

**ST. CHARLES PARISH
PLANNING BOARD OF COMMISSIONERS
January 11, 2024
6:00 P.M.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

- 1 **2023-17-MIN** requested by **Luke Reedy** for a resubdivision of one lot into two, **100 Pecan Street, Hahnville**. Zoning District R-1A. Council District 1. **Requires Planning Commission approval and Parish Council consideration with a supporting resolution.**
- 13 **2023-16-R** requested by **Kim Trahan and Justin Gonzalez** for a change of zoning from R-1A to R-1A(M) on Lot 27A-1, Square 33, New Sarpy Subdivision, **545 W. McAdoo Street, New Sarpy**. Council District 6. **Requires Planning Commission recommendation and Parish Council approval.**

UNFINISHED BUSINESS-

NEW BUSINESS-

MINUTES – (December 7, 2023)

ADJOURN



Department of Planning & Zoning Staff Report – Minor Resubdivision Case No. 2023-17-MIN

APPLICATION INFORMATION

- **Submittal Date:** 12/5/2023
- **Applicant / Property Owner**
Luke Reedy
P.O. Box 475
Luling, LA 70070
504-462-5853; ronmatherne@aol.com
- **Request**
Resubdivision of Lot 1A, Block 1, Section 26, Bayou Pecan Subdivision into Lots 1A-1 and 1A-2, with waivers from the Subdivision Regulations, Appendix C, Section III.C.1.b. Width and Appendix A, Section X.C.1.

SITE INFORMATION

- **Location:** 100 Pecan Street, Hahnville
- **Size of Proposed Lots**
 - Lot 1A-1: 6,550.10 sq. ft.; 58.58' ft. wide
 - Lot 1A-2: 8,775.95 sq. ft.; 77.75' ft. wide
- **Current Zoning:** R-1A, Single Family Residential
- **Current Use**
Lot 1A is developed with a single-family house which will be located on proposed Lot 1A-2. Proposed lot 1A-1 would be vacant.
- **Surrounding Zoning:** R-1A
- **Surrounding Uses**
The site is located in a developed single family residential neighborhood.
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: X Zone
2013 Digital Flood Insurance Rate Map: X
- **Plan 2030 Recommendation**
Low-to-Moderate Residential: Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections (over six dwellings per acre).
- **Traffic Access**
Lot 1A has 136.33 ft. of frontage on Pecan Street, where access is provided via a concrete driveway. This driveway access will be maintained for proposed Lot 1A-2. A driveway culvert must be developed across the open swale drainage along Pecan Street to provide access to proposed Lot 1A-1.
- **Utilities**
Per Parish GIS wastewater and drainage facilities are located on Pecan Street.

Per Waterworks this portion of Pecan Street is not developed with a water main. Each house is individually fed with a service line from Oak Street. To provide service

Waterworks would make the tap at the Oak Street line and trench along the side of Pecan Street to Lot 1A-1.

▪ **Development History**

The site was originally plated as Lots 1 and 2, Bock 1, as shown on the map of Pecan Bayou Subdivision by Harold J. Flynn, PLS dated January 17, 1996 (PZS-96-10).

Lots 1 and 2 were consolidated into current Lot 1A as shown on the resubdivision survey by Stephen P. Flynn, PLS dated August 5, 1998 (PZS-98-84).

APPLICABLE REGULATIONS

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

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

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

2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet per family; minimum width—sixty (60) feet.
 - b. Minimum yard sizes:
 - (1) Front—Twenty (20) feet.
 - (2) Side—Five (5) feet.
 - (3) Rear—Twenty (20) feet.
 - (4) For lots with less than one hundred (100) feet depth, front setback and rear setback shall be twenty (20) percent of lot depth respectively with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line.
 - (5) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
 - c. Accessory buildings:
 - (1) An accessory building may occupy no more than twenty-five (25) percent of the required rear yard.
 - (2) The accessory building shall not exceed two-story construction.
 - (3) Minimum setback of accessory buildings including overhangs, shall be three (3) feet.
 - (4) Nonresidential accessory buildings shall not be permitted.
 - d. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter. For accessory buildings, overhangs shall not be closer than three (3) feet to any property line.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front or rear yard.

Appendix A. Section 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.

Appendix C. Section II. Subdivision Procedure

C. *Minor Resubdivisions.*

1. In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. The plan of resubdivision shall comply with requirements outlined in section II.C.3 of this section, and with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations. The Planning and Zoning Commission may approve or deny the application. The basis for denial shall be stated at the meeting and on the record of the Planning and Zoning Commission.
2. Traffic Impact Analysis. A Traffic Impact Analysis, including all required documentation, shall be submitted in accordance with the Parish's Traffic Impact Analysis Policy.
3. Consecutive Minor Subdivisions. The Minor Resubdivision process is not intended to create major subdivisions from multiple minor subdivisions. Whenever a minor subdivision results in a net increase of lots, parcels, or tracts, no application for a further increase of lots shall be considered by the Planning Commission for a period of two years from the date of recordation unless a majority of the Planning Commission votes to consider the consecutive request to resubdivide into additional lots. This restriction shall not prohibit a property owner from changing boundary lines by administrative resubdivision.
4. Subdivisions and resubdivisions which meet the guidelines contained in Section II.C. of these regulations shall be presented to the Department of Planning and Zoning in the form of a plan which conforms to the laws of the State of Louisiana governing surveying, platting, and subdivision of land. The proposed subdivision shall contain the following information;
 - a. Location of the property.
 - b. Name(s) and address(es) of the owners.
 - c. Name and address of the Land Surveyor preparing the plan as well as the date the survey was prepared. The survey shall be dated within one (1) year of the subdivision application date.

- d. Existing property lines and lot numbers, including names and width of adjoining streets.
- e. Proposed property lines and revised numbers of proposed lots.
- f. Location and dimensions of existing buildings.
- g. Layout and dimensions of all existing, proposed, and required servitudes and rights-of-way, including but not limited to servitudes for sidewalks, utilities, access, drainage ditches, and canals.
- h. Existing lakes and ponds.
- i. North arrow and scale.
- j. The following note shall be added to all resubdivision maps: All necessary sewer, water and/or other utility extensions, relocations or modifications shall be made solely at the lot owner's expense.
- k. Stormwater Pollution Prevention Plan. For Minor Subdivisions that involve more than one (1) acre, the MS4 Administrator may require the submittal of a Stormwater Pollution Prevention Plan and/or Post Construction Stormwater Permit, including all required documentation, in accordance with Chapter 25—Stormwater Management and Erosion and Sedimentation Control.
- l. The following note shall be added to resubdivision maps that result in a net increase of lots: No lot created by this act of subdivision shall be divided in such a way that another net increase in the number of lots occurs for a period of two years.

Appendix C. Section III. Geometric Standards

C. Lots:

- 1. Size. The width, depth, area, and minimum building setback line shall conform to the St. Charles Parish Zoning Ordinance for the type of development.
 - a. Corner Lot. Corner lots shall have extra width to permit setback lines on the side of the lots adjacent to a side street. The extra width shall be sufficient to allow the lot to meet the minimum zoning requirements of the St. Charles Parish Zoning Ordinance excluding the side street setback distance.
 - b. **Width. The lot width at the minimum building setback line shall not be less than that specified by the St. Charles Parish Zoning Ordinance.**

Appendix C. Section V. Administrative

B. Variations and Exceptions.

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

FINDINGS

This minor resubdivision proposes dividing one (1) lot into two (2).

Proposed Lot 1A-1 meets the minimum area requirement for the zoning district, but at 58.58 ft. wide it does not meet the 60 ft. minimum width requirement, specifically item III.C.1.b of Appendix C which states:

- *Width. The lot width at the minimum building setback line shall not be less than that specified by the St. Charles Parish Zoning Ordinance.*

Proposed Lot 1A-2 meets the minimum area and width requirements for the zoning district, and the primary structure will meet the 5 ft. setback to the new side property line. But the resubdivision will result in an existing AC condenser within the required setback as per item X.C.1 of Appendix A which states:

- *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 convenience to owners and tenants of adjoining lots and buildings...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.*

The applicant has requested waivers from both requirements. The department has no objections.

The proposed width for Lot 1A-1 is short by 1.42 ft., but the lot exceeds the minimum area requirement by 550 sq. ft. The resubdivision will also create an opportunity for appropriate infill development, which is referenced in the *St. Charles Parish 2030 Comprehensive Plan Update* in general, and emphasized specifically in Hahnville as a way to improve the population numbers benefit nearby businesses (p. 47).

