

**ST. CHARLES PARISH
PLANNING BOARD OF COMMISSIONERS
February 1, 2024
6:00 P.M.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

- 1 **2024-1-HOP** requested by **Emily Price Brennan** for a home occupation – “Magnolia Roots Notary LLC” – at **336 Evelyn Drive, Luling**. Council District 2. **Requires Planning Commission approval.**

- 6 **2024-2-HOP** requested by **Troy Matherne** for a home occupation – “Bayou2U” – at **330 Luke Drive, Des Allemands**. Council District 4. **Requires Planning Commission approval.**

- 12 **2023-18-MIN** requested by **Kathleen LeBlanc** for a resubdivision of one lot into two, **10577 River Road, Ama**. Zoning Districts B-1, C-2, R-1A(M), O-L, and W. Council District 2. **Requires Planning Commission approval.**

- 20 **2023-17-R** requested by **Troy Bailey** for a change of zoning from R-1A(M) to R-3 on Lots D-1 and D-2, Square 14, Village of Hahnville, **212 Hwy 3160 and 315-317 Smith Street, Hahnville**. Council District 1. **Requires Planning Commission recommendation and Parish Council approval.**

- 29 **2024-1-R** requested by **Denver Perilloux, Terry & Dana Perilloux, Robert Oubre, and Chris M. Trepagnier for OT Properties, LLC & Three 4 Three, LLC** for a change of zoning from O-L & R-1A(M) to R-1A on Lots P-1, 1B-1-A, 1A-1, and those properties designated as the Roussel Tract and Lot 3605A, approximately 42.5 acres between Dixieland and Country Cottage Subdivisions, **17956 & 17962 River Road, Montz**. Council District 6. **Requires Planning Commission recommendation and Parish Council approval.**

- 43 **2024-2-R** requested by **Alvin Gordon, III** for a change of zoning from R-1A(M) to R-2 on Lots 47, 48, 49, 50, 51, and 52, Oak Ridge Park Subdivision, **1014-1028 Paul Frederick Drive, Luling**. Council District 1. **Requires Planning Commission recommendation and Parish Council approval.**

- 53 **2024-3-R** requested by **Anna Nelson for DNA Real Estate, LLC** for a change of zoning from O-L to R-1M and M-1 on an approximately 8.5 acre portion of Lot 19, Pecan Grove Plantation, **12320 River Road, Destrehan**. Council District 2. **Requires Planning Commission recommendation and Parish Council approval.**

UNFINISHED BUSINESS-

NEW BUSINESS-

MINUTES – (January 11, 2024)

ADJOURN



Department of Planning & Zoning Staff Report – Home Occupation Case No. 2024-1-HOP

APPLICATION INFORMATION

- **Applicant & Business Location**
Emily Price Brennan
336 Evelyn Drive
Luling, LA 70070
504.417.5383; eblanotary@gmail.com

BUSINESS INFORMATION

- **Name & Description:** Magnolia Roots Notary LLC – mobile notary business
- **Licensing & Permits:** Louisiana Secretary of State
- **Vehicles & Equipment:** 2021 Silver Chevrolet Traverse

SITE INFORMATION

- **Current Use:** Single-family residence
- **Surrounding Zoning & Uses**
R-1A; the house is located in a developed residential subdivision.
- **Traffic Access & Parking**
The house is developed with a driveway providing access to Evelyn Drive, which provides enough parking to accommodate the required two (2) spaces for a single family home plus any customers.
- **Utilities:** Per Parish GIS, standard utilities are available along Evelyn Drive.

APPLICABLE REGULATIONS

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

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

- A. When in compliance with the requirements of this section, a home occupation shall be similar in type or character, but not limited to the following uses: Art studio, Child care for not more than five (5) children, contracting services, Cosmetology, Crafting, Dressmaking, Alterations, Tailoring, Internet based sales, Professional offices, Teaching or tutoring inclusive of arts.
- B. **Permit Process:**
 1. **Pre-Application Meeting:** The Planning Director, or his designated staff, shall advise applicants of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish Code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
 2. **Application:** A citizen who proposes appropriate activities at a residence that is not in violation of the Code of Ordinances may apply for a permit for a home occupation. The applicant must agree to follow operational regulations listed in Section C. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
 3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed use complies with the operational regulations of this section.
 4. **Public Notice and Comment:**
 - a. Once the Planning Director has determined that the proposed use meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
 - b. If objections to the proposed activity are submitted to the Planning Director, the application will be

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

FINDINGS

The applicant has applied to permit and domicile Magnolia Roots Notary, LLC at their residence located at 336 Evelyn Drive, Luling.

The request comes before the Planning Commission because of the need for qualification with the Louisiana Secretary of State.

The business provides the service of a notary public. It will be a strictly mobile business and customers will not visit the residence.

No complaints or violations are on file; no code violations were apparent during a site visit performed on January 17, 2024.

DEPARTMENT RECOMMENDATION

Approval



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

Permit/Case #:	2024-1-HOP
Receipt #:	1300745
Application Date:	12/27/23
Zoning District:	R-1A
FLUM Designation:	Low-mo
Date Posted:	

APPLICATION FOR HOME OCCUPATION PERMIT

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

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

Applicant: EMILY PRICE BRENNAN

Home address: 336 EVELYN DRIVE, LULING, LA 70070

Mailing address (if different): _____

Phone: (504)417-5383 Email: EBLANOTARY@GMAIL.COM

Property owner: EMILY PRICE BRENNAN, JOSEPH BRENNAN

Name of proposed business: MAGNOLIA ROOTS NOTARY LLC

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

If yes, please list the agency/office involved: LOUISIANA SECRETARY OF STATE

Description of proposed business/business-related activities: MOBILE NOTARY BUSINESS

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

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

2021 CHEVROLET TRAVERSE, SILVER
TO BE PARKED IN THE DRIVEWAY

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

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

EBrennan
 (Property owner - Signature)

12/27/2023
 (Date)

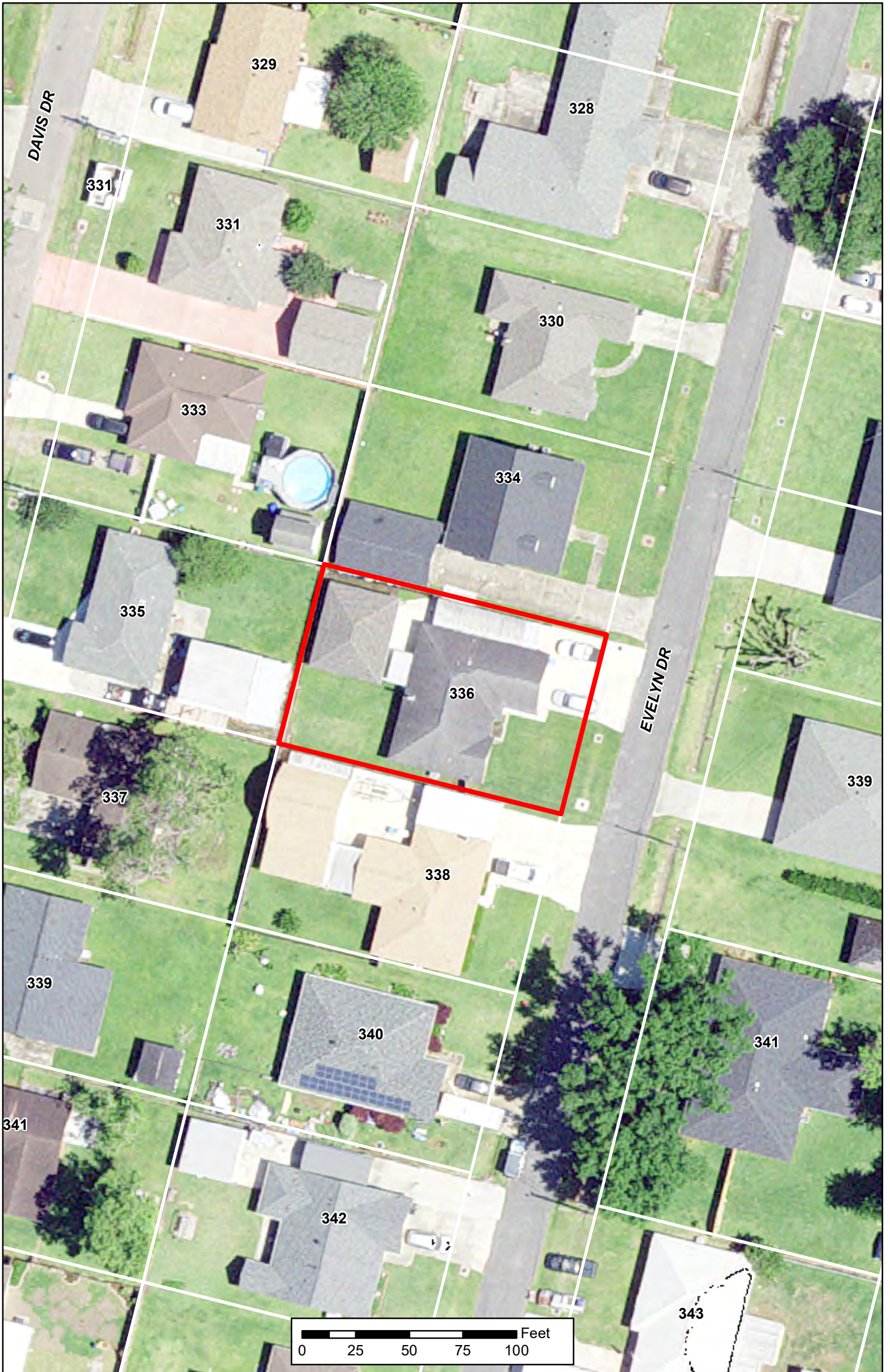
Emily Price Brennan
 (Property owner - Print Name)

 (Notary signature & seal)

 (Date)

Permit/Case #: _____







Department of Planning & Zoning Staff Report – Home Occupation Case No. 2024-2-HOP

APPLICATION INFORMATION

- **Applicant & Business Location**
Troy Joseph Matherne
330 Luke Drive
Des Allemands, LA 70030
504-458-9890; mathernetroy@yahoo.com

BUSINESS INFORMATION

- **Name & Description:** Bayou2U—frozen seafood retail business
- **Licensing & Permits:** Wildlife and Fisheries
- **Vehicles & Equipment:** 2023 Dodge Ram Pro Master

SITE INFORMATION

- **Current Use:** Single-family residence
- **Surrounding Zoning & Uses**
R-1A; the house is located in a developed residential subdivision.
- **Traffic Access & Parking**
The house is developed with a driveway providing access to Luke Drive, which provides enough parking to accommodate the required two (2) spaces for a single family home plus any customers.

The company van will be parked behind the front façade of the house in a fenced off section of their driveway leading into the backyard.

- **Utilities:** Per Parish GIS, standard utilities are available along Luke Drive.

APPLICABLE REGULATIONS

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

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

- A. When in compliance with the requirements of this section, a home occupation shall be similar in type or character, but not limited to the following uses: Art studio, Child care for not more than five (5) children, contracting services, Cosmetology, Crafting, Dressmaking, Alterations, Tailoring, Internet based sales, Professional offices, Teaching or tutoring inclusive of arts.
- B. *Permit Process:*
 1. **Pre-Application Meeting:** The Planning Director, or his designated staff, shall advise applicants of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish Code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
 2. **Application:** A citizen who proposes appropriate activities at a residence that is not in violation of the Code of Ordinances may apply for a permit for a home occupation. The applicant must agree to follow operational regulations listed in Section C. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
 3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed use complies with the operational regulations of this section.
 4. **Public Notice and Comment:**
 - a. Once the Planning Director has determined that the proposed use meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the

Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.

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

FINDINGS

The applicant has applied to permit and domicile Bayou2U at their residence located at 330 Luke Drive, Des Allemands.

The request comes before the Planning Commission because of the need for licensing with the Department of Wildlife and Fisheries.

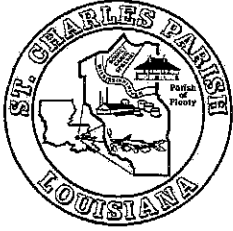
The business provides the service of wholesale frozen seafood sales and delivery. The applicant stated they will pick up orders daily from wholesalers in Jefferson and Orleans Parish then deliver to restaurants.

The business specific vehicle will be parked at the residence, but can be kept out-of-sight within a section of the driveway both behind the front façade of the house and behind a solid fence.

No complaints or violations are on file; no code violations were apparent during a site visit performed on January 17, 2024.

DEPARTMENT RECOMMENDATION

Approval



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

Permit/Case #: 2024-2-HOP
 Receipt #: 13019032
 Application Date: 1/10/2024
 Zoning District: R-1A
 FLUM Designation: Low-Mod
 Date Posted: _____

APPLICATION FOR HOME OCCUPATION PERMIT

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

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

Applicant: Troy Joseph Matherne
 Home address: 330 Lake Dr D's Allemands LA 70030
 Mailing address (if different): _____
 Phone: 504 458 9090 Email: mathernetroy@yahoo.com
 Property owner: Roland & Myra Matherne
 Name of proposed business: Bayou 2U

Are state or federal permits/licenses required for your proposed business? YES / NO
 If yes, please list the agency/office involved: Wildlife Fisheries, LA Resale Certificate

Description of proposed business/business-related activities: Website where other businesses order from and we deliver to (Wholesale)
Order cut off time daily is 2pm
We pickup product next morning in New Orleans then deliver to customers
 How many people will be employed by the proposed business? 3 owners

Please list all vehicles/trailers associated with your proposed business, including the year/make/model. Please also indicate where each will be parked/stored. Pictures of each vehicle/trailer must also be supplied.
2023 Dodge Ram Pro Master
No products on site or other equipment

What materials and equipment will be used in the proposed business? Where will these items be stored?
We pickup daily from Wholesale in Orleans & Jefferson Parish then deliver to restaurants

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

Myra Matherne (Property owner - Signature) 1/9/24 (Date)
Myra Matherne (Property owner - Print Name)
Kim Champagne (Notary signature & seal) 1/9/24 (Date)

Permit/Case #: 2024-2-HOP

 Page 1 of 2

RETAIN THIS LETTER WITH ATTACHED COMMERCIAL LICENSE

State of Louisiana

OFFICIAL LICENSE



LIC#: 529452 EXP: 12/31/2024

BAYOU2U, LLC
644 WILLOWDALE BLVD
LULING LA 70070



1 RES SEAFOOD WHLSLE/RETAIL-BUS

Department of Wildlife and Fisheries
Licensing
Post Office Box 14796
Baton Rouge, LA 70898-4796

NOT VALID UNLESS SIGNED ON REVERSE SIDE

(Use Ball Point Pen Only)

RESIDENCY REQUIREMENTS

"Bona fide resident" means any person who is a United States citizen or resident alien and has resided in the state continuously during the twelve months immediately prior to the date on which they apply for any license and who has manifested their intent to remain in this state by establishing Louisiana as their legal domicile, as demonstrated by compliance with all of the following, as applicable:

- If registered to vote, they are registered to vote in Louisiana.
- If licensed to drive a motor vehicle, they are in possession of a Louisiana driver's license, or, if over the age of fifteen years and not licensed to drive, they are in possession of a special identification card issued by the Department of Public Safety and Corrections under the provisions of R.S. 40:1321.
- If owning a motor vehicle located within Louisiana, they are in possession of a Louisiana registration for that vehicle.
- If earning income, they have filed a Louisiana state income tax return and has complied with state income tax laws and regulations.

As to a corporation, or other legal entity, a resident shall be any which is incorporated or otherwise organized under and subject to the laws of Louisiana, and which is domiciled in Louisiana and has a permanent physical location of business in Louisiana where records are held.

Any person, corporation, or other legal entity which possesses a resident license from any other state or country shall not qualify for a resident license in Louisiana.

NONRESIDENT means any person who is not a bona fide resident as the term defined above.

Where the proof shows that a license as a resident has been obtained by fraud or subterfuge, the vessels and equipment used under the license shall be forfeited.

Licensees are required to abide by the laws, rules and regulations pursuant to license requirements and to keep informed of any updates and changes to Laws, Rules and Regulations.

Dec 4 2023 12:00PM

Payment received: \$550.00

Wholesale/retail dealer license required for each place of business. Licensee may be subject to shrimp/oyster tax reports and payments. It is unlawful to purchase from unlicensed person or company. Record keeping, monthly reporting, & trip ticket records required on sales and/or purchases of fish/seafood and the number of soft shell crabs produced. May require permit from DHH-Office of Public Health---call (225) 342-7539 for information.

