

**St. Charles Parish
Department of Planning & Zoning**

LAND USE REPORT
CASE NUMBER: PZS-2016-39

GENERAL APPLICATION INFORMATION

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| <ul style="list-style-type: none"> ◆ Name/Address of Applicant
Lloyd J Frickey
152 Bayou Estates Drive
Des Allemands LA 70030
(985)-758-2936; lfrickey2@cox.net ◆ Location of Site
121 Lussan Lane, Luling, between River Road and Luling Avenue. ◆ Requested Action
Resubdivision of Lots 4 and a 40 foot portion of Lot 5 (of the J.L. Lauve property) | <p>Application Date: 8/9/16</p> |
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SITE – SPECIFIC INFORMATION

- ◆ **Size of New Parcel(s)**
Each lot will have 70-feet of frontage, 85.20 feet of depth, and 5,964 square feet.
- ◆ **Zoning and Current Use**
Zoned R-1A, vacant.
- ◆ **Surrounding Land Uses and Zoning**
R-1A zoning and a mixture of single-family and mobile home land uses surround site.
- ◆ **Traffic Access and Parking**
Lussan Lane between River Road and Luling Avenue.
- ◆ **Plan 2030 Recommendations**
Mixed Use Corridor: St. Charles Parish has several corridors which have become, or have the potential to become, mixed use corridor activity centers. The following corridors have been identified in this Comprehensive Plan as warranting this designation. Others may be identified in future updates. Mixed Use Corridors will be implemented through the adoption of “special character” overlay zoning districts, and may include particular use mixes and densities (consistent with the FLUM), and distinct standards or guidelines for private development, public realm / urban design, and/or architectural design.

APPLICABLE REGULATIONS

[I.] 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 Places.
 - 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. (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. (Ord. No. 92-10-9, § I, 10-5-92; Ord. No. 92-12-9, §§ I, II, 12-7-92)
 - (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, 7-2-12)
 - 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.

Subdivision Ordinance, Section II. Subdivision Procedure

C. Minor Resubdivisions: 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, 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.

ANALYSIS

The applicant requests the subdivision of a 110-foot wide lot and 40-foot portion of an abutting lot into two lots of equal dimensions. Deed research confirms is in single and separate ownership and has existed in its current configuration previous to 1981. However, changing Lot 4, which complies with the Subdivision Ordinance to Lot 4A, and Lot 4B will result in two nonconforming lots. This cannot be approved administratively; it requires a waiver from the Planning & Zoning Commission and Supporting Resolution from the Parish Council. The submitted plat otherwise meets the requirements for a minor subdivision plat.

Approval of Lots 4A & 4B will result in lots that are similar in size as the other lots in the neighborhood. It will also not conflict with the FLUM.

DEPARTMENT RECOMMENDATIONS

Approval if waiver is approved.