

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: 2019-9-SPU

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 7/3/19**
Jia Min Wu
97 Villere Drive
Destrehan, LA 70047
(985)-764-8959; jectiger@bellsouth.net
- ◆ **Location of Site**
Lot 1400-C, Ormond Country Club Estates; 97 Villere Drive, Destrehan
- ◆ **Requested Action**
655 square foot detached accessory dwelling unit

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel(s)**
The site consists of 17,000 square feet with 100 feet of frontage.
- ◆ **Current Zoning and Use**
R-1B, Single Family Residential; the property is developed with a site-built single family house.
- ◆ **Surrounding Zoning and Land Uses**
R-1B zoning is adjacent to each side; a single family house is adjacent to the northwest side; Entergy and pipeline right-of-way is adjacent to the rear; country club facilities are located on the remaining sides.
- ◆ **Utilities**
Water, sewer, and drainage serve the site, and representatives from the Departments of water works and Public Works & Wastewater indicate that utilities can accommodate an ADU.

APPLICABLE REGULATIONS

[III.]R-1B. Single family residential detached conventional homes—Light to medium density

1. Use Regulations:
 - c. Special permit uses and structures include the following:
 - (1) Child care centers (minimum lot size—20,000 square feet)
 - (2) Public and private schools (except trade, business, and industrial)
 - (3) Religious institutions
 - (4) Golf courses (but not miniature courses or driving ranges) and country clubs (non-profit) with a site of at least five (5) acres and with all parking at least fifty (50) feet from rear and side property lines
 - (5) Educational, religious and philanthropic institutions, provided, however, that such uses shall be located on sites of ten (10) acres or more, that buildings shall not occupy more than ten (10) percent of the site area, and that buildings be set back from all yard lines a distance of at least one (1) foot for each foot of building height.
 - (6) Reserved.
 - (7) Reserved.
 - (8) Private commercial access roads, upon review by the Planning Commission and
 - (9) Accessory Dwelling Units upon approval by the Planning Commission and supporting resolution of the Council.**
2. Spatial Requirements:
 - a. Minimum lot size: Ten thousand (10,000) square feet per family; minimum width - eighty (80) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty-five (25) feet
 - (2) Side - eight (8) feet
 - (3) Rear - twenty-five (25) 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 and side setbacks of a detached accessory building shall be five (5) feet.
 - (4) Accessory buildings shall be located on the same parcel of land as the main structure.
 - (5) 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 or rear yard.

Appendix A. Section VII.

Accessory buildings.

- a. Residential accessory buildings are allowed only in the side and rear yards.
- b. An accessory building may be connected to the principal building via an unenclosed breezeway not exceeding eight (8) feet in width.
- c. Accessory buildings must be three (3) feet from the principal building, measured from any existing overhangs (not including breezeways).
- d. The following shall not be permitted as accessory buildings in residential zones: storage containers, cargo containers, ship to shore containers or any form of a modified delivery type container which is normally mounted or transferred on a vehicle or is designed for or capable of being mounted on a chassis for movement.

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.

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 SPU criteria as follows:
 1. *Compliance with the current St. Charles Parish Comprehensive Plan*
The Comprehensive Plan recommends Low Density Residential, which provides for development consistent with the R-1A and R-1B zoning districts, including accessory units. **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 ADU is proposed in a new 655-square foot detached structure comparable in size and location to other detached accessories in the area. The existing driveway will provide access to the ADU, comparable to other site development. **Complies**

3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* The house is currently developed with a driveway that can accommodate up to five (5) vehicles, which meets the required two (2) spaces for single-family dwellings and one (1) space 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 proposed ADU is 655 square-feet and would be located in a rear yard corner, comparable to other accessory structures in size and location. **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 new detached accessory structure. Building code approval requires fire protection. Noise impacts are not expected from this type of development but the noise ordinance will provide for the enforcement of any noise issues that may result. The structure will result in an increase in impermeable area on the property, which can increase any drainage issues. The proposed structure is similar to a typical detached residential accessory building, and should not result in a greater impact to drainage compared to what can typically be permitted by right on this site. **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.* The ADU is shown 10 feet and 58.5 feet from each side property line, and 8 feet from the rear property line. Five (5) feet is required for accessory structures in the R-1B zoning district. **Complies**
 - b. *Ingress and egress to property.* Ingress and egress to both the ADU and primary dwelling will come from an existing driveway providing access to Villere Drive. **Complies**
 - c. *Parking and loading areas.* Driveway space is adequate to accommodate the required two (2) spaces for single-family dwellings and one (1) space for ADUs. **Complies**
 - d. *Location of garbage facilities.* **N/A**
 - e. *Landscaping, buffering, and screening.* **N/A**
 - f. *Signage.* **N/A**
 - g. *Height and bulk of structures.* ADU shown consisting of one story and takes up less than 25% of the required rear yard. **Complies**
 - h. *Location and direction of site lighting.* **N/A**
- ◆ *Design and development standards for all accessory buildings*
 - a. *Residential accessory buildings are allowed only in the side and rear yards.* **Complies**
 - b. *An accessory building may be connected to the principal building via an unenclosed breezeway not exceeding eight (8) feet in width.* **N/A**
 - c. *Accessory buildings must be three (3) feet from the principal building, measured from any existing overhangs (not including breezeways).* **Complies**
 - d. *The following shall not be permitted as accessory buildings in residential zones: storage containers, cargo containers, ship to shore containers or any form of a modified delivery type container which is normally mounted or transferred on a vehicle or is designed for or capable of being mounted on a chassis for movement.* **Complies**
 - ◆ *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.* Site developed with a site-built single family dwelling. **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.* **Detached**

- iv. *There shall not be more than one (1) bedroom in an ADU. Floor plan shows ADU consisting of a living room, kitchen, bathroom, and one (1) bedroom. **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 owner is shown to be homesteaded at the subject site. **Complies***
- vii. *Setbacks for ADUs developed as part of the principal structure are the same as the underlying zoning district. **N/A***
- viii. *Setbacks for ADUs developed as detached structures shall meet the setbacks for accessory structures for the underlying zoning district. In the R-1B district, accessory structures must meet the following:*
 - (1) *An accessory building may occupy no more than twenty-five (25) percent of the required rear yard. **Complies***
 - (2) *The accessory building shall not exceed two-story construction. **Complies***
 - (3) *Minimum rear and side setbacks of a detached accessory building shall be five (5) feet. **Complies***
 - (4) *Accessory buildings shall be located on the same parcel of land as the main structure. **Complies***
 - (4) *Nonresidential accessory buildings shall not be permitted. **Complies***
- 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 is shown consisting of 3,416 square feet. The ADU is shown consisting of 655 square feet. **Complies***
- x. *ADUs require one (1) off-street parking space in addition to the parking requirements of the underlying zoning district. The existing driveway is capable of accommodating the required two (2) parking spaces for single-family dwellings along with the additional space for an ADU. **Complies***

ANALYSIS

The applicant is requesting a Special Permit Use for an Accessory Dwelling Unit (ADU) at 97 Villere Drive, Destrehan. A site-built, single-family house exists at the site, and the ADU is proposed as a separate detached structure.

The 655 square foot ADU consists of one (1) bedroom, and is shown outfitted with facilities which would allow a resident to live independently from the primary dwelling. The site plan shows the ADU meets the general requirements for accessory structures and specific requirements for ADUs. All criteria for the evaluation of special permits are met.

DEPARTMENT RECOMMENDATION

Approval