Physical Location Address: 330 LUKE DR, DES ALLEMANDS LA 70030

BAYOU2U, LLC
644 WILLOWDALE BLVD
LULING LA 70070

20-060076

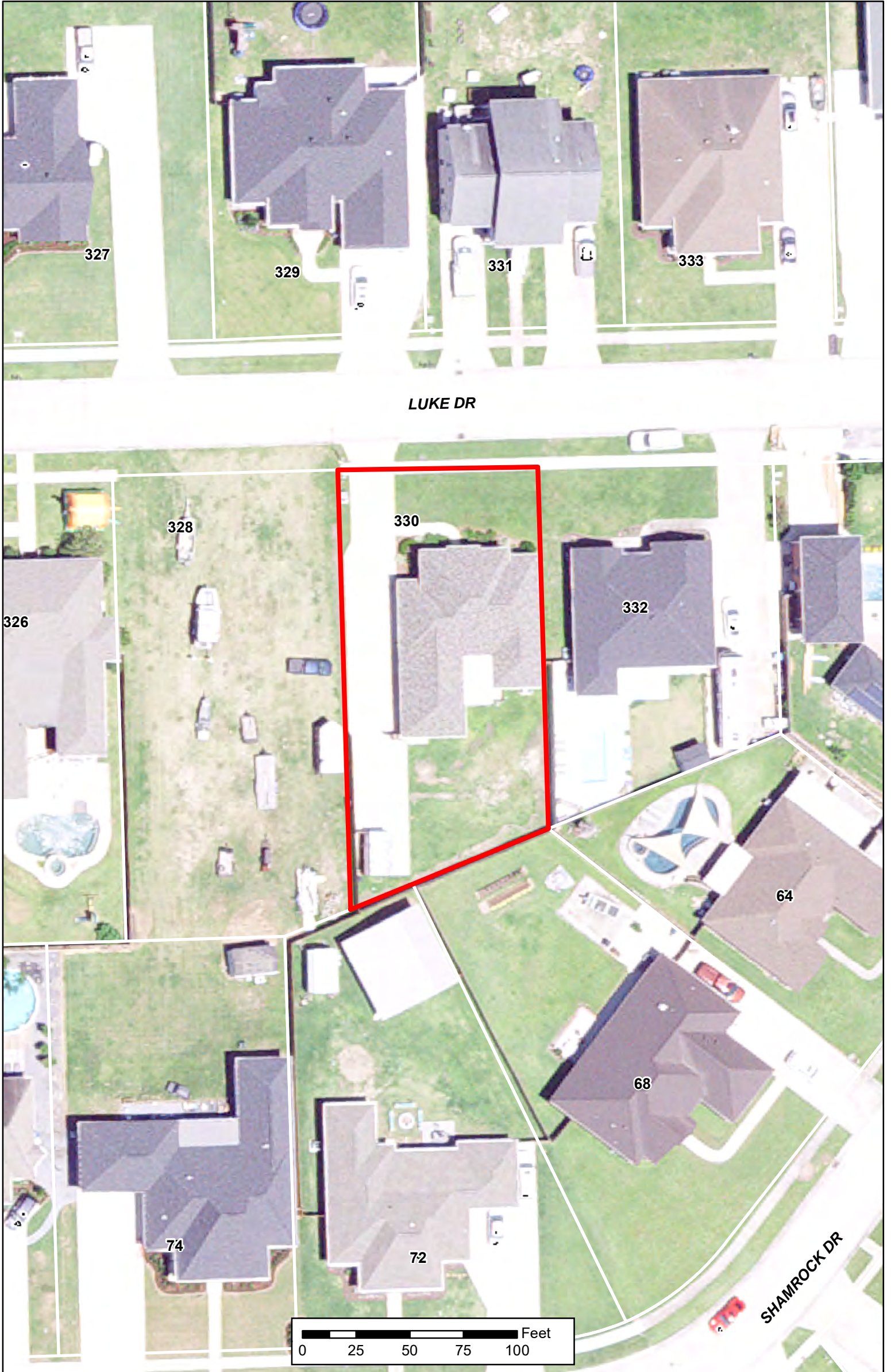


CRAVE FISH
Farms & Tours
504-458-9890

BAYOUZU
LOUISIANA SEAFOOD, 1445 YEARS
bayouzu.com

618 HAY

2500





Department of Planning & Zoning Staff Report – Minor Resubdivision Case No. 2023-18-MIN

APPLICATION INFORMATION

- **Submittal Date:** 12/13/2023
- **Applicant / Property Owner**
Kathleen LeBlanc
1123 Gassen Street
Luling, LA 70070
985-287-1465; kleblanc2@cox.net
- **Request**
Resubdivision of a single long arpent tract into Lots DZ-1 and DZ-2.

SITE INFORMATION

- **Location:** 10577 River Road, Ama
- **Size of Proposed Lots**
 - Lot DZ-1: 1,259,550 sq. ft.; 169.60 ft. wide at River Road, approx. 181 ft. wide at the Fifty Arpent Line.
 - Lot DZ-2: 89,276 sq. ft.; approx. 173 ft. wide at Mississippi River water's edge, 169.60 ft. wide at its common lot line with Lot DZ-1.
- **Current Zoning:**
The tract is under B-1 (Batture-Non Industrial), C-2, R-1A(M), O-L, and W (Wetland) zoning districts. Specifically:
 - The batture portion of the tract (proposed Lot DZ-2) is zoned B-1.
 - The front portion of proposed Lot DZ-1 along River Road is zoned C-2.
 - After the C-2 district, approximately 470 ft. of proposed Lot DZ-2 is zoned R-1A(M).
 - After the R-1A(M) district, O-L zoning extends to the Union Pacific Railroad.
 - The remainder from the Union Pacific Railroad to the Fifty Arpent Line is zoned W.
- **Current Use**
The existing tract is developed with a single-family house and accessory structure near River Road. These improvements are shown on proposed Lot DZ-1. The majority of Lot DZ-1 will be undeveloped, consisting of wooded areas and wetlands. The Union Pacific and BNSF railroads also run through proposed Lot DZ-1.

Proposed lot DZ-2 contains River Road, the Mississippi River levee, and the batture.

- **Surrounding Zoning:**
C-2, R-1A(M), and W zoning are adjacent to the Triche Street side; C-2, R-1A(M), R-1M, O-L, and W zoning is adjacent to the Michael Street side; W zoning is adjacent to the rear.
- **Surrounding Uses**
A residential neighborhood is adjacent to the Triche Street side; single family homes and an RV park are adjacent to the Michael Street side; the remaining portions of abutting properties are undeveloped, consisting of wooded areas and wetlands.
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: AE 21'-24' (Batture) / X / AE4'
2013 Digital Flood Insurance Rate Map: X / AE0.5 / AE3

▪ **Plan 2030 Recommendation**

- *Commercial: This category includes single-use commercial, retail, office and service uses, Commercial areas should seek to strengthen existing retail and service uses, encourage the introduction of new uses, and introduce complementary adjoining uses such as public facilities and moderate-density residential, to reinforce the retail base and support the continued health of these uses. Commercial uses must be consistent with the surrounding area and compatible with adjacent uses.*
- *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)*
- *Residential Rural: Low-density large lot residential development and agricultural land. The rural residential land use is the least intensive in terms of density and is intended to help preserve the Parish’s rural character.*

Neighborhood retail, services, offices, and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections. (Less than one dwelling unit per acre)

- *Wetlands: Constrained lands due to wetlands and flood zones. Allowable land uses in areas designated as wetlands are limited to low impact uses, such as eco-tourism and recreation (e.g., boating, hiking, hunting, fishing), wildlife observation, environmental education, environmental research, compatible agriculture (e.g., periodic haying and grazing), managed timber harvest, and other uses that may be permitted by special exception or special permit by the Louisiana Department of Natural Resources, the U.S. Army Corps of Engineers or the St. Charles Parish Coastal Zone Advisory Council.*

▪ **Traffic Access**

Lot DZ-1 and DZ-2 have approximately 169.6 feet of frontage on River Road. Lot DZ-1 is developed with a gravel driveway providing access to River Road.

▪ **Utilities**

Per the Parish GIS, standard utilities are available along River Road and the Union Pacific Railroad.

▪ **Development History**

As per an act of sale dated October 4, 1911, transfer documentation/descriptions of this tract goes back to at least 1874. This request is the first official resubdivision action for this tract.

APPLICABLE REGULATIONS

Appendix A. Section VI. Zoning District Criteria

[II.] *B-1 Non-industrial batture district.*

1. Use Regulations:
 - a. Land shall be used only for the following purposes:
 - (1) Barge mooring (if no obnoxious odors exist).
 - (2) Those activities not related to other manufacturing or industrial activity.
 - (3) Recreation facilities.
 - (4) Restaurants.
 - (5) Riverboat docks.
 - (6) Site-built hunting or fishing camps.
 - (7) Aids to navigation (as deemed necessary by the U.S. Coast Guard).
2. Prohibited Uses:
 - a. Manufacturing; industrial; and resource extraction activities, excepting logging activities.
 - b. Medical waste storage, treatment, or disposal facilities.

[III.] *C-2 General commercial district— Retail sales:*

2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet, minimum width - sixty (60) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet
 - (3) Rear - ten (10) feet.

- (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
3. Transportation Requirements: Arterial

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

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.

[I.] *O-L. Open Land District:*

2. Spatial Requirements:
 - a. Minimum lot size shall be twenty thousand (20,000) square feet; minimum width fifty (50) feet.
 - b. Minimum yard sizes:
 - (1) Front—Thirty-five (35) feet.
 - (2) Side—Ten (10) feet.
 - (3) Rear—Twenty (20) feet.
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
 - c. Accessory buildings: Minimum rear and side setbacks shall be ten (10) feet.
 - 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 the required front or rear yard.

[I.] *W-1. Wetlands District:*

1. Use Regulations:
 - a. Automatically permitted uses: None.
 - b. Special exception uses and structures:
 - (1) Low intensity uses permitted as a N.D.S.I. Permit (No Direct Significant Impact) by the Louisiana Department of Natural Resources.
 - (2) Low intensity uses permitted as a general permit by the U.S. Army Corps of Engineers.
 - c. Special permit uses and structures:
 - (1) Coastal dependent uses ineligible for listed Special Exception Uses and Structures, as per approval of the St. Charles Parish Coastal Zone Advisory Committee with supporting resolution of the Council.
 - (2) Other compatible uses, as per approval of the St. Charles Parish Coastal Zone Advisory Committee with supporting resolution of the Council.
2. Spatial Requirements: None.
3. Transportation Requirements: None.
4. Special Provisions: None.

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.

FINDINGS

The applicant requests a minor resubdivision to divide a single long arpent tract extending from the Mississippi River to the Fifty Arpent Line into two lots, DZ-1 and DZ-2, separating the batture portion of the property (Lot DZ-2) from the remaining tract (DZ-1).

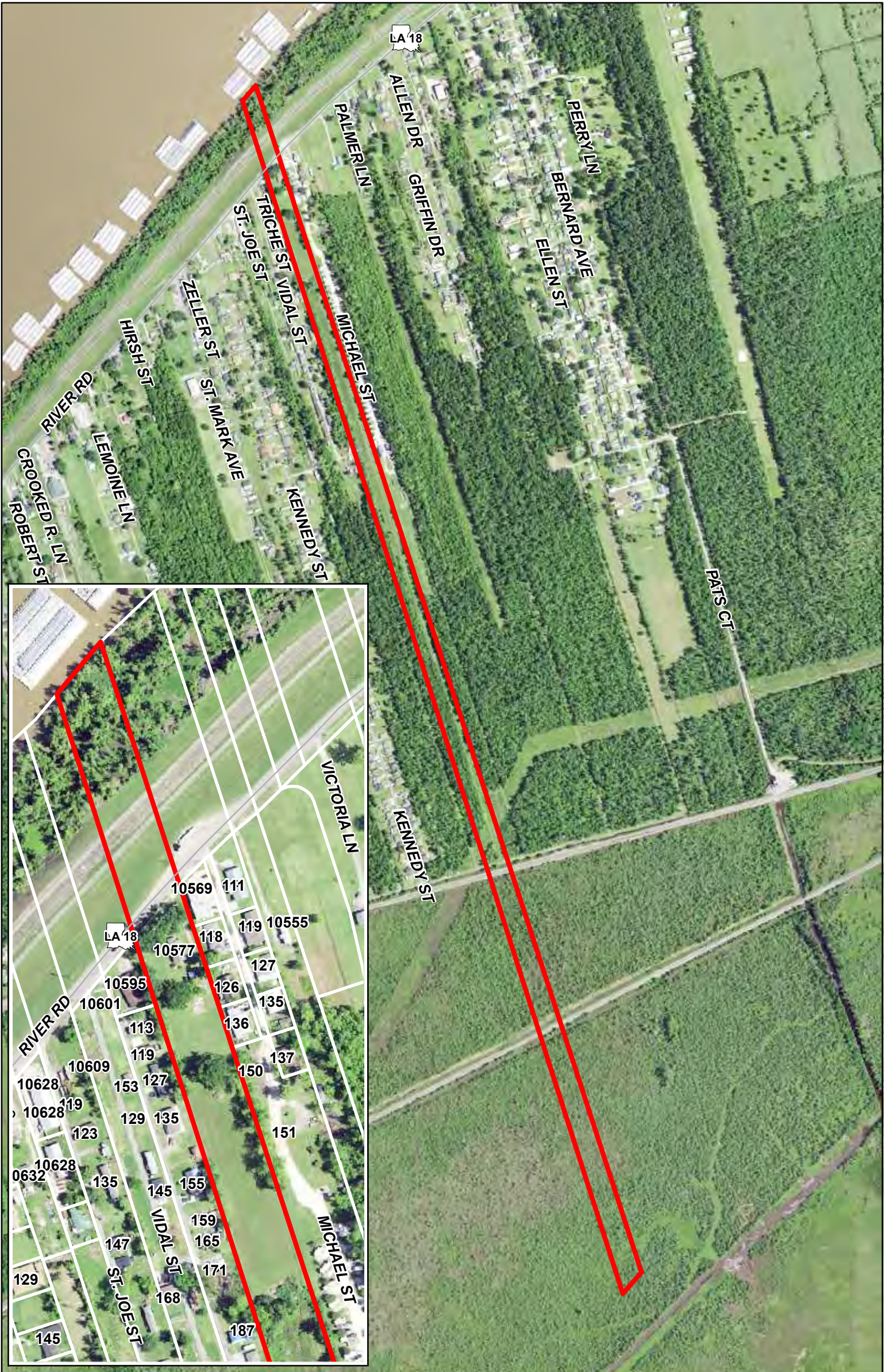
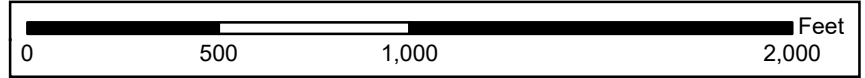
Each lot meets the minimum area and width requirements for their respective zoning districts, and the existing residence and accessory structure on DZ-1 meets setbacks.

Both lots will have frontage/access from River Road, and DZ-2 will have additional frontage and access from the Mississippi River.

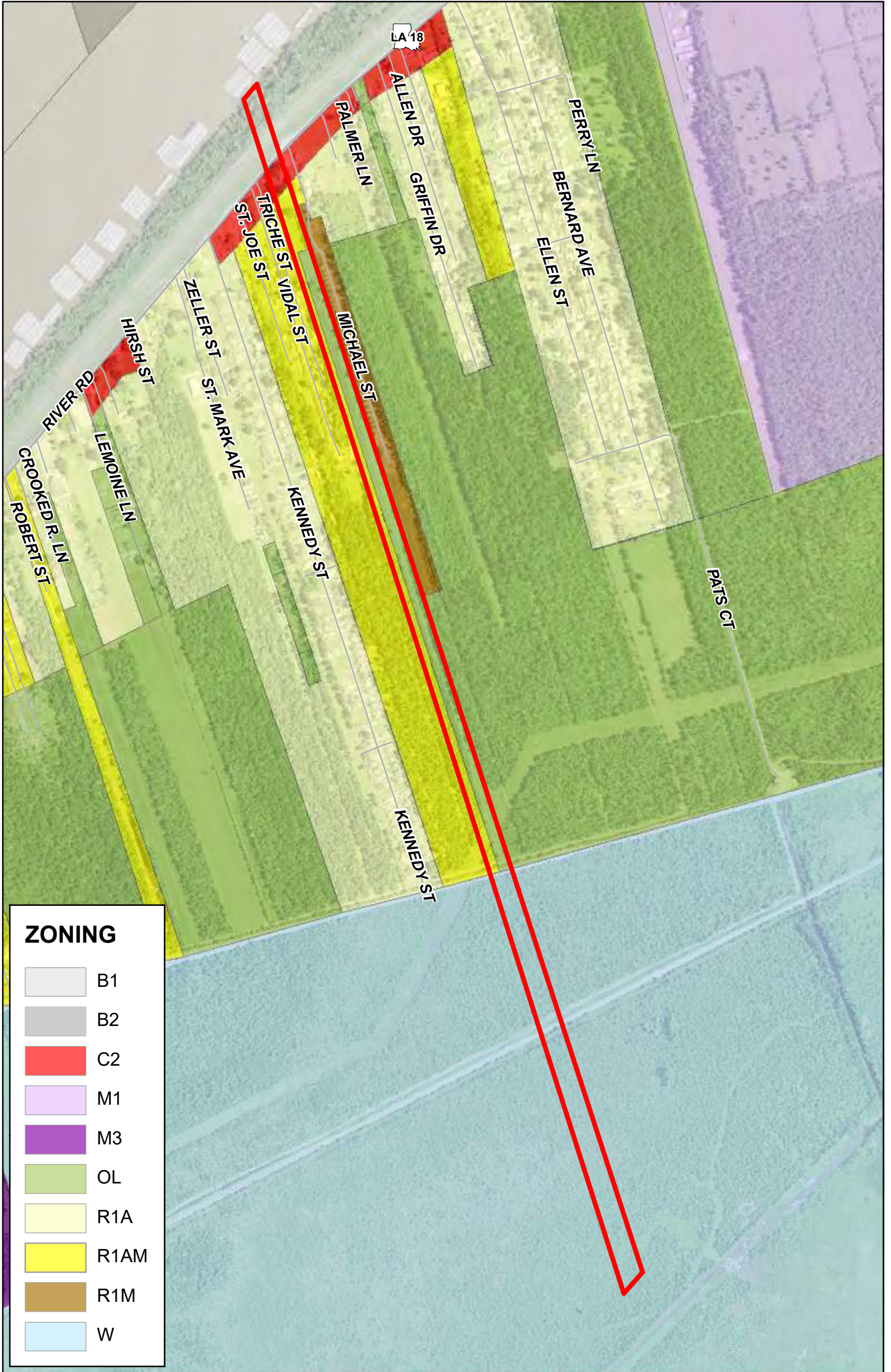
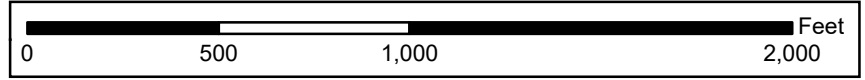
DEPARTMENT RECOMMENDATION

Approval.

