

**ST. CHARLES PARISH
ZONING BOARD OF ADJUSTMENT
April 27, 2023
6:00 P.M.**

**CALL TO ORDER
PLEDGE OF ALLEGIANCE**

POSTPONED CASES

- 1** **2023 7 ZBA** requested by **Atmos Energy Corp.** to reduce the required setback for a generator at **101 Barreca Street, Norco**. Zoning District C-2. Council District 6.
- 9** **2023 8 ZBA** requested by **Chelsea Campeaux** to allow a residential accessory building within a front yard and reduce the required front yard setback at **594 West Easy St, Destrehan**. Zoning District R-1A. Council District 6.

NEW CASES

- 17** **2023 9 ZBA** requested by **George and Lisa Lou** to remove the height limit for a residential fence within the front yard setback at **102 Panther Run Drive, Destrehan**. Zoning District R-1A. Council District 3.
- 38** **2023 10 ZBA** requested by **Eva Noto** to reduce the required front yard setback for an attached patio cover at **202 Davis Drive, Luling**. Zoning District R-1A. Council District 2.
- 44** **2023 11 ZBA** requested by **Xavier Jimenez and Vanessa Castellanos** to remove the height limit for a residential fence within the front yard setback at **517 Paul Frederick Street, Luling**. Zoning District R-1A(M). Council District 7.

**UNFINISHED BUSINESS -
NEW BUSINESS -
MINUTES –(deferred till next month)
ADJOURN**



**Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2023-7-ZBA**

GENERAL APPLICATION INFORMATION

APPLICANT / PROPERTY OWNER:

Gerald McGee
Atmos Energy Corporation
101 Apple St
Norco, LA 70079
985.764.2312; gerald.mcgee@atmosenergy.com

LOCATION:

101 Barreca Street, Norco; Lot 1, Block 3 of Good Hope Plantation Subdivision

REQUEST:

Reduce required setback for a generator in a commercial zoning.

SITE INFORMATION

SIZE OF PROPERTY: approximately 18,700 sq. ft.

EXISTING ZONING: C-2, General Commercial – Retail Sales

SURROUNDING ZONING AND LAND USE: R-1A zoning is located to the Barreca Street, Second Street, and Clayton Drive sides; C-2 zoning is located to the First, Second, and Barreca Street sides. Single family houses abut to the Clayton Drive and Second Street sides; commercial uses are located to the Barreca and First Street sides.

FUTURE LAND USE RECOMMENDATION: Town Center

TRAFFIC ACCESS: First and Barreca Streets

BASE FLOOD ELEVATION (BFE): X Zone

APPLICABLE CODE REGULATION(S)

Appendix A. Section X. - Exceptions and modifications

C. Exceptions and Modifications to Use Regulations:

- 1. Power plants, heating, or cooling plants, or apparatus or machinery which are accessory to permitted uses all districts shall be permitted only if so placed and operated to cause the least inconvenience to owners and tenants of adjoining lots and buildings; and provided that all of the above mentioned activities comply with existing parish ordinances and do not cause serious annoyance or injury to occupants of adjoining premises by reason of the emission of odors, fumes, or gases, dust, smoke, noise or vibration, light or glare, or other nuisance. Specifically these units are to be placed no closer than five (5) feet to any property line in any O-L or residential zoning districts and no closer than ten (10) feet to any property line in any commercial or industrial zoning district.**

DEPARTMENT ANALYSIS & FINDINGS

1. On November 29, 2022 a permit application for a commercial generator was processed through the online portal.
2. The Department's review found the site plan was not drawn accurately and was rejected.
3. A revised site plan was submitted showing the generator within the required 10 ft. setback, but the generator was installed without the permit being issued.
4. A site visit verified the generator was placed eight (8) ft. from the First Street property line (it was also verified the generator meets the setback where abutting a residence on Clayton Drive).
5. The ZBA application requesting a reduction of the required 10 ft. setback was completed and submitted on February 14, 2023.
6. The Board of Adjustments has not heard a similar request for accessory machinery setbacks in this area.
7. In order to meet the zoning district requirements the applicant must remove the generator and relocate outside the required 10 ft. setback.



ST. CHARLES PARISH
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

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

Municipal Address of Request 101 Apple St

City Norco State LA Zip 70079

Subdivision _____ Lot _____ Block _____ Section _____

Owner/Applicant Name Atmos Energy

Mailing Address 101 Apple St.

City Norco State LA Zip 70079

Phone # 985 764-2312 Email gerald.mcgee@atmos.com

APPLICANT TESTIMONY: Why can't your project meet the zoning regulations? Generator
location is 101 Barreca st., generator is
located 1' with in distance parish require's
to servitude

Please attach any additional information to clarify or explain your request to the Board.

OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF ST. CHARLES

OWNER:
GERALD MCGEE 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.
[Signature]
(Signature of owner)

NOTARY PUBLIC:
Subscribed and sworn to before me this 13th day
of February, 2023 in my
office at Norco,
Louisiana.
[Signature]
(Signature of Notary Public)
GREGORY A. MILLER
Notary Public
LSBA #19063
NOTARY #15328
SEAL

FOR OFFICE USE ONLY:

ZBA Case #: 2023-7-ZBA Property Identification #: _____ Date submitted: _____
Receipt #: 10130593 Flood Zone: _____ Zoning District: _____
Subdivision Name: _____
Square # _____ Lot # _____ Block _____ Property sq. ft. _____
Code Section being appealed: _____

