

# St. Charles Parish Department of Planning & Zoning

## LAND USE REPORT CASE NUMBER: PZS-2015-23

### GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicants:** **Application Date:** 5/4/15  
Diahann L. Dufresne  
328 Barton Ave  
Luling LA 70070  
985.212.1809  
[barton0211@yahoo.com](mailto:barton0211@yahoo.com)
- ◆ **Location of Site:**  
13561 River Road, Luling
- ◆ **Requested Action:**  
Resubdivision of Portion of Property Abutting Gassen Subdivision as Described in Acts of Sale From Robert Gueno to Joseph D. Dufresne into Lots D-1 & D-2, with a waiver to hard surface frontage for Lot D-2

### SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:**  
Approx. 20,357 square feet, plus Batture
- ◆ **Plan 2030 Recommendation:**  
Consistent with the Future Land Use Map designation:  
*Commercial* for Lot D-1,  
*Low Density Residential* for Lot D-2,  
*Riverfront Commercial* for the Batture portion
- ◆ **Zoning and Land Use:**  
C-2 & R-1A zoning, mobile home to rear of site on proposed Lot D-2.
- ◆ **Surrounding Land Uses and Zoning:**  
C-3 and R-1A zoning & land use abuts upriver side; C-1 zoning and land use abuts downriver side.
- ◆ **Utilities:**  
All utilities serve site
- ◆ **Traffic Access:**  
River Road

### APPLICABLE REGULATIONS

#### **Subdivision Ordinance, Section II. Subdivision Procedure E. 4.**

##### C. Minor Resubdivisions.

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. However, the presented plan of resubdivision shall conform to requirements outlined in section II.C.3. of this section and shall have spaces provided for the signature of the Council Chairman and the Parish President. Approval requires a recommendation to the Council by the Planning & Zoning Commission, an ordinance by the Council, and certification by the Parish President. The proposal shall be in compliance with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations, as amended. This authority shall not exceed the limits herein.

#### **Subdivision Ordinance, Section II. Subdivision Procedure, C. Minor Resubdivisions.**

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Charles Parish Zoning Ordinance and Subdivision Regulations, as amended. This authority shall not exceed the limits herein. (Ord. No. 14-8-3, § I, 8-4-14)

**ANALYSIS**

This request seeks to subdivide a tract of land that extends approximately 310 feet from the land side of River Road and to the water's edge on the Mississippi River side. The site has three zoning designations: R-1A, C-2, and B-1. The rearmost portion is the R-1A portion. There is a legally non-conforming mobile home situated there. Proposed Lot D-2 is the portion in between Lot D-1 and River Road on which it fronts. Thus, Lot D-1 will be land-locked since it has no frontage but a servitude for access and utilities is indicated on the submitted plat. The remainder of the lot extending across River Road to the River's edge is the Batture portion. It is zoned B-1 and the applicants intend to sell it.

Because Lot D-2 is land-locked, it does not meet the minimum standards of the Subdivision Ordinance. Thus, resubdivision approval will require a waiver from the Commission and Supporting Resolution from the Council. But approving this lot is consistent with the Future Land Use Map designation for *Low-density Residential*.

During review of the application, it was determined that a private sewer line connection to the mobile home extends from Gassen Street through a neighboring lot. Though this can continue to exist, the department considered it prudent to advise the applicant to provide the utility servitude along the access right of way to eliminate unforeseen issues that could exist with the existing line.

Proposed Lot D-1 will create a vacant lot that abuts commercial uses on both sides. The Future Land Use Map recommendation for this proposed lot is for *Commercial*. However, the applicant has also submitted a special permit use application to allow a residential use there. The lot meets the minimum frontage and area requirements for C-2 zoning.

Although approval of this application requires a waiver for Lot D-2, the fact that an access servitude is indicated on the plat ensures that this lot will always have access from River Road. Approval also eliminates split-zoning as each lot will be situated in single zoning designations.

**DEPARTMENTAL RECOMMENDATION**

**Approval.**