the Bayou Road) and the eastern boundary of Down the Bayou Road adjoining the western boundary of Lot A-7 (717 Down the Bayou Road)

ACREAGE OR PROPERTY SIZE (SQUARE FEET):

LOT 156A: 2,274 sq. ft.
LOT 156B: 1,125 sq. ft.
LOT 156C: 1,493 sq. ft.
LOT 156D: 1,020 sq. ft.
LOT 156E: 944 sq. ft.
Total 6,856 sq. ft.

SURVEYOR: RIVERLANDS SURVEYING CO. DATE: August 17, 2022

DEEDS SUPPORTING APPLICANTS' OWNERSHIP:

- 1) Amended Judgment of Possession in the Succession of William A. Schaubhut recorded at COB 871, page 24 on 11/27/2018.
- 2) Affidavit for Small Succession in the Succession of Cecile Matherne Schaubhut recorded at COB 875, page 188 on 4/4/2019.
- 3) Affidavit for Small Succession in the Succession of Diana Schaubhut Folse recorded at COB 875, page 222 on 4/4/2019.
- 4) Affidavit for Small Succession in the Succession of Lloyd J. Schaubhut recorded at COB 875, page 244 on 4/4/2019.
- 5) Act of Donation by Daniel Folse, Jr., et al to Jane Folse Dempster, Richard Folse and Jessie Folse recorded at COB 875, page 257 on 4/4/2019.
- 6) Act of Donation by Jane Folse Dempster to Jesse Folse recorded at COB 880, page 604 on 8/9/2019.
- 7) Act of Donation by Rita Naquin Schaubhut to Pamela Schaubhut Plaisance and Jessica Schaubhut Cortez recorded at COB 883, page 349 on 10/15/2019.
- 8) Act of Donation by Rita Naquin Schaubhut to Pamela Schaubhut Plaisance recorded at COB 883, page 356 on 10/15/2019.
- 9) Amended Judgment in the matter entitled Jessica Schaubhut Cortez, et. al. vs. Mary A. Schaubhut, No. 86,761, Div. E, 29th Judicial District Court, Parish of St. Charles, State of Louisiana, recorded at COB 919 page 124 on 5/14/2022

HAVE ALL TAXES BEEN PAID? NO TAXES HAVE BEEN ASSESSED TO DATE

IT THERE ARE ANY SERVITUDES OR EASEMENTS AGAINST THE LAND, SPECIFY:

NOTICE OF JUDGMENT

CORTEZ, JESSICA SCHAUBHUT - ET AL

Versus

SCHAUBHUT, MARY A



*Civil Case: 00086761
Division: E
29th Judicial District Court
Parish of St. Charles
State of Louisiana*

TO: LOUIS G AUTHEMENT
THE LAW OFFICE OF LOUIS AUTHEMENT
13919 RIVER ROAD
SUITE 300
LULING, LA 70070

AMENDED JUDGMENT signed on December 1, 2021

DATE: December 8, 2021

Notice is hereby given that, in the above numbered and entitled cause, judgment was rendered, read and signed, a true and certified copy of said judgment is attached hereto and made a part hereof.

Lance Marino
CLERK OF COURT
Lana Aliano
Deputy Clerk of Court

I hereby certify that a copy of the foregoing notice was this day mailed by me to the counsel of record for all parties and to such of the litigants, if any, who are not represented by counsel, which notices were addressed to them, respectively, at their last known address, with postage prepaid.

Lance Marino
CLERK OF COURT
Lana Aliano
Deputy Clerk of Court

[FILED COPY]
NOTICE OF JUDGMENT

29TH JUDICIAL DISTRICT COURT FOR THE PARISH OF ST. CHARLES

STATE OF LOUISIANA

NUMBER 86,761
E

DIV.

JESSICA SCHAUBHUT CORTEZ, ET AL

VERSUS

MARY A. SCHAUBHUT

DEPUTY
4021 NOV 30 PM
[Handwritten signature]

FILED: _____

Deputy Clerk

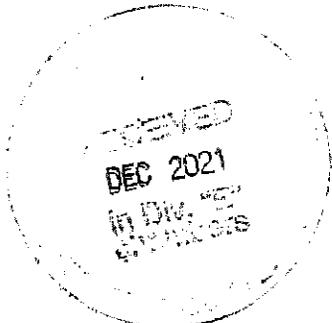
AMENDED JUDGMENT

CONSIDERING the ruling of the Honorable Louisiana 5th Circuit Court of Appeals in the matter of Jessica Schaubhut Cortez versus Mary Schaubhut, No. 20 CA 371, rendered July 21, 2021, the Judgment of this Court rendered on June 29, 2020 and signed on July 17, 2020, is hereby amended as follows:

IT IS ORDERED, ADJUDGED, AND DECREED that in addition to the following described property owned by John J. Schaubhut pursuant to title:

One certain lot or portion of ground being a part of a tract of land known as the Coteau de France situated near the line of the New Orleans and Opelousas Railroad between the Bayou Saint d'Ann and the Bayou des Allemands, in the Parish of St. Charles, State of Louisiana, as per plan of division made by Y. L. Freemanne, Surveyor, on the 6th day of February, 1869, a lithographic copy whereof is annexed to an act passed on March 26, 1886, purporting to be a sale to Charles L. Hopkins and designated therein as Lot 156, and also a part of Lot "A" as shown on plan of E. M. Collier, Surveyor, dated May 23, 1958, attached to act of partition between Elywn G. Schaubhut, et al, and which lot herein described is referred to as LOT A-7 on a plan prepared by E. M. Collier, Surveyor, dated June 15, 1958, paraphed "NeVarictur" by James P. Vial, Notary Public, to identify same herewith; according to said plan Lot A-7 commences at the intersection of the South line of Lot 156 with the public road running along Bayou Des Allemands, thence runs N17-09W for a distance along said road of 83.98 feet, thence S89-26E for a distance of 71.86 feet, thence S17-09E for a distance of 83.98 feet, thence S89-26W for a distance of 71.86 feet to the point of beginning.

That said John J. Schaubhut has acquired through thirty year acquisitive prescription all property lying west of the above described tract, to the eastern margin of "Down the Bayou Road", lying between the northern boundary line and southern boundary lines of the above described tract, both extended westward to "Down the Bayou Road", all as more fully depicted in green on the survey by



SCANNED

Riverlands Surveying Company, dated October 31, 2017, last revised on July 30, 2020, attached as Appendix 1 to this Judgment.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the terms of the voluntary settlement reached by the parties to the original Petition for Partition in Kind, as read into the record of this proceeding on June 25, 2020, are hereby amended as a result of the July 21, 2021 ruling by the 5th Circuit Court of Appeals, such that the property awarded to John J. Schaubhut above is hereby excluded, or less and excepted, from the property described in Paragraph 2 of said Petition for Partition in Kind, and the remaining property is hereby partitioned in kind as follows:

- 1) **MARY A. SCHAUBHUT** is hereby declared to be the sole owner of all rights, title and interests in and to that certain lot of ground designated as **Lot 156A** and depicted in pink on Appendix 1 to this Judgment.
- 2) **PAM SCHAUBHUT PLAISANCE** is hereby declared to be the sole owner of all rights, title and interests in and to that certain lot of ground designated as **Lot 156B** and depicted in blue on Appendix 1 to this Judgment.
- 3) **PAM SCHAUBHUT PLAISANCE** and **JESSICA SCHAUBHUT CORTEZ** are hereby declared to be the equal co-owners of all rights, title and interests in and to that portion of the lot of ground designated as **Lot 156C** that is depicted in yellow on Appendix 1 to this Judgment, such that the portion of Lot 156C depicted in green shall be removed from that lot designation as it has been declared by this Amended Judgment to be the property of John J. Schaubhut.
- 4) **JESSICA SCHAUBHUT CORTEZ** is hereby declared to be the sole owner of all rights, title and interests in and to that portion of the lot of ground designated as **Lot 156D** that is depicted in orange on Appendix 1 to this Judgment, such that the portion of Lot 156D depicted in green shall be removed from that lot designation as it has been declared by this Amended Judgment to be the property of John J. Schaubhut.
- 5) **BARBARA FOLSE, MICHAEL FOLSE, RICHARD FOLSE, and JESSIE FOLSE** are hereby declared to be the equal co-owners of all rights, title and interests in and to that portion of the lot of ground designated as **Lot 156E** that is depicted in red on Appendix 1 to this Judgment, such that the portion of Lot 156E depicted in green shall be removed from that lot designation as it has been declared by this Amended Judgment to be the property of John J. Schaubhut.

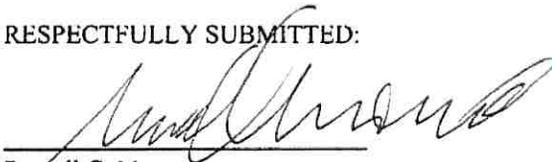
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Mary A. Schaubhut, Jessica Schaubhut Cortez, Pam Schaubhut Plaisance, Barbara Folse, Michael Folse, Richard Folse, and Jessie Folse shall sign and file the required application for resubdivision with the St. Charles

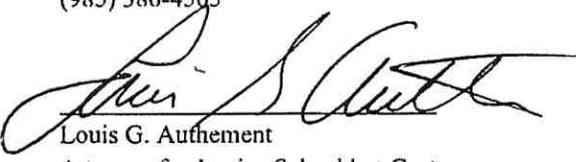
Parish Department of Planning and Zoning within seven (7) days of the delivery by Riverlands Surveying Company of its revised Survey consistent with the terms of this Amended Judgment.

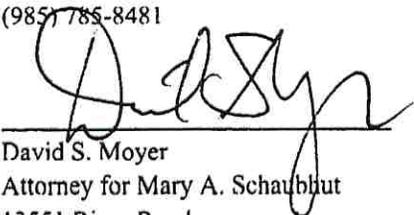
AMENDED JUDGMENT READ, RENDERED, AND SIGNED on this 1st day of December 2021, Luling, Louisiana.

JUDGE TIMOTHY S. MARCEL,
29th Judicial District Court, Division "E"

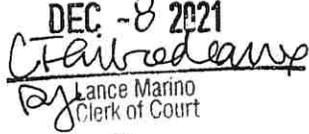
RESPECTFULLY SUBMITTED:


Russell C. Monroe
Attorney for John J. Schaubhut
P. O. Box 176
Ponchatoula, Louisiana 70454
(985) 386-4505


Louis G. Authement
Attorney for Jessica Schaubhut Cortez
Pam Schaubhut Plaisance, Barbara Folse,
Michale Folse, Richard Folse, and Jesse Folse
13919 River Road, Suite 300
Luling, LA 70070
(985) 785-8481


David S. Moyer
Attorney for Mary A. Schaubhut
13551 River Road
Luling, LA 70070
(985) 308-1509

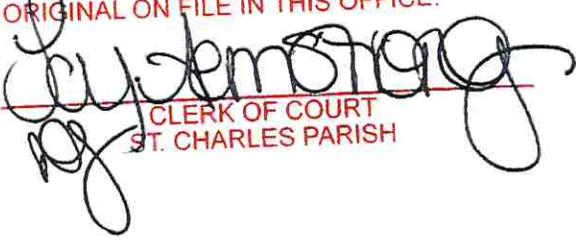
CERTIFICATE OF THE CLERK
I hereby certify that a copy of the foregoing motion
and/or order has been mailed to all counsel of record this

DEC -8 2021
By: 
Lance Marino
Clerk of Court

⑨

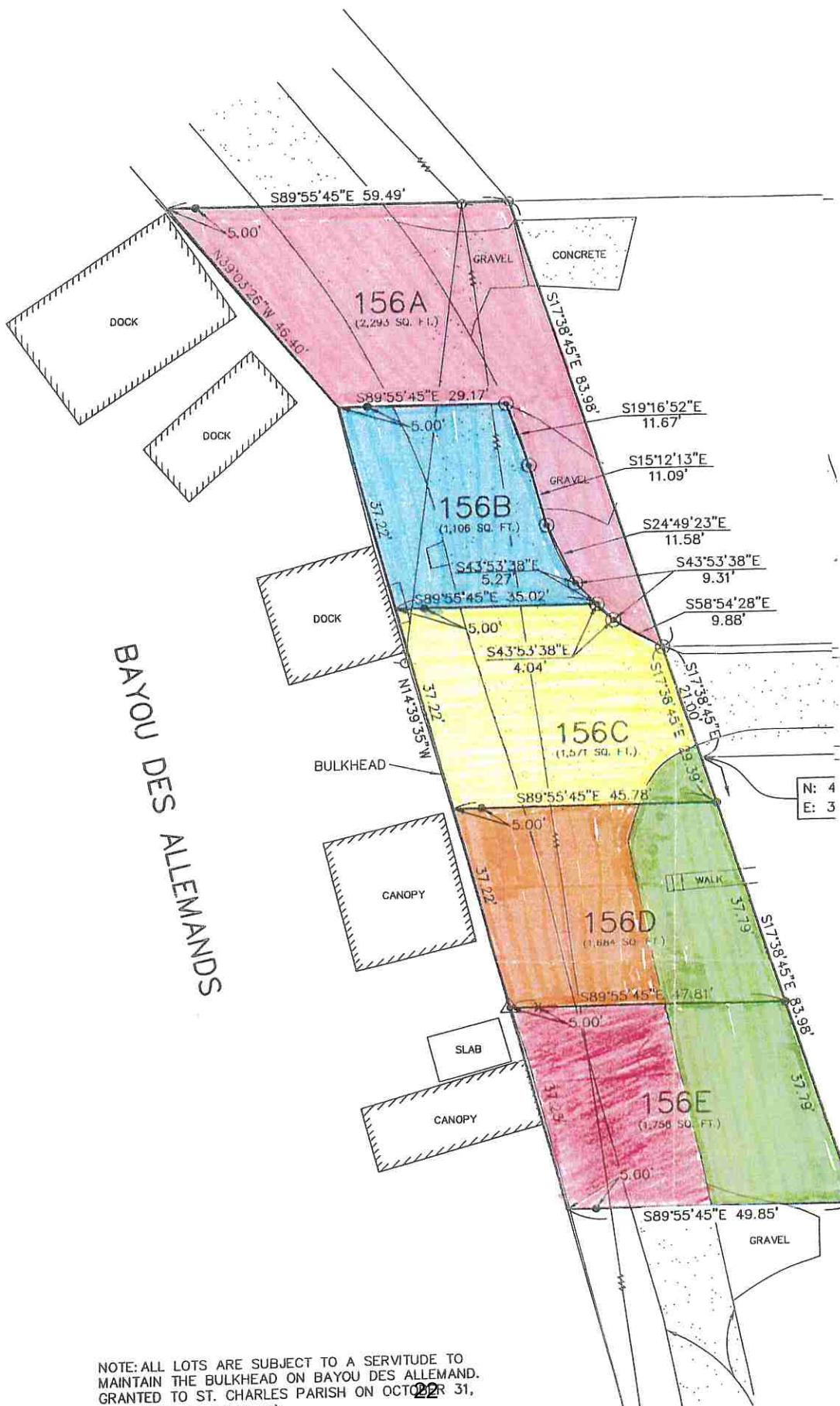
Notice of Judgment
R. Monroe
L. Authement
D. Moyer

3

STATE OF LOUISIANA
PARISH OF ST. CHARLES
I HEREBY CERTIFY THAT THE WITHIN
AND FOREGOING IS A TRUE COPY OF THE
ORIGINAL ON FILE IN THIS OFFICE.

