

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

**CALL TO ORDER
PLEDGE OF ALLEGIANCE**

2023 48 ZBA requested by **Gerry Stock** to reduce the required setback for a generator at **42 Edgewood Drive, Destrehan**. Zoning District R-1A. Council District 3.

2023 49 ZBA requested by **Ryan Espey** to waive the requirement for permanent, dust-free paving for a single-family residence at **3049 Highway 306, Des Allemands**. Zoning District R-1A. Council District 4.

**UNFINISHED BUSINESS -
NEW BUSINESS –
MINUTES – (November 16, 2023)
ADJOURN-**



**Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2023-48-ZBA**

GENERAL APPLICATION INFORMATION

APPLICANT / PROPERTY OWNER:

Gerry & Darra Stock
42 Edgewood Drive
Destrehan, LA 70047
985.764.1930; gerr2424@aol.com

LOCATION:

42 Edgewood Drive, Destrehan; Lot 453, Ormond Country Club – East Side Subdivision

REQUEST:

Reduce the required setback for a residential generator from 5 ft. to 4 ft.

SITE INFORMATION

SIZE OF PROPERTY: 7,700 sq. ft.

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

SURROUNDING ZONING AND LAND USE: surrounding zoning consists of R-1A and R-3; the site is located in a developed residential area, with site-built single family homes on Edgewood Drive and multi-family development adjacent to the Brandon Hall Drive side.

FUTURE LAND USE RECOMMENDATION: Low-Moderate Residential

TRAFFIC ACCESS: Edgewood Drive

BASE FLOOD ELEVATION (BFE): Flood Zone A99; DFIRM AE2.5

APPLICABLE CODE REGULATION(S)

Appendix A. Section X. - Exceptions and modifications

C. Exceptions and Modifications to Use Regulations:

1. Power plants, heating, or cooling plants, or apparatus or machinery which are accessory to permitted uses all districts shall be permitted only if so placed and operated to cause the least inconvenience to owners and tenants of adjoining lots and buildings; and provided that all of the above mentioned activities comply with existing parish ordinances and do not cause serious annoyance or injury to occupants of adjoining premises by reason of the emission of odors, fumes, or gases, dust, smoke, noise or vibration, light or glare, or other nuisance.
Specifically these units are to be placed no closer than five (5) feet to any property line in any O-L or residential zoning districts and no closer than ten (10) feet to any property line in any commercial or industrial zoning district.

DEPARTMENT ANALYSIS & FINDINGS

1. On October 18, 2023, the applicant contacted Planning and Zoning requesting a variance application to address the placement of a generator within 5 ft. of a residential property line.
2. The application was submitted on October 26, 2023 requesting a 1 ft. reduction of the required 5 ft. residential setback for accessory machinery.
3. Lot 453, Ormond Country Club – East Side was platted on May 12, 1977 by J.J. Krebs & Sons, Inc.
4. The Board of Adjustment has not heard a similar request in this area.
5. To meet zoning district requirements the applicant could consider other locations for the proposed generator that would allow for 5 ft. between the generator and the property line.



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 42 EDGEWOOD DR

City DESTREHAN State LA Zip 70047

Subdivision ORMOND Lot 453 Block Sq. 2 Section 1

Owner/Applicant Name GERRY & DARRA STOCK

Mailing Address 42 EDGEWOOD DR

City DESTREHAN State LA Zip 70047



Phone # 985-764-1930 Email GERRY2424@AOL.COM

APPLICANT TESTIMONY: Why can't your project meet the zoning regulations? PLEASE SEE ATTACHED SHEETS (OPTION'S #1 or #2)

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:
DARRA M. STOCK
GERRY F. STOCK 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.
Darra M. Stock
Gerry F. Stock
 (Signature of owner)

NOTARY PUBLIC:
 Subscribed and sworn to before me this 25th day
 of October, 2023 in my
 office at Destrehan, Louisiana
 Louisiana.