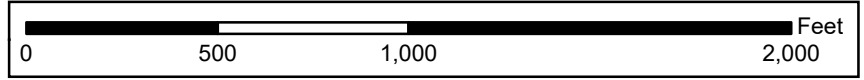
2023-18-MIN
1 lot into 2



2023-18-MIN
1 lot into 2



2023-18-MIN
1 lot into 2



Future Land Use

- Business Park
- Commercial
- Heavy Industrial
- Industrial Buffer
- Low-Moderate Residential
- Residential High
- Residential Rural
- Wetlands



Department of Planning & Zoning Staff Report – Map Amendment Case No. 2023-17-R

APPLICATION INFORMATION

- **Submittal Date:** 12/22/23
- **Applicant / Property Owner**
Troy A. Bailey
115 Pine Street
Hahnville, LA 70057
985.722.0367; trilandacannon@hotmail.com
- **Request**
Change of zoning:
 - Current - R-1A(M), Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes - Medium density
 - Proposed - R-3, Multi-family Residential

SITE INFORMATION

- **Location**
Lots D-1 and D-2, Square 14, Hahnville; municipal address 315-317 Smith Street (Lot D-1) and 212 Hwy. 3160 (Lot D-2), Hahnville
- **Size:** 21,080 sq. ft. (0.48 acres)
- **Current Use:**
Lot D-1 is developed with two manufactured homes; Lot D-2 is developed with one manufactured home.
- **Surrounding Zoning**
Surrounding zoning includes R-1A(M) focused along Smith Street and R-1A focused along Hwy. 3160.
- **Surrounding Uses**
The surrounding area consists primarily of single family homes, both site-built and manufactured. A cemetery abuts Lot D-2.
- **Zoning History**
The R-1A(M) zoning on Lot D-1 was changed from R-1A with approval of an area wide rezoning in 1982 (PZR-1982-17A, Ord. No. 82-12-4).

The R-1A(M) zoning on Lot D-2 was changed from R-1A with approval of a rezoning request in 2007 (PZR-2007-05, Ord. No. 07-5-10).
- **Future Land Use Recommendation**
Low-to-Moderate Residential: Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections. (over six dwellings per acre).

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

▪ **Traffic Access**

Lot D-1 has 68 ft. of frontage and driveway access on Smith Street. Lot D-2 has 68 ft. of frontage and driveway access on Hwy. 3160.

▪ **Utilities**

The representative with the Department of Waterworks stated a 10 inch water line runs along the Hwy. 3160 frontage and a 6 inch water line runs along the Smith Street frontage, and there are no issues regarding water.

The representative from the Department of Public Works stated they see no issues with wastewater impact, and drainage impact would have to be determined upon review of subsequent detailed development plans.

APPLICABLE REGULATIONS

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

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

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

Appendix A. Section XV. - Amendment procedure

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

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

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

- E. Rezoning approval criteria: Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:
1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map, also
 2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

REZONING GUIDELINE & CRITERIA EVALUATION

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

The subject site is within an area designated *Low-to-Moderate Residential*, which anticipates development of those residential uses typically permitted in the R-1A, R-1B, and R-1A(M) zoning districts. The designation does recommend for residential development at moderately higher densities in the form of duplexes, patio/zero-lot line homes, townhomes, and accessory units. But those examples are more closely related to and more easily integrated with the housing types typically permitted in the single-family districts. The typical multi-family development permitted under the proposed R-3 district does not conform to this designation. The limited extent of this request coupled with the lack of significant R-3 districts in the area also makes this a spot zone. **The request does not meet the first guideline.**

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

The most significant changes affecting the land-use pattern/character of the area occurred in the 1980s, when approval of two large area rezonings established nearly all of the R-1A(M) that exists in Hahnville (PZR-1982-17A, Ord. No. 82-12-4; Ord. No. 84-7-6). These districts were focused primarily along Smith Street, and Sycamore Street between Smith Street and Lincoln Street. The portion of the subject site resubdivided into Lot D-1 was part of the 1982 change. Lot D-2 was rezoned to R-1A(M) with an individual rezoning request in 2007 (PZR-2007-05, Ord. No. 07-5-10).

Currently the most notable development in this area of Hahnville has come in the form of infill development of new site-built single family homes. Department permit data shows 16 permits for new site-built single-family since 2013, with 11 of those permits dating from 2020-2023. This reinforces the established land-use pattern/character of the area and indicates the existing zoning on the subject site is reasonable, as R-1A(M) supports the potential for similar 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.*

Multi-family development in the vicinity is limited to the St. Charles Parish Housing Authority site on Sunset Court which is currently zoned R-1A (a non-conforming use). Other instances of multi-family sites are limited, and the single-family neighborhood character of the area is predominant.

Adjacency to Highway 3160 and the potential for traffic movement from the highway, into, and around the site via Smith St. and Sycamore St. provide potentially favorable access to a multi-family site at the edges of the neighborhood and would not be strictly incompatible with the area.

Parish representatives stated existing water and wastewater infrastructure would not be overburdened by those uses permitted under R-3 zoning. Drainage impact would not be determined until a proposed plan is submitted following a rezone approval. **The request meets the third guideline.**

DEPARTMENT RECOMMENDATION

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

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



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

Permit/Case #:	2023-17-R
Receipt #:	13001141
Application Date:	12/21/23
Zoning District:	R-1A(m)
FLUM Designation:	Low-Med
Date Posted:	

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

Fee: \$40 - \$200

Applicant: Troy A Bailey

Home address: 115 Pine St. Hahnville, LA 70057

Mailing address (if different): _____

Phone #: 985 722 0367 Email: tristandacannon@hotmail.com

Property owner: Troy A. Bailey

Municipal address of property: 212 Hwy 3160 & 315 SmithSt and 317 Smith St. Hahnville LA 70057

Lot, block, subdivision: D-2 and D-1

* Change of zoning district from: RM to: R3

Future Land Use designation of the property: Multi family rental 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: _____

The property will continue to be used as housing rentals. The property will be converted from mobile home rentals to a wood structure.

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

Adjacent properties are used as rental property and a graveyard. The property in its existing state is currently used as rental housing.

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

The rezoning will create stable and more affordable housing necessary for the lack of multi family housing in the area.

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

The proposed use complies with the Future Land use by providing multi-family housing as per the St. Charles Parish 2023 Comprehensive plan where the parish states this type of housing is important and the population favors it. See pg. 33 of the 2023 Comprehensive Plan for exact wording.

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.

I pray the project does develop, but if it does not, the new zoning will not change the existing neighborhood character as the property will continue to be used as a rental.

Permit/Case #: _____

This is to certify that I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found that the surveyed property as shown hereon is not in a special flood hazard area. The property lies in a Zone X as per sheet 150 of said maps, having an effective date of June 16, 1992.

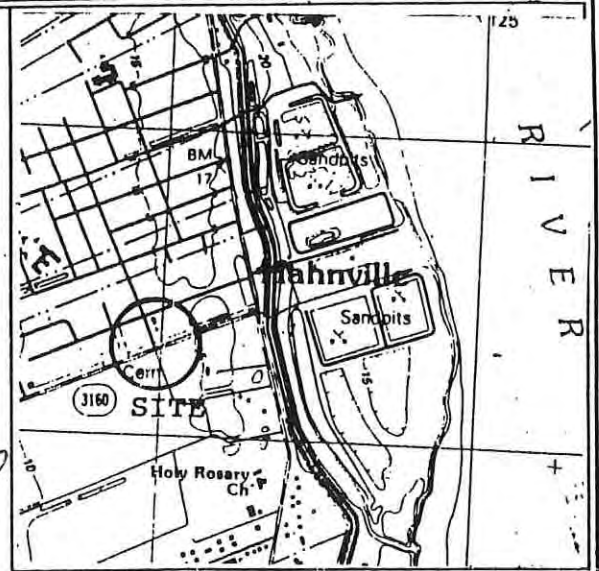
APPROVALS:

Mavis M. Fort
 CHAIRMAN, PLANNING & ZONING COMMISSION

5-3-07
 DATE

Albert O. Legue
 ST. CHARLES PARISH PRESIDENT

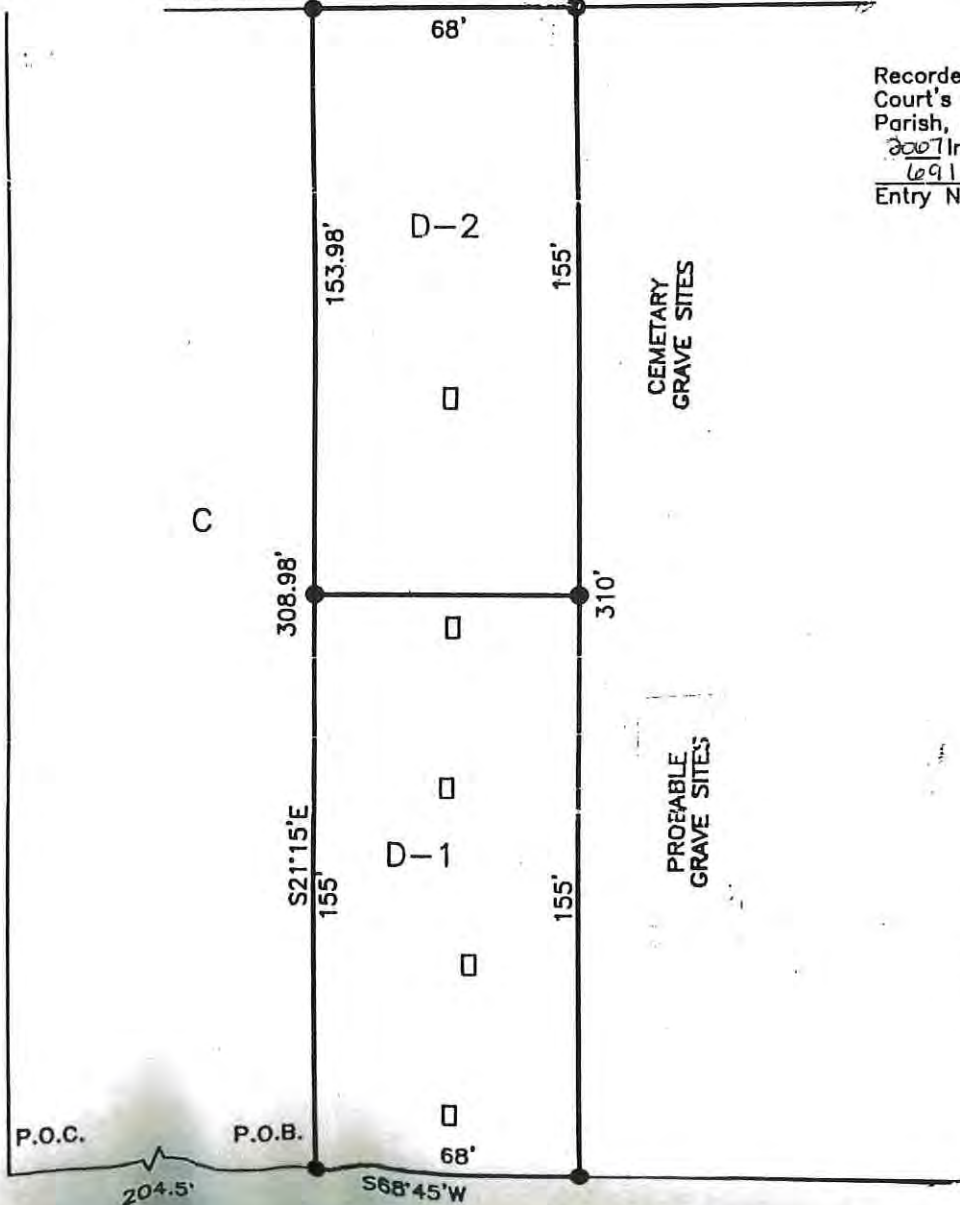
5/25/2007
 DATE



VICINITY MAP
 SCALE: 1"=2000'

LA. HWY. #3160

N67°58'E



Recorded in the Clerk of Court's Office, St. Charles Parish, on the 30 day of May 2007 in Conveyance Book 691 Folio 528.
 Entry No. 331366

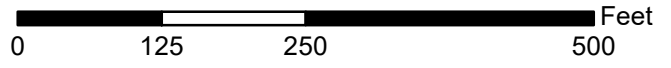


SYCAMORE ST. (FORMERLY DOSTIE)

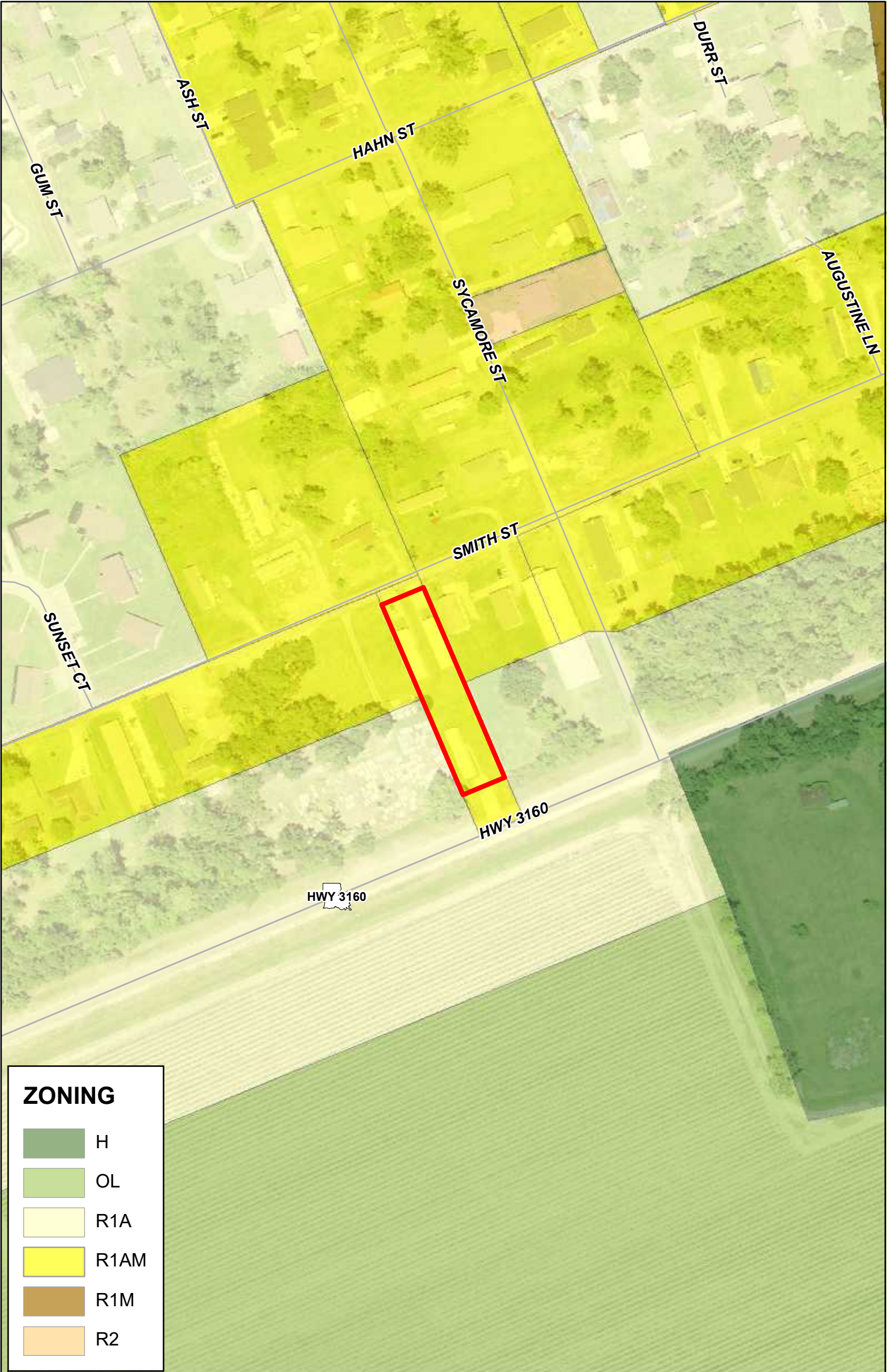
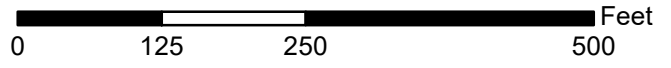
SMITH ST. (FORMERLY MORGAN)

SURVEY AND SUBDIVISION OF LOT D SQUARE 14 OF HAHNVILLE INTO LOTS D-1 & D-2 LOCATED IN SECTIONS 3 AND 23 TOWNSHIP 13 SOUTH RANGE 20 EAST, ST. CHARLES PARISH, LA.