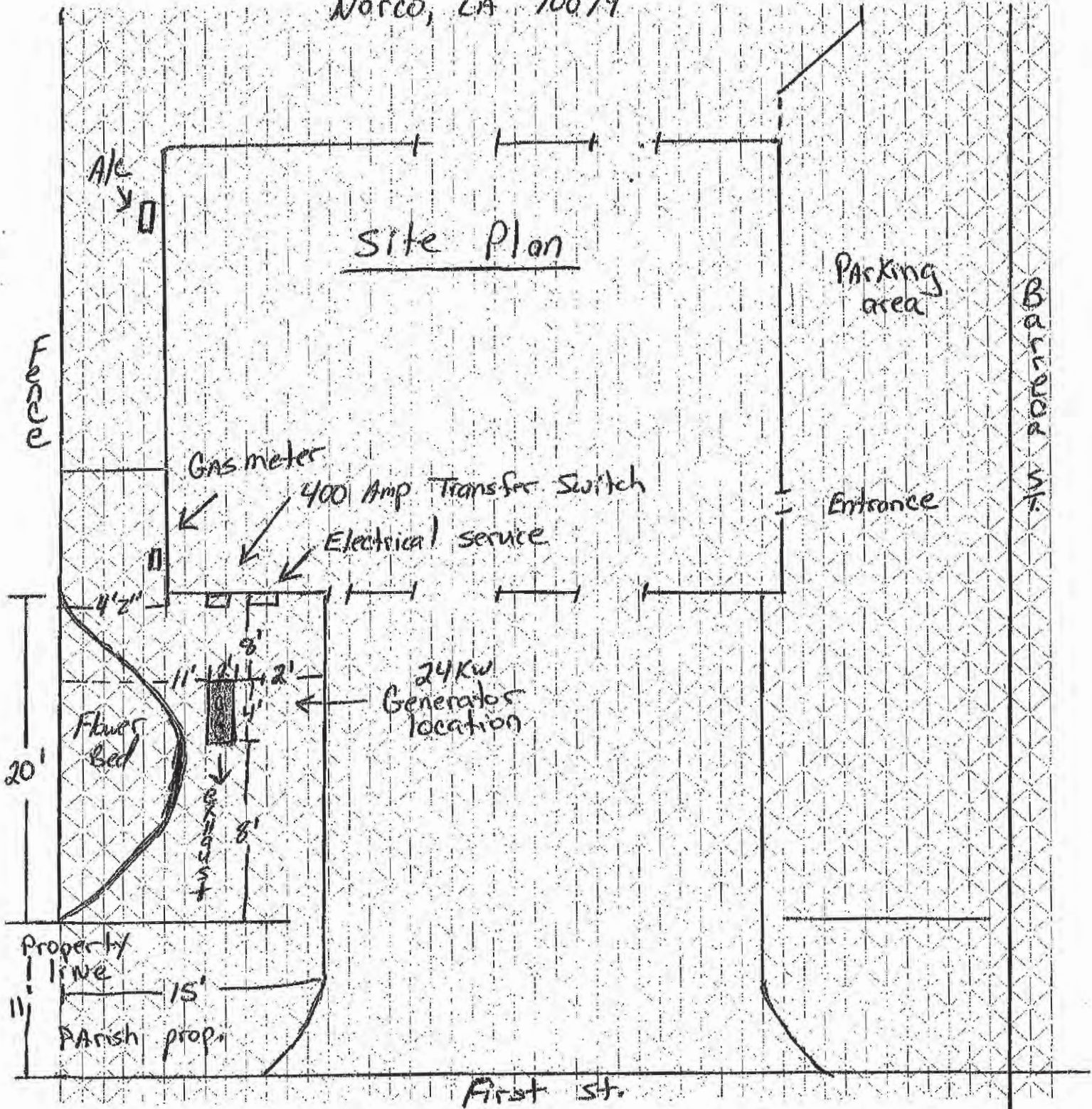


C&D PLUMBING AND MECHANICAL, LLC

Job: Atmos Energy

Address: 101 Barreca. st.
Norco, LA 70079

Revised



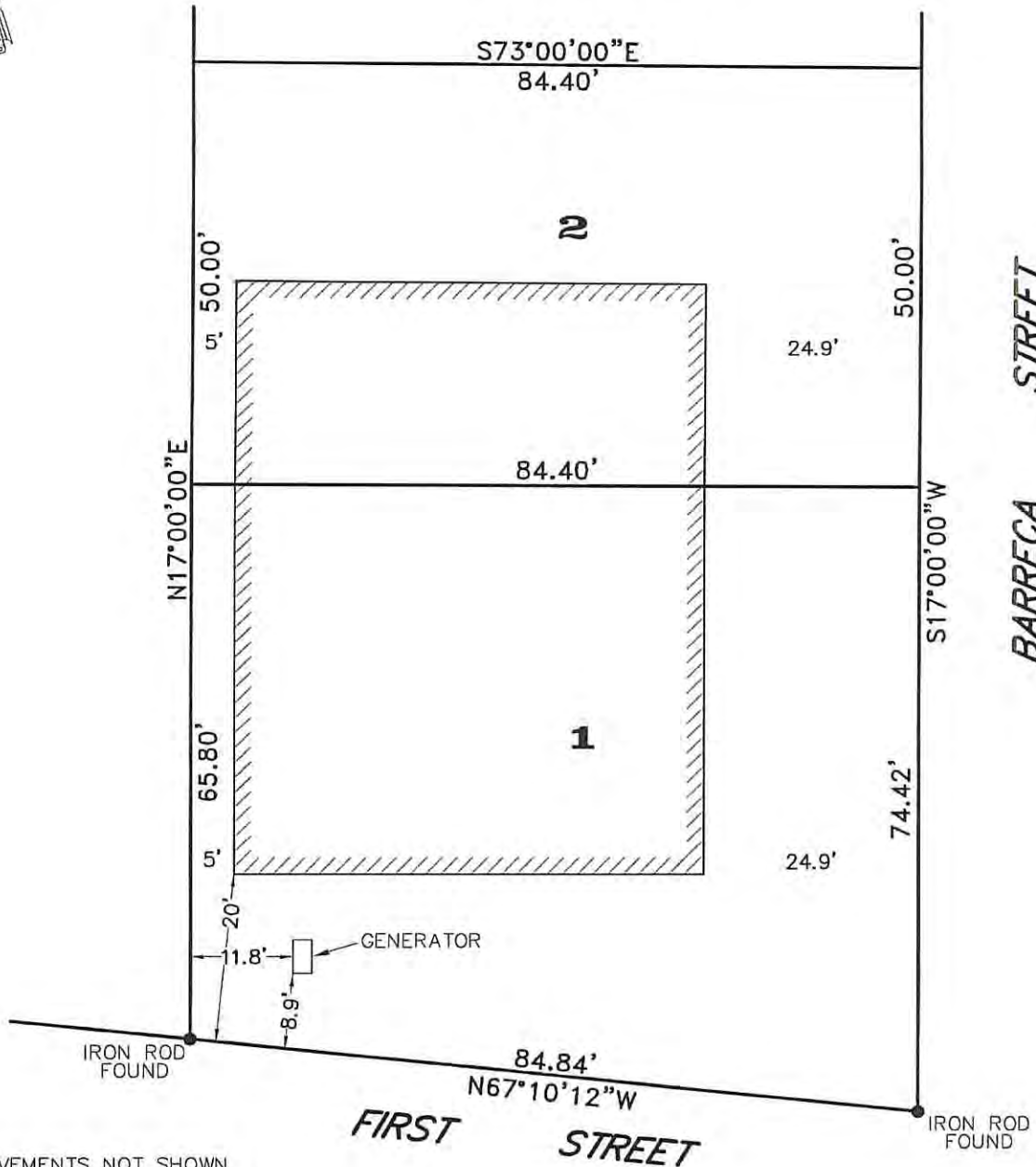
573 Good Hope St. | Norco, LA 70079 | 985-764-2220
LMP: #4619 | La. State Mech. #46330

**BOUNDARY SURVEY OF
LOTS 1 AND 2
BLOCK 3
LOT D OF GOOD HOPE PLANTATION
ST. CHARLES PARISH, LA**

SECOND STREET (SIDE)

CLAYTON DRIVE (SIDE)

BARRECA STREET



ALL IMPROVEMENTS NOT SHOWN

NOTE:

ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED. SOME ITEMS MAY NOT BE TO SCALE FOR CLARITY. DIMENSIONS ON SURVEY PREVAIL OVER THE SCALE. FENCES ARE SHOWN FOR GENERAL INFORMATION PURPOSES ONLY AND DO NOT REFLECT EXACT LOCATION OR CONDITION.



GENERAL NOTES

ANGLES AND/OR BEARINGS ARE BASED ON REFERENCE PLAN #1
 REFERENCE PLAN #1: A PLAN OF SURVEY BY RIVERLANDS SURVEYING COMPANY DATED JUNE 11, 2015

THE SERVITUDES SHOWN ON THIS SURVEY ARE LIMITED TO THOSE FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES ARE REFLECTED OR SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.

THIS PERIMETER SURVEY SHALL NOT CONSTITUTE A LEGAL OPINION OF TITLE, AND SHALL NOT BE RELIED UPON FOR THAT PURPOSE. THERE IS NO WARRANTY THAT IT CONFORMS TO THE LEGAL TITLE, AND WAS MADE SOLELY ACCORDING TO THE INFORMATION PROVIDED THE SURVEYOR.

ELEVATION NOTES

THIS IS CERTIFY THAT SUBJECT PROPERTY IS LOCATED IN THE FOLLOWING FLOOD ZONE, PER FLOOD INSURANCE RATE MAP (FIRM) DATED: 06/16/92
 FLOOD ZONE: X
 BASE FLOOD ELEVATION: N/A
 COMMUNITY PANEL: 220160 0125 C

THIS IS TO CERTIFY THAT THE PROPERTY BOUNDARY SURVEY RECORDED HEREON WAS MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, AND IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS AS STIPULATED IN LOUISIANA ADMINISTRATIVE CODE TITLE: 46:XXI, CHAPTER 29 FOR A CLASS "C" (SUBURBAN) SURVEY

MADE AT THE REQUEST OF C & D PLUMBING AND MECAHNICAL

R.W. KREBS
PROFESSIONAL LAND SURVEYING, LLC
RICHMOND W. KREBS, SR., PLS
 3445 N. CAUSEWAY BLVD, SUITE 201
 METAIRIE, LA. 70002
 PHONE: (504) 889-9616
 FAX: (504) 889-0916
 E-MAIL: infonola@rwkrebs.com
 WEB: www.rwkrebs.com

BY: 
 RICHMOND W. KREBS, PLS, LIC. #4836

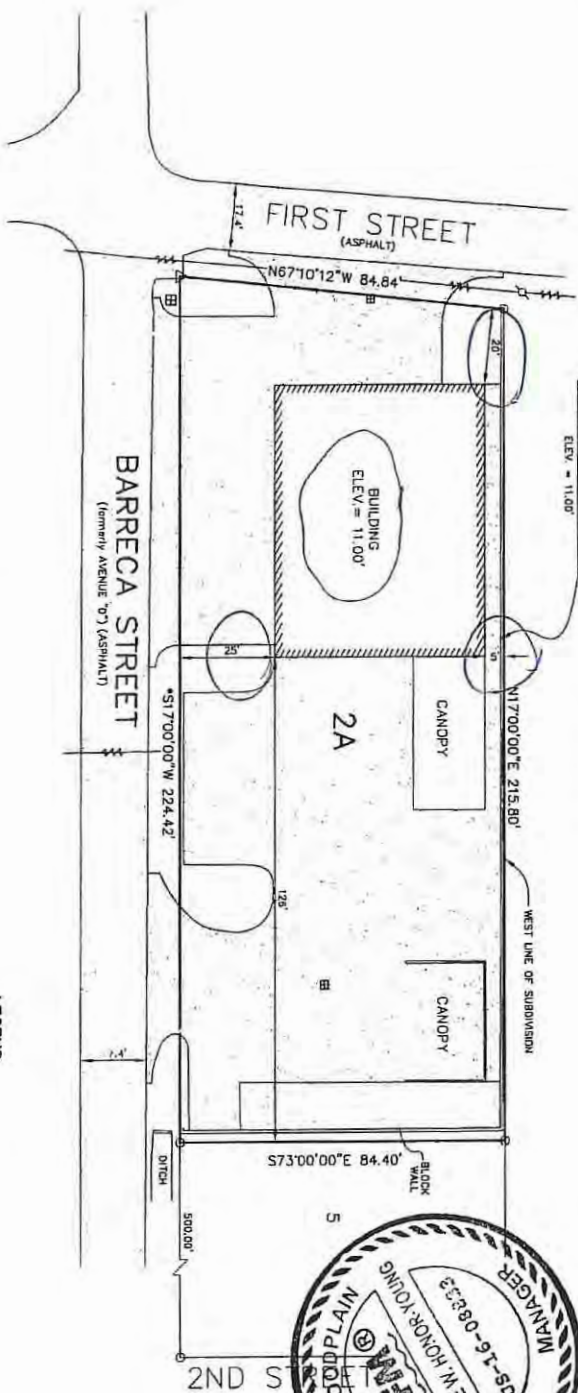
| | |
|---------------------|-----------------|
| DATE: APRIL 3, 2023 | DRAWN BY: NDK |
| SCALE: 1" = 20' | CHECKED BY: RWK |
| JOB #: 230630 | |



Site Review shows that Generator would be placed within setbacks. Site plan shows generator as being 20 ft from the Property Line on First St, and 8 Feet from the building/transfer switch. The generator also has a length of 4 ft. The As Built Survey approved on 12/21/16 shows the building to be only 20 ft from the property line in the area of the proposed generator. The location chosen would also cause approved landscaping to be removed. Due to this, the site plan for the proposed generator cannot be approved.



CLAYTON DRIVE (SIDE)



TITLE: SURVEY PLAT OF LOT 2A OF BLOCK 3, LOT D OF GOOD HOPE PLANTATION

SITUATED IN SECTION 6, T-12-S, R-8-E,
NORCO, ST. CHARLES PARISH, LOUISIANA.

DATE: SEPTEMBER 26, 2016, REVISED TO SHOW IMPROVEMENTS 12/14/2016

MUNICIPAL ADDRESS: 101 BARRECA STREET

SURVEY REFERENCE: SURVEY PLAT AND RESUBDIVISION OF LOTS 1, 2, 3 & 4 OF BLOCK 3, LOT D OF GOOD HOPE PLANTATION INTO A LOT HEREIN DESIGNATED AS LOT 2A OF BLOCK 3, LOT D OF GOOD HOPE PLANTATION BY STEPHEN P. FLYNN, P.L.S., DATED JUNE 22, 2016, LAST REVISED JULY 21, 2016

BASIS OF BEARING: THE WEST RIGHT OF WAY OF BARRECA STREET TAKEN FROM REFERENCED SURVEY PLAT DATED 6/16/1982, REUSED TO REFLECT CORRECTION DATED 5/22/2003

FLOOD NOTE: THE SURVEYED PARCEL IS IN ZONE "X" PER FEDERAL INSURANCE RATE MAP NUMBER 220180-0125C DATED 6/16/1982, REUSED TO REFLECT CORRECTION DATED 5/22/2003

SURVEYOR'S NOTES:
A. THIS PLAT IS CORRECT AND IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND UNDER THE DIRECTION OF THE UNDERSIGNED AND COMPLIES WITH THE REQUIREMENTS OF LOUISIANA'S STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS FOR A CLASS B SURVEY.
B. NO TITLE OPINION WAS PROVIDED TO THIS FINAL INSTRUMENT; NO DEDICATION IS GIVEN TO THE PUBLIC OR TO ANY OTHER PARTY, WHICH MAY EXIST OTHER THAN THOSE SHOWN.
C. NO UNDERGROUND LINES OR CONDUITS SHOWN.
D. ANNUAL SETBACK LINES AND SERVITUDES SHOWN ARE BASED ON THE REFERENCED SURVEY PLAT.
E. ELEVATIONS HEREON ARE ESTABLISHED BY THE LOUISIANA STATE PLANE COORDINATE SYSTEM, LOUISIANA, SOUTH ZONE 1702 USING UTM, SMARTNET SOLUTION 9/12/2016 VANDOR GEOD12A.

