

**ST. CHARLES PARISH
ZONING BOARD OF ADJUSTMENT
September 21, 2023
6:00 P.M.**

**CALL TO ORDER
PLEDGE OF ALLEGIANCE**

- 1** **2023 29 ZBA** requested by **Darryl Nickerson** to reduce the required setbacks for a carport at **505 Turtle Creek Lane, St. Rose**. Zoning District R-1A. Council District 5.

- 8** **2023 30 ZBA** requested by **Sheila Pierre Louis** to reduce the required setbacks for a carport at **1154 Luling Estates Drive, Luling**. Zoning District R-1A. Council District 7.

- 15** **2023 31 ZBA** requested by **Ryan Espey** to reduce the required construction elevation at **3067 Highway 306 Des Allemands**. Zoning District R-1A. Council District 4.

- 25** **2023 32 ZBA** requested by **Lloyd Frickey** to reduce the required construction elevation at **110 Luke Drive, Des Allemands**. Zoning District R-1A(M). Council District 4.

- 33** **2023 33 ZBA** requested by **Jo Ann Hunter** to reduce the required construction elevation at **145 J.B. Green, Des Allemands**. Zoning District R-1A(M). Council District 4.

- 42** **2023 34 ZBA** requested by **David Muskevitsch** to reduce the required construction elevation at **15207 Highway 90, Paradis** Zoning District C-3. Council District 4.

- 53** **2023 35 ZBA** requested by **TyShiaka Harrison** to reduce the required setbacks for a mobile home at **116 Kenner Lane, Montz**. Zoning District R-1A(M). Council District 6.

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



Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2023-29-ZBA

GENERAL APPLICATION INFORMATION

APPLICANT / PROPERTY OWNER:

Darryl and Nicole Nickerson
505 Turtle Creek Lane
St. Rose, LA 70087
504.702.9067; nickersondarryl0@gmail.com

LOCATION:

505 Turtle Creek Lane, St. Rose; Lot 14, Block F, Preston Hollow Subdivision

REQUEST:

Reduce required side yard setback from 5 ft. to 1 ft. for an existing attached carport.

SITE INFORMATION

SIZE OF PROPERTY: Approximately 5,174 sq. ft.

EXISTING ZONING: R-1A, Single family residential detached conventional homes—Medium density

SURROUNDING ZONING AND LAND USE: the site is located in Preston Hollow Subdivision which is zoned R-1A and developed with site-built single family homes. Elkinsville is adjacent to the rear and is zoned R-1A(M).

FUTURE LAND USE RECOMMENDATION: Low-Moderate Residential

TRAFFIC ACCESS: Turtle Creek Lane

BASE FLOOD ELEVATION (BFE): X; **DFIRM:** X

APPLICABLE CODE REGULATION(S)

Appendix A. Section VI. Zoning District Criteria and Regulations

B. Residential districts

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

2. Spatial Requirements: 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.

DEPARTMENT ANALYSIS & FINDINGS

1. On March 15, 2023 Code Enforcement observed a carport constructed without a permit, advised the owner to apply for the permit, and noted the structure did not meet setbacks.
2. Code Enforcement conducted follow-up inspections, noting efforts to address the violation had not started. A violation letter was delivered to the property owner on June 2, 2023.
3. Owner contacted Planning and Zoning on June 6, 2023 for a variance application and submitted the application on July 26, 2023.
4. Approval of the variance would reduce the side yard setback from 5 ft. to 1 ft., and place 100 sq. ft. of the approximately 288 sq. ft. carport (34%) within the required side setback.
5. Lot 14, Block F, of Preston Hollow Subdivision was platted in 1968.
6. The Board of Adjustments has heard similar variance requests for side yard setbacks in the area:
 - 1987-36-ZBA – Approved a side yard setback variance from 5 ft. to 1 ft. 3 in. for construction of a residence at 540 Mockingbird Lane.
 - 2008-10-ZBA – Approved a front yard setback variance from 11 ft. to 6 in. for an attached carport along Normandy Street at 544 Turtle Creek Lane.
 - 2012-19-ZBA – Approved a side yard setback variance from 5 ft. to 1 ft. for an attached patio cover at 521 Mockingbird Lane.
7. To meet the zoning district requirements the applicant would need to remove the structure and replace with a carport developed within the required setback line.



ST. CHARLES PARISH
DEPARTMENT OF PLANNING AND ZONING
APPLICATION TO THE ZONING BOARD OF ADJUSTMENT
 P.O. Box 302 • Hahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

APPLICATION FEE:
 Single-Family Residential: \$150
 All Other: \$250

Municipal Address of Request

City St. Rose State La. Zip 70087

Subdivision Preston Hollow Lot 14 Block 2nd Section 2

Owner/Applicant Name Darryl Nickerson and Nicole Nickerson

Mailing Address 505 Turtle Creek Lane

City St. Rose State La. Zip 70087

Phone # 504-708-9067 Email Nickersondarryl@gmail.com

APPLICANT TESTIMONY: Why can't your project meet the zoning regulations? I Darryl Nickerson had this car port built so that after a hard days work I can have somewhere to relax and have a piece of mind. I work five days a week ten hours a day

Please attach any additional information to clarify or explain your request to the Board.

OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF ST. CHARLES

OWNER:

Nicole Nickerson being duly sworn,
(Print Name)
 deposes and states (i) that he or she is the owners of the property described in this application; (ii) that all statements contained in this application are true to the best of his knowledge and belief; and (iii) that he or she authorizes the foregoing petition.

Nicole Nickerson
(Signature of owner)

NOTARY PUBLIC:

Subscribed and sworn to before me this 26th day
 of July, 2023 in my
 office at ABC Life Route, LA
 Louisiana.

[Signature]
(Signature of Notary Public)



FOR OFFICE USE ONLY:

ZBA Case #: 2023-29-ZBA Property Identification #: 503700F00014 Date submitted: 7/26/23

Receipt #: _____ Flood Zone: _____ Zoning District: R-1A

Subdivision Name: Preston Hollow

Square # _____ Lot # 14 Block F Property sq. ft. Approx. 5,221

Code Section being appealed: App. A, Sec. VI B. [] 2. b. (2) side-five(5) Feet

From: [Nicole Nickerson](#)
To: [Brett Badgerow](#)
Subject: Re: ZBA Application
Date: Tuesday, September 12, 2023 5:06:26 PM

On Tue, Sep 12, 2023 at 3:40 PM Brett Badgerow <bbadgerow@stcharlesgov.net> wrote:

Nicole,

We need information regarding the distance of the carport from the property line. A quick measurement from the overhand of the carport to the property line is all I need to finish the report for the agenda. Please have this information to me as soon as possible as the report is submitted in the AM.

Brett Badgerow 5'1'12" from property line and 5'10" from neighbors house Planner I

St. Charles Parish

P (985) 783-5060

P.O. Box 302

14996 River Rd.

Hahnville, LA 70057

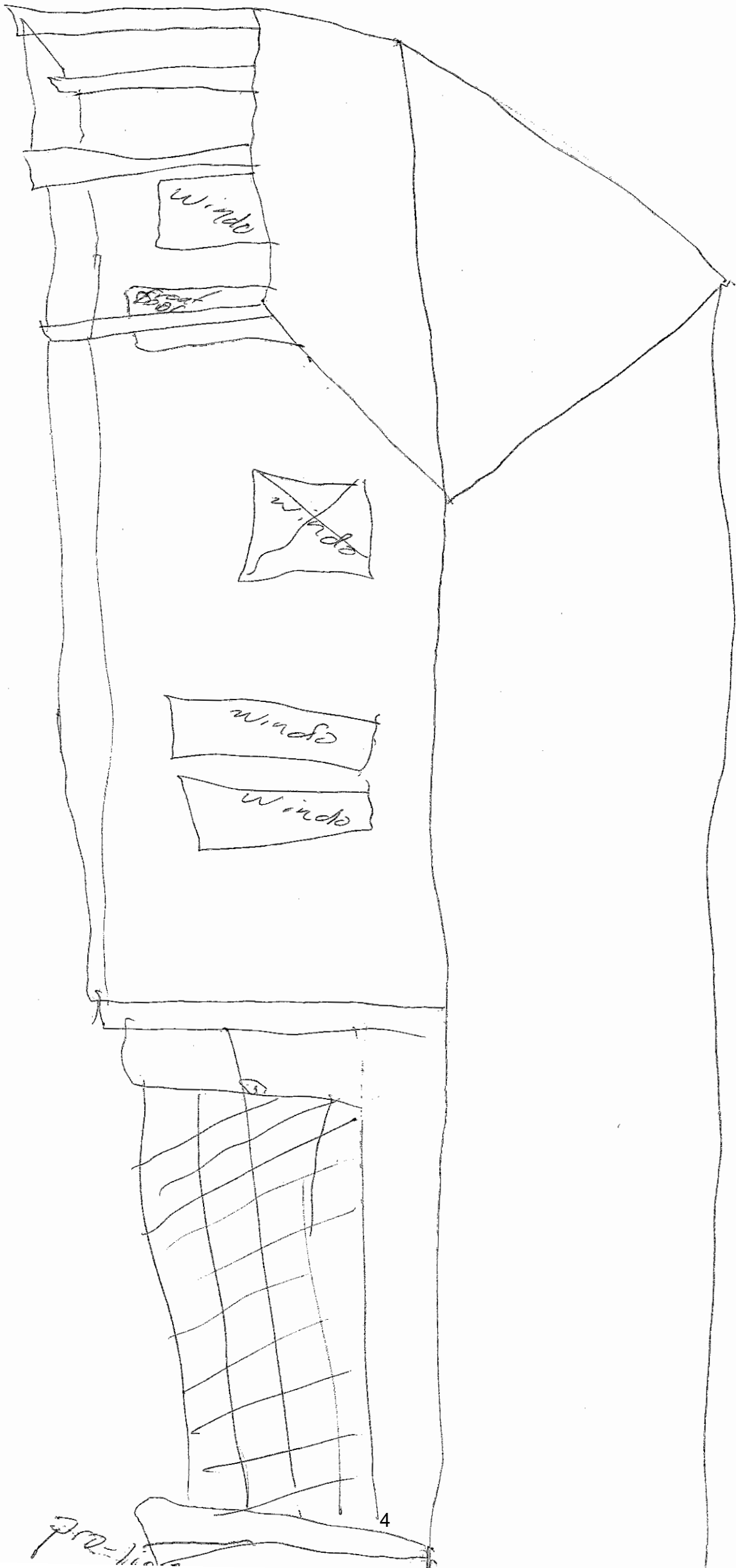
www.stcharlesparish.gov

Note: Please be aware that receipt of and/or response to this email may be considered a public record.

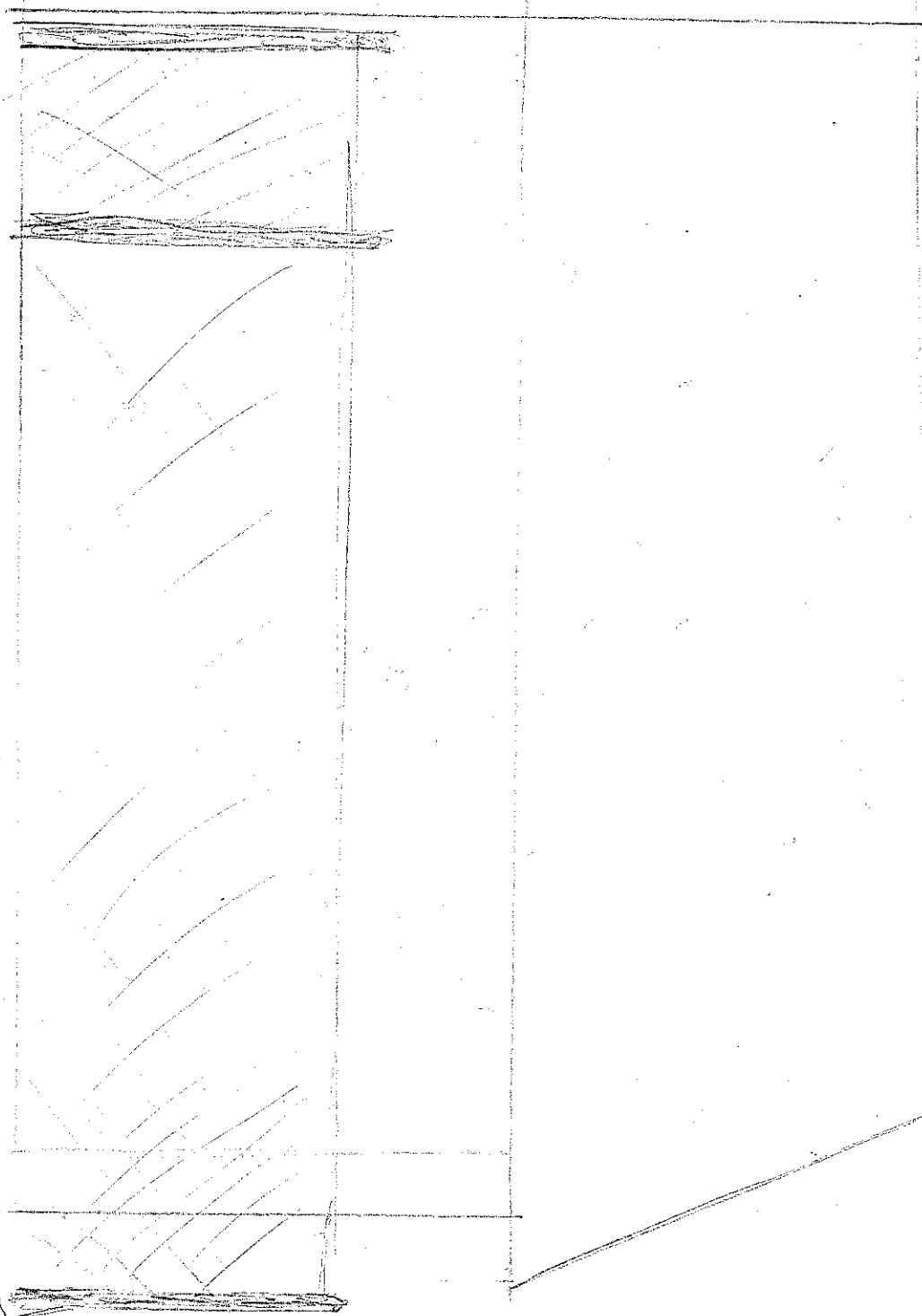
Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

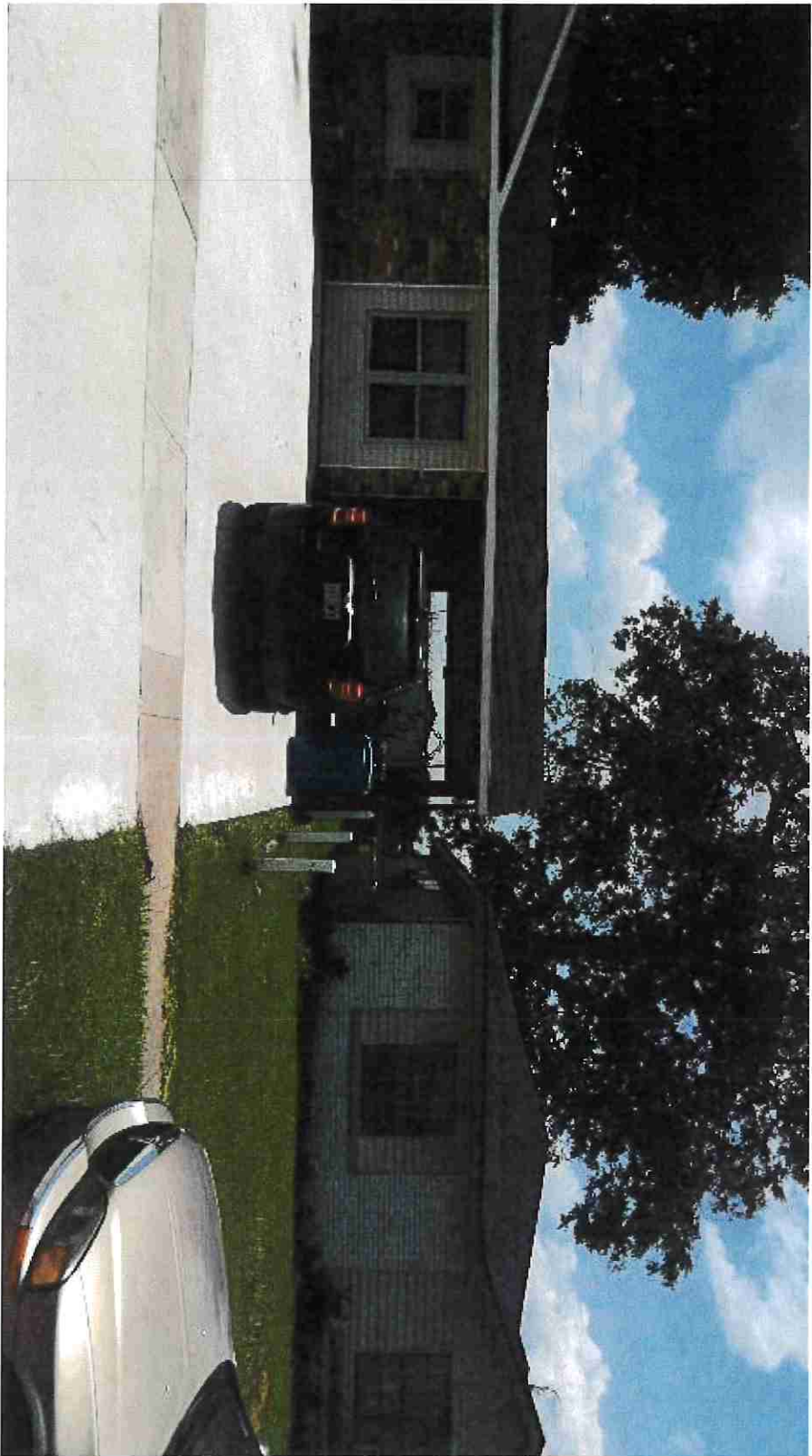
This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast, a leader in email security and cyber resilience. Mimecast integrates email defenses with brand protection, security awareness training, web security, compliance and other essential capabilities. Mimecast helps protect large and small organizations from malicious activity, human error and technology failure; and to lead the movement toward building a more resilient world. To find out more, visit our website.



Pro-110



peo peak of line



2023-29-ZBA Darryl and Nicole Nickerson

Reduce the required side yard setback in R-1A





**Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2023-30-ZBA**

GENERAL APPLICATION INFORMATION

APPLICANT / PROPERTY OWNER:

Sheila Pierre Louis
1154 Luling Estates Drive
Luling, LA 70070
985.210.9477; sheilapierre47@gmail.com

LOCATION:

1154 Luling Estates Drive, Luling; Lot 24, Block C, Luling Estates Subdivision

REQUEST:

Reduce required side yard setback from 5 ft. to 0 ft. for an existing attached carport.

SITE INFORMATION

SIZE OF PROPERTY: 6,000 sq. ft.

EXISTING ZONING: R-1A, Single family residential detached conventional homes—Medium density

SURROUNDING ZONING AND LAND USE: R-1A; the site is located in a developed single-family residential neighborhood with site-built homes.