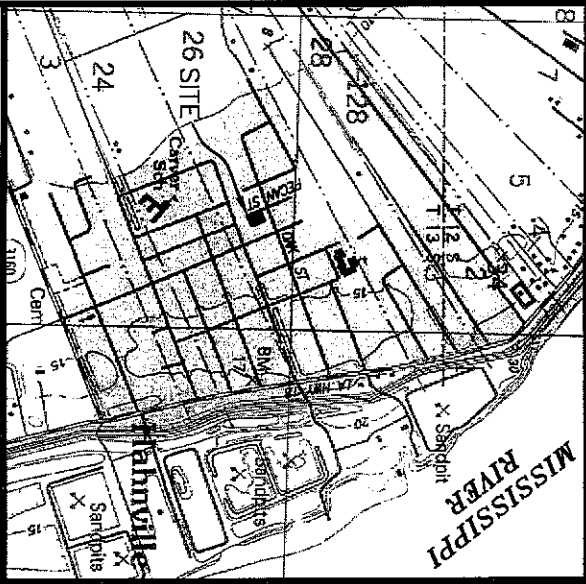
Regarding the existing AC condenser within the setback, accommodating its current location with this resubdivision would further reduce the width for proposed Lot 1A-1, or create an irregularly shaped interior lot line. Additionally, compared to permanent primary and accessory structures, the unit isn't fixed into its current location and could be relocated to a zoning compliant location at the time it's replaced.

DEPARTMENT RECOMMENDATION

Approval.

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

If the setback waiver for the AC unit is approved, this improvement on Lot 1A-2 would be considered a non-conforming structure/site and subject to the requirements of the St. Charles Parish Zoning Ordinance of 1981, Section IX. – Nonconformities.



APPROVALS:
VICINITY MAP
SCALE: 1" = 2000'

St. Charles Parish Planning and Zoning
Commission Chairman

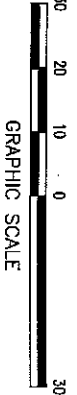
St. Charles Parish Council Chairman

St. Charles Parish President

REFERENCE PLAN:
SURVEY PLAT AND RESUBDIVISION OF LOTS 1 & 2, BLOCK 1, PECAN BAYOU SUBDIVISION INTO A LOT HEREIN DESIGNATED AS LOT 1A, BLOCK 1, PECAN BAYOU SUBDIVISION BY STEPHEN P. FLYNN, PLS. RIVERLANDS SURVEYING COMPANY, DATED AUGUST 5, 1998

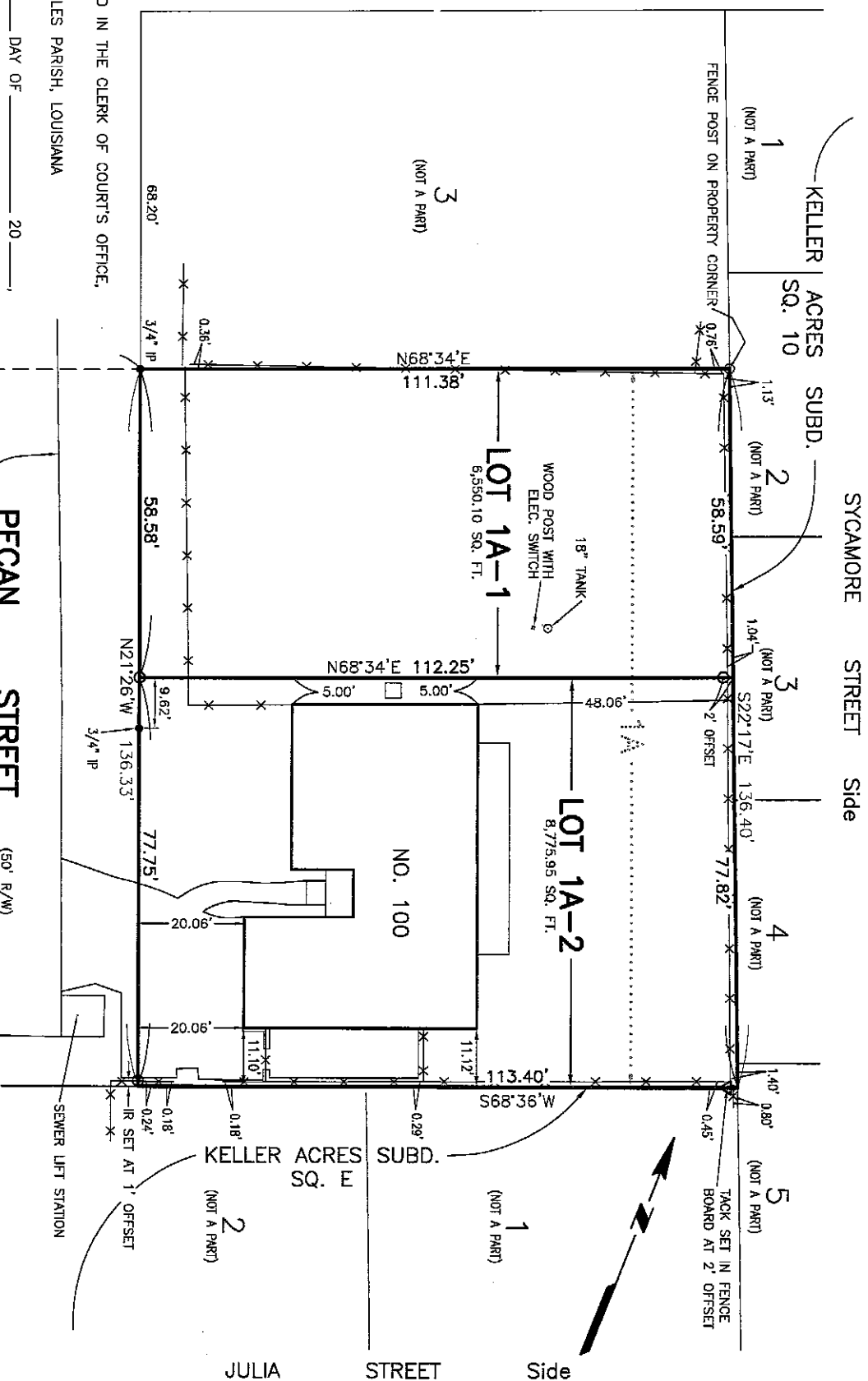
The reference plan shows no servitudes and no information regarding servitudes was furnished by the owner or his agent. No further research regarding servitudes was performed for this survey.

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



GRAPHIC SCALE

OAK STREET



RECORDED IN THE CLERK OF COURT'S OFFICE.

ST. CHARLES PARISH, LOUISIANA

ON THE _____ DAY OF _____ 20____

INSTRUMENT NUMBER _____

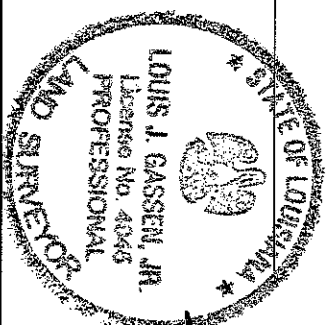
NOTE: NECESSARY SEWER, WATER AND/OR OTHER UTILITY EXTENSIONS, RELOCATIONS OR MODIFICATIONS SHALL BE MADE BY AND SOLELY AT THE LOT OWNER'S EXPENSE.

LEGEND

- = FOUND
 - = 1/2" IRON ROD SET
 - ▽ = TACK SET
 - IP = IRON PIPE
 - IR = IRON ROD
 - = FENCE
- BEARINGS ARE BASED ON REFERENCE PLAN

RESUBDIVISION OF LOT 1A, BLOCK 1
PECAN BAYOU SUBDIVISION
INTO LOTS 1A-1 & 1A-2
IN SECTION 26, T13S - R20E
ST. CHARLES PARISH, LOUISIANA
NOVEMBER 27, 2023
SCALE: 1" = 30'

CERTIFIED TO LUKE REEDY



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

Name: Luke Reedy

Address: 100 Pecan St Hanksville LA 70057

Case Number: 2023-17-MIN

Members of the St. Charles Parish Planning Commission:

This minor resubdivision request does not meet all requirements of the St. Charles Parish Subdivision Regulations of 1981, specifically:

- **Appendix C. Section III. C.1.b. Width.** The lot width at the minimum building setback line shall not be less than that specified by the St. Charles Parish Zoning Ordinance.
- **Appendix A. Section X. C.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.**

The literal enforcement of these provisions of the ordinance is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question, which includes:

- A/C is currently on side of house. The rear of house has a porch that spans the entire house making it almost impossible to relocate it in the rear. The area in the rear also has a large section of pavers which leaves even less room to relocate to. No good viable location to reset in rear and opposite side would also put it within 5 feet of property line.