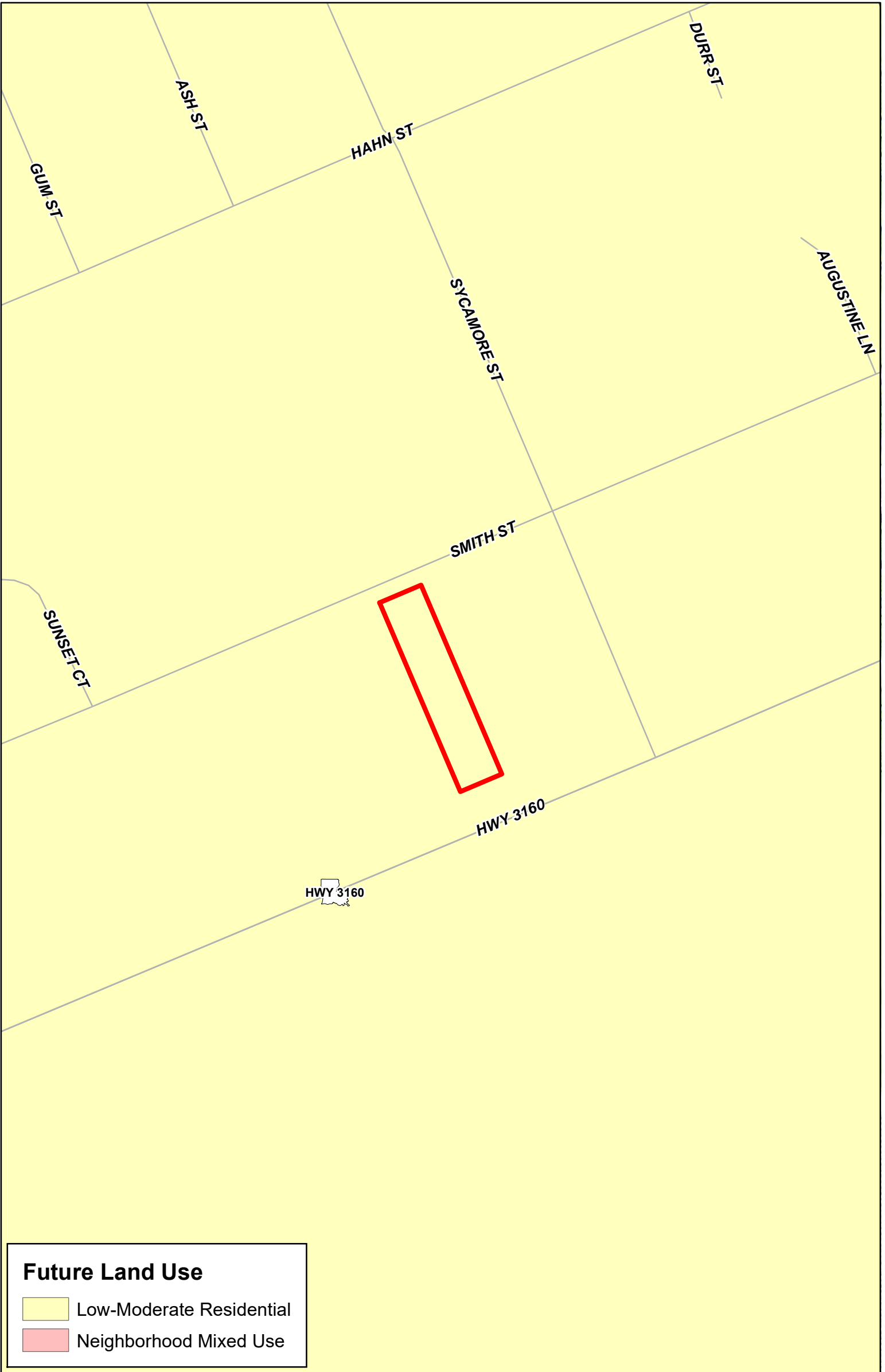
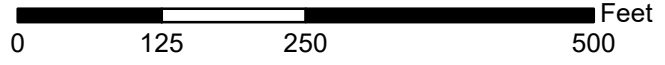
2023-17-R
R-1A(M) to R-3





2023-17-R
R-1A(M) to R-3



2023-17-R
R-1A(M) to R-3



Future Land Use

-  Low-Moderate Residential
-  Neighborhood Mixed Use



Department of Planning & Zoning Staff Report – Map Amendment Case No. 2024-1-R

APPLICATION INFORMATION

- **Submittal Date:** 1/3/2024

- **Applicant / Property Owner**

Denver Perilloux 2237 Singleton Street Houston, TX 77008 504-201-1803 denverperilloux@gmail.com	Terry & Dana Perilloux 17956 River Road Montz, LA 70068 985-817-9482 twperilloux@rcloud.com
Chris M. Trepagnier OT Properties, LLC 17968 River Road Montz, LA 70068 985-778-0888 chris@treplawfirm.com	Chris M. Trepagnier Three 4 Three, LLC 331 Girod Street Mandeville, LA 70441 985-778-0888 chris@treplawfirm.com
Robert Oubre 23046 Mixon Road Amite LA 70422 504-559-5099 rroubre@gmail.net	

- **Request**

Change of zoning:

 - Current - O-L, Open Land District & R-1A(M), Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes - Medium density
 - Proposed - R-1A, Single family residential detached conventional homes - Medium density

SITE INFORMATION

- **Location**

The site consists of five individual tracts (P-1, 1B-1-A, 1A-1, Roussel & 3605A) situated between Dixieland and Country Cottage Subdivisions in Montz. Subject tracts 1B-1-A and 1A-1 are addressed as 17956 & 17962 River Road, Montz.
- **Size:** approximately 1,851,300 sq. ft. (42.5 acres)
- **Current Use:**

The subject site is mostly undeveloped land, some of which is wooded. Portions of Lot P-1 and the Roussel Tract have been used for agricultural purposes. A single family house is located on Lot 1B-1-A. Another single family house occupied Lot 1A-1 but has been removed.
- **Surrounding Zoning**

B-2, Batture, R-1A(M), and O-L zoning is located to the River Road side; R-1A(M) and O-L zoning is located to the Country Cottage Subdivision side; R-1A zoning is located to the Thoroughbred Avenue and Edgewood Lane sides.
- **Surrounding Uses**

The site is located in an area of Montz developed primarily with single family residential subdivisions, including Dixieland to the downriver side, Country Cottage to the upriver side, and Evangeline Estates to the Airline Drive side. Additional single family homes can be found outside of established subdivisions fronting River Road.

▪ **Zoning History**

The existing R-1A(M) and O-L districts were 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-1AM (accessory units and individual mobile homes)

▪ **Flood Zone & Minimum Building Elevation**

1992 Flood Insurance Rate Map: X zone

2013 Digital Flood Insurance Rate Map: X

▪ **Traffic Access**

Lot P-1 and 3605A do not have direct frontage/access to an improved public right-of-way. The remaining tracts (1B-1-A, 1A-1, Roussel) have contiguous frontage on River Road totaling approximately 450 ft.

▪ **Utilities**

The Parish GIS map shows drainage, water, and sewer facilities along River Road. Drainage facilities are also depicted within the subject area, most notably the Coulee Canal.

A representative from the Department of Waterworks stated no burden to the water system is expect from potential resulting development.

The Director of Wastewater stated down-stream sewer improvements may be needed, but offered no objection to the rezoning request.

The Senior Parish Engineer for the Department of Public Works stated they have no objection to the rezoning request, but with any subsequent development items such as drainage will have to be addressed.

Any significant subdivision development that could result from approval of this rezoning would go through the Major Subdivision process. As part of that process the Parish reviews a Drainage Impact Analysis, Traffic Impact Analysis, and detailed construction plans to ensure new infrastructure is developed to current Parish standards and existing infrastructure and surrounding development are not adversely affected.

APPLICABLE REGULATIONS

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

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

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

1. Use Regulations:

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

- (1) Site-built single-family detached dwellings
- (2) Accessory uses
- (3) Private recreational uses

b. Special exception uses and structures include the following:

- (1) Parks, public libraries, fire stations, police or sheriff's stations or substations, and sewer pumping stations.
- (2) Showing the operation of historic buildings and/or sites and their related activities, provided a certificate from the United States Department of Interior is furnished by the owner verifying that the building and/or site is on the National Register of Historic Places.
- (3) Accessory uses to golf courses and country clubs limited to the following:
 - art studios
 - churches and religious institutions

- commercial recreation facilities
 - commercial schools
 - personal service businesses, examples include but are not limited to beauty shops and barber shops, acupuncture, and massage services
 - professional offices, examples include but are not limited to doctors, dentists, engineers, architects, landscape architects, plan services, realtors, insurance
 - restaurants and cafeterias
- c. Special permit uses and structures include the following:
- (1) Child care centers.
 - (2) Public and private schools (except trade, business, and industrial).
 - (3) Golf courses (but not miniature courses or driving ranges), country clubs, and accessory commercial uses on such properties.
 - (4) Educational, religious and philanthropic institutions. These buildings must be set back from all yard lines a distance of at least one (1) foot for each foot of building height.
 - (5) Modular, panelized and precut homes, provided that they are placed on a permanent foundation.
 - (6) *Reserved.*
 - (7) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
 - (8) Accessory dwelling units upon approval by the Planning Commission and supporting resolution of the Council.
 - (9) Garden Home Developments in accordance with Section VII Supplemental Regulations upon review and recommendation of the Planning Commission and supporting resolution of the St. Charles Parish Council.
2. Spatial Requirements:
- a. Minimum lot size: Six thousand (6,000) square feet per family; minimum width—sixty (60) feet.
 - b. Minimum yard sizes:
 - (1) Front—Twenty (20) feet.
 - (2) Side—Five (5) feet.
 - (3) Rear—Twenty (20) feet.
 - (4) For lots with less than one hundred (100) feet depth, front setback and rear setback shall be twenty (20) percent of lot depth respectively with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line.
 - (5) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, 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 XV. - Amendment procedure

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

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

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

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

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

REZONING GUIDELINE & CRITERIA EVALUATION

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

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

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

Montz has been the subject of five large-scale rezonings to R-1A causing significant shifts in the land-use pattern/character:

- PZR-1990-04; Ordinance No. 90-3-1 – Evangeline Road from River Road to the CN Railroad
- PZR-1990-08; Ordinance No. 90-5-6 – Evangeline Road to from the CN Railroad to Airline Drive
- PZR-2001-03; Ordinance No. 01-2-5 – Evangeline Estates Subdivision
- PZR-2002-06; Ordinance No. 02-5-1 – Country Cottage Estates Subdivision
- PZR-2003-06; Ordinance No. 03-5-15 – Country Cottage Estates Subdivision

Large-scale, planned residential subdivision development in Montz had long been limited to Evangeline Road (Evangeline City, 1927) and Thoroughbred Avenue (Dixieland, 1977 & 1979). Development in the remaining area was sparse and consisted of either heavily wooded undeveloped land, agricultural uses, or individually developed residences along River Road. The early 2000s marked a significant shift in the land use pattern of Montz. The above referenced rezonings in 2001, 2002, and 2003 allowed for the introduction of typical suburban single family subdivisions with the development of Country Cottage Estates (263 lots, 2002-2006) and Evangeline Estates (70 lots, 2002-2004).

The existing zoning is not necessarily unreasonable. Those uses permitted in the R-1A district can be permitted in the R-1A(M) and O-L districts. But the proposed R-1A zoning would be more reasonable as it would permit the type of development that is more in line with the current land-use pattern and character of Montz as detailed above. **The request meets the second guideline.**

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

The proposed R-1A zoning would be compatible with the surrounding neighborhood character consisting primarily of single family residential homes, most of which within typical residential subdivisions (Dixieland, Country Cottage Estates, Evangeline Estates).

R-1A zoning would allow for residential development at a higher density compared to what could be permitted under the primarily O-L zoning (6,000 sq. ft. lot minimum vs. 20,000 sq. ft. lot minimum), so increased impact to public facilities could be expected and must be accounted for as part of any resulting development. At this time the Department of Waterworks stated no additional burden to their system would occur.

The Director of the Department of Wastewater stated that while down-stream sewer improvements may be necessary, there is no objection to the proposed zoning change. Any significant subdivision development resulting from this request would go through the Major Subdivision process. As part of this process, detailed plans are reviewed to ensure new water, sewer, and drainage infrastructure will be built to Parish standards, and any adverse impact to existing facilities identified and mitigated. **The request meets the third guideline.**

DEPARTMENT RECOMMENDATION

Approval, based on meeting all rezoning criteria.

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



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

Permit/Case #:	_____
Receipt #:	_____
Application Date:	_____
Zoning District:	_____
FLUM Designation:	_____
Date Posted:	_____

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

Fees: \$40 - \$200

Applicant: Denver Perilloux

Home address: 2237 Singleton St. Houston, Tx, 77008

Mailing address (if different): _____

Phone #: 504-201-1803 Email: denverperilloux@gmail.com

Property owner: Denver Perilloux

Municipal address of property: 17950 River Road, Montz, LA, 70068

Lot, block, subdivision: Lot P-1, Being a Resubdivision of St. Germain Property in Section 6, T12S-R7E

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

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

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

Describe how you plan to use the property if the rezoning is granted: Development of residential subdivision.

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

Residential. Proposed use is the same as adjacent properties.

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

Property is surrounded by residential neighborhoods.

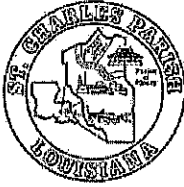
How does your proposed use of the property comply with the Future Land Use designation for the property?

Future land use is designated as low to moderate 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.

The new zoning district is compatible because the subject property is surrounded by residential development.

Permit/Case #: _____



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:	_____
Zoning District:	_____
FLUM Designation:	_____
Date Posted:	_____

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

Fee: \$40 - \$200

Applicant: Terry & Dana Perilloux

Home address: 17956 River Road

Mailing address (if different): _____

Phone #: 985-817-9482 Email: tuperilloux@rcloud.com

Property owner: Terry & Dana Perilloux

Municipal address of property: 17956 River Road

Lot, block, subdivision: Lot 1B1A

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

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

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

Describe how you plan to use the property if the rezoning is granted: Development of residential subdivision.

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

Residential. Proposed use is the same as adjacent properties.

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

Property surrounded by residential neighborhoods.

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

Future land use is designated as low to moderate 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.

The new zoning district is compatible because the subject property is surrounded by residential development.

Permit/Case #: _____



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:	_____
Zoning District:	_____
FLUM Designation:	_____
Date Posted:	_____

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

Fee: \$40 - \$200

Applicant: Robert Dubre
 Home address: 2304 1/2 Nixon Rd Amite La 70422
 Mailing address (if different): _____
 Phone #: 504-559-5099 Email: rroubre@gmail.net
 Property owner: Robert Dubre
 Municipal address of property: 17962 River Rd Montz La 70068
 Lot, block, subdivision: Lot 1A-1
 Change of zoning district from: OL to: RTA
 Future Land Use designation of the property: Low to Moderate Residential
 (A fact sheet on Future Land Use designations is available at the Planning and Zoning Department).

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

Describe how you plan to use the property if the rezoning is granted: Development of residential subdivision.

What types of activities occur on adjacent properties today? How is your proposed use compatible with the neighborhood?
Residential. Proposed use is the same as adjacent properties.

Is there something about the property or the surrounding neighborhood that make the rezoning necessary?
Property is surrounded by residential neighborhoods.

How does your proposed use of the property comply with the Future Land Use designation for the property?
Future land use is designated as low to moderate 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.
The new zoning district is compatible because the subject property is surrounded by residential development.

Permit/Case #: _____



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:	_____
Zoning District:	_____
FLUM Designation:	_____
Date Posted:	_____

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

Fee: \$40 - \$200

Applicant: OT Properties, LLC
 Home address: 17968 River Road
 Mailing address (if different): Same
 Phone #s: 985-778-0888 Email: chris@trop law firm.com
 Property owner: OT Properties, LLC
 Municipal address of property: 17968 River Road, Montz, LA 70068
 Lot, block, subdivision: Lot 3676
 Change of zoning district from: OL to: R1-A
 Future Land Use designation of the property: low - moderate residential
 (A fact sheet on Future Land Use designations is available at the Planning and Zoning Department).

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

Describe how you plan to use the property if the rezoning is granted: Development of a residential subdivision.

What types of activities occur on adjacent properties today? How is your proposed use compatible with the neighborhood?
Residential. Proposed use is the same as adjacent properties.

Is there something about the property or the surrounding neighborhood that make the rezoning necessary?
Property is surrounded by residential neighborhoods.

How does your proposed use of the property comply with the Future Land Use designation for the property?
Future land use is designated as low to moderate 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.
The new zoning district is compatible because the subject property is surrounded by residential development.



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:	_____
Zoning District:	_____
FLUM Designation:	_____
Date Posted:	_____

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

Fee: \$40 - \$200

Applicant: Three 4 Three, LLC
 Home address: 331 Girod St.
 Mailing address (if different): Same
 Phone #: 985-778-0888 Email: chris@trep law firm.com
 Property owner: Three 4 Three, LLC
 Municipal address of property: 17978 River Road, Montz, LA 70068
 Lot, block, subdivision: Lot 3605A
 Change of zoning district from: OL to: R1-A
 Future Land Use designation of the property: low-moderate residential
 (A fact sheet on Future Land Use designations is available at the Planning and Zoning Department).

