

**ST. CHARLES PARISH  
PLANNING BOARD OF COMMISSIONERS  
May 2, 2024  
6:00 P.M.**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

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**POSTPONED CASES:**

- 1     **2024-2-MIN** requested by **Seth and Christine Matherne** for a resubdivision of one lot into three, **584 Magnolia Ridge Road, Boutte**. Zoning District O-L. Council District 4. **Requires Planning Commission approval with Parish Council consideration for a supporting resolution.**

**NEW CASES:**

- 28     **2024-5-HOP** requested by **Alicen Breaux** for a home occupation – “Rise + Grind” a mobile coffee trailer – at **224 Grand Bayou Road, Des Allemands**. Council District 4. **Requires Planning Commission approval.**
- 34     **2024-7-R** requested by **Ladariel Eastman** for a change of zoning from R-1A to R-2 on Lot 17, Block K, Magnolia Ridge Park Subdivision, **adjacent to 147 Spruce Street, Boutte**. Council District 4. **Requires Planning Commission recommendation and Parish Council approval.**
- 43     **2024-8-R** requested by **Wadhah Alhousseini** for a change of zoning from R-1A(M) to C-3 on Lot 77-B, Magnolia Ridge Subdivision and R-3 to C-3 on approximately 4 acres of a 6.09 acre undesignated lot, **13517 Highway 90 and 242 Magnolia Ridge Road, Boutte**. Council District 4. **Requires Planning Commission recommendation and Parish Council approval.**
- 53     **2024-9-R** requested by **Traci L. Johnson for Luling Exchange, LLC** for a change of zoning from R-1A, R-3, and C-3 to C-3 and M-2 on approximately 250 acres designated Tract L, Davis Plantation, **11831 River Road, Luling**. Council District 2. **Requires Planning Commission recommendation and Parish Council approval.**
- 68     **2024-10-R** requested by **Geraldine M. Sanders, et als** for a change of zoning from O-L to R-1A on approximately 50 acres of a property designated Tract 6A, **223 Joe Louis Lane, Hahnville**. Council District 1. **Requires Planning Commission recommendation and Parish Council approval.**

**UNFINISHED BUSINESS-**

**NEW BUSINESS-**

**MINUTES – (March 7<sup>th</sup> and April 4<sup>th</sup> minutes)**

**ADJOURN**



## Department of Planning & Zoning Staff Report – Minor Resubdivision Case No. 2024-2-MIN

### APPLICATION INFORMATION

- **Submittal Date:** 1/19/2024
- **Applicant / Property Owner**  
Christine and Seth Matherne  
584 Magnolia Ridge Road  
Boutte, LA 70039  
504.495.4812; csmatherne@cox.net
- **Request**  
Resubdivision of Lot BE-1 of the Ciravolo Estate into Lots BE-1A, BE-1B, and BE-1C.  
  
Waiver required from the *Appendix C. – Subdivision Regulations, Section III.B.3 Arrangement* and *Section III.C.1 Size*.

### SITE INFORMATION

- **Location:** 584 Magnolia Ridge Road, Boutte
- **Size of Proposed Lots**
  - Lot BE-1A: 8,344 sq. ft.; 111.38 ft. wide along Ciravola Lane
  - Lot BE-1B: 8,350 sq. ft.; 111.38 ft. wide along Ciravola Lane
  - Lot BE-1C: 88,846 sq. ft.; 222.76 ft. wide
- **Current Zoning:** O-L, Open Land
- **Current Use**  
Lot BE-1 is developed with two manufactured homes, each of which will be located on proposed Lot BE-1C. Proposed Lots BE-1A and BE-1B would be vacant.
- **Surrounding Zoning:** O-L, Open Land
- **Surrounding Uses**  
The site is located in an area developed with single family homes.
- **Flood Zone & Minimum Building Elevation**  
1992 Flood Insurance Rate Map: AE4  
2013 Digital Flood Insurance Rate Map: AE6
- **Plan 2030 Recommendation**  
*Low-to-Moderate Residential: Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections (over six dwellings per acre).*
- **Traffic Access**  
Access to the subject site was initially shown via a 50 ft. road extending off Magnolia Ridge Road (Subdivision of the Estates of S. Ciravolo by Lucien C. Gassen, PLS dated May 25, 1971; Resubdivision of Lot AE by Richard T. Dading, PLS dated March 26, 1982).

Starting with resubdivisions approved and recorded in 2012 the 50 ft. road is shown as a 50 ft. wide servitude for access and utilities (Resubdivision of Lot AE-3 by John S.

Teegarden, PLS dated August 24, 2012, BFM Corporation, LLC; Survey Plat and Resubdivision of Lot BE by Stephen P. Flynn, PLS dated May 30, 2012).

The last resubdivision of the subject area approved and recorded in 2016 is the first instance of the road and/or servitude being shown as Ciravola Lane (PZS-2016-01, Survey Plat and Resubdivision of Lot BE-2 by Stephen P. Flynn, PLS dated October 28, 2015). The Ciravola Lane servitude shown as part of this resubdivision was formally established by an Act of Servitude of Passage dated January 9, 2016 as recorded under Entry No. 411834 on January 11, 2016, and would provide access to the three proposed lots.

The resubdivision survey submitted with this request highlights discrepancies between the maps referenced above regarding location of the 50 ft. road/servitudes and as a result, creates uncertainty as to the location of the southern boundary of Lot BE-1.

The 1971 map shows the 50 ft. road located 79 ft. north of a feature labelled "Grate Bar". But the 1982 map shows the 50 ft. road extending to the Grate Bar. With the current request the southern boundary of existing Lot BE-1 is extended approximately 75 ft. south, in line with the Grate Bar feature, but this is not the case in the previously approved and recorded resubdivisions. Additionally, the 50 ft. Ciravola Lane servitude is depicted through proposed Lot BE-1C, while an undesignated 50 ft. road is shown through proposed Lots BE-1A and BE-1B.

- **Utilities**

Per the Director of Wastewater sewer facilities are not available. Existing improvements utilize private treatment.

Per the Department of Waterworks there is no objection to the resubdivision, but water meters would be installed at Magnolia Ridge Road and it would be the responsibility of the property owner to make any necessary extensions to the meter.

- **Development History**

The site was originally platted as Lot BE, as shown on the Subdivision of the Estates of S. Ciravolo by Lucien C. Gassen, PLS dated May 25, 1971.

Lot BE was resubdivided into lots BE-1 and BE-2 as shown on the map by Stephen P. Flynn, PLS dated May 30, 2012 (PZS-2013-02).

While Lot BE-1 was not a part, the last action affecting the subject site was the resubdivision of Lot BE-2 as shown on the map by Stephen P. Flynn, PLS dated October 28, 2015 (PZS-2016-01).

As summarized in the Traffic Access section, previous surveys as well as the property description in the current Act of Sale create uncertainty as to how far south the southern property line of the subject site and adjacent lots extend.

Lot BE-1 has previously been depicted with dimensions of 220 ft. by 400 ft. The submitted survey shows BE-1 at approximately 475 ft., with the additional area comprising of proposed Lots BE-1A and BE-1B. The surveyor cites a resubdivision approved in 2022 for a separately owned and unaffiliated property to the south as a reason for the adjustment. This resubdivision as shown on the map by Cody A. DiMarco, PLS dated November 14, 2022 created Lot 1A-1B-E, depicted sharing a common property line with Lot BE-1 (2022-49-ADM). The submitted Act of Cash Sale describes a portion of what became 1A-1B-E as commencing "at a grate bar at the Northwest corner of the property at a point where it intersects with the line between Section 1 and Section 2." With the DiMarco survey establishing the northern boundary of 1A-1B-E in line with the grate bar feature, this provided the justification for similarly establishing the southern boundary of Lot BE-1 as shown on the submitted survey.

The property descriptions for the subject site and adjacent lots resubdivided out of Lot AE do not reference the grate bar to establish the south-west property corner and in turn the southern property boundary. Instead when referencing the southern property line it is described as being “along a fifty (50’) foot road”, which does not indicate that the 50 ft. road/servitude as shown on previous maps is part of the subject site.

## APPLICABLE REGULATIONS

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

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

*Policy statement:* This district is composed mainly of large open unsubdivided land that is vacant or in agricultural, forestry or residential use. The regulations are designed to protect the open character of the district, and to allow residents to retain their traditional ways of living, by prohibiting the establishment of scattered business, industrial and other uses that are unrelated to any general plan of development and that might inhibit the best future utilization of the land. 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.

#### 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.

### Appendix C. Section II. Subdivision Procedure

#### C. Minor Resubdivisions.

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

### Appendix C. Section III. Geometric Standards

#### B. Blocks

3. Arrangement. All lots shall possess frontage on a street or roadway that meets the specifications of these regulations. When the subdivision of a parcel of land does not permit a normal street arrangement due to size or location of the land, there may be established a street with a cul-de-sac or turning circle which provides proper access to all lots. A cul-de-sac or turning circle, as described in Section III.A.2.e., shall be required at the end of dead end streets when the length of the dead end street exceeds the width of two (2) lots.



**Appendix C. Section III. Geometric Standards**

C. *Lots:*

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

**Appendix C. Section V. Administrative**

B. *Variations and Exceptions.*

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

<b>FINDINGS</b>
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At the time of this writing the Department finds that the discrepancies detailed under the Traffic Access and Development History sections of this report are not adequately addressed, and there are still concerns as to the location of the southern boundary of the subject site. While the applicant provided a survey from Riverlands Surveying Company seemingly addressing the discrepancies, the Department can only go by the surveys and property descriptions that have been officially approved and are recorded in with the Clerk of Court.

If the Department is provided official documentation in the form of a corrected property description recorded with the Clerk of Court and/or a judgment establishing which survey is correct, we would not object to this request moving forward. Absent these items, the Department cannot perform its usual analysis nor provide any form of affirmative recommendation.

If the discrepancies as noted above are resolved, the following analysis and required actions would remain applicable:

The applicant requests resubdivision of Lot BE-1 into three lots, BE-1A, BE-1B, and BE-1C.

Each lot meets the minimum 50 ft. width for the O-L zoning district and Lot BE-1C meets the minimum 20,000 sq. ft. area. But there are deficiencies with required minimum lot area and frontage on a street.

At 8,344 and 8,350 sq. ft., Lots BE-1A and BE-1B do not meet the minimum area requirement for the O-L zoning district as per Appendix C., Section III.C.1. Size (Appendix A, Section VI.A.1.2.a), which states:

- o *The width, depth, **area** and minimum building setback line shall conform to the St. Charles Parish Zoning Ordinance for the type of development.*
  - **Minimum lot size shall be twenty thousand (20,000) square feet; minimum width fifty (50) feet.**

Neither lot has direct access from a street and is landlocked, failing to meet the requirement as detailed in Appendix C., Section III.B.3. Arrangement, which states:

- o **Arrangement. All lots shall possess frontage on a street or roadway that meets the specifications of these regulations.** *When the subdivision of a parcel of land does not permit a normal street arrangement due to size or location of the land, there may be established a street with a cul-de-sac or turning circle which provides proper access to all lots. A cul-de-sac or turning circle, as described in Section III.A.2.e., shall be required at the end of dead end streets when the length of the dead end street exceeds the width of two (2) lots.*

Surveys dating back to 1971 show the use of an undesignated 50 ft. road and/or servitude providing access to the subject area from Magnolia Ridge Road. This was more formally designated and established as Ciravola Lane as part of the 2016 resubdivision of Lot BE-2 (PZS-2016-01) and as detailed per the Act of Servitude of Passage dated January 9,

2016 and filed with the Clerk of Court on January 11, 2016 (Entry No. 411834). But per Parish requirements Ciravola Lane cannot be considered “a street or roadway that meets the specifications of these [subdivision] regulations” and as a result does not allow for the Arrangement requirement to be met for the additional lots proposed as part of this request.

The applicants submitted a waiver request from both the Size (minimum lot area) and Arrangement requirements, citing use of Ciravola Lane for access and that the long established location of Ciravola Lane constrains the property in regards to the resubdivision of additional lots that meet the 20,000 sq. ft. area requirement.

The Department does not support the waiver from the Size (minimum lot area) requirement. Deficiencies of 11,656 sq. ft. and 11,650 sq. ft. for Lots BE-1A and BE-1B are too significant. The location of Ciravola Lane does limit how the additional property to its south can be subdivided, and could be considered a hardship or peculiar condition if considering the creation of a single 16,694 sq. ft. lot with a more acceptable 3,306 sq. ft. deficiency. But it does not justify the creation of two lots with such a significant lot area deficiencies.

The Department does not object to the waiver from the Arrangement requirement on its own, but it cannot be supported as part of this specific request due to the lot area deficiency.

<b>DEPARTMENT RECOMMENDATION</b>
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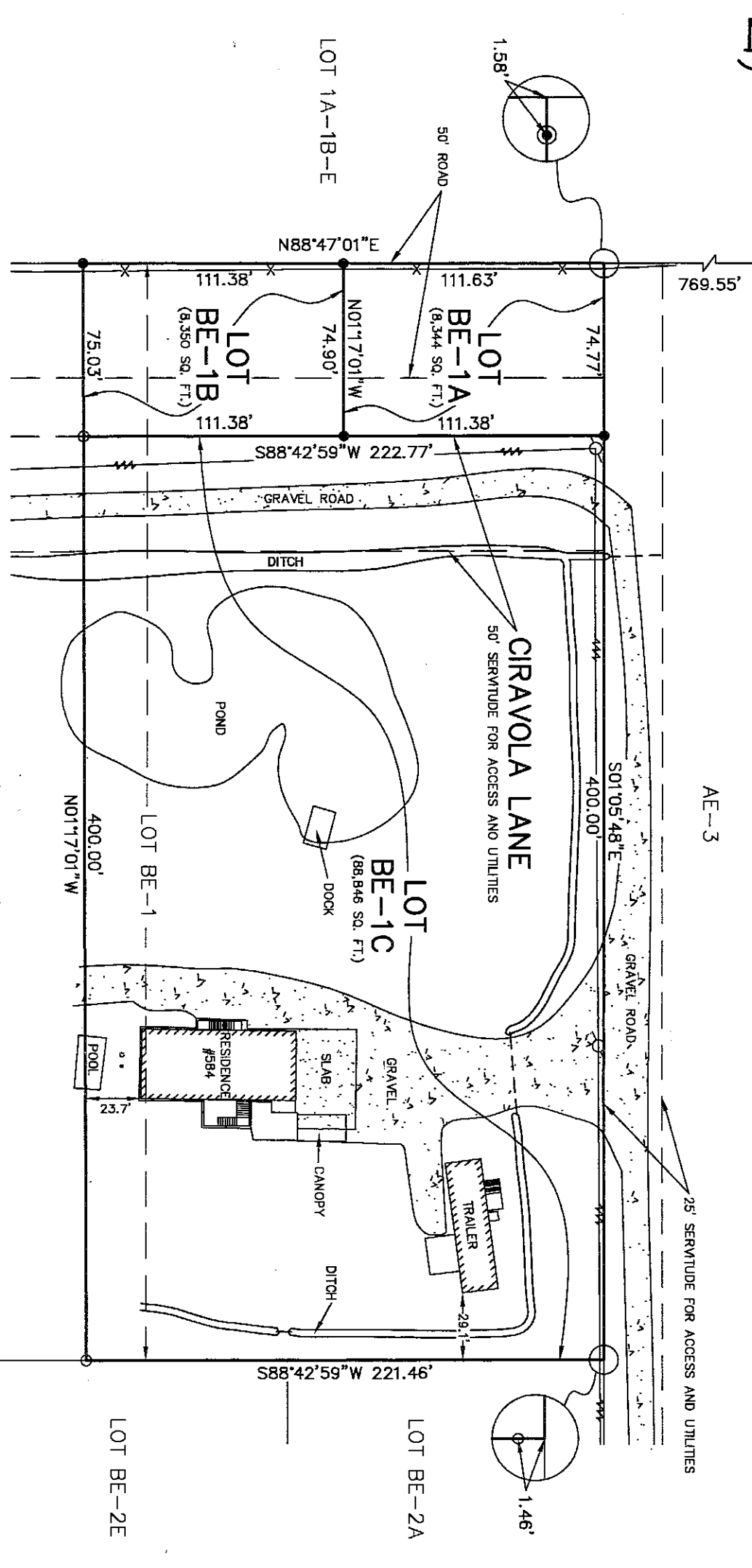
**Denial. Without clarification on the survey and property boundary questions, the Planning Commission would be acting upon uncertain ownership issues and potentially be involved in a civil boundary dispute. Absent those survey and property boundary questions, there are design issues that would still warrant a denial recommendation based upon lot development standards.**

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



SECTION 2  
SECTION 1

**OWNER:** SETH P. MATHERNE  
584 MAGNOLIA RIDGE ROAD  
BOULTE, LA 70039



**TITLE: SURVEY PLAT AND RESUBDIVISION OF LOT BE-1 OF THE CIRAVOLO ESTATE INTO LOTS HEREIN DESIGNATED AS LOT BE-1A, LOT BE-1B & LOT BE-1C OF THE CIRAVOLO ESTATE**

SITUATED IN SECTION 1, T-14-S, R-20-E, near BOULTE, ST. CHARLES PARISH, LOUISIANA.

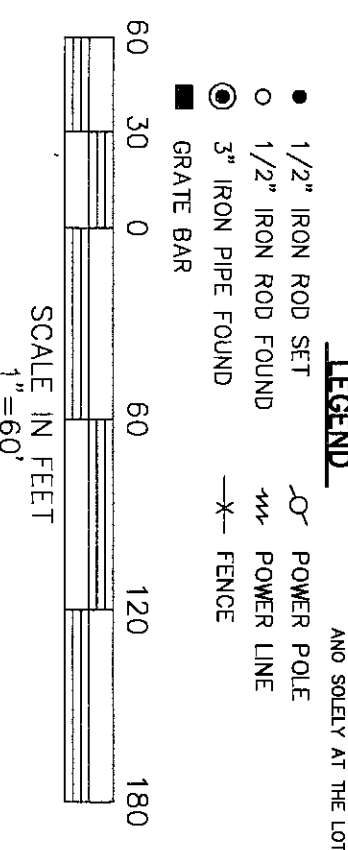
**DATE:** DECEMBER 20, 2023

**SURVEY REFERENCE:** 1. SURVEY PLAT AND RESUBDIVISION OF LOT BE OF THE CIRAVOLO ESTATE INTO LOTS HEREIN DESIGNATED AS LOT BE-1 AND LOT BE-2 OF THE CIRAVOLO ESTATE BY STEPHEN P. FLYNN, P.L.S. DATED MAY 30, 2012.  
2. SURVEY PLAT OF LOT BE-1, LOT BE-2A, LOT BE-2B, LOT BE-2C, LOT BE-2D & LOT BE-2H OF THE CIRAVOLO ESTATE BY STEPHEN P. FLYNN, P.L.S. DATED JULY 31, 2023.

**BASIS OF BEARING:** BEARINGS HEREON ARE REFERENCED TO THE LOUISIANA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE 1702, NAD 83, GEOID 18 USING LEICA SMARTNET SOLUTION DATED 12/20/2023

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

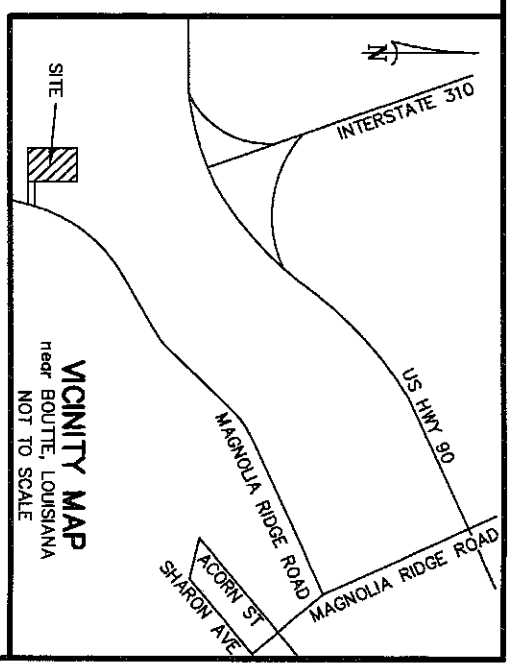
LA HIGHWAY 633 - MAGNOLIA RIDGE ROAD (SIDE)



DRAWN BY: KPB      DRAWING NO. MM0250\_W05164

**RIVERLANDS SURVEYING COMPANY**

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



APPROVED:

PARISH PRESIDENT \_\_\_\_\_ DATE \_\_\_\_\_

CHAIR, PLANNING AND ZONING COMMISSION \_\_\_\_\_ DATE \_\_\_\_\_

CHAIR, ST. CHARLES PARISH COUNCIL \_\_\_\_\_ DATE \_\_\_\_\_

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

RECORDED IN THE CLERK OF COURT'S OFFICE  
ST. CHARLES PARISH, LOUISIANA  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
INSTRUMENT NUMBER \_\_\_\_\_

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

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



Name: SETH AND CHRISTINE MATHERNE

Address: 584, MAGNOLIA RIDGE ROAD. BOULTE, LA. 70039

Case Number: 2024-2-MIN

Members of the St. Charles Parish Planning Commission:

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

- Section III.B.3. Arrangement. All lots shall possess frontage on a street or roadway that meets the specifications of these regulations.
- Section III.C.1.Size. The width, depth, area and minimum building setback line shall conform to the St. Charles Parish Zoning Ordinance for the type of development.
  - Appendix A, Section VI.A.1.2.a. Minimum lot size shall be twenty thousand (20,000) square feet; minimum width fifty (50) feet.

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

- A LEGAL RIGHT AWAY OF 50 FT. SERVITUDE HAS BEEN PROVIDED TO ALLOW PASSAGE FROM MAGNOLIA RIDGE ROAD TO BOTH LOTS THROUGH CIRAVELA LANE (SEE ATTACHED LEGAL PAPERWORK)
  - IN 2012, WHEN WE PURCHASED 584 MAGNOLIA RIDGE ROAD, WE HAD THE PROPERTY SURVEYED. THE 75 FT. STRIP OF LAND WAS OMITTED FROM OUR SURVEY. OUR NEIGHBORS, MR. AND MRS BABIN HAD A DIFFERENT SURVEY INCLUDING THE 75 FT. STRIP. HAVING DIFFERENT RESULTS, WE QUESTIONED BOTH SURVEY COMPANIES WHO CAME TO THE
- Please consider this waiver request with my application.

Thank you.

Applicant Signature:

Seth Matherne Christine B. Matherne

Date:

02-16-2024

CONCLUSION THAT THE 75 FT. STRIP OF LAND SHOULD BE OMITTED. 11 YEARS PASSED, MR. VINCE PHILIPS PURCHASED THE LAND NEXT DOOR TO THE 75 FT. STRIP OF LAND. HE PROCEEDED TO SURVEY HIS PROPERTY 3 TIMES BY 3 DIFFERENT SURVEY COMPANIES. AS A RESULT, ALL 3 OF HIS SURVEYS SHOWED THAT THE 75 FT. STRIP DIDN'T BELONG TO HIM. THEN CAME THE QUESTION THAT IF THIS 75 FT. STRIP OF LAND DOES NOT BELONG TO HIM OR US, THEN WHO DOES IT BELONG TO? SO AGAIN, WE CONTACTED OUR SURVEY COMPANY WHO INVESTIGATED THE ISSUE. AFTER A FEW MONTHS, THE SURVEY COMPANY CAME TO THE CONCLUSION THAT THE 75 FT. STRIP OF LAND DOES BELONG TO US. BEING THAT THE 50 FT. RIGHT AWAY SERVITUDE WAS BUILT IN 2012 FOLLOWING THE RESULTS OF 2012 SURVEY, THE ENPLACEMENT OF THIS RIGHT AWAY IS NOW



INCONVENIENT AND TOO COSTLY TO MOVE. THIS IS THE REASON WHY  
WE CANNOT PROVIDE LOTS SIZE OF 20,000 SQ. FT. BUT THE WIDTH  
IDEAS MEET THE REQUIREMENTS. THANK YOU.



## Chris Welker

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**From:** Kenny Brazan <kbrazan@riverlandssurveying.com>  
**Sent:** Thursday, February 22, 2024 7:01 AM  
**To:** Chris Welker  
**Subject:** RE: march ad

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Yes,

That is what happen. The most recent survey I sent you we did shift the figure to the south to align with the grate bar.

thanks

KENNY BRAZAN  
SENIOR CADD DESIGNER  
RIVERLANDS SURVEYING COMPANY  
505 HEMLOCK STREET  
LAPLACE, LOUISIANA 70068  
985-652-6356 (OFFICE)

**A Certified Women's Business Enterprise (WBE)**  
**WBENC National Certification Number: WBE1902157**

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**From:** Chris Welker <cwelker@stcharlesgov.net>  
**Sent:** Wednesday, February 21, 2024 11:37 AM  
**To:** Kenny Brazan <kbrazan@riverlandssurveying.com>  
**Subject:** RE: march ad

Kenny,

So it doesn't look like they gained approx. 73-75 ft. but more that there was an overall shift of the area that was Lot BE approx. 73-75 ft. south? To be in line with the Grate Bar? I'm assuming this based on the west side measurements for BE-2H. We have 475.03' (+75.03'), 545' (no change), and 670.81' (-73.78') compared to the 10/28/15 survey.

Seems like the origin of all this is the 1971 Gassen survey and the key feature is the Grate Bar. Do we think the 1971 survey made a mistake and should have tied that south-west corner of AE to the Grate Bar?

Thanks,

**Chris Welker, AICP**

Senior Planner, St. Charles Parish  
P (985) 783-5060 | D (985) 331-3783  
P.O. Box 302 | Hahnville, LA 70057

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

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**From:** Kenny Brazan <[kbrazan@riverlandssurveying.com](mailto:kbrazan@riverlandssurveying.com)>  
**Sent:** Friday, February 16, 2024 7:03 AM  
**To:** Chris Welker <[cwelker@stcharlesgov.net](mailto:cwelker@stcharlesgov.net)>  
**Subject:** RE: march ad

Chris,

The resubdivision is based off the attached map. We made an adjustment to the south line of the property. On the map we have the basis of the reference maps that the line was adjusted too.

thanks

KENNY BRAZAN  
SENIOR CADD DESIGNER  
RIVERLANDS SURVEYING COMPANY  
505 HEMLOCK STREET  
LAPLACE, LOUISIANA 70068  
985-652-6356 (OFFICE)

**A Certified Women's Business Enterprise (WBE)**  
**WBENC National Certification Number: WBE1902157**

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**From:** Chris Welker <[cwelker@stcharlesgov.net](mailto:cwelker@stcharlesgov.net)>  
**Sent:** Wednesday, February 14, 2024 1:09 PM  
**To:** Kenny Brazan <[kbrazan@riverlandssurveying.com](mailto:kbrazan@riverlandssurveying.com)>  
**Cc:** Zoe Vittur <[zvittur@stcharlesgov.net](mailto:zvittur@stcharlesgov.net)>  
**Subject:** RE: march ad

Kenny,

Something isn't adding up on the submitted survey showing resubdivision of Lot BE-1 into BE-1A, BE-1B, and BE-1C. Few things to note:

- The 2013 survey creating BE-1 shows it measuring 400' by 220'. While not a part, this is the same on the 2016 survey of Lot BE-2.
- Proposed Lot BE-1C is shown with those same 400' by 220' dimensions as existing BE-1 on the previous surveys.
- On the submitted survey, the extent of existing Lot BE-1 appears to go further south and includes a 50' "road".
- The submitted deed/act of sale for the subject property is from 2012 when it was still Lot BE. The legal description describes the south lot line of Lot BE as running 559 ft. "along a fifty (50') foot road."

Based on the above information and what is shown in the attached, the area consisting of proposed Lots BE-1A and BE-1B does not appear to have been a part of previous resubdivisions and is not accounted for in the legal description in the latest deed/act of sale.

Could you look into this further? If we are missing something let me know. We ultimately need info showing where this extra piece of ground is coming from.

Let me know if you have any questions or need more info from us.

Thanks,

**Chris Welker, AICP**

Senior Planner, St. Charles Parish  
P (985) 783-5060 | D (985) 331-3783  
P.O. Box 302 | Hahnville, LA 70057

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

---

**From:** Zoe Vittur <[zvittur@stcharlesgov.net](mailto:zvittur@stcharlesgov.net)>  
**Sent:** Wednesday, February 14, 2024 11:09 AM  
**To:** Chris Welker <[cwelker@stcharlesgov.net](mailto:cwelker@stcharlesgov.net)>  
**Subject:** RE: march ad

I've input my case information. I was wondering if I should start sending out waiver requests for both of my resubs—the undersized lots for O-L for both as well as not having road frontage in case 2024-3-MIN. Let me know what you think.

---

**From:** Chris Welker <[cwelker@stcharlesgov.net](mailto:cwelker@stcharlesgov.net)>  
**Sent:** Wednesday, February 14, 2024 11:01 AM  
**To:** Brett Badgerow <[bbadgerow@stcharlesgov.net](mailto:bbadgerow@stcharlesgov.net)>; Zoe Vittur <[zvittur@stcharlesgov.net](mailto:zvittur@stcharlesgov.net)>  
**Subject:** march ad

Brett and Zoe,

The march commission ad is ready. Go ahead and input your case info.

Thanks,

**Chris Welker, AICP**

Senior Planner, St. Charles Parish  
P (985) 783-5060 | D (985) 331-3783  
P.O. Box 302 | Hahnville, LA 70057

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security and cyber resilience. Mimecast integrates email defenses with brand protection, security awareness training, web security, compliance and other essential capabilities. Mimecast helps protect large and small organizations from malicious activity, human error and technology failure; and to lead the movement toward building a more resilient world. To find out more, visit our website.



The sewage disposal treatment system for this subdivision is acceptable and meets St. Charles Parish & State of Louisiana requirements and if maintained properly, can be expected to function satisfactory.

This plat is made in accordance with Louisiana RS 33:5050, et. seq. and all regulations governing platting, and comply fully with the zoning requirements of the R-3 district in respect to area and width.

Recorded in The Clerk of Court's Office St. Charles Parish on the 26<sup>th</sup> day of March in Book 288 Folio 306, Entry # 91237.

