

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: 2022-16-SPU

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 9/8/2022**
Kevin & Michelle Haslauer
150 Rhett Lane
Montz, LA 70068
(504)-915-2445; kevin@glendaleinc.com
- ◆ **Location of Site**
Lot 12, Sq. 3, Evangeline Estates Phase 2; 150 Rhett Lane, Montz
- ◆ **Requested Use**
Accessory Dwelling Unit (ADU)

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel(s)**
40,817 sq. ft., 295 ft. wide on Rhett Lane and 119 ft. wide on North Bend
- ◆ **Current Zoning and Use**
R-1A; site-built single family house
- ◆ **Surrounding Zoning and Land Uses**
R-1A zoning surrounds the site. The neighborhood is almost completely built-out with single-family houses on lots that exceed the minimum width and area for the R-1A zone.
- ◆ **Flood Zone and Elevation**
Effective flood zone X / DFIRM X
- ◆ **Future Land Use 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**
The site is a corner lot with 295 ft. of frontage on Rhett Lane and 119 ft. of frontage on North Bend and driveways to each street. The site plan shows a third driveway from Rhett Lane providing access to the proposed garage and ADU.
- ◆ **Utilities**
Standard utilities serve the site and are able to accommodate an ADU.

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:
 - 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, 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:
 - (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 A. Section IV.

A. *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

Appendix A. Section VII. - Supplemental use and performance regulations.

- 1. The following uses are subject to the regulations set forth herein:

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.

SPU CRITERIA COMPLIANCE

The proposal meets the criteria as follows:

1. *Compliance with the current St. Charles Parish Comprehensive Plan.* The Comprehensive Land Use Plan recommended ADUs as a permitted use and recommends a future land use of Low Density Residential, up to eight (8) single-family dwelling units per acre for the neighborhood. Evangeline Estates is a subdivision of 84 lots comprising approximately 90 acres, a density far below eight (8) units per acre. At 40,817 sq. ft., a second dwelling unit on the subject property would comply with the recommendation of the Comprehensive Land Use Plan. would not be affected with the permitting of an ADU on the site. **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 as part of a detached accessory structure that would also include a garage, carport, and patio and would be located to the side and rear of the primary structure and accessed with an independent driveway. This site design is consistent with the surrounding neighborhood as many corner lots in the neighborhood are developed with two driveways. The proposed ADU would be compatible with the surrounding neighborhood in terms of building design, hours of operation, and vehicle circulation. **Complies**
3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* Dedicated loading facilities are not required for this use. The site is already developed with driveways that can accommodate the two (2) required parking spaces for a single-family houses plus the one (1) required for an ADU. Another driveway is proposed providing access directly to the new accessory structure/ADU from Rhett Lane. **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 detached accessory structure housing the ADU is shown within a portion of the subject site which is large enough to theoretically be resubdivided into its own lot of record and developed with its own single family home. The impacts of an ADU are not expected to exceed that of the single family homes permitted in the zoning district and located on abutting sites. **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 detached accessory structure. Building code approval requires separation of buildings, fire-rated walls, or other measures to protect adjacent properties. Noise impacts are not expected from this type of development but the noise ordinance applies. In order to permit the building, plans must show it will be built to the required base flood elevation and that storm water will drain to existing drainage features rather than to adjacent properties. **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.*
 - Accessory structures cannot encompass more than 25% of the required rear yard. The site plan shows the accessory structure entirely outside of the required 20 ft. rear yard. **Complies**
 - The proposed accessory structure is compliant with setback requirements for the zoning district (3 ft.). **Complies**
 - b. *Ingress and egress to property.* The ADU will have its own means of ingress/egress from Rhett Lane via a new driveway. **Complies**

- c. *Parking and loading areas.* The primary residence is developed with a driveway capable of accommodating the required two (2) parking spaces for a single family house, plus one (1) space for the ADU. The ADU is shown as part of a larger accessory structure which will also include a separate garage, carport, and independent driveway access to Rhett Lane. **Complies**
- d. *Location of garbage facilities.* The ADU would utilize standard municipal garbage collection, which does not require a dedicated facility. **N/A**
- e. *Landscaping, buffering, and screening.* No landscaping, buffering, or screening is required or proposed. **N/A**
- f. *Signage.* No signage is proposed as part of this request. **N/A**
- g. *Height and bulk of structures.* The floor plan for the proposed ADU shows it will consist of approximately 1,200 sq. ft., meeting the maximum allowable square footage. **Complies**
- h. *Location and direction of site lighting.* No site lighting is proposed as part of this request. **N/A**

Accessory dwelling units.

- There shall be no more than one (1) ADU permitted per lot. **Complies**
- No ADU will be permitted without a primary building. **Complies**
- There shall not be more than one (1) bedroom in an ADU. The floor plan shows an ADU consisting of a combined kitchen, dining, and living space, plus a bathroom, bedroom, and additional room labeled “studio”. The studio space is shown with folding glass doors and no closet space, limiting its use as a potential second bedroom. **Complies**
- The owner of the property on which the ADU is to be created shall occupy the primary dwelling unit. The subject site is not indicated as the owner’s homestead as per the St. Charles Parish Assessor, but 150 Rhett Lane is listed as their mailing address. **Complies**
- Setbacks for ADUs developed as part of the principal structure are the same as the underlying zoning district. **N/A**
- Setbacks for ADUs developed as detached structures shall meet the setbacks for accessory structures for the underlying zoning district. This is a detached ADU which can be located as close as 3 ft. to the side and rear property lines in the R-1A zoning district. The site plan shows the structure meeting the required setbacks from applicable property lines. **Complies**
- 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 residence consists of 2600 sq. ft. of living space as per the plans on file under Permit 19981-06, limiting the ADU to the 1,200 sq. ft. maximum. The ADU is shown as part of a larger accessory structure which will also include separate garage space, porch, and carport. The living space of the ADU totals 1,200 sq. ft., meeting the allotted floor area. **Complies**
- ADUs require one (1) off-street parking space in addition to the parking requirements of the underlying zoning district. The site can accommodate more than the required two (2) parking spaces for a single family house, plus one (1) space for the ADU. **Complies**

ANALYSIS

The applicant requests a special permit for a detached Accessory Dwelling Unit (ADU) at 150 Rhett Lane, Montz. The request meets all the Special Permit Use criteria and all the supplemental use and performance regulations for accessory structures and ADUs.

DEPARTMENT RECOMMENDATION

Approval.

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