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

Describe how you plan to use the property if the rezoning is granted: Development of a residential subdivision.

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

Residential. Proposed use is the same as adjacent properties.

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

Property is surrounded by residential neighborhoods.

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

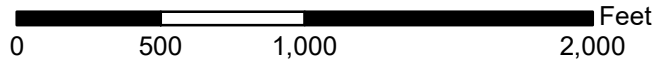
Future land use is designated as low to moderate residential.

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.

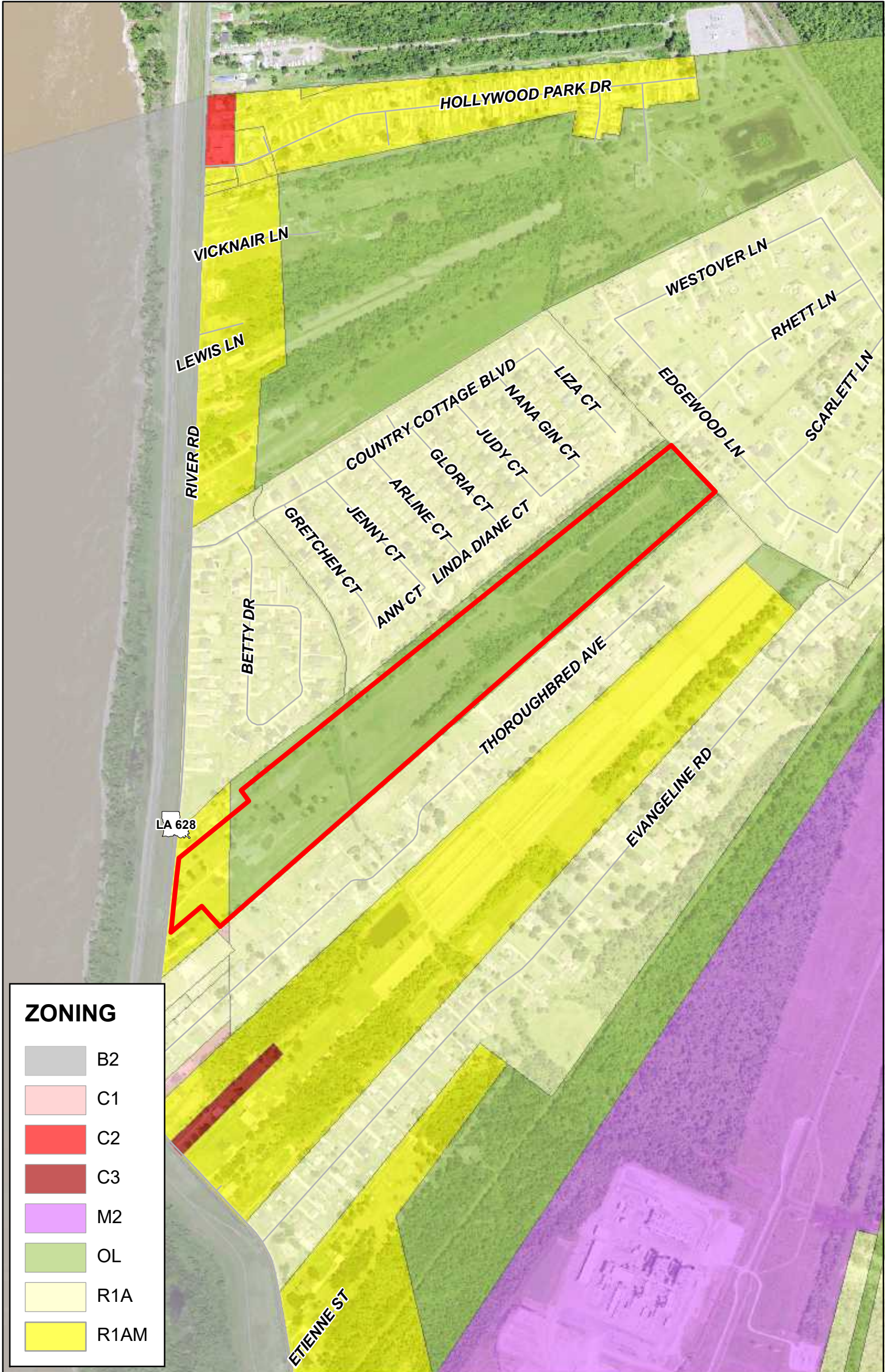
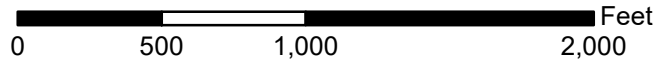
The new zoning district is compatible because the subject property is surrounded by residential development.

Permit/Case #: _____

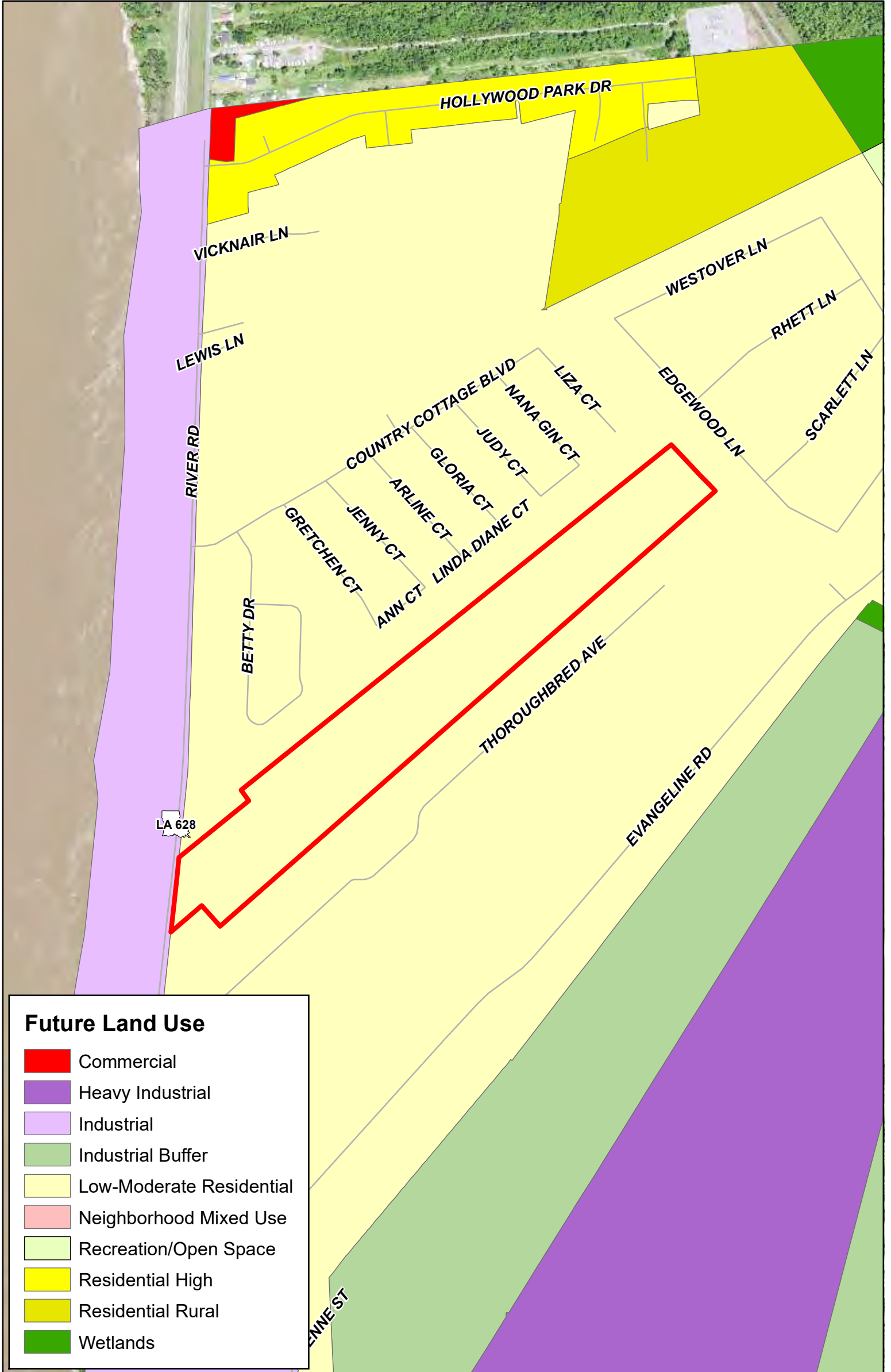
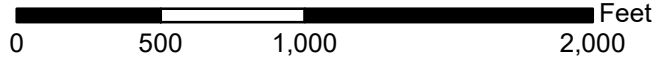
2024-1-R
O-L & R-1A(M) to R-1A



2024-1-R
O-L & R-1A(M) to R-1A



2024-1-R
 O-L & R-1A(M) to R-1A





Department of Planning & Zoning Staff Report – Map Amendment Case No. 2024-2-R

APPLICATION INFORMATION

- **Submittal Date:** 1/4/2024
- **Applicant / Property Owner**
Alvin Gordon, III
9512 Linden Loop
Westwego, LA 70094
504-236-5112; goodguyfinishing@hotmail.com
- **Request**
Change of zoning:
 - Current - R-1A(M), Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes - Medium density
 - Proposed - R-2, Two Family Residential

SITE INFORMATION

- **Location**
Lots 47, 48, 49, 50, 51, and 52, Square D, Oak Ridge Park; Lots 47, 48, and 52 are addressed as 1014, 1018, and 1028 Paul Frederick Street, Luling
- **Size:** approximately 31,710 sq. ft. (0.72 acres)
- **Current Use:** undeveloped
- **Surrounding Zoning**
R-1A(M) zoning is located to the Paul Frederick, Brooklyn, and Hackberry Street sides; R-1A zoning is adjacent to the Kinler Street side.
- **Surrounding Uses**
The site is in a developed residential area adjacent to the Paul Maillard Road corridor. Dwellings on Paul Frederick Street consist of both manufactured and site-built single family homes. Those adjacent to rear on Kinler Street are exclusively site-built single family homes.
- **Zoning History**
The existing R-1A(M) 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-1AM (accessory units and individual mobile homes)
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: X Zone
2013 Digital Flood Insurance Rate Map: X
- **Traffic Access**
Each lot has 70 ft. of frontage and access on Paul Frederick Street.

▪ **Utilities**

Per the Parish GIS wastewater facilities are available along Paul Frederick Street.

Per the Department of Waterworks a 12 inch line is available on Paul Frederick Street and the development potential from this proposed rezone would not adversely impact water supply.

Per the Senior Engineer with the Department of Public Works (DPW), there is no objection to the rezoning. But DPW is working on a project to correct deficient drainage in the area, and the subject site was identified for a servitude that would facilitate drainage improvements for the Kinler/Paul Frederick subdivisions. This would need to be a consideration as part of any subsequent resubdivisions and/or improvements made to the subject site. The property owner has been provided this information and directed to DPW for more information.

APPLICABLE REGULATIONS

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

[VII.] *R-2. Two-family residential:*

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) See uses allowed in the R-1A district
 - (2) Two-family dwellings
 - (3) Single family dwellings
 - (4) Accessory uses.
 - (5) Nonresidential accessory buildings shall not be permitted.
 - b. Special exception uses and structures include the following:
 - (1) Club houses and/or accessory recreational facilities for resident use only
 - (2) Professional, non-retail offices
 - c. Special permit uses and structures include the following:
 - (1) Child care centers
 - (2) Schools (public, private, and commercial)
 - (3) Religious institutions
 - (4) *Reserved.*
 - (5) *Reserved.*
 - (6) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
 - d. Transportation system required: Local or collector street.
2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet (3,000 per family); minimum width - sixty (60) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet each side
 - (3) Rear - twenty (20) feet.
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
 - c. 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 rear setback of accessory building shall be the same as side yard requirement of the district in which it is located.
 - 4) Accessory buildings shall be located on the same parcel of land as the main structure.
 - 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 or rear yard.
3. Transportation System Requirement: Front on local or collector street only.
4. Special Provisions:
 - a. Where any two-family residential district (R-2) abuts any residential zoning district or use, a six-foot high solid wood fence or masonry wall shall be erected.

Appendix A. Section XV. - Amendment procedure

- D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two or more of the following criteria are met:
1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zone that is incompatible with the surrounding neighborhood.
 2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.

- b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

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

- E. Rezoning approval criteria: Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:
- 1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map, also
 - 2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

REZONING GUIDELINE & CRITERIA EVALUATION

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

The subject site is within an area designated *Low-to-Moderate Residential*, which primarily anticipates development of those residential uses typically permitted in the R-1A, R-1B, and R-1A(M) zoning districts. However, the designation does consider alternative housing types with a moderately higher density that are not typically permitted, or permitted by right, in those districts. This includes duplexes, patio/zero-lot line homes, townhomes, and accessory units. The R-2 zoning district is not explicitly recommended under the *Low-to-Moderate Residential* designation, but duplexes are considered in the description as an appropriate residential development type. Since duplexes are permitted by right starting in the R-2 district, it is appropriate to consider it in conformance with the *Low-to-Moderate Residential* designation and the Comprehensive Plan Future Land Use Map. There is no R-2 zoning in the area, and while consisting of six lots the site is still less than an acre, so it is appropriate to consider this a spot zone affecting a small area. But conformance with the comprehensive plan takes precedence over being a spot zone as part of the Department's analysis. **The request meets the first guideline.**

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

The existing R-1A(M) zoning district was established in 1981 and this block of Paul Frederick Street has been developed with a mix of manufactured and site-built homes for decades.

The subject site consists of 6 individual lots measuring 70 ft. wide and approximately 5,300 sq. ft. Under current zoning each lot can be developed by right with either a new manufactured or site-built home. By rezoning to R-2, new lot size requirements would apply. The minimum lot width would increase from 50 ft. to 60 ft., and the minimum lot area from 5,000 sq. ft. to 6,000 sq. ft. If the rezoning is approved a resubdivision consolidating into five lots would be required to meet the minimum lot area for the R-2 district (this would also be the case if zoned R-1A). Despite losing one lot, the ability to permit duplexes would allow for ten total dwellings compared to the six that can be permitted today. But while an additional four dwellings is beneficial, the ability to develop the six existing lots under the current zoning is far from unreasonable, especially considering the reduced lot sizes, setbacks, and lower cost housing options permitted in the district. And this has not been impacted by any substantial changes in the land-use pattern or character of the neighborhood. **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.*

Despite being an upzoning permitting housing at a higher density, the R-2 district is more in-line with the development standards of the R-1A zoning district compared to the reduced standards of the existing R-1A(M). This includes:

- Site-built construction
- Same lot area (6,000 sq. ft. / 60 ft. wide)
 - R-1A(M) allows lots of 5,000 sq. ft. / 50 ft. wide
- Same setbacks (20 ft. front / 5 ft. sides / 20 ft. rear)
 - R-1A(M) permits 15 ft. front and 5 ft. rear setbacks
- Same rear yard coverage requirement (25%)
 - No such requirement under R-1A(M)

The more stringent development requirements of the R-2 zoning district, both in terms of construction type and lot size requirements, would actually allow for development more in character with the site-built houses on Paul Frederick Street and abutting to the rear on Kinler Street, and not adversely impact neighborhood character.

The site is located in a developed area where Parish water, sanitary sewer, and drainage facilities are available and will not be overburdened by the four additional units that may be permitted. But as referenced under the Utilities section of this report, coordination between the property owner and the Department of Public Works must occur regarding a potential drainage servitude within the subject site in order to facilitate a larger drainage project. This does not directly affect the rezoning request, but would impact any subsequent resubdivision and permitting. **The request meets the third guideline.**

DEPARTMENT RECOMMENDATION

Approval, based on meeting the first and third 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 #:	2024-2-R
Receipt #:	13011810
Application Date:	1/4/24
Zoning District:	R-1A(m)
FLUM Designation:	Low-MOD
Date Posted:	

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

Fee: \$40 - \$200

Applicant: Alvin Gordon III
 Home address: 9512 Linden Loop Westwego LA 70094
 Mailing address (if different): same
 Phone #s: 504-236-5112 Email: goodguyfinishing@hotmail.com
 Property owner: Alvin Gordon III
 Municipal address of property: 1014-1024 Paul Frederick St. Luling LA 70070
 Lot, block, subdivision: lots 47, 48, 49, 50, 51, 52 BIK D, SEC 1, Oak Ridge Park subd.
 Change of zoning district from: R1 to: R2 - Two Family Residential
 Future Land Use designation of the property: Low To Moderate Residential Duplexes
 (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: if the rezoning is granted my wife and I plan to develop and build new construction duplexes to provide rental housing to the community.

What types of activities occur on adjacent properties today? How is your proposed use compatible with the neighborhood? The properties that are adjacent to lots are rental properties, 2 residential, 1 residential some vacant homes as well as mobile homes. Since this neighborhood is mixed and primarily an rental home area we believe that our duplexes will be compatible as they will provide more rental opportunities that will enhance this community.

Is there something about the property or the surrounding neighborhood that make the rezoning necessary? Recently it has been very difficult for a lot of people to become home owners with interest rate, taxes, and insurance at a all time high. Because of this, people within this community have expressed that there isn't enough rental homes with in the area. Rezoning the property will allow us to provide more units that are new and safe to rent.

