

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: PZS-2018-56

GENERAL INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 11/07/18**
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- ◆ **Location of Site**
Portion of Lot A, Fashion Plantation Subdivision; 14787 River Road, Hahnville
- ◆ **Requested Action**
Resubdivision of a Portion of Lot A, Fashion Plantation Subdivision, into three (3) lots, L-1, L-2, L-3.

SITE INFORMATION

- ◆ **Size of Parcel**
Portion of Lot A currently consists of 394,869 square feet and has 80 feet of frontage
Proposed Lot L-1: 31,512.39 square feet, 80 feet wide on River Road
Proposed Lot L-2: 20,000 square feet, 125 wide, no frontage
Proposed Lot L-3: 343,357 square feet, 2,606 feet wide, no frontage
- ◆ **Current Zoning and Land Use**
O-L, Open Land; the front of the property which will consist of proposed Lot L-1 is developed with a single family house. The remainder of the lot is cleared and in agricultural use.
- ◆ **Surrounding Zoning and Land Use**
R-1A zoning is across river Road; O-L zoning abuts on each side and to the rear.

Site-built single family houses are developed adjacent to the front, across River Road, and along a portion of the downriver side. The land adjacent to the upriver side is cleared and used for agricultural purposes.
- ◆ **Plan 2030 Recommendation**
Low Density Residential: 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.

Residential-Mixed Use: This land use designation applies in areas appropriate for large scale, creatively planned developments where the predominant use is residential, but where a variety of housing types at varying densities are encouraged, as well as compatible, local serving commercial and service uses. Development under this land use category is anticipated to take the form of Planned Developments (PD's) as well as Traditional Neighborhood Developments (TND's).
- ◆ **Traffic Access**
The existing lot has frontage and access to the front along River Road. Proposed lot L-1 will have the only street access, utilizing the existing frontage along River Road.

Lots L-2 and L-3 will not have street frontage, but will have access to river road from a 25-foot access and utility servitude running through Lot L-1, through Lot L-2, and to L-3. Lots without frontage are permitted in the O-L zoning district "provided that a

permanent rite of passage to access the structure exist or is provided for, is recorded into the deed of the property, and is filed with the Clerk of Court”.

◆ **Utilities**

Representatives for Parish water, sewer, and drainage indicate that utilities in the area can accommodate dwelling units on proposed Lots L-2 and L-3; L-1 is already developed with a dwelling. In order to permit a house on the lots, the developer will have to "tie-in" to Parish water and sewer along River Road and lay private service lines from that tie-in to the house site. This means that the water line from the water meter to the house will be 292 feet long or longer. Likewise, the sewer line will be at least 292 feet long; representatives of sewer expect that a pump will be necessary to get sewerage from the house to the community sewer line. Lot L-2 will have to drain stormwater to River Road as well. All of these service lines plus any electrical, natural gas, and telecommunications lines should be located in the 25' access and utility servitude through proposed Lot L-1.

APPLICABLE REGULATIONS

Appendix C. Section II. Subdivision Procedure C. *Minor Resubdivisions.*

1. 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. The plan of resubdivision shall comply with requirements outlined in section II.C.3 of this section, and with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations. The Planning and Zoning Commission may approve or deny the application. The basis for denial shall be stated at the meeting and on the record of the Planning and Zoning Commission.

3. Subdivisions and resubdivisions which meet the guidelines contained in Section II.C. of these regulations shall be presented to the Department of Planning and Zoning in the form of a plan which conforms to the laws of the State of Louisiana governing surveying, platting, and subdivision of land. The proposed subdivision shall contain the following information:

- a. Location of the property.
- b. Name(s) and address(es) of the owners.
- c. Name and address of the Land Surveyor preparing the plan as well as the date the survey was prepared. The survey shall be dated within one (1) year of the subdivision application date.
- d. Existing property lines and lot numbers, including names and width of adjoining streets.
- e. Proposed property lines and revised numbers of proposed lots.
- f. Location and dimensions of existing buildings.
- g. Layout and dimensions of all existing, proposed, and required servitudes and rights-of-way, including but not limited to servitudes for sidewalks, utilities, access, drainage ditches, and canals.
- h. Existing lakes and ponds.
- i. North arrow and scale.
- j. The following note shall be added to all resubdivision maps: All necessary sewer, water and/or other utility extensions, relocations or modifications shall be made solely at the lot owner's expense.
- k. Stormwater Pollution Prevention Plan. For Minor Subdivisions that involve more than one (1) acre, the MS4 Administrator may require the submittal of a Stormwater Pollution Prevention Plan and/or Post Construction Stormwater Permit, including all required documentation, in accordance with Chapter 25—Stormwater Management and Erosion and Sedimentation Control.

