

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: PZSPU 2017-07

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 8/14/17**
David Price
158 Wisner Street
Paradis 70080
504.289.8311; dprice@fat-tuesday.com
- ◆ **Location of Site**
158 Wisner Street, Paradis
- ◆ **Requested Action**
Special Permit Use for a modular home in an R-1A zoning district.

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel**
Approximately 31,500 square feet.
- ◆ **Current Zoning and Use**
R-1A zoning. A site-built, single family house was recently demolished, so the site is currently vacant.
- ◆ **Surrounding Zoning and Land Uses**
R-1A zoning surrounds the site. Several mobile homes and site built houses occupy abutting sites.
- ◆ **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 and Parking**
The parcel has 50' of width on Wisner Street, a local road that connects to US Highway 90 and also to Barber Road.

APPLICABLE REGULATIONS

Zoning Ordinance. Section VI. B [1]. 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.
- 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:
 - 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.

Zoning Ordinance 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

ANALYSIS

The applicant requests a special permit to construct a modular house, on a permanent foundation, in an R-1A zoning district at 158 Wisner Street. The lot appears to be 31,500 square feet: 50 feet wide for the first 150 feet of depth, then 100' wide for an additional 240 feet. The property is part of two large "truck farm lots" that were divided into residential lots *by deed* prior to the 1960s. At the time of writing this report, the applicant has just had a preconstruction survey completed, and staff are determining if the deeded portions of the site must be resubdivided into one lot.

All special permit uses must meet the spatial requirements and special provisions for their zoning district; some also are subject to supplemental regulations. With these requirements in mind, special permit uses are evaluated using six criteria that consider impacts to the abutting properties and the surrounding neighborhood. Modular homes in R-1A require approval of the Planning and Zoning Commission and a supporting resolution of the Parish Council.

In order to be permitted at this location, the house must be installed on a permanent foundation on a lot that is at least 6,000 sf lot with 60' width sited to provide 20' front and rear yards a 5' side yards. The site plan shows the request complies with these requirements and further, that the request meets the majority of the evaluation criteria as discussed below:

1. *Compliance with the current St. Charles Parish Comprehensive Plan.* The Plan 2030 designation of *Low Density Residential*: (from 4 up to 8 dwellings per gross acre). The request is for a dwelling unit at low density, so the request complies with the recommendation of the Comprehensive Plan and **meets this evaluation criterion.**

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.* At the time of writing this report, staff have received no complaints about the proposed modular home. Staff have considered the "site development" and "building design" and found that the applicant has used the irregular shape of the property to site the modular house such that if it's design is found by neighbors to be an incompatible with uses on abutting sites, it is setback and less visible from the street and neighboring properties. **The request meets this criterion.**

3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* A 225 foot long driveway is shown on the site plan. This will provide parking for more than eight passenger vehicles where two parking spaces are required. Loading spaces are not required. Lighting will be evaluated by site inspection to ensure glare does not affect neighboring properties. **The request meets this criterion.**

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.* Because the building is required to meet the requirements of the Louisiana State Uniform Construction Code, **the request meets this criterion;** however, it should be stated that many people consider modular construction inferior to site-built construction if not in quality of work, then in the finished look of the house. Neighbors may feel that granting this permit will have a negative impact on the neighborhood.

5. *Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.* The development and building code standards will require that the site meets the safety requirements. Noise impacts for this type of development will be consistent with the neighboring uses. In fact, because the lot is larger than abutting lots, the distance from the neighboring uses will provide a buffer to those impacts. **The request meets this criterion.**

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.* **Complies.**
- b. *Ingress and egress to property.* The site will have a single driveway from Wisner Street. **Complies.**
- c. *Parking and loading areas.* The driveway will be 225 feet long, more than adequate length to park two vehicles. **Complies.**
- d. *Location of garbage facilities.* **Complies.**
- e. *Landscaping, buffering, and screening.* While this is not generally required for a residential use, the applicant proposes to use the irregular shape of the property to buffer and screen the house. **Complies.**
- f. *Signage* **Not applicable.**
- g. *Height and bulk of structures.* The site plan shows the request **Complies.**
- h. *Location and direction of site lighting.* Lighting will be evaluated by site inspection to ensure glare does not affect neighboring properties. **Complies.**

DEPARTMENTAL RECOMMENDATION

Approval contingent upon resubdivision and Council resolution in support.