

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZR-2014-10

GENERAL APPLICATION INFORMATION

- | | | |
|---|---|--|
| ◆ Name/Address of Applicants:
Ron Keller
424 Bernard Ave
Ama LA 70031
504.431.8866 | ◆ Property Owner:
Patsye V.K. Lunk
PO Box 166
111 Down The Bayou Rd
Des Allemands LA 70030
985.758.7406 | ◆ Application Date:
6/6/2014 |
|---|---|--|
- ◆ **Location of Site:**
167 Vernons Lane, Ama
- ◆ **Requested Action:**
Rezone from R-1A to OL

SITE-SPECIFIC INFORMATION

- | | |
|---|--|
| ◆ Size of Parcel:
514,800 sf (approx. 11.8 ac) | ◆ Plan 2030 Recommendations:
Rural Residential |
| ◆ Existing Zoning and Land Use:
R-1A zoning; some residential, some vacant | ◆ Traffic Access:
Vernons Lane, River Rd |
| ◆ Surrounding Zoning and Land Uses:
<u>Surrounding Zoning:</u> R-1A to west;
OL to east;
<u>Surrounding Land Uses:</u> residential & vacant | ◆ Utilities:
Existing from River Rd |

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section IV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

- Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:*
 - Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.*
 - Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.*
 - Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.*
- The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:*
 - Undue congestion of streets and traffic access.*
 - Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.*
 - Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.*
 - An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.*
- The proposed zoning change is in keeping with zoning law and precedent, in that:*
 - It is not capricious or arbitrary in nature or intent.*
 - It does not create a monopoly, or limit the value or usefulness of neighboring properties.*
 - It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.*
 - It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.*

ANALYSIS

This is a request to rezone a portion of an 11-acre tract of land in a family subdivision located in Ama from R-1A to OL. The lot is situated approximately 822 feet from River Road and extends for a distance of approximately 3,383 to the UP Railroad tracks and accessed by Vernon's Lane. It is currently split zoned R-1A and OL. The R-1A portion, the subject of this request, extends 849 feet toward the UPRR. It was previously zoned OL but rezoned to R-1A as a result of Ordinance #08-9-10 that adopted the Ama community-wide zoning recommendations. The remaining 2,525 foot portion is the portion of the lot is zoned OL.

In 2007, the Parish Council adopted Ordinance 07-2-8 creating a family subdivision on the tract from River Road to the UPRR. At that time, the entire tract of land was zoned Open Land in accordance with the zoning and subdivision requirements for a family subdivision. In 2008, the Parish adopted the recommendations from the Ama Land Use and Zoning Study which identified this tract to be rezoned from OL to R-1A. As an area-wide zoning study, individual property analysis was not completed; and the fact that a family subdivision was previously approved on this property was not brought forward through the public hearing process. The resulting rezoning means any further development of family property would be subject to meeting R-1A regulations. For example, lots would have to front on a hard surface public road—Vernons Lane is unpaved and private. Development would also have to occur on separate lots. Both of those standards are not consistent with Family Subdivision standards.

Therefore, this application meets all of the standards of the **first test**. With Open Land zoning to the upriver and southern portion of the lot; and, an open tract to the downriver side of the property, the proposed land use is the similar in nature to the surrounding properties. The approval of a Family Subdivision (which requires OL zoning) is a unique consideration on the property. Further, the subject parcel currently has split zoning and a large portion of the lot is zoned OL. Rezoning this parcel to OL would be consistent and reasonable considering past decisions on the property and the surrounding uses.

DEPARTMENTAL RECOMMENDATION

Approval.