

St. Charles Parish
Department of Planning & Zoning

LAND USE REPORT
CASE NUMBER: PZR 2015-26

GENERAL APPLICATION INFORMATION

- ◆ Name/Address of Applicant:

Trevine Lewis
P.O. Box 304
New Sarpy LA 70078
504.415.0154
trevineanise@gmail.com

Application Date 10/5/15
- ◆ Location of Site:

309 W. Lawson Street, New Sarpy.
- ◆ Requested Action

Change of zoning from R-1A to R-1AM
- ◆ Purpose of Requested Action

Mobile home, per applicant.

SITE – SPECIFIC INFORMATION

- ◆ Size of Parcel

20 ft x 80 ft (1,600 sq. ft.). Does not meet required 5,000 sq. ft. or 50' width.
- ◆ Zoning and Current Use:

R-1A, Vacant house.
- ◆ Surrounding Land Uses and Zoning

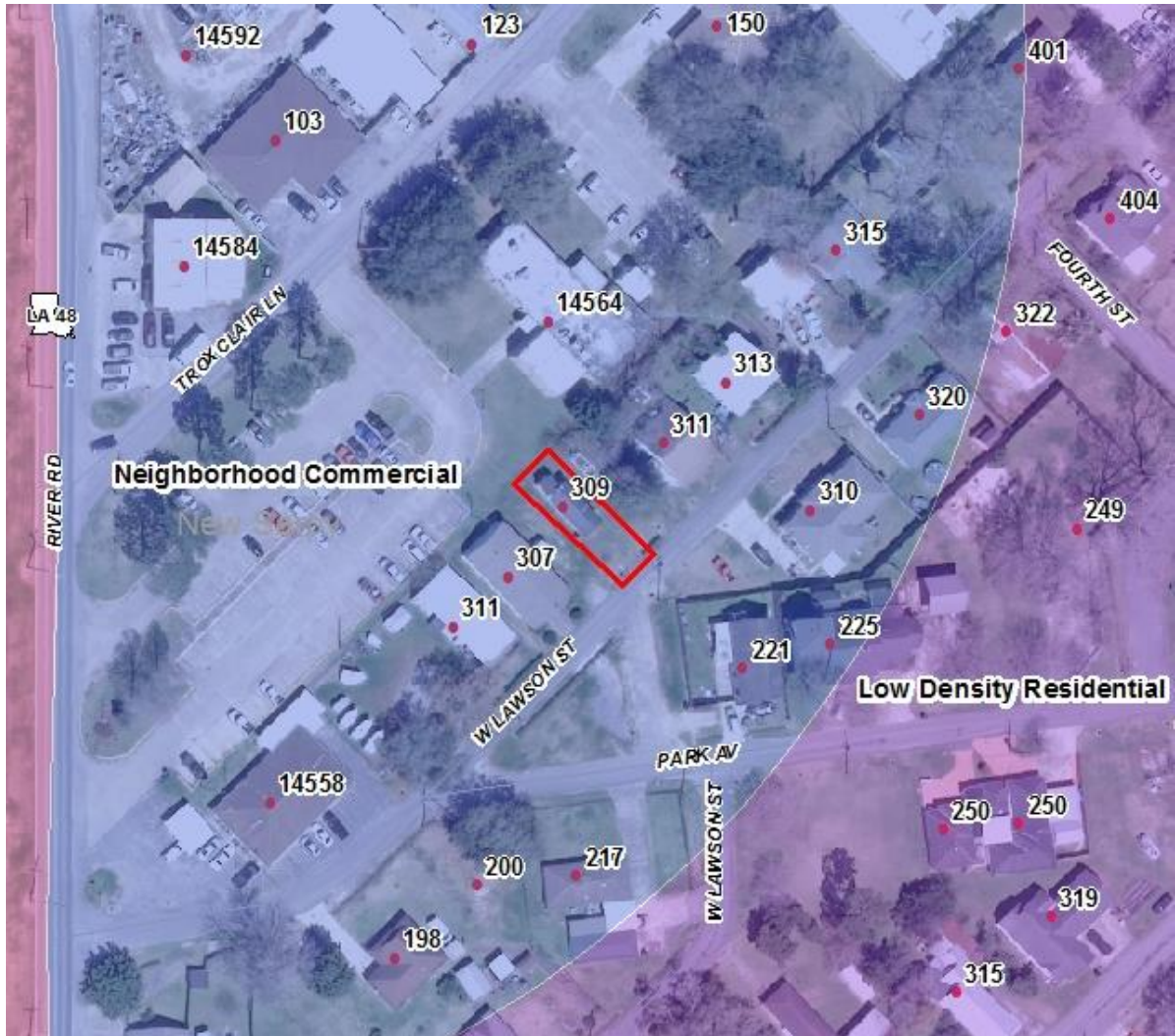


C-1 zoning with institutional land uses abut to the northwest or rear of site; R-1A zoning with residential uses abut to the northeast or right and across W. Lawson Street. A religious institution abuts to the southwest or left side.

◆ **Traffic Access and Parking**

Property has 20' of width or frontage on W. Lawson Street..

◆ **Plan 2030 Recommendations:**



Neighborhood Commercial.

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section XV Amendment Procedure:

D. Rezoning Guidelines and Criteria: Before the Commission makes a recommendation or the 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. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.