CLERK OF COURT
ST. CHARLES PARISH

SCANNED

Appendix I



NOTE: ALL LOTS ARE SUBJECT TO A SERVITUDE TO MAINTAIN THE BULKHEAD ON BAYOU DES ALLEMAND. GRANTED TO ST. CHARLES PARISH ON OCTOBER 31, 1961 (COR. 32 FOLIO 14)

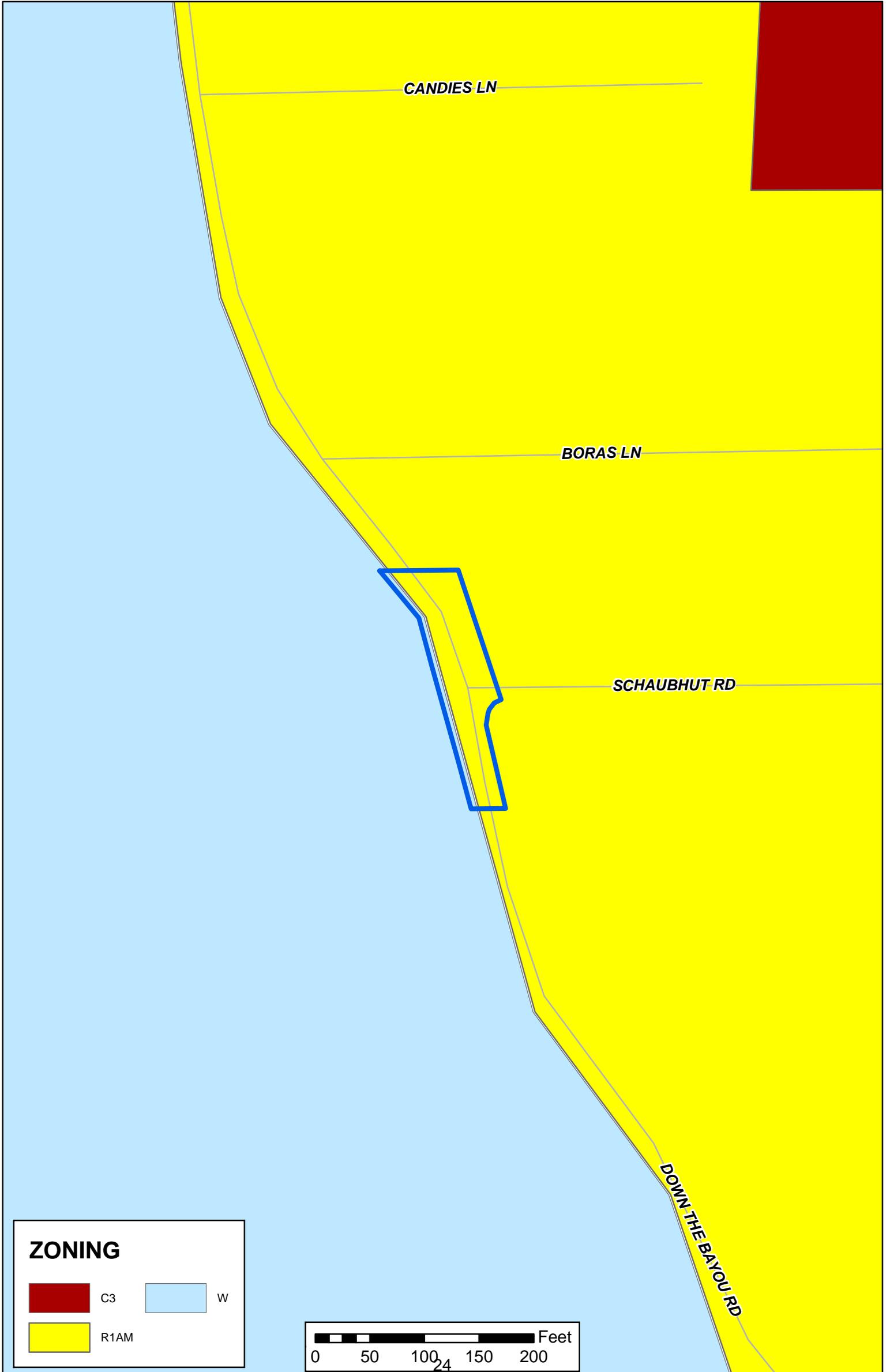
2023-12-MIN
Minor Resubdivision: 1 lot into 5



2023-12-MIN

Minor Resubdivision: 1 lot into 5

N



ZONING



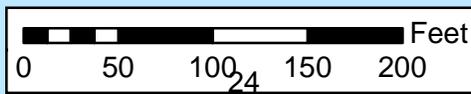
C3



W

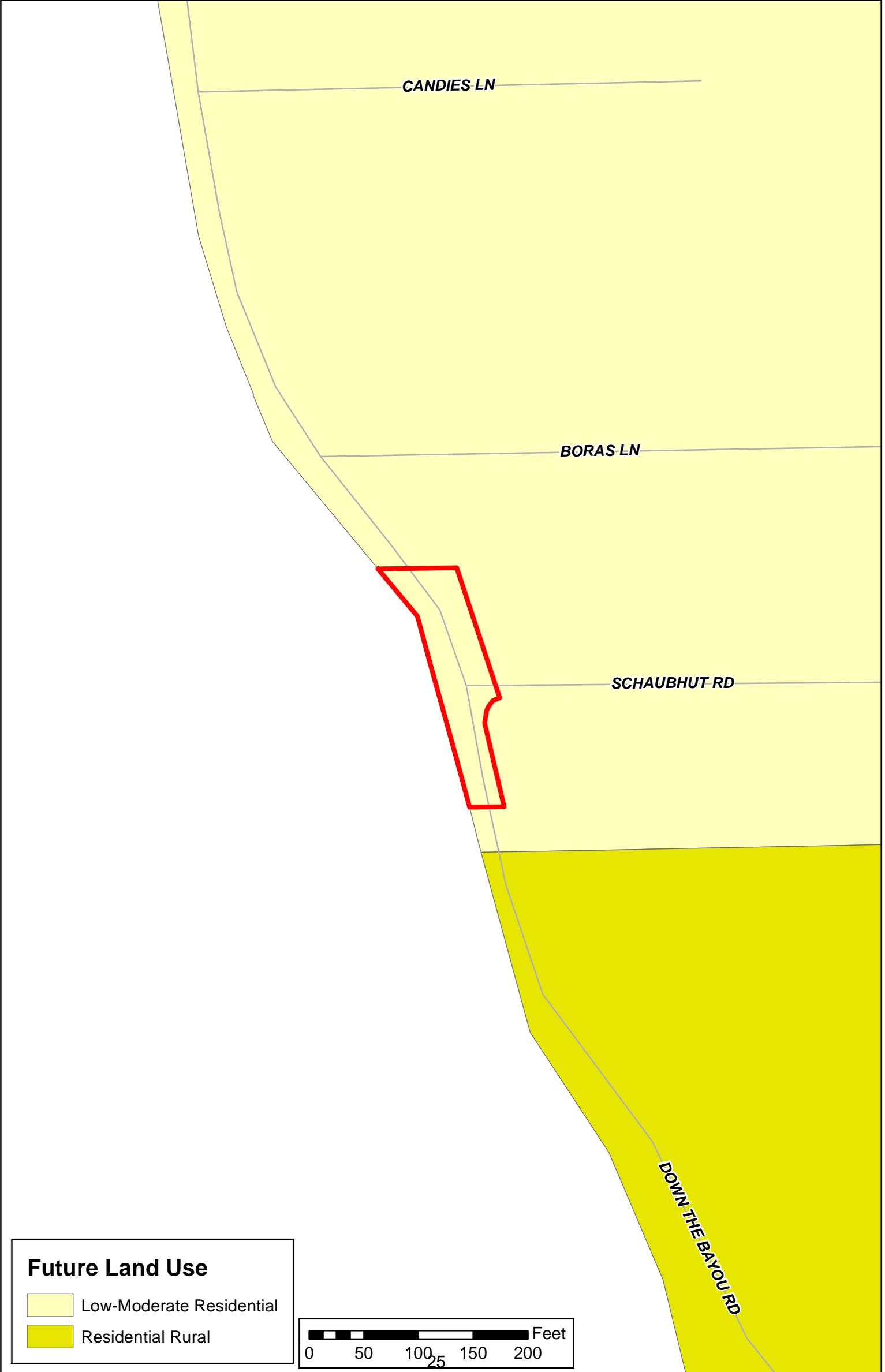


R1AM



2023-12-MIN

Minor Resubdivision: 1 lot into 5





Department of Planning & Zoning Staff Report – Map Amendment Case No. 2023-12-R

APPLICATION INFORMATION

- **Submittal Date:** 7/19/23
- **Applicant / Property Owner**
Arthur and Barbara Blue
12 Shadow Lane
Destrehan, LA 70047
504.473.2541; acblue2@cox.net
- **Request**
Change of zoning from *C-2, General Commercial-Retail Sales* to *R-3, Multi-family Residential*

SITE INFORMATION

- **Location**
Lots M-1, M-2, and M-3, Tracts 8, 9 and 10, Elkinsville Subdivision; approximately 960 ft. north of improved First Street, near the intersection of Turtle Creek Lane and Adams Drive, St. Rose.
- **Size:** approximately 31,233 sq. ft. (0.71 acres)
- **Current Use:** vacant and wooded
- **Surrounding Zoning**
R-1A zoning is adjacent to the Turtle Creek Lane side; R-1A(M) zoning is adjacent to the First Street and Normandy Drive sides.
- **Surrounding Uses**
Single family houses are adjacent to the Turtle Creek Lane side; undeveloped, wooded properties are located to the First Street and Normandy Drive sides. The Canadian National Railroad is located to the Adams Drive side.
- **Zoning History**
The C-2 district resulted from a 1982 rezoning from R-1A(M) (PZR-82-27, Ord. No. 82-11-12).
- **Future Land Use Recommendation**
Low-to-Moderate Residential: Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections. (over six dwellings per acre).

Recommended Zoning Districts: R-1A (6,000 sf. min. lot size), R-1B (10,000 sf. min. lot size), R-1AM (accessory units and individual mobile homes)
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: A99
2013 Digital Flood Insurance Rate Map: AE +5.5.

Both maps show the property in a Special Flood Hazard Area requiring flood insurance for a federally-backed mortgage. The minimum building elevation is either +5.5 ft (NAVD 88 Datum) or 1 ft. above the centerline of the nearest street. The nearest paved street is Adams Drive.

▪ **Traffic Access**

The subject lots were platted in 1982 and finally approved by the Planning Commission and Parish Council four years later (86-11-5). There was not a street with hard surface providing access when the lots were subdivided. At the time of writing this report it is unclear how vehicles would access the site; neither First Street nor Adams Drive is developed to provide frontage.

▪ **Utilities**

Parish GIS shows public sewer and water located along the south side of the Canadian National Railway.

Drainage ditches are located on each side of the undeveloped portion of First Street, but drainage review would need to occur prior to any development in the area as per parish engineers.

Director of Wastewater stated that sewer would need to be tied in on Turtle Creek Lane.

Similar to access, there is not a clear path regarding how the necessary utilities will be provided to this site, as they must either be run through undeveloped right-of-way or adjacent, separately owned property. This would be an issue regardless of the zoning.

APPLICABLE REGULATIONS

Appendix A. Section VI. – Zoning District Criteria and Regulations

[VIII.] *R-3. Multi-family residential:*

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) All uses allowed in the R-2 district.
 - (2) Multi-family dwellings.
 - (3) Boarding and lodging houses.
 - (4) Townhouses (see Section VII for Supplemental Use and Performance regulations).
 - b. Special exception uses and structures: As approved by the Planning and Zoning Commission only:
 - c. Special permit uses and structures:
 - (1) Supplemental C-1 and C-2 uses.
 - (2) *Reserved.*
 - (3) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
2. Spatial Requirements:
 - a. Minimum lot size: Ten thousand (10,000) square feet; minimum width - sixty (60) feet; two thousand five hundred (2,500) square feet per family.
 - b. Minimum yard requirements:
 - (1) Front - twenty (20) feet
 - (2) Side - ten (10) feet
 - (3) Rear - twenty (20) feet.
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
 - c. Maximum land coverage: Eighty (80) percent (twenty (20) percent green space).
 - d. Accessory buildings:
 - (1) Accessory buildings shall be of one story construction not to exceed sixteen (16) feet in height.
 - (2) Accessory buildings shall be located on the same parcel of land as the main structure.
 - (3) Nonresidential accessory buildings shall not be permitted.
 - e. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front or rear yard.
3. Transportation System: Servitude of access, local, or collector street.
4. Special Provisions:
 - a. Where any multi-family residential district (R-3) abuts any residential zoning district or use, a six-foot-high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.

Appendix A. Section XV. - Amendment procedure

- D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two or more of the following criteria are met:
1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zone that is incompatible with the surrounding neighborhood.
 2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.

3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

E. Rezoning approval criteria: Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:

1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map, also
2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

REZONING GUIDELINE & CRITERIA EVALUATION

1. *The proposed rezoning conforms to the land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.*

The proposed R-3 zoning does not conform to the *Low-to-Moderate Residential* FLUM designation, which encourages residential uses of lesser intensity as permitted in the R-1A, R-1B, and R-1A(M) zoning districts. The designation does account for some density in the form of duplexes, patio/zero-lot line homes and townhomes, but not at the density permitted under R-3 zoning, and specifically on this site (up to 12 units / 17 units per acre). The request is a spot zone since this would confine the proposed R-3 zoning to a single small site. **The request does not meet the first guideline.**

2. *The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property and the proposed zoning does.*

The existing C-2 district was established by a rezone from R-1A(M) in 1982 (PZR-82-27, Ord. No. 82-11-12). The purpose of the rezone was to permit an apartment complex. The existing zoning is still reasonable since R-3 uses can be permitted under C-2 zoning upon approval from the Planning Commission and Parish Council as a Special Permit Use. **The request does not meet the second guideline.**

3. *Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.*

The subject site is located on an unimproved portion of First Street, and properties with frontage along this portion are undeveloped and wooded. Development in the area includes a park and the single family neighborhoods of Preston Hollow and Elkinsville. Single family houses within Preston Hollow abut to the rear of the subject site. While R-3 uses would be incompatible if developed within those neighborhoods, the site is relatively isolated and clearly separated from those developed areas. The lack of a defined neighborhood character along this unimproved portion of First Street provides room for the proposed zoning to be considered, especially since the current zoning permits certain commercial uses by right or R-3 uses as a special permit use. Representatives from the Departments of Waterworks and Wastewater stated that a development potential of 10-12 units would not overburden existing infrastructure, but how connections to the nearest available public facilities will occur is unclear. This would be an issue regardless of zoning or development type. **The request meets the third guideline.**

DEPARTMENT RECOMMENDATION

Denial, due to only meeting one of the three rezoning criteria.

This request will be forwarded with the Planning Commission's recommendation to the Parish Council for a second public hearing and final determination.