FUTURE LAND USE RECOMMENDATION: Low-Moderate Residential

TRAFFIC ACCESS: Luling Estates Drive

BASE FLOOD ELEVATION (BFE): X; DFIRM: AE4

APPLICABLE CODE REGULATION(S)

Appendix A. Section VI. Zoning District Criteria and Regulations

B. Residential districts

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

2. Spatial Requirements: 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.

DEPARTMENT ANALYSIS & FINDINGS

1. On July 27, 2023 Code Enforcement observed a carport constructed without a permit at 1154 Luling Estates Drive.
2. On July 28, 2023, the owner applied for the necessary permit, but was forwarded to a Planner since the carport was constructed within the required setback.
3. Approval of the variance would reduce the side yard setback from 5 ft. to 0 ft., placing 140 sq. ft. of the approximately 252 sq. ft. carport (55%) within the required side setback.
4. Lot 24, Block C of Luling Estates Subdivision was originally platted in 1971.
5. The Board of Adjustments has heard similar variance requests in the area:
 - 1993-24-ZBA – Approved a front yard setback variance from 20 feet to six (6) feet for the construction of a carport at 1187 Luling Estates Drive.
6. To meet the zoning district requirements the applicant would need to remove the structure and replace with a carport developed within the required setback line.



ST. CHARLES PARISH
DEPARTMENT OF PLANNING AND ZONING
APPLICATION TO THE ZONING BOARD OF ADJUSTMENT
 P.O. Box 302 • Hahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

APPLICATION FEE:
 Single-Family Residential: \$150
 All Other: \$250

Municipal Address of Request 1154 Luling Estate LA 70070
 City Luling State LA Zip 70070
 Subdivision Luling Estate subdivision Lot 24 Block C Section 20
 Owner/Applicant Name Sheila Pierre Louis
 Mailing Address 1154 Luling Estate
 City Luling State LA Zip 70070
 Phone # 985-210-9477 Email sheilapierre47@gmail.com

APPLICANT TESTIMONY: Why can't your project meet the zoning regulations? I really wanted to put the coverup because of the heat and my grandkids love playing outside.

Please attach any additional information to clarify or explain your request to the Board.

OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF ST. CHARLES

OWNER:
Sheila Pierre Louis being duly sworn,
 (Print Name)
 deposes and states (i) that he or she is the owners of the property described in this application; (ii) that all statements contained in this application are true to the best of his knowledge and belief; and (iii) that he or she authorizes the foregoing petition.
Sheila P. Louis
 (Signature of owner)

NOTARY PUBLIC:
 Subscribed and sworn to before me this 7th day
 of Aug, 20 23 in my
 office at Boutte
 Louisiana
[Signature]
 (Signature of Notary Public)



FOR OFFICE USE ONLY:
 ZBA Case #: 2023-30 ZBA Property Identification #: 102800C0024 Date submitted: 8/7/23
 Receipt #: 12985721 Flood Zone: _____ Zoning District: R-1A
 Subdivision Name: Luling Estates
 Square # _____ Lot # 24 Block C Property sq. ft. Approx. 6,000
 Code Section being appealed: App. A Sec. VI B. [I] 2. b. (2) side yard

From: [sheila Pierre](#)
To: [Brett Badgerow](#)
Subject: Fwd: ZBA Application/ measurements of property line/carport
Date: Tuesday, September 12, 2023 7:06:41 PM

My apologies it is at the property line 0'

----- Forwarded message -----

From: **Brett Badgerow** <bbadgerow@stcharlesgov.net>
Date: Tue, Sep 12, 2023 at 6:57 PM
Subject: Re: ZBA Application/ measurements of property line/carport
To: sheila Pierre <sheilapierre47@gmail.com>

The number to the side property doesn't seem correct.

Brett Badgerow

Planner I

St. Charles Parish

P (985) 783-5060

P.O. Box 302

14996 River Rd.

Hahnville, LA 70057

www.stcharlesparish.gov

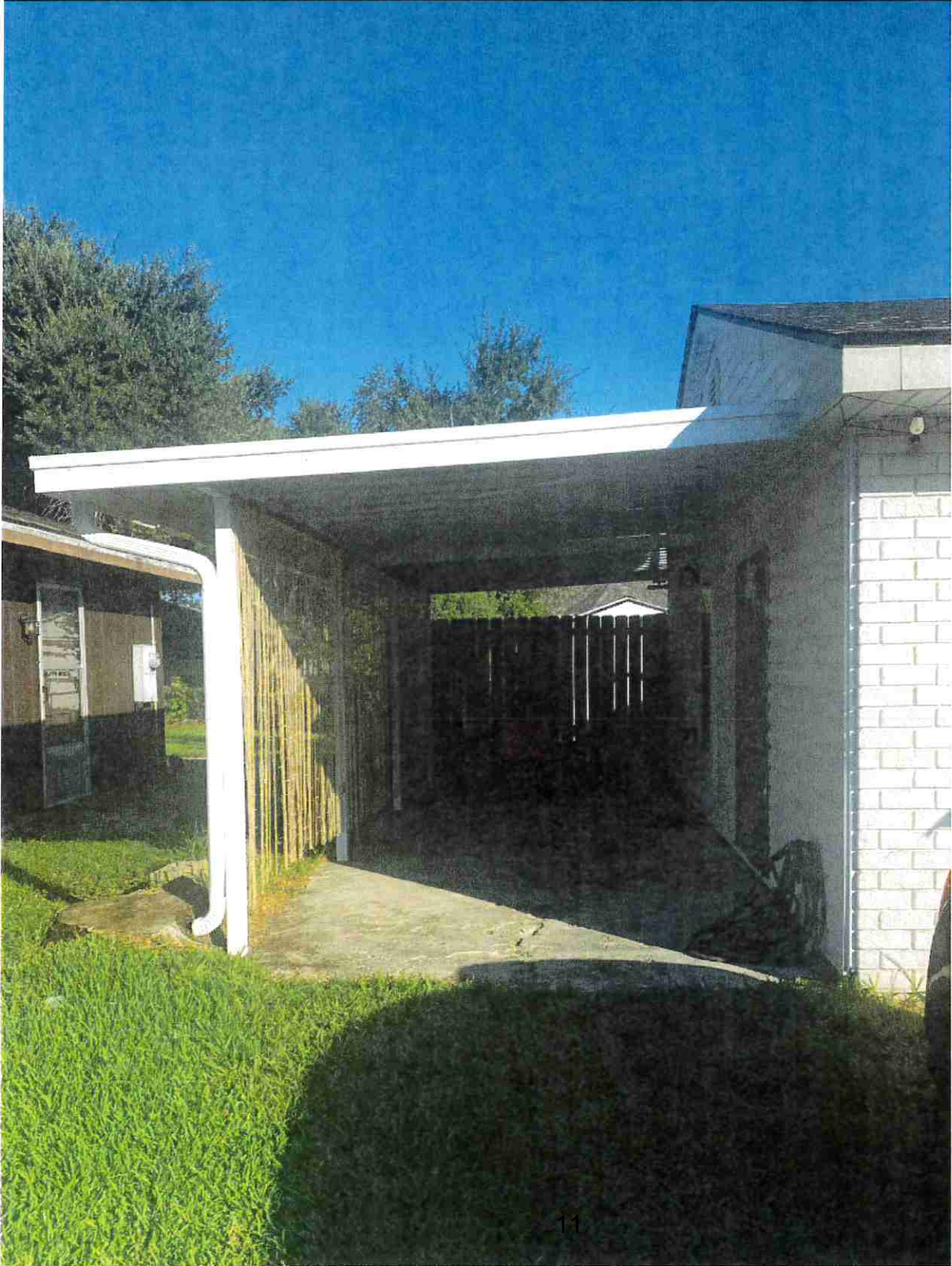
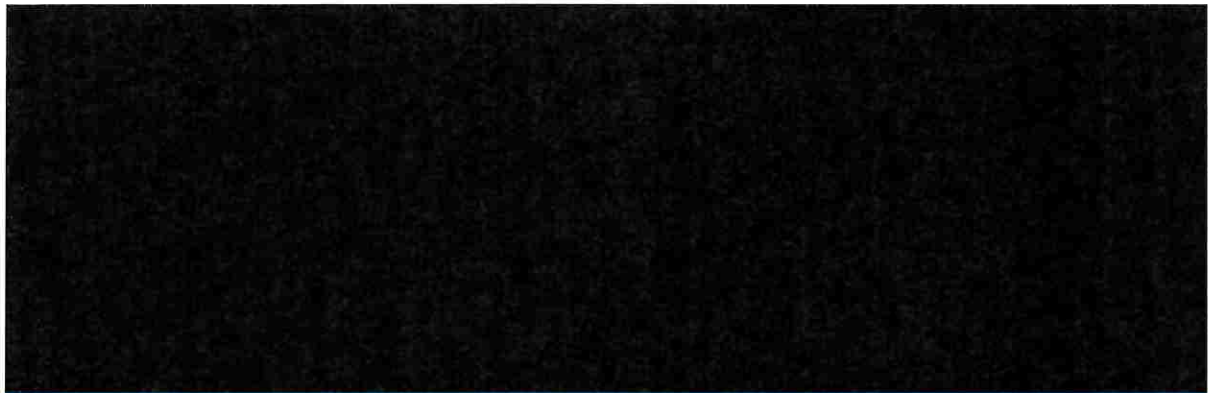
Note: Please be aware that receipt of and/or response to this email may be considered a public record.

From: sheila Pierre <sheilapierre47@gmail.com>
Sent: Tuesday, September 12, 2023 6:30:17 PM
To: Brett Badgerow <bbadgerow@stcharlesgov.net>
Subject: Re: ZBA Application/ measurements of property line/carport

Hi Brett the measurements for my property line to car porch is side distance is 5' front distance to road 31' back distance 52'

On Fri, Jul 28, 2023 at 2:10 PM Brett Badgerow <bbadgerow@stcharlesgov.net> wrote:

Sheila,



Paul Mallard

Paul Friedrich

Kinder St

Hackberry

Luling Estate Dr

Patio
Cover

1154 Luling
Front
of
House

Neighbor



102800C00024



Pictometry Street View

Assessment Number: 102800C00024

Owner Name: PIERRE, SHEILA M.

Owner Address: 1154 LULING ESTATES

DR.

Owner City/State/ZIP: LULING LA

70070-0000

Parcel Address: 1154 LULING ESTATES

DR.

Lot: 24

Block: C

Subdivision: LULING ESTATES LULING

Legal Description: LOT 24, SQ. C, LULING

ESTATES SUBD.

Acres: 0.13

Less | [Print Info](#) | [Details](#)

[Close](#)

[Export](#)

Copyright © 2015 GeoEye, LLC

SMITH, LARRY G.

MC GIBSON, LARSHA

PIERRE, SHEILA M.

WASHINGTON, JERRY R.

GORDON, EARL & ROSE

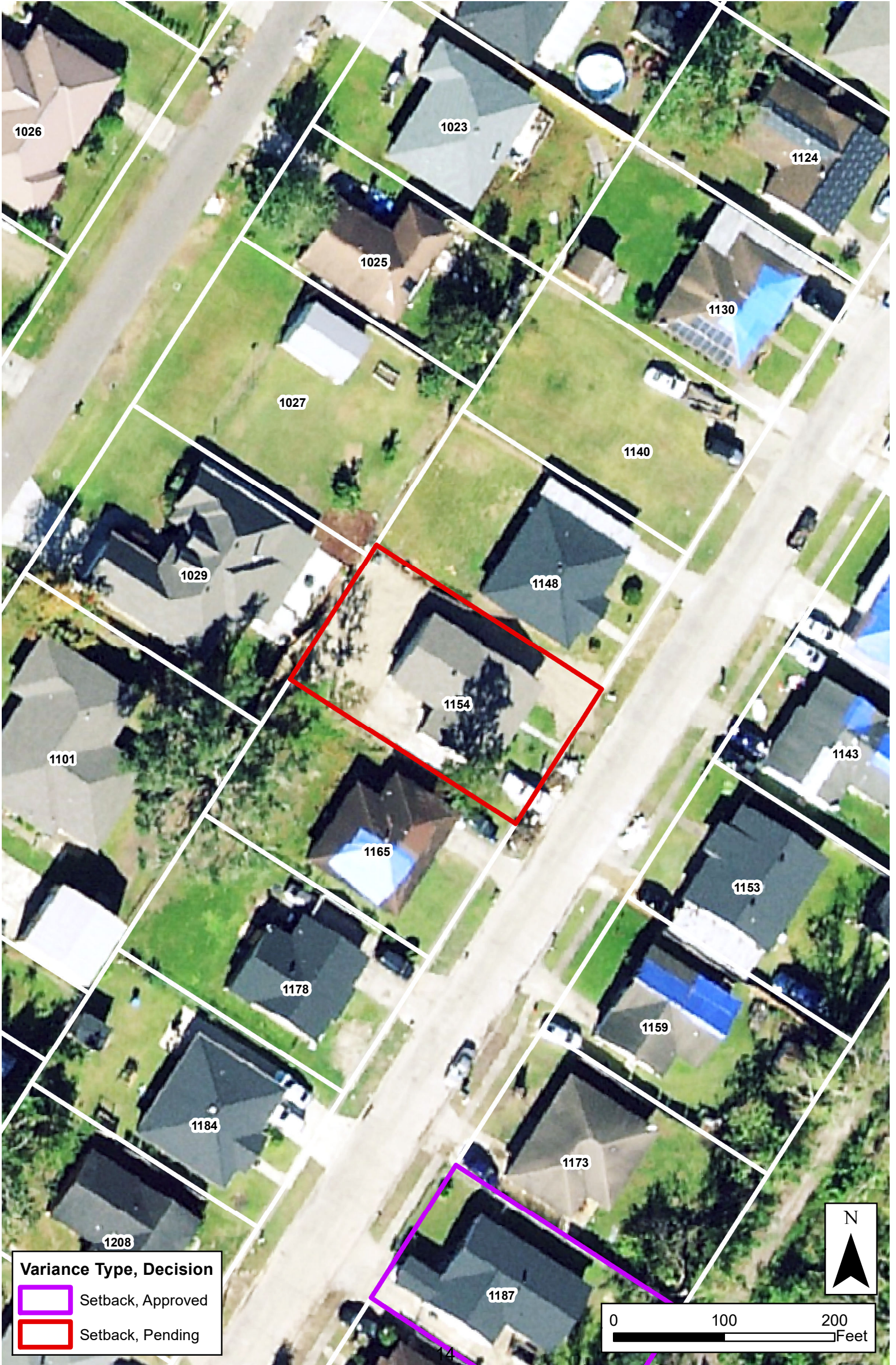
LULING ESTATES DR

GREEN, EDWARD, JR.

RHOEN, PATRICK

2023-30-ZBA Sheila Pierre Louis

Reduce the required side yard setback in R-1A





Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2023-31-ZBA

GENERAL APPLICATION INFORMATION

NAME/ADDRESS OF PROPERTY OWNER:

Ryan Espey
 135 Pine Street
 Bayou Gauche La 70030

LOCATION OF SITE:

Lot 965-A Sunset Drainage District; 3067 Bayou Gauche Road.

REQUESTED ACTION:

Reduce the minimum building elevation from +6 ft. NAVD 88 to no less than -4 ft. NAVD 88 or (-2.97 ft. NGVD 29) which is 1 ft. above the centerline of the street nearest to the site.

SITE INFORMATION

SIZE OF PARCEL: 9.476 acres

EXISTING ZONING: R-1A, Single family residential detached conventional homes—Low density

SURROUNDING ZONING AND LAND USE: R-1A zoning and site-built, single family houses abut.

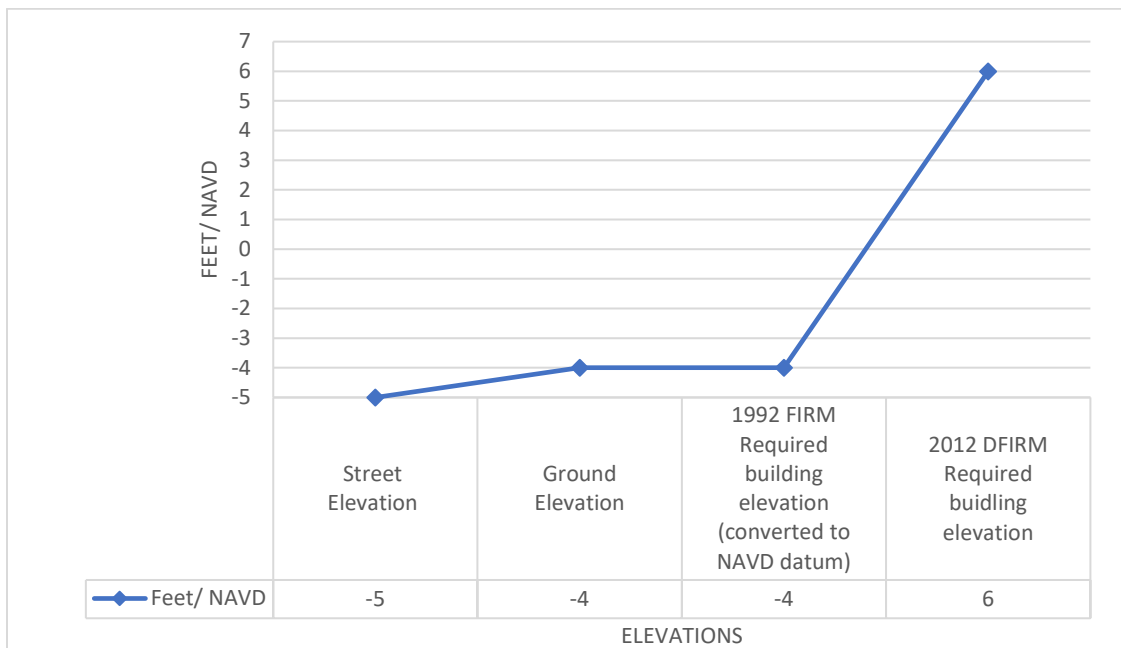
FUTURE LAND USE RECOMMENDATION: Low-Density Residential

TRAFFIC ACCESS: Lot 965-A is 60.08 ft. wide on Bayou Gauche Road/LA 306, a 2-lane state road.

UTILITIES: Standard utilities are available for the site

FLOOD ZONE: The “effective” flood insurance rate map (1992 FIRM) does not show the site in a special flood hazard area; the “preliminary” map (2012 DFIRM) shows the property in a special flood hazard area with a base flood reaching as high as +6 ft NAVD 88 (10 ft. above the ground elevation).

MINIMUM REQUIRED BUILDING ELEVATION: +6 ft. NAVD 88



APPLICABLE CODE REGULATION(S)

Appendix A. Section XX. Flood Damage Prevention, D.2. Compliance

2. Approval Process. The approval or denial of any application for a Certificate of Zoning Compliance shall be based on all of the provisions of this Ordinance and the following relevant factors:
- The danger to life and property due to flooding or erosion damage;
 - The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - The danger that materials may be swept onto other lands to the injury of others;
 - The compatibility of the proposed use with existing and anticipated development;
 - The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - The costs of providing governmental services during and after flood conditions, including maintenance and

repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical, and water systems;

- g. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
- h. The necessity to the facility of a waterfront location, where applicable;
- i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- j. The relationship of the proposed use to the comprehensive plan of the area.

