

**ST. CHARLES PARISH
ZONING BOARD OF ADJUSTMENT
August 15, 2024
6:00 P.M.**

**CALL TO ORDER
PLEDGE OF ALLEGIANCE**

- 1** **2024-29-ZBA** requested by **Errol Harrilal** to reduce the side yard setbacks for a new single-family residence, **1036 E. Harding Street, New Sarpy**. Zoning District O-L. Council District 6.

- 9** **2024-30-ZBA** requested by **Tommy Comardelle** to reduce the minimum building elevation, **213 Mark Drive, Bayou Gauche**. Zoning District R-1A(M). Council District 4.

- 22** **2024-31-ZBA** requested by **Alanea Champagne** to reduce the rear yard setback and increase the percentage of the rear yard which may be occupied by a structure for an attached patio cover, **545 Spruce Street, Norco**. Zoning District R-1A. Council District 6.

**UNFINISHED BUSINESS -
NEW BUSINESS –
MINUTES – (July 18, 2024)
ADJOURN-**



Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2024-29-ZBA

GENERAL APPLICATION INFORMATION

APPLICANT / PROPERTY OWNER:

Errol Harrilal
318 Taylor Street Apt. A
Kenner, LA 70062
504.812.5379; mjharrilal@gmail.com

LOCATION:

1036 E. Harding Street, New Sarpy

REQUEST:

Reduce the required side yard setback from 10 ft. to 4 ft. for construction of a single-family residence.

SITE INFORMATION

SIZE OF PROPERTY: 6,400 sq. ft.

EXISTING ZONING: O-L, Open Land

SURROUNDING ZONING AND LAND USE: O-L; adjacent properties are undeveloped and wooded.

FUTURE LAND USE RECOMMENDATION: Wetlands

TRAFFIC ACCESS: E. Harding Street

BASE FLOOD ELEVATION (BFE): AE 5; DFIRM AE 2.5

APPLICABLE CODE REGULATION(S)

Appendix A. Section IV. General Provisions

5. Fences: Fences shall comply with the following requirements:

- a. Fence height measurements shall include the chain wall in cases where a fence is positioned on top a chain wall.
- b. Residential fences erected within the required front yard setback shall not exceed four (4) feet in height above the finished grade of the fenced property adjacent to the fence.**
- c. No fence shall be erected so as to block vehicular travel sight lines as defined in AASHTO (American Association of State Highway and Transportation Official Manual).**
- d. No fence will be permitted on corner lots within twenty (20) feet of the intersection with said twenty (20) feet to be measured from the property corner along the front and side property lines. In cases where corner lots do not have a lot corner (lots with a radius located at the intersection), no fence will be permitted within a triangular area bounded by a point created by the intersection of the projection of the front and side property lines and two (2) points along these lines measured twenty (20) feet back from the point created by the described intersection.

Appendix A. Section VI. Zoning District Criteria and Regulations

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

2. Spatial Requirements:

b. Minimum yard sizes:

(1) Front—Thirty-five (35) feet.

(2) Side—Ten (10) feet.

(3) Rear—Twenty (20) feet.

DEPARTMENT ANALYSIS & FINDINGS

1. After consulting with Planning and Zoning, on July 1, 2024 an application was submitted requesting a variance to reduce the required side yard setback from 10 ft. to 4 ft. for a new home at 1036 E. Harding Street, New Sarpy.
2. Upon further review involving a site visit, input from the Parish Zoning Regulatory Administrator (ZRA), and clarification from the applicant, the department found the following:
 - The proposed structure is shown 30 ft. from the front property line. 35 ft. is required.
 - The 4 ft. side setback proposed could create building code issues.
 - A 6 ft. fence was built along the front property line.

3. The applicant was notified of these findings and the following ways they can be addressed:
- Show the proposed structure 35 ft. from the front property line or include a 5 ft. front yard setback reduction as part of this request.
 - Show the proposed structure 5 ft. from the side property line. A waiver would still be required but issues with building code would be avoided.
 - Address the front yard fence height as part of this request or remove/relocate it.
 - If the fence blocks vehicular sight lines as defined by ASHTO, it must be pushed back from the front property line regardless of the height waiver being granted.

The board cannot act on this request since the advertisement did not reflect all that should have been included with this application. This item must be postponed and re-advertised based on how the applicant addresses the issues detailed above.



St. Charles Parish
 Department of Planning & Zoning
ZONING BOARD OF ADJUSTMENT

OFFICE USE	
Submittal Date	7/1/2024
Received By	AS
Receipt #	13345150
Case #	2024-29-ZBA

APPLICANT INFORMATION

Applicant: Errol Harnial
 Mailing Address: 318 Taylor Street Apt A Kenner, LA 70062
 Phone: (504) 812-5379 Email: mjharnial@gmail.com

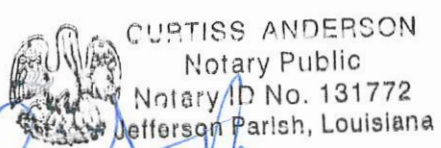
PROPERTY INFORMATION

Municipal Address: 1036 E. Harding St. New Sarpy, LA 70047
 Lot, Block, Subdivision: 19A, 55, New Sarpy
 Permit/Project Description: Single Family Residential Structure

THIS APPLICATION IS BEING MADE FOR A WAIVER FROM THE FOLLOWING REQUIREMENT(S)

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

- AS 1. Application with notarized endorsement of all property owners (see page bottom)
 *If the owner is a corporation, a corporate resolution authorizing the representative must be provided
- AS 2. Act of Sale or Deed to the property (copies available at Clerk of Courts Office)
- AS 3. Applicant Testimony (see next page)
- / 4. Completed *Addendum to Application for Variance from Base Flood Elevation Requirements*
 *Base Flood Elevation variance applications only
- AS 5. Application Fee: Single-Family Residential = \$150, Other = \$250

<p>OWNER ENDORSEMENT:</p> <p><u>ERROL L. HARNIAL</u> (Print Name)</p> <p>_____ (Print Name)</p> <p>Being duly sworn, deposes and states (i) that they are the sole owner/s of the property described in this application; (ii) that all statements contained in this application are true to the best of their knowledge and belief; and (iii) that they authorize the petition.</p> <p><u>[Signature]</u> (Signature of owner)</p>	<p>NOTARY PUBLIC:</p> <p>Subscribed and sworn to before me this <u>1</u> day of <u>July</u>, 20<u>24</u> in my office at <u>Kenner, LA 70062</u>.</p> <p><u>[Signature]</u> (Signature of Notary Public)</p> <p style="text-align: center;">  SEAL </p>
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ZONING BOARD OF ADJUSTMENT PROCESS



¹The ZBA can either approve, approve with conditions, or deny the request.

²If approved, permitting must occur within one (1) year of the approval date. If denied, the project cannot proceed as submitted, but permitting can still occur for a project shown to be code compliant.

ZBA EVALUATION STANDARDS (Appendix C., Section XIII., item D.)