St. Charles Parish
Department of Planning & Zoning
 14996 River Rd / P.O. Box 302 • Hahnville, LA 70057
 Phone (985) 783-5060 • Fax (985) 783-6447
 www.stcharlesparish-la.gov

2023-12-R

| | |
|-------------------|----------|
| Permit/Case #: | |
| Receipt #: | 12755912 |
| Application Date: | 7/19/23 |
| Zoning District: | C-2 |
| FLUM Designation: | |
| Date Posted: | |

**APPLICATION FOR ZONING MAP AMENDMENT
 (CHANGE OF ZONING DISTRICT OR REZONING)**

Fee: \$40 - \$200

Applicant: Arthur C. Blue and Barbara G. Blue
 Home address: 12 Shadow Lane, Destrehan, LA 70047
 Mailing address (if different): Same
 Phone #: 504-473-2541 Email: acblue2@cox.net
 Property owner: First Evangelist Community Outreach Development Corp.
 Municipal address of property: _____
 Lot, block, subdivision: Lots M-1, M-2, & M-3, Section 39, T13S, R9E, St. Rose, LA.
 Change of zoning district from: C-2 to: R3
 Future Land Use designation of the property: Multi-Family Dwelling
 (A fact sheet on Future Land Use designations is available at the Planning and Zoning Department).

Your written responses below will be forwarded to the Planning and Zoning Commission and Parish Council to help them make a determination on the merits of your request.

Describe how you plan to use the property if the rezoning is granted: To build townhouses, duplexes, or apartments.

What types of activities occur on adjacent properties today? How is your proposed use compatible with the neighborhood?

North Side - I. C. G. Railroad
South Side and West Side - Undeveloped Wooded Area
East Side - Single Family Homes (Preston Hollow Sub.)

Is there something about the property or the surrounding neighborhood that make the rezoning necessary?

The lots are currently zoned C-2 General Commercial District - Retail Sales.

How does your proposed use of the property comply with the Future Land Use designation for the property?

Right now the property is zoned C-2 Commercial; R-3 would be moving closer to what the Land Use designation currently is.

If the property is rezoned, but your project does not develop, explain how other uses allowed in the new zoning district are compatible with the existing neighborhood? A list of allowed uses is available at the Planning and Zoning Department.

Right now the neighborhood is a Residential Area, with the new zoning of Residential it will continue the Residential trend in that area.

T12S R9E
T13S R9E

SITE
ICG RR

ST. ROSE
Sec. 39
PRESTON HOLLOW

RIVER ROAD
LA. 48

E ILLINOIS CENTRAL GULF R.R.
FORMERLY Y & MV R.R.

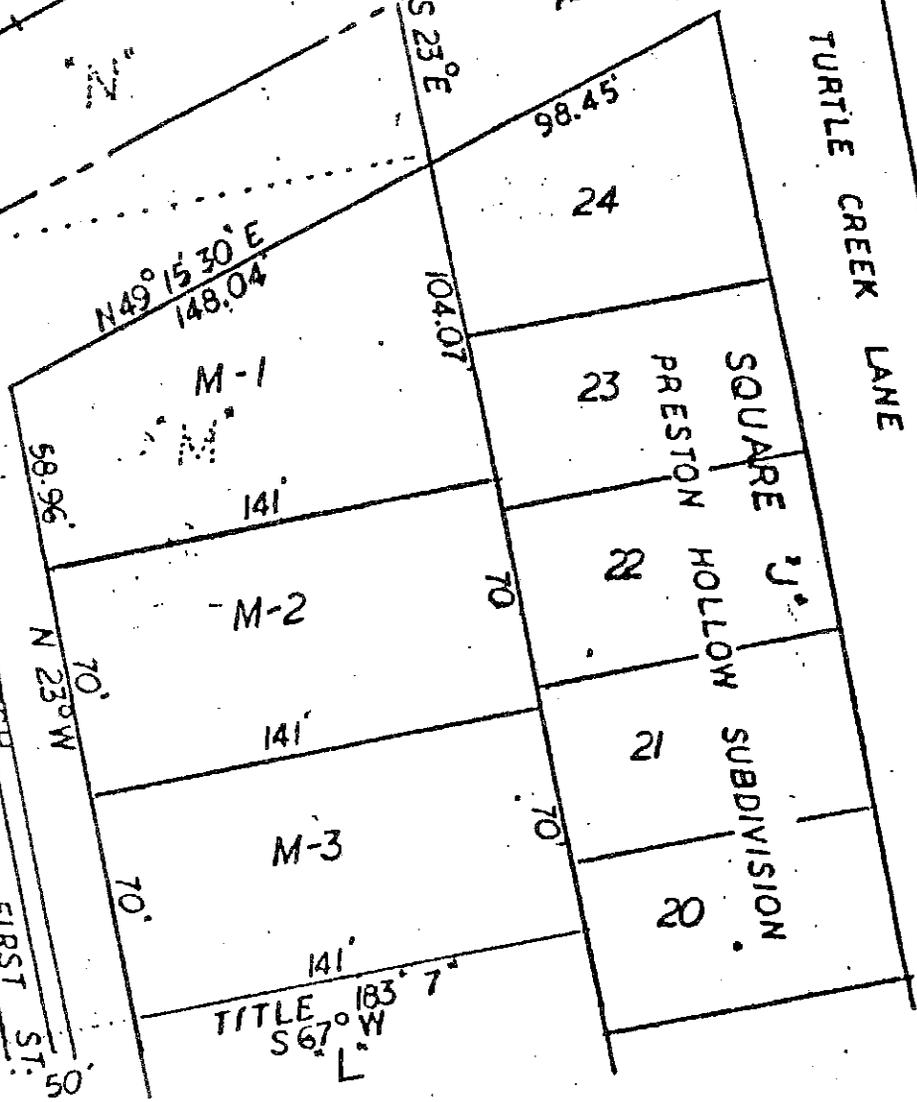
Vicinity Map
Scale: 1" = 2000'

R/W LINE
ADAMS DRIVE

TURTLE CREEK LANE

TRACT
7

DITCH BED
ROAD
DITCH
FIRST ST.



Approval/Disapproval

William J. ...
Planning Comm. Chairman

6/5/86
Date

Resubdivision of lot "M" of a partition of tracts 8, 9, & 10 of Elkinsville subdivision into lots M-1, M-2, & M-3 in section 39, T13S R9E, St. Rose, La. by Arthur Blue, # 71 Mary St., Norco, La. 70079

Approved:

[Signature]
Council Chairman

11-17-86
Date

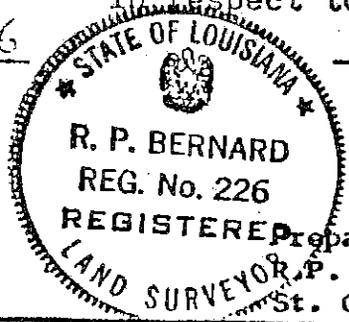
This plat is made in accordance With La. RS 33:5050, et. seq., & all regulations governing plattin and comply fully with the zoning requirements of the R-1A district in respect to area & width

Approved:

[Signature]
Parish President

11/15/86
Date

SCALE : 1" = 60'
DATE : August 30, 1982
0 : Denotes Iron rods set



R. P. Bernard
SURVEYOR

Prepared by the office of R. P. Bernard Inc., Boutte, St. Charles Parish, La.

1119

2023-12-R
C-2 to R-3

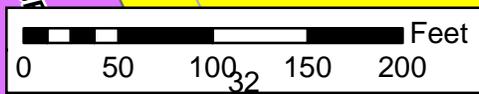
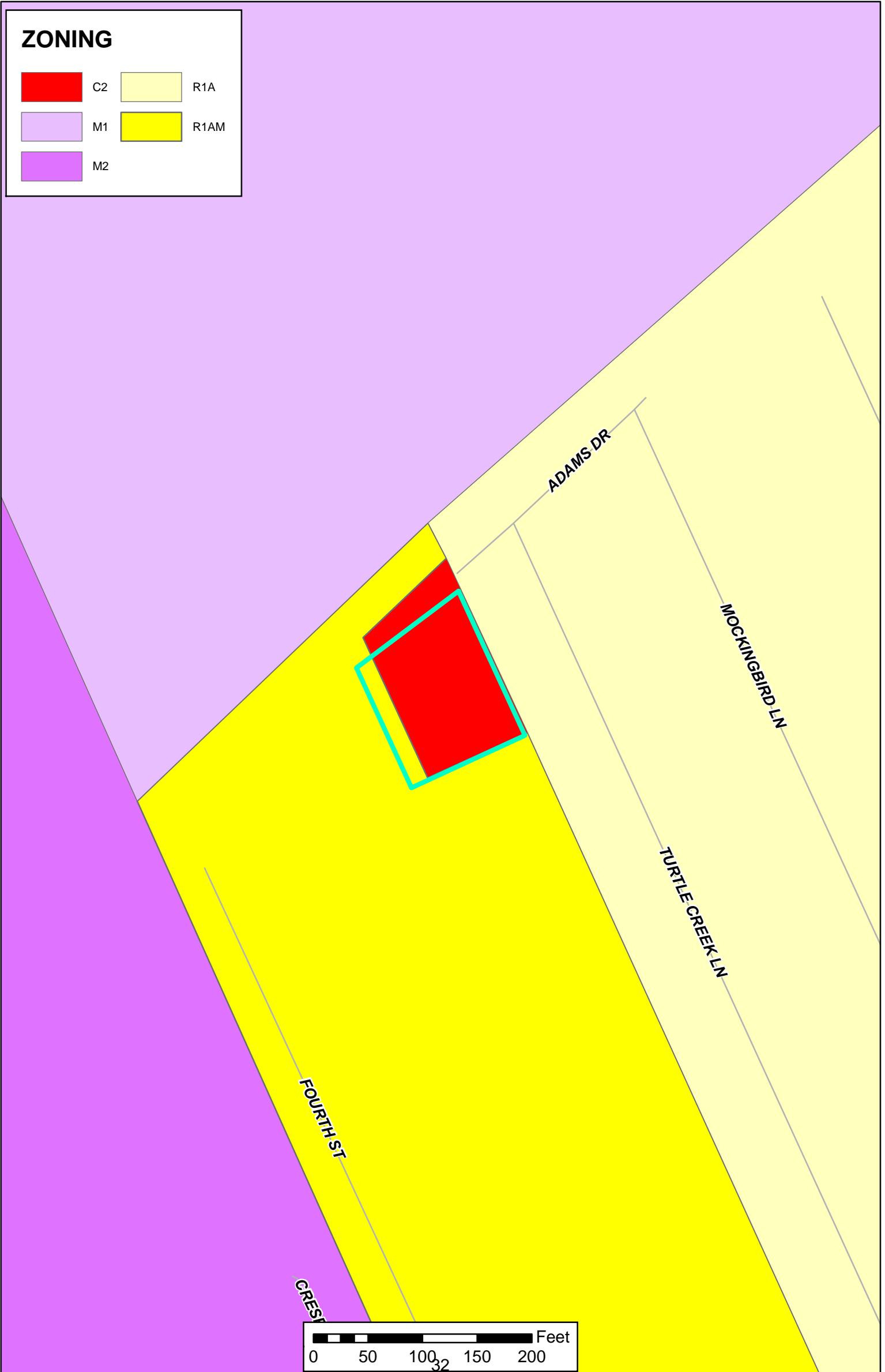


2023-12-R
C-2 to R-3



ZONING

| | | | |
|----------------------------------------------------------------------------------|----|-----------------------------------------------------------------------------------|------|
|  | C2 |  | R1A |
|  | M1 |  | R1AM |
|  | M2 | | |

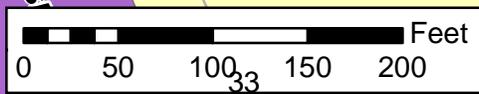
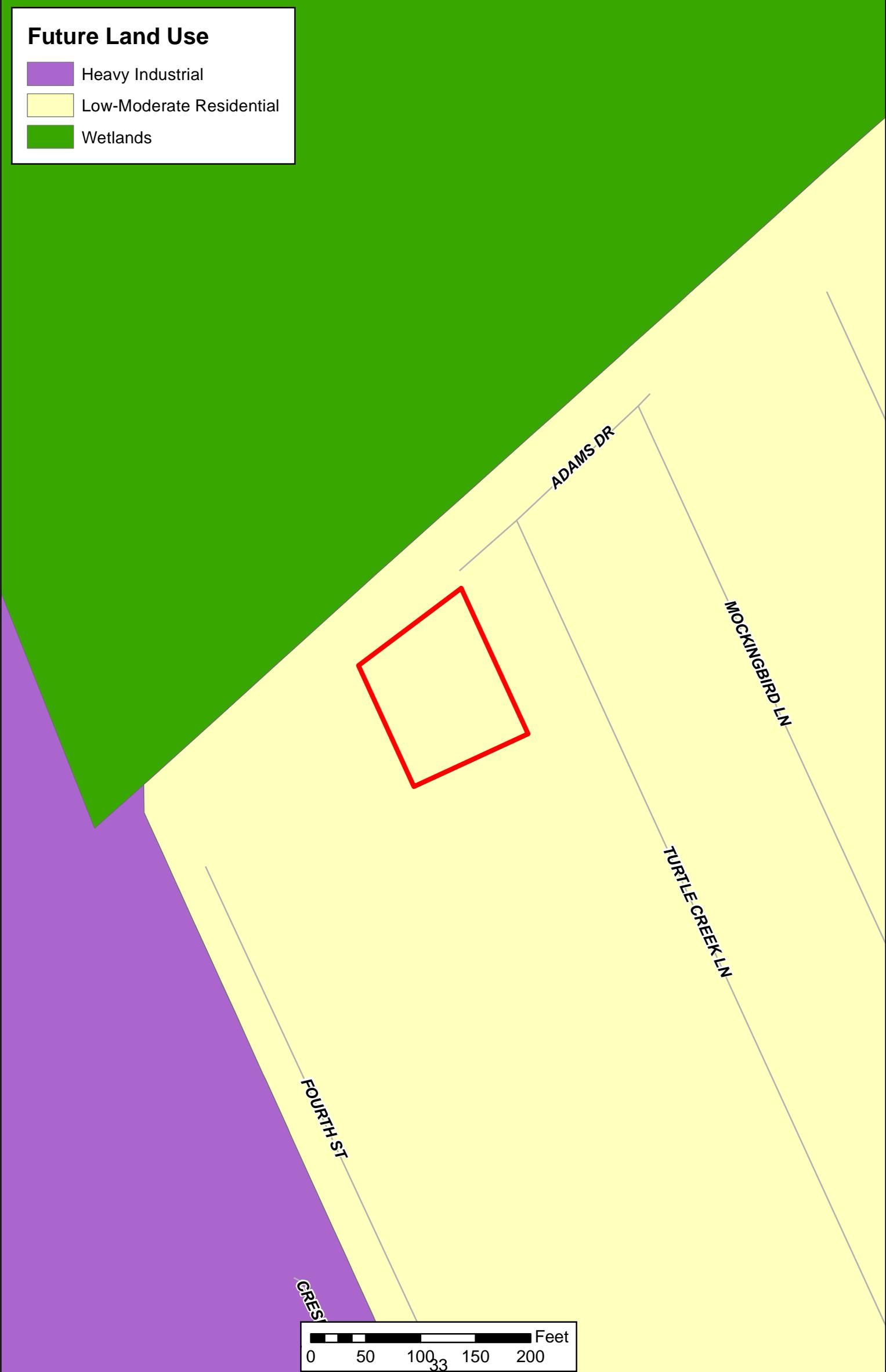


2023-12-R
C-2 to R-3



Future Land Use

-  Heavy Industrial
-  Low-Moderate Residential
-  Wetlands





Department of Planning & Zoning Staff Report – Map Amendment Case No. 2023-13-R

APPLICATION INFORMATION

- **Submittal Date:** 7/31/23
- **Applicant / Property Owner**
Roger Landry
314 Beaupre Drive
Luling, LA 70070
504-452-4678; rlandry@landrytr.com
- **Request**
Change of zoning from *R-1A, Single Family Residential Detached District* to *R-1A(M), Single Family Residential Detached District—Allows Mobile Homes*

SITE INFORMATION

- **Location**
Lot 1B1, Sq. 6, Linda Lou Park, Unit 2; 519 Willow Street, Boutte
- **Size:** 7,901 sq. ft.
- **Current Use:** vacant but cleared
- **Surrounding Zoning**
R-1A is adjacent to each side. R-1A(M) is nearby, limited primarily to the northeast side of Fir Street. A rezone in 1982 (PZR-1982-29) extended R-1A(M) zoning south of Fir Street, nearly abutting the subject site.
- **Surrounding Uses**
The surrounding development in the neighborhood consists primarily of site-built houses. More specifically, a site built home is adjacent to the Sharon Avenue side; a manufactured home is located across David Drive; and a manufactured home and a site-built house are located across Willow Street.
- **Zoning History**
The R-1A district was established with the 1981 comprehensive rezoning.
- **Future Land Use Recommendation**
Low-to-Moderate Residential: Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections (over six dwellings per acre).