Appendix A. Section XX. Flood Damage Prevention, D.5 Variance Procedures

a. Appeal Board:

1. The Zoning Board of Adjustments, as established by St. Charles Parish, shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
2. Omitted
3. Omitted
4. In formulating decisions on such applications, the Zoning Board of Adjustments shall consider all technical evaluations, all relevant factors, and all standards contained in this Ordinance, including the list of parameters cited in section D.2. Upon consideration of the stated criteria, the Zoning Board of Adjustments may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Ordinance.
5. The Director of Planning and Zoning shall maintain the records of all appeal actions, including technical information, and shall report variances to the Federal Emergency Management Agency upon request.

b. Conditions for Variances.

1. **Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre (21,780 sq. ft.) or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section D.2. (see reference below) of this Ordinance have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variances increases.**
2. Variances may be issued for reconstruction, rehabilitation, or restoration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Ordinance.
3. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
4. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
5. **Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.**
6. **Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.**
7. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use **provided that (i) the criteria outlined in section D.5. are met**, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

Appendix A. Section XX. Flood Damage Prevention

C. General Provisions:

1. Omitted
2. **Basis for Establishing the Areas of Special Flood Hazard.** The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for the Parish of St. Charles," stamped preliminary June 27, 1991, with accompanying Flood Insurance Rate Maps is hereby adopted by reference and declared to be a part of this section. The Flood Insurance Study is on file at the St. Charles Parish Courthouse, River Road, Hahnville, Louisiana. **In addition, for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rates Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St. Charles," stamped Revised Preliminary November 9, 2012, shall take precedent over the effective FIRMS where they are more restrictive.**

Appendix A. Section XX. Flood Damage Prevention B. Definitions

12. Elevated Building—A nonbasement building (i) built, in the case of a building in Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1—30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated

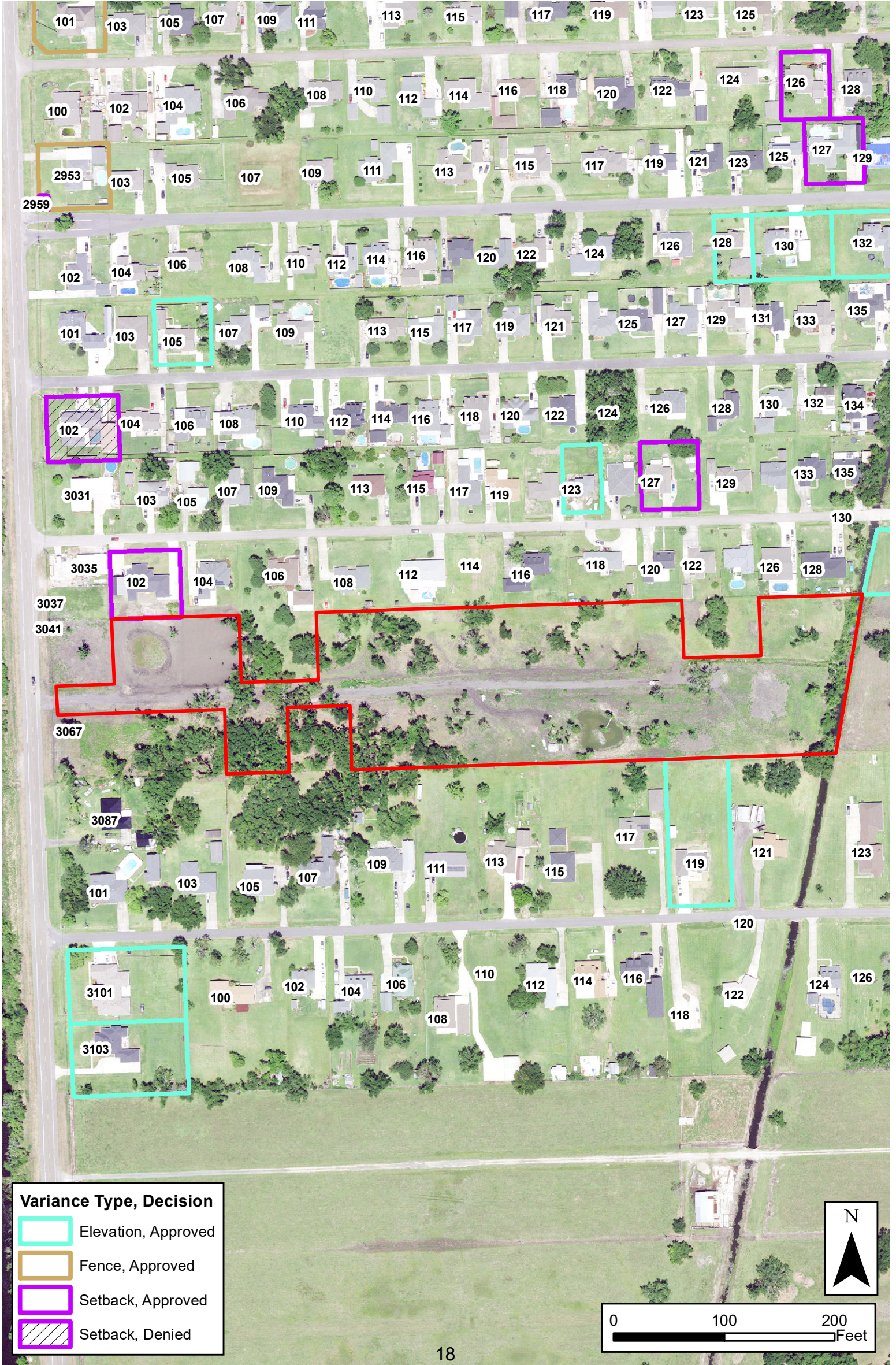
above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, "elevated buildings" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1—30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of section 60.3(e)(5) of the National Flood Insurance Program.

DEPARTMENT ANALYSIS & FINDINGS

1. The request is for reduction of the minimum building elevation for a site-built, single-family house on a lot that is over 9 acres in size.
2. The lot was platted in 2023.
3. The lot is much larger than ½ acre.
4. The effective Flood Insurance Rate Map (1992 FIRM) shows the lot in a shaded X-zone which is not a Special Flood Hazard Area (SFHA).
5. The minimum elevation in X zones is 1 ft. above the street (-4 ft. NAVD 88 at the site).
6. The Preliminary Digital Flood Insurance Rate Map (2012 DFIRM) shows the lot in an AE zone, which is a Special Flood Hazard Area.
7. The base flood is anticipated to reach +6 ft. NAVD 88 datum.
8. Ordinance 13-7-7 states "...for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rate Maps (DFRIM) referred to in "The Flood Insurance Study for the Parish of St Charles," stamped Revised Preliminary November 9, 2012 shall take precedent over the effective FIRMS where they are more restrictive."
9. This means the minimum building elevation at 3067 Bayou Gauche Road is 6 ft. NAVD 88 or 10 ft. above the ground elevation.
10. The property so large that placing the structure at the required elevation is unlikely to cause drainage impacts on any adjacent land.
11. The property owner has not demonstrated that placing the structure at the minimum building elevation creates an exceptional hardship on them.
12. The property owner has signed the addendum to the application for variance from BFE requirements and the acknowledgement and indemnification agreement.
13. The Zoning Board of Adjustment has not reduced the minimum building elevation on any comparable properties in the area.
14. In order to meet regulations, the property owner could place the building and machinery at the minimum required elevation on pilings, columns, or fill.
15. If FEMA requires the Parish to adopt the DFIRM or any map that shows the property in a SFHA, it could become mandatory for a mortgagor of the property to purchase flood insurance within six months of the adoption of the map. The cost could be extremely high.

2023-31-ZBA Ryan Espey

Reduce the required elevation for a house on a 9.48 acre lot





ST. CHARLES PARISH
DEPARTMENT OF PLANNING AND ZONING
APPLICATION TO THE ZONING BOARD OF ADJUSTMENT

APPLICATION FEE:
 Single-Family Residential: \$150
 All Other: \$250

P.O. Box 302 • Hahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

Municipal Address of Request 3067 Hwy. 306 Des Allemands

City Des Allemands State LA Zip 70030

Subdivision Sunset Drainage District Lot 965A Block _____ Section _____

Owner/Applicant Name Ryan Espey

Mailing Address 135 Pine St.

City Des Allemands State LA Zip 70030

Phone # 985-718-8483 Email essentialts@yahoo.com

APPLICANT TESTIMONY: Why can't your project meet the zoning regulations? If elevation is at required height it would be difficult for live in grandmother to access

Please attach any additional information to clarify or explain your request to the Board.

OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF ST. CHARLES

OWNER:
Ryan Espey being duly sworn,
 (Print Name)
 deposes and states (i) that he or she is the owners of the property described in this application; (ii) that all statements contained in this application are true to the best of his knowledge and belief; and (iii) that he or she authorizes the foregoing petition.
[Signature]
 (Signature of owner)

NOTARY PUBLIC:
 Subscribed and sworn to before me this 10th day of AUGUST, 2023 in my office at 145 Dixie Dr. Des Allemands LA 70030
 Louisiana.
[Signature]
 (Signature of Notary Public)

DARRELL P. CHIASSON
 Notary Public
 I.D. No. 141163
 Lifetime Commission
 ST. CHARLES PARISH, LA.
SEAL

FOR OFFICE USE ONLY:

ZBA Case #: 2023-31-ZBA Property Identification #: 40349650965A Date submitted: _____
 Receipt #: _____ Flood Zone: X/AE+6 Zoning District: _____
 Subdivision Name: Sunset Drainage
 Square # _____ Lot # 965A Block 965 Property sq. ft. _____
 Code Section being appealed: _____



ST. CHARLES PARISH
DEPARTMENT OF PLANNING AND ZONING
APPLICATION TO THE ZONING BOARD OF ADJUSTMENT
P.O. Box 302 • Hahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

The Zoning Board of Adjustments uses the following criteria to base their decision:

1. No variance will be considered or granted as to the permitted use as this could constitute a spot zone.
2. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and are not generally applicable to other lands, structures or buildings in the same zoning district.
3. Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
4. The special conditions and circumstances do not result from the actions of the applicant.
5. Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands, structures or buildings in the same district or similarly situated.
6. The variance, if granted, will not alter the essential character of the locality.
7. Strict adherence to the regulation by the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience.
8. The request for the variance is not based primarily upon a desire to serve the convenience or profit of the property owner or other interested party(s). Financial hardships shall not be considered as valid criteria for any such variance to existing regulations.
9. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

CHECKLIST OF APPLICATION REQUIREMENTS: Please review this section with the Department of Planning & Zoning.

1. Application, completed, signed by all property owners, and notarized. For corporations, the application must be signed by an authorized representative and accompanied by a resolution.
2. Copy of the deed (Available at the Clerk of Court's office).
3. Name and mailing address of all abutting and adjacent property owners (Available at the Assessor's Office).
4. Surveys, site/ project plans, photographs, and other relevant information needed to show cause for a variance. All surveys and plans must show lot dimensions, square footage of existing structures and proposed structures, existing and proposed mechanical equipment, and setback distances.
5. Fee: \$150 for single-family residential or \$250 for all other applications (Check, Money Order, Debit/ Credit processing fee of 3%).
6. Floodplain Variance Applications must be accompanied by a completed "Addendum to Application for Variance from Base Flood Elevation Requirements" form.

(Signature of reviewer confirms that application is complete)

Testimony relative to the application must be provided by the property owner or a representing attorney.
The Zoning Board of Adjustment public hearing is scheduled on _____
(DATE)



PARISH OF SAINT CHARLES
DEPARTMENT OF PLANNING AND ZONING

ADDENDUM TO APPLICATION FOR VARIANCE FROM
BASE FLOOD ELEVATION REQUIREMENTS

- A. The applicant is cautioned that if this request for a variance is granted, the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage).
- B. Applicants are cautioned that continued local participation in the Federal Flood Insurance program can only be assured by adherence to Federal guidelines for the granting of variances to established base flood elevations. One vital requirement is that "failure to grant the variance would result in exceptional hardship to the applicant." Applicants must present their reasons for such hardship at a public hearing on the request.
- C. In order to ensure proper consideration of each request, Federal Floodplain Management monitors require that applicants provide detailed responses containing appropriate technical data from an appropriate professional consultant (i.e., engineer, landscape architect, etc.) This data should be presented according to the required Base Flood Elevation (BFE) should include a complete discussion of the alternatives considered and why they are considered unavailable. Generalized conclusions are insufficient to justify a determination of "exceptional hardship." Data relating to hardship experienced if the variance is not granted must provide specific information regarding each impact.

COMPLETE THE FOLLOWING:

1. Is the property contiguous to and surrounded by lots with existing structures constructed below the base flood elevation?
yes
2. Is the property listed on the National Register of Historic Places or State Inventory of Historic Places. (If yes, please provide related information on a separate sheet, including data related to the registration status after project completion). Yes _____ No X
3. What alternative methods have been explored so that the proposed structure may meet the base flood elevation and why are they not appropriate? (Provide information on a separate sheet.)
4. Describe the exceptional hardship to the applicant which would result if a variance was not granted. (Provide information on a separate sheet along with supporting documentation.)
5. Describe the exceptional hardship to the surrounding properties if the variance was not granted. (Provide information on a separate sheet along with supporting documentation.)
6. Is your lot size less than one-half (1/2) acre? NO
(As the lot size increases beyond one-half (1/2) acre, the technical justification required for issuing a variance increases.)
7. Provide the following information and attachments:
 - A. Properly executed authentic act of Acknowledgement, Indemnification, and Hold Harmless (see attached)
 - B. Total square footage of parcel: 412,758
 - C. Existing average grade at center of property and existing grades of all corners: -3
 - D. Existing center line street grades: -3.97
 - E. Distances from property lines and any existing structures on abutting properties and the elevations of those structures: 160'
 - F. Any other physical features which may affect the granting or denial of the application (i.e. drainage canals, levees, etc.):
 - G. Photographs of the property and adjacent properties.
 - H. Any other pertinent information or documents to support this request.

Acknowledgement and Indemnification Agreement

STATE OF LOUISIANA, PARISH OF ST. CHARLES

BEFORE ME, the undersigned Notary, and in the presence of the two undersigned witnesses, appeared

08/10/23 (DATE), (hereinafter "appearers"). The appearers acknowledged

that they are the owners of the property located at 3067 Hwy 306 (ADDRESS)

DES ALLEMAUDS LA 70030 (CITY, STATE, ZIP), and that said property was acquired by

Instrument registered in the official records of St. Charles Parish at COB 902 FOLIO 491.

Appearers further acknowledge that they are requesting a variance from St. Charles Parish's flood elevation requirements, based on the Federal Emergency Management Agency's (FEMA) Preliminary Digital Flood Insurance Rate Maps (DFIRM) for the purpose of constructing a building(s). The FEMA Preliminary DFIRM is +6 NAVD; however, the building(s) elevation will meet the National Flood Insurance Program (NFIP) effective map requirements at 12" Above Street.

Appearers release and hold harmless the parish of St. Charles, all Departments, Agencies, Boards and Commissions, as well as its officers, agents, servants, employees, and volunteers, from any and all claims, demands, causes of action, expense, and liability as a result of the granting of a variance at the request of the appearers.

Done and passed before me this 08/10/23 day of AUGUST, 2023.

WITNESSES:

APPEARERS:

(Signature)

(Signature)

(Print Name)

(Print Name)

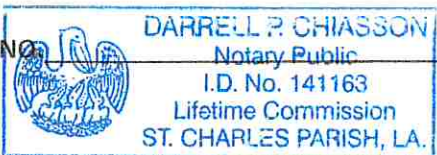
Darrell P. Chiasson

NOTARY PUBLIC

DARRELL P. CHIASSON

(Print Name)

BAR NO.



Seal Required

GASSEN SURVEYING, LLC

1026 GASSEN ST
Luling, LA 70070

GRADE CERTIFICATE

July 20, 2023

Lot Number: 965-A Square:
Subdivision: Sunset Drainage District
Municipal No.: Highway 306
Firm Zone: X Base Flood Elevation: N/A NGVD
DFIRM ZONE: AE DFIRM Advisory Base Flood Elevation: 6.00 NAVD

Existing Street Elevation: -3.97 NGVD
-5.00 NAVD
Existing Ground Elevation: -3.0 NGVD
-4.0 NAVD
Reference Elevation Mark Only: -2.97 NGVD
-4.00 NAVD

*(PROPOSED LOWEST FLOOR ELEVATION TO BE FILLED OUT BY BUILDER)


*PROPOSED LOWEST FLOOR ELEVATION: _____

DESCRIPTION: 60d NAIL IN 42" OAK AT TURN AROUND NEAR SITE

The undersigned will not be responsible for the transfer of elevations from the construction bench mark by the contractor or others.

*The floor of an attached enclosed garage may be considered as the lowest floor for Flood Insurance rating. Please consult your insurance agent.