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

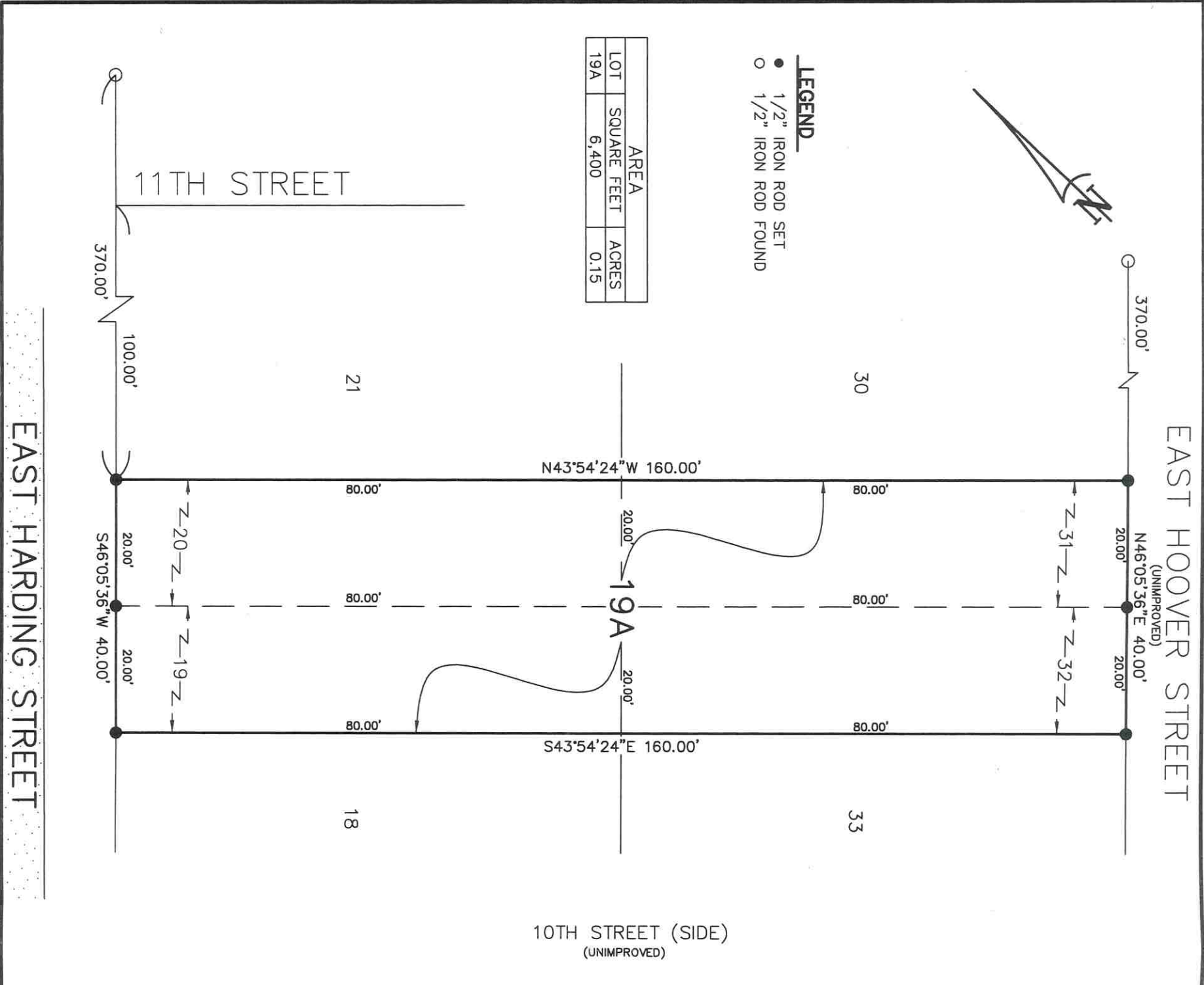
APPLICANT TESTIMONY

*Additional information should be submitted to further demonstrate your hardship and support your appeal, including surveys, site/project plans, photographs, and other relevant information needed to show cause for the variance.

Considering the evaluation standards detailed above, why can't your project meet the requirement(s)?

Adjusting fence location on sides of property, frontage is unchanged and still meets requirements.

OFFICE USE	
Zoning District: <u>O-L</u>	Flood Zone: <u>AE 5'</u> ; DFIRM: <u>AE2.5</u>
Code Section being appealed: <u>Section VI. A. [1]2. b. (1)(2) setbacks</u>	



LOT	SQUARE FEET	ACRES
19A	6,400	0.15

- LEGEND**
- 1/2" IRON ROD SET
 - 1/2" IRON ROD FOUND

EAST HOOVER STREET
(UNIMPROVED)

10TH STREET (SIDE)
(UNIMPROVED)

EAST HARDING STREET

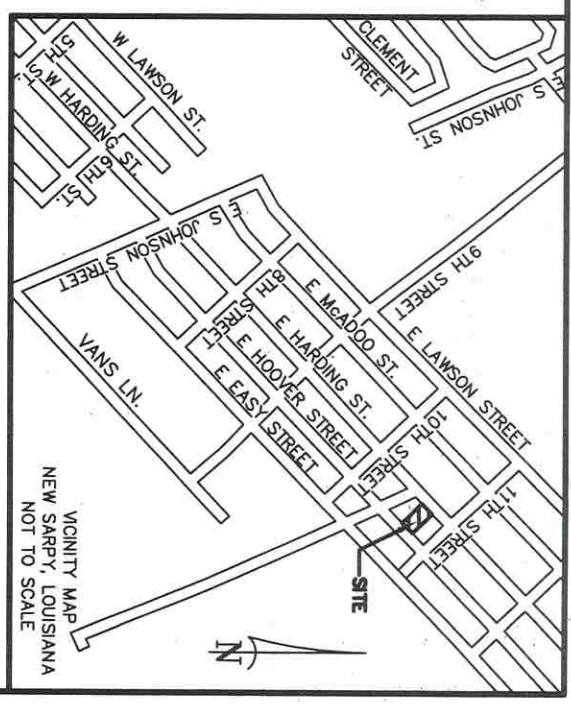
APPROVED: *M.H. Jones* 4-19-22
PARISH PRESIDENT
DATE

Michael J. Jones 4-7-22
DIRECTOR, DEPT. OF PLANNING AND ZONING
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 COURTS OFFICE
ST. CHARLES PARISH ON THE 19th
DAY OF April IN BOOK 918
FOLIO 334 ENTRY # 467605

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



DEVELOPER: JOY HARRILL
318 TAYLOR STREET, APT A
KENNER, LOUISIANA 70062
646-260-8332

TITLE: SURVEY PLAT AND RESUBDIVISION OF LOTS 19, 20, 31 & 32, SQUARE 55, NEW SARY SUBDIVISION INTO A LOT HEREIN DESIGNATED AS LOT 19A, SQUARE 55, NEW SARY SUBDIVISION

NEW SARY, ST. CHARLES PARISH, LOUISIANA.

DATE: JANUARY 20, 2022 FIELD WORK DONE ON FEBRUARY 17, 2021.

SURVEY REFERENCE: 1. NEW SARY SUBDIVISION DATED NOVEMBER 1920. P.L.S. DATED FEBRUARY 17, 2021.

2. SURVEY PLAT OF LOTS 19, 20, 31 & 32, SQUARE 55, NEW SARY SUBDIVISION BY STEPHEN P. FLYNN, P.L.S. DATED FEBRUARY 17, 2021.

BASIS OF BEARING: BEARINGS HEREON ARE REFERENCED TO THE LOUISIANA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE 1702, NAD 83, GEOD 12A USING LEICA SMARTNET SOLUTION DATED 2/17/2021.

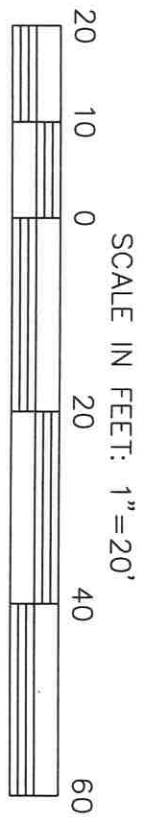
FLOOD NOTE: THE SURVEYED PARCEL IS IN ZONE "A99" PER FEDERAL INSURANCE RATE MAP NUMBER 220160-0129C DATED 5/2/2003 LOMAR.

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 COMPLES 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 DITCHES, 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.



DRAWN BY: SCR
DRAWING NO. MM2510_W04413

RIVERLANDS SURVEYING COMPANY



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

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

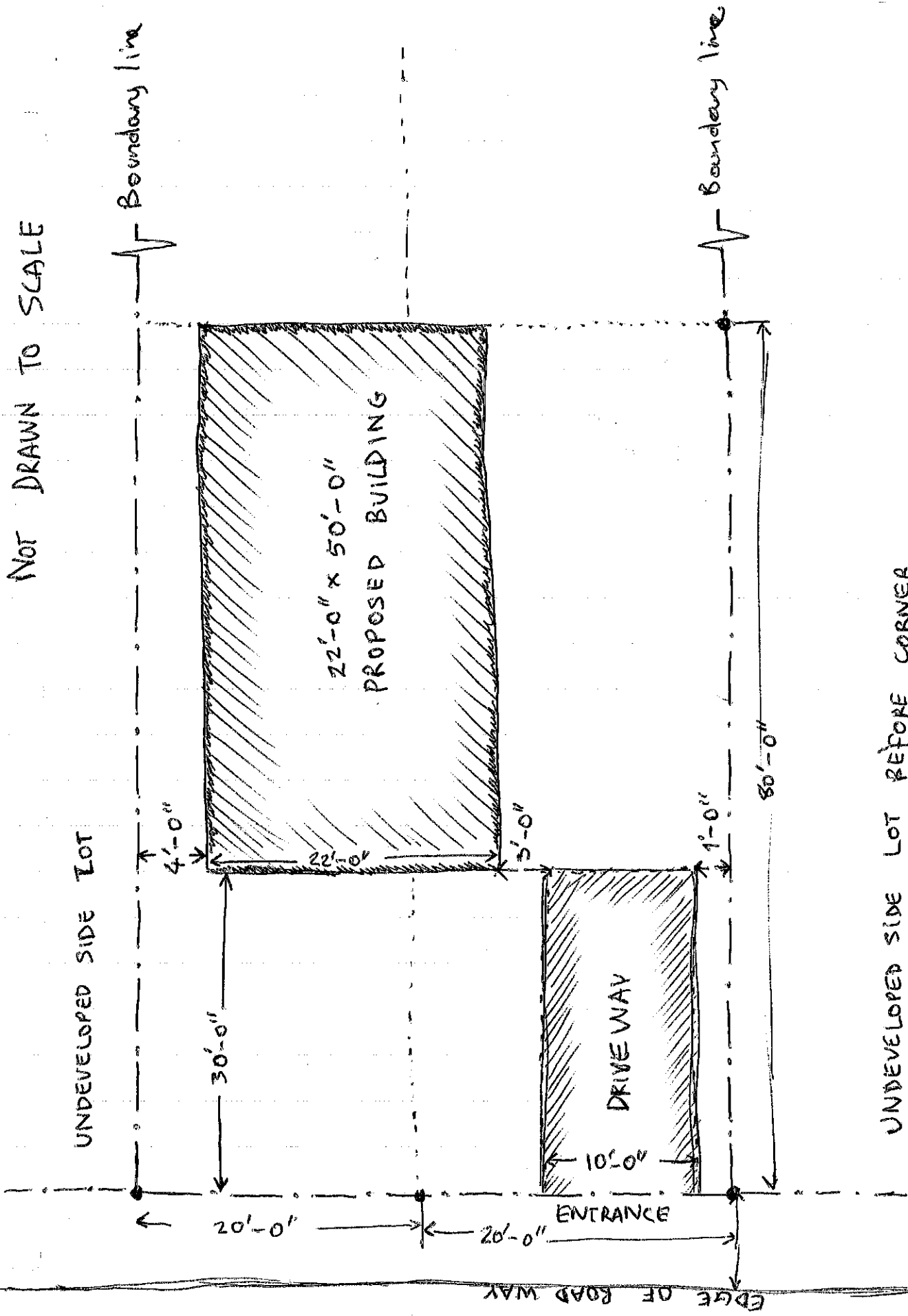
NOT DRAWN TO SCALE

Boundary line

Boundary line

UNDEVELOPED SIDE LOT

UNDEVELOPED SIDE LOT BEFORE CORNER



EAST HARDING

EDGE OF ROAD WAY

ENTRANCE

DRIVE WAY

PROPOSED BUILDING

22'-0" x 50'-0"

30'-0"

20'-0"

20'-0"

10'-0"

5'-0"

1'-0"

80'-0"

4'-0"

Re: Additional Testimony Needed for ZBA Case

M.J. H <mjharrilal@gmail.com>

Mon 7/22/2024 4:22 PM

To: Zoe Vittur <zvittur@stcharlesgov.net>

Thank you for the information Zoe.

