

PETITION TO ADDRESS THE COUNCIL

2003-0212

St. Charles Parish Council Chairman
P. O. Box 302
Hahnville, LA 70057
(985) 783-5000

Today's Date:

June 9, 2003

Dear Chairman:

Please place my name to address the Council on:

DATE:

June 16, 2003

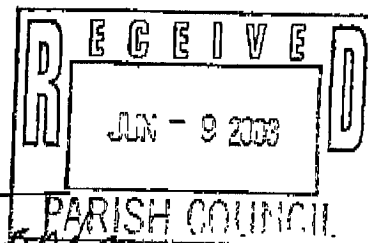
SPECIFIC TOPIC:

one subject only

(*see specific guidelines on reverse and refer to

Parish Charter- Article VII., Sec. I.)

zoning - Residential 2003
Ord. No 87-1-17



DOCUMENTS, IF ANY: YES / NO

NAME:

ADDRESS:

PHONE:

SIGNATURE:

Mary Ann Carter
248 Dastrehan Dr
Dastrehan LA 70047
985-764-3556
Mary Ann Carter

Dear Constituent:

Thank you for your active participation. Your views and comments will be considered by the Council in making our decisions. The Council has a considerable amount of business to conduct in a limited amount of time, therefore, please note the following items that are expected of you:

- > The Home Rule Charter provides for citizens to address the Council. It makes no provision for initiating debate, discussion, or question and answer sessions with Councilmembers or Administration Officials. Your right is also guaranteed to examine public documents as you prepare your presentation. Should you have any questions for Councilmembers and/or Department Heads as you prepare, please forward such inquiries to the Council Office to insure a timely response. Should you wish to speak to any Official or Department personally, a complete list of contact information will be furnished at your request.
- > Please be brief and limit your comments to the specific subject matter on which you have requested to address the Council.
- > Please forward supporting documents to the Council Secretary for distribution to the Parish Council before your scheduled appearance in order for the Council to prepare themselves, if necessary.
- > Upon completion of your allotted time to address the Council, please respect the time given to Councilmembers to respond to your comments by not interrupting or interjecting remarks.
- > Slanderous remarks and comments will not be tolerated. If slanderous remarks or comments are made, your opportunity to address the Council will end, regardless of the remaining time left to address the Council.
- > Repetitious comments and subject matter will be strictly limited.

A confirmation letter will follow when your name is placed on the agenda.

Sincerely,

Lance Marino
LANCE MARINO
COUNCIL CHAIRMAN

(OVER)

§ IV

ST. CHARLES PARISH CODE

Plant Name	Size When Planted	Maximum Spacing
<i>Viburnum japonicum macrophyllum</i> (Japanese Viburnum)	30"—36" Spread	3.5' O.C.
<i>Viburnum odoratissimum</i> (Sweet Viburnum)	36"—42" Spread	4.0' O.C.
<i>Viburnum suspensum</i> (Sandankwa Viburnum)	30"—36" Spread	3.5' O.C.
<i>Xylocma congestum</i> (<i>Xylocma Senticosa</i>)	30"—36" Spread	4.0' O.C.

(Ord. No. 82-6-9, § III, 6-7-82)

8. In the residential (R) Districts no vehicle with more than two (2) axles or with a payload capacity in excess of two thousand (2,000) pounds may be parked on the drive or in the front yard, being the area between the front of the residence and the front property line. (Ord. No. 87-1-17, 1-5-87)

9. *Review and evaluation criteria / special permit use and special exception use:* The appropriate decision-making agent and/or body shall review and evaluate each application based upon the following relevant criteria:

- Comparison with applicable standards established by the Comprehensive Land Use Plan as applied to the proposed use and site.
- Compatibility with existing or permitted uses on abutting sites, in terms of building construction, site development, and transportation related features.
- Potentially unfavorable effects or impacts on other existing conforming or permitted uses on abutting sites, to the extent such impacts exceed those impacts expected from a standard permitted use in the applicable zoning district.
- Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area considering existing zoning and land uses in the area.
- Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

- Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of lighting.
- Conformity with the objectives of the regulations and the general purpose of the zone in which the site is located.
- That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.