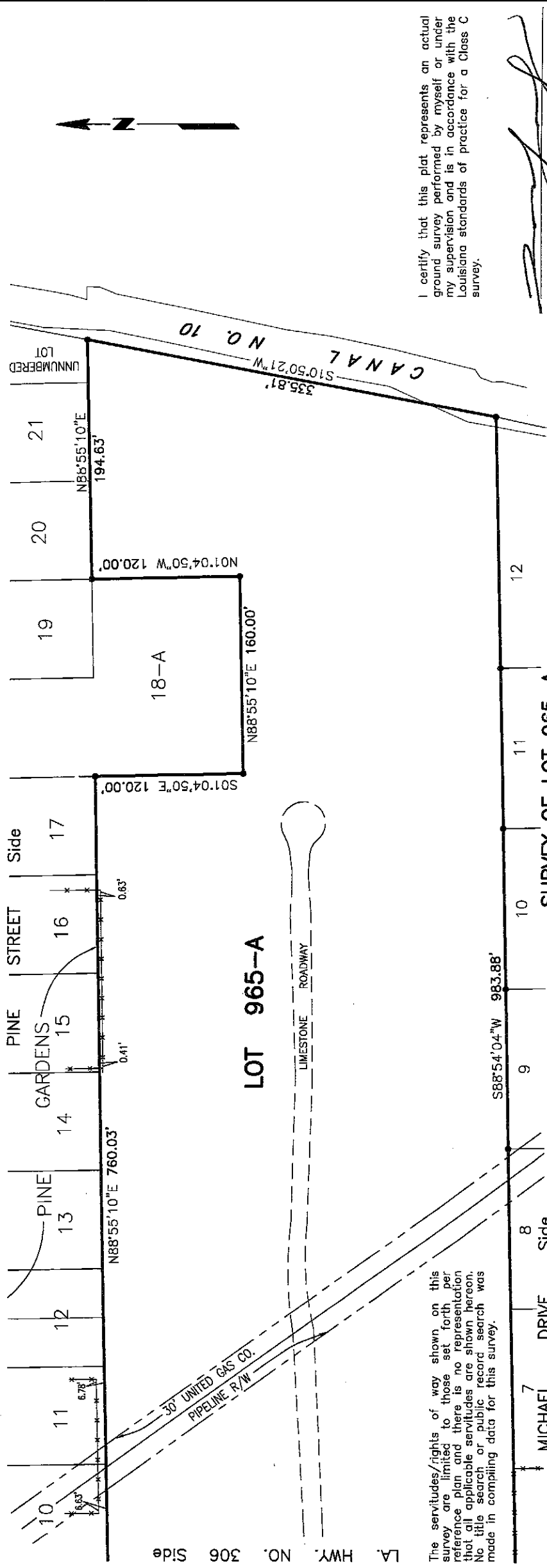
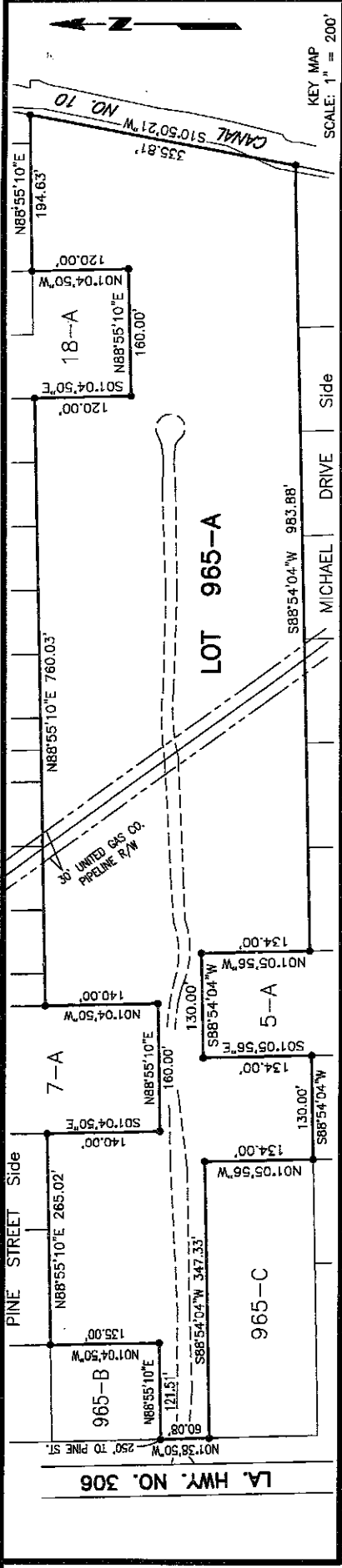



Louis J. Gassen, Jr., PLS
Registration No. 4945

(985) 785-0745
(985) 785-8603 (Fax)

3067

REFERENCE PLAN:
 RESUBDIVISION OF LOT 914 AND A PORTION OF LOT 965 OF THE SUNSET DRAINAGE DISTRICT (ALSO KNOWN AS GRAND BAYOU ESTATES) LOT 9 GRAND BAYOU ESTATES LOT 7 AND THE ADJOINING HALF OF LOTS 6 & 8, BLOCK 2, LOT 18, BLOCK 2 PINE GARDENS AND LOT 5 OF SUBDIVISION OF LOTS 966, 913 & 903 OF THE SUNSET DRAINAGE DISTRICT INTO LOTS 965-A, 965-B & 965-C OF THE SUNSET DRAINAGE DISTRICT LOTS 7-A AND 18-A, BLOCK 2 PINE GARDENS AND LOT 5-A OF SUBDIVISION OF LOTS 966, 913 & 903 OF THE SUNSET DRAINAGE DISTRICT, BY GASSEN SURVEYING, LLC, LOUIS J GASSEN JR, PLS, DATED FEBRUARY 6, 2023



**SURVEY OF LOT 965-A
 OF THE SUNSET DRAINAGE DISTRICT
 IN SECTION 3, T15S - R20E
 ST. CHARLES PARISH, LOUISIANA**

SCALE: 1" = 100'
 JULY 20, 2023

CERTIFIED TO RYAN ESPEY

I certify that this plat represents an actual ground survey performed by myself or under my supervision and is in accordance with the Louisiana standards of practice for a Class C survey.

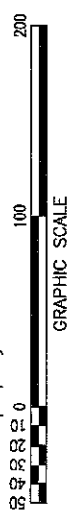
LOUIS J GASSEN JR, PLS
 Registration No. 4945
 (985) 785-0745
 1026 Gassen Street
 Luling, Louisiana 70070

GASSEN SURVEYING, LLC

The servitudes/rights of way shown on this survey are limited to those set forth per reference plan and there is no representation that all applicable servitudes are shown hereon. No title search or public record search was made in compiling data for this survey.

This is to certify that I have consulted the Flood Insurance Rate Maps and found that this property is in Zone X.

LEGEND
 ● = 1/2" IRON ROD FOUND
 BEARINGS ARE BASED ON REFERENCE PLAN





Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2023-32-ZBA

GENERAL APPLICATION INFORMATION

NAME/ADDRESS OF PROPERTY OWNER:

Lloyd and Dorcas Frickey
 152 Bayou Estates Drive
 Bayou Gauche LA 70030
 985.758.2936

LOCATION OF SITE:

Lot 7-A-4; 112 B Luke Drive, Bayou Gauche

REQUESTED ACTION:

Reduce the minimum building elevation from +6 ft. NAVD 88 to no less than 1 ft. above the centerline of Luke Drive in front of the lot.

SITE INFORMATION

SIZE OF PARCEL: 10,440 sq. ft.

ZONING: R-1A(M), Single-family detached, Manufactured, & Mobile Homes—Medium density.

SURROUNDING ZONING AND LAND USE: R-1A(M) zoning; mobile homes and site-built houses abut.

FUTURE LAND USE RECOMMENDATION: Medium-density Residential

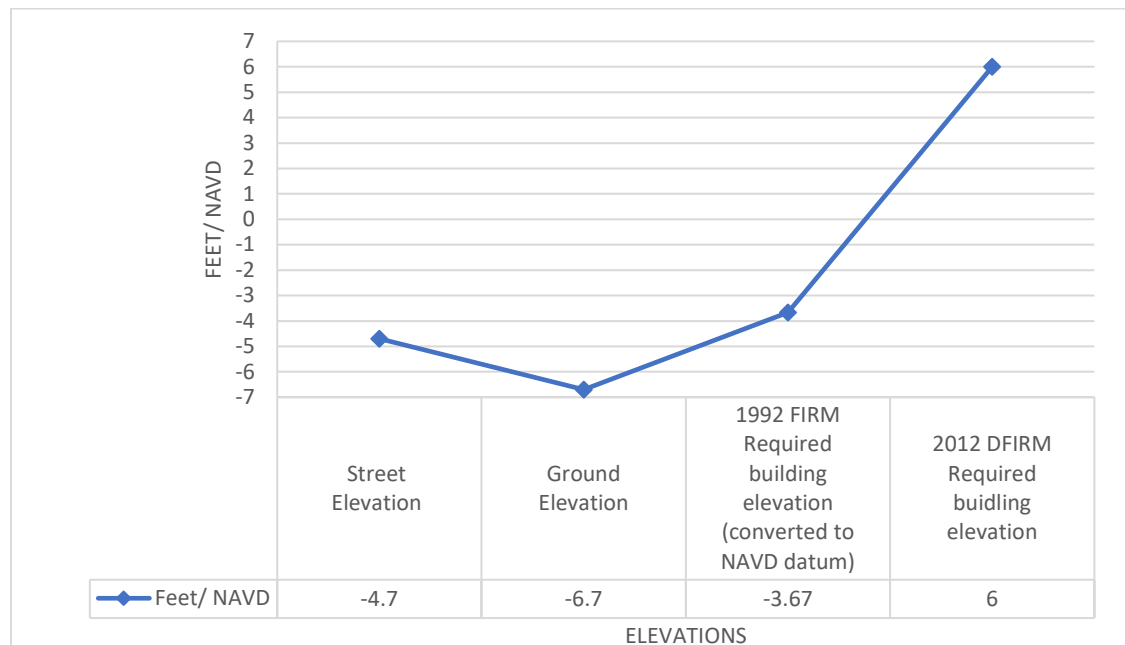
TRAFFIC ACCESS: Lot 7-A-4 has 50 ft. of width or frontage on Luke Drive, a tertiary street.

UTILITIES: Standard utilities are available for the site.

FLOOD ZONE: The “effective” flood insurance rate map (1992 FIRM) shows the site in a shaded-X zone, which is not a special flood hazard area; the “preliminary” flood insurance map (2012 DFIRM) shows the property in a special flood hazard area with a base flood reaching as high as +6 ft NAVD 88.

MINIMUM REQUIRED BUILDING ELEVATION: +6 ft. NAVD 88

The data below is based on a grade certificate the property owner submitted for a variance to reduce the required construction elevation for a manufactured home on Lot 7-A, which was subsequently resubdivided, along with the adjacent lot 7-B, into four lots including the subject lot, 7-A-4. The Floodplain Manager will require a new grade certificate for permitting a structure on the lot.



APPLICABLE CODE REGULATION(S)

Appendix A. Section XX. Flood Damage Prevention, E.2.d.2

2.Manufactured homes that are placed or substantially improved within FIRM zones A1—30, AH, and AE on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or

subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, must be elevated on a permanent foundation such that the bottom of the longitudinal structural I-beams of the manufactured home is elevated to or above the base flood elevation. (Ord. No. 19-11-4 , § I, 11-4-19)

Appendix A. Section XX. Flood Damage Prevention, D.5 Variance Procedures

a. Appeal Board:

1. The Zoning Board of Adjustments, as established by St. Charles Parish, shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
2. Omitted
3. Omitted
4. In formulating decisions on such applications, the Zoning Board of Adjustments shall consider all technical evaluations, all relevant factors, and all standards contained in this Ordinance, including the list of parameters cited in section D.2. Upon consideration of the stated criteria, the Zoning Board of Adjustments may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Ordinance.
5. The Director of Planning and Zoning shall maintain the records of all appeal actions, including technical information, and shall report variances to the Federal Emergency Management Agency upon request.

b. Conditions for Variances.

- 1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre (21,780 sq. ft.) or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level,** providing the relevant factors in section D.2. (see reference below) of this Ordinance have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variances increases.
2. Variances may be issued for reconstruction, rehabilitation, or restoration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Ordinance.
3. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
4. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- 5. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.**
- 6. Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.**
7. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use **provided that (i) the criteria outlined in section D.5. are met,** and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

Appendix A. Section XX. Flood Damage Prevention

C. General Provisions:

1. Omitted
- 2. Basis for Establishing the Areas of Special Flood Hazard.** The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for the Parish of St. Charles," stamped preliminary June 27, 1991, with accompanying Flood Insurance Rate Maps is hereby adopted by reference and declared to be a part of this section. The Flood Insurance Study is on file at the St. Charles Parish Courthouse, River Road, Hahnville, Louisiana. **In addition, for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rates Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St. Charles," stamped Revised Preliminary November 9, 2012, shall take precedent over the effective FIRMS where they are more restrictive.**

Appendix A. Section XX. Flood Damage Prevention B. Definitions

12. Elevated Building—A nonbasement building (i) built, in the case of a building in Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1—30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, "elevated buildings" also includes a building elevated by means of fill or solid foundation perimeter

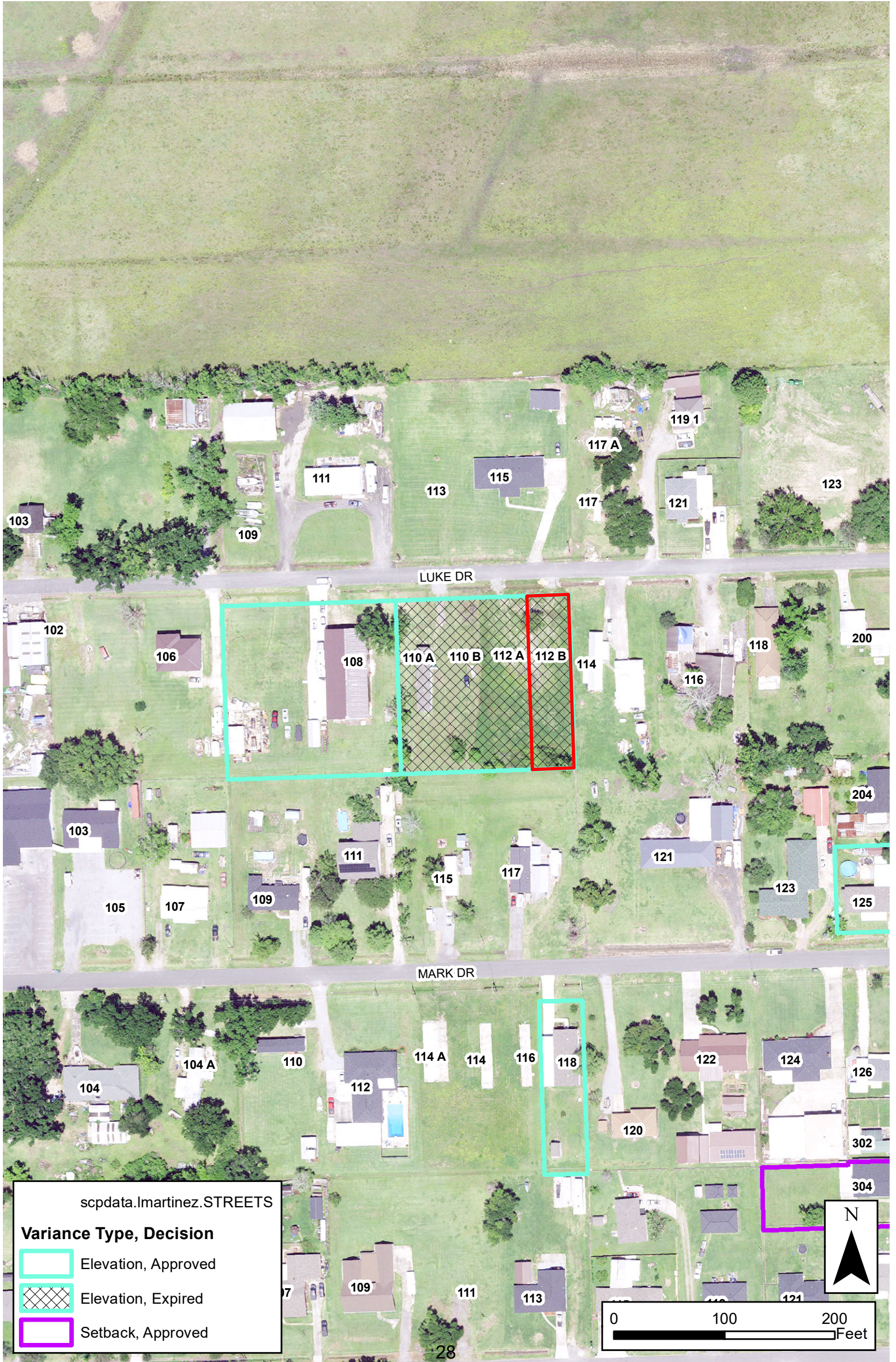
walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1—30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of section 60.3(e)(5) of the National Flood Insurance Program.

DEPARTMENT ANALYSIS & FINDINGS

1. The request to reduce the minimum building elevation for a residence on a 10,440 sq. ft. lot.
2. The lot was platted in 2023.
3. The lot is less than ½ acre.
4. The effective Flood Insurance Rate Map (1992 FIRM) shows the lot in a shaded X-zone which is not a Special Flood Hazard Area (SFHA).
5. The minimum elevation in X zones is 1 ft. above the street (the Floodplain Manager will require a grade certificate in order to permit a structure on the site).
6. The Preliminary Digital Flood Insurance Rate Map (2012 DFIRM) shows the lot in an AE zone, which is a Special Flood Hazard Area with a base flood anticipated to reach +6 ft. NAVD 88.
7. Ordinance 13-7-7 states "...for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rate Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St Charles," stamped Revised Preliminary November 9, 2012 shall take precedent over the effective FIRMS where they are more restrictive."
8. This means the minimum elevation at 112 B Luke Street is 6 ft. NAVD 88.
9. The property owner has not demonstrated that placing the structure at the minimum building elevation creates an exceptional hardship on them or that they will occupy the residence.
10. The property owner has signed the addendum to the application for a variance from BFE/minimum building elevation requirement and the acknowledgement and indemnification agreement.
11. Regarding similar variances in the area, the Zoning Board of Adjustment has reduced the minimum building elevation as follows:
 - from 6 ft. to no lower than 1 ft. above the street at 110 Luke Drive (2022-15-ZBA)
 - from 6 ft. to no lower than 1 ft. above the street at 125 Mark Drive (2021-26 ZBA)
 - from 6 ft. to no lower than 1 ft. above the street at 108 Luke Drive (2021-2-ZBA)
 - from 6 ft. to no lower than 1 ft. above the street at 118 Mark Dr (2020-29-ZBA)
12. In order to meet regulations, the property owner could elevate a manufactured home on a permanent foundation such that the bottom of the longitudinal structural I-beam is elevated to or above 6 ft. NAVD 88 or elevate a site-built house and equipment on fill, piers, or pilings to the minimum elevation.
13. If FEMA requires the Parish to adopt the DFIRM or any map that shows the property in a SFHA, it could become mandatory for a mortgagor of the property to purchase flood insurance within six months of the adoption of the map. The cost could be extremely high.

2023-32-ZBA Lloyd and Dorcas Frickey

Reduce the required elevation for a mobile home on house on a 10,440 sq. ft. lot





ST. CHARLES PARISH

DEPARTMENT OF PLANNING AND ZONING

APPLICATION TO THE ZONING BOARD OF ADJUSTMENT

P.O. Box 302 • Hahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

APPLICATION FEE:
Single-Family Residential: \$150
All Other: \$250

Municipal Address of Request 112 Lake Drive Lot 7-A-4 (Address not yet assigned)

City Des Allemands State Louisiana Zip 70030

Subdivision Green Acres Lot 7-A-4 Block Resubdivision of Lots 7-A + 7-B Section

Owner/Applicant Name Lloyd W. Frutkey Douglas D. Frutkey

Mailing Address 152 Bayou Esprit Drive

City Des Allemands State LA Zip 70030

Phone # 985-788-2936 Email lfrutkey@ecar.net

APPLICANT TESTIMONY: Why can't your project meet the zoning regulations?
Zoning is ok. This is a request of the elevation requirement

Please attach any additional information to clarify or explain your request to the Board.

OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF ST. CHARLES

OWNER: Lloyd W & Douglas D Frutkey being duly sworn, (Print Name)
deposes and states (i) that he or she is the owners of the property described in this application; (ii) that all statements contained in this application are true to the best of his knowledge and belief; and (iii) that he or she authorizes the foregoing petition.
Douglas D. Frutkey (Signature of owner)

NOTARY PUBLIC:
Subscribed and sworn to before me this AUG 18 2023 day of August, 2023 in my office at Slidell, Louisiana
Louisiana.
Patricia A. Dubreane (Signature of Notary Public) SEAL

FOR OFFICE USE ONLY:
ZBA Case #: 2023-32-28A Property Identification #: Date submitted: 8/21/23
Receipt #: Flood Zone: Zoning District: R-1A(m)
Subdivision Name: Smith's Green Acres
Square # Lot # 7-A-4 Block Property sq. ft. 10,440 sqft
Code Section being appealed:

See 2023-9-MIN



ST. CHARLES PARISH
DEPARTMENT OF PLANNING AND ZONING
APPLICATION TO THE ZONING BOARD OF ADJUSTMENT
P.O. Box 302 • Hahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

The Zoning Board of Adjustments uses the following criteria to base their decision:

1. No variance will be considered or granted as to the permitted use as this could constitute a spot zone.
2. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and are not generally applicable to other lands, structures or buildings in the same zoning district.
3. Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
4. The special conditions and circumstances do not result from the actions of the applicant.
5. Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands, structures or buildings in the same district or similarly situated.
6. The variance, if granted, will not alter the essential character of the locality.
7. Strict adherence to the regulation by the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience.
8. The request for the variance is not based primarily upon a desire to serve the convenience or profit of the property owner or other interested party(s). Financial hardships shall not be considered as valid criteria for any such variance to existing regulations.
9. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

CHECKLIST OF APPLICATION REQUIREMENTS: Please review this section with the Department of Planning & Zoning.

1. Application, completed, signed by all property owners, and notarized. For corporations, the application must be signed by an authorized representative and accompanied by a resolution.
2. Copy of the deed (Available at the Clerk of Court's office).
3. Name and mailing address of all abutting and adjacent property owners (Available at the Assessor's Office).
4. Surveys, site/ project plans, photographs, and other relevant information needed to show cause for a variance. All surveys and plans must show lot dimensions, square footage of existing structures and proposed structures, existing and proposed mechanical equipment, and setback distances.
5. Fee: \$150 for single-family residential or \$250 for all other applications (Check, Money Order, Debit/ Credit processing fee of 3%).
6. Floodplain Variance Applications must be accompanied by a completed "Addendum to Application for Variance from Base Flood Elevation Requirements" form.

(Signature of reviewer confirms that application is complete)

Testimony relative to the application must be provided by the property owner or a representing attorney.

The Zoning Board of Adjustment public hearing is scheduled on Sept 21, 2023
(DATE)



PARISH OF SAINT CHARLES
DEPARTMENT OF PLANNING AND ZONING

ADDENDUM TO APPLICATION FOR VARIANCE FROM
BASE FLOOD ELEVATION REQUIREMENTS

- A. The applicant is cautioned that if this request for a variance is granted, the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage).
- B. Applicants are cautioned that continued local participation in the Federal Flood Insurance program can only be assured by adherence to Federal guidelines for the granting of variances to established base flood elevations. One vital requirement is that "failure to grant the variance would result in exceptional hardship to the applicant." Applicants must present their reasons for such hardship at a public hearing on the request.
- C. In order to ensure proper consideration of each request, Federal Floodplain Management monitors require that applicants provide detailed responses containing appropriate technical data from an appropriate professional consultant (i.e., engineer, landscape architect, etc.) This data should be presented according to the required Base Flood Elevation (BFE) should include a complete discussion of the alternatives considered and why they are considered unavailable. Generalized conclusions are insufficient to justify a determination of "exceptional hardship." Data relating to hardship experienced if the variance is not granted must provide specific information regarding each impact.

COMPLETE THE FOLLOWING:

1. Is the property contiguous to and surrounded by lots with existing structures constructed below the base flood elevation?
yes
2. Is the property listed on the National Register of Historic Places or State Inventory of Historic Places. (If yes, please provide related information on a separate sheet, including data related to the registration status after project completion). Yes _____ No ✓
3. What alternative methods have been explored so that the proposed structure may meet the base flood elevation and why are they not appropriate? (Provide information on a separate sheet.)
4. Describe the exceptional hardship to the applicant which would result if a variance was not granted. (Provide information on a separate sheet along with supporting documentation.)
5. Describe the exceptional hardship to the surrounding properties if the variance was not granted. (Provide information on a separate sheet along with supporting documentation.)
6. Is your lot size less than one-half (1/2) acre? yes
(As the lot size increases beyond one-half (1/2) acre, the technical justification required for issuing a variance increases.)
7. Provide the following information and attachments:
 - A. Properly executed authentic act of Acknowledgement, Indemnification, and Hold Harmless (see attached)
 - B. Total square footage of parcel: 10,400
 - C. Existing average grade at center of property and existing grades of all corners: _____
 - D. Existing center line street grades: _____
 - E. Distances from property lines and any existing structures on abutting properties and the elevations of those structures: _____
 - F. Any other physical features which may affect the granting or denial of the application (i.e. drainage canals, levees, etc.): No
 - G. Photographs of the property and adjacent properties.
 - H. Any other pertinent information or documents to support this request.

Acknowledgement and Indemnification Agreement

STATE OF LOUISIANA, PARISH OF ST. CHARLES

BEFORE ME, the undersigned Notary, and in the presence of the two undersigned witnesses, appeared

AUG 1 9 2023

(DATE)

, (hereinafter "appearers"). The appearers acknowledged

that they are the owners of the property located at Lake Drive 110 Lake Drive Lot 7-A-4

(ADDRESS)

Des Allemands LA 70038

(CITY, STATE, ZIP)

, and that said property was acquired by

Instrument # 475124

Instrument registered in the official records of St. Charles Parish at COB _____ FOLIO _____.

Appearers further acknowledge that they are requesting a variance from St. Charles Parish's flood elevation requirements, based on the Federal Emergency Management Agency's (FEMA) Preliminary Digital Flood Insurance Rate Maps (DFIRM) for the purpose of constructing a building(s). The FEMA Preliminary DFIRM is _____; however, the building(s) elevation will meet the National Flood Insurance Program (NFIP) effective map requirements at _____.

Appearers release and hold harmless the parish of St. Charles, all Departments, Agencies, Boards and Commissions, as well as its officers, agents, servants, employees, and volunteers, from any and all claims, demands, causes of action, expense, and liability as a result of the granting of a variance at the request of the appearers.

AUG 1 9 2023

Done and passed before me this _____ day of _____, 20_____.

WITNESSES:

[Signature]
(Signature)

Joseph Bergeron
(Print Name)

APPEARERS:

[Signature]
(Signature)

Lloyd J. Frickey
DORCAS FRICKEY
(Print Name)

[Signature]
NOTARY PUBLIC

Patricia A. Dufresne, Notary No. 67770

(Print Name)

BAR NO. _____

Seal Required



**Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2023-33-ZBA**

GENERAL APPLICATION INFORMATION

NAME/ADDRESS OF PROPERTY OWNER:

Jo Ann Hunter
PO Box 1455
Paradis La 70080
504.264.4756

LOCATION OF SITE:

145 J B Green Road, Des Allemands (Lot 73-C-8-A of the Sunset Drainage District)

REQUESTED ACTION:

Reduce the minimum building elevation from +5 ft. NAVD 88 to no less than 1 ft. above the centerline of J B Green Road in front of the lot.

SITE INFORMATION

SIZE OF PARCEL: 15,285 sq. ft.

ZONING: R-1A(M), Single-family detached, Manufactured, & Mobile Homes—Medium density.

SURROUNDING ZONING AND LAND USE: R-1A(M) zoning; the area is developed with mobile homes at low density.

FUTURE LAND USE RECOMMENDATION: Residential High

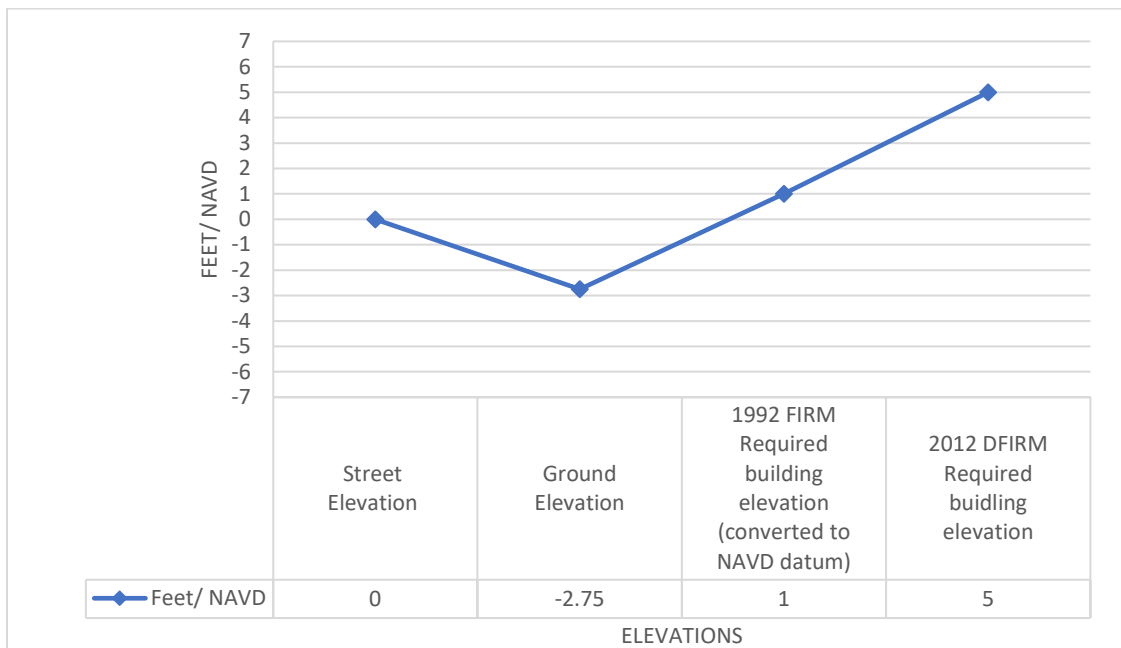
TRAFFIC ACCESS: the lot has 92.45 ft. of width or frontage on J B Green Road, a tertiary street.

UTILITIES: Standard utilities are available for the site.

FLOOD ZONE: The “effective” flood insurance rate map (1992 FIRM) shows the site in a shaded-X zone, which is not a special flood hazard area; the “preliminary” flood insurance map (2012 DFIRM) shows the property in a special flood hazard area with a base flood reaching as high as +5 ft NAVD 88.

MINIMUM REQUIRED BUILDING ELEVATION: +6 ft. NAVD 88

The data below is based on a grade certificate the property owner submitted for a variance to reduce the required construction elevation for a manufactured home on the site in 2010. The Floodplain Manager will require a new grade certificate for permitting a structure on the lot.



APPLICABLE CODE REGULATION(S)

Appendix A. Section XX. Flood Damage Prevention, E.2.d.2

2.Manufactured homes that are placed or substantially improved within FIRM zones A1—30, AH, and AE on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or

subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, must be elevated on a permanent foundation such that the bottom of the longitudinal structural I-beams of the manufactured home is elevated to or above the base flood elevation. (Ord. No. 19-11-4 , § I, 11-4-19)

Appendix A. Section XX. Flood Damage Prevention, D.5 Variance Procedures

a. Appeal Board:

1. The Zoning Board of Adjustments, as established by St. Charles Parish, shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
2. Omitted
3. Omitted
4. In formulating decisions on such applications, the Zoning Board of Adjustments shall consider all technical evaluations, all relevant factors, and all standards contained in this Ordinance, including the list of parameters cited in section D.2. Upon consideration of the stated criteria, the Zoning Board of Adjustments may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Ordinance.
5. The Director of Planning and Zoning shall maintain the records of all appeal actions, including technical information, and shall report variances to the Federal Emergency Management Agency upon request.

b. Conditions for Variances.

- 1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre (21,780 sq. ft.) or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section D.2. (see reference below) of this Ordinance have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variances increases.**
2. Variances may be issued for reconstruction, rehabilitation, or restoration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Ordinance.
3. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
4. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- 5. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.**
- 6. Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.**
7. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use **provided that (i) the criteria outlined in section D.5. are met**, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

Appendix A. Section XX. Flood Damage Prevention

C. General Provisions:

1. Omitted
- 2. Basis for Establishing the Areas of Special Flood Hazard.** The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for the Parish of St. Charles," stamped preliminary June 27, 1991, with accompanying Flood Insurance Rate Maps is hereby adopted by reference and declared to be a part of this section. The Flood Insurance Study is on file at the St. Charles Parish Courthouse, River Road, Hahnville, Louisiana. **In addition, for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rates Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St. Charles," stamped Revised Preliminary November 9, 2012, shall take precedent over the effective FIRMS where they are more restrictive.**

Appendix A. Section XX. Flood Damage Prevention B. Definitions

12. Elevated Building—A nonbasement building (i) built, in the case of a building in Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1—30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, "elevated buildings" also includes a building elevated by means of fill or solid foundation perimeter

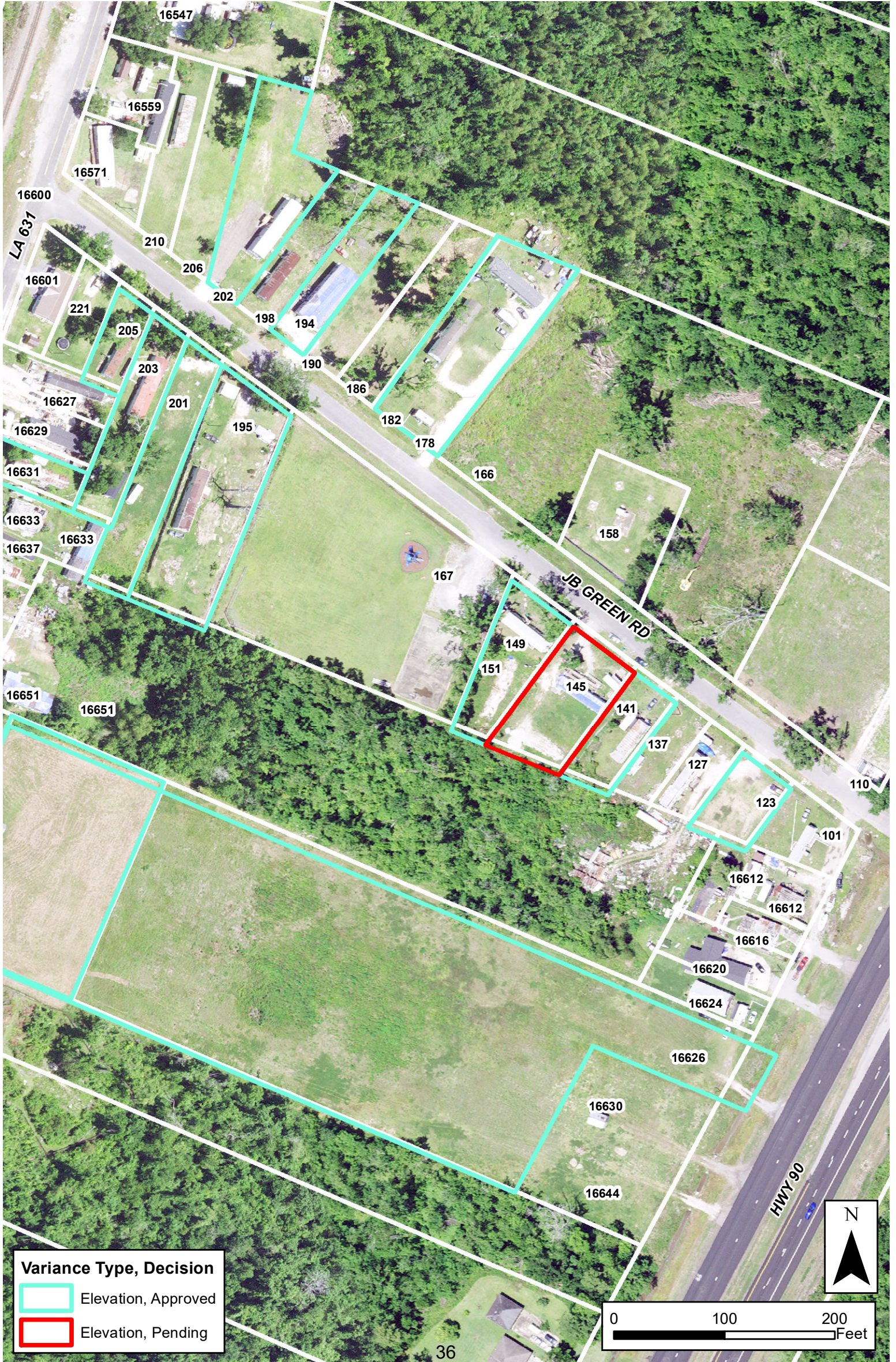
walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1—30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of section 60.3(e)(5) of the National Flood Insurance Program.

DEPARTMENT ANALYSIS & FINDINGS

1. The request is to reduce the minimum building elevation in order to permit a mobile home on a 15,285 sq. ft. lot.
2. The lot was resubdivided in 2006.
3. The lot is less than ½ acre.
4. The effective Flood Insurance Rate Map (1992 FIRM) shows the lot in a shaded X-zone which is not a Special Flood Hazard Area (SFHA).
5. The minimum elevation in X zones is 1 ft. above the street (the Floodplain Manager will require a grade certificate in order to confirm the elevation of the street).
6. The Preliminary Digital Flood Insurance Rate Map (2012 DFIRM) shows the lot in an AE zone, which is a Special Flood Hazard Area with a base flood anticipated to reach +5 ft. NAVD 88.
7. Ordinance 13-7-7 states "...for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rate Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St Charles," stamped Revised Preliminary November 9, 2012 shall take precedent over the effective FIRMS where they are more restrictive."
8. This means the minimum elevation at 112 B Luke Street is +5 ft. NAVD 88.
9. The property owner has signed the addendum to the application for a variance from BFE/minimum building elevation requirement and the acknowledgement and indemnification agreement.
10. Regarding similar variances in the area, the Zoning Board of Adjustment has reduced the minimum building elevation as follows:
 - from 5 ft. NAVD 88 to 1.8 ft. NAVD 88 at 202 JB Green Road (2022-29-ZBA)
 - from 5 ft. NAVD 88 to 1.25 ft. NAVD 88 at 194 JB Green Road (ZBA-2013-12)
 - from 5 ft. NAVD 88 to 1 ft. above the street at 180 JB Green Road (2020-11-ZBA)
 - from 5 ft. NAVD 88 to 1 ft. above the street at 123 JB Green Road (2022-29-ZBA)
 - from 5 ft. NAVD 88 to 2.2 ft. NAVD 88 at 141 JB Green Road (ZBA-2013-17)
 - from 5 ft. NAVD 88 to 1 ft. above the street at 195 JB Green Road (ZBA-2017-06)
 - from 5 ft. NAVD 88 to 1 ft. above the street at 201 JB Green Road (ZBA-2008-35)
 - from 5 ft. NAVD 88 to 1 ft. NAVD 88 at 203 JB Green Road (ZBA-2008-37)
 - from 5 ft. NAVD 88 to 3.5 ft. above mean sea level at 205 JB Green Road (ZBA-2014-21)
11. In order to meet regulations, the property owner could elevate the manufactured home on a permanent foundation such that the bottom of the longitudinal structural I-beam is elevated to or above 5 ft. NAVD 88, approximately 7.75 ft. above the ground.
12. The property owner may be receiving assistance from the RESTORE Louisiana program.
13. Generally the RESTORE program requires a minimum elevation 2 ft. above the local jurisdiction's requirement.
14. The RESTORE program appears to require recipients who receive assistance to maintain flood insurance if the site is in a Special Flood Hazard Area. The effective map does not show the property in a Special Flood Hazard Area.
15. If FEMA requires the Parish to adopt the Preliminary DFIRM or any map that shows the property in a SFHA, it could become mandatory for a mortgagor of the property to purchase flood insurance within six months of the adoption of the map. The cost could be extremely high.