In regards to the request pertaining to the SBA Case, in addition to the requests made for fencing and frontage, I would like to have the adjustments made to the side yard setbacks for the new development as well, house will now be 4ft from the fence line on the North Side of the property.

Gratitude,
Errol Harrilal

On Wed, Jul 17, 2024, 9:46 AM Zoe Vittur <zvittur@stcharlesgov.net> wrote:

Mr. Harrilal,

I am requesting an additional testimony to be submitted with your ZBA request as the one given does not convey your request. You mention fences and frontage, but not that you need a variance to reduce side yard setbacks for your new development.

Please write or type up a document stating your testimony more clearly and send it back to me through email to avoid traveling out here.

If you have any questions, please give me a call or send me an email.

Thanks,
Zoë Vittur
Planner I
St. Charles Parish
P (985) 783-5060
P.O. Box 302 | Hahnville, LA 70057

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

Disclaimer

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

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2024-29-ZBA
Side-Yard Setback (O-L zoning)

1" = 100'





Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2024-30-ZBA

GENERAL APPLICATION INFORMATION

NAME/ADDRESS OF PROPERTY OWNER:

Tommy Comardelle
 213 Mark Drive (Lot B)
 Des Allemands, LA 70030
 (504) 564-3054

LOCATION OF SITE:

213 Mark Drive (Lot B)

REQUESTED ACTION:

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

SITE INFORMATION

SIZE OF PARCEL: 9,776sq. ft.

ZONING: R-1A, Single-family detached homes—Medium density.

SURROUNDING ZONING AND LAND USE: R-1A zoning; mobile homes and site-built houses about.

FUTURE LAND USE RECOMMENDATION: Medium-density Residential

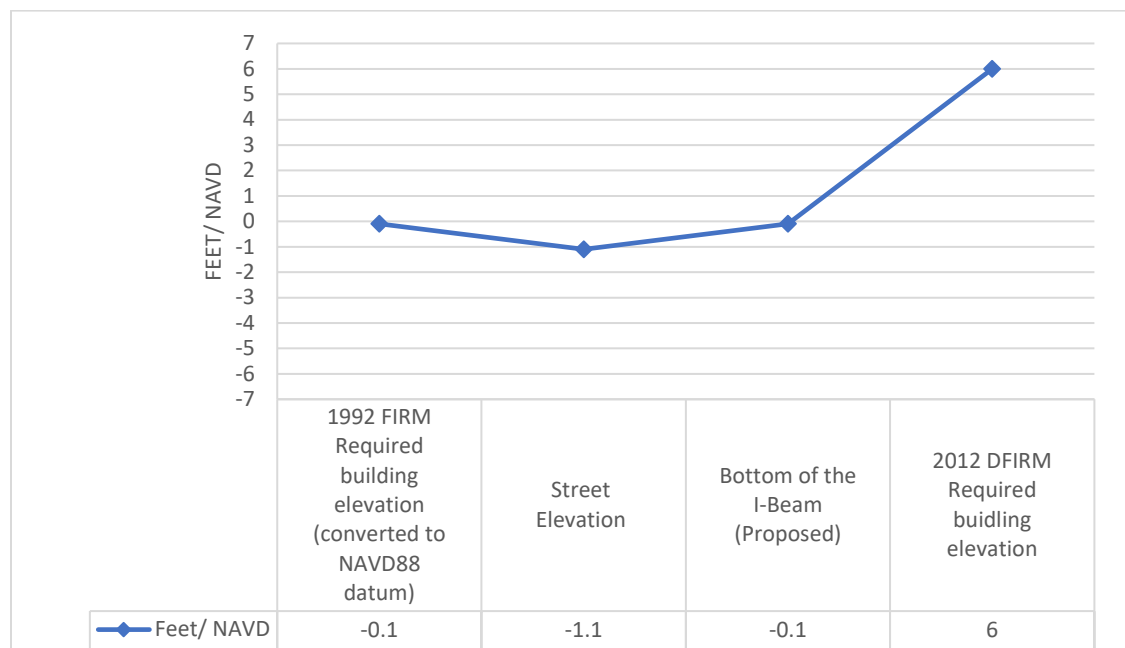
TRAFFIC ACCESS Tertiary/Local Streets

UTILITIES: Standard utilities are available for the site.

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

MINIMUM REQUIRED BUILDING ELEVATION: +6 ft. NAVD 88

The data below is based on a grade certificate the property owner submitted; Parish standards require the elevation of the **bottom of the I-beam of a mobile home to be at or above the minimum building elevation**, which is 6 ft. NAVD88 at this location.



APPLICABLE CODE REGULATION(S)

Appendix A. Section XX. Flood Damage Prevention Item C. General Provisions: 1. Omitted

2. **Basis for Establishing the Areas of Special Flood Hazard.** The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for the Parish of St. Charles," stamped preliminary June 27, 1991, with accompanying Flood Insurance Rate Maps is hereby adopted by reference and declared to be a part of this section. The Flood Insurance

Study is on file at the St. Charles Parish Courthouse, River Road, Hahnville, Louisiana. **In addition, for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rates Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St. Charles," stamped Revised Preliminary November 9, 2012, shall take precedent over the effective FIRMS where they are more restrictive.**

Appendix A. Section XX. Flood Damage Prevention, E Provisions for Flood Hazard Reduction: 2. Specific Standards:

In all areas designated as "X" Zones on the Federal Insurance Rate Map (FIRM) for St. Charles Parish, all buildings or structures shall be elevated so that the lowest portion of the structural members of the lowest floor are located at least twelve (12) inches above the center line of the nearest street right-of-way. In all areas of special flood hazard where base flood elevations have been provided as set forth in section C.2. or in section D.4.h., the following standards are required:

2.a Specific Standards for residential construction

New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation. Accessory buildings, having less than one hundred forty-five (145) square feet of floor area, may be constructed below the base flood elevation, but must be unfinished on the interior, constructed with flood-resistant materials below the base flood elevation, used only for storage, and anchored to resist flotation, collapse and lateral movement.

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

a. Appeal Board:

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

b. Conditions for Variances.

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

DEPARTMENT ANALYSIS & FINDINGS

1. The request is to reduce the minimum building elevation for a mobile home on a 9,776 sq. ft. lot.
2. The lot was platted in 1978.
3. The lot is less than ½ acre.

4. The effective Flood Insurance Rate Map (1992 FIRM) shows the lot in a shaded X-zone which is not a Special Flood Hazard Area (SFHA).
5. The minimum elevation in X zones is 12 in. above the centerline of the street (top of lowest floor).
6. The Preliminary Digital Flood Insurance Rate Map (2012 DFIRM) shows the lot in an AE zone, which is a Special Flood Hazard Area with a base flood anticipated to reach +6 ft. NAVD 88.
7. Ordinance 13-7-7 states "...for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rate Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St Charles," stamped Revised Preliminary November 9, 2012 shall take precedent over the effective FIRMS where they are more restrictive."
8. This means the minimum building elevation at 213 Mark Drive is 6 ft. NAVD 88.
9. The property owner has not demonstrated that placing the structure at the minimum building elevation creates an exceptional hardship.
10. Ordinance 21-8-17/Chapter 7 Section 7-3 provides standards for Adjacent Lot Runoff Protection to help prevent new houses built at the minimum elevation from flooding neighbors.
11. The property owner has signed the addendum to the application for a variance from BFE/minimum building elevation requirement and the acknowledgement and indemnification agreement.
12. Regarding similar variances in the area, the Zoning Board of Adjustment has reduced the minimum building elevations from 6 ft. NAVD88 to no less than 12 in above the centerline of the street at the following locations:
 - 207 Luke Drive (ZBA 84-09)
 - 213 Luke Drive (ZBA-2014-03)
 - 213 Matthew Drive (ZBA-2009-28)
 - 219 Mathew Drive (2012-28-ZBA)
 - 209 Matthew Drive (2022-13-ZBA)
 - 209 Mark Drive (ZBA- 2008-04)
13. In order to meet regulations, the property owner could build the house and equipment at the minimum building elevation on fill, piers, or pilings.
14. If the construction requires any amount of fill, the requirements of Chapter 7, 7-3, Adjacent Lot Runoff Protection will apply.
15. If FEMA requires the Parish to adopt the DFIRM or any map that shows the property in a SFHA, it could become mandatory for a mortgagor of the property to purchase flood insurance within six months of the adoption of the map. The cost could be extremely high.