2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property. One or more of following examples may be used in evaluating reasonableness:

- Consideration of uses on adjacent properties that would limit the use of the site under consideration.
- Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
- Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.

3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.

The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.

[II.] R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes—Medium density.

Policy statement: This district is composed of areas containing one-family dwellings constructed on a permanent foundation, connected to public utilities, and which meet the architectural and aesthetic standards of a permanent residence. Additionally, mobile homes which meet the special provisions below are allowed.

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) Site-built, single-family detached dwellings.
 - (2) Manufactured homes.
 - (3) Mobile homes.
 - (4) Accessory uses.
 - (5) Private recreational uses.
 - (6) Farming on lots of three (3) acres or more and at least one hundred fifty (150) feet frontage.
 - b. Special exception uses and structures include the following:
 - (1) Additional residences for family and relatives on unsubdivided property on a non-rental basis, and which meet the criteria outlined in Special Provisions [subsection 3].
 - (2) Parks, public libraries, fire stations, police or sheriff's stations or substations, and sewer pumping stations.
 - (3) Showing and 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 Places.

(Ord. No. 06-12-6, § II, 12-4-06)

 - 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 property lines a distance of at least one (1) foot for each foot of building height.
 - (5) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council. (Ord. No. 92-10-9, § II, 10-5-92)
 - (6) Accessory Dwelling Units upon approval by the Planning Commission and supporting resolution of the Council. (Ord. No. 15-7-5)
2. Spatial Requirements.
 - a. Minimum lot size: five thousand (5,000) square feet per family; minimum width-fifty (50) feet.
 - b. Minimum yard sizes:
 - (1) Front—fifteen (15) feet.
 - (2) Side—five (5) feet.
 - (3) Rear—five (5) feet.
 - (4) For lots with less than one hundred (100) feet depth, front setback shall be fifteen (15) percent of lot depth with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line. (Ord. No. 99-8-6, 8-2-99)
 - (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. (Ord. No. 08-8-9, § IV, 8-18-08)
 - c. Accessory buildings:
 - (1) The accessory building shall not exceed two-story construction.
 - (2) Minimum setback of accessory buildings shall be three (3) feet.
 - (3) Nonresidential accessory buildings shall not be permitted. (Ord. No. 12-7-4, § IV, 7-2-12)
 - d. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front yard.
3. Special Provisions:
 - a. Additional dwellings on unsubdivided property:
 - (1) Additional dwellings on unsubdivided property referred to in 1.b(1) above will be permitted at the rate of one (1) dwelling unit for each seven thousand (7,000) square feet of lot area.
 - (2) The applicant for any additional dwellings on unsubdivided property shall submit a copy of all subdivision restrictions (covenants) which govern the property in order to protect the integrity of the neighborhood.
 - (3) Under no circumstances will the total number of dwellings per unsubdivided lot permitted under these provisions exceed four (4).
 - (4) Permits issued under this provision will be issued for a two-year period. At the expiration of this time, an investigation will be conducted by the Planning and Zoning Department to determine if this Code is complied with. Non-compliance will result in the revocation of the permit.
 - b. All manufactured housing and mobile homes shall be secured according to the Federal Emergency Management Agency's Sept. 1985 publication Manufactured Home Installation in Flood Hazard Areas.
 - c. Skirting or foundation plantings as approved by the Zoning and Regulatory Administrator in accordance with the manufacturer's installation instructions to ensure aesthetic compatibility with the residential character of the neighborhood. The entire underfloor of the home shall be completely enclosed, except for the required openings.

Editor's note— The enforcement of this subparagraph c. was placed on a one-year moratorium expiring Sept. 5, 1990.

- d. All dwelling units shall be connected to utility systems which provide for health and safety under all conditions of normal use. Home utility services shall only be connected to the supply source by means of approved materials, and shall be inspected by the appropriate agency.
(Ord. No. 82-3-3, § II, 3-1-82; Ord. No. 83-11-10, 11-21-83; Ord. No. 85-7-17, 7-22-85; Ord. No. 87-1-15, 1-5-87)

ANALYSIS

The owner is requesting a rezoning from R-1A to R-1AM in order to permit a mobile home. With 20-feet of frontage and an 80-foot depth, the lot does not meet the minimum frontage or area requirement for either the current or requested zoning. The lot is developed with a single-family house that was previously used as a residence and is located next to a church.

Rezoning to R-1AM would conflict with the Future Land Use Map recommendation for *neighborhood commercial* and would create a spot zone since it abuts R-1A zoning and land uses on three sides. Therefore, the **first criteria is not met.**

This lot is 20-feet wide. With a 5-foot side yard setback requirement for R-1AM, a mobile home would have to be no wider than 10-feet for it to comply. Most mobile homes are wider than 10-feet so it may not be possible to permit a mobile home at this site without it encroaching on the side setbacks. This will also place it too close to neighboring structures. Therefore, **the second criteria is not met.**

A mobile home will also conflict with the predominant single-family residential uses in the neighborhood. Placing a mobile home on this lot would locate a structure that is incompatible with the surrounding neighborhood character. Therefore, **the third criteria is not met.**

This site is below the three acre threshold that mandates a corresponding FLUM amendment. Therefore, if rezoning is approved, no change to the adopted FLUM is recommended at this time.

DEPARTMENT RECOMMENDATIONS

Denial.