

# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT CASE NUMBER: 2019-19-SPU

### GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 11/8/19**  
Amber & Ezra Garza  
15554 River Road  
Hahnville, LA 70057  
(504)-451-4705; amber82699@gmail.com
- ◆ **Location of Site**  
195 Nicole Lane, Hahnville  
Lot C of a resubdivision by Percy Tregre
- ◆ **Requested Action**  
488 square foot attached accessory dwelling unit (ADU)

### SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel(s)**  
The site is approximately 23,700 square feet.
- ◆ **Current Zoning and Use**  
O-L, Open Land; the property is vacant but cleared.
- ◆ **Surrounding Zoning and Land Uses**  
O-L zoning is adjacent to the front, rear, and southwest side. R-1A zoning is adjacent to the northeast side.

Long, tracts developed with single-family house fronting River Road abut to the front and rear. The property immediately to the northeast is vacant but cleared, and the majority of Nicole Lane is developed with site-built single-family houses.

- ◆ **Utilities**  
Nicole Lane is a private road with nine lots on the downriver side; the tract across Nicole Lane from the nine lots is not subdivided.

Houses on Nicole Lane use are served by private water lines that run from River Road, and private sewer treatment plants. Representatives of Waterworks and Public Works offered no concerns for water, roads, or drainage. The proposed house and ADU would have its meter at River Road.

### APPLICABLE REGULATIONS

#### [I.] O-L. Open Land District:

*Policy statement:* This district is composed mainly of large open unsubdivided land that is vacant or in agricultural, forestry or residential use. The regulations are designed to protect the open character of the district, and to allow residents to retain their traditional ways of living, by prohibiting the establishment of scattered business, industrial and other uses that are unrelated to any general plan of development and that might inhibit the best future utilization of the land. It is intended that land in these districts will be reclassified to its appropriate residential, commercial or industrial category in accordance with the amendment procedure set forth in the St. Charles Parish Code.

1. Use Regulations:
  - c. Special permit uses and structures include the following:
    - (1) Child care centers.
    - (2) Public and private academic institutions (trade, business and industrial schools shall be located in the appropriate commercial or industrial zoning district).
    - (3) Cemeteries and mausoleums, provided that they meet the criteria outlined in Special Provisions [subsection 3].

- (4) Extraction of oil and gas, minerals and other natural resources provided that criteria set forth by the St. Charles Parish Coastal Zone Management Section of the Planning and Zoning Department are met.
  - (5) Public stables and kennels.
  - (6) Cellular installations and PCS (personal communication service) installations.
  - (7) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
  - (8) *Reserved.*
  - (9) Fire stations with or without firefighter training facilities.
  - (10) Nonresidential accessory buildings.
  - (11) Accessory dwelling units upon approval by the Planning Commission and supporting resolution of the Council.
2. Spatial Requirements:
    - a. Minimum lot size shall be twenty thousand (20,000) square feet; minimum width fifty (50) feet.
    - b. Minimum yard sizes:
      - (1) Front—Thirty-five (35) feet.
      - (2) Side—Ten (10) 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: Minimum rear and side setbacks shall be ten (10) feet.
    - 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 the required front or rear yard.

**Appendix A. Section VII. - 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**

The proposal meets the criteria as follows:

1. *Compliance with the current St. Charles Parish Comprehensive Plan*  
The Comprehensive Plan recommends Low Density Residential, up to eight (8) single-family dwelling units per acre. The subject site is over 1/2 of an acre, so two dwelling units on the site would not exceed 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 proposed ADU will be in the primary structure, which is shown to meet the spatial requirements in the O-L zoning district. **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 a driveway that is approximately 15 feet wide and 100 feet long and can stack up to five cars as well as a two (2) car garage. The parking exceeds the required two (2) parking spaces for a single-family house plus one (1) for ADUs. 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 O-L zoning district permits site-built single-family houses and residential accessory structures by right, with ADUs requiring special approval. The proposed ADU meets all the requirements for an accessory structure in the O-L 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 in a detached accessory structure. Building code approval requires fire protection. Noise impacts are not expected from this type of development but the noise ordinance applies. In order to permit the building, plans must show it will be built to the required base flood elevation and that stormwater will drain to existing drainage features rather than to adjacent properties. **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.* **Complies**
  - b. *Ingress and egress to property.* **Complies**
  - c. *Parking and loading areas.* **Complies**
  - d. *Location of garbage facilities.* **Garbage will most likely have to be taken to River Road.**
  - e. *Landscaping, buffering, and screening.* **N/A**
  - f. *Signage.* **N/A**
  - g. *Height and bulk of structures.* **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.* The lot is currently undeveloped, but the ADU is shown as part of a proposed single-family house which would go through standard building permitting. **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.* **Complies**
- iv. *There shall not be more than one (1) bedroom in an ADU.* **Complies**
- 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.* The ADU is part of a proposed single-family house the property owners intend to construct and move into. **Complies**

- vii. *Setbacks for ADUs developed as part of the principal structure are the same as the underlying zoning district. **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 unit consists of 2,408 square feet of living space, so an ADU may be built to the 1,200 square foot maximum. The ADU is shown consisting of 488 square feet. **Complies***
- x. *ADUs require one (1) off-street parking space in addition to the parking requirements of the underlying zoning district. The residence is shown with a driveway and two car garage, which can accommodate the required two parking spaces for the primary dwelling, and one additional space for the ADU. **Complies***

<b>ANALYSIS</b>
-----------------

The applicant requests a Special Permit Use to build an Accessory Dwelling Unit (ADU) which would be attached to a new single-family house at 195 Nicole Lane, Hahnville.

The 488 square foot ADU meets the requirements for ADUs and criteria for Special Permits. It consists of one (1) bedroom, bathroom, closet, and living room/kitchen with access to the laundry facilities of the main residence.

<b>DEPARTMENT RECOMMENDATION</b>
----------------------------------

**Approval**