Richard T. Dading 3-26-82  
Licensed Engineer or Surveyor Date

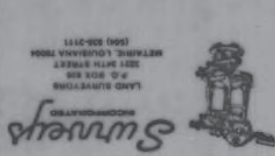
Sanitarian Date

Address

Signature Richard T. Dading Title

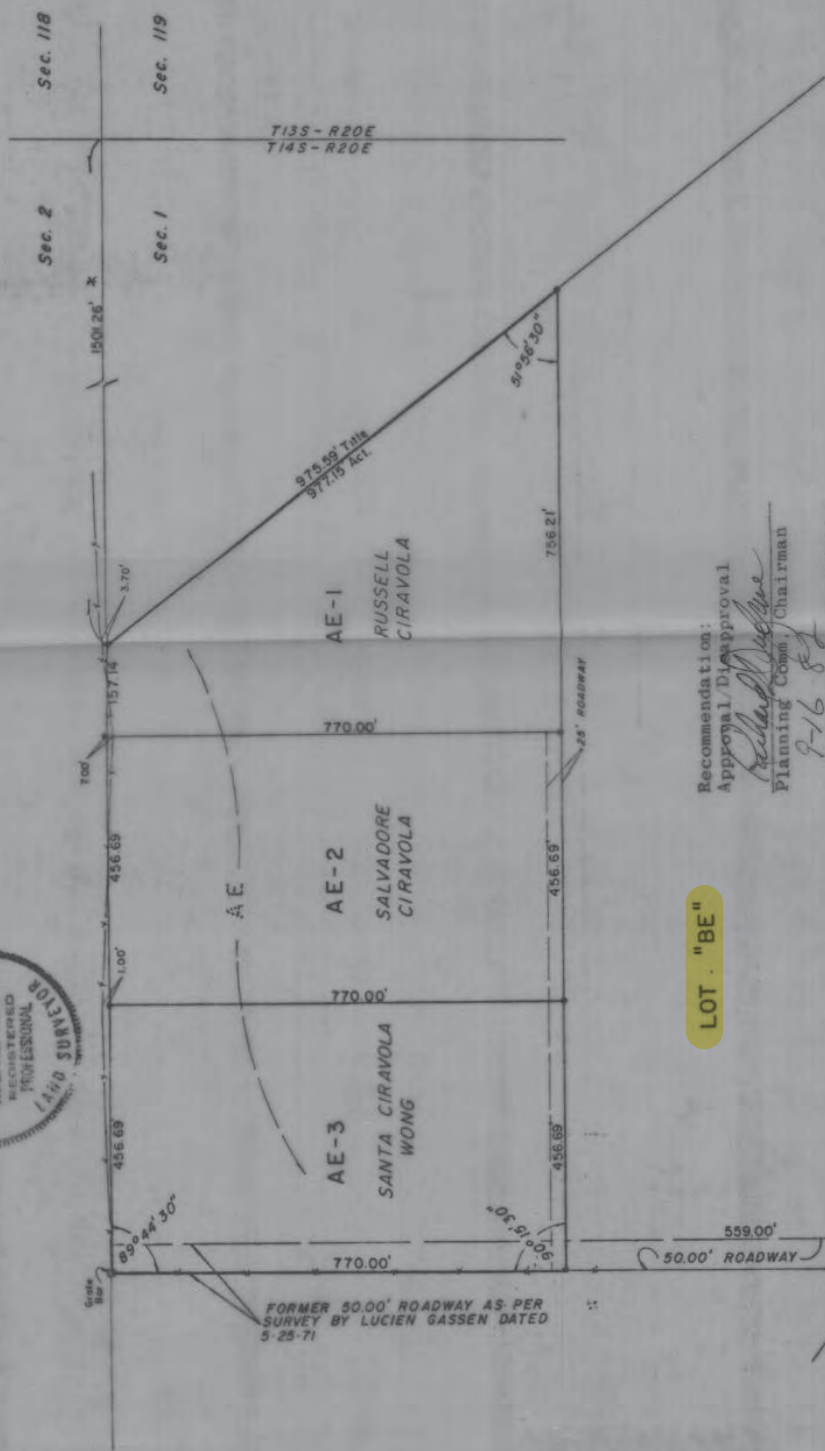


CERTIFIED CORRECT  
Registered Land Surveyor  
La. License No. 4399  
Richard T. Dading  
SURVEYOR



CERTIFIED CORRECT TO:  
RESUBDIVISION OF LOT AE  
ESTATE OF S. CIRAVOLA  
LOCATED IN THE NORTHWEST  
OF SECTION 1, T14S-R20E  
ST. CHARLES PARISH, LA.  
SAL CIRAVOLA

SCALE 1" = 200'  
DATE March 26, 1982  
DRAWN BY R.D.  
D.C.  
200-752  
L-1511  
1 of 1



LOT "BE"

Recommendation:  
Approval/Disapproval  
Richard T. Dading  
Planning Comm. Chairman  
9-16-82  
Date

Approved:  
Richard T. Dading  
Council Chairman  
10-10-82  
Date

Approved:  
[Signature]  
Parish President  
Date

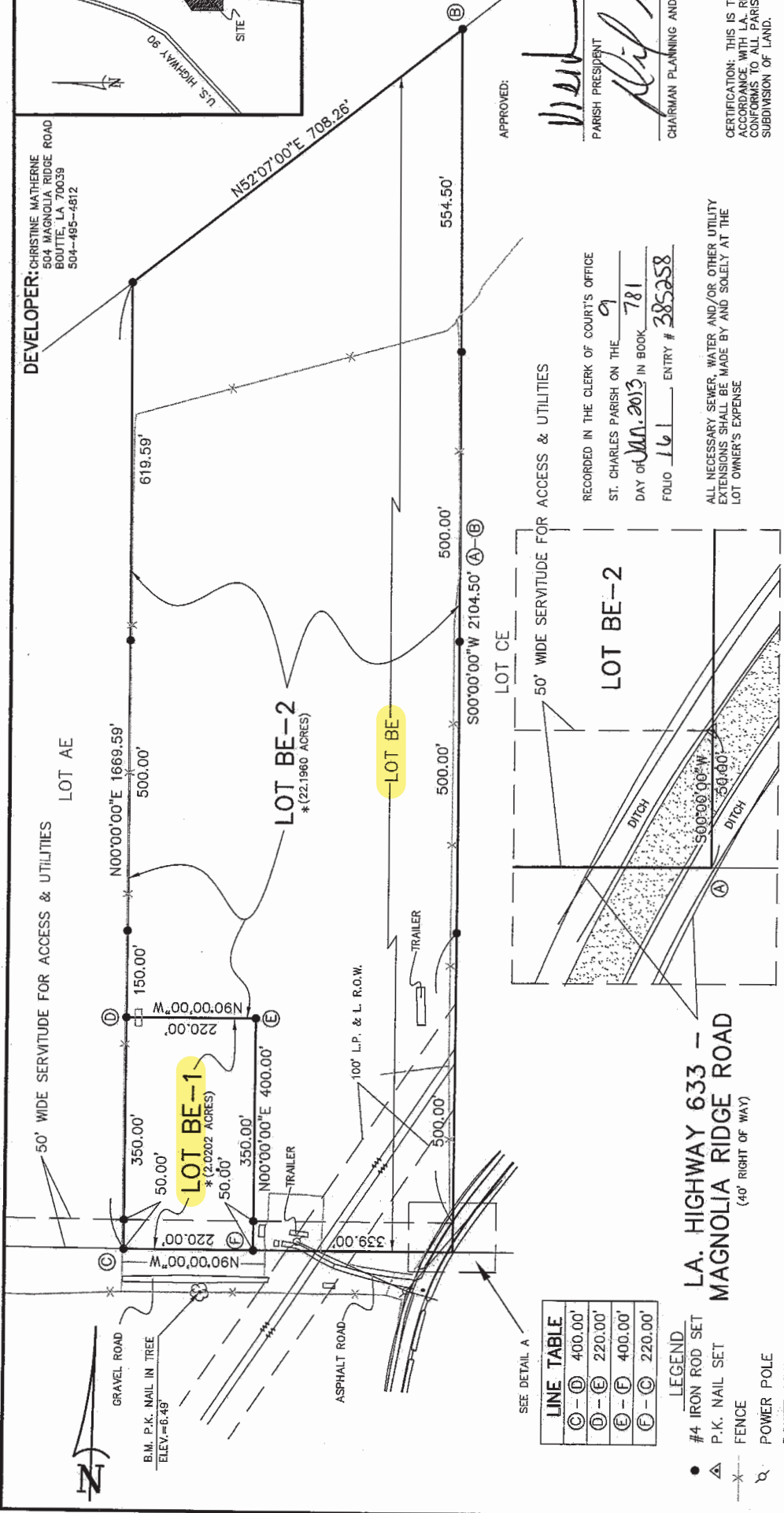
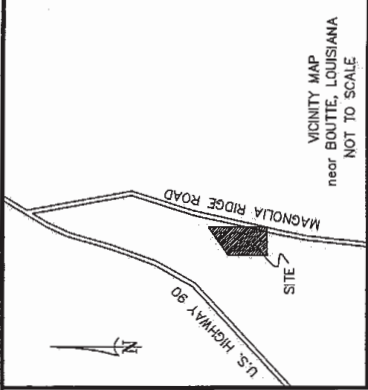
Legend  
\* 2" Iron Pipe  
In Concrete

CIROVOLA-WONG  
O. # 82-1-9  
PZS 82-18

\* Distance to section corner calculated from plan of Lucien C. Gassen dated May 25, 1971



DEVELOPER: CHRISTINE MATHERNE  
504 MAGNOLIA RIDGE ROAD  
BOULTE, LA. 70038  
504-495-4812



LINE	TABLE
⊙-⊙	400.00'
⊙-⊙	220.00'
⊙-⊙	400.00'
⊙-⊙	220.00'

- LEGEND**
- #4 IRON ROD SET
  - ▲ P.K. NAIL SET
  - FENCE
  - ⊕ POWER POLE
  - POWER LINE
  - ⊕ PIN OAK TREE

**TITLE:** SURVEY PLAT AND RESUBDIVISION OF LOT BE OF THE GIRAVOLO ESTATE INTO LOTS HEREIN DESIGNATED AS LOT BE-1 AND LOT BE-2 OF THE GIRAVOLO ESTATE SITUATED IN SECTION 1, T-14-S, R-20-E, near BOULTE, ST. CHARLES PARISH, LOUISIANA.

**DATE:** MAY 30, 2012, REVISED 50' SERVITUDE NOTE AND SIGNATURE LINE 11/29/2012  
**SURVEY REFERENCE:** SUBDIVISION OF THE ESTATE OF S. GIRAVOLO IN THE NORTHWEST QUARTER OF SECTION 1, T-14-S, R-20-E BY LUCIEN C. CASSEN, P.L.S. DATED MAY 25, 1971.

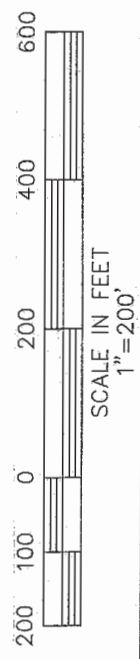
**BASIS OF BEARING:** TAKEN FROM REFERENCED SURVEY PLAT.  
**FLOOD NOTE:** THE SURVEYED PARCEL IS IN ZONE "AE" PER FEDERAL INSURANCE RATE MAP NUMBER 220160-0125C DATED 6/16/1992.  
**SURVEYOR'S NOTES:**  
A. THIS PLAT IS CORRECT AND IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND UNDER THE DIRECTION OF THE UNDERSIGNED AND COMPLETES WITH THE REQUIREMENTS OF LOUISIANA'S "STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS" FOR A CLASS B SURVEY.  
B. NO TITLE OPINION WAS PROVIDED TO THIS FIRM. THEREFORE NO CERTIFICATION IS GIVEN TO THE EXISTENCE OF OTHER SERVITUDES OR EASEMENTS WHICH MAY EXIST OTHER THAN THOSE SHOWN.  
C. MINIMUM SETBACK LINES AND SERVITUDES SHOWN ARE BASED ON THE REFERENCED SURVEY PLAT. THE APPROPRIATE PARISH AUTHORITY OR NEIGHBORHOOD REGULATORY BOARD SHOULD BE CONSULTED FOR FINAL DETERMINATION.

APPROVED: *Mark* 1/7/13  
PARISH PRESIDENT  
DATE

*Cliff* 1/3/13  
CHAIRMAN PLANNING AND ZONING COMMISSION  
DATE

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

*Stephen P. Flynn*  
STEPHEN P. FLYNN  
P.L.S. LA. ST. REG. NO. 16688



DRAWN BY: KPB DRAWING NO. MM0250\_RESUB

**RIVERLANDS SURVEYING COMPANY**

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



SECTION 1  
TOWNSHIP 14 SOUTH, RANGE 20 EAST  
ST. CHARLES PARISH, LOUISIANA



BEARINGS ARE BASED ON THE LOUISIANA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983 (2011) AND WERE DERIVED FROM GPS OBSERVATIONS.

APPROVALS  
 CHAIRMAN, PLANNING AND ZONING COMMISSION  
 PARISH PRESIDENT  
 DATE: 12-6-12  
 DATE: 12-19-12

RECORDED IN THE ST. CHARLES PARISH  
 CLERK OF COURT ON THE 28 DAY OF  
 Dec. 2012 2012 IN COB 780  
 FOLIO 744 ENTRY NO. 385017

SCALE: 1" = 200'

DATE: 08/24/2012

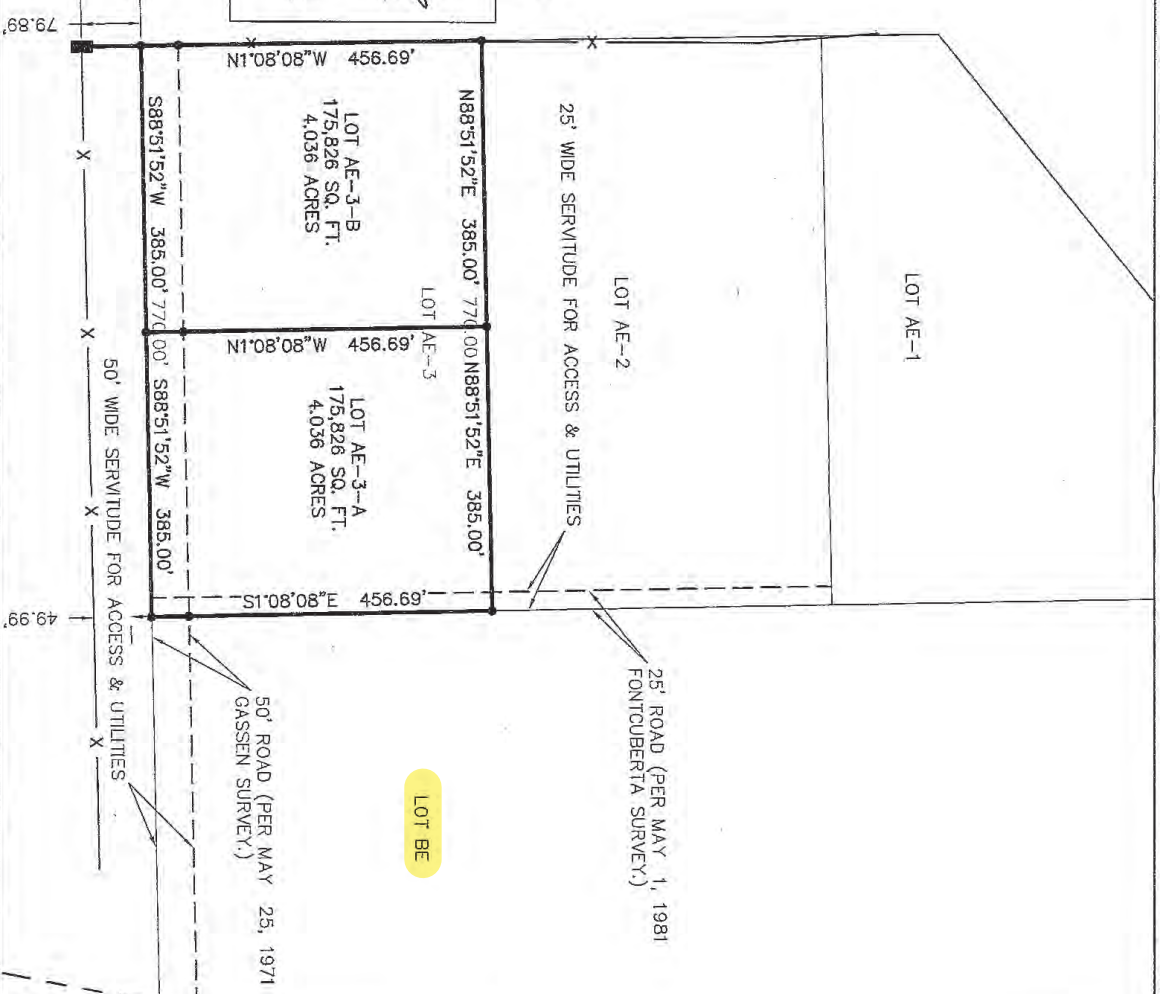
DRAWN BY: J.N.S. CHECKED BY: J.S.T.

FILE NO: 7979 PROJ NO: 7979

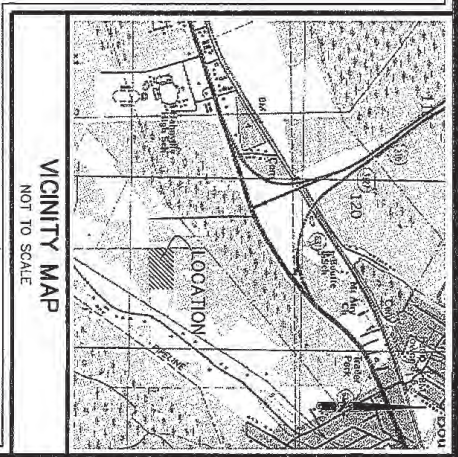
SHEET 1 OF 1

The Sealtides and Restrictions shown on this survey are limited to those set forth in the description furnished us and there is no representation that all applicable Sealtides and Restrictions are shown hereon. The surveyor has made no title search or public record search in compiling the data for this survey.

I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found this property is in a Special Flood Hazard Area.  
 FIRM ZONE: AE (EL. 4)



**SURVEY REFERENCE**  
 1. SURVEY OF THE SUBDIVISION OF THE ESTATE OF S. CIRAVOLO IN THE NORTHWEST QUARTER OF SECTION 1, T14S-R20E, BOULTE, ST. CHARLES PARISH, LOUISIANA, BY LUCIEN C. GASSEN, DATED MAY 25, 1971.  
 2. SURVEY OF A PORTION OF GROUND LOCATED IN THE NORTHWEST 1/4 OF SECTION 1, T14S-R20E, ST. CHARLES PARISH, LOUISIANA, BY R.P. FONTCUBERTA, DATED MAY 1, 1981 AND REVISED MARCH 26, 1982.



**RESUBDIVISION OF LOT AE-3, INTO LOTS AE-3-A & AE-3-B, S. CIRAVOLO ESTATE LOCATED IN SECTION 1, T 14 S -R 20 E, BOULTE, ST. CHARLES PARISH, LOUISIANA**

I certify that this plat represents an actual ground survey made by me or under my direction, and it does not conform to the requirements for the Minimum Standards for Property Boundary Surveys as found in Louisiana Administrative Code Title 46, L.A.C. Chapter 28 for a Class C survey.

DWANE BABIN



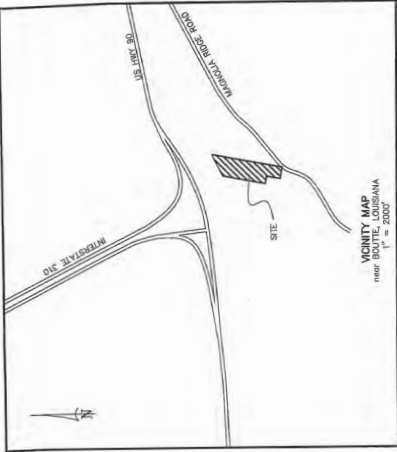
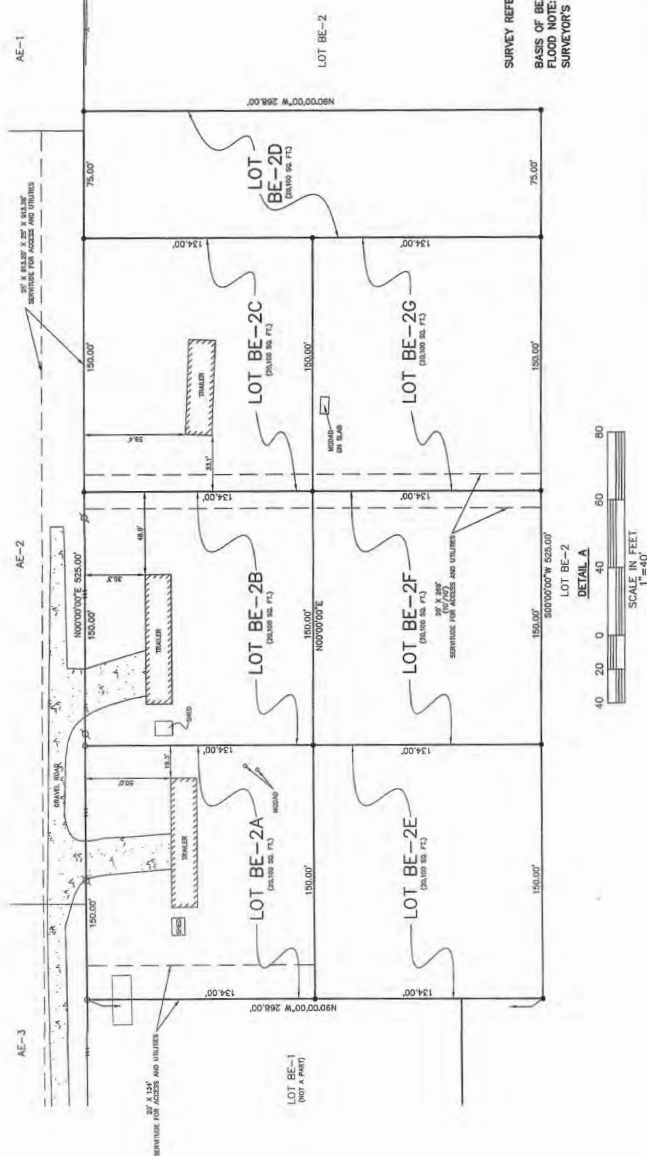
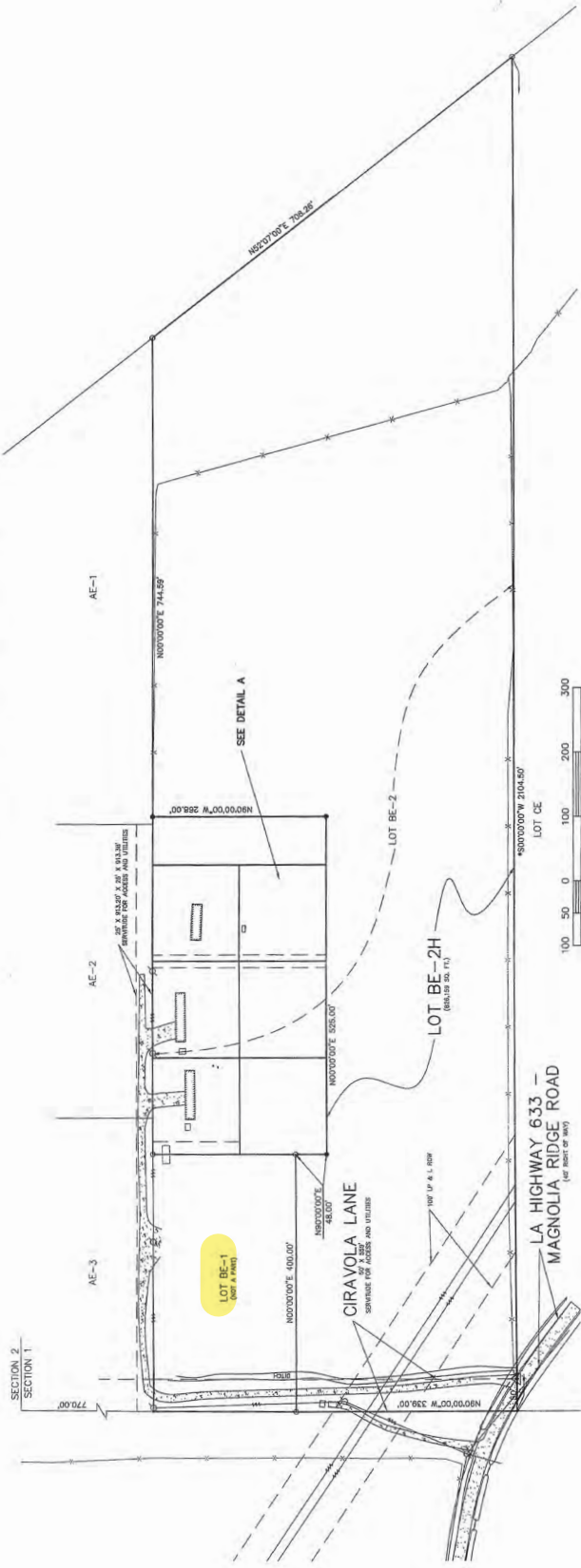
534 WILLIAMS BOULEVARD  
 CORPORATION, L.L.C.  
 Professional Land Surveyors  
 E-mail: bmgcorp@bmgcorp.com  
 (304) 462-3500  
 Fax No. (304) 467-0065  
 CITY OF KENNER  
 JEFFERSON PARISH, LOUISIANA, 70062



REGISTERED PROFESSIONAL LAND SURVEYOR  
 JOHN S. TEGGARDEN  
 REGISTRATION NO. 4635



**SURVEY PLAT AND RESUBDIVISION OF LOT BE-2 OF THE CIRAVOLO ESTATE INTO LOTS HEREIN DESIGNATED AS LOT BE-2A, BE-2B, BE-2C, BE-2D, BE-2E, BE-2F, BE-2G & LOT BE-2H OF THE CIRAVOLO ESTATE SITUATED IN SECTION 1, T-14-S, R-20-E near BOUTTE, ST. CHARLES PARISH, LOUISIANA**



VICINITY MAP  
near ROUTE, LOUISIANA  
1" = 2000'

DEVELOPER: CHRISTINE MATHESE  
504 MANOLIA RIDGE ROAD  
LA 70069  
504-495-4812

APPROVED: [Signature] DATE: 2/2/16  
 PARISH PRESIDENT  
 [Signature] DATE: 1-7-16  
 CHAIRMAN PLANNING AND ZONING COMMISSION  
 [Signature] DATE: 2-1-16  
 COUNCIL CHAIRMAN

RECORDED IN THE CLERK OF COURT'S OFFICE  
 ST. CHARLES PARISH ON THE 3  
 DAY OF 2016 IN BOOK 828  
 FOLIO 1 ENTRY # 413368

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

Stephen P. Flynn  
 SURVEYING  
 COMPANY  
 505 HEMLOCK STREET  
 LAPLACE, LA 70069  
 1-800-692-6399

STEPHEN P. FLYNN  
 P.L.S. LA. ST. REC. NO. 4686

NO.	DATE	ADD. ACCESS & UTILITIES	REVISIONS	BY	DT
1	12/29/15				

BOOK BY: [Signature] SHEET NO. 1 OF 1  
 DATE: OCTOBER 20, 2015 DRAWING NO. 148252-2626-7 (005)

**SURVEY REFERENCE:** PROPERTY PLAT AND RESUBDIVISION OF LOT BE-2 OF THE CIRAVOLO ESTATE INTO LOTS HEREIN DESIGNATED AS LOT BE-2A, BE-2B, BE-2C, BE-2D, BE-2E, BE-2F, BE-2G & LOT BE-2H OF THE CIRAVOLO ESTATE SITUATED IN SECTION 1, T-14-S, R-20-E near BOUTTE, ST. CHARLES PARISH, LOUISIANA.

