ST. CHARLES PARISH ZONING BOARD OF ADJUSTMENT February 23, 2023 6:00 P.M.

CALL TO ORDER PLEDGE OF ALLEGIANCE

- 2023 1 ZBA requested by Janeiri Guardado and Jose Rodriguez to reduce the required setback for an accessory building at 131 Sharon Avenue, Boutte. Zoning District R-1A(M). Council District 4.
- 8 <u>2023 2 ZBA</u> requested by <u>Jamarr Hunter</u> to remove the required height restriction for a residential fence within the front yard setback at **201 Belle Ormond Circle, Destrehan.**Zoning District R-1A. Council District 3.
- 22 <u>2023 3 ZBA</u> requested by <u>Alvin Gordon III</u> to reduce the required construction elevation on Lot 2, Block O, Magnolia Ridge Park Subdivision, adjacent to 312 Lily Street, Boutte. Zoning District R-1A. Council District 4.

UNFINISHED BUSINESS -NEW BUSINESS -MINUTES -ADJOURN

Alternate date: NONE



Department of Planning & Zoning Staff Report – Zoning Board of Adjustments Case No. 2023-1-ZBA

GENERAL APPLICATION INFORMATION

APPLICANT / PROPERTY OWNER:

Janeiri Guardado and Jose Rodriguez 131 Sharon Avenue Boutte, LA 70039 504.428.8669; marlet_j15@hotmail.com

LOCATION:

131 Sharon Avenue, Boutte; Lots 7 & 8, Blk. I, Magnolia Ridge Park Subd.

REQUEST:

Reduce required minimum setback for accessory buildings from three feet (3 ft.) to one foot (1 ft.).

SITE INFORMATION

SIZE OF PROPERTY: 14.129.5 sq. ft.

EXISTING ZONING: R-1A(M), Single Family Residential Detached Conventional Homes, Manufactured

Homes, and Mobile Homes—Medium density

SURROUNDING ZONING AND LAND USE: R-1A(M) zoning is located to each side; the site is in a developed residential neighborhood with a mix of single-family houses and mobile homes.

FUTURE LAND USE RECOMMENDATION: Low-Moderate Residential

TRAFFIC ACCESS: Sharon Avenue

BASE FLOOD ELEVATION (BFE): A99 AE 4'; DFIRM AE6

APPLICABLE CODE REGULATION(S)

Appendix A. Section VI. Zoning District Criteria and Regulations

B. Residential districts

[II.] *R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes*—Medium density.

- 2. Spatial Requirements.
 - c. Accessory buildings:
 - (1) The accessory building shall not exceed two-story construction.
 - (2) Minimum setback of accessory buildings shall be three (3) feet.
 - (3) Nonresidential accessory buildings shall not be permitted.

DEPARTMENT ANALYSIS & FINDINGS

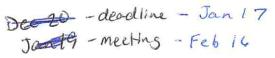
- 1. On November 17, 2022 Code Enforcement started a violation at 131 Sharon Avenue for the construction of an accessory building and rebuilding a carport without a permit. The owner was advised to apply for a permit and stop building until a permit is issued.
- 2. On November 29, 2022 the applicant submitted a permit for an accessory structure in the rear corner of the property. The submitted site plan showed the accessory structure within the required setback and the applicant was provided a variance application.
- 3. Inspections completed on December 1, 2022 and December 15, 2022 by Code Enforcement show that the construction of the accessory structure continued.
- 4. A violation notice was sent by mail to the property owner on December 22, 2022.
- 5. The variance application was completed and submitted on January 9, 2023.
- 6. The Board of Adjustments has not heard or granted similar variances in this area.
- 7. As of February 9, 2023, a code violation is still active on property due to the accessory structure and carport being rebuilt without permit.
- 8. In order to meet the zoning district requirements, the applicant must remove the existing structure from the required 3 ft. setback and resubmit plans showing it would be constructed in a zoning compliant location.

2023-1-ZBA, Jose Rodriguez & Janeiri Guardado

Reduce required minimum setback for an accessory building









ST. CHARLES PARISH

APPLICATION FEE:

Single-Family Residential: \$150 All Other: \$250

DEPARTMENT OF PLANNING AND ZONING

APPLICATION TO THE ZONING BOARD OF ADJUSTMENT

P.O Box 302 • Hahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

Municipal Address of Request 13 Shoven Ave	
	State Zip
	_ Lot Block Section
Owner/Applicant Name Janeiri M Guardade	o Jose A. Rodriguez
Mailing Address 131 Sharon Ave	
city_BOUTE	
Phone # (504) 428-8669 Email N	nirlet j 15@ hotmail.com
APPLICANT TESTIMONY: Why can't your project meet the zonir	ng regulations?
Please attach any additional information to clar	ify or explain your request to the Board.
OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF ST	. CHARLES
July July 1 Good Co	NOTARY PUBLIC: Subscribed and sworn to before me this day
(Print Name) deposes and states (i) that he or she is the owners of the	
property described in this application; (ii) that all	of January, 20 23 in my office at Bouttle CA CATALLER ONALD
	office at On the AtmoONALD
best of his knowledge and belief; and (iii) that he or she authorizes the foregoing petition.	Louisiana.
D. Jaheni M Guadada	
(Signature of owner)	(Signature of Morary Public)
FOR OFFICE U	ISE ONLY:
ZBA Case #: 2023-1-ZBA Property Identification #: 703-	
103	D144
Receipt #: 10009284 Flood Zone:	Zoning District: KIAM
Subdivision Name: Magnolia Ridge Park	241 4 - 0 -
	ock <u>I</u> Property sq. ft. 14,129,5
Code Section being appealed: Side Yard Setback	to 12 inches

Side youd for Acc.



Project Inspection History

Project Number Jurisdiction
22-1829 St. Charles

Customer

Address

131 SHARON AVE BOUTTE LA 70039

Work Order/Inspection Details

Work Order ID	Scheduled Date	Inspection Type	Inspection Status	Inspector	Inspection Date
20849664	11/17/2022	Various Nuisances - Initial Inspection - Contact Property Owner and Leave Door Tag/Post Property	Violation	Toriel Flot	11/17/2022
	Comments:	Inspected property and photos taken. Owner is building a shed and patio without permits. Spoke to Left a door tag with the number to our office.	o owner and explain	ed that a pe	rmit is needed.
20849911	12/01/2022	Various Nuisances - Second Inspection	Violation	Toriel Flot	12/01/2022
	Comments:	Inspected property and photos taken. Owner is building a shed and patio without permits. Please of	ome to our office ar	id apply for	permits.
20900400	12/15/2022	Various Nuisances - Third Inspection	Violation	Toriel Flot	12/16/2022
	Comments:	Inspected property and photos taken. The shed and patio are built without permits. Please come to	our office and appl	y for permit	S.
20985230	01/05/2023	Various Nuisances - Fourth Inspection - Contract out work if still in violation	Violation	Toriel Flot	01/04/2023
	Comments:	Inspected property and photos taken. The shed and patio are built without permits. Please come to	our office and appl	y for permit	S.
22671324	01/18/2023	Various Nuisances - Fifth Inspection	Violation	Toriel Flot	01/18/2023
	Comments:	Inspected property and photos taken. The shed and patio are built without permits. Owner is still become to our office and apply for permits.	uilding on property	without a pe	ermit. Please
22728400	02/01/2023	Various Nuisances - Sixth Inspection	WO Not Complete	Toriel Flot	¥