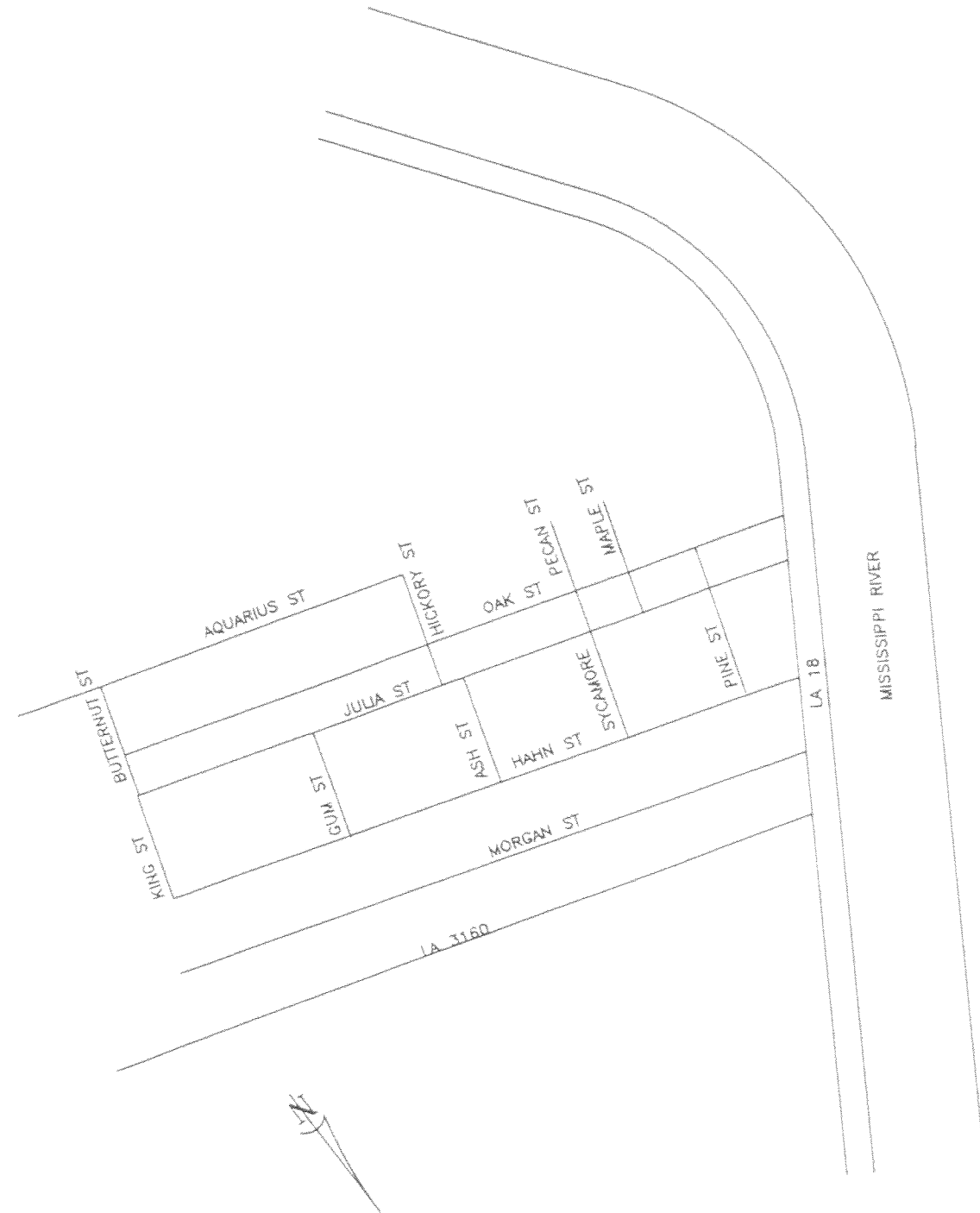
Please consider this waiver request with my application.

Thank you.

Applicant Signature: Luke Reedy

Date: 12-11-23





VICINITY MAP
HAHNVILLE, LA
N.T.S.

PECAN BAYOU SUBDIVISION HAHNVILLE, LOUISIANA

RESUBDIVISION PLAN OF PECAN BAYOU SUBDIVISION PER SUBDIVISION PLAN BY E.M. COLLIER, DATED AND RECORDED IN PUBLIC RECORDS IN SECTION 26, T-13-S, R-20E, SOUTHEAST DISTRICT OF LOUISIANA, NEAR THE MISSISSIPPI RIVER, HAHNVILLE, ST. CHARLES PARISH, LOUISIANA INTO LOTS HEREIN DESIGNATED AS LOTS 1 & 2, BLOCK 3, LOTS 1, 3, 4, 6 & 8, BLOCK 4, LOTS 1, 2, 3 & PARCEL A, BLOCK 5, LOTS 1, 2, 3, 4 & PARCEL B, BLOCK 6, PECAN BAYOU SUBDIVISION.

THIS PROPERTY IS LOCATED IN ZONE "X" IN REFERENCE TO F.L.R. MAP NO. Z20160-0125C DATED 6/16/92.

"ST. CHARLES PARISH LAND USE REGULATIONS, INCLUDING SETBACK STANDARDS SUPERSEDE PRIVATE SUBDIVISION COVENANTS WHERE PARISH RESTRICTIONS ARE MORE RESTRICTIVE."

DEDICATION OF WAY OF STREETS SHOWN HEREON, IF NOT PREVIOUSLY DEDICATED, IS HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC. ALL AREAS SHOWN AS SERVITUDES ARE GRANTED TO THE PUBLIC FOR USE OF UTILITIES, DRIVEWAYS, SIDEWALKS, OR OTHER PROPER PUBLIC USES. GENERAL USE OF THE PUBLIC, NO BUILDING STRUCTURE OR FENCE SHALL BE CONSTRUCTED, NOR SHRUBBERY PLANTED WITHIN THE LIMITS OF ANY SERVITUDE SO AS TO PREVENT OR UNREASONABLY INTERFERE WITH ANY PURPOSE FOR WHICH THE SERVITUDE IS GRANTED.

SEWAGE DISPOSAL
NO PERSON SHALL PROVIDE A METHOD OF SEWAGE DISPOSAL, EXCEPT CONNECTION TO AN APPROVED SANITARY SYSTEM UNTIL THE METHOD OF TREATMENT AND DISPOSAL HAS BEEN APPROVED BY THE LOUISIANA DEPARTMENT OF HEALTH.

DEVELOPER/OWNER: ROBIN DURANT
AUDUBON BARGES, INC.
P.O. BOX 1257
BOUTTE, LA 70039

APPROVED:

ST. CHARLES PARISH COUNCIL

PARISH PRESIDENT
Charles J. Flynn 4/30/96
DATE

ST. CHARLES PARISH PLANNING DEPT.
P.O. BOX 302
HAHNVILLE, LOUISIANA 70057

ST. CHARLES PARISH PLANNING & ZONING
DIRECTOR
Gregory J. Barr 2/28/96
DATE

Approved by the Board of Commissioners of St. Charles Parish on the 28th day of February, 1996.
By: *Gregory J. Barr*
Secretary

TO CERTIFY THAT THIS PLAN IS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION AND LAWS OF THE STATE OF LOUISIANA, AND TO CONFIRM TO ALL PARISH ORDNANCES GOVERNING THE SUBDIVISION OF LAND.

Harold J. Flynn
P.L.S. LA. ST. REC. NO. 4475

HAROLD J. FLYNN
CIVIL ENGINEER & LAND SURVEYOR, INC.
167 HOLLY DRIVE
LAFAYETTE, LOUISIANA
70503
JANUARY 17, 1996

/DWG5/L1143



BLOCK 1	
LOT AREA (SQ. FT.)	
1	7,685
2	7,631
3	NOT A PART

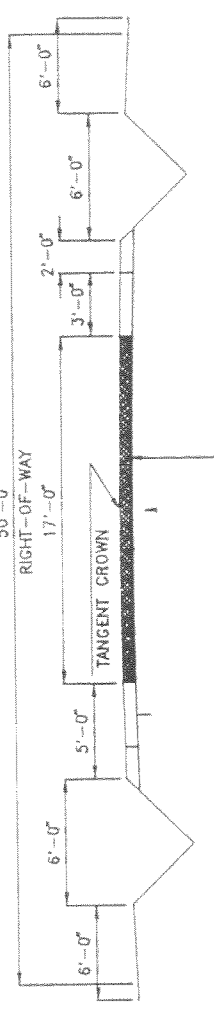
BLOCK 3	
LOT AREA (SQ. FT.)	
1	7,485
2	7,252
3	7,502
4	7,502
5	NOT A PART
6	7,481

BLOCK 4	
LOT AREA (SQ. FT.)	
1	7,280
2	NOT A PART
3	7,280
4	8,174
5	NOT A PART
6	8,600
7	NOT A PART
8	6,500

BLOCK 5	
LOT AREA (SQ. FT.)	
1	7,465
2	7,502
3	7,502

BLOCK 6	
LOT AREA (SQ. FT.)	
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2	6,600
3	6,600
4	6,614

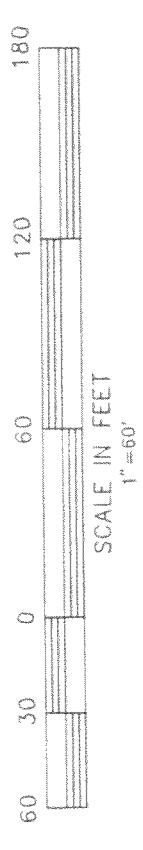
PARCEL A	
801,844	
PARCEL B	
801,844	



TYPICAL STREET CROSS SECTION
RESIDENTIAL STREET
EXISTING ASPHALT & OPEN DITCH DRAINAGE

N.T.S.

