

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

# LAND USE REPORT

## CASE NUMBER: PZR-2016-06

## GENERAL APPLICATION INFORMATION

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| <p>◆ <b>Name/Address of Applicant</b><br/>Dimitrios Karavangelis<br/>308 Sugarhouse Road<br/>Luling, LA 70070<br/>(985) 722-0791; <a href="mailto:stavk47@gmail.com">stavk47@gmail.com</a><br/>313 Sellers Ave, Luling, LA 70070 (mailing address)</p>                                    | <p><b>Application Date:</b> 3/10/16</p> |
| <p>◆ <b>Location of Site</b><br/>Lot 7, Square 302; 308 Sugarhouse Road, Luling, LA 70070</p>   |   |
| <p>◆ <b>Requested Action</b><br/>Change of zoning from R-1A to R-2</p>  |   |
| <p>◆ <b>Purpose of Requested Action</b><br/>The purpose of the rezoning request is to allow for a second small residence to be built on the lot in order to provide more living space for the applicant's family. One small residential structure is already located on the property.</p> |   |

## SITE – SPECIFIC INFORMATION

- ◆ **Size of Parcel**

The subject site consists of 13,173 sq. ft. which meets the minimum lot size requirement of 6,000 sq. ft. for the R-2 zoning district. The lot is irregularly shaped with frontage on Sugarhouse Road measuring 37.5'. This frontage is below the minimum 60' required for both the existing R-1A zoning and proposed R-2 zoning district.
- ◆ **Current Zoning and Land Use**

R-1A, site-built single-family residential structure.
- ◆ **Plan 2030 Recommendation**

*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.
- ◆ **Surrounding Land Uses and Zoning**

The surrounding neighborhood primarily consists of site-built single-family residential structures. Specifically, a single family home is located adjacent to the north; railroad tracks are located adjacent to the south; a park is located across Sugarhouse Road to the east; and a single-family home and metal warehouse are adjacent to the west.

Generally, the neighborhood consist primarily of R-1A, Single Family Residential zoning, with M-1 zoning being located across the railroad tracks to the south, OL zoning being located to the east of Sugarhouse Road, and C-2 zoning coming off of River Road and Paul Maillard Road. One lot in the vicinity is spot-zoned R-1A (M). Specifically in reference to the subject site, R-1A zoning is adjacent to the north and south; OL zoning is located across Sugarhouse Road to the east; and R-1A and R-2 zoning is located adjacent to the west.
- ◆ **Traffic Access**

The property is 37.5' wide on Sugarhouse Road, a local street which has access to River Road, a collector. Access to the site is currently from a gravel driveway coming from Sugarhouse Road. While the existing zoning and single-family land use requires only two (2) parking spaces, addition of another residence on the property as a result of the rezone to R-2 would require an additional two (2) spaces on the property.

**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:
  - a. Consideration of uses on adjacent properties that would limit the use of 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 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.

**AND:**

[VII.] *R-2. Two-family residential:*

1. Use Regulations:
  - a. A building or land shall be used only for the following purposes:
    - (1) See uses allowed in the R-1A district
    - (2) Two-family dwellings
    - (3) Single family dwellings
    - (4) Accessory uses.
    - (5) Nonresidential accessory buildings shall not be permitted.
  - b. Special exception uses and structures include the following:
    - (1) Club houses and/or accessory recreational facilities for resident use only
    - (2) Professional, non-retail offices
  - c. Special permit uses and structures include the following:
    - (1) Child care centers
    - (2) Schools (public, private, and commercial)
    - (3) Religious institutions
    - (4) *Reserved.* (Ord. No. 06-12-6, § II, 12-4-06)
    - (5) *Reserved.* (Ord. No. 88-5-6, 5-16-88; Ord. No. 95-4-8, § III, 4-3-95)
    - (6) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
  - d. Transportation system required: Local or collector street.
2. Spatial Requirements:
  - a. Minimum lot size: Six thousand (6,000) square feet (3,000 per family); minimum width - sixty (60) feet.
  - b. Minimum yard sizes:
    - (1) Front - twenty (20) feet
    - (2) Side - five (5) feet each side
    - (3) Rear - twenty (20) feet.
    - (4) 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, § VII, 8-18-08)

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 rear setback of accessory building shall be the same as side yard requirement of the district in which it is located.
- 4) Accessory buildings shall be located on the same parcel of land as the main structure.

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 or rear yard.

3. Transportation System Requirement: Front on local or collector street only.

4. Special Provisions:

- a. Where any two-family residential district (R-2) abuts any residential zoning district or use, a six-foot high solid wood fence or masonry wall shall be erected.

<b>ANALYSIS</b>
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The applicant requests rezoning Lot 7, Square 302, municipal address 308 Sugarhouse Road, Luling from R-1A to R-2 in order to construct a second residence. At 13,173 square feet, Lot 7 meets the minimum lot area requirement for the R-2 zoning district but not the minimum width requirement. The R-2 zoning district requires 60' while the subject site provides 37.5'. The site is developed with a single-family home which meets the setback requirements of the R-2 zoning district.

The St. Charles Parish Zoning Ordinance establishes three guidelines for evaluating rezoning requests. In order to receive a recommendation for approval, an applicant must demonstrate that the request meets at least one of the three guidelines.

The first guideline states that a rezoning request must conform to the Future Land Use Map (FLUM) of St. Charles Parish and also not create a spot zone incompatible with the surrounding neighborhood. This request would not create a spot zone as there is R-2 zoning adjacent to the rear of the subject site. However, the request does not meet the FLUM recommendation of Low Density Residential. **The first guideline is not met.**

The second guideline states that a rezoning should be considered if the land use pattern or neighborhood character has changed to the point where the existing zoning no longer allows for reasonable use of the subject property. The surrounding neighborhood consists almost exclusively of older, site-built single-family homes and the land use pattern and character of the neighborhood has not changed to the point where there is no longer reasonable use of the subject site under the existing zoning. **The second guideline is not met.**

The third guideline states that a rezoning request may be considered if the uses permitted by the proposed zoning are not incompatible with existing neighborhood character or overburden existing public infrastructure. The St. Charles Parish Public Works and Wastewater Department and Waterworks Department indicated this request should not put any additional burden on existing public infrastructure. But while the uses permitted in the R-2 zoning district do not significantly differ from those in the R-1A zoning district, rezoning to R-2 would go against the almost exclusively single-family character of the surrounding neighborhood and the immediate vicinity of the subject site. **The third guideline is not met.**

The applicant states his intention to provide more living space for family but does not demonstrate how the request meets any of the three guidelines.

If the site is rezoned to R-2, it is below the three acre threshold that mandates a corresponding Future Land Use Map amendment. Therefore, no change to the adopted Future Land Use Map is recommended at this time.

**DEPARTMENT RECOMMENDATIONS**

**Denial, based on not meeting any of the three guidelines required in order to recommend approval for a rezoning.**