

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: 2019-5-SPU

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 4/2/19**
Jeffrey Vitrano
202 Ormond Oaks Drive
Destrehan, LA 70047
(504)-495-3985; jeffvitrano@gmail.com
- ◆ **Location of Site**
North 1/2 of Lot 2, Lot 3, and South 3/4 of Lot 4, Ormond Oaks Subdivision; 202 Ormond Oaks Drive, Destrehan
- ◆ **Requested Action**
640 square foot detached accessory dwelling unit

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel(s)**
The site consists of three contiguous lots totaling 17,595 square feet with 135 feet of frontage.
- ◆ **Current Zoning and Use**
R-1A, Single Family Residential; the property is developed with a site-built single family dwelling.
- ◆ **Surrounding Zoning and Land Uses**
R-1A & R-1B zoning developed with single-family houses surrounds the site.
- ◆ **Utilities**
Water, sewer, and drainage serve the site, and representatives from the Departments of water works and Public Works & Wastewater indicate that utilities can accommodate an ADU.

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 buildings.**

- a. Residential accessory buildings are allowed only in the side and rear yards.
- b. An accessory building may be connected to the principal building via an unenclosed breezeway not exceeding eight (8) feet in width.
- c. Accessory buildings must be three (3) feet from the principal building, measured from any existing overhangs (not including breezeways).

- d. The following shall not be permitted as accessory buildings in residential zones: storage containers, cargo containers, ship to shore containers or any form of a modified delivery type container which is normally mounted or transferred on a vehicle or is designed for or capable of being mounted on a chassis for movement.

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.

• *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 SPU criteria as follows:

1. *Compliance with the current St. Charles Parish Comprehensive Plan*

The Comprehensive Plan recommends Low Density Residential, up to eight (8) dwelling units per gross acre, or no more than one dwelling unit in 5,445 square feet for this area. The subject site consists of 17,595 square feet. Two dwelling units on the site would allow for over 8,700 square feet per family.

Ormond Oaks Subdivision was platted in the late 60s with 125 lots between 55-foot wide and 80-foot wide on a 50-foot wide right of way. The subdivision attenuates as it approaches the Canadian National Railroad. Lots closer to the river are as deep as 170 feet and lots closer to the railroad are as shallow as 90-foot deep. Many owners purchased more than one lot—many of the properties in the neighborhood are a lot and a half or more (The subject site is all of lot 3 plus portions of the adjoining lots 2 & 4—this is common in the subdivision). As a result, the neighborhood is built-out with 77 houses at an approximate density of 3.5 dwellings per gross acre. The proposed accessory dwelling unit would not put the area over the recommended density.

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 proposed in a new 40-square foot detached structure with hardie board siding, comparable in size

and building material, to other detached accessories in the area. The existing driveway will provide access to the ADU, comparable to other site development.

Complies

3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* The house is currently developed with a driveway measuring approximately 75 feet long that can stack as many as four (4) vehicles, which meets the required two (2) spaces for single-family dwellings and one (1) space 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 proposed ADU is 640 square-feet, comparable to other accessories in size, and the site **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 new 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 structure will result in an increase in impermeable area on the property, which can increase any drainage issues. The proposed structure is similar to a typical detached residential accessory building, of which the site currently has none, and should not result in a greater impact than to drainage compared to what can typically be permitted by right on this site. **Complies**

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.* Five (5) feet provided for side setback and twenty (20) for the rear. Three (3) feet is required for accessory structures in the R-1A zoning district met. **Compliance contingent on an approved administrative subdivision**

b. *Ingress and egress to property.* Ingress and egress to both the ADU and primary dwelling will come from an existing driveway providing access to Ormond Oaks Drive. **Complies**

c. *Parking and loading areas.* Driveway space is adequate to accommodate the required two (2) spaces for single-family dwellings and one (1) space for ADUs. **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.* ADU shown consisting of one story. **Complies**

h. *Location and direction of site lighting.* **N/A**

◆ *Design and development standards for all accessory buildings*

a. *Residential accessory buildings are allowed only in the side and rear yards.* **Complies**

b. *An accessory building may be connected to the principal building via an unenclosed breezeway not exceeding eight (8) feet in width.* **N/A**

c. *Accessory buildings must be three (3) feet from the principal building, measured from any existing overhangs (not including breezeways).* **Complies**

d. *The following shall not be permitted as accessory buildings in residential zones: storage containers, cargo containers, ship to shore containers or any form of a modified delivery type container which is normally mounted or transferred on a vehicle or is designed for or capable of being mounted on a chassis for movement.* **Complies**

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

i. *There shall be no more than one (1) ADU permitted per lot.* **Complies**

ii. *No ADU will be permitted without a primary building.* Site developed with a site-built single family dwelling. **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.* **Detached**

- iv. *There shall not be more than one (1) bedroom in an ADU. Floor plan shows ADU consisting of a living room, kitchen, bathroom, laundry/closet, and one (1) bedroom. **Complies***
- v. *An ADU shall use the electrical service of the primary structure. **Complies***
- vi. *The owner of the property on which the ADU is to be created shall occupy the primary dwelling unit. The owner's mailing address is that of the subject site, and the applicant has stated he resides in the primary dwelling. **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. In the R-1A district, accessory structures must meet the following:*
 - (1) *An accessory building may occupy no more than twenty-five (25) percent of the required rear yard. **Complies***
 - (2) *The accessory building shall not exceed two-story construction. **Complies***
 - (3) *Minimum setback of accessory buildings including overhangs, shall be three feet. ADU shown 5 feet from the side property line and 20 from the rear property line. **Compliance contingent on an approved administrative subdivision***
 - (4) *Nonresidential accessory buildings shall not be permitted. **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 dwelling is shown consisting of 3,022 square feet. The ADU is shown consisting of 640 square feet. **Complies***
- x. *ADUs require one (1) off-street parking space in addition to the parking requirements of the underlying zoning district. Both the existing driveway and proposed extension will be capable of accommodating the required two (2) parking spaces for single-family dwellings along with the additional space for the ADU. **Complies***

ANALYSIS

The applicant is requesting a Special Permit Use for an Accessory Dwelling Unit (ADU) at 202 Ormond Oaks Drive, Destrehan. A site-built, single-family dwelling exists at the site, and the ADU is proposed as a separate detached structure.

The 640 square foot ADU consists of one (1) bedroom, and is shown outfitted with facilities which would allow a resident to live independently from the primary dwelling. The site plan shows the ADU meets the general requirements for accessory structures and specific requirements for ADUs. All criteria for the evaluation of special permits are met.

The site is currently divided into three separate lots of record. Any criteria concerning spatial requirements and setbacks can be met, but only upon the approval of administrative subdivision creating a single lot of record. If approved, building permits will not be issued for the ADU until the lot consolidation occurs. An approved special permit is good for one year, after which the approval expires if no construction has commenced.

DEPARTMENT RECOMMENDATION

Approval, contingent on

- **The approval of an administrative resubdivision, combining the three existing lots into one lot of record.**