Recommended Zoning Districts: R-1A (6,000 sf. min. lot size), R-1B (10,000 sf. min. lot size), R-1AM (accessory units and individual mobile homes)
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: AE +4
2013 Digital Flood Insurance Rate Map: AE +6

Both maps show the property in a Special Flood Hazard Area requiring flood insurance for a federally-backed mortgage. The minimum building elevation is 6 ft. NAVD 88.

▪ **Traffic Access**

The site is a corner lot with frontage of Willow Street and David Drive, a private unimproved road. A driveway culvert provides access from Willow Street.

Per the St. Charles Parish Assessors' information the portion of Willow Street where frontage is provided is under private ownership. Staff researched this further and found transfer documents dating back to 1978 include a 208.02 ft. wide by 1,500 ft. long portion of ground. This lines up with an area intended for the development of Linda Lou Park Unit 1 and Unit 2 Subdivisions as shown on the 1974 map by J. Jerry Smith, and includes what is now David Drive and this portion of Willow Street.

Unless there is documentation showing this portion of Willow Street has been dedicated to the Parish, it's likely any development on Lot 1B1 will require an access agreement with the owners of this portion of Willow Street (please note this portion is paved and Parish utilities are present).

▪ **Utilities**

Parish GIS shows public water available along Willow Street, but not Parish sewer. The Director of Wastewater confirmed there is a force main along the front this site, but as part of any development the owner will have to install a grinder pump station to connect to parish sewer.

APPLICABLE REGULATIONS

Appendix A. Section VI. – Zoning District Criteria and Regulations

[III.] R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes—Medium density.

Policy statement: This district is composed of areas containing one-family dwellings constructed on a permanent foundation, connected to public utilities, and which meet the architectural and aesthetic standards of a permanent residence. Additionally, mobile homes which meet the special provisions below are allowed.

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) Site-built, single-family detached dwellings.
 - (2) Manufactured homes.
 - (3) Mobile homes.
 - (4) Accessory uses.
 - (5) Private recreational uses.
 - (6) Farming on lots of three (3) acres or more and at least one hundred fifty (150) feet frontage.
 - b. Special exception uses and structures include the following:
 - (1) Additional residences for family and relatives on unsubdivided property on a non-rental basis, and which meet the criteria outlined in Special Provisions [subsection 3].
 - (2) Parks, public libraries, fire stations, police or sheriff's stations or substations, and sewer pumping stations.
 - (3) Showing and operation of historic buildings and/or sites and their related activities, provided a certificate from the United States Department of Interior is furnished by the owner verifying that the building and/or site is on the National Register of Historic Places.
 - (4) Accessory uses to golf courses and country clubs limited to the following:
 - Art studios
 - Churches and Religious Institutions
 - Commercial recreation facilities
 - Commercial schools
 - Personal service businesses, examples include but are not limited to beauty shops and barber shops, acupuncture, and massage services
 - Professional offices, examples include but are not limited to doctors, dentists, engineers, architects, landscape architects, plan services, realtors, insurance
 - Restaurants and cafeterias
 - c. Special permit uses and structures include the following:
 - (1) Child care centers.
 - (2) Public and private schools (except trade, business and industrial).
 - (3) Golf courses (but not miniature courses or driving ranges), country clubs, and accessory commercial uses on such properties.
 - (4) Educational, religious and philanthropic institutions. These buildings must be set back from all property lines a distance of at least one (1) foot for each foot of building height.
 - (5) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
 - (6) Accessory dwelling units upon approval by the Planning Commission and supporting resolution of the Council.
 - (7) Garden Home Developments in accordance with Section VII Supplemental Regulations upon review and recommendation of the Planning Commission and supporting resolution of the St. Charles Parish Council.
2. Spatial Requirements.
 - a. Minimum lot size: Five thousand (5,000) square feet per family; minimum width-fifty (50) feet.
 - b. Minimum yard sizes:

- (1) Front—Fifteen (15) feet.
 - (2) Side—Five (5) feet.
 - (3) Rear—Five (5) feet.
 - (4) For lots with less than one hundred (100) feet depth, front setback shall be fifteen (15) percent of lot depth with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line.
 - (5) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
- c. Accessory buildings:
 - (1) The accessory building shall not exceed two-story construction.
 - (2) Minimum setback of accessory buildings shall be three (3) feet.
 - (3) Nonresidential accessory buildings shall not be permitted.
 - d. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front yard.
3. Special Provisions:
 - a. Additional dwellings on unsubdivided property:
 - (1) Additional dwellings on unsubdivided property referred to in 1.b(1) above will be permitted at the rate of one (1) dwelling unit for each seven thousand (7,000) square feet of lot area.
 - (2) The applicant for any additional dwellings on unsubdivided property shall submit a copy of all subdivision restrictions (covenants) which govern the property in order to protect the integrity of the neighborhood.
 - (3) Under no circumstances will the total number of dwellings per unsubdivided lot permitted under these provisions exceed four (4).
 - (4) Permits issued under this provision will be issued for a two-year period. At the expiration of this time, an investigation will be conducted by the Planning and Zoning Department to determine if this Code is complied with. Non-compliance will result in the revocation of the permit.
 - b. All manufactured housing and mobile homes shall be secured according to the Federal Emergency Management Agency's Sept. 1985 publication *Manufactured Home Installation in Flood Hazard Areas*.
 - c. *Reserved*.
 - d. All dwelling units shall be connected to utility systems which provide for health and safety under all conditions of normal use. Home utility services shall only be connected to the supply source by means of approved materials, and shall be inspected by the appropriate agency.

Appendix A. Section XV. - Amendment procedure

D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two or more of the following criteria are met:

1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zone that is incompatible with the surrounding neighborhood.
2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

E. Rezoning approval criteria: Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:

1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map, also
2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

| |
|-----------------------------------------------------|
| REZONING GUIDELINE & CRITERIA EVALUATION |
|-----------------------------------------------------|

1. *The proposed rezoning conforms to the land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.*

The site is designated *Low-to-Moderate Residential* on the Future Land Use Map. R-1A(M) zoning is recommended under this designation and would not cause conflict

with the Future Land Use Map. The subject site is in a neighborhood under an established R-1A zoning district where the boundary between R-1A and R-1A(M) zoning is clear. A change to R-1A(M) on a small individual site within a larger R-1A district is considered a spot zone. **The request does not meet the first guideline.**

2. *The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property and the proposed zoning does.*

The existing R-1A zoning (established in 1981) allows for a reasonable use of the property by permitting site-built single-family detached dwellings consistent with the surrounding neighborhood. There are nonconforming manufactured homes in the area but this portion of Magnolia Ridge Park has remained developed largely with site-built houses as permitted in the district. Two nearby spot zones from the early 1980's to R-1A(M) (PZR-1982-29) and R-2 (PZR-1983-22) did not alter the neighborhood character and do not provide a basis for the consideration of a spot zoning request under the Comprehensive Land Use Plan. **The request does not meet the second guideline.**

3. *Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.*

The proposed rezoning to R-1A(M) would allow for a manufactured home. It would not overburden public facilities or infrastructure but a manufactured home would not be compatible with a neighborhood developed primarily with site-built houses. There are manufactured homes in the immediate vicinity, but these are non-conforming uses and do not define the larger established neighborhood character. **The request does not meet the third guideline.**

| |
|----------------------------------|
| DEPARTMENT RECOMMENDATION |
|----------------------------------|

Denial, due to not meeting any of the three rezoning criteria.

This request will be forwarded to the Parish Council for a second public hearing with the Planning Commission's recommendation.



St. Charles Parish
Department of Planning & Zoning
 14996 River Rd / P.O. Box 302 • Hahnville, LA 70057
 Phone (985) 783-5060 • Fax (985) 783-6447
 www.stcharlesparish-la.gov

2023-13-R

| | |
|-------------------|----------|
| Permit/Case #: | |
| Receipt #: | 12774476 |
| Application Date: | 7/3/22 |
| Zoning District: | |
| FLUM Designation: | |
| Date Posted: | |

**APPLICATION FOR ZONING MAP AMENDMENT
 (CHANGE OF ZONING DISTRICT OR REZONING)**

Fee: \$40 - \$200

Applicant: Roger Landry

Home address: 314 Beaupre Dr, Luling, LA 70070

Mailing address (if different): _____

Phone #: 504-452-4678 Email: rlandry@landrytr.com

Property owner: Roger Landry

Municipal address of property: 519 Willow St, Boutte, LA 70039

Lot, block, subdivision: _____

Change of zoning district from: R-1A to: R-1A(m)

Future Land Use designation of the property: _____
 (A fact sheet on Future Land Use designations is available at the Planning and Zoning Department).

Your written responses below will be forwarded to the Planning and Zoning Commission and Parish Council to help them make a determination on the merits of your request.

Describe how you plan to use the property if the rezoning is granted: _____
Place mobile home on lot for residential family use.

What types of activities occur on adjacent properties today? How is your proposed use compatible with the neighborhood? _____
No activity occurs on the property at this time. It is an empty lot.

We feel that the proposed use is compatible with the neighborhood in that many of the homes in the neighborhood, including 2 adjacent to property already have mobile home being used for residential family use.

Is there something about the property or the surrounding neighborhood that make the rezoning necessary? _____
Zoning on the property does not currently allow for a mobile home.

How does your proposed use of the property comply with the Future Land Use designation for the property? _____

If the property is rezoned, but your project does not develop, explain how other uses allowed in the new zoning district are compatible with the existing neighborhood? A list of allowed uses is available at the Planning and Zoning Department.

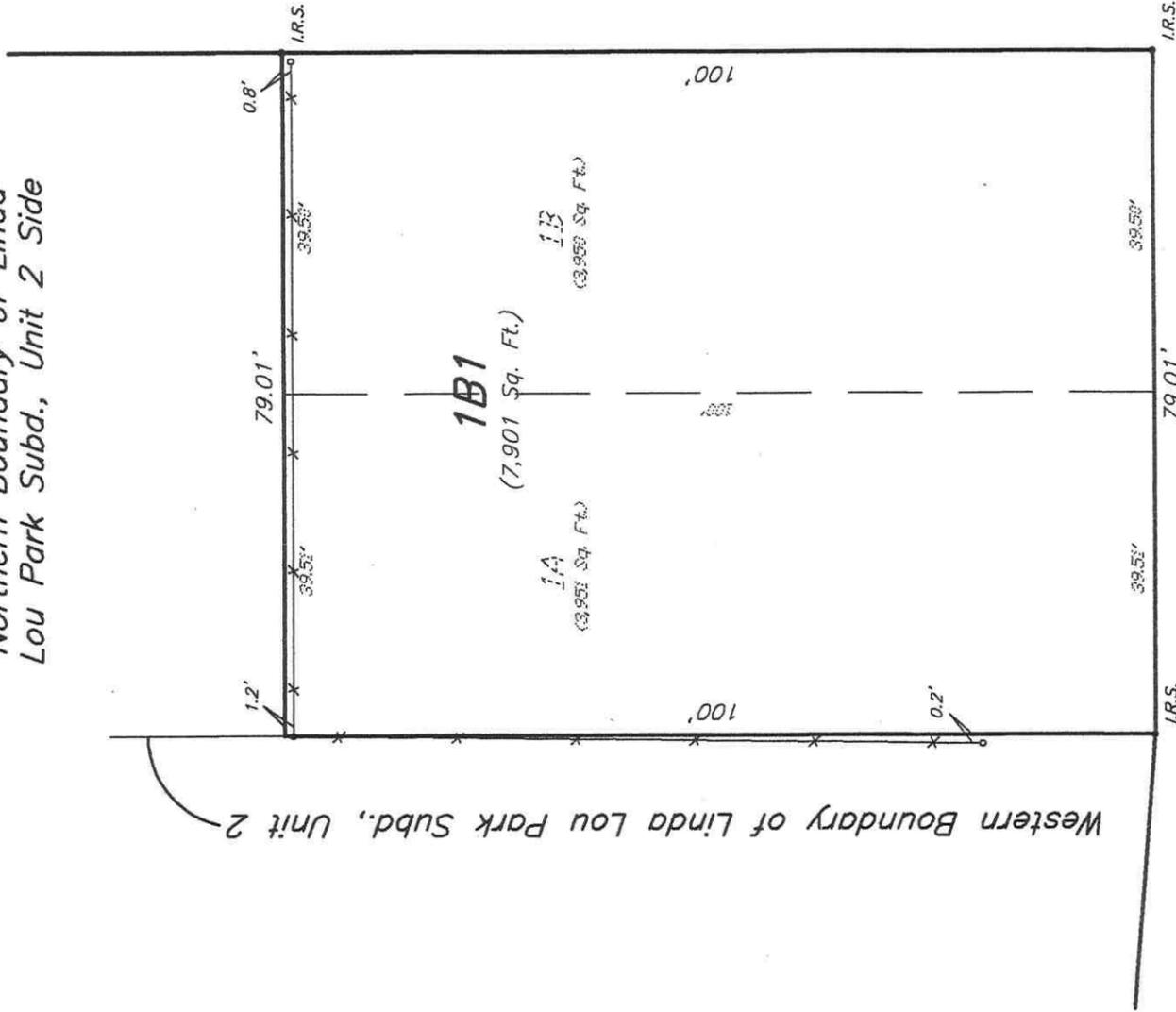
This is the only use we have planned for the property.

**SQ. NO. 6, LINDA LOU PARK, UNIT 2
ST. CHARLES PARISH, LA**

A Resubdivision of Lots 1A and 1B into Lot 1B1.

Northern Boundary of Linda Lou Park Subd., Unit 2 Side

Western Boundary of Linda Lou Park Subd., Unit 2



DR.

