



Department of Planning & Zoning Staff Report – Minor Resubdivision Case No. 2023-2-MIN

APPLICATION INFORMATION

- **Submittal Date:** 3/23/23
- **Applicant / Property Owner**

Johnny & Vicki Dunn	Jessica Gore
Dunn Homes, LLC	19 Mary Street
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- **Request**

Resubdivision of Lots D-4 and E-5, Square 1 of Mule Subdivision Number Two, Section One, into Lots D-4A and E-5A.

SITE INFORMATION

- **Location:** 19 Mary Street, Norco
- **Size of Proposed Lots**
 - Lot D-4A: 5,570.40 sq. ft.; 66 ft. wide
 - Lot E-5A: 5,486.00 sq. ft.; 65 ft. wide
- **Current Zoning:** R-1A, Single Family Residential
- **Current Use**

Lot D-4 is developed with a single-family home. Lot E-5 is undeveloped.
- **Surrounding Zoning**

R-1A is located to the front and First Street sides; R-1A(M) is adjacent to the rear; C-2 is adjacent to the River Road side.
- **Surrounding Uses**

Mary Street is developed with site built houses. The tract adjacent to the rear is undeveloped.
- **Flood Zone and Elevation:** X Zone / DFIRM X
- **Plan 2030 Recommendation**

Low-to-Moderate Residential: Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections (over six dwellings per acre).
- **Traffic Access**

Each lot has frontage on Mary Street. Lot D-4A will have access to Mary Street via an existing driveway. Lot E-5A does not have driveway access across the open swale ditch to Mary Street.
- **Utilities**

Standard utilities are available on Mary Street.
- **Development History**

Lots D-4 and E-4 are shown on the resubdivision map by E.M. Collier dated November 5, 1971.

APPLICABLE REGULATIONS

Appendix A. Section VI. – Zoning District Criteria and Regulations

[I.] R-1A. Single family residential detached conventional homes—Medium density.

Policy statement: This district is composed of areas containing one-family dwellings constructed on a permanent foundation, connected to public utilities and which meet the architectural standards of a permanent residence. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities; to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) Site-built single-family detached dwellings
 - (2) Accessory uses
 - (3) Private recreational uses
 - b. Special exception uses and structures include the following:
 - (1) Parks, public libraries, fire stations, police or sheriff's stations or substations, and sewer pumping stations.
 - (2) Showing the operation of historic buildings and/or sites and their related activities, provided a certificate from the United States Department of Interior is furnished by the owner verifying that the building and/or site is on the National Register of Historic Places.
 - (3) Accessory uses to golf courses and country clubs limited to the following:
 - art studios
 - churches and religious institutions
 - commercial recreation facilities
 - commercial schools
 - personal service businesses, examples include but are not limited to beauty shops and barber shops, acupuncture, and massage services
 - professional offices, examples include but are not limited to doctors, dentists, engineers, architects, landscape architects, plan services, realtors, insurance
 - restaurants and cafeterias
 - 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), country clubs, and accessory commercial uses on such properties.
 - (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.
 - (9) Garden Home Developments in accordance with Section VII Supplemental Regulations upon review and recommendation of the Planning Commission and supporting resolution of the St. Charles Parish Council.
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, 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.
 - 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.

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.

FINDINGS

The minor resubdivision does not result in an increase in existing lots but requires Planning Commission approval due the need for a waiver.

Existing lots D-4 and E-5 meet the minimum 60 ft. width for the R-1A zoning district, but are legally non-conforming since they fall below the minimum 6,000 sq. ft. area. This is due to being platted at 84.4 ft. deep.

The resubdivision shifts the common lot line between D-4 and E-5 approximately 2 ft. towards First Street, further reducing the area of Lot E-5 by 168.8 sq. ft. and increasing the extent of the non-conformity (alternatively, nonconforming Lot D-4 is improved with the addition of 168.8 sq. ft.).

The resubdivision is being requested so the driveway improvements on Lot D-4 no longer encroach into the adjacent lot.

Resulting Lots D-4A and E-5A will continue to meet the minimum 60 ft. lot width but will still have non-conforming lot area (this could only be resolved if adjacent lots were in common ownership).

The Department does not object to the waiver.

DEPARTMENT RECOMMENDATION

Approval

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