**BASES OF BEARING:** ALL BEARINGS ARE TRUE BEARINGS DERIVED FROM THE NATIONAL BUREAU OF STANDARDS (NAD 83) DATUM.

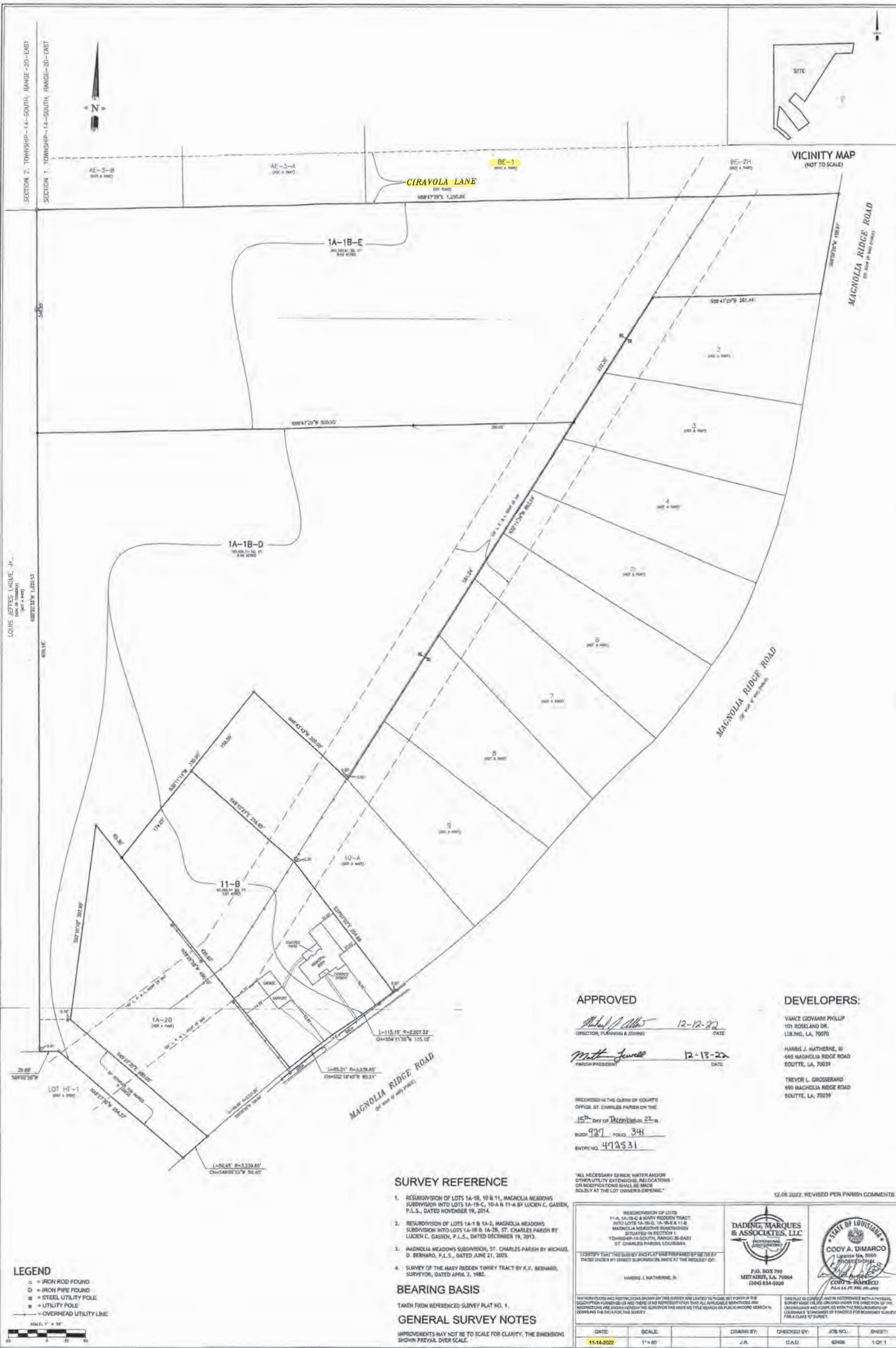
**FLOOD NOTE:** THIS PLAT IS CORRECT AND IN ACCORDANCE WITH A FLOOD HAZARD MAP ON THE SUBJECT PROPERTY DATED 08/11/15. THE FLOOD HAZARD MAP IS AVAILABLE FOR REVIEW AT THE ST. CHARLES PARISH ENGINEERING DEPARTMENT. THE FLOOD HAZARD MAP IS AVAILABLE FOR REVIEW AT THE ST. CHARLES PARISH ENGINEERING DEPARTMENT. THE FLOOD HAZARD MAP IS AVAILABLE FOR REVIEW AT THE ST. CHARLES PARISH ENGINEERING DEPARTMENT.

**SURVEYOR'S NOTES:** THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SUBJECT PROPERTY AND HAS FOUND NO EVIDENCE OF ANY UNRECORDED ENCUMBRANCES OR INTERESTS. THE SURVEYOR HAS ALSO CONDUCTED A VISUAL INSPECTION OF THE SUBJECT PROPERTY AND HAS FOUND NO EVIDENCE OF ANY UNRECORDED ENCUMBRANCES OR INTERESTS.

POWER POLE ○  
 WATER MAIN ○  
 SEWER ○  
 FENCE ▲  
 PK. MAIL BOX ▲

THE LOCATIONS OF UNDERGROUND AND OTHER NONVISIBLE UTILITIES SHOWN ON THIS PLAT ARE BASED ON THE RECORDS OF THE ST. CHARLES PARISH ENGINEERING DEPARTMENT. SUCH DATA HAS NOT BEEN VERIFIED BY THE SURVEYOR. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SUBJECT PROPERTY AND HAS FOUND NO EVIDENCE OF ANY UNRECORDED ENCUMBRANCES OR INTERESTS. THE SURVEYOR HAS ALSO CONDUCTED A VISUAL INSPECTION OF THE SUBJECT PROPERTY AND HAS FOUND NO EVIDENCE OF ANY UNRECORDED ENCUMBRANCES OR INTERESTS.

DRAWN BY: [Signature] DATE: 1-1-16



SECTION 7, TOWNSHIP - 14-SOUTH, RANGE - 30-EAST  
SECTION 1, TOWNSHIP - 14-SOUTH, RANGE - 30-EAST



VICINITY MAP  
(NOT TO SCALE)

AE-3-B  
(NOT A PART)

AE-3-A  
(NOT A PART)

BE-1  
(NOT A PART)

BE-2H  
(NOT A PART)

CIRAVOLA LANE  
(NOT ROAD)  
18847.29' 1.25% R/L

1A-1B-E  
441,481.26' 0.0' R/L  
314.00'

1A-1B-D  
18,641.15' 0.0' R/L  
946.00'

11-B  
81,633.31' 0.0' R/L  
141.40'

1A-2B  
(NOT A PART)

L=115.16' R=2267.37'  
Ch=554'11.05% 135.15'

L=65.21' R=1229.62'  
Ch=542'18.65% 80.21'

MAGNOLIA RIDGE ROAD  
(NOT ROAD OR ANY PART)

MAGNOLIA RIDGE ROAD  
(NOT ROAD OR ANY PART)

MAGNOLIA RIDGE ROAD  
(NOT ROAD OR ANY PART)

LOUIS JEFFES LAQUE, Jr.,  
(NOT A PART)

**LEGEND**

- = IRON ROD FOUND
- = IRON PIPE FOUND
- ≡ = STEEL UTILITY POLE
- = UTILITY POLE
- = OVERHEAD UTILITY LINE

SCALE: 1" = 40'

**SURVEY REFERENCE**

1. RESUBDIVISION OF LOTS 1A-1B, 10 & 11, MAGNOLIA MEADOWS SUBDIVISION INTO LOTS 1A-1B-C, 10-A & 11-A BY LUCIEN C. GASSEN, P.L.S., DATED NOVEMBER 19, 2014.
2. RESUBDIVISION OF LOTS 1A-1B & 1A-2, MAGNOLIA MEADOWS SUBDIVISION INTO LOTS 1A-1B & 1A-2B, ST. CHARLES PARISH BY LUCIEN C. GASSEN, P.L.S., DATED DECEMBER 19, 2013.
3. MAGNOLIA MEADOWS SUBDIVISION, ST. CHARLES PARISH BY MICHAEL D. BERNARD, P.L.S., DATED JUNE 21, 2003.
4. SURVEY OF THE MARY REEDEN TONEY TRACT BY F.F. BERNARD, SURVEYOR, DATED APRIL 2, 1982.

**BEARING BASIS**

TAKEN FROM REFERENCED SURVEY PLAT NO. 1.

**GENERAL SURVEY NOTES**

IMPROVEMENTS MAY NOT BE TO SCALE FOR CLARITY. THE DIMENSIONS SHOWN PREVAIL OVER SCALE.

**APPROVED**

*Michael J. Altes* 12-12-22  
DIRECTOR OF PLANNING & ZONING DATE

*Matthew J. Jones* 12-13-22  
PARISH PRESIDENT DATE

RECORDED IN THE CLERK OF COURTS OFFICE, ST. CHARLES PARISH ON THE 15<sup>TH</sup> DAY OF DECEMBER 2022.

BOOK 927 FOLIO 341

ENTRY NO. 479531

**DEVELOPERS:**

VANCE GIOVANNI PHILIP  
1018 ROSELAND DR.  
LUBBOCK, LA, 75075

HARRIS J. MATHERNE, III  
640 MAGNOLIA RIDGE ROAD  
BOULTE, LA, 70039

TREVOR L. GROSSEBRAND  
190 MAGNOLIA RIDGE ROAD  
BOULTE, LA, 70039

12.08.2022, REVISED PER PARISH COMMENTS

ALL NECESSARY SEWER, WATER AND/OR OTHER UTILITY EXTENSIONS, RELOCATIONS OR MODIFICATIONS SHALL BE MADE SOLELY AT THE LOT OWNERS EXPENSE.

DESCRIPTION OF LOTS 11-A, 1A-1B-C & MARY REEDEN TRACT INTO LOTS 1A-1B-C, 1A-1B-E & 11-B MAGNOLIA MEADOWS SUBDIVISION SITUATED IN SECTION 1, TOWNSHIP - 14-SOUTH, RANGE - 30-EAST ST. CHARLES PARISH, LOUISIANA	<b>DADING, MARQUES &amp; ASSOCIATES, LLC</b> Professional Surveyors P.O. BOX 790 METZES, LA, 70064 (504) 834-0200	<b>STATE OF LOUISIANA</b> Professional Surveyor <b>CODY A. DIMARCO</b> Professional Surveyor P.O. BOX 101 LAKE CHARLES, LA, 70601 (337) 436-1111
---	---	--

I CERTIFY THAT THIS SURVEY AND PLAT WAS PREPARED BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE REQUIREMENTS AND RESTRICTIONS OF THE SURVEYING ACT AND PUBLIC-RECORD SEARCH IN COMPLYING WITH THE SURVEYING ACT.

HARRIS J. MATHERNE, III

DATE	SCALE	DRAWN BY:	CHECKED BY:	JOB NO.:	SHEET:
11-14-2022	1" = 40'	J.R.	C.A.D.	6208	1 OF 1





**SURVEY PLAT OF LOT BE-1, LOT BE-2A, LOT BE-2B, LOT BE-2C,  
BE-2D & LOT BE-2H OF THE CIRAVOLO ESTATE  
TO CONFORM WITH A SURVEY & RESUBDIVISION CREATING LOT 1A-1B-E BY  
CODY A DIMARCO, P.L.S. DATED 11/14/2022**

SITUATED IN SECTION 1, T-14-S, R-20-E  
near ROUTE, ST. CHARLES PARISH, LOUISIANA



**DESIGNED TO:** CANCEL NUMBER  
**SURVEY REFERENCE:** 1. SUBDIVISION OF THE ESTATE OF CIRAVOLO & THE JOINT ESTATE OF SECTION 1, T-14-S, R-20-E, PARISH OF ST. CHARLES, LOUISIANA, AS SHOWN ON MAP NO. 1, DATED 11/14/2022, BY CODY A. DIMARCO, P.L.S.  
**BASES OF BEARINGS:** THE BEARINGS ARE BASED ON THE MERIDIAN SURVEY SYSTEM.  
**FLOOD NOTE:** THIS SURVEY WAS CONDUCTED IN A FLOOD ZONE. THE SURVEYOR HAS OBSERVED AND NOTED THE PRESENCE OF FLOODING IN THIS AREA. THE SURVEYOR HAS MADE A VISUAL INSPECTION OF THE AREA AND HAS DETERMINED THAT THE AREA IS A FLOOD ZONE. THE SURVEYOR HAS NOTED THE PRESENCE OF FLOODING IN THIS AREA. THE SURVEYOR HAS MADE A VISUAL INSPECTION OF THE AREA AND HAS DETERMINED THAT THE AREA IS A FLOOD ZONE.  
**SURVEYOR'S NOTES:** THIS SURVEY WAS CONDUCTED IN A FLOOD ZONE. THE SURVEYOR HAS OBSERVED AND NOTED THE PRESENCE OF FLOODING IN THIS AREA. THE SURVEYOR HAS MADE A VISUAL INSPECTION OF THE AREA AND HAS DETERMINED THAT THE AREA IS A FLOOD ZONE.

NO.	DATE	DESCRIPTION	BY
1	11/14/2022	DESIGN	CAD
2	11/14/2022	FIELD	CAD
3	11/14/2022	OFFICE	CAD

**RIVERLANDS SURVEYING COMPANY**  
 408 LEBLANCHE STREET  
 LAFAYETTE, LA 70503  
 1-800-249-6398  
 504-682-6398

**Surveyor's Seal:** Cody A. Dimarco, P.L.S., No. 12345, State of Louisiana



Crescent Title, LLC  
12 Storehouse Lane, Ste. B.  
Destrehan, LA, 70047  
985-307-1515  
FILE #111325

**CASH SALE**

Sale of Property

by:

JoAnn Ferlita Senko and Johanna Ortolano  
Laeand Gayle Weathers Hammill Ciravolo  
and John Bernard Ciravolo Jr. and Richard  
Joseph Ladner Jr. and James Kelly Ladner  
and Michael Douglas Ciravolo

to:

Seth P Matherne, and wife Christine Berlin  
Matherne

*United States of America  
State of Louisiana  
Parish of St. Charles*

**BE IT KNOWN** That on this 27th day of  
February, 2012

**BEFORE ME**, Abbey A. Mack, a notary  
public, duly commissioned and qualified, in  
and for the Parish of Jefferson and in the  
presence of the witnesses hereinafter named  
and undersigned.

*Personally Came and Appeared,*

**JOANN FERLITA SENKO** (\*\*\*-\*\*-4799), a person of the full age of majority, domiciled in the Parish of Jefferson, State of Louisiana, who declared before me, Notary, that she has been married two times, first to Gary Stall from whom she is divorced and second to Vernon P. Senko, Jr. from whom she is divorced and she has not since remarried; AND

**MAILING ADDRESS:** 1301 Sigur Ave, Metairie, Louisiana 70005

**JOHANNA ORTOLANO LAE** (\*\*\*-\*\*-3332), a person of the full age of majority, domiciled in the Parish of Jefferson, State of Louisiana, who declared before me, Notary, that she has been married but once and then to George P. Lae, Jr. with whom she is presently living and residing; AND

**MAILING ADDRESS:** 4212 Connecticut Avenue, Kenner, Louisiana 70065

**GAYLE WEATHERS HAMMILL CIRAVOLO** (\*\*\*-\*\*-1182), a person of the full age of majority, domiciled in the Parish of Jefferson, State of Louisiana, who declared before me, Notary, that she has been married two times, first to Grady Hammill from whom she is divorced and second to Salvatore Ciravolo who is deceased and she has not since remarried; AND

**MAILING ADDRESS:** 657 Rose Avenue, Metairie, Louisiana 70005

**JOHN BERNARD CIRAVOLO, JR.** (\*\*\*-\*\*-2294), a person of the full age of majority, domiciled in the Parish of Jefferson, State of Louisiana, who declared before me, Notary, that he has been married but once and then to Mary Ann Galioto Ciravolo who is deceased and he has not since remarried; AND

**MAILING ADDRESS:** 161 Willowbrook Drive, Gretna, Louisiana 70056

**RICHARD JOSEPH LADNER, JR. (\*\*-\*\*-2832)**, a person of the full age of majority, domiciled in the Parish of St. Charles, State of Louisiana, who declared before me, Notary, that he has been married but once and then to Elizabeth Nameth with whom he is presently living and residing; AND

**MAILING ADDRESS:** 85 Carriage Lane, Apt. B, Destrehan, Louisiana 70047

**JAMES KELLY LADNER (\*\*-\*\*-0426)**, a person of the full age of majority, domiciled in the Parish of Jefferson, State of Louisiana, who declared before me, Notary, that he has been married but once and then to Nancy Walters with whom he is presently living and residing; AND

**MAILING ADDRESS:** 6205 Morton Street, Metairie, Louisiana 70003

**MICHAEL DOUGLAS CIRAVOLO (\*\*-\*\*-0032)**, a person of the full age of majority and resident of the State of California, appearing herein by and through Joann Ferlita Senko, his duly authorized Agent and Attorney in fact, by virtue of a Power of Attorney, an original of which is annexed hereto and made a part hereof; the said Agent has declared that her Principal is alive and has not been declared an interdict or bankrupt and further declared that her Principal has been married two times, first to Gail Chauvin from whom he is divorced and second to Michelle Carter Ciravolo with whom he is presently living and residing;

**MAILING ADDRESS:** 25004 Lee Court, Stevenson Ranch, California 91381

Who declare that they do by these presents, grant, bargain, sell, convey, transfer, assign, setover, abandon and deliver, with all legal warranties as to title only, but with full substitution and subrogation in and to all the rights and actions of warranty which they have or may have against all preceding owners and vendors, unto,

**SETH P. MATHERNE (\*\*-\*\*-0634) and CHRISTINE BERLIN MATHERNE (\*\*-\*\*-6596)**, both persons of the full age of majority, domiciled in the Parish of St. Charles, State of Louisiana, who declared before me, Notary, that they have been married but once and then to each other and are presently living and residing together;

**MAILING ADDRESS:** P.O. Box 212, Boutte, Louisiana 70039

here present, accepting and purchasing for themselves, their heirs and assigns, and acknowledging due delivery and possession thereof, all and singular the following described property, to-wit:

*"Description of Property"*

**ONE CERTAIN LOT OR PARCEL OF GROUND**, together with all the buildings and improvements thereon, and all rights, ways, privileges, servitudes, advantages, and appurtenances, thereunto belonging, or in anywise appertaining, situated in the Parish of St. Charles, State of Louisiana, in Northwest quarter in Section 1, Township 14 South Range 20 East Southeastern Land District of Louisiana in Boutte, Louisiana according to survey of Lucien c. Gassen, Registered Land Surveyor, dated May 25, 1971; a copy of which is attached to COB 683, Folio 275.

According to the said survey of Lucien C. Gassen referred to above, **Lot BE** measures five hundred five-nine (559') feet on its South side along a fifty (50') foot road, two thousand one hundred four and 50/100 (2,104.50') feet on its East side adjoining Lot CE seven hundred eight and 26/100 (708.26') feet on its North side and one thousand six hundred sixty-nine and 59/100 (1,669.59') feet on its West side adjoining Lot AE.

The road referred to on said above described survey as Magnolia Ridge Road crosses the above described property and the owners of this lot take cognizance of said road's presence and grants the right of ingress and egress through this lot as in the past.

Municipal address of the above described property is 584 Magnolia Ridge, Boutte, LA.

**PURCHASER (s)** herein declared that all future notices of ad valorem tax bills and special assessments for the above described property presently for the tax year of 2011 bearing Tax Assessment No. 4010001000 are to be forwarded to:

Seth P Matherne and Christine Berlin Matherne  
P.O. Box 212, Boutte, Louisiana 70039

**THIS ACT IS MADE, EXECUTED AND ACCEPTED SUBJECT TO THE FOLLOWING:**

1. Loss or damage arising out of or resulting from the designation of a portion of the Land as Wetlands under applicable state or Federal law.
2. Servitude of way or passage recorded at COB 118, Folio 192.
3. Sellers reserve unto themselves, their heirs, successors and assigns, and excepts from this transfer, all of the oil, gas and other minerals in, under and which may be produced from the property herein conveyed, it being understood, however that Sellers, their heirs, successors and assigns, shall have the right to produce oil, gas or other minerals in, under or from the property herein conveyed by the use of directional drilling methods only, and thus hereby waive surface rights.
4. Any and all restrictions, overlaps, overhangs, servitudes and/or easements , rights of ways and outstanding rights of record which might be shown on a current survey of the property.

THE PARTIES HERETO TAKE COGNIZANCE THAT NO SURVEY ON THE HEREIN DESCRIBED PROPERTY IN CONNECTION WITH THE ACT OF SALE HAS BEEN MADE NOR HAS ONE BEEN PRODUCED OR ATTACHED AND THE PARTIES DO HEREBY RELIEVE AND RELEASE ME, NOTARY, FROM ANY AND ALL LIABILITY, RESPONSIBILITY OR DAMAGE INCLUDING COURT COSTS AND ATTORNEYS FEES IN CONNECTION THEREWITH.

The parties hereto waive and dispense with the production of any mortgage, conveyance or other certificates, required by law or otherwise, and release and relive me, Notary, Crescent Title, LLC and First American Title Insurance Company, from any and all responsibility in connection therewith.

*See WAIVER OF WARRANTY and REDHIBITION RIGHTS ADDENDUM attached hereto and made a part hereof.*

To have and to hold the above described property unto the said purchaser(s) themselves, their heirs and assigns forever.

This sale is made and accepted for and in consideration of the price and sum of One Hundred Eighty Four Thousand Five Hundred dollars and Zero cents, \$184,500.00 which the said purchaser(s) have well and truly paid, in ready and current money to the said vendors who hereby acknowledge the receipt thereof and grant full acquittance and discharge therefore.

All State and City taxes up to and including the taxes due and eligible for the current tax year are paid as per a research of the tax rolls for the year 2011. 2012 taxes have been prorated to the date of this act of sale. Payment for all future taxes is assumed by purchaser herein.



WAIVER of WARRANTY and REDHIBITION RIGHTS ADDENDUM

It is expressly agreed that the immovable property herein conveyed and all improvements and component parts, plumbing, electrical systems, mechanical equipment, heating and air conditioning systems, built-in appliances, and all other items located hereon are conveyed by Seller and accepted by Purchaser "AS IS, WHERE IS," without any warranties of any kind whatsoever, even as to the metes and bounds, zoning, operation, or suitability of the property for the use intended by the Purchaser, without regard to the presence of apparent or hidden defects and with the Purchaser's full and complete waiver of any and all rights for the return of all or any part of the purchase price by reason of any such defects.

Purchaser acknowledges and declares that neither the Seller nor any party, whomsoever, acting or purporting to act in any capacity whatsoever on behalf of the Seller has made any direct, indirect, explicit or implicit statement, representation or declaration, whether by written or oral statement or otherwise, and upon which the Purchaser has relied, concerning the existence or non-existence of any quality, characteristic or condition of the property herein conveyed. Purchaser has had full, complete and unlimited access to the property herein conveyed for all tests and inspections which Purchaser, in Purchaser's sole discretion, deems sufficiently diligent for the protection of Purchaser's interests.

Purchaser expressly waives the warranty of fitness and the warranty against redhibitory vices and defects, whether apparent or latent, imposed by Louisiana Civil Code Articles 2520 through 2548, inclusive, and any other applicable state or federal law and the jurisprudence thereunder,

Purchaser also waives any rights Purchaser may have in redhibition to a return of the purchase price or to a reduction of the purchase price paid pursuant to Louisiana Civil Code Articles 2520 to 2548, inclusive, in connection with the property hereby conveyed to Purchaser by Seller. By Purchaser's signature, Purchaser expressly acknowledges all such waivers and Purchaser's exercise of Purchaser's right to waive warranty pursuant to Louisiana Civil Code Article 2520 and 2548, inclusive.

PURCHASER

*[Handwritten signature]*

SELLER

*[Handwritten signature]*

PURCHASER

*[Handwritten signature]*

SELLER

*[Handwritten signature]*

PGR-415 (R6/04)

*[Handwritten signature]*  
*[Handwritten signature]*  
*[Handwritten signature]*  
*[Handwritten signature]*

Thus Done and Passed, in my office in Destrehan, Louisiana in the presence of the competent witnesses, who hereunto sign their names with the said appearers, and me, Notary, after reading the whole.

WITNESSES:

Signature Angela Waglespack  
PRINT Angela Waglespack

Signature Jeffrey T. Matherne  
PRINT Jeffrey T. Matherne

SELLER:

PURCHASER:

JoAnn Ferlita Senko  
JoAnn Ferlita Senko

Seth P Matherne  
Seth P Matherne

Johanna Ortolano Lae  
Johanna Ortolano Lae

Christine Berlin Matherne  
Christine Berlin Matherne

Gayle Weathers Hammill Ciravolo  
Gayle Weathers Hammill Ciravolo

John Bernard Ciravolo Jr.  
John Bernard Ciravolo Jr.

RICHARD JOSEPH LADNER, JR.  
RICHARD JOSEPH LADNER, JR.

JAMES KELLY LADNER  
JAMES KELLY LADNER

MICHAEL DOUGLAS CIRAVOLO  
By: Joann Ferlita Senko, Agent and attorney in fact

Abbey A. Mack

Abbey A. Mack  
ID# 9621

Title Ins. Prod.: Crescent Title/Abbey Mack  
Address: 12 Storehouse Lane, Ste. B, Destrehan, La. 70047  
Prod. Lic #: 152226  
Title Ins. Underwriter: First American Title  
Title Opinion by: Abbey A. Mack  
La Bar Roll #: 9621



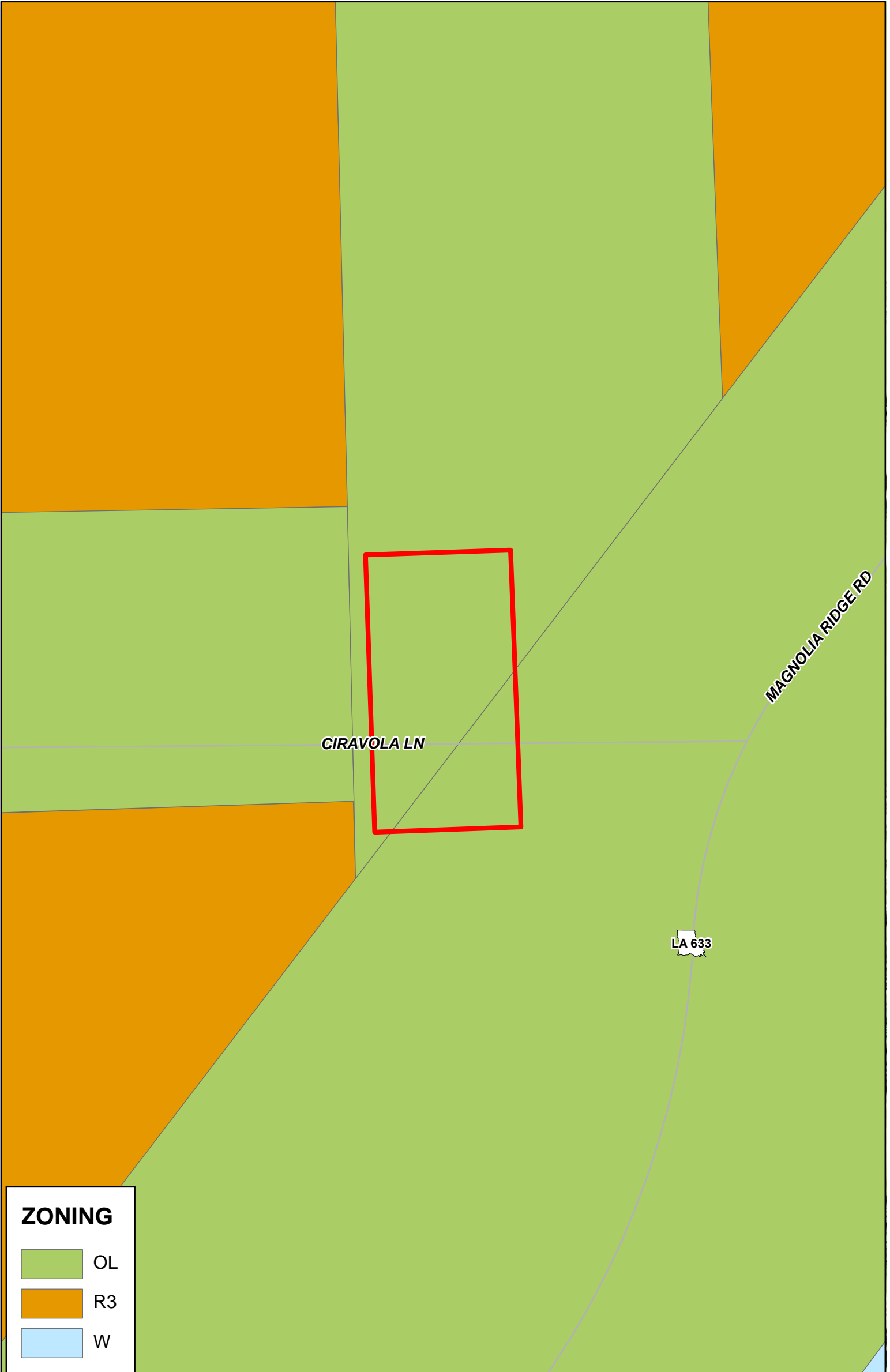
2024-2-MIN  
1 lot into 3





2024-2-MIN  
1 lot into 3

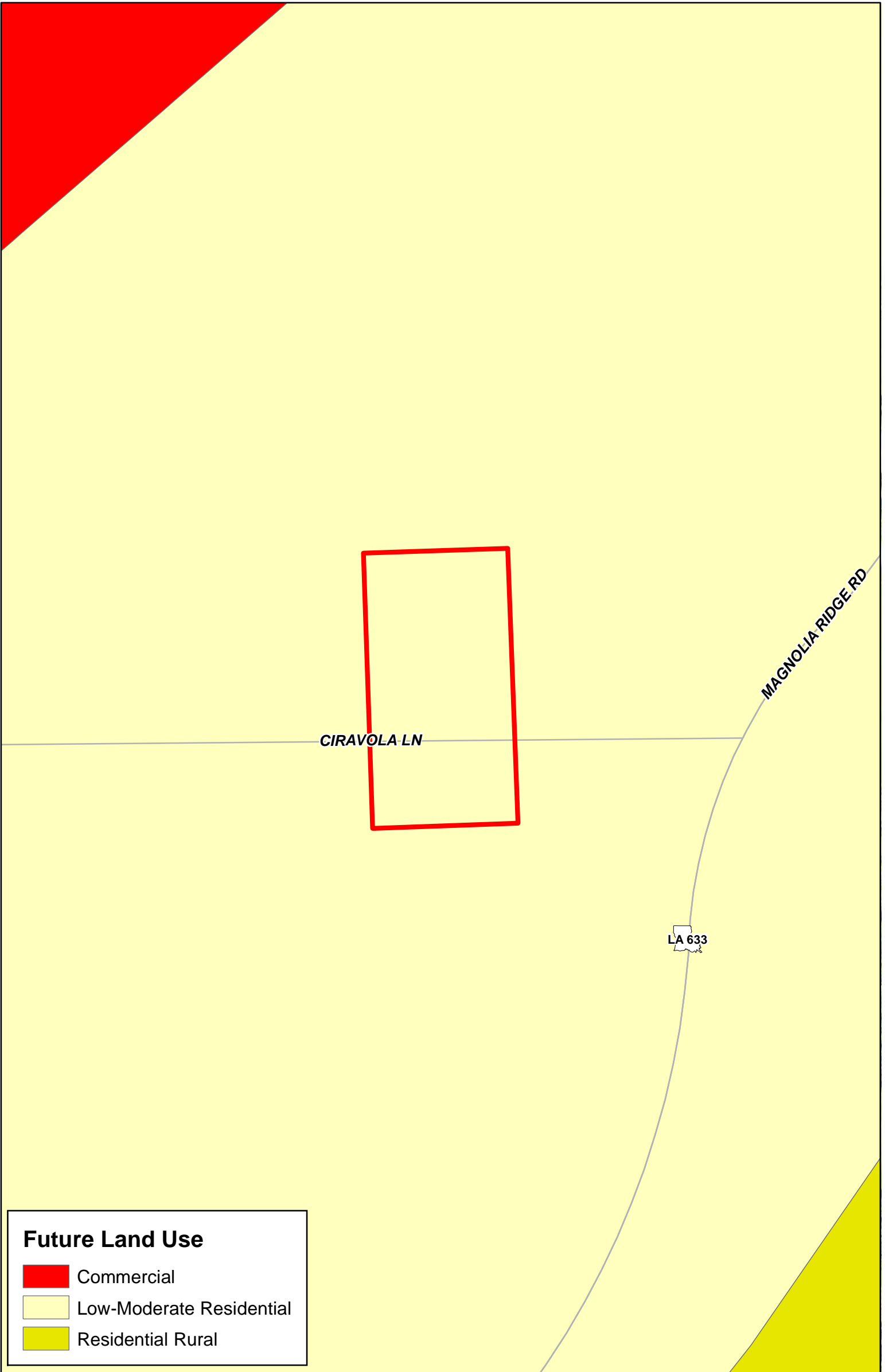
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

**ZONING**

-  OL
-  R3
-  W

2024-2-MIN  
1 lot into 3



**Future Land Use**

-  Commercial
-  Low-Moderate Residential
-  Residential Rural





## Department of Planning & Zoning Staff Report – Home Occupation Case No. 2024-5-HOP

### APPLICATION INFORMATION

- **Applicant & Business Location**  
Alicen Breaux  
224 Grand Bayou Road  
Des Allemands, LA 70030  
985.859.5164; aford2559@gmail.com

### BUSINESS INFORMATION

- **Name & Description:** Rise + Grind (mobile coffee trailer)
- **Licensing & Permits**  
Permit to operate a Mobile Food Establishment from the Louisiana Department of Health (LDH)
- **Vehicles & Equipment:** Ford F250; 8 x 18 custom build mobile food unit

### SITE INFORMATION

- **Current Use:** Single-family house
- **Surrounding Zoning & Uses:** O-L; single-family houses along Grand Bayou Road.
- **Traffic Access & Parking**  
A driveway provides access to Grand Bayou Road and allows for parking of the food unit in a zoning compliant manner while maintaining the required two (2) spaces for a single family home.
- **Utilities:** Standard utilities are available.