BARRECA STREET
(formerly AVENUE 'D') (ASPHALT)

FIRST STREET
(ASPHALT)

2A

BUILDING
ELEV. = 11.00'

CANOPY

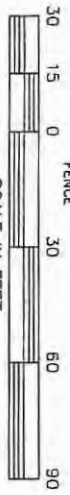
CANOPY

BLOCK WALL

DITCH

LEGEND

- 3/4" IRON PIPE SET
- 3/4" IRON PIPE FOUND
- △ PK NAIL
- ▽ DROP INLET
- ∠ POWER POLE
- POWER LINE
- FENCE



SCALE IN FEET
1" = 30'

DRAWN BY: KRB

DRAWING NO. MM0927, W02706, FORMS

RIVERLANDS SURVEYING COMPANY

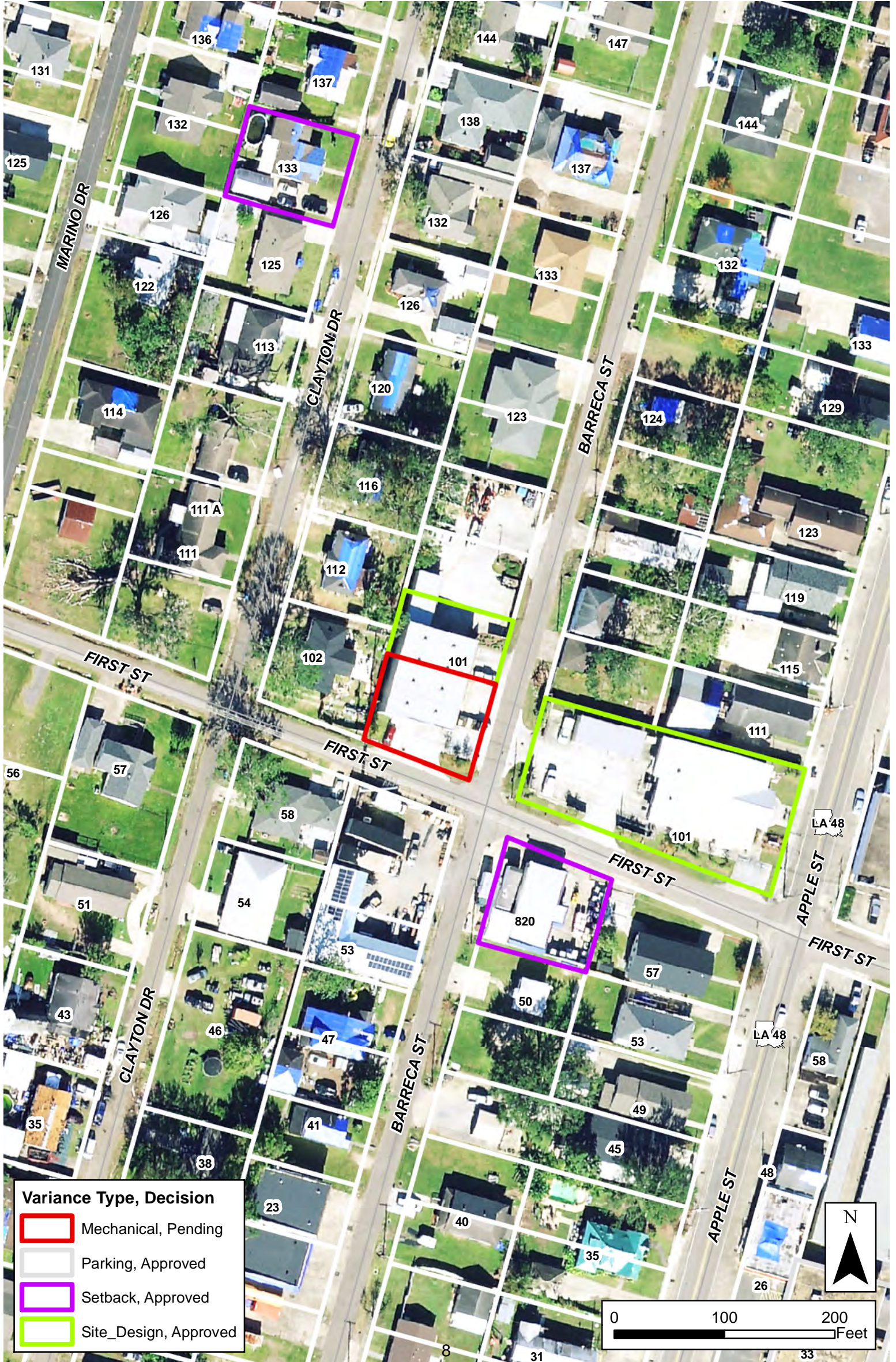


505 HEMLOCK STREET
LAPLACE, LA 70068
1-800-248-6982
985-652-6356

STEPHEN P. FLYNN
P.L.S. & SURVEYOR, NO. 4668

2023-7-ZBA, Atmos Energy

Reduce required setback for a commercial generator





Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2023-8-ZBA

GENERAL APPLICATION INFORMATION

APPLICANT / PROPERTY OWNER:

Chelsea Campeaux
594 West Easy Street
Destrehan, LA 70047
504.605.8739; ccampeaux23@yahoo.com

LOCATION:

594 West Easy Street, Destrehan; Lot 21-A, Block 23 of New Sarpy Subdivision

REQUEST:

Allow a residential accessory building in a front yard and reduce the required front yard setback from 20 ft. to five (5) ft.

SITE INFORMATION

SIZE OF PROPERTY: 7,885.9 sq. ft.

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

SURROUNDING ZONING AND LAND USE: R-1A is located to the W. Easy Street side and abuts to each side; O-L zoning abuts to the rear. The site is located in a developed residential neighborhood consisting of both site-built and manufactured homes. The land immediately adjacent to the rear is undeveloped.

FUTURE LAND USE RECOMMENDATION: Low-Moderate Residential

TRAFFIC ACCESS: West Easy Street

BASE FLOOD ELEVATION (BFE): A99; DFIRM: AE4

APPLICABLE CODE REGULATION(S)

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.

Appendix A. Section VI. Zoning District Criteria and Regulations

B. Residential districts

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

2. Spatial Requirements:

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.

DEPARTMENT ANALYSIS & FINDINGS

1. On August 18, 2022 a permit (No. 44100) was submitted for the construction of a 20 ft. by 30 ft. garage at 594 West Easy Street.

2. The submitted site plan was uploaded on September 14, 2022 showing the proposed garage 5 ft. from the property line adjacent to a portion of Sixth Street which is not improved.
3. The applicant was notified the proposed structure would not meet requirements addressing structures in the front yard as well as setbacks and the permit was not issued.
4. On January 9, 2023 code enforcement performed an inspection for Permit No. 44100 and found a shed was built on the property and noted it did not meet setbacks.
5. On January 27, 2023 a code violation was opened at the property for building without a permit (the violation is still open, pending the outcome of this ZBA request).
6. The applicant contacted Planning and Zoning concerning a variance on February 3, 2023, and the variance application was completed and submitted on February 16, 2023.
7. The area where the shed is located is considered a front yard since it is adjacent to an approximately 80 ft. long portion of the Sixth Street right-of-way.
8. This portion of the Sixth Street right-of-way was never improved and terminates into private property abutting the rear of the subject site.
9. In similar hearings the Board of Adjustments has:
 - ZBA-2008-20 – Approved a reduction of the required front yard setback from 16 ft. to 8 ft. at 500 West Harding
 - ZBA-93-06 - Approved a reduction of the required accessory structure setback from 3 ft. to 2 ft., 7 in. at 438 West Hoover
 - ZBA-85-19 - Denied a request to reduce the required side yard setback from 5 ft. to 1 ft. at 518 West Hoover
10. In order to meet the zoning district requirements the applicant must remove the structure from the front yard and relocate it to a side and/or rear yard.



ST. CHARLES PARISH
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

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

Municipal Address of Request 594 West Easy St.

City Destrehan State LA Zip 70047

Subdivision _____ Lot _____ Block _____ Section _____

Owner/Applicant Name Chelsea Campeaux

Mailing Address 594 West Easy St.

City Destrehan State LA Zip 70047

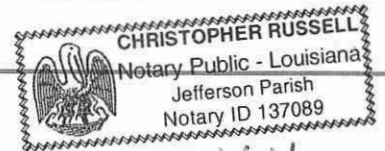
Phone # 504-605-8739 Email Ccampeaux23@yahoo.com

APPLICANT TESTIMONY: Why can't your project meet the zoning regulations? _____

There is an undeveloped street next to my property.

Please attach any additional information to clarify or explain your request to the Board.

OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF ST. CHARLES



OWNER:

Chelsea Campeaux 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.