 (Signature of Notary Public)


FOR OFFICE USE ONLY:

ZBA Case #: 2023-48-ZBA Property Identification #: 30220000453 Date submitted: 10/26/2023
 Receipt #: 12920958 Flood Zone: A99 Zoning District: R-1A
 Subdivision Name: Ormond Country Club - East Side
 Square # _____ Lot # 453 Block _____ Property sq. ft. 7,700 sq. ft.
 Code Section being appealed: App A. Section VI B [1] 2.(2) - setback

ABBEY A. MACK
 Notary Public
 LA Bar Roll No. 9621
 My Commission Expires at My Death

Instrument not prepared by the Notary Public, attesting to signature only

Applicant Testimony: Why can't your project meet the zoning regulations:

New home generator placement does not comply with code regulation's of 18" off of house and 5' to property line on either side of house nor back yard due to house windows and the location of pool.

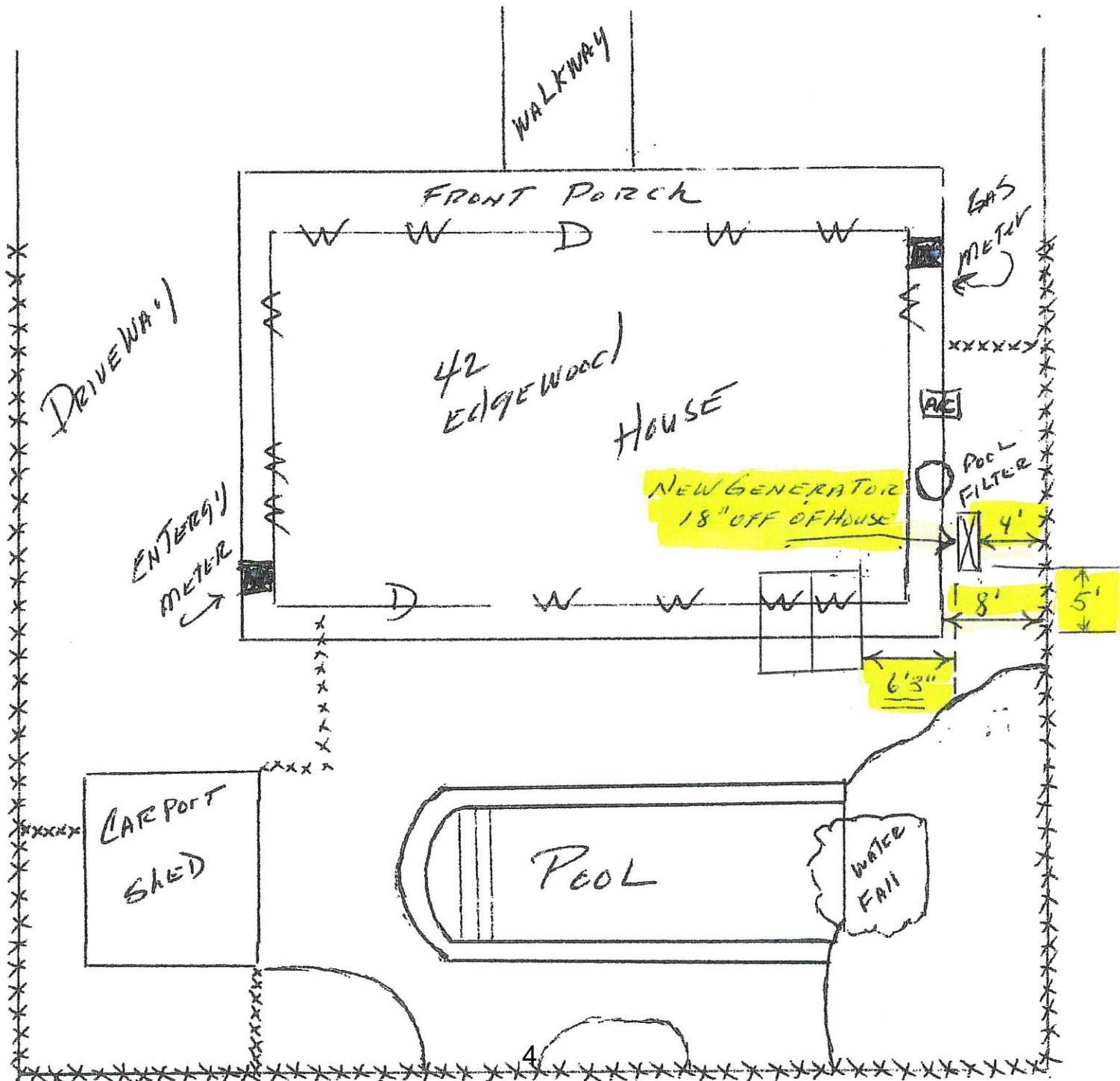
We are requesting new home generator placement to be located 18" off of back corner of house next to pool filter which only leave a 4' clearance from front of generator to fence / property line which is 1' short of required code regulation of 5' needed to property line.