(Late Linda Lou Dr.)
(Not Constructed)

DAVID

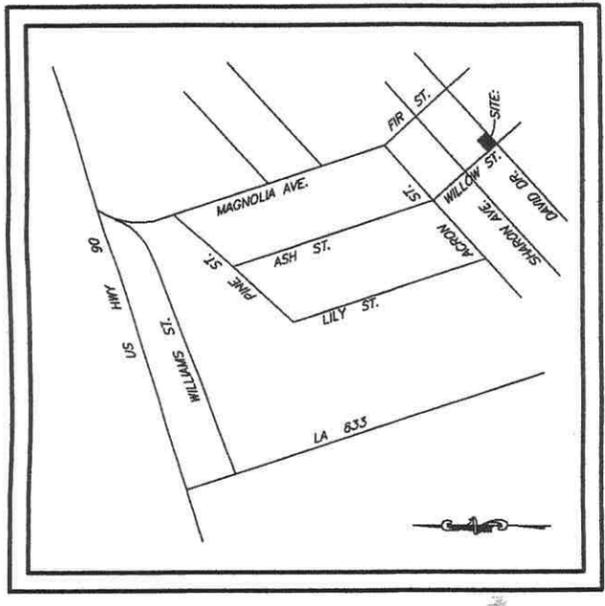
- Legend:
- I.R.S. 1/8" Iron Rod Set
 - I.R.F. 1/2" Iron Rod Found
 - I.P.F. 1/2" Iron Pipe Found
 - Fence

Note: Improvements may not be to scale for clarity. The dimensions shown prevail over scale.

THE SERVITUDES SHOWN ON THIS PLAT ARE LIMITED TO THOSE FURNISHED TO US. THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING DATA FOR THIS SURVEY.

90° Lot angles as per plan of subd.

171152



Vicinity Map



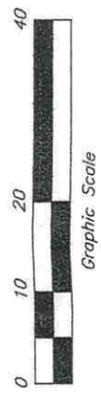
ST. CHARLES PARISH APPROVAL

Date: 8-2-23 *Matthew Jewell*
Planning & Zoning Director

Date: 8-4-23 *Matthew Jewell*
Parish President

Recorded in the Clerk of Court's Office
St. Charles Parish on the 8th day of
August 2023 in Book
folio Entry 476642

Note: All necessary sewer, water and/or other utility extensions, relocations or modifications shall be made solely at the lot owner's expense.



Date: July 7, 2023

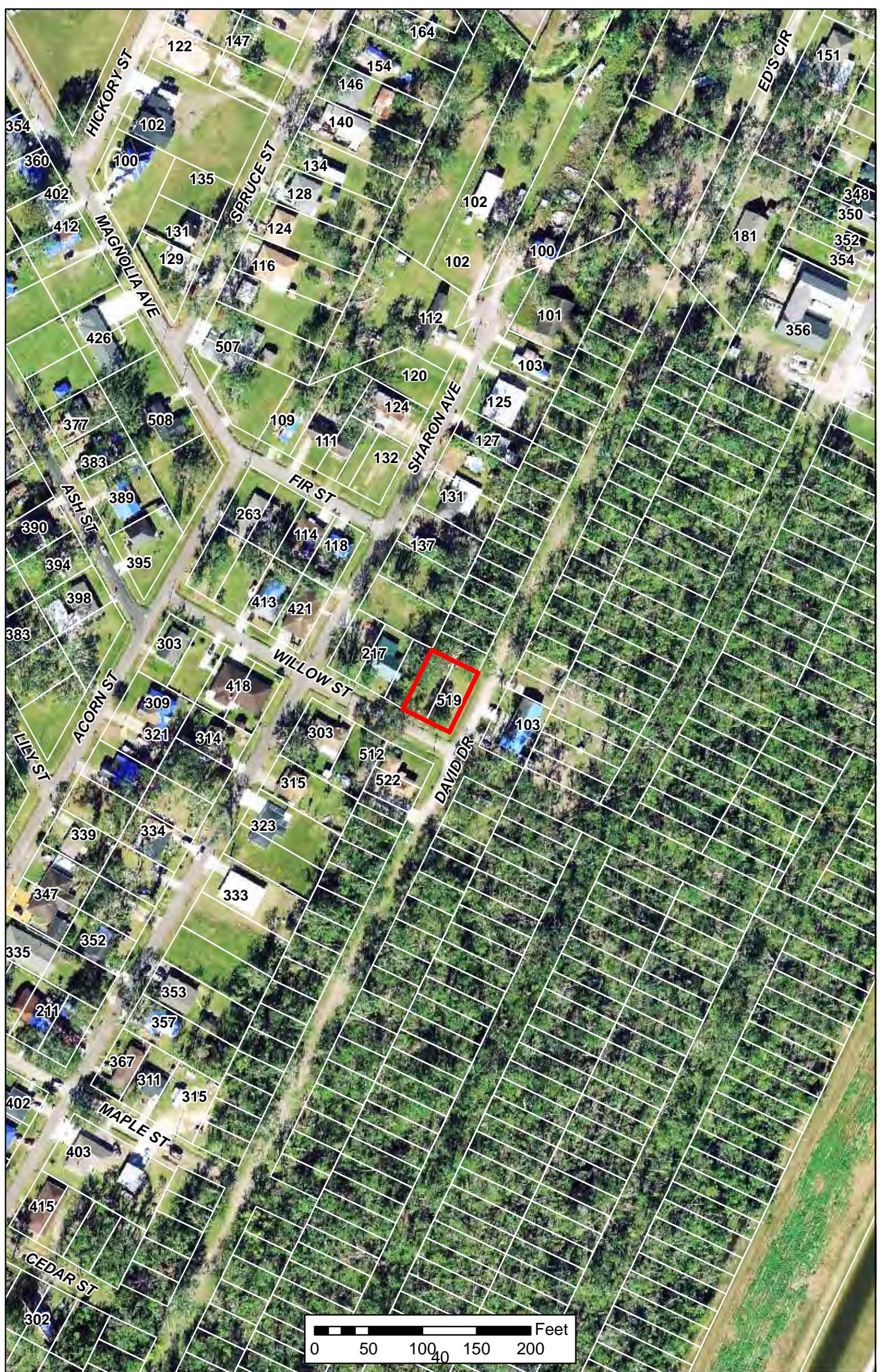
Scale: 1" = 20'

This plat represents an actual ground survey made by me or under my direct supervision and control and meets the requirements for the Standards of Practice for Boundary Surveys as found in Louisiana Administrative Code TITLE 46:LXI, Chapter 29 for a Class "C" survey.
Made at the request of Roger Landry

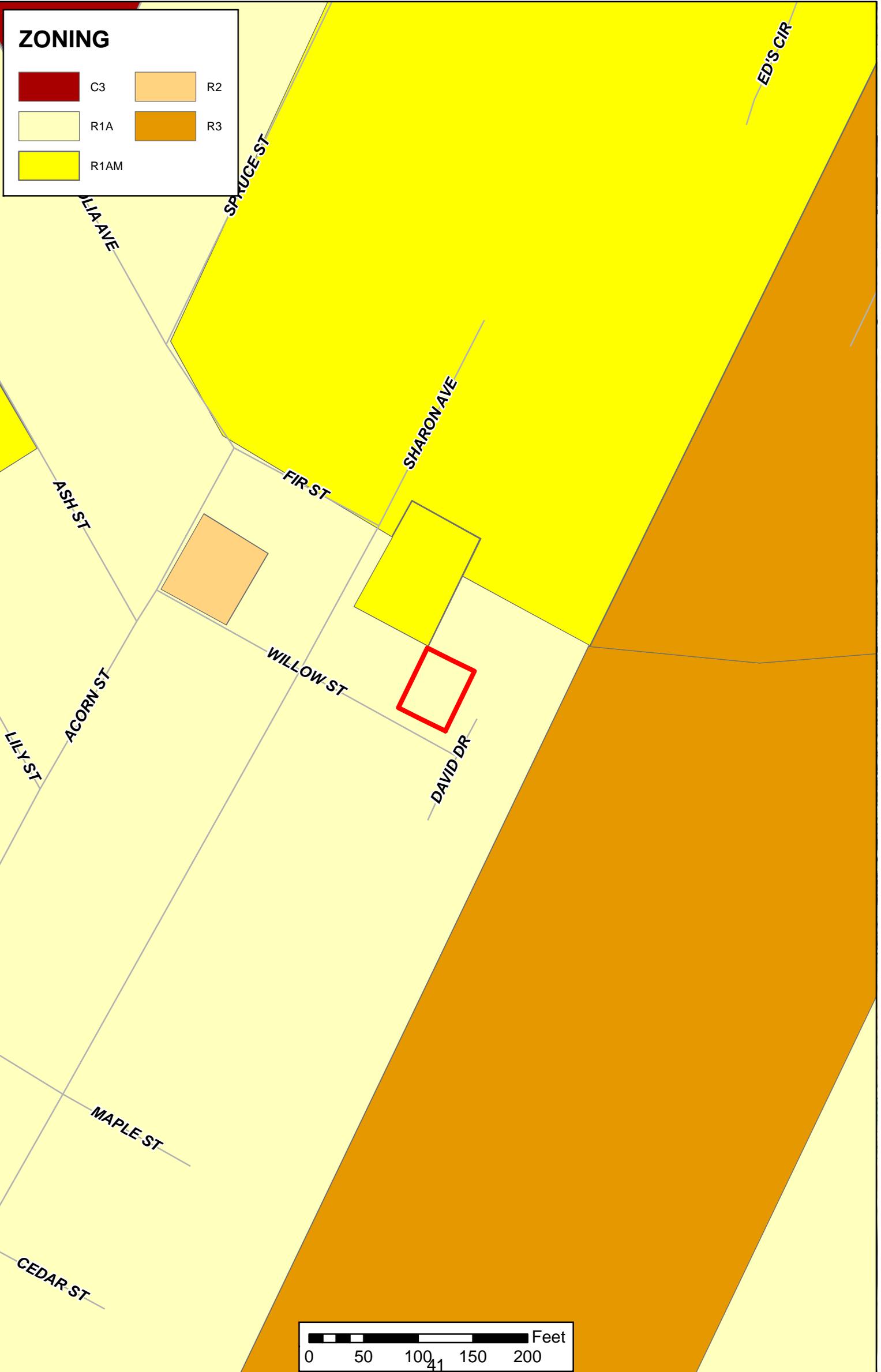
Gilbert, Kelly & Couturie, Inc., Professional Land Surveying
2121 N. Causeway Blvd., Metairie LA 70001 (504) 836-2121

Clint Simoneaux

2023-13-R
R-1A to R-1A(M)

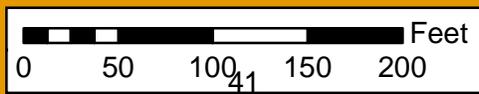


2023-13-R
R-1A to R-1A(M)

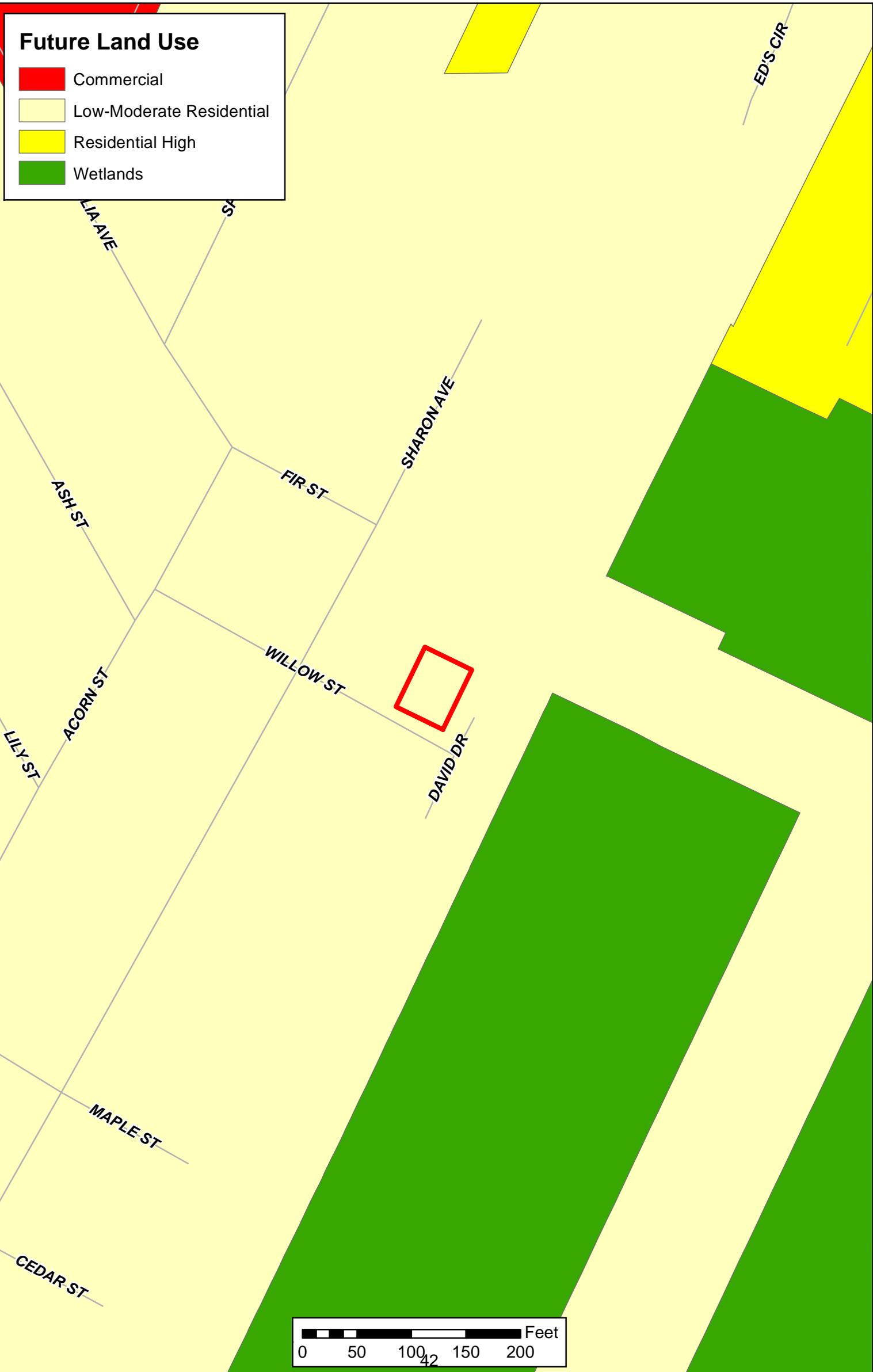


ZONING

| | | | |
|----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|----|
|  | C3 |  | R2 |
|  | R1A |  | R3 |
|  | R1AM | | |



2023-13-R
R-1A to R-1A(M)





Department of Planning & Zoning Staff Report – Map Amendment Case No. 2023-14-R

APPLICATION INFORMATION

- **Submittal Date:** 8/7/223
- **Applicant / Property Owner**

| | |
|-----------------------------|--------------------------------|
| Marc Picciola | Louis M. Andolsek, Jr. |
| Picciola & Associates, Inc. | Ashton Plantation Estates, LLC |
| P.O. Box 687 | P.O. Box 157 |
| Cut Off, LA 70345 | Harvey, LA 70059 |
| 985-632-5786 | 504-368-6355 |
| marc@picciola.com | landolsek@levert.net |
- **Request**

Change of zoning from C3, *Highway Commercial District* to R-1A, *Single family residential detached conventional homes* – Medium density

SITE INFORMATION

- **Location**

The site is located between Ashton Plantation Boulevard and the I-310 Off-Ramp, and is adjacent to the senior living center at 270 Ashton Plantation Boulevard.
- **Size:** approximately 719,442 sq. ft. (16.5 acres)
- **Current Use:** vacant but cleared
- **Surrounding Zoning**

R-1A zoning is located to the Ashton Plantation Boulevard side; C-3 zoning is to the I-310 and Lac Calcasieu Drive sides; MS-Medical Service District zoning is adjacent to the Luling Avenue side.
- **Surrounding Uses**

The site is within Ashton Plantation, which has undergone phased development as a single family subdivision since 1999. Specifically, Ashton Plantation Phase 1-C is located across Ashton Plantation Boulevard, a senior living center is adjacent to the Luling Avenue side, the I-310 off-ramp is adjacent to the rear, and the portion of property adjacent to the Lac Calcasieu Drive side is vacant but cleared.
- **Zoning History**

Most of the existing C-3 zoning was established in 1981, but a portion was created under PZR-99-23; Ord. 99-8-8 to make all land west of Ashton Plantation Boulevard C-3.
- **Flood Zone & Minimum Building Elevation**

1992 Flood Insurance Rate Map: X zone
2013 Digital Flood Insurance Rate Map: AE +4

The effective Flood Insurance Rate Map (1992) shows the entire site in a shaded X-zone. This is not a Special Flood Hazard Area; property owners would not be required to have flood insurance for a federally-backed mortgage. The Parish requires a building to be 1 ft. above the centerline of the nearest street in this flood zone. The Digital Flood Insurance Rate Map sets the minimum building elevation *when it is more restrictive* or higher than the 1992 map. It shows the majority of the site in an AE zone with the base flood estimated to reach +4 ft. NAVD 88.

