

St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: 2019-4-SPU

GENERAL APPLICATION INFORMATION

- ◆ Name/Address of Applicant

Sheldon and Sheri Simoneaux
224 Murray Hill Drive
Destrehan, LA 70047
(504)-377-8220; sheldon.simoneaux@gmail.com
- ◆ Location of Site

Lot 15A, Square B, Murray Hill Subdivision; 224 Murray Hill Drive, Destrehan
- ◆ Requested Action

854 square foot attached accessory dwelling unit
- Application Date:

3/20/19

SITE-SPECIFIC INFORMATION

- ◆ Size of Parcel(s)

Lot 15-A consists of 8,754.47 square feet and 75 feet in width (2019-3-ADM).
- ◆ Current Zoning and Use

R-1A, Single Family Residential; the property is developed with a site-built single family dwelling.
- ◆ Surrounding Zoning and Land Uses

R-1A zoning developed with single-family houses surrounds the site.
- ◆ Utilities

Standard utilities serve the site and representatives from the Departments of Public Works & Wastewater and Waterworks indicate that utilities can accommodate the proposed ADU.

APPLICABLE REGULATIONS

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

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) 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.
(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.
2. Spatial Requirements:

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

Appendix A. Section VII.

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.

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

SPU & ADU CRITERIA COMPLIANCE
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- ◆ The proposal meets the SPU criteria as follows:
 - 1. *Compliance with the current St. Charles Parish Comprehensive Plan*
The Comprehensive Plan recommends Low Density Residential, up to eight (8) dwelling units per gross acre, or no more than one dwelling unit in 5,445 square feet for this area. The subject site consists of 8,754 square feet. Two dwelling units on the site would allow for 4,477 square feet per family.

Murray Hill Subdivision was platted in two phases in the late 50s with 139 lots at 60-foot wide on a 50-foot wide right of way. The subdivision attenuates as it approaches the Canadian National Railroad. Lots closer to the river are as deep as 170-177 feet and lots closer to the railroad are as shallow as 90-feet deep. Many owners purchased more than one lot. As a result, the neighborhood is built-out with 85 houses at an approximate density of 2.8 dwellings per gross acre. The proposed accessory dwelling unit would not put the area over the recommended density. **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 on the second floor of a new garage connected to the primary structure by a common roof. Large accessory structures, sometimes outfitted with a second floor, is not uncommon in the area. The ADU is proposed within the same buildable area where a standard residential addition would be permitted, and elevation plans show

the new structure is designed to match the appearance of the primary residence.
Complies

3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* The site plan shows space available in both the garage and driveway to accommodate the required three (3) passenger vehicles. Loading and lighting is not required. **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 R-1A zoning district permits site-built single-family houses and general accessory uses by right, with ADUs requiring special approval. An ADU acts as a site-built residential structure independent from a primary structure and developed in compliance with accessory structure requirements. This ADU is shown on the second floor of a new garage, which is attached to the primary structure by a common roof. Larger accessory structures, sometimes outfitted with a second floor, is not uncommon in the area. The ADU is proposed within the same buildable area where a standard residential addition would be permitted, and should not have any more of an impact than uses otherwise permitted in the district.
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 on the second floor of a new garage. Building code approval requires fire protection. Noise impacts are not expected from this type of development but the noise ordinance will provide for the enforcement of any noise issues that may result. Potential impact to drainage would be no more than that of a standard residential addition as the ADU is proposed within the same allowable buildable area. **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.* Due to sharing a common roof, the new accessory structure and ADU is considered attached, and must adhere to standard R-1A setbacks of five (5) feet on the side and twenty (20) feet in the rear. The site plan shows the new structure meets both setbacks to the walls, with encroaching overhangs. Overhangs do not encroach into the setback more than 24 inches. **Complies**
 - b. *Ingress and egress to property.* Ingress and egress shown coming from a single driveway providing access to Murray Hill Drive. The front portion of the driveway is shown as a loose limestone surface. Code requires parking and vehicular circulation area to be dust-free hard surfacing. The applicant has requested a waiver from this requirement as limestone surfacing was chosen in order to avoid damaging to a concrete driveway from a nearby Live Oak, while preventing damage to the tree as a result of pouring concrete. **Does Not Comply**
 - c. *Parking and loading areas.* The plans show the site will consist of a driveway and garage capable of accommodating the required two (2) vehicle spaces for single-family dwellings and one (1) space for the ADU. **Complies**
 - d. *Location of garbage facilities.* **N/A**
 - e. *Landscaping, buffering, and screening.* **N/A**
 - f. *Signage.* **N/A**
 - g. *Height and bulk of structures.* Accessory structures in the R-1A district cannot exceed two-story construction. The new detached accessory structure will consist of two stories, with the ADU located on the second floor. **Complies**
 - h. *Location and direction of site lighting.* **N/A**
- ◆ *Design and development standards for all accessory dwelling units (ADU)*
- i. *There shall be no more than one (1) ADU permitted per lot.* **Complies**
 - ii. *No ADU will be permitted without a primary building.* **Complies**
 - 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.* The ADU is shown on the second floor of a new garage, which is attached to the primary structure by a common roof. **Complies**
 - iv. *There shall not be more than one (1) bedroom in an ADU.* Floor plan shows ADU consisting of a living room, kitchen, laundry room, bathroom, storage room, bedroom, and two closets. While the floor plan shows an ADU compliant

- with this requirement, it should be noted at 8'4" by 11'6", the room labelled as 'storage' can easily be used as a second bedroom. **Does not comply**
- v. *An ADU shall use the electrical service of the primary structure.* **Complies**
 - vi. *The owner of the property on which the ADU is to be created shall occupy the primary dwelling unit.* Ownership information shows the primary owner/applicant, Sheldon Simoneaux, Jr., is homesteaded at the subject property. **Complies**
 - vii. *Setbacks for ADUs developed as part of the principal structure are the same as the underlying zoning district.* Due to sharing a common roof, the new accessory structure and ADU is considered attached, and must adhere to standard R-1A setbacks of five (5) feet on the side and twenty (20) feet in the rear. The site plan shows the new structure meets both setbacks to the wall, with encroaching overhangs. Overhangs do not encroach into the setback more than 24 inches. **Complies**
 - viii. *Setbacks for ADUs developed as detached structures shall meet the setbacks for accessory structures for the underlying zoning district.* **N/A**
 - 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.* The primary dwelling consists of 1,818 square feet, but will increase to 1,906 square feet with planned renovations. The ADU is shown consisting of 854 square feet, which is less than 50% of the square footage of the primary dwelling both before and after renovation. **Complies**
 - x. *ADUs require one (1) off-street parking space in addition to the parking requirements of the underlying zoning district.* The property is shown with a driveway and garage space capable of accommodating the required two (2) parking spaces for a single-family dwelling and the one (1) additional space for ADUs. **Complies**

ANALYSIS

The applicant requests a Special Permit Use for a 854 square foot Accessory Dwelling Unit (ADU) above a new attached garage at 224 Murray Hill Drive, Destrehan with a waiver from the required hard-surface parking in order to preserve an existing tree. The site plan shows limestone in a brick border for the driveway.

The applicant has been advised that some types of aggregate alter soil conditions and can kill trees. Open pavers may be a better option.

The floor plan shows a living room, kitchen, laundry room, bathroom, bedroom, and a 95 square foot room with a window labelled "STRG". This room is located at the rear of the ADU abutting the 135 square foot room labelled "BEDROOM." It could be converted into a second bedroom. ADUs are limited to one bedroom in order to limit the occupancy to one or two people who share a bedroom. A two-bedroom ADU would not be permitted.

DEPARTMENT RECOMMENDATION

Approval with a waiver from the requirement for dust-free, permanent driveway surface contingent upon

- **A revised floor plan that shows no more than one possible bedroom**