The above criteria listed in a—g is to be considered illustrative and not restrictive, and other criteria may be considered although not specifically listed above if said criteria affects (affects) the general welfare and safety of the public at large. (Ord. No. 93-12-6, 12-6-93)

Section V. Zoning districts and boundaries

1. For the purpose of promoting the public health, safety, morals, and general welfare of the Parish of St. Charles, Louisiana, said Parish is hereby divided into the following types of districts:

ZONING DISTRICTS

- O-L Open Land District
- R-1A Single Family Residential Detached District
- R-1A(M) Single Family Residential Detached District - Allows Mobile Homes

Dear Property / Vehicle Owner,

I am replying to your request for information concerning allowable commercial vehicles in a Single Family Residential District.

I have enclosed excerpts from the Jefferson Parish Zoning Ordinance, from which we interpret the permitted uses in this type of case.

A parking area allows pick-up trucks of not more than one-ton capacity.

One commercial vehicle of not more than two (2) ton capacity may be parked or stored in a private garage.

The vehicle for which you have been cited, if two tons or less, may be stored in a private garage or in a non-residential zoning.

If you have any further questions, please feel free to contact me at 731-4537.

Sincerely,


Brian Kennedy,
Zoning Supervisor

PERMITTED USES R1A.

- h. The hair care service shall be subject to the provisions of Article XL Special Permitted Uses, which requires approval from the Jefferson Parish Council.
 - i. These criteria, including the off-street parking requirements of subsection e., shall not be appealable to the Board of Zoning Adjustments.
- (15) Public utility structures. See Article XXXIX, Exceptions and Modifications, for additional criteria.
- (16) Mobile homes, provided the applicable criteria is met and approval is obtained in accordance with Article XXXVIII, Manufactured Homes and Mobile Homes.
- (17) Family day care homes provided the following criteria are met:
- a. There be a minimum play area of at least one thousand (1,000) square feet which shall be enclosed to a height of not less than four (4) feet nor more than six (6) feet.
 - b. The occupation be carried on by a member of the family residing on the premises and that no person not a resident of the premises is employed.
 - c. Not more than fifteen (15) percent of the floor area of the dwelling is used for said occupation.
- (18) Nursery schools, pre-schools or kindergartens provided the following criteria are met:
- a. It is an accessory use to a single-family dwelling.
 - b. The occupation be carried on by a member of the family residing on the premises and that no person not a resident of the premises is employed.
 - c. Not more than fifteen (15) percent of the floor area of the dwelling is used for said occupation.
 - d. The site has a minimum lot area of ten thousand (10,000) square feet.
 - e. A minimum play area of two hundred (200) square feet for each child and such play area must be enclosed to a height of not less than four (4) feet nor more than six (6) feet.
 - f. There be a minimum of at least one (1) additional parking space exclusive of that which is required for the residential use of the property.
 - g. All other state and parish licenses and/or permits are obtained or applied for by applicant.
 - h. There be no exterior indication other than a small name plate of not more than two (2) square feet that the building is being used for any purpose other than a dwelling.
 - i. Approval is obtained from the Jefferson Parish Council in accordance with Article XL, Special Permitted Uses.
- (19) Accessory buildings including private garages, and uses customarily incidental to any of the above uses, when located on the same lot not involving the conduct of a business.
- (20) Ceramic article manufacture or similar arts and crafts only as an accessory use to the single-family dwelling and conditioned upon furnishing the director

detoxification centers; detoxification houses; and similar correctional and treatment facilities shall not be considered a nursing or convalescent home.

Off-site potentially-infectious biomedical waste treatment facility shall mean a facility which is not an accessory use to any hospital, clinic, convalescent or nursing home, or other generator of potentially-infectious biomedical waste that stores, processes, neutralizes, reclaims, or treats potentially infectious biomedical waste by any method; including but not limited to incineration, steam sterilization, thermal inactivation, chemical disinfection, microwaving and irradiation sterilization. This definition does not apply to facilities that recycle materials such as waste papers, metals, glass and plastic that are presorted to be recycled or reused and not destined for disposal.

