

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: 2022-15-SPU

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 8/2/2022**
Sean & Christy Moore
225 Park Avenue
New Sarpy, LA 70047
(504)-301-7519; czeringuemoore@gmail.com
- ◆ **Location of Site**
Lot 5B-1, Sq. 15, New Sarpy Subdivision; 225 Park Avenue, New Sarpy
- ◆ **Requested Use**
Accessory Dwelling Unit (ADU)

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel(s)**
15,792.67 sq. ft., 120 ft. wide on Park Avenue
- ◆ **Current Zoning and Use**
R-1A; site-built single family house
- ◆ **Surrounding Zoning and Land Uses**
R-1A zoning surrounds the site.

The site is located in a single-family neighborhood with site-built single-family houses surrounding the site. The applicant owns two abutting lots with are vacant, and one of the lots across Park Avenue is vacant.
- ◆ **Flood Zone and Elevation**
Effective flood zone A99 / DFIRM X construction elevation requirement is 1 ft. above the centerline of the street.
- ◆ **Future Land Use Recommendation**

Low Density Residential: (from 4 up to 8 dwellings per gross acre) this category includes the Parish's predominantly single family detached subdivisions, including those developed consistent with the R-1A (6,000 sq. ft. minimum lot size) and R-1B (10,000 sq. ft. minimum lot size) zoning districts. It also allows accessory units and individual mobile homes on small platted lots zoned R-1AM. Neighborhood-serving uses such as neighborhood parks, churches and servitudes may also be included in this land use category.

Neighborhood Commercial: accommodate retail sales and services for the daily self-sufficiency of residents of a neighborhood or neighborhoods, such as convenience shopping, dry cleaners, hair salons and barber shops, day care centers, coffee shops, professional and business service offices, etc. Uses permitted in the C-1 (Commercial Office) zoning district are allowed in this district. Some uses that are permitted in the C-2 zoning district are also appropriate (e.g., bakeries, tailors, etc.).
- ◆ **Traffic Access**
The site has 120 ft. of frontage on Park Avenue and is designed with a circular drive as well as a driveway to a detached car port. The site plan shows access to the proposed ADU from an existing driveway in a bend of West McAdoo Street (approximately 19 ft. of frontage).
- ◆ **Utilities**
Standard utilities serve the site and are able to accommodate an ADU.

APPLICABLE REGULATIONS

Appendix A. Section VI. – Zoning District Criteria and Regulations

[I.] R-1A. *Single family residential detached conventional homes*—Medium density.

Policy statement: This district is composed of areas containing one-family dwellings constructed on a permanent foundation, connected to public utilities and which meet the architectural standards of a permanent residence. The district regulations are designed to protect the residential character of the areas by prohibiting all commercial activities; to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

1. Use Regulations:
 - c. Special permit uses and structures include the following:
 - (1) Child care centers.
 - (2) Public and private schools (except trade, business, and industrial).
 - (3) Golf courses (but not miniature courses or driving ranges), country clubs, and accessory commercial uses on such properties.
 - (4) Educational, religious and philanthropic institutions. These buildings must be set back from all yard lines a distance of at least one (1) foot for each foot of building height.
 - (5) Modular, panelized and precut homes, provided that they are placed on a permanent foundation.
 - (6) *Reserved.*
 - (7) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
 - (8) Accessory dwelling units upon approval by the Planning Commission and supporting resolution of the Council.**
 - (9) Garden Home Developments in accordance with Section VII Supplemental Regulations upon review and recommendation of the Planning Commission and supporting resolution of the St. Charles Parish Council.
2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet per family; minimum width—sixty (60) feet.
 - b. Minimum yard sizes:
 - (1) Front—Twenty (20) feet.
 - (2) Side—Five (5) feet.
 - (3) Rear—Twenty (20) feet.
 - (4) For lots with less than one hundred (100) feet depth, front setback and rear setback shall be twenty (20) percent of lot depth respectively with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line.
 - (5) 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 setback of accessory buildings including overhangs, shall be three (3) feet.
 - (4) Nonresidential accessory buildings shall not be permitted.
 - d. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter. For accessory buildings, overhangs shall not be closer than three (3) feet to any property line.
 - (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 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

Appendix A. Section VII. - Supplemental use and performance regulations.

1. The following uses are subject to the regulations set forth herein:

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.

SPU 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 15,792.67 sq. ft., which is more than double the minimum lot size for the zoning district. An ADU on the site would result in a residential density of approximately six (6) dwelling units per acre. **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.* Lot 5B-1 of Square 15 was resubdivided in 2021 by combining Lot 5B, a regular, rectangular lot 120 ft. x 80 ft., with Lot 14, an irregular, triangular-shaped lot that extended into the center of Square 15 from frontage of approximately 19 ft. within a curve of West McAdoo Street. The result is a large, irregularly-shaped lot within Block 15, which is also irregularly-shaped. Although it is irregular, the lot is developed like other lots in the neighborhood, with a house fronting Park Avenue, a detached carport in the side yard and a shed in the rear.