### APPLICABLE REGULATIONS

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

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

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

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

## FINDINGS

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

The business utilizes an 8 x 18 custom build mobile food unit. The owner has arranged the use of a commissary at Boot T's Seafood, 13459 Hwy 90, Boutte as required by LDH for the storage of product and cleaning of the MFE.

The applicant intends to store the MFE at the residence when not in use. The residence is developed with a driveway extending along the side of the home and into the rear yard, connecting to a multi-car garage with additional covered parking. The MFE can be parked out of sight within the side yard and will not displace the two (2) required parking spaces for the residence. If at any point it cannot be parked at the residence in a zoning compliant manner, the MFE must be stored off-site in a zoning compliant location.

The applicant has acknowledged the Home Occupation Operational Regulations. No complaints or violations are on file; no code violations were apparent during a site visit.

## DEPARTMENT RECOMMENDATION

**Approval, with the following conditions:**

- **Food preparation shall not take place at the residence.**
- **Food sales shall not take place at the residence.**
- **The food truck must be parked in a zoning compliant location.**
- **A copy of the Louisiana Department of Health permit must be provided to Planning and Zoning for issuing of the certificate of occupancy.**



St. Charles Parish  
 Department of Planning & Zoning  
**HOME OCCUPATION PERMIT**

OFFICE USE	
Submittal Date	3/24/24
Received By	??
Receipt #	
Case #	2024-5-HOP
Admin <input type="checkbox"/>	Commission <input checked="" type="checkbox"/>

**APPLICANT INFORMATION**

Name: Alicen Breau  
 Home Address: 224 Grand Bayou Rd DesAllemands LA 70030  
 Mailing address (if different): \_\_\_\_\_  
 Phone: 985-859-5104 Email: aford8559@gmail.com

**BUSINESS INFORMATION**

Business Name: Rise + Grind (AMB Health Solutions LLC)  
 Description of proposed business/business activities: mobile coffee trailer

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

- If YES, please list the agency/office involved: \_\_\_\_\_

\*Business requiring specialized state or federal permitting/licensing/etc. are forwarded to the Planning Commission.

Additional Employees?  YES  NO If YES, how many? \_\_\_\_\_

Will customers/clients visit the residence for business purposes?  YES  NO

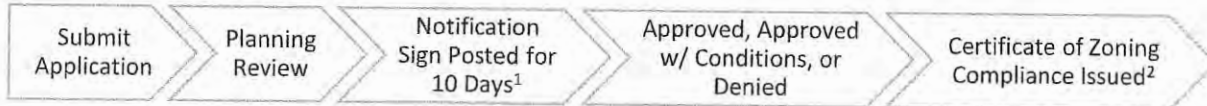
Any vehicles, trailers, equipment, materials, etc. used exclusively for business purposes?  YES  NO

- If YES, list those items below and include the location for where they will be parked/stored.

**APPLICATION CHECKLIST** (review process does not begin until all items below are submitted):

1. Completed application, with notarized endorsement of all property owners (IF APPLICABLE)
2. Act of Sale or Deed to the property (copies available at Clerk of Courts Office)
3. Photographs of vehicles/trailers/equipment used exclusively for business purposes
4. Application Fee: \$25 (Administrative), \$200 (Planning Commission)

**HOME OCCUPATION PROCESS**



<sup>1</sup> Administrative applications receiving objections during the notification period are forwarded to the Planning Commission. Sign posting for applications requiring Planning Commission hearing will occur 10 days before the meeting date.

<sup>2</sup> Proceed with the St. Charles Parish School Board for your Tax ID# and St. Charles Parish Sheriff's office for your Occupational License





WERNER  
LEANSAFE

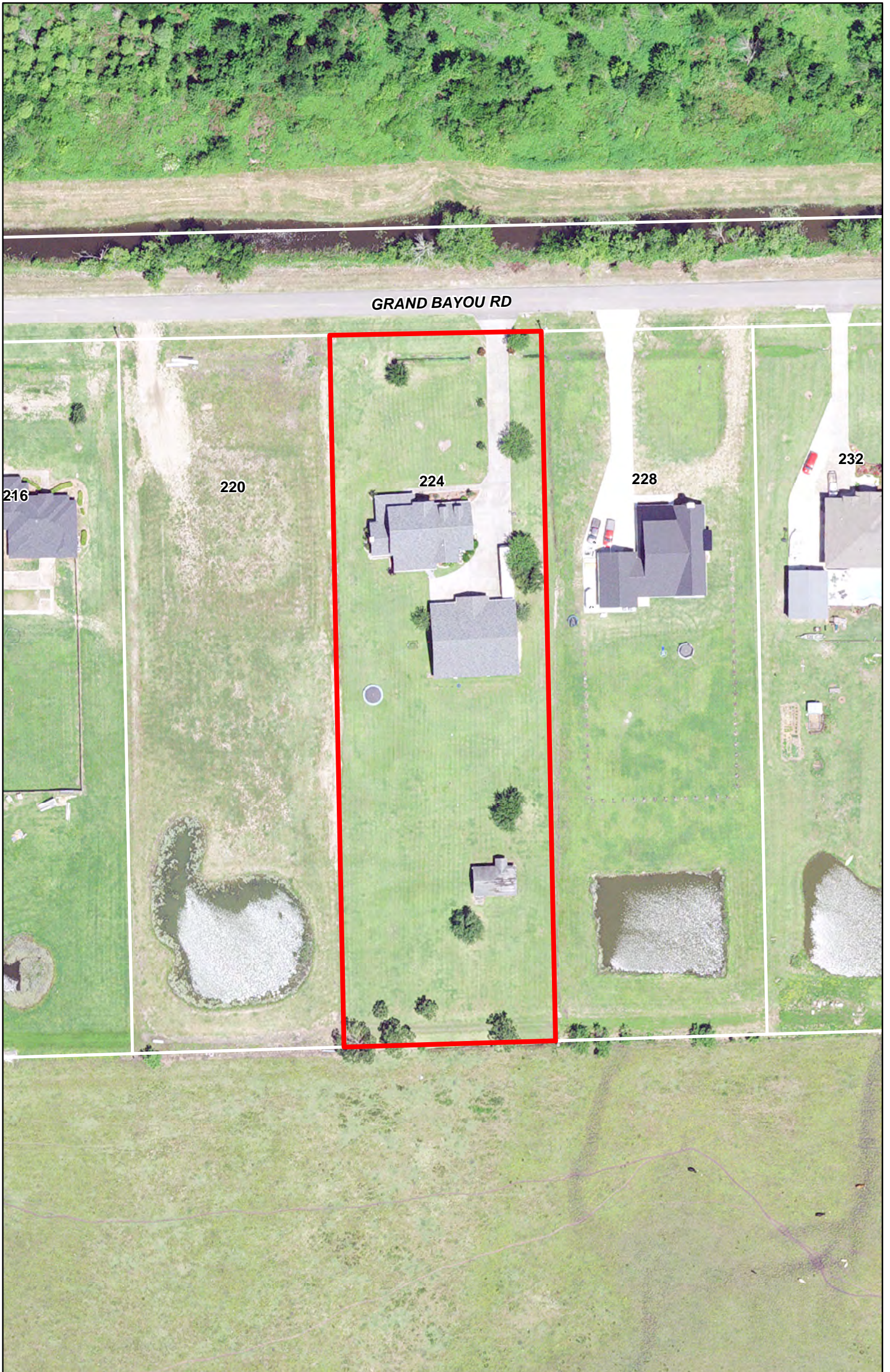
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2024-5-HOA  
Rise + Grind - mobile coffee trailer







## Department of Planning & Zoning Staff Report – Map Amendment Case No. 2024-7-R

### APPLICATION INFORMATION

- **Submittal Date:** 4/2/24
- **Applicant / Property Owner**  
Ladadriel Eastman  
122 Hickory Street  
Boutte, LA 70039  
504.236.2425; ladadriel.eastman@ochsner.org
- **Request**  
Change of zoning:
  - Current – R-1A, Single Family Residential Detached Conventional Homes - Medium density
  - Proposed – R-2, Two-Family Residential

### SITE INFORMATION

- **Location**  
Lot 17, Block K, Magnolia Ridge Park Subdivision; Spruce Street, Boutte (adjacent to 147 Spruce Street).
- **Size:** 6,000 sq. ft. (0.138 acres)
- **Current Use**  
Lot 17 was improved with a detached accessory structure affiliated with the residence at 122 Hickory Street. This accessory structure was demolished and only a concrete driveway remains on Lot 17.
- **Surrounding Zoning**  
R-1A zoning is adjacent to each side and the rear; R-1A(M) zoning is located to the front, on the opposite side of Spruce Street.
- **Surrounding Uses**  
The site is located in a developed residential neighborhood characterized by a mix of site-built and manufactured single-family homes.  
  
Specifically, a site-built home is adjacent to the rear (Hickory Street side), a manufactured home is adjacent to the side, and a mix of site-built and manufactured homes are on the opposite side of Spruce Street.
- **Zoning History**  
The R-1A 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  
2013 Digital Flood Insurance Rate Map: AE6

▪ **Traffic Access**

Lot 17 has 60 ft. of frontage on Spruce Street where access is provided via a concrete driveway.

▪ **Utilities**

Per the Parish GIS drainage, sewer, and water facilities are available along Spruce Street.

Representatives from the Departments of Public Works, Wastewater, and Waterworks have no objections to the rezoning.

**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 in an area designated *Low-to-Moderate Residential*, which primarily anticipates development of those detached residential uses typically permitted in the R-1A, R-1B, and R-1A(M) zoning districts. The designation also considers alternative attached housing types with a moderately higher density not permitted by right in those districts. This includes duplexes, patio/zero-lot line homes, townhomes, and accessory units. While the *Low-to-Moderate Residential* designation does not explicitly include the R-2 zoning district, the inclusion of duplexes in its description as an appropriate development type suggests the proposed R-2 zoning aligns with the residential character anticipated by the designation.

But despite alignment with the Comprehensive Plan designation, in this instance the request must be considered a spot zone. In previous cases, this type of request was made for multiple lots across a larger area (4 to 6 lots; 0.72-1.0 acres). Being a single 6,000 sq. ft. lot within an established single family zoned/developed neighborhood, the site is simply too small too isolated. **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 Department cannot identify significant changes in the land-use pattern or the character of the neighborhood that would affect the ability to develop the subject site under existing zoning. The R-1A district has been established since 1981 and governs an area characterized by single-family homes. The subject site can be developed by right with a single-family home in keeping with the existing neighborhood character. While the prospect of doubling the number of permissible dwellings by right through a change to R-2 is advantageous, the ability to permit a new single-family home is far from unreasonable. And a second dwelling can still be permitted under the current zoning in the form of an Accessory Dwelling Unit (ADU) upon approval as a Special Permit Use. **The request does not meet the second guideline.**

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

The requirements concerning lot size, setbacks, building coverage, and site-built construction remain consistent between the R-1A and R-2 districts. The distinction is limited to the inclusion of duplexes as a by right use under R-2. This distinction is blurred when considering the option to develop single-family homes remains under R-2 and an additional dwelling may be permitted under R-1A as an ADU. And considering the presence of manufactured homes in the area, including the ability to develop them by right under R-1A(M) zoning on the opposite side of Spruce Street, the existing neighborhood character is not exclusively defined by site-built single-

family houses. Given the similarities between the development types and allowable dwelling units, a duplex would not be a significant enough departure to be considered incompatible.

The area is improved with Parish drainage, sewer, and water facilities capable of handling the additional dwelling that this rezoning could permit. And representatives from the departments maintaining those facilities do not object to the zoning change. **The request meets the third guideline.**

<b>DEPARTMENT RECOMMENDATION</b>
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**Denial, due to meeting only one of the three rezoning criteria.**

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

Case # 2024-7-R

**REASONS FOR ZONING CHANGE** (your answers below should make a case on the merits of your request)

How does the proposed zoning conform to the Comprehensive Plan Future Land Use Map designation?

The proposed zoning conforms to the Comprehensive Plan Future Land Use Map designation by providing adequate, clean, sustainable, and safe housing to the residents of St. Charles Parish. The area is currently spot-zoned and the proposed zoning will help get more residents housed.

How does the proposed zoning serve the best interest of the community?

The proposed zoning serves the best interest of the community by providing safe, new, and clean housing for individuals who work and reside in St. Charles Parish.

Do uses on adjacent properties limit the use of your property under current zoning?

No, adjacent properties do not limit the use of my property in any manner.

Do unique physical or environmental limitations affect the use of your property under current zoning?

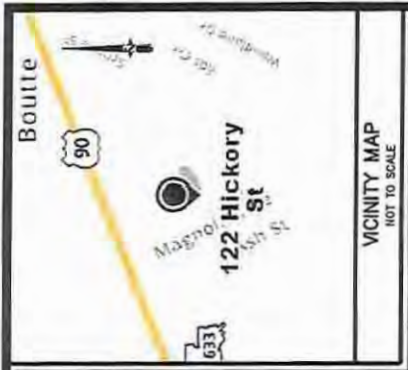
No, there are no physical or environmental limitations that affect the use of my property currently.

Have changes in land value, physical environment, or economic aspects limited the use of your property under current zoning? No, changes in land value, physical environment, or economic

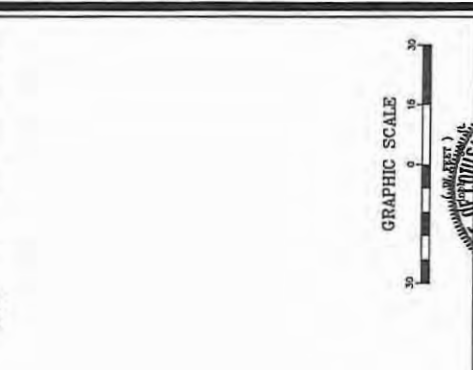
aspects have not limited the use of my property under current zoning.

Are the uses permitted under the proposed zoning compatible with existing neighborhood character?

Being there is currently a multifamily zoned property only less than one half mile away from my property, yes the uses under the proposed zoning are compatible. The character of the neighborhood is maintained due to the proposed zoning increasing the availability of housing for residents.



**SURVEY REFERENCE**  
MAGNOLIA RIDGE PARK SUBDIVISION  
DONE BY E.M. COLLIER DATED JULY 29,  
1957.



**BOUNDARY SURVEY**  
122 HICKORY STREET  
LOT 5 & 17, BLOCK K  
MAGNOLIA RIDGE PARK SUBDIVISION  
ST. CHARLES PARISH, LOUISIANA

**DOMINIQUE GORDON**  
REGISTERED LAND SURVEYOR  
YU-CHIAO LO  
REG. NO. 2385

**DRAGON LIMITED, INC.**  
4611 Fairfield St, Suite C  
Metairie, LA 70006  
Tel: 504-881-9041

**GENERAL NOTES**

THE LOCATIONS OF UNDERGROUND AND OTHER NONVISIBLE 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 NONVISIBLE 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.

The Enclosures and Restrictions shown on this survey are limited to those shown in the description furnished us and there is no representation that all applicable Services and Restrictions are shown. The surveyor is not responsible for a search or public record search in compiling the data for this survey.

I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found this property is in a Special Flood Hazard Area.

FIRM ZONE: AE BFE 5  
COMMUNITY: ST. CHARLES  
FIRM NUMBER: 220160 0125C  
DATED: JUNE 16, 1992

**SCALE:** 1" = 30'

**DATE:** 08/12/2022

**DRAWN BY:** J.C.B.  
**CHECKED BY:** Y.C.L.

**PROJ. NO:** 96

**SHEET 1 OF 1**

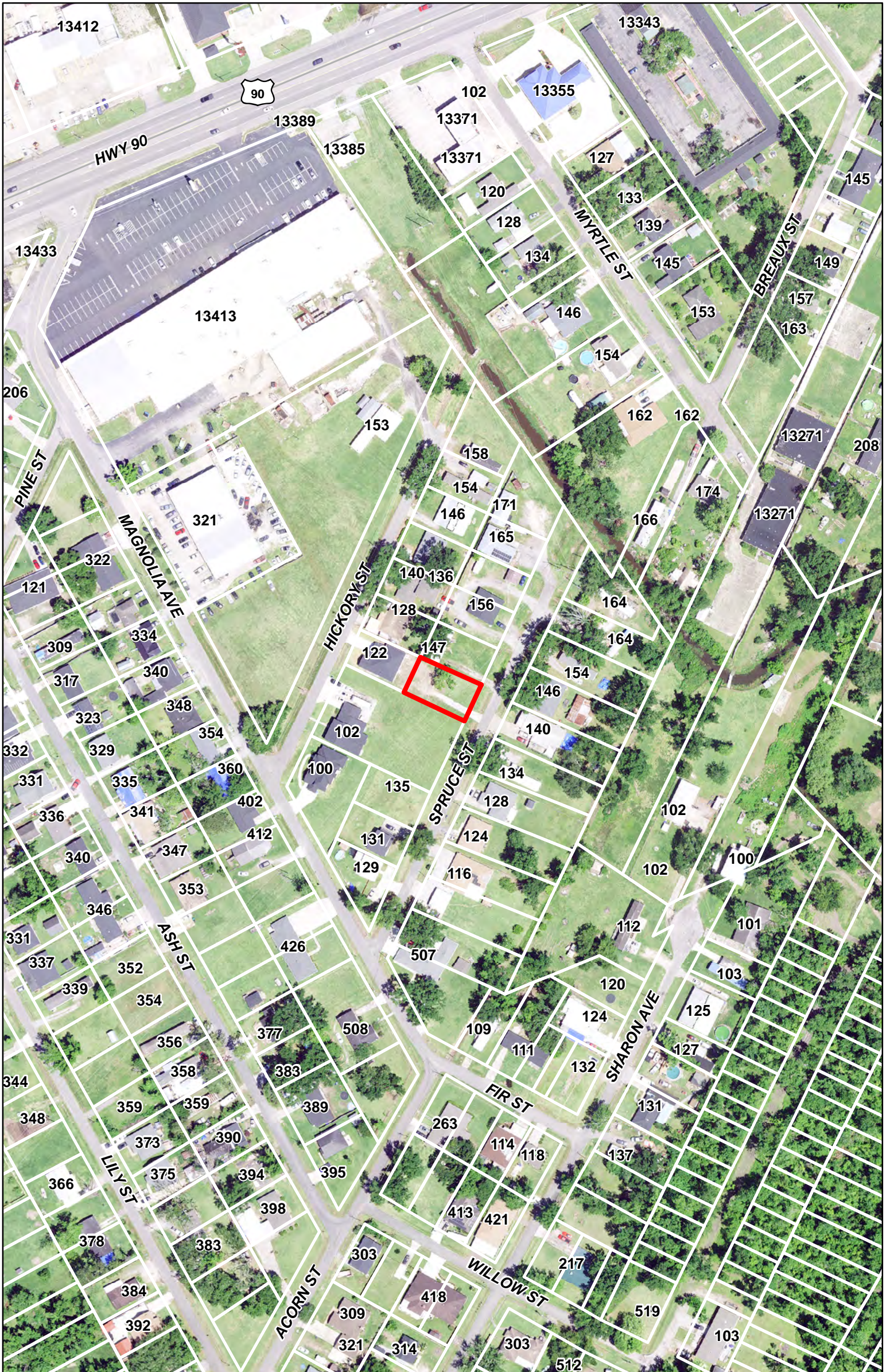
**BOUNDARY SURVEY**  
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LOT 5 & 17, BLOCK K  
MAGNOLIA RIDGE PARK SUBDIVISION  
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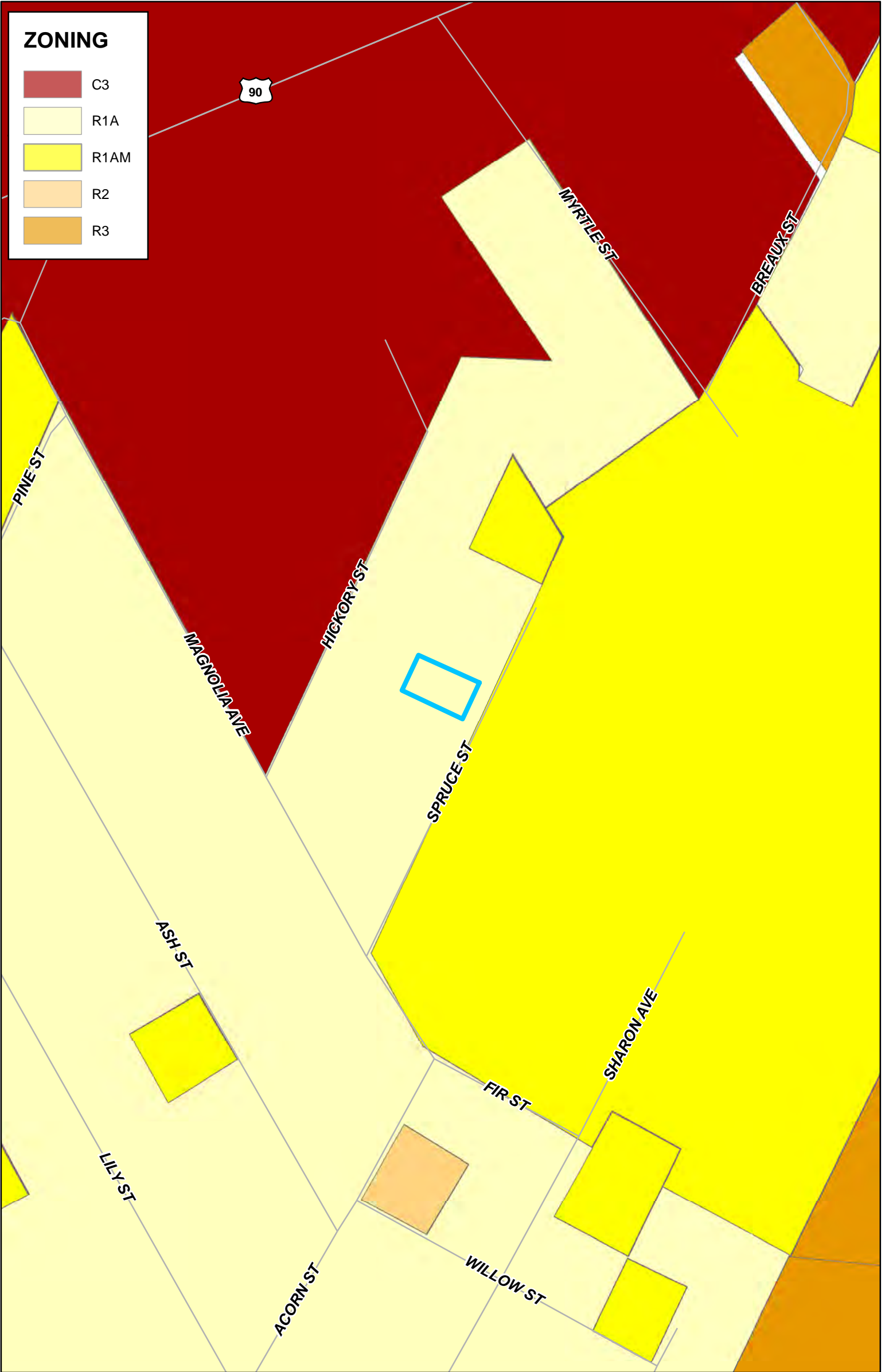


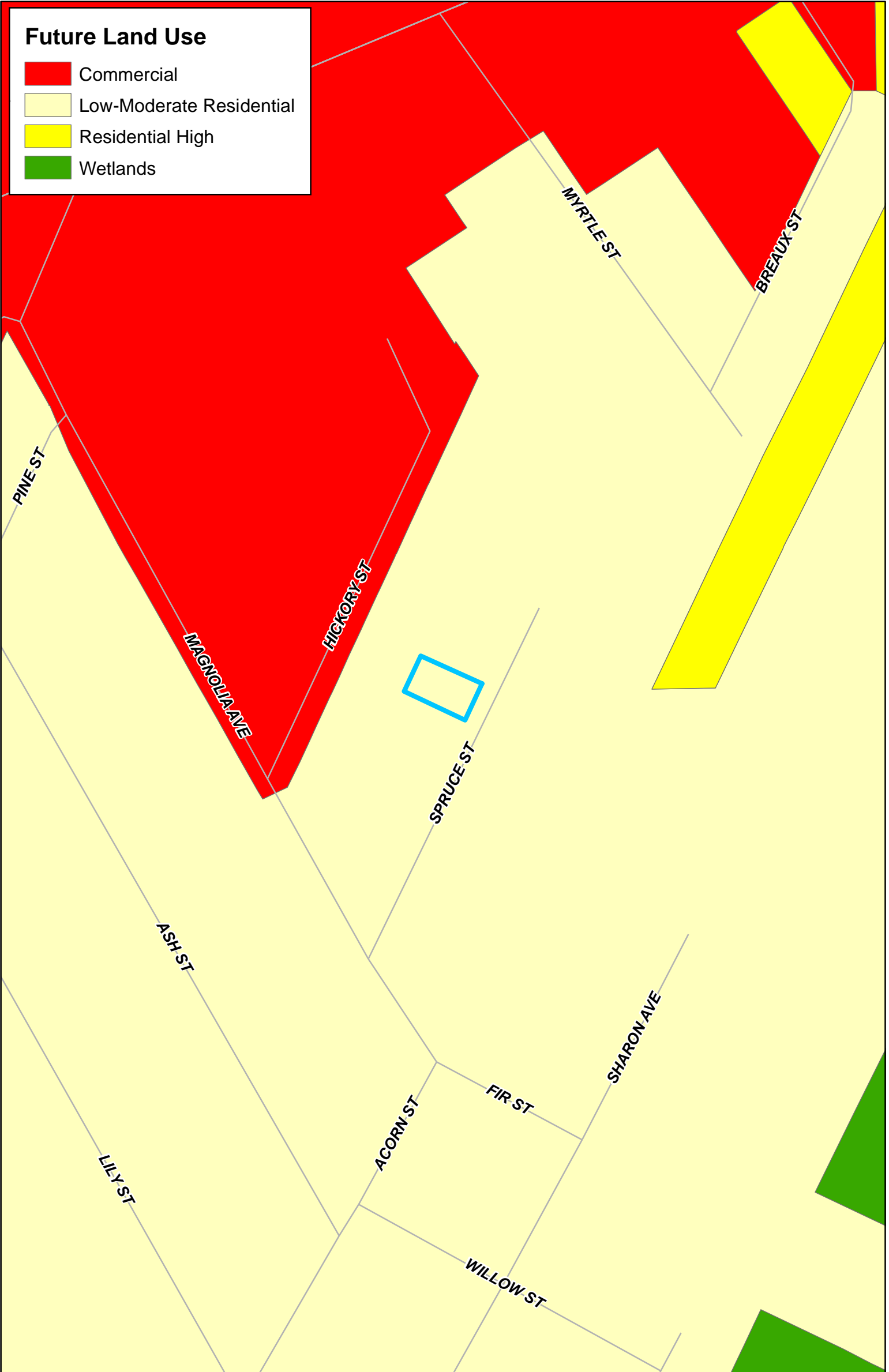
2024-7-R  
R-1A to R-2





2024-7-R  
R-1A to R-2







## Department of Planning & Zoning Staff Report – Map Amendment Case No. 2024-8-R

### APPLICATION INFORMATION

- **Submittal Date:** 4/2/24
- **Applicant / Property Owner**

Casey M. Genovese, P.E. Linfield, Hunter & Junius, Inc. 3608 18 <sup>th</sup> Street Metairie, LA 70002 504.833.5300 cgenovese@lhjunius.com	Marc Messier Mainland Retail, LLC 1905 Acklen Avenue Nashville, TN 37212
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FOR

Wadhah Alhusseini  
166 Melonie Street  
Boutte, LA 70039

- **Request**

Change of zoning:

  - Current – R-3, Multi-Family Residential District (6.09 acre undesignated lot); R-1A(M), Single Family Residential Detached District - Allows Mobile Homes (Lot 77-B)
  - Proposed – C-3, Highway Commercial District - Wholesale and Retail Sales

### SITE INFORMATION

- **Location**

A 6.09 acre undesignated lot & Lot 77-B, Magnolia Ridge Subdivision; 13517 Highway 90 & 242 Magnolia Ridge Road, Boutte
- **Size:** 4.231 acres (R-3, 4 acres; R-1A(M), 0.231 acres)
- **Current Use**

The 4 acre subject area of the 6.09 acre undesignated lot is undeveloped and wooded (the front portion of the overall subject site along Highway 90 is developed with a single family house and accessory structure).

