

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: 2019-22-MIN

GENERAL INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 11/5/18**
Billie Ainsworth
112 Burguieres Lane
Destrehan, LA 70047
(504)-874-1764; billiea1030@gmail.com
- ◆ **Location of Site**
Lots 7 & 8, Section 3 of the Jules M. Burguieres Tract
112 Burguieres Lane, Destrehan
- ◆ **Requested Action**
Resubdivision of two lots into two with a waiver from the required lot area

SITE INFORMATION

- ◆ **Size of Parcel**
 - Proposed Lot 7A: 5,944 square feet, 62.1 feet wide
 - Proposed Lot 8A: 11,045 square feet, 117.9 feet wide
- ◆ **Current Zoning and Land Use**
R-1A Single-Family Residential Detached District. The property is developed with a single-family house--the majority of which is on Lot 8. Lot 7 has
- ◆ **Surrounding Zoning and Land Use**
R-1A zoning abuts to the west, north, and south of the property. Historical District (H) zoning abuts the rear or east with the St. Charles Borromeo Church property directly behind the lots.

The lots are in a neighborhood that is largely built out with single family houses and surrounded by residential, commercial, and historic uses.

- ◆ **Plan 2030 Recommendation**
Neighborhood Commercial: Neighborhood Commercial areas accommodate retail sales and services for the daily self-sufficiency of residents of a neighborhood or neighborhoods, such as convenience shopping, dry cleaners, hair salons and barber shops, day care centers, coffee shops, professional and business service offices, etc. Uses permitted in the C-1 (Commercial Office) zoning district are allowed in this district. Some uses that are permitted in the C-2 zoning district are also appropriate (e.g., bakeries, tailors, etc.).

Low Density Residential: (from 4 up to 8 dwellings per gross acre)

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

- ◆ **Traffic Access**
Proposed Lots 7A & 8A would both exceed the required width on Burguieres Lane.

◆ **Utilities**

Water and sewer are available for both proposed lots. Representatives of Waterworks and Public Works/Wastewater and stated they have no concerns for water, streets, drainage, or sewer capacity.

APPLICABLE REGULATIONS

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.
3. 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.

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

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.

ANALYSIS

The applicant requests a boundary line adjustment between Lots 7 & 8 of the Jules M. Burguières Tract in Destrehan with a waiver from the required lot area in order to create one vacant lot in the R-1A zoning district.

Proposed Lot 8A is 11,045 square feet with 117.9 feet frontage on Burguières Lane. It is developed with a house. Proposed Lot 7A is 5,944 square feet with 62.1 feet of frontage and it is vacant. The dividing line would be moved to create the required five (5) foot side yard of Lot 8A.

The applicant requests a waiver for proposed Lot 7A, which is 56 sq. ft. below the 6,000 square foot requirement.

DEPARTMENT RECOMMENDATION

Approval contingent upon approval of a waiver from the required area for Lot 7A.