St. Charles Parish
 Department of Planning & Zoning
ZONING BOARD OF ADJUSTMENT

OFFICE USE	
Submittal Date	_____
Received By	_____
Receipt #	_____
Case #	_____

APPLICANT INFORMATION

Applicant: Tommy Comardelle
 Mailing Address: 211 Matthew Dr. Des Allemands La.
 Phone: 504-564-3054 Email: NSComardelle@att.net

PROPERTY INFORMATION

Municipal Address: 213 MARK DR. Lot B
 Lot, Block, Subdivision: _____
 Permit/Project Description: _____

THIS APPLICATION IS BEING MADE FOR A WAIVER FROM THE FOLLOWING REQUIREMENT(S)

20. Sec XX - minimum building elevation established by the Preliminary DFIRM (flood insurance rate map)

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

- 1. Application with notarized endorsement of all property owners (see page bottom)
 *If the owner is a corporation, a corporate resolution authorizing the representative must be provided
- 2. Act of Sale or Deed to the property (copies available at Clerk of Courts Office)
- 3. Applicant Testimony (see next page)
- 4. Completed Addendum to Application for Variance from Base Flood Elevation Requirements
 *Base Flood Elevation variance applications only
- 5. Application Fee: Single-Family Residential = \$150, Other = \$250

OWNER ENDORSEMENT:

Tommy Comardelle
 (Print Name)

Brenda D Comardelle
 (Print Name)

Being duly sworn, deposes and states (i) that they are the sole owner/s of the property described in this application; (ii) that all statements contained in this application are true to the best of their knowledge and belief; and (iii) that they authorize the petition.

Tommy Comardelle
 (Signature of owner)

Brenda D Comardelle

NOTARY PUBLIC:

Subscribed and sworn to before me this _____ day
JUN 26 2024
 of _____, 20____ in my
 office at des Allemands, la.

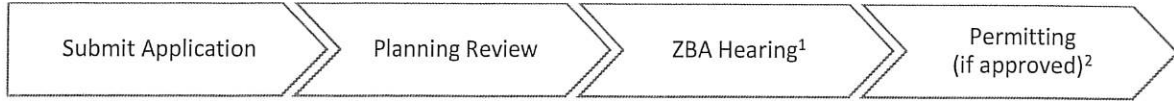
LLOYD JOSEPH FRICKEY
 NOTARY PUBLIC
 PARISH OF ST. CHARLES
 ID# 15308

[Signature]
 (Signature of Notary Public)

SEAL

Case # _____

ZONING BOARD OF ADJUSTMENT PROCESS



¹The ZBA can either approve, approve with conditions, or deny the request.

² If approved, permitting must occur within one (1) year of the approval date. If denied, the project cannot proceed as submitted, but permitting can still occur for a project shown to be code compliant.

ZBA EVALUATION STANDARDS (Appendix C., Section XIII., item D.)

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

APPLICANT TESTIMONY

*Additional information should be submitted to further demonstrate your hardship and support your appeal, including surveys, site/project plans, photographs, and other relevant information needed to show cause for the variance.

Considering the evaluation standards detailed above, why can't your project meet the requirement(s)?

need the lowest elevation due to one in wheel chair.

OFFICE USE	
Zoning District: <u>RIA(m)</u>	Flood Zone: <u>X/</u>
Code Section being appealed: _____	



St. Charles Parish
Department of Planning & Zoning
ZONING BOARD OF ADJUSTMENT

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

The applicant's initials below indicate that they understand the advice and cautions.

- TC The applicant is advised to obtain flood insurance quotes prior to applying for a variance.
- TC The applicant is cautioned that if this request for a variance is granted, flood insurance premiums will most likely be more expensive than if the building is built at or above the minimum building elevation.
- TC The applicant is cautioned that it may become mandatory to purchase a flood insurance policy for the building. This may occur, for example, if FEMA requires the Parish to adopt maps that show the property in a Special Flood Hazard Area; or if a property owner receives a federal grant or other assistance; or if a lender requires a borrower to purchase flood insurance for any reason.
- TC The applicant is cautioned that FEMA presented St. Charles Parish with Preliminary Flood Insurance Rate Maps (Preliminary FIRMs) in 2012. The St. Charles Parish Council adopted the new maps for the purpose of determining minimum building elevation, but not for the purpose of determining whether the mandatory flood insurance purchase requirements of the National Flood Insurance Program (NFIP) apply.
- TC The applicant is cautioned that in order to participate in the NFIP, St. Charles Parish must enforce minimum building elevations. Different minimum elevations may apply in the future. A building that does not meet the minimum building elevation will probably have a higher flood insurance premium, and the building may have to be raised to the minimum elevation in order to permit substantial improvements.
- TC The applicant is cautioned that best way to avoid negative impacts is to build at or above the current minimum building elevation.
- TC The applicant is cautioned that the Board's guidelines for considering variances from the minimum building elevation say that the Board should only consider a variance from elevation when "failure to grant the variance would result in exceptional hardship to the applicant."
- TC The applicant is cautioned that the Board's meetings are a public hearing, which is recorded, and at which applicants must present *sworn testimony* and evidence regarding the true hardship the minimum building elevation causes for them.

COMPLETE THE FOLLOWING:

1. The preliminary Flood Insurance Rate Map (2012) shows the property in Flood Zone XX; the minimum building elevation is _____ NAVD88.
2. The effective Flood Insurance Rate Map (1992) shows the property in Flood Zone AE; the minimum building elevation is 16 NGVD29.
3. Is the property listed on the National Register of Historic Places or State Inventory of Historic Places? no
4. Total sq. ft. of lot = 9,776
5. What alternative methods have you considered to meet the base flood elevation and why won't they work? _____

6. Describe the exceptional hardship to the applicant which would result if a variance was not granted. _____

7. Provide the following information and attachments:
 - a. Properly executed authentic act of Acknowledgement, Indemnification, and Hold Harmless
 - b. Grade certificate, prepared by licensed land surveyor or engineer indicating
 1. Ground elevation at building site
 2. Elevation of street at centerline
 3. Elevation of and existing buildings on the property
 - c. Photographs of the property and any adjacent properties with buildings below the minimum elevation

ACKNOWLEDGEMENT, INDEMINFCATION AND HOLD HARMLESS

STATE OF LOUISIANA

PARISH OF ST. CHARLES

BEFORE ME, the undersigned Notary, and in the presence of the two undersigned witnesses, personally came and appeared Tommy Comardelle (hereinafter "appearers"), who, after being duly sworn, acknowledged that they own the property located at 213 Mahon Lot B Des Arc La and acquired it by instrument registered in the official records of St. Charles Parish at COB Entry 333 / 575. Appearers further acknowledge that they are requesting a variance from the Flood Damage Prevention requirements of the St. Charles Parish Zoning Ordinance of 1981, as amended, in order to permit construction of one or more building(s) below the minimum required elevation. The minimum building elevation required at the property, is _____; however, the building will be placed at _____ ft. NGVD29, which meets or exceeds the base flood elevation shown on the effective Flood Insurance Rate Map for St. Charles Parish as well as any additional elevation requirement of the Louisiana State Uniform Construction Code.

Appearers hereby release and hold harmless the Parish of St. Charles, all departments, agencies, boards, and commissions, officers, agents, servants, employees, and volunteers, from any and all claims, demands, causes of action, expense, and liability that may result from granting the variance request by Appearers.

Appearers further acknowledge that they hereby agree to defend any litigation arising out of the granting of the variance and agree to pay all claims and demands arising therefrom, including court costs and attorneys.

Done and passed before me this _____ day of JUN 26 2024, 2024.

WITNESSES:

APPEARERS:

Brenda D Comardelle

Tommy Comardelle

PRINT NAME: Brenda D Comardelle

Gary M Comardelle

PRINT NAME: Gary M Comardelle

NOTARY PUBLIC

PRINT NAME: _____

LLOYD JOSEPH FRICKEY
NOTARY PUBLIC
PARISH OF ST. CHARLES
ID# 15308

BAR NO. _____

SEAL REQUIRED

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION	FOR INSURANCE COMPANY USE
A1. Building Owner's Name: <u>Tommy Comardelle</u>	Policy Number: _____
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>213 Mark Street</u>	Company NAIC Number: _____
City: <u>Des Allemands</u> State: <u>LA</u> ZIP Code: <u>70030</u>	
A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: <u>1/4 of Lot 20, Smith's Green Acres</u>	
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): <u>Residential</u>	
A5. Latitude/Longitude: Lat. <u>29°48'34.23"N</u> Long. <u>90°25'23.23"W</u> Horiz. Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983 <input type="checkbox"/> WGS 84	
A6. Attach at least two and when possible four clear color photographs (one for each side) of the building (see Form pages 7 and 8).	
A7. Building Diagram Number: _____	
A8. For a building with a crawlspace or enclosure(s):	
a) Square footage of crawlspace or enclosure(s): <u>N/A</u> sq. ft.	
b) Is there at least one permanent flood opening on two different sides of each enclosed area? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>N/A</u> Engineered flood openings: <u>N/A</u>	
d) Total net open area of non-engineered flood openings in A8.c: <u>N/A</u> sq. in.	
e) Total rated area of engineered flood openings in A8.c (attach documentation - see Instructions): <u>N/A</u> sq. ft.	
f) Sum of A8.d and A8.e rated area (if applicable - see Instructions): <u>N/A</u> sq. ft.	
A9. For a building with an attached garage:	
a) Square footage of attached garage: <u>N/A</u> sq. ft.	
b) Is there at least one permanent flood opening on two different sides of the attached garage? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>N/A</u> Engineered flood openings: <u>N/A</u>	
d) Total net open area of non-engineered flood openings in A9.c: <u>N/A</u> sq. in.	
e) Total rated area of engineered flood openings in A9.c (attach documentation - see Instructions): <u>N/A</u> sq. ft.	
f) Sum of A9.d and A9.e rated area (if applicable - see Instructions): <u>N/A</u> sq. ft.	