Lot 77-B is vacant.
- **Surrounding Zoning**

C-3 zoning is located to the Highway 90 side; R-3 and R-1A zoning are adjacent to the rear; C-3 and R-1A(M) zoning are located to the Magnolia Ridge Road side; C-3 and R-3 zoning are adjacent to the Paradis side.
- **Surrounding Uses**

Development in the surrounding area includes a commercial building at the corner of Highway 90 and Magnolia Ridge Road; additional commercial development is located on the opposite side of Highway 90; residential homes are adjacent to the Magnolia Ridge Road side and rear; undeveloped, wooded land is also adjacent to the rear and Paradis side.
- **Zoning History**

The R-3 district was established in 1981. The R-1A(M) district was established in 1982 (Ordinance 82-7-11).



▪ **Future Land Use Recommendation**

**6.09 ACRE UNDESIGNATED LOT**

*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.*

- *Recommended Zoning Districts: CR-1 (residential/commercial transitional), C-1 (commercial office) zoning, C-2 (general commercial retail), C-3 (highway commercial), MS (medical service), B-1 (batture, non-industrial)*

**LOT 77-B**

*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: AE4

2013 Digital Flood Insurance Rate Map: AE6

▪ **Traffic Access**

The 6.09 acre undesignated lot is shown with 27.73 ft. of frontage on Highway 90, but access to the highway is available via a driveway on an adjacent lot under common ownership. In total, the entire holding owned by the applicant has 480.74 ft. of frontage on Highway 90.

Lot 77-B has 50 ft. of frontage on Magnolia Ridge Road.

▪ **Utilities**

Parish GIS shows drainage and water facilities along Highway 90 and Magnolia Ridge Road. Sewer facilities are shown on Magnolia Ridge Road.

Representatives from the Departments of Public Works, Wastewater, and Waterworks stated that they have no objections to the rezoning.

<b>APPLICABLE REGULATIONS</b>
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**Appendix A. Section VI. – Zoning District Criteria and Regulations**

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

1. Use Regulations:

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

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

- (26) Other uses of similar intensity
- (27) Customary accessory uses incidental to the above uses when located on the same lot.
- b. Special exception uses and structures:
  - (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director.
- c. Special permit uses and structures include the following:
  - (1) Barrooms, night clubs, lounges, and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council.
  - (2) R-1A and R-1B uses upon review and approval by the Planning Commission.
  - (3) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
  - (4) *Reserved.*
  - (5) Cellular installations and PCS (personal communication service) installations.
  - (6) *Reserved.*
  - (7) Warehouses (non-hazardous materials) over ten thousand (10,000) square feet.
  - (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
  - (9) Bingo Halls, Video Bingo Parlors, and Off-Track Betting Establishments upon review of the Planning Commission and Ordinance of the Parish Council.
  - (10) Outdoor storage, when accessory to an otherwise permitted use in the district.
  - (11) Automobile Fleet Services: Examples include rental car facilities, overnight truck parking, dispatch locations, and any use related to the temporary or periodical parking of operative motor vehicles.
- 2. Spatial Requirements:
  - a. Minimum lot size: Seven thousand (7,000) square feet, minimum width - seventy (70) feet.
  - b. Minimum yard sizes:
    - (1) Front - twenty (20) feet
    - (2) Side - five (5) feet
    - (3) Rear - ten (10) feet
    - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
- 3. Transportation System: Arterial, local industrial, rail, water.
- 4. Special Provisions:
  - a. Where any commercial use in a C-3 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater or lesser buffer strip.

**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.

<b>REZONING GUIDELINE &amp; CRITERIA EVALUATION</b>
---

- 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 6.09 acre undesignated lot has a Future Land Use Map designation of *Commercial*. The proposed change from R-3 to C-3 on this portion of the subject site conforms to this designation, where C-3 is a recommended zoning district. This is not a spot zone as it is not limited to a small area (4 acres), would expand on the existing C-3 zoning district fronting Highway 90, and is done in furtherance of the Comprehensive Plan.

Lot 77-B has a Future Land Use designation of *Low-to-Moderate Residential*. The proposed change from R-1A(M) to C-3 on this portion of the subject site does not conform to this designation. While the description is open to accommodating “*neighborhood retail, services, offices and institutions*” when “*in appropriate locations such as along transportation corridors or at intersections,*” this does not extend to commercial uses permitted under C-3, and subject location may not be appropriate for consideration of commercial zoning under *Low-to-Moderate Residential*. This could also be considered a spot zone both due to size and introducing commercial zoning within an established residential zoning district, but most notably due to not being in furtherance of the Comprehensive Plan. **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 6.09 acre undesignated lot is split zoned, with the portion fronting Highway 90 zoned C-3 and the rear portion zoned R-3. Both districts date back to 1981. The C-3/R-3 zoning arrangement extends approximately 3,700 ft. southbound along Highway 90. The development permitted under this zoning arrangement has not come to fruition over the past 40+ years, with the area it covers remaining almost entirely undeveloped and wooded. On the subject site, short of a development plan confining commercial use to the Highway 90 frontage or done in conjunction with multi-family development, the split zone limits the use of the 6.09 acre undesignated lot. By bringing this particular site under a uniform commercial zoning it can be more reasonably used and allow for a significant expansion of the Boutte/Luling Highway 90 commercial corridor further southbound.

Lot 77-B is under an R-1A(M) zoning district established in 1982 (Ordinance 82-7-11). While approximately 600 ft. from Highway 90 and 200 ft. from commercial zoning, it is within an established residential district developed with residential uses, including adjacent to each side and across Magnolia Ridge Road. This land use pattern has remained mostly unchanged. At 50 ft. wide Lot 77-B is appropriately sized for the development permitted under its R-1A(M) zoning. If zoned C-3, the ability to develop Lot 77-B is limited. Its overall width would be deficient by 20 ft., making it a nonconforming lot. It would also be subject to a minimum 10 ft. residential buffer along each side, limiting the developable area to a 30 ft. strip down the middle of the lot. Overall, the buildable area if rezoned to C-3 is 5,157 sq. ft. while remaining 7,276 sq. ft. under current zoning. The existing zoning is still reasonable and the proposed zoning introduces significant limitations. **The request does not meet the second guideline.**

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

The 6.09 acre undesignated lot is along a stretch of Highway 90 heavily developed with commercial uses, all under C-3 zoning. This includes a multi-tenant commercial building adjacent to the Magnolia Ridge Road side and a gas station, barroom, and vacant dollar store on the opposite side of the highway. C-3 uses are permitted within the front portion of the subject site right now, and expanding C-3 zoning across the entirety of the 6.09 acre undesignated lot does not introduce uses incompatible with the established commercial character of the Highway 90 corridor through Boutte and Luling.



Lot 77-B fronts Magnolia Ridge Road, 200 ft. from the nearest commercial zoning coming off the highway. Within that 200 ft. are four individual residentially zoned and residentially developed lots. This residential character is mirrored on the opposite side of Magnolia Ridge Road and continues further south, firmly establishing Lot 77-B within a residential neighborhood. A change to C-3 would permit uses which are incompatible with this residential area and/or direct commercial traffic into a residential neighborhood. **The request does not meet the third guideline.**

<b>DEPARTMENT RECOMMENDATION</b>
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**Denial, due to not meeting any of the rezoning criteria.**

**Based on how this request was submitted it needed to be evaluated in its entirety and result in a single recommendation. With the deficiencies noted under each guideline for the portion of this request covering Lot 77-B, the Department cannot recommend approval.**

**A request specific to the 6.09 acre undesignated lot would result in an approval recommendation as per the findings detailed in the previous section.**

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

Case # 2024-8-R

**REASONS FOR ZONING CHANGE** (your answers below should make a case on the merits of your request)

How does the proposed zoning conform to the Comprehensive Plan Future Land Use Map designation?

The proposed zoning is consistent with and furthers the policies and goals of the future land use plan. The proposed rezoning of the property to C-3 Highway Commercial - Wholesale/Retail is consistent with the future land use, "Commercial" that encompasses a large portion of the property. Also, our proposed rezoning would not create a spot zone.

How does the proposed zoning serve the best interest of the community?

The proposed commercial retail store will sell products for home improvement/maintenance, pet/animal care, agriculture, lawn and garden maintenance, in a convenient and accessible location to the local and surrounding neighborhoods/residents. The proposed C-3 Highway Commercial zoning and development of the proposed retail store will help to create and retain quality jobs while promoting the fiscal health of the Parish by bringing in new and additional tax revenue.

Do uses on adjacent properties limit the use of your property under current zoning?

No, however, the current/existing split-zoning of the property limits the feasibly developable area of the property.

Do unique physical or environmental limitations affect the use of your property under current

zoning? Yes, due to the existing split-zoning of the property, we would not be able to feasibly develop our commercial development on the existing commercially zoned portion of the property.

Have changes in land value, physical environment, or economic aspects limited the use of your property under current zoning?

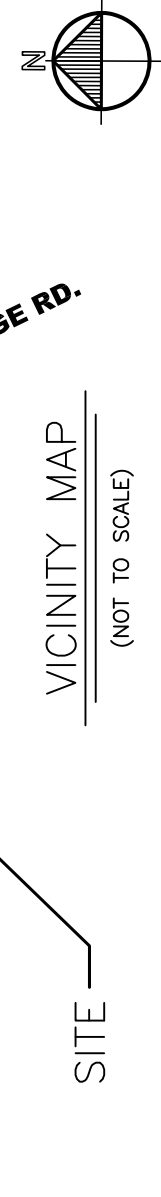
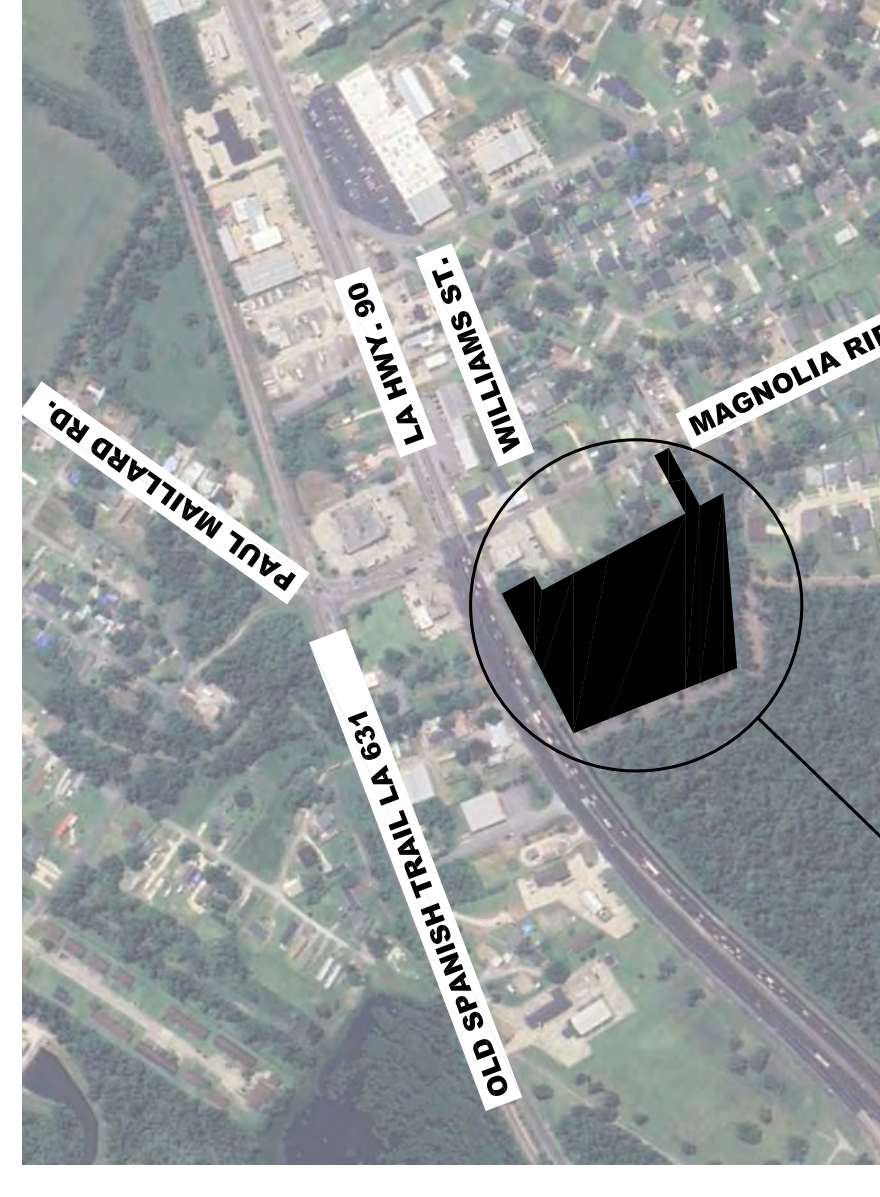
The property exists on US Hwy 90, a major thoroughfare, along which a vast majority consists of commercial development/uses. Due to the existing split-zoning of the property, we would not be able to feasibly develop our commercial development on the existing commercially zoned portion of the property.

Are the uses permitted under the proposed zoning compatible with existing neighborhood character?

Yes, permitted uses under the proposed zoning are compatible with the surrounding neighborhood area. The proposed zoning of C-3 Highway Commercial is consistent with the existing zoning (C-3 Highway Commercial) of the adjacent and surrounding properties on both sides of the property and all along US Hwy 90 in both directions.



ALTA/NSPS LAND TITLE SURVEY  
 W.J. TINNEY HOUSE LOT, W.J. TINNEY LOT, LOT  
 77-B AND 6.09 ACRE LOT  
 SECTION 119, T-13-S, R-20-E  
 ST. CHARLES PARISH  
 BOULTE  
 LOUISIANA



**LEGEND**

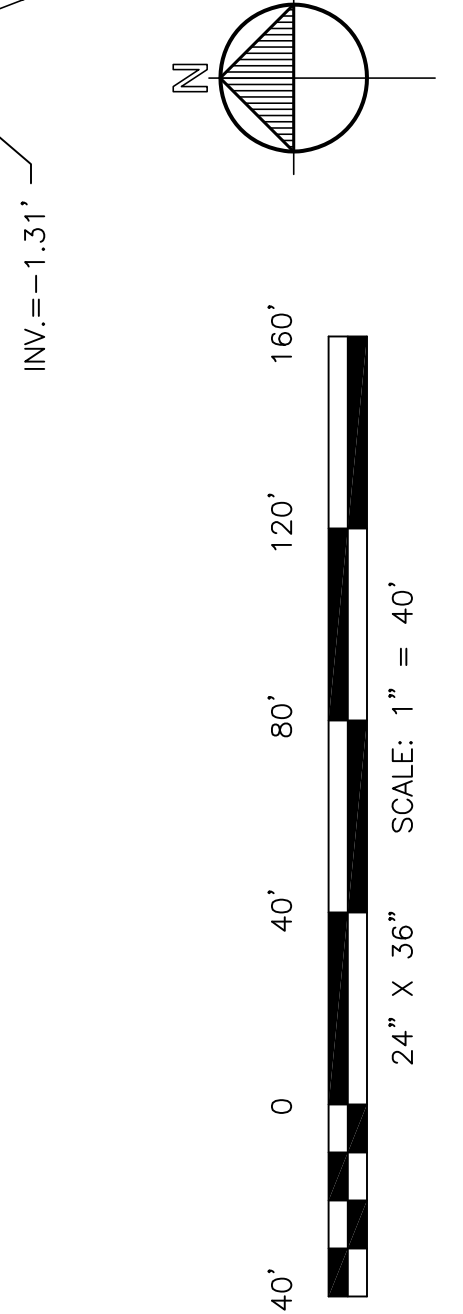
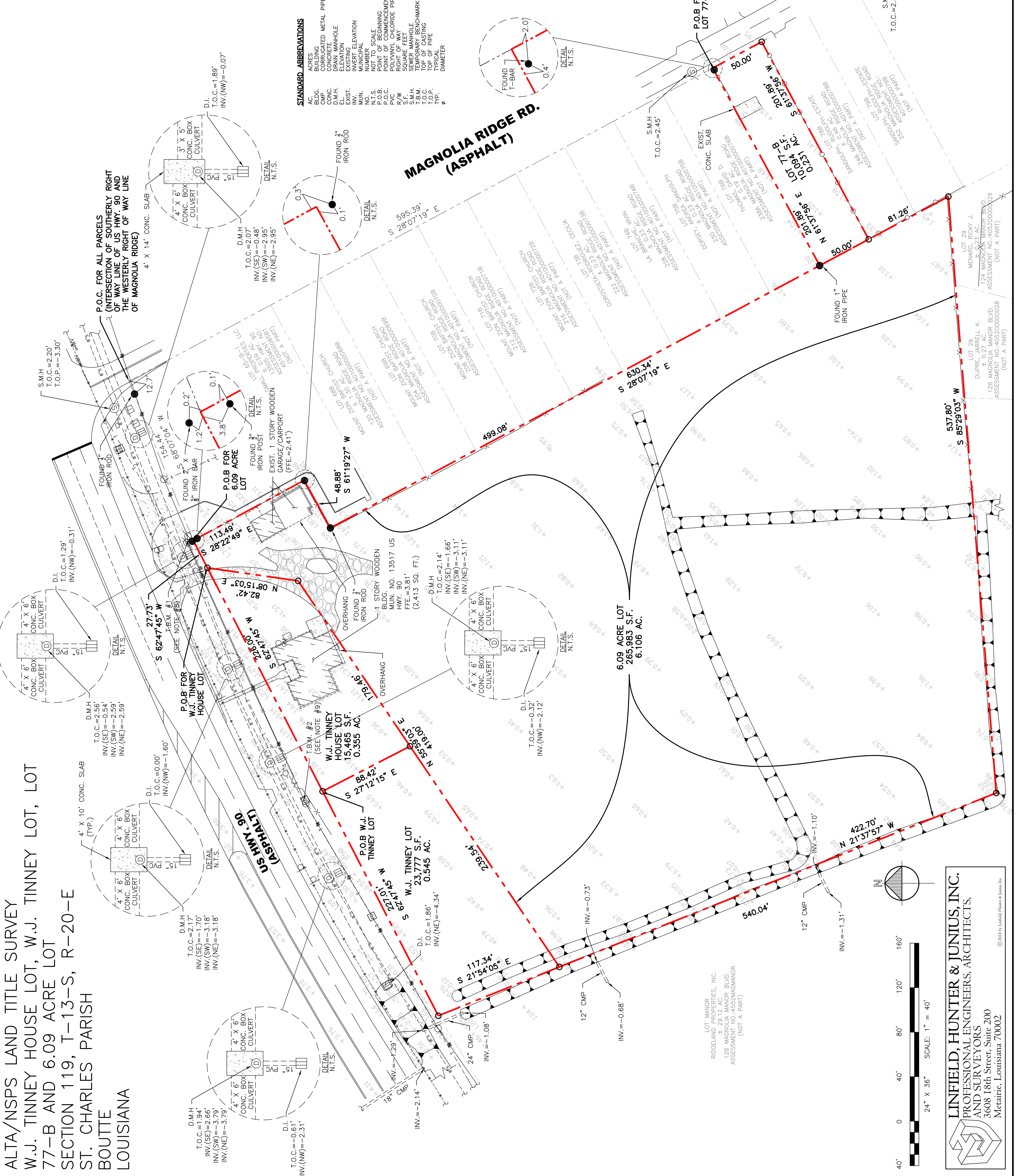
(C)	EXIST. GUY WIRE	(S)	EXIST. SEWER MANHOLE
(D)	EXIST. DRAIN LINE	(D)	EXIST. DRAIN MANHOLE
(O)	OVERHEAD UTILITY	(P)	EXIST. POWER OR TELEPHONE POLE
(W)	EXIST. WATER LINE	(L)	EXIST. LIGHT POLE
(S)	EXIST. UG WATER LINE	(F)	EXIST. FIRE HYDRANT
(E)	EXIST. UG SEWER LINE	(M)	EXISTS MONUMENT FOUND
(E)	EXIST. UG ELECTRIC LINE	(D)	EXISTS MONUMENT SET
(C)	EXIST. CHAINLINK FENCE	(H)	EXIST. FIRE HYDRANT
(G)	EXIST. CONC. AREA	(W)	EXIST. WATER VALVE
(G)	EXIST. GRAVEL AREA	(P)	EXIST. PIPE/POLE
(B)	EXIST. BUILDING	(S)	EXIST. SIGN
(M)	EXIST. DITCH	(M)	EXIST. FIBER OPTIC MARKER
(M)	EXIST. WATER METER	(I)	EXIST. DROP INLET
(M)	EXIST. GAS METER	(V)	EXIST. TELECOMMUNICATIONS VAULT

**GENERAL NOTES:**

- THE LOCATIONS OF UNDERGROUND AND OTHER NONVISIBLE UTILITIES SHOWN HEREON HAVE BEEN PLOTTED BASED UPON DATA EITHER FURNISHED BY THE AGENCIES CONTROLLING SUCH DATA AND/OR OBTAINED FROM RECORDS MADE AVAILABLE TO US BY THE AGENCIES CONTROLLING SUCH RECORDS. WHERE FOUND, THE SURFACE FEATURES OF UTILITIES ARE SHOWN. THE ACTUAL POSITIONS OF UTILITIES MAY VARY FROM THE SHOWN POSITIONS DUE TO HORIZONTAL AND VERTICAL CURVES, SLOPES, AND OTHER FACTORS. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE LOCATIONS SHOWN HEREON AND HAS FOUND NO EVIDENCE OF ANY UTILITIES NOT SHOWN. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE LOCATIONS SHOWN HEREON AND HAS FOUND NO EVIDENCE OF ANY UTILITIES NOT SHOWN. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE LOCATIONS SHOWN HEREON AND HAS FOUND NO EVIDENCE OF ANY UTILITIES NOT SHOWN.
- ELEVATIONS SHOWN REFER TO NAVD88. ELEVATIONS ESTABLISHED BY RTK GPS OBSERVATION (LEICA SMARTNET).
- THIS IS A CLASS C BOUNDARY SURVEY.
- NO TITLE RESEARCH OR UTILITY SERVITUDE RESEARCH WAS PERFORMED BY THE SURVEYOR.
- AS PER FEMA FLOOD MAP, COMMUNITY-PANEL NUMBER 2201600125C EFFECTIVE DATE JUNE 06, 1992, THE SITE LIES WITHIN ZONE AE AREA WITH BASE FLOOD ELEVATION OF 4 FEET.
- THE SURVEY SHOWN HEREON IS MADE IN ACCORDANCE TO THE MINIMUM STANDARDS FOR THE PROPERTY BOUNDARY SURVEYS AS ADOPTED BY THE LOUISIANA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- BEARINGS SHOWN ARE BASED ON SCHEDULE "A" OF THE COMMITMENT FOR TITLE INSURANCE ISSUED BY CHICAGO TITLE INSURANCE COMPANY AND DATED FEBRUARY, 8, 2024.
- T.B.M. #1 IS THE 600 NAIL SET IN THE WEST FACE OF THE SECOND POWER POLE FROM THE INTERSECTION OF WESTERLY RIGHT OF WAY LINE OF MAGNOLIA RIDGE RD. AND THE SOUTHERLY RIGHT OF WAY LINE OF US HIGHWAY 90, SITUATED ALONG THE SOUTHERLY SIDE OF US HIGHWAY 90. EL.=3.15' NAVD88.
- T.B.M. #2 IS THE 600 NAIL SET IN THE WEST FACE OF THE FOURTH POWER POLE FROM THE INTERSECTION OF WESTERLY RIGHT OF WAY LINE OF MAGNOLIA RIDGE RD. AND THE SOUTHERLY RIGHT OF WAY LINE OF US HIGHWAY 90, SITUATED ALONG THE SOUTHERLY SIDE OF US HIGHWAY 90. EL.=2.16' NAVD88.

**STANDARD ABBREVIATIONS**

AC	ACRES
BLOC	BUILDING
CONC	CONCRETE
D.M.H.	DRAIN MANHOLE
EL	ELEVATION
EXIST.	EXISTING
MUN.	MUNICIPAL
NO.	NUMBER
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
PVC	POLYVINYL CHLORIDE PIPE
S.F.	SQUARE FEET
S.M.H.	SEWER MANHOLE
T.B.M.	TEMPORARY BENCHMARK
T.O.C.	TOP OF CURB
TYP.	TYPICAL



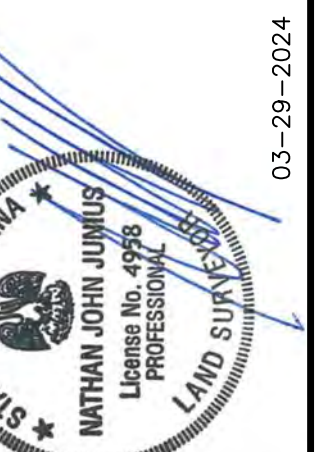
**LINFIELD HUNTER & JUNIUS, INC.**  
 PROFESSIONAL ENGINEERS, ARCHITECTS,  
 AND SURVEYORS  
 3608 18th Street, Suite 200  
 Metairie, Louisiana 70002

© 2024 by Linfield Hunter & Junius, Inc.

**PRELIMINARY**

ALTA/NSPS LAND TITLE SURVEY FOR CHICAGO TITLE INSURANCE COMPANY. THIS SURVEY WAS CONDUCTED BY NATHAN J. JUNIUS, P.E., LICENSE NO. 4929, AND THE SURVEY ON WHICH IT IS BASED WAS MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL FOR ALTA/NSPS LAND TITLE SURVEYS AS ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES TABLE A ITEMS 1, 2, 3, 4, 7, 8, 9, 11, AND 13.

