

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: 2020-9-MIN

GENERAL INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 6/4/2020**
Whitney Properties XI, LLC
14471 River Road, Suite 200
Hahnville, LA 70057
(504)-430-3600; rdw2@wpm.holdings
- ◆ **Location of Site**
Lots 5A-2, 7A, and 9A, Block B of the J. Lauve Property
- ◆ **Requested Action**
Resubdivision of three (3) lots into six (6) with a waiver from the required lot width for proposed Lot 5A-2B.

SITE INFORMATION

- ◆ **Size of Lots (proposed)**
Lot 5A-2A: 7,450 square feet, 60 feet wide
Lot 5A-2B: 29,165.76 square feet, 12.24 feet wide
Lot 7A-1: 7,500 square feet, 60 feet wide
Lot 7A-2: 7,500 square feet, 60 feet wide
Lot 9A-1: 7,500 square feet, 60 feet wide
Lot 9A-2: 7,711.40 square feet, 60 feet wide
- ◆ **Current Zoning and Land Use**
R-1A Single-Family Residential Detached District (established in 1981). Cleared and undeveloped.
- ◆ **Surrounding Zoning and Land Use**
The site is surrounded by R-1A zoning; single family houses are developed across Lauve Lane to the front and Easy Street side, while cleared and vacant land is adjacent to the rear and south-west side.
- ◆ **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
- ◆ **Traffic Access**
Five (5) of the six proposed lots have the required 60-foot width on Lauve Lane, a 50-foot wide right-of-way with 18-foot asphalt paving.

Proposed lot 5A-2B is "flag-shaped" with 12.24-foot width at Lauve Lane running the full 115-foot length of the adjacent lot 5A-2A. The applicant has requested a waiver from the required width and will give a 12-foot wide driveway servitude through Lot 5A-2A in favor of Lot 5A-2B.
- ◆ **Utilities**
Representatives of Waterworks and Public Works/Wastewater indicate that water and sewer are available, and they have no concerns for water, streets, or sewer capacity.

Public Works requested a statement regarding how storm water would flow from the lots to existing drainage features. The applicant's statement regarding drainage is in attached.

Public Works suggests swales along each property line to convey water to drainage on Lauve Lane, but otherwise have no concerns regarding drainage.

◆ **Development History**

Lauve Lane was platted in 1955 with 19 lots, most of which were 60 feet wide and 6,000 square feet (Sub-Division of Portion of Section 8-T13S-R21E by E.M. Collier, March 22, 1955). Several houses existed on the east or downriver side of the street by the 70s. The department has record of only two houses, each on two lots, on the upriver side of the street near the subject site.

In 2015 five (5) of the original lots on the upriver side of the street were combined with the J. Lauve parcel that abuts to their rear, resulting in two of the three subject lots, 7A and 9A. The third lot involved, Lot 5A-2, was created in by minor subdivision this year.

APPLICABLE REGULATIONS

Appendix A. Section VI. Zoning District Criteria and Regulations

[1.] 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.

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.

Appendix C. Section V. Administrative

B. Variations and Exceptions

1. The regulations contained herein may be varied or modified where 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. The Planning Commission, with a supporting resolution of the Council, may grant such a waiver or modification of these regulations only when such requests meet the conditions of this subsection and are not detrimental to the public interest.

ANALYSIS

The applicant requests a minor subdivision of three Lots 5A-2, 7A, and 9A into six (6) lots. Five (5) of the proposed lots meet the minimum area and width requirement of the R-1A zoning district and are comparable to other lots in the area.

Proposed Lot 5A-2B exceeds the required 6,000 square foot area, but does not meet the required 60-foot width, with only 12.24 feet of width for the first 115 feet from the Lauve Lane right-of-way. Access to this flag-shaped lot would be supported by a 12-foot wide driveway servitude through Lot 5A-2A. Development would be facilitated by a 15-foot wide utility servitude through Lots 7A-1 and 7A-2.

The applicant requests a waiver from the minimum width to create Lot 5A-2B. The Department of Planning and Zoning has no objection to the waiver request.

DEPARTMENT RECOMMENDATION

Approval contingent upon a waiver from the required width for Lot 5A-2B.