The information included in this report is also available at MyGovernmentOnline.Org

Comments: No Comments Supplied



SAINT CHARLES PARISH

Department of Planning and Zoning P.O. Box 302 (14996 River Road) • HAHNVILLE, LOUISIANA 70057 (985) 783-5060 • (985) 783-5000 •

PERMIT APPLICATION

Email: permits@stcharlesgov.net

(CIRCLE TYPE/S BELOW)

DENTIAL ADDITION

ACCESSORY BUILDING

PATIO COVER

KES	rev 10/2014	80.
	(OFFICE SECTION)	
PERMIT #:	PERMIT TYPEDATE REQUESTED:	
1	COUNCIL DISTRICTZONING DISTRICT:	
FLOOD ZON	DEDIM	
	Permit issuance hours are 8:30am to 3:00pm	
Construction a	eddress: 131 Sharan Ave BOUTHE LA 70039	
	Bhons # KOY) 428-8669	
Applicant	121 Slace 10 100 BUILTIE LA 70039 101 :15 @ 1	1
Mailing addres	131 Sharon Ave Buttemail: Marlet 15@ hoth	nail. (on
Property owne	er(s): JOBE A. Rodriguez Janein M. GOUNESUS 428-8669	
Mailing addres	ss: Same Email:	
Contractor ()	DW ~ C + H V. C # Phone #: E-mail:	
	: Lic. # Plumbing sub-con: Lic. #	
Hvac sub-con:	: Lic. # (license req. for project over \$7,500 or trade license for project exceeding \$10,000)	
Subdivision:	Lot #:Square/block #:	
Property area s	sq.ft.: Corner lot? Construction value:	
List any servitu	ude(s) on property:	
	cture dimensions: 16 x 3 0 Total area: 3 2 0 57 f# of stories: 1	
	Detached X Existing residence sq.ft:(attached additions include trade permits)	
	proposed structure roof edge to property line:	
,		
	proposed structure roof edge to existing structures roof edge: AW AY	
Detached struct	ctures with utilities require additional trade permits.	~
Check proposed	ed trades-permit types:ElectricalPlumbingMechanicalGas	
Project descripti	tion: training now Shield on the	
1200	ok OF It. House Shoot	
1316	CH TM There	
CI CI	hecklist for obtaining Permit:	
	Application signed and dated. If applicant is not the property owner written consent must be provided	
	Copy di act di sale di deed to the property	
3. 4.	Survey signed and dated by a licensed land surveyor of structures Site plan indicating the complete layout of the lot with the location of all existing and proposed structures, the	
	actual building setback dimensions, including proposed drainage pattern	
5.	Copy of culvert permit, if req. contact; Public Works (985-783-5102) or DOTD (504-437-5102) for State Hwy Construction debris removal form (attached)	
7.	Proposed structures located within 1500 feet of the base of the levee must have approval letter from the Levee	
	Doard (East Dank Call 225-869-9/21: Westbank call 225-265 7545)	
9.	Pre-fabricated structures must be submitted with a set of plans from the manufacturer with anchoring A complete set of building plans designed to criteria as per IRC (international residential code)	
	Grapier 5 R301.21.1 design criteria (see criteria for plan submittal on next page)	
10.	Plans must contain a statement that indicates the wind speed that the structure has been designed Grade/benchmark certificate signed and dated by a licensed land surveyor for the following:	
	a. detached structures over 144 square feet	
	b. attached additions 50% or larger than the main structure	
12.	* note: open-walled patio-covers and screened enclosures maybe exempt from elevation requirements Appropriate fees paid in full as per fee schedule provided. Checks or money orders only	

Address 13 Sharm Ave. Project description build a Shec	Site Plan	70()39 Permit #
Please Include:		2
1. All existing structures and their use (home, she2. Distance structures are from each other and pro3. Proposed drainage flow.	pperty lines.	 4. All proposed structures and their use. 5. Available/proposed parking spaces. 6. Existing power lines.
By Mark the state of the state	THE N	ElGBORS NOT HAUT
Sher Sher Ruz Rosk Ruz Rosk	PROBLEM	EIGSORS NOT HAVE ON THE Shield 145 Where located
INSTALL GUTTERS		back
FOR DRAIN DUPPOSE AND WEIGBORS AGRRE		KHICKEN 3
HORAGE ROOM	Cop	Viving Voon Voon 2
The state of the s	1 Entrari	C.C. Market and the second sec
Applicant Signature & Jahin (n (guadado)	Pate 1/129/22
Zoning Attached Detached Front	OFFICE USE ONLY	Right side Left Side Use
Approved	Page 4 of 5	Date

P.O. Box 302 • 14996 River Road, Hahnville, LA 70057 • Phone: (985) 783-5060 • stcharlesparish-la.gov



Department of Planning & Zoning Staff Report – Zoning Board of Adjustments Case No. 2023-2-ZBA

GENERAL APPLICATION INFORMATION

APPLICANT / PROPERTY OWNER:

Jamarr Hunter 201 Belle Ormond Circle Destrehan, LA 70047 504.723.7999; jhunter8653@gmail.com

LOCATION:

201 Belle Ormond Circle, Destrehan, Lot 32, Belle Ormond Subd.

REQUEST:

Remove the requirement limiting residential fences within the front yard setback to 4 feet in height.

SITE INFORMATION

SIZE OF PROPERTY: 9,031.46 sq. ft.

EXISTING ZONING: R-1A, Single family residential detached conventional homes—Medium density **SURROUNDING ZONING AND LAND USE**: R-1A is located on each side; the site is in a developing site-built single family subdivision.

FUTURE LAND USE RECOMMENDATION: Neighborhood Mixed Use

TRAFFIC ACCESS: Belle Ormond Circle

BASE FLOOD ELEVATION (BFE): A99; DFIRM AE2.5

APPLICABLE CODE REGULATION(S)

Appendix A. Section IV. General Provisions

- 5. Fences: Fences shall comply with the following requirements:
 - a. Fence height measurements shall include the chain wall in cases where a fence is positioned on top a chain wall.
 - b. Residential fences erected within the required front yard setback shall not exceed four (4) feet in height above the finished grade of the fenced property adjacent to the fence.
 - c. No fence shall be erected so as to block vehicular travel sight lines as defined in AASHTO (American Association of State Highway and Transportation Official Manual).
 - d. No fence will be permitted on corner lots within twenty (20) feet of the intersection with said twenty (20) feet to be measured from the property corner along the front and side property lines. In cases where corner lots do not have a lot corner (lots with a radius located at the intersection), no fence will be permitted within a triangular area bounded by a point created by the intersection of the projection of the front and side property lines and two (2) points along these lines measured twenty (20) feet back from the point created by the described intersection.