⊙ - FIRE HYDRANT
⊙ - SINKER MANHOLE
+11.7 - ELEVATION (M.S.L.)



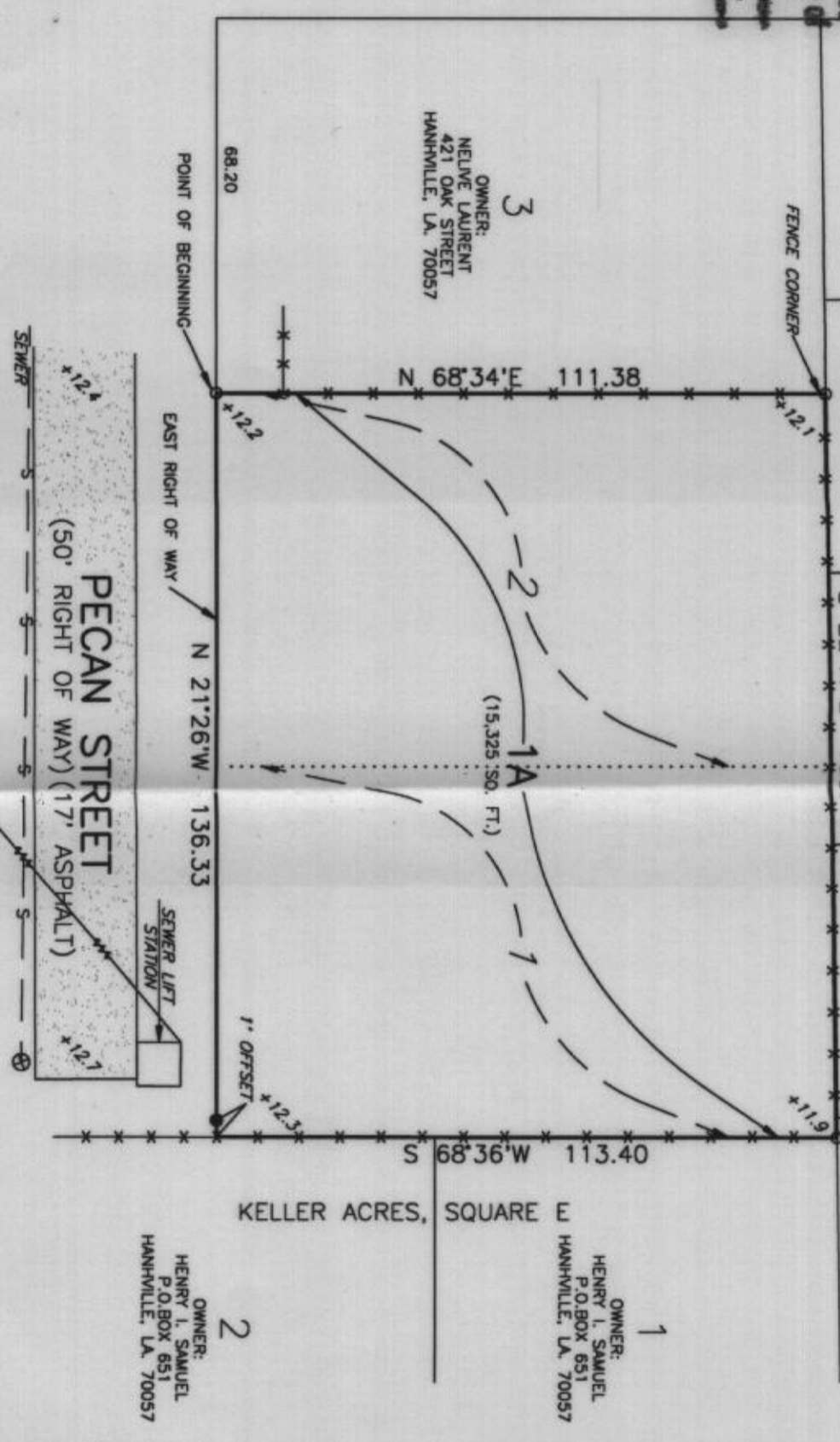
NOTE: THE SERVITUDES SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION THEREIN. ALL OTHER SERVITUDES ARE HEREBY RELEASED TO THE PUBLIC. THE PUBLIC IS ADVISED THAT THE SERVITUDES SHOWN ON THIS SURVEY ARE NOT TO BE USED FOR ANY OTHER PURPOSE.

Recorded in the Clerk of Court's Office
 St. Charles Parish on the 25th day of
 August 1998 in Book 543
 Page 519 Entry # 224105

(LA. HIGHWAY 18 SIDE)

- 1 OWNER: ELTON S. OCKMAN P.O. BOX 229 HANNVILLE, LA. 70057
- 2 OWNER: ELTON S. OCKMAN P.O. BOX 229 HANNVILLE, LA. 70057
- 3 OWNER: ELTON S. OCKMAN P.O. BOX 229 HANNVILLE, LA. 70057
- 4 OWNER: RAYMOND K. LEDOUX P.O. BOX 101 HANNVILLE, LA. 70057
- 5 OWNER: RAYMOND K. LEDOUX P.O. BOX 101 HANNVILLE, LA. 70057

OAK STREET



LEGEND

- 3/4" IRON PIPE SET
- 3/4" IRON PIPE FOUND (UNLESS NOTED HEREON)
- *— FENCE
- ⊗ SEWER MANHOLE
- ⊙ POWER POLE
- ⊕ ELEVATION

TITLE: SURVEY PLAT AND RESUBDIVISION OF LOTS 1 & 2, BLOCK 1, PECAN BAYOU SUBDIVISION INTO A LOT HEREIN DESIGNATED AS LOT 1A, BLOCK 1, PECAN BAYOU SUBDIVISION, SITUATED IN SECTION 26, T-13-S, R-20-E, HANNVILLE, ST. CHARLES PARISH, LOUISIANA.

SURVEY REFERENCE: PECAN BAYOU SUBDIVISION BY HAROLD J. FLYNN, P.L.S., DATED 1/17/1996.

FLOOD NOTE: EAST RIGHT OF WAY LINE OF PECAN STREET TAKEN FROM REFERENCED SURVEY PLAT.

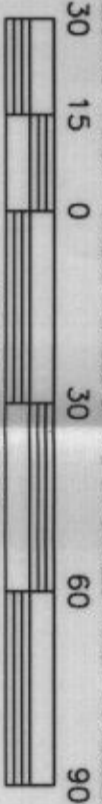
SURVEYOR'S NOTES: THE SURVEYED PARCEL IS IN ZONE "X" PER F.I.R. MAP NO. 220160-0125C DATED 6/16/1992.

A. I CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL GROUND SURVEY MADE BY ME AND CONFORMS TO THE REQUIREMENTS FOR THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS FOUND IN LOUISIANA ADMINISTRATIVE CODE TITLE 46:XXI CHAPTER 25 FOR A CLASS "C" SURVEY.

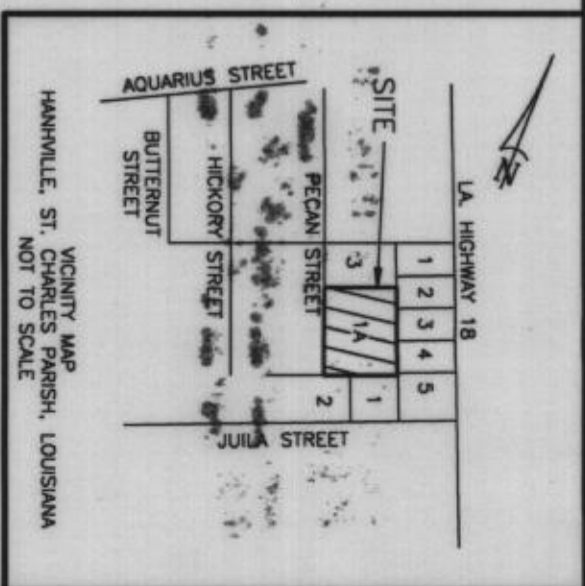
B. NO TITLE OPINION WAS PROVIDED TO THIS FIRM, THEREFORE NO CERTIFICATION IS GIVEN TO THE EXISTENCE OF OTHER SERVITUDES OR EASEMENTS WHICH MAY EXIST OTHER THAN THOSE SHOWN.

