

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: 2019-13-MIN

GENERAL INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 07/19/19**
L.J. St. Germain Jr.
17934 River Road
Montz, LA 70068
(985)-652-9089

Denver Perilloux
17956 River Road
Montz, LA 70068
(504)-201-1803; denverperilloux@gmail.com
- ◆ **Location of Site**
17934 River Road, Montz
- ◆ **Requested Action**
Resubdivision of St. Germain Property, Montz into two (2) lots, S-1 and P-1, with a waiver from the geometric standard for lot arrangement (Lot P-1).

SITE INFORMATION

- ◆ **Size of Parcel**
St. Germain Property consists of 301,211.66 square feet and 122 feet of frontage
Proposed Lot S-1: 30,943 square feet, 122.56 frontage on River Road
Proposed Lot P-1: 270,267.75 square feet, 80.50 feet wide, no frontage
- ◆ **Current Zoning and Land Use**
The existing lot is zoned R-1A(M) in the front (approx. 480 feet), with the remainder zoned O-L (approx. 3,919). Proposed Lot S-1 would be located entirely within the R-1A(M) zoning while proposed Lot P-1 will consist mostly of O-L zoning.

The property is developed with a single-family dwelling and accessory structure in the front, and is used for agricultural purposes in the rear. The existing residence and accessory structure will be located on proposed Lot S-1 while proposed Lot P-1 will be vacant.
- ◆ **Surrounding Zoning and Land Use**
B-2 zoning is located to the front, across River Road; R-1A zoning is adjacent to the rear; R-1A and C-1 zoning is adjacent to the Thoroughbred Avenue side; R-1A(M) and O-L zoning is adjacent to the Country Cottage Boulevard side.

The Mississippi River Levee is located to the front; a single-family subdivision is adjacent to the rear; agricultural use or the extended rear yards of residences fronting on Thoroughbred Avenue are adjacent to that side; single-family houses on large, long lots are adjacent to the Country Cottage Boulevard side.
- ◆ **Plan 2030 Recommendation**
Neighborhood Commercial: Neighborhood Commercial areas accommodate retail sales and services for the daily self-sufficiency of residents of a neighborhood or neighborhoods, such as convenience shopping, dry cleaners, hair salons and barber shops, day care centers, coffee shops, professional and business service offices, etc. Uses permitted in the C-1 (Commercial Office) zoning district are allowed in this district. Some uses that are permitted in the C-2 zoning district are also appropriate (e.g., bakeries, tailors, etc.).

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**

Proposed lot S-1 will have the only street access. Lot P-1 will not have street frontage.

The applicant proposes but will have access to River Road from a 25-foot access and utility servitude running through adjacent Lot 1B-1-A.

◆ **Utilities**

Parish water and sewer are available, and representatives for Parish water, sewer, and drainage indicate that utilities in the area can accommodate a dwelling proposed Lot P-1. S-1 is already developed with a dwelling.

In order to permit development on the lot without frontage, the developer will have to connect to Parish water, sewer, and any other utilities at River Road. These private service lines would extend from their connections to Lot P-1 through the 25' utility and access servitude on the adjacent lot.

APPLICABLE REGULATIONS

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.

III. - Geometric standards.

B. Blocks:

1. Length. No block shall be longer than one thousand five hundred (1,500) feet nor less than five hundred (500) feet between street centers. Block separation, including stub outs, shall be paved to provide a minimum of two (2) ingresses and egresses to the proposed subdivision or accommodation for future access may be approved. (Ord. No. 06-1-23, § IV, 1-23-06)
2. Width. The width of blocks should normally be sufficient to provide for two (2) tiers of lots except for lots abutting arterial streets, railroad rights-of-way, etc.
3. **Arrangement. All lots shall possess frontage on a street or roadway that meets the specifications of these regulations. When the subdivision of a parcel of land does not permit a normal street arrangement due to size or location of the land, there may be established a street with a cul-de-sac or turning circle which provides proper access to all lots. A cul-de-**

sac or turning circle, as described in Section III.A.2.e., shall be required at the end of dead end streets when the length of the dead end street exceeds the width of two (2) lots.

[I.] O-L. Open Land District:

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 rite of passage to access the structure exists or is provided for, is recorded into the deed of the property, and is filed with the Clerk of Court.**
 - 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.
 - (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.
 - (8) Reserved.
 - (9) Fire stations with or without firefighter training facilities.
 - (10) Nonresidential accessory buildings
 - (11) Accessory Dwelling Units upon approval by the Planning Commission and supporting resolution of the Council.
2. Spatial Requirements:
 - a. Minimum lot size shall be twenty thousand (20,000) square feet; minimum width fifty (50) feet.
 - 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.
 - 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 unsubdivided 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.
 - (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.
 - (2) All cemetery or mausoleum sites must have a fence or screen planting six (6) feet high along all property lines adjoining all districts.
4. Prohibited Use: Medical waste storage, treatment or disposal facilities.

ANALYSIS

The applicant proposes a minor resubdivision creating two (2) new lots out of an existing parcel, one of which will not have frontage on a public street.

Proposed Lot S-1 will meet the minimum width and area requirements of the R-1A zoning district and have frontage on River Road. Setbacks for the existing house and accessory structure will not be impacted as a result of the subdivision.

Lot P-1 will meet the width and area requirements for the O-L zoning district, but it will not have frontage on a developed street. The survey shows a 25-foot wide access and utility servitude from River Road, through adjacent Lot 1B-1-A. The Departments of Public Works & Wastewater and Waterworks indicated the servitude is satisfactory.

Lots without frontage are permitted in the O-L zoning district *“provided that a permanent rite 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”*.

The O-L zoning district allows for development on lots without frontage when a permanent rite of passage is provided for, recorded into the deed of the property, and filed with the Clerk of Court. If this resubdivision is approved, the plat will be recorded in the Clerk of Court and referenced in the deeds to Lots P-1 and 1B-1-A.

DEPARTMENT RECOMMENDATION

Approval with waivers from the arrangement requirement for proposed lot P-1.