DEPARTMENT ANALYSIS & FINDINGS

- 1. On October 24, 2022, Code Enforcement started a violation at 201 Belle Ormond Circle for the height of a front yard fence.
- 2. On December 12, 2022, owner made contact with Planning and Zoning to inquire about the variance process and received an application.
- 3. On January 17, 2022, owner submitted application for a variance regarding the fence height in the front yard.
- 4. Lot 32, Belle Ormond Subdivision was platted in 2001 and meets or exceeds the minimum width and lot area requirements for the R-1A Zoning district.
- 5. The existing house was permitted in 2021 (Permit No. 36892-21).
- 6. No variances for residential fence height have been heard in this area.
- 7. If approved, the fence would still need to meet other fencing requirements such as:

- c. No fence shall be erected so as to block vehicular travel sight lines as defined in AASHTO (American Association of State Highway and Transportation Official Manual).
- d. No fence will be permitted on corner lots within twenty (20) feet of the intersection with said twenty (20) feet to be measured from the property corner along the front and side property lines. In cases where corner lots do not have a lot corner (lots with a radius located at the intersection), no fence will be permitted within a triangular area bounded by a point created by the intersection of the projection of the front and side property lines and two (2) points along these lines measured twenty (20) feet back from the point created by the described intersection.
- 8. In order to meet the height requirement for a residential fence within the front yard setback, the applicant can remove the portion of the fence within the front yard setback, or reduce the height to 4 ft.

 From:
 jay hunter

 To:
 Brett Badgerow

 Subject:
 Re: ZBA Application

Date: Monday, February 13, 2023 4:19:23 PM

Hey Brett, is there any way possible I can reschedule or is this a hard date the 23rd. I have an opportunity to do something very beneficial to my career at the company I work for. I understand if this isn't doable but a response will greatly be appreciated. Thanks in advance.

On Mon, Dec 12, 2022, 10:58 AM Brett Badgerow < base badgerow@stcharlesgov.net > wrote:

Mr. Hunter,

Attached is the application for the Zoning Board of Adjustments to request a variance/waiver at 201 Belle Ormond Circle.

Deadline $-\frac{12}{20}/22$ for Meeting $-\frac{1}{19}/23$

Deadline -1/17/23 for Meeting -2/16/23

If you have any questions feel free to reach out.

Thanks,

Brett Badgerow

Planner I

St. Charles Parish

P (985) 783-5060

P.O. Box 302

14996 River Rd.

Hahnville, LA 70057

www.stcharlesparish.gov

Note: Please be aware that receipt of and/or response to this email may be considered a public record.

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ST. CHARLES PARISH

APPLICATION FEE:

Single-Family Residential: \$150

All Other: \$250

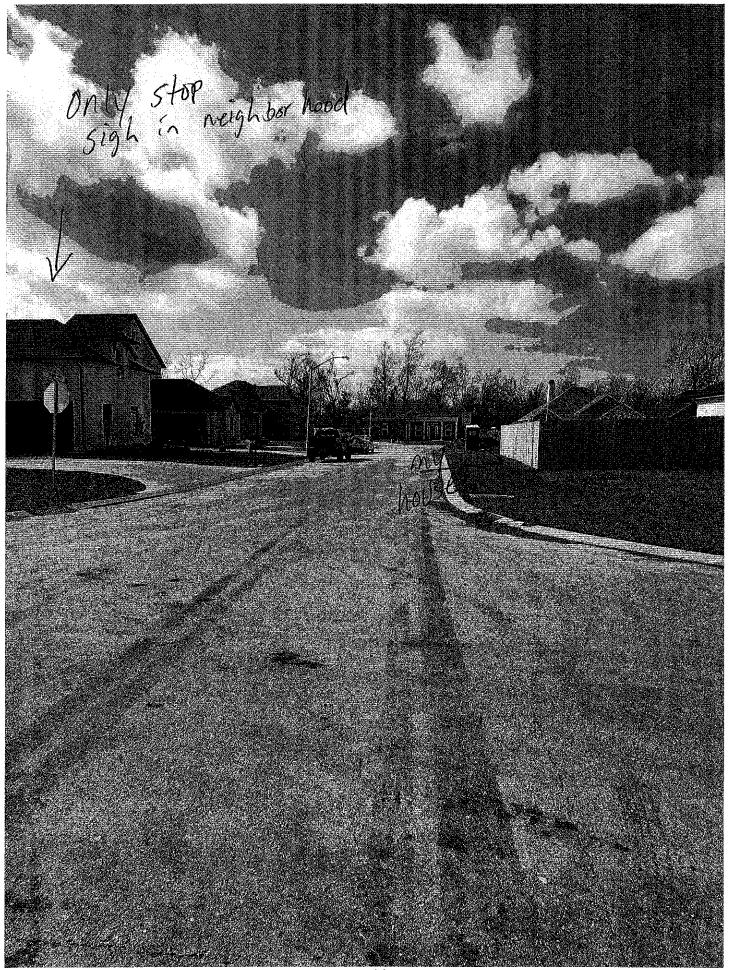
DEPARTMENT OF PLANNING AND ZONING APPLICATION TO THE ZONING BOARD OF ADJUSTMENT

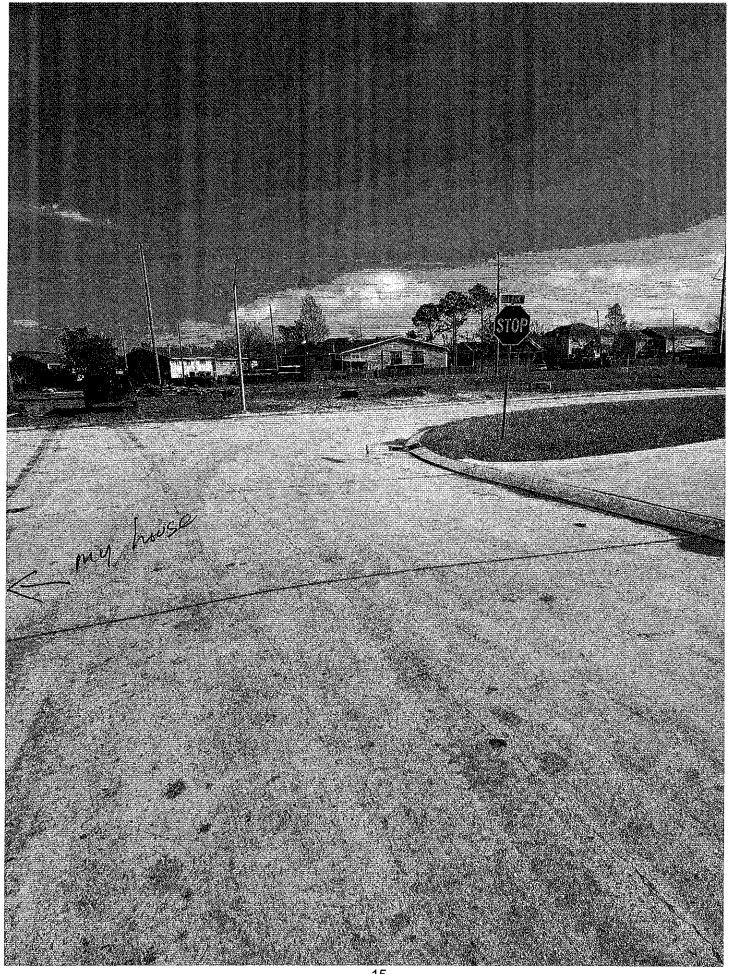
P.O Box 302 • Hahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

