

St. Charles Parish

Department of Planning & Zoning

CASE NUMBER: PZS-2017-02

GENERAL APPLICATION INFORMATION

- ◆ Name/Address of Applicant

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St. Charles Parish  
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Hahnville, LA 70057  
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Application Date: 12/15/16
- ◆ Location of Site

Lot 18 and Parcel B; Lot 81 and Parcel A of Hidden Oaks Subdivision Phase II-A. The residential lots are addressed 200 and 201 Allie Lane; Parcels A & B are within a 150' wide right-of-way for Entergy (parcels dedicated to the Parish in 2007).
- ◆ Requested Action

Side lot line adjustment such that the privately owned Lots 18 and 81 will not be encumbered by a pipeline with a waiver from the required 60 foot width and minimum area of 6000 square feet.

SITE – SPECIFIC INFORMATION

- ◆ Size of Parcel

40,902 square feet.
- ◆ Current Zoning and Land Use

The entire site is zoned R-1A. Lots 18 & 81 are vacant but graded. Parcels A & B are a 150' wide utility servitude developed with overhead electricity transmission lines as well as eight (8) pipelines. A ninth pipeline for Air Products (12" line carrying hydrogen gas), lies outside the right-of-way, through the two residential lots (numbered 1 on the subdivision plat).
- ◆ Surrounding Zoning and Land Uses

Lot 18 and Parcel B are on the downriver or east side of Allie Lane. R-1A zoning and uses abut front and sides; wooded land zoned R-1A(M) abuts the rear. Lot 81 and Parcel A are on the up-river or west side of Allie Lane. R-1A zoning abuts the sides and rear. Hidden Oaks Subdivision (granted preliminary plat and construction approvals last year), is under construction to the rear. Lots 32 and 33 of that subdivision were redesigned during preliminary plat review in order to prevent the same problem occurring on those lots.
- ◆ Plan 2030 Recommendation

*Low density residential:* This category includes the Parish's predominantly single-family detached subdivisions, including those developed consistent with the R-1A (6,000 sf) minimum lot size) and R-1B (10,000 sf minimum lot size) zoning districts. It also allows accessory units and individual mobile homes on small platted lots zoned R-1A(M). Neighborhood-serving uses such as neighborhood parks, churches, and servitudes may also be included in this land use category.

*Paul Maillard Road Mixed Use Corridor:* Connecting River Road in Luling to US 90 in Boutte, Paul Maillard Road contains major employment related to the presence of the St. Charles Parish Hospital, Luling Rehabilitation Hospital, the St. Charles Parish Community Health Center and associated activities, along with a mix of older commercial and residential uses.

The Paul Maillard Road Mixed Use Corridor Overlay should encourage redevelopment and revitalization of existing commercial sites with a mix of local-serving retail and service-oriented officer (health-care related), as well as provide for infill and redevelopment (as opportunities arise) of higher density residential (apartments and townhouses) to serve those employed in the nearby hospital and

put in place development guidelines to reinforce walkability with an improved streetscape.

- ◆ **Traffic Access** The site has frontage on Allie Lane, a local street which connects to Hackberry Lane, a collector street that provides access to Paul Maillard Road.

**APPLICABLE REGULATIONS**

**Subdivision Ordinance, Section II. Subdivision Procedure**

C. Minor Resubdivisions. 2. In instances where a net increase of more than five (5) lots is proposed by subdivision or resubdivision and no public improvements are required, no formal preliminary plat shall be required. However, the presented plan of resubdivision shall conform to requirements outlined in Section II.C.3 of this section. Approval requires certification by the planning and zoning commission, determination and mitigation of impacts to public improvements, ordinance by the Council, and certification by the Parish President.

AND

**Zoning Ordinance. Section VI. B. [L.] R-1A. Single family residential detached conventional homes—Medium density.**

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
  - 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) and country clubs with a site of at least five (5) acres and with all parking at least fifty (50) feet from rear and side property lines.
    - (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 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.
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. (Ord. No. 97-9-3; 9-8-97)
    - (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.

<b>ANALYSIS</b>
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The applicant requests side lot line adjustments on two residential lots in order to place a pipeline servitude onto Parish-owned Parcels A & B. He states that it has not been possible to secure construction financing with the pipeline passing through the lots.

The Final Plat for Hidden Oaks Subdivision Phase II-A, dedicated in 2007, created lots 18 and 81 and also Parcels A & B. The plat shows several pipelines through Parcels A & B and a 10' wide area through Lots 18 and 81 marked "Occidental Chemical Corp. R/W (approx.)."

In 2010, the subdivision developers owned lots 18 and 81. JCJR Enterprises, LLC and Air Products and Chemicals, LLC completed a servitude agreement for "a total permanent servitude width of twenty (20)' feet" for a 12 inch hydrogen gas pipeline. The pipeline was installed, and current surveys show the centerline of this pipeline outside of Parcels A & B, the 150' wide Entergy right-of-way that contains electricity transmission wires and several other pipelines. The pipeline appears to be about five feet within Lots 18 and 81. The applicant purchased the lots in February 2016, but states that he cannot obtain financing for two single-family houses because of the pipeline.

The proposed side lot line adjustment would remove the centerline of the pipeline from the two lots. As a result, proposed Lot 81-A will be 5,520 square feet and 59' wide. The proposed lot does not meet minimum standards for the R-1A zoning district (6,000 sq. ft. and 60' wide).

While the request does not create additional lots or require additional infrastructure, it affects Parish-owned property and creates a sub-standard lot. For those reasons, Council approval of the resubdivision is required along with a Council resolution approving a waiver from the minimum 60' width and area 6,000 sf area for Lot 81A.

<b>DEPARTMENT RECOMMENDATIONS</b>
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**Approval.**