In order to permit a structure, a developer will have to submit a grade certificate prepared by a licensed engineer or surveyor so staff can determine which elevation requirement is greater.

▪ **Future Land Use Recommendation**

Low-to-Moderate Residential – Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections. (over six dwellings per acre)

Recommended Zoning Districts: R-1A (6,000 sf. min. lot size), R-1B (10,000 sf. min. lot size), R-1AM (accessory units and individual mobile homes)

▪ **Traffic Access**

The site fronts Ashton Plantation Boulevard. The preliminary plat submitted with a corresponding major subdivision application shows access provided via an extension of Lac Calcasieu Drive off Ashton Plantation Boulevard.

▪ **Utilities**

The Parish GIS map shows public water and sewer facilities along Ashton Plantation Boulevard.

This request was submitted with a corresponding major subdivision application. As part of the major subdivision process the Parish reviews a Drainage Impact Analysis and construction plans to ensure drainage is not adversely affected by the development and all utilities are built according to Parish specifications.

APPLICABLE REGULATIONS

Appendix A. Section VI. – Zoning District Criteria and Regulations

[I.] *R-1A. Single family residential detached conventional homes—Medium density.*

Policy statement: This district is composed of areas containing one-family dwellings constructed on a permanent foundation, connected to public utilities and which meet the architectural standards of a permanent residence. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities; to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) Site-built single-family detached dwellings
 - (2) Accessory uses
 - (3) Private recreational uses
 - b. Special exception uses and structures include the following:
 - (1) Parks, public libraries, fire stations, police or sheriff's stations or substations, and sewer pumping stations.
 - (2) Showing the operation of historic buildings and/or sites and their related activities, provided a certificate from the United States Department of Interior is furnished by the owner verifying that the building and/or site is on the National Register of Historic Places.
 - (3) Accessory uses to golf courses and country clubs limited to the following:
 - art studios
 - churches and religious institutions
 - commercial recreation facilities
 - commercial schools
 - personal service businesses, examples include but are not limited to beauty shops and barber shops, acupuncture, and massage services
 - professional offices, examples include but are not limited to doctors, dentists, engineers, architects, landscape architects, plan services, realtors, insurance
 - restaurants and cafeterias
 - c. Special permit uses and structures include the following:
 - (1) Child care centers.
 - (2) Public and private schools (except trade, business, and industrial).
 - (3) Golf courses (but not miniature courses or driving ranges), country clubs, and accessory commercial uses on such properties.
 - (4) Educational, religious and philanthropic institutions. These buildings must be set back from all yard lines a distance of at least one (1) foot for each foot of building height.
 - (5) Modular, panelized and precut homes, provided that they are placed on a permanent foundation.
 - (6) *Reserved.*
 - (7) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
 - (8) Accessory dwelling units upon approval by the Planning Commission and supporting resolution of the Council.
 - (9) Garden Home Developments in accordance with Section VII Supplemental Regulations upon review and recommendation of the Planning Commission and supporting resolution of the St. Charles Parish Council.
2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet per family; minimum width—sixty (60) feet.
 - b. Minimum yard sizes:

- (1) Front—Twenty (20) feet.
 - (2) Side—Five (5) feet.
 - (3) Rear—Twenty (20) feet.
 - (4) For lots with less than one hundred (100) feet depth, front setback and rear setback shall be twenty (20) percent of lot depth respectively with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line.
 - (5) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, not withstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
- c. Accessory buildings:
 - (1) An accessory building may occupy no more than twenty-five (25) percent of the required rear yard.
 - (2) The accessory building shall not exceed two-story construction.
 - (3) Minimum setback of accessory buildings including overhangs, shall be three (3) feet.
 - (4) Nonresidential accessory buildings shall not be permitted.
 - d. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter. For accessory buildings, overhangs shall not be closer than three (3) feet to any property line.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front or rear yard.

Appendix A. Section XV. - Amendment procedure

D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two or more of the following criteria are met:

- 1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zone that is incompatible with the surrounding neighborhood.
- 2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
- 3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

E. Rezoning approval criteria: Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:

- 1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map, also
- 2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

| |
|-----------------------------------------------------|
| REZONING GUIDELINE & CRITERIA EVALUATION |
|-----------------------------------------------------|

- 1. *The proposed rezoning conforms to the land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.*

The subject site is within an area designated *Low-Moderate Residential*, which anticipates development of those residential uses typically permitted in the R-1A, R-1B, and R-1A(M) zoning districts. The request would not be considered a spot zone since it covers a large area and expands on an adjacent R-1A district. The proposed R-1A zoning does conform to the land development pattern established by the Future Land Use Map and furthers the goal of the Comprehensive Plan. **The request meets the first guideline.**

- 2. *The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property and the proposed zoning does.*

The existing C-3 zoning was established in 1981 and reorganized in 1999 (PZR-99-23; Ord. 99-8-8) so the land west of what would be Ashton Plantation Boulevard was zoned exclusively commercial. The land use pattern has changed with each

successive phase of Ashton Plantation Subdivision, which has reduced the C-3 zoning in favor of expanding residential development. The 1999 rezone referenced above made way for the 2006 and 2007 dedications of Ashton Plantation Phases 1-A, 1-B, and 1-C. And a 2007 rezone from C-3 to R-1A (PZS-2007-15; Ord. 07-8-15) made way for the first residential expansion to the west side of Ashton Plantation Boulevard, with Phases 2-A and 2-B dedicated in 2018 and 2020. Despite the reductions to the commercially zoned areas, the commercial zoning that remains may still be excessive for the area. The subject site is also approximately 2,500 ft. from River Road and lacks any other direct access to the kind of high-traffic roadway making commercial development feasible. The proposed R-1A zoning allows for a more reasonable use of the property that is in keeping with the changes in land-use pattern detailed above. **The request meets the second guideline.**

3. *Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.*

The proposed R-1A zoning would be more compatible with the surrounding neighborhood character, which has become primarily single family residential with the development of each phase of Ashton Plantation Subdivision. Additional residential development of this area is to be expected. The current zoning allows more intensive land uses including single-use commercial, retail, office and service uses. Therefore, rezoning the site to R-1A would not result in an overburden of public facilities and infrastructure. Additionally, this request is a companion to a major subdivision application where adequacy of existing and proposed infrastructure will be reviewed in greater detail. **The request meets the third guideline.**

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|----------------------------------|
| DEPARTMENT RECOMMENDATION |
|----------------------------------|

Approval, based on meeting all rezoning criteria.

This request will be forwarded with the Planning Commission's recommendation to the Parish Council for a second public hearing and final determination.



**St. Charles Parish
Department of Planning & Zoning**

14996 River Rd / P.O. Box 302 • Hahnville, LA 70057
Phone (985) 783-5060 • Fax (985) 783-6447
www.stcharlesparish-la.gov

| | |
|-------------------|-----------|
| Permit/Case #: | 2023-14-R |
| Receipt #: | 12785804 |
| Application Date: | _____ |
| Zoning District: | _____ |
| FLUM Designation: | _____ |
| Date Posted: | _____ |

**APPLICATION FOR ZONING MAP AMENDMENT
(CHANGE OF ZONING DISTRICT OR REZONING)**

Fee: \$40 - \$200

Applicant: Picciola & Associates, Inc.

Home address: 1904 Ormond Blvd. Suite 201 Destrehan, LA 70047

Mailing address (if different): P.O. Box 687 Cut Off, LA 70345

Phone #: (985) 632-5786 Email: marc@picciola.com

Property owner: Ashton Plantation Estates, LLC

Municipal address of property: _____

Lot, block, subdivision: _____

Change of zoning district from: C3 to: R1-A

Future Land Use designation of the property: Residential

(A fact sheet on Future Land Use designations is available at the Planning and Zoning Department).

Your written responses below will be forwarded to the Planning and Zoning Commission and Parish Council to help them make a determination on the merits of your request.

Describe how you plan to use the property if the rezoning is granted: _____

The property would be developed into a 43 lot residential neighborhood.

What types of activities occur on adjacent properties today? How is your proposed use compatible with the neighborhood?

The adjacent properties are residential neighborhoods to the south and west and an assisted living facility to the east. The proposed neighborhood is compatible with the existing land use of the adjacent properties.

Is there something about the property or the surrounding neighborhood that make the rezoning necessary? _____

The change in zoning designation is more compatible with the current and future land use of the adjacent properties.

How does your proposed use of the property comply with the Future Land Use designation for the property? _____

The proposed development is in line with the future land use designation of the property.

If the property is rezoned, but your project does not develop, explain how other uses allowed in the new zoning district are compatible with the existing neighborhood? A list of allowed uses is available at the Planning and Zoning Department.

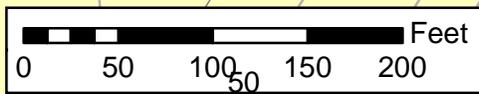
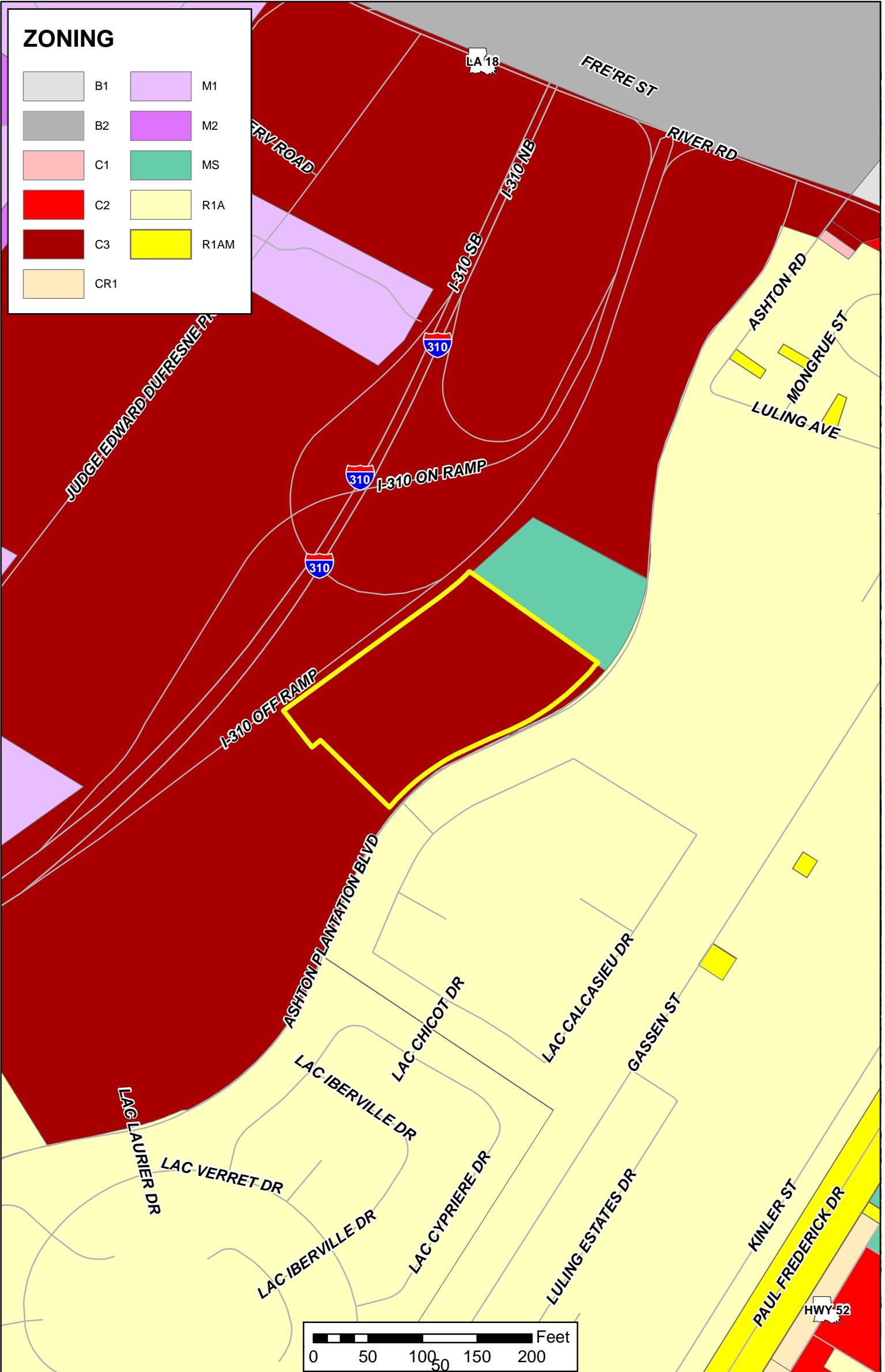
If the proposed neighborhood is not developed, the property would remain undeveloped. Other acceptable uses such as accessory uses would not be compatible with the existing neighborhood.

