



Department of Planning & Zoning Staff Report – Minor Resubdivision Case No. 2025-14-MIN

APPLICATION INFORMATION

- **Submittal Date:** 10/19/2025
- **Applicant / Property Owner**
John Winters
323 Madewood Drive
Destrehan, LA 70047
- **Request**
Resubdivision of Lots 52, 53, 54, and a Portion of Lot 40, St. Charles Place Subdivision, into Lots 40A, 40B, 52A, and 54A.
 - Waiver required from the *Appendix C. Subdivision Regulations, Section III.C.1.b. Width.*

SITE INFORMATION

- **Location:** 154 St. Charles Place, Hahnville
- **Size of Proposed Lots**
 - Lot 40A: 9,779 sq. ft., 43.89 ft. wide at its Nicholas Street frontage
 - Lot 40B: 9,942 sq. ft., 75 ft. wide
 - Lot 52A: 10,125 sq. ft., 75 ft. wide
 - Lot 54A: 10,125 sq. ft., 75 ft. wide
- **Current Zoning:**
Lot 40 is zoned R-2 and R-1A(M). Lots 52, 53, and 54 are zoned R-1A.

Proposed Lot 40A will be primarily zoned R-2 while 40B will be split R-2/R-1A(M).
Proposed Lots 52A and 54A will be zoned R-1A.
- **Current Use:** None
- **Surrounding Zoning:** R-1A and R-1A(M)
- **Surrounding Uses:** The site is in a developed residential neighborhood.
- **Traffic Access**
Lots 40A and 40B may be accessed from Nicholas Street. Driveway access is not currently present.

Lots 52A and 54A may be accessed from St. Charles Place. A gravel driveway provides access to existing Lot 53, but additional access points are likely under the new lot layout.
- **Utilities**
As per Parish GIS, water, gravity sewer, and drainage facilities are available along both Nicholas Street and St. Charles Place (new driveway access points as noted above must cross existing drainage ditches along the front of each site).

Representatives from the Department of Waterworks, Wastewater and Public Works offered no objections.
- **Development History**
This area was originally platted in 1892 as Lot 4. It was later divided into the St. Charles Place Subdivision and designated as Lots 40, 52, 53, and 54, as shown on

the subdivision plan titled “Subdivision of a Portion of the U.J. Keller Tract” by Frank T. Payne, dated March 14, 1925.

Lot 40 also appears on a subsequent subdivision plan titled “Subdivision of Portion of Lot 4 of the Partition of Property of Placide Baudouin, et al.” by E.M. Collier, dated August 25, 1959 and revised September 14, 1959.

Over time, portions of Lot 40 were conveyed through various acts of sale, creating smaller parcels. However, Lot 40 was never formally resubdivided into separate lots of record. This informal partitioning is reflected on a boundary survey by R.P. Bernard dated October 30, 1984, which depicts a “Portion of Lot 40,” identified as 40C by the Assessor’s Office, though without supporting legal description or approved resubdivision.

A 2-foot strip of land first appears on a plat titled “Addition to Subdivision of Portion of Lot 4,” by E.M. Collier dated December 14, 1965 and revised January 15, 1965. This strip borders the south side of Nicholas Street and appears to terminate at the common property line of Lots 5 and 6 (not a part). This 2 ft. strip is not depicted on any previous surveys. Riverlands Surveying determined that the strip adjoins proposed Lot 40A, contributing to its reduced frontage of 43.89 feet.

- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: X Zone
2013 Digital Flood Insurance Rate Map: DFIRM 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).

APPLICABLE REGULATIONS

Appendix A. Section VI. Zoning District Criteria

- [I.] *R-1A. Single family residential detached conventional homes*—Medium density.
- 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.
- [II.] *R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes*—Medium density.
- 2. Spatial Requirements.
 - a. Minimum lot size: Five thousand (5,000) square feet per family; minimum width-fifty (50) feet.
 - b. Minimum yard sizes:
 - (1) Front—Fifteen (15) feet.
 - (2) Side—Five (5) feet.
 - (3) Rear—Five (5) feet.

- (4) For lots with less than one hundred (100) feet depth, front setback shall be fifteen (15) percent of lot depth 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) The accessory building shall not exceed two-story construction.
 - (2) Minimum setback of accessory buildings shall be three (3) feet.
 - (3) Nonresidential accessory buildings shall not be permitted.
- d. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front yard.

[VII.] *R-2. Two-family residential:*

- 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) 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 rear setback of accessory buildings shall be the same as side yard requirement of the district in which it is located.
 - (4) Accessory buildings shall be located on the same parcel of land as the main structure.
 - d. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter.
 - (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 C. Section II. Subdivision Procedure

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 new 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*
 - 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

The applicant requests the resubdivision of a portion of Lots 40, 52, 53, and 54 into Lots 40A, 40B, 52A, and 54A.

All proposed lots meet the minimum area and width requirements of their respective zoning districts, with the exception of proposed Lot 40A.

Geometric Standards are not met, specifically item III.C.1.b. Width, 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 width of Lot 40A is limited by a 2 ft. spite strip reducing its frontage/width to 43.89 ft. (see reference to the 1965 resubdivision under the Development History section of this report).

The applicants submitted a request for a waiver from the Width requirement.

The Department does not object to the waiver. The width deficiency is only at the frontage, while a compliant 75 ft. width is maintained throughout the entire depth of Lot 40A. And the 43.89 ft. of frontage available on Nicholas Street is sufficient for driveway access.

DEPARTMENT RECOMMENDATION

Approval.

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