

**St. Charles Parish
Department of Planning & Zoning**

LAND USE REPORT

CASE NUMBER: PZR-2014-14

GENERAL APPLICATION INFORMATION

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| <p>◆ Name/Address of Applicants:
 Robert & Deborah Kinler
 24 Quail Loop
 Fairhope AL 36532
 504.462.5538
 <u>Rkinler1@gmail.com</u>
 debbiekinler@gmail</p> | <p>Application Date:
 8/21/14</p> |
| <p>◆ Location of Site:
 133 Lakewood Dr (vacant lot next to Ryan's Barber)</p> | |
| <p>◆ Requested Action:
 Rezone from: CR-1. <i>Residential/Commercial Transitional</i> (Commercial in Residential Neighborhood)
 To: R-3. <i>Multi-Family Residential</i>.</p> | |

SITE-SPECIFIC INFORMATION

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| <ul style="list-style-type: none"> ◆ Size of Parcel:
Approx. 9300 sf | <p>Plan 2030 Recommendations:
Moderate Density Residential</p> |
| <ul style="list-style-type: none"> ◆ Existing Zoning and Land Use:
CR-1, vacant | <p>Traffic Access:
Lakewood Dr</p> |
| <ul style="list-style-type: none"> ◆ Surrounding Zoning and Land Uses:
 <u>Surrounding Zoning:</u>
 R-1A & C-2 across street; R-3 rear and sides;
 <u>Surrounding Land Uses:</u>
 Church across street; Townhomes on south side;
 C-1 use on north side; wetlands to rear. | <p>Utilities:
Existing</p> |

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section IV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. *Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:*
 - a. *Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.*
 - b. *Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.*
 - c. *Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.*
2. *The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:*
 - a. *Undue congestion of streets and traffic access.*
 - b. *Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.*
 - c. *Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.*
 - d. *An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.*
3. *The proposed zoning change is in keeping with zoning law and precedent, in that:*

- a. *It is not capricious or arbitrary in nature or intent.*
- b. *It does not create a monopoly, or limit the value or usefulness of neighboring properties.*
- c. *It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.*
- d. *It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.*

ANALYSIS

This is a request to rezone a vacant lot from CR-1 to R-3. The site abuts R-3 uses on its south side and there are two apartment complexes on the US 90 side. Furthermore, the land to the rear is zoned R-3. Based on these facts, there are no land use incompatibilities. The resulting use would not encroach the single-family residential uses as these are south of the existing R-3 structures and the proposed rezoned site is further northward. There is also a significant gap between demand for and the availability of townhome units. Thus, approving this request would add a few more units to the housing stock. Therefore, this application **meets all of the standards of the third test.**

DEPARTMENTAL RECOMMENDATION

Approval.