C. NO DITCHES, UNDERGROUND LINES OR CONDUITS SHOWN.

D. ADJOINING PROPERTY OWNERS PROVIDED BY THE ST. CHARLES PARISH TAX ASSESSOR'S OFFICE



DOTITE 1-800-272-3020



DEVELOPER: PECAN BAYOU CONTRACTORS
 P.O. BOX 1257
 BOULTE, LA. 70039
 504-758-1049

APPROVED:

OWNER: HENRY I. SAMUEL
 P.O. BOX 651
 HANNVILLE, LA. 70057

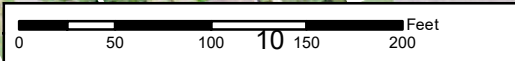
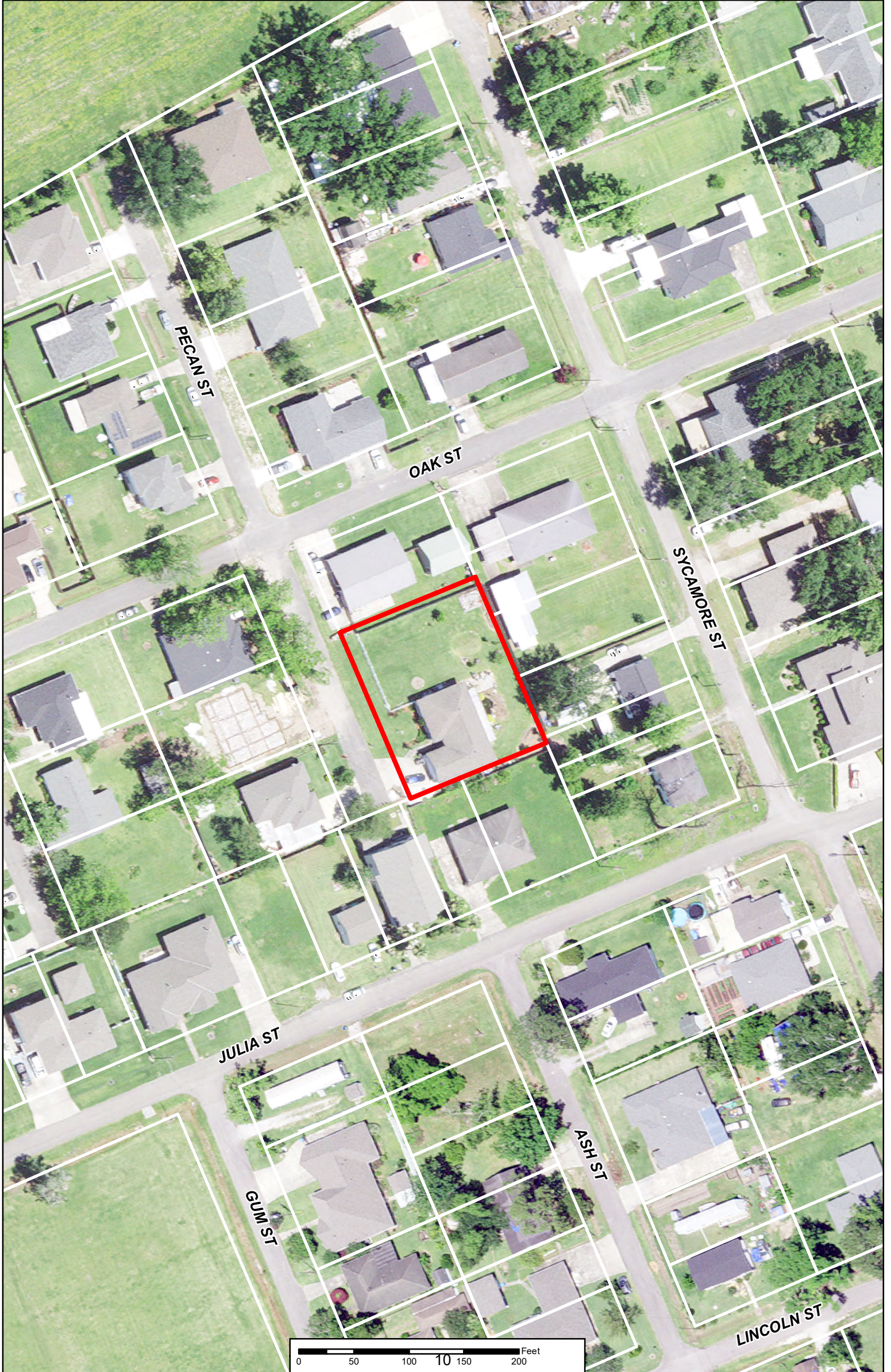
PARISH PRESIDENT: *Henry I. Samuel* DATE: 8/19/98

DIRECTOR, DEPT. OF PLANNING AND ZONING: *[Signature]* DATE: 8/18/98

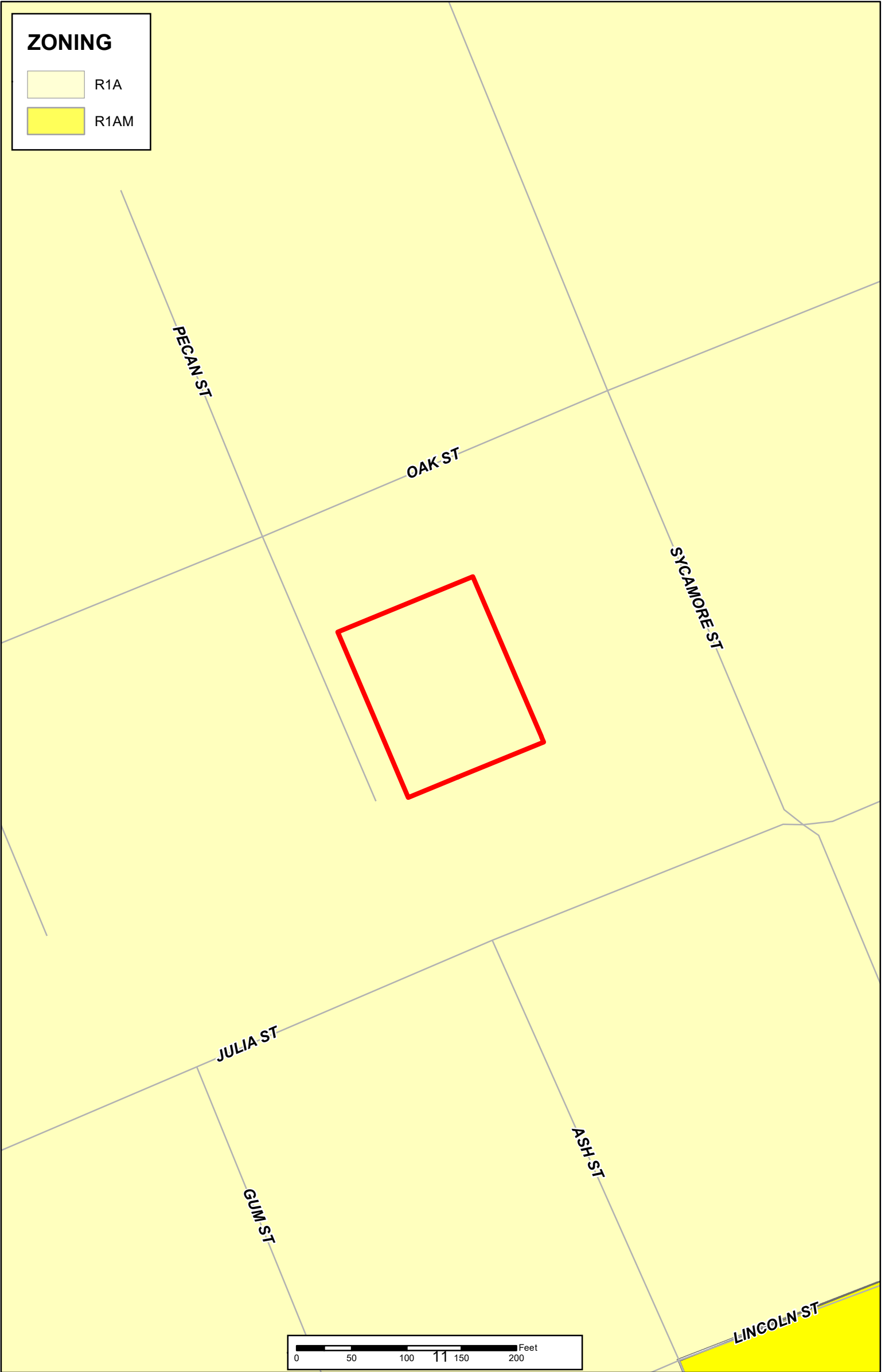
P.L.S. LA. ST. REG. NO. 4668
 STEPHEN P. FLYNN
 RIVERLANDS SURVEYING COMPANY
 167 HOLLY DRIVE
 LAPLACE, LOUISIANA
 504-652-6356
 AUGUST 5, 1998