2023-33-ZBA Jo Ann Hunter

Reduce the required elevation for a mobile home





ST. CHARLES PARISH
DEPARTMENT OF PLANNING AND ZONING
APPLICATION TO THE ZONING BOARD OF ADJUSTMENT

APPLICATION FEE:
 Single-Family Residential: \$150
 All Other: \$250

P.O. Box 302 • Hahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

Municipal Address of Request 145 J.B. Green Road, Des Allemands

City Des Allemands State LA Zip 70030

Subdivision _____ Lot _____ Block _____ Section _____

Owner/Applicant Name Jo Ann Hunter

Mailing Address P.O. Box 1455

City Paradis State La Zip 70080

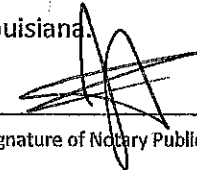
Phone # 304-264-4756 Email _____

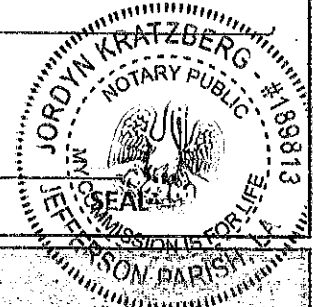
APPLICANT TESTIMONY: Why can't your project meet the zoning regulations? _____

Please attach any additional information to clarify or explain your request to the Board.

OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF ST. CHARLES

OWNER:
Jo Ann Hunter being duly sworn,
 (Print Name)
 deposes and states (i) that he or she is the owners of the property described in this application; (ii) that all statements contained in this application are true to the best of his knowledge and belief; and (iii) that he or she authorizes the foregoing petition.
Jo Ann Hunter
 (Signature of owner)

NOTARY PUBLIC:
 Subscribed and sworn to before me this 21st day
 of August, 20 23 in my
 office at Baute
 Louisiana.

 (Signature of Notary Public)



FOR OFFICE USE ONLY:

ZBA Case #: _____ Property Identification #: _____ Date submitted: _____
 Receipt #: _____ Flood Zone: _____ Zoning District: _____
 Subdivision Name: _____
 Square # _____ Lot # _____ Block _____ Property sq. ft. _____
 Code Section being appealed: _____



ST. CHARLES PARISH
DEPARTMENT OF PLANNING AND ZONING
APPLICATION TO THE ZONING BOARD OF ADJUSTMENT
P.O. Box 302 • Hahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

The Zoning Board of Adjustments uses the following criteria to base their decision:

1. No variance will be considered or granted as to the permitted use as this could constitute a spot zone.
2. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and are not generally applicable to other lands, structures or buildings in the same zoning district.
3. Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
4. The special conditions and circumstances do not result from the actions of the applicant.
5. Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands, structures or buildings in the same district or similarly situated.
6. The variance, if granted, will not alter the essential character of the locality.
7. Strict adherence to the regulation by the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience.
8. The request for the variance is not based primarily upon a desire to serve the convenience or profit of the property owner or other interested party(s). Financial hardships shall not be considered as valid criteria for any such variance to existing regulations.
9. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

CHECKLIST OF APPLICATION REQUIREMENTS: Please review this section with the Department of Planning & Zoning.

1. Application, completed, signed by all property owners, and notarized. For corporations, the application must be signed by an authorized representative and accompanied by a resolution.
Mary will be signed

2. Copy of the deed (Available at the Clerk of Court's office).
Mary will be signed

3. Name and mailing address of all abutting and adjacent property owners (Available at the Assessor's Office).
Mary will be signed

4. Surveys, site/ project plans, photographs, and other relevant information needed to show cause for a variance.
Mary will be signed

5. All surveys and plans must show lot dimensions, square footage of existing structures and proposed structures, existing and proposed mechanical equipment, and setback distances.

5. Fee: \$150 for single-family residential or \$250 for all other applications
(Check, Money Order, Debit/ Credit processing fee of 3%).

6. Floodplain Variance Applications must be accompanied by a completed "Addendum to Application for Variance from Base Flood Elevation Requirements" form.

Mary Lee

(Signature of reviewer confirms that application is complete)

Testimony relative to the application must be provided by the property owner or a representing attorney.
The Zoning Board of Adjustment public hearing is scheduled on 9/21/2023.
(DATE)

Acknowledgement and Indemnification Agreement

STATE OF LOUISIANA, PARISH OF ST. CHARLES

BEFORE ME, the undersigned Notary, and in the presence of the two undersigned witnesses, appeared

Aug-21-23 (DATE), (hereinafter "appearers"). The appearers acknowledged

that they are the owners of the property located at P.O. Box 1455 Paradise (ADDRESS)

1415 L. B. Road Des Allemands (CITY, STATE, ZIP) and that said property was acquired by

Instrument registered in the official records of St. Charles Parish at COB _____ FOLIO _____.

Appearers further acknowledge that they are requesting a variance from St. Charles Parish's flood elevation requirements, based on the Federal Emergency Management Agency's (FEMA) Preliminary Digital Flood Insurance Rate Maps (DFIRM) for the purpose of constructing a building(s). The FEMA Preliminary DFIRM is +5 N.A.V.D., however, the building(s) elevation will meet the National Flood Insurance Program (NFIP) effective map requirements at 12" above the street

Appearers release and hold harmless the parish of St. Charles, all Departments, Agencies, Boards and Commissions, as well as its officers, agents, servants, employees, and volunteers, from any and all claims, demands, causes of action, expense, and liability as a result of the granting of a variance at the request of the appearers.

Done and passed before me this Aug^{21st} day of August, 2023.

WITNESSES:

[Signature]
(Signature)

Kathryn Moore
(Print Name)

[Signature]

NOTARY PUBLIC

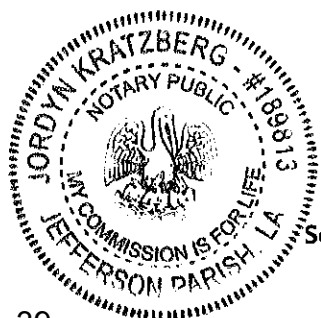
Jordyn Kratzberg
(Print Name)

BAR NO. 189813

APPEARERS:

[Signature]
(Signature)

Jo Ann Hunter
(Print Name)



Seal Required

✓ We Are 4 Ft Right Now
The Trailers That I'm In Never
go water In It More Stayed under
My Trailer Is Crew Down In The
Cement I Built It up Last Time
The Cement Never Went Down In The
Ground

The Reason Why
In April - May He Stayed In Hospital
To Get 3 5 Hour Major Surgery
Poor Blood Circulation In His Right
LEG, He Had Vein Took out His Left Leg
To put in His Right Leg All His Toes
Cut off on His Right Leg
He Have to Back To get A STINT
put on Right side of His Leg.

He Has A Shunt Put In his
Head which give Him a problem
When He Walk up or Down
And In The House If you put
It up we are going To Have
a problem

My Trailer Is Four Feet Now

Thank You

Could you please ^{call} the Resto
Elevation Person And speak To
Him For me

40 George and Jo Ann Hunter ✓

RIVERLANDS SURVEYING CO L.L.C.
P.O. BOX 1254
LAPLACE, LOUISIANA 70069-1254
PHONE: (985) 652-6356 FAX: (985) 652-3422

May 4, 2010

REQUEST FOR GRADE CERTIFICATE

Lot Number: 73-C-8-A

Subdivision: SUNSET DRAINAGE DISTRICT

Municipal Address: 145 J.B. GREEN ROAD

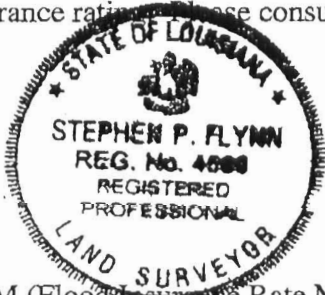
FIRM Zone: X	Base Flood Elevation	N/A	NAVD 88 (MSL)
Existing Street Elevation	0.00	NAVD 88 (MSL)	
Existing Ground Elevation	-2.75	NAVD 88 (MSL)	
Construction Bench Mark Elevation	0.00	NAVD 88 (MSL)	

* PROPOSED LOWEST FLOOR ELEVATION: _____ NAVD 88 (MSL)
* (PROPOSED LOWEST FLOOR ELEVATION TO BE FILLED OUT BY BUILDER)

Description: **BENCH MARK – PK NAIL IN CENTERLINE OF ROAD**

The undersigned will not be responsible for the transfer of elevations from the construction benchmark by the contractor or others.

*The floor of an attached enclosed garage may be considered as the lowest floor for Flood Insurance rating. Please consult your insurance agent.



Stephen P. Flynn
Stephen P. Flynn, P.L.S.
LA.ST.REG.NO. 4668

FIRM (Flood Insurance Rate Map)
F5532



Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2023-34-ZBA

GENERAL APPLICATION INFORMATION

NAME/ADDRESS OF PROPERTY OWNER:

David Muskevitch for Triple MBM Properties, LLC
 4239 Highway 90
 Des Allemands LA 70030
 985.722.6101

LOCATION OF SITE:

15207 Highway 90, Paradis

REQUESTED ACTION:

Reduce the minimum building elevation from +5 ft. NAVD 88 to +3.6 NAVD 88.

SITE INFORMATION

SIZE OF PARCEL: 24,650 sq. ft.

ZONING: C-3 Highway Commercial

SURROUNDING ZONING AND LAND USE: C-2 along and across Highway 90; R-1A to the southeast or rear; commercial uses abut along Highway 90 and residential uses abut to the southeast or rear.

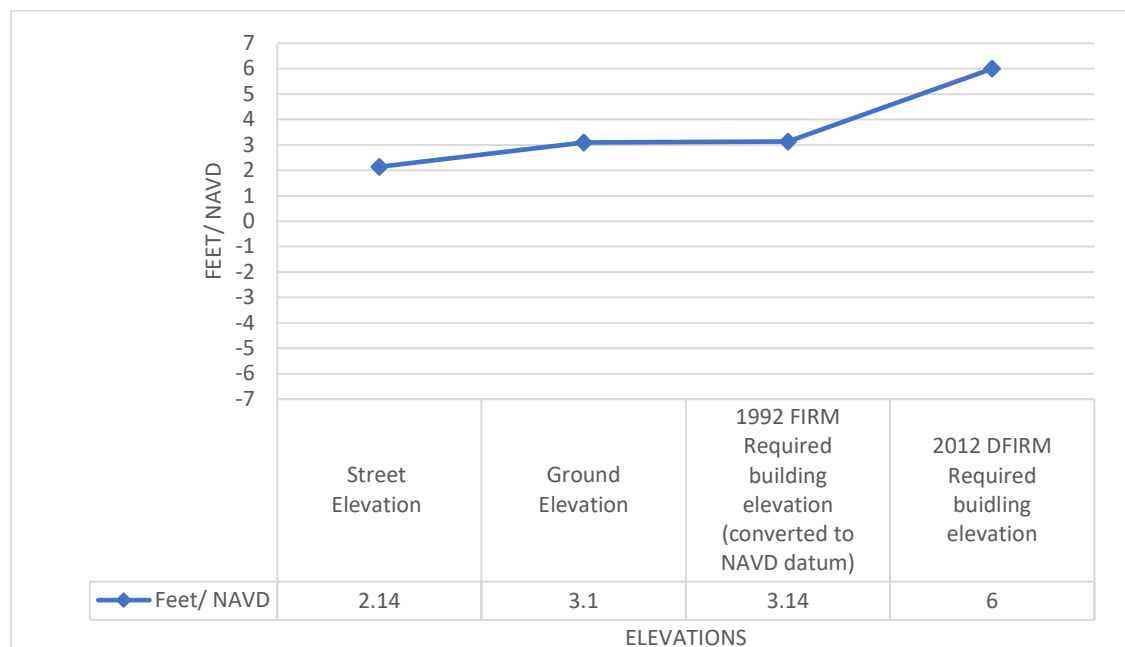
FUTURE LAND USE RECOMMENDATION: Commercial

TRAFFIC ACCESS: THE SITE The site plan suggests access will be from Wisner and Cadow Streets, and the site is subject to a stipulation that heavy vehicles must exit toward Highway 90.

UTILITIES: Standard utilities are available for the site.

FLOOD ZONE: The “effective” flood insurance rate map (1992 FIRM) shows the site in a shaded-X zone, which is not a special flood hazard area; the “preliminary” flood insurance map (2012 DFIRM) shows the property in a special flood hazard area with a base flood reaching as high as +5 ft NAVD 88.

MINIMUM REQUIRED BUILDING ELEVATION: +5 ft. NAVD 88



APPLICABLE CODE REGULATION(S)

Appendix A. Section XX. Flood Damage Prevention, E.2.b

b. Nonresidential construction: New construction and substantial improvements of any commercial, industrial, or other nonresidential structure shall either have the lowest floor elevated to the level of the base flood elevation, or, together with attendant utility and sanitary facilities, shall: 1. Be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water; and 2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

A registered professional engineer or architect shall develop and/or review the structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific

elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Director of Planning and Zoning.

Appendix A. Section XX. Flood Damage Prevention, D.5 Variance Procedures

a. Appeal Board:

1. The Zoning Board of Adjustments, as established by St. Charles Parish, shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
2. Omitted
3. Omitted
4. In formulating decisions on such applications, the Zoning Board of Adjustments shall consider all technical evaluations, all relevant factors, and all standards contained in this Ordinance, including the list of parameters cited in section D.2. Upon consideration of the stated criteria, the Zoning Board of Adjustments may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Ordinance.
5. The Director of Planning and Zoning shall maintain the records of all appeal actions, including technical information, and shall report variances to the Federal Emergency Management Agency upon request.

b. Conditions for Variances.

1. **Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre (21,780 sq. ft.) or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level**, providing the relevant factors in section D.2. (see reference below) of this Ordinance have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variances increases.
2. Variances may be issued for reconstruction, rehabilitation, or restoration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Ordinance.
3. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
4. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
5. **Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.**
6. **Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.**
7. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use **provided that (i) the criteria outlined in section D.5. are met**, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

Appendix A. Section XX. Flood Damage Prevention

C. General Provisions:

1. Omitted
2. **Basis for Establishing the Areas of Special Flood Hazard.** The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for the Parish of St. Charles," stamped preliminary June 27, 1991, with accompanying Flood Insurance Rate Maps is hereby adopted by reference and declared to be a part of this section. The Flood Insurance Study is on file at the St. Charles Parish Courthouse, River Road, Hahnville, Louisiana. **In addition, for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rates Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St. Charles," stamped Revised Preliminary November 9, 2012, shall take precedent over the effective FIRMS where they are more restrictive.**

Appendix A. Section XX. Flood Damage Prevention B. Definitions

12. **Elevated Building**—A nonbasement building (i) built, in the case of a building in Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1—30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, "elevated buildings" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1—30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated

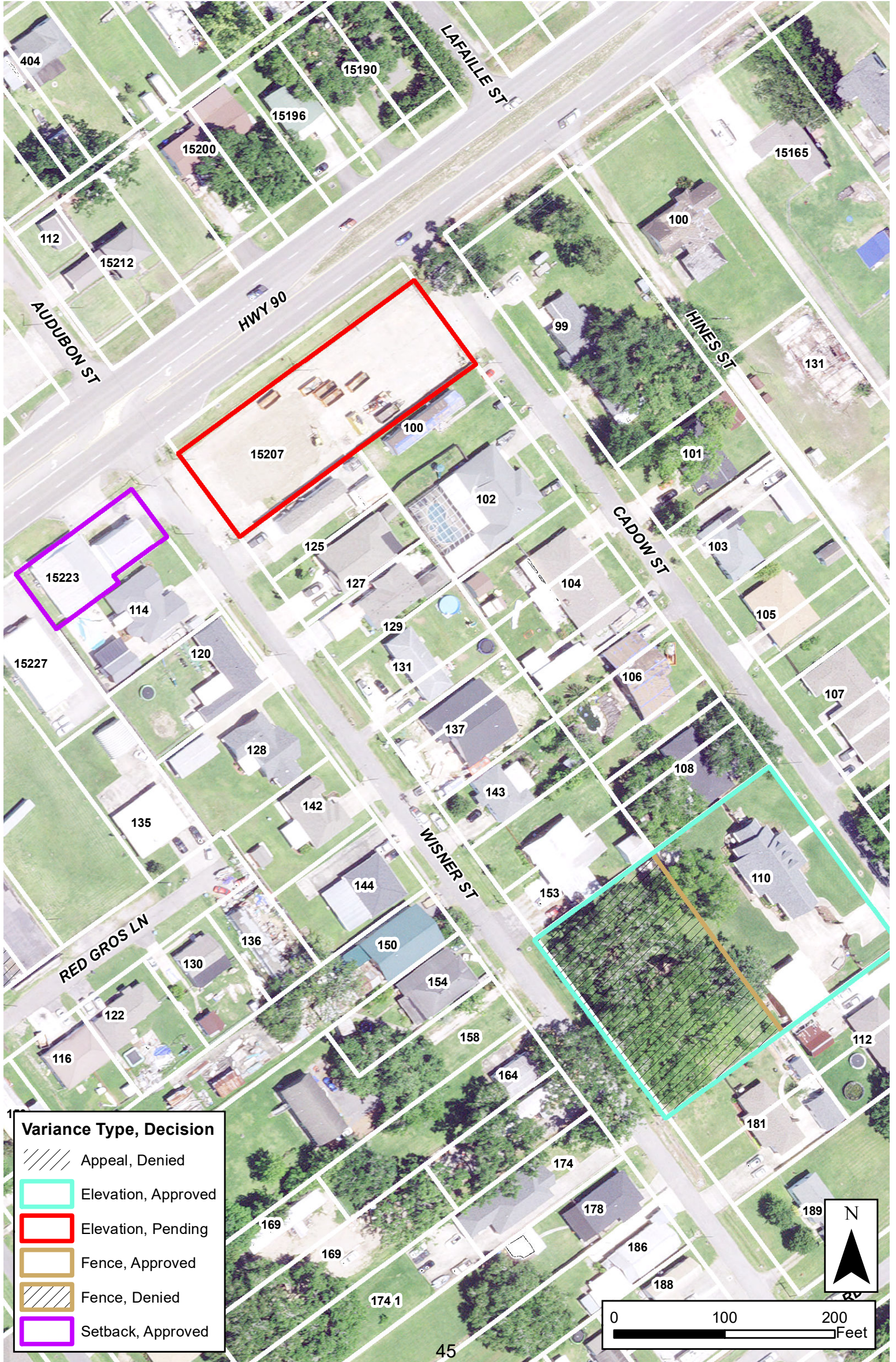
building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of section 60.3(e)(5) of the National Flood Insurance Program.