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1.a. NFIP Community Name: <u>St. Charles Parish (unincorporated)</u>	B1.b. NFIP Community Identification Number: <u>220160</u>
B2. County Name: <u>St. Charles</u>	B3. State: <u>LA</u> B4. Map/Panel No.: <u>220160 0175</u> B5. Suffix: <u>C</u>
B6. FIRM Index Date: <u>06/16/1992</u>	B7. FIRM Panel Effective/Revised Date: <u>06/16/1992</u>
B8. Flood Zone(s): <u>X</u>	B9. Base Flood Elevation(s) (BFE) (Zone AO use Base Flood Depth): <u>N/A</u>
B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: <input type="checkbox"/> FIS <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other: _____	
B11. Indicate elevation datum used for BFE in Item B9: <input checked="" type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____	
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA	
B13. Is the building located seaward of the Limit of Moderate Wave Action (LIMWA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>213 Mark Street</u>	FOR INSURANCE COMPANY USE
City: <u>Des Allemands</u> State: <u>LA</u> ZIP Code: <u>70030</u>	Policy Number: _____ Company NAIC Number: _____

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

- C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
 *A new Elevation Certificate will be required when construction of the building is complete.
- C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, A99. Complete Items C2.a–h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters.
 Benchmark Utilized: GPS Observations Vertical Datum: NAVD 88 (Geoid18)

Indicate elevation datum used for the elevations in items a) through h) below.

- NGVD 1929 NAVD 1988 Other: _____

Datum used for building elevations must be the same as that used for the BFE. Conversion factor used? Yes No

If Yes, describe the source of the conversion factor in the Section D Comments area.

Check the measurement used:

- | | | | |
|---|------|--|---------------------------------|
| a) Top of bottom floor (including basement, crawspace, or enclosure floor): | N/A | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| b) Top of the next higher floor (see Instructions): | N/A | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (see Instructions): | N/A | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| d) Attached garage (top of slab): | N/A | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area): | N/A | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| f) Lowest Adjacent Grade (LAG) next to building: <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Finished | -2.5 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| g) Highest Adjacent Grade (HAG) next to building: <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Finished | -2.1 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| h) Finished LAG at lowest elevation of attached deck or stairs, including structural support: | N/A | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No

Check here if attachments and describe in the Comments area.

Certifier's Name: Patrick M. Haley License Number: 5121

Title: Registered Professional Land Surveyor

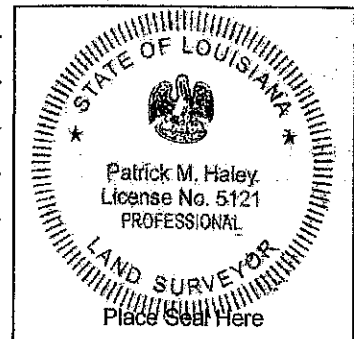
Company Name: Patrick M. Haley Land Surveyor LLC

Address: 123 Olivia Drive

City: Thibodaux State: LA ZIP Code: 70301

Telephone: (504) 858-1720 Ext.: _____ Email: pmhlandsurveyors@gmail.com

Signature: *Patrick M. Haley* Date: 06/13/2024



Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

- Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments):
- 1) Centerline of Mark Street (marked with orange paint dot) Elevation = -1.1' NAVD 88 (Geoid 18).
 - 2) Construction benchmark is the top of "MAG" nail (marked with orange flagging) set in power pole adjacent to the property, Elevation = 0.00' NAVD 88 (Geoid 18).
 - 3) To convert from NAVD 88 to NGVD 29, add 0.21' per FEMA Advisory Map.
 - 4) Preliminary Firm Map No 22089C, Panel No. 0250, Suffix "C" dated 11/09/2012 places the subject property in Zone "AE" having a preliminary base flood elevation = 6' (refer to St. Charles Parish Planning & Zoning Dept. for further regulations).

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

FOR INSURANCE COMPANY USE

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

213 Mark Street

Policy Number: _____

City: Des Allemands

State: LA

ZIP Code: 70030

Company NAIC Number: _____

SECTION E - BUILDING MEASUREMENT INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO, ZONE AR/AO, AND ZONE A (WITHOUT BFE)

For Zones AO, AR/AO, and A (without BFE), complete Items E1-E5. For Items E1-E4, use natural grade, if available. If the Certificate is intended to support a Letter of Map Change request, complete Sections A, B, and C. Check the measurement used. In Puerto Rico only, enter meters.

Building measurements are based on: Construction Drawings* Building Under Construction* Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

E1. Provide measurements (C.2.a in applicable Building Diagram) for the following and check the appropriate boxes to show whether the measurement is above or below the natural HAG and the LAG.

a) Top of bottom floor (including basement, crawlspace, or enclosure) is: _____ feet meters above or below the HAG.

b) Top of bottom floor (including basement, crawlspace, or enclosure) is: _____ feet meters above or below the LAG.

E2. For Building Diagrams 6-9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1-2 of Instructions), the next higher floor (C2.b in applicable Building Diagram) of the building is: _____ feet meters above or below the HAG.

E3. Attached garage (top of slab) is: _____ feet meters above or below the HAG.

E4. Top of platform of machinery and/or equipment servicing the building is: _____ feet meters above or below the HAG.

E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without BFE) or Zone AO must sign here. *The statements in Sections A, B, and E are correct to the best of my knowledge*

Check here if attachments and describe in the Comments area.

Property Owner or Owner's Authorized Representative Name: _____

Address: _____

City: _____

State: _____

ZIP Code: _____

Telephone: _____

Ext.: _____

Email: _____

Signature: _____

Date: _____

Comments: _____

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

213 Mark Street

City: Des Allemands

State: LA

ZIP Code: 70030

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION G - COMMUNITY INFORMATION (RECOMMENDED FOR COMMUNITY OFFICIAL COMPLETION)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Section A, B, C, E, G, or H of this Elevation Certificate. Complete the applicable item(s) and sign below when:

- G1. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by state law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.a. A local official completed Section E for a building located in Zone A (without a BFE), Zone AO, or Zone AR/AO, or when item E5 is completed for a building located in Zone AO.
- G2.b. A local official completed Section H for insurance purposes.
- G3. In the Comments area of Section G, the local official describes specific corrections to the information in Sections A, B, E and H.
- G4. The following information (Items G5-G11) is provided for community floodplain management purposes.
- G5. Permit Number: _____ G6. Date Permit Issued: _____
- G7. Date Certificate of Compliance/Occupancy Issued: _____
- G8. This permit has been issued for: New Construction Substantial Improvement
- G9.a. Elevation of as-built lowest floor (including basement) of the building: _____ feet meters Datum: _____
- G9.b. Elevation of bottom of as-built lowest horizontal structural member: _____ feet meters Datum: _____
- G10.a. BFE (or depth in Zone AO) of flooding at the building site: _____ feet meters Datum: _____
- G10.b. Community's minimum elevation (or depth in Zone AO) requirement for the lowest floor or lowest horizontal structural member: _____ feet meters Datum: _____
- G11. Variance issued? Yes No If yes, attach documentation and describe in the Comments area.

The local official who provides information in Section G must sign here. *I have completed the information in Section G and certify that it is correct to the best of my knowledge. If applicable, I have also provided specific corrections in the Comments area of this section.*

Local Official's Name: _____ Title: _____

NFIP Community Name: _____

Telephone: _____ Ext.: _____ Email: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Signature: _____ Date: _____

Comments (including type of equipment and location, per C2.e; description of any attachments; and corrections to specific information in Sections A, B, D, E, or H):

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 213 Mark Street	FOR INSURANCE COMPANY USE
City: Des Allemands State: LA ZIP Code: 70030	Policy Number: _____ Company NAIC Number: _____

SECTION H - BUILDING'S FIRST FLOOR HEIGHT INFORMATION FOR ALL ZONES (SURVEY NOT REQUIRED) (FOR INSURANCE PURPOSES ONLY)

The property owner, owner's authorized representative, or local floodplain management official may complete Section H for all flood zones to determine the building's first floor height for insurance purposes. Sections A, B, and I must also be completed. Enter heights to the nearest tenth of a foot (nearest tenth of a meter in Puerto Rico). *Reference the Foundation Type Diagrams (at the end of Section H Instructions) and the appropriate Building Diagrams (at the end of Section I Instructions) to complete this section.*

H1. Provide the height of the top of the floor (as indicated in Foundation Type Diagrams) above the Lowest Adjacent Grade (LAG):

a) For Building Diagrams 1A, 1B, 3, and 5-8. Top of bottom _____ feet meters above the LAG floor (include above-grade floors only for buildings with crawlspaces or enclosure floors) is:

b) For Building Diagrams 2A, 2B, 4, and 6-9. Top of next _____ feet meters above the LAG higher floor (i.e., the floor above basement, crawlspace, or enclosure floor) is:

H2. Is all Machinery and Equipment servicing the building (as listed in Item H2 instructions) elevated to or above the floor indicated by the H2 arrow (shown in the Foundation Type Diagrams at end of Section H instructions) for the appropriate Building Diagram?