P25 98-84



2023-17-MIN
Minor Resubdivision: 1 lot into 2

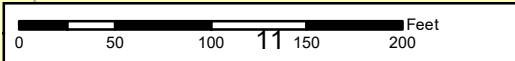


2023-17-MIN
Minor Resubdivision: 1 lot into 2



ZONING

	R1A
	R1AM





2023-17-MIN

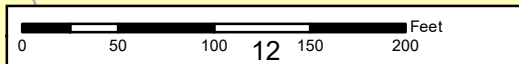
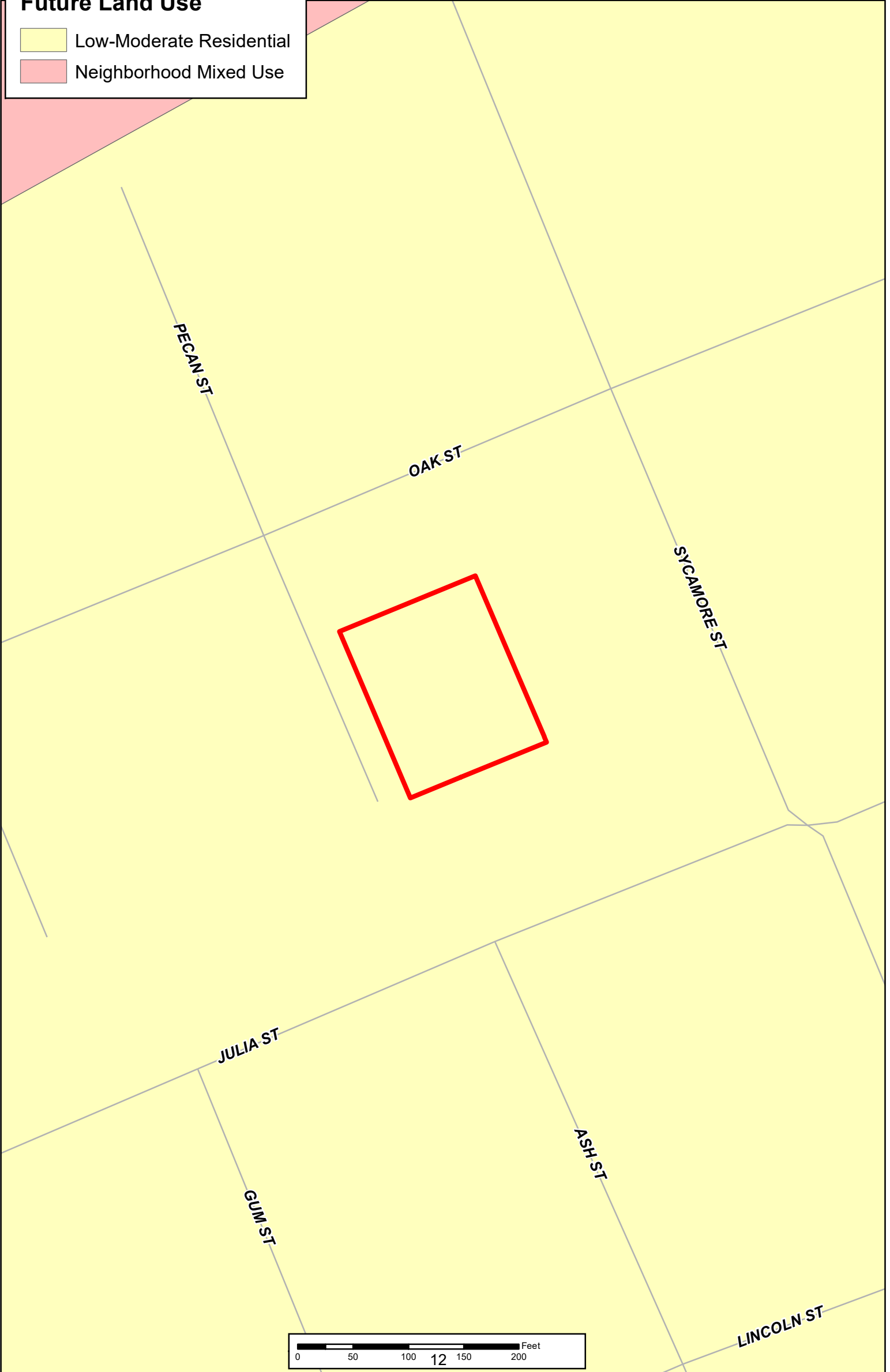
Minor Resubdivision: 1 lot into 2

N



Future Land Use

-  Low-Moderate Residential
-  Neighborhood Mixed Use





Department of Planning & Zoning Staff Report – Map Amendment Case No. 2023-16-R

APPLICATION INFORMATION

- **Submittal Date:** 11/28/23
- **Applicant / Property Owner**
Kim Trahan and Justin Gonzalez
545 West McAdoo Street
Destrehan, LA 70047
504.352.5068; tkelly1577@yahoo.com
- **Request**
Change of zoning from *R-1A, Single Family Residential Detached Conventional Homes* to *R-1A(M), Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes*

SITE INFORMATION

- **Location**
545 West McAdoo Street, New Sarpy; Lot 27A-1, Square 33, New Sarpy Subdivision
- **Size:** 14,400 sq. ft. (0.33 acres)
- **Current Use**
A portion of Lot 27A-1 consisting of former lots 19-22 was developed with a legally nonconforming single-wide manufactured home. This home was damaged in Hurricane Ida and a FEMA supplied RV was placed in its location. A shed previously occupied the portion of Lot 27A-1 consisting of former Lot 27A, but has been removed.

A permit was submitted in August for a new manufactured home on Lot 27A-1 (Permit No. 46613). Being zoned R-1A the Parish's nonconforming use requirements apply, allowing for the replacement of nonconforming manufactured homes with no increase in size. Currently a new double-wide manufactured home exceeding the size of the previous home has been placed on Lot 27A-1 and work is ongoing to complete the installation.
- **Surrounding Zoning**
The site is located in an R-1A zoning district. R-1A(M) spot zones are present on the opposite side of W. McAdoo Street and catty corner at the W. McAdoo and Sixth Street intersection.
- **Surrounding Uses**
The site is located in a developed residential subdivision. While zoned R-1A, dwellings consist of a mix of both site built and manufactured homes. Specifically, the 500 block of W. McAdoo is developed exclusively with manufactured homes, while adjacent lots on W. Lawson and on the River Road side of Sixth Street are developed with site built homes.
- **Zoning History**
The R-1A zoning district was established in 1981.
- **Future Land Use Recommendation**
Low-to-Moderate Residential: Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections (over six dwellings per acre).

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

▪ **Flood Zone & Minimum Building Elevation**

1992 Flood Insurance Rate Map: A99

2013 Digital Flood Insurance Rate Map: AE+4 & X

▪ **Traffic Access**

Lot 27A-1 is a corner lot with frontage on both W. McAdoo Street and Sixth Street.

▪ **Utilities**

Parish GIS shows public water, sewer, and drainage facilities along W. McAdoo Street.

APPLICABLE REGULATIONS

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

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

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

1. Use Regulations:

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

- (1) Site-built, single-family detached dwellings.
- (2) Manufactured homes.
- (3) Mobile homes.
- (4) Accessory uses.
- (5) Private recreational uses.
- (6) Farming on lots of three (3) acres or more and at least one hundred fifty (150) feet frontage.

b. Special exception uses and structures include the following:

- (1) Additional residences for family and relatives on unsubdivided property on a non-rental basis, and which meet the criteria outlined in Special Provisions [subsection 3].
- (2) Parks, public libraries, fire stations, police or sheriff's stations or substations, and sewer pumping stations.
- (3) Showing and operation of historic buildings and/or sites and their related activities, provided a certificate from the United States Department of Interior is furnished by the owner verifying that the building and/or site is on the National Register of Historic Places.
- (4) Accessory uses to golf courses and country clubs limited to the following:
 - Art studios
 - Churches and Religious Institutions
 - Commercial recreation facilities
 - Commercial schools
 - Personal service businesses, examples include but are not limited to beauty shops and barber shops, acupuncture, and massage services
 - Professional offices, examples include but are not limited to doctors, dentists, engineers, architects, landscape architects, plan services, realtors, insurance
 - Restaurants and cafeterias

c. Special permit uses and structures include the following:

- (1) Child care centers.
- (2) Public and private schools (except trade, business and industrial).
- (3) Golf courses (but not miniature courses or driving ranges), country clubs, and accessory commercial uses on such properties.
- (4) Educational, religious and philanthropic institutions. These buildings must be set back from all property lines a distance of at least one (1) foot for each foot of building height.
- (5) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
- (6) Accessory dwelling units upon approval by the Planning Commission and supporting resolution of the Council.
- (7) Garden Home Developments in accordance with Section VII Supplemental Regulations upon review and recommendation of the Planning Commission and supporting resolution of the St. Charles Parish Council.