Permit/Case #: _____

2023-14-R
C-3 to R-1A



2023-14-R
C-3 to R-1A

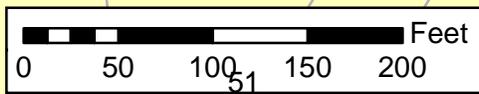
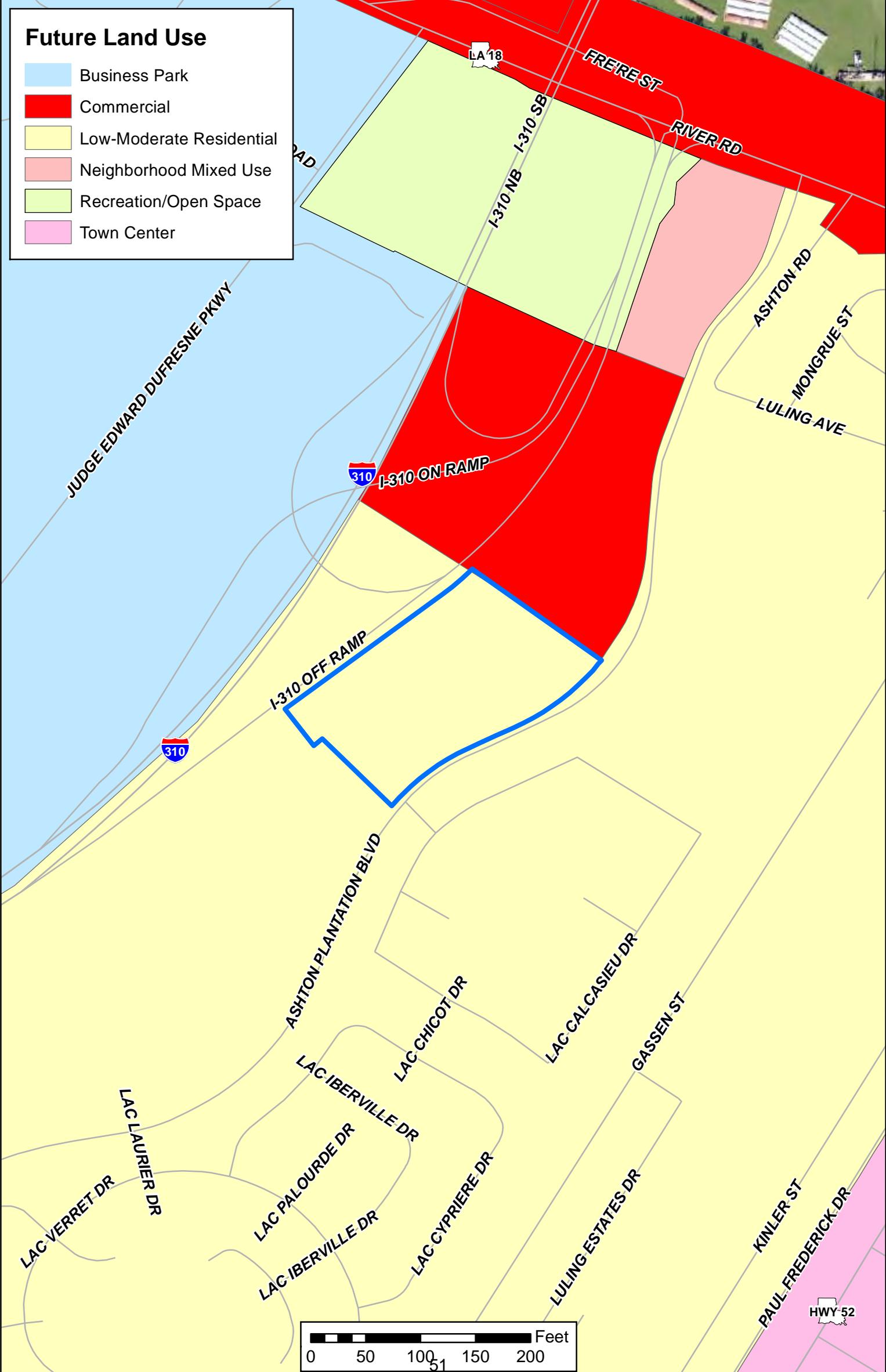


2023-14-R
C-3 to R-1A



Future Land Use

-  Business Park
-  Commercial
-  Low-Moderate Residential
-  Neighborhood Mixed Use
-  Recreation/Open Space
-  Town Center





Department of Planning & Zoning Staff Report – Special Permit Use Case No. 2023-4-SPU

APPLICATION INFORMATION

- **Applicant / Property Owner**
Drake Kody Badeaux
178 Lorraine Drive
Des Allemands, LA 70030
318-306-2093; dkbadeaux@gmail.com
- **Request**
R-1A use in a C-3 zoning district

SITE INFORMATION

- **Location**
Lot 89A-1A-2, Coteau de France or Ranson Tract; 16528 Highway 90, Des Allemands 70030
- **Size of Site**
The site is 68,512.90 sq. ft.
- **Current Zoning and Land Use**
C-3, Highway Commercial. The property is vacant and wooded.
- **Surrounding Zoning and Land Use**
O-L zoning is located to the north and east sides; M-1 zoning is adjacent to the south and west sides.

This site is on a portion of Highway 90 that is sparsely developed, with large portions of undeveloped and wooded land. Development that is present is primarily residential, including the lot adjacent to the north side.

- **Future Land Use Recommendation**
Business Park: This category provides for the development of planned business, office, technology, warehouse and research activities, as well as related ancillary uses, such as shipping offices, office supply, services, hotels and restaurants. Business parks should incorporate design standards such as screening, landscaping and site location criteria. Consistent with some M-1 uses, and C-1, C-2 and C-3 uses with development standards.
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: X zone
2013 Digital Flood Insurance Rate Map: AE +5

The effective Flood Insurance Rate Map (1992) shows the site in a shaded X-zone. This is not a Special Flood Hazard Area; the National Flood Insurance Program would not require a property owner to have flood insurance for a federally-backed mortgage at the site. The Parish requires a building to be 1 ft. above the centerline of the nearest street in this flood zone. The Digital Flood Insurance Rate Map sets the minimum building elevation when it is more restrictive or higher than the 1992 map. It shows the site in an AE zone with the base flood estimated to reach +5 ft. NAVD 88.

In order to permit a structure, a developer will have to submit a grade certificate prepared by a licensed engineer or surveyor so staff can determine which elevation requirement is greater.

▪ **Traffic Access**

This site has 135.01 ft. of frontage on Highway 90. There is an approximately 23.56 ft. driveway providing access from the highway. Per the applicant the driveway was permitted as required through LaDOTD.

▪ **Utilities**

Parish water is available along the southbound lane of Highway 90.

Parish sewer is not available to this property. A Parish force main line runs along the northbound travel lane of Highway 90 opposite this site and cutting across Highway 90 to reach this line is not feasible. The nearest Parish sewer is a gravity line along LA 631 approximately 1,000 ft. away.

Drainage flow should be directed towards the ditch along Highway 90.

| |
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| APPLICABLE REGULATIONS |
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Appendix A. Section VI. – Zoning District Criteria and Regulations

[IV.] C-3. *Highway commercial district*—Wholesale and retail sales:

1. Use Regulations:

a. A building or land shall be used for the following purposes.

- (1) All uses allowed in the C-2 District.
- (2) Commercial auditoriums, coliseums or convention halls
- (3) Retail manufacturing
- (4) Automobile sales and service
- (5) Wholesale uses
- (6) Warehouses (less than 10,000 sq. ft.)
- (7) Bus, railroad, passenger and truck terminals (without video poker gaming facilities)
- (8) Bottling works
- (9) Dog pound
- (10) Building supply
- (11) Heating and air conditioning service
- (12) Plumbing shops
- (13) Automotive repair, minor and major
- (14) Glass installation
- (15) Fabrication of gaskets and packing of soft metal material
- (16) Creameries
- (17) Parcel delivery service
- (18) *Reserved.*
- (19) Frozen food lockers
- (20) Public stables
- (21) Bulk dairy products (retail)
- (22) Animal hospitals
- (23) Gymnasiums
- (24) Sheet metal shops.
- (25) Upholstery
- (26) Other uses of similar intensity
- (27) Customary accessory uses incidental to the above uses when located on the same lot.

b. Special exception uses and structures:

- (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director.
- c. Special permit uses and structures include the following:
- (1) Barrooms, night clubs, lounges, and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (2) **R-1A and R-1B uses upon review and approval by the Planning Commission.**
 - (3) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (4) *Reserved.*
 - (5) Cellular installations and PCS (personal communication service) installations.
 - (6) *Reserved.*
 - (7) Warehouses (non-hazardous materials) over ten thousand (10,000) square feet.
 - (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
 - (9) Bingo Halls, Video Bingo Parlors, and Off-Track Betting Establishments upon review of the Planning Commission and Ordinance of the Parish Council.
 - (10) Outdoor storage, when accessory to an otherwise permitted use in the district.
 - (11) Automobile Fleet Services: Examples include rental car facilities, overnight truck parking, dispatch locations, and any use related to the temporary or periodical parking of operative motor vehicles.

2. Spatial Requirements:

- a. Minimum lot size: Seven thousand (7,000) square feet, minimum width - seventy (70) feet.
- b. Minimum yard sizes:
 - (1) Front - twenty (20) feet

- (2) Side - five (5) feet
 - (3) Rear - ten (10) feet
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
3. Transportation System: Arterial, local industrial, rail, water.
 4. Special Provisions:
 - a. Where any commercial use in a C-3 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater or lesser buffer strip.
- [V.] *Prohibited use:* Medical waste storage, treatment or disposal facilities.

Appendix A. Section IV.

A. *Evaluation Criteria* – those uses requiring approval for either a *Special Exception* or a *Special Permit Use* shall be evaluated by the criteria below. These criteria are to be considered illustrative and not restrictive. Other criteria may be considered though not specifically listed below if said criteria affect the general health, safety, and welfare of the public.

1. Compliance with the current St. Charles Parish Comprehensive Plan.
2. Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.
3. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
4. Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.
5. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
6. A site development plan shall be required as part of the application process. The following design criteria shall be evaluated on the plan:
 - a. Required yards and open space
 - b. Ingress and egress to property
 - c. Parking and loading areas
 - d. Location of garbage facilities
 - e. Landscaping, buffering, and screening
 - f. Signage
 - g. Height and bulk of structures
 - h. Location and direction of site lighting

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| SPU CRITERIA COMPLIANCE |
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The proposal meets the criteria as follows:

1. *Compliance with the current St. Charles Parish Comprehensive Plan.* The Comprehensive Plan designates this area as Business Park, which anticipates uses typical of some M-1 uses, and all of C-1, C-2 and C-3 uses. Residential uses do not further the goals of the Business Park designation. **Does Not Comply**
2. *Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.* The larger area consists primarily of undeveloped, wooded land under M-1 zoning. What development does exist is primarily residential, including the abutting lot, where a single-family home was approved as a Special Permit in 2000 (PZSPU-2000-1). Both the subject site and nearby Lot 89A-3A were approved for single family use in 2019 (2019-11-SPU), with Lot 89A-3A eventually developed with a single-family house. A single-family house on this site would be compatible with both the adjacent houses and the residential neighborhoods in the larger surrounding areas. **Complies**
3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* Single-family dwellings require two (2) off-street parking spaces. Loading facilities are not required for single-family uses and the site has adequate space to accommodate a driveway and/or garage providing the required spaces. **Complies**
4. *Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.* Adjacent lots 89A-2 and 89A-3A are developed with single family houses, while other surrounding properties are primarily vacant and wooded. The proposed single-family house would have a much less unfavorable impact to those abutting residences compared to the uses permitted by right under C-3. **Complies**

5. *Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.* Building code requirements that will be enforced will prevent and protect people and their properties from fire. Noise impacts are not expected from this type of development, but the noise ordinance will provide for any enforcement necessary should it occur. Drainage review occurs as part of the building permitting process. **Complies**
6. *A site development plan shall be required as part of the application process. The following design criteria shall be evaluated on the plan:*
 - a. *Required yards and open space.* The property has adequate space to allow a house to meet all setback requirements. The owner estimates the home will have a front setback of approximately 225 ft. and side setback of 25-30 ft. and 40-45 ft., which meets the setback requirements under C-3 zoning. **Complies**
 - b. *Ingress and egress to property.* The lot has 135.01 feet of frontage on Highway 90. There is also a 23.56 foot dirt driveway providing access from the highway. Per the applicant this driveway was permitted as required by LaDOTD. **Complies**
 - c. *Parking and loading areas.* The property contains adequate space for accommodating either a garage or driveway space for the two (2) required parking spaces. **Complies**
 - d. *Location of garbage facilities.* **N/A**
 - e. *Landscaping, buffering, and screening.* **N/A**
 - f. *Signage.* **N/A**
 - g. *Height and bulk of structures.* Plans must show compliance with C-3 setback requirements upon building permitting. There is ample space to accommodate a single-family dwelling to meet setbacks. **Complies**
 - h. *Location and direction of site lighting.* **N/A**

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| ANALYSIS |
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The applicant requests a special permit for a single-family residential structure in C-3 zoning on Lot 89A-1A-2.

The proposed use meets the majority of the evaluation criteria for a special permit use. A single-family use would be more compatible with existing uses in the vicinity and would have less of an impact on the area than the uses permitted by right under C-3 zoning.

While a detailed site plan was not submitted, the lot has enough space to ensure required setbacks are met and accommodate required parking.

If the request is approved, the department can accept and process a building permit for a single-family residence within one year of the approval.

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| DEPARTMENT RECOMMENDATION |
|----------------------------------|

Approval.



St. Charles Parish
Department of Planning & Zoning
 14996 River Rd / P.O. Box 302 • Hahnville, LA 70057
 Phone (985) 783-5060 • Fax (985) 783-6447
 www.stcharlesparish-la.gov

Permit/Case #: 2023-4-SPU
 Receipt #: 12780756
 Application Date: 8/3/23
 Zoning District: C3
 FLUM Designation: Business Park
 Date Posted: _____

APPLICATION FOR SPECIAL PERMIT USE

Fee: \$50

Special Permit Use: Those building or land uses requiring in-depth review and analysis by the Planning and Zoning Department and approval of the Planning Commission and/or the Parish Council when required by the Zoning Ordinance.

Applicant: Drake Kody Badeaux

Home address: 178 Lorraine Drive, Des Allemands, LA 70030

Mailing address (if different): _____

Phone: 318-306-2093 Email: dkbadeaux@gmail.com

Property owner: Drake Kody Badeaux

Municipal address of property: 116528 Hwy 90, Des Allemands, LA 70030

General location or legal description (if no address has been assigned): Lot 89A-1A-2, Section 39, Township 14 South, Range 20 East

Present use of property and existing structures: Vacant Land

Contemplated use of property/reason for special permit use request: To build a personal residence Lot is zoned C-3 & must have a special use permit to build a personal residence as required by the parish.