How does your proposed use of the property comply with the Future Land Use designation for the property? our proposed use of the property of Low To Moderate Residential includes: single family, duplexes, and townhomes. Since we plan to build duplexes our future use complies with Low To Moderate Residential standards.

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. Since the existing neighborhood is primarily mixed rental housing if our property is rezoned to R2 that still includes single family dwellings which the neighborhood already have as well.

Alvin Gordon III

9512 Linden Loop Westwego, LA 70094

Phone: 504-236-5112

Email: goodguyfinishing@hotmail.com

1/4/2024

To: St. Charles Parish Planning & Zoning

14996 River Rd. Hahnville LA 70057

Phone: 985-783-5060

I Alvin Gordon III, wrote this letter of intention to add to my application to rezone the area where my lots are located. My wife and I would like to develop duplexes to provide improvements to the empty lots and help the community by adding more new and safe homes for people to rent.

However, in order for us to be able to build the duplexes, once we have the approval for the R2-Two family residential we will also need to resub-divide our 6 lots into 5 lot to make sure that we are within range to build the particular structures.

If rezoning is granted, our ultimate goal is to enhance and improve this existing rental community by building new construction rental housing on the vacant lots, that are safe and inviting. We have heard from many people in the area who've expressed that the area is lacking more rental housing for those who are unable to purchase a home.

With the community in mind, providing more rental housing in the area will accomplish the goal of promoting neighborhood stability, enhancing while balancing the neighborhood aesthetics, increasing property values from the new construction aspect and create a safe harmonious residential environment.

Please consider our request to rezone.

Thank You,

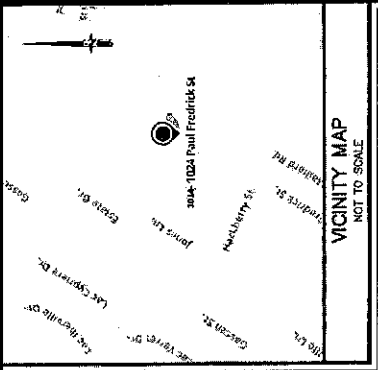


Alvin Gordon III

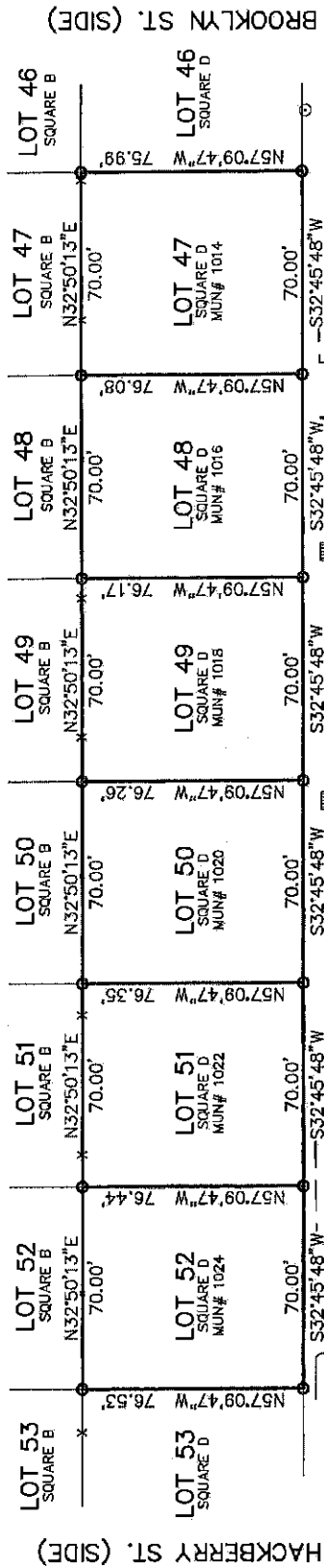
GENERAL NOTES

THE LOCATIONS OF UNDERGROUND AND OTHER NON-VISIBLE UTILITIES SHOWN HEREON HAVE BEEN DETERMINED FROM DATA EITHER FURNISHED BY THE AGENCIES CONTROLLING SUCH DATA AND/OR EXTRACTED FROM RECORDS MADE AVAILABLE TO US BY THE AGENCIES CONTROLLING SUCH RECORDS. WHERE FOUND, THE SURFACE FEATURES OF LOCATIONS ARE SHOWN. THE ACTUAL NON-VISIBLE LOCATIONS MAY VARY FROM THOSE SHOWN HEREON. EACH AGENCY SHOULD BE CONTACTED RELATIVE TO THE PRECISE LOCATION OF ITS UNDERGROUND INSTALLATION PRIOR TO ANY RELIANCE UPON THE ACCURACY OF SUCH LOCATIONS SHOWN HEREON, INCLUDING PRIOR TO EXCAVATION AND DIGGING.

GRID NORTH
NORTH REFERENCED TO LOUISIANA
STATE PLANE COORDINATE SYSTEM,
SOUTH ZONE, NAD 83.

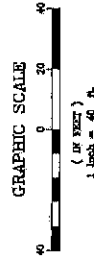


KINLER ST. (SIDE)



PAUL FREDRICK STREET

LEGEND
○ 5/8" IRON ROD (SET)



SCALE: 1" = 40'

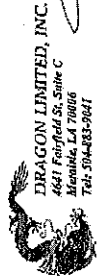
DATE: 12/28/2023

DRAWN BY: K.A.B.
CHECKED BY: Y.C.L.

PROJ. NO: 503

SHEET 1 OF 1

BOUNDARY SURVEY
1014-1024 PAUL FREDERICK STREET
LOTS 47-52, SQUARE D
OAK RIDGE PARK SUBDIVISION
ST. CHARLES PARISH, LOUISIANA



The Servitudes and Restrictions shown on this survey are limited to those set forth in the description furnished us and there are no other restrictions, easements, servitudes and restrictions and no other search or public record search in compiling the data for this survey.

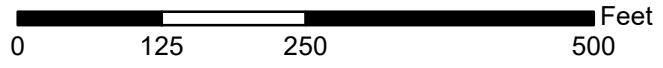
I have consulted the Federal Insurance Administration Flood Hazard Boundary Map for this property and there is no Special Flood Hazard Zone in this area.

FIRM ZONE: X
COMMUNITY: ST. CHARLES PARISH
PANEL NUMBER: 220160 0150C
DATED: 06/16/1992

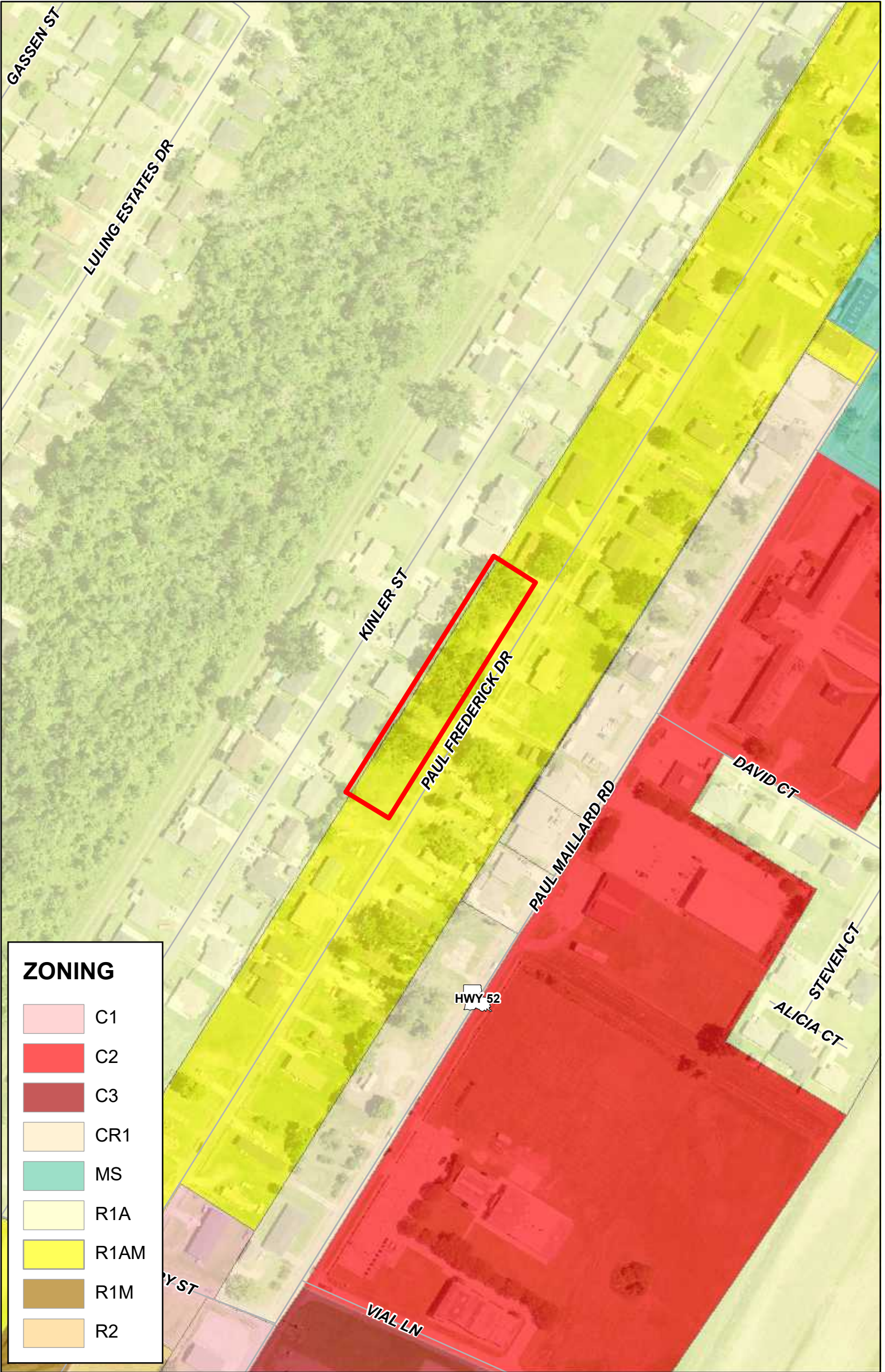
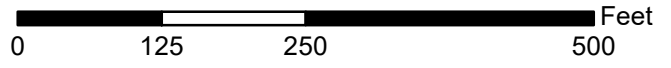
GOOD GUY FINISHING LLC

STATE OF LOUISIANA
YU-CHIAO LO
Reg. No. 2385
REGISTERED SURVEYOR
YU-CHIAO LO
PROFESSIONAL SURVEYOR
REGISTRATION NO. 2385

2024-2-R
R-1A(M) to R-2

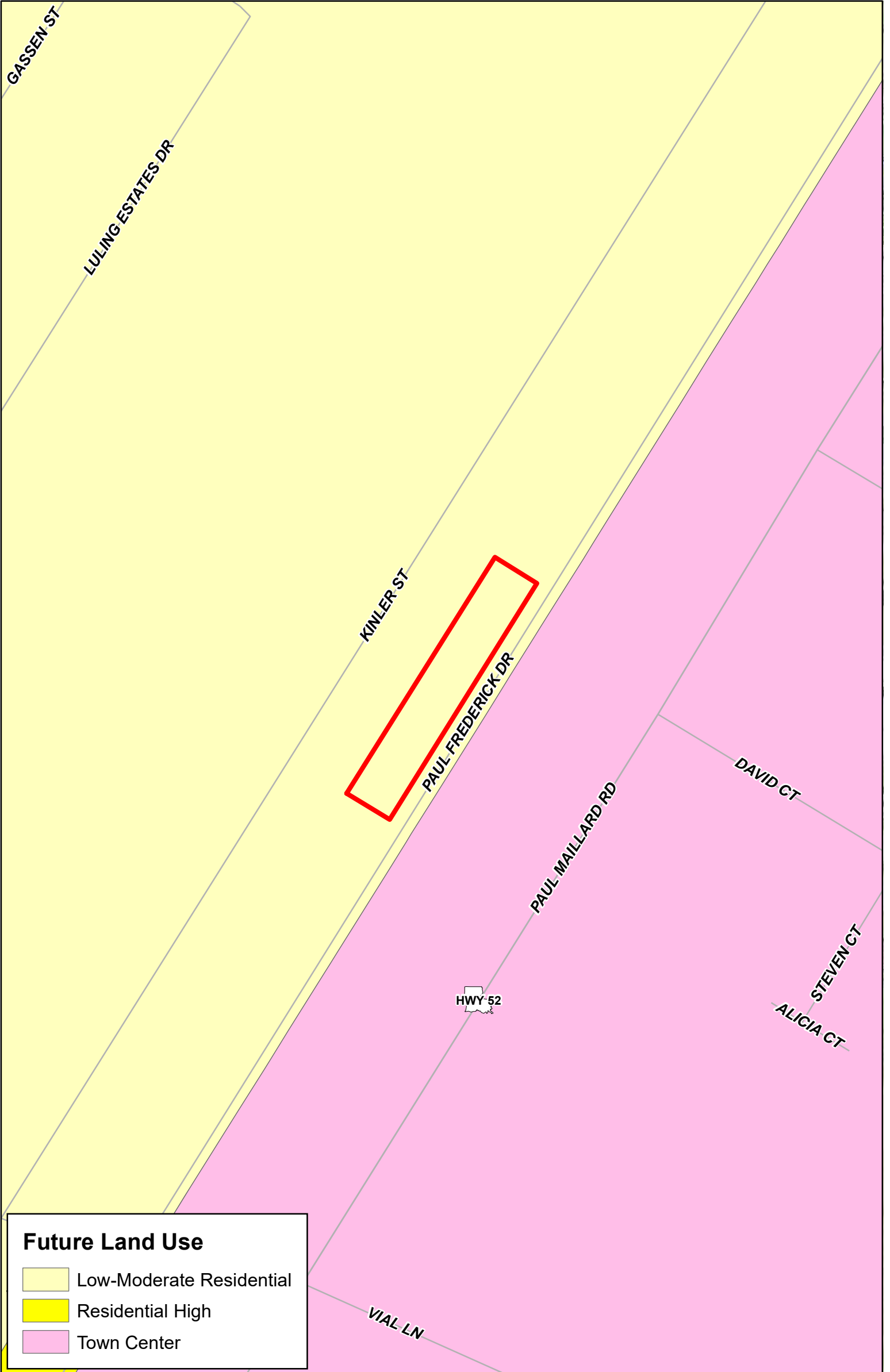
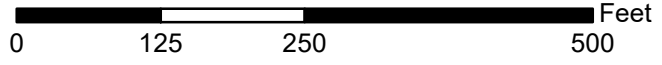


2024-2-R
R-1A(M) to R-2



ZONING	
	C1
	C2
	C3
	CR1
	MS
	R1A
	R1AM
	R1M
	R2

2024-2-R
R-1A(M) to R-2





Department of Planning & Zoning Staff Report – Map Amendment Case No. 2024-3-R

APPLICATION INFORMATION

- **Submittal Date:** 12/29/23
- **Applicant / Property Owner**
Anna Nelson
DNA Real Estate, LLC
12350 River Road
St. Rose, LA 70087
504-451-2368; nelsonbros@cox.net
- **Request**
Change of zoning:
 - Current - O-L, Open Land
 - Proposed - R-1M, Manufactured home/recreational vehicle (RV) park (7 acres) AND M-1, Light manufacturing and industry district (1.34 acres)

SITE INFORMATION

- **Location**
Lot 19, Pecan Grove Plantation Subdivision; 12320 River Road, Destrehan
- **Size:** approximately 363,290 sq. ft. (8.34 acres)
- **Current Use:** undeveloped and wooded
- **Surrounding Zoning**
B-2 zoning is located to the River Road side; M-1 zoning is located to the CN Railroad side; O-L zoning is adjacent to the downriver side; R-1M and M-1 zoning is adjacent to the upriver side.
- **Surrounding Uses**
The downriver side consists of mostly undeveloped and wooded land, but a small RV Park is located on Christina Lane. The Nelson RV Park and DNR Group office and warehouse is adjacent to the upriver side.
- **Zoning History**
The O-L zoning was established in 1981.

The zoning over adjacent Lot 20-A that this request would expand on was established by rezoning in 2015 (PZR-2015-04; Ord. 15-3-5)
- **Future Land Use Recommendation**
Low-to-Moderate Residential: Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections. (over six dwellings per acre).

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

- **Traffic Access**

Lot 19 has an 188.94 ft. frontage on River Road.

- **Utilities**

Parish GIS shows public sewer and water facilities located along River Road.

Drainage ditches are located along River Road, but drainage review would need to occur prior to development.

The Director of the Department of Wastewater stated there would be an issue with collection capacity at this location necessitating upgrades to the downstream lift station.

APPLICABLE REGULATIONS

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

[IV.] *R-1M. Manufactured home/recreational vehicle (RV) park:*

Policy statement: This district is established to allow single-family residential usage of manufactured housing and recreational vehicles (RV) in a specially designed community or park with public and private amenities provided by the park developer as opposed to the park tenants. This district will allow a greater density of single-family residences to locate in an aesthetically pleasing environment by requiring certain spatial and buffer requirements.

