

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

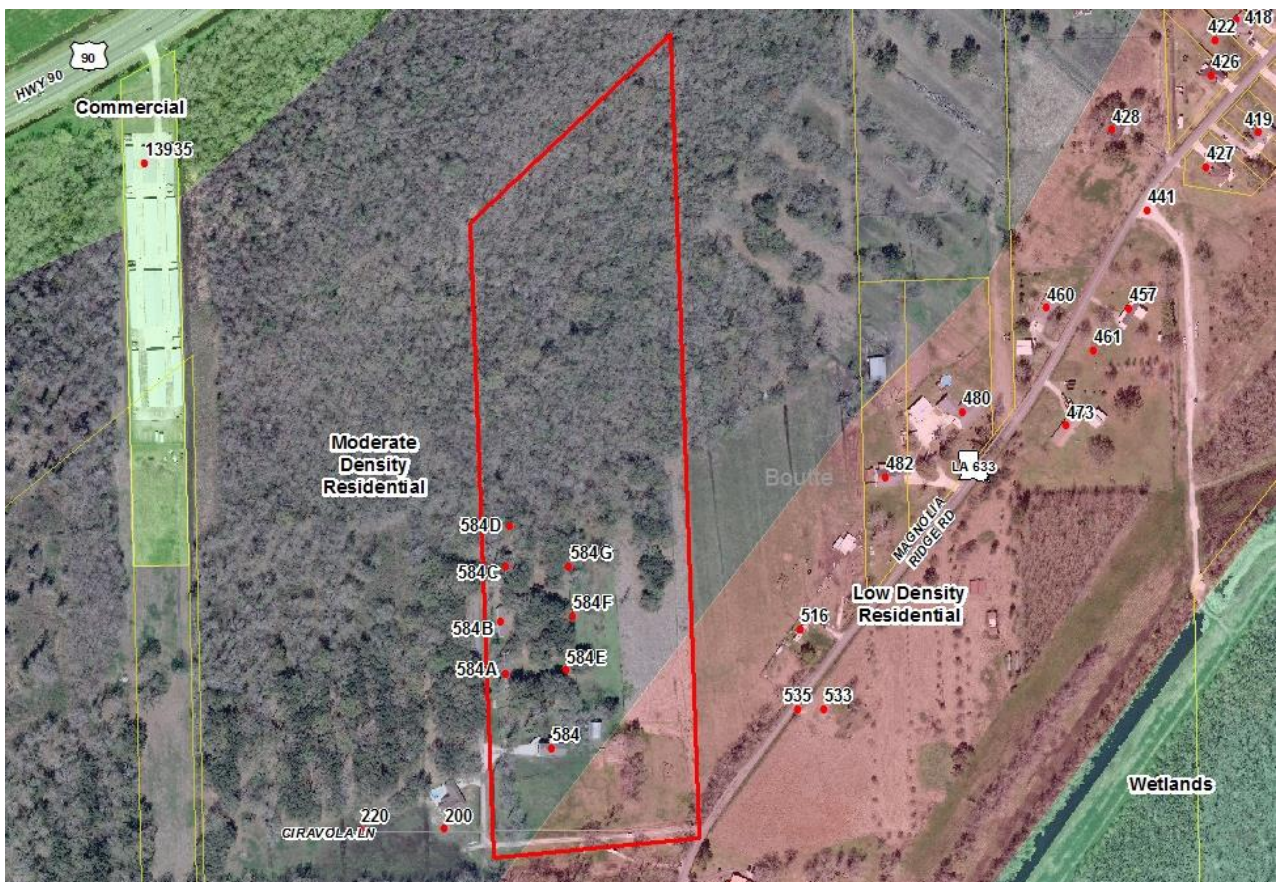
CASE NUMBER: PZS-2016-01

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicants:**
Seth & Christine Matherne
584 Magnolia Ridge Road
Boutte LA 70039
504.495.4812
csmatherne@cox.net
- ◆ **Application Date:** 12/1/15
- ◆ **Location of Site:**
Same
- ◆ **Requested Action:**
Resubdivision of Lot BE-2 of the Ciravola Estate into Lots BE-2A, BE-2B, BE-2C, BE-2D, BE-2E, BE-2F, BE-2G and Lot BE-2H of the Ciravola Estate.

