

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: PZS-2016-42

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 9/9/16**
Lloyd J. Frickey
152 Bayou Estates Drive
Des Allemands, LA 70030
(985)-758-2936; lfrickey2@cox.net
- ◆ **Location of Site**
Lot 77-A1, located on the north side of J.B. Green Road between Highway 90 and Old Spanish Trail, Des Allemands
- ◆ **Requested Action**
Resubdivision of Lot 77-A1 into five residential lots.

SITE – SPECIFIC INFORMATION

- ◆ **Size of Parcel**
Lot 77-A1 is an irregularly-shaped corner lot approx. 134,787 sq. ft. (3.09 acres), with 563.98' of frontage or width on J.B. Green Road and 170' on Old Spanish Trail.
- ◆ **Current Zoning and Land Use**
The lot was recently rezoned to R-1AM (Ord 16-8-2; PZR 2016-10). It is developed with three mobile homes which appear to be occupied, and a site-built house which appears to be vacant. A large portion of the lot is undeveloped.
- ◆ **Surrounding Zoning and Land Uses**
The surrounding neighborhood consists primarily of undeveloped land and low-density residential development. To the north properties, are vacant or developed with mobile homes. Mobile homes and a recreational park is located across J.B. Green Road to the south; undeveloped land and a St. Charles Parish water tower is located to the east; and undeveloped land is located across the railroad tracks to the west.

The area consists of several zoning districts. M-1 and R-1A(M) is located to the north; R-1A(M) is located across J.B. Green Road to the south; M-1 is located adjacent to the east; W, Wetland zoning is located across the railroad tracks to the west.
- ◆ **Plan 2030 Recommendation**
Moderate Density Residential: (8 dwellings per gross acre and greater)
This category includes single family detached dwellings developed consistent with the R-1AM zoning district; attached dwellings such as duplexes, patio / zero-lot line homes and townhomes consistent with the R-2 zoning district; multifamily housing developed consistent with the R-2 zoning district; and accessory units. Neighborhood-serving uses such as parks, churches, easements and ancillary neighborhood commercial uses permitted under the CR-1 zoning district or permitted subject to special exceptions or special permits.
- ◆ **Traffic Access**
Lot 77-A1 is a large corner lot with 563 feet of frontage on J.B. Green Road, a Parish street connecting Hwy 90 and LA 631. The lot also has 170 feet on Old Spanish Trail (LA 631), a substandard two-lane state east-west roadway.

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.

Subdivision Ordinance, Section II. Subdivision Procedure. E.4.

c. Waiver or Modification of Specific Subdivision Regulations. Should the Director discover that specific aspects of the submitted Preliminary Plat fail to conform to the regulations contained in this ordinance, he may choose to forward the proposal for formal consideration by the Planning Commission and Parish Council if the literal enforcement of one or more provisions of the ordinance (i) is impracticable, or (ii) will exact undue hardship because of peculiar conditions pertaining to the land in question. Financial hardships shall not be considered as valid criteria for any such waiver or modification of existing regulations. Any application for Preliminary Plat approval which contains a request for a waiver or modification of any subdivision regulation shall contain a specific reference to the request and state the reasons that the request be granted. The Planning Commission, with a supporting resolution of the Council, may grant a waiver or modification of these regulations only when such requests meet the conditions of this subsection (i, ii) and are not detrimental to the public interest.

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

Subdivision Ordinance, Section III. Geometric Standards. C. Lots.

- 2. **Lot Lines.** All lot side lines shall be at right angles to straight street lines or radial to curved street lines unless a variation is approved in writing by the Commission.

ANALYSIS

The applicant requests resubdivision of one irregularly-shaped corner lot, 77-A1 with 170 feet of width or frontage on US 631/Old Spanish Trail and 563' of width or frontage on J. B. Green Road. The parent lot is 134,787 square feet and was recently rezoned to R-1AM. Several structures are present on the property—some are indicated to be removed.

All proposed lots will exceed the area and frontage requirement for the R-1A(M) district. One lot will front on Old Spanish Trail, another will be a corner lot, and the remaining three lots will front on J. B. Green Road. All lots meet or exceed the minimum 50-foot frontage width for R-1AM zoning and all lots exceed the minimum 5,000 square foot area requirements.

The proposed resubdivision requests several irregularly-shaped lots. Proposed lots, 77-A1-2, 77-A1-3, 77-A1-4, and 77-A1-5 do not meet the Geometric Standards. C. 2 which states, "All lot side lines shall be at right angles to straight street lines or radial to curved street lines unless a variation is approved in writing by the Commission." This standard is meant to encourage an orderly development of land. When side lots lines are perpendicular to the street with a consistent lot width, structures generally tend to be permitted so that their front door or porch faces the road with required parking on one side of the structure. Future development of J. B. Green Road would certainly benefit from a more orderly parcel design.

Should the developer wish to proceed with the presented lot configuration in order to take advantage of existing development, a waiver by the Planning and Zoning Commission and Supporting Resolution by the Parish Council is required. The applicant has been advised of this and at the time of writing this report, is considering his options.

DEPARTMENT RECOMMENDATIONS

Recommendation withheld developer's decision to revise the plat or request a waiver.