2. Spatial Requirements.

a. Minimum lot size: Five thousand (5,000) square feet per family; minimum width-fifty (50) feet.

b. Minimum yard sizes:

- (1) Front—Fifteen (15) feet.
- (2) Side—Five (5) feet.
- (3) Rear—Five (5) feet.
- (4) For lots with less than one hundred (100) feet depth, front setback shall be fifteen (15) percent of lot depth with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line.

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

Appendix A. Section XV. - Amendment procedure

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

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

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

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

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

REZONING GUIDELINE & CRITERIA EVALUATION

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

The proposed R-1A(M) zoning district conforms to the Future Land Use Map designation of *Low-to-Moderate Residential*, which provides for single family detached dwellings and includes R-1A(M) as a recommended zoning district. But this is considered a spot zone since the request is limited to a single small site within a larger, established R-1A zoning district. **The request does not meet the first guideline.**

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

The existing R-1A zoning district was established in 1981. Four R-1A(M) spot zones covering 28,800 sq. ft. (0.66 acres) exist in the neighborhood, three of which are occupied with manufactured homes. The last R-1A(M) spot zone was approved in 1990 (Ord. 90-3-12; PZR-90-03). There is a larger presence of nonconforming manufactured homes in the neighborhood, including each dwelling within the 500 block of W. McAdoo Street. But the majority of the neighborhood consists of site-built houses as permitted by the R-1A zoning. The lack of activity for new manufactured homes or requests for R-1A(M) zoning is not indicative of a shifting land-use pattern or neighborhood character away from site-built houses. The existing R-1A district is reasonable for the subject site, which like many properties in this neighborhood provides an opportunity for site-built infill development. **The request does not meet the second guideline.**

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

New Sarpy as bounded by River Road, the CN Railroad, W. Easy Street, and W. Lawson Street has been zoned R-1A since 1981 and developed as a residential neighborhood. There are sporadic R-1A(M) spot zones along with a larger presence of nonconforming manufactured homes as referenced in the previous guideline. The subject site is located in the 500 block of W. McAdoo where the greatest concentration of manufactured homes in the neighborhood can be found. The proposed zoning would be compatible with those uses, but would still be incompatible with the overall character primarily defined by site-built homes, including those on adjacent properties fronting W. Lawson and on the opposite side of Sixth Street. **The request does not meet the third guideline.**

DEPARTMENT RECOMMENDATION

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

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



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

Permit/Case #:	_____
Receipt #:	_____
Application Date:	<u>11/28/23</u>
Zoning District:	<u>R-1A</u>
FLUM Designation:	<u>L-M</u>
Date Posted:	_____

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

Fee: ~~540~~ - \$200

Applicant: Kim Trahan, Justin Gonzalez

Home address: 545 West McAdoo St, Destrehan LA 70047

Mailing address (if different): _____

Phone #: (504) 352-5068 Email: tkelly1577@yahoo.com

Property owner: Kim Trahan

Municipal address of property: _____

Lot, block, subdivision: New Sarpy SUB 27A-1

Change of zoning district from: R1A to: R1AM

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

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

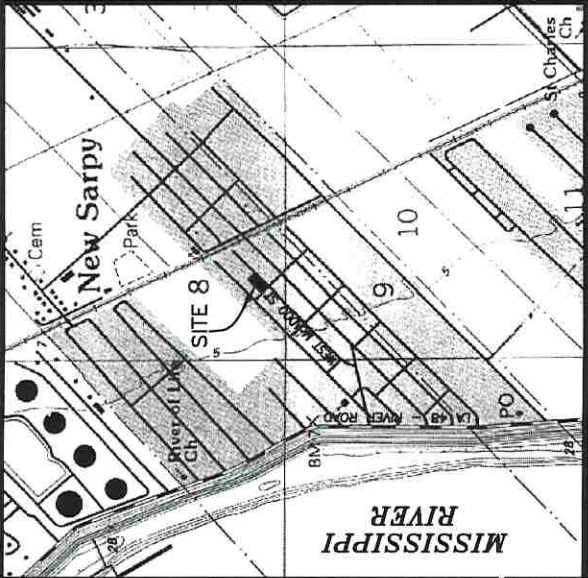
Describe how you plan to use the property if the rezoning is granted: We plan to use the property if the rezoning is granted as residential. We want to put a double wide modular home.

What types of activities occur on adjacent properties today? How is your proposed use compatible with the neighborhood? The types of activities occur on adjacent properties is the same as what we are proposing. There are trailers across the street from us.

Is there something about the property or the surrounding neighborhood that make the rezoning necessary? yes there are other trailers around us.

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

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



VICINITY MAP
SCALE: 1" = 2000'

NOTE:
ALL NECESSARY SEWER, WATER AND/OR
OTHER UTILITY EXTENSIONS, RELOCATIONS
OR MODIFICATIONS SHALL BE MADE
SOLELY AT THE LOT OWNER'S EXPENSE.

- REFERENCE PLAN:
1. NEW SARPY SUBDIVISION BY BLYTHE CO., INC.,
DATED NOV. 1920
2. RESUBDIVISION OF LOTS 23, 24, 25, 26 & 27,
SQUARE 33 NEW SARPY SUBDIVISION INTO LOT
27A BY LUCIEN C. GASSEN, PLS, DATED APRIL
13, 2005

The subdivision plat 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 Insurance Rate Map (Community
No. 220160, Panel No. 0125, Suffix C,
Dated June 16, 1992, Revised to reflect
LOMR Dated May 2, 2003) and found
that this property is in Zone A99.



GRAPHIC SCALE

- LEGEND
- = 1/2" IRON ROD FOUND
 - = 1/2" IRON ROD SET
 - x- FENCE

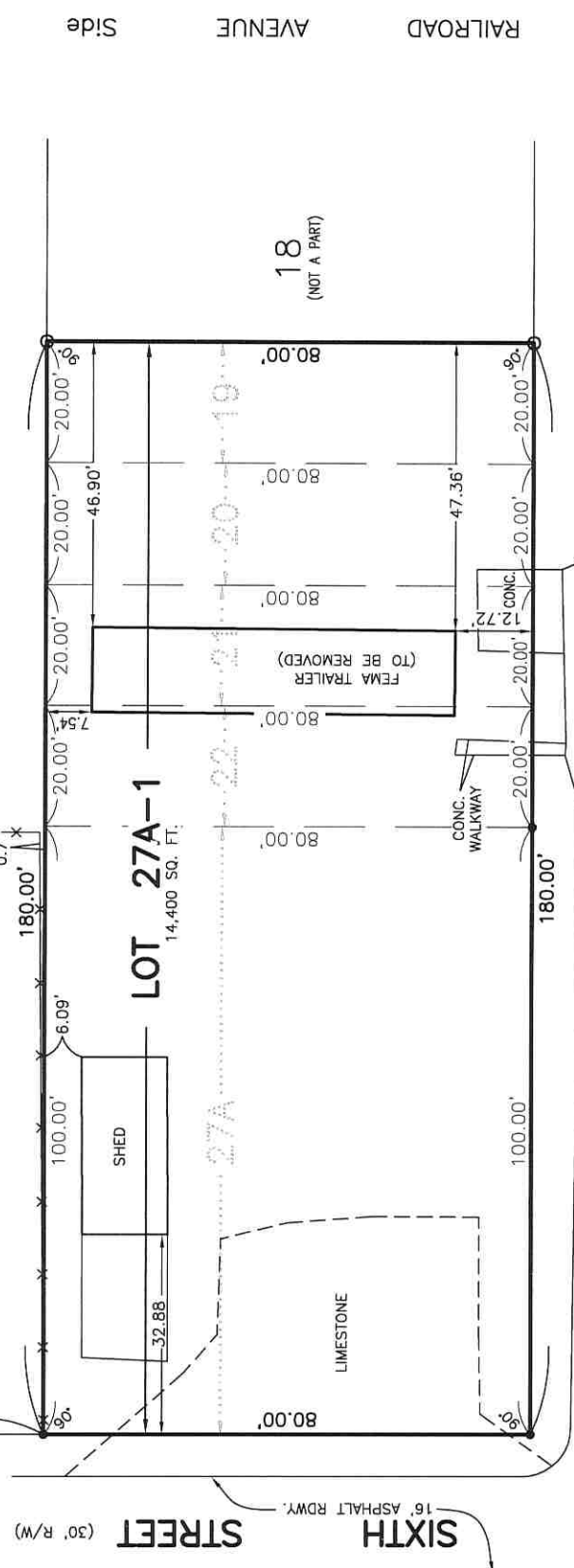
WEST LAWSON STREET

APPROVALS:
Michelle Walker
St. Charles Parish Director of Planning
and Zoning
Date: 1-6-23

Recorded in The Clerk of Court's office
St. Charles Parish on the 11th day of
January 2023 in Book 928
Folio 15, Entry # 412875