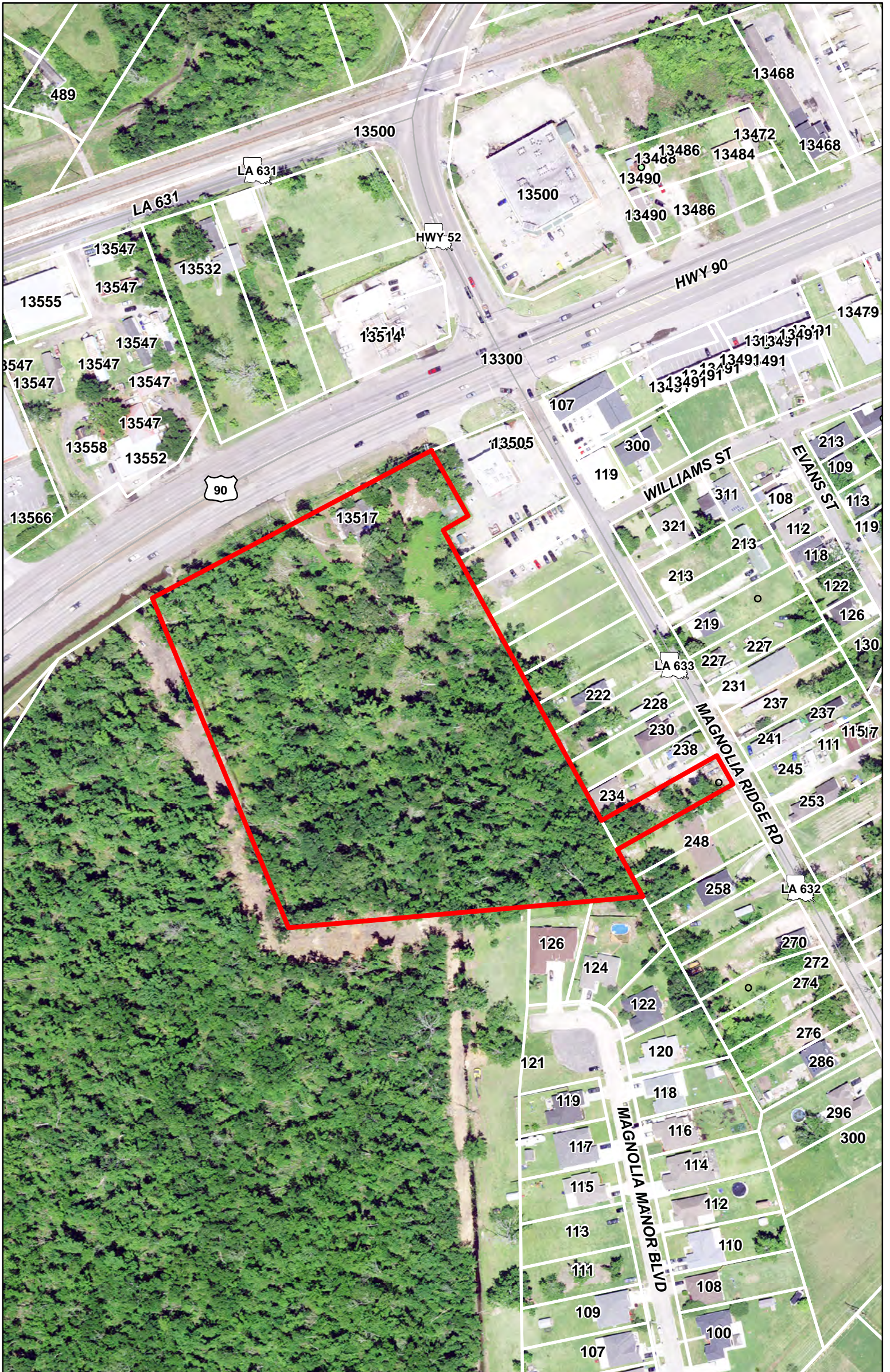
NATHAN J. JUNIUS, P.E., P.L.S.  
 DATE: MARCH 29, 2024  
 LH&J JOB NO. 23-063  
 (504) 833-5500



03-29-2024

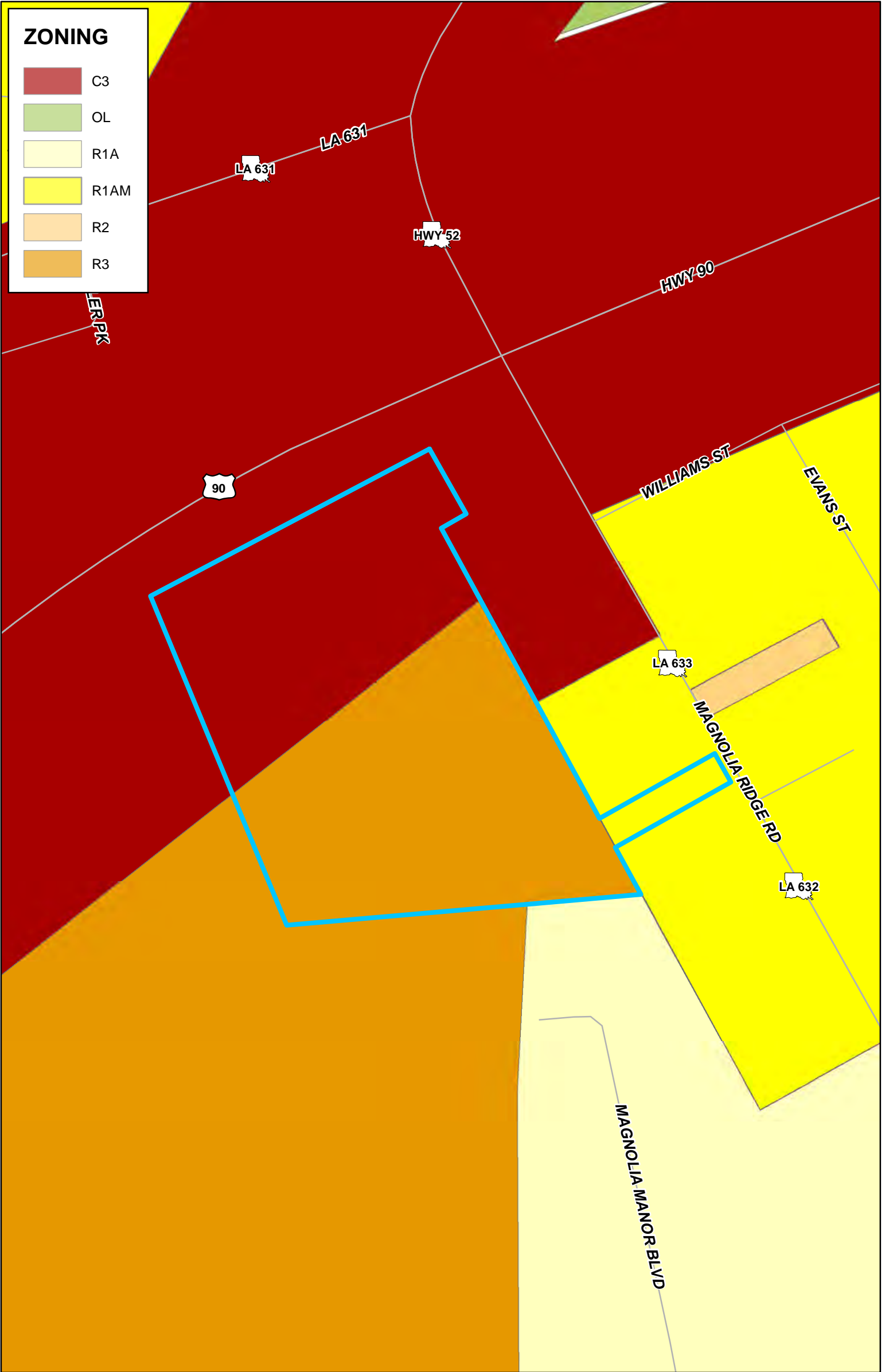


2024-8-R  
R-1A(M) and R-3 to C-3





2024-8-R  
R-1A(M) and R-3 to C-3

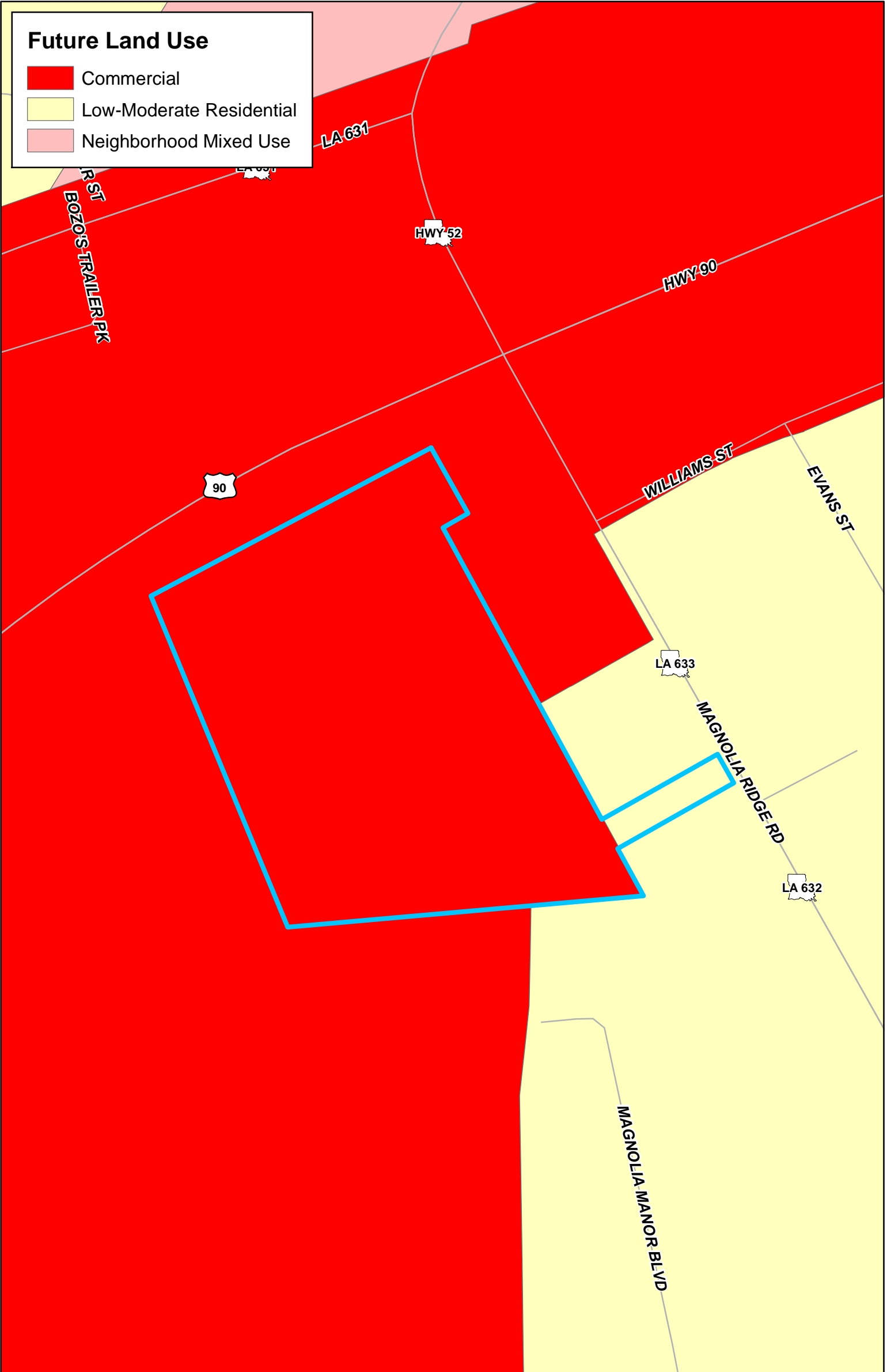


2024-8-R  
R-1A(M) and R-3 to C-3



**Future Land Use**

-  Commercial
-  Low-Moderate Residential
-  Neighborhood Mixed Use







## Department of Planning & Zoning Staff Report – Map Amendment Case No. 2024-9-R

### APPLICATION INFORMATION

- **Submittal Date:** 4/2/2024
- **Applicant / Property Owner**  
Traci Johnson  
Luling Exchange, LLC  
400 Poydras Street, Suite 3000  
New Orleans, LA 70130  
504.619.2293; tracijohnson@imtt.com
- **Request**  
Change of zoning:
  - Current - R-1A, Single family residential detached conventional homes - Medium density; R-3, Multi-family residential; C-3, Highway commercial district-Wholesale and retail sales
  - Proposed - C-3, Highway commercial district-Wholesale and retail sales; M-2, Heavy manufacturing and industry

### SITE INFORMATION

- **Location**  
597 acre “Tract L”, municipal address 11831 River Road, Luling.
- **Size**  
The subject portion consists of approximately 250 acres (47.44 acres proposed C-3; 202.56 acres proposed M-2)
- **Current Use:**  
Some utility or infrastructural uses can be found on the site, but it is largely undeveloped and partially wooded.
- **Surrounding Zoning**  
C-3 and B-2 zoning is located to the River Road side; C-3 and W zoning is located to the Highway 90 side; M-2 zoning is adjacent to the Ama side; R-1A zoning is adjacent to the Evelyn Drive side (Davis Heights Subdivision).
- **Surrounding Uses**  
The site is located in an area between Luling and Ama that is mostly undeveloped. The primary development in the area is the residential neighborhood immediately adjacent to the Evelyn Drive side (Luling and Davis Heights Subdivisions).
- **Zoning History**  
The R-3 and C-3 districts were established in 1981. The R-1A district was established through rezoning in 1989 (PZR-1989-05, Ordinance 89-3-1).
- **Future Land Use Recommendation**  
*Business Park:* This category provides for the development of planned business, office, technology, warehouse and research activities, as well as related ancillary uses, such as shipping offices, office supply, services, hotels and restaurants. Business parks should incorporate design standards such as screening, landscaping and site location criteria.
  - Create a new zoning district that allows some M-1 uses, and C-1, C-2 and C-3 uses with development standards.

*Industrial Buffer:* Private or public land separating heavy industry from residential uses. This land should be used for parks, trails, and institutional and public uses.

Neighborhood retail, services, and offices are also permitted in appropriate locations when compatible with adjacent uses.

- Recommended Zoning Districts: CR-1 (residential/commercial transitional), C-1 (commercial office), C-2 (general commercial retail), MS (medical service)

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.

- Recommended Zoning Districts: W (wetland district)

▪ **Flood Zone & Minimum Building Elevation**

1992 Flood Insurance Rate Map: X Zone & AE4

2013 Digital Flood Insurance Rate Map: X and AE5

▪ **Traffic Access**

Access to the site is available at various points, including from the Evelyn Drive side at the termini of Nola and Rex Streets. But the primary frontage is along its River Road frontage.

▪ **Utilities**

The Parish GIS map shows drainage facilities along River Road and the sides of the site; a wastewater line is shown through the rear; water facilities are shown along River Road.

Representatives from the Departments of Public Works, Wastewater, and Waterworks did not offer objections to the rezoning.

Any resulting development and its impact on infrastructure would be evaluated in greater detail at that time.

<b>APPLICABLE REGULATIONS</b>
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**Appendix A. Section VI. – Zoning District Criteria and Regulations**

C. Commercial districts: The regulations in the Commercial district are as follows:

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

1. Use Regulations:
  - a. A building or land shall be used for the following purposes.
    - (1) All uses allowed in the C-2 District.
    - (2) Commercial auditoriums, coliseums or convention halls
    - (3) Retail manufacturing
    - (4) Automobile sales and service
    - (5) Wholesale uses
    - (6) Warehouses (less than 10,000 sq. ft.)
    - (7) Bus, railroad, passenger and truck terminals (without video poker gaming facilities)
    - (8) Bottling works
    - (9) Dog pound
    - (10) Building supply
    - (11) Heating and air conditioning service
    - (12) Plumbing shops
    - (13) Automotive repair, minor and major
    - (14) Glass installation
    - (15) Fabrication of gaskets and packing of soft metal material
    - (16) Creameries
    - (17) Parcel delivery service
    - (18) *Reserved.*
    - (19) Frozen food lockers
    - (20) Public stables
    - (21) Bulk dairy products (retail)
    - (22) Animal hospitals
    - (23) Gymnasiums
    - (24) Sheet metal shops.

- (25) Upholstery
  - (26) Other uses of similar intensity
  - (27) Customary accessory uses incidental to the above uses when located on the same lot.
  - b. Special exception uses and structures:
    - (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director.
  - c. Special permit uses and structures include the following:
    - (1) Barrooms, night clubs, lounges, and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council.
    - (2) R-1A and R-1B uses upon review and approval by the Planning Commission.
    - (3) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
    - (4) *Reserved.*
    - (5) Cellular installations and PCS (personal communication service) installations.
    - (6) *Reserved.*
    - (7) Warehouses (non-hazardous materials) over ten thousand (10,000) square feet.
    - (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
    - (9) Bingo Halls, Video Bingo Parlors, and Off-Track Betting Establishments upon review of the Planning Commission and Ordinance of the Parish Council.
    - (10) Outdoor storage, when accessory to an otherwise permitted use in the district.
    - (11) Automobile Fleet Services: Examples include rental car facilities, overnight truck parking, dispatch locations, and any use related to the temporary or periodical parking of operative motor vehicles.
  - 2. Spatial Requirements:
    - a. Minimum lot size: Seven thousand (7,000) square feet, minimum width - seventy (70) feet.
    - b. Minimum yard sizes:
      - (1) Front - twenty (20) feet
      - (2) Side - five (5) feet
      - (3) Rear - ten (10) feet
      - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
  - 3. Transportation System: Arterial, local industrial, rail, water.
  - 4. Special Provisions:
    - a. Where any commercial use in a C-3 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater or lesser buffer strip.
- [V.] *Prohibited use:* Medical waste storage, treatment or disposal facilities.

D. Manufacturing and industry districts—The regulations in these districts are as follows.

[II.] *M-2. Heavy manufacturing and industry:*

- 1. Use Regulations:
  - a. A building or land shall be used for the following purposes:
    - (1) All uses permitted in the M-1 district (and subject to M-1 regulations)
    - (2) Petroleum refining and/or chemical processing
    - (3) Solid fuel handling, transfer, and storage facilities not associated with energy generation facilities
    - (4) Energy generating facilities
    - (5) *Reserved*
    - (6) Any other similar manufacturing or industry establishment which shall adhere strictly to all state and federal mandates whereby, therefor, normal operations will not be injurious to employees and the general public because of health and safety factors.
    - (7) Concrete mixing or batching plants.
    - (8) Accessory uses.
    - (9) Junkyards.
    - (10) *Reserved.*
  - b. Special permit uses and structures:
    - (1) Type II and Type III Landfills, upon review and approval of the Planning Commission and supporting Resolution of the Parish Council:
      - a. Permit Required. Notwithstanding any other provisions of this Ordinance no landfill shall hereafter be constructed, enlarged, altered, or placed into operation until a special permit use for said landfill has been heard by the Planning and Zoning Commission and then approved by ordinance of the Parish Council.
        - (1) The Commission shall schedule and hold a public hearing to consider the application. The Department of Planning and Zoning shall post a sign on the affected property which calls attention to the public hearing at least ten (10) days prior to that hearing date. All applications will be advertised at least three (3) times in the official journal of the Parish on three (3)



separate and at least Fifteen (15) days shall elapse between the first publication and the date of the hearing. All property owners within five hundred (500) feet of the subject property shall be notified by certified mail of the public hearing.

- (2) The Special Permit Use shall be valid for a period of one calendar year. If after one calendar year, the applicant has not received a permit by LDEQ, the applicant shall file a new Special Permit Use application if an extension is needed.
- (3) A completed application form and three sets of the required supplemental application requirements data as set forth in the following section:
  - (a) The site plan shall show: the area dedicated to the landfill; identify the total site acreage and amount of acreage that will be used for processing and disposal; show all vehicular access points to the site; identify and buffer areas; describe any landscaping, or fencing proposed.
  - (b) A drainage plan prepared by a Louisiana licensed engineer shall be submitted to the parish. At a minimum, the plan shall show the drainage-flow patterns, show all major drainage systems and indicate the point of discharge. The Parish Engineer may require additional drainage information.
  - (c) If located in a floodplain, it must be demonstrated that the facility will not restrict the flow of the 100-year base flood or significantly reduce the temporary water-storage ability of the floodplain integrity.
  - (d) The types, maximum quantities (wet tons/week), and sources (percentage of the on-site or off-site generated waste to be received) of the waste to be processed or disposed by the facility.
  - (e) Identify the geographic area to be serviced by the facility.
  - (f) Indicate the days of operation per week and hours per day.
  - (g) Identify the maximum expected height of the waste pile.
  - (h) Describe provisions that will be employed to control dust, litter and odor.
  - (i) Provide the projected year of final closure and include a discussion of the long-term use of the facility after closure as anticipated.
  - (j) The site shall be screened with fencing, planting or other methods as approved, to block onsite views from the public. A landscape/screening plan shall be submitted with the Special Permit Use application and approved by the Planning Commission.
- (4) Additional Procedural Requirements:
  - (a) Provide the Planning Department a copy of the official order to proceed issued by the LDEQ.
  - (b) Upon issuance of the permit by the Louisiana Department of Environmental Quality (LDEQ), a copy shall be submitted to the Planning Department. This includes all permits issued by the LDEQ to the site, (i.e., waste, water, air, etc.). The permit shall include the final approved site plan by LDEQ. This shall also include any necessary federal or state approvals from agencies other than LDEQ.
  - (c) The owner shall submit to the parish's planning department a copy of the solid waste annual report that is submitted to the LDEQ, Office of Management and Finance. The report shall be submitted to the planning department on August 1st of each year.
- (5) The Parish Planning and Zoning Department, Planning Commission and/or the Parish Council may require additional data where deemed necessary before taking final action or issuing a permit. Conditions of approval may be placed on the Special Permit Use by either the Planning Commission or the Parish Council.
  - (2) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director.
  - (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. 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) Notwithstanding any other provisions of law, these regulations shall have no force or effect on any truck terminal with video poker gaming facilities which have received a Special Permit Use prior to the effective date of this ordinance.
- (5) 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.
- (6) Towing Yards. Towing yards upon review and approval by the Planning Commission and supporting Resolution of the Parish 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-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.
- 2. Spatial Requirements:
  - a. Minimum lot size: Fifteen thousand (15,000) square feet, Minimum width: One hundred (100) feet.
  - b. Minimum yard size for offices and accessory use spaces:
    - (1) Front - twenty (20) feet
    - (2) Side - thirty-five (35) feet
    - (3) Rear - fifty (50) 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, rail or water
- 4. Special Provisions:
  - a. Must maintain a buffer zone to insure the protection and well-being of neighboring areas.
  - b. Major operations must be located two thousand (2,000) feet from the nearest R, CR-1 or C-2 District or located a lesser distance if clearly dictated safe by industry standards and approved by the Board of Adjustments. Accessory uses of lesser intensity may be developed in this buffer area. Examples include office buildings, parking facilities, substations, and storage areas (including open storage of solid fuels for energy generating facilities) as well as uses identified in the M-1 District and subject to any required restrictions established in that M-1 District.
  - c. New construction within the confines of existing industrial developments shall provide adequate buffer areas near R and C Districts in accordance with industry standards, national fire code regulations, and those standards established in the M-1 District under "Other Industrial Uses."

**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 portion of Tract L subject to this rezoning is under the *Business Park, Industrial Buffer, and Wetlands* Future Land Use Map designations. The proposed C-3 and M-2 zoning does not conform to either designation, detailed as follows:

- The *Business Park* designation recommends the creation of a new zoning district with an emphasis on design standards, permitting uses typical of the Commercial zoning districts and M-1. M-2 zoning is proposed within the area designated *Business Park*.
- The *Industrial Buffer* designation anticipates low impact development (parks/trails/institutions), and neighborhood scale commercial as permitted in the CR-1, C-2, and MS districts where appropriate. C-3 and M-2 zoning is proposed within the area designated *Industrial Buffer*.
- The *Wetlands* designation has a stronger emphasis on low impact uses as typically permitted in the W, Wetland zoning district. C-3 and M-2 zoning is proposed within the area designated *Wetlands*.

The proposed zoning is not a spot zone as it covers a large area and would expand upon existing C-3 and M-2 zoning, but conformity to the Comprehensive Plan must be accomplished when evaluating this guideline. **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.*

This area bridges the developed areas of Luling and Ama, and is roughly bounded by the Bayer (former Monsanto) facility upriver, the ADM grain elevator facility downriver, the Mississippi River to the north, and Highway 90 to the south. The land use pattern and character of this area has been established for several decades. Luling Heights and Davis Heights Subdivisions were platted in the 1950s and 60s respectively. The two bounding features upriver and downriver (Bayer and ADM) were also started in the 1950s and 60s. The most recent development affecting this area is the Davis Freshwater Diversion Project which began in the late 1990s and was completed in the 2000s. The majority of the land, a significant portion being the subject site, has remained mostly undeveloped and wooded. The zoning itself has remained constant since its establishment in 1981, with the most recent change occurring in the late 1980s (PZR-1989-05; Ord. 89-3-1).

The Department cannot identify changes to the land-use pattern or character that would make the use of the subject site unreasonable, and finds the established zoning/land-use pattern allows the development of an M-2 use of significant size while maintaining required buffers from the developed residential areas of Luling Heights and Davis Heights. Specifically, over half of this nearly 600 acre site is zoned M-2. This M-2 zoning is confined to the downriver side of the site, with 2,000 ft. of C-3, R-3, and R-1A separating it from the Luling/Davis Heights Subdivisions. The M-2 zoning district requires a 2,000 ft. buffer between "major operations" and R, CR-1, and C-2 zoning districts. While there are R districts within this 2,000 ft. buffer, these areas are under the ownership of the applicant and are unlikely to be developed for residential



purposes. In short, the required buffer from developed residential areas is already established under the existing zoning pattern while the development of a significant M-2 facility is currently permitted by right. The only process of any significance that could be necessary is a rezoning of the R-1A and R-3 portions of the subject site to a district that meets the buffer criteria and allows reasonable use the buffer area (O-L, C-3, and possibly M-1). **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.*

Most of the land in the subject area as detailed under the second guideline is undeveloped and wooded. The most significant developments are the Luling Heights and Davis Heights Subdivisions, which fall under R-1A zoning and are nearly built-out with single family homes. The proposed zoning change would extend M-2 zoning within 400 ft. of this residentially developed area. The M-2 zoning district is one of the most intense districts in St. Charles Parish, permitting by right uses such as refineries and chemical processing facilities, fuel handling, transfer, and storage operations, energy generating facilities, concrete mixing plants, and junkyards. The potential intensity of permitted uses in this zoning district is emphasized under its Special Provisions section, which requires a buffer up to 2,000 ft. between “major operations” and R, CR-1, and C-2 zoning districts. The request as proposed would be less compatible with the existing neighborhoods than the current configuration. **The request does not meet the third guideline.**

<b>DEPARTMENT RECOMMENDATION</b>
----------------------------------

**Denial, due to not meeting any of the 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 #:	2024-9-R
Receipt #:	1316394
Application Date:	_____
Zoning District:	_____
FLUM Designation:	_____
Date Posted:	_____

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

Fee: \$40 - \$200

Applicant: \_\_\_\_\_ Luling Exchange, LLC

Home address: \_\_\_\_\_ 400 Poydras St., Suite 3000, New Orleans, LA 70130

Mailing address (if different): \_\_\_\_\_

Phone #s: Office: (504) 619-2293 Cell: (504) 453-8815 Email: \_\_\_\_\_ TraciJohnson@imtt.com

Property owner: \_\_\_\_\_ Luling Exchange, LLC

Municipal address of property: \_\_\_\_\_ 11801 River Rd (LA Hwy 18), Ama, LA, 70031  
 Lot 4275 Davis Plantation, Portion of Parcel No. 251900004275 and Lot GG Davis Plantation, Parcel No. 2519000000GG to be incorporated into Tract L (Davis Pond)

Change of zoning district from: \_\_\_\_\_ Mixed Residential \_\_\_\_\_ to: \_\_\_\_\_ Heavy Manufacturing (M2)

Future Land Use designation of the property: \_\_\_\_\_ Heavy Manufacturing (M2)  
 (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: IMTT owns the St. Rose terminal property on the East Bank, located directly across the river from the Davis Lavert (West bank) property. In order to maintain highest and best use of the West Bank property that is currently undeveloped, IMTT is requesting to rezone the majority of the property to M-2, to be consistent with its property located in St. Rose. This will allow IMTT the flexibility to expand its operations to the south, including new business opportunities, beyond its current developed footprint.

What types of activities occur on adjacent properties today? How is your proposed use compatible with the neighborhood? The eastern boundary is bordered by a heavy manufacturing (M2) zone north of the Southern Pacific railroad and by wetlands (W) south of the SP railroad; the southern boundary sits adjacent to a W zone. The western boundary is adjacent to a single family detached district (R1A); and the northern boundary is abutted by an industrial batture (B2) zone. A 2000' wide buffer will need to be established along the western boundary of the property per the requirements of Section VI:D.[II].4.b of Appendix A of the St. Charles Parish ordinances for the proposed zoning to maintain compatibility with the adjacent residential zone area.

Is there something about the property or the surrounding neighborhood that make the rezoning necessary? Rezoning is required to allow for industrial expansion within IMTT's property while also respecting the requirements for maintaining a buffer with the adjacent residential areas.

How does your proposed use of the property comply with the Future Land Use designation for the property? The property's Future Land Use designation is currently wetlands in the southern half, recreation/open space in the north western quarter, and business park in the northern and northeastern three quarters. To ensure compliance with the St. Charles Comprehensive Future Land Use Map, a land use amendment request will be submitted to the St. Charles Parish Planning Commission to redesignate the future use of the whole property as Heavy Manufacturing (M2).

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 M2 designation will allow industrial development, which is compatible with the surrounding areas and IMTT's operations on the East bank (St. Rose Facility), so long as major industrial operations are located 2000' from the nearest R, CR-1, or C-2 districts.

Permit/Case #: 2024-9-R

April 1, 2024

St. Charles Parish Department of Planning and Zoning  
14996 River Road  
Hahnville, LA 70057

**Subject: Requested Change to Future Land Use Map**

Dear St. Charles Parish Planners,

International Matix Tank Terminals (IMTT) is requesting that an alteration be made by St. Charles Parish to its Comprehensive Future Land Use Map to redesignate future land use for its property at Tract L (Davis Pond) to a heavy industrial (M2) district north of the existing Southern Pacific railroad track. The portion of property between the railroad and Hwy 90 will remain as Wetlands designation. There will be a 400' commercial (C) buffer along the western boundary of the property.

Current FLU designation consists of Wetlands (Dark Green) for the southern half of Lots 5275 and GG, industrial buffer (light olive green) for the north-western quarter of Lot 5275, and business park (light blue) for the northeastern quarter of Lot 5275 and the northern half of Lot GG. Please see attached IMTT – Davis Property – FLU Amendment (Rezoning All of Davis Lavert Property to M2) for the area in question. The heavy industrial zone is depicted by a red striping hatch, while the industrial buffer is depicted by an orange dotted hatch.

We look forward to your input and are happy to answer any questions regarding the requested zoning changes. Please feel free to reach out to me with any question or comment at (504) 619-2293 or [tracijohnson@imtt.com](mailto:tracijohnson@imtt.com).

