

# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT

CASE NUMBER: 2022-29-MIN

Application Date: 11/1/22

### GENERAL INFORMATION

◆ **Name/Address of Applicant**

Esperanza Land, LLC, et al  
14305 River Road  
Luling, LA 70070  
(504)-559-4910; debbie@514enterprises.com

◆ **Location of Site**

13989, 14033, & 14035 River Road, Luling

◆ **Requested Action**

Resubdivision of Lots C-1, E-1A, F, & Esperanza Two A, Esperanza Plantation into four lots, C-1A, E-1A-1, F-1, & Esperanza Two A-1, with a waiver from required lot width in the C-3 zoning district for proposed Lot E-1A-1.

### SITE INFORMATION

◆ **Lot Area (proposed)**

Lot C-1A: 30,056.40 sq. ft. (0.69 acres)  
Lot E-1A-1: 358,063.20 sq. ft. (8.22 acres)  
Lot F-1: 35,283.60 sq. ft. (0.81 acres)  
Lot Esperanza Two A-1: 137,214 sq. ft. (3.15 acres)

◆ **Lot Width and Frontage (proposed)**

Lot C-1A: 115 ft. width and frontage on River Road  
Lot E-1A-1: 40.65 ft. width and frontage on River Road  
Lot F-1: 128.35 ft. width and frontage on River Road  
Lot Esperanza Two A-1: 174 ft. width and frontage on River Road

◆ **Current Zoning and Land Use**

C-3, Highway Commercial (Lots C-1, E-1A, and F) and R-1A, Single Family Residential (Lot Esperanza Two A). The resubdivision will result in proposed Lot Esperanza Two A-1 split zoned R-1A and C-3.

Lot C-1 is undeveloped but cleared; Lot E-1A is developed with the office and associated facilities for Jackie Bee Investments, LLC; Lots F and Esperanza Two A-1 are developed with site-built single family houses.

◆ **Surrounding Zoning and Land Use**

C-3, Highway Commercial zoning is located on each side, with the exception of B-2, Batture zoning located across River Road.

The Mississippi River levee is located to the River Road side; the Union Pacific Railroad is located to the rear; single family houses abut at 13979, 14009, and 14041 River Road; other adjacent properties to the River Road and Jackie Bee Drive sides are undeveloped but cleared.

◆ **Flood Zone and Elevation**

The site is in a current flood zone X / DFIRM X

◆ **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**

Access to the proposed lots is detailed as follows, which is unchanged from current arrangements unless otherwise noted:

- Lot C-1A does not have driveway access to River Road. A driveway permit from DOTD will be required for improvements proposing access from River Road.
- Lot E-1A-1 will maintain access to River Road via Esperanza Plantation Road. The frontage on River Road will decrease from 70 ft. to 40.65 ft. as a result of the resubdivision.
- Lot F-1 will maintain existing driveway access on Esperanza Plantation Road, which is a private lane.
- Lot Esperanza Two A-1 will maintain its driveway access to River Road.

#### ◆ **Utilities**

Standard utilities are available including drainage and water along River Road and Esperanza Plantation Road.

As for sewer, any development resulting from this resubdivision must either connect to the nearest available public sewer line or receive approval for private treatment from the Louisiana Department of Health & Hospitals.

#### ◆ **Development History**

The subject properties were created through various resubdivision dating back to 1988, specifically:

- Lots C-1 & F, created as shown on the resubdivision survey by Lucien C. Gassen dated October 6, 1987, revised February 1, 1988 (PZS-1988-01).
- Lot Esperanza Two A, created as shown on the resubdivision survey by Lucien C. Gassen dated May 20, 1994 (PZS-1994-45).
  - Previously shown as Esperanza Two on the above referenced subdivision map.
- Lot E-1A, created as shown on the resubdivision survey by Stephen P. Flynn dated October 15, 2020, revised November 18, 2020 (2020-43-ADM).
  - Previously shown as Lot E and E-1A on the above referenced subdivision maps.

## APPLICABLE REGULATIONS

### Appendix A. Section VI. Zoning District Criteria

[I.] *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.

[IV.] *C-3. Highway commercial district*—Wholesale and retail sales:

2. Spatial Requirements:

- a. Minimum lot size: Seven thousand (7,000) square feet, minimum width - seventy (70) feet.
- b. Minimum yard sizes:
  - (1) Front - twenty (20) feet
  - (2) Side - five (5) feet
  - (3) Rear - ten (10) 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, not withstanding 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.
3. Transportation System: Arterial, local industrial, rail, water.
4. Special Provisions:
  - a. Where any commercial use in a C-3 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater or lesser buffer strip.

**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.
  - l. The following note shall be added to resubdivision maps that result in a net increase of lots: No lot created by this act of subdivision shall be divided in such a way that another net increase in the number of lots occurs for a period of two years.

**Appendix C. Section III. Geometric Standards**

**C. Lots:**

1. Size. The width, depth, area, and minimum building setback line shall conform to the St. Charles Parish Zoning Ordinance for the type of development.
  - a. Corner Lot. Corner lots shall have extra width to permit setback lines on the side of the lots adjacent to a side street. The extra width shall be sufficient to allow the lot to meet the minimum zoning requirements of the St. Charles Parish Zoning Ordinance excluding the side street setback distance.
  - b. Width. The lot width at the minimum building setback line shall not be less than that specified by the St. Charles Parish Zoning Ordinance.

**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 resubdivision of Lots C-1, F, E-1A, and Esperanza Two A into four lots, C-1A, E-1A-1, F-1, and Esperanza Two A-1.

Lots C-1A, F-1, and Esperanza Two A-1 meet the minimum area and width requirements for applicable zoning districts as well as geometric standards.

Proposed Lot E-1A-1 meets the minimum area but not the minimum 70 ft. width for the C-3 zoning district.

The applicant has requested a waiver from this requirement to create Lot E-1A-1 with a width of 40.65 ft.

The Department does not object to the waiver request. The existing lot line dividing Lots E-1A and F runs through the house located on Lot F (14033 River Road). The resubdivision will shift this dividing line 29.35 ft. towards Esperanza Plantation Road

and along an existing fence line. This will result in the improvements at 14033 River Road being contained entirely within its own property boundaries (Lot F-1) and meet applicable setbacks.

The reduced width of Lot E-1A-1 will not change how either property is used or accessed.

<b>DEPARTMENT RECOMMENDATION</b>
----------------------------------

**Approval.**

**If the Planning Commission approves this request it will be forwarded to the Parish Council for consideration of a supporting resolution.**