Chelsea Campeaux
(Signature of owner)

NOTARY PUBLIC:

Subscribed and sworn to before me this 16th day
 of February, 2023 in my
 office at Metairie

Louisiana.
Christopher Russell
(Signature of Notary Public)

SEAL

FOR OFFICE USE ONLY:

ZBA Case #: 2023-8-2BA Property Identification #: 10134319 Date submitted: 2/16/23

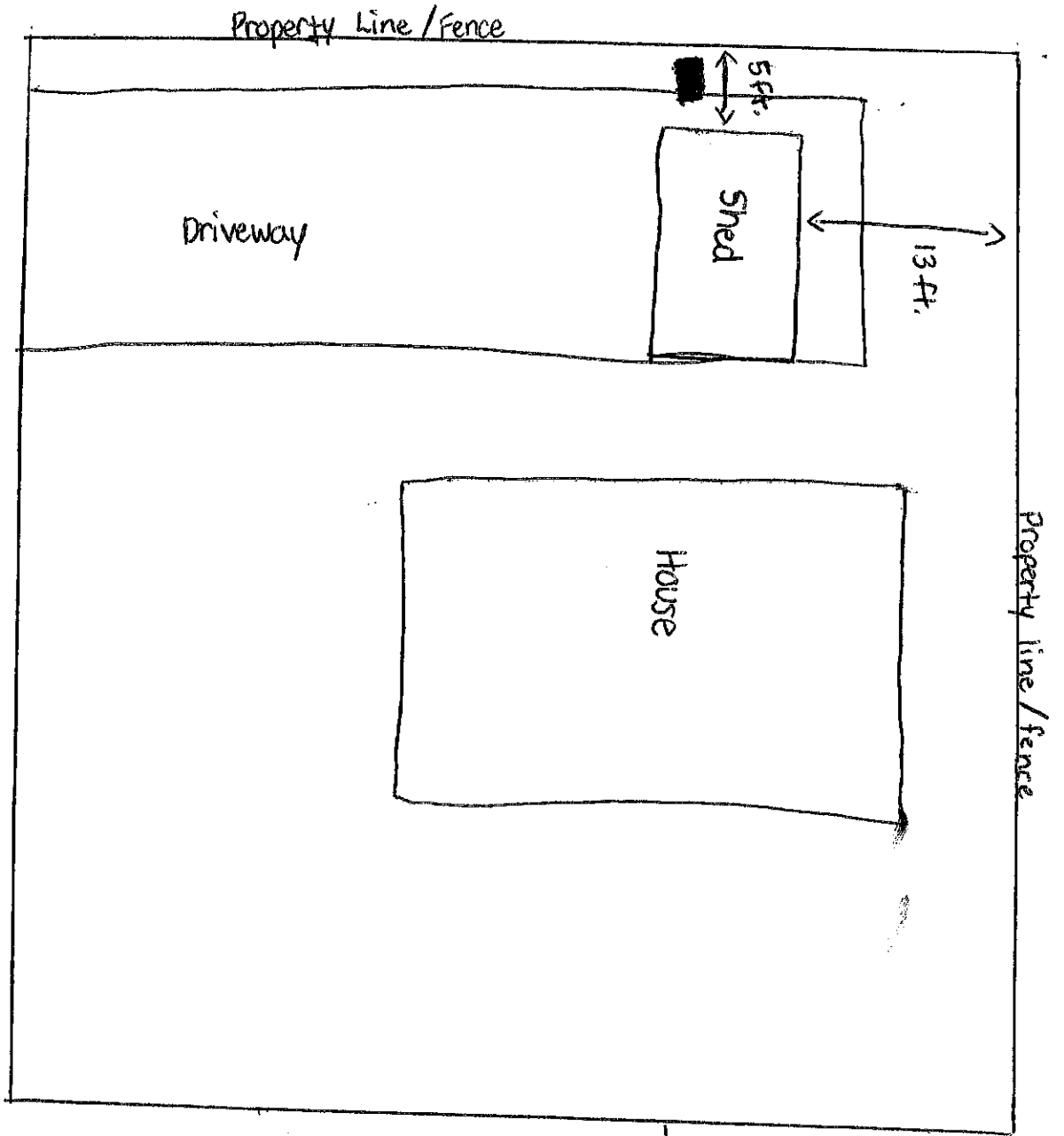
Receipt #: 10134319 Flood Zone: _____ Zoning District: _____

Subdivision Name: _____

Square # _____ Lot # _____ Block _____ Property sq. ft. _____

Code Section being appealed: _____

Undeveloped street





| | | | | | | | | | | | | | | | | | | | | | | | | |
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| 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |

(25)

WEST HARDING

| | | | | | | | | | | | | | | | | | | | | | | | | |
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| 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |

(25)

WEST HOOVER

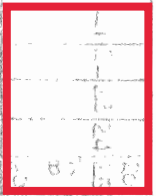
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(27)

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| 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |

(23)

WEST EASY



| | | | | | | | | | | | | | | | | | | | | | | | | |
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| 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |

(32)

2 STREET

| | | | | | | | | | | | | | | | | | | | | | | | | |
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| 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |

(31)

3 STREET

| | | | | | | | | | | | | | | | | | | | | | | | | |
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| 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |

(30)

4 STREET

| | | | | | | | | | | | | | | | | | | | | | | | | |
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| 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |

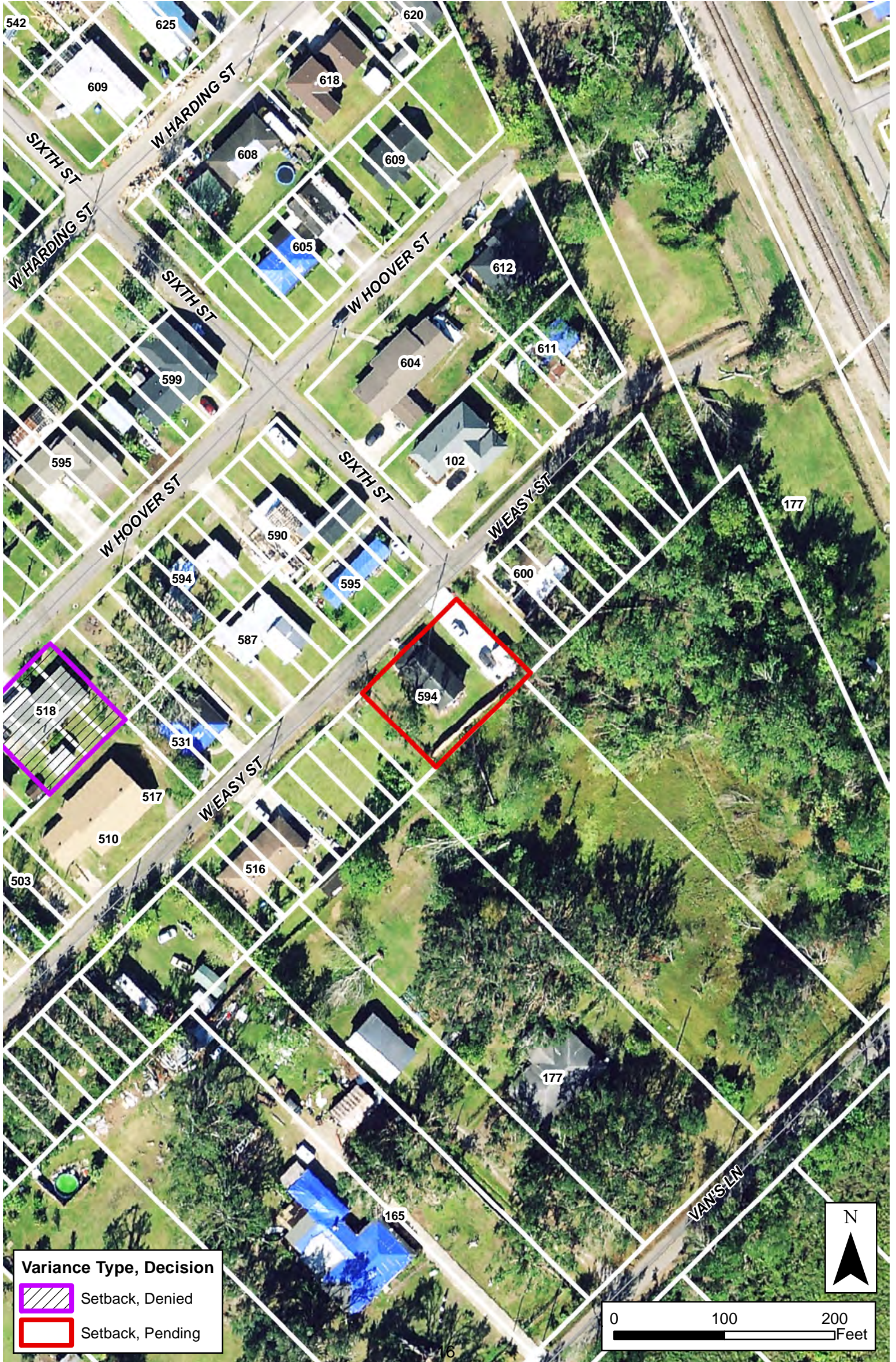
(29)

WEST RAILROAD

EAST RAILROAD

2023-8-ZBA, Campeaux

Allow a residential accessory building within a front yard and reduce the required front yard setback





Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2023-9-ZBA

GENERAL APPLICATION INFORMATION

APPLICANT / PROPERTY OWNER:

George & Lisa Lou
102 Panther Run Drive
Destrehan, LA 70047
504.579.3572; gslou@yahoo.com

LOCATION:

102 Panther Run Drive, Destrehan; Lot 53, Panther Run at Ormond Subdivision Phase 1

REQUEST:

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

SITE INFORMATION

SIZE OF PROPERTY: 13,384 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 developed site-built single family subdivision.

FUTURE LAND USE RECOMMENDATION: Low-Moderate Residential

TRAFFIC ACCESS: Panther Run Drive

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 November 30, 2022, Code Enforcement started a violation at 102 Panther Run for the height of a front yard fence via a complaint. The owner was made aware of the violation but took no immediate action to remedy the violation.
2. On January 10, 2023, Code Enforcement sent a First Violation Notice via USPS regarding the outstanding violation.
3. On February 13, 2023 the property owner contacted Planning and Zoning to request a ZBA application, which was submitted on March 3, 2023.
4. Lot 53 is part of Panther Run Subdivision which was dedicated in June 2004. The lot meets or exceeds the minimum width and lot area requirements for the R-1A Zoning district.
5. The existing house was permitted in September 2004 (Permit No. 18033-04).
6. As part of the development of Panther Run Subdivision a 6 ft. fence was erected along the Stanton Hall Drive property lines of Lot 1 (101 Panther Run Drive) and Lot 53 (102 Panther Rub Drive). They were found in violation of the 4 ft. height limitation for fences within a front yard, and a variance

request was submitted by the developer of Panther Run Subdivision in October 2004 (ZBA-2004-33). The request was denied and the fences were reduced to the required 4 ft.

7. The 4 ft. fence was damaged as a result of Hurricane Ida and replaced with the current nonconforming 6 ft. fence.
8. The Zoning Board of Adjustments has heard one other request concerning front yard fences in the area. 2023-2-ZBA was approved for a 6 ft. fence within the front yard setback at 201 Belle Ormond Circle.
9. 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.
10. 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.



ST. CHARLES PARISH
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

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

Municipal Address of Request 102 Panther Run

City Destrehan State LA Zip 70047

Subdivision Ormond Subd. Phase I Lot 53 Block _____ Section _____

Owner/Applicant Name George + Lisa Loy

Mailing Address 102 Panther Run

City Destrehan State LA Zip 70047

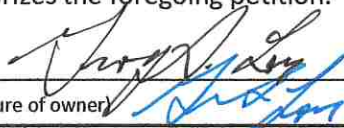

Phone # 504-579-3572 Email 6shov@vahoo.com

APPLICANT TESTIMONY: Why can't your project meet the zoning regulations? See attached

Re

Please attach any additional information to clarify or explain your request to the Board.

OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF ST. CHARLES

| | |
|--|--|
| <p>OWNER: <u>George S. Loy</u> being duly sworn, <small>(Print Name)</small> 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.  <small>(Signature of owner)</small></p> | <p>NOTARY PUBLIC: Subscribed and sworn to before me this <u>3rd</u> day of <u>March</u>, 20 <u>23</u> in my office <u>at Destrehan</u> Louisiana  <small>(Signature of Notary Public)</small> ABBEY A. MACK Notary Public LA Bar Roll No. 9621 My Commission Expires at My Death SEAL</p> |
|--|--|

FOR OFFICE USE ONLY:

ZBA Case #: 2023-9-2BA Property Identification #: 301900000053 Date submitted: 3/3/23

Receipt #: _____ Flood Zone: A99 Dfirm A62.5 Zoning District: RIA

Subdivision Name: Panther Run at Ormond Subdivision

Square # _____ Lot # 53 Block _____ Property sq. ft. 13384

Code Section being appealed: A. IV. 5. b. and c.

*Instrument not prepared by the Notary Public
 attesting & signature only*

Information Concerning Request for “Fence” Variance at
102 Panther Run – Destrehan LA

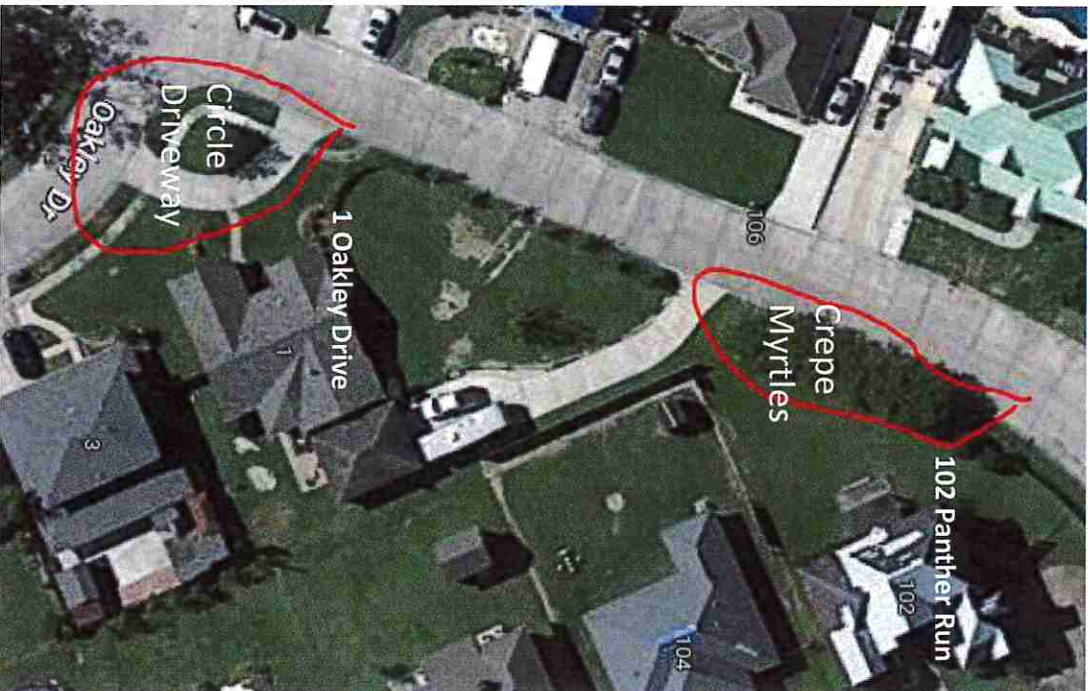
George and Lisa Lou

February 25, 2023

For ZBA Meeting on April 7, 2023

Time-Line

- Hurricane Ida knocked our fence down on 8/29/2021
- New replacement fence finally installed 11/21/2022 to 11/23/2022
- First visit by Planning and Zoning on 11/30/2022
 - Informed us that neighbor behind us complained to Councilwoman Beth Billings that he could not back out of his driveway
- Received letter from Planning and Zoning on 1/17/2023
- Contacted Kevin Doherty of Planning and Zoning on 1/18/2023, started conversation to understand issues
- Met Kevin at our house on 2/3/2023. Kevin gave contact information for Ken Lorio, his direct supervisor
- Contacted Ken for next steps on 2/6/2023. He mentioned the fence regulation. I asked for a copy, and was emailed later that day



1 Oakley Drive

(address of the neighbor who complained he cannot back out of driveway)

- He actually has a circle driveway that exits onto Oakley and onto Nottaway
- The exit from his circle drive on Nottaway is far from our fence
- If his concern is with driving his camper out, he should be looking left for on-coming traffic as he pulls out. The traffic coming from his right is on the far side and there is clear line of sight
- I suggested to Kevin Doherty that it is more likely that the crepe myrtles along the outside of my fence is what blocks his view, not the fence. They are much taller and broader than my 6' fence. They should be trimmed or cut (belongs to the parish)

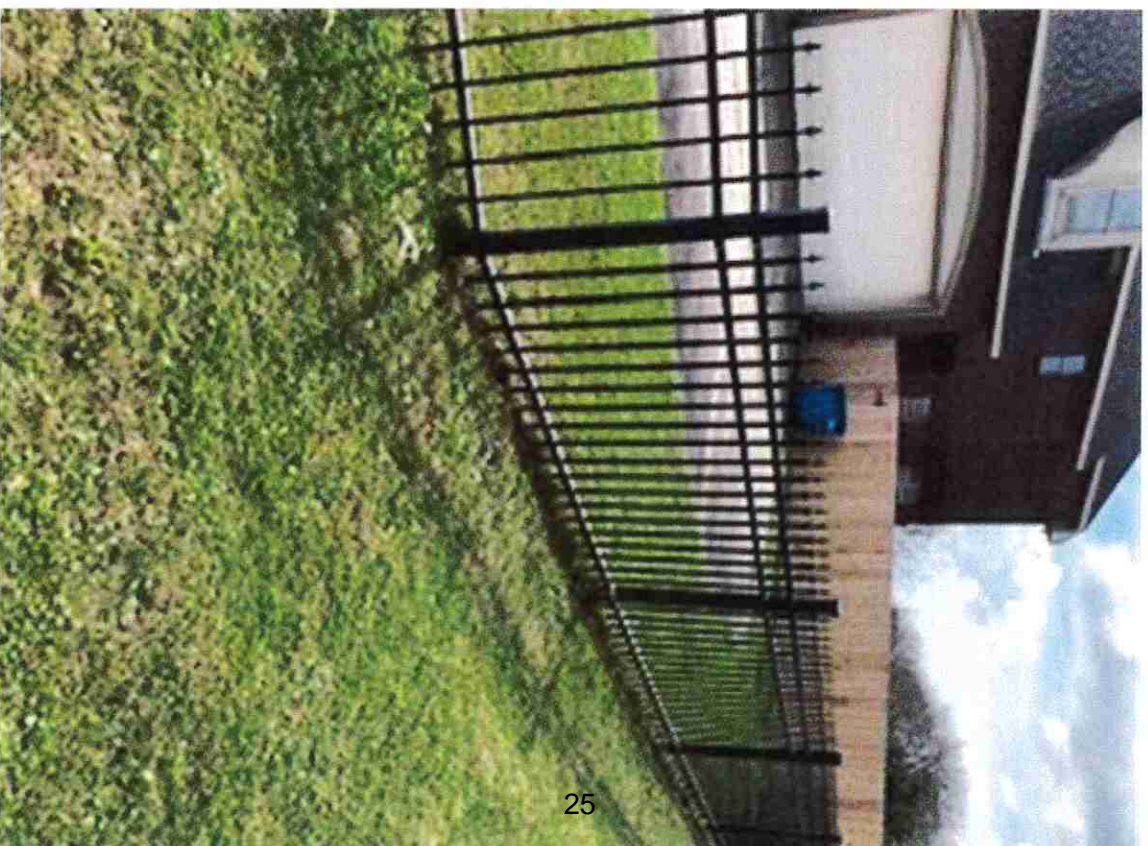
- View from 1 Oakley Drive, looking down Nottaway towards Stanton Hall Drive (looking to the right)



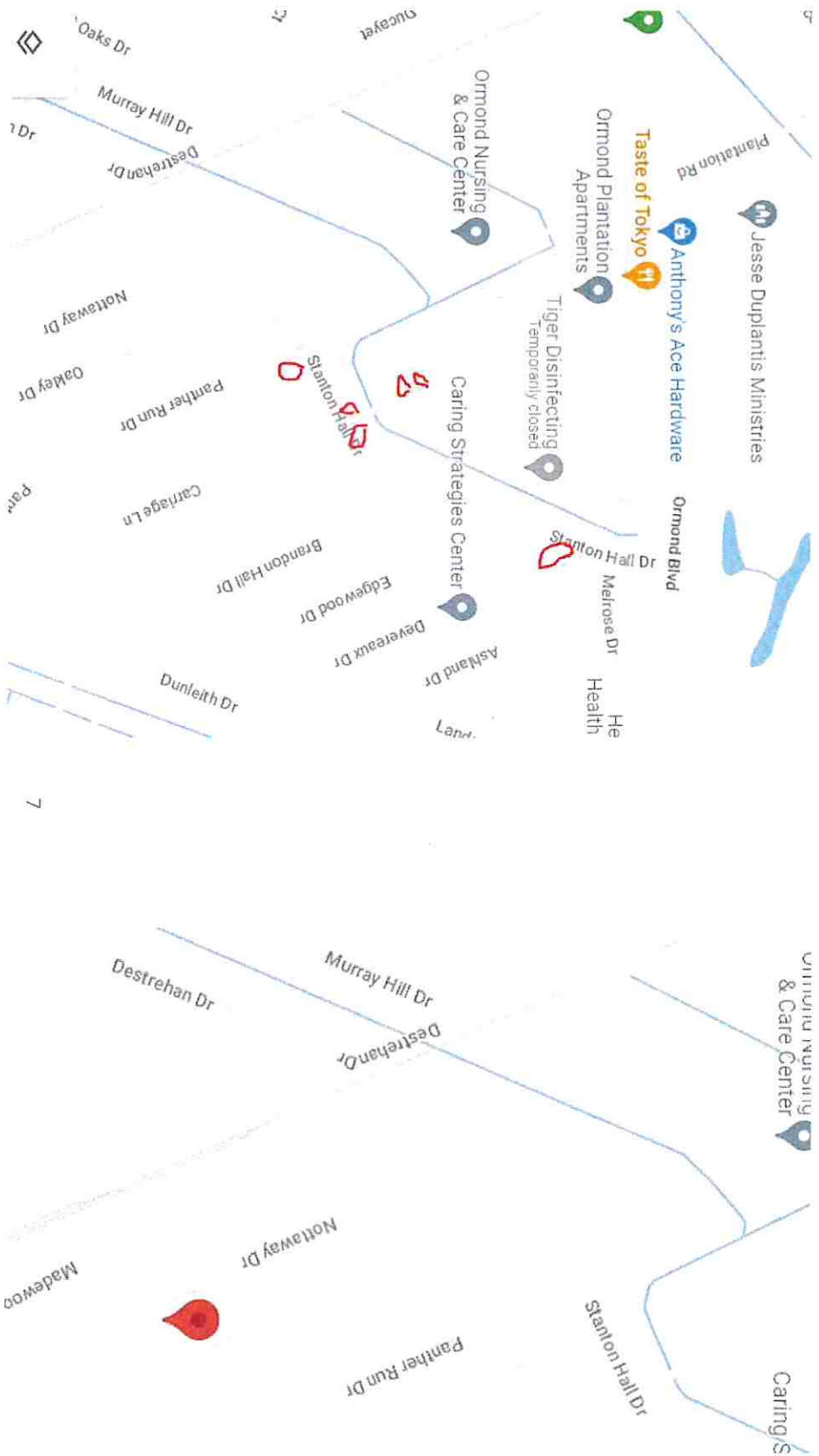
Fence Regulation sent by Mr. Ken Lorio with his Highlights

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.

- “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”
- The fence in our front yard is 4’ tall, and is a see-through metal fence
- Our new 6’ fence runs along our back yard only
- Interpretation from Planning and Zoning is that since we are a corner lot, we have no back yard, that we have all front yard
- There are 7 corner properties near us, all of them have a 6’ fences



Location of Seven Corner Properties Near us with 6' Tall Fences



2 Devereaux Drive

- 6' fence, at the closest point to Stanton Hall, it measures approximately 9' from the road



100 Stanton Hall Drive

- 6' fence is approximately 11' from the road



86 Stanton Hall Drive

- 6' fence is approximately 11' from the road



10



506 Belle Ormond Circ

- 6' fence is approximately 11' from the road at the closest point and 19' at the furthest point

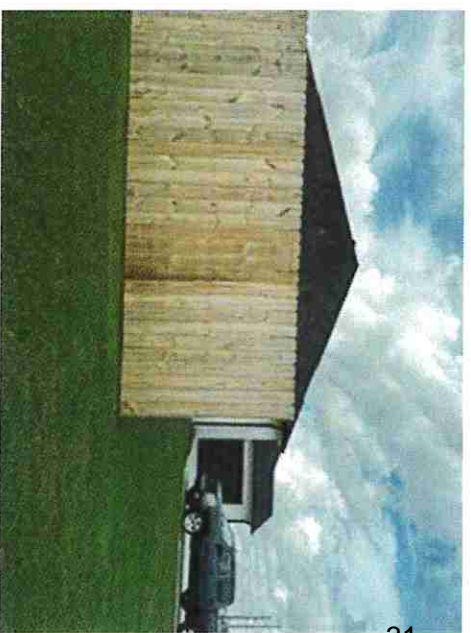


11



201 Belle Ormond Circ

- 6' fence is approximately 11' from the road



101 Panther Run

- 6' fence is approximately 11' from the road



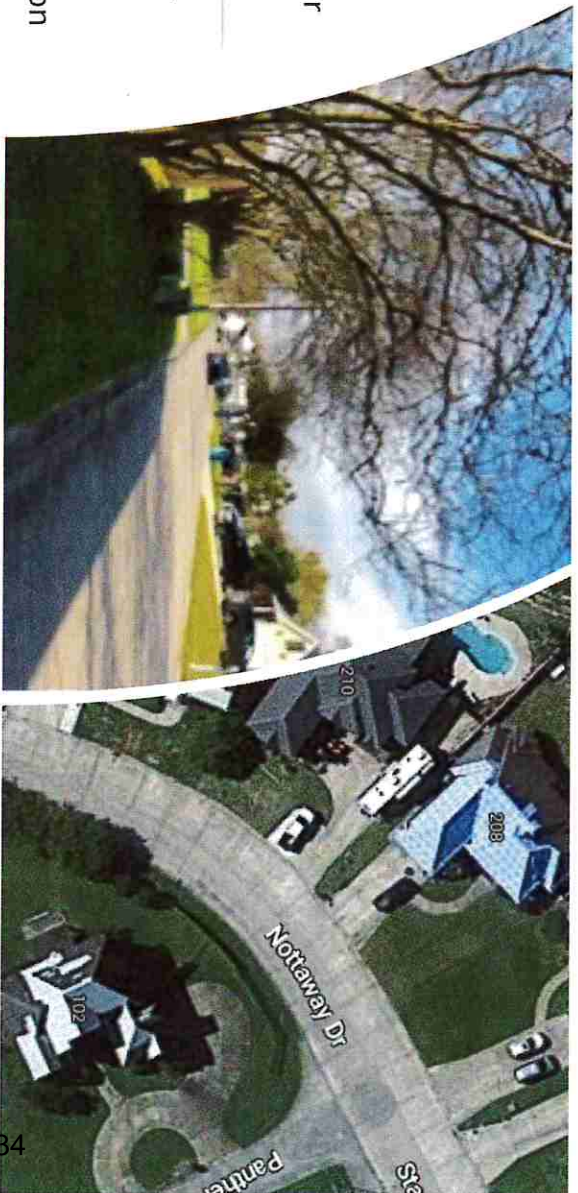
221 Nottaway Drive

- 6' fence is approximately 11' from the road



- “C. No fence shall be erected so as to block vehicular travel sight lines”

- Our fence does not block the view of vehicular travel line of sight
- We asked several neighbors on Panther Run if they had trouble seeing the on-coming traffic on the corner of Panther Run and Stanton Hall / Nottaway Drive, and they all said they have no problem seeing.
- One neighbor said it was no different than before
- Speed limit is 25 mph

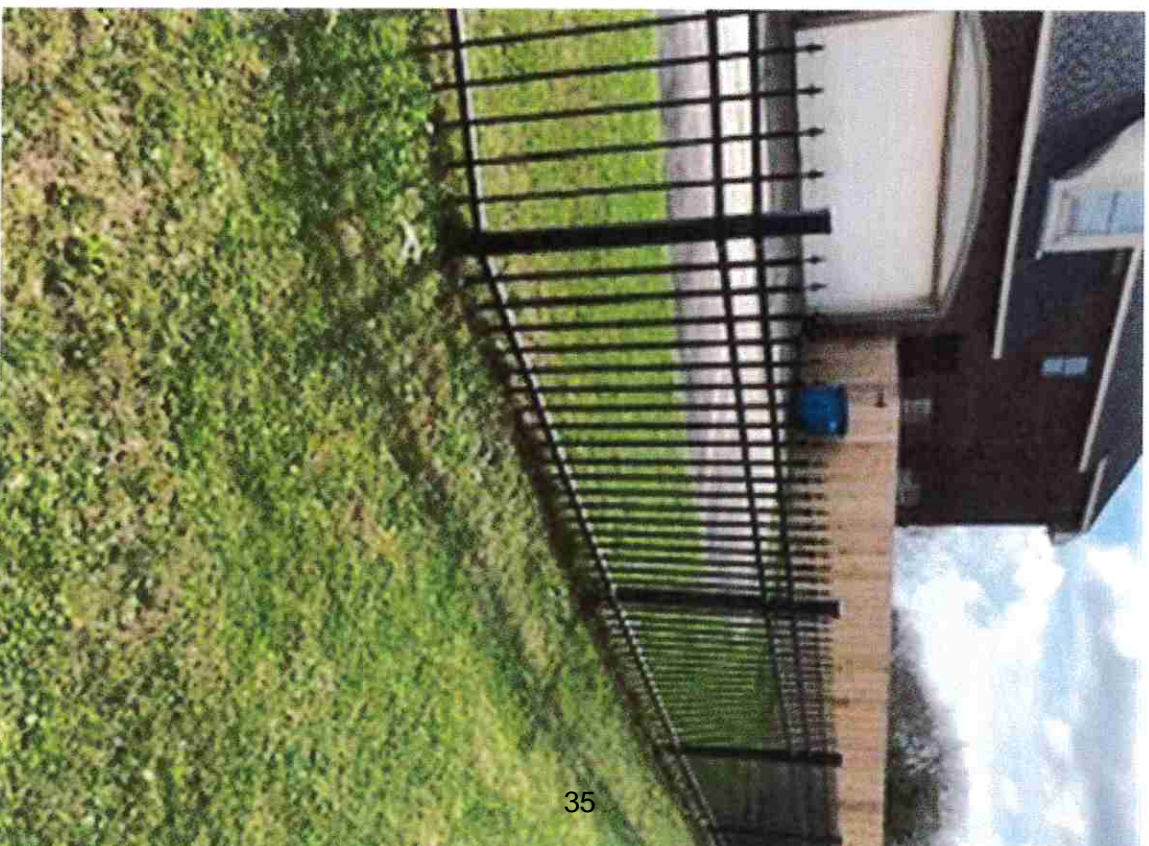


34



15

- “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”
- Our fence in the front of the house is a see through, metal fence that is 4’ and meets this 20’ off-set from the corner