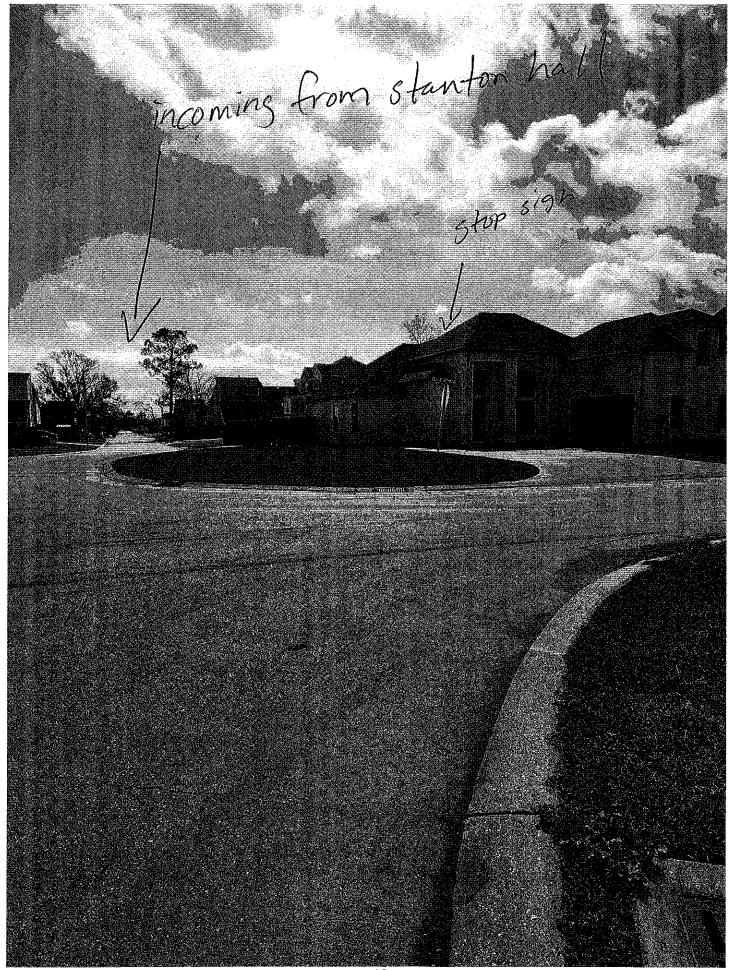
Municipal Address of Request 201 Belle or	mond circle
city Dastrehein	
Subdivision Belle Ormand	Lot Block Section
Owner/Applicant Name Januar Hunter	-
Mailing Address 201 Belle Ormand	Circle
city Destrehan	
Phone # (504) 723 - 7999 Email	jhunter 8653 @gmail.com
APPLICANT TESTIMONY: Why can't your project meet the zo	
Please attach any additional information to o	clarify or explain your request to the Board.
OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF	
OWNER: Demon (Print Name) deposes and states (i) that he or she is the owners of the property described in this application; (ii) that all statements contained in this application are true to the best of his knowledge and belief; and (iii) that he or she authorizes the foregoing petition. (Signature of owner)	NOTARY PUBLIC: Subscribed and sworn to before me this
FOR OFFICE ZBA Case #: 2033 - 2 - ZBA Property Identification #:	USE ONLY:
Receipt #: 10078585 Flood Zone:	Zoning District:
Subdivision Name:	
Square # Lot # E	
Code Section being appealed:	

Testimony

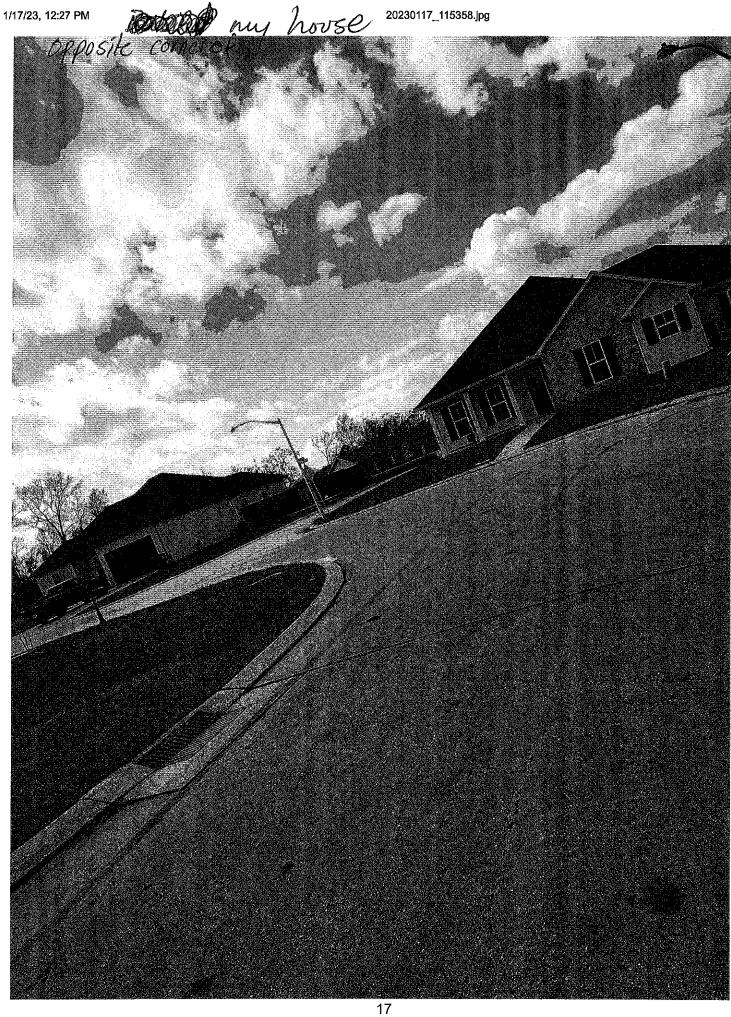
As per Appendix A section VI.B. (1) 2.b (1) states my fence should be 20 feet off of the property line and no taller than 4 feet in height. My family is asking for my fence to remain at its current height due to the current location of the fence not interfering with any pedestrian or vehicular safety. It also does not obstruct the view of pedestrian or vehicular traffic(As seen in the attached pictures). We only have one stop sign in the subdivision, and the location nor height of the fence obstruct the view of traffic to any driver at the intersection or anywhere else in within the subdivision. The stop sign is on the opposite side of the street, which allows a clear view of all outgoing and incoming traffic for the subdivision. My family and I also plan on acquiring a pet german shepherd as to which section 4-10 article 1 2a. state that there must be a proper enclosure, which is described as a 6 foot fenced area to prevent entry of children and prevent the animal from escaping when left unsupervised.