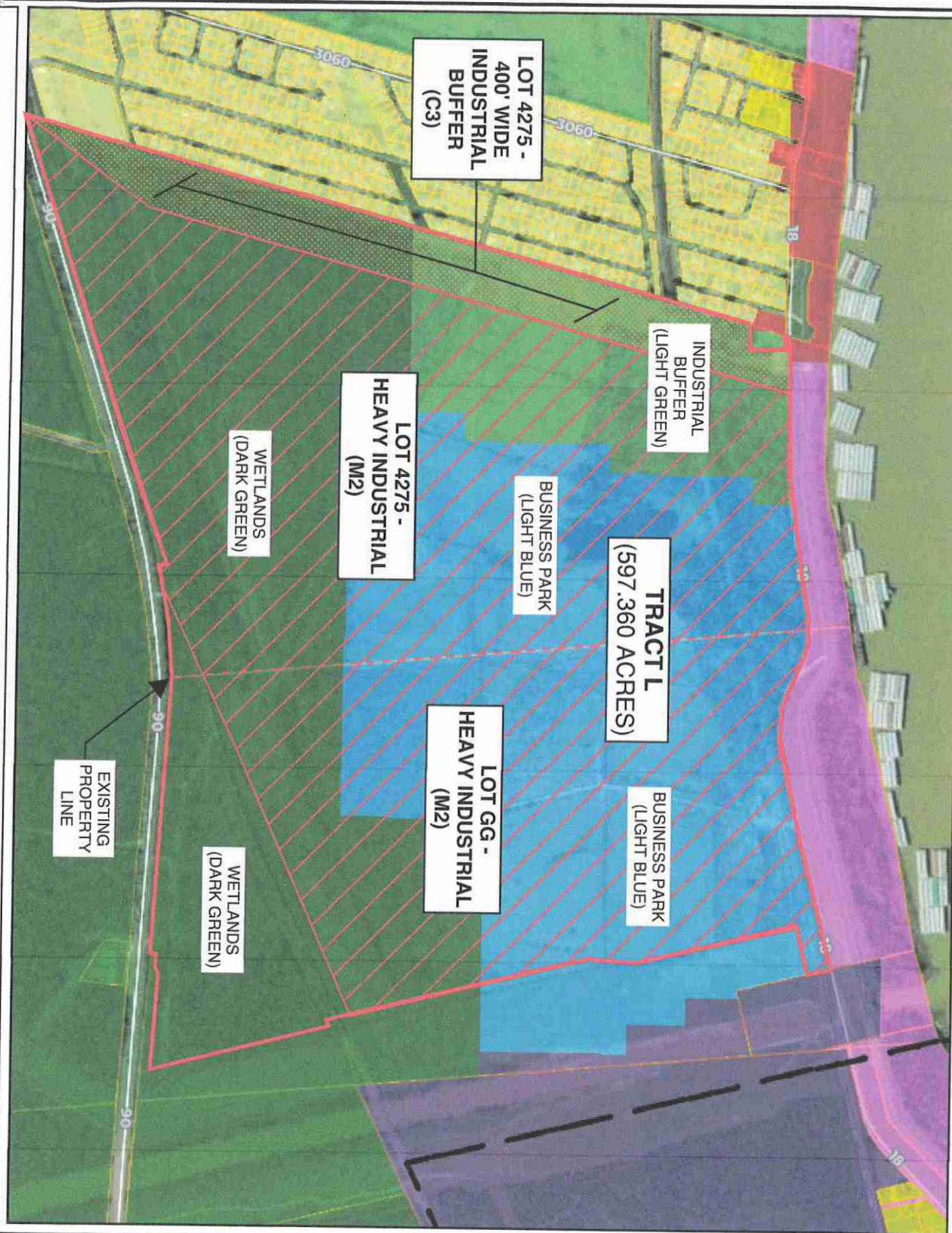
Sincerely,



Traci L. Johnson, P.E.  
Vice President – Environmental, Health, Safety & Security



IMTT - DAVIS LAVERT PROPERTY -  
FLU AMENDMENT (REZONING OF TRACT L)



**Legend**

Community Boundaries



Future Land Use Map (Revised)

- Low-Moderate Residential
- Residential High
- Residential Rural
- Heavy Industrial
- Industrial
- Industrial Buffer
- Commercial
- Neighborhood Mixed Use

**Notes**

**BOLD TEXT**

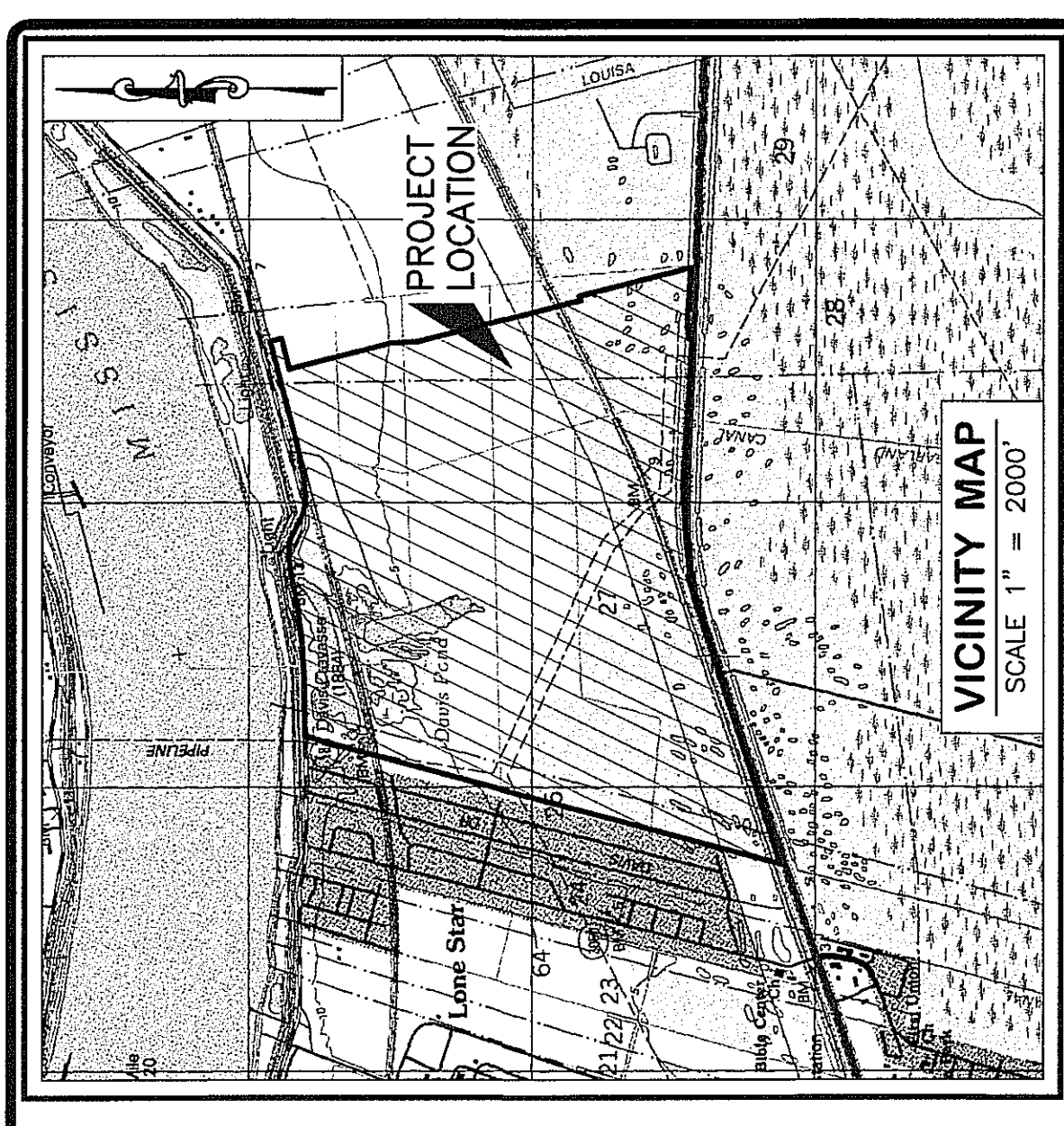
PROPOSED FLU REDESIGNATION

LIGHT TEXT

CURRENT FLU DESIGNATION

This map is generated by the St. Charles Geographic Information Systems Office and is for reference only. Data that appear on this map may or may not be accurate, current, or otherwise reliable. Developed by IUIS4018

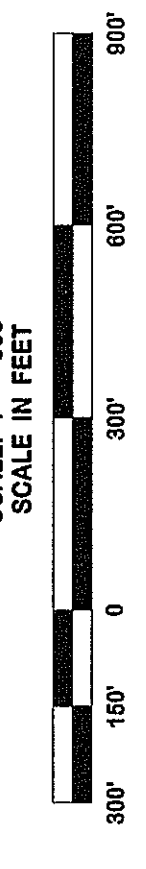




- NOTES:**
- Zoning: B1A (Single Family Residential Detached), B2 (Multifamily Residential), C2 (Highway Commercial - Wholesale & Retail Sales), W (Heavy Manufacturing).
  - Setback lines shall be verified by the owner, developer and/or contractor prior to any construction. The surveyor is not responsible for verifying setbacks with the local authority's zoning department before any design or construction.
  - Reference Maps: A.) Survey and reestablishment of portion of Davis plantation in Tract L (598.18 Acres) and Tract 115 (62.85 Acres) in Parish of St. Charles, Louisiana, LLC. The Levett Companies and GNDIS-Reserve, Inc. Dated: February 19, 2001.
  - Bearings are based on Reference Map "A".
  - (\*) Represents the Basis of Bearings. Distances shown are U.S. Survey feet.
  - Flood Note: The property herein is located in Flood Zone "AE (EL A)" & Flood Zone "X (Shaded)" in accordance with FEMA Flood Insurance Rate Map Panel Number 220160 0150 C, dated February 14, 2006. The property is located outside the limits of the "AE" zone in accordance with Panel LA-88115 dated February 14, 2006 of the Hurricane Risk Advisory Base Flood Elevation (ARFE) Flood Plain Administrator before any design or construction.
  - The utilities shown have been located from visible utility features, evidence of buried utilities, and previous construction drawings. The surveyor makes no guarantee that the utilities shown are correct. The surveyor is not responsible for the location of utilities shown on this plan. The surveyor does not warrant that the utilities shown are in the exact location indicated. No excavations were made during the progress of this survey to locate buried utilities/structures.
  - No attempt has been made by Acadia Land Surveying, L.L.C. to verify title, actual legal ownership, deed restrictions, easements, liens, right-of-way or other burdens on the property. The surveyor makes no guarantee that the surveyor has made a search of public records in compiling the data for this survey.
  - Acadia Land Surveying, L.L.C. has not and does not provide delineation of jurisdictional wetlands. Acadia Land Surveying, L.L.C. did not receive nor research the location of wetland areas on the property.
  - The "Boundary" as shown on this plan is not intended to be a warranty of information, and is based on the surveyor's professional opinion by the way of a warranty, expressed or implied, and in no way shall constitute a warranty of information, expressed or implied, over the western boundary line of subject property.

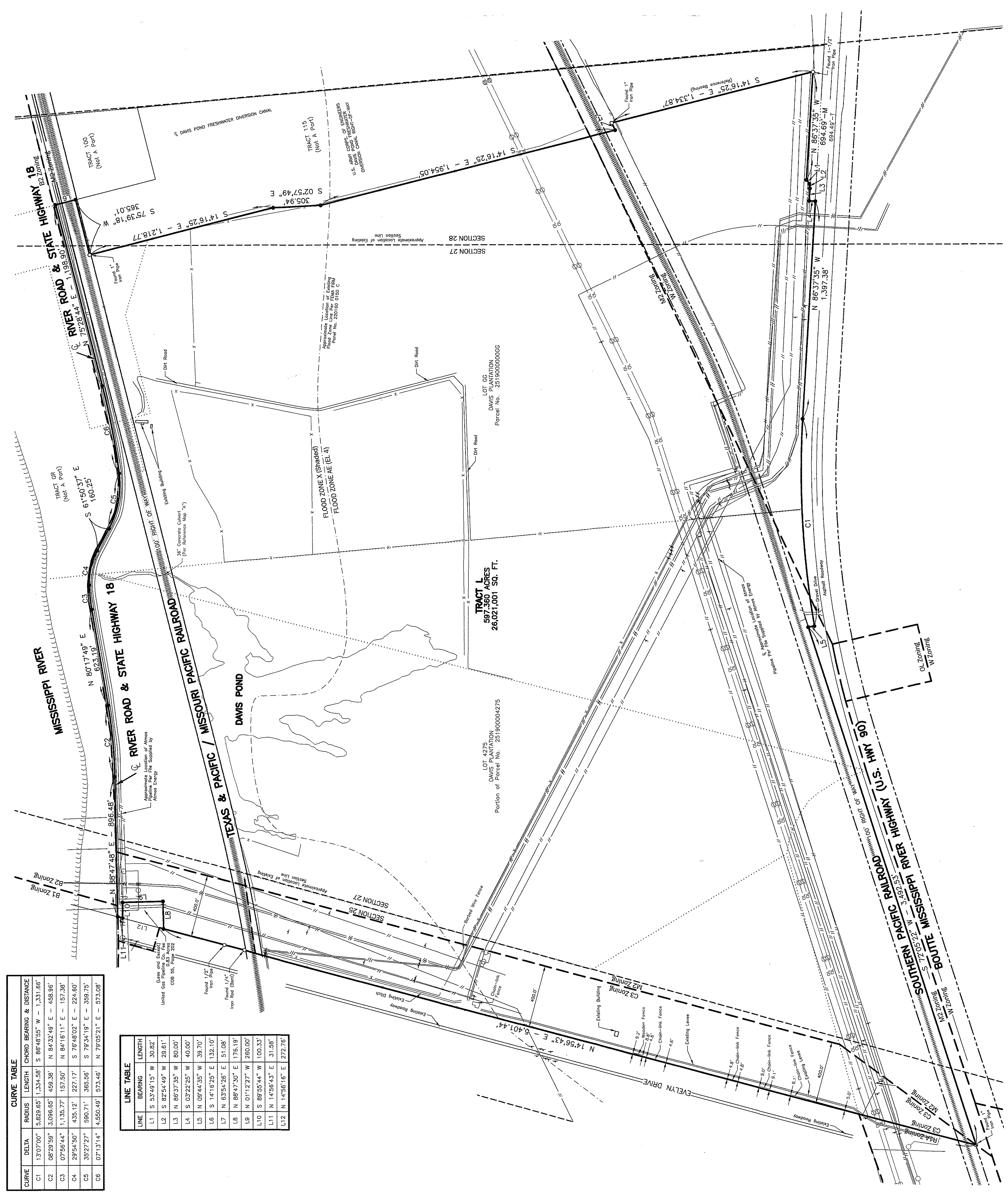
**EXHIBIT SHOWING  
RE-ZONING PLAT  
OF  
TRACT L  
(DAVIS POND)**

LOCATED IN SECTIONS 25, 27 & 28,  
TOWNSHIP 13 SOUTH - RANGE 21 EAST  
ST. CHARLES PARISH, LOUISIANA



**ACADIA**  
LAND SURVEYING, LLC  
LOUISIANA • MISSISSIPPI • ALABAMA • TEXAS  
206 EAST 2ND STREET, THIBODAUX, LOUISIANA 70301  
Phone • (985) 448-0084 Fax • (985) 448-0085  
EMAIL • ACADIA@ACADIALANDSURVEYING.COM

DATE	REVISION DESCRIPTION	APPROVED BY
02/15/2025	FIELD WORK COMPLETED ON AUGUST 8, 2023	AS FILED 2025/02/15-54752-50449



**CURVE TABLE**

CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING & DISTANCE
C1	150°00'	5,829.65'	1,334.58'	S 84°48'35" W - 1,331.68'
C2	08°29'59"	3,096.85'	459.38'	N 84°32'49" E - 458.95'
C3	07°56'44"	1,135.77'	157.50'	N 84°16'11" E - 157.35'
C4	29°54'50"	435.12'	227.17'	S 78°48'02" E - 224.80'
C5	35°27'27"	580.71'	365.56'	S 79°34'19" E - 359.75'
C6	07°13'14"	4,550.49'	573.46'	N 79°02'21" E - 573.08'

**LINE TABLE**

LINE	BEARING	LENGTH
L1	S 53°49'15" W	30.92'
L2	S 82°54'48" W	29.81'
L3	N 86°37'35" W	80.00'
L4	S 03°22'25" W	40.00'
L5	N 08°44'35" W	39.70'
L6	S 44°18'29" E	132.10'
L7	N 63°54'26" E	51.08'
L8	N 88°47'30" E	176.19'
L9	N 01°12'27" W	280.00'
L10	S 89°55'44" W	100.33'
L11	N 14°58'43" E	31.58'
L12	N 14°58'16" E	222.78'



CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING & DISTANCE
C1	13°07'00"	5,829.65'	1,334.58'	S 86°48'55" W - 1,331.66'
C2	08°29'59"	3,096.65'	459.38'	N 84°32'48" E - 458.98'
C3	07°56'44"	1,135.77'	157.50'	N 84°18'11" E - 157.38'
C4	29°54'50"	435.12'	227.17'	S 78°48'02" E - 224.80'
C5	35°27'27"	590.71'	365.56'	S 79°34'19" E - 359.75'
C6	07°13'14"	4,560.49'	573.48'	N 79°02'21" E - 573.08'

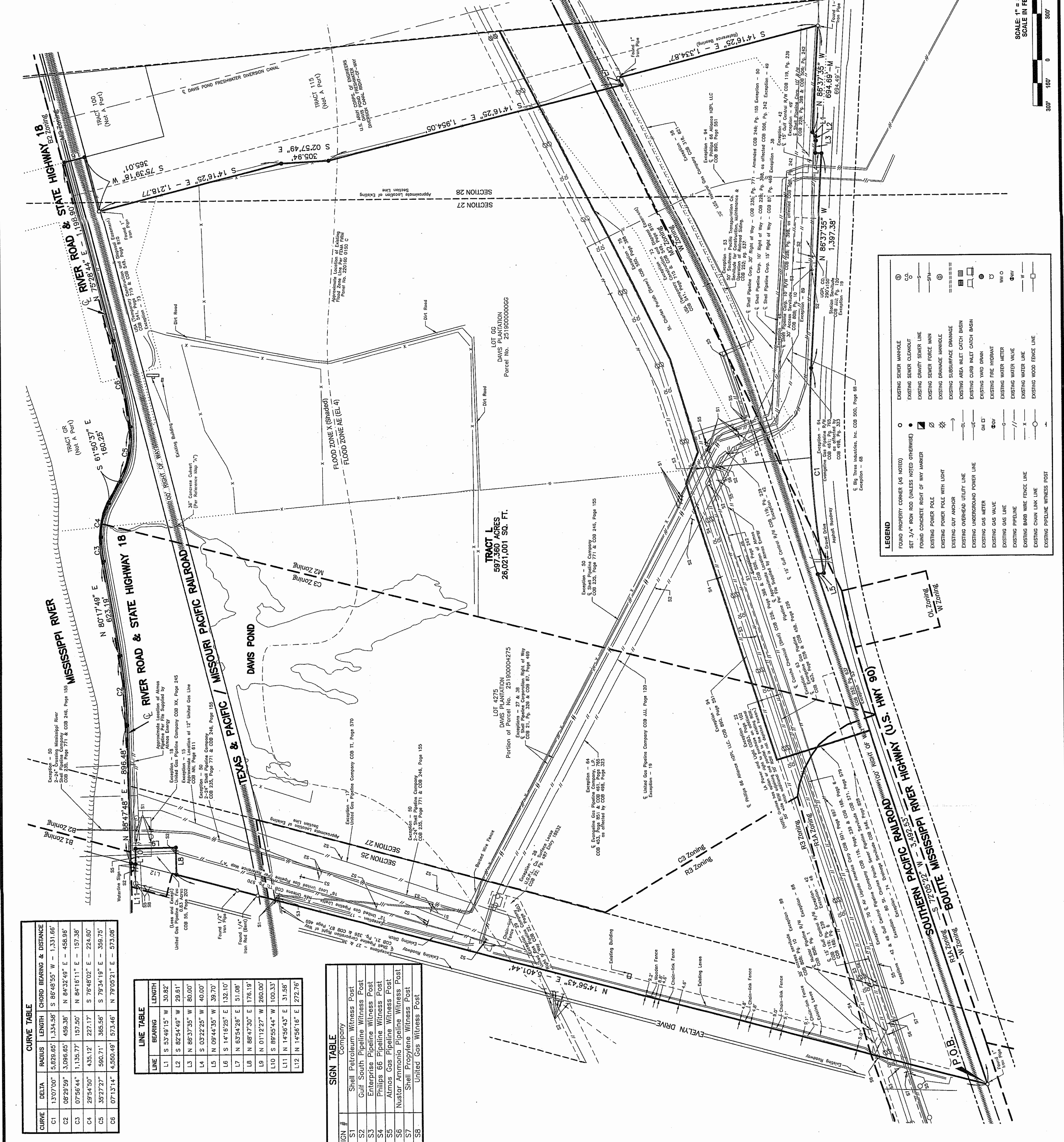
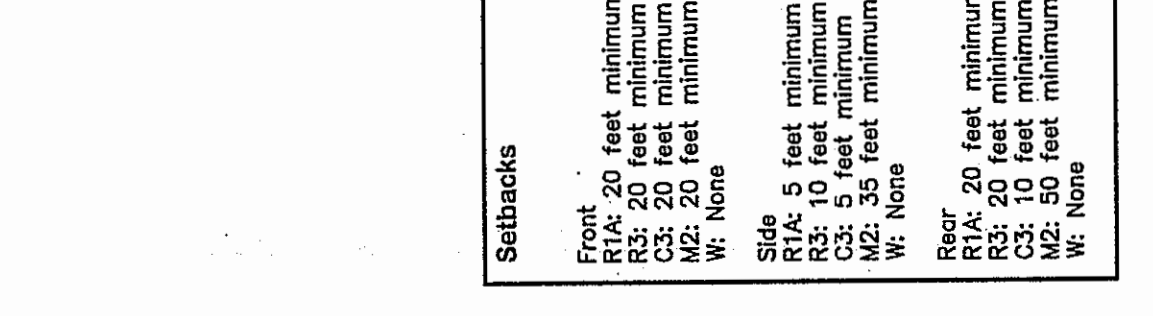
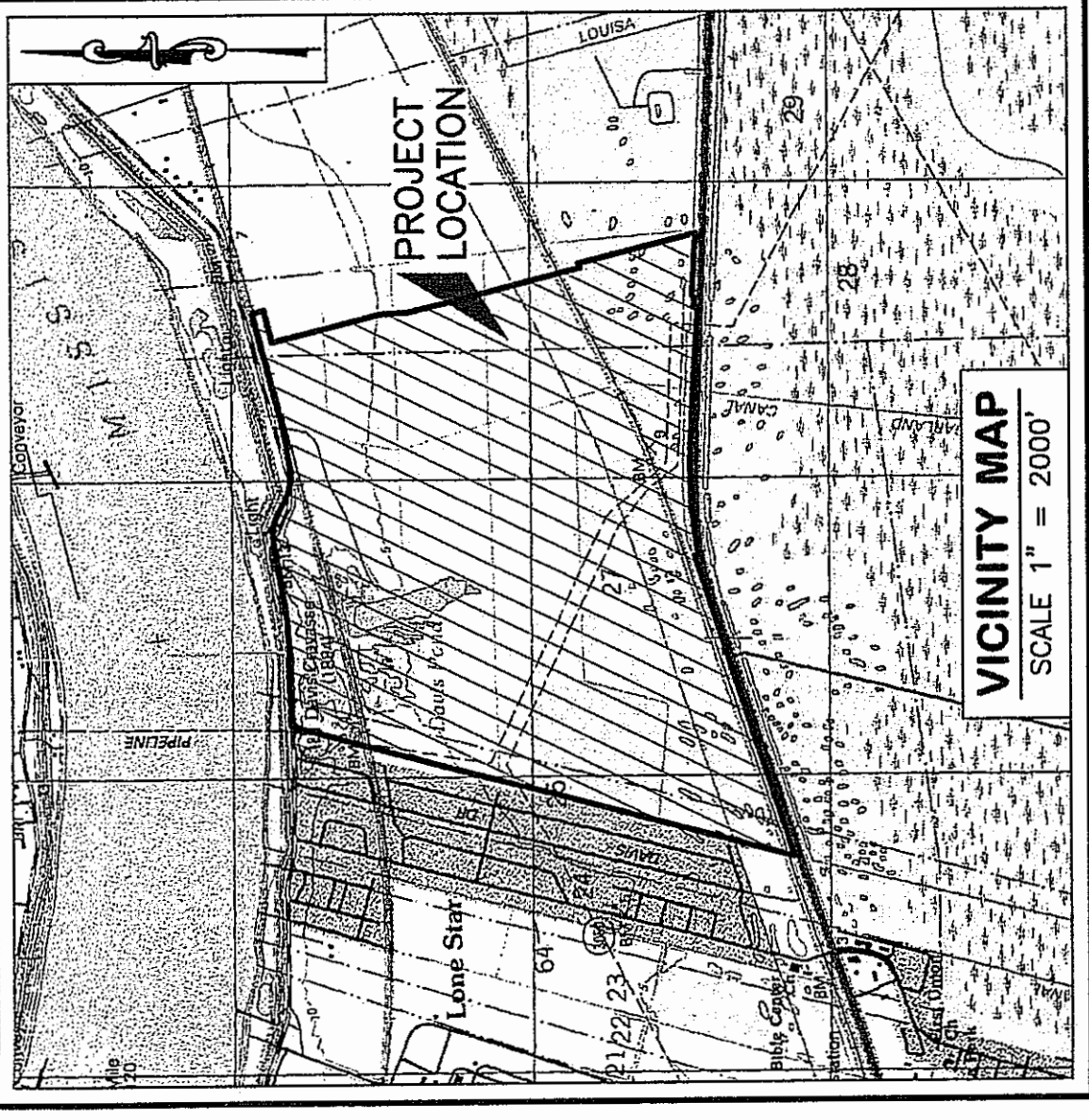
LINE	BEARING	LENGTH
L1	S 53°49'15" W	30.82'
L2	S 62°54'49" W	29.61'
L3	N 86°37'35" W	80.00'
L4	S 03°22'25" W	40.00'
L5	N 09°44'35" W	39.70'
L6	S 14°16'25" E	132.10'
L7	N 83°54'26" E	51.08'
L8	N 88°47'30" E	176.19'
L9	N 01°12'27" W	280.00'
L10	S 89°55'44" W	100.33'
L11	N 14°56'43" E	31.58'
L12	N 14°56'16" E	272.76'

SIGN #	Company
S1	Shell Petroleum Witness Post
S2	Gulf South Pipeline Witness Post
S3	Enterprise Pipeline Witness Post
S4	Phillips 66 Pipeline Witness Post
S5	Alamos Gas Pipeline Witness Post
S6	Nustar Ammonia Pipeline Witness Post
S7	Shell Propylene Witness Post
S8	United Gas Witness Post

Setbacks	Front	Side	Rear
R1: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
R2: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
R3: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M1: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M2: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M3: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M4: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M5: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M6: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M7: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M8: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M9: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M10: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M11: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M12: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M13: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M14: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M15: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M16: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M17: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M18: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M19: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M20: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M21: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M22: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M23: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M24: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M25: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M26: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M27: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M28: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M29: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
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M80: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M81: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M82: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M83: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M84: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M85: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
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M88: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M89: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M90: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
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M97: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M98: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M99: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum
M100: 20 feet minimum	20 feet minimum	10 feet minimum	10 feet minimum

**NOTES:**

- Zoning: R1A (Single Family Residential Detached), R3 (Multifamily Residential), M2 (Manufacturing - Wholesale & Retail Sales), M3 (Manufacturing - Wholesale & Retail Sales), M4 (Manufacturing - Wholesale & Retail Sales), M5 (Manufacturing - Wholesale & Retail Sales), M6 (Manufacturing - Wholesale & Retail Sales), M7 (Manufacturing - Wholesale & Retail Sales), M8 (Manufacturing - Wholesale & Retail Sales), M9 (Manufacturing - Wholesale & Retail Sales), M10 (Manufacturing - Wholesale & Retail Sales), M11 (Manufacturing - Wholesale & Retail Sales), M12 (Manufacturing - Wholesale & Retail Sales), M13 (Manufacturing - Wholesale & Retail Sales), M14 (Manufacturing - Wholesale & Retail Sales), M15 (Manufacturing - Wholesale & Retail Sales), M16 (Manufacturing - Wholesale & Retail Sales), M17 (Manufacturing - Wholesale & Retail Sales), M18 (Manufacturing - Wholesale & Retail Sales), M19 (Manufacturing - Wholesale & Retail Sales), M20 (Manufacturing - Wholesale & Retail Sales), M21 (Manufacturing - Wholesale & Retail Sales), M22 (Manufacturing - Wholesale & Retail Sales), M23 (Manufacturing - Wholesale & Retail Sales), M24 (Manufacturing - Wholesale & Retail Sales), M25 (Manufacturing - Wholesale & Retail Sales), M26 (Manufacturing - Wholesale & Retail Sales), M27 (Manufacturing - Wholesale & Retail Sales), M28 (Manufacturing - Wholesale & Retail Sales), M29 (Manufacturing - Wholesale & Retail Sales), M30 (Manufacturing - Wholesale & Retail Sales), M31 (Manufacturing - Wholesale & Retail Sales), M32 (Manufacturing - Wholesale & Retail Sales), M33 (Manufacturing - Wholesale & Retail Sales), M34 (Manufacturing - Wholesale & Retail Sales), M35 (Manufacturing - Wholesale & Retail Sales), M36 (Manufacturing - Wholesale & Retail Sales), M37 (Manufacturing - Wholesale & Retail Sales), M38 (Manufacturing - Wholesale & Retail Sales), M39 (Manufacturing - Wholesale & Retail Sales), M40 (Manufacturing - Wholesale & Retail Sales), M41 (Manufacturing - Wholesale & Retail Sales), M42 (Manufacturing - Wholesale & Retail Sales), M43 (Manufacturing - Wholesale & Retail Sales), M44 (Manufacturing - Wholesale & Retail Sales), M45 (Manufacturing - Wholesale & Retail Sales), M46 (Manufacturing - Wholesale & Retail Sales), M47 (Manufacturing - Wholesale & Retail Sales), M48 (Manufacturing - Wholesale & Retail Sales), M49 (Manufacturing - Wholesale & Retail Sales), M50 (Manufacturing - Wholesale & Retail Sales), M51 (Manufacturing - Wholesale & Retail Sales), M52 (Manufacturing - Wholesale & Retail Sales), M53 (Manufacturing - Wholesale & Retail Sales), M54 (Manufacturing - Wholesale & Retail Sales), M55 (Manufacturing - Wholesale & Retail Sales), M56 (Manufacturing - Wholesale & Retail Sales), M57 (Manufacturing - Wholesale & Retail Sales), M58 (Manufacturing - Wholesale & Retail Sales), M59 (Manufacturing - Wholesale & Retail Sales), M60 (Manufacturing - Wholesale & Retail Sales), M61 (Manufacturing - Wholesale & Retail Sales), M62 (Manufacturing - Wholesale & Retail Sales), M63 (Manufacturing - Wholesale & Retail Sales), M64 (Manufacturing - Wholesale & Retail Sales), M65 (Manufacturing - Wholesale & Retail Sales), M66 (Manufacturing - Wholesale & Retail Sales), M67 (Manufacturing - Wholesale & Retail Sales), M68 (Manufacturing - Wholesale & Retail Sales), M69 (Manufacturing - Wholesale & Retail Sales), M70 (Manufacturing - Wholesale & Retail Sales), M71 (Manufacturing - Wholesale & Retail Sales), M72 (Manufacturing - Wholesale & Retail Sales), M73 (Manufacturing - Wholesale & Retail Sales), M74 (Manufacturing - Wholesale & Retail Sales), M75 (Manufacturing - Wholesale & Retail Sales), M76 (Manufacturing - Wholesale & Retail Sales), M77 (Manufacturing - Wholesale & Retail Sales), M78 (Manufacturing - Wholesale & Retail Sales), M79 (Manufacturing - Wholesale & Retail Sales), M80 (Manufacturing - Wholesale & Retail Sales), M81 (Manufacturing - Wholesale & Retail Sales), M82 (Manufacturing - Wholesale & Retail Sales), M83 (Manufacturing - Wholesale & Retail Sales), M84 (Manufacturing - Wholesale & Retail Sales), M85 (Manufacturing - Wholesale & Retail Sales), M86 (Manufacturing - Wholesale & Retail Sales), M87 (Manufacturing - Wholesale & Retail Sales), M88 (Manufacturing - Wholesale & Retail Sales), M89 (Manufacturing - Wholesale & Retail Sales), M90 (Manufacturing - Wholesale & Retail Sales), M91 (Manufacturing - Wholesale & Retail Sales), M92 (Manufacturing - Wholesale & Retail Sales), M93 (Manufacturing - Wholesale & Retail Sales), M94 (Manufacturing - Wholesale & Retail Sales), M95 (Manufacturing - Wholesale & Retail Sales), M96 (Manufacturing - Wholesale & Retail Sales), M97 (Manufacturing - Wholesale & Retail Sales), M98 (Manufacturing - Wholesale & Retail Sales), M99 (Manufacturing - Wholesale & Retail Sales), M100 (Manufacturing - Wholesale & Retail Sales).
- Reference Maps: A) Survey and reestablishment of portion of Davis plantation in Tract L (598.19 Acres) and Tract GR (52.08 Acres) made for The Levert Companies and GNOIS-Reserve, Inc. Prepared by: Gendolfo Kuhn, LLC. Date: February 19, 2001.
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- Utilities: The utilities shown have been located from visible utility features, evidence of buried utilities, and previous surveys. The surveyor does not warrant the accuracy of the utility locations shown on this plan, either in service or abandoned. Furthermore, the surveyor does not warrant that the utilities shown are in the exact location indicated. No excavations were made during the progress of this survey to locate buried utilities/structures.
- No attempt has been made by Acadia Land Surveying, LLC, to verify title, actual legal ownership, deed restrictions, servitudes, easements, alleys, right-of-ways or other burdens on the property, other than that furnished by the client or his representative. There is no warranty, expressed or implied, that the surveyor has made no title search or public record search in compiling the data for this survey.
- Acadia Land Surveying, LLC, has not and does not provide Definitive of Jurisdictional area as delineated by the appropriate authorities.
- The word "Certify," "Certification," or "Certification" as used herein is understood to be an expression of professional opinion by the surveyor, based upon the best knowledge, information, and belief, as such, it does not constitute a guarantee nor a warranty, expressed or implied, and shall not be construed as such.
- Encroachments: visible and chain-link fence encroachments and misalignments up to 8.2' over the western boundary line of subject property.