Parish would not allow a residential rezoning of M-1 zoning, but did rezone to C-3, informing owners they would support a "special use permit" for residential construction. PZR-99-22 Ordinance 9/20/1999

I/we swear to be the sole owner(s) of the property described in this application for Special Permit Use; I/we endorse this application:

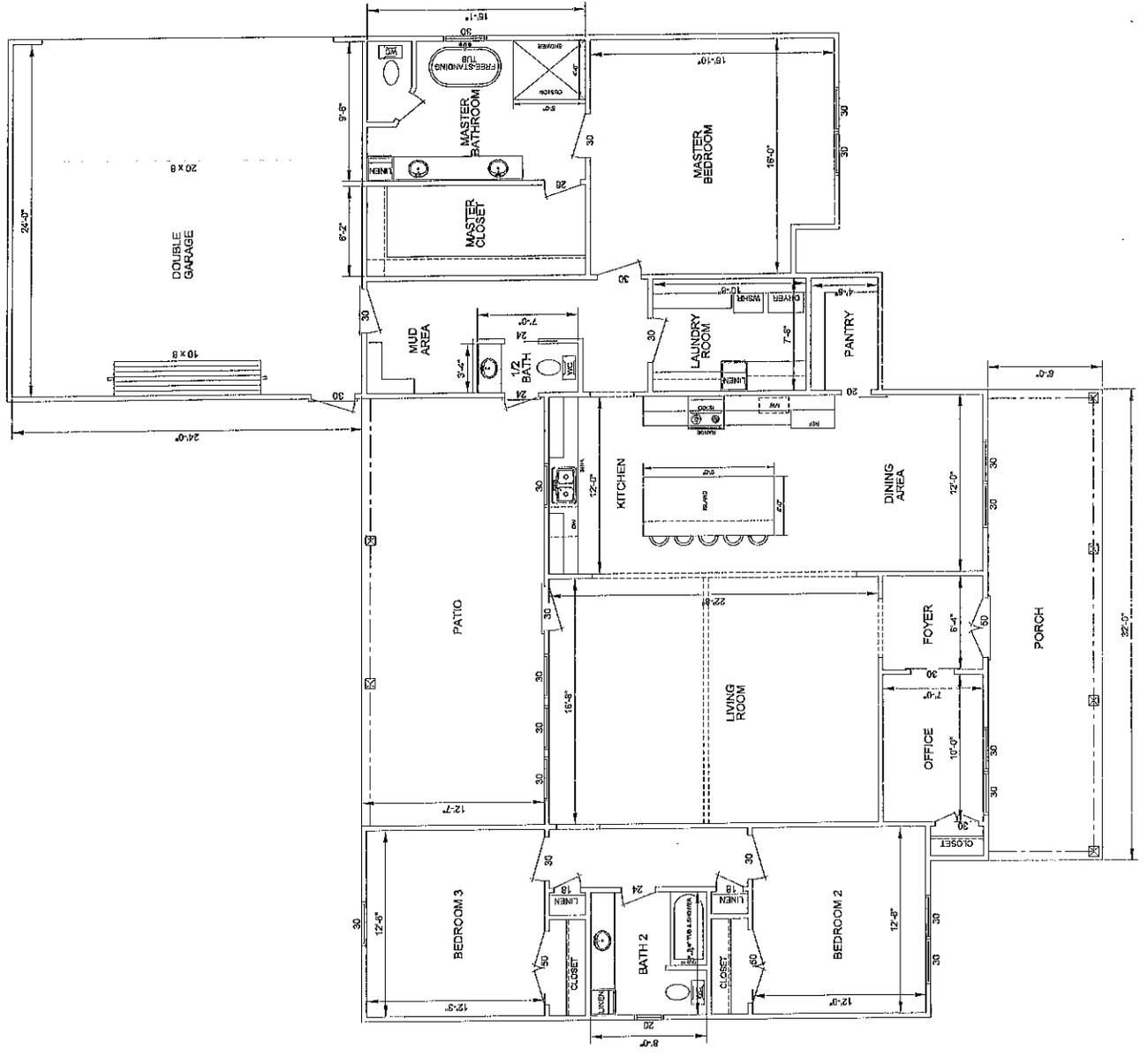
Drake Kody Badeaux
 (Property owner)

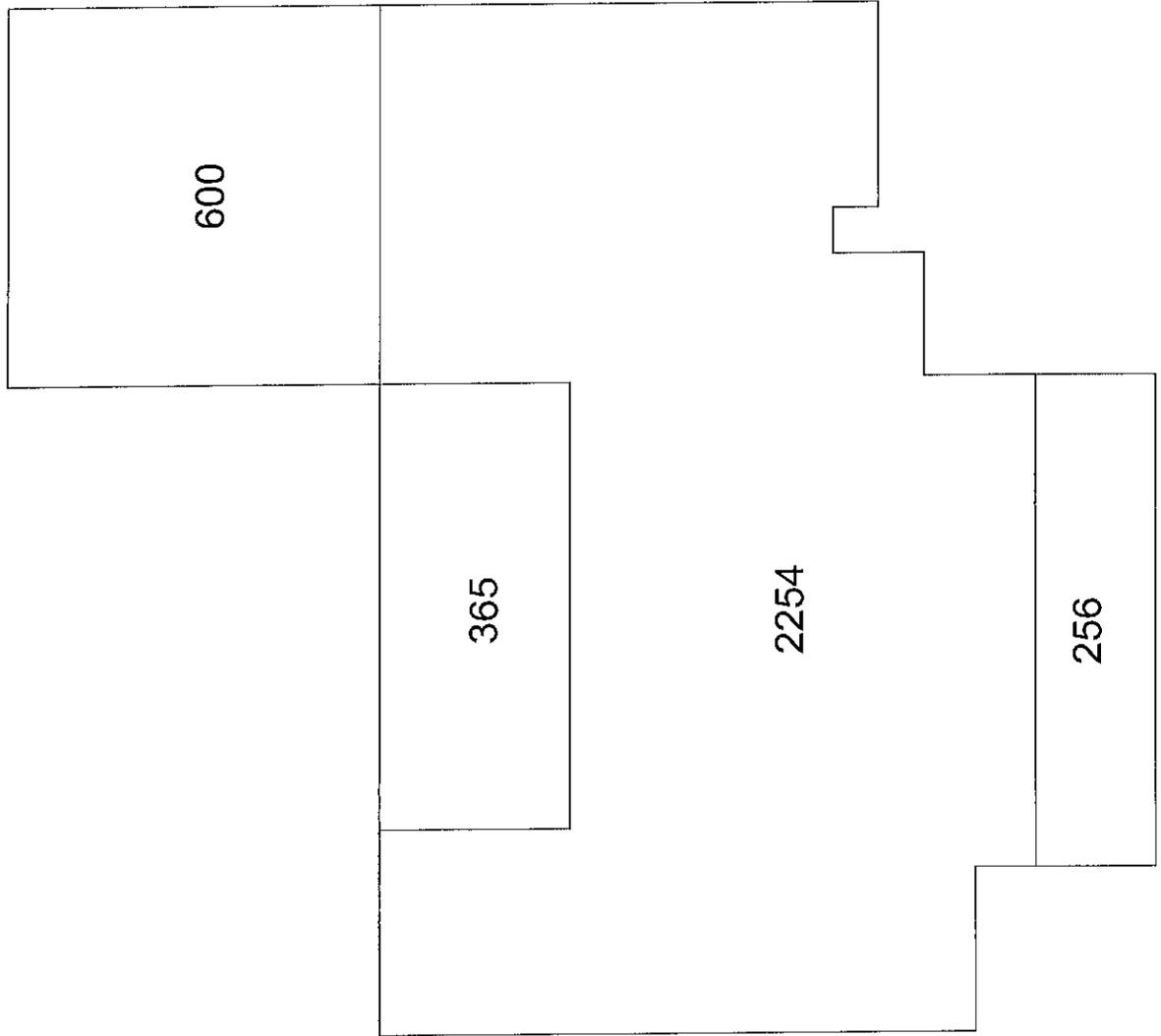
N/A
 (Property owner)

[Signature]
 (Notary signature & seal)



08/02/2023
 (Date)





3475 SQUARE FEET

| | |
|---------------|------------------|
| LIVING AREA | 2254 SQUARE FEET |
| PORCH | 256 SQUARE FEET |
| DOUBLE GARAGE | 600 SQUARE FEET |
| PATIO | 365 SQUARE FEET |

2023-4-SPU
R-1A use in C-3



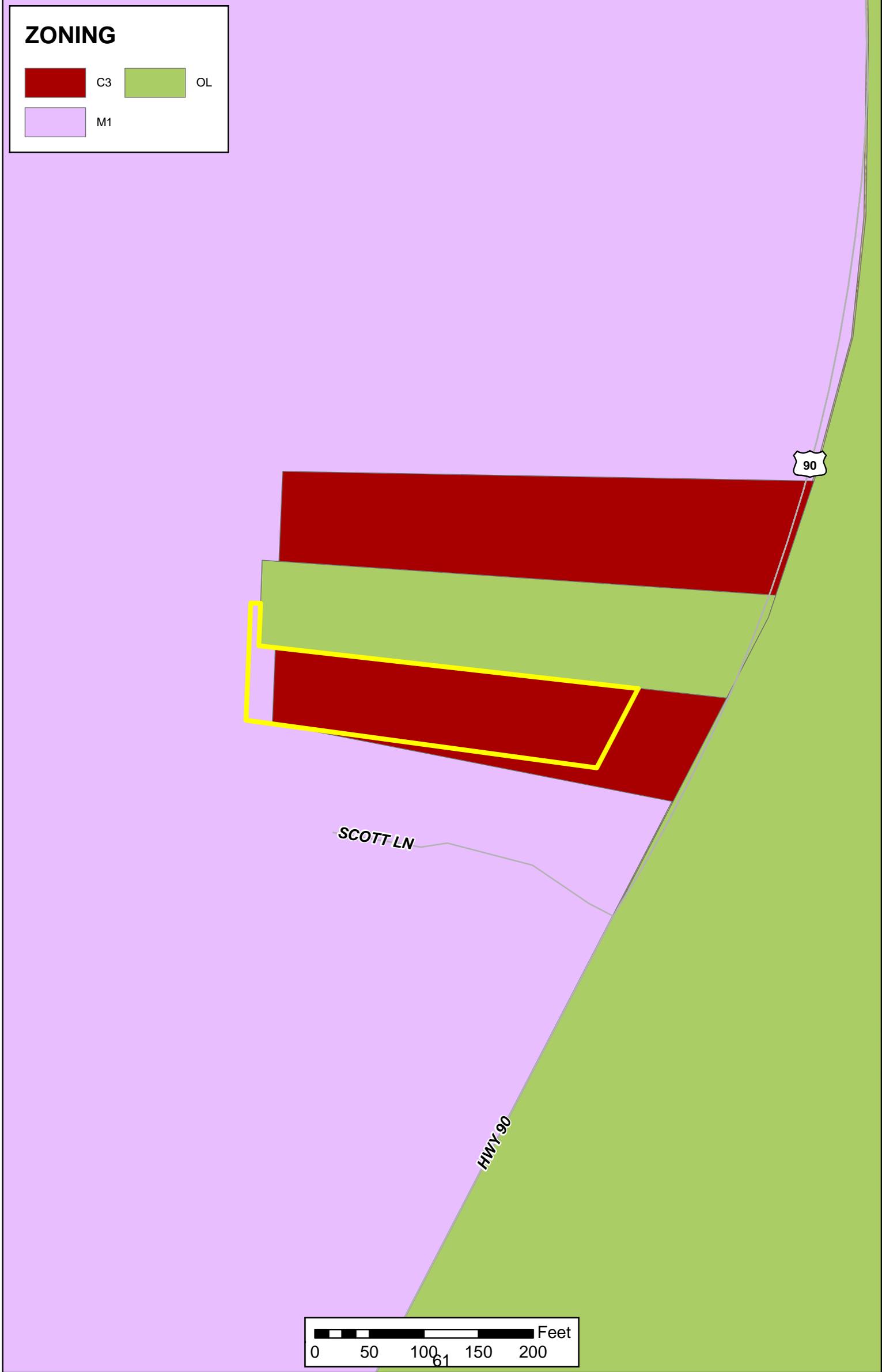
2023-4-SPU
R-1A use in C-3

N



ZONING

| | | | |
|----------------------------------------------------------------------------------|----|-----------------------------------------------------------------------------------|----|
|  | C3 |  | OL |
|  | M1 | | |



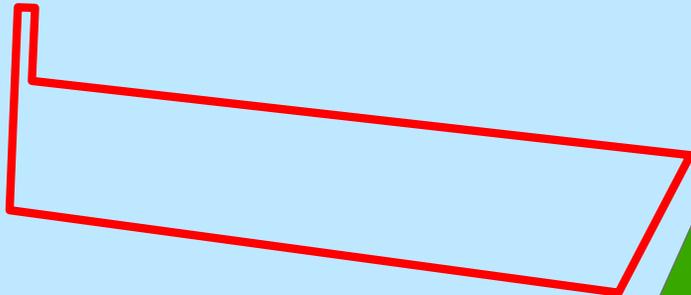
2023-4-SPU
R-1A use in C-3

N



Future Land Use

-  Business Park
-  Wetlands



SCOTT LN

90

HWY 90





**Department of Planning & Zoning
Staff Report – Text Amendment
Case No. 2023-2-ORD**

**Introduced by Matthew Jewell
Parish President**

An ordinance to amend the St. Charles Parish Code of Ordinances, Appendix C of the Subdivision Ordinances, Section IV. F. Miscellaneous regarding streetlight fixtures by changing the required light fixtures from high pressure sodium to LED and updating the required cash deposit.

BACKGROUND

The St. Charles Parish Subdivision Regulations of 1981 requires the installation of high pressure sodium light fixtures during the development of subdivisions. With the introduction of more efficient LED fixtures the current required fixtures are considered obsolete, and the Parish is aiming to update its design standards for subdivision development to require the newer lighting technology.

Additionally, a deposit of \$300 per streetlight fixture is one of the fees submitted to the Parish by developers as part of the development of new subdivisions. With inflation and the rising costs of parts and labor, the current fee does not account for the true cost involved in the maintenance and/or repair of light fixtures. A \$150 increase to \$450 was deemed appropriate by the Parish's Contract Administrator.

POTENTIAL OUTCOMES

The design standards for subdivision development will be brought up to date, ensuring the use of more efficient LED fixtures in new developments.

The fee submitted for the street light deposit for new subdivision development will reflect the increased costs associated with the maintenance and/or repair of light fixtures.

DEPARTMENT RECOMMENDATION

Approval

INTRODUCED BY: MATTHEW JEWELL, PARISH PRESIDENT

(DEPARTMENT OF PLANNING & ZONING)

ORDINANCE NO. _____

An ordinance to amend the St. Charles Parish Code of Ordinances, Appendix C of the Subdivision Ordinances, Section IV. F. Miscellaneous regarding streetlight fixtures by changing the required light fixtures from high pressure sodium to LED and updating the required cash deposit.

WHEREAS, the Subdivision Regulations stipulate high pressure sodium lights as being required; and,

WHEREAS, high pressure sodium fixtures for streetlights are obsolete; and,

WHEREAS, LED streetlight fixtures are vastly more efficient; and,

WHEREAS, the Subdivision Regulations should stipulate Cooper Lumark, 29 Watt, 4000k lumen, 120 to 270 Volt AC 50/60 Hertz fixtures are utilized for subdivision streetlights.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Appendix C of the Subdivision Ordinances, Section IV. F. Miscellaneous 2.a.1. regarding streetlight fixtures is hereby amended with new text underlined and deleted text in ~~striketrough~~:

1. ~~LUMARK HPEL10 100W High Pressure Sodium fixtures RMA 10SR255LPV5 Photocell or approved equal.~~ Cooper Lumark, 29 Watt, 4000k lumen, 120 to 270 Volt AC 50/60 Hertz fixtures or approved equal.

SECTION II. That the St. Charles Parish Code of Ordinances, Appendix C of the Subdivision Ordinances, Section IV. F. Miscellaneous 2.d.1. regarding streetlight deposits is hereby amended with new text underlined and deleted text in ~~striketrough~~:

1. The developer must deposit the cash sum of four hundred and fifty ~~three hundred~~ dollars (\$450.00) ~~(\$300.00)~~ per street light with the Parish of St. Charles.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows: