

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: PZS-2016-51

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 10/31/16**
Whitney Properties
14471 River Rd.
Hahnville LA 70057
504.443.4000; rdw2@wpm.holdings.com
- ◆ **Location of Site**
Lot 18-A, Block B, Luling Parkway Subdivision (306 St. Charles Blvd, at corner of Luling Ave, Luling).
- ◆ **Requested Action**
Resubdivision of one lot into two with a waiver to the required 6,000 square foot requirement for lots zoned R-1A.

SITE – SPECIFIC INFORMATION

- ◆ **Size of Parcel**
8,999 square feet.
- ◆ **Current Zoning and Land Use**
R-1A zoning and developed with a house that has been vacant for at least 6 months.
- ◆ **Surrounding Zoning and Land Uses**
R-1A zoning and land uses abut one side and rear, and across St Charles Blvd. UP Railroad is across Luling Ave from site.
- ◆ **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**
St. Charles Blvd and Luling Avenue.

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.

Subdivision Ordinance, Section II. 4. Preliminary Plat Procedure

c. Waiver or Modification of Specific Subdivision Regulations. Should the Director discover that specific aspects of the submitted Preliminary Plat fail to conform to the regulations contained in this ordinance, he may choose to forward the proposal for formal consideration by the Planning Commission and Parish Council if 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. Any application for Preliminary Plat approval which contains a request for a waiver or modification of any subdivision regulation shall contain a specific reference to the request and state the reasons that the request be

granted. The Planning Commission, with a supporting resolution of the Council, may grant a waiver or modification of these regulations only when such requests meet the conditions of this subsection (i, ii) and are not detrimental to the public interest.(Ord. No. 95-5-7, § II, 5-15-95)

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Zoning Ordinance. Section VI. B. [L.] R-1A. Single family residential detached conventional homes—Medium density.

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
 - 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 height.
 - (5) Modular, panelized and precut homes, provided that they are placed on a permanent foundation.
 - (6) Reserved. (Ord. No. 88-5-6, 5-16-88; Ord. No. 95-4-8, § II, 4-3-95)
 - (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. (Ord. No. 15-7-5).
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. (Ord. No. 97-9-3; 9-8-97)
 - (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. (Ord. No. 08-8-9, § III, 8-18-08)
 - 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. (Ord. No. 82-2-3, § II, 3-1-82)
 - (4) Nonresidential accessory buildings shall not be permitted. (Ord. No. 12-7-4, § III, 7-2)
 - 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.

ANALYSIS

The applicant requests resubdivision of one lot, at the corner of St Charles Boulevard and Luling Avenue into two lots for single-family residential development. The original lot is 8,999 square feet and zoned R-1A. Approval will result in two lots:

- Lot 18-A1 with an area of 4,795.62 square feet and 75 feet of frontage on St. Charles Boulevard and 94.30 feet of frontage on Luling Avenue.
- Lot 18-A2 with an area of 4,203.38 square feet and 77.05 feet of frontage on Luling Avenue.

Each lot will exceed the minimum 60-feet of hard surface frontage but not the minimum 6,000 square foot area for lots zoned R-1A. Approval of these lots will require a waiver by the Commission and Supporting Resolution by the Council.

The Luling Parkway Subdivision original layout is not a typical square lot and block orientation. The subdivision is laid out with an angled main boulevard and 2 curving streets that return to and cross the main. Currently St. Charles Boulevard is the frontage for 33 lots, of which only 4 could be created today without a waiver to one of the subdivision regulations. This particular lot is in a portion of Block B, isolated from the rest of the subdivision and originally contained 5 lots in a trapezoid surrounded by 4 streets with very small rear yards. Subsequent sales and resubdivisions have resulted in only 4 lots in that block.

Approval of this resubdivision would result in 2 lots that would not conflict with the character of the Luling Parkway neighborhood as it exists today. Several lots within the neighborhood have areas of less than 6,000 square feet and with irregular shapes but also many lots within that are larger than the proposed lots. Setbacks for site-built houses can be met on proposed Lots 18-A1 and 18-A2.

DEPARTMENT RECOMMENDATIONS

Approval contingent upon approval of the requested waiver.

If the Commission determines that the waiver request is not suitable for the proposed development, the Department recommends tabling the application in order for the developer to have time to correct the plat and meet the Subdivision Ordinance requirements.