Measurement from house to property line is 8'

Closest window on back of house to generator is 6'3"

STREET

EDGEWOOD DRIVE



2023-48-ZBA Gerry & Darra Stock

Reduce the required setback from a residential property line for a generator installation.





Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2023-49-ZBA

GENERAL APPLICATION INFORMATION

APPLICANT / PROPERTY OWNER:

Ryan Espey
135 Pine Street
Des Allemands, LA 70030
985.718.8483; essentialtts@yahoo.com

LOCATION:

3049 LA 306 (Bayou Gauche Road), Des Allemands; Lot 965-A, Sunset Drainage District

REQUEST:

Waive the requirement for permanent dust-free paving for a residential driveway/parking.

SITE INFORMATION

SIZE OF PROPERTY: 412,758.79 sq. ft. (9.476 acres)

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

SURROUNDING ZONING AND LAND USE: surrounding zoning consists primarily of R-1A, but a portion of the Pine Street side is C-2, and O-L zoning is located across LA 306 to the west; the site is a large tract located between developed single family subdivisions on Pine Street to the north and Michael Drive to the south. Another large tract adjacent to the east is undeveloped and the area to the west across LA 306 is open pasture.

FUTURE LAND USE RECOMMENDATION: Low-Moderate Residential

TRAFFIC ACCESS: Bayou Gauche Road

BASE FLOOD ELEVATION (BFE): X Zone; DFIRM AE6

APPLICABLE CODE REGULATION(S)

Appendix A. Section VIII. - Site design requirements.

Purpose: The regulations of this section are intended to ensure the safe, orderly, and convenient development of the built environment.

A. Off-street parking in general:

2. **Any area where off-street parking is provided (including additional parking areas that are not required by this ordinance) must be surfaced with permanent dust-free paving except for single-family residences in the O-L District which must be surfaced with appropriate materials.**

DEPARTMENT ANALYSIS & FINDINGS

1. On October 20, 2023, a permit application was submitted for the construction of a single-family home on Lot 965-A, municipal address 3049 Bayou Gauche Road Des Allemands.
2. A Site Plan was submitted on October 27, 2023, and updated December 6, 2023, showing a limestone driveway extending 1,367 feet from the LA 306 frontage to the proposed concrete driveway leading to the residence.
3. Permits advised the applicant a limestone driveway is not permitted under R-1A zoning, and was directed to consult a Planner for either a variance or zoning change to O-L.
4. On November 3, 2023, the applicant submitted an application requesting a waiver from the permanent dust-free paving requirement for the proposed driveway.
5. Lot 965 is shown on the original map of the Sunset Drainage District dated December 1, 1925 and has remained undeveloped. It was resubdivided into Lot 965-A as shown on the resubdivision plat by Louis J. Gassen Jr., PLS dated February 6, 2023 (2023-1-MIN).
6. Approval of the variance would allow the proposed residence on Lot 965-A to be developed with an aggregate driveway/parking area instead of the required permanent, dust-free concrete or asphalt.
 - This request is limited to driveway/parking surfacing. Any additional site design requirements concerning parking/traffic circulation applicable to residential development under R-1A zoning would still be required.