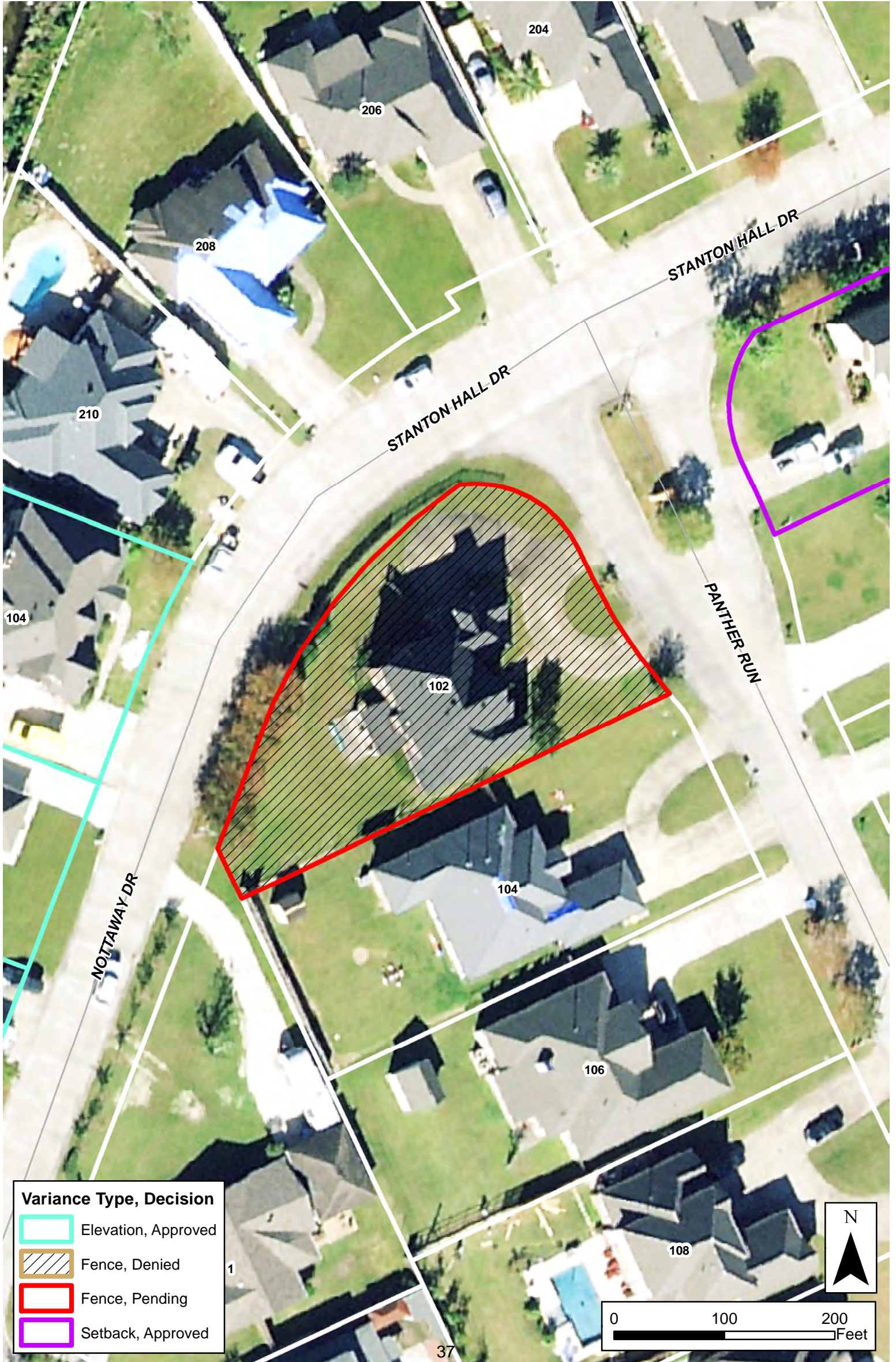


Conclusion

- We don't believe that we are out of compliance with the "Fence Regulation"
- We should be allowed to keep the fence as-is

2023-9-ZBA, George & Lisa Lou

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. 2023-10-ZBA

GENERAL APPLICATION INFORMATION

APPLICANT / PROPERTY OWNER:

Eva Noto
202 Davis Drive
Luling, LA 70070
504.920.3805; evaclairenoto@gmail.com

LOCATION:

202 Davis Drive, Luling; Lots 1, 2, & 3 of Block B of Davis Heights

REQUEST:

Reduce required front yard setback from twenty (20) to ten (10) feet for construction of a patio cover.

SITE INFORMATION

SIZE OF PROPERTY: 7,652 sq. ft.

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

SURROUNDING ZONING AND LAND USE: R-1A zoning and site-built single family houses are located to each side.

FUTURE LAND USE RECOMMENDATION: Low-Moderate Residential

TRAFFIC ACCESS: Aquarius Street

BASE FLOOD ELEVATION (BFE): A99: X, DFIRM: X

APPLICABLE CODE REGULATION(S)

Appendix A. Section VI. Zoning District Criteria and Regulations

B. Residential districts —

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

2. Spatial Requirements: 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.

DEPARTMENT ANALYSIS & FINDINGS

1. On October 4, 2022 a permit (No. 44454) was submitted for an attached patio cover at 202 Davis Drive.
2. The application was considered incomplete due to missing a site plan, which was eventually submitted on January 23, 2023.
3. Permits informed the owner the proposed location of the patio cover is within the front yard setback. The owner requested a ZBA application be sent to her contractor and was submitted on March 6, 2023
4. The existing home was built to the 20 ft. front setback. The proposed patio cover would extend 10 ft. off the Davis Drive side of the house. At 25 ft. long, this puts all 250 sq. ft. of the structure within the front yard setback.
5. Similar requests in this area heard by the Zoning Board of Adjustment include:
 - ZBA-94-54 – approved reduction of a front yard setback from 20 ft. to 13 ft., 215 Davis Dr. for a carport.
 - ZBA-05-21 – approved reduction of a front yard setback from 20 ft. to 15 ft., 220 Evelyn Dr. for an addition.
6. In order to meet the zoning district requirements the applicant would have to redesign the proposed patio cover within a zoning compliant location.



ST. CHARLES PARISH
DEPARTMENT OF PLANNING AND ZONING
APPLICATION TO THE ZONING BOARD OF ADJUSTMENT

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

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

Municipal Address of Request EVA Noto

City Luling State LA. Zip 70090

Subdivision Davis Heights Lot 2 Block B Section 25

Owner/Applicant Name EVA Noto

Mailing Address 202 DAVIS DR.

City Luling State LA. Zip 70090

Phone # 504-920-3805 Email EVACLAIRENOTO@GMAIL.COM

APPLICANT TESTIMONY: Why can't your project meet the zoning regulations? _____

I am to close to Property Line

Please attach any additional information to clarify or explain your request to the Board.

OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF ST. CHARLES

OWNER:
EVA Noto 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.
Eva Noto
 (Signature of owner)

NOTARY PUBLIC:
 Subscribed and sworn to before me this 6 day
 of MARCH, 2023 in my
 office at Route
 Louisiana.

 (Signature of Notary Public)



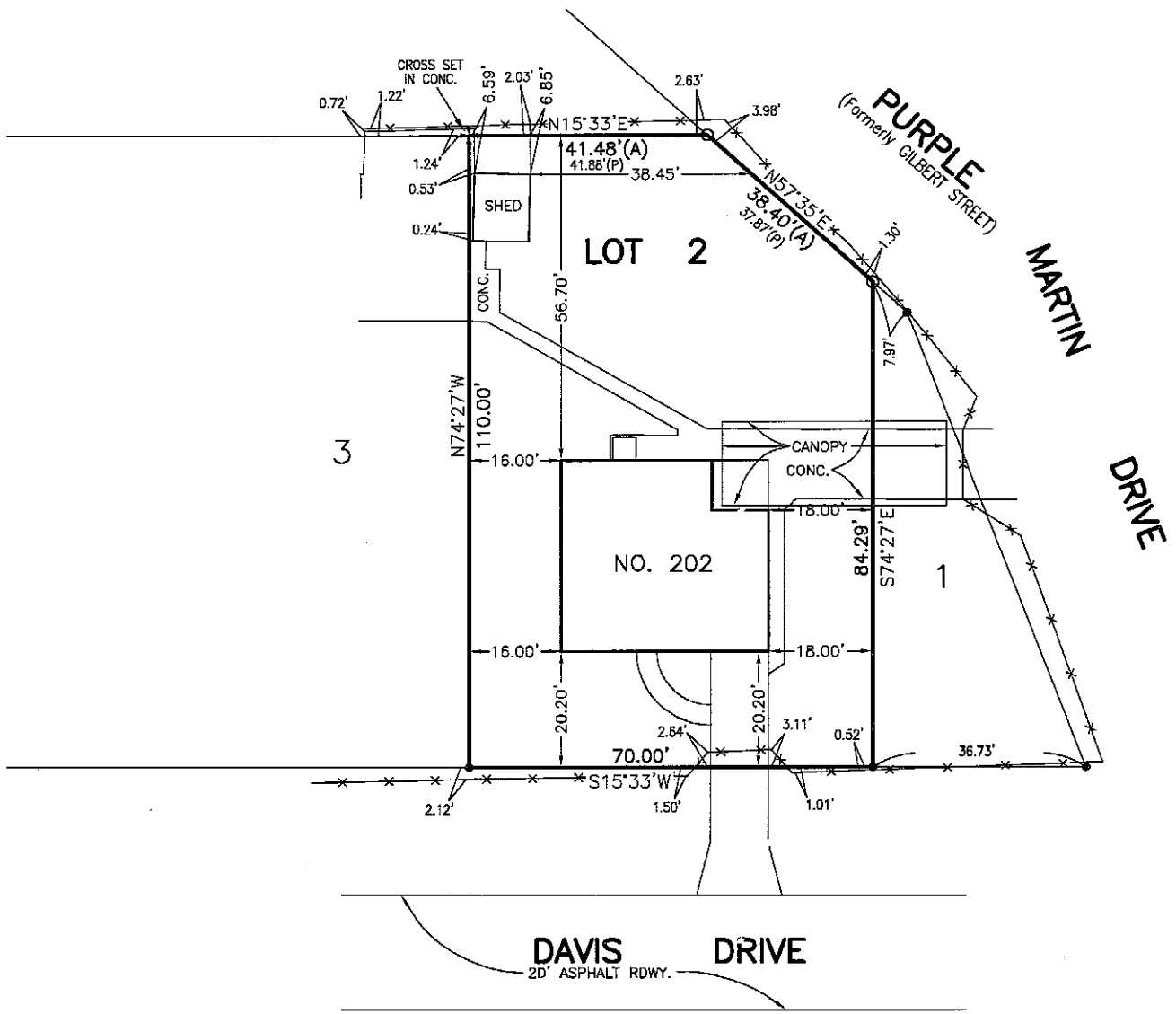
FOR OFFICE USE ONLY:

ZBA Case #: _____ Property Identification #: 201800800002 Date submitted: 3/6/23
 Receipt #: 500100001 Flood Zone: X Zoning District: RIA
 Subdivision Name: Davis Heights
 Square # _____ Lot # 1 Block B Property sq. ft. 7,652
 Code Section being appealed: A. Section VI B. [I] 2. (i)



MARCIA STREET Side

Side
STREET
NOLA



SURVEY OF LOT 2, BLOCK "B"
DAVIS HEIGHTS SUBDIVISION
IN SECTION 25, T13S - R21E
ST. CHARLES PARISH, LOUISIANA
 SCALE: 1" = 30' FEBRUARY 15, 2023

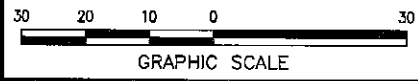
- LEGEND**
- = 1/2" IRON ROD FOUND
 - = 1/2" IRON ROD SET
 - ⊕ = CROSS SET
 - x— = FENCE
 - (A) = ACTUAL
 - (P) = PLAN
- BEARINGS ARE BASED ON REFERENCE PLAN

CERTIFIED TO EVA G. NOTO

REFERENCE PLAN:
 DAVIS HEIGHTS BY E. M. COLLIER, DATED
 MARCH 6, 1963, REVISED DEC. 23, 1964

The reference plat shows no servitudes and no information regarding servitudes was furnished by the owner or his agent. No further research regarding servitudes was performed for this survey.

