



Department of Planning & Zoning Staff Report – Minor Resubdivision Case No. 2024-25-ADM

APPLICATION INFORMATION

- **Submittal Date:** 6/11/2024
- **Applicant / Property Owner**
Terrance Dunmiles
KTC Enterprise, LLC
430 Kennedy Street
Ama, LA 70031
504.494.1048; tdunmiles@cox.net

Marella Narcisse
167 Kennedy Street
Ama, LA 70031
- **Request**
Resubdivision of Lots 7 and 8, Ama Heights Subdivision, into Lots 7-A and 8-A.
 - Waiver required from *Appendix C. - Subdivision Regulations, Section III.C.1.b. Width.*

SITE INFORMATION

- **Location:** 161-167 Kennedy Street, Ama
- **Size of Proposed Lots**
 - Lot 7-A: 6,612 sq. ft.; 58 ft. wide
 - Lot 8-A: 8,225 sq. ft.; 72 ft. wide
- **Current Zoning:** R-1A
- **Current Use**
Lot 8 is developed with a single-family house, a portion of which extends onto Lot 7.
- **Surrounding Zoning**
R-1A is adjacent to the front and each side; R-1A(M) is adjacent to the rear.
- **Surrounding Uses**
The site is located on a developed residential street. Specifically single family houses are adjacent to each side and to the front across Kennedy Street.
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: X Zone
2013 Digital Flood Insurance Rate Map: X
- **Plan 2030 Recommendation**
Low-to-Moderate Residential: Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices, and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections. (Over six dwellings per acre)
- **Traffic Access**
Proposed Lot 7-A will have 58 ft. of frontage on Kennedy Street. Proposed Lot 8-A will have 72 ft. of frontage on Kennedy Street and utilize an existing driveway for access.

- **Utilities**
Parish GIS shows water and wastewater facilities available along Kennedy Street.
- **Development History**
The subject area is shown as Block “A” per the map of Ama Heights Subdivision by E.M. Collier, PLS dated May 14, 1962.

APPLICABLE REGULATIONS

Appendix A. Section VI. Zoning District Criteria

- [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.
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, not withstanding 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.

Appendix C. Section II. Subdivision Procedure

- B. Administrative Resubdivisions. In instances where no net increase of lots is proposed, and five (5) or fewer lots are proposed, and no public improvements are required, the Parish President and the Director of Planning and Zoning may certify and thereby approve or disapprove such applications for subdivisions without public notice, public hearing, Commission approval, or Council approval, **provided that the proposal is in compliance with relevant land use regulations including the St. Charles Parish Zoning Ordinance and Subdivision Regulations, as amended.** The resubdivision plan for such a resubdivision shall meet the criteria listed in Section II.C.3. of this section. This authority shall not exceed the limits herein.
- C. Minor Resubdivisions.
 1. In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. The plan of resubdivision shall comply with requirements outlined in section II.C.3 of this section, and with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations. The Planning and Zoning Commission may approve or deny the application. The basis for denial shall be stated at the meeting and on the record of the Planning and Zoning Commission.
 2. Traffic Impact Analysis. A Traffic Impact Analysis, including all required documentation, shall be submitted in accordance with the Parish's Traffic Impact Analysis Policy.
 3. Consecutive Minor Subdivisions. The Minor Resubdivision process is not intended to create major subdivisions from multiple minor subdivisions. Whenever a minor subdivision results in a net increase of lots, parcels, or tracts, no application for a further increase of lots shall be considered by the Planning Commission for a period of two years from the date of recordation unless a majority of the Planning Commission votes to consider the consecutive request to resubdivide into additional lots. This restriction shall not prohibit a property owner from changing boundary lines by administrative resubdivision.
 4. Subdivisions and resubdivisions which meet the guidelines contained in Section II.C. of these regulations shall be presented to the Department of Planning and Zoning in the form of a plan which conforms to the laws of the State of Louisiana governing surveying, platting, and subdivision of land. The proposed subdivision shall contain the following information;
 - a. Location of the property.
 - b. Name(s) and address(es) of the owners.
 - c. Name and address of the Land Surveyor preparing the plan as well as the date the survey was prepared. The survey shall be dated within one (1) year of the subdivision application date.
 - d. Existing property lines and lot numbers, including names and width of adjoining streets.
 - e. Proposed property lines and revised numbers of proposed lots.
 - f. Location and dimensions of existing buildings.
 - g. Layout and dimensions of all existing, proposed, and required servitudes and rights-of-way, including but not limited to servitudes for sidewalks, utilities, access, drainage ditches, and canals.
 - h. Existing lakes and ponds.
 - i. North arrow and scale.
 - j. The following note shall be added to all resubdivision maps: All necessary sewer, water and/or other utility extensions, relocations or modifications shall be made solely at the lot owner's expense.
 - k. Stormwater Pollution Prevention Plan. For Minor Subdivisions that involve more than one (1) acre, the MS4 Administrator may require the submittal of a Stormwater Pollution Prevention Plan and/or Post Construction Stormwater Permit, including all required documentation, in accordance with Chapter 25—Stormwater Management and Erosion and Sedimentation Control.
 - l. The following note shall be added to resubdivision maps that result in a net increase of lots: No lot created by this act of subdivision shall be divided in such a way that another net increase in the number of lots occurs for a period of two years.

Appendix C. Section III. Geometric Standards

- C. Lots
1. Size. The width, depth, area, and minimum building setback line shall conform to the St. Charles Parish Zoning Ordinance for the type of development.
 - b. **Width. The lot width at the minimum building setback line shall not be less than that specified by the St. Charles Parish Zoning Ordinance.**

Appendix C. Section V. Administrative

- B. Variations and Exceptions.
1. The regulations contained herein may be varied or modified where 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. The Planning Commission, with a supporting resolution of the Council, may grant such a waiver or modification of these regulations only when such requests meet the conditions of this subsection and are not detrimental to the public interest.

FINDINGS

This request shifts the common line separating Lots 7 and 8 by 7 ft. towards River Road.

It comes before the Planning Commission due to proposed Lot 7-A falling 2 ft. short of the required 60 ft. width for the R-1A district. Specifically, it does not meet item III.C.1.b of Appendix C which states:

- *Width. The lot width at the minimum building setback line shall not be less than that specified by the St. Charles Parish Zoning Ordinance.*

The applicants requested a waiver from the minimum width requirement to allow Lot 7-A to measure 58 ft. wide.

The department does not object to the waiver.

The existing line separating Lots 7 and 8 runs through the house addressed at 167 Kennedy Street, leaving a 1.5-2 ft. portion encroaching into Lot 7. With the subject lots under separate ownership the lot line shift is the best way to address this issue short of removing a portion of the structure itself.

The resubdivision would locate the home within the boundaries of its own lot and the River Road side yard setback would be met. Lot 7-A would become developable while limiting the width deficiency to only 2 ft.

DEPARTMENT RECOMMENDATION

Approval.

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