DEPARTMENT ANALYSIS & FINDINGS

1. The request is to reduce the required elevation for a commercial building on a 24,650 sq. ft. lot.
2. The lot was subdivided in 1998.
3. The lot is over ½ acre in area.
4. The effective Flood Insurance Rate Map (1992 FIRM) shows the lot in a shaded X-zone which is not a Special Flood Hazard Area (SFHA).
5. The minimum elevation in X zones is 1 ft. above the street.
6. The Preliminary Digital Flood Insurance Rate Map (2012 DFIRM) shows the lot in an AE zone, which is a Special Flood Hazard Area with a base flood anticipated to reach +5 ft. NAVD 88.
7. Ordinance 13-7-7 states "...for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rate Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St Charles," stamped Revised Preliminary November 9, 2012 shall take precedent over the effective FIRMS where they are more restrictive."
8. This means the minimum elevation for a building at the site is 5 ft. NAVD 88.
9. The property owner has not demonstrated that placing the structure at the minimum building elevation creates an exceptional hardship on them.
10. The property owner has signed the addendum to the application for a variance from BFE/minimum building elevation requirement and the acknowledgement and indemnification agreement.
11. The Zoning Board of Adjustment has not reduced the minimum building elevation for non-residential construction in the area. The only elevation variance in the vicinity was for an accessory structure at 110 Cadow Street to be built at +2.3 ft. where the requirement was +5 ft. NAVD 88 (2021-1-ZBA).
12. In order to meet regulations, the property owner could either have the lowest floor elevated to the level of the base flood elevation, or, design utility and sanitary facilities so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water; with structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
13. If FEMA requires the Parish to adopt the DFIRM or any map that shows the property in a SFHA, it could become mandatory for a mortgagor of the property to purchase flood insurance within six months of the adoption of the map. The cost could be extremely high.

2023-34-ZBA David Muskevitch for Triple MBM Properties

Reduce the required elevation for a commercial building





ST. CHARLES PARISH
DEPARTMENT OF PLANNING AND ZONING
APPLICATION TO THE ZONING BOARD OF ADJUSTMENT

APPLICATION FEE:
 Single-Family Residential: \$150
 All Other: \$250

P.O Box 302 • Hahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

Municipal Address of Request 15207 Hwy 90

City Paradis State La Zip 70080

Subdivision farm lots Lot 5A Block _____ Section 39

Owner/Applicant Name David B muskevitch

Mailing Address 4234 Hwy 90

City Des Allemands State La Zip 70030

Phone # 985-722 6101 Email global fabrication@mail.com

APPLICANT TESTIMONY: Why can't your project meet the zoning regulations? Additional Height of slab would require entrance of building to black driveway into property.

Please attach any additional information to clarify or explain your request to the Board.

OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF ST. CHARLES

OWNER:
David B muskevitch being duly sworn,
 (Print Name)
 deposes and states (i) that he or she is the owners of the property described in this application; (ii) that all statements contained in this application are true to the best of his knowledge and belief; and (iii) that he or she authorizes the foregoing petition.
[Signature]
 (Signature of owner)

NOTARY PUBLIC:
 Subscribed and sworn to before me this 18th day
 of August, 2023 in my
 office at Luling,
 Louisiana.
[Signature]
 (Signature of Notary Public)

FOR OFFICE USE ONLY:

ZBA Case #: 2023-34-ZBA Property Identification #: 45210070005A Date submitted: 8/18/23
 Receipt #: 12811722 Flood Zone: _____ Zoning District: C3
 Subdivision Name: Paradis Farm lots
 Square # _____ Lot # 5A Block 7 Property sq. ft. _____
 Code Section being appealed: _____



ST. CHARLES PARISH
DEPARTMENT OF PLANNING AND ZONING
APPLICATION TO THE ZONING BOARD OF ADJUSTMENT

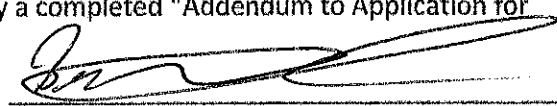
P.O Box 302 • Hahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

The Zoning Board of Adjustments uses the following criteria to base their decision:

1. No variance will be considered or granted as to the permitted use as this could constitute a spot zone.
2. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and are not generally applicable to other lands, structures or buildings in the same zoning district.
3. Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
4. The special conditions and circumstances do not result from the actions of the applicant.
5. Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands, structures or buildings in the same district or similarly situated.
6. The variance, if granted, will not alter the essential character of the locality.
7. Strict adherence to the regulation by the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience.
8. The request for the variance is not based primarily upon a desire to serve the convenience or profit of the property owner or other interested party(s). Financial hardships shall not be considered as valid criteria for any such variance to existing regulations.
9. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

CHECKLIST OF APPLICATION REQUIREMENTS: Please review this section with the Department of Planning & Zoning.

1. Application, completed, signed by all property owners, and notarized. For corporations, the application must be signed by an authorized representative and accompanied by a corporate resolution.
2. Copy of the deed (Available at the Clerk of Court's office).
3. Name and mailing address of all abutting and adjacent property owners (Available at the Assessor's Office).
4. Surveys, site/ project plans, photographs, and other relevant information needed to show cause for a variance.
All surveys and plans must show lot dimensions, square footage of existing structures and proposed structures, existing and proposed mechanical equipment, and setback distances.
5. Fee: \$150 for single-family residential or \$250 for all other applications
(Check, Money Order, Debit/ Credit processing fee of 3%).
6. Floodplain Variance Applications must be accompanied by a completed "Addendum to Application for Variance from Base Flood Elevation Requirements" form.



(Signature of reviewer confirms that application is complete)

Testimony relative to the application must be provided by the property owner or a representing attorney.

The Zoning Board of Adjustment public hearing is scheduled on September 21st, 2023
 (DATE)



PARISH OF SAINT CHARLES
DEPARTMENT OF PLANNING AND ZONING

**ADDENDUM TO APPLICATION FOR VARIANCE FROM
BASE FLOOD ELEVATION REQUIREMENTS**

- A. The applicant is cautioned that if this request for a variance is granted, the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage).
- B. Applicants are cautioned that continued local participation in the Federal Flood Insurance program can only be assured by adherence to Federal guidelines for the granting of variances to established base flood elevations. One vital requirement is that "failure to grant the variance would result in exceptional hardship to the applicant." Applicants must present their reasons for such hardship at a public hearing on the request.
- C. In order to ensure proper consideration of each request, Federal Floodplain Management monitors require that applicants provide detailed responses containing appropriate technical data from an appropriate professional consultant (i.e., engineer, landscape architect, etc.) This data should be presented according to the required Base Flood Elevation (BFE) should include a complete discussion of the alternatives considered and why they are considered unavailable. Generalized conclusions are insufficient to justify a determination of "exceptional hardship." Data relating to hardship experienced if the variance is not granted must provide specific information regarding each impact.

COMPLETE THE FOLLOWING:

1. Is the property contiguous to and surrounded by lots with existing structures constructed below the base flood elevation? yes
2. Is the property listed on the National Register of Historic Places or State Inventory of Historic Places. (If yes, please provide related information on a separate sheet, including data related to the registration status after project completion). Yes _____ No X
3. What alternative methods have been explored so that the proposed structure may meet the base flood elevation and why are they not appropriate? (Provide information on a separate sheet.)
4. Describe the exceptional hardship to the applicant which would result if a variance was not granted. (Provide information on a separate sheet along with supporting documentation.)
5. Describe the exceptional hardship to the surrounding properties if the variance was not granted. (Provide information on a separate sheet along with supporting documentation.)
6. Is your lot size less than one-half (1/2) acre? no
(As the lot size increases beyond one-half (1/2) acre, the technical justification required for issuing a variance increases.)
7. Provide the following information and attachments:
 - A. Properly executed authentic act of Acknowledgement, Indemnification, and Hold Harmless (see attached)
 - B. Total square footage of parcel: 24552
 - C. Existing average grade at center of property and existing grades of all corners: See Survey
 - D. Existing center line street grades: 3.10 NGVD 2.14 NAVD
 - E. Distances from property lines and any existing structures on abutting properties and the elevations of those structures: 16' 4.1 NGVD 3.1 NAVD
 - F. Any other physical features which may affect the granting or denial of the application (i.e. drainage canals, levees, etc.): _____
 - G. Photographs of the property and adjacent properties.
 - H. Any other pertinent information or documents to support this request.

Acknowledgement and Indemnification Agreement for Elevation Variances

STATE OF LOUISIANA, PARISH OF ST. CHARLES

BEFORE ME, the undersigned Notary, and in the presence of the two undersigned witnesses, appeared

David B Muskevitsch, (hereinafter "appearers"). The appearers acknowledged
(NAME)

that they are the owners of the property located at 15207 Hwy 90
(ADDRESS)

Paradis La 70080, and that said property was acquired by
(CITY, STATE, ZIP)

Instrument registered in the official records of St. Charles Parish at COB _____ FOLIO _____.

Appearers further acknowledge that they are requesting a variance from St. Charles Parish's flood elevation requirements, based on the Federal Emergency Management Agency's (FEMA) Preliminary

Digital Flood Insurance Rate Maps (DFIRM) for the purpose of constructing a building(s). The FEMA

Preliminary DFIRM is 5.0; however, the building(s) elevation will meet the National Flood

Insurance Program (NFIP) effective map requirements at 3.60 NAVIS

Appearers release and hold harmless the parish of St. Charles, all Departments, Agencies, Boards and

Commissions, as well as its officers, agents, servants, employees, and volunteers, from any and all

claims, demands, causes of action, expense, and liability as a result of the granting of a variance at the

request of the appearers.

Done and passed before me this 18th day of August, 2023.

WITNESSES:

Heather St Amant
(Signature)
Heather St Amant

Hendrick Smith
(Print Name)
Hendrick Smith

Garrett C. Monti
NOTARY PUBLIC

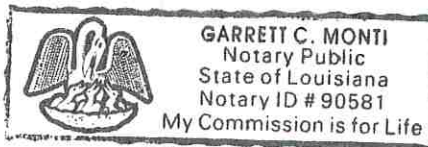
Garrett C. Monti
(Print Name)

BAR NO. 90581

APPEARERS:

DMG
(Signature)

David B Muskevitsch
(Print Name)



GASSEN SURVEYING, LLC

1026 GASSEN ST
Luling, LA 70070

GRADE CERTIFICATE

August 16, 2023

Lot Number: 5A

Square:

Subdivision: of a Subdivision of Farm Lots 6 & 7

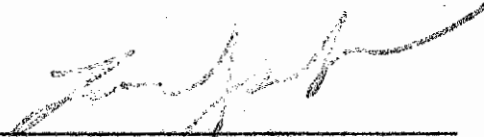
Municipal No.: 15207 Highway 90

Firm Zone: X
DFIRM ZONE: AE

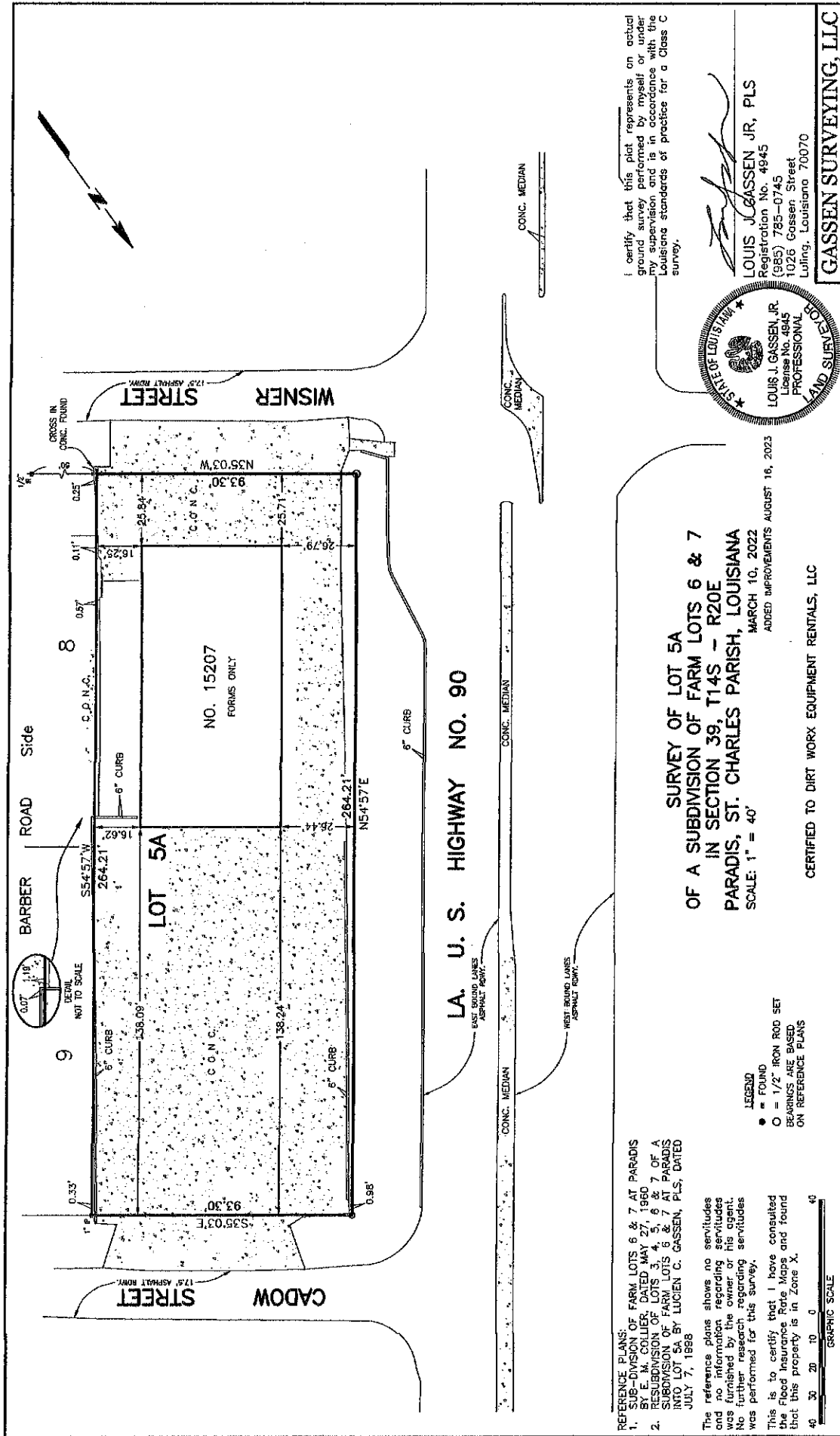
Base Flood Elevation: N/A NGVD
DFIRM Advisory Base Flood Elevation: 5.00 NAVD

Top of Form Elevation:	4.56	NGVD
		3.60	NAVD
Existing Street Elevation:	3.10	NGVD
		2.14	NAVD
Adjacent Ground Elevation:	4.1	NGVD
		3.1	NAVD

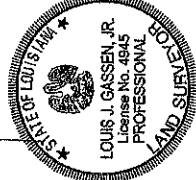




Louis J. Gassen, Jr., PLS
Registration No. 4945



I certify that this plot represents an actual ground survey performed by myself or under my supervision and is in accordance with the Louisiana standards of practice for a Class C survey.



LOUIS J. GASSEN, JR., PLS
 Registration No. 4945
 (985) 785-0745
 1026 Gassen Street
 Luling, Louisiana 70070

GASSEN SURVEYING, LLC

**SURVEY OF LOT 5A
 OF A SUBDIVISION OF FARM LOTS 6 & 7
 IN SECTION 39, T14S - R20E
 PARADIS, ST. CHARLES PARISH, LOUISIANA
 SCALE: 1" = 40'**

MARCH 10, 2022
 ADDED IMPROVEMENTS AUGUST 16, 2023

CERTIFIED TO DIRT WORK EQUIPMENT RENTALS, LLC

REFERENCE PLANS:
 1. SUB-DIVISION OF FARM LOTS 6 & 7 AT PARADIS BY E. M. COLLIER, DATED MAY 27, 1960
 2. RESUBDIVISION OF LOTS 3, 4, 5, 6 & 7 OF A SUBDIVISION OF FARM LOTS 6 & 7 AT PARADIS INTO LOT 5A BY LUCIEN C. GASSEN, PLS, DATED JULY 7, 1988

The reference plans shows no servitudes and no information regarding servitudes was furnished by the owner or his agent. No further research regarding servitudes was performed for this survey.

This is to certify that I have consulted the Flood Hazard Rate Maps and found that this property is in Zone X.

LEGEND
 ● = FOUND
 ○ = 1/2" IRON ROD SET
 BEARINGS ARE BASED ON REFERENCE PLANS



GENERAL NOTES

1. ALL DIMENSIONS ARE TO UNFINISHED SURFACE UNLESS NOTED OTHERWISE.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE (IBC) AND ALL APPLICABLE LOCAL ORDINANCES.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL MECHANICAL CODE (IMC) AND ALL APPLICABLE LOCAL ORDINANCES.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL PLUMBING CODE (IPC) AND ALL APPLICABLE LOCAL ORDINANCES.
5. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL FIRE MARSHAL CODE (IFMC) AND ALL APPLICABLE LOCAL ORDINANCES.
6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL ELECTRICAL CODE (IEC) AND ALL APPLICABLE LOCAL ORDINANCES.
7. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL MECHANICAL CODE (IMC) AND ALL APPLICABLE LOCAL ORDINANCES.
8. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL PLUMBING CODE (IPC) AND ALL APPLICABLE LOCAL ORDINANCES.
9. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL FIRE MARSHAL CODE (IFMC) AND ALL APPLICABLE LOCAL ORDINANCES.
10. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL ELECTRICAL CODE (IEC) AND ALL APPLICABLE LOCAL ORDINANCES.

HVAC

1. ALL MECHANICAL SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL MECHANICAL CODE (IMC) AND ALL APPLICABLE LOCAL ORDINANCES.
2. ALL MECHANICAL SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL MECHANICAL CODE (IMC) AND ALL APPLICABLE LOCAL ORDINANCES.
3. ALL MECHANICAL SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL MECHANICAL CODE (IMC) AND ALL APPLICABLE LOCAL ORDINANCES.
4. ALL MECHANICAL SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL MECHANICAL CODE (IMC) AND ALL APPLICABLE LOCAL ORDINANCES.

CODE REFERENCE:
INTERNATIONAL MECHANICAL CODE - LATEST EDITION
IRC 2012 CHAPTERS 24 THROUGH 43

PLUMBING

1. ALL PLUMBING SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL PLUMBING CODE (IPC) AND ALL APPLICABLE LOCAL ORDINANCES.
2. ALL PLUMBING SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL PLUMBING CODE (IPC) AND ALL APPLICABLE LOCAL ORDINANCES.
3. ALL PLUMBING SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL PLUMBING CODE (IPC) AND ALL APPLICABLE LOCAL ORDINANCES.
4. ALL PLUMBING SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL PLUMBING CODE (IPC) AND ALL APPLICABLE LOCAL ORDINANCES.

