

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: PZSPU-2018-11

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 08/06/18**
Christopher Sperandeo
118 Live Oak Lane
Luling, LA 70070
(504)-864-3201; cjs.45@hotmail.com
- ◆ **Location of Site**
Lot 19, Sq. 14, Willowridge Estates Phase V-A Subdivision; 118 Live Oak Lane, Luling
- ◆ **Requested Action**
675 square foot detached accessory dwelling unit

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel(s)**
Lot 19 consists of approximately 12,000 square feet and has 100 feet of frontage on Live Oak Lane
- ◆ **Current Zoning and Use**
R-1A, Single Family Residential and a site-built single family house
- ◆ **Surrounding Zoning and Land Uses**
R-1A zoning and site-built single family residential houses are adjacent on each side.
- ◆ **Utilities**
Utilities exist to serve the site and representatives from the Departments of Public Works & Wastewater and Waterworks have no objection to the proposal.

APPLICABLE REGULATIONS

[I.] R-1A. Single family residential detached conventional homes —Medium density

1. Use Regulations:
 - 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 yard lines a distance of at least one (1) foot for each foot of building height.
 - (5) Modular, panelized and precut homes, provided that they are placed on a permanent foundation.
 - (6) Reserved.
 - (7) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
 - (8) Accessory Dwelling Units upon approval by the Planning Commission and supporting resolution of the Council.**
2. Spatial Requirements:
 - 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

Appendix A. Section VII. - Accessory dwelling units.

- a. Purpose. To offer a wider range of housing options within residential zoning districts.
- b. Design and development standards for all accessory dwelling units (ADU).
 - i. There shall be no more than one (1) ADU permitted per lot.
 - ii. No ADU will be permitted without a primary building.
 - iii. An ADU may consist of part or all of a detached accessory structure or it may consist of a portion of the primary structure.
 - iv. There shall not be more than one (1) bedroom in an ADU.
 - v. An ADU shall use the electrical service of the primary structure.
 - vi. The owner of the property on which the ADU is to be created shall occupy the primary dwelling unit.

- vii. Setbacks for ADUs developed as part of the principal structure are the same as the underlying zoning district.
- viii. Setbacks for ADUs developed as detached structures shall meet the setbacks for accessory structures for the underlying zoning district.
- ix. The floor area of the ADU is limited to fifty (50) percent of the floor area of the primary dwelling unit, not to exceed one thousand two hundred (1,200) square feet.
- x. ADUs require one (1) off-street parking space in addition to the parking requirements of the underlying zoning district.

Appendix A. Section IV.

A. *Evaluation Criteria* – those uses requiring approval for either a *Special Exception* or a *Special Permit Use* shall be evaluated by the criteria below. These criteria are to be considered illustrative and not restrictive. Other criteria may be considered though not specifically listed below if said criteria affect the general health, safety, and welfare of the public.

- 1. Compliance with the current St. Charles Parish Comprehensive Plan.
- 2. Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.
- 3. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
- 4. Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.
- 5. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
- 6. A site development plan shall be required as part of the application process. The following design criteria shall be evaluated on the plan:
 - a. Required yards and open space
 - b. Ingress and egress to property
 - c. Parking and loading areas
 - d. Location of garbage facilities
 - e. Landscaping, buffering, and screening
 - f. Signage
 - g. Height and bulk of structures
 - h. Location and direction of site lighting

SPU & ADU CRITERIA COMPLIANCE

The proposal meets the criteria as follows:

- 1. *Compliance with the current St. Charles Parish Comprehensive Plan*
 This site is designated for Low Density Residential development which provides for accessory dwelling units in addition to standard R-1A and R-1B single-family development. The Low Density Residential designation allows for seven (7) dwelling units per acre in the R-1A zoning district (6,222 square feet per dwelling unit). The subject site consists of approximately 12,000 square feet which is below the recommended 12,444 square feet for two (2) units, but the subdivision was platted and developed at 2.6 units per acre, below the recommended density for the R-1A zoning district. **Complies**

- 2. *Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.* The ADU is a residential use shown to meet the requirements for accessory structures in the R-1A zoning district. It will be similar in size to other detached accessory structures on abutting sites. The driveway providing access to the primary residence from Live Oak Lane will be used to access the ADU. The structure will be developed to match the style of the principal residence. **Complies**

- 3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* The site plan shows a driveway which can accommodate up to six (6) passenger vehicles and providing access to a two (2) car garage. The parking exceeds the required two (2) parking spaces for a single-family residence plus one (1) for ADUs. Loading and lighting is not required. **Complies**