The two-story ADU is proposed to be located 8 ft. from the rear lines of one adjacent property (Lots 24, 25, & 26 developed with one house) and 20 ft. from the side line of another (Lot 15A which is vacant and owned by the applicant). The appears to be space on Lot 51-B to place the ADU farther from the rear lines of the lots owned by others and closer to the side lines owned by the applicant. However, the Supplemental Regulations for ADUs permit the building as close as 3 ft. from rear and side lot lines. The proposed ADU would be compatible with the surrounding neighborhood in terms of building design, hours of operation, and vehicle circulation. **Complies**

3. *Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.* Dedicated loading facilities are not required for this use. The ADU the second floor of a new detached, two-car garage. The site is developed with a carport and driveways that can accommodate more than the two (2) required parking spaces for a single-family houses plus the additional one (1) required for an ADU. **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.* Before Lot 14 was dissolved into Lot 5B-1, it could have been developed with a site-built single-family house and accessory buildings. The two-story ADU is proposed to be located 8 ft. from the rear yards of adjacent properties in separate ownership and 20 ft. from the side line of Lot 15A which is vacant, and owned by the

applicant. There appears to be adequate space to place the ADU farther from the rear lines owned by others and closer to the side line owned by the applicant. However, the Supplemental Regulations for ADUs permit the building as close as 3 ft. from rear and side lot lines. **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 separation of buildings, fire-rated walls, or other measures to protect adjacent properties. 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 storm water 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.*
 - Accessory structures cannot encompass more than 25% of the required rear yard. The required rear yard consists of 3,747 sq. ft., limiting accessory structures in the rear yard to 936 sq. ft. Approximately 578.4 sq. ft. of the new accessory structure is within the required rear yard. **Complies**
 - With setbacks shown as 8 and 20 ft. from the nearest property lines, the proposed accessory structure is compliant with setback requirements for the zoning district (3 ft.) **Complies**
 - b. *Ingress and egress to property.* The ADU will have its own means of ingress/egress via an existing driveway on W. McAdoo Street. **Complies**
 - c. *Parking and loading areas.* The primary residence is developed with a driveway capable of accommodating the required two (2) parking spaces for a single family house, plus one (1) space for the ADU. The ADU itself is being built on the second floor of a detached two car garage, which can further accommodate the required parking. **Complies**
 - d. *Location of garbage facilities.* The ADU would utilize standard municipal garbage collection, which does not require a dedicated facility. **N/A**
 - e. *Landscaping, buffering, and screening.* No landscaping, buffering, or screening is required or proposed. **N/A**
 - f. *Signage.* No signage is proposed as part of this request. **N/A**
 - g. *Height and bulk of structures.* The floor plan for the proposed ADU shows it will consist of approximately 518 sq. ft., meeting the allowable square footage for this site of 1,200 sq. ft. This is further detailed under the ADU specific requirements below. **Complies**
 - h. *Location and direction of site lighting.* No site lighting is proposed as part of this request. **N/A**

Accessory dwelling units.

- There shall be no more than one (1) ADU permitted per lot. **Complies**
- No ADU will be permitted without a primary building. **Complies**
- There shall not be more than one (1) bedroom in an ADU. The floor plan shows an ADU consisting of a combined kitchen and living space, bathroom, and 1 bedroom. **Complies**
- The owner of the property on which the ADU is to be created shall occupy the primary dwelling unit. The owners/applicant are homesteaded at the subject property. **Complies**
- Setbacks for ADUs developed as part of the principal structure are the same as the underlying zoning district. **N/A**
- Setbacks for ADUs developed as detached structures shall meet the setbacks for accessory structures for the underlying zoning district. This is a detached ADU which can be located as close as 3 ft. to the side and rear property lines in the R-1A zoning district. The site plan shows setbacks of 8 and 20 ft. from applicable property lines. **Complies**
- 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 residence consists of approximately 2,868 sq. ft., limiting an

ADU on this property to 1,200 sq. ft. maximum. The ADU will consist of the second floor of a new detached garage, with the ADU consisting of approximately 518 sq. ft. **Complies**

- ADUs require one (1) off-street parking space in addition to the parking requirements of the underlying zoning district. The primary residence is developed with a driveway capable of accommodating the required two (2) parking spaces for a single family house, plus one (1) space for the ADU. The ADU itself is being built on the second floor of a detached two car garage, which can further accommodate the required parking. **Complies**

ANALYSIS

The applicant is requesting a special permit for a detached Accessory Dwelling Unit (ADU) at 225 Park Avenue, New Sarpy.

The proposal meets all of the Special Permit Use criteria along with the requirements specific to accessory structures and ADUs.

DEPARTMENT RECOMMENDATION

Approval.

If the Planning Commission approves this request it will be forwarded to the Parish Council for consideration of a resolution in support of the approval.