III. - Geometric standards.

C. Lots:

1. Size. The width, depth, area, and minimum building setback line shall conform to the St. Charles Parish Zoning Ordinance for the type of development.
 - a. Corner Lot. Corner lots shall have extra width to permit setback lines on the side of the lots adjacent to a side street. The extra width shall be sufficient to allow the lot to meet the minimum zoning requirements of the St. Charles Parish Zoning Ordinance excluding the side street setback distance.
 - b. Width. The lot width at the minimum building setback line shall not be less than that specified by the St. Charles Parish Zoning Ordinance.
2. Lot Lines. All lot side lines shall be at right angles to straight street lines or radial to curved street lines unless a variation is approved in writing by the Commission.
3. Large Lots. When a parcel of land is subdivided into large lots, the Commission may require the shape and dimensions of the lots arranged so that resubdivision of any lots will meet the requirements of these Regulations and the St. Charles Parish Zoning Ordinance.

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

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) Farming.
 - (2) Animal husbandry.
 - (3) Farm family dwellings.
 - (4) Tenant dwellings.
 - (5) Site-built, single-family detached dwellings.

- (6) Additional dwellings for family and relatives on unsubdivided property on a non-rental basis, and which meet the criteria outlined in Special Provisions [subsection 3].
 - (7) Manufactured housing.
 - (8) Mobile homes.
 - (9) Accessory buildings.
 - (10) Family subdivisions, provided that they conform to the St. Charles Parish Subdivision Regulations [appendix C].
 - (11) Farmer's market, provided that the criteria outlined in Special Provisions [subsection 3] is met.
 - (12) Any permitted uses under subsection 1.a. items (1) through (9) on a lot or property without frontage provided that a permanent rite of passage to access the structure exists or is provided for, is recorded into the deed of the property, and is filed with the Clerk of Court.**
- b. Special exception uses and structures include the following:
 - (1) Religious institutions.
 - (2) Golf courses and golf practice ranges.
 - (3) Public parks and recreational areas.
 - 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.
3. Special Provisions:
- a. Additional dwellings on unsubdivided property:
 - (1) Additional dwellings on unsubdivided property referred to in 1, a(11) above, will be permitted at the rate of one (1) dwelling unit for each ten thousand (10,000) square feet of lot area.
 - (2) The applicant for any additional dwellings on unsubdivided property shall submit a copy of all subdivision restrictions (covenants) which govern the property in order to protect the integrity of the neighborhood.
 - (3) Under no circumstances will the total number of dwellings per unsubdivided lot permitted under these provisions exceed four (4).
 - (4) Permits issued under this provision will be issued for a two-year period. At the expiration of this time, an investigation will be conducted by the Planning and Zoning Department to determine if this Code is complied with. Non-compliance will result in the revocation of the permit.
 - b. All manufactured housing and mobile homes shall be secured according to the Federal Emergency Management Agency's Sept. 1985 publication Manufactured Housing Installation in Flood Hazard Areas.
 - c. All dwelling units shall be connected to utility systems which provide for health and safety under all conditions of normal use. Home utility services shall only be connected to the supply source by means of approved materials, and shall be inspected by the appropriate agency.
 - d. Farmer's market
 - (1) All products must be sold on the premises on which they were grown or produced, from either a truck, stand, display table, or other means of display which has been inspected and approved by the Parish Health Unit.
 - (2) No structure, vehicles or signs may be located closer to any property line than the general setback requirements of the O-L District with the exception of one (1) on-premises sign which contains the name of the market. This sign shall be located approximate to the entrance drive

directing attention to the market. The sign shall conform with acceptable commercial standards regarding quality and aesthetics. No temporary signs will be allowed. If the sign is to be illuminated, lighting shall be arranged as not to interfere with traffic safety or cause a nuisance to abutting properties.

e. Cemeteries and mausoleums:

(1) All cemetery or mausoleum sites must have a minimum street frontage of one hundred (100) feet.

(2) All cemetery or mausoleum sites must have a fence or screen planting six (6) feet high along all property lines adjoining all districts.

4. Prohibited Use: Medical waste storage, treatment or disposal facilities.

ANALYSIS

The applicant proposes a minor resubdivision creating three (3) new lots out of an existing parcel.

Proposed lots L-1, L-2, and L-3 meet the minimum 20,000-square foot area requirement for the O-L zoning district; considering the proposed 25-foot wide access servitude, they can be considered to meet the minimum width of 50 feet on that driveway.

Lots L-2 and L-3 do not have frontage on a developed street. The survey shows a 25-foot wide access and utility servitude through Lot L-1 and Lot L-2 providing access to River Road. The Department of Public Works indicated the servitude is satisfactory. Development The O-L zoning district allows for development on lots without frontage when a permanent rite of passage is provided for, recorded into the deed of the property, and filed with the Clerk of Court. If this resubdivision is approved, the plat will be recorded in the Clerk of Court and referenced in the deeds to Lots L-2 and L-3. The applicants have been advised that the servitude should also be described in the deed for each of the lots created.

This type of development exists on several river-front properties in Hahnville; however, the development trend is to major subdivisions. The 25-foot wide access servitude, proposed "Lombardo Lane," allows the family to develop to meet their needs today and primes the property for future development.

DEPARTMENT RECOMMENDATION

Approval.