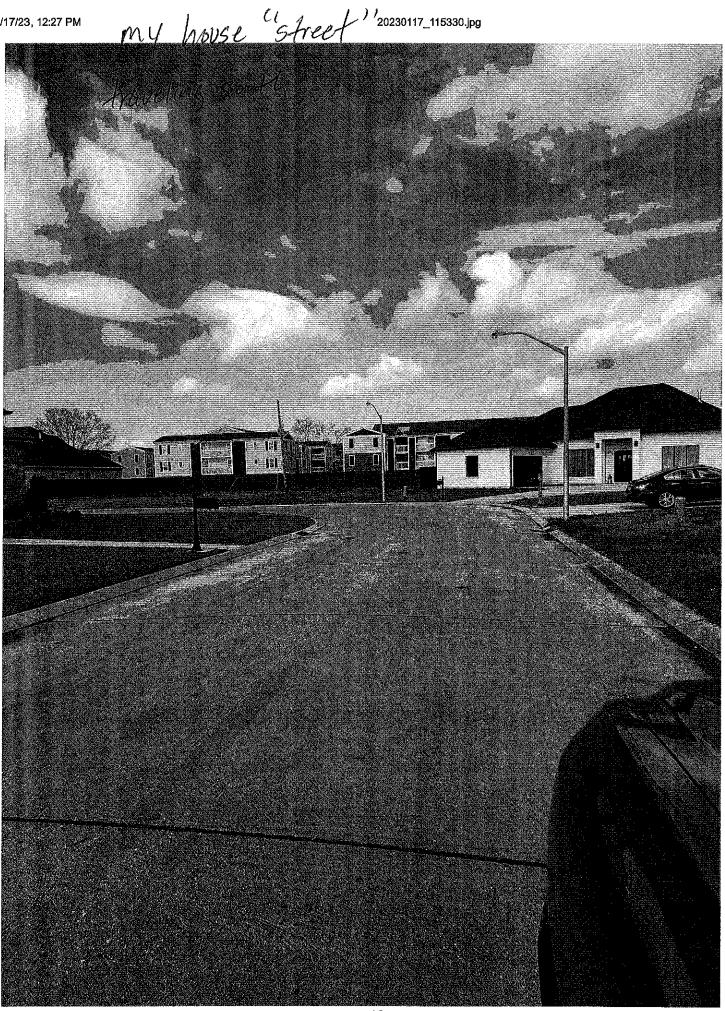




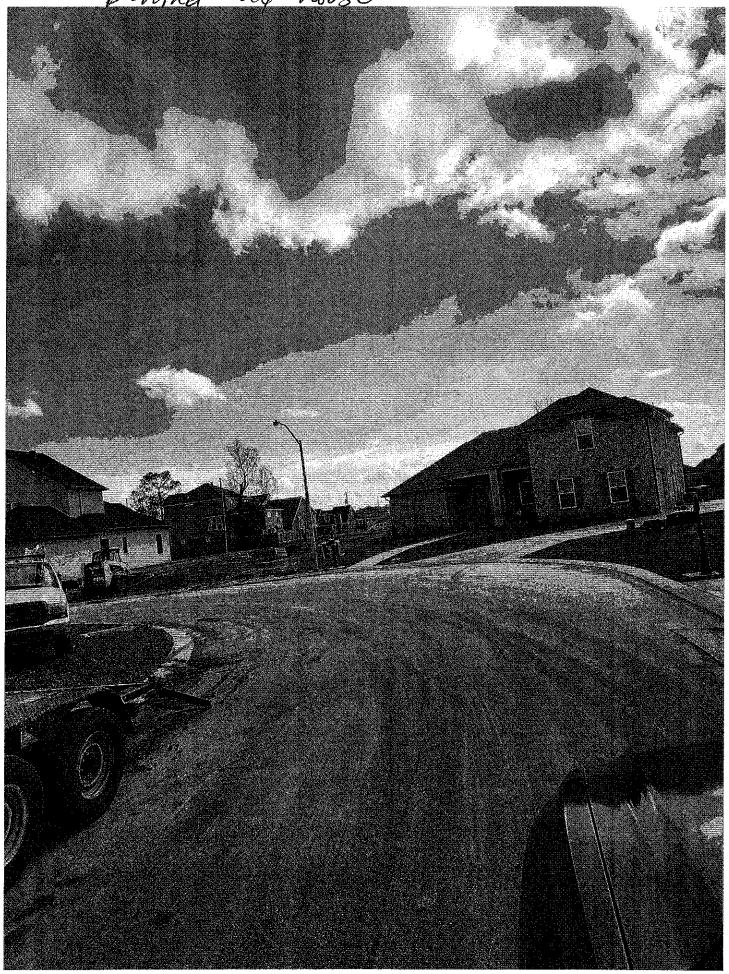
16



1/17/23, 12:27 PM



1/17/23, 12:27 PM Behind my house 20230117_115444.jpg





2023-2-ZBA, Jamarr Hunter

Remove the height restriction limiting residential fences erected within the required front yard setback





Department of Planning & Zoning Staff Report – Zoning Board of Adjustments Case No. 2023-3-ZBA

GENERAL APPLICATION INFORMATION

NAME/ADDRESS OF APPLICANT:

Alvin Gordon III 9512 Linden Loop Westwego, LA 70094 504.799.5250

LOCATION OF SITE:

Lot 2, Block O, Magnolia Ridge Subdivision, between 312 & 326 Lily Street, Boutte

REQUESTED ACTION:

Reduce the required preliminary DFIRM (digital flood insurance rate map) elevation from AE +6 ft. NAVD to the current NFIP (National Flood Insurance Program) requirement of AE +4 ft. NAVD to permit a single-family house.

SITE INFORMATION

SIZE OF PARCEL: 5,708 sq. ft.

EXISTING ZONING: R-1A, Single family residential detached conventional homes—Medium density

SURROUNDING ZONING AND LAND USE: R-1A zoning abuts the site on three sides. R-1AM abuts to

the rear. Single-family site built and mobile homes are adjacent to the site.

FUTURE LAND USE RECOMMENDATION: Low-Moderate Residential

TRAFFIC ACCESS: Lily Street

BASE FLOOD ELEVATION (BFE): Preliminary DFIRM AE +6 ft. NAVD

APPLICABLE CODE REGULATION(S)

Appendix A. Section XX. Flood Damage Prevention, D.2. Compliance

- 2. Approval Process. The approval or denial of any application for a Certificate of Zoning Compliance shall be based on all of the provisions of this Ordinance and the following relevant factors:
 - a. The danger to life and property due to flooding or erosion damage;
 - b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - c. The danger that materials may be swept onto other lands to the injury of others;
 - d. The compatibility of the proposed use with existing and anticipated development;
 - e. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - f. The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical, and water systems;
 - g. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 - h. The necessity to the facility of a waterfront location, where applicable;
 - i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - j. The relationship of the proposed use to the comprehensive plan of the area.

Appendix A. Section XX. Flood Damage Prevention, D.5 Variance Procedures

a. Appeal Board:

- 1. The Zoning Board of Adjustments, as established by St. Charles Parish, shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
- Omitted
- 3. Omitted
- 4. In formulating decisions on such applications, the Zoning Board of Adjustments shall consider all technical evaluations, all relevant factors, and all standards contained in this Ordinance, including the list of parameters cited in section D.2. Upon consideration of the stated criteria, the Zoning Board of Adjustments may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Ordinance.
- 5. The Director of Planning and Zoning shall maintain the records of all appeal actions, including technical information, and shall report variances to the Federal Emergency Management Agency upon request.
- b. Conditions for Variances.
 - 1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre (21,780 sq. ft.) or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section D.2. (see reference below) of this Ordinance have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variances increases.

- 2. Variances may be issued for reconstruction, rehabilitation, or restoration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Ordinance
- 3. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- 4. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- 5. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 6. Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- 7. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use **provided that (i) the criteria outlined in section D.5. are met**, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- 8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

Appendix A. Section XX. Flood Damage Prevention

C. General Provisions:

- 1. Omitted
- 2. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for the Parish of St. Charles," stamped preliminary June 27, 1991, with accompanying Flood Insurance Rate Maps is hereby adopted by reference and declared to be a part of this section. The Flood Insurance Study is on file at the St. Charles Parish Courthouse, River Road, Hahnville, Louisiana. In addition, for the purpose of determining minimum building elevations, the Preliminary Digital Flood Insurance Rates Maps (DFIRM) referred to in "The Flood Insurance Study for the Parish of St. Charles," stamped Revised Preliminary November 9, 2012, shall take precedent over the effective FIRMS where they are more restrictive.