1. Use Regulations:
 - a. A building or land shall be used only for manufactured home and RV parks and accessory uses.
 - b. Special exception uses and structures include clubhouses, laundry facilities, rental offices, managers' homes, and/or accessory recreational facilities for park residents only.
2. Special permit uses:
 - a. Include RV parks of one-half acre provided 1) the Special Provisions for RV Parks [subsection 4 below], other than the minimum site requirement, are met, and 2) the request receives review and approval by the Planning Commission and a supporting resolution of the Council.
 - b. Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
3. Spatial Requirements: Shall conform to the Manufactured Home Park or RV Park regulations and design standards outlined as Special Provisions [subsection 4] below.
 - a. 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.
4. Special Provisions: Shall conform to either the Manufactured Home Park of [or] RV Park regulations and design standards noted below as they pertain to the total park use.

Manufactured home park:

 - a. Location, space and general layout:
 - (1) The manufactured home park shall be located on a well-drained site [and] shall be so located such that its drainage will not endanger adjacent property and water supply.
 - (2) Any lot or portion of ground proposed to be used for a manufactured home park shall have sufficient frontage for construction of entrances and exits properly designed for safe movement of park traffic.
 - (3) Each manufactured home space shall contain a minimum of three thousand one hundred fifty (3,150) square feet, shall be at least thirty-five (35) feet wide and eighty (80) feet long, and shall have its boundaries clearly defined. The space shall abut on an access drive which shall have unobstructed access to a public street or highway.
 - (4) A patio slab of at least one hundred eighty (180) square feet shall be provided on each manufactured home lot and conveniently located at the entrance of each manufactured home.
 - (5) A minimum site of two (2) acres is required for a manufactured home park.
 - (6) Manufactured homes shall be parked on each space to conform to the following minimums:
 - (a) Twenty-five (25) feet clearance between coaches.
 - (b) Five (5) feet clearance between each coach and its respective site line.
 - (c) Ten (10) feet between coaches and any adjoining property lines.
 - (d) Twenty (20) feet between coaches and any public street right-of-way.
 - (e) Twenty-five (25) feet between coaches and any building or structure not used for accessory purposes.
 - (f) Accessory buildings must be a minimum of ten (10) feet from any manufactured home.
 - (g) Nonresidential accessory buildings shall not be permitted.
 - [b. Reserved.]
 - c. Parking: Sufficient paved parking shall be provided for the parking of at least one (1) motor vehicle for each manufactured home space plus an additional paved parking space for each three (3) lots to provide for guest parking for two (2) car tenants and for delivery and service vehicles.
 - d. Recreation: Not less than ten (10) percent of the gross area of the manufactured home park is to be set aside, designed, constructed and equipped as a recreational area. Recreation area design and equipment shall be approved by the St. Charles Parish Recreation Department Director.
 - e. Transportation system: All streets and access drives within the manufactured home park shall be constructed to required parish specifications as outlined in Subdivision Regulations [appendix C].
 - f. Sewage Disposal: Each manufactured home site shall be provided with a sanitary sewer connection, and each manufactured home park shall be provided with a collection and treatment system and public water supply in compliance with the standards of the Parish Health Unit and the State Health Department.
 - g. Garbage: If garbage hoppers are to be provided, then two (2) shall be provided for each twenty (20) manufactured home sites, and each hopper shall be screened from view by wood or masonry fencing.
 - h. Screen fences, walls and buffer screening: Fences should be installed where necessary for screening purposes such as around outdoor areas, laundry yards, refuse collection points and

playgrounds. A six (6) feet opaque fence or masonry wall shall border the park, and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.

- i. General: Individual manufactured home sites may be leased or rented but not subdivided or sold.
- j. All improvements required in this section must be completed prior to the placement of any manufactured home on the site.

RV Park:

- a. Location, space and general layout:
 - (1) The RV park shall be located on a well-drained site [and] shall be so located such that its [its] drainage will not endanger adjacent property and water supply.
 - (2) Any lot or portion of ground proposed to be used for an RV park shall have sufficient frontage for construction of entrances and exits properly designed for the safe movement of park traffic.
 - (3) Each RV space shall contain a minimum of fourteen hundred (1,400) square feet, shall be at least thirty-five (35) feet wide, and shall have its boundaries clearly defined. The space shall abut on a driveway.
 - (4) A minimum site of one (1) acre is required for an RV park.
 - (5) RV's shall be parked on each space to conform to the following minimums:
 - (a) Twenty-five (25) feet clearance between RV's.
 - (b) Five (5) feet clearance between each RV and its respective site line.
 - (c) Ten (10) feet between RV's and any adjoining property lines.
 - (d) Twenty (20) feet between RV's and any public street right-of-way.
 - (e) Twenty-five (25) feet between RV's and any building or structure not used for accessory purposes.
 - (f) Accessory buildings must be a minimum of ten (10) feet from any RV.
 - (g) Nonresidential accessory buildings shall not be permitted.
- b. Parking: Sufficient area shall be provided for the parking of at least one (1) motor vehicle for each RV space plus an additional car space for each three (3) lots to provide for guest parking, two (2) car tenants and for delivery and service vehicles.
- c. Transportation system:
 - (1) Streets and access drives: All streets and access drives within the RV park shall be constructed to required parish specifications as outlined in subdivision regulations [appendix C].
 - (2) Driveway: All driveways within the RV park shall be designed and surfaced with appropriate materials which will provide adequate and safe means of transit for park residents.
- d. Recreation: Not less than ten (10) percent of the gross area of the RV park is to be set aside, designed, constructed and equipped as a recreational area. Recreation area design and equipment shall be approved by the St. Charles Parish Recreation Department Director.
- e. Utilities: Each RV site shall be provided with a sanitary sewer connection, and each RV shall be provided with a collection and treatment system and public water supply in compliance with the standards of the Parish Health Unit and the State Health Department.
- f. Garbage: If garbage hoppers are to [be] provided, then two (2) shall be provided for each twenty (20) RV sites, and each hopper shall be screened from view by wood or masonry fencing.
- g. Screen fences, walls and buffer screening: Fences should be installed where necessary for screening purposes such as around outdoor areas, laundry yards, refuse collection points and playgrounds. A six (6) feet opaque fence or buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.
- h. General: Individual RV sites may be leased or rented but not subdivided or sold.
- i. All improvements required in this section must be completed prior to the placement of any RV on the site.

[I.] M-1 Light manufacturing and industry district:

- 1. Use Regulations: A building or land may be used for the following purposes if in accordance with the special provisions outlined below.
 - a. A building or land shall be used only for the following purposes:
 - (1) Those uses identified as items 2 through 27 as listed in the C-3 District.
 - (2) Office parks which shall include groups or clusters of administrative, professional, and other business offices as well as individual banks and restaurants.
 - (3) Agriculture and other general farming uses.
 - (4) Warehousing and storage of nonhazardous material.
 - (5) Assembly plants.
 - (6) Bottled gas sales and/or service.
 - (7) Food processing plants.
 - (8) Cellophane products manufacturing.
 - (9) Cold storage or refrigerating plants.
 - (10) Electrical parts manufacturing and assembly.
 - (11) Fiber products manufacturing (previously prepared fiber).
 - (12) Garment manufacturing.
 - (13) Glass products manufacturing.
 - (14) Ironwork (no foundry, drop hammer, and no punch presses over twenty (20) tons capacity).
 - (15) [Repealed by Ord. No. 92-1-1, § I, 1-21-92.]
 - (16) Leather products manufacturing (previously prepared leather).
 - (17) Commercial vehicle and heavy equipment sales and service.
 - (18) Millwork.
 - (19) Paint mixing and treatment (not employing a boiling process).
 - (20) Paper products manufacturing (previously prepared material).
 - (21) Plastic products manufacturing (previously prepared material).
 - (22) Sheet metal products manufacturing (light).
 - (23) Sign manufacture.
 - (24) Open storage of building material, lumber, machinery and pipe, provided the material is enclosed within a solid fence at least six feet high within required building lines when the storage area is adjacent to or across the street from an A, R, or C District.
 - (25) Railroad freight terminals, switching and classification yards, repair shops, roundhouse, power houses and fueling, sanding and watering stations.
 - (26) Television and radio broadcasting transmitters.
 - (27) Textile products manufacturing.

- (28) Toy manufacturing.
- (29) Well drilling services.
- (30) Wood products manufacturing (assembling work and finishing).
- (31) Automobile Fleet Services: Examples include rental car facilities, overnight truck parking, dispatch locations, and any use related to the temporary or periodical parking of operative motor vehicles.
- b. Special exception uses and structures (variation):
 - (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director.
- c. Special permit uses and structures include the following:
 - (1) Office buildings for gambling operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (2) Operations which store or utilize hazardous materials identified through guidelines contained in subsection VI.D.I.4.b. of these regulations upon review and approval of the Planning Commission and supporting resolution of the Council.
 - (3) Cellular installations and PCS (personal communication service) installations.
 - (4) Truck terminals (with video poker gaming facilities) upon review and approval of the Planning Commission, and supporting resolution of the Council (Ord. No. 98-4-17, § IV, 4-20-98). Truck terminals with video poker gaming facilities shall conform to the regulations set forth by the state of Louisiana and to the following regulations:
 - (1) Frontage shall be on a median-divided, major arterial with a minimum of 4-roadway lanes, and having federal or state designation.
 - (2) Minimum lot size of site shall be ten (10) acres.
 - (3) Truck terminals with video poker gaming facilities shall also have all of the following amenities:
 - a) a separate truckers' lounge
 - b) a full-service laundry facility located in a convenient area for truckers' use
 - c) private showers for men and women and not located in an area open to general public restroom facilities
 - d) a travel store with items commonly referred to as truckers' supplies (items commonly used only by commercial motor vehicles)
 - e) truck scales
 - f) separate truckers' telephones
 - g) permanent storage facilities for fuel
 - (4) These regulations shall not be applied to any truck stops with video poker gaming facilities which have received a Certificate of Zoning Compliance previous to the date of this ordinance, notwithstanding any other provisions of this ordinance.
 - (5) *Towing yard.* Towing yards, upon review and approval by the Planning Commission and supporting resolution of the Council, shall conform to the following regulations:
 - (1) Site plan approval. All tow yard operators must secure approval of a site plan. The site plan shall include:
 - a) The storage layout and the maximum number of vehicles proposed to be stored. All storage parking spaces shall open directly to an access drive. Vehicles shall not be stored on top of each other. All vehicles shall be stored on an aggregate parking surface;
 - b) A seven-foot solid, opaque fence will enclose such yards and shall be maintained in a constant state of good repair. Entrances will be constructed of the same material as the fence. All entrances shall remain closed when not in use;
 - c) A ten (10) foot buffer zone when abutting a C-3 or lesser intensive use or zoning district. The buffer shall be planted with acceptable trees and shrubs;
 - d) All buildings and structures to be located on the site and the required off-street parking layout.
 - (2) Towing yard operators shall maintain records of each vehicle and its storage period. These records shall be available upon request of the planning department.
 - (3) Towing yards shall also adhere to state and local licensing requirements.
 - (4) Any change of permitted plan will result in a cease and desist order being placed on the towing yard.
 - (6) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
 - (7) Barrooms, night clubs, lounges and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (8) Automotive racing tracks and strips upon receiving a recommendation of the Planning and Zoning Commission and an ordinance granting approval by the Parish Council.
 - (9) Disposal and/or deposition of directional boring slurry upon receiving a recommendation by the planning and zoning commission and an ordinance granting approval by the parish council. The requirement for a special permit shall not apply to directional boring associated with oil and gas production, nor shall it apply to the incidental or accidental deposition at the site of the boring.
- 2. Spatial Requirements:
 - a. Minimum lot size: Ten thousand (10,000) square feet.
Minimum width: One hundred (100) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty-five (25) feet
 - (2) Side - fifteen (15) feet
 - (3) Rear - twenty-five (25) feet.
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, not withstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
- 3. Transportation System: Arterial, rail, water.
- 4. Special Provisions:
 - a. No manufacturing operations within the M-1 zoning district shall emit odors, gas or fumes beyond the lot line or produce a glare beyond the lot line. All facilities shall be dust-proofed including

- walkways, driveways and parking areas. All operations must be conducted within a building or within an area enclosed on all sides by a solid fence or wall no less than six (6) feet in height.
- b. Where any industrial or commercial use in an M-1 zoning district abuts any residential district or use, a six-foot high solid wood or vinyl fence or masonry wall shall border the same and there shall be a buffer strip fifteen (15) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater buffer strip.
 - c. The use(s) shall not receive, process, or create hazardous materials which are listed on the latest National Toxicology Programs Annual Report on Carcinogens, SARA Title III section 302 (EHS), and/or SARA Title III Section 313 (toxicity) without a special permit as identified in section VI.D.[I].1.c of this ordinance. Whenever a proposed development or expansion involves chemical processing or storage on a site in an M-1 zoning district and the uses do not require a special permit as identified in section VI.D.[I].1.c of this ordinance, certification shall be furnished by a chemical engineer, registered in the State of Louisiana and approved by the Parish of St. Charles, that materials associated with the enterprise do not appear on cited hazardous material lists. Those chemicals or materials which are permitted under this regulation either by special permit or certification of compliance, shall be stored in accordance with the National Fire Protection Association Flammable and Combustible Liquids Code (NFPA 30 1990), or amended version. With regard to placement of allowable materials on site, the minimum distance in feet from property line which is or can be built upon, including the opposite side of a public roadway, shall be two times the minimum distances required by NFPA 30. In the event the distances required by this paragraph exceed the minimum distances required by NFPA 30, then the requirements of this paragraph shall govern.

Appendix A. Section XV. - Amendment procedure

- D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two or more of the following criteria are met:
 1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zone that is incompatible with the surrounding neighborhood.
 2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
 3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.
 The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.
- E. Rezoning approval criteria: Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:
 1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map, also
 2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

REZONING GUIDELINE & CRITERIA EVALUATION

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

The subject site is designated *Low-to-Moderate Residential*, which anticipates development of those residential uses typically permitted in the R-1A, R-1B, and R-1A(M) zoning districts. The proposed R-1M district is considered under the *High-Density Residential* FLUM designation, and the proposed M-1 district is considered under the *Industrial* FLUM designation. Neither district conforms to the land development pattern established by the comprehensive plan. The proposed zoning would not be considered a spot zone as it covers a large area (8.34 acres) and would expand adjacent R-1M and M-1 districts. But conformance with the comprehensive plan takes precedence over not being a spot zone as part of the Department's analysis. **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 O-L zoning has been in place since the St. Charles Parish Zoning Ordinance of 1981. While able to be used primarily for agricultural or low-density residential purposes, the policy statement of the Open Land zoning district states “*It is intended that land in these districts will be reclassified to its appropriate residential, commercial or industrial category in accordance with the amendment procedure set forth in the St. Charles Parish Code.*”

The subject site is located on a stretch of River Road bookended by the IMTT and Bunge facilities. Development within this stretch is limited, with the most notable improvements being dedication of the Oaklawn Ridge Subdivision in 2000 (Ord. 00-12-8), and permitting of the Nelson RV Park in 2016 (Permit No. 29955). The Nelson RV Park was developed upon approval of a similar rezoning to R-1M and M-1 approved in 2015 (PZR-2015-04; Ord. 15-3-5). This development, along with the corresponding M-1, is representative of a shifting land-use pattern/character within an area that has limited development options given the proximity to major industrial developments. A smaller and older RV park is also located nearby on Christina Lane. The proposed R-1M and M-1 districts is a reasonable and appropriate change for the area as per the O-L policy statement. **The request meets the second guideline.**

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

The R-1M zoning district is specific to the permitting of Manufactured Home Parks and RV Parks. This is consistent with the neighborhood character which includes the Nelson RV Park immediately adjacent to the subject site and the Christina Mobile Home Park less than 200 ft. downriver. The proposed M-1 zoning would be located next to the existing M-1 district and industrial use established in 2015, and would also be compatible with the neighborhood character established by the adjacent property.