Math Jewell
St. Charles Parish President
Date: 1-10-23

Signature _____ Title _____



WEST McADOO STREET (30' R/W)
WEST LAWSON STREET (30' R/W)
RAILROAD AVENUE (30' R/W)

RESUBDIVISION OF LOTS 19, 20, 21, 22 & 27A, SQUARE 33
NEW SARPY SUBDIVISION
INTO LOT 27A-1

IN SECTION 8, T12S - R8E
ST. CHARLES PARISH, LOUISIANA
NOVEMBER 30, 2022
SCALE: 1" = 30'

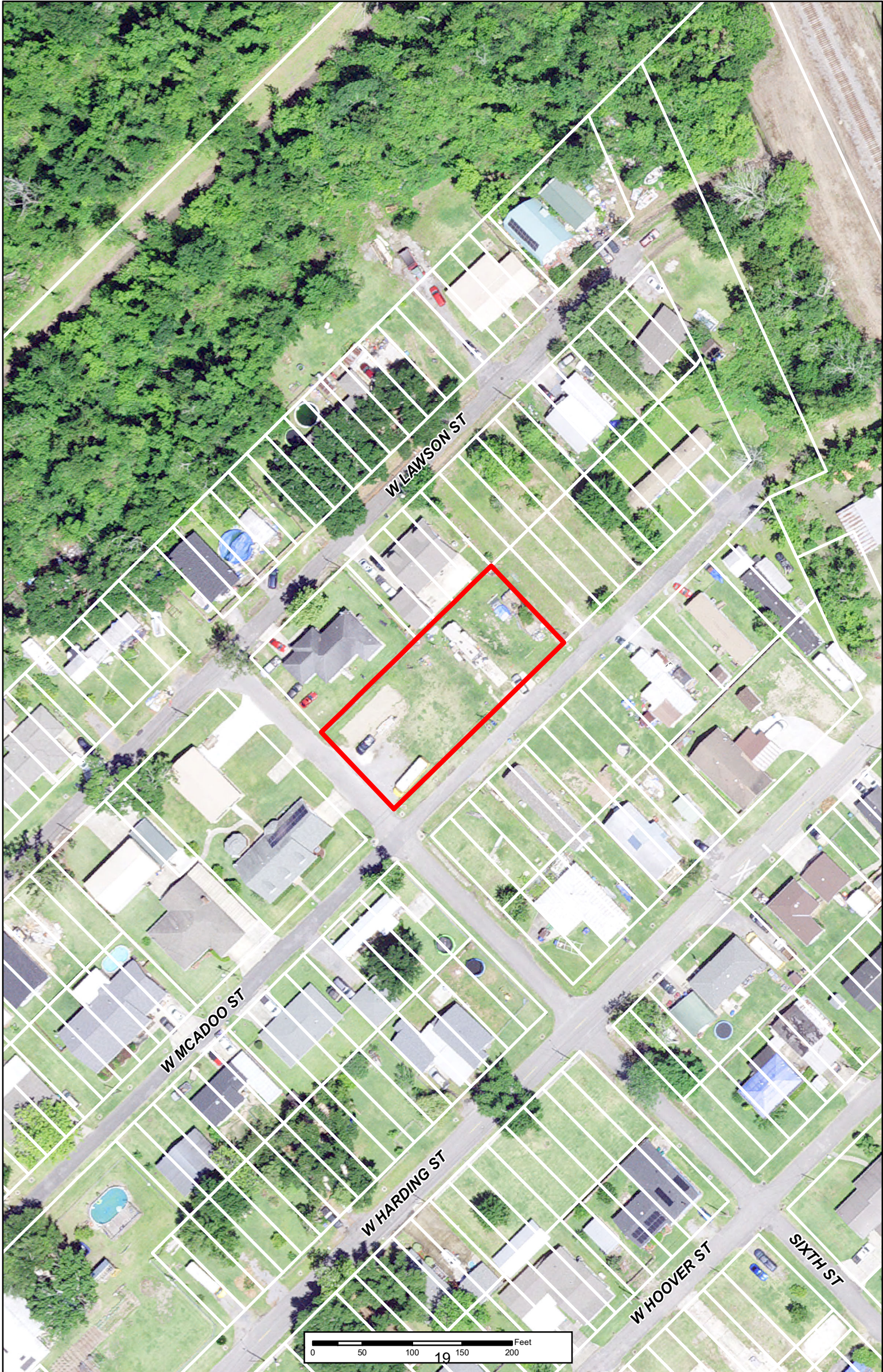
I certify that this plat represents an actual
ground survey performed by myself or under
my supervision and is in accordance with the
Louisiana standards of practice for a Class C
survey.

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

CERTIFIED TO KIM K. TRAHAN

GASSEN SURVEYING, LLC



2023-16-R
R-1A to R-1A(M)

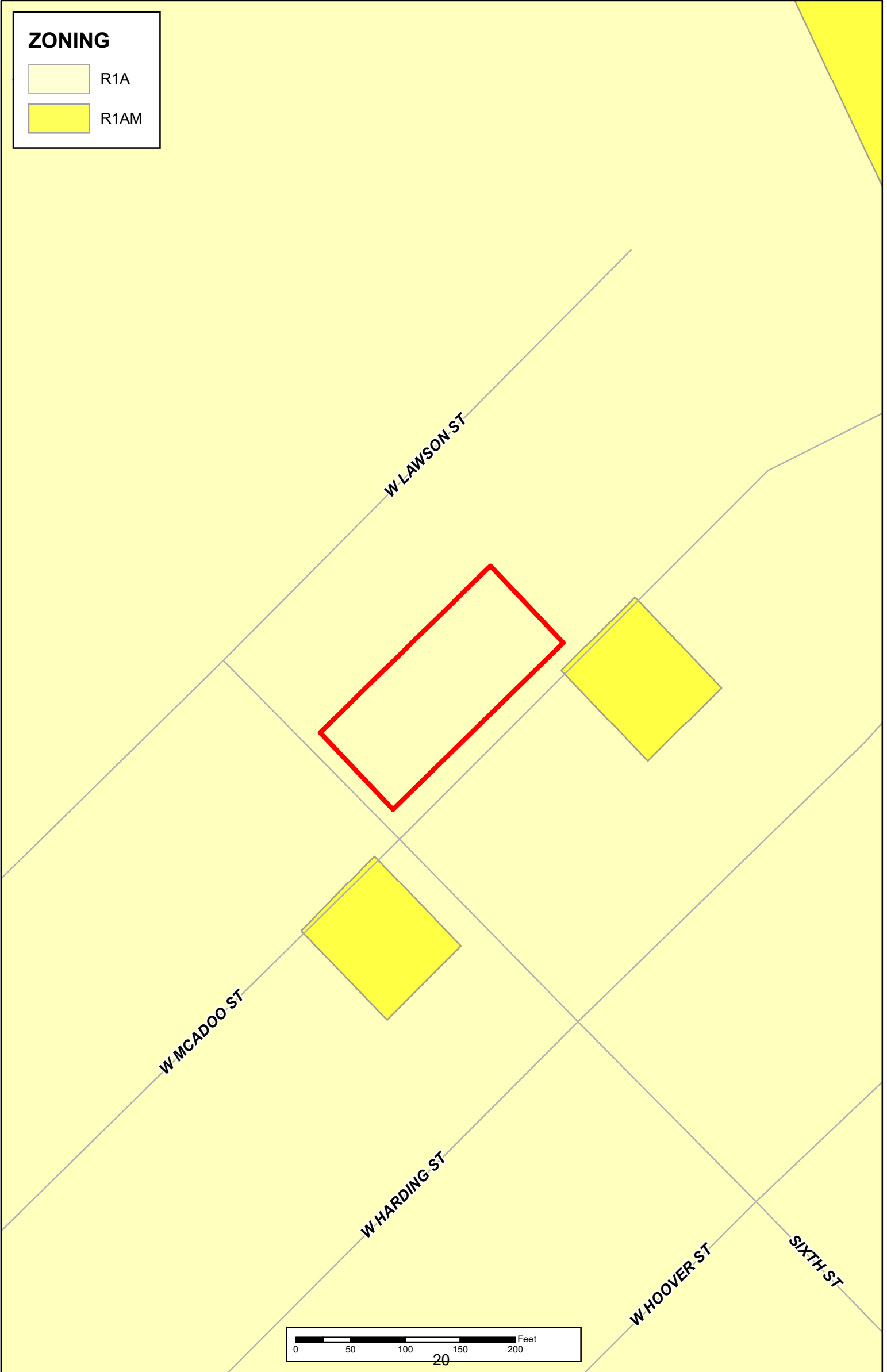


2023-16-R
R-1A to R-1A(M)



ZONING


	R1A
	R1AM



2023-16-R
R-1A to R-1A(M)



Future Land Use

 Low-Moderate Residential