Yes No

SECTION I - PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and H must sign here. *The statements in Sections A, B, and H are correct to the best of my knowledge.* Note: If the local floodplain management official completed Section H, they should indicate in Item G2.b and sign Section G.

Check here if attachments are provided (including required photos) and describe each attachment in the Comments area.

Property Owner or Owner's Authorized Representative Name: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

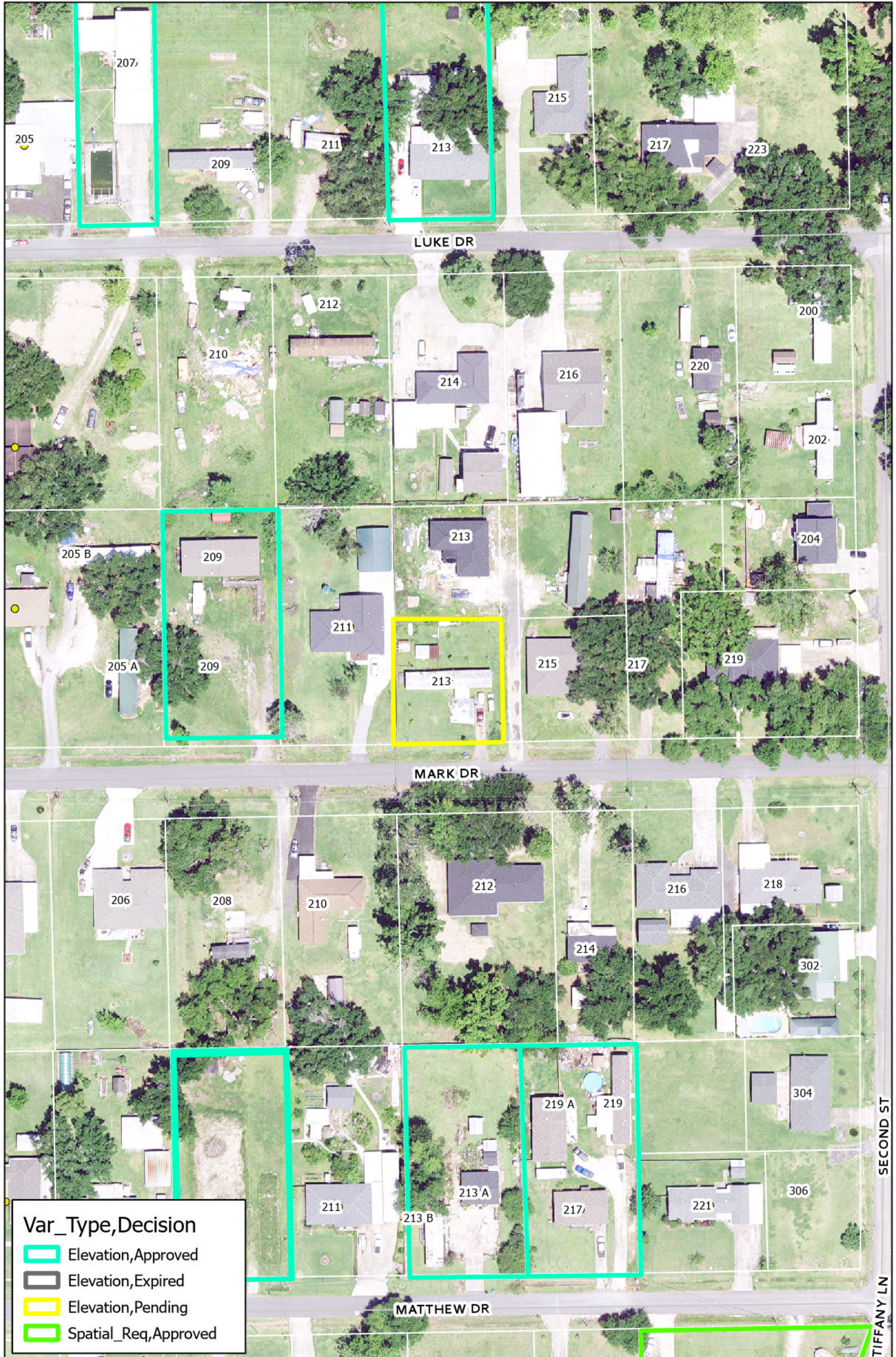
Telephone: _____ Ext.: _____ Email: _____

Signature: _____ Date: _____

Comments: _____

2024-30-ZBA Min. Building Elevation Reduction

1" = 100'





**Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2024-31-ZBA**

GENERAL APPLICATION INFORMATION

APPLICANT / PROPERTY OWNER:

Alanea Champagne
545 Spruce Street
Norco, LA 70079
504.427.0784; alaneachampagne@gmail.com

LOCATION:

545 Spruce Street, Norco; Lot 54, Lot 618, Block 13, Unit 2, Hiland Park Subdivision

REQUEST:

Reduce the required rear yard setback from 20 ft. to 10 ft. and allow an accessory structure to occupy more than 25% of the required rear yard for construction of an attached patio cover.

SITE INFORMATION

SIZE OF PROPERTY: 8,934.35 sq. ft.

EXISTING ZONING: R-1A

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

FUTURE LAND USE RECOMMENDATION: Low-Moderate Residential

TRAFFIC ACCESS: Spruce Street

BASE FLOOD ELEVATION (BFE): A99; DFIRM AE5 & X

APPLICABLE CODE REGULATION(S)

Appendix A. Section VI. Zoning District Criteria and Regulations

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

2. Spatial Requirements:

b. Minimum yard sizes:

(1) Front—Thirty-five (35) feet.

(2) Side—Ten (10) feet.

(3) Rear—Twenty (20) feet.

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 and side setbacks of a detached accessory building shall be five (5) feet.

(4) Accessory buildings shall be located on the same parcel of land as the main structure.

(5) Nonresidential accessory buildings shall not be permitted.

DEPARTMENT ANALYSIS & FINDINGS

1. On June 27, 2024 the applicant contacted Planning regarding a variance application to reduce the rear yard setback for an attached patio cover.
2. An application was submitted on July 16, 2024 to reduce the 20 ft. rear yard setback to 10 ft.
3. Upon further review it was determined the patio cover would also cause more than 25% of the required rear yard to be occupied, necessitating an additional variance from that requirement.
4. Lot 54, Lot 618, Block 13, Unit 2, Hiland Park Subdivision was platted on a survey by E.M. Collier on July 13, 1957. The residence was constructed in 1975 (Permit No. 226-75).
5. This variance would allow 270 sq. ft. of an attached patio cover within the required rear yard.
6. Approximately 675 sq. ft. of accessory structures are shown within the rear yard setback, which equates to approximately 33.75% within the “required rear yard.”
7. The Board of Adjustment has heard similar requests in this area:

- ZBA-82-13 – Approved a variance at 535 Vial Street for an addition, reducing the rear yard setback from 20 ft. to 6 ft. and side yard setback from 5 ft. to 4.5 ft.
 - ZBA-94-13 – Approved a variance at 535 Oak Street for an attached garage, reducing the rear yard setback from 20 ft. to 5 ft.
 - ZBA-97-44 – Approved a variance at 455 St. Charles Street for an addition, reducing the rear yard setback from 16 ft. to 10 ft.
8. To meet zoning district requirements the applicant could revise the plans to locate the patio cover within setback lines.



St. Charles Parish
 Department of Planning & Zoning
ZONING BOARD OF ADJUSTMENT

OFFICE USE	
Submittal Date	7/16/24
Received By	JB
Receipt #	13368978
Case #	2024-31-ZBA

APPLICANT INFORMATION

Applicant: ALANNA CHAMPAGNE
 Mailing Address: 545 SPRUCE ST NORCO 70079
 Phone: 504-427-0784 Email: ALANNACHAMPAGNE@GMAIL.COM

PROPERTY INFORMATION


Municipal Address: 545 SPRUCE ST NORCO
 Lot, Block, Subdivision: _____
 Permit/Project Description: PATIO

THIS APPLICATION IS BEING MADE FOR A WAIVER FROM THE FOLLOWING REQUIREMENT(S)

PATIO TO BE 10' OFF OF WEST SIDE OF PROPERTY

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

- 1. Application with notarized endorsement of all property owners (see page bottom)
 *If the owner is a corporation, a corporate resolution authorizing the representative must be provided
- 2. Act of Sale or Deed to the property (copies available at Clerk of Courts Office)
- 3. Applicant Testimony (see next page)
- 4. Completed *Addendum to Application for Variance from Base Flood Elevation Requirements*
 *Base Flood Elevation variance applications only
- 5. Application Fee: Single-Family Residential = \$150, Other = \$250

<p>OWNER ENDORSEMENT:</p> <p><u>ALANNA CHAMPAGNE</u> <small>(Print Name)</small></p> <p><u>Alanna Champagne</u> <small>(Print Name)</small></p> <p><u>KEVIN J CHAMPAGNE JR</u> <small>Being duly sworn, deposes and states (i) that they are the sole owner/s of the property described in this application; (ii) that all statements contained in this application are true to the best of their knowledge and belief; and (iii) that they authorize the petition.</small></p> <p><u>Alanna Champagne</u> <small>(Signature of owner)</small></p>	<p>NOTARY PUBLIC:</p> <p>Subscribed and sworn to before me this <u>15th</u> day of <u>July</u>, 20<u>24</u> in my office at <u>Destrehan, Louisiana</u></p> <div style="text-align: right;"> <p>Charles Chauvin Notary Public Notary ID No. 66299 State of Louisiana</p>  </div> <p><u>Charles Chauvin</u> <small>(Signature of Notary Public)</small></p> <p style="text-align: right;">SEAL</p>
---	---

Case # _____

ZONING BOARD OF ADJUSTMENT PROCESS



¹ The ZBA can either approve, approve with conditions, or deny the request.