On-site potentially infectious biomedical waste treatment facility shall mean a facility which is an accessory use to any hospital, clinic, convalescent or nursing home, or other generator of potentially infectious biomedical waste that stores, processes, neutralizes, reclaims or treats potentially infectious biomedical waste produced on-site by the facility it is accessory to by any method including, but not limited to, incineration, steam sterilization, thermal inactivation, chemical disinfection, microwaving and irradiation sterilization. Such facilities are subject to criteria enumerated in Article XXXIX, Exceptions and Modifications, Sec. 40-743, Regulation of Accessory Buildings, Structures, and Uses, paragraph (f).

Overlay zone shall mean a set of zoning requirements that is described in the ordinance text is mapped and is imposed in addition to those of the underlying zoning district. Developments within the overlay zone must conform to the requirements of both the district and the overlay zone or the more restrictive of the two (2).

Outdoor advertising signs. See "sign" definitions.

~~*Parking area*~~ shall mean an area of a lot used as an off-street parking facility, enclosed or unenclosed, including parking spaces and access drives and limited to the parking of vehicles used to transport students to and from schools and churches, automobiles, station wagons and pick-up trucks of no more than one-ton capacity in residential areas except as allowed in private garages.

Parking lot shall mean an impervious, open hard surfaced area used for temporary parking of motor vehicles.

Parking space shall mean an impervious, hard surfaced area, enclosed in a main building or in an accessory building or unenclosed, having a rectangular area of not less than one hundred sixty (160) square feet, with a minimum width of eight and one-half (8 1/2) feet, when unenclosed, or one hundred eighty (180) square feet, with a minimum width of nine (9) feet, when individually enclosed on two (2) or more sides, exclusive of driveways, permanently reserved for the storage of one (1) automobile. Said space must be connected with a street or alley by an impervious hard surface driveway at least eight (8) feet in width providing unobstructed ingress and egress for motor vehicles, and further provided that all parking spaces, lanes and aisles (see sketch in Appendix) are approved by the office of public works engineering.

Parking space compact vehicles shall mean an impervious, hard surfaced area having a rectangular area of not less than one hundred twenty (120) square feet with a minimum width of eight (8) feet and a minimum length of fifteen (15) feet. Said space must be connected with a street or alley by an impervious hard surface driveway at least eight (8) feet in width providing unobstructed ingress and egress for motor vehicles, and further provided that all parking spaces, lanes and aisles (see sketch in Appendix) are approved by

Street. All the property abutting on one (1) side of a street between two (2) intersecting streets (crossing or terminating) or if the street is dead ended, then all the property abutting on one (1) side between an intersecting street and the point at which the street dead ends.

Game shall mean any banking or percentage games played with cards, dice or any mechanical device or machine for money, property or any representative of value, and located exclusively within a casino.

Gaming shall mean the dealing, operating, carrying on, conducting, maintaining or exposing for pay of any game. For purposes of this chapter restaurants and/or bars containing video poker machines and charitable organizations and facilities licensed by the parish to conduct games of chance shall not be considered gaming.

Gaming establishment shall mean any premises wherein or whereon gaming is done. For purposes of this chapter restaurants and/or bars containing video poker machines and charitable organizations and facilities licensed by the parish to conduct games of chance shall not be considered gaming establishments.

Gaming device or equipment shall mean any mechanical device or machine used in connection with gaming.

Garage, parking shall mean a building, land or portion thereof designed or used for the temporary storage of motor-driven vehicles, with or without the retail dispensing, sale, or offering for sale of motor fuels, lubricants, and tires, or indoor car washing, minor motor adjustment, and flat tire repair when such operations are incidental to the storage of motor-driven vehicles.

Garage, private shall mean an accessory building not exceeding eight hundred (800) square feet in area designed or used for the storage of not more than four (4) motor-driven vehicles owned and used by the occupants of the building to which it is accessory. Not more than one (1) of the vehicles stored shall be a commercial vehicle of not more than two-ton capacity.

Garage, public shall mean a building or portion thereof, other than private or parking garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor-driven vehicles.

Garage, storage shall mean a building or portion thereof designed or used for storage only of five (5) or more motor-driven vehicles pursuant to previous arrangements and not to transients, and at which automobile fuels and lubricants are not sold and motor-driven vehicles are not equipped, hired, repaired or sold.

Grade shall mean the elevation of the ground at a building or building site.