- 4. *Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.* The R-1A zoning district permits site-built, single-family houses, accessory uses, and private recreational uses by right. An ADU acts as a site-built residential structure independent from a primary structure and developed in compliance with accessory structure requirements. The subject ADU meets all the requirements for an accessory structure in the R-1A district and should not have any more of an impact than uses otherwise permitted in the district. **Complies**

5. *Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.* The ADU will be located in a detached accessory structure. Building code approval requires fire protection. Noise impacts are not expected from this type of development but the noise ordinance will provide for the enforcement of any noise issues that may result. The building cannot be built at grade and simply flood-proofed but will have to meet the same flood zone requirements of the primary dwelling.
6. *A site development plan shall be required as part of the application process. The following design criteria shall be evaluated on the plan:*
 - a. *Required yards and open space.* The detached ADU meets all setback requirements for accessory structures in the R-1A district, including a three (3) foot setback in the rear yard, side yard, and from the primary structure (inclusive of overhangs), and consisting of only 25% of the required rear yard (see item 6.g. and ADU requirement viii for more detail). **Complies**
 - b. *Ingress and egress to property.* The property is shown with a driveway providing adequate access to Live Oak Lane. **Complies**
 - c. *Parking and loading areas.* The residence shown with a two (2) car attached garage and a driveway which can accommodate a minimum of six (6) passenger vehicles. The two (2) required spaces for a single-family residence and one (1) additional space for an ADU are provided. **Complies**
 - d. *Location of garbage facilities.* **N/A**
 - e. *Landscaping, buffering, and screening.* **N/A**
 - f. *Signage.* **N/A**
 - g. *Height and bulk of structures.* Accessory structures in the R-1A zoning district must consist of a minimum of 25% of the required rear yard and not exceed two (2) stories. The required rear yard consists of 2,000 square feet, limiting the accessory structure to 500 square feet in the required rear yard. 207.5 square feet of the structure will be located in the required rear yard. **Complies**
 - h. *Location and direction of site lighting.* **N/A**

Design and development standards for all accessory dwelling units (ADU)

- i. *There shall be no more than one (1) ADU permitted per lot.* One (1) ADU proposed. **Complies**
- ii. *No ADU will be permitted without a primary building.* Site developed with a primary residential structure. **Complies**
- iii. *An ADU may consist of part or all of a detached accessory structure or it may consist of a portion of the primary structure.* ADU will consist of the entirety of a detached structure. **Complies**
- iv. *There shall not be more than one (1) bedroom in an ADU.* The floor plan shows one (1) bedroom. **Complies**
- v. *An ADU shall use the electrical service of the primary structure.* Applicant confirmed the ADU will use the same electrical service of the primary structure. This can be further checked at the permitting stage. **Complies**
- vi. *The owner of the property on which the ADU is to be created shall occupy the primary dwelling unit.* The applicant is homesteaded at the primary residence. **Complies**
- vii. *Setbacks for ADUs developed as part of the principal structure are the same as the underlying zoning district.* **N/A**
- viii. *Setbacks for ADUs developed as detached structures shall meet the setbacks for accessory structures for the underlying zoning district.* Accessory structures in the R-1A zoning district must be set-back three (3) feet from side and rear property lines. Three feet, two inches (3'2") provided in the side yard; Ten (10) feet in the rear yard. **Complies**
- ix. *The floor area of the ADU is limited to fifty (50) percent of the floor area of the primary dwelling unit, not to exceed one thousand two hundred (1,200) square feet.* The primary residence consists of 3,674 square feet, limiting the size of the ADU to the 1,200 square feet maximum. The living space of the ADU will consist of 675 square feet. **Complies**
- x. *ADUs require one (1) off-street parking space in addition to the parking requirements of the underlying zoning district.* The residence is developed with a two (2) car garage and driveway which can accommodate at least six (6) passenger vehicles, meeting the required parking for both a single-family residence (2) and the ADU (1). **Complies**

ANALYSIS

The applicant is requesting a Special Permit Use for a detached Accessory Dwelling Unit (ADU) located in the rear and side yards of a property developed with a single-family residential house at 118 Live Oak Lane, Luling.

The 675 square foot ADU consists of one (1) bedroom, kitchen, full bath, living, and dining room. The ADU and overall site plan meets the requirements for special permits, ADUs, and accessory structures in the R-1A zoning district. It is compatible with the surrounding neighborhood and uses as it will not have an external effect beyond that of a standard single-family residence and will not increase the density of the area beyond that recommended by the Low Density Residential designation of the comprehensive plan.

DEPARTMENT RECOMMENDATION

Approval