Regarding infrastructure, as per the Utilities section of this report the Director of Wastewater stated existing sewer facilities in this area could not handle the development potential permitted with this zoning change (possibly 121 RV slots as per a preliminary site plan). Upgrades to the downstream lift station would be required. While this means current wastewater infrastructure would be “overburdened”, if the rezoning is approved an RV Park could not be placed without going through the full development review/permitting process. As part of that process the developer must work with the Department of Wastewater regarding necessary improvements to ensure infrastructure can handle the increased impact prior to starting development. Because the issues are known and there are processes in place to address them prior to development, the Department can consider this item met. **The request meets the third guideline.**

DEPARTMENT RECOMMENDATION

Approval, based on meeting the first and third 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 #:	2024-3-R
Receipt #:	
Application Date:	12/29/23
Zoning District:	R-1M and M-1
FLUM Designation:	Low-Mid
Date Posted:	

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

Fee: \$40 - \$200

Applicant: DNA Real Estate, LLC
 Home address: 12350 River Rd, St. Rose, LA 70087
 Mailing address (if different): nelsonbros.ca
 Phone #: 504-451-2368 Email: nelsonbros@cox.net
 Property owner: same
 Municipal address of property: 12320 River Rd, St. Rose, LA 70087
 Lot, block, subdivision: Lot 19 Pecan Grove
 Change of zoning district from: DL to: R-1M + M-1
 Future Land Use designation of the property: expansion of RV Park + Equipment Parking
 (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 will expand our existing RV Park + Equipment parking

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

Both adjacent properties are currently RV Parks

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

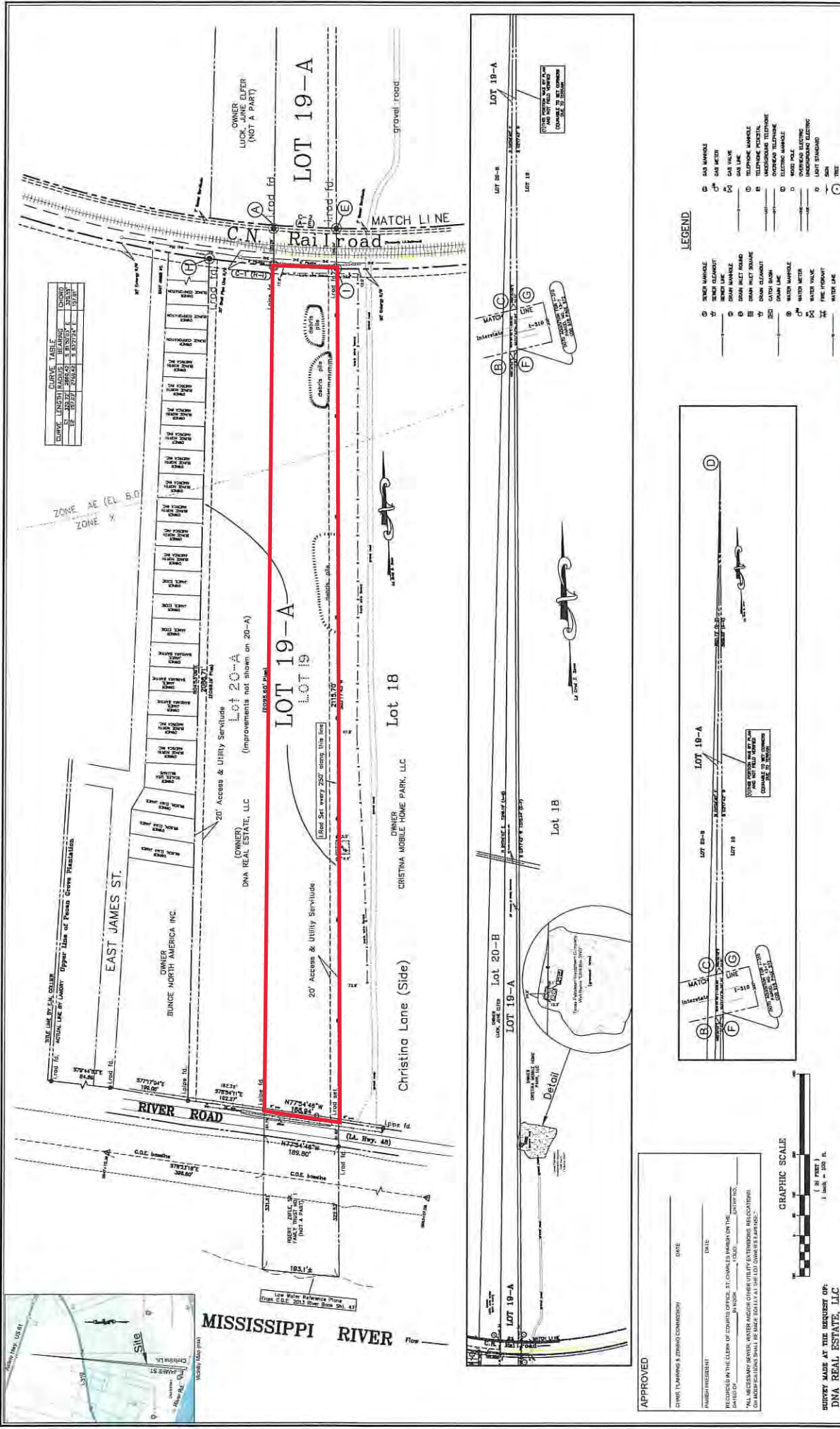
Unknown

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

expansion of existing RV Park

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.

Upon approval from the parish, the project will develop



CURVE	LENGTH	RADIUS	BEARING	CHORD
1	107.72	215.44	S 89° 25' 00" E	107.72
2	107.72	215.44	S 89° 25' 00" E	107.72

ZONE AE (EL. B.O.)
ZONE X

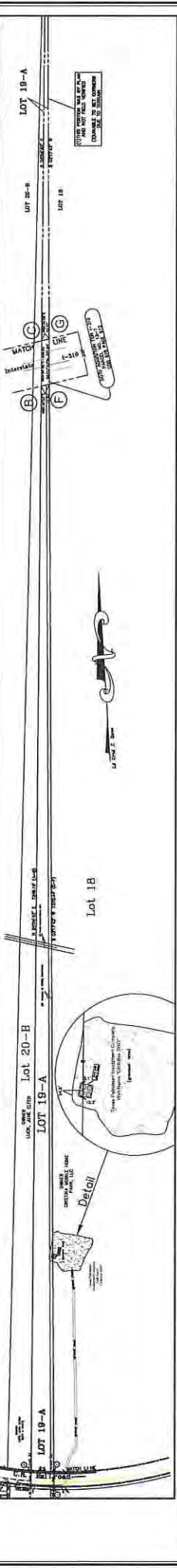
OWNER: BUNDE NORTH AMERICA INC.
OWNER: DNA REAL ESTATE, LLC

Lot 20-A
(Improvements not shown on 20-A)

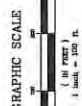
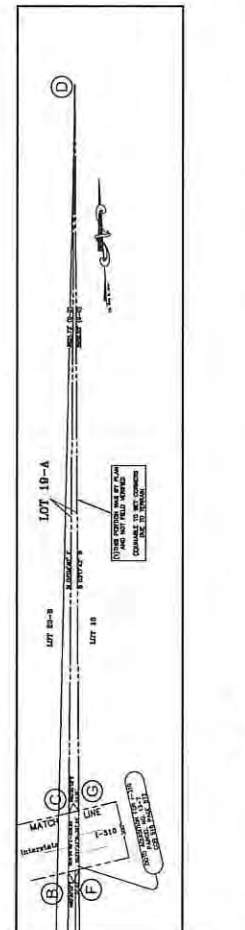
LOT 19-A
20' Access & Utility Servitude

Lot 18
OWNER: CRISTINA MOBILE HOME PARK, LLC

Christina Lane (Side)



- LEGEND**
- (D) 20' WATER EASEMENT
 - (W) 20' WATER SERVITUDE
 - (G) GAS MAIN
 - (E) ELECTRIC MAIN
 - (T) TELEPHONE MAIN
 - (P) PUBLIC UTILITY
 - (S) SEWER MAIN
 - (U) UTILITY
 - (M) 20' MOBILE HOME PARK
 - (C) CATCH BASIN
 - (V) VALVE
 - (F) FIRE HYDRANT
 - (L) LIGHT STAND
 - (S) SIGN
 - (T) TREE



APPROVED

CHERYL THOMPSON, ZONING COMMISSIONER

DATE: _____

REVISIONS

NO.	DATE	DESCRIPTION	BY

NOTE: The location of easements and servitudes shown on this plan is based on the information provided by the applicant. The applicant is responsible for the accuracy of the information provided. The applicant is also responsible for obtaining all necessary permits from the appropriate agencies. The applicant is also responsible for the cost of the survey and the cost of the easement and servitude. The applicant is also responsible for the cost of the utility lines and the cost of the catch basin. The applicant is also responsible for the cost of the fire hydrant and the cost of the light stand. The applicant is also responsible for the cost of the sign and the cost of the tree.

GENERAL NOTES:

1. HAVE CONSULTED STATE ENGINEERING RATE CODE AND FEDERAL AND STATE REGULATIONS FOR THE DESIGN AND CONSTRUCTION OF THE UTILITY LINES.

2. EASEMENTS AND SERVITUDES SHOWN TO UTILITIES SHALL BE 20' UNLESS OTHERWISE SPECIFIED.

3. ALL DIMENSIONS SHALL BE IN FEET UNLESS OTHERWISE SPECIFIED.

4. THE PROPERTY IS SUBJECT TO A 20' WATER EASEMENT AND SERVITUDE FOR THE MISSISSIPPI RIVER.

There is no representation that all easements and servitudes shown on this plan are correct. The applicant is responsible for the accuracy of the information provided. The applicant is also responsible for obtaining all necessary permits from the appropriate agencies. The applicant is also responsible for the cost of the survey and the cost of the easement and servitude. The applicant is also responsible for the cost of the utility lines and the cost of the catch basin. The applicant is also responsible for the cost of the fire hydrant and the cost of the light stand. The applicant is also responsible for the cost of the sign and the cost of the tree.



LANDMARK SURVEYING, INC.
1513 Municipal Street
Hurstville, Louisiana 70123
Phone: 504-734-1827
Fax: 504-734-1827

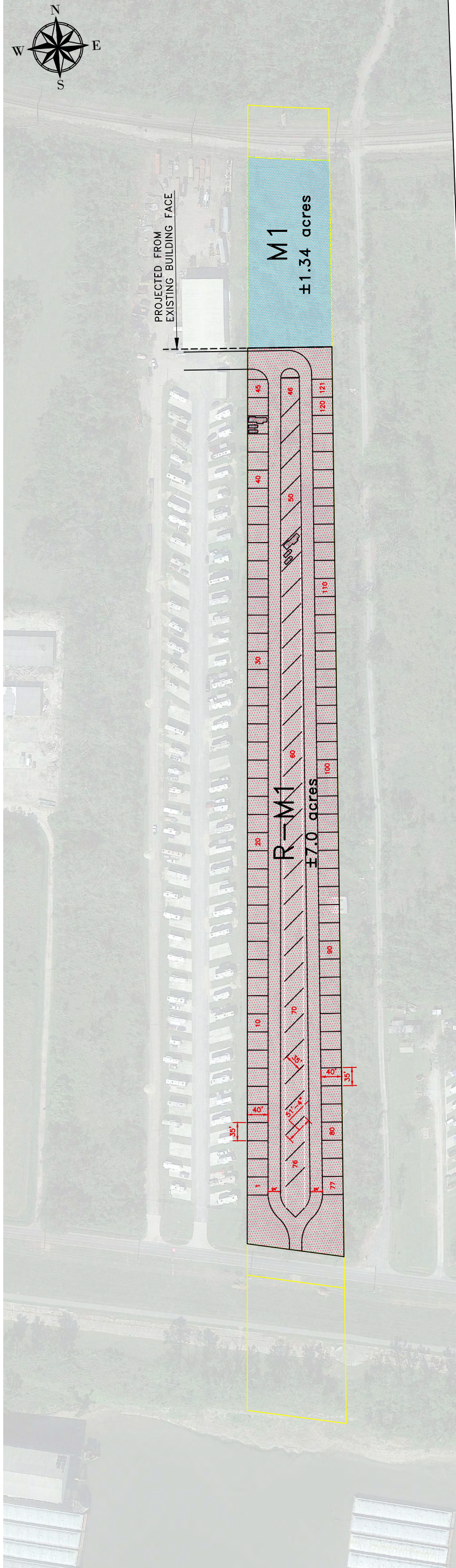
Resubdivision of
Lot 19 and 20 A into Lot 19-A
Pecan Grove Plantation
Section 6, T 13 S ~ R 8 E
St Charles Parish, Louisiana

BOOK NO. 7/8

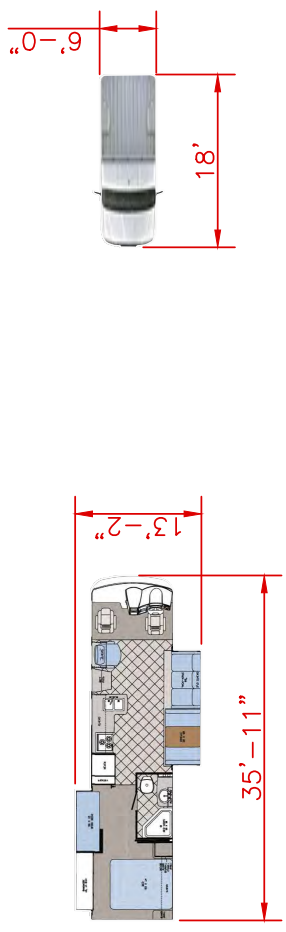
SCALE: 1" = 100'

DATE: DECEMBER 07, 2012

DRAWING NO. 23204



Nelson RV Park Phase 2 ST. CHARLES PARISH, LOUISIANA	
RV PARK PLAN VIEW	
DANNY J. HEBERT, P.E. CIVIL AND ENVIRONMENTAL CONSULTING ENGINEERS 14433 RIVER ROAD, HAHNVILLE, LOUISIANA 70057 PHONE: (985) 785-2380	
DATE: 01/08/2024	DRAWING NO. PR-1
DESIGNED BY: ISB	DRAWN BY: ISB
CHECKED BY: DJH	APPROVED BY: DJH



PROPOSED RV & TRUCK DIMENSIONS

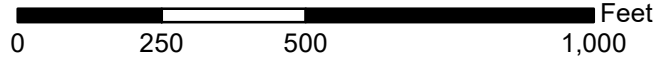
NO.	DESCRIPTION	REVISIONS



Note: Prior to construction, the contractor will verify all utilities. If a conflict exist, notify the project engineer/architect.

2024-3-R

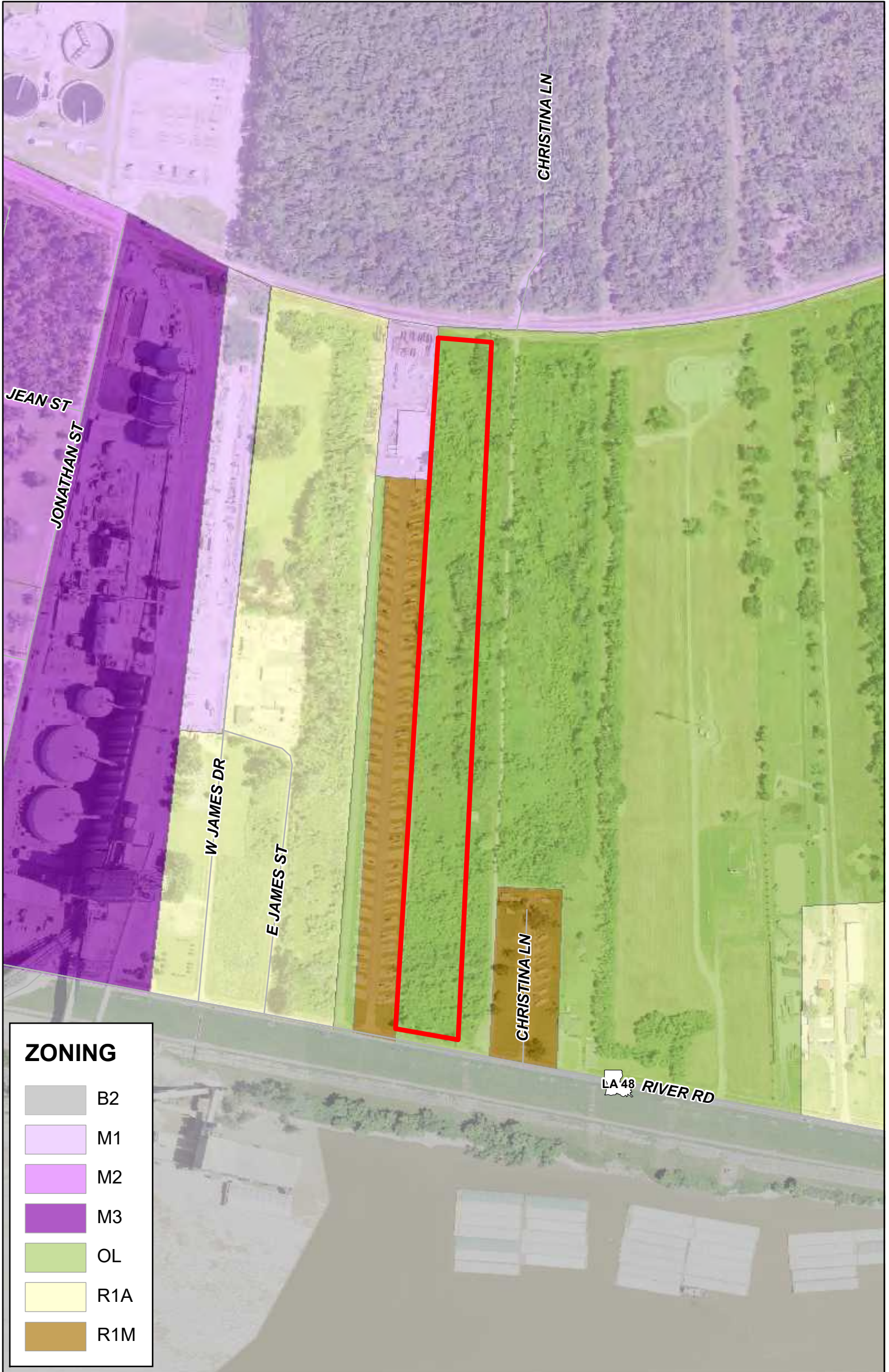
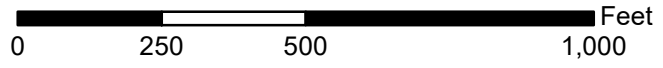
O-L to R-1M and M-1



N

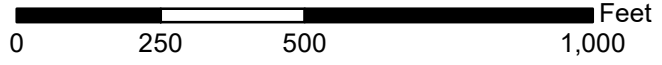


2024-3-R
O-L to R-1M and M-1



ZONING	
	B2
	M1
	M2
	M3
	OL
	R1A
	R1M

2024-3-R
O-L to R-1M and M-1



Future Land Use

- Heavy Industrial
- Industrial
- Industrial Buffer
- Low-Moderate Residential
- Residential High
- Wetlands