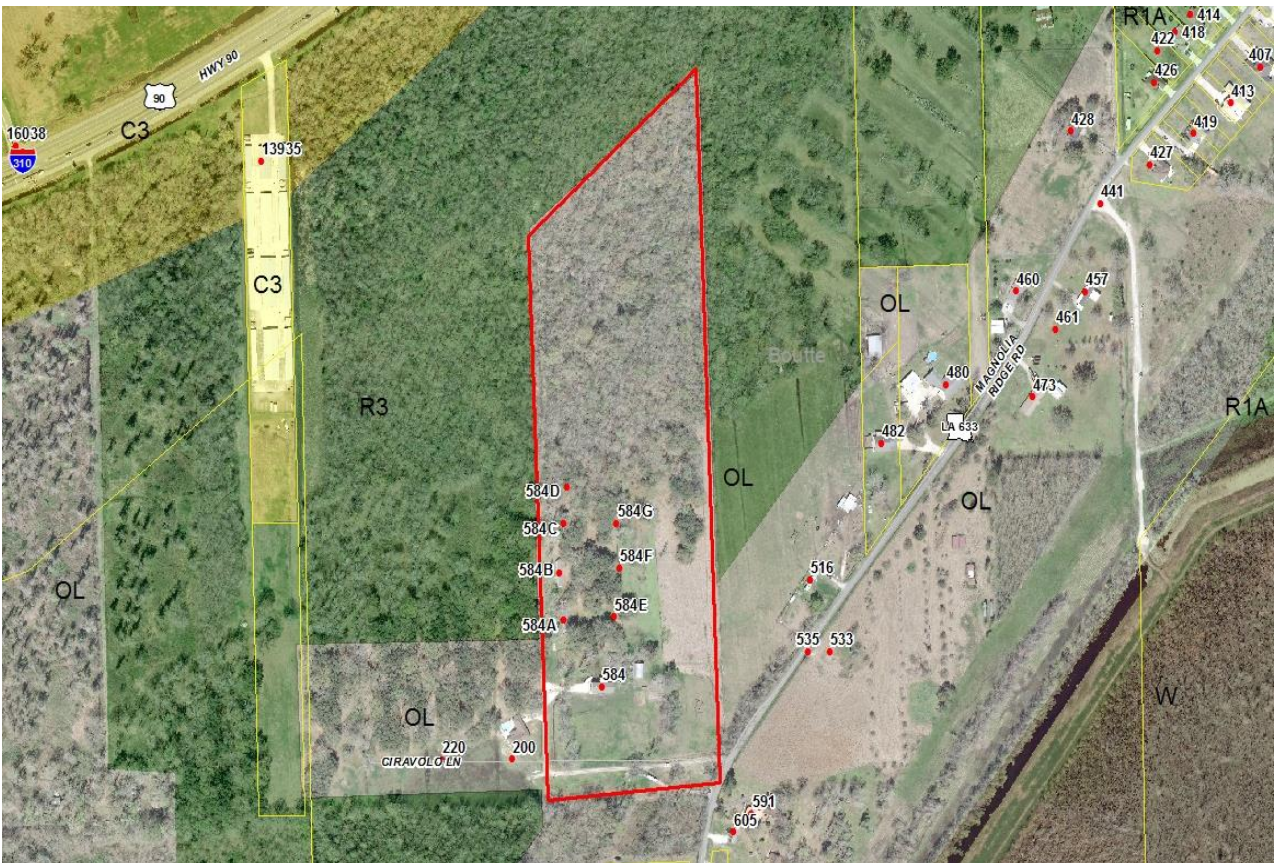
SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:**
Lots BE-2A thru Lot BE-2G 20,100 square feet each; Lot BE-2H: 826,159 square feet (18.996 acres).
- ◆ **Zoning and Current Use:**
OL zoning primarily vacant with exception of 3 mobile homes.
- ◆ **Plan 2030 Recommendation:**
Portion Low-Density Residential and portion Moderate Density Residential



◆ **Surrounding Land Uses and Zoning:**

R-1A zoning and land uses surround 3 sides; OL zoning, single-family land uses to rear of site.