² If approved, permitting must occur within one (1) year of the approval date. If denied, the project cannot proceed as submitted, but permitting can still occur for a project shown to be code compliant.

ZBA EVALUATION STANDARDS (Appendix C., Section XIII., item D.)

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

APPLICANT TESTIMONY

*Additional information should be submitted to further demonstrate your hardship and support your appeal, including surveys, site/project plans, photographs, and other relevant information needed to show cause for the variance.

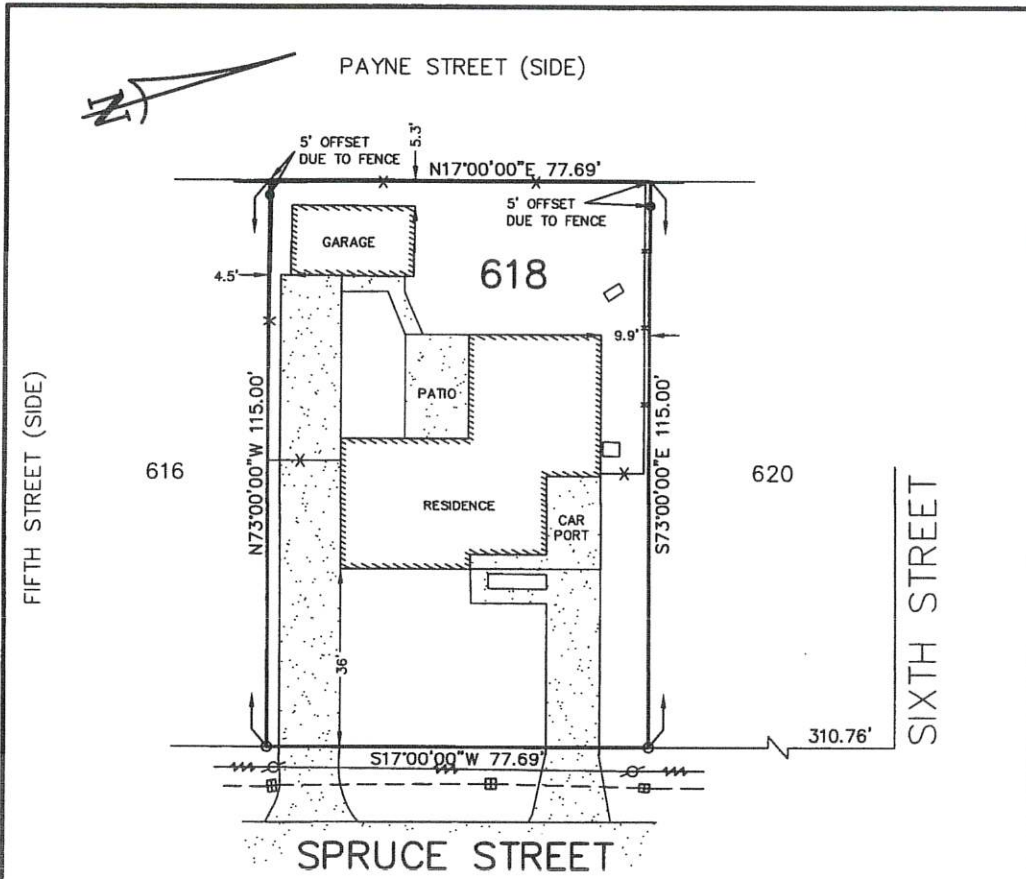
Considering the evaluation standards detailed above, why can't your project meet the requirement(s)?

PATIO
10' OFF OF WEST SIDE OF PROPERTY

OFFICE USE

Zoning District: _____ Flood Zone: _____

Code Section being appealed: _____



SCALE: 1" = 30'

LEGEND

- 1/2" IRON ROD SET
- 1/2" IRON PIPE FOUND
- ✕ FENCE
- ⊙ POWER POLE
- POWER LINE

TITLE: SURVEY PLAT OF LOT 618, BLOCK 13, HILAND PARK SUBDIVISION, UNIT NO. 2 SITUATED IN SECTION 5, T-12-S, R-8-E, NORCO, ST. CHARLES PARISH, LOUISIANA.

SURVEY REFERENCE: HILAND PARK SUBDIVISION UNIT NO. 2 BY E.M. COLLIER, JULY 13, 1957.

BASIS OF BEARING: TAKEN FROM REFERENCED SURVEY PLAT.

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 COMPLIES 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 DITCHES, 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.

CERTIFIED TO: ALANEA CHAMPAGNE
MUNICIPAL ADDRESS: 545 SPRUCE STREET
DATE: FEBRUARY 21, 2024

DRAWING NO. MM3240

DRAWN BY: KPB



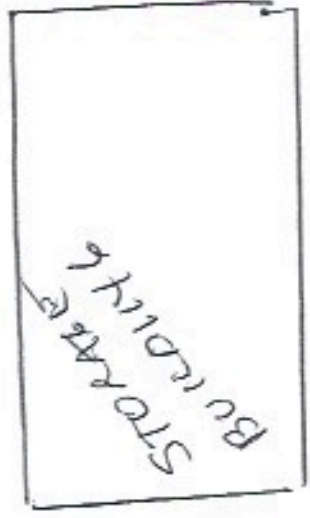
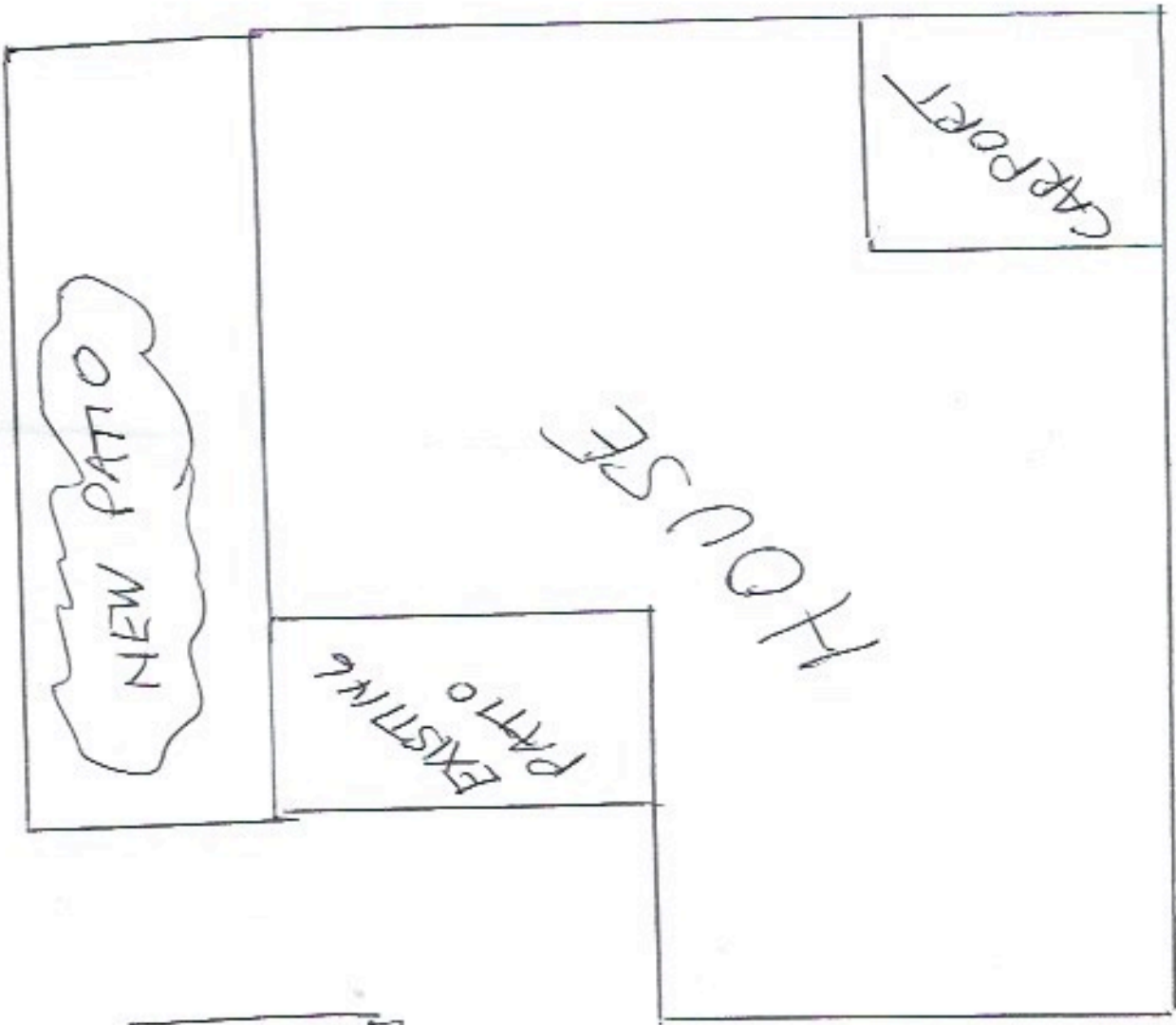
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Stephen P. Flynn