Appendix A. Section XX. Flood Damage Prevention B. Definitions

12. Elevated Building—A nonbasement building (i) built, in the case of a building in Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1—30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, "elevated buildings" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1—30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of section 60.3(e)(5) of the National Flood Insurance Program.

DEPARTMENT ANALYSIS & FINDINGS

- 1. The Applicant requests a construction elevation variance for a single-family home on Lot 2, Block O, Magnolia Ridge Subdivision, between 312 & 326 Lily Street, Boutte.
- 2. The applicant states in testimony the request is to prevent flooding the existing neighbors.
 - Ordinance No. 21-8-17 was adopted to address Adjacent Lot Runoff Protection, or the issue
 of flooding adjacent properties after the placement of fill, stating "It shall be unlawful for
 any landowner to cause or allow fill material to be placed upon any lot in a manner which
 would cause increased runoff of rainwater to any adjacent lot."
- 3. The site is a 5,708 sq. ft. legally non-conforming lot platted in 1957.
- 4. Regarding similar variances, the Zoning Board of Adjustment granted a request to reduce the required preliminary DFIRM from AE +6 to AE +4 at 219 Magnolia Ridge Road (2019-46-ZBA).
- 5. In order to meet the required elevation the property owner could elevate the structure and accessory machinery to AE +6 ft. NAVD.
- 6. The property owner has completed the Addendum to the Application for Variance from BFE Requirements and signed the Acknowledgement and Indemnification Agreement (hold-harmless) for Elevation Variances.

2023-3-ZBA, Alvin Gordon III

Reduce the required preliminary DFIRM from AE +6 ft. NAVD to AE +4 ft. NAVD to permit a single-family house.





ST. CHARLES PARISH

APPLICATION FEE:

Single-Family Residential: \$150

All Other: \$250

DEPARTMENT OF PLANNING AND ZONING APPLICATION TO THE ZONING BOARD OF ADJUSTMENT

P.O Box 302 • Hahnville, Louisiana 70057 • (985) 783-5060 • Fax (985) 783-6447

Municipal Address of Request 314 City St	7					
0						
Subdivision Magnolia Ridge Park Sul	<u>d.</u> Lot <u>2</u> Block <u>O</u> Section <u>119</u>					
Owner/Applicant Name Alvin Gordon I						
Mailing Address 9512 Linden Loop						
city Westwey						
Phone # 504-799-5250 Email_						
APPLICANT TESTIMONY: Why can't your project meet the zo	ning regulations? The property sits					
in between 2 existing non	es. The reason that we would					
The to get the variance is t	o have sure that we					
Whe to get the variance is to	ny reighbors.					
Please attach any additional information to	clarify or explain your request to the Board.					
OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF	OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF ST. CHARLES					
OWNER: Deing duly sworn, (Print Name) being duly sworn, (Print Name)	NOTARY PUBLIC: Subscribed and sworn to before me this					
being duly sworn, (Print Name) deposes and states (i) that he or she is the owners of the property described in this application; (ii) that all statements contained in this application are true to the best of his knowledge and belief; and (iii) that he or she authorizes the foregoing petition.	Subscribed and sworn to before me this					
being duly sworn, (Print Name) deposes and states (i) that he or she is the owners of the property described in this application; (ii) that all statements contained in this application are true to the best of his knowledge and belief; and (iii) that he or she authorizes the foregoing petition.	Subscribed and sworn to before me this					
deposes and states (i) that he or she is the owners of the property described in this application; (ii) that all statements contained in this application are true to the best of his knowledge and belief; and (iii) that he or she authorizes the foregoing petition. FOR OFFICE ZBA Case #: 2023-3-2BA Property Identification #:	Subscribed and sworn to before me this day of, 20 in my office at					
being duly sworn, (Print Name) deposes and states (i) that he or she is the owners of the property described in this application; (ii) that all statements contained in this application are true to the best of his knowledge and belief; and (iii) that he or she authorizes the foregoing petition.	Subscribed and sworn to before me this day of, 20 in my office at					
deposes and states (i) that he or she is the owners of the property described in this application; (ii) that all statements contained in this application are true to the best of his knowledge and belief; and (iii) that he or she authorizes the foregoing petition. FOR OFFICE ZBA Case #: 2023-3-2BA Property Identification #: Receipt #: 10083292 Flood Zone: Flood Zone: Subdivision Name: Flood Zone: Flood Zone: Flood Zone: Subdivision Name: Flood Zone: Flood Zone: Flood Zone: Flood Zone:	Subscribed and sworn to before me this day of, 20 in my office at					

PARISH OF SAINT CHARLES DEPARTMENT OF PLANNING AND ZONING

ADDENDUM TO APPLICATION FOR VARIANCE FROM BASE FLOOD ELEVATION REQUIREMENTS

- A. The applicant is cautioned that if this request for a variance is granted, the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage.
- B. Applicants are cautioned that continued local participation in the Federal Flood Insurance program can only be assured by adherence to Federal guidelines for the granting of variances to established base flood elevations. One vital requirement is that "failure to grant the variance would result in exceptional hardship to the applicant." Applicants must present their reasons for such hardship at a public hearing on the request.
- C. In order to ensure proper consideration of each request, Federal Floodplain Management monitors require that applicants provide detailed responses containing appropriate technical data from an appropriate professional consultant (i.e., engineer, landscape architect, etc.) This data should be presented according to the required Base Flood Elevation (BFE) should include a complete discussion of the alternatives considered and whey they are considered unavailable. Generalized conclusions are insufficient to justify a determination of "exceptional hardship." Data relating to hardship experienced if the variance is not granted must provide specific information regarding each impact.

COMPLETE THE FOLLOWING: 1. Is the property configuous to and surrounded by lots with existing structures constructed below the base flood elevation? 2. Is the property listed on the National Register of Historic Places or State Inventory of Historic Places. (If yes, please provide related information on a separate sheet, including data related to the registration status after project completion). Yes What alternative methods have been explored so that the proposed structure may meet the base flood elevation and why are they not appropriate? (Provide information on a separate sheet.) Describe the exceptional hardship to the applicant which would result if a variance was not granted. (Provide information on a separate sheet along with supporting documentation.) 5. Describe the exceptional hardship to the surrounding properties if the variance was not granted. (Provide information on a separate sheet along with supporting documentation.) Is your lot size less than one-half (1/2) acre? (As the lot size increases beyond one-half (1/2) acre, the technical justification required for issuing a variance increases.) 7. Provide the following information and attachments: A. Properly executed authentic act of Acknowledgement, Indemnification, and Hold Harmless (see attached) B. Total square footage of parcel: 0,000 Sqf+ C. Existing average grade at center of property and existing grades of all corners: D. Existing center line street E. Distances from property lines and any existing structures on abutting properties and the elevations of those structures: F. Any other physical features which may affect the granting or denial of the application (i.e.