◆ **Utilities:**

Water only

◆ **Traffic Access:**

Magnolia Ridge Road & Ciravola Lane.

APPLICABLE REGULATIONS

Subdivision Ordinance, Section II. Subdivision Procedure

C. Minor Resubdivisions.

2. In instances where a net increase of more than five (5) lots is proposed by subdivision or resubdivision *and no 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. Approval requires certification by the planning and zoning commission, determination and mitigation of impacts to public improvements, ordinance by the Council, and certification by the Parish President.

Section VI. A. [I.] O-L. Open Land District:

Policy statement: This district is composed mainly of large open unsubdivided land that is vacant or in agricultural, forestry or residential use. The regulations are designed to protect the open character of the district, and to allow residents to retain their traditional ways of living, by prohibiting the establishment of scattered business, industrial and other uses that are unrelated to any general plan of development and that might inhibit the best future utilization of the land. It is intended that land in these districts will be reclassified to its appropriate residential, commercial or industrial category in accordance with the amendment procedure set forth in the St. Charles Parish Code.

1. Use Regulations:

a. A building or land shall be used only for the following purposes:

- (1) Farming.
- (2) Animal husbandry.
- (3) Farm family dwellings.
- (4) Tenant dwellings.
- (5) Site-built, single-family detached dwellings.
- (6) Additional dwellings for family and relatives on unsubdivided property on a non-rental basis, and which meet the criteria outlined in Special Provisions [subsection 3].
- (7) Manufactured housing.
- (8) Mobile homes.
- (9) Accessory buildings.
- (10) Family subdivisions, provided that they conform to the St. Charles Parish Subdivision Regulations [appendix C].

(11) Farmer's market, provided that the criteria outlined in Special Provisions [subsection 3] is met.

(12) Any permitted uses under subsection 1.a. items (1) through (9) on a lot or property without frontage provided that a permanent right of passage to access the structure exist or is provided for, is recorded into the deed of the property, and is filed with the Clerk of Court. (Ord. No. 95-9-11, § I, 9-18-95; Ord. No. 97-9-12, § II, 9-22-97; Ord. No. 08-5-8, § I, 5-19-08)

b. Special exception uses and structures include the following:

(1) Religious institutions.

(2) Golf courses and golf practice ranges.

(3) Public parks and recreational areas.

c. Special permit uses and structures include the following:

(1) Child care centers.

(2) Public and private academic institutions (trade, business and industrial schools shall be located in the appropriate commercial or industrial zoning district).

(3) Cemeteries and mausoleums, provided that they meet the criteria outlined in Special Provisions [subsection 3].

(4) Extraction of oil and gas, minerals and other natural resources provided that criteria set forth by the St. Charles Parish Coastal Zone Management Section of the Planning and Zoning Department are met.

(5) Public stables and kennels.

(6) Cellular installations and PCS (personal communication service) installations. (Ord. No. 97-7-4, § III, 7-7-97)

(7) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street. (Ord. No. 03-1-12, § II, 1-21-03)

(8) *Reserved*. (Ord. No. 07-1-6, § III, 1-8-07; Ord. No. 08-5-8, § I, 5-19-08)

(9) Fire stations with or without firefighter training facilities. (Ord. No. 08-7-8, I, 7-21-08)

2. Spatial Requirements:

a. Minimum lot size shall be twenty thousand (20,000) square feet; minimum width fifty (50) feet. (Ord. No. 07-1-6, § II, 1-8-07)

b. Minimum yard sizes:

(1) Front-thirty-five (35) feet.

(2) Side-ten (10) feet.

(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, § II, 8-18-08)

c. Accessory buildings: Minimum rear and side setbacks shall be ten (10) feet.

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 the required front or rear yard.