STEPHEN P. FLYNN
 P.L.S. LA. ST. REG. NO. 4668

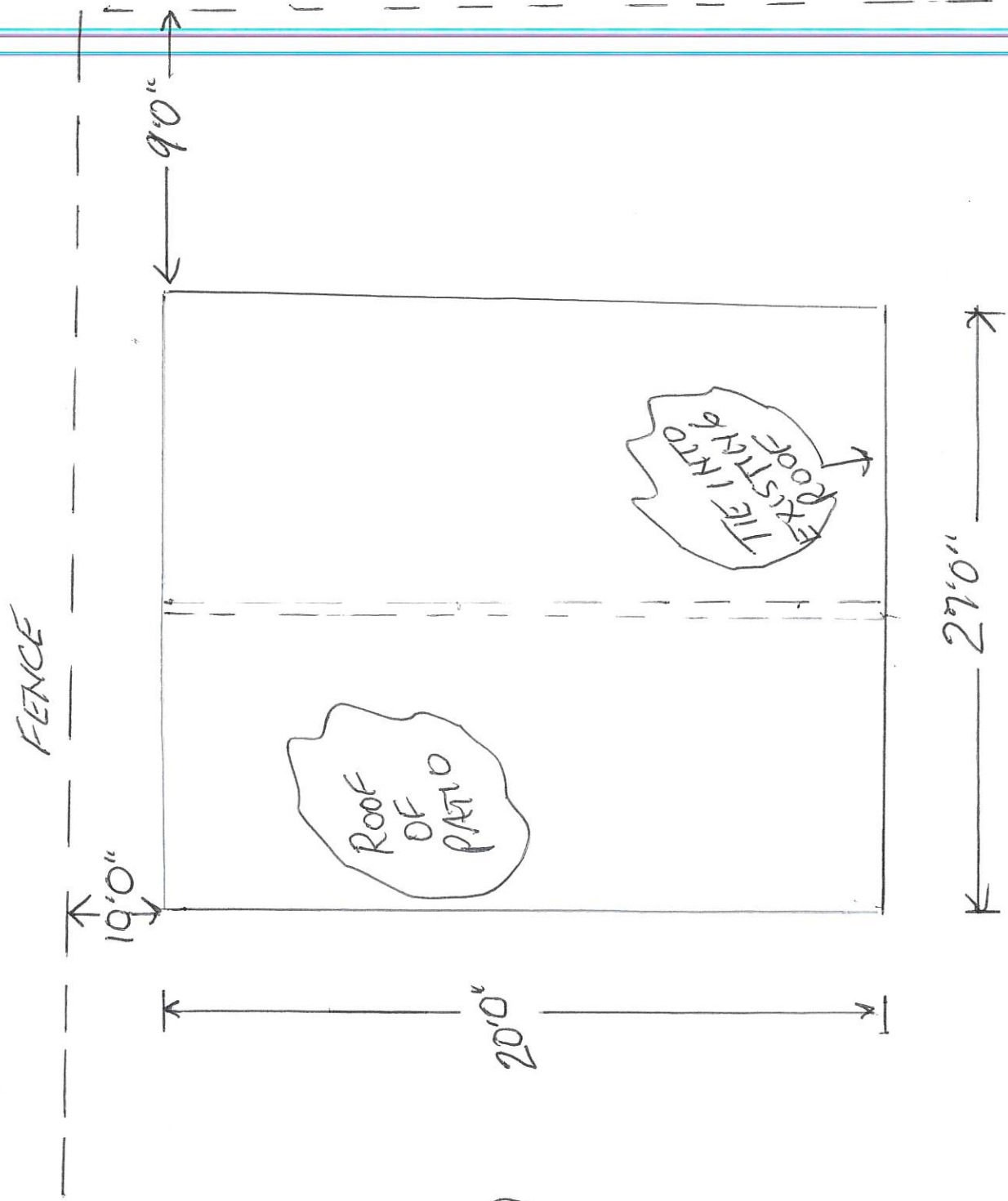




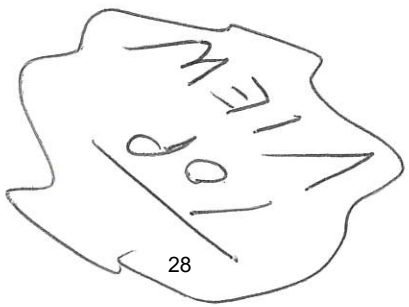
545 SPRUCE ST

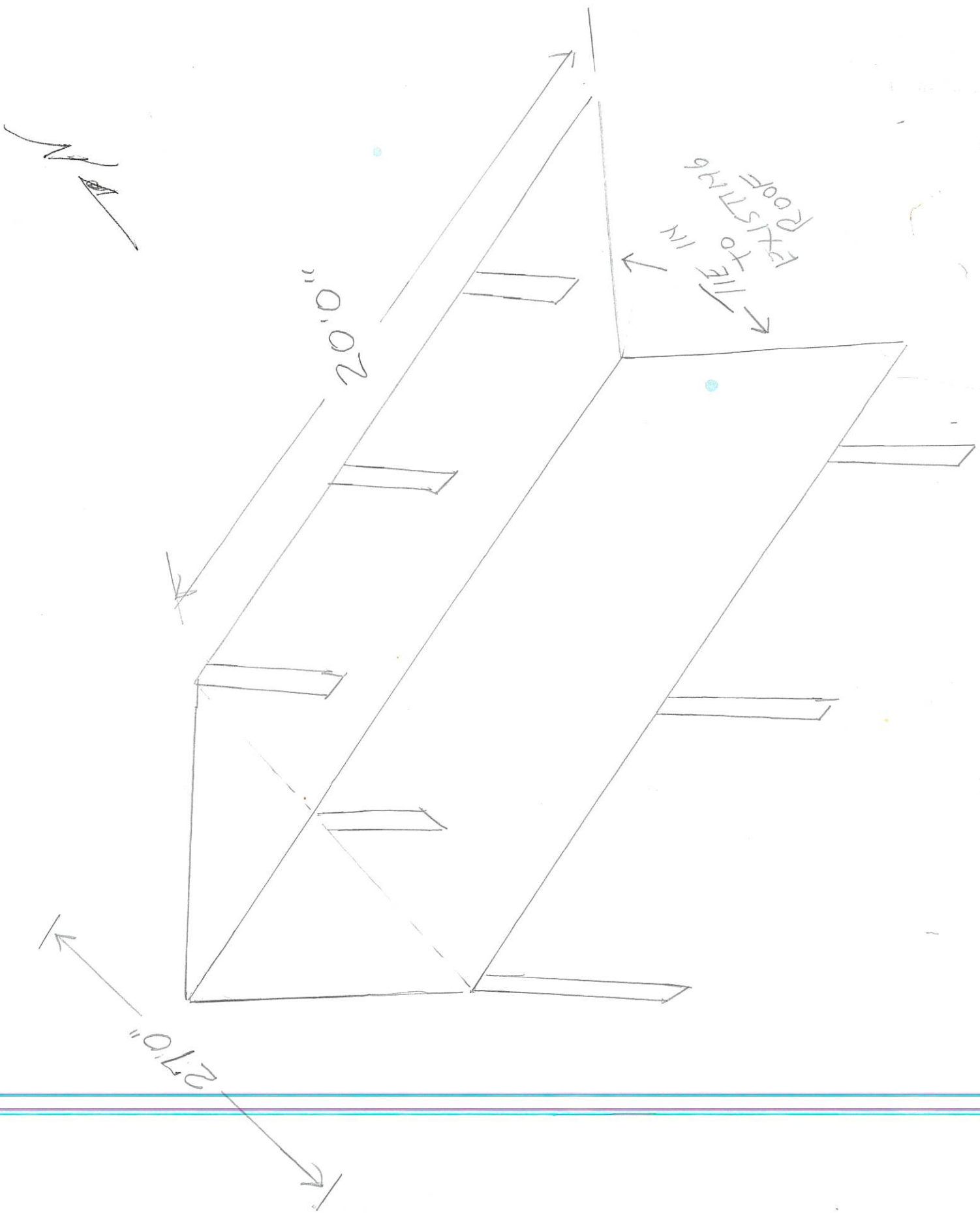


FENCE



DRIP EDGE
TO DRIP EDGE





2024-31-ZBA Rear-Yard Setback/Coverage (R-1A)



1" = 100'

N