7. The Board of Adjustment has not heard a similar request in this area.
8. To meet site design requirements the applicant can submit plans showing the driveway/parking consisting of a permanent dust-free paving surface.



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 3049 LA-304

City Des Allemands State LA Zip 70030

Subdivision Sunset Drainage Dst: 1 Lot 965A Block 965 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? See Attachment

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 3RD
 of NOVEMBER, 2023 in
 office at DES ALLEMANDS
 Louisiana.
[Signature]
 (Signature of Notary Public) **SEAL**

DARRELL B. CHASSON
 Notary Public
 I.D. No. 14193
 Lifetime Commission
 ST. CHARLES PARISH, LA.

FOR OFFICE USE ONLY:

ZBA Case #: 2023-49-ZBA Property Identification #: 40349650965A Date submitted: 11/3/23
 Receipt #: 12928007 Flood Zone: X/AE+G Zoning District: R-1A
 Subdivision Name: Sunset Drainage
 Square # _____ Lot # 965A Block 965 Property sq. ft. _____
 Code Section being appealed: VIII site design requirements, A. Off-street parking 2.

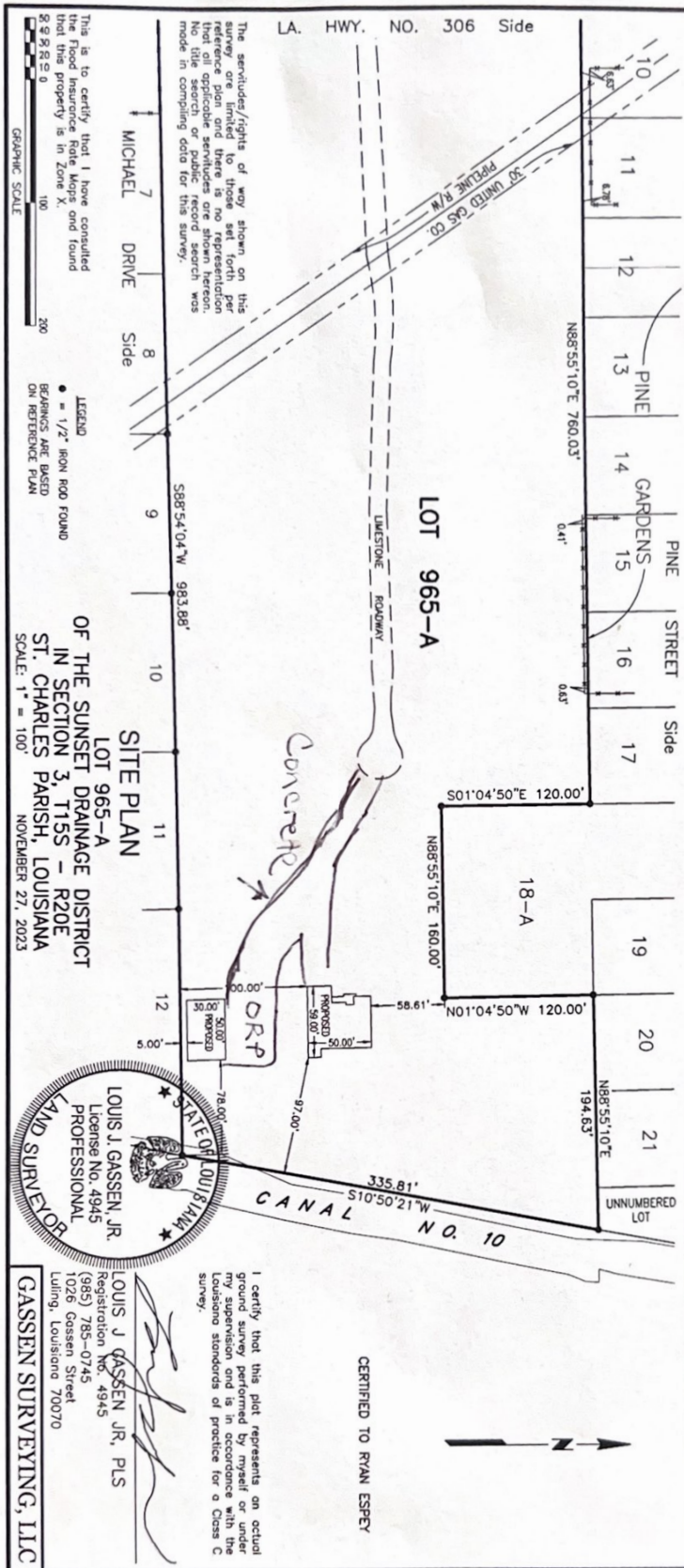
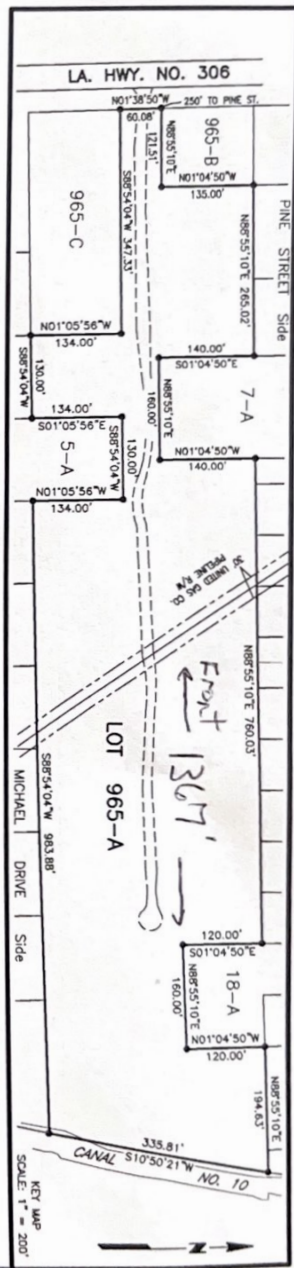
I am requesting a Variance to keep my private driveway to my residence, which will have sufficient concreted area for parking, as is without having to pave the access drive. The 1400' private drive, which currently has a packed asphalt surface, will be used by myself and other adjacent neighbors for rear entry to their residences. Due to the off-road equipment used by multiple users it will be difficult to maintain the road to be a dust free surface if forced to pave it. The virtually dust free drive is 170' from any residential structure on either adjacent road so local impact would be minimal. Also, due to the natural slews with soft underground, maintaining a hard top road would be nearly impossible over time so the gravel top would be more efficient.