3. Special Provisions:

a. Additional dwellings on unsubdivided property:

(1) Additional dwellings on unsub-divided property referred to in 1, a(11) above, will be permitted at the rate of one (1) dwelling unit for each ten thousand (10,000) square feet of lot area.

(2) The applicant for any additional dwellings on unsubdivided property shall submit a copy of all subdivision restrictions (covenants) which govern the property in order to protect the integrity of the neighborhood.

(3) Under no circumstances will the total number of dwellings per unsubdivided lot permitted under these provisions exceed four (4).

(4) Permits issued under this provision will be issued for a two-year period. At the expiration of this time, an investigation will be conducted by the Planning and Zoning Department to determine if this Code is complied with. Non-compliance will result in the revocation of the permit.

b. All manufactured housing and mobile homes shall be secured according to the Federal Emergency Management Agency's Sept. 1985 publication *Manufactured Housing Installation in Flood Hazard Areas*.

c. All dwelling units shall be connected to utility systems which provide for health and safety under all conditions of normal use. Home utility services shall only be connected to the supply source by means of approved materials, and shall be inspected by the appropriate agency.

d. Farmer's market

(1) All products must be sold on the premises on which they were grown or produced, from either a truck, stand, display table, or other means of display which has been inspected and approved by the Parish Health Unit. (Ord. No. 92-9-20, § II, 9-21-92)

(2) No structure, vehicles or signs may be located closer to any property line than the general setback requirements of the O-L District with the exception of one (1) on-premises sign which contains the name of the market. This sign shall be located approximate to the entrance drive directing attention to the market. The sign shall conform with acceptable commercial standards regarding quality and aesthetics. No temporary signs will be

allowed. If the sign is to be illuminated, lighting shall be arranged as not to interfere with traffic safety or cause a nuisance to abutting properties.

e. Cemeteries and mausoleums:

(1) All cemetery or mausoleum sites must have a minimum street frontage of one hundred (100) feet. (Ord. No. 08-3-4, § 1, 3-24-08)

(2) All cemetery or mausoleum sites must have a fence or screen planting six (6) feet high along all property lines adjoining all districts. (Ord. No. 08-5-7. § 1, 5-19-08)

4. Prohibited Use: Medical waste storage, treatment or disposal facilities. (Ord. No. 90-9-4, § II, 9-4-90)

ANALYSIS

In 2013, the Planning & Zoning Commission approved a resubdivision that created Lot BE-1 & Lot BE-2. The applicants are now requesting a subdivision of Lot BE-2 into 8 lots. Seven of the lots will have an area of 20,100 square feet and the eighth lot, Lot BE-2H will consist of the remainder of Lot BE-2. It will measure approximately 19 acres.

The site is accessed from Ciravola Lane, a private street extending from Magnolia Ridge Road. A gravel road extending north for 300-feet from Ciravola Lane and on abutting property accesses three of the lots and will be extended an additional 225 feet. Each of the new lots will either have access from this driveway and/or from new servitudes denoted on the submitted plat. All of these private roads and driveways will be located within what is denoted on the plat as "Servitudes for Access and Utilities." This will ensure that all of the property owners, including those abutting the site, will have access to their properties and the ability to install private utilities extending from Magnolia Ridge Road. In addition, per the Department's recommendation, the applicants and the owner of the abutting property directly west of the site have signed a servitude agreement that runs with the land. This agreement should be filed along with the signed plats as a condition of approval. As of this report, the document has not been submitted.

The Future Land Use Map designates nearly two-thirds of the site as Moderate-Density Residential, which includes single-family detached dwellings developed consistent with the R-1AM zoning district, and multi-family housing as well. However, the residential development pattern on the site and abutting sites as well are more consistent with rural residential. So allowing further rural development would not negative impact the neighborhood.

All lots exceed minimum requirements for Open Land zoning. The applicants understand that utilities serving the site from Magnolia Ridge Road will be private and at owner expense. Each property will have individual wastewater treatment units.

DEPARTMENTAL RECOMMENDATION

Approval with the following condition:

A servitude agreement that runs with the land, signed by the owners of the abutting property directly west of the site and the applicants shall be filed with the signed plats.