

# **St. Charles Parish Department of Planning & Zoning**

## **LAND USE REPORT**

**CASE NUMBER: PZR-99-34**

### **GENERAL APPLICATION INFORMATION**

♦ **Name/Address of Applicant:**

Marlon Friloux  
225 St. Mark's Avenue  
Ama, La 70031

♦ **Location of Site:**

272 St. Mark's Avenue, Ama, La.

♦ **Requested Action:**

Rezoning from R-1AM to OL of lots designated as G-2 and G-3, BEING A PORTION OF LOT 3 OF A PARTITION BETWEEN THE HEIRS OF WIDOW URSIN ZERINGUE LOCATED IN SECTION 34 AND 36, T13S, R12E AMA ST. CHARLES PARISH, LOUISIANA on a survey prepared by Lucien C. Gassen dated January 15, 1980.

♦ **Purpose of Requested Action:**

Family Subdivision

### **SPECIFIC SITE INFORMATION**

♦ **Size of Parcel:**

35,546.5 sq. ft.

♦ **Existing Land Use:**

Vacant

♦ **Existing Zoning:**

R-1AM

◆ **Surrounding Land Uses and Zoning:**

R-1AM zoning surrounds the site; the land use is generally vacant but there are a few R-1AM uses in the vicinity.

◆ **Comprehensive Plan Specifications:**

“Promote the rural character and maintain existing residential uses, encourage controlled commercial/light industrial growth that employs adequate buffer zones.”

◆ **Utilities:**

Standard utilities are available along Zeller St.

◆ **Floodplain Information:**

X non-flood hazard area.

◆ **Traffic Analysis:**

Site is served by River Road (LA. 18).

**APPLICABLE REGULATIONS**

Rezoning Guidelines and Criteria: Before the Commission recommends or the 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:

1. 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:
  - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
  - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
  - c. Consideration of changes in land value, physical environment or economic aspects which tend to limit the usefulness of vacant land or buildings.
2. 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:
  - a. Undue congestion of streets and traffic access.
  - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
  - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
  - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.

3. The proposed zoning change is in keeping with zoning law and precedent, in that:
  - a. It is not capricious or arbitrary in nature or intent.
  - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
  - c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
  - d. 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**

The applicant desires to rezone this property from R-1AM to OL for the purpose of developing a family subdivision of three (3) residential units.

Local Law, with respect to rezoning applications, specifies that rezoning proposals must meet the guidelines of at least one of the three criteria headings. This application meets the first and second criteria. The rezoning and subsequent family subdivision will not create undue congestion of streets and traffic access primarily because the surrounding land is sparsely populated. Therefore, rezoning of the three lots will have minimal impact on the surrounding land use. The same applies in regard to the overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities. All are in place and are adequate to handle the increased demand three additional residential lots. Finally, a family subdivision is not allowed under the current zoning (R-1AM) but is allowed in a district zoned OL. Therefore, this land / building usage will become incompatible with existing character or usage of the neighborhood under its current zoning.

### **DEPARTMENTAL RECOMMENDATION**

The Department recommends approval of the application as presented.