This is to certify that I have consulted the Flood Insurance Rate Maps and found that this property is in Zone X.



I certify that this plat represents an actual ground survey performed by myself or under my supervision and is in accordance with the Louisiana standards of practice for a Class C survey.

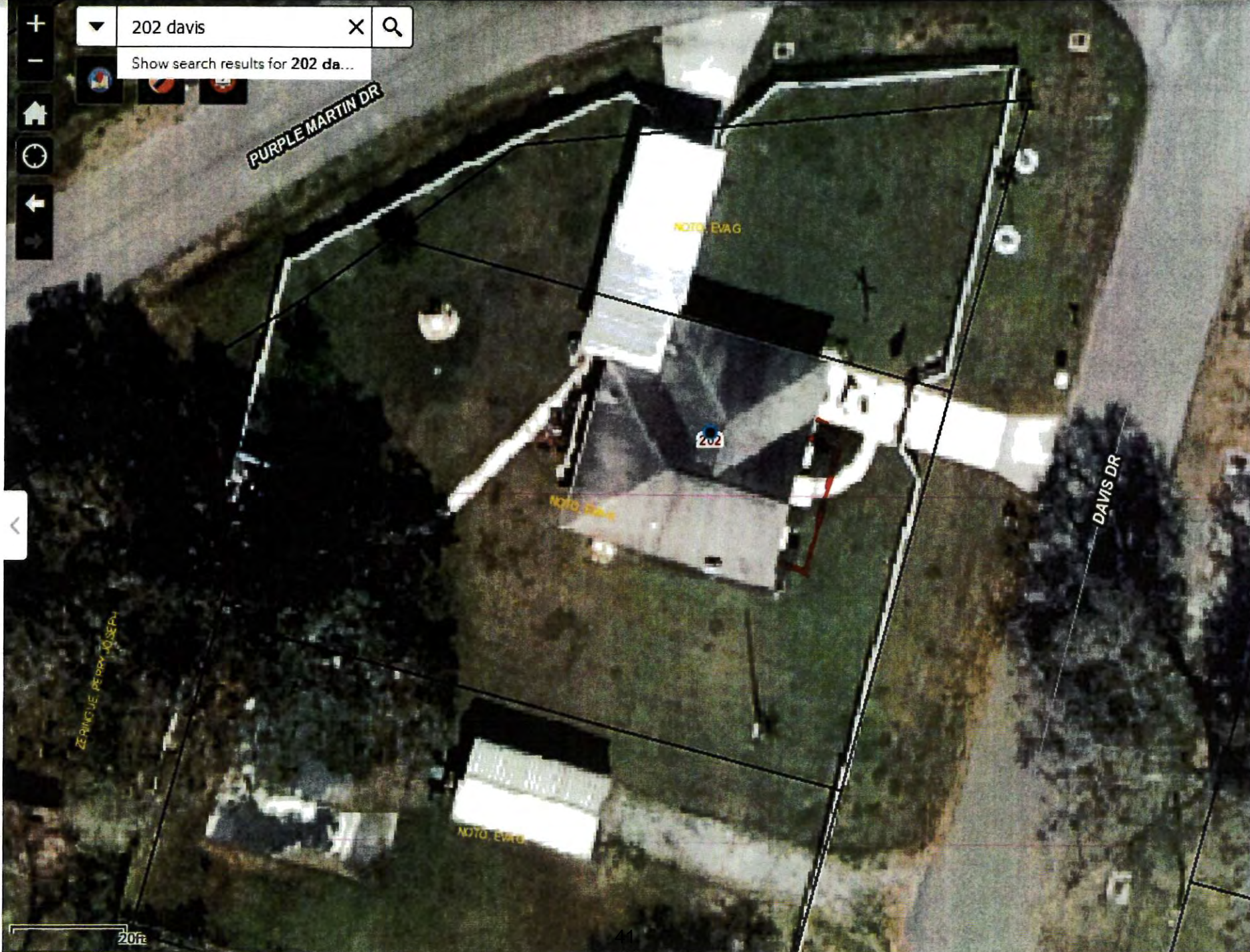
LOUIS J GASSEN JR, PLS
 Registration No. 4945
 (985) 785-0745
 1026 Gassen Street
 Luling, Louisiana 70070

GASSEN SURVEYING, LLC

Map navigation controls including zoom in (+), zoom out (-), home, full screen, and back arrows.

202 davis

Show search results for 202 da...



202 Davis Dr

WORK TO BE PERFORMED AT

ADDRESS

CITY STATE

DATE OF PLANS

We hereby propose to furnish the materials and perform the labor necessary for the completion of

As to details for additional description and drawings:

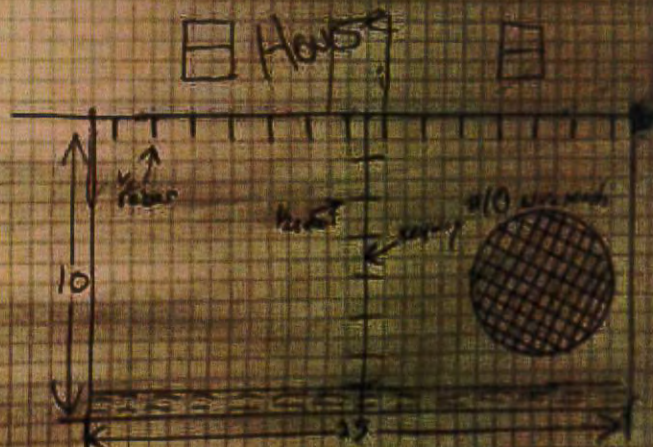
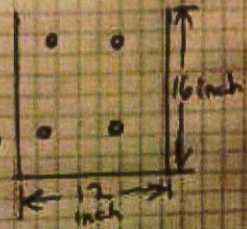
Thickness of slab 4 inch

1/2 inch rebar in slab + beam

4 inch key way joints

3,000 Psi concrete

12x16 footing
with 4 rebar run
throughout footing



2023-10-ZBA, Eva Noto

Reduce required front yard setback for an attached patio cover





Department of Planning & Zoning
Staff Report – Zoning Board of Adjustments
Case No. 2023-11-ZBA

GENERAL APPLICATION INFORMATION

APPLICANT / PROPERTY OWNER:

Xavier Coca Jimenez and Vanessa Castellanos
814 Paul Frederick Drive
Luling, LA 70070
504.516.7420; vanessanicolle22@gmail.com

LOCATION:

517 Paul Frederick Drive, Luling; Lot B-3 of Block E, Oak Ridge Park

REQUEST:

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

SITE INFORMATION

SIZE OF PROPERTY: 5,235.23 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) is located to the North and South. C-2 Zoning is located to the East. R-1A zoning is located to the West; the site is in a developed area with a mixture of single-family site built and mobile homes, plus commercial business on Paul Maillard Road.

FUTURE LAND USE RECOMMENDATION: Neighborhood Mixed Use

TRAFFIC ACCESS: Paul Frederick Drive

BASE FLOOD ELEVATION (BFE): X; DFIRM X

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. A Code Enforcement Inspector advised the applicants about the fence being too high while conducting a permit update. The applicants then contacted Planning and Zoning concerning the matter on March 6, 2023.
2. Applicant submitted the application on March 16, 2023 to permit a 6 ft. high fence in the front yard setback.
3. The fence is chain link fence and does not block vehicular traffic sight lines.
4. No variances for residential fence height have been heard in this area.
5. 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.



ST. CHARLES PARISH
DEPARTMENT OF PLANNING AND ZONING
APPLICATION TO THE ZONING BOARD OF ADJUSTMENT

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

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

Municipal Address of Request 517 Paul Fredrick st.

City Luling State LA Zip 70070

Subdivision _____ Lot _____ Block _____ Section _____

Owner/Applicant Name Xavier Coca Jimenez / vanessa Castellanos

Mailing Address 814 Paul Fredrick st.

City Luling State LA Zip 70070

Phone # (504) 516-7420 Email vanessanicolle22@gmail.com

APPLICANT TESTIMONY: Why can't your project meet the zoning regulations? _____

chain link fence is 6 feet high all around.

Please attach any additional information to clarify or explain your request to the Board.

OWNER'S ENDORSEMENT: STATE OF LOUISIANA, PARISH OF ST. CHARLES

| | |
|--|---|
| <p>OWNER:</p> <p><u>Xavier Coca Jimenez</u>, being duly sworn, <small>(Print Name)</small> <u>vanessa Castellanos</u> 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.</p> <p><u>Xavier Jimenez</u> <small>(Signature of owner)</small></p> | <p>NOTARY PUBLIC:</p> <p>Subscribed and sworn to before me this _____ day of <u>MAR 16 2023</u>, 20____ in my office at <u>des Allemands</u> Louisiana.</p> <p align="right">LLOYD JOSEPH FRICKEY NOTARY PUBLIC PARISH OF ST. CHARLES ID# 15308 SEAL</p> <p><u>[Signature]</u> <small>(Signature of Notary Public)</small></p> |
|--|---|

FOR OFFICE USE ONLY:

ZBA Case #: 2023-11-ZBA Property Identification #: 103200E008-3 Date submitted: 3/16/23

Receipt #: 10186035 Flood Zone: X Zoning District: R-1A(m)

Subdivision Name: Oak Ridge Park

Square # _____ Lot # B-3 Block E Property sq. ft. 5235.23

Code Section being appealed: A. IV. 5. b.

- we are applying for this variance, hoping it will be granted due to the size of our dog. He is over 5 feet tall and aggressive.





- The fence on this picture is 5 feet tall.



2023-11-ZBA, Xavier Coca Jimenez & Vanessa Castellanos

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