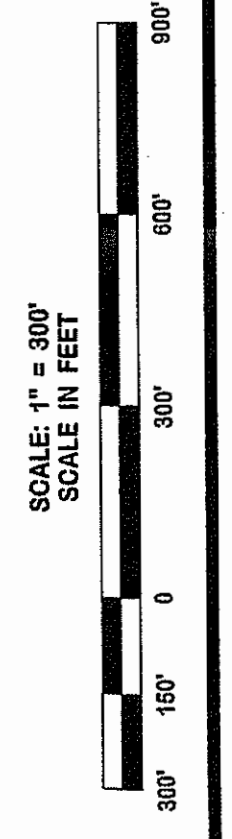


**ACADIA**  
**LAND SURVEYING, LLC**  
 LOUISIANA • MISSISSIPPI • ALABAMA • TEXAS  
 206 EAST 2ND STREET, THIBODAUX, LOUISIANA 70301  
 Phone • (985) 449-0094 Fax • (985) 449-0085  
 EMAIL: ACADIA@ACADIALANDSURVEYING.COM

DATE: 05/10/23  
 DRAWN BY: CMH  
 CHECKED BY: MWS  
 FIELD BOOK: 375  
 FIELD WORK COMPLETED ON: AUGUST 8, 2023  
 AFS FILE: 2022-28-01-54370-23-04-04

**CERTIFICATION:**  
 To (name of lender, if known), (name of insurer, if known), (name of others as negotiated with the client). This is to certify that the survey was prepared and conducted in accordance with the 2021 Minimum Standards of Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6(c), 6(d), 7(c), 8, 9, 10, 11(c), 11(d), 13, 14, 16, 17, 18 & 19 of Table A thereof. The fieldwork was completed on August 8, 2023. This survey was prepared by me or under my direct supervision and control, that the survey was done in accordance with the most recent Minimum Standards of Detail Requirements for ALTA/NSPS Land Title Surveys and that the accuracy specification and positional certifications herein are in accordance with the above standards. I also certify that the survey encroachments across any property lines except as shown.

Michael J. Gendolfo, L.S.,  
 Registered Professional Land Surveyor  
 Reg. No. 4851  
 05/10/23



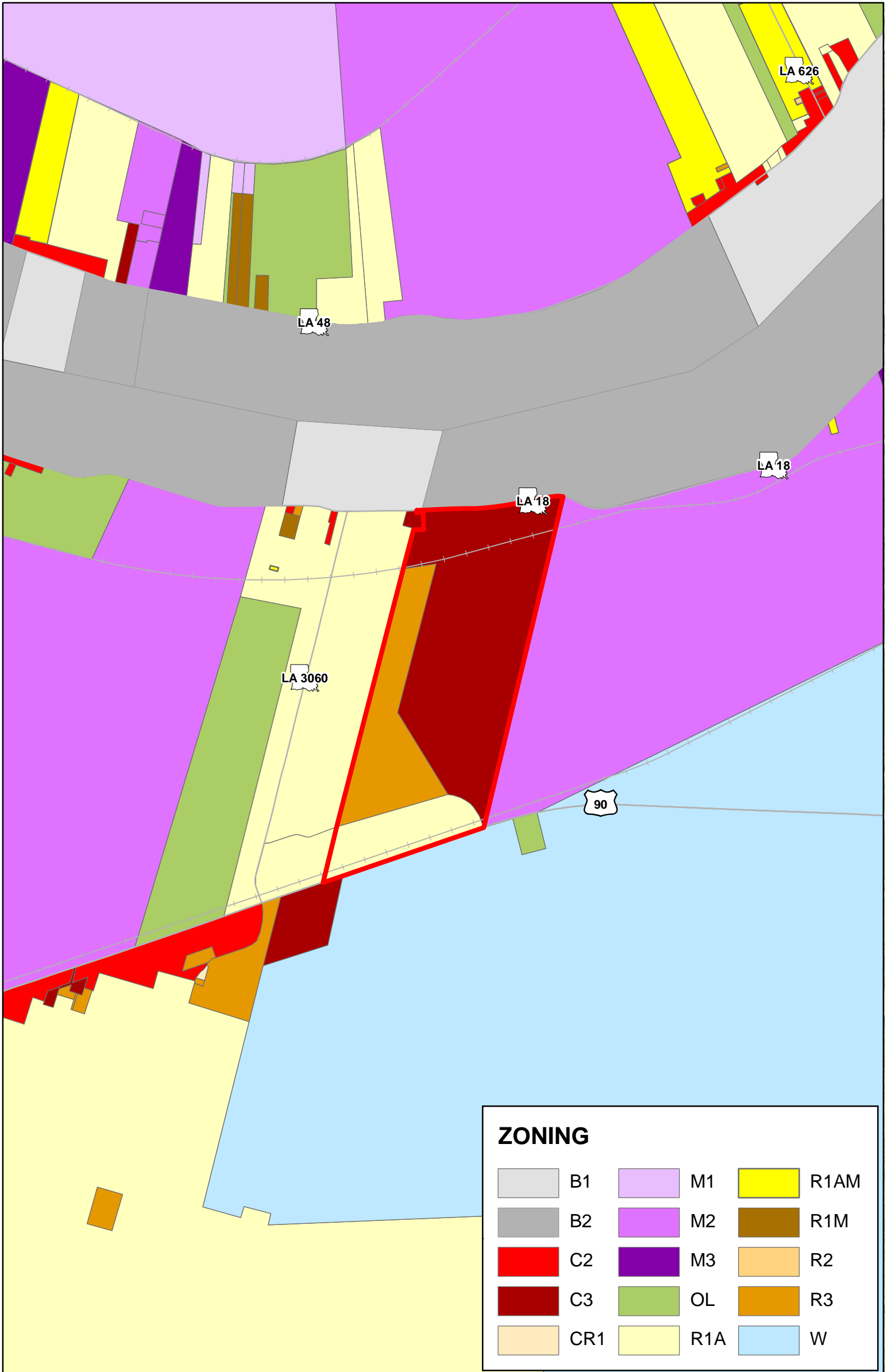















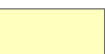

2023-9-R  
R-1A, R-3 & C-3 to C-3 & M-2



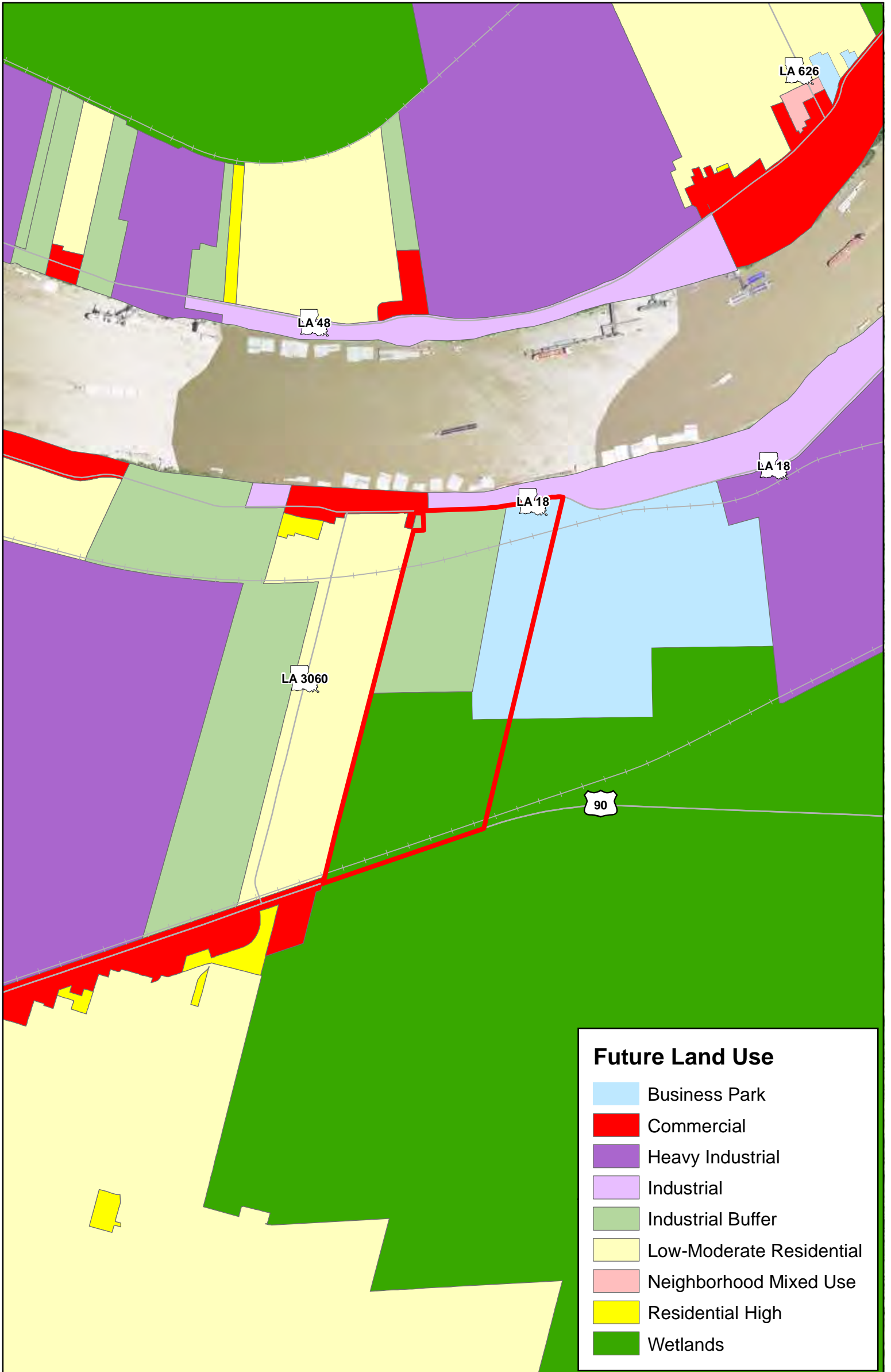


2023-9-R  
 R-1A, R-3 & C-3 to C-3 & M-2



ZONING					
	B1		M1		R1AM
	B2		M2		R1M
	C2		M3		R2
	C3		OL		R3
	CR1		R1A		W









## Department of Planning & Zoning Staff Report – Map Amendment Case No. 2024-10-R

### APPLICATION INFORMATION

- **Submittal Date:** 4/2/2024
- **Applicant / Property Owner**  
Derek Pelloquin  
J. Breaux Enterprises, LLC  
1807 W. Gloria Switch Road  
Carencro, LA 70520  
337.781.7476; derek@jbreauxent.com
- FOR  
  
Geraldine M. Sanders, et al.  
1000 Gassen Street  
Luling, LA 70070
- **Request**  
Change of zoning:
  - Current - O-L, Open Land District
  - Proposed - R-1A, Single family residential detached conventional homes - Medium density

### SITE INFORMATION

- **Location**  
50 acre tract (designated as 6A); 223 Joe Louis Lane, Hahnville.
- **Size:** 50.22 acres
- **Current Use:**  
There is no active use of the site. It was previously the location of the Fashion Golf & Country Club.
- **Surrounding Zoning**  
C-1 is located to the Joe Louis Lane (River Road) side; O-L is located to the Union Pacific Railroad side and adjacent to the Lee Lane (downriver) side; R-1A is adjacent to the Courthouse Lane side.
- **Surrounding Uses**  
The site is located in an area of Hahnville developed primarily with St. Charles Parish government facilities and single-family subdivisions. Specifically, the St. Charles Parish Communications building is located across Joe Louis Lane, and Flagville Subdivision is adjacent to the Courthouse Lane side. Undeveloped, mostly wooded land is adjacent to the Lee Lane and Union Pacific Railroad sides.
- **Zoning History**  
The O-L 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**

The site has approximately 380 ft. of frontage along Joe Louis Lane. No other direct access to a dedicated and improved public right-of-way is currently available.

- **Utilities**

The Parish GIS map shows drainage, water, and sewer facilities along Joe Louis Lane. Additional drainage facilities are also depicted along the Lee Lane side of the site and the Union Pacific Railroad.

Representatives with the Departments of Public Works, Wastewater, and Waterworks stated they have no objections to the rezoning itself.

Any subsequent subdivision development would go through the Major Subdivision process. As part of that process a Drainage Impact Analysis, Traffic Impact Analysis, Sewer Impact Report, and detailed construction plans are submitted and reviewed by the Departments of Public Works, Wastewater, and Waterworks to ensure new infrastructure is developed to Parish standards and existing infrastructure and surrounding areas are not adversely affected.

<b>APPLICABLE REGULATIONS</b>
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**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.

<b>REZONING GUIDELINE &amp; CRITERIA EVALUATION</b>
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1. *The proposed rezoning conforms to the land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.*

The proposed zoning conforms to the Future Land Use Map designation of *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 (50 acres), expands on an adjacent R-1A district (Courthouse Lane side), and as noted above, is done in furtherance 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.*

This particular area of Hahnville, situated between River Road and the Union Pacific Railroad and bounded downriver by Avalon Place and upriver by Highway 3160, had long been defined by a rural character. Development focused primarily along River Road, while anything off River Road consisted of open, undeveloped tracts in agricultural use and homes along unimproved private drives. The earliest instance of



a residential “subdivision” is Flaggville, located immediately adjacent to the subject site along Courthouse Lane and shown on a map dated to 1872.

Modern residential subdivisions were introduced starting in the late 1950s with development of Fashion Terrace from 1956 to 1965 (56 lots), followed by Homeplace Plantation Estates in 1979 (93 lots). In total, 149 residential lots were introduced in this period. After a nearly two decade pause an additional 149 residential lots would be created starting with the development of Avalon Place Phases 1 & 2 between 1997 and 2001 (70 lots) and Fashion Plantation Estates Phase 1 in 1999 (78 lots).

After another two decades subdivision development resumed with the development of River Place Estates Phase 1 in 2021. The preliminary plat for Phase 2 was approved in March of 2024 and in total, this subdivision will result in 42 lots.

Of the subdivisions referenced above, Avalon and River Place required rezonings from O-L to R-1A (PZR-1989-09; Ord. 89-4-3, PZR-2000-19; Ord. 01-1-5, 2019-21-R; Ord. 20-2-2). The others were either already zoned R-1A (Fashion Terrace, Homeplace Plantation, & Fashion Plantation) or rezoned from R-1A(M) to R-1A (Flaggville, PZR-1996-02; Ord. 96-2-3).

Site-built single-family homes can be permitted under the current O-L zoning, just at a lower density. The proposed R-1A zoning would be more reasonable as it would allow for a continuation of the developing land-use pattern and character detailed above while eliminating use types permitted under O-L zoning that could be detrimental to the growing residential development. **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 character, specifically the single-family residential Flaggville Subdivision directly adjacent to the Courthouse Lane side.

R-1A zoning would allow residential development at a higher density compared to O-L (6,000 sq. ft. lot minimum vs. 20,000 sq. ft. lot minimum), so impact to existing public facilities could be expected and must be addressed as part of any resulting development. If subsequent subdivision development occurs, it must go through the Major Subdivision process. The Departments of Public Works, Wastewater, and Waterworks do not have objections to the rezoning, but as part of the Major Subdivision process those entities would review drainage, traffic, and sewer analyses along with detailed plans to ensure new infrastructure will be built to Parish standards and any adverse impact to existing facilities and the surrounding area identified and mitigated. **The request meets the third guideline.**

<b>DEPARTMENT RECOMMENDATION</b>
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**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.**



Case # 2024 10 R

**REASONS FOR ZONING CHANGE** (your answers below should make a case on the merits of your request)

How does the proposed zoning conform to the Comprehensive Plan Future Land Use Map designation?

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How does the proposed zoning serve the best interest of the community?

It allows for the development of single family residential housing, which is needed in the area.

Do uses on adjacent properties limit the use of your property under current zoning?

No

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Do unique physical or environmental limitations affect the use of your property under current zoning?

No

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Have changes in land value, physical environment, or economic aspects limited the use of your property under current zoning? Yes

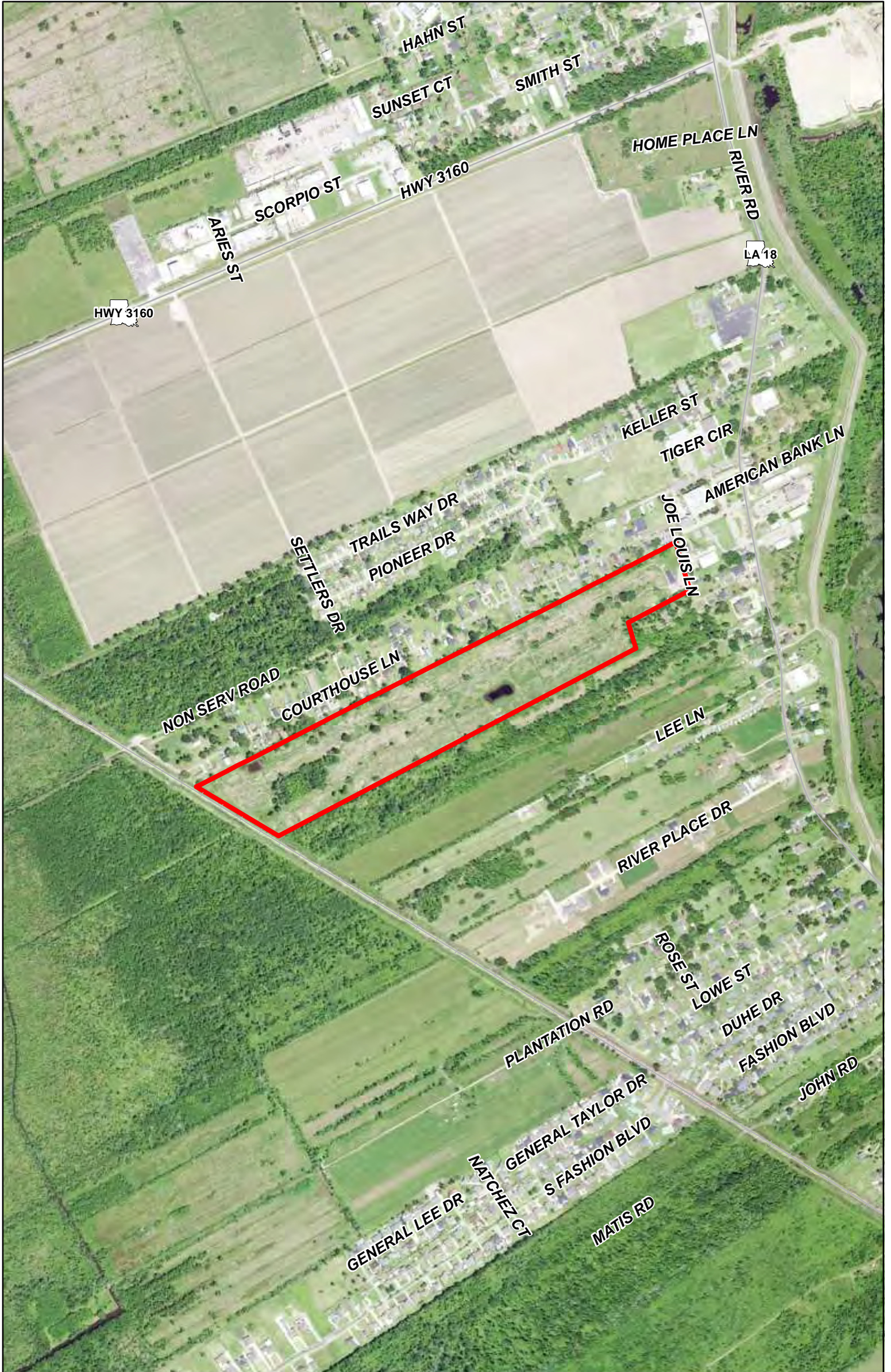
Are the uses permitted under the proposed zoning compatible with existing neighborhood character?

Yes, we intend to build single family residential detached homes on concrete slab.



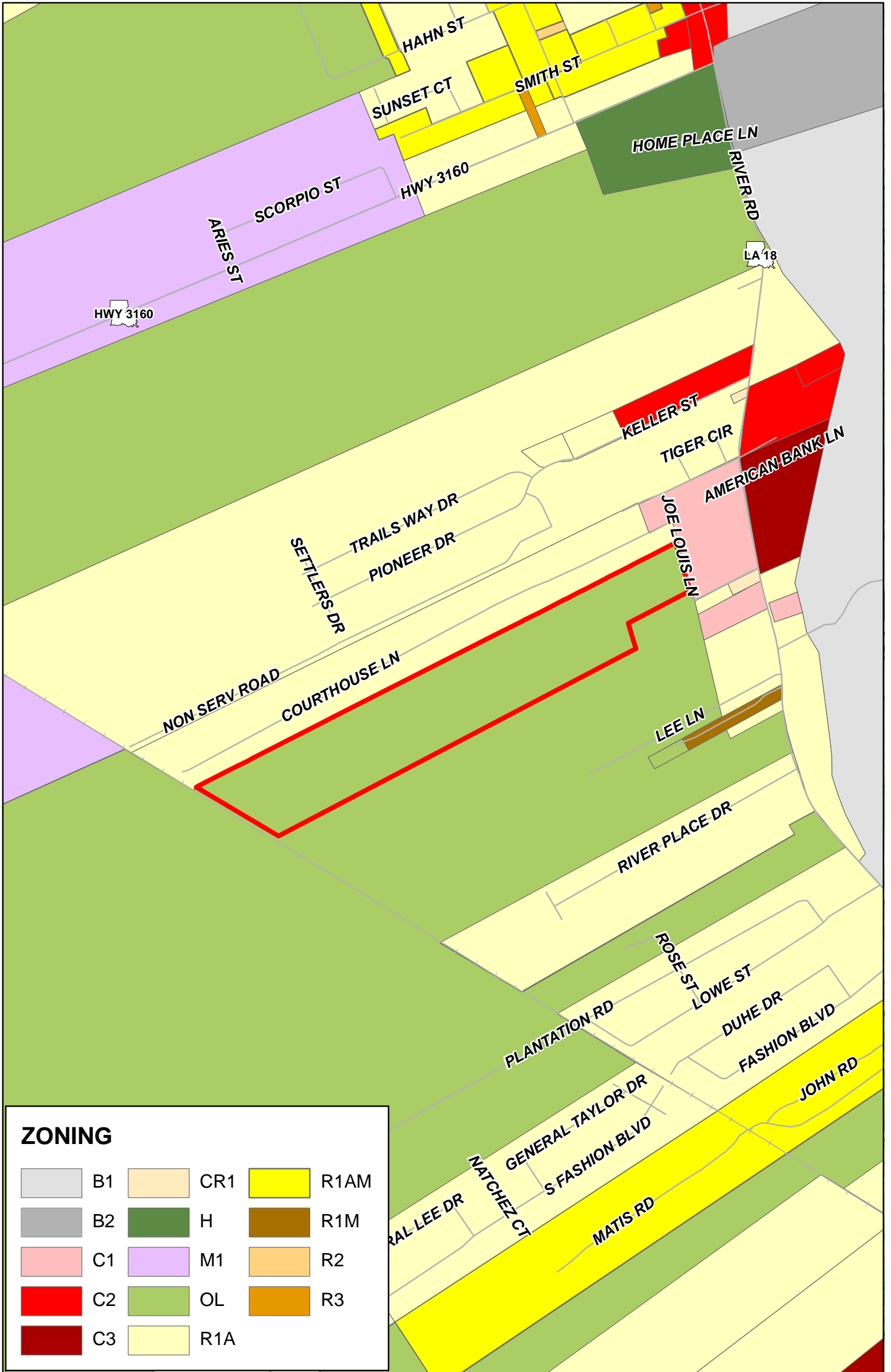






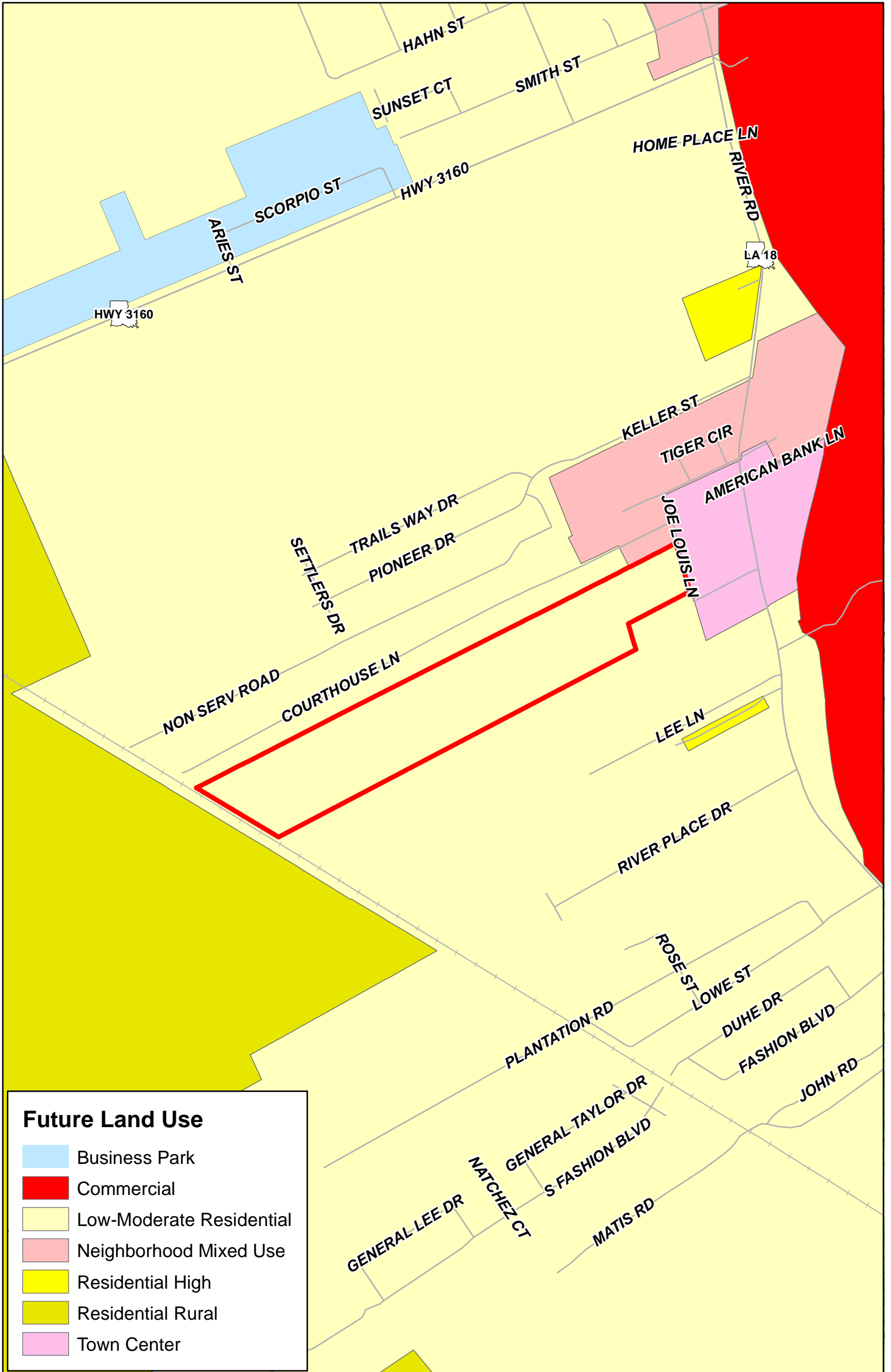


2023-10-R  
O-L to R-1A










ZONING					
	B1		CR1		R1AM
	B2		H		R1M
	C1		M1		R2
	C2		OL		R3
	C3		R1A		





**Future Land Use**

-  Business Park
-  Commercial
-  Low-Moderate Residential
-  Neighborhood Mixed Use
-  Residential High
-  Residential Rural
-  Town Center