Thank you for your consideration,

Ryan Espey



REFERENCE PLAN:
 RESUBDIVISION OF LOT 914 AND A PORTION OF LOT 965 OF
 THE SUNSET DRAINAGE DISTRICT (AKA) KNOWN AS GRAND
 BAYOU ESTATES LOT 9 GRAND BAYOU ESTATES LOT 11 LOT
 THE ADJOINING HALF OF LOTS 8 & 8, BLOCK
 BLOCK 2 PINE GARDENS AND LOT 5 OF SUBDIVISION OF
 LOTS 966, 913 & 903 OF THE SUNSET DRAINAGE DISTRICT
 AND 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, LOTS 9 GASSEN DR, PLS, DAVID FISHBURN
 6, 2023



This is to certify that I have consulted
 the Flood Insurance Rate Map and found
 that this property is in Zone X
 S 9 9 8 8 0
 GRAPHIC SCALE

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

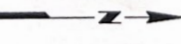
OF THE SUNSET DRAINAGE DISTRICT
 IN SECTION 3, T15S - R20E
 ST. CHARLES PARISH, LOUISIANA
 SCALE: 1" = 100'
 NOVEMBER 27, 2023

LOUIS J. GASSEN, JR.
 License No. 4945
 PROFESSIONAL
 LAND SURVEYOR

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

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.

CERTIFIED TO RYAN ESPEY



2023-49-ZBA Ryan Espey

Waive the requirement for permanent, dust-free paving for a single-family residence.

