

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZS-2014-28

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** **Application Date:** 6/6/14
Richard and Vickie Roubion
132 Ormond Meadows Drive
Destrehan, La 70047
985.764.3713; cell 504.421.2429

- ◆ **Location of Site:**
246 West Easy Street; Lot 20A of Square 6, New Sarpy Subdivision

- ◆ **Requested Action:**
Resubdivision: dividing Lot 20A (12,400 sq. ft., 155' width on West East Street) into Lots 20A-1 (5,200 sq. ft. and 65' width on W Easy Street) and Lot 20A-2 (7,200 sq. ft. 90' width on West Easy; developed with a legally nonconforming mobile home)

SITE-SPECIFIC INFORMATION

- ◆ **Plan 2030 Recommendations:**
Low density residential (from 4-8 dwellings per gross acre)

- ◆ **Zoning and Land Use:**
The site is zoned R-1A and developed with one mobile home with a gravel driveway to a carport and two sheds.

- ◆ **Surrounding Land Uses and Zoning:**
To the north, south, and west, New Sarpy Subdivision is zoned R-1A and developed with single family residences on lots of varying sizes.
To the East, undeveloped Third Street serves as frontage for a mobile home, but the majority of Van's Land is developed with single-family houses on large lots zoned OL.

- ◆ **Utilities:**
Standard utilities are available to the site.

- ◆ **Traffic Access:**
The property is a corner lot served by West Easy Street, a 40' wide ROW developed with 13' of asphalt drained into open ditches and undeveloped Third Street, a 30' wide right of way that dead ends into Victoria Acres Subdivision (Resubdivision of Lot 22 Victoria Acres plat by John Avery dated March 6, 1991).

APPLICABLE REGULATIONS

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

C. Minor Resubdivisions.

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. However, the presented plan of resubdivision shall conform to requirements outlined in section II.C.3. of this section. The Planning and Zoning Commission has the authority to approve or disapprove such resubdivisions without Council action, provided the required public notice and public hearing actions have occurred. The proposal shall be in compliance with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations, as amended. This authority shall not exceed the limits herein. (and)

Subdivision Ordinance Section V(B)(1) *Variations and Exceptions*. 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 applicants request resubdivision of one lot into two in an R-1A zoning district with an 800 square foot waiver from the 6,000 square foot minimum area requirement for proposed Lot 20A-1. At 80' deep, the lot would need 75' of frontage to meet the required 6000' square foot area; 65' width is proposed. The Future Land Use designation for the lot is Low Density Residential, 4-8 dwelling units per gross acre. This suggests a minimum lot size of 5445 square feet.

New Sarpy Subdivision was originally platted in 1920 predominately into 1,600 SF lots (20' x 80') on 500'-800' long blocks (New Sarpy Subdivision, Blythe Co, Nov. 1920). The subdivision now is characterized by site-built, raised, single-family houses on lots of varying widths/areas with a dense tree canopy and mature landscaping.

The mobile home on Lot 20A-2 is a legally non-conforming structure (mobile homes are not permitted in R-1A zoning districts) which is also legally nonconforming with regard to the front yard requirement (the mobile home is 2' from the property line along undeveloped Third Street where 18' is required). This suggests the mobile home was placed on the site before 1981. The permit database has no record of building permits on this property, but 1992 aerial photographs appear to show very similar built conditions to what is shown on the resubdivision plat. Lot 20A was created in 2000 when owners at the time combined eight (8) and ¾ lots into one. The applicants purchased Lot 20A in 2007 developed as shown.

A carport is 10' from the proposed new side lot line, so in order to meet the 75' width for Lot 20A-1, the carport on lot 20A-2 would have to be moved 3'-5' or removed altogether. Although market conditions likely determined the sizes of development sites in New Sarpy Subdivision for 60 years, current zoning is meant to help sustain a neighborhood's property values by preventing under-sized lots and structures. Therefore, the Department cannot recommend approval of the resubdivision unless a waiver from the minimum area for proposed Lot 20A-1 is approved.

DEPARTMENTAL RECOMMENDATION

Department cannot recommend approval of the resubdivision unless a waiver from the minimum area for proposed Lot 20A-1 is approved.