CODE REFERENCE:
INTERNATIONAL PLUMBING CODE - LATEST EDITION
IPC 2012 CHAPTERS 24 THROUGH 33

OPENING SCHEDULE

NO.	SIZE	DESCRIPTION
1	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
2	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
3	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
4	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
5	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
6	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
7	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
8	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
9	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
10	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
11	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
12	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
13	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
14	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
15	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
16	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
17	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
18	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
19	12'-0" x 12'-0"	EXTERIOR GLASS DOOR
20	12'-0" x 12'-0"	EXTERIOR GLASS DOOR

CODE REFERENCE:
INTERNATIONAL BUILDING CODE - LATEST EDITION
IBC 2012 CHAPTERS 24 THROUGH 33

FLOOR PLAN

CAVITERS SERVICES
(800) 555-1234

6000 SQUARE FEET

OFFICE INDUSTRIAL SHOP
2200 SQUARE FEET
2800 SQUARE FEET

REVISIONS

NO.	DATE	BY	DESCRIPTION
1			ISSUED FOR PERMIT
2			REVISIONS

BUILDING FOR:
DIRT WORK EQUIPMENT RENTALS
1500 W. MAIN ST.
PARADISE, CALIFORNIA 95969

DATE: 11 APRIL 2022

SCALE: 1/4" = 1'-0"

REVIEWED FOR:
STATE FIRE MARSHAL
LARRY L. LEE
1500 W. MAIN ST.
PARADISE, CALIFORNIA 95969

ROOM FINISH SCHEDULE

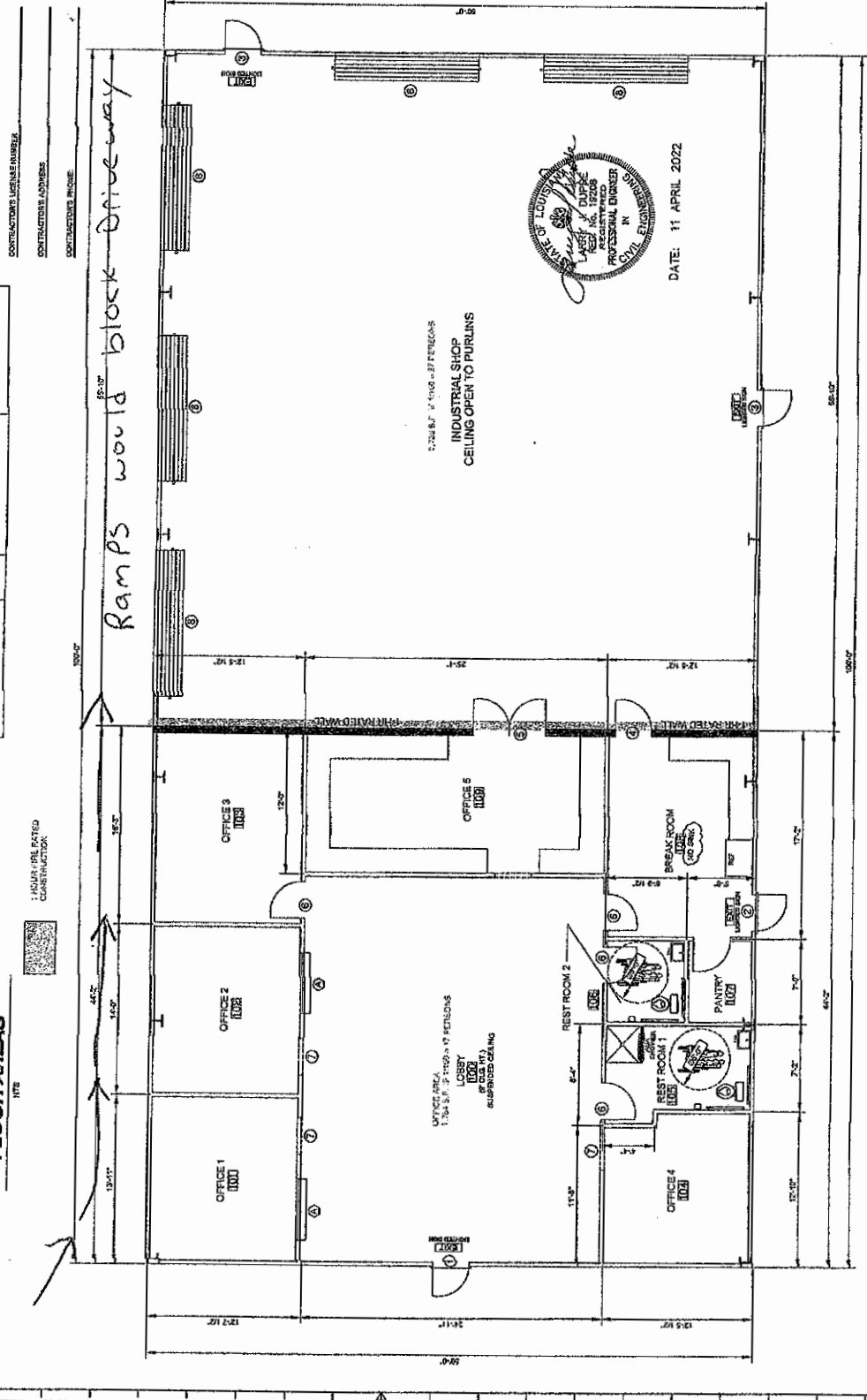
SPACE	FLOOR	WALL	CEILING	DOOR	OPEN WALL	OPEN CEILING
OFFICE	CONCRETE	CONCRETE	CONCRETE	CONCRETE	CONCRETE	CONCRETE
INDUSTRIAL SHOP	CONCRETE	CONCRETE	CONCRETE	CONCRETE	CONCRETE	CONCRETE

SUMMARY OF USE AREAS

Room	Area (S.F.)	Load Factor	Occupancy
OFFICE	2200 S.F.	100 S.F. / PERSON	22 PEOPLE
INDUSTRIAL SHOP	2800 S.F.	100 S.F. / PERSON	28 PEOPLE
TOTAL OCCUPANTS			50 PEOPLE

FLOOR AREAS

1 HOUR FIRE RATED CONSTRUCTION



FLOOR PLAN
1/4" = 1'-0"



**Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2023-35-ZBA**

GENERAL APPLICATION INFORMATION

NAME/ADDRESS OF APPLICANT:

TyShiaka Harrison
116 Kenner Lane
Montz, LA 70068
(504) 274-7542; harrisontyshiaka@gmail.com

LOCATION OF SITE:

116 Kenner Lane, Montz

REQUESTED ACTION:

Reduce the required front setback from 15 ft. to 10.12 ft. and reduce the required rear setback from 5 ft. to 2 ft. for placement of a manufactured home.

SITE INFORMATION

SIZE OF PROPERTY: 5,339 sq. ft.

EXISTING ZONING: R-1A(M), Single family residential detached conventional homes, manufactured homes, and mobile homes—Medium density

SURROUNDING ZONING AND LAND USE: R-1A(M); the site is located on a street developed with site-built homes and manufactured/mobile homes.

FUTURE LAND USE RECOMMENDATION: Residential High

TRAFFIC ACCESS: Kenner Lane

BASE FLOOD ELEVATION (BFE): X; DFIRM: X

APPLICABLE CODE REGULATION(S)

Appendix A. Section VI. Zoning District Criteria and Regulations

B. Residential Districts

[II.] R-1A(M). Single family residential detached conventional homes, manufactured homes, and mobile homes—Medium density.

2. Spatial Requirements: 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.

DEPARTMENT ANALYSIS & FINDINGS

1. Ms. Harrison contacted Planning and Zoning on August 10, 2023 inquiring about required setbacks for her property at 116 Kenner Lane, Lot A-1.
2. On August 23, 2023 an application was submitted requesting a variance from the required front yard and rear yard setbacks to accommodate placement of a manufactured home.
3. Lot A-1 was created through resubdivision in 2000 (PZS-2000-12) with dimensions of 62 ft. wide and 88.12 ft. deep.
4. Lot A-1 is currently improved with a 14 ft. wide x 66 ft. long manufactured home which meets required setbacks for the R-1A(M) district.
5. The existing manufactured home would be removed and replaced with a new unit measuring 16 ft. wide x 76 ft. long.
6. Granting the variance would reduce the front yard setback requirement from 15 ft. to 10.12 ft. and reduce the rear yard setback from 5 ft. to 2 ft.
7. The Zoning Board of Adjustments has not heard similar variance requests in the area.
8. To meet zoning district requirements a manufactured home of shorter length could be acquired.



ST. CHARLES PARISH
DEPARTMENT OF PLANNING AND ZONING
APPLICATION TO THE ZONING BOARD OF ADJUSTMENT
 P.O Box 302 • Hahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

APPLICATION FEE:
 Single-Family Residential: \$150
 All Other: \$250

Municipal Address of Request 116 Kenner Lane

City Montz State La Zip 70068

Subdivision _____ Lot A-1 Block _____ Section _____

Owner/Applicant Name Ty Shiaka Harrison

Mailing Address 116 Kenner Lane

City Montz State La Zip 70068

Phone # (504) 274-7542 Email harrison.tyshika@gmail.com

APPLICANT TESTIMONY: Why can't your project meet the zoning regulations? It would require a 10.12 ft. setback from the street in which 13 ft would be normally required - and 2 ft from back property line in which 5 ft. would be normally required.

Please attach any additional information to clarify or explain your request to the Board.

OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF ST. CHARLES

OWNER:
Ty Shiaka Harrison being duly sworn,
 (Print Name)
 deposes and states (i) that he or she is the owners of the property described in this application; (ii) that all statements contained in this application are true to the best of his knowledge and belief; and (iii) that he or she authorizes the foregoing petition.
Ty Shiaka Harrison
 (Signature of owner)

NOTARY PUBLIC:
 Subscribed and sworn to before me this 18th day
 of August, 2023 in my
 office at La Place,
 Louisiana.
[Signature] my Commission is for life
 (Signature of Notary Public) Cashier E. Minor # 29986 SEAL

FOR OFFICE USE ONLY:

ZBA Case #: 2023-35-ZBA Property Identification #: 601700000A-1 Date submitted: 8/18/23
 Receipt #: 12812104 Flood Zone: _____ Zoning District: R-1A(m)
 Subdivision Name: Frank Oliver Estate
 Square # _____ Lot # A-1 Block _____ Property sq. ft. 5,463
 Code Section being appealed: App A, Sec VII B [1] 2 (1)(3)(4) - setbacks

Tyshiaka Harrison

August 18, 2023

116 Kenner Lane

Montz, La 70068

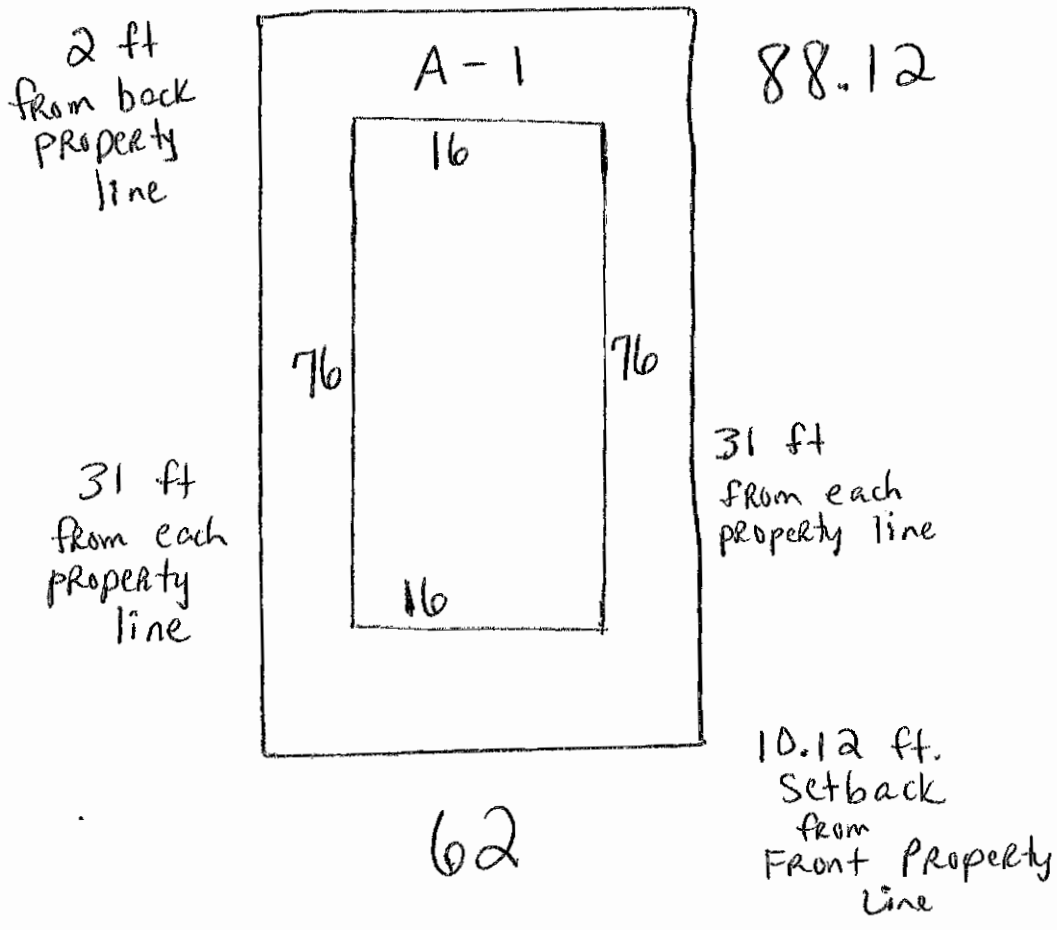
Planning and Zoning

To Whom It May Concern:

I am writing this letter because I was a victim of Hurricane Ida in August 2021 that caused my home a great deal of damage. I evacuated to Houston, Tx and stayed in a hotel for several months until I was able to start making repairs on my home. Some repairs were way too costly to even consider fixing. I have mainly been residing with relatives and friends on and off because my mobile home also has mold in the walls and ceilings, which causes me to have respiratory issues and allergic reactions. I was recently blessed to receive an award letter from Restore Louisiana for a replacement mobile home, which is 16x76 in size (not including the tongue). My property is 62 in width and 88.12 in feet. The new mobile home would require me to have a variance approval. In an effort for me to move back to my residence permanently, I am asking you to take into consideration my request for a variance of a "setback of 10.12 feet from the street and 2 feet from the back property line to be able to place my new mobile home. (Normal requirements are 13 ft from the street and 5 feet from back property line).

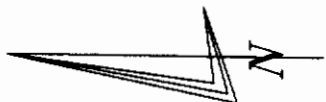
Sincerely,

Tyshiaka Harrison

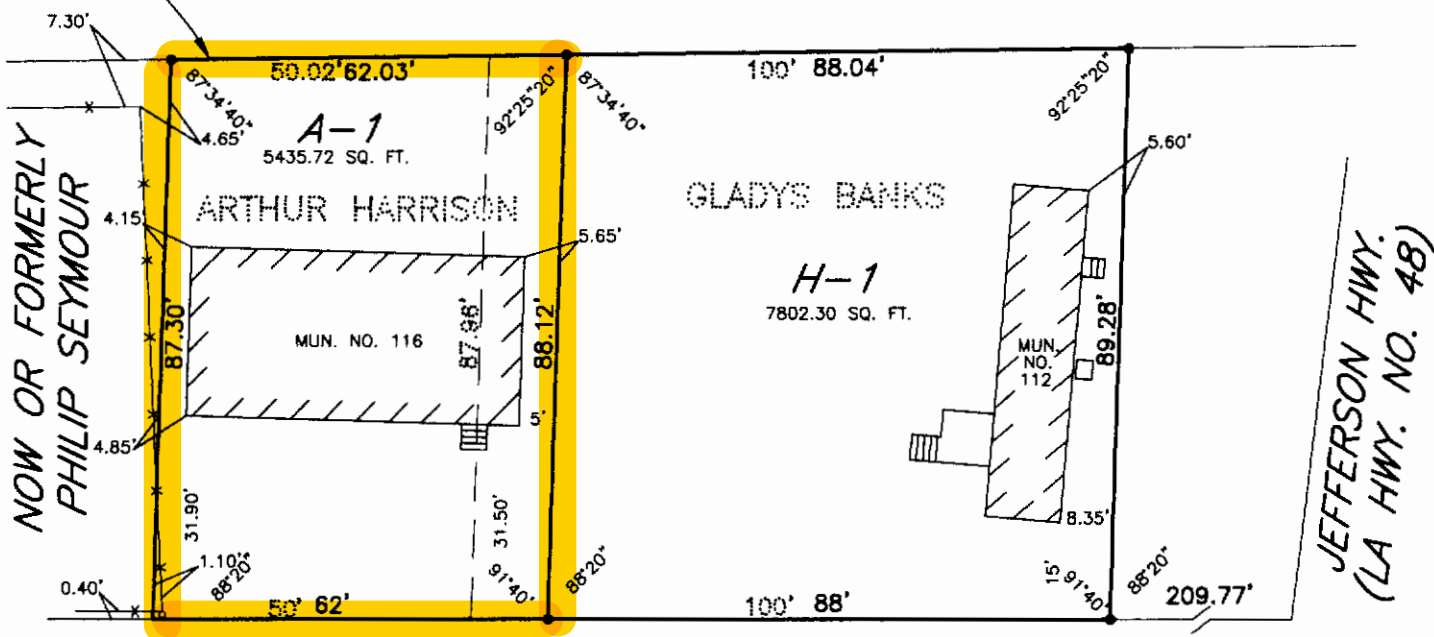


 Kennek Lane


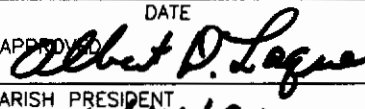
PZS - 2000-12



EAST OR LOWER LINE OF THE FRANK OLIVER ESTATE



KENNER LANE
(20' R/W)

APPROVED 
 DIRECTOR, PLANNING & ZONING
 02-09-2000
 DATE
 APPROVED 
 PARISH PRESIDENT
 2/14/2000
 DATE

RECORDED IN THE CLERK OF COURT'S OFFICE, ST. CHARLES PARISH ON THE 22 DAY OF Feb, 2000 IN BOOK 565, FOLIO 207, ENTRY NO. 240989


THIS PLAT IS MADE IN ACCORDANCE WITH LOUISIANA RS 33:5050, ET. SEQ. AND ALL REGULATIONS GOVERNING PLATTING.
 1-20-00
 REGISTERED SURVEYOR DATE
 ADDRESS:

RESUBDIVISION OF THE ARTHUR HARRISON & THE GLADYS BANKS PORTIONS OF GROUND INTO LOT A-1 & H-1 FRANK OLIVER TRACT, SECTION 11, T12S-R7E TOWN OF MONTZ ST. CHARLES PARISH, LA

DADING, MARQUES & ASSOCIATES, INC.



P.O. BOX 790
 METAIRIE, LA. 70004
 (504) 834-0200


 SURVEYOR

I CERTIFY THAT THIS SURVEY AND PLAT WAS PREPARED BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION. MADE AT THE REQUEST OF:
 GLADYS BANKS

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

THIS SURVEY MEETS THE MINIMUM REQUIREMENTS FOR A CLASS "C" SURVEY ACCORDING TO THE "LOUISIANA MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS."

DATE:	SCALE:		DRAWN BY:	CHECKED BY:	JOB NO.:	PLAT No.:
1-20-00	1" = 30'	• = IRON ROD	A.H.57	R.T.D.	00-6802	D-204-951

2023-35-ZBA TyShiaka Harrison

Reduce the required front and rear yard setbacks in R-1A(M)