Hair Care Service: Accessory use to a dwelling in a residential zoning district in which a family member residing in the dwelling unit cuts, trims, shaves, shampoos, weaves, colors, waves, or styles hair. Hair Care Service shall not include nail care services such as manicures, pedicures, and nail extensions or skin care services such as facials and makeup application.

Hazardous waste shall mean any waste, or combination wastes, which because of quantity, concentration, physical, or chemical, characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise

June 9, 2003

Mrs. Mary Ann Carter
248 Destrehan Drive
Destrehan, LA 70047

To The Council Members:

I am requesting a revision of Ordinance 87-1-17, 1-5-87 which states; " In the residential @ Districts no vehicle with more than two (2) axles or with a payload capacity in excess of two thousand (2000) pounds may be parked on the drive or in the front yard, being the area between the front of the residence and the front property line. (Ord. No.87-1-17,1-5-87)." According to this ordinance resident of St. Charles Parish have the right to park vehicle such as; tractor trailers, dump trucks, bobcats and trailers in the back yard. The weight of these vehicles affects the structure of the street and the foundation of homes. These vehicles are commercial use **only** and should be parked in commercial zoning areas **only**.

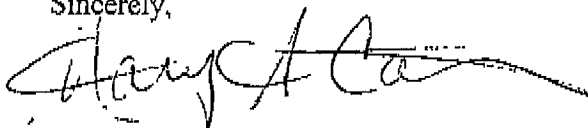
I have enclosed an article from Jefferson Parish that restricts vehicles such as tractor-trailers, dump trucks, bobcats, and trailers from being park in residential areas. The property owner is fined if he/ she fails to observe this zoning rule. The property value in St. Charles Parish has an equal value of assessment as other parishes in the surrounding area.

I reside in this parish for six years and my neighbor had chosen to create a road in the back of his yard that would accommodate his equipment in the back of **his yard** next to my property. When I voice my complaint to him he continues to work on his property creating his road. I call planning and voice my complaint to them and I was told the only ordinance they could get him on was during business in his home without a permit.

I am appealing to you, as council members of this parish that such an ordinance would not allow another resident in this parish to build their **American Dream** only to be ruin by others.

I appreciation your hard work in making every resident of this parish comfortable.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Ann Carter", written in dark ink.

Mary Ann Carter

SUMMARY NO. 2133

INTRODUCED BY: KEVIN M. FRILLOUX
PARISH PRESIDENT
(DEPT. OF PLANNING & ZONING)

ORDINANCE NO. 87-1-17

AN ORDINANCE OF THE PARISH OF
ST. CHARLES PROVIDING THAT THE CODE OF
ORDINANCES, PARISH OF ST. CHARLES, STATE
OF LOUISIANA, BE AMENDED BY REVISING
APPENDIX A, ST. CHARLES PARISH ZONING
ORDINANCE OF 1981, ADDING TO SECTION IV.
GENERAL PROVISIONS, REGULATIONS FOR
RESIDENTIAL (R) DISTRICT PARKING.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. Large trucks or trailers parked on a residential drive
or front yard detracts from the residential character of the area:

THAT THE ST. CHARLES PARISH CODE OF ORDINANCES, APPENDIX A, SECTION IV,
IS HEREBY AMENDED TO READ AS FOLLOWS:

8. In the Residential (R) Districts no vehicle with more than two
(2) axles or with a payload capacity in excess of two thousand
(2,000) pounds may be parked on the drive or in the front
yard, being the area between the front of the residence and
the front property line.

The foregoing Ordinance having been submitted to a vote, the vote
thereon was as follows:

YEAS: CHAISSON, HOGAN, TREGRE, FAUCHEUX, DUFRENE, CORTEZ, CLEMENT,
RODRIGUE, GRIMES

NAYS: NONE

ABSENT: NONE

And the Ordinance was declared adopted this 5th day of
January, 1987, to become effective five (5) days after
publication in the Official Journal.

Donald Hume
COUNCIL CHAIRMAN

Joan Banel
SECRETARY

DELIVERED TO PARISH PRESIDENT January 6, 1987

APPROVED: [Signature]

DISAPPROVED: _____

[Signature]
PARISH PRESIDENT

RETURNED TO SECRETARY ON January 6, 1987

2 AM/PM

RECEIVED BY: [Signature]