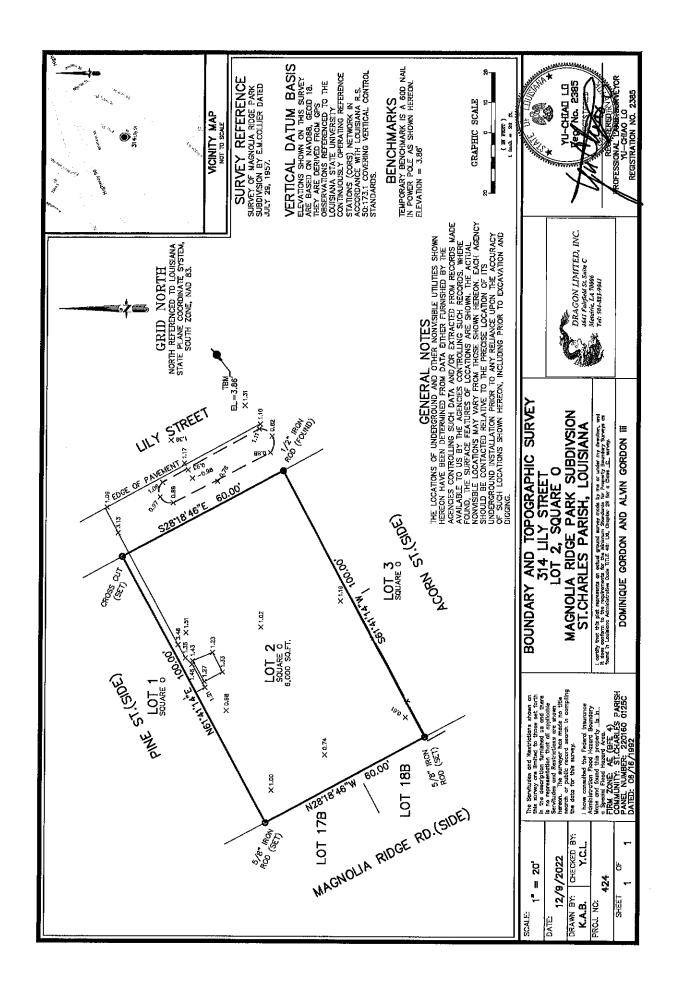
drainage canals, levees, etc.):

G. Photographs of the property and adjacent properties.

H. Any other pertinent information or documents to support this request,

Acknowledgement and Indemnification Agreement for Elevation Variances

STATE OF LOUISIANA, PARISH OF ST. CHARLES	
BEFORE ME, the undersigned Notary, and in the preser	nce of the two undersigned witnesses, appeared
Alvin Gordon III., Dominique Latoya Mott Gordon (herein	nafter "appearers"). The appearers acknowledged
that they are the owners of the property located at $\frac{2}{2}$	
(CITY, STATE, 7IP)	, and that said property was acquired by
Instrument registered in the official records of St. Charl	
Appearers further acknowledge that they are requestir	ng a variance from St. Charles Parish's flood
elevation requirements, based on the Federal Emergen	ncy Management Agency's (FEMA) Preliminary
Digital Flood Insurance Rate Maps (DFIRM) for the purp	
Preliminary DFIRM is AET 6 ONY; however, the buil	ding(s) elevation will meet the National Flood
Insurance Program (NFIP) effective map requirements a	at HE 4.
Appearers release and hold harmless the parish of St. C	Charles, all Departments, Agencies, Boards and
Commissions, as well as its officers, agents, servants, er	mployees, and volunteers, from any and all
claims, demands, causes of action, expense, and liabilit	y as a result of the granting of a variance at the
request of the appearers.	
Done and passed before me this day of	JANUARY, 20_23.
WITNESSES: (Signature)	APPEARERS: (Signature)
(Print Name) Courent Adams Brut	Dominique Gordon Alvik Gordon III
NOTARY PUBLIC	TARY PUBLIC TO THE PUBLIC THE PUB
_/	TOTAL TOBICS





Dragon Limited, Inc. 4641 Fairfield Street

4641 Fairfield Street Suite C Metairie, LA 70006

Metairie, LA 70006 Tel: 504-883-9041 Fax: 504-883-9023 Cell: 504-909-2991

Request for Construction Benchmark

Location: Lot 2, Square O, Magnolia Ridge Park Subdivision
Address: 314 Lily Street, Boutte, LA 70039
F.I.A. Zone Designation <u>AE</u> Base Flood Elevation for Area <u>4</u> NGVD
Existing Centerline of Street NAVD
Existing Ground Elevation1.20' NAVD
Proposed Slab Elevation 6.00' NAVD
Description of Construction Benchmark: A 60d nail in power pole located at the northeast corner of property.
Elevation of Construction Benchmark set: 3.86' NAVD
Reference Benchmark used to Establish Construction Benchmark: GPS Leica NW
Elevation of Reference Benchmark: n/a NAVD
The undersigned is not responsible for transfer of grade elevation from established construction TBM to form by the contractor or others.
*The foor of an attached enclosed garage may be considered as the lower flower Flow Insurance Rating. Please consult your insurance agent.
BY: Yu-Chiao Lo Registered Professional Land Survey LA License No. 2385

*NAVD - North American Vertical Datum Geoid 18

U.S. DEPARTMENT OF HOMELAND SECURITY Federal Emergency Management Agency National Flood Insurance Program

OMB No. 1660-0008 Expiration Date: November 30, 2022

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION					FOR INSUR	ANCE COMPANY USE	
A1. Building Owner's Name Dominique Gordon and Alvin Gordon III Policy Number:							
A2. Building Street Address (including Apt., Unit, Suite, and/or Bidg. No.) or P.O. Route and Box No. 314 Lily Street							
City State ZIP Code							
Boutte			Louisiana	a .	70039		
A3. Property Description (Lot Lot 2, Square O, Magnolia Rid		x Parcel	Number, Leg	al Description, etc	.)		
A4. Building Use (e.g., Reside							
A5. Latitude/Longitude: Lat.	N29° 53′ 56.29"	Long. <u>W</u>	/90° 23' 09.13	" Horizontal	Datum: NAD 1	927 X NAD 1983	
· A6. Attach at least 2 photogra	ohs of the building if the	e Certific	ate is being u	sed to obtain flood	insurance.		
A7. Building Diagram Number							
A8. For a building with a crawl				_			
a) Square footage of craw				N/A sq ft			
b) Number of permanent f					above adjacent gra	de N/A	
c) Total net area of flood of	ppenings in A8.b		N/A sqin				
d) Engineered flood open	ngs? ☐ Yes ☒ N	10					
A9. For a building with an attac							
a) Square footage of attac	hed garage		N/A sqft				
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade N/A							
c) Total net area of flood o	penings in A9.b		N/A sq	in			
d) Engineered flood openi	ngs? 🗌 Yes 🗵 N	10					
S	ECTION B - FLOOD I	NSURA	NCE RATE	MAP (FIRM) INFO	ORMATION		
	B1. NFIP Community Name & Community Number B2. County Name B3. State						
B4. Map/Panel B5. Suffix Number	B6. FIRM Index Date	Effe	RM Panel ective/ vised Date	B8. Flood Zone(s)	B9. Base Flood E (Zone AO, use	levation(s) e Base Flood Depth)	
220160 0125 C	06-16-1992	06-16-1		AE	4		
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9:							
☐ FIS Profile ☒ FIRM ☐ Community Determined ☐ Other/Source:							
B11. Indicate elevation datum used for BFE in Item B9: NGVD 1929 X NAVD 1988 Other/Source:							
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? 🗌 Yes 🗵 No							
Designation Date: CBRS OPA							

OMB No. 1660-0008

ELEVATION CERTIFICATE Expiration Date: November 30, 2022 IMPORTANT: In these spaces, copy the corresponding information from Section A. FOR INSURANCE COMPANY USE Policy Number: Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 314 Lily Street ZIP Code Company NAIC Number State City 70039 Louisiana Boutte SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED) Finished Construction C1. Building elevations are based on: *A new Elevation Certificate will be required when construction of the building is complete. C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete Items C2.a-h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters. Benchmark Utilized: Leica Smartnet GPS Network Vertical Datum: Geoid 18 indicate elevation datum used for the elevations in items a) through h) below. ☐ NGVD 1929 🔀 NAVD 1988 🔲 Other/Source: Datum used for building elevations must be the same as that used for the BFE. Check the measurement used. 6.0 ★ feet meters a) Top of bottom floor (including basement, crawlspace, or enclosure floor) N/A ☐ feet meters b) Top of the next higher floor N/A ☐ feet meters c) Bottom of the lowest horizontal structural member (V Zones only) N/A feet | | meters d) Attached garage (top of slab) Lowest elevation of machinery or equipment servicing the building N/A feet | meters (Describe type of equipment and location in Comments) 0.7 X feet | meters f) Lowest adjacent (finished) grade next to building (LAG) 1.2 × feet meters g) Highest adjacent (finished) grade next to building (HAG) h) Lowest adjacent grade at lowest elevation of deck or stairs, including N/A feet meters structural support SECTION D -- SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001. Check here if attachments. Were latitude and longitude in Section A provided by a licensed land surveyor? License Number Certifier's Name 2385 Yu-Chiao Lo Title President Company Name Dragon Limited Inc. Address 4641 Fairfield Street, Suite C ZIP Code State City 70006 Louisiana Metairie Telephone Signature (504) 883-9041 Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner. Comments (including type of equipment and location, per C2(e), if applicable) Centerline of road elevation is 1.39 Edge of pavement elevation is 1.17

ELEVATION CERTIFICATE

IMPORTANT: In these spaces, copy the corresponding information from Section A. FOR INSURANCE COMPANY USE					
Building Street Address (including Apt., Unit, Suite, and 314 Lily Street	or Bldg. No.) or P.O. R	oute and Box No.	Policy Number:		
		P Code 0039	Company NAIC Number		
SECTION E – BUILDING ELE FOR ZONE	VATION INFORMAT AO AND ZONE A (W	ION (SURVEY NOT /ITHOUT BFE)	REQUIRED)		
For Zones AO and A (without BFE), complete Items E1-complete Sections A, B, and C. For Items E1-E4, use na enter meters. E1. Provide elevation information for the following and the highest adjacent grade (HAG) and the lowest a a) Top of bottom floor (including basement,	atural grade, if available check the appropriate b	e. Check the measure	ment used. In Puerto Rico only,		
crawispace, or enclosure) is b) Top of bottom floor (including basement,		feet meter			
crawlspace, or enclosure) is E2. For Building Diagrams 6–9 with permanent flood or	penings provided in Sec	_			
the next higher floor (elevation C2.b in the diagrams) of the building is	No. 100.000	feet _ meter			
E3. Attached garage (top of slab) is		feet meter	s 🔲 above or 🗌 below the HAG.		
E4. Top of platform of machinery and/or equipment servicing the building is		feet meter			
E5. Zone AO only: If no flood depth number is available floodplain management ordinance? Yes	, is the top of the bottor No	m floor elevated in acc he local official must o	cordance with the community's certify this information in Section G.		
SECTION F - PROPERTY OWN	ER (OR OWNER'S RE	PRESENTATIVE) CE	RTIFICATION		
The property owner or owner's authorized representative community-issued BFE) or Zone AO must sign here. The	e who completes Section e statements in Section	ons A, B, and E for Zo is A, B, and E are con	ne A (without a FEMA-issued or rect to the best of my knowledge.		
Property Owner or Owner's Authorized Representative's	Name	· · · · · · · · · · · · · · · · · · ·			
Address	City	Sta	ate ZIP Code		
Signature	Date	Те	lephone		
Comments	· · · · · · · · · · · · · · · · · · ·				
			:		
			Check here if attachments.		

ELEVATION CERTIFICATE

IMPORTANT: In these spaces, copy the corre	sponding information from	Section A.	FOR INSURANCE COMPANY USE			
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. Policy Number:						
314 Lily Street						
City		ZIP Code	Company NAIC Number			
Boutte		70039				
SECTIO	N G - COMMUNITY INFORM	NATION (OPTIONAL)				
The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.						
G1. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)						
G2. A community official completed Section or Zone AO.						
G3. The following information (Items G4-	G10) is provided for communi					
G4. Permit Number	G5. Date Permit Issued	G6. I	Date Certificate of Compliance/Occupancy Issued			
G7. This permit has been issued for:	New Construction Subst	antial Improvement				
G8. Elevation of as-built lowest floor (including of the building:	g basement)	feet	meters Datum			
G9. BFE or (in Zone AO) depth of flooding at t	the building site:	[] feet	t [] meters Datum			
G10. Community's design flood elevation:		feet	t meters Datum			
Local Official's Name	Title					
Community Name	Tele	phone				
Signature	Date	1				
Comments (including type of equipment and loc	cation, per C2(e), if applicable	•)				
, J. J. San J. S						
			•			
}		•				
1						
			Check here if attachments.			

BUILDING PHOTOGRAPHS

ELEVATION CERTIFICATE

See Instructions for Item A6.

IMPORTANT: In the	FOR INSURANCE COMPANY USE			
Building Street Addr 314 Lily Street	ess (including Apt., Unit,	Suite, and/or Bldg. No.) o	r P.O. Route and Box No.	Policy Number:
City	, 114-41-41-41-41-41-41-41-41-41-41-41-41-	State	ZIP Code	Company NAIC Number
Boutte		Louisiana	70039	
instructions for Item "Left Side View." V	n A6. Identify all photogra When applicable, photogr	phs with date taken; "Fro aphs must show the fol	nt View" and "Rear View"; a	photographs below according to the and, if required, "Right Side View" and a examples of the flood openings or a Continuation Page.
		Photo C)ne	
Photo One Caption	Front			Clear Photo One
			•	
Photo Two Caption	Back	Photo T	wo	,Clea _{ld} Photo,Two

BUILDING PHOTOGRAPHS

ELEVATION CERTIFICATE

Continuation Page

MPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite 314 Lily Street	Policy Number:		
City	State	ZIP Code	Company NAIC Number
Boutte	Louisiana	70039	
If submitting more photographs than will fit on with: date taken; "Front View" and "Rear Viephotographs must show the foundation with repr	aw": and it required.	"Right Side View" and	"Leπ Side view." vinen applicable,
			·
	•		
	Photo Thr	80	
Photo Three Caption Left Side			Glear Photo Three
	_		
	-		
			N.
	Photo Fo	ur	्र - वेद्